Congressional Record

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

THIRD SESSION

OF THE

SIXTY-FIFTH CONGRESS

OF

THE UNITED STATES
OF AMERICA

WITH

APPENDIX AND INDEX TO PARTS 1-5

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FEBRUARY 25 TO MARCH 4, 1919.

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Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS THIRD SESSION.

SENATE.

TUESDAY, *February 25, 1919.*

Rev. William A. Quayle, D. D., of St. Louis, Mo., bishop of the Methodist Episcopal Church, offered the following prayer:

O Lord, our heavenly Father, we thank Thee that whoever comes or goes Thou stayest. We bless Thee that so long as Thou art alive and well the universe is safe and the stars have not wandered. Thou holdest the world in Thy heart. Thou hast died for man. We thank Thee that Thou hast invented democracy for the earth, and the earth is coming to its own through Thee. Bless the great bruised world, for which Thou hast great expectations and hast uttered great prophecies. Bless this dear country of ours. Give it ascendancy of leadership in all good things. Bless this grave and great deliberative body in its deliberations for the world. Bless all men in authority. Bless the House of Representatives. Grant, O Lord, that with every coming of every session the Christ life and the Christ love and the thought of God shall become more and more pre-eminent. We pray for these things in the name of our Master, even Christ. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Nelson	Smith, Ga.
Baird	Hale	New	Smith, S. C.
Bankhead	Harding	Norris	Smoot
Beckham	Henderson	Nugent	Spencer
Brandegee	Johnson, Cal.	Owen	Sterling
Calder	Jones, N. Mex.	Page	Sutherland
Chamberlain	Jones, Wash.	Penrose	Thompson
Colt	Kellogg	Pittman	Townsend
Culberson	Kenyon	Poindexter	Trammell
Curtis	King	Pollock	Vardaman
Dillingham	Kirby	Pomerene	Wadsworth
Fernald	La Follette	Ransdell	Walsh
Fletcher	Lodge	Reed	Watson
France	McCumber	Saulsbury	Weeks
Gay	McKellar	Shafroth	Williams
Gerry	McLean	Sheppard	Wolcott
Gore	Moses	Sherman	

Mr. SHEPPARD. I wish to announce that the Senator from Maryland [Mr. SMITH] and the Senator from Arizona [Mr. SMITH] are detained by illness.

Mr. PITTMAN. I desire to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Arkansas [Mr. ROBINSON], and the Senator from North Carolina [Mr. SIMMONS] are detained on official business.

Mr. SUTHERLAND. I wish to announce that my colleague [Mr. GOFF] is absent on account of illness.

The VICE PRESIDENT. Sixty-seven Senators have answered to the roll call. There is a quorum present.

PROPHECY OF LEAGUE OF NATIONS.

Mr. WILLIAMS. Mr. President, I wish to take advantage of this occasion to read a couple of pages of typewritten matter which I hold in my hand, and I will explain whence it comes when I get through. I ask the attention of Senators to it, because it is one of the most remarkable prophecies that ever came down the aisle of time.

Count Volney, a noted French writer, published in 1791 "The Ruins of Empires," and in the chapter headed "Will the human race improve?" occurs this most remarkable prophecy:

And when nations, free and enlightened, shall become like great individuals, the whole species will have the same facilities as particular portions now have; the communication of knowledge will extend from one to another, and thus reach the whole. By the law of imitation, the example of one people will be followed by others, who will adopt its spirit and its laws. Even despots, perceiving that they can no longer maintain their authority without justice and beneficence, will soften their sway from necessity from rivalship, and civilization will become universal.

There will be established among the several nations an equilibrium of force, which, restraining them all within the bounds of the respect due to their reciprocal rights, shall put an end to the barbarous practice of war, and submit their disputes to civil arbitration. The human race will become one great society, one individual family, governed by the same spirit, by common laws, and enjoying all the happiness of which their nature is susceptible.

Doubtless this great work will be long accomplishing, because the same movement must be given to an immense body, the same leaven must assimilate an enormous mass of heterogeneous parts. But this movement shall be effected; its presages are already to be seen. Already the great society, assuming in its course the same characters as partial societies have done, is evidently tending to a like result. At first disconnected in all its parts, it saw its members for a long time without cohesion; and this general solitude of nations formed its first age of anarchy and childhood, divided afterwards by chance into irregular sections, called States and kingdoms, it has experienced the fatal effects of an extreme inequality of wealth and rank; and the aristocracy of great empires has formed its second age; then, these lordly States disputing for preeminence, have exhibited the period of the shock of factions.

At present the contending parties, wearied with discord, feel the want of laws, and sigh for the age of order and of peace. Let but a virtuous chief arise; a just, a powerful people appear; and the earth will raise them to supreme power. The world is waiting for a legislative people; it wishes and demands it, and my heart attends the cry.

Then turning toward the west—

Volney says—

a hollow sound already strikes my ear.

The west to which he turned was the new United States.

Then, turning to the West—

continued he—

a hollow sound already strikes my ear; a cry of liberty proceeding from far distant shores resounds on the ancient continent. At this cry a secret murmur against oppression is raised in a powerful nation—

He was then referring to France—

a salutary inquietude alarms her respecting her situation; she inquires what she is and what she ought to be, while, surprised at her own weakness, she interrogates her rights, her resources, and what has been the conduct of her chiefs.

Yet another day—a little more reflection—and an immense agitation will begin; a new-born age will open, an age of astonishment to vulgar minds, of terror to tyrants, of freedom to a great nation, and of hope to the human race.

Mr. President, these were the words in which Volney made his prophecy of a society of nations. This was sent to me under date of February 22, 1919, from Augusta, Ga., with this note:

AUGUSTA, GA., *February 22, 1919.*

DEAR SENATOR: I have had this copy made from Volney, thinking that it would interest you. Everything considered, it is the most remarkable prophecy outside of the sacred writings.

With best wishes,
Sincerely, yours,

WM. W. HOWARD.

Senator JOHN SHARP WILLIAMS,
United States Senate, Washington, D. C.

THE PRESIDENT'S ADDRESS AT BOSTON.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have inserted in the RECORD the very remarkable address made by the Chief of the American Peace Commission, the President of the United States, at Boston upon yesterday, and I shall request that the Public Printer be instructed to print such parts of it in italics as I have lead-penciled on the left-hand side.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The President's address is as follows:

"Gov. Coolidge, Mr. Mayor, fellow citizens, I wonder if you are half as glad to see me as I am to see you. It warms my heart to see a great body of my fellow citizens again, because in some respects during the recent months I have been very lonely indeed without your comradeship and counsel, and I tried at every step of the work which fell to me to recall what I was sure would be your counsel with regard to the great matters which were under consideration.

"I do not want you to think that I have not been appreciative of the extraordinarily generous reception which was given to me on the other side in saying that it makes me very happy to get home again. I do not mean to say that I was not very deeply touched by the cries that came from the great crowds on the

other side. But I want to say to you in all honesty that I felt them to be a call of greeting to you rather than to me.

"I did not feel that the greeting was personal. I had in my heart the overcrowning pride of being your representative and of receiving the plaudits of men everywhere who felt that your hearts beat with theirs in the cause of liberty. There was no mistaking the tone in the voices of those great crowds.

"It was not a tone of mere greeting, it was not a tone of mere generous welcome; it was the calling of comrade to comrade, the cries that come from men who say, 'We have waited for this day, when the friends of liberty should come across the sea and shake hands with us, to see that a new world was constructed upon a new basis and foundation of justice and right.'

"I can't tell you the inspiration that came from the sentiments that come out of those simple voices of the crowd. And the proudest thing I have to report to you is that this great country of ours is trusted throughout the world.

"I have not come to report the results of the proceedings of the peace conference; that would be premature. I can say that I have received very happy impressions from this conference; the impression that while there are many differences of judgment, while there are some divergences of object, there is nevertheless a common spirit and a common realization of the necessity of setting up new standards of right in the world.

"Because the men who are in conference in Paris realize as keenly as any American can realize that they are not the masters of their people, that they are the servants of their people, and that the spirit of their people has awakened to a new purpose and a new conception of their power to realize that purpose, and that no man dare go home from that conference and report anything less noble than was expected of it.

"The conference seems to you to go slowly; from day to day in Paris it seems to go slowly; but I wonder if you realize the complexity of the task which it has undertaken. It seems as if the settlements of this war affect, and affect directly, every great—and I sometimes think every small—nation in the world, and not one decision can prudently be made which is not properly linked in with the great series of other decisions which must accompany it. And it must be reckoned on with the final result if the real quality and character of that result is to be properly judged.

"What we are doing is to hear the whole case; hear it from the mouths of the men most interested; hear it from those who are officially commissioned to state it; to hear the rival claims; hear the claims that affect new nationalities, that affect new areas of the world, that affect new commercial and economic connections that have been established by the great world war through which we have gone. And I have been struck by the moderateness of those who have represented national claims.

"I can testify that I have nowhere seen the gleam of passion. I have seen earnestness; I have seen tears come to the eyes of men who plead for downtrodden people whom they were privileged to speak for; but they were not the tears of anguish; they were the tears of ardent hope.

"And I don't see how any man can fail to have been subdued by these pleas, subdued to this feeling, that he was not there to assert an individual judgment of his own, but to try to assist the case of humanity.

"And in the midst of it all every interest seeks out first of all, when it reaches Paris, the representatives of the United States. Why? Because—and I think I am stating the most wonderful fact in history—because there is no nation in Europe that suspects the motives of the United States.

"Was there ever so wonderful a thing seen before? Was there ever so moving a thing? Was there ever any fact that so bound the Nation that had won that esteem forever to deserve it?

"I would not have you understand that the great men who represent the other nations there in conference are disesteemed by those who know them. Quite the contrary. But you understand that the nations of Europe have again and again clashed with one another in competitive interest. It is impossible for men to forget those sharp issues that were drawn between them in times past. It is impossible for men to believe that all ambitions have all of a sudden been foregone. They remember territory that was coveted; they remember rights that it was attempted to extort; they remember political ambitions which it was attempted to realize. And, while they believe that men have come into a different temper, they can not forget these things, and so they do not resort to one another for a dispassionate view of the matters in controversy. They resort to that nation which has won the enviable distinction of being regarded as the friend of mankind.

"Whenever it is desired to send a small force of soldiers to occupy a piece of territory where it is thought nobody else will be welcome, they ask for American soldiers. And where other soldiers would be looked upon with suspicion and, perhaps, met with resistance, the American soldier is welcomed with acclaim.

"I have had so many grounds for pride on the other side of the water that I am very thankful that they are not grounds for personal pride. I'd be the most stuck-up man in the world. And it has been an infinite pleasure to me to see those gallant soldiers of ours, of whom the Constitution of the United States made me the proud commander. You may be proud of the Twenty-sixth Division, but I commanded the Twenty-sixth Division, and see what they did under my direction! And everybody praises the American soldier with the feeling that in praising him he is subtracting from the credit of no one else.

"I have been searching for the fundamental fact that converted Europe to believe in us. Before this war Europe did not believe in us as she does now. She did not believe in us throughout the first three years of the war. She seems really to have believed that we were holding off because we thought we could make more by staying out than by going in. And all of a sudden, in a short 18 months, the whole verdict is reversed. There can be but one explanation for it: They saw what we did; that without making a single claim we put all our men and all our means at the disposal of those who were fighting for their homes, in the first instance, but for a cause, the cause of human right and justice, and that we went in, not to support their national claims, but to support the great cause which they held in common.

"And when they saw that America not only held ideals but acted ideals, they were converted to America and became firm partisans of those ideals.

"I met a group of scholars when I was in Paris—some gentlemen from one of the Greek universities who had come to see me and in whose presence, or, rather, in the presence of those traditions of learning, I felt very young, indeed. I told them that I had one of the delightful revenges that sometimes comes to a man. All my life I had heard men speak with a sort of condescension of ideals and of idealists, and particularly those separated, encloistered persons whom they choose to term academic, who were in the habit of uttering ideals in the free atmosphere when they clash with nobody in particular.

"And I said I have had this sweet revenge. Speaking with perfect frankness in the name of the people of the United States I have uttered as the objects of this great war ideals, and nothing but ideals, and the war has been won by that inspiration. Men were fighting with tense muscles and lowered head until they came to realize those things, feeling they were fighting for their lives and their country, and when these accents of what it was all about reached them from America they lifted their heads; they raised their eyes to heaven, when they saw men in khaki coming across the sea in the spirit of crusaders, and they found that these were strange men, reckless of danger not only but reckless because they seemed to see something that made that danger worth while.

"Men have testified to me in Europe that our men were possessed by something that they could only call a religious fervor. They were not like any of the other soldiers. They had a vision, they had a dream, and they were fighting in the dream; and fighting in the dream they turned the whole tide of battle, and it never came back.

"One of our American humorists, meeting the criticism that American soldiers were not trained long enough, said: 'It takes only half as long to train an American soldier as any other, because you only have to train him one way, and he did only go one way, and he never came back until he could do it when he pleased.'

"And now do you realize that this confidence we have established throughout the world imposes a burden upon us—if you choose to call it a burden? It is one of those burdens which any nation ought to be proud to carry. Any man who resists the present tides that run in the world will find himself thrown upon a shore so high and barren that it will seem as if he had been separated from his human kind forever.

"The Europe that I left the other day was full of something that it had never felt fill its heart so full before. It was full of hope. The Europe of the second year of the war, the Europe of the third year of the war, was sinking to a sort of stubborn desperation. They did not see any great thing to be achieved even when the war should be won. They hoped there would be some salvage; they hoped that they could clear their territories of invading armies; they hoped they could set up their homes and start their industries afresh. But they thought it would simply be the resumption of the old life that Europe had led—led in fear, led in anxiety, led in constant suspicious watchfulness. They never dreamed that it would be a Europe of settled peace and of justified hope.

"And now these ideals have wrought this new magic, that all the peoples of Europe are buoyed up and confident in the spirit of hope, because they believe that we are at the eve of a new age in the world when nations will understand one another, when nations will support one another in every just cause, when nations will unite every moral and every physical strength to see that the right shall prevail.

"If America were at this junction to fail the world, what would come of it? I do not mean any disrespect to any other great people when I say that America is the hope of the world, and if she does not justify that hope the results are unthinkable. Men will be thrown back upon the bitterness of disappointment not only, but the bitterness of despair. All nations will be set up as hostile camps again; the men at the peace conference will go home with their heads upon their breasts, knowing that they have failed—for they were bidden not to come home from there until they did something more than sign a treaty of peace.

"Suppose we sign the treaty of peace and that it is the most satisfactory treaty of peace that the confusing elements of the modern world will afford and go home and think about our labors; we will know that we have left written upon the historic table at Versailles, upon which Vergennes and Benjamin Franklin wrote their names, nothing but a modern scrap of paper. No nations united to defend it, no great forces combined to make it good, no assurance given to the downtrodden and fearful people of the world that they shall be safe. Any man who thinks that America will take part in giving the world any such rebuff and disappointment as that does not know America.

"I invite him to test the sentiments of the Nation. We set this Nation up to make men free, and we did not confine our conception and purpose to America, and now we will make men free. *If we did not do that the fame of America would be gone and all her powers would be dissipated. She then would have to keep her power for those narrow, selfish, provincial purposes which seem so dear to some minds that have no sweep beyond the nearest horizon. I should welcome no sweeter challenge than that.*

"I have fighting blood in me, and it is sometimes a delight to let it have scope, but if it is a challenge on this occasion it will be an indulgence. Think of the picture, think of the utter blackness that would fall on the world. America has failed. America made a little essay at generosity and then withdrew. America said, 'We are your friends,' but it was only for to-day, not for to-morrow. America said, 'Here is our power to vindicate right,' and then the next day said, 'Let right take care of itself and we will take care of ourselves.' America said, 'We set up a light to lead men along the paths of liberty, but we have lowered it—it is intended only to light our own path.'

"We set up a great ideal of liberty, and then we said, 'Liberty is a thing that you must win for youself; do not call upon us.' And think of the world that we would leave. Do you realize how many new nations are going to be set up in the presence of old and powerful nations in Europe and left there, if left by us, without a disinterested friend?

"Do you believe in the Polish cause, as I do? Are you going to set up Poland, immature, inexperienced, as yet unorganized, and leave her with a circle of armies around her? Do you believe in the aspiration of the Czecho-Slovaks and the Jugo-Slavs as I do? Do you know how many powers would be quick to pounce upon them if there were not the guarantees of the world behind their liberty?

"Have you thought of the suffering of Armenia? You poured out your money to help succor the Armenians after they suffered; now set your strength so that they shall never suffer again.

"The arrangements of the present peace can not stand a generation unless they are guaranteed by the united forces of the civilized world, and if we do not guarantee them, can not you see the picture? Your hearts have instructed you where the burden of this war fell. It did not fall upon the national treasuries, it did not fall upon the instruments of administration, it did not fall upon the resources of the nations. It fell upon the victims' homes everywhere, where women were toiling in hope that their men would come back.

"When I think of the homes upon which dull despair would settle were this great hope disappointed, I should wish for my part never to have had America play any part whatever in this attempt to emancipate the world. But I talk as if there were any question. I have no more doubt of the verdict of America in this matter than I have doubt of the blood that is in me.

"And so, my fellow citizens, I have come back to report progress, and I do not believe the progress is going to stop short of the goal. The nations of the world have set their heads now to do a great thing and they are not going to slacken their purpose. And when I speak of the nations of the world I do not speak of the governments of the world. I speak of the peoples who constitute the nations of the world. They are in the saddle and they are going to see to it that if their present governments do not do their will some other governments shall. And the secret is out and the present governments know it.

"There is a great deal of harmony to be got out of common knowledge. There is a great deal of sympathy to be gotten out of living in the same atmosphere, and except for the differences of languages, which puzzled my American ear very sadly, I could have believed I was at home in France or in Italy or in England when I was on the streets, when I was in the presence of the crowds, when I was in great halls where men were gathered together irrespective of class.

"I did not feel quite so much at home as I do here, but I felt that now at any rate, after this storm of war had cleared the air, men were seeing, eye to eye, everywhere, and these were the kind of folks who would understand what the kind of folks at home would understand, and that they were thinking the same things.

"I feel about you as I am reminded of a story of that excellent witness and good artist, Oliver Herford, who one day, sitting at luncheon at his club, was slapped vigorously on the back by a man whom he did not know very well. He said, 'Oliver, old boy, how are you?' He looked at him rather coldly. He said, 'I don't know your name, I don't know your face, but your manners are very familiar'; and I must say that your manners are very familiar, and, let me add, very delightful.

"It is a great comfort, for one thing, to realize that you all understand the language I am speaking. A friend of mine said that to talk through an interpreter was like witnessing the compound fracture of an idea. But the beauty of it is that, whatever the impediments of the channel of communication, the idea is the same; that it gets registered, and it gets registered in responsive hearts and receptive purposes.

"I have come back for a strenuous attempt to transact business for a little while in America, but I have really come back to say to you, in all soberness and honesty, that I have been trying my best to speak your thoughts.

"When I sample myself I think I find that I am a typical American, and if I sample deep enough and get down to what is probably the true stuff of a man, then I have hope that it is part of the stuff that is like the other fellow's at home.

"And, therefore, probing deep in my heart and trying to see the things that are right without regard to the things that may be debated as expedient, I feel that I am interpreting the purpose and the thought of America; and in loving America I find I have joined the great majority of my fellow men throughout the world."

GOVERNMENT EMPLOYEES (S. DOC. NO. 413).

The VICE PRESIDENT laid before the Senate a communication from the Acting Food Administrator, transmitting, in response to a resolution of December 15, 1918, a list showing the number of civil employees in the deparment on February 15 and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 13394) to extend the time for the completion of the dams across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by acts approved June 3, 1912, and March 1, 1916, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution providing for the printing of 62,700 copies of the Regulations 45, relating to the income tax and war-profits and excess-profits tax under the revenue act of 1918, etc., in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution providing that in the enrollment of the bill (H. R. 12211) granting pensions and increase in pensions of certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, the Clerk be authorized to strike out the name "Hermann" and insert in lieu thereof the name "Herrman," in which it requested the concurrence of the Senate.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 15462) making appropriations for the support of the Military Academy for the

fiscal year ending June 30, 1920, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (*H. R. 13462*) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also communicated to the Senate the intelligence of the death of Hon. WILLIAM P. BORLAND, late a Representative from the State of Missouri, and transmitted resolutions of the House thereon.

The message further transmitted to the Senate resolutions of the House on the life, character, and public services of Hon. OLLIE M. JAMES, late a Senator from the State of Kentucky.

The message also transmitted to the Senate resolutions of the House on the life, character, and public services of Hon. WILLIAM HUGHES, late a Senator from the State of New Jersey.

The message further transmitted to the Senate resolutions of the House on the life, character, and public services of Hon. PAUL O. HUSTING, late a Senator from the State of Wisconsin.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 171. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915; and

H. R. 5999. An act for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise.

HOUSE BILL REFERRED.

H. R. 13394. An act to extend the time for the completion of the dams across the Savannah River by authority granted to Twin City Power Co. by an act approved February 20, 1908, as amended by acts approved June 3, 1912, and March 1, 1916, was read twice by its title and referred to the Committee on Commerce.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate resolutions adopted by the Legislature of the State of South Dakota petitioning Congress to empower the President of the United States to comply with the guaranty of the price of wheat which were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD as follows:

CERTIFICATE.

SECRETARY'S OFFICE.

UNITED STATES OF AMERICA,
State of South Dakota:

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed concurrent resolution was duly passed by the sixteenth session of the Legislature of the State of South Dakota, and that the same is now in full force and effect.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, February 19, 1919.

[SEAL.]

C. A. BURKHART,
Secretary of State.

The folowing concurrent resolution has been adopted by the senate and concurred in by the house of representatives:

A concurrent resolution memorializing the Congress of the United States to appropriate money for the purchase of the wheat crop of 1919 and to confer upon the President of the United States full power and authority for the handling of the same.

Whereas the price of all wheat to be produced in the United States in the year 1919 has been fixed by the President of the United States by authority of Congress, which act is of great importance to the farmers of all wheat-producing sections of the country, causing, as it has, the planting of a large acreage of winter wheat and the plowing and otherwise preparing for the sowing to wheat of a large acreage in the States raising spring wheat, which, owing to the high cost of labor and other factors entering into such enterprise, has required a much larger investment than for any preceding crop: Now, therefore, be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That the Legislature of the State of South Dakota in regular session assembled does earnestly and urgently petition the Congress of the United States to take such congressional action as may be necessary to empower the President of the United States to fulfill the contract entered into with the farmers of the United States, so that they may receive the full benefit of the price fixed for the wheat crop of 1919 without unnecessary delay, and that the Government of the United States may purchase all wheat offered it, thereby removing any danger of wheat speculators depressing prices during the period when the greater portion of the wheat crop is being placed upon the market, and enabling the Government of the United States to hold full and absolute control of the situation, to minimize the loss, if any, which might possibly otherwise occur, and to fix, if deemed wise, the price of flour to the consumer on a parity with that of other food products; be it further

Resolved, That engrossed copies hereof be mailed to the President of the United States, the Secretary of the Senate of the United States, and to the Chief Clerk of the House of Representatives of the United States.

For the Senate:

C. B. AMSDEN,
President pro tempore.
A. B. BLAKE,
Secretary.

For the House:

LOUIS BENSON,
Speaker.
WRIGHT TARBELL,
Chief Clerk.

Dated at Pierre, S. Dak., this 14th day of February, A. D. 1919.

The VICE PRESIDENT presented a telegram in the nature of a petition from the officers' and soldiers' committee at Camp Zachary Taylor, Ky., which was referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

CAMP ZACHARY TAYLOR, KY., *February 24, 1919.*

Hon. THOMAS R. MARSHALL,
Vice President, Washington, D. C.:

The officers and soldiers of Camp Zachary Taylor, representing nearly every State in the Union, not having sufficient funds to send telegram to their individual Senators, ask that you have the Clerk of the House read the following telegram: "What provision will be made to assist us and our comrades overseas in procuring positions when we are demobilized in the United States? Employment service, according to newspaper reports, is to be discontinued March 31. Our comrades already demobilized have had advantage of this service and we feel the same consideration should be shown us."

OFFICERS' AND SOLDIERS' COMMITTEE,
By CAPT. SHARPS, *Moral Officer, Secretary.*

The VICE PRESIDENT presented a memorial from members of sundry civic organizations of the District of Columbia calling attention to the granting of a more adequate compensation to the teachers of the public schools in the District as being one of the most vital and pressing needs of the community; which was referred to the Committee on Appropriations.

Mr. SHEPPARD. I present resolutions from the executive committee of the Federal Council of Churches of Christ in America advocating a league of nations. This committee represents a constituency of about 17,000,000 people, and I believe in favoring the league reflects the judgment of an overwhelming majority of the American people. I move that the resolutions be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. GRONNA. I have a letter from the chief clerk of the legislative assembly of North Dakota inclosing resolutions with reference to agricultural extension work, and ask to have them printed in the RECORD without reading.

There being no objection, the letter and resolutions were ordered to be printed in the RECORD, as follows:

STATE OF NORTH DAKOTA,
HOUSE OF REPRESENTATIVES,
SIXTEENTH LEGISLATIVE ASSEMBLY, 1919,
Bismarck, February 8, 1919.

Hon. A. J. GRONNA,
United States Senator, Washington, D. C.

DEAR SIR: The inclosed resolution was passed by the House of Representatives of the State of North Dakota this afternoon and I am forwarding it, according to the instructions which I have received from the house.

Respectfully submitted.

GEO. A. TOTTEN, Jr.,
Chief Clerk.

(Inclosure: Resolution.)

Whereas it has been brought to the knowledge of the House of Representatives of the Sixteenth Legislative Assembly of the State of North Dakota that it is proposed in the Congress of the United States to reduce the appropriation now available or to become available for agricultural extension work in the various States in the Union to the extent of 50 per cent: Therefore be it

Resolved, That the house of representatives does hereby protest against any reduction in the funds now by law available or to become available for such purposes, as any such reduction would seriously hamper and embarrass the carrying on of agricultural extension work and work through county agents now planned and arranged for by the various agricultural States and their several counties.

Be it further resolved, That a copy of this resolution be engrossed and mailed to each of our Senators and Representatives in Washington.

(Signed) L. L. STONE, *Speaker.*
(Signed) GEO. A. TOTTEN, Jr.,
Chief Clerk.

Mr. WARREN presented a petition of Local Lodge No. 796, International Association of Machinists, of Greybull, Wyo., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. MOSES presented a resolution adopted by the Central Labor Union of Manchester, N. H., favoring the continuance of the United States Employment Service, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by Local Lodge No. 444, Loyal Order of Moose, of Portsmouth, N. H., favoring the granting of six months' additional pay to honorably discharged soldiers and sailors, which was referred to the Committee on Military Affairs.

He also presented a petition of the Central Labor Union of Manchester, N. H., praying for the withdrawal of American troops from Russia, which was referred to the Committee on Foreign Relations.

Mr. NUGENT. I present a resolution adopted at a recent meeting of the Reclamation Association of Idaho, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

The resolution was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

POCATELLO, IDAHO, *February 22, 1919.*

Hon. J. F. NUGENT,
United States Senate, Washington, D. C.:

At a convention held by the Idaho Reclamation Association at Pocatello, Idaho, on February 21, 1919, at which delegates from 21 counties were represented, for the consideration of plans for furnishing homes and employment for the soldiers, sailors, marines, and other citizens along the lines suggested by the new plan of Hon. Franklin K. Lane, Secretary of the Interior, the following resolutions were unanimously adopted:

"Whereas the ending of the great war has brought about new conditions in America; and

"Whereas we believe the first consideration of the American people should be to show their appreciation of the services of all those engaged in bringing back peace to the world; and

"Whereas we believe this Government can best recognize their splendid services by the reclamation of our arid lands, our cut-over lands, and swamp lands, thereby furnishing new homes and employment for the returning soldiers, sailors, marines, and other citizens; and

"Whereas we believe the greatest question that confronts America is that of finding employment for its people; we believe that through proper and adequate appropriations by Congress for this work much new and permanent employment can be created and all purposes attained to guide our country through a great crisis through the reconstruction period that is now before the people; and

"Whereas in Idaho in our arid, cut-over, and swamp lands there are more than 5,000,000 acres of land that can be reclaimed at reasonable costs, creating new homes and employment for millions of people, we believe it is the duty of Congress to lead out in this great work and thereby give encouragement to the people in every State in the Union: Therefore be it

"*Resolved*, That we, in convention assembled, pledge ourselves and the people of Idaho to a hearty cooperation with the representative of the Federal Government in order that the desired end may be attained at the earliest possible moment consistent with a wise administration of the affairs of the Nation and of the State. We respectfully request that this resolution be brought to the attention of Congress."

IDAHO RECLAMATION ASSOCIATION,
By S. E. BRADY, *President.*

NATIONAL GUARD OF MISSOURI AND KANSAS.

Mr. SPENCER. I present a joint resolution passed by a unanimous vote of the Senate and House of Representatives of the State of Missouri, and I ask that it be read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

The following joint resolution was passed by unanimous vote of the Missouri Senate and House on February 21, 1919:

"*Be it resolved by the House of Representatives of the State of Missouri (the Senate concurring therein)* as follows:

"Whereas it has been announced that the Thirty-fifth Division, composed of the National Guard of Missouri and Kansas, will shortly be returned to this country for muster out of Federal service; and

"Whereas this division was organized and trained by National Guard officers of Missouri and Kansas and the record made by the citizens of Missouri and Kansas constituting its membership in the battle of the Argonne Forest was one of unsurpassed heroism and efficiency; and

"Whereas the affection existing between the officers and men composing the division and their State pride and esprit de corps contributed in the largest measure to their gallant achievements against the professional soldiers of Germany; and

"Whereas it is the desire of the members of the division and of the citizens of Missouri that our citizen soldiers be permitted to return to their own people under their own officers: Therefore be it

"*Resolved*, That the President of the United States be, and is hereby, respectfully petitioned to direct that upon the embarkation of the division the officers who accompanied it across be returned to it and that National Guard officers of Missouri and Kansas serving with the same be assigned to the command of its regiments, battalions, companies, and batteries to accompany the same to the point of demobilization; be it further

"*Resolved*, That the governor be requested to cause these resolutions to be laid before the President and to acquaint him with the earnest desire of the people of this State that this simple act of justice be done the survivors of more than 14,000 Missourians, whose efforts and sacrifice have made possible the glorious achievements of this division; and be it further

"*Resolved*, That the Senators and Representatives of this State in Congress be requested to call on the President immediately upon his return from France and petition him to cause the necessary orders to be issued in the premises."

Mr. REED. Mr. President, I am glad the resolution which has been presented by the junior Senator from Missouri [Mr. SPENCER] has been read. It seems that the request contained therein is a very modest one. It is an unfortunate fact that the troops which the law provided should be kept together, wherever practicable I believe was the expression, have been divided, scattered, placed under different commands, and brigaded with troops of other States. I do not say this at all to criticize. I simply say that it is unfortunate that that had to be done.

Now, when the troops are returning, it is highly desirable, if possible, that they should be returned under their old commanders. I hope that, so far as it is possible, that will be the rule in bringing the troops back to this country. I am not trying to speak for the whole country, but, so far as Missouri is concerned, she very much desires to see her troops returned under their old commanders, under the command of the men who left the United States with them.

The VICE PRESIDENT. Reports of committees are next in order.

REPORTS OF COMMITTEES.

Mr. POINDEXTER. From the Committee on Interstate Commerce, I report back favorably without amendment the bill (S. 313) to amend section 4 of the act to regulate commerce, passed February 4, 1887, and subsequent amendments thereof, and I submit a report (No. 756) thereon.

Mr. KELLOGG. Mr. President, I wish to reserve the right to file a minority report in this case, if I so desire.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, reported it with amendments.

Mr. FLETCHER, from the Committee on Commerce, to which was referred the bill (S. 5658) to authorize the acquisition and operation by the United States of the Cape Cod Canal, reported it with an amendment and submitted a report (No. 761) thereon.

Mr. GORE, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, reported it with amendments and submitted a report (No. 760) thereon.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 1599) for the relief of the heirs of Mrs. Susan A. Nicholas, reported it with an amendment and submitted a report (No. 764) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 534) for the relief of the heirs of Adam and Noah Brown (Rept. No. 765);

A bill (S. 1102) for the relief of Simon M. Preston (Rept. No. 763);

A bill (S. 1557) for the relief of Arthur Nelson (Rept. No. 766);

A bill (S. 4517) for the relief of the owner of the steamship *Matoa* (Rept. No. 767);

A bill (S. 5482) providing for the refund of taxes collected for stamp tax on certain policies under the emergency tax act of October 22, 1914, under the proviso to which act such policies were exempt (Rept. No. 768);

A bill (S. 5443) for the relief of the owners of the schooner *Horatio G. Foss* (Rept. No. 769);

A bill (S. 5442) for the relief of the owner of the steam lighter *Cornelia* (Rept. No. 770); and

A bill (H. R. 4610) to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States and making an appropriation therefor (Rept. No. 771).

HAWAII NATIONAL PARK.

Mr. SAULSBURY. I am directed by the Committee on Pacific Islands and Porto Rico to report back favorably, without amendment, the bill (S. 5323) to authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park, and I submit a report (No. 757) thereon. I ask unanimous consent for the present consideration of the bill. It is a noncontested bill, and its consideration will only take a moment.

Mr. POMERENE. If this is a matter which is not going to lead to any debate, I shall not make any objection; otherwise I shall feel obliged to object.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the governor of the Territory of Hawaii is hereby authorized to acquire, by exchange or otherwise, all privately owned lands lying within the boundaries of the Hawaii National Park as defined by "An act to establish a national park in the Territory of Hawaii," approved August 1, 1916, and all necessary perpetual easements and rights of way or roadways, in fee simple, over or to said land or any part thereof.

SEC. 2. That the provisions of section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended by an act approved May 27, 1910, relating to exchanges of public lands, shall not apply in the acquisition, by exchange, of the privately owned lands herein referred to.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LAND PATENTS IN HAWAII.

Mr. SAULSBURY. Mr. President, there is a bill of somewhat the same character as the one just passed, in which some of the residents of Hawaii are interested and which I reported favorably and unanimously a short time ago from the Committee on Pacific Islands and Porto Rico and which is now on the calendar. It affects some homesteaders in Hawaii. There are 26 of them, and the aggregate amount of land is 519 acres, something less than 20 acres for each homesteader.

The circumstances are that these homesteaders took up homesteads which they found by reason of the character of the soil to be absolutely unadapted for homesteading. They were told by the commissioner that they could exchange these properties for other properties which they could homestead. On his advice they surrendered their old homesteads but found, after having given up their first homesteads, they could not get others. The homesteaders are scattered through the island. The amount of land is very small, and anyone who has been in Hawaii knows how important it is that homesteaders should settle in those islands. I ask unanimous consent that the Senate proceed to the consideration of the bill at this time. It is the bill (S. 5343) to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements.

Mr. POMERENE. I very much regret to do so, but I feel I shall have to object to the consideration of the bill at this time.

The VICE PRESIDENT. Objection is made to the present consideration of the bill.

ADMISSION OF CERTAIN GIN AND WINE.

Mr. SMOOT. I am directed by the Committee on Finance to report back favorably without amendment Senate joint resolution 207 and Senate joint resolution 217. I desire to ask for the immediate consideration of these joint resolutions. I will state to Senators that I do not think they will lead to any discussion. Just in a word I will state what they propose.

Mr. POMERENE. Are these joint resolutions on the calendar?

Mr. SMOOT. They are not on the calendar.

Mr. POMERENE. If they do not lead to discussion I shall not object.

Mr. SMOOT. If they lead to discussion I shall not press them.

Before the passage of the food-control act prohibiting the importation of distilled spirits delivery was delayed on account of war conditions until after that act went into effect of a certain shipment of wine, and also a certain shipment of gin. This bill is to permit the shipments referred to to enter the United States. The committee reported and the Senate passed a similar bill in a like case. That is all there is to these joint resolutions.

Now I ask unanimous consent for the consideration of the joint resolution (S. J. Res. 207) admitting into the United States 35 puncheons of Gordon's sloe gin, ordered by E. LaMontagne's Sons, of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Whereas on or about August 1, 1917, Messrs. E. LaMontagne's Sons, of New York, ordered by cable from Gordon Dry Gin Co., of London, England, 35 puncheons of Gordon's sloe gin, which was shipped by steamship *Vinovia* on or about August 21, 1917, but owing to delays caused by the state of war was not received at the New York custom-house until September 11, 1917; and

Whereas the admission of these 35 puncheons of Gordon's sloe gin was refused by the collector of customs at the port of New York because they were received after the food-control act prohibiting the importation of distilled spirits, approved August 10, 1917, went into effect on September 9, 1917; and

Whereas at the time said merchandise arrived at New York the importers thereof executed a bond to the collector of customs at the port of New York conditioned for the exportation of said merchandise within one year from the date of its arrival, which condition they were unable to fulfill owing to abnormal conditions due to the state of war and through no fault of their own: Now, therefore, be it

Resolved, etc., That in view of the good faith in which this importation was attempted and of the abnormal conditions which prevented its delivery, the collector of customs at the port of New York be, and he is hereby, authorized and directed to admit the said 35 puncheons of Gordon's sloe gin, imported from Gordon Dry Gin Co., of London, England, by the steamship *Vinovia*, and consigned to Messrs. E. LaMontagne's Sons, of New York, importers, and to deliver the said consignment to Messrs. E. LaMontagne's Sons upon the payment of the import duty and war-revenue tax due and any other charges accruing thereon.

SEC. 2. That the collector of customs at the port of New York be, and he is hereby, authorized and directed to cancel the bond executed by the importers of said merchandise conditioned for the exportation thereof within one year from the date of its arrival.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. SMOOT. I also ask unanimous consent for the present consideration of the joint resolution (S. J. Res. 217) admitting into the United States 560 barrels of Spanish wine ordered by Luigi Bick, of New York City, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Whereas on or about October 14, 1918, said Luigi Bick, of New York City, obtained from the War Trade Board license No. 141442 for the importation from Valencia, Spain, of 210 barrels of wine, and on October 30, 1918, license No. 148682 for the importation of 500 barrels of wine and on the 12th day of December, 1918, license No. 163325 for the importation of 3,000 barrels of wine, and that of the total amount ordered 210 barrels arrived in the port of New York on the steamship *Isla de Panay*, and that 150 barrels arrived on the steamship *C. Lopez*, and 200 barrels on the steamship *Monserrato;* and

Whereas the admission of the 560 barrels of wine was refused by the collector of customs at the port of New York because they were received after the food-control act prohibiting the importation of distilled spirits, approved November 21, 1918: Therefore be it

Resolved, etc., That in view of the good faith in which this importation was attempted and of the abnormal conditions which prevented its delivery, the collector of customs at the port of New York be, and he is hereby, authorized and directed to admit the said 560 barrels of Spanish wine, imported from Leopoldo Hernandez, of Valencia, Spain, by the steamships *Isla de Panay, C. Lopez*, and *Monserrato*, and consigned to Luigi Bick, of New York City, importer, and to deliver the said consignment to Luigi Bick upon the payment of the import duty and war-revenue tax due and any other charges accruing thereon.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

INCOME TAX.

Mr. SIMMONS. I ask the Chair to lay before the Senate House concurrent resolution No. 72.

The VICE PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives, which was read, considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 62,700 copies of the regulations 45 relating to the income tax and war-profits and excess-profits tax under the revenue act of 1918 (preliminary edition relating to the income tax on individuals), 19,200 copies for the use of the Senate and 43,500 copies for the use of the House of Representatives, the same to be distributed through the folding rooms.

CONTESTING AND CANCELLATION OF HOMESTEAD ENTRIES.

Mr. GORE. I ask unanimous consent for the present consideration of the bill (H. R. 9897) to authorize the contesting and cancellation of certain homestead entries, and for other purposes. It is a local bill and will, I think, take only a moment.

Mr. POMERENE. I object to the consideration of the bill at the present time.

ROANOKE RIVER BRIDGE, N. C.

Mr. SIMMONS. On behalf of my colleague on the Committee on Commerce, the Senator from Texas [Mr. SHEPPARD], I report back favorably without amendment from the committee the bill (H. R. 15950) granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River, and I submit a report (No. 762) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAVANNAH RIVER DAM.

Mr. SIMMONS. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13394) to extend the time for the completion of the dam across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by act approved March 1, 1916.

Mr. SMITH of Georgia. I ask unanimous consent for the immediate consideration of that bill. The time will be out on the 1st proximo. These people have already spent $700,000 on this work, and it is necessary that the bill should be passed.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SIMON M. PRESTON.

Mr. JONES of Washington. Mr. President, there is a bill reported from the Committee on Claims that has passed the Senate twice if not three times. The claimant is 94 or 95 or 96 years old; and I want to ask unanimous consent to have that bill considered and passed. It is the bill (S. 1102) for the relief of Simon M. Preston.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Simon M. Preston, of Seattle, Wash., the sum of $5,838.36, said sum being the amount of the defalcation of D. C. Kearns, a deputy collector under the said Simon M. Preston, who was collector of internal revenue for the first election district of Mississippi from the 1st day of June, 1869, to the 22d day of May, 1873, which sum was repaid to the United States Government by the said Simon M. Preston, and its collection by him from the said D. C. Kearns having been hindered and prevented by the pardon of the said D. C. Kearns by the President of the United States and the remission of the fine equivalent to said sum.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POLLOCK:

A bill (S. 5660) to aid in the education of the boys and girls of America and to provide funds therefor; to the Committee on Education and Labor.

By Mr. CALDER:

A bill (S. 5661) authorizing the purchase of a site and to provide for the erection of a public building in the city of White Plains, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. NORRIS:

A bill (S. 5662) granting a pension to Charles F. Lane; to the Committee on Pensions.

AMENDMENT TO ARMY APPROPRIATION BILL.

Mr. CURTIS submitted an amendment providing that the Boughton Memorial Association of the State of Kansas be authorized to erect and maintain a suitable building in and upon the United States Military Reservation at Fort Leavenworth, Kans., etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. FLETCHER submitted the following resolution (S. Res. 465), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate resolution No. 198, agreed to September 28, 1918, being a resolution authorizing the Committee on Commerce of the United States Senate to employ an additional clerk at the rate of $100 per month, to be paid from the miscellaneous items of the contingent fund of the Senate, and which was extended and continued by Senate resolution No. 335 until the end of the Sixty-fifth Congress, be, and the same is hereby, extended and continued in full force and effect until June 30, 1919.

POST OFFICE APPROPRIATION BILL (S. DOC. NO. 415).

Mr. SWANSON. I ask unanimous consent for the consideration of a resolution providing for the printing of the Post Office appropriation bill containing the good-roads provision, which is in great demand by the road departments of the different States.

There being no objection, the resolution (S. Res. 467) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, as agreed to in conference and passed by the Congress of the United States, including table of distribution of road funds to the various States, be printed as a Senate document, and that as many additional copies as can be obtained for $250 be printed for the use of the Senate document room.

THE PRESIDENT'S CHALLENGE.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have inserted in the RECORD an editorial in the New York World of yesterday entitled "The President's challenge."

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S CHALLENGE.

"The proudest thing I have to report to you," said President Wilson in his speech in Boston yesterday, "is that this great country of ours is trusted throughout the world."

This is the proudest thing that any President could report. It is the highest tribute that can be paid to the Republic. How, then, is that trust to be kept? How is the faith of the world in the American people to be maintained?

That was the text of the President's address, and nobody familiar with conditions in Europe can deny his conclusion:

"This confidence we have established throughout the world imposes a burden upon us. Any man who resists the present tides that run in the world will find himself thrown upon a shore so high and barren that it will seem as if he had been separated from his humankind forever.

"If America were at this juncture to fail the world, what would come of it? America is the hope of the world, and if she does not justify that hope the results are unthinkable."

Suppose, he continued in effect, we sign the treaty of peace and do no more, we will have nothing but a modern scrap of paper.

Thus far the opposition to the league of nations in the United States, and particularly in the Senate, has been a counsel of cowardice. It has come from timid men who are afraid to permit the United States to play a man's part in the world. They fear that it may cost money. They fear that it will entail duties. They suspect that great friendly peoples like the British, the French, and the Italians are at heart thieves and bandits who are luring us into a darkened street only to rob and murder us. They are terrified of responsibilities.

They worry about the Constitution and the Monroe doctrine and the Panama Canal. They grow sick at heart at the very thought that the Nation which has taught self-government to the Filipinos might be asked to assist some other backward people on the road to freedom.

When these critics are not ruled by their cowardice they are ruled by their petty parochial prejudices. They think the United States can be in the world but not of the world. They would have the most powerful of republics emulate the example of the Koreans and become a hermit nation, lest association with other countries corrupt our hearts and our institutions. They do not believe that wars can be prevented, but if wars can be prevented let somebody else stop them. It is none of our business, and by being neutral there would be opportunities for making money.

Moreover, a league of nations as a practical thing in international affairs is an innovation, and innovations are always to be regarded with suspicion. Besides, President Wilson favors it, and everything that the President advocates should be opposed. Perhaps he coerced the British, the French, and the Italians. Who knows? This scheme to prevent war may be all a subtle plot for his own political aggrandizement. And so it runs.

But the hard facts of the world situation must be faced. The millions of men who have suffered the horrors of this war, the hundreds of millions of people who have made the sacrifice of life and treasure, have rightly regarded it as a war to end war. If it is not that to them, if their children must tread the blood-stained path that they have trod, if the old order of things is to be restored, all this agony has been in vain. If there is to be no assurance of peace and security, if the nations are not to exert their reason and their power to maintain the liberty that has been won, what was the good of it all? Is there any American in the Senate or out of the Senate who is prepared to assume the moral responsibility for thus cheating the living and defrauding the dead?

No critic of the league of nations has advanced any plan of his own by which the peace that ends this war can be guaranteed. Not one of them holds out the smallest measure of hope to a civilization wounded almost to death. They leave the world weltering in its own blood and tell the afflicted peoples to heal themselves as best they can.

The World does not believe that that sentiment represents the mind and the heart of the American people. They may be confused for the moment by the clamor of discordant voices, but they have never strayed far from the ideals of the Republic. As the President said yesterday, "We set this Nation up to make men free, and now we will make men free." And that is his challenge to his opponents when he invites them to "test the sentiment of America."

LEAGUE OF NATIONS.

Mr. WILLIAMS. I also ask to have inserted in the RECORD about an eighth of a column of an editorial in the Philadelphia Record, of to-day, entitled "The Popular View."

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE POPULAR VIEW.

Now that the senatorial gas bags opposing the league of nations have blown up, what do the American people really think of this tempest in a teapot? Time alone can tell; but if newspaper comment and the talk of the men in the street are any index of popular opinion, they are standing almost solidly with the President against the senatorial obstructionists. Here, for instance, is Arthur Capper, who, after serving four years as governor of Kansas, was last year elected to the Senate as a Republican by a very large majority. His term will begin next week, and he has announced that he is heart and soul for the league of

nations. He expects to stand squarely behind the President on this proposition, and adds that in his judgment this will be the attitude of the Middle West.

"I feel," says the Kansas Senator elect, "and I think pretty generally people out our way feel, that if we can't get some sort of understanding or agreement out of this that will minimize the chances for war in future, this war, so far as we are concerned, has been almost in vain—that we will have got nothing out of it."

This expresses the popular view fairly well. The overwhelming and tumultuous welcome given to the President yesterday in Boston is another sign of the times. The Washington atmosphere of opposition is purely artificial and is chiefly the product of professional politicians. When the steam roller of American sentiment gets well in motion the little fellows must get out of the way or be crushed.

GOVERNMENT OPERATIONS OF RAILROADS.

Mr. GORE. Mr. President, I ask to have printed in the RECORD a brief editorial from the Daily Oklahoman of February 22, in regard to the Government operation of railroads. It sheds an interesting light upon the general situation. It sheds a "fierce light" not upon a throne but upon the Congress; it points out the leak in the vessel which may sink the ship of state; it points out the bubble in the rail which may wreck the car of American progress and civilization. If we are saved, courage, and not cowardice, will be our savior.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

USING THE BIG STICK ON CONGRESS.

"A Congressman from Missouri told the House the other day that 'sinister' efforts are being made to compel Members of Congress to vote for continuance of Government operation of the railroads. He said propagandists were threatening defeat at the polls for all Members who disobeyed this command.

"If such a junta as alleged really exists it is showing excellent judgment in the method of persuasion it has chosen. Defeat at the polls seems to be the one contingency which many Members of Congress will evade at any price. Hanging onto their job is the supreme desideratum. The matter of their convictions is altogether subordinate.

"For this lowly estimate which public opinion places upon them, our Congressmen themselves are solely to blame. They have frittered away their independence. They have sold their official birthright for a mess of pottage. They would rather be officeholders than right. They invite the big stick."

THE WORLD LEAGUE PACT.

Mr. RANDSDELL. Mr. President, I ask unanimous consent to have printed in the RECORD a very thoughtful, suggestive, and patriotic editorial entitled "The World League Pact," printed in the New Orleans Item under date of the 18th.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

THE WORLD LEAGUE PACT.

Among the objections offered to the world league pact the first is that it is an alliance among the allies.

This is true, though technically the United States was not one of the allies. This objection is answered by the statement that practically the whole world was at war and no organization to operate a league of nations could now be formed without including on its board of directors the five great nations named.

In a naval and military way they jointly govern the world to-day; so the remainder of the world that is in a position to kick certainly has no just cause of complaint over the proposed arrangement. As to the other four members of the nine who are to constitute the board there will arise some speculation and perhaps some dispute. Sufficient to that day is the evil thereof.

Far more important than the personnel of the board is the constitution itself. First, it aims to do away with secret treaties and alliances. Here is a fruitful source of wars. Next, it provides a tribunal which will establish and codify international law. We do not have to go back many years to recall the protests of our Government against the British blockade of the seas, the searching of our cargoes destined to neutral ports. We are still technically at war with Germany over her interference with our commerce and the killing of our citizens by submarines. There never has been a war between important groups of powers where the rules were observed regarding the rights of neutrals and belligerents. New conditions, new inventions, call for the creation of new rules of warfare at a time when nations fighting for their lives want to settle their difficulties first and talk about rules afterwards. The war of 1812 grew out of this condition and another war was almost threatened over it between this country and England at the time of our Civil War.

Every nation liable to go to war wants to know the rules of the game. Neutrals are particularly interested in this.

A first, a second, and a third reading of the text of the world-league pact leaves on our minds the impression that in it a great forward step has been taken toward making the world a more decent place to live in and to do business in.

A million objections can be cited to any proposition of this kind. It will present objections from the standpoint of every nation which adopts it. France and Japan are reported to have come in unwillingly. But has not a continuance of the old way of carrying on the world a great many more objections? Does not the war which is just closing have its objections? Might not such a pact as this is have prevented such a war? May it not prevent even greater and more horrible wars?

What is America asked to give up? Some say the Monroe doctrine. We are not sure of that. By the way, do you happen to know that the Monroe doctrine was wished on us by England? So if you are suspicious of our illustrious British ally you might think that statement over a little.

Great Britain doesn't want any of South America and we don't either. Canada has as much interest in keeping America for the Americans as we have. And all of us want the countries to the south of us to preserve order, to pay their bills, and not get into quarrels with great foreign powers, thereby precipitating the United States into war for their protection.

We are frank to say we have a weakness for the Monroe doctrine and want to hear all of the debate on this phase of the world-league pact. We attach no blame to South American nations that did not go into the European war when we entered. But we can not forget that these little nations might have been gobbled up by land-hungry European nations long ago if our country had not stood ready to enforce the Monroe doctrine. And even a country as big as ours appreciates its friends in times of trouble. There was too much love for Germany in many South American states; too much suspicion of us to be pleasant.

We have kept Europe out of Central and South America because we wanted to keep out of trouble. Nevertheless, we have enormously benefited these countries by doing this; and we have not always been beloved for standing a big brother to them.

We think it is advisable to have a clear understanding about the settlement in quantities of Asiatics in North and South America. As to our taking the responsibility for parts of Turkey and of Africa and for backward peoples in other parts of the world, there comes up a question. Naturally, we do not want to do this. We didn't really want to go into the Philippines, but we went in and we did a good job there just as we did in Cuba and just as we would have done in Mexico if we had kept on going in.

But we are a rich Nation. We are going to keep up a Navy as great as that of England. We are going to have a big Army and big merchant marine, and it is up to us to shoulder our share of the load. We are in Russia now for nothing but missionary purposes. The other nations which are historically jealous and suspicious of one another are going to insist on our doing this kind of work. Most small and weak nations will want Uncle Sam for godfather, and we really can not very decently back out. Where we are in a bad fix is in asking for the exclusive right to do this work on the American continents and then in agreeing to do it elsewhere.

We have been letting England rule the seas and do this kind of work and have been criticizing her from time to time, and now England tells us to go ahead and build a Navy as large as hers, and invites us into the missionary and international game on a large scale. And some of us will say it is unprofitable. That is just what England has found out. She has enough of it; but the world must be policed. And, if necessary, Europe must be policed and America must take a part in it.

There is no use now of saying that Europe's business is none of our business. That was good doctrine for a long time. But Europe's business has become our business, and we can't get away from it. The German Emperor made it our business when he invited us in. Congress made it our business when it declared war. France made it our business when she sent a military force here to help win at Yorktown. England made it our business when she forced us into the War of 1812. By blood and by a thousand interests we are mixed up with Europe.

In other words, our Nation is full grown. Its interests are so vast that no great war can be fought anywhere without a reasonable chance of our becoming involved. The world is so small that all of it touches us. We have been sensitive at the idea that any nation should assume to dominate the seas and run the world as Great Britain has done. We were unwilling that a military clique in Germany should try to do this. We have helped lick that crowd and have helped set Germany on the right path.

And now we are asked to go into a scheme for running the world on a basis that comports largely with our own oft-asserted principles in diplomacy. The scheme is partly Mr. Wilson's scheme, but it is mostly America's scheme. It is silly to say that it is England's scheme any more than it is our own. It largely follows the lines of thought of most Americans who have expressed themselves along international lines.

The Constitution of the United States was not a perfect document. It contained in itself the germ of a great fratricidal war. There was much debate over its adoption. But it was adopted. Who is there now who will say that this great experiment in government was not worth while, civil war and all? Who is there who can guarantee that this Nation will not be mixed in more bloody wars by retaining a position of aloofness than by going into some such arrangement as this world-league pact?

The old way has always led to wars. The new scheme may lead to wars, too. It may create wars in the process of cleaning up and adjusting the world's affairs. But we would start in with the world knowing and understanding us better than ever before. The great allied nations are more friendly to us than at any time in our history. The neutral world either respects us or is friendly to us. Our former enemies must look to us for protection.

We have nothing to put over on anyone. We have gone further in offering arbitration treaties than has any other nation. A just and a fair nation does not fear association on any fair basis with other nations any more than a just and a fair man fears to go into any company. Do not start out by attempting to howl down the proponents of this proposed plan. But keep your mind free on it and go on the assumption that the men who have drawn this document are sincere, honest, and very able. Also they are reported to have been unanimous in its final adoption.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution, which was read:

Concurrent resolution 73.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 12211) entitled, "An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors," the Clerk be, and he is hereby, authorized and directed to strike out the name "Hermann" and to insert in lieu thereof the name "Herrman" where it appears in line 19, page 11, of said bill.

Mr. SMOOT. I ask that the Senate concur in the resolution of the House.

The resolution was concurred in.

PRESIDENTIAL APPROVALS.

A message from the President of the United States by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the following acts:

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes;

S. 1847. An act to authorize the addition of certain lands to the Wyoming National Forest;

S. 2552. An act to provide for a leave of absence for homestead entrymen in one or two periods, and for longer times;

S. 2784. An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916;

S. 3220. An act authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products;

S. 3384. An act to amend the public-building act, approved March 4, 1913;

S. 5318. An act granting a pension to Edith Carow Roosevelt; and

S. 5354. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania and Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

ALASKAN ENGINEERING COMMISSION.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Printing:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the report of the Alaskan Engineering Commission for the year ended December 31, 1918.

WOODROW WILSON.

THE WHITE HOUSE,
25 February, 1919.

LAWS OF PORTO RICO (S. DOC. NO. 416).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith copies of the acts and resolutions enacted by the Ninth Legislature of Porto Rico during its second special session, November 26 to December 7, 1918.

These acts and resolutions have not previously been transmitted to Congress and none of them has been printed.

WOODROW WILSON.

THE WHITE HOUSE, *February 25, 1919.*

PANAMA RAILROAD CO. (H. DOC. NO. 1830).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Interoceanic Canals:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the sixty-ninth annual report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1918.

WOODROW WILSON.

THE WHITE HOUSE, *February 25, 1919.*

FRANCHISES FOR PORTO RICO (S. DOC. NO. 417).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

As required by section 38 of the act approved March 2, 1917 (39 Stat. 951), entitled, "An act to provide a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith certified copies of each of five franchises granted by the Public Service Commission of Porto Rico. The copies of the franchises inclosed are described in the accompanying letter from the Secretary of War, transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE, *February 25, 1919.*

SENATOR FROM MICHIGAN.

The VICE PRESIDENT. Morning business is closed.

Mr. POMERENE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 615, being Senate resolution 415.

Mr. GORE. I object.

Mr. POMERENE. I move that, notwithstanding the objection, the Senate proceed with the consideration of the resolution.

Mr. JONES of Washington. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Lodge	Sherman
Baird	Gronna	McCumber	Simmons
Bankhead	Hale	McKellar	Smith, S. C.
Beckham	Hardwick	McNary	Smoot
Brandegee	Henderson	Martin, Va.	Spencer
Calder	Hitchcock	Moses	Sterling
Chamberlain	Jones, N. Mex.	New	Swanson
Colt	Jones, Wash.	Norris	Thompson
Culberson	Kellogg	Nugent	Townsend
Curtis	Kendrick	Overman	Trammell
Dillingham	Kenyon	Page	Vardaman
Fernald	King	Poindexter	Wadsworth
Fletcher	Kirby	Pomerene	Walsh
France	Knox	Ransdell	Watson
Frelinghuysen	La Follette	Reed	Williams
Gay	Lenroot	Sheppard	Wolcott

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present. The question is on the motion of the Senator from Ohio that the Senate proceed to the consideration of Senate resolution 415.

Mr. TOWNSEND. Mr. President——

The VICE PRESIDENT. It is not a debatable motion.

Mr. TOWNSEND. Not after the morning business?

The VICE PRESIDENT. Not until 2 o'clock. The question is on the motion of the Senator from Ohio.

The motion was agreed to; and the Senate proceeded to the consideration of the resolution (S. Res. 415), which the Secretary read, as follows:

Whereas a petition has been filed with the Senate of the United States by Mr. Henry Ford, of Michigan, contesting the election of Mr. Truman H. Newberry, of Michigan, as a Senator from the said State, and asking for the preservation and recount of the ballots, and the investigation of the unlawful expenditures of money alleged to have been made by and on behalf of the said Mr. Truman H. Newberry, and notice thereof has been given; and

Whereas information has been received to the effect that in certain localities within the State some of the ballots are being destroyed, and that others are likely to be destroyed unless they are taken possession of by the Senate for the purpose of preserving and recounting the same: Therefore be it

Resolved, That the said petition and the papers and the documents accompanying the same be, and they are hereby, referred to the Committee on Privileges and Elections for investigation and report thereon.

Resolved further, That the said Committee on Privileges and Elections of the Senate, or any subcommittee thereof, be, and it is hereby, authorized and empowered to take possession of the ballots, poll books, tally sheets, and all other documents and records relating to the said election held for United States Senator in the State of Michigan on the 5th day of November, 1918, and that the Sergeant at Arms of the Senate be, and he is hereby, instructed to carry out the directions of the said Committee on Privileges and Elections or any subcommittee thereof in that behalf, and that the said Committee on Privileges and Elections, or any subcommittee thereof, be, and it is hereby, directed to proceed with all convenient speed to take all necessary steps for the preservation of the said ballots, poll books, tally sheets, and other documents, and to recount the said ballots, and to take and preserve all evidence as to the various matters alleged in the said petition and notice, and of any alleged fraud, irregularity, and unlawful expenditure of money in the said election and primaries, and to the intimidation of voters, or other facts affecting the result of said election.

Resolved further, That the Committee on Privileges and Elections, or any subcommittee thereof, be authorized to sit during the sessions of the Senate and during any recess of the Senate or of the Congress, to hold its sessions at such place or places as it shall deem most convenient for the purposes of the investigation, and to have full power to subpœna parties and witnesses, and to require the production of all papers, books, and documents, and other evidence relating to the said investigation; and to employ clerks and stenographers, at a cost not to exceed $1 per printed page, to take and make a record of all evidence taken and received by the committee; and to keep a record of its proceedings; and to have such evidence, records, and other matter required by the committee printed.

Resolved further, That the Sergeant at Arms of the Senate and his deputy are hereby required to attend the said Committee on Privileges and Elections, or any subcommittee thereof, and to execute its directions; that the chairman or any member of the committee be, and is hereby, empowered to administer oaths; that each of the parties to said contest be entitled to representatives and attorneys at the recount and the taking of evidence; that all disputed ballots or records be preserved so that final action may be had thereon by the full committee and the Senate; that the committee may appoint subcommittees of one or more members to represent the committee at the various places in the making

of the recount and the taking of evidence, and the committee may appoint such supervisors of the recount as it may deem best; and that the committee may adopt and enforce such rules and regulations for the conduct of the recount and the taking of evidence as it may deem wise, not inconsistent with this resolution; and that the committee shall report to the Senate as early as may be; and from time to time, if it deems best, submit all the testimony and the result of the recount.

Resolved further, That the expenses incurred in the carrying out of these resolutions shall be paid from the contingent fund of the Senate upon vouchers ordered by the committee, or any subcommittee thereof, and approved by the chairman of the committee.

Mr. POMERENE. Mr. President, it is not my purpose to go fully into the history of this matter, as it appears in the CONGRESSIONAL RECORD. I desire, however, briefly to call attention to certain stages of this proceeding.

The resolution under consideration, Senate resolution 415, was introduced on January 14, calendar day of January 17, 1919. It was referred to the Committee on Privileges and Elections. On January 27, 1919, it was favorably reported to the Senate without amendment. That led to certain discussion. As a result of this discussion I had several conferences with members of the Committee on Privileges and Elections on the other side, and I think I can say without any impropriety, particularly with the junior Senator from Missouri [Mr. SPENCER], this conference led to the draft of a substitute resolution. This substitute resolution was presented informally, as I have been informed, to the minority members of the Committee on Privileges and Elections by the junior Senator from Missouri—and he will correct me if I am in error about this—and by myself to the members of the committee on the majority side. It was quite apparent that while it did not meet the judgment of different Senators as to what ought to be done, it did meet the judgment of Senators as to what could be done, and, in the view of a number of members of the committee, all that ought to be done at that particular time.

That resolution, then, as I have been informed, was submitted to the junior Senator from Michigan [Mr. TOWNSEND]. Slight modifications were made by him. The committee was called together, and these were considered. The suggestions made by the junior Senator from Michigan were adopted, except that there were one or two, possibly three, changes which tended to clarify the language, but in no sense, as I believe, changed the meaning of the substitute resolution. This substitute resolution was then voted out favorably by the unanimous vote of the members of the committee who were present. Two members, I believe, were absent at that time.

Now, Mr. President, the situation is this: Under the Michigan law, the ballots are in the ballot boxes. A proceeding was begun, in behalf of Mr. Ford, in the United States courts, asking for a temporary restraining order, enjoining the destruction of these ballots. This order was granted, but the decree had this proviso in it, in substance, that this order was not to interfere with the use of the ballot boxes if it became necessary to use them at any other election in the State of Michigan.

Later on, a bill was introduced in the Michigan Legislature, also looking to the preservation of these ballots. It has been said that this act was broad enough to preserve these ballots intact beyond peradventure, so that they would be forthcoming when needed, if there was an investigation at the next session of the Senate; but I want to read to the Senate two sections of this statute.

Section 4 reads as follows:

On being served with a copy of a permanent restraining order issued by said court, it shall be the duty of all officers having the custody of ballot boxes containing ballots cast at said election for said office forthwith to deliver the same to the county clerks of the counties in which such officers reside. It shall be the duty of said county clerks to receive such ballot boxes containing such ballots and to receipt therefor to the officers so delivering them. Said county clerks shall thereupon deposit said ballot boxes containing said ballots in some secure place to await the action of the commissioners herein provided for.

Section 5 reads:

Upon issuing permanent restraining order as herein provided, the supreme court shall name three commissioners who shall proceed to the offices of the several county clerks as soon as may be, open said ballot boxes, remove the ballots therefrom, place them in packages securely wrapped and sealed, and so marked as to show in what voting districts such ballots were cast.

Now, Mr. President, it will be noted that these ballot boxes are to be delivered to the clerks of the counties. There are, I am told, 83 counties in that State. A primary election is to be held on March 5. This statute provides that these commissioners shall in person go to these counties and take possession of these ballot boxes. It will be a physical impossibility for these commissioners, even if they are appointed, to go and get these ballot boxes and do this service in the manner prescribed by this act of the General Assembly of the State of Michigan, so that there is only one method which is open to the Senate, if it is desired to preserve these ballots, and that is that the Senate shall take some action on the subject.

The decrees of the United States court provide that these ballots shall be held in custody until they shall be turned over to the Sergeant at Arms of the Senate. The Sergeant at Arms, of course, can not act unless this resolution is passed; and I submit that after the committee in a contested matter has unanimously agreed to a certain course that course ought to be pursued, if we intend to preserve the status quo, so that these ballots may be forthcoming at the time they may be required; and I may say, that the substitute resolution here provides for the preservation of these ballots and any other documentary evidence. Whether or not there is any other documentary evidence that may be available now I do not know; but I do know, and it has been admitted on the floor of the Senate, that the correspondence of the campaign committee of the contestee has been burned.

Now, Mr. President, I think the Senators are fully advised as to what the facts are and what the situation is. I want to call attention to just one other brief paragraph, on page 2818 of the CONGRESSIONAL RECORD, in the colloquy between the Senator from Michigan [Mr. TOWNSEND] and the Senator from Missouri [Mr. REED]:

Mr. REED. Do I understand the Senator to mean now that he would consent to the passage of the resolution if it was limited merely to the preservation of documentary evidence?

Mr. TOWNSEND. I would. I am perfectly willing that that should be done.

Mr. REED. That is to say that the subcommittee would preserve the ballots and call for and receive and preserve any other documentary evidence?

Mr. TOWNSEND. I have no objection to that if that is properly arranged as the stipulation provides. We must know how they are going to be taken and how they are going to do it. I want provision made for doing that.

Mr. REED. You want it done with the attorneys present and a proper representation of the parties.

Mr. TOWNSEND. If the Senator, after reading the law that has passed in Michigan, finds that it covers the ground so that these people can go into the court there and get all the relief they want, what more does the Senator wish?

Mr. REED. I do not want anything except I want this evidence saved. I do not want it destroyed. I think we are getting to a point where we may be able to agree upon it. Of course, we can not do it very well standing on the floor of the Senate in this way.

Mr. TOWNSEND. I am asking the Senator to read the State law, with the provision that it is given immediate effect, and to see if that does not furnish all the relief which this Congress or Mr. Ford has a right to ask.

So that the situation is this: The decree of the Federal court provides that these ballots shall be retained by the Sergeant at Arms, but that this order shall not restrain the use of these ballot boxes. Then the act of the General Assembly of the State of Michigan provides that, while the ballot boxes in a proceeding to be begun under this act shall be sent to the clerks of the courts in the several counties, the ballots can only be taken therefrom by the commissioners appointed by the court to act under this law; and surely these commissioners can not visit 83 counties.

Now, Mr. President, I want to say with all the earnestness I possess that I am not concerned about the outcome of this case, but I am concerned when charges and countercharges are made by contestant and contestee—charges which, if true, would not permit either one to be in the Senate. With this situation before the Senate, in my humble judgment, it will be derelict in its duties if it does not seize upon every opportunity to preserve these ballots and all other evidence; not that it shall be decided by this Senate—I should not consent that that be done—but that the evidence may be preserved. If it should happen that any committee or subcommittee that may be appointed to take this testimony now should overstep the bounds of propriety—do what it ought not to do or leave undone that which it ought to do—then the Senate and the next committee can disregard all the evidence that has been taken if they so see fit. But what will be the situation if some of this evidence shall be destroyed?

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Ohio yield to the Senator from Iowa?

Mr. POMERENE. I do.

Mr. KENYON. I should like to ask the Senator if he thinks that anybody is desirous of interfering with the purposes of this resolution, to which the committee unanimously agreed?

Mr. POMERENE. Mr. President, the Senator from Iowa has asked me a very embarrassing question, but I will answer it to the best of my belief. I am satisfied that there is a determined effort here to prevent any action upon this resolution.

Now, Mr. President, I want to call the Senate's attention to another phase of this matter. I do not want anything to be done here that is not going to be eminently fair; and in one of the informal conferences which this committee had I suggested that if this evidence was to be taken a subcommittee could be appointed of either four or six members, to be equally divided between the majority and the minority. I have understood

that if I shall insist upon the passage of this resolution the junior Senator from Michigan will ask that the substitute which I offer, and which the committee unanimously authorized me to offer, shall be amended to that effect. I am not authorized by the committee as a whole to accept that amendment; but so far as I can I shall accept it, and I shall ask all Senators to vote for that amendment.

Mr. President, that is all I care to say. I feel that I have done nothing more than my duty. I have tried to do it; and, whatever the result, the consequences will have to rest with the Senate.

Mr. TOWNSEND. Mr. President, first I desire to acquit the Senator from Ohio of any neglect of duty in presenting this matter for consideration. I had no sympathy at all with the article which appeared in the New York World. If I have had any criticism at all to make it has been that the Senator has been rather overdiligent in a matter which ought not to have received such serious consideration.

Now, I desire to state my view of the present situation, in order that the Senate may clearly understand why I am opposing this resolution as it now comes to the Senate.

It is true that this matter has been discussed before the Senate on one or two other occasions. A controversy arose over the senatorial situation in Michigan. The contestant here, Mr. Ford, after the election in November, stated through his attorney in the press that he was satisfied with the election, and should make no contest. Up to the time he filed his petition, several months after the election, there had been some ballots destroyed, as set out by Mr. Ford in the petition which he filed. They had been destroyed according to the ordinary custom in disposing of ballots after an election. In one or two places in Michigan there was an election in December after the November election, and some of the ballots were destroyed. But there has been no effort, no disposition, so far as I am informed, to destroy any ballot cast in the election in November, 1918, since Mr. Ford gave notice that he would make a contest. There has been no evidence that there has been any document destroyed since that notice was filed.

Now, Mr. Ford, through his attorney, who has devoted himself assiduously to this business for months, after filing his petition and after there was opposition made at that time to this Congress going into the investigation, not simply preserving the ballots, not simply preserving evidence, proposed that this Congress should go into an investigation of that election. After that Mr. Ford's attorney petitioned the two Federal courts in Michigan for orders to preserve the ballots. He invoked the jurisdiction of those courts. He was not opposed by Mr. Newberry's friends, but, on the contrary, a stipulation was entered into whereby a temporary restraining order was issued.

Then it appears that the petitioner who had invoked the jurisdiction of the court was not satisfied that it was a sufficient remedy, and so another stipulation was entered into making that restraining order permanent until such time as the Congress might instruct the Sergeant at Arms of the Senate to take possession of the ballots.

Even after that the parties maintained that probably that Federal action was not sufficient, and so, after collaborating with all parties concerned, a bill was introduced into the State Legislature of Michigan providing a remedy for the preservation of these ballots. That bill became a law, as I recall it, something over three weeks ago. Mr. Ford's attorney did not take advantage of the law, but he still insisted that the Senate must pass this resolution authorizing the Sergeant at Arms to proceed in force to take the ballots.

About a week ago or thereabout I was informed that Mr. Ford's attorney visited Mr. Newberry's counsel, stating that he proposed to go into the State court to obtain an order to preserve the ballots. Mr. Newberry's attorney assured him that he was willing to cooperate with him in every particular in doing that. The next day Mr. Ford's attorney concluded that that State law could not be employed expeditiously enough possibly to retain the ballots, and so he prepared another stipulation, to which Mr. Newberry's counsel agreed, whereby the Federal court provided for preserving the ballots and the release of the ballot boxes for the spring election. The parties went into the two Federal courts, and on the 21st and the 22d of this month this order was issued by the district courts in the State of Michigan. I read a copy of that order:

United States of America, in the District Court of the United States for the Western District of Michigan, Southern District. In Equity. Henry Ford, plaintiff, *v.* Truman H. Newberry, Joseph C. Schinkman, Douglas Turnbull, and Elsie M. Dupuis, defendants. No. 1896.

At a session of said court held in the city of Grand Rapids, on the 22d day of February, A. D. 1919.

Present: The Hon. Arthur J. Tuttle, district judge, sitting by designation.

The parties hereto being present by counsel and consenting hereto: It is hereby

Ordered, That public notice be given through newspapers that if there are any of the precincts which imperatively require the use of the ballot boxes containing the senatorial ballots, at the March, 1919, primary, that if the custodian of the ballot boxes of any such precinct will give notice to the attorneys for Henry Ford and Truman H. Newberry, arrangements will be speedily made by said attorneys to transfer the ballots, tally sheets, etc., from the ballot boxes to temporary receptacles, pending the taking possession thereof by the Sergeant at Arms of the United States Senate; it is

Ordered, That when such notice of the time and place of such transfer has been given that the transfer be made by said custodian in the presence of the representatives of the said Henry Ford and Truman H. Newberry, and that there be placed in a temporary receptacle with the said ballots a written statement signed by the said custodian of the particular precinct, specifying the condition of the ballot box and its contents at the time of removal; and that the said temporary receptacle be carefully fastened and sealed by and left in the possession of the said custodian until such time as the same is called for by the said Sergeant at Arms; and it is further

Ordered, That except as to such transfer and sealing the restraining orders heretofore granted be and remain in full force as to all other ballot boxes and as to the custody and preservation of said temporary receptacles; and it is further

Ordered, That any expense involved in giving such notices or providing temporary receptacles be borne by the plaintiff.

ARTHUR J. TUTTLE, *Judge.*

Entry of the above order is hereby consented to.

LUCKING, MURPHY, HELFMAN, LUCKING, AND HANLON,
Attorneys for Plaintiff.

J. O. MURFIN,
Attorney for the said Truman H. Newberry.

Under that provision the ballots to-day are being preserved. On Friday and Saturday the ballots in the county of Wayne, the largest single community in our State, were taken out of the ballot boxes and placed in agreed temporary receptacles. It is true also that in every precinct in the State where it is known that they had need of the boxes they are being preserved under that order of the Federal courts.

The Senator from Ohio says that the ballots are likely to be destroyed, and he thinks the Sergeant at Arms is the only person or instrument capable of preserving these ballots. How can they be preserved under the Sergeant at Arms with five days left between this time and the need for primary boxes? It is an utter impossibility for him to do it. There are 2,100 precincts, situated in 83 counties of the State. Not only that, but just think what the Senate proposes to do under the resolution now. With the ballots absolutely preserved according to a plan invoked by Mr. Ford's attorney himself and accepted by the contestee in process of being worked out at this minute, and has been employed ever since the order was issued, it is now proposed under this resolution to send the Sergeant at Arms up into Michigan to interfere with the work of the Federal court and thus produce probable confusion. Mr. President, the Sergeant at Arms could not visit these places within the time limit between this and the 5th day of March. The question of jurisdiction which is going to arise out of this conflict would probably defeat the very object which the Senator has in mind by this resolution.

Now, there is no evidence of any interference on the part of Mr. Newberry or his friends. There is no allegation here that there is any disposition to interfere with the preservation of the ballots. Both parties are working together to preserve them, and the only possible, practical, feasible method that has been or can be employed is being used at this time to do that very thing.

Furthermore, Mr. President, I think the Senate ought to consider somewhat the expense of sending an army of Senate employees, because they would be employed by the Senate to assist the Sergeant at Arms in preserving these ballots. It could not be done, in the first place, between this and the 5th of March. It can and is being done under the other method. Mr. Ford's attorney—and I refer to him, for he is the active party in apparent interest in this controversy—had this court remedy within his power for months, but has not seen fit to exercise it until last Thursday, Friday, or Saturday.

Mr. REED. When was this order made?

Mr. TOWNSEND. I think it was made on the 22d.

Mr. REED. On the 22d of February?

Mr. TOWNSEND. One was made on the 22d and the other on the 21st—the eastern district on the 21st and the western district on the 22d, as I recall it. They both might have been made on the same day, but I think not. They were made at the earliest moment when the petitioners went into court and asked for the order.

Now, Mr. President, the Senator from Ohio has stated that there might be some other evidence which ought to be preserved. I agreed with the Senator when this matter was up three weeks ago that if there was any evidence which it was thought might be destroyed, if the men who have charge of this investigation up in Michigan had stated that they feared some particular evidence would be destroyed, I would have favored steps to preserve it.

Since I had the colloquy with the Senator from Missouri on the floor several weeks ago when this was up before, I have

talked with the gentleman who has charge of Mr. Ford's matters before the Senate and elsewhere. His statement to me was that what he was after was a thorough investigation of this case by this Senate, that these other matters were entirely secondary. Not later than week before last or last week he admitted that other matters were comparatively inconsequential, that the thing he wanted was to have this Senate make the investigation, and I assured him that that could not be done. I asked him then what testimony, if any, he had in mind, what documentary evidence he thought would be destroyed. He said he did not have any in mind, although on yesterday he said there was one particular matter that he thought might be destroyed, but he did not see fit to disclose. Such testimony can be taken under stipulation by the parties if the Ford attorney can show that there is danger of its being lost or destroyed. I do not believe any such material evidence exists. I do not believe it exists anywhere, because on yesterday again the representative went back to the ballots and said that he wanted a recount. I never thought he did, but he insists that he does want one now, and he does not want to wait for the only legal authority that can order it. Then I insisted that he ought to have gone into the courts and preserved the ballots long ago, and he evidently did not know or else I did not understand him correctly, that his firm had entered into this court stipulation. I may have been mistaken about that. It may be that he knew it. But the fact is his firm is now legally engaged in preserving the Michigan ballots.

Now, he suggested another thing that others have suggested to me. He asked, "Will you lay any obstruction in the way of an investigation of that senatorial election at the proper session of Congress?" I replied, "No"; but I said to him yesterday, "If you are going to have a recount of the ballots after they are preserved, you ought to lay some little foundation for belief that a count would make a change."

He immediately interrupted and said, "That means you are going to oppose it." I said, "No; it does not mean anything of the kind, but have you not some foundation for the belief that there has been fraud or mistake in the ballots?" His answer was that the majority was so small, about 7,500, that the contestant had a right to come in as a matter of fact and demand a recount of the ballots on that ground. I then said, "Suppose there is an allegation of possible mistake in the count of votes without any basis for the belief except that the majority was small, and suppose every defeated candidate in close States demanded the same right, would Congress be able to do anything else than satisfy the curiosity of unsuccessful candidates for office?"

I say now I have no objection to going into this case by the proper tribunal, but under the statements made over and over again I could not now without laying all the facts before the Senate consent that a resolution shall pass four or five days before Congress adjourns and with an extra session imminent. I can not consent that for some unsatisfactory reason a paid army shall be authorized to go up into Michigan and do a thing that can conserve no end of justice. I am not able to understand now the vindictive persistency of the Ford agents, because, as I said, it is admitted that the ballots are preserved, no danger of losing evidence has been or will be disclosed, only five days of this Congress are left, and the new Congress is sure to convene soon.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Ohio?

Mr. TOWNSEND. I yield.

Mr. POMERENE. The Senator has just been referring to the taking of testimony. Surely he does not mean to insinuate that any testimony would be taken contrary to the spirit of this resolution if it is passed. I have said that so far as I was concerned one-half of the subcommittee should come from the minority, so that it would be utterly impossible to do anything that would be unfair to either the contestant or the contestee.

Mr. TOWNSEND. I have implicit confidence in the Senator from Ohio. I believe he would act fairly. My own notion about this whole business is not like that of the Senator, although I know he is absolutely sincere in his position, but I know other gentlemen understand just what they want, and I believe the proposition is to commit the next Senate to something which this Senate may do. That is what I believe is the intent and purpose of the resolution, because absolutely nothing practical can be done at this session of Congress. Members of Congress, during these crowded hours, are not going out into Michigan to take testimony. They are needed here, and will be required here until the 4th of March, and this committee may not be extended beyond the 4th of March.

I repeat, this proposed action simply means confusion. These parties have been working together very harmoniously to secure the evidence. They began a little late. They had their remedy; everything is at their hands; but they did not employ it until the last minute, when they were obliged to do it, if a recount is to be had.

But, Mr. President, there are several things connected with this matter which will require discussion. If the Senate feels that it wants to take up this case and dispose of it at this session of Congress, I have no objection, although I do not believe it has any rightful place here now. I do not believe the ends of justice are going to be secured by anything that we may do in connection with this matter now, and therefore I must call the attention of the Senate to some things.

I have some affidavits which I propose to present to the Senate before it votes on this proposition, showing that before the primary in last August and practically up to this minute the Department of Justice has held in Michigan from 25 to 75 men trying to collect evidence of something which would help the administration's candidate for Senator.

I introduced a resolution in the Senate the other day directing the Attorney General to tell the Senate how many men had been sent into Michigan between August and the date of the resolution, what they were there for, their names, and so forth. He sends back to the Senate this answer:

OFFICE OF THE ATTORNEY GENERAL,
DEPARTMENT OF JUSTICE,
Washington, D. C., February 13, 1919.

The PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: Replying to the resolution of the Senate passed on the 11th instant, I have the honor to say that agents of the Department of Justice have been investigating alleged violations of the Federal statutes in Michigan in connection with the senatorial primary and election held in that State in August and November, 1918. It would be incompatible with the public interest to reply further to the resolution except to say that if specific complaint shall be made by anyone that any agent of the department in Michigan has engaged in any unlawful or unwarranted practice prompt investigation will be made and such action taken as the facts disclosed shall call for.

Respectfully,

T. W. GREGORY,
Attorney General.

That is the answer which the Senate received to its request for information. I am not satisfied with that answer, and in due time shall try to learn the truth. The rumors are these: There were a large number of men in Michigan who claimed to be representatives of the Department of Justice. I am told by Mr. Ford's attorney that those were not all representatives of that department, but that the Ford people themselves had a good many men out in the State. Whatever the facts may be, however, it is shown by affidavits, which I have in my possession and which I propose to read to the Senate, that these men represented themselves, when it was necessary to do so, as representatives of the Department of Justice. They sent out ambulance drivers of the Red Cross or of some other organization with notices for men to come in as witnesses, and those ambulance drivers were used because it was thought that they would be recognized by the witnesses as having some authority. Also representatives of various war agencies were employed, unknown to them—they did not know what they were doing, but supposed they were obeying some lawful order of the Department of Justice—to induce witnesses to go to certain places. These agents went into some places and asked for the tally sheets and other election documents, took them out of the offices of the clerks, and held them out, in some cases, until the clerks discovered it and went after them.

That kind of business has been going on all over Michigan, and I assert that if there was the fraud which was originally stated—which has not been reiterated since, but which was originally stated—as existing in Michigan these 75 men could have found it and Mr. Newberry would have been indicted in Michigan before this. I will not permit until after a full hearing, if I can prevent it, any aid by this Congress to a Federal scheme organized and prosecuted to control the election of a United States Senator in my State. You shall have all the facts when the proper tribunal is ready for action.

Now, things have simmered down to this condition, and I am going to rely upon the future to determine whether or not I am right: They want to recount these ballots because the majority was only 7,500, or something like that, out of a possible 450,000 ballots cast, stating that was a suspicious matter, and that they thought a recount would insure Mr. Ford's election.

I assume that it would not be charged that there was fraud, but probably that there were mistakes. I have no doubt that

mistakes have occurred, but I am very confident that the majority of Mr. Newberry under a recount would not be less than it now is.

In the city of Detroit was where Mr. Ford received his greatest vote. Mr. Newberry's majority in the State, outside of Wayne County, was practically normal, about 45,000 majority; but when he came into the city of Detroit, where the Republican ticket carried by about 25,000 or thereabouts, Mr. Ford received about thirty thousand and odd majority. Every single precinct in the city of Detroit, which is known throughout the State as a controlled precinct—a precinct that has to be watched—went for Mr. Ford by from 2 to 4 votes for him to 1 for Mr. Newberry.

A recount is not objected to by me. I do not think it is opposed by Mr. Newberry. Nobody objects to a recount. Mr. Newberry's friends have tried to cooperate with Mr. Ford's friends in every proposition that they have submitted to preserve the ballots.

Mr. ASHURST. Mr. President——

Mr. TOWNSEND. I yield to the Senator from Arizona.

Mr. ASHURST. As I understand the Senator's view, it is that he asserts that an investigation of the charges of fraud that are made on both sides can not be made by the Senate of the Sixty-fifth Congress.

Mr. TOWNSEND. That is right.

Mr. ASHURST. But the Senator has just stated on the floor of the Senate a condition which, it seems to me, he ought to be the first to ask to have remedied. He has asserted that there are precincts that ought to be watched, that are controlled. He casts suspicion upon those precincts in Detroit that gave very large and unusual and abnormal majorities for Mr. Ford. I have a good deal of confidence in the Senator from Michigan, a vast deal of confidence in him, and I expect and hope that in the Sixty-sixth Congress he will be in the lead urging an investigation of both sides of this question, since he seems to contend that an investigation can not be made by the Sixty-fifth Congress.

The Senator from Michigan is too wise and too able and I believe too patriotic a man to sit silently in his seat and fail to cooperate with those who are trying to secure an investigation. Immense sums of money, as the Senator from Michigan knows, have been spent on one side, admittedly, and it has been charged that on the other side immense sums have been spent in behalf of the other candidate. I hope the Senator will give us the assurance—that we do not need—that he will cooperate in the Sixty-sixth Congress for securing an investigation by the proper committee. I think he will take the initiative and will be a leader in that movement.

Mr. TOWNSEND. That was suggested to me the other day—that I introduce a resolution for investigating my prospective colleague. Well, of course I shall not do it. If I were impressed that he received his seat by fraud, if there had been anything presented to me or to the Senate worthy of belief showing fraud, I might not hesitate to do so. What I am stating is that under no circumstances will I in the least obstruct a proposition to investigate the election of Mr. Newberry at the next session of Congress. I do say that I hope the Senate will not adopt the general proposition—and I do not think it will—that without allegations of fraud based on some form of affidavit or some substantial evidence they will proceed to count the ballots of a State simply because a Senator's majority happens to be small.

Mr. ASHURST. Now, let me ask the Senator, does he assert here that the fact that the brother of one of these candidates contributed $99,000, and admitted it, makes no impression on his mind and calls for no investigation? Does the Senator mean that a man can contribute great sums of money—$99,000—and that he would then say in the Senate that it made no impression on him?

Mr. TOWNSEND. The Senator is talking about the primaries in Michigan. I have no doubt that the record states the truth as to who contributed this money. I think Mr. Newberry's brother did contribute a large amount, although I do not know just the amount.

Mr. ASHURST. The amount was $99,000.

Mr. TOWNSEND. The question as to whether that was against the law—it having been spent for advertising in the State—is now before the Supreme Court of the United States, and will probably be decided on the 3d of next month; the question as to whether that Federal statute was or was not a constitutional one is to be decided. Unless it shall be decided to be a crime—that is, a violation of law—there are some matters that I desire to consider before I proceed to investigate that incident, simply because there was a lot of money spent for advertising. I do not approve it; I do not think it did Mr. Newberry any good; I think it was absolutely a detriment to him to have that money spent, because it was all paraded in the election contest after the primary and the people knew all about it.

Mr. ASHURST. I do not know when it was exposed to the public that these contributions were made.

Mr. TOWNSEND. All through the election campaign. I have many advertisements here and statements showing that fact, which I am going to present to the Senate.

Mr. ASHURST. Mr. President, if I may be permitted to interrupt for a moment, the learned Senator, in the early part of his speech, stated that Mr. Ford issued a statement immediately after the election that he was satisfied.

Mr. TOWNSEND. His attorney did so for him.

Mr. ASHURST. Or his attorney stated that he was satisfied. That to me in unimportant. It is not a question whether Mr. Ford was satisfied or dissatisfied or whether Mr. Newberry was satisfied or dissatisfied; there are third parties, who are the people of the State of Michigan and the people of the United States. The fact that Mr. Ford was satisfied or dissatisfied should not weigh at all in the matter, and the fact that he later changed his mind and took the view that he had been defrauded at the election or that some pressure was put on him somewhere to change his attitude should not weigh at all. What he may have said or may not have said makes no difference.

I am a member of the Committee on Privileges and Elections, but I wish to say that I have never met Mr. Newberry, and so I can not have the slightest prejudice against him. I met Mr. Ford once, having been introduced to him some years ago I think either by the junior Senator from Michigan or his colleague, I have forgotten which. I have not any interest in these two men. That Mr. Newberry will be sworn in and assist in reorganizing the Senate I have no doubt, because he has what we call a prima facie certificate, but I earnestly hope the Senator, with his ability, will not resist the effort of those of us who believe, when large sums of money are expended on behalf of the election of a Democrat or a Republican, that the matter should be investigated.

The Senator from Michigan is not an opulent man; he has risen to power and place and distinction without great opulence, and he knows how often a man who is not opulent can be beaten down in an attempt to reach great public office by an opulent man. I am glad to see opulent men come to the Senate if they come with clean hands—and I do not assert that either of these gentlemen have other than clean hands—but I wish to say at this time to the Senator, who is a credit to the Senate and to his State, that instead of opposing technical objections to an investigation of this matter, instead of trying to resist it, it would be more in keeping with the Senator's very distinguished public career if he would say, as to Democrats or Republicans, if they have expended money to the amount of $170,000, or even $50,000, the sunlight shall be turned upon the transaction and the radium of publicity shall burn out this cancer, if there be one, on the body politic. That is what I want to see done.

Mr. TOWNSEND. Mr. President, I did not cite the expenditure of $176,000 with approval, nor did I mention the fact that the contest was not instituted earlier as any argument for spending $170,000. I simply cited the fact that Mr. Ford's attorney did not make any contest in this case or give any notice of a contest, but, on the contrary, said that his side was satisfied, to show why some of the ballots were destroyed in the ordinary way. There was no anticipation of a recount, and there was use in some places for the ballot boxes in the election in December following. I am simply citing that to show why the ballots which were destroyed were burned.

Mr. ASHURST. Mr. President, if the Senator will pardon me further——

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from Michigan yield further to the Senator from Arizona?

Mr. TOWNSEND. I yield.

Mr. ASHURST. I desire to interrupt the Senator for just a moment to refer to the activity of the Department of Justice. I say this because I should like to place my view of it in the RECORD at this time. I will be very brief.

The Senator lays considerable stress upon and objects to and inveighs against the alleged activities of the Department of Justice in this matter. There is a Federal law on the statute books penalizing those who spend money improperly in Federal elections. If corruption does exist—and I do not assert that it does, because I do not know—or if any fraud has been committed by Mr. Newberry's agents or Mr. Ford's agents, if the

Department of Justice combs the matter and finds nothing, the Senator's prospective colleague is abundantly cleared and free from all suspicion; but if corruption is actually found, the Senator can not complain.

So I do not believe that the Senator, who is usually on solid ground in his arguments, has his feet on solid ground when he objects to the activities of the Department of Justice; first, because if the parties are innocent, no one will be harmed, and, if there is guilt, the guilt should be exposed. That is my view of it.

I do not want this investigation to take a partisan tinge. It makes very little difference to me which one of these men is seated from the party standpoint. I have no doubt that they are both estimable gentlemen in private life, although I know nothing about that; but I regret to see especially the Senator from Michigan interposing what seem to be technical objections to the progress of this investigation.

If the Senator from Michigan will pardon me further, the Senator from Ohio [Mr. POMERENE] offers a compromise that the committee shall be composed equally of Members of the minority and of the majority, so that no injustice can possibly be done—I see no objection to accepting that proposition—and that this committee, which is to take the ballots and to hear the testimony during the short remaining period of the Sixty-fifth Congress, shall be composed one half of Members of the minority and the other half of Members of the majority; and when the Sixty-sixth Congress shall convene I shall expect, indeed I shall hope, that the majority shall control the main committee and subcommittee, as is usual in important cases of this kind.

That constitutes all I have to say, and I thank the Senator for yielding to me at this time.

Mr. TOWNSEND. Mr. President, I have no objection to a proper investigation of charges of fraud or corruption. The charges which have been made in reference to corruption in Michigan have been duplicated in several other States where elections for Senators occurred last November. I have not heard that the Department of Justice has sent its agents into any other State, although I think there is greater evidence of fraud in them. The one great fact that stood out above all others in Michigan was that $176,000 had been acknowledged to have been spent in the primaries—an unconscionable amount—and it is admitted. We need no spies or investigations to discover that; but every item was explained; and it was believed by those who made the expenditure that they had the right to expend that amount.

They felt that they were up against an unusual campaign. The President had selected a man who was known to be—or supposed to have been—a Republican, and asked him to run on the Democratic ticket in Michigan. That man said that he regarded the President's request as a command, and he accepted it. In the primaries he ran on both the Democratic and Republican tickets with the hope that he might be nominated on the Republican ticket, and then he could withdraw from the Democratic ticket, that party would nominate nobody against him, and he would have the field to himself. That was the condition that confronted the Republicans and the electors of Michigan. Michigan immediately became the swarming place for all kinds of Federal employees, who went there for the purpose of trying to influence that election. They, or Ford representatives impersonating them, paraded their unwarranted methods in our State.

Mr. Ford was the best-advertised man in the United States in private life; he had an agency in every little hamlet in Michigan, and that agency was the local Ford campaign headquarters during the primaries and the election. It is known that he had spent hundreds of thousands of dollars in advertising in years before. I have little doubt that he spent more than $100,000 in advertising his peace propaganda and the reelection of Mr. Wilson in 1916. He was advertised everywhere. Mr. Newberry's committee undertook to combat that by organizing a newspaper advertising campaign for Mr. Newberry, which cost a lot of money.

If it should turn out that our Federal statute limiting the expenditure of money in the primaries is unconstitutional, while everybody would deplore conditions that would make it necessary to have such a campaign between two rich men, I do not think anybody would condemn one more than he would the other. I never want another such campaign to be waged, and I will gladly support any working constitutional law to that end.

Now, the Senator from Arizona says that he thinks I ought to be the first——

Mr. ASHURST. Mr. President, let me interrupt the Senator there.

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Arizona?

Mr. TOWNSEND. Certainly.

Mr. ASHURST. I regret to take the time, but let me call the Senator's attention to this: Ex-Governor Osborn—and I have never met him, but I have read a letter that he wrote; I can not even quote the date of it, but I think it was about the middle of September—wrote a letter to Mr. Newberry, and said to Mr. Newberry, the Senator elect: "You ought to confess your error to the people of Michigan. You commenced your campaign of wild money spending, and the extravagant use of money, and the improper use of money, long, long before Henry Ford as a candidate was ever thought of." I am only quoting the contents of that letter. I have not the letter with me, but I have read it. I assume that he must have been a Republican, or he would not have been an ex-Governor of Michigan.

Now then, here is a man of substance who has held an office of great importance, an office of first importance, in that State, who writes a letter to Mr. Newberry and says: "You can not say that you were obliged to use money in combating Mr. Ford and Mr. Ford's advertisements, because you commenced your campaign of reckless expenditure long before Ford entered the race."

I thank the Senator. That is all I care to say.

Mr. TOWNSEND. Mr. President, I do not begrudge the time the Senator has occupied the floor, but I remember that letter. I know Mr. Osborn very well. I know him much better than I know either Mr. Newberry or Mr. Ford. I have bunked with him for weeks at a time. We have hunted together; our families are friends. I am very fond of him. He was a candidate against Mr. Newberry and Mr. Ford in the Republican primary. He was very bitter during that primary, however, and attacked both Mr. Newberry and Mr. Ford. He said some very harsh things. After the primary he sent a most fulsome telegram of congratulation to Mr. Newberry. Mr. Newberry acknowledged the telegram in friendly and kindly terms, and then Mr. Osborn thought it wise—I am not questioning his motives—to criticize him very strongly in an open letter which he gave to the public and from which the Senator from Arizona has just quoted.

That letter of Mr. Osborn was written immediately after the primary. The people had it before them during the election. They knew all about what Mr. Osborn had charged. Furthermore, Mr. Osborn was called as a witness before the grand jury down in New York called to investigate this alleged violation of law, the Federal statute to which the Senator made reference. Mr. Osborn testified before the grand jury. So did Mr. Dickinson, the lieutenant governor. Twenty-four or twenty-five other people testified before that grand jury.

Mr. ASHURST. Mr. President, will the Senator let me read the letter—it is very short—so as to have it in the RECORD accurately, if the Senator does not object, at this time?

The PRESIDING OFFICER. Does the Senator from Michigan yield for that purpose?

Mr. TOWNSEND. That only prolongs the discussion. I want it all read, though.

Mr. ASHURST. I will read the whole letter.

Mr. TOWNSEND. I would like to have read first the telegram that Mr. Osborn sent to Mr. Newberry, and then the subsequent letter; but I do not object to the Senator reading it.

Mr. ASHURST. I will read the only documents that I have. They are very brief.

Mr. TOWNSEND. Read all the letter.

Mr. ASHURST. The first is as follows:

NEW YORK CITY,
Sunday, September 1, 1918.

MY DEAR GOVERNOR: Your cordial telegram assuring me of your earnest support is all that was needed to insure the defeat of Ford in November. I fully realize that my personality is submerged in the issues that confront our party in our State. Many times in the past few months I have envied your ability and privilege to talk, and when your voice rang clear and strong throughout State and Nation on the menace of Ford I wanted to wire you Godspeed in your patriotic work.

Your deeply appreciated telegram of support helps me to visualize the statesman, the sportsman (hunter), and gentleman that I have always known you to be.

Cordially, yours,

TRUMAN H. NEWBERRY.

That was directed to former Gov. Osborn by Mr. Newberry. Now, here is Gov. Osborn's reply:

SEPTEMBER 17, 1918.

MY DEAR COMMANDER—

I suppose he means Commander Newberry—

MY DEAR COMMANDER: I have read your letter. Thank you for your sentiments. I shall support you. Already I have straightened out entanglements that would have been hurtful to your success. I am not interested in you personally a particle. The entire matter is so far beyond personal consideration and transcends individual proportions to an extent that only public welfare may be thought of. You can be elected; no doubt you will be. My idea is that the thing for you to do is to honestly confess that you broke the law and that you knew all

about the campaign, but that you did not realize the enormity of your offense. In such a position you would be intrenched in honesty, I fully believe. And an indulgent people would forgive you and fight for you because of the past services they think you have given and what they have been told you are giving now. In addition, this action would make for your name an honorable place in the history of Michigan. Otherwise the future will curse you.

The plea can not be honestly made that you spent money in excess because you were fighting Ford, because you had begun your reckless campaign long before Ford was mentioned and had already transgressed the law. Nor can you plead "you did not know." That would prove you to be both an ass and a liar, which I choose to think you are not. I am for you only to save the Nation and the State from the curse of Fordism. A vote for Ford is a vote for the Kaiser right now, as I view the case.

Yours, truly, CHASE S. OSBORN.

I thank the Senator for permitting me to put in the entire letter, so that I would not misquote it.

Mr. TOWNSEND. That letter, of course, has been put in several times.

Mr. ASHURST. I did not know that, although I have watched the case closely.

Mr. TOWNSEND. It is in the RECORD in several places.

I repeat, these witnesses were presented at the investigation of Mr. Newberry by the grand jury in New York. After they had all testified in New York before the grand jury, with the exception of three whom no one considers were necessarily important, because all the people who had been suggesting fraud were sworn and testified, the grand jury found no cause for indictment. This investigation took place during the election, and it was clearly held for the purpose of influencing the election in November. That influence, which was exerted from the time President Wilson brought about Mr. Ford's candidacy up to this hour, still exists.

I have perfect confidence in the chairman of this committee and in the two or three members on each side, representing each party, which would constitute the proposed subcommittee that might investigate this matter; but it can not be done this week. Nobody thinks it can be done at this session of Congress. If you were to authorize the Sergeant at Arms to go out into Michigan to-morrow to preserve ballots and enter into conflict with the Federal authorities, who have been invoked by this petitioner and are now in possession of many of these ballots, you would not expedite the investigation which will be had at the next session. I want this investigation to be held, if it is shown on sufficient authority that one is required, and I want these ballots preserved. I know that the only method of preserving them is now being employed in Michigan, and they will be preserved until they are needed. I want them preserved. I am sorry any of them were destroyed before ever it was known that there was to be a contest; but I imagine that some arrangement or calculation can be made as to those, if there is any question about them, so that it will not materially interfere with the result of the recount. If there is to be a recount, of course the ballots must be preserved. They could have been preserved without question by these parties long ago.

Under the testimony that has been submitted, that these two men are immensely wealthy, millionaires, I have been opposed to putting upon the Government the expense of sending an army of Senate employees into Michigan on a fishing excursion. It will cost from twenty-five to fifty thousand dollars, to be paid out of the contingent fund of the Senate, to send this force, and the excursion would be of very doubtful benefit to the preservation of ballots.

Mr. President, these are sufficient reasons for me to oppose this resolution. The conditions are different from what they were three weeks ago to-day. Three weeks ago to-day I believed, under the statement of the Senators, that there might be some evidence which possibly would be destroyed. I am convinced to-day that nobody has any such evidence in mind. I know now that the ballots are being preserved under a scheme proposed by Mr. Ford's attorneys and acquiesced in by the counsel for Mr. Newberry.

This is a peculiar situation that confronts us. The petitioner invokes authority, and he gets acquiesence on the part of the defense, and then he vacates it, and says it is not sufficient.

Mr. ASHURST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Arizona?

Mr. TOWNSEND. I do.

Mr. ASHURST. Assuming—and I take the Senator's word for it—that the ballots will be preserved, and that adequate and suitable measures have been taken to secure the ballots, and that indeed they are secured, and will be for the next six months secure, I call the Senator's attention to paragraph "(b)" of this amendment, which reads:

To take and preserve any relevant, competent, and material verbal testimony where it is shown to a majority of the committee, a quorum being present, or to a majority of any subcommittee acting in the matter, that any witness can not reasonably be expected to be available as a witness, if called before a committee of the Senate of the Sixty-sixth Congress.

There is no one who knows when the Sixty-sixth Congress will be called into extraordinary session. I assume it will be called into extraordinary session before July. That is not a violent assumption. Is it not within the domain of the Senator's thought that there may be, and probably is, some evidence of a verbal nature that might exist, some witness who might seek now, in view of this discussion with regard to this question, to put himself beyond the jurisdiction of the courts, or even beyond the jurisdiction of the Senate, or some other testimony? We all know, as lawyers, how quickly testimony may disappear if a long period of time elapses before it is put into solid and concrete form in the way of a record. The evidence of fraud is a very elusive thing, anyhow. Now, then, it has been stated to the Committee on Privileges and Elections when my distinguished and learned friend, the Senator from Ohio, was presiding, as he was during all sessions, that there was evidence of a particular nature—I am not going to mention it here—that there were witnesses who believed that evidence existed that ought to be taken and reduced to written form, evidence that it was asserted would tend to throw light on the question of whether or not Mr. Ford or Mr. Newberry had knowledge of the expenditure of these immense sums of money.

Mr. TOWNSEND. Did I understand the Senator to say that the chairman of the committee has knowledge of some such witness?

Mr. ASHURST. I think it was asserted before the Committee on Privileges and Elections, the Senator from Ohio presiding, that there were reasonable and substantial grounds to believe, and they did verily believe, that there existed evidence that would tend to throw light on the question as to whether Mr. Ford or Mr. Newberry knew of the expenditure of these great sums of money.

Mr. TOWNSEND. Mr. President, my understanding is that the chairman has had nothing in mind; that he has no knowledge of any such testimony. The attorney for Mr. Ford told me at first that he knew of nothing, but yesterday he told me there was something now that he would like to have preserved. If he will name it, I am sure its preservation will be stipulated.

Mr. ASHURST. Is not that an entirely reasonable statement? He said he knew nothing and was perfectly honest; probably did not know anything. Is it not within the domain of the Senator's experience that he might learn of something? Is it not reasonable to suppose that the attorney for Mr. Ford might learn of something?

Mr. TOWNSEND. As far as I am concerned, I can not imagine that in a case charged with such wholesale fraud as this is, where 75 or more Federal agents have been raking Michigan with a sleuth's comb, that the loss of one piece of evidence would prejudice the petitioner's case.

The fact is that there is no danger of loss of evidence. That is what I believe. This whole thing that originated away back in the White House is now being conducted by parties outside of this committee and outside of the Senate who desire to get some recognition for some purpose unworthy, in my judgment, of the consideration of the Senate.

Mr. ASHURST. Of course, the Senator does not refer to any member of the committee?

Mr. TOWNSEND. Not at all. I have said that repeatedly.

Mr. ASHURST. I want to say, however, men are misrepresented. I read yesterday from one of the most reliable papers in the United States a keen and bitter criticism against the Senator from Ohio, urging that he had been remiss in his duties. I was amazed——

Mr. TOWNSEND. I testified to the mistake in that paper, when I first rose.

Mr. ASHURST. I was amazed that such an able and usually correct paper should have made such a statement.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the conference report on House bill 13308.

Mr. BANKHEAD rose.

Mr. POMERENE. May I ask the indulgence of my very generous friend, the chairman of the Committee on Post Offices, to temporarily lay aside the conference report that we may have a vote on this resolution?

Mr. BANKHEAD. Mr. President, nothing would give me more pleasure than to oblige the Senator from Ohio, but I have been sitting around here for days trying to get this conference report before the Senate. It is now the unfinished business, and we can dispose of it in a very short time. I must insist that we proceed with the unfinished business.

Mr. POMERENE. Will the Senator yield to me to ask a question of the Senator from Michigan?

Mr. BANKHEAD. Yes.

Mr. POMERENE. May I have the attention of the Senator from Michigan for a moment?

Mr. TOWNSEND. I beg the Senator's pardon.

Mr. POMERENE. If I may have the attention of the Senator from Michigan, I wish to ask him a very frank question. Is it the object of the Senator from Michigan to defeat a vote on this question, or will he object to a vote on this question?

Mr. TOWNSEND. I can not consent to a vote on the question now. If this matter is to be taken up, if the Senate during the last four or five days of the session feels that this is so important that it is to supplant the legitimate business of the Senate, then I am going to submit to the Senate not some rumors but some affidavits and some facts as to what has occurred in Michigan. I have not wanted to delay the work of the Senate. If I thought there was the slightest reason for believing that this investigation of the case of Ford against Newberry was going to be embarrassed because of our failure to act at this session, I would act differently about it, but I feel very deeply in this matter now, and I shall insist upon submitting the facts to the Senate. Michigan has been outraged by Federal interference. The administration is responsible for the scandal that has come to our honorable State, and when this investigation occurs it shall be unembarrassed by further Federal prejudice.

Mr. POMERENE. I of course have recognized the fact that the Senator from Michigan feels very deeply on the subject, but the Committee on Privileges and Elections, every Senator who was then in the Capitol, Republican and Democrat alike, felt that this question was of such importance that they unanimously authorized the chairman of the committee to present this substitute. I submit that with that situation before the Senate there ought to be a little consideration paid to what was the judgment of the committee.

It is only desired that such evidence shall be taken as will tend to preserve the testimony which may be dissipated. With a subcommittee composed of Members equally divided between the majority and the minority side, I do not believe that the Senator himself thinks that any injustice would be done either to the contestant or to the contestee.

This matter relates to the dignity, the purity, of the membership of the Senate; and I had hoped that, with the charges and the countercharges being made here, no stone would be thrown in the way of a proper effort to preserve any testimony that might possibly get away.

Mr. TOWNSEND. Does the Senator know of any such testimony now?

Mr. POMERENE. Mr. President, I know nothing about this matter except the substance of what has been presented either to the committee or to the Senate. I am not judging of that testimony.

Mr. TOWNSEND. After reading the proceedings in the Federal courts of Michigan and understanding, as he must, that the ballots are now fully protected against destruction, does the Senator still think that it would be advisable to send the Sergeant at Arms into Michigan now to preserve the ballots?

Mr. POMERENE. The Senator is now referring to the ballots alone. I am frank to say that the decree of the United States district court places more safeguards around the ballots than there were prior to the time the decree was modified, but that is only one part of the testimony. I expect that it is on the lips of the Senator to inquire if I know of any other documentary evidence that will be destroyed. If he is asking me from my personal knowledge, I have no personal knowledge on the subject; but I have had 30 years of experience as a practicing lawyer, and, in my judgment, where fraud has been resorted to, without alleging that any has been resorted to, but assuming it has been resorted to, the man who will deal in fraud will destroy the indicia of fraud if he has the opportunity.

Mr. TOWNSEND. May I ask the Senator, if such a man exists in this case, has he not already destroyed all damaging evidence?

Mr. POMERENE. Mr. President, that may be so; but in my experience I have found that where an attempt has been made to destroy evidence often there is a little of it which under the ruling of a providence escapes and it sometimes leads to the trailing of the man who has been guilty of it.

I recognize the fact that these proceedings have been blocked at every turn. Even when it came to an investigation by a grand jury the attorney for the man who claims the seat appeared and advised witnesses who were called there to raise the question of the constitutionality of the law. Never in my experience as a lawyer did I hear it claimed that a witness before a grand jury that was holding a grand inquest had the right to raise the question of the validity of any question unless it was a question which tended to incriminate or disgrace.

That is one of the obstacles which have been thrown into this investigation. The Senator from Michigan the other day admitted that the correspondence of the campaign committees that had expended $176,000 to get a given man into the Senate had been burned, and under these circumstances there is nothing for the United States Senate to investigate. That is all I care to say.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Michigan?

Mr. BANKHEAD. Yes.

Mr. TOWNSEND. The Senator from Michigan did state in answer to some question, I believe, that some of the ordinary political campaign correspondence had been destroyed, the same, I believe, as is done in every campaign, especially in one of magnitude, where there have been thousands and thousands of letters some have been destroyed. It is not in reason to think that all are preserved. There was no reason for either destroying or preserving them except to get them out of the way as rubbish. There had been no question about the election.

Mr. POMERENE. The Senator speaks of what is the practice always. I have some knowledge of conditions in my own State and in my own county. I am not able to say that it is always destroyed, and very often when it is destroyed we all know that there is some reason why it may be destroyed.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE COMSTOCK.

Mr. NEW. Mr. President, I desire to give notice that on Sunday next, March 2, at the conclusion of the eulogies on the late Senator HUSTING, of Wisconsin, and the late Representative DAVIDSON, of Wisconsin, I shall ask the Senate to consider resolutions on the life, character, and public services of Hon. DANIEL W. COMSTOCK, late a Representative from the State of Indiana.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. WEEKS. Mr. President, when the Senate adjourned last night this conference report was before it, but owing to lack of a quorum I did not have opportunity to make a few comments, which I wish to do. I should not do this if I had had the opportunity to make them during the consideration of the Post Office bill, but, unfortunately, I was confined in committee rooms at that time and failed of the opportunity which I desired. Even now I am not going to take very much of the time of the Senate.

I wish to say before proceeding with the comments which I am going to make that I recognize the difficulties in all cases of coming to an agreement in the case of a conference where there is a material difference of opinion between the two Houses, and that in the case which we now have under consideration there were material differences of opinion, and it was impossible without making some concessions of matters which one House or the other desired to retain in the bill to come to an agreement. While there are details in this bill which do not meet my approval, details which I wish could be changed or eliminated from the bill, I intend to give it my support when a vote is reached because I am satisfied it is the best possible conclusion that could have been reached and that the Senate conferees did everything they were obligated to do to carry out the wishes of the Senate.

I wish, Mr. President, first to refer particularly to the conduct of the Post Office Department as a general proposition. That is one of the services in the United States in which all people are interested. It is a service in which they have justly taken very great pride in the past.

It has connected with it a large number of employees, running into the hundreds of thousands, who are men of honesty and capacity and industry, and who have performed their duties as well as could have been done. But under the present administration I submit there has been a great deterioration of the service which the people of this country—indeed, of other countries—have received from our Postal Department. This has been due to unwise and undesirable actions taken from time to time, of irresolution on the part of the department, of such conduct relating to the personnel of the employees of the department, that there has arisen a very just, I think, resentment. Indeed, the morale of the service has never been as low as it is to-day. That has resulted in a general impairment of the service. I need not bring any evidence to the attention of the Senate to demonstrate the correctness of that statement. Every

man who has had anything to do with the Postal Service during the last three or four years must be willing to testify that the service has been performed in a way which was entirely unsatisfactory to him.

There has been a delay in the mails which we have never known before, a delay which in some respects is entirely without justification. In order to make some so-called modification of the service which would result in economy, there was a considerable change made in the Railway Mail Service, so that instead of mail being distributed on the trains in all cases much of it came into stations for distribution after the train arrived, or was distributed before the train left, so that it was delayed very materially in delivery, or there was an earlier closing without hastening delivery. That delay means very much in a great city, for instance, like New York or Boston, because if mail reaches the city before 6 o'clock in the morning, for example, it is distributed by the first delivery made by the carriers. If it is an hour later, it is not distributed until the second delivery made by the carriers, making a difference frequently of two or three or four hours in the handling of mail matter which may contain business of great importance.

There has been, as far as my observation is concerned, universal criticism of that change in the service. Indeed, that criticism goes on throughout the entire service. Even the local mails have not been handled expeditiously. Matters of importance as well as social matters have been delayed, and the whole service has gotten into a condition which needs jacking up more than the Postal Service ever has. I state this as a fact, having been familiar with this service in a rather intimate way for the last 10 years, either in my service on committees in the House of Representatives or in the Senate.

The criticism which I make applies not only to the ordinary business service performed by the department but it applies to that relating to the military service. We had to take from the Post Office Department the delivery of mail on the other side and turn it over to the War Department. During the first part of the war very frequently mails were six weeks reaching those to whom they were directed in Europe, and for a time under the War Department this condition was materially better. The War Department itself does not know why it got back partially into the condition it was before it was taken over by the War Department, but it is sufficient to say that it is the first time, so far as I know, in the history of the Government that a service has been taken away from the department which has it in control under the law, and which it naturally would have charge of, and turned over to another department of the Government which theretofore had nothing whatever to do with it because of failure to perform suitable service.

At present the mails are put on board the steamer by the Post Office Department in New York or whatever port from which the ship is sailing, and they are taken to the other side under the control of the War Department and there distributed by the War Department. When the mails return they are brought to the shore on the other side, to the point of debarkation, and there turned over to the Post Office Department to be brought to this side and distributed by the Postal Service. I submit that never has there been any such action taken before, and yet we know how badly that mail service has been performed.

I could submit tons of evidence here of delays of from one to three weeks beyond any possible reason that could be assigned by anyone. From time to time I have asked postal officials and officials of the War Department for some reason for these delays in the mails, and in every instance they have charged the delay to other service and always admitted that the service was not satisfactory.

I believe the reason for this failure to perform satisfactory service is due more largely than anything else to a general letting down of the service on account of the general suppression which has been going on which the employees believe has been an unfair treatment by the administration. At least the testimony that comes to me would seem to bear that out.

Then we have had indecision in other ways. Not only has the Postal Service gone down in its quality, but the department has taken over other services with which it had never had any experience in dealing before—the telephone and the telegraph. In that case the head of the Postal Department has had an irresolution, which I hope is not typical, but it is very pronounced, first in favor of Government ownership, then opposed to Government ownership, and finally, under the conditions of the last year, being in favor of Government ownership again and taking over the operating of those services, and is now, I understand, in favor of their purchase.

Then in addition to that we have the taking over of the cables after the war was over. There has never been any reason given for that. Attempts have been made to obtain from somebody some justification in law or reason for taking over the cables, but as far as I am informed no reason has ever been offered. While we as a Government a short time ago compelled the dissolution of the telephone and the telegraph services, now the assigned purpose for taking over these services is to combine them. In other words, we are taking a directly contrary course to that which we took two or three years ago when we compelled, under the antitrust laws, the dissolution of the telegraph and telephone services.

This condition of uncertainty has extended down through the service, and I want to bring to the attention of the Senate, as it was done very indefinitely during the consideration of this bill, one of the matters which demonstrate the correctness of my statement—that relates to the experimental truck service which has been undertaken. That proposition was advocated in committee and on the floor of the Senate on the theory that we might in some way bring to the consumer the product of the producer more directly, more expeditiously, and enable the producer to obtain as large a price as he otherwise would and the consumer to obtain his products at a less price.

There seemed to be some reason in making the experiment, and it was undertaken last year by the Fourth Assistant Postmaster General, under whose direction this service was carried on.

When the Fourth Assistant Postmaster General was before the committee he advocated not only extending this service to an extent requiring an appropriation of $1,000,000, but in the committee he advocated an appropriation of $8,000,000 to carry it on; and I notice that there is a statement somewhere which emanates from him which would mean, if the service were extended to 10,000 routes, earnings of somewhere between $400,000,000 and $500,000,000 might be obtained. But if the first-class mails which were carried on the trucks, mails which were diverted from other services, the entire receipts from the mail being given to the trucks, had been eliminated and there had been 10,000 routes started in this country there would have been a loss of at least $140,000,000.

I want to point out a little more definitely how this service was performed. Incidentally let me say that the Fourth Assistant Postmaster General stated to the committee finally that the service could not be carried on profitably, or even to return its cost, unless first-class mails were carried by the trucks.

In many of the cases the mails were diverted from the railroad service, which had theretofore handled them, diverted so that there was frequently a delay in departure and almost invariably a delay in reaching their destination, and that was due very largely to directions that were given by the Fourth Assistant Postmaster General in establishing this service, directions which, he said before the committee, were issued with his approval but without his giving them any serious consideration.

Indeed, he intimated that they were brought to him, put on his desk, and signed by him without giving them any other consideration than possibly to read them.

This is the paragraph to which I refer, and it shows the careless, willfully careless, way in which these experimental services are frequently undertaken.

Rule 7 directs "while the route is intended particularly as a Parcel Post Service, postmasters will dispatch by the driver mail of all classes, including registered matter, that can thereby be advanced either in delivery or in dispatch."

"Either in delivery or in dispatch." As an example of advancing service in dispatch, a service was established from Cincinnati to some point in Kentucky. The principal earnings from that service came from carrying first-class mails from Cincinnati to Covington, just across the river from Cincinnati, service that had been performed by the screen-wagon service. Under this method of conducting it the cost was increased several times, and yet these trucks were given full credit for the receipts from the service which had been conducted satisfactorily in every other way, and simply because it left the post office in the city of Cincinnati a few minutes before the screen-wagon service, as it had been previously conducted.

Let me take another case of lesser carelessness but greater profligacy with which this service has been performed. A service was established from Worcester, Mass., to Hartford, Conn., on the way to New York. There are at least six express trains daily each way between the city of Worcester and the city of Hartford. They take about 2 hours and 15 minutes to make the run, but they run through the city of Springfield.

These three cities are located in a triangle, so that the distance from Worcester to Hartford by a straight line is a little less than it would be around through Springfield by way of the railroad, but it took the truck more than twice as long—yes, more than three times as long—to make the distance between Worcester and Hartford than it did to go by express

train. That service would have been most unprofitable if it had not been for diverting the first-class mail from the railroads and carrying it by truck—thus delaying by several hours its arrival at either terminal—and applying the entire proceeds of the carrying of that mail to the truck service, even though it was destined to the remotest parts of the United States. Of course, there can not be any excuse for that kind of an experiment. The report almost deluded the committee into thinking that there might be some advantage in it; and I do not know but what we would have been fooled if it had not been that the Postmaster General had some time before detailed a board of post-office officials to make an investigation, and as a result of that investigation, after the bill had been passed by the House appropriating a million dollars for this service, the committee was given correct information in relation to it.

Mr. PENROSE. Mr. President, will the Senator yield to me for an inquiry?

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Massachusetts yield to the Senator from Pennsylvania?

Mr. WEEKS. I yield.

Mr. PENROSE. I have heard the statement made that this service is the most profligate—and that is the way the Senator expressed it—and wasteful of any; that it is a typical case of wastefulness. I should like to ask the Senator whether he has devoted any study to the accounting of any particular rural route to ascertain the character of commodities carried and the expense, and whether there can clearly be demonstrated a profit by it?

Mr. WEEKS. That has been done covering this entire service, but we have not the figures before us covering any particular route. I can, however, give the Senator some figures which I think will be illuminating.

Mr. PENROSE. Do those figures take into account the repair bills for these automobile trucks?

Mr. WEEKS. Only in a very general way.

Mr. PENROSE. I happened to stop at a garage in Pennsylvania the other day, and the keeper of the place was ridiculing the whole performance. I think he stated that for the three or four trucks that ran from his place to New York carrying mushrooms the bill for repairs was $400 per month.

Mr. WEEKS. That is what is known as the mushroom express.

Mr. PENROSE. Yes.

Mr. WEEKS. It runs from West Chester, Pa., to New York City. I have no doubt the suggestion made by the Senator from Pennsylvania is correct. It was not a profitable service.

Mr. PENROSE. But it is still running.

Mr. WEEKS. It is still running, I think.

Mr. PENROSE. At the place where I was it was still running.

Mr. WEEKS. Let me give the Senator an illustration of how this service is performed on a route from Baltimore, Md., to Gettysburg, Pa. The reports which were made as to that service were most favorable, but when the committee appointed by the Postmaster General investigated the route these are the facts which they actually obtained:

Record of first-class mail carried outward from Baltimore on the truck operating between Baltimore and Gettysburg furnishes further evidence of the same character; it shows no first-class mail handled from Baltimore on trips of November 16, 19, 21, 22, 23, 26, 27, and 30; on five days of the month, when entries appear to have been made by the dispatching clerk at Baltimore, recorded weights vary from 14 pounds to 29 pounds. On other days, when record appears to have been made by the driver, it shows 45 pounds first-class matter on the 7th and 15th, 50 pounds on the 13th and 28th, 80 pounds on the 8th, 85 pounds on the 6th, 9th, 11th, 14th, 18th, 20th, 25th, and 29th, respectively.

On date of inspection, December 13, record made by dispatcher was 20 pounds, which corresponds very well with the amount carried.

An actual count of the postage on first-class matter dispatched, with weights of same, by this route from Baltimore was made on the 9th, 10th, and 11th instant, with the following result:

	Actual weight.	Recorded by driver.
	Lbs. ozs.	*Pounds.*
Jan. 9	10 4	90
Jan. 10	15 11	85
Jan. 11	9 14	90
Total	35 13	265

There are numerous other instances, Mr. President, where the weights have been padded, so that the reported results of the experiment made have no value whatever. Let me take, as an example, a route which was started from Portland, Me., along the shore toward Portsmouth, N. H. This route goes through a summer colony called Ogonquit. About eight months in the year there are practically no people at that point, and for the other four months there are a great many summer visitors. They took the weight of the mail carried from Portland to Ogonquit on one of the days in August when there were the greatest number of people at Ogonquit and used that as a basis for every day during the year. So, assuming that they took the weight on an average day for the summer months and recorded the weights for which payment should be made, the returns claimed were over three times as large as they should be. As a matter of fact, they were some five or six times as large.

I do not know what the Postmaster General is going to do about this matter. The committee thought that $70,000 was all that should be appropriated for this service, but after some time they decided that they would make it $300,000 for the purpose of establishing certain definite routes, and having the accounts so kept that there would be a return made at the end of this fiscal year which would give some basis for future action—either a discontinuance of the whole service or perhaps a continuance or an extension.

But, as I have said, the House wished to appropriate a million dollars for this purpose, and it was necessary for the committee to devote a great deal of time to get the appropriation down to an amount which seemed to be within reason.

If the Postmaster General did what I conceive to be his duty in this matter, somebody's head would come off. I do not know whether it would be his assistant or whether it would be some of the employees who had padded the returns so as to give an improper return. While there was not graft connected with it, it seemed to be a propaganda which would have resulted in the wasteful expenditure of Government money.

There is one other matter to which I wish to refer, Mr. President, and that is for the moment a dead issue. I refer to the pneumatic tubes. The Senate committee put into the bill a proposition which was accepted by the Senate, that the machinery connected with the pneumatic tubes should remain in the post office for the ensuing year. The reason for that provision was that it is believed by very many that the pneumatic tubes will be used again in the near future. The Postmaster General has recently been making some investigations in New York, and as a result has recommended a new tunnel connecting the Grand Central and the Pennsylvania Railroad stations. The reasons given for the construction of this tunnel are almost identical with the reasons which have been assigned in the past for the continuance of the tube service.

The tube service was intended to expedite first-class mail; the tunnel service which is now proposed is intended to expedite all mail and for the purpose of taking the traffic off the streets because of the congestion that exists in that section of New York.

If the carrying of mail by automobiles during the past year had been as effective as has been claimed, which would be producing an expedition of the mail at a reduced cost, no one would make any complaint or desire a change; but, as a matter of fact, by actual tests made, the mails have been delayed in New York practically in every test made more than 15 minutes, and from that up to two hours.

Moreover, the cost of the automobile service has already reached a point twice as great as was the cost of the tube service. I have not the slightest doubt, expressing this opinion as one who has made a careful investigation of that service, that Congress will later unanimously restore that service; and yet last year we practically confiscated what had cost the owners of that service $7,000,000, by throwing it out of commission; and now demand is made that the powerful machinery which is in the basement of the post offices, and which can only be removed at a great expense from places which are of practically no value to any one than for any other reason than the possibility of furnishing storage space, it seems to me worse than the Bolshevist movement in Russia. There they have confiscated, it is true, but I do not know that after confiscating a man's property they have attempted to put him to additional expense to remove it, assuming, I presume, that they have taken all he has. In this case, however, the removal of the machinery from the basements of the post offices can not be of any material benefit to anyone. It would cost its owners a great many tens of thousands of dollars to do this; and if the pneumatic service is later restored it will cost a great many hundreds of thousands of dollars to restore it.

I mention this not because I expect that any action is going to be taken relative to the tubes at this time, but that it is a rank imposition on those who have been connected with the tube service and those who have furnished that service, at the

request of the Government in practically every instance. Now, the property has been confiscated and the owners are being put to the inconvenience and expense of removing something which is not in the way. It is a kind of governmental persecution which brings the Government into disfavor and prevents those who would ordinarily invest their money in things which the Government needs, which would be beneficial to the Government service everywhere, from doing so. Because they do not know whether a change in the administration will not result in some action which will impair or destroy their property.

Mr. President, there are many other matters which I might take up relative to this service, but I have no desire to detain the Senate, for I know that no action can be taken at this session of Congress to right what I think are the wrongs which I have instanced or to change the conditions so that we may get as good a service as we had three or four years ago.

As I said in the beginning, I am opposed to some things which are in the bill, but being satisfied that the conferees have done the best they could to give the Senate a satisfactory bill I shall support the conference report.

The PRESIDING OFFICER (Mr. LENROOT in the chair). The question is on agreeing to the conference report.

The conference report was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. OVERMAN. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Carolina.

Mr. FRANCE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Henderson	Martin, Va.	Smoot
Bankhead	Johnson, Cal.	Nelson	Sterling
Beckham	Jones, N. Mex.	New	Sutherland
Brandegee	Jones, Wash.	Norris	Swanson
Chamberlain	Kellogg	Nugent	Thomas
Colt	Kenyon	Overman	Thompson
Cummins	King	Owen	Townsend
Curtis	Kirby	Page	Trammell
Dillingham	Knox	Pomerene	Underwood
Fletcher	La Follette	Ransdell	Vardaman
France	Lenroot	Reed	Walsh
Frelinghuysen	Lewis	Saulsbury	Warren
Gay	Lodge	Shafroth	Watson
Gore	McKellar	Sheppard	Weeks
Gronna	McNary	Simmons	Williams
Harding	Martin, Ky.	Smith, S. C.	Wolcott

The PRESIDING OFFICER. Sixty-four Senators have responded to their names. A quorum is present. The question is on the motion of the Senator from North Carolina that the Senate proceed to the consideration of the Diplomatic and Consular appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, which had been reported from the Committee on Appropriations with amendments.

Mr. OVERMAN. Mr. President, I make the usual request for unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, the amendments of the committee to be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CHAMBERLAIN. Mr. President, I will ask the Senator from North Carolina to yield to me for a moment.

Mr. OVERMAN. I yield to the Senator.

PAY OF ARMY CHIEF NURSES.

Mr. CHAMBERLAIN. I ask unanimous consent for the immediate consideration of Calendar No. 522, being Senate bill 4892. In calling the calendar yesterday the Senate passed over that bill, which is designed to correct an inadvertence in the Army appropriation bill of last year, whereby the salary of chief nurses was reduced $10 per month. It was not the intention to make that reduction, and the Surgeon General of the Army says it very much impairs the service.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4892) to amend section 4 of chapter 5 of an act making appropriations for the support of the Army for the fiscal year ending June 30, 1919, approved July 9, 1918, and to make said amendment retroactive, which was read, as follows:

Be it enacted, etc., That section 4 of chapter 5 of an act making appropriations for the support of the Army for the fiscal year ending June 30, 1919, approved July 9, 1918, be, and the same is hereby, amended, to be effective as of and from July 9, 1918, by changing the clause "chief nurses, $120 in addition to the pay of a nurse" to "chief nurses, $360 in addition to the pay of a nurse."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CHAMBERLAIN subsequently said: Mr. President, this morning I asked the Senate to consider Calendar No. 522, being Senate bill 4892. Unanimous consent was granted, and the bill was passed. Inadvertently I took Calendar No. 522 instead of Calendar No. 580, which is a House bill on the same subject and exactly identical in language. I ask that the votes by which Senate bill 4892 was ordered engrossed for a third reading, read the third time, and passed may be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CHAMBERLAIN. I move that Senate bill 4892 be indefinitely postponed.

The motion was agreed to.

Mr. CHAMBERLAIN. I now ask unanimous consent that Calendar No. 580, which, as I have said, is exactly the same as Senate bill 4892, be considered at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13035) to amend section 4 of chapter 5 of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918, and to make said amendment retroactive.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONTESTING AND CANCELLATION OF HOMESTEAD ENTRIES.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Oklahoma?

Mr. GORE. I ask unanimous consent, with the permission of the Senator from North Carolina, for the present consideration of Calendar No. 657, being House bill 9897. It is a local measure, and I think it will require but a minute to pass it.

Mr. OVERMAN. The Senator thinks that it will not lead to debate?

Mr. GORE. I do not think it will. If it does, I will withdraw the request.

Mr. OVERMAN. Very well, I yield.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma that the Senate proceed to the consideration of Calendar No. 657, House bill 9897?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9897) to authorize the contesting and cancellation of certain homestead entries, and for other purposes, which had been reported from the Committee on Public Lands, with an amendment, on page 1, line 9, after the word "contest," to strike out "at any time after 60 days from the date of this act," so as to make the bill read:

Be it enacted, etc., That the homestead entries made for pasture and wood reserve lands in the Kiowa, Comanche, and Apache Reservations, in the State of Oklahoma, opened to settlement and entry upon sealed bids, as authorized by the act of June 5, 1906 (34 Stats. L., p. 213), be, and the same are hereby, made subject to contest, upon charges alleging that the entryman never established residence upon the land or that having established such residence he failed to maintain the same or to improve and cultivate the land in accordance with law; and upon proof sustaining such charges, submitted in accordance with the rules of practice, the entries will be canceled and the money paid by the entrymen in default will be forfeited: *Provided*, That any person who has been residing upon the land for at least two years prior to the cancellation of such entry, and if there be no such settler, then the successful contestant, shall, if qualified to make a homestead entry, have a preference right for a period of 60 days from notice, to make a homestead entry for the land, paying therefor the price bid by the original entryman, or a price to be fixed by appraisement upon the applicant's request, the improvements made by such settler not to be taken into consideration in making such appraisement: *Provided further*, That should there be two settlers on a tract, the land will be partitioned to them upon mutual agreement, or will be sold to the settler submitting the highest bid at a public offering: *And provided further*, That payment for the land shall be made in four equal installments, one installment at the date of entry, and the other installments in one, two, and three years thereafter: *And provided further*, That failure to comply with the homestead law or to make the annual payment when due in the case of any entry under this act shall be a sufficient cause for the cancellation of the entry and the forfeiture of the money paid: *And provided further*, That any vacant lands in the wood and pasture reserves in said Indian reservations, opened to entry under said act of June 5, 1906, for which no preference right of entry exists, as herein provided, or under

the act of June 28, 1906 (34 Stats. L., p. 550), shall be subject to sale at public auction to the highest bidder under rules and regulations to be provided by the Secretary of the Interior: *And provided further*, That the moneys received from the sale of the lands under this act shall be deposited in the Treasury of the United States, shall draw interest, and be administered in accordance with the provisions of section 2 of said act of June 5, 1906.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill read a third time.

The bill was read the third time and passed.

ARLINGTON MEMORIAL AMPHITHEATER.

Mr. WILLIAMS. Mr. President, I ask the Senator from North Carolina to yield to me that I may request consideration for Senate bill 5556, Calendar No. 649. If there be any objection, I will withdraw the request.

Mr. OVERMAN. I dislike to decline to yield to the Senator.

Mr. WILLIAMS. I will state that the bill has been unanimously reported by the Committee on the Library, and is designed to create a commission to act in conjunction with the Commission of Fine Arts in connection with inscriptions, tablets, busts, and other memorials to be erected in the new Arlington Memorial Amphitheater.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. OVERMAN. I yield to the Senator from Mississippi, and then I will yield to the Senator from Kansas [Mr. THOMPSON], but I can not yield further after that. I dislike to appear to be discourteous, but I have already yielded to two Senators.

The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent for the immediate consideration of Senate bill 5556. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5556) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater in Arlington National Cemetery, Va., which had been reported from the Committee on the Library, with an amendment, in section 1, page 1, line 6, after the word "Monday," to strike out "on" and insert "in," so as to make the bill read:

Be it enacted, etc., That a commission is hereby created, to be composed of the Secretary of War and the Secretary of the Navy, which shall submit annually to the President, who shall transmit the same to Congress by the first Monday in December, recommendations as to what, if any, inscriptions, tablets, busts, or other memorials shall be erected, and what, if any, bodies of deceased members of the Army, Navy, and Marine Corps shall be entombed during the next ensuing year within the Arlington Memorial Amphitheater, in the Arlington National Cemetery, Va.: *Provided*, That no memorial shall be placed and no body shall be interred in the grounds about the Arlington Memorial Amphitheater within a distance of 250 feet from the said memorial.

SEC. 2. That the Secretary of War shall be the chairman of said commission and the officer in charge of public buildings and grounds in the District of Columbia shall be its executive and disbursing officer. The commission shall keep full and accurate records of all its proceedings and transactions in regard to proposed memorials submitted for its consideration, and is authorized to employ such assistance as may be necessary to enable it to discharge properly the duties imposed upon it.

"SEC. 3. That no inscription, tablet, bust, or other memorial shall be erected nor shall any body be entombed within the Arlington Memorial Amphitheater unless specifically authorized in each case by act of the Congress. Applications for such authority shall be submitted in all cases through the commission created by this act.

SEC. 4. That no inscription, tablet, bust, or other memorial as herein provided for shall be erected to commemorate any person who shall not have rendered conspicuously distinguished service in the United States Army, Navy, or Marine Corps, nor shall the body of any such person be entombed in the Arlington Memorial Amphitheater; nor shall any such memorial be erected or any body be entombed therein within 10 years after the death of the person so to be commemorated unless specifically otherwise provided by act of Congress in individual cases.

SEC. 5. That the character, design, and location of any such inscriptions, tablets, busts, or other memorials when authorized as herein provided shall be subject to the approval of the commission herein created, which shall in each case obtain the advice of the Commission of Fine Arts.

SEC. 6. That the commission herein created is authorized to expend the sum of $3,000, or as much thereof as may be necessary, to defray its expenses during the fiscal year ending June 30, 1920.

SEC. 7. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PREVENTION OF VICE ON THE CANAL ZONE.

Mr. THOMPSON. Mr. President, I ask the Senator from North Carolina to yield to me for a moment.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Kansas?

Mr. OVERMAN. I will yield to the Senator from Kansas, but after that I must decline to yield further.

Mr. THOMPSON. I ask unanimous consent for the immediate consideration of Calendar No. 614, being Senate bill 5224. It is an important bill and has been recommended by the War Department; in fact, it was drawn by the War Department on the recommendation of the commanding general of the Canal Zone. The bill was introduced by the Senator from Oregon [Mr. CHAMBERLAIN], the chairman of the Committee on Military Affairs, who asked me to call it up for consideration at the first opportunity. I have tried to get unanimous consent to take up the bill several times but failed. The bill is highly important for the proper government of the Canal Zone, so valuable to the protection of the canal, which has contributed so much to the winning of the war.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent for the immediate consideration of Senate bill 5224. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5224) to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes, which had been reported from the Committee on Interoceanic Canals with amendments.

The first amendment was, in section 1, page 1, line 8, after the word "pharmaceutical," to insert "industrial," so as to make the section read:

That it shall be unlawful to import or introduce into the Canal Zone, or to manufacture, sell, give away, dispose of, transport, or have in one's possession or under one's control within the Canal Zone, any alcoholic, fermented, brewed, distilled, vinous, malt, or spirituous liquors, except for sacramental, scientific, pharmaceutical, industrial, or medicinal purposes under regulations to be made by the President, and any such liquors within the Canal Zone in violation hereof shall be forfeited to the United States and seized: *Provided*, That this section shall not apply to transportation of liquors to points without the Canal Zone by common carriers or by vessels on ocean voyages.

The next amendment was, on page 2, after line 3, to insert a new section, as follows:

SEC. 2. That it shall be unlawful for any person, firm, company, or corporation, its officers, employees, or agents, to import or introduce into, transport through or into, sell, manufacture, dispose of, give away, or have in his or its possession or under his or its control within the Canal Zone, except for scientific, pharmaceutical, or medicinal purposes, any opium or cocaine, or any salt, derivative, or preparation of opium or cocaine, or any other habit-forming drug: *Provided*, That this section shall not apply to transportation of cocaine to points without the Canal Zone by common carriers or by vessels on ocean voyages.

The amendment was agreed to.

The next amendment was, on page 2, line 15, to change the number of section 2 to section 3; on page 3, line 4, to change the number of section 3 to section 4; and on the same page, line 8, to change the number of section 4 to section 5.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. THOMPSON. I ask unanimous consent to have made part of the record a letter from the commanding general of the Canal Zone and also a statement of Maj. Wells, judge advocate general, setting forth the conditions requiring the legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

HEADQUARTERS PANAMA CANAL DEPARTMENT,
Ancon, Canal Zone, January 10, 1919.

MY DEAR SENATOR: I understand that a bill has been prepared and presented to Congress for passage embodying the provisions of my General Order No. 2, a copy of which is attached hereto, making the Canal Zone bone dry as to liquor, cocaine, and prostitution. My order is only effective during the present war with Germany and as soon as peace is declared will automatically become inoperative, and I will be powerless to prevent the return of the vice and evil that infected the zone previous to the issuance of my order, and the only salvation is for the immediate passage by Congress of this bill, which, to have the desired effect, should become operative not later than March 1, 1919.

This bill should include a provision prohibiting the use of the canal and the Panama Railway for the transportation of intoxicating liquor and other prohibited articles to and from the cities of Panama and Colon, as this will be a great blow to the liquor traffic of these two cities, which is the cause of all the vice in the Canal Zone.

I urge upon you the necessity of this law for the well-being of the soldiers and sailors stationed on the Canal Zone and the civilian population thereof, and request that you take this matter up with the committee to whom it is referred with the view of securing its immediate passage.

This letter is addressed to you because of your recent visit to the Canal Zone and your personal acquaintance with conditions on the zone and the results of the order and the necessity for such a law, and I trust that you will do all in your power to urge its importanee upon Congress and to secure its early passage.

With best regards, I am,

Very sincerely, yours,

R. M. BLATCHFORD.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

VICE AND EVIL IN REPUBLIC OF PANAMA.

THE REASONS FOR THE ISSUANCE OF THE GENERAL'S ORDER AND ITS RESULTS, WHICH WILL BE AT AN END WHEN THE TREATY OF PEACE IS SIGNED, WITHOUT LEGISLATION TO ENACT INTO LAW FOR PEACE TIMES THE PROVISIONS OF THE GENERAL'S ORDER, WHICH IS ONLY EFFECTIVE DURING THE WAR.

Vice conditions in the cities of Panama and Colon leading up to the issuance of the decree of the commanding officer of the United States troops stationed in the Canal Zone prohibiting intoxicating liquor and prostitution on the Canal Zone, and the results therefrom:

Under date of June 15, 1917, a petition was presented to the President of the United States signed by Mr. James Hayter, agent of the American Bible Society and chairman of the antiliquor committee; Mr. T. S. Booz, general secretary of the Y. M. C. A. of the Canal Zone and secretary of clubs and playgrounds of the Panama Canal; Rev. Sidney S. Conger, pastor of the Union Church of Balboa; and Mr. W. H. Evans, chairman of the regional committee on cooperation of the Isthmus of Panama. In this petition the following language is used:

"The efficiency of the military and naval forces of the United States stationed on the Canal Zone is genuinely impaired by the ready access of these forces to the saloons and houses of prostitution in the cities of Colon and Panama. In support of this statement we cite these facts: A very considerable number of soldiers may nightly be seen drunk in the streets of Colon and Panama and on the highways between the various military posts and these cities * * *. In Colon, with a population of about 20,000 persons, there are approximately 400 licensed saloons and 720 licensed prostitutes. It is conservative to estimate the number of those practicing without license at 300. This would indicate one prostitute for every 20 persons of all ages and sexes in Colon. Unprejudiced observers regard the trade in liquor and social vice as the principal local business of the city."

Under date of September 12, 1917, Lieut. Col. C. B. Humphrey, Fifth Infantry, commanding officer, camp at Empire, Canal Zone, wrote a letter to the department commander, calling attention to the conditions of vice in the city of Panama. I quote the following from his letter:

"As a result of a plan made by three enlisted men to find out how many women of easy virtue could be found on the main street—Calle Central—leading from Santa Ana Plaza to the Panama Railroad station, only three women were encountered who declined, and one of these gave as a reason that her husband was in the house and she could not at that time * * *. Occupants of the Coco Grove district are reported to be able to get a certificate of health—no venereal disease—from Panama native doctors without being subjected to an inspection for 1 peso (50 cents in gold)."

Under date of October 17, 1917, Mr. C. A. Howes, a visitor in Panama City, wrote a letter to the Secretary of War, quoting from a letter to his son, who is in the service and stationed in the United States, in which he used the following language:

"This town is full of soldiers, and a finer looking lot of men I have never seen in my life. I hope, though, the conditions surrounding the camps where you are stationed are not as bad as they are here. The Isthmus of Panama is certainly a disgrace. For our Government to take decent boys out of decent homes and surround them with all the vileness that exists here is unfair to fathers and mothers that have given their boys to the service of their country. I can only hope that if you should have the misfortune to be sent here, you will keep in your camp, away from the drunkenness, filth, and beastliness prevailing both in Panama and Colon, which is ruining mentally, morally, and physically so many fine American boys who are forced into temptation by their Government, whose duty it is to protect them. You will probably soon be going to France, and I shall constantly worry about you. Yet after seeing Panama and Colon, I should be more worried if you were here. I can imagine few fathers, knowing the conditions here, who would not prefer to have their sons take the chances of the trenches and battle field of Europe than to be exposed to all the rottenness that they can hardly avoid in Panama and Colon."

Under date of July 24, 1917, Col. Herbert A. White, General Staff (then lieutenant colonel, judge advocate), at the direction of the department commander submitted a memorandum on the question of vice and evil in the cities of Panama and Colon. Col. White was on the Canal Zone for some three years, made a careful study of the situation, and was very familiar with conditions in the terminal cities. In his memorandum Col. White admits that the remarks in the petition referred to above (par. 1) are substantially true, and states that he is convinced that drastic measures must be taken. I quote from his memorandum as follows:

"The main reason of the danger to our soldiers is, of course, the absence of clean amusements in Panama and Colon. There are no clean amusements in either of these cities except a few moving-picture places and one or two cabarets. But the men have a surfeit of moving pictures at their own posts and the cabarets referred to charge prices that are prohibitive as far as the enlisted men are concerned. There are no other places in which a man can spend either his time or money in a manner calculated to increase his self-respect. * * * After the riot of February 14, 1915, which was but a continuation of like offenses of previous years, the commanding general, Brig. Gen. Clarence R. Edwards, and the governor of the canal, Col. George W. Goethals, both recommended that the police power of the two terminal cities, Panama and Colon, be taken over by the United States Government in accordance with article 7 of the treaty of 1904, above referred to. Had this been done the police work in the two cities would have been much better performed, and, as reasonable measures of police authority, restrictions could have been placed upon the rum joints, saloons, and brothels which exist in the two unfortunate cities. However, these recommendations were not acted upon, and consequently the provost guards, with their limited powers, came as a necessary substitute. * * * I see no help for these conditions until the United States takes over the police and sanitation of the terminal cities. With the close of the present war it is to be expected that the traffic through the canal will be extensive. The terminal cities will then be filled with sailors of all the nations of the world. The result will be, unless steps are taken to prevent it, that these cities will become the same as Port Said on the Suez Canal. I do not believe that the Republic of Panama has the force to combat these evil influences. If we better them it can only be done by the strong hand of the United States."

On June 21, 1918, there were 406 registered prostitutes in the city of Panama, 376 of which were infected with either syphilis or gonorrhea, or both. A subsequent examination shows that a much larger percentage of the clandestine women were infected.

On November 21, 1918, there were 511 known prostitutes in the city of Panama, of which 432 had been in the hospital since July 1, 1918, suffering from either syphilis or gonorrhea, or both; of the remaining 79, 59 of them were suffering from the same disease, leaving 20 prostitutes out of the total number of 511 not diseased. Ninety-six per cent of the total number were suffering from syphilis or gonorrhea, or both.

As regards Colon, the records show that on June 21, 1918, there were 456 registered prostitutes, and of this number 436 were infected with either syphilis or gonorrhea, or both.

Number of venereal cases (new admissions) among the United States troops in this department since 1912.

Year.	Number of cases.	Strength of command.
1912	52	773
1913	136	797
1914	273	2,076
1915	783	5,903
1916	812	7,023
1917	986	9,786

Number of new admissions for venereal disease, by month, for first half of 1918.

[Strength of command, 11,142.]

Months:	
January	79
February	91
March	87
April	74
May	69
June	51
Total	451

Number of new admissions for venereal disease, by month, for last part of 1918, after issuance of general's order.

Months:	
July	15
August	7
September	2
October	2
November	4
December	5
Total	35

This is a reduction in the number of cases of venereal disease in this department for the last six months, under the general's order, of 416 cases over the first six months of the year, or a decrease of 92 per cent.

The number of courts-martial cases in this department for the first six months of 1918 was 1,650. For the last six months of 1918, under the general's order, the number was 906, being a reduction of 644 cases for the same number of months with the same strength of command, or a reduction of 45 per cent.

The following is a report of the department surgeon for the year 1918 on cases of alcoholism, the first six months being before the issuance of the order and the last six months being under the order:

	First 6 months.	Second 6 months.
Fort Amador	7	1
Corozal	8	3
Quarry Heights	1	.....
Camp at Gatun	2	1
Camp Gaillard	2	.....
Camp at Empire	5	.....
Camp E. S. Otis	2	.....
Fort De Lesseps	1	.....
Fort Sherman	.....	3
Fort Randolph [1]	1	.....
Total	29	8

[1] Also France field.

The above figures are taken from statistics on file in my office and are correct, and need no comment either as to the necessity for or the beneficial effects of the orders of the department commander, and the results upon the personnel of this command justify their issuance a thousand times; and, while figures are lacking, the result upon the civilian population of the Canal Zone are no doubt equally as great. That a law embodying the provisions of the general's order be enacted so as to make the results permanent, goes without saying and needs no argument.

IRA K. WELLS,
Major, Judge Advocate General's Department,
Department Judge Advocate.

Mr. THOMPSON. Mr. President, no better example could possibly be given of the practical difference between an open saloon and an absolutely "bone-dry" condition, as is clearly demonstrated by a comparison of the conditions as they existed during the six months prior to the issuance of the "bone-dry" order and the six months immediately following. There can be no stronger prohibition argument made than is shown by this practical illustration from actual experience. No better law could be enacted for the better government of the Canal Zone, and the general rendered a great service to his country in issuing the order.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. OVERMAN. I now ask that the Senate resume the consideration of the Diplomatic and Consular appropriation bill and that the reading of the amendments be proceeded with.

Mr. HARDING. Mr. President, will the Senator yield to me a moment?

Mr. OVERMAN. Does the Senator desire to secure consideration of a bill?

Mr. HARDING. I desire to have considered a bill. I do not believe it will take a minute.

Mr. OVERMAN. I will say to the Senator that I would yield to him as quickly as I would to anyone, as the Senator knows, but I gave notice that I would not yield further. There have been a half dozen Senators to see me to get me to yield, but I declined to do so, and I think I shall have to ask that the Senate proceed with the consideration of the pending bill.

The Secretary proceeded to read the bill.

Mr. WILLIAMS. Mr. President, on line 5, page 2, I move to strike out——

Mr. OVERMAN. Mr. President, unanimous consent was given that the committee amendments should be considered first.

Mr. WILLIAMS. I think the chairman of the committee will consent to this amendment.

Mr. OVERMAN. I will consent to it; I think it is all right, but I do not think it ought to be presented at this time.

Mr. WILLIAMS. Very well.

The reading of the bill was resumed.

The first amendment of the Committee on Appropriations was, under the subhead "Salaries of ambassadors and ministers," on page 2, after line 8, to insert:

Envoys extraordinary and ministers plenipotentiary to Czecho-Slovakia and Poland, at the rate of $12,000 per annum each from March 1, 1919, to June 30, 1920, both dates inclusive, $32,000.

The amendment was agreed to.

Mr. OVERMAN. Mr. President, right after that committee amendment provision will have to be made also for Serbia and Bulgaria; and I offer, on behalf of the committee, the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, after line 12, it is proposed to insert the following:

Envoys extraordinary and ministers plenipotentiary to Bulgaria and Serbia, at the rate of $10,000 per annum each, from March 1 to June 30, 1919, both dates inclusive, $6,666.68.

Mr. KENYON. Mr. President, is not the minister to Bulgaria included in the next section, on line 14?

Mr. OVERMAN. This amendment is just to provide for the remainder of the present fiscal year.

Mr. KENYON. Very well.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Carolina.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 2, line 26, after the word "Total," to strike out "$554,500" and insert "$586,500," so as to make the clause read:

Total, $586,500.

The amendment was agreed to.

The next amendment was, under the subhead "Salaries of secretaries in the Diplomatic Service," on page 3, line 9, after the date "1916," to strike out "$269,125" and insert "$289,458.33, of which sum $5,083.33 shall be immediately available," so as to make the clause read:

For secretaries in the Diplomatic Service, as provided in the act of February 5, 1915, entitled "An act for the improvement of the foreign service," as amended by the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1917, approved July 1, 1916, $289,458.33, of which sum $5,083.33 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 3, line 21, after the word "Total," to strike out "$285,925" and insert "$306,258.33," so as to make the clause read:

Total, $306,258.33.

The amendment was agreed to.

The next amendment was, under the head of "Contingent expenses, foreign missions," on page 7, line 5, after the word "authorized," to strike out "$1,300,000" and insert "$1,310,000, of which sum $10,000 shall be immediately available," so as to make the clause read:

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs, as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, including exchange of same, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $1,310,000, of which sum $10,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "Emergencies arising in the Diplomatic and Consular Service," on page 8, line 22, before the word "together," to strike out "$700,000" and insert "$600,000," so as to make the clause read:

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the neutrality act, to be expended pursuant to the requirement of section 291 of the Revised Statutes, $600,000, together with the unexpended balance of the appropriation made for this object for the fiscal year 1919, which is hereby reappropriated and made available for this purpose.

Mr. HITCHCOCK. Mr. President, I should like to ask the chairman of the committee the reason for this reduction.

Mr. OVERMAN. Mr. President, last year the appropriation was $700,000; and the committee thought, the war being practically over, that they would not require so much money this year, and they just cut it down to $600,000.

Mr. HITCHCOCK. While other departments have been able to reduce their expenses with the advent or prospect of peace, as I understand, the probability is that the State Department will really require more money instead of less.

Mr. OVERMAN. I do not think they will on this item. They will in some cases. In fact, we have given more clerks to the State Department than we have to any other department, because they will need more in the readjustment of things; but on this particular item I do not see how they will need as much money as they did before, because it is only to meet emergencies. We have given them $600,000, and if they need any more they can get a deficiency.

Mr. HITCHCOCK. We feel that the emergency is continuing; in fact, it is being aggravated. Members of the Committee on Foreign Relations have found, by experience and contact, that the State Department is behind with its work and that many of its officials are overworked at the present time.

Mr. OVERMAN. If the Senator will read the last few lines, he will see that they did not spend the money we gave them last year.

Mr. LODGE. Mr. President, if the Senator will allow me, there is no unexpended balance. The department is spending this year $1,187,720. It is not keeping its work up to date. We have not resumed relations with the central powers or any of these new States to which we are very properly appointing ministers.

Mr. OVERMAN. Mr. President, the Senator has not read the amendment or he would see that the amendment itself says that there is an unexpended balance.

Mr. LODGE. Not only is there not an unexpended balance but we had to appropriate money for a deficit last year.

Mr. OVERMAN. I do not think so. The entire appropriation was not made in this bill, but there was an unexpended balance in the Treasury, and we tried to cut it down to the amount they actually spent last year and needed.

Mr. LODGE. Last year they spent, as I have said, $1,187,000.

Mr. OVERMAN. Not under this act.

Mr. LODGE. The department asked for $1,577,140, and it has been granted in the two bills—the legislative bill and this bill—$833,960, which is $743,000 less than it asked for.

Mr. OVERMAN. That is under another bill entirely. That was under the legislative bill, as the Senator has read, and we allowed them $800,000 there.

Mr. LODGE. That combines the legislative bill and these figures here.

Mr. OVERMAN. No; the Senator is mistaken.

Mr. HITCHCOCK. Let me ask the Senator if he will accept an amendment to this paragraph in these words:

Provided, That, in his discretion, the President may employ part of this fund for payment of personal services in the District of Columbia or elsewhere, notwithstanding the provisions of any other law.

I may say that the Secretary of State has written me a very urgent letter on that subject, and says it will be a very serious matter unless this latitude is allowed to the State Department. I am not so certain about the amount of money that may be required. It may be that a deficiency appropriation made up the original amount, and that there is some unexpended balance in that. I do not know; but I do know, and every member of the committee knows, that the State Department is in a deplorable condition. It is behind with its work, and there is no department of the Government where men are working such long hours and straining every effort as they are in the State Department.

Mr. LODGE. If the Senator will allow me, I suppose we can not take up that proviso at this stage, because we are limited at present to committee amendments.

Mr. HITCHCOCK. Possibly not.

Mr. LODGE. But I agree with the Senator from Nebraska that that absolutely must go in.

Mr. HITCHCOCK. But if the chairman would accept it, we can let this $700,000 go at $600,000, as he has it here, and just add this to the paragraph as a settlement of it. I hope the chairman of the committee can see his way clear to do that.

Mr. OVERMAN. There was quite a fight in the committee on this very amendment. I can not accept it. The estimate here was for $700,000. This refers especially to the intelligence department. Having an unexpended balance, we allowed them about what they had last year. I know they are very anxious to have this proviso, and I voted for it in the committee, but the committee voted me down, and, of course, I am going to stand by the committee and can not accept it.

Mr. HITCHCOCK. Will the Senator let us take a vote on it at this time?

Mr. OVERMAN. No; not now, because unanimous consent has been given to consider committee amendments first.

Mr. LODGE. We can take up this matter when we reach other amendments, then, because that is very important.

The PRESIDING OFFICER. The question is upon the committee amendment.

Mr. HITCHCOCK. Then I should like to have the committee amendment put to a vote. I think we ought to allow the bill to stand as it came from the House.

Mr. LODGE. It ought not to be cut down.

Mr. OVERMAN. Mr. President, I hope the Senate will stand with the committee. Since this bill has passed there has been no criticism on the part of the department of what we have done. They do not need more than $600,000, and they ought not to have it.

Mr. HITCHCOCK. I will say that out of the Senator's committee the legislative bill came into the Senate with an appropriation of $200,000 for extra work in the department, whereas the existing appropriation is $425,000. That was a radical reduction, and if this reduction is made here of another $100,000 I do not know to what extent the department is going to be crippled. It seems to me unwise to compel a department to run into deficiency payments, and to cause a deficiency appropriation.

Mr. OVERMAN. Why does the Senator discuss an appropriation bill that has already passed the Senate and is now in conference? Let us get on this bill. That appropriation was made in another bill entirely. Let us get on this bill. Here the State Department asked for $700,000. We always find out how much money they have on hand and how much money was spent last year. They certainly do not need any more money than they had last year, and, in fact, not as much as they had last year. Therefore, we cut them down $100,000 in the interest of economy. That is all that is before the Senate.

Mr. HITCHCOCK. I am only calling attention to the fact that this $100,000 is taken off after you have already taken off $225,000 from the same service; and, unlike other departments, the State Department is compelled to face increased labors with the advent or prospect of peace.

Mr. OVERMAN. Why, in the legislative bill we gave them $200,000 for extra employees.

Mr. HITCHCOCK. Yes; but last year they had $425,000.

Mr. OVERMAN. They did not ask for any more. We gave them about what they asked.

Mr. HITCHCOCK. But they did not expect to have this cut, and they did not expect to be deprived of the privilege of using this proviso.

Mr. OVERMAN. We have given them in the legislative bill a great number of extra clerks; we have given them here $200,000, and now the Senator wants to give them some more money for the employment of extra clerks, after they have been given appropriations for extra clerks in the legislative bill, and appropriations in this bill of over $200,000.

Mr. HITCHCOCK. I realize that they have extra clerks; but the appropriation under which the State Department is operating this year is $425,000. The Senator has cut it to $200,000 in the other bill, and he now lops off another $100,000 here, and says that they can come in with a request for a deficiency appropriation; but we should not do those things. We should provide sufficient money. The State Department has to operate, and its operations are more delicate and more important and its labors are greater at the present time than they were acually during the war.

Mr. OVERMAN. We have treated this department more liberally than any other department of the Government, on account of the fact that they have more work to do in time of peace than they would have in time of war. We recognized that fact, and allowed them a number of extra clerks, besides this $200,000. This is for work here in Washington, in the intelligence department. They do not need as much in this item as they had before.

Mr. LODGE. This department spends less than any other department.

Mr. HITCHCOCK. Let us vote on it.

The PRESIDING OFFICER. The question is on the adoption of the committee amendment. [Putting the question.] By the sound the "noes" appear to have it. The "noes" have it, and the amendment is rejected.

Mr. OVERMAN. Mr. President, I should like to have the vote taken again on that amendment. I do not think the question was generally understood, and in fact I did not understand it myself. The question is on agreeing to the committee amendment striking out "$700,000" and inserting "$600,000." One Senator has just told me he did not understand it. Whatever the Senate wants to do is agreeable to me; but I think the committee ought to be sustained, especially on this amendment.

The PRESIDING OFFICER. Without objection, the Chair will again put the question. The question is, Shall the amendment proposed by the committee be agreed to?

On a division, the amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "International Boundary Commission, United States and Mexico," on page 10, line 12, after the word "Mexico," to strike out "$62,700" and insert "$20,000," so as to make the clause read:

To enable the commission to continue its work under the treaties of 1884, 1889, 1905, and 1906 between the United States and Mexico, $20,000.

Mr. KING. Mr. President, I do not rise for the purpose of combating the action of the committee. Indeed, I want to congratulate the committee upon effecting a reduction in a number of items. It is so unique to find the Senate Appropriations Committee reducing anything that I feel like extending congratulations to every member of the committee.

What I rose for, however, was to inquire whether or not, in the consideration of this bill, the question of the claims of American citizens for damages which they have sustained at the hands of Mexican nationals or the Mexican Government received any consideration; whether there was any suggestion as to the Government taking steps to ascertain the damages which have been done to American citizens in the Republic of Mexico and devising some ways and means by which compensation could be received for the damages and injuries sustained?

Mr. OVERMAN. Mr. President, we did not consider that in this bill. It may be considered in connection with the deficiency bill or the sundry civil bill; but, as the Senator knows, this is the Diplomatic and Consular appropriation bill, and the particular item under discussion is the International Boundary Commission, United States and Mexico. This commission deals only with boundary relations between the two countries. We did not take up the question of claims. There is a little item here about claims between Great Britain and this country, but nothing was said about these Mexican claims by the State Department, nor in any amendment introduced by any Senator. Therefore we did not consider it. I will say to the Senator that if any amendment on the subject had been introduced, or if we had heard anything from the department about it, we would have been glad to consider it; but we did not consider it for that reason.

Mr. KING. Mr. President, some time ago I introduced a resolution calling upon the State Department to furnish a full and complete statement of the claims which had been filed by American citizens growing out of damages sustained by them at the hands of the Mexican people or at the hands of the Mexican Government. It was my purpose to offer a resolution before this Congress adjourns asking for the creation of a commission, or some proper instrumentality or agency of the Government, to take up the question of these claims of American citizens and seek to secure reparation for the damages they have sustained. I had hoped that this matter might have received consideration before all of the appropriation bills were reported to the Senate.

Mr. HITCHCOCK. I will say to the Senator that the resolution which he introduced, and which was reported to the Senate by the committee, was reported after consultation with the Secretary of State. In that consultation it was revealed to the committee that the department was utterly incapable of even compiling the Mexican claims at this time because of lack of help; and it was that very revelation which I had in mind when I sought to equip the department better. It is utterly out of the question to call upon the State Department at this time to take up the Mexican claims unless they are supplied with the help they must have.

Mr. OVERMAN. We had that argument made before us, and gave them clerks.

Mr. HITCHCOCK. But you cut them down as compared with last year. I want to repeat you have in these two bills cut down the appropriations for additional help for the State Department from $425,000 to $200,000.

Mr. OVERMAN. The Senator has not read the bill.

Mr. HITCHCOCK. I have read the bill, and I have had correspondence with the Secretary on the subject.

Mr. OVERMAN. The sums the Senator is talking about are lump sums. If he had looked at the clerks granted in the legislative bill, which has already passed the Senate, he would have found that we have given some 50 or 60 additional clerks.

Mr. HITCHCOCK. I repeat what I say; you have provided less money for the State Department this year than you provided last year, and they were short last year.

Mr. OVERMAN. I think the Senator is mistaken.

Mr. HITCHCOCK. I am very sure I am not mistaken.

Mr. KING. Mr. President, I do not care to enter upon a discussion as to whether or not sufficient appropriation is carried in this bill for the clerical help of the State Department. The point I want to emphasize is that for years American citizens have been treated with indignity by the Mexican people and that they have sustained wrongs and injuries which demand reparation. I sincerely hope that some steps will be taken before this Congress adjourns that will compel the Mexican Government to take steps looking to compensation for the injuries which Americans have sustained in the Republic of Mexico.

Mr. SMOOT. Mr. President, the Senator from Nebraska has stated that we were giving less this year than we did last year for the temporary employees under the Department of State. The House gave a smaller amount. The House provided $125,000. The estimate this year was for $500,000. As the legislative bill passed the Senate, it provided the same amount that was provided last year—namely, $200,000. That bill is now in conference, I will say to the Senator, and I have not any doubt but that the $200,000 already agreed to will be agreed to by the conferees. Then I want to call the Senator's attention to the fact that we also gave them 10 special employees at $3.500 each, and other employees that were asked for. It is true that we did not give them the $500,000 lump-sum appropriation estimated for; but we gave them every cent they had last year, and a great many additional clerks and employees. As I say, we gave them 10 at salaries of $3,500 each.

Mr. OVERMAN. We gave them all the clerks they ought to have, and, as the Senator says, we gave them 10 additional clerks at $3,500 apiece—valuable men, lawyers, to attend to these things, I suppose; that is probably what they want with them—so I do not think there ought to be any complaint on that point.

Mr. HITCHCOCK. Now, I want to read something from the Secretary of State on this subject. He ought to be dependable:

> The legislative bill has not made adequate provision for the State Department's work. The department is spending $1,187,720 a year at present and is not keeping its work up to date, and has not resumed relations with the central powers or with the newly created States.

Now, I should like to have the Senator listen to these figures:

> It has asked for $1,577,140. It has been granted $833,000, which is $743,000 less than the estimates.

It may be that the Senator's plan of letting deficiencies come in here will be better; but I think, in this crisis of the world, our State Department ought not to be crippled, and I think it ought not to be cut down below what it had last year when we all know that it is behind in its work. It is a small amount compared with the appropriations we have given to other departments.

Mr. SMOOT. Mr. President, what I stated in relation to the estimates that were submitted to the Appropriations Committee was correct. It is true that there was $300,000 estimated for that the Senate committee did not allow, and it is also true that when an explanation was asked of the heads of the divisions as to where this money was to be spent there was no information granted; the mere statement was made that "We want that amount of money." When there was any information given as to the additional number of clerks that were wanted, in nearly all of the cases they were granted to the State Department.

I wanted to say to the Senator from Nebraska that as far as I am concerned as a member of the Appropriations Committee, we are going to stop these lump-sum appropriations, and this is a good time to begin it right now. The State Department got along all right when we were at war with $200,000. We gave them $200,000 beginning July 1, 1919, and running until June 30, 1920. Not only am I opposed to these lump-sum appropriations for employees of the State Department, but I say now that the time will come when they will be cut out of every department of the Government, and the sooner the better. Every investigation that we have made in relation to the salaries paid to employees of the Government from lump sums has developed the fact that they are out of all reason, taking into consideration the salaries that are paid by statute; and I think a great deal of the wicked waste of the public funds comes through this practice that has grown up, particularly during the war, of appropriating a lump sum and telling the head of a division or a bureau or a department to spend it as he likes.

Mr. OVERMAN. From a statement naming the positions, I have just made a calculation to see how much we have expended for clerical service, and it amounts to over $700,000. That is for clerical help besides this lump-sum appropriation.

Mr. SMOOT. I was going to call the attention of the Senators to it. I have a paper here showing all the estimates and the existing law, the number of employees, and what the Senate committee has allowed. I want to say now that if there was not a single dollar given more than what is given by the Senate committee and any kind of care was taken in the handling of the money, there would be not a deficiency but an amount that would be unexpended at the end of the year.

Mr. CURTIS. I wish to ask the Senator if he has noticed the number of lump-sum appropriations carried in this bill? There are five or six——

Mr. SMOOT. There are more than that. There are nearly 20 of them.

Mr. CURTIS. I mean very large sums.

Mr. SMOOT. There are 20 large amounts, I will say, in this bill.

Mr. CURTIS. I remind the Senator that, through the report of the committee, Congress took action at one time in regard to lump-sum appropriations requiring that an itemized statement should be made, stating the amount asked for in each case.

Mr. SMOOT. That was the case; and before the war, as the Senator from North Carolina [Mr. OVERMAN] well knows, and as every member of the committee knows, we had most of the lump-sum appropriations eliminated; but when the war came the departments said, "We do not know what is going to happen; we want enough"; and, knowing that no investigation could be made, a lump sum was given. When one department asked for a million or $500,000,000 and said that it was absolutely necessary in order that the affairs of the Government and the administration of the same should be successfully carried on our practice was to give them just what they asked. So these lump-sum appropriations began, and it has become the practice in all our appropriation bills. That is why we find so many in this bill.

I say now that, beginning with the next session of Congress, every lump-sum appropriation has got to be eliminated from the appropriation bills; and I want to say now that any department or any division or any bureau of the Government that can not give an itemized statement and can not provide for appropriations directly instead of a lump sum, as far as I am concerned, can go without any appropriation until they do make an itemized statement.

The time has come, Mr. President, when we have got to scan our appropriations and cut them down. I recognize that in this bill we hardly had the time to do it after the signing of the armistice, but if we had had the time we would have begun it at this session.

Mr. CURTIS. I am very glad indeed to have the Senator from Utah give the notice he has given on the floor of the Senate. In the Appropriations Committee I have been fighting these lump-sum appropriations, and I want to serve notice with the Senator from Utah that I will join with him and other Senators to strike from the appropriation bills lump sums. I think this notice, given now and going into the RECORD, ought to be a sufficient intimation to the heads of departments that when they make their next estimate they must put in an itemized statement of what they require for their departments.

Mr. WARREN. Mr. President, I am glad this matter has been brought up. I am entirely in accord with the proposition of elimination. In fact, we had almost eliminated lump-sum appropriations, but when the war came on, as the Senator from Utah has said, there was uncertainty, and all the members of the Appropriations Committee, as well as all other Members of the Senate and, in fact, all good citizens, had to be sure not to take ground against anything necessary to carry on and successfully win the war. So we gave up fighting these things for the convenience of the departments and allowed them to grow up and accumulate. The time has come to discontinue lump-sum appropriations.

Mr. OVERMAN. As the Senator knows, I have fought these lump-sum appropriations for 10 years.

Mr. WARREN. Yes. I want to say that those Members who served on the committee before the war were, all of them, working for that same end. It is not a new matter. It is simply

one of the things left over by the war, and we will have to commence anew with it.

Mr. OVERMAN. When my attention was first called to a lump-sum appropriation I wanted to know how it had been expended. I sent to the department and asked what they did with it, and they sent to me a statement showing what they did with it. The statement showed a lot of employees with big salaries, one of them getting $7,500, another $5,000, another $3,000. We knocked out the whole thing, and the Government has been getting along pretty well since.

Mr. SMOOT. We had in one of the bureaus here men drawing the salaries mentioned by the Senator from North Carolina, and we had actually a publicity man drawing $6,000 a year. At the investigation it developed that there was not a soul who dared come before the committee and defend such action.

Mr. KING. I wish to ask the Senator having the bill in charge a question. I call his attention to the paragraph on page 8, after line 18. Is it intended that any part of the appropriation of $600,000 shall be utilized by the Department of Commerce? Also I desire to ask him what steps, if any, have been taken to prevent a duplication of the activities of the Commerce Department by this department or vice versa? It reads:

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service and to extend the commercial and other interests of the United States.

I was wondering if there would not be a duplication under this lump-sum appropriation of some of the activities of the Department of Commerce, because this provides that a portion of the fund may be used for commercial purposes. As there is no limitation upon the use to which it may be put, it seems to me it would be covering a field that may be occupied by the Department of Commerce.

Mr. LODGE. If I may say a word on that, the State Department was established some time before the Department of Commerce—in fact, it was established at the beginning of the Government—and all the commercial information we had from foreign countries came through the Consular Service. The Department of Commerce was established a few years ago and set up its own machinery of commercial agents, with which the State Department has nothing whatever to do.

The only commercial thing in the State Department is the Consular Service. I do not suppose the Senator means to abolish that to-day. It is through that alone that the consular reports come to the State Department, and they deal with it alone. They transfer from the State Department to the Department of Commerce certain commercial statistics, but there is no duplication by the Department of Commerce in the State Department.

Mr. OVERMAN. I wish to say to the Senator from Utah that in the examination of Mr. Carr, who is at the head of the Consular Bureau in the State Department, he gave us some information, and I will read one statement he made:

Senator OVERMAN. Do I understand you to say that the Commerce Department took your reports and made their reports from them?

Mr. CARR. Our consular reports under the law are transmitted to the Secretary of Commerce, who by law is required to edit and publish them for the benefit of business men; and the bulk of the reports in the publication known as Commerce Reports is furnished by the consular officers.

I am afraid there is some duplication. Mr. Carr says these consular reports are sent over to the Department of Commerce, and I suppose they are for business men, and the commercial attachés get them from the Department of Commerce.

As the Senator from Massachusetts says, the State Department has had for a hundred years these consular officers. They have sent in most valuable reports from South American countries, and these commercial agents are sent from the other department. I understand the consular agents of the State Department reside in the cities in which they are located. These consular agents, I understand, not only stay at the place where the consular office is located, but they go all over the country and advertise our goods and get in communication with people and see what is needed and make reports, together with the reports of the consular agents of the State Department.

Mr. LODGE. Mr. President, I must say I was against the transfer. We had it all concentrated in the State Department, where it ought to have remained; but they transferred that part of it to these commercial agents, who are entirely a new structure, with which we have nothing to do in this bill. I think one should not attack the Consular Service, which we must have, on the ground that it is a duplication of the work of those commercial agents, who have no consular standing, who have no exequatur, who are not recognized by the Government. You can not use them. They can not exist as consuls under a treaty.

Mr. KING. The Senator from Massachusetts, who is usually so alert, misconceives entirely my position. Instead of abolishing, as his sarcasm would indicate, the Consular Department, I want to strengthen it. I believe that the Department of Commerce has encroached upon the Consular Department, and I would have supported the view which the Senator from Massachusetts indicates that he would take with respect to the functions and activities of these two departments. I recognize the splendid work which has been accomplished by the consular branch of the service, and I would be in favor of strengthening the hands of the consular branch of our Government, but I do know from considerable investigation which I have made that the Department of Commerce is trying to encroach upon the activities of the Consular Department.

Mr. LODGE. I am sure of that. My only difference with the Senator is that I do not think we will reach it by crippling still further the Consular Service.

Mr. KING. The Senator misconceives my position again. I am not in favor of crippling the Consular Service at all.

Mr. LODGE. I would like to see this whole business of commercial agency all brought back and consolidated under the Consular Service, where it belongs.

Mr. KING. I agree most heartily with the Senator. The only purpose of my inquiry was to determine whether the line of demarcation separating the two departments was clearly understood and observed. I believe that the Consular Department is attempting to recognize the limitations which the law imposes upon it, but I am afraid that the other department to which I have referred is transgressing it and encroaching upon the activities and the functions and prerogatives of the Consular Service.

Mr. SMOOT. Mr. President, perhaps this would be a good time to call the attention of the Senate to how the appropriations are growing in the Department of Commerce.

Under the head of the Bureau of Foreign and Domestic Commerce there has been appropriated for this coming fiscal year for salaries and wages of that bureau alone $220,510. That is for salaries and wages alone. Then, for necessary expenses, including field investigation in the United States and abroad and purchases in connection therewith, we appropriated for the coming year $325,000. Then again, to further promote and develop the commerce of the United States in South and Central America, we appropriated $100,000 more. Then, to further promote and develop the commerce of the United States with the Orient, including the employment of experts and special agents in the District of Columbia, and so forth, in that bureau, we appropriate $100,000 more. Now, for commercial attachés, we appropriate $165,000 more.

So when we add all these together we find that what began in a very small way a year or two ago amounts to an appropriation of nearly $1,000,000. I have not any idea but that there is a duplication in the work. There is no question about it.

Mr. CURTIS. On this point I should like to read an item in the testimony before the committee, because perhaps the Senator would like to comment on it:

Senator OVERMAN. Do I understand you to say that the Commerce Department took your reports and made their reports from them?

Mr. CARR. Our consular reports under the law are transmitted to the Secretary of Commerce, who by law is required to edit and publish them for the benefit of business men, and the bulk of the reports in the publication known as Commerce Reports is furnished by the consular officers.

Mr. SMOOT. Mr. President, as I said, there are nearly $1,000,000 now expended for this Bureau of Foreign and Domestic Commerce, and every year it is growing. To think that with the present appropriation there is no duplication would be folly.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. I yield.

Mr. MOSES. Do I understand the Senator from Utah to name, among the things provided for in the appropriation for the Department of Commerce, commercial attachés?

Mr. SMOOT. I do. I say there is an appropriation for commercial attachés under the Bureau of Foreign and Domestic Commerce traveling all over the world, I was going to say, although it is limited somewhat; and there is an appropriation made this year for commercial attachés of $165,000.

Mr. MOSES. The commercial attachés, as I understand them, and I had some association with them at one time in my public service, are accredited diplomatic agents. They form a part of the secretarial staff of our diplomatic missions abroad. They are a part of the force of the household even of the ambassador or the minister. They exercise their function absolutely in a diplomatic sense. They would have no standing aside from that of any traveling salesmen in the country if it were not that they are under the diplomatic protection of the mission to which they are attached in the country to which

they are accredited. They are provided for and appropriated for and paid and directed by a department other than the Department of State. There is bound to be confusion not only in the result but in policy.

Referring to the suggestion made earlier by the Senator from Utah, the colleague of the Senator who has yielded the floor to me, I should like to ask the junior Senator from Utah [Mr. KING] if in the course of his investigations he has found recently that the commercial attachés or commercial agents, or under whatever title they are known, have undertaken to encroach upon the consular duties to the extent of attempting to exercise consular functions?

Mr. KING. Of course, that turns upon what you mean by consular functions; but I am firm in the belief, and my investigations have led me to the conclusion, that many of the commercial attachés take offices with the consular agents of the Government, that they do the same work which the consular agents have done and could do with propriety, and with just as much effectiveness as they themselves are doing, and that they duplicate the work. They have not extended as they ought to have done their activities into fields where there are not consular agents. but they confine their labors and their activities largely to the field in which the consular agent can with propriety perform what might be denominated as commercial work in connection with consular activities.

Mr. MOSES. If the Senator will yield further to me——

Mr. SMOOT. I yield.

Mr. MOSES. The result of the investigation made by the junior Senator from Utah in recent years confirms that which I observed several years ago—that there is duplication in the foreign work of the Government. There used to be duplication even before the commercial attachés were provided for.

It was frequently found that at some post the chief of the mission might be one who was actively interested in the investigation of commercial relations, and that his activities and functions might impinge upon and in some way possibly interfere with the functions that properly should be undertaken by the consul general; but inasmuch as the consul general and all the consulates were under the jurisdiction of the minister or the ambassador, that did no particular harm, because everything in the commercial line by way of official reports made by the consul or the consul general go through the embassy in some form or other. So the duplication was diminished.

But I have had occasion to observe exactly what the junior Senator from Utah has found, namely, that with three agencies—that is to say, a mission, a legation, or an embassy, and the Consular Service, either a consul general or the consulate, and the commercial attachés—operating in the same field the wires are bound to be crossed and a duplication of work will result, and very often there will be such interference that the progress of foreign trade is absolutely hampered instead of being advanced, as it should be.

So far as the commercial attachés are concerned, regarding whom I particularly sought information when I asked the Senator from Utah to yield to me for a moment, that which we have been saying here is borne out by the testimony of Mr. Carr before the committee. I find in the report, on page 3, Senator OVERMAN said:

> Now tell us what the other fellow does.

I suppose he was referring to this fifth wheel in the diplomatic and consular coach, who is known as a commercial attaché, and Mr. Carr answered:

> The commercial attaché is attached to the embassy or legation and has a diplomatic position which enables him, to a certain extent, to go to the different ministers and have interviews with them and endeavor to find out what their policies are or are going to be, and to keep this Government, through the Secretary of Commerce, informed.

There, Mr. President, we come to the inherent weakness in this policy. The commercial attaché, a member of the staff of the embassy, and because of that fact having the right of audience with the cabinet minister, having the right to go to the foreign office or any other department of the government to which he is accredited, a privilege which is not accorded to consular officers, is enabled, as Mr. Carr has said, to have interviews with ministers and to endeavor to find out what their policies are, what they are going to do, and having made this ascertainment, he does not report as other diplomatic officers to the Secretary of State; he reports to an entirely different Cabinet officer, the Secretary of Commerce; and we have a man exercising diplomatic functions and performing his duties under the sanction of his diplomatic position, and reporting not to his immediate chief but to a coordinate department of the Government.

As the senior Senator from Utah [Mr. SMOOT] observed, if that policy is to be changed, if it is reasonable to discuss that policy in its effect and its result not with reference particularly to the increase in appropriations to which the senior Senator from Utah would perfect and present an amendment to this with reference to its bearing upon the good of the service and the benefit of American commerce, I wish the junior Senator from Utah should perfect and present an amendment to this bill so that we might restore to the State Department the exercise of all the functions which go to the maintenance of our foreign relations.

Mr. SMOOT. The next session of Congress will be a long one, and we will not be in a blockade, as we are at the present time. Legislation then can be given more attention than it is possible to give it at this time.

I do not want Senators to get alarmed when I call attention to the duplication of work under the amendment that we are now considering. I say now there is a duplication of work to a greater extent than is found even between the State Department and the Commerce Department relative to our commercial attachés and the work in foreign countries looking to the commerce of the United States. Expensive as it is it does not compare to some other duplications of work found in other departments of the Government. The Senator from North Carolina [Mr. OVERMAN] knows where it lies, and if it had not been for the war I think myself before this time it would have been weeded out, and it must be weeded out. Appropriations must not be made for the duplication of work.

But, Mr. President, of late years when there is a department created, immediately the man who stands at the head of the department begins to make it one of the most expensive and largest employers of help of any department in the Government. He is not satisfied to do the work that the department was created for, but he must reach out and ask for appropriations to do work that other departments are doing. He thinks that he can do it a little better, and the other department having more employees in number than he has, he is never satisfied until he gets his department carrying just as large an appropriation as any other department of the Government.

Mr. MOSES. Will the Senator yield again?

Mr. SMOOT. I yield.

Mr. MOSES. Before the Senator from Utah gets too far away from the particular matter that was under discussion, will he be good enough to state once more the amount of appropriations made for the Department of Commerce for maintenance of commercial attachés?

Mr. SMOOT. For commercial attachés the appropriation carried was $165,000. In connection with that, I wanted to call attention to the further appropriations: First, to promote and develop commerce of the United States with the Orient there is $100,000 appropriated, and then to further promote and develop the commerce of the United States with South and Central America there is an appropriation of $100,000.

Mr. MOSES. Making $365,000.

Mr. SMOOT. Then, further, for the necessary expenses, including field investigation in the United States and abroad, $325,000.

Mr. OVERMAN. I want to say that I will join with the Senator from New Hampshire and the Senator from Utah to remedy what I consider an evil, but we can not do it on this bill. This bill must be passed. We can not on this bill combine these two services and work out a perfect system. I agree with the Senator from New Hampshire, but I hope he will let the matter go over until the next session, because we shall have another Diplomatic and Consular appropriation bill then, and we will have time to consider it fully.

Mr. SMOOT. In connection with that I will state, so that the Senator from New Hampshire may have all the items of expenditure, that for the Bureau of Foreign and Domestic Commerce employees and clerks here in the District we appropriated $220,000.

Mr. MOSES. In other words, the totals here brought forth by the Senator from Utah amount to more money than the Government expenditures for the maintenance of the entire diplomatic establishment under which this subsidiary movement has grown up and under which it exercises the function as brought out by the testimony of Mr. Carr. While I agree with the Senator from North Carolina that between now and Tuesday at noon we probably can not find a remedy to write into the statute, I will say to the Senator that this is the first opportunity that has developed in my brief service here in this Chamber of discussing the question from any standpoint whatever.

Mr. OVERMAN. The Senator is so familiar with this question I hope he will think about it and study it, and help us to work out a solution of it, so that we can make a more perfect system.

Mr. MOSES. I pledge to the Senator from North Carolina my constant cooperation in that direction.

Mr. SMOOT. Mr. President, I had no idea of taking so much time of the Senate this afternoon, but I think that the time has been well taken, because I am just as positive as I am that I am standing on the floor of the Senate that there must be a halt called somewhere, and now is a good time to call attention to it and to give notice that hereafter the heads of the departments of the Government must understand when they come to Congress and ask for appropriations they have got to give some reasons why they should be made before they shall be granted.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. FLETCHER. Mr. President, it is evident that the pending bill is going to take a long time to get through. I desire to present to the Senate the conference report on the river and harbor appropriation bill, and I raise the question of its consideration.

Mr. KENYON. Does the Senator wish immediately to consider the conference report?

Mr. FLETCHER. Yes.

Mr. KENYON. Mr. President, the Senator called my attention to the report, I think, about an hour ago, but I have had no chance at all to examine it. I think it is hardly fair to bring it up and ask that it be passed immediately without that opportunity being given. I rather understood that it would not come up to-day, although the Senator did not say that to me.

Mr. FLETCHER. I spoke to the Senator about it early this morning, and gave him the printed report in the CONGRESSIONAL RECORD.

Mr. KENYON. That was about an hour ago.

Mr. FLETCHER. I called the matter to the Senator's attention, as I recall, shortly before 12 o'clock.

Mr. OVERMAN. Mr. President, if the Senator will withdraw the report now and present it at some later time, then he can have it considered. I do not ask him to present the report and have it lie on the table, because then it will require a motion to take it up; but if the Senator will ask unanimous consent to withdraw the report, then, when we get through with the pending bill, which I think will be shortly, he can renew his request.

Mr. KENYON. The Senator from Florida is mistaken about calling my attention to the report before 12 o'clock. I was not in the Chamber at that time; I was attending a Senate committee meeting until 1 o'clock, and it was about an hour ago that the Senator gave me the RECORD to look over the conference report. It may have been an hour and a half ago.

Mr. FLETCHER. It was early this morning, because I came right in——

Mr. KENYON. I was in the Appropriations Committee until nearly 1 o'clock.

Mr. FLETCHER. The Senator is mistaken about that, because I think I came right in the Chamber from the committee when the roll was called.

Mr. KENYON. I do not wish unduly to delay the report, but I am going to have a chance to examine it. That is all I ask for; and if the Senator insists on considering the report now, he will not make any time. I do not think it is fair treatment.

Mr. FLETCHER. I do not care to be influenced by any threats. I am not pressing the matter unduly. I sent word awhile ago to the Senator when he was out of the Chamber that I was going to call up the conference report, and I understood that he had no objection. I supposed the Senator had had time to read it.

Mr. KENYON. I have not had a moment.

Mr. FLETCHER. Is the Senator willing to take it up this evening? It has been about four hours since I called the Senator's attention to it.

Mr. KENYON. Of course, that is a matter as to which there is a difference of opinion.

Mr. FLETCHER. I shall not press that; but I should like to ask at what time the Senator wants to take the report up? Can he be ready to take it up this afternoon before we adjourn?

Mr. KENYON. I prefer to-morrow morning.

Mr. OVERMAN. Mr. President, I suggest to the Senator from Florida that he take up the conference report at another time; that he wait until to-morrow morning.

Mr. KENYON. I think the Senator from Florida is afraid something is going to happen to this report.

Mr. FLETCHER. I am not afraid of anything of that kind; but I want to get it behind me; it is here, it has come over from the House, and it should be acted upon as other business is acted upon.

Mr. KENYON. Does not the Senator think that it is a fair request that the report go over for a time in order to enable us to examine it?

Mr. FLETCHER. The report was presented to the House on Monday and was printed in the CONGRESSIONAL RECORD. It was passed in the House to-day. I do not know what more time is wanted. I want to go on with the business of the Senate in the regular way.

Mr. KENYON. Then let us do it now with the pending appropriation bill.

Mr. FLETCHER. I would not have a right to present the report if it were not a privileged question. I have a right to present it now.

Mr. KENYON. If there is an evening session, I am willing to have it taken up this evening. I will be here—I understand the Democratic caucus has agreed to hold evening sessions—and so far as I am concerned, I am willing to dispose of it this evening.

Mr. MOSES. Mr. President, I wish to say that there are a number of other Senators who desire to discuss the conference report besides the Senator from Iowa, who are not now present in the Chamber. There were many amendments added to the river and harbor appropriation bill on the floor, offered after the committee amendments were disposed of, in which Senators are interested. I myself have in mind two or three Senators on this side of the Chamber who are not now present who are interested in this bill, and I think, out of courtesy to them, an opportunity should be afforded to examine the report.

Mr. FLETCHER. Mr. President, I ask leave to withdraw the report, and I will submit it later. I give notice now that I am going to bring it up at the very first opportunity, and I am not going to trouble to send around hunting up Senators and asking them to be here.

Mr. KENYON. The Senator does not have to hunt up any Senators. I was out of the Chamber this morning in connection with a committee meeting. The Senator will not make any time by trying to push it through in the way he indicates.

Mr. FLETCHER. I am not trying to push it through. I wish to say to the Senator I am extending every possible consideration and courtesy I can.

Mr. KENYON. The manner of the Senator would not indicate that he is extending many courtesies.

Mr. FLETCHER. I spoke not with reference to what the Senator from Iowa has said, but with reference to the suggestion of the Senator from New Hampshire that there were other Senators who wanted to be consulted about it.

The PRESIDING OFFICER. Without objection, the Senator from Florida withdraws the conference report presented by him.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 12, after line 9, to strike out:

INTERNATIONAL PRISON COMMISSION.

For subscription of the United States as an adhering member of the International Prison Commission, and the expenses of a commission, including preparation of reports, $2,550.

Mr. LODGE. Mr. President, I hope that amendment will not be agreed to. I do not think to save $2,550 we ought deliberately to break an agreement which we have entered into, and, not only that, but which we have initiated.

Mr. MOSES. May I ask the Senator to what amendment he is referring?

Mr. LODGE. I am speaking of the item on page 12, in reference to the International Prison Commission, which the committee proposes to strike out. The International Prison Commission was organized as a result of the initiative of the United States under the provisions of a joint resolution of March 7, 1871. The United States by the act of June 11, 1896, became an adhering member, and our bills have ever since provided for it. This international association was organized, as I have said, on our initiative; we have been a member for years, and it seems to me a most unfortunate time to give the impression to other nations associated with us in a work of this kind that we are ready to abrogate it in order to save $2,550.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. I yield.

Mr. KENYON. May I ask the Senator how many nations are interested in this commission?

Mr. LODGE. Thirty-eight countries.

Mr. KENYON. And what is their line of work? What does the commission do?

Mr. LODGE. They deal with the suppression of crime, the proper treatment of criminals, the moral rescue of children, and many other similar questions which are taken up and in connection with which they try to secure international action. It has undoubtedly been a very beneficial work.

Mr. CURTIS. Mr. President, does the Senator know of any reports or any recommendations they have made?

Mr. LODGE. I have seen both reports and recommendations from them.

Mr. CURTIS. Mr. President, it was my fortune to have had charge of this bill a few years ago. At that time I asked for some information with reference to the work of some of these commissions, but there was nothing forthcoming.

Mr. LODGE. I do not say there has been a report during the years of the war, but they reported before that, I know.

Mr. WILLIAMS. If I may ask the Senator a question, When was this commission first established?

Mr. LODGE. It was established in 1871.

Mr. WILLIAMS. Does not the Senator think they have about had time to finish their work?

Mr. LODGE. I mean in 1871 we passed a resolution which started the whole thing.

Mr. WILLIAMS. How long has the commission been at work?

Mr. LODGE. I think it has been at work since that time. I think it has held meetings. I do not know whether or not they have been annual. We became formally an adhering member in 1896.

Mr. WILLIAMS. I am asking these questions for information, because the Senator's information is so much better than mine. The Senator knows, of course, as well as I do, that after we organize these commissions they continue forever if you leave it to them. Does not the Senator think that they have had ample time to have finished their functions and to have made a final report?

Mr. LODGE. I do not think it is a matter in which we can have a final report, for these meetings of nations relate to questions involving the general improvement of prison conditions throughout the world.

Mr. WILLIAMS. It was not contemplated, of course, that it should go on forever. If the Senator will pardon me, it reminds me a little of a commission of which a friend of mine was once a member. He had been a Member of Congress; and I once said to him, "Judge, have you not about finished that work?" He replied, "No, John." "Well," I said, "how long do you think it will take you?" He said, "John, with anything like good luck"—he was getting along in years—"I think the work will last as long as I do." And it did.

Mr. LODGE. Mr. President, I am no more friendly to useless commissions than is the Senator from Mississippi, but I very much dislike that the United States should abrogate anything in the nature of an international agreement. I have made no resistance to the cutting down of the Mexican commission, which I think is one of those the Senator has just described, and concerns only ourselves and Mexico; but as to these others, with very small and trifling amounts involved, I think to give an impression to 38 other countries that we are ready to break this commission up because we want to save $2,550 is a mistake. I do not think it is a good thing in our general relations with other countries to refuse to make such provisions. Some of those that are thrown out are absolute violations of treaties. They go much further than in this case.

Mr. KENYON. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. I yield.

Mr. KENYON. There is no treaty obligation under this at all, is there?

Mr. LODGE. There is no treaty obligation. It was, as I understand, simply that an association was formed on the basis of a resolution proposed by the United States, which invited other nations to join in this matter. Then they formed this organization, and the United States became an adhering member.

Mr. KENYON. Do we send any commissioners to these meetings?

Mr. LODGE. We always do.

Mr. KENYON. These meetings are held mostly across the sea, are they not?

Mr. LODGE. They generally have been held at Brussels, I think.

Mr. KENYON. Mr. President, that leads me to say, if the Senator from Massachusetts has concluded——

Mr. LODGE. I am through on that matter, yes.

Mr. KENYON. That leads me to say that the thought that ran in the minds of some of the members of the committee in striking out this item, and in striking out a number of other items, was, as the Senator from Mississippi [Mr. WILLIAMS] has suggested, that there are a lot of commissions growing up—they ought to be grown up by this time; they have been in existence long enough—that seem to be largely for the purpose of giving commissioners or prominent gentlemen trips across the sea at the expense of the American people. We did not, of course, in the committee intend to violate any treaty, and, if it can be shown that these provisions should be made because of treaty obligations, I assume nobody wants to prevent it; but in the past, in connection with this bill, there have been many instances of commissions of this kind, which simply amount to nothing except to give an opportunity to somebody to put on a high hat and go across the sea as a commissioner.

Here is the prison commission; here is an international bureau of the permanent court of arbitration, which is stricken out. I do not know whether it is a treaty proposition or not. Here is an international commission on annual tables of constants, and so forth. That does not involve very much; just enough to give somebody a trip across the sea.

Mr. LODGE. Oh, no; if the Senator will pardon me. That is a mere contribution to scientific purposes and involves an appropriation of only $500.

Mr. KENYON. I know it is a small amount.

Mr. LODGE. It is to enable us to join in publishing and receiving these tables of constants, which are thought to be very valuable scientifically.

Mr. KENYON. Here is an international boundary commission, United States and Mexico.

Mr. LODGE. I offer no defense of that.

Mr. KENYON. That is a resting place for "lame ducks."

Mr. LODGE. The Senator will notice that I made no objection to cutting that down.

Mr. KENYON. I am glad the Senator did not. I suppose it is a commission to go down and sit on the banks and watch the Rio Grande change its course. Then, there is the Bureau of Interparliamentary Union for Promotion of International Arbitration, at Brussels. There may be good purposes in some of these items. Then, here is the International Institute of Agriculture.

Mr. LODGE. That is a matter of treaty.

Mr. KENYON. That we always have. Is there no way to stop such a useless thing as that, when we enter into a treaty to get agricultural statistics from Rome that are of no use to anybody? Then, here is the International Sanitary Bureau. I suppose that is probably based on a treaty. Here is the International High Commission. So all the way through.

Mr. LODGE. I was going to take those up as we reach them.

Mr. KENYON. I will not pursue the matter if the Senator is going to do that, but it seems to me the only thing this commission has ever done apparently is to take trips around with battleships to South America and other places at the expense of the Government. I think there is a determined feeling among certain members of the committee that we ought to get rid of these useless barnacles on the ship of state; and they are not very ornamental, either. However, if the Senator from Massachusetts is going to discuss them as we go along, I will not now proceed further.

Mr. LODGE. I intend to take those up as they are reached in the consideration of the bill.

Mr. MOSES. I want to say to the Senator from Iowa that he evidently has never seen an American diplomat appearing in the broad noonday sun with evening clothes on, or he would not dismiss them as not ornamental.

Mr. LODGE. I dislike especially to see these international obligations interfered with.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 12 to strike out the clause from line 10 to line 14.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Pan American Union," on page 12, line 16, after the word "Union," to strike out "$100,000" and insert "$50,000," so as to make the clause read:

Pan American Union, $50,000: *Provided*, That any moneys received from the other American Republics for the support of the union shall be paid into the Treasury as a credit, in addition to the appropriation, and may be drawn therefrom upon requisitions of the chairman of the governing board of the union for the purpose of meeting the expenses of the union and of carrying out the orders of said governing board: *And provided further*, That the Public Printer be, and he is hereby, authorized to print an edition of the Monthly Bulletin not to exceed 6,000 copies per month, for distribution by the union, during the fiscal year ending June 30, 1920.

Mr. LODGE. That is a very important matter, and I think this reduction is most unfortunate in every way. The Pan-American Union by international agreement was made in Washington in 1889. It was supported by joint quotas of 21 constituent governments. Those quotas are determined by the governing board of the union, composed of the Secretary of State and the diplomatic representatives of the 20 Latin-American Governments. Each member of the board reports to his government its allotted quota, and an appropriation is made accordingly. It is allotted on the basis of population, and the total amount is $150,000. Our share, on the basis of population, is $85,000, seventeen-thirtieths, and the other Governments pay thirteen-thirtieths. It became absolutely necessary to increase the expense owing to the general increase in all prices. The countries all agreed to increase the total amount $27,000, which raised our quota to $100,000. That is an addition of 18 per cent, and is the only increase which has been made for several years, though the general increase of their expenses has been from 15 to 100 per cent greater than in the last fiscal year before the United States entered the war.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. LODGE. Yes.

Mr. CURTIS. I desire to ask the Senator what proportion of this expense is paid by our Government?

Mr. LODGE. We pay, as I have stated, seventeen-thirtieths and the other countries pay thirteen-thirtieths.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Hampshire?

Mr. LODGE. Yes.

Mr. MOSES. Has the Senator before him the list of countries contributing and the sums which are contributed?

Mr. LODGE. Yes; I have.

Mr. MOSES. I should like to have that information.

Mr. LODGE. Argentina, with her present estimated population of 7,740,396, contributes $6,448.45; Bolivia, with a population of 2,520,538, contributes $2,099.84; Brazil, with a population of 22,992,937, contributes $19,155.19; Chile, with a population of 5,000,000, contributes $4,165.45. I will not further give the populations, althought the contributions are based on population. Colombia contributes $4,559.17; Costa Rica contributes $356.23; Cuba, $2,004.51; Dominican Republic, $547.57; Ecuador contributes $1,249.64; Guatemala contributes $1,743.51; Haiti, $1,691.17; Honduras, $493.75; Mexico, $12,629.95; Nicaragua, $574.74; Panama, $322.32; Paraguay, $666.47; Peru, $3,748.90; Salvador, $1,044.82; the United States—that is, on the estimate of this year—contributes $84,315.37; Uruguay, $1,021.30; Venezuela, $2,341.85. The last allotment of the quotas, which was made in 1915, was based on the combined population of 21 Republics of approximately 181,469,232.

Mr. CURTIS. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. LODGE. Yes.

Mr. CURTIS. What was the cause of the increase this year?

Mr. LODGE. The increase of $27,000 was distributed amongst them all.

Mr. CURTIS. I mean, what was the cause of that? Why should it cost more this year than last year?

Mr. LODGE. They did not ask for it before the increase occasioned by the war. Their expenses have ranged from 50 to 100 per cent greater than for the last fiscal year before the United States entered into the war.

Mr. CURTIS. Last year our proportion was $85,000.

Mr. LODGE. Certainly.

Mr. CURTIS. Now, this year, the war being over, they ask for $100,000?

Mr. LODGE. They do.

Mr. CURTIS. What I want to know is what increase will there be in the expenses for the coming year over those of the last year, which was a war year?

Mr. LODGE. They refrained as long as they could from the increase, but their expenses have gone up, as the expenses of everything have gone up. I think it is very moderate—$27,000 to be divided, and we only have to pay $15,000. The Senate sits here and deliberately votes $200,000,000 to be distributed among the roads of this country, and then it grudges this $15,000 additional. In fact, the committee go far below that reduction; for they proposed to cut off $50,000 from the Pan American Union. There is a building which has been given that has cost the Government nothing, which is worth, with its contents, something like $2,000,000. That building must be kept up; it is one of the most beautiful buildings in Washington, and it cost the Government, as I have said, nothing to build. It was a gift; but since 1914 their expenses have increased so that we are to give $15,000 more and the other countries $12,000 more. It seems to me that is a great mistake for us to cut down that appropriation. The South American countries take a very great interest in the Pan American Union. I think it has done an immense deal of good work in improving our relations and our trade with all the countries to the south of us. Their publications go to all the countries that are members of the union. We agreed to these quotas.

Now, not only does this bill propose to refuse the $15,000 increase, but it cuts off $35,000 from the $85,000 which we have been paying for years and years. I can assure the Senate that the 20 American republics associated with us and their representatives will feel anything but gratified by our attitude in regard to it, for they have all made their contributions, large and small, readily and freely. I earnestly hope that the Senate will not cut down this appropriation which the House, usually much narrower in these matters than we are, has fixed.

Mr. HITCHCOCK. Mr. President, I agree fully with what the Senator from Massachusetts says. It seems to me that if there is one thing of importance now, it is to maintain the relations which exist between the United States and the other Republics of the Western Hemisphere. We have attained the undoubted leadership, and this relationship, which has grown up and which has been strengthened from year to year, is destined inevitably to have an important commercial influence in the years that are immediately to come.

These other countries attest their confidence and their estimate of the importance of this matter by making what are for them really large appropriations. The buildings are in the United States, here at the National Capital; the meetings are here; the associations are here; and it seems to me that it would be a great mistake to make the cut which the committee proposes.

Mr. WILLIAMS. Mr. President, I want to say that generally I am in favor of putting an end to a great many of these commissions, national and international, because they never put an end to themselves. Not one of them ever confessed that it had finished its work. The Pan American Union, however, is upon a different footing; and whatever we may think about the value of the work which it has done or the value of its reports—and I do not think, myself, that they are very illuminating or enlightening—still the Pan American Union has done a work of the utmost importance for this hemisphere. It has tended to bring about a feeling of amicableness, friendliness, concord, and harmony of purpose that nothing else has tended to do in so large a degree. Even if you consider it as nothing but a place at which every now and then representatives of these different countries meet, and whence they go to report back home how nicely they have been treated, it is still worth $100,000 a year, which, in view of the immense expenses to which we are being put all around, is but a drop in the bucket.

As the Senator from Massachusetts [Mr. LODGE] says, cutting down this item to $50,000 not only cuts off our proportion of the increase that all these nations together with our representatives have agreed to make, but it cut off $35,000 of what we have hitherto been paying. Unless they all cut down in a similar proportion, we are not acting very nicely; it is not a very nice sort of thing to do.

While I generally accord with the committee in cutting off commissions, I do not accord with them in this reduction, and I hope the committee amendment will not be adopted.

Mr. SAULSBURY. Mr. President, I only want to express the same feeling in regard to this amendment. I think it would be altogether deplorable to cut down the amount provided in the bill originally as it came from the House. I think the Pan American Union is a very admirable institution and is doing a great deal of good work—not so much in the way of its reports as in bringing about a feeling of harmony and good-fellowship among all our neighbors to the south.

Mr. WILLIAMS. Making people acquainted with one another.

Mr. SAULSBURY. Getting acquainted with each other is a great thing, and the Pan Americans all over the Western Hemisphere feel that here is a common home where they can meet together and meet as friends. They go home and in their own surroundings they appreciate how comfortable and pleasant it has been in Washington to feel that they have here a home that they are glad to go to and where they are always well received.

I sincerely hope that the amendment will not be adopted.

Mr. FLETCHER. Mr. President, I join the Senator from Delaware in his views about this amendment. I think it would

be most unfortunate to reduce this appropriation. The Pan American Union is an agency for creating better understandings with these Latin-American countries, and it has been doing splendid work heretofore. The effect has been all that could be desired, and this is a very meager amount for the Government to contribute toward this cause. I hope the amendment will not be agreed to. The building itself was largely given to them, not paid for by the various Governments at all.

Mr. MOSES. Mr. President, the agreement seems to be universal as to the beauty of the Pan American Building, the excellent quality of the entertainment there furnished, and the mellifluous ring of the oratory which constantly flows from it; but, Mr. President, that seems to me to be beside the mark. It can not be that the committee reduced this appropriation by $50,000 without acting upon some basis of judgment; and if the case for the prosecution has been completed, I should like to have something for the defense from some member of the committee that framed the bill.

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). The question is on the amendment of the committee. [Putting the question.] By the sound the noes seem to have it.

Mr. KENYON. I call for a division.

On a division, the amendment was rejected.

STANDING COMMITTEES OF THE SENATE.

Mr. MARTIN of Virginia. Mr. President, will the Senator in charge of the bill kindly yield to me to send to the desk a resolution which is a matter of course and ask for its present consideration?

Mr. OVERMAN. I yield for that purpose.

Mr. MARTIN of Virginia. I send to the desk a resolution which I ask to have read.

The PRESIDING OFFICER. The Secretary will state the resolution.

The Secretary read the resolution (S. Res. 466), as follows:

Resolved, That the standing committees of the Senate, as constituted at the end of this session, be, and they are hereby, continued until the next session of Congress, or until their successors are duly elected.

Mr. LODGE. I ask that that go over.

Mr. MARTIN of Virginia. Does the Senator want it to go over? Similar resolutions have been offered for a hundred years, and it is a stereotyped matter.

The PRESIDING OFFICER. The Senator from Massachusetts asks that the resolution go over, and it will go over under the rule.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 13, to strike out:

INTERNATIONAL BUREAU OF THE PERMANENT COURT OF ARBITRATION.

To meet the share of the United States in the expenses for the calendar year 1918 of the International Bureau of the Permanent Court of Arbitration, created under article 22 of the convention concluded at The Hague, July 29, 1899, for the pacific settlement of international disputes, $2,000.

Mr. HITCHCOCK. Mr. President, that is a treaty obligation.

Mr. OVERMAN. No; it is not a treaty obligation. The Senator is mistaken. There is no treaty about it.

Mr. HITCHCOCK. I have here a memorandum from the State Department saying that the United States is bound by the treaty of July 29, 1899, to the contribution of its quota of $2,000; hence, the item should be restored.

Mr. OVERMAN. Mr. President, I have here a letter from the Department of State, written in response to a request for a list of those matters and things which were not governed by treaty, and I understood that this was one of them. I may be mistaken about it.

Mr. HITCHCOCK. This memorandum says that we are bound to do this by the treaty of July 29, 1899.

Mr. OVERMAN. I am mistaken about that, Mr. President. The Senator is right.

The PRESIDING OFFICER. The question is upon the adoption of the committee amendment.

Mr. MOSES. Mr. President, can the Senator from Nebraska [Mr. HITCHCOCK] give the Senate information as to whether all of the other signatories to the convention of 1899 have been and are still contributing to the support of The Hague court, or whether the suspension of the activities of The Hague court during the four years of war has caused any accumulation of funds under previous appropriations made by the Congress of the United States, or by other parliaments, so that this item might not now be necessary?

Mr. HITCHCOCK. No; I have no information on the subject, but I assume that if we are observing our treaties we should live up to our part of it until the treaty is abrogated. It is a very small obligation, but it is a real obligation. It is a treaty obligation, specified as such in the bill itself. I hardly think we should undertake simply to violate our obligations under that treaty.

Mr. MOSES. I had no intention of urging that. I was simply seeking information. Of course, if this was a general treaty, to which many nations were signatory, it may have lost its validity through the destruction of some of the powers signatory to the treaty, or in other manner it may have become nugatory. I was simply seeking information. Inasmuch as the committee itself, judging from the statement of the Senator from North Carolina, was under a misapprehension when this was stricken from the bill, possibly if the Senator from North Carolina holds that view there may be other members of the committee present who have more information about it—the Senator from Iowa [Mr. KENYON], possibly.

Mr. LODGE. Mr. President, the particular matter about which the Senator is talking is simply carrying out the treaty of July 29, 1899, in which we agreed to pay $2,000 a year. If we take this action it will be a breach of a treaty obligation. There is no question about it.

Mr. OVERMAN. I think that is true. I think it is a treaty obligation.

The PRESIDING OFFICER. The question is upon the adoption of the amendment of the committee.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 13, after line 7, to strike out:

INTERNATIONAL COMMISSION ON ANNUAL TABLES OF CONSTANTS, ETC.

To the International Commission on Annual Tables of Constants and Numerical Data, Chemical, Physical, and Technological, as established by the Seventh International Congress of Applied Chemistry in London and as continued by the eighth congress in New York, as a contribution by the United States toward the publication of annual tables of constants, chemical, physical, and technological, $500.

The amendment was agreed to.

The next amendment was, on page 13, after line 16, to strike out:

BUREAU OF INTERPARLIAMENTARY UNION FOR PROMOTION OF INTERNATIONAL ARBITRATION.

For the contribution of the United States toward the maintenance of the Interparliamentary Union for the Promotion of International Arbitration, at Brussels, Belgium, $2,000.

Mr. KENYON. Mr. President, possibly the Senator from Nebraska will know whether or not that is a treaty obligation.

Mr. HITCHCOCK. I think it is not a treaty obligation. I do not think it is a very valuable commission, either.

Mr. KENYON. The Senator has no objection to its going out, as to its effect upon international relations?

Mr. HITCHCOCK. No; I have not.

Mr. LODGE. Mr. President, before that is thrown out in order that we may save $2,000, I merely want to put into the RECORD a statement with regard to it.

This bureau is located in Brussels. Twenty of the principal countries of the world make annual contributions. The members are made up of the various international parliaments that are in favor of submitting all disputes between nations to arbitration. The American Congress joined the union in 1904, and the first appropriation of $2,500 was made in 1912. America has participated in five conferences of the union, and Congress made an appropriation of $50,000 for the entertainment of the delegates to the congress held in St. Louis in 1904. It is for the submission of all disputes to arbitration.

Mr. KENYON. These questions will largely be taken care of by the league of nations, will they not?

Mr. LODGE. Personally, I do not think that every conceivable dispute can be submitted to arbitration, but this is an excellent purpose. I only wanted it to be known.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, one page 13, after line 22, to strike out:

INTERNATIONAL INSTITUTE OF AGRICULTURE.

For the payment of the quota of the United States for the support of the International Institute of Agriculture for the calendar year 1920, $8,000;

For salary of one member of the permanent committee of the International Institute of Agriculture for the calendar year 1920, $3,000;

For the payment of the quota of the United States for the cost of translating into and printing in the English language the publications of the International Institute of Agriculture at Rome, $5,000.

Total, $16,600.

Mr. LODGE. Mr. President, that is a treaty obligation created by the treaty of June 7, 1905, which was ratified by the Senate.

Mr. OVERMAN. While it is a treaty, our obligation——

Mr. LODGE. The payment of the quota for the support of the institute is the treaty obligation. The salary of the member is not a treaty obligation.

Mr. OVERMAN. Yes; our quota is the part to which we are bound by the treaty. That is what I was going to say.

Mr. LODGE. Neither is the quota for printing in English part of the treaty obligation.

Mr. MOSES. Why is the word "quota" used, then?

Mr. LODGE. The payment of the quota of $8,000 for the support of the institute is an international obligation.

Mr. MOSES. But what about printing in the English language, "for the payment of the quota of the United States"?

Mr. LODGE. The memorandum which I have from the State Department says:

The payment of the quota is an international obligation created by the treaty of June 7, 1905, which was ratified by the Senate.

Mr. OVERMAN. I will ask the Senator about the $3,600 salary.

Mr. LODGE. The salary of the member of the permanent committee is not a treaty obligation; neither is the quota for printing in English, which is only a part. The other quota is for the expenses of the commission, which is a permanent one, in Rome.

Mr. MOSES. This is the commission on which David Lubin was our representative, is it not?

Mr. LODGE. It is.

Mr. MOSES. And he is now dead.

Mr. LODGE. Is he? I did not know it.

Mr. MOSES. Then, of course, not knowing he was dead, the Senator from Massachusetts does not know the name of his successor, does he?

Mr. LODGE. I do not know the name of his successor; but our quota for maintenance is a different thing.

Mr. MOSES. Can the Senator from Nebraska inform the Senate who is the American representative on this institute now, since the death of Mr. Lubin?

Mr. HITCHCOCK. He died within a few months, and I do not know whether or not a successor has been appointed.

Mr. LODGE. I do not think any successor has been appointed.

Mr. HITCHCOCK. But I am disposed to move to amend this amendment of the committee.

Mr. LODGE. There are three amendments there.

Mr. HITCHCOCK. Have they been read as separate amendments?

Mr. LODGE. There are three separate amendments. The first one, for the payment of the quota of the United States for the support of the International Institute of Agriculture, is a treaty obligation.

Mr. OVERMAN. I think that ought to be agreed to.

Mr. HITCHCOCK. Yes; that ought to be agreed to.

Mr. LODGE. That is a treaty obligation, and ought not to be stopped.

Mr. OVERMAN. I agree with the Senator.

Mr. LODGE. The salary of the member, and the payment of the quota for the cost of translating into and printing in the English language the publications, are not treaty obligations.

Mr. HITCHCOCK. And the chances are that we can get, through our diplomatic representatives in Rome, or through the consul there, whatever information we desire in regard to the labors of this commission. I think the first paragraph, however, should be restored to the bill.

Mr. OVERMAN. I agree to that, inasmuch as it is a treaty obligation. I should like to take a vote on the other two.

The PRESIDING OFFICER. The question, then, will be upon the first subdivision of the amendment.

Mr. FLETCHER. Mr. President, I have no objection to agreeing to that. I wanted to insist on that myself. I think it ought to be done; but I want to say something about the others. That may be agreed to.

Mr. OVERMAN. I want the amendment striking out the first paragraph rejected.

The SECRETARY. The Senator from Nebrasks asks to have the question divided, so that the payment of the quota of the United States for the support of the International Institute of Agriculture for the calendar year 1920, $8,000, shall constitute one question. The committee proposes to strike out those words.

The PRESIDING OFFICER. The question is on adopting the amendment. Senators wishing to reject it should vote in the negative.

Mr. OVERMAN. The committee agrees to that.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as to the first subdivision.

The amendment was rejected.

Mr. OVERMAN. Also, the title should be restored.

Mr. FLETCHER. That covers the title, lines 23 to 26?

The PRESIDING OFFICER. Yes.

Mr. FLETCHER. Now, with reference to the other items, Mr. President, I think we ought to maintain a member of the International Institute of Agriculture. They have been doing very excellent work. There are 55 nations participating in it under treaty agreements; their reports, especially their crop-reporting service, have been most valuable to every country concerned. The appropriation of $3,600 for salary is really a merely nominal appropriation. Mr. Lubin gave his whole time to that work, and was expending right along many times over the amount of his salary in connection with the work.

The appropriation for translating the reports into English also ought to be maintained, for otherwise we will not get very much value out of it. All their publications are in French, the official language of the institute, and it is necessary to translate them into English if we are to get much value out of it. The appropriation of $5,000 for that work is really not adequate. Mr. Lubin supplemented that out of his own pocket from time to time.

We are pledged to contribute our share to keeping up that institute, and I think we ought to have a member there who is obliged to stay there permanently. The members representing the 55 nations that participate under the treaty are permanent members, and they have to live there to carry on the work. Mr. Lubin lived there. It is unfortunate that Mr. Lubin has passed away, because he was an extraordinary man in many respects and had a vision and a grasp of this work that probably no other man can have.

In that connection, I want to put into the RECORD a letter from Mr. Lubin to me, dated April 8, 1918, which explains the work of this International Institute of Agriculture. I will not take the time to read it. If this matter goes into conference, it may be of some value to the conferees. It deals with the work in considerable detail and will save my going over it and discussing it now; but I think we ought to disagree to both the remaining committee amendments.

The PRESIDING OFFICER. Without objection, the letter referred to will be printed in the RECORD.

The letter is as follows:

ROME, *April 8, 1918.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SENATOR FLETCHER: I have your esteemed letters of March 7 and 9, and the copy of the CONGRESSIONAL RECORD of February 4 which you were good enough to send me.

I have gone over the debate reported in the CONGRESSIONAL RECORD, and it seems to me that the opposition of Senators OVERMAN and SMOOT to the appropriations for salary and for printing is mainly based on some misapprehensions. I therefore append some comments and explanations, showing facts with many of which you are already acquainted, though some points may be new to you.

All these facts have been clearly shown in my several reports to the Secretary of State, which I think should henceforth be printed for the information of Members of Congress on just such points as those which have now arisen.

I was very much pleased to note the success of the efforts of your good self and of your worthy colleagues on behalf of the International Institute of Agriculture. This is in line with your previous pioneer stand on behalf of this institution. The time will surely come when these efforts will be appreciated at their true value.

I am sending a copy of this letter and statement to the Secretary of State with the request that it be printed for the information of the Senate and of the House.

Thanking you for your valued and kindly offices in the matter, I am, with high esteem,

Yours, very sincerely, DAVID LUBIN.

I see from the CONGRESSIONAL RECORD of February 4 that Senator SMOOT and Senator OVERMAN are under the impression that the International Institute of Agriculture is a body holding occasional conventions or meetings, and that "during the war," as Senator OVERMAN says, the meetings have not been held. I notice that the question has been raised whether the war has not stopped or curtailed the work of the institute, and if so, what becomes of the $8,000, the United States's quota?

No; the war has not stopped or curtailed the work. The meetings of the institute are held regularly as before the war. The work of the institute is going along as before the war, in fact, with increased activity. Nor have any of the belligerent nations abrogated the treaty; all the 55 adhering Governments are still full members. Communications with the central empires, with permission of the Government, go on regularly through Switzerland.

The institute, as is known, is a permanent, official body, established under international treaty, working the year around, just as is the Department of Agriculture, and the war has only brought out into clearer relief the importance of its labors.

In his report to Parliament (August, 1916) the minister of external affairs of Australia said:

"The work of the institute and the information disseminated by it is of the greatest value to the Commonwealth. * * * The Statistical Crop-Reporting Bulletin, which is really an international summary of the supply, is the main factor in determining the world price of the staples of agriculture."

The Journal Officiel of the French Chamber of Deputies (Mar. 2, 1918) gives the remarks of the chairman of the Committee on Agriculture. On a measure for bringing in to the institute all the French colonies and protectorates, he said:

"The crop statistics which the institute assembles and publishes monthly are the one authoritative statement. * * * The services rendered by this institute are recognized throughout the world."

The measure was favorably reported on by the Committee on Agriculture and by the committee on foreign affairs of the French chamber and was approved by the minister of colonies and will add additional adherents to the 55 governments now members of the institute.

The world crop reports of the institute are cabled regularly each month to the United States Department of Agriculture, which gives them publicity. The department also receives regularly for free distribution to its mailing list the monthly publications of the institute, its six-monthly world balance sheet for the supply and demand of cereals, and its yearbooks of International Agricultural Legislation and of International Agricultural Statistics.

From time to time urgent requests have reached me from the United States Government for a larger number of these publications than those to which it is entitled by the quota. These requests have been complied with as far as possible.

With regard to the delegate, Senator SMOOT says (CONGRESSIONAL RECORD, Feb. 4, 1918) "I think Mr. Lubin has not very much to do as a delegate"; and Senator OVERMAN asks: "During the war, does he have any duties as a delegate? Are there any conventions held? If there is no convention held, is it necessary to make the appropriation?"

It will be seen from the statements before made as to the work of the institute that the presence of the delegate is as necessary in time of war as in time of peace; in fact, even more so. And as to the position of delegate, in his report on the Diplomatic and Consular Appropriation bill (64th Cong., 1st sess.) the Secretary of State says:

"It is a conventional obligation under the convention mentioned that the United States should be represented by one member on the permanent committee of the institute. The amount of the salary to be paid to him, however, is fixed by Congress, and has been $3,000 a year."

As for the permanency of this salary appropriation, the House ruled (CONGRESSIONAL RECORD, Mar. 28, 1912) that, in accordance with section 3687 of Hinds' Precedents, vol. 4, "In the absence of a general law fixing a salary the amount appropriated in the last appropriation bill has been held to be the legal salary."

Senator SMOOT says that "Mr. Lubin * * * spends a good deal of time in writing articles upon policies that he thinks ought to be adopted by the Government of the United States."

Senator SMOOT is right. I do spend a good deal of time on such work, and so should any delegate of the United States to this institute who attends to his duties properly. Were Senator SMOOT familiar with the scope and purposes of the institute he would know that the functions of a delegate here are twofold. On the one hand, I am expected to attend to the duties and routine of the labors of the institute from the international standpoint and to keep the State Department informed on these matters. On the other hand, I also believe it to be my duty to make observations from the point of vantage which the institute affords as a world observatory of economic progress touching agriculture in the several countries and to crystallize these observations into definite statements for public consideration. Some of these statements have been made into public documents, but by far the larger number I have had printed here in Rome and mailed to the United States.

And what were these statements about? Some related to the world crop-reporting service, some to the marketing of farm products, some to rural credits, and some to the cost of ocean carriage on the staples of agriculture in its relation to the home price of the products and in its economic and political influences on the Nation.

Some of this work is still pending; some has already led to practical results, as Senator SMOOT is no doubt aware, for he must have voted on rural credits and on the joint resolution calling for an international conference (to be held in Rome at the close of the war) on the proposal for an international commission on ocean freight rates.

"But," says Senator SMOOT, "it is costing the Government of the United States I do not know how much each year."

I think Senator SMOOT is mistaken. This special work does not cost the Government one cent. The time may come when the economic value of such labor will be more generally recognized and when Congress will make an appropriation to cover the cost. At this time there is no appropriation for this purpose; but realizing the economic value of the work to the United States, I have been and am paying out of my own means to cover the cost of extra copies of the public documents and for printing and mailing those articles which are got out from Rome. This cost aggregates to an amount several times in excess of the sum allowed me by Congress for salary. I do this because I feel the needs for the work, because I believe it to be of benefit to the American people.

And now for the $5,000 for printing, which they seem to consider unnecessary. By referring to the Secretary of State's report on the Diplomatic and Consular appropriation bill (64th Cong., 1st sess.) they will see the reason for it. Let me quote:

"In view of the fact that, as is customary in international organizations of this character, the publications and proceedings of the institute were printed in French they were of little or no value to agriculturists in the United States and in Great Britain. For this reason the United States and Great Britain have each undertaken to contribute the sum of $5,000 to the institution for the purpose of having all of the publications printed in English as well as in French."

In addition to this, it may be said that if there were no such appropriation the Government of the United States, instead of the hundreds of copies in English of each edition which it now receives for free distribution, would only be entitled to 10 copies of each publication in French.

Senator OVERMAN and Senator SMOOT could have obtained an idea of the importance of the work of the institute from the press of the United States and of the principal countries of the world. They could have seen from the press that the former contradictory, unofficial, manipulating statements on the world's supply have been replaced by the institute's official world crop reports, which now form the world standard, the determining factor in arriving at the world's price of the staples of agriculture. They could have seen that the institute's monthly crop reports afford the official data on which the Governments of the allied countries base their food-control policy. They could have seen that the timely warnings given by the institute in these monthly crop reports and in its half yearly world balance sheets of supply and demand have enabled the allied Governments, through their food controllers, to ward off impending famine which would have affected millions in the trenches and in the homes. They could have seen that some of the articles and statements sent out were the result of hearings given by the Department of Agriculture, the Department of Labor, the Department of Commerce, the Department of State, and of hearings before congressional committees, and they could have seen that some of the policies therein advocated have already formed the basis of legislation adopted by the United States.

Respectfully submitted.

DAVID LUBIN,
Delegate of the United States,
International Institute of Agriculture, Rome, Italy.

Mr. WILLIAMS. Mr. President, I agree with the committee about this amendment. I think the committee is right, and that the committee amendment ought to be adopted.

The main reason given for keeping up this thing is that they make reports of the crops of the various countries. All we have to do in the world is to go and get the statistical reports already made by every civilized nation in the world, and bring them together, and publish them in one volume, instead of publishing them in several volumes. It is mere work of compilation and translation.

I do not believe that the thing has ever been worth a tuppence to the United States since it was started. Everybody can always get later information about the crops here than they can get from Rome; and you can get just as quick information, if you want it, by going to any place where the statistics and annual reports of foreign countries are kept, and getting the information that you want.

I never have understood why this institute was organized, except as a fad of a man who is now dead, and, of course, we are all very sorry that he is dead. I never have seen how it could do me, as a farmer, or do anybody else as a farmer, here or in France or in Germany or in England, one particle of good. It is not even a fifth wheel; and I say to the committee in the work of doing away with them, "Onward, Christian soldiers, onward!"

Mr. MOSES. Mr. President, I should like to ask the Senator from Florida, who seems to possess more knowledge with reference to the International Institute of Agriculture than any member of the committee who is defending this amendment, whether he knows, with reference to the other 19 representatives—he said, as I recall, that there are 20 nations represented in the institution—whether the representatives of the other 19 nations aside from the United States are distinct officials, sent to Rome and maintained there simply for the purpose of affording their countries representation in the institute, or whether they are consular or diplomatic officers who are detailed for that purpose?

There are many international bodies with which I have had some acquaintance in which the representation, in whole or in part, has been made up by the detail of some consular or diplomatic representative, a consul general or a secretary from the embassy or legation staff, to afford the represented nations their representation in those bodies; and if other nations now represented in the International Institute of Agriculture in Rome are so represented, it is easily feasible for the United States to be so represented. Everyone knows that the personnel of the embassy in Rome and the personnel of the consulate in Rome have been very largely increased in the last few years, so that we would have entirely adequate representation in the institute, if this work is of no larger importance than as described by the Senator from Mississippi, by detailing some secretary from the embassy, or some vice consul from the consulate, to represent us in this body.

Mr. FLETCHER. Mr. President, in answer to the Senator's inquiry, just briefly, the executive authority of the institute is entrusted to the permanent committee, which is subdivided into four permanent commissions. Each State is represented on the committee by one delegate, who resides in Rome.

Mr. MOSES. That could easily apply to a secretary of embassy or consul.

Mr. FLETCHER. The permanent committee meets at least once a month, except during the vacation period, from July to September; and I think they continued those meetings right along even during the war. There may be a few of the countries that were not represented; but they began with about 20 nations, and there are now 55 nations participating.

Mr. SMITH of South Carolina. May I ask the Senator, Are those delegates from each State and nation?

Mr. FLETCHER. They are appointed by the States like our delegate is appointed through the State Department.

Mr. SMITH of South Carolina. They are not attachés of our diplomatic legation?

Mr. FLETCHER. Not at all.

Mr. MOSES. May I ask the Senator if he is nominated and confirmed as other members of the diplomatic establishment?

Mr. FLETCHER. I think this delegate is appointed by the President through the State Department. I am not sure whether he is confirmed by the Senate or not. He gets his commission through the State Department.

Mr. OVERMAN. The committee could not see why we should pay a man $3,600 a year to go to Rome to attend a meeting once a month. That is about all this is. They have a meeting, and what they resolve is published in Latin. We can send over and get that matter without paying $5,000 for a person to translate it. I doubt whether anyone in the Senate ever saw a single report unless the Senator from Florida.

Mr. WILLIAMS. I have and I do not see any use in it.

Mr. OVERMAN. I never saw it and never saw anyone before who had seen it.

Mr. FLETCHER. I will state that they are regular reports, regular bulletins. They issue a bulletin monthly known as the International Crop Report and Agriculture Statistics; one an International Review of the Science and Practice of Agriculture; another publication is the half yearly International Movement of Fertilizers and Chemical Products Used in Agriculture; another publication is called Documentary Leaflets on Available Supplies and Prices; another on Miscellaneous Agriculture Products in Tropical Countries; another the Monthly International Review of Agricultural Economics; another the half yearly Statistical Notes on Cereals; then The World's Agricultural Supply and Demand Balance Sheet, International Yearbook of Agricultural Legislation, the International Yearbook of Agricultural Statistics, the Inventory of the World Agricultural Resources, Areas, Production, Exports, Imports, Prices, Freight Rates, and so forth. Those are the publications.

Mr. OVERMAN. He has been writing all the time he was there, but the committee thought they might send there one of the commercial attachés we have been talking about and let him attend the meetings and make the reports, instead of spending $5,000 for a translation which we could get through one of our own translators here.

Mr. FLETCHER. It is immaterial to me; I have no personal interest in it; but I think it would be a mistake to abandon our representation there. I simply want to correct the Senator's misapprehension that this amount is paid to send some one to Rome to attend meetings once a month or once a year. The law requires that the delegates representing the States shall be permanently in Rome. They have to live there, and, as I have said, the executive committee meets at least once a month, except during the vacation of July to September, and it is composed of delegates from the States.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the committee striking out the first three lines on page 14, proposing to appropriate $3,600 for salary of one member of the committee of the International Institute of Agriculture.

The amendment was agreed to.

The next amendment was to strike out lines 4 to 8, inclusive, on page 14, in the following words:

For the payment of the quota of the United States for the cost of translating into and printing in the English language the publications of the International Institute of Agriculture at Rome, $5,000.

Total, $16,600.

Mr. KENYON. I should like to ask if the amendment on pages 13 and 14, which is really three amendments, which part was stricken out?

The PRESIDING OFFICER. The first three lines on page 14, by the vote just taken.

Mr. KENYON. Lines 14, 15, 16, and 17 were stricken out?

The PRESIDING OFFICER. They were left in. The question was divided into three parts.

Mr. KENYON. Lines 11, 12, and 13 went out?

The PRESIDING OFFICER. They did. The question is on the amendment on page 14, to strike out lines 4, 5, 6, 7, and 8.

The amendment was agreed to.

The next amendment was, under the head of "Salaries and Expenses, United States Court for China," on page 15, line 4, after the word "exceed," to strike out "$8" and insert "$6," so as to make the clause read:

The judge of the said court and the district attorney shall, when the sessions of the court are held at other cities than Shanghai, receive in addition to their salaries their necessary actual expenses during such sessions, not to exceed $6 per day each, and so much as may be necessary for said purposes during the fiscal year ending June 30, 1920, is hereby appropriated.

Mr. SAULSBURY. Mr. President, it seems to me that is a very small item and that the amendment reported by the committee should not be agreed to. It relates to the per diem allowed the judge., which is reduced from $8 to $6. As a matter of fact, living was never so high in China as it is to-day. Our officials in the Chinese extraterritorial court number four, I believe—the judge, the district attorney, the clerk, possibly an assistant clerk—I am not sure about that—and the marshal.

Mr. CURTIS. Will the Senator allow me?

Mr. SAULSBURY. I yield.

Mr. CURTIS. Can the Senator advise the Senate how much travel this judge has to do?

Mr. SAULSBURY. My recollection is that the extraterritorial court is held in four places. The judge and the court officials live in Shanghai. They hold court in Tientsin, I think, in Canton, and in Hankow. It goes without saying that when the court officials are not at home their expenses are much more than $6 per day. You can not live anywhere, I know, at $6 a day. You could not live in China when I was there in 1915, when the exchange was on the basis of about 2.40 or 2.50 for each American dollar, and of course it is very much higher now.

I do not think that this is the time to reduce the allowance of these officials. They have most important work to do. Every question that comes up about an American in the whole Republic of China is attended to by this court. It seems to me that their per diem ought to be left as it has been.

I have some information here from the State Department with regard to this matter. I know all these officials. I think they are all admirable men. Judge Lobingier, who is a man of wide experience in the East, has told the State Department that with the most rigid economy while holding a session at Tientsin his expenses were nearly three times the $6 a day, and he thinks that it ought to be restored where it was. It was $10 a day until the last bill was passed, I think.

I hope the amendment will not be agreed to for the reasons I have suggested.

Mr. OVERMAN. I want to say in support of the action of the committee that our own employees in this country do not get over $4 and $5 per diem. We found several places in the bill where some men were getting $8 and $10 a day and we cut them down to $6, and this judge's per diem went with the others. We did not want to discriminate in favor of this judge in China, although there is some provision in the bill about remunerating a man for loss in exchange. But whether that is so or not, our own employees here, where the cost of living is pretty nearly as high as in China, get $4 and $5. This judge gets $8,000 a year. Some of them get only as high as $3,000 a year. So we give them $6, which is a dollar more than we pay anybody here.

Mr. HITCHCOCK. I should like to ask the Senator a question. He is discussing this as though it were the arbitrary payment of $6 or $8, as the case may be, for expenses. The reading of the bill shows that it is for actual expenses not exceeding that amount. The Senator certainly would not object to paying the amount of actual expenses. This provides for actual expenses not exceeding a certain amount.

Mr. OVERMAN. That is our own law in regard to our own employees, and why should we give a man in China more than our people get?

Mr. SAULSBURY. I should like to have the Senator in charge of the bill and such other Senators as are present give me their attention in regard to this particular item. The judge of the extraterritorial court in China is the highest official anywhere in China except in Pekin, where the minister ranks him. Shanghai is a great international city. It is called the Paris of the East. The judge of that court wherever he goes in China is bound to preserve a certain amount of dignity. He can not go to a cheap boarding house and live when he is holding court. We must consider the dignity of a man who represents this country in a foreign town like Shanghai, which is the eastern capital as far as that is concerned, except diplomatically Pekin is, for more people from all over the world go to Shanghai than to all the other cities in China.

Mr. OVERMAN. Does he live in Shanghai?

Mr. SAULSBURY. He does.

Mr. OVERMAN. He does not get his expenses paid when he lives in Shanghai?

Mr. SAULSBURY. He does not get his expenses paid, but he must travel to four places widely scattered in China, and when he goes he should be paid a reasonable amount to maintain the dignity which public sentiment and public opinion impose on judges of the United States when they are representing a great country like this. I think it is only proper. I think it is a pitiful allowance as it is, but it is very necessary that he should have these expenses paid; and I think it is only justice that he should be reimbursed for them.

Mr. SPENCER. Will the Senator from Delaware yield for a question?

Mr. SAULSBURY. Certainly.

Mr. SPENCER. The judge to whom you refer is Judge Lobingier?

Mr. SAULSBURY. Yes.

Mr. SPENCER. Does the Senator think the amount allowed by the committee is sufficient?

Mr. SAULSBURY. His statement to the State Department is that his expenses when he goes to Tientsin to hold court are about three times $6 a day; in other words, $18 a day.

Mr. SPENCER. I hope the Senator will allow me to say that that judge is one of the highest class men in the judiciary of the United States. He is a man whose statement in regard to his expenses is absolutely to be taken without any qualification. He is a gentleman and a scholar and a lawyer, and whatever his own judgment was as to the need of the situation would certainly be entirely conclusive upon me.

Mr. SAULSBURY. I will say to the Senator he bears that reputation where he is serving. Among the many foreign courts I have understood that the American court in Shanghai is the most highly regarded.

Mr. MOSES. The reference to the inadequacy of compensation of a representative of America in a foreign field creates in my mind a reminiscent and painful line of thought. I am in full accord with what the Senator from Delaware has said in reference to the allowance made to the officials of this court. In this connection I am led to ask the Senator in charge of the bill why it is that the provision made at the bottom of page 7 for the payment of loss by exchange is confined to members of the embassies and legations and not made applicable to the members of the court? It must be obvious that in times like these the loss by exchange to our officers in China is considerable, more perhaps than in almost any other nation where we are maintaining representation.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the committee.

The amendment was rejected.

STANDING COMMITTEES OF THE SENATE.

Mr. MARTIN of Virginia. Mr. President, the Senator in charge of the bill has yielded to me for just a moment. I offered a resolution, and the senior Senator from Massachusetts [Mr. LODGE] objected to it. He now, after investigation, withdraws his objection, and I ask that it may be submitted to the Senate.

The PRESIDING OFFICER. Without objection, the resolution will be read.

The Secretary read the resolution (S. Res. 466), as follows:

Resolved, That the standing committees of the Senate as constituted at the end of this session be, and they are hereby, continued until the next session of Congress or until their successors are duly elected.

Mr. LODGE. I am entirely in favor of that resolution. We have always passed a similar resolution. I only wanted to speak to the Senator from Virginia as to his understanding being the same as mine, that none of these committees, with the exception of the Committee on Contingent Expenses, exists by statute, and none of them, of course, would transact any business whatever between the expiration of this Congress and the assembling of the new Congress. The Senator from Virginia agrees with me entirely about that.

Mr. MARTIN of Virginia. I do. When this Congress expires all these committees expire, except the vitality given by this resolution. I ask that the resolution may have present consideration.

Mr. LODGE. I will just ask the question. Of course, if there is a special session of the Senate, the committees are reorganized.

Mr. MARTIN of Virginia. Whenever there is a special or a regular session this resolution ends.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

INDIAN APPROPRIATION BILL.

Mr. ASHURST. Mr. President, I wish to make a statement in reference to the Indian appropriation bill, because a large number—I should say a dozen Senators—wish to know when the bill is going to be presented and discussed. I do not want to keep them waiting. They had expected to have it considered this afternoon. I am sure the Diplomatic and Consular bill will take another half hour, and then the fortifications appropriation bill will be considered, I apprehend.

Mr. OVERMAN. I think they are waiting to consider that bill.

Mr. ASHURST. That would make it obvious that we could not consider the Indian bill this evening. Therefore I wish to say that in the morning, when the end of the morning hour arrives, I shall move that the Senate proceed to the consideration of the Indian appropriation bill. I appeal to Senators to remember that it was the unfinished business some two or three days ago, but was displaced—and of that I make no complaint—by the conference report on the leasing bill. The Indian bill will be next in order, according to the calendar, as having been reported next. I do not think it will take over a day or a day and a half to pass it. I wish to say to Senators interested that I will make no attempt to get up the Indian bill for consideration to-night.

Mr. LODGE. I entirely sympathize with the Senator from Arizona about taking up the bill, but I wish he would not say that he told Senators they might go away, because we want to get this bill through now and we may need a quorum.

Mr. ASHURST. I was unfortunate in my expression. I did not mean that Senators should go away; in fact, I know they will not go; but what I meant was that the Senators are waiting about, I know, of course, expecting the Indian bill to come up, and they wish to be prepared with certain data on certain amendments. I wish to give notice, therefore, that the Indian bill will not be considered to-night, but that I will use every endeavor to lay it before the Senate to-morrow morning at the end of the morning hour.

REPEAL OF DAYLIGHT-SAVING LAW.

Mr. GORE. Mr. President, I desire to give notice that, during the consideration of H. R. 15018, I shall move to suspend that provision of paragraph 3 of Senate Rule XVI prohibiting any amendment proposing general legislation to any general appropriation bill, for the purpose of offering the following amendment to the Agricultural appropriation bill (H. R. 15018):

"An act entitled 'An act to save daylight and to provide standard time for the United States,' approved March 19, 1918, is hereby repealed."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CLARK of Florida, Mr. BURNETT, Mr. GRIFFIN, Mr. AUSTIN, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13277) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SISSON, Mr. MCANDREWS, and Mr. DAVIS managers at the conference on the part of the House.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13366) permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 4723. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors;

H. R. 204. An act to provide for the fitting up of quarters in the post-office building at the city of Sacramento, Cal., for the accommodation of the district court of the northern district of California and its officers; and

H. R. 3217. An act providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio.

ENLISTMENTS IN THE ARMY—CONFERENCE REPORT.

Mr. CHAMBERLAIN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5279) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed by the amendment of the House insert the following:

"*Provided*, That from and after the approval of this act, one-third of the enlistments in the Regular Army of the United States shall be for a period of one year, and the remaining two-thirds thereof shall be for the period of three years. Any person enlisting under the provisions of this act shall not be required to serve with the reserves. The pay of the men enlisted hereunder shall be the same as that provided by the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917: *Provided further*, That after the expiration of one year those enlisting for the period of three years may be discharged in the discretion of the Secretary of War under such rules and regulations as may be prescribed by him after one year of service."

And the House agree to the same.

GEORGE E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.
S. H. DENT, Jr.,
W. J. FIELD,
JULIUS KAHN,
Managers on the part of the House.

The report was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

The next amendment was, on page 15, after line 15, to strike out:

INTERNATIONAL SEISMOLOGICAL ASSOCIATION.

For defraying the necessary expenses in fulfilling the obligations of the United States as a member of the International Seismological Association, including the annual contribution to the expenses of the association, $800.

Mr. OVERMAN. I ask the Senate to disagree to this amendment for the reason that the Senate committee, since striking out this item, has ascertained that it would require six months' notice before it can be done.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment was, on page 15, after line 21, to strike out:

ARBITRATION OF OUTSTANDING PECUNIARY CLAIMS BETWEEN THE UNITED STATES AND GREAT BRITAIN.

For the expenses of the arbitration of outstanding pecuniary claims between the United States and Great Britain, in accordance with the special agreement concluded for that purpose August 18, 1910, and the schedules of claims thereunder, to be expended under the direction of the Secretary of State, as follows:

Salaries, United States agency: One counsel and joint secretary, at $2,750; stenographer, at $1,200;

Expenses, United States agency: Necessary and contingent expenses, $300;

In all, $4,250.

Mr. LODGE. These pecuniary claims have been settled by a commission appointed under an agreement with Great Britain, and the work of the commission has been suspended by the war. The department feels that it is very important that this one officer——

Mr. OVERMAN. I want to ask the Senator if he considers an agreement between the United States and Great Britain, to carry it out as possessing the same dignity as a treaty?

Mr. LODGE. It was made under the arbitration treaty.

Mr. OVERMAN. Was it a treaty really?

Mr. LODGE. It was an agreement made under the arbitration treaty.

Mr. SAULSBURY. It was a special agreement, if I may interrupt the Senator.

Mr. LODGE. It was a special agreement made under the treaty.

Mr. SAULSBURY. Yes; made under the treaty.

Mr. MOSES. Do I understand the Senator from Massachusetts to contend that these pecuniary settlements can not go on unless these salaries are provided for?

Mr. LODGE. There were three commissioners from the United States and three from Canada, Chief Justice Fitzpatrick being one of the members, and they were disposing of these claims, which was a very desirable thing to do. There were an immense number of the claims, and it is very desirable that they should be disposed of. They were disposing of them rapidly when the war came, and everything was suspended and everybody was dismissed except one counsel and joint secretary. There is a library here and archives and all the correspondence.

Mr. OVERMAN. I think the Senator ought to disagree to the amendment.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). The question is on the adoption of the amendment of the committee.

The amendment was rejected.

The next amendment was, on page 16, after line 19, to strike out:

INTERNATIONAL HIGH COMMISSION.

To defray the actual and necessary expenses on the part of the United States section of the International High Commission, arising in such work and investigations as may be approved by the Secretary of the Treasury, $25,000, to be expended under the direction of the Secretary of the Treasury.

Mr. FLETCHER. Mr. President, I hope the committee does not seriously intend to press the amendment. I think the committee failed to fully understand just what the International High Joint Commission is, so I called attention in the hearings before the House committee to a letter from the Secretary of the Treasury appearing on pages 50, 51, and 52, and subsequent documents submitted to the House committee explaining the work of this commission. It is a very important commission that is of great significance and of value in connection with our relations, particularly with the Latin-American Republics. The prime requisite of the Pan American Financial Conference, distinctly dealing with the commercial and financial needs of the American continent, was supplied by the constitution of the International High Commission, a composite body represented in each American Republic by a national section of not more than nine members, of which the minister of finance, or in the United States the Secretary of the Treasury, is ex officio the chairman.

The International High Commission is the aggregate of the members of the national sections. The United States section was placed upon a regular legislative basis by the act of Congress of February 7, 1916:

For the more effective coordination and direction of the work, the International High Commission, at its first general meeting, which was held at Buenos Aires in April, 1916, created, as its common organ or agency, a Central Executive Council, consisting of a president, a vice president, and secretary general, and an assistant secretary general; and assigned to these positions, respectively, the chairman, vice chairman, secretary, and assistant secretary, of the United States section.

That section is an executive council. Each section is composed of nine members. Each of these 20 Latin-American Republics is entitled to participate, and does participate, in the membership of the Joint International High Commission. Now, let us see what the program of the commission is:

The program of the International High Commission, as laid down by the Pan American Financial Conference, at Washington, covered a wide but well-considered range, embracing: (1) The establishment of a gold standard of value; (2) bills of exchange, commercial paper, and bills of lading; (3) the uniform (a) classification of merchandise, (b) customs regulations, (c) consular certificates and invoices, (d) port charges; (4) uniform regulations for commercial travelers; (5) the international protection of trade-marks, patents, and copyrights; (6) the establishment of a uniform low rate of postage and the improvement of money-order and parcels-post facilities between the American countries; and (7) the extension of the process of arbitration for the adjustment of commercial disputes.

I am reading this from the statement made by Dr. John Bassett Moore, who is vice chairman of the American section. He continues:

In addition to these subjects, the International High Commission, at its meeting in Buenos Aires, dealt with the extension of banking facilities and of credits and the stabilization of exchange; the uniformity of laws for the protection of merchant creditors; international agreements for uniform labor legislation; the question of uniformity of national regulations and policies regarding mineral oils; improved transportation facilities between the American Republics; and telegraph facilities and rates, including the use of wireless telegraphy for commercial purposes.

The work prescribed by the International High Commission has been steadily and energetically carried on. Valuable publications, intended to prepare the way for the measures which the commission has in view, have been prepared, printed, and circulated, and appreciable progress has been made in obtaining the adoption of those measures. Actual ameliorations of methods of customs administration have been secured

in various quarters. Efforts have been made to relieve the burdens and inconveniences caused by the war. But, with a view to practical achievement, the Central Executive Council has singled out, and has pressed with special vigor, certain measures of a comprehensive and systematic nature, and I am glad to say that the results have been most gratifying and encouraging.

Among these measures one of the most important is that bringing into operation the convention adopted by the International American Conference at Buenos Aires in 1910 for the protection of patents and trade-marks. By that convention the American Republics were divided into two groups—the southern and the northern. Of the southern group—

In other words, we register trade-marks now in all the Latin American Republic by registering in the International Bureau at Habana. Heretofore we had to register trade-marks in each one of the countries and be controlled by the laws in each and every one of those countries.

Another measure specially pressed is the convention to facilitate the operations of commercial travelers. In a number of the American countries local taxes, practically prohibitive in amount, on the operations of such travelers, have for many years existed. A convention was formulated by the central executive council, and, after examination and revision, was submitted by the Department of State to the American Government, looking to the substitution for all local taxes of a single national fee. This convention, first signed and ratified by the United States and Uruguay, has so far been accepted by 11 other countries.

That is another great advance in our relations with these countries, whereby we agree that one fee shall cover the entire license taxes for all the countries.

Another measure preferentially dealt with, because of its significance for the future as well as for the present, is the treaty for the establishment of the international gold clearance fund.

And so on various other matters which I shall not take up the time of the Senate now to deal with, for evidently there is very little attention being paid to the matter. Those who want to strike down the commission would probably do it anyway; those who know something about its work will probably keep that knowledge to themselves; those who vote in favor of striking it out do not desire to know, and so I might as well stop talking about the matter.

It is gratifying to state that the central executive council has had in its work the hearty and active cooperation of various bodies, such as the American Bankers' Association, the Committee on Commercial Law of the Conference of Commissioners on Uniform State Laws, the United States Chamber of Commerce, and the National Foreign Trade Council. Their assistance has been helpful and reassuring.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Kansas?

Mr. FLETCHER. I do.

Mr. CURTIS. I should like to know from what report the Senator from Florida is reading.

Mr. FLETCHER. As I have stated, I have been reading from the statement made by Dr. John Bassett Moore, who is vice chairman of the section of the United States.

Mr. CURTIS. Is that his official report?

Mr. FLETCHER. No; it is not an official report. It is a statement made by Dr. Moore recounting to the section here what had been going on and what had been accomplished. If the Senator from Kansas desires to know something about the official statement, he will find it in the House hearings.

Mr. CURTIS. I have read the report which is printed in the House hearings, but I did not recognize the language in the statement which the Senator from Florida has been reading, and that is why I asked the Senator from what he was reading.

Mr. FLETCHER. The letter in the House hearings is written by the Secretary of the Treasury, who is chairman ex officio of the Joint International High Commission and the chairman of the national section.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from New Hampshire?

Mr. FLETCHER. I do.

Mr. MOSES. Can the Senator from Florida state why this commission appears in the Diplomatic and Consular appropriation bill when its functions apparently are altogether framed and directed by the Treasury Department? Is this another of these dislocated administrative bodies such as we have been discussing in prior portions of the bill?

Mr. FLETCHER. I should scarcely say that it is a diplomatic commission at all. In a part of its functions it may be somewhat associated with diplomatic relations. It cooperates with the State Department, but it likewise cooperates with all the other departments of the Government. It has no really diplomatic status as such. It is intended to promote a better understanding, to remove barriers to our trade, our commercial, our financial, and other relations with our friends to the south of us.

Let me say to the Senator that if the United States does not take advantage of the conditions which now exist to strengthen and build up the good will and business opportunities and the trade relations which are possible now with all of these countries to the south of us, we shall make a very great mistake. Now is our opportunity to get in closer touch and on a firmer basis of understanding with our friends to the south of us, and surely we ought not to strike down any agency that helps to accomplish such a desirable result.

Mr. MOSES. Mr. President, the general statement of the Senator from Florida is one which meets my full approval. The International High Commission, I understand, is a beneficent agency growing out of Secretary McAdoo's trip to Latin America a few years ago. The necessity for it was developed by an investigation which was the outcome of that trip, and I have no doubt that the work of the International High Commission is highly beneficent not only for us but for the Latin American Republics in general.

The question which I immediately rose to ask was with reference to the presence of this item of appropriation on this bill, when the commission evidently is subsidiary to the Treasury Department? I assume, Mr. President, that the commission appears in the Diplomatic and Consular appropriation bill because it is given some quasi diplomatic standing; in other words, it seeks diplomatic privileges and immunities while carrying on strictly commercial or Treasury functions.

The appealing remarks of the Senator from Florida with reference to the necessity and great desirability of preserving and supplementing the good relations existing between the United States and the Latin American Republics embody a sentiment which no Member of this Chamber will attempt to oppose. As a matter of fact, I had been but a few days a Member of this body when I introduced a resolution looking to that particular object by urging the Senate to express its opinion that recognition should be extended to the existing government in the Republic of Costa Rica. As I have gone through this bill this afternoon, I have found many items which have strengthened me not only in the general conviction but in the specific conclusion that the Republic of Costa Rica should be brought into the family of Latin American relations. For example, I find that that Republic is contributing its quota of money to the Pan American Union, and yet the representative of the existing government of Costa Rica is denied the privilege of presenting his country's communications officially to the State Department.

Mr. President, if these various bodies are to be made an agency for cementing the relations between this Republic and the Republics to the south of us, I implore the Senator from Florida and other Senators on the other side of the Chamber to join in action which is much more direct and much more vital to those Republics than the mere appropriation of money, namely, by giving them official recognition and extending to them an official hand.

Mr. KENYON. Mr. President, the committee struck out the provision for the International High Commission. The Senator from Florida [Mr. FLETCHER] feels that that provision should be reinstated. I have heretofore said a word or two about some of these apparently useless commissions. It is, of course, easy to construct some commission and then to point out the great work that it is doing, and we vote away the money in a free and easy way.

In the hearings before the House committee there is testimony as to this commission. Outside of printing a few pamphlets and books and after-dinner speeches on trips to South America, I do not find that this commission has done much of anything except to draw salaries and take a trip to South America with some Senators and Members of Congress under the chaperonage of the Secretary of the Treasury.

On page 59 of the House hearings there is an accounting of the former appropriation. Of the $40,000 appropriated, $23,453.32 was spent in salaries, $8,668.73 was spent in a South American trip of "United States section and staff." I do not know what the "staff" was. I have seen pictures of this distinguished commission, in high hats and black ties, traveling around on a battleship to South America; and, as I remember the newspaper reports, about all that we got out of that was trouble with Peru. Now, if it does any good, all right; but if it is merely an institution for joy rides on American battleships on the part of gentlemen in high hats, let us get rid of it.

This commission, however, has published some articles, and they appear to be very interesting articles. The titles appear on pages 59, 60, and 61 of the House hearings. They are such articles, for instance, as the following:

"The Feasibility and Desirability of Securing Uniformity of Legislation Governing Warrants (Warehouse Receipts) as a Means of Facilitating, Extending, and Guaranteeing Credit for Goods," an exceedingly interesting document.

"The Extension of the Means of Arbitration of Commercial Disputes." We have this Pan American Union over here, with

its dinners and oratory, to cement the South American Republics with us.

"Uniformity of Regulations for Commercial Travelers and Their Samples in the American Republics."

"Memorandum on the Topics Submitted by the United States Section of the International High Commission to the Argentine Government, with a Favorable Recommendation for Inclusion in the Program of the First General Meeting of the International High Commission, at Buenos Aires"—high-sounding phrases, at least.

"Report of the United States section of the International High Commission on the first general meeting of the commission, held at Buenos Aires, April 3–12, 1916."

Then there are such interesting documents as the following:

"Importance of our South American Trade," by Hon. Andrew J. Peters, at the City Club, Boston, November 16, 1916.

"International High Commission," by Hon. W. G. McAdoo, at Conference of International High Commission at Buenos Aires, Argentina, April 4, 1916.

Address of Hon. Andrew J. Peters before the section of Legal Education of the American Bar Association on the subject of "The Importance of the Study of the Law of the Latin American Republics in Our Law Schools."

I will venture the statement that no one except the men who made the speeches has ever read any of these articles.

"Some International Aspects of Public Education," by Hon. W. G. McAdoo, at the annual convention of the National Educational Association, held in Madison Square Garden, New York City, on July 6, 1916. What has that to do with the International High Commission?

Another address by the Secretary of the Treasury at the first meeting of the commission in Buenos Aires.

Another address by the Secretary of the Treasury on "The Republic of Chile."

The Senator from Florida [Mr. FLETCHER], I think, was on that trip to the South, and, of course, he feels very enthusiastic about the work of the International High Commission; but if there is anything on earth that they have ever done, outside of taking these delightful trips, I should like to know what it is.

Mr. CURTIS. Mr. President, may I ask the Senator if he noticed the amount of salaries that had been paid?

Mr. KENYON. Yes. What did not go to pay for the trip to the South went to pay salaries.

Mr. CURTIS. I should also like to know if the Senator observed that many of these reports were printed and circulated as Senate or House documents?

Mr. KENYON. I had not observed that. That is very encouraging.

Mr. CURTIS. "The Republic of Chile," address by Hon W. G. McAdoo, is Senate Document No. 437, Sixty-fourth Congress, first session.

Mr. KENYON. Yes. You will find those all piled up somewhere, and never even circulated, and, of course, never read. They ought to be referred to the Committee on the Disposition of Useless Papers in the Executive Departments.

I hope this item will go out as the committee has voted, and, I think, quite unanimously voted. These are small things, as the Senator from Massachusetts [Mr. LODGE] has said; but if we never begin on anything because it is small we never are going to be able to cut down and pare down any of these appropriations. This is one bill that comes out of the committee cut down to the extent of about $500,000. I do hope we can establish a precedent here that there can be at least one bill in a session of Congress where the appropriations are cut down somewhat by the committee, and then sustained to some extent by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. OVERMAN. Mr. President, I think it is my duty to send to the desk a letter I have just received in regard to this matter from the Secretary of the Treasury.

The PRESIDING OFFICER. Does the Senator ask that it be read?

Mr. OVERMAN. Yes.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

SECRETARY OF THE TREASURY,
Washington, February 12, 1919.

MY DEAR SENATOR OVERMAN: Referring to our conversation over the telephone, I venture very briefly to emphasize one point which, perhaps, does not immediately occur to one when considering the need for an appropriation for the International High Commission. I refer to the unfortunate effect, both material and otherwise, which would be produced if the Congress of the United States were to cause the work of the central office of the commission to terminate at the end of this fiscal year by not appropriating funds for its continuance.

It is true that no hard and fast international convention or contract binds this Government to carry on the work of the central office of the commission. The obligation is rather a moral one, proceeding from the fact that it was this Government which called the first Pan American financial conference and urged the establishment of a permanent commission to bring about uniform commercial law and to remove the obstacles to closer financial and commercial relations between the American Republics. As in many other instances where international cooperation among the American Republics has required the outlay of funds in order that enduring and tangible results might be achieved, the burden of maintaining the central office of the commission from its outset and for some time to come properly belongs to the United States, both because of preeminence in population and in wealth among the free nations of the hemisphere and because nearly all the things that such international agencies can bring about inure directly to our interest and require legislative or administrative changes on the part of the Governments of Latin America.

The commission has a technical program, the successful realization of which requires careful study, frequent consultations, and, by no means least in importance, an adequate lapse of time in which matters of this sort may be handled with due regard for the views of all concerned. Nevertheless, in its 30 months of practical operation since the late spring of 1916 the commission has made a definite record of accomplishment and with a relatively small outlay. Notice that the Congress of the United States had decided to withdraw the relatively small appropriation for the maintenance of the central office of the commission would reach the Governments of Central and South America just at the time when various proposals submitted by that central office through the accustomed diplomatic channels were being given serious examination. It is not necessary for me to point out to you the unfortunate impression which this notice would cause.

I feel, therefore, my dear Senator, that it would be most unfortunate if the Congress were to withdraw the appropriation for the International High Commission, not only because of its disastrous effect upon the important work now before the commission, but also by reason of the unfavorable impression which such action would create throughout the countries of Central and South America.

I remain, my dear Senator OVERMAN,
Very cordially, yours,

CARTER GLASS.

Hon. LEE SLATER OVERMAN,
United States Senate, Washington.

Mr. CURTIS. Mr. President, I should like to ask the chairman of the committee if he can inform the Senate to whom the salaries were paid out of the first appropriation of $40,000? I see that out of the $40,000 appropriated, $23,400 went for salaries.

Mr. OVERMAN. I have seen that, but I am sorry to say I can not give the detailed information now.

Mr. FLETCHER. Mr. President, may I interrupt the Senator to suggest that that all appears in the House hearings?

Mr. CURTIS. I have the House hearings here, and it does not appear at all.

Mr. FLETCHER. Look at page 16.

Mr. CURTIS. It simply says that here is $23,000 for salaries. If there is an itemized statement of them I should like to see it.

Mr. FLETCHER. If the Senator will look on page 58, he will see to whom the salaries have been going; and I want to say that not a member of the commission gets any salary or ever had any salary. Any imputation to that effect is utterly without any foundation.

Mr. KENYON. Who gets the salary?

Mr. FLETCHER. I say no member of the commission ever got any salary.

Mr. KENYON. No; but who does get the salary?

Mr. FLETCHER. On page 58 of the hearings you will find that the assistant secretary, Dr. McGuire, receives $3,600 per year. The juristic expert receives the same amount. The executive clerk receives $1,800 a year; and then follows the further statement. On page 52 you will find the organization as it appeared on October 7, 1918.

Mr. CURTIS. On page 58 of the hearings before the House committee there are only two salaries mentioned, assistant secretaries receiving $3,600; executive clerk, $1,800; and the report shows $23,453 paid out as salaries.

Mr. FLETCHER. That is, from the beginning of the commission—that means clerk hire.

Mr. CURTIS. But that is out of the $40,000.

Mr. FLETCHER. Yes; from the beginning, not last year or this year.

Mr. CURTIS. From February 16, 1916, to January 1, 1918.

Mr. FLETCHER. Yes; that includes the entire staff of the commission.

Mr. CURTIS. From October 1 to June 30, 1918, salaries, $8,900. I think the Senate ought to know what salaries have been paid and to whom the salaries have been paid.

Mr. WILLIAMS. I wish to ask the Senator in charge of the bill a question. Does the Senator find anything in the duties to be performed by this International High Commission that can not be equally performed under the general instruction or supervision of the Department of State, through its ministers and consular agents?

Mr. OVERMAN. I have just read a letter into the RECORD about that.

Mr. FLETCHER. This is a very active commission.

Mr. OVERMAN. The Secretary of the Treasury says that this country above all countries is interested in this matter, and he thinks we are morally bound to continue it. That is what he says.

Mr. WILLIAMS. I do not see why that work can not be done equally well by the request of the Secretary of the Treasury through the general instruction and supervision of the State Department, without this appropriation.

Mr. OVERMAN. The Senator is with the committee, then.

Mr. WILLIAMS. Of course, but I was asking a question for information.

Mr. OVERMAN. The only information I have is from the Secretary of the Treasury.

Mr. SAULSBURY. My impression in regard to this particular commission is that it has been of rather more importance to us than a great many of the commissions provided by this Congress. I understand the chief objection to making appropriations for the International High Commission is that Secretary McAdoo went to South America on a warship. The commission did not pay for the warship. I am told it is a very active commission in considering questions relating to trade and commerce with South America. Among other things it has under consideration now the establishment of an international gold clearance fund to regulate exchange between this country and the countries of South America.

Mr. KING. Will the Senator yield?

Mr. SAULSBURY. Certainly.

Mr. KING. The duty devolves upon the Treasury Department to look after this question of exchange, and we have in addition to that the Federal Reserve Board, which is giving attention to that matter to my knowledge.

Mr. SAULSBURY. I have no doubt of it.

Mr. KING. They are attempting to stabilize exchange between this Republic and the South American Republics. It seems to me that there is no reason for the perpetuation of this organization. Certainly the reason assigned by the Senator does not justify the appropriation.

Mr. SAULSBURY. I only stated some information in regard to it. I do not think anybody can know too much about the subject. These gentlemen are some of the ablest gentlemen in the United States, men who are extremely able in regard to finance, who have had great experience, and it seems to me to be a very good reason for paying the small amount needed to continue this high commission.

Mr. FLETCHER. May I interrupt the Senator?

Mr. SAULSBURY. I yield.

Mr. FLETCHER. I did not know the sore point was about the Secretary of the Treasury going to South America on a battleship. It may be, but at that time it was impossible to get transportation in any other way. That was in 1916, when we had no boats to go there. He went not on a battleship, but on a cruiser, the *Tennessee*, assigned by the Secretary of the Navy. This Joint High Commission is composed of 9 delegates from 20 Latin American countries, meeting in conference and dealing in convention with all these various subjects.

Mr. CURTIS. Mr. President——

Mr. SAULSBURY. I yield to the Senator.

Mr. CURTIS. I want to state that I am one of the Senators who have been opposing this appropriation in the committee as well as on the floor, and the fact that Secretary McAdoo went to the south with this commission has had nothing to do with my opposition to it. I am opposed to it because I think it is unnecessary. I agree with the suggestion made by the Senator from Mississippi [Mr. WILLIAMS] that this work could better be done by the Consular Service and through the Treasury Department asking our representatives there to gather this information.

Mr. SAULSBURY. I, of course, accept the Senator's statement and——

Mr. CURTIS. Another reason why I object to it is because out of the $40,000, $23,400 of it has gone for salaries.

Mr. SAULSBURY. I, of course, accept the Senator's statement in regard to the ground of his opposition. I was only sensing the result of this symposium to which I have been listening for the last hour or two about battleships and junket trips to South America. I am going to read to the Senate the names of the commissioners. I do not undertake to say that because some very eminent men are members of the commission there should be a useless commission continued, but I know very well that the men who are members of this commission would not engage in useless work, because they have other things to do that are useful. I desire to read to the Senate the names of the members of this commission:

Mr. McAdoo was chairman. He has been succeeded by Secretary Glass. I suppose that he is practically an ex officio member.

Hon. John Bassett Moore is vice chairman, and I think attends to the duties of the chair, whatever they may be. I think his opinion in regard to matters relating to Latin America or on any matter that might come before any international commission would be most valuable.

Mr. John H. Fahey has been the head of the United States Chamber of Commerce. Practically all of us know him and know what sort of a man he is, how well he stands, and how useful his work is.

Senator FLETCHER, of course, we know personally.

Andrew J. Peters was a Member of Congress for years and went into the Treasury as Assistant Secretary of the Treasury, and they thought so much of him in his home town of Boston that he is now the mayor of it.

As to Samuel Untermyer and Paul Warburg, of course, to mention those names is to refer to two men who are of the brightest and most intellectual type in America.

It seems to me if these men are willing to give their services in connection with a commission of this kind, which I believe is active, we should continue it. I have a sort of recollection, although I will not be positive, that on the recommendation of this commission we have passed through Congress certain laws relating to trade and commerce and banking which they have recommended. I will not state that as an absolute fact, because I can not refer to the acts. The Senator from Mississippi [Mr. WILLIAMS] suggests to me that they were acts relating to commercial travelers and trade-marks. Anyone knows how important those acts are to trade. I do not think these commissions can be cut up by the roots and destroyed on information that is presented in a catch-as-catch-can debate in the Senate.

Mr. CURTIS. Does the Senator know how extensively commercial travelers from this country visit South American countries?

Mr. SAULSBURY. I have heard some very ridiculous stories about the way they try to do business when they get there in competition with European commercial travelers.

Mr. CURTIS. If the Senator has been to South American countries he has found that there are very few commercial travelers who visit those countries, and that is one of the main reasons why we have not more trade with South American countries. We try to do it through the medium of catalogues.

Mr. FLETCHER. I suggest to the Senator that one reason is that we find a tax in every State and town and county, almost, in South America that has to be paid. They have to pay a separate tax wherever they go, in every State, every county, and every city throughout South America. The work of this commission has been to eliminate that and have one tax for each country, one for Brazil, one for Chile, and thereby facilitate our commercial relations.

Another thing is that under a law, for instance, of Argentina, in regard to registering trade-marks, the person first registering it becomes entitled to rights and privileges under it. Some time ago there was a shipment of a cargo of freight to Buenos Aires. It went out by an American manufacturer under a trade-mark. It was found down there that the goods were coming and some one in Buenos Aires immediately registered that trade-mark in his own name, and when the American goods arrived and were ready to be delivered in Buenos Aires there stood this fellow ready to confiscate the entire outfit, because he said they were infringing his trade-mark. The work of this commission is to do away with this sort of thing and they are doing it.

Mr. MOSES and Mr. CURTIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Delaware yield, and if so, to whom?

Mr. SAULSBURY. I am ready to yield to the other Senators until they have finished.

Mr. CURTIS. I beg the Senator's pardon.

Mr. SAULSBURY. I did not mean to express it in any offensive way, because I was enjoying what other Senators had to say. I trust the Senator will understand me.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Delaware yield the floor?

Mr. SAULSBURY. I yield the floor?

Mr. MOSES. The recital made by the Senator from Florida compels me to delve once more into my own experience and to state that this commission could not possibly have functioned in the manner he describes, because a commission created as this and acting under the authority which this bill describes the commission to possess could not have access to the ministers and other agencies of government in the Argentine. They could be an agency of a complaint, that complaint, however, to be registered at the foreign office by the ambassador, who alone had access to the ministry for that purpose.

Again I say that the debate on this item has brought out as it has in numerous other instances in the consideration of this

bill the absolutely extravagant manner in which we have multiplied machinery in our foreign relations and have separate, cumbersome, and costly pieces of mechanism all trying to do the same piece of work.

Mr. FLETCHER. Mr. President, I only want to say I did not mean to convey the idea that the commission went in and intervened and actually remedied the troubles which I have indicated as existing in carrying on our trade with South America, or that the commission can correct them, but what I am attempting to impress upon the minds of Senators is that it is the work of the commission, composed as it is of representatives of all these countries, to bring them together and agree upon legislation and upon conventions that will remedy these troubles. We have to have on agency like that to effect legislation in the various Republics and agreements that will correct by further legislation and by conventions the difficulties which I mention. I do not mean that the commission have authority to go in and do this, that, or the other, but it brings about through the various members of the commission in the various Republics coordinating legislative action and executive action to relieve those difficulties.

Mr. MOSES. In other words, the commission is an international lobby.

Mr. SMOOT. Mr. President, when this specific item first appeared in the bill there was opposition to it at that time. The opposition was silenced, however, by stating that the Secretary of the Treasury had already, through the President of the United States, issued an invitation to these people to attend this convention to be held in the United States. At that time I stated if it ever got into the bill it would be next to impossible to get it out. I think that more than likely will be true, for it has continued in the bill since the first appropriation was made in 1916.

Mr. President, is this International High Commission organized to secure commerce for the United States from South American countries or any other countries in the world? If so, we find another duplication of work such as we have been discussing this afternoon. The Department of Commerce in the legislative appropriation bill that has already passed the Senate, and the conferees are now ready to report on it, carries nearly $1,000,000 for this purpose. The pending appropriation bill carries nearly the same amount, duplicating the work. It is a wicked waste of money.

It is true, Mr. President, that this $25,000 is only a small drop in the bucket which does not amount to anything, or perhaps it is so insignificant nowadays that we ought not to pay any attention to it. But the longer this item remains in the bill the harder it will be to get it out. It will be hoary headed in a little while, and you will never get it out of the appropriation bill in any way.

Mr. President, I do not care for an appropriation of any kind where it takes 50 per cent of the appropriation to pay employees located in the District of Columbia. If we are going to expend any money, let us expend it and let those who are paid for the work go where we expect to have results.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Maryland?

Mr. SMOOT. I yield.

Mr. FRANCE. Does the Senator mean to say that he does not believe in making the world safe for democracy?

Mr. SMOOT. I believe in making it safe for liberty, and that is the only thing we have ever voted to appropriate money for. I do not care by what name it is called; that is what we intended to do, and that is what we have undertaken to do.

It would be very interesting, Mr. President, to suggest the names of the employees paid from this appropriation. Perhaps it would be unwise for me to refer to any of them in any way, but if we want to just throw money away it would be better to put it this way if we want to employ a certain number of people in the District of Columbia, just keep up this kind of an appropriation.

Mr. FLETCHER. I should like to state to the Senator that he need not have any worry about knowing who are the employees. I am sure there is no secret about it. If he wants to know who they are all he needs to do is to ask. They are supposed to be set out in the hearings. I have the hearings here and there is no secret about it.

Mr. SMOOT. The names of the commissioners are set out. I have not a word to say about the commissioners, but I want to say to the Senate that the commissioners give so little time to the work of the commission that it is hardly worthy of consideration. I was delighted with the action of the committee in striking this item from the bill and I sincerely hope that the Senate of the United States will support the committee in it.

LEAGUE OF NATIONS.

Mr. WILLIAMS. Mr. President, in order to save the time of the Senate, so that it can attend to public business, I ask unanimous consent to have inserted in the RECORD an editorial from the New York Times of February 25, entitled "Mr. Wilson's return."

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Without objection——

Mr. SMOOT. Just a moment, Mr. President.

Mr. WILLIAMS. I also make the same request——

The PRESIDING OFFICER. Let the first request of the Senator from Mississippi be disposed of. Does the Senator from Utah make any objection to the first request of the Senator from Mississippi?

Mr. SMOOT. I merely wish to say a word. I think, Mr. President, the Senator from Mississippi has already asked today to have put into the RECORD two or three editorials. I want to say to the Senator from Mississippi that every page of the RECORD costs the Government of the United States over $60. I thought that I would say nothing about the filling of the RECORD with editorials until after the 4th of March——

Mr. WILLIAMS. This editorial is on the league of nations, and it will not take up any more time than it would to fill the RECORD with the speeches which have been made by Senators upon the subject.

I will furthermore say to the Senator from Utah that it will not cost the Government any more for me to have these editorials inserted in the RECORD without reading them than for me to have to read them in my place, which, of course, I have a right to do. The Government, therefore, does not save a dollar should objection be made to their insertion in the RECORD without reading. I want the President's side of this matter to be heard.

Now, I ask unanimous consent to have inserted in the RECORD an editorial from the Journal of Commerce and Commercial Bulletin of New York of February 25, entitled "The league of nations."

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. I am not going to object, because I know the Senator from Mississippi can take the time of the Senate to read the editorials into the RECORD. I simply call the Senator's attention to the fact I have stated; and if he desires to take into consideration the expense that it is to the Government I should like to have him do so. If not, I am not going to object. Let the editorials go in.

Mr. WILLIAMS. Mr. President, has my request been granted?

The PRESIDING OFFICER. There being no objection, the requests of the Senator from Mississippi are granted.

The matter referred to is as follows:

[From the New York Times of Feb. 25, 1919.]

MR. WILSON'S RETURN.

"I have not come to report the proceedings or the results of the proceedings of the peace conference," said the President in his brief address in Boston yesterday. Nevertheless, he did make a report, and a most inspiring report, upon the great purposes which guide the deliberations of the conference. The war has wrought a spiritual transformation among the peoples of the world, and Mr. Wilson has labored with unflagging zeal to help on that transformation. He returns from great labors and great triumphs abroad to new labors here, in which we predict for him new triumphs not less brilliant. The people will welcome him all the more warmly because, although they regretted his departure, they now understand the immense value of his service in Paris. They feel that without him the progress of the conference in the greater works it has undertaken could not have been so marked, and, although they felt that he was much needed at his post here, they perceive that the business of the executive department has not visibly suffered from his absence. He has proved that the ocean is no more a barrier to the transaction of public business than it is to private business.

The President defers his exposition of the league of nations plan, but he brings a message which the American people may profitably ponder while they are awaiting what he has to say on that subject:

"The peoples of Europe are buoyed up and confident in the spirit of hope," he told his Boston audience, "because they believe that we are at the eve of a new age in the world when nations will understand one another, when nations will unite every moral and every physical strength to see that right shall prevail."

That is the very soul of the league of nations. We can imagine that the senatorial opponents of the league will dismiss it as another example of Mr. Wilson's idealism. Then, what in the name of reason and right is their ideal? What is their plan? With what projects and proposals will they respond to this spirit of hope that possesses the peoples of Europe and the people of this country as well?

Not one suggestion of any other plan, any substitute proposal of a defense against the horrors of war, any hint of a means by which the feeling of cordial friendship between the nations united against Germany, the intense longing for an assurance of peace and justice among nations, that can be turned to account has come from any of the senatorial sneerers at Mr. Wilson's ideals.

They seek to destroy what he has helped to create; they have given no sign that they would create anything themselves. For all that they have said to the contrary, we may assume that they would be quite willing to declare the forfeiture of every permanent gain secured by the war, and see the world revert to the prewar condition, with every nation which cherishes a ruthless ambition left free to fall upon its neighbors with fire and sword—in short, all this agony to be gone through with again and again.

The President has a very different conception of the world in its present temper. He sees the nations eager to unite in a society of peace, as partners bound by articles of association that make right and justice the rule of conduct. His senatorial opponents see the nations still "red in tooth and claw" from the last deadly struggle, secretly harboring the purpose of new ravenings. And, the most astounding thing of all, they present to our view the United States as the intended victim of their onslaught, a weak and defenseless little lamb unsuspectingly putting its head into the snare which they have contrived to strangle it. It is our opinion that Mr. Wilson is a more competent witness to the present spirit and temper of the nations than the Senators who oppose him. It is our belief, too, that the event will show him to have a profounder understanding than they now have of the feeling of the American people in respect to the league of nations.

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[From the Journal of Commerce and Commercial Bulletin, of Feb. 25, 1919.]

THE LEAGUE OF NATIONS.

The great question before our people to-day is the position the Nation is to assume in regard to the terms of peace and the means of preserving it when established, and insuring safety for the future against such terrible sufferings as have been undergone since the 1st of August, 1914. The position of the President of the United States is well known and it should become fully understood. It seems to be his purpose to make it so and to rally the people to its support so far as that is possible. The league of nations plan is not to be regarded as exclusively or mainly his, though he has exerted a strong influence in giving it form for consideration at the conference in Paris and no doubt will continue to exert it in whatever modification it may undergo and in securing agreement for its support by all the allies and associated powers. It is not a personal or even an official matter with him, but a national issue for a people united in favor of free and progressive government, as the result of the most terrible and destructive conflict in history, a repetition of which on a still more dreadful scale is to be prevented.

The doctrine on which the plan for a league of nations is based is distinctly American, and it is the general sentiment of the country that has given it birth, and no design of an individual leader or any special organization. There has been no formulation of it here in advance of the occasion calling it forth, but it came from the spirit awakened when the Government of the Republic was organized under the statesmanship of Washington's day. It is consistent with that and with the strengthening of it in the time of Monroe, when England joined with America in something comparable in a minor way with a league for safety and peace between the nations of two continents separated by a wide ocean, at a time when the separation was far greater than it is now. The development of the last century has overcome that separation to an extent that brings the nations on the two sides of the ocean into closer relations than they had on either side in those days. The doctrine, not of Washington or Monroe, but of the statesmanship of their time, has become applicable to the nations of the world for their safety and the rights of their subjects.

The President of the United States has amply justified his purpose in going over to take part in the consultation of representatives of other nations, whatever may have been the doubt about it when he went. The main result thus far has been the formulation of the plan for a league of nations, and his return after the term of Congress expires will be justified by the need of his influence for completing it, not his influence as an individual, but as the official representative of the Nation, its principles of government, and its spirit of liberty and progress. His landing at Boston was evidently in view of the need of appealing to the sentiment of the country in advance of his arrival at the National Capital. That sentiment is not yet well developed or fairly directed, and the New England States were an appropriate place for starting the direct appeal and setting it on the move to the West and South before meeting the representatives of the Nation as a whole in Congress at Washington.

He had already arranged for a preliminary meeting there with Members of the two Houses who constitute their committees on foreign relations of the Government and foreign affairs of the people, for consultation on what should be done in behalf of our Government and of the Nation in association with other nations for a common purpose. His main object is to secure as complete an agreement as possible in support of the plan for a league of nations. There is now no reasonable ground for failing to do so, but most potent reasons why it should be done without further dispute or contention.

Our people should be impressed with the idea that this is no political design aimed at our domestic administration or the internal affairs of the country, except in their relation to the affairs of other nations with which we inevitably must have closer connection than ever before, for the common progress and general welfare and the safety of the world. It must be remembered that the representatives of our Government at Paris are not acting independently with reference to our interests at home, but in association with those of a number of powerful European nations and a larger number of the less powerful whose destiny is at stake. It is no narrow or domestic question, but one affecting our relations now and in the future, with the leading nations of the Eastern Continent, upon which our future success, progress, and safety, as well as theirs, will largely depend. It is a time for the United States of America to exhibit its character and maintain its reputation, and for that it is necessary to hold a leading place among the nations, for maintaining a peace of high civilization and preventing war hereafter which might prove more destructive and frightful in consequences than that which we took a decisive part in ending.

Mr. WILLIAMS. Now, Mr. President, I want to make one remark in about two sentences.

In the first place, I am adding nothing to the expenses of the Government; secondly, I am putting nothing into the RECORD that is not pertinent to a matter of the greatest importance that is now being discussed by the Senate.

Mr. OVERMAN. I must object. I want to go on with the pending bill.

Mr. WILLIAMS. What is the objection?

Mr. OVERMAN. I understand the Senator has had permission to have inserted in the RECORD the editorials he desired.

The PRESIDING OFFICER. The request has been granted.

Mr. WILLIAMS. That has gone and passed.

In the third place, Mr. President, I find by actual intellectual experience that the great editors of the great metropolitan newspapers of this country write so much better than Senators speak that the contribution I am making to the RECORD is, in my opinion, more valuable than are the speeches which have been made upon the same subject.

CONSULAR AND DIPLOMATIC APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

Mr. JONES of Washington. Mr. President, I wish to ask the Senator in charge of the bill how long he expects to proceed with its consideration?

Mr. OVERMAN. I think there are only a few items left which will cause any debate. My idea is that we can get through with the bill in about half an hour.

Mr. JONES of Washington. I am willing to come back here at 8 o'clock. I dislike to keep dragging along here every evening until about 7 o'clock and then having trouble getting a quorum. We have not anything like a quorum present, and I suggest to the Senator that he move that the Senate adjourn.

Mr. OVERMAN. I ask the Senator not to call for a quorum. I think we can get through by 7 o'clock.

Mr. JONES of Washington. I think we ought to get away from here before 7 o'clock.

Mr. OVERMAN. I think we can finish the bill before that time.

Mr. SMOOT. I should like to have a yea-and-nay vote on this matter if there is going to be any real objection to the action of the committee. I do not, however, want to call for the yeas and nays on it, if it is not necessary to do so.

Mr. FLETCHER. The Senator had just as well call for a yea-and-nay vote, for we are not going to have the thing go by default.

Mr. JONES of Washington. I think the Senator from North Carolina had better let the bill go over until to-morrow.

Mr. SMOOT. I will ask the Senator to have this matter passed over temporarily.

Mr. OVERMAN. Let us pass this over temporarily, Mr. President, and see how long it will take to conclude the consideration of the amendments not objected to. I ask that the item be temporarily passed over.

The PRESIDING OFFICER. Without objection, it will be temporarily passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Waterways Treaty, United States and Great Britain: International Joint Commission, United States and Great Britain," on page 17, line 19, before the words "per day," to strike out "$8" and insert "$6," so as to make the clause read:

For salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State, including rental of offices at Washington, D. C., expense of printing, and necessary traveling expenses, and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada and for other purposes, signed January 11, 1909, $75,000, to be disbursed under the direction of the Secretary of State: *Provided*, That no part of this appropriation shall be expended for subsistence of the commission or secretary, except for actual and necessary expenses, not in excess of $6 per day each, when absent from Washington on official business.

The amendment was agreed to.

The next amendment was, under the head of "Fifth International Conference of American States," on page 18, line 7, before the word "appropriation," to strike out "The" and insert "Not exceeding $25,000 of the," so as to make the clause read:

Not exceeding $25,000 of the appropriation of $75,000 "to meet the actual and necessary expenses of the delegates of the United States to the Fifth International Conference of American States, to be held at the city of Santiago, Chile, beginning in September, 1914, and of their clerical assistants, to be expended in the discretion of the Secretary of State," made in the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, and extended and made available for the fiscal years ending June 30, 1916, 1917, 1918, and 1919, not having been expended, is hereby extended and made available for the fiscal year ending June 30, 1920.

The amendment was agreed to.

The next amendment was, at the top of page 19, to strike out:

INTERNATIONAL GEODETIC ASSOCIATION FOR THE MEASUREMENT OF THE EARTH.

To enable the Government of the United States to pay its quota as an adhering member of the International Geodetic Association for the Measurement of the Earth, $1,500: *Provided, however*, That the sums expended by the United States for the maintenance of the International Latitude Observatory at Ukiah, Cal., and for the continuance of the

international latitude work there until the International Geodetic Association shall find it possible to resume its support of the observatory, shall be deducted from the quota due from the United States as such adhering member.

The amendment was agreed to.

The next amendment was, on page 19, after line 12, to strike out:

NINETEENTH CONFERENCE INTERPARLIAMENTARY UNION.

The appropriation of $40,000 "For the purpose of defraying the expenses in Washington City incident to the Nineteenth Conference of the Interparliamentary Union, to be held in Washington in 1915, to be expended under such rules and regulations as the Secretary of State may prescribe," made in the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, and extended and made available for the calendar years 1916, 1917, 1918, and 1919, not having been expended, is hereby extended and made available for the calendar year 1920: *Provided*, That said sum may, in the discretion of the Secretary of State, be expended within the United States, but not elsewhere: *Provided further*, That an itemized account of all expenditures shall be reported to Congress.

The amendment was agreed to.

The next amendment was, on page 20, after line 3, to strike out:

INTERNATIONAL COMMISSION ON PUBLIC AND PRIVATE INTERNATIONAL LAW.

The appropriation of $15,000 for the payment of compensation to and the necessary expenses of the representative or representatives of the United States on the international commission of jurists, organized under the convention signed at the Third International American Conference August 23, 1906, approved by the Senate February 3, 1908, and ratified by the President February 8, 1908, for the purpose of preparing drafts of codes of public and private international law; and for the payment of the quota of the United States of the expenses incident to the preparation of such drafts, including the compensation of experts under article 4 of the convention, made in the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, and extended and made available for the fiscal years 1916, 1917, 1918, and 1919, not having been expended, is hereby extended and made available for the fiscal year ending June 30, 1920.

The amendment was agreed to.

The next amendment was, under the head of "Salaries of the Consular Service," on page 21, line 2, after the word "service," to strike out "$1,974,500" and insert "$1,849,500," so as to make the clause read:

For salaries of consuls general, consuls, and vice consuls, as provided in the act approved February 5, 1915, entitled "An act for the improvement of the foreign service," $1,849,500. Every consul general, consul, vice consul, and, wherever practicable, every consular agent shall be an American citizen.

The amendment was agreed to.

The next amendment was, on page 21, line 7, after the word "Total," to strike out "$2,009,500" and insert "$1,884,500," so as to make the clause read:

Total, $1,884,500.

The amendment was agreed to.

The next amendment was, on page 21, after line 7, to insert:

PAYMENT TO MRS. NATALIE SUMMERS.

To Mrs. Natalie Summers, widow of Madden Summers, late consul general to Moscow, $5,500, one year's salary of her deceased husband, who died at his post of duty.

The amendment was agreed to.

The next amendment was, under the head of "Expenses of consular inspectors," on page 21, line 18, before the words "per day," to strike out "$8" and insert "$6," so as to make the clause read:

EXPENSES OF CONSULAR INSPECTORS.

For the actual and necessary traveling and subsistence expenses of consular inspectors while traveling and inspecting under instructions from the Secretary of State, $25,000: *Provided*, That inspectors shall be allowed actual and necessary expenses for subsistence, itemized, not exceeding an average of $6 per day.

Mr. OVERMAN. I ask that the Senate disagree to that amendment, because in another clause of this bill a similar committee amendment has been disagreed to, and the provisions of the bill should be made to conform to one another.

The PRESIDING OFFICER. The Senator from North Carolina will find on page 17, in line 19, that a similar amendment was made.

Mr. OVERMAN. I ask to reconsider the vote whereby that amendment was agreed to.

The PRESIDING OFFICER. Is there objection to reconsidering the vote whereby the amendment on page 17, line 19, was agreed to?

Mr. SAULSBURY. What is that amendment?

The SECRETARY. On page 17, line 19, an amendment was agreed to striking out "$8" and inserting "$6."

Mr. OVERMAN. In view of the fact that on motion of the Senator from Delaware [Mr. SAULSBURY] a similar amendment was rejected, I desire to make the provisions of the bill conform to each other, and I ask that the amendment just stated by the Secretary be rejected.

Mr. MOSES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Hampshire will state his parliamentary inquiry.

Mr. MOSES. The effect of the motion by the Senator from North Carolina will be to make this allowance in all cases $8 a day?

Mr. OVERMAN. Yes, sir.

The PRESIDING OFFICER. That is what the Chair understands. Is there objection to reconsidering the vote whereby the amendment on page 17, line 19, was agreed to? The Chair hears none, and the vote is reconsidered. The question now is on agreeing to the amendment of the committee.

The amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the committee, on page 21, line 18.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Post allowances to consular and diplomatic officers," on page 22, line 9, after the word "allowances" to strike out "during pendency of existing war and for six months after its termination," so as to make the clause read:

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to consular and diplomatic officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $700,000.

Mr. KING. Mr. President, I should like to ask the Senator in charge of the bill what this appropriation of $700,000 will be used for? As I understand, compensation is provided in the bill for consular and diplomatic officers and for the various and necessary employees of the State Department. I am not clear, as the bill does not indicate the use to which the $700,000 is to be put.

Mr. OVERMAN. The amount is to compensate or to try to compensate our consular and diplomatic officers on account of the high cost of living, especially in China, where it has been found they can not live on their salaries. It is intended to allow the Secretary of State for the time being to give them what are called "allowances" or additional sums to enable them to pay their expenses.

Mr. KING. Has there been any estimate or have any figures been submitted showing that this amount is necessary?

Mr. OVERMAN. Yes; the committee went thoroughly into this matter and had figures from the department and letters from ambassadors and consuls.

Mr. PENROSE. Mr. President, I should like to ask, if the Senator from Utah will permit me, is this a new provision?

Mr. OVERMAN. This provision has been made during the war.

Mr. PENROSE. Oh; during the war?

Mr. OVERMAN. Yes, sir.

Mr. PENROSE. The war is over, and I thought perhaps we could stop these lump-sum appropriations.

Mr. OVERMAN. It is left to the discretion of the Secretary of State, and, of course, as the price of living goes down he can reduce the allowances.

Mr. PENROSE. Now that the war is over, I thought we were going to stop leaving anything to the discretion of the heads of the executive departments.

Mr. OVERMAN. I do not think it can be done in this instance because of the excessive cost of living in foreign countries.

Mr. PENROSE. Then we ought to raise the salaries and not camouflage the situation.

Mr. OVERMAN. It would be impossible to get this Congress to do that, and Congress ought not to do it. This provision will only be required for a short time; it is only temporary.

Mr. PENROSE. It looks like an attempt to do by indirection what would encounter failure if attempted directly. I do not suppose that it is possible to defeat this paragraph. The Senator from Utah [Mr. SMOOT] suggests to me that the phrase "during the war" has been left out. Was that in previous bills?

Mr. SMOOT. It was in the previous bills, and the House put in this bill the words "during pendency of existing war and for six months after its termination." That was stricken out by the committee.

Mr. PENROSE. I hope the language of the House bill will be restored and that the Senate committee amendment will be disagreed to.

The PRESIDING OFFICER. The question is about to be put upon agreeing to that amendment.

Mr. PENROSE. Then, I hope it will not be agreed to.

Mr. OVERMAN. I wish to say that we had a great deal of evidence presented to us, showing what it costs to live in foreign countries. It is almost impossible for these officers to live on these salaries, and prices are just as high now, and will be for the next year, as they were during the war.

Mr. PENROSE. Let us leave it as the House had it.

Mr. OVERMAN. If this item shall go out of the bill, then these officers will not be able to properly feed and clothe themselves. We have had a great many resignations because of the fact that they could not live on their salaries. Men receiving $1,500 and $2,000 a year stationed in cities in foreign countries can not live on such salaries.

Mr. PENROSE. I never heard of any resignations under the present administration in any of these places.

Mr. OVERMAN. There have been a great many threatened resignations during the war.

Mr. PENROSE. There have been enforced resignations on the part of officers belonging to the minority party.

Mr. OVERMAN. Not in the Consular Service.

Mr. PENROSE. I know of a number from Pennsylvania who were invited to resign.

Mr. SAULSBURY. Mr. President, I think possibly I can give an explanation of this item which seems to me reasonable. I happened to be in the room of the Committee on Appropriations when some of the testimony was being taken in regard to this bill, and I was impressed by the statement of the Acting Secretary of State and the head of the Consular Service that the rate of exchange of American money into foreign money all over the world is so uncertain that the State Department has found it desirable to arrange so that when exchange is very much disturbed these officers may be allowed, as I understand, something of an arbitrary rate of exchange, of which advice is sent to the resident consuls from the State Department. My understanding of this appropriation is that it is to meet such cases where great hardship would ensue unless the State Department had some power to relieve the situation. I do not think it is in any sense a proposition to increase salaries, but it is to fix for the time being an arbitrary rate of exchange.

I suggest to the Senator from Pennsylvania that that condition will continue for a long time even after there is a formal declaration of peace. We are not fighting anybody just now, but the financial conditions in all countries throughout the world and the state of trade between us and the other countries of the world will have a tendency to upset the rate of exchange everywhere. This appropriation is to allow a certain liberty of discretion in the State Department to make those adjustments. I think that is the object of the provision.

Mr. OVERMAN. I should like to call the attention of the Senate to the fact that every consular officer in Chile resigned because they could not live on the salaries paid without some additional allowance. I should like to read in this connection a statement made in the hearings before the committee:

> The history of prices after previous wars shows that as a rule prices have been higher 12 months after the war than they were during the war, and that they did not really fall to anywhere near the prewar level for several years after the war; so that if you were to strike out this appropriation six months after the treaty of peace is signed, I am perfectly certain that you would destroy our service in several countries.
>
> If you will remember, when I came before the committee last year and asked you to remove one of the limitations on the appropriation, I said that I then had in my hands a telegram from the consul general in Chile transmitting the resignations of every officer in Chile. We also came very near having a complete disintegration of the service in China. You saved that by extending this appropriation to China. So I am quite sure that you are going to have that exact situation repeated if this language remains, terminating the appropriation six months after the war; whereas if you will repeat the existing appropriation, Senator, the State Department can be depended upon to make a real effort to gradually readjust this whole question of post allowances until we can get back to somewhere near a prewar level, as nearly as the prices will permit us to do so.

This is Mr. Carr, by the way, a Republican gentleman who has been in that office for years and years, and who knows what he is talking about.

Mr. PENROSE. That is probably the only reason why he has been retained—because he was needed there.

Mr. OVERMAN. There are many others there.

Mr. PENROSE. Would the Senator have any objection to making this "during pendency of existing war and for one year after its termination"?

Mr. OVERMAN. I do not think we ought to make it "one year"; just leave it alone.

Mr. PENROSE. No; I do not want to make it a permanent policy of the Government to continue this wasteful method of distributing lump sums.

Mr. OVERMAN. Why, this is only an appropriation for one year.

Mr. PENROSE. I know it is, but there is nothing in the bill to show that it is to be discontinued.

Mr. OVERMAN. You people, when you take charge of the Senate, can change it if you want to. I am carrying out what the department say is necessary. They say that these men can not live; they resign; they threaten to get out all the time; and that you will absolutely disintegrate the whole service if these words are not stricken out.

Mr. PENROSE. I only want the distinct assertion in the bill that it is a temporary proposition. I will not oppose it, and will not detain the Senate on it, if the Senator will accept an amendment to restore the House language, making it 12 months instead of 6 months.

Mr. OVERMAN. I think we ought to leave it as it is. I really think this is very, very important. An absolutely new bill will come in next July.

Mr. MOSES. Mr. President, I should like to say to the Senator from Pennsylvania that this section of the bill aims to do a very good thing in a very bad way.

Mr. PENROSE. That is it.

Mr. MOSES. The Senator from Delaware [Mr. SAULSBURY], I think, has been led into error by the language of this section, inasmuch as it is on page 7 that provision is made for the payment of loss by exchange. The payment of loss by exchange has been a permanent feature of the compensation of consular and diplomatic officers. It has varied from time to time. Occasionally a diplomatic officer may profit by exchange; but in case he loses, the Government always makes him good, the assumption of the Government being that a foreign representative is paid in gold the full face of his salary at the place of his residence; and that is taken care of by the language which appears at the top of page 7 of the bill, which, to my mind, needs some slight amendment, which I intend to offer when occasion arises.

This provision, Mr. President, while inserted in the bill in the first instance to take care of the acute situation growing out of the war and the world-wide increase in the cost of living, covers also a situation which has been chronic in our foreign service. The inadequacy of the salaries paid to our foreign representatives is notorious. The United States is the only government in the world which sends its ministers and ambassadors to the capitals where they are accredited and leaves them there homeless. We are the only government in the world that compels its foreign representatives, out of their own pockets, to pay the chief expenses of the Government's representation on post. This provision aims to rectify in some degree that injustice which has so long characterized our foreign service; and while I agree with the Senator from Pennsylvania that we should not resort to camouflage in doing a thing which is entirely justifiable upon every ground, it does seem to me that it is entirely necessary to leave this measure, in order that we may have this as a basis when the next Diplomatic and Consular bill is taken up, from which to compute the reasonable salaries which should be paid to our representatives abroad.

Mr. PENROSE. Mr. President, I can not agree with my esteemed colleague from New Hampshire that we should proceed in this way—an irregular way, which I sincerely hope we will not witness a repetition of with the expiration of this Congress—deceiving the taxpayers and the American public in general. We proclaim a schedule of salaries, and appropriate a total amount, and then we hide away here a provision of almost $1,000,000—a small amount in the minds of some, but it will look larger when the taxes under the new revenue bill come to be paid—for accomplishing by indirection what the acting chairman of the committee admits Congress would not be willing to do if he came out in a candid, straightforward way and asked for an increase of salaries.

This is a very old question in the Senate. The Senator from New Hampshire is entirely correct in stating that we have always—it is an American tradition—not paid our diplomatic and consular personnel adequately; but why begin now to do a thing that is a deceit upon the taxpayers and the public? That is what I complain of.

The acting chairman said he could not get through the Senate a bill directly providing for larger salaries. I am willing, so far as I am concerned, to vote for increased salaries. We have had this matter debated in the Senate many times. I remember that the late Senator Gallinger spoke at great length some 10 or 15 years ago on this very question.

Mr. OVERMAN. I will say that Senator Gallinger supported this provision in the last committee.

Mr. PENROSE. Because it was limited to the war.

Mr. OVERMAN. Well, times have not changed so far as the war is concerned.

Mr. PENROSE. All of us supported things while the war was on that most of us in the minority have registered a solemn oath we will not continue to support.

Mr. OVERMAN. This is an exception, as the Senator will see from the testimony, if he will read it.

Mr. PENROSE. I do not care anything about the testimony. That goes to the root of the evil, that we underpay these men; but it is no excuse for deceiving the American public. I want them to know, if this bill passes, that the acting chairman of the committee has stated here in the open Senate that he could not get a bill through providing for increased salaries, but that he is willing to resort to camouflage and indirection to get nearly a million dollars for a purpose he did not dare ask the Congress for directly.

Mr. OVERMAN. I said that I was in favor of increased salaries, but they can not live on the present salaries. It is impossible for us to rearrange this whole system at this Congress; and I am willing—and that is no camouflage—to leave it in the discretion of the President of the United States, according to the form laid down here, when a man can not live on his salary, to allow him enough to live on, so as to hold his service there. That is no camouflage.

Mr. PENROSE. Why does not the Senator increase the salaries directly?

Mr. OVERMAN. The Senator knows that we can not rearrange every salary in the United States in a bill of this kind.

Mr. PENROSE. Not every salary in the United States, but the salaries carried in this comparatively small bill.

Mr. OVERMAN. I mean in foreign countries.

Mr. CURTIS. Mr. President, may I suggest that in this instance the evidence showed that the prices so differed in different sections of the same country that it would be impossible to raise the salaries so as to satisfy all concerned? For instance, if the Senator will observe in the report, in one place a suit of clothes cost $125. In another town in the same country a suit of clothes cost $150; in another, $180. In one town a pair of shoes cost $70, in another town $25, and in another town $50 to $75.

Mr. PENROSE. That disparity has existed for a hundred years.

Mr. CURTIS. Not to that extent.

Mr. PENROSE. I do not know about that.

Mr. CURTIS. Not in the same country. I am talking now about the same country. These are different cities in the same country.

DEATH OF REPRESENTATIVE WILLIAM P. BORLAND.

Mr. REED. Mr. President, after consultation with the Senator in charge of the bill, as he has no objection to the resolution being offered at this time, I am going to ask unanimous consent to claim the indulgence of the Senate. First, I ask that the resolutions of the House of Representatives be laid before the Senate.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
February 22, 1919.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM P. BORLAND, a Representative from the State of Missouri.

Resolved, That a committee of 20 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House by authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. REED. Mr. President, I offer the following resolutions and ask for their adoption.

The resolutions (S. Res. 468) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM P. BORLAND, late a Representative from the State of Missouri.

Resolved, That a committee of 10 Senators be appointed by the Vice President, to join such committee as may be appointed on the part of the House of Representatives, to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Mr. REED. Mr. President, I move, out of respect for the memory of the late Representative BORLAND, that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 7 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 26, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 25, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, our Father in Heaven, that the President of the United States has landed safely on the shores of America from over the sea, where he went on a mission to assist in establishing a world-wide peace.

We pray that his wisdom may have enlightened the entente powers on the gigantic problems which confronted them; that he may be able to make plain to our people the constitution of the peace league entered into by the wise men who framed it; that it may fulfill its purpose and insure to all the world the peace which all good men have prayed for from time immemorial. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution and bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 227. Joint resolution creating a committee to consider arranging for the celebration of the three hundredth anniversary of the landing of the Pilgrims;

S. 5555. An act to amend the war-risk insurance act;

S. 5313. An act authorizing a commission to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes;

S. 2933. An act for the relief of the Philippine Scouts;

S. 4893. An act transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department;

S. 4947. An act to provide for a survey and classification by the Secretary of the Interior of all unentered public lands of the United States and all unused, cut-over, logged, and swamp lands and other unused lands of the United States, with a view to disposing thereof to honorably discharged soldiers and sailors and others, and for other purposes; and

S. 4970. An act to amend the first paragraph of section 302 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918.

The message also announced that the Senate had passed, with amendments, the bill (H. R. 10891) to amend and reenact "An act for the establishment of a probation system for the District of Columbia," in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed, without amendment, the bill with the following title:

H. R. 13037. An act to amend the fiftieth article of war.

The message also announced that the Senate had passed, with amendments, the bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, had requested a conference with the House on the bill and amendments, and had appointed Mr. HARDWICK, Mr. SMITH of Arizona, and Mr. CURTIS as the conferees on the part of the Senate.

The message also announced that the Senate had excused Mr. FRANCE on his own request from further service as a conferee on the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, and Mr. LENROOT was appointed in his place.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 204. An act to provide for the fitting up of quarters in the post-office building at the city of Sacramento, Cal., for the accommodation of the district court of the northern district of California and its officers; and

H. R. 3217. An act providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4723. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4893. An act transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department; to the Committee on Military Affairs.

S. 4947. An act to provide for a survey and classification by the Secretary of the Interior of all unentered public lands of the United States and all unused, cut-over, logged, and swamp lands and other unused lands of the United States, with a view to disposing thereof to honorably discharged soldiers and sailors and others, and for other purposes; to the Committee on the Public Lands.

S. 4970. An act to amend the first paragraph of section 302 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918; to the Committee on Military Affairs.

S. 5555. An act to amend the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

S. 2933. An act for the relief of the Philippine Scouts; to the Committee on Military Affairs.

S. 5313. An act authorizing a commission to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes; to the Committee on Military Affairs.

S. J. Res. 227. Joint resolution creating a committee to consider arranging for the celebration of the three hundredth anniversary of the landing of the Pilgrims; to the Committee on Rules.

ATLAS LUMBER CO. ET AL.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to call up S. 4225.

The SPEAKER. What is the parliamentary status of it?

Mr. SCHALL. It has been reported out of the Committee on Claims.

The SPEAKER. Is there a House bill of the same import on the calendar?

Mr. SCHALL. This bill is on the calendar.

Mr. GARD. May we have the bill reported?

The SPEAKER. The gentleman asks unanimous consent for the present consideration of S. 4225. The Clerk will report it by title.

The Clerk read the title of the bill (S. 4225) for the relief of the Atlas Lumber Co.; Babcock & Willcox; Johnson, Jackson & Corning Co.; and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall at the Pierre Indian School, in the State of South Dakota.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. I intend to object——

The SPEAKER. Well, then, the gentleman had better do it now.

Mr. BLANTON. I object.

The SPEAKER. The gentleman from Texas objects.

HOSPITAL AND SANATORIUM FACILITIES FOR DISCHARGED SOLDIERS, ETC.

Mr. BURNETT. Mr. Speaker, I ask to take from the Speaker's table H. R. 13026, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Alabama asks unanimous consent to take from the Speaker's table H. R. 13026, disagree to the Senate amendments, and agree to the conference asked by the Senate. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the Senate amendment is radically different from the bill as it passed the House. The House took certain action on some fundamental propositions, one in particular denying the privilege of these hospitals to any person who might be entitled to treatment by the Public Health Service. We all know the ambitions of the Public Health Service to make this a national agency for cure-alls of every sort and kind. I am not willing to have this bill go to conference unless we can have some assurance that it will come back in a way along the lines on which it passed the House.

Mr. BURNETT. If the gentleman has reference to the amendment offered by the gentleman from Illinois [Mr. CANNON], I am very much in favor of that amendment myself, and I shall insist on its being retained in the bill.

Mr. STAFFORD. I do not now recall what that amendment was.

Mr. BURNETT. That struck out the treatment generally of people by the Public Health Service, confining it to soldiers, sailors, and marines, Army nurses, and some others—just as it passed the House.

Mr. STAFFORD. Limiting it to those designated in the bill as it passed the House?

Mr. BURNETT. Yes; I shall favor that and shall insist on it, and I believe that the conferees will do the same thing.

Mr. STAFFORD. The Senate amendment also provides for taking over a large number of hospitals, which would involve the Government in tremendous expense in the future. I think we ought not to go wild at the present time in the expenditure of money for such purposes as these. Here is one for Cook County, involving the expenditure of $3,000,000. We have not had any time to investigate the merits of the proposition. There are others involving the expenditure of $7,000,000.

Mr. BURNETT. I want to say that I will have to be convinced that we ought to designate any particular hospital. I say that as one of those who, perhaps, will be upon that conference. I believe, as the gentleman does, that we ought not to go into designating specific hospitals. I do not say that in order to save the bill; I will not yield on that, but I feel like it ought not to be done.

Mr. STAFFORD. Of course, I should like to have an expression from the gentleman, yet I do not wish to tie his hands on this point. The Senate provision directs the Secretary of War to turn over any number of hospitals now needed for war purposes at various camps. I know, of course, how ambitious the chief of the Public Health Service is to get everything.

Mr. BURNETT. That is true of the chief of any bureau.

Mr. STAFFORD. He is exceptional in his desire to get everything within reach.

Mr. BURNETT. I understand that the Secretary of War was consulted in regard to that. I am not sure my information is correct, but I understand the Surgeon General of the Army was consulted, and that these hospitals were agreed upon by the War Department, although that is another question that I want to investigate very carefully.

Mr. STAFFORD. We do not want to have the Secretary of the Treasury take property away from the Secretary of War, when the War Department may need these hospitals for Army purposes until the boys on the other side are all returned and discharged.

Mr. BURNETT. My information is that they have agreed upon that.

Mr. STAFFORD. With the assurance of the gentleman that he is not in favor of taking over these separate hospitals, I will not object.

The SPEAKER. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. CLARK of Florida, Mr. BURNETT, Mr. GRIFFIN, Mr. AUSTIN, and Mr. LANGLEY.

PENSIONS—CORRECTION OF A NAME.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 73.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 12211) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors

of wars other than the Civil War, and to widows of such soldiers and sailors," the Clerk be, and he is hereby, authorized and directed to strike out the name "Hermann" and to insert in lieu thereof the name "Herrman" where it appears in line 19, page 11, of said bill.

The SPEAKER. Is there objection?

There was no objection.

The concurrent resolution was agreed to.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages in writing from the President of the United States were communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolutions of the following titles:

On February 24, 1919:

H. R. 12863. An act to provide revenue, and for other purposes.

On February 25, 1919:

H. J. Res. 289. Joint resolution for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers;

H. R. 1607. An act for the relief of David E. Gray;

H. R. 8828. An act increasing the limit of cost for the acquisition of a public building site at Yonkers, N. Y.;

H. R. 10663. An act to convey a strip of land on the site of the Federal building at Princeton, Ind.;

H. R. 11948. An act granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River, at or near the north line of section 22, township 8 north, range 21 west, west of the basis meridian, in the land district east of Pearl River, in the State of Mississippi;

H. R. 12001. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

H. R. 12881. An act to increase the cost of the public building at El Dorado, Kans.;

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 13004. An act extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed;

H. R. 13143. An act extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge;

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn.;

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917;

H. R. 13353. An act to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies;

H. R. 13708. An act providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, German Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary;

H. R. 15140. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes;

H. R. 15219. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes;

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes;

S. 1847. An act to authorize the addition of certain lands to the Wyoming National Forest;

S. 2552. An act to provide for a leave of absence for homestead entrymen in one or two periods and for longer times;

S. 2784. An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916;

S. 3220. An act authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products;

S. 3384. An act to amend the public-building act approved March 4, 1913;

S. 5318. An act granting a pension to Edith Carow Roosevelt; and

S. 5354. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved August 24, 1912.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5627. An act to fix the time of holding court in the Amarillo division of the northern district of Texas.

INTERALLIED RADIO CONFERENCE.

Mr. GREENE of Massachusetts. Mr. Speaker, I call up privileged resolution H. Res. 577, and I move to discharge the Committee on Naval Affairs and agree to the resolution.

The Clerk read the resolution, as follows:

House resolution 577.

Resolved, That the Secretary of the Navy be, and he is hereby, directed to furnish forthwith to the House of Representatives the originals or copies of all papers, documents, and correspondence on file in the Navy Department relating generally to the subject of an interallied radio conference, together with specific information showing the origin, if a matter of record, and the stated purpose of such conference, what countries have agreed to be represented thereat, what naval officers or other persons have been appointed as representatives of the United States thereto, whether any radio companies in the United States are represented in the American delegation, and what instructions, if any, have been given to said representatives.

The SPEAKER. The question is on the motion to discharge the committee.

The motion was agreed to.

Mr. FOSTER. May I ask the gentleman—if I caught the reading of the resolution it did not say "if not incompatible with the public interests."

Mr. GREENE of Massachusetts. No; because I do not think it is incompatible with public interests.

Mr. FOSTER. Does not the gentleman think the resolution ought to contain that language?

Mr. GREENE of Massachusetts. No; I do not.

Mr. MANN. It is not usual to say that when the resolution is directed to the head of a department, but only when addressed to the President.

Mr. FOSTER. I think it is very often done when the resolution is directed to the head of a department.

Mr. MANN. It is sometimes done.

Mr. GREENE of Massachusetts. I put this resolution in a week ago Friday and have never heard a word from it from the Naval Committee.

Mr. FOSTER. I have no objection to the resolution unless it is incompatible with public interests.

Mr. GREENE of Massachusetts. I suppose the Secretary of the Navy will take advantage of it if it is. There is no trouble about him; he will find it out if it is incompatible with the public interests. I do not think he needs any instruction from the gentleman from Illinois.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The Chair desires to ask the committees of the House when they have such resolutions as the one just offered by the gentleman from Massachusetts to get busy and make a report on them. If they do not, we will have this kind of performance every morning.

CONTESTED ELECTION CASE—BRITT AGAINST WEAVER.

Mr. DOWELL. Mr. Speaker, I herewith file the minority views in the election case of Britt against Weaver (H. Rept. No. 1115, pt. 2).

THE RIVER AND HARBOR BILL—CONFERENCE REPORT.

Mr. SMALL. Mr. Speaker, I call up the conference report on the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The SPEAKER. The Chair will recognize the gentleman if he will agree to move the previous question within an hour.

Mr. SMALL. I am satisfied that that will be sufficient time.

Mr. COLLIER. Mr. Speaker, I move that the House concur in Senate amendment 144, if it is in order at this time.

The SPEAKER. That motion is not in order.

Mr. COLLIER. Then I will move to recommit with instructions.

Mr. SMALL. Mr. Speaker, I do not yield to the gentleman for that purpose.

The SPEAKER. The Clerk will read the report.

Mr. SMALL. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 41, 134, 136, and 144.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 70, 71, 72, 73, 74, 75, 76, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 135, 138, 140, 141, 142, and 143, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"It is hereby declared to be the policy of the Congress that water terminals are essential at all cities and towns located upon harbors or navigable waterways and that at least one public terminal should exist, constructed, owned, and regulated by the municipality or other public agency of the State and open to the use of all on equal terms, and with the view of carrying out this policy to the fullest possible extent the Secretary of War is hereby vested with the discretion to withhold, unless the public interests would seriously suffer by delay, moneys appropriated in this act for new projects adopted herein, or for the further improvement of existing projects if, in his opinion, no water terminals exist adequate for the traffic and open to all on equal terms, or unless satisfactory assurances are received that local or other interests will provide such adequate terminal or terminals. The Secretary of War, through the Chief of Engineers, shall give full publicity, as far as may be practicable, to this provision."

Transfer item so modified to page 28 of the bill, after line 13.

And the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In the proposed amendment strike out the language proposed and insert the following: "$108,000; continuing improvement of St. Johns River between Jacksonville and the ocean, $125,000; continuing improvement and for maintenance of Oklawaha River, $95,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In the proposed amendment strike out the numerals "$347,000" and insert in lieu thereof the numerals "$337,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "completing" and insert in lieu thereof the word "continuing"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In the proposed amendment strike out the numerals "$1,375,000" and insert in lieu thereof the numerals "$1,733,000"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: At the end of the proposed amendment add the following:

"The Secretary of War is requested to investigate and submit to Congress on or before the 1st day of January, 1920, a report showing what progress, if any, has been made toward providing satisfactory and adequate public terminals at the several cities and towns located on the Ohio River from December 1, 1918, to December 1, 1919, inclusive."

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In the proposed amendment strike out the period at the end of the item, insert in lieu thereof a colon, and add the following proviso: "*Provided*, That no part of this appropriation for continuing improvement by the construction of locks and dams shall be expended until the channel spans of the bridges forming unreasonable obstructions to the navigation of the Allegheny River at Pittsburgh have been modified as heretofore directed or shall hereafter be directed by the Secretary of War, or until the Secretary of War shall have received satisfactory assurances that such modifications will promptly be made contemporaneously with the prosecution of the work of improvement"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: At the end of the proposed amendment add the word "Harbor"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "for" following the word "maintenance," and insert in lieu thereof the word "of," and make a separate paragraph of this item; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the numerals proposed insert the following: "$141,500," and transfer the item to the end of line 15, page 23; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In the second line of the proposed amendment strike out the words "appropriated for," and insert in lieu thereof the word "adopted"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Waterway connecting Merrimack River, Mass., and Piscataqua River, N. H."; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "And" at the beginning of the first line, and insert in lieu thereof the words "Missouri River, South Dakota," and strike out the words "South Dakota" in line 2 of the amendment; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the period at the end of the proposed amendment insert a comma and add the following: "including any recommendation for cooperation on the part of local interests"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In the proposed amendment change the section number from "8" to "7," and strike out the last four lines, reading as follows: "Freight routed a part way by water and a part way by rail shall be charged only the waterway freight rate for the water haul and the proportional through rail rate for the rail haul"; and the Senate agree to the same.

Amendment numbered 146. That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In the proposed amendment change the section number from "9" to "8"; and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and

agree to the same with an amendment as follows: In the proposed amendment change the section number from "10" to "9"; and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In the proposed amendment change the section number from "11" to "10"; and the Senate agree to the same.

JNO. H. SMALL,
THOMAS J. SCULLY,
CHAS. A. KENNEDY,
Managers on the part of the House.
DUNCAN U. FLETCHER,
JOS. E. RANSDELL,
W. L. JONES,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, submit the following written statement explaining the effect of the action agreed upon:

The rivers and harbors bill as it passed the House carried cash appropriations in the sum of $27,114,344. The amount added by amendment in the Senate was $6,274,020, making the total of the bill as it passed the Senate, $33,388,364. As a result of the conference the amount involved in the Senate amendments has been reduced from $6,274,020 to $6,264,020, making the total of the bill as it now stands $33,378,364.

The following statement shows the action taken by the conference on each of the Senate amendments:

On amendment No. 1, page 1: Item provided that prior to the expenditure of funds appropriated the Secretary of War shall be satisfied that there now exists, or shall secure satisfactory assurances that local interests will provide sufficient areas of water frontage and suitable and adequate public water terminals to accommodate the commerce on the several waterways which shall be open to the public on equal terms.

House conferees recede with an amendment, substituting for the language proposed the following:

"It is hereby declared to be the policy of the Congress that water terminals are essential at all cities and towns located upon harbors or navigable waterways and that at least one public terminal should exist, constructed, owned, and regulated by the municipality or other public agency of the State and open to the use of all on equal terms, and with the view of carrying out this policy to the fullest possible extent the Secretary of War is hereby vested with the discretion to withhold, unless the public interests would seriously suffer by delay, moneys appropriated in this act for new projects adopted herein, or for the further improvement of existing projects, if in his opinion no water terminals exist adequate for the traffic and open to all on equal terms, or unless satisfactory assurances are received that local or other interests will provide such adequate terminal or terminals. The Secretary of War, through the Chief of Engineers, shall give full publicity, as far as may be practicable, to this provision."

On amendment No. 2, page 2: Tenants Harbor, Me. Item increases amount appropriated by House for completing new project from $12,500 to $18,750. House conferees recede.

On amendments Nos. 3 and 4, page 2: Gloucester, Beverly, Salem, Lynn, Plymouth, and Provincetown Harbors, Mystic, Malden, Weymouth Fore, and Weymouth Back Rivers, and Dorchester Bay and Neponset River, Mass. Item appropriates $2,000 for maintenance for this group of projects. House conferees recede.

On amendment No. 5, page 3: Providence River and Harbor, Pawtucket River, Newport Harbor, harbors of refuge at Point Judith and Block Island, entrance to Point Judith Pond, and Great Salt Pond, Block Island, R. I. Item appropriates $1,500 for maintenance for this group of projects. House conferees recede.

On amendment No. 6, page 3: Pawtucket River, R. I. Item increases amount appropriated by House for completing new project from $61,440 to $91,160. House conferees recede.

On amendment No. 7, page 3: Point Judith Harbor, R. I. Item increases amount appropriated by House for completing new project from $35,000 to $52,500. House conferees recede.

On amendment No. 8, page 3: Item changes figures showing total of appropriations made in paragraph. House conferees recede.

On amendment No. 9, page 4: Item amends House provision verbally.[1] House conferees recede.

On amendment No. 10, page 4: Item amends House provision verbally.[1] House conferees recede.

On amendment No. 11, page 5: Item amends House provision verbally.[1] House conferees recede.

On amendment No. 12, page 6: Hackensack River, N. J. Item adopts new project and appropriates $88,000 for its prosecution. House conferees recede.

On amendments Nos. 13 and 14, page 6: Delaware River from Philadelphia to the sea. Items reduce amount appropriated by House from $2,500,000 to $1,000,000. House conferees recede.

On amendments Nos. 15 and 16, page 6: Items appropriate $5,000 for maintenance of Cooper River, N. J., $10,000 for maintenance of Salem River, N. J., $5,000 for maintenance of Raccoon Creek, N. J., and makes[1] verbal change in the House provision adopting a new project for Raccoon Creek. House conferees recede.

On amendment No. 17, page 6: Absecon Inlet, N. J. Item strikes out proviso that no part of the funds appropriated in the act shall be expended on Absecon Inlet. House conferees recede.

On amendment No. 18, page 7: Item amends House provision verbally.[1] House conferees recede.

On amendment No. 19, page 7: Wilmington Harbor, Del. Item increases amount appropriated by House for maintenance from $50,000 to $65,000. House conferees recede.

On amendments Nos. 20, 21, 22, and 23, page 8: Items appropriate $4,000 for maintenance of Tyaskin Creek, Md., $5,000 for maintenance of Broad Creek, Md., and makes[1] verbal change in House provision adopting new project for Tangier Channel, Va. House conferees recede.

On amendment No. 24, page 9: Item appropriates $20,000 for maintenance of Potomac River at Washington, D. C., $5,000 for maintenance of Potomac River at Lower Cedar Point, Md., and $7,000 for maintenance of Occoquan Creek, Va. House conferees recede.

On amendments Nos. 25 and 26, page 9: Items appropriate $2,000 for maintenance of James, Nansemond, Pagan, and Appomattox Rivers, Va., and make[1] verbal amendment in House provision adopting new project for Pagan River. House conferees recede.

On amendments Nos. 27 and 28, page 10: Items appropriate $2,000 for maintenance of Blackwater River, Va.; Meherrin and Roanoke Rivers, and Newbegun Creek, N. C., and make[1] verbal amendment to House provision adopting new project for Newbegun Creek. House conferees recede.

On amendment No. 29, page 10: Item amends House provision verbally.[1] House conferees recede.

On amendment No. 30, page 10: Item amends House provision verbally.[1] House conferees recede.

On amendments Nos. 31 and 32, page 11: Channel connecting Thoroughfare Bay and Cedar Bay, N. C. Items increase amount appropriated by House from $5,200 to $9,000. House conferees recede.

On amendment No. 33, page 11: Item amends House provision verbally.[1] House conferees recede.

On amendment No. 34, page 11: Waterway between Charleston and Winyah Bay, S. C. Item increases amount appropriated by House from $20,000 to $28,000. House conferees recede.

On amendment No. 35, page 11: Savannah River at Augusta, Ga. Item appropriates $50,000 for maintenance. House conferees recede.

On amendments Nos. 36 and 37, page 12: Waterway between Beaufort, S. C., and St. Johns River, Fla. Items increase amount appropriated by House for maintenance from $23,000 to $50,000; adopts new project for Generals Cut, appropriating $1,000 for its completion, and makes[1] verbal amendment in House provision for Back River, Ga. House conferees recede.

On amendments Nos. 38 and 39, page 12: Brunswick Harbor, Ga. Items increase amount appropriated by House for prosecuting new project from $240,000 to $500,000. House conferees recede.

On amendment No. 40, page 12: Item appropriates $125,000 for continuing improvement of St. Johns River between Jacksonville and the ocean, and $5,000 for maintenance of Okla-

[1] This amendment, striking out the word "completing" and substituting therefor the word "for," was occasioned by the fact that the Chief of Engineers reported that owing to the increase in the cost of labor and materials since the submission of the report on this project the amount originally estimated to complete the improvement proposed will not now be sufficient to complete.

waha River. House conferees recede, with an amendment reducing the amount appropriated for maintenance to the figures in the House bill and amending the paragraph by providing $95,000 for continuing improvement and maintenance of the existing project on the Oklawaha River.

On amendment No. 41, page 13: Oklawaha River, Fla. Item adopts new project and appropriates $100,000 for the prosecution thereof. Senate recedes.

On amendment No. 42, page 13: Item showing total of appropriations for separate works appropriated for in this paragraph. House conferees recede with an amendment changing the figures from $347,000 to $337,000.

On amendment No. 43, page 13: Item amends House provision verbally. House conferees recede.

On amendments Nos. 44 and 45, page 13: Items adopt new project for Sarasota Bay, Fla., and appropriate $92,000 for the prosecution thereof. House conferees recede.

On amendment No. 46, page 14: Item appropriates $15,000 for maintenance of Apalachicola Bay, Fla., $30,000 for maintenance of St. Andrews Bay, Fla., $15,000 for maintenance of Flint River, Ga., and $27,000 for maintenance of Chattahoochee River, Ga. and Fla. House conferees recede.

On amendment No. 47, page 15: Item increases amount appropriated by House for continuing improvement and maintenance of Gulfport Harbor, Miss., from $50,000 to $100,000. House conferees recede.

On amendment No. 48, page 15: Item appropriates $15,000 for maintenance of Pascagoula River, Miss., in addition to $2,500 appropriated in House bill. House conferees recede.

On amendment No. 49, page 15: Item appropriates $550,000 for improvement of passes at the mouth of the Mississippi River in addition to amount appropriated in House bill. House conferees recede.

On amendment No. 50, page 17: Item appropriates $7,000 for maintenance of Bayous Vermilion, Nezpique, des Cannes, Plaquemine Brule, and Queue de Tortue, Mermentau River, and Calcasieu River and Pass, La. House conferees recede.

On amendment No. 51, page 17: Item increases amount appropriated in House bill for removing the water hyacinths in Alabama, Mississippi, Louisiana, and Texas from $20,000 to $30,000. House conferees recede.

On amendment No. 52, page 17: Item appropriates $25,000 for maintenance of Galveston Harbor, Tex. House conferees recede.

On amendment No. 53, page 17: Item increases amount appropriated in House bill for continuing improvement of seawall extension to protect Galveston Channel from $400,000 to $758,000. House conferees recede with verbal amendment substituting the word "continuing" for the word "completing."

On amendment No. 54, page 17: Item adopts new project for Houston Ship Channel, Tex., and appropriates $950,000 for the prosecution thereof, and provides that not more than $275,000 shall be expended in the construction of each of the four dredges the construction of which is recommended in the report at an estimated total cost of $1,400,000. House conferees recede with an amendment correcting a clerical error.

On amendment No. 55, page 18: Item adopts new project for Brazos Island Harbor, Tex., and appropriates $66,000 for the prosecution thereof. House conferees recede.

On amendments Nos. 56 and 57, page 18: Items increase amount appropriated in House bill for improvement of harbor at Beaumont, Tex., from $50,000 to $75,000. House conferees recede.

On amendments Nos. 58 and 59, page 18: House provision appropriating $15,000 for maintenance of the Ouachita and Black Rivers, Ark. and La., is amended so as to provide $12,000 for maintenance of the Ouachita and Black Rivers, $14,000 for maintenance of the Red River, $5,000 for maintenance of Boeuf River, $3,000 for maintenance of Bayous D'Arbonne and Corney, and $1,000 for maintenance of Tensas River and Bayou Macon, all in Arkansas and Louisiana. House conferees recede.

On amendment No. 60, page 19: House provision appropriating maintenance funds of $8,000 for Yazoo River, Miss., $5,000 for Tallahatchie and Coldwater Rivers, Miss., and $4,000 for Big Sunflower River, Miss., is modified so as to appropriate maintenance funds of $9,500 for Yazoo River, $3,000 for Tallahatchie and Coldwater, $17,200 for Big Sunflower River, $2,800 for Tchula Lake, and $2,500 for Steele and Washington Bayous, all in Mississippi. House conferees recede.

On amendment No. 61, page 20: Item appropriates $50,000 for removal of snags and wrecks from the Mississippi River below the mouth of the Missouri, and from Old and Atchafalaya Rivers, La., in addition to amounts expended under permanent appropriation provided by act of August 11, 1888. House conferees recede.

On amendment No. 62, page 20: Item increases amount appropriated in House bill for continuing improvement and maintenance of Mississippi River from the mouth of the Missouri River to Minneapolis, Minn., from $250,000 to $500,000. House conferees recede.

On amendments Nos. 63 and 64, page 20: Items appropriate $10,000 for continuing improvement of Mississippi River between St. Paul and Minneapolis, Minn. House conferees recede.

On amendment No. 65, page 21: Item appropriates $2,000 for maintenance of Warroad Harbor and Warroad River, Minn., and $1,000 for maintenance of Zippel Bay, Minn. House conferees recede.

On amendment No. 66, page 21: Increases amount appropriated in House bill for completing improvement of Baudette Harbor and River, Minn., from $2,750 to $5,000. House conferees recede.

On amendment No. 67, page 22: Tennessee River, Tenn. and Ala. Item waives condition precedent requiring local interests to assume and pay all claims for flowage damages in project adopted in 1916. House conferees recede.

On amendment No. 68, page 22: Ohio River. Item appropriates $3,000,000 for continuing construction of locks and dams. House conferees recede with amendment requesting the Secretary of War to report progress made by local interests in the construction of adequate terminal facilities during the year ending December 1, 1919.

On amendment No. 69, page 22: Allegheny River, Pa. Item appropriates $8,000 for maintenance of open-channel work and $1,000,000 for continuing construction of locks and dams. House conferees recede with amendment providing that no part of the funds shall be expended until either the channel spans of bridges at Pittsburgh, forming unreasonable obstructions to navigation, have been modified as heretofore directed by the Secretary of War, or until the Secretary of War shall have received satisfactory assurances that such modifications will promptly be made.

On amendments Nos. 70 and 71, page 23: Duluth-Superior Harbor, Minn. Items increase amount appropriated in House bill for completion of new project from $24,000 to $33,000. House conferees recede.

On amendments Nos. 72 and 73, page 23: Items increase amount appropriated in House bill for maintenance of Manistique Harbor, Mich., Menominee, Oconto, Green Bay, Algoma, Kewaunee, Two Rivers, Manitowoc, Sheboygan, Port Washington, Milwaukee, Racine, Kenosha, and Waukegan Harbors, Sturgeon Bay and Lake Michigan Ship Canal, and Fox River, Wis., from $38,000 to $80,000. House conferees recede.

On amendments Nos. 74 and 75, pages 23 and 24: Illinois River, Ill. Items appropriate $30,000 for maintenance work. House conferees recede.

On amendment No. 76, page 24: Item increases amounts appropriated in House bill for maintenance funds for Frankfort Harbor from $7,000 to $17,000, for Grand Haven Harbor from $12,000 to $53,000, and for St. Joseph Harbor and River from $8,700 to $19,500, all in Michigan. House conferees recede.

On amendment No. 77, page 24: Item substitutes the word "Duluth-Superior" for the word "Duluth." House conferees recede with an amendment so as to make it read "Duluth-Superior Harbor."

On amendments Nos. 78 and 79, page 25: Items appropriate $5,000 for maintenance of Mackinac, Cheboygan, Rogers City, Alpena, Harbor Beach, and Monroe Harbors, Saginaw, Black Clinton, and Rouge Rivers, Mich. House conferees recede.

On amendments Nos. 80, 81, 82, 83, and 84, pages 25 and 26: Items amend House provision verbally.[1] House conferees recede.

On amendments Nos. 85 and 86, page 26: Items appropriate $125,000 for continuing improvement of Black Rock Channel and Tonawanda Harbor, N. Y. House conferees recede.

On amendment No. 87, page 26: Item increases amount appropriated by House bill for prosecution of new project for Buffalo Harbor from $132,000 to $145,000. House conferees recede.

On amendment No. 88, page 26: Item changes figures in House bill showing total amount appropriated in paragraph. House conferees recede.

On amendment No. 89, page 27: Item increases amount appropriated in House bill for completion of new project for Oswego Harbor, N. Y., from $38,000 to $50,000. House conferees recede.

[1] This amendment, striking out the word "completing" and substituting therefor the word "for," was occasioned by the fact that the Chief of Engineers reported that owing to the increase in the cost of labor and materials since the submission of the report on this project the amount originally estimated to complete the improvement proposed will not now be sufficient to complete.

On amendment No. 90, page 27: Item increases amount appropriated by House bill for completion of new project for Ogdensburg Harbor, N. Y., from $54,000 to $72,000. House conferees recede.

On amendment No. 91, page 27: Item appropriates $10,000 for maintenance of the Government levee on the Gila River near its junction with the Colorado River at Yuma, Ariz. House conferees recede with amendment making verbal change and providing that a separate paragraph be made of this item.

On amendment No. 92, page 27: Item changes figures in House bill showing total amount appropriated in the paragraph. House conferees recede with amendment transferring item to the end of the preceding paragraph and making change in total caused by separation of Colorado River provision from the paragraph.

On amendment No. 93, page 27: Item amends House provision verbally. House recedes.

On amendment No. 94, pages 27 and 28: Item amends House provision verbally.[1] House recedes.

On amendment No. 95, page 28: Item amends House provision verbally. House recedes.

On amendment No. 96, page 28: Item amends House provision verbally.[1] House recedes.

On amendments Nos. 97 and 98, page 28: Items appropriate $30,000 for improvement and maintenance of San Joaquin River, Cal., $16,000 for Stockton, Mormon, and Fremont Channels, Cal., increases amount appropriated in House bill for maintenance of Mokelumne River, Cal., from $800 to $1,000, and increases amount appropriated in House bill for maintenance of Sacramento River, Cal., from $65,000 to $175,000. House conferees recede.

On amendments Nos. 99 and 101, page 29: Items increase amount appropriated in House bill for improvement and maintenance of Coos Bay, Oreg., from $74,000 to $121,000. House conferees recede.

On amendment No. 100, page 29: Item amends House provision verbally. House conferees recede.

On amendments Nos. 102 and 103, page 29: Items increase amount appropriated in House bill for Columbia and Lower Willamette Rivers below Vancouver, Wash., and Portland, Oreg., from $424,000 to $465,000 for the purpose of providing additional dike work in the lower Columbia River. House conferees recede.

On amendments Nos. 104 and 105, page 30: Items increase amount appropriated in House bill for maintenance of Willamette River above Portland and Yamhill River, Oreg., from $27,000 to $54,000. House conferees recede.

On amendment No. 106, page 30: Duwamish waterway, Seattle Harbor, Wash. Item adds proviso requiring local interests to furnish a place of deposit for the dredged material and the bulkheads necessary to confine such material. House conferees recede.

On amendment No. 107, page 31: Skagit River, Wash. Item adds provision requiring that before work on new project is commenced the report shall be referred to the Board of Engineers for Rivers and Harbors for review with a view of reporting whether the project should be modified to meet existing conditions or whether conditions of local cooperation should be imposed. House conferees recede.

On amendments Nos. 108 and 109, page 31: Anacortes Harbor, Wash. Items increase amount appropriated in House bill for completion of new project from $56,000 to $89,000. House conferees recede.

On amendments Nos. 110 and 111, page 31: Items appropriate $125,000 for continuing improvement of Honolulu Harbor, Hawaii. House conferees recede.

On amendment No. 112, page 32: Item strikes out proviso attached to House item adopting new project for Nawiliwili Harbor, Hawaii, providing that no expense shall be incurred by the United States for acquiring lands needed for the improvement, and inserts in lieu thereof a proviso that the Territory of Hawaii is authorized to condemn land fronting on the proposed wharf sites and rights of way for the breakwater and construction work thereon subject to the approval of the Secretary of War; that the work shall not be commenced until the Territory of Hawaii shall have commenced condemnation proceedings to acquire such lands; that no expense shall be incurred by the United States for acquiring or using such lands; that the Secretary of War is authorized to condemn a quarry site or sites, with rights of way thereto, the awards therefor to be paid out of funds appropriated for this project, and that the quarries when so acquired may be made available to any contractors for work on this project on terms to be fixed by the Secretary of War. House conferees recede.

On amendment No. 113, page 33: Item reduces amount appropriated in House bill for emergencies from $1,000,000 to $500,000. House conferees recede.

On amendment No. 114, page 33: Item provides that no work shall be undertaken upon any new project herein adopted unless the Secretary of War shall be of the opinion that the project can be completed at a cost not greater than 40 per cent in excess of the estimate of cost in the report upon such project. House conferees recede with verbal amendment substituting the word "adopted" for the words "appropriated for."

On amendment No. 115, page 34: Item amends section 2 of House bill, governing the allotment of funds appropriated in the bill in an aggregate amount for groups of projects, by taking away from the Secretary of War the discretion to reallot such funds after separate amounts are given to individual projects. House conferees recede.

On amendment No. 116, page 34: Item provides that in all cases where a project herein, heretofore, or hereafter authorized, provides for the construction or use of Government dredging plant, the Secretary of War may, in his discretion, have the work done by contract if reasonable prices can be obtained. House conferees recede.

On amendment No. 117, page 34: Item declares a portion of Little River, Ark., to be not a navigable waterway of the United States within the meaning of the laws enacted by Congress for the protection of such waterways. House conferees recede.

On amendment No. 118, page 35: Item appropriates $18,000 and directs that this sum or so much thereof as may be necessary may be paid to Walter H. Denison for any loss he may have sustained, under contract for levee work, between April 6, 1917, and July 18, 1918, on account of the increase in cost of labor and materials due to the war. House conferees recede.

On amendment No. 119, page 36: Item renumbering section of the bill. House conferees recede.

On amendment No. 120, page 36: Item increases amount appropriated in House bill for examinations, surveys, and contingencies for rivers and harbors from $150,000 to $250,000. House conferees recede.

On amendment No. 121, page 36: Survey of Merrimack River, N. H. and Mass., with a view to the construction of storage reservoirs at or near its headwaters. House conferees recede.

On amendment No. 122, page 37: Survey for waterway connecting Merrimack River, Mass., and Piscataqua River, N. H. House conferees recede with an amendment making verbal amendment.

On amendment No. 123, page 38: Survey of Kill van Kull and Newark Bay, N. Y. and N. J. House conferees recede.

On amendment No. 124, page 38: Survey of Rahway River and Staten Island Sound, N. Y. and N. J. House conferees recede.

On amendment No. 125, page 38: Survey of Raritan Bay and Raritan River, N. J. House conferees recede.

On amendment No. 126, page 38: Survey of waterway from Chincoteague Bay, Va., to Delaware Bay and Mispillion River, Del. House conferees recede.

On amendment No. 127, page 39: Survey of Cape Fear River below Wilmington, N. C. House conferees recede.

On amendment No. 128, page 39: Survey of waterway from Newbern, N. C., to Wilmington, N. C., via Trent River and Northeast Cape Fear River. House conferees recede.

On amendment No. 129, page 40: Survey of St. Andrews Bay, Fla. House conferees recede.

On amendment No. 130, page 40: Survey of Bayou Texar and entrance, Florida. House conferees recede.

On amendment No. 131, page 40: Survey of waterway from Pensacola Bay, Fla., to Mobile Bay, Ala. House conferees recede.

On amendment No. 132, page 40: Survey of Little Caillou Bayou, La. House conferees recede.

On amendment No. 133, page 40: Item amends House provision for a survey of intracoastal waterway from Galveston Bay to Pass Cavallo, Tex., by providing that same be extended to Rockport and Corpus Christi, Tex. House conferees recede.

On amendment No. 134, page 40: Survey of Galveston Channel, Tex., with a view to the extension of the sea wall to and around Fort San Jacinto Reservation. Senate conferees recede.

On amendment No. 135, page 41: Survey of Neches River, Tex., from Beaumont to mouth of Angelina River. House conferees recede.

[1] This amendment, striking out the word "completing" and substituting therefor the word "for," was occasioned by the fact that the Chief of Engineers reported that owing to the increase in the cost of labor and materials since the submission of the report on this project the amount originally estimated to complete the improvement proposed will not now be sufficient to complete.

On amendment No. 136, page 41: Survey of Missouri River, with a view to protecting the banks near Centaur and Gumbo, Mo. Senate recedes.

On amendment No. 137, page 41: Survey of Missouri River at and in the vicinity of Vermilion, S. Dak., with a view to bank protection, and with a view to locating practicable sites in South Dakota for the construction of dams which would prevent erosion and be in the interest of navigation, including consideration of any proposition for cooperation on the part of local interests. House conferees recede with verbal amendment.

On amendment No. 138, page 41: Survey of Monongahela River, Pa., at Lock and Dam No. 6. Item amends House provision so as to make the survey cover the whole of the river in Pennsylvania. House conferees recede.

On amendment No. 139, page 41: Survey for a waterway connecting Lake Erie with the Ohio River. House conferees recede with an amendment providing that the report shall contain recommendation for cooperation on the part of local interests.

On amendment No. 140, page 42: Survey for waterway connecting the Great Lakes with the Hudson River suitable for navigation by ocean-going vessels. House conferees recede.

On amendment No. 141, page 42: Survey of Morro Bay, Cal. House conferees recede.

On amendment No. 142, page 42: Survey of Yaquina River, Oreg., from Newport to Toledo. House conferees recede.

On amendment No. 143, page 42: Survey for waterway connecting the waters of Puget Sound with Grays Harbor, Wash. House conferees recede.

On amendment No. 144, page 43: Lands subject to overflow from Mississippi River between Brunswick, Miss., and Baton Rouge, La., and Bessie and Memphis, Tenn. Item covers the following section of the bill:

"SEC. 7. That as to the lands investigated, surveyed, or reported on under authority of a provision of the river and harbor act approved July 25, 1912, a full report of which is set out in House Document No. 1010, Sixty-second Congress, third session, and wherein the recommendation is made that the title to said lands be acquired by the United States for their use in river improvement, the owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor: *Provided, however,* That in the trial of said suits said court shall permit any party who at any time since the damage or destruction of such lands owned or held title thereto or any interest therein, and who has become dispossessed thereof by reason of foreclosure proceedings, or otherwise compelled to sacrifice title thereto as a result of said injuries to appear as a party claimant by filing petition setting up their former interest therein, and said court shall consider the claims of all of said parties and render judgment for whatever amount said court considers equitably or justly due the respective parties."

Senate recedes.

On amendment No. 145, page 43: Control of routing of freight over inland waterways, or partly by such waterways and partly by rail. Item adds new section to the bill, which amends the railroad-control act, approved March 21, 1918, by adding at the end of section 6 of said act the following:

"No provision of this act shall be construed to prevent the routing of freight by a shipper or consignee over any inland canal or coastwise waterway, or a part way over such waterway and a part way by rail. In case the shipper or consignee shall so route the freight, no provision of this act shall be construed as giving power to change the routing.

"Freight routed a part way by water and a part way by rail shall be charged only the waterway freight rate for the water haul and the proportional through rail rate for the rail haul."

House conferees recede, with an amendment changing the number of the section and striking out the last paragraph of the proposed amendment.

On amendment No. 146, page 44: Item renumbering section of House bill. House conferees recede.

On amendment No. 147, page 44: St. Lawrence River. Item requests the International Joint Commission to investigate and report the improvements necessary, and the cost thereof, to make the St. Lawrence River between Montreal and Lake Ontario navigable for ocean-going vessels, together with its recommendations for cooperation by the United States with the Dominion of Canada in the improvement of said river. House conferees recede with an amendment changing the number of the section.

On amendment No. 148, page 45: Relief of contractors on river and harbor work. Item covers a section of the bill and authorizes the Secretary of War—

"to ascertain whether any of the contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, the date of the entrance of the United States into war with Germany, have become inequitable and unjust on account of increased cost of materials, labor, and other unforeseen conditions arising out of the war; and to ascertain and report what amounts, if any, in addition to those fixed by the terms of said contracts should in justice and equity be paid to contractors for work performed between April 6, 1917, and July 18, 1918, the date of the approval of an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," on account of the increased cost of labor and materials and other unforeseen conditions arising out of the war during that period: *Provided,* That in every case the amount so ascertained shall not exceed the actual loss sustained by the contractor in performing the work between the said dates: *Provided further,* That when such amount shall have been ascertained the Secretary of War shall transmit to Congress for consideration a statement or statements of all findings or determinations rendered by authority of this section, the amounts thereof, the names of contractors, and dates of contracts."

House conferees recede with amendment changing the number of the section.

JNO. H. SMALL,
THOMAS J. SCULLY,
CHAS. A. KENNEDY,
Managers on the part of the House.

Mr. SMALL. Mr. Speaker, the Senate added 148 amendments to the river and harbor bill. A great number of them were unobjectionable to your House conferees. I can present the nature of these amendments very clearly, based upon a summary of them which has been prepared by one of the very efficient clerks of the committee, Mr. J. H. McGann, to which I will refer.

There were 33 amendments which were merely clerical changes; that is, verbal changes of no import and changes of figures showing the aggregate amount appropriated for groups of projects in paragraphs where changes have been made in specific projects.

There are 29 amendments in which the word "completing" was changed to the word "for." That is to say, the original estimate, in the opinion of the Chief of Engineers, might not be sufficient at this time to complete, and therefore the word "for" was substituted for "completing."

Senate amendments were made to 13 items in the bill in which the amounts allowed by the House for the completion of new projects were increased, and the aggregate amount was $438,520.

The Senate added five new projects to the bill, as follows: Hackensack River, N. J., $88,000; General Cut, Ga., $1,000; Sarasota Bay, Fla., $92,000; Houston Ship Channel, Tex., $950,000; Brazos Island Harbor, Tex., $66,000.

The full amount estimated to complete was appropriated for all of these projects, with the exception of the Houston Ship Channel project, for which the total estimated cost to the United States is $2,485,000.

In six amendments the Senate made small appropriations for maintenance of groups of projects for which no appropriations had been made in the House bill, involving a total of $19,500.

In 20 of the Senate amendments appropriations are made for maintenance and continuing improvement on 35 projects for which no appropriations were made in the House bill. These amendments add a total of $4,624,300 to the bill, and they include $3,000,000 for the Ohio River and $1,000,000 for the Allegheny River. With reference to the Ohio River, I may state at this time that after the bill passed the House the Chief of Engineers reported that he had received additional data from the district engineer having in charge the work on the Ohio, and was compelled to revise his original statement that no appropriations were necessary in this bill and that in his judgment the $3,000,000 was now necessary.

As to the Allegheny River—a very important stream having a large commerce, in which the existing project has not been completed—the Senate amendment was based on a later estimate that was submitted by the Chief of Engineers, and $1,000,000 was appropriated for further improvement of the Allegheny River. In 19 of the Senate amendments increases are made in amounts allowed by the House for maintenance

and improvement work on 25 projects, adding a total of $1,961,700 to the bill. These increases were all recommended by the Chief of Engineers.

Twenty-three of the amendments, in which the House receded from its disagreement, related to surveys, examinations, and investigations.

Two of the amendments in which the House conferees receded reduced the amounts allowed in the bill. That is to say, the Delaware River from Philadelphia to the sea was reduced from $2,500,000 to $1,000,000 and the emergency appropriation of $1,000,000 was reduced to $500,000. Both of them were made upon the recommendation of the Chief of Engineers.

Two of the Senate amendments to which the House conferees agreed add conditions to the House items, adopting new projects, which imposed certain work on local interests. These were the Duwamish Waterway, Wash., and at Nawiliwili Harbor, both of which were recommended by the Chief of Engineers.

Senate amendment 107 provides for a reexamination of the Skagit River project by the Board of Engineers, with a view to making the project meet existing conditions and to ascertain if conditions of local cooperation should be imposed.

Senate amendment No. 17 strikes from the House bill the proviso:

That no part of the funds herein appropriated shall be expended on Absecon Inlet.

The conferees considered that in any event no money would be expended, because no appropriation was available, and that therefore no harm could be done by agreeing to the Senate amendment; and the dredge which has been used there has already been ordered to another improvement.

Senate amendment No. 117 declares a portion of Little River, Ark., to be not a navigable waterway, to which the House conferees agreed.

Senate amendment No. 1 was agreed to with an amendment. This amendment authorized the Secretary of War to withhold funds appropriated in the bill until adequate public water terminals are constructed by local interests. That amendment was offered by a distinguished Senator, and the House conferees gave it very careful consideration, in conjunction with the Chief of Engineers or his representative, Gen. Taylor. The House conferees, while in sympathy with its purpose, were compelled to reach the conclusion that if adopted in the form authorized by the Senate it would prevent expenditures upon a large number of projects. Your Committee on Rivers and Harbors takes pride in the statement that they have been the leaders in insisting that the construction of adequate water terminals must be contemporaneous with the improvement of rivers and harbors, but of necessity the realization of this ideal to the fullest extent must be slow and must depend upon educational processes. Therefore your conferees drafted an amendment, slightly modified in conference, which, in their opinion, will go very far toward accomplishing this purpose and yet permit public improvement to proceed. The exact language of that amendment which the House conferees proposed and which was accepted by the conferees in the other body appears on page 5 of the conference report, and is as follows:

It is hereby declared to be the policy of the Congress that water terminals are essential at all cities and towns located upon harbors or navigable waterways and that at least one public terminal should exist, constructed, owned, and regulated by the municipality or other public agency of the State and open to the use of all on equal terms, and with the view of carrying out this policy to the fullest possible extent the Secretary of War is hereby vested with the discretion to withhold, unless the public interests would seriously suffer by delay, moneys appropriated in this act for new projects adopted herein, or for the further improvement of existing projects, if, in his opinion, no water terminals exist adequate for the traffic and open to all on equal terms, or unless satisfactory assurances are received that local or other interests will provide such adequate terminal or terminals. The Secretary of War, through the Chief of Engineers, shall give full publicity, as far as may be practicable, to this provision.

Senate amendment 114 provides as follows:

No work shall be undertaken upon any new project herein appropriated for unless the Secretary of War shall be of the opinion that, based upon the cost at the time of entering upon the work, the project can be completed at a cost not greater than 40 per cent in excess of the estimate of cost in the report upon such project.

To this amendment the House conferees receded with a slight verbal amendment, substituting the word "adopted" in lieu of the words "appropriated for." This amendment promotes economy and will not in the opinion of your conferees postpone work on many projects.

Senate amendment 115 prevents the reallotment of funds appropriated in the bill in an aggregate amount for groups of projects after separate amounts are allotted to individual projects.

That amendment takes away from the Chief of Engineers the power to reallot appropriations for specific improvements in group projects until the improvement is completed. After it is completed, if there is any balance left, he may reallot. It meets the criticism which has been frequently made here, and which your conferees thought was wise, and it will not militate against the proper administration of the river and harbor bill.

Senate amendment No. 116 provides that in all cases where a project heretofore adopted, or adopted in this bill, or which will be adopted hereafter, authorizes the construction or use of Government dredging plant, the Secretary of War may, in his discretion, have the work done by contract if reasonable prices can be obtained. That provision has been in the river and harbor bill for a number of years, and this is only intended to make it a permanent law.

Senate amendment 118 appropriates $18,000 and directs that this sum, or so much thereof as may be necessary, may be paid to Walter H. Denison for any loss he may have sustained under the contract for levee work between April 6, 1917, and July 18, 1918, on account of the increase in the cost of labor and materials, due to the war conditions. The only objection which can be urged to that amendment lies in its selecting this one contractor or claimant and enacting special legislation in his behalf, but it is fair to say that the conferees of the other body and your conferees were strongly impressed with the peculiar facts surrounding this claim.

The contractor who was doing some work upon the lower Mississippi River and who was losing money there was urged by the engineer in charge to complete the work, with the statement that unless the work was completed and if flood water should come in the meantime that great loss would ensue. He appealed to his patriotism, with the result that he went ahead and completed the work, impoverished himself, selling all of his property, and to-day the evidence submitted shows that he is penniless. So your committee agreed to this amendment.

Mr. GORDON. Will the gentleman yield at that point?

Mr. SMALL. Certainly.

Mr. GORDON. Of course, that is another one of these war claims. Does not the gentleman think that ought to be submitted in a separate private-claims bill and referred to the Committee on Claims for proper investigation?

Mr. SMALL. Well, that may be, and there may be some merit in the gentleman's contention, but if the gentleman had heard all the facts he would be perfectly willing——

Mr. GORDON. The great trouble about it is I do not suppose the gentleman from North Carolina heard all the facts.

Mr. SMALL. Well, whatever facts your conferees did not hear will be presented to the Chief of Engineers when he comes to adjust the matter.

Mr. GORDON. Of course, that delegates the functions of the Congress to the Chief of Engineers.

Mr. HASTINGS. How much is allowed by the conferees for this claim?

Mr. SMALL. A maximum of $18,000. His actual loss ran very much larger than that.

Senate amendment 145 relates to control by shippers of the routing of freight over waterways or partly by such waterways or partly by rail. Your conferees accepted the amendment in part. The conferees eliminated the second section, which attempted to fix the proportional rate partly by water and partly by rail, because under existing law, as provided in the Panama Canal act, the Interstate Commerce Commission is given jurisdiction in that particular phase of the matter, so that the second paragraph was stricken out and the first paragraph only remained.

The Senate conferees receded from four amendments—No. 41, which adopted a new project for improvement of the Oklawaha River, Fla.; No. 134, which provided for a survey of Galveston Channel, Tex., with a view to the extension of the sea wall through and around Fort San Jacinto Reservation; No. 136, which provided for a survey of the Missouri River with a view to bank protection; and No. 144, relating to the claims of riparian landowners on the Mississippi River for alleged damages to their land by reason of levee construction on the river—in all of these the Senate receded.

I will not take the time to go into those Senate amendments from which the Senate receded, except to make this comment about amendment No. 144. I understand a motion to recommit will be made instructing the conferees to recede and concur in this amendment, which seeks to refer to the Court of Claims the claims of certain riparian landowners on the Mississippi River. In the opinion of your conferees, that amendment was simply impossible in this bill. Whatever merit it had, it ought not to have been favorably considered by your conferees. It was not considered by our committee, it was not considered by

the Senate Committee on Commerce, but was offered on the floor of the Senate. It involves very important questions. It involves the question of the liability of the United States in the first instance. It involves the question of what lands are damaged, the extent of damage, and the value of the land. It also involves the question of proportional liability between the States and the United States. A great amount of this levee work was done on this project by the States or local interests and not by the United States, and the amendment, in the form here submitted, proposed to submit to the Court of Claims the jurisdiction to ascertain the value of the lands damaged or destroyed. They were not even permitted to consider the question of the liability of the Federal Government or its proportional liability. It is a big question. As a matter of fact, it belongs either to the Committee on Flood Control or the Committee on Claims. Whatever sympathy we may have for these good people whose lands are alleged to have been damaged, it had no place in this bill and certainly required most careful consideration.

Now, Mr. Speaker, while there were 148 Senate amendments, it is fair to make this statement. Your conferees, after the bill passed the Senate, devoted a whole day and part of a night in collaboration with Gen. Harry Taylor, who represents the Chief of Engineers on all river and harbor matters, in studying all the Senate amendments. When we entered upon the conference we knew exactly the amendments to which we could agree and those to which we could not agree, and the amendments which your House conferees decided that in no event we could agree to were receded from by the conferees of the other body, so that while the House receded upon a great many amendments, they were such amendments as to evoke no objection on the part of your conferees or upon the part of the War Department. This expression is not made in any spirit or pride or elation or with the slightest intent to disparage the eminent gentlemen comprising the conferees of the other body, but in appreciation of the compliment implied to your conferees.

Now, Mr. Speaker, if any gentleman has any question he desires to put, I will be glad to answer it if I can.

Mr. WALSH. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. WALSH. Senate amendment No. 148, I notice, gives the Secretary of War authority to make inquiry as to those contracts which may have become inequitable and unjust on account of the increased cost of material and labor due to war conditions and report to the Congress. That is the effect of the amendment?

Mr. SMALL. Yes; that is, between certain dates—April 6, 1917, and July 18, 1918.

Mr. WALSH. Why was the date of July 18 fixed?

Mr. SMALL. That was the date of the approval of the last river and harbor act. In that act we provided for work performed by contractors subsequent to that time.

Mr. WALSH. Now, Senate amendment 118, to which the gentleman referred, which is in favor of Walter H. Denison, is an amendment selecting him, one particular contractor who has lost because of the increase in the cost of labor and material, and you make an appropriation of $18,000 to be available as additional compensation or a maximum. Does not the gentleman think that it is hardly warranted under the circumstances to carry a general authorization for investigation and inquiry into these contracts and in the same bill to carry an authorization and an appropriation for one particular contractor?

Mr. SMALL. Prima facie the gentleman's position is well taken. I stated——

Mr. WALSH. I heard the gentleman's statement. The contractor is perhaps fortunate in having somebody to present all the facts in his case, whereas the other contractors may not have had a Member of the other body to do that; but it seems to me it would be a bad precedent to establish in a river and harbor bill, particularly where we carry general authority to investigate these things, to select one contractor who has been unfortunate, and whom, I am sure, would receive every consideration of the Secretary of War and of Congress, and to provide him with immediate relief and to provide the others, where there may be equal merit in their claims, shall wait until the Secretary of War has made an inquiry.

I can not quite see, knowing the gentleman's sense of justice and how he has in the past treated matters with great equity, can justify the action of the conferees in placing their approval upon this method.

Mr. SMALL. I can only repeat that the case made out for this man, Mr. Denison, was, in the opinion of your conferees, sufficient to differentiate it. And I am satisfied that if the gentleman from Massachusetts had heard what we have heard from the man himself, from the evidence that he submitted, he would have been willing to yield this particular objection to the item.

Mr. FREAR. Will the gentleman yield to me?

Mr. SMALL. In just one minute.

Mr. FREAR. Before his time is consumed?

Mr. SMALL. I will. The only objection is the one the gentleman from Massachusetts states——

Mr. WALSH. The gentleman understands I am not opposing the settlement being made. But I think it was rather inconsistent. There may be other contractors who could have presented claims of equal merit, and if that were done we would have a great many amendments made up of individual claims in this bill, where, I think, at this time they have no place.

Mr. SMALL. Prima facie, the gentleman is right, but the peculiar facts in this case differentiate it.

Mr. FREAR. Will the gentleman yield me 10 minutes at this time?

Mr. SMALL. Mr. Speaker, how much time have I consumed?

The SPEAKER. The gentleman has used 25 minutes.

Mr. SMALL. If there are no other questions, I will yield 10 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Speaker, I opposed this bill in the House, and I did so in order to disclose its general character. To my mind the bill which is before the House now, and before it went to the Senate, was the worst bill we have had in the past six years. I have no hesitation in saying that. With over 70 new projects added to the bill, it seemed to me under the present state of public finances it was entirely indefensible. It went to the Senate, and of the 148 amendments, if you will examine them, 140 are cases where the House recedes. Six million dollars, in round numbers, have been added to the bill over on the Senate side.

I will not at this late day consume the time of the House in further discussion of the bill, because I have done that in the past. But I do wish to say that in the discussion of the bill at the other end of the Capitol the other day appeared a poem in protest against the bill, and it seemed to me that we might with advantage change the prosy way we have of discussing these measures in the House. So a brief contribution is offered, as will be explained in the brief statement which I wish to present to the House. The following is the prologue and what follows, with like apologies to Walt Mason, whose shoulders must be broad and generous:

PROLOGUE.

A river and harbor omnibus bill of 300 items, carrying $33,000,000, is reported from conference.

A public-building bill of 500 items, carrying about $60,000,000, has been reported to the House, and a petition in circulation asks that it be made a special rule.

[Lines found in a (deleted) battle-front trench near Paris.]

THE LEAGUE OF BACONS.

(With apologies to the high contracting parties.)

They float by the bridge at midnight, till the roll call answers "it's ours," while the moon and the dipper wink their eyes at the skipper in fair Florida's land of flowers. Two pork barrels wait their congressional fate in the league of fat bacon bills, and both get their bumps, 'mid the snags, rocks, and stumps, as they travel the pace that kills. Now the waterways porker, a time-honored joker, floated by with the pork buildings, when a discussion begun to determine which one could show the most coin in its holdings.

"I have landed my pork after vigorous work from Portland, Me., round to Seattle," quoth the Waterway Bill to the Big Building Bill, as it boastfully started to prattle. "Oklawaha's a joke, for a vigorous poke would dry up my creek in a minute, but a hundred thousand I'll get to keep out of the wet for a creek that has no moisture in it. You of course understand it's both water and land that this thirty-three million now covers, and it's never a halt till the Treasury vault yields cash to the 'help one anothers.'

"Yes, hundreds of millions will soon reach to billions for deserted canal, creek, and river, for Muscle Shoal [1] jokes and the Hennepin [2] hoax, where the freight would not burden a flivver. For the dry Arkansaw [3] and the parched Altamaha, where a boat's whistle used all the steam; for the Scuppernong, Raccoon, and Ouachita [4] Creeks and millions for any old stream. For drainage or power we work every hour on Congress to make an impression, but whatever we do in pushing bills through, it's always to help navigation.

"Instead of real boats our league liquidates votes from the Missouri [5] down to the Trinity,[6] and the parched Oconee and the dry Kissimmee log-roll till they find their affinity. The steamboats and freight are held out for bait, for both are an asset while bluffing, but coin of the realm is what guides the pork helm, and without it they'd knock out the stuffing.

1 Over $20,000,000 of public funds have been wasted on Muscle Shoals, with no traffic.

2 Over $7,000,000 of public funds have been wasted on Hennepin Canal, with no traffic.

3 Over $4,000,000 of public funds have been wasted on the Arkansas River, with no traffic.

4 Over $4,500,000 of public funds have been wasted on the Ouachita River, with no traffic.

5 Over $22,000,000 of public funds have been wasted on the Missouri River, with no traffic.

6 Over $2,500,000 of the public funds have been wasted on the Trinity River, with no traffic.

Over $60,000,000 wasted on six items named through the league of bacon.

So our league goes the limit for millions that's in it and grabs every dollar that's loose; 33,000,000 bones is to dredge mud and stones through gold eggs from the dear public goose."

Now, the old Building Bill, though a pork barrel still, had been dumped in the discard each session, and its bills had been switched and its coin had been ditched as it tailed up the knocked-out procession. "It's not fair nor square to get more than your share," cried the Building Bill, "I am hurt horribly." "Don't worry, old soak," replied Waterway Pork, "our bacon will get down to Florida." "That's true now, you've said it, but you get the credit," cried the League's Building Bill, with a caper, and "my people demand I must lend them a hand to reach Treasury gold with a scraper.

"We have 500 votes, pledged on demand notes, to pay for just 500 prizes, and we've scattered our baits through 48 States and given it out in all sizes. Three hundred crossroads we're told will not grow too bold, for a few million dollars will right 'em, but we keep them all guessing for the pork-barrel blessing, as a vote is assured for each item. Sixty millions of dollars will choke him who hollers, and it's scattered from Quagmire to Blytheville, from Hazard to Dillon, and Jim Crow to Clinton, and from Sequire way out to Pikesville.

"The taxpayers' money is molasses and honey, for the votes we are needing; it ties with a flag upon each as our 'monuments' reach, like taxes, clear up to the skies. We jam our bills through in the way that we do, it's patriotic work 'for the soldier,' but contractors pool, while the public we fool as the barrels get bigger and bolder. We move to suspend all rules to the end, our building pork is in a hurry, for rumor is rife that this building bill's life will be lost for the Senate to bury."

MORAL.

When the people get wise to these barrels of size, now crowded with bacon, well fattened, the staves will be smashed, and the heads will be crashed instead of bulging dry purses now flattened. So the pork barrels float, like a leaky old boat, while their pilots continue to holler, "Look out for your share or short you will fare, without even the sign of a dollar." The lesson is plain, we must hit 'em again till the day that the people awaken to a union of strength that has now gone the length, when they'll turn out the gorged league of bacon.

[Applause.]

Mr. Speaker, I can not vouch for the authorship of this extraordinary poetical license, and can not state whether written by the great bard or by Bacon, but I admit deep sympathy with the sentiment expressed in the concluding lines, and I insist that this end of the Capitol shall maintain its standards, when compared with the other, in the matter of poetic license. [Applause.]

Mr. SMALL. Mr. Speaker, how much time has the gentleman used?

The SPEAKER. Nine minutes.

Mr. FREAR. Mr. Speaker, I yield back the one minute.

Mr. SMALL. I yield 10 minutes to the gentleman from Mississippi [Mr. COLLIER].

Mr. COLLIER. Mr. Speaker and gentlemen of the House, I have made a motion to recommit this bill to the conferees with instruction to accept Senate amendment 144, which, as the gentleman from North Carolina [Mr. SMALL] has told you, seeks to give reparation to riparian owners on the east bank of the Mississippi River for destruction to their property by levees on the opposite bank of the river. For about 20 years the people whose properties were destroyed have been before Congress trying to secure relief. They have gone before the Mississippi River Commission, and the Mississippi River Commission, after going into this matter thoroughly, used the expression—I am quoting from memory, but I am paraphrasing the language correctly—that their situation was pathetic in the extreme and that their lands were doomed to perpetual overflow in order that their neighbors across the river might have their property improved and free from overflow. The commission recommended that the Federal Government buy these lands. We have been before the Commerce Committee in the Senate; we have been time and again before the Committee on Rivers and Harbors in the House.

The situation is this: On the east bank of the Mississippi River, a few miles north of Baton Rouge, there commences a chain of hills which runs in a northerly direction, with alluvial soil anywhere from one-half to 25 or 30 miles in width between these hills and the Mississippi River and running in this northerly direction to about 10 miles above the city of Vicksburg. These hills then extend in a northeasterly direction for quite a distance, and then on up to Memphis, creating the great Mississippi-Yazoo Sunflower Delta, the greater part of which is represented here so ably by my colleague [Mr. HUMPHREYS]. Some of these people have owned those plantations on the east bank of the Mississippi River for 50 to 75 years. It is an old, settled part of the State, and only once or twice in 20 or 30 years were they overflowed so that a crop could not be made before these levees were built, because the land was higher on the east bank than on the west bank. Then came the Federal Government and placed levees on the west bank, which confined the Mississippi River between the levee and the hills on the eastern side. This, of course, had the effect of flooding the land on the Mississippi side and in many instances destroying much of this property, which has now grown up in willows. I want to bring this out, namely, that this property is not owned by speculators and new people who have come in there, but nearly all of it is now owned by citizens whose fathers were born on those lands.

Mr. RAKER. Will the gentleman yield right there?

Mr. COLLIER. Yes, sir.

Mr. RAKER. Approximately, about how many acres are overflowed and involved in this section?

Mr. COLLIER. There are several hundred thousand acres. Some of it lies in the State of Tennessee, in the district represented by Mr. GARRETT. Some of it lies in Louisiana, a great deal of it. Some of it is in Kentucky.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I will yield to the gentleman.

Mr. GARD. The gentleman stated that there was a recommendation by the Mississippi River Commission that the Government should purchase the land.

Mr. COLLIER. Their recommendation was that the Government purchase the land and use the willows on it for revetment work.

Mr. GARD. Has the matter ever been presented to the Flood Control Committee of the House?

Mr. COLLIER. I think it has been before that committee. I know that a short time ago, just before the creation of the Flood Control Committee, those people came to Washington and presented it to the Committee on Rivers and Harbors, but the property has been destroyed to such an extent that they can not keep on paying their railroad fare to come up here and present it to us, and after having several hearings they are now leaving it to us to look after it.

I am simply representing, gentlemen, a class of citizens whose property has been absolutely destroyed, property some of which yielded a bale of cotton to the acre up to 20 years ago. In some instances they have not made one crop in 15 years since that time. I am advocating the cause of some people whose property has been destroyed in order that the property of people across the river should be greatly enhanced in value.

Now, by far the greatest amount of this overflowed land lies in the district represented by the gentleman from Mississippi [Mr. QUIN], and with the indulgence of the chairman I will yield to him.

Mr. MILLER of Washington. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. Yes.

Mr. MILLER of Washington. According to the gentleman's statement, they built the dike on the wrong side of the river?

Mr. COLLIER. No. They built the levees at great cost on the other side of the river. Instead of building a levee on the east side, they used those hills in order to save money, so that the levees on the Louisiana side are built by man while the levees on the Mississippi side are the natural hills, and all the land there, ranging in width from one-half mile to 20 or more miles of alluvial soil, was condemned to destruction and overflow.

Mr. MILLER of Washington. Was it possible to build a dike on your side?

Mr. COLLIER. In some places it would be possible, but in other places it would be only as wide as a canal and would be impracticable.

Mr. Speaker, now there is rarely a year but what these lands are inundated, and often for months at a time. Stages of the river at which these lands, before the Louisiana levees were built, were not affected at all now put them under several feet of water, and the riparian owners on the east bank of the Mississippi River have had their incomes destroyed and their property ruined. It is an intolerable situation, where the property of some of our citizens, without any kind of compensation whatever, is destroyed in order to benefit the property of others.

Mr. SMALL. Mr. Speaker, whatever time the gentleman from Mississippi [Mr. COLLIER] did not use I yield to the gentleman from Mississippi [Mr. QUIN].

The SPEAKER. The gentleman from Mississippi is recognized for four minutes.

Mr. QUIN. Mr. Speaker, my colleague from Mississippi [Mr. COLLIER] has presented to you a very accurate statement of the facts. Over on the Louisiana side of the Mississippi River in the State of Mississippi we have great levees, constructed through the action of Congress to protect the Louisiana lands. Nature provided on the Mississippi side, in those counties that I can speak personally of in my district—Claiborne, Adams, Jefferson, and Wilkinson—a chain of foothills. Between those hills and the Mississippi River are many thousands of acres of very fertile alluvial soil. Before the levees were constructed over on the Louisiana side of the Mississippi River all this soil was under cultivation, producing a bale of cotton per acre, or from 50 to 75 barrels of corn. The people who own that land now, that being the first portion of the State of Mississippi that was ever inhabited by white men, are the descendants of the

people who owned it back yonder 150 to 200 years ago. This once fertile land, with magnificent residences thereon of brick and stone and wood, with their darkey quarters, in plantations of thousands of acres each, has been ruined by the action of the Federal Government, and every time the owners come before this Congress for relief they have been turned down. At one time since I have been here the Claims Committee put out a bill before this House providing that the people should be paid for this land, but the House killed it.

Now the Senate has placed on this river and harbor bill an amendment which will compensate these landowners, these people who have had their property destroyed, not by their own conduct or volition, but by the action of the Federal Government itself in endeavoring to protect land over in the State of Louisiana. A more righteous cause never presented itself to this Congress.

You have had a similar condition in the State of Illinois. When a canal was built there which destroyed certain land the people who owned the land were paid for it. Up in the State of Wisconsin, under similar circumstances and conditions, the American Congress has paid for land rendered valueless; yet these citizens in Mississippi have been knocking at the door of Congress for redress of losses that have come through the action of the American Government and have been turned down. If this river and harbor bill is to pass, it seems to me it should be recommitted and the amendment which the Senate placed on it should be placed back on the bill in order that justice should be done to thousands of citizens of this country.

The ancestors of these men fought in the American Revolution. They fought in the War of 1812. Some of this very land that I am speaking about in Jefferson County was owned by Gen. Jackson, who fought for this Government and saved it in 1812.

Mr. HUSTED. Mr. Speaker, will the gentleman yield?

I would like to ask the gentleman if these lands which he speaks of that were ruined by the action of the Federal Government were at all subject to inundation prior to the improvement of the other side by the Federal Government?

Mr. QUIN. I would say to the gentleman that an overflow never came on that land except in periods of 20 or 25 years apart, and that was a help to them rather than otherwise, because of the backwater that went on the land depositing alluvial material. But after these levees were constructed on the other side those lands have been overflowed every time the river rises until the water gets up to these high hills and ruins the crops. [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. SMALL. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. TREADWAY].

The SPEAKER. The gentleman from Massachusetts is recognized for five minutes.

Mr. TREADWAY. Mr. Speaker, I am glad to see by the conference report that some slight attention is paid to the needs of New England. There are included in this report two surveys which, while they do not directly affect my district, are of great interest to the eastern sections of Massachusetts and New Hampshire. I wish therefore to give this encouragement to gentlemen directly affected by the inclusion in this bill of these surveys: If it takes as long to complete the surveys, and later on as long to carry out the work recommended by these surveys as has been the case in connection with the Connecticut River they want to start early to ask their constituents to keep returning them to Congress, because it is going to be a long, long time before any direct results come from these surveys. There have been numerous surveys of the Connecticut River, as is well known, and we have had most favorable reports, and I am very glad a little progress has been made at this session. We have received the moral support of the Committee on Rivers and Harbors in this branch as well as the Committee on Commerce in the other, if not the actual inclusion of the project in the bill as reported and about to be passed. We therefore have not entirely lost hope that eventually this deserving project may be adopted by Congress.

For this delay I do not lay any blame on the Rivers and Harbors Committee at this time; but I do think there is great blame to be laid at the door of some one who may in some way or other be keeping back the conference report on the so-called conservation bill. I know not where that fault lies, but there is fault somewhere, and the Connecticut River is one of the cases where direct suffering is coming to the people for lack of the passage of some form of legislation which will permit development of water power in connection with navigation. To prevent production is not conservation, but absolute waste, and that is exactly what is being done by this effort to tie up any report whatsoever on the so-called conservation bill. We passed the bill a year or more ago. I understand that the other branch has also passed a bill. Can the interest of the country be so neglected that these conferees can not in some way get together? This session is about to expire, and nothing will be done. We will probably begin all over again in the next Congress. Let us hope that before the expiration of the Sixty-sixth Congress some form of legislation may be enacted which will permit the use of the tremendous energy in water power not now being conserved, but being actually wasted through lack of legislation. That is the situation as it appeals to me when a gentleman like the honored gentleman from Oklahoma [Mr. FERRIS] is so afraid that something may be done on public lands for private benefit that in addition to preventing anything being done on public lands he also endeavors to prevent anything being done on a navigable stream. It is unfortunate, to say the least. [Applause.]

I hesitate to submit any statistics at this time, as the subject has been debated so many times and within a comparatively recent period. While the Connecticut River project is comparatively small in proportion to the enormous amount of undeveloped power in the country, it is of the very greatest importance to the section directly affected. The hydroelectric power is very much needed as well as the navigation possibilities which will accompany the power development. Under permission to extend my remarks I include herewith a recent editorial which very thoroughly covers the subject so far as the power proposition is concerned. To this is added the value of navigation in such a project as the Connecticut River.

[The New York Times, Feb. 2, 1919.]

WATER POWER WASTED.

At the conference of the National Conservation Congress in Washington in 1910 one of the speakers said that "it will be hundreds of years before we can maintain anything like the development that God Almighty has planted in these hills of ours and that is running down these valleys." But it "has not been going to waste." It will be there for "10,000 years to come," and so on. Of course, it is being wasted every day it is not used. Immense potentialities of production are neglected, coal and oil are squandered, so long as the water power of the country is not developed.

Fifty-five million hydraulic horsepower is absolutely wasted because the conservationists were so long afraid that somebody would make too much money out of it; that the "interests" and the "trusts" would profit excessively in one of the most uncertain and costly enterprises which private capital can undertake. The United States, under the influence of rigid conservation doctrines, has discouraged, made most difficult and hazardous, the development of water-power plants which at the start cost from twice to five times as much as steam plants of the same size. The compensation comes in the much smaller cost of maintenance, fuel, labor.

In 1917, the year of our entry into the war, when everybody was crying for more productiveness and less waste, the new water-power plants completed amounted only to some 250,000 horsepower. In the 13 Western States, where about four-fifths of the undeveloped water power is, the United States owns about two-thirds of the land. To develop that water power the use of some of that land for the dam site, the flowage, the right of way, is usually indispensable. That use could only be obtained by revocable permit. Not always, as the course of a sometime Secretary of the Interior showed, was flagrant misuse the sole cause of revocation. Who could afford to invest in such a ticklish speculation? Capital was frightened away from water-power enterprises in the West. Of water-power sites not on public lands or in the West many are on navigable streams. A special act of Congress must be passed to authorize the development of any one of these. Such an act has been hard or nearly impossible to obtain.

In short, for years conservation for conservation's sake has been the rule. Just as the Government long sought to make Alaska a sort of hermit country sealed to the world of capital, locked up its great mineral resources, warned the accursed capitalist against trespassing or indicted him, prevented or retarded a natural railway growth in order to build with the people's money, really seemed to be conserving Alaska for posterity, so it has practically kept American hydroelectric energy at a standstill, at what expense of oil and coal, what sacrifice of mechanical power, the breath of industrial life, with what detriment to manufacturing and agriculture and the most productive use of labor, let the statisticians estimate.

Last year the Government waked up or was waked up. A water-power bill, which originated in the Departments of Agriculture, Interior, and War, was introduced into Congress, where Senate and House had long been hopelessly at odds about water-power development. This bill, approved in principle even by stern conservationists, consolidates all water-power jurisdiction, whether relating to navigable streams or public lands, in a Federal commission consisting of the heads of the three departments named. It has been amended, not always for the better, in its passage through Congress. It has been passed, but is still conserved in conference. Made law, it would authorize and give security to a long-delayed work of increasing the productive energies of the United States. Water-power development will both create and save. In that development this supposedly progressive Nation lags. Last September President Wilson called it of "capital and immediate importance as a war measure." It is now of capital and immediate importance as a peace measure.

Mr. COLLIER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SMALL. May I ask if my colleague [Mr. KENNEDY of Iowa] desires any time?

Mr. KENNEDY of Iowa. No.

Mr. SMALL. Mr. Speaker, before moving the previous question, I yield to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. The gentleman referred to amendment No. 1, which, in effect, declares the policy of Congress to be that the Secretary of War is vested with discretion to withhold expenditures in cases where the public interest would not suffer unless some cooperation in public improvements looking toward terminals is procured on the part of States or municipalities. I understood the gentleman to say there was one change in the amendment which did not appear in the printed report.

Mr. SMALL. No; the gentleman misunderstood me.

Mr. WALSH. Is the provision in the printed conference report the one which has been agreed upon?

Mr. SMALL. Yes.

Mr. WALSH. I misunderstood the gentleman.

Mr. SMALL. Mr. Speaker, previously I endeavored to point out very briefly the objections to including in this bill Senate amendment 144, referring to the Court of Claims the claims of certain riparian landowners on the Mississippi. I said it involved questions of the liability of the United States. There is grave doubt primarily as to whether the Federal Government is liable at all. This amendment gave no consideration to questions of proportional liability between the several States and the United States. Again, this particular amendment is impossible because it simply confers on the Court of Claims jurisdiction to ascertain the value of these lands alleged to be damaged or destroyed, with no jurisdiction whatever to consider the questions of law or equity involved.

Again, this involves a most important precedent. There are constantly being presented to the committee questions of liability of the United States for damages done to riparian lands by reason of improvements to navigable rivers or harbors, and it is an important and dangerous matter to permit a precedent to be formed in this way. Again, it would involve the Government in a contingent liability of anywhere from $10,000,000 to $40,000,000. Lastly, if the House should vote for the recommittal of this bill to include this amendment, it would destroy the possibility of any river and harbor bill at this session.

Now, Mr. Speaker, just one personal word in conclusion, if I may.

Mr. DYER. Will the gentleman yield for one question before he concludes?

Mr. SMALL. Certainly.

Mr. DYER. With reference to the substitute for amendment No. 1. Do I understand that that refers to projects like money appropriated for the Mississippi River?

Mr. SMALL. It does.

Mr. DYER. Suppose some of these cities should not furnish these terminals or facilities. Would that prevent the use of the appropriation for the whole river?

Mr. SMALL. Unless they can bring themselves within the terms of the provision. In other words, they must show that the public interest will suffer or that for some good reason they can not at this time proceed to construct the water terminals.

Mr. DYER. Suppose, for instance, my city of St. Louis is building terminals and docks for this purpose. Suppose Memphis or some other city does not do that. What will be the effect upon the whole project, so far as the river is concerned?

Mr. SMALL. The expenditure will be withheld until assurances are given that the particular city in question will discharge its duty in cooperation with the Federal Government.

Mr. DYER. That would be very unjust to a city which had done its whole duty and had expended a great deal of public money.

Mr. SMALL. I think the force of public opinion and the educational processes which it involves would avoid any substantial difficulty which the gentlemen anticipates.

Mr. Speaker, for two years your Rivers and Harbors Committee, as at present constituted, have been endeavoring to discharge their duty in the formulation of river and harbor bills. They take some pride in the fact that they have initiated certain movements looking toward the provisions necessary for the promotion of water transportation. Among those are the providing of adequate water terminals, sufficient boat lines of appropriate type, the interchange of traffic with the railroads, and the amendment of the interstate-commerce laws in such ways as will bring about a more harmonious relationship between the waterways and the railways, and tend to promote water transportation in larger degree. Your committee hope that they have contributed somewhat toward the rehabilitation, if such were needed, of river and harbor legislation; and in this particular bill, speaking my individual opinion, there is no appropriation or provision in the bill which is not in the public interest. The truth of that, after all, will depend upon the verdict of this House and of the country, and not upon the statement of any individual Member.

This is the last river and harbor bill which the present chairman of the committee will have the honor to report.

Mr. GARD. Oh, no; two years from now.

Mr. SMALL. Gentlemen suggest two years from now. Perhaps the future may provide for that, but not in the next Congress. I wish to make this statement that if perchance the present minority party, which will be the majority party in the next House, shall select as the successor of the present chairman the distinguished gentleman from Iowa [Mr. KENNEDY] [applause], the responsible duties of that position will devolve upon a Member of this House who is competent to discharge them and worthy of the honor. [Applause.] I know him well, I have worked with him, and I appreciate his integrity, his ability, and his capacity, and it will be my pleasure to cooperate with him in the fullest extent in the future. [Applause.]

Now, Mr. Speaker, I move the previous question, both on the motion to recommit and the adoption of the conference report.

Mr. COLLIER. I have offered the motion to recommit, Mr. Speaker.

The Clerk read as follows:

Mr. COLLIER moves to recommit the conference report to the conferees with instructions to the managers on the part of the House to recede and concur in Senate amendment No. 144, which is as follows:

"SEC. 7. That as to the lands investigated, surveyed, or reported on under authority of a provision of the river and harbor act approved July 25, 1912, a full report of which is set out in House Document No. 1010, Sixty-second Congress, third session, and wherein the recommendation is made that the title to said lands be acquired by the United States for their use in river improvement, the owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor: *Provided, however,* That in the trial of said suits said court shall permit any party who at any time since the damage or destruction of such lands owned or held title thereto or any interest therein, and who has become dispossessed thereof by reason of foreclosure proceedings, or otherwise compelled to sacrific title thereto as a result of said injuries to appear as a party claimant by filing petition setting up their former interest therein, and said court shall consider the claims of all of said parties and render judgment for whatever amount said court considers equitably or justly due the respective parties.

The SPEAKER. The gentleman from North Carolina moves the previous question on the conference report and also on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the motion was lost.

The SPEAKER. The question now is on agreeing to the conference report.

The conference report was agreed to.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, before I call up the conference reports I ask to take from the Speaker's table the bill H. R. 15462, the Military Academy bill, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will report the title to the bill.

The Clerk read as follows:

H. R. 15462. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. DENT, Mr. FIELDS, and Mr. KAHN.

RETENTION OF UNIFORM AND PERSONAL EQUIPMENT—CONFERENCE REPORT (NO. 1127).

Mr. DENT. Mr. Speaker, I call up the conference report on the bill (H. R. 13366) permitting any person who served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13366) permitting any person who served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agreed to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 3. That section 126 of the act entitled 'An act for making further and more effectual provision for the national defense,

and for other purposes,' approved June 3, 1916, be amended to read as follows:

"'SEC. 126. That an enlisted man honorably discharged from the Army, Navy, or Marine Corps since November 11, 1918, or who may hereafter be honorably discharged, shall receive 5 cents per mile from the place of his discharge to his actual bona fide home or residence, or original muster into the service, at his option: *Provided*, That for sea travel on discharge, transportation and subsistence only shall be furnished to enlisted men: *Provided*, That naval reservists duly enrolled who have been honorably released from active service since November 11, 1918, or who may hereafter be honorably released from active service, shall be entitled likewise to receive mileage as aforesaid.'"

And the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the figure "4"; and the Senate agree to the same.

S. H. DENT, JR.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House of Representatives.

GEO. E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment to (H. R. 13366) an act entitled, "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions," submit the following written statement explaining the effect of the action agreed upon:

The House receded upon Senate amendment No. 1 with an amendment giving to enlisted men in the Naval Reserve who have been on active duty the same privileges allowed to the enlisted men in the Army, Navy, and Marine Corps upon muster out. The Senate receded from amendment No. 2, providing for extra pay to officers and enlisted men in the Army, Navy, and Marine Corps, this matter having already been adjusted by both Houses in the revenue bill. The only other change, of course, is in the numbering of the sections.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. DENT. Now, Mr. Speaker, unless some Member desires to ask a question, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

RELIEF OF INFORMAL CONTRACTS.

Mr. DENT. Mr. Speaker, I call up the conference report on the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. WALSH. Well, Mr. Speaker, if we are going to consider this conference report we ought to have a full attendance, and I make the point of no quorum.

Mr. KAHN. Let me suggest to the gentleman from Alabama that he call up the other conference report on the resumption of voluntary enlistments.

Mr. DENT. I think that ought to be disposed of, but I have not the consent of the Speaker to recognize me for three different propositions.

The SPEAKER. The Chair will recognize the gentleman.

Mr. WALSH. Mr. Speaker, I withdraw the point of order.

Mr. DENT. Then, Mr. Speaker, I call up the conference report on Senate bill 5279, to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House No. 2, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the amendment of the House insert the following: ": *Provided*, That from and after the approval of this act, one third of the enlistments in the Regular Army of the United States shall be for a period of one year, and the remaining two-thirds thereof shall be for the period of three years. Any person enlisting under the provisions of this act shall not be required to serve with the reserves. The pay of the men enlisted hereunder shall be the same as that provided by the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917: *Provided further*, That after the expiration of one year those enlisting for the period of three years may be discharged in the discretion of the Secretary of War under such rules and regulations as may be prescribed by him after one year of service"; and the House agree to the same.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.

The statement is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5279) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes, submit the following written statement explaining the effect of the action agreed upon, to wit: Instead of providing for a period of enlistments for one year only, as decided by the House, the conferees agreed that one-third of the enlistments should be for a period of one year and the remaining two-thirds for a period of three years. The conferees adopted the House provision exempting enlistments from service in the reserve. An agreement was reached as to the House provision making the pay of enlisted men the same as that of the act of May 18, 1917, the act providing for the temporary increase in the Army. The provision was also agreed upon to the effect that those enlisting for three years might be discharged at the discretion of the Secretary of War after the expiration of a period of one year.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. DENT. Mr. Speaker, I may state briefly that the conferees on the part of the House and Senate made a compromise on the question as to the period of enlistment by providing that one-third of the enlistments would be for one year and two-thirds for a period of three years.

Mr. HASTINGS. But the number is not increased.

Mr. DENT. No.

Mr. WALSH. Neither one serves in the reserves.

Mr. DENT. Neither one serves in the reserves.

Mr. WALSH. Will the gentleman state how the proportions are fixed at one-third and two-thirds?

Mr. DENT. That is largely a matter of guesswork. It was first suggested in conference that a certain number of the Army enlist for a period of one year and the balance for a period of three years.

Mr. WALSH. As I understand it, the Army will have no enlistment for three years with four years in the reserves after this becomes a law?

Mr. DENT. That is true.

Mr. TILSON. What do I understand about the one-third; what does that mean? Suppose you can not get any men under the three-year enlistment, but all want to enlist in the one-third for one year; how many men can you enlist for one year?

Mr. DENT. You could only enlist one-third of the total.

Mr. TILSON. And not one-third of those who enlist?

Mr. DENT. No; one-third of the total.

Mr. TILSON. If the Army constitutes 175,000 men, that would authorize one-third of 175,000, even if no one enlisted for the three-year period?

Mr. DENT. That is undoubtedly the construction to be placed upon the agreement reached by the conferees. Mr.

Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

VALIDATION OF INFORMAL WAR CONTRACTS.

Mr. DENT. Mr. Speaker, I call up the conference report upon the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. WALSH. Mr. Speaker, this matter is one of the most important matters awaiting attention, and we ought to have a full attendance whenever it is considered. I make the point of order that there is no quorum present.

Mr. BYRNES of South Carolina. Mr. Chairman, will not the gentleman from Alabama [Mr. DENT] withdraw that motion and allow us to go on with the appropriation bill?

Mr. DENT. Mr. Speaker, this is a very pressing matter, and it is something that necessarily must go back to conference. It does not make any difference what action the House takes, this bill necessarily must go back to conference, because there is a complete disagreement. We are in exactly the same situation that we were when we started. I hope the gentleman from Massachusetts will not make the point of order that there is no quorum present, but will let us dispose of this matter in some shape. If the matter comes up, it is my intention to make a motion that the House do further insist upon its disagreement to the Senate amendment.

The SPEAKER. Does the gentleman from Massachusetts insist upon his point of order?

Mr. WALSH. I think I shall have to insist upon it.

The SPEAKER. The Chair will count.

Mr. WALSH (interrupting the count). Mr. Speaker, I withdraw the point temporarily.

The SPEAKER. The Chair thanks the gentleman, and the Clerk will report the conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law having met, after full and free conference have been unable to agree.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
C. S. THOMAS,
F. E. WARREN,
Managers on the part of the Senate.

Mr. DENT. Mr. Speaker, I move that the House do further insist upon its disagreement to the Senate amendment.

Mr. FOSTER. Mr. Speaker, I desire to offer a motion to instruct the conferees.

Mr. CANNON. They have already been instructed, have they not?

Mr. GORDON. Yes.

Mr. FOSTER. But I want to instruct them again.

Mr. GORDON. They have been twice instructed against this same thing.

Mr. FOSTER. It is not the same thing.

Mr. DENT. The gentleman has the right to make that motion.

The SPEAKER. The Chair will suggest that, under a long line of decisions in matters similar to this, there is nothing before the House. Speaker Reed held there was nothing before the House, and such a motion would not be in order at this time.

Mr. FOSTER. Is not this bill before the House?

The SPEAKER. There is nothing in this report that the House has to act on.

Mr. KAHN. The bill is before the House with a Senate amendment.

The SPEAKER. That is correct. We are exactly where we started.

Mr. FOSTER. Before the bill goes back to conference, I desire to move to instruct the conferees.

Mr. HARRISON of Virginia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARRISON of Virginia. Is a motion now in order that the House concur in the Senate amendment in regard to mining claims, with an amendment that the amount shall not exceed a certain amount?

Mr. MANN. Mr. Speaker, it is not in order to concur in a part of the Senate amendment with an amendment. The House must by its action in the end dispose of the Senate amendment. The House can concur in the Senate amendment with an amendment, or it can insist upon its disagreement to the Senate amendment, but it can not concur in a part of the Senate amendment with an amendment. It must act upon the whole amendment.

The SPEAKER. Is that the case the gentleman from Virginia presents?

Mr. MANN. That is the case, because the gentleman's suggestion was with reference to section 7 of the Senate amendment. The Senate made one amendment to the entire bill. The action taken by the House, whatever it may be, must be upon the entire amendment. Of course we can concur in the Senate amendment with an amendment striking out all of the Senate amendment and inserting what the House thinks should be inserted, but you can not concur in a part of the Senate amendment. You can instruct the conferees before they are appointed.

The SPEAKER. The gentleman from Illinois has answered the inquiry of the gentleman from Virginia, and the Chair concurs in his answer.

Mr. FIELDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. When this matter was before the House a few days ago, the House instructed the conferees to disagree to section 5 of the conference report. Would a motion be in order to send the conferees back to conference uninstructed?

Mr. MANN. Of course a motion to send the conferees back uninstructed is not in order, because it is not necessary.

Mr. FIELDS. The conferees go back instructed unless the House instructs them.

Mr. GORDON. We have already instructed them.

Mr. MANN. I doubt very much whether they go back instructed. They have reported that they disagree on the instruction that was had. Of course, the conferees might feel obligated to retain the instructions of the House, but when you appoint new conferees my impression is that the old instructions go by the board.

The SPEAKER. The old instructions are played out. We have to start anew again. This matter is precisely where it was when the conferees were appointed.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. The conferees having made a report, and the Speaker having laid the bill before the House, the only action that the House can take at this time is to send it back to conference, is it not?

The SPEAKER. Of course.

Mr. WINGO. Is a motion in order to send the bill back to conference and appoint new conferees?

The SPEAKER. Yes.

Mr. WINGO. I make that motion.

Mr. KAHN. It has already been made.

The SPEAKER. The gentleman from Alabama [Mr. DENT] has already made that motion.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes in regard to this matter, which is a very important matter for the business interests of this country and the European nations.

Mr. FOSTER. Would not the gentleman wait until I offer my motion to instruct the conferees?

Mr. GORDON. Oh, well, we want to divide the time on this.

Mr. CANNON. Does the gentleman propose to discuss the merits of the proposition?

Mr. KAHN. No.

Mr. CANNON. On this bill?

The SPEAKER. If it gets in conference, then before the conferees are appointed the gentleman from Illinois [Mr. FOSTER] can make his motion. The gentleman from Alabama moves that the House insist on its disagreement and ask for a new conference.

Mr. KAHN. Mr. Speaker, will the gentleman from Alabama yield me 10 minutes.

Mr. DENT. I yield the gentleman from California 10 minutes.

Mr. KAHN. Mr. Speaker, the conferees on the part of the House, taking the instructions of the House, refused to accept the Senate amendment on the mineral section of the informal-contract bill. The conferees on the part of the Senate are just as firm for the Senate propositon as the conferees on the part of the House. But they suggested that we call to the attention of the House a proposition that they had in mind, namely, that

the bill should be limited to a total expenditure of $8,000,000 and that the ores to be paid for should be pyrites, manganese, chrome, and tungsten, the ores that were heretofore spoken of on this floor. The Senate conferees claim they have the assurance of their colleagues in the Senate that this proposition must be insisted upon even with a possibility of the bill failing. It is a serious proposition. There are over 6,600 informal war claims involving an aggregate of $1,600,000,000 in this country. Those are claims in this country alone. There are claims from foreign governments aggregating probably as much more, so that in all probability $3,000,000,000 is tied up at the present because we have not succeeded in passing any legislation.

Mr. CANNON. Will the gentleman yield?

Mr. KAHN. I do.

Mr. CANNON. That is not $3,000,000,000 tied up in reference to these minerals?

Mr. KAHN. No; I say the legislation ties up practically $3,000,000,000.

Mr. CANNON. Precisely, but that is provided for in the House provision.

Mr. KAHN. In the conference report.

Mr. CANNON. And it is not dependent upon the proposition where the House instructed not to agree?

Mr. KAHN. No; it is not; if the gentleman will allow me, the Senate conferees are insisting that some provision be made for some of these mineral claims and are willing to limit the entire amount to $8,000,000.

Mr. CANNON. The Senate and House are both agreed or would agree on the $3,000,000,000 that the gentleman refers to?

Mr. KAHN. Yes; that is quite true.

Mr. CANNON. Now, the House is for that, but the House instructed touching the other matter not to agree?

Mr. KAHN. Therefore, the House conferees refused to agree.

Mr. CANNON. And the Senate says the $3,000,000,000 of proper claims can go to, well back, unless the amendment proposing a limit of $8,000,000 is agreed to. In other words, if the gentleman will allow me, that provision about the minerals is wicked. There is no appeal from the Secretary of the Interior. The other is guarded, guarded well. This bill was passed on the 5th of October and no authority was ever given to the Secretary of the Interior to make any contracts.

Mr. KAHN. But when it passed the House it was not guarded with regard to appeals that way, and the Senate provision which the conferees have accepted and agreed to——

Mr. CANNON. Oh, no; this is a House bill——

Mr. KAHN. In the original bill as it passed the House the Secretary had practically plenary power.

Mr. CANNON. I will try to get a little time.

Mr. KAHN. Now, I simply want to state the facts to the House. It would be a great misfortune if the bill failed altogether. The conferees on the part of the House having been instructed will carry out so far as they can those instructions.

Mr. CALDWELL. Does not the gentleman think $8,000,000 is a pretty good price to pay for the privilege of paying some honest debts?

Mr. KAHN. Well, I do not think that question is before the House just now. That has been heretofore discussed. There is a difference of opinion in the House, and I simply took this time in order that I might state to the House what the parliamentary situation is.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. KAHN. I will.

Mr. GARRETT of Texas. I want to ask the gentleman if it has not long been the custom between the two Houses, where legislation originates in one House and amendments are put on in the other House, that the House where the legislation originates insists that the amendments put on by the other House should go out; if it is not the practice for the other House to recede from the amendments and not seek to defeat the legislation by stubbornness?

Mr. KAHN. That has been the unwritten law of conferences. Generally, rather than let legislation fail altogether, the amending House in the final analysis recedes.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. KAHN. I will.

Mr. GREENE of Vermont. Why, if these claims for minerals be just, is the limit fixed for payment to the extent of $8,000,000? Why not pay them all?

Mr. KAHN. I do not think it is my province or that I should be called upon to answer these questions at this time, because they are not in conference. The question in conference is, Will this House accept the amendment or will it allow the bill to fail? I do not think the conferees ought to be called upon to discuss the merits at this time, because we were instructed.

Mr. GREENE of Vermont. I was simply taking the gentleman at his word and proceeding in good faith. The gentleman has laid before us the proposition that the Senate hitched on to our original bill a rider which called for the payment of $8,000,000, presumably of just claims, and that they were endeavoring to ingratiate that rider in our favor by saying it was limited to $8,000,000.

Mr. KAHN. I will say to the gentleman that Mr. Manning, of the Mining Bureau, appeared before the conferees in the early stages of the conference and announced to the conferees the entire amount involved was between four and one-half millions and $8,000,000

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. Mr. Speaker——

Mr. STAFFORD. Mr. Speaker, I would like to offer a motion at the proper time to instruct the conferees——

Mr. FOSTER. Mr. Speaker, I think that is hardly fair to do that in advance of what I announced and expected to do.

Mr. STAFFORD. Yes; it is more than fair, because this side prevailed in its position two to one, and I have the right to recognition.

Mr. FOSTER. I do not think the gentleman has, and I do not think the gentleman ought to ask it.

The SPEAKER. The Chair will recognize the gentleman from Illinois [Mr. FOSTER], because he was trying to get in two or three times before.

Mr. DENT. Mr. Speaker, I would like to ask the gentleman from Illinois [Mr. CANNON] if he desires some time?

Mr. CANNON. I would like 10 minutes, Mr. Speaker.

Mr. DENT. I yield to the gentleman 10 minutes.

Mr. STAFFORD. Mr. Speaker, can we not have some of these respective motions disposed of? There is a desire on the part of the House——

Mr. FOSTER. If they will vote on the motion of the gentleman from Alabama [Mr. DENT] and then let me offer my motion to instruct, we could get directly to it.

Mr. STAFFORD. I think we have the right to have the motion to instruct pending, and the substitute may be pending. Here we are proceeding with the debate——

The SPEAKER. The time has not come for the motion. The time to instruct the conferees of the House, demanded on the part of the House, is just before the Chair appoints the conferees.

Mr. FOSTER. We can vote on this amendment and then the gentleman can do it.

Mr. STAFFORD. I think it would be well to have some arrangement whereby we can discuss the motion.

Mr. CANNON. What is the issue now?

Mr. FOSTER. I do not know. Nobody knows.

The SPEAKER. The thing they are talking about is whether the gentleman from Illinois ought to have the right of way, or the gentleman from Wisconsin.

Mr. CANNON. To do what?

The SPEAKER. To offer a motion to instruct the conferees on the part of the House.

Mr. CANNON. That is subject to an amendment when offered. The Chair has already ruled——

The SPEAKER. The only thing before the House is the motion of the gentleman from Alabama [Mr. DENT].

Mr. FOSTER. Why not vote on that?

Mr. DENT. Then, I move the previous question on my motion.

The SPEAKER. The gentleman from Alabama moves the previous question.

Mr. STAFFORD. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. That motion does not apply to any motion to instruct the conferees?

The SPEAKER. It does not. It is a flat motion to do the thing that he moved to do. The question is——

Mr. DENT. Mr. Speaker, I withdraw that motion for the present.

Mr. CANNON. It is not in order to make it now.

Mr. FOSTER. It will be when we vote on this.

The SPEAKER. What is the gentleman from Alabama [Mr. DENT] going to do with his hour?

Mr. DENT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENT. If the previous question is ordered on my motion to further disagree to the Senate amendment, what will be the effect as to any subsequent motion?

The SPEAKER. None whatever.

Mr. DENT. It goes right back to conference?

The SPEAKER. No; it does not. If the previous question prevails, the Chair will immediately put the gentleman's motion, and if that carries, the Chair will appoint the conferees; but in the meantime he would give the gentleman from Illinois an opportunity to get in his motion to instruct.

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

Mr. DENT. Mr. Speaker, is that motion debatable?

The SPEAKER. Yes; it is debatable unless the previous question is ordered.

Mr. CANNON. There ought to be, then, unanimous consent, if the previous question prevails, to discuss the matter of instruction. Why do you not ask unanimous consent?

Mr. SAUNDERS of Virginia. Mr. Speaker, I wish to propound a parliamentary inquiry. What is the motion of the gentleman from Alabama [Mr. DENT]?

The SPEAKER. To further disagree to the Senate amendment and ask for a conference.

Mr. GARRETT of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Texas. Is it in order for a member of the committee to offer a motion to amend the motion of the gentleman from Alabama and further insist upon its disagreement to the Senate amendment, with the same instructions to the conferees that prevailed before?

The SPEAKER. The gentleman from Alabama moves the previous question.

Mr. GARRETT of Texas. But he withdrew that, if you please.

Mr. DENT. I renewed it.

Mr. GARRETT of Texas. He had withdrawn it. But I made the parliamentary inquiry——

The SPEAKER. If the gentleman moves the previous question and the previous question is ordered, that will end all this.

Mr. GARRETT of Texas. That is what we do not want.

The SPEAKER. I know; but not wanting a thing does not change the parliamentary situation.

Mr. GARRETT of Texas. I want to know whether or not his motion can be amended to the effect that the House further insist on its disagreement, and the conferees shall go under the same instruction as they have before?

The SPEAKER. That is the very thing the gentleman from Illinois [Mr. FOSTER] is trying to do after all this other is cleared up.

Mr. GARRETT of Texas. The gentleman from Illinois [Mr. FOSTER] is going to ask for different instructions.

Mr. FOSTER. Oh, no.

The SPEAKER. The gentleman from Alabama [Mr. DENT] moves the previous question.

Mr. CANNON. Mr. Speaker, if the previous question is ordered now, and then there is a proposition to instruct the conferees by my colleague [Mr. FOSTER] or anybody else, the previous question operates, and there will be no time for any debate.

Mr. FIELDS. Now, Mr. Speaker——

Mr. CANNON. Therefore I think there ought to be an agreement that there should be.

The SPEAKER. The Chair does not think the gentleman from Illinois is correct. The previous question operates on this motion of the gentleman from Alabama [Mr. DENT] and the proposed motion of the gentleman from Illinois [Mr. FOSTER], or whoever offers it, and is a separate proposition and is debatable, unless the previous question is ordered on it. That clears up the situation, right or wrong.

Mr. STAFFORD. Mr. Speaker, I wish to inquire if we can not arrive at some understanding to let the gentleman from Illinois offer his motion, and then let me or some other Member offer a motion as a substitute, and let the previous question be ordered after debate.

Mr. WINGO. I would object to that. The other day the gentleman moved the previous question when I was on the floor, and we did not have an opportunity for one word of debate on this question to instruct.

The SPEAKER. It is always competent to move the previous question by the man who has charge of it.

Mr. GARRETT of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Texas. Would the ordering of the previous question on the motion of the gentleman from Illinois [Mr. FOSTER] preclude the motion made by the gentleman from Wisconsin?

The SPEAKER. Of course, it would.

Mr. DYER. Regular order!

The SPEAKER. The regular order is the motion for the previous question on the motion of the gentleman from Alabama [Mr. DENT].

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Alabama [Mr. DENT].

The question was taken, and the motion was agreed to.

Mr. FOSTER. Mr. Speaker, I offer a motion to instruct the conferees to agree to the amendment, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. FOSTER:

"SEC. 5. That the Secretary of the Interior be——

Mr. TAYLOR of Colorado. Mr. Speaker, I make the point of order that the House is not sufficiently in order to hear the amendment.

The SPEAKER. That point of order is well taken.

Mr. STAFFORD. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. The Chair will count.

Mr. STAFFORD. I will withdraw the point of order for the present.

The SPEAKER. The gentleman from Wisconsin withdraws the point of order. The Clerk will report the motion of the gentleman from Illinois [Mr. FOSTER].

The Clerk read as follows:

SEC. 5. That the Secretary of the Interior be, and he hereby is, authorized to adjust, liquidate, and pay such net losses as have been suffered by any person, firm, or corporation, by reason of producing or preparing to produce, either manganese, chrome, pyrites, or tungsten in compliance with the request or demand of the Department of the Interior, the War Industries Board, the War Trade Board, the Shipping Board, or the Emergency Fleet Corporation to supply the urgent needs of the Nation in the prosecution of the war; said minerals being enumerated in the act of Congress approved October 5, 1918, entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply."

The said Secretary shall make such adjustments and payments in each case as he shall determine to be just and equitable; that the decision of said Secretary shall be conclusive and final, subject to the limitation hereinafter provided; that all payments and expenses incurred by said Secretary, including personal services, traveling and subsistence expenses, supplies, postage, printing, and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, as the Secretary of the Interior may deem essential and proper, shall be paid from the funds appropriated by the said act of October 5, 1918, and that said funds and appropriations shall continue to be available for said purpose until such time as the said Secretary shall have fully exercised the authority herein granted and performed and completed the duties hereby provided and imposed: *Provided, however,* That the payments and disbursements made under the provisions of this section for and in connection with the payments and settlements of the claims herein described, and the said expenses of administration shall in no event exceed the sum of $8,500,000: *And provided further,* That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act: *And provided further,* That no claim shall be allowed or paid by said Secretary unless it shall appear to the satisfaction of the said Secretary that the expenditures so made or obligations so incurred by the claimant were made in good faith for or upon property which contained either manganese, chrome, pyrites, or tungsten in sufficient quantities to be of commercial importance: *And provided further,* That no claims shall be paid unless it shall appear to the satisfaction of said Secretary that moneys were invested or obligations were incurred subsequent to April 6, 1917, and prior to November 12, 1918, in a legitimate attempt to produce either manganese, chrome, pyrites, or tungsten for the needs of the Nation for the prosecution of the war, and that no profits of any kind shall be included in the allowance of any of said claims, and that no investment for merely speculative purposes shall be recognized in any manner by said Secretary: *And provided further,* That the settlement of any claim arising under the provisions of this section shall not bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right to recover any money paid by the Government to any party under and by virtue of the provisions of this section, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns of any party.

That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States: *Provided further,* That in determining the net losses of any claimant the Secretary of the Interior shall, among other things, take into consideration and charge to the claimant the then market value of any ores or minerals on hand belonging to the claimant, and also the salvage or usable value of any machinery or other appliances which may be claimed was purchased to equip said mine for the purpose of complying with the request or demand of the agencies of the Government above mentioned in the manner aforesaid.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Will I have the privilege of offering an amendment to the motion of the gentleman from Illinois in the nature of a substitute?

The SPEAKER. You can either offer an amendment or a substitute.

Mr. STAFFORD. I wish to be recognized for that purpose.

Mr. FOSTER. I have the floor, Mr. Speaker. I did not yield to the gentleman from Wisconsin to make such a motion. He

got up and made a parliamentary inquiry and then said he wanted to offer a substitute. He rose and made a parliamentary inquiry, and then said he wanted to offer an amendment. I do not believe under the rules he has a right to get up and get the floor in that manner and then offer a substitute.

Mr. CANNON. Will my colleague yield for a moment?

Mr. FOSTER. Certainly.

Mr. CANNON. My colleague is a perfectly fair man. As I understand he moves this as an instruction. It is a little awkward fix so far as that is concerned, but let that be as it may. The object of the gentleman is to get the expression of the House for the information and guidance of the conferees. Now, his proposition has been read. It seems that the gentleman from Wisconsin [Mr. STAFFORD] wants another and a different proposition. I think that ought to be read. In other words, my friend from Illinois [Mr. FOSTER] ought not to undertake to shackle the House by a motion for the previous question that will cut out the privilege of the House to work its will.

Mr. FOSTER. I think my colleague is right about that. I do not desire and never have desired to do a thing of that kind. Yet the gentleman from Wisconsin availed himself of all the parliamentary law that he knew necessary to get in a motion, and the previous question was ordered, and the balance of us had to sit still without a word and vote when our names were called, and we have not received very great consideration as to what we wanted to do.

Mr. STAFFORD. We had an understanding that I would be recognized to offer a motion to recommit.

Mr. FOSTER. Yes; and the gentleman offered his motion and moved the previous question.

Mr. STAFFORD. That was carrying out the understanding of the House.

Mr. FOSTER. Mr. Speaker, I want to add the language I send to the Clerk's desk as a part of my motion to instruct the conferees on the part of the House, and I wish to state that this is the part of the former conference report as agreed to by the conferees, up to but not including section 5.

Mr. STAFFORD. If the gentleman has not completed his motion, I do not wish to ask recognition to offer my amendment.

Mr. FOSTER. If there is no objection, I will offer my motion. If there is, of course I will not. I will state again that this is a conference report on the war contract bill, leaving out of it as reported section 5, and I offer a motion to instruct the conferees to agree to section 5 with an amendment.

Mr. GORDON. We have voted that down twice.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks to modify his motion.

Mr. WALSH. Reserving the right to object, the gentleman says this is a conference report. Does the gentleman seek to include part of the conference report in his motion?

Mr. FOSTER. It includes that part of the conference report to which there seemed to be no objection when it was reported on a former occasion and excludes section 5, which included war minerals. Now, I offer as an instruction to the conferees a motion to agree to the Senate amendment with this amendment—that the managers on the part of the House agree to it.

Mr. GARRETT of Texas. Why is that offered as a part of the motion?

Mr. HOWARD. So that the comparison can be made.

Mr. STAFFORD. As I understand it, the only thing in disagreement is section 5.

Mr. FOSTER. I am offering a motion to agree to this amendment with an amendment, and my motion takes the conference report up to section 5, and then adds this other to it, which takes the place of the war minerals section.

Mr. CANNON. This is an amendment, then, and not an instruction?

Mr. FOSTER. It is a motion to instruct the conferees on the part of the House.

Mr. CANNON. Can it be an instruction and an amendment at one and the same time?

Mr. FOSTER. If there is objection to it, why, all right.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

Mr. WALSH. I object to that. Let us do this in an orderly way.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] offers to modify his motion, and the Clerk will report it as modified.

The Clerk read as follows:

Mr. FOSTER moves to instruct the managers on the part of the House to agree to the Senate amendment with an amendment so that the Senate amendment will read as follows:

"That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for damages resulting from notice by the Government of its intention to acquire or use said lands, or for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services——

Mr. CANNON. Mr. Speaker, I understand this is a motion to instruct the conferees.

The SPEAKER. Yes.

Mr. CANNON. Now, I take it that that is a motion to agree to the Senate amendment with an amendment.

The SPEAKER. If the Chair understands it, it is an instruction to the managers on the part of the House to agree to section 5 of this Senate substitute with certain amendments.

Mr. WINGO. No, Mr. Speaker; if the Chair will permit me, what the gentleman from Illinois has done is to move to instruct the House conferees to agree to the Senate amendment with an amendment, so that it will read identically with the language that the conferees reported before, except the disputed section 5; and on disputed section 5 the gentleman from Illinois proposes to accept the matter agreed to by the Committee on Mines and Mining. In other words, the gentleman from Illinois moves to instruct the conferees to agree to the Senate amendment with an amendment, so that the Senate amendment will read as the Clerk is reading.

The SPEAKER. That is exactly what the Chair stated in answer to the gentleman from Illinois.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Are we not beyond the stage when we can move to concur? The House has taken definitive action to disagree to the Senate amendments.

Mr. GORDON. And has instructed the conferees.

Mr. STAFFORD. And now the only motion in order is to instruct the conferees.

Mr. FOSTER. That is what we are doing.

The SPEAKER. That is what we are trying to do.

Mr. STAFFORD. The motion now is to concur in the Senate amendment with an amendment.

Mr. FOSTER. My motion is that the managers on the part of the House be instructed to agree to the Senate amendment with an amendment, which has been partly read by the Clerk.

The SPEAKER. That is the way the Chair has understood it for the last half hour. The Clerk will read.

Mr. GORDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GORDON. After the conferees have been twice instructed on this question, and have now been finally instructed to insist on their disagreement, is it in order for the House to undertake to make a new bill in a conference report?

The SPEAKER. The Chair has stated two or three times as thoroughly as anybody can state anything that when it comes back with this disagreement it starts in new, and what happened before as to instructions does not amount to a hill of beans.

Mr. HOWARD. It is de novo.

The SPEAKER. That is it; it is de novo.

Mr. CANNON. Mr. Speaker, has the House already disagreed to this Senate amendment?

The SPEAKER. It has.

Mr. CANNON. And that is disposed of. This is a proceeding to instruct the conferees.

The SPEAKER. This is a motion to instruct the managers on the part of the House to do certain things or to stand out for certain things.

Mr. CANNON. It is a very awkward situation.

Mr. CALDWELL rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. CALDWELL. I make the point of order that it is out of order to instruct the conferees to agree to anything that we have instructed the conferees to disagree to.

The SPEAKER. The point of order is overruled. The Clerk will read the motion of the gentleman from Illinois.

The Clerk read as follows:

Mr. FOSTER moves to instruct the managers on the part of the House to agree to the Senate amendment with an amendment, so that the Senate amendment will read as follows:

"That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for damages resulting from notice by the Government of its intention to acquire or use said lands, or for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other pur-

poses connected with the prosecution of the war, when such agreement has been performed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That in no case shall any award either by the Secretary of War or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a reasonable remuneration for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order: *Provided further*, That this act shall not authorize payment to be made of any claim not presented before June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall exist against the executors, administrators, heirs, successors, and assigns, of any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statute of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That in all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers, and letters, or other documents; and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in trial of any criminal proceeding.

"SEC. 2. That the Court of Claims is hereby given jurisdiction on petition of any individual, firm, company, or corporation referred to in section 1 hereof, to find and award fair and just compensation in the cases specified in said section in the event that such individual, firm, company, or corporation shall not be willing to accept the adjustment, payment, or compensation offered by the Secretary of War as hereinbefore provided, or in the event that the Secretary of War shall fail or refuse to offer a satisfactory adjustment, payment, or compensation as provided for in said section.

"SEC. 3. That the Secretary of War, through such agency as he may designate or establish, is empowered, upon such terms as he or it may determine to be in the interest of the United States, to make equitable and fair adjustments and agreements, upon the termination or in settlement or readjustment of agreements or arrangements entered into with any foreign government or governments or nationals thereof, prior to November 12, 1918, for the furnishing to the American Expeditionary Forces or otherwise for war purposes of supplies, materials, facilities, services, or the use of property, or for the furnishing of any thereof by the United States to any foreign government or governments, whether or not such agreements or arrangements have been entered into in accordance with applicable statutory provisions; and the other provisions of this act shall not be applicable to such adjustments.

"SEC. 4. That whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor with respect to any portion of his contract which he shall have sublet to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to such prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, before payment of said award the Secretary of War shall require such prime contractor to present satisfactory evidence of having paid said subcontractor or of the consent of said subcontractor to look for his compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractor the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditor of said prime contractor."

Mr. SAUNDERS of Virginia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAUNDERS of Virginia. Is the matter which has just been read matter that was added to the House bill in the Senate?

The SPEAKER. Yes.

Mr. SAUNDERS of Virginia. That is a matter the conferees are supposed to be instructed to agree to.

Mr. FIELDS. That is the conference report agreed upon, excluding the mineral section.

Mr. WALSH. But we have never agreed to it.

The SPEAKER. The gentleman from Illinois is recognized under the rules of the House for one hour.

Mr. RANDALL. Mr. Speaker, I make the point of no quorum.

Mr. STAFFORD. Mr. Speaker, I offer the following motion.

The SPEAKER. The time has not yet come when the gentleman can offer his motion. The gentleman from Illinois has the floor for an hour. If he does not move the previous question within the hour anybody has a right to get the floor and move to amend or substitute. The rules of the House have been here for a century.

Mr. STAFFORD. I only want the opportunity to offer my motion.

The SPEAKER. The Chair will give the gentleman an opportunity. If the gentleman from Illinois moves the previous question the House has a remedy to vote it down. It seems as if more than three-quarters of the House felt that it was under obligations to vote for the previous question every time it is moved on anything.

Mr. RANDALL. I make the point that there is no quorum present.

The SPEAKER. The gentleman from California makes the point that no quorum is present, and the Chair will count. [After counting.] One hundred and fifty-four Members present, not a quorum.

Mr. FOSTER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names.

Baer	Denison	Kinkaid	Sanders, La.
Barkley	Dooling	Knutson	Sanford
Barnhart	Dupré	Kreider	Saunders, Va.
Birch	Emerson	Langley	Scully
Black	Essen	Lazaro	Sears
Blackmon	Estopinal	McAndrews	Sells
Booher	Ferris	Mondell	Shackleford
Britten	Flynn	Moon	Steele
Browning	Francis	Mott	Stevenson
Brumbaugh	Gallagher	Mudd	Sullivan
Carlin	Glynn	Neely	Swift
Chandler, N. Y.	Godwin, N. C.	Nicholls, S. C.	Tague
Clark, Fla.	Goodall	Nichols, Mich.	Taylor, Ark.
Coady	Goodwin, Ark.	Nolan-	Templeton
Collier	Graham, Pa.	Oliver, Ala.	Thompson
Cooper, Ohio	Gray, N. J.	Park	Tinkham
Cooper, W. Va.	Gregg	Porter	Van Dyke
Copley	Hamill	Powers	Vare
Costello	Hamilton, N. Y.	Price	Venable
Cox	Heintz	Rainey, J. W.	Walker
Crago	Helm	Riordan	Ward
Crisp	Hensley	Roberts	Wheeler
Davey	Hutchinson	Rowland	Wilson, Ill.
Delaney	Johnson, S. Dak.	Russell	Zihlman
Dempsey	Kennedy, Iowa	Sabath	

The SPEAKER. On this call 326 Members have answered to their names, a quorum.

Mr. FOSTER. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. COOPER of Ohio indefinitely on account of illness.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. SISSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13277, making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to take from the Speaker's table the District of Columbia appropriation bill, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr. SISSON, Mr. MCANDREWS, and Mr. DAVIS.

VALIDATION OF INFORMAL WAR CONTRACTS.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] is recognized for one hour.

Mr. FOSTER. Mr. Speaker, the motion which I have offered is to instruct the managers upon the part of the House to agree to the Senate amendment; that is, the original Senate amendment, as passed by the Senate, before any conference was held, together with an amendment which has been read at the Clerk's desk, which takes the place of section 7 of the original amendment and of section 5 of the last conference report. This amendment in reference to war minerals, which seems to be the point upon which the House and Senate have disagreed, provides that the Secretary of the Interior may settle these war-mineral claims to the amount of eight and one-half million dollars. It has been said before upon the floor of the House that the Secretary of the Interior can use the full amount of $50,000,000 under the war-minerals bill. So in order to obviate any danger of that kind it has been limited to not more than the amount I have mentioned. It also throws around the amendment safeguards for the Government pro-

viding that only upon the personal request or demand of the Government agencies could they be paid, and it then provides for the material which may be on hand—machinery or whatever it may be—and limits the matter to bona fide claims——

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. Not now—bona fide claims, not speculative claims, but those where the agents of the Government went out and demanded or requested that these men furnish these war materials. These demands or requests were made not all by the Secretary of the Interior or through his agents, but through the War Industries Board, through the Shipping Board, and if anyone would take the time to read the hearings before the Committee on Mines and Mining when the war-minerals bill was under consideration he would see that Mr. Leith, the representative of the Shipping Board, stated what they would carry out in reference to the imports of these war materials into this country. The Shipping Board did not carry out this statement, as I am informed. The Committee on Mines and Mining this morning held a meeting and took up this amendment section by section, paragraph by paragraph, and the committee agreed by a majority, and a large majority, that they would approve of this amendment. I think it is fair and right that these people should be paid something, should be paid their losses. The amendment provides that they shall be paid only their net losses and not any profit.

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield just to suggest, in reference to that bill passed in October for $50,000,000, that that was for the very specific purpose that the amendment provides?

Mr. FOSTER. Exactly. This also names but four minerals which the Secretary of the Interior, through the Director of Mines, shall pay for. It does not take the whole scope of the bill and put all of the minerals that were there. The Secretary thinks this is fair and just for these four minerals to be included. No account is taken of newspaper articles or of every fellow who went out and dug a hole in the ground, but he must be able to show that he really had the minerals there—not a prospecting claim, nothing of that kind, but only the actual mineral that he went out and secured for his Government when his Government asked him to do it, when his Government went to him personally and requested or demanded that he do it. They sent for many of these men to come to Washington, and they came at their own expense, and then appealed to them to go home and do this work for their Government, which was vital to the winning of the war.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. Not now.

Mr. STAFFORD. Under what authority of law?

Mr. FOSTER. Under no authority of law—of course not. If this were done under authority of law, we would not be here with this bill, and the gentleman knows that if it was according to law we would not be here with these war contracts, either. [Applause.] That argument does not amount to anything. The question is, in war time, when the Government goes out and requests—demands—that people do certain things to win the war; and, when the war is over, shall a great Government like this leave these men bankrupt, leave them penniless, to go out into the world again and do the best they can? I do not believe this House means to do it, when they fully understand the proposition. We have a plain proposition—one that is fair and right—and I hope the House will agree to it.

Mr. FIELDS. Mr. Speaker, will the gentleman yield for a question?

Mr. FOSTER. Yes.

Mr. FIELDS. As I understand the gentleman's motion, it includes the conference report as agreed to by the conferees, up to section 5.

Mr. FOSTER. Yes. It agrees to the conference report up to the war-mineral section, and then instructs the conferees to agree to that, to which the House has no objection, and then agrees to this new section on the question of war minerals. I yield 10 minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Speaker, I think I am somewhat responsible for the row over this bill, and I have no apologies to make for that. The original proposition as brought in by the Senate had no limitations whatever, either as to the amount or number or character or kind of claims that might be presented and considered by the Secretary of the Interior. I thought that was very bad legislation, and neither had the Committee on Mines and Mining of the House or this House considered this proposition one minute, and I thought that was a bad way to legislate. The proposition brought back by the conferees in their last report was some improvement over the original Senate proposition in some respects, but in others not quite so good, and I thought that the whole thing was a bad proposition, and I therefore opposed it. As has been stated by the gentleman from Illinois [Mr. FOSTER], the Committee on Mines and Mining had a meeting this morning and considered the proposition which he has now submitted for consideration to the House. I was present at that meeting and took part in it. I have recognized all the time a fundamental difference between the so-called validating war-contract bill and these claims. In that some gentlemen do not agree with me, but I think I am right. In the first place, no claim can be considered by the Secretary of War under that bill unless it amounted to at least an imperfect contract.

Mr. GORDON. Authorized by law.

Mr. HAMLIN. Authorized by law. I think some gentlemen fail to draw that distinction. Every contract that the Secretary of War can consider is a contract, or would have been a valid contract if committed to writing and properly signed, he having authority to make it. Of course, in these so-called mining claims there is no contract; there could be no contract, because nobody was authorized by law to make a contract. I stated on the first day I attempted to discuss this proposition that I realized that there might be certain cases arising on this mining proposition that would have originated under conditions such as in all good conscience the Government ought to indemnify the parties who sustained the loss.

Mr. GORDON rose.

Mr. HAMLIN. But I was not willing to make the blue sky the limit and throw no safeguards around it and take in every character, kind, and class of claims that might be submitted.

Mr. GORDON. Will the gentleman yield?

Mr. HAMLIN. Just for a question.

Mr. GORDON. Does not the gentleman think that these claims he is speaking about ought to be presented separately to the Congress, and Congress ought to be permitted to act on each one on its merits?

Mr. HAMLIN. There is no argument upon that proposition to my mind at all. If it were possible, feasible, and practicable that is exactly the way I think they ought to be settled, but those of us who have been here quite awhile know that if you compel these people to present their claims to Congress as separate claims against the Government perhaps their great grandchildren might realize upon them and in the meantime the claimants be busted and absolutely ruined financially. Now, the proposition as submitted to-day does not meet my approval altogether, I frankly state, but I do believe that it is such a great improvement over the other proposition presented that we can very well consider it, and consider it fairly and without any prejudice. I think it very largely safeguards the Government in the liquidation and settlement of these claims.

Mr. LEVER. Will the gentleman yield?

Mr. HAMLIN. I will.

Mr. LEVER. What is the basis of the calculation by which you reach the sum of $8,500,000?

Mr. HAMLIN. I attach very little importance to that, I will say to the gentleman. As I stated to the committee this morning, and I state frankly to the House now, that while a limit is attached to the amount that can be paid by the Secretary of the Interior at $8,500,000, I realize that if a lot of just claims be established which exceeds that amount that they will come back to Congress and ask Congress to make appropriations to pay them, and I think the Congress would feel compelled to do it. I do not attach a great deal of importance to this limitation, but there are gentlemen who do not agree with me on that proposition.

Mr. LEVER. I think the gentleman is right about it entirely.

Mr. HAMLIN. I think I am right. I do not attach much importance to the limitation on the amount made available, but here is what I do attach importance to: Notice the provisions of this bill. In the first instance it takes in but four classes of minerals—manganese, chrome, pyrites, and tungsten. Well, I understand perhaps there could not possibly arise many claims in regard to tungsten. Again, the provision that only those who were especially demanded or requested to produce one of these four minerals can be and are included in this proposition.

Mr. FIELDS. The former conference report recommitted provided that.

Mr. HAMLIN. I know that; that is true. Now, one of the provisos is:

Provided further, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months—

And so forth.

Provided further, That no claims shall be allowed or paid by said Secretary unless it shall appear to the satisfaction of the said Secretary that the expenditures so made or obligations so incurred by the claimant were made in good faith for and upon property which contained either manganese chrome, pyrites, or tungsten in sufficient quantities to be of commercial importance—

And so forth.

Now, that is one safeguard or narrowing down that none of these other provisions have had in them. The others provided that the fellow who went out purely for speculative purposes with a pick and shovel on his shoulder to prospect, with the hope he might find something, with visions of great profits in sight in case the war continued for a considerable length of time, would have come in under those provisions. But not so under the provision which we are now considering.

Mr. LEVER. Will the gentleman yield?

Mr. HAMLIN. In just a moment. I want to call attention to the other provisions. We limit it only to those cases where the minerals were in sight in sufficient quantity to be of service to the Nation in its extremity if the war had continued.

Mr. HOWARD. Bona fide operators?

Mr. HAMLIN. "Bona fide operators" is a good suggestion, and I accept the amendment. Another provision is:

Provided further, That no claim shall be paid unless it appears to the satisfaction of the said Secretary that money so invested and obligations incurred prior to November 12 in a legitimate attempt to produce either manganese, chrome, pyrites, or tungsten for the needs of the Nation for the prosecution of the war.

And that all speculative investments of any kind or purpose whatever are specifically excluded. Then here is another proposition:

That in determining the net losses—

And that is the only kind he is permitted to pay under this provision—

he shall take into consideration, among other things, the then market value of any ores or minerals on hand and belonging to the claimant and the salvage value of any machinery or other appliances which it was claimed was purchased with which to equip such mine in the manner aforesaid.

And so forth. For instance, here is a man who presents a claim, and it develops that he has gotten 10, 15, 20, 30, 40, or 50 tons of ore out on the dump.

The SPEAKER. The time of the gentleman has expired.

Mr. HAMLIN. I would like five minutes.

Mr. FOSTER. I will give the gentleman two.

Mr. HAMLIN. All right. Thank you.

Then he ought not to be permitted, of course, to keep that ore and be paid his estimated losses in addition. If he keeps that ore he ought then to be charged with the market value of it.

Here is another man who says that he has invested $50,000, $75,000, or $100,000 in machinery. He has not taken out any ore, but had to install the machinery with which to operate his mine. He has bought the machinery and installed it, and, of course, will keep it. Then, in that case, the salvage value of that machinery ought to be charged to him and he ought not to keep the machinery and collect from the Government the first cost of it.

All of these safeguards have been put in there; and if anybody can think of any other provision that will further restrict it I will be glad to support it. I think the House knows that I do not look with great favor on these claims, but we are safeguarding it, and now propose to pay only the men who were induced by the agencies of the Government to invest their money in order to help the Government in this extremity of war and to pay only actual net losses—not speculative but such net losses as he can possibly show that he has sustained. When that is done that is as far as I am willing to go. Believing this is the best proposition presented, and that it is reasonable, I shall vote for it.

Mr. GORDON. The gentleman does not claim the Government authorized any of this?

Mr. HAMLIN. Oh, no.

Mr. GORDON. The gentleman said "the Government."

Mr. HAMLIN. Not legally. I draw that distinction between these two classes of claims. If the Government agency—I do not say they did, but that is what the claimants will have to prove—if the Government agencies did the things set out in the first part of this amendment, then the actual net loss that man or firm sustained, with all of these deductions, ought to be paid. And for these reasons I am going to vote for this amendment.

Mr. FOSTER. I yield to the gentleman from Illinois [Mr. MADDEN].

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. MADDEN. Mr. Speaker, when this conference report came back to the House with the item in it providing for the adjustment of the claims regarding mineral products I was opposed to it because it included many things which ought not to have been included. But there were some minerals which seemed to me to be essential to the successful conduct of the war, and they included pyrites, tungsten, chrome, and manganese.

These four minerals particularly were important and essential, and while no Government officer had legal authority to authorize investments during the war, yet the importance of the situation was such that I believed they were justified in encouraging men to invest their money to develop these minerals in order that the Government of the United States might be in a position to meet the situation which confronted the Nation at at the time.

After this conference report was sent back I suggested its modification to include only these four minerals. I know of cases where men have invested all their fortunes on the faith of the Government in the development of these minerals purely as a war measure, and it would not be fair for us to say to these men now, "Having invested your money on the faith of the Government as citizens of the United States, anxious to promote the country's welfare to win the war, the Government now will lead you into bankruptcy." And it is because of the patriotism of these men who took a chance and were willing to depend upon the honor and the good faith of their Government that I am willing now to provide for the adjustment of the losses which they have made, and made purely because they were anxious to win the war. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. FOSTER. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

The SPEAKER. The gentleman from Wisconsin is recognized for 10 minutes.

Mr. STAFFORD. Mr. Speaker, there is no difference in substance between the present status of this motion and what was before the House some days ago. It is merely a question whether the Congress would take the position that we will indemnify every business man who happened to make some investment of some kind in anticipation of profit growing out of the war, with the war coming to a close and those profits not accruing.

If we adopt these instructions of the gentleman from Illinois [Mr. FOSTER], it will commit the Government to the payment of hundreds of millions of dollars. The mere fact that it is limited to $8,500,000 does not mean that we are limited to that amount, because the amendment provides that every person within three months may have the privilege of presenting his claim. I know of many manufacturers who went ahead and erected large plants in anticipation of contracts, in anticipation that the war would go on and that they would make great profits. Yet they have lost heavily by reason of the cessation of the war. And yet no one would commit the Government to the payment of such losses. Here, however, you are going to recognize the mine operators who, since April 6, 1917, at the request of these various Government officials, went into the production of these minerals. We know that the price of manganese rose from something like $70 a ton to $600 a ton; but this proposition does not undertake to consider the profits that these various mine operators may have made during the war period out of their mining operations, but it proposes that we compensate them for the losses occasioned by the fall in price and the amount of their investment that was made to develop these mines.

We know that to-day the price of manganese has fallen greatly; and now you are asking Congress to indemnify these various mine operators who went into this development as a business risk, and to have the Government virtually guarantee the price and thereby reimburse them. It is admitted by the gentleman from Illinois [Mr. FOSTER] that they proceeded without any authority of law, merely on the request of some Government activity to go ahead and produce something that they thought they could make profits out of. That is the one proposition before the committee. If we adopt this position here to-day, we will be obligated to pay every one of these claims; and if we are obligated to pay these claims here, we will be obligated to pay similar claims, because it will be a precedent from which we can not escape.

On two prior occasions the House took a positive position on this matter, and it is fundamental in conferences between the two bodies that where one body proposes legislation, if the other House insists on its disagreement, the body proposing the legislation must recede. This is merely putting it up to the House whether we will stand firm in our opposition against this raid on the Treasury that may amount to hundreds of millions of dollars, and put it up to these mining operators, who have the ear of the other end of the Capitol, that we will not recede from our disagreement. The question is whether we will do that, or whether we will surrender our position in these closing days of

this Congress. There is no doubt in my mind that if we remain firm that these other propositions validating war contracts will be agreed to before the close of the Congress.

Mr. McKENZIE. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Illinois.

Mr. McKENZIE. I desire to ask the gentleman from Wisconsin if the adoption of this proposition would not be the establishment of a precedent in legislation in this country heretofore unknown?

Mr. STAFFORD. Never before in the history of the Congress have we attempted anything like this. If we do it here we must recognize it in all cases. And why not? Every person who made an investment at the request of Government officials would be entitled to compensation for the loss which he had sustained by reason of those investments not being utilizable to-day.

Mr. DEWALT. Did the gentleman in his experience ever know of a Cabinet officer or any other officer of the Government being constituted judge, jury, and payer of the amounts claimed against the Government by the provisions of any legislation?

Mr. STAFFORD. That confirms the viciousness of this proposal. And more than that; when we passed this original mining bill, in April, 1918, it provided for the price guaranty of these minerals. It was so radical that even the Senate refused to agree to that, and that is what we are agreeing to here. It was lodged over in the Senate for five months. At last, in September, it was agreed to in the contract form, authorizing the Government to contract for these supplies that were necessary for carrying on the war. The President, after the act was passed, on October 5, 1918, never exercised the authority. They have to admit that they have no ground whatsoever to proceed on; and now, in the closing days of the Congress, it is proposed that these claimants, who have made immense profits perhaps, shall be guaranteed the difference in the price of these minerals since they have fallen or be paid the amount of their investment. That is what they are asking.

Mr. DEWALT. I want to ask the gentleman another question on the same line. In his legislative experience did he ever find any conference report or any bill which attempted to limit the jurisdiction of a court as to its judicial functions in the way of determining damages? I call attention to this provision in the motion of the gentleman from Illinois:

> *Provided*, That in no case shall any award either by the Secretary of War or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a reasonable remuneration for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order.

That is clearly a judicial function. You can not limit the amount of damages which are awarded by a court by any legislative action.

Mr. STAFFORD. That relates to irregular contracts for war supplies which failed to be negotiated in our favor because of the signing of the armistice. Now, there is no relation whatsoever between these mining claims—which are not even equitable claims, from my viewpoint—and the cases where the Secretary of War or the War Department actually called upon an individual to enter into contracts for the production of articles which were really necessary for carrying on the war. In these latter cases the officials had authority to enter into contracts. But here these mining operators took a business risk upon a mere verbal request of some Government official to produce who had no authority to bind the Government with any such contract. They went and made their investment, bottomed on the idea that high prices would be maintained and that they would receive the benefit of those high prices. There was no guaranty of any kind or sort. No Government official had any authority to make any. There was no action by any Government official to warrant their going ahead, except that which would induce any business man to go ahead and invest his money on the chance of making a profit.

As I said in my remarks before, I know of men in the foundry business who have invested hundreds of thousands of dollars on plants just nearing completion or completed at the close of the war who are out their entire investment and who went ahead in expectation of Government orders and whose plants are virtually a complete loss. If you grant this request of these mine operators, these foundry men are more entitled to recompense, because they did not get any profit at all. Some of these mining operators got enormous profits, and yet you propose to recompense them when they have no right whatsoever to be recompensed, and this is being done under the threat that this bill will be held up, when we all know that it will not be held up; but that if we stand firm in these closing hours of the session and not allow any interest to raid the Treasury to the extent of hundreds of millions of dollars that the Senate will have to recede.

Mr. HOWARD. The gentleman says these men made enormous profits. Does the bill provide for anything except the net losses of these men? It is the net loss, not a profit. The gentleman knows that.

Mr. STAFFORD. It provides for compensating them for their investment—their machinery and the amount of money invested.

Mr. HOWARD. It says their net losses. The gentleman knows it says so.

Mr. STAFFORD. They are going to be paid for the amount of their investment, regardless of the profits they may have made by sale of minerals. It is not like these other war contracts at all.

Mr. DENISON. I want to ask the gentleman a question.

Mr. STAFFORD. I intend to offer the following amendment, which is identical with the amendment offered when this matter was last before the House, that the managers on the part of the House be instructed not to agree to section 7 of the Senate amendment in any form. That was our position on two prior occasions, and I think it should be our position now more firmly than ever.

Mr. DENISON. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. DENISON. On what authority does the gentleman make the statement that these men who are asking for an adjustment have made enormous profits?

Mr. STAFFORD. Everybody knows that if they developed manganese it was at a big profit when it was selling at 600. If it was selling at 60 they would not. These four minerals mentioned are those most generally used. It proposes to pay them the amount of their investment, which happens no longer to be profitable at present low prices.

The SPEAKER pro tempore (Mr. TAYLOR of Colorado). The time of the gentleman has expired.

Mr. FOSTER. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Speaker, when this proposition was before the House I opposed it, but it was not then the same proposition that is pending now. I now think that this amendment should pass. I think in fairness to the men who put their money into these investments, at the invitation of some Government official, who told them that they would receive remuneration therefor, should now have their remuneration. It is said that no contract was signed. That is true, but men connected with the Interior Department, under the Secretary of the Interior, did go to men who had prospects for this material and asked them to develop it, and told them further that there was a bill to be brought into Congress with the intention of stabilizing the price and that they might realize or at least get out of their investment whole. That was plainly stated. It was after the war began; it was a time when they were calling upon people to do something to help in the way of patriotism, and these men had the prospects, and they were calling upon them, and at the cost of their own pockets, in order to develop and help in the work, they went forward. Whether they succeeded or not, they were induced to go in by statements made to them.

I will say that this question would not have come up at all at this time had it not been that the gentlemen on the other side of the House have always refused to protect these industries. If we had protected them in the past, as we expect to in the future by a protective tariff, these industries would have been developed, and when the war came on we would not have been in the position that we were in.

Mr. STERLING. Will the gentleman yield?

Mr. GARLAND. Yes.

Mr. STERLING. Is the gentleman's mind as open and clear on the fact that every producer of minerals who was asked by a Government official to produce ought to be indemnified?

Mr. GARLAND. Only those who suffered loss.

Mr. STERLING. May I state this case to the gentleman: What does he think of the coal producer in Pennsylvania who sustained losses?

Mr. GARLAND. I believe that the Fuel Board or the President fixed the price of coal.

Mr. STERLING. I understand when some Government official took up the question and asked the coal men to take dumpings from the coke plants, buy a particular kind of machinery and produce that stuff for war purposes, that within 20 days after that the machinery was condemned.

Mr. GARLAND. That is irrelevant to this proposition. These four different minerals named in this amendment were minerals that had not heretofore been developed.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FOSTER. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. OLNEY].

Mr. OLNEY. Mr. Speaker, I believe it is only the part of good sense and sound wisdom for the House to reverse its position of a week ago and agree to the Foster amendment. The four minerals enumerated in this law come from certain sections—the South, the Middle West, and the far West—and they are just as much moral obligations to these mining men as the 6,600 in the war-contract bill. I sincerely hope that the House will reverse its position, because we have but six legislative days remaining, and the bill is in great danger of not being passed at this session if the House does not reverse itself.

Mr. GORDON. Will the gentleman yield?

Mr. OLNEY. Yes.

Mr. GORDON. You do not claim that there was any contract for this development?

Mr. OLNEY. No; but there was a moral obligation.

Mr. GORDON. Oh, yes; you want to give it to them. That is all. [Laughter.]

Mr. FOSTER. Mr. Speaker, I yield 10 minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, there have been so many erroneous and misleading statements about the proposition that it would be impossible to answer all of them in the limit of 10 minutes. The proposition before the House is a simple one. The House first passed what was known as the validating-contract bill for the War Department. In other words, to validate what they called informal contracts, but which were not legal contracts, because in some instances the clerk who had ordered the goods had no authority, and the Secretary of War did not know that he had any such clerk.

Now, when that went to the Senate, the Senate attached what was known as the Henderson amendment, which authorized the Secretary of the Interior to pay certain claims, based upon the operations of certain people under the war-minerals act which passed in October. When it came back to the House, the House refused to agree to the Henderson amendment. The House adopted a motion by the gentleman from Wisconsin [Mr. STAFFORD] to instruct the conferees not to agree to that amendment in any form.

The conferees of the House followed the instructions and reported a disagreement. It now starts over again, and what is the proposition? The gentleman from Illinois [Mr. FOSTER] has offered here a proposal that you instruct the conferees to agree to everything they formally agreed to with reference to the war contracts, and in addition to that agree to the Senate amendment on this war minerals proposition with an amendment, which is nothing more than the proposition that the Committee on Mines and Mining of the House has agreed to this morning by an overwhelming vote, only two votes being recorded against it. What is that proposition? It is that the Secretary of the Interior in considering and settling these claims shall have certain limitations placed upon him. They are the same limitations that the gentlemen who now complain about the limitations insisted when we had up the conference report before should be placed upon him. Gentlemen before said that $50,000,000 was the limit, as they have said to-day, and that the sky is the limit; and now when the Committee on Mines and Mining comes in and puts on a limitation of eight and a half millions they still say that the sky is the limit. Mr. Speaker, that is nothing but camouflage. What other limitation is there that you shall not consider any speculative profits? Gentlemen who have read this amendment have said that any man who had a little hole in the ground and went in with the hope of a speculative profit could have his claim considered on this bill.

I say to you as one who thinks he knows something about the legal effect of language that that kind of a claim can not be considered at all by the Secretary of the Interior. It specifically limits him to claims that are different from that. No man who relied upon the advertisements, no man who relied upon the general cry that each man do his patriotic duty, no man who relied on hope that he would come in and reap a speculative profit, shall be considered under the terms of this proposal. What kind of claim can be considered? You say that there is no contract. Neither had these other war-contract people. They have not any legal contracts. If they had, you would not be sitting here with this bill, and gentlemen know it.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. WINGO. No; I do not yield to my kind, yet vociferous and volcanic, friend from Ohio.

Mr. GORDON. The gentleman does not know about this.

Mr. WINGO. I do know about this. I am somewhat different from the gentleman. I am not one of those who is willing to pay the moral obligations of the United States to Spanish contractors, to Italian contractors, to English contractors, and then decline to meet the moral obligations that the Government owes to little contractors throughout the United States who furnished war materials that were necessary in the manufacture of war materials. [Applause.] When this bill was under consideration before our committee the War Trade Board and the Shipping Board and the administration forces—the President was back of it, for you remember that he phoned here when the bill was hanging in the balance—came to us and what did they say? They said, "We have got to stop this shipping from Brazil, New South Wales and China and Spain that is carrying this manganese ore and the pyrites and chrome, etc.," and the munition manufactures, who were manufacturing our munitions, came down to Washington and said to us, "If you shut off our supplies of these minerals from Spain and from Brazil and from Japan and the East Indies we can not turn out these munitions."

So the War Trade Board came down here and asked us to pass that bill. They took that bill and went out to these men and appealed to them—for profit? No. One man I know they brought here. He does not live in my district. They brought him to Washington and took him down before the War Trade Board and said, "You have got a great deposit of certain ore down there and we need it, and we want you to go to work and get it out," and he said, "Oh, no; there is no money in that; I went broke in it once. I will not do that. Take my property free if the Government needs it, but I can not afford to work it." But they found out that he had two sons in the trenches and three more going, and they said, "It is true that there is no profit in it, and we can not give you a contract now, but the President is back of this bill that has passed the House. It is going to the Senate, and when it does become a law we will make you a contract that will prevent you from suffering any loss." He said, "All right; I do not want any profit; I will go back home and discharge my patriotic duty." He said to this War Trade Board that any man who has common sense knows that he can not make any profit; that they would go broke on it; that he had gone broke on it once, but had accumulated a competency in another business. He said that he did not want to risk that, but when they appealed to his patriotism he went back, and he went to other men who had sons in the trenches, and he worked every day and he mortgaged his farm to get money to buy machinery and to pay a pay roll and he hired men and put them to work. One man told me who heard him make a speech on the dump to the men and he said, "You have boys in the trenches the same as I, and every time you get out a ton it saves a ton of shipping from Brazil and sends a ton of food and supplies to our boys." Oh, you ask me by what authority he was told to do these things. Point me to a higher authority than that patriotic impulse to respond to the needs of his country. [Applause.] Some say that we will set a precedent if we pass this. Your war-contracts bill is a precedent. Has not the Congress of the United States courage enough to say that where the Government, under the driving force of patriotism, made men go and put all they had into producing something for the Government at a loss, when they are facing bankruptcy and their homes are about to be sold over their heads, has not the Congress of the United States courage enough to stand up and say, "Precedent or no precedent, we will discharge that moral obligation"?

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. WINGO. I am sorry, but I have not the time. I have seen men who wished to squirm out of their moral obligations, and I have never had very much respect for them. I do not mean any reflection upon you gentlemen. I can very well understand the attitude of the man who says that inasmuch as there is no legal authority we will not have anything to do with it. I can not understand a man who had that view and yet who will vote for the war-contracts bill because there is no legal contract there. As I said once before on this floor, the trouble in these days now throughout all of the nations of the earth is that people have lost faith in the justice of their governments; and God pity this country whenever the time comes when an old man like the one I have told you about, who gave five sons to this country's cause, is compelled to go back to his wife and say, "Yes; we will have to sell the home over our heads, because the Congress of the United States, made up of a bunch of technical lawyers, said it would not discharge its moral obligations to me." The government that will not discharge its moral obligations loses the confidence, and deservedly so, of its citizens. I am more scrupulous about my moral obligations by which I am not bound by law than I am about my legal obligations. I respect my legal obligations, but I may resist them and tell my creditor to go into court and compel me to live up to my contract; but God pity the man who refuses to do justice when his claimant comes up and says, "I have no claims of law against you, but I gave you something of value when you

came to me in the hour of your need and asked me for it; I gave you my substance, relying upon your honor and your sense of fairness and justice to fulfill that obligation. Now I appeal to your honor as a man; I can not compel you to do it in the court."

What a contempt you have for the man who turns upon people like that and says, "Oh, well, I am not legally bound." You have the utmost contempt for him. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. FOSTER. Mr. Speaker, I ask that the gentleman from Wisconsin [Mr. STAFFORD] be allowed to offer a substitute without my losing the floor.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Wisconsin be permitted to offer a substitute without the gentleman from Illinois losing the floor. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Speaker, I offer the following substitute for the motion to instruct the conferees offered by the gentleman from Illinois.

The SPEAKER. The Clerk will report the substitute.

The Clerk read as follows:

Mr. STAFFORD moves to instruct the managers on the part of the House to concur in the Senate amendment with an amendment as follows: That the managers on the part of the House be instructed not to agree to section 7 of the Senate amendment in any form.

The SPEAKER. The question is on the substitute.

Mr. FOSTER. Mr. Speaker, how much time have I?

The SPEAKER. The gentleman has seven minutes.

Mr. FOSTER. Mr. Speaker, the gentleman from Wisconsin [Mr. STAFFORD] offers an amendment which, of course, is not strictly in order, and yet I desire, as far as I am concerned, to be perfectly fair with the House, and I could not do otherwise if I should try. I have no desire to do otherwise. In my judgment this amendment which has been offered to instruct the conferees to agree to the amendment which has been reported at the Clerk's desk some time ago provides the language exactly, as I said before, which the conferees agreed to in reference to the war contracts. Now, I want to say in all fairness that the Committee on Mines and Mining, composed of at least a fair representation of the House—and I think the Members, outside of myself, are as good as any of them——

Mr. DYER. Why so modest?

Mr. FOSTER. They have gone over this carefully. They went over this amendment section by section, paragraph by paragraph, and they came to the conclusion that this amendment was fair and right and threw around all the restrictions which were necessary to protect the Government.

Mr. GORDON. Not all of them.

Mr. FOSTER. Oh, yes.

Mr. GORDON. Two of them did not.

Mr. FOSTER. I said the committee did agree to it.

Mr. GORDON. The majority.

Mr. FOSTER. All except two, if the gentleman wants to put it that way. The chairman of that committee does not desire to deceive the House on that. Now, I hope that the amendment offered by the gentleman from Wisconsin will be voted down, and then, with the amendment offered, it will give the relief that these men ought to have. These are not contracts; of course they are not contracts, and nobody is claiming they are such. If they had been contracts legally it would not have been necessary to have this bill at all, but this is in order to correct an illegality, that these men may get their money. Now, Mr. Speaker, I move the previous question on the substitute to the amendment and the amendment.

The SPEAKER. The gentleman moves the previous question on his own motion and on the substitute offered by the gentleman from Wisconsin.

The previous question was ordered.

The SPEAKER. The question is on the substitute offered by the gentleman from Wisconsin.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. STAFFORD. Division, Mr. Speaker.

The SPEAKER. The gentleman from Wisconsin demands a division.

The House proceeded to divide.

Mr. STAFFORD. Mr. Speaker, I demand the yeas and nays on the substitute.

Mr. WALSH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present, and the Chair will count. [After counting.] Two hundred and seven gentlemen are present, not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 118, nays 215, answered "present" 3, not voting 92, as follows:

YEAS—118.

Alexander	Frear	London	Sisson
Ashbrook	Gard	Lundeen	Snell
Beshlin	Garner	McCormick	Snook
Bland, Ind.	Garrett, Tenn.	McKenzie	Stafford
Blanton	Garrett, Tex.	McKinley	Steagall
Browne	Good	McLaughlin, Mich.	Stedman
Buchanan	Gordon	Mann	Steenerson
Burroughs	Green, Iowa	Mansfield	Stephens, Miss.
Byrnes, S. C.	Greene, Vt.	Mason	Sterling
Byrns, Tenn.	Griest	Miller, Minn.	Sumners
Campbell, Kans.	Hamilton, Mich.	Montague	Temple
Candler, Miss.	Harrison, Miss.	Moon	Thomas
Cannon	Hastings	Moore, Pa.	Venable
Carter, Okla.	Haugen	Nelson, A. P.	Vestal
Connally, Tex.	Hollingsworth	Nelson, J. M.	Vinson
Cramton	Houston	Norton	Voigt
Crisp	Huddleston	Oliver, Ala.	Volstead
Crosser	Hull, Iowa	Parker, N. J.	Walsh
Davis	Hull, Tenn.	Quin	Wason
Dent	Ireland	Ragsdale	Webb
Dewalt	James	Ramseyer	Whaley
Dies	Johnson, S. Dak.	Rayburn	Wheeler
Dillon	Juul	Rose	Wilson, Tex.
Dixon	Keating	Saunders, Va.	Wise
Dominick	Kelly, Pa.	Schall	Wood, Ind.
Doughton	Kincheloe	Scott, Iowa	Young, N. Dak.
Dowell	Kraus	Scott, Mich.	Young, Tex.
Eagan	Larsen	Shallenberger	Zihlman
Eagle	Lesher	Sherley	
Fairfield	Lever	Sherwood	

NAYS—215.

Almon	Fess	Lampert	Reed
Anderson	Fields	Langley	Riordan
Anthony	Fisher	Lazaro	Robinson
Aswell	Focht	Lea, Cal.	Rogers
Austin	Fordney	Lehlbach	Romjue
Ayres	Foster	Linthicum	Rouse
Bacharach	Freeman	Littlepage	Rowe
Bankhead	French	Lobeck	Rowland
Barnhart	Fuller, Ill.	Lonergan	Rubey
Beakes	Fuller, Mass.	Longworth	Sanders, Ind.
Bell	Gallivan	Lufkin	Sanders, N. Y.
Benson	Garland	McArthur	Sanford
Black	Gillett	McClintic	Shouse
Bland, Va.	Glynn	McCulloch	Siegel
Bowers	Goodall	McFadden	Sinnott
Burnett	Gould	McKeown	Slayden
Caldwell	Graham, Ill.	McLaughlin, Pa.	Slemp
Campbell, Pa.	Gray, Ala.	McLemore	Sloan
Caraway	Greene, Mass.	Madden	Smith, Idaho
Carew	Griffin	Magee	Smith, Mich.
Carter, Mass.	Hadley	Maher	Smith, T. F.
Cary	Hamlin	Mapes	Snyder
Chandler, N. Y.	Hardy	Martin	Stiness
Chandler, Okla.	Harrison, Va.	Mays	Strong
Church	Haskell	Merritt	Sweet
Clark, Pa.	Hawley	Miller, Wash.	Switzer
Classon	Hayden	Mondell	Taylor, Colo.
Connelly, Kans.	Hayes	Moores, Ind.	Thompson
Cooper, W. Va	Heaton	Morgan	Tillman
Cooper, Wis.	Heflin	Morin	Tilson
Currie, Mich.	Helvering	Mott	Timberlake
Curry, Cal.	Hersey	Nichols, Mich.	Tinkham
Dale	Hicks	Oldfield	Towner
Dallinger	Holland	Oliver, N. Y.	Treadway
Darrow	Hood	Olney	Van Dyke
Davey	Howard	Osborne	Vare
Decker	Humphreys	O'Shaunessy	Waldow
Dempsey	Husted	Overstreet	Walker
Denison	Hutchinson	Padgett	Walton
Denton	Igoe	Paige	Ward
Dickinson	Jacoway	Parker, N. Y.	Watkins
Dill	Johnson, Ky.	Peters	Watson, Pa.
Donovan	Johnson, Wash.	Phelan	Watson, Va.
Doolittle	Jones	Platt	Weaver
Doremus	Kahn	Polk	Welling
Drane	Kearns	Porter	Welty
Dyer	Kehoe	Pou	White, Me.
Elliott	Kelley, Mich.	Pratt	Williams
Elston	Kennedy, R. I.	Purnell	Wilson, La.
Esch	Kettner	Rainey, H. T.	Wingo
Evans	Kiess, Pa.	Raker	Winslow
Fairchild, B. L.	King	Ramsey	Woodyard
Farr	Kinkaid	Randall	Wright
Ferris	La Follette	Reavis	

ANSWERED "PRESENT"—3.

Butler	Edmonds	Knutson

NOT VOTING—92.

Baer	Collier	Flood	Hilliard
Barkley	Cooper, Ohio	Flynn	Kennedy, Iowa
Birch	Copley	Foss	Key, Ohio
Blackmon	Costello	Francis	Kitchin
Booher	Cox	Gallagher	Kreider
Brand	Crago	Gandy	LaGuardia
Britten	Delaney	Godwin, N. C	Lee, Ga.
Brodbeck	Dooling	Goodwin, Ark.	Little
Browning	Drukker	Graham, Pa.	Lunn
Brumbaugh	Dunn	Gray, N. J.	McAndrews
Cantrill	Dupré	Gregg	Mudd
Carlin	Ellsworth	Hamill	Neely
Clark, Fla.	Emerson	Hamilton, N. Y.	Nicholls, S. C.
Claypool	Essen	Heintz	Nolan
Cleary	Estopinal	Helm	Overmyer
Coady	Fairchild, G. W.	Hensley	Park

Powers	Russell	Sims	Swift
Price	Sabath	Small	Tague
Rainey, J. W.	Sanders, La.	Smith, C. B.	Taylor, Ark.
Rankin	Scully	Steele	Templeton
Roberts	Sears	Stephens, Nebr.	White, Ohio
Rodenberg	Sells	Stevenson	Wilson, Ill.
Rucker	Shackleford	Sullivan	Woods, Iowa

So the substitute was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. WHITE of Ohio with Mr. BAER.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. TAYLOR of Arkansas with Mr. WILSON of Illinois.

Mr. HAMILL with Mr. LAGUARDIA.

Mr. NICHOLLS of South Carolina with Mr. GRAHAM of Pennsylvania.

Mr. SULLIVAN with Mr. BIRCH.

Mr. DOOLING with Mr. BRITTEN.

Mr. GALLAGHER with Mr. BROWNING.

Mr. SCULLY with Mr. COOPER of Ohio.

Mr. BARKLEY with Mr. CRAGO.

Mr. BLACKMON with Mr. DRUKKER.

Mr. BOOHER with Mr. DUNN.

Mr. BRAND with Mr. ELLSWORTH.

Mr. STEELE with Mr. BUTLER.

Mr. CANTRILL with Mr. ESSEN.

Mr. CARLIN with Mr. GEORGE W. FAIRCHILD.

Mr. CLARK of Florida with Mr. FLOOD.

Mr. CLEARY with Mr. FLYNN.

Mr. COADY with Mr. FOSS.

Mr. COLLIER with Mr. HAMILTON of New York.

Mr. GANDY with Mr. HEINTZ.

Mr. GODWIN of North Carolina with Mr. KENNEDY of Iowa.

Mr. GOODWIN of Arkansas with Mr. KREIDER.

Mr. HELM with Mr. LITTLE.

Mr. HENSLEY with Mr. MUDD.

Mr. LEE of Georgia with Mr. NOLAN.

Mr. LUNN with Mr. POWERS.

Mr. MCANDREWS with Mr. RODENBERG.

Mr. NEELY with Mr. SELLS.

Mr. PARK with Mr. SWIFT.

Mr. JOHN W. RAINEY with Mr. COPLEY.

Mr. SABATH with Mr. FRANCIS.

Mr. SANDERS of Louisiana with Mr. GRAY of New Jersey.

Mr. SIMS with Mr. WOODS of Iowa.

Mr. SMALL with Miss RANKIN.

Mr. TAGUE with Mr. ROBERTS.

Mr. SEARS with Mr. TEMPLETON.

The SPEAKER. A quorum is present, the Doorkeeper will open the doors. The question is on the motion of the gentleman from Illinois [Mr. FOSTER].

The question was taken, and the Speaker announced that the ayes seemed to have it.

On a division (demanded by Mr. STAFFORD) there were—ayes 176, noes 48.

So the motion was agreed to.

The SPEAKER announced the following conferees: Mr. DENT, Mr. FIELDS, and Mr. KAHN.

MINING ON PUBLIC DOMAIN.

Mr. FERRIS, by the direction of the Committee on Public Lands, submitted a conference report on the bill S. 2812, an act to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, for printing under the rules.

APPOINTMENT OF CHAIRMAN.

The SPEAKER. The Chair appoints Mr. LINTHICUM as chairman of the Committee on Disposition of Useless Executive Papers.

VICTORY LOAN.

Mr. KITCHIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16136, known as the victory liberty loan bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16136, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 16136) to amend the liberty bond acts and the war finance corporation act, and for other purposes.

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. WALSH. Has the gentleman any objection to the bill being read?

Mr. KITCHIN. No; except that I would like to save the time. I am going to take up the bill section by section.

Mr. WALSH. All right; I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina that the first reading of the bill be dispensed with?

Mr. FORDNEY. Mr. Chairman, I want to ask the gentleman if he will not agree upon some length of time for general debate? There will be about two hours on this side.

Mr. KITCHIN. We will not limit it. Anyway, we will divide the time.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. RUBEY. Mr. Chairman, before the gentleman begins will he yield?

Mr. KITCHIN. I will.

Mr. RUBEY. Is it the intention of the gentleman to finish this bill to-night?

Mr. KITCHIN. It is the intention to finish the bill to-night.

Mr. RUBEY. I thought the House ought to be advised of it.

Mr. KITCHIN. Mr. Chairman and gentlemen of the committee, the Ways and Means Committee presents for the consideration of the House a bill to be known as the "victory liberty loan act." It authorizes the Secretary of the Treasury to issue $7,000,000,000 of short-time notes, maturing in from one to five years. I shall ask the Members to indulge me for about 30 minutes, and I will take up the bill section by section and explain it in detail.

The necessity for further issue of Government obligations is apparent. The estimates of the Treasury Department of the expenditures for this fiscal year is $19,000,000,000, and, as I stated the other day when I presented the conference report on the revenue bill, in my judgment it will reach $20,000,000,000; but we will call it $19,000,000,000. We have already in receipts, and will have after the collection of the taxes, $14,000,000,000, which consist of $7,000,000,000 of the fourth liberty loan proceeds, $1,000,000,000 of war-savings certificates, $6,000,000,000 that we expect to get from the last revenue bill, which total $14,000,000,000, leaving $5,000,000,000 to get from some other source to make out the $19,000,000,000 necessary. It is true that under the present second liberty loan act as amended the Secretary of the Treasury is authorized to issue $5,000,000,000 more of bonds at an interest rate of 4¼ per cent.

The Treasury Department and your committee are in accord in the view that it would be unwise to offer at this time an issue of long-time bonds at 4¼ per cent, as provided in the present bond act. In fact, they could not be sold upon such terms at this time, and it was the thought of the committee and of the Treasury Department, after conferring together, that it would be wiser and better to authorize the issue of short-time notes, as we do in this bill.

We authorize $7,000,000,000 instead of $5,000,000,000 that is needed for this fiscal year, for the reason that it is apparent that the taxes for 1920 will fall far short of meeting the expenditures of the fiscal year ending June 30, 1920, and so out of abundance of caution we authorize $7,000,000,000 instead of $5,000,000,000. The $2,000,000,000 in excess will be taken up, in my judgment, for 1920 before the 1920 taxes are collected. We leave in this case the interest rate to be fixed by the Secretary of the Treasury.

In the original draft of the bill submitted to us by the department and the letter of the Secretary of the Treasury we were asked to permit the Secretary to issue long-time bonds—$10,000,000,000 of bonds and $10,000,000,000 of Treasury notes—at a rate of interest to be fixed by him and with exemptions from taxation to be fixed by him. The committee was unwilling to permit the Secretary of the Treasury to do this. The committee and the Secretary of the Treasury finally agreed that we would have in this bill no long-time bond authorization, but only these short-time notes. The committee thought it was not unwise or unsafe to permit the Secretary of the Treasury to fix the interest rate on these short-time notes, especially in view of the fact that we have a redemption clause in the bill giving the Government the option to redeem within not less than four months' or one year's notice these short-time notes, so that if the Secretary of the Treasury—and we do not believe that he will—sells these notes at an excessive rate of interest, then the Government could not be out that excess interest more than one year, because it could give the proper notice and redeem these notes by selling bonds at a lower rate.

While this bill gives large discretion to the Secretary of the Treasury, yet, in view of the circumstances, it was deemed not unwise. It seems that the Treasury Department and all the

liberty bond sale organizations believed that if we fixed the maximum interest rate, which would almost necessarily be the minimum rate, so far in advance of the victory liberty loan drive, which the Secretary says will begin on April 21, investment bankers and other investors and the press of the country, which voices their sentiments, will discount or discredit the value of the notes at that rate of interest, discredit it in the public mind, claiming that the rate is not high enough, that the notes could not be sold at such a rate. They would have from now until April 21 to scatter broadcast throughout the country the idea that these notes would not be sufficiently good investments. Under such circumstances it would be most difficult to dispose of them.

That argument possesses merit. And so we decided that since these were short-time notes, and since we had the redemption option in the bill, it was neither dangerous nor unwise to give the Secretary of the Treasury the discretion to fix the rate.

However, we fixed the exemption. Whatever exemption there will be in these notes we—the committee, the House, and the Congress—will fix, and not the Secretary of the Treasury. We permit the Secretary of the Treasury to issue four classes of notes. He can issue all four or he can issue just one of the classes, or two, or three, whichever the market conditions would better justify.

Of course, they will issue more than one. He will issue, I think, at least two of these series in any event, because it will take two to catch both kinds of market—one the market of the real investor, the investment bankers, and, I may say, the larger and the wealthier investors; and we should also have a bond to catch the market of the poorer class of people with moderate means. The first of these series we exempt from all taxes except estate and inheritance taxes—that is, this series will be exempt from all taxes except estate and inheritance taxes, just like the 3½ per cent bonds that we first issued, known as the tax-free bonds.

The next class will be exempt, both as to principal and interest, from all taxation, State or Federal, except (a) estate or inheritance tax and (b) surtaxes and excess-profits taxes and war-profits taxes now or hereafter imposed by the United States.

Now, that will be a note that will be subject to an estate and inheritance tax, the income surtaxes, and the excess profits and war taxes, without any specific amount of exemption. That note will be subject to the same taxes that our 4¼ per cent bonds are now subject to, except that there will be no specific amount of notes that will be exempted.

The next class of notes will be issued exempt from all taxes, State or Federal, except (a) estate or inheritance taxes, and (b) surtaxes, war-profits taxes and excess-profits taxes, now or hereafter imposed by the United States, but with an additional exemption from surtaxes and excess-profits and war-profits taxes of the interest on an amount of such notes owned by any taxpayer the principal of which does not exceed $30,000. In fact, this series of bonds will be subject to the identical taxes that our present 4¼ per cent bonds are, but will have a $30,000 exemption. That is, if a person buys such notes the interest from them will be absolutely exempt up to $30,000 from the surtax and the excess-profits and war-profits tax. Our last bonds that were sold, the fourth liberty bonds, had an exemption of $30,000 but only for two years after the expiration of the war.

Then we permit the Secretary to issue a note that is subject to all Federal taxes, estate taxes, income taxes (both normal taxes and surtaxes), and excess-profits and war-profits taxes. Personally I see no necessity for that class of notes. I do not see how notes of that class will sell; but the Treasury Department thinks it will have some market for them.

These notes have the conversion privilege. That is, if two classes of notes are issued in the same drive or the same period, or if three or four classes are issued, a holder of one class of notes can convert them into either one of the others of the same series at any time during the life of the note.

Section 2 gives the bonds already issued, the 4 per cent and the 4¼ per cent bonds, a specific exemption, in addition to all exemptions under existing law, of $30,000. That is, if a person now owns any of these 4 or 4¼ per cent bonds he can have an exemption until five years after the termination of the present war, in addition to the present exemptions of $30,000, whether he buys any of these notes or not. The committee thought, and the Treasury Department seems to agree with us, and especially the Assistant Secretary of the Treasury who has charge of these bond matters in the Treasury Department, that this exemption given to the present bonds now in the hands of millions of holders would appreciate the value of those bonds, or certainly would tend to stabilize their value. I can not see how it would fail to appreciate the value of the bonds in the hands of the holders to have this exemption, or would certainly tend to stabilize them. Section 7 of the second liberty bond act provided that each holder of liberty bonds could hold $5,000 of bonds, the interest upon which would be tax free from all income taxes and excess-profits and war-profits taxes. This is known as the Cannon exemption.

Section 1 of the supplement to second liberty bond act gave an additional exemption (expiring two years after the end of the war) from surtaxes and excess-profits taxes of the interest on $30,000 of bonds of the fourth liberty loan owned by any person, partnership, corporation, or association.

The section also provided that the interest from the converted first liberty bonds, the second liberty bonds, converted and unconverted, and the third liberty bonds should be exempt (until two years after the end of the war) from surtaxes and excess-profits or war-profits taxes to the extent of one one-half times the amount of fourth liberty loan bonds subscribed and held, upon the date of the tax return, by any taxpayer, but it provided that such exemption should not exceed $45,000 of such bonds.

Section 2 of this bill grants a tax exemption (expiring five years after the end of the war) from surtaxes and excess-profits and war-profits taxes in addition to the aforementioned tax exemptions, of the first liberty bonds, converted, the second liberty bonds, converted or unconverted, the third liberty bonds, and the fourth liberty bonds, held by any taxpayer, the principal of which does not exceed $30,000 in the aggregate. This exemption, as I said, is for the purpose of appreciating or stabilizing the value of those bonds in the hands of millions of our people.

Paragraph (b) of section 2 of this bill provides that in addition to all the aforementioned tax exemptions the interest from the first liberty bonds, converted, the second liberty bonds, converted and unconverted, the third liberty bonds, and the fourth liberty bonds shall be exempt from surtaxes and excess-profits and war-profits taxes to the extent of three times the amount of notes of the victory liberty loan originally subscribed for and held, upon the date of the tax return, by any taxpayer, but it is provided that this exemption shall not exceed $20,000 of such bonds and that it shall expire five years after the end of the war. It is believed that this provision will help to make the notes authorized more attractive and also that it will help to appreciate the market value of the outstanding bonds and thereby tend to make the market more stable. In other words, if a person buys $6,666 of these new notes he will have an additional exemption on the old bonds of $20,000. If he buys $10,000 of these notes he will still have an exemption of only $20,000, and if he buys $5,000 of the notes he will have an exemption of $15,000 on the old bonds, in addition to all other exemptions.

Mr. CANNON. Will the gentleman yield for a question about the notes?

Mr. KITCHIN. Yes.

Mr. CANNON. Are these notes taxable?

Mr. KITCHIN. The principal of the notes is not taxable at all.

Mr. CANNON. Either State or Federal?

Mr. KITCHIN. No; not the principal, either State or Federal.

Mr. CANNON. But the interest is subject to the surtaxes?

Mr. KITCHIN. The interest on these notes is subject to surtaxes; that is, the interest on the notes of the class subject to surtaxes. I do not believe the gentleman was in the Hall when I first described the four classes of notes.

Mr. CANNON. One additional question about the notes. The $20,000 is not taxable for any purpose?

Mr. KITCHIN. The interest on the liberty bonds that we have sold is exempted by this bill to a principal amount of $30,000 for five years after the termination of the war, in addition to all other exemptions, and the purchaser of the notes to be sold under the provisions of this bill will have a still further exemption of $20,000 with respect to such bonds for five years after termination of the war.

Mr. CANNON. I understand that.

Mr. KITCHIN. Now, we are going to permit the Secretary of the Treasury to issue classes of notes subject to the same taxes as the present 4 and 4¼ per cent bonds, and, as I said before the gentleman came in, we have a class of tax-free notes which are exempt just as the 3½ per cent bonds now outstanding are exempt. One class that is tax exempt will catch the market of the large investors. It will bear, of course, a lower rate of interest. The notes subject to the $30,000 exemption, but subject to surtaxes and excess and war profit taxes will, of course, bear a higher rate of interest. That will be for the small investors and the people generally, especially of that class of people whose incomes are not large enough to get into the surtax class. As gentlemen recall, we do not pay surtaxes until our

incomes exceed $5,000. So that will be the note that the people will buy whose incomes do not exceed $5,000, because that will bear a higher rate of interest.

Mr. TILSON. Will the gentleman yield right there?

Mr. KITCHIN. Yes.

Mr. TILSON. Is not that the place for your other class of notes, which are exempt from no taxes whatsoever? The people who would not come into the income tax at all might buy those if they were issued in small denominations.

Mr. KITCHIN. Perhaps the gentleman is correct about that. It will be that class of people, if single, whose incomes do not exceed $1,000, or who, if married, have incomes not exceeding $2,000. I can see how that person might buy such notes, subject to all taxes, since they will bear a higher rate of interest.

Mr. TILSON. Or the married man with a large family, like the gentleman from North Carolina?

Mr. KITCHIN. Yes; a gentleman with a family of nine children, like myself, would have a pretty good-sized exemption in addition to his $2,000. If I were out of Congress I might be in that class and might be able to buy some of those notes. But one reason why I am not specially enamored with that class of notes is I fear that a small class of people who receive big incomes would buy that class of notes, since they would bear the highest rate of interest, with the idea of evading the tax altogether by not returning the income from them.

Mr. HAUGEN. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. HAUGEN. What will be the limit of exemption under this act?

Mr. KITCHIN. Under the bond acts and this bill, by complying with the provisions of the same, a taxpayer could hold the following amounts of Government obligations exempt from all income taxes and excess-profits and war-profits taxes:

Bonds absolutely tax free, in addition to the 3½ per cent first liberty bonds	$5,000
Fourth liberty bonds, tax free until two years after the termination of the present war	30,000
First liberty bonds, converted; second liberty bonds, converted or unconverted; and third liberty bonds, until two years after the termination of the present war	45,000
First liberty bonds, converted; second liberty bonds, converted or unconverted; third liberty bonds; and fourth liberty bonds, until five years after the termination of the present war	30,000
First liberty bonds, converted; second liberty bonds, converted or unconverted; third liberty bonds; and fourth liberty bonds, so long as the owner holds $6,667 of notes originally subscribed for by him	20,000

That makes a total of $130,000. So it is possible for one person owning these notes and the series I have mentioned to have an exemption of $130,000 of such obligations. Seventy-five thousand dollars of it for only two years from the termination of the war, and the exemption on $30,000 obligations I have mentioned lasts until five years after the war.

Mr. HAUGEN. I understood the gentleman to say that the purchaser of $20,000 was entitled to an extension or exemption beyond.

Mr. KITCHIN. We give to the purchaser of the notes an exemption on the liberty bonds he owns an additional exemption for five years of three times the amount of notes he buys, such exemption not to exceed $20,000. If you purchase $6,667 of these notes you can have in addition an exemption of $20,000 of bonds so long as the owner holds the notes originally subscribed for by him.

Mr. KEY of Ohio. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. KEY of Ohio. The first series of notes are exempt from all taxes; in what volume will they be issued?

Mr. KITCHIN. That is left to the discretion of the Secretary of the Treasury.

Mr. SNYDER. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. SNYDER. If a man buys $6,666 of any one series of notes, he would be entitled to an exemption of $20,000 of bonds.

Mr. KITCHIN. Yes.

Mr. SNYDER. Suppose he buys $6,666 of two series.

Mr. KITCHIN. He would only have the exemption of $20,000. But if he was the owner of other bonds he could have an additional $30,000, whether he buys notes or not.

Mr. SNYDER. My query was if he purchased $6,666 of No. 1 notes he would be entitled to $20,000, and if he bought $6,666 of the third issue——

Mr. KITCHIN. He could not have but one exemption of $20,000.

Mr. FESS. Will the gentleman yield for one question?

Mr. KITCHIN. Yes.

Mr. FESS. Why do you call these issues "notes" and use the term "bonds" for the other issue? What is the differentiation between the note issue and the bond issue?

Mr. KITCHIN. In fact, there is no actual difference, except that the commercial world, in making a loan on short time, calls it a note; on a long time, they call it a bond. A short-time bond is generally called a note. That is the difference; the same obligation is there. Interest coupons are usually attached to bonds but are not to notes.

Mr. LINTHICUM. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LINTHICUM. I submitted to the gentleman the other day a proposition, recommended by a prominent banker of Baltimore—Mr. Griswold, of Alexander Brown & Co., bankers—to reduce to a tangible and negotiable basis our credit with other nations and guarantee the bonds that represent them to a negotiable basis and selling those to the people, thereby relieving ourselves of the payment of interest and settling the loans we have with other nations, which amount to more than $8,000,000,000. Why would not that have been a good proposition?

Mr. KITCHIN. I would say to the gentleman that while I am sure his banker friend in Baltimore is perfectly sincere in the matter and has no financial interest in it—and I would say, too, that under normal conditions I think his idea would not be an unwise one—those who originated that idea of putting on the market $8,000,000,000 of these foreign bonds are dealers and speculators in securities. They know if we now put on the market $8,000,000,000 of the French, English, Italian, Belgian, Serbian, and Roumanian bonds they would not bring over 80 or 85 cents on the dollar.

Mr. LINTHICUM. With our guaranty back of them?

Mr. KITCHIN. Yes; with our guaranty back of them. But why should we guarantee those bonds for the benefit of the speculators? If we guarantee those bonds they would not sell at over 90 cents, because we have our 4¼ per cent bonds now down to 94¼. When normal conditions are restored they would finally go to par—probably much above par—and the speculators of the country would make the difference between what such an immense amount of foreign bonds would be sold at now on the market and par when conditions become normal.

In my judgment, our liberty bonds, if one is able to hold them, the 4 and 4¼ per cent bonds, will, in normal times, when business and other conditions readjust themselves, go to an amount above par. We have put, and are putting, so many bonds on the market in such a short time that the people can not get the money to carry on their business and in addition buy such an immense amount of bonds as we have been compelled to issue. That is one of the reasons why we suggest issuing these short-time notes, because we believe matters will settle down finally before the five years and we can redeem these notes by selling bonds bearing a great deal lower rate of interest.

Mr. McFADDEN. Mr. Chairman, the gentleman does not mean to infer that our guaranty is not as good as our original promise.

Mr. KITCHIN. I did not say that.

Mr. McFADDEN. Then, if our guaranty on these foreign securities would sell at 90, and our original promise at 94, how does the gentleman reconcile it?

Mr. KITCHIN. The gentleman himself is a business man, and I believe he will thoroughly understand the proposition, that, having about $17,000,000,000 of bonds sold, in the hands of the people, and with the exception of $2,000,000,000, the first tax-free bonds, selling around 94 and 95, if you put $8,000,000,000 or eight and a half billions more on the market at the same rate of interest those bonds would not only sell lower than they would sell by just putting a few out, but they would carry down with them the $15,000,000,000 of bonds that are now below par. It would be too much put on the market at one time. We are trying by a provision in this bill—the additional $30,000 exemption—to prop the existing bonds up. If there was a proposition to put out a billion this year and a billion next year, and so on, the people might absorb them, but when we put on the market eight billions more at one time we could not expect them to sell at par. They would sell much below par.

Mr. FESS. There has been some fear that making this new issue inviting will induce the selling of the old issues and further depress them. Is there anything in that?

Mr. KITCHIN. I do not think that is so, because these are short-time notes and the others are long-time bonds. An investor would prefer 4½ per cent for a long-time bond than one of these short-time notes, even with a higher rate of interest, with the option of the Government to redeem it before maturity. I think the $30,000 additional exemption to which I have referred will stabilize, if not appreciate, the value of the outstanding liberty bonds. There are thousands of people who are able to purchase bonds who will not purchase these notes. The man who is able to invest in bonds and desires a safe long-time

investment will buy the liberty bonds to a greater extent—the bonds in the hands of millions of small holders—because of the $30,000 additional exemption for five years which this bill grants to them.

Mr. FESS. The position the gentleman is taking appears rational to me, but I know there is a suspicion throughout the country that making this issue inviting, either by making it a shorter time or a higher interest, will further depress and discriminate against the present bonds.

Mr. KITCHIN. As I said, considering this $30,000 additional exemption, I do not think that one of these long-time bonds—and all are long-time bonds that are now out—will be depressed by a short-time note, even with a little higher rate of interest.

Mr. FESS. I do not want to deflect the gentleman's argument, but is there any plan within the purview of the chairman's knowledge whereby we can prevent depression of the present bonds?

Mr. KITCHIN. I think this method is about as reasonable as could be provided under the present circumstances. One reason why the committee thought and suggested to the Treasury Department not to issue bonds at a higher rate of interest, but to issue these short-time notes, was this: Suppose we authorized an issue of a long-time bond, to be sold in the next drive at four and three-quarters. Most of the liberty bonds are 4¼ bonds. They are now down around 94 and 95. Congress would force an amendment to such a bill providing that all of the bonds now outstanding should be at once lifted to the four and three-quarter rate.

Lifting the interest on $15,000,000,000 of bonds and at least $7,000,000,000 more that we must hereafter raise, making $22,000,000,000, from a rate of four and one-quarter to a rate of four and three-quarters would entail an extra annual interest charge upon the Government of $110,000,000. If the bonds were 20 years maturity the total cost of such increase of interest rate would be $2,200,000,000. We are of the opinion that within five years the length of the longest life of any of these short-time notes, business and the financial condition of the country will so adjust itself that we can sell long-time bonds for 4 or 4¼ per cent. We will save this increased annual interest charge on all our bonds by resorting to the short-time-note proposition provided for in this bill.

Mr. FESS. Has the chairman or the committee considered the plan of converting the bonds into nontaxable lower-rate interest—I mean the present bonds outstanding?

Mr. KITCHIN. This could not be done. We have $15,000,000,000 of bonds outstanding subject to surtaxes, excess and war profits tax, and only $2,000,000,000, a little less than that because some were converted into the 4 and 4¼ per cent, that are tax free. Now, the $2,000,000,000 tax free, I think, are about 99½. If we convert all of these $15,000,000,000 into only 3½ per cent tax free, the 3½ per cent tax-free bonds would go down considerably for the reason the country could not absorb that. It is because the 3½ per cent bonds in this present situation are limited in amount to not over $2,000,000,000 that gives them a valuation practically at par.

Mr. TREADWAY. Is not what the gentleman from Ohio has in mind in asking for such a change as he suggests covered by the fact of the increased exemptions provided for additional holdings? Does not that cover that?

Mr. KITCHIN. I think the increased exemptions would go a long way toward having the result which the gentleman from Ohio desires.

Mr. LONGWORTH. Furthermore, is it not a fact that the Treasury Department is very much opposed to have the outstanding issues tax free?

Mr. KITCHIN. Yes.

Mr. LONGWORTH. Mr. McAdoo has always been in favor and announced as the policy of the Treasury that the main part of those bonds should be taxable.

Mr. KITCHIN. I think that has been the policy of the Treasury Department, and that policy as announced did not strike the committee, the whole committee, as being unwise. A large majority of the committee agreed with him. It is very doubtful wisdom, in fact, it may be a dangerous policy to have tax free for generations and generations from $15,000,000,000 to $25,000,000,000 of property in the shape of bonds. Should we do this, when the time of readjustment comes and the establishment of settled conditions is here, the people will condemn Congress for exempting from taxation the rich—and they will hold practically all of the bonds in a few years—who hold in their hands $20,000,000,000 or $25,000,000,000 of bonds.

Mr. PLATT. Will the gentleman yield for a question?

Mr. KITCHIN. I will.

Mr. PLATT. Would it not be possible to allow the $50 bonds to be converted into these notes as part payment, so as to get rid of some of the $50 bonds—to allow the small holders to exchange $50 bonds in part payment for $100 notes?

Mr. KITCHIN. I do not think that it would be wise. I suppose if you make the inducement so attractive that everyone would take his 4¼ per cent bonds and buy these notes with them that we would have to come back to Congress and get authority to issue more notes. We need the money from the notes we propose to sell to defray our war expenses, our war debts, and not to reduce our bonds.

Mr. PLATT. I mean to use the $50 bonds in half payment for the $100 notes.

Mr. KITCHIN. I do not think that would be a good policy.

Mr. PLATT. You get rid of the expenses of having a lot of small bonds and coupons and provide an extra inducement for small investors to make further loans to the Government.

Mr. KITCHIN. Now, section 3 increases the authority of the Secretary of the Treasury to issue $10,000,000,000 certificates of indebtedness instead of $8,000,000,000. Under existing law the Secretary of the Treasury can issue and have outstanding at one time $8,000,000,000 of Treasury certificates for current expenses of the Government, but no Treasury certificates can have a maturity longer than one year.

We have been financing the Government from month to month by certificates of indebtedness. Heretofore our taxes have been coming in at one time. Our income and excess-profits taxes have come in at one time, on June 15, and we had to have some form of floating indebtedness to take care of the expenses of the Government until we received the taxes. When we received the taxes we liquidated the certificates of indebtedness. Now we increased the authorization of certificates of indebtedness from $8,000,000,000 to $10,000,000,000. This authorization is made necessary by the fact that in our revenue bill we establish the installment plan of paying taxes so that instead of the taxes for 1918 being all due by June 15, 1919, within this fiscal year, only one-half will be payable and due by June 15 and one-fourth will be due September 15 and one-fourth December 15, so that we only get about half of the $4,700,000,000 we expect from excess profits and war profits and income taxes by June 15. Therefore to carry out the installment plan of the payment we had to increase the authorization of Treasury certificates.

We are issuing certificates now for the current expenses of the Government for the last four months at the rate of $1,400,000,000 a month, and it is an easy calculation that by December 15 we will in all probability have to have outstanding at one time considerably more than the $8,000,000,000. And before we collect the taxes for 1920 I am afraid we will have to have outstanding some time during the fiscal year of 1920 at least $10,000,000,000 of Treasury certificates, but they will be paid as the proceeds from these notes and the taxes are collected.

Mr. McFADDEN. I understand, then, there will be a floating debt on April 21 of about $9,000,000,000?

Mr. KITCHIN. No. We will receive during that time one-quarter of the $4,700,000,000 taxes, about $1,175,000,000 will be paid March 15 in taxes, unless the commissioner extends the time, and as to these notes they may sell in a drive from $3,000,000,000 to $5,000,000,000, we do not know how much—but even if we sell $4,000,000,000, not more than a billion and a half or two billions will be collected probably by May 1.

Mr. McFADDEN. And these temporary funds are simply underwriting future loans?

Mr. KITCHIN. Future collection of taxes and loans. It is exactly like we have been doing since we entered the war.

Mr. LONGWORTH. If the gentleman will pardon me, Mr. Leffingwell made a positive statement the other day that on the 30th of January there was something over $6,000,000,000 of floating indebtedness, and it was running at the rate or an increase of $1,400,000,000 a month, and he estimated that before the 21st of April, when this loan is to be marketed, that the floating indebtedness would be between $8,500,000,000 and $9,000,000,000.

Mr. KITCHIN. I think it will be, as I said, in the neighborhood of $9,000,000,000. We will be able to reduce that with a billion dollars of taxes on March 15, and also the proceeds from the sale of notes, possibly $3,000,000,000, may be paid in by July 1, and also the collection of the June 15 installment payment of taxes.

Mr. McFADDEN. The funds to run until December will be acquired from the issuance of these Treasury certificates of indebtedness?

Mr. KITCHIN. Yes.

Mr. McFADDEN. Or else a bond issue late in the fall? Is that contemplated?

Mr. KITCHIN. If they sell, say, $5,000,000,000 of these notes at the first drive, they would probably sell the other $2,000,-

000,000 in the fall. It depends on how many of these notes they sell at the first drive. I do not think we will have to sell any long-time bonds this calendar year, at least.

Mr. McFADDEN. If they do not retire $9,000,000,000 worth, and, as I understand from reading the hearings, the Secretary could not tell within four or five billion dollars at this time. Is that included in the $9,000,000,000, or is it in addition to the $9,000,000,000? In other words, what I am trying to find out is whether the floating indebtedness is $9,000,000,000 or $14,000,000,000?

Mr. KITCHIN. It will, according to estimates, be $9,000,000,000 and not $14,000,000,000. These notes are not a floating indebtedness.

Mr. HAUGEN. It is $9,000,000,000 in addition——

Mr. KITCHIN. Five billion dollars is authorized under the existing law, in addition to the $17,000,000,000 of bonds that are already sold, but we will not issue at this time such bonds. We are going to substitute the notes provided for in the bill.

Mr. HAUGEN. We will have $17,000,000,000 of bonds outstanding in addition to the $9,000,000,000 certificates of indebtedness?

Mr. KITCHIN. Yes. But all such certificates, whatever the amount, are issued in contemplation of collection of taxes and sale of the notes and will be retired by the proceeds of sale of the notes and collection of taxes. My understanding is that there are between $5,000,000,000 and $6,000,000,000 of Treasury certificates outstanding now. Included in that is about $800,000,000 sold for tax receipts. These will increase until we collect the taxes and the proceeds from sale of the notes and may reach $9,000,000,000.

Mr. HAUGEN. In addition?

Mr. KITCHIN. No; included.

Mr. SMITH of Michigan. When are these to be put on the market?

Mr. KITCHIN. They are going to begin the drive on April 21.

Mr. SMITH of Michigan. Are they to be sold as the liberty bonds have been sold by the Government?

Mr. KITCHIN. Practically in the same way.

Mr. SMITH of Michigan. And not by such agencies as the national banks?

Mr. KITCHIN. They are going to use the liberty loan organizations and the banks, too.

Mr. COOPER of Wisconsin. Will the gentleman please inform the House what, including certificates of indebtedness, bonds, and everything else, the total indebtedness of the Government is?

Mr. KITCHIN. All right. Take your pencil and let us see. We have $17,000,000,000 of bonds outstanding now. We have $1,000,000,000 in round numbers in war savings certificates. We have also now outstanding about $5,000,000,000 of certificates of indebtedness.

Mr. COOPER of Wisconsin. Five billions of Treasury certificates?

Mr. KITCHIN. Of certificates of indebtedness; yes, sir. That is $23,000,000,000. I would say that right now our indebtedness represented by bonds, savings certificates, and certificates of indebtedness, in round numbers, is $23,000,000,000. That does not include, of course, $1,000,000,000 of bonds we had out when we entered the war.

Mr. SNYDER. Will the gentleman yield right there?

Mr. KITCHIN. I will.

Mr. SNYDER. Ought we not to include in that the $1,600,000,000 we have been legislating for here to-day? Ought we not to add that to that amount? Is that provided for anywhere in this money?

Mr. KITCHIN. Do you mean on these contracts we discussed to-day?

Mr. SNYDER. Yes.

Mr. KITCHIN. When the Appropriations Committee took back the appropriations in the bill that passed the House some time ago, the appropriations made during the war for the fiscal year, it left in the hands of the Treasury Department enough appropriations, as they thought, to cover the war contracts. I doubt, however, if such appropriations are sufficient. The unliquidated indebtedness, on account of the war contracts, may turn out to be much greater—and I fear it will—than the departments have estimated.

Mr. SNYDER. Is it money that must be forthcoming?

Mr. KITCHIN. Appropriations. Of course, all that is included in the $19,000,000,000 expenditures estimated for this fiscal year.

Mr. SNYDER. That money is lying somewhere waiting to be paid when these contracts are finally finished up?

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. In a moment. The estimate of expenditures for this fiscal year is $19,000,000,000. The taxes that we propose to get, say, $6,000,000,000, the $1,000,000,000 war-savings certificates, and the $7,000,000,000 from the fourth liberty loan will pay $14,000,000,000 of that, leaving at least $5,000,000,000 that we must get out of these notes to defray the estimated expenditures for this fiscal year. In that $19,000,000,000 of estimates of expenditures of this fiscal year was included what we are supposed to pay on account of the war contracts; but, in my judgment, as I said a moment ago, I do not think they included enough to pay such contracts.

Mr. SNYDER. What I had in mind was this: That in business or in financial transactions you always know what your bond debt and note debt is, but you rarely know what the merchandise debt it. If you add the amount just stated, the unsettled accounts against the Government, then we would have what I wanted to find out.

Mr. KITCHIN. That is included in the appropriation. I was trying to tell how they were included in the estimates of expenditures for this fiscal year and how we proposed to get the money to pay them.

Mr. SNYDER. I understood the gentleman to say that we were going to get that money from these $5,000,000,000 notes that we were going to sell, or these certificates that we are going to issue now in anticipation of that. We have not the money in the Treasury to pay these bills with?

Mr. KITCHIN. No. We are providing in this bill to get that money; that is, the balance we need for the purpose.

Mr. SNYDER. And you have out now $5,000,000,000 of certificates of indebtedness, and you are going to put out $1,400,000,000 more per month, and this $5,000,000,000 of notes is to pay off those certificates?

Mr. KITCHIN. The $5,000,000,000, if we sell that much, and the taxes——

Mr. SNYDER. But your certificates by that time—by the 1st day of May—will cover the $5,000,000,000 of notes you are going to sell and the $2,000,000,000 that you will possibly get from your taxes. Where is the money to come from to pay these accounts?

Mr. KITCHIN. We hope to get $5,000,000,000 from the first drive or sale of notes to be issued under this bill.

Mr. SNYDER. I understand that.

Mr. KITCHIN. We propose to get $4,700,000,000 from the taxes; that is, income, excess-profits, and war-profits taxes. That makes $9,700,000,000.

Mr. SNYDER. But you do not expect to get those by the 1st of July?

Mr. KITCHIN. One-fourth of these taxes on March 15 and one-fourth by June 15. The department will issue and sell certificates of indebtedness at the end of the fiscal year, to anticipate the taxes that we will get on the September 15 and on the December 15 installments.

Mr. SNYDER. But every time you issue a certificate you make a debt.

Mr. KITCHIN. It make no difference. If you have $9,000,000,000 to raise for this fiscal year, and we raise it by $5,000,000,000 from notes and $4,700,000,000 from taxes, that cancels it, although we will not get but half of those taxes by June 15, but we will get them all by December 15.

Mr. SNYDER. The gentleman appreciates that I am not trying to interfere, but that I am trying to help.

Mr. KITCHIN. Yes. I am trying to explain it to you.

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Mr. Chairman, I ask for 25 minutes more. I regret that I have taken up so much time. I think if gentlemen had complied with my request at the outset and not asked questions until I got through I could have finished explanation of the bill, section by section, in 25 or 30 minutes. But I appreciate the difficulty of doing this when we reach a proposition in the bill to which gentlemen on the floor have given study and thought. They wish an explanation then and there, which is perfectly natural.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for 25 minutes more. Is there objection?

There was no objection.

Mr. KITCHIN. The gentleman from Alabama [Mr. OLIVER] and the gentleman from New York [Mr. SNYDER] are on their feet. I will answer their questions first and then I hope gentlemen will let me get through with the explanation of the bill before other gentlemen interrupt me.

Mr. SNYDER. I have just one question.

Mr. KITCHIN. I thought I had answered the gentleman.

Mr. SNYDER. Not quite. I may be very dense. It may be my fault.

Mr. KITCHIN. Let me have the gentleman's question.

Mr. SNYDER. The gentleman says we now owe $24,000,000,000.

Mr. KITCHIN. I said $23,000,000,000, but an extra billion now does not make much difference. [Laughter.] But if we include the $1,000,000,000 of bonds outstanding before we declared war it would make $24,000,000,000.

Mr. SNYDER. The question is, Have we provided in these measures for the payment of all these obligations that we have been discussing in the last few days, including the contracts that we now call valid, or will call them so when that bill becomes a law?

Mr. KITCHIN. In the $19,000,000,000 of estimated expenditures for the fiscal year ending June 30 this year are supposed to be included these Army and Navy contracts to which the gentleman refers. Whether they will amount to more or less no man can tell, because the amount is indefinite. Now, to that $19,000,000,000, which includes what the gentleman inquired about, we have $7,000,000,000 of fourth liberty bonds. We have expended that. We have a billion dollars of war savings certificates. We hope to get and propose to get $6,000,000,000 from taxes. This includes all taxes, excise taxes as well as income, excess, and war-profits taxes. Of this amount the income tax and the excess-profits tax will, according to estimates, be $4,700,000,000. Heretofore such taxes have all been paid by June 15, within the fiscal year. While they are still levied for the fiscal year, we have extended part of that payment over beyond this fiscal year; that is, two installments, one September 15 and one December 15, and, of course, the amount so extended will be and must be met by issuing and selling certificates of indebtedness, the proceeds of which will take the place of the extended two payments to defray this fiscal year's expenditures and will be retired upon the collection of the taxes in the September 15 and December 15 installments.

We have accounted for the way in which we will raise $14,000,000,000 of the $19,000,000,000. I will repeat, the $7,000,000,000 of fourth liberty bonds and $1,000,000,000 of war-savings certificates and $6,000,000,000 of taxes, which make $14,000,000,000 of the $19,000,000,000 that you must have for the expenses of this fiscal year. Now, we must have $5,000,000,000 additional to make the $19,000,000,000. We propose to get that $5,000,000,000 by the sale of these notes. If we only sell by the end of this fiscal year, on the next drive, say, $4,000,000,000, we will have to issue in anticipation of another sale, which perhaps will be in the fall, a billion dollars more of these certificates of indebtedness to make up the $5,000,000,000, which would be canceled by the proceeds of such other sale.

Mr. OLIVER of Alabama. Answering the question of the gentleman from Wisconsin, the gentleman from North Carolina stated the outstanding indebtedness at approximately $23,000,000,000. What part of that issue is represented by our loans to the allies?

Mr. KITCHIN. Up to date, to be accurate, $8,090,000,000 is the amount which we have loaned to them; but we have established credits with them, subject to be paid, if the necessity arises, of $8,600,000,000; but the Treasury Department is hoping that it will not require the $8,600,000,000 before the termination of the war.

If we deduct, say, in round numbers $8,000,000,000 from the $23,000,000,000 that would leave $15,000,000,000 in excess of our loans to the allies.

Mr. OLIVER of Alabama. But these loans bear the same rate of interest as our bonds?

Mr. KITCHIN. The Treasury Department made a little better bargain than the minimum which we authorized it to make. We provided that the bonds of foreign Governments should bear a rate of interest not less than the rate borne by our bonds. Their obligations in fact bear 5 per cent.

Mr. HUSTED. The report states that the Secretary of the Treasury is authorized to issue $5,000,000,000 of bonds under existing law.

Mr. KITCHIN. Yes.

Mr. HUSTED. And that he does not intend to issue those bonds.

Mr. KITCHIN. Not at the present time, because we know that it would be impossible for him to sell $5,000,000,000 of bonds at 4¼ per cent interest when bonds bearing the same rate of interest, that we sold during the war, are now down to 94 or 95.

Mr. HUSTED. I appreciate that very well, but the purpose of my inquiry was this: In view of the fact that we are providing for all our obligations under the pending legislation, and that the Secretary of the Treasury does not propose to issue this $5,000,000,000 of bonds, why is not this authority to issue those bonds revoked?

Mr. KITCHIN. That is a very pertinent question. The gentleman has observed that the Government reserved the right to redeem these notes after not less than four months and not more than one year's notice. Now, suppose conditions become settled, and we find in two or three years after these notes are out that we can sell $5,000,000,000 of bonds easily at 4¼ per cent. Then the Secretary of the Treasury will sell those bonds at 4¼ per cent and redeem these notes that will be bearing the higher rate of interest.

Mr. McFADDEN. Before the gentleman proceeds, will he please answer this question——

Mr. KITCHIN. I always break my promise about not yielding when anyone like the gentleman from Pennsylvania asks me a question.

Mr. McFADDEN. It has been stated that our obligations for this fiscal year were $18,000,000,000. Secretary of the Treasury Glass the other day raised that amount to $19,000,000,000. He also stated before the Ways and Means Committee the other day that there is an undisclosed liability of $5,000,000,000. Now, are our liabilities at this time $18,000,000,000 or $19,000,000,000 or $24,000,000,000?

Mr. KITCHIN. Our estimated expenditures for this fiscal year are $19,000,000,000, as I have several times stated. That has been the estimate. The Secretary of the Treasury did not raise it a billion, as the gentleman states. Our liabilities, not including the bonds outstanding when we declared war, which amounted to about $1,000,000,000, as represented by bonds, certificates of indebtedness, and war-savings certificates, amount to $23,000,000,000.

Mr. McFADDEN. Are there $5,000,000,000 of undisclosed liabilities, as the Secretary of the Treasury stated?

Mr. KITCHIN. He said our floating debt was $5,000,000,000. He meant certificates of indebtedness outstanding. He said nothing about undisclosed liabilities.

Mr. McFADDEN. As I remember, he was asked the question what the liabilities were. He said he had asked the Secretary of War and the Secretary of the Navy, and they were unable to tell him. His estimate was that there were still $5,000,000,000 of liabilities that were unaccounted for. I want to know if that is to be added to the $19,000,000,000, and whether this bond issue, instead of being $5,000,000,000, will be $10,000,000,000.

Mr. KITCHIN. I will again say to the gentleman that the Secretary did not refer to liabilities unaccounted for or undisclosed in his testimony. If there is any undisclosed liability in the Navy Department or the War Department, it is because of these contracts about which we have been talking a great deal to-day; but they are supposed to be taken care of in the $19,000,000,000 estimated expenditures for this year.

Now, gentlemen, I have about 20 minutes remaining. Let me run through these other sections hurriedly.

Section 5 gives the holders of the 4 per cent bonds who failed to convert them before November 18, 1917, into the 4¼ per cent bonds that were issued afterwards, the privilege of so converting them. The 4 per cent bonds, of course, are in the hands of several millions of our people who are unaccustomed to bonds and who did not read the notices that were given in the press for the conversion of bonds. They failed to convert their 4 per cent liberty bonds into the 4¼ bonds, which they had the right to do up to November 9, 1918. They failed to exercise that right through ignorance, no doubt, and now there are outstanding of those uncoverted fours $1,067,000,000. This bill gives them the right to come in at any time and convert them into the 4¼ per cent bonds. We could see no objection to that. In fact, we saw every reason of right and justice why men who put up their money when the 4 per cent bonds were issued, to help win the war, should have their bonds converted into 4¼ per cent bonds at any time they desired. Section 5 gives that right.

I am going to read section 6, which creates a sinking fund. The reading of it will make it as clear as I could make it:

SEC. 6. (a) That there is hereby created in the Treasury a cumulative sinking fund for the retirement of bonds and notes issued under the first liberty bond act, the second liberty bond act, the third liberty bond act, the fourth liberty bond act, or under this act, and outstanding on July 1, 1920. The sinking fund and all additions thereto are hereby appropriated for the payment of such bonds and notes at maturity, or for the redemption or purchase thereof before maturity by the Secretary of the Treasury at such prices and upon such terms and conditions as he shall prescribe, and shall be available until all such bonds and notes are retired. The average cost of the bonds and notes purchased shall not exceed par and accrued interest. Bonds and notes purchased, redeemed, or paid out of the sinking fund shall be canceled and retired and shall not be reissued. For the fiscal year beginning July 1, 1920, and for each fiscal year thereafter until all such bonds and notes are retired there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of such sinking fund, an

amount equal to the sum of (1) 2½ per cent of the aggregate amount of such bonds and notes outstanding on July 1, 1920, less an amount equal to the par amount of any obligations of foreign Governments held by the United States on July 1, 1920, and (2) the interest which would have been payable during the fiscal year for which the appropriation is made on the bonds and notes purchased, redeemed, or paid out of the sinking fund during such year or in previous years.

In other words, after July 1, 1920, we will have a sinking fund of (1) 2½ per cent on the total amount of bonds then outstanding, less the foreign bonds we hold, and (2) the interest on the amount of bonds which we purchase and retire. Of course we have a sinking fund now, under an act passed right after the Civil War, providing for 1 per cent, and I think there is a book account perhaps of $1,000,000,000 or over, but we have not a cent of money in that fund. Congress never authorized the collecting of enough money from taxes and other sources to have any money to put into this sinking fund. I hope hereafter that we will collect enough from taxes or from some source to put into this sinking fund the amount authorized. Perhaps we ought to have had a provision compelling the Secretary of the Treasury to make a report each year as to how much he has put into the sinking fund, a separate special report as to his acts with respect to it, so as to call the attention of Congress specially to the condition of the sinking fund.

Mr. LONDON. Will the gentleman yield?

Mr. KITCHIN. Well, as long as the gentleman is the only one of his class here, I will yield. [Laughter.]

Mr. LONDON. The bill does not impose any obligation on the Secretary of the Treasury to take the 2½ per cent and appropriate it to the sinking fund.

Mr. KITCHIN. The latter part of the bill reads "there is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Mr. LONDON. The gentleman interprets that to mean——

Mr. KITCHIN. That he can do it. If there is any money in the Treasury, the Secretary of the Treasury could take that money before he pays anything else and put it into the sinking fund, and there would be no way to get it out except by act of Congress.

Mr. LONDON. Is there any obligation on the Secretary of the Treasury to do it?

Mr. KITCHIN. No more than to pay any other appropriation that we authorize for the Navy or the Army or anything else. Were I the Secretary of the Treasury I think I would appropriate the amount on the 1st of July, 1920, and put it into the sinking fund, and let us scuttle around to get money from somewhere to pay the other expenses. I think when we have a bona fide sinking fund that that of itself will appreciate the value of the outstanding bonds.

Section 7 needs a little explanation. Secretary McAdoo, before he left the Treasury Department, and Secretary Glass asked the Ways and Means Committee to authorize the Secretary of the Treasury to establish credits in the United States in behalf of foreign Governments to the amount of the unexpended balance of the amount that we authorized in former acts, which is about one billion and a half dollars. In other words, they asked that we should loan our allies one year after the termination of the war one and one-half billion dollars. By that we would have to go out in these liberty or victory loan campaigns and ask the people to subscribe a billion and a half dollars more than was necessary to meet the debts of our Government, that we might lend it to foreign Governments, so that the foreign Governments could lend it to their citizens to buy from our citizens, or the foreign Governments could buy direct from our people or from our Government what they desired.

The committee thought we ought not to do that, and I think the committee was unanimous in the opinion that certainly this was not the time for the Government to loan a billion and a half dollars more to the allies, especially when we had to go out and get it from taxation of the people or by selling bonds to the people to get the money. To say the least, we felt that to provide for such a loan at this time was premature. We could better consider the proposition after peace was concluded and the exact financial conditions were better known.

We did provide in section 7 what appears to us to be the right and safe and wise thing. We provided that the Government of the United States could sell to the allies any property of the United States—and we have millions and hundreds of millions of supplies in Europe that the allies will want. We expressly included wheat, the price of which the Government has or may guarantee.

This will not take a dollar of extra money from the taxes or one dollar extra from the people in bonds. We have already appropriated a billion dollars, if the Senate passes the bill, on the wheat proposition, and we would have to pay that, or the amount of difference in the value and the guaranteed price, whether we sold the wheat to the allied governments or to others, for that is to make good the difference in the price we promised to pay and the price which will be received. As to the other property which the Government now has and the allies desire to purchase, we will not have to raise any money, as we have already paid or appropriated for that.

I understand there are about $100,000,000 worth of railroad engines that we have in France, not much good to us, because they are not made for our roads, that the allies—probably the French Government—will want. For articles of property like that, instead of demanding cash of the allies, under this section our Government can sell and take their bonds at the rate of not less than 5 per cent interest, and the maturity not to exceed 20 years.

Mr. MASON. Will the gentleman yield?

Mr. KITCHIN. If the gentleman will make his question short.

Mr. MASON. If it is not agreeable to the gentleman——

Mr. KITCHIN. Oh, I will yield to the gentleman, but I want to finish shortly.

Mr. MASON. I was not in the Chamber when the gentleman began. Has he discussed the question of fixing by the Secretary of the Treasury the interest on the short-time loans?

Mr. KITCHIN. I have.

Mr. MASON. Then I will not trouble the gentleman.

Mr. KITCHIN. I believe I mentioned the fact that we provided that the Government could sell to the allies for their bonds the wheat which it may have to purchase in order to save itself in its guaranty of the price of wheat.

Mr. SMITH of Michigan. Will the gentleman yield for a very short question?

Mr. KITCHIN. Yes.

Mr. SMITH of Michigan. The gentleman said that we would require in 1920, $19,000,000,000. Does that mean the fiscal year of 1920 instead of this year?

Mr. KITCHIN. No; the nineteen billions is for this fiscal year, ending June 30, 1919.

Mr. SMITH of Michigan. Nineteen hundred and nineteen?

Mr. KITCHIN. Yes.

Mr. SMITH of Michigan. The gentleman also stated that the fourteen billions and the five billions are also to be raised this fiscal year.

Mr. KITCHIN. Yes.

Section 9 is a section on which, I regret very much to say, the committee was not unanimous. While no minority report was filed, yet there are three members of the committee who opposed that section. In my judgment, if it be a fact that our export business needs help, that is one of the wise sections of the bill, one of the beneficial sections of the bill. We provide that the War Finance Corporation shall have the authority for one year after the termination of the war to make advances, first, to the exporters in this country for the purpose of assisting in the exportation of domestic products; second, to the banks or bankers or trust companies who after this act goes into effect lend money to the exporter for the purpose of assisting him in the exportation of domestic products. The amount to be loaned directly to the exporter is limited to the contract price of the products to be exported. The amount to be loaned to the banks is limited to the amount which the exporter then owes the bank for the purpose of assisting him in exporting. The interest rate on the loan made direct to the exporter shall be not less than 1 per cent per annum in excess of the discount rate of the Federal reserve district in which the exporter resides. The advances that can be outstanding at any one time are limited in amount to $1,000,000,000. While the corporation's authority to make these advances is limited to one year after the expiration of the war, the maturity of the loan can be for a period not exceeding five years. It can make loans with a maturity of three months, six months, one year, two, three, or five years; but, as stated, the time of its authority to make such loans or advances is limited to one year after the termination of the war.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. The matter of the War Finance Corporation was subject to as much criticism as anything that came before the committee. Is it the gentleman's understanding that the business of the War Finance Corporation under this bill could be wound up in one year or five years?

Mr. KITCHIN. The authority of the corporation under the existing finance-corporation act, to make advances for the purposes set forth in the act, is limited to six months after the termination of the war.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KITCHIN. While its power to make advances under the act creating the War Finance Corporation was limited to six months after the termination of the war, within that six months it could make advances; but upon the expiration of six months after the termination of the war the corporation's activities, except for liquidation, would cease, and it is to begin at once to liquidate. We do not change that in this bill. The activities under the original act for the purpose therein specified cease in six months after the termination of the war, but we give to it in this bill a period of 12 months after the termination of the war in which to make advances or loans for the purposes set out in the bill—that is, for the purpose of assisting in the exportation of our domestic products.

Mr. MOORE of Pennsylvania. That is the point that I wanted the gentleman to develop.

Mr. KITCHIN. And, therefore, after the 12 months it must begin to liquidate the business done under this bill and can not make a loan or advance for any purpose after the expiration of 12 months after the expiration of the war.

Mr. MOORE of Pennsylvania. The life of the corporation is extended from six months to one year?

Mr. KITCHIN. Only for the purpose of the advances under this bill, for export of domestic products.

Mr. MOORE of Pennsylvania. It is business not contemplated by the original act?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. That is what I wanted to have developed. It contemplates an entirely new line of business, and also an extension of the life of the corporation.

Mr. KITCHIN. Exactly; for the purposes set forth in this bill. Under the original act it was authorized only to make advances for the purpose of prosecuting the war, the nature of such advances and purposes being specifically described in the act.

Mr. MOORE of Pennsylvania. Originally the authority of this War Finance Corporation was to assist corporations and individuals in the United States who could not obtain funds to carry on war business?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. The jurisdiction of the corporation was to be wholly within the United States?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. Without the power to lend outside?

Mr. KITCHIN. Yes. We do not permit it to lend outside in this bill.

Mr. MOORE of Pennsylvania. That is correct, but it is proposed to encourage those who want to engage in foreign trade. That is a fact, is it not?

Mr. KITCHIN. Yes; to assist in exporting new products. Let me explain this section more fully, and why a majority of the committee on both sides believes that it is a very wise thing. It appeared to us from what gentlemen from the Treasury Department, who had their hands on the situation, said, and from what business men throughout the country said, and from conditions evident to all of us, that our exports would of necessity have to fall off considerably, and that domestic production would have to be curtailed, unless exportation of our domestic products got some help now. There are many restrictions put upon exports, not only from this country but from every country, especially by Great Britain. The reason for such restrictions, as given by the Treasury Department, are that the rate of exchange is so high against Great Britain, and the condition of England's finances is such that she has to prevent as far as possible the exportation of gold. She deems it necessary to keep all of the gold possible there for the purpose of readjustment of her finances. If her people were permitted to buy freely from us, and gold was required by us in payment of the balances, she would, of course, lose much of her gold. So to enable her people to buy freely of us this section, by authorizing the Finance Corporation to make advances to our exporters, enables our exporters to extend credit to the foreign purchaser, who in such event will not be required to pay cash or gold. Such extension will be long enough to bridge over the time of transition and readjustment. We are led to hope and believe that this will relieve the situation and cause many, if not all, restrictions upon our exportations to be removed.

Mr. SNYDER. Will the gentleman yield at that point?

Mr. KITCHIN. I will.

Mr. SNYDER. As I understand it, under this act I believe the corporation can loan in all $1,000,000,000?

Mr. KITCHIN. Never more than that outstanding at one time.

Mr. SNYDER. I want to know where the corporation gets the $1,000,000,000 it is going to loan?

Mr. KITCHIN. It has $500,000,000 as capital stock. The Government has turned over $350,000,000 and will turn over $150,000,000 if needed, making the $500,000,000. That is in the shape of a revolving fund, and they may never need any more than that. If they loan for six months and the exporter pays it back, that will go in to make another loan, but if they need more money then under the War Finance Corporation act it can issue its bonds, backed by all its assets, including the capital stock of $500,000,000 and all the securities for advances it holds. The officers of the corporation are of the opinion that if issuance of its bonds becomes necessary it will be able to sell them at a reasonable rate of interest.

Mr. SNYDER. I would like to ask if those bonds can be purchased by the Federal reserve banks or sold on the market to ordinary banks and ordinary investors?

Mr. KITCHIN. They are sold on the market or sold privately, and perhaps the Federal reserve banks can take them just as they can liberty bonds.

Mr. SNYDER. Then if they go far enough with this, of course, it is an additional Government bond?

Mr. KITCHIN. No; it is not at all a Government bond. All the assets of this corporation are behind the bond and it is just exactly the same kind of a bond, with the same kind of security which the gentleman and I voted for in the War Finance Corporation act, when we voted for the bond provision of that act.

Mr. SNYDER. I did think this was a little different. I thought that the money they expected to loan would have to be raised in the ordinary method of selling bonds or notes. As I understand it then, there is no change in the method of raising money for the purpose of this loan?

Mr. KITCHIN. That is right. I will call the attention of the gentleman from New York to a provision in the War Finance Corporation act which evidently he has overlooked, and which both he and I strongly favored when the bill was before the House. It provides that the Government shall not be responsible for any bond obligation or liability of the corporation. It is in the act and applies to any bond or obligation which it may issue for the purposes of this section.

Mr. SNYDER. I did not see that.

Mr. KITCHIN. I was sure the gentleman had overlooked that. Let me read that provision:

SEC. 17. That the United States shall not be liable for the payment of any bond or other obligation or interest thereon issued or incurred by the corporation, nor shall it incur any liability in respect to any act of omission of the corporation.

So the Government is not responsible.

Mr. MOORE of Pennsylvania rose.

Mr. KITCHIN. I regret I can not yield right now. We provide that in addition to the note, the promissory note of the exporter—and, gentlemen, we all know that the little man does not export, practically all the exporters of the United States are large, solvent financial concerns——

We get their notes. The Finance Corporation must require "full and adequate security" by indorsement, guarantee, or otherwise. Suppose the gentleman from New York [Mr. SNYDER], who is a manufacturer of bicycles—and I am not advertising him, but I know he makes the best and more of them than any other in the United States——

Mr. SNYDER. You have got that right. [Laughter.]

Mr. KITCHIN. I will give an illustration that the gentleman will appreciate. He has an export trade, or had one before the war. His foreign customers in London or Paris want, say, $100,000 worth of bicycles. He can not sell them now. Why? Because on account of restrictions and financial conditions his customer can not pay in cash or gold. He needs credit to bridge over the readjustment period. If Mr. SNYDER is unable to sell on long-time credit, he will apply to the corporation for advances for such a length of time, not to exceed five years, as will conform to the time of credit extended by him to his foreign purchaser. The corporation will carry Mr. SNYDER and he in turn will carry his customer. He will thus sell his bicycles to his foreign customer. In this way Mr. SNYDER and every other person or corporation who has or had a foreign trade can revive or continue it. In this way will domestic production be helped. We, however, provide, first, that the exporter must go to the banks and give the banks the first chance before he can go to this corporation. Be-

fore the corporation makes any advances to the exporter he must show that he could not get the money on reasonable terms from the banks. The only questions, it strikes me, we are to consider are, first, Does the export trade at this abnormal time need help? If you answer "yes," the next question is, Can it get that help from the banks in this country? If you answer that "yes," you do not need this section. If you answer "no," I am impressed, as a business proposition, that this section provides the wisest, safest, and easiest method of assistance that has yet been suggested.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. Mr. Chairman, I ask for five minutes more.

Mr. MOORE of Pennsylvania. We may not have this same audience again, and I know the gentleman wants to be entirely fair, since he realizes there is some difference in opinion as to this. Is it not a fact that the money which the War Finance Corporation uses comes from the Treasury of the United States?

Mr. KITCHIN. If the gentleman means the $500,000,000 capital stock, yes. I said the War Finance Corporation act provided its capital stock should be $500,000,000, to be called for as the corporation needed it. The Government, being the only stockholder, furnishes that amount. Up to date it has paid into the corporation $350,000,000.

Mr. MOORE of Pennsylvania. But the corporation has the power after it gets this $500,000,000 in hand, or in some smaller sum, to issue bonds to six times the amount?

Mr. KITCHIN. That is correct as to the original act for the purposes set out in the act.

Mr. MOORE of Pennsylvania. So that it may tax the investment market to that extent. And it has the power, set up by the Government, to interfere with its own sales?

Mr. KITCHIN. The corporation, if it issues bonds, can sell them in any way it sees fit.

The gentleman is about one-third correct and about two-thirds incorrect as to the amount of bonds the corporation can issue under this bill. The corporation act, as it now stands, authorizes an issue of bonds to the amount of six times its paid-in capital. If the Government should pay in the whole $500,000,000 of capital stock, the corporation, if needed, could issue bonds to the amount of $3,000,000,000, but only for the purposes set out in that act. It has so far issued no bonds, and as the war is over it is hard to see how it can be justified in issuing bonds hereafter, except for the new purposes set out in this bill. We expressly in this bill limit the amount of loans or advances outstanding at any one time to $1,000,000,000, so that there is no possibility of the corporation issuing bonds exceeding $1,000,000,000, and certainly little probability of issuing that much considering the amount of its capital.

Mr. McFADDEN. Will the gentleman yield there?

Mr. KITCHIN. Yes.

Mr. McFADDEN. Does the gentleman admit——

Mr. KITCHIN. There has been objection to this because, it is stated, the bankers of this country can do this business. The gentleman ought to favor this, for the reason that in this very section we provide that one can only get money from the corporations by showing that he can not get it from the banks. Now, if it is true that he can get it from the banks, he can not get a cent from this corporation. I think a great many bankers would like this. I think if I were a banker doing a large amount of business I would think well of this plan, because that would relieve my bank from carrying that burden, and I could use my money for my other customers and for domestic trade. But, on the other hand, if my bank wanted the exporter's business, it could get it, and the corporation could not and would be glad not to interfere. The corporation is to do that which the banks can not do. Banks can not and will not and ought not to make loans on such a long time as will be often required in case of advances for the export business.

Mr. McFADDEN. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. McFADDEN. Does the gentleman feel that the business that the War Finance Corporation has done up to this time justifies its creation and existence?

Mr. KITCHIN. Yes; I think so. The gentleman will understand that the business of the corporation provided in this bill is different from that in the original act—the purposes of the advances are different. The fact is that the Finance Corporation, instead of loaning and issuing bonds to the amount of $2,000,000,000 or $3,000,000,000, as was predicted by its opponents, loaned less than $350,000,000, no bonds were issued, and only $350,000,000 of capital stock was paid in by the Government. Out of this it purchased over $200,000,000 of liberty bonds.

Mr. COOPER of Wisconsin. Does not that tend also to competition, to keep down the interest rate?

Mr. KITCHIN. Yes; it tends to keep down interest rate.

Mr. FARR. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. FARR. Did they make any bad investments?

Mr. KITCHIN. No; they made no bad investments. They made $2,000,000 of profit, and every debt was paid at maturity.

Mr. HAYES. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. HAYES. I have not the war-finance act before me, but as I recall the act, it was intended for war purposes only.

Mr. KITCHIN. Yes.

Mr. HAYES. On what basis does the gentleman declare for that to stimulate trade when the war is over?

Mr. KITCHIN. I am sorry the gentleman was absent from the House when I discussed that, because I discussed that very fully. We provide a different purpose in this bill.

Mr. HAYES. Very well.

Mr. KREIDER. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. KREIDER. I would like to know if the gentleman has made an extended study of the method by which England finances its foreign business, especially in South America, and whether the gentleman has compared that with the method followed by the National City Bank of New York? I am informed, in substance, that the exporters there take the merchant's paper, and in Buenos Aires, for instance, discount the paper and hold it until the merchant is in a position to pay the bill.

Mr. KITCHIN. They do that.

Mr. KREIDER. I understand the National City Bank of New York is doing a similar service. The question is whether, in the gentleman's opinion—and I have a very high regard for his judgment—that method of financing would not be preferable to this, provided the banking institutions of America can be strengthened and made stronger to furnish capital in the foreign field?

Mr. KITCHIN. The gentleman hits the nail on the head. If the banks were strong enough to do that, we would not need this. If the banks are strong enough to accomplish the purposes of this act, then not a dollar will be loaned under it.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. KITCHIN. Mr. Chairman, I would like to have two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KITCHIN. Let me tell you in a moment about the South American situation. I am glad the gentleman mentioned it. Argentina, I am informed, has already established, by loaning direct to Great Britain, Belgium, and France, a $300,000,000 credit for the purpose of assisting her export trade, just as we are trying to do in this bill for our exportation, except that we are not putting the Government behind it. We are putting the exporter, who is going to make the profit, behind it.

Mr. McFADDEN. She did it direct, however, and not through a War Finance Corporation.

Mr. KITCHIN. The gentleman was opposed to the proposition of the Treasury Department that the Government lend direct to the allies $1,500,000,000 for the purpose of assisting our export trade and putting the United States Government and the taxpayers behind every dollar of it. In the way provided in this bill the Government and taxpayers are not behind or responsible for a dollar, but the man who is going to make the profit is put behind it in the first instance, and then his indorsers or guarantors or collaterals.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. SNYDER. As a matter of fact, the banks of this country to-day can not do any exporting business because of the restriction on the time that loans can be made.

Mr. KITCHIN. I am glad the gentleman mentioned that. That is a material point.

Mr. SNYDER. Yes.

Mr. KITCHIN. We have a better plan. Instead of going out and selling the bonds all over this country and getting the money from everybody from whom we can get it, and taking a billion and a half of proceeds from these bonds, or from taxes collected from the people, instead of getting the billion and a half in that way and lending it to the allied Governments so that they can lend it to their citizens to buy direct from American citizens, we have another plan. We happen to have on the statute books the provisions with respect to the War Finance Corporation, and we found that we could extend that act as we have done by this section and accomplish the very purpose that some other

governments are accomplishing by direct loans, accomplish the very purpose that the Treasury Department desired to accomplish by direct loans to the allies, and that we can do this without costing the Government a cent or putting the Government or the taxpayers back of it, but by putting back of it the man who makes the profit out of the foreign purchasers, and making him and his indorsers and securities responsible for every dollar advanced.

I thank the committee for their patient attention. [Applause.]

Mr. MOORE of Pennsylvania. May I ask the gentleman from North Carolina whether he expects a vote on this bill to-night?

Mr. KITCHIN. Yes; I gave that notice when we started.

Mr. MOORE of Pennsylvania. Does the gentleman expect to have a roll call to-night?

Mr. KITCHIN. If gentlemen will stay here and make a quorum in Committee of the Whole, I would be perfectly willing to finish the bill in committee and take a vote on it in the House to-morrow morning.

Mr. SNYDER. I hope the gentleman will do that.

Mr. MOORE of Pennsylvania. May we have that understanding, that there will be no roll call to-night?

Mr. KITCHIN. Yes; but I do ask all gentlemen who can do so to stay here and help make a quorum in Committee of the Whole, so that some gentleman who gets mad will not make the point of no quorum.

Mr. MOORE of Pennsylvania. The only point is, can we say to gentlemen that there will be no roll call to-night?

Mr. KITCHIN. Yes; I think so.

Mr. FORDNEY. Mr. Chairman and gentlemen, I have listened with much interest to my friend from North Carolina [Mr. KITCHIN]. He is a splendid lawyer, and in his argument he paints a rosy picture of his side of the question.

I am opposed to this War Finance Corporation proposition in this bill. If enacted into law it will be an outrage and nothing short of it.

In the first place, let me say I believe this authorization of $9,000,000,000 of short-time Government securities is more bonds than should be authorized at this time, but I presume I will be obliged to vote for it, being unable to get anything better. There is authorized at the present time but not disposed of more than $5,000,000,000 long-time bonds. There are about $2,500,000,000 of certificates of indebtedness authorized but not disposed of, making more than $7,500,000,000 of authorizations already made, which the Secretary of the Treasury can dispose of to raise money, in addition to the $6,000,000,000 of taxes that will be collected under this new law this year. Seven billion dollars of noncirculating Treasury notes mean practically $7,000,000,000 of certificates of indebtedness, simply given another name; that is all. The law provides that certificates of indebtedness may be issued for not more than one year. This bill, if enacted into law, permits the disposal of Treasury notes to the amount of $7,000,000,000, to be issued for a period of not less than 1 year nor more than 10 years, the rate of interest left discretionary with the Secretary of the Treasury. My good friends, I am getting tired of voting for war measures after the war is over. [Applause.] During the war I voted for everything asked for by the administration as a war measure. I want now to give to the administration everything necessary to wind up this war and meet our annual obligations.

If this bill passes, authorizing an additional $9,000,000,000 of Government securities, and these securities are disposed of, together with those already authorized, we will have outstanding $37,500,000,000 of Government obligations, the annual interest account of which will be in round numbers $1,500,000,000. That is what we have got to face. The people ought to know it. It is pretty nearly time that we cut off these unnecessary lucrative jobs of this War Finance Corporation, and stop imposing upon the taxpayers and calling upon them for the money to carry them on.

What does this War Finance Corporation do now? It is a Government creature, created by the Congress of the United States, authorized to spend $500,000,000 of the people's money raised from the sale of bonds, or from taxes, or from any other way to get the money into the Treasury. Then the corporation is authorized to issue a certain amount of bonds in order to get money to loan to the railroads of the country, public utilities, and industries engaged in the manufacture of something to aid the Government in carrying on this war. I have here a list of the loans outstanding now, made by the War Finance Corporation, which list I received yesterday from that corporation. There are outstanding unpaid at this time $108,000,000 of these loans, of which $70,000,000 has been loaned to the railroads of the country.

The gentleman from North Carolina said it was for the purpose of having a lower rate of interest. Let him examine the loans, and he will find that they carry from 5¾ to 7½ per cent interest. Why, I can beat that at my little bank at home. I pay only 6½ per cent interest myself.

Mr. SNYDER. And that is usury in our State.

Mr. FORDNEY. The railroads have been loaned $70,150,000, unredeemed at the present time. The amounts of loans to the railroads is exactly the same as the original loan. None has been paid. There has been loaned to public utilities $26,738,900; warehouse receipts, $8,500,000; to the Dallas Cattle Loan Agency and the Kansas City Cattle Loan Agency, $6,716,000; or a total of $104,250,000. Other small items make a total loan of $108,719,520.

Here are the rates of interest: Loans to banks, from 5 to 6 per cent; public utility loans as high as 7½ per cent. Not one in the list paid less than 7 per cent. The gentleman says "a cheap rate of interest." Yet the War Finance Corporation goes on, and wants to go on for another period of five years, to loan to our exporters. I have been a small exporter—or, rather, an exporter in a small way. I weigh as much as any other man that weighs 210 pounds. Did you every know anybody to go broke for want of money to sell goods abroad? If so, point him out and I will show you a white blackbird. Exports are cash. Talk about these countries being broke and having no money to buy goods. Heretofore the exporter attaches a bill of lading to his draft and gets cash for it in any bank in the country. This idea of loaning the people's money for export has no other purpose on God's earth except to continue the functions of the War Finance Corporation for another five years one year after the war is closed, then begin to close up business.

Mr. MOORE of Pennsylvania. That would make the obligations run along practically for six years?

Mr. FORDNEY. Yes. Now, it is said that there is no obligation on the Government back of these bonds. We created the Federal farm-loan banks, 12 of them, with branch banks throughout the country; there was to be no obligation on the part of the Government back of these loans. What did we do? We appropriated in round numbers $9,200,000 to start them in business, and took the money out of the Treasury. They were to sell bonds to obtain the money to loan to the farmers at a low rate of interest. They were to use the money to loan to another farmer to get more bonds to make more money to make more loans. What has happened since the creation of that Government creature? They put their hands into the Treasury and took out $200,000,000 and placed it in these banks, in my judgment contrary to law, because the banks could not dispose of their securities—the Government not being behind them—to get money to loan to the farmers.

I obtained from the Wichita, Kans., bank a list of the loans, the description of the property in detail, the assessed valuation upon that property, every loan a man got, and, my good friends, under the laws of Kansas the assessor certifies under oath that he has assessed the property at its value. And I can show you loans made by the Federal farm-loan banks on property assessed at $2,500 where the loan was three or four times the amount of the value of that property.

Mr. DOREMUS. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. DOREMUS. In how many instances did the gentleman find that?

Mr. FORDNEY. I had 150 or 200 items and I venture to say that 25 of them were loans far above the assessed value of the property. The gentleman will find in the list in the RECORD, for I placed it in the RECORD, each and every loan, a description of the property, and the name of the man to whom the loan was made. I went to the Members from Kansas, Representatives in this House, to know whether or not the assessed value was supposed to be its actual value, before I made that statement.

Mr. DOREMUS. Does the Kansas law require the assessment to be made at the true cash value?

Mr. FORDNEY. The law provides that it must be made at the true value at the time the assessment is made; two separate values, one on the land and the other upon the buildings, based on the insured value of the buildings, both of which are the assessed valuation.

The point I am getting at is in regard to the sale of the Federal farm-loan bonds. The brokers of the country are advertising them to-day and saying that Uncle Sam is behind the bonds. They can not sell them otherwise. These bonds of $1,000,000,000, if sold, will be paid by the Federal Government as sure as God made little apples, whether this law says that the Government is behind the bonds or not. Do you believe that our Government, creating this War Finance Corporation,

authorizing them to issue $1,000,000,000 worth of bonds, that when these bonds become due, if the security in the hands of that War Finance Corporation is not sufficient to meet their payment—100 cents on the dollar and interest—do you believe that the people of the United States would say that these bonds shall not be paid by the Federal Government? No. The people are honest and they are going to pay the bonds, whether the War Finance Corporation can pay them or not from securities in their hands.

But the gentleman from North Carolina says this money is to help the banks; that the exporters must go to the banks. Of course the exporter is going to the bank. He will go to the bank first. He does not have to go through this red tape when going to the bank for loans that he must go through when he gets the money from the Federal Government. Under existing law a member bank of the Federal reserve bank can rediscount your paper or my paper, commercial paper, not accommodation paper, and rediscount it with the Federal banks and get the money for you. But rather than do that if you pass this law the bank will say, "Go to the Federal Government and get your money; we do not want to reindorse your note and discount it and help you out, but if you can not get the money from the Federal Government, if the War Finance Corporation can not let you have this money, if you can not get it, come back and we will do the best we can for you."

But it is stated that this is for the purpose of enabling our exporters to sell their goods to foreigners. I am not so very much alarmed now about our exports as I am about our imports. Before this war broke out our imports constituted 7 per cent of our production in this country; that is all; and when this war is over they will not exceed 10 per cent of our production at any time. What we are most concerned in is protecting our institutions at home. The best market in the world for American farm and manufactured products is among our own people here at home, where more than 90 per cent of our total products are consumed.

Mr. MOORE of Pennsylvania. Will the gentleman tell us how that home production is protected while we are advancing money to safeguard our exports?

Mr. SLOAN. If he will tell us how it is not protected it would be a shorter story.

Mr. FORDNEY. If the War Finance Corporation is authorized to go out and borrow from the people $1,000,000,000, that billion dollars is taken away from the people and their loaning capacity has been reduced just that much, and the money is in the hands of this finance corporation instead of in the hands of the banks, the money lenders, for you have just changed it from one hand to another. You have not increased your volume of money a penny. I will tell you how we are increasing the volume of our money. I have here two Treasury statements which I picked up from my desk before coming over here a few moments ago, one dated February 20, 1919, and the other dated February 20, 1918. The amount of gold in the United States Treasury on the 20th of February of this year was $2,550,000,000 in round figures. One year ago the amount of gold was $2,400,000,000, or to be exact $2,398,890,000, an increase of gold in the Treasury of the United States in the past 12 months of $150,000,000. Our balance of trade during that time was $6,000,000,000. Only a few weeks ago I read a statement issued by a bank in New York which said that the gold supply in the banks of Great Britain, France, and Germany was almost equal to the greatest amount ever in those banks in the history of the world. They are not distressed for the want of gold. What we should be most interested in is in keeping gold at home. Of course that is what I want and that is what you want. There is only one way to do that, and that is to hold a balance of trade against the whole world. The balance of trade is paid in gold, generally, or in American securities. So that we have more gold to-day than ever before in our history in the United States Treasury. We have more gold in the United States Treasury, almost twice over, than was ever in any treasury in any country of the world in the history of the world. There is plenty of gold elsewhere in the world. Here is where we are getting some increase of money.

Before the war broke out, before we created the Federal reserve banks, there were outstanding about $1,900,000,000 of gold certificates. There was in the Treasury of the United States that amount of gold, gold coin, or gold bullion. For every gold certificate outstanding there was a dollar in gold in the Treasury back of it. What happened? One year ago, upon the 20th of February, we had $1,260,000,000 of gold certificates outstanding. The Federal reserve banks are collecting up the gold certificates, going to the Treasury of the United States, surrendering them, and taking gold for them, and then turning right around and getting $2.50 of paper money in Federal reserve bank notes issued for that dollar of gold. How much have we got to-day of outstanding gold certificates? Eight hundred and forty-nine million dollars—a reduction in the last 12 months of $411,000,000 of gold certificates. That means that for that $411,000,000 we have more than a billion dollars of Federal reserve bank notes outstanding at the rate of 2½ to 1 where we had but $1 of gold certificates before to $1 of gold.

Mr. PHELAN. Mr. Chairman, the gentleman will not contend that that necessarily follows—that because the gold certificates have been reduced $411,000,000 there are two and a half times that many Federal reserve notes issued in their place. That does not follow at all.

Mr. FORDNEY. It is claimed it does follow, and that is the law; and they have gone to the extreme extent of the law; but I want to conclude, and you and I will get together on this. There is an addition to this of 40 cents of gold back of those notes, gold deposited with the Federal reserve banks, by member banks of the country; but that does not belong to the Government; it belongs to the depositors and stockholders of the member banks, and is only there as a guaranty for their membership, and any time these member banks withdraw as a member they can withdraw their gold.

Yet it is counted, and it is said there is 65 cents of gold back of every dollar of Federal reserve bank notes. The point is, I believe, the Government is to-day canceling some of these Federal reserve bank notes, and going to bring it down to a basis of 100 cents on a dollar of gold reserve, but we have had inflation within the last year of a billion and a half dollars or thereabout, just in that way. Am I not right on that?

Mr. PHELAN. We have probably had a good deal more inflation than that. The gentleman thinks that the inflation—I will not say inflation, but expansion——

Mr. FORDNEY. On that issue, I am talking of.

Mr. PHELAN. There has been an increase in the amount of Federal reserve notes, approximating what the gentleman stated, but that does not necessarily mean inflation, although the whole country has been upon an inflated basis.

Mr. FESS. What is the relationship between this expansion of circulating medium and the high cost of living?

Mr. FORDNEY. It would be very hard for me to tell the gentleman just what that is. The cost of living has been very high, while the cost of production is high and the cost of manufactured and agricultural products must necessarily be high. I know, for instance, where production costs have trebled over what they were in peace times, before the war.

Therefore, whatever the cause is, the ultimate consumer must pay it all, and he does pay it all. It is not possible to have a high scale of wages in the country and low cost of living. Any man who takes that position is a demagogue or a fool. It can not be done. You can not put a pair of shoes upon the market where the labor cost is $7 and sell them for less than $7 and add to that whatever the material has cost; therefore when wages are paid in the country to-day, in many instances $1 per hour—and that is the case in many institutions which I know of, from 50 cents to $1 per hour—common labor, the cheapest labor, section hands upon certain logging railroads receiving 50 cents an hour for eight hours for a day's work, and $1 per hour for other ordinary labor—practically no skilled labor in the lumber camps—how, under such circumstances, can the producer sell the manufactured article at a low price? He must have his cost of raw materials, his labor costs, his taxes, his insurance, and all overhead expenses added to his cost of production, and the ultimate consumer must and does pay it all.

Mr. FESS. What advantage is it to the laborer to get $7 a day if he has to pay a proportionate increase for things on which he has to live?

Mr. FORDNEY. None at all. My good friend, several years of my life I spent at hard labor. I wore blue-jean overalls and a cotton shirt. I received $1.50 a day much of that time, and I received as much pay as any other man received for the same work. I lived fairly well, my wife and two children, and I had a comfortable bed to sleep in and a fairly well furnished home and a good table to sit down to. Now, when a man receives $5 a day and pays four times for the articles of food and clothing which I paid at that time, he is not as well off as I was with my family then. That is the point. It is common sense and it must be conceded.

Mr. FESS. Will the gentleman yield on another point? At the time of the Civil War the circulating medium was about $16 per capita?

Mr. FORDNEY. Yes.

Mr. FESS. To-day it is probably $55?

Mr. FORDNEY. Yes.

Mr. FESS. Is it possible for us to reduce the cost of living with such an expansion of credit as that until there is deflation?

Mr. FORDNEY. No. While there is such an expansion of currency and such high cost of production of every kind it is not possible, my good friend, for the laboring people of this country, who are the most interested in prices, to have more of the comforts of life than they had under other conditions existing before the war, with lower prices all around.

Mr. PHELAN. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. PHELAN. I do not suppose either the gentleman from Michigan or the gentleman from Ohio will undertake to say that the cause of our inflation has been primarily the issue of an additional amount of Federal reserve notes?

Mr. FORDNEY. Oh, no.

Mr. PHELAN. The fact is that any additional issue of Federal reserve notes has been to take care of a situation which did not arise from the administration of the Federal Reserve System at all.

Mr. FORDNEY. No such thought was in my mind, my good friend; the world war is very largely responsible—and the Democratic Party, I may say also——

Mr. FESS. Do not leave that out.

Mr. FORDNEY. Are responsible for high prices. Pardon me for saying that, because Democrats are good fellows when they are asleep. [Laughter.] Now, my friends, I am overly anxious for this Government to take its hands off business. We are going to the dumdum bowwows with Federal supervision and Federal control and the poor people are paying the penalty and must while it lasts. I want to call your attention to a few things. We did the silly thing—let me put it good and strong—absolutely silly, when this Government took over the railroads during this war. All that was necessary to have done was for the Federal Government to say to the owners of the railroads, "We want you to carry our property in preference to others," and it would have been done. "We will give you financial aid," and if the Government had given financial aid to the railroads operated by individual ownership, such financial aid as the Federal Government did give to the Director General of Railroads, we would be far better off to-day than we are.

Mr. GARLAND. Will the gentleman yield?

Mr. FORDNEY. I want to finish this statement.

Mr. GARLAND. I just wanted to ask if the gentleman does not think that if the Government had authorized the railroads to put on the additional freight charges and passenger charges that they did it would not have even been necessary to give them financial aid?

Mr. FORDNEY. I wanted to say that.

We have just passed a bill through this House appropriating $750,000,000 of the people's hard-earned money to pay the loss by the Government management of the railroads for the calendar year 1918. Let me go further. In addition to that, the 50 per cent increase in passenger fares took effect on the 10th day of June, as I now remember it, and the freight rates on the 25th day of June. What did that amount to? My friend, the increased revenue to the railroads for the increased passenger and freight rates, based on the average earnings of the railroads for the year 1916 (and they were greater in 1918), would be one thousand million dollars in 12 months, or $1,000,000,000. Therefore, those rates being in effect a little more than six months last year, the increased income for the railroads was a little better than $500,000,000. Add that to the $750,000,000 we are now appropriating for the additional loss, and there is $1,250,000,000 to be paid by the taxpayers of this country for the folly of the Government in taking over the railroads and controlling them last year. [Applause.]

Mr. FARR. What period of time did the gentleman say?

Mr. FORDNEY. Twelve months. The railroads were taken over on the 28th of December, 1917, and those figures are for the calendar year of 1918.

I know of a carload of goods—and this is to show you the efficiency under Government control—a carload of freight, shipped from the city of Detroit on the very day the Government took over the railroads to the city of Washington, where usually the time for the transportation of a carload of freight for that distance was less than one week, and it took 65 days for that freight to reach the city of Washington under Government control. It reached here on the 3d day of March. And not only that carload but several carloads.

Now, there is $1,250,000,000 of loss which we must pay. Now, how much must we pay for our folly in taking over the telegraph and telephone lines? Tell me what, in the name of Heaven above, any local telephone company in any county in any State of this land has to do with carrying on the war in Germany. And yet these lines were taken over by the Government. Tell me what, in the name of Heaven, cables between this country and Europe now have to do to carry on the war, except to convey messages from our representatives at Paris to the press in this country. All this is costing us large sums of money.

Mr. SLOAN. Will the gentleman yield?

Mr. FORDNEY. I will yield to the gentleman.

Mr. SLOAN. I just wanted to add to the matter of the expense in money in taking over the railroads that the railroad public has suffered from inefficiency in both freight and passenger traffic. Has not everybody who has traveled upon the roads found inefficient service in addition to the large expense they have been to the Government and the public?

Mr. FORDNEY. Let me call your attention to one of the inefficiencies of Government control.

One week ago last Thursday I left this city to go to my home to attend the funeral of a dearly beloved niece who died at Butte, Mont., and whose body was brought back to Michigan. The funeral was to take place on Saturday. On Wednesday afternoon I telegraphed my family that I would leave the next day, Thursday, at noon, for my home. I was due to arrive at home, and did arrive there, on Friday, at 12.40 p. m. At 4.30 o'clock that afternoon the telegram that I had sent two days before was delivered to me at my home. Oh, that is splendid, efficient Government service—shows our Government control a farce.

Mr. FESS. Would the gentleman yield to an interruption?

Mr. FORDNEY. Yes, sir.

Mr. FESS. On Saturday last a young son from the Navy was here and desired to stay over until a brother from overseas would reach here, which was to have been Monday. A wire was sent to the Navy at Cambridge, asking whether 48 hours' extension could be granted this boy. The wire was sent at 3.20 p. m. on Saturday. I received it here at 2.15 p. m. Monday. The boy in the meantime, not having had any word, left Sunday night at midnight. The other boy arrived here yesterday. The message extending the time, sent from Cambridge at 3.20 Saturday, I received here at 2.15 Monday.

Mr. FORDNEY. That is very inefficient.

Let me make one further mention and I will close. I have named some of the items of extravagance that the taxpayers of the country are put to by the Federal Government by its inefficiency. We recently appropriated $100,000,000 of the people's money to aid the suffering and starving abroad. That $100,000,000 will be spent and must be paid. Our expense in holding these boys in the Army and Navy to-day is from $30,000,000 to $40,000,000 a day. Can you tell me, can you give me any good reason, why our boys should be held in service who are in this country now? I say every man in our camps, except those to keep the camps in good order to take care of our returning soldiers, should be discharged and sent home. But what is the War Department doing at the present time? There has gone out an order from the Secretary of War that in order for a boy to obtain his release from the service he must make affidavit that he has a position waiting for him at home.

What can a boy in a camp down in Florida do in making an affidavit, if he lives in the State of Washington and telling whether or not he has a position waiting for him out there? Let them go home. They will find employment. There was a scarcity of labor in the country before war was declared. We took more than 4,000,000 men out of the industrial world in the United States, put them into the Army and the Navy, and a half million, in round numbers, of those beloved boys have been killed or crippled upon the battle field, and therefore their places will have to be filled, and it is said that there are thousands of unemployed men about the country and the Government wants to find employment for them, but let them be released from the Army and the Navy without this affidavit, and they will find employment waiting for them.

Now, let us see what is back of that.

Mr. KREIDER. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. In a minute. It means this: The administration says to the soldier, "We are going to keep you here at the expense of the taxpayers, with nothing for you to do, and will not let you go home, where you may produce something to eat or drink or wear, but you must remain where you will be a burden upon the taxpayer instead of some help at home." Oh, my friends, an unemployed man, a man without employment is the poorest asset of any nation under the sun.

Mr. KREIDER. Mr. Chairman, will the gentleman yield there?

Mr. FORDNEY. Yes.

Mr. KREIDER. I want to say to the gentleman that I have got dozens of cases where the boys have not only made affidavits that their jobs are waiting for them, but where their employers have made affidavits that the jobs are waiting for the boys, and yet they are not being sent home.

Mr. FORDNEY. My good friend, I have two cases which I will relate to you. They are both cases that concern my grandsons, the sons of my eldest daughter. One is in his twenty-second year. He left a position of $1,800 a year and his board. That place is waiting for him. He has made application, and that application has been pending since December last, and we can not get him out of the Navy. He is stationed down here at Yorktown, Va., where the Government is building a mine-filling station, and doing ordinary work in charge of some 20 or 30 sailors, work that anybody can do who is capable. The other boy is a younger grandson, 18 years of age, and the day that boy was 18 years old he ran away from home and enlisted in the Army. He is stationed at Camp Shelby, at Hattiesburg, Miss. He has not done one hour of military duty since the armistice was signed. We want him to come back home to finish his high-school course. His mother and father and teacher have made affidavits that that is the reason they want him home. I wrote to the commanding officer myself, and I received in answer the next thing to a very insulting letter. The language was about this: "Your grandson knows the rules and regulations, and when we want to let him go we will let him know." That is about the substance of that letter. There is no excuse in the world why that little boy—for he is small for his age—why that little fellow should not be permitted to go home and finish his education. And yet they will not let him go. He is there at an expense and a burden upon the taxpayers. I want to see all the boys go home.

Mr. McFADDEN. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. McFADDEN. Is the gentleman aware of the fact that there are hundreds and thousands of these inspectors all over the United States to-day that were formerly inspecting Government contract work who are still drawing salaries of from $3,000 to $3,600 a year, and that they have not done anything since the armistice was signed?

Mr. FORDNEY. Yes; and they never will do anything unless it is a soft job. They never did and never will—such men.

I went into a factory in my home town where the factory was turning out leather goods for the Army—bridles, saddles, halters, and harness. I was requested to go there to see what a waste there was of the leather under the specifications sent out by the War Department for halters and harness. The leather had to caliper thirty-two one-hundredths of an inch thick before the article would be accepted by the Government. As a rule cattle are so high-priced to-day that they are sold at the age of 2 years, and therefore the hides are not as heavy on an animal of that age as would be if the animal were 3 or 4 or 5 years old; and out of an ordinary side of leather there is but a strip 4 to 6 inches wide from the middle of that side of leather that will caliper the necessary thickness to be accepted by the Government. The Government would not let them make a halter or a bridle out of two pieces. A two-piece leather halter is the best in the world, sewed or riveted together. I know; I have used many of them in the lumber business. I asked, "Have you not an inspector here who can pass finally upon those questions?" The answer was, "We have an inspector here, but his inspection is not final, and he is drunk half the time."

I asked, "Why don't you report him to the Government?" The answer was, "Oh, we would only get into deeper water if we did that." My guide said to me, "Come with me out into the shop," and I went with him into the shop, and there sat a man in a high chair with his head on his bosom, as drunk as a lord—a Government inspector. My guide said, "There he is, in that condition every day he is here. We let him sleep and we get along better without him. We know what the requirements are. We let him sleep. A drunken man riled up will get us into trouble." I saw that with my own eyes—a drunken Government inspector in the harness shop.

Mr. HENRY T. RAINEY. Did this occur in the State of Michigan?

Mr. FORDNEY. Yes; but the man was an Illinois inspector. [Laughter.]

Mr. KREIDER. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. KREIDER. Does the gentleman know whether it is true that they ordered, purchased, bought, and paid for 1,400,000 saddles when they had less than 400,000 horses in the Army, on the presumption that they might shoot the saddles and not the horses? [Laughter.]

Mr. FORDNEY. I will answer that in this way: I took dinner one evening in this city with an Army officer, and he said, "I am in the employ of the Government and I would be court-martialed if I were to tell this. Therefore do not give my name away," and I will not.

But I want you to accept what I say as true, because it is true. He was ordered to buy certain leather goods. He asked, "How much of this stuff have you on hand?" The reply was, "It does not make any difference how much we have on hand. Buy what we tell you to buy. Here is the order to buy." He said, "I made up my mind I would not buy these leather goods until I knew how much of each kind they had on hand." These are some of the statements that he made to me. He made an examination and found how many Artillery horses the Government had. It is my recollection now that there were five sets of harness on hand for every span of Artillery horses owned by the Government. He found that there were 148,000 Cavalry horses owned by the Government, some 40,000 of which were at that time in Europe and the remainder over here, and there were on hand 1,050,000 saddles and 1,550,000 halters, and other harness in proportion. Well, that was extravagant; but perhaps they figured that this war was going on for years and years. I have no right to complain, and I am not complaining about extravagance during the war. Many mistakes were made, but we won the war and we will forget those mistakes. I ought not to mention them here, but I do say, my friends, that I think it is time to get away from Government ownership and Government control and Government dictation of business in this country as rapidly as possible. Therefore I am opposed to this paragraph in this bill that extends the life of the War Finance Corporation and extends their rights and prerogatives. I believe that we should let the existing law stand, which provides that after a certain time, I think six months after the signing of the peace treaty, the War Finance Corporation shall wind up their business, pack up their grips, and go home—stop Government expense, so far as they are concerned—and let the business of the country go on as it did heretofore, and as it will the minute the Government takes its hands off of business. [Applause.]

The CHAIRMAN. Does any gentleman desire recognition?

Mr. FORDNEY. It was agreed between the gentleman from North Carolina [Mr. KITCHIN] and myself privately that the time should be divided between the gentleman and myself, although that was not agreed to in the House; and if it is agreeable to gentlemen I will yield that time as we go along and will now yield 20 minutes to the gentleman from Iowa [Mr. GREEN].

The CHAIRMAN. That was a private agreement. Of course, the Chair has no official knowledge of that. The Chair will recognize the gentleman from Iowa.

Mr. GREEN of Iowa. I will assure the Chair and the House that I will not consume any time beyond that yielded to me.

The CHAIRMAN. The gentleman from Iowa will proceed.

Mr. GREEN of Iowa. Mr. Chairman, the issuance of $7,000,000,000 in additional notes or bonds of this Nation calls for some remarks on the condition of the National Treasury which makes such an enormous loan necessary and as to how far it will satisfy its needs for the present and the future.

When Secretary McAdoo turned over to Mr. Glass the job of carrying on our national finances, he put upon the new Secretary a task greater than that which has been put upon any man since this war began. It was, in my judgment, the most hopeless and helpless job that could be given him. It was hopeless because he could hope for nothing in the way of assistance from either his party or the administration. It was helpless because they had already brought the public affairs into such a condition that it was impossible to extricate them from the difficulties which surrounded them or to find a satisfactory solution of the great problems which were involved.

Less than one week of this session remains. At this session there ought to be determined the amount of appropriations which will be made for the next fiscal year. Yet there is no one—President, Secretary, member of committee, or whomsoever you may select—who is able at this time to make even a respectable guess at what will be our expenditures in the next fiscal year.

Along about the 1st of December last Mr. McAdoo estimated that our expenses during the next fiscal year would be $7,431,000,000. Perhaps that was a pretty fair guess for that time, but everyone knows now that it is going to cost vastly more than that.

The law requires that the Secretary shall make an estimate of the appropriations and that if those appropriations are likely to exceed the anticipated revenues the President may, in informing Congress upon the state of the Union, state how those appropriations may be properly decreased, or how the additional

amount shall be raised, either by taxes or additional bonds. But of late there has been no attention paid to this statute, and I do not expect that any attention will be paid to it. I do not know how any head of any department could be expected to comply with this law, because they are not only making no estimates about what their respective departments will require, but all of those heads of departments are coming in here and asking for all that they might anticipate they would need and seeking to obtain every possible amount from this Congress. The result has been that Congress has cut down the amounts asked. Estimates made by these departments have been reduced from 50 per cent to in some cases even a larger amount of what was originally asked. So far from the President asking that any of these appropriations be cut down, he has, as everyone knows, recently come in here and asked that they be enormously increased. So we have here now a great deficit looming in the future for the next fiscal year, expenses estimated at some $10,000,000,000 or $12,000,000,000. Our last revenue bill provided that the taxes should amount to only about $4,000,000,000, and an immediate scramble has resulted on the part of the heads of departments for further appropriations for increases in the number of employees, for enlargements of their functions. Then also there has come in from all sides, as might be expected, the usual pack of looters who are seeking for political advantage or private plunder to obtain some share of the money which is being so freely poured out by the Government.

There never has been such an assault that I know of since the German hordes descended on Belgium, and the result with reference to our Treasury is that it will be left in about the same condition that the Belgium treasury was after the Huns had swept over that unhappy country. Gentlemen on the other side have all the time viewed this condition of things with perfect indifference. Some have even aided and abetted assaults on the Treasury with much zeal and ability, a zeal and ability I very much admired, although I could not approve the object of it, until I finally came to the conclusion that the prodigal son was the original Democrat, and the party had not improved in economy from that day to this. [Laughter.]

Of course, I will admit that in these proceedings the Members on the Republican side were often put between the devil and the deep sea. They had to exercise a choice between starving the Government by compelling it to give its approval to some proposition that in itself was meritorious and necessary or join with the Democrats by jumping into the sea of extravagance. In such a position they often chose the latter evil. But we were not responsible for that condition. We did not frame the bills; we did not control the committees that brought them in. We did not have a majority by which we could amend them or reduce the amount which they carried. We were very often perfectly helpless while the steam roller passed over us.

So we have reached this condition when there is no one in this House that is able to give an estimate on the expenditures of the Government for the fiscal year ending June 30, 1920, within a billion or two billion dollars. If that is not "frenzied finance," I do not know what would be.

In this chaotic condition of our finances, as I have before observed, in the last revenue bill provision was inserted that no more than $4,000,000,000 should be raised next year by taxation.

Where the rest of the money is to come from nobody has ever explained. I do not know where; I do not think any gentleman knows where it is to come from, and, for my part, I have spent many an anxious day and a considerable portion of some nights studying these questions.

Let us see what this situation is. We have got somewhere in round numbers about $6,000,000,000 of floating debt, consisting of Treasury certificates and thrift stamps. The certificates, of course, can be taken up, and some of them will be by notes issued now and be paid. They are likely to be reissued, and there they stand. They must be paid sometime. After next year's taxes are paid—this $4,000,000,000 we are talking about—after this note issue, as we call it in this bill, is exhausted, after all the provisions we have made so far have been used up, we are going to have somewhere between six and eight billion dollars that will not be taken care of.

Mr. McFADDEN. Does that include the $5,000,000,000 of undisclosed liabilities which the Secretary of the Treasury spoke about?

Mr. GREEN of Iowa. I never knew what the Secretary meant by that expression. I suppose he referred to some foreign obligations contracted in France for military supplies.

Mr. McFADDEN. They would be undisclosed obligations of the United States whether they were in a foreign country or this country.

Mr. GREEN of Iowa. If that is what he referred to, yes; but I have never understood exactly what he was talking about. I can not explain that to the gentlemen, and I would be glad if somebody could. I am not stating the figures as I would wish, but I can not get them from the Treasury. I tried to find out what the amount of the certificates of indebtedness were. I wanted to find out up to the 1st of February the amount, but I was unable to ascertain. Otherwise I would give the figures with more exactness. I think nobody can tell what our expenses are going to be within a billion dollars for the next fiscal year.

But you have here this situation—this much I know—that there will be six or eight billion dollars deficit unless heavier taxes are levied. And this bond issue will not be the last; there will be another and perhaps another still, but we are going on borrowing money not simply to pay the interest on the indebtedness, which would be bad enough, but to pay our ordinary expenses in a year the first day of which begins eight months after the war ceased. This is not frenzied finance, that part of it. It is plain recklessness or foolishness, whichever you choose to call it.

But still the merry dance of appropriation goes on. We have appropriated, if I remember rightly, in the last 30 days very nearly $3,000,000,000, all for new projects and entirely outside of the ordinary expenses. The idea seems to be on the part of all the heads of the various departments to get the money while the getting is good. The money is going fast, and we have only to keep on as we have been to render it impossible to get the funds to pay our obligations, whether we try to raise it by taxes or bonds.

Some of these measures are proposed in order to prevent unemployment. In this way we have appropriated over my protest $200,000,000 for good roads, and it is now proposed to appropriate $100,000,000 for public buildings. I approved neither of these extravagances. The expenditure for roads has more justification than that for buildings, but the roads can wait. What has caused the trouble with our present situation? The waste of war. We have put billions into enterprises which will never show any return. If we put more money into our productive projects we will only aggravate the evil. Some one will say, "But we wish to stimulate employment and encourage production." In Heaven's name, if the expenditure of twenty billions this year and ten billions next year will not stimulate employment and encourage production, what will? Will it help matters to take several billions more from the taxpayer's pocket or to take his money for bonds? Will not that keep him from so using it that it would stimulate employment and encourage production? Would it not merely make conditions worse?

I ought to say that there has been some method in all this madness. The appropriations which have been made at this session and the appropriations that will have to be made—and a large amount will have to be made at the special session—will all have to be paid during the next fiscal year when the Republicans are in charge, and the natural result will be, as I expect, that our friends over on the Democratic side will point to the great expenditures that are being made and say, "Look at these Republicans, how they are spending the money," when, as a matter of fact, we will be simply paying the debts which our Democratic friends contracted in this period when no one had any regard for the amount which was taken out of the Treasury.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SLOAN. Is not that one of the cardinal political conditions, that the Republicans must pay the burden of collecting this money while our friends on the other side have the enjoyment of spending it? Is not that the real difference between the two parties, speaking practically?

Mr. GREEN of Iowa. Oh, yes; that is to be expected. We gather up the money in the portions of the country—and I do not want to mention any geographical line—most frequented by Republicans because the Republican States pay the highest taxes, and we find all through this war that it was largely spent where our Democratic friends resided. Of course, this produced the very happy state of affairs in those regions, and I presume they were very well satisfied with the result. It is possible, however, there may be something further said with relation to it.

I have sometimes been criticized as asking for too much taxation and attempting to raise too large an amount of money in that way. So long, however, as I am not criticized for having unnecessarily created the condition that brings about taxation I shall not worry very much about the other matter. I think my friends will now concede—those who were contending that I had overestimated when the war commenced the amount of

expenditures and necessary taxation—that we have now reached the situation where it is fully as difficult to raise the money by bonds as it is by taxation, and that difficulty is going to be accentuated as time goes on. Perhaps some creative and inventive genius has evolved in his mind a method whereby all these vast sums of money, all this immense indebtedness, are going to be paid. If so, he has failed to give us an inkling of it. It has never been developed on the Democratic side, and it becomes our painful task to try to find some way if we can. We are bombarded on every side by requests for expenditures in all directions, and we have been called upon in the name of the soldiers to make great appropriations which were really far more for the benefit of those who were promoting the enterprises than they were for the defenders of our country. I have often myself received telegrams from commercial organizations in my district asking me to support certain large appropriations that had been planned for purposes which I do not need to mention at this time. This action I find was brought about by the head of a department to whom Congress had refused to give as many millions as he wanted to squander. And all this has been because the people have not understood whither we are drifting. It has not developed in their minds how near they are to the financial precipice over which they are gradually being dragged. Some day the people will awake to these conditions. A tax bill like the one that we last passed, although some thought it was not large enough, and perhaps is not, will tend to open their eyes, and the time will come when gentlemen who have been pushing through these great appropriations will call upon the rocks and mountains to cover their heads from the vengeance of an indignant people. [Applause on the Republican side.]

Mr. BLACKMON. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BLACKMON. How many of the Republicans stood out against these extravagant measures that the gentleman is now complaining of? Did the gentleman himself?

Mr. GREEN of Iowa. I am quite ready to admit, as I have heretofore admitted, that by the astuteness of the gentlemen on the other side, Republicans were often put, as I have said, between the devil and the deep sea and forced to either deny an appropriation entirely for some meritorious project and thus starve the Government out and stop its operations, or else join with you in this carnival of expenditures.

Mr. BLACKMON. Would the gentleman admit that he had seen all of these extravagances carried on, and that he, as a representative of the people, voted for these propositions——

Mr. GREEN of Iowa. Oh, no; not all of them.

Mr. BLACKMON. What did you fail to vote for?

Mr. GREEN of Iowa. It would be quite a long list. I am afraid the gentleman has not often done me the honor he has to-night of listening to what I have said heretofore; but I have often announced that I would not vote for appropriations, and have spoken against them.

Mr. BLACKMON. In the most friendly spirit I would ask the gentleman to name one of these measures which he is talking about that he voted against.

Mr. GREEN of Iowa. I voted against the $100,000,000 appropriated to buy food for foreign nations, for one thing. I thought it was mostly in the interest of the packers.

Mr. BLACKMON. That was after the armistice was signed.

Mr. GREEN of Iowa. Oh, that is what I am talking about. It is this race that you gentlemen are now making to get the money while there is some left.

Mr. BLACKMON. I merely asked the gentleman in a friendly spirit to know why, when the money was being spent extravagantly and without cause, the gentleman sat silently by and voted for these appropriations.

Mr. GREEN of Iowa. I have been anything but silent. But if the gentleman is talking about the period of the war I can say something more serious. It was because on his side gentlemen—not the one who is speaking now, because I do not think he would do anything of that kind—whenever a voice was raised against any waste or extravagance going on during the war, would stand up and accuse anybody who opposed those appropriations or sought to reduce them of being unpatriotic and unwilling to support the President and to carry on the war. That was the reason why many were silent.

Mr. BLACKMON. But I never did do that myself.

Mr. GREEN of Iowa. No; the gentleman was not guilty, but others were.

Mr. BLACKMON. One further question, and I will not interrupt the gentleman again. Just one other question, if the gentleman will allow me. If you saw the country being destroyed by the Democrats, and you are a conscientious Republican, would you vote for those measures simply because men on this side said you ought to do it? Would the gentleman do that?

Mr. GREEN of Iowa. No; I have not said I would do anything of the kind. The gentleman was asking not only in regard to myself but also in reference to some other members of my party, and even inquiring whether during the war that same situation obtained. If you gentlemen on the other side—and I might go higher up in the administration—could not get during the war the amounts that you wanted, you said you would not become responsible and would not go on.

Mr. BLACKMON. One other question, and I will not interrupt my friend again, because I have a splendid regard for him. Now, if you knew that the Democrats were going wrong, would you, a representative of the American people, simply because they did that, follow them? Is that the gentleman's position?

Mr. GREEN of Iowa. No; I have not said anything of the kind.

Mr. BLACKMON. Is that the position of the Republican Party?

Mr. GREEN of Iowa. No; nor have I said anything of the kind. I think some Members occasionally might have been moved by some motives of that kind.

Mr. BLACKMON. I would like for my friend to name one. I am sure he would not do that. Then would your party—I am talking of the great Republican Party of this country, because I belong to the other party, the Democratic Party, and the gentleman belongs to the Republican Party. I am sure the gentleman would not do a thing of that kind, would he?

Mr. GREEN of Iowa. I have not done anything of that kind, but I have done this: When gentlemen upon the other side would say, for example, we had to have $3,000,000,000, or a certain amount, and that if they could not have that they would not take anything, would not permit an amendment, and you felt that the amount might have been very well reduced, I have had to vote for the bill or else the war could not have been carried on.

Mr. BLACKMON. If I am disturbing the gentleman——

Mr. GREEN of Iowa. The gentleman is not disturbing me, but I am afraid I am disturbing the House by exceeding my time.

Mr. BLACKMON. This is important. There is no man in your district who questions your loyalty, and if you voted against one of these bills would you think for a moment that your loyalty was questioned?

Mr. GREEN of Iowa. If the gentleman has studied the proceedings of the Security League, he will observe that the loyalty of Congressmen was attacked on very much slighter grounds than that.

Mr. BLACKMON. I know that the gentleman's loyalty could not be questioned. If a man questions my loyalty, I do not care for that, because the country knows. The gentleman is loyal and I believe I am, but the gentleman would not consent to Democratic lead simply because some fellow has said he might be questioned as being disloyal, would he?

Mr. GREEN of Iowa. The gentleman has asked me about something I have not claimed and would not claim.

Mr. BLACKMON. I understood my friend to say that he belonged——

Mr. GREEN of Iowa. This is a very interesting personal conversation between the gentleman and myself, which I would be very glad to pursue for the rest of the evening, but some other gentlemen here desire to be heard.

Mr. BLACKMON. I do not mean to interrupt the gentleman at all, but just wanted to know——

Mr. GREEN of Iowa. I have no objection and I do not want to be discourteous to the gentleman, because he has always been extremely courteous to me, but I really feel I ought not to yield further.

Mr. BLACKMON. The gentleman never has been to any Member of the House, but I just wanted to know if the gentleman and his body were following Democrats, knowing they were wrong, yet you followed them because your loyalty was questioned?

Mr. GREEN of Iowa. I have answered that several times, and if the gentleman is not satisfied I regret it.

Mr. BLACKMON. I am very much obliged to the gentleman.

Mr. GOULD. Mr. Chairman, I have introduced a resolution, which has been referred to the Committee on Foreign Affairs, with respect to Costa Rica, and I would like unanimous consent to extend my remarks in accordance with the resolution.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the subject indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the Seventy-seventh Division. I obtained permission some time ago to do this, but the five days have expired, and therefore I ask permission again.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The gentleman from Nebraska [Mr. SLOAN] is recognized.

Mr. SLOAN. Mr. Chairman, I have listened with interest to the speeches of the gentleman from Michigan [Mr. FORDNEY] and the gentleman from Iowa [Mr. GREEN], in which they clearly set forth the unbridled extravagance, the riotous waste, of the Government funds, their failure to collect funds, their failure to protect American industries, and their undue concern for foreign interests. These charges brought no defense from a Member of the majority. Somebody should defend the party in power. Nobody seems to undertake it, and therefore I will submit this measure of defense, that outside the statements that I have referred to, and some others fairly warranted, the Democratic Party is economically all right.

I desire to discuss two features of this bill. I shall probably vote for the measure, as it will be amended, I hope, because we must have funds. The fact is that there is not an excessive amount of funds, the funds being managed by whom they are and in the manner they are being mismanaged, if you please. I trust also that the large audience upon my right intends to be entirely quiet and undisturbing and will be so. When I see the vast multitude over on my right, I know that the slightest movement on their part would make a considerable disturbance of the whole. If there were less here I would not be called upon to make that suggestion.

But this measure that comes from the Ways and Means committee——

Mr. BLACKMON. Will my friend, with whom I had the distinguished pleasure of serving on a committee when I first came here, object to my stating that there are only 9 on his side of the House and 15 on the Democratic side?

Mr. SLOAN. And that is why I called attention to the vast crowd in the Hall, because it is the first time in three months the Democrats have had a majority here.

Mr. BLACKMON. My friend will——

Mr. SLOAN. That is about all I care for. I gave you your numerical credit; the quality credit I retain for the membership upon my left.

Mr. BLACKMON. Now, my friend——

Mr. SLOAN. I can not further yield. If I yield to the temptation of discussing the matter with my friend I know if I should begin talking to him to-night he would rob me of the opportunity of talking to the vast multitude, because who would talk to a multitude when he had an opportunity to converse with the gentleman from Alabama?

Mr. BLACKMON. Just one question: My friend is too modest to admit——

Mr. SLOAN. Let the gentleman at that point understand that that is the first time the charge was ever made that I am too modest.

Mr. BLACKMON. I knew you would not admit it. My friend is too modest to admit——

Mr. SLOAN. We admit nothing.

Mr. BLACKMON. You are too modest to admit that there is anyone on this side of the House that compares with gentlemen on your side.

Mr. SLOAN. I will leave that question to its own sweet answer. What I desire to discuss is section 8. It says:

SEC. 8. That the obligations of foreign governments acquired by the Secretary of the Treasury by virtue of the provisions of the first liberty bond act and the second liberty bond act, and amendments and supplements thereto, shall mature at such dates as shall be determined by the Secretary of the Treasury: *Provided*, That such obligations acquired by virtue of the provisions of the first liberty bond act, or through the conversion of short-time obligations acquired under such act, shall mature not later than June 15, 1947, and all other such obligations of foreign governments shall mature not later than October 15, 1938.

I have called attention to this particular feature in every bond issue subsequent to the first. I regret to say that we can not proceed to sell the obligations of the American Government on this, what might be called, the fifth bond loan, and say to the American people, and especially to the boys who went beyond the seas to fight our battles, that we have made good on our pledge to take foreign bonds of like tenor and effect of the bonds bought by our people. It was the understanding from the beginning, it is the understanding of the American people now, that we should have from all the foreign governments to whom we loaned money their obligations backed up by the action of their legislative bodies; those obligations to be in the same terms as to maturity and interest and all other important particulars, to correspond with the bonds that we have sold to the same extent to the people of the United States.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. I yield to the gentleman.

Mr. MOORE of Pennsylvania. The gentleman has been making a study of this question of our foreign loans. Will he state just what we have in the way of security in the United States for the loans made abroad?

Mr. SLOAN. We have, of course, speaking of security as security, none whatever. We have demand notes signed by the diplomatic representatives of the foreign Governments.

Mr. MOORE of Pennsylvania. We have no foreign bonds?

Mr. SLOAN. No. I do not mean by that statement of security that they will not be paid or are not valid; but in the nature of a collateral we have nothing.

Mr. MOORE of Pennsylvania. We have loaned $8,500,000,000. What have we in the Treasury of the United States to show for that?

Mr. SLOAN. We have those demand certificates to which I have referred, and nothing more. The legislative action or authority that is behind them has not been revealed by any public authority, if any such exists.

Mr. MOORE of Pennsylvania. Is interest being paid on these loans?

Mr. SLOAN. I understand that interest, at the rate of 5 per cent, is being collected from time to time, and I presume it is being collected out of the additional amounts that are from time to time being loaned.

Mr. MOORE of Pennsylvania. It has been suggested, at least in some newspaper dispatches, that it might be a wise and a generous thing for the United States to relieve foreign countries of their obligations incurred during the war. What does the gentleman say as to that?

Mr. SLOAN. There was such a statement as that. The fact is, that in another portion of this Capitol, before a deliberative body, by a member of that body, there was offered a resolution to the effect that we should forgive that debt. Throughout the country leading gentlemen have suggested that that be done, that we forgive that debt. From across the water, through the Associated Press, has come the statement that the premiers of two countries had spoken to our chief commissioner over there, suggesting that we pay our share of the war, beginning with 1914, which would be another way of saying they would like to have a large portion of that debt forgiven. There were in the hearings some statements that such a proposition had not been made.

I do not vouch for its truth or lack of truth, because all we know is what we read in the press.

When our chief commissioner went abroad he announced to the public that he would keep in close touch with the American people; but most of us, except through the newspapers, have remained untouched up to the present time. [Laughter.]

Mr. MOORE of Pennsylvania. The President has returned to the United States.

Mr. SLOAN. Yes; as I understand, for a week-end visit to his old habitat. [Laughter.] I understand he will stay over the Sabbath with us, and then if the *George Washington* is in good trim he will hie him hence to Europe again. I do not know whether the object will be to get another league of nations, a fresh one, or not. [Laughter.]

Mr. MOORE of Pennsylvania. Has the gentleman any inside information as to how soon an extra session will be called to enable the new Congress, in the House, at least, to take up the burdens that have been imposed upon it by the present administration?

Mr. SLOAN. I recognize the special propriety of the gentleman asking me that question. Because to whom else would the President now, chief commissioner formerly, give his confidence if he would not give it to the one occupying the floor now? But I say in full confidence that I should not want it to go further than this Chamber, and I know that the galleries will not violate the confidence that I now repose, that the Chief Executive has not yet vouchsafed to me when an extra session is to be called. [Laughter.]

Mr. MOORE of Pennsylvania. I am quite sure the gentleman's constituents in Nebraska will be glad to know what the gentleman knows about this important matter.

Mr. SLOAN. Let me assure the gentleman from Pennsylvania that just as soon as I am able to answer the question my own constituents will be regaled with that news; and I shall communicate it to him also, so that his constituents in my father's home in the City of Brotherly Love will be likewise regaled.

Mr. MOORE of Pennsylvania. The gentleman is not going to the "peace conference" on Thursday night, I understand.

Mr. SLOAN. The gentleman has again correctly surmised.

Mr. MOORE of Pennsylvania. I thank the gentleman for the illuminating information he has furnished.

Mr. BLACKMON. Will the gentleman from Nebraska yield, in order that I may ask the gentleman from Pennsylvania a question for information?

Mr. SLOAN. I do not know what the result will be if there comes a verbal altercation between the gentleman from Alabama and the gentleman from Philadelphia. I fear that I would be playing not a second fiddle but a poor third.

Mr. BLACKMON. Just one question.

Mr. SLOAN. I will yield for just one question.

Mr. MOORE of Pennsylvania. Am I involved in this?

Mr. SLOAN. This is a triangle. Beware!

Mr. BLACKMON. I wish to ask my friend from Pennsylvania how he voted on all these questions that he is now complaining so bitterly about?

Mr. MOORE of Pennsylvania. May I answer in the time of the gentleman from Nebraska?

Mr. SLOAN. The gentleman may answer in my time and also in any language that he sees fit—Greek preferred. [Laughter.]

Mr. MOORE of Pennsylvania. I shall answer the gentleman in parliamentary language. The gentleman wants to know how I voted on all these war questions. I voted for the war, because the President said we had been insulted by a foreign power and he desired to resent that insult. I supported every request made by the President for sums of money to prosecute the war. I do not believe I voted for anything particularly authorizing the President to go abroad to establish a league of nations. I do not believe I did. I presume I have reserved the right to discuss that question when I am asked to vote to establish a league of nations that may violate the Constitution of the United States.

Mr. BLACKMON. Will the gentleman yield?

Mr. SLOAN. Now, good faith demands that the gentleman desist at this time. [Laughter.]

Mr. BLACKMON. Just one other question.

Mr. SLOAN. I fear we should be organizing a league of nations here on the floor of the House. [Laughter.]

Mr. MOORE of Pennsylvania. Does the gentleman desire any further answer from me?

Mr. BLACKMON. The gentleman has walked up to the rack and voted for everything the President of the United States told him to vote for. He has not weakened, because he was afraid to, but now he complains about the things he voted for.

Mr. MOORE of Pennsylvania. I voted for an appropriation of $640,000,000 to establish aviation in the United States and abroad, in order that we might send our boys in American fighting aeroplanes to combat the foe, but as I recall it, due to the interest of the administration in the matter, we did not get a single American fighting plane on the other side. I presume I may be permitted to question that transaction?

Some of our friends on the other side will no doubt desire to ask the gentleman from Nebraska whether he voted for some of these things which have resulted in wasteful expenditure and extravagances of one kind or another. When these questions are propounded I am sure the gentleman from Nebraska will acquit himself with credit.

Mr. SLOAN. I can answer in advance. That question is presumed to be put to me, and I answer that I always voted right. [Applause.]

So we are in the position of having no bond and trust fund for the boys who fought when they were young, and which was to have been arranged to meet obligations when they shall have reached the years of their greatest productivity. That is not provided for, and we can not go to the American people and say we kept our faith with the boys who went abroad and made these loans as we agreed to. More than that, the reason given by the Secretary of the Treasury why they did not ask for this bond to fix them as they agreed is that they do not know how much in the way of indemnities they may collect. If they do that, that is not good faith with the boys who went over and fought the war, because it would be paying that money for indebtedness now due instead of meeting the indebtedness that will come against them when they will be bearing the burden of the day, 15, 20, or 30 years hereafter, and the stay-at-homes will have debts paid now out of this foreign loan fund instead of paying it out of present-day taxes collected.

But the particular point I desire to urge is that sections 9 and 10 should be stricken out. This is a provision for really establishing a new finance corporation. It proposes to use the machinery of the old finance corporation by extending its period of activity six months; that is, under the old charter it is to terminate six months after peace shall be declared. But now it is to be extended for one year after peace is declared. While the purpose of this corporation originally was what seemed to be a pressing war demand, where they thought the banks of the country and the system we had adopted would not be equal to the task of carrying on the large war financial activities. They would turn it now into a new occupation; that is, of financing the export trade in time of peace.

We are supposed to be getting out of the war. I think it was on the Wednesday after the 5th of November, 1916, that we began to prepare for war. It was on the next Monday after the first Tuesday in November, 1918, that the war ceased, or the fighting ceased. We are now running just about as long after the fighting ceased as we took to prepare for war, and yet there has been a debate going on over there for three and a half months, and all we have brought back here is the title deed for all the dominions of the earth, which might be very good if it was not subject to an encumbrance of conflicting titles of every empire, kingdom, principality, and tribe on earth. [Laughter.]

I am not going to discuss the league of nations, except that I refer to it because it is being the means of preventing an effective peace and determining the settlement of this great war and keeping our boys over there at an expense of thirty or forty million dollars a day. [Applause.]

I insist further that this House of Representatives amend this bill, cut out the excresences that have grown up during the war, as we ought to cut out every excresence that we have built on the business of the country, to set an example to the American commissioners over there that we want matters speeded up. [Applause.]

If we begin here to show to our commissioners that we are through with the war and that we are not going to longer tolerate all these war activities or extend them, it may be the hint will be taken by the commissioners and they will do what they went over there to do and settle the war and not try to exchange a sound, working, going Monroe doctrine—that is, the majority and controlling interest in it—for a minority interest in a federation or league of nations which has not enough valuable assets to pay charter fees or expenses of organization. [Laughter and applause.]

It involves more than that; involves in carrying it out a liability of every dollar of our national property and the lives of all our sons. I think we should set an example by terminating these war activities or at least not extending them.

I do not understand why our friends on the right are always so concerned about the foreigner; the foreign trade is 7 per cent of all our trade. They think little of the people at home. The reason for it is the reason you see coming up in every one of our activities, when a number of our official Othellos come down here—and I think the Moor was a military man himself—who fear that their occupations are about to be gone. They would perpetuate their jobs and continue to draw their salaries.

This bill provides for four directors, and each director is paid $12,0000 a year, a salary under the circumstances without any expense, and therefore four times the salary of the Speaker of the House of Representatives or Vice President, taking into account their expenses.

These four men are to be continued at $12,000 a year. They are turned into a new line of activity and that new activity is purely a banking activity. We have what our friends on the other side have urged as the ideal banking system of the world, capable of carrying on all great transactions of commerce and finance. Why not use our banking system to the limit? Let it develop with our expanding post bellum commerce, foreign and domestic.

I was of the opinion that our banking system was equal to the occasion. I consulted on the floor of the House the gentleman I regarded as the best authority on that subject, whom gentlemen on the Democratic side of the House say is their best authority, the chairman of the Committee on Banking and Currency. I want to say that when this bill was originally passed providing for the finance corporation it was understood that if that had stood alone the Banking and Currency Committee would have had jurisdiction of it, and now when this amendment stands alone it should have gone to that committee rather than to the Committee on Ways and Means. It could then be disposed of as that committee in its wisdom would deem best. On page 3628 of the CONGRESSIONAL RECORD, of date February 17, 1919, I submitted the following interrogatory to the gentleman from Massachusetts [Mr. PHELAN], the chairman of the Committee on Banking and Currency:

Is it the gentleman's opinion that the reserve system will be sufficiently strong to serve the purpose of our present foreign commerce and our prospective foreign commerce during the next two or three years, or will it need assistance from some other Federal agency?

Mr. PHELAN replied to that in the following language:

I think it is fully strong enough to take care of every demand made upon it, either domestic or foreign.

That is the best authority there is in the House of Representatives, and I think it would be a mighty good thing if gentlemen on the Democratic side of the House would accept evidence from their own expert.

The CHAIRMAN. The Chair will notify the gentleman that he has occupied the time mentioned.

Mr. SLOAN. Then I shall yield myself 10 minutes more, for I am about as liberal with myself on time as the gentlemen of the majority are liberal with the people's money.

The CHAIRMAN. The Chair only notified the gentleman because he was requested to do so.

Mr. SLOAN. That is correct. The Chairman did me a courtesy, and I thank him for it. When the time comes under the five-minute rule some gentleman from our side of the committee will move to strike out sections 9 and 10 of this bill, which relate to the Finance Corporation. I think it would be wise to do this for a number of reasons. I want this bond bill to go through and provision made for money to run the Government. If this Finance Corporation provision remains in the bill, I do not believe that it will ever pass through the other body of Congress. We need the money, and we ought to have the opportunity of getting it from the people.

We ought to have the best possible bill to present to the people so that they will respond to the demands of the Government, so that we may close up this war with all possible speed. I regret that the bill which we have to present is not better than it is, but I want to say, in compliment to the chairman of the committee and to the membership, Republican and Democratic, that it is a much more House of Representatives bill than it was when we began to examine it.

I do not like the system of legislating by administration or the drafting of bills by the heads of departments. I find those gentlemen are very jealous of their composition and their particular brand of English. I never found one of them denying authority from the Congress to his department; but there is a constant reaching out for unlimited authority, and I think I violate no confidence when I say that the bill presented for our consideration at first asked for everything from horizon to horizon, from the earth to the empyrean. Everything that we had in the American Government as a part of our jurisdiction relating to bonds was asked for by the Treasurer, but he did not get it. Some time ago I saw a play which had a very significant title, but which when you saw the whole play was entirely harmless. It was entitled "Lend Me Your Wife." The Secretary of the Treasury made a request almost as audacious, broad, and suggestive of the surrender of our prerogatives as is involved in that title of romance.

Mr. Chairman, this is a good place to begin. The issue will be clear-cut. This is not a matter of continuing war activities, because the law that we have had now provides for activities on the part of this corporation until six months after the war is declared over. It is a distinctive departure from a war basis to a peace basis. The same ingenuity on the part of the men who hold these positions in shifting it from a war basis to a peace basis, although temporarily, will, undoubtedly, at the end of that year be found asking to perpetuate it. This is a good time to saw it off. [Applause.]

Mr. CURRY of California. Mr. Chairman, before the gentleman yields the floor, would he submit to a question?

Mr. SLOAN. I yield to the gentleman.

Mr. CURRY of California. I would like to know what reason there is for section 8 in the bill, being the section in reference to the maturity of foreign obligations?

Mr. SLOAN. I discussed that earlier and rather fully. I explained its purpose, which is to provide for some maturities and also, apparently, complying with what we understood the law to be heretofore.

Mr. CURRY of California. Are the bonds in the Treasury?

Mr. SLOAN. Not a dollar of them.

Mr. LONGWORTH. Mr. Chairman, I ask for recognition for 15 minutes, and would ask the Chair to inform me when I have used that time.

The CHAIRMAN. The gentleman is recognized for an hour.

Mr. LONGWORTH. Mr. Chairman and gentlemen of the committee, it is only after most thoughtful and mature consideration that I have come to the conclusion that I am justified in supporting this bill and in recommending it to your favorable consideration. Not that I am enthusiastic about it, for it concedes a principle to which I am, under ordinary circumstances, strongly opposed. It surrenders to an executive branch of this Government the function properly belonging to the legislation branch. It gives to the Secretary of the Treasury power to fix interest rates on obligations of the Government unregulated by a maximum rate fixed by Congress. In this instance, however, the power is so hedged about by restrictions and limitations that it would be, in my judgment, extremely difficult, if not impossible, to greatly misuse it. Moreover, I have such high regard for our late colleague, now Secretary of the Treasury, a regard matured by many years of close association and companionship with him in this House, and my confidence in his judgment and discretion is so great that I am willing in this exigency to intrust to him a power which, limited though it is, I would resolutely begrudge to most men.

That an exigency exists in the Government's finances of a most serious character there can be no possible doubt. By the time the loan herein provided for is offered for subscription the floating indebtedness of the Government will in all probability amount to the appalling sum of $0,000,000,000. How much of this is due to waste, extravagance, and worse I shall not pause to estimate. Its determination will be one of the first and most important duties of the next Congress. For the present it is enough to say that these obligations have been contracted for and must be paid. We are asked to authorize an increase in our outstanding obligations of $7,000,000,000, with large inducements for the marketing of the loan.

It is true that of this sum more than $5,000,000,000 is issuable under existing law, and we are advised—and I think no one will contest—that 4¼ per cent bonds subject to Federal taxation are not marketable under existing conditions. The unfortunate part of it all is that we should be asked now to define the authority for the issue of obligations which will not be undertaken for nearly two months, when conditions may be utterly different from what they are now. Only the fact that the term of the present Congress is shortly to expire would for a moment justify such legislation. I think, then, acting upon the rather violent assumption that the Senate will pass this bill and that Congress will not be called into extra session before the 21st of April, we are justified in voting for this legislation. This much, however, I want to say, that if we are in session in April—a circumstance I consider extremely likely—I for one shall not vote for the authorization of any loan upon which Congress shall not have fixed the maximum rate of interest which the securities shall bear, whether they be subject to taxation or not.

When I say that I am willing to vote for this measure I mean the measure as it has been redrafted by the Ways and Means Committee and submitted to this House, not the measure which was sent to us by the Treasury Department.

The gentleman from Nebraska [Mr. SLOAN] referred to the difference between this bill and the bill originally submitted. I do not think he went nearly far enough in his description of that bill. That bill consisted of several printed pages, but it might well have been compressed in one sentence authorizing the Secretary of the Treasury to issue 10 billions of bonds under such terms and conditions as he might see fit. Unlimited authority was asked to fix interest rates, to exempt from taxation in any degree not only the bonds to be issued under its authority but also all other bonds outstanding, to provide for a premium at maturity, to give to the President the power to loan a billion and a half dollars to any European Government for such purposes and under such terms as he might see fit.

To my mind this measure was unwise, impolitic, unconstitutional, and subversive of most of the basic principles of our Government, yet it was no worse than a raft of similar bills that have originated in executive departments during the life of this Congress and been sent here accompanied by the mandate of the administration that they be passed as written. Some committees of this House have bowed abjectly to the imperial mandate. Others have rebelled and taken the legislative responsibility upon themselves, where it belongs. Let me say for the Ways and Means Committee, so ably presided over by my distinguished friend from North Carolina, that from the beginning we have construed our functions to be those of legislators and not executive subordinates. We have held our responsibility to be to the people of America and not to the Chief Executive or to any department head. The bills we have presented to you have been written in the committee room of the Capitol, not in any downtown office. We have from the beginning and, without partisan division, combated the evident desire of this administration to make of the committees of this House mere automata for the registration of the Executive will, animated always by the desire and determination to uphold the power and dignity of the House of Representatives of the United States.

I am confident that I do not exaggerate when I say that one of the distinguishing features of this administration has been its continuous effort to exalt the power of the executive branch of the Government at the expense of the legislative. There has been a persistent reaching out by it for the absorption of legislative functions. No power has seemed too great to aspire

to, none too small to be worth coveting. Stimulated by the example of their chiefs, petty department heads are spending great sums of money without legislative authority and brazenly asking for more. Greed for the power that it strives to attain, contempt for that which has been denied it, has been characteristic of the attitude of this administration toward the Congress.

Had this insatiate demand on the part of the executive branch of this Government for power, more power, and then more power been limited to the period of the war it would have been bad enough, but it has gone on since the day the armistice was signed and is going on now. I for one believe that no higher duty is committed to the coming Congress than that of restoring to the House of Representatives the power and dignity and prestige which the fathers of the Republic committed to it and intended that it should have. We are of all branches of the Government closest and most directly responsible to the people. To just the extent that you take away from the power, influence, and dignity of the House of Representatives, to that extent you are striking a blow at representative popular government. [Applause.]

Let us candidly admit to-day that the Congress of the United States has lost something of the power and prestige that it ought to have and that the fathers of the Constitution contemplated that it should have. This is mainly due to the insistent demand of the executive branch for power at our expense, but it is partly our fault for not fighting harder for our prerogatives.

I have described some of the legislation we have been asked to pass, legislation which, if it had passed, would have reduced Congress to a pitiable condition indeed. Some of us have from the beginning refused to bow to the Executive mandate, and when we have fought these bills and either amended them or prevented their passage we have been accused of blocking the wheels of progress and throwing obstacles in the way of the administration. Such criticism has not worried me and does not worry me now. I believe that the man who fights to-day against executive encroachment upon legislative functions, who fights to uphold the power and dignity of the House of Representatives, is fighting the battle of representative popular government against bolshevism. [Applause.]

No real catastrophe can overwhelm the Nation at home so long as the people have confidence in the only body which directly represents them and know that through it they are having a real and compelling voice in determining the affairs of the Nation. Grave danger will menace the Nation if the people come to believe that their voice is being stifled by Executive usurpation on the one hand or by incitement to mob rule on the other.

The war is won. The armistice has been signed, a treaty of peace will shortly be concluded, there can be no excuse for delegating further powers to the Executive. Let us aim in the next Congress to preserve the just balance that the framers of the Constitution intended should prevail between the three great branches of our Government. Let us fight for the restoration of our powers and prerogatives, for in so doing we are fighting for the people who sent us here.

The fires of anarchy are kindled throughout the world. Let us see to it that no sparks fall here. If that's what internationalism means as preached by men in high places, let us confront it and stay its course with plain Americanism. [Applause.] Let us oppose autocracy on the one hand and mob rule on the other with representative popular government, and where does representative popular government find its more complete and ideal exemplification than here in the House of Representatives of the United States? [Applause.]

Mr. MANN. Mr. Chairman, I am not sure but the main inquiry I had in my mind was answered sufficiently by the gentleman who just so eloquently addressed the House [Mr. LONGWORTH]. In reference to the rate of interest there is one thing. We are told that this loan is to be floated in April. That is not very far away. I suppose there will be a popular campaign upon the subject for the purpose of selling these notes or bonds or whatever they may be called. Is it contended by the Treasury Department that it is not now possible to fix the rate of interest which they expect to put on these bonds in a month or two months from now? I would like to ask my distinguished friend from North Carolina if that is the contention?

Mr. KITCHIN. That is the contention of the Treasury Department, as I explained this afternoon.

Mr. MANN. Well, I heard the gentleman's speech. Well, the Treasury Department necessarily comes to its determination after consultation with people who are interested in financial matters throughout the country, people who will be supposed to have something to do with the popular drive—I believe that is what they call it—to sell the bonds.

Mr. LONGWORTH. If the gentleman will pardon me, perhaps I could give a little more extended answer than the gentleman has given. The Treasury Department stated positively that it had no means of knowing how high a rate of interest would be necessary in the latter part of April to float this loan and that they feared if Congress now placed a maximum that the public would regard that as the minimum, and that the bonds could not be floated at less than the maximum fixed by Congress. That was the general explanation given.

Mr. MANN. Well, that may be a correct one. I will not say that the Treasury Department may not be correct. If they do not know more in the Treasury Department about floating bonds than I do they are lamentably ignorant, and I think they are that even if they know more than I do. I question very much whether they can name, whether they dare name, any rate of interest on these bonds which will make the people grab them up as an investment. They do not dare fix the interest rate so greatly higher than it is on the bonds which are outstanding because if they do that instantly very greatly depreciates the market value of the bonds which are outstanding and the Government can not afford to have its bonds outstanding selling for 70 or 80 cents on the dollar. It is bad enough when they are down close to 90 cents on the dollar, and the sooner they let the country know what the rate of interest is to be and commence to prepare the popular mind to buy bonds at a rate of interest so fixed the quicker and easier they will sell the bonds. Then there is another provision in here which I do not know whether it was put in by the Treasury Department or the committee. I heard it discussed in the House as a popular matter. There are four, I believe, different classes of bonds which may be offered.

And I think the gentleman from North Carolina [Mr. KITCHIN] stated that probably two or three different classes, at least, of bonds will be offered. Well, I think a number of gentlemen here made speeches during the drives for the sale of the former bonds at popular meetings—I did not make any speeches, but I listened to some—and I was thinking how a speaker now urging the people to buy bonds would urge them to buy bonds of class A, or class 2, or class 3, when by the time he got through the people who wanted to buy bonds would be all mixed up in their minds and put it off until some other day, and by the time they learned what it meant the time for the sale of bonds would probably be past.

If you want to sell Government bonds as an investment, that is one thing. You can not do it now, in my judgment. If you want to sell bonds as a popular measure and appeal to the patriotism of the people and bring the compressors down upon the banks and the big financial interests, as will be done, the sooner the terms are fixed, and fixed absolutely, the easier it will be to carry through the drive.

However, Mr. Chairman, I did not arise for the purpose of discussing the bill. I have no doubt the distinguished members of the Committee on Ways and Means thoroughly understand and appreciate all the items in the bill and all the reasons for or against it. I rose mainly for the purpose of saying a word about the Committee on Ways and Means. They have levied more taxes, put more burdens upon a people, than any other similar number of men in government ever did before in the history of the world. I hope, however, they will not take that amiss. It is a compliment. The burdens in the main so far have been fairly well accepted, and I think that the Committee on Ways and Means is entitled to credit for the work that it has done both in authorizing the issuance of bonds and levying heavy taxes upon the people, though I sometimes wish they had been able to stand in the way of some of the extravagant expenditures which we have authorized and which have been made.

The distinguished and handsome gentleman who sits over at my right at the table reserved for Members in charge of bills, the gentleman from North Carolina [Mr. KITCHIN], is entitled to the thanks of the House, and I am sure that all extend to him our appreciation of his leadership in the House. [Applause.] I remember the first time that I had any occasion to work in connection with the Hon. CLAUDE KITCHIN. A war claims bill had passed the House, with a great many different items in it, had gone to the Senate, where a very large number of additional items were offered and agreed to, and among them were a number of claims called "French spoliation claims."

Now, I had no particular objection to the French spoliation claims, but that bill came back from the Senate so padded with war claims which were unjustified that I was doing what I

could to prevent its passage, and with reasonable success. The House was not making very much progress on the bill. I happened to talk with the gentleman from North Carolina [Mr. KITCHIN], who had been a member of the Committee on Claims of the House and had given great study to the subject of the French spoliation claims and was very much opposed to their payment. I asked him if he would make a speech on the subject of those claims before the House that night. We were in session most of the night—I am not sure but all night, and until along toward the wee hours of the morning. He said he would if I would fix it so it would be in order. In the course of the night I managed to secure a quorum. The filibuster at the time had been carried on quite successfully. We secured a nominal quorum, and the gentleman from North Carolina took the floor, talking in the center aisle, and made one of the most brilliant and effective speeches which ever has been delivered in this House against the French spoliation claims; so effective that at the end of his speech I asked unanimous consent to kill the bill that was then before the House and pass a bill leaving out the French spoliation claims and leaving out the other claims inserted by the Senate. And, as I recollect, it was done by unanimous consent. I never have heard in the House at any other time a speech that had such immediate influence and effect upon the body of the House as the one that night delivered by the gentleman from North Carolina. [Applause.] I said to myself then and many times afterwards, "Here is a man of wonderful power, who, I hope, will remain here for some years; and if he does he will be one of the leaders, if not the leader, of the House of Representatives." [Applause.] And I am proud to say that he attained that distinction, with great pleasure to us all.

I would like to say a few words about the other majority members of the Ways and Means Committee. They deserve it. But I wish to pay a little compliment to the Republican, or minority, members of the Ways and Means Committee.

The House is a partisan body. The center aisle divides the Democrats and the Republicans in legislative procedure, so far as their seats are concerned. When we went into this war it was the duty, accepted at once by the Republican Members of the House, the Republican members of the Committee on Ways and Means, that in our fight with a foreign power there was to be no party politics concerned, and these gentlemen on the Republican side of the House with patriotic devotion to the interests of their country laid aside any desire for partisan advantage and agreed with the majority upon the measures which came before the House by unanimous advice and for unanimous action, and they are entitled to the thanks of the country and to the credit of history that they took that position. [Applause.]

We are to lose two of them from this House—that rare genius of geniality, wit, philosophy, and statesmanship, the gentleman from Nebraska [Mr. SLOAN], who just addressed the House [applause], and that wonderful business man whose acumen and knowledge of business affairs has been of great service to his committee and of great service to the House and his country, the Hon. GEORGE W. FAIRCHILD, of New York. [Applause.] These two will go away with the respect and affection of every Member of the House and with the best wishes and hopes of every Member of the House for their continued happiness and prosperity. [Applause.]

Mr. TREADWAY rose.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. TREADWAY. Mr. Chairman, I shall speak briefly on this measure, because between the very excellent explanations that have been given by our honored chairman and the ranking member on the Republican side and other members of the committee there remains very little that one of the most recent additions to the committee can offer in the way of further explanation.

I was particularly gratified at the words of the gentleman from Illinois [Mr. MANN], who is always so felicitous in expression in the compliment deservedly paid to our chairman, Mr. KITCHIN, of North Carolina. It has only been my privilege to be a member of the Committee on Ways and Means for something like a year past, but during that time to have sat on that committee with him, in assisting in just a very minor way the work of that committee, has given me an insight into the character and the ability of that man very little appreciated, I am free to say, in the section of the country from which I come. It has been my privilege on several occasions to give my friends at home my personal and intimate impressions of him.

All during the long period last summer, at the time when, as the gentleman from Illinois has said, there was no partisanship whatsoever on our committee, and the vote of the minority members and the opinion of the minority members were exactly as much sought for by him as those of his own party colleagues, and during the time that legislation has more recently been before the committee the manner in which he has treated us as minority members can not help but be a most delightful reminiscence to us now that his chairmanship is so soon to expire.

The country has been fortunate in this period of great magnitude in our work in the fact that the chairman of this most important committee has been a man of such broad judgment, such fairness, such conscientious attention to details, and, above all, of such an absolute nonpartisan attitude at all times. I, for one, extend to him my most sincere thanks for his treatment of me personally. [Applause.]

Certainly no man can leave the important work that he has had without a certain realization of the task well performed; and we do extend our cordial personal congratulations, in no sense partisan; and I think that, as one of the minority, it is no more than due that all of us should express this same view that I am attempting to imperfectly express toward our distinguished chairman. [Applause.]

Mr. Chairman, the gentleman from Illinois [Mr. MANN], as he always does, touched a very vital point in the consideration of this measure, and that is the request of the Treasury Department that it should be given a free hand in the matter of the establishment of the interest rate. I suppose no such request as that has ever before come before the Congress, and the treatment that it received at the hands of the Committee on Ways and Means this time certainly will not encourage future administrations to ask for a like power. I really think that at one time in the course of the consideration of the bill, as suggested by the department, it had every appearance of failing to secure any authorization such as is contained in the present bill.

All through the preparation of the great revenue act last year there never was a time, as it seemed to me, when the legislative and executive branches were as far apart in all the great questions involved as they have been at certain periods during the preparation of the bill now before us; and although the request of the department, coming as it did from a recent colleague of ours, was presented in a most able manner from their viewpoint, it, nevertheless, met with as cold a reception from the Democratic members of the committee as it did from the Republican members, and as the department was so insistent upon having that right, you can readily see how near we were to lacking any possible legislation.

Now, in view of the questions that have been brought up in reference to this lack of agreement, and in reference to the desire of the department not to have the interest rate absolutely fixed by Congress, I think the committee will be interested in two brief extracts from the hearings, which I will read verbatim. I read now from the top of page 61 of the hearings:

The CHAIRMAN. Now, Mr. Leffingwell, as to the rate of interest. Could we easily sell the bonds if we made them 3½ per cent exempt from taxes just as first liberty bonds were sold?

Mr. LEFFINGWELL. I am sorry to say you could not; you could not sell any of them.

The CHAIRMAN. Why not?

Mr. LEFFINGWELL. The three-and-one-halfs are selling below par to-day.

The CHAIRMAN. They are practically at par, aren't they?

Mr. MEYER. They are to-day about 99.

Mr. LEFFINGWELL. As a matter of fact, they are only at that price because there aren't any more of them; that has been a closed issue for a year and a half and there will not be any more of them.

Mr. MOORE. Then they are not offered very generally?

Mr. LEFFINGWELL. No, sir. The difficulty with the situation, Mr. Chairman, is that there are outstanding to-day $8,000,000,000 or $10,000,000,000 of securities which already carry exemption from all taxation, including bonds of the first liberty loan, and the people who have these heavy income taxes to pay have to pay cash, and they have not got the cash to invest in things that carry exemption from taxation. They could only buy them by selling their securities which the present position of our investment market does not make a very attractive proposition.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. MOORE of Pennsylvania. Before the gentleman reads the next extract will he state whether it was the fact that both the Secretary of the Treasury, Mr. Glass, and the Assistant Secretary of the Treasury, Mr. Leffingwell, who has been particularly familiar with this loan business, evinced a very great reluctance in the matter of answering questions as to the rate of interest?

Mr. TREADWAY. I think that is absolutely correct. There was considerable discussion as to the fact that it was not such a very long period of time between now and the 21st of April. The question was asked, "Why can you not tell us?" The answer was, "Well, we do not know ourselves." Both Mr. Glass and Mr. Leffingwell continually gave that impression to the committee.

Mr. MOORE of Pennsylvania. And did they not give to the committee the impression that it would be dangerous from a financial viewpoint?

Mr. TREADWAY. Yes.

Mr. MOORE of Pennsylvania. They doubted their ability to sell the bonds at all if the rate of interest was stated too far in advance of the date fixed for selling the notes.

Mr. TREADWAY. The statement of Mr. Leffingwell that I just read bears out the suggestion of the gentleman from Pennsylvania; and the whole trend of the hearing—I can not lay my hand on any direct statement of the Secretary, Mr. Glass, but I think it is very easily found—carried out exactly the statement that the gentleman from Pennsylvania refers to.

The gentleman from Ohio [Mr. LONGWORTH], in offering an explanation to the gentleman from Illinois, stated it also exactly as my recollection is of the statement at the hearings, namely, that if we set any rate of interest whatsoever in this bill, no matter how high, the people asked to purchase the securities would consider that the minimum rate, and therefore the credit of the country would be very much injured by establishing the rate at the present time. Personally I can not say that the explanation either of Mr. Glass or of Mr. Leffingwell appealed very strongly to my judgment.

Mr. MOORE of Pennsylvania. Will the gentleman yield further?

Mr. TREADWAY. Certainly.

Mr. MOORE of Pennsylvania. The gentleman recalls that the Treasury officials stated that they had held together the machinery which they employed in disposing of the first, second, third, and fourth liberty loans, and that they desired to keep that machinery intact. He recalls that statement, does he not?

Mr. TREADWAY. Yes.

Mr. MOORE of Pennsylvania. Was it not also stated by the Treasury officials, who hesitated to have Congress fix the rate of interest, that the war having closed and the patriotic ardor and enthusiasm of the people having to a certain extent abated, it would be very difficult to sell the fifth loan on the same terms that the fourth and prior loans were sold?

Mr. TREADWAY. I was intending to refer to that very feature just after reading the next extract from Mr. Leffingwell's testimony. These inquiries are very brief, and I think are of much interest to the committee. Mr. Leffingwell was still answering. The gentleman from Pennsylvania [Mr. MOORE] propounded this question:

> Mr. MOORE. You have said to Mr. KITCHIN that this issue could not be made at the rate of 3½ per cent tax free.
>
> Mr. LEFFINGWELL. That was an easy question to answer.
>
> Mr. MOORE. But I think you would say it could be sold at 6 per cent.
>
> Mr. LEFFINGWELL. Yes; and if you fix it at that I would feel obliged to offer it at once, because I would not feel that we could sell them at 6 per cent after you had done so injurious a thing to the credit of the country; I would feel obliged to make the announcement at once, because I would feel I could not get it any cheaper.
>
> Mr. MOORE. There is a great deal of hesitation in passing this bill in this form.
>
> Mr. LEFFINGWELL. And there is a great deal of hesitation in the mind of the Secretary in proposing it. He said what was in his heart when he said that he reluctantly asked for a responsibility that he would rather have shared with Congress.
>
> Mr. TREADWAY. I think we have a like reluctance that we ought not to grant it.

That was the exact situation between the department and the committee. Mr. Glass, of course, was sincere when he told us that he was reluctant in asking for the authority; and knowing him as we did here as our former colleague, we were equally reluctant not to grant it. Now, the gentleman from Pennsylvania [Mr. MOORE] has referred to the use of the organization used in floating the previous liberty loans. It was early understood that it was the desire of the department to make use of that former organization.

The department has been for some time renewing the interest of those who carried on these successful campaigns in the past. In fact, the day the Secretary appeared before the committee he asked to be excused early that he might make a train for New York, where he was to address a gathering of former liberty-loan representatives. It was the desire of the department to still use all the efficient agencies which were used successfully in former times.

But, Mr. Chairman, we must remember this one fact, and it must be impressed on the people when this loan starts. While the war is over to all practical purposes, it is not over so far as paying the bills contracted to win the war. Therefore the department and the agencies which it is employing must have our support in its desire to create a patriotic enthusiasm again in behalf of the sale of these notes offered to the public. We still owe it to display the patriotism shown previously by the people of this country, and unless a large part of that same patriotism is aroused and enthusiasm enters into this campaign we are going to have great difficulty in selling this last security of the Government. Not that people are not willing to take the security, realizing its value, but conditions of loans on the ground of patriotism have changed, and unfortunately for the Government and for the country, business conditions have very materially changed. So we must urge the exercise of the same patriotic spirit as was shown in these past campaigns, perhaps urge it harder than before, from the very fact that a certain amount of enthusiasm in the past naturally falls off in the minds of the people since the emergency appears no longer to exist. It does exist practically in the same degree.

We have been urged to make these enormous expenditures to bring quick results in terminating the War. We must now show a like degree of patriotism in meeting the financial obligations thus incurred.

So we must enter into the campaign with the same interest and enthusiasm as was done previously and carry its message home that the people owe it as a duty to the country to subscribe as liberally as possible for this new loan.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. SMITH of Michigan. Is there any other inducement for the public to purchase these notes or bonds than those the gentleman has offered in his excellent remarks; that is, the people have to a certain extent invested their ready money in liberty bonds already, and now we go out to sell them as a practical proceeding what will he say when we ask a man to pay a hundred dollars for a bond that he can get on the market for $94?

Mr. TREADWAY. We are in hopes that the new issue will not be sold the next day at $94. If the gentleman has examined the bill carefully, as I have no doubt he has, he will find additional exemptions are offered for the purpose of stabilizing prices. The exemptions are very much broader in this bill than for past issues. If the gentleman listened to the gentleman from North Carolina, he knows to what I refer.

Mr. SMITH of Michigan. The same question occurred to my mind at that time. The small investor in the rural community bought bonds with an absolute exemption up to $5,000, and that is as large as the ordinary every-day business man would want to invest.

Mr. TREADWAY. There is a great deal in what the gentleman says.

Mr. MOORE of Pennsylvania. Did not that whole question enter into the calculation of the Treasury officials in asking for this discretionary power to fix the rate of interest?

Mr. TREADWAY. That was very much in evidence.

Mr. SMITH of Michigan. Another thing, it was said that the short-term notes we are going to issue are exchangeable for bonds.

Mr. MOORE of Pennsylvania. The reason for that, if the gentleman from Massachusetts will pardon me, was that it would be very difficult to sell long-time bonds now that the patriotic fervor has subsided, and it would be simpler to sell short-time notes which would be taken up by financial institutions and the banks.

Mr. SMITH of Michigan. I think that is the sequel to the situation; that the banks will be called upon to absorb these bonds.

Mr. TREADWAY. Oh, but we hope that they will be acting as the agents to reach the people. There is just as much reason why these short-term notes should be in the hands of the small owner as that the liberty bonds should.

Mr. SMITH of Michigan. It is an advantage to the notes.

Mr. TREADWAY. Yes.

Mr. MOORE of Pennsylvania. If the gentleman will permit, answering the gentleman from Michigan, $14,000,000 is appropriated in this bill to dispose of this $7,000,000,000 loan. That will be the amount of money the Secretary of the Treasury will have at hand to utilize existing machinery for the disposal of these notes. These notes are to be tendered to the public if the Secretary so disposes. They will be taken largely by the banks, and by the banks they will be sold to the public.

Mr. TREADWAY. In other words, the banks are the agents to reach the public?

Mr. SMITH of Michigan. The gentleman said we should use the same machinery and means as were used to sell the other bonds, and he knows that in a great many instances with the sale of bonds, that a sale was consummated by very, very drastic means.

Mr. MOORE of Pennsylvania. All that machinery still remains and the money is appropriated by the bill to utilize the machinery to dispose of these notes in precisely the same manner as the bonds were disposed of. There is this difference, that these are short-term notes and the rate of interest may

be higher, but no one can tell, as that rests in the bosom of the Secretary of the Treasury.

Mr. SMITH of Michigan. If the gentleman will permit, it seems to me that the credit of the United States is such that it could afford in some way to keep these bonds at par.

Mr. TREADWAY. If the gentleman will recall, there has been placed in the hands of the Secretary of the Treasury a large fund—I have not the figures in mind at the moment—for the very purpose to which he refers; but, of course, the Government is selling its securities to the public, and it can not be its own only customer. It must disseminate these bonds as broadcast as it is possible to do so, and if the gentleman's suggestion were carried out to its logical conclusion the moment any bond went below par on the market immediately the Government would be its own customer.

Mr. SMITH of Michigan. And they have already purchased $300,000,000 of bonds in order to stabilize the market?

Mr. TREADWAY. Yes.

Mr. SMITH of Michigan. And that is reason to believe that they will continue for the purpose of stabilizing them to purchase the bonds.

Mr. TREADWAY. During the course of the hearings I spoke of that matter with Mr. Meyer, who represented the War Finance Corporation, and also called his attention to the fact that there were such enormous amounts of bonds offered during the latter part of December so that it affected the matter of loss that men might be allowed in respect to their income-tax returns. The best answer we could secure was that unless the Government had gone into the market when it did and bought up these large blocks the price would be still lower than it is now. In other words, that the object of stabilizing the market has been accomplished to a certain extent.

Mr. SMITH of Michigan. Is it not true that during the Civil War Government bonds went down to 67 on their own merits?

Mr. TREADWAY. We certainly do not anticipate any such condition at the present time.

Mr. SMITH of Michigan. I hope not, certainly.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. LINTHICUM. Does the gentleman not think the fact that these notes are short-term notes will have a tendency to keep them at par, because the man who invests in them knows that he can get his money in five years?

Mr. TREADWAY. That is one of the reasons why the committee adopted the short-term note rather than the long-term bond, so that the small investor would realize that at the expiration of the five-year period he certainly was going to get dollar for dollar for every one that he had loaned the Government.

Mr. LINTHICUM. I think that is a very commendable feature of this loan.

Mr. TREADWAY. Mr. Chairman, I have occupied the floor very much longer than I intended, and if I may touch very briefly on one of the other features of the bill, I shall close. I wish to refer to section 9.

Section 9 is a new legislative feature. There was one request made by the department in reference to loaning to foreign governments which the committee did not favor. The department asked for a billion and a half of dollars that could be loaned by our Government to foreign governments for commercial needs. That suggestion the committee did not deem wise to incorporate in the bill; but we did incorporate, as you will see on reading section 9, an authority to the War Finance Corporation to loan to banks, banking institutions, or to private firms, persons, or corporations, to the extent of $1,000,000,000 to stimulate export trade. There is a certain amount of paternalism in any legislation of that kind, and it is very difficult to bring ourselves to a realization of the need of such legislation.

The Government is going into the loaning business to a certain extent, because it not only is authorizing the War Finance Corporation—and when I speak of the Government in this connection of course I refer to the War Finance Corporation, a corporation of which the Government owns every dollar of stock—as I said, we are going into the loaning business to a certain extent, but the times, as I see it, justify it. Several members of our committee at heart are opposed to this section. I did not hear all the remarks of the gentleman from Michigan [Mr. FORDNEY] this afternoon, but I have no doubt he offered his reasons for opposing this particular section. As I see it we are embarking on a new form of business, but the exigencies of business demand it. That is, we are in a period of reconstruction—reconstruction of men, reconstruction of business, reconstruction of all forms of activity in the hope that in the near future we may return to normal conditions existing before the war. Now, it strikes me that this is one of the forms of restitution of business. Previous to the war we were enjoying a very large export trade. During the war we had a large export in the needs of the other Governments for carrying on successfully the war. But that, thank God, has all changed. There is no longer that form of business being done in this country, but here we are in a transition period. Money is not plentiful in banking institutions. Naturally the banking institutions are being quite cautious in their loans to the public. They do not know, as the expression is, where they are at. I think it is right and proper that the Government should go to the rescue of the business of the country to an extent contained in this provision whereby a billion of dollars is made available for loans simply that our people may restore as far as practicable and possible our former export trade, and as I see it this is exactly what section 9 of the bill does.

Mr. FESS. Will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. FESS. Are we to understand that the policy of the committee is not for the Government to loan to foreign nations?

Mr. TREADWAY. Yes, sir.

Mr. FESS. In time of peace?

Mr. TREADWAY. For commercial purposes. There still remains a certain fund from former authorizations, a billion and a half as I have the figures. There was a request, I will say to the gentleman—perhaps I did not make myself quite plain—there was a request in a clause in the original draft of this bill which was presented to the committee for a loan of a billion and a half dollars to foreign governments that they in turn could loan to their manufacturers, and that the committee refused to grant.

Mr. FESS. There has been a basis of criticism that this Government loaned to foreign governments at a certain rate and then the foreign governments loaned to their people at a much higher rate than we loaned to them.

Mr. TREADWAY. That criticism is a matter we went into; and, further than that, there has been also, as the gentleman will recall, some thought that these large loans that we have made might be forgiven; that that might be one of the terms of peace. Now, I am very glad to say that the representative of the Treasury Department, Mr. Rathbone, who has charge of this matter of our foreign connections, was very insistent in his testimony that no such desire had ever been expressed by our representatives or by the representatives of foreign governments, and he also presented to the committee letters corroborating that feature from foreign governments. So that there is no thought in the minds of our representatives or the department or of your committee that the loans that we have made to our allies during the progress of the war will be forgiven. They are excellent credits to-day and certainly will be paid at some time at their face value or redeemed, and their interest is being kept up at the present time.

Mr. FESS. Then this is absolutely gratuitous where we hear a good deal or read a good deal about cancellations of these loans?

Mr. TREADWAY. Absolutely. We are assured by the department it has no such intention whatsoever. And I am certainly expressing no secret of the committee in saying that we were very much gratified indeed to have that statement, and we absolutely agreed with it. It certainly would be, as we view it, to a certain extent, a slap at the Governments to whom we have loaned money to even as much as suggest that we desire to have these debts canceled and forgiven.

Mr. LINTHICUM. What is the present status of those debts? Have they been reduced to notes or simply memoranda?

Mr. TREADWAY. I have not the statistics here. Has the chairman of the committee the statement of the amount of loans now outstanding to foreign governments?

Mr. KITCHIN. It is $8,090,000,000.

Mr. LINTHICUM. I was inquiring more as to the status of them—whether they were mere memorandum or something definite.

Mr. TREADWAY. They are, every one of them, demand notes. And they are the best kind of security. We went over that matter with Mr. McAdoo, and again with Mr. Leffingwell; and Mr. McAdoo was very insistent, and we thought properly so, that at that time, and even now, the form of those notes should not be changed. They are to-day demand notes absolutely.

Mr. FESS. Will the gentleman yield further?

Mr. TREADWAY. Certainly.

Mr. FESS. Has there been any suggestion that these foreign loans be transferred from the Government to the individual citizens, with a guaranty on the part of the Government?

Mr. TREADWAY. There were some loans of that character outstanding before we went into the war.

Mr. FESS. It has been suggested that, instead of the country holding the foreign obligations to the amount of $8,000,000,000, the Government should transfer those obligations to

the individual citizens, like yourself and others, and sell those obligations instead of making this issuance. Was there anything of that kind taken up?

Mr. TREADWAY. We have not taken up that subject in any way whatever, and personally I do not think it would be advisable to do so, because Congress authorized the loans from the Treasury of the United States, and what object would there be gained in changing either the nature of the loan or the holders thereof?

Mr. FESS. The object would be, instead of increasing our obligation, we would be simply transferring to the American citizen the foreign obligations.

Mr. TREADWAY. I think it would be very much better for our people to come forward liberally and subscribe to the outstanding obligations of our Government or these new obligations about to be offered, rather than that the individual citizen assume the obligations of a foreign government. Personally, I think the whole transaction is in a better financial condition at the present time and by the present method than it could be by such a transfer as the gentleman suggests.

Mr. FESS. The distinguished member of the Ways and Means Committee would readily see, if we did that, we would save the Government's obligations to that amount.

Mr. TREADWAY. But the obligation is a good one. There is no question of the obligation being of full value. It is not an actual loss, nor will not be, on the part of our Government, any more than it would be if it was transferred to the individual.

Mr. CURRY of California. As I understand it, the preceding acts authorizing the issuance of bonds and authorizing the loaning of money to foreign countries provided that those foreign countries should furnish to the United States Treasury bonds of the foreign country of about the same form and drawing the same rate of interest as the United States bonds. And I also understand there is not a single, solitary bond in the United States Treasury under that trade between the allies and the United States. Sections 7 and 8 of this bill are in reality put there for the purpose of validating the invalid act of ex-Secretary of the Treasury McAdoo, who assumed and exercised a power not authorized by law.

Mr. TREADWAY. I am not here to defend any unlawful acts of the Secretary of the Treasury. I think the gentleman from Ohio [Mr. LONGWORTH], in his address a short time ago, expressed our views very fully, to the effect that a great many acts have been performed unauthorized, perhaps, by law, under the exigencies of the times. And now we are going to try to get a little nearer to normal conditions.

Personally I see no reason for entertaining that idea, and I myself will confess that section 8 did not offer that thought to me which the gentleman from California has.

Mr. CURRY of California. Then the gentleman does not think that an I O U signed by an official of a foreign Government is as good a security as a bond issued under the authority of law?

Mr. TREADWAY. No; I do not. I agree with the gentleman as to that.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. MOORE of Pennsylvania. As to that, I think it is fair to say that the Treasury Department has been asked about that time and time again, and it has insisted that these foreign Governments would prefer to have long-time obligations rather than these demand notes, and the Secretary of the Treasury has insisted—both Secretaries have insisted—that their securities are ample, and that no foreign Government can afford to go back on those demand notes; that as a matter of fact the foreign Governments would rather be released from the demand notes and place in lieu thereof long-term bonds. It has been suggested that the Treasury Department in due course, when it can settle itself, following peace arrangements, when the financial affairs of foreign countries adjust themselves and their established systems are restored, will see that these demand notes are replaced by bonds.

Mr. CURRY of California. It is not a question whether the Treasury Department thinks this or that or the other thing is the best thing to do. It is the question of what the Treasury Deparment has been ordered to do by Congress.

Mr. MOORE of Pennsylvania. There is only one answer to that, and that is that if an official of the Government willfully violates an act of Congress he should be brought to bar.

Mr. CURRY of California. Well, that is hardly an answer to the question. Probably I ought not to have asked the question. The proposition is that we are trying to validate now an invalid act by section 8 of this bill.

Mr. MOORE of Pennsylvania. The gentleman will bear in mind that, so far as some of the minority members of this Committee on Ways and Means are concerned, they have been obliged, in order to maintain the honor of the country, in order to sustain the President of the United States in his war demands, to vote certain privileges and authority and other things, and among those things we voted was this right to loan money to foreign Governments.

Mr. CURRY of California. Not on I O U's.

Mr. MOORE of Pennsylvania. That being done, the Treasury officials took the demand notes of the foreign governments, and that is the security we have now.

Mr. TREADWAY. Mr. Chairman, I have completed my remarks, and I thank the committee for its attention. I shall be very glad to yield the floor to the gentlemen and let them discuss their explanations. [Applause.]

Mr. PARKER of New Jersey. Mr. Chairman, the important matter for this Government, which is not thoroughly recognized by this bill or this report, is that all Government obligations should be absolutely as good as gold—principal and interest—and free of taxation, whether upon principal or interest.

It is certainty that enables anyone to borrow at a low rate of interest, the certainty that his obligation is absolutely good, and the United States has no right, if it wishes to get loans at a low rate and plenty of offers, to say, "I will pay so much interest if I do not take it back by an income tax; I will pay so much principal if I do not take part of it back by an inheritance tax."

Our legislation has tried, and still tries, to make the bond worth more in the hands of the poor man than in the hands of the rich. This will always fail. I know of one patriotic man who borrowed $10,000 on his notes in order to buy Government bonds, and he found that he paid 6 per cent and was receiving 4¼ per cent, so that he had to sell his bonds, and lost $600 on that transaction.

The poor man can not safely invest in a security if he can not sell it to the rich, for it is the rich and the banks that have the money to invest. We have found it absolutely essential in this bill to take off the tax on bonds that are held abroad by aliens. Naturally, if we wish the profiteers of England and the rich men of Holland to invest in our bonds, we must not tax those bonds in their hands. But what a temptation it is to the rich man here to have his bonds transferred to the other side of the water under some sort of a trust! What a danger it is; and why should a foreigner be better treated on a bond than an American who advances his money out of patriotism?

And, again, it is not merely our present taxes, but the fact that those taxes may go up, that should be considered. People think taxes may go up, and dare not buy because of the charge that may hereafter be put against their income. When buying, they must have some assurance as to what they shall pay. On the other hand, if taxes are reduced, they will get a better security than was expected. There is neither fairness nor certainty. There is no fairness in anything that is not certain. It is not fair to the Government, and it is not fair to the individual.

Now, a partial remedy has been adopted here. It is proposed to issue notes instead of bonds, so that high interest shall not be perpetual. It might be wiser to have followed Secretary Chase's wonderful system, that carried us so well through and after the Civil War, of issuing 5-20 and 10-40 bonds, running at the option of the Government for a long course of years, but redeemable in a short term of years if it was to the advantage of the Government. By this system of borrowing within a few decades after the Civil War we reduced our interest rate from 6 per cent to 4 per cent and to 3 per cent, and then to 2 per cent. We all know this, and those bonds were free of taxation, as our notes and bonds should be, so that they can be held by national banks.

Now one other suggestion. It has been thought a great thing to relieve the first series of these notes from all taxes except estate or inheritance taxes. There are in this country several gentlemen worth a great many million dollars, one at least worth several hundreds of millions of dollars, and they are often not young, but look to the time soon when they may die and when that inheritance tax will have to be paid. I have forgotten how much it is.

Mr. KITCHIN. Twenty-five per cent is the highest.

Mr. PARKER of New Jersey. That is enough so that if we want these men to give their millions and hundreds of millions to our loans, let the law provide that loans shall bear interest at between 2 and 3 per cent, not less than 2 and not more than 3, but that they shall be free from taxation, interest and principal, that estate and inheritance taxes shall not affect them, and that the credit and obligations of the United States shall

never be impeached by any foreign country, or by any market, and, least of all, by itself. [Applause.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the second liberty bond act is hereby amended by adding thereto a new section to read as follows:

"SEC. 18. (a) That in addition to the bonds and certificates of indebtedness and war savings certificates authorized by this act and amendments thereto, the Secretary of the Treasury, with the approval of the President, is authorized to borrow from time to time on the credit of the United States for the purposes of this act, and to meet public expenditures authorized by law, not exceeding in the aggregate $7,000,000,000, and to issue therefor notes of the United States at not less than par in such form or forms and denomination or denominations, containing such terms and conditions, and at such rate or rates of interest, as the Secretary of the Treasury may prescribe, and each series of notes so issued shall be payable at such time not less than one year nor more than five years from the date of its issue as he may prescribe, and may be redeemable before maturity (at the option of the United States) in whole or in part, upon not more than one year's nor less than four months' notice, and under such rules and regulations and during such period as he may prescribe.

Mr. FESS. Mr. Chairman, a parliamentary inquiry. Is the bill to be read by paragraphs or sections?

The CHAIRMAN. By paragraphs.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I did not ask for any time under general debate, because I appreciate the desire of the committee to finish the bill, but I want to have a little time now to make one or two observations.

I think every Member here ought to have more or less sympathy with the committee in its effort to meet the requirements of the Treasury at this time, three months after the signing of the armistice, with a general opinion on the part of the country that the war is over. Heretofore our bonds could be sold easily, because we capitalized the sentiment of the country. The whole Nation was in a fervor of patriotism, and everybody felt that he ought to go to the last limit, because he was supporting the Government; and as our sons were in the front line, it was not difficult to stir the country to a place where people would purchase the bonds. Therefore, it was not necessary to make the bonds inviting, because they were sold as a matter of patriotic duty.

But now, the war not being over, yet at the same time the effect being as if it were over, the sentiment is not here. It is an entirely different proposition; and while it is true that the Secretary of the Treasury said we must not eliminate sentiment, but must regard sentiment as one of the chief elements of the sale, that is a matter of patriotism with him, and we all indorse it, but we all recognize that it is easier to say than it is to do; and I believe we will readily admit that this bond sale is going to be very much more difficult, because of the lack of the sentiment that we can capitalize.

In order to meet that difficulty there is an attempt to make the bonds more inviting, so as to supplement what otherwise we would have as a result of the sentiment. One of the inviting features is the rate of interest. But if you make the rate of interest high, you immediately discriminate against the present bondholder, who holds a part of the $8,000,000,000 of bonds.

There is certainly a desire on the part of the Government not to discriminate against that bondholder. Whatever you do, it will be charged that this bond issue is going to be in the interest of the big bondholder, of the man of wealth. The present bondholder will think you are paying no attention to his property rights and that you are making his property of less value by making a higher rate on the future bonds. Therefore, the committee evidently decided that it would not be wise to fix the rate, and determined to leave it rather to the Secretary of the Treasury. I realize that, and while I have an impulse to criticize it, I can recognize exactly why that element is in here.

On the other hand, if we make this bond so attractive that it will be more desired than the bond that the present bondholder owns, we will make it an inducement for him to dispose of his bond and to buy the better bond, and if that inducement is offered to him, instead of stabilizing the present securities of the Government you will further depreciate them, in my judgment. That is another danger, in our hope of stabilizing the present securities and not making valueless the property of the present popular bondholder, and in order to avoid that we must necessarily give the Secretary of the Treasury some latitude.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. I ask for five minutes more. I will not take more than that.

The CHAIRMAN. Is there objection to the gentleman proceeding for five minutes?

There was no objection.

Mr. FESS. There is a general concession that it will be necessary for the Secretary of the Treasury to make a high rate. At least you are so sure of it that you have left the way open to him to do it if it is necessary. Thus far in my life I have never used the word "camouflage" until now, but it has come to be so popular that everybody will understand it. We do not call this issue a bond. We call it a note. Yet it is a bond just as truly as the others that are already issued, and we call it a note so that we may say to the purchaser of the former bonds, "We have not discriminated against you because you hold a bond, and this is a note." If you sold bonds just as you sold them before it is a discrimination.

Mr. BENSON rose.

Mr. FESS. I think I know what my friend is about to interject, that it is a short-term bond.

Mr. BENSON. I would like to ask the gentleman if this is not exactly what every big railroad corporation has done for years, when times are hard and money tight they have adopted the policy of making short-term loans, in order that they may adjust themselves to the condition when money rates come down and they can take care of the situation. They may pay a higher rate for the time being, and it is not as good security because it does not run for a long term.

Mr. FESS. If the gentleman is asking me whether every big business does that or not, I say yes.

Mr. BENSON. Is it not economically correct?

Mr. FESS. That does not change the bond to a note. I am talking about the camouflage that is used here. The gentleman's observation is admitted by everybody. Because this is a short time we call it a note, when it is a long time we call it a bond. They say there is no discrimination, because the former bondholder holds the bond while the future note holder will hold the note. That is a distinction without a difference. My point is that in order to avoid criticism we are changing the phraseology and saying to the bondholder, "We are selling you a note while the other fellow has bought a bond." The truth about the matter is that both of them are securities of the Government and both sold in the market. One is the short term and the other is the long term, but the short term, of course, will have a different rate of interest.

Mr. LONGWORTH. Will the gentleman yield?

Mr. FESS. Yes.

Mr. LONGWORTH. Is there not also this difference which might be of advantage to the Government credit, that in case the rate of interest was placed fairly high on the note, the mere fact that it was placed higher than the outstanding bonds would not necessarily show that the Government credit was any less strong?

Mr. FESS. I think that is absolutely correct. This is the question, however, that I would like to have my colleague dilate on. If you made a short-term bond more attractive, by higher rates, is there not danger of the present bondholder, who had already purchased his bond, feeling that you have discriminated against him, and therefore making his bond of less value than before the note was issued? I think there is danger of that, and I am not criticizing the committee, but it seems to me you are up against a proposition you could not help. My point was that it seemed to me that there ought to be considerable sympathy for the committee in attempting to work out a mighty knotty problem, and a very difficult one.

Mr. GREEN of Iowa. Does the gentleman see any escape?

Mr. FESS. I really do not. I might say that I think we might have made that issue an issue of 3½ nontaxable. I believe we would have gotten the money, and we would not have made it sufficiently discriminative against the present bondholders to invite criticism. I believe that would have been a better way than to leave the rate of interest open to the Secretary to fix at any rate he sees fit, and my own opinion is that this will be taken up by banks when the interest is made high enough to make it attractive.

Mr. McFADDEN. Mr. Chairman, I move to strike out the last word. At this late hour I do not want to take up the time of the committee in a lengthy debate. I have been impressed with the uncertainty all along the line of what the requirements of the Treasury Department and the obligations of the United States are at this time. I wanted to take this opportunity to answer the chairman of the committee, who this afternoon asserted that I was opposed to loaning to our allies money to rehabilitate those countries. I am not opposed to that. I believe that the only way that we can acquire the trade of foreign countries under conditions that exist at the present time is to grant them loans.

I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McFADDEN. Mr. Chairman, I have read carefully the hearings before the Ways and Means Committee, before which

committee the Secretary of the Treasury and other experts from the Treasury Department appeared and gave expression to their views in regard to this bill, authorizing the issuance of $7,000,000,000 worth of short-term Government securities and $2,000,000,000 Treasury certificates now.

Expenditures in November, December, and January, exclusive of transactions in the principal of the public debt, amounted to $5,958,576,114.24, practically $2,000,000,000 a month.

The amount of Treasury certificates of indebtedness outstanding on January 31 was $4,798,064,800, of which $3,225,099,500 were issued in anticipation of the victory liberty loan.

Expenditures for the first seven months of the fiscal year ending June 30, 1919, exclusive of the principal of the public debt, amounted to $12,594,498,537.96. Secretary McAdoo before he retired expressed the hope that the expenditures for the whole fiscal year would be in the neighborhood of only $18,000,000,000. The new Secretary now says $19,000,000,000. How much it will be by the end of June no one can tell now.

Commitments, Army contracts, requirements for military expenditures abroad, Shipping Board, naval program, guaranties, Food Administration, and so forth, complete to date nearly $5,000,000,000, increasing at the rate of $1,400,000,000 a month.

Amount of bonds authorized and unissued under existing acts are slightly in excess of $5,000,000,000. Authorizations under the first bond act have been $2,000,000,000, and under the second, third, and fourth acts, $20,000,000,000, and approximately $17,000,000,000 of bonds have been sold under the four acts. To this you add the Treasury certificates of indebtedness outstanding January 31, 1919, of $4,798,064,800, together with the original debt of about $1,000,000,000 at the beginning of the war, and you have a total debt of $22,798,064,800, or nearly $23,000,000,000, and added to this is the undisclosed debt which the present Secretary of the Treasury estimated before the Ways and Means Committee at $5,000,000,000. If the Secretary's guess is correct, one can readily see and understand that the debt of this Government at the end of this year will be $30,000,000,000 or more, probably more.

This bill provides, among other things, for an authorization of $7,000,000,000 of short-time notes at what the Secretary terms a victory loan at popular rates of interest, and I realize that to float this large loan in a situation like the present that the great burden is going to fall upon the Federal reserve and other banks. I have great misgivings in regard to this, as I am fearful that this course will mean that the banks' liquid funds will be used up and that rediscounts and the issuance of Federal reserve notes will have to be resorted to to an alarming extent. I believe it would be much better to raise the rate of interest and issue long-time bonds and sell them to investors rather than to the banks. The American people are more interested in a successful quick flotation of this next issue than they are in the rate of interest.

I realize that grave responsibilities rest upon the Treasury Department in floating the next loan. The public will not enthuse over it as they did over previous bond campaigns. Furthermore, conditions have changed since then, for during those campaigns three jobs were seeking every man, whereas now many men are seeking jobs; and again, labor then was more highly rewarded than it will be during the next campaign.

In order to impress on you the danger of permitting our debt to remain unfunded, I refer to no less an authority than the Bankers' Magazine of London, where, in an issue during the year 1913, it editorially called attention to the pall on the money markets of London, Paris, and Berlin, which the unfunding of the $300,000,000 Balkan war debt had caused. If the failure to fund that small debt at that time should produce the effect attributed to it in the money market whose peoples had enjoyed peace and a wonderful industrial and commercial activity for more than a generation, what may we now expect on the world's money markets if we permit this vast war debt to drag along and remain unfunded for any considerable period of time? Business will never recover its equilibrium until that war debt is funded and the money markets made free for our business enterprises to enter and finance their necessary demands.

I heartily favor the principle of raising a sinking fund for the retirement of these bonds at maturity. The bill proposes to raise a sinking fund yearly of 2½ per cent, so as to retire them in 25 years. If the sinking-fund rate be 1 per cent, they would be retired at the end of 41 years. On the assumption that there will be eighteen billion of bonds, this wound mean a difference between $450,000,000 and $180,000,000, or $270,000,000, yearly we would have to raise in taxes to provide for the sinking fund. But before we get through financing this war we will have a debt nearly thirty billion, and if we plan to retire it on a 2½ per cent basis it will mean the raising of $750,000,000 taxes yearly to meet such demand, whereas if we retire it in 41 years on a 1 per cent basis we would have to raise but $300,000,000 for such purpose. This shows the difference in the operation of compound interest over a short and long period. If the interest be compounded annually, then at the end of the first year there is no difference between simple and compound interest, whereas taken for a long period the difference according to the length of the period. For instance, the calculation was made by a British actuary once to ascertain the difference between an investment of a British penny, equal to 2 cents, at 5 per cent from the birth of Christ to the year 1900, and he declared that at simple interest the investment would amount to $1.92, whereas at compound interest it would equal a globe of pure gold 58,000,000,000 times the size of the earth.

Another reason why we should not retire our bonded debt in the short period of 25 years is to prevent inflation. Suppose we were to retire that vast amount of indebtedness in one year. Does not anyone know it would result in inflation? For the public would have so much idle money that they would resort to all sorts of extravagances and overconsumption; and that would cause the same disturbance of values we have at present, and that is bound to produce unrest among the masses. That debt should be retired over a considerable period of time—not less than 16 years. If it could be retired at the rate of one billion yearly it would be most helpful to the next generation, because that amount of fresh capital being brought into the market every year from this source alone would become a powerful stimulant to business of every kind and would not produce inflation; neither would it disturb other permanent investments. I therefore propose an amendment that the sinking fund be at the rate of 1 per cent instead of 2½ per cent, as provided in the bill.

It is unnecessary for me to remind the Members who served in the last Congress of my hostility to everything paternalistic, but as the new Members do not know my views on this question I trust it will not be considered an intrusion on your valuable time for me to make mention of my position on this question.

This bill contains some paternalistic features which I would have opposed five years ago to the best of my ability and energy, for I could not then conceive that at this time we would be confronted with the condition which exists throughout the civilized world, and especially in countries which were the best customers for the products of our farms, factories, and mines. It is now nearly five years since the cataclysm broke loose in Europe which destroyed more wealth than existed in the entire world at the beginning of the nineteenth century. Only a few Frenchmen, and but one Englishman (Kitchener), realized from the start what it meant and the effort required to preserve the freedom of civilization. But when the Englishmen did finally awake to the real importance of the event they rallied to the support of their Government to a man. They freely submitted to their Government commandeering every pound of their wealth, and every able-bodied man of the realm went to the training camp, many of whom, the flower of British manhood, lie buried beneath French soil to-day. The same is true respecting our other allies, France and Italy, but to a worse degree, for their territories were invaded by the Hun, who removed the machinery of their factories to their own country and laid waste everything of value they could not carry away.

Abnormal conditions justify abnormal remedies. If it were a sound financial policy for the governments of those countries to commandeer those factories and convert them into munition plants, then it is equally sound for them to aid in their rehabilitation, because the government is the only body which can equitably apportion the damage done to all interests served in dismantling those factories and other institutions engaged in the arts of peace. It would require generations for private capital to reestablish those industries, for it is timid and lacks the initiative to take hold with boldness. If private capital should make such an attempt it would become discredited among the credit institutions of the country. So the individual who attempted such philanthropic work would destroy his own usefulness by losing his wealth or power to do good. The very basis of credit is character, experience, honesty, and energy, but the former heads of many of those enterprises are dead, killed in battle, and the new heads have unestablished character.

Doubtless many of those new heads are far better business men than the former heads, for they are young men who have grown up in the business and therefore better able to do that business than the former heads, but they lack reputation or the establishment of character as a basis of credit. Mark the prediction: Some of the young business men in those countries,

and our own as well, will astound the world, for they have done more thinking and had more experience during the past five years than their fathers did and had in a generation.

In this connection I desire to quote an excerpt from an editorial which appeared in Sunday's New York Times, entitled "Good times ahead." It said:

It is true that the world never witnessed such destruction of capital. But it is also true that it never witnessed such increased capacity of production. That is more important. The destruction is temporary and has stopped, while the increase of production is as permanent as we choose to make it under the stimulus of world wants and American capacity to supply them. The world lacks food and clothes and materials to supply every want to a total of uncounted billions. Here only is plenty in goods and capacity of quick production. Every consideration of neighborly duty and self-interest constrains us to remove the obstacles in the way of bringing foreign buyers and our sellers together.

We are just as dependent on those countries as purchasers of our surplus products as they are on us, for if we fail to dispose of our surplus products then prices will go to smash and we will be in the throes of a panic. If all at once you reduce the wheat farmers' product to $1 per bushel and the cotton farmers' products to 10 cents per pound you destroy their ability to patronize the steel mills and cotton factories and to buy the bonds of the industrial and transportation concerns of the country. That will bring about unemployment of labor in the industrial centers and a panic will ensue. The only way we can prevent such a catastrophe is to make loans to those foreign governments by floating the short-time notes and bonds of our own Government, for they can not float their own government securities in this country as our people are not habituated to the purchase of such securities.

Previous to the breaking out of the European war our foreign trade balance was about $400,000,000 yearly. At that time Europe owned about $5,000,000,000 of our investments, from which they realized an annual income of some $200,000,000. Our tourists who went abroad spent about $150,000,000 every year. The difference they made up in shipping charges, insurance, and a few minor things. But since then we have ceased to be a foreign debtor and become a foreign creditor to the same extent that we were their debtor, and we will become their creditor to a much greater amount during the next five years if we exercise the same sound business judgment to which we are accredited. We must rehabilitate Britain and France, for in so doing we will not only enrich them as they enrich themselves in lending us the five billions to which we were indebted to them at the beginning of the war, but we will enrich ourselves twofold—first, by furnishing markets for our surplus products, and, second, by teaching our people the savings and investment habit and causing them to become the owners of sound securities.

I believe that our Government should make direct loans to those foreign governments and not use the War Finance Corporation to do it. The latter is owned by our Government, all of whose capital was advanced by our Government and is fully controlled by Government officials. Then why have two such loan agencies? The older agency, the Treasury Department, is the one we should employ. The public will not have the same confidence in the securities of the War Finance Corporation that they have in similar securities issued by the Government, for the simple reason the public is not familiar with it. Then there is not the same opportunity for deals to be made out of the securities issued by the Government that there will be of those issued by that corporation; and then the final deal will be in closing up the affairs of that corporation in which some pets are sure to make big sums at the expense of the Government.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last two or three words. I think, in order to dispose of these bonds in any way, we must submit to our constituents or to the people a business proposition. Heretofore we have had certain inducements for selling these bonds. One was that we were backing up the boys in the trenches, and the next was that it was to save our country from German domination. Both of those reasons have gone. You may start the meeting when you go out to sell these victory bonds by the patriotic air of the Star-Spangled Banner, or recite the "Ship of State," but I am afraid the incentive and the old enthusiasm will be lacking. The value of every other commodity is fixed by the market, and I want to ask you what kind of a business proposition is it to go to a man and say that you want to sell him a $100 bond when he can go out on the market and buy it for $94? That is the proposition that will confront us.

Every one of us will be asked to help sell these victory bonds, amounting to $7,000,000,000, in order to meet this indebtedness. We are going to be asked to sell a $100 bond for $100, when the market price is $94. It occurs to me that the business proposition is to do what was done in the Civil War, and what is done in every other kind of a business proposition, and that is to sell them on the market for what they are worth. When we sold liberty bonds at first we told the people to whom we sold them that when the war was over they would immediately rise in price. That is what we told the people when we asked them to buy the bonds. We have seen an order go out from the Treasury stating to the banks that they can invest a per cent of their banking assets in these bonds at par, and could invest the capital and surplus. Not only that, but also invest a large amount of deposits of their customers into these bonds. How are you going to get the money back?

They will be expected to pay $100 in cash for a bond that is worth $94 on the market. It is not the banks that lose the money, for the banks do not own the surplus. It is the depositors who own the deposits, and they are entitled to value received when they buy a bond or when the bank buys a bond for them or with their money. The only sound principle upon which to do it and the way to dispose of these Government bonds or any other merchandise is to sell them on the market or at the market value. The business thing to do would be to sell them for what they are worth, just as they did in the Civil War. They sold them below par. Why do you not do that? It does not show any lack of patriotism. Every one of us has supreme regard for our country and all the patriotism that is necessary to look after its indebtedness. There never were better men to fight or greater valor shown than was shown by the boys who grow up in this Republic. They have proven that it is not necessary that they be subjects of a monarchy or an autocracy or be under the command of a king or any other potentate to fight.

These liberty-loving boys, citizens of a Republic, offer their lives freely for their country, for liberty, justice, and freedom, and we should see to it that the credit of that country is kept at par. [Applause.]

Now, just one thing further. It occurs to me that it is going to be difficult to dispose of these bonds in any other way than to have the banks absorb them. Some gentleman here to-night said that the banks did not have the money now. The gentleman from Massachusetts, I think, stated that the banks are hard up. There is more money in the banks now than there ever was, or at least the bank assets are greater. They are carrying a large amount of notes now of men who have paid 100 per cent for their bonds, and they are paying 6 per cent upon the money borrowed for the purpose of paying for liberty bonds. The banks did right in that; and why? Because it was absolutely necessary then to carry on and win the war that we should have the money. We had to back up our boys.

That incentive is now wanting, and we are going to ask these people now for—I do not know whether you will call it a donation or not, but every time you buy a $100 bond you are contributing $6. I personally am willing to do it, but it will require a good deal of explaining to some men before they will purchase them. It would be an easy matter to dispose of them if the bonds sold on the market at par, as I think they should. The thing that appeals most to me and, I think, will appeal to most purchasers of these bonds is that they have behind them the best Government and are the best security on earth. That just as surely as we get back to normal times just so surely will these bonds sell at par and go to a premium, as they did after the Civil War. Besides, they are a good investment, are negotiable, and can be used as security for loans at the banks. They can not be recommended too highly. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HEFLIN. Mr. Chairman, this is probably the last liberty bond that we will issue. I believe that the Government bonds ought to sell at par always. I know that I differ with a good many gentlemen upon this subject, but when the Government issues a $100 bond, I believe that the person who holds that bond should receive $100 for it. I do not believe these Government bonds should be speculated in, as they now speculate in stocks and farm products. This is a solemn obligation of the Government. When the Government puts its name to a bond and people of wealth buy them, and poor people buy them, and all down the line to the poor, struggling charwomen, who wish to stand by the Government and to help it out in time of war, I believe that the Government ought to pay the full amount of that bond.

Mr. BLACK. Will the gentleman yield?

Mr. HEFLIN. I will briefly; I have but five minutes.

Mr. BLACK. Does the gentleman think that the Government discharges its full obligation when it meets its interest and pays the principal at maturity?

Mr. HEFLIN. I think it does its duty in that regard, but I think it ought to go a step further and see that nobody shall

buy these war bonds at less than par. Now, I have learned of a charwoman in this city who paid $50 for a bond, and after the war had ended sold it for $37. Gentlemen, that is wrong. This Government, rich and powerful as it is, ought not to permit that. It ought to establish an institution somewhere on the side between the buyer and the Treasury to take charge and handle them under authority of the Government, so as to prevent the person who buys it from suffering loss.

Mr. LAZARO. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. LAZARO. Will the gentleman please tell us how the Government can raise money and buy these bonds and protect these people?

Mr. HEFLIN. The Government can raise it by taxation or by issuing other bonds to be sold in time of peace. I am for protecting the private citizen, and the whole aim of constitutional government is the welfare of the citizen. I am opposed to permitting men to come along as scalpers and buy up these bonds and to beat down their price on the exchange or elsewhere and buy them at a low price and then hold them and come up to the Government at the final hour when the Government must pay one hundred cents on the dollar with interest from the time it was issued. I am pleading for the masses of the people who responded to the call of the Government in the hour of its peril.

Mr. LAZARO. I fully agree with the gentleman, but the gentleman admits that the Government is the people. Now, how are you going to raise more money to buy all these bonds that are being offered by people who have to sell? Will the gentleman please tell me?

Mr. HEFLIN. I have suggested to the gentleman as plainly as I could that we can do it either by taxation or issuing bonds in time of peace to tide these people over. Why should the struggling mortal who has come up and expended his funds to buy bonds to aid the Government be left on the wayside to be fleeced by speculators?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

Mr. LAZARO. Will the gentleman yield? How do we sell bonds?

Mr. HEFLIN. How would I sell bonds?

Mr. LAZARO. How do we sell bonds?

Mr. HEFLIN. Why, the name of this Government is sufficient as the $10 bill issued to me; I have one in my pocket, I am glad to say. [Applause.] I count it as $10. When the Government put out $100 we count it as $100, and I do not want this great Government to permit anybody to buy it up under any condition for $75. Gentlemen, you have got to get away from that. This is a fundamental principle in the selling of these bonds; and I want to say to gentlemen here to-night in reference to the South, the cotton-producing States of this Union, unless you take the embargo off of cotton, unless you stop exchanges from bartering fictitious stuff to beat down the price of actual cotton, we can not buy bonds. Gentlemen, I want you to get that thought now. We can not buy bonds unless this relief comes. The bankers of my section of the country, the merchants and farmers, who represent thirty-odd millions of American people, have got their money invested in cotton. The bankers and merchants of my section have got their money invested in cotton, and they are holding 4,000,000 bales of cotton, and we are going to continue holding it, whether the Government helps us or not; but we ought not to be forced to bear this burden. We bought bonds in all the issues of the past; we bought war-savings stamps.

Mr. LAZARO. Will the gentleman yield?

Mr. HEFLIN. Not now. We contributed in every way we could to the winning of the war. Our boys have died in every battle on the fields of France, and in the Argonne Forest Iowa, Alabama, and New York tell the story of that victory. [Applause.]

And I ask you gentlemen to join us in taking the embargo and all restrictions off of this money crop, the cotton crop of the South, and if you will you will help your brethren in my section, and we will be able to buy bonds of the next issue. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(1) Exempt, both as to principal and interest, from all taxation (except estate or inheritance taxes) now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority.

Mr. PARKER of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey: Page 2, line 18, after the words "all taxation," strike out "(except estate or inheritance taxes)," and insert after the word "authority," in line 21, the words, "and to bear interest at not more than 3½ per cent per annum."

Mr. PARKER of New Jersey. Mr. Chairman, just one word. The 3½ per cent bonds of the United States now sell, I believe, at 99½. These notes will be better than those bonds. Those bonds are free from United States taxation, but these notes will also be free from State taxation, local taxation, and all taxation if we strike out the words "except estate or inheritance taxes," which last are not imposed on the 3½ per cent bonds. When 3½ State bonds sell at near par, though they are subject to State taxation in some respects, the United States should try whether a bond or note which is absolutely free from all taxation can not be put upon the market at par. This might if preferred be inserted as an extra series of notes. The United States should try to find out whether its obligations will not sell at par when not taxed, at the low rate of 3½ per cent. The rates should be inserted so that the country shall understand that if we take the taxes off the interest will be low.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. PARKER].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 4. That section 3 of the fourth liberty bond act is hereby amended to read as follows:

"SEC. 3. That, notwithstanding the provisions of the second liberty bond act or of the War Finance Corporation act or of any other act, bonds, notes, and certificates of indebtedness of the United States and bonds of the War Finance Corporation shall, while beneficially owned by a nonresident alien individual, or a foreign corporation, partnership, or association, not engaged in business in the United States, be exempt both as to principal and interest from any and all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States or by any local taxing authority."

Mr. BLACK. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee a question. Does this provision in regard to bonds owned by nonresident alien individual, or a foreign corporation, partnership, or association, extend the bond issues that have gone before the present one which we authorize in this bill?

Mr. KITCHIN. Yes; to extend the market for those bonds.

Mr. BLACK. What would be the object of making this exemption retroactive?

Mr. KITCHIN. Well, we would furnish a wider market for these bonds now below par—the 4¼ bonds. It was thought we might be able to dispose to nonresident aliens two or three million dollars worth of them. That would make a demand for the bonds now below par. And I will say it is the exact language of the fourth liberty bond act of 1918, although we exempted the bonds payable in foreign money from all taxation. We make the bonds now payable in American money as well as foreign money. It will give a wider market. No nonresident alien individual or foreign corporation, partnership, or association who does any business here at all will be exempt from any of those taxes.

Mr. BLACK. I understand that perfectly well. As to the bond issues that we have had heretofore, have they been subscribed for by foreign individuals and corporations and partnerships?

Mr. KITCHIN. I will say, to no appreciable extent. I do not suppose to any extent. If so, very slightly. Why? They would have to pay local taxes and the national taxes both on the bond itself and on the interest and an income tax on the interest in foreign countries, because they would be foreign bonds. Now, if they had to buy these bonds held by the foreigner, if the bond itself was subject to the property tax, the interest on the bond was subject to an income tax of that country, and they also had to pay in this country an income tax, they would not buy them.

Mr. BLACK. And it was thought by the committee that would help the sale of the present bond issue?

Mr. KITCHIN. Yes. And, no doubt, it will.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words. Section 3 involves one or two questions that I would like to speak upon before it is finally enacted into law.

It might be inferred from the inclusion in this section of the War Finance Corporation bonds or of certificates that the Government of the United States is sponsor for them to the extent that it has guaranteed the payment of these bonds. I wish to have it understood that this question was raised in committee,

and that it was the understanding of the committee that the inclusion of War Finance Corporation bonds in this section for the purpose of encouraging their sale, along with the sale of other bonds, to alien holders was not intended to mean that the Government of the United States was responsible for the payment of the War Finance Corporation bonds.

Mr. KITCHIN. The gentleman is correct. It was the understanding of the committee that the Government would be in no way liable for any bonds issued by the War Finance Corporation, and I will read to the gentleman the law on that subject in the provision of the war finance appropriation act, section 17. It reads:

That the United States shall not be liable for the payment of any bond or other obligation or the interest thereon issued or incurred by the corporation, nor shall it incur any liability with respect of any act or omission of the corporation.

So that the Government would be in no way liable at all in any respect.

Mr. MOORE of Pennsylvania. Let us see if we clearly understand the purpose of this section. It is intended to encourage the purchase by aliens of American securities, and to that extent it would relieve the pressure upon the American security field.

Mr. KITCHIN. That is true.

Mr. MOORE of Pennsylvania. Whereas it is contended that the bonds are selling below par in the United States, and if we can find a foreign market for those bonds we induce the foreigner to buy the bonds, with the understanding that so far as his holdings are concerned they are tax free. That being the fact, we include along with other bonds that the foreigner may buy on these terms the War Finance Corporation bonds, but, as the chairman of the committee has indicated now, notwithstanding the fact that these War Finance Corporation bonds are included in this section, it is clearly not the purpose of the law nor of this section to have any foreign purchaser understand that if there should ever be a loss on the War Finance Corporation bonds in his hands the Government of the United States is responsible and can be made to pay.

Mr. KITCHIN. The gentleman is correct.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 6. (a) That there is hereby created in the Treasury a cumulative sinking fund for the retirement of bonds and notes issued under the first liberty bond act, the second liberty bond act, the third liberty bond act, the fourth liberty bond act, or under this act, and outstanding on July 1, 1920. The sinking fund and all additions thereto are hereby appropriated for the payment of such bonds and notes at maturity, or for the redemption or purchase thereof before maturity by the Secretary of the Treasury at such prices and upon such terms and conditions as he shall prescribe, and shall be available until all such bonds and notes are retired. The average cost of the bonds and notes purchased shall not exceed par and accrued interest. Bonds and notes purchased, redeemed, or paid out of the sinking fund shall be canceled and retired and shall not be reissued. For the fiscal year beginning July 1, 1920, and for each fiscal year thereafter until all such bonds and notes are retired there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of such sinking fund, an amount equal to the sum of (1) 2½ per cent of the aggregate amount of such bonds and notes outstanding on July 1, 1920, less an amount equal to the par amount of any obligations of foreign governments held by the United States on July 1, 1920, and (2) the interest which would have been payable during the fiscal year for which the appropriation is made on the bonds and notes purchased, redeemed, or paid out of the sinking fund during such year or in previous years.

Mr. SHERLEY. Mr. Chairman, I desire to offer an amendment, on line 6, page 8.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Line 6, page 8, insert:
"The Secretary of the Treasury shall submit to Congress at the beginning of each regular session a separate annual report of the action taken under the authority contained in this section."

Mr. SHERLEY. Mr. Chairman, I desire simply to say this to the committee: The act very properly provides for a sinking fund, and it makes it mandatory upon the Secretary of the Treasury to annually reserve out of the revenues of the Government a certain percentage for the retirement and payment of the public debt; but, like a great many other mandatory provisions, they are not always obeyed. For a number of years past we have gotten into the habit of ignoring the requirements of the existing law in regard to the sinking fund.

I think, with such a huge debt as the country now has, it is highly important that there should be brought to the attention of the Congress annually what steps have been taken by the Secretary of the Treasury to carry out the mandatory provisions of the law in regard to the sinking fund.

Now, if his report touching it is made in his general annual report, it is lost sight of, along with a lot of other matters; and I simply hope, by requiring a separate annual report to be made to Congress, to annually call the attention of Congress and the attention of the country to the condition in connection with our public debt and whether or not the law is being complied with.

If we can see to it that each year provision is really made to carry out the requirements of the sinking-fund provision, we can take care of this debt over a period of time that will not really cause a very great or insupportable burden to the country. But if we get into the habit of appropriating all the revenues and paying no attention to the retirement of the debt, we shall continue to have this debt for our children and our children's children to pay. That is the purpose of the amendment I have offered.

Mr. KITCHIN. Mr. Chairman, I said in my remarks this afternoon that the Secretary of the Treasury ought to make an annual report separately with respect to this sinking fund and the sinking-fund provision, telling the Congress exactly what his actions are under it. This amendment of the gentleman from Kentucky makes it compulsory upon the part of the Secretary of the Treasury to do exactly what I suggested this afternoon, and the committee accept that amendment.

Mr. MANN. Does either the gentleman from North Carolina [Mr. KITCHIN] or the gentleman from Kentucky [Mr. SHERLEY] think there will be any money used in the sinking fund for a good while to come?

Mr. KITCHIN. There ought to be, but whether there will be or not will depend very largely on what Congress appropriates for other purposes and the amount of taxes raised.

Mr. MANN. What is there to distinguish between the proposition in this bill for a sinking fund and the proposition in the existing law, except that this requires a little larger sinking fund and hence the money is less likely to be used for that purpose?

Mr. KITCHIN. That can be true if Congress appropriates the money for other purposes and there is no money in the Treasury to be appropriated for the sinking fund, as has been the case since the old sinking-fund act was passed over 40 years ago.

Mr. MANN. Does the gentleman from North Carolina believe that a majority of the Members of Congress will have the courage to tax the people for a sinking fund under existing conditions?

Mr. KITCHIN. Not now under existing conditions. This sinking-fund requirement begins to operate in the next fiscal year.

Mr. MANN. I know that, but we will be worse off then than we are now. We can not borrow money then to run the Government and will have to raise taxes, while now we are running the Government on borrowed money.

Mr. KITCHIN. Well, it may be a vain hope and almost presumptious, but I do hope the next Congress will reduce expenditures and economize [laughter], and I promise that I am going to help them.

Mr. MANN. Even if we reduce expenditures in the way of appropriations we can not catch up with an extravagant administration and with the appropriations already made which do not lapse.

Mr. KITCHIN. And for which the gentleman and myself voted in nineteen cases out of twenty.

Mr. MANN. I probably would have voted for them, but the gentleman can not say I did, for I was not here; not even the gentleman from Alabama, who explodes on any sort of an occasion.

Mr. SHERLEY. Mr. Chairman, what the gentleman from Illinois [Mr. MANN] has said is in a measure true; it is unfortunately true that a legislative body rarely has the courage to do what is wise as to finance. But it certainly can not hurt to call attention annually to the condition of our public debt. I am one of the people who believe that a public debt is not a good thing for a nation, and I hope that the Congress will have the wisdom to see to it that our revenues are made sufficient, with an economically administered Government, to provide for a retirement of part of this debt from year to year. If that is not done and the country ever again finds itself faced with the situation which confronted it when the war broke, we shall find that the credit of the Nation will not stand the strain placed upon it.

Mr. DENISON. Will the gentleman from Kentucky yield?

Mr. SHERLEY. Certainly.

Mr. DENISON. Will the gentleman tell the House what the practice is in other nations, whether they have provided sinking funds, particularly Great Britain?

Mr. SHERLEY. I am not able to advise the gentleman as to the requirements of law.

Mr. DENISON. I know, but do they do it? I am asking for information.

Mr. SHERLEY. I believe the debt of Great Britain has been increasing for many, many years, and has not been reduced; but the condition of this country and the condition of Great Britain are very different. The wealth of this country is amply sufficient, if we honestly and economically administer our trust, to pay part of this debt from year to year without unduly burdening the people.

Mr. DENISON. I agree with the gentleman entirely, but I was asking the question for information.

Mr. SHERLEY. I am not familiar with the exact provision of the law of Great Britain with reference to a sinking fund.

Mr. CANNON. I would be glad to ask the chairman of the committee or the gentleman from Kentucky how much is it estimated that the public debt will be when we settle up what we owe.

Mr. KITCHIN. When we settle up what we owe it will be nothing. [Laughter.]

Mr. CANNON. Settlement is one thing and payment is another.

Mr. KITCHIN. I know what the gentleman means—when we have ascertained the total amount of our indebtedness.

Mr. CANNON. Yes.

Mr. KITCHIN. Take it after the next fiscal year—June 19, 1920—when this sinking fund begins, I would say, in round numbers, $25,000,000,000, and then we might deduct eight and a half billion dollars, the bonds of the allies, which would make, in round numbers, $17,000,000,000, 2½ per cent of that would be added to the sinking fund.

Mr. CANNON. How much would the interest be. I think the gentleman has understated it rather than overstated what we will owe that is unascertained. For a rough guess, I should say we would owe $25,000,000,000.

Mr. KITCHIN. Net, after deducting the foreign loan?

Mr. CANNON. God knows when we are going to get what the allies owe us..

Mr. KITCHIN. If we include the debt of the allies as a part of the net debt, we both agree that it would be at least $25,000,000,000.

Mr. CANNON. And you would figure if the allies pony up it would be about $17,000,000,000?

Mr. KITCHIN. In round numbers, $18,000,000,000.

Mr. CANNON. Eighteen billion dollars, with an average interest of 4 per cent?

Mr. KITCHIN. Yes; about 4 per cent.

Mr. CANNON. Now, if the gentleman will multiply 18,000,000,000 by 4 per cent—he is good in mathematics—how much will we have to pay in interest?

Mr. KITCHIN. Seven hundred and twenty million dollars.

Mr. CANNON. That is interest, and then when we take all the advances that we make, and we are in the advancing business now—$200,000,000 for roads, $750,000,000 for railroads this year, and if we do not turn them back another $750,000,000 next year. Does the gentleman believe that it is practicable with this great Government that we have, with these unascertained amounts that we will owe, that on top of carrying all their burdens we can add $450,000,000 to the sinking fund?

Mr. KITCHIN. The sinking fund would be $450,000,000.

Mr. CANNON. There is that much added to all other burdens we have. Well, I have no objection to the amendment that the gentleman from Kentucky offers, but it will not pan out.

Mr. SHERLEY. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. SHERLEY. What is the opposite of it? Is it the gentleman's idea that we shall forever go on with a debt and never pay it?

Mr. CANNON. My idea is that a hundred years from now this debt may be reduced to some extent, and we may reduce the interest, if we could be economical, by refunding, down to 2½ per cent, and if you remove all taxation from what Uncle Sam owes, both State and National, it may be that you could borrow for 2 per cent.

Mr. SHERLEY. Will the gentleman yield further?

Mr. CANNON. Yes.

Mr. SHERLEY. What is going to help the credit of the Nation more than a disposition to pay upon the principal of its debt?

Mr. KITCHIN. And what will more appreciate the bonds now being offered?

Mr. CANNON. Cotton after peace has come will sell for 5 and 6 cents a pound.

Mr. KITCHIN. If that should reach our friend HEFLIN it would drive him crazy. [Laughter.]

Mr. CANNON. Corn will go to 35 or 40 cents, and when you take the guaranty off wheat—all wheat produced in the countries in the world—if we can get stable government without having to go over there and police them and follow it with millions of dollars of additional indebtedness, wheat will go down to a dollar, and the gentleman will find that the burden will grow and grow, and the only way we can carry this great debt is to reduce the interest as rapidly as possible.

Then, when we are wearing muslin or asbestos halos, everybody in this body—and I trust that the asbestos halos will protect us—the coming Congresses will not perhaps add to the great burden of $400,000,000 or $500,000,000, which means, in addition to all of our burdens, to buy that many bonds or to pay them off. In the Civil War debt we had a sinking fund, and, in the aggregate, that has been kept more than good, because in the gentleman's time in service in this Congress and in mine we have seen, with a great surplus in the Treasury, that a cry was raised to reduce the surplus, and as we reduced the surplus we reduced the debt, so that the sinking fund was more than kept good under those conditions.

Mr. GREEN of Iowa. Mr. Chairman, I wish I could be as optimistic as my friend, the chairman of the committee, under whom it has been my pleasure to serve for several years, but I can not take the view that the amount of our debt will be as small as he stated. The expenses for the next fiscal year will be somewhere around ten or twelve billion dollars, probably. The gentleman would say only ten. Others who have studied the question carefully think it will be much larger, but the issue of notes we are about to make would only just about take up the amount of our floating indebtedness. I think the gentleman will agree with me on that. We have a floating indebtedness of somewhere around $6,000,000,000.

None of us is probably able to give the exact amount, because the Treasury has not brought its figures down to date, at least so far as I have been able to ascertain. For the next fiscal year, so far as now provided, and so far as the present law exists, there will be only about $4,000,000,000 of taxes to pay ten or twelve billion dollars of expenditures, and there will be some six or eight billion dollars more to add to the figures which my friend from North Carolina [Mr. KITCHIN] just gave, which I think are altogether too small. I do not know where this money is coming from, unless the taxes are raised very much over what our friends on the other side gave us to understand they would be.

In reference to the amendment offered by the gentleman from Kentucky [Mr. SHERLEY] and the sinking fund, so far as I have been able to find out, no Government has ever made a success of a sinking fund. It is true that England did reduce her debts slightly along up until the time of the Boer War, when the debt rose again. So far as the sinking fund is concerned that we established, it has never amounted to anything. We were told that it was a bookkeeping proposition and that we might as well wipe it off, so we did, but I think the amendment offered by the gentleman is an excellent one and ought to prevail. It will force the matter to our attention, and that and the enormous amount of interest that we will pay, which I think will be considerably larger than the gentleman from North Carolina [Mr. KITCHIN] suggested, would also force on our attention the necessity of reducing this enormous debt. Unless we do have something to call the attention of Congress and of the people of the country to the necessity of reducing the debt, we will certainly get nothing done and nothing would result from this provision. Therefore, I think the amendment offered by the gentleman from Kentucky is a wise one, as his amendments usually are.

Mr. PLATT. Is it not possible to set aside certain revenues to be converted into a sinking fund, as is often done by municipalities?

Mr. GREEN of Iowa. I think probably that would be even a better plan than the one we have so far, but we will have a little time to reflect upon that. I hope something definite will be done, so that there will be a certainty that this project will be carried out.

Mr. DENISON. Mr. Chairman, I want to ask the chairman of the committee a question. As I understand his statement, his estimate of the total indebtedness after we have settled up the war bills of the Nation will be $25,000,000,000. Is that right?

Mr. KITCHIN. Yes.

Mr. DENISON. Including the foreign loans?

Mr. KITCHIN. I fear that the amount will be more than that, but my judgment now is that it will be at least $25,000,000,000.

Mr. DENISON. There is considerable agitation in certain parts of the country among certain elements in favor of the Government taking over and owning the railroads.

Now, as a matter of information to the House and the country, can the gentleman state the amount that would be required to be used by the Government in case that policy should be adopted?

Mr. KITCHIN. Why, I do not know the value of the railroads. I suppose $20,000,000,000 or $25,000,000,000 more.

Mr. DENISON. It has been stated lately $20,000,000,000, and with the Government debt, that would make the Government debt——

Mr. KITCHIN. I confess to the gentleman my opinion about whether the Government will own the railroads or not, I do not think the gentleman need have any fear that Congress——

Mr. DENISON. I do not expect——

Mr. KITCHIN. Is going to pass any act of Government ownership of railroads.

Mr. DENISON. Even now the gentleman knows there is an agitation for it, and there are a great many people who believe in it, and we as Members of the House are getting petitions in favor of it.

Mr. KITCHIN. I hope the next Congress will have the courage to do the right thing and resist these numerous petitions and agitations.

Mr. DENISON. I agree with the gentleman.

Mr. KITCHIN. And I will stand with the gentleman on it.

Mr. DENISON. I am glad to hear the gentleman say so. I am sure if the gentleman will use his influence on that side he will add greatly to what some of the rest of us hope to do along that line. If that could be done the total indebtedness of this Government——

Mr. KITCHIN. Would be in and around about $50,000,000,000.

Mr. DENISON. Making the burden absolutely unbearable on the American people.

Mr. KITCHIN. I think so.

Mr. CANNON. Will the gentleman allow me to suggest there?

Mr. KITCHIN. Yes, sir.

Mr. CANNON. I am not so optimistic as the gentleman is. Not only that, but there are the telephone and telegraph companies, and so on.

A MEMBER. They do not amount to much.

Mr. CANNON. Do not amount to much, not as things go——

Mr. KITCHIN. The gentleman ought to have as much confidence in the next Congress as I have got. [Laughter and applause.]

Mr. CANNON. Now we have got what? A Republican House and a worse than Democratic Senate. [Laughter.] There is the situation.

Mr. KITCHIN. Why, I do not know. I have understood the Republicans got the Senate, too.

Mr. CANNON. Nay, nay. [Laughter.] You call the roll.

Mr. KITCHIN. The gentleman must impeach some of those gentlemen over there who have been elected as Republicans, then.

Mr. CANNON. Oh, I leave it to the country and to the fullness of time. Why, does the gentleman know that the Senate of the United States is going to go the limit to organize the House of Representatives [laughter and applause]—let me finish my remarks—aided by the chairman of the Republican national committee? [Applause.]

Mr. GARNER. That is worse than Cannonism.

Mr. STAFFORD. That out-Herods Herod.

Mr. KITCHIN. Let me say to the gentleman from Illinois, if it was a Democratic House in the next Congress, and if the chairman of the Democratic executive committee in the United States or a Democratic Senate were to attempt to organize this House I believe nine-tenths of the Democrats would rise up and denounce it. [Laughter and applause.]

Mr. CANNON. Now, I want to say this: The greatest autocrat in the United States to-day is a man of very great ability. I am not denying that he is honest, but Samuel Gompers is the greatest autocrat in the Republic, and he demands Government ownership. I get the round robins of all kinds indorsed by the Federation of Labor scattered throughout the country, "We demand that you shall support Government ownership of railroads."

Mr. KITCHIN. Let me tell the gentleman what we shall do in the next Congress. Let you and myself join hands and try to keep the Republican Congress in the next Congress from letting Sam Gompers dictate to us. [Applause.]

Mr. CANNON. Well——

Mr. KITCHIN. Will you join me?

Mr. CANNON. Well, that is in the future. [Laughter.] I would rather see an ounce of accomplishment while you have been in full possession of both House and Senate.

Mr. KITCHIN. You have the evidence that Sam Gompers has not made the Democratic Senate or the Democratic House pass an act for Government ownership. We have stood out against it. If the Republicans of the next House are equally courageous, it will be all right; if not, I suppose some of us Democrats can put courage in them.

Mr. CANNON. We will soon be in a special session, and we will wait and see.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. SHERLEY].

The question was taken and the amendment was agreed to.

The Clerk read as follows:

(b) Sections 3688, 3694, 3695, and 3696 of the Revised Statutes, and so much of section 3689 of the Revised Statutes as provides a permanent annual appropriation of 1 per cent of the entire debt of the United States to be set apart as a sinking fund, are hereby repealed.

SEC. 7. (a) That until the expiration of 18 months after the termination of the war between the United States and the German Government, as fixed by proclamation of the President, the Secretary of the Treasury, with the approval of the President, is hereby authorized on behalf of the United States to establish credits with the United States for any foreign government now engaged in war with the enemies of the United States, for the purpose only of providing for purchases of any property owned directly or indirectly by the United States, not needed by the United States, or of any wheat the price of which has been or may be guaranteed by the United States. To the extent of the credits so established from time to time the Secretary of the Treasury is hereby authorized to make advances to or for the account of any such foreign government and to receive at par from such foreign government for the amount of any such advances its obligations hereafter issued bearing such rate or rates of interest, not less than 5 per cent per annum, maturing at such date or dates, not later than October 15, 1938, and containing such terms and conditions as the Secretary of the Treasury may from time to time prescribe. The Secretary, with the approval of the President, is hereby authorized to enter into such arrangements from time to time with any such foreign government as may be necessary or desirable for establishing such credits and for the payment of such obligations before maturity.

Mr. MOORE of Pennsylvania. Mr. Chairman, just for the purpose of having a record made of it, I move to strike out all on line 7 after the word "scribe" down to and including line 11.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania:

Page 9, after the word "scribe" in line 7, strike out the remainder of the paragraph.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not intend to discuss this further than to say that the paragraph proposed to be stricken out reads as follows:

The Secretary, with the approval of the President, is hereby authorized to enter into such arrangements from time to time with any such foreign government as may be necessary or desirable for establishing such credits and for the payment of such obligations before maturity.

While it gives to the Secretary a very wide power in regard to foreign credits which, it seems to me, should not be accorded in this bill, I do not care to discuss it.

Mr. KITCHIN. If I may suggest to the gentleman, I will direct his attention to the words "such credits," in line 10. That refers to credits that he can establish only for the purpose of furnishing the supplies that the Government itself owns.

Mr. MOORE of Pennsylvania. That is the very point I have in mind. It has not been clear to me that we were not giving the Secretary, with the approval of the President, power to enter into arrangements apart from those.

Mr. KITCHIN. He could not do it. That word "such" qualifies it. It says "such credits." Now, what credits? Credits to be established only for the purpose of selling the products that belong to the Government. We passed it up all right. I will jog the gentleman's memory. It was in the original draft, but in the committee we put in the word "such" to carry out the object which the gentleman now has in his mind.

Mr. MOORE of Pennsylvania. I am willing to take the gentleman's interpretation of it, but my recollection is that when that was before the committee it was in such form as to give to the Secretary power to make credits in addition to those that were specified.

Mr. KITCHIN. That was in the original bill.

Mr. MOORE of Pennsylvania. The gentleman so interprets this paragraph, as it now reads, that the Secretary has no extra jurisdiction?

Mr. KITCHIN. Not a bit, except what we give him in the section further on.

Mr. KING. How does the Secretary interpret it?

Mr. MOORE of Pennsylvania. That is a question, whether the law limits the power of the Secretary or not. I am inclined to think, the chairman having called my attention to the word "such," which was not in the original draft but was put in by the committee, it is all right.

Mr. KITCHIN. I assure the gentleman there can not be any possible doubt about that construction.

Mr. MOORE of Pennsylvania. I ask unanimous consent, Mr. Chairman, in view of the explanation of the chairman of the committee, to withdraw the amendment.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to withdraw the amendment. Is there objection. [After a pause.] The Chair hears none.

The Clerk read as follows:

(c) For the purposes of this section there is appropriated the unexpended balance of the appropriations made by section 2 of the first liberty bond act and by section 2 of the second liberty bond act as amended by the third liberty bond act and the fourth liberty bond act, but nothing in this section shall be deemed to prohibit the use of such unexpended balance or any part thereof for the purposes of section 2 of the second liberty bond act, as so amended, subject to the limitations therein contained.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. I understand this is the section which provides an appropriation for disposing of the note issue herein contemplated. May I ask the chairman of the committee how much in the aggregate is allotted to the Secretary for the purpose of utilizing the machinery that he now has for disposing of this issue of notes?

Mr. KITCHIN. There is appropriated, as the gentleman will recall, in the original act amending that act, $10,000,000,000 to establish credits with the United States in behalf of foreign governments, our allies, and thus far there has been extended a total credit of $8,000,000,000, and they will extend, with the credits now established, about $8,500,000,000, all told, by the time peace is concluded, and that will leave an unexpended balance of $1,500,000,000.

Mr. MOORE of Pennsylvania. Is the gentleman discussing the section that was just read—paragraph (c) of section 7?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. Subdivision (c) of section 7 on page 7? Is the gentleman right as to that?

Mr. KITCHIN. Yes. That is the clause appropriating the unexpended balance of that $10,000,000,000 of credits that we authorized the Secretary of the Treasury to establish.

Mr. MOORE of Pennsylvania. Then I have made my inquiry at the wrong place. It is getting late, and perhaps I overlooked that.

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent to return to page 8, section 7, and offer an amendment on line 17.

The CHAIRMAN. Does the gentleman from Pennsylvania yield the floor?

Mr. MOORE of Pennsylvania. Yes; I yield to the gentleman from North Carolina.

The CHAIRMAN. The gentleman from Pennsylvania yields the floor. Without objection, the pro forma amendment is withdrawn, and the gentleman from North Carolina asks unanimous consent to return to page 8, section 7, for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Amendment offered by Mr. KITCHIN: Page 8, line 17, after the word "establish," insert "in addition to the credits authorized by section 2 of the second liberty bond act as amended."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. I would like to have the attention of the gentleman from North Carolina. My former inquiry referred to the appropriation made in this bill for utilizing the machinery for the disposal of the loan. I was under the impression that this subdivision (c) covered that point.

Mr. KITCHIN. That is in section 1 of the bill.

Mr. MOORE of Pennsylvania. How much is available, or will be available when this bill passes, for the disposal of the note issue by the Secretary of the Treasury?

Mr. KITCHIN. One-fifth of 1 per cent, which will make $14,000,000.

Mr. MOORE of Pennsylvania. Fourteen million dollars is available to the Secretary of the Treasury now for the purpose of selling the loan?

Mr. KITCHIN. Yes; for selling $7,000,000,000. If it is $5,000,000,000, it will be only one-fifth of 1 per cent of that.

Mr. MOORE of Pennsylvania. He would be authorized to spend $14,000,000?

Mr. KITCHIN. Yes. We did not change the language at all or the amount.

Mr. MOORE of Pennsylvania. Can the gentleman tell how much has already been spent for the purpose of selling the liberty loans?

Mr. KITCHIN. I think for all the loans the amount was about $27,000,000.

Mr. MOORE of Pennsylvania. The Treasury report would show. I wanted to get it in the RECORD at this point.

Mr. KITCHIN. I have the report of the Secretary of the Treasury here as to the sale of all the bonds. The total amount expended on all the bonds——

Mr. MOORE of Pennsylvania. That is the first, second, third, and fourth?

Mr. KITCHIN. Yes; the total amount expended was $27,020,201.

Mr. MOORE of Pennsylvania. Then, in addition to that $27,000,000, he will have this $14,000,000 for the purpose of disposing of the new issue?

Mr. KITCHIN. Yes. That is in the same proportion as he has sold heretofore.

Mr. MOORE of Pennsylvania. That makes $41,000,000?

Mr. KITCHIN. Yes; for all.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. FESS. I understood that on the first liberty loan we granted only one-tenth, not one-fifth, of 1 per cent.

Mr. KITCHIN. What I meant to say was the second, third, and fourth liberty loans. It took a greatly less expense in proportion to the amount to put out the first issue than to put out campaigns of four and six and seven billions, because the country had enough money to take up that first issue without any drive at all.

Mr. MOORE of Pennsylvania. Does the gentleman think it will take as much money now, relatively, as it took to dispose of the others?

Mr. KITCHIN. I think so. I think we will have a harder time than we had during the war to sell $7,000,000,000.

Mr. MOORE of Pennsylvania. At any rate, the gentleman thinks the $14,000,000 will be sufficient for the purposes described, to dispose of this $7,000,000,000 loan?

Mr. KITCHIN. I think so. That is the amount to which he is limited. He could not expend more than that.

Mr. FESS. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. FESS. Is it the purpose of the Treasury Department to undertake a popular loan this time?

Mr. MOORE of Pennsylvania. The testimony before the committee tended to show that the Treasury Department desired to hold all the machinery that it had been using for the purpose of disposing of loans, and that it would utilize all that machinery to get rid of these notes. Just how far it will go in the matter of public meetings and sending out lecturers and hiring brass bands and providing entertainers and all that sort of thing to dispose of the loan was not developed, but it appeared that the Treasury this time would like to avoid the ostentatious method of disposing of the loan, and would probably utilize the banks a little more fully than it had before.

Mr. KITCHIN. If so, the expense would not be quite as great.

Mr. MOORE of Pennsylvania. That is the reason why I thought they might not use so much money relatively as they required before.

Mr. FESS. We are justified, are we not, in the belief that the popular method will not be used to so great an extent as before?

Mr. MOORE of Pennsylvania. The patriotic fervor has quieted down. Those who were assisting prior to and during the war, those who were socially and patriotically prominent during all these loan demonstrations, those who were cheering our boys in the trenches and attending the public meetings and utilizing the newspapers and public prints, and figuring prominently before the public in this matter, have now rather returned to the social field. There is not so much patriotic enthusiasm as there was before.

Mr. FESS. And the latitude is given to the Secretary of the Treasury to have a higher rate of interest.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 8. That the obligations of foreign governments acquired by the Secretary of the Treasury by virtue of the provisions of the first liberty bond act and the second liberty bond act, and amendments and supplements thereto, shall mature at such dates as shall be determined by the Secretary of the Treasury: *Provided*, That such obligations ac-

quired by virtue of the provisions of the first liberty bond act, or through the conversion of short-time obligations acquired under such act, shall mature not later than June 15, 1947, and all other such obligations of foreign governments shall mature not later than October 15, 1938.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. The gentleman from California [Mr. CURRY] was very much interested in this paragraph, but he was obliged to go owing to the lateness of the hour and his physical condition. He was of the opinion that section 8 was intended to validate those informal notes which the Secretary of the Treasury received from the ambassadors on the making of the loans to our allies. He rather contended that we should have taken bonds in accordance with the law, and seemed to think that the law had been violated or winked at by the Secretary of the Treasury in taking these demand notes. He was of the opinion that this section 8 was intended to validate those demand notes. I should like to have the gentleman from North Carolina explain that situation, because I do not understand it as the gentleman from California [Mr. CURRY] did.

Mr. KITCHIN. I am sorry that the gentleman from California [Mr. CURRY] is not here, because he was wide of the mark in the opinion stated by the gentleman from Pennsylvania. This section has no such purpose, no such object, and is susceptible of no such construction. The situation is this: In making these loans to the allies during the war the Government took their demand notes, not for any specified time, because they desired after the war was over to see then what would be the best securities to issue in the way of bonds and the interest rate. They were required by the law not to let the maturity be beyond the maturity of our bonds or the interest rate lower than that upon our bonds. But instead of taking long-time bonds, they were authorized also to take notes or short-time obligations, because the act said "obligations"; but they could be converted into long-time bonds. Now, this simply carries out what the act intended and provided for, namely, that the Secretary of the Treasury can convert these short-time obligations which we hold against the foreign governments into bonds that shall mature not later than June 15, 1947. That was the maturity of our bonds issued in 1917. The section provides that all other such obligations of foreign governments shall mature not later than October 15, 1938. That is the maturity of our 4's and the 4½ per cents.

There has been some criticism by gentlemen who did not take time to investigate it with respect to the Government taking these short-time obligations and not converting them. I must confess that I shared in the fear that if they took these short-term obligations there might come a propaganda to give them back to the foreign Governments before they converted them. But I investigated and found there was nothing to that; the Government has not been injured, but has been in the position of being able to demand the money at once. We have their demand notes. If we needed the money, we could demand it now and make them put up, or we could fund the short demand notes into long-time bonds.

Mr. MOORE of Pennsylvania. The question raised by the gentleman from California was this: The original law directed the Secretary of the Treasury to take obligations of a like character to those issued by the United States, and his contention was that the Secretary really violated the mandate of Congress when he accepted demand notes. And a point further raised by the gentleman from California was that section 8 was intended to validate the illegal act of the Secretary of the Treasury.

Mr. KITCHIN. No; I do not think it bears any such construction.

Mr. MOORE of Pennsylvania. The gentleman thinks it does not bear that construction?

Mr. KITCHIN. No.

Mr. MOORE of Pennsylvania. I have raised the question in justice to the gentleman from California.

Mr. SLOAN. As far as that is concerned, it is not a question concerning money. It is not a question of being able to get the money but these obligations. The fact is that under the theory of the loan we should not take the money, but we were to make the loans with a view of taking the obligations which were to mature at the time the obligations that the American people took from this Government would mature so that in years to come the boys who fought the war will not be called upon to pay the debt then maturing, but will have these foreign bonds maturing at that time to meet the obligations then due.

Mr. KITCHIN. It provides what the gentleman and myself desired and what we discussed several times.

Mr. SLOAN. Yes; and I have been insisting all along that the original purpose should be carried out; not whether we could get something better or whether the Treasury could make some more advantageous arrangement than Congress was making, but that the Treasury should do what Congress said should be done, and not question the wisdom of congressional action.

Mr. MOORE of Pennsylvania. Will the gentleman from North Carolina yield?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. We are now approaching section 9, and there ought to be some debate on that. It is now 11 o'clock. Can not we come to some understanding that this may go over and be in order to-morrow morning?

Mr. KITCHIN. What I said to the gentleman awhile ago privately I will now state to the committee. Let us read the bill through, and I will demand the previous question on the bill and all amendments, with the understanding that the gentleman from Pennsylvania shall have 10 minutes on this section and the gentleman from Nebraska 5 minutes, and I will take 5 minutes to-morrow.

Mr. MOORE of Pennsylvania. The motion will be made to strike out sections 9 and 10, and it ought to be explained. We are not asking anything unusual. Will the gentleman concede 20 minutes for discussion?

Mr. KITCHIN. Yes.

Mr. SUMNERS. Let me say to the gentleman from North Carolina that I want five minutes on this.

Mr. KITCHIN. Suppose, then, that the gentlemen on that side have 20 minutes?

Mr. MOORE of Pennsylvania. Four gentlemen on this side have asked for time.

Mr. KITCHIN. I will make it 20 minutes on your side and 15 minutes on this side, with the understanding that the previous question will be ordered on the bill and all amendments, and then the gentleman from Pennsylvania will have 20 minutes on that side on the motion to strike out sections 9 and 10 and I will control 15 minutes.

Mr. MANN. If we are to have any understanding, I think we would better have one that is enforcible. The gentleman talks about an understanding about debates on motions to amend. Is this after we get into the House? We can not move the previous question in the committee.

Mr. BLACK. Mr. Chairman, I have an amendment to offer to the text. I presume I could offer that to-night?

Mr. MOORE of Pennsylvania. We will make our fight on the motion to strike out.

Mr. KITCHIN. I think we would be able to have this understanding and that nobody would be inclined to break it at all.

Mr. MANN. We could have a unanimous-consent agreement in the committee, but the gentleman spoke of ordering the previous question. You can not do that in committee.

Mr. KITCHIN. No. I intended to ask that, and then have the understanding in the House that we would have 20 minutes to be controlled by the gentleman from Pennsylvania and 15 minutes to be controlled on this side.

Mr. MANN. Is that 20 minutes to be in the House or in the committee?

Mr. KITCHIN. We could just as well have it in the House.

Mr. MANN. But if the previous question is ordered you can not move to amend by striking out.

Mr. KITCHIN. The gentleman is going to move to recommit.

Mr. MOORE of Pennsylvania. Yes.

Mr. KITCHIN. On that motion the gentleman will control 20 minutes and I will control 15 minutes.

Mr. MOORE of Pennsylvania. Yes.

Mr. SUMNERS. Mr. Chairman, if the gentleman makes the motion to recommit, does not that cut off any opportunity to offer amendments to the text?

Mr. MANN. Certainly it would.

Mr. KITCHIN. We might attempt an agreement that we would do it, but I doubt if it would be agreed to. What does the gentleman desire?

Mr. SUMNERS. I only want information.

Mr. KITCHIN. Perhaps I can give it to the gentleman now.

Mr. SUMNERS. First, I would like to know whether or not the Government has lost any money under the operation of this act?

Mr. KITCHIN. Not a cent. Every dollar that it has ever loaned it has received payment for, and I think it has made about $2,000,000 above all expenses.

Mr. SUMNERS. The proposition that strikes my attention most is that we are going to advance money to business concerns engaged in the export business that can not sell their paper in the market unless they pay 1 per cent above what is paid for ordinary commercial paper.

Mr. KITCHIN. Has the gentleman often borrowed money from the bank?

Mr. SUMNERS. Not often. I have tried to a good many times. [Laughter.]

Mr. KITCHIN. And he might have offered to give my note or the note of some other man who may be worth $200,000, and the bank would receive it, but you could not sell that note in the market.

Mr. MOORE of Pennsylvania. How would this arrangement strike the gentleman: That the reading of the bill be completed to-night and all amendments offered that are to be offered, apart from the financial corporation amendment, which will be an amendment to strike out, and that we simply have that one matter before us in the morning, and then read that section for information in the morning, and then go on with the debate?

Mr. KITCHIN. In Committee of the Whole?

Mr. MOORE of Pennsylvania. Yes.

Mr. MANN. Oh, let us finish the reading of the bill to-night in Committee of the Whole.

Mr. RAGSDALE. Perhaps the gentleman might get some instructions from the Senate by the morning.

Mr. MOORE of Pennsylvania. I rather expect that the instruction would come from the White House than from the Senate.

Mr. RAGSDALE. Which would be the more effective?

Mr. MOORE of Pennsylvania. I should think that the White House instruction would be.

Mr. KITCHIN. Does the gentleman prefer to have the time we suggested a while ago consumed in the Committee of the Whole in the morning, 20 minutes on his side and 15 minutes on this side?

Mr. MOORE of Pennsylvania. I was suggesting that we finish the reading of the bill to-night and dispose of all amendments, so that when we meet in the morning we could make the motion to recommit and then by agreement have the debate.

Mr. KITCHIN. Would that be satisfactory to the gentleman from Illinois?

Mr. MANN. Anything that is satisfactory to the gentleman from Pennsylvania is satisfactory to me, so long as it is an enforcible agreement.

Mr. McLAUGHLIN of Michigan. When will we have this—in the House or in the committee?

Mr. KITCHIN. We will have 20 minutes on your side of the House and 15 minutes on our side. That will be the same thing.

Mr. McLAUGHLIN of Michigan. But the gentleman from Texas spoke of offering an amendment.

Mr. KITCHIN. That is just to the text, and he can do that to-night.

The Clerk read as follows:

(c) Notwithstanding the limitation of section 1 the advances provided for by this section may be made until the expiration of one year after the termination of the war between the United States and the German Government as fixed by proclamation of the President. Any such advance made by the corporation shall be made upon the promissory note or notes of the borrower, with full and adequate security in each instance by indorsement, guaranty, or otherwise. The corporation shall retain power to require additional security at any time. The corporation, in its discretion, may, upon like security, extend the time of payment of any such advance through renewals, the substitution of new obligations, or otherwise, but the time for the payment of any such advance shall not be extended beyond five years from the date on which it was originally made.

Mr. BLACK. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 13, line 15, insert a new paragraph, as follows:

"(d) Article 7 of the espionage act, approved June 15, 1917, is hereby repealed."

Mr. KITCHIN. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from North Carolina makes the point of order.

Mr. BLACK. Will the gentleman reserve the point of order?

Mr. KITCHIN. I will reserve the point of order for two minutes.

The CHAIRMAN. Does the gentleman from North Carolina make the point of order?

Mr. KITCHIN. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. KITCHIN. Mr. Chairman, I move that the committee do now rise.

Mr. MOORE of Pennsylvania. It is understood that we will have the right to move to strike out the sections.

Mr. KITCHIN. Yes. I move that the committee do now rise and report the bill to the House with the various amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

We will have the understanding referred to by the gentleman from Pennsylvania [Mr. MOORE] when we get into the House.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MAYS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The gentleman from North Carolina moves that the committee do now rise and report the bill to the House with certain amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Thereupon the committee rose; and Mr. FOSTER having taken the chair as Speaker pro tempore, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 16136) to amend the liberty bond acts and the War Finance Corporation act, and for other purposes, had directed him to report the same to the House with certain amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. KITCHIN. Mr. Speaker——

Mr. MANN. Let us dispose of the amendments first and then agree about the previous question.

The SPEAKER pro tempore. The question is on agreeing to the amendments. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

Mr. MANN. Now, let us have an arrangement. I ask unanimous consent, first, that, if the bill be ordered to third reading, after the third reading the gentleman from Pennsylvania [Mr. MOORE] have the right to offer a motion to recommit by striking out sections 9 and 10, and that there be 35 minutes' debate upon that motion, 20 minutes to be controlled by the gentleman from Pennsylvania [Mr. MOORE] and 15 minutes by the gentleman from North Carolina [Mr. KITCHIN], and that at the end of that time the previous question be considered as ordered to final vote on the bill.

Mr. KITCHIN. And the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] asks unanimous consent that, if the bill be engrossed and read a third time, the gentleman from Pennsylvania shall have the right to offer a motion to recommit to strike out sections 9 and 10, and upon that question there shall be 35 minutes of debate, 20 minutes to be controlled by the gentleman from Pennsylvania [Mr. MOORE] and 15 minutes by the gentleman from North Carolina [Mr. KITCHIN].

Mr. MANN. And at the end of that time the previous question to be considered as ordered on the motion to recommit and on the bill to final passage.

Mr. FESS. Reserving the right to object, I would like to ask if somebody opposed to the bill would like to make a motion to recommit would this supersede it?

Mr. MANN. Certainly.

Mr. FESS. If that is the rule of the House, can you set it aside?

Mr. MANN. By unanimous consent.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

LEAVE OF ABSENCE.

The SPEAKER pro tempore laid before the House the following telegram:

SAVANNAH, MO., *February 25, 1919.*

Hon. CHAMP CLARK,
House of Representatives, Washington, D. C.:

The health of my family makes it impossible for me to be with you on March 1.

C. F. BOOHER.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DOWELL, by unanimous consent, was granted leave of absence indefinitely on account of illness.

REPORT OF DIRECTORS PANAMA RAILROAD CO. (S. DOC. NO. 415).

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and referred to the Committee on Interstate and Foreign Commerce and ordered printed.

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the Sixty-ninth Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1918.

WOODROW WILSON.

THE WHITE HOUSE, *25 February, 1919.*

ACTS, ETC., NINTH LEGISLATURE OF PORTO RICO (S. DOC. NO. 416).

The SPEAKER pro tempore also laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Insular Affairs and ordered printed.

To the Senate and House of Representatives:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith copies of the acts and resolutions enacted by the ninth Legislature of Porto Rico during its second special session, November 26 to December 7, 1918.

These acts and resolutions have not previously been transmitted to Congress and none of them have been printed.

WOODROW WILSON.

THE WHITE HOUSE, *25 February, 1919.*

FRANCHISES BY PUBLIC-SERVICE COMMISSION, PORTO RICO (S. DOC. NO. 417).

The SPEAKER pro tempore also laid before the House the following message from the President of the United States, which, with the accompanying documents, was referred to the Committee on Insular Affairs and ordered printed:

To the Senate and House of Representatives:

As required by section 38 of the act approved March 2, 1917 (39 Stat., 951), entitled "An act to provide a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith certified copies of each of five franchises granted by the Public Service Commission of Porto Rico. The copies of the franchises inclosed are described in the accompanying letter from the Secretary of War, transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE, *25 February, 1919.*

PRESIDENT'S MESSAGE—ALASKA ENGINEERING COMMISSION.

The SPEAKER pro tempore also laid before the House the following message from the President of the United States, which was read and ordered printed and, with the accompanying documents, referred to the Committee on Territories.

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress the report of the Alaskan Engineering Commission for the year ended December 31, 1918.

WOODROW WILSON.

THE WHITE HOUSE, *25 February, 1919.*

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 10225. An act striking from the pension roll the name of Jennie M. Heath;

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio;

H. R. 13369. An act to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass.;

H. R. 13427. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13393. An act to revive and reenact the act entitled "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved April 22, 1912;

H. R. 13647. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 14555. An act granting the consent of Congress to the Board of Supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry, in said county;

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut;

H. R. 13649. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny river at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13648. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 23 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 26, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting additional deficiency estimates of appropriation required by the Postal Service, payable from postal revenues, for the fiscal year 1919 (H. Doc. No. 1536, pt. 2), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. J. Res. 382) directing the United States Coast Guard to resume its operations under the Treasury Department, reported the same with amendment, accompanied by a report (No. 1135), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15837) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, reported the same without amendment, accompanied by a report (No. 1136), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COLLIER, from the Committee on Ways and Means, to which was referred the bill (H. R. 16137) to provide for the entry under bond of exhibits of arts, sciences, and industries, reported the same without amendment, accompanied by a report (No. 1137), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 125) authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the rotunda of the Capitol, reported the same with amendment, accompanied by a report (No. 1139), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GOODWIN of Arkansas, from the Committee on Claims, to which was referred the bill (S. 4562) to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property, reported the same without amendment, accompanied by a report (No. 1140), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 5007) to reimburse Isaac A. Gibbs for damages arising from the destruction of a ford across the Hocking River in Athens County, Ohio, due to backwater created by the construction of Lock and Dam No. 20 on the Ohio River, reported the same with amendment, accompanied by a report (No. 1141), which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 5511) for the relief of Leonidas H. Sawyer, reported the same with amendment, accompanied by a report (No. 1142), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12958) granting a pension to Clem S. Kirkham, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OLNEY: A bill (H. R. 16160) authorizing the Secretary of War to donate to the cities of Brockton and Quincy, Mass., each one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16161) authorizing the Secretary of War to donate to the towns of Dedham, Randolph, and Stoughton, Mass., each one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16162) authorizing the Secretary of War to donate to that part of Boston known as Hyde Park, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16163) authorizing the Secretary of War to donate to the towns of Easton, Norwood, and Canton, Mass., each one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16164) authorizing the Secretary of War to donate to the towns of Abington, Foxboro, and Sharon, Mass., each one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 16165) authorizing the Secretary of War to donate to the city of Newton, in the State of North Carolina, two German cannons or fieldpieces, with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 16166) authorizing the Secretary of War to donate to the town of Abingdon, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 16167) directing the Secretary of War to grant an honorable discharge to Jerome Fribourg; to the Committee on Military Affairs.

Also, a bill (H. R. 16168) directing the Secretary of War to grant an honorable discharge to Lieut. G. S. Silliman; to the Committee on Military Affairs.

Also, a bill (H. R. 16169) directing the Secretary of War to grant an honorable discharge to John J. Blumberg; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 16170) authorizing the Secretary of War to donate to the city of Tuckahoe, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16171) authorizing the Secretary of War to donate to the city of Riverside, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 16172) to provide for raising, educating, and training officers sufficient for 25 reserve divisions annually, to organize and train 25 reserve divisions annually, and to provide for higher military training for selected officers required for the Regular Army; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 16179) donating a captured German cannon or field gun and carriage to the town of Canaan, Vt., for decorative purposes; to the Committee on Military Affairs.

By Mr. GOULD: Resolution (H. Res. 608) directing the Committee on Foreign Affairs of the House of Representatives to investigate and report to the House of Representatives certain information with reference to the Government of Costa Rica; to the Committee on Rules.

By Mr. PARK: Resolution (H. Res. 609) to pay Hon. JAMES WICKERSHAM a stationery allowance; to the Committee on Accounts.

By Mr. LUNN: Resolution (H. Res. 610) favoring the establishment in Palestine of a national home for Jewish people; to the Committee on Foreign Affairs.

By Mr. CRAMTON: Resolution (H. Res. 611) providing for an investigation of charges of Dr. Spillman, concerning the Secretary of Agriculture; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 435) authorizing the use of a return-to-service flag; to the Committee on Military Affairs.

By Mr. BRUMBAUGH: Memorial from the Legislature of the State of Ohio, relative to good roads in Ohio; to the Committee on the Post Office and Post Roads.

By Mr. CARTER of Oklahoma: Memorial from the Legislature of the State of Oklahoma, relating to the distribution of relics of the late war for the commemoration of soldier boys; to the Committee on Military Affairs.

By Mr. DILLON: Memorial from the Legislature of the State of South Dakota, in regard to the St. Lawrence River; to the Committee on Rivers and Harbors.

Also, memorial from the Legislature of the State of South Dakota, petitioning Congress to change the name of the Panama Canal to the "Roosevelt Canal"; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: Memorial of the Legislature of the State of Oregon, urging legislation for the improvement of Oregon harbors and Yaquina River, Oregon; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 16173) granting a pension to Rosa Fitzpatrick; to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 16174) for the relief of Thomas F. Nicholas; to the Committee on Military Affairs.

By Mr. DENISON: A bill (H. R. 16175) granting a pension to Ella B. Dryden; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 16176) granting a pension to Thirza M. Dolph; to the Committee on Pensions.

Also, a bill (H. R. 16177) granting a pension to Melville C. Sullivan; to the Committee on Pensions.

By Mr. McCULLOCH: A bill (H. R. 16178) granting an increase of pension to James H. Lockwood; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of J. C. Doty and 311 other citizens of Mount Vernon, Ohio, in favor of Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. AYRES: Petition of Knights of Columbus, Newton Council, No. 976, Newton, Kans., urging President Wilson to use his great powers to grant self-determination for the people of Ireland; to the Committee on Foreign Affairs.

By Mr. BRUMBAUGH: Petition of National Live Stock Shippers' League, the American National Live Stock Association, the Association of Grain Shippers, Independent Oil Refiners, Iowa Corn Belt Meat Producers, Louisville and Nashville Live Stock Exchanges, and Southern Cattlemen, asking that further continuance of Federal control of railroads be subject to jurisdiction of Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Petition of City Federation of Women's Clubs, San Francisco, indorsing proposed league of nations; to the Committee on Foreign Affairs.

By Mr. EMERSON: Petition of adjutant general of Ohio, concerning the organization of the National Guard; to the Committee on Military Affairs.

Also, petition of Farmers' Institute at Claredon, Ohio, urging deportation of aliens who asked for exemption during the war; to the Committee on Immigration and Naturalization.

By Mr. ESCH: Petition of American Committee for Independence of Armenia, urging peace conference to make requisite arrangements for helping Armenia to establish an independent republic; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of Helen Gilmer Brown, president National Board Woman's Land Army of America, New York; Switchmen's Union, Local 173, La Salle, Ill.; and Tessier McLain, publisher Daily Post, La Salle, Ill., urging continuance of Employment Bureau and appropriation for same; to the Committee on Appropriations.

By Mr. GALLIVAN: Petition of Telephone Operators' Department, Julia S. O'Connor, department president, Boston, Mass.; Local Council of Women, Rhode Island, Gertrude J. Jennings, president; Committee on Women in Industry of Maryland Council of Defense, Margaret G. Blackly, executive secretary, urging an appropriation which will insure continuance of woman in industry service; to the Committee on Appropriations.

Also, petition of Sioux Guggsby, W. S. Sloane, Harry White, and W. C. Buchanan, of Sioux Falls, S. Dak.; Watertown Chamber of Commerce, Watertown, S. Dak.; and Frank R. Barnard, secretary World War Victory Association, New York, urging continuance of United States Employment Service; to the Committee on Labor.

By Mr. HERSEY: Petition of C. J. Vafiades and 64 other residents of Bangor, Me., and resolutions passed by the Pan-Epirotic Union of America, declaring that northern Epirus is a Greek Province and that it should be reunited with Greece; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Washington: Petition of various citizens of Vancouver, Wash., favoring the repeal of the zone system of postage charges on periodicals; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of citizens of Ansonia, Derby, and Shelton, Conn., relating to self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. ROGERS: Petition of Trades and Labor Council of Lowell, Mass., requesting that a Federal department of education be created, as the Towner educational bill (H. R. 15400), and protesting against attitude of Postmaster General in refusing to recognize union of telephone workers or petition for increase in wages; to the Committee on Education.

By Mr. SMITH of Michigan: Petition of W. McLaughlin and 40 other citizens of Battle Creek, Mich., in favor of Federal employment bureau; to the Committee on Labor.

Also, petition of citizens of Kalamazoo, Mich., favoring enactment of bill providing for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *February 26, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we desire to stand before Thee in the council of universal and eternal justice. We have dared to erect our Government upon the basis which Thou hast laid down in Thy Holy Word. We have dared to follow the guidance of Thy spirit in the construction of our policy. We have dared to voice Thy Word as our message to the world. We pray that Thou wilt keep us true to the divine commission Thou hast put into our hands. Give us the zest to work out the plan of life to bring the largest measure of happiness and prosperity and peace to all the people. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Nelson	Smoot
Baird	Hale	New	Spencer
Bankhead	Harding	Norris	Sterling
Brandegee	Hitchcock	Nugent	Sutherland
Calder	Johnson, Cal.	Overman	Swanson
Chamberlain	Jones, Wash.	Page	Thomas
Colt	Kellogg	Penrose	Thompson
Culberson	Kendrick	Poindexter	Townsend
Cummins	Kenyon	Pollock	Trammell
Curtis	La Follette	Pomerene	Underwood
Dillingham	Lewis	Ransdell	Vardaman
Fernald	Lodge	Reed	Walsh
Fletcher	McCumber	Robinson	Warren
France	McKellar	Shafroth	Weeks
Frelinghuysen	McLean	Sheppard	Williams
Gay	McNary	Sherman	
Gerry	Martin, Va.	Smith, Ga.	
Gore	Moses	Smith, S. C.	

Mr. SUTHERLAND. I wish to announce that my colleague [Mr. GOFF] is absent on account of illness.

Mr. GERRY. I wish to announce that the Senator from Nevada [Mr. HENDERSON] and the Senator from Kentucky [Mr. BECKHAM] are detained on official business.

Mr. POMERENE. The senior Senator from Maryland [Mr. SMITH] is absent on account of illness, and the Senator from Utah [Mr. KING] and the Senator from Tennessee [Mr. SHIELDS] are detained on official business.

Mr. LEWIS. I desire to announce that the Senator from Delaware [Mr. SAULSBURY] is necessarily detained on public business.

The VICE PRESIDENT. Sixty-nine Senators have answered to the roll call. There is a quorum present.

COST OF THE WAR (S. DOC. NO. 419).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of December 15, 1918, certain information relative to the cost to the Navy Department of the war with Germany and her allies, which was ordered to lie on the table and be printed.

WORK IN SHIPYARDS AT SEATTLE, WASH. (S. DOC. NO. 420).

The VICE PRESIDENT laid before the Senate a communication from the Director General of the United States Shipping Board, transmitting, in response to a resolution of the 11th instant, certain information regarding labor in shipyards at Seattle, Wash., which was referred to the Committee on Commerce and ordered to be printed.

Mr. POINDEXTER subsequently said:

I ask unanimous consent that the communication from the Director General of the United States Shipping Board in response to Senate resolution 448, which was handed down by the Chair to-day, be printed in the RECORD. I understand it was ordered printed as a public document.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

The communication is as follows:

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
Philadelphia, Pa., February 24, 1919.

To the SENATE OF THE UNITED STATES,
Washington, D. C.

GENTLEMEN: Senate resolution No. 448 requested the United States Shipping Board "to inform the Senate whether or not workmen who are willing to work in shipyards at Seattle, Wash., having Government contracts are allowed to do so, or given the opportunity to do so, whether such workmen belong to a labor union or not; and if those who belong to a labor union or those who do not belong to a labor union and who are willing to work at the wages established by the so-called Macy award are not allowed to work in said yards upon said Government contracts, the Shipping Board is requested to inform the Senate why and upon what grounds they are not allowed to so work and by whom they are prevented from so doing."

The following statement of facts, I believe, covers the information called for:

1. It is a fact that in the Seattle shipyards none but union men or those having permits from the unions were employed, and it is also true that men who did not belong to the unions or who did not have permits from the unions could not find employment in such yards.

2. The reason for this situation is that at the time of our entrance into the war the shipyards in Seattle, Wash., were union shipyards, or what is sometimes called "closed" yards.

3. It has been reported on good authority that the United States Employment Agency at Seattle was completely under the domination of the union element and that it did not lend itself to the employment of any but union men.

The War Labor Conference Board, composed of representatives of employers, of employees, and the public, which was called into being on the invitation of the Secretary of Labor, adopted as one of its principles to guide the labor policy of the country the following statements:

1. "In establishments where the union shop exists the same shall continue and the union standards as to wages, hours of labor, and other conditions of employment shall be maintained.

2. "In establishments where union and nonunion men and women now work together and the employer meets only with employees or representatives engaged in said establishments, the continuance of such conditions shall not be deemed a grievance."

The report of this board was proclaimed by the President of the United States on April 8, 1918, as a statement which should guide industrial relationships during the war.

The policy laid down by the War Labor Conference Board and proclaimed by the President was adopted and the language incorporated verbatim by the United States Shipping Board Emergency Fleet Corporation in general order 91 under date of July 5, 1918.

The Shipbuilding Labor Adjustment Board in its decision of October 24, 1918, made the following declaration concerning union or nonunion men:

"The board will not tolerate any discrimination either on the part of employers or employees between union and nonunion men, provided that this declaration is to be interpreted so as to conform with the principles laid down by the President of the United States in the proclamation of April 8, 1918, creating the National War Labor Board."

I am inclosing a copy of General Order 91 of the United States Shipping Board Emergency Fleet Corporation.

I hope that this information is adequate.

Very truly, yours,

CHARLES PIEZ,
Director General.

General Order No. 91.

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
Philadelphia, July 5, 1918.

Subject: Labor policy.

(a) The executive officers of the Emergency Fleet Corporation are hereby notified of the promulgation of a general labor policy. This policy, as it is stated in section (d) of this general order, shall become the basis of the labor program of the Emergency Fleet Corporation. The administrations of this policy centers in the Director of Industrial Relations.

(b) This announcement of general policy is made in order that the numerous perplexing questions regarding labor problems, which are continually demanding attention, may be dealt with in a consistent and uniform manner by the officers of the corporation. The maintenance of right relations between employers and workers is essential to the maximum effectiveness of our great enterprise. The morale of all the forces upon which the success of our shipbuilding program so vitally depends may be greatly improved by a reasonable and consistent handling of our labor problems, and it may be seriously impaired by a confused and inconsistent labor policy.

(c) It is clear that the Emergency Fleet Corporation can have no separate labor policy. The Emergency Fleet Corporation is an arm of the National Government for the performance of certain special functions during the present emergency. For the general lines of its policy upon labor problems, as upon many other matters, it must look to the larger national program. The labor policy of the Emergency Fleet Corporation must be in harmony with such expressions of policy on this subject as may have been laid down by the agencies responsible for the development of the national labor program.

The most authoritative expression of a national labor program that has been formulated to the present time is the report of the War Labor Conference Board, dated March 29, 1918. This report has received the approval of the Secretary of Labor and has been proclaimed by the President of the United States. The principles and policies therein set forth are accordingly to be accepted as the basis of the national labor program.

(d) The Emergency Fleet Corporation accepts the statement of principles and policies laid down by the War Labor Conference Board as a component part of its own program. Their execution for shipyard workers will be in terms of the rulings of the Shipbuilding Labor Adjustment Board. These principles and policies are as follows (quoting directly from the report of the War Labor Conference Board as proclaimed by the President of the United States).

PRINCIPLES AND POLICIES TO GOVERN RELATIONS BETWEEN WORKERS AND EMPLOYERS IN WAR INDUSTRIES FOR THE DURATION OF THE WAR.

THERE SHOULD BE NO STRIKES OR LOCKOUTS DURING THE WAR.

Right to organize: 1. The right of workers to organize in trade-unions and to bargain collectively through chosen representatives is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the employers in any manner whatsoever.

2. The right of employers to organize in associations of groups and to bargain collectively through chosen representatives is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the workers in any manner whatsoever.

3. Employers should not discharge workers for membership in trade-unions nor for legitimate trade-union activities.

4. The workers, in the exercise of their right to organize, shall not use coercive measures of any kind to induce persons to join their organizations nor to induce employers to bargain or deal therewith.

Existing conditions: 1. In establishments where the union shop exists the same shall continue, and the union standards as to wages, hours of labor, and other conditions of employment shall be maintained.

2. In establishments where union and nonunion men and women now work together, and the employer meets only with employees or representatives engaged in said establishments, the continuance of such conditions shall not be deemed a grievance. This declaration, however, is not intended in any manner to deny the right or discourage the practice of the formation of labor unions or the joining of the same by the workers in said establishments, as guaranteed in the last paragraph, nor to prevent the War Labor Board from urging or any umpire from granting, under the machinery herein provided, improvement of their situation in the matter of wages, hours of labor, or other conditions as shall be found desirable from time to time.

3. Established safeguards and regulations for the protection of the health and safety of workers shall not be relaxed.

Women in industry: If it shall become necessary to employ women on work ordinarily performed by men, they must be allowed equal pay for equal work and must not be allotted tasks disproportionate to their strength.

Hours of labor: The basic eight-hour day is recognized as applying in all cases in which existing law requires it. In all other cases the question of hours of labor shall be settled with due regard to governmental necessities and the welfare, health, and proper comfort of the workers.

Maximum production: The maximum production of all war industries should be maintained and methods of work and operation on the part of employers or workers which operate to delay or limit production, or which have a tendency to artificially increase the cost thereof, should be discouraged.

Mobilization of labor: For the purpose of mobilizing the labor supply with a view to its rapid and effective distribution, a permanent list of the number of skilled and other workers available in different parts of the Nation shall be kept on file by the Department of Labor, the information to be constantly furnished—

1. By the trade-unions.

2. By State employment bureaus and Federal agencies of like character.

3. By the managers and operators of industrial establishments throughout the country.

These agencies shall be given opportunity to aid in the distribution of labor as necessity demands.

Custom of localities: In fixing wages, hours, and conditions of labor, regard should always be had to the labor standards, wage scales, and other conditions prevailing in the localities affected.

The living wage: 1. The right of all workers, including common laborers, to a living wage is hereby declared.

2. In fixing wages, minimum rates of pay shall be established which will insure the subsistence of the worker and his family in health and reasonable comfort.

CHARLES PIEZ, *Vice President.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 5627. An act to fix the time of holding court in the Amarillo division of the northern district of Texas;

H. R. 13037. An act to amend the fiftieth article of war;

H. R. 13306. An act to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued; and

H. R. 13366. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

PETITIONS AND MEMORIALS.

Mr. SMITH of Georgia. I send to the desk certain action of cotton merchants and exporters, of certain bankers and members of the clearing house and of the cotton exchange of the city of Savannah, Ga., calling for relief of the telegraph, telephone, and cable systems from governmental control. I should like to have it read.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

SAVANNAH, GA., *February 24, 1919.*

Hon. HOKE SMITH,
Washington, D. C.:

We, the undersigned cotton merchants and exporters of the city of Savannah, Ga., having in mind the necessity of quick and accurate telegraph service in the conduct of our business, protest against further control of telegraph, telephone, and cable system by the Government. We are opposed to Government ownership and operation. We want competition in telegraph service, and favor return of wire properties to their owners immediately that we may again have competition.

S. John McLaughlin; Anderson Clayton & Co., by Fred Cockrell; Geo. H. McFadden & Bro.; J. K. Livingston & Co.; E. W. Rosenthal & Co.; J. W. Gleason; Chas. G. Bell; Perce & Battey; Taylor Cotton Co.; Cabell & Peck; J. M. Lang & Co.; N. P. Sloan & Co.; J. R. Young Co.; Southern Cotton Oil Co., by G. F. Tennile, vice president; Gordon-Smart Co.; Stewart-Morehead Co.; Henry W. Frost & Co.; Mutual Fertilizer Co.; Phosphate Mining Co.; M. M. Stewart, mayor of Savannah.

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SAVANNAH, GA., *February 24, 1919.*

Hon. HOKE SMITH,
Washington, D. C.:

The Morning News feels sure the interests of the public will be better served by operation of wire services by private hands than by Government ownership. So far as we have been able to determine, sentiment in Savannah is very much opposed to the latter and favors as speedy a return as is possible of telephone, telegraph, and cable lines to their private owners.

SAVANNAH MORNING NEWS.

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SAVANNAH, GA., *February 25, 1919.*

Hon. HOKE SMITH,
Washington, D. C.:

We, the undersigned bankers and members of the Clearing House Association of the city of Savannah, Ga., being convinced that the business interests of our city would be better served if telegraph, telephone, and cable systems were removed from Government operation and returned to owners, respectfully urge your best efforts to this end.

Liberty Bank & Trust Co., by Henry Blun, president; the Exchange Bank, A. J. Garfunkel, vice president; Savannah Bank & Trust Co., by W. F. McCauley, president; Mercantile Bank & Trust Co., by A. Rauzin, president; Commercial Bank of Savannah, Ga., by J. H. H. Entleman, president; Chatham Bank & Trust Co., by F. W. Clarke, vice president; People's Bank of Savannah, by A. E. Pierce, vice president.

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SAVANNAH, GA., *February 25, 1919.*

Hon. HOKE SMITH,
Washington, D. C.:

It is our opinion that the business interests everywhere will be better served by telegraph, telephone, and cable systems if these properties are returned to owners. We are opposed to prolonging Government control of wire companies now that the emergency for taking them over exists no longer.

Lamborn & Co.; Savannah Sugar Refining Corporation, W. S. Pardonner, treasurer; Taggart Coal Co., G. I. Taggart, president; Columbia Naval Stores Co., J. C. Nash, vice president; Southern States Naval Stores Co., O. M. McIntosh, treasurer; Bright Brooks Lumber Co., W. P. Brooks; Antwerp Naval Stores Co., C. Pfau, vice president; Walker Lumber & Timber Co., H. G. Strachan; Savannah River Lumber Co., Edwin Shaw, treasurer.

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SAVANNAH, GA., *February 25, 1919.*

Senator HOKE SMITH,
Washington, D. C.:

The board of directors of the Savannah Cotton Exchange, after free and full discussion, is of the opinion that the cotton and business interests of the South would be better served if the telegraph, telephone, and cable services were removed from Government operation and returned to private ownership, and we believe that this should be brought about as quickly as possible.

SAVANNAH COTTON EXCHANGE,
A. J. RICH, *President.*

Mr. GRONNA. Without expressing my approval, I present resolutions from the Fargo Association of Credit Men, of North Dakota, with reference to the league of nations. I ask that they may be read.

There being no objection, the resolutions were read, as follows:

FARGO ASSOCIATION OF CREDIT MEN,
Fargo, N. Dak., February 21, 1919.

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.

SIR: Your attention is called to the following resolution which was adopted by the Fargo Association of Credit Men on the 18th instant, and we strongly urge your favorable consideration of the same:

"Whereas it has come to the attention of the Fargo Association of Credit Men that there will be opposition in the Congress of the United States to the plan for a league of nations now being considered by the peace conference; and

"Whereas, after careful and due deliberation, we believe the league of nations plan is entitled to the support of every loyal American as the only means of fulfilling our aims and promises in entering the war, and that the treaty should be approved and ratified by Congress: Therefore be it

"*Resolved*, That we respectfully urge our representatives in Congress to use their best efforts to the end that the plan may receive the approval and ratification of Congress.

"*Resolved also*, That a copy of this resolution be forwarded to each of our Senators and Representatives."

Respectfully, yours, H. L. LOOMIS, *Secretary*.

Mr. GRONNA. I send to the desk certain clippings from associations relative to the zone system and the rates of postage. I ask that the one I have marked be printed in the RECORD, and that the others be noted.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[Capital Daily Press, Bismarck, N. Dak., Sunday morning, Jan. 26, 1919.]

The People's Press Association meeting was brought to a successful close last evening after an interesting business session held at the parlors of the McKenzie Hotel.

The day's program was a very profitable one, the morning session being called at 9 o'clock.

The following resolutions were read and unanimously adopted at the session last night:

"Whereas the People's Press Association has held its annual meeting, which has proved an inspiration to every member present because it has resulted in an interchange of free expression of opinion unhampered by the restraints which formerly proved a stultifying influence on the press of the State; and

"Whereas the country press, generally speaking, is paying the Government the cost of transporting their papers through the mails; and

"Whereas it is but fair that the magazines, periodicals, and larger city papers should do likewise; and

"Whereas until the passage of the present zone second-class postage law the Government was sustaining a loss of near $80,000,000 annually in carrying and distribution of second-class mail; and

"Whereas under the present law the Government is still sustaining a loss of millions of dollars annually in the handling of second-class mail, although the amount of losses will be somewhat reduced when the present law becomes fully in effect: Therefore be it

"*Resolved*, That the People's Press Association of North Dakota is emphatically opposed to the repeal of the present law or the change proposed by the Senate amendment now pending in conference committee of Congress, which proposes a return of the flat pound rate.

"*Resolved*, That this association strongly appeals to the North Dakota Members of the Congress and United States Senate to oppose the present attempt to change the law and urges them to use their influence to defeat the same, for the reason that the proposed law is wholly in the interest of the magazines, periodicals, and big city newspapers and will not only work to the injury of the country press by taking from it subscriptions and advertising, but will enable mail-order houses to destroy the trade of country merchants, upon whom country newspapers are largely dependent for advertising."

Mr. GRONNA presented memorials from the Vitascope, of Rector, Ark.; the Eddyville Enterprise, of Eddyville, Nebr.; and the Quincy Journal, of Quincy, Ill., remonstrating against the repeal of the zone system of postage rates, which were referred to the Committee on Post Offices and Post Roads.

Mr. SHERMAN presented a petition of sundry citizens of Spring Valley, Ill., praying for the loan by the War Department of certain machine tools, etc., to trade and technical schools and universities of the country, which was referred to the Committee on Military Affairs.

Mr. NELSON presented telegrams in the nature of petitions from sundry citizens of Minneapolis, Duluth, Virginia, Waseca, and St. Paul, all in the State of Minnesota, praying for the continuance of the United States Employment Service, which were referred to the Committee on Appropriations.

He also presented a telegram in the nature of a petition from the Strong-Scott Manufacturing Co., of Minneapolis, Minn., praying that an investigation be made before appropriating any funds for the continuance of the United States Employment Service, which was referred to the Committee on Appropriations.

He also presented a petition of Pennington County Law Enforcement League, of Minnesota, praying for the enactment of legislation to enforce war-time prohibition when it becomes effective, which was ordered to lie on the table.

Mr. LODGE presented a petition of the City Council of Pittsfield, Mass., and a petition of sundry citizens of Quincy House, Mass., praying for the granting of six months' additional pay to honorably discharged soldiers and sailors, which were referred to the Committee on Military Affairs.

He also presented a petition of Council No. 74, Knights of Columbus, of Cambridge, Mass., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented petitions of the Franklin County Ministers' Association; of the New England Hardware Dealers' Association; of the congregation of the First Congregational Church, of Greenfield; of the congregation of the Melrose Highlands Congregational Church, of Melrose; of the John Hallas Club of the Pilgrim Congregational Church, of Fall River; of the congregation of the Allston Congregational Church, of Boston; of the congregation of the Congregational Church of Concord Junction; of the Church of the Disciples Branch of the Woman's Alliance, of Boston; of the New England Women's Club, of Boston; of the Gardeners' and Florists' Club, of Boston; of Local Grange No. 118, Patrons of Husbandry, of Southborough; of sundry students of Boston University; and of sundry citizens of North Adams, all in the State of Massachusetts, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. KELLOGG presented a telegram from the mayor of St. Paul and resolutions and memorials from sundry citizens of Minneapolis, Virginia, Duluth, and St. Paul, all in the State of Minnesota, relative to the continuance of the United States Employment Service, which were referred to the Committee on Appropriations.

Mr. WARREN presented a petition of the Industrial Club of Cheyenne, Wyo., praying that the return to private ownership of telephone, telegraph, and cable systems be deferred until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by Local Union No. 356, United Mine Workers of America, of Conroy, Wyo., favoring Government ownership of railroads, express companies, and telephone and telegraph lines, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. BRANDEGEE, from the Committee on Foreign Relations, to which was referred the bill (S. 1456) making appropriation for expenses incurred under the treaty of Washington, reported it without amendment and submitted a report (No. 775) thereon.

Mr. KENYON, from the Committee on Standards, Weights, and Measures, to which was referred the bill (H. R. 15495) to amend an act to provide for the appointment of a commission to standardize screw threads, reported it without amendment and submitted a report (No. 774) thereon.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, reported an amendment providing that all honorably discharged soldiers and sailors shall be included in the promotion of training and instruction by the public schools authorized by subdivision 9 of section 1 of the act of May 9, 1918, etc., intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

Mr. WALSH, from the Committee on Pensions, to which was referred the amendment submitted by himself on the 24th instant proposing to appropriate $1,200 to pay Dennis M. Kerr for extra services rendered the Committee on Pensions, etc., reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

RED LAKE RIVER BRIDGE, MINNESOTA.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 15834) to extend the time for the construction by Kratka Township of a bridge across the Red Lake River, in Pennington County, Minn., and I submit a report (No. 772) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the time for commencing and completing the construction of a bridge authorized by act of Congress approved February 19, 1917, to be built by Kratka Township at or near the section line between sections 20 and 21, township 153 north, range 41 west of the fifth principal meridian, in the county of Pennington, in the State of Minnesota, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WAR RISK BUREAU.

Mr. SMITH of Georgia. I report back favorably with an amendment from the Committee on Finance the bill (S. 5517) to amend the war-risk insurance act, and I submit a report (No. 773) thereon. I ask for the immediate consideration of the bill. It is unanimously reported now from the Finance Committee. It simply modifies the control of the War Risk Bureau by putting the director in charge of all the divisions. I have submitted it to the Senator from New Jersey [Mr. FRELINGHUYSEN], who thought he had constituents opposed to it. He has examined it, and all opposition to it has been withdrawn.

Mr. JONES of Washington. Is unanimous consent asked for the consideration of the bill?

The VICE PRESIDENT. It is.

Mr. JONES of Washington. I suggest that the bill be read.

The VICE PRESIDENT. It will be read.

The SECRETARY. The amendment of the committee is to strike out all after the enacting clause and insert:

That the second paragraph of section 1 of the war-risk insurance act is hereby amended to read as follows:

"That until such time as the Secretary of the Treasury may direct otherwise, and subject to the provisions of section 9 hereof, there shall be in such bureau a Division of Marine and Seamen's Insurance and a Division of Military and Naval Insurance."

SEC. 2. That hereafter all payments of military and naval family allowances provided for in the said war-risk insurance act shall be made upon and in accordance with awards by the Director of the Bureau of War Risk Insurance, and all laws inconsistent with this section are hereby so modified as to conform to the provisions hereof.

SEC. 3. That hereafter all investigations and reinvestigations and awards and modified awards required by the provisions of section 210 of the said war-risk insurance act shall be made by the Director of the Bureau of War Risk Insurance, and the said section 210 is hereby so modified as to conform to the provisions hereof.

Mr. JONES of Washington. I should like to have the Senator from Georgia explain what change the bill makes.

Mr. SMITH of Georgia. It is the purpose of the bill to abolish the office of the Commissioner of Marine and Seamen's Insurance and the office of the Commissioner of Military and Naval Insurance and to transfer the powers and duties pertaining to both of said offices to the Director of the Bureau of War Risk Insurance. This will centralize in the director the full responsibility for the work of the bureau. Under the law as it now stands the work of the Division of Marine and Seamen's Insurance will be suspended after the war and only that of the Division of Military and Naval Insurance left. In abolishing these offices it is necessary to make certain readjustments in other sections of the war-risk insurance act, particularly in reference to payments of family allowances, which are now made under awards by the Commissioner of Military and Naval Insurance, and with respect to investigations now made by the Commissioner of Military and Naval Insurance. These powers must be retained and should be vested in the director, as is done by this amendment.

This amendment has the approval of the Secretary of the Treasury, of the Director of the Bureau of War Risk Insurance, and of the Commissioner of Military and Naval Insurance, who has held that office since its creation, and who has asked to be relieved of his duties. The office of the Commissioner of Marine and Seamen's Insurance has never been filled.

In abolishing these offices it is necessary to make certain readjustments, and the real object of the bill is practically what I have just stated.

Mr. CURTIS. I could not hear the reading of the bill. I caught something about allowances. Does that have reference to allowances to widows?

Mr. SMITH of Georgia. It is put directly under the charge of the director.

Mr. CURTIS. That is, those who have insurance in the Navy and in the Army will be under the Director of War Risk Insurance?

Mr. SMITH of Georgia. The director of the bureau.

Mr. CURTIS. It is proposed to put the three divisions into one. Is that correct?

Mr. SMITH of Georgia. Yes; and I want to say that I think the new director is a very able man. I can already discover substantial improvement in the management of the bureau.

Mr. CURTIS. Of course, the Senator will realize that there ought to be improvement, because there has been such great delay in paying allowances.

Mr. SMITH of Georgia. In saying that there is improvement, I thought I was bringing gratifying news to the Senate, because all of us have felt that there was room for it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MORGAN MUNITION PLANT EXPLOSION.

Mr. FRELINGHUYSEN. On behalf of the Committee on Military Affairs, I submit a report (No. 776) in pursuance of Senate resolution No. 317.

Mr. SMOOT. May I ask what the report covers?

Mr. FRELINGHUYSEN. It covers an investigation by the subcommittee of the Committee on Military Affairs in regard to the fire at the Morgan munition plant and the storage of explosives in the harbors of New York and New Jersey.

Mr. SMOOT. I ask that the report be read.

The VICE PRESIDENT. Is there objection?

Mr. FLETCHER. I do not think that it is in order now to consider the report if there is objection, and I object.

The VICE PRESIDENT. It is a document. Shall it be read? [Putting the question.] The noes have it, and it will not be read.

OWNER OF STEAMSHIP "MATOA."

Mr. WEEKS. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 4517) for the relief of the owner of the steamship *Matoa*.

The VICE PRESIDENT. Is there objection?

Mr. JONES of Washington. Let it be read.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the claim of the owner of the steamship *Matoa*, arising out of a collision between said steamship and the United States tug *Lucille Ross* off Lambert Point, Va., on the 17th day of January, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Matoa* by reason of damages to and detention of said steamship may be submitted to the United States Court for the Eastern District of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States upon the same principle and measure of liability with costs as in like cases in admiralty between private parties with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the owner of said steamship *Matoa*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SCHOONER "HORATIO G. FOSS."

Mr. WEEKS. I ask unanimous consent for the immediate consideration of the bill (S. 5443) for the relief of the owners of the schooner *Horatio G. Foss*.

Mr. JONES of Washington. I ask that the bill may be read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the claim of the owners of the schooner *Horatio G. Foss*, arising out of a collision between said schooner and the U. S. collier *Jupiter*, off Winter Quarter Light Vessel on the 18th day of May, 1918, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Horatio G. Foss* by reason of damages to and detention of said schooner, may be submitted to the United States court for the district of Massachusetts under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any, shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the owners of said schooner *Horatio G. Foss*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STEAM LIGHTER "CORNELIA."

Mr. WEEKS. I ask unanimous consent for the immediate consideration of the bill (S. 5442) for the relief of the owner of the steam lighter *Cornelia*.

Mr. JONES of Washington. I ask that the bill may be read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the claim of the owner of the steam lighter *Cornelia* rising out of a collision between said steam lighter and the U. S. destroyer *Bell* in Broad Sound, Boston Harbor, Mass., on the 9th day of August, 1918, for and on account of the losses suffered in said collision by the owner of said steam lighter *Cornelia* by reason of damages and detention of or the loss of said steam lighter, her boats, engines,

boilers, tackle, apparel, furniture, and supplies, may be submitted to the United States court for the district of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States upon the same principle and measure of liability with costs as in like cases in admiralty between private parties with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States of America to the owner of said steam lighter *Cornelia* the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such unit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDRESS OF HON. JOHN LORD O'BRIAN.

Mr. CALDER. I ask unanimous consent that the address of Hon. John Lord O'Brian, special assistant to the Attorney General for war work, before the New York State Bar Association, be printed as a Senate document.

The VICE PRESIDENT. Is there objection? The Chair hears none.

LEAGUE OF NATIONS.

Mr. PITTMAN. Mr. President, I send to the desk and ask to have read a telegram from the Pacific Coast Congress for a league of nations.

There being no objection, the telegram was read, as follows:

SAN FRANCISCO, CAL., *February 20, 1919.*

Hon. KEY PITTMAN,
United States Senate, Washington, D. C.:

Pacific Coast Congress for a League of Nations has just concluded two days' session here with over 5,000 registered delegates from all parts of Nevada, Arizona, and California, with over 40,000 total attendance, taxing capacity of Municipal Auditorium, with greatest interest and enthusiasm manifested. Session to-day unanimously adopted following, which, under instructions of congress, we, the Nevada members of resolutions committee take pleasure in transmitting to you:

"The Pacific Coast Congress of the League to Enforce Peace, assembled at San Francisco on February 19 and 20, adopted the following statement of principles: The peace delegates at Paris have drawn up a covenant for a league of nations, and ere long the people of these nations will be asked to ratify their work, and by so doing usher in a new era of liberty and justice not only in their own countries but throughout the world. Now that the mad scheme of pan-Germanism has been frustrated, adequate provisions must be made to prevent the development of any similar efforts in the future. Long custodians of democracy, we, the people of the United States, must join all other like-thinking peoples to guarantee to mankind as far as possible security from the curse of war. The need of a league of nations can no longer be doubted. No peace can be permanent unless the victors in this war unite to make plain that their aim was not conquest but to uphold the reign of justice among nations in the place of war as the means of settling international disputes. We may differ politically, but we must not hesitate to declare our hearty approval of the work of the Paris conference and to urge the entire American people to stand behind the conclusions of the conference."

Additional resolution adopted by women delegates pledged all help within their power to forward league of nations program.

EMMET D. BOYLE,
Honorary Chairman.
HUGH H. BROWN,
FRANK NORCROSS,
C. H. CHANDLER.

Mr. PITTMAN. Mr. President, on Lincoln's birthday there was held in the city of Washington a large meeting of women, at what was known as a victory dinner. I consider their attitude in this matter of great importance, and I ask to have the short resolution adopted on that occasion read.

Mr. BRANDEGEE. Mr. President, to what subject does the resolution relate?

Mr. PITTMAN. To the league of nations.

Mr. BRANDEGEE. Mr. President, I simply wish to say that it looks as though the country is about to be plunged into a discussion of this question which will cover the entire Nation and last for some time; and I desire to observe here that, if all the resolutions and proceedings of conventions and meetings which will be held upon both sides of this question are to be incorporated in the CONGRESSIONAL RECORD, it will not only bankrupt the Government, but it will be utterly inappropriate to the proceedings of Congress. I am not going to object to the request of the Senator from Nevada this morning——

Mr. PITTMAN. I will state to the Senator——

Mr. BRANDEGEE. If the Senator will pardon me until I finish my sentence—I desired to say this even if the Senator had not made his request. We must adopt some consistent course upon this question. The RECORD is not going to be flooded or inundated by the proceedings of all sorts of bodies upon this question solely upon one side of the question. If it is desirable that every Senator may dump into the RECORD everything that he wants to upon either side of this question, very well; but my judgment is that this method of procedure had better be stopped. The country will be sufficiently informed by the press and by the resolutions adopted in the different localities without looking to the CONGRESSIONAL RECORD upon this question; but, if this is to be done, let us be fair about it, and let us have unanimous consent that any Senator may put in the RECORD anything he wants, in which case nobody will read any of it, and no good and no harm will be done, except to bankrupt the Treasury.

Mr. PITTMAN. Mr. President, personally I have no intention of offering miscellaneous telegrams, either for or against the league of nations proposal. However, in the case of certain bodies of sufficient size and importance, I feel justified in presenting resolutions adopted by them to the Senate when they come in. That is as far as I propose to go in the matter; and I will present them on one side of this question the same as on the other side of this question. This effort on my part is not for the purpose of creating sentiment one way or the other; but it is made out of respect to what I consider a very large portion of the citizens of this country assembled for a particular purpose.

Mr. BRANDEGEE. I understand that, Mr. President, but the mere desire to tickle the sensations of people back home is not a sufficient reason, in my opinion, for making the Government pay the expense of that delectable process. We all are perfectly familiar with the abuse that has resulted from this—shall I say "custom"; I think so—and, although the rule of the Senate prohibits it, the kindly feeling of Senators toward each other is such that a single Senator dislikes to object, and even when he does object in accordance with the rule of the Senate, the Senate by a vote immediately allows anything to go into the RECORD. I think we have nearly come to a parting of the ways.

While I have the floor I wish to make this one observation and then I am done: The right of petition is guaranteed by the Constitution of the United States, but the right of petition does not imply any right whatever to have the views of the petitioners printed in the CONGRESSIONAL RECORD at the public expense. I think the right of petition has been preserved, and should be preserved, but I think the claim that anybody to any extent under that privilege has a right to write anything he has a mind to, abusive or not, and attach all the signatures to it that he has a mind to, and then demand as a corollary of the right of petition that it shall be printed at the expense of the Government and inflicted upon an unsuspecting public, who are looking for something else in the RECORD, as the proceedings of Congress, has been carried beyond all legitimate bounds, and I protest against it.

The VICE PRESIDENT. Does the Senator from Nevada ask for the reading of the resolution?

Mr. PITTMAN. I have asked unanimous consent that it be read.

The VICE PRESIDENT. Is there any objection?

Mr. BORAH. Mr. President, may I ask the Senator from Nevada from what body the resolution comes?

Mr. PITTMAN. It was adopted at a large assemblage of women at what is known as a "victory dinner" held in Washinngton on Lincoln's Birthday. There were about 700 present.

Mr. POINDEXTER. Mr. President, I think very likely the assemblage or society which passed this resolution may have been laboring under a mistake as to certain facts in the case, due to statements which have been made by very prominent men which, I think, entirely misstate the conditions.

I notice the statement by Secretary Daniels, for whom I have very high regard, and I know that he made the statement under a misapprehension, but it might have had a great effect in bringing about the adoption of this resolution—that the country was confronting the alternative of adopting this league of nations or of continuing expensive and extensive armaments. Of course, that is not the fact. The country can very well agree with other countries of the world upon disarmament by treaty without entering into a league of nations. That is a matter that is perfectly obvious to anybody. I only mention the fact as being one of the very probable causes of the adoption of the resolution which the Senator is introducing.

The VICE PRESIDENT. Is there objection to the reading of the resolution?

Mr. PITTMAN. There were about 700 women there, the most prominent women in the United States, and I think it is safe to assume that they knew what they were talking about.

The VICE PRESIDENT. Is there any objection to the reading of it? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

Resolutions adopted at the American women's victory dinner and conference, Washington, D. C., February 12 and 13, 1919.

As citizens of the American democracy we are assembled in conference in the city of Washington to pledge our allegiance to the great hope of the future, a democratic league of free nations. We indorse the principle that such a league is fundamental to the peace negotiations, and we affirm our earnest belief in the liberal and forward-looking program supported by the American delegates to the peace conference.

As the services of women, together with those of men, were essential to the winning of the war, so equally is it essential that the services of both men and women be utilized in achieving the more difficult tasks of world organization and reconstruction. We therefore believe that on international commissions to be created in connection with the league of nations the principle shall be recognized that women should have places with men in the determination of world problems of common concern; and we urge that as quickly as possible, to deal with the pressing problems of the present moment, women be given at least the status of advisers on matters affecting women and children. The new world order can be created only by drawing upon all the resources of mankind in experience, ability, and wisdom.

Under the pressure of a great necessity we have been learning how properly to subordinate national ambitions and political and private interests. Such unified effort the war revealed as necessary in order to meet the elemental human needs of mankind, such as food, health, education, proper standards of life and labor. We believe that this effort should be continued with renewed and increased cooperation and mutual helpfulness by the free peoples of the world organized in the league of nations.

Be it further resolved, That these resolutions, adopted by 700 women coming from all parts of the United States, be sent to the American delegates at the peace conference and to the Senate of the United States.

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief extract from the book entitled "Suggestions for League Speakers," published by the League to Enforce Peace. It suggests that speakers prevail upon public meetings to adopt resolutions indorsing the league of nations, and it suggests a form of resolution which it will be suitable to adopt. It makes the very wise suggestion that the resolutions should be diversified, so as to appear more spontaneous and avoid the appearance of hand-me-down convictions or ready-made resolutions. This variety will inject a little spice into a controversy which does not threaten to be insipid. I think the suggestion is a good one, and I ask to have it printed in the RECORD as a sort of starting post.

Mr. ASHURST. I call for the regular order. There is some morning business we would like to finish.

Mr. BORAH. Mr. President, the Senator from Arizona does not want to shut off the request of the Senator from Oklahoma, does he?

Mr. ASHURST. I want to shut off all the talk I can until after the morning hour is over.

Mr. BORAH. The Senator ought to have begun a few moments ago.

Mr. ASHURST. Then I beg pardon.

Mr. BORAH. This is a very vital matter, lest some of these resolutions be wrongly phrased.

Mr. ASHURST. I thought I was within my rights. I beg pardon if I am not within my rights under the rules. I call for the regular order, in the hope that I may shut off all the talk possible, relevant or otherwise.

The VICE PRESIDENT. The introduction of bills and joint resolutions is in order. The request of the Senator from Oklahoma is granted.

The matter referred to is as follows:

A SUGGESTED GENERAL FORM FOR RESOLUTION.

It is very evident that a variety of resolutions indorsing the league of nations, when received from different sources, would have greater effect and receive better attention than one form of resolution submitted by a number of different organizations. Therefore, while the form herein suggested may be followed, the language should be your own and express the particular interest of the group (whether business, labor, agriculture, religious, or educational) adopting the resolution.

Resolutions.

(Name of adopting body.)

(Address.)

Whereas the war, now brought to a victorious close by the associated power of the free nations of the world, was, above all else, a war to end war and protect human rights: Therefore be it

Resolved, That we advocate the establishment of a league of nations. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world: Be it

Further resolved, That we favor the entrance of the United States into such a league as may be adequate to safeguard the peace that has been won by the joint forces of the allied nations: Be it

Further resolved, That copies of this resolution be sent to the President of the United States, the Senators representing the State of ——— at Washington, and to the Hon. William H. Taft, president of the League to Enforce Peace, 130 West Forty-second Street, New York.

———

(Name of body adopting.)

By ——— ———,

(Official position.)

Date ———.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARDING:

A bill (S. 5663) to authorize the appointment of an American battle field commission; to the Committee on Military Affairs.

By Mr. KNOX:

A bill (S. 5664) for the purchase of a site for and the erection of a post-office building at Pittsburgh, Pa.; to the Committee on Public Buildings and Grounds.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. KIRBY submitted an amendment providing that the allotment to the States of any fund under the control of the Interdepartmental Social Hygiene Board not otherwise allotted may respectively be expended by the States and the board for the acquisition, by purchase, condemnation, or otherwise, of lands for sites; for the construction, enlargement, and improvement, etc., of buildings, hospitals, quarantine stations, industrial farms and schools, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. POINDEXTER submitted an amendment proposing to appropriate $486,000 for a site for a national archives building, Washington, D. C., etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

MORGAN MUNITION PLANT EXPLOSION.

Mr. MYERS. Mr. President, the report which has been made from the Military Affairs Committee by the Senator from New Jersey [Mr. FRELINGHUYSEN], which the Senate refused to have read, is a report of the Military Affairs Committee on the investigation of the explosion of a Govemnment munition plant in New Jersey. I ask that it be printed in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. JONES of Washington. I wish to ask if this report has heretofore been ordered printed in the RECORD?

The VICE PRESIDENT. No; it will be printed in the RECORD if there is no objection.

Mr. JONES of Washington. I wanted to object to the request to have it printed in the RECORD.

The VICE PRESIDENT. The Senator desires to object to it?

Mr. JONES of Washington. Yes, sir. I have no objection to its being read.

Mr. MYERS. Does the Senator object?

Mr. ASHURST. I again call for the regular order. When objection is made, that ends it. I call for the regular order.

The VICE PRESIDENT. Concurrent and other resolutions are in order.

DISPOSAL OF GERMAN FLEET.

Mr. GORE. I submit a resolution, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 470) was read, as follows:

Resolved, That it is the sense of the Senate (a) that the surrendered portion of the German fleet should not be sunk or destroyed unless and until an agreement has been entered into for the limitation or reductions of existing naval establishments; (b) unless such agreement is entered into the destruction of the German fleet would serve principally the interests of manufacturers of steel, ordnance, etc.; (c) the German naval crafts should be apportioned to Great Britain, France, Italy, and the United States on the basis of existing ratios among their existing naval armaments or should be sold to smaller countries such as the South American republics and the proceeds used in the work of reconstruction and rehabilitation.

Mr. ROBINSON. I object to the present consideration of the resolution.

The VICE PRESIDENT. The resolution will lie over under the rule and be printed.

THE COMMITTEE ON THE JUDICIARY.

Mr. OVERMAN. I offer a resolution and ask to have it referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. Does the Senator ask to have it read?

Mr. OVERMAN. No; just let it be referred to the committee.

The resolution (S. Res. 469) was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on the Judiciary conducting, by subcommittee, under resolutions of the Senate Nos. 307 and 436, investigations of German propaganda and Bolshevik propaganda, be, and they are hereby, authorized and directed to continue said investigations until the expiration of one calendar week from the commencement of the first session of the Sixty-sixth Congress; to sit, in Washington or elsewhere, during the period between the end of the Sixty-fifth

Congress and the beginning of the Sixty-sixth Congress and thereafter during the sessions or recesses of the Senate, and to report in the first session of the Sixty-sixth Congress; and the authority for the incurring and payment of the expenses of said investigations, whether incurred in Washington or elsewhere, is hereby extended for the same length of time.

RESTITUTION BY GERMANY TO FRANCE.

Mr. SHERMAN. I offer a resolution, and ask to have it read.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 471) was read, as follows:

Whereas nearly four months have elapsed since the armistice for a suspension of military operation was signed through which Germany escaped the hardships of war on her own soil; and

Whereas before that time Germany had devastated the portion of France she had occupied, destroying machinery, factories, fields, vineyards, private dwellings, and private property of all kinds, and had by an act of international larceny stolen and carried away private property of immense value, which is still in German hands and in process of absorption and concealment, until it will be difficult either to make restitution or identify it, so that Germany, while defeated, still retains all the substantial results of victory, leaving France exhausted, her territory despoiled, the homes of her people in ruins, while across the boundary line in Germany the fields and industrial life are uninjured and the homes of her people untouched; and

Whereas France stood in the pathway of the central powers in their attempts at the beginning of the war to gain world dominion and stayed Germany's progress until the governments that later fought with her prepared themselves for war: Now, therefore, be it

Resolved, That the Senate will ratify no treaty nor constitution of a league of nations until Germany shall have returned to the French Government or its people all the civilian property stolen and taken from French territory, complete restitution be made for all such property or a payment made if it can not be returned, that the devastated territory in both France and Belgium and all property destroyed, including the homes, fields, factories, vineyards, orchards, and all other private property injured or destroyed be compensated for by Germany, and that full reparation be made by Germany for the destruction wrought in both France and Belgium as an indispensable condition, among others, of peace, and that the frontiers of France shall be adequately safeguarded against future invasion by Germany or any of her allies.

Mr. SHERMAN. I ask that the resolution may go over under the rule.

The VICE PRESIDENT. That order will be made.

ALIEN PROPERTY CUSTODIAN.

Mr. FRELINGHUYSEN submitted the following resolution (S. Res. 472), which was read and referred to the Committee on Commerce:

Whereas acting under and by authority of an act of Congress approved October 6, 1917, and certain supplements thereto, and under commission from the President of the United States, A. Mitchell Palmer has been performing the functions of the office of Alien Property Custodian; and

Whereas in the exercise of such authority said Alien Property Custodian has employed large powers in taking over valuable property, both real and personal, belonging or alleged to belong to aliens or allies of aliens, and in some cases has disposed of the same by sale or otherwise; and

Whereas in the exercise of the powers of his office said Alien Property Custodian has collected vast sums of money, aggregating hundreds of millions of dollars; and

Whereas said Alien Property Custodian has made no detailed report of his stewardship, all of his transactions having been apparently conducted with complete secrecy, so far as this Senate is aware: Therefore be it

Resolved, That the Committee on Commerce be instructed to make inquiry into the manner in which A. Mitchell Palmer, the Alien Property Custodian, has exercised the powers of his office, with a view to determining what properties, real and personal, he has assumed control of; what moneys he has collected, and what disposition he has made of the same; what property he still holds and what property he has sold, and the manner in which said sale took place; what official and clerical forces have been employed by him, and the duties of each, and the rate of compensation paid, and any and all other matters relating to the functions of his office which may be deemed pertinent to the purpose of this inquiry.

Resolved further, That the Committee on Commerce is authorized and directed to subpœna witnesses and compel their attendance, to send for persons and papers, and do such further acts as may be necessary to secure any and all information desired in the furtherance of said inquiry; and that a report of the finding of the Committee on Commerce shall, upon its conclusion, be made to the Senate.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the following acts and joint resolutions:

S. 390. An act to establish the Grand Canyon National Park in the State of Arizona;

S. 4957. An act to establish the Lafayette National Park in the State of Maine;

S. 5038. An act extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and for other purposes;

S. J. Res. 195. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress; and

S. J. Res. 214. Joint resolution authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

PORT OF ENTRY—BAR HARBOR, ME. (H. DOC. NO. 1831).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on Commerce, and ordered to be printed:

To the Senate and House of Representatives:

The sundry civil act approved August 1, 1914, contains the following provision, viz:

"The President is authorized from time to time, as the exigencies of the service may require, to rearrange, by consolidation or otherwise, the several customs collection districts, and to discontinue ports of entry by abolishing the same or establishing others in their stead: *Provided*, That the whole number of customs collection districts, ports of entry, or either of them, shall at no time be made to exceed those now established and authorized except as the same may hereafter be provided by law: *Provided further*, That hereafter the collector of customs of each customs collection district shall be officially designated by the number of the district for which he is appointed and not by the name of the port where the headquarters are situated, and the President is authorized from time to time to change the location of the headquarters in any customs collection district as the needs of the service may require: *And provided further*, That the President shall, at the beginning of each regular session, submit to Congress a statement of all acts, if any, done hereunder and the reasons therefor."

Pursuant to the requirement of the third proviso to said provision, I have to state that by Executive order dated June 1, 1918, effective June 15, 1918, Bar Harbor, Me., was made a port of entry in customs collection district No. 1, of which Portland is the headquarters port.

This action was taken because the volume of business arising at Bar Harbor warranted the designation of said place as a port of entry.

WOODROW WILSON.

THE WHITE HOUSE, *26 February, 1919.*

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. FLETCHER. I present the conference report on the river and harbor bill, and suggest its immediate consideration.

The VICE PRESIDENT. The Senator from Florida asks unanimous consent for the present consideration of the conference report. Is there any objection?

Mr. WEEKS. I ask that the report may be read, so that we may act on the matter intelligently.

The Secretary proceeded to read the conference report, and read as follows:

"The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

"That the Senate recede from its amendments numbered 41, 134, 136, and 144.

"That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 70, 71, 72, 73, 74, 75, 76, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 135, 138, 140, 141, 142, and 143, and agree to the same.

"Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"'It is hereby declared to be the policy of the Congress that water terminals are essential at all cities and towns located upon harbors or navigable waterways and that at least one public terminal should exist, constructed, owned, and regulated by the municipality or other public agency of the State and open to the use of all on equal terms, and with the view of carrying out this policy to the fullest possible extent the Secretary of War is hereby vested with the discretion to withhold, unless the public

interests would seriously suffer by delay, moneys appropriated in this act for new projects adopted herein, or for the further improvement of existing projects, if, in his opinion, no water terminals exist adequate for the traffic and open to all on equal terms, or unless satisfactory assurances are received that local or other interests will provide such adequate terminal or terminals. The Secretary of War, through the Chief of Engineers, shall give full publicity, as far as may be practicable, to this provision.'"

Mr. SMOOT. Mr. President, if I may interrupt the reading, I should like to ask the Senator having the bill in charge if that is not entirely new matter?

Mr. FLETCHER. No; I will say to the Senator that it is substantially the Senator's own amendment to the bill to which the Senate agreed. It is substantially your amendment modified to some extent, and only inserted at a different place.

Mr. SMOOT. What I wanted to know was not that it is my amendment, but that it is qualified in a way that the terminals, and so forth, could be granted or not as finally decided by the Secretary of War.

Mr. FLETCHER. It leaves the discretion in the Secretary of War, but the policy is declared by Congress in accordance with the amendment offered by the Senator from Utah. All the work is to be held up until that policy is absolutely put into effect, and the policy is declared in accordance with that amendment. The Secretary of War is given discretion to acquire the terminals, dependent upon circumstances whether it shall go into effect before any improvement takes place according to the provisions of the bill and of the law.

Mr. SMOOT. Of course, I do not ask this question with any view of making a point of order on it, even though it were new matter.

Mr. FLETCHER. I understand.

Mr. SMOOT. I thought the amendment I offered to the bill was so fair and so just that it should not be modified.

Mr. FLETCHER. I agreed with the Senator, and if he will read it carefully he will find that it is substantially the amendment he offered, declaring it to be policy of Congress, just as the Senator desired in his amendment.

Mr. SMOOT. The Secretary can proceed with the reading, and I will take a little more pains in looking at it.

Mr. JONES of Washington. I wish to make a suggestion to the Senator from Utah. I recollect in the provision requiring fully the furnishing of terminals, and so forth, the engineering department thought that it should not be made so arbitrary as that, as there is a good deal of very desirable work that might be affected, especially as to the continuance of projects under way. I think I can say that the members of the House committee, as well as the Senate committee, are heartily in favor of the principle embodied in the amendment of the Senator from Utah, but we felt from the statements made by the Chief of Engineers that probably it would be unwise to go quite so far at this time. So we framed this amendment to give discretion to the War Department and also to indicate that we wanted them to go just as far as they possibly could toward requiring terminals to be furnished along these different projects.

Mr. SMOOT. I will ask the Senator from Florida if this discretion granted to the Secretary of War only applies to projects that are under way, or does it apply to all future projects?

Mr. FLETCHER. It applies to all future projects or for the further improvement of existing projects. It is intended to be the policy applied to all future work.

Mr. JONES of Washington. If the Senator will let me make a suggestion, the Secretary of War pointed out that there were two or more projects where it would be very detrimental to the public interest if they were in the beginning of it prevented by this requirement, because of the fact that local interests were not so much affected by it as the general interest. So we put in some clauses here to indicate to the Secretary of War that we do not want him to take up the new projects if the terminals are not furnished, unless the delay would be an injury to the public interest.

Mr. SMOOT. The amendment as amended reads in this way:

It is hereby declared to be the policy of the Congress that water terminals are essential at all cities and towns located upon harbors or navigable waterways and that at least one public terminal should exist, constructed, owned, and regulated by the municipality or other public agency of the State and open to the use of all on equal terms, and with the view of carrying out this policy to the fullest possible extent the Secretary of War is hereby vested with the discretion to withhold, unless the public interests would seriously suffer by delay, moneys appropriated in this act for new projects adopted herein, or for the further improvement of existing projects if, in his opinion, no water terminals exist adequate for the traffic and open to all on equal terms—

And so forth.

I see it does apply not only to future projects but also to all those that are under way at the present time. I want to express the opinion now——

Mr. CUMMINS. I wish to inquire if this report is before the Senate?

The PRESIDING OFFICER (Mr. ROBINSON in the chair). It is not. The question is, Shall the Senate proceed to the consideration of the report?

Mr. SMOOT. The Secretary was reading the report, and I thought it was up.

The PRESIDING OFFICER. The conference report is being read, but the Senator from Florida raised the question of the consideration of the report, and that is the pending question.

Mr. FLETCHER. I thought that was agreed to, and then the conference report was requested to be read.

The PRESIDING OFFICER. The Vice President informed me when I took the chair that it had not been agreed to and the question was, Shall the Senate proceed to the consideration of the report? The question is, Shall the Senate proceed to the consideration of the conference report? [Putting the question.] The ayes have it, and the Senate proceeds to the consideration of the report. The Senator from Iowa is recognized.

PROPOSED CONSTITUTION OF THE LEAGUE OF NATIONS.

Mr. CUMMINS. Mr. President, I may assume, I think, that the most of us have some fighting blood in our veins, but, notwithstanding the natural, the human inclination to the battle field, I hope that the discussion of the greatest, most fundamental, most vital question propounded to the American people since we first assumed a place among the nations of the earth will proceed upon that high level which excludes prejudice or passion. I hope that it may go forward without a challenge of the motives of those who may engage in it, so that eventually the people of the United States may render a decision upon the question which they must presently answer with all the intelligence which the twentieth century can command.

I listened with infinite pleasure to the lofty strains of patriotism as they were poured out by the Senator from Washington [Mr. POINDEXTER], the Senator from Idaho [Mr. BORAH], and the Senator from Missouri [Mr. REED], and every moment I thank God I am an American, and that I inherit in common with all my fellow countrymen the traditions, the wisdom, the example, the teaching of the age of Washington, of Jefferson, of Monroe, of Lincoln, and their illustrious associates.

I listened to the graceful periods, the eloquent periods, of the distinguished Senator from Illinois [Mr. LEWIS], who, as I observed not long ago, is the interpreter, and properly so, of both the sayings and the silences of the White House. I desire to say to him—and I mark with pleasure that he is before me—that if it were within human power to convince me that it is better to be a citizen of the league of nations than a citizen of the United States he would have accomplished it.

Mr. President, in a purely preliminary way and as a prelude to the analysis which I shall presently attempt of the proposed constitution of the league of nations, I beg to call to the attention of the Senate and the country certain parts of the speech delivered by the President in Boston, for, in my judgment, he unfolds, with his usual felicity, not only that which is open to our eyes but that which has hitherto been uncertain and vague. I do this without a single suggestion of criticism. I do it because he has enabled me to understand what is really intended in the proposed constitution better than I have ever understood it before.

Speaking of the acclaim with which the people of Europe have met the American representatives, he says:

And in the midst of it all every interest seeks out first of all, when it reaches Paris, the representatives of the United States. Why? Because—and I think I am stating the most wonderful fact in history—because there is no nation in Europe that suspects the motives of the United States.

Was there ever so wonderful a thing seen before? Was there ever so moving a thing? Was there ever any fact that so bound the Nation that had won that esteem forever to deserve it?

I would not have you understand that the great men who represent the other nations there in conference are disesteemed by those who know them. Quite the contrary. But you understand that the nations of Europe have again and again clashed with one another in competitive interest. It is impossible for men to forget those sharp issues that were drawn between them in times past. It is impossible for men to believe that all ambitions have all of a sudden been foregone. They remember territory that was coveted; they remember rights that it was attempted to extort; they remember political ambitions which it was attempted to realize. And, while they believe that men have come into a different temper, they can not forget these things, and so they do not resort to one another for a dispassionate view of the matters in controversy. They resort to that Nation which has won the enviable distinction of being regarded as the friend of mankind.

Again, he says:

We set up a great ideal of liberty, and then we said, "Liberty is a thing that you must win for yourself; do not call upon us." And think of the world that we would leave. Do you realize how many new nations are going to be set up in the presence of old and powerful nations in Europe and left there, if left by us, without a disinterested friend?

Mr. President, this unveils the picture. No one can congratulate the President of the United States more heartily than I do with respect to his unparalleled reception in Europe. No one can recognize more thoroughly than I do the mighty influence he has exercised upon the deliberations of the conference assembled in Paris.

It is, however, as plain as noonday that it is his conception of a league of nations that the United States, being the only friend, or disinterested friend, which these new nations of eastern and southern Europe possess, it has become our duty to maintain and protect them against the avarice, the greed, the power, of their fellow nations in Europe. He so declares with the utmost precision.

Here we have the real question which must be determined eventually by the American people. Shall the United States not only attempt to create these nations which are growing out of the most destructive war in which mankind ever engaged, but is it our policy and shall we assume as our obligation that as against the ambitions, against the power of their sister nations in Europe we must guard and protect them?

Mr. President, this constitution is not a constitution for permanent peace. It is a constitution for the guardianship on the part of the United States of the weaker nations of Europe. It is not a league for the prevention of war. It is a league for invitation to war, although I do not assert and I do not believe that those who are responsible for the terms in which it is framed have aught but the highest desire to promote the welfare of humanity.

The President of the United States believes that this compact should be made because he is sincerely of the opinion that the United States can and will control the league of nations and may use it for the government of the earth in the welfare of the people of the earth.

Lloyd George is in favor of this form of compact because he believes that Great Britain can control the league which it is proposed now to create. I doubt not that his sincerity is as deep and pervading as that of the President of the United States, but both of them have no other conception, as is here clearly betrayed, of the province of a league of nations than as an instrument to govern the world in all its vital respects.

But a discordant note has come floating over the sea. At the very time I was occupied in reading the address of the President at Boston my attention was directed to an article by Frank H. Simonds, which was published in the Washington Star of last night. Mr. Simonds has been one of the great correspondents and writers upon the war. If there has been a man in all of the list of contributors to the literature of the war who has analyzed its meaning and who has described its progress accurately that man is Mr. Simonds. He views the matter from a friendly standpoint, for he has been as stout an advocate of the policies of America as represented in the declarations of the President of the United States as any man either at home or abroad. Mark his perception of the situation and mark his description of it. I read very briefly from this article:

I have tried many times in these dispatches to point out the peculiar situation of France with the resulting condition of mind and of spirit. It is an unfortunate fact, but it is a fact, that as a consequence of the course pursued by Mr. Wilson in Paris the peace conference has come more and more, both in the minds of the French people and of Americans about the peace commission, to be a battle between Wilson and Clemenceau, in which Mr. Wilson has been championing abstract principles of justice and M. Clemenceau advocating measures which represent questions of life and death to France.

France came to the peace conference at the end of four and a half years of war, fought mainly upon her soil, with a population diminished by 3,000,000 as a consequence, with half a dozen Provinces in ruins and a score of cities wrecked, to ask two things: Reparation for material injuries and guaranties against future attacks.

* * * * * * *

Mr. Wilson came to Paris resolved that there should be a league of nations. Encountering at Paris this unanimous French motion, finding French interest and French attention fixed upon the salvation of France rather than upon the formulation of the principles of a league of nations, Mr. Wilson and those associated with him were not successful in concealing their disappointment or their disapproval of what seemed to them a particularistic national policy. When France as a whole asked Mr. Wilson to go and see her devastated regions that he might understand her heart, he returned a cold and unequivocal negative. I do not think that any single act of any man ever carried with it profounder disappointment than Mr. Wilson's refusal to go to the northern regions and see what the boche had done.

And we have had, week after week, a slow but sure change in French emotion with respect to the President. He was hailed by the little people of France as a savior. He was hailed as a man who came from another world to deliver France and other peoples of the world from the shadow of tragedy which had been, and little by little his course here had the effect at least of creating the impression that he cared nothing for the life or death of France, that he was not concerned with those things which the tragic years of war had burned into the soul of every French man and woman.

I do not think it is possible accurately to represent how profound was the disappointment of France at this course of the American President. A sense first of desertion and then of utter isolation crept into the French heart as more and more the American attitude toward France passed from mere coldness with respect of French necessities to open criticism and hardly concealed suspicion. I do not think one would exaggerate by saying that three months ago France believed the war won, and to-day, as a result of what has occurred here in the peace conference, there is something amounting to real terror lest the war shall be lost after all and France left alone again across the pathway of a Germany increased in power and population by the last war.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Connecticut?

Mr. CUMMINS. I yield.

Mr. BRANDEGEE. Will the Senator give the date of the newspaper which contains the article he has just read?

Mr. CUMMINS. I saw the article in a paper published last night. The Senator from Pennsylvania [Mr. PENROSE] calls my attention to the fact that it was published on Sunday. This article is dated Paris, February 20, of the present year.

Mr. BRANDEGEE. Mr. President, if it would not interrupt the Senator, I should like to state that there was in the Washington Sunday Star, of February 23, 1919, an article entitled "Prestige of the President in Europe now at low ebb, Simonds asserts," written by Frank H. Simonds. That is dated from Paris, February 21, 1919. It is a more extended article even than the one which the Senator from Iowa has read.

Mr. CUMMINS. Mr. President, I do not read this article for the purpose of furnishing ground for criticism against the President. I read it simply to show the points of view as they are now understood in France; to show that what France wants is protection against Germany. France is not so keenly interested nor could she be so keenly interested in the establishment of the nations of the earth in their various borders and their maintenance by the United States or by Great Britain as she is in erecting a bulwark between her and her enemy Germany. I read this article because it seems to me it teaches us that, first and foremost, we ought to agree upon the terms of peace which we shall impose upon this enemy of mankind, and thus protect not only France but the whole world against her aggressions in the future.

Mr. President, if I felt free to follow my inclination I would defer my observations upon the proposed constitution for a league of nations until the Committee on Foreign Relations holds its conference with the President and until we hear, as undoubtedly we will hear, from the distinguished Senators composing that committee. Unhappily, however, I do not feel free to postpone this comment, and for this reason: The Congress now in session expires on March 4. We are informed that immediately thereafter the President will return to Europe to conclude the labors he has undertaken. Before the constitution of the league is finally adopted by the peace conference the President ought to know the views of every Senator with respect to its terms. It would be most unfortunate if the nations represented at the conference were to conclude a treaty upon this subject and return to their respective countries only to find that their work had been disapproved by the Senate of the United States, leaving an instrument of such vital importance to the world without force or effect. I believe it is not only the privilege but the duty of every Senator to exercise his constitutional prerogative and to advise the President before he returns to France of his opinion upon a matter which so deeply concerns not alone the people of this country but of all countries that have organized themselves into governments. As I look at it, it is of far greater importance that we discharge this duty at this time than it is to consider appropriation bills or legislation of any character. Inasmuch as we may well yield to the members of the Foreign Relations Committee after the conference to which I have referred takes place, some of us must speak now or not at all.

Mr. President, no greater mistake could be made than to assume that there may not be an effective compact among nations, the sole purpose of which is to prevent, so far as humanly possible, future wars, without surrendering a single necessary attribute of our own sovereignty. I can not concur in the argument which seems to lead to the conclusion that any form of internationalism is an unwise invasion of nationalism. I can not agree that the highest ideals of Americanism preclude cooperation among nations looking toward the abolition of war. From the very beginning of our national life; indeed, from a time antedating the triumphant close of the Revolution by five years, or more, we have been making treaties of peace and amity with the various powers of the world, and we have now a long and honorable

series of agreements for the settlement of international disputes. The United States was a party to The Hague convention and it joined in establishing The Hague tribunal. In 1909 this country participated in the London conference and approved its work, a conference that was called and held for the purpose of civilizing, clarifying, and simplifying the law of nations.

I am saying these things not because anyone has specifically denied them but because it is helpful just now to remember that there is an internationalism which is not only in harmony with the most exalted spirit of nationalism but which supplements and strengthens that national power which every self-respecting government must exercise for itself. It must be clear to every thoughtful person that there must be in a world like ours, where an increasing intimacy among nations has been brought about by the genius of invention, the imperative demands of commerce, the drifting tides of population, and with the constantly growing opportunities of conflict and controversy, a developing internationalism that will meet successfully conditions as they change from year to year. It is not my purpose to enlarge upon this thought or to expand my observations by a more specific recital of the history of mankind, and I mention it simply that you may have it in mind as I turn my attention to the immediate subject which is now uppermost in all discussion throughout the civilized world.

It is my belief that the close of the unparalleled conflict in which we have been engaged presents the most favorable opportunity that we ever have had or that is likely to occur in years and years to come to do something that will be a distinct advance toward preventing war in the future. I do not believe that treaties with this object in view should precede the settlement of the terms of peace which are to be imposed upon Germany.

I have just read the heart-breaking emotions of France, awakened simply because the theory of a league of nations to enforce peace precedes the settlement of the terms of peace with Germany and leaves France hopeless in her fear of future encroachments. It is my opinion that we should first dispose of Germany, and that immediately thereafter the peace conference now assembled in Paris should make a determined effort for peace among all nations and for all time to come.

With respect to the proposed constitution of the league, to which President Wilson has explicitly given his approval and which undoubtedly commands the assent of the remaining American commissioners, I have this to say before I enter upon any analysis of its somewhat confused and complicated terms. From my standpoint, there is some good in it, and I sincerely hope that at some stage of the proceedings of the Senate I may have an opportunity to express in a definite way my approval not only of the purpose in view but of these parts themselves. There is more that is bad in it, and it is my prayer that these parts may be stricken from it. In order that there may be no doubt about my position, I desire to say to the Senate—and I am saying it to the country as well—that if I were compelled to vote upon the instrument as a whole as now proposed I would unhesitatingly vote against it, because there are articles and parts of articles in the proposed treaty which are not only far beyond our authority to make but which change the whole character of our Government and overturn the institutions upon which we have so long depended for the safety of our people and the perpetuity of our independence. There are provisions in it which not only degrade the spirit of our people but put it beyond the power of the Republic to "establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity," and so fulfill, as we ought to fulfill, the initial declaration of the Constitution of the United States.

It requires no close inquiry into the sentiment of the American people to be certain that there is a universal and passionate desire to do something, to enter into some compact to prevent war with all its deadly and destructive consequences. Nor can it be denied that at this juncture in the world's affairs they believe that something can be done to facilitate a peaceful settlement of international controversies which hitherto have led to the battle field. It is this overwhelming conviction which finds expression in the tumultuous applause which thrills every audience as it listens to the glowing appeals for a league of nations.

I for one share the feeling with all the intensity of a lover of humanity and a profound believer in the progress of the world. I can not believe, however, that very many of these people will insist that the overthrow of American institutions is necessary in order to accomplish the beneficent purpose they have in mind and to attain the end they so fervently desire. I do not intend to dwell upon those articles which, as I look at the subject, tend in the right direction. I will be better understood if I trace the outlines of the compact which I think ought to emerge from the struggle just closed.

First. We ought to agree, and all other nations ought to agree, that justiciable disputes—and by justiciable disputes I mean those issues which can be determined by the application of recognized law to established facts—should be settled either by arbitration or adjudication; and we ought to agree, and all other nations ought to agree, without equivocation or reserve, that we and they will abide by and perform the award or judgment.

Second. We ought to agree, and all other nations ought to agree, that with respect to nonarbitrable disputes—those which relate to the welfare of the country itself, those which are necessary to its existence, those principles and those policies which must be maintained if the Government itself is to exist—war shall not be made until some permanent, regular international body, in which every member of the league is represented, shall have had a fair opportunity to discuss and consider it—a body that would combine the enlightened conscience of the world. I am willing, so far as the United States is concerned and my lot and part in it, to agree that we will not make war against any nation until we have discussed the issue, whether it is arbitrable or nonarbitrable, in the face and in the hearing of the whole of civilized humanity. Upon such questions, however, there should be no award, no judgment, and the sanction should be confined to the moral influences which time, thought, and free discussion will awaken.

Mr. REED rose.

Mr. CUMMINS. Does the Senator from Missouri wish to ask me a question?

Mr. REED. Mr. President, I should like to do so if it will not interrupt the Senator. I do not want to interrupt him.

Mr. CUMMINS. I should prefer to go on. I shall be glad, however, to answer any questions that may occur to Senators after I have finished.

Mr. REED. I will defer the inquiry, then. Perhaps the Senator will answer it further on in his discourse without interruption.

Mr. CUMMINS. Third: If any nation should refuse to submit a proper controversy to judgment, or refuse to perform the judgment when rendered, or refuse to delay war until the combined powers have an opportunity to consider the subject in all its aspects, I am willing to agree that ostracism shall be the penalty inflicted upon the offending nation.

Mr. REED. Mr. President, I will now ask the Senator a question if he will permit me to do so.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I yield to the Senator from Missouri.

Mr. REED. If ostracism of the character mentioned in this constitution were to be adopted, how would that possibly fail to produce war?

Mr. CUMMINS. I am about to prove—at least to my own conscience—that the provisions in the constitution before us are an invitation to war and not measures to prevent war.

Fourth. It is my firm belief that the compact—and when I say "compact" I mean the instrument itself, the thing that we sign, the undertaking that we assume—should contain a program of disarmament. I am utterly unwilling to confide to any such body of men as is proposed for the executive council of the league of nations the power to decide for the United States, for Great Britain, or for any other country the program of disarmament. We should agree now to disarm; and, after all, in disarmament largely lies the hope—and, I think, the only hope—of permanent peace. The constitution proposed in Paris is most disappointing in this regard, for a careful study of its provisions gives us little right to believe that there will be any disarmament among the strong powers which are to give the compact life and vigor.

Who expects Great Britain to disarm under the proposed constitution? Who expects the United States to disarm? No one who surveys the subject with an intelligent and unprejudiced mind.

This is the international compact which I think the American people are waiting, hoping, and praying for, and the acclaim with which the Paris proposal has been received in some parts of the country and by some bodies of the country is due to the fact that they see in it the approach to the fulfillment of their dreams. I can not, and I will not, believe that Americans with red blood in their veins, with fervid longing for peace in their hearts, who have pride in the history of their country, and who love the institutions with which the honorable distinction of the United States throughout the world is inseparably connected, will endure, much less approve, those parts of the proposed constitution to which I am about to refer; parts which,

in my judgment—and I express this conclusion with the utmost solemnity and after the most mature reflection—not only neutralize all the benefits of a peaceful settlement of disputes between nations but which affirmatively destroy the national structure and which commit the United States to a course which must inevitably end in humiliation and disaster.

Article 10 of the proposed constitution is as follows:

> The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league. In case of any such aggression or in case of any threat or danger of such aggression the executive council shall advise upon the means by which the obligation shall be fulfilled.

There is nothing in this article, however, dependent upon the discretion of the executive council so far as our duty under it would be concerned. We agree absolutely, positively, unreservedly to preserve the territorial independence and the political independence of all the nations parties to the league, and for all time to come; for there is no provision in the proposed treaty that gives any nation the right to withdraw from it, and there is no provision by which any of its parts can be changed against the will of a single member of the executive council.

Mr. President, I do not assert that in the ordinary sense this article is unconstitutional. Within its sphere, our Government has all the attributes of sovereignty, and making treaties with other nations is one of these attributes; and, moreover, the right to make treaties is specifically recognized in the Constitution.

Alliances, offensive and defensive, have been common among the powers of the world, and while I do not recall a single instance of that character in our own history, I have no doubt of our constitutional authority to enter into a treaty of that kind. I have some doubt with regard to our power to enter into the treaty proposed in the Paris constitution, a doubt arising from the universality and duration of the obligation we are asked to assume; but I do not rest my objection to the article upon our lack of power to enter into the obligation.

I am opposed to it, because it is the most destructive, unjust, and reactionary proposal which was ever submitted to a patriotic and intelligent people. I predict that when the citizens of the United States thoroughly grasp the meaning of the proposed agreement and fairly understand its inevitable consequences, it will be rejected in a storm of obloquy the like of which has never been witnessed within the borders of the Republic.

Let us survey it for a moment and endeavor to gather its true import. It means that a few men assembled in Paris in the year 1919 are dividing the whole world into sovereignties, and are assigning the innumerable men and women who in all time to come are to inhabit the earth to these few sovereignties; sovereignties which the ambitions of the men of this a passing generation are pleased to call eternal. The man who, even in his thought, is willing to play with the fate of mankind in this fashion is indifferent to both the lessons of the past and the judgment of posterity. We are solemnly asked to guarantee that the boundaries of nations, as they now exist or as they will exist when the peace conference has redrawn the map of Europe, Asia, Africa, and Oceanica, shall remain without change forever.

Mr. HITCHCOCK. Mr. President, does not the Senator think that statement should be limited somewhat?

Mr. CUMMINS. I do not see any proper limitation for the statement.

Mr. HITCHCOCK. The guaranty only relates to those nations which are in this league, and it only guarantees them against outside aggression.

Mr. CUMMINS. Mr. President, I assume—I must assume—that it is intended that this constitution shall finally draw into the membership of the league all the nations of the world. I assume that that must be its purpose; for if we are to accept any other conclusion, and are to look upon it as simply an agreement between a few nations—four, five, six, or seven—to become masters of the whole earth, it is still more objectionable than from the standpoint I occupy.

The agreement is limited to the members of the league, and as I read the article, and I think everybody had that in mind, that so far as the distinction between external aggression and internal revolution there is no materiality in it, although I intend to treat that entirely from the external standpoint.

Mr. REED. I call the Senator's attention to the fact that six or seven nations constitute the league, and they alone can protect and guarantee the integrity of each other's domain. Even if the Senator from Nebraska [Mr. HITCHCOCK] is correct about that, the very next section provides that these six or seven nations, if they constitute a league, shall boss all the rest of the world, and that they have the right in case of war or any threat of war to proceed to take such action as they see fit; of course, if they are to take action in the case of any threat of war it would undoubtedly be exercised in order to prevent invasion. There are other sections of a similar character.

Mr. CUMMINS. It is utterly impossible to give any other interpretation than that the agreement which we are asked to make will bind us to use all the power, the strength, the force we have to preserve the territorial integrity and the political independence of every considerable country in the world.

The PRESIDING OFFICER (Mr. MARTIN of Kentucky in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

Mr. CUMMINS. The statesmen who are now gathered in Paris might, with equal propriety, have ventured to set bounds to the Heavenly Kingdom or prescribe the activities of the Prince of Darkness. How dare we attempt to determine what sovereignties the civilization of the next century will demand? How dare we attempt to give judgment upon the welfare of all the oncoming generations?

The proposal is to gridiron the earth with an inflexible territorial pattern. It would be just as reasonable that the constitution of the league of nations should declare that neither man nor woman should pass from one sovereignty to another as to declare that the boundaries of sovereignties should remain forever inviolate.

I can not help wondering whether those who have submitted this proposition to us have looked over the past and considered what the effect of an agreement of this character would have been, assuming its enforcement, if it had been adopted at other periods of the world's history. I will not concern myself with the ancient days, the days of Alexander, of Rome in her power, of Charlemagne in his triumphs. I am thinking of the days when Charles and Philip of Spain held the world in their grasp.

If anyone in the days that are left of this session shall have occasion to address himself to this subject, I ask him to tell the country and tell the Senate whether he believes that an agreement of this sort in the days of Charles and Philip of Spain would have helped the civilization of the world and would have accomplished justice among men?

I am thinking of the days when Napoleon swept over Europe and when a league of nations with the article which I have just read, enforced by France and England, would have choked liberty to death. I am asking those who stand for this extraordinary provision in the proposed constitution whether they believe that it would have been well for mankind if France and England in the days of Napoleonic power should have entered into an agreement of this character which would have divided the world and preserved inviolate the sovereignties which had been established. I am thinking of all the years of the seventeenth century under such an agreement, and we may test the validity, the wisdom of a compact of this sort by the evidences of history. I am thinking now of all the years of the seventeenth century when such an agreement between England, France, and Spain, confirmed by the remaining nations of Europe, respecting territorial integrity in the North American continent would have given Canada forever to France, would have partitioned the territory of the United States and Mexico among England, France, and Spain, and would for all time have precluded the Republic of the United States.

I would like some one to tell me whether he thinks it would have been well for the world if France, England, and Spain among them had entered into an agreement in those days to have preserved inviolate the territory which each claimed for its own in the Western Hemisphere?

There is no student of history, however dull of comprehension, who does not know that the discord, rivalry, and wars of these three great European powers made it possible for our beloved country to emerge from their struggles a free and independent Nation. I am thinking of the first half of the nineteenth century, when Texas, New Mexico, Arizona, and California became parts of the United States. It matters not whether the Texan war was justifiable or unjustifiable; it matters not whether our war with Mexico was defensible or indefensible; the decree of civilization demanded this territory for the Republic, and let the men and women who inhabit these fair and fruitful regions stand up and declare whether they are willing to bind their country to preserve the territorial integrity and political independence of every nation on earth as it shall exist when the peace conference at Paris concludes its labors.

Mr. HITCHCOCK. I call the Senator's attention that there again he mentions every nation on earth, whereas the guaranty only refers to members of the league, and the constitution of the league specifically makes ineligible certain nations of the earth.

Mr. CUMMINS. The Senator from Nebraska has no doubt that the war between the Texas Republic and Mexico was a matter of external aggression, I am sure. He has no doubt that the war between the United States and Mexico was a war of external aggression; and if this compact had been in force among the nations of the world the acquisition of territory, the pride of every citizen of the United States, would have been impossible. But it is not less so concerning the illustration I gave of France, England, and Spain. The Senator from Nebraska knows if there had been such an agreement preserving existing territorial limits and it had been observed by England, France, and Spain there could not have been, through any possibility, independence in North America. It required the war between Great Britain and France and between France and Spain to make it possible that America should come into her own; and if all the countries in the world had been banded together to insure the territorial integrity of the possessions of these three mighty powers, and the powers themselves had observed their agreement, this hemisphere would still be a possession of one of the European dynasties.

Mr. HITCHCOCK. I was not questioning the historical reference of the Senator. I was objecting to the statement that this league proposes to guarantee the independence and territorial integrity of all the countries on the earth. It does not propose to do that.

Mr. REED. Will the Senator from Iowa permit me the very great privilege of asking the Senator from Nebraska a question?

Mr. CUMMINS. With pleasure.

Mr. REED. I am directing my interrogatory to the Senator from Nebraska. The position of the Senator from Nebraska is that only the territorial integrity of those who may be permitted to belong to the league is guaranteed. That is correct?

Mr. HITCHCOCK. That is correct.

Mr. REED. Is the Senator then an adherent to the doctrine that those who join the league are to have their territory protected and that the rest of the world shall be a prey to the members of the league?

Mr. HITCHCOCK. Not at all.

Mr. REED. Is that the idealism we are now seeking?

Mr. HITCHCOCK. No; it is entirely different from that. The league is dedicated to the idea of preserving peace, and it contains provisions which make it possible to use the agencies of the league to prevent war even among those who are not members of the league, but it does not undertake to guarantee to any country not a member of the league its territorial integrity or its independence, and it specifically makes ineligible to membership in the league certain countries of the world which are incapable of maintaining their international obligations.

Mr. REED. But this is the point I want to make. If the members of the league guarantee each other as to their territory, then they exclude from the league certain other nations. Is it the proposition that those other nations shall be allowed to invade each other or not?

Mr. HITCHCOCK. The proposition is that that is a matter which the league will use its agencies and its resources to prevent.

Mr. REED. To prevent?

Mr. HITCHCOCK. It will undertake to do what it can to prevent wars among those who are not members of the league.

Mr. REED. Very well, but——

Mr. HITCHCOCK. Just as the United States has used its agencies in the Western Hemisphere.

Mr. REED. Now, if the Senator will pardon an interruption, when it uses its agencies to prevent war between those other nations that are not in the league it does prevent the change of their territory; it does maintain their territories the same as it maintains the territories of the States within the league.

Mr. HITCHCOCK. Not at all; there is no guaranty at all; it simply——

Mr. REED. But is it——

Mr. HITCHCOCK. Let me finish, if the Senator pleases. It simply undertakes to use its offices, its agencies, and its resources to adjust disputes between States which are outside the league.

Mr. REED. The Senator says to adjust now. A moment ago he said "to prevent," and the language of the instrument is "prevent."

Mr. HITCHCOCK. No; the language is not "prevent." The language is "to consider disputes" between nations which are outside the league.

Mr. CUMMINS. Mr. President, this is digressing a little, but very instructive. I am glad to be able to recur again to the thought of the Senator from Nebraska. Undoubtedly its obligation is confined to the members of the league, and our obligation to preserve the territorial integrity and political independence of other nations of the world is limited to the nations which sign the compact. It will be infinitely more unjust, infinitely more objectionable, if it is the purpose of those who are controlling the destinies of this instrument to confine the privileges of the league to a few self-appointed nations and to refuse admission to the great body of civilized peoples who need its protection, if there is any protection in it.

However, the point I am making is not disturbed by the suggestions of the Senator from Nebraska. I am not advocating wars of aggression, and I fervently hope that when the welfare of humanity requires changes in sovereign boundaries they may be peacefully effected; but I would hold myself false to the interests of mankind if I should vote to ratify a treaty which obligated my country, under all circumstances and under every condition, to send our men to death on the battle field in any and every land to maintain the boundaries which are now established. I know, the Senator from Nebraska knows, every person within the sound of my voice knows, and every thoughtful citizen of the Republic knows, we would not fulfill any such obligation, and if we were to enter into it we would be guilty of worse than Punic faith.

I pass, Mr. President, to article 19, which I beg to read:

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in the constitution of the league.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be intrusted to advanced nations, who by reason of their resources, their experience, their geographical position can best undertake this responsibility, and that this tutelage should be exercised by them as mandatories on behalf of the league.

The character of the mandate must differ according to the stage of the development of the principle of the geographical situation of the territory, its economic conditions, and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development in which their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory power.

Other peoples, especially those of central Africa, are at such a stage that the mandatory must be responsible for the administration of the territory under such conditions as will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses, such as the slave trade, the arms traffic, and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the league.

There are territories, such as southwest Africa and certain of the South Pacific Isles, which, owing to the sparseness of their population, or their small size, or their remoteness from the centers of population, or their geographical continuity to the mandatory State, and other circumstances, can be best administered under the laws of the mandatory State as integral portions thereof, subject to the safeguards above mentioned in the interests of the indigenous population.

In every case of mandate, the mandatory State shall render to the league an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the mandatory State shall, if not previously agreed upon by the high contracting parties, in each case be explicitly defined by the executive council in a special act or charter.

The high contracting parties further agree to establish at the seat of the league a mandatory commission to receive and examine the annual reports of the mandatory powers and to assist the league in insuring the observance of the terms of all mandates.

When I first read article 10, I was under the impression that nothing could surpass it in its repugnance to good morals and to the civilization of the world; but I am bound to admit that article 19 is the climax of conflict. This article is not only bad in and of itself, but it is the grossest violation of our powers under the Constitution that has ever fallen under my observation. I can best examine it by taking a concrete instance of what may happen under it, and I select this instance because it is what the members of the league expect shall happen under it.

The league is authorized to issue a mandate requiring the United States to take possession and administer the affairs of Turkey. I think it is well understood in Paris that under that provision, which declares that the wishes of these communities must be a principal consideration in the selection of the mandatory power, as explained and interpreted by the speech of the President in Boston, in which he says that all those countries want us to rule over them rather than Great Britain, France, or Italy, and it may be, I think, assumed that when the

mandate issues from the executive council of the league it will be to the United States and it will command us to take possession of the Turkish Empire. I repeat, the league is authorized to issue a mandate requiring the United States to take possession and administer the affairs of Turkey with an indefinite territory both east and west of Constantinople. This mandate will command the United States to undertake the tutelage of the Turkish Empire until the people who live in this uncertain territory are "able to stand by themselves under the strenuous conditions of the modern world."

This gigantic task is to be assumed upon the theory "that the well being and development of such peoples form a sacred trust of civilization." This trusteeship may be for years or it may be forever, depending entirely upon the judgment of the league respecting our success in bringing these people up to the high standards which the league may demand for self-governing countries. I confess to more amazement when I reflect upon this proposal than ever filled my mind before. It does not require a man trained in the study of the law to determine instantly that the people of the United States never gave to the President and Congress, or both, the authority to do this thing. There is not a semblance of power in the Constitution to perform such an act, and the proposal is more inconsistent, if that can be, with the spirit of the Constitution than with its letter.

I will not refer at this moment to the decisions of the Supreme Court, in which that great tribunal has undertaken to define, to explain, to illustrate our authority to enter into treaties with foreign nations, but at some future time that study will be found exceedingly interesting and very enlightening.

Unquestionably we have the right to acquire territory by conquest, and it is just as clear that we have the right to acquire it by purchase, but we have not conquered the Turkish Empire nor have we bought one foot of its soil. Moreover, when we acquire territory, whether by conquest or purchase, it becomes the territory of the United States, controlled by the laws of the United States, and destined either for admission as a State, or to be governed directly as a Territory, or to be disposed of as the will of Congress may direct.

To insist that we can take possession of the territory of any nation, with its millions of people, simply to act as the tutor of these people and to police the country, solely to make the inhabitants better men and women, is the wildest fancy which ever entered the human mind.

But this is not all. We are commanded to govern Turkey, not according to the laws which our authorities may enact, but to govern its people, to educate them, to train them, to make them able to stand alone, under the direction and according to the instructions of the league. I quote again from article 19:

> In every case of mandate, the mandatory shall render to the league an annual report in reference to the territory committed to its charge. The degree of authority, control, or administration to be exercised by the mandatory State shall, if not previously agreed upon by the high contracting parties, in each case be explicitly defined by the executive council in a special act or charter.

We are thus not only to assume the responsibility of governing Turkey, but we must attempt to do it in the manner and degree required by the league. If we take the Turkish Empire, and may lawfully do so, it is ours to control, and we can no more surrender that sovereignty to the executive council of the league of nations than we could assign the Constitution of the United States to the British Parliament and vest that body with the authority to govern the people of the United States.

What I have said I am quite willing to admit is a question for lawyers, and if I ever hear of one who affirms the validity of such a transaction I shall be tempted to tear my certificate of admission to the bar of the courts of this country into little pieces and consign the fragments to the flames, and thereafter I shall do my best to forget that I ever belonged to the honorable profession of the law.

With a great many the authority to execute this mad proposal will be of little moment, and I turn to examine it from another point of view.

It is to be assumed that if the mandate for the government or tutelage of Turkey is given to the United States we will perform our mission with our own men and our own money. Anyone who has even casual knowledge of the conditions prevailing in the Turkish Empire knows that the maintenance of order and the enforcement of the laws and for the tutelage which will accompany the endeavor will require an army of more than a hundred thousand men for many years to come. It will require a civilian force of even more. The fathers and mothers of America will be asked to send their sons 5,000 miles from home to keep the Turk, the Armenian, the Syrian, and the Arab in order and train them for self-government. The civil-service employees in Constantinople will outnumber our employees in Washington. It is safe to assume that the annual cost of this enterprise will exceed a billion dollars. It is all too absurd to contemplate. When the American people reflect upon such a proposal they will reject it with all the emphasis of unanimity.

I hope that it will not be understood that I have any lack of sympathy for the oppressed and miserable people of this part of the world. Whatever we can do for them to lighten their heavy burdens, to bring hope into their cheerless lives, to inspire them for their independence, we ought to do and will do. Were I asked to name the first thing which seems to have been largely forgotten at Paris—and the best thing which can be done—I would instantly say disarm the Turk, just as we ought to disarm the German, and then allow these people, with all the assistance we can lawfully render, to work out their own salvation; and if salvation is to be permanent they must work it out for themselves.

Mr. President, until now I have been discussing articles in the proposed constitution, the construction of which seems to have created no difference of opinion. At this time I bring to the attention of the Senate certain provisions which may be said to be somewhat obscure and which were interpreted by the Senator from Illinois. I mean the consequences which may follow the failure of nations to agree upon a nonarbitrable or nonjusticiable controversy. It is perfectly clear that with respect to such disputes—keep your mind fixed, if you will, upon the classification of disputes. First, there are the disputes which arise between nations and which can be adjudicated by reference to recognized law and established facts. These are issues for courts, and I should like to see an international court permanently established for the disposition of issues or controversies of that character. I am now referring to controversies which arise with respect to the policies of nations, with respect to laws which they pass for the government of their own people, which affect their honor, which affect the lives of the sovereignties themselves—with respect to such disputes, we are asked to agree that there shall be no resort to war without previously submitting them to arbitration or to inquiry by the executive council, and that we are not to go to war with respect to them for a period of three months after the award by the arbitrators or a recommendation by the executive council. I have already said that I am heartily in favor of referring such matters to a body representing the powers of the world and agreeing not to resort to war for settlement until there has been ample opportunity for full, open discussion with every civilized nation on earth. My objection to articles 12, 15, and 16 is not alone that they provide for an award or recommendation by the executive council. That might be tolerated were it not that we bind ourselves not to resort to war against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council. This agreement is found in both article 12 and article 15. In the last article the language is:

> If the report—

These are nonjusticiable questions; questions of policy, which are internal in their character—

> If the report is unanimously agreed to by the members of the council other than the parties to the dispute, the high contracting parties agree that they will not go to war with any party which complies with the recommendations, and that if any party shall refuse so to comply the council shall propose measures necessary to give effect to the recommendation.

Nonjusticiable controversies embrace a wide range. They include disputes over exclusion laws, immigration laws, tariff laws, and scores of other subjects which you will at once have in mind.

Mr. OVERMAN. Will the Senator from Iowa yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Carolina?

Mr. CUMMINS. I yield.

Mr. OVERMAN. I notice that the Senator from Iowa throughout his entire speech calls this "a constitution." If it is a constitution, what have we to do with it? If it is a league of peace under a treaty, we can, of course, ratify or not ratify it, but if it is a constitution, as the Senator says it is, what are we to do with it?

Mr. CUMMINS. Mr. President, the Senator from North Carolina is better able to answer that question than am I. I have accepted the terminology which the President of the United States has attached to it. He calls it "a proposed constitution for the league of nations," and I am but following his high example in referring to it by that name.

Do not forget that the proposed constitution makes us agree that we will not go to war with any nation which accepts and performs the recommendation of the executive council. The effect of the proposed agreement can be best understood—and

I want the close and sympathetic attention of the Senator from Nebraska [Mr. HITCHCOCK], the chairman of the Committee on Foreign Relations, to this phase of the matter—the effect of the proposed agreement can be best understood by assuming a concrete instance, and I take one that has been the cause of much ill feeling between Japan and the United States.

These countries are to be the high contracting parties, and under the agreement Japan would have the right to refer to the executive council our discrimination against the citizens of that country and the executive council, exclusive of the United States and Japan, would have the right to decide it. Suppose it should be decided against the United States; suppose it should be decided that the United States ought to admit the subjects of Japan not only to our borders, but to our citizenship upon the same terms on which we admit the citizens or subjects of Great Britain, France, or Italy? Then the council would recommend that subjects of the Japanese Empire should be admitted to the United States upon the same terms and with the same privileges accorded to the subjects of other nations.

What then? Follow me now, those who have thought that this article did not contain the seeds of war, dissension, and discord. What then? Japan would say to the world, "We are complying with the recommendation of the executive council as recited in article 12 and as repeated in article 15." In these circumstances we have agreed not once, but twice, that we will not resort to war against the complying nation. Japan is the complying nation; and that means that Japanese subjects must be admitted as are the people of other countries. We could not keep them out except through war.

Moreover, under article 16, if we should go to war in order to exclude them, we shall then have committed an act of war against all the other members of the league, which would lead to the severance automatically of all trade or financial relations between our country and the world.

When we reflect upon the composition of the executive council, it is incredible that a provision of this character should commend itself to the American people.

A controversy of the same character would arise with regard to the qualifications which we demand for admission into the United States of the inhabitants especially of southern and eastern Europe. The same controversy in character would arise were Great Britain or France or any other country to complain of the tariff laws which we may enact in order to protect the industries of our own land.

I do not mention the wider, more abstract controversies that would inevitably spring up. These are enough. I want at some time—not now—a Senator who proposes to advise the American people to adopt this constitution precisely as it has come from the hands of the Paris conference to ask the American people whether they are willing that an executive council composed of the five nations which have already been mentioned in the constitution, and four others of whom we do not know, shall pass upon the wisdom of our laws excluding the subjects of certain oriental countries from the United States. I want there to be no doubt with regard to the scope and effect, if not the purpose, of the thing we are asked to undertake, the thing to which we are asked to assent.

I predict that when you make it fairly known to the people of this country that the validity, the wisdom, and the character of the legislation which we adopt for our own protection and for safeguarding the citizenship of our own country are to be submitted to a tribunal of the world, and that, in the event the decision or recommendation is adverse to us, we must accept it or violate the obligations which we solemnly assume, this proposal will be rejected so emphatically that never again will any one have the temerity to propose it to a country like ours.

Mr. President, I must not pursue the analysis further. The constitution of the league as proposed is not a compact among nations to prevent war; it is vastly more than that. It is the creation of a world nation, and if observed it will draw to the executive council and body of delegates so many of the vital powers of government that the remainder will become as unimportant as the jurisdiction of the States in the American Union as compared with the jurisdiction of the Federal Government. This is its purpose. It was not only foreshadowed in the addresses delivered by the President before he went abroad, but it is clearly perceived in the report which the President made to the peace conference.

Other eminent men so understand it. I quote from the newspaper report of a speech made by our distinguished ambassador to Great Britain, delivered in London on Washington's Birthday:

"George Washington employed the idea of a league of nations in the American constitutional convention," declared John W. Davis, the American ambassador—

A man of the clearest mind and a man of commanding ability—

in a speech at the Washington day dinner of the English-speaking Union. He likened the American colonies with their new-found freedom immediately after the Revolution to the nations of the world today.

Why attempt to obscure the plain and obvious meaning of the effort which is now being made?

Mr. President, it will be a sad day for humanity when their affairs pass under the government of a world nation.

I believe that it is possible for us to do everything that can be done to prevent war without transferring to a foreign power the Government of America. A day or two ago I read the following statement issued by a distinguished company of gentlemen headed by Mr. Taft as they toured the country:

The war against military autocracy has been won because the great free nations acted together, and its results will be secured only if they continue to act together. The forces making for autocratic rule on the one hand and for violence of bolshevism on the other are still at work. In 50 years the small State of Prussia so organized central Europe as to defy the world. In the present disorganized state of central and eastern Europe that can be done again on a still larger scale and menace all free institutions.

This statement is conspicuously unfair and uncandid. It is not necessary to abolish national power; it is not necessary that the authority to govern all the people of the world shall be absorbed by one body of men in order to protect the nations which are springing from the ruins of Europe. All that we need to do is to disarm Germany and permit these nations to accomplish their own destinies and achieve the highest victories of civilization.

Mr. President, this paper before us—the constitution of the league—presents a strange anomaly; it presents curious, interesting contradictions. It carefully provides a guaranty that would preserve the territorial integrity and political independence of nations as they now exist, and we must fight to do it, no matter when the invasion occurs or how righteous the cause of the invader may be. On the other hand, after we have received the guaranty that our territorial limits shall never be changed nor our independence overthrown, we turn over to an alien body the determination of the character of our citizenship. It would seem that the framers of this remarkable document considered it more important that our territory should remain intact than our right to say what men and women should live within our borders.

In another aspect, however, the apparent inconsistency is reconciled when it is remembered that the character of our citizens, as compared with the citizens of the world, becomes an immaterial matter, inasmuch as the United States ceases to be distinct, and that the executive council or the body of delegates has the same tender consideration for all parts of its world-wide domain.

Mr. President, I do not ignore the deep anxiety which the President, as the spokesman for this instrument, feels for the laboring people of the world and his keen desire to see that full justice is done to the people—and I quote him—"who go to bed tired and wake up without the stimulation of lively hope." They understand their wrongs, and they are moving to correct them; sometimes in the best way, sometimes in the worst way. They need no such league of nations to assert their rights. They have always been strong enough to do it here, and now they are powerful enough to do it everywhere. Just what will come from the turmoil through which the world is now passing God only knows, but we fervently hope that from the conflict justice to every human being will emerge; but a polyglot and incoherent power imposed upon this mass of conflicting and irreconcilable aspirations will do more to plunge all mankind into continual strife than any plan that can be conceived.

The President repeats over and over again that we must accept our responsibility in world work, and I agree with him. I am no advocate of isolation. It seems plain to me, however, that the chief contribution to peace and good order which we can make at this time is to meet boldly and to solve wisely for ourselves the one mighty question which is tearing Europe asunder and which is advancing upon us with terrific force. If we can not show the world by our own example that the workingman can get more justice, more happiness, more comfort under a reconstructed system of individual industrial activity than he can secure through complete socialism, the world will try the experiment, and, from my standpoint, with the most disastrous results to civilization.

We ought now to be bending all our energies upon the vital subject of reconstruction, and this should be our immediate contribution to the welfare of humanity.

Mr. President, our history is full of the noblest inspiration. We entered a trackless continent. We have filled it with the

homes of an hundred millions of people; the happiest homes in all the world. We have enriched it with the best farms, the most productive factories, the greatest system of transportation, and the mightiest commerce upon which the sun shines. Our progress has been the wonder and the envy of mankind. We have pursued the path of honor and justice, and it has led us to the highest distinction and the most enduring fame. We have so guarded and cherished the rights of man that our citizenship stands without peer throughout the earth. Our laws are humane, and protect the weak against the aggressions of the strong. With all its mistakes, the Government of the United States has done more for the welfare of its people and more for the enlightenment of the world than any other government ever established among men. We love peace and we will devote all our intelligence, all our efforts, to attain it; but, sir, we will not surrender our right to live under our own institutions, to control our own destiny, to insure the interests of our own citizens, to worship at the shrine of our own patriots, to any alien body which the wit of man can conceive. If this be to accept the challenge recently announced, I accept it. I was born an American; I have lived an American; and, God permitting, I will die an American.

ORDER OF BUSINESS.

Mr. OWEN obtained the floor.

Mr. SWANSON. Mr. President, will the Senator yield to me for the purpose of submitting a report?

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Does the Senator from Oklahoma yield to the Senator from Virginia for that purpose?

Mr. OWEN. I do.

Mr. SWANSON. I desire to report favorably, from the Committee on Naval Affairs, the naval appropriation bill.

Mr. JONES of Washington. Mr. President, I object to the presentation of the report at this time.

Mr. SWANSON. I hope the Senator will not object to the report being presented and printed.

Mr. JONES of Washington. I object to the presentation of the report at this time.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Florida?

Mr. OWEN. I do.

Mr. FLETCHER. Will the Senator from Oklahoma yield for this suggestion? We were about to take a vote on the question of the adoption of the conference report on the river and harbor appropriation bill. I understand that there is no opposition to it, and I believe we can have that report agreed to and out of the way.

Mr. OWEN. I should be willing to yield the floor for that purpose for a reasonable length of time, though I have given notice that I would speak this afternoon. If it does not take too long, I shall be pleased to yield for that purpose.

Mr. FLETCHER. I am sure it will not take more than a few minutes.

Mr. GRONNA. Mr. President, I do not know of any objection to the adoption of this report, but I think we ought to have a quorum present. There are a number of Senators absent who, I think, have a right to be here; and I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Hitchcock	Martin, Va.	Smith, S. C.
Bankhead	Johnson, Cal.	Moses	Spencer
Calder	Jones, Wash.	Nelson	Sutherland
Chamberlain	Kellogg	New	Swanson
Colt	Kendrick	Norris	Thompson
Culberson	Kenyon	Overman	Townsend
Cummins	King	Owen	Trammell
Fletcher	Kirby	Page	Underwood
France	La Follette	Pittman	Vardaman
Frelinghuysen	Lewis	Pomerene	Warren
Gay	McCumber	Ransdell	Watson
Gerry	McKellar	Reed	Weeks
Gore	McLean	Robinson	Wolcott
Gronna	McNary	Shafroth	
Hale	Martin, Ky.	Sheppard	

Mr. LEWIS. I desire to announce that the Senator from Tennessee [Mr. SHIELDS] and the Senator from North Carolina [Mr. SIMMONS] are detained on official business.

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that Mr. BUCHANAN had been appointed one of the conferees on the part of the House on the bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, in the place of Mr. MCANDREWS.

The message also announced that the House further insists upon its disagreement to the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the further conference on the part of the House.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act and section 5172, Revised Statutes of the United States.

LEAGUE OF NATIONS.

Mr. HITCHCOCK. Mr. President, it had been my intention to address the Senate to-morrow on the subject of the league of nations, and I had expected to do so at the expiration of the morning hour. In view, however, of the critical condition of legislation, and in view of the fact that we only have one week remaining, I have concluded to modify my notice to some extent and to say that I shall not speak at the time I had expected to do so, and shall not speak before 4 o'clock in the afternoon, and then only briefly, and in case the progress of business of the Senate is such as to justify it.

Mr. President, in giving this notice I wish to call attention to the very serious condition of legislation. We still have eight general appropriation bills which must pass the Senate before adjournment, or which ought to, unless we are to run into serious complications. We have the bond bill, which must be passed if the credit of the country is to be protected. We have the railroad money bill, a bill absolutely necessary to provide the Government with money for the operation of the railroads. We have the wheat fund bill, a bill absolutely necessary to supply the Government with the proper authority and means for caring for the wheat crop, for which it is already under an impressive obligation. In addition to that, we have in conference the leasing bill, the water-power bill, and the contract validation bill, all of which have almost reached the point of completion, and each of which is highly important to the country.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KELLOGG. I should like to ask the Senator why these bills have not been brought in. The President or the Secretary of Agriculture wrote a letter to the Congress early in December asking Congress to take up the wheat question. It is an entirely simple one. Long ago the Railroad Administration asked to have the appropriation made for the railroads. Why have not those bills been brought in, if they are to be taken care of by the Congress? They have been sleeping in committees.

Mr. GORE. Mr. President——

Mr. HITCHCOCK. Mr. President, I am not raising a controversial question, and I hope the Senator will not interrupt me.

Mr. GORE. Mr. President——

Mr. HITCHCOCK. I decline to yield.

Mr. KELLOGG. But I want to know, and other Senators ought to know. If we are to be chided for not passing bills, how are we going to pass them if they are not brought in?

Mr. HITCHCOCK. I disclaim the charge of chiding the Senate. I am merely stating the facts.

Mr. KELLOGG. Well, I am stating the facts, too.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Oklahoma?

Mr. HITCHCOCK. I yield to the Senator.

Mr. GORE. I should like to state that the wheat-guaranty bill is now on the calendar. I had hoped to call it up this morning, and I will call it up at the earliest possible opportunity.

Mr. OVERMAN. Mr. President, I am going to rise to a question of order. I call for the unfinished business. I do not think we ought to delay the bill by all this discussion. I want to get the bill through.

Mr. HITCHCOCK. I have concluded.

Mr. OVERMAN. While I am on my feet I am going to announce to the Senate right now, so that Senators may understand it, that I am going to ask the Senate to stay here to-night until this bill is passed; and I shall take such proceedings as are necessary to bring here Senators who leave to go to some entertainment.

Mr. KELLOGG. I should like to ask the Senator if he is going to bring Senators away from the White House?

Mr. OVERMAN. I am going to bring them from anywhere, under arrest, if necessary.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. FLETCHER. Mr. President, I want again to ask consent to have the question of the adoption of the conference report on the river and harbor bill put to the Senate. That was the pending question when the discussion began, and my information is that there is no real opposition to the adoption of the report. Therefore I should like to ask the Senator's permission at this time to have a vote on that question.

Mr. OVERMAN. Mr. President, I have no objection, if it will only take a few minutes, as the Senator tells me.

Mr. NORRIS. Mr. President, I think if we lay aside a bill that has not yet reached the legislative stage where it gets into conference for the purpose of debating conference reports we are liable to get to the end of this session with a whole lot of legislation that will never reach the conference-report stage. It seems to me it is more important now to pass these appropriation bills through the Senate, so that they can get into conference, than to take up time in discussing conference reports. With that idea in view, and that only, I shall object to the unanimous consent requested.

Mr. FLETCHER. Mr. President, I simply want to say that I would not ask it if I thought there was to be any extended discussion on the conference report. My information was that there would really be no objection to the adoption of this report; and I thought we could dispose of it and have that much business behind us. It seems to me very important. It was the pending question, raised in the regular order this morning, and it was debated for two hours and a half by a speech on the league of nations.

Since objection is made now, I want to give notice that at the conclusion of the consideration of this bill I shall ask the Senate to take up this conference report and dispose of it before we adjourn, and I hope to do it to-day.

LEGISLATIVE, ETC., APPROPRIATIONS—CONFERENCE REPORT.

Mr. UNDERWOOD. Mr. President, the conference report on the legislative, executive, and judicial appropriation bill has been agreed to by the House. I submit the conference report on the part of the Senate; and, as it is a privileged motion, I move its immediate consideration.

Mr. JONES of Washington. Mr. President, is it in order to ask for the reading of the report? I ask that the report be read.

The PRESIDING OFFICER. The conference report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 24, 25, 30, 36, 53, 60, 63, 64, 69, 70, 71, 94, and 95.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 32, 33, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 54, 55, 56, 57, 59, 65, 67, 68, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 92, 93, 97, 100, and 101, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: On page 2 of the bill, in line 9, strike out "$7,540" and insert in lieu thereof "$7,700"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Clerical assistance to Senators: For clerical assistance to Senators who are not chairmen of the committees specifically provided for herein: Seventy-nine clerks at $2,500 each; 79 assistant clerks at $1,600 each; 79 assistant clerks at $1,500 each, $442,400: *Provided*, That such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which their Senator is chairman.

"Ninety-four additional clerks at $1,200 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman, $112,800; in all, $555,200."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,400"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the number proposed insert "fifteen"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$564,840"; and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 34 and 35, and agree to the same with an amendment as follows: Omit the matter stricken out by said amendments, and on page 33 of the bill omit all after the words "per annum," in line 9, down to and including line 16; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: On page 36 of the bill, in line 24, strike out "$215,720" and insert in lieu thereof "$217,820"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That of this amount not to exceed $184,160 shall be available for the expenses authorized to be incurred by the Secretary of Labor upon request of the Commissioner of Internal Revenue, in accordance with the act 'to provide revenue, and for other purposes,' approved February 24, 1919: *Provided further*, that no salary shall be paid out of the said sum of $184,160 at a rate exceeding $3,000 per annum"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$7,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,059,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out "49" and insert in lieu thereof "35"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: On page 96 of the bill, in line 2, strike out "$672,790" and insert in lieu thereof "$672,470"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: Strike out line 51 of the matter inserted by said amendment and insert in lieu thereof the following: "January 7, 1919: *Provided*, That payment to any employee for leave of absence not earned in proportion to the term of employment shall be deducted from the refund authorized in this section, and the provision made in this act for the transportation of employees shall not be supplemented in any manner by the various services in which they are employed"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In line 6 of the matter inserted by said amendment, after the word "compensation" insert the word "only"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: Strike out of the matter inserted by said amendment all of lines 1 to 17, inclusive, and insert in lieu thereof the following:

"SEC. 9. That a joint commission is created to be known as the 'joint commission on reclassification of salaries,' which shall consist of three Senators, who are now Members of the Congress, to be appointed by the President of the Senate, and three Representatives, who are now Members of the Congress,

to be appointed by the Speaker. Said commission shall submit its report and recommendations as early as possible, and, in any event, by the second Monday in January, 1920, and the members of such commission shall receive a compensation at the rate of $625 per month, unless they are receiving other compensation from the Government. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment after the word "of," in line 4, down to and including the word "whom," in line 15, and insert in lieu thereof the following: "two Senators, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker, who"; and the Senate agree to the same.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
REED SMOOT,
Managers on the part of the Senate.
J. W. BYRNS,
J. M. EVANS,
W. H. STAFFORD,
Managers on the part of the House.

Mr. UNDERWOOD. I move the immediate consideration of the report.

The PRESIDING OFFICER (Mr. STERLING in the chair). The Senator from Alabama moves that the Senate proceed to the consideration of the conference report.

Mr. UNDERWOOD. Mr. President, I will say to the Senate, in reference to the items that were put into the bill either by the committee or on the floor of the Senate concerning the Senate force, the clerks, and other provisions relating directly to the Senate, that they have all been agreed to as the bill passed the Senate. With reference to the other amendments there are only a few minor changes as to those that were placed in the bill by the Senate. Practically all of the Senate amendments have been agreed to.

I ask for a vote on the adoption of the report.

Mr. JONES of Washington. Mr. President——

Mr. UNDERWOOD. I yield to the Senator.

Mr. JONES of Washington. I just wanted to ask the Senator what was done with reference to amendments numbered 94 and 95, on page 156, striking out the words "at a rate per annum," so as to leave the $200 appropriation, without being at the rate of that increase?

Mr. UNDERWOOD. I will say to the Senator that the Senate conferees insisted upon the Senate provisions, and the House refused to yield, and the Senate conferees finally had to yield, and the amendments went out.

Mr. POMERENE. Mr. President, I was engaged during the earlier part of the Senator's statement. Did I understand him correctly to the effect that the provisions which were incorporated in the bill by the Senate relating to the clerks of Senators remain as they passed the Senate?

Mr. UNDERWOOD. The Senate amendments relating to clerks, and other matters concerning the Senate, were all agreed to as the bill passed the Senate.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Utah?

Mr. UNDERWOOD. I do.

Mr. SMOOT. I want to say to the Senator from Ohio that the provision in relation to the clerks, as I have no doubt he understood, only applies from July 1, 1919, until June 30, 1920. This bill did not provide for the clerks from March 4 until June 30 of this year.

Mr. POMERENE. I understood that was taken care of by a special resolution.

Mr. SMOOT. I was going to say to the Senator that there was a resolution submitted by the Senator from Tennessee [Mr. MCKELLAR] providing for those clerks from March 4, 1919, to June 30, 1919.

Mr. POMERENE. I so understood.

Mr. UNDERWOOD. I ask for a vote on the adoption of the conference report.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Washington?

Mr. UNDERWOOD. I do.

Mr. JONES of Washington. No; I did not want to interrupt the Senator.

Mr. UNDERWOOD. I yield the floor.

Mr. JONES of Washington. Mr. President, amendments numbered 94 and 95 seem to be rather insignificant, and yet they were adopted by the Senate to correct an absolute injustice, and we can not afford to do an injustice even in a small matter. I want to take just a minute or two to call the attention of the Senate to what this injustice is and what the effect of receding from these amendments by the Senate is.

During the fiscal year ending June 30, 1918, we provided for an increase of 5 and 10 per cent for persons getting a certain salary. This affected the mechanics in the navy yards and in the arsenals. But after June 30, 1918, we provided for an increase of $120, but provided that it should not be of benefit to those who received, I think, an increase during that year at the rate of $200 per annum. The effect of that was that these employees lost the 5 and 10 per cent increase.

On the 1st of July, 1918, some of them received an increase in their basic pay of 8 cents a day. Then, I think, some time in November they received a further increase of 56 cents a day in the rate paid, making an increase from then on at the rate of 64 cents a day. That, figured for 313 days in the year, would be an increase at the rate of $200.32 for the year. Because of that it was held that those employees did not get the benefit of the $120 raise. So employees who for some period during the year got an increase in pay which, computed on every day in the year, would make more than $200 will not get the benefit of this $240 raise. Now, that is not fair. It is not just.

It may be said that the wages of the employees in the navy yards and arsenals are regulated from time to time by an adjustment board. That is true, and yet the decisions of these boards are sometimes long delayed, and they do not get the benefit of the increase for, possibly, months. Take, for instance, the fiscal year ending June 30, 1919. As I said awhile ago, one increase was given of 8 cents a day on the 1st of July. They did not get the further increase until some time in November, and then they got that increase for the balance of the year.

Mr. President, the purpose of the amendment made by the Senate was, in my judgment, to carry out what was the real intent of Congress when it first provided that those that got an increase during the year of $200 should not get the benefit of the $120 raise; that if they got an actual increase of $200 during the year, then they did not get the benefit of the $120. I believe that was really the intention of Congress, but under the construction that has been given, that was not the effect of it. The effect of the amendment made by the Senate was to make it certain that unless they received an increase of $200 during the year they would get the benefit of this $240 raise.

Mr. President, the rest of the Senate may regard it as a small matter to ask for the reduction of this conference report. I do not believe we ought to permit that injustice to be done; and so, because of the rejection of this amendment, because of the injustice that it really would work, I ask the Senate to reject the conference report.

Mr. UNDERWOOD. Mr. President, as I said, the House conferees yielded on almost all the amendments, except four or five, that the Senate put on the bill. The Senate conferees insisted on the amendment the Senator has referred to. The House conferees would not yield. Under the legislative condition of this bill, a few days from the end of this session, in view of the importance of the bill, the Senate conferees did not feel that they could afford to jeopardize the bill by holding out further on this one amendment. Therefore they yielded. I do not think the Senate can afford to jeopardize the bill by sending it back to conference and I hope the conference report will be agreed to.

BUSINESS OF THE SESSION.

Mr. KELLOGG. Mr. President, in view of the remarks of the Senator from Nebraska [Mr. HITCHCOCK] and the pressure of business, I presume we should not consider any of the important pending appropriation bills but simply rush them through to passage before the 4th of March.

In the very short time I have been in the Senate, and during the war, I have never discussed a political matter or made any charges against any party on any subject. I should like to call the attention of the Senate for a moment to the status of the appropriation bills and to the time when they came into the Senate. Before doing so let me read just a sentence which appeared in the morning paper:

REPUBLICANS ARE BLAMED.

It was reported that the failure of any of the matters of urgent legislation would be charged by the President and administration leaders to the Republicans. Mr. Wilson was said to have been advised that except for Republican opposition the present situation was such that all appropriation and other bills could be passed. The President was reported ready to advise the country of the situation and insist upon the enactment of all urgent measures.

Mr. President, I want the country to understand the situation.

The gigantic Army appropriation bill was reported in the House on February 10, nearly two and one-half months after Congress met. It was reported in the Senate on February 25, yesterday, and only seven days of the session remaining.

The naval appropriation bill was not reported in the House until February 1. It was received and referred to the Senate committee on February 12, and has not yet been reported. That is the bill which carries $750,000,000 for a navy to support and encourage the plan for a league of nations.

The Military Academy bill was reported in the Senate on February 13.

The Agricultural appropriation bill was sent to the Senate committee on February 3 and has not yet been reported.

The fortifications bill was sent to the Senate committee on February 19 and was reported in the Senate on February 22.

The urgent deficiency bill was reported in the Senate on February 1, and is now in conference.

The Diplomatic and Consular bill was referred to the Senate committee on January 23 and was reported to the Senate on February 8.

The sundry civil bill is still in the House of Representatives, and there are other bills in the same status.

Mr. SWANSON. Mr. President——

Mr. KELLOGG. I yield to the Senator.

Mr. SWANSON. We have the naval bill ready to report, and I hope the Senator from Washington [Mr. JONES] will not object to its being reported.

Mr. KELLOGG. I should like to ask the Senator how many days the naval appropriation bill has been in the Senate committee?

Mr. SWANSON. It was received from the House on the 16th of February. The next day we had a meeting of the committee and appointed a subcommittee. The subcommittee considered it, and the full committee was called last Saturday and was in continuous session and has just completed it to-day, and is ready to report it.

Mr. KELLOGG. If the Senate committee—and I do not contend that it is too much time—required several weeks in which to consider the bill, it should not then ask the Senate to pass it in a couple of hours.

Mr. GORE. Mr. President, I understood the Senator from Minnesota to state that the Agricultural appropriation bill had not been reported.

Mr. KELLOGG. It is so stated upon the history of the appropriation bills on the calendar that I find on my table.

Mr. GORE. It was reported on Saturday last.

Mr. KELLOGG. Very well; it was reported on Saturday last.

Mr. GORE. And I hope to be able to reach it before we adjourn to-night.

Mr. SWANSON. I hope the Senator from Washington will withdraw his objection to reporting the naval bill.

Mr. JONES of Washington. No.

Mr. LODGE. I object, Mr. President.

Mr. KELLOGG. I deny absolutely that the Republicans are responsible for reports on these bills submitted a few days before adjournment, with the result that the wheat bill, the naval bill, the Agricultural bill, the Army bill, carrying far greater appropriations than ever before, are expected to pass within a few hours without discussion.

Mr. SMOOT. Mr. President——

Mr. KELLOGG. I yield.

Mr. SMOOT. The Senator has not named all the bills by any manner of means, for in the House there is the general deficiency bill, which has not even been reported to the House of Representatives, and that bill will carry about a billion dollars. Then there is the bond bill, carrying a billion dollars for the encouragement of our commerce with foreign countries and for the issue of notes and certificates. Then there is the railroad bill, appropriating $750,000,000 to advance to the Railroad Adminstration. Those bills are not yet before the Senate, and all these are to be put through the Senate with the bills the Senator has enumerated within the next five days or somebody is going to say it is on account of the Republican opposition.

Mr. KELLOGG. Yes; that is exactly it.

Mr. NEW and Mr. THOMAS addressed the Chair.

Mr. THOMAS. Will the Senator allow me to say a word?

Mr. KELLOGG. I yield first to the Senator from Indiana.

Mr. NEW. Mr. President, I merely wish to remind the Senator from Minnesota of the fact that the Senate Committee on Military Affairs did not get the Army appropriation bill until three or four days ago, and that the subcommittee to which it was referred, in order that it might be given most expeditious treatment, worked not only all day but until midnight in order that it might be reported to this body. With all the work that could possibly be put on it, devoting every minute day and night for days, we have just been able to report it to the Senate.

Mr. KELLOGG. I yield to the Senator from Colorado [Mr. THOMAS]. I am glad to have gentlemen add their remarks.

Mr. THOMAS. Mr. President, I have been in the Senate during the last three Congresses, and my experience is that these bills invariably come to the calendar during the closing days of a session. There is nothing unusual in this situation. It is natural for each party to blame the other for the delay, but to my mind it sounds very much like the pot calling the kettle black. We are both to blame—not intentionally so, perhaps, but both to blame—for the fact that but four days of this session remain, with a huge congested calendar before us.

Mr. OVERMAN. I ask the Senator from Colorado to yield to me——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Carolina?

Mr. KELLOGG. I can only yield to one at a time, if the Senator pleases.

Mr. OVERMAN. I asked the Senator from Colorado to yield to me.

Mr. THOMAS. I can not, because the Senator from Minnesota has the floor. I am about through. I merely wish to say that during the last three weeks we have none of us attended to the business of the public. We are talking about matters of vast importance, but having no place within the arena of the Senate at present. That is the reason why we are not going to be able to transact this business.

As far as I am concerned, I have predicted, and I venture again the prediction, that we must have an extra session, and that within a very few days.

Mr. SWANSON. Mr. President——

Mr. KELLOGG. I am not blaming anyone or any party. I am objecting to the statement that the Republicans are to be blamed because appropriation bills have not been passed, when I have pointed out that they have all come before the Senate within the last few days, or not at all, and we are expected to agree to billions of appropriations on faith, without even looking at them. That is my objection. I am not debating about an extra session; I do not relish the thought of sitting here all summer. I do, however, object to any such statement as I have read into the RECORD.

Mr. President, I wish to see some of these bills passed, especially the wheat guaranty bill, which is of the most vital importance, because the Government's price guaranty has incapacitated the elevator companies from purchasing and selling the crop. They are not in a position to do it, and there has been no machinery provided by enactment nor is there any money available with which to dispose of the crop which will begin to come into the market during June of this year.

I merely wish to bring this to the attention of the Senate, since the Senator from Nebraska sought to reprimand us for not passing the appropriation bills.

Now, as to speeches in the Senate, of course there have been some speeches upon the plan for a league of nations. Two or three of them have been delivered by Democrats and two or three of them by Republicans. There are three more Democrats who have given notice that they will speak upon this subject, and I believe two more Republicans. I shall be very glad to hear them, or they need not speak as far as I am concerned, because I am going to investigate it for myself, and that question is not one of party issue. [Manifestations of applause in the galleries.]

The VICE PRESIDENT. Just a moment. The occupants of the galleries have been notified, and they must keep still. There has not been very much confusion there, but if repeated the galleries will be cleared.

Mr. KELLOGG. Mr. President, I beg pardon for consuming so much of the Senate's time, but I object to any attempt at placing the blame for delay at the door of the Republican Party when that party is not responsible for it.

Mr. SWANSON. Mr. President, to test who is responsible for delay, I ask unanimous consent to report from the Committee on Naval Affairs the naval appropriation bill.

Mr. JONES of Washington. The Senator does not need to try to make any test of that sort. We had a morning hour to-day from 12 o'clock until 2, when it was in order any minute of that time to present this report. The report, as far as I am concerned, shall be presented in regular order, and I object to its being received.

Mr. SWANSON. The committee was in session at that time and simply completed the bill a few hours ago. We hurried up the report so as to submit it to-day. Is objection made to receiving it?

Mr. JONES of Washington. Yes.

PROPOSED DRAFT OF A CONSTITUTION FOR THE LEAGUE OF NATIONS.

Mr. OWEN. Mr. President, the people of Europe and the people of the world are heartsick. Crêpe hangs on their doors. Men without arms, men without legs, men without eyes, men who are maimed in every conceivable way can be seen everywhere throughout the world as a result of this last great exhibition of human folly and ambition—the world war precipitated by the Hohenzollerns.

The world is anxious to establish world peace, world commerce, world happiness. And every statesman, it seems to me, Mr. President, should feel himself charged with the responsibility of trying constructively to attain this end.

Delegates representing the United States, Great Britain, France, Italy, Japan, Belgium, Brazil, China, Czecho-Slovakia, Greece, Poland, Portugal, Roumania, and Serbia have submitted for the consideration of the world and of the statesmen of the world a report formulating a plan for a league of nations.

No thoughtful man, certainly no thoughtful statesman, acquainted with the fallibility of man would expect that this first formulation of a draft would be absolutely perfect. It is not perfect, but it is a beginning and contains many things of very great value. And it can be perfected so as to completely safeguard the world against war and at the same time completely safeguard the sovereignty and absolute independence of each one of the member nations.

Statesmen anxious to serve the world should deal with this formulated plan in a spirit of helpfulness, of construction rather than in a spirit of tearing down or of destruction; much less should they show an intemperate or an ungenerous attitude in criticizing a document, the importance of which to the preservation of the future liberty and happiness of mankind is so obvious.

Mr. President, modern science, with the mastery of the air, with the submarine, with poisonous gases, with the steel war tank, with the machine gun, with rapid transportation facilities, with tremendous output of war machinery and the munitions of war make it unthinkable that the world will permit itself to be destroyed by a repetition of the recent war, which, if it is to be repeated, will be far more terrible than the last war and which will break down civilization itself. The men and the women and the children of the world who labor to produce the values of the world are entitled to peace and to happiness, and woe be to those blind statesmen who fail now to safeguard the people of the world in their rights to life, to liberty, and to the pursuit of happiness.

We have already seen the effect in Russia, in Germany, and in Austria of the complete failure of government to protect life, and we have seen the great mass of men moving like a terrible ocean sweeping the Romanoffs to their graves and tearing down the standards of government which have failed the reasonable expectation of the people. It was the blindness and the dullness, it was the stupidity, it was the greed, it was the arrogance of the officials of France that lead to the French Revolution. These same forces led to the revolution in Russia and then to the extreme form of political madness—the Bolsheviki movement of a class war—the war against those who have property or education by those who suffer from famine.

The representatives of the belligerent nations are now assembled at Paris conferring with the representatives of nations newly born and to be born, with a view to using the great influence of the belligerent powers in the establishment of self-governing nations, with territories properly delimited and with a view to giving protection to the backward nations occupying colonies and dependencies, such as the ignorant blacks of the German African colonies.

THE TASK IS THERE.

Mr. President, the immediate peace of the world, the cessation and prevention of actual war between the Balkan States, between Bulgaria and Roumania, between Roumania and the Ukraine, between Poland and Prussia, between the various States that are being born and the surrounding States imperatively demand that the conference of the great powers at Paris lay down the terms fixing territorial boundaries and establish the means by which to keep ambitious States from assailing each other and disturbing the peace of the world. They must consider the question of arbitration of international disputes. It was only the power of Germany and her allies which prevented the nations of the world from agreeing at The Hague to international arbitration and international disarmament in 1899 and 1907.

The Paris conference must consider the question of disarmament as a means of protecting the future peace and to prevent Europe again being thrown into an universal war. All the nations of the world are ready to agree to arbitration of international disputes and to disarmament. As far as the United States is concerned the House of Representatives has just voted in favor of reducing our Army to the minimum of domestic protection. We have made treaties with nations all over the world to arbitrate our differences. The people of the United States are in favor of international disarmament. They are in favor of arbitrating differences with other nations, and I say flatly and emphatically that it is better to leave any dispute that might arise between the officials of the United States and the officials of Brazil or Persia or South Africa or Great Britain unsettled, as some of the Revolutionary claims are still unsettled, than to fly to arms and kill millions of men to gratify official impatience, arrogance, or anger.

Mr. President, I have read carefully the so-called "Formulation of a plan for the league of nations." It interposes a number of obstacles to those who might desire to make war.

First. Article 10 pledges all of the member nations "*to respect the territorial integrity* and *existing political independence*" *of all States members of the league.* This is a guaranty of all the nations of the world of the utmost importance. Moreover, article 10 pledges all the nations of the world "to preserve against external aggression the territorial integrity and existing political independence" of all the States members of the league, whether great or small. This is an undertaking of gigantic magnitude and is a positive bond safeguarding the territorial integrity and existing independence of all States. And no war can happen in the future if this pledge is respected either in the first or second of its provisions. If all nations respect the territorial integrity and political independence of other nations, we will have peace, and if any nation has the temerity not to respect this bond and be guilty of external aggression it will face all the world pledged to oppose it in its aggression. Aggressive war under such a menace is well-nigh inconceivable. Is not this a magnificent barrier against a future ambitious or warlike State?

Article 11 declares that any war or threat of war is a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual "to safeguard the peace of the nations." In other words, it is the declared intention of all of the nations of the world to take steps to prevent war, and to take these steps in time.

Article 12 pledges every nation that it "will in no case resort to war without previously submitting the question and matters involved either to arbitration or to inquiry by the executive council, and until three months after the award by the arbitrators or a recommendation by the executive council, and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council."

Is not this pledge under article 12, made by all nations to every nation in the world, of great value as a deterrent and obstacle to war?

What official will dare to face the whole world with a breach of article 12?

Article 13 agrees to submit questions to arbitration and carry out in good faith the award.

Is not this agreement with all the nations of the world a most important means of preventing unsettled disputes leading to war?

If this had been the rule of international procedure it would have prevented the last war.

Article 14 provides a permanent court of international justice, which may sit as an arbitration tribunal under article 13.

Under article 15 the members agree to refer to the executive council any dispute likely to lead to rupture which is not submitted to arbitration, and if the council fails to agree, then to publish the arguments for and against by the majority and minority members, and here is also provided an appeal to the larger "body of delegates."

In this way the most troublesome cases would be submitted first to the council and, secondly, to the representatives of all the nations of the world for consideration, so that world opinion can be brought to bear upon the merits of the controversy and time ensue in which world opinion may be formulated and during which the litigants may feel the pressure of world opinion before they venture to go to war.

Mr. WILLIAMS. And world prejudice be obviated.

Mr. OWEN. And world prejudice be obviated, as the Senator from Mississippi very properly observes.

Mr. President, the only objection which I have to articles 12, 13, 14, and 15 is that they permit war as a remedy after having provided these means for conciliation and arbitration. In my own opinion, the making of war for the settling of a civil dispute is a heinous crime, and it should be branded by the league of nations and by the opinion of mankind as the highest of all international crimes. Nothing could be more wicked or

more dastardly than the organized killing of human beings because of an odious dispute relative to property or relative to some alleged insult. As long as man remains with passion or with defective reason, so long may the world expect that some man will insult another man. And the bigger the fool and the more arrogant the ass the more likely he is to offer an insult. But those who have brains and self-control should know how to deal with those who lack brains and self-control.

Article 16, Mr. President, provides a world penalty for any member nation that wages war without previously submitting the matter of dispute to arbitration and inquiry and determination. This penalty is that when such an arrogant, warlike nation wages aggressive war in violation of the law laid down by the league, such nation—

"shall thereby, ipso facto, be deemed to have committed an act of war against all of the other members of the league which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not."

What official on the face of the earth would dare face this penalty. The penalty should be directed, however, in my judgment, against any nation that invades the territorial integrity of another nation. Official murder by aggressive war of offense should be stopped by the mandate of the people of the world, and officials who violate that mandate should be held personally responsible.

Is it not clear, Mr. President, that the captains of industry and the great financiers of the country whose support is vital to successful war and whose support in Germany was expressly solicited by William II as a primary condition to enable him to wage the late war would never under such a threat as this dare to support an aggressive war which would of necessity mean the instant paralysis of all their enterprises and their ultimate financial and industrial destruction? And is it possible that any official charged with the authority of declaring war would feel justified in declaring an aggressive war against all the world? The human imagination can not picture such a proposition. Moreover, we must now remember that every military dynasty is gone. Where are the Hapsburgs? Where are the Hohenzollerns? Where are the petty kings of the German States? Where is King Constantine of Greece? Where is the Romanoff family and the Czar of all the Russias? Where is the Sultan of Turkey? Where the King of Bulgaria? Where is the King of Roumania? Abdicated all, and fled to cover! What real war-making power has any king on the globe? Not one is left.

Mr. WILLIAMS. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Mississippi?

Mr. OWEN. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I want, in reenforcement of what the Senator has said in the first clause of his last argument, to suggest to his mind this consideration: Why can not we in the treaty of peace take a leaf out of American history? The Senator remembers that the thirteenth amendment to the Constitution declares that no debt made by the Confederacy or by any State forming a member of the Confederacy should be valid or ever paid. That was passed with the idea of discouraging future projects of that sort. Suppose that in the treaty of peace we provided that all debts made by Germany, Austria, Turkey, and Bulgaria for the furtherance of their objects in this war were declared to be nullified and invalid, and that those respective Governments should issue an amount of bonds equal to the amount thereby nullified and rendered invalid, and that the proceeds of those bonds should be devoted to the restoration of Belgium, of northern France, and of Serbia, what would be the effect, I want to ask the Senator?

Mr. OWEN. I think it is a good suggestion as it would help to deter nations from making aggressive war for private objects. It would prove unprofitable under such circumstances.

Mr. WILLIAMS. Moreover, would it not have an effect upon the people who finance wars?

Mr. OWEN. Assuredly.

Mr. WILLIAMS. Hereafter would not bankers who have financed wars say to the country wanting to finance an unjust or aggressive war, "Stop a minute; I must think as to whether or not this war is just, whether it is aggressive or defensive. If it is not just, the example of the American Republic in the thirteenth amendment and the example of the world in this treaty of peace leads me to suppose that I may lose my money." And if bankers are threatened with losing their money, does the Senator think they would finance any unjust war in the world?

Mr. OWEN. It is perfectly practicable to write into this formulated plan the suggestion made by the Senator from Mississippi, and it ought to be done, I think, for it would operate as one of the additional deterrents to war; and what we want to do is to deter war making.

Mr. WILLIAMS. I am not talking about writing it into these 26 articles of the league of nations, but I am talking about writing it into the final articles of peace.

Mr. OWEN. I am agreeable to its being written into both, to apply to Germany now and to apply to any other nation in the future that dares to make aggressive war on mankind. I thank the Senator for his suggestion. I think Senators ought to consider this matter from a constructive standpoint and help to perfect this formulated plan.

Mr. WILLIAMS. I do not propose to put it in this plan, for I think if you go to amending this plan you will have 14 other people to amend it, and you will never get it through; but I am talking about it as a part of the treaty of peace.

Mr. OWEN. Mr. President, the greatest of all democracies, the United States, threw its financial power, its man power, on the side of democracy against autocracy, on the side of right against might, on the side of decency and justice and humanity against those who assaulted the great principles of human life. And autocracy lies in its political grave, never to be resurrected on this earth. Great Britain is a republic, and so are the great dominions speaking the English tongue—Canada, whose border, lying between the United States for 3,000 miles, is undefended except by those who love liberty and justice on both sides of this line; Australia, New Zealand, the South African Union are all republics, and all the colonies and dependencies of Great Britain are in effect republics in greater or less stages of advancement. France and her colonies are republics. Switzerland is a republic. Italy is a republic with a nominal King, who has no power against his parliament or against his people under their structure of government. And so Portugal is a republic, and Spain and Belgium and Holland and Denmark and Norway and Sweden are in substance republics.

Mr. WILLIAMS. They are democracies.

Mr. OWEN. They are democracies. They have the form of kingdoms, but the substance of democracies.

The nations being born in the Balkans and in Russia are being born as republics. And the subject people of Turkey, under the protection of the great democracies of the world, are being brought into being as embryo republics. China is a great republic. Siberia can not be conceived as being anything less than a republic. The Poles, the Jugo-Slavs, and Czecho-Slovakia are avowedly republics. Even Japan under an Emperor is ruled by a body of elders cooperating with the parliament chosen to represent every class of the people, and Japan, when this war broke out, threw herself at once without hesitation on the side of the great democracies of the world. What greater testimony could Japan have given of her attachment to the doctrines of liberty, justice, and civilization and of her hostility to dynastic autocracy? Where is there on earth remaining a military dynastic autocracy that would threaten the future peace of the world?

All the Governments of North and South America, all the Governments of Africa, of Asia, of Europe, of the East Indies, and of the West Indies are republics or under the patronage of republics.

The doctrine that might makes right is dead.

The doctrine of terrorism is dead.

The divine right to rule has gone to hell, whence it came.

The doctrine of liberty, justice, and humanity is triumphant and is writing its Magna Charta to last for all future time.

Let the United States Senate honor itself by lending its very best efforts to perfecting this charter.

Mr. President, what was it that protected the liberties of mankind, that protected civilization, that protected the democracies of the world against the military domination of the Teutonic dynastic autocracies? It was a league of nations in arms cooperating as one great league of democracy against autocracy. It was a league of nations in arms willing to pay the penalty in gigantic sacrifice of property and of human life; willing to die upon the battle field in joint, concerted, cooperative action to protect liberty and civilization. Gen. Foch, as commander in chief of the armed forces of this great league of nations, directed on the battle line from his headquarters Belgians, English, Scotch, Irish, French, Italians, Greeks, and Americans, and many others, all of them operating in a league to maintain

liberty and to protect human life and organized society throughout the world. Shall this lesson bear no fruit? Shall our sons have died in vain who are buried upon the bloody battle fields of Europe?

The world wants peace, justice, and liberty, and has shown itself willing to die for this cause. Do not underestimate the demand, Mr. President. Do not deny or ignore this profound aspiration of the human heart. At Paris are assembled representatives—military, economic, political—of all the great democracies of the world, facing the task of making the world safe against the chaos and disorder of war. The geographical lines of the newborn States must be delimited and agreed upon and authorized. The relations of these nations with each other must be so protected that they do not instantly fly at each others' throats on some mad issue of geographical boundary or fancied interest. There must be established by some power somewhere the relations which shall exist between these nations, between them and the balance of the world. The colonies which the Teutonic dynasty has shown itself unworthy to control must be protected and safeguarded by some definite agreement under some safeguard of administration that will establish and maintain peace and order and good conduct, internal and external. This task of readjustment is now being performed at the peace table at Paris, of necessity, by the very nature of the case. Shall all the delegates be withdrawn from the peace conference and the world left in turmoil with the Bolsheviki in control soon to bring on another world war and drag the people of the United States from their peaceful avocations to the havoc and destruction of war? No, Mr. President; there is a better way. The way of order out of chaos. And the proposed league of nations is wise and sound and just in its fundamental principles. It represents the aspirations of the peoples of the world to safeguard the peace of mankind.

I have pointed out some of the more important provisions, but there are others which must not be overlooked.

Article 17 takes care of the disputes which might arise between members of the league and those who are not members of the league and imposes suitable penalties if a State not a member of the league disregards the provisions of article 12, forbidding it to make war as a remedy because of a dispute with other nations.

Article 18 authorizes the league to be intrusted with the joint supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary and in the common interest.

Article 8 provides for steps to be taken to control the manufacture of munitions by private enterprise, so that private interests may not be made provocative of war, and this article recognizes the great principle that the maintenance of peace—

"will require the reduction of national armaments to the lowest point consistent with national safety and enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State."

Is not article 8 of tremendous importance in removing one of the great dangers to war? Do we not all know that the Teutonic dynasty for over 20 years was manufacturing on a gigantic scale the munitions of war and organizing armaments far beyond domestic need with the intent and purpose to assail the liberties of Europe and to dominate the world by military force? And shall we not remove this danger from our future by international agreement? All the nations of the world except the Teutonic allies at The Hague in 1907 were ready to agree to disarmament, but were prevented by the King of Prussia and his allies. Now is the most opportune time to write these safeguards by treaty into the international law by the consent and approval of all nations.

Article 19 provides a reasonable and just method for administering the affairs of subject peoples and developing them into democracies under charters granted from the league to advanced nations qualified by their resources, their experience, their geographical position to undertake this responsibility as mandatories on behalf of the league. And the consent, even in these cases, of the backward peoples is recognized, the proposed formulated plan expressly providing that "the wishes of these communities must be a special consideration in the selection of the mandatory power," and "the mandatory must be responsible for the administration of the territory, subject to conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses, such as the slave trade, the arms traffic, and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases, and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the league."

And this provision could be further amended to provide that the bill of rights of civilized States, as far as applicable, should be recognized as a part of the principle of the government of these backward peoples.

I suggest the following amendment to article 19, and I feel entirely at liberty to suggest this amendment; and amendments which are offered or suggested on this floor, I have no doubt, will receive respectful consideration from those who are assembled at Paris, and if they have value I have no doubt that action by our peace commissioners will be taken accordingly: "The mandatory must, as far as practicable, recognize the principles of the bills of rights of civilized States in administering the law in such territories, and the charter to the mandatory shall prescribe these principles."

Article 20 provides, as a part of the organization of the league, a permanent bureau of labor, with a view of securing and maintaining fair and humane conditions of labor for men, women, and children by the good offices of the league. Shall we have no means of objecting when the blacks of the Kongo have their hands cut off because they failed to bring in sufficient ivory, as we have seen in the bloody days of the past? They, too, must have justice and liberty, and should be educated and civilized as rapidly as circumstances will permit.

Mr. President, the happiness of mankind absolutely depends on those who labor; they comprise the world; they are the world. Does this mean that the league of nations will interfere with the internal sovereignty of member nations? Not at all. Article 10 and article 26 and other articles protect this vital requirement, and other safeguards can be added. In this matter the league would function with no more authority than that of a bureau of publicity—I speak of the particular organization of a "bureau of labor"—which could appeal to the opinion of mankind for the protection and conservation of human life where it is not adequately safeguarded.

Article 21 provides that the high contracting parties agree that provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all members.

Is not this decent and just and right? Shall interior nations having no access to the sea be bottled up without the right to ship their goods under bond in transit to the sea? It was this denial of an outlet that has been one of the contributing causes for war in the Balkans.

Why shall not suitable provisions be drawn up by amendments to the plan to secure and maintain these rights?

Mr. KELLOGG. Mr. President, will it interrupt the Senator if I ask him a question?

Mr. OWEN. Not at all.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. OWEN. I yield.

Mr. KELLOGG. I understood the Senator to say that the proposed constitution of the league did not interfere with the internal affairs of the various governments. I should like the Senator's opinion as to whether articles 12, 15, and 16 together provide for the arbitration of all questions without distinction, and whether or not disputes as to political questions, such as trade relations with other countries, import duties, and so forth, would come under the provisions of the proposed constitution?

Mr. OWEN. In my judgment, it only relates to those things which are external, because internal affairs are safeguarded by article 10, which guarantees to respect and to preserve the territorial integrity and the existing political independence of every nation.

Mr. KELLOGG. Does that include all laws pertaining to our dealings with other countries, such as immigration laws, tariff laws, and trade relations?

Mr. OWEN. The question of immigration and tariffs affects the internal affairs of our own country and concerns our existing political independence, and certain trade relations might do so.

Mr. KELLOGG. Would the proposed constitution prevent us from changing our existing political conditions?

Mr. OWEN. Not at all. I shall deal with that a little later on. I have not quite come to that, but I am going expressly to discuss that and show what my opinion is with regard to it.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. OWEN. I yield.

Mr. McCUMBER. I call the Senator's attention to the fact that article 12 does not require the nations to submit every controversy to arbitration——

Mr. OWEN. That is perfectly obvious.

Mr. McCUMBER. But when difficulties arise it simply provides that "they will in no case resort to war without previously

submitting the question and matters involved either to arbitration or to inquiry" by the league.

Mr. OWEN. I think that is quite clear.

Mr. KELLOGG. If the Senator from Oklahoma will pardon me, the inquiry is enforced in exactly the same way as the judgment of the arbitration tribunal.

Mr. McCUMBER. I do not agree with the Senator.

Mr. OWEN. Article 22 agrees to place under the control of the league all international bureaus already established by general treaties, if the parties to such treaties consent. What objection could there be to this by consent? Is it not better to have a clearing house between the nations to which all international business may be directed, and where through a common center international relationships may be conveniently adjusted? Having a common center for international business is just as convenient and necessary as having a clearing house for the bankers of New York City, where around a common board they can instantly dispatch their business with each other. Suppose each nation of 50 nations must transact all business by an independent means, then each nation would have to send 50 representatives to 50 nations, making 2,500 representatives altogether, at great expense, great confusion, great delay. But, meeting around a common council table, one representative of each nation would meet one representative from every other nation at a common board, and 50 men would transact the business of 2,500 men.

This is merely common sense and a practice based upon modern science and usage in the business world.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. I yield to the Senator.

Mr. MOSES. Does the Senator from Oklahoma contemplate the wiping out of all existing diplomatic establishments?

Mr. OWEN. Certainly not.

Mr. MOSES. That seems to me to be the trend of the Senator's recent language.

Mr. OWEN. The Senator's inference has no foundation in fact.

Mr. MOSES. There are now 50 nations each sending 50 representatives to 50 different countries.

Mr. OWEN. The article to which I was referring was the article which deals with international bureaus. I was referring to that alone, not to the Diplomatic Service or the Consular Service. Those services are quite necessary for other reasons entirely.

Article 23 provides for publicity of international agreements with the penalty that they shall be void unless registered with the league.

This prevents secret treaties. It makes them void and an act of treachery to all other nations. It is a powerful deterrent.

Article 24 merely provides for the reconsideration of obsolete treaties which might contain some element of danger to the peace of the world. This article is entirely justified, and no man would deny it.

Article 25 provides that the high contracting parties agree that the present proposed covenant is accepted as abrogating all obligations as between themselves inconsistent with the great principles laid down in the proposed agreement to safeguard the peace of the world, and contains an engagement that the member nations will not hereafter enter into any engagements inconsistent with the terms thereof.

Is not this a wise provision of importance in safeguarding the future peace of mankind? And there is imposed the further duty that new powers admitted to the league shall come under the same rules. Is not this common sense, and in the interest of the world?

Article 26 provides that amendments to the covenant of the league shall only take effect when ratified by the States whose representatives compose the executive council and by three-fourths of the States whose representatives compose the body of delegates.

Mr. President, do you not here observe that this gives a veto upon any amendment to this instrument not acceptable to the United States, and gives a like veto to Great Britain and to France and to Italy and to Japan, and is it not obvious that no amendment would therefore be possible to this proposed agreement between the nations except with the approval and consent of the United States?

Is this not a great safeguard against the possibility of anything being written in the relations between the member nations of the league that might at any time be embarrassing to any of the great powers or to the world?

But, Mr. President, a great objection has been made by various honorable and able Senators to the formulated plan on the ground that it was proposed to govern the world by the overlordship of a body of delegates representing the high contracting parties and by an executive council and by a permanent international secretariat.

It has been urged with great eloquence and zeal that article 1 would invade the sovereignty of the United States.

I confess very frankly that article 1 should be left in no obscurity, but it is easy to amend article 1. The interpretation which has been put upon article 1 by its critics could certainly not have been the intention of the representatives of Great Britain and France and Italy and Japan or others of the 14 nations who approve this draft. They certainly had no intention of sacrificing the sovereignty of Great Britain or France or Italy or Japan or Belgium or China or of other members. On the contrary, they have taken great pains in the body of the formulated plan to safeguard the territorial integrity and political independence of all State members of the league as they now exist in article 10, where the members mutually undertake to respect and preserve against external aggression, the territorial integrity, and existing political independence of each other. This is not consistent with the interpretations of article 1, that would permit the body of delegates to invade by statutes any domestic concern of any nation.

The proposal of Lieut. Gen. Smuts, who represents perhaps the best English thought, was as follows:

"Tenth. The constitution of the league will be that of a permanent conference between the governments of the constituent States for the purpose of joint international action in certain defined respects, and will not derogate from the independence of those States. It will consist of a general conference, a council, and courts of arbitration and conciliation.

"Eleventh. The general conference, in which all constituent States will have equal voting power, will meet periodically to discuss matters submitted to it by the council. These matters will be general measures of international law or arrangements or general proposals for limitation of armaments or for securing world peace, or any other general resolutions, the discussion of which by the conference is desired by the council before they are forwarded for the approval of the constituent governments. Any resolutions passed by the conference will have the effect of recommendations to the national governments and parliaments."

That was Gen. Smuts's idea. That idea is prevalent all over Great Britain. That is the general conception of the authority to be granted to these delegates who would meet around a council table, representing the nations of the world.

It will here be observed that Gen. Smuts only proposed that the resolutions passed by the conference would have the effect of recommendations to the national governments and parliaments—nothing more. It is perfectly easy to amend article 1 by inserting the following words:

"THE BODY OF DELEGATES AND THE EXECUTIVE COUNCIL SHALL HAVE NO AUTHORITY TO MAKE LAWS, BUT MAY PROPOSE INTERNATIONAL RESOLUTIONS TO BE SUBMITTED TO THE MEMBER NATIONS FOR CONSIDERATION. AND WHEN SUCH RESOLUTIONS HAVE BEEN RATIFIED BY ALL THE STATES WHOSE REPRESENTATIVES COMPOSE THE EXECUTIVE COUNCIL AND BY THREE-FOURTHS OF THE STATES WHOSE REPRESENTATIVES COMPOSE THE BODY OF DELEGATES SHALL HAVE THE EFFECT OF INTERNATIONAL LAW."

This is the method proposed in article 26 for amendments to the formulated plan. Any amendment must, under article 26, have the approval of the United States before it can be amended.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Massachusetts?

Mr. OWEN. I yield to the Senator from Massachusetts.

Mr. WEEKS. I notice that the Senator from Oklahoma frequently refers to amendments. How are those amendments to be gotten before the peace council unless they are adopted or approved by this body officially? I have been informed—and perhaps the Senator from Oklahoma knows whether or not it is true—that the proceedings of this body do not reach Paris; that there is a censorship on what is done here; and that leads me to ask how we are likely to get such matters before the peace conference?

Mr. OWEN. I think there is no difficulty about access to the peace conference. I do not think there is any such censorship as the Senator refers to.

Mr. WEEKS. I do not know, but I have been told that that was the case.

Mr. OWEN. Oh, I think not. I got my mail while I was in Paris, and I suppose other gentlemen got theirs in the same way.

Mr. President, the peace of the world is too important, the future happiness and security of our people is too important,

that we should fail at this wonderfully auspicious time to adopt a plan which will safeguard the future of the world.

I am quite willing to agree, and determined as well, that no obscurity whatever should be permitted in the proposed plan, because it is one of the frailties of human nature to have powers construed into a constitution by those who are charged with the duty of its administration, and therefore it is of special importance to put in negative proposals, such as our forefathers inserted in the Constitution of the United States.

We should insert in the proposed formulated plan that "NOTHING CONTAINED IN THE INSTRUMENT ITSELF SHOULD BE CONSTRUED AS GRANTING ANY RIGHTS TO THE LEAGUE OVER THE INTERNAL AFFAIRS OF MEMBER NATIONS, BUT THAT EVERY MEMBER NATION SHOULD BE RECOGNIZED AS HAVING COMPLETE RIGHT OVER ITS EMIGRATION AND IMMIGRATION, ITS IMPORTS AND EXPORTS, AND ALL ITS DOMESTIC AFFAIRS WITHOUT ANY INTERFERENCE WHATEVER BY THE LEAGUE."

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. OWEN. I yield.

Mr. KELLOGG. That is exactly what I had in mind. As Senators seem to disagree as to the meaning of sections 12, 15, and 16, it does seem to me that it should be made plain, so that no political question can be raised.

Mr. OWEN. I agree with the Senator that an instrument of such importance as this should be made absolutely plain; and, frankly, I should not feel justified in supporting an instrument of this magnitude and this importance unless it were made plain, and I think the Senate of the United States are in a position to make it plain. They have the capacity; they ought to have the will. As far as I am concerned, I shall stand firmly for seeing that this instrument shall be free from any ambiguity whatever.

It is not necessary for the league to interfere with the internal affairs of any member nation. I am sure that Great Britain and France and Italy and Japan do not contemplate granting this right to the league of nations.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Maryland?

Mr. OWEN. I yield to the Senator.

Mr. FRANCE. I am very much interested in what the Senator is saying. Would he care to define what he means by "internal affairs"? Would he consider a question arising between Great Britain and one of her colonies—Ireland, for example—as being an internal affair or not?

Mr. OWEN. I would. We can not at this time and in this way undertake to settle the disputes between member nations and the component parts of member nations, unless we want to tear asunder the whole procedure. We can not undertake that. We can not go into it. You might as well undertake to deal between the United States and Texas as a part of this proposal.

It is easy enough to have an amendment that the league of nations shall not exercise any powers except those that are expressly granted to the league. But the great principles of international law which are laid down in this formulated plan are vital to our own future and to the peace of the world, and I venture to express the hope that the Senate of the United States will consider this matter constructively, with a view to perfecting the plan rather than with a view to confusing counsel and exciting suspicion and arousing the hostility of our people on the theory that this instrument is full of pitfalls and dangerous. We assuredly have the wisdom to analyze the formulated plan and to point out how it may be improved and made free from any objection, and this ought to be done.

I do not care, Mr. President, to repeat the arguments which have already been presented with such force upon the floor relative to the views of our revered first President in his Farewell Address. I am altogether in accord with the principles expressed in the Farewell Address of Washington. But the day of American isolation has long since ended. Our interests are bound up in the welfare and happiness of mankind. We are no longer isolated. A submarine could come up the Potomac River and blow down the Capitol of the United States, it could drop a gas bomb in the Senate that would smother the most glorious declamation and the most magnificent oratory. We are not isolated; we can never be isolated. We are face to face with the duty and the task of using the influence of this great Nation to bring about the security and peace of the world.

Our people realized this when they determined that the time had come for us to engage in suppressing the military autocracy of the Teutonic allies, and we have just completed that task at a stupendous cost in treasure and in human life. We can not afford to have another world war. The interests of the American people demand peace, security, stability, in order that they may enjoy the rights guaranteed by our Constitution of life, liberty, and the pursuit of happiness.

Mr. President, may I not be permitted to pray that my colleagues shall consider this matter with very great patience and deliberation, to the end of perfecting this proposed establishment of international law in order that our people may have the peace to which they are so thoroughly entitled? America brought this war to an end, to the imperishable glory of her gallant and intrepid sons, who, over every obstacle of barbed wire, sunken trenches, concealed machine guns, against poisonous gases, against a hurricane of shrapnel, and high explosives, never paused and never failed to advance until the German military commanders collapsed.

The people of Europe and the people of the world owe to America a debt which can never be paid, and America must not depart from her high standards of human service. The time is at hand to establish the conditions which will verify the prophecy of a thousand years of peace. The time has come when there shall be established upon the earth the great principles of liberty, of justice, of humanity, and America should take the leading part in that constructive work. I am one of those who strongly advised the President of the United States to go to Europe in order that the ideals of America might be presented to the European statesmen, whom I knew were embarrassed because of their long and painful experience with militarism. I knew that they could not help thinking in terms of strategic boundaries, in terms of battalions, in terms of armaments, and I am rejoiced that our President was able to favorably influence European opinion, so that we now have laid before us the preliminary formulation of a plan which when perfected will effect and maintain forever the peace of the world. Let America take her place in the front rank in this forever-glorious enterprise.

I ask permission to insert in the RECORD a quotation from Mr. Roosevelt upon this matter, which he made in his Nobel speech, as an exhibit to my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From an address on "International Peace" before the Nobel Prize Committee, delivered at Christiania, Norway, May 5, 1910, by Theodore Roosevelt.]

(Italics are inserted to emphasize certain proposals.—R. L. O.)

Now, having freely admitted the limitations to our work and the qualifications to be borne in mind, I feel that I have the right to have my words taken seriously, when I point out where, in my judgment, great advance can be made in the cause of international peace. I speak as a practical man, and whatever I now advocate I actually tried to do when I was for the time being the head of a great Nation and keenly jealous of its honor and interest. I ask other nations to do only what I should be glad to see my own Nation do.

The advance can be made along several lines. First of all, *there can be treaties of arbitration.* There are, of course, States so backward that a civilized community ought not to enter into an arbitration treaty with them, at least until we have gone much further than at present in securing *some kind of international police action.* But all really civilized communities should have effective arbitration treaties among themselves. I believe that these treaties can cover almost all questions liable to arise between such nations, if they are drawn with the explicit agreement that each contracting party will *respect the other's territory and its absolute sovereignty within that territory,* and the equally explicit agreement that (aside from the very rare cases where the nation's honor is vitally concerned) *all other possible subjects of controversy will be submitted to arbitration.* Such a treaty would insure peace unless one party deliberately violated it. Of course, as yet there is no adequate safeguard against such deliberate violation, but the establishment of a sufficient number of these treaties would go a long way toward *creating a world opinion* which would finally find expression in the provision of methods *to forbid or punish any such violation.*

Secondly, there is the *further development* of The Hague Tribunal, of the work *of the conferences and courts at The Hague.* It has been well said that the first Hague conference framed a Magna Charta for the nations; it set before us an ideal which has already to some extent been realized and toward the full realization of which we can all steadily strive. The second conference made further progress; the third should do yet more. Meanwhile the American Government has more than once tentatively suggested methods for completing *the court of arbitral justice,* constituted at the second Hague conference, and for rendering it effective. It is earnestly to be hoped that *the various Governments of Europe,* working with those of *America and of Asia,* shall set themselves seriously to the task *of devising some method which shall accomplish this result.* If I may venture the suggestion, it would be well for the statesmen of the world, in planning for the erection of this world court, to study what has been done in the United States by the Supreme Court. I can not help thinking that the Constitution of the United States, notably in the establishment of the Supreme Court and in the methods adopted for securing peace and good relations among and between the different States, offers certain valuable analogies to what should be striven for in order to secure, through The Hague courts and conferences, *a species of world federation for international peace and justice.* There are, of course, fundamental differences between what the United States Constitution does and what we should even attempt at this time to secure at The Hague, but the methods adopted in the American Constitution to prevent hostilities between the States and to secure the supremacy of the Federal court in

certain classes of cases are well worth the study of those who seek at The Hague to obtain the same results on a world scale.

In the third place, *something should be done* as soon as possible *to check the growth of armaments*, especially naval armaments, *by international agreement*. No one power could or should act by itself, for it is eminently undesirable, from the standpoint of the peace of righteousness, that a power which really does believe in peace should place itself at the mercy of some rival which may at bottom have no such belief and no intention of acting on it. But, granted sincerity of purpose, *the great powers of the world should find no insurmountable difficulty in reaching an agreement* which would put an end to the present costly and growing extravagance of expenditure on naval armaments. An agreement merely to limit the size of ships would have been very useful a few years ago, and would still be of use, but the agreement should go much further.

Finally, *it would be a master stroke if those great powers honestly bent on peace would form a league of peace, not only to keep the peace among themselves but to prevent, by force if necessary, its being broken by others.* The supreme difficulty in connection with developing the peace work of The Hague arises *from the lack of any executive power, of any police power, to enforce the decrees* of the court. In any community of any size the authority of the courts rests upon actual or potential force, on the existence of a police, or on the knowledge that the able-bodied men of the country are both ready and willing to see that the decrees of judicial and legislative bodies are put into effect. In new and wild communities where there is violence, an honest man must protect himself, and, until other means of securing his safety are devised, it is both foolish and wicked to persuade him to surrender his arms while the men who are dangerous to the community retain theirs. He should not renounce the right to protect himself by his own efforts until the community is so organized that it can effectively relieve the individual of the duty of putting down violence. So it is with nations. Each nation must keep well prepared *to defend itself until the establishment of some form of international police power, competent and willing to prevent violence as between nations.* As things are now, such power to command peace throughout the world *could best be assured by some combination between those great nations which sincerely desire peace and have no thought themselves of committing aggressions.* The combination might at first be only to secure peace within certain definite limits and certain definite conditions; *but the ruler or statesman who should bring about such a combination would have earned his place in history for all time and his title to the gratitude of all mankind.*

Mr. FRANCE. Mr. President, will the Senator yield?

Mr. OWEN. I yield to the Senator.

Mr. FRANCE. I have been very much interested in the address of the Senator, because I know that he entertains some very progressive political views. I desire to ask him one or two questions, for I know that he has given much study to the phraseology of the proposed constitution of the league. Does he apprehend that under the present phraseology we might be called upon to conscript our soldiers for the purpose of fighting Ireland, for example, if Ireland should desire her independence, or of fighting India, if India should desire her independence from the British Empire?

Mr. OWEN. The exact reverse, of course, is true. The conditions which, under the old régimé, made subject nations a military asset will no longer exist if the league be established; and nations would not regard subject nations as an asset, but as a liability, where they were discontented.

Mr. FRANCE. I ask that question in view of the statement of the Senator that he thought the language should be made clear, so that it would be apparent always that member nations should not interfere in internal disputes.

Mr. OWEN. There is nothing in this proposed league of nations which would require the United States to furnish her troops on the battle field. It is one thing to have an aggressive nation invading the territorial integrity or political independence of a nation, and by that act, in violation of these terms, making war itself upon all nations. We had war made on us a long time before we yielded to the affront and to the danger which threatened us. A nation can make war under the terms of this constitution without involving us in any degree to furnish any troops. On the contrary, instead of its leading to conscription, Gen. Smuts in his book on the League of Nations argues that conscription is a potent means of promoting war, and he is opposed to conscription.

Mr. FRANCE. Certainly there is great ambiguity in the language when it is susceptible of so many different interpretations.

Mr. OWEN. I think some of the interpretations of the language used are not justified at all by the language itself, but are quite hypercritical and entirely unjustified by anything in the instrument.

Mr. FRANCE. Now, I desire to ask the Senator one more question. What does he consider to be the purpose of this league of nations? Is it merely to secure peace, or is it really to secure justice and the advancement of the welfare of all men, including the advancement of the backward nations of the world?

Mr. OWEN. They are coincident. Justice and peace go hand in hand. You can not have peace if you do not have justice.

Mr. FRANCE. I am very glad the Senator is bringing out that thought——

Mr. OWEN. The Senator himself brought it out.

Mr. FRANCE. Because, according to the idea that I entertain, the two things are not always synonymous. Sometimes there can not be justice if there is to be peace; sometimes justice can not be advanced by peaceable means; and it seems to me it should be clearly stated what the purpose is. If it is merely to be a league of peace for the preservation of the status quo, that is one thing. If it is to be a league which is to express the great cooperative spirit for the advancement of the world and for the uplifting of those peoples of the world who are backward and have been kept down because heretofore there has been exploitation rather than a desire for elevation, then the league is quite a different thing.

Mr. OWEN. Mr. President, so far as Great Britain is concerned, I think, the best evidence that she had tried to give justice to her colonies was shown by the loyalty and zeal of her colonies in coming to her support in this great crisis of the war.

Mr. FRANCE. To try is not enough. To try for justice is not enough. Justice must be accomplished. How about the great country of Africa, composing approximately one-fourth of the earth's land surface? The same heathenism, the same savagery, exist to-day in the heart of Africa as existed when the pyramids were new. A mere good-natured will is not enough. The liberals of the world to-day demand results, and they will have them.

Mr. OWEN. I am pleased to see the Senator's enthusiasm in favor of justice. I am in accord with his desire.

Mr. FRANCE. I believe that the Senator is; but let us keep the great purpose to the front, not merely a stagnant universal passivity but a purpose of progress and advancement. That is what I hope to see come out of this great cooperative movement.

Mr. OWEN. I think great advancement will come from this league, because the principles of justice and right are written in the provisions of the proposed league; and when those principles are made the universal law I have no doubt that they will become more and more potent, and that they will become the universal rule.

Mr. FRANCE. Mr. President, if I am not disturbing the Senator, may I ask him this question: As the Senator from Oklahoma entertains very progressive views, does he not realize that many countries of the world have been in the hands of reactionary ministries who look with suspicion upon any effort to advance and improve the conditions of the backward nations of the world?

Mr. OWEN. Undoubtedly. That is not altogether untrue of the United States.

LEGISLATIVE, ETC., APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two House on the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Iowa suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kendrick	Overman	Spencer
Baird	Kenyon	Owen	Sterling
Bankhead	King	Page	Sutherland
Beckham	Kirby	Pittman	Swanson
Calder	La Follette	Pollock	Thomas
Chamberlain	Lewis	Pomerene	Thompson
Colt	Lodge	Ransdell	Trammell
Cummins	McCumber	Reed	Underwood
Curtis	McKellar	Robinson	Wadsworth
Fletcher	McNary	Shafroth	Warren
France	Martin, Ky.	Sheppard	Watson
Gay	Martin, Va.	Simmons	Weeks
Gore	Moses	Smith, Ariz.	Williams
Gronna	New	Smith, Ga.	Wolcott
Harding	Norris	Smith, S. C.	
Johnson, Cal.	Nugent	Smoot	

The VICE PRESIDENT. Sixty-three Senators having answered to the roll call, there is a quorum present. The question is on agreeing to the conference report.

Mr. CALDER. Mr. President, I wish to say a word in support of the motion of the Senator from Washington [Mr. JONES] that this conference report be rejected. I voted for amendments numbered 94 and 95 because I believed we deal fairly with all our Government employees. Under the terms of the conference report these two amendments have been eliminated. The effect now will be that Government employees who received an increase in pay during the past year, even if it was less than $200, but if at the rate of $200, will be debarred from receiving the $240 increase next year.

I have in mind a number of men who have received increases in pay at the rate of $210 a year, but that raise extending over a period of less than six months. I believe these men are dealt with unjustly under the circumstances, and I hope that the motion of the Senator from Washington that the conference report be rejected will be agreed to.

Mr. SMOOT. Mr. President, the Senator from Alabama [Mr. UNDERWOOD] stated the situation that existed in the conference when this bill was under consideration, but there could be an injustice done the Government if the amendments offered by the Senator from Washington remain in the bill. I do not say that it would be the case, but perhaps the wording is unfortunate in both cases. The way the provision read with the amendment of the Senator from Washington it could allow an employee of the Navy Department to work up to a time that would bring him an increase of wage of $199 and then he could stop work for the balance of the year and draw $240. That is hardly a proper provision to leave in the bill. I do not say that it would be done; I do not charge that; but I say it could be done.

The employees of the navy yards requested legislation giving them the same rate of pay that was paid by individuals or companies for similar work. The pay increased on account of the war so rapidly and the rates were so high that the employees of the navy yards received more than the $200 increase where they worked the full year. The bill as reported now simply carries out the provisions of the law granting them that increase. I understand that since the high rates were paid there has been a decrease to a certain extent, but if the Senate provision remains in the bill it would mean that a party working a part of the year whose salary did not show an increase of $200 per annum could claim under this provision an increase in salary of $240.

I do not want to do injustice to an employee of the Government; but the reason why the mechanics at the navy yard were not included in the $120 increase last year is what I have already stated; and that being brought to the attention of the conferees, and the further fact that the House conferees would not yield upon it, the Senate conferees yielded upon the two amendments numbered 94 and 95. I think they were fully justified in doing so, and the conference report should not be defeated for that reason.

Mr. LODGE. Mr. President, there was one amendment on the legislative bill in which I took very great interest, and that was making provision for the enforcement of the child-labor tax law as embodied in the revenue bill. A certain sum was allotted from the lump sum appropriation to be given to the Commissioner of Internal Revenue for the enforcement of the law, and it provided that the force of the Secretary of Labor should be used for the purpose of reporting on those manufactures in which child labor was employed. It has been changed in conference so that the information gathered by the officers of the Department of Labor can only go before the Commissioner of Internal Revenue on his request. The information will be gathered, I am sure of that, and as perfect information as possible will be brought together by the officers of the Department of Labor showing what goods are subject to tax under the revenue law; but the commissioner has to ask for it.

I am not going to attempt to delay or stop agreement to the conference report. I merely want to point out that if there is a failure to enforce the tax law respecting child labor it will lie at the door of the Commissioner of Internal Revenue.

Mr. SMOOT. I will say to the Senator that I hardly think there will be any danger of that, because the Commissioner of Internal Revenue requested that this appropriation of $184,160 be made out of the $21,000,000.

Mr. LODGE. The Senator is entirely mistaken. He made no such request.

Mr. SMOOT. It was so stated, I will say.

Mr. LODGE. I do not know where it was stated. It came to me from the Secretary of Labor. It was not put in by the committee. I offered the amendment on the floor.

Mr. SMOOT. I know the Senator did, and what the Senator has just stated I have no doubt is true. I sincerely trust, as he has already stated, that there will be no effort on the part of any official of the Government to prevent the enforcement of the child-labor law.

Mr. LODGE. If the Senator will allow me, I did not mean to suggest that the Commissioner of Internal Revenue, who is a most admirable officer, for whom I have the highest respect, would not gather the information and enforce the law. I merely wanted to call attention to the fact that the whole responsibility is now placed on him, and the original amendment did not do that.

Mr. SMOOT. If it is not enforced, of course the statement of the Senator from Massachusetts is correct that it will be laid at his door.

Mr. POMERENE. Mr. President, I have every confidence that the provision of that law will be enforced, and I share with the Senator from Massachusetts the very high regard for the integrity and efficiency of the Commissioner of Internal Revenue. I shall look with interest at the progress that is being made, and if it is necessary to have any additional legislation to help enforce the provisions of that law I shall join hands with the Senator from Massachusetts.

Mr. LODGE. I am sure the Senator from Ohio will do so. The Senator will remember that my amendment made it the duty of the Secretary of Labor to furnish the information. That is the only change.

Mr. SMOOT. I will say that the conferees, I think, took the wording of the revenue act.

Mr. UNDERWOOD. On the matter the Senator from Massachusetts has suggested the House conferees refused to agree to the Senate amendment. It was a question of compromise. We could not defeat a supply bill because we could not reach an agreement, and we reached the compromise that is included in the bill. It carries all the money that is required, all the authority that was in the original amendment, and merely puts the control of the situation in the hands of the man who in the last analysis must enforce the law. That is all there is in it.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The conference report was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. OVERMAN. I ask that the unfinished business be proceeded with.

The VICE PRESIDENT. There is none.

Mr. OVERMAN. I move that the Senate proceed to the consideration of House bill 14516, the Diplomatic and Consular appropriation bill.

Mr. PENROSE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kenyon	Nugent	Smith, S. C.
Baird	King	Overman	Smoot
Beckham	Kirby	Owen	Spencer
Colt	La Follette	Page	Sterling
Curtis	Lewis	Penrose	Sutherland
Fletcher	Lodge	Pomerene	Swanson
France	McCumber	Ransdell	Thomas
Gay	McKellar	Reed	Thompson
Gore	McNary	Robinson	Trammell
Hale	Martin, Ky.	Shafroth	Underwood
Harding	Martin, Va.	Sheppard	Warren
Johnson, Cal.	Moses	Simmons	Watson
Jones, Wash.	New	Smith, Ariz.	Williams
Kendrick	Norris	Smith, Ga.	Wolcott

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present. The Senator from North Carolina moves that the Senate proceed to the consideration of House bill 14516.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

The VICE PRESIDENT. The pending amendment will be stated.

The SECRETARY. On page 22, line 9, after the word "allowances," strike out the words "during pendency of existing war and for six months after its termination," so as to make the clause read:

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to consular and diplomatic officers and consular assistants and officers of the United States Court of China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $700,000.

Mr. LODGE. I merely wish to ask the Senator from North Carolina—I was not here when he explained it last night—if he can tell me in a few words the purpose of this amendment?

Mr. OVERMAN. I should like to have the Senator take time to read the evidence before the committee. I will read just a few lines.

Mr. LODGE. I do not mean to ask the Senator to read all the evidence.

Mr. OVERMAN. No; I said I would like to have the Senator read it. We increased the amount of special allowances to consular and diplomatic officers during the war. It was shown to our committee that a great many of the consuls had resigned because they could not live on their salary. We gave

an appropriation of $700,000 in the last appropriation act to take care of the situation. The testimony shows how consuls have resigned and that the situation is the same now that it was during the war. Mr. Carr said:

> The history of prices after previous wars shows that as a rule prices have been higher 12 months after the war than they were during the war, and that they did not really fall to anywhere near the prewar level for several years after the war; so that if you were to strike out this appropriation six months after the treaty of peace is signed I am perfectly certain that you would destroy our service in several countries.
>
> If you will remember, when I came before the committee last year and asked you to remove one of the limitations on the appropriation, I said that I then had in my hands a telegram from the consul general in Chile, transmitting the resignations of every officer in Chile. We also came very near having a complete disintegration of the service in China.

He goes on to state that unless this appropriation is given to take care of these people the whole service will be disintegrated, and that these people can not live without an increase. He also shows how we increased their salaries. If the Senator would like to hear it, he shows the cost of telegrams and of every article at every place, and made a very careful estimate. We allowed what we considered absolutely necessary for these people to live abroad.

Mr. LODGE. What I was referring to does not affect the appropriation.

Mr. OVERMAN. Oh, no.

Mr. LODGE. I was referring merely to the words proposed to be stricken out, "during pendency of existing war and for six months after its termination." What is the reason why the committee struck it out?

Mr. OVERMAN. We struck it out because the prices are as high now as they were during the war, and in some places higher, and it costs at least as much now as during the war, and probably more.

Mr. LODGE. I have no objection to the amendment.

Mr. MOSES. I should like to ask the Senator why it is that in the course of the hearing when the Director General of the Consular Service was testifying he said a table would be inserted in the hearing showing the prices after former wars; but upon examination I find it is altogether with reference to post allowances for the Consular Service.

I have not made any computation of the total amount of post allowances under the Diplomatic and Consular bills heretofore passed, but I assume that similar allowances were made in the diplomatic establishment.

Mr. OVERMAN. Yes; that is so.

Mr. SMOOT. Mr. President, I move to strike out "$700,000" and to insert "$600,000," and I want to call the Senator's attention——

The VICE PRESIDENT. The pending amendment has not yet been agreed to.

Mr. SMOOT. The pending amendment, then, is the one in lines 9 and 10, on page 22?

The VICE PRESIDENT. Yes; that has been under discussion.

Mr. OVERMAN. This appropriation is only for the ensuing year, and then we shall have to appropriate again. The State Department say that the condition making this appropriation necessary will last all of this year, and they are afraid it will continue longer.

Mr. PENROSE. Mr. President, I observe that this $700,000 applies to diplomatic salaries as well as to consular salaries. I fail to recall a single diplomatic appointment of anyone who has not been a very heavy contributor to the national committee of the Democratic Party. There was a name sent to the Senate to-day of, I have no doubt, a very estimable gentleman, but I discover in the CONGRESSIONAL RECORD that in 1912—I do not know what he contributed in 1916—the sum of $20,000, in different installments, was contributed for campaign purposes by Mr. Wallace. Would the Senator from North Carolina consider that a case to come under this benefaction?

Mr. OVERMAN. I have a list here of post allowances, and I do not think that the name of an ambassador is included in the list.

Mr. MOSES. That is what I was undertaking to develop.

Mr. OVERMAN. I do not think that any ambassador was allowed anything. I had them all put in the record before the committee so that every Senator could see how much was allowed.

Mr. MOSES. But these post allowances were stated to the committee by Mr. Carr, who is the Director of the Consular Service, and naturally he would have given the allowances only for the consuls, being familiar with that branch of the service.

Mr. OVERMAN. I think Mr. Carr gave the whole list.

Mr. MOSES. I asked the Senator from North Carolina a few moments ago if similar allowances were not made in the diplomatic establishment where cases of necessity arose.

Mr. OVERMAN. I do not think it applies to ambassadors. I think it applies merely to consular officers. Of course, the table shows the facts.

Mr. PENROSE. The bill says for "additional compensation to consular and diplomatic officers." A gentleman who can squander money in a political campaign certainly does not require any addition to his salary.

Mr. OVERMAN. I do not think he will get it unless he needs it.

Mr. PENROSE. I was only asking the question.

Mr. OVERMAN. The matter is left in the discretion of the President, whether or not he will allow it.

Mr. PENROSE. Does the Senator think that presidential discretion would cover the case of Mr. Morgenthau, who gave $10,000 to the campaign?

Mr. OVERMAN. Morgenthau was not allowed anything, as the table shows.

Mr. PENROSE. Would the presidential discretion cover such a case as that?

Mr. OVERMAN. The bill says "diplomatic and consular officers," and I suppose it would include anybody who is not getting salary enough to take care of him.

Mr. PENROSE. Whether he had exhibited superficial evidence of great wealth in the campaign or not?

Mr. OVERMAN. I do not suppose they would be allowed a cent they did not need.

Mr. POMERENE. Mr. President, assuming the facts to be exactly as the Senator from Pennsylvania states them in regard to campaign contributions by some men, wherein does the practice differ from the practice which prevailed during the Republican administration?

Mr. PENROSE. Not at all; but this paragraph was not in any consular or diplomatic appropriation bill prior to the war.

Mr. POMERENE. I thought my distinguished friend from Pennsylvania was trying to indicate that there was a difference in practice.

Mr. PENROSE. Oh, no. I think that it is a commendable practice for a citizen who is wrought up regarding the issues of a campaign to attest his faith by a contribution; and he is worthy of encouragement, even by being appointed as a diplomat. But it does not arouse any sympathy in my breast toward an appropriation of $700,000 to increase his salary. A disinterested patriot like that really ought to serve his country abroad for nothing, as I know that in the history of the American Republic some of them have served for nothing, for the salary admittedly has been insignificant compared to their needs.

I think as to this paragraph, Mr. President, the House provision ought to be restored, so that the people may know that it is a war measure, designed, in the opinion of the Senator from Delaware [Mr. SAULSBURY], to correct the inequalities in exchange, in the opinion of the Senator from North Carolina [Mr. OVERMAN], to make provision for the excessive cost of living, and, in the opinion of the Senator from New Hampshire [Mr. MOSES], who was speaking when we adjourned last evening, on account of the fact that shoes cost differently in different parts of the world.

Mr. MOSES. Oh, Mr. President, I beg the Senator from Pennsylvania [Mr. PENROSE] not to confound me with the distinguished Senator from Kansas [Mr. CURTIS], who spoke so feelingly on the subject of shoes. I addressed my remarks to the ethical trend of the argument advanced last night by the Senator from Pennsylvania, the sentiment of which appealed very strongly to me, although I felt that there were some circumstances in connection with this paragraph which would impel me to support it in spite of the strong moral argument which the Senator from Pennsylvania was making at that time.

Mr. PENROSE. Well, Mr. President, perhaps I misunderstood the Senator from New Hampshire. He has had great experience in the diplomatic service; but when I recall that for campaign purposes the ambassador to Germany contributed $13,000, the ambassador to Spain contributed $15,000, the ambassador to Turkey contributed $10,000, and that Mr. Morgenthau contributed another $10,000—without going down the complete list—I really think that the word "diplomatic" ought to be stricken from the bill, and when we reach that stage of the consideration of the measure I intend to make the motion that it be stricken from the bill.

Meanwhile, as I understand, the question before the Senate is on the elimination of the House provision that these allowances shall only last pending the war and for six months after its termination. So far as I am concerned, I intend to vote to retain that provision in the measure.

Mr. JONES of Washington. Mr. President, I want to ask the Senator in charge of the bill whether the committee considered the change the House has made in this paragraph from the form in which it appeared in the last appropriation act and, I think, in the last two or three such acts? In the last Diplomatic and Consular appropriation act this additional compensation is confined to consular and diplomatic officers "in belligerent countries and countries contiguous thereto," including China, officers in Hongkong, and so on. Under this provision the President can go anywhere in the world and readjust these salaries.

It also applies to officers of the United States Court in China. Now, does it contemplate that the United States judge in China, who receives $8,000 a year, shall have an allowance made on account of the increased cost of living? Is it intended that the United States attorney in China, who gets a pretty good salary, shall have an allowance that has not heretofore been made?

Mr. OVERMAN. I think the Senator is as familiar probably with this case as I am, because it was his amendment a year or so ago that was adopted. The Senator will remember that, I think; but when the Secretary came in and said this worked a hardship on the representatives of the United States living in China and Peru, and especially in Chile, and that our representatives in Chile had already sent in their resignations, we changed it at his suggestion to hold these men if possible.

Mr. JONES of Washington. I will say to the Senator that I am not on the subcommittee now.

Mr. OVERMAN. We put it in exactly like it was last year, and the Senator was a member of the subcommittee then.

Mr. JONES of Washington. No; we put it in last year in a different form. That is what I am asking about, namely, why it has been changed? This is the way we put it in last year:

Additional compensation to consular and diplomatic officers in belligerent countries and countries contiguous thereto.

Mr. OVERMAN. I think not.

Mr. JONES of Washington. Oh, yes; as the Senator has suggested, that was my amendment.

Mr. OVERMAN. I know that it was, and we changed it because the Secretary came to us and asked us to change it for the reason I have given.

Mr. JONES of Washington. I see the provision has been changed in this bill.

Mr. OVERMAN. Yes; we changed it in accordance with the suggestion of the Secretary of State, because, as the Senator will see if he will read the testimony, otherwise it would work a great hardship on the representatives of the United States in countries that were not contiguous to belligerent countries and where the necessity for some kind of an allowance is as great as in any other countries in the world, especially in the case of Chile.

Mr. JONES of Washington. They tried to make that showing in connection with the previous bill, but, notwithstanding the statement they made, the committee put in the words "or countries contiguous thereto," and the House accepted it in conference, and that has been the law for the last two or three years. Now, apparently, the committee is accepting what the House has been in this instance contending for all the time.

Mr. OVERMAN. This is a House provision, as the Senator knows.

Mr. JONES of Washington. I know that this is a House provision. I do not remember, however, at any time the Secretary urging any increase for the court officers in China. He did for the consular officers; but this goes further than the House provision, and I wish to ask the chairman whether the committee considered that language?

Mr. OVERMAN. We took it as the House sent it over, with the language written in by the House "during the pendency of the existing war," which the House probably inserted without knowing its effect. The committee struck that language out; that is all we had to do with it.

Mr. JONES of Washington. I was not particularly discussing that.

Mr. OVERMAN. We did not consider any of the officers in China. Provision for them was put in by the House.

Mr. JONES of Washington. What the committee struck out was put in by the House, and that is what I am trying to get at—why the committee did not consider the change that the House made in the terms of existing law or, rather, in the similar acts which have heretofore been passed.

Mr. MOSES. Is the Senator from Washington undertaking to limit the expenditure of this money to our representatives "in belligerent countries and countries contiguous thereto"?

Mr. JONES of Washington. I am thinking about offering such an amendment when the proper time comes, because that is in accordance with the acts that have been passed heretofore. Now that the war has actually ended, I can not see any reason why we should so frame the provision as to have it cover the whole world.

Mr. MOSES. Even with such a limitation, it would take in practically all the world.

Mr. JONES of Washington. That is probably true.

Mr. MOSES. There might be a few back countries that would not be included.

Mr. JONES of Washington. I think that is probably true, but I have never thought that we ought to give the President blanket authority to go anywhere in the world and readjust salaries. If we are going to do that all over the world with reference to our consular officers, then why do we not appropriate a lump sum and give it to him to readjust salaries throughout the United States that need readjustment? I have been willing heretofore to permit the additional allowance to go to our representatives "in belligerent countries and countries contiguous thereto." While I know that that includes a great part of the world——

Mr. MOSES. The Senator may remember that I criticized this section last night as seeking to do a good thing in a bad way; but even the fact that favoritism might creep into the distribution of this fund, even though some of those who have been as generously disposed as the Senator from Pennsylvania has pointed out might in this way recoup themselves for some unwonted expenditure made during the year of the presidential campaign, that does not detract from the meritorious object sought to be attained by the section, which is to enable our representatives who are underpaid, as most of them are, to live with some degree of respectability without too much of a drain upon their private resources. Anybody who has had any personal contact with the Consular and Diplomatic Corps of the United States knows that it has constantly existed at the cost of its own private resources.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Ohio?

Mr. JONES of Washington. I yield.

Mr. POMERENE. As a general proposition I am in entire sympathy with the position taken by the Senator from Washington, that too much latitude should not be given in the fixing of salaries or other compensation of our representatives abroad; but I think during the trying period of the last few years some latitude should be given to some one in authority, and I know of no one in whom it could be better vested than in the President. As an illustration of the extraordinary expense to which some of our diplomatic representatives have been subjected, I know that last year in Paris the embassy was obliged to pay $80 a ton for coal, and then could not get enough to keep the embassy comfortably warm. That is only one of many instances that might be cited. It is utterly impossible for the Congress to anticipate what the special expenses will be in any particular place, and it seems to me that for the time being it would be well to leave a certain amount of discretionary authority with the President.

Mr. JONES of Washington. I am not questioning that at all; I think there is no doubt about that; and I have never opposed that proposal with reference to this item. I have seen much justification for it not only on account of the fact mentioned by the Senator from Ohio but with reference to other conditions. The only point I am trying to make with reference to the matter is that heretofore during the continuance of the war we have limited the President in the use of this money to consular and diplomatic officers in belligerent countries and countries contiguous thereto. Now, when the war is practically over, we propose to remove that limitation and to allow the money to be allotted to our representatives in any part of the world. There may not be very much territory that is not contiguous to some country that was engaged in the war; but I think it might be well to preserve in the language of the act, at any rate, the real character and purpose of this appropriation, which was to take care of especially peculiar conditions brought about by the war itself.

Mr. POMERENE. Mr. President, this war has advanced the cost of living everywhere. I would not be able to understand what was meant by "belligerent countries" now. To illustrate, are Siberia, Russia, and other nations in Europe and in Asia what might be called "belligerent countries."

Mr. JONES of Washington. They are "contiguous" anyway.

Mr. POMERENE. That may be.

Mr. MOSES. Mr. President, if the Senator from Ohio will permit me, the United States for a long time was neither belligerent nor contiguous to a belligerent country, and yet there was a great increase in the cost of living here.

Mr. POMERENE. There is no doubt about that.

Mr. JONES of Washington. Yes; but we did not pretend to take care of that situation by a lump-sum appropriation. If the salaries of these officers are not sufficient, let us take care of that in a proper sort of a way. The same argument that is being urged here for unlimited authority in the President to enable him to add to the salary of an officer anywhere in the world is applicable to conditions in this country. We might just as well say to the President, "Take a hundred million dollars and readjust salaries of the Government employees throughout the country." We have not seen fit to do that, and yet their demands, their needs, and requirements are just as great as the needs and requirements of the gentlemen who represent us in foreign countries.

Mr. POMERENE. Mr. President, if in times like these we are going to be niggardly with our diplomatic and consular representatives abroad, no one will be able to accept such a position except the man who has a very large fortune, and I should regret that condition.

Mr. JONES of Washington. That is largely the situation even in normal times. A man of ordinary means can not afford to be a diplomatic officer. Personally I am in favor of giving these men ample salaries and to make provision for residences and accommodations for them, so that they may live in accordance with the dignity of their Government; but under the stress of war conditions I do not think it is the proper thing to appropriate a lump sum, with unlimited authority to expend it anywhere throughout the world. I am not questioning the situation the Senator from Ohio and the Senator from New Hampshire suggests, and I will join with them in remedying that condition of things in the ordinary and regular way.

Mr. SMOOT. Mr. President——

Mr. JONES of Washington. I yield to the Senator from Utah.

Mr. SMOOT. I wish to say to the Senator from Ohio that in the bill a year ago we appropriated $700,000 for this purpose, qualified, however, as stated by the Senator from Washington. The testimony before the committee showed that from July 1, 1918, to January 1, 1919, 6 months of the 12, the State Department only expended $300,000; and we certainly must admit that prices during those 6 months for coal, mentioned by the Senator from Ohio, for instance, and for everything purchased by the officials of the Government abroad were as high as they possibly can be for the coming 6 months. Upon that basis, that the department would only need $600,000, instead of $700,000, I desire to offer the amendment.

Mr. MOSES. This kind of an appropriation has been in the bill for two or three years, has it not?

Mr. SMOOT. One hundred thousand dollars has been appropriated, until last year.

Mr. MOSES. Only $100,000?

Mr. SMOOT. One hundred thousand dollars.

Mr. OVERMAN. Then they increased it to $400,000.

Mr. SMOOT. The first increase, I think, was to $400,000, and then to $700,000; but I will say to the Senator that the first appropriation was $100,000.

Mr. MOSES. Can the Senator tell me how much was ever spent in any one year under this authorization?

Mr. SMOOT. No, Mr. President, I can not say, because we have not had reports upon it; but I can say that if this department has done like every other department—and I have no reason to believe that it has not—every cent that was appropriated has been expended. I have not any hesitancy in saying that.

Mr. MOSES. From what document was the Senator reading just now?

Mr. SMOOT. I was not reading from a document; but I can show the Senator, if he wants it, the testimony in the House hearings, where Mr. Carr admits that during the first six months there was only $300,000 expended.

Mr. MOSES. The first six months of the current fiscal year?

Mr. SMOOT. The first six months of the current fiscal year.

Mr. OVERMAN. That is right.

Mr. SMOOT. Perhaps the Senator had better let me look it up, and I will show it to the Senator.

Mr. OVERMAN. Here is the testimony of Mr. Carr:

> The House gave us $700,000, and for next year we asked for $800,000, but, of course, that estimate was put in before the armistice was signed. We ask for $100,000 more because we thought we ought to have $100,000 more if prices keep on increasing as they have been. As you know, for example, in China prices did not begin to increase until the latter part of 1916. What happened was this: The salaries of our officers in China are payable in gold; the Government only provides for the payment of salaries in United States gold, but the money current in that country is silver. Local silver dollars used to cost us before the war 43 cents, while in 1917 the local silver dollar had increased in value so that it cost us 89 cents.

Mr. MOSES. But there is another appropriation in the bill, on page 7, providing against loss by exchange.

Mr. OVERMAN. Not for consular officers, I think.

Mr. SMOOT. Oh, yes; it applies to all diplomatic and consular officers.

Mr. MOSES. No; the Senator from North Carolina is right about that, on the strict construction of the language in the bill. The language is:

> For loss on bills of exchange to and from embassies and legations.

It is that section that I gave him formal notice last night of purposing to amend.

Mr. SMOOT. The Senator, I think, ought to amend it, if that is what he intends, because that is exactly what the practice has been—that all the losses through exchange of American money in any country of the world have been cared for by that appropriation.

Mr. MOSES. That is perfectly true, Mr. President, so far as the diplomatic officers are concerned. I know that myself. If there is any loss on exchange, the chief of mission or the secretary of embassy or legation is authorized to make a charge in his quarterly account for the loss by exchange. It is a somewhat jug-handled arrangement, I am free to admit, because if there should chance to be a gain by exchange the representative is entitled to pocket that and say nothing to the Government about it, and that has frequently happened in places where there has been a depreciated currency. I happen to recall at the minute a Levantine country where, following military operations, exchange fell to a point where the current unit of exchange, based upon London exchange, was 42 to the pound. That is to say, 42 of the monetary units of the country could be purchased for an English pound. Later it came to the point where it was difficult to get 21 of the monetary units of the nation for the English pound. While the exchange ran to the benefit of the representative, he gained by it; when he was likely to lose by it he was entitled to charge the loss to the Government; and that is true with reference to the language here on page 70. But this section does not in its language provide for any loss by exchange. This is for additional compensation, to be allotted more or less without reference to the particular conditions, but by the favor of the Executive—either the State Department or the President.

Mr. SMOOT. Now, I have the testimony taken by the House committee, Mr. President, in relation to the amount expended during the first six months of this fiscal year from the $700,000 appropriation.

> Mr. ROGERS. Can you tell us what the amount of the unexpended balance is? I notice you ask for $700,000 plus the unexpended balance of the appropriation for the current fiscal year.
> Mr. CARR. I think the unexpended balance at the present time is approximately $400,000.
> Mr. ROGERS. With just about half of the year gone?
> Mr. CARR. With just about half of the year gone and with a possibility of a great many expenditures in the second half of the year.
> Mr. ROGERS. And also with the possibility that changing conditions may reduce the scale of necessary expenditures?
> Mr. CARR. That is quite true.

In other words, Mr. President, during the first half of this fiscal year the amount expended out of the $700,000 appropriated was only $300,000; and no one can say that the prices for the remaining half of the fiscal year are going to exceed the prices that were in force during the first six months.

Mr. MOSES. Of course, the Senator from Utah knows that during this six months there were very many of our diplomatic and consular establishments which were in disuse, and where there was no occasion for the use of this fund, or any other fund, for their maintenance.

Mr. JONES of Washington. Mr. President, I want to ask the Senator a question. I understood from him a while ago that the Senate committee did not consider the matter with reference to the court officers, but that they simply took the House provision as it stood.

Mr. OVERMAN. I want to say to the Senator that the evidence shows, as the Senator will see if he will look at it, that this fund has been administered with wisdom and economy. Now, I will ask him a question. Suppose a man's salary was $3,000 and the cost of living was $3,000, how much would you give him? You would give him nothing. Expenses of living have gone up 70, 80, 85, and 90 per cent. If you will look at this table and see what they have allowed them, you will see that they have allowed them nothing except what they ought to allow them. We now have provision for a commission to arrange salaries hereafter, incorporated in a bill passed this afternoon, so they can arrange these consular salaries afterwards. Let this provision go in here as it is. The Senator wants to have these consuls paid what is right.

Mr. JONES of Washington. But the point I am getting at is this: The court officers are not consular officers at all, and the court officers never have been covered by this provision.

Mr. OVERMAN. That was put in because exchange in China to-day is 89.

Mr. JONES of Washington. That is the reason why that was put in, is it—to cover that situation?

Mr. OVERMAN. I think so; yes.

Mr. MOSES. But the language of the section says absolutely nothing about loss by exchange here.

Mr. OVERMAN. I suppose that is the reason why the House put it in. I do not know why they put it in.

Mr. JONES of Washington. Of course this is not the time to offer any amendment with reference to it; but I want to call the Senator's attention to it, and I may offer an amendment when we get to that.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. SMOOT. Mr. President, does the Senator desire to dispose of the committee amendments first?

Mr. OVERMAN. That is the last one, I think, is it not?

Mr. LODGE. That is the last one.

The VICE PRESIDENT. No; there is one more.

Mr. SMOOT. There is one that was passed over.

The VICE PRESIDENT. No; there is another amendment.

Mr. SMOOT. Oh, yes; on the same page.

The VICE PRESIDENT. The amendment will be stated.

The next amendment of the Committee on Appropriations was, under the head of "Allowance for clerk hire at United States consulates," on page 22, line 18, after the word "State," to strike out "$1,200,000" and insert "$1,000,000," so as to make the clause read:

Allowance for clerk hire at consulates; to be expended under the direction of the Secretary of State, $1,000,000.

Mr. LODGE. Mr. President, why is that reduction made?

Mr. OVERMAN. That is because the war is about over, we think—we hope so—and they have had an extraordinary number of clerks at all these places during the war, and we thought we would cut down the amount by $200,000, and save that much to the Government, because they will not need as many clerks now as they did during the war.

Mr. LODGE. I have here a memorandum from the State Department, which says:

The reduction in clerk hire from $1,200,000 to $1,000,000 will prevent the Consular Service from accomplishing the result desired both by the State and Commerce Departments. The lack of clerks is the weakest link in the Consular Service. The amount available should be increased rather than decreased. It is not economical to make consuls stay in their offices and do clerical work. They can be of more value interviewing business men and gathering information. Inadequate appropriations for clerks will result in employing foreign clerks on small salaries instead of American citizens at higher prices.

Mr. OVERMAN. I will say to the Senator that, as he well knows—I need not tell him that—during the war they had an enormous number of clerks in all these departments. Now they ought to get along with $200,000 less.

Mr. LODGE. These are consular clerks.

Mr. OVERMAN. Yes; that is right.

Mr. LODGE. I mean, they are not department clerks.

Mr. OVERMAN. No; they are consular clerks, but they have had an unusual number in these countries, especially in the centers, during the war.

Mr. LODGE. There is only one thing there that makes an impression on me, and that is forcing the Government to hire foreign clerks. We have had too much of that. They are cheap; their pay is small, but they are very bad to have in an American consulate. They can not be relied on. They give information to their own governments, and they are not trustworthy. It is a great deal better, I think, to have Americans.

Mr. OVERMAN. I think so, Mr. President; but I am satisfied that they can get along with a million dollars for clerk hire. They had $1,200,000 last year for the first time. They had less than that the year before. They had only $993,000 year before last and $1,200,000 last year to get the extra clerks they needed. Now we want them to go back to something like what they had before. The war is over. During one year of the war they had only $993,000.

Mr. LODGE. I am not going to delay the bill on it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. LODGE. Does that dispose of the committee amendments?

The VICE PRESIDENT. No; on page 16 an amendment was passed over.

Mr. OVERMAN. There was only one passed over.

Mr. SMOOT. That is all.

The SECRETARY. On page 16 the committee proposes to strike out the item relative to the International High Commission, with an appropriation of $25,000.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. SMOOT. Mr. President, upon that I want the yeas and nays.

Mr. LODGE. Does the Senator want the item in or out?

Mr. SMOOT. I want it out.

Mr. LODGE. It will go out if the Senator does not call for the yeas and nays.

Mr. SMOOT. Very well.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. LODGE. Mr. President, I desire to offer an amendment on page 2, line 4. I will ask the Secretary to read it, and then I will explain it. It comes in after the word "Chile."

The VICE PRESIDENT. That is in line 3.

Mr. LODGE. It is not important where it goes in.

The SECRETARY. On page 2, line 3, after the word "Chile," insert "Peru" and a comma, and, in line 5, change the total so as to read "$245,000."

Mr. LODGE. Mr. President, that is in accordance with a joint resolution which has been reported by the Committee on Foreign Relations and passed by the Senate, and it is to carry out the law with regard to the creation of ambassadors. Peru has appointed an ambassador and sent him to this country.

Mr. OVERMAN. I am authorized by the committee to accept that amendment, for the reason that the joint resolution has been reported by the Foreign Relations Committee and has passed the Senate.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. LODGE. That will necessitate taking Peru out of the clause for envoys and making a change of the total there.

The SECRETARY. On page 2, line 17, it is proposed to strike out "Peru" and the comma following, and, in line 19, to change the total from "$260,000" to "$250,000."

Mr. MOSES. The Senator from Massachusetts said that this change made in line 3 was in accordance with the law. Is it mandatory upon us in case any nation chooses to send us an ambassador that we must send that nation an ambassador? That was the original statute, as I remember it.

Mr. LODGE. That was the law passed through Congress, solicited by Mr. Evarts as the only way of enabling us to get ambassadors, which were thought very important at certain posts. I did not know that the provision had been repealed; it may have been.

Mr. MOSES. I am not concerned about its repeal; but I thought that it had been modified in some way so that it is no longer mandatory upon us.

Mr. LODGE. Now that the Senator speaks of it, I think he is right.

Mr. MOSES. The only comment I wish to make upon the raising of our representative in Peru to an ambassadorial rank is that we seem to be placing a reward upon the success of a revolution in Peru, while denying even recognition to the established government in Costa Rico that came into power.

Mr. LODGE. I do not think there is any revolution in Peru. She is on the edge of war with Chile.

Mr. MOSES. The administration now in power in Peru came in on the heels of a military revolution and was recognized within 48 hours.

Mr. LODGE. It was recognized at once, but the judgment of those best entitled to know is that there are odds in revolutions apparently as there are in other cases.

Mr. MOSES. I wish to call the attention of the Senator to the fact that the revolution in Peru was rewarded, while the revolution in Costa Rica has not been rewarded, although successful.

Mr. LODGE. Absolutely; the Senator is quite right.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LODGE. I have another amendment which I should like to offer. It is a bill which was passed by the Senate without objection, after having been reported from the Committee on Foreign Relations. It has been reported unanimously by the Committee on Foreign Affairs of the House and is now on the House Calendar. Unless we can put it on this bill I am afraid it will fail. The only purpose is to allow those persons who were connected with the American Embassy during the war in

Berlin to receive certain pieces of plate which were presented to them by the British Government in recognition of our services in the care of British prisoners and the representation of British interests. There is no decoration in it, simply small pieces of silver.

Mr. OVERMAN. As it passed the Senate once, as the Senator states, and has been reported favorably by the House committee, I accept it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, after line 18, insert as a new paragraph:

The following persons formerly connected with the American Embassy at Berlin be, and they are hereby, authorized to accept pieces of plate presented to them by the British Government in recognition of services rendered by the embassy while in charge of British interests in Germany: Mr. Joseph C. Grew, counselor of embassy; Messrs. Hugh R. Wilson, Albert B. Ruddock, Alexander C. Kirk, L. Lanier Winslow, Lithgow Osborne, Oliver B. Harriman, Robert M. Scotten, and Charles H. Russell, jr., secretaries of embassy or legation; Brig. Gen. Joseph E. Kuhn and Maj. George T. Langhorne, United States Army; Lieut. Col. C. L. Furbush, Medical Corps, National Army; Maj. Albert H. Roler, Medical Reserve Corps, United States Army; Lieut. Grafton W. Minot, Ordnance Reserve Corps, United States Army; Lieut. Jerome P. Webster, Medical Reserve Corps; Mr. H. R. Pyne, Aviation Service, United States Army; Commander Walter R. Gherardi and Surg. Karl Ohnesorg, United States Navy; Director A. E. Taylor, War Trade Board; Mr. Christian A. Herter, Department of State; Mr. E. L. Dresel and Miss G. de Courcy, employed at American Legation at Berne.

The amendment was agreed to.

Mr. MOSES. On line 3, page 7, after the word "legations," I move to insert "and officers of the United States Court for China."

Mr. OVERMAN. I accept that amendment as a proper one.

The amendment was agreed to.

Mr. SMOOT. On page 22, line 14, I move to strike out "$700,000" and insert "$600,000," so as to read:

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to consular and diplomatic officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $600,000.

The VICE PRESIDENT. The question is on the amendment of the Senator from Utah.

The amendment was agreed to.

Mr. JONES of Washington. On page 22, after the word "assistants" in line 12, I move to strike out the words "and officers of the United States Court for China."

Mr. OVERMAN. I am sorry that my very good friend who helped frame this bill moves such an amendment.

Mr. JONES of Washington. All I have to say is that since I got off the subcommittee they have been putting such things in the bill, and that is the reason why I have been opposing them.

The VICE PRESIDENT. The question is on the amendment of the Senator from Washington.

The amendment was rejected.

The bill was reported to the Senate as amended and the amendments were concurred in.

Mr. PENROSE. I should like to offer an amendment. On page 22, line 11, I move to strike out the words "and diplomatic officers," so that this lump sum of money to evade the law fixing the salaries of consular officers shall not be applied to diplomatic officers who have almost invariably paid very generous campaign contributions prior to getting their places.

Mr. OVERMAN. I do not think the Senator can be in earnest about the amendment.

Mr. PENROSE. I am absolutely in earnest.

Mr. MOSES. I suggest to the Senator from Pennsylvania if he wishes to prevent men of wealth who chance to be in the diplomatic service as chiefs of missions from receiving any benefit of this fund, instead of striking out the complete characterization "diplomatic officers" he frame his amendment in such wise as to make it apply only to chiefs of missions, because there are many in the secretarial corps of the diplomatic service whose salaries are monstrously inadequate, and who in many instances have to require and do require some assistance from their earnings as writers or in other ways; at any rate they have to supplement their incomes. It is well known that we have no such provision in our diplomatic regulations as that in some other countries requiring men to be possessed of an ifidependent personal income in a certain sum before they can even be considered as candidates for the diplomatic service.

We have many young men in the secretarial corps who have come in by way of examinations and who render splendid service, and are really the backbone of the Diplomatic Service. If those men can be benefited even by indirection, I hope very much it may be done.

While the object which the Senator from Pennsylvania has in mind is entirely worthy, and I have tried to describe it as such in several other instances in the course of the debate, I very much hope he will attempt to frame his amendment in such wise as that it will affect only chiefs of missions.

Mr. PENROSE. I have no sympathy with these young men. They are mostly Anglicized or Frenchified fops who get these appointments for the social distinction which it confers upon them and to give them a little experience in visiting great capitals. I do not recall any of them who are not the sons of rich parents, and frequently sent from home for their parents' good. I do not see why we should make an exception anyway. If there is an element of triviality and frivolity in the foreign service, it is in the assistants in the diplomatic corps. I would prefer to adhere to my orginal amendment.

Mr. MOSES. I have no desire to advocate particularly the cause of the secretaries in the diplomatic corps. I am free to admit that many of them are frivolous and many of them are much more intent upon sitting at the proper place at the table and upon passing through a door at the proper time——

Mr. PENROSE. The Senator is a keen observer.

Mr. MOSES. Than they are upon performing some of the more serious functions of their office. But there are a great many men in the service to whom this characterization will not apply. I have in mind particularly a young man from the Senator's own State whose service in the secretarial corps chanced to have passed under my own observation, whose service was most praiseworthy, and to whom the description which the Senator from Pennsylvania so aptly made of a few others in the secretarial corps would not apply, and there are many others without question among the secretaries in the Diplomatic Service of whom that may be said.

While I am in sympathy with the Senator's purpose to deprive generous contributors to campaign funds from benefiting at all by this appropriation, I do hope that it will not be made so drastic that worthy members of the secretarial corps may not receive the additional compensation which so many of them require.

Mr. PENROSE. I offer the amendment, Mr. President, to strike out the words "diplomatic officers." If the Senator from New Hampshire has an amendment to my amendment I will consider it. But as he is not disposed to follow the suggestion I will ask for a vote on my amendment.

Mr. OVERMAN. I hope the amendment will be voted down.

The VICE PRESIDENT. The question is on the amendment of the Senator from Pennsylvania.

The amendment was rejected.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. OVERMAN. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. OVERMAN, Mr. SHAFROTH, and Mr. CURTIS conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 16136) to amend the liberty bond acts and the War Finance Corporation act, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 5279. An act to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes;

H. R. 13035. An act to amend section 4 of chapter 5 of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918, and to make said amendment retroactive;

H. R. 13394. An act to extend the time for the completion of the dams across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by acts approved June 3, 1912, and March 1, 1916; and

H. R. 15950. An act granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River.

HOUSE BILL REFERRED.

H. R. 16136. An act to amend the liberty bond acts and the War Finance Corporation act, and for other purposes, was read twice by its title and referred to the Committee on Finance.

FORTIFICATIONS APPROPRIATIONS.

Mr. UNDERWOOD. I move that the Senate proceed to the consideration of House bill 15979, the fortification appropriations bill.

The motion was agreed to.

Mr. FLETCHER. I ask the Senator from Alabama to lay the bill aside in order that I may get action on the conference report upon the river and harbor bill.

Mr. UNDERWOOD. I am willing to do that. I ask unanimous consent that the fortification bill may be temporarily laid aside.

The VICE PRESIDENT. Is there objection?

Mr. JONES of Washington. Mr. President, I feel that I have to act consistently with reference to these unanimous-consent agreements. So I shall have to object to laying aside the fortification appropriations bill. I objected to the request of the Senator from Virginia.

Mr. SWANSON. I hope the Senator from Washington will not persist in delaying the naval appropriation bill for a day in its consideration.

VALIDATION OF INFORMAL CONTRACTS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives further insisting upon its disagreement to the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHAMBERLAIN. I move that the Senate further insist upon its amendments and agree to the further conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX conferees at the further conference on the part of the Senate.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. FLETCHER. I move that the Senate proceed to the consideration of the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. PENROSE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, N. Mex.	Overman	Smith, Ariz.
Beckham	Jones, Wash.	Owen	Smith, Ga.
Brandegee	Kellogg	Penrose	Smith, S. C.
Calder	Kenyon	Pittman	Smoot
Chamberlain	King	Poindexter	Spencer
Curtis	Kirby	Pollock	Sutherland
Fletcher	La Follette	Pomerene	Swanson
France	Lewis	Ransdell	Thompson
Gay	Lodge	Reed	Trammell
Gore	McKellar	Robinson	Underwood
Gronna	Martin, Ky.	Saulsbury	Warren
Hale	Martin, Va.	Shafroth	Wolcott
Harding	Moses	Sheppard	
Henderson	New	Sherman	
Hitchcock	Nugent	Simmons	

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present. The Senator from Florida moves that the Senate proceed to the consideration of the conference report on House bill 13462, the river and harbor bill.

The motion was agreed to, and the Senate resumed the consideration of the conference report.

Mr. SMOOT. Mr. President, I am not going to take the time of the Senate to discuss the conference report. When it was up for consideration this morning we had reached amendment numbered 1. I think the amendment that was originally offered by myself and accepted by the chairman of the committee was fair; that it was just not only to the Government but to the people living upon the banks of the stream or river benefited by the expenditure of public money. The amendment as proposed in the conference report leaves the whole question in the hands of the Secretary of War. He can require the donation of terminals if he so wishes, or he can pass the question over and require none. I think this is a step in the right direction. It can be amended at the next Congress, and I sincerely hope that that may be done.

So, Mr. President, upon this question I will say no more. I will ask if the conference report has been read through?

The VICE PRESIDENT. The Chair understands that it was read once to-day.

Mr. SMOOT. I think it was only read down to the first amendment.

The VICE PRESIDENT. The Senator is correct. The Secretary will resume the reading of the conference report.

The Secretary resumed and concluded the reading of the conference report, as follows:

"Transfer item so modified to page 28 of the bill, after line 13.

"And the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In the proposed amendment strike out the language proposed and insert the following: '$108,000; continuing improvement of St. Johns River between Jacksonville and the ocean, $125,000; continuing improvement and for maintenance of Oklawaha River, $95,000'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In the proposed amendment strike out the numerals '$347,000' and insert in lieu thereof the numerals '$337,000'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In the proposed amendment strike out the word 'completing' and insert in lieu thereof the word 'continuing'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In the proposed amendment strike out the numerals '$1,375,000' and insert in lieu thereof the numerals '$1,733,000'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: At the end of the proposed amendment add the following:

"'The Secretary of War is requested to investigate and submit to Congress on or before the 1st day of January, 1920, a report showing what progress, if any, has been made toward providing satisfactory and adequate public terminals at the several cities and towns located on the Ohio River from December 1, 1918, to December 1, 1919, inclusive.'

"And the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In the proposed amendment strike out the period at the end of the item, insert in lieu thereof a colon and add the following proviso: '*Provided*, That no part of this appropriation for continuing improvement by the construction of locks and dams shall be expended until the channel spans of the bridges forming unreasonable obstructions to the navigation of the Allegheny River at Pittsburgh have been modified as heretofore directed or shall hereafter be directed by the Secretary of War, or until the Secretary of War shall have received satisfactory assurances that such modifications will promptly be made contemporaneously with the prosecution of the work of improvement.'

"And the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: At the end of the proposed amendment add the word 'Harbor'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In the proposed amendment strike out the word 'for' following the word 'maintenance,' and insert in lieu thereof the word 'of,' and make a separate paragraph of this item; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the numerals proposed insert the following: '$141,500,' and transfer the item to the end of line 15, page 23; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In the second line of the proposed amendment strike out the words 'appropriated for,' and insert in lieu thereof the word 'adopted'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: 'Waterway connecting Merrimack River, Mass., and Piscataqua, River, N. H.'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In the proposed amendment strike out the word 'And' at the beginning of the first line, and insert in lieu thereof the words 'Missouri River, South Dakota,' and strike out the words 'South Dakota' in line 2 of the amendment; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the period at the end of the proposed amendment insert a comma and add the following: 'including any recommendation for cooperation on the part of local interests'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In the proposed amendment change the section number from '8' to '7,' and strike out the last four lines, reading as follows: 'Freight routed a part way by water and a part way by rail shall be charged only the waterway freight rate for the water haul and the proportional through rail rate for the rail haul'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In the proposed amendment change the section number '9' to '8'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In the proposed amendment change the section number from '10' to '9'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In the proposed amendment change the section number from '11' to '10'; and the Senate agree to the same.

"DUNCAN U. FLETCHER,
"JOS. E. RANSDELL,
"W. L. JONES,
"*Managers on the part of the Senate.*
"JNO. H. SMALL,
"THOMAS J. SCULLY,
"CHAS. A. KENNEDY,
"*Managers on the part of the House.*"

The VICE PRESIDENT. The question is on agreeing to the conference report.

The conference report was agreed to.

FORTIFICATIONS APPROPRIATIONS.

Mr. UNDERWOOD. I move that the Senate proceed to the consideration of House bill 15979, the fortifications appropriation bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Fortifications and other works of defense," subhead "Armament of fortifications," on page 3, after line 22, to insert:

For purchase, manufacture, and test of seacoast cannon for coast defense, including the carriages, sights, implements, equipments, and machinery necessary for their manufacture at the arsenal, $3,385,000: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed $3,385,000 in addition to the appropriations herein and heretofore made.

The VICE PRESIDENT. The amendment is agreed to, without objection.

Mr. JONES of Washington. Mr. President, the Senator from Massachusetts [Mr. WEEKS] desired to be present when this bill was considered. I think he thought, when the conference report on the river and harbor bill was taken up a few moments ago, that this bill would not come up so soon. I do not know whether or not he is interested in this amendment, but I ask that the amendment go over. I have sent for the Senator.

Mr. UNDERWOOD. I think this amendment is about all there is in the bill. I do not think it can be this amendment in which the Senator is interested, because I have not heard from him on the subject.

Mr. JONES of Washington. The bill will have to be read, and it has not been read through yet.

Mr. UNDERWOOD. I ask that the amendment be passed over until the reading of the bill shall have been concluded.

Mr. JONES of Washington. The Senator from Massachusetts may be here by that time, as I have sent for him.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

The reading of the bill was resumed, and continued to the end of line 16, on page 4, the last clause read being as follows:

PROVING GROUNDS.

For current expenses of the ordnance proving grounds, comprising the maintenance of rail and water transportation, repairs, alterations, accessories, and service of employees incidental to testing and proving ordnance and ordnance matériel, hire of assistants for the Ordnance Board, purchase of instruments and articles required for testing and experimental work, building and repairing butts and targets, clearing and grading ranges, $400,000.

Mr. KING. I ask the Senator having this bill in charge if in a former appropriation bill there was not a large sum carried for the purchase of proving grounds? As I read this bill, there are proving grounds to be authorized.

Mr. UNDERWOOD. There have been large sums appropriated for this purpose, but this is to carry out a part of the plan heretofore adopted. This bill has not been an annual bill heretofore, but it is sought to make it an annual bill from now on.

Mr. KING. I should like to ask the Senator whether this bill contemplates the purchase of additional proving grounds or whether it is merely in harmony with plans heretofore adopted in previous bills and for the carrying out of such plans?

Mr. UNDERWOOD. It is in harmony with plans adopted in previous bills.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Fortifications in insular possessions," subhead "Engineer Department," on page 6, line 13, after the word "Islands," to strike out "$125,000" and insert "$140,000," so as to make the clause read:

For the construction of mining casemates, cable galleries, torpedo storehouses, cable tanks, and other structures necessary for the operation, preservation, and care of submarine mines and their accessories, and for providing channels for access to torpedo wharves at the defenses of the Philippine Islands, $140,000.

The amendment was agreed to.

The next amendment was, under the head of "Panama Canal fortifications," on page 12, after line 17, to insert:

SEC. 8. That no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can be manufactured or produced in each or any of the Government arsenals of the United States for a sum less than it can be purchased or procured otherwise.

Mr. WEEKS. Mr. President, I hope that section 8, which has just been read by the Secretary, will not be agreed to. In my judgment it is bad public policy to put such a provision as that in a bill. If we had attempted before this war to manufacture all the requirements in a military way for the Government at the Government arsenals we would not have done anything like as well as we have done, bad as that has been, in preparing ordnance and other necessities for war purposes. Such a provision, too, involves the whole question of the bookkeeping system. There will be a constant dispute whether or not an article could be manufactured cheaper or as cheap or not as cheap at Government arsenals if such a provision be incorporated in the bill, and I hope the amendment will be rejected.

Mr. KENYON. Mr. President, if the committee is determined to allow this amendment to go out of the bill, which they have put in, I am powerless; but I should like to say that a similar provision has been placed in a number of bills, and is in the Army bill, as I understand.

Mr. WEEKS. I think it has been stricken out of that bill.

Mr. KENYON. If these articles can not be produced in arsenals cheaper than they can outside, then the Government may go ahead and purchase them outside. So, I do not see how the argument of the Senator from Massachusetts is sound. If, in fact, we can produce all we need in the Government arsenals—and there are great arsenals in this country now that can do more than they are doing, and can produce the articles cheaper than can be done by private parties—why should we not do it? That is the principle which this amendment is designed to initiate.

I am not going to take any further time on the question, but will let the Senate vote.

The VICE PRESIDENT. The question is on the amendment reported by the committee.

On a division, the amendment was agreed to.

The reading of the bill was concluded.

The VICE PRESIDENT. The Secretary will state the amendment which was passed over.

The SECRETARY. On page 3, after line 22, the committee reported an amendment to insert the following:

For purchase, manufacture, and test of seacoast cannon for coast defense, including the carriages, sights, implements, equipments, and machinery necessary for their manufacture at the arsenal, $3,385,000: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed $3,385,000, in addition to the appropriations herein and heretofore made.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended; the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CLAIM OF CHARLES MORGAN, MAIL CONTRACTOR.

Mr. GAY. I submit a Senate resolution, which I ask the Secretary to read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read the resolution (S. Res. 473), as follows:

Resolved, That the Secretary of the Treasury be directed to report the facts, as shown by the records of the Treasury Department, as to a claim of Morgan's Louisiana & Texas Railroad & Steamship Co., as assignee of Charles Morgan, mail contractor, for $2,094.17 for one month's extra pay, under certificate No. 74 of the sixth auditor, which claim was certified to Congress for appropriation in House of Representatives executive documents as follows: No. 29, Forty-sixth Congress, second session (p. 99); No. 30, Forty-sixth Congress, third session (p. 133); No. 26, Forty-seventh Congress, first session (p. 78); No. 153, Forty-eighth Congress, second session (p. 93); No. 314, Fifty-first Congress, first session (p. 5); and No. 210, Forty-ninth Congress, first session (p. 17), and was reported upon favorably by the Committee on Claims of the House of Representatives in its report No. 2750, Fifty-first Congress, first session, and further reported to Congress in Senate Document No. 92, Fifty-seventh Congress, second session (p. 18); and to report also whether any reason appears to the Treasury Department why appropriation should not now be made.

Mr. GAY. I ask unanimous consent for the immediate consideration of the resolution.

Mr. JONES of Washington. Mr. President, I have objected to similar requests for matters coming up out of order this afternoon, and while I dislike to object in this instance, we will have a morning hour to-morrow, and no doubt the Senator can then call up the resolution. So I will have to object.

The VICE PRESIDENT. The resolution will go over under the rule.

Mr. WEEKS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. MARTIN of Virginia. Mr. President, it is perfectly evident that a quorum is not present. I therefore move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 27, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 26, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Be graciously near to us, O Thou Great Spirit, whose eternal energy is everywhere potent; incline our hearts to Thee, that our work may be full, complete, in consonance with Thy will; that we may have no regrets to look back upon, but go forward to meet the future with brave and manly hearts, after the similitude of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MRS. MARY RUSSELL BUTLER.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a recent editorial from a New York paper on the life of Mrs. Mary Russell Butler, who died recently, leaving 19 grandchildren who have patriotically served their country in this war.

The SPEAKER. In what paper was the editorial printed?

Mr. BENJAMIN L. FAIRCHILD. The New York World.

The SPEAKER. The gentleman asks unanimous consent to print in the CONGRESSIONAL RECORD an article from the New York World about a lady who had 19 grandchildren in the Army. Is there objection?

Mr. WALSH. I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 207. Joint resolution admitting into the United States 35 puncheons of Gordon's sloe gin, ordered by E. La Montagne's Sons, of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect;

S. J. Res. 217. Joint resolution admitting into the United States 560 barrels of Spanish wine ordered by Luigi Bick, of New York City, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect;

S. 1102. An act for the relief of Simon M. Preston; and

S. 5323. An act to authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park.

S. 5556. An act to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater in Arlington National Cemetery, Va.; and

S. 5224. An act to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5279) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 15950. An act granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River;

H. R. 13394. An act to extend the time for the completion of the dams across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by act approved March 1, 1916; and

H. R. 13035. An act to amend section 4 of chapter 5 of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918, and to make said amendment retroactive.

The message also announced that the Senate had passed with amendment the bill (H. R. 9897) to authorize the contesting and cancellation of certain homestead entries, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had agreed to the following concurrent resolution:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 12211) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors," the Clerk be, and he is hereby, authorized and directed to strike out the name "Hermann" and to insert in lieu thereof the name "Herrman" where it appears in line 19, page 11, of said bill.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced that the Senate had agreed to the following concurrent resolution (H. Con. Res. 72):

The message also announced that the Senate had passed the following resolution:

Senate resolution 468.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM P. BORLAND, late a Representative from the State of Missouri.

Resolved, That a committee of 10 Senators be appointed by the Vice President, to join such committee as may be appointed on the part of the House of Representatives, to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On February 4, 1919:

H. R. 79. An act for the sale of isolated tracts of the public domain in Minnesota;

H. R. 1423. An act for the relief of Alexander F. McCollam;
H. R. 4240. An act for the relief of Alma Harris;
H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill; and
H. R. 12194. An act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.

On February 7, 1919:

H. R. 9865. An act to authorize the sale of certain lands to school district No. 28 of Missoula County, Mont.

CHANGE OF CONFEREES—DISTRICT APPROPRIATION BILL.

The SPEAKER. The gentleman from Illinois [Mr. McANDREWS], one of the conferees on the District appropriation bill, has been called to Chicago on important business, and the Chair appoints the gentleman from Texas [Mr. BUCHANAN] in his place.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, the following concurrent resolution was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

Senate concurrent resolution 27.

Resolved by the Senate (the House of Representatives concurring), That there be printed 25,000 additional copies of Senate Document No. 310, Sixty-fifth Congress, entitled "Revenue bill of 1918," and that there be printed separately 10,000 additional copies each of the majority and minority reports and individual views of the members of the Committee on Finance on H. R. 12863, the revenue bill of 1918, for the use of the Senate—

to the Committee on Printing.

ORDER OF BUSINESS.

Mr. DOREMUS. Mr. Speaker, I ask unanimous consent for the present consideration of the lighthouse bill (H. R. 15551).

The SPEAKER. The Chair is inclined to think we ought to go on with the special order first. The Chair will recognize the gentleman as soon as he get through with that.

Mr. FLOOD. Mr. Speaker, I submit a request for unanimous consent.

The SPEAKER. The Chair thinks we ought to go on with the unfinished business. Then the Chair will recognize the gentleman.

Mr. JOHNSON of Washington. Mr. Speaker——

The SPEAKER. The same remark applies to the gentleman from Washington.

THE VICTORY LOAN.

The SPEAKER. The unfinished business is the victory loan bill. Under the unanimous-consent agreement the gentleman from Pennsylvania [Mr. MOORE] is entitled to 20 minutes. The Chair will first recognize the gentleman to offer his motion to recommit.

Mr. MOORE of Pennsylvania. I offer the motion to recommit which I send to the Clerk's desk.

The Clerk read as follows:

Mr. MOORE of Pennsylvania moves to recommit the bill to the Committee on Ways and Means with instructions to report it forthwith with the following amendment: Strike out all of sections 9 and 10.

Mr. MOORE of Pennsylvania. I yield five minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, the proposition before the House is to strike out sections 9 and 10 of the pending bill. These sections seek to amend the War Finance Corporation act passed a year and a half ago. Last night I discussed this particular feature of the bill at considerable length, but in the time I now have at my disposal I shall confine myself to a statement of that which is involved.

We passed the War Finance Corporation act as one of the immediate necessities of the war, urged by the administration as necessary to finance industries and business engaged in the production of necessary war materials or arranging to meet the demands of the war activities. This war-finance bill was such an essential departure from our usual legislation, and was of such enormous proportions, that I do not believe there was a Member of the House who would have voted for the stupendous proposition if it had not been understood that it was a necessary war provision and that it would terminate six months after the close of the war. It provided for business within this country based upon war activities. Now, we are asked to amend the act in two essential particulars: First, to extend the life of the corporation six months, and second, to reverse absolutely the scope and character of its business. Whereas it was intended entirely for domestic purposes, it is now to be made wholly for foreign purposes to support export trade; so that it may take the place of the banking functions of the country, and if anybody has a doubtful proposition that the banks of this country do not see fit to accept, in the matter of export trade, then it is proposed that the Government, with all its resources, its credits, and its power is to be called upon to make these loans.

I am one of those who believe that our banking system is sufficient to meet all the demands of our legitimate commerce at home and abroad. If it requires any amendment to give longer time for paper for export trade, as the banking system we now have gives longer time to agricultural and live-stock transactions than to commercial transactions, an amendment could be made. But it should be made through the Banking and Currency Committee after thorough investigation instead of in the hurried way that we now seek to amend the War Finance Corporation act in this bill.

I take it that the large reason for the bringing in of this measure in the form in which it appears here is the urgency of those directly involved. I take the position that it is time, gentlemen of the House, that we should begin cutting out these war activities, especially where they seek to extend them over into times of peace. Four directors are to handle this corporation and are handling it now. Each one of them draws a salary of $12,000, a salary that under the circumstances is worth from three to four times the salary of any Member of this House. The business that they have had and that they may have will probably give plenty of leisure for them to discover some means of extending the life and scope of this corporation when the period of this bill will have expired. I have no doubt that if this bill should go through and become a law these gentlemen during the next six months would be able to suggest some very plausible reasons why the War Finance Corporation should be extended, and their salaries with it. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, I am not in favor of the continuance of the War Finance Corporation under the provisions of the act as it is written. I had some hesitancy in originally supporting this feature of the former bill. My objection to it was that it gave the opportunity of expanding the credit of the country to the amount of something like $3,000,000,000 if it might appear advisable to do so. Whatever might be the claims of those in charge that we are not expanding our currency and thus expanding our credit, the truth about the matter is that with this riot of expenditures induced by the war we have been increasing our issue of currency until to-day we have at least $35 per capita in the form of paper money. It is true it is supported by what you would call securities in the way of commercial paper, and a portion of it by gold, but this inflated condition of the currency that finds its best expression in the high cost of living, which has cut the purchasing power of the dollar probably one-half of what it was before and maybe one-quarter, has no possible remedy until we get back to foundation principles of sound finance, and that is the only method by which we produce the artificial value and increase the price without increasing the value.

In addition to my opposition to this as a principle, there is another consideration, and that is an artificial Government agency is here created for the business of loaning. I doubt the wisdom of that. In the second place this artificial agency of the Government when fastened on the Government is almost impossible of disassociating it from the Government. I warn this House that when this Government agency is discontinued by limitation there will be an effort to revive it and to continue it, and the same argument you hear to-day will be offered then; in other words, it is almost impossible for us to disassociate or discontinue any artificial Government agency from the Government, for it will be put upon the basis that it is demanded by the exigencies of the war, and I do not think it wise to allow interested persons to bring in such recommendations and proceed upon their judgment alone.

Mr. GARNER. Will the gentleman yield?

Mr. FESS. I will.

Mr. GARNER. I agree with the gentleman that there will be a tendency to keep these corporations, and other war activities, wherever there is any possible chance, but the gentleman from Ohio has not seen any tendency to continue them in this Congress, and I think there will be very little in the next Congress. I can speak for some Members on this side that will not want to continue the war activities any longer than is absolutely necessary.

Mr. FESS. If I could be sure that the judgment of the gentleman from Texas would be the vote of the House I would not so much hesitate. But I warn you again that we will find this very same thing a year from now, when it will be put up to us

that if we do not do it we are not considering the best interests of the country.

Mr. MADDEN. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. MADDEN. Of course, the extension of power of the War Finance Corporation under this bill is simply an extension of power of the Federal reserve banks which they could not avail themselves of and keep within the law, and it therefore makes this provision of the bill iniquitous.

Mr. FESS. The gentleman has well stated it; it gives an opportunity to expand the circulating medium that they do not now have in Federal reserve banks. That is one reason why I am opposed to it.

Mr. MADDEN. That is why I am opposed to it.

Mr. KITCHIN. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. HULL].

Mr. HULL of Tennessee. Mr. Speaker, the gentleman from Nebraska [Mr. SLOAN] has correctly stated that when the act creating the War Finance Corporation was passed there were some misgivings on the part of the membership here as to the wisdom and necessity of creating that corporation. And yet the experiences we have since witnessed in connection with the activities of the corporation have thoroughly justified the action of Congress in creating it. The corporation has served a most valuable and useful function, not so much in the way of exercising all of its activities and agencies as it has in the way of allaying apprehension and maintaining confidence with respect to our credit situation.

So far as the present amendatory proposal is concerned, I submit that any Member of the House who will investigate our domestic and international economic conditions, present and prospective, will find that every business fact and every economic fact warrants the continuance of the life and activities of this organization during the time proposed in the present bill.

Mr. Speaker, I desire to discuss in a general way the proposed new loan measure now pending, its terms, the ability of the country to take care of it, and the economic effects of our present outstanding and proposed loans, and also to offer some comparisons of the record our Federal Treasury has made in financing the present war with the record of the methods and policies of the Treasury in financing the Civil War, as well as those of the treasuries of foreign governments in financing the present war. Such comparison makes a wonderful showing of wise and sound financial achievement by the Federal Treasury which far surpasses that of our own Government during the Civil War or of any foreign government during the present war. I confidently predict that as we get further away from the period of immediate activities connected with this war, and as the American people thus gradually secure a clearer perspective of the unprecedented accomplishments of the Treasury, captious criticism of minor phases will give way to general approval and admiration.

Mr. Speaker, the pending bill would authorize the Treasury to issue notes aggregating $7,000,000,000, about $5,000,000,000 of which is estimated as necessary to finish defraying the total expenditures of the Government for the fiscal year ending June 30, 1919. Owing to the general shifting economic and security conditions, it is agreed by an overwhelming majority of the two Houses of Congress, by the Treasury, and by the ablest financiers throughout the country, that it would be utterly unfeasible for Congress at this time to prescribe the interest rate for these notes. The only possible alternative, therefore, is to leave this duty to the sound judgment of the Treasury. The Treasury has really suggested the interest rates in the cases of the four liberty loans heretofore authorized by Congress, after most carefully sounding out business, financial, and economic conditions throughout the country. In practically each instance the Treasury insisted on a rate of interest lower than that proposed by financiers and lower than Congress really expected.

This uniform record, which has resulted in the saving of considerable interest for which the people would otherwise have become liable on a vast amount of long-term bonds, affords a guaranty of the extreme care I know the Treasury will exercise in safeguarding the people against excessive interest burdens under the fifth or victory liberty loan. I may say that the duration of the notes can not exceed five years, and this limitation further justifies Congress in dealing with the present exigency in the manner proposed by the bill. They are also redeemable before maturity at the option of the Treasury. I shall not enumerate all the provisions of this loan measure. I prefer first to undertake a discussion of our receipts and expenditures and of our Treasury policies during the war, and to offer some comparisons, such as I referred to at the outset.

Mr. Speaker, it is now estimated that the disbursements of the Treasury for the year ending June 30, 1919, will be near $19,000,000,000. To meet these requirements during the fiscal year the Treasury is receiving from the proceeds of the fourth liberty loan, in round numbers, $7,000,000,000, from war-savings certificates $1,000,000,000, and from taxes $6,000,000,000, or a total of $14,000,000,000, thus leaving a deficiency of $5,000,000,000 to be made up from the proceeds of the proposed note issue of $7,000,000,000.

The citizen and taxpayer is naturally interested in knowing the amount of the total receipts of the Treasury and their sources since April 6, 1917, when the Nation entered the war, and also the chief items of expenditures and their purposes.

Let me first refer to the state of our indebtedness, present and prospective. The total amount of our interest-bearing debt when the Nation entered the war, on April 6, 1917, was $1,023,357,000. During the war loans have been incurred, if we include $1,011,000,000 war-savings certificates, to the amount of $17,989,091,000. This makes an aggregate indebtedness to date of $19,012,448,000. Add to this amount $5,000,000,000 to be derived from the coming victory liberty loan and we have a gross debt of $24,012,448,000 as the loan situation will present itself on June 30, 1919. This amount does not include outstanding Treasury certificates of indebtedness, because they are to be absorbed either in long-term bonds or to anticipate taxes. It is reasonable to estimate that the amount of our additional loans to meet remaining immediate war expenditures accruing during the next fiscal year, 1920, will be offset by the proceeds of assets the Government has on hand. To be more than safe, however, let us include a further long-term loan during the next fiscal year of $3,000,000,000, and this would make a total gross debt at the end of the war of $27,012,448,000.

The total war and ordinary receipts of the Treasury, exclusive of receipts from loans, from April 6, 1917, to June 30, 1919, as nearly as can be computed and in part estimated, will be $10,785,000,000, to which if we add the total loan receipts of $22,989,000,000 for the same period makes a showing of total receipts aggregating $33,797,000,000. Assuming that the total loans to the allies by June 30, 1919, will be $9,000,000,000, the deduction of this amount from $27,012,448,000, the estimated amount of our gross debt at that time, leaves a net indebtedness of $18,012,448,000. This amount offers the basis for viewing the real amount of the Nation's outstanding obligations which must be met in the future.

The total normal and war expenditures of the Government from April 6, 1917, to June 30, 1919, as nearly as can be determined, will be $32,915,000,000. It is thus seen that our total ordinary and war receipts, exclusive of those from loans for the same period, are about 33⅓ per cent of our combined ordinary and war expenditures; or if we consider this percentage to total expenditures after deducting the amount loaned to the allies, $9,000,000,000, it is about 45 per cent. If, again, we deduct from $10,785,000,000, the combined ordinary and war receipts, the ordinary receipts of $2,497,000,000, we find the total war receipts, excluding those from loans, to be $9,245,000,000 from April 6, 1917, to June 30, 1919. On the other hand, deducting the normal or peace expenditures of $2,710,000,000 for this same war period from the combined normal and war expenditures of $32,915,000,000 shows actual war expenditures of $30,205,000,000. The percentage of actual war receipts, other than those from loans, to actual war expenditures is found to be near 30 per cent. It is due to say concerning these computations that certain items of special disbursements, such as $25,000,000 for the Danish West Indies, and which do not strictly constitute either normal or war expenditures, are included as extraordinary expenditures. The fact may also be noted that the actual tax revenues for the entire war period only aggregate $9,513,000,000, and the full amount of receipts I have stated is made up by regular revenue receipts from public lands and other miscellaneous sources.

Each of these comparisons shows a substantially higher percentage of revenues to expenditures than any other nation has been able to make during the war, although foreign treasury officials have agreed as to the soundness of this policy and have striven to follow it, but fell short of the length to which our Government has been able to go in meeting the expenses of the war by current taxation.

Mr. Speaker, in pursuing its policy of sound and successful financing, it is seen that the Treasury first decided that during the war long-term loans should not pay the high commercial interest rates incident to the war. This was likewise the view of Congress. As a second step to prevent bondholders from ultimately gaining greater interest advantages, the right to convert into any long-term bonds bearing a higher interest rate

than 4¼ per cent has been prohibited by statute, save as to about $1,400,000,000 of unconverted 3½ per cent bonds of the first loan. Our financing by loans will show a substantially lower net interest level and a correspondingly larger saving to future taxpayers than can be found in the treasury records of any other nation participating in the war. The Treasury and Congress early in the war agreed on the policy of issuing no tax-exempt bonds running for long periods. Under the operation of the income-tax law, with its graduated rates, this policy equalizes the relative situations of the wealthy and poor investors, and in so doing prevents the large investor from locking up his fortune in tax-exempt securities, thereby avoiding all taxation. This policy is also based on the sound view that no country should allow thirty or forty billion dollars of its wealth to become immune from all taxation for a period of 20 to 30 years. Such policy would be conducive to socialism besides being discriminative. The plan of the Treasury to finance itself with short-term paper in the form of certificates of indebtedness, which in turn is periodically absorbed into long-term bonds, is acknowledged by the best financiers at home and abroad to be at least superior to any of the substitute methods followed by foreign governments during the war.

A most thoughtful and wise course has also been pursued in fixing suitable and feasible periods for the redemption of our war debt so that such amounts of bonds will become redeemable at such regular intervals throughout the life of the long-term debt as will enable the Treasury either to take them up through a sinking fund or to refund into lower rates of interest when possible. Under the methods of handling these loans, as I have stated, the lowest possible level of interest, both now and hereafter, is assured, and the opportunity to pay off the bonds at par and not at a premium, and stop interest accumulations just as rapidly as the ability of the Treasury will permit, is offered.

Both Congress and the Treasury have consistently striven to meet war expenses by as large a proportion of taxes as could be levied without materially injuring production and retarding enterprise. Our success in this respect has scarcely been approached, much less equaled, by this or any other nation in the past. The wisdom and economic soundness of this policy are universally recognized. Bonds are but deferred taxes with interest. A war debt contracted in time of high and artificial prices and paid off in a time of low or normal prices is calculated to work serious hardships, in that the burden is greatly augmented. This is true, because it will require twice the services and commodities to pay off a debt that are required to purchase the bonds during the war when the prices of such services and commodities are 100 per cent above normal. The exercise of the taxing power and the refunding opportunities already provided by law should, however, take care of this phase to a measurable extent, especially since practically the entire war debt is purchased and held at home.

There has naturally been complaint and criticism at the huge amount of our war expenditures and their apparent extravagance in many instances. No one opposes extravagance more than I do, but we should consider all the circumstances. Agreeing, as I do, that expenditures at times have been more or less extravagant, we must realize, however, that in the light of the unusual circumstances and conditions this extravagance, in the main, was the price we were compelled to pay for victory. Whatever that price was, we had to pay it. We are forced to realize, and can not soon forget, that the most rapid haste on our part after we entered the war was supremely necessary if we were to get enough trained men and supplies to France in time to check and turn back the great German hordes in their rapid onrush toward Paris in the summer of 1918.

Our military forces did not reach the battle lines a day or an hour too soon to prevent a world catastrophe and to save civilization. The American Government could not make possible their timely arrival at this most critical juncture without putting on the fullest speed in every conceivable line of war activities. It sought to throw every ounce of its strength into the war within the shortest time. The work of mobilizing the man power and the resources of the country and rushing them across 3,000 miles of ocean to Belleau Wood and Chateau-Thierry, where the German Army was making its unchecked advance on Paris, was pushed with all possible vigor. It was not then a question of price, of costs of labor, or of supplies; it was supremely a question of most hasty preparation to get an army to France before it was everlastingly too late. Messages flashed hourly from London, Paris, and Rome, calling for men, more men, still more men. Let the overhasty critic of extravagant expenditures first ponder what the unspeakable and unthinkable results would have been if, owing to our delay in joining the forces of our allies, the German Army had penetrated to Paris and hopelessly separated the English and French forces. Let him further ponder over the hundreds of thousands of precious lives of American boys that would have been lost by a continuance of the war another year, to say nothing of the enormous expenditures that would have been then involved. It is far cheaper to finance a war brought to a quick conclusion by extreme haste, even though extravagance is involved, than to finance a long drawn-out war caused by such delays as a careful and strict regard for economy in every detail would require. The number of American lives saved by the swift prosecution of our part of this war will far more than offset the extravagances which were unavoidable in so doing. I do not in any sense justify one dollar of extravagance when possible to avoid it.

While the complaint of extravagance by our Government is on my mind, I wish to call attention to the fact that wherever a citizen or politician finds an occasion for the criticism of any war policy, method, or activity here, he will find that citizens and politicians in every other country engaged in the war find there occasion for threefold the amount of similar criticism. We should remember, too, that our war-tax laws clip off billions of war profits and turn them back into the Treasury. Democrats and Republicans jointly framed and voted for all appropriation bills. No political party can criticize.

Mr. Speaker, I wish to direct attention to a few facts pertaining to the financing of our Civil War by way of contrast with the record the present Government is making. Dewey, in his admirable Financial History of the United States, says:

> The weakest element in the financing of the Civil War was the delay in applying effective taxation.

During the fiscal year ending in 1862 the ratio of loans to taxes was 8½ to 1, and for the fiscal year ending in 1863 it was 5½ to 1. Dewey refers to the hopelessly confused and complicated state of the Civil War loan situation as follows:

> June 30, 1866, the interest-bearing debt consisted of loans bearing 5 different rates of interest and maturing at 19 different periods of time. On a part of the loans the interest was payable in coin, and on a part in currency. Of the 6 per cent bonds and notes there were 12 different kinds; of the 5 per cent loans, 5 different issues; and of the 7–30 notes at least 5, some convertible at the option of the Government and some at the option of the holder. * * * Of the total debt (amounting to $2,758,000,000) only one-ninth ran in any contingency longer than two years. Eight-ninths of it consisted of transient forms, issued under laws made up to a great extent of incomprehensible verbiage giving unlimited direction over the mass to one man, and expressing in the aggregate nearly 100 contingencies of duration, option, conversion, extension, renewal, etc.

During the Civil War, Jay Cook, who was in no sense an official of the Government, was given the general agency to sell United States bonds, and he in turn engaged 2,500 subagents. Under his first individual contract with the Government he received a commission of three-eighths of 1 per cent on all sales, but one-half of 1 per cent on the first $10,000,000. This method opened wide the doors to speculators and syndicates to plunder the people. This private citizen, Jay Cook, along with his numerous subagents, was employed a second time to sell the bonds of the Government, aggregating hundreds of millions. Had the present Treasury revived this plan, Republicans would have raved.

All authorities in finance now agree that the fundamental error in financing the Civil War was the dependence upon loans for all extraordinary expenditures, and that this policy was the principal cause of the issuance of legal-tender notes (greenbacks). There is the same unanimity of agreement that the undue use of short-term loans, which comprised 60 per cent of the total loans for the period of the war, was disastrous in many ways.

I am not criticizing the statesmen and financiers of the Civil War in thus making comparison with the state of our present loans—they no doubt did the best they could—but I am offering something for critics to digest when they are looking for some phase of our war financing to criticize. I should say in justice to officials of both war periods that the conditions in each case were not entirely the same in all respects. To the politicians or citizens who are inclined to be unduly critical of extravagance on the part of the Government in the present war, I call attention to the following extract from the statement of the chairman of a congressional investigating committee during the Civil War, and in so doing I may say that the part quoted but illustrates the subject matter contained in three separate reports aggregating several thousand pages. I read from Bolles's Financial History of the United States:

> Rascality (in the Government contract business), widespread and sickening, soon appeared. Said Mr. Van Wyck, chairman of the committee to investigate the subject of defrauding the Government: "The mania for stealing seems to have run through all the relations of the Government—almost from the general to the drummer boy; from those nearest the throne of power to the nearest tide waiter. Nearly every

man who deals with the Government seems to feel or desire that it would not long survive, and each had a common right to plunder while it lived. Colonels, intrusted with the power of raising regiments, colluding with contractors, bartering away and dividing contracts for horses and other supplies to enrich personal favorites, purchasing articles and compelling false invoices to be given. While it is no justification, the example has been set in the very departments of the Government. As a general thing, none but favorites gain access there, and no others can obtain contracts which bear enormous profits. They violate the plain provisions of the law requiring bids and proposals on the false and shallow pretext that the public exigency requires it.

Mr. Dewey, referring to inflation during the Civil War, said:

The economic results of the successive issues of the legal tender United States notes (greenbacks), accompanied by enormous issues of short-term Treasury notes which circulated almost as money, were the rise of prices of commodities and the fluctuating premium on gold. The depreciation of the currency measured in gold fell from 100 to 39 in September, 1864. The total effect of paper issues in increasing the cost of the war has been estimated at between $518,000,000 and $600,000,000; even this large amount is small when compared with the burdens which inflated prices placed upon the people in the ordinary relations of trade and industry.

Under this influence of inflation the purchasing power of money wages in 1865 stood at 143 as compared with the commodity price level of 216. They should, in fairness, have been on the same level. These figures show the heavy load that was thus placed upon the laborers of the country. The soldiers were paid $13 a month until 1864, when their wages were raised to $16, payable in depreciated currency. I need not dwell in detail on the abnormal prices that resulted from the suspension of specie payments and the long train of evils that followed in its wake. The ease with which the Treasury can make mistakes in financing which entail enormous injustice to the people is shown by the action of the Treasury and Congress in connection with the refunding act of 1870, which, among other things, authorized the issuance of $1,000,000,000 of bonds at 4 per cent, redeemable after 30 years and exempt from all taxation. These bonds within a short period after went to a premium of more than 25 per cent. Long before they matured the Government could borrow at a rate of 2½ per cent. In later years many of these bonds were bought up by the Government at a large premium.

The extreme viciousness and injustice of large issues of tax-exempt Government bonds are illustrated in the case of our Civil War loans. The chief volume of the war bonds were bought up by wealthy citizens. The interest rates were highly attractive and the tax-exempt feature permitted the rich to lock up their wealth for a generation with entire immunity from taxation. The taxes imposed to pay off this indebtedness were placed on the masses chiefly through the customhouse. The result was that the masses of the people, though not in a condition to own these bonds, were obliged to pay them off, while the privileged class of wealthy bondholders received satisfactory interest and avoided almost the entire tax burdens incident to the payment of the Civil War debt. May I say here that this is in striking contrast with the policy of our present Federal income and other tax laws, which will compel every citizen, whether the owner of a war bond or not, to meet his just share of taxes for their payment according to his ability?

Mr. Speaker, at this time I am reminded of a recent exclamation of an intelligent Member of Congress, made in a tone of great surprise, that "it may be necessary for the Treasury to issue a substantial amount of bonds during the fore part of the next fiscal year to supplement tax revenues," and he further exclaimed that "it would be a dreadful thing for the Government to issue bonds in time of peace." My distinguished friend wholly failed to understand the sound principles of war and peace financing. Every government free from debt should levy a sufficient amount of taxes to meet its ordinary expenditures. Every government carrying a debt should levy a sufficient amount of taxes to meet its ordinary expenditures and the interest on its indebtedness, as well as an adequate amount for sinking-fund purposes. There are two classes of expenditures—ordinary and extraordinary or nonrecurring expenditures. There may be extraordinary expenditures in time of peace, to meet which a bond issue might become necessary or advisable, as in the case of the construction of the Panama Canal. All war expenditures fall in the extraordinary class. While the maximum amount of war taxes should be levied, the very minimum would be an amount necessary to pay ordinary expenditures and to meet all interest and adequate sinking-fund requirements. An immense portion of the present war expenditures will not accrue until the next fiscal year, and if the largest amount of taxes Congress feels justified in imposing during the reconstruction period should fall short of the combined normal and war expenditures in the next fiscal year, it would be in accordance with every principle of good finance to issue bonds for the remainder. Certainly Congress has already imposed a sufficient amount of taxes to meet ordinary peace expenditures, to pay interest on all war and other indebtedness, to meet every requirement of a large sinking fund, and in addition to afford a considerable remainder for the payment of war expenditures accruing during the fiscal year 1920.

We should not overlook the fact that within a period of 19 months the combined human financial and industrial efforts of the United States were feverishly exerted to put its maximum of resources, including man power and supplies, into the war. The result was that huge plans were perfected, thousands of contracts entered into, colossal programs framed, enormous military and industrial structures built up, upon the reasonable theory that the war would continue another year. On this unprecedentedly broad basis the United States was going full tilt when suddenly, not to say unexpectedly, the armistice came about. The volume of expenditures arising from this vast plane of war activities—stretching from France to every part of America—were naturally enormous compared to what they would have been if our military preparations could have been on that far smaller, cheaper, and narrower scale which contemplated that in any event the war would end favorably on November 11, 1918.

Mr. Speaker, as illustrating the course of war expenditures, I wish to add that while at its close the cost of the Civil War was estimated at $2,713,568,000, yet in 1879 an estimate of the expenditures growing out of the war down to that date showed the enormous sum of $6,190,000,000. Even this does not include many millions expended by the States.

Mr. Speaker, there are a number of other constructive acts and policies which Congress and the Treasury adopted in financing the present war, but I shall not take much time to discuss them; it is sufficient to say that the wisdom of each has been thoroughly vindicated by experience and testified to by the ablest financial authorities. I do wish briefly to refer to what was practically the enforced policy of making loans to our allies. When England entered the war she could only furnish a small army, with the result that in lieu she was called on to make loans to her less powerful allies who had large armies fighting in the field and depleted treasuries with which to maintain them. England realized that she could most effectively contribute to the prosecution of the war by making these loans to sustain the armies of her allies while raising, training, and equipping adequate forces of her own. When the United States entered the war a similar situation confronted it.

The hard-pressed allies were in sore need of equipment, foodstuffs, and other necessary military supplies. They wanted men at the earliest moment possible; in any event, they must have supplies for their armies. Little Roumania had been overrun; Serbia was blotted out; the Russian giant was staggering and reeling backward; the gallant and war-weary French were barely holding the battle line in the west; Italy's armies were soon to be pushed across the Alps and driven far back within her borders. The outlook when we entered the war was not encouraging. Should I not frankly say that it was perilous? It was under these circumstances that the United States Government, in its efforts to bring every element of strength to the aid of the allies, proceeded to make loans for the purposes I have stated. These loans and credits now aggregate $8,841,000,000. My honest belief is that the timely aid which they afforded, in the way of furnishing arms, ammunition, clothing, and foodstuffs for the armies of England, France, Italy, and the other nations fighting with them, made it possible for those armies to hold the ever-advancing German troops in check until our military forces could join them in 1918 and inflict a knockout blow.

An English financier recently stated that the loans of Great Britain to her allies were so distributed that only about one-half the amount loaned could be safely counted as assets of the treasury, but that no such condition applied to the loans of the United States to the allies, because more than $7,500,000,000 of her total loans were to Great Britain, France, and Italy, and that it would, according to all human calculation, be repaid.

Another important phase of our loans to the allies is that in addition to paying the United States 5 per cent interest practically their entire proceeds were expended in this country in payment for merchandise, including foodstuffs and other war supplies of all kinds. We received high war prices and profits for these products.

Mr. Speaker, I must make brief reference to the sinking fund provisions of the pending bill. A sinking fund is expressly created for the purpose of paying off our entire war debt. These provisions require an annual payment into a sinking fund of 2.32 per cent of the net total debt, estimated at not less than $18,000,000,000 after deducting the loans to the allies, the interest and principal of which will offset a similar amount of our war indebtedness. It is estimated that the plan just stated will wipe out our war debt in less than 25 years, assuming the interest rate to be 4¼ per cent. The total interest and sinking-

fund requirements would aggregate something over $1,100,000,000 on a debt of $18,000,000,000. The proposal would involve an equal charge each year for these two purposes, because as the interest charge is decreased the sinking fund would be correspondingly increased. This is true because the per cent of the total debt to be allotted to sinking fund would continue each year to be based on the total original debt, without regard to the amount redeemed and canceled in the meantime. In my judgment, the action of Congress and the Treasury in thus making comprehensive provision for the payment of the public debt is timely, businesslike, and wise. I have not the time to cite the history of the payment of war debts in the United States, which is very interesting. I do wish, however, to refer with the heartiest approval to the action of Jefferson's first administration in adopting the policy of public retrenchment with a view to the reduction of debt and taxation. Dewey states that when Gallatin went to the Treasury "he had been unceasing in his demands for economy, for specific instead of general appropriations, for the extinction of the debt in preference to military and naval expenditures, and for a change in the form of the sinking fund." Gallatin announced a wise and sound principle for dealing most effectively with public debts, as follows:

> I know but one way that a nation has of paying her debts, and that is precisely the same that individuals practice, "spend less than you receive," and you may then apply the surplus of your receipts to the discharge of your debts. But if you spend more than you receive you may have recourse to sinking funds, you may modify them as you please, you may render your accounts extremely complex, you may give a scientific appearance to additions and subtractions, you must still necessarily increase your debt.

I find but one possible fault with the present sinking-fund proposal, and this criticism would not arise if the policy of Gallatin should be vigorously followed. I am of opinion that Congress might enact a specific provision allotting certain stable revenues to the sinking fund and providing that they should constitute a separate and distinct fund for this purpose only. Such action would not only render certain the annual flow of a given amount of money into the sinking fund but would operate as a check on extravagant appropriations. Affirmative legislation would be necessary to interfere with the constant and uniform operation of the sinking-fund requirements thus prescribed.

Mr. Speaker, I wish here to reiterate a statement I made on this floor, when the war-finance bill was pending in March, 1918, in support of an intelligent, practical, and efficient program of economy in public expenditures. I desire also most strongly to emphasize the idea that by far the easiest and wisest method of paying off the public debt is by the constant practice of rigid economy. From this source ample sinking funds would annually flow into the Treasury, and new or higher tax rates that will otherwise be required could be avoided. Economy furnishes the most desirable sinking fund. In leaving this topic I will simply add that in order to practice the fullest measure of economy in public expenditures it is necessary that the people themselves should be thoroughly impressed with the doctrine, both in theory and in practice. Their cooperation is essential. The conditions following a war, when war taxes have been heavy, generally arouse both the people and the legislative officials to the necessity for economy, with the result that whole-hearted cooperation to that end is always given more freely than at any other time. Including interest and sinking fund, we should soon be able to get our normal expenditures down to a permanent peace level of not over $3,000,000,000.

Mr. Speaker, we hear much discussion as to whether the bulk of the war debt should be paid by the present or a later generation. This presents some additional topics for consideration. If our war debt had been contracted abroad, the failure of this generation to meet it would automatically transmit its burdens to the next and succeeding generations.

The fact is, however, that virtually the entire debt has been floated at home. Its payment, therefore, will in large measure mean the payment of taxes by the taxpayers to each other. As a Nation the amount of our total wealth continues the same in any event. The situation is different, though, when the debt is viewed from the standpoint of different classes of citizens. It would seem to be in a measure true that if our citizens purchased these bonds in amounts according to their respective abilities, and if the citizens of the country should later be taxed to pay off these bonds according to their respective abilities, no material discrimination would soon arise in connection with the burdens of our war debt. It would further appear that under the application of our system of graduated income taxes any citizen having an income subject to supertax would have difficulty in escaping the chief portion of his fair share of the war-debt burdens whether he should own bonds and pay the tax on their interest or whether he should invest elsewhere and pay both super and normal tax on his income and in this way contribute to paying off the war debt. Whichever horn of the dilemma he may take, he does not escape. It would seem, in any event, that the character and nature of the tax levies imposed to pay our bonded war debt will constitute the controlling factor in its redistribution among the people. If such tax levies should be made according to the ability of the citizen to pay, each will be reached for his reasonable share of the war debt, except in those individual cases where tax evasion occurs. On the other hand, if such tax levies should materially depart from the principle of ability of the taxpayer to pay, a corresponding discrimination would arise.

An interesting sidelight on this general phase is found in the statistics of the English estate tax. These statistics show that practically all the material capital of the country is owned by persons over 21 years of age; that persons over 45 years of age, constituting one-third of the class just stated, own three-fourths of the entire material capital. This would make the representative person over 45 years own about six times as much as the representative person between 21 and 45. It is manifest, therefore, that if this condition should apply to the United States to a material extent the bulk of our war debt will be paid by those who did not enter the military service during the war. If true, this is as it should be.

Mr. Speaker, I have discussed the causes and effects of inflation in speeches on former loans, and it is not necessary to elaborate on that subject now, except to call attention to the fact that our Government has carefully avoided some of the worst causes of inflation, which it failed to avoid during the Civil War and which other nations have been unable to avoid during the present war. At the very outset the Government proceeded to impose heavy taxation; it has consistently avoided the issuance of fiat money; it has curtailed the hurtful expansion of credit wherever and in every way possible. These three conditions, when not properly dealt with—as they have not been elsewhere and as they have been here—are each highly conducive of inflation, which means artificial high prices. We seem to have a certain degree of international inflation at this time. This fact renders it necessary that in determining and gauging our domestic financial and economic situation we should keep in mind the international or world conditions as they affect our internal affairs in any of the ways I have pointed out.

I am thus reminded of certain important ideas to be kept in view when we are considering the amount of our war expenditures. Had we entered the war during its early stages, when price levels were near normal, our expenditures would have been scarcely one-half what they are. This condition enabled the other nations which entered the war in the beginning to keep their expenditures during the first year or two on a far lower basis than they otherwise could. The fact that the prices of labor and of commodities were practically doubled when we entered the war has meant a corresponding increase in the total of our expenditures. For illustration, the committee on public expenditures in England found that an increase of 10 per cent for labor and the price of commodities increased government expenditures $650,000,000 a year. This finding should enable one to draw some interesting inferences with respect to the cause of our large war expenditures. There is a general view that war's demand for supplies increases prices, which calls for increase of the price of labor, both of which call for a larger volume of currency, which produces inflation unless accompanied by the corresponding increase of the supply of commodities.

Mr. Speaker, let me now proceed with a brief reference to the financing of the war by a number of important foreign Governments. The American citizen will then readily see that, whatever he may find for criticism at home, he will agree that his condition would be far worse if he should become a citizen of any other desirable nation.

The total expenditures of the United Kingdom from August 1, 1914, to December 31, 1918, were $45,000,000,000. The deduction of the normal peace expenditures for this period leaves a total war expenditure of $40,640,000,000. For this same period the aggregate revenues have amounted to $11,490,000,000, while the strictly war revenues were $7,120,000,000. The difference between the British war expenditures and the war revenues is $33,520,000,000. The British Government since the beginning of the war has borrowed $33,750,000,000, which, added to its prewar debt of $3,250,000,000, makes $37,000,000,000. The average interest rate on the English debt is 4.6 per cent. It is estimated that the Government will have to borrow $3,500,000,000 at a later date to meet the cost of reconstruction and remaining war items. This would make the gross debt $40,500,000,000. Deducting from this amount the value of surplus assets, estimated at $3,360,000,000, the amount of loans to Dominions, $1,300,000,000, and one-half the amount of loans

to the allies, considered recoverable, $3,750,000,000, would leave the net amount of the British debt at $32,290,000,000. Her foreign debt is $6,000,000,000. The interest on this net debt, amounting to $1,472,000,000, if only supplemented by an annual sinking fund of $500,000,000, would involve an annual burden of $2,000,000,000 in round numbers. They are discussing a capital levy in England. When the normal peace expenditures of $990,000,000 are augmented by several hundred millions for pensions and other expenditures growing out of the war, it is clear that the minimum of fixed annual peace revenues the United Kingdom must establish will be $3,500,000,000. England has less than half our wealth and population. Compared to that of England, our net war debt would be $65,000,000,000, and still greater when compared with France, Italy, Canada, and other countries.

During the war England has only continued nominally on a gold basis. There are in circulation $1,500,000,000 of currency notes very similar to our greenbacks of the Civil War, the principal portion of which is uncovered by gold. We observe wholesale expansion of currency and credit there during the war.

Inflation of most every kind is rampant. Only price regulation has to a moderate extent held it in check. At certain stages of the war, instead of being able to economize, the Government was obliged to aid scores of industries by voting hundreds of millions in bonuses. During the period of six months the aggregate bonuses authorized amounted to $980,000,000, including such items as $225,000,000 subsidy to reduce the price of bread, $25,000,000 bonus to potato growers, $100,000,000 bonus to miners, $200,000,000 bonus to munition workers, $50,000,000 bonus to railway workers, and so forth. It is seen that almost the entire industrial structure has been measurably maintained by bonuses. The floating debt of England is $7,315,000,000. On March 8, 1919, England's expenditures were at the rate of $825,000,000 a month, or $9,900,000,000 a year. England has a balance of trade running against her at the rate of near $3,500,000,000 annually.

No further contrast of the financing of England and the United States is necessary, except I may call attention to the cost of our larger Navy and our merchant fleet, both of which England already had, and to the higher scale of compensation we pay our soldiers and sailors and the enormous cost of freight we had to undergo for transportation of men and materials, first to our seaboard, thence across the sea, and finally to the interior of France. The frantic cry of our allies for ships, more ships, and yet more ships still rings in our ears.

I deem it wholly unnecessary to detail the German financial situation, having set out her methods and economic conditions in former speeches. It is sufficient to say that she is loaded with a war debt of some $33,000,000,000, overrun with fiat money or its equivalent, and every kind of the most vicious inflation exists.

Poor France is trudging along under a load of debt aggregating $23,400,000,000. Her foreign debt on November 30, 1918, was $5,400,000,000. She has levied $3,600,000,000 of taxes, $10,800,000,000 was raised by four loans, while $4,000,000,000 has been advanced by the Bank of France. These items have been supplemented by loans from the United States, short-term internal loans, and credits opened in foreign countries. The wealth of France prior to the war was estimated at $60,000,000,000. She now faces a huge deficit of $4,000,000,000, and the Government is seriously proposing a capital-tax levy, estimated to yield from $9,000,000,000 to $10,500,000,000, spread over the next few years. The next annual budget is expected to approach $3,600,000,000, as compared with her normal peace budget of $1,000,000,000. France has been obliged to pay exorbitant interest rates and to sell her bonds considerably below par. The financing of Austria has been hopeless, as is her present financial condition.

The national debt of Italy prior to the war was $2,750,000,000; her present total indebtedness is $12,500,000,000, but when all war expenditures are met this amount is expected to be increased to $16,000,000,000. The national wealth of Italy is not exceeding $20,000,000,000. It will be seen that Italy expects to have to pay further indebtedness, principally growing out of the war, to the amount of $3,500,000,000, although her normal expenditures should be deducted from this. Italy, too, was obliged to accede to high interest rates on her war debt, as well as to the sale of securities below par. The striking phase of her financial situation is that her estimated total war debt will comprise about three-fourths of her total national wealth. The press reports commodity prices in Italy as $2 per pound for bacon; $2.10 per pound for canned beef; 70 cents per pound for sugar; drop letters, 4 cents; others, 5 cents; post cards, 3 cents. I have submitted enough facts to illustrate the financial and economic condition of Italy in comparison with our own.

The Canadian debt before the war was $336,000,000, while her debt is now $1,500,000,000, and her total war debt is estimated later to be $2,000,000,000. The national wealth of Canada is $7,000,000,000. Her war interest rates have been far above those of the United States, tax free, and approximating the commercial interest level. Canadian revenue before the war amounted to $173,000,000 a year, but it can not be less than $350,000,000 in future normal peace times. Canada, like England, France, Italy, the United States, and all other solvent nations in the war, will be obliged to borrow a substantial amount during her next fiscal year to meet extraordinary expenditures growing out of the war, because of the inadequacy of her combined war and peace revenue.

It is appalling to contemplate the cost of the war—the cost in men, money, and material. The most recent official statement as to the loss of men shows 7,354,000 killed in battle or died from wounds, these losses distributed among the different nations, in part, as follows:

Russia	1,700,000
Germany	1,600,000
France	1,385,300
Austria	800,000
England	706,700
Italy	460,000
Turkey	250,000
Belgium	102,000
Roumania	100,000
United States	50,000

I have not the time to enumerate the lists of those who died from sickness or were wounded in battle. I might illustrate these two latter phases, however, by giving the latest official figures as to France, which place the number of wounded at 3,000,000, of which 700,000 are crippled and pensioned, with some few hundred thousands French war prisoners later to be added.

The cost of the war in money or its equivalent is now estimated at a little over $200,000,000,000; the cost for the first five months of the war in 1914 was $10,000,000,000; for the year 1915, $26,000,000,000; for the year 1916, $38,000,000,000; for the year 1917, $60,000,000,000; and for the year 1918, $70,000,000,000. Interest on the combined public debts of all nations prior to the war was placed at $1,000,000,000, while the interest on the future debts of these nations will aggregate more than $10,000,000,000 per annum.

I can not undertake to give figures, or even approximate estimates, of the losses of property and materials by the war. The French high commission estimates the physical losses of their nation at $13,000,000,000. This would make her total war cost $36,000,000,000, plus $8,000,000,000 for pensions. The value of English, allied, and neutral shipping lost at sea through German piracy is incalculable. The loss of production can never be estimated. The value of munitions, arms, and other equipment consumed by the war, to say nothing of thousands of cities and towns destroyed, is so vast and the facts so vague as to be utterly impossible of computation.

Turning again to our own financial and economic situation, we experience a feeling of great relief after dwelling on the dark picture presented by the other belligerent countries. Our population is more than 100,000,000 and our wealth more than $250,000,000,000, while our annual savings must be more than $15,000,000,000. The Nation can without difficulty meet and pay off its obligations far in advance of other nations. The Nation can and should maintain and strengthen its unparalleled position of world supremacy industrially, financially, and commercially. The United States has to its credit a 19 months' war record which is the admiration of the world, as it is the despair of the enemy. Let us keep in mind at least some of the big things the Nation has accomplished, some of the big achievements with which it has startled the world. The courage and patriotism of our soldiers and sailors have brought lasting honor and glory to the Nation. Let us, without brooding over little things, cheerfully practice enough financial heroism to pay the necessary taxes involved.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Does the gentleman from North Carolina intend to consume more time?

Mr. KITCHIN. There will be but one more speech on this side.

Mr. MOORE of Pennsylvania. Mr. Speaker, I want to warn the country of the processes that have prevailed under administrative auspices for the past few months. I want to warn the incoming Congress of what it has to face. Gentlemen have voted very cheerfully on this side, many of them upon that side, for increased appropriations for the Army that will give the administration what it pleases to use when the new Congress

comes in. The same thing has been done for the Navy. We are still voting lump sums that will enable these departments to keep going a number of bureaus that might well be dispensed with in peace times. Similar appropriations are demanded elsewhere, all of which will be expended by the administration without let or hindrance from the incoming Congress. The Department of the Interior, ambitious, like Agriculture and others, is asking for enormous appropriations to be passed by this Congress, while the majority is here and the going is good, fearing it may not be well to come to the incoming Congress. The Department of Labor is seeking an increase of appropriations for all its bureaus before the new Congress has anything to say about the expenditure of these funds. It has become the practice of every department and of every bureau and of every war-created agency to work this Congress to the limit and push its hand just as deep down into the Public Treasury as possible before the reckoning. I warn the country that the Republican Party is not responsible for the saturnalia of expenditure that has been authorized or that will be authorized before this Congress closes. But it will have dumped upon it all of the responsibility.

One of the dumping processes is found in this bill. We provide the Secretary of the Treasury with means to expend $7,000,000,000. That is a war measure. Under cover of the bill we are asked to continue a war-created War Finance Corporation that was started as an exigency of war, but which now desires to continue on a peace basis. If we continue it, as here proposed, the War Finance Corporation, protected as to the future, may snap its fingers at the Congress. With money and authority in hand it can go on and make itself a perpetual institution of the United States. It can use our money and issue bonds.

I am against permitting these war-created agencies to obtain such large authority from Congress under guise of war and such large lump-sum appropriations now as will enable them to snap their fingers at Congress when the Democratic majority releases its hold on the House. The War Finance Corporation was created because it was said the banking facilities of the country had broken down and because they were unable to meet the demands of the railroads and the public-utilities companies and other concerns that must be continued if the war was to be successfully prosecuted.

Mr. PHELAN. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield——

Mr. PHELAN. I want to say that nobody every said that the banks broke down.

Mr. MOORE of Pennsylvania. I regret that I can not yield. I can not get any more time, otherwise I would be very glad to yield to the gentleman. I want to say some things about these dumping processes. I want Republicans particularly to know that they are running up against a tremendous responsibility that is being unloaded upon them. Oh, gentlemen vote cheerfully for all these things now, and they say, as the Democratic leader said in debate last night, "When you come into power we will join you in endeavoring to curtail these expenses." Why do they not stop them now before the authority is given? War Finance Corporation, indeed! What was it? An agency to relieve railroads. We did very well for the railroads. We appropriated $500,000,000 to the railroad director, and that is all gone. We have appropriated another $750,000,000, and that is to go. Will you gentlemen over there, when you go out of power, aid us in curtailing these extravagances? Will you aid us in cutting down these tremendous lump-sum appropriations that you have been authorizing in order that your power over the Treasury and the people may continue in spite of the November election?

The War Finance Corporation is one of the growths upon the body politic. It was created to help American banking and commercial institutions. It has served its purpose. It should be disbanded, but it seeks to hold on. It discovers a new reason for its existence and seeks to enter a new and foreign field. What does it ask to do? It wants to go into the business of promoting foreign commerce. It wants to encourage exports from the United States. A worthy purpose, but it involves a new lease of life. Its old war emergency business is done. It was awarded $500,000,000 to capitalize itself, and got its money from the Treasury of the United States. It was our money that was used to finance such corporations as the War Finance Corporation did finance during the war. Now, as to the need for it. One hundred and sixty-seven million dollars of the $500,000,000 of capital taken out of the Treasury of the United States was used, and used for whom? War purposes? Was it used to help Pershing, to help the boys over yonder in the trenches? Or was it used to help the railroads back yonder in the country, or the big railroads in the East, or the public-utility companies, or the bankers, or the planters through the bankers?

In various ways it used about $167,000,000. It did not use all of its resources. It used only $167,000,000 of the total of $500,000,000 allotted to it, and yet it would have the power, if this new lease of life is given, to issue bonds to the extent of six times its $500,000,000 capital, or a total of $3,500,000,000, at a time when the Secretary of the Treasury and his efficient assistants tell the Committee on Ways and Means that they are unable to sell the liberty or the victory bonds of this country unless they can offer inducements as to interest.

If we encourage this war corporation to go into foreign trade, it is questionable whether we do not help our competitors more than ourselves. We displace the private banking interests and set the Government up in permanent control of our foreign exchange.

I think it is time to stop, to stop right here and now. The whole proceeding was debatable at the start. Members of Congress voted for the organization of the War Finance Corporation only because of the representations of the President of the United States, who said it was necessary as a war emergency measure. Now, all that we have been predicting about these war-born agencies is verified. They want to retain the tremendous power they have enjoyed during the war. This corporation, with an organization costing the Government possibly $100,000 a year in salaries and offices, comes forward and says, "We do not want you to dispense with our services; we have been patriotic during the war; we want you to continue us now; and if you can not see, as we can not see, that there is a war demand for our existence, then let us furnish you the excuse for a perpetuation of our power. We say to you that we can engage in the business of encouraging foreign export trade."

That would be a reason for their continuance. It is what we expected; but, as some of us see it, it is another dangerous step in the direction of paternalism. We are pushing the Government in business and displacing the bankers.

When is this thing going to stop? The Secretary of Labor wants to organize bureaus to keep everybody employed. The Government is to pay for it. The Secretary of Agriculture wants an enormous appropriation to keep a vast number of employees busy. The Government pays for that. Go down the line and you will find in every instance that they are simply preparing for the future, feathering their nests now, hoping to avoid the wrath to come. [Applause.]

The SPEAKER. The time of the gentleman has expired, and the gentleman from North Carolina [Mr. KITCHIN] is recognized for 11 minutes.

Mr. KITCHIN. Mr. Speaker, the gentleman from Pennsylvania [Mr. MOORE] offers a motion to recommit the bill, striking out sections 9 and 10, amendments to the war-finance corporation act. He made his 10 or 15 minute speech without having hardly referred to these sections. What are they? I want every business man in this House just to pay attention for one minute. Not a dollar of this money can be advanced by the Finance Corporation except for one purpose, and one purpose only, to assist in the exportation of our domestic products, and such authority can only exist for one year after the termination of the war. The first question to ask and answer is, Do our domestic products need extra help at this time for their exportation? If the answer is no, why, of course, sections 9 and 10 ought to go out. If the answer is yes—and every man in this House, every intelligent man in the country, knows that in this transition period from a war condition to a peace condition that our export trade, that the exporters of our domestic products, require assistance—then arises the question, What is the best and wisest method of help? Only two ways have been suggested: First, according to the suggestion of the Treasury Department, let the Government loan to the allied Governments one and a half billion dollars more, so that they can loan to their people in order that they can buy from our people. To get the money for such loan we must sell one and a half billion dollars more of bonds or notes; that is, borrow that amount from our people or tax our people an additional billion and a half dollars. The committee unanimously turned down that suggestion. The other suggestion is sections 9 and 10. It is that the Finance Corporation shall continue in existence for 12 months after the war only, and only for the purpose of assisting the exportation of our domestic products. I stated that every intelligent man in and out of the House knows that at this extraordinary time the exportation of our domestic products require extra assistance. Our foreign customers desire and need our products. They can buy only by cash or credit. They have not the cash or gold. The gold supply of Great Britain, France,

and Italy, our principal customers, is greatly reduced. They of necessity require all their gold during the transition period for the readjustment of their finances. They do not wish gold to be exported to pay for balances of trade which are against them. The foreign purchaser must therefore have credit if we are to continue to sell him. This amendment to the War Finance Corporation, which the gentleman by his motion would strike out, enables the foreign customer to get credit from the American exporter by providing that the Finance Corporation can, upon full and adequate security, make advances to the exporter to assist him in exportation of our products.

Some gentlemen said that the banks can do it. The gentleman from Pennsylvania [Mr. MOORE] says the banks can do it; the gentleman from Ohio [Mr. FESS] says the banks can do it; the gentleman from Nebraska [Mr. SLOAN] says the banks can do it. Why, gentlemen, if the banks can do it there is a provision in this bill that the exporter can not get a dollar from this corporation.

Mr. HUSTED rose.

Mr. KITCHIN. Do not interrupt me, I have but 10 minutes; I wish I had an hour and then I would permit anybody to get in, as all gentlemen know. It provides that the exporter can only get money from the corporation direct by showing that he can not get money on reasonable terms from the banks. If the banks can do it, this corporation can and will make no loans. If the bank can not do it, there is but one practicable way that we can help the exporters of our domestic products, and that is this way. But the banks can not give all the necessary assistance. The banks will have all they can do to finance the Government and the people in their domestic trade during the period of our readjustment. They must loan the Government from time to time during the year $8,000,000,000 to $10,000,000,000 on the Treasury certificates. They must in large part help to dispose of the billions of notes we are authorizing by this bill. To take care of those things and the domestic business of the country will be all the burden they can bear. The gentleman from Pennsylvania says that this corporation is given the power to issue $3,000,000,000 of bonds, six times its capital stock, to aid our exporters. Why, the gentleman has not read the amendment he wants to strike out. It expressly provides that the outstanding loans of this corporation can never exceed at one time $1,000,000,000. The corporation can make such loans by issuing less than $600,000,000 of its notes or bonds, as it already has $500,000,000 of capital stock. He says that the Government is going to appropriate this money. By the bill the Government can not appropriate a dollar for such purpose. The Finance Corporation, if it has not enough of its capital stock to do it, can issue its bonds backed by its capital stock and all assets and sell them on the market or to investment banks or other investors in order to make the advances under this amendment. The Government, they say, is responsible. The Government is not responsible for one single cent of bonds the Finance Corporation issues nor for one cent it shall advance under this amendment. It is not responsible to the extent of one dollar of any liability that the corporation incurs in any way. Let us read the provisions of the War Finance Corporation acts which the gentlemen seem to forget:

SEC. 17. That the United States shall not be liable for the payment of any bond or other obligation or the interest thereon issued or incurred by the corporation, nor shall it incur any liability in respect to any act or omission of the corporation.

Now, gentlemen, you did not understand that by hearing the speeches of the gentleman from Ohio [Mr. FESS] and the gentleman from Nebraska [Mr. SLOAN] and the gentleman from Pennsylvania [Mr. MOORE]. The gentleman from Ohio [Mr. FESS] did give the only valid objection that can be raised against this amendment, but if he had the confidence in his own party which I have—if Republicans are one-half as good as Democrats—then he need have no fear, because the Republicans—his own party—will control the Senate and the House in the next Congress, when the authority to make advances expires. The gentleman himself is a powerful and leading member of the Republican Party and a Member of the next House; and I agree with him that if his party in the next Congress should go so far wrong as to try to make this corporation permanent I will join hands and try to prevent the Republicans from committing that wrong upon the Government and the people. [Applause.] How can it be permanent unless the Republican Party in the next House and Senate makes it permanent?

By the express terms of the amendment this corporation must cease to make loans—must cease every activity except liquidation—12 months after the termination of the war. The gentleman's party will be in power here and in the Senate. The gentleman fears that there will be petitions and there will be lobbyists and big influences will be brought to bear upon the next Congress when this 12 months expires to extend the life of the corporation and make it permanent. The gentleman from Ohio [Mr. FESS] is impeaching the integrity and patriotism and manhood of the coming Republican Congress. [Applause.] I have hope that the Republican House and Republican Senate in the Sixty-sixth Congress will be equally as patriotic and equally as courageous as the Democrats and Republicans in this Congress with respect to this corporation. Ah, attempts were made to bring influences to bear on the administration and on this Congress to give longer life to this corporation, but they were vain.

Now, does the gentleman from Ohio seriously believe it when he says that the great danger in this amendment is the probability or possibility of the corporation being made a permanent institution by the next Congress? Does he believe and confess here to-day that his party, of which he is the national congressional chairman, in the Sixty-sixth Congress, in which he will be a conspicuous and distinguished Member, is going to deliberately yield to lobbyists and sinister influences and write into law this great danger? [Applause.] If that is the sort of membership which the gentleman, as campaign chairman, elected in last November, then he has done the poorest job any man has ever done. [Applause on the Democratic side.] No; as I said a while ago, I have confidence in the gentleman from Ohio [Mr. FESS] and in the Republican membership of the next Congress, and I feel that your judgment will be as our judgment will be, that the very minute the 12 months expire the power and authority of the corporation, except for liquidation, will cease, and not a minute's time longer than that fixed by the amendment will be granted.

Gentlemen, the proposition is right up to us. Shall we help our export trade in this emergency, in this transition period, at a time when every business man and every intelligent man in this House and in this country knows it should have help? And if you give help for our export trade it is bound to be an indirect help to our domestic trade. It means continuance of domestic production; continuance of domestic export. It means employment of labor. It means the running of the industries of this country. The man that is in favor of idleness of labor, the man that is in favor of curtailment of domestic production, the man that is in favor of stopping the wheels of industry, the man that is in favor of halting our export trade, ought to vote with the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Nebraska [Mr. SLOAN] and the gentleman from Ohio [Mr. FESS], the chairman of the Republican congressional committee. [Applause on the Democratic side.] But if he wants to help our domestic production, if he wants to give employment to our labor, if he wants the wheels of industry to continue to turn under a Republican Congress as they did under a Democratic Congress, then you ought to vote against the motion of the gentleman from Pennsylvania. [Applause on the Democratic side.]

The SPEAKER. The gentleman's time has expired. All time has expired. The question is on the motion of the gentleman from Pennsylvania [Mr. MOORE] to recommit.

The question was taken, and the Speaker announced that the noes seemed to have it,

Mr. MOORE of Pennsylvania. Division, Mr. Chairman.

The SPEAKER. The gentleman demands a division.

Mr. MOORE of Pennsylvania. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 111, nays 240, answered "present" 9, not voting 68, as follows:

YEAS—111.

Anthony	Fess	Kennedy, R. I.	Rose
Austin	Focht	King	Schall
Bacharach	Fordney	Knutson	Sells
Birch	Frear	Kraus	Sloan
Bland, Ind.	Fuller, Ill.	Kreider	Smith, Idaho
Bowers	Garland	La Follette	Smith, Mich.
Browne	Gillett	Lampert	Snell
Browning	Good	Langley	Stafford
Burroughs	Goodall	Lehlbach	Stiness
Campbell, Kans.	Gould	McCulloch	Strong
Cannon	Graham, Ill.	McFadden	Sweet
Chandler, Okla.	Greene, Mass.	McKinley	Switzer
Clark, Pa.	Griest	McLaughlin, Mich.	Thomas
Classon	Hamilton, Mich.	McLaughlin, Pa.	Tilson
Cooper, W. Va.	Haskell	Madden	Timberlake
Cramton	Haugen	Magee	Towner
Currie, Mich.	Hayes	Mondell	Vare
Curry, Cal.	Heaton	Moore, Pa.	Voigt
Darrow	Hersey	Morin	Ward
Davis	Hollingsworth	Nelson, A. P.	Wason
Denison	Huddleston	Nelson, J. M.	Watson, Pa.
Dillon	Hull, Iowa	Paige	Wheeler
Drukker	Hutchinson	Parker, N. J.	White, Me.
Edmonds	Ireland	Platt	Williams
Elliott	Johnson, Wash.	Porter	Wood, Ind.
Esch	Juul	Powers	Woodyard
Fairchild, B. L.	Kearns	Ramsey	Zihlman
Fairfield	Kelly, Pa.	Reed	

NAYS—240.

Alexander	Ellsworth	LaGuardia	Robinson
Almon	Elston	Larsen	Rodenberg
Anderson	Evans	Lazaro	Rogers
Aswell	Fairchild, G. W.	Lea, Cal.	Romjue
Ayres	Farr	Lee, Ga.	Rouse
Baer	Ferris	Lesher	Rowe
Bankhead	Fields	Lever	Rubey
Barnhart	Fisher	Linthicum	Rucker
Beakes	Flood	Lobeck	Sanders, Ind.
Bell	Foss	London	Sanders, La.
Benson	Foster	Lonergan	Sanford
Beshlin	Freeman	Longworth	Saunders, Va.
Black	French	Lufkin	Scott, Iowa
Bland, Va.	Fuller, Mass.	McArthur	Scott, Mich.
Blanton	Gallagher	McClintic	Sherley
Brand	Gallivan	McCormick	Sherwood
Britten	Gandy	McKenzie	Shouse
Brodbeck	Gard	McKeown	Siegel
Buchanan	Garner	McLemore	Sims
Burnett	Garrett, Tenn.	Maher	Sinnott
Byrnes, S. C.	Garrett, Tex.	Mann	Sisson
Byrns, Tenn.	Glynn	Mansfield	Slayden
Caldwell	Godwin, N. C.	Mapes	Slemp
Campbell, Pa.	Goodwin, Ark.	Martin	Small
Candler, Miss.	Gordon	Mays	Smith, T. F.
Cantrill	Gray, Ala.	Merritt	Snook
Caraway	Green, Iowa	Miller, Wash.	Snyder
Carew	Greene, Vt.	Montague	Steagall
Carter, Mass.	Griffin	Moon	Stedman
Carter, Okla.	Hadley	Moores, Ind.	Steenerson
Church	Hamlin	Morgan	Stephens, Miss.
Clark, Fla.	Hardy	Mott	Stephens, Nebr.
Claypool	Harrison, Miss.	Neely	Sterling
Cleary	Harrison, Va.	Nicholls, S. C.	Sumners
Coady	Hastings	Nichols, Mich.	Taylor, Colo.
Collier	Hawley	Nolan	Temple
Connally, Tex.	Hayden	Oldfield	Thompson
Connelly, Kans.	Heflin	Oliver, Ala.	Tillman
Cooper, Ohio	Helvering	Oliver, N. Y.	Tinkham
Cooper, Wis.	Hicks	Osborne	Treadway
Copley	Hilliard	O'Shaunessy	Van Dyke
Crisp	Holland	Overmyer	Vinson
Crosser	Hood	Overstreet	Volstead
Dale	Houston	Padgett	Walsh
Dallinger	Hull, Tenn.	Parker, N. Y.	Walton
Decker	Humphreys	Peters	Watkins
Delaney	Husted	Phelan	Watson, Va.
Dempsey	Igoe	Polk	Weaver
Dewalt	Jacoway	Pou	Webb
Dickinson	James	Quin	Welling
Dixon	Johnson, Ky.	Ragsdale	Welty
Dominick	Jones	Rainey, H. T.	Whaley
Donovan	Keating	Rainey, J. W.	Wilson, La.
Doolittle	Kehoe	Raker	Wilson, Tex.
Doremus	Kelley, Mich.	Ramseyer	Wingo
Doughton	Kettner	Randall	Winslow
Drane	Key, Ohio.	Rankin	Wise
Dupré	Kiess, Pa.	Rayburn	Wright
Dyer	Kincheloe	Reavis	Young, N. Dak.
Eagan	Kitchin	Riordan	Young, Tex.

ANSWERED "PRESENT"—9.

Ashbrook	Denton	Essen	Norton
Blackmon	Dill	Lundeen	Purnell
Butler			

NOT VOTING—68.

Barkley	Estopinal	Littlepage	Shackleford
Booher	Flynn	Lunn	Shallenberger
Brumbaugh	Francis	McAndrews	Smith, C. B.
Carlin	Graham, Pa.	Mason	Steele
Cary	Gray, N. J.	Miller, Minn.	Stevenson
Chandler, N. Y.	Gregg	Mudd	Sullivan
Costello	Hamill	Olney	Swift
Cox	Hamilton, N. Y.	Park	Tague
Crago	Heintz	Pratt	Taylor, Ark.
Davey	Helm	Price	Templeton
Dent	Hensley	Roberts	Venable
Dies	Howard	Rowland	Vestal
Dooling	Johnson, S. Dak.	Russell	Waldow
Dowell	Kahn	Sabath	Walker
Dunn	Kennedy, Iowa	Sanders, N. Y.	White, Ohio
Eagle	Kinkaid	Scully	Wilson, Ill.
Emerson	Little	Sears	Woods, Iowa

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. BUTLER (for) with Mr. STEELE (against).

Until further notice:

Mr. TAYLOR of Arkansas with Mr. WILSON of Illinois.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. BARKLEY with Mr. CRAGO.

Mr. SCULLY with Mr. DOWELL.

Mr. HAMILL with Mr. DUNN.

Mr. STEVENSON with Mr. GRAHAM of Pennsylvania.

Mr. DILL with Mr. JOHNSON of South Dakota.

Mr. BOOHER with Mr. KINKAID.

Mr. CARLIN with Mr. LITTLE.

Mr. DENT with Mr. KAHN.

Mr. EAGLE with Mr. MASON.

Mr. HELM with Mr. MUDD.

Mr. HOWARD with Mr. PRATT.

Mr. LITTLEPAGE with Mr. ROWLAND.

Mr. LUNN with Mr. SANDERS of New York.

Mr. MCANDREWS with Mr. SWIFT.

Mr. OLNEY with Mr. VESTAL.

Mr. PARK with Mr. WALDOW.

Mr. SABATH with Mr. TEMPLETON.

Mr. SEARS with Mr. ROBERTS.

Mr. SULLIVAN with Mr. CHANDLER of New York.

Mr. SHALLENBERGER with Mr. CAREY.

Mr. NORTON. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. NORTON. No, sir.

The SPEAKER. Then the gentleman can not vote. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. NORTON, and he answered "Present."

Mr. LUNDEEN. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. LUNDEEN. I was in here, but I was called out by a constituent.

The SPEAKER. Then the gentleman can not vote. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. LUNDEEN, and he answered "Present."

Mr. BLACKMON. Mr. Speaker, I desire to vote "nay."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. BLACKMON. I was not in the Hall, but I was near it.

The SPEAKER. Then the gentleman does not come within the rule. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BLACKMON, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GARNER. Mr. Speaker, let us have the yeas and nays on the passage of the bill.

The SPEAKER. The gentleman from Texas demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 348, nays 3, answered "present" 3, not voting 74, as follows:

YEAS—348.

Alexander	Dale	Gould	Little
Almon	Dallinger	Graham, Ill.	Littlepage
Anderson	Darrow	Gray, Ala.	Lobeck
Anthony	Davey	Green, Iowa	Lonergan
Ashbrook	Davis	Greene, Mass.	Longworth
Aswell	Decker	Greene, Vt.	Lufkin
Austin	Delaney	Griest	Lundeen
Ayres	Dempsey	Griffin	McArthur
Bacharach	Denison	Hadley	McClintic
Baer	Dent	Hamilton, Mich.	McCormick
Bankhead	Denton	Hamlin	McCulloch
Barnhart	Dewalt	Hardy	McKenzie
Beakes	Dickinson	Harrison, Miss.	McKeown
Bell	Dill	Harrison, Va.	McKinley
Benson	Dillon	Haskell	McLaughlin, Mich.
Beshlin	Dixon	Hastings	McLaughlin, Pa.
Birch	Dominick	Haugen	McLemore
Black	Donovan	Hawley	Madden
Blackmon	Doolittle	Hayden	Magee
Bland, Ind.	Doremus	Heaton	Maher
Bland, Va.	Doughton	Heflin	Mann
Blanton	Drukker	Hersey	Mansfield
Bowers	Dupré	Hicks	Mapes
Brand	Dyer	Hilliard	Martin
Britten	Eagan	Holland	Mays
Brodbeck	Eagle	Hollingsworth	Miller, Minn.
Browne	Edmonds	Hood	Miller, Wash.
Browning	Elliott	Houston	Mondell
Buchanan	Elston	Huddleston	Montague
Burnett	Esch	Hull, Iowa	Moon
Burroughs	Essen	Hull, Tenn.	Moore, Pa.
Butler	Evans	Humphreys	Moores, Ind.
Byrnes, S. C.	Fairchild, B. L.	Hutchinson	Morgan
Byrns, Tenn.	Fairfield	Igoe	Morin
Caldwell	Farr	Ireland	Mott
Campbell, Kans.	Ferris	Jacoway	Neely
Campbell, Pa.	Fess	James	Nelson, A. P.
Candler, Miss.	Fields	Johnson, Ky.	Nelson, J. M.
Cannon	Fisher	Johnson, S. Dak.	Nolan
Cantrill	Flood	Juul	Norton
Carew	Focht	Kearns	Oldfield
Carter, Mass.	Fordney	Keating	Oliver, Ala.
Carter, Okla.	Foss	Kehoe	Oliver, N. Y.
Chandler, Okla.	Foster	Kelley, Mich.	Olney
Church	Frear	Kelly, Pa.	Osborne
Clark, Fla.	Freeman	Kennedy, R. I.	O'Shaunessy
Clark, Pa.	French	Kettner	Overmyer
Classon	Fuller, Ill.	Key, Ohio	Overstreet
Claypool	Fuller, Mass.	Kincheloe	Padgett
Cleary	Gallagher	King	Paige
Coady	Gallivan	Kinkaid	Parker, N. J.
Collier	Gandy	Kitchin	Parker, N. Y.
Connally, Tex.	Gard	Knutson	Peters
Connelly, Kans.	Garner	Kraus	Phelan
Cooper, Ohio	Garrett, Tenn.	Kreider	Platt
Cooper, W. Va.	Gillett	LaGuardia	Polk
Cooper, Wis.	Glynn	Lampert	Porter
Copley	Godwin, N. C.	Larsen	Pou
Cramton	Good	Lea, Cal.	Powers
Crisp	Goodall	Lehlbach	Purnell
Crosser	Goodwin, Ark.	Lesher	Quin
Currie, Mich.	Gordon	Linthicum	Rainey, H. T.

Rainey, J. W.	Scott, Mich.	Strong	Ward
Raker	Sells	Sumners	Wason
Ramsey	Shallenberger	Sweet	Watkins
Ramseyer	Sherley	Switzer	Watson, Pa.
Randall	Sherwood	Taylor, Colo.	Watson, Va.
Rayburn	Shouse	Temple	Weaver
Reavis	Siegel	Thomas	Webb
Reed	Sims	Thompson	Welling
Riordan	Sinnott	Tillman	Welty
Robinson	Slemp	Tilson	Whaley
Rodenberg	Small	Timberlake	Wheeler
Rogers	Smith, Idaho	Tinkham	White, Me.
Romjue	Smith, Mich.	Towner	Williams
Rose	Smith, T. F.	Treadway	Wilson, Ill.
Rouse	Snell	Van Dyke	Wilson, La.
Rowe	Snook	Vare	Wilson, Tex.
Rubey	Snyder	Venable	Wingo
Rucker	Stafford	Vestal	Winslow
Sanders, Ind.	Steagall	Vinson	Wise
Sanders, La.	Stedman	Voigt	Wood, Ind.
Sanders, N. Y.	Steenerson	Volstead	Woodyard
Sanford	Stephens, Miss.	Waldow	Wright
Saunders, Va.	Stephens, Nebr.	Walker	Young, N. Dak.
Schall	Sterling	Walsh	Young, Tex.
Scott, Iowa	Stiness	Walton	Zihlman

NAYS—3.

Curry, Cal.	La Follette	London

ANSWERED "PRESENT"—3.

Hayes	Johnson, Wash.	Langley

NOT VOTING—74.

Barkley	Flynn	Lazaro	Sabath
Booher	Francis	Lee, Ga.	Scully
Brumbaugh	Garland	Lever	Sears
Caraway	Garrett, Tex.	Lunn	Shackleford
Carlin	Graham, Pa.	McAndrews	Sisson
Cary	Gray, N. J.	McFadden	Slayden
Chandler, N. Y.	Gregg	Mason	Sloan
Costello	Hamill	Merritt	Smith, C. B.
Cox	Hamilton, N. Y.	Mudd	Steele
Crago	Heintz	Nicholls, S. C.	Stevenson
Dies	Helm	Nichols, Mich.	Sullivan
Dooling	Helvering	Park	Swift
Dowell	Hensley	Pratt	Tague
Drane	Howard	Price	Taylor, Ark.
Dunn	Husted	Ragsdale	Templeton
Ellsworth	Jones	Rankin	White, Ohio
Emerson	Kahn	Roberts	Woods, Iowa
Estopinal	Kennedy, Iowa	Rowland	
Fairchild, G. W.	Kiess, Pa.	Russell	

So the bill was passed.

The Clerk announced the following additional pairs.

Until further notice:

Mr. RUSSELL with Mr. HAYES.

Mr. STEELE with Mr. LANGLEY.

Mr. HENSLEY with Mr. FRANCIS.

Mr. TAYLOR of Arkansas with Mr. ELLSWORTH.

Mr. NICHOLLS of South Carolina with Mr. MASON.

Mr. BOOHER with Mr. GARLAND.

Mr. CARLIN with Mr. ROWLAND.

Mr. SLAYDEN with Mr. KAHN.

Mr. LUNN with Mr. CARY.

Mr. PARK with Mr. GEORGE W. FAIRCHILD.

Mr. CARAWAY with Mr. HUSTED.

Mr. DOOLING with Mr. KENNEDY of Iowa.

Mr. DRANE with Mr. KIESS of Pennsylvania.

Mr. LAZARO with Mr. MCFADDEN.

Mr. LEE of Georgia with Mr. MERRITT.

Mr. LEVER with Mr. NICHOLS of Michigan.

Mr. RAGSDALE with Miss RANKIN.

Mr. SISSON with Mr. HAMILTON of New York.

Mr. WHITE of Ohio with Mr. HEINTZ.

The result of the vote was announced as above recorded.

On motion of Mr. KITCHIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS—CONFERENCE REPORT (NO. 1146).

Mr. BYRNS of Tennessee. Mr. Speaker, I desire to present a conference report upon the legislative, executive, and judicial appropriation bill, H. R. 14078, and I ask for its immediate consideration.

The SPEAKER. The gentleman presents a conference report and asks for its immediate consideration.

Mr. WALSH. Has it been printed?

The SPEAKER. The printing rule does not apply to the last six days of the session.

Mr. BYRNS of Tennessee. I ask that the statement of the House conferees be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. PHELAN. Mr. Speaker, I have a conference report, which I think can be disposed of in a very few minutes.

Mr. BYRNS of Tennessee. I have no objection to yielding to the gentleman from Massachusetts, although I do not want to lose my rights. I think this report will take only a few minutes.

Mr. PHELAN. I am perfectly willing.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement of the House conferees.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 24, 25, 30, 36, 53, 60, 63, 64, 69, 70, 71, 94, and 95.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 32, 33, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 54, 55, 56, 57, 59, 65, 67, 68, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 92, 93, 97, 100, and 101; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: On page 2 of the bill, in line 9, strike out "$7,540" and insert in lieu thereof "$7,700"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"Clerical assistance to Senators: For clerical assistance to Senators who are not chairmen of the committees specifically provided for herein: Seventy-nine clerks at $2,500 each; 79 assistant clerks at $1,600 each; 79 assistant clerks at $1,500 each; $442,400: *Provided*, That such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which their Senator is chairman.

"Ninety-four additional clerks at $1,200 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman, $112,800; in all, $555,200."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,400"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the number proposed insert "15"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$564,840"; and the Senate agree to the same.

Amendments numbered 34 and 35: That the House recede from its disagreement to the amendments of the Senate numbered 34 and 35, and agree to the same with an amendment as follows: Omit the matter stricken out by said amendments, and on page 33 of the bill omit all after the words "per annum," in line 9, down to and including line 16; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: On page 36 of the bill, in line 24, strike out "$215,720" and insert in lieu thereof "$217,820"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"*Provided*, That of this amount not to exceed $184,160 shall be available for the expenses authorized to be incurred by the Secretary of Labor upon request of the Commissioner of Internal Revenue, in accordance with the act 'to provide revenue, and for other purposes,' approved February 24, 1919: *Provided further*, That no salary shall be paid out of the said sum of $184,160 at a rate exceeding $3,000 per annum."

And the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and

agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$7,500"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,059,500"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out "forty-nine" and insert in lieu thereof "thirty-five"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: On page 96 of the bill, in line 2, strike out "$672,790" and insert in lieu thereof "$672,470"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: Strike out line 51 of the matter inserted by said amendment and insert in lieu thereof the following: "January 7, 1919: *Provided*, That payment to any employee for leave of absence not earned in proportion to the term of employment shall be deducted from the refund authorized in this section and the provision made in this act for the transportation of employees shall not be supplemented in any manner by the various services in which they are employed"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In line 6 of the matter inserted by said amendment, after the word "compensation," insert the word "only"; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: Strike out of the matter inserted by said amendment all of lines 1 to 17, inclusive, and insert in lieu thereof the following:

"SEC. 9. That a joint commission is created to be known as the 'Joint commission on reclassification of salaries,' which shall consist of three Senators, who are now Members of the Congress, to be appointed by the President of the Senate, and three Representatives, who are now Members of the Congress, to be appointed by the Speaker. Said commission shall submit its report and recommendations as early as possible, and in any event by the second Monday in January, 1920, and the members of such commission shall receive a compensation at the rate of $625 per month, unless they are receiving other compensation from the Government. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments."

And the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: Strike out of the matter inserted by said amendment all after the word "of," in line 4, down to and including the word "whom," in line 15, and insert in lieu thereof the following: "two Senators to be appointed by the President of the Senate and two Members of the House of Representatives to be appointed by the Speaker, who"; and the Senate agree to the same.

JOSEPH W. BYRNS,
JOHN M. EVANS,
WILLIAM H. STAFFORD,
Managers on the part of the House.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, relating to the Senate: Appropriates for officers, employees, and for expenses of the Senate in the manner proposed by the Senate.

On Nos. 23, 24, and 25, relating to the Library of Congress: Appropriates $45,000, as proposed by the Senate, instead of $30,000 as proposed by the House, for the Legislative Reference Bureau; strikes out the authority proposed by the Senate for the employment of one person in excess of $3,000 per annum; and strikes out the appropriation of $500 proposed by the Senate for temporary employees under the Superintendent of Library Buildings and Grounds.

On No. 26: Appropriates $2,400 for the salary of the superintendent of the Botanic Garden, instead of $2,250, as proposed by the House, and $3,000, as proposed by the Senate.

On No. 27: Provides that not more than 15 persons shall be employed in the Bureau of Efficiency at rates of pay in excess of $3,000, instead of 9 persons, as proposed by the House, and 18 persons, as proposed by the Senate.

On No. 28: Inserts the paragraph proposed by the Senate providing that the civil-service status of soldiers, sailors, and marines shall be the same at the time of their demobilization as it was when they entered the service.

On Nos. 29, 30, 31, 32, 33, 34, 35, and 36, relating to the Department of State: Provides for 10 additional drafting officers at $3,500 each, as proposed by the Senate; strikes out the increase of $500 proposed by the Senate in the pay of the private secretary to the undersecretary; increases the amount for temporary employees from $125,000 to $200,000, as proposed by the Senate; strikes out the paragraph inserted by the House providing for the reinstatement to their former positions of Government employees who entered the military service, the same having been previously enacted upon the second deficiency bill; strikes out the authority, proposed by the Senate, permitting the Diplomatic and Consular emergency fund to be used for personal services in the District of Columbia.

On Nos. 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, and 49, relating to the Treasury Department: Appropriates for the care and rental of the Cox Building, as proposed by the Senate; strikes out the paragraph proposed by the House assigning the Arlington Building for the use of the War Risk Insurance; strikes out the appropriation of $5,000 for expenses of the section of surety bonds when instituting inquiries into the solvency of bonding companies doing business with the Government; increases the compensation of the Commissioner of Internal Revenue and three deputy commissioners and provides for an assistant to the commissioner and two additional deputy commissioners, in accordance with the revenue act of 1918; provides for five additional watchmen at the Bureau of Engraving and Printing, as proposed by the Senate; increases the compensation of the private secretary to the Surgeon General of the Public Health Service from $1,800 to $2,000, as proposed by the Senate; appropriates $1,200, as proposed by the Senate, for rent of stables for the Treasury Department.

On Nos. 50 and 51: Provides that not to exceed $184,160 of the sum appropriated for expenses of collecting internal-revenue taxes shall be available for expenses in connection with the investigations undertaken by the Department of Labor upon the request of the Commissioner of Internal Revenue for the enforcement of the law providing for a tax on child labor, with a limitation that no person shall be employed thereunder at a rate of pay exceeding $3,000 per annum.

On No. 52: Appropriates for the Subtreasuries, as proposed by the Senate, and strikes out the paragraph proposed by the House providing for their discontinuance.

On No. 53: Strikes out the increase of $200 proposed by the Senate in the pay of the assayer in charge at the Carson, Nev., mint.

On Nos. 54, 55, and 56, relating to the office of the Quartermaster General of the War Department: Strikes out the advisory architect at $4,000 per annum and the supervising engineer at $2,750 per annum, as proposed by the Senate.

On Nos. 57, 58, 59, 60, 61, 62, 63, 64, and 65, relating to the Navy Department: Appropriates $7,500 instead of $10,200, as proposed by the Senate, for temporary employees in the solicitor's office; appropriates $6,000, as proposed by the Senate for temporary employees in the office of the Judge Advocate General; strikes out the appropriation of $2,250, proposed by the Senate, for temporary employees in the Naval Observatory; provides that 35 persons instead of 49 persons, as proposed by the Senate, and 20 persons, as proposed by the House, shall be employed at rates of compensation in excess of $2,000 per annum out of the appropriation for temporary employees; strikes out an expert historian at $4,000 per annum and two assistants

at $3,000 each per annum for the collection and classification of the naval records of the war with the central powers of Europe; strikes out the appropriation of $15,000, proposed by the House, for rental of additional quarters for the Navy Department in the District of Columbia.

On No. 66: Readjusts the classification of employees in the General Land Office having rates of pay from $1,200 to $720, with a net reduction of $320.

On Nos. 67 and 68: Increases the compensation of the Chief of the Division of Accounts in the Department of Justice from $2,750 to $3,000, as proposed by the Senate.

On No. 69: Strikes out the authority proposed by the Senate for the issuance of certificates by the Bureau of Standards describing the quality of sample goods submitted for tests.

On Nos. 70 and 71: Strikes out the appropriation inserted by the Senate for 9 laws clerks at $3,600 each for the justices of the Supreme Court.

On Nos. 72 to 89, inclusive: Provides for the period from March 1, 1919, to June 30, 1920, for the increased compensation recently authorized in the salaries of judges of circuit courts of appeals, district courts, Court of Appeals and Supreme Court of the District of Columbia, Court of Customs Appeals, and the Court of Claims.

On No. 90: Inserts the section proposed by the Senate extending from February 20 to March 31, 1919, the act authorizing transportation from the District of Columbia to their homes of certain Government employees.

On Nos. 91 and 92: Corrects section numbers in the bill.

On Nos. 93, 94, 95, and 96, relating to increased compensation for certain Government employees: Includes within the provisions of the section the employees of the Bureau of War Risk Insurance at one-half the rate allowed for other employees with the exception of those who receive rates less than $400 per annum, who may receive the additional compensation at the increased rate of 60 per cent per annum.

On No. 97: Corrects a section number in the bill.

On No. 98: Inserts the section proposed by the Senate creating a joint commission on the reclassification of salaries, modified so as to provide that the commission shall consist of persons who are now Members of Congress, and that such members of the commission who are not otherwise compensated by the Government shall be paid at the rate of $625 per month, and provides further that the commission shall report to Congress by the second Monday in January, 1920.

On No. 99: Inserts the section proposed by the Senate for a public buildings commission to control and allot space in the various Government buildings in the District of Columbia, modified so that the commission shall consist of two Members of the Senate, two Members of the House, together with the Superintendent of the Capitol Building and Grounds, the officer in charge of public buildings and grounds, and the Supervising Architect or the Acting Supervising Architect of the Treasury during any vacancy in said office.

On No. 100: Inserts the section proposed by the Senate giving the Joint Committee on Printing additional authority to control public printing and binding and distribution of Government publications.

On No. 101: Inserts the section proposed by the Senate extending the provisions and limitations respecting the George Washington Memorial to March 4, 1920.

JOSEPH W. BYRNS,
JOHN M. EVANS,
WILLIAM H. STAFFORD,
Managers on the part of the House.

Mr. BYRNS of Tennessee. Mr. Speaker, I have asked for the immediate consideration of this report for the reason that the Senator who is in charge of it in the Senate suggested this morning that it was exceedingly important that the report be adopted by the House, so that it could be acted upon by the Senate to-day, for the reason that he would not be responsible for its passage unless it got over there to-day, since he did not know what the situation may be in the Senate during the few remaining days of the session.

There were 101 amendments placed on this bill by the Senate. A great number of those amendments relate to increases of salaries of certain officials, carried and provided for in bills which have heretofore passed Congress, and a number relate to increases for Senate employees. For instance, the increase in the salary of the internal-revenue commissioner and certain assistant commissioners, was provided in the revenue bill, which has recently become a law. There were also increases in the salaries of the various United States judges, carried in a bill which recently passed both Houses.

Practically the only legislative provisions are found in the latter part of the bill. There is a provision, which was agreed to in conference, extending the time within which transportation may be furnished to employees of the Government who came here to work during the war and who resign or who cease to have any further connection with the Government in a clerical capacity here in the District of Columbia.

Gentlemen will remember that the House adopted a joint resolution some time ago allowing pay for the transportation of such employees who severed their connection with the Government between November 11 and February 20. It so happens that that resolution was construed by heads of various bureaus not to apply to employees who voluntarily resigned from the service. I understand there were quite a number of employees who, after the signing of the armistice, decided to resign from the service and go back to their homes into private employment. Heads of bureaus construed that resolution as not giving them transportation. This provision is inserted in this bill so as to allow all who either resign or whose services are dispensed with by the Government between November 11 and March 31 to receive their transportation back home.

Another provision relates to the creation of a joint commission to reclassify and readjust salaries here in the District of Columbia. The House will remember that the Committee on Appropriations reported such a provision in this bill, but it was stricken out upon a point of order. The Senate has inserted that provision in the bill, and the conferees have agreed upon it with an amendment.

The Senate passed the provision so as to provide that the Speaker and the Vice President should appoint as members of that commission, which was to consist of three Senators and three Representatives, retiring Members of the Sixty-fifth Congress in the event that any could be found who would agree to serve. The conferees report a provision providing that there shall be a commission of three Senators and three Representatives to be appointed by the presiding officers of the respective bodies, who are now Members of the Congress, leaving it to the Vice President and to the Speaker to determine whether or not they will appoint Members of this Congress, or confine the appointment exclusively to Members of the Sixty-sixth Congress.

Then this bill carries a provision for a public-building commission. That provision was also reported by the House Committee on Appropriations, but went out on a point of order when the bill was under consideration in the House.

The House Committee on Appropriations reported a provision giving the President the authority to allot necessary space for the various activities of the Government here in Washington. The conferees have agreed upon a provision creating a commission consisting of 2 Senators to be appointed by the Vice President, 2 Representatives to be appointed by the Speaker of the House, the Superintendent of the Capitol Buildings and Grounds, the officer in charge of buildings and grounds, and the Acting Supervising Architect of the Treasury, the commission consisting of 7. The Senate proposed a commission consisting of 3 members each of the Committee on Appropriations of the Senate and the House, 3 members each of the two Committees on Public Grounds, and the 3 officials referred to, making a commission of 15. The conferees felt that a commission as large as that could not effectively function, and therefore recommend a commission of 7, as I have stated.

In addition to that the Senate inserted a provision giving to the joint Committee on Printing the power to adopt and employ measures which in its opinion are necessary to control the amount of public printing and binding and the distribution of certain Government publications. The conferees felt that it was high time that Congress should begin taking charge of the publications that are being made and have some authority and discretion as to the various journals and magazines that are being made and distributed over the country. The House conferees agreed to that Senate amendment. The next Senate amendment I wish to call attention to is 101, which extends one year, or until March 4, 1920, the provision respecting the building of the George Washington Memorial on the Mall. You gentlemen are familiar with that law which gives authority to construct such a building not to exceed the cost of $2,000,000, the same to be raised by the George Washington Memorial Commission. This is not to be built at the expense of the Government and the House conferees agreed to that amendment.

I take it, gentlemen, that this is a fair statement of the main provisions of the bill.

Mr. WALSH. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. I want to ask the gentleman a question with reference to the item that was put in the bill by way of amend-

ment increasing the amount for Members' clerk hire. Was any change made of that in the Senate?

Mr. BYRNS of Tennessee. No change was made by the Senate, and it was therefore not in conference.

Mr. WALSH. As at present in the bill, Members elect who are not Members of the present Congress, if there were to be no extra session until after July 1, would not have any clerk hire until after they were sworn in.

Mr. BYRNS of Tennessee. That depends upon the construction of the provision. I am inclined to think the gentleman's construction of the provision is correct.

Mr. WALSH. It refers to "Members, Delegates, and Resident Commissioners."

Mr. BYRNS of Tennessee. I think the gentleman is correct in his construction.

Mr. WALSH. May I ask the gentleman's construction under the proviso which requires that it shall not be paid to a Member, Delegate, or Resident Commissioner, if his construction is the same as it was before the bill went to conference?

Mr. BYRNS of Tennessee. It is.

Mr. WALSH. That, in effect, requires these employees to be carried upon the rolls, and the compensation to be paid directly to them.

Mr. BYRNS of Tennessee. That is, I think, clearly the proper construction of it. The provision as it appears in this bill is rather ambiguous. It is unfortunate that it could not have been corrected. It provides for clerk hire for each Member, Delegate, and Resident Commissioner of $3,200, providing that no part of said sum shall be paid to the Member, Delegate, or Resident Commissioner. Now, how the next Clerk of the House of Representatives will construe it, or how the Comptroller of the Treasury will construe it—and I think the Clerk will ask for a construction of the provision by the Comptroller—I do not know. My own opinion is that all that will be required is that the Member shall certify to the Clerk of the House whom he wants the sum paid to and how he desires it paid. He will give the names of the person or persons employed by him in his representative capacity, and the Clerk will so pay it. But that is a matter to be decided by those who are in control of the fund and who are charged with the responsibility of disbursing it.

Mr. WALSH. This provision does not increase the amount available between the signing of the bill and July 1.

Mr. BYRNS of Tennessee. No; it goes into effect July 1. Mr. Speaker, if there are no further questions, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALEXANDER). The question now is on the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. BYRNS of Tennessee, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

AMENDING FEDERAL RESERVE ACT—CONFERENCE REPORT (NO. 1129).

Mr. PHELAN. Mr. Speaker, I call up conference report on the bill (S. 5236) amending the Federal reserve act.

The SPEAKER pro tempore. The Clerk will read the title.

The Clerk read as follows:

S. 5236. An act amending sections 10 and 11 of the Federal reserve act, and section 5172 of the Revised Statutes of the United States.

Mr. PHELAN. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman—I have not examined this report—whether there is anything in it which has been added by the conferees to what was inserted by the House.

Mr. PHELAN. No; there has been nothing added that was not either in the bill as it went through the House or in the Senate bill, with one explanation. In the section that passed the House, providing that members of the Federal Reserve Board shall be ineligible for two years after they cease to be members, the committee struck out the words "Assistant Secretary of the Treasury." So that they will come under the same provision. That is not an addition, it is something that has been stricken out from the bill as it was when it was passed through the House.

Mr. MANN. I have no objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the statement of the managers on the part of the House.

Mr. PHELAN. Mr. Speaker, before that is done, I do not want, even inadvertently, not to call something to the gentleman's attention. There is one word put in which I think was in neither bill, but the gentleman will see the necessity for it, and I hope he will waive any point he might want to raise in respect to it.

Mr. MANN. I am not going to make the point of order. I have waived the objection.

Mr. PHELAN. We put in the word "note" so as to take care of the bill which the Ways and Means Committee has just passed through the House.

The SPEAKER. The Clerk will read.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the amendment proposed by the House insert the following:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That that part of the first paragraph of section 7 of the Federal reserve act which reads as follows: 'After the aforesaid dividend claims have been fully met, all the net earnings shall be paid to the United States as a franchise tax, except that one-half of such net earnings shall be paid into a surplus fund until it shall amount to 40 per cent of the paid-in capital stock of such bank,' be amended to read as follows:

"'After the aforesaid dividend claims have been fully met, the net earnings shall be paid to the United States as a franchise tax, except that the whole of such net earnings, including those for the year ending December 31, 1918, shall be paid into a surplus fund until it shall amount to 100 per cent of the subscribed capital stock of such bank, and that thereafter 10 per cent of such net earnings shall be paid into the surplus.'

"SEC. 2. That that part of section 10 of the Federal reserve act which reads as follows: 'The members of said board, the Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency, shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank,' be amended to read as follows:

"The Secretary of the Treasury and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank. The appointive members of the Federal Reserve Board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank, except that this restriction shall not apply to a member who has served the full term for which he was appointed."

"SEC. 3. That section 11 of the Federal reserve act, as amended by the act of September 7, 1916, be further amended by striking out the whole of subsection (m) and by substituting therefor a subsection to read as follows:

"'(m) Upon the affirmative vote of not less than five of its members, the Federal Reserve Board shall have power to permit Federal reserve banks to discount for any member bank notes, drafts, or bills of exchange bearing the signature or indorsement of any one borrower in excess of the amount permitted by section 9 and section 13 of this act, but in no case to exceed 20 per cent of the member bank's capital and surplus: *Provided, however*, That all such notes, drafts, or bills of exchange discounted for any member bank in excess of the amount permitted under such sections shall be secured by not less than a like face amount of bonds or notes of the United States issued since April 24, 1917, or certificates of indebtedness of the United States: *Provided further*, That the provisions of this subsection (m) shall not be operative after December 31, 1920.'

"SEC. 4. That section 5172, Revised Statutes of the United States, be amended to read as follows:

"SEC. 5172. That in order to furnish suitable notes for circulation the Comptroller of the Currency shall, under the direction of the Secretary of the Treasury, cause plates and dies to be engraved in the best manner to guard against counterfeiting and fraudulent alterations, and shall have printed therefrom and numbered such quantity of circulating notes in blank, or

bearing engraved signatures of officers as herein provided, of the denominations of $1, $2, $5, $10, $20, $50, $100, $500, and $1,000, as may be required to supply the associations entitled to receive the same. Such notes shall express upon their face that they are secured by United States bonds deposited with the Treasurer of the United States, by the written or engraved signatures of the Treasurer and Register, and by the imprint of the seal of the Treasury; and shall also express upon their face the promise of the association receiving the same to pay on demand, attested by the written or engraved signatures of the President or Vice President and cashier; and shall bear such devices and such other statements and shall be in such form as the Secretary of the Treasury shall, by regulation, direct."

MICHAEL F. PHELAN,
JOE H. EAGLE,
E. A. HAYES,
Managers on the part of the House.
ROBERT L. OWEN,
GEO. P. MCLEAN,
Managers on the part of the Senate.

STATEMENT.

The bill as agreed to and reported from the committee of conference differs from the text of S. 5236 as amended and passed by the House in the following respects:

In section 1, page 4, line 18, after the word "earnings," the following words are inserted: "including those for the year ending December 31, 1918."

Section 2, on page 5, lines 5 and 6, the words "the Assistant Secretaries of the Treasury" are stricken out.

Section 2, page 5, line 9, the word "appointed" is struck out and the word "appointive" substituted therefor.

Section 3, on page 5, line 23, after the word "notes," the following words are inserted: "drafts or bills of exchange bearing the signature or indorsement."

Section 3, on page 5, line 24, after the word "act," the following words are inserted: "but in no case to exceed 20 per cent of the member bank's capital and surplus."

Section 3, on page 5, line 25, after the word "notes," the following words are inserted: "drafts or bills of exchange."

Section 3, page 6, line 2, after the word "bonds," the following words are inserted: "or notes."

Section 3, page 6, line 4, after the words "United States," the following words are inserted: "*Provided further*, That the provisions of this subsection (m) shall not be operative after December 31, 1920."

Attention is called to the fact that in making reference by page and line the text of the bill (S. 5236) was used as it was reported to the House on February 3, 1919.

MICHAEL F. PHELAN,
E. A. HAYES,
JOE H. EAGLE,
Managers on the part of the House.

Mr. PHELAN. Mr. Speaker, if no one desires to be heard or to ask any questions, I shall move the previous question.

Mr. MOORE of Pennsylvania. Mr. Speaker, is the purpose of this bill to enable a bank to establish branch banks?

Mr. PHELAN. There is nothing in this bill relative to that at all. That was stricken out when the bill went through the House.

Mr. MOORE of Pennsylvania. I have just looked at it hurriedly, and on page 6——

Mr. PHELAN. That section was stricken out in the House.

Mr. MOORE of Pennsylvania. I am opposed to permission being granted to a bank to establish branch banks. I know that it is a mooted question, but is one that has been discussed in our State for a long time, and something, I think, that was prohibited at one time by the State legislature, so far as State banks are concerned. It is a debatable question, and if that is in the bill we ought to have some discussion of it.

Mr. PHELAN. It is not in the bill, Mr. Speaker; I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. PHELAN, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

LIGHTHOUSE SERVICE.

Mr. DOREMUS. Mr. Speaker, I renew the request I made this morning for the present consideration of the bill (H. R. 15551) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object. I suppose this will be followed by a motion to suspend the rules if objection is heard.

The SPEAKER. The Chair will not recognize anyone to suspend the rules to-day.

Mr. MANN. If gentlemen are going to ask unanimous consent to consider bills, I think it is fair that at least the minority leader be notified of the request in order that he may call it to the attention of Members who are interested in the subject. I am not willing to permit any bill that I do not happen to have upon my table to come up without any notice at all by unanimous consent. In a way I can protect myself on suspension of the rules, but I hope that the gentleman will not make his request at this particular time.

The SPEAKER. Is there objection?

Mr. MANN. If the gentleman forces me to object now I shall object to the end of the session.

Mr. DOREMUS. Mr. Speaker, I will say that I decided to make this request this morning after conference with the gentleman from Wisconsin [Mr. ESCH], the ranking Republican minority member of the Committee on Interstate and Foreign Commerce. There is no intention upon my part to overlook the minority leader at all.

Mr. MANN. I understand that.

Mr. DOREMUS. And I assumed, of course, that Mr. ESCH would consult him. If he did not, it was undoubtedly an inadvertence on his part. I withdraw the request for the present.

CHARGES AGAINST CERTAIN ARMY OFFICERS BY E. L. RICE.

Mr. JOHNSON of Washington. Mr. Speaker, I move to discharge the Committee on Military Affairs from further consideration of H. Res. 541, now privileged, which I send to the desk and ask to have read, and that the same be passed.

The Clerk read as follows:

House resolution 541.

Resolved, That the Secretary of War be, and he is hereby, directed to furnish the House with a copy of the report of the Inspector General of the Army, made on or about the 1st day of October, 1918, as the result of an investigation of charges of malfeasance against certain Army officers brought by E. L. Rice, which investigation was ordered to be made by the President on or about August 15, 1918, together with copies of all orders relating thereto, and copies of all testimony, correspondence, and documents in connection therewith.

The SPEAKER. Has this been referred to a committee?

Mr. JOHNSON of Washington. Yes; it was referred to the Committee on Military Affairs.

Mr. GARRETT of Tennessee. When?

Mr. JOHNSON of Washington. I think on the last day of January, or approximately at that date.

The SPEAKER. The question is on discharging the Committee on Military Affairs from further consideration of the resolution and passing the same.

Mr. HARRISON of Virginia. Mr. Speaker, may I have the resolution again reported?

The SPEAKER. Without objection, the Clerk will again report the resolution.

There was no objection, and the Clerk again reported the resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, I would like to ask the gentleman a question. I do not seem to be able to learn anything about this from any member of the Committee on Military Affairs. Just what is it?

Mr. JOHNSON of Washington. It is a very simple matter. The resolution covers the subject matter, and I do not care to go into any of the charges which are made. These papers which are asked for are all the result of an investigation made by an inspector or inspectors of the Army.

Mr. GARRETT of Tennessee. What is the purpose of having them sent here?

Mr. JOHNSON of Washington. To see the papers.

Mr. GARRETT of Tennessee. What is the object to be accomplished?

Mr. JOHNSON of Washington. If inspectors of the United States Army make charges against any two or three officers of the Army in connection with the matter mentioned in this resolution, and I can not otherwise find out about it, I think that Congress has the right to ask to see the papers.

Mr. GARRETT of Tennessee. What are we going to accomplish by it; what are we going to do with them when we get them?

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. MOORE of Pennsylvania. Is not this a case where an officer of the Army was sent by his superiors, after making charges, to California or some other remote point; and is it not a fact that after all that was done charges were made and

brought up to the Secretary of War and the public denied all information in respect to it?

Mr. JOHNSON of Washington. I think there is something to that. If the gentleman will permit—and the gentleman from Tennessee also—I do not care to make a public statement that might be misunderstood. I make neither charges nor innuendo. If these papers come down, the Committee on Military Affairs can do what I think it wants to do—take a look at them. I hope there will be no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, now let me say this: I do not wish to interpose an objection to obtaining any information that will be useful in any way to the House in the performance of its duties, and if this is to involve legislation in any way——

Mr. JOHNSON of Washington. I think it will.

Mr. GARRETT of Tennessee. Then, all right. The gentleman has the right to ask for it.

Mr. JOHNSON of Washington. My impression is, if the gentleman will permit, that if these papers had come down in time it would have affected the pending Army appropriation bill; may do it yet, as that bill has not yet passed. I do not care to make a charge or a statement on the floor at this time, and I will not do it. The resolution speaks for itself.

Mr. GARRETT of Tennessee. Mr. Speaker, I am not at all satisfied with the statement the gentleman makes, with all possible respect to him——

Mr. JOHNSON of Washington. Of course, I can make quite a full statement; but is it necessary?

Mr. GARRETT of Tennessee. I move to lay the resolution on the table.

Mr. MANN. Mr. Speaker, it is a question of discharging the committee; has that been disposed of?

The SPEAKER. The question is not on the resolution, it is on the motion to discharge the committee. The question is on discharging the committee.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 58, noes 55.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for tellers.

Mr. DYER. Mr. Speaker, I make the point of order that there is no quorum present. If the gentleman wants tellers, if he wants to vote on it, let us have it.

Mr. GARRETT of Tennessee. I am willing to let it go with the teller vote.

Mr. JOHNSON of Washington. I hope the gentleman will withdraw that.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 167, nays 152, answered "present" 1, not voting 108, as follows:

YEAS—167.

Anderson	French	Lea, Cal.	Rowe
Anthony	Fuller, Ill.	Lehlbach	Rowland
Austin	Fuller, Mass.	Little	Sanders, Ind.
Bacharach	Garland	London	Sanders, N. Y.
Baer	Gillett	Longworth	Sanford
Birch	Glynn	Lufkin	Schall
Bland, Ind.	Good	Lundeen	Scott, Iowa
Bowers	Gould	McArthur	Scott, Mich.
Britten	Graham, Ill.	McCormick	Siegel
Browne	Green, Iowa	McCulloch	Sinnott
Browning	Greene, Mass.	McFadden	Slemp
Burroughs	Greene, Vt.	McKenzie	Sloan
Cannon	Griest	McKinley	Smith, Idaho
Chandler, Okla.	Hadley	McLaughlin, Mich.	Smith, Mich.
Clark, Pa.	Hamilton, Mich.	McLaughlin, Pa.	Snell
Classon	Haskell	Madden	Stafford
Cooper, Ohio	Haugen	Magee	Steenerson
Cooper, W. Va.	Hawley	Mann	Strong
Copley	Hayes	Mapes	Sweet
Cramton	Hersey	Miller, Wash.	Switzer
Currie, Mich.	Hicks	Mondell	Temple
Curry, Cal.	Hollingsworth	Moore, Pa.	Tilson
Dale	Hull, Iowa	Moores, Ind.	Timberlake
Dallinger	Husted	Morgan	Tinkham
Darrow	Ireland	Morin	Towner
Denison	James	Nelson, A. P.	Treadway
Dill	Johnson, S. Dak.	Nichols, Mich.	Vare
Dillon	Johnson, Wash.	Paige	Vestal
Drukker	Juul	Parker, N. J.	Volstead
Dyer	Kearns	Parker, N. Y.	Waldow
Edmonds	Kelley, Mich.	Peters	Walsh
Ellsworth	Kelly, Pa.	Platt	Wason
Elston	Kennedy, R. I.	Porter	Watson, Pa.
Esch	Kiess, Pa.	Pratt	Wheeler
Essen	King	Raker	White, Me.
Fairchild, B. L.	Kinkaid	Ramsey	Williams
Fairfield	Knutson	Ramseyer	Winslow
Farr	Kraus	Randall	Woods, Iowa
Fess	Kreider	Rankin	Woodyard
Fordney	LaGuardia	Reed	Young, N. Dak.
Foss	Lampert	Rogers	Zihlman
Frear	Langley	Rose	

NAYS—152.

Alexander	Denton	Houston	Rainey, H. T.
Almon	Dewalt	Howard	Rainey, J. W.
Ashbrook	Dickinson	Huddleston	Rayburn
Aswell	Dixon.	Humphreys	Riordan
Ayres	Dominick	Igoe	Robinson
Bankhead	Donovan	Jones	Romjue
Barnhart	Doolittle	Kettner	Rouse
Beakes	Doughton	Kincheloe	Rubey
Benson	Drane	Larsen	Sanders, La.
Beshlin	Dupré	Lazaro	Saunders, Va.
Black	Eagan	Lee, Ga.	Sherwood
Blackmon	Evans	Lesher	Shouse
Bland, Va.	Ferris	Lever	Sims
Blanton	Fisher	Littlepage	Slayden
Brand	Flood	Lobeck	Smith, T. F.
Brodbeck	Foster	Lonergan	Snook
Burnett	Gallagher	Lunn	Steagall
Byrnes, S. C.	Gallivan	McClintic	Stedman
Byrns, Tenn.	Gandy	McKeown	Stephens, Miss.
Caldwell	Gard	McLemore	Sterling
Campbell, Pa.	Garner	Maher	Thomas
Candler, Miss.	Garrett, Tenn.	Mansfield	Thompson
Cantrill	Garrett, Tex.	Martin	Tillman
Caraway	Godwin, N. C.	Mays	Van Dyke
Carew	Goodwin, Ark.	Montague	Venable
Carlin	Gordon	Moon	Vinson
Carter, Okla.	Gray, Ala.	Nicholls, S. C.	Walker
Clark, Fla.	Griffin	Oldfield	Walton
Claypool	Hamlin	Oliver, N. Y.	Watkins
Coady	Hardy	Olney	Welling
Collier	Harrison, Va.	O'Shaunessy	Welty
Connally, Tex.	Hastings	Overstreet	Whaley
Connelly, Kans.	Hayden	Padgett	White, Ohio
Crisp	Heflin	Phelan	Wilson, La.
Crosser	Helvering	Polk	Wilson, Tex.
Davey	Hilliard	Pou	Wingo
Decker	Holland	Quin	Wright
Dent	Hood	Ragsdale	Young, Tex.

ANSWERED "PRESENT"—1.

Butler

NOT VOTING—108.

Barkley	Fairchild, G. W.	La Follette	Sells
Bell	Fields	Linthicum	Shackleford
Booher	Flynn	McAndrews	Shallenberger
Brumbaugh	Focht	Mason	Sherley
Buchanan	Francis	Merritt	Sisson
Campbell, Kans.	Freeman	Miller, Minn.	Small
Carter, Mass.	Goodall	Mott	Smith, C. B.
Cary	Graham, Pa.	Mudd	Snyder
Chandler, N. Y.	Gray, N. J.	Neely	Steele
Church	Gregg	Nelson, J. M.	Stephens, Nebr.
Cleary	Hamill	Nolan	Stevenson
Cooper, Wis.	Hamilton, N. Y.	Norton	Stiness
Costello	Harrison, Miss.	Oliver, Ala.	Sullivan
Cox	Heaton	Osborne	Sumners
Crago	Heintz	Overmyer	Swift
Davis	Helm	Park	Tague
Delaney	Hensley	Powers	Taylor, Ark.
Dempsey	Hull, Tenn.	Price	Taylor, Colo.
Dies	Hutchinson	Purnell	Templeton
Dooling	Jacoway	Reavis	Voigt
Doremus	Johnson, Ky.	Roberts	Ward
Dowell	Kahn	Rodenberg	Watson, Va.
Dunn	Keating	Rucker	Weaver
Eagle	Kehoe	Russell	Webb
Elliott	Kennedy, Iowa	Sabath	Wilson, Ill.
Emerson	Key, Ohio	Scully	Wise
Estopinal	Kitchin	Sears	Wood, Ind.

So the motion was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. HULL of Tennessee with Mr. CAMPBELL of Kansas.

Mr. KEHOE with Mr. CARTER of Massachusetts.

Mr. BELL with Mr. COOPER of Wisconsin.

Mr. CHURCH with Mr. DAVIS.

Mr. DOREMUS with Mr. DEMPSEY.

Mr. EAGLE with Mr. FREEMAN.

Mr. FIELDS with Mr. GRAY of New Jersey.

Mr. HARRISON of Mississippi with Mr. HEATON.

Mr. JACOWAY with Mr. HUTCHINSON.

Mr. KEATING with Mr. LA FOLLETTE.

Mr. LINTHICUM with Mr. MILLER of Minnesota.

Mr. NEELY with Mr. MOTT.

Mr. OLIVER of Alabama with Mr. NOLAN.

Mr. OVERMYER with Mr. OSBORNE.

Mr. STEPHENS of Nebraska with Mr. STINESS.

Mr. TAYLOR of Colorado with Mr. PURNELL.

Mr. PRICE with Mr. REAVIS.

Mr. RAKER with Mr. SELLS.

Mr. SMALL with Mr. KAHN.

Mr. CHARLES B. SMITH with Mr. SNYDER.

Mr. WATSON of Virginia with Mr. WARD.

Mr. WEBB with Mr. WILSON of Illinois.

——— ——— with Mr. WOOD of Indiana.

Mr. STEELE with Mr. BUTLER.

Mr. BUTLER. Mr. Speaker, I have a pair with Mr. STEELE, of Pennsylvania. I do not know exactly how he would vote on this. I assume that he would vote "nay" if he were here. I withdraw my vote of "yea" and answer "present."

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The question is on agreeing to the resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, discussion is now in order, is it not?

The SPEAKER. The gentleman has an hour, if he wants it.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to take a moment or two and then move the previous question. However, I think I will move the previous question now.

Mr. DENT. I hope the gentleman will not move the previous question until I can make a statement. I hope the gentleman will yield to me at least three minutes.,

Mr. JOHNSON of Washington. Mr. Speaker, let me ask as to my rights. I do not wish to lose the floor, but am willing to answer inquiries.

The SPEAKER. You have a right to talk for an hour, if you desire to do so.

Mr. JOHNSON of Washington. Then, Mr. Speaker, I am perfectly willing that this shall be discussed as long as the House pleases. However, I have placed myself under a pledge not to go into the actual charges which it is presumed are stated in the reports and papers which we ask to have sent to the House. Therefore I can not make an entire statement to the House. This, in my opinion, is a necessary investigation——

Mr. GORDON. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. GORDON. You will not object to anybody on the other side discussing it?

Mr. JOHNSON of Washington. I said that. I started first to move the previous question. I am now opening the subject for discussion.

Mr. GORDON. Will you give our side half the time?

Mr. JOHNSON of Washington. I will give you all the time.

Mr. GORDON. We do not want all the time. We would like to have time for the chairman to make a statement.

Mr. JOHNSON of Washington. I ask on behalf of a resident of the State of Washington to see certain reports and other papers that were made during a military investigation into a certain war matter, which investigation was ordered by the President of the United States. Where are those papers?

Mr. GORDON. They are not in my custody. [Laughter.]

Mr. JOHNSON of Washington. They will be here if we can get them down here before the Congress adjourns.

Mr. GORDON. Did not the chairman of the committee make a statement to the gentleman from Washington in regard to this matter that the gentleman said was entirely satisfactory?

Mr. JOHNSON of Washington. That statement was nearly a month ago.

Mr. MANN. The gentleman from Washington will observe that the gentlemen over on the other side of the Hall, having but six days longer, can prevent the House getting information which it is entitled to from the executive branches of the Government. But they will not have that power much longer.

Mr. JOHNSON of Washington. I agree with the gentleman. But in my opinion this is not a partisan matter at all.

Mr. GORDON. There is no indication that the House is trying to suppress any information.

Mr. JOHNSON of Washington. I yield five minutes to the gentleman from Alabama [Mr. DENT].

Mr. DENT. Mr. Speaker, I was not present when this motion was made, because I was engaged in preparing some conference reports.

The facts in regard to this matter are these—and I am sure that the gentleman will subscribe to every statement that I make. The gentleman introduced this resolution and was given a hearing before the Committee on Military Affairs. At that hearing I suggested to the gentleman that the resolution be referred to the Secretary of War, according to custom, and that I would report to him just as early as I could the result of what the Secretary had to say. The Secretary of War reported in a letter directed to me as chairman that he was perfectly willing to communicate all the facts with reference to this proposition to the Committee on Military Affairs in executive session, but that he thought there were some matters connected with it that ought not to be given to the general public. A few days ago the gentleman from Washington [Mr. JOHNSON] spoke to me about the matter, and I informed him of that letter, and told him that as soon as the committee had an opportunity I would be very glad to fix the time and place for the Secretary to appear, and invited the gentleman from Washington to be present with the committee at the hearing. I understood the gentleman from Washington to say that that was satisfactory. Now, the gentleman from Washington knows that in the closing days of this Congress the Committee on Military Affairs and both the chairman of the committee and the ranking member have been busy with the conference reports and with the appropriation bills, and that we have not had an opportunity to make an appointment for the Secretary to appear. I had thought that the gentleman from Washington, before making his motion, would have given me at least the opportunity to fix a time for him to appear before the committee with the Secretary. Now, those are the facts.

Mr. CALDWELL. Mr. Speaker, will the gentleman yield for a minute to me?

Mr. JOHNSON of Washington. In a moment. The statement made by the distinguished chairman of the Committee on Military Affairs is largely correct, except, as I understood it, my agreement was that this investigation was to be made if possible without publicity. I am prepared if necessary to name three military officers at whom I believe this hits, but I do not think it is necessary for the purposes of this request on the part of Congress for me to make any direct charge. I realize that the distinguished chairman and the entire membership of the Committee on Military Affairs have been extremely busy. I have sought in every way I could to look at these papers, and now in the closing days of Congress I have undertaken to take a few minutes of time to ask Congress to pass this resolution which will cause these papers to come down here—they are in one bundle—where they can be looked at. Then we may see if charges against certain military officers stand or not. We will see then if a certain gun was accepted and called in the Army "the Rice gun," and then changed to "the Rice-Webster gun," Mr. Webster being in the Army; first "the Rice gun," and then "the Rice-Webster gun," and then finally "the Webster gun," Mr. Rice's name disappearing, and Mr. Rice himself being called upon to go out to San Francisco on a furlough and enjoy himself.

Now, Mr. Speaker, I ask for the previous question.

Mr. CALDWELL. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. I will yield for a moment.

Mr. BLACKMON. Mr. Speaker, will the gentleman yield for a question?

Mr. JOHNSON of Washington. Yes.

Mr. BLACKMON. Does the gentleman propose to take up the time of the Congress to determine the question of whose name a gun bears?

Mr. JOHNSON of Washington. No; that is a very small part of it. We do not need to take up the time of Congress and have these roll calls. This could be quickly passed. Congress has some rights. I shall not use the hour.

Mr. CALDWELL. I will say to the gentleman from Washington that Mr. Rice called at my office and talked with me for about 20 minutes, and I formed the opinion that the gentleman was unbalanced. I asked him a dozen times for a statement of one single fact on which he made his charges, and he was unable to give me a single fact. And I will ask the gentleman from Washington now whether——

Mr. JOHNSON of Washington. I do not think he is unbalanced, but I will say this, that he seems to have had enough bad treatment from certain officers of the Army to unbalance any man.

Now, Mr. Speaker, I move the previous question.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. GARRETT of Tennessee. Would the gentleman object to the insertion of an amendment, "if not incompatible with the public interest"?

Mr. JOHNSON of Washington. Well, I am afraid that that would result in just what has happened. The Secretary has offered to come to an executive session, but he has not come.

Mr. GORDON. He has not been notified to come.

Mr. JOHNSON of Washington. I think he has. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Washington moves the previous question.

The previous question was ordered.

Mr. DENT. Mr. Speaker, the resolution itself has not been passed.

The SPEAKER. The Chair knows. It will be voted on shortly. There are so many of these things that the Chair tries to expedite them by promptly sending them over to the Senate.

PRIVILEGED MOTIONS AND UNANIMOUS CONSENT.

The SPEAKER. Before a roll call is had I desire to make two suggestions to the House. One of them is that if there are any more of these privileged motions, or motions supposed to be privileged, floating around in committees, I wish the committees would relieve themselves of them. I have asked that twice. The man who has a resolution that is privileged had better bring it to the Speaker so that he can have a fair chance to study and

pass upon it. In the second place, gentlemen who want to have unanimous consent to get bills passed ought to notify both the Speaker and the minority leader especially, and the majority leader, for that matter, to expedite business. That gives the Chair a fair chance.

Mr. KNUTSON. Mr. Speaker, does that apply to bills on the Private Calendar?

The SPEAKER. If there is no way to get them out except by unanimous consent, of course it would apply to them. The House ought to have a fair show.

CHARGES AGAINST CERTAIN ARMY OFFICERS BY E. L. RICE.

The SPEAKER. The question is on agreeing to the resolution offered by the gentleman from Washington [Mr. JOHNSON].

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CALDWELL. Mr. Speaker, a division.

The SPEAKER. The gentleman from New York calls for a division.

The House divided; and there were—ayes 96, noes 84.

So the resolution was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. BYRNES of South Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104, the sundry civil appropriation bill.

PRINTING HEARINGS ON THE IRISH QUESTION.

Mr. FLOOD rose.

The SPEAKER. For what purpose does the gentleman from Virginia rise?

Mr. FLOOD. I want to submit a request for unanimous consent.

Mr. BYRNES of South Carolina. Let us know what the request is.

Mr. FLOOD. I want to ask unanimous consent that there be printed 5,000 copies of the hearings on House joint resolution 357, the Gallagher resolution on the Irish question. There has been a great demand for it.

The SPEAKER. Is there objection?

There was no objection.

MILITARY ACADEMY BILL.

Mr. DENT. Mr. Speaker, I submit a conference report on the Military Academy bill for printing under the rule.

The SPEAKER. You do not have to have it printed in the last six days unless you want to.

Mr. MANN. Let it be reported.

The SPEAKER. The Clerk will report the conference report.

The Clerk read as follows:

Conference report on the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. Ordered printed under the rule.

VALIDATION OF INFORMAL WAR CONTRACTS.

Mr. DENT. Mr. Speaker, I submit conference report on the war-contract bill.

The SPEAKER. Is this a complete report?

Mr. DENT. This is a complete report on the war-contract bill.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. MANN. Mr. Speaker, I reserve a point of order on the conference report, hoping that we may be able to put the matter in proper shape. The so-called conferees have not had possession of the papers, which have not left the possession of the Clerk. The Senate was not notified that the House had agreed to a conference, and the House did not agree to a conference. [Laughter.]

Mr. MONDELL. Was everything else regular?

Mr. MANN. It seems to me that in the last six days of the session, when conference reports can be acted upon without being printed first, which is highly proper and sometimes desirable, gentlemen ought not to undertake to bring in conference reports when there has been no conference, when they have not had possession of the papers, and when the Senate has not been notified of the action of the House.

The SPEAKER. The gentleman is partly right and partly wrong. The gentleman from Alabama did ask that the House insist on its disagreement and that there be a further conference.

Mr. MANN. Neither the RECORD nor the Journal shows that.

The SPEAKER. The Chair knows that.

Mr. MANN. Then I assume that was not done.

Mr. DENT. I ask unanimous consent that the RECORD and Journal be corrected so as to show the real facts.

Mr. MANN. Those are the real facts.

Mr. DENT. As a matter of fact, I made the motion that the House further insist on its disagreement to the Senate amendments and ask for a further conference. The RECORD seems not to have disclosed the latter part of the motion, but as a matter of fact that was the motion that was made and carried.

The SPEAKER. The House wrangled over that thing for about two hours.

Mr. MANN. The Speaker forgot to appoint the conferees.

The SPEAKER. No; the Speaker did not forget.

Mr. MANN. The Speaker let other business intervene. The reason was that there were no conferees ordered.

The SPEAKER. Well, the Speaker appointed them anyhow.

Mr. MANN. I know the Speaker did, later in the day, but there were no conferees authorized; and whether there were or not, when the House agrees to a conference, under the parliamentary practice, it must send the papers and a message to the Senate stating the fact. That is the authority for the conferees to act. Three estimable gentlemen walk over there, knowing that they will be the conferees, and meet three other distinguished gentlemen from the Senate, and sit down and sign a conference report, when neither knows that the other has been appointed. There has been no authorization.

The SPEAKER. In order to get this thing straight——

Mr. MANN. Why not straighten it out now.

Mr. DENT. I will ask to straighten it out.

The SPEAKER. The Chair would like to ask the gentleman from Illinois one question: If the gentleman from Alabama did not ask for conferees, what was the two hours' wrangle about, the most complicated one that has come up in a month?

Mr. MANN. The two hours' wrangle was over instructing the conferees and determining what was to be done. But here is the proof of the pudding: There at the desk is the gentleman who keeps the Journal of the House, who still has possession of the papers.

The SPEAKER. No; the gentleman from Illinois is mistaken about that. The papers were sent over about 12 o'clock.

Mr. MANN. To-day?

The SPEAKER. Yes. [Laughter.]

Mr. MANN. I did suggest to a gentleman connected with the House that they must be sent, but there was no authority in the Journal for it, no authority in the RECORD to put it in the Journal, and I doubted whether anybody would assume authority to do it; but certainly if the papers were sent over at 12 o'clock to-day this conference report was agreed upon long before that. I think we ought to be careful about these formalities, especially during the last six days of the session; but if the message has now been sent to the Senate I have no special objection.

Mr. DENT. Of course, the gentleman from Illinois knows that very often before the papers come over the conferees meet informally before they reach any formal agreement. I now renew my request.

Mr. MANN. I have no objection to that course.

The SPEAKER. The gentleman from Alabama asks unanimous consent to make the Journal and the RECORD both conform to the fact that the conferees were asked for and appointed.

Mr. MANN. Of course, I do not think that was the fact, but I have no objection to the Journal showing it.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The conference report will be printed under the rule.

SUNDRY CIVIL APPROPRIATIONS.

Mr. BYRNES of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16104) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, with Mr. GARNER in the chair.

The CHAIRMAN. The clerk will resume the reading of the bill.

The Clerk read as follows:

PUBLIC LANDS SERVICE.

Registers and receivers: For salaries and commissions of registers of district land offices and receivers of public moneys at district land offices, at not exceeding $3,000 per annum each, $475,000: *Provided*, That the President is authorized to consolidate the offices of register and receiver at Juneau, Alaska, and to appoint, by and with the advice and consent of the Senate, a register for said office. All the powers, duties, obligations, and penalties imposed by law upon both the register and receiver of said office shall be exercised by and imposed upon the register, whose compensation shall be a salary of $3,000 per annum; and all fees and commissions collected by said register, when earned, shall be paid into the Treasury without abatement or deduction.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. What is the idea of this consolidation of the offices of register and receiver of the public land office at Juneau, Alaska?

Mr. BYRNES of South Carolina. They now have two offices there, that of register and that of receiver. The salary of each is $1,500. The office is an important one and they ought to have some one there, but they can not get anyone to take the position of receiver for that salary, and the office of receiver is now vacant. This proposes no increase of compensation. The combined salary of the two offices is $3,000, and by consolidating them they hope to be able to get a man to stick to the job. They can not get a competent man to hold the office in Alaska for $1,500 a year.

Mr. WALSH. They can not find an applicant for one of these offices?

Mr. BYRNES of South Carolina. No.

Mr. WALSH. Which is that?

Mr. BYRNES of South Carolina. The receiver, and the register will leave unless there is some change. There is no excuse for having two men, because one man can do the work.

Mr. WALSH. Why not make that apply to all these offices?

Mr. BYRNES of South Carolina. That question has been discussed for years. For some reason Congress has not taken that action. Probably it can be done, and in the opinion of the gentleman from South Carolina it should be done, but this is a starter in that direction.

Mr. WALSH. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Depredations on public timber, protecting public lands, and settlement of claims for swamp land and swamp-land indemnity: For protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; of protecting public lands from illegal and fraudulent entry or appropriation, and of adjusting claims for swamp lands, and indemnity for swamp lands, including not exceeding $15,000 for clerical services in bringing up and making current the work of the General Land Office, $500,000, including not exceeding $15,000 for the purchase of motor-propelled passenger-carrying vehicles and for the purchase of motorcycles for the use of agents and others employed in the field service, and for operation, maintenance, and exchange of same, and for operation and maintenance of a motor boat: *Provided*, That the compensation of the chief of field service employed hereunder, including his services in the District of Columbia, shall not exceed $3,500 per annum, and the compensation of all others employed hereunder shall not exceed $2,700 per annum each, except in Alaska, where a compensation not to exceed $3,000 per annum may be allowed: *Provided further*, That agents and others employed under this appropriation may be allowed per diem in lieu of subsistence, pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, at a rate not exceeding $3.50 each and actual necessary expenses for transportation, including necessary sleeping-car fares, except when agents are employed in Alaska they may be allowed not exceeding $5 per day each in lieu of subsistence.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. I want to direct the gentleman's attention to line 23, page 81. What is the idea of authorizing the purchase of motor boats to navigate the swamps, and also motor-propelled passenger-carrying vehicles, particularly in view of the sentiment of the House expressed the other day?

Mr. BYRNES of South Carolina. There is no authorization for the purchase of motor boats. There is for a motor boat operated in Alaska, and there is an authorization for motor-propelled vehicles. There is an authorization heretofore of $5,000, and it has been increased to $15,000. The reason is that the director of the service presented to the committee facts showing that in July, August, and September the amount spent for automobile hire was $18,000; that the economical thing to do was to purchase rather than to have this amount spent for hire of automobiles which was in excess of the value. It is absolutely essential that some method of transportation for this service be had. For the field service it is the economical thing for them to own their own machines instead of paying hire.

Mr. WALSH. Where was the $18,000 expended?

Mr. BYRNES of South Carolina. Throughout the West for surveying public lands owned by the Government.

Mr. WALSH. Where are they going to keep the automobiles they purchased?

Mr. BYRNES of South Carolina. I presume they have field parties in camps, and when they go to camp they keep it at the camp in the field. It would be impossible to tell; as the work progresses, they change. It is a field service, and the sole question is whether we should continue to authorize them to hire, because they must have the authorization, as they have had in the past, or allow them to purchase. I think this is a much cheaper way for them to do the business. If we did not authorize this, they would hire horses, and that would be a slower way and more expensive.

Mr. WALSH. They will be slow enough in automobiles. It is not going to facilitate the work very much because they can ride a little faster over a good road with automobiles. They work in timber and swamp lands, and the work will not be facilitated, I imagine, very much. But this sum of $15,000 will probably let them buy two or three automobiles, and the rest of it would be required for maintenance.

Mr. BYRNES of South Carolina. The gentleman knows that they now have an authorization of $5,000.

Mr. WALSH. Not for purchase.

Mr. BYRNES of South Carolina. Yes; it is for maintenance. The director, who is more familiar with the lands over which the vehicles travel than I am, is certain that instead of paying 23 cents a mile the cost would not be over 10 cents a mile.

Mr. WALSH. That is exclusive of the amount for the purchase of the machines, and probably it would be; but, in view of the cost of the machine, it is not going to make much reduction.

Mr. BYRNES of South Carolina. He said—and I am satisfied it is true—that in some cases, in some sections of the public lands, it has been difficult at times even to hire a machine to perform this service.

Mr. WALSH. Can the gentleman tell us whether it has ever occurred to the director to try to get an exchange of some of these machines with the Army that they have been using?

Mr. BYRNES of South Carolina. Whether it occurred to him before, the committee suggested it to him, as it did to everyone else urging it; and we have a provision in this bill, as in the legislative bill, that they shall be required to purchase of Government supplies on hand.

Mr. MONDELL. Mr. Chairman, the jitney has revolutionized travel the country around. We are much more conservative in our legislation than we are in our practice as individuals. Everybody that can afford an automobile—and most everyone can except a Member of Congress—has an automobile of some sort. If a man has been in Congress very long, unless he comes here as a millionaire, he has to walk. Most everybody else owns a jitney or an automobile of some more expensive character. We have been very slow about adopting the automobile in the public service; altogether too conservative about it, in my opinion.

The particular service under consideration is the field service, as wide as the territory of our public-land States. If the gentleman from Massachusetts will give me his attention——

Mr. WALSH. I am drinking in every word the gentleman says.

Mr. MONDELL. It covers an enormous area—prairie, upland, and timberland—over which there are roads of a certain character that can be navigated by a cheap automobile of a popular pattern. It has developed that the work of this field service can be greatly expedited by the use of automobiles. In this particular service they must send men out to examine land applied for or claimed as homesteads or under other land laws. They require examination in the field. That means traveling about over the country in these various areas. It is a very slow process if you use the ordinary horse-drawn vehicle. It is done with much greater rapidity if automobiles are used, and the cheap automobile is the machine used exclusively. The public-land service has been too slow taking up the automobile. Within a year or two they have been using them to a considerable extent.

Whatever automobiles they secure, if they secure new machines under this appropriation, they will secure from the War Department. The matter was discussed with the commissioner when he was before the committee, and I have a letter from the commissioner since that time telling me of an interview he had with the officers of the War Department, and his expectation with regard to getting a few of the second-hand machines which the War Department now has. Any machines they receive they will secure from that source. I am thoroughly persuaded, perhaps I should say converted, because I had some doubts about it at the beginning, in respect to the

great economies that can be effected by putting these men in these field services in automobiles.

Mr. WALSH. Mr. Chairman, I have been informed of the facts in this case sufficiently to convince me that the point of order ought to be withdrawn, and I therefore withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

For topographic surveys in various portions of the United States, $289,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 87, line 21, after the word "States," insert "including lands in national forests."

Mr. STAFFORD. Mr. Chairman, I make the point of order on the amendment.

Mr. BYRNES of South Carolina. Mr. Chairman, the reason for that amendment is that heretofore the authority for these surveys has been covered in two separate paragraphs. They are combined in this bill, and in combining them there is some doubt as to whether or not the language as contained in the bill would give them the authority to continue the work heretofore carried on under the authority of another paragraph in the sundry civil appropriation bill.

Mr. STAFFORD. Will the gentleman inform the House as to the amount of the appropriation carried last year in the item that has been left out?

Mr. BYRNES of South Carolina. Seventy-four thousand dollars.

Mr. STAFFORD. In the item under consideration we appropriated $142,000, and this year it is proposed to appropriate for the combined service $289,000. What is the reason for the increase of more than $75,000 in this service?

Mr. BYRNES of South Carolina. Every year prior to the war—1915, 1916, 1917, 1918, and even back of 1915—the appropriation was $350,000, and for the national forests $75,000, making $425,000 in all. During the war that appropriation was cut down, as the gentleman knows, and while this does not bring it back anywhere near its prewar conditions it is one of the few appropriations which during the war were reduced instead of increased, and while, as I say, this does not do all that should be done, yet it is reverting, in a measure, back to prewar conditions.

Mr. STAFFORD. What is the real value of these topographic surveys for which the Government proposes to spend more than a quarter of a million dollars?

Mr. BYRNES of South Carolina. I do not profess to be as well informed of the value of them as the gentlemen who live possibly in the section of the country the gentleman comes from. The policy of continuing them has been the policy of the Government for years, and whether they be of great value or not, I am satisfied that the gentleman at this time does not want to advocate a discontinuance of them, and I know that during the war the War Department thought they were of such military value that out of the appropriations provided for the War Department they spent seven or eight hundred thousand dollars, and now the intention of the department is to return to its work in the public lands of the West. They have been diverted for the last year and a half, working at the request of the War Department.

Mr. STAFFORD. Mr. Chairman, my attention in times past has been called to surveys which have been made by officials connected with the Geological Survey in the preparation of topographic maps, and while they are of some local advantage in the location of roads and give an idea of the topography of the country, I question whether the work is of any value to the country generally.

Mr. CHANDLER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CHANDLER of Oklahoma. One of the great values of this topographic and geological survey is in the production of oil and minerals. They furnish maps and plats and bulletins in connection therewith for wildcat territory, as it is usually known, and at present the geological division is getting out a large number of maps and plats of the Central West and furnishing them to the public free.

Mr. STAFFORD. I recognize that this work has its value in certain locations and among others are those referred to by the gentleman from Oklahoma, but I had in mind the use of this fund in the territory tributary to my home district. There we have had surveys where there are no minerals of any kind, just merely a survey of the topography, giving the elevations, furnishing a convenient summer vacation for some of the employees in times past. If it was limited to the country where there are real mineral resources, as in the country from which the gentleman from Oklahoma hails, I would have no objection, but I am pointing out the extravagant uses to which it is put in other portions of the country where it has no direct value so far as geology is concerned.

Mr. PLATT. Is it not a fact that these maps are sold and that there is a considerable return from them? They used to be purchased by the hundreds up in my neighborhood.

Mr. STAFFORD. Oh, yes; they are sold, and yet the returns from the sale of them do not in any way equal the appropriation carried in these annual appropriation bills.

Mr. PLATT. Probably for some neighborhoods the returns would be very good.

Mr. STAFFORD. As to the national forests, I know that they are valuable for forests, but for the country generally they have not the value, so far as I have been able to discover.

Mr. TILSON. Does not the gentleman think there ought to be a thorough mapping, including topographical details, of our entire country, so that we might have an opportunity to know more about our own country?

Mr. STAFFORD. It is not necessary for us to know the elevation of every square rod of territory throughout the United States. That is going to the extreme, that is carrying this topographical survey to a ridiculous extreme.

Mr. TILSON. A 20-foot contour topographical map is the largest scale map that is made by the Geological Survey, and then down to 100-foot contours; but even the 100-foot contour map is of great assistance. Anybody who understands the reading of maps can get a great deal of information about the country by looking at these maps. Anyone with a good topographical map, knowing and understanding how to use it, can readily learn a great many interesting and useful facts by simply looking at the map giving the topographical details, because to him the topographical details and contour lines tell the story.

Mr. STAFFORD. I agree with the gentleman, but I do not think we should go into wholesale topographic survey of the country, especially where there are no mineral deposits. Let the work be confined to where there are mineral deposits and our national forests and monuments——

Mr. PLATT. The mineral part of the survey is an entirely different thing from the topographic.

Mr. CHANDLER of Oklahoma. Well, in the mineral and topographic survey it is used——

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

Mr. MONDELL. Mr. Chairman, it sometimes becomes necessary, even when one is anxious to expedite the passage of a bill, to dissipate some misinformation that filters in on the House in connection with the discussion. There is no more important work being carried on by the Government than the work of the Geological Survey and no part of their work is more important than the topographic maps of the United States. The topographical maps, I will say for the information of the gentlemen who do not know what they are, as evidenced by some statements which have been made, are maps that lay down contours——

Mr. STAFFORD. If the gentleman will yield——

Mr. MONDELL. I have not mentioned anyone.

Mr. STAFFORD. It comes pretty near a close application, and I wish to say to the gentleman that I have examined these maps quite frequently and think I understand their details, so far as the territory in the particular neighborhood of my district is concerned.

Mr. MONDELL. I think the gentleman from Wisconsin is eminently right in this. The Geological Survey does some work in cooperation with communities on the 50–50 basis. I think that kind of work is often questionable, because it is often so very detailed that it is hardly the sort of work that is contemplated under this appropriation. It comes down to the fine detail necessary for engineering work, and that is not what is contemplated by this appropriation. I think it is quite right that the gentleman should call attention there. I think the Geological Survey is doing very little of that kind of work, and I think, in the main, they are adhering to the geological maps and the standard basis, and that is what they should do. The contour intervals are quite close in the prairie sections of the West and, of course, they are generally wider in the mountainous sections and in the mining sections. As they have gone so far

in the work, it is important they should have finished the maps showing the topography practically of all the country. At the beginning of the war this topographic work was all transferred to the coasts, particularly to the South Atlantic coast, where our Army operations were; all of the $142,000 appropriation for the current year was used down there in addition to several hundred thousand dollars appropriated by the Army bill. We are now hoping to get back to the ordinary field of topographic mapping. After the committee had determined as to the amount that they thought the Geological Survey should have for topographic mapping it came to our attention that the military bill carried an item of $200,000 for topographic work. The military bill should not carry items of that kind, in my opinion. It should not be attempting to build up in the Army and elsewhere surveys of this kind, and in view of that appropriation of $200,000 in the military bill, the committee reduced this item $100,000 below what it had expected to recommend for that service.

Mr. TILSON. Will the gentleman yield?

Mr. MONDELL. And if that item should go out of the military bill or be reduced, then this item ought to be increased. I think it is a great mistake to build up this kind of service in the Army. I yield to the gentleman.

Mr. TILSON. As I recall, in the military bill the purpose of that appropriation is for putting on the geological survey map additional details of a military character not carried in the ordinary topographical map and which would be very important in case of military operations conducted in that locality.

Mr. MONDELL. The trouble is that the appropriation that the committee gave them is not only used for that purpose but it is used for the ordinary basic work of topographic mapping. It is true that wherever the surveys are made in areas that are likely to be important for military purposes those military data are now placed on the map by the survey.

Mr. TILSON. Because it can be done better in cooperation in that way.

Mr. MONDELL. I hope my friend from Wisconsin, who is always useful and helpful and whose services here are so valuable, will realize that I was facetious in my remarks in regard to his acquaintance with topographical surveys. He has touched on the one criticism that may properly be made of this service, and that is that at times we have in cooperation with communities entered upon detail work which should be left to the local engineers.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

For chemical and physical researches relating to the geology of the United States, including researches with a view of determining geological conditions favorable to the presence of deposits of potash salts, $40,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word, just for the purpose of inquiring, if I may, what if any progress is being made by the Geological Survey in finding potash salts.

Mr. BYRNES of South Carolina. The report of the director was that they had continued their investigations in Nebraska and California and Texas, where they were drilling for oil, having a representative of the department along wherever individuals were drilling, in order to analyze the brines, and they were following up their investigation of the cement industry. They made a statement that the amount produced in this country during the past year amounted to about 25 per cent of our prewar consumption.

Mr. MANN. That was not all on account of the Geological Survey?

Mr. BYRNES of South Carolina. No.

Mr. MANN. Is this money all expended purely for the purpose of search in some way, or is it expended in working——

Mr. BYRNES of South Carolina. In research work, and possibly in some cases in actual drilling. They are making an investigation in New Jersey of certain greensands which have a high potash content.

Mr. MANN. That is experimental work?

Mr. BYRNES of South Carolina. Yes.

Mr. MANN. I mean investigation work?

Mr. BYRNES of South Carolina. Research and investigation work.

Mr. MANN. How much of it is spent, if any, in physical researches concerning potash to be extracted from cement?

Mr. BYRNES of South Carolina. They do not spend anything under this item for that.

Mr. MONDELL. Mr. Chairman, this is a rather important matter, though I will take up the time of the committee but a moment. The committee recommended this appropriation because it is important that we shall develop potash salts in the country. We have not been very successful in the past. The appropriation of the past year has been spent in analyzing brines that have been sent in from all over the country. It has been used in doing a certain amount of trenching in certain localities in order to develop the percentage of potash salts in certain areas. Some of it has been spent in encouraging those who are prospecting here and there for potash in various parts of the country. I can not say that the money we have spent has brought very large results of a practical sort, but it is so tremendously important that we should develop potash in considerable quantities that the committee felt the work ought to be carried on. At one time there was some drilling done under this appropriation. That is no longer being carried on; but the work of sampling brine, of encouraging prospecting, of analyzing deposits, the general looking up of likely locations, is being carried on and will be continued to be carried on under this appropriation. We have been getting a good deal of potash in western Nebraska the past year. Whether or not we shall be able to continue to develop those potash deposits is a question. It has been possible to produce potash there in considerable quantities during the high prices of the war, but it is some question as a peace activity. There are in western Wyoming large lucite deposits, and capital is now interesting itself, and a large amount of money is being spent there with a view of producing potash from volcanic lucite. That is a very hopeful source of development. There are some possible sources of potash in Utah. There is the seaweed production, which is still a somewhat hopeful field. The committee felt we were justified in continuing these general investigations in the hope that eventually we shall establish a considerable potash industry in the country.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For continuation of the investigation of the mineral resources of Alaska, $75,000, to be available immediately.

Mr. WICKERSHAM. Mr. Chairman, I want to offer an amendment to this last item, in line 9, by striking out "$75,000" and making it "$100,000."

The CHAIRMAN. The gentleman from Alaska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WICKERSHAM: Page 84, line 8, strike out "$75,000" and insert "$100,000."

Mr. WICKERSHAM. Mr. Chairman, prior to the war this item was carried, I am informed, at $100,000 as a minimum. For the last two years it has been carried at $75,000 only, because the men who were engaged in this class of work in Alaska were engaged in war work. The director of this activity in Alaska is Col. Alfred H. Brooks, who is now on the staff of Gen. Pershing, in France, where he has been for more than a year. Other members of this party engaged in doing geological work in Alaska were enlisted in various war activities, several of them in France and others of them engaged in war activities in Washington and other parts of the United States, having been taken away from the Alaskan work on account of the war. The war is now over, we hope. Col. Brooks will be home within a month, and will be ready to take up his activities in this Alaskan geological work, which have been of the very greatest advantage to the people of Alaska.

This one little bureau with its $100,000 appropriation has, in my judgment, been of more value to the development of Alaska than almost any other Government bureau in connection with that great Territory. It has given us much valuable information, has extended our mining resources, and is of the very greatest advantage to us. And I hope the chairman and the members of the committee will now let us have this increase, so that when Col. Brooks gets home next month he and the other members of this geological work can renew their activities in the Alaskan work and assist us in getting it back to the condition of the days before the war.

Now, this work ought to be done, Mr. Chairman, along the line of the Government railroad. There is a vast field there where the Geological Survey desires to work. It is necessary for the opening up of that country, and $100,000 is the amount which they had prior to the war. And I hope the chairman will now consent to put it back on the basis where it was when the war took these men away, and let them go back to their work with an assurance of enough funds to carry on the work in a proper way.

Of all the bureaus in Alaska, this geological bureau under Dr. Brooks has been, I think, one of the most economical and best. The money given to them by Congress has always been well spent. It has never been wasted. It has secured the very best possible results to the country; and if there is any Government activity in Alaska which deserves the hearty support of this House it is the work of the Alaska geological

survey; and I hope the committee will let us have the funds sufficient to carry it on. Take it away from some other bureau if you want to, but let this bureau go ahead with its development work in Alaska.

Mr. BYRNES of South Carolina. Mr. Chairman, of the appropriation of $75,000 for the last year, according to the statement made by Mr. Smith, the Director of the Geological Survey, there was an unexpended balance amounting to $12,454, and of the appropriation of this year of $75,000 there is a balance of $17,034, so that the unencumbered balance altogether now is $54,000. Now, with that unexpended balance of $17,034 and the $75,000 carried in this bill, which is made immediately available, there will be $92,000 in all available for this work. There is no assurance in the statement to the committee that the men who do this work will be able to return. The $92,000 will certainly give them a sufficient amount of money to carry on this work, and if any great occasion arises whereby they need additional funds, I suppose the gentleman from Alaska will not fail to make it known to the committee. I do not think it wise to increase the appropriation.

Mr. WICKERSHAM. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. WICKERSHAM. I am informed by the Geological Survey that Dr. Brooks will be home within a month, ready to take charge of this activity again, and that others who have been taken away from this work and put into war work at other places will also return in a very short time, and that it is necessary to have this additional fund, notwithstanding the fact that there was a fund left over in the last two years. And I call the gentleman's attention to the fact that it is rather remarkable that one of these bureaus should have a fund left over. It speaks well for them. It is some proof, I think, of what I said before, that the money is well expended, and they do not ask for money when they do not need it.

Mr. BYRNES of South Carolina. It may speak badly for the committee, in showing that the committee has given them more money than they could wisely spend, and therefore they have turned back the amount I have named. The total of $92,000 is made immediately available.

Mr. WICKERSHAM. The $75,000 covers the fiscal year, and the balance that the gentleman speaks of only covers the period from now to June 1.

Mr. BYRNES of South Carolina. It is because they do this work in the spring that we make it immediately available.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alaska.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The unexpended balance of appropriations heretofore made for the enforcement of the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917, shall be covered into the Treasury immediately upon the approval of this act, with the exception of the sum of $15,000, which may be used for expenses incident to concluding the work under said act.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Mr. Chairman, how much of this unexpended balance was there? How much of the appropriation was there unexpended?

Mr. BYRNES of South Carolina. One hundred and forty-three thousand dollars. And I will say that the reason why the $15,000 is left is that the salaries of the employees from March 1 to March 4 will have to be paid, presuming that this bill is passed and becomes a law. We will have to pay those salaries.

Mr. WALSH. What was the total appropriation?

Mr. BYRNES of South Carolina. Three hundred thousand dollars originally.

Mr. WALSH. Yes; originally; but was there not an additional or supplementary appropriation?

Mr. BYRNES of South Carolina. Not a bit. The original act carried $300,000 for the fiscal year 1918. There was left $143,000, and we have now left them barely enough money to pay their outstanding obligations and to close up business immediately.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For the employment of personal services and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, authorized by the act approved March 3, 1915, $150,000.

Mr. FOSTER. Mr. Chairman, I offer an amendment, to come in after the figures "$150,000," on line 25.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. FOSTER: Page 91, line 25, insert the following:

"For lease of the grounds, including buildings, of the American University in the District of Columbia (known as the American University Experiment Station), as headquarters for experimental work of the Bureau of Mines authorized by the acts of May 16, 1910, and February 25, 1913, and as one of the experiment stations authorized by the act of March 3, 1915; for the removal of the laboratories of the Bureau of Mines in the Interior Department and their installation at the American University Experiment Station; for the purchase of equipment and supplies; for the maintenance and repair of equipment, buildings, and grounds; for maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; and for every other necessary expense incident to the establishment and operation of said experiment station, including personal services in the District of Columbia and elsewhere and necessary traveling and subsistence expenses, $200,000, to be immediately available. The Secretary of War and the Secretary of the Navy are hereby authorized and directed to turn over to the Secretary of the Interior for the use of the Bureau of Mines all of the machinery, equipment, appliances, apparatus, supplies, buildings, and other property of the United States of America at the American University Experiment Station on June 24, 1918. A board consisting of three members, one to be selected by the Secretary of the Treasury, one by the Secretary of the Interior, and one by the Commissioners of the District of Columbia, shall confer with the owner of the American University property with a view to purchasing same, and shall report to Congress its recommendations at the beginning of the next regular session thereof."

Mr. BYRNES of South Carolina. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. Does the gentleman make it?

Mr. BYRNES of South Carolina. I will make it unless the gentleman from Illinois withdraws his amendment.

Mr. MONDELL. I will make it if the gentleman does not make it.

Mr. FOSTER. I do not care to talk much about this if the point of order is going to be made.

The CHAIRMAN. Does the gentleman from South Carolina reserve the point of order?

Mr. BYRNES of South Carolina. I reserve it for a moment.

Mr. FOSTER. Mr. Chairman, of course I realize that this amendment is subject to the point of order, but I hope the gentleman will be willing to withdraw his point of order. This is to establish out here in the American University the home of the Bureau of Mines, where it would be a real experiment station, and where it could do the work much better than it is being done now.

We all know that that was the station during the time of the war for the gas experiments, and the Government has a good deal of property out there now, and I think everyone will realize that the Bureau of Mines did not fail in its work in its gas service for the Government.

No more important service was performed. When the war broke out the Bureau of Mines was ready to take hold of this great work. It had assembled, in a way, all the chemists of the United States, and knew where they were and what they could do, and it early became one of the most important services of the Government. This is simply to establish there an experiment station, where work of this kind and other important experiments may be still carried on.

Mr. PLATT. Will the gentleman yield for a question?

Mr. FOSTER. Yes.

Mr. PLATT. Is it true that there has been quite a radical change of opinion in regard to gas warfare, and that it is regarded as the most humane instead of the most brutal of all forms of warfare?

Mr. FOSTER. I can not say as to that.

Mr. PLATT. I heard an officer say that men who were gassed, if they recovered, recovered fully; that while some of them had a tendency to pneumonia, they still recovered; whereas if a man was hit with shrapnel he was very likely to lose an arm or a leg.

Mr. FOSTER. I can see how that might be.

Mr. BYRNES of South Carolina. Mr. Chairman, I regret to be compelled to make the point of order, but I feel it is my duty to make it.

The CHAIRMAN. The point of order is sustained.

Mr. FOSTER. I offer another amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FOSTER: Insert as a new paragraph after line 25, page 91:

"For lease of the grounds, including buildings, of the American University in the District of Columbia (known as the American University Experiment Station) as headquarters for experimental work of the Bureau of Mines authorized by the acts of May 16, 1910, and February 25, 1913, and as one of the experiment stations authorized

by the act of March 3, 1915; for the removal of the laboratories of the Bureau of Mines in the Interior Department and their installation at the American University Experiment Station; for the purchase of equipment and supplies; for the maintenance and repair of equipment, buildings, and grounds; for maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; and for every other necessary expense incident to the establishment and operation of said experiment station, including personal services in the District of Columbia and elsewhere, and necessary traveling and subsistence expenses, $25,000."

Mr. BYRNES of South Carolina. Mr. Chairman, I make a point of order against the amendment.

Mr. FOSTER. Will the gentleman reserve it? I do not know whether it is subject to a point of order. That is to be decided by the chairman.

Mr. BYRNES of South Carolina. I reserve the point of order.

The CHAIRMAN. The gentleman from South Carolina reserves the point of order.

Mr. MONDELL. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MONDELL. The gentleman is not going to contend that Washington is one of the principal mining centers of the country, is he?

Mr. FOSTER. I have not said anything about that; although the gentleman probably may not know anything about it, I call his attention to the fact that there is a gold mine close to Washington.

Mr. MONDELL. I called the attention of the director to that when he was urging this very point as the basis of an argument.

Mr. FOSTER. And very near here, over near the line between Pennsylvania and Maryland, is one of the greatest chrome mines in the United States; and all along the mountains from here to Georgia gold has been found.

Mr. MANN. The chrome mine has been taken care of in the bill which we had up here yesterday, has it not?

Mr. FOSTER. I do not know what development might show. Nobody knew there were any minerals in the State of Wyoming until somebody went out there and investigated.

Mr. BYRNES of South Carolina. I make the point of order that there is no authority in law for this.

Mr. FOSTER. Just a moment. We passed a law in 1915 for the establishment of a certain number of mining experiment stations throughout the United States, and the law provided that there should not be established more than three in any one year. There are three yet to be established, and this is to be made one of the stations under that law.

Mr. MONDELL. Will the gentleman be good enough to read the provisions of that act?

Mr. FOSTER. I think the chairman will read it if it is necessary. The act is plain. I think there is no misunderstanding about it. It provided that these stations should be established in important mining centers in the United States. But in the East they have some mining and produce a good deal of valuable ore and minerals, and this would be an important experiment station here that might be made available for some of the constituents of the gentleman from Wyoming.

I have here a letter from the Secretary of War to the Secretary of the Interior in reference to the American University. I would like to incorporate that letter in my remarks.

The CHAIRMAN. The gentleman asks to extend his remarks in the RECORD by printing the letter. Is there objection?

There was no objection.

The letter is as follows:

WAR DEPARTMENT.
February 20, 1919.

MY DEAR MR. SECRETARY: It has been called to my attention that in the appropriation bill for your department now pending in Congress there is a provision for the transfer of the machinery, equipment, appliances, apparatus, supplies, buildings, and other property of the United States of America at the American University Experiment Station.

This transfer meets with my approval; but I wish to call your attention to the fact that the new chemical-laboratory building at that place is unfinished and is exposed to a certain extent to the weather. As the activities of the Army are now terminated at that place, it is suggested that you take the necessary steps to care for this building in your department and have it completed in such a manner as to protect it from the elements.

It has been estimated by the Construction Division of the Army that the building could be inclosed and protected for the sum of $47,000; but it is probable that in case the building is turned over to you that you may desire to complete the building rather than to take these temporary measures.

Cordially, yours,

(Signed) NEWTON D. BAKER,
Secretary of War.

To the honorable the SECRETARY OF THE INTERIOR,
Washington, D. C.

Mr. FOSTER. Congress ought to establish some place of this kind here in Washington where this work can be done. We have made out of the Bureau of Standards a great bureau, and it has done valuable work. We ought to make of the Bureau of Mines a greater bureau for the benefit of the people of the United States and for the Government.

Mr. MONDELL. Will the gentleman yield?

Mr. FOSTER. Yes; I yield.

Mr. MONDELL. I entirely agree with the gentleman that some time, when we shall have selected the proper place, it will be well to establish by law a central plant or station of the Bureau of Mines, possibly somewhere in the vicinity of Washington. Of course, we must have new legislation to do it. We can not do it under the law we now have.

Mr. FOSTER. Of course, I will not be here in the next Congress, and the gentleman will, and I hope he will keep this subject in mind.

Mr. MONDELL. Well, the gentleman may be back by the time we get around to it.

Mr. MANN. Or his grandchildren may be here. [Laughter.]

Mr. FOSTER. I hope the gentleman from Wyoming will keep this matter in mind, and that when it comes up again he will use his best efforts to secure its passage.

Mr. MONDELL. I have a very sympathetic feeling in regard to the matter the gentleman has referred to. I think that sometime it will be well to work out the problem along the line he has suggested. Of course, it is a matter that one of the legislative committees of the House, the Committee on Mines and Mining, over which the gentleman from Illinois has so ably presided, should take up, and it is possible that the gentleman may come back again and be chairman of the Committee on Mines and Mining before we provide for this.

Mr. BYRNES of South Carolina. I make the point of order.

Mr. WINGO. Mr. Chairman, I would like to know upon what ground the gentleman makes the point of order.

Mr. BYRNES of South Carolina. That it is not authorized by law. I have the law and if the Chair has any doubt about it I will read it. It is that the Secretary is hereby authorized to establish these stations "in the important mining regions of the United States." The gentleman would ask the Chair to rule that the city of Washington is one of the important mining regions of the United States.

Mr. WINGO. Does the gentleman make the point of order on the ground that Washington is not an important mining center?

Mr. BYRNES of South Carolina. I make the point of order that this is not authorized by law.

Mr. WINGO. Mr. Chairman, I believe it is in order, but I may be in error. We have authorized the establishments of these stations. They are authorized by law. This Congress has authorized them to take the step that is provided for in the amendment. It is for the maintenance and the saving of public property from going to waste. This property is out there and it belongs to the United States Government. We can save $2,000,000 by the adoption of this amendment, and it ought to be done. It is suggested to me that we do not ask the Chair to decide whether it is a mining center or not. That would be a ridiculous point of order. The parliamentary situation is that it is authorized by law. The law has authorized the establishment of these stations, and if it is plainly within the discretion of the Bureau of Mines when they have established certain public works then it certainly is in order for Congress that made the original authorization to exercise some control.

Mr. MANN. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. MANN. Under the law, who has the jurisdiction of selecting the mining station?

Mr. WINGO. The Bureau of Mines.

Mr. MANN. Congress, under the law, has not the jurisdiction?

Mr. WINGO. It occurs to me that the logic is this.

Mr. MANN. Congress can establish the station.

Mr. WINGO. It has authorized the establishment of a station and the question of location is an incidental one. The very legislation authorizing the Bureau of Mines to locate these stations was bottomed on the original act.

Mr. MANN. The authority to establish these stations at a particular place is in the Department of the Interior, the Secretary of the Interior, or the Chief of the Bureau of Mines. Such a station has not been established. How can Congress say under that authority, under the original authority—how can it say that the Secretary shall establish one at a particular place?

Mr. WINGO. I do not think that Congress lost all authority.

Mr. MONDELL. I imagine the gentleman from Arkansas is not arguing seriously that the amendment is not subject to a point of order.

Mr. WINGO. I regret exceedingly that I have not impressed upon the gentleman that I am serious. The gentleman has never heard of me being humorous.

Mr. MONDELL. Then the gentleman is very serious, which makes it somewhat more of a joke.

Mr. WINGO. A joke on the amendment or the point of order?

Mr. MONDELL. Congress has provided for the establishment of certain experiment stations in the principal mining centers of the United States and left the discretion of determining where the mining centers are with the Secretary of the Interior. Now, in the first place, whenever the appropriating committee seeks to take from the Secretary his discretion in establishing one of these stations it is a change of law on an appropriation bill. Further than that, if the Chair was called upon to decide whether Washington is one of the principal mining centers of the country the gentleman, who comes from a mining country, would hardly hold that Washington was a great mining center.

The CHAIRMAN. The Chair is ready to rule, and the Chair sustains the point of order.

Mr. WINGO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 91, after line 25, insert the following:

"The Secretary of War and the Secretary of the Navy are hereby authorized and directed to turn over to the Secretary of the Interior for the use of the Bureau of Mines all of the machinery, equipment, appliances, apparatus, supplies, buildings, and other property of the United States of America at the American University Experiment Station on June 24, 1918. A board consisting of three members, one to be selected by the Secretary of the Treasury, one by the Secretary of the Interior, and one by the Commissioners of the District of Columbia, shall confer with the owner or owners of the American University property with a view to purchasing same as headquarters for experimental work of the Bureau of Mines authorized by the acts of May 16, 1910, and February 25, 1913, and as one of the experiment stations authorized by the act of March 3, 1915, and shall report to Congress its recommendations at the beginning of the next regular session thereof."

Mr. BYRNES of South Carolina. Mr. Chairman, I reserve a point of order on that.

Mr. WINGO. Mr. Chairman, I trust the chairman of the committee can be prevailed upon not to make the point of order. The objection to the amendment offered by the gentleman from Illinois has been that there has not been sufficient investigation. The amendment I offer does not appropriate, but provides for investigation and report to Congress. The situation is that we have hundreds and thousands of dollars' worth of property out there that may go to waste.

The Secretary of War as late as February 20, less than a week ago, wrote a letter to the Secretary of the Interior agreeing at that time, although before there had been some dispute about it, that this should go back to the Bureau of Mines, and that the Bureau of Mines should take care of that property and should utilize it, which it can do. Of course, at the end of six months after the war it is going to be turned back under the law, but we ought to make some provision now, and I regret that the point of order was made against the amendment of the gentleman from Illinois [Mr. FOSTER]. I make this prediction: If it is not turned back and proper appropriation made to take care of it, gentlemen on the other side will be called upon during the next Congress to appropriate $2,000,000 to establish a separate establishment like that for the use of the Army. The Naval Affairs Committee will be called upon to make similar appropriations for a laboratory of the same character for the use of the Navy, and we all know, as sensible men, that you will be compelled to retain an establishment like this out here, separate and apart from the activities of the Army and Navy, and my sole efforts are along the line of economy. I do not want three different establishments. I know that if you have an Army laboratory experiment station it will confine itself entirely to the needs of the Army from a purely war-munitions standpoint, and that the Navy in its laboratory experimental station shall do the same thing in respect to the Navy, and then you will have to maintain a civilian and scientific laboratory experimental station, which will be of great value to the country, separate and apart. I am in favor of having one civilian plant of this kind and letting it do the work for the Army and for the Navy and for the civilian and scientific needs of the country. In other words, not have a duplication of plants. That is one reason why I have been so interested in getting this property transferred back to the Bureau of Mines and the proper appropriation made to put it on its feet and prevent the necessity for these separate appropriations.

Mr. MONDELL. Mr. Chairman, I will ask the gentleman from South Carolina to reserve his point of order for just a moment. The amendment is subject to a point of order, and I should not take up the time of the committee to discuss it if it were not for the fact that I think the House should not be misinformed as to the situation. A few moments ago I said to the gentleman from Illinois [Mr. FOSTER], who we regret is going out of Congress, that I have considerable sympathy with the idea of building up a central laboratory or experiment station for the Bureau of Mines, but if there is any place in the world that is not suited for that sort of thing it is the American University grounds and buildings. Those buildings were erected in a very beautiful location for educational purposes. They are fine marble, academic buildings, utterly unsuited for the purpose of an experimental station. It would be a wanton waste of public money to buy such buildings and purchase such valuable land for this purpose. Further than that, if there is to be a central experiment station of the Bureau of Mines it should be placed on a railroad. This tract is half or three-quarters of a mile away from a branch line of railroad and several hundred feet above it. It is as poorly located for that sort of a station as a tract could well be, and it is covered with magnificent marble buildings, unappropriate as it is possible to imagine for the purposes contemplated.

Mr. WINGO. Will the gentleman state whether or not these proposed sites for the Army and Navy are on railroads?

Mr. MONDELL. The gentleman's statement is the first intimation that I have had that the Army and Navy are proposing any establishments anywhere along the lines that will be developed by the Bureau of Mines. What the Bureau of Mines has in contemplation is to establish, among other things, small furnaces with a view to testing the alloys of metals—useful work, no doubt. No one is proposing to do that sort of thing under either the Army or the Navy. It is true there is an appropriation in this, as there has been for years, for certain kinds of experiments with material already delivered under the Army, in order to test the character of that material and to determine, if possible, the cause of the faults in its structure. But that is not what is contemplated by the Bureau of Mines. The Bureau of Mines contemplates somewhere, and it could carry this on at any of its stations anywhere in the interior of the country, tests in furnaces of metals under certain conditions—electric furnaces and things of that sort, particularly the testing of alloys. That is one of the things they have in mind.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. WINGO. Is that the gentleman's conception of the limit of activities of a laboratory experiment station of the character that the Government should have? Is that the gentleman's conception of the class of work that was done under the direction of the Bureau of Mines prior to the time the Army took this station over?

Mr. MONDELL. I know what the Director of the Bureau of Mines said as one of the things that he had in mind, and it is exactly what I have stated.

Mr. WINGO. The gentleman does not answer the question.

Mr. MONDELL. There are many laboratory experiments that can be carried on that do not require marble halls, that can be carried on in the laboratory rooms of the Bureau of Mines, and that are being carried on there. When you go beyond purely laboratory work, which can be carried on and which is being carried on in rooms especially fitted for that purpose in the Interior Building now, when you get beyond that sort of thing and want to have a large establishment, that desire can only be predicated upon the expectation of going beyond laboratory work into practical demonstration work, and practical demonstration work means furnaces and equipment to test metals in various ways, and that sort of an institution ought to be upon a railroad, and it ought not to be on the top of the highest hill in the most exclusive residential suburban district in the city of Washington.

Mr. WINGO. Why, the gentleman does not contend that the work that has been done at the American University could safely be done in the Interior Building, does he?

Mr. MONDELL. Not gas work.

Mr. WINGO. The gentleman is thinking about experiments with furnaces. He has not yet understood what is necessary at an experiment station of this kind and what the activities are intended to be.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. BYRNES of South Carolina. I reserved the point of order, and I now make the point of order.

Mr. WINGO. There is no question that it is subject to the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For all expenditures authorized by the act of June 17, 1902 (32 Stats., p. 388), and acts amendatory thereof and supplementary thereto, known as the reclamation law, and all other acts under which expenditures from said funds are authorized, including salaries in the District of Columbia and elsewhere; examination of estimates for appropriations in the field; printing and binding; law books, books of reference, peri-

odicals, engineering and statistical publications, not exceeding $1,500; purchase, maintenance, and operation of horse-drawn or motor-propelled passenger-carrying vehicles; hire of automobiles and motorcycles, at mileage rates not exceeding 7 cents per mile for automobiles and not exceeding 2½ cents per mile for motorcycles; payment of damages caused to the owners of lands or private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and the Secretary of the Interior; and payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary of the Interior:

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves the point of order on the paragraph.

Mr. SIMS. Mr. Chairman, I move to strike out the last word. Mr. Chairman, what I rose for was to ask unanimous consent to extend my remarks in the RECORD by printing in the RECORD two letters from Secretary of War Baker on a bill that is now on the calendar, and has been for a year or more, with reference to certain changes that ought to be made in the tolls provision of the Panama Canal act. I desire this to go in so that Members of the House may see what it is.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none.

The letters are as follows:

WAR DEPARTMENT,
Washington, February 7, 1919.

Hon. T. W. SIMS,
Chairman Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D. C.

MY DEAR MR. SIMS: I am writing to you in a separate communication of even date regarding the Panama Canal tolls situation. It seems to me that, if possible, some action should be taken on this matter during the present session of Congress.

Sometime ago, in discussing the situation with Judge Adamson, formerly chairman of the House Committee on Interstate and Foreign Commerce, I stated that in the event of the passage of the proposed tolls bill (H. R. 1655) I would recommend to the President the issuance of an Executive order amending the Panama Canal measurement rules so as to permit long lumber to be carried on deck without additional cost. I am still willing to do this, and mention the matter so that you can advise the Pacific coast Representatives, if you so desire.

Very truly, yours,

NEWTON D. BAKER, *Secretary of War.*

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WAR DEPARTMENT,
Washington, February 7, 1919.

Hon. T. W. SIMS,
Chairman Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D. C.

MY DEAR MR. SIMS: I understand when Col. Chester Harding, governor of the Panama Canal, was recently in Washington, he saw you personally with reference to urging the House of Representatives to take favorable action upon the bill (H. R. 1655) providing that the Panama Canal rule shall govern in the measurement of vessels for imposing tolls. It is understood that this bill is now second on the calendar of the Committee of the Whole House on the state of the Union, having been reported by Judge Adamson on May 4, 1917.

During Col. Harding's recent appearance before the House Committee on Appropriations he was requested to give certain data regarding loss on Panama Canal tolls to the United States Government due to the fact that the Panama Canal rules of measurement do not govern, which data may be of some interest to you. The following is taken from the data furnished by the governor and also from his last annual report:

Tolls actually collected for fiscal year 1918	$6,439,083.99
Loss during fiscal year 1918 account of Panama Canal rules of measurement not governing	1,083,111.69
Total loss of tolls on foreign ships since the opening of the Panama Canal	2,652,032.06
Total loss of tolls on American ships since the opening of the Panama Canal	145,228.20
Total loss suffered by United States Government since opening of canal on all ships	2,797,260.26
Percentage of loss of the total of $21,336,526.06 that would have been collected if Panama Canal rules governed	13.11
The loss on American ships is distributed as follows:	
American coast port to American coast port	72,563.80
American coast port to Canal port	64,491.20
American possession port to American port	1,126.00
Deck load on all 3 classes	7,047.20

One of the significant things shown in connection with the above statement is the fact that while, since the opening of the Panama Canal, there has been a saving to American vessels of $145,228.20, there has been a loss to the United States on foreign vessels of $2,652,032.06. In other words, foreign ships have been the beneficiaries of 94.8 per cent of the loss to the United States, while American ships have been beneficiaries only to the extent of 5.2 per cent of the loss.

I understand the main opposition to this bill is from the Pacific-coast lumber interests, who desire that the present maximum limitations under the United States rules of measurement shall be continued, because measurement under these rules does not include deck loads, which frequently results in no tolls being paid for lumber carried on deck. You will note, however, that the loss on deck loads—or, stating the matter conversely, the gain to American ships carrying deck loads—was only $7,047.20, which is almost negligible considering the total loss involved. Under the circumstances it would seem that immediate legislation should be enacted to prevent further loss to the United States Government, particularly when it appears that foreign interests are benefiting mostly by this loss in canal revenue.

I am not referring in this communication to the administrative difficulties which the Panama Canal authorties have encountered in collecting tolls on vessels using the Panama Canal due to the fact that the United States rules of measurement enter as a factor, in addition to the Panama Canal rules of measurement, in determining the amount of tolls, as I understand this phase of the subject has been fully covered in previous communications and particularly at the hearings held before your committee on H. R. 1655 on May 1, 1917.

Under the circumstances, I would again urge the enactment of legislation during the present session of Congress to remedy these matters. House bill 1655 fully covers the subject, the purpose of which, in general, is to enable the President to enforce at Panama one set of tonnage rules, viz, the present Panama Canal rules based on the actual earning capacity of a ship, applying under all conditions to all vessels using the canal.

Very truly, yours,

NEWTON D. BAKER,
Secretary of War.

Mr. WALSH. Mr. Chairman, I reserve a point of order upon the following language in this paragraph:

Hire of automobiles and motorcycles, at mileage rates not exceeding 7 cents per mile for automobiles and not exceeding 2½ cents per mile for motorcycles.

I would ask if that language would not permit a person in the service who happened to own an automobile or a motorcycle to receive compensation at that rate per mile for its use while he was going back and forth to his work and making use of it?

Mr. BYRNES of South Carolina. It might, and I will say further, as the gentleman doubtless has it in mind, it might be subject to abuse, and the answer to it is that the situation as it now exists is also subject to abuse, because when an examiner or attorney is sent on field work to make an investigation which necessitates his being on the trip for three or four weeks, what they are now doing is to hire a man, and the compensation fixed so as to provide reimbursement for his automobile in addition to his services. The abuse is that when he gets back to the office where he is not using that automobile his compensation would still run on, so it really made an expensive system, more expensive than this would be. It is subject to the point of order if the gentleman insists upon it.

Mr. WALSH. Well, it seems to me to be a provision here to permit the service to indulge in an experiment, but the difficulty is that if you permit this experiment to be made and the first year it worked well we are liable to have a flood of provisions and other acts to permit the same thing to be done, and I do not believe the Government ought to establish a precedent that if a man owns an automobile and if he uses it for his own convenience, perhaps in performing some of his duties, that he ought to be entitled to 7 cents a mile for its use.

Mr. BYRNES of South Carolina. Oh, no. No one would contend but what that could be abused. As it is now it can be abused, and this will be an improvement over the present system, in my opinion.

Mr. MONDELL. Mr. Chairman, the committee placed this provision in the bill realizing that it was an experiment, but believed we ought to try the experiment. There is no doubt but what if a provision of this kind was in the law, and it were intelligently and honestly administered, it would result in a saving.

For instance, you take a ditch rider on an irrigation-ditch project, and if he walks he will walk a certain distance, only going so far as he can from headquarters to enable him to return at the close of the day. If he goes with a motorcycle, either riding the cycle or walking and taking the cycle with him, he will ride or walk over very much more ditch in a day—two or three times as much, probably. You could, possibly, by the use of motorcycles reduce the number of ditch riders. Now, there is danger of abuse, I grant you. It is something that will be necessary to guard very carefully.

Mr. WALSH. Will the gentleman permit? Do you think by allowing the use of motorcycles and automobiles we are going to reduce the number of Government employees?

Mr. MONDELL. Oh, I have no manner of doubt but that we will; or else, if it is necessary and proper, we should very greatly extend their activities. Now, another thing. You take the superintendent of one of these projects who has a vast territory, to go over, and in many cases we can scarcely afford to maintain an automobile; but it would be a matter of economy, if the official himself has one, to pay him a little something for the use of it in making long trips rather than to go to the expense of maintaining an automobile where the use is comparatively small.

Mr. WALSH. Well, what is there peculiar about this Reclamation Service that would call for us to adopt that policy with reference to that and not to the Public Land Service?

Mr. MONDELL. As a matter of fact, there are several services where I think it would be very well to try out a policy like this. You will never know how it works unless you try it.

Mr. BYRNES of South Carolina. Does the gentleman from Wyoming feel that if the gentleman from Massachusetts [Mr. WALSH] would withdraw the point of order that it would remedy the matter by moving to amend it "for field service," so that it would limit it?

Mr. MONDELL. We never will develop this sort of thing—we will never know what the most economical way to handle these services is—unless we try out these different plans.

Mr. WALSH. Well, I do not think we ought to permit in this service the establishment of this precedent at this particular time. This would permit every ditch rider or other employee upon all these various projects who had a motorcycle or an automobile to make use of it. So I am going to make the point of order upon that language—lines 16, 17, and 18, down to and including the word "motorcycles."

The CHAIRMAN. The point of order is sustained. The Clerk will read.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. SHALLENBERGER having taken the chair as Speaker pro tempore, a message in writing was received from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had this day approved and signed bills and joint resolutions of the following titles:

H. R. 8625. An act to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes;

S. 390. An act to establish the Grand Canyon National Park in the State of Arizona;

S. 4957. An act to establish the Lafayette National Park in the State of Maine;

S. 5038. An act extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and for other purposes;

S. J. Res. 195. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

S. J. Res. 214. Joint resolution authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Truckee-Carson project, Nevada: For operation and maintenance, continuation of construction, and incidental operations, $359,000.

Mr. BURROUGHS. Mr. Chairman, I move to strike out the last word. I rise simply to send to the Clerk's desk and ask to have read in my time a letter which I have just received from the president of Dartmouth College and which relates to a matter which, I think, is of interest to the Members of the House.

The CHAIRMAN. The gentleman from New Hampshire asks unanimous consent to have the letter referred to read. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

DARTMOUTH COLLEGE,
Hanover, N. H., February 24, 1919.

Hon. SHERMAN E. BURROUGHS,
House of Representatives, Washington, D. C.

MY DEAR MR. BURROUGHS: I wish to call attention briefly to House bill 15625, now before the House of Representatives, calling for the loaning by the War Department of certain machine tools not in use for the purpose of equipping trade and technical schools for the better accomplishing of their work.

I will not attempt to go into detail about this, excepting to say that all my experience, both in educational work and in the industrial field, makes me believe that it is desirable alike from both sides. Moreover, I feel that the War Department would be better off if these tools were lent to schools and universities than it would be either if it stored the tools or if it put them on the market to sell. In case of an emergency this expensive equipment could be recalled and recovered for the department's use on tolerably short notice.

I need not state that the technical institutions of the country would be greatly benefited by such an act. Incidentally I may add that there would be a calamity, the influence of which would be hard to estimate, if the Government were to dump this great lot of machinery onto the market at this time and to upset the law of supply and demand to such extent as practically to shut down many of the machine shops engaged in the making of tool machinery.

My own experience during the last year in Washington intensified the knowledge I had had before that the country was not sufficiently provided with skilled tool makers and machinists. It was one of the most vulnerable points in our industrial program, for it requires years to develop really skilled workmen in these branches.

Finally, I can speak the more cordially in regard to this movement because there is no personal or institutional interest which I have in it, the whole matter being without the range of Dartmouth's work.

I am, yours, very truly,

ERNEST M. HOPKINS.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SISSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4517. An act for the relief of the owner of the steamship *Matoa;* and

S. 5442. An act for the relief of the owner of the steam lighter *Cornelia.*

The message also announced that the Senate had passed without amendment the bill (H. R. 15834) to extend the time for the construction by Kratka Township of a bridge across the Red Lake River in Pennington County, Minn.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Carlsbad project, New Mexico: For operation and maintenance and incidental operations, $81,000, together with the unexpended balance of the appropriation for this project for the fiscal year 1919.

Mr. MANN. Mr. Chairman, the item at the top of page 98, the "Carlsbad project, New Mexico," carries $81,000 for operation and maintenance and incidental operation, and then, besides the $81,000, it includes the unexpended balance of the appropriation for this fiscal year. Last year we apparently appropriated $75,000, not including any unexpended balance, to do the same work and, besides that, to continue the construction of the plant. And I am curious to know whether after these plants are constructed it is going to cost more to maintain them than it does to construct them each year? This plant is apparently maintained and operated for this year on a good deal less than $75,000, because part of that is used to continue the construction. Next year you want $81,000, and, in addition, a part of the $75,000 which they do not need this year. Why is that?

Mr. MONDELL. Will the gentleman from South Carolina yield to me?

Mr. BYRNES of South Carolina. Yes.

Mr. MONDELL. Most of this item, as the gentleman from Illinois knows, is for operation and maintenance. The operation and maintenance cost is carried in the appropriation and paid back eventually, so that it is simply an item of appropriation which returns to the Treasury.

There was some construction work completing this project in the current year. Of the appropriation for the coming year $30,000 is for the payment of a judgment for lands flooded by the McMillan Reservoir. This project is very largely supplied with water from a large reservoir, and at the time the Government took that reservoir over it had already been filed upon by private parties. The Government took it over, notwithstanding those private rights, contending that the private parties had no particular rights in the premises; but in the course of time suits were undertaken, and they resulted in a judgment against the Government for $30,000. That $30,000 is to be paid out of this $81,000.

Mr. MANN. If I were the auditor or comptroller, I think it would not be paid out of the $81,000, because the payment of judgments which have been secured in the past is in no part for the operation or maintenance of this plant for the fiscal year.

Mr. MONDELL. Possibly not; but we were not asked to change the language.

Mr. MANN. That explains the amount, at least.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. AUSTIN. Mr. Chairman, I have been out of the Chamber, tied up on a conference committee, and I do not know whether any information was given by the gentleman having this bill in charge when the item on page 65 concerning the Grant Memorial was reached. Was any statement made as to the progress of that work on the Grant Memorial at the foot of the hill? When are we to see the completion of the Grant Memorial?

Mr. BYRNES of South Carolina. There is an estimate this year, and they are asking for an appropriation for the dedication ceremonies in this bill.

Mr. AUSTIN. I believe that was asked for in the last year's bill and carried in the last year's bill.

Mr. BYRNES of South Carolina. I am not responsible for the statements of the superintendent. I can only state that it is about completed. I understand it will be finished within the next few weeks, and they are asking for an appropriation for the dedication ceremonies.

Mr. AUSTIN. I have been asking that question for 10 years past, and I doubt whether anybody will be here within the next 10 years who will witness the dedication of that monument. That was one thing where I really had hoped that Congress would wake up and require something to be done to complete this monument. In its continued incomplete state it is a reflection on Congress.

Mr. GARRETT of Tennessee. What could Congress do about it? The money was always appropriated.

Mr. BYRNES of South Carolina. Entertaining the same desire that the gentleman from Tennessee has for the expedition of that work, we have been told that the sculptor has been ill. We are now told that the work is finished, and I think the gentleman will be glad to know that it is soon to be dedicated.

Mr. AUSTIN. We have had that sick report for years past, and I was wondering whether the sculptor was going to recover or——

Mr. BYRNES of South Carolina. Or die?

Mr. AUSTIN. Yes.

Mr. BYRNES of South Carolina. I think he has recovered.

Mr. AUSTIN. Then there is a prospect that it will be dedicated in the coming year?

Mr. BYRNES of South Carolina. That is our hope.

Mr. AUSTIN. You will not be responsible for it?

Mr. BYRNES of South Carolina. I am not anxious to be made responsible even for the statements I make myself, and I do not care to be made responsible for the statements that other men make. [Laughter.]

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Okanogan project, Washington: For operation and maintenance, continuation of construction, and incidental operations, $325,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Mr. Chairman, I wish to inquire as to the amount of the appropriation under this item in the last bill. I think $154,000 was appropriated.

Mr. BYRNES of South Carolina. It was for the purpose of building a storage system. It was necessary to build that storage system. It cost $258,500.

Mr. WALSH. The land has been purchased?

Mr. BYRNES of South Carolina. They spent 53 per cent of the appropriation at the end of the year. The land is all open, and the acreage price is fixed.

Mr. WALSH. Is that the whole story?

Mr. BYRNES of South Carolina. If there is anything else the gentleman would like to know about, I will try to answer.

Mr. WALSH. Why is it necessary to more then double the appropriation?

Mr. BYRNES of South Carolina. Because it is necessary to build that storage system. It has cost $258,500 to do it.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. MONDELL. The Okanogan project is one of the finished projects of the Reclamation Service, a very fine one and a profitable one, where the people are paying their dues to the Government. But the Okanogan has had a drought in the last few years, which developed the fact that the water supply there was deficient without further storage, whereupon the Reclamation Service entered into a supplemental agreement with the people to furnish money for additional storage to insure them against future loss. This increased appropriation is partly for the purpose of providing them with that storage. The project is a very fine one and is moving along in a splendid way, and the people are meeting their obligations.

Mr. WALSH. Does that mean an extension of the service?

Mr. MONDELL. That means, in this case, the building of a dam, in order to store additional water on the project.

Mr. WALSH. Does that mean continuation of construction? Does that ordinarily mean extending the service?

Mr. MONDELL. That may mean continuation of the construction of a unit or the taking up of a new unit of a project. It means the development of the enterprise.

Mr. WALSH. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For continuing the investigation being made by the Director of the Reclamation Service of the reclamation by drainage of lands outside existing reclamation projects and of the reclamation and preparation for cultivation of cut-over timberlands in any of the States of the United States, including personal services in the District of Columbia and elsewhere, purchase, maintenance, repair, hire, and operation of motor-propelled or horse-drawn vehicles, books of reference and periodicals, and for all other expenses, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. BYRNES of South Carolina. This, as the gentleman knows, is the same paragraph as was carried in the bill last year, proposing the continuance of that investigation. I do not argue as to the point of order at all.

Mr. MONDELL. I will not admit that the item is subject to a point of order. I do not want it to go by default.

Mr. WALSH. Mr. Chairman, this is continuing an investigation which was carried and provided for in last year's act.

Mr. BYRNES of South Carolina. The sundry civil bill.

Mr. WALSH. Well, the mere fact that an investigation was carried in last year's act does not authorize this bill to carry that item to continue it.

Mr. BYRNES of South Carolina. I have not said that it did.

Mr. MONDELL. Mr. Chairman, in some places in New England, in Massachusetts, there are lands which were formerly tilled by the God-fearing and industrious people of that Commonwealth. Finally they wended their way westward, where nature is kinder and where her rewards are greater, and so carried their splendid influence into distant parts of the country, leaving their New England hills untilled, and it has been hoped that now, finding those abandoned farms, we may be able to work out some plan under which they could be restored to fertility and usefulness. There may be areas of that kind in and about the Berkshire Hills. There may be some areas of that sort down toward Cape Cod and elsewhere. We appreciate New England so much that we have desired to at least inquire into the opportunities that might be offered there and elsewhere. They tell us that even up in New York State there are areas that have been deserted, which may be reclaimed and restored to usefulness, where happy, contented settlements of God-fearing, prosperous American freemen may be established for the benefit of our returning soldiers and of the Republic.

Mr. WALSH. Mr. Chairman, the gentleman has made an almost unanswerable argument upon the point of order; but I would like to state to the gentleman that up in some sections of New England we are praying earnestly and devoutly that we may be spared from the benefits and evils of some of these wild and woolly schemes that are projected upon the western country, which the gentleman so eloquently and ably represents.

Mr. MONDELL. If the gentleman will allow me, nothing could be wild and woolly that was undertaken under such auspicious conditions.

Mr. MADDEN. Mr. Chairman, is this argument directed to the point of order?

Mr. WALSH. I know the gentleman from Illinois [Mr. MADDEN] is very impatient to make a point of order on another item, and I fear it is rather cruel to keep him waiting for a discussion of this character. I shall yield to the gentleman from Illinois if he desires to make a point of order upon this project.

Mr. MADDEN. I simply wanted to call the attention of the gentleman from Wyoming and the gentleman from Massachusetts to the fact that all these amenities might well be reserved for the banquet table.

Mr. WALSH. I would be very glad to reserve mine, but I have not heard anything about it. Now, Mr. Chairman, I want to direct my argument to the point of order.

Mr. MADDEN. I did not make any point of order.

Mr. WALSH. Now that we have alighted upon our feet once more, Mr. Chairman, this item was carried in the bill of last year, for investigations of the drainage of lands outside of existing reclamation projects, and of the reclamation and preparation for cut-over timberlands in any of the States of the United States, including personal services in the District of Columbia and elsewhere. Well, the gentleman from Wyoming a few moments ago submitted the argument that the District of Columbia was not a mining district, and I do not think he would seriously contend that Massachusetts is a timber section; but the mere

fact that this investigation was carried last year is not a sufficient warrant for carrying an item in this year's bill to continue the investigation if the point of order is made against it. It seems to me that the item in its present form is subject to a point of order, and I make it.

Mr. BYRNES of South Carolina. If the point of order is made, the only argument I make in justification of the paragraph is that under this item an investigation has been made in about two-thirds of the States, and it ought to be completed, so that there will be a complete survey of the States of the Nation. If the gentleman makes the point of order, it leaves the work two-thirds completed, and the argument in its favor is that inasmuch as it was begun it ought to be completed in the few remaining States.

Mr. WALSH. I never heard of a Government investigation two-thirds completed that ever got beyond that stage. I do not think that argument has anything to do with the point of order, however. That goes to the merits of the proposition.

Mr. SUMNERS. If the Government is trying to ascertain these facts for the purpose of utilization, I should like to know if it is not clear that the Government has already found out enough about this matter in the States in which the investigation has been made to test the proposition to see whether or not there is any good in it? What is the use of going over all the States when they have already gone over two-thirds of them? What is the common sense of that? I can not see it to save my life.

Mr. WALSH. I do not admit that there is any common sense in it. Of course, it means a separation from the pay roll of certain gentlemen if the work is discontinued.

Mr. SUMNERS. Let us do it.

Mr. WALSH. In view of the situation in the labor market, I suppose that ought not to be done, in the view of some gentlemen.

Mr. MANN. Mr. Chairman, I should like to get a little information about this. I was not here when the sundry civil bill passed last year. We are supplying water on a good many so-called reclamation projects and irrigation projects. We have, of course, in this country a very large amount of land from which the timber has been cut. I own a little of it myself down in Florida, on which I pay taxes, and think I know as much about the drainage of that land now as I will if they send a Government expert down there to tell me. The trouble with most of the land which is in that shape is not a matter of drainage. The trouble is that a good deal of it will not produce crops. Now, is it the purpose of the General Government merely to conduct experimental work in order to tell the States how to drain land which has had timber cut off it, or is it the purpose to have the General Government make plans for this work throughout the country? I am asking this for information. Of course the drainage of land that has had timber cut off it is in no wise different from the drainage of the land that never had any timber on it. The problems are the same. We have learned in a good many parts of the country how to drain lands, and know a great deal more about it than the Reclamation Service will ever learn.

May I ask the gentleman from South Carolina what has been the work and what is the work now being carried on under the items in the law similar to this?

Mr. BYRNES of South Carolina. Under the item carried in the bill last year the surveys have been made of various drainage and reclamation projects in various sections of the country. The hearings, page 671, will give a detail of these surveys. They do not involve the original survey, but go only to the acreage, the character of the land, and the possibility of being extensively cultivated, and so on.

Answering the gentleman as to whether it is private land, it was a survey made of privately owned land.

Mr. MANN. I did not ask that; I knew the Government did not own land in most of the States where the timber has been cut off.

Mr. BYRNES of South Carolina. It is to have surveys in order that the Government may determine whether it would enter into any arrangement. It was subject to a point of order, but no point of order was made.

Mr. MANN. Is it the purpose of the item to have the Government survey all the land in the various States which people want to part with and see whether it would pay the Government to buy the land in order to let somebody experiment and starve to death while he was trying to make a living?

Mr. SHERLEY. If the gentleman will permit, last year, when this matter first came up, I made a brief statement to the House. It was my idea then—and I am not prepared to say that I may not have been lacking in wisdom—that perhaps it was wise to have the Government ascertain from surveys just what might be possible in the way of reclamation of land, whether the reclamation should be by drainage or irrigation. At that time there was tremendous pressure for the Government to undertake large experimentation on land as a basis of settlement for soldiers and others. I felt that if the Government was going into what might be called a questionable matter, it ought to go into it with knowledge, and that if we could get from the head of the Reclamation Service, a man whom I felt was a man of a good deal of ability and judgment, some information about what was available it might prevent the blunders that we have made in the past. Judging by some of the projects that seem to be floating around for reclamation of land, I may have opened up a Pandora box.

Mr. MANN. After all, what can they learn? Unless they make surveys of individual projects and estimate the engineering cost, or guess at it—and that is all they can do, probably—what information can they give? Of course, we can not drain the Atlantic Ocean; we would have no place to pump the water.

When I was a boy I lived on a piece of land where my father's house was located on one of the high points, probably 3 or 5 feet above the level of the country. I have made a little raft in the spring of the year and poled it all over that country. There were a few small spots here and there where the water did not stand in the spring. You might have asked the Chief of the Reclamation Service if you could drain that. But the farmers of that locality, without going to the trouble of asking the Chief of the Reclamation Service if they could drain it, proceeded to drain it, and it is now worth $500 an acre as farm land.

I lived in the city of Chicago where only a few years ago a whole territory was covered with water, where the weeds grew and the rushes grew higher than your head, and where the level of the water in some cases was lower than the level of Lake Michigan. You might have asked some distinguished engineer whether there was any way of draining that. He would have presented in the course of years a project probably suggesting that it might be drained under certain difficult conditions. But the people who owned the land proceeded to have it drained. It is as dry now as if it were 50 feet above the level of Lake Michigan.

It does not take the Reclamation Service to tell us that we can drain cut-over land any more than it would take an engineer to tell us that we can remove the stumps of trees. We can remove the stumps of trees and we can drain the land. The question is whose duty it is to do this, whether it is the duty of the General Government, that does not own the land, or the duty of the State, which has control of the legislation over the land and will benefit by the taxes if the land is improved, and, second, whether the people can make a living trying to cultivate that land? The Reclamation Service can not answer those questions.

Mr. SHERLEY. There have been a number of bills introduced, a great many last year, one now being pressed involving a hundred million dollars. I am not prepared to favor it or any other bill without a good deal more information than anybody has as to the land, and believing there was considerable movement looking toward the development of waste land, it seemed to the committee as though we might get some real information that would enable us to deal with the matter intelligently instead of being swept off our feet by a propaganda in the way of developing homes.

Mr. MANN. I am quite willing to get all the information that can be obtained. I am not prepared to say that I am opposed to the proposition which the gentleman says he is not prepared to say he will support. I do not know, but I am inclined to think it might be a good thing. I question, though I do not say it, whether any intimation we get from the Chief of the Reclamation Service under this item will have any influence or ought to have upon the question of whether the Government of the United States shall buy lands in the States that people want to get rid of in order to convert them into small farms for the benefit of people who may be located upon them, aided by the Government.

Mr. SUMNERS. Mr. Chairman, will the gentleman yield?

Mr. MANN. I yield.

Mr. SUMNERS. I suggest this to the gentleman: Does the gentleman believe that any man who wants to get a home will go out and buy a piece of property upon the advice of any one of these professional surveyors who are going out here surveying under Government salaries?

Mr. MANN. I believe that lots of people who have some money, who want a home, will buy anything on anybody's recommendation. That has been the trouble in the past, and that is the reason so many of them have been swindled.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. BYRNES of South Carolina. The survey that has been made has not been with a view to answering the question of the gentleman from Texas [Mr. SUMNERS], as, for instance, in the State of Illinois, where there have been some projects which, in the opinion of the Reclamation Service, would lend themselves to such improvement——

Mr. MANN. Where did they ever make one in the State of Illinois?

Mr. BYRNES of South Carolina. In the Green River Valley—100,000 acres.

Mr. MANN. I never heard of the Green River before, but I am very sure that the State of Illinois does not require the assistance of the General Government in making any surveys in that State.

Mr. BYRNES of South Carolina. And the Spoon River district and six other projects, it seems from these surveys in the State of Illinois, have been investigated.

Mr. MANN. I should say that that came nearest to waste of money that I have heard of in a good while.

Mr. BYRNES of South Carolina. Then there is the Little Wabash in the State of Illinois also.

Mr. MANN. Those are all down in the southern part of the State, where they are making a question of drainage with the Ohio or the Mississippi and with the Wabash Rivers, where people have been seeking to have Congress appropriate money to build levees for a long time, through the river and harbor appropriation bill. Perhaps they will recommend it. Everyone knows how it can be done. The question is whether it is profitable; and if so, who shall pay for it? Of course everybody wants old Uncle Sam to pay for everything that costs money upon the theory that nobody pays the taxes.

The CHAIRMAN. Does the gentleman from Massachusetts withdraw the point of order?

Mr. WALSH. I do not.

Mr. FORDNEY. Mr. Chairman, I desire to discuss this matter for a moment. In discussing the point of order, the merits of the proposition also should be discussed. This is an item for an appropriation for Reclamation Service engineering work. This proposition upon its merits can be best illustrated by what has taken place in the past. If gentlemen of the House will permit me, some years ago we passed a bill which provided for the placing in a special fund of a portion of the moneys received from the sale of public lands in the various States, and those of the West where the arid lands are found were the States to which the law related. The law provided that a certain portion of the proceeds of the sale of public lands should be placed in that special fund for the purpose of irrigation projects, for surveys and the building of dams and ditches, to carry water onto lands to be irrigated, to make them valuable for agricultural purposes. The law provided that no projects should be begun until there was money in the fund to complete that project. That is the language of the law. Money was placed in that fund very rapidly, and soon it was known that there were $20,000,000 in that fund. Mr. Gifford Pinchot was at that time Chief of the Bureau of Forestry, and through the Secretary of the Interior, and, I believe, Chief of the Geological Survey, a corps of engineers, 300 in number, were set to work. The first thing that Congress knew about the matter there had been 32 projects begun, at an estimated cost of $48,000,000, or an average of a million and a half dollars to each project. That fund became exhausted.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. KEATING. The gentleman has referred to Gifford Pinchot. I think in justice to Mr. Pinchot it should be stated that he had nothing to do with the Reclamation Service.

Mr. FORDNEY. He had something to do with this, because he and Secretary Ballinger got into a row afterwards and into a lawsuit which created very much notoriety about the country in reference to both of them. I will explain that briefly to the gentleman. The Forestry Department, through the Geological Survey, came to Congress and asked for an appropriation of $20,000,000 to continue those projects. They had run out of money.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Just let me conclude this sentence and then I will. At that moment it was found that some $72,000,000 had been expended on those 32 projects, and Congress was asked for an appropriation of $20,000,000 to finish them, and it was stated that the estimates for the finishing of those 32 projects would require $75,000,000 additional money, or a total of $150,000,000 in round numbers, when the estimates at the time the projects were begun were about $48,000,000. Congress refused to appropriate the $20,000,000, but it authorized the transfer of $10,000,000 of funds from one State fund to another, which had been provided by law could not be done, but the last act provided that within 10 years from that time that money should be returned by the States in which it was used to the States where it belonged. The reclamation of a very large portion of lands reclaimed by those projects cost this Government more than $200 per acre. Settlers, squatters, were permitted to go on the land before water had been carried to the land, and to these squatters was reserved the right of the first selection of a given amount of land, 20, 40, or 80 acres, and so on, by paying to the Government the cost of the reclamation, and a long term of years for those payments was provided for. It was found when Mr. Ballinger took office as Secretary of the Interior that duebills were being issued by the authorities carrying on this work, they having run out of funds, and a very high rate of wages was paid to men and teams with the understanding that those duebills would be accepted by the Government as so much money in the payment for these lands after they were reclaimed and the settler entitled to select a given amount of the land.

But those duebills were made transferable, and people working there, squatters upon the land, receiving those duebills were disposing of them to merchants to get provisions to live upon at 50 cents on the dollar, or thereabouts, it was stated. The point I am making, my friends, is that the Secretary of the Interior called upon the Attorney General, then Attorney General Wickersham, to pass upon the legality of those duebills, as we called them, and the Attorney General declared they were unauthorized by law, absolutely worthless, and ordered further issues of those certificates or duebills to be discontinued; and that started the ball to roll between that department and Secretary Ballinger, which resulted finally in his resignation as Secretary of the Interior. Now, let me get back to this question. It is said that this appropriation is to reclaim cut-over land. My good friends, I am an old-time woodsman, having spent 25 years of my life in the lumber woods.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none.

Mr. FORDNEY. Gentlemen, there are but few cut-over lands in the United States that need draining. Timber does not grow on swamp lands generally. Timber grows on high land, except the cypress swamps of the South. There are cut-over lands for sale to-day in every State in this Union where timber grows at a price at from $1 to $5 per acre. I can go into the States of Mississippi and Louisiana to-day, as any man can, and purchase millions of acres of cut-over lands at from $2 to $5 per acre, and they are all lands on which good agricultural crops can be grown. It is true the cut-over lands of those States are not as valuable, not as rich soil, as the bottom lands of the valley of the Mississippi or valleys in the West where lands are reclaimed and irrigated. Those are the most valuable agricultural lands in the United States, but when once reclaimed it is discovered, my friends, that the cost is exceedingly high, and as a rule no particular valley in the West, the Yakima Valley as well as other valleys; and I am thoroughly familiar with the value of lands in the Yakima Valley, one of the richest valleys in the world. Improved land in Yakima Valley to-day is worth from $500 to $1,000 an acre, and you can not buy it for less than $400 or $500 unimproved, and where water has been supplied to these lands, wild lands, entirely wild except the water secured for them, these lands are selling at $400 to $500 an acre and have been for several years. Go to the States of Oregon, Washington, and California, and the cut-over lands, which I think are very valuable for agricultural purposes, sell at from $2 to $5 per acre. When we talk about giving a home to our soldiers, reclaiming cut-over lands and giving them a home, my good friends, they would not take it as a gracious gift.

They will scratch a poor man's elbow all their lives on some of these cut-over lands if you give them a quarter section and they try to make a living there. I will tell you what you can do if you want to do something for the soldier boys that, in my opinion, would be a meritorious and a proper thing for Uncle Sam's Government to do. We have more than 100,000,000 acres of forest reservations in this country. Before those lands were included in the forest reservations they were open to settlement by homestead, and under the timber and stone act, which act does not require settlement but a payment of $4 per acre, and each citizen can locate 160 acres after making affidavit that those lands are more valuable for their timber or for stone than they

are for agricultural purposes. Then by paying $4 an acre he can obtain 160 acres of those timberlands. Under the Forestry Department those lands are being disposed of in large quantities, timberlands in forest reservations, and yet the money received for the sale of timber to the lumbermen of the country does not pay the cost of maintaining the bureau that has control over that question. [Applause.] Give them a chance to locate 160 acres of timberland with some value in it for them and you will give them something worth while. Stop this extravagant use of the people's money on wildcat schemes; if not, the people will soon rebel.

Mr. MONDELL. Mr. Chairman, the gentleman from Michigan [Mr. FORDNEY], I have no doubt, knows a very great deal about cut-over land. He has cut over a great deal of land in his time as a lumberman, and he probably knows a great deal about cut-over land. I know very little; but before the gentleman discusses the Reclamation Service he ought to brush up a little on his facts. The fact is that in 1902 we passed the reclamation law and dedicated the proceeds from the sale of public lands to the construction of reclamation works for the irrigation of arid lands. That work was placed under the Secretary of the Interior. My distinguished friend, Gifford Pinchot, never had anything to do with it.

The gentleman from Michigan is a little bit mistaken about Mr. Pinchot having had anything to do with the Reclamation Service. Whatever has happened under the service, Mr. Pinchot is neither subject to blame nor entitled to any credit except that he favored the law, I believe.

There were undertaken under that law some 26 projects; not 32, as the gentleman from Michigan says, but some 26. Two of them have been since abandoned. On the Garden City project, which was an experiment, and frankly admitted to be, we sustained a loss of some few thousand dollars. That was a pumping plant. It was necessary to try out the virtues of pumping in that locality. We tried it out and we pocketed a small loss in doing it. The Hondo project proved a failure because the reservoir would not hold water. No one could tell as to that until after a trial was made. We are still carrying on 24 of those 26 projects. Some of them are practically completed. After we had been operating under the law a number of years it became apparent that the proceeds of the public lands were not sufficient to enable the service to expedite the work as rapidly as it should be expedited in order to give opportunities for settlers. I introduced a bill providing—and the Forest Service had nothing to do with it—for a loan of $20,000,000 from the Treasury of the United States to the reclamation fund, and in due time the gentleman from Michigan helped to report that bill and, I think, helped to pass it.

Mr. FORDNEY. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. FORDNEY. Is it not true that the law provided that none of these projects should be begun until there was money in the fund to complete it?

Mr. MONDELL. No; I think not.

Mr. FORDNEY. That is the language in the law, and I will bet you dollars to doughnuts.

Mr. MONDELL. If the gentleman will read the law carefully——

Mr. FORDNEY. I helped to make it, and that is the law.

Mr. MONDELL. There is no provision in the law that there shall be money enough in the fund to fully complete them. Nobody knows how far you may carry a reclamation project. Take the Shoshone project in my State. When it was undertaken but 35,000 to 40,000 acres of it were irrigated. When it is completed it may irrigate 200,000 acres, as one unit after another is added to the project.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. We got the $20,000,000 loan, and we are now repaying it, a million dollars a year; and this year a million dollars is paid out of the reclamation fund, as there was last, and as there was the year before, and as there will be each year until that $20,000,000 is repaid with interest. So much for that.

Now, it is true that these reclamation projects have not all of them been unquestioned successes. But that was scarcely to be expected. It was a new work. We were starting out on an untried field. No one anticipated complete success in every project that was undertaken without experience in this field of endeavor. But of the 24 projects we are now carrying on, my own opinion is—and an opinion based, I think, on considerable knowledge and information of the subject—most of them, beyond a question, will pay out completely, or nearly so. We will probably take some loss on a few projects. Just how much that loss will be I do not know. But I do not believe that the loss on all the projects will amount to over 3 or 4 per cent of the entire investment. The settlers paid on those projects this year to the Federal Treasury $2,500,000, and, with the exception of a few projects where conditions are not favorable, the settlers are to-day very little in arrears in payments. I think that all of us who have been in favor of reclamation, who have advanced this cause, may feel very well satisfied with the way the work has progressed. We wish it were true that all of the projects had been successful. That was not to be hoped for in a new enterprise in an untried field. But every project that has been undertaken in recent years is coming along splendidly. In the main, the people are reasonably prosperous. They are meeting their obligations. That is not true everywhere, but in the main that is true. And the situation to-day is very hopeful.

Now, about this new enterprise, if I may have just a moment more. It is now proposed to embark upon this enterprise of development not only in the arid regions but generally throughout the country. Every civilized nation on earth has done that sooner or later. Practically every civilized nation on earth is carrying on that kind of work this hour—Australia, Canada, Great Britain, Germany, Spain, and Italy. The work of developing waste places through governmental agencies is going on the world around. Now, I am an individualist. Ordinarily I do not believe in public undertakings in the field generally held and considered to be the proper field for private endeavor and enterprise. But conditions do arise in every country under the sun where it seems that the only possible way of bringing development is through the strength of cooperative enterprise, with large sums of money available at a low rate of interest.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Do you know why we have been able to develop the West; why the frontiers of America have been developed often at a cost of labor and hardship infinitely greater than the ultimate value of the land? Why, because people were living in an atmosphere of pioneer enthusiasm. They were sharing common discomforts in the desire to build homes in a new land. The spirit of the pioneer was in their hearts, and they were all poor and struggling together.

No one was very much worse off than his neighbor, and therefore there was a community of interest, a community of enterprise, a community of effort, under which men endured hardships and carved farms out of woodland and forest and swamps in what amounted to cooperative effort. We have passed beyond that now. The average farmer is fairly well-to-do. It is very difficult to get a man to go back to an abandoned farm, surrounded by prosperous farms, and there do the work that the pioneer did, and that is the work that has to be done. On the abandoned farms of New England, in the swamps of the South, in the cut-over lands of the South and the Northwest, there in the midst of well-to-do and comfortable settlements, some one has to undertake the work of the pioneer. It can not all be done by individual effort. It can be done by taking those tracts, considerable areas of them, enough for a community settlement, getting enough people there to establish the community spirit of cooperation, and building up a community which will be an example to all the surrounding region. The Government can set an example in that class of work. The Government ought to do it now, when by doing it we can help some of the returning soldiers to get farms and homes. [Applause.]

Mr. WALSH. Mr. Chairman, I make a point of order on the paragraph.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

TERRITORY OF ALASKA.

Alaskan Engineering Commission: For carrying out the provisions of the act approved March 12, 1914, entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," including expenses incident to conducting hearings and examining estimates for appropriations in Alaska, to continue available until expended, $4,002,380, of which $1,000,000 shall be available immediately.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MADDEN. Mr. Chairman, I would like to have about 10 minutes to talk about the Alaskan Railway, if I may have it.

I was reading over some of the reports the other day in connection with the construction of the Alaskan Railway, and I made some memoranda taken from the report, which indicate that we have built 228 miles of the main line of road and we have purchased 71 miles.

When the line was authorized $35,000,000 was provided for its construction. The estimated cost per mile at the time this authority was granted was $50,000 a mile. The actual cost of constructing the road thus far has been $141,441 per mile.

Mr. HICKS. Mr. Chairman, will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. HICKS. Is this part that has been constructed one of the easy parts of the road, or one of the most difficult parts?

Mr. MADDEN. It is the easiest part, so far, to be constructed.

Mr. HICKS. Therefore the gentleman can assume that the other part would be more expensive per mile?

Mr. MADDEN. Yes.

The $35,000,000, except for the $4,000,000 that is contained in this item, has been expended. One hundred and twenty-eight miles of the road are yet to be constructed, leaving the road thus far built absolutely useless.

The road is being constructed under the direction of three commissioners, each drawing a salary of $10,000. Two of these commissioners, I understand, have never taken any part in the work for which they draw this salary, and the one commissioner, whose jurisdiction is up in Alaska, has never, so far as I have been able to learn, been employed in connection with railroad work at any time during his life. The nearest approach that he has to any knowledge of railroad construction is that, I assume, as a citizen of the United States he has occasionally been compelled to travel over a railroad.

The estimates for expenditures as made by the department for 1920—and I quote them—read:

Salaries, $967,295.
Wages, $305,465.

That would indicate that 75 per cent of the amount estimated for is to be paid for men in overhead positions, and 25 per cent for building the road.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. JOHNSON of Washington. I did not get the figures. How much for wages?

Mr. MADDEN. Three hundred and five thousand four hundred and sixty-five dollars.

Mr. JOHNSON of Washington. And how much for salaries?

Mr. MADDEN. Nine hundred and sixty-seven thousand two hundred and ninety-five dollars. That is rather a peculiar condition of affairs.

Twenty-five miles of road that was improperly located has been washed away, simply because the men who located the road paid no attention to where it ought to be located. Inefficiency and extravagance have characterized the entire management from the beginning up to now. Offers by responsible people to contract for the construction of this road at $44,640 per mile were refused by the Secretary of the Interior, and still we are going on and building the road at a cost of more than $141,000 a mile.

I can not understand the reasoning that leads the Interior Department to any such conclusion as they were led to in the adoption of the policy pursued in the construction of this road. The percentage of all the men employed in overhead positions is 53, and the percentage of the men employed in construction work is 47, so that here we have a case of where we are employing 53 per cent of all the men to do clerical work, to direct 47 per cent of the men who are presumed to be constructing.

This is the most outrageous performance that I ever heard about in connection with Government work, but it is only another evidence of the extravagance and inefficiency of those who have had charge of Government affairs under this administration. It is a beautiful illustration of what Government ownership and operation means. We have gone along in the operation of the railroads in continental America. About a year ago we turned these railroads over to the Government of the United States. We gave them $500,000,000 as an operating fund. They have used it all up, and in the operation of the roads they have lost about $200,000,000 besides. They came before Congress a day or two ago and asked for $750,000,000 more, making in all $1,450,000,000, which indicates the loss that we have sustained in Government operation of railroads in continental America in less than a year. In the meantime they have raised the rate all the way from 25 per cent to 1,000 per cent, and still, with all these increased rates, we continue to lose fabulous sums of money every year.

Now, my judgment is that the rottenness of the conditions that exist in the construction of the Alaskan Railroad should be investigated. The Secretary of the Interior is a man whose name stands out as the shining light for ability, integrity, system, knowledge, experience, and patriotism.

But he has not shown any of these qualifications or qualities in his conduct of the affairs of the construction of this Alaska Railway. When we were proposing to authorize the construction of that railway, in 1915 if I recall, I then said that I was quite sure that $50,000 a mile would be but a small percentage of the cost. Everybody insisted that we would reduce the cost per mile below the $50,000 estimate. Instead of that, we have the figures now to show that the cost has been three times as much as the estimate. The railroad is useless as it is to-day. It does not go anywhere. We assumed that we were going to build the road to get into the coal fields. We were going to supply the American Navy with a high-grade coal at a very low price. We have not touched the coal in Alaska yet. We were denouncing the men who owned the lines that had been constructed in Alaska. We were saying that those men ought to be arrested because they were enemies of the public. I then predicted that when we authorized the construction of the road in Alaska the first thing we would do would be to buy the roads of these men whom we denounced. That prediction came true, because we did buy the roads, and we have squandered the money of the American people beyond all reason, and there ought to be a thorough investigation of the facts. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I do not rise to a defense of the management of the Alaskan Railway; yet I think the gentleman from Illinois [Mr. MADDEN] has been a little severe. I did not vote for the Alaskan Railway. I did not believe it was a proper investment of the public money. I have not, however, been prejudiced against the road on that account. I should have hoped that it could be built within the estimated limit of cost, but I doubted it could be. I never believed that a railroad could be built by anybody in Alaska at the cost estimated, so I have not been surprised that it cost more than the estimate. The road has not been well managed at any time, I am sorry to have to say. Yet the gentleman from Illinois [Mr. MADDEN] is not entirely fair on his percentages as between overhead charges or salaries and wages, because I think he has not included in his equation the payments on contracts. So his percentages would be somewhat different if those considerable sums were included.

There were some errors made in location. One piece of road 25 or 26 miles long was very badly located and had to be abandoned at a great cost. We ought never to have bought the Alaska Northern. That little old corkscrew, jimcrack railroad never can be made into a first-class coal-carrying road; and if it is not to be a first-class coal-carrying road it is of little value, because if it is to perform any useful purpose it will be to carry coal from the Matanuska field—assuming that there is any considerable amount of coal in the Matanuska field—to the seaboard. The curves can not be taken out of that road to make it a good standard freight-carrying road. The grades can not be so eliminated as to make it a cheap road to operate. It will always be expensive and it will always be difficult to operate. But after all perhaps that is not so important, in view of the fact that up to the present time we have not demonstrated that there will be any considerable amount of coal to haul. And that brings me to the point which I really had in mind to discuss when I took the floor.

Of the various agonies of hysteria that we have had in this House at one time and another since I became a Member of it, the most agonized and hysterical of them all was the so-called Ballinger-Pinchot controversy, in which it was alleged that somebody was proposing to give to some malefactors of more or less wealth unlimited areas of the most valuable coal known to man, situated amidst the icebergs of the frozen North. Well, in order to prevent that being done the Government repudiated its contract with well-intentioned locators and did things that if an individual were to do them and the grand jury could find him he would be sure to be lodged in the penitentiary for the greater part of his life.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MONDELL. But as this was done in the name of reform and conservation, of course it went. Who was interested in the claims of men away off yonder, five or six or seven thousand miles from the Capital, particularly when there was a great opportunity to besmirch the names of honorable gentlemen and by so doing get political capital out of it? That is what there was in the Ballinger-Pinchot controversy. Well, we canceled the claims up there and took possession, and for six or seven years we have been trying to develop some coal in the Alaska coal fields. If any of you gentlemen have an appetite for blood-stirring fiction, read the descriptions of the tremendous value of the Alaska coal fields as written in official documents some few years ago. Yet after six or seven years of prospecting, of constant driving of entries and tunnels, they have not been able to develop a coal mine in the Matanuska field that it seems to pay to operate. I regret to have to say that, for I had some faith in the Alaska, and particularly the Matanuska, coal fields. Apparently the field has been so tossed and broken as to make it very questionable as a producing field, although it is possible that by a great expenditure we may eventually reach the vein where it is not as badly broken as near the surface, and under conditions where the economical mining of the coal may be made possible. It costs now about $5 a ton to bring it to the pit mouth, and at that rate it is not going to compete to any very great extent with the coal of the outside world.

The Bering field, which we threw to one side as something not to be considered when we began the construction of the Alaskan Railroad, may be developed into a coal field, because private enterprise has gotten to work there unhampered by the Government except as hampered by lease, and they are actually getting out some coal there, and we may be able to open mines in the Bering field that will actually develop some coal.

Mr. JOHNSON of Washington. I will ask the gentleman if it is not a fact that the delay in the opening of the Alaska Railroad is responsible for the failure to develop the Matanuska field?

Mr. MONDELL. Oh, no; because by building from the seaboard at Anchorage to Matanuska a first-class road it has been made possible to get out coal that can be loaded on ships at least seven months in the year. We can carry coal on short trains over the Alaska Northern to Seward, so that there would be no difficulty in getting coal out if the coal was there to get out.

Mr. JOHNSON of Washington. Let me ask the gentleman another question on the railroad. Has the committee any information as to the success of the model town of Anchorage?

Mr. MONDELL. No special information, except that there is such a town.

Mr. JOHNSON of Washington. Is there any statement as to whether that has been costly to the railroad or not?

Mr. MONDELL. I do not know that the town has been expensive; we have spent some money in wharves there, and I am hopeful that we will be able to load ships at Anchorage a considerable part of the year, although that is still a question.

Mr. WICKERSHAM. Mr. Chairman, the gentleman from Wyoming has said that coal has not been developed in the Matanuska coal fields because there is no coal there to be developed.

Mr. MONDELL. If the gentleman will pardon me, I did not say that nothing had been done. There has been a good deal of money spent trying to get coal out.

Mr. WICKERSHAM. The gentleman is as mistaken about that as he is about the other. The difficulty is not the want of coal, but the want of transportation. The railroad which he speaks about, from Anchorage to Matanuska coal field, has only been completed within the last 18 months, and since that time there has been considerable effort to open and develop coal in that field, but not until then.

Not only that, but the general conditions there, brought about by the war, or brought about by conditions of transportation, are such in the Territory of Alaska that it is impossible to open almost any sort of business because of the increased and extortionate rates for transportation to and from and in the Territory. The rates never were so high; coastwise rates and other transportation rates in Alaska were never so high as now. And they have been increased since the war began three or four times, and there is no apparent intention on the part of the rate-controlling bodies to reduce them at all. Until they are reduced it is impossible to open the gold mines, the coal mines, or any other mines except those which, like the copper mines, can have a great price for their product.

The copper mines in Alaska have been able to go on with business, because the copper-mine owners own the ore-carrying transportation. They mine the copper in Alaska, bring it down, smelt it, and put it on the market for less than 5 cents a pound, and are able, because the Government of the United States has fixed the price, to get 26½ cents a pound, thus making about 400 per cent profit on copper.

That is not true of coal. The opposite is true of coal. The chance for development of the coal resources of Alaska has been utterly destroyed in the last three or four years by the increased cost of transportation. So it is unfair for the gentleman from Wyoming to say that coal development in Alaska is in any degree a failure on account of the coal, but only because of abnormal transportation conditions.

Another mistake he makes: The gentleman says that there was no mine opened in Matanuska. In Eska Creek they are producing and shipping coal. A lease has been made to the Chickaloon Coal Co., which has what is thought to be the best area of coal, on which the company spent a large amount of money in doing development work. There is a part of that coal area open and developed, and the mine ought to show some good results.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. JOHNSON of Washington. In regard to the railroad rates, are the rates of the Alaskan railroad subject to the same rule that railroads in the United States are, and did they have the same percentage of increase?

Mr. WICKERSHAM. Oh, there has been a large percentage of increase in the Government rates in Alaska. The rates are excessive.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WICKERSHAM. I would like five minutes more.

Mr. BYRNES of South Carolina. I dislike to object, but I would like to get on with this bill.

Mr. MANN. This is an important subject, and I want a few minutes myself.

Mr. BYRNES of South Carolina. Can not we make some agreement as to time?

Mr. MANN. I do not know how much time we want; I never waste any time.

Mr. BYRNES of South Carolina. I know the gentleman does not.

Mr. WICKERSHAM. I would like to have 10 minutes more myself.

Mr. BYRNES of South Carolina. The gentleman from Alaska wants five minutes and the gentleman from Washington five.

Mr. MANN. I think the gentleman from Alaska ought to have 10 minutes.

Mr. JOHNSON of Washington. All I desire is to make some inquiries and get some information if I can.

Mr. BYRNES of South Carolina. The gentleman from Alaska would then have 10 minutes.

Mr. WICKERSHAM. I would like to have 10 minutes in addition to the five I have already had.

Mr. BYRNES of South Carolina. Very well.

Mr. JOHNSON of Washington. I am going to suggest at some time that we instigate a congressional inquiry to see whether this railroad is going to be properly completed or completed at all, and I think the information that we will get in advance will save time later.

Mr. BYRNES of South Carolina. I am merely endeavoring to see if we can reach some agreement.

Mr. MANN. I suggest the gentleman let it go on for a few minutes.

Mr. BYRNES of South Carolina. Very well.

Mr. MANN. I ask unanimous consent that the gentleman from Alaska may have 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Chairman, I would like to ask the chairman of the committee a question. I notice in the bill the following language:

> Including expenses incident to conducting hearings and examining estimates for appropriations in Alaska.

What is that intended to cover?

Mr. BYRNES of South Carolina. It was included in the bill last year and carried because the committee was at that time hoping that at some time a congressional committee would be appointed for the purpose of going to Alaska to investigate the expenditures under this Alaska railroad bill.

Mr. JOHNSON of Washington. I would like to state that I remember last year I think the distinguished gentleman from New York, Mr. Fitzgerald, was in the House, and it was hoped at that time that we could induce him and some of his associates to go to Alaska and look into that situation.

Mr. BYRNES of South Carolina. And with the changed situation nothing has ever been done about it, but it was continued for the same reason it was originally intended in the bill.

Mr. WICKERSHAM. Will that cover private investigations?

Mr. BYRNES of South Carolina. Oh, no. I can satisfy the gentleman on that. No private inspectors can go and conduct hearings and examine estimates for appropriations in Alaska, because no one would have the right to do it.

Mr. WICKERSHAM. Can the Secretary of the Interior send investigators there to conduct hearings and examine estimates for appropriations and pay such a commission under that clause?

Mr. BYRNES of South Carolina. No one has the right to consider estimates except Members of Congress.

Mr. WICKERSHAM. The reason I asked the chairman the question is that when I was up there this summer there was an investigating committee there doing a lot of work of that kind, headed by a Mr. McCormick, the vice president of the Southern Pacific Railroad.

Mr. BYRNES of South Carolina. They could not investigate the estimates that the Congress was to consider.

Mr. WICKERSHAM. I do not know what he was doing. I know that he was there under the guise of some public employment and making investigations, and I was just wondering if the chairman had any information about the matter, and knew whether he and those with him were being paid from the appropriations or not. If the chairman will please answer that question——

Mr. SHERLEY. Mr Chairman, if the gentleman is addressing his inquiry to me, I know nothing about it. I assume that if he went on behalf of the Department of the Interior, and they paid him, then they paid him out of funds they had for that purpose, but certainly the provision to which the gentleman from South Carolina and the gentleman from Alaska have referred was put in there to do in connection with Alaska the same thing that was done in connection with Panama, and speaking for myself, I do not know any more important duty that could be performed than by the Committee on Appropriations getting some real information about Alaska by personally going there.

Mr. WICKERSHAM. I quite agree with the gentleman as to that, and I hope the committee will take such action.

Mr. SHERLEY. It is exceedingly difficult to get accurate information about it now.

Mr. WICKERSHAM. And if the chairman of the committee or a subcommittee, or the whole committee would go there, it would be a very great help, I think, to Congress, and probably would assist very much in bringing the work on this road to a conclusion.

Mr. SHERLEY. I think the going of the Committee on Appropriations to Panama from year to year in connection with the building of that canal saved this country a good many million dollars.

Mr. WICKERSHAM. I agree with the gentleman, and hope to see the same investigation of the Alaska Railroad work.

Mr. SHERLEY. And I have not the slightest doubt that the Committee on Appropriations going there, as they would go seriously to examine into estimates and to see the actual situation, would be able to perform a similar service in connection with the Alaskan expenditures.

Mr. WICKERSHAM. I did not mention this matter with any view of criticizing the committee, because I think just as the gentleman does, that it would be a very great advantage to the committee and to the country if the committee would go and examine into the situation in Alaska, and I think you would be very greatly interested in what you would find. My inquiry was as to whether or not the language was broad enough to cover the payment of those other gentlemen who were there making investigations.

Mr. SHERLEY. I am quite sure it is not, and it never was so intended.

Mr. WICKERSHAM. Are they being paid?

Mr. SHERLEY. I do not know. The gentleman probably knows about it himself. Certainly, if he asks the Secretary of the Interior, he can get the information.

Mr. JOHNSON of Washington. Could not the situation be cured by inserting the word "congressional" in there, so that they would be conducting congressional hearings?

Mr. WICKERSHAM. I think so. With respect to the Alaska railroad itself, I made a great many of the statements which my friend from Illinois [Mr. MADDEN] referred to as glowing statements with respect to Alaska and to this railroad. I felt in a glowing mood when this matter was before Congress at that time. I do not have such a healthy glow now as I had then. I do not know whether it is because of the war or what the reason is, but the $35,000,000 has been expended, substantially, with the exception of the last $4,000,000 asked for in this appropriation, and I want to say to Congress, and say it openly and publicly, that in my judgment there has been such waste in the building of the road that it deserves the careful attention of the Committee on Appropriations and of the Congress itself.

Mr. SHERLEY. Is the gentleman opposed to the present appropriation for continuing it?

Mr. WICKERSHAM. I am not. I think the appropriation ought to be made, and I think the committee is to be commended for making it. What I am opposed to is this waste by people who are spending the money in Alaska.

Mr. SHERLEY. The reason for making the inquiry is this: If the gentleman thinks the money has been greatly wasted, of course he would not want more money to be appropriated to be similarly wasted.

Mr. WICKERSHAM. No; I do not. I simply call the attention of the committee, and I am not going into any specifications. The road is now about two-thirds completed, $31,000,000 spent, and it will take a good many more millions, I regret to say, to finish it.

Mr. JOHNSON of Washington. Does the gentleman believe the road can be built and put in operation?

Mr. WICKERSHAM. If the road had been let to contract when the bill passed, March, 1914, it would have been completed within about two years for a great deal less money than the appropriation, but it was not done in a businesslike way. It was constructed under three commissioners, one of them, as a gentleman stated, who had no experience whatever in railroad building. He did not know whether a railroad frog jumped forward or sideways; he knew enough to get a ticket and ride on a railroad and pay for it, and that was all he knew about railroads and is all the experience he had in railroad building.

Mr. JOHNSON of Washington. Where do these commissioners spend their time—have they been here in Washington, all of them?

Mr. WICKERSHAM. One commissioner, I think, is here in Washington now, and has been here all winter and will probably be here until May. Another one was appointed governor of Alaska. The third one is in France and has been for a long time, and no doubt he has performed good service for his country. I do not want to make any serious criticism, but I did say so much for this railroad bill to get the first authorization and appropriation to get the road constructed and something done to develop that great Territory that I feel I am entitled to urge fair treatment for it. I do not want the burden of its failure to be laid upon my shoulders, because I have never been consulted about it in any way from the day the first appropriation was made, nor has anyone else who has known very much about Alaska. It has been conducted by a very amiable gentleman by the name of Edes, who is chairman of this commission. If it had been let to contract the road would have been completed long ago. As it is, I understand his estimate is that it will take three years longer and something like $8,000,000 or $10,000,000 more to finish it. In my judgment the Appropriations Committee or some committee of this House ought to give this matter a searching and careful investigation and you will find very much worthy of your attention when you do investigate it.

Mr. SHERLEY. Mr. Chairman, I only desire to say one word in reply to the gentleman from Alaska. I do not know anything safer than to prophesy what would have been if something else had been done than was done, because there can be no proof that it would not have occurred. Now, it is very easy to prophesy that if this had been let to contract it would have been finished in two years. There is no way of proving it would not, though it may be a difficult thing to prove it would, but, judging by some of the experience we have had with contracts recently and the insistence that the terms of them be so liberalized as to prevent a contractor from throwing up his job and going into bankruptcy, I, for one, have some doubts as to the accuracy of the gentleman's prophecy as to something in the past which might have happened but which did not.

Mr. MANN. Mr. Chairman, I took some part in the House in the consideration of the bill which authorized the construction of this railroad in Alaska, and I favor the proposition. There was very strenuous objection to it, as I recall largely led by the gentleman from Oklahoma [Mr. FERRIS], who was very able in his presentation of the matter. It may be that it is somebody else to whom I am paying this compliment. There was a bitter fight over it in the House. Originally it was asked that Congress authorize the construction of the road without any limit of cost at all. We were then engaged in constructing the Panama Canal, almost finished. The Panama Canal was authorized a good many years ago with a limit of cost and probably has been built within the limit of cost originally made and as afterwards revised when the size of the canal was considerably

increased. The work done there in the main has always come within the estimated cost submitted to the Congress. The Government selected for that purpose the brainiest man I think I ever met, a man at least of great ideals and ideas, who knew the minutiæ of everything, and who, it was generally conceded—and I believe it—not only knew the whole general outline of the Panama Canal but knew more about the details of every bureau than the chief of the bureau, though they were not called bureaus.

I do not know anything about gentlemen who have been constructing the Alaska Railroad. I do not recall who they were. I have an indefinite recollection that when the appointments were made I had heard of one of them, maybe more. But when Congress passed the bill we were told with great emphasis that all of the work authorized could be constructed complete for $35,000,000, and that that was an outside estimate. And because it was said to be an outside estimate I aided the members of the Committee on Appropriations in securing an amendment to the bill providing that that should be the limit of cost. And we thought we were allowing a very large amount. We turned over a considerable portion of the unused machinery from the Panama Canal for use in connection with the construction of this road.

We have given them the appropriations as they have asked for them, and I take it from what has been said that the item of $4,002,380 carried in this bill is the balance of the $35,000,000 that was authorized. I have always believed that a Government official in an administrative branch of the Government who was authorized to do a certain thing within a certain limit of cost, and concluded he could not do it within the limit of cost, had no right to spend the money without coming to Congress first for an increase in the authorization. [Applause.]

I do not think it is honest for the Supervising Architect's Office, if Congress authorizes a public building at a limit of cost of $100,000, to adopt plans for a building which they know will cost $150,000, and then when they have spent $80,000 of the money, come to Congress and say, "We must have an increase of $50,000 in the limit of cost." I do not think it would be honest for the Supervising Architect's Office to do that, and I do not understand that is their practice. They refuse every day, almost constantly, to go ahead with the construction of public buildings within limits of cost authorized by Congress, saying that they want an increase, because they can not construct the character and size of buildings which ought to be constructed at the particular place within the limit of cost fixed by Congress. And we very frequently increase the limit of cost.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Now, what is the situation about the Alaska Railroad? Regardless of the limit of cost, in utter defiance of the law, they have not only proceeded in the past when perhaps they could not at first tell what the cost might be, but they are proceeding now, and we propose now to appropriate this sum to balance the $35,000,000 of limit of cost, when they have told us it will take about $9,000,000 more to do the work. Is that correct? Are not the figures about $9,000,000?

Mr. BYRNES of South Carolina. Yes; that is the estimate.

Mr. MANN. They have said to us, "You have authorized us to build a road at a cost of $35,000,000. We are going ahead and building it, knowing that we can not do it within the limit of cost." I think before any more money is appropriated for this road, Congress ought to determine whether it will increase the limit of cost and, if so, how much. Of course there has been gross extravagance connected with the building of the road. There usually is, especially when construction is a long ways from home.

The Panama Canal is a shining and conspicuous example of honest, saving, careful, economical work done, which seldom occurs. I do not know who is to blame as to this matter. I do not know whether any individual is to blame or whether there is to be blame attached anywhere in reference to the building of the road. I have no doubt there has been a great deal of money wasted, from what I have read on the subject. But I do know that if Congress upholds its rights and its duties it will say to these people at this time, "Before you spend any more money on this road we want to know what it will cost. If we think it will pay to finish the road at the new limit of cost, we will tell you so."

Nobody is going to suffer in Alaska except the men who have the jobs, if the road is not finished for five years, unless it would be the Delegate from Alaska would lose votes in the next election because he did not secure the appropriation.

The gentleman from Kentucky [Mr. SHERLEY] said to the gentleman from Alaska [Mr. WICKERSHAM], as he says to other Members of the House, "Are you opposed to this appropriation for your own district?" It is pretty difficult for Members to say for their own district. It is not difficult for the gentleman from Kentucky to say, and it is not difficult for me to say, we ought not to appropriate the money until we know what this road is going to cost. [Applause.]

Mr. NORTON. Mr. Chairman, I would like to secure from the gentleman in charge of the bill a little information concerning the present condition of the Alaskan Railroad. Can the gentleman tell me how many miles have been constructed?

Mr. BYRNES of South Carolina. Two hundred and forty-four miles have been constructed.

Mr. NORTON. At what expense per mile for construction?

Mr. BYRNES of South Carolina. It would not be fair to state the expenditure, as a certain number of miles have been purchased in addition to those constructed. The total expenditure up to this time, with the road 76 per cent completed, lacks only $4,000,000 of the authorized expenditure of $35,000,000.

Mr. NORTON. Mr. Chairman, I was personally very much in favor of the proposition to construct the Alaskan Railroad, and I hoped, at the time I favored the measure, that the construction of the road would prove wise and that it would demonstrate to the American public that Government ownership of railroads was a feasible thing and a good thing. I have not had the time during the past two months that I would like to have had to make a careful and analytical study of the expenditures that have been made in the construction of the Alaskan Railroad. I have the information, however, from a man who is as well acquainted personally with the conditions of the construction of that railroad as any other living man to the effect that there has been the grossest and most inexcusable mismanagement up to the present time in the construction of the road. I have it on his statement that if the men who were chosen to direct the construction of the road had been chosen with the chief object in view of getting men who would do the most possible to discredit the building of railroads by the Government, no better choice could have been made than was made in their selection.

Recalling my conversation with him, I remember that he stated that the cost of the railroad would exceed $140,000 per mile, and that the part of the road that has been constructed thus far is the least expensive part of the road to be constructed. I do not know this to be a fact, but I am giving it to you as it was given to me.

Now, from the statements of this man, who, as I said, is acquainted with the actual conditions of the work of the construction of the road as well as any living man, it seems to me it behooves the Congress and the committee having this particular project in charge to investigate it very carefully. The public money should not be permitted to be wasted like water. While there has been probably some occasion for paying higher rates of wages during the war period, my information is that there has been little sound judgment used either in the employment of men to construct this road or in the fixing of the rate of wages paid.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. NORTON. Yes, indeed; to my good friend.

Mr. GARRETT of Tennessee. I voted against the proposition in the beginning.

Mr. NORTON. I voted for it; but from what I have been told of it I am inclined to regret that vote now.

Mr. GARRETT of Tennessee. I would like for gentlemen who talk of "waste" to give some substantial statement here about the "waste." Why is it that gentlemen persist in speaking of "waste" without giving something definite? I was opposed to the proposition of building this railroad in the beginning, and I have no regret for the vote I cast. But I dislike these statements about "waste" unless gentlemen will give us some facts as to where the "waste" is.

Mr. NORTON. I have personally thought the verbal information I received and to which I referred generally was about as reliable information as could be received from any source.

Mr. GARRETT of Tennessee. But the man whom the gentleman is now quoting—did he give the gentleman those statements?

Mr. NORTON. The gentleman I am quoting says the estimate this year is for something like 2,000 men, and of those only a little over 200 are men who are to be actually engaged in construction work. The great percentage of the men are in administrative and clerical positions that are not productive of

any real construction of the road. I would like to have some information from the chairman of the committee or the gentleman in charge of the bill on that feature of the matter.

Mr. BYRNES of South Carolina. Mr. Chairman, in answer to the last statement made by the gentleman from North Dakota [Mr. NORTON], instead of the information being correct, the estimate submitted to the committee was for 149 men in the supervisory and clerical capacities and for 1,026 workmen upon construction.

Mr. NORTON. I will say to the gentleman that when I made the statement a moment ago——

Mr. BYRNES of South Carolina. The gentleman must have been incorrectly informed.

Mr. NORTON. If the gentleman will yield, I will say that while I made the statement of 2,000, my recollection now is that it was 1,200 men, and of that number only 200 men were going to do actual construction work there. The gentleman from whom I obtained this statement is thoroughly acquainted with the actual conditions up there. Does the gentleman from South Carolina know that 1,026 workmen are to be employed out of the total of 1,175?

Mr. BYRNES of South Carolina. Of course I do not, because I have not been there. But the gentleman who presented this estimate to the committee stated to us that there were not to be 1,200 men in clerical capacity, but 1,026 upon construction and 149 upon clerical work.

What the gentleman says about waste may be true. I do not think there could be a railroad constructed for $35,000,000 without some waste being connected with it.

Mr. NORTON. Can the gentleman tell me whether or not the cost has been $140,000 per mile?

Mr. BYRNES of South Carolina. No. The situation is simply this: In 1914 the gentleman in charge of this work said it would cost $35,000,000. Now, we all know that if anyone had predicated a statement of cost in 1914 upon conditions then prevailing and had attempted to build a railroad from 1914 up to this time upon an estimate of cost arrived at upon cost prices prevailing in 1914 he would have gone into bankruptcy; and if any contractor had taken a contract in 1914, based on prices then prevailing, he would have gone into bankruptcy.

Here is what these commissioners give as the reason for the increased cost. I hold no brief for them and was opposed to this proposition at the outset, as was the gentleman from Tennessee [Mr. GARRETT]. But let us, in justice to these gentlemen, know what they have gone through. The first thing that happened up there was that a river, known as the Nenana, followed the course that the Missouri River sometimes follows, namely, it changed its course and carried away 24 miles of track, which was a dead loss. Since last year what has happened? I read:

> Now, here are some of the big items showing increase in cost: One of the biggest items is lumber. In 1917 we paid $14.75 per thousand for lumber in Seattle, and last year we paid $23 per thousand. That is really pretty good, or is not so bad as some other things. For instance, take the item of milk, which seems to be as bad as anything. We paid $3.78 per case for milk in 1917 and $6.30 in 1918. For iron—and by that I mean bridge iron and not steel—we paid $3.89 per 100 in 1917 and $5.95 in 1918. For shovels we paid $5 per dozen in 1917 and $14.50 per dozen in 1918. Freight has advanced, and labor went up 10 per cent.

Prices have advanced and labor has gone up, as every man knows. Of course, that is true; and in justice to those people we know that they necessarily had to incur expenses that they could not originally have anticipated. And yet, in the face of that, they say the road stands to-day 71 per cent completed. With this appropriation it will be 77 per cent completed. The estimate of the commissioner is that $9,000,000 will be needed to complete it. He says that is based on prevailing prices, and if prices drop he will be able to complete it for a less amount. If they go up, it will cost more. Of course, that is true. You can not make any guess unless it is based upon cost prices, and the only thing for us to do is to make the appropriation. This appropriation will give to this work the balance of the original authorization.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. The future must take care of itself if the limit of cost is to be extended. But certainly now the only thing for us to do is to go ahead and authorize the continuance of this work.

Mr. NORTON. If the road can be completed at an increase of $9,000,000, I personally will be very well satisfied. But that is not my information, as I received it from this gentleman.

Mr. BYRNES of South Carolina. My information is that it can be completed for $9,700,000.

Mr. NORTON. In addition to the original estimate?

Mr. BYRNES of South Carolina. Yes. He says that in addition to the original estimate he estimates that it will cost $9,700,000.

Mr. STAFFORD. I ask unanimous consent that the gentleman's time may be extended three minutes or five minutes.

Mr. BYRNES of South Carolina. I ask that my time may be extended three minutes, in order that I may answer the gentleman.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Did I understand the gentleman to state that the average cost per mile of the road so far constructed was some $70,000?

Mr. BYRNES of South Carolina. That is my recollection of the hearing—about $70,000.

Mr. STAFFORD. How does the gentleman arrive at that figure when there has been $31,000,000 already expended and 244 miles of road completed?

Mr. BYRNES of South Carolina. Oh, they bought a railroad line there.

Mr. STAFFORD. Yes; they bought about 71 miles of road from the Alaska Northern Railroad Co.

Mr. BYRNES of South Carolina. Yes.

Mr. STAFFORD. Now, 244 into $31,000,000 gives an average price of $130,000 per mile. The rate of $78,000 a mile is a very low figure per mile for construction, and I am trying to ascertain the basis on which the gentleman arrives at that conclusion.

Mr. BYRNES of South Carolina. When they bought the Alaska Northern they bought equipment and many other things that went into the sum of this original appropriation.

Mr. STAFFORD. I was under the impression that the Government bought the 71 miles of the Alaska Northern Railroad at a rather sacrifice price, because it was in bankruptcy. It was owned by the Sovereign Bank of Canada, which went bankrupt, and it was in the hands of the bondholders at the time the Government took it over.

Mr. BYRNES of South Carolina. Here are one or two items going to make up that statement:

Construction equipment, consisting of steam shovels, ditchers, unloaders, scrapers, etc., $1,382,136.59.

Plants at Anchorage and Nenana, consisting of office buildings, storehouses, quarters for employees, mess houses, hospitals, heating and lighting plants, freight-handling machinery, and so forth, $1,538,947.17.

I have picked out only the two largest items which go to consume this appropriation.

Mr. STAFFORD. Does the gentleman know how much was paid to the bondholders of the Alaska Northern Railroad?

Mr. BYRNES of South Carolina. No; I do not.

Mr. STAFFORD. That would enable us to compute the cost per mile of the road which has been constructed by the Government, because we know there were only 71 miles of road in operation owned by the Alaska Northern Railroad Co.

Mr. BYRNES of South Carolina. If I had the time, I could give the gentleman the information.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CURRY of California. Mr. Chairman, I think probably if it had not been for war conditions the Alaska Railroad might have been constructed within the original estimate of $35,000,000. That estimate was carefully made, and it was based on statistics on the cost of railroads on file in the office of the Interstate Commerce Commission in this city, and also on the estimate of the cost of the Copper River Road in Alaska and of the Alaska Northern. The Alaska Northern, so far as it has been completed by Mr. Ballaine, cost $27,500 a mile, but he built the easiest constructed part of the road.

After the bill was enacted the question arose as to whether the road should be constructed by contract or by the Government. A contract could have been entered into for the construction of the road for a little over $44,000 a mile; but it was thought that the road could be constructed better by the Government, and it was undertaken under Secretary of the Interior Lane, whom all will admit is an honorable, honest, patriotic man. Undertaking the construction of the railroad by the Government may have been a mistake, although if the road had been contracted for it is likely the contractors would have gone broke under war conditions.

Mr. JOHNSON of Washington. Will the gentleman yield there?

Mr. CURRY of California. Yes.

Mr. JOHNSON of Washington. The contractors would not have undertaken to dredge the entire bay in front of Anchorage or to build a model town site, and such things as that, would they?

Mr. CURRY of California. I was going to call attention to that later. The cost of materials used in the construction of railroads has increased from 100 to 500 per cent and the cost of labor has increased 200 to 400 per cent. In addition to that 5,000 of the strong, healthy young men of Alaska, a great many of whom were engaged in the construction of this road, were drafted into the Army, and those who were left up there who could do this work were Indians and old men.

Mr. MONDELL. Will the gentleman yield?

Mr. CURRY of California. Yes.

Mr. MONDELL. My friend is aware of the fact that practically all the steel that has been used on the Alaska Railway up to this time was contracted for before the war raised steel prices——

Mr. CURRY of California. No.

Mr. MONDELL. That is true.

Mr. CURRY of California. No

Mr MONDELL. And if they have bought any steel at war prices it has been very little; and the cost of labor has advanced less in Alaska than almost anywhere else.

Mr. CURRY of California. Yes; but steel is only one of the things entering into the cost of railroad construction. The cost of the Alaska Northern should be added to it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CURRY of California. I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. CURRY of California. The work done at Anchorage and the laying out of the towns and the fixing up of the places to care for and board and house the men should be added to the expense. I believe if the war had not occurred this road would have been constructed for $35,000,000, and I think we are fortunate if we can construct it for $9,000,000 or $10,000,000 more. There is not a railroad in the United States that has done any construction work since the war started, that could avoid it. The United States Railroad Administration let a contract for 100,000 cars last May at the then prevailing prices. Ten thousand only of those cars have been completed and the railroads will not accept them because the contract price is from $1,275 to $3,500 each more than it was before the war started, or that they can buy them for probably a year from now. The Government made a forcible delivery of some of the cars on the Clover Leaf line, and the case is before the courts to determine whether the Government has authority or not to compel the railroads to take these cars. The contractors are proceeding with the construction of the other 90,000 cars. In Alaska they had to buy cars, construction material, and hire any kind of labor available at war prices, and I think these things ought to be taken into consideration by Congress when it criticizes the commission appointed to construct the Alaska Railroad.

The CHAIRMAN. The Clerk will read.

Mr. STAFFORD. Mr. Chairman, just one moment. I understand that the gentleman from Illinois reserved the point of order. Did the Chairman hold that the point of order has been withdrawn?

The CHAIRMAN. The point of order was reserved by the gentleman from Illinois, but he is not in the room, and is not pressing the point of order, and the Chair assumed that it had been withdrawn and abandoned.

Mr. STAFFORD. Of course, he left the Chamber temporarily without saying whether the point of order should be pressed or not.

Mr. MONDELL. I understood that the gentleman from Illinois withdrew the point of order.

Mr. BYRNES of South Carolina. I do not think that he intended to press it, though I do not know that he withdrew it.

Mr. MONDELL. I do not think he did withdraw it.

The CHAIRMAN. But the Chair was under the impression that he did not intend to press it. It was not formally withdrawn.

Mr. BYRNES of South Carolina. I shall go back to it if the gentleman wants.

Mr. STAFFORD. Very well.

The Clerk read as follows:

During the fiscal year 1920 there shall be covered into the appropriation established from time to time under the act approved March 12, 1914, entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," the proceeds of the sale of material utilized for temporary work and structures in connection with the operations under said act, as well as the sales of all other condemned property which has been purchased or constructed under the provisions thereof; also any moneys refunded in connection with the construction and operations under said act, and a report hereunder shall be made to Congress at the beginning of its next session.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. The members of the committee will remember that I was opposed to the Alaska Railroad, but I do not rise to discuss that. I had hoped that the gentleman from California [Mr. KETTNER] would return to the room. He has been called out temporarily. We were discussing this matter and he showed me a statement that the Secretary of the Interior, Mr. Lane, had given him. It is so full of facts as to these expenditures that I ask unanimous consent to extend my remarks in the RECORD by inserting it.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, is it a very extensive statement?

Mr. WINGO. Not so very extensive, but it gives the facts with reference to expenditures. I think it gives some information that the gentleman was asking for himself.

Mr. STAFFORD. How much space will it take?

Mr. WINGO. I do not know, but not very much. It is a very concise statement. It gives the number of miles of road constructed, the miles of yard tracks, and the miles of road purchased from the Alaska Northern, and a lot of other data. It is very informative and I think it ought to go into the RECORD.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. From the appearance of the statement, as I see it in the gentleman's hand, it seems to me very lengthy, I have no objection to having it printed as a public document.

Mr. WINGO. I think it ought to go into the RECORD in connection with the inquiries that have been made.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. For the time being I shall object.

The Clerk read as follows:

All expenditures of money appropriated herein for school purposes in Alaska for schools other than those for the education of white children under the jurisdiction of the governor thereof shall be under the supervision and direction of the Commissioner of Education and in conformity with such conditions, rules, and regulations as to conduct and methods of instruction and expenditure of money as may from time to time be recommended by him and approved by the Secretary of the Interior.

Mr. WICKERSHAM. Mr. Chairman, I have been trying to keep track of what was being read, but the Clerk has gotten ahead of me. I ask unanimous consent to return to page 103, to the matter of education in Alaska.

The CHAIRMAN. Is there objection?

Mr. BYRNES of South Carolina. Reserving the right to object, for what purpose?

Mr. WICKERSHAM. I want to ask the chairman something about the jurisdiction of the committee over this particular class of items.

The CHAIRMAN. Is there objection?

Mr. BANKHEAD. Mr. Chairman, reserving the right to object, is it the purpose of the gentleman to make the point of order against the proposition?

Mr. WICKERSHAM. I would like to reserve the point of order for the purpose of asking a few questions.

Mr. BYRNES of South Carolina. Does the gentleman want to make the point of order or to offer an amendment?

Mr. WICKERSHAM. I would like to ask the gentleman some questions. I would like to know how it is that the Committee on Appropriations gets jurisdiction of appropriations relating to Indians and Indian affairs in the Territory of Alaska. Under the rules, Rule XI, subdivision 16, all matters in respect to the relations of the United States to Indians and Indian tribes, including appropriations therefor, go to the Committee on Indian Affairs. I would like to ask if the chairman of the committee has given the matter any consideration, and how this committee gets any jurisdiction of appropriations over Indians and Indian affairs in the Territory of Alaska?

Mr. BYRNES of South Carolina. The question has never been raised that I know of. This bill has always carried this appropriation. The Indian Affairs Committee has jurisdiction over the Indians in this country. I do not know that they have ever extended their jurisdiction to the Indians of Alaska. It has been carried here every year. No question has ever been raised about it.

Mr. WELLING. Is the appropriation distasteful to the gentleman?

Mr. WICKERSHAM. No; the appropriation is not distasteful to me. I think the appropriation ought to be made. But I think it ought to be made by the proper committee, and while I do not intend to make any point of order on it, I do want to call the attention of the House, and the attention of the Committee on Appropriations, to the rule which gives jurisdiction over these Indian appropriations to the Committee on Indian Affairs.

Mr. BYRNES of South Carolina. The Alaskan appropriations have always been under the jurisdiction of the Appropriations Committee. The Indian Committee never had any jurisdiction over Alaskan affairs.

Mr. WICKERSHAM. Where does the gentleman get that authority?

Mr. BYRNES of South Carolina. Where does the gentleman get his authority?

Mr. WICKERSHAM. From the rule that gives jurisdiction of Indians to the Committee on Indian Affairs and all appropriations relating to Indians or Indian affairs.

Mr. SHERLEY. This does not relate to Indian affairs in the sense that is mentioned in the rule. For 20 years the Committee on Appropriations, ever since there has been a Territory of Alaska, has been dealing with these matters.

Mr. WICKERSHAM. March 4, 1909, this item, in the words in which this appropriation is carried, first went into an appropriation bill. So far as the Indians of Alaska not being Indians in the true sense of the word Congress by act of February 6, 1909, defined what an Indian is. It says:

The term "Indian" in this act shall be construed to include the aboriginal races inhabiting Alaska when annexed to the United States and their descendants of the whole or half blood who have not become citizens of the United States.

Congress having passed that act, all the aboriginal peoples in Alaska are Indians in the strict sense of the word.

Mr. SHERLEY. Laying aside the question of the rule, about which I am clear the gentleman is wrong, would he have the Committee on Indian Affairs appropriate money for the Indians in Alaska and the Committee on Appropriations appropriate for their educational matters in Alaska?

Mr. WICKERSHAM. No; my idea is that you have no jurisdiction over any of it.

Mr. SHERLEY. Would the gentleman take away from the Committee on Appropriations all jurisdiction over Alaska?

Mr. WICKERSHAM. Perish the thought. I am not raising a point of order; I am simply inquiring where you get jurisdiction over any of these appropriations for Indian Affairs in Alaska.

Mr. SHERLEY. They are not Indian affairs in the sense that the Committee on Indian Affairs deal with the matter. The Appropriations Committee has always carried all of these appropriations.

The CHAIRMAN. The time of the gentleman has expired. Is there objection to the request of the gentleman from Alaska to return to the item?

Mr. BYRNES of South Carolina. I object.

The Clerk read as follows:

Glacier National Park, Mont.: For administration and improvement, construction of roads, trails, bridges, and telephone lines and the repair thereof, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park, including not exceeding $1,000 for the maintenance, repair, and operation of one motor-driven and one horse-drawn passenger-carrying vehicle for the use of the superintendent and employees in connection with general park work, $85,000.

Mr. BLAND of Virginia. Mr. Chairman, I move to strike out the last word. I do so for the purpose of bringing to the attention of the House a statement made two or three days ago while this bill was under discussion, and also another speech that was made a short while since by the gentleman from South Dakota [Mr. DILLON] with respect to Government activities near Newport News. My purpose in selecting this point to make this motion is that I found the committee had considerable difficulty in getting out of Alaska. I notice that we are about to enter the Hawaiian National Park, and if they have as much trouble in leaving Hawaii as they had in leaving Alaska, I shall not have an opportunity to present my views.

A short while ago, in a speech made on the floor of this House, the lady from Montana [Miss RANKIN] made certain remarks which will be found on page 4163 of the RECORD. I am not impugning her motive, but simply desire to correct any erroneous impression that may follow from that statement. I refer to the last paragraph, on page 4163 of the RECORD. I shall discuss the matter in as delicate a way as possible.

The lady from Montana was not sure that the particular incident to which she referred occurred in Newport News. In view, however, of the fact that it is thought that this incident occurred in a camp near Newport News, I feel called upon to deny the implications which follow. The statement was made not upon direct knowledge of the lady from Montana, but rather upon information coming to her from a third party. The statement is, and I will read only a part of it:

In one camp, I think it was Newport News, a reliable woman, a personal friend of mine, was sitting in the Public Health Service office. A man came in the office and talked with one of the officials. The official became very angry, and when the man left he came over to my friend and excused his anger by explaining that the man who came in tried to bribe him.

There is then the statement that the alleged bribery consisted in an effort to procure a white card for a card of another color. The conclusion is drawn that if the colored card was changed for a white card the holder might pursue a nefarious business.

It is exceedingly difficult to answer a charge that is indefinite as to parties, time, and location. I am satisfied that if upon investigation the lady from Montana finds that this incident did not occur near Newport News she will make the correction. The implications necessarily to be drawn from the incident referred to is that in effect the white card was a process of licensing; that is, that there was a process whereby persons who were examined were given one card to indicate one condition and another card to indicate another condition. In effect, the possession of the white card would constitute a license, and the context implies permission to pursue a nefarious trade. I deny that there is in Newport News or in the first district of Virginia—yes, I will go further and deny that there is in the State of Virginia, in camps or elsewhere, any process of licensing. The trouble about the whole matter, gentlemen, is this, that there has been a misconception of the purpose for which the cards are issued by the Public Health Service. I hold in my hand a letter, signed by Rupert Blue, which I will ask to make a part of this record, and which shows that the cards which are issued are colored cards relating to——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLAND of Virginia. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for five minutes. Is there objection?

Mr. BYRNES of South Carolina. Can not the gentleman get along with less than five minutes?

Mr. BLAND of Virginia. I can not get through the discussion of the other matter to which I desire to refer in less than 10 minutes, and without additional time I will not take up that now, but ask to be heard at some other time. I will say this, that I sought to have my remarks come in general debate on the appropriation bill which is to follow, but I was told I could not be given the opportunity then and that this was the last opportunity.

Mr. SHERLEY. I trust the gentleman may have the time.

Mr. BYRNES of South Carolina. I withdraw my objection.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLAND of Virginia. Surg. Gen. Blue states that:

The white form was issued to restaurants, and so forth, having a sanitary grade of more than 90 per cent; the blue cards to restaurants, and so forth, grading from 75 per cent to 90 per cent; and the red cards to restaurants, and so forth, grading from 60 to 75 per cent. These restaurant permit cards were given after a sanitary inspection of the premises in question, and the grading of the place, including a close examination of the method of preparing, serving, and handling food, including the dishes, food, floors, walls, ventilation, absence of insects, and other sanitary phases.

So that when the Public Health Service issued a card it was with respect to the business of conducting a restaurant or to conduct one of those businesses that are mentioned in the letter by Surg. Gen. Blue. Now, gentlemen, the commonwealth's attorney of the city of Newport News is a veteran of the Spanish-American War, a man who tried to get into this war, a man who went to Old Point and asked to be examined for service, agreeing to waive all exemptions in order that he might fight for his country. His request was not granted. I know the man well, and he has followed these matters closely. These matters fall within the scope of his duties, and from the beginning of the war the municipal and State health authorities have cooperated fully with the Army authorities and the Public Health Service.

I know how dear to the Commonwealth's attorney and to the State and municipal authorities has been the protection of the morals of the city of Newport News and the camps in that community; and I say to you, gentlemen, that they never would have permitted a system of licensing, as is implied—innocently, I believe—in the remarks of the lady from Montana. The intendments which flow from the incident as related and the context do a grave injustice to the community which I serve, and for this reason I have felt that this explanation should be made. I ask that this letter be made a part of my remarks.

The CHAIRMAN. The gentleman from Virginia [Mr. BLAND] asks unanimous consent to extend his remarks in the RECORD by the insertion of the letter referred to. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, February 26, 1919.

Hon. S. O. BLAND:
House of Representatives,
Washington, D. C.

DEAR MR. BLAND: You no doubt noticed in the CONGRESSIONAL RECORD of February 24, on page 4163, a statement to the effect that Public Health Service officers had given cards to women in regard to their physical conditions. An incident is related, which it is thought happened at Newport News, Va., to the effect that a "man came to the office of the Public Health Service and wanted his wife's red ticket changed to a white ticket so that she might ply her trade." The implication of this statement is, that the woman in question was a prostitute and that an effort was being made to secure a certificate that she was free from disease. It can be most positively stated that no officer or employee of the Public Health Service at Newport News, Va., or at any other stations of the service, has at any time given to a woman a certificate of freedom from venereal disease. Such practice is entirely contrary to all the regulations and orders of this bureau, and the incident as reported could not possibly have happened. It is believed that this misunderstanding may have arisen through the issuing by the Public Health Service of permit cards to restaurants, soda fountains, and barber shops, which permit cards were printed on red, white, and blue forms. The white form was issued to restaurants, etc., having a sanitary grade of more than 90 per cent; the blue cards to restaurants, etc., grading from 75 per cent to 90 per cent; and the red cards to restaurants, etc., grading from 60 to 75 per cent. These restaurant permit cards were given after a sanitary inspection of the premises in question, and the grading of the place, including a close examination of the method of preparing, serving, and handling food, including the dishes, food, floors, walls, ventilation, absence of insects, and other sanitary phases. No other possible explanation of the reported incident can be made.

It is deeply regretted that a statement should appear in the CONGRESSIONAL RECORD which would lead the casual reader to believe that the Public Health Service would issue certificates of health to immoral women.

Respectfully,

RUPERT BLUE,
Surgeon General.

Mr. BLAND of Virginia. Now, I am going to take up the other matter, which is of less concern to the people of this House, and I am not going to dwell on it for any considerable length of time. I wish I had an opportunity to discuss fully the speech of the gentleman from South Dakota [Mr. DILLON]. It seems he went down on a tour of inspection and made certain reports to this House when he came back. In the course of his remarks he made certain statements, and among others he said that the control of governmental activities in Newport News and in the surrounding neighborhood was in the hands of Mr. Ferguson, a brother of Gen. Ferguson, the commanding general at the port of embarkation, and that the Fergusons controlled all governmental activities around there.

Gen. Frank K. Ferguson, to whom he referred, is not related to Mr. Homer L. Ferguson, who is president of the Newport News Shipbuilding & Dry Dock Co. Gen. Ferguson, who is in command of the port of debarkation, is a brother of Homer Ferguson. Gen. Ferguson, brother of Homer Ferguson, did not come to Newport News until November 10 of last year. He was then placed in charge of the port of debarkation. The governmental work down there was done under the supervision and direction of Gen. Grove Hutchinson, who preceded him, and while that work was going on Gen. Ferguson was in France fighting for his country. You know who Gen. H. B. Ferguson is. He is the man who went to Cuba to raise the *Maine*. You know who Homer Ferguson is. He is the president of the Newport News Shipbuilding & Dry Dock Co. And I wish that there should not appear in this RECORD any reflection against these high-toned gentlemen, one of whom is a citizen of that community, and both of whom are doing what they can for their country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLAND of Virginia. Mr. Chairman, I ask unanimous consent that my time be extended for an additional five minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that his time may be continued for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BLAND of Virginia. Comment was made to the effect that Hilton village was a phantom village. I have here, and I am not going to read it now, a letter from Mr. Homer Ferguson, president of the Newport News Shipbuilding & Dry Dock Co., which I am going to ask to be incorporated in the RECORD. It will show at the very time the gentleman from South Dakota made his inspection that there were 189 houses occupied in Hilton village by families, of which 171 were occupied by shipyard employees. It is said that the Morrison Aviation Field was abandoned because it was not suitable for aviation purposes. It was never intended for aviation purposes. If you will go to the record you will find that it is purely and simply an aviation concentration camp, where aeroplanes were to be collected and from which point they were to be shipped to the other side. The cessation of hostilities necessarily resulted in a practical abandonment of the aviation field.

It is said that the Government had built a road from Thirty-fourth Street in Newport News out for some distance. I know of my own personal knowledge that $150,000 was expended by the city of Newport News for the building of that road from Thirty-fourth Street to the city limits.

I wish there were sufficient time to answer all the charges, many of which might be as easily explained as those to which I have referred.

Mr. Chairman, I ask to have this letter made a part of my remarks.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD by printing the letter referred to. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

NEWPORT NEWS SHIPBUILDING & DRY DOCK CO.,
Newport News, Va., February 20, 1919.

Hon. S. O. BLAND, M. C.,
House of Representatives, Washington, D. C.

MY DEAR MR. BLAND: I thank you for the copy of the CONGRESSIONAL RECORD of February 5, sent me with your letter of the 7th instant.

Mr. DILLON'S statements, beginning on page 2774 of the RECORD, are, regarding matters within my knowledge, so contrary to the facts that I trust a correction may appear in the CONGRESSIONAL RECORD.

Hilton village is built, as you know, in a splendid location overlooking James River. The center of the village is a quarter of a mile from James River and the elevation above mean tide is 26 feet. When the streets and other improvements are completed the town will be dry, healthful, and a model of its kind.

The preliminary agreement with the Emergency Fleet Corporation for the construction of Hilton was signed January 9, 1918. Preliminary work was started January 24, 1918. Final contract for the building of Hilton was executed April 9, 1918, and the work of clearing the site was started on April 18, 1918. On November 10, 1918, the village was from 70 to 75 per cent completed. The number of houses occupied on that date was 134. On January 28, 1919, the date of Mr. DILLON'S visit to Newport News, there were 189 houses in Hilton occupied by families, of which 171 houses were occupied by shipyard employees and their families, the remaining 18 houses being occupied by Emergency Fleet Corporation employees and superintendents engaged in building the town. Mr. DILLON'S statement that "no shipyard workers live in Hilton" is not true.

The Army quarters, built on Thirty-fifth Street and West Avenue, are located on the land belonging to Mr. H. E. Huntington, the owner of the shipyard, under a lease prepared by the War Department's representatives and signed by Mr. Huntington and such representatives. These quarters were started last spring, were completed during the summer, and were occupied by Army officers stationed here, during August and September, and were fully occupied on November 10, 1918.

Brig. Gen. Frank K. Ferguson has never been in command of the port of embarkation, but has been in command of the Coast Artillery station at Old Point and of the artillery camp at Lee Hall, Va. His family and mine are not related. Capt. L. G. Thom is not related to any member of my family by blood or marriage.

Brig. Gen. H. B. Ferguson, my brother, was ordered here in command of the port of embarkation on his return from France, about November 1, 1918, and entered upon his duties here November 10, 1918, the day before the armistice became effective.

The dates given are important. Since the armistice no new projects have been conceived in this community, but on the contrary large governmental housing projects for shipyard workers have been abandoned.

The foregoing statements of known facts are not only known to me but are generally known to intelligent citizens throughout this community, and investigation by Mr. DILLON would have put him in possession of the facts.

Yours, very truly,

H. L. FERGUSON.

Mr. BLAND of Virginia. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. WICKERSHAM. Mr. Chairman, I ask leave to revise and extend my remarks in the RECORD on the Alaskan Railroad.

The CHAIRMAN. The gentleman from Alaska asks unanimous consent to revise and extend his remarks in the RECORD on the Alaskan Railroad. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

Hawaii National Park: For expenses incident to securing donations of patented lands and rights of way over patented lands in Hawaii National Park, $750.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I want to call the attention of the committee to an item that would have properly come under the head of the health survey, but being out of the Chamber when we passed that I am going to trespass on the time of the committee to talk out of order, if it is permitted.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed out of order for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Mr. Chairman, I have been interested in some of the facts that have been made public in regard to the spread of the epidemic known as the "flu." Figures have been given me that indicate that 400,000 people died of this epidemic and that probably 25 per cent of the population of the country was somewhat influenced in their physical health by it, making something like 25,000,000. The question was raised as to whether we have taken any steps to prevent it or anything more than simply to attempt to care for it. A letter was addressed to the Surgeon General of the Navy and specific questions were put to him referring to the possibility of this disease spreading another year.

I want to invite the committee's attention, if it pleases, to some facts that are official, facts which I believe are well worthy the attention of the Congress. The first question that was submitted to the Surgeon General was this:

1. Are we likely to have, during the coming winter, and even the winter following, a recurrence of the influenza epidemic?

The reply is as follows:

It is reasonable to expect that death rates in the United States will be unfavorably influenced by influenza for the next few years, that the disease will appear in epidemic form from time to time, and that in accordance with the history of the disease, as shown by studies extending back to 1732, another pandemic will appear in due course of time. It may be said that the causative agent of the disease is now unknown.

This is an official answer by the officer of the Government to whom we would apply for expert and accurate information, and he suggests that the influenza will be present next year. And another more remarkable fact is that its cause is now unknown. I have been told by physicians held to be of high rank that they are more or less baffled with this epidemic, scarcely knowing how to treat it.

The second question that was submitted is as follows:

2. Has the experience of medical men with the disease during the recent epidemic developed any recognized and dependable method of prevention, any recognized cure, or any reasonably positive method of treatment that might assure us that we could face a recurrence of the disease with any less disastrous results than attended the onset of the epidemic this past winter?

The answer is as follows:

No dependable method of prevention has been discovered. No specific method of treatment which is universally applicable has been discovered, but promising results have been secured in some instances by the use of serum from convalescent patients.

We were told first that the cause is now unknown. We are told now that we have not discovered a sure preventive and not a sure cure.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman permit an interruption there?

Mr. FESS. I will yield to my friend.

Mr. GRAHAM of Illinois. It might be added, however, that so far as the present medical knowledge goes, there has been a use of antipneumonia serum that is almost a sure specific for that part of the trouble that follows.

Mr. FESS. I will say to my friend that that is included in a further question.

Mr. GRAHAM of Illinois. I will be glad to hear it.

Mr. FESS. The third question is:

3. Is the nature of the disease such as to make reasonably sure that it is spread by a bacillus, now unidentified, but which full research might be expected to isolate and identify?

The answer is:

Without a doubt research in the course of time may be expected to result in isolation and identification of the causative agent.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. Mr. Chairman, may I ask for five minutes more?

The CHAIRMAN. The gentleman from Ohio asks that his time be extended for five minutes. Is there objection?

There was no objection.

Mr. FESS. The fourth question is:

4. If it was proven by such research that it was due to some now unknown organism, is it likely that with this organism identified a vaccine or serum could be developed that could in any substantial degree inoculate against the contagion?

I will say to my friend from Illinois that that question involved his question. The answer to this question is:

Certainly discovery of the causative agent would represent a very substantial advance toward the successful application of preventive measures.

The Surgeon General has not put himself upon record that such vaccine has yet been discovered. The fifth question was:

5. Would proper research work to ascertain, if possible, the cause and cure of influenza be facilitated and expedited by the appropriation by Congress of a substantial sum for this specific work?

The answer of the Surgeon General is in the affirmative, and he thinks without a doubt that research would find a remedy.

The sixth and last question was:

6. Will it be possible for the various medical agencies of the Government to coordinate and carry on such research in any really big way without some such specific appropriation and authorization?

The Surgeon General says:

Undoubtedly an additional appropriation would enable the Government medical agencies to broaden their fields of investigation.

Now, gentlemen of the committee, my interest was due to quite a number of letters that have come to me, asking whether the Government has taken any steps to discover the cause of this disease, to prevent it if possible breaking out another year, and that is why an investigation has been made to ascertain whether there really is a possibility of such research.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. FESS. I yield.

Mr. MONDELL. The gentleman is aware of the fact that there is an appropriation of $300,000 carried in this bill for the study of the diseases of man, which can be used, so far as the Public Health Service feels it should be used, for the study of influenza.

Mr. FESS. That is on page 33, for field investigations?

Mr. MONDELL. Yes; a study of the diseases of man.

Mr. FESS. Has the gentleman from Wyoming any doubt as to whether, with the law as it is, this can be extended to the study of this epidemic?

Mr. MONDELL. I have no doubt at all but that that fund has been used somewhat for that purpose. But "influenza" is not mentioned in the fund for the study of epidemics, and this committee, of course, is not justified in modifying the law in that respect. But the other appropriation is available for that work.

Mr. FESS. It would be impossible for anyone to estimate——

Mr. MONDELL. And if the gentleman will yield further, there is still a considerable sum at the command of the Public Health Service for the study and prevention of influenza which will be available to the end of the fiscal year.

Mr. FESS. I am glad to have the gentleman assure the country that this fund can be used for this investigation.

I was just about to say that there is no way for us to estimate the loss through this disease. I was thinking along this line: Suppose it would cost $10 a day to treat the patient, speaking generally, including not only the cost of the service rendered by the experts but including, all told, the loss you would have, and supposing it would amount to $10 a day incident to the illness of a citizen suffering under influenza. If you would estimate 10 days of illness at that rate and calculate the number of people ill from the disease this year, the amount of loss or cost would be something over $2,000,000,000. That is, counting the loss of service and the actual outlay, the small fund appropriated to make investigation of this frightful disorder should be gradually increased to insure a larger investigation. It would be a good investment, indeed.

The CHAIRMAN. The time of the gentleman from Ohio has expired. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Hot Springs Reservation, Ark.: The unexpended balance of the appropriation and authorization contained in the sundry civil appropriation act for the fiscal year 1919 for the construction of a new administration and Government free bathhouse building is reappropriated and made available for the fiscal year 1920. The Secretary of the Interior is authorized, in his discretion, to use such appropriation and authorization in the construction of separate buildings for administration and free bathhouse purposes and to accept sites in the city of Hot Springs which may be donated for said buildings.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. Can the gentleman from South Carolina give some information about these sites and about how extensive a plant it is proposed to erect?

Mr. BYRNES of South Carolina. If no site is donated, there will be no building done. On the opposite side of the street from the Government reservation there is a block of rather unsightly buildings, which the city of Hot Springs has promised to present as a gift, upon which site they intend to construct the free bathhouse. If the site is not presented to them, they will not build on it. If it is, they propose to build there, because it will be a much better site and will enable them to continue to use the present administration building, which, under the bill of last year, would have to be combined in one institution.

Mr. WALSH. At a cost of $190,000?

Mr. BYRNES of South Carolina. Yes; $140,000 from the Treasury and $50,000 from the revenues.

Mr. WALSH. Has the city of Hot Springs donated any site?

Mr. BYRNES of South Carolina. It has not yet, but it is to do so. If it does not, of course, this money can not be used to build.

Mr. WALSH. Do the authorities know that the city will donate the site, and has it been selected?

Mr. BYRNES of South Carolina. Yes. It is right opposite the reservation, where there are now some unsightly buildings.

Mr. WALSH. I withdraw the reservation of the point of order.

The Clerk read as follows:

Mount Rainier National Park, Wash.: For protection and improvement, construction of roads, bridges, fences, and trails, and improvement of roads, including not exceeding $500 for the maintenance, operation, and repair of a motor-driven passenger-carrying vehicle for use of the superintendent and park employees in connection with general park work, $32,500.

Mr. HAYDEN. Mr. Chairman, I move to strike out the last word. I had intended at this point in the bill to offer an amendment making an appropriation for the administration, protection, maintenance, and improvement of the Grand Canyon National Park, which was recently created by an act of Congress. Unfortunately the House has not as yet been officially advised that the President has signed that act. Of course, the amendment is subject to a point of order in the absence of actually existing law, and there will be none until the President signs the act. I desire to inquire of the chairman of the committee whether, in the event that an amendment is adopted by the Senate providing for the proper care of this new national park, it will receive the usual careful consideration that he gives to matters of that kind? In other words, I want to know whether the maintenance of the Grand Canyon National Park is going to be provided for during the next fiscal year? At the present time the national monument at the Grand Canyon is under the care of the Forest Service, but as soon as the new act goes into effect jurisdiction will be transferred to the Department of the Interior. An appropriation is therefore necessary to provide funds in accordance with the changed conditions.

Mr. BYRNES of South Carolina. I can give the gentleman the assurance which he first asked for, that if the amendment is passed by the Senate it will receive the usual careful consideration that all such things do receive from the gentleman from South Carolina.

The CHAIRMAN. The pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Sieur de Monts National Monument, Maine: For protection and improvement, including not exceeding $600 for maintenance, operation, and repair of a motor-driven passenger-carrying vehicle for use in administration of the monument, $10,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 108, line 18, strike out the words "Sieur de Monts National Monument" and insert in lieu thereof the words "Lafayette National Park."

Mr. BYRNES of South Carolina. The bill changing the name of this park has passed both Houses. That is the explanation for offering this amendment.

Mr. MANN. Mr. Chairman, when this bill passed the other day I called attention to the fact that there is another Lafayette Park, which has been made somewhat conspicuous, at least in recent days, by certain documentary burnings and other acts of vandalism. Some gentlemen insisted that there was no Lafayette Park in Washington; that it was Jackson Park. I do not know what the statute may say, irrespective of the appropriation act, as to the name of the park in front of the White House, but this bill carries an item—

For ordinary care of Lafayette Park, $2,000.

And the sundry civil appropriation act has carried such an item for many years. Hereafter when Lafayette Park is referred to no one will know which one is meant unless the ladies transfer their attentions to the park up in Maine. I wish they might be misled by the name "Lafayette Park," and go up to Maine to burn the President's messages, so that they would attract less notice than they do here in the District of Columbia.

The Post Office Department dislikes very much to give the same name to two post offices in different States, although that is frequently done. We have somewhat the same feeling about names. When Washington was laid out it was called the city of Washington. When the State on the Pacific coast was admitted it was called the State of Washington; and in order to avoid confusion in these names, so that people might not be misled when Washington is referred to as the name of a locality, the distinguished Committee on Appropriations have stricken out the name of Washington in this bill wherever it has occurred in the law heretofore. In the sundry civil act passed last year, now the current law, there are many references to Washington, meaning the city of Washington. The Committee on Appropriations, in order that no one should be misled and think it referred to the State of Washington, have in every place stricken out the word "Washington" in this bill. Having done that, they propose to try to confuse the American public by having two Lafayette Parks.

Mr. MONDELL. Did the gentleman from Illinois vote for the Lafayette National Park in Maine?

Mr. MANN. I did not. I did not vote against it. It went through by unanimous consent.

Mr. MONDELL. Then the gentleman voted for it.

Mr. MANN. Well, theoretically, possibly. I voted against the proposition for the change of name.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

Mr. BYRNES of South Carolina. I have another amendment which I desire to offer.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 108, line 18, after the word "for," insert the words "administration, maintenance."

The amendment was agreed to.

Mr. BYRNES of South Carolina. Mr. Chairman, by reason of the change of name of the Sieur de Monts National Monument to Lafayette Park, I ask unanimous consent that that paragraph be transferred so as to follow line 14 on page 107, so that these parks will continue to be in alphabetical order.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the paragraph be transferred so as to come after line 14 on page 107. Is there objection?

There was no objection.

The Clerk read as follows:

Yellowstone National Park, Wyo.: For administration, protection, maintenance, and improvement, including not to exceed $7,500 for maintenance of the road in the forest reserve leading out of the park from the east boundary, not to exceed $7,500 for maintenance of the road in the forest reserve leading out of the park from the south boundary, not to exceed $15,000 for a bridge over the Buffalo Fork of the Snake River on the Lander approach, not to exceed $7,000 for the purchase, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles, and including feed for buffalo and other animals and salaries of buffalo keepers, $255,500, to be expended by and under the direction of the Secretary of the Interior: *Provided*, That not exceeding $2,000 may be expended for the removal of snow from any of the roads for the purpose of opening them in advance of the tourist season.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Wyoming [Mr. MONDELL] whether the practice is to use horses in the park or have they been superseded by automobiles?

Mr. MONDELL. All the main roads have been opened for automobiles, although they are also used for horse-drawn vehicles. The transportation furnished by the transportation company has all been motorized. A company was formed by combining the various transportation interests in the park, and they put motor vehicles on instead of horse-drawn vehicles. So that the only horse-drawn vehicles in the park are the private vehicles that go through the park.

Mr. FESS. How much of an expense to the Government does the touring enterprise embrace?

Mr. MONDELL. This bill appropriates $255,000. As I recall it, it is about $75,000 less than the current law, but the cost of the maintenance of the park runs about $250,000 a year. The receipts amount to something like $75,000 per year.

Mr. FESS. The touring business is not self-supporting.

Mr. MONDELL. We did not begin to secure receipts in any considerable amount from the national parks until about three years ago. We are gradually building up quite a fund in the way of receipts from all the larger national parks.

Mr. FESS. Who owns the big hotels?

Mr. MONDELL. They belong to a hotel company.

Mr. FESS. Are they any expense to the Government?

Mr. MONDELL. No; the Government receives some revenue from them.

Mr. FESS. A national park can never become self-supporting.

Mr. MONDELL. The revenues of Yellowstone Park are, as I have said, about $75,000.

Mr. FESS. And the cost to the Government is how much?

Mr. MONDELL. The sum carried in this bill.

Mr. FESS. I am not complaining, because I believe in national parks.

Mr. MONDELL. We can not have a self-supporting park; they will always be an expense. This is the greatest of the national parks; no other park compares with it except perhaps

the Yosemite, which is also a great park but of a different character.

Mr. FESS. What is this $7,600 for motor vehicles?

Mr. MONDELL. That is partly for the use of the superintendent for the administration.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment. I would like to inquire whether the $7,600 referred to is exclusively for the purchase and operation of a motor-propelled vehicle or is the amount also for the pay of feed, and salaries, and so forth, referred to in the following clause. I am referring to lines 9 and 11 of page 109. The amount for the motor-propelled vehicle is quite beyond the amount carried in other paragraphs for a similar purpose.

Mr. MONDELL. That includes the other items of expenditure following further down.

Mr. STAFFORD. It is somewhat ambiguous, and I thought it must include the expenditures for the other items because the amount is so large.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Yosemite National Park, Cal.: For protection and improvement; construction and repair of bridges, fences, and trails, and improvement of roads other than toll roads; including not exceeding $2,300 for purchase, maintenance, operation, and repair of horse-drawn and motor-driven passenger-carrying vehicles for use of the superintendent and employees in connection with general park work; not exceeding $55,000 for grading in width not exceeding 20 feet El Portal-Yosemite Road, $200,000.

Mr. GALLAGHER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 109, line 25, insert the following:
"*Provided further*, That no owner or operator of a motor-propelled passenger-carrying vehicle in any national park shall charge a price in excess of $2.50 per hour for a five-passenger vehicle or $3.50 an hour for a seven-passenger carrying vehicle, including driver.

Mr. BYRNES of South Carolina. Mr. Chairman, I reserve a point of order on that.

Mr. GALLAGHER. Mr. Chairman, I prepared the amendment because in most of these public parks and reservations the automobile privilege is let out to some particular individual, who has an exclusive monopoly of the right to the park or reservation for the operation of automobiles. You go into some of the parks, and they will charge any price they feel like asking or they think they can get a tourist to pay. In many places tourists are robbed; they charge $4 and $5 an hour for a five-passenger car. It is not fair. Anybody with a grain of sense knows that is an outrage.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. Yes.

Mr. STAFFORD. That is what the charge is in the city of Washington.

Mr. GALLAGHER. Oh, here in the city of Washington you can hire a five-passenger car for a dollar and a half an hour, and it is so advertised in the daily papers.

Mr. LAGUARDIA. Will the gentleman please give me the address?

Mr. GALLAGHER. You can get a Ford car in the District of Columbia—[Laughter]—oh, well, that is a five-passenger car.

Mr. STAFFORD. But the gentleman would not want to take any of his guests out in a Ford car.

Mr. GALLAGHER. That is a five-passenger car, and you can get any other kind of a five-passenger car in the city of Washington for $2.50 an hour, and they are advertised as such in the daily papers for that price. If they can run cars for $2.50 an hour in the District of Columbia, then, with the privileges they have in the national parks and reservations, they can as well do it for that price there. They charge upwards of four and five dollars an hour for those five-passenger cars in the parks. That is what I am protesting against. I think, as a measure of public safety, we ought to protect the visitors to the parks and fix the price that these monopolies can charge the visitor. That is my idea. What is the ground of the gentleman's point of order?

Mr. BYRNES of South Carolina. I make the point of order upon the ground that it is legislation.

Mr. GALLAGHER. It is a limitation. It limits the charges that these people make to visitors for automobiles.

The CHAIRMAN. Does the gentleman from South Carolina make the point of order?

Mr. BYRNES of South Carolina. I do.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from South Carolina that it would look better if he would move to strike out the semicolon at the end of this paragraph and insert a period.

Mr. BYRNES of South Carolina. Mr. Chairman, that is correct. On line 25 I ask unanimous consent to strike out the semicolon and insert a period.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

The Clerk read as follows:

Authority is granted to appoint a deputy disbursing agent who shall give a bond satisfactory to the Secretary of the Interior and who shall have the same power as the disbursing agent during his absence.

Mr. WALSH. Mr. Chairman, I reserve the point of order on this to inquire by whom this deputy is to be appointed.

Mr. BYRNES of South Carolina. By the head of the institution. The situation there is that if the disbursing officer goes away on leave on account of sickness or for any other purpose there is no person in his place under bond to assume his duties.

Mr. WALSH. They have gotten along quite a while without one.

Mr. BYRNES of South Carolina. And they could do it now. They say that it is an unwise thing to have an employee there to be placed in charge of a considerable amount of funds who is not under bond. I can see no objection to doing it.

Mr. WALSH. And it is intended that the superintendent of the institution shall make the appointment?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. Is the disbursing officer appointed by him?

Mr. BYRNES of South Carolina. My recollection is that he is simply going to designate some employee there to act in this capacity.

Mr. WALSH. Is the disbursing officer appointed by the superintendent or by the Secretary of the Interior?

Mr. BYRNES of South Carolina. By the superintendent of the institution.

Mr. WALSH. Mr. Chairman, I withdraw the point of order.

Mr. MANN. Mr. Chairman, I move to strike out the last word. In the preceding paragraph we provided not exceeding $1,000 for use in the purchase of books, periodicals, and papers, as may be required for the purposes of the hospital, for the medical library. A lady of very high standing, who has visited St. Elizabeths a number of times lately, told me the other day that there was nothing out there for patients to read, no games for them to play, no opportunity for exercise, except that they might walk out in good weather. A good many years ago I went out to St. Elizabeths on a number of occasions to visit patients whom I knew there, but my recollection about the hospital is not very good. I wonder if it is correct that with all of these patients out there they have no attractive way of helping them pass the time away. I was an inmate of a hospital myself last winter, and had the opportunity of buying magazines and of having books sent to me from the Congressional Library, and a good many other books were sent to me to read also. I know of nothing which would be more likely to make one insane or keep one insane than to lock one up somewhere with nothing to do. I had supposed that St. Elizabeths was a modern hospital for the insane and that it had all of the modern things to be found at such a hospital; that there were many forms of amusement to help the patients pass the time away, instead of having the fairly well ones confined in a room with the more seriously ill patients, all of them wondering how they could get through the day. I do not know whether anybody here knows anything about it, but if they do, I wish they would tell me.

Mr. GRAHAM of Illinois. Mr. Chairman, the other day I learned by accident almost that a young man from an Illinois district, who had been a soldier in France, was incarcerated in the St. Elizabeths Hospital. He had been a soldier and had fought at Chateau-Thierry, and had what is commonly called shell shock. On being brought back to this country he was sent to St. Elizabeths. On investigation it was ascertained that this young man was in possession of his faculties, like the rest of us here, but was suffering from that peculiar ailment, commonly known and wrongly termed shell shock. He is out there to-day mingled with a lot of men who are insane, kept in a ward where there are other inmates absolutely devoid of reason, without anything provided with which to get his mind off his peculiar affliction, and I am told there are others there who are in like condition.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. LAGUARDIA. Has the gentleman personally investigated the chart of this young man and seen the result of the diagnosis?

Mr. GRAHAM of Illinois. No; I have not.

Mr. LAGUARDIA. Then, I will inform the gentleman that his young man friend is not suffering from shell shock. There are no shell-shock patients at St. Elizabeths.

Mr. GRAHAM of Illinois. I do not know. I am told by those who went out there and who investigated, and by one of my colleagues from Illinois who went out there, as I understand it, personally, that that is what they claim is the matter with this man. I hope the gentleman from New York is right. If it is true that there are any shell-shock patients out there, they ought to be immediately removed, for it is manifestly unjust to keep them there. I hope there are none there. A man suffering from shell shock is not insane; he is simply suffering from nervous exhaustion, a kind of ailment from which, I was told in France, at base hospital 117, 60 per cent returned to duty fully cured, 20 per cent returned to a modified kind of service, and that only 20 per cent of the men afflicted are permanently disabled, and only a very small percentage of them become insane. A man suffering in that way ought to have special treatment, physical as well as mental.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. LAGUARDIA. Has the gentleman investigated in order to ascertain? That is precisely what the Surgeon General's office is doing, separating shell-shock cases and giving them special treatment and they are not sending them to the asylum.

Mr. GRAHAM of Illinois. I may say to the gentleman from New York I have made such investigation as I can without going there——

Mr. LAGUARDIA. I have.

Mr. GRAHAM of Illinois. Perhaps the gentleman has, but he may not know all that is out there. I am told by those who have investigated this that this man is a shell-shock patient. I simply want to take this occasion to suggest I hope it is not true and I hope that no patients suffering from that ailment are sent to St. Elizabeths or any other hospital for the insane. That is not the way to treat them, and I will be very glad indeed to verify what the gentleman from New York says, on further investigation.

Mr. MONDELL. Mr. Chairman, the Committee on Appropriations having heard these more or less nebulous stories about soldiers suffering from shell shock having been sent to and incarcerated in St. Elizabeths took pains to examine Dr. White very thoroughly and very carefully on that point. Dr. White assured us that there was not at St. Elizabeths and had not been anyone suffering from shell shock so called with one possible exception. There was one man with regard to whose case there might have been some doubt. He was at St. Elizabeths for a very few days. Dr. White said in his opinion he might very properly have remained there and been benefited; did not believe he could get better treatment anywhere, but he was there for a very short time. With that exception he said that there had not been a so-called shell-shock case there; that they were very careful not to receive such cases, and would be none if they could so diagnose cases as to differentiate between what is known as shell shock and real mental disorder.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last three words. There are at St. Elizabeths Hospital in this city 300 young men who had been sent to the camps as limited service men who are now acting as orderlies and nurses for the insane patients. These men who were in the Infantry and other branches of the service—instead of being discharged—have suddenly been brought to St. Elizabeths Hospital for the purpose of performing orderly and nurse duty. They are protesting most emphatically against that kind of a new position which has been found for them. Furthermore, they are compelled to work one day from 6 o'clock in the morning to 8 o'clock at night and the following day from 6 o'clock in the morning until 5 or 6 o'clock in the evening. Most of the men have never worked such hours before, and they can not understand how it is that having been called out under the selective-draft law they have suddenly without previous experience been turned into nurses and orderlies.

Now, Mr. Chairman, there is no authority under the law to use those men for that purpose. In the first place St. Elizabeths Hospital is run by the Department of the Interior, and no one ever gave permission to that department nor was it ever given to the War Department to have men who were drafted taken from the camps and put into the positions of being orderlies and nurses in an insane asylum. That is the work of civilians.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. LAGUARDIA. I have an amendment which covers that. Will the gentleman support it?

Mr. SIEGEL. I will support any amendment taking these 300 drafted men out of St. Elizabeths and providing civilians or others to do that kind of work. [Applause.]

Mr. MONDELL. Will the gentleman yield?

Mr. SIEGEL. I will.

Mr. MONDELL. This appropriation provides for the employment of civilians in place of those enlisted men.

Mr. SIEGEL. You do not provide any time in which these 300 men shall be taken out. These men are compelled to eat their meals inside the wards with insane people and they are not permitted to leave those wards, some having to work 14 hours a day. They are protesting and their families are protesting that in spite of circular 77 and all the other circulars issued by the War Department applications for discharges made by them are not being honored. There has not been a single discharge from St. Elizabeths Hospital of any of these men brought from the various camps according to what I believe is reliable information. They have certain rights which must be respected and particularly when there is no authority for keeping them there. As one man remarked to me the other night, "that they were going to go insane themselves if kept there much longer."

Mr. MONDELL. Is it any fault of St. Elizabeths that Congress not having given them money enough to employ nurses and guards and aids when necessary should have enlisted men in order to take care of the soldiers that go there for treatment?

Mr. SIEGEL. I do not blame the superintendent of St. Elizabeths, but I do blame the man or men that issued the order sending those men there, particularly when there is no legal authority to take men from the camps and send them in to act as orderlies and nurses in an insane asylum.

Mr. MONDELL. Then the gentleman should criticize those who sent them there.

Mr. SIEGEL. I am. I am criticizing the man or men who issued such an order sending them there. I have uttered no word against the superintendent. And I repeat it, that there is no legal authority to keep any of these men to act as orderlies and nurses inside of the hospital. Men throughout the country are demanding eight hours' work, and Congress has gone on record for an eight-hour day, and there is no reason now why Congress should stand idly by and permit these men to work 14 hours a day simply because, under the selective-draft law, they were drafted to do other kinds of work. [Applause.]

Mr. MANN. Mr. Chairman, we are making such rapid progress on this bill that I think we might take three or four minutes more.

The trouble with all the hospitals is, and it is the trouble with human nature, that people in charge of hospitals, their superintendents down to nurses, including the doctors and internes, are so used to having complaints of various sorts from their patients or their friends that they become absolutely calloused to them.

A lady, the wife of a Member of this House, visited a hospital. It might have been St. Elizabeths, but it happened it was the Walter Reed Hospital. And going in she was told by whomever conducted her around, a nurse or assistant superintendent, or whoever it was, "Now, when you meet these soldiers and patients and they tell you any complaint, just say, 'Oh, yes; oh, yes; oh, yes.' Let it go at that. Because they necessarily have these complaints. It does not do any good to encourage them to talk to them very much about the complaints. You just be smiling and sweet to them and say, 'Oh, yes; oh, yes; oh, yes.'"

This lady came to a patient and asked him how he was getting along, and he had no complaint. He said that they kept telling him he ought to be very cleanly and keep clean, and he said, "I have had the same suit of underclothing on for three months. I have one arm off. I can not wash my clothes and the hospital will not wash them. The Government has not paid me any money. I can not buy a new suit of underclothing. and, on the whole," he said, "while I do not want to complain, it is rather difficult for me to keep real clean while wearing the same set of underclothing for three months, with no encouragement." And the nurse said to the lady, "You just say to the patient 'Oh, yes; yes; yes. It is all right.'" [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I ask that the debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. LAGUARDIA. I have a bona fide amendment.

Mr. BYRNES of South Carolina. Then it is the first bona fide amendment that has been offered.

Mr. KING. I would like to have two or three minutes, inasmuch as we are moving so rapidly here.

Mr. BYRNES of South Carolina. We have got to get through with this bill. I have not objected to extending the time to any-

body else. The responsibility is on the House to get these bills through, and I ask the gentlemen to desist at this point. If the gentleman from New York has a proper amendment I have no objection to it at all.

Mr. Chairman, I ask unanimous consent that debate on this paragraph and amendments thereto close in 10 minutes.

The CHAIRMAN. Unanimous consent is asked that all debate on this paragraph and amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Chairman, the gentleman from New York does not desire to offer his amendment at this point.

Mr. BYRNES of South Carolina. I ask that the Clerk read, then.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] is recognized.

Mr. BYRNES of South Carolina. I withdraw the request.

Mr. FOSTER. You have 10 minutes.

Mr. KING. Mr. Chairman, I make the point of no quorum.

Mr. FOSTER. Do not do that. I am only going to use two or three minutes.

The CHAIRMAN. The gentleman from Illinois makes the point that there is no quorum present.

Mr. KING. Mr. Chairman, I withdraw the point.

Mr. FOSTER. Mr. Chairman, I want to use only a minute or two.

I have visited St. Elizabeths Insane Asylum, not right lately, but several times I have gone over it and have been in every ward in that hospital; and, as my colleague said a while ago, there is no place out there for proper exercise in some of these wards. There are a good many of those buildings that are very old, having been constructed years and years ago. They are not modern buildings. They are not what we would build now for a modern hospital for the insane. There are some buildings which were erected several years ago, while the gentleman from Illinois [Mr. CANNON] was chairman of the Committee on Appropriations. But there has been a good deal of complaint from time to time about St. Elizabeths Hospital. Some of it may have been justified, but a good deal of it has been unfounded in the past. I remember one time it was claimed that the Civil War soldiers were put in what was called the "bull pen." This "bull pen," as it was called, was a shaded place where these soldiers might go out and exercise and sit around in the shade and do as they liked—a very comfortable and a very convenient place for them.

Now, I was told by a relative of a soldier a day or two ago that, as narrated by Members here, soldiers were compelled to go over there and nurse these patients; men who were selected, drafted, if you please, to go into the Army during the war were placed over in St. Elizabeths and compelled to take care of those helpless patients—not the soldier patients, but those outside of the soldier patients, civilians; compelled to take care of those who were helpless and who had to be handled as babies are handled.

I submit that if that condition is true it is an outrage upon the soldiers of this country, and it ought to be stopped. Congress ought to pass such an amendment that will stop it. If the gentleman from New York [Mr. LAGUARDIA] has one that will put an end to that sort of abuse and get these boys out of there, I will heartily support it.

The Government is able to hire civilians, and it should take care of these patients and let those boys go home if they have no further use for them than that.

The boys did not enlist for that purpose—to take care of civilian patients in an insane asylum. They enlisted to serve their country on the battle field, and when the country does not need them for its military purposes they have the right to go home. The Government should discharge them and permit them to go back to civil life. They did their duty as soldiers. Now, they should be allowed to go back home and not be detained in these asylums, or whatever those places may be called, to perform such service as has been described.

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. RANDALL. I want to say that I recently visited St. Elizabeths Hospital, and the assistant superintendent acknowledged that he had 250 soldiers and 35 or 40 sailors there acting as nurses.

Mr. FOSTER. They ought to be turned loose. Congress ought to see they are turned loose. [Applause.]

Mr. KING. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. KING. Hamlet said, "Something is rotten in the State of Denmark." And I want to say that there is something rotten in Walter Reed Hospital. I have heard many stories similar to that repeated here by the gentleman from Illinois [Mr. MANN] a few moments ago. I know a man from my district who was operated on in that hospital against his will for appendicitis. After his operation he was allowed to lie without any nurse or without any care overnight, and he grew delirious, and in his delirium he rose up in his bed and tore open his wound.

Was anything done after that? Nothing but to shove him into the ether ward, and a friend of mine went into the ether ward and saw 25 or 30 men dying there. There was nothing to be done for them. They were dying. It was necessary for this patient to stay there and breathe the ether until he passed away.

Only the other day a soldier who was confined in there against his will wanted to visit his folks without a furlough, and when he came back he was fined $50 and put into the "brig." The "brig" is another place down there that they have into which they put men when they wish to punish them. They put them all in there together, black and white, some of them suffering from venereal diseases, and they are all compelled to wash in the same bathtub.

These things are facts. Nobody is lying about that. Ask anybody who has visited the hospital in the last six months and you will find that they will relate to you conditions there that will justify the operators of that hospital being put in charge of the infernal regions when they go to their reward. [Applause.]

Mr. HUMPHREYS. What does the gentleman refer to when he speaks of the "ether room"?

Mr. KING. They have a room there where desperate cases are shoved to die, and this man that I referred to died in there.

Mr. HUMPHREYS. Was the ether intended to kill them?

Mr. KING. They were all dying in there, and this man died along with the rest of them.

Mr. HUMPHREYS. What is the purpose of putting them there?

Mr. KING. I could not say what it was, unless it was to make their final passage out a little more pleasant.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. KING. Yes.

Mr. BANKHEAD. Will the gentleman give the name of the man he refers to?

Mr. KING. I was out there myself, and my wife was with me.

Mr. BANKHEAD. Give me the name of the man that the gentleman referred to as having witnessed that scene.

Mr. KING. I will not give the names of witnesses, but that man, Sam Combiner, was killed in that hospital.

Mr. BANKHEAD. I am thoroughly in sympathy with the gentleman, but——

Mr. KING. The gentleman is not apparently in sympathy with me, when he is making light of these horrors.

Mr. BANKHEAD. I am not making light of them. That is the reason why I asked the gentleman to give the name of the witness.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. CALDWELL. I want to say, Mr. Chairman and gentlemen, that my experience with the medical division of the Army has been one that has led me to believe that something ought to be done to correct them.

When the war started out we had a great many men who were connected with the Army in the relation of contract surgeons, and under the law as it was passed men who wanted to could apply and get into the Army, either in the reserve corps or as Regular Army officers in the Medical Department, and these men, being what are known as "sooners," were early on the job, and they rose to high rank in the Army, and because of their personal acquaintance with the General Staff officers and with the men who had the appointing power, and because of their antipathy and dislike to the great surgeons and their dislike of the great doctors of our country, who had made a success in their private practice where these contract surgeons could not make a success, they have done all they could to discourage and to discredit men of integrity in the land upon whom we depend in our private life for the protection of our health and our lives and the health and lives of our families. It is a scandal and an outrage that this condition has grown up as it has.

Practices have come to my own personal knowledge that were so terribly outrageous that I felt it was my duty to go and protest; but never yet have I found a single instance in which one of these contract surgeons who had risen to high rank in the Army ever saw fit to correct any of the abuses that he had permitted to grow up for the purpose of favoring his own people.

Why, immediately after war was declared, on a telegraphic request from one of the young men in my district, I went to Allentown, and in the hearings before the Military Committee there is a statement of the things that were done there against a man in an endeavor to prevent him from obtaining what he has earned by his own service. I found him there under charges before a court-martial, a clearly and palpably framed-up case, and I defended him.

The CHAIRMAN. The time of the gentleman has expired. All time on this has expired.

Mr. CALDWELL. I have not spoken on this bill before. I would like to have five minutes.

Mr. BYRNES of South Carolina. The gentleman is about the only Member here who has not spoken. I will ask him to take five minutes on another paragraph.

The Clerk read as follows:

For general repairs and improvements, $60,000.

Mr. LAGUARDIA. Mr. Chairman, I have an amendment which I request the Clerk to read.

The CHAIRMAN (Mr. SUMNERS). The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 111, line 6, after the figures "$60,000," strike out the period and add the following:

"*Provided*, That no part of the appropriation herein shall be used as long as soldiers who were drafted or who enlisted for the duration of the war are assigned to this hospital and employed as attendants, orderlies, or assistants."

Mr. BYRNES of South Carolina. Mr. Chairman, that amendment is perfectly acceptable to the committee, and in order to save time I will accept it.

Mr. LAGUARDIA. Then I have nothing further to say.

Mr. SISSON. I wish to offer a substitute for this amendment, because as it reads the gentleman's amendment would seem to be limited to the general repair and improvement fund. I offer the following as a substitute.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SISSON as a substitute for the amendment offered by Mr. LAGUARDIA: After line 6, on page 11, insert:

"No part of the appropriations contained herein for St. Elizabeths Hospital shall be used so long as soldiers or sailors are detailed as orderlies, guards, or in any other capacity."

Mr. LAGUARDIA. I accept the gentleman's substitute.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi as a substitute for the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

The substitute was agreed to.

The CHAIRMAN. The question is on the amendment as amended.

Mr. HUMPHREYS. Mr. Chairman, the amendment does not mention the marines. Are the marines used for this purpose?

Mr. BYRNES of South Carolina. No; they are not. As a matter of fact, here is what happened: Many insane soldiers were sent to St. Elizabeths. They did not have a sufficient number of civilian employees to take care of them. They could not get civilian employees. They did everything on earth to secure them, but the civilian employees left them. In that emergency the War Department came to their aid and detailed some men to act as guards. They have been doing everything in their power to procure civilians. They have no idea of retaining the soldiers there for that duty. The money has been appropriated in this bill so that after the 1st of July they will have the money to employ civilians. They are just as anxious to get rid of this condition as are the gentleman from New York and the gentleman from Mississippi. Therefore I gladly accept the amendment.

Mr. FESS. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. FESS. We ought to strike out the period and insert a colon.

Mr. BYRNES of South Carolina. No; this begins a new sentence.

Mr. MONDELL. The committee has no objection to the amendment, because the soldiers ought not to be kept there, and the committee provides in this bill a sufficient appropriation so that it will not be necessary to retain the soldiers.

Mr. BYRNES of South Carolina. The bill is not effective until the 1st of July, and we have given them money for the employment of a sufficient force of civilians to take care of these patients so that the soldiers may be relieved.

The CHAIRMAN. The question is on the amendment of the gentleman from New York as amended by the substitute offered by the gentleman from Mississippi.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For general repairs and improvements, $60,000.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word. Will the gentleman inform me what connection, if any, the Government of the United States has with the Columbia Hospital for Women out on Pennsylvania Avenue?

Mr. BYRNES of South Carolina. It was constructed by authority of Congress with the money of the Government.

Mr. DUPRÉ. Has Congress any supervision over the institution?

Mr. BYRNES of South Carolina. It has a board of managers. I think the gentleman from Illinois, Dr. FOSTER, is one.

Mr. DUPRÉ. I am not offering any criticism, but I was after some information that I was requested to get.

Mr. FOSTER. The Surgeon General of the Army and the Surgeon General of the Navy are members of the board.

Mr. DUPRÉ. Is there any governmental aid given to the institution?

Mr. FOSTER. Yes.

Mr. DUPRÉ. In what bill?

Mr. BYRNES of South Carolina. In this bill.

Mr. DUPRÉ. Where?

Mr. BYRNES of South Carolina. On page 36.

Mr. DUPRÉ. I thank the gentleman.

The Clerk read as follows:

McNeil Island, Washington, Penitentiary: For the construction complete of the following buildings: New dining room, kitchen, and bakery, $60,000; new hospital, $20,000; residence for the warden and residence for the deputy warden, $10,000; cottages for guards and employees, $12,000; in all, $102,000 to be available immediately and to remain available until expended, and to be expended so as to give the maximum amount of employment to the inmates of said penitentiary.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. What are the new buildings to be constructed in addition to the new cell wings and the isolation buildings?

Mr. BYRNES of South Carolina. This is on an island which is occupied by a penitentiary. There never has been sufficient accommodations for the number of prisoners. The prisoners from the Pacific coast are sent there. In the absence of accommodations at the McNeil Penitentiary they are sent to county jails and State penitentiaries.

Mr. WALSH. But this is for the employees, the people running it.

Mr. BYRNES of South Carolina. It is for the reason that this penitentiary is located on an island. These men who have families have to live inside the walls of the penitentiary. When they can not secure accommodations for their families they are forced to be separated from their families, and it is difficult to get men to stay on the island. As a result the service has been very inefficient.

Mr. WALSH. In order to get them to live on the island they have to have separate quarters?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. Do the Government institutions have separate cottages for the employees and the guards?

Mr. BYRNES of South Carolina. I do not know of any one that is situated as this is on an island. But my information is that they do. In this case, it being on an island, they have no place where they can live except within the walls of the penitentiary. If a man has a family it requires that he should be permanently separated from his family or else that he bring his family and live on the island inside the walls of the penitentiary.

Mr. WALSH. How far is the island from the mainland?

Mr. HOWARD. About 8 miles.

Mr. WALSH. How many inmates are there?

Mr. BYRNES of South Carolina. The population is increasing now. There are 225, and the population is to be increased, I understand, to about 600 as soon as the wing that they are adding to it is built.

Mr. WALSH. Where are they to come from?

Mr. BYRNES of South Carolina. That is a very difficult question to answer. They are scattered around in the State and county jails, and they are going to be moved into this penitentiary that is owned by the United States Government.

Mr. WALSH. We appropriated last year $107,000 for construction work there.

Mr. BYRNES of South Carolina. And new cells were constructed. We have to take care of the increased population, that is estimated now will be 600.

Mr. WALSH. The total number of inmates will be 600?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. When they transfer these now being held in the State institutions. Does the Government have to pay anything for their being kept in State institutions?

Mr. BYRNES of South Carolina. They pay a great deal more than the cost of maintaining them in our own institutions, and that is the reason why it is desirable to enlarge this and other penitentiaries.

Mr. WALSH. What else is there on that island?

Mr. BYRNES of South Carolina. Nothing.

Mr. WALSH. I did not know that we had an island anywhere that produced nothing but convicts. I am inquiring now as to the reasons for this additional appropriation for accommodations for the warden, deputy warden, guards, and employees, for whom some $40,000 of the appropriation is to be expended. I assume that now the guards and employees are being accommodated in the wing of the main building.

Mr. BYRNES of South Carolina. All of the guards that we now have are accommodated, but when the population is increased to 600, necessarily they will have to have an increased number of guards.

Mr. WALSH. I withdraw the point of order, in view of the contemplated increase in the undesirable citizens upon that unhappy island.

The Clerk read as follows:

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.

Conduct of customs cases: Assistant Attorney General, $8,000; assistant attorney, $3,000; special attorneys and counselors at law in the conduct of customs cases, to be employed and their compensation fixed by the Attorney General, as authorized by section 28 of the act of August 5, 1909; necessary clerical assistance and other employees at the seat of government and elsewhere, to be employed and their compensation fixed by the Attorney General; supplies, printing, traveling, and other miscellaneous and incidental expenses, to be expended under the direction of the Attorney General; in all, $65,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 114, line 1, after the word "by" insert "subsection 30 of."

Mr. BYRNES of South Carolina. Mr. Chairman, the purpose of that is to make the reference clearer, as there are 30 subsections of section 28.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Suits to set aside conveyances of allotted lands for removal of restrictions, allotted lands, Five Civilized Tribes: For necessary expenses incident to any suits brought at the request of the Secretary of the Interior in the eastern judicial district of Oklahoma, to be expended under the direction of the Attorney General, $10,000.

Mr. CARTER of Oklahoma. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. CARTER of Oklahoma: Page 117, line 2, after the figures "$10,000" strike out the period and insert a semicolon and add the following: "*Provided*, That said suits shall be advanced upon the docket and their trial expedited."

Mr. CARTER of Oklahoma. Mr. Chairman, these suits were brought in 1908. There were 30,000 suits brought to set aside conveyances that were made by different members of the Five Civilized Tribes. There has been an immense amount of money appropriated for the completion of those suits. For several years we appropriated $50,000 per annum, and the appropriation now has come down to $10,000. Some of those suits, a few of them, are still hanging fire and could be disposed of if they were advanced on the docket, but if they are not advanced they will be mulled over and continued on until another year, and then we will have to make another appropriation for them. I think if we can get them advanced on the docket, in accordance with this amendment, we ought to be able to dispose of them this year.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. WALSH. What is the difficulty with the language carried in the proviso of last year, that the Department of Justice is expected to expedite the final determination of the suits?

Mr. CARTER of Oklahoma. The gentleman knows that that is a direction without a real kick in it.

Mr. WALSH. There is not very much kick in the gentleman's amendment.

Mr. CARTER of Oklahoma. This provides for the advancement on the docket, and the other does not.

Mr. WALSH. Can they expedite the final determination of any of these suits without advancing them on the docket?

Mr. CARTER of Oklahoma. The other proviso does not even provide for advancing them on the docket.

Mr. WALSH. They can advance these on the docket, and then when they are called for trial they may not be ready.

Mr. CARTER of Oklahoma. Well, but the gentleman knows the advancement on the docket is really in the interest of disposing of litigation and real expedition.

Mr. MANN. Under the gentleman's amendment, is the court obliged to put all of these suits at the head of every other case of litigation pending in the court?

Mr. CARTER of Oklahoma. I think not.

Mr. MANN. What does it mean, then?

Mr. CARTER of Oklahoma. It means advancement on the docket. The court certainly would be allowed to use some discretion about it, but last year we did not even provide for advancement on the docket——

Mr. MANN. Last year we directed the Department of Justice to proceed to a final determination of the suit. That meant it became the duty of the Department of Justice to ask the court to try these cases, advance them on the docket. The Department of Justice never has paid any attention to any portion of the law except that which appropriated the money to pay their expenses.

Mr. CARTER of Oklahoma. Well, I think——

Mr. MANN. Now, the gentleman puts in a provision which is either advisory, in which case it means nothing, or it is mandatory, in which case it means that all of these suits shall be advanced at the head of every other piece of litigation that is pending, and it may be successful. In my day here I have seen Congress pass laws directing that this class of litigation be given preference in the courts and then the next day it passed a law providing that another class of litigation be given preference in the courts, and then follow that up with another law giving preference to another class of litigation until the courts could not tell—maybe did not care—what the law did mean as to preference. I hope I enjoy the hope that the gentleman does that these suits may be disposed of in the course of time even if the man who has charge of them loses his job.

Mr. CARTER of Oklahoma. I cherish that hope myself.

Mr. CHANDLER of Oklahoma. I do not think as long as he holds his job the cases will be disposed of.

Mr. MANN. I doubt that. I do not think he will lose his job. There is always a soft berth in the Department of Justice office waiting with the increase in litigation.

Mr. CARTER of Oklahoma. I understand.

Mr. MANN. I have always hesitated about a law that undertook to tell the courts what cases they should try first.

Mr. CARTER of Oklahoma. Well, I will say this to the gentleman, if he will permit: These cases, or rather most of the questions involved in these cases, have been settled by the Supreme Court of the United States, but a great many cases are still on the docket——

Mr. MANN. I understand.

Mr. CARTER of Oklahoma. It is simply a matter of taking the case up and dismissing it in a great many instances, or one side or the other having disposed of a case in some such manner as that.

Mr. MANN. Certainly; and the courts generally in the course of time call through their calendars to know whether the cases are tried or dismissed.

Mr. CARTER of Oklahoma. I do not think the Federal court has ever gotten through with theirs, they have such a large volume of business.

Mr. MANN. They may not call the calendar through for trial of cases, but certainly they call the calendar to see whether the cases are ready for trial, and if they are not ready dismiss them. The court that does not do that is 100 years behind the times.

Mr. CARTER of Oklahoma. As the gentleman knows, we are all kept here so steadily and constantly we can not get very much in the way of information about what is going on in the courts; but I do know there are a lot of those cases where the questions have been settled by the Supreme Court——

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER of Oklahoma. I ask for two minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CARTER of Oklahoma. And the questions have already been settled, and if the court could be induced to take them up and advance them on the docket they would probably be disposed of within the next year.

Mr. JUUL. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. JUUL. I thought the gentleman stated that most of these suits were to be dismissed.

Mr. CARTER of Oklahoma. I said that a great many of the questions involved in these suits had been settled by the Supreme Court of the United States, and I assume, of course, they will be dismissed when the proper motion is made and the proper showing is made.

Mr. JUUL. If the gentleman will permit me, it strikes me you can dismiss a great many suits for $10,000.

Mr. CARTER of Oklahoma. I think so.

Mr. JUUL. And it would seem to me this is a repetition of the case of Jarndyce against Jarndyce, when suits fall down because there is no more money.

Mr. CARTER of Oklahoma. I think there is something in what the gentleman has said.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Protecting interests of the United States in suits affecting Pacific railroads: To enable the Attorney General to represent and protect the interests of the United States in matters and suits affecting the Pacific railroads, and for expenses in connection therewith, $18,500.

Mr. CURRIE of Michigan. Mr. Chairman, I move to strike out the last word.

I did not hear the entire discussion this evening on the subject of conditions prevailing at St. Elizabeths Hospital. I will detain the committee but just a moment now.

It has been suggested to me by my friend from Illinois [Mr. GRAHAM] that the issue has been raised as to whether or not shell-shock patients are sent for treatment to that hospital. I just want to say that if any Member of Congress is under the impression that shell-shock patients have not been sent to St. Elizabeths Hospital he has an erroneous idea. To my personal knowledge such patients have been sent to that hospital. During the month of January one such case from my district was called to my attention. And so that there can be no doubt about it, and to give any person the chance to investigate the accuracy of this statement, I cite the case of Pvt. John A. Conley, Company B, Eleventh Machine Gun Battalion, who became the victim of shell shock in France during the month of July. He was returned to the United States; treated first at Fort Porter, Buffalo, N. Y., and then three months later was sent to St. Elizabeths. At my suggestion The Adjutant General's office reviewed this young soldier's case. The Surgeon General became convinced that this soldier had made a complete recovery. On the 29th day of January, only a very few days ago, this soldier was discharged from St. Elizabeths.

He came to my office, and I discussed his case with him. He is a splendid type of young American manhood. To my mind he has entirely recovered. He told me about other cases, and of how patients act out there who are the victims of shell shock.

In fairness to the authorities and attendants at the hospital I should state that the soldier expressed himself as well satisfied with the treatment accorded him under all the circumstances. However, the policy of sending such patients to St. Elizabeths does not commend itself to any of us.

From the information that came to me in this case I have not, therefore, any doubt concerning the policy of the military in sending shell-shock patients to St. Elizabeths Hospital.

Mr. LAGUARDIA. Can the gentleman distinguish between the symptoms of praecox and shell shock?

Mr. CURRIE of Michigan. I must admit to my friend from New York that that goes into the technical side of the case, a branch that I have no knowledge of whatever. I can not make the distinction.

The Clerk read as follows:

For assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases (such counsel shall not be required to take oath of office in accordance with section 366, Revised Statutes of the United States), $300,000, to be available for expenditure in the District of Columbia.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. I would like to make an inquiry about this. Part of this money has been used, and I suppose still will be used, abroad, where the counsel can not take the oath of office in the United States, because he is not an American citizen. How much does the gentleman expect of this increase, the item being increased $125,000, is to be used to pay people here in Washington?

Mr. BYRNES of South Carolina. The statement made in justification of this I know will appeal to the gentleman.

By reason of the activities of the United States Government in shipping, we have now pending quite a number of admiralty cases, demanding that admiralty lawyers be employed. The Attorney General, in presenting the statement, said it was evident that he would have to have the right to employ in Washington an admiralty lawyer, who in turn would be in charge of other admiralty lawyers. At this time, he said, there had been reported to the department 79 admiralty cases, involving many millions of dollars.

I remember one case in which there is a claim made for one cargo amounting to a little over a million dollars. In reference to the litigation arising out of the Alien Property Custodian Service, they have taken over property of the value of $500,000,000, and it is absolutely essential to take care of the claims arising under that law. Then there are the Army contract cases, cases arising out of contracts where a large number of suits have already been instituted; and for the purpose of taking care of the interests of the Government in these suits this increase of $175,000 was made, because we believed it was absolutely necessary.

Mr. MANN. I can understand that the Attorney General needs to employ an admiralty lawyer, and I should think he would need to have a permanent assistant who is familiar with admiralty law. I should suppose that the custodian, Mr. Palmer, employed many lawyers now. Certainly somebody is employed to be permanently in the office. This fund, which has varied at various times, is now $175,000 for the current year, and this proposition is to increase it to $300,000. It has been one of the worst-abused funds that the Government has appropriated—in employing men who did not work, who only rendered, or who thought they had rendered, political value somewhere. That may not be the case. It is to hire lawyers in many cases, not for permanent assistants. The gentleman said there were 70 or 80 cases, and they needed somebody up here who was acquainted with admiralty law. Very well. He will not be employed under this provision. This is for special attorneys. I have known under both parties cases of men employed under this item where, so far as their legal work was concerned, it would have taken a fine-toothed comb to find it. [Laughter.]

Mr. BYRNES of South Carolina. I will say to the gentleman that undoubtedly in the past this fund has been abused, but so far as this particular item is concerned the statements the Attorney General has made to the committee are to the effect that it is expected to employ out of this fund admiralty lawyers to take care of that litigation and litigation with reference to custodian matters.

I want to bring to the attention of the gentleman a statement that was made, that many excellent lawyers who had been connected with the Alien Custodian Service were men who served only during the war, men who came here for much less compensation than they were accustomed to receiving. Now that the war is over they are leaving, and we can not rely upon the Department of Justice receiving much legal service from the Alien Custodian's office.

Mr. MANN. I would doubt very much if anybody is leaving the Alien Custodian's office because they will not make as much money there as outside.

Mr. BYRNES of South Carolina. Mr. Palmer, the Alien Property Custodian, told us of a number of lawyers who came into his office during the war and who have recently left.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For fees of clerks, $275,000: *Provided*, That salaries of deputy clerks and clerical assistants and other expenses of the office of the clerk of the Supreme Court of the District of Columbia shall be authorized and approved by the Attorney General and the accounts and emolument returns of the said clerk shall be examined and audited in the same manner as the accounts and emolument returns of clerks of United States district courts: *Provided further*, That after July 1, 1919, only actual expenses of travel and expenses of lodging and subsistence, not to exceed $5 per day, shall be allowed any clerk of a United States circuit court of appeals when absent from his official residence on official business.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. WALSH. Mr. Chairman, is this to take care of the compensation of clerks in the United States courts? It is the item at the bottom of page 20.

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. Did we not the other day pass a Senate bill fixing the salaries for clerks of United States courts?

Mr. BYRNES of South Carolina. What bill does the gentleman refer to?

Mr. WALSH. I refer to the bill fixing salaries of clerks of the United States courts—Senate bill 3079.

Mr. BYRNES of South Carolina. My information is that an estimate has gone to the Senate. But we have received no estimate.

Mr. WALSH. Well, where are we going to land if we fix the salaries and permit them in the sundry civil act to secure the

same compensation that they had been getting under the fee system?

Mr. DUPRÉ. Mr. Chairman, may I say to the gentleman that this is for the salaries of deputy clerks, and so forth? Has he taken that into consideration?

Mr. WALSH. Line 19, page 120, says—

For fees of clerks, $275,000.

Mr. DUPRÉ. I know, but it goes on to say that the salaries are for the deputy clerks.

Mr. WALSH. That relates only to the Supreme Court of the District of Columbia, as the gentleman will see if he will read down a little further.

Mr. MONDELL. Will the gentleman from Massachusetts yield?

Mr. WALSH. Yes.

Mr. MONDELL. The gentleman knows that the legislation we passed the other day will probably have the usual effect of legislation of that character and very largely increase the cost under this item. Has the gentleman offered an amendment to increase the appropriation?

Mr. WALSH. No. The reason it went through here so smoothly the other day was upon the representation and demonstration that it would not cost more, but would probably cost less. How it was figured out I do not know.

Mr. MANN. The report on that bill showed that it would cost a good deal more.

Mr. WALSH. I recall one of the gentlemen who was very much interested in it assured the House during the debate that it would not cost more.

Mr. MONDELL. Was he interested in it because it was going to reduce the emoluments of the clerks?

Mr. WALSH. No; because it was going to reduce the expense to the United States, strange though it may seem.

Mr. MONDELL. The gentleman has been here long enough to know that no legislation that reduces the cost of any Government activity goes through the House unopposed; and if that bill went through smoothly, as the gentleman says—I did not happen to be here at the time—it was probably due to the fact that those who were concerned were to be benefited and not the Treasury.

Mr. WALSH. In reply to the gentleman's question, I do not wish to take issue with him upon that statement. The information I am trying to secure now is whether or not we provide that we will pay them these salaries and permit them also to retain these fees? If not, what is the necessity for carrying the fee provision?

Mr. MONDELL. This is an item of appropriation to pay them, and I assume it would be applicable to the payment of their salaries, and could be used in the payment of salaries if carried in this form.

Mr. BYRNES of South Carolina. If the gentleman will permit, the bill he refers to passed the House and Senate after these estimates had been considered by the committee and the sundry civil bill reported. The Department of Justice had made no estimate to us upon which we could base a recommendation different from that which is contained in this bill. I am informed that within the last day or two such an estimate has come to Congress and been sent over to the Senate. If this paragraph is passed in the form in which it now appears in the bill, when it goes to the Senate they can change it if they desire to provide an additional amount of money.

Mr. MONDELL. Can the gentleman inform us how much the estimate will be increased?

Mr. BYRNES of South Carolina. It will be $900,000 by reason of the new bill.

Mr. WALSH. Nine hundred thousand dollars, instead of $275,000?

Mr. BYRNES of South Carolina. Yes.

Mr. MANN. Mr. Chairman, let us have no misunderstanding about this. This item is to pay fees due the clerks by the Government of the United States. The present clerks under existing law get their pay out of fees up to a certain amount. The Government contributes its share of the fees on business relating to the United States. The other day we passed a bill which, I suppose, is now in the hands of the President, if it has not been signed by him, providing for the payment of salaries to these clerks, providing that there should be no fees paid by the United States, and providing that the fees collected by the clerks from private parties should be covered into the Treasury; so that the amount of the appropriation for the payment of clerks' salaries has no relation whatever to the amount of the item carried in this bill.

Doubtless the law that was passed the other day will increase the compensation of clerks, because in many cases before they did not get fees enough to pay them the amount of the salary which the law would allow them to retain. The report on the bill said it would probably increase the amount of compensation. The only excuse for the passage of the bill was to abolish almost the last remnant of the law providing that Government officials should be paid from fees they collected from the people.

Mr. WALSH. If that be so, what is the necessity for carrying this item?

Mr. MANN. There is no necessity for this item in the bill, and, of course, if it remains in and becomes a law it will be superannuated and out of date, because the law we passed since provides that no part of it will be expended. There will have to be in a deficiency bill in the next session of Congress a provision providing for the payment of the salaries of these clerks or else it will have to be put into this bill.

Mr. BYRNES of South Carolina. It is that estimate that the Clerk informs me has been received for $900,000.

Mr. MANN. And that has doubtless gone to the Senate.

Mr. BYRNES of South Carolina. It has gone to the Senate.

Mr. WALSH. What about the provisos here?

Mr. MANN. The first proviso relates to the District of Columbia only. The second proviso relates to the clerk of the United States Circuit Court of Appeals.

Mr. WALSH. When absent from his official residence on official business.

Mr. MANN. I do not remember whether the bill we passed the other day related to the Circuit Court of Appeals or not. I may be mistaken, but my recollection was that it related primarily to the clerks of the District court.

Mr. WALSH. Mr. Chairman, this is a useless appropriation, but the provisos may have some good effect, and I withdraw the reservation of a point of order.

Mr. MONDELL. I understood the gentleman from South Carolina had intended to propose an amendment striking out the first proviso.

Mr. BYRNES of South Carolina. I have no objection if the gentleman moves to strike it out.

Mr. MONDELL. We have tried to legislate on that subject twice, and I think we have not legislated wisely now. One of the judges of the Supreme Court of the District, I think, explained to the gentleman from South Carolina why he hoped at this time that proviso would go out.

Mr. BYRNES of South Carolina. Does the gentleman move to strike it out?

Mr. MONDELL. Yes, Mr. Chairman, I move to strike out the first proviso.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MONDELL: Page 120, line 19, after the figures "$275,000" strike out all down to and including the word "courts" in line 1, page 121.

Mr. WALSH. By whom will the accounts be audited if the proviso goes out?

Mr. MONDELL. By the judges of the supreme court. Mr. Chairman, I do not care to take up the time of the House. I think until we have fuller information than we have on the subject at present it is better not to place that proviso in the bill. The judges of the Supreme Court of the District do not believe that it would aid in the transaction of the business of the court and I am inclined to agree with them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming.

The question was taken and the amendment was agreed to.

Mr. FESS. Mr. Chairman, I move to strike out the word "*further*" in line 1, page 121.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. FESS: Page 121, line 1, after the word "*Provided*" strike out the word "*further*."

The amendment was agreed to.

The Clerk read as follows:

For bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York and the northern district of Illinois: *Provided*, That all persons employed under section 715 of the Revised Statutes shall be deemed to be in actual attendance when they attend upon the order of the courts: *Provided further*, That no such persons shall be employed during vacation; expenses of circuit and district judges of the United States and the judges of the district courts of the United States in Alaska, Porto Rico, and Hawaii, as provided by section 259 of the act approved March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary"; meals and lodging for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, Title II, of the act of June 6, 1900; and compensation for jury commissioners, $5 per day, not exceeding three days for any one term of court, $250,000.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman—perhaps I ought to know about this, but I notice an exception in the

first sentence in that paragraph "For bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York and the northern district of Illinois." To what does the exception apply, to the last clause or the first?

Mr. BYRNES of South Carolina. It means that they can have more in those districts.

Mr. GRAHAM of Illinois. I thought it might be possible that that would mean bailiffs and criers "except."

Mr. BYRNES of South Carolina. Oh, I think we can take it for granted that the Department of Justice knows how to construe this language.

Mr. GRAHAM of Illinois. I presume we may safely trust them to do that.

Mr. MANN. It has been there for many years.

The Clerk read as follows:

For miscellaneous expenditures in the discretion of the Attorney General, fuel, forage, hay, light, water, stationery, fuel for generating steam, heating apparatus, burning bricks and lime; forage for issue to public animals, and hay and straw for bedding; not exceeding $500 for maintenance and repair of motor-propelled and horse-drawn passenger-carrying vehicles; blank books, blank forms, typewriting supplies, pencils and memorandum books for guards, books for use in chapel, paper, envelopes, and postage stamps for issue to prisoners; labor and materials for repairing steam heating plant, electric plant, and water circulation, and drainage; labor and materials for construction and repair of buildings; general supplies, machinery, and tools for use on farm and in shops, brickyard, quarry, limekiln, laundry, bathrooms, printing office, photograph gallery, stables, policing buildings and grounds; purchase of cows, horses, mules, wagons, harness, veterinary supplies, lubricating oils, office furniture, stoves, blankets, bedding, iron bunks, paints and oils, library books, newspapers and periodicals, and electrical supplies; payment of water supply, telegrams, telephone service, notarial and veterinary services; advertising in newspapers; fees to consulting physicians called to determine mental conditions of supposed insane prisoners, and for other services in cases of emergency; pay of extra guards or employees when deemed necessary by the Attorney General: *Provided*, That live stock may be exchanged or traded when authorized by the Attorney General, $150,000.

Mr. HEFLIN. Mr. Chairman, I move to strike out the last word. Last night, after I had discussed briefly the bond issue and had acquainted the House as best I could with regard to the cotton situation in the United States, the gentleman from Illinois [Mr. CANNON] said that when peace was finally agreed upon corn would go down to 35 to 40 cents a bushel, and wheat to about $1 a bushel, and cotton to 5 or 6 cents a pound. I want to call the gentleman's attention to the difference between corn and wheat and cotton. I do not agree with him as to the price of grain. Immediately following every war in the world, cotton has gone up. Cotton went up after the War between the States. In 1898 the price of cotton went up after the War with Spain. At this time there is the smallest cotton supply in the history of the world, as compared to the demand. If the gentleman thinks that cotton will go to 6 cents a pound, I invite him to watch the situation for the next 60 days. In our section in this fight we are entitled to the help of every State in the Union; and I hope that we will have the cooperation of the Members of every State, as the wheat-growing States have had the cooperation of the cotton-growing States in taking care of their wheat, which the Government is pledged to protect.

The cotton-growing States of the South are going to hold 4,000,000 bales of this crop; and if we continue to do it we can close down the mills of the United States in 60 days and shut down the mills of Europe in 30 days. As I stated last night, the financial institutions of the South are tied up in the cotton movement. The merchants of the South are locked up in the cotton movement. The cotton producers of the South are holding hard and fast with the merchants and the bankers.

Gentlemen, it is our money crop, and we are entitled to have the support of the other sections of the country in taking embargoes of all kinds off of this cotton and keeping the exchanges, as I said last night, from using fictitious stuff to beat down the price of actual cotton. We are going to fight this battle if we have to fight it alone, and I state again, as I did last night, unless restrictions are removed from cotton we can not buy bonds, because all that we have got is tied up in this cotton-holding movement—not all, but you know how it is, when you invest your main money supply in a great crop like that. Four million bales of cotton means several hundred million dollars. We need your help and we need your sympathy, but I want to say to the gentleman from Illinois [Mr. CANNON], whom we all respect and esteem, that the situation is not the same with cotton as it is with corn and wheat. The cotton supply to-day is 8,000,000 bales short of the world's demand. Cotton is exceedingly scarce; but if we hold this cotton—4,000,000 bales—the supply will be shorter this fall than now, because we are going to greatly reduce the cotton acreage. As soon as the Congress adjourns I with other gentlemen from the cotton-growing States will devote 30 days to touring those States urging the people to cut down their acreage, to cut it down and down and down, and to hold what they have got for two months or four months or six months or a year, and what will be the result this fall? If England is in this movement to beat down the price of cotton with other spinning interests of the Old World, they will not succeed, for they will force us to hold a part of this supply, and the acreage will be less, and cotton prices this fall will be 60 or 70 cents a pound, and maybe 75 cents. Mr. Chairman, there is no power on earth to prevent it. We produce more than half—nearly two-thirds—of the cotton supply of the world, and no country produces any cotton that is in competition with our cotton. They prduce a short staple of scrubby stuff in India, and that is the only country outside of our own that produces cotton in abundance, but it is not in competition with our cotton——

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Not now; I will in a moment.

Egyptian cotton is a long-staple cotton. They produce about a million bales. They produce sea-island cotton in competition with that in South Carolina, Florida, and Georgia, but the great short-staple cotton of the United States, God Almighty has given us a monopoly of that, and if we cut that acreage this year and hold to the cotton we now have the price this fall will be 60 cents a pound, and we would get more for an 8,000,000-bale crop than for a 12,000,000-bale crop. Now, the question is whether we are going to permit foreign powers to combine and beat down this price in the hands of the producer here and buy it themselves and sell it to Holland and Spain and Japan and France and Austria and Germany and other countries later on for 75 cents to $1 a pound. Gentlemen, I am not in favor of that. I am in favor of taking the embargo off now if England is not willing, if France is not willing, if Belgium is not willing to permit us to ship cotton to Germany and Austria now, and permit us to sell Germany and Austria 2,000,000 bales, the amount they want, and store it in the United States until the allied nations say it can move. I stated that before, and that is my position now. What objection can there be to that? Are we going to tie ourselves up with these restrictions and hold them on our products and permit the producers of the United States to be held up and robbed of a fair price and living profit?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. Mr. Chairman, I ask for five minutes more.

Mr. BLANTON. Mr. Chairman, I object.

Mr. BLACK. I hope my colleague will not object.

Mr. WALSH. Mr. Chairman, I desire to read——

Mr. BLANTON. If the gentleman can not yield——

Mr. HEFLIN. I told the gentleman from Texas——

Mr. WALSH. Mr. Chairman, I decline to yield; I have been recognized.

Mr. BLANTON. I object.

Mr. WALSH. I want to read——

Mr. HEFLIN. Then, Mr. Chairman, I make the point of order there is no quorum present, if the gentleman from Texas——

Mr. WALSH. Mr. Chairman, I decline to yield.

Mr. HEFLIN. If the gentleman from Texas will not allow me to have five minutes to plead in the interests of the cotton producers of the South, I make the point of no quorum. If the gentleman from Texas [Mr. BLANTON], one of the greatest cotton-producing States in the South——

Mr. BLANTON. If the gentleman is so discourteous——

Mr. HEFLIN. I am not discourteous; I told the gentleman I would yield later. If the gentleman from Texas wants to deny the producers an opportunity to be heard——

Mr. BLANTON. Mr. Chairman, I object.

Mr. HEFLIN. I make the point of order of no quorum.

The CHAIRMAN. The Chair will count.

Mr. HEFLIN. Mr. Chairman, on the request of the other members of the Texas delegation, I withdraw the point of no quorum.

Mr. MANN. Count a quorum; there are plenty here.

The CHAIRMAN. There is a quorum present.

Mr. WALSH. Mr. Chairman, I have listened with a great deal of interest to the remarks of the gentleman from Alabama [Mr. HEFLIN], and for the delectation, edification, and benefit of the members of the committee I desire to read from the RECORD of yesterday just a short extract found on page 4295:

Mr. CANNON. Cotton after peace has come will sell for 5 and 6 cents a pound.

Mr. KITCHIN. If that should reach our friend HEFLIN, it would drive him crazy. [Laughter.]

Mr. HEFLIN. Does the gentleman from Massachusetts——

Mr. WALSH. Mr. Chairman, I desire to say that appears as part of the official RECORD, but I am reminded of that old moss-back story that the gentleman from Alabama knows so well, because I think I have heard him relate it upon occasion, of the gentleman in the far western State who arrived in a little one-

horse town and saw a great crowd proceeding up the street. He followed along in the procession and finally landed in a little country church, where a funeral was in progress. The mourners were there in great numbers, the church was crowded, and the stranger secured a seat in the rear of the edifice, and at one stage in the service the preacher arose and pronounced a few words of eulogy over the deceased. He finally said: "If there are any friends of our departed brother here who would like to say a few words, I will give them ample opportunity at this time." The widow and the friends occupying the mourners' seat were grieving and crying. There was every indication of grief there. But none of the friends took advantage of the opportunity presented. When finally, over in the corner of the church, an old gray-whiskered gentleman arose and said, "Parson, if there is nobody here wants to say anything about our departed brother, I would like to offer a few words upon the free and unlimited coinage of silver." [Laughter.]

Our friend from Alabama [Mr. HEFLIN] the other day, when we had a measure under consideration that had nothing to do with cotton, got up and orated on the cotton embargo, for which, by the way, his distinguished Executive and Commander in Chief of the Army and Navy is responsible, or his administration [laughter]; yesterday, when we had a bill providing for the issuance of short-term notes, the gentleman again delighted a large and intelligent assemblage upon the cotton situation. [Laughter.] To-night, when we are considering an item in the sundry civil bill relating to the support of the United States prisoners and the interment of deceased prisoners whose remains are unclaimed, once more he resurrects his theme, arises, and orates and discusses the cotton embargo.

I trust the remark of the leader of the majority, made in the colloquy with former Speaker CANNON last night, was made in a jocular way and that the symptoms which we have observed here are not the symptoms that were predicted, because I know there is nobody in this Chamber, on either side of the House, who would like to see the gentleman from Alabama arrive at any such condition as that, because, while we may not all agree with him, we all admire him and listen to him with a great deal of interest, sometimes mingled with amusement and sometimes mingled with concern. [Laughter.] And I trust the gentleman will see to it that now that the ship of state has brought his beloved Commander in Chief once more to the shores of America, that ere he takes his departure again from this side of the water he will succeed in getting into conference with him and arranging it so that this board that is threatening the existence of the cotton farmers of the South will be forced by Executive command to remove that embargo and remove their unholy hands from the sacred business of the cotton farmer of the South. [Applause and laughter.]

Mr. HEFLIN. Will the gentleman yield?

Mr. WALSH. I yield.

Mr. BYRNES of South Carolina. Mr. Chairman, I would like to know who is to be recognized? The sundry civil bill is pending here.

Mr. HEFLIN. Does the gentleman from Massachusetts yield?

Mr. BYRNES of South Carolina. The gentleman from Massachusetts has not the floor. He yielded the floor.

The CHAIRMAN. The gentleman from Massachusetts yielded the floor and the gentleman from South Carolina [Mr. BYRNES] is recognized.

Mr. BYRNES of South Carolina. I ask that the Clerk read, Mr. Chairman.

The Clerk read as follows:

McNeil Island, Wash., Penitentiary: For subsistence, including the same objects specified under this head for the penitentiary at Leavenworth, Kans., and for supplies for guards, $20,000.

Mr. HEFLIN. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Alabama moves to strike out the paragraph.

Mr. HEFLIN. Mr. Chairman, it is said that Nero fiddled while Rome burned.

Mr. BLANTON. Mr. Chairman, a point of order.

Mr. HEFLIN. I am not surprised, Mr. Chairman, that my good friend from Massachusetts and New England should rejoice——

Mr. BLANTON. Mr. Chairman, a point of order.

Mr. HEFLIN (continuing). While the price of cotton is being driven down.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas will state the point of order.

Mr. HEFLIN. What is this curse that has come upon us? [Laughter.]

Mr. BLANTON. The gentleman from Alabama is speaking out of order, Mr. Chairman. I make the point of order that the gentleman is speaking out of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. I raise the point of order, Mr. Chairman, that the gentleman is speaking out of order. He is not confining himself to the amendment.

Mr. HEFLIN. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HEFLIN. I am trying to speak in the interest of the cotton producers of Texas and Alabama and all the cotton-growing States of the United States. I hope I have not offended the gentleman from Texas [Mr. BLANTON], who is here by the suffrage of the greatest cotton-growing State in the Union.

Mr. BLANTON. And yet the gentleman declined to yield to a question.

Mr. HEFLIN. I decline to yield while I am discussing the point of order.

Mr. BLANTON. A point of order, Mr. Chairman. I insist upon my point of order.

The CHAIRMAN. The motion of the gentleman from Alabama was to strike out the last word, and the gentleman must confine himself to that motion.

Mr. HEFLIN. I was striking out the last word of the paragraph for the purpose of saying a few words with reference to the cotton question, and the gentleman from Texas was trying to prevent me from speaking.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is not in order.

The CHAIRMAN. The point of order is sustained. The gentleman must proceed in order.

Mr. HEFLIN. Do I understand that the Chair says that it is not in order to discuss cotton?

The CHAIRMAN. It is not in order to discuss the cotton question under a motion to strike out the paragraph. The Clerk will read.

Mr. HEFLIN. Mr. Chairman, the question is to strike out the last word. Why should the last word stand? What is the merit of the last word? [Laughter.]

The CHAIRMAN. The gentleman is now proceeding in order. [Laughter.]

Mr. HEFLIN. Then, Mr. Chairman, in striking out the last word, which is connected with the speech of the gentleman from Massachusetts [Mr. WALSH], I do not see why I would not be permitted to say that the gentleman rejoices while the price of cotton is being beaten down, when he represents a spinning section of New England [laughter]——

Mr. BLANTON. Mr. Chairman, a point of order——

Mr. HEFLIN. And when they are now trying to transfer the power of the Republican Party from the West to New England why should I not be permitted to discuss that proposition? [Laughter.]

Mr. BLANTON. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For support of inmates, including groceries, flour, feed, meats, dry goods, leather, shoes, gas, fuel, hardware, furniture, tableware, farm implements, seeds, harness and repairs to same, fertilizers, books and periodicals, stationery, printing, entertainments, plumbing, painting, glazing, medicines and medical attendance, stock, maintenance, repair, and operation of passenger-carrying vehicles, fencing, roads, all repairs to buildings, and other necessary items, including compensation, not exceeding $1,500, for additional labor or services, for identifying and pursuing escaped inmates, for rewards for their recapture, not exceeding $800 for the purchase of a motor-propelled passenger-carrying vehicle, and not exceeding $500 for transportation and other necessary expenses incident to securing suitable homes for discharged boys, $20,000.

Mr. KETTNER. Mr. Chairman, I was not present this evening when the item was reached regarding the Alaskan Railroad. I desire to ask unanimous consent to insert some information, which I think will be valuable to the Members of Congress, on the Alaskan Railroad.

The CHAIRMAN. The gentleman from California asks unanimous consent to insert in the RECORD some information which he has received in regard to the Alaskan Railroad. Is there objection?

Mr. MANN. What is this information? Is it official information?

Mr. KETTNER. Official information. Being from the Pacific coast, I am very much interested in the Alaskan Railroad.

Mr. MANN. I have no objection, but I would like to know what it is.

Mr. KETTNER. It is a statement that I wrote to the Secretary for, in regard to the progress they were making on the Alaskan Railroad.

Mr. MANN. Is it substantially different from the statement they made in their estimate on the same thing?

Mr. KETTNER. I do not know.

Mr. MANN. I have no objection to its insertion.

Mr. MONDELL. Some gentleman requested leave to insert that statement, or a similar statement, in the RECORD this afternoon.

Mr. BYRNES of South Carolina. The gentleman from Arkansas [Mr. WINGO] made that request in behalf of the gentleman from California [Mr. KETTNER], who was then absent.

Mr. KETTNER. I subsequently spoke to the gentleman from Alaska [Mr. WICKERSHAM], and he said he had no objection, and said he was going to put in a statement in regard to the matter, and subsequently the House gave him the permission. I think the statement I have to submit is a proper paper to be published in connection with the subject.

Mr. MANN. I think it is proper to be published.

The CHAIRMAN. Is there objection?

There was no objection.

Following is the paper referred to:

The Alaskan Railroad, which is under construction from Seward to Fairbanks, is about two-thirds done. It has been built without graft; every dollar has gone into actual work or material. It has been built without giving profits to any large contractors, for it has been constructed entirely by small contracts or by day's labor. It has been built without touch of politics; every man on the road has been chosen exclusively for ability and experience. (I do not know the politics of any one of the 7,000 men who are or have been connected with the road, excepting Mr. Riggs, who is now governor of Alaska.) It has been well and solidly built as a permanent road, not an exploiting road. It has been built for as little money as private parties could have built it, as all competent independent engineers who have seen the road advise.

In the summer of 1918 I sent Mr. Edwin F. Wendt, of the Interstate Commerce Commission, in charge of valuation of the railroads of the United States from Pittsburgh to Boston, to make an investigation into the manner in which the Alaskan Railroad was constructed and its cost. He reported to me as follows:

"In concluding, it is not amiss to again state that after the full study which was given to the property during our trip we are satisfied that the project is being executed rapidly and efficiently by men of experience and ability. It is believed that it is being handled as cheaply as private contractors could handle it under the circumstances."

Mr. Wendt had been connected for 25 years with the Pittsburgh & Lake Erie Road as an engineer in charge of construction and maintenance, and was designated to make this investigation by me upon the recommendation of Mr. Prouty, of the Interstate Commerce Commission.

Recently I had occasion to call in Mr. Wells, chief construction engineer of the Southern Railway Co., who reviewed the cost figures of the Alaskan Engineering Commission, and he said that he was astonished that the work cost so little; that on his own road during the past year he had paid more per yard for earth and rock work than it had cost in Alaska during the same period.

The road has not been built as soon as expected because each year we have exhausted our appropriation before the work contemplated had been done. We could not say in October of one year what the cost of anything a year or more later would be, and we ran out of money earlier than anticipated. It has not been built as cheaply as expected because it has been built on a rising market for everything that went into its construction from labor, lumber, food supplies, machinery, and steel to rail and ocean transportation. I believe, however, it can safely be said that no other piece of Government construction or private construction done during the war will show a less percentage of increase over a cost that was estimated more than four years ago.

The men have been well housed and well fed. Their wages have been good and promptly paid; there has been but one strike and that was four years ago and was settled by Department of Labor experts fixing the scale of wages. The men have had the benefit of a system of compensation for damages like that in the Reclamation Service and Panama Canal. They have had excellent hospital service, and our camps and towns have been free of typhoid fever and malaria. That the men like the work is testified by the fact that hundreds who "came out" the past two years attracted by the high wages of war industries, are now anxious to return to Alaska, and for them and in the interest of the Territory, I think we should have a large enough appropriation to speedily complete the road.

There has been but one setback in construction, and that was the washing out of 12 miles of track along the Nenana River. This is a glacial stream which, when the snows melt, comes down at times with irresistible force. In this instance it abandoned its long accustomed way and cut into a new bed and through trees that had been standing for several generations, tearing out part of the track which had been laid. But this damage has been repaired and the road relaid in what is thought to be a safer place. Such accidents may be expected on any road laid through the western mountains. There is not a single railroad from the Copper River road in Alaska to the Southern Pacific in Arizona which has not been closed for weeks, and sometimes months at a time, because of such washouts. Nor is there a western railroad which has not been compelled to relocate scores and scores of miles of track.

ALASKAN ENGINEERING COMMISSION.

The credit for the work done is to be given to the men and to the Alaskan Engineering Commission who have had charge of construction. This commission consisted of Mr. Edes, Lieut. Mears, United States Army, and Mr. Riggs. These gentlemen were appointed by the President upon my recommendation; Mr. Edes, because of 30 years' experience in locating and constructing railroads in the far West for the Santa Fe, Southern Pacific, and other railroad companies; Lieut. Mears, because of his experience as an engineer on the Northern Pacific under Mr. Stevens, and later in the construction of the Panama Railroad under Col. Goethals; Mr. Riggs, because he had spent many years in Alaska and surveyed the Alaskan-Canadian boundary from the sea to the Arctic Ocean, and was familiar with the Alaskan people and conditions under which work could be done in Alaska. Within the past year Lieut. Mears returned to active service in the Army and Mr. Riggs was appointed Governor of Alaska.

The work of locating and constructing the road has been left in their hands entirely. The only instruction which they received from me was that they should build the road as if they were working for a private concern, selecting the best men for the work irrespective of politics or pressure of any kind. I have not asked them to appoint one man. As a result we have a force that has been gathered from the construction camps of the Western railroads, made up of men of experience and proved capacity. That they have done their work efficiently, honestly, and at reasonable cost is my belief.

ROAD CONSTRUCTED.

The road as projected is to run from Seward to Fairbanks, a distance of 471 miles. In addition there is a line to the Matanuska coal fields (completed) of 38 miles.

The southern end of the road is the old Alaska Northern, running for 71 miles north of Seward, which was bought.

The northern end of the road is a part of the old Tanana Valley Road (7 miles), leading directly into Fairbanks, which was also bought. (This was part of a line 44½ miles long running out of Fairbanks, but 37 miles of this road is not counted in any mileage figures here given.)

Between the 71 miles of the Alaska Northern on the south and the 7 miles of Tanana Valley road on the north there was a stretch of 393 miles to be built through a waste. Of this there has been built 206 miles of main-line track, leaving 187 miles of this direct road from Seward to Fairbanks to be yet constructed. But of this stretch 48 miles have been cleared and graded, ready for track, and 30 miles have been cleared.

In addition, the Matanuska line running into the Matanuska coal field, 38 miles, has been completed.

So that out of the total of road projected of 509 miles, there has been fully constructed all but 187 miles. And of this 78 miles of right of way have been either cleared and graded or cleared.

There has also been constructed 30 miles of yard tracks, switches, sidings, etc., not included in the main-line mileage given above.

The total of track built amounts to 274 miles, made up of 244 miles of main-line track and 30 miles of siding.

A full statement of the road constructed and purchased is as follows:

Miles of road constructed	244.0
Miles of yard tracks, etc	30.0
Alaska Northern, purchased	70.9
Tanana Valley, purchased	44.4
Total	389.3

COST PER MILE.

It is not possible during the construction of a railroad to tell what it costs per mile, because all the foundation work, the construction of bases from which to work, the equipment for construction, and much of the material is a charge which must be spread over the entire completed line. If the cost per mile is figured when but a few miles of road have been built, it might be said to cost a million dollars a mile. This road four years ago could be said to have cost ten times as much per mile as it could be said to cost to-day. So that as to an uncompleted road the best estimate of cost is one that is approximate.

The best estimate that can be made to-day as to the newly constructed road is that it has cost between $70,000 and $80,000 per main-line mile, or between $60,000 and $70,000 per mile of track.

This cost per mile includes the building of the most difficult and expensive stretch of line along the entire route from Seward to Fairbanks—that running along Turnagain Arm, which is sheer rock rising precipitously from the sea for nearly 30 miles. There are miles of this road which have cost $200,000 per mile. Even to blast a mule trail in one portion of this route cost $25,000 a mile.

This cost per mile is increased by reason of the fact that it includes the expense of 48 miles of clearing and grading new right of way and of 30 miles of additional clearing and 30 miles of yard tracks, sidings, and switches.

The basis for the estimated cost of the main-line mileage above given is a table prepared by Mr. Wendt, of the Interstate Commerce Commission, as an expression of the correct deductions from total expenditures that should be made in arriving at cost exclusive of equipment and terminals which are necessary to the road as a going concern and whose cost should be spread over the whole road when completed.

The new construction exclusive of sidings, as we have seen, is 244 miles. The total which has been appropriated for the road is $31,086,684.32. Of this amount there was a balance on hand December 31, 1918, of $1,214,407.15, thus making the amount expended $29,876,277.17.

But all of this has not gone into new construction. Much of it has gone into the purchase of the old roads referred to (Alaska Northern and Tanana Valley) and their partial rehabilitation, to the construction of two permanent towns (Anchorage and Nenana) as termini, for rolling stock, material, and supplies on hand, etc.

The full table of deductions made by Mr. Wendt is as follows:

Purchase Alaska Northern Railroad	$1,157,839.49
Its rehabilitation, repair, etc	2,403,563.75
Purchase Tanana Valley Railroad	300,000.00
Its rehabilitation, etc	46,407.00
Material and supplies on hand and in transit	2,889,248.56
Operation and maintenance expense	628,626.99
Town site expenditures (reimbursable in part)	304,731.52
Rolling stock for use in operation, consisting of locomotives, freight cars, passenger cars, etc	570,741.54
Construction equipment, consisting of steam shovels, ditchers, unloaders, scrapers, etc	1,382,136.59
Marine equipment	244,058.16
Coal mines	193,725.34
New wharf at Anchorage	124,618.16
Shop and plant machinery	126,703.48
Machine shops, engine houses, etc	218,314.34
Plants at Anchorage and Nenana, consisting of office buildings, storehouses, quarters for employees, mess houses, hospitals, heating and lighting plants, freight-handling machinery, etc	1,538,947.17
	12,129,662.09
	29,872,277.17
	12,129,662.09
	17,742,615.08

If now we deduct this amount, which should be excluded as not properly chargeable to construction cost of new main line road from the total amount expended, the result is as follows:

Amount expended	$29,872,277.17
Less deductions	12,129,662.09
Cost of newly constructed road	17,742,615.08
Cost per main line of track	72,716.00

If the sidings and yard tracks are included, the cost per mile of track would be approximately $64,754. (No allowance is made for the 78 miles of grading and clearing.)

In arriving at his cost per mile Mr. Wendt has deducted as part of his cost construction equipment which cost $1,382,136.59, consisting of steam shovels, ditchers, unloaders, scrapers, and other tools. This was in large part bought in the first year of the work partially from the Panama Commission, and is in the opinion of Mr. Wendt worth as much to-day as when purchased, owing to the increase in values since the war. Its value evidently is what it would bring on the completion of the road. Had private contractors built the road they would have had it as salvage. Much of it would have had to be bought for the maintenance of the road after completion. Whether it will be worth what it cost or how much less at that time is a question no one can answer. This is also true as to marine equipment.

The two termini which have been built at Anchorage and Nenana are permanent towns. They were built not as construction camps, but with a view to the necessities of the road in the future, as permanent parts of a working railroad, and would have had to be built after construction was completed in order to properly operate and maintain the road. It is to be noted that this work has been undertaken in a region where it was necessary to build through a forested wilderness, where there were no wharves at the water's edge (where, indeed, a way had to be dredged from the channel to the wharf); where there were no roads, no towns, no experienced labor, and where everything had to be imported a distance of from 1,500 to 5,000 miles. And it was thought best to build not a mere pioneer road like those that are driven into our western forests for the bringing out of lumber or for the reaching of some coal or gold mine, but a road that would attract passenger travel for its scenic beauties and be always the main connecting line between the interior of Alaska and the ocean. For this reason the work has been done not with the end of having so many miles of road built but of having a complete road with all the equipment for its operation, which includes not only cars, locomotives, and tracks, but complete and well-supplied bases and developed mines for fuel.

Two estimates were made in 1914 by the Alaskan Engineering Commission as to the cost of the road: (1) From Portage Bay to Fairbanks, at an estimated cost of $59,742 per mile; (2) from Seward to Fairbanks, in which the figure estimated for the road from Kern Creek, or mile 72 north, where all of the new construction has been done, was $55,340 per mile.

The only Government-built railroad—that across the Isthmus of Panama—cost $221,052 per mile. The only two recently built railroads in the United States are (1) the Virginian, built by H. H. Rogers, which cost, exclusive of equipment, $151,000 per mile, with labor at from $1.35 to $1.75 per day, and all machinery, fuel, rails, and supplies at its door, and (2) the Milwaukee line to Puget Sound, which is estimated as having cost $130,000 per mile, exclusive of equipment.

PRESENT CONDITION.

The work has been conducted with its main base at Anchorage, which is at the head of Cooks Inlet. This point was chosen as the nearest point from which to construct a railroad into the Matanuska coal fields. That was the primary objective of the railroad, to get at the Matanuska coal. From Anchorage it was also intended to drive further north through the Susitna Valley and across Broad Pass, and to the south along Turnagain Arm toward the Alaska Northern track. To secure coal for Alaska was the first need. So, in addition to Anchorage as a base, one was also started at Nenana, on the Tanana River, from which to reach the Nenana coal fields lying to the south. If these two fields were open one would supply the coast of Alaska and one the interior. This program has been acted upon, with the result that the Matanuska field is open to tidewater, with a down-grade road all the way. The Nenana road has been pushed far enough south to touch a coal mine near the track, which may obviate the immediate necessity for reaching into the Nenana field proper. From Seward north and from Anchorage south the road has been built, so that last fall there was through communication from Seward to Anchorage, Matanuska, and the Susitna Valley.

There is an open stretch across Broad Pass to connect the Susitna Valley with the road coming down from Nenana, and another reach of a few miles on the north of the Tanana River before connecting with the Tanana Valley road outside of Fairbanks. These gaps closed there will be through connection between Seward and Fairbanks. The accompanying map shows the road's condition.

OVERHEAD.

The road has been done by men on the job in Alaska, not by men in Washington. The only bureau maintained in Washington consisted of four clerks in one room. All the rest of the force is in Alaska with the exception of the purchasing division in Seattle.

The commission adopted the system of construction approved by the most competent engineers consulted at the beginning of construction—a combination of letting out the work to small contractors and of day's labor. The only contractor who ever talked of building the road asked a guarantee against loss from the Government—what we now know as a "cost plus contract"—and as this would involve a large staff of Government superintendents and checking officials, with no guarantee of a minimum cost to the Government, but every reason to believe that a maximum cost would be reached, it was thought wise to follow the course we have pursued. As the price of labor, supplies, and other things have risen, we have not had to pay a contractor a percentage on the increasing cost.

In 1918 the wage employees numbered 3,329 and the salaried employees 725.

The road has 1,982 wage employees and 441 salaried employees, as estimated for in the Book of Estimates for 1920. (A clerical error in this book transposed "Salaries" and "Wages," so as to make it appear that a greater amount was proposed for salaries than for wages.)

Taking the week ending Saturday, May 18, 1918, as a typical week, the number of employees and their distribution as to whether they were engaged in supervisory and clerical places or as workmen was as follows:

	Total.	Supervisory and clerical.	Workmen.
Engineer in charge	35	31	4
Shop and yards	53	9	44
Track, bridge, ballast	257	8	249
Receiving and forwarding agent	35	21	14
Machine shops	62	4	58
Marine ways and dredge Sperm	100	4	96
Store department	90	26	64
Employment bureaus	18	5	15
Transportation department	34	2	32
Disbursing office	7	7	.....
Accounting department	13	13	.....
Base hospital	15	3	12
Townsite office	15	2	13
Telephone and telegraph department	36	7	29
Mining department	140	2	138
Turnagain Arm district	185	5	180
Talkeetna district	1	.....	1
Location surveys	20	2	18
Total	1,116	.....	967
Stationmen and laborers	159	.....	159
Grand total all employees Anchorage Division.	1,275	151	1,126

RATES.

It is difficult to know what rates should be charged on such a railroad as this, which is as yet in the process of building, which originates so little traffic as to be negligible, and will not in all likelihood for some years pay operating and maintenance charges, without any return on investment. Plainly, the traffic can not be made to bear charges that would be reasonable from the standpoint of making the railroad pay its own way. To do this would be to retard the growth of Alaska and of the railroad itself. The freight rates on the Alaska Railroad are from 25 to 50 per cent of the rates charged by other Alaska roads. The Copper River and the Skagway roads charge from twice as much to four times as much as does the Government road. If, therefore, there is anything in the test so often applied by the Interstate Commerce Commission in judging of the reasonableness of a rate by the rates charged on similar traffic on neighboring roads, the rates on the Alaska road certainly meet that test.

Here are a few comparisons in cents per 100 pounds on less than carload lots for a 60-mile haul on the Alaskan Railroad and the Copper River Railroad:

	Alaska Railroad.	Copper River Railroad.
	Cents.	*Cents.*
Household goods, secondhand	32	160
Canned goods	49	109
Flour	49	109
Eggs	69	216
Fruit, dried	49	134

The rates now in force on the Alaska road are approximately the same as those which the Railroad Commission of the State of Washington approved on the Seattle, Port Angeles & Western Railroad between Maynard and Majestic, a distance of 60 miles, as the following comparison furnished by the Interstate Commerce Commission shows:

Commodities.	Government railroads.	Seattle, P. A. & Western R. R.
	Per ton.	*Per ton.*
Household goods	$6.40	$13.80
Canned goods	9.80	9.30
Flour	9.80	9.30
Eggs	13.80	11.50
Dried fruits	9.80	10.50
Fresh fruit	16.20	13.80
Meat, cured	9.80	9.30
Kerosene	11.40	10.50
Sugar	9.80	9.30
Vegetables	16.20	20.70
Butter	13.80	11.50
Hardware	13.80	11.50

It would hardly be regarded as unfair to say that on the Alaskan road the rates should be twice as high as on the main line of the Northern Pacific in Washington, considering the fact that the Northern Pacific has several hundred thousand times the density of traffic per mile that the Alaskan Railroad has. Yet a comparison of the two rates shows that the rates on the Alaskan road are not that high by from 25 to 50 per cent. They are, indeed, but a small percentage higher than many of the rates on the Southern Railway running immediately out of this city, which carries in any one hour more traffic than the Alaskan road carries in a year. I am satisfied, however, that the rates in existence on the Alaskan road are not those which will best promote the interest of the Territory and in the end that of the road. And last summer I asked Mr. E. O. McCormick, vice president of the Southern Pacific in charge of traffic, to make a study of the actual conditions in

Alaska with the purpose of devising a simpler tariff which would induce whatever traffic could be induced to move over that road and still preserve some justifiable relation between commodities. This is not an easy task. And there must be some experiments tried before anything like a stable schedule can be arrived at.

WATER TRANSPORTATION.

One of the serious disadvantages that any new enterprise in Alaska suffers under is the long distance by water which all machinery and supplies must be carried. During the war this has been particularly embarrassing in the carrying on of this work. Because of the highness of the rates charged and the uncertainty of the movement, the commission gave over employing the regular lines and chartered a transport from the War Department which ran from Seattle to Anchorage for two seasons. This service is invaluable to the railroad. While we were without it last season, some such arrangement must be renewed if the railroad is to be completed at as fair a figure as has been thus far maintained. Some months since negotiations were entered into with the Shipping Board looking to the establishing of a line between Puget Sound and Alaskan ports which would serve the railroad, or at least to the putting on of a single boat to Anchorage and Seward. The board offered to charter to the commission a new steel ship at $25,000 per month, which was thought to be too high a figure, and negotiations are still under way in the hope that this offer can be bettered.

MATANUSKA COAL.

By decisions of the Commissioner of the Land Office all of the claims in the Matanuska coal field were set aside, and by act of Congress a leasing bill was put into effect over the entire field. Under this law a number of claims must be reserved to the Government. The field was surveyed and some of the most promising portions of the field have been so reserved.

Two leases have been entered into by the Government, one with Lars Netland, a miner, who has as a backer Mr. Fontana, a business man of San Francisco, and the other to Oliver La Duke and associates. Neither of these parties has any other interests of any kind, so far as is known, in Alaska or any connection with any railroad, and neither of them has been successful in developing any large amount of coal. There are many thousands of acres in this field which are open for lease and which will be leased to any responsible parties who will undertake their development. There is no possibility of monopolizing this field, even if some one wished to do so, for the Government reserves are kept to be operated in case such monopoly should arise. Thus far, however, the Government in operating its own mine has been no more successful than the private lessees, for the coal is so badly broken and faulted that exploration work to follow the seam must be undertaken before development work can be wisely done. And this is being undertaken. Government experts who have examined this field do not promise without further exploring a larger output of coal from this field than 150,000 tons a year.

POPULATION.

The population of Alaska has fallen off during the war. She sent, I am told, 5,000 men into the Army, the largest proportion to population sent by any part of the United States. The high cost of labor and materials closed some of the gold mines, and the attractive wages offered by war industries drew labor from Alaska to the mainland. All prospecting practically closed. But with the return of peace there is evidence of a new movement toward that Territory, which should be given added confidence in its future by the completion of the Alaskan Railroad.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In all, National Training School for Boys, $60,136.

Mr. BYRNES of South Carolina. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. SHERLEY, as Speaker pro tempore, having assumed the chair, Mr. SUMNERS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, and had come to no resolution thereon.

SENATE JOINT RESOLUTIONS AND SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolutions and bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. J. Res. 217. Joint resolution admitting into the United States 560 barrels of Spanish wine ordered by Luigi Bick, of New York City, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Ways and Means.

S. J. Res. 207. Joint resolution admitting into the United States 35 puncheons of Gordon's sloe gin, ordered by E. LaMontagne's Sons, of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Ways and Means.

S. 5556. An act to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater in Arlington National Cemetery, Va.; to the Committee on the Library.

S. 5323. An act to authorize the Governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park; to the Committee on Territories.

S. 5224. An act to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 5442. An act for the relief of the owner of the steam lighter *Cornelia;* to the Committee on Claims.

S. 4517. An act for the relief of the owner of the steamship *Matoa;* to the Committee on Claims.

S. 1102. An act for the relief of Simon M. Preston; to the Committee on Claims.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13037. An act to amend the fiftieth article of war;

H. R. 13306. An act to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued;

H. R. 13366. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions;

H. R. 13035. An act to amend section 4 of Chapter V of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918, and to make said amendment retroactive;

H. R. 15950. An act granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River;

H. R. 13394. An act to extend the time for the completion of the dams across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by acts approved June 3, 1912, and March 1, 1916;

H. R. 12211. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 13308. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5279. An act to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes.

HOUR OF MEETING TO-MORROW.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-night it adjourn to meet to-morrow at 11 o'clock a. m. Is there objection?

Mr. MANN. Reserving the right to object, what is going to be taken up to-morrow?

Mr. BYRNES of South Carolina. I understand that the chairman of the Committee on Appropriations desires to take up the general deficiency bill, which he expects to report to-morrow morning. If not, I am going to endeavor to go on with the sundry civil bill.

Mr. MANN. Will the general deficiency bill be printed, so that Members can have access to it to-morrow?

Mr. BYRNES of South Carolina. My information is that it will be printed so that Members can have access to it.

Mr. MANN. So that that bill can come up?

Mr. BYRNES of South Carolina. Yes.

Mr. CRAMTON. Can the gentleman state further whether any of the pending conference reports will be taken up?

Mr. BYRNES of South Carolina. They have the right of way. I do not know whether they will be taken up or not.

Mr. CRAMTON. The gentleman can give no information to the House on that subject?

Mr. BYRNES of South Carolina. I am sorry that I can not.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

WATER POWER.

Mr. SIMS. Mr. Speaker, I desire to present a complete conference report agreement on the water-power bill (S. 1419); and, although I believe that at this stage of the session the rule does not require the printing of the conference report in the RECORD, I ask that the conference report and statement be printed in the RECORD.

The SPEAKER pro tempore. The gentleman from Tennessee presents a conference report, which, with the accompanying statement, will be printed under the rule.

PORT OF ENTRY, BAR HARBOR, ME. (H. DOC. NO. 1831).

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was referred to the Committee on Ways and Means and ordered to be printed:

To the Senate and House of Representatives:

The sundry civil act approved August 1, 1914, contains the following provision, viz:

"The President is authorized from time to time, as the exigencies of the service may require, to rearrange, by consolidation or otherwise, the several customs-collection districts and to discontinue ports of entry by abolishing the same or establishing others in their stead: *Provided*, That the whole number of customs-collection districts, ports of entry, or either of them, shall at no time be made to exceed these now established and authorized, except as the same may hereafter be provided by law: *Provided further*, That hereafter the collector of customs of each customs-collection district shall be officially designated by the number of the district for which he is appointed, and not by the name of the port where the headquarters are situated; and the President is authorized from time to time to change the location of headquarters in any customs-collection district, as the needs of the service may require: *And provided further*, That the President shall, at the beginning of each regular session, submit to Congress a statement of all acts, if any, done hereunder, and the reasons therefor."

Pursuant to the requirement of the third proviso to said provision, I have to state that by Executive order dated June 1, 1918, effective June 15, 1918, Bar Harbor, Me., was made a port of entry in customs-collection district No. 1, of which Portland is the headquarters port.

This action was taken because the volume of business arising at Bar Harbor warranted the designation of said place as a port of entry.

WOODROW WILSON.

THE WHITE HOUSE, *26 February, 1919.*

ADJOURNMENT.

Mr. BYRNES of South Carolina. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 23 minutes p. m.) the House adjourned until Thursday, February 27, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the Chesapeake & Potomac Telephone Co., transmitting annual report for the year 1918 (H. Doc. No. 1830); to the Committee on the District of Columbia and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the President of the United States, inclosing with his approval a proposed draft of legislation recommended by the National Advisory Committee for Aeronautics for the regulation of civil aerial navigation, including an estimate of appropriation, for expenses incident thereto (H. Doc. No. 1828); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting a deficiency estimate of appropriation, required by the War Department for "General appropriations, Quartermaster Corps, 1919" (H. Doc. No. 1829); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (H. R. 13581) to provide for the enforcement of war prohibition, reported the same with amendment, accompanied by a report (No. 1143), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MANSFIELD: A bill (H. R. 16180) fixing the rates of postal charges on mail matter of the first class, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. BIRCH: A bill (H. R. 16181) authorizing the Secretary of War to donate to the city of Rockaway, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 16184) to amend section 5 and section 8 of the United States cotton-futures act, approved August 11, 1916, and for other purposes; to the Committee on Agriculture.

By Mr. KNUTSON: A bill (H. R. 16185) for the promotion of the general welfare, and to provide capital for the development by land colonization of the agricultural resources of the Nation; to the Committee on Appropriations.

By Mr. HUMPHREYS: Joint resolution (H. J. Res. 436) providing for the appointment by each Member of the House of Representatives of one secretary and one clerk, whose names shall be placed on the rolls and paid in monthly installments; to the Committee on Accounts.

By Mr. LANGLEY: Joint resolution (H. J. Res. 437) extending for a total period of one year the grace period for the payment of premium on military and naval insurance policies in the case of any honorably discharged officer or member of the enlisted personnel of the Army, Navy, or Marine Corps; to the Committee on Interstate and Foreign Commerce.

By the SPEAKER: Memorial from the Legislature of the State of New Mexico, memorializing the Congress of the United States to legislate with respect to the reclamation of swamp, arid, waste, and undeveloped lands to aid honorably discharged soldiers, sailors, and marines; to the Committee on Irrigation of Arid Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAREW: A bill (H. R. 16182) granting a pension to Alfred J. Walker; to the Committee on Pensions.

By Mr. WALTON: A bill (H. R. 16183) granting a pension to Elizabeth V. Harris; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 16186) granting an increase of pension to John Paul; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURROUGHS: Petition of International Brotherhood of Electrical Workers, Local No. 513, Manchester, N. H., J. A. Kenney, president; H. B. McKeon, recording secretary; R. S. Putney, financial secretary; advocating the establishment at Washington, D. C., of a committee through whom the telephone employees throughout the country may negotiate any requests for wage increases or betterments of working conditions; to the Committee on the Post Office and Post Roads.

Also, telegrams in favor of daylight saving from M. J. DeSaules, Dover, N. H., and James Kirkbright, Metropolitan Life Insurance Co., Nashua, N. H.; to the Committee on Agriculture.

Also, telegrams from the following persons and organizations, all within the State of New Hampshire, advocating the continuance of the United States Employment Service of the Department of Labor: New Hampshire Ice Co., by Arthur Day; Reeds Laundry; A. G. Davis, Merrimack County, agricultural agent; Holt Bros. Manufacturing Co., E. J. Hatch, president; Concord Foundry Co.; the George L. Theobald Building Mover; Shepard Bros. & Co.; Eagle Hotel; Highway Department; and W. S. Kaime Livery Stable, all of Concord; Draftsmen's Union, No. 4, International Federation of Draftsmen's Unions, American Federation of Labor, W. B. Collier, recording secretary; and Local Union, No. 230, International Brotherhood of Blacksmiths and Helpers, Percy Durgin, president, E. S. F. Pickering, secretary, both of Portsmouth, N. H.; Carpenters Local No. 1616, A. H. Marois, president, A. Nadeau, secretary; International Molders Local No. 257, Cornelius Hagerty, secretary, D. J. Sullivan, president; and H. A. Burque, all of Nashua; International Brotherhood Stationary Firemen, J. H. Featherstone, secretary, Franklin; and Central Labor Union, Earl C. Lane, secretary, Berlin; to the Committee on Appropriations.

Also, telegrams from the following persons and organizations, all within the State of New Hampshire, advocating the continuance of the United States Employment Service of the Department of Labor: Hon. James W. Remick; Concord Pipe Co., by M. Mulcahey; Matson Machine Co.; Locke Bullock; P. H. Larkin & Co., by Barry Larkin; Washington Street Market, by James Martin, manager; Concord Charity Organization, by Miss Jackson; Norris Baking Co., by David Taylor, manager; Elysian Farm, by Arthur H. Tenny; Concord Press, by H. Tarrant, manager; New Hampshire Spinning Co., by George W. Rooney, superintendent; Mrs. O. E. Richardson; and Concord Cash Market, by

E. J. Nolan, manager, all of Concord; and Red Cross Committee, by Dana A. Emery, president, of Manchester; to the Committee on Appropriations.

Also, telegrams from the following persons and organizations, all within the State of New Hampshire, advocating the continuance of the United States Employment Service of the Department of Labor: Wales Line Co., J. A. Hassan, superintendent; Children's Home, Mrs. Sarah S. Wyatt, president; William Goss, cashier Merchants National Bank; Caroline H. Garland, librarian Dover Public Library; and Hon. George H. Yeaton, ex-county commissioner, all of Dover; Rumford Building and Loan Association, Isaac M. Savage, treasurer; and C. M. and A. W. Rolfe Sash & Blind Co., by Harold F. Rolfe, both of Concord; R. D. Hetzel, president New Hampshire College, of Durham; United Textile Workers and Central Labor Union, both of Lebanon; Tilton Electric Light & Power Co., William H. Moses, president, of Tilton; Thomas F. Nolan, grand knight, Manchester Council Knights of Columbus; Salvation Army, Herbert H. Saul, adjutant; Soldiers and Sailors Welfare Committee, Hon. Harry H. Spaulding, chairman; and Frank C. Livingston, chairman Community Labor Board, all of Manchester; Franklin Central Labor Union, R. W. Powell, secretary, Franklin; and Central Labor Union, R. S. Cotton, president, and William Fraser, secretary, both of Nashua; to the Committee on Appropriations.

By Mr. CAREW: Petition of the Consumers' League of New York, urgently requesting that the United States Employment Service be made a permanent bureau in the Department of Labor; to the Committee on Labor.

Also, petition of the Republican Club of New York, opposing indefinite retention by Federal Government of the railroads, telegraphs, telephones, and trans-Atlantic cable lines, and especially opposing Government control of railroads for five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Wholesale Grocers' Association, advocating the adjustment of postal rates so that each class of mail shall pay the full cost of its service, and that only; to the Committee on the Post Office and Post Roads.

Also, petition of Periodical Publishers' Association of America, indorsing daylight-saving system; to the Committee on Interstate and Foreign Commerce.

By Mr. DARROW: Protests of Pennsylvania State Chamber of Commerce, and Philadelphia Bourse, Philadelphia Board of Trade, Philadelphia Cricket Club, Huntingdon Valley Country Club, William M. Lloyd Co., A. J. Reach Co., J. G. Brill Co., Madeira, Hill & Co., S. Rosenau & Co., H. Rosenberger, Joseph M. Jennings, C. E. Wyatt, and A. Saxon, of Philadelphia, Pa., against the repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. DOOLING: Petition of Periodical Publishers' Association of America, indorsing the daylight-saving system and protesting against any effort for its repeal; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Petition of Twentieth Century Club of Berkeley, Cal., favoring entrance of the United States into a league of nations; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of Freedmen's Aid Society of Methodist Episcopal Church, asking for passage of law for the suppressing of lynching; to the Committee on the Judiciary.

By Mr. GALLIVAN: Petition of International Brotherhood Stationary Firemen, J. H. Featherstone, secretary, asking for appropriation to continue the United States Employment Service; to the Committee on Appropriations.

Also, petition of Shepard Bros. & Co., W. S. Kaince livery stable, Concord Ice Co., Holt Bros. Manufacturing Co., the George L. Theobald Building Mover, Reed's Laundry, Eagle Hotel, Highway Department, Concord Foundry, and Merrimack County agricultural agent, all of Concord, N. H., asking for appropriation to continue United States Employment Service; to the Committee on Appropriations.

Also, petitions of Boston Insurance Co., and J. Robinovitz, superintendent of Metropolitan Life Insurance Co., of Roxbury, Mass.; Wright and Ditson, Boston, Mass.; Longwood Cricket Club, S. S. Pierce Co. (by E. J. Preston, treasurer), O. E. Linscott (superintendent Metropolitan Life Insurance Co.), and Walworth Manufacturing Co., all of South Boston, Mass., protesting against repeal of daylight-saving law; to the Committee on Agriculture.

Also, petitions of Lawrence Rodney, superintendent of Metropolitan Life Insurance Co.; Kistler, Lesh & Co.; Brown & Adams; and Pilgrim Rubber Footwear Co., all of Boston, Mass.; W. H. Dennison, Metropolitan Life Insurance Co., Quincy, Mass.; M. H. Keenan, superintendent of Metropolitan Life Insurance Co., Dorchester, Mass.; and M. A. Ryan, superintendent of Metropolitan Life Insurance Co., Roxbury, Mass., protesting against repeal of daylight-saving law; to the Committee on Agriculture.

By Mr. HOLLINGSWORTH: Petition of the McGraw Tire & Rubber Co., of East Palestine, Ohio, protesting against repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: Petition of various citizens of Stellacoom, Wash., favoring legislation to deport persons who renounced their citizenship to avoid military service; to the Committee on Immigration and Naturalization.

By Mr. KIESS of Pennsylvania: Petition of Lutheran, Methodist Episcopal, and Presbyterian churches of Montoursville, Pa., with reference to polygamy in the United States; to the Committee on the Judiciary.

By Mr. LINTHICUM: Petition of R. C. Schaffter, of Baltimore, Md., urging passage of Senate bill 5464 and House bill 15402; to the Committee on Education.

Also, petition of Merchants' & Manufacturers' Association, of Baltimore, Md., protesting against repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. F. Ireton and others, asking for passage of United States service employment bill; to the Committee on Labor.

Also, petitions of Morgan Mill Work Co.; E. W. Bartol, superintendent Metropolitan Life Insurance Co.; Commercial Credit Co.; R. C. Shaffter and 50 employees; and A. Schusster and 45 field employees, all of Baltimore, Md., protesting against repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Maryland Council of Defense in favor of United States Employment Service; to the Committee on Labor.

Also, petition of Maryland Branch of the Anti-Prohibition League, protesting against the war-time prohibition act; to the Committee on the Judiciary.

Also, petition of Pomona Grange, Talbot County, Md., unanimously indorsing Senate bill 4987 and House bill 15400, to establish a national department of education; to the Committee on Education.

Also, petition of J. Maurice Buchheimer, Baltimore, Md., relating to tax rates; to the Committee on Ways and Means.

Also, petition of W. N. Brewington, Wicomico News, Salisbury, Md., asking protection for the potash industry; to the Committee on Agriculture.

Also, petition of county superintendents, Baltimore, Md., indorsing the Towner bill (H. R. 15400); to the Committee on Education.

By Mr. MAHER: Petition of Lady Jefferson Democratic Club of the fifteenth assembly district of Brooklyn, N. Y., against the Hoke Smith educational bill; to the Committee on Education.

By Mr. SCHALL: Petition of Commercial Telegraphers' Union, Minneapolis Local, No. 8, indorsing the proposed league of nations; to the Committee on Foreign Affairs.

By Mr. TAGUE: Letters and telegrams from business concerns of Boston, Mass., protesting against repeal of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *February 27, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we have come before Thee upon a day of glad acclaim, when the National Capital is welcoming home her boys from beyond the seas. We bless Thee for their safe return. We thank Thee for the protection that Thou didst give to them. We recognize Thy grace to them in answer to the prayers of many faithful hearts, in keeping them clean and strong and brave, and in bringing them back gloriously victorious.

We pray that Thy blessing may be upon the boys; that the record they have made will be an incentive always to them as they turn back to civil life; and that all who have marched under the order and call of their country may be clothed with those virtues that have been forged in the furnace of a great conflict, that they may be the strong leaders of the days that are to come to achieve yet greater things than their fathers have achieved in the paths of peace and of righteousness and of truth.

Grant us now Thy blessing to enable us to discharge the duties of the day. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

TELEGRAM FROM SENATOR PHELAN.

The VICE PRESIDENT. The Chair lays before the Senate the following telegram from Senator JAMES D. PHELAN, which will be read.

The Secretary read as follows:

SAN FRANCISCO, CAL., *February 26.*

To the VICE PRESIDENT OF THE UNITED STATES,
Senate Chamber, Washington, D. C.:

Referring to remarks alleged to have been made by Hon. William Howard Taft at recent meeting here to the effect that he would not trust certain Senators overnight, the following letter, signed by all of us, was to-day delivered to the editor of the San Francisco Chronicle:

"Your continued editorials with regard to President Taft's remarks at the noon meeting held at the St. Francis have created an issue of fair play which leads us to address you upon the subject. The men signing this note were in Mr. Taft's immediate neighborhood when he was speaking. The language he actually used was as follows: 'That he was afraid to trust these gentlemen overnight with the Constitution.' When he spoke the words 'that he was afraid to trust these gentlemen overnight' there was loud applause, which drowned, so far as the words were concerned, the balance of his statement. As Mr. Taft must be held responsible for what he said, we hope that you will make the proper correction of this mistake. The undersigned personally vouch for the correctness of the foregoing, as each distinctly heard the actual language used by Mr. Taft."

You are respectfully requested to present this telegram to the Senate for its information and with the request that it be entered on its records.

James D. Phelan, P. H. McCarthy, Robert A. Roos, Charles C. Moore, Jesse W. Lilienthal, Frederick S. Nelson, R. R. Rogers, H. A. Melvin, R. B. Hale, R. H. Marchant, Frederick Whitton.

CALLING OF THE ROLL.

Mr. FRANCE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Hale	Norris	Smoot
Bankhead	Henderson	Overman	Spencer
Borah	Johnson, Cal.	Owen	Sterling
Brandegee	Jones, Wash.	Page	Sutherland
Calder	Kellogg	Pittman	Swanson
Chamberlain	Kenyon	Poindexter	Thompson
Colt	King	Pollock	Trammell
Culberson	Knox	Pomerene	Underwood
Cummins	La Follette	Reed	Wadsworth
Curtis	Lewis	Robinson	Walsh
Dillingham	McKellar	Shafroth	Warren
Fernald	McLean	Sheppard	Watson
France	McNary	Sherman	Weeks
Frelinghuysen	Martin, Ky.	Smith, Ariz.	Williams
Gay	Moses	Smith, Ga.	Wolcott
Gore	Myers	Smith, Mich.	
Gronna	New	Smith, S. C.	

Mr. SMITH of Michigan. My colleague [Mr. TOWNSEND] is detained from the Senate on account of the serious illness of his wife. I should like to have this announcement stand for the day on each roll call.

The VICE PRESIDENT. Sixty-six Senators have answered to the roll call. There is a quorum present. Petitions and memorials are in order.

LANDS IN MONTANA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 13th instant, certain confidential information requested by the Senate, which was referred to the Committee on Public Lands.

LIFE-SAVING DEVICES (S. DOC. NO. 423).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, in response to a resolution of the 27th ultimo, certain information relative to the enforcement of title 52 of the Revised Statutes with respect to life-saving devices, which, with the accompanying paper, was referred to the Committee on Commerce and ordered to be printed.

FREIGHT RATES ON WHEAT AND WHEAT FLOUR (S. DOC. NO. 424).

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, in response to a resolution of the 19th instant, certain information relative to comparative freight rates on wheat and wheat flour, which, with the accompanying papers, was referred to the Committee on Interstate Commerce and ordered to be printed.

FREIGHT RATES ON FERTILIZER MATERIAL (S. DOC. NO. 425).

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission transmitting, in response to a resolution of the 10th instant, certain information relative to the proposed consolidated freight classification No. 1, which, with the accompanying papers, was referred to the Committee on Interstate Commerce and ordered to be printed.

PRODUCTION OF MINERALS (S. DOC. NO. 422).

The VICE PRESIDENT laid before the Senate a communication from the Director of the Bureau of Mines transmitting, pursuant to law, a report of all expenditures and disbursements made under the act to encourage the production, etc., of minerals, which, with the accompanying paper, was referred to the Committee on Mines and Mining and ordered to be printed.

CHESAPEAKE & POTOMAC TELEPHONE CO.

The VICE PRESIDENT laid before the Senate a supplemental report from the Chesapeake & Potomac Telephone Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

VENTILATION OF SENATE CHAMBER.

The VICE PRESIDENT laid before the Senate a communication from the Superintendent of the United States Capitol Building and Grounds, which was referred to the Committee on Rules and ordered to be printed in the RECORD, as follows:

OFFICE OF SUPERINTENDENT,
UNITED STATES CAPITOL BUILDING AND GROUNDS,
Washington, D. C., February 26, 1919.

The honorable the VICE PRESIDENT OF THE UNITED STATES.

SIR: I beg to inform you, and through you the United States Senate, that, in accordance with the terms of the resolution passed by that body February 24, 1919, calling for improvement in the ventilation of the Senate Chamber, etc., the air furnished the Senate Chamber is now being taken directly from the open court adjacent to the Senate wing of the Capitol, and on the west side of the building, through inlets within a very few feet of the ventilating fans.

I desire to state further that I have ready for early consideration of the Senate Committee on Rules complete plans and specifications looking toward a full revision and improvement of the ventilating system of the Senate, including washing, purifying, and tempering of the air in cold and warm weather.

Very respectfully,

ELLIOTT WOODS,
Superintendent United States Capitol Building and Grounds.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 12211. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 13308. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 14078. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; and

H. R. 15834. An act to extend the time for the construction by Kratka Township of a bridge across the Red Lake River, in Pennington County, Minn.

PETITIONS AND MEMORIALS.

Mr. CURTIS. I present a memorial from the Kansas Legislature, which I ask may be printed in the RECORD and referred to the Committee on Military Affairs.

The memorial is as follows:

House concurrent resolution 22.

A resolution requesting the Government of the United States to take immediate action permitting all soldiers, sailors, and marines inducted into the great world war of 1914–1918 to retain all personal property, including uniforms and individual equipment, except guns or other special weapons of warfare.

Be it resolved by the House of Representatives of the Legislature of the State of Kansas, the Senate concurring therein:

Resolved first, That the Congress of the United States be requested to pass with all convenient speed and dispatch a bill allowing the War Department to permit every soldier, sailor, and marine inducted into the Army of the United States during the years 1917–1918 to retain all their personal uniform, clothing, and equipment now in their possession issued to them by the Government of the United States, excluding therefrom the guns and other special weapons of warfare.

Resolved second, That our Senators and Representatives in Congress are hereby urged to secure such action at as early a date as possible on account of the fact that the demobilization of the forces is occur-

ring so rapidly that many of the soldiers, sailors, and marines will have to return their equipment unless such action is speedily taken.

Resolved third, That if Congress has already taken action in this regard, that the War Department be requested to issue the order in such plain terms and at as early a date as possible that these soldiers and marines may not be compelled to turn back to the Government the equipment described in the first resolution.

Resolved fourth, That the secretary of the senate and the chief clerk of the house are instructed to send engrossed copies of this resolution to every Senator and Representative of the State of Kansas in the National Congress, to the War Department, and to the presiding officer of each House of Congress.

I hereby certify that the above concurrent resolution originated in the house, and passed that body February 13, 1919.

D. A. N. CHASE,
Speaker of the House Pro Tempore.
CLARENCE W. MILLER,
Chief Clerk of the House.

Passed the Senate February 19, 1919.

CHAS. S. HUFFMAN,
President of the Senate.
EMMET D. GEORGE,
Secretary of the Senate.
By HENRY S. SOUTHOCK,
Assistant Secretary.

Approved February 24, 1919.

HENRY J. ALLEN, *Governor.*

Mr. STERLING. I have received many letters from my State, protesting against a continuance of the daylight-saving law and favoring a repeal of that law. I have this morning received a petition with a letter accompanying it. I ask that the letter, which is short, and the petition may be read.

There being no objection, the letter and petition were read, as follows:

FLANDREAU, S. DAK., *February 22, 1919.*

Senator STERLING,
Washington, D. C.

DEAR SIR: I am inclosing the names of a lot of farmers taken at a farm sale, which, I think, expresses the sentiment of the farmers of Moody County and the farmers at large regarding the daylight law, which we put up with last season as a war measure, but do not feel that we should be hampered with it again this season; and would ask that you urge the repeal of it. We are certain that it cost us, on the 1,700 acres that we operated, last season over $1,000 for lost time, which we had to pay for. Trusting that you will do your utmost to get the law repealed, we are,

Yours, very truly, GILES E. PETTIGREW & SON.

Whereas the daylight-saving law, as enacted by Congress has worked a hardship on the American farmer by being impractical for his use, causing him financial loss in the hiring of help, we, the undersigned, petition our Congressmen at Washington to have that law repealed.

E. M. DAILEY
(And others).

Mr. STERLING presented a petition of sundry citizens of Flandreau, Pipestone, Egan, and Sherman, all in the State of South Dakota, praying for the repeal of the daylight-saving law, which was referred to the Committee on Interstate Commerce.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD.

The memorial was ordered to be printed in the RECORD, as follows:

Senate joint memorial 11.

Whereas the United States Government has established offices of the United States Employment Service throughout the State of Oregon, serving the people of the entire State; and

Whereas the United States Employment Service, which was created and extended as a solution to the labor-employment problems growing out of war-time conditions, has proven its worth to the people of the State of Oregon and has been and is of material value and assistance both to employers in securing labor when workers are wanted and to labor when employment is sought; and

Whereas the people of Oregon believe that the usefulness of the United States Employment Service will not cease with the termination of the war, but, rather, that its fields of service will constantly become broader and more beneficial to the public: Now, therefore, be it

Resolved by the Thirtieth Legislative Assembly of the State of Oregon, That we do hereby petition and earnestly pray the honorable Congress of the United States for the passage of such legislation as may be necessary for the continuance of the United States Employment Service; and be it further

Resolved, That a copy of this memorial be forwarded by the chief clerk of the Senate of the State of Oregon to the Senate of the United States and that copies of this memorial be forwarded by the chief clerk of the Senate of the State of Oregon to the House of Representatives of the United States and that copies thereof be transmitted by the chief clerk of the Senate of the State of Oregon to the Senators and Representatives in Congress of the State of Oregon, with the request that they use every effort within their power to bring about an accomplishment of the ends and purposes indicated.

Adopted by the house February 17, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate February 5, 1919.

W. I. VINTON,
President of the Senate.

Mr. CHAMERLAIN. I also present a memorial of the Legislature of Oregon, which I ask to have printed in the RECORD:

The memorial is as follows:

Senate joint memorial 15.

Whereas the Hon. W. C. HAWLEY, Representative in Congress from Oregon, has introduced in Congress a bill "to reserve as part of the Oregon and Siuslaw National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Company v. The United States" (H. R. 12770); and

Whereas the purpose of said bill is to protect the watershed from which the cities of Corvallis, Dallas, and Oregon City, in the State of Oregon, obtain their supply of water for municipal purposes; and

Whereas unless Federal legislation exempting from sale the lands described in said bill is enacted there is grave danger that the water supply for said cities will not only be reduced in amount below that actually necessary for said cities by reason of the timber being cut therefrom without regulation, but also that by reason of the occupancy thereof by private persons the purity of said water will be impaired and the health of the inhabitants of said cities endangered: Therefore be it

Resolved by the Senate of the State of Oregon (the House of Representatives concurring), That we hereby memorialize Congress to enact some suitable legislation that shall have the effect to withdraw from sale the lands found situated upon the watershed from which the cities of Corvallis, Dallas, and Oregon City, in Oregon, derive their supply of water for municipal purpose; that in our opinion H. R. 12770, above mentioned, is such a bill, and we hereby urgently petition the Congress of the United States to enact the same into a law; be it further

Resolved, That the chief clerk of the senate at once forward a copy of this memorial to the Senate and House of Representatives of the United States in Congress assembled, and to each of the Senators and Representatives from Oregon a certified copy of this memorial.

Adopted by the house February 17, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate February 11, 1919.

W. I. VINTON,
President of the Senate.

Mr. HALE presented petitions of the Ministerial Association of Dover and Foxcroft, of North Franklin Pomona Grange, No. 22, Patrons of Husbandry, of Phillips, and of sundry citizens of Orono, all in the State of Maine, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented a memorial of the Chamber of Commerce of Portland, Me., remonstrating against the repeal of the daylight-saving law, which was referred to the Committee on Interstate Commerce.

Mr. SMITH of Michigan. I present a telegram embodying a resolution passed by the Kiwanis Club of Kalamazoo, in my State, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

The telegram is as follows:

KALAMAZOO, MICH., *February 26, 1919.*

Hon. WM. ALDEN SMITH,
Senate Office Building, Room 411, Washington, D. C.:

The following resolution was passed by Kiwanis Club of Kalamazoo to-day:

"Whereas the first and most pressing problem in the process of reconstruction is the industrial replacement of the discharged soldiers, sailors, and marines; and

"Whereas the most important, feasible, and far-reaching single measure yet proposed for meeting this situation is Secretary Lane's plan for employing these men to reclaim our idle lands and to place them on ready-made farms; a plan which is being carried on successfully in Great Britain and the British Dominions: Therefore be it

"*Resolved*, That we urge on the present Congress the necessity of granting the appropriation of $100,000,000 as a revolving fund, which the Department of the Interior has asked for with which to carry on this work.

"*Resolved*, That copies of this resolution be sent to our Senators and Congressman at Washington, and also to the Secretary of the Interior.

"DR. R. A. GLEZEN,
"DR. GEORGE F. INCH,
"PROF. LEN. F. SMITH,
"*Committee.*"

Mr. SMITH of Michigan (for Mr. TOWNSEND) presented a petition of the Sunday school of the Methodist Episcopal Church of Wayland, Mich., and a petition of Council No. 361, United Commercial Travelers, of Traverse City, Mich., praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also (for Mr. TOWNSEND) presented a telegram in the nature of a memorial from J. B. Sherrard, of Detroit, Mich., and a telegram in the nature of a memorial from L. D. Berry, of Detroit, Mich., remonstrating against the opening of public lands to private appropriation for coal, oil, and phosphate development, which were referred to the Committee on Public Lands.

He also (for Mr. TOWNSEND) presented a petition of the Michigan Federation of Women's Clubs, praying for the passage of the so-called McKellar-Keating civil-service retirement bill, which was ordered to lie on the table.

He also presented telegrams in the nature of memorials from sundry citizens of Saginaw, Muskegon, Petoskey, Marquette,

Ishpeming, Bay City, Battle Creek, Albion, Calumet, and Lansing, all in the State of Michigan, remonstrating against the repeal of the daylight-saving law, which were referred to the Committee on Interstate Commerce.

He also (for Mr. TOWNSEND) presented telegrams in the nature of petitions from sundry manufacturers and business men of Detroit, Saginaw, and Flint, all in the State of Michigan, praying for the early passage of the bill validating informal contracts, which were referred to the Committee on Military Affairs.

He also (for Mr. TOWNSEND) presented telegrams in the nature of petitions from sundry labor unions of Detroit, Muskegon, Saginaw, Grand Rapids, Kalamazoo, Jackson, and Menominee, all in the State of Michigan, praying for the continuance of the United States Employment Service, which were referred to the Committee on Appropriations.

He also (for Mr. TOWNSEND) presented a petition of South Jefferson Grange, No. 182, Patrons of Husbandry, of Osseo, Mich., praying for the repeal of the present zone system of postage rates, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. TOWNSEND) presented a petition of the Republican Club, of Detroit, Mich., praying for an increase in the salaries of postal clerks, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. TOWNSEND) presented telegrams in the nature of petitions from sundry citizens of Detroit and Flint, in the State of Michigan, praying for the repeal of the luxury tax, which were referred to the Committee on Finance.

He also (for Mr. TOWNSEND) presented a petition of sundry employees of the Duluth, South Shore & Atlantic Railway Co., of St. Ignace, Mich., praying for the proposed five-year extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. THOMPSON presented a petition of the board of directors of the Chamber of Commerce of Kansas City, Kans., praying for the continuance of the United States Employment Service, which was referred to the Committee on Appropriations.

Mr. BANKHEAD. I present a resolution adopted by the Legislature of the State of Alabama, which I ask to have printed in the RECORD.

The resolution was ordered to be printed in the RECORD, as follows:

THE STATE OF ALABAMA,
DEPARTMENT OF STATE.

I, Wm. P. Cobb, secretary of State, do hereby certify that the pages herete attached contain a true, accurate, and literal copy of house joint resolution No. 54, adopted by the house of representatives on February 12, 1919, and by the senate on February 11, 1919, as the same appears on file and of record in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State, at the capitol, in the city of Montgomery, this 15th day of February, 1919.

[SEAL.] WM. P. COBB,
Secretary of State.

House joint resolution 54.

Whereas the measure now pending in Congress, popularly known as the Byrnes soldier settlement bill, providing for the appropriation of $100,000,000 to be expended under the direction of the Secretary of the Interior for the purpose of providing employment for and the opportunity of securing homes for returned soldiers and sailors is of great general importance to the entire country, involving as it does far-reaching plans of readjustment; and

Whereas immediate action by Congress is necessary in order that plans may be perfected and put into operation: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the Senators and Representatives in Congress from the State of Alabama be, and they are hereby, very earnestly urged to lend their earnest, enthusiastic, and immediate efforts toward securing the prompt passage of the said bill before the adjournment of the present session of Congress; and

Resolved, That a copy of these resolutions be transmitted by the governor under the seal of State to the said Senators and Representatives.

Adopted by the senate February 11, 1919.
Adopted by the house February 12, 1919.

Mr. WOLCOTT presented a petition of sundry citizens of Wilmington, Del., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry teachers of the public schools of New Castle and Kent Counties and a petition of sundry teachers of the public schools of Dover, all in the State of Delaware, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. LODGE presented petitions of the congregation of the Church of the Disciples, of Boston; of the congregation of the Payson Park Congregational Church, of Cambridge; of the congregation of the First Baptist Church, of Leominster; of the League for Democratic Control, of Boston; of the Pilgrim Club, of New Bedford; of the Women's Club, of Quincy; and of the Massachusetts State Federation of Women's Clubs, all in the State of Massachusetts, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

MERCHANTS & MINERS' TRANSPORTATION CO.

Mr. SMITH of Georgia. Mr. President, several days ago the Senator from Massachusetts [Mr. WEEKS] was calling attention to the Merchants & Miners' Transportation Co., and I presented to the Senate at that time a letter addressed to the counsel for the Director General of Railroads—Judge Payne—by Senators COLT, FLETCHER, and myself, representing a number of Senators who had been studying the question. I have received an answer from Judge Payne, and I think it should go into the RECORD that Senators interested may see the reply. I do not ask that it be read.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES RAILROAD ADMINISTRATION,
Washington, February 13, 1919.

MY DEAR SENATOR SMITH: Answering your kind letter of the 12th instant in which Senators FLETCHER and COLT join, representing the Senators who recently wrote me on the same subject:

I think you should know that after giving the best possible attention to the subject by the Railroad Administration, the loss from the operation of the boats of the Merchants & Miners' Transportation Co. from April 13, 1918, to December 5, 1918, the date of their relinquishment, was, in round numbers, $700,000, and that the difference between the expenses of operation and the income since that time have been at the rate of $100,000 per month.

In view of these rather startling losses, it does not seem to me possible that I can recommend to the Director General that the Government continue to absorb this loss. I have accordingly notified the Merchants & Miners' Co. that we would cease the operation of the boats on or before March 1, as I indicated at the conference at which you were present on Saturday.

My kindest personal regards.

Yours, very truly,

JOHN BARTON PAYNE.

Hon. HOKE SMITH,
United States Senate.

Mr. SMITH of Georgia. I also present a letter from the Savannah Board of Trade on the same subject.

Mr. SMOOT. What is the subject?

Mr. SMITH of Georgia. The Merchants & Miners' Transportation Co. The effect of my reading the letter without the answer might be misleading to Senators interested. I ask that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SAVANNAH BOARD OF TRADE,
Savannah, Ga., February 21, 1919.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

DEAR SIR: We understand that the releasing by the Railroad Administration of the Merchants & Miners' Transportation Co. and the Clyde Line have placed both of these steamship companies in such a position, due to increased cost of operation and control of the railroads by the Government, that they will be unable to operate except at extremely heavy losses, and indications are they will be placed in such an embarrassing position they will be compelled to cease operation.

The Merchants & Miners' Transportation Co., as you are no doubt aware, has a regular line of steamers between Savannah and Philadelphia, Baltimore, and Jacksonville.

The Clyde Line does not touch at this port, but does at other South Atlantic ports.

We feel that discontinuance of these two lines will seriously affect South Atlantic ports and will be pleased to be advised of the real situation of these two companies. The president of the Merchants & Miners' Transportation Co. filed with the Railroad Administration some time ago petition, contents of which we are not familiar with, therefore are unable to intelligently act at this time.

Thanking you for any and all information that you can give us and urging your support in our behalf, I am,

Very truly, yours,

THOMAS PURSE, *Secretary.*

PROPOSED ADJOURNMENT FOR THE DAY.

Mr. SHERMAN. Mr. President, I offer a resolution of adjournment, for the cause stated.

The VICE PRESIDENT. It will be read.

The resolution was read, as follows:

Whereas the soldiers, sailors, and marines of this war assemble to-day in the District of Columbia, and the civilian population in a public procession do them the honor and show the respect to which they are entitled; and

Whereas the President of the United States has been absent for some months from the seat of government, having gone to and been present in various countries of Europe during that absence, and is now returned to the United States and is to-day in the District of Columbia, where he can communicate with coordinate branches of the Government in the discharge of his Executive duties; and

Whereas the people of the United States and Congress rejoice at his safe return and resumption of his Executive duties at the Capital: Now, therefore, be it

Resolved by the Senate, That in commemoration of the presence of the Executive and in respect to the soldiers, sailors, and marines so in this seat of government that the Senate do now adjourn until 10 o'clock a. m. to-morrow, February 28, 1919.

Mr. SMITH of Georgia. Regular order!

The VICE PRESIDENT. A motion to adjourn is always in order. The question is on agreeing to the resolution submitted by the Senator from Illinois. [Putting the question.] The noes seem to have it.

Mr. JONES of Washington. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I am compelled to withhold my vote, as I have a general pair with the senior Senator from Maryland [Mr. SMITH], who is detained from the Chamber.

Mr. OVERMAN (when his name was called). I transfer the general pair I have with the Senator from Wyoming [Mr. WARREN] to the Senator from Virginia [Mr. MARTIN], and vote "nay."

The roll call was concluded.

Mr. COLT (after having voted in the affirmative). I desire to ask if the Senator from Delaware [Mr. SAULSBURY] has voted?

The VICE PRESIDENT. He has not.

Mr. COLT. I have a general pair with that Senator, and I therefore withdraw my vote.

Mr. SWANSON. I desire to announce that my colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of sickness. I will let this announcement stand for the day.

Mr. LEWIS. The Senator from Kentucky [Mr. BECKHAM] is necessarily detained on official business. He is paired with the Senator from West Virginia [Mr. SUTHERLAND].

Mr. CURTIS. I desire to announce that the Senator from Maine [Mr. FERNALD] is paired with the Senator from South Dakota [Mr. JOHNSON].

Mr. SHAFROTH. My colleague, the senior Senator from Colorado [Mr. THOMAS], is detained on account of illness.

The result was announced—yeas 8, nays 69, as follows:

YEAS—8.

Baird	France	Penrose	Sutherland
Calder	Gronna	Sherman	Weeks

NAYS—69.

Ashurst	Jones, N. Mex.	Nelson	Smith, Mich.
Bankhead	Jones, Wash.	New	Smith, S. C.
Beckham	Kellogg	Norris	Smoot
Borah	Kendrick	Overman	Spencer
Brandegee	Kenyon	Owen	Sterling
Chamberlain	King	Page	Swanson
Cummins	Knox	Pittman	Thompson
Curtis	La Follette	Poindexter	Trammell
Fletcher	Lenroot	Pollock	Underwood
Frelinghuysen	Lewis	Pomerene	Vardaman
Gay	Lodge	Ransdell	Wadsworth
Gerry	McCumber	Reed	Walsh
Gore	McKellar	Robinson	Watson
Hale	McLean	Shafroth	Williams
Hardwick	McNary	Sheppard	Wolcott
Henderson	Martin, Ky.	Simmons	
Hitchcock	Moses	Smith, Ariz.	
Johnson, Cal.	Myers	Smith, Ga.	

NOT VOTING—19.

Colt	Goff	Martin, Va.	Smith, Md.
Culberson	Harding	Nugent	Thomas
Dillingham	Hollis	Phelan	Townsend
Fall	Johnson, S. Dak.	Saulsbury	Warren
Fernald	Kirby	Shields	

So Mr. SHERMAN's motion was rejected.

REPORTS OF COMMITTEES.

Mr. SWANSON, from the Committee on Naval Affairs, to which was referred the bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes, reported it with amendments and submitted a report (No. 777) thereon.

Mr. KENDRICK, from the Committee on Public Lands, to which was referred the bill (H. R. 13350) to add certain lands to the Yellowstone National Park, reported it with an amendment and submitted a report (No. 783) thereon.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 5611) granting to certain claimants a preference right to purchase public lands in the State of Arkansas, reported it with an amendment and submitted a report (No. 779) thereon.

He also, from the same committee, to which was referred the bill (S. 5652) providing for cooperation between the United States and State governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes, reported it with amendments and submitted a report (No. 780) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 5607. A bill to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public-park purposes (Rept. No. 778);

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes (Rept. No. 781);

H. R. 11219. An act providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes (Rept. No. 782); and

H. R. 11368. An act to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain described tract of land (Rept. No. 784).

THE COMMITTEE ON THE JUDICIARY.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably Senate resolution 469, authorizing the Committee on the Judiciary to continue its investigations of Bolshevik propaganda during the recess of the Senate, and I ask unanimous consent for its immediate consideration.

Mr. GORE. I object.

The VICE PRESIDENT. The resolution will go to the calendar.

LANDS IN MINNESOTA.

Mr. KELLOGG. From the Committee on Public Lands I report back favorably the bill (H. R. 13034) to validate and confirm certain erroneously allowed entries in the State of Minnesota. The bill has been once passed through the Senate and once passed through the House. This is simply a report from the Committee on Public Lands, substituting the House bill, as recommended by the Secretary of the Interior; and I ask for its immediate consideration.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

Mr. SMITH of Georgia. I wish also to present a report. If there is no debate on the bill reported by the Senator from Minnesota and if it can be disposed of at once, I shall not object; but if it takes any time, I shall object to its consideration at this time.

Mr. KELLOGG. If it takes any time, I will not press it. If anybody objects to it, I will not press it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That in all cases where Chippewa Indian lands in Minnesota, ceded under the act of Congress approved January 14, 1889 (25 Stat. L., p. 642), were assessed under the State drainage laws prior to the opening of the lands to entry, where the lands were subsequently opened to entry and were thereafter sold under the said drainage laws, and where cash entries for the lands were subsequently made as though authorized by the act of Congress approved May 20, 1908 (35 Stats. L., p. 169), such erroneously allowed entries, if otherwise regular, be, and the same are hereby, validated and confirmed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDUCATION OF ILLITERATES.

Mr. SMITH of Georgia. From the Committee on Education and Labor I report back favorably Senate bill 5464. I wish to state that this is the bill authorizing national cooperation with the States to promote the education of native illiterates and persons unable to use and understand the English language. This bill has received the most earnest support from all over the United States, and I will file during the day a full report in support of it.

Mr. KENYON. Mr. President, I should like to ask the Senator from Georgia if he proposes to bring up the bill during this session?

Mr. SMITH of Georgia. I shall be delighted to do so if it does not interfere with the necessary appropriation bills. If I should find a lull at any time when I thought I could bring it to the attention of the Senate and pass it without obstructing legislation that must be passed before the 4th of March, I shall do so.

Mr. KENYON. I hope the Senator will do so, as I believe it is the most important bill before Congress.

Mr. SMITH of Georgia. I have been simply astounded at the enthusiasm with which the suggestion has been received from one end of the United States to the other. Many, many leading newspapers, magazines, educational associations, and patriotic associations have poured in resolutions in commendation of

this bill, being perhaps more interested in teaching English to all in the United States who can not speak English than in the other portion of the bill. There is a feeling everywhere that it is absolutely necessary that in this country of ours every man, woman, and child should speak English.

Mr. KENYON. Mr. President, I want to say to the Senator, if he has not the statistics—probably he has—that there are over 8,000,000 people in this country who can not speak the English language, and this bill is to help remedy that situation.

Mr. SMITH of Georgia. In the report which I have prepared and which I will furnish to-day to be printed I give quite a number of those statistics. In the South, on account of the Negro race, there is illiteracy. In the Eastern and Middle States, and even in the Western States, there are foreigners in large numbers who do not speak English, and the enthusiasm with which from all over the country the call is made that English should be the language used all over our land, that every man, woman, and child should be taught to speak English, is but another manifestation of the patriotism which carried us through the German War.

Mr. JONES of Washington. Mr. President, will the Senator allow me to interrupt him?

Mr. SMITH of Georgia. Certainly.

Mr. JONES of Washington. Does not the Senator think that that bill is really more important than at least the ordinary appropriation bills, which are not really needed until the 1st of July?

Mr. SMITH of Georgia. There are perhaps some that are more important than this.

Mr. WALSH. Mr. President, a parliamentary inquiry. What is the order of business?

The VICE PRESIDENT. The order of business is the reports of committees.

Mr. WALSH. I call for the regular order.

LINCOLN-DOUGLASS SANATORIUM.

Mr. MYERS. From the Committee on Public Lands I report back favorably the bill (H. R. 11368) to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain-described tract of land. I call the attention of the Senator from Colorado [Mr. SHAFROTH] to the bill.

Mr. SHAFROTH. I ask unanimous consent for the present consideration of the bill.

Mr. GORE. Mr. President, I wish to say that I am anxious to call up the wheat-guaranty bill at the conclusion of the morning business; and I shall feel obliged to object to unanimous consent for the consideration of any other measure until that time arrives. Therefore I object.

Mr. SHAFROTH. I hope the Senator will withhold his objection for just a moment. This is only a matter of 80 acres. It is a sanatorium for colored people out near Fort Morgan, Colo., under a corporation organized in Colorado, whose office is in Denver. This is the ordinary bill with relation to matters of that kind. The amount is prescribed. The Interior Department approves it, and I hope the Senator from Oklahoma will let it pass.

Mr. GORE. The name of the sanatorium recommends it to me—the Lincoln-Douglass Sanatorium. It is a monument to a dead President; but I shall have to object at this time.

Mr. MYERS. I wish to make a number of other reports from the Committee on Public Lands.

Mr. JONES of Washington. Mr. President, I want to ask the Senator from Oklahoma whether he intends to object to all these unanimous-consent requests or whether he has a special objection to the bill referred to by the Senator from Montana?

Mr. GORE. I have no objection whatever to the bill introduced by the Senator from Colorado, and I was sorry to feel obliged to object to it.

Mr. JONES of Washington. Under those circumstances, I will not ask unanimous consent for the consideration of the last bill reported referring to a military reservation in the State of Washington.

The VICE PRESIDENT. The bills will be placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. SHEPPARD:

A bill (S. 5665) donating captured cannon and cannon balls to the city of McKinney, Tex.; to the Committee on Military Affairs.

By Mr. DILLINGHAM:

A bill (S. 5666) granting an increase of pension to J. W. Parmenter (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 5667) to prevent the removal of pneumatic-tube properties in post-office and Federal buildings in certain cities prior to July 1, 1920; to the Committee on Post Offices and Post Roads.

A joint resolution (S. J. Res. 229) to extend the period of Government control and possession of the telegraph and telephone systems of the United States; to the Committee on Post Offices and Post Roads.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. MOSES submitted an amendment proposing to appropriate $65,792.53 to pay Walston H. Brown and also $26,400.30 to pay the Philadelphia & Reading Coal & Iron Co. the amounts found due them by the Court of Claims, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

FIFTH LIBERTY BOND BILL.

Mr. JONES of Washington. Mr. President, I present an amendment which I intend to propose to the bond bill, if some provision is not made in the committee covering the matter. I want this amendment read. I do not see the chairman of the committee here; but I want to advise the members of the Finance Committee that unless some action is taken covering this proposition in some way, I propose to insist just as strongly as I can, when that bill comes up for consideration, upon the adoption of some proposition of this sort.

The VICE PRESIDENT. The amendment will be read:

The Secretary read the amendment, as follows:

That any owner of liberty bonds not exceeding $500 par value shall be paid in cash the par value thereof and accrued interest thereon through any Federal banking institution upon making a satisfactory showing that he is the owner and original purchaser thereof and that he is disposing of the same to meet his present needs. The Secretary of the Treasury is authorized and directed to make such rules and regulations as may be necessary to carry out the foregoing provisions.

LEAGUE OF NATIONS.

Mr. FRELINGHUYSEN. Mr. President, the question of a league of nations is of interest to the State which I have the honor in part to represent, and I desire to give notice that on to-morrow afternoon I shall address the Senate upon that subject.

THE PRESIDENT'S ADDRESS AT BOSTON.

Mr. PITTMAN. I ask unanimous consent that the President's address at Boston be printed as a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

HOUR OF DAILY MEETING.

Mr. SWANSON submitted the following resolution (S. Res. 479), which was read, considered by unanimous consent, and agreed to:

Resolved, That until otherwise ordered the hour of the daily meeting of the Senate shall be 10 o'clock a. m.

LEAGUE OF NATIONS.

Mr. SPENCER submitted the following resolution (S. Res. 475), which was read and referred to the Committee on Foreign Relations:

Resolved, That in order to prevent misunderstanding, either in this country or among other nations concerning the purpose and effect of the proposed league of nations, it is the judgment of the Senate that in any final draft of the constitution of the league of nations it should be clearly provided in substance as follows:

Nothing contained in this constitution of the league of nations is intended to imply any relinquishment by the United States of its traditional attitude toward purely American questions, nor is anything in this constitution of the league of nations to be regarded as limiting in any sense the power conferred by the Constitution of the United States upon the Congress.

THE COMMITTEE ON AGRICULTURE AND FORESTRY.

Mr. MOSES submitted the following resolution (S. Res. 476), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry be, and hereby is, authorized and directed to investigate by subcommittee the questions involved in Senate bill 5305, and for that purpose is authorized to sit in Washington or elsewhere during the period between the end of the Sixty-fifth Congress and the beginning of the Sixty-sixth Congress, and thereafter during the session or recesses of the Senate and to report in the first session of the Sixty-sixth Congress by legislation or otherwise its conclusions thereon. And that the said committee or subcommittee is hereby given power and authority to summon witnesses, administer oaths, and to take testimony under oath, and to employ such clerical and stenographic assistance as may be necessary in the premises, the expenses of said committee to be paid out of the contingent fund of the Senate.

HEARINGS BEFORE THE COMMITTEE ON MILITARY AFFAIRS.

Mr. CHAMBERLAIN. I offer a resolution, and ask for its immediate consideration. It is to authorize a committee to sit during the recess.

The VICE PRESIDENT. Does it carry an appropriation?

Mr. CHAMBERLAIN. It does not.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 474) was read as follows:

Resolved, That the subcommittee of the Committee on Military Affairs authorized to investigate the Gum Springs (Va.) Camp, and the affairs of Company 553, Motor Transport Corps, be, and it is hereby, authorized to sit and make such investigation after the adjournment of the Sixty-fifth Congress, and said subcommittee be, and is hereby, directed to report at the first session of the Sixty-sixth Congress.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. GORE. Mr. President, does the Senator from Oregon think this resolution will require any debate or lead to any discussion?

Mr. CHAMBERLAIN. No. If it does I will withdraw it.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and was agreed to.

PROPOSED EXTRA SESSION OF CONGRESS (S. DOC. NO. 431).

Mr. FRANCE. I offer the following resolution and ask that it be read, and I also ask unanimous consent for its immediate consideration.

Mr. ASHURST. Let it be read first, Mr. President.

Mr. GORE. I suggest that the Senator first ask that it be read before asking for its present consideration. I shall not object if it does not lead to discussion.

Mr. ASHURST. I move that the Senate proceed to the consideration of House bill 14746, the Indian appropriation bill.

Mr. GORE. I make a point of order against the motion.

The VICE PRESIDENT. The motion is not in order. The resolution submitted by the Senator from Maryland will be read.

The Secretary read the resolution, as follows:

Senate resolution 477.

Whereas grave and pressing problems in connection with the reconstruction period now confront us and there is apparent much unrest throughout the country, due to unemployment, illiteracy, ill health, poverty, the underproduction and faulty distribution of the commodities and necessities of life, high living costs, and other undesirable but in part remediable conditions created, aggravated, or new discovered by the war; and

Whereas the President, because of his prolonged absence from the seat of government and from the country, and because of his careful occupation with international problems, has not been afforded an opportunity to become fully informed of such problems and unsatisfactory and distressful conditions and the immediate and imperative need of remedial legislation to meet them: Therefore be it

Resolved, That it be the sense and judgment of the Senate that the situation is such as to make it seem desirable and advisable that an extra session of the Congress should be called for the 5th of March, 1919; and be it

Resolved further, That a copy of this resolution be respectfully submitted to the President for his consideration.

Mr. SWANSON. I object.

Mr. ASHURST. I object to the resolution.

The VICE PRESIDENT. The resolution goes over under the rule.

Mr. ASHURST. I move that the Senate proceed to consideration of the Indian appropriation bill.

Mr. FRANCE. Mr. President, I had the floor and I claim my right under the rule to discuss the resolution.

The VICE PRESIDENT. The resolution went over under objection.

Mr. GORE. I call for the regular order.

Mr. ASHURST. I move that the Senate proceed to consideration of the Indian appropriation bill.

The VICE PRESIDENT. It is not 1 o'clock.

Mr. ASHURST. I beg the Chair's pardon.

Mr. GORE. I rose to make that point.

LEAGUE OF NATIONS.

Mr. OWEN. I submit a resolution to go to the Committee on Foreign Relations.

The resolution (S. Res. 478) was read and referred to the Committee on Foreign Relations, as follows:

Resolved, That the delegates representing the United States at the peace conference assembled at Paris are hereby requested to offer amendments to the formulated plan proposing to establish the league of nations by the insertion of the following provisions, to wit:

Nothing herein contained shall ever be construed as granting any rights to the league over the internal affairs of member nations. Every member nation is hereby recognized as having the exclusive right over emigration and immigration, imports and exports, and all its domestic affairs.

The body of delegates and the executive council shall have no authority to make laws, but may propose international resolutions to be submitted to the member nations for consideration. When such resolutions shall have been ratified by all the States whose representatives compose the executive council and by three-fourths of the States whose representatives compose the body of delegates shall have the effect of international law.

AMENDMENT OF FEDERAL RESERVE ACT—CONFERENCE REPORT (S. DOC. NO. 421).

Mr. OWEN. I present the conference report on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5236) to amend the Federal reserve act. The report has already been adopted by the House, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection? The Chair hears none. The conference report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the amendment proposed by the House insert the following:

"That that part of the first paragraph of section 7 of the Federal reserve act which reads as follows: 'After the aforesaid dividend claims have been fully met all the net earnings shall be paid to the United States as a franchise tax except that one-half of such net earnings shall be paid into a surplus fund until it shall amount to 40 per cent of the paid-in capital stock of such bank,' be amended to read as follows:

"'After the aforesaid dividend claims have been fully met, the net earnings shall be paid to the United States as a franchise tax except that the whole of such net earnings, including those for the year ending December 31, 1918, shall be paid into a surplus fund until it shall amount to 100 per cent of the subscribed capital stock of such bank and that thereafter 10 per cent of such net earnings shall be paid into the surplus.'

"SEC. 2. That that part of section 10 of the Federal reserve act which reads as follows: 'The members of said board, the Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank,' be amended to read as follows:

"'The Secretary of the Treasury and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank. The appointive members of the Federal Reserve Board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank, except that this restriction shall not apply to a member who has served the full term for which he was appointed.'

"SEC. 3. That section 11 of the Federal reserve act as amended by the act of September 7, 1916, be further amended by striking out the whole of subsection (m) and by substituting therefor a subsection to read as follows:

"'(m) Upon the affirmative vote of not less than five of its members the Federal Reserve Board shall have power to permit Federal reserve banks to discount for any member bank notes, drafts, or bills of exchange bearing the signature or indorsement of any one borrower in excess of the amount permitted by section 9 and section 13 of this act, but in no case to exceed 20 per cent of the member bank's capital and surplus: *Provided, however*, That all such notes, drafts, or bills of exchange discounted for any member bank in excess of the amount permitted under such sections shall be secured by not less than a like face amount of bonds or notes of the United States issued since April 24, 1917, or certificates of indebtedness of the United States: *Provided further*, That the provisions of this subsection (m) shall not be operative after December 31, 1920.'

"SEC. 4. That section 5172, Revised Statutes of the United States, be amended to read as follows:

"'SEC. 5172. That in order to furnish suitable notes for circulation, the Comptroller of the Currency shall, under the direction of the Secretary of the Treasury, cause plates and dies to be engraved in the best manner to guard against counterfeiting and fraudulent alterations, and shall have printed therefrom and numbered such quantity of circulating notes in blank or bearing engraved signatures of officers as herein provided, of the de-

nominations of $1, $2, $5, $10, $20, $50, $100, $500, and $1,000, as may be required to supply the associations entitled to receive the same. Such notes shall express upon their face that they are secured by United States bonds deposited with the Treasurer of the United States by the written or engraved signatures of the Treasurer and Register, and by the imprint of the seal of the Treasury, and shall also express upon their face the promise of the association receiving the same to pay on demand, attested by the written or engraved signatures of the president or vice president and cashier; and shall bear such devices and such other statements and shall be in such form as the Secretary of the Treasury shall, by regulation, direct.'"

ROBERT L. OWEN,
GEO. P. MCLEAN,
Managers on the part of the Senate.
MICHAEL F. PHELAN,
JOE H. EAGLE,
E. A. HAYES,
Managers on the part of the House.

Mr. WEEKS. Mr. President, it is difficult to follow from the reading the comparison between the bill which passed the Senate and the conference report, and I should like to ask the Senator from Oklahoma to explain any changes which have been made by the conference report varying from the bill as it passed the Senate.

Mr. OWEN. There was inserted the word "note," after the word "bond," so that the 10 per cent additional against which discounts might be made of notes offered by the banks and secured by Government bonds might be secured by Government notes as well, since the next issue is to be in the form of notes.

Mr. WEEKS. Let me suggest to the Senator from Oklahoma that the word "note" is a misnomer in a Government security; it should never be used.

Mr. OWEN. Still the statute uses the term "note," and, in order to prevent any misunderstanding about it, the committee inserted the word "note," so as to cover that point.

Mr. WEEKS. If the bill which is now pending applies the word "note" to a Government security to be issued, I shall make every effort to change that, because it is not applicable to that kind of an instrument.

Mr. OWEN. If it were not changed, then, of course, the banks would not be permitted to give credit to notes as a security, and that would, of course, be injurious to the standing of Government securities which are being offered to the public; that is all.

Mr. WEEKS. It strikes me that that is new matter, in the first place, and, in the second place, it is making use of a term which should not be used in any provision for issuing Government securities.

Mr. OWEN. The Senator will perceive that, if that word is stricken out, it will have the tendency of lowering the selling price and the market price of those securities; and I do not think the Senator would want to take the responsibility for that.

Mr. WEEKS. I certainly would not if that word is used in the pending bill.

Mr. OWEN. It is used.

Mr. WEEKS. I hope it will not be used; it should not be.

Mr. OWEN. I should make no point about it one way or the other; but if it is used, then it certainly ought to be placed in this bill.

Mr. SMOOT. Would the Senator object to having the conference report go over, so that we may have an opportunity to read it?

Mr. OWEN. Not at all.

Mr. SMOOT. I should like the report to go over and be printed.

Mr. OWEN. I have no objection to that.

Mr. SMOOT. I myself think, I will say to the Senator, that if the bond bill passes as it passed the House, then the word "note" should be in this proposed law in order that the banks may use the notes as security; but really I should like to have the Senator allow the conference report to be printed and to go over.

Mr. OWEN. I will continue my answer to the Senator from Massachusetts. The words "Assistant Secretary of the Treasury" were stricken out of the second section, and in lieu of the word "appointed" the word "appointive" was inserted. Then the dividends which were earned by the Federal reserve banks during 1918 were added to the surplus funds of those banks, so as to allow the surplus to go up to 100 per cent, and thereafter 10 per cent of the earnings would go to additional surplus and the balance to the Government. It makes no change in the distribution, except that the banks get the benefit at present of their earnings in 1918 as a surplus, which was thought desirable, because many foreign banks have a larger capital than our reserve banks, and the credit of the Federal reserve banks was impaired to some extent by that fact, so far as foreign balances are concerned.

I think that substantially covers the matter.

The VICE PRESIDENT. Is there any objection to its going over?

Mr. OWEN. I have no objection.

The VICE PRESIDENT. The Chair hears none, and that order will be made.

PROPOSED CALL OF THE CALENDAR.

Mr. MYERS. Mr. President, there are on the calendar a great number of bills of merit which appear to be receiving no attention. I ask unanimous consent that at 6 o'clock this evening the Senate proceed to the consideration of unobjected bills on the calendar until the calendar is called once through for unobjected bills only. We ought to call the calendar once for unobjected bills during the session. We can not do it during the morning hour; the rule provides otherwise. I ask unanimous consent for that.

The VICE PRESIDENT. Is there any objection?

Mr. SWANSON. Mr. President, we have already made an order that the Senate shall meet hereafter at 10 o'clock. Members had an idea, I think, that if we met at 10 the calendar would be called. My impression was that at 10 o'clock tomorrow we were going to call the calendar.

Mr. MYERS. If the Senator will yield, there is no rule for calling it at 10 o'clock in the morning.

Mr. SWANSON. It is in order for that to be done, however. We can do it by unanimous consent.

Mr. MYERS. Well, somebody is going to move to bring up an appropriation bill, and there will be no chance during the morning hour. From 6 to 8 this evening we can call the calendar. Senators who are not interested do not need to remain here, but those of us who are interested can stay and go through the calendar. There are going to be fewer Senators here from 6 to 8 than at any other time in the day.

Mr. SWANSON. I suggest that the Senator make it from 8 to 9.

Mr. MYERS. I am afraid Senators will not stay until that time.

Mr. GORE. Mr. President, I object to the Senator's request.

Mr. MYERS. I make the motion, then, that at 6 o'clock this evening we proceed to call the calendar for unobjected bills.

Mr. GORE. I object to that. I do not think it is in order during the morning hour.

The VICE PRESIDENT. That motion is not in order now.

MORGAN MUNITION PLANT EXPLOSION.

Mr. FRELINGHUYSEN. Mr. President, on yesterday I presented to the Senate a report (No. 776) from the Military Affairs Committee on the explosion at Morgans, N. J., and asked that it be printed in the RECORD. Objection was made, and the report was kept out of the RECORD. I renew my motion now, because this is a report of a very important investigation. The hearings contain a great deal of technical information that is very valuable, and the report should go in the RECORD. I now move that the report be printed in the RECORD.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The report is as follows:

On October 24 last the Senate, by resolution, directed the Committee on Military Affairs to investigate the fire at the Morgan Munitions Plant on October 4 and 5; the plans, if any, adopted for its reconstruction; and the protective measures which had been employed in that plant and which were being employed in other munition plants.

Shortly after the resolution was adopted the armistice was declared, and in view of the fact that actual hostilities ceased and that steps were taken to limit production, your committee concluded to confine its investigation to the fire at the Morgan Plant and to the storage of explosives in large quantities near congested centers.

Following the signing of the armistice, we at once communicated with the Secretary of War, calling his attention to the danger of the storage of explosives and poisonous gases near populous centers. In reply he advised us that high explosives and poisonous gases would be shipped from New Jersey to sections of the country remote from dwellings and that military guards would be placed at the various plants during the removal.

To determine the causes of the fire at the Morgan Plant and whether same was the result of accident, negligence, or acts of enemies public hearings were held, many witnesses examined, and testimony aggregating over 1,900 pages was taken.

At the hearings the T. A. Gillespie Loading Co., which was in charge of the operation of the plant, was represented by counsel. By agreement dated December 30, 1917, the company was employed by the Government to procure land at South Amboy for a shell-loading plant, which land the Government agreed to lease from the company and on which the company agreed to erect a plant for loading, assembling, and packing shells. We secured a copy of the contract, not for the purpose of determining whether its provisions were fair and equitable, but solely to ascertain what light it would throw upon the proper and careful operation of the plant. The company obligated itself to "deliver the loaded shells as soon as possible after the components have been received"

from the Government, while the Government agreed to pay all cost and in addition a certain percentage of the cost by way of compensation for the services of the company and to indemnify the company "against all and any risks by accident, fire, or explosion or otherwise arising or growing out of the construction and operation of the plant." In short, the Government desired to have shells loaded as rapidly as possible and agreed to indemnify the company against all risks. Under such a contract it would seem that it was the duty of the Government as well as the company to see that the plant was operated as carefully as was possible. Care was required not only for the employees but also for the protection of those living in the vicinity. It is perhaps unfortunate that a plant where in a short time was accumulated millions of pounds of high explosives should have been located adjacent to South Amboy, which had 7,500 inhabitants before any work was commenced and whose population greatly increased on account of war activities in the neighborhood, and within a few miles of Perth Amboy, whose population exceeded 40,000 before any work on the plant was commenced. Within a radius of 10 miles of the plant there was a population greatly in excess of 50,000.

Some idea of the damage done within a radius of 10 miles and of the terror spread among the people may be judged from the fact that representatives of the city of New York, which is more than 20 miles from the plant, attended the hearing, told of the dangers to the tunnels under the river and to their water mains because of the explosion, and protested against the accumulation of such large quantities of high explosives in close proximity to the city. The mayors of the cities and towns within a radius of 10 miles appeared before your committee and presented a vivid picture of the death, destruction, and desolation resulting from the fire and explosions.

The fire commenced shortly before 8 o'clock on the night of October 4 and continued until the night of October 5. As the fire progressed stores of munitions exploded and fragments of buildings and shells were scattered about for miles. The shock was felt within a radius of 25 miles. Within the radius, however, of 10 miles the shock was simply terrific. Windows were blown out, chimneys thrown down, roofs destroyed, and houses swayed back and forth. It is estimated that 10,000 people were compelled to leave their homes and remain in the open. Children were prematurely born in the fields, and many of those forced from their homes were attacked with the influenza, which was then very prevalent.

How many deaths caused by shock and influenza resulting from the disaster can not be stated. Eighty-seven deaths were directly caused by the disaster. The property loss of the Government was $20,000,000. The loss of property to residents in the vicinity, together with various other claims against the Government because of the disaster, amount to about three and one-half million dollars. These claims have not yet been fully settled, and there is a strong contrast between the speed at which the Government was piling up explosions in the vicinity of Perth and South Amboy and the deliberation with which it is now repairing the damage to property of residents and settling their claims.

The site selected by the company for the construction of the plant comprised some 2,600 acres. The company was composed of Mr. T. A. Gillespie and his sons, who had been contractors, and who had some experience in the erection of buildings, and who had also been interested in the manufacture of high-explosive shells for the British and Russian Governments. The buildings were planned by one of their associates, who had been at one time connected with the Du Pont Powder Co., and they met with the approval of the Ordnance Department. They were hastily constructed, and judging by the experience gained from the fire, they were too close together and had defects which contributed to the rapid spread of the conflagration.

The location of the plant was not ideal. It doubtless was selected because of its proximity to a supply of labor and to the New York Harbor.

The fire protection consisted of fire extinguishers and fire pails located in all buildings. Manufacturing buildings were equipped with small hose which were supplied by a pressure water-pipe line from a million-gallon reservoir. There was an underground pipe line consisting of 6, 8, 10, 12, 14, and 16 inch cast-iron pipe which supplied a large number of hydrants, each hydrant being equipped with an adequate supply of fire hose, nozzles, etc. This system was supplied by two 2-stage centrifugal pumps, each having a capacity of 1,800 gallons per minute and pumping from salt water. A 16,000-gallon tank on an 80-foot trestle kept the system full and the pumps primed. It was estimated that with both pumps running it was possible to get 12 fire streams with a nozzle pressure of 38 pounds. At the central fire house there was an auto chemical engine and an auto fire-hose truck. Valves on the underground supply lines were so arranged that the various units could be cut off in case of break and water left on the other units.

The first explosion completely demolished a large portion of the unit known as 6–1–1. The firemen promptly endeavored to extinguish it, but their failure is attributed to flying shells and continued explosions. What was the cause of the fire we can not tell. There was some suspicion that it was caused by an alien enemy, but the evidence would not justify a finding to that effect.

To load shells it was necessary to reduce the explosives to a liquid. For this purpose melting kettles heated by steam coils were employed. The evidence tended to show that it was dangerous in the process of melting to apply heat in excess of 110° centigrade. If heat in excess of that degree was applied fire was likely to result, especially if the explosives contained impurities. A fire probably did start in one of the melting kettles and was immediately followed by an explosion. There was some evidence that gauges on some of the kettles were broken and that at times gauges which were in operation recorded excessive temperature. Such evidence was, however, contradicted, and those who installed the gauges testified that the safety devices were such that they absolutely prevented a temperature beyond 110°. While it is not possible to state definitely what was the cause of the fire, it is possible to state some of the causes for its rapid spread and extent. This we will attempt to do very briefly.

It appeared in evidence that the fire protective committee of the War Industries Board had recommended that a system of automatic sprinklers should be installed. This recommendation was opposed by the company, who claimed that an explosion would render the equipment useless. It was also ignored by the Ordnance Department. Notwithstanding the claim that an explosion would render the equipment ineffective, we find that automatic sprinklers have been installed in various powder plants throughout the country and that at times they have operated successfully. In view of the great need for loaded shells it was necessary, in our opinion, to take every precaution for the preservation of the buildings, so that the flow of supplies would not be stopped by preventable accidents. Moreover, in view of the fact that more than 50,000 people resided in close proximity to this plant, every reasonable measure which would contribute to safety should have been employed. We are not satisfied that automatic sprinklers would have been useless and ineffective, and we believe that both the company and the Ordnance Department did not give to the recommendation of the fire protective committee of the War Industries Board the consideration which it deserved.

At the beginning of the fire there was strong water pressure. As a result of one of the explosions, however, the water pressure failed. There had undoubtedly been a break in one of the mains, and as far as we can judge from the evidence, no one seemed to be sufficiently familiar with the mains and the various valves to cut off the water from where it was escaping.

In New Jersey a law was enacted shortly after the Halifax disaster regulating the construction of plants for the manufacture and storage of explosives. The statute was based in large part upon the American table of distances, a table prepared largely as the result of experience. The company, not certain whether the law applied to it or not, communicated with the War Department and was advised in effect that it need not be observed. It was not observed—there was more crowding of buildings and magazines than could have taken place under the New Jersey statute, and the fire, if it has shown anything, has demonstrated the wisdom of regulations such as those contained in the statute. Whether an observance of the statute would have seriously delayed production or merely increased cost is not entirely clear. The company and the War Department selected a site close to cities of substantial size, and if they chose to ignore a State regulation for the protection of its citizens, they should have themselves observed some precautions of equal value. They did not do so.

The Ordnance Department at one time apparently had in mind that there should be a limit to the quantity of explosives at the plant. It would seem to be a rule generally observed that not more than 15 days supply should be on hand at any one time. There is some evidence in the record that the Ordnance Department at some time considered that a supply of 45 days might be maintained and at other times a supply for even 60 days might be maintained.

In permitting such an accumulation little attention seems to have been paid to the actual capacity of the plant. The quantity on storage seems to have been regulated, if regulated at all, not by the actual capacity of the plant at the time but upon what months previous had been estimated would be the actual capacity of the plant. The Ordnance Department kept piling up the explosives. The company remonstrated, but without avail. Instead of a supply for at the most 60 days, it would seem as though, based on the capacity of the plant at the time of the fire there was a supply for nearly 300 days. Not only were explosives sent to the plant to be loaded into shells by the company, but the Government also sent loaded shells from other plants, so that at the time of the fire the plant was without question a real menace to the surrounding country. It would be unjust to say that the company was responsible for this menace. There is clear evidence to the effect that it appealed to the Government for relief and was promised some relief.

On the night of the fire the quantity of explosives at the plant, including not only what was in the magazines but also that in shells and on cars, amounted to 30,855,079 pounds. Of this quantity, 12,155,839 pounds were destroyed. Had the remaining 18,000,000 pounds been destroyed, no one can tell what would have been the damage.

The shells, just before the fire, consisted of the following calibers: Seventy-five millimeter, 3-inch, 5-inch, 155-millimeter, 6-inch, 8-inch, 9.2-inch, 240-millimeter, and amounted in the aggregate to 1,213,458. Of this number, approximately 25 per cent were destroyed; 905,219 remained after the fire. South Amboy and Perth Amboy and the many towns within 15 miles of the plant, and, in fact, New York City are perhaps fortunate that only 25 per cent of the shells exploded and that less than one-half of the total quantity of explosives on hand was destroyed.

We have not attempted to say who, if anyone, in the War Department is responsible for the vast accumulation of explosives and shells at the Morgan plant at the time of the fire. It is our opinion that a rigid inquiry should be conducted by the War Department into the matter. We can hardly believe that it was not responsible to have held back from the Morgan plant a substantial part of the explosives which were on hand at the time of the fire. As soon as it became evident that the supply was in excess of the loading and storage capacity of the plant and that loaded shells were being shipped in much more rapidly than they could be taken away by vessels for transportation across the seas, it seems to us that a place more distant from populous centers should have been found for storage. If no such place could be found, then the greatest possible precaution should have been taken to prevent fires.

At the time of the fire about 6,500 men were employed; 392 were guards. The company evidently realized that the plant was not properly guarded, and appealed to the War Department for a detachment of Regular soldiers. Doubtless upon an investigation by the War Department the reason for the failure to comply with such a reasonable request will be made plain or those who ignored it will be punished. Nothing was more important than the guarding of such a plant. The 392 guards were divided into three shifts, and it was obviously impossible for these guards to make certain that no one entering the premises carried matches, or even to see that no one on the premises smoked.

Haste, no doubt, was demanded so that our troops in France could have an ample supply of ammunition. We might overlook the danger to which residents and property in the vicinity of a plant were exposed if there was a certainty that the plant could be relied upon to supply our soldiers with the necessary munitions. It needs only the statement of the fact to show that the failure to observe precautions for the protection of residents and property in the vicinity also exposed our soldiers to the danger that the supplies would not be forthcoming. A fire occurred at the Morgan plant. It is possible and perhaps probable that it was accidental.

It is not, however, probable that a veritable catastrophe would have resulted from the fire had precautions been taken in the location and construction of the buildings and magazines, and had some care been exercised not to ship into the plant explosives greatly in excess of its capacity and loaded shells greatly in excess of the facilities for transportation. A catastrophe did result, and were it not for the fact that our enemies abandoned the fight, our soldiers in the field would have suffered even more, perhaps, than was suffered by the residents in the immediate vicinity of the plant. In the haste for speed, the need of great care seems to have been lost sight of. While a disregard of proper precautions may have resulted in a larger supply for the moment, such disregard led, because of the destruction of the plant, to an

entire stoppage of the supply. The haste which was shown in the effort of increased production led to some disregard of reasonable care on the part of the Ordnance Department and might probably have been a calamity to those fighting for us on the other side. For this reason we can not see that the alleged need for great haste is an excuse for the practices pursued at the plant.

As stated above, the New Jersey statute regulating the manufacture and storage of explosives was ignored. There is no Federal statute on the subject. We have learned much in the past four years regarding the manufacture and storage of explosives. The lesson should not be forgotten. From the knowledge gained it should be possible to prepare rules on the location of plants for the manufacture and storage of munitions for the Government and regulating such manufacture and storage.

We recommend that the Secretary of War and the Secretary of the Navy be requested to confer on the subject and to submit to the Senate a proposed bill thereon.

We further recommend that the Secretary of War be requested to cause a rigid inquiry to be made into the conduct of the officers charged with supervision in behalf of the Government of the construction and operation of the Morgan plant and of the shipment of explosives and loaded shells thereto.

OIL AND GAS LANDS.

Mr. SWANSON. Mr. President, I have received a letter from the Secretary of the Navy regarding the oil bill which is now pending in the Senate. He has requested me to have it printed in the RECORD and read to the Senate. In the letter he states his opposition to the oil-leasing bill now pending in the Senate. I will ask that the letter be read and incorporated in the RECORD.

Mr. GRONNA. What is the Senator's request?

Mr. SWANSON. I simply ask that a letter from the Secretary of the Navy in reference to the oil-leasing bill may be read.

Mr. GRONNA. I have no objection to that.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

THE SECRETARY OF THE NAVY,
Washington, February 27, 1919.

MY DEAR MR. CHAIRMAN: I understand that a statement has been made by some Member of Congress that the Attorney General and the Secretary of the Navy favor the land legislation reported by the conference committee on public lands of the two Houses. You know my position all the time has been that while not opposing the leasing bill, which I favor, I have opposed incorporating any provision with reference to the naval reserves in such legislation. I do not favor the bill that has been agreed upon; I do not think it is just to the Government; and while it is better, so far as the naval reserves are concerned, than the original bill, my attitude is that the naval reserves ought not to be touched by legislation but ought to be settled by the courts.

I did agree with the Attorney General and the Secretary of the Interior upon a provision sometime ago that wouuld protect the naval reserves and would confer upon the President power to operate the going wells. I did this because I did not wish to assume to be standing in the way of the passage of legislation of importance which I favored, and I write you because I hope you will correct the impression that I have changed in my attitude. I believe that the naval interests require that whatever in the naval reserves belongs to the Navy by law should go to the Navy, though the final matter should be settled by the courts, unless the provision referred to, which the Attorney General and myself agreed to sometime ago, is incorporated. I think it would be a great mistake to go further than that. I will be glad if you will make my position known.

Sincerely, yours,

JOSEPHUS DANIELS.

HON. CLAUDE SWANSON,
United States Senate, Washington, D. C.

Mr. CHAMBERLAIN obtained the floor.

Mr. KING. Will the Senator yield to me for a moment?

Mr. CHAMBERLAIN. I yield for a moment.

Mr. KING. I wish to inquire whether the request of the Senator from Virginia was to have the letter placed in the RECORD?

The VICE PRESIDENT. There is no way to keep it out, it having been read.

Mr. KING. I wish to express my dissent to such a proceeding.

The VICE PRESIDENT. When matter is read at the desk, the reporters have to take it down, and it goes into the RECORD.

FIFTH LIBERTY BOND BILL.

Mr. SIMMONS. Will the Senator from Oregon yield to me to present a report?

Mr. CHAMBERLAIN. I yield.

Mr. SIMMONS. Out of order, from the Committee on Finance, I wish to file a favorable report upon House bill 16136, to amend the liberty bond acts and the War Finance Corporation act, and for other purposes.

Mr. JONES of Washington. I desire to object to the receipt of the report at this time. I hope that the committee will give consideration to the amendment that I introduced to-day and had referred to the committee relating to this matter.

Mr. SIMMONS. I will say to the Senator that the committee had already acted upon this measure before the amendment was probably introduced in the Senate, certainly before it was called to the attention of the committee.

Mr. JONES of Washington. Then my objection will give the committee some time in which to consider the amendment between now and to-morrow.

Mr. SIMMONS. I withdraw the report.

The VICE PRESIDENT. The report is withdrawn.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on February 26, approved and signed the following acts and joint resolution:

S. 68. An act to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary";

S. 3079. An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes;

S. 5342. An act providing for the appointment of an additional district judge for the northern judicial district of the State of Texas; and

S. J. Res. 208. Joint resolution providing that one term of the United States district court for the eastern judicial district of Oklahoma shall be held annually at Hugo, Okla.

PROPOSED EXECUTIVE SESSION.

Mr. OVERMAN. Mr. President, there are a large number of nominations on the Executive Calendar waiting to be acted upon. I am not disposed to ask the Senate to go on with any on the calendar to which there is objection, but I move that the Senate proceed to consideration of executive business.

On a division, the motion was rejected.

CONSIDERATION OF THE CALENDAR.

Mr. MYERS. I ask unanimous consent that at the close of morning business to-morrow morning the Senate proceed to the call of the calendar for unobjected bills, and continue the call until the calendar is called once in its entirety for unobjected bills only.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

PRICE GUARANTIES OF WHEAT.

Mr. GORE. I move that the Senate proceed to consideration of the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder.

The VICE PRESIDENT. The question is on the motion of the Senator from Oklahoma.

Mr. ASHURST. Is the motion debatable?

The VICE PRESIDENT. It is not. I wish Senators would examine the rules occasionally. The question is on agreeing to the motion of the Senator from Oklahoma.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. GORE. I ask that the formal reading of the bill be dispensed with.

Mr. ASHURST. I object to that.

Mr. GORE. Certain Senators out of love of good literature or to facilitate the business of the Senate desire to have the bill read in extenso. I ask that it be read.

Mr. SMOOT. A number of Senators were not aware that the bill was to be taken up at this time, and I suggest the absence of a quorum, that they may be here.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	New	Smoot
Bankhead	Jones, Wash.	Norris	Spencer
Borah	Kellogg	Overman	Sterling
Brandegee	Kendrick	Owen	Sutherland
Calder	King	Page	Swanson
Chamberlain	Knox	Pittman	Trammell
Colt	La Follette	Poindexter	Underwood
Curtis	McCumber	Pomerene	Wadsworth
France	McKellar	Sheppard	Walsh
Gay	McNary	Sherman	Warren
Gore	Moses	Shields	Watson
Gronna	Myers	Smith, Ariz.	Wolcott
Harding	Nelson	Smith, S. C.	

Mr. LEWIS. I desire to announce that the Senator from Arkansas [Mr. KIRBY] and the Senator from Idaho [Mr. NUGENT] are absent on official business.

The VICE PRESIDENT. Fifty-one Senators have answered to their names. There is a quorum present.

Mr. ASHURST. Mr. President, I have no desire to seriously interfere with the bill which the Senator from Oklahoma [Mr. GORE] has in charge. The bill undoubtedly will pass. It appropriates only $1,000,000,000, and therefore I apprehend that all opposition to it will be futile. If it appropriated $15,000 or $20,000 for some really proper purpose of the Government, it, of course, would not pass, but since it carries a billion dollars, to be ladled out of the Treasury, of course, it is going to pass this Congress.

I know the distinguished chairman of the Committee on Agriculture will give us some reasons why he thinks it should pass. I believe he is perfectly honest in thinking it ought to pass. Of course, the beneficiaries of the billion dollars are anxious to have it pass, and so those who are waiting hat in hand for this money to be ladled out to them are impatient with anyone who would seem to obstruct it.

I shall claim the floor but a few moments unless I am interrupted, but I feel that I ought to make an explanation. Half a dozen members of the Committee on Indian Affairs have approached me, and one of them approached me in a manner that I considered offensive, charging me with delay and neglect of the Indian appropriation bill. I want here to say that I have been guilty of no delay and no neglect in pressing the Indian appropriation bill. It was the unfinished business last Friday, and over my protest—and I made only a short speech of half a dozen sentences—the conference report on the leasing bill was made the unfinished business and the Indian appropriation bill was thereby displaced.

Now, Senators in whom I have confidence—I have confidence in all Senators, but Senators in whose judgment as to the business of the Senate I have confidence—approached me from both sides of the Chamber. I will not mention names. They told me they felt I ought not further to press the Indian appropriation bill; that I ought to withdraw my opposition to these other bills and allow the conference report on the Post Office bill to be adopted, which I did. Then the same Senators, and they are Senators who are charged with leadership in the Senate, said to me that I ought to permit the Diplomatic and Consular bill to pass. That appealed to me, and I did. I did not interrupt the Diplomatic and Consular bill, although I sat around here for two or three days. Then they said to me, "You should allow the fortifications appropriation bill to pass." That appealed to me, and I think it appealed to every Senator here. How much longer am I going to be asked to yield the Indian appropriation bill? At all times Senators were assuring me that they would assist me to bring up the Indian appropriation bill just so soon as those bills were passed.

Now, the Senator from Oklahoma [Mr. GORE] was not a party to these statements. I must acquit him of any part in those statements. Therefore he is not breaking faith with anybody in bringing up the wheat guaranty bill. Of course, he can not break faith with anybody in ladling a billion dollars out of the Treasury. Everybody is for that.

Now, I would have the Senate understand that while I do not regard the Indian appropriation bill—as I have stated at least four times—as the most important bill, it is nevertheless a large, important appropriation bill. The fact that I am soon to be displaced as chairman does not lessen my interest in that legislation. The fact that I am no longer to direct in a small way the affairs of the committee does not lessen my interest in the legislation. This bill has been considered by 15 or 16 serious-minded Senators; it is, I think, one of the best Indian appropriation bills we have ever reported, and it is the result of a good deal of reflection, the result of a good deal of investigation. Some of the investigations have gone back years in time. As the Irishman said, "I did not come to town yesterday," but when I was sworn into the Senate I was not familiar with its processes. You are all a body of high-class gentlemen, but it is human nature in the closing days of a Congress for everybody to follow the rule that whosoever can will get his bill through, and all promises to assist to bring up this bill or that bill amount to nothing. I make no complaint of it; I have had no unjust treatment; nobody here mistreats me; but I think it is due to the Committee on Indian Affairs that I make this explanation. The members of that committee have sat here patiently waiting, and several times I have urged them to remain, that I was going to bring up the bill. Is it fair to me to continually ask men who are very busy to be here all the time that I may bring up the Indian appropriation bill? If the Senate does not wish to consider the Indian appropriation bill, very well; that is the business of the Senate; I will make no complaint.

The other day when the conference report on the leasing bill was taken up a number of Senators approached me and asked me what was my attitude in the matter. I said I was indifferent; that I would not ask and never have asked a Senator to vote one way or the other, and nearly always when appealed to by Senators and asked how I should vote, I declined to answer. They vote the way they see fit, as I do. But I do say at this particular time I am impressed by the force of the idea that there was an unwritten understanding that the Indian appropriation bill should follow the Diplomatic and Consular appropriation bill, and then that it should follow the fortifications appropriation bill. I do not mention names, but I can appeal to 20 Senators here and they will say I am correct in my statement.

Just in order to test out what the Senate wants to do, without any heat in the matter, without any feeling, but in order that I may know and the Committee on Indian Affairs may know, I am going to move that the Senate now proceed to the consideration of the Indian appropriation bill.

Before that motion is put, Mr. President, permit me to say if the Senate prefers to consider the bill to guarantee the price of wheat, I have no complaint to make. Why should I seek to set myself up or my little judgment up against the rest of the Senators? I ask Senators now to give me the yeas and nays, so that we will know whether the Senate is to consider the wheat guaranty bill or the Indian appropriation bill, and I will be content with any expression the Senate makes. I am entitled to the yeas and nays upon my motion.

So, Mr. President, I move that the Senate proceed to consideration of the Indian appropriation bill, and I ask for the yeas and nays.

Mr. KELLOGG. Is the motion debatable?

The VICE PRESIDENT. It is not. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I am paired with the Senator from Georgia [Mr. HARDWICK] and withhold my vote.

The roll call was concluded.

Mr. COLT. I have a pair with the senior Senator from Delaware [Mr. SAULSBURY] and therefore withhold my vote.

Mr. CURTIS. I transfer my pair with the junior Senator from Georgia [Mr. HARDWICK] to the junior Senator from Michigan [Mr. TOWNSEND] and vote "nay."

Mr. CHAMBERLAIN. I have a pair with the junior Senator from Pennsylvania [Mr. KNOX], and in his absence I withhold my vote.

Mr. OWEN. I wish to announce my pair with the Senator from West Virginia [Mr. GOFF].

Mr. LEWIS. I desire to announce that the Senator from Louisiana [Mr. GAY] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Georgia [Mr. SMITH];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Kentucky [Mr. MARTIN];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Maine [Mr. HALE] with the Senator from Nevada [Mr. HENDERSON].

The result was announced—yeas 10, nays 36, as follows:

YEAS—10.

Ashurst	McLean	Shafroth	Sutherland
Jones, Wash.	McNary	Shields	
King	Overman	Smith, Ariz.	

NAYS—36.

Bankhead	Kendrick	New	Smoot
Borah	Kenyon	Norris	Spencer
Brandegee	La Follette	Page	Sterling
Calder	Lenroot	Poindexter	Swanson
France	McCumber	Reed	Thompson
Frelinghuysen	McKellar	Sheppard	Wadsworth
Gore	Moses	Sherman	Walsh
Gronna	Myers	Smith, Mich.	Warren
Kellogg	Nelson	Smith, S. C.	Watson

NOT VOTING—50.

Baird	Goff	Lodge	Simmons
Beckham	Hale	Martin, Ky.	Smith, Ga.
Chamberlain	Harding	Martin, Va.	Smith, Md.
Colt	Hardwick	Nugent	Thomas
Culberson	Henderson	Owen	Townsend
Cummins	Hitchcock	Penrose	Trammell
Curtis	Hollis	Phelan	Underwood
Dillingham	Johnson, Cal.	Pittman	Vardaman
Fall	Johnson, S. Dak.	Pollock	Weeks
Fernald	Jones, N. Mex.	Pomerene	Williams
Fletcher	Kirby	Ransdell	Wolcott
Gay	Knox	Robinson	
Gerry	Lewis	Saulsbury	

The VICE PRESIDENT. On the motion of the Senator from Arizona [Mr. ASHURST], the yeas are 10 and the nays are 36. Senators CURTIS, COLT, CHAMBERLAIN, and OWEN being in the Chamber and not voting, the motion is lost.

Mr. GORE. Mr. President, I resume my request that the formal reading of the bill be dispensed with.

Mr. SMOOT. The bill is very short, I will say to the Senator from Oklahoma.

Mr. ASHURST. Mr. President, I have no objection to the consideration of this bill, but I want to make a short statement, if I may be recognized.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole.

Mr. ASHURST. Mr. President, it is obvious from the vote just taken that the Senate does not wish to consider the Indian appropriation bill. Of that I make no complaint; the Senate is the master; and I think the Senate should determine as to the measures it desires to take up. That is, as I assume, how the Senate shall do business. When the Senate does not want to do business it should vote a bill down, and when it wishes to do business it should vote it up. I congratulate the Senate on the celerity with which it solved that question, and if we would do that in the future, instead of employing other means not so direct, it would be better for the procedure of the Senate.

I repeat, I make no complaint that the Indian bill has been delayed, but I say in all courtesy—not as a threat, for I do not believe in making threats but in all courtesy—that so soon as I can obtain the floor after the pending bill has been disposed of I give notice that I will make another attempt to get up the Indian bill for consideration.

Mr. GORE. I desire to pledge the Senator my support in that effort.

Mr. McCUMBER. Mr. President, I desire to ask the chairman of the committee whether he desires to explain the pending bill before it is subjected to discussion? If so, as I intend to say a few words on the bill, I shall wait until the chairman has explained it.

Mr. GORE. Mr. President, I will say as the bill really has not been read at this time it is not my purpose to enter into a discussion of it. I am very anxious to speed its passage in order to make way for other legislation. I appreciate the importance of the measure, however, and I will say that the Senate Committee on Agriculture, in order to facilitate its progress, did not recommend any fundamental changes in the bill.

There were two or three amendments which we deemed advisable; one perhaps necessary—the omission of semolina among the articles enumerated to which the prohibition as to importation could be applied. It might open the gates for the importation of a good deal of semiprepared flour in that form and flood our markets with it. We thought that amendment was necessary.

There is another amendment, which enables the President to administer the measure in a way to enable the people of the United States to purchase flour at a reasonable price. It is not a mandatory provision. It is very difficult to standardize a proposition of that sort. It is rather an indication or declaration of policy. I think, apart from that, there are no amendments of any serious consequence, except that the House bill provides for the expiration of this and all other laws on the subject upon June 1, 1920.

The Senate Committee on Agriculture thought there might be circumstances existing at that time which would make it impossible to cut squarely off the entire policy and leave no elasticity for winding up the affairs of the Grain Corporation and its final withdrawal from business. We therefore vested the President with discretion to extend the period for 60 days within which to dispose of wheat that the Government might have on hand and to wind up the affairs of the Grain Corporation, limiting the powers to those two objects.

Upon further reflection I am inclined to think that perhaps that amendment ought to be rejected by the Senate, for Congress will be in session during the coming winter and spring, and we can determine next spring whether such a situation will arise. The situation can be provided for at that time if it seems to be necessary or desirable to do so. So I rather think that that amendment ought to be disagreed to.

Apart from that, I will say to the Senator from North Dakota there are no other important amendments reported by the Senate committee. Of course, the Senator and other Senators are familiar with the bill as it passed the other House.

Mr. McCUMBER. I do not think I fully understood the Senator's explanation, at least with reference to a suggested amendment to fix a lower price than the price now fixed for flour.

Mr. GORE. Mr. President, it would only be by interpretation that the Senate could attribute that meaning to the language. It says "to enable the people of the United States to purchase wheat products at a reasonable price." That is a declaration of policy that the people should be placed in a situation where they can buy flour and bread at a reasonable price. There is no definition and there is no indication as to what a "reasonable price" would be; no standard is sought to be established upon that subject. An effort of that sort was made in the House, but was rejected by the House, and we did not desire to introduce into this measure seriously controverted propositions.

I assume that everybody is of the opinion that the people ought to be permitted to purchase wheat products at a reasonable price, and if the world price for wheat should be considerably lower than the price in the United States, I take it that a great many people would think that the American people ought to be permitted to purchase bread as cheaply as anybody else, or, at any rate, if it should become desirable or become necessary to meet the situation in this country and to assuage discontent, that power ought to be vested somewhere.

Mr. McCUMBER. Does the Senator think, if the wage earnings of the American people have increased three times over what they were in 1914, that paying a double price for flour would be an imposition upon them?

Mr. GORE. Mr. President, I do not think that one mistake justifies another. I do not mean by that to intimate that a mistake has been made with respect to wages, but on the assumption that a mistake has been made, the wage earners of this country and the consumers of this country are not responsible for this artificially high price of wheat, if it should prove to be an artificially high price. I do not believe in penalizing the innocent for the mistakes of—I will not say the guilty, but for the mistakes of the Government.

Mr. McCUMBER. Well, is the producer of wheat at all responsible for the higher price of labor and the higher price of everything that he purchases?

Mr. GORE. Not at all; and I think that is one reason in justification of this measure. The Senator from Arizona asked why this amount should be paid. Of course, he did not ask the question seriously, but in a Pickwickian sense. It ought to be paid because we have promised to pay it. That is one reason, and a sufficient reason, why it ought to be paid. There is another reason indicated by the Senator——

Mr. ASHURST. Will the Senator yield to me there?

Mr. GORE. Yes, sir.

Mr. ASHURST. I thank the Senator. If the Government has promised to pay anything, I will withdraw all I have said; if the Government has promised to pay this amount, I cheerfully retract anything I have said. In inveighing against the bill, I did not know that the Government had agreed to pay this amount. The Government should keep its bargain. But here is what struck me, if the Senator will pardon me for a moment, and then I will bother him no more: I am a firm believer in the doctrine of equal rights to all and special privileges to none. I firmly believe that, if the wheat growers of Oklahoma, North Dakota, and Montana are entitled to a largess or gift or bounty out of the Treasury, the cattle growers and sheep growers of Arizona are also entitled to money out of the Federal Treasury. That is the reason, and the only reason, why I never voted for the wheat price-fixing bill. That constitutes the only objection I have or can see to it.

The wheat growers of this country are just as patriotic as are the cattle growers and just as patriotic as the sugar-cane growers and the cotton growers, and if it be a matter of favor, if the Government is to be administered on principles of favoritism, I would be inclined, indeed, to favor the farmer before any other class, if we are going to favor anybody; but how can you, sir, as a Democrat justify taking large sums of money out of the Treasury to stabilize the price of one product when you neglect to stabilize the price of beef, the price of mutton, the price of labor, and of other commodities?

Mr. McCUMBER. Are we not taking money out of the Treasury to-day to stabilize the price of labor, and taking it out by the hundreds of millions of dollars?

Mr. GORE. Mr. President, the question of the Senator from Arizona is very easily answered. He compares the wheat growers with the sheep growers and the cattle producers. If a man who has not a United States bond secures such a bond, his bond ought to be paid. If the live-stock men of this country had the solemn obligation of the United States that they would be paid a certain amount in a certain contingency, then they would be entitled to payment. That is the only answer.

Proceeding further, in response to the question of the Senator from North Dakota and in answer to the Senator from Arizona, a further reason, in addition to the obligation, is the very fact mentioned by the Senator from North Dakota, that in procuring the wheat crop, particularly those who sowed wheat last winter, they had to buy seed wheat, they had to buy implements, and they had to buy labor at the high rates then prevailing. Nobody could penetrate the future and see that peace was so near at hand. They incurred these extraordinary expenses in preparing the current crop. That is an additional justification for this high price for wheat, if it should prove to be a high price.

Mr. CURTIS. Mr. President, may I suggest to the Senator that the farmers were offered this price as an inducement to increase their acreage, and as a result the amount of wheat planted was increased in every wheat-growing State in the country?

Mr. GORE. Yes, sir; and if it proves to be a high price, and if the taxpayers have to reimburse the Treasury for this outlay, I may say to the Senate, that it is a good deal like junking munitions of war. Millions of dollars' worth of war munitions will be cast into the sea and will be destroyed. They are utterly worthless because now they are unnecessary, and everybody rejoices that these munitions are unnecessary and that they can go to the junk heap, instead of going to our Army in Europe to be fired at the enemy. That is a justification for this measure.

Mr. McCUMBER. The Senator could go a step further, and could also say that we are now perhaps to take the enemy's warships, sink them to the bottom of the ocean, and then spend millions and billions of dollars for a Navy in order that we may uphold the price of labor to a war standard throughout the United States.

Mr. GORE. Yes; and aid the manufacturers of steel and the manufacturers of ordnance. I may say, if I can say it with propriety, that if those ships be sunk, it will be conclusive proof that the fool-killer is not off on a furlough but that he is dead. Such folly is unimaginable.

Mr. GRONNA. Mr. President, may I suggest to the Senator—and I wish the Senator from Arizona and other Senators to hear this—that the farmers at the time the wheat price-fixing legislation was passed protested against it, because the market price at that time was, on an average, $1 a bushel higher than the price fixed in the law? I am ready to prove—and I shall challenge contradiction of that proof—that the American farmers lost by the enactment of that law more than a billion dollars. I make that statement, and I challenge any Senator to disprove it.

Mr. GORE. I will ask the Senator if he does not think that when the farmers receive payment under this bill they will come out just about even, as compared with the losses which were enforced upon them by the Government, that ought to protect them against unjustified loss?

Mr. GRONNA. Mr. President, in reply I will say that may be true, if the farmers now get the price as fixed by the President of the United States on the 2d day of September, 1918—and that proclamation was based upon the law enacted by Congress. I want to say to the Senator from Arizona that this is a bond as genuine as any of the liberty bonds we have issued. If you want to repudiate, begin right now.

Mr. ASHURST. Will the Senator yield to me?

Mr. GRONNA. Yes.

Mr. ASHURST. I take the Senator's word for it that this is a bond, whether it is as good as a liberty bond or not, and if it is a bond in morals, I am going to vote for it.

Mr. GRONNA. It is a bond issued by the President of the United States under authority of law, I will say to the Senator.

Mr. ASHURST. Then, having in no sense been an opponent, now I am an advocate of the bill; but it was a very poor transaction that we entered into when we initiated and made this bond.

Mr. GRONNA. I agree with the Senator, and I opposed it; but the Senator then refused to assist me.

Mr. ASHURST. I voted against it.

Mr. GRONNA. Against the bill?

Mr. ASHURST. I voted against the bill fixing the price of wheat.

Mr. GRONNA. Against the food bill?

Mr. ASHURST. No; I did not vote against the food bill.

Mr. GORE. That was the bill in which it was incorporated.

Mr. GRONNA. Well, Mr. President, I simply want to say this. If the Senator from Oklahoma will yield to me, I can state my position in a very few moments.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The senior Senator from North Dakota [Mr. McCUMBER] has the floor.

Mr. GRONNA. Has my colleague the floor?

Mr. McCUMBER. I have the floor; yes; but I have been yielding; and if my colleague will allow me to finish, I will do so in a very short time.

Mr. GRONNA. Very well.

Mr. McCUMBER. I first want to reply to the suggestion made by the Senator from Arizona. Let us for a moment glance at the situation.

The only benefit that the farmer can get out of an increased price for his product is by being able to use that increased price in the purchase of things which it is necessary for him to live on. The Senator will agree with me upon that simple proposition. Then we should inquire what affects the price of the things which the farmer must purchase. Is not the price affected more by the increased price of labor than by any other one element? There is nothing in the world that is used in its raw state. The ore in the ground is raw material to the miner. It is his finished product as it is converted into pig iron for the use of the manufacturer. In turn the pig iron is the manufacturer's raw product. In every instance it is the raw material of some one who impresses labor upon it and increases its value. Now, by reason of the higher price of labor and the great diminution in the effectiveness of labor, we have increased the price of everything that the farmer must purchase from 100 to 300 per cent. That has been done advisedly and intentionally by the Government, not only during war times, but the Government proposes to continue that condition now that the war is over.

What steps have we taken to continue it? Let me enumerate a few of them.

The first step was to prevent, as far as possible, a surplus of labor. An order of the War Department was made that no man is compelled to leave the service of the United States until he secures a job that is entirely satisfactory to him. Therefore he can stay there, in the employment of the Government, receive the salary, small though it may be, receive clothing and board, and his family receive the stipend that is paid by the Government under a war necessity. All that is done so that there will not be a surplus of labor over the demand for labor, and so that the price of labor will not be driven downward. That action is all right provided that you exercise the same effort to maintain the price of other things which must be traded for that labor.

We do not even stop there, however. Fearing that labor prices might go down to meet the general conditions of trade, we voted $200,000,000 to go to digging down hills and making roads for States that have not made them as yet, upon the condition that the States will put another $200,000,000 into the enterprise and thus spend $400,000,000 for that particular purpose.

All of that is done to maintain the present standard price of labor. I am not complaining of it at all. I simply want to cite it for the purpose of measuring like justice to the men who have to buy the products of that labor by selling the products of their own labor with which to make the purchase.

Nor have we stopped there. We now propose to enter upon an enormous program of constructing public buildings so as to maintain a higher standard of wages for labor.

Nor do we stop there. We propose to build an enormous Navy and merchant marine for the United States, the latter at a cost of nearly $300 per ton, when we can purchase it outside for about $90 a ton; or, in other words, we propose to pay from three to four times as great a price as we can get the same work done for in other places in order that labor prices may not decline.

Nor are we stopping there. We are now proposing, and I understand that a bill for that purpose has already been introduced and reported favorably, to spend hundreds of millions of dollars to reclaim land so that our soldiers may take that land and produce farm products upon it.

There is not a single thing produced on the farm in the United States of which there is not a surplus. Therefore the farmer must struggle against surpluses in marketing his every product. We are spending billions of dollars of the public money to prevent a surplus of labor and maintain a higher standard of labor wage. On the other hand, you propose to take hundreds of millions of dollars to increase the already surplus of farm products and thereby drive the prices downward. Why, we are

raising more wheat to-day than the American people can use; we are raising more cereals throughout the United States than the American people can consume; and yet you propose to take the dollars that are saved by the rigid economy of farmers of the United States to purchase more land, so that their surplus may be increased to such an extent that it will drive down the price below a living price. Why do you so favor one class and disfavor the other class?

Mr. ASHURST. Mr. President——

Mr. McCUMBER. I yield to the Senator.

Mr. ASHURST. I have listened closely to the distinguished and very able Senator, and I do not speak the language of flattery when I say that he is a very convincing and well-informed speaker. He tells us that the wheat crop this year is far in excess of what the American people can use, and yet the price of bread is astonishingly high.

Mr. McCUMBER. It is not astonishingly high——

Mr. ASHURST. It is high.

Mr. McCUMBER Not when compared with the astonishingly high prices of the goods that the wheat purchases in the market. On the contrary, to-day your flour is the cheapest thing on the face of the earth, compared with the amount of labor that is required to produce it, and the Senator knows that. No one will ever deny it.

Mr. ASHURST. Very well. I am glad to have the Senator put that into the RECORD. Now, I wish to be understood as making no objection to the prosperity of the farmer. Like all politicians, I am glad to see the farmer prosper. There is not a man in public life—or if there is he ought to get out of public life—who envies anybody an honest share of the prosperity that is due, and rightfully due, an American citizen.

It so happens that my State is not a leading wheat producer. It produces wheat, but it is not one of the leading wheat producers; but here is something that to me is inexplicable: It is not Democratic. It is not in accordance with the Democratic faith, to which I have always adhered. Agreeing that the farmer is a very worthy citizen, and, indeed, agreeing that he is the backbone of our country—that he is the producer—how can such distinguished Senators as my friend the Senator from Oklahoma [Mr. GORE] single out one interest, and that the interest in which all people are interested, and guarantee a price, when they forget the miner, who goes down into the bowels of the earth and brings up the raw material that goes to make the steel and the iron?

Mr. McCUMBER. I am not forgetting the miner. How much is he receiving a day?

Mr. GORE. Mr. President——

Mr. McCUMBER. How much is the miner receiving a day, as compared with what the farmer is receiving for a day's work?

Mr. ASHURST. I want to say for the RECORD that there are six or seven thousand miners in my State out of work now.

Mr. GORE. Mr. President, if the Senator will pardon me——

Mr. ASHURST. Let me finish my statement. If the Government had guaranteed and fixed a price on copper—which I do not want them to do—chrome, manganese, iron, silver, and had fixed the price on all these other metals just as it fixed the price on wheat, I could not complain. All persons would have been treated equally. I do not want a price fixed on copper.

Mr. McCUMBER. Will the Senator answer me just one question? Then I will yield to the Senator from Oklahoma.

Mr. ASHURST. Why, certainly.

Mr. McCUMBER. I want to ask him what wages are being paid to the laborers in the mines of Arizona to-day?

Mr. ASHURST. They are paid on a sliding scale. It depends on the price of copper in the copper market. As the price of copper goes up the wages go up.

Mr. McCUMBER. What are the maximum and minimum prices?

Mr. ASHURST. The minimum is about $3.75 per day.

Mr. McCUMBER. Three dollars and seventy-five cents a day up to what?

Mr. ASHURST. That is, of course, the minimum wage.

Mr. McCUMBER. Up to what? What is the maximum?

Mr. ASHURST. It may go as high as $5.40—that is, during the war. I am not speaking of prices after the war—after the armistice was signed—I am speaking of prices during the war.

Mr. McCUMBER. I am speaking of the present prices. I want to know what they are now.

Mr. ASHURST. Oh, eight or nine thousand men are out of work in my State now.

Mr. McCUMBER. Yes; but that is not the question, whether they are out of work or not. The question is, What prices are those receiving who are doing work to-day?

Mr. ASHURST. The prices range from $3.50——

Mr. McCUMBER. To $10.

Mr. ASHURST. Now, wait. They range from $3.50 to $5.

Mr. McCUMBER. Yes; and above that. I can show the Senator that he is away below the mark.

Mr. ASHURST. If the Senator says so——

Mr. McCUMBER. And for how many hours a day?

Mr. GORE. Mr. President——

Mr. McCUMBER. Just a minute.

Mr. ASHURST. It depends upon the character of the work. There are certain characters of work where our laws do not permit men to work over eight hours in the deep mines.

Mr. McCUMBER. Oh, in no case do they work over eight hours. Then there is your half holiday on Saturday with full pay and your price and a half for hours over eight hours. Now, can the Senator point to me a farmer on the face of the earth who is getting $3 a day or who is getting $2 a day or he and his family are getting $1 a day?

Mr. ASHURST. That does not seem to touch the deep philosophy of this question. The question is, Shall the Government take a class, whether it be the farmer or the copper miner, and say, "Here, you are not prosperous; we are going to pass laws to make you prosperous"? I do not want to single out a class.

Mr. McCUMBER. Why, of course you should not take the producer of grain unless you take the others; but I say, let them both alone from the beginning. If you leave the laborer alone, leave the carpenter alone, to hunt his own job, and then I say you may leave the farmer alone to hunt the price for his product; but you are not doing it.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I do.

Mr. GORE. In that connection, and in response to the allusion of the Senator from Arizona to the fact that this was un-Democratic, and to his inquiry as to how I, as a Democrat, could support this sort of policy, I wish to say to the Senator that I agree with him entirely that it is un-Democratic. I think it is un-Republican. I thought it was uneconomic. I thought it was unconstitutional.

I thought that when we put the price of wheat lower than the market price we were taking private property without due compensation, and that we violated the Constitution of the United States, both in letter and in spirit. I protested, in season and out of season, against that act of injustice, against that injury being inflicted upon the farmers of this country. I voted against the measure which conferred upon the President the power to fix a price on wheat. I knew that we were parting from economic principles. I knew that we were sowing the wind, and that we would inevitably reap the whirlwind. There was no escape; the harvest is at hand. I expostulated with the Senate time and time again. I cited instances of failure all through the European countries that had embarked upon this policy. It failed everywhere. It did not have a chance to succeed. My fear was that the billion-dollar loss would fall on the farmers. It is a mere matter of chance and good fortune from their standpoint that it did not. The billion-dollar loss will now fall either upon the consumers of the country, who have had a billion-dollar benefit heretofore, or else the billion-dollar loss will fall upon the taxpayers of the United States; but that a loss must be entailed when we embarked upon this policy was as inevitable as death itself. I thought it was the perfection of folly. I thought it was a tragedy of error. I think so yet. But we did embark upon this high and troublous sea of experimentation. We cast the laws of economics to the wind. We must make port in the best way possible, and I am supporting this now as the minimum of evil. I told the Senate on one occasion when the measure was under consideration that my desire was to keep the inevitable mischief down to the irreducible minimum.

Mr. McCUMBER. Mr. President, I rose to discuss this matter from a somewhat different standpoint. I felt, in view of the statements that had been made on the floor of the Senate and in view of the publications in the press that we were about to take $1,000,000,000 of the people's money to bolster up the price of wheat, that some one ought to explain the absolute falsity of any such statement.

In the beginning the bill was for $1,250,000,000; but even at $1,000,000,000 there is not a Senator on this floor who could not take $300,000,000 and maintain this price and without a loss of more than $300,000,000 to the people of the United States.

What else have we produced or promised to produce during the war period that we could get out of our contract as cheaply as we get out of this agreement to pay the farmer? Not only that, but you have taken from the farmer at least $1,000,000,000 and your utmost loss should not exceed $350,000,000, and therefore you should be ahead $650,000,000 in the transaction.

Mr. KING. Will the Senator yield?

Mr. McCUMBER. I yield, Mr. President.

Mr. KING. Does the Senator think that the loss of $300,000,000 will be the maximum loss if this bill shall go into effect and the machinery herein provided for shall be utilized to carry it into effect?

Mr. McCUMBER. If the machinery could be just knocked out of the bill and allow the department to go right on under the old law there would not inure a loss of more than $350,000,000, and I propose to show that to the Senate so conclusively that no one can gainsay it. It is this wild extravagance on the part of all departments calling for two or three times the amount of appropriations that we actualy need for any particular purpose that is the reason why they are calling to-day for $1,000,000,000 instead of $350,000,000.

Mr. KING. Will the Senator permit a further question?

Mr. McCUMBER. Certainly.

Mr. KING. I shall listen with great interest to the statement of the Senator. Has he an amendment prepared which he proposes to offer as a substitute for the measure submitted by the committee?

Mr. McCUMBER. No; I have not prepared any amendment, because I never knew what the bill would be until it was finally reported. We now have it before us, and I think the only amendment that is needed is to strike out all of it and simply appropriate $350,000,000, or, I would say, not to exceed $500,000,000, for the purpose of maintaining the price of wheat. I shall vote, perhaps, for the billion dollars, if the department says that it may need to use that much, but I insist that it is not necessary, and I further state that it is not an expenditure of money raised by tax, but nothing more than a revolving fund to assist in buying wheat and reselling it.

Mr. ASHURST. If the Senator will pardon me, as I understand the Senator, it is his opinion from his investigation that at least one-half of this sum would be all that would be required.

Mr. McCUMBER. It is.

Mr. ASHURST. Five hundred million dollars instead of $1,000,000,000?

Mr. McCUMBER. It is, if the department in charge will perform its duty. Of course, it can pay salaries amounting to $500,000,000 if it sees fit; it can be as extravagant as it wants to be; it can throw away the money or burn it, if it so desires, but I simply insist that $500,000,000 would handle the crop.

Mr. ASHURST. Then if it were true that $500,000,000 would handle the crop, and we are not bound by contract or in morals to appropriate a billion dollars, why not change the bill so as to give $500,000,000 instead of $1,000,000,000?

Mr. McCUMBER. I do not know what the department would do. It might say that it was not enough. It might throw away and squander the $500,000,000, and then not be able to maintain the price. But I will give the Senator my reasons. The Department of Agriculture has recommended an appropriation of $1,000,000,000 as the bill has been amended. It has recommended it for the purpose of maintaining the price of the 1919 crop of wheat as fixed by the order of the President.

Were we discussing an appropriation involving two or three thousand dollars, I am certain I could secure the attention of the Senate if I would challenge the necessity of such an appropriation.

But when an appropriation reaches the billion dollar mark, every attempt to inquire into its necessity or to challenge its propriety seems to be met with a rebuff until it has become well known among Senators that the larger the appropriation the more certain is the passage of the bill carrying it. I, therefore, have little hope of changing the attitude of the Senate until a condition akin to bankruptcy shall bring our minds back where we are capable of measuring our expenses with the possibility of our income.

We are asking in this appropriation for $1,000,000,000 to maintain the price of a fair estimate between 800,000,000 and 1,000,000,000 bushels of wheat. Is this necessary? In ordinary times the Senate would ask itself this question. May I venture to ask it even in this period of reckless extravagance? Why is $1,000,000,000 necessary to maintain our guaranteed price of the 1919 crop? How is that sum to be used?

Certainly if the Government were in one transaction to purchase the entire crop at $2.26 a bushel, this sum would not be sufficient.

You would have to pay more than $2,000,000,000 if you were going to buy it all at one time.

If, on the other hand, the Government were to use the sum as a revolving fund, purchasing and reselling during the 18 months in which the farmer is allowed to dispose of his 1919 crop, it would not need the investment of more than $500,000,000. The Government simply could not purchase and store that much wheat at one time. There is not sufficient storage capacity in the United States to hold that much grain. But the Government does not intend to do that. I do not recall just what the previous appropriation for this purpose was. Whatever it was, it was sufficient to maintain the price without calling for a further sum.

I wish the Senator from Oklahoma would inform me, as he undoubtedly could, just what we appropriated when we passed the food bill.

Mr. KELLOGG. The Government appropriated $150,000,000 for the so-called Wheat Corporation. The Wheat Corporation borrowed a large amount of money in order to be able to guarantee that the Government would take any wheat offered by anyone who had purchased it, and the borrowing at times amounted, I think, to from $150,000,000 to $250,000,000 in addition to the $150,000,000

Mr. McCUMBER. Then, less than $500,000,000 took care of the wheat crop of 1918 and is taking care of it up to the present time.

Mr. KELLOGG. If the Senator will allow me——

Mr. McCUMBER. Certainly.

Mr. KELLOGG. There is this difference between the 1918 crop and the 1919 crop. In 1918 foreign countries which had guaranteed a larger price were ready and willing and anxious to take all, or practically all, of the 1918 crop, and all the Government had to do was to have money enough to take the surplus as it was offered and carry it until it could be sold to foreign countries.

Mr. McCUMBER The Senator has struck just the key to this situation. All the Government has to do is to take care of the surplus that will not be consumed by the American public. That is everything the Government has got to do with it.

But, Mr. President, the Government has not maintained the $2.20 a bushel by buying in all the wheat at that price and selling it again. How is the price maintained at the present time? It is maintained by the simple edict of the President of the United States under the law fixing the price at the terminal markets at $2.20 a bushel and through rules and licenses which require everyone purchasing grain to pay this Government price and every miller to pay the price specified and to sell the product in flour to the public at a certain fixed price. That keeps the price at just exactly what it is fixed. The law under which this price is fixed and maintained is still effective, and will remain effective for a period ending June 1, 1920. If we accept the estimated acreage which has been or will be planted for the 1919 crop, as given by the Senator from Oklahoma, at 75,000,000 acres, and if we accept the average yield in the United States at 13 bushels to the acre, we will have 975,000,000 bushels of wheat raised in 1919. We will require about 650,000,000 bushels for home consumption and for seed for the next crop. That would leave 325,000,000 bushels of surplus.

So, Mr. President, if we maintain the present system, the Government will be required only to take care of this surplus. If the Government were to pay cash for this surplus at the guaranteed price, and if it bought it all at one time, it would need to invest $733,000,000. But we all know that the Government could not purchase all of this surplus at one time. If it would purchase $100,000,000 worth a month and sell it for export at the world's market price, it could get rid of the 325,000,000 bushels within eight months. And yet we are appropriating for this purpose ten times that sum.

Mr. MOSES. Mr. President, it seems a great pity that the interesting discussion by the Senator from North Dakota——

Mr. McCUMBER. I hope that the Senator will not call for a quorum.

Mr. MOSES. I suggest that this is a most important proposition, involving a great deal of money, and it is a very grave problem for the country. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harding	McNary	Smith, Mich.
Beckham	Hardwick	Moses	Smith, S. C.
Borah	Henderson	Myers	Smoot
Brandegee	Johnson, Cal.	Nelson	Spencer
Calder	Jones, N. Mex.	Norris	Sterling
Chamberlain	Jones, Wash.	Nugent	Sutherland
Colt	Kellogg	Overman	Swanson
Cummins	Kendrick	Owen	Thompson
Curtis	King	Page	Underwood
Dillingham	Kirby	Penrose	Wadsworth
Fernald	Knox	Pomerene	Walsh
Fletcher	La Follette	Reed	Warren
France	Lenroot	Robinson	Weeks
Frelinghuysen	Lewis	Shafroth	Williams
Gerry	Lodge	Sheppard	Wolcott
Gore	McCumber	Shields	
Gronna	McKellar	Simmons	
Hale	McLean	Smith, Ariz.	

Mr. LEWIS. I wish to announce that the senior Senator from Delaware [Mr. SAULSBURY], the junior Senator from Delaware [Mr. WOLCOTT], the senior Senator from Louisiana [Mr. RANSDELL], and the junior Senator from Louisiana [Mr. GAY] are detained on official business.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Sixty-nine Senators have answered to their names. There is a quorum present. The Senator from North Dakota will proceed.

Mr. McCUMBER. This proposed expenditure is on a plane with just what the Government has been doing ever since we entered this war. The Government has been spending, in my opinion, from five to ten times what it should have expended to secure what it has secured during all of the war. I can not see that we are checking our extravagance in the slightest degree three or four months after the war has practically terminated. It means, in my opinion, that the larger portion of this sum appropriated will be used to pay needless expenses and to meet rank extravagances. If handled properly, I believe that $300,000,000 would be ample, and certainly half a billion dollars, in my opinion, would be more than sufficient.

Now, I am not going to vote against the billion-dollar appropriation. Were it an actual appropriation to be expended in anything but the purchase of the surplus of the grain I would probably vote against it, but I simply want to say to the American people, who must pay the bill, that if the food-control department comes out at the end of the year with a loss of more than $350,000,000 to $400,000,000 it will be guilty of the grossest extravagance in the handling of this matter.

Mr. KING. Will the Senator yield?

Mr. McCUMBER. I yield.

Mr. KING. I apologize for interrupting the Senator in the midst of a sentence. I had in mind when he was giving the amount which he estimated would be sufficient as a revolving fund, with existing agencies to carry on the work involved in the understanding or contract of the farmers, a provision in the bill in lines 18 and 19, on page 3. After speaking of the authorization and what was to be done by the instrumentality employed under the bill I find that they are to use this money not only to purchase wheat but flour produced therefrom. Does not the Senator think, and I ask for information, because he has given this subject attention, and I have confidence in his judgment, that the bill contemplates that this commission shall engage in a sort of speculative business, that they are to buy and to sell not only wheat but flour, and that by embarking upon that policy it will need a tremendous business organization, larger capital, and of course a great many more employees, warehouses, storehouses, and so forth?

Mr. McCUMBER. Certainly, if it goes into the purchase of flour as well, it will require a slightly greater capital to handle the surplus flour, but the surplus flour produced in the United States is inconsequential as compared with the surplus wheat raised in the United States.

Mr. KELLOGG. If the Senator from North Dakota will permit me to make a few observations in reply to the Senator from Utah, I will state that that clause, I understand, was put in the bill for this purpose: The Government does not wish to furnish all the money to buy the wheat; it wishes to invite all the capital of the country and permit those who buy it to sell it to the millers at the same price. On the other hand, when the Government is exporting, it much prefers to export flour than wheat, and the Government must take that instead of the wheat if it is going to carry out the guaranty. That is the only object.

Mr. McCUMBER. Assuming that the price of flour is considerably more than the price of wheat, it would cost a little more to handle the flour than it would the wheat proportionately, but it would not require any great amount more simply because wheat and flour are the same article and are not two separate articles; the one goes into the other. You do not first purchase the wheat and then purchase the flour.

Mr. KELLOGG. I think the Senator from North Dakota is correct in that statement.

Mr. McCUMBER. Now, Mr. President, a word on the merits. The Senator from Oklahoma says that the Government should purchase all of the wheat at this higher price and sell it to the consumer for whatever the world's price may be. He says that the consumer should not be penalized by being compelled to pay a high price for his bread. Let us look into this and see whether or not the consumer is penalized by paying this price for bread. This country is divided into two great classes. One-third produces the food for the other two-thirds. The two-thirds produce the other things needed by the producers of food and by all of the population of the United States. Then the Government entered into this war. The immediate effect of that war was to increase the value of food products, and especially of wheat, 200 per cent above the normal price. The Government immediately adopted a policy whereby it increased the labor wages of the two-thirds 100 to 200 per cent higher than the normal.

That was the natural law of supply and demand that the Senator from Arizona is contending for. The Government immediately then adopted a policy whereby it increased the labor wages of the other two-thirds from 100 to 300 per cent above the normal, and when you compute it by the efficiency of labor in products necessary to carry on the war you will find that it increased it even to a greater extent. The result of this was that the hundreds of things which the food producer must purchase were increased in value from 100 to 300 per cent.

If the administration had allowed the natural law of supply and demand to work out as between the two-thirds and the one-third of our population it would have worked about equal justice. But what did we do? We immediately reduced the price of the farmer's wheat nearly one-third. Did we cut down anything else produced by human labor except that which was produced by the farmer? Was there any other article of necessity—clothing, or anything else produced in which we laid upon it the hard hand of the Government and said you shall not advance above a certain price?

Mr. PENROSE. If the Senator will permit me, I think he will recall that the price was fixed for coal and steel and copper.

Mr. McCUMBER. Yes; the price was fixed for coal, but was the price of coal cut down below what it was before the war?

Mr. PENROSE. I think so.

Mr. McCUMBER. The Senator, I think, is right in saying that there were two or three things reduced.

Mr. PENROSE. And copper.

Mr. McCUMBER. No; the copper price was fixed away beyond—fully 60 per cent greater than it was prior to the war.

Mr. PENROSE. If the Senator will permit me, I am in entire sympathy with his contention. I do not want him to think I am opposed in any way to fixing a fair price of wheat as long as it has got to be fixed. I am against all price fixing, but I did not want him to pass along with that inaccuracy when other products, Pennsylvania products particularly, have been cut in a very savage way.

Mr. McCUMBER. I do not remember particularly that they were cut down, but I remember particularly that they were not allowed to raise according to the law of supply and demand.

Mr. PENROSE. Coal, steel, and copper I recall as having been cut down.

Mr. McCUMBER. The farmer's price was cut down when wheat was selling at $3.07 a bushel to $2.20.

Mr. KING. If the Senator will pardon me, copper was selling and there was a ready market for it at 32 to 35 cents per pound, and the price-fixing board cut it down to 23.

Mr. McCUMBER. Twenty-six.

Mr. PENROSE. Later.

Mr. KING. Later it was cut to 22 or 23 cents a pound, and now it is very much less than that.

Mr. McCUMBER. I think copper and coal were reduced. The farmer and the miner were the only parties, as I remember, whose products were held down below the supply and demand value.

Mr. PENROSE. And steel.

Mr. GORE. Mr. President——

Mr. McCUMBER. I yield to the Senator from Oklahoma.

Mr. GORE. I would like to say in this connection that while the price was nominally and perhaps actually fixed on coal, copper, and perhaps other articles, that price was arrived at by a sort of agreement between the War Industries Board and some other board representing the Government and the producers of coal and copper. That may not have been a voluntary agreement. It may not have been reached by their free consent. There may have been a sort of compulsion. But this price was fixed on wheat not after a full and free conference with the farmer. It was recommended by a board on which the farmers had perhaps one or two or three representatives, but it was fixed over the protests of the wheat producers of the country from one end of the country to the other, and it had the force and effect of law, assuming that the statute and proclamation are constitutional. The statute contemplated fixing a minimum price only. The proclamation assumed and has been construed to fix a maximum or an absolute price. Congress intended no such thing.

Mr. REED. Mr. President——

Mr. McCUMBER. I yield to the Senator from Missouri.

Mr. REED. There is another distinction. Congress did undertake to give the right to fix the price upon coal. Whether it had that constitutional right or not I do not pause to con-

sider, but it did undertake to do that thing. Congress never did undertake to fix the price of wheat. It never authorized anybody in the world to fix the price of wheat.

The price of wheat was fixed by the arbitrary exercise of the power of license. The power of license was intended to keep dealers in grain and dealers in flour from cornering the market or from forestalling the market or from fictitiously advancing prices. It was not intended for any price-regulation purpose, except to stop those practices which have always been denominated illegal. But that power of license was arbitrarily exercised by a private citizen in this wise: The food controller said to the grain dealer, "If you pay more than the amount I name, I will take away your license." He said to the miller, "If you pay more than the amount I name, I will take away your license." Having in that way taken away the market of the farmer for his wheat at any other prices than those he had arbitrarily fixed, he compelled the farmer to accept those prices.

Mr. McCUMBER. The Senator is correct.

Mr. REED. There was no law and no justification for that.

In the case of coal there was the color of law, at least, and as the Senator who has the floor I believe stated, there was to a large extent an agreement between the coal producers, whereas the farmer was not consulted at all.

Mr. McCUMBER. If the Senator will refer to the law under which the agreement was made he will find that the guaranty of $2.20 a bushel provided that it should not be less than that sum; instead of that being the maximum, that was to be the minimum; but the food controller, instead of allowing the price to run according to the law of supply and demand above that, immediately assumed that that was the intention; or whether he assumed it or not, certainly, through the instrumentalities which the Senator has mentioned, he prevented the farmer receiving more than $2.20 a bushel for wheat.

Mr. SMOOT. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. McCUMBER. I yield.

Mr. SMOOT. What the Senator has just stated is correct. I desire to say further that, so far as the producers of coal or the producers of copper were concerned, it is true that they came to an agreement with the War Industries Board as to the price for which those commodities could be sold. I want to say to the Senator, however, that it was forced upon them; there is no question about it, for they would have been treated just the same as were the producers of wheat if they had not agreed upon the price for copper and coal.

Mr. McCUMBER. One of the peculiarities about the enforcement of this law and the laws which we passed in reference to it has been that the farmers have to buy clothes, and they must sell their wheat to get money with which to buy something to wear. While we cut down the price of the farmer's product it never occurs to anyone to cut down the price of cotton or of cotton goods. So the farmer has to pay three or four times as much for his cotton goods as he before paid. Had the law of supply and demand been allowed the farmer would probably have received from $3.50 to $4 per bushel for his 1918 crop of wheat.

Now, what did we do with reference to the other two-thirds? This is the way we treated the one-third who are producing wheat. Did we cut down the price of labor below the law of supply and demand? Did we cut down the price of the things which the farmer must purchase from the higher price to even double the normal price? On the contrary, we did everything to maintain that price and send it higher. We not only did this, but by our system of contracts and by our surrender to every demand, just or unjust, we allowed labor to decrease in efficiency from 35 to 50 per cent, so that, while wages increased from 100 to 300 per cent, the actual product from that labor fell off from one-third to one-half.

Does anyone think that under these conditions the consuming public, whose earning capacity has been doubled and trebled, is penalized by paying double the price for just this one article which the farmer produces, namely, wheat?

The war is now over, or at least supposed to be over, but are the wages or are the prices of the things which the farmer must purchase coming down? On the contrary, the Government purposes to continue construction of ships at a cost of three times what they should cost under normal conditions. The Government has already enacted a bill to enter upon a system of road making in which it has appropriated $200,000,000, together with a like appropriation from the States of $200,000,000, or $400,000,000. It is safe to say that the Government is now engaged and engaging itself to spend billions of dollars, at a time when the whole policy of the Government should be retrenchment, in order not so much to give employment as to maintain the standard price of employment at a war-time basis. The farmer is to be taxed. Every one who has any property on which the Government can fasten its tax grip must pay these extra sums to maintain the war standard of prices. Is not the consumer, and especially the laborer, getting the best of the farmer by the maintenance of his wages upon a war basis?

Mr. President, the Senator speaks of bread being the staff of life. The people of the United States pay for their bread, this staff of life, less than 1 per cent of their earnings. The most ordinary labor is receiving to-day at least $5 a day. If the laborer works 300 days in the year he earns $1,500. The increase in the value of his barrel of flour by reason of the Government fixing the price is about $5. He earns this increased price in one day. A little over two days' earnings will buy all the staff of life that he consumes in a whole year.

Senators do not stop to think how cheap flour is as compared with the other things which the American people consume. The average consumption to-day is about one barrel of flour per capita. One barrel of flour is worth about $12.50, I think, to-day. At that rate it would require, on an average, two days' labor to buy all of the flour that is consumed by one individual for a whole year. Can any Senator point out to me any other article of consumption that is so cheap to-day as is flour, compared, at least, with the labor that is required to produce that barrel of flour? Measured by the labor employed to produce a barrel of flour, this staff of life to-day is the cheapest thing that can be bought in the whole United States. So long as this war standard of prices is maintained there is no occasion in the world for the Government to purchase the farmers' wheat at a war price and then sell it to the public at a prewar value, while at the same time the public is receiving war prices for labor and war prices for everything produced by that labor. The two ought to be maintained together or the two ought to go down together. I do not care if a laborer receives $10 a day, if he will do an honest day's work, provided that he will allow other people who also labor to receive a price for their products that will enable them to buy his $10 per day product. That is all he has a right to ask, and he certainly should grant the same privilege to the other producing people of the United States.

Let us not lose sight of the fact that the wheat producer has been the only person who has ever been penalized by a reduction in the price of his produce. The Senator from Oklahoma admits that the wheat producers lost by reason of the Government fixing the price of their product $800,000,000. He bases that upon a loss of 80 cents per bushel on 1,000,000 bushels of wheat. In the first place, we raised 1,125,000,000 bushels of wheat in 1918, and the price, instead of being 80 cents more, would probably have been a dollar and a half or even $2 more had we allowed the law of supply and demand to work out its natural result.

The world had to have our wheat. Our allies were willing to pay $5 a bushel for that wheat if they could get it. It was said that we owed it to our allies that they should not pay such exorbitant prices for our wheat. Did we not owe it to our allies that they should not pay four times as much as they ought to have paid for their war materials? Yet we charged them any price that our people had the conscience to demand for the other things that we furnished to them.

Mr. SMOOT. Mr. President, the Senator will remember that at the same time we were cutting the price of wheat from $3.50 to $2.26 a bushel our allies were charging the United States the highest price that was ever known in the history of the world for everything that we purchased from them.

Mr. McCUMBER. I am well aware of that. They got the best price they could, and we got the best price that we could for everything that we produced. We were playing an equal game; each of us was doing the best for ourselves, with one exception. That exception was the farmer. He was not to have the best price that he could get; he was to be the "goat" in the transaction.

Mr. President, the Senator from Oklahoma admits, as I stated, that the farmers lost $800,000,000. Then the consumer of flour got the benefit of that $800,000,000, did he not? If the consumer of the flour during the war time got a benefit from the farmer of from $800,000,000 to $1,000,000,000, then, in Heaven's name, should not the consumer of flour be willing, now that the war is over and the price of his labor and his services are maintained at the old high rate, at least, that the farmer shall make back that loss—not make anything new or anything in addition to what he would have made; that he should, at least, recoup that loss by maintaining the price fixed by the President?

Mr. KING. Mr. President, will the Senator from North Dakota permit an interruption?

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from North Dakota yield to the Senator from Utah?

Mr. McCUMBER. Certainly.

Mr. KING. The farmer, of whom I was speaking in regard to the loss to which the Senator from North Dakota is referring—which, by the way, this farmer denied—stated that even if there were a loss by reason of the action of the Government in fixing the price of wheat, it was more than compensated for by the increased price which the farmer got for corn, oats, and those other substitutes which the people were compelled to purchase at very high prices in lieu of wheat.

Mr. McCUMBER. Was the compensation above that of the law of supply and demand for those articles?

Mr. KING. His contention was that the Government had made a market for corn, oats, and other cereals, which otherwise would not have existed, by reason of its taking charge of the wheat in order to furnish wheat to the allies; that by furnishing a market to those other cereals it had given an enormous impulse to the price; and that the farmer had made very large profits out of those products.

Mr. McCUMBER. That is the first time I have ever heard the argument made that by striking down the price of one product the farmer produces you increase the value of his other products. On the contrary, corn, rye, oats, barley, and everything that the farmer produces of a cereal character always responds to the rise and fall of wheat, although not to the same extent; but I never heard of a case in which wheat went skyward and the other products went downward at the same time. On the contrary, the whole rule of trade is that a high price for one product tends to give buoyancy to the price of every other like product or a product that can be converted into it.

Mr. KING. Mr. President, generally speaking, I think the rule the Senator announces is correct; but I regard the position of this intelligent farmer to whom I have referred as a rational and logical one. If the Government, by reason of restricting the use of wheat at home for food purposes in order to supply it to our allies abroad, furnished a market for other cereals, obviously it would enhance the price of the cereals, while perhaps fixing the price of wheat might have reduced its price below what the natural market would have been.

Mr. McCUMBER. That had nothing to do with it. The advance in the price of other cereals was not based upon the lowering of the price of wheat, but, on the contrary, it was the result of the other proposition enunciated by the Senator, namely, compelling the American people to eat something else. Of course, if they are compelled to consume something else, it will increase the price of the commodities which they are compelled to consume.

I think the farmer will wait a long time for a just answer to the questions I have propounded. As I have already stated, all the food department has to do to handle this matter is to continue the present system. That system requires every miller to purchase wheat at a certain price; it compels the miller to sell the wheat, in the shape of flour, for a certain price, and that price takes care of 650,000,000 bushels of wheat. That will leave 325,000,000 bushels of surplus. What are you going to do with the surplus? If the Government bought it at the present price, and bought it all at one time, it would need only $733,000,000 to purchase it; but if it buys it at the rate of $100,000,000 a month and then sells that to Great Britain and to other countries at the world's market price, we would lose about $1 a bushel. If we should lose $1 a bushel, then the entire loss would be $325,000,000, or only about one-third of the loss that the farmer suffered in 1918 by reason of his price being cut down.

Mr. WEEKS. Mr. President——

Mr. McCUMBER. I yield to the Senator from Massachusetts.

Mr. WEEKS. If I understand the Senator correctly, he thinks that if this fund is properly handled the loss may be limited to $300,000,000?

Mr. McCUMBER. Yes; to about that.

Mr. WEEKS. I should like to ask the Senator whether or not, if the President had asked Congress last December or January to enact legislation repealing this law, so far as it applies to spring wheat, thereby saving any loss on spring wheat, there would have been a loss at all?

Mr. McCUMBER. Mr. President, there would have probably been no financial loss, but there would have been a loss of honor on the part of the Government, because the Government had already agreed to insure the crop on the supposition of the continuance of the war and to maintain the price fixed; and, having agreed upon that, we can not meet that with the argument that, because the wheat was not sowed, we could violate our contract with reference to the part which was not sown, because the farmer arranges for conditions; he sells his seed wheat or retains it, according to his necessities; makes his arrangements for his help for the ensuing year; and makes his other contracts in anticipation of future prices.

Mr. WEEKS. The Senator has raised a great many contingent possibilities, some of which may be real, but some of which sound quite the reverse to me. Certainly we were not in a state of war in December or January, and certainly the farmer, where spring wheat is raised, had not taken any steps to produce any spring wheat other than possibly to set aside his land for that purpose.

Mr. McCUMBER. Would the Senator, then, provide that winter wheat shall be priced at $2.20 and that the farmers of my State shall receive only $1 for their wheat?

Mr. WEEKS. I am not thinking about the farmers of the Senator's State or of any other State; I am wondering why we could not, without doing injustice to anyone, have saved this dollar a bushel which the Senator says we are going to lose on wheat which had not been sown.

Mr. NELSON. Mr. President, will the Senator from North Dakota allow me to interrupt him?

Mr. McCUMBER. I yield to the Senator from Minnesota.

Mr. NELSON. I will explain to the Senator from Massachusetts what the facts are. In order to have a successful crop of spring wheat, the plowing must be done in the fall. No farmer thinks of sowing spring wheat in my section of the country with spring plowing. They all do their plowing in the fall, before the ground freezes, and they plow in the fall if they can, even for oats and barley; but, above all things, fall plowing is required for the wheat crop. So all that work was done before the time to which the Senator from Massachusetts has referred.

Mr. WEEKS. If that were done, and the farmer did not use his land for the purpose contemplated, I think he would have a claim which he might make for damages to that extent.

Mr. McCUMBER. On the other hand, if he wishes to raise flax, he would raise that following the spring plowing; but it gets back to the proposition that even the farmer has to look ahead and arrange his plowing and other affairs according to the situation as it then confronts him. Let the Senator remember that at that time the farmer could not get any kind of help short of $5 and $6 a day per man to do the plowing.

Mr. WEEKS. If he has paid out $5 or $6 a day, then that could go into his claim. It is not very fashionable to try to save money; and yet it seems to me that there would have been an opportunity to have saved perhaps $200,000,000 and have done no injustice whatever to anyone.

Mr. McCUMBER. To me it would have been a rank injustice, first, by fixing $2.26 a bushel for one kind of wheat raised across a line in one part of the State and allowing only a dollar a bushel, or the world market price, for the wheat that happened to be raised across that line in the same or another State. Some of our farmers also raise winter wheat, winter rye, and so forth, and the farmer who was lucky enough to have provided for his winter wheat would get double the price that another farmer would receive for his spring wheat. There are a great many objections to the proposal made by the Senator from Massachusetts.

Mr. NELSON. Mr. President, I wish to call the attention of the Senator from Massachusetts to the peculiar condition we would have been in. While one crop, winter wheat, is sown in the fall and the other sown in the spring, they practically mature at about the same time; there is not much difference in the time of maturity. In the far southern States the farmers begin to harvest wheat in June, while in the north they begin in July. In my section of the country there is probably not a month's difference between the harvesting of the grain that is sown in the fall and that sown in the spring. So the man who sows winter wheat when he gets his grain thrashed would receive full price for it, while the man who sows spring wheat and thrashes a month later would not begin to get that price.

Mr. WEEKS. All I have to say is that the plan I have suggested was not followed, and so it is almost idle to discuss it; yet it seems to me that, if I had been responsible, I would have asked Congress to have passed that kind of legislation, coupled with it the provision that farmers could present their claims for any actual loss which they might have sustained because of having plowed the ground or taken some other action.

Mr. McCUMBER. Our courts, I am afraid, would have had some work to do in order to take care of the claims of

33,000,000 people in the United States. Possibly the Senator could have seen a way to have met that situation.

Mr. WEEKS. That number would have been limited to 330,000, I imagine, instead of 33,000,000 people.

Mr. McCUMBER. Even if it only affected 330,000, I think it would take 15 or 20 years to try all their cases.

Mr WEEKS. Is it not worth while to spend some time to save $200,000,000, if it can be done? Have we gotten to the pass where we can deliberately throw away money to that extent?

Mr. McCUMBER. There have been more than $300,000,000 of salvage thrown away on account of this war, more than $3,000,000,000 of it, and we have issued our bonds and we will have to pay for it, whereas in this particular case, if we lose a couple of hundred million dollars, it can be allowed as an offset against the billion dollars that have been taken out of the pocketbooks of the farmers for their 1917 and 1918 grain crop.

Mr. WEEKS. I do not think it any excuse, Mr. President, that we are losing a great amount of money in salvage. The Senator from North Dakota is not responsible for that, and neither is the Senate. The executive departments of the Government are responsible for that; and the executive departments of the Government are responsible for the failure to attempt to adjust this situation, in my judgment.

Mr. McCUMBER. I do not think that it could have been adjusted as the Senator thinks it ought to have been. I was perfectly willing to allow the farmer to receive the price for his crop that the law of supply and demand fixed all the way through this war, and then to let him take his chances after the war. The farmer was willing to do that, and he objected to the fixing of the price of $2.20 a bushel upon his grain. What he asked was, "If you subjected him and his product to the law of supply and demand, that you should allow that law to apply in every other avenue of trade and business."

Mr. President, in the discussion of this subject the other day the Senator from Missouri questioned the authority of the President, as I understood him, to maintain an embargo against the importation of wheat into the United States in order to maintain the price of wheat fixed by him. The unfinished business coming before the Senate at that moment prevented my replying to his question. The power is very clear and explicit. The provision is found in section 14 of the act approved August 10, 1917. I shall quote only sufficient from that section to make that clear. This is the way it reads:

SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit.

In that is the power. Then the law proceeds:

When the President finds that the importation into the United States of any wheat produced outside of the United States materially enhances or is likely materially to enhance the liabilities of the United States under guaranties of prices therefor made pursuant to this section, and ascertains what rate of duty, added to the then existing rate of duty on wheat and to the value of wheat at the time of importation, would be sufficient to bring the price thereof at which imported up to the price fixed therefor pursuant to the foregoing provisions of this section, he shall proclaim such facts, and thereafter there shall be levied, collected, and paid upon wheat when imported, in addition to the then existing rate of duty, the rate of duty so ascertained.

Mr. President, here is the power to fix the rate, and here is the authority to fix an importation charge that will protect the Government against any loss. The importation charge to protect the Government against any loss must necessarily be sufficiently high to prevent any importation at all. In other words, it must approach as nearly as possible an absolute embargo against any importation.

On September 2, 1918, in pursuance of this authority, the President proclaimed, after reciting the act, as follows:

Now, therefore, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, I do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guaranty provided in said section, and in order to make effective the guaranty by Congress for the crop of 1919 and to assure such producers a reasonable profit, I do hereby determine and fix and give public notice of a reasonable guaranteed price of No. 1 northern spring wheat and its equivalents at the respective principal primary markets as follows, to wit.

Then follow the prices, ranging from $2.39 a bushel at New York to $2.21½ at Minneapolis, $2.18 at Omaha, and $2 at Spokane and points in Utah, Montana, and Idaho.

The proclamation then proceeds:

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned to every producer of wheat of any grade so established under the United States grain-standards act, upon condition that said wheat is harvested in the United States during the year 1919 and offered for sale before the 1st day of June, 1920, to such agent and employee of the United States or other person as may be hereinafter designated at any one of the above-mentioned cities, which are hereby declared to be the principal primary markets of the United States.

My whole address here is a protest against the claim that the people of the United States are to expend a billion dollars of the money of the United States to maintain the price of the farmers' product. I think I have shown clearly enough that a revolving fund of $500,000,000, if properly expended, would take care of the entire crop of 1919, and that in no case is it necessary for this Government to lose more than $350,000,000, if it maintains the price of all of the wheat up to the price now fixed by the order of the President of the United States.

We are not losing anything. We are paying back to the farmer just about one-third of that which we took away from him in 1917 and in 1918; and I protest against the claim that we are imposing a burden upon the consumers of wheat when we have given those consumers a benefit of over $100,000,000 a year, and are maintaining the earning capacity of the consuming public up to two or three times what it was when the farmer was receiving a dollar a bushel for his grain.

Mr. FLETCHER. Mr. President, may I ask the Senator what he would think about this phase of the matter: If we are going to take this wheat at the price fixed, ought there not to be some arrangement whereby we would understand that the acreage would not be increased over that of last year?

Mr. McCUMBER. Mr. President, I do not know how you would enforce a rule of that kind. That would seem to be an impossibility; and, above all, it probably would not amount to a difference of $25,000,000 even if we attempted it, and I doubt if it could be worked out.

Mr. KELLOGG. Mr. President, I would not take the time of the Senate to discuss this bill were it not for the fact that the people of my State, and in fact all the people of the Northwest, are vitally interested in its provisions.

I appreciate the importance of a bill coming before the Senate appropriating a billion dollars to fulfill the guaranty of the Government. It is one of the results of a price-fixing policy. I did not believe originally that price-fixing was wise. I believe it would have been better to have controlled the exports from this country, and to have allowed the natural elements of supply and demand to establish the price. But, Mr. President, I realize that I may have been mistaken. It was, of course, of the most surpassing importance at that time that we should produce in this country enough wheat to enable us not only to feed ourselves but to feed our allies and the armies fighting with us on the soil of France. Without a wheat surplus the war could not have been won, and this guaranty is in effect a war expenditure.

Conditions existing when this food bill was passed will readily be recalled, and there was included in its terms a provision permitting the President to guarantee a minimum price for wheat.

In the dark days of 1917, and even later, when the last guaranty was made, it seemed to the Government absolutely necessary, if we were to win the war, to increase the production of wheat in this country. This was the only Nation, or practically the only Nation, to which the world could turn for a supply. The U-boats had completely cut off shipping from Australia, Argentina, and India. Russia was in a state of revolution, with no possibility of producing any surplus for export. The only hope of production, therefore, rested in the United States and in Canada.

The wheat shortage in foreign countries—I mean principally the allied countries whose production had decreased—and the smallness of the 1917 crop in this country alarmed the allies and the people of this country, for if the shortage had reoccurred in 1918 it would have been impossible to have fed the armies and won the war.

I wish to insert in the RECORD after my remarks tables showing the wheat production of the various countries and the prices prevailing in this country when we passed the food bill and authorized the President to prescribe a guaranteed price. I shall not take the time of the Senate to read the exhibits, but allow me to state that in August, 1917, when the food bill was passed, it developed that our total wheat crop was only 636,000,000 bushels, which represented the normal requirements in this country alone for food and for seed.

The PRESIDING OFFICER. Without objection, the tables referred to will be printed as an appendix to the Senator's remarks.

Mr. KELLOGG. There was a deficiency of 400,000,000 bushels, compared with the previous year's crop. Allow me also to

suggest that in France the 1917–18 crop yielded only 144,000,000 bushels, as compared with a normal crop of about 300,000,000 bushels, and the prewar crop frequently amounted to 375,000,000 bushels. England's small production had also been reduced. Canada produced a fair crop; but the entire available crop when the food bill was introduced and when it was passed was absolutely insufficient without the most strenuous economies and substitutions of other food products for wheat to carry on the war.

That being the case, let us observe the price and market conditions as they existed in 1917, because good reason undoubtedly existed for the guaranty which the President made.

In May, 1917, when the food bill was under discussion, buyers from foreign countries were competing in our markets for wheat at any price. England was bidding against France, France was bidding against Italy, and neutral countries were bidding against all three, in a feverish anxiety to buy wheat. In May, 1917, when the necessity for market regulation developed in the United States, wheat was selling in Chicago at $3.42 a bushel and in San Francisco at $5 a bushel, and those prices continued during that summer, gradually being reduced as the passage of the food bill, with the authorization to fix prices, became more certain day by day, and on August 12, when the bill was finally passed, wheat in Minneapolis was selling at $3.50 a bushel and in San Francisco at $3.40 a bushel. Of course, the fact that the President had the power to fix a minimum price and that Congress was about to recommend a minimum of $2, and, by reason of the licensing provision, the power to place an embargo on all foreign shipments, the authority vested in the President to establish a minimum of $2, if expedient, had a resulting tendency to reduce the price.

In August the bill was passed. Congress fixed a minimum price of $2 per bushel for 1918 and authorized the President to proclaim a guaranteed minimum price in the following language:

That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefit of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act, approved August 11, 1916.

There existed therefore a congressional enactment for a minimum of $2 per bushel. The President immediately took under consideration the production in the United States and the production in foreign countries. He had estimates of the wheat required to support the armies, or allies, and certain neutral countries which were depending upon this country to avoid starvation; and the President found that $2 a bushel was not sufficient to encourage proper production even for 1918, and he fixed the price at $2.20. I am now speaking of the Chicago market. The others were graded according to freight rates. This was afterwards increased 6 cents to make up for the increase in freight rates prescribed by the Government after the railways were taken over.

In February, 1918, the President fixed the price at $2.26 in Chicago and corresponding prices in other markets of the country. I wish to place at the end of my remarks that part of the proclamation of the President giving the specific prices in each of the markets of the country.

The PRESIDING OFFICER (Mr. LENROOT in the chair). Without objection, it is so ordered.

Mr. KELLOGG. Now, Mr. President, let me state in a few words the history of price fixing for 1919.

We must remember that while in August, 1918, the German Army had met with reverses at Chateau-Thierry and on the Marne it had not been decisively defeated. No one, I believe, thought the war would close in November. I believe almost everyone expected the war to last at least another year. The President was confronted with the realization that we were cut off from Australia, from Argentina, from India, that Roumania and Russia were producing nothing, so, I have no doubt, that it seemed imperative to the President that the price for 1919 should also be fixed at $2.26.

In passing, let me say that we are not the only country which fixed a high price for wheat. I ask to have inserted in the RECORD here, as a part of my remarks, a quotation from the hearings before the Agricultural Committee of the House which shows the prices fixed in the foreign countries for 1918 and 1919; and it will be noted that prices in the United States and Canada were the lowest, compared with other countries. Prices soared as high as $4.44 for wheat in Italy, and varied between that figure and $3.30 in other countries.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

FROM THE HOUSE COMMITTEE REPORT.

Mr. HAUGEN. We will settle this price business. I have before me the prices fixed by the various countries. Italy, for instance, fixed the price of hard wheat for 1918 at $3.60; soft wheat, $3.18; in 1919, hard wheat, $4.44; soft wheat, $3.96. France, in 1919, $3.84; 1918, $3.96. All the time the United States got $2.26. Holland, for instance, in 1919 fixed the price at $3.30; in 1918, $2.96. Switzerand, $3.18 for 1919, $3.36 for 1918. Norway, $4.09 for 1919 and $4.58 for 1918. The United States and Canada, $2.24 for 1918.

Mr. KELLOGG. The other countries in Europe were apprehensive, as we were, that the war would last at least another year. They knew that food was absolutely necessary and that the price was of less importance than production. To be sure, the war ended suddenly, and it is quite likely that if we had not guaranteed the price for 1919, owing to the ability to some extent to ship grain from Argentina and from Australia, the price would be less than $2.26. That is one of the things I shall discuss, and it is one of the risks we assumed when we gave our pledge, which the United States of America must and will keep, as it has kept all of its pledges.

Mr. President, it is true that it is always difficult to pay for a "dead horse," as they say. We only look at the amount that we are going to pay if there is a loss on this crop, and we observe the enormous amount of this appropriation, and all, of course, regret the necessity for it. I do not think the loss will reach a billion dollars. I shall discuss that matter later.

I have taken some pains to inquire of the best experts on the prices of wheat and flour, men who knew the conditions in 1917, to determine, if possible, the extent of the loss to the American people if the price had not been fixed. Now, in passing, let me say this:

There seems to be a general impression that the farmers asked to have the price fixed and guaranteed. I think the Senators will remember that neither the farmers nor representatives of farmers' organizations urged the fixation of prices in 1917. In fact, resolutions and protests from farmers and farmers' organizations against the fixing of prices were submitted from every section of the country.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Utah?

Mr. KELLOGG. Yes, sir.

Mr. KING. Is it not a fact that there were a number of petitions presented in Congress for some form of fixing the price of wheat, or at least of curbing the activities of those who purchased wheat and who dealt in flour? As I recall, the distinguished Senator from North Dakota appeared here upon the floor on a number of occasions and urged that Congress fix the price of wheat.

Mr. KELLOGG. When the food bill was before the Congress the protests, with which I am familiar and which came to me, opposed action by the Government in fixing any price for wheat, because they knew that the price was at that time very much higher than the Government would recommend. I stated in the Senate on July 18, 1917, that—

the farmer is not asking you to single him out and guarantee him a minimum price. What he asks is that his market shall be left the same as all the other markets in the country, free and open. If you are not going to do that, if you are going to take away his market and control prices, then it is for the interest of the whole country more than it is for the interest of the farmer that the President be authorized to guarantee him a good, liberal minimum price.

I shall further answer the question. While the bill was pending it provided a minimum price of $2, and while it was under consideration petitions and communications that I received were opposed to any price fixing at all, and why?

Wheat was selling, as I said before, in May, 1917, at $3.42 a bushel in Minneapolis, and at from $4.50 to $5 in San Francisco. Is it reasonable to suppose that the farmer who knew the world crop was short, who knew that there was a very short crop in this country, would ask Congress to fix a price of $2 when he was getting $3.42 in my part of the country? Certainly not. The fact is that most of the petitions which I had came from people in the cities who feared the increase of prices beyond all reason, and they were properly very anxious about the subject.

Mr. KING. Will the Senator pardon an interruption?

Mr. KELLOGG. Certainly.

Mr. KING. There was some period, was there not, within the past two years, and even a short time before that, when the prices of flour were so great in proportion to the price of wheat, the disparity was so great, as to lead the farmers to a strong movement in favor of legislation that would at least give them a

higher price for their wheat measured by the price at which the flour was sold or bring the price of flour down nearer to the price of the wheat?

Mr. KELLOGG. I will answer that question in this way: The farmers submitted no petitions urging that the price of wheat be fixed at $2 a bushel when it was selling in the market at $3.42. In 1917, when the market for wheat was utterly beyond control and the market for flour had become inordinate, flour was proportionately too high compared with the price of wheat. The farmers sold the bulk of their wheat before May, 1917; in fact, they sold it in the autumn and winter of 1917, for the Senator knows that winter wheat is marketed fairly early in the autumn, and spring wheat during September, October, and November, at least, to a very large extent.

As to the demands of the farmers, after the President had intimated that he would himself fix the price in 1917 and 1918, and that the guaranteed price of $2 a bushel as fixed by the Congress was inadequate, the farmers then petitioned the President to fix the price at $2.50. I remember some of them did, and I presume that others asked a much higher price than that, because they knew that prices in the market would not normally have been less than $2.50 and undoubtedly would have exceeded $5.

I shall return, now, to the question of how much the American people have really lost, even if we should sacrifice the entire billion dollars, which I do not apprehend.

As stated, I have made a careful inquiry of men who were familiar with market prices in 1917, with the enormous demands of foreign countries, the wheat shortage here and in Europe, and the following is, I believe, a fair recital as to what might have occurred. I quote from a memorandum which was handed to me.

> When you consider the fact that flour at the mill door went to $16.75 a barrel in May, 1917, and without the stabilizing influence of the Food Administration would, no doubt, have gone to $25 a barrel, you can readily see the saving to the public as represented between the difference of these prices and the price actually prevailing, which is under $10 a barrel.

When that was written the price was still under $10.

Mr. STERLING. Will the Senator state when that memorandum was written?

Mr. KELLOGG. It was written on February 17, 1919. It continues:

> Assuming that flour would have gone to $20 a barrel, the saving to the American consuming public was $1,100,000,000, which in itself is a fair estimate of the actual saving effected.

Mr. KING. Will the Senator yield for a question?

Mr. KELLOGG. Certainly.

Mr. KING. Does the Senator have before him the price of flour per barrel in Great Britain and in France and in South American countries at the time he says some expert says it might have reached $25 a barrel except for the activities of the Food Administration?

Mr. KELLOGG. I do not have information as to prices prevailing at that time in foreign countries. In Canada it was substantially the same as in this country. In South American countries, of course, they could not sell their crop, and they do not present fair illustrations of market prices. Argentina was unable to export her crop, because it could not be shipped. I can not give the Senator the prices, but I shall be glad to procure them if he desires.

Mr. KING. I have them generally in my mind, and I know they did not nearly approximate the maximum stated. I think that is a good deal of a fiction upon the part of the expert to whom the Senator refers. I think there is a determined effort upon the part of some, and, of course, I do not include the Senator nor any Senator for that matter, to make it appear that the losses to the farmer were extraordinarily great by reason of the passage of the Food Administation bill. I am in favor, of course, of the Government carrying out any contract which it made, but speaking generally I think it may be said that the farmers of the United States during the progress of the war have fared pretty well. They have received a good price for their farm products, for their cattle, their sheep, their pork, and certainly for their corn and cereal products on the farm. I do not think we make much by trying to have the farmers believe that the hand of the Government has been arrayed against them.

Mr. KELLOGG. Mr. President, I am not attempting to establish any such a case. I am simply stating the facts, for I know the Senator is aware that one of the reasons for the passage of the bill was that wheat then sold at $3.42 a bushel and there was general anxiety in the country that it would greatly exceed that figure.

I recall that a number of men who were familiar with market conditions told me in May, 1917, that they had no idea where wheat would go unless the Government controlled it, and I believe, and it was a perfectly proper consideration for the Congress, that one of the important inducements for passing the bill was that flour and wheat prices should not rise too high; and it had equal influence in guaranteeing the increased production. I simply state that as a part of the history.

We made a pledge. The Congress thought it was wise. The President thought it was wise. The fact is that the solemn pledge of the Government has been made and we must redeem it. What means are to be employed and in what manner may we protect the Government from the greatest loss, minimize that loss to the country and furnish food to the people at reasonable and fair prices? This bill provides a means of purchasing the crop by the Government and selling it in the market. There have been three plans suggested and discussed at great length before the Committee on Agriculture, and, with the permission of the Senate, for a few moments I desire to state those plans.

One plan contemplated opening the markets of the country and allowing grain to be sold at prices declared by the various grain exchanges in the markets of this country and in Europe, and settling with the farmer for the difference between the price he actually received at his market and the price he would have received had he been paid the Government guaranteed price of $2.26.

There seemed to the committee, as I understand, though I am not upon the committee, various objections to this, namely, that it would require the vast machinery of the Government to deal with millions of farmers individually; that the farmer would feel an uncertainty as to what price he was going to receive from the Government; and that he would have to institute a claim against the Government and collect it. I believe it may be said without reflecting upon public officials that the people do not look with favor upon the practice of collecting their losses from the Government. Throwing open the grain exchanges of the country would also have tended to manipulation. Foreign countries could enter the markets or refuse to compete; and either crowd prices down and increase the loss to the Government or push them up after the farmers had sold their grain. In any event, it seemed to the committee that it was an impractical way of adjusting the loss and compensating the farmer, who would have had to deal with each local elevator or grain market agent in every village, town, and market of the country, and the Government would have been compelled to make that agent its representative for adjusting the credits and losses with the individual farmer. So that plan was not adopted.

The second plan was to buy the grain and to sell it to the American people, or so much of it as could be sold, at the guaranteed price, thereby compelling the American people to pay for their flour on the basis of $2.26 per bushel for wheat, irrespective of the price charged by us for the surplus which we might sell in foreign countries, and irrespective of the price that foreign countries would pay for their bread. It seemed, I believe, to the committee that we ought not to charge the American workingman and the American business man and the millions of people in this country who must have bread a higher price than other countries were paying for it or any more than what would ordinarily be the normal market price.

The third plan, which I understand to be the one really adopted by the committee, was to authorize the President to purchase the grain at the guaranteed price and to sell it at a fair world market price. There is a provision in the bill which is supposed to effectuate that object.

It provides that the President may purchase "for cash, or sell, consign, or contract for the sale of, for cash or on credit, wheat of the said crops of 1918 and 1919 and flour produced therefrom at the said guaranteed prices or at such other prices and on such terms or conditions as may be necessary to carry out the purposes of this act and to enable the people of the United States to purchase wheat products at a reasonable price."

Of course, the Grain Corporation, which is the machinery to be used to purchase and sell this crop, may undoubtedly have some influence in foreign markets in fixing the world's level of prices, because whatever amount Europe draws from Argentina, from Australia, from Canada or India—and those are the only countries from which the European countries can obtain a supply—in all human probability she must still purchase from us from 250,000,000 to 350,000,000 bushels of wheat, depending upon the world's crop; and while we may have a much larger surplus than that, yet I think anybody will realize that our selling agency may have some influence in the European countries in fixing prices. But undoubtedly should there be a great

world surplus we could maintain the world market at $2.26 a bushel. The Senator from North Dakota [Mr. MCCUMBER] has discussed the necessity for having a billion-dollar appropriation. I realize that that is a very important question in view of the enormous appropriations which this Congress must make. In order to decide whether the appropriation should be a billion dollars we must understand the conditions under which the grain is marketed, and 1918 is not a fair illustration of what 1919 will be. In 1918 the Government created a grain corporation with a capital of $150,000,000, and that corporation borrowed from other departments of the Government and from the banks in amounts ranging, I understand, from $250,000,000 to $350,000,000, and perhaps $400,000,000. I have not the exact figures before me. Why was it necessary to have $400,000,000 to $500,000,000 this last year? To be sure, the Government could sell most of the grain it purchased as soon as it could transport it to Europe, but in this country there are thousands of elevator companies—the Senator from North Dakota [Mr. GRONNA] will correct me if I am in error—and I think there are three or four thousand farmers' elevators in the Northwest owned by the farmers.

Mr. GRONNA. That is correct.

Mr. KELLOGG. There are hundreds of line elevators and many terminal elevators in the cities all the way from New York to the Pacific coast. All those companies have large capital. The farmers' elevators have some capital, but not as much, of course, as others mentioned, but they are usually not included in line systems. They were perfectly willing to invest all their capital to purchase the grain, provided there was assurance that the surplus would be taken off their hands at the Government guaranteed price. The result was that every elevator in the country was authorized to purchase grain at a fixed price. They were authorized themselves to sell to millers at a fixed price and to turn over to the Government at any time the surplus in the form of wheat tickets, or what are known as warehouse tickets, and receive their pay from the Government; and the Government stood ready and did at once accept through the wheat corporation every bushel of wheat offered.

There were about 319,000,000 bushels of surplus wheat in this country last year out of a crop of 917,000,000 bushels. As I understand, the United States Grain Corporation has already sold over 250,000,000 bushels at the guaranteed price, plus the cost of handling, and it will undoubtedly sell the remainder this year at the guaranteed price to foreign countries. So the Grain Corporation will have a capital of $150,000,000 and probably $15,000,000 or $20,000,000 as handling charges for the crop.

Mr. CURTIS. I think at a committee hearing a few months ago it was shown that the Grain Corporation already had a profit of some $5,000,000 or $6,000,000.

Mr. KELLOGG. Yes; the Grain Corporation derived a profit from the sale of grain to foreign countries of $5,000,000 or $6,000,000 some five or six months ago, and they hoped to increase that when the whole crop this year is sold. I understand there will be a capital of $150,000,000 to $160,000,000 or $170,000,000 to begin with.

We will be confronted with the same condition this coming year. But before I come to that let me say that I do not know whether the Senator from North Dakota [Mr. MCCUMBER] intended to state that money had been wasted. My opinion is that the Grain Corporation, through Mr. Barnes, who is a very able man, handled the wheat crop of 1918 with great ability and has not wasted any money and will really make a profit for the Government in the sales to foreign countries. The Senator from North Dakota [Mr. GRONNA] is more familiar with the details of it than I am, but I believe that to be true.

Mr. GRONNA. I believe it is true.

Mr. KELLOGG. It is estimated by the Agricultural Department that there have been about 49,000,000 acres sown to winter wheat, which would be an increase in acreage of 16 per cent over last year; that if the spring wheat is increased in the same proportion there will be about 75,000,000 acres, and we may expect a crop ranging from 950,000,00 to 1,100,000,000 or 1,200,000,000 bushels, and possibly more, though I quite agree with the Senator from North Dakota [Mr. MCCUMBER] that it is unlikely that we will realize the larger amount. We rarely realize the expectations of February and March.

But assuming that there should be a billion bushels of wheat, the Grain Corporation must be prepared to take every bushel of wheat offered by any elevator or mill company or any purchaser in order to invite all the private capital in the country to invest in wheat. No purchaser, whether it is a farmers' elevator, a line elevator, or a mill, will buy grain at a Government guaranteed price unless that customer knows it can sell the wheat at the same price. In fact, as I said yesterday in the Senate, if we should fail to pass this legislation and the Government guaranty of $2.26 should continue, there would not be a dollar of capital in this country nor any of the facilities of the elevator companies and mill men throughout the country available to handle the crop of 1919.

Mr. President, it has been suggested that the Government should have repealed the law providing for a guaranty of $2.26 for spring wheat because the spring wheat crop had not then been planted. I suppose the Senate is familiar with the fact that the winter wheat crop is on an average double the amount of the spring wheat crop. If we should have a billion bushels of wheat it is probable that 650,000,000 bushels or thereabouts would be winter wheat and 350,000,000 bushels would be spring wheat. To be sure the spring wheat is not yet planted, but spring wheat is planted with winter wheat all the way from Texas to the northern boundary of this country. Generally speaking the spring-wheat country consists of Iowa to some extent, Minnesota, North Dakota, South Dakota, and Montana; considerable is raised in Nebraska, Kansas, and the amount diminishes as you go south.

If the Government was to repeal the law as to spring wheat, to say nothing about good faith at this time, it would be entirely and absolutely impracticable. The spring wheat will begin to be planted in a very few days, if it has not already commenced in the Middle Western States. Not only that, but if anyone knows how they could maintain an open market in this country for spring wheat and a closed market for winter wheat existing side by side, they know more about economics in handling grain than I do. It can not be done. Furthermore, whenever a farmer takes his wheat to the market, some one would have to determine whether it was winter wheat or spring wheat, and many other complications, to say nothing about the honor and credit of the United States, would, I think, make it entirely impracticable.

No repeal was undertaken, and, as I said before, the farmer has prepared to plant and is now in some parts of the country actually planting, if he has not already planted, his spring wheat. In my country it will soon commence. They have prepared for it. The ground is plowed, every arrangement has been made in the way of purchasing or keeping the seed, and in all their other farm arrangements for the spring of 1919 the matter has been kept carefully in mind.

I know of no other way in which our Government can honorably fulfill its pledge, a pledge made in the darkest days of the war, when wheat was as necessary as men to fight the battles, but for the Government to purchase the crop or provide means for its purchase, thus carrying out the compact. It is one of the resulting losses, one of the expenses, I might say, of the war. When this country undertook to marshal not only its millions of men to fight the battles of this war, but all its resources, all its energies, and all its economic forces, we did not hesitate to pay any price for munitions and instrumentalities with which to prosecute the war. We did not hesitate to safeguard allied nations against famine while fighting the battles of the war. I say now that the only honorable course is to meet this pledge in the most economical and efficient way possible, and I believe this measure accomplishes that object.

I can not say how much the loss will be to the American people. To be sure, as the Senator from North Dakota [Mr. MCCUMBER] said, we have only to buy the surplus, and if we buy the crop and it is the policy of this country to sell that wheat to the people of this country at the same price, or substantially the same price, it is to be sold in Europe, we may sustain great loss. It is not probable that it will amount to a billion dollars; but, after all, can we afford to say to the American people that they shall pay a guaranteed war price for their bread and the peoples of Europe may buy it cheaper, or is it better for us to pay the loss as a war item and let the American people derive benefits the same as people of foreign countries?

Mr. KING. Mr. President, will the Senator yield to me?

Mr. KELLOGG. I yield.

Mr. KING. I am not quite sure, in view of the last statement and the preceding one just submitted by the Senator, whether he advises that the Government shall sell the wheat and the flour which it takes over or which it may take over on the market at market prices or whether, by putting on a prohibitive tariff or a tariff or embargo of some character, and thus keeping out any competition, it will attempt to raise the wheat price higher in order that it may be made whole, thus, of course, compelling the domestic consumer to pay more than the world market price for wheat and flour.

Mr. KELLOGG. My judgment is that the honest and most beneficial thing to do would be to sell the wheat crop and the flour produced from it to the American people at the fair world market prices so that they as well as Europe may have the benefit of those prices. That is my judgment.

Mr. KING. Mr. President, I think the Senator from Minnesota takes very safe and sound ground in the statement just made. I now ask the Senator whether he agrees with the position taken by the Senator from North Dakota [Mr. McCUMBER], that $300,000,000 or $400,000,000 would be sufficient for the purpose of covering the loss that the Government may sustain, and that that fund would be sufficient to carry out any legitimate responsibility resting upon the Government under the promise which has been made, and which the Senator has discussed?

Mr. KELLOGG. Mr. President, three or four or five hundred million dollars in all human probability would not begin to be enough to handle the crop, whether our loss is $300,000,000 or $500,000,000. I will state the reason to the Senator. Even this year, with a market for all the wheat we could ship abroad and as rapidly as we could ship it, it required from $350,000,000 to $500,000,000 to handle the crop.

Mr. KING. Will the Senator explain where Mr. Barnes and the committee that had control of this matter obtained funds with which to handle the crop?

Mr. KELLOGG. I stated that the Grain Corporation, under the law and order of the President, was authorized to borrow the balance of its capital. The Government advanced temporarily out of other funds, I am told, $125,000,000 I think it was, which has already been returned. The Senator from North Dakota [Mr. GRONNA] will correct me if I am wrong. They have borrowed the balance from the banks throughout the country. At times, I understand, those amounts ran from $150,000,000 to $250,000,000.

The fact is that as rapidly as the grain reached the terminal elevators in all the markets of the West the elevator companies simply took a warehouse receipt, turned it over to the Grain Corporation, and received their money. In no other way could the elevator companies, the Grain Corporation, and the mills have handled it, because they had no market in which to sell it. They were only permitted to sell to the mills at the Government price. At one time I know the Government had in store in the elevators of this country 234,000,000 bushels of wheat, and I think the Senator from North Dakota will bear me out in saying that that was some time in November. That amount of wheat at the market price represented nearly $500,000,000. The fact is that even last year, with the ready demand in foreign countries, the grain could not be shipped as rapidly as it was received by the Grain Corporation, and, of course, if we should have a billion bushel crop next year and a market only for 300,000,000 bushels, the Government would require greater storage facilities to handle the surplus, which possibly may extend into next year.

Mr. GRONNA. Mr. President——

Mr. KELLOGG. I yield to the Senator from North Dakota.

Mr. GRONNA. The Senator from Minnesota is correct in his statement. Congress appropriated only $150,000,000, to be used as a revolving fund, and whatever money was used above that was borrowed by the Grain Corporation. I do not know why any Senator should assume that we are appropriating a billion dollars here to be paid to anybody. It is an authorization, and the President would be allowed to draw upon this fund to the amount of a billion dollars. If it is not required, of course it will not be used; but Mr. Barnes—and I am glad to say to the Senator from Minnesota that I indorse what he has stated with reference to Mr. Barnes—has handled this matter efficiently and well. I have followed it with some interest, I will say to the Senator. Mr. Barnes has testified that we ought to have a billion dollars; that, in his judgment, we should not have any less. It was at first proposed that we should have a billion and a quarter dollars, but that was cut down to a billion dollars; not with any idea or view that this was going to be a loss to the Government—but I shall explain that later on, as I do not wish to take the Senator's time.

Mr. KELLOGG. Mr. President, I am very glad the Senator from North Dakota has made such a statement. There are in this country thousands of elevator companies, as I stated, and several thousand farmers' elevator companies, line elevator companies, terminal companies, storage companies, and so forth, all over the wheat country. In fact, they are found all the way from New York to San Francisco. They have very large private capital and the capacity for borrowing hundreds of millions of dollars if necessary, but unless the Government has a fund upon which the Grain Corporation may draw so as to insure purchasers that they may at any time turn it over to the Grain Corporation that private capital will not invest in grain.

I know that many of the experts who have talked to me about it—and I presume they have presented the same facts to the committee—said that this was in the nature of an insurance fund, so that private capital would step in and handle the grain and sell it to the mills, knowing that when they had a surplus they could turn it over to the Grain Corporation and get their money at any time. No company, no individual, would dare purchase a bushel of wheat at a guaranteed price, either last year or this year, unless the Grain Corporation, under authority of the Government, insured the purchase. I do not believe the entire billion dollars will be required to handle the crop, but I think it is necessary to appropriate that amount as a guaranty fund to insure the safe handling of next year's crop.

Mr. KING. Mr. President, will the Senator permit me to inquire whether, in view of the statement just made, opportunities are afforded under this bill for speculation? The Senator has just alluded to the fact that this billion dollars would be treated as a sort of insurance fund, and would induce grain elevators, terminals, and private persons to go into the market and purchase grain and then dispose of it to others.

Mr. KELLOGG. I can answer positively that the Grain Corporation has power to issue, and does issue, licenses to every mill, every grain dealer, and every elevator company, and fixes the price at which the elevator companies shall sell to the mills, and the price the mill companies shall charge, so that there is no opportunity whatever for speculation; but it will permit the elevator companies to sell to the mills at the price fixed by the Government, so as to avoid investment by the Government in grain and withdrawal of funds while it is being turned over. They permit elevator companies to sell direct to the mills at the guaranteed price.

Mr. McCUMBER. What is the profit, then, that is given, and how is the profit paid to the elevator companies?

Mr. KELLOGG. That is determined by the Grain Corporation. They absolutely regulate the price.

Mr. McCUMBER. Very well. Then let me ask the Senator this question: If that is true, why not let the grain pass along finally to the miller just as rapidly as the miller needs to use it; and why is not the miller's cash invested in that as he needs it?

Mr. KELLOGG. It is.

Mr. McCUMBER. Then, if the milling capacity of the country is kept going all the time, it is paying out for that wheat not through the Government, but paying out cash to the mills for that wheat from month to month, from week to week, and from day to day, then finally do we not get down to the proposition that all the Government needs to look out for, if this fund is operated economically and properly, is to take care of any surplus that may be put into the market above what the millers need to grind?

Mr. KELLOGG. Certainly.

Mr. McCUMBER. Therefore, all we have got to do is to take care of the surplus. The Senator would not claim that that would amount to very many hundreds of millions of bushels at any one time?

Mr. KELLOGG. It is not at all improbable that the Grain Corporation, representing the Government, may have to buy and to store more than 500,000,000 bushels at one time. Of course everyone knows that can not be accomplished with three or four or five hundred million dollars.

Mr. KING. If the Senator will pardon me one further question, as I understand the Senator's position it is that in order to stabilize the market, to prevent speculation, to give the Government the power to handle this as it may see fit, it must assume a continuation of the war powers and go into the States, give out licenses, and take charge of these purely domestic matters?

Mr. KELLOGG. There is no other way to handle it. If the Senator will read the testimony of every witness before the Agricultural Committee, he will see that it is impossible to throw open the grain exchanges during the time this grain would be handled, to be manipulated by everyone who desired to enter the exchange.

Mr. KING. Does the Senator from Minnesota think that the Congress of the United States now, when the war is over, has the power to project itself into the States, to conduct a licensing system, and to prescribe the pains and the penalties for infraction of ordinances and laws that may be passed?

Mr. KELLOGG. I have not the slightest doubt of it. This guaranty was made pursuant to a war power. Peace has not been concluded. The guaranty operates for 1919, and the Government has the power beyond question to carry it out.

Mr. KING. But the operations extend to 1920.

Mr. KELLOGG. It is only to the end of the 1919 crop year,

Wholesale price of wheat per bushel, 1912–1917.

Date.	New York. No. 2 red winter.		Baltimore. No. 2 red.		Chicago. No. 1 northern spring.		Detroit. No. 2 red.		St. Louis. No. 2 red winter.		Minneapolis. No. 1 northern.		San Francisco. White (per 100 lbs.).	
	Low.	High.	Low.	High.	Low.	High.	Low.	High.	Low.	High.	Low.	High.	Low.	High.
1912.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
January–June	98¼	127	95½	116½	107	122	95⅝	120	92½	125½	103½	118⅞	150	190
July–December	103½	118¼	94½	106	85	116	101¾	112	94	115½	80½	112¼	140	165
1913.														
January–June	107	114½	105⅝	109½	87½	96	102½	116½	93	115	82½	89⅜	155	182½
July–December	94	107	89¼	96½	85	95½	87½	102½	83	97¾	80¼	93½	155	172½
1914.														
January–June	87½	111⅜	83	103	89	100	86¼	99½	75¾	99½	84⅜	98¼	151¼	165
July–December	86½	136½	82⅞	127	88½	133	80	127¼	76	127½	85½	129⅛	152	200
1915.														
January–June	126	178	111	168½	123	167	114½	165	110	164	114⅞	165⅜	165	240
July–December	108½	144½	100⅞	127⅛	99	153⅜	106	132	106	129	89	155	140	185
1916.														
January	138½	156½	123	141½	119¾	139½	122	137	122	143	118⅞	138⅜	150	190
February	130⅜	154	116	137½	112	138	111½	135½	116	142	108⅜	136½	160	185
March	130⅞	139	112½	119½	109⅜	123	110½	118¼	112	122	108⅜	120¼	160	175
April	129¾	143	114⅜	123	118¾	128	117	124	116	130½	117⅜	126½	160	170
May	124½	136	104	119½	116	126	108¾	123½	106	125	113½	128⅜	160	170
June	113¼	132½	100½	105¾	106½	118	103	113¼	106	114	106½	116¼	160	170
January–June	113¼	156½	100¼	141¼	106½	139½	103	137	106	143	106½	138¾	150	190
July	123½	143	102½	126	110	131⅞	104	129½	109	136½	107⅞	132½	160	185
August	144	179	125½	157	126¾	164½	130	154¼	129	165	127⅜	165⅞	160	210
September	168½	184⅜	148½	157	150	171½	144½	156	147	172	152	167⅜	185	225
October	185¾	209½	156½	192¼	164	202	157½	188	158	195	169½	199¾	185	275
November	198	215	174	193¼	165	200	175	189½	177	196	177	200	240	290
December	183	206	159	183	155½	190	1[illegible]	183½	168	187	159⅞	188¾	250	290
July–December	123½	215	102½	193¼	110	202	104	189½	109	196	107¼	200	160	290
1917.														
January	207	226	184½	203	178½	205	178½	196½	183	206	175	199	250	285
February	197	220½	168½	197¼	162½	199	171	194½	171	202	166⅜	193	250	285
March	216	238	194⅜	213⅜	183⅜	213	192	210	194	220	184⅞	211	250	300
April	223½	292	215½	305	205½	295¾	213	300	221½	310	203	286	275	450
May	279¼	320	274½	342	258	340	267	340	265	342	247	339	450	500
June			220	283	249	310	245	295	222	298	222½	315		
January–June	197	320	168½	342	162½	340	171	340	171	342	166⅜	339	250	500
July			200	240	217	300	225	255	210	273	228½	295	330	360
August			212	238	223	300	215	250	214	257½	215	305	340	390
September	229	231	222	226	220	200	219	220	215	227	215	221	340	365
October	229	229	222	224	220	220	217	219	215	215	215	215	350	350
November	229	229	222	224	220	220	217	219	215	215	215	215	350	350
December	229	229	222	224	220	220	217	219	215	215	215	215	350	350
July–December	229	231	209	240	217	300	215	255	210	273	215	305	330	390

Wheat production and exports, United States, year ending July 1.

Year.	Production.	Exports domestic wheat.	Per cent.
	Bushels.	*Bushels.*	
1912	621,338,000	79,689,404	12.83
1913	730,267,000	142,879,597	19.57
1914	763,380,000	145,590,349	19.07
1915	891,017,000	332,464,976	37.31
1916	1,025,801,000	243,117,026	23.70
1917	633,655,000	203,573,928	31.99
1918	917,100,000	132,411,997	14.40

Wheat production in principal countries; average 1909–10 to 1913–14 and annual 1914–1917.

(Thousands of bushels.)

	Average 1909–10 to 1913–14.	1914 and 1914–15.	1915 and 1915–16.	1916 and 1916–17.	1917 and 1917–18 (preliminary estimates).
Western allied European countries:					
France	317,635	282,689	222,775	204,908	144,149
Italy	183,335	169,582	170,541	176,530	139,999
United Kingdom	59,638	62,431	73,913	60,630	63,824
Total	560,608	514,702	467,229	442,068	347,972
Russia:					
European	624,615	573,376	749,862	525,418	.....
Asiatic, 9 Governments	82,371	.....	98,740	.....	.....
Total	706,986	.....	848,602	.....	.....
English and French colonies and dependencies:					
Canada	204,708	161,281	426,748	262,781	231,730
Australia	90,499	24,894	179,627	143,475	122,880
India	351,762	312,028	376,726	318,002	379,303
Egypt	34,814	32,830	39,146	35,543	30,000
Algeria	34,908	19,165	34,653	29,151	28,979
Tunis	6,224	2,205	11,023	7,165	7,000
Total	723,005	552,403	1,067,923	797,117	799,892

Wheat production in principal countries, etc.—Continued.

	Average 1909–10 to 1913–14.	1914 and 1914–15.	1915 and 1915–16.	1916 and 1916–17.	1917 and 1917–18 (preliminary estimates).
The United States and South American exporting countries:					
United States	686,692	891,017	1,025,801	639,886	650,823
Argentina	147,062	169,166	172,650	70,224	237,913
Chile	20,062	19,000	21,145	(21,145)	(21,145)
Uruguay	6,518	3,597	9,867	5,390	10,000
Total	860,334	1,082,780	1,229,463	736,645	919,886
Neutral European countries:					
Spain	130,446	116,087	139,298	152,329	141,008
Switzerland	3,314	3,278	3,957	3,821	4,556
Netherlands	4,898	5,688	5,681	4,710	3,452
Denmark	5,342	5,787	7,984	6,044	(6,004)
Norway	305	268	283	316	243
Sweden	8,117	8,473	9,171	8,979	7,496
Total	152,422	139,581	166,374	176,199	162,799
Total above, excluding Russia	2,296,369	2,289,466	2,930,989	2,146,884	2,241,944
Central powers and their allies:					
Germany	152,117	145,945	141,575	.....	.....
Hungary (Kingdom)	156,523	105,237	151,495	.....	.....
Austria	60,840	.....	.....	.....	.....
Bulgaria	42,439	25,981	46,212	.....	.....
Total	411,919	.....	.....	.....	.....
Territory occupied wholly or in part by the central powers:					
Roumania	87,791	46,297	89,786	78,521	.....
Serbia	14,775	.....	.....	.....	.....
Belgium	14,886	.....	.....	.....	.....
Luxemburg	614	525	514	433	390
Total	118,076	.....	.....	.....	.....

FIXING GUARANTEED PRICES FOR WHEAT.

A proclamation by the President of the United States of America.

Whereas under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, 1917, it is provided among other things as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guaranty provided for in this section, he is authorized from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment; and differences in price for the several standard grades in the principal primary markets of the United States adopting No. 1 northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guaranty within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty."

Now therefore I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guarantee provided for in said section; and, in order to make effective the guarantee by Congress for the crop of 1919 and to assure such producers a reasonable profit, I do hereby determine and fix, and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalent at the respective principal primary markets as follows, to wit:

New York, N. Y., $2.39½ per bushel.
Philadelphia, Pa., $2.39 per bushel.
Baltimore, Md., $2.38¾ per bushel.
Newport News, Va., $2.38¾ per bushel.
Duluth, Minn., $2.22½ per bushel.
Minneapolis, Minn., $2.21½ per bushel.
Chicago, Ill., $2.26 per bushel.
St. Louis, Mo., $2.24 per bushel.
Kansas City, Mo., $2.18 per bushel.
Omaha, Nebr., $2.18 per bushel.
New Orleans, La., $2.28 per bushel.
Galveston, Tex., $2.28 per bushel.
Tacoma, Wash., $2.20 per bushel.
Seattle, Wash., $2.20 per bushel.
Portland, Oreg., $2.20 per bushel.
Astoria, Oreg., $2.20 per bushel.
San Francisco, Cal., $2.20 per bushel.
Los Angeles, Cal., $2.20 per bushel.
Salt Lake City, Utah, $2 per bushel.
Great Falls, Mont., $2 per bushel.
Pocatello, Idaho, $2 per bushel.
Spokane, Wash., $2 per bushel;

and that the guaranteed price for the other grades established under the United States grain standards act approved August 11, 1916, based on said price for No. 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit, the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern spring wheat or its equivalents at the principal interior markets as the basis.

For the purposes of such guaranty only, I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit: No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 Durum, No. 1 hard white. The guaranteed price at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain standards act approved August 11, 1916, shall be based on the above guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned, to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1919, and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States, or other person as may be hereafter designated, at any one of the above-mentioned cities, which are hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this 2d day of September, in the year of Our Lord 1918, and of the independence of the United States of America the one hundred and forty-third.

WOODROW WILSON.

[SEAL.]

By the President:

ROBERT LANSING,
Secretary of State.

VALIDATION OF WAR CONTRACTS—CONFERENCE REPORT.

Mr. CHAMBERLAIN. I present a conference report, and move that the Senate proceed to its consideration.

Mr. GORE. I should like to ask the Senator to what subject the report relates?

Mr. CHAMBERLAIN. To the validation of war contracts.

Mr. GORE. Does the Senator think it will require very long discussion?

Mr. CHAMBERLAIN. I do not think so.

Mr. GORE. I ask that the unfinished business be temporarily laid aside, although I am not sure whether it is the unfinished business, for that matter.

Mr. CHAMBERLAIN. The Senator does not need to do that.

Mr. GORE. Very well.

The PRESIDING OFFICER. The conference report presented by the Senator from Oregon will not displace the unfinished business, unless the Senate adjourns before its consideration is concluded.

Mr. GORE. I withdraw the request; I did not understand.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

The motion was agreed to; and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The VICE PRESIDENT. The report will be read.

The Secretary read the report as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for damages resulting from notice by the Government of its intention to acquire or use said lands, or for the production, manufacture, sale, acquisition or control of equipment, materials or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, when such agreement has been performed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That in no case shall any award either by the Secretary of War or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a reasonable remuneration for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order: *Provided further*, That this act shall not authorize payment to be made of any claim not presented before June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement nor the right of recovery of any money paid by the Government to any party under any settlement entered into or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall exist against the executors, administrators, heirs, successors, and assigns of any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statute of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That in all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers and letters, or other documents; and the claim

that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding.

"SEC. 2. That the Court of Claims is hereby given jurisdiction on petition of any individual, firm, company or corporation referred to in section 1 hereof to find and award fair and just compensation in the cases specified in said section in the event that such individual, firm, company or corporation shall not be willing to accept the adjustment, payment or compensation offered by the Secretary of War as hereinbefore provided, or in the event that the Secretary of War shall fail or refuse to offer a satisfactory adjustment, payment or compensation as provided for in said section.

"SEC. 3. That the Secretary of War, through such agency as he may designate or establish, is empowered, upon such terms as he or it may determine to be in the interest of the United States, to make equitable and fair adjustments and agreements, upon the termination or in settlement or readjustment of agreements or arrangements entered into with any foreign government or governments or nationals thereof prior to November 12, 1918, for the furnishing to the American Expeditionary Forces or otherwise for war purposes of supplies, materials, facilities, services or the use of property, or for the furnishing of any thereof by the United States to any foreign government or governments, whether or not such agreements or arrangements have been entered into in accordance with applicable statutory provisions; and the other provisions of this act shall not be applicable to such adjustments.

"SEC. 4. That whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor with respect to any portion of his contract which he shall have sublet to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to such prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, before payment of said award the Secretary of War shall require such prime contractor to present satisfactory evidence of having paid said subcontractor or of the consent of said subcontractor to look for his compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractor the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditor of said prime contractor.

"SEC. 5. That the Secretary of the Interior be, and he hereby is, authorized to adjust, liquidate, and pay such net losses as have been suffered by any person, firm, or corporation by reason of producing or preparing to produce either manganese, chrome, pyrites, or tungsten in compliance with the request or demand of the Department of the Interior, the War Industries Board, the War Trade Board, the Shipping Board, or the Emergency Fleet Corporation to supply the urgent needs of the Nation in the prosecution of the war; said minerals being enumerated in the act of Congress approved October 5, 1918, entitled 'An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported or of which there is or may be an inadequate supply.'

"The said Secretary shall make such adjustments and payments in each case as he shall determine to be just and equitable; that the decision of said Secretary shall be conclusive and final, subject to the limitation hereinafter provided; that all payments and expenses incurred by said Secretary, including personal services, traveling and subsistence expenses, supplies, postage, printing, and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, as the Secretary of the Interior may deem essential and proper, shall be paid from the funds appropriated by the said act of October 5, 1918, and that said funds and appropriations shall continue to be available for said purpose until such time as the said Secretary shall have fully exercised the authority herein granted and performed and completed the duties hereby provided and imposed: *Provided, however*, That the payments and disbursements made under the provisions of this section for and in connection with the payments and settlements of the claims herein described and the said expenses of administration shall in no event exceed the sum of $8,500,000: *And provided further*, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act: *And provided further*, That no claim shall be allowed or paid by said Secretary unless it shall appear to the satisfaction of the said Secretary that the expenditures so made or obligations so incurred by the claimant were made in good faith for or upon property which contained either manganese, chrome, pyrites, or tungsten in sufficient quantities to be of commercial importance: *And provided further*, That no claims shall be paid unless it shall appear to the satisfaction of said Secretary that moneys were invested or obligations were incurred subsequent to April 6, 1917, and prior to November 12, 1918, in a legitimate attempt to produce either manganese, chrome, pyrites, or tungsten for the needs of the Nation for the prosecution of the war, and that no profits of any kind shall be included in the allowance of any of said claims, and that no investment for merely speculative purposes shall be recognized in any manner by said Secretary: *And provided further*, That the settlement of any claim arising under the provisions of this section shall not bar the United States Government, through any of its duly authorized agencies or any committee of Congress hereafter duly appointed, from the right of review of such settlement nor the right to recover any money paid by the Government to any party under and by virtue of the provisions of this section, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns of any party.

"That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

"That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States: *Provided further*, That in determining the net losses of any claimant the Secretary of the Interior shall, among other things, take into consideration and charge to the claimant the then market value of any ores or minerals on hand belonging to the claimant, and also the salvage or usable value of any machinery or other appliances which may be claimed was purchased to equip said mine for the purpose of complying with the request or demand of the agencies of the Government above mentioned in the manner aforesaid."

Amend the title so as to read: "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes."

And the Senate agree to the same.

GEORGE E. CHAMBERLAIN,
D. U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
P. C. KNOX,
Managers on the part of the Senate.
S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. McKELLAR. Mr. President, I make the point of order against the conference report, because it does not include matter that was passed by the House and which, substantially in the same form, was passed by the Senate. The matter to which I refer was left out of the conference report. I call the attention of the Chair first to Rule XXVII, which provides:

> Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses.

I call the attention of the Chair to the wording of the rule, which says that the conferees shall not "strike from the bill matter agreed to by both Houses."

I read from page 3 of the bill as passed by the House:

> *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House, for the information of Congress, and printed in the CONGRESSIONAL RECORD or in the Official Bulletin or as a public document 10 days before confirmation and payment is authorized upon such contracts.

On page 14 of the bill which passed the Senate on that subject is found the following:

> *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House, for the information of Congress, and printed in the CONGRESSIONAL RECORD—

I call the attention of the Chair to the fact that up to that point both bills are the same—

> or as a public document within 10 days after such confirmation.

Mr. President, the gist of my contention is that matter has been left out which was agreed upon by both Houses, and, under the terms of the rule, that makes the report subject to a point of order. I refer to the provision that the names of the contractors and the amounts of such partial or final settlements should be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD. It is true that in the Senate a slight change was made in the remainder of that clause; that is, reference to the Official Bulletin was left out, and instead of the publication being required before confirmation it was required under the Senate bill to be made 10 days after confirmation; in other words, there is a difference as to time and as to publication in the Official Bulletin; but it was agreed by both Houses that there should be a publication of these data. This provision ought not to have been left out of the conference report, in my judgment, and I make the point of order that the conference report should be recommitted under the terms of the Rule XXVII, found on page 35 of the rules.

Mr. SMOOT and Mr. JONES of Washington addressed the Chair.

Mr. McKELLAR. Mr. President, I yield first to one and then to the other of the Senators. I yield first to the Senator from Utah and then to the Senator from Washington.

Mr. SMOOT. I wanted to ask the Senator if the time fixed was the same in the House bill as in the Senate bill?

Mr. McKELLAR. No. It was 10 days before confirmation in the House and 10 days after such confirmation in the Senate. In other words, there was just a difference in time of applying that matter which had been agreed upon by both Houses.

Mr. SMOOT. Then what is the Senator complaining of in substance?

Mr. McKELLAR. The substance is identical. The question of time is immaterial, as it seemed to me at the time and as I believe now.

Mr. FLETCHER. And the mode of publication is identical.

Mr. McKELLAR. As to the mode of publication, the only difference is that it was left out of the Official Bulletin, and the Official Bulletin may or may not be in existence at the time the publication is made. I do not think that is material. I do not think either one of the two changes—the Official Bulletin or the time of publication—is material, but that the essential matter was the publication of this information, and it was agreed upon by both Houses.

Mr. SMOOT. And left out in the conference report?

Mr. McKELLAR. That was left out entirely. The Senator from Utah is a parliamentarian, and I should like to ask his opinion about the matter.

The VICE PRESIDENT. Let the Chair rule first, and then any Senator can take an appeal from the ruling of the Chair, or the Senator from Utah can express his opinion on the ruling of the Chair.

The Chair has heretofore gone to great lengths in sustaining the rule of the Senate with reference to the insertion of new matter and the omission of matter agreed to by the two Houses. In an early opinion after this rule was adopted, the point of order was sustained where there was a section in the original bill of the House and a section in the original bill of the Senate which were identically the same. That ruling went further than the precedents of the House of Representatives have been, from the days of Speaker Colfax down. Those rulings are uniformly to the effect that where the House passes a bill and the Senate strikes out all after the enacting clause and passes another bill, when it goes to conference the matter is practically in the hands of the conferees to report such a bill, germane to the subject of the conference, as the conferees may think proper, and then it is for the two Houses to say whether or not they will adopt the conference report. As heretofore stated, however, the Chair, being extremely desirous of sustaining this rule of the Senate, did sustain a point of order under circumstances of a bill enacted by the House, all after the enacting clause stricken out, and a new bill inserted in the Senate, where in both bills there was a section identical in language.

Now, let us see where we are.

This is a proviso contained in each bill. It is not identical in the two bills at all, beyond the fact that each required the names of the contractors and the amounts of partial or final settlements to be filed with the House for the information of Congress. There it ends, so far as the terms are identical in the two bills. After that, in the House bill it is to be printed in the CONGRESSIONAL RECORD or in the Official Bulletin or as a public document 10 days before confirmation and payment is authorized upon such contract. The Chair is inclined to think that the important thing in the bill was the requirement that it be printed somewhere 10 days before confirmation and payment. In the Senate bill it is to be printed in the CONGRESSIONAL RECORD or as a public document within 10 days after such confirmation.

The Chair thinks there was just about 20 days in controversy before the conferees, and that they had a right to strike the proviso out. The Chair overrules the point of order. If Senators desire either provision retained, they can vote to reject the conference report for that reason.

Mr. JONES of Washington. Mr. President, the Senator from Oregon knows the situation out in our western country with reference to the production of spruce. I have not had time and opportunity to examine this conference report. I should like to ask the Senator whether or not, under the terms of the conference report which is now presented, the contractors with the Spruce Production Co. would have relief under it on their contracts?

The Senator will remember that the language of the Senate bill was "any agency of the Government," and so forth. I have not heard whether or not that language is retained in the conference report.

Mr. CHAMBERLAIN. I will call the Senator's attention to the language of the first section:

> That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President.

I will say to the Senator that this question was in my mind at the time. It seems to me that the Spruce Production Corporation is an agency of the Government acting under the authority of the President. If it is not, this bill will not cover it.

Mr. JONES of Washington. It is an agency; but would it be considered an agent? The Senate bill contained the word "agency" as well as "agent." Now that language is apparently stricken out.

Mr. CHAMBERLAIN. After getting into conference we had a good deal of controversy and a good deal of trouble, as the Senator knows, to reach any agreement at all.

Mr. JONES of Washington. Yes; I know that.

Mr. CHAMBERLAIN. The matter has been back and forth between the two Houses for a week or more; and in order to reach any agreement at all we practically took the House bill as a basis for reaching an agreement. If that language has been left out, it has been left out because it was not in the House bill. I will say to the Senator, however, that we did insert language in conference in order to meet the situation which the Senator suggests, not only where these contracts were made by any officer or agent acting under the Secretary of War, but where they were made by anyone acting under the authority or direction of the President. I thought that was broad enough to cover it. It may not be. I am perfectly frank to say so.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Washington yield to the Senator from Pennsylvania?

Mr. JONES of Washington. I do.

Mr. KNOX. The point that is made by the Senator from Washington, it seems to me, is rather a technical one. I recall very distinctly that the sole and only purpose for which this corporation was formed was to act as an agent or an agency for the Government, and I have not the slightest doubt myself that the language which has just been read by the Senator from Oregon covers the situation completely.

Mr. JONES of Washington. I am very glad, indeed, to have the opinion of the Senator from Pennsylvania with reference to the matter. I am inclined to think that it covers it, too, but I should like to be sure of it if it is at all possible, because, as the Senator knows, this Spruce Production Corporation was organized for the sole purpose of aiding the War Department and the Government in securing timber and materials for airplane work, and the contracts that these people made with the Spruce Production Corporation were, in fact, made for the Government, for the War Department.

Mr. CHAMBERLAIN. If the Senator will permit me just a moment. If the Senator will compare this section 1 with the section as originally passed by the House, he will find that we extended it further than contracts, express or implied, made by the Secretary of War and his agents. We extended it by the addition of giving the same right to contracts made by agents of those acting for or under the direction of the President. I think it is broad enough.

Mr. JONES of Washington. I think this Spruce Production Corporation was acting more directly under the Secretary of War than under the President. I think it was headed by some

of the War Department officers. At any rate, these people who furnished materials and made their contracts made them with officers of the Army, and they seemed to think that they were dealing directly with the War Department. I think this corporation was more nearly an agent of the War Department than of the President; but it certainly was an agent of one or the other, it seems to me.

Mr. FLETCHER. Mr. President, were they getting out materials for aircraft production?

Mr. JONES of Washington. Yes; for the manufacture of airplanes.

Mr. FLETCHER. I should think they were operating under the Signal Corps branch of the Army, and they were either acting under orders of the Secretary of War or under orders of the President. The President had authority there, in connection, I think, with the material for production of airplanes.

Mr. JONES of Washington. They made their contracts with the Spruce Production Corporation. The Spruce Production Corporation, I have no doubt, was acting under the Signal Corps. I think its officers were largely officers of the Signal Corps, and so it seems to me that it is covered by this language, but I wanted to have the RECORD show the opinion of the Senators in charge of the matter.

Mr. CURTIS. Mr. President, I do not rise to discuss the amendment, but to protest against the ruling of the former occupant of the chair. I will say, as the Senator who proposed the amendment to the rules, that it was the intention of the amendment to prohibit conferees from doing what, according to the statement of the Senator from Tennessee [Mr. McKELLAR], was done in this case. I did not appeal from the decision of the Chair because I know the importance of this legislation and how anxious the chairman is to get the matter disposed of to-day.

Mr. SMOOT. Mr. President, I simply want to enter my protest, so that the RECORD will not show that the ruling was agreed to by common consent. I do not expect to take an appeal from the ruling of the Chair. The reason why paragraph 2 of Rule XXVII was amended was because conferees included new legislation of the most vital character, legislation that was not acted upon by either House, and the practice grew to such proportions that the Senate decided that the only way to protect themselves was to amend the rules; and the rule, as above stated, was amended. If that action of the Senate can be set aside by striking out all after the enacting clause and inserting entirely new legislation, as will be the case if the ruling just made is allowed to stand, if this ruling is a correct interpretation of the rule, we will have to amend the rules again.

Mr. McKELLAR. Mr. President, will the Senator yield for a question?

Mr. SMOOT. Yes.

Mr. McKELLAR. So far as the matter left out is concerned, in the Senator's judgment, does not this ruling abrogate the rule itself to that extent?

Mr. SMOOT. That is my opinion.

The PRESIDING OFFICER. The question is upon agreeing to the conference report.

The report was agreed to.

Mr. CHAMBERLAIN. Mr. President, has the title been amended?

The PRESIDING OFFICER. It has been.

LEAGUE OF NATIONS.

Mr. HITCHCOCK. Mr. President, I gave notice of some brief remarks this afternoon on the subject of the league of nations.

Which shall it be, Mr. President—war, and continued preparations for war, or a league of nations? Those are the alternatives.

Heretofore the world, through all the centuries down to the present time, has been afflicted and inflicted with the curse of war. The larger part of governmental appropriations, here and elsewhere, has been for the burdens of war. Through all the centuries this has continued. Every generation has sent its men to the slaughter. One eloquent critic of this proposed league of nations has read into the RECORD recently a list of 50 wars that have devastated the Old World during the last century. America has not been free from the curse. Besides our own Revolutionary War, our Civil War, and our Indian wars, we have had the War with Mexico, the War with Spain, the War with Germany and Austria-Hungary, and we have felt, even though using every effort to keep out of war, its awful effects. Our experiences in the war from which we are just now emerging have convinced us that we are a part of the world; that whenever the world is convulsed with war we are going to suffer from it, and probably participate in it. We, too, therefore, find ourselves face to face with the question, Shall it be war, and preparations for war, or shall it be a league of nations?

Senators who criticize the league of nations seem to ignore the alternative. Let us face it. What if we have no league of nations?

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Oklahoma?

Mr. HITCHCOCK. I must, I regret to say, decline to yield on account of lack of time.

What if the peace to be signed becomes like other peaces that have been signed—merely a truce while nations make ready for another war? That inevitably means a resumption of war preparations on an increased scale.

Before this war the United States and the four great nations associated with the United States in forming this league of peace were expending about $600,000,000 a year in military preparations and about $600,000,000 a year in naval preparations. It is easy to see, if the league of nations fails and international chaos follows, that the world will sag back into the despair and desperation of a constant prospect of war. Every nation will become an armed camp, and military preparations and naval preparations will go on upon an unheard-of scale. The burdens of the people in that case will be enormously increased over what they have been in the past. There may not be a war for years; but the preparations for war will threaten bankruptcy, and they will certainly bend the backs of the taxpayers as they never have been bent before.

I am speaking now only of preparations for war, Mr. President; but what of actual war?

First, we have the cost in money, the least important and the least terrible penalty we pay for war. The war just concluded is estimated to have cost the seven nations which bore its burden something like one hundred and forty thousand million dollars. The taxpayers of those nations will stagger under that burden for generations yet unborn if no relief is afforded in the cost of war preparations. The late war cost 6,000,000 lives and millions more of cripples. It has destroyed hundreds of towns. It has widowed millions of wives. It has brought in its train the inevitable consequences of war—pestilence and famine. One of the war diseases alone has cost this country over 300,000 lives of the civilian population. It has let loose and inflamed the passions and lusts of men and crushed and humiliated millions of women. Massacre, torture, and assassinations have accompanied it. Law and order have been overthrown. Bolshevism and anarchy have been propagated. The confidence of men in government has been shaken. It will never be restored until governments devise some way to end war.

Mr. President, I have observed that so far in this discussion most of the opponents of the league of nations are those who would oppose any league of nations. They enormously magnify the possible evils and dangers of a league and convey the impression that the United States is giving up everything and gaining nothing by this great compact of honor and justice and peace between the nations of the earth.

Two of my eloquent colleagues attacked it as a form of internationalism. They object to internationalism. They are too late. Internationalism has come, and we must choose what form the internationalism shall take. We must choose between the internationalism of justice and honor and peace and mutual support between the civilized nations of the earth and the internationalism of the socialist, the anarchist, the Bolshevist.

Humanity will not long tolerate a condition of recurring war over questions between governments that can be settled by peaceful methods along the lines of justice and reason. The mass of men will not allow themselves to be forever led to the slaughter uselessly and unnecessarily. The taxpayers will not submit indefinitely to spoliation by enormous taxes to make unending preparation for unceasing wars.

Senators who oppose the league of nations have apparently ignored the enormous evil from which the world suffers. They have apparently ignored the rising tide of protest not only among the people of the United States but among the people of the whole civilized world against war. If we fail to adopt an internationalism of governments that will unite to end the wars we shall be face to face with the internationalism of the individual socialist. We can not ignore the fact that the Russian millions are now thoroughly committed to the communistic government. We can not deny the fact that France and Italy, the one a republic and the other a limited monarchy, are largely under the control of socialistic ideas and socialistic leaders. No other leader could get control in the state of public opinion. We can not ignore the fact that Germany is being rapidly and radically reorganized into a socialistic nation of 75,000,000 souls.

We are impressed by the growth of socialism in Great Britain and the acceptation of socialistic ideas by British leaders.

War and preparation for war, the burdens of war, the horrors of war are largely responsible for this development in every nation of Europe. It spreads over national boundaries as easily as trade and commerce and much more irresistibly. If war and the preparation for war are to continue the chief business and the chief expense of National Government we may yet expect a development of socialism and Bolshevism in the United States. Nor will it be confined to orations on soap boxes in the public streets of our great cities, but it will appear here in Congress, in the House of Representatives and in the Senate, just as it has appeared in the parliaments of the Old World. It will affect legislation in this country as it has in other countries. It will seize political power in this country as it has in other countries.

I therefore repeat, we must choose between the internationalism of the league of nations bound together in a society for mutual protection, with honor and justice and liberty and self-government as the standard, and the internationalism of the Socialist.

But, Mr. President, let me discuss briefly the purpose of the league. I admit that we have not fully analyzed it in the short time we have had to make the acquaintance of the constitution as proposed. It is at the present time only a proposition, being a unanimous committee report to the congress of nations.

The purpose of the league of nations set forth in the articles is to maintain international peace. To this end its members agree that they will in no case resort to war with each other until they have submitted to arbitration the dispute between them, or submitted to an inquiry by the executive council, and not even then will any member resort to war until the arbitration has concluded or the inquiry of the executive council has been finished, and not even then until three months thereafter. There is thus provided by this ingenious machinery, whenever a dispute arises between any of the nations in the league, a cooling-off time of from nine months to one year, a time sufficient in all human probability to end the danger of war between the contestants.

The nations further agree, moreover, that they will not even then, after the lapse of three months, resort to war against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council if it is unanimous. There we have another block to war. There is an almost insuperable obstacle in the way of war, a solemn covenant between the nations which have entered into the league.

These agreements render war between members of the league as nearly impossible as human ingenuity can devise. To my mind it is unthinkable that any nation admitted to the league will violate this solemn covenant. I think we have passed the age when a national covenant will be considered as a scrap of paper.

If, however, any member of the league should violate this covenant and should resort to war against any other member, without arbitration or in accordance with the council, that act shall be considered an act of war against all the members of the league. Thereupon all the powers of the league are employed to bring it within control.

All trade relations are to be dissolved between every member of the league and the outlaw nation. All intercourse between the faithless nation and the other nations is to be cut off. It becomes subjected to the most intense form of economic, commercial, and financial pressure, which is to be followed by military and naval combination against the offending nation. Such penalties are certainly large enough to deter any nation even if the moral obligation of its covenant were not sufficient.

Moreover, Mr. President, the members of the league undertake to respect and preserve as against external aggression the political independence and territorial integrity of each member. That is a guaranty against war as strong as it can be made. Any member of the league knows that if it undertakes a war of conquest it has the whole league to deal with and not merely the nation against which it may direct itself. Had Germany known even that Great Britain was coming into the late war Germany would not have started this great war, and certainly if Germany had known when she proceeded to back up Austria in her demand against Serbia that all the other nations were coming in which finally did come in against her, Germany would certainly not have started the war, and everybody knows it.

Another very important covenant which is signed by all the nations who will become members of the league is the promise to reduce national armament to the lowest point consistent with national safety, and to make no concealment from each other of their armament-making resources and industries. This agreement also includes the promise to prevent as far as possible the manufacture of munitions and implements of war by private enterprise.

Here the makers of the league of nations have put their fingers on the remedy for the evil—the reduction of armament and the regulation or the elimination of the private manufacture for profit of armament to be sold to nations not able to make their own.

In order that this reduction of armament and the limitation of manufacture of munitions by private companies may be fairly and justly and intelligently carried out, the executive council of nine nations considers the question and submits it for the adoption of each country. Mark that! It has been charged here that the league of nations proposes to dictate to every country what sized armament it shall have, but the fact is that the league of nations, through its executive council of nine members, five of whom are the nations associated in this war, considers, discusses, and recommends to the nations who are members of the league what reduction of armament shall be made. That limitation does not go into effect until it is adopted by the Governments of those countries.

I want to make that clear, because it has been stated here upon the floor of the Senate several times that if we went into this compact we submitted ourselves to the dictation of foreigners as to what sized armaments we were to have. The truth is it would be a matter of mutual agreement between the nations through the agency of the league what limitation of armament each member nation shall submit to.

Undoubtedly, Mr. President, if this solemn covenant can be carried out in good faith for this reduction of armament, this control of the private manufacture of armament by the league, it will have an enormous effect not only in reducing the dangers of war but in reducing also the burdens of government to every country in the world. It will save to the United States hundreds of millions of dollars a year, probably thousands of millions of dollars within our lifetime.

Now, Mr. President, I want to consider some of the details of the proposed constitution. The most striking fact about this league constitution, and one which should appeal particularly to the United States, is the very ingenious, highly effective device under which its control and direction are largely intrusted to the executive council, an executive council of nine nations, five of them permanent, four of them to be elected by the body of the membership. The five permanent members of this executive council, five out of the nine, are the United States, Great Britain, France, Italy, and Japan. The other four will be elected from time to time as the 30 or 40 nations in the league may decide. This executive council not only has all the powers that the league has but it has a number of distinct and separate powers which are vested in it permanently.

The five permanent members whom I have named will naturally and inevitably largely shape and control the policy of the league, but the other nations, the smaller nations of the world, the nations that have been neutral in this war, will be interested in the election of the four other members who will support and to some extent influence possibly from time to time the action of the five permanent members. We do not know yet which those nations will be, but the chances are that they will change from time to time by some system of rotation. However, the five permanent members of the league, of which we are one, will be the backbone of the executive council, just as the executive council is the backbone of the league.

The executive council is to be the active governing body of the league. It must meet at least once a year and may meet much oftener. It may deal with any matter within the sphere of the league or affecting the peace of the world. Many of its powers are specified and are separate from and independent of the body of the league membership. One of these is its supervision over the limitation of armament of nations. It does not arbitrarily fix this limit, but it considers the question and proposes the limit to the various nations for their adoption. When thus adopted the limit shall not be changed without the consent of the executive council. It is also charged with the duty of advising the nations how the evil of private manufacture of arms and munitions can be limited and overcome. It is vested also with authority to advise as to the means by which the league shall help and protect any of its members when threatened with war. It also has power to make special inquiry into a dispute between members when submitted and to make recommendation of settlement within six months. It also has power to propose steps to enforce any award made by a court of arbitration to which nations may have submitted their case. It also has power to establish a court of international justice to hear cases voluntarily submitted to it by the nations. It has the power to fix the military and naval forces which each nation shall contribute

in case it becomes necessary for the league to resort to force to protect a covenant of the league if broken by members. It has power to fix the conditions upon which disputes may be inquired into when they arise between a member of the league and an outside nation or between two nations not members of the league, and upon holding the inquiry to recommend such action as may be deemed best to the nations concerned. It has power, if nations outside of the league refuse to accept this inquiry, to take such action and make such recommendations as will prevent hostilities and end the dispute.

From the specification of these powers it will be seen that the executive council of nine nations constitutes a powerful executive, legislative, and judicial body to speak for the league and to act for the league. In those cases, however, where disputes are inquired into between members of the league the decision must be by unanimous vote to be effective, and if the decision is not unanimous it is advisory only.

To my mind the executive council is an ingenuous, just, and effective method of placing in the control of the five great nations which have successfully fought this war the permanent direction of the league, modified, however, by such influence and support as the four nations which will be chosen from time to time as the other members of the executive council may exert.

Mr. President, let me now consider some of the opposition that we have heard upon the floor of the Senate to the league of nations. When I hear Senators describe the danger which they see in entering the league, when I hear one Senator condemn one article and another a different article, and another propose a change here and another a change there, I begin to wonder whether all this great labor of the leading nations of the world, represented by their ablest men, having all possible counsel, has really created a thing which is so weak and miserable, so dangerous and so fatal to the welfare of the members that are going into it. One would think that this league, with the loftiest purposes, designed by the ablest men, inspired by the most noble spirit, was nothing but a fabric of faults, a creation of mistakes. I am reminded of the experience of the man, a perfectly healthy man, who had been reading a lot of patent-medicine advertisements and consulting several quack doctors. After he had read of all the symptoms told of in the advertisements and listened to the recital of the symptoms of disease which the quack doctor had fastened upon him, he concluded that he had every known disease in the world except housemaid's knee. So when I hear these gentlemen ready to prescribe for the league of nations, one on one thing and one on another, one tearing this out and another tearing that out, it seems to me that in considering this noble creation of these great men, representing the leading countries of the world, the political critics view the league to be in position of a man who has been listening to quack doctors and reading patent-medicine advertisements of ills that are only imaginary.

Suppose we should take these suggestions and cut the league constitution to suit each critic. The constitution of the league would be very much in the position of the boy's trousers that we have heard of in the old story. A pretty good pair of trousers had been purchased for him and brought home. He had them on. It was thought they were a little too long. So he asked his mother if she would cut them off for him a little. She said she was too busy. Then he applied to his aunt, and she was too busy. Then he applied to his sister, and she was too busy. Finally the boy went to bed, tired of trying to get the little change that seemed to be necessary. After he had gone to bed, however, during the night one member of the family after another began to have conscientious scruples. So the mother got up, and she cut something off from the bottom of the trousers. A little later the sister came to the conclusion that she should comply and make the change in the trousers, and she cut off a little. After a while the aunt got the same idea, and before morning she cut off a little from the lad's trousers. When he finally got up in the morning he had not much but a pair of bathing trunks to put on. So if the Senators attempt to take this great document, the product of these great men, representing these great nations, and proceed here to engraft each his own ideas upon it and to make these emendations of it, it will be wrecked. We must give some credit to the nations and the men who have been laboring to bring this great work to fruition.

Mr. President, we have been told in a single speech on the floor of the Senate that the control of the league would be in the hands of European monarchs and Asiatic despots; that it might be controlled by the British Empire, or, if the British Empire should lose control, the Germanic nations might get control, or that, if they did not get control, the Bolsheviki might get control. In fact, in that single speech every possible method of control was suggested except the very obvious one that the league and the executive council of the league are going to be in control of the great democracies of the world, five of them being named as permanent members of the executive council and controlling it.

I say "democracies." France is as much a democracy as is the United States. They are both republics. Great Britain is as much a democracy as is the United States, and her Government responds to the will of the people more readily, possibly, even than does our own. Italy, a constitutional monarchy in name, is in fact a democracy. Japan, while at the head of her government she has the Mikado, is rapidly being transformed, as we all know, into a government in which the will of the people is carried out. The Japanese love and revere their Mikado, but they compel him to change his ministry as rapidly as they change their public opinion.

Why, Mr. President, how absurd to say that the kings and monarchs of Asia and Europe will control the league! We all know that the King of England and the King of Italy have no more political power than the painted kings in a deck of cards. The President of the United States has a hundred times more power than has any king in the world. I saw in the newspapers sometime ago an account of a conversation between the President of the United States and the King of Spain. It was reported that the President of the United States inquired of the King of Spain why he did not do something with relation to the affairs of Spain that was thought desirable, and the King of Spain replied, "Oh, Mr. President, you forget I am not a president; I am only a king."

The league ruled by the monarchs and despots of the world! It is ridiculous nonsense; it is preposterous. The despots of the world have gone, and gone forever. The world is democratic, and it is ruled by the democratic nations of the world.

Mr. President, I have already indicated that the affairs of the league are to be administered by the executive council of nine nations; that of these nine nations five are permanent members, and no one of them is controlled by a monarch or a despot. What of any four nations that might be elected to fill out the four other places on the executive council? Can you conceive of any monarch or despot represented on the league of nations in the executive council? Would it be so if it were Norway or Sweden or Denmark or Holland or Switzerland or Belgium or Spain or Portugal or Poland or Jugo-Slavia, or any of the 20 republics of the Western Hemisphere? Why, Mr. President, this league of nations can not by any possible conception of the imagination be considered as passing into the control of monarchs and despots.

We have been told also that when a nation enters this league it yields to the arbitrament of the league its national life. What nonsense when, under one of the covenants of the league, all the nations that join in it solemnly pledge themselves to preserve and protect the political independence of each member, including its territorial integrity.

Then, we have been told that we would be compelled to contribute to a force that might be used by the league against us, whereas the only provision for contributing a force is in case one of the nations becomes an outlaw, and then the other nations contribute to bring it within control of civilization again. There is no standing army; there is no league navy; each nation maintains its nationality. That bugaboo that Senators attacked before the constitution was made public has disappeared forever. Senators have attacked something that did not exist, and they still continue conjuring up the scarecrow.

Then, we have been told that if we joined the league we would place ourselves at the mercy of Mexico, which might despoil our citizens, commit outrages on our borders, and enjoy the benefits of the guaranty of the league as to its political independence and territorial integrity. Yet the fact is that under the terms of the league Mexico is ineligible to admission to membership in the league. Mexico can not perform, and does not perform, her international obligations, and no such nation can gain admission.

We have been told that if we enter this league we will abandon the Monroe doctrine; that is, we will abandon our right to attack any nation which may seek to gain a foothold on the Western Hemisphere. The Monroe doctrine was enunciated when each nation had to look out for itself, and we took that step to look out for ourselves; but the purpose of the league of nations includes the very purpose of the Monroe doctrine; that is, to prevent aggression of nations upon each other, whether upon the continent where they exist or upon any other continent. Anything that has the character of an attack upon any American Republic or even an unfriendly act against the United States would call for action by the league. Instead of being compelled to defend the Western Hemisphere alone, we would, if necessary, have the sympathy and help of every member of the league.

We have been told that this is one of those entangling alliances against which Washington warned us. I deny it. There is just as much difference between an entangling alliance and the league of nations as there is between a horse-chestnut and a chestnut horse. When Washington gave his warning the world was full of entangling alliances; nations were endeavoring to secure power by alliances with other nations. Why? To fight wars. They were not doing it to maintain peace; they were doing it to fight wars. That age has passed away; the league of nations is to wipe out all entangling alliances and bring about an honorable union among the nations of the world to end war and preserve peace. When Washington sat down by the light of candles and with his quill pen laboriously wrote out that warning to the American people he saw the world as it was then. If Washington were here to-day, he would see the world as it is now; and in the blaze of electric lights he would punch a button, summon a stenographer, and dictate to the people of the United States an urgent recommendation that they join this league for the purpose of maintaining with other honorable nations of the world perpetual peace on earth.

This reverence for things said a hundred or more years ago under old circumstances is no mark of respect for those who stated them; it presumes that they would not advance. Washington was not that kind of a man. China to-day, living in the past, worshipping the dead things that dead men have said centuries ago, shows the folly of carrying to an extreme that unprogressive doctrine.

We have been told here in the Senate that if we entered this league of nations Japan would compel the United States to arbitrate the immigration question, and, if she succeeded, compel this country to admit her nationals. What nonsense! There are two answers to this proposition. The first is that if Japan could compel arbitration by the executive council, she nevertheless could not hope to win a verdict favorable to her contention. She is the only nation of her race represented among the eight Caucasian members of the executive council. She could not hope to get the vote of Great Britain, who sits on the executive council with her, when Great Britain is so tremendously interested in the immigration question as affecting Canada and her other dominions, Australia being even a stronger illustration.

Mr. KELLOGG. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I asked not to be interrupted.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. HITCHCOCK. If the Senator will permit me, a little later on I shall not object to being interrupted.

Mr. KELLOGG. I wished to ask the Senator a question bearing directly on the point he is discussing. The Senator has interrupted nearly every other speaker on the subject.

Mr. HITCHCOCK. Make it short, and I will yield.

Mr. KELLOGG. It will be quite short. As I understand the Senator, the reason the proposal to admit Japanese into this country would not succeed is because Japan could not get a sufficient number of votes in the league——

Mr. HITCHCOCK. I am stating a number of reasons.

Mr. KELLOGG. And not because it is not one of the questions which can be submitted.

Mr. HITCHCOCK. It is one of the questions which can not be submitted. I am coming to that, if the Senator will wait.

Mr. KELLOGG. I merely wish to ask the Senator whether, under sections 12, 15, and 16, there are any limitations upon the questions which must be submitted either to the arbitral tribunal or to the executive council?

Mr. HITCHCOCK. This is not a question of putting limitations in the document. If we attempt to put limitations in the document, it would be made as long as the moral law. There are no powers conferred on the league of nations except those that are required under the terms of the document itself. It relates only to international questions and international disputes, and not to domestic questions. It has not any more to do with the immigration question than it has with the question of marriage and divorce in the United States. There is not any doubt about that; it is thoroughly agreed among all of those who have discussed this matter in Paris that such is the fact.

I know that Japan endeavored in the council at Paris to secure a declaration of equality of races and against any discrimination against races; but Japan failed. All that Japan gets out if this league of nations is the highly honorable and much-prized membership in the executive council and the same protection other members get. All the efforts she made to establish the recognition of race equality were vigorously rejected and by a unanimous vote.

But even if Japan had succeeded, even if Japan might bring this matter under the terms of the league, yet nevertheless there is another insuperable barrier against Japan. Supposing the impossible were possible, and that Great Britain would permit Japan to bring that matter into negotiation and force Japanese into the United States and into Canada and into Australia—an impossible supposition, but suppose she should—yet Japan is bound by a treaty with the United States against that very thing. Japan is bound by a solemn treaty with the United States that is still in force, and that will be placed on file with the league, to recognize our exclusion laws. I will say for Japan that with the most scrupulous care she has constantly lived up to the contract. The bugaboo of Japanese immigration is one of those false fronts that are brought in here to array prejudice against the league of nations.

We have been told that if we should agree to the league proposal for the limitation of armaments we would interfere with the power of Congress and impair the sovereignty of the country. Nothing is more ridiculous. A hundred years ago the United States and Great Britain entered into a contract, which was ratified by the Senate of the United States, limiting naval armaments on the Great Lakes between Canada and the United States. Did that limit the sovereignty of the United States? Why, we have almost forgotten that it existed; but the United States and Canada have scrupulously lived up to that contract. In principle there is no difference between such an agreement between the United States and Great Britain and the proposed agreement of armament limitation between the United States and all of the nations in the league. The only difference is this, and it is in favor of the league: In the league case, while the executive council can propose the limitations to each nation, provided it does it by a unanimous vote, it does not go into effect until adopted by each government. In the United States it would not go into effect until the Congress of the United States declared it adopted. Anyone who examines this document carefully will see the utter folly of the claim that the league can dictate to the United States what its armament shall be.

Shall we not concede anything to good faith? Shall we not consider that these nations whose representatives have sat down at the peace table to draw this great document of mutual concessions and mutual defense, based on honor and on justice, have a good purpose, and that they are not trying to draw each other into a dark alley for the purpose of assassination? Must we forever be suspicious of the motives and the purposes of those who have gone into this league?

We have been told that we would destroy our Americanism and our nationalism if we entered this league; and the eloquent Senator from Idaho [Mr. BORAH], in a brilliant peroration here the other day, brought before our eyes the personality of Theodore Roosevelt as the very embodiment of Americanism, which we should cherish and which we should live up to. Has the Senator forgotten that Theodore Roosevelt himself ardently advocated a reduction of armaments by agreement between the nations? Has he forgotten that Theodore Roosevelt advocated a league of nations? Has he forgotten that Theodore Roosevelt even went so far as to declare that force should be placed behind a league of nations to maintain the peace of the world? Who can doubt that if Theodore Roosevelt were President of the United States to-day he would be bending every energy, as Woodrow Wilson is bending every energy, to establish a league of nations to preserve the peace of the world?

Theodore Roosevelt, the embodiment of Americanism and nationalism. Then why charge that Woodrow Wilson is trying to destroy nationalism and Americanism? He is advocating the same thing that was advocated by Theodore Roosevelt, only he has succeeded in organizing the world to bring it into effect.

Mr. President, we have been told by the Senator from Iowa [Mr. CUMMINS], in a very forceful speech, that it would have been a disaster to the world in times past if a combination of nations had existed to guarantee their independence and their territorial integrity. He says he is thinking of the time when Charles and Philip of Spain held the world in their grasp and of the days when Napoleon swept over Europe with his conquering hosts, and he says that if a league of nations had been devised in those days and had gone into effect to maintain the political independence and territorial integrity of those conquerors and those kingdoms it would have choked liberty to death.

Mr. President, that is the trouble with Senators who oppose the league of nations. They are thinking of the days that are gone, and gone forever. The conquering empires of the world have been wiped out. The fall of Russia and Germany and Austria-Hungary removed from the world the last representa-

tives of the conquering spirit and of autocratic power. The world is now democratic. Senators should cease to turn their eyes to the past and turn them to the present and see what we have before us. The world of democracy has come into its own. Yes; that is the mistake; too many are turning their eyes to the past and forgetting that we have come into a new world.

Mr. CUMMINS. Mr. President, may I ask a question of the Senator?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. HITCHCOCK. Certainly.

Mr. CUMMINS. If what the Senator from Nebraska has said is true, if the spirit of aggression and injustice is a thing of the past, what need have we of a league of nations?

Mr. HITCHCOCK. We have the same need that we have in a civilized community to hold in check those who will only remain in check under organization. We have here a great civilized city, but it would not do to permit law and order to remain to chance. We organize the city to maintain law and order, and we are going to organize these democracies of the world to preserve law and order in the world; and we can do it now for the first time in the history of the world. We need take in no despots. We need take into consideration no conquering empires. That day has gone, and we have come out into a new world; and Senators should realize it. Let them grasp the fact that the spirit of the age is to end conquest; that the spirit of the age is that the people shall rule; that the spirit of the age is that governments shall be content to serve their own people and not despoil others. Let them see the new world as it is, and the new spirit which inspires it. Let them appreciate the fact that humanity is not willing to sacrifice itself further; that men and women demand of their governments that as the fruit of this terrible war an agreement shall be entered into for the preservation of world peace in the future.

If the Senator will turn his face from the past and toward the future, he will behold a new heaven and a new earth—not a millennium, perhaps, but a world in which the affairs of nations are to be administered in justice and reason and humanity; a world in which the chief affair of government shall be peace and development and progress; a world in which man shall attain his highest destiny and greatest happiness. This was impossible in the days of tyrants and autocrats and conquerors, but it is possible in the new age of liberty, statesmanship, and philanthropy.

PRICE GUARANTIES TO PRODUCERS OF WHEAT.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder.

Mr. KIRBY. Mr. President, I offer an amendment to the pending bill, which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to amend by inserting after the word "price," on line 13, page 3, following the committee amendment at that point, the following:

> Such as the usual market conditions, under the unrestricted operation of the law of supply and demand, would warrant, without regard to the enactment and enforcement of this law.

Mr. KIRBY. Mr. President, it is said that law is the perfection of human reason; and jurists and lawyers and courts, from the time when the race began to have its conduct outlined or restricted or controlled by law, have all agreed that when the reason for the law ceases the law itself should cease.

I have heard a spacious argument here to-day about why the United States Government should pay the guaranteed price on wheat—a price guaranteed when war was raging and when there was necessity, perhaps, for a guarantee being made. The claim is made that the Government is in honor bound to pay the $2.26 not only for all the wheat that was planted last year, without regard to whether it was planted before or after the armistice was signed, but for all the wheat that is yet to be planted. The Government is in honor bound, it is said, to pay that. Why?

The reason for the law was that we needed to encourage the production of wheat because the war was on. It was permitted, under those conditions, that all the people in these United States who are bound to eat bread in order to live should be charged a higher price for the necessities of life than usually was warranted. Why? Because the war was on; because wheat must be produced; because growers must be encouraged. But it was said by the Senator from Minnesota [Mr. KELLOGG] that nobody expected, at the time the guarantee was made, that the war would cease on November 11. The war has ceased since November 11, and not all of the fall crop was even planted at that time.

Mr. KELLOGG. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Minnesota?

Mr. KIRBY. Yes.

Mr. KELLOGG. What I said was that when the guarantee was made by the President on the 2d of September nobody expected that the war would end so soon, and this guarantee was made by the President pursuant to act of Congress.

Mr. KIRBY. There is no disposition on my part to haggle about the understanding or misunderstanding of an expression. The Senator says that when the guarantee was made by the President the war was on, and nobody knew when it was going to close. That may be conceded to be true; but the war is not on now. It has not been on since November 11 of last year, and at that time one-half of the fall crop even of wheat had not been planted.

Now, why should the laborer and clerk and professional and business man, and all who toil in these United States, be required to pay for bread at the rate of $2.26 a bushel for wheat that is not yet planted? Where is there any reason for the Government saying that we will pay for all the spring wheat that can be planted, and give you $2.26 a bushel? Everybody, wheat growers and all, recognize what? They recognize that without this guaranty or without this law to authorize the manipulation and the restriction of sale and to limit the imports the usual price of wheat would be about $1 a bushel. Then why should the United States of America be expected to pay the wheat grower $1.26 a bushel clear profit on a necessity of life that all must use, when the war is over, when the grower knew it was over before three-quarters of the crop was planted, and all of his crops will be harvested under after-war conditions?

We were going to allow him this price for wheat because we needed the wheat and because the conditions were difficult under which wheat was to be planted and produced, but those conditions have passed away. Why is the United States in honor bound to pay for wheat that has not yet been planted, to men who have never even planted wheat before, $2.26 a bushel, at the expense of all of the consumers in the United States? Under the changed conditions each man must minimize his own damages. Do you suppose that one bushel less of wheat was planted last fall than would have been planted if no guaranty had been made? Do you suppose that one bushel less of wheat would be produced now if it was known this guaranty would not be performed? No; not one bushel less of spring wheat would be planted.

Now, we hear talk about the United States being in honor bound to pay it. Why? The Government owes some duties to the people of the United States, and we owe some duty to the Government of the United States, we who are Senators here looking after the public welfare and the Government interest. Why should we tax four-fifths or seven-eighths or six-tenths, anyhow, of the people of the United States, $1.26 a bushel for wheat and breadstuff more than it is conceded it is worth in order that the farmer who produced the wheat may be paid a bonus of $1.26 a bushel?

Now, the purpose of this amendment is stated right there. It is still proposed that we shall pay $2.26 a bushel for wheat that is not yet planted, because we wanted to encourage wheat growers before the war ended, because we wanted to relieve conditions during the war, when the war has been over since last November. Now, I say we ought to so amend this measure as that the consumers will not be mulcted in this extortionate cost for breadstuffs, and that the Government itself shall stand between the consumer and the farmer, who is expecting $1.26 a bushel more than the wheat is worth because the Government, forsooth, in times of stress found it necessary to say that it would pay $2.26 a bushel. The purpose of the amendment is that the Government shall permit the wheat and breadstuff to be sold in these United States according to the unrestricted operation of the law of supply and demand as though this law had not been passed. Then if wheat goes, as it ordinarily would, to $1 a bushel, the people who buy wheat, the people who consume bread, will have the benefit of that, as they ought to have when the war is over and under conditions as they now exist. There is no reason why the farmer should have more consideration, because he plants three-quarters of his crop of wheat under afterwar conditions and it is all harvested under afterwar conditions. I do not believe that the Government

should be authorized by this bill to manipulate and control the market by restrictions here and regulations there and tariffs and taxes and embargoes yonder. I do not believe it should be allowed to do that in order that it may make itself whole for $1.26 bonus that it is going to give back to the farmer. If there must be $1.26 bonus paid back to the farmer for this wheat that he has not yet planted, and none of it has been grown or harvested, then let it be a straight proposition to be paid out of the Treasury. Let the people pay their taxes into the Treasury.

Let the farmer come down next fall and say, "Here, I produced so much wheat. My wheat has gone to $1 a bushel. All the people of the United States got the benefit of it, and without regard to whether I lost any money or not you promised before the war was over that you would pay me $2.26 a bushel. I want the other $1.26 out of the Public Treasury." That is what it amounts to, neither more nor less. I say when you put it down on that proposition, where it ought to be, the people of the United States are not going to take kindly to that sort of practice.

But the Senator from Minnesota [Mr. KELLOGG] said, "Think how much money our farmers lost two years ago or a year and a half ago when wheat was selling at $3.05 and $3.21 to $3.50. Your farmers did not lose any money that year. No, the Government of the United States found it necessary to pass a law curbing the rapacity of dealers in wheat and foodstuffs in order that they might not rob all the people. That is what was done. It did not cost you $2.26. You got a fair profit and more than that on all the wheat that was produced.

The war is supposed to be over. If we are going to pay until September, 1920, a war-time price for wheat and bread, the country is indeed in a bad condition.

Let us contrast with this the condition of the farmer in the cotton States. The year before we went into the war the wheat price went soaring and all the wheat farmers got about 80 cents to $1 a bushel more than they had been getting for their wheat. The cotton farmer in the South, where the cotton cost him about 18 cents a pound that year to raise, got 5 cents a pound for cotton. Why? Because the Government would not take any steps to stabilize the price of his cotton. Although he produced it and carried it at a loss, he did not complain about it. Now, what has been the condition since that time? The wheat farmer was guaranteed $2.26 a bushel for his wheat and he got his money.

At the same time all the statisticians agree when wheat sells at $2.26 a bushel cotton ought reasonably and normally to sell at 35 cents a pound. Cotton went to 35 cents a pound under those conditions, and then what happened? The War Industries Board concluded it was necessary to make some sort of a regulation in order to restrict the export of cotton, and the cotton price started down. They talked about regulating the price. It went farther and farther down. It broke the market again. After that they said there is no necessity for regulating the price of cotton; and it has gone farther and farther down, until from 35 cents a pound, where it was on a level with wheat at $2.26 a bushel, it has gone down to 21 and 22 cents a pound, and you can not now sell any of it. Why? Because of the restrictions and embargoes on cotton in this country. The French have such a condition and system about the sale of cotton that you can not ship a bale of cotton to France or land it there at all unless you sell it through the French commission and it is carried by the French Government.

That is the condition about the cotton crop, and you have not heard those people say a great deal about it yet. They have been injured. They have been suffering greatly because of war conditions. Shall they have the further exaction placed upon them of growing cotton hereafter when they must pay $2.26 a bushel for wheat and breadstuffs and when their market is restricted and practically destroyed by present war conditions that have not passed so far as they are concerned?

That is a matter which ought to be considered here, it seems to me, and on that account I have this to say: If this bill must be passed, if the Government of the United States must step up to the wheat farmer who produces all his crops now under after-war conditions, who has not planted three-quarters of his crop yet, or had not at the time the armistice was signed, let us make it a pure matter of bonus, let us say it shall not affect the usual market conditions, and that the wheat price shall seek the usual level, that it shall follow the unrestricted application of the law of supply and demand, and let the bonus be paid out of the Treasury, where all the people pay their taxes, and if the farmer can come down and say, "I produced so much crop here last year, I have been damaged so much because it cost me more than a dollar and a quarter a bushel to raise it," let him be remunerated or let the whole amount be paid if necessary, but let it be paid as a bonus; let it not be levied upon the man who must eat bread in order to live.

Mr. GRONNA. May I ask the Senator a question?

Mr. KIRBY. Yes.

Mr. GRONNA. Has the Senator read the proclamation of the President of the United States with regard to this guaranty?

Mr. KIRBY. It does not make any difference about the proclamation of the President. It was made under conditions that are not applicable now.

Mr. GRONNA. Will the Senator deny that the President of the United States has declared that the price for the crop of 1919 shall have a certain price fixed for it?

Mr. KIRBY. I do not deny that at all, but what I am stating is that there is no reason to perform any guaranty that must be carried out under changed conditions. Why should you have given the wheat farmer $2.26 a bushel for wheat if it only cost him 98 cents a bushel to raise it when the war is over? If his wheat was half of it planted after the war was over and harvested under after-war conditions, there is no reason on God Almighty's earth why it should be done.

Mr. GRONNA. If the Senator will yield further, I will say for one, as one Member of this body and as a member of the Committee on Agriculture who has given it some attention, that I would rather see the whole bill defeated than to have the amendment of the Senator from Arkansas adopted.

Mr. KIRBY. Why? Would not the wheat man get his $2.26 a bushel?

Mr. GRONNA. The Senator must admit that the amendment simply means repudiation. Does he not admit that?

Mr. KIRBY. It does not; but there ought to be a repudiation, if you would call it so. Why should you pay for wheat $2.26 a bushel when it can be raised for 80 cents a bushel after the war is over?

Mr. GRONNA. Will the Senator permit me to answer that?

Mr. KIRBY. Yes.

Mr. GRONNA. Why should the Senator from Arkansas vote to take more than $1 a bushel from the farmer at the beginning of the war, I ask the Senator?

Mr. KIRBY. I say that the farmer or the man who manipulated the market in wheat was robbing the people of the United States of America when he charged $18 a barrel here for flour because he could get it, not because the wheat cost that much, but because the conditions warranted him taking the public by the throat and holding it up and getting the money. I do not know that the wheat farmer did it, but it was done.

Mr. GRONNA. The Senator knows that the farmers were absolutely unable to say anything about the price of wheat, does he not?

Mr. KIRBY. He sells his wheat upon the market, like everybody else sells his product; and it is supposed to be ruled by market conditions, by the fair operation of the law of supply and demand. That is the condition we have here. This amendment I propose will not affect the farmer getting his $2.26 a bushel, but there will be paid by the Government out of the taxes as a bonus $1.26 a bushel on a promise made a few days before the war closed, and three-quarters of the wheat which will be paid for was raised after the armistice was signed, and half of it is not yet planted. This only provides that the Government shall not enter into manipulation of the market; that the Government shall not make restrictions and place embargoes on the sale of wheat, to the injury of all of the people who consume bread, in order that it can pay the farmers, without loss to itself, an arbitrary price of $2.26 per bushel, which is entirely out of harmony with the actual facts and conditions under which the wheat was produced.

Mr. GORE. Mr. President, instead of adopting the amendment suggested by the Senator from Arkansas the idea would be to defeat the bill. There is no use to go ahead here and say be it enacted that one thing shall occur and put on a proviso and say it shall not occur. I think it would be very unfortunate to adopt an amendment of that sort.

Mr. GRONNA. Mr. President, I dislike very much to delay the proceedings of the Senate again upon this particular question. I had not intended to say a single word, but the amendment of the Senator from Arkansas, for whom, as he knows, I have the highest regard, I think is eminently unfair. During the war Mr. Hoover, who then represented the administration, appeared before the Committee on Agriculture and stated certain things, and the facts are these: He stated, among other things, that there was a world shortage of wheat. We all know that at that time we were engaged in a most terrible war. He called attention to the fact that it was of the highest importance that we should increase or stimulate production to the utmost possibility, and, as he told us, according to his judgment and the judgment of the administration the minimum price

should be fixed upon wheat in order to insure the producers that they would be compensated for any extra expenses which might be involved.

The Committee on Agriculture accepted the statement of Mr. Hoover, although from the beginning there was a most serious opposition to it. I think I state a fact when I say that not a single member of the Committee on Agriculture was in favor of price fixing. At that time, as the Senator from Minnesota [Mr. KELLOGG] has stated this afternoon, the price of wheat in certain markets in the grain districts was $3.42.

I want to say to my good friend from Arkansas that the farmers had absolutely nothing to do with that market price. The farmer could not if he wanted to have fixed the price on any of his products. He has never been able to do so; and, with the treatment that men who have been elected to serve in legislative bodies give him, it is quite certain that he never will have anything to say as to the price of his products.

I say to the Senator from Arkansas and to the Senate that by that very legislation which this body and the other House passed, and which became a law, the farmer was deprived of more than $1 a bushel. That applies to the spring-wheat crop of 1917 and all the crop of 1918.

Mr. KIRBY. I should like to ask the Senator a question.

Mr. GRONNA. I yield.

Mr. KIRBY. Does not the Senator think that it would be better for the Government to pay the farmer $1 a bushel than to guarantee him $2.26 a bushel on wheat that he has not planted yet, when half the men who will plant this spring never planted wheat before?

Mr. GRONNA. I will say to the Senator that all those questions have been seriously considered. The committee heard representatives from nearly every board of trade and chamber of commerce in the United States on that very question. While the Senator from Minnesota [Mr. KELLOGG] called attention to certain things, there is one thing which I believe he overlooked, and that is the danger of fraud being perpetrated upon the Government of the United States and upon the people of the United States if we again throw open these exchanges when the Government is responsible for this fixed price of wheat. That is one of the main reasons, I want to say to the Senator from Arkansas, why the committee thought that it was best to let the Government handle the entire crop, to buy and to sell it.

Mr. KIRBY. Mr. President, the Senator has no greater objection to the exchanges than I have. I think they ought to be abolished. I am not talking about the exchanges.

Mr. GRONNA. Let me say to the Senator that the Government of the United States would have to guard every elevator and every warehouse in the country if his proposition should prevail. It would cost this country hundreds of millions of dollars to do what the Senator is attempting to do if these grain exchanges are thrown open again. Suppose the Senator from Arkansas intends to pay the producer the guaranteed price, how is he going to do it under his amendment?

It was proposed to the committee that the market price should be paid to the farmer and a certificate given him for the balance. Let me remind the Senate that the great danger is not that the farmer is going to perpetrate a fraud, but when all this grain is placed in the warehouses and in the thousands of elevators all over the country—human nature is human nature—let us suppose that some of these elevators have 50,000 bushels of wheat on hand and they report and show certificates for double or three times that amount, how is the Government to keep a record of what these elevators, warehouses, and mills have on hand unless they superintend the entire business? Let us assume—and it is a very reasonable assumption, because selfishness and greed have not yet been eliminated from the human nature—if these elevators and storehouses should have a loss by fire and could show that they have issued certificates for thousands of bushels of grain, for which they have never paid a cent, the Government would have to pay this fictitious loss. The Government would have to pay it, and the loss to the Government, I will say to the Senator from Arkansas, would be so much greater than the loss which the Government will sustain in making this guarantee good, and doing it openly.

If you want to repudiate this obligation, have courage enough to say that you do not want to pass this bill. If you believe in repudiation and dishonor, for God's sake have the courage of your convictions and say that you want to repudiate this law and repudiate this proclamation which the Chief Executive of this Nation has promulgated under authority of law.

Mr. KIRBY. Mr. President, I should like to ask the Senator a question.

Mr. GRONNA. I yield to the Senator.

Mr. KIRBY. Does the Senator from North Dakota suppose that the President would make a regulation now providing for the payment of $2.26 a bushel for wheat that is not yet planted? If not, why not? Because the war is over now. Why should the regulation, which was made immediately before the war ended, apply to a crop that has not yet been planted?

Mr. GRONNA. The Senator has asked me if the President of the United States would make a regulation affecting the price of spring wheat. I will say to the Senator that I believe the President would, for I assume the President is an honest man; and there would be just as much dishonor in the repudiation of the spring wheat crop as there would be in the repudiation of the winter wheat crop.

I want to call the Senator's attention to the proclamation of the President. I am afraid that the Senator has not had time to read the proclamation of the President of the United States; or, if he has read it, he may have forgotten it, as the Senator from Utah [Mr. SMOOT] suggests. May I ask that the Secretary read the President's proclamation, which I send to the desk?

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

PRESIDENT EXPLAINS PLANS TO INSURE FAIR WHEAT PRICE FOR CROPS GROWN IN 1919—BASIS OF GOVERNMENT GUARANTY—COMMISSION TO BE APPOINTED NEXT SPRING TO REPORT ON ALL FACTORS NOW OR THAT MAY THEN EXIST TO GUIDE HIM IN DECISIONS.

MEMORANDUM.

SEPTEMBER 2, 1918.

In issuing to-day the Government's guaranty of the same price for the 1919 wheat crop that was guaranteed for the 1918 crops I wish it to be understood that in the spring of 1919 I will appoint a disinterested commission, who will secure for me the facts by that time disclosed as to the increased cost of farm labor and supplies, using the three-year prewar average prices of wheat, of labor, and of supply costs as a basis, and that from this information I shall determine whether there should be an increase in price above the present level, and, if so, what advance, in order to maintain for the farmer a good return. Should it then appear that an increase is deserved over the present guaranty, however, it will be applied only to those who have by next harvest already marketed their 1918 wheat.

It is the desire and intention of all departments of the administration to give to the wheat grower a fair and stimulative return in order that the present acreage in wheat may be maintained.

I find a great conflict of opinion among various sections of the country as to the price that should be named as a minimum guaranty. It must be obvious to all, however, that the factors which will make for increased or decreased cost of production of next year's harvest can not be determined until the near approach to the harvest.

In giving a guaranteed price for wheat one year in advance (the only industry guaranteed by the Government) there is involved a considerable national risk. If there should be peace or increased shipping available before the middle of 1920, Europe will naturally supply itself from the large stores of much cheaper wheat now in the Southern Hemisphere; and therefore the Government is undertaking a risk which might in such an event result in a national loss of as much as $500,000,000 through an unsalable surplus; or, in any event, in maintaining a high level of price to our own people for a long period subsequent to freedom in the world's markets.

Despite this, the desirability of assuring a supply to the world of prime breadstuffs by insuring the farmer against the fluctuations in prices that would result from the uncertainties of the present situation and from the speculation those uncertainties entail seems to me to make the continuation of the guaranty for another year desirable. On the other hand, it is clear that before increasing this liability by large sums with the risks set forth above, and before increasing the burden of the consumer, the matter should be subjected to searching inquiry at the appropriate time—the time when the pertinent facts will be known.

I feel confident that with this preliminary fixed guaranty, and with the assurance that justice will in any event be done to the grower, he will continue the fine patriotic effort by which he has served the country hitherto; that the Government will have acted prudently; and that the consumer will be satisfied that his interests are not unduly sacrificed, but just and exhaustive consideration given to every element of the matter at the proper time.

WOODROW WILSON.

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PROCLAMATION GUARANTEEING PRICE FOR THE WHEAT CROP GROWN IN 1919 IS ISSUED BY PRESIDENT WILSON.

[By the President of the United States of America.]

A PROCLAMATION.

Whereas under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, 1917, it is provided, among other things, as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment; and differences in price for the several standard grades in the principal primary markets of the United States adopting No. 1 northern spring

or its equivalent at the principal interior primary markets as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty."

Now, therefore, I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guarantee provided for in said section, and in order to make effective the guaranty by Congress for the crop of 1919 and to assure such producers a reasonable profit I do hereby determine and fix and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalents at the respective principal primary markets as follows, to wit:

New York, N. Y., $2.39½ per bushel.
Philadelphia, Pa., $2.39 per bushel.
Baltimore, Md., $2.38⅞ per bushel.
Newport News, Va., $2.38⅞ per bushel.
Duluth, Minn., $2.22½ per bushel.
Minneapolis, Minn., $2.21½ per bushel.
Chicago, Ill., $2.26 per bushel.
St. Louis, Mo., $2.24 per bushel.
Kansas City, Mo., $2.18 per bushel.
Omaha, Nebr., $2.18 per bushel.
New Orleans, La., $2.28 per bushel.
Galveston, Tex., $2.28 per bushel.
Tacoma, Wash., $2.20 per bushel.
Seattle, Wash., $2.20 per bushel.
Portland, Oreg., $2.20 per bushel.
Astoria, Oreg., $2.20 per bushel.
San Francisco, Cal., $2.20 per bushel.
Los Angeles, Cal., $2.20 per bushel.
Salt Lake City, Utah, $2 per bushel.
Great Falls, Mont., $2 per bushel.
Pocatello, Idaho, $2 per bushel.
Spokane, Wash., $2 per bushel.

And that the guaranteed price for the other grades established under the United States grain standards act, approved August 11, 1918, based on said price for No. 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit; the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern spring wheat or its equivalents at the principal interior markets as the basis.

For the purposes of such guaranty only I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit, No 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 Durum, No. 1 hard white. The guaranteed prices at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain standards act approved August 11, 1916, shall be based on the above-guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1919 and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States, or other person, as may be hereafter designated, at any one of the above-mentioned cities, which are hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 2d day of September, in the year of our Lord 1918, and of the independence of the United States of America the one hundred and forty-third.

During the reading of the proclamation,

Mr. GORE. Mr. President——

The VICE PRESIDENT. The Senator from Oklahoma.

Mr. GORE. I should like to ask the Senator from North Dakota how much more of this proclamation is to be read, and would not the Senator be willing to have it printed in the RECORD? We have had our day, and out of four legislative days of the session remaining one day has been taken on this bill. I am sure the Senator from North Dakota sympathizes with me in my urgent desire to secure the passage of the measure. If it is not passed at an early date, I shall feel obliged to ask that it be laid aside temporarily and let some other legislation have the right of way.

The VICE PRESIDENT. The reading is all over except the reading of the name, which will be read.

The SECRETARY (reading):

Woodrow Wilson.

Mr. GORE. I shall not filibuster against the pronunciation of that name.

Mr. GRONNA. Mr. President, I fully realize what the chairman of the Committee on Agriculture has stated, but I desired this proclamation read for the benefit of the Members of the Senate to show that there is a binding contract between the Government of the United States and the farmers of the United States. I shall take only a very few moments longer, and I invite the attention of the Senator from Arkansas.

Let me say to the Senator from Arkansas that at the time the Government of the United States fixed the price of wheat the Government of Italy—and Italy produces a great deal of wheat, for it produced in 1918, 176,000,000 bushels—made the price of $3.60 for 1918 for hard wheat and $3.18 for soft wheat. It made a price of wheat for 1919 of $4.44 for hard wheat and $3.96 for soft wheat. France, which produces a great deal of wheat, made the price for 1918, $3.96, and reduced it only to $3.84 for 1919. Great Britain was the only European country which made a low price for wheat, but Great Britain guaranteed the price up to and including the year 1922, I will say to the Senator, of $1.64 per bushel.

Mr. GORE. Mr. President, the Senator from North Dakota should state that that is a minimum price and not the absolute price.

Mr. GRONNA. That is a minimum price. I thank the Senator.

Holland guaranteed the price of wheat to her farmers for 1918 of $2.76 and for 1919 of $3.30 per bushel. Switzerland guaranteed a price for wheat to her farmers of $3.36 for the 1918 crop and $3.18 for the 1919 crop. Norway guaranteed for the 1918 crop $4.38 and for the 1919 crop $4.09. Of course Norway does not produce a great deal of wheat, although she produces a considerable quantity.

Mr. KIRBY. Mr. President, I should like to ask the Senator a question.

Mr. GRONNA. If the Senator will allow me to finish this list, then I will yield.

Mr. KIRBY. Right on that point, has the Senator any information that those Governments expect to allow these guaranties to stand now, inasmuch as the war is over?

Mr. GRONNA. The Senator from North Dakota has the information that these countries are going to live up to their contracts. I will say that this information has been furnished me by the food department, and the communication bears the stamp of that department.

Mr. President, Brazil established a guaranteed price for wheat of $2.16. It is shown that the only government in Europe which made a lower price than that fixed by the United States was the Government of Great Britain; and I repeat, that every one of those governments is living up to the contract it made.

If we have only a normal crop in the United States, I believe—and I have so stated many a time on this floor—that this Government will not lose a dollar on the 1919 crop; it will lose no more on the 1919 crop than it did on the 1918 crop; and the Senator from Arkansas knows, if he has made an investigation, that the Government made a profit on the wheat crop of 1918, instead of sustaining a loss. Does the Senator know that?

Mr. President, if we are going to begin repudiation, let us not begin on the farmer alone, but let us repudiate all contracts. There are in the United States to-day, to my knowledge, thousands and thousands of contracts which have not even been entered into formally and in connection with which no written agreement can be found. Do you want to repudiate those contracts? I, for one, do not. I am willing to pay my share of the taxes to see that this great country of ours sustains its honor and pays its honest debts. I care not whether it affects the people of the North, or the West, or the South, or the East, we can not afford to begin repudiation; we can not afford to cast a stigma upon the honor of this country, which so unselfishly sent thousands and millions of its noble young sons across the sea to fight for our flag and for the cause of civilization, as has been so loudly proclaimed on this floor. We can not have it said, now that these boys have been successful in their efforts and are triumphantly returning home, that we should begin a policy of repudiation.

Mr. KIRBY. Mr. President, I wish to say to the Senator that the amendment which I propose does not affect the price of $2.26 to the wheat raiser.

Mr. GRONNA. I will say to the Senator that, although I know he is one of the ablest lawyers on the floor of the Senate, I differ with him. It would affect the price, and I would rather see the bill defeated, I will say to the Senator, than to see his amendment accepted.

Mr. President, I had intended to explain this bill at some length, but inasmuch as the chairman of the committee is anxious to secure a vote on it, I shall not further delay the Senate.

Mr. GORE. Mr. President, I appreciate the Senator's closing observation, and I am sure the Senate will appreciate my desire to secure a vote. When we met this morning there were only four legislative days remaining, and an enormous amount

of legislation remained to be passed, including billions of dollars to be enacted in the form of appropriation bills, much of it controverted legislation that ought to be discussed. This measure is not controverted; there will not be five votes cast against it. This proposed legislation is to fulfill a contract, and it ought to have been passed in 20 minutes. I shall feel obliged to lay it aside temporarily unless at least the friends of the bill forbear to discuss it. I move to lay on the table the amendment offered by the Senator from Arkansas.

The VICE PRESIDENT. The question is on the motion of the Senator from Oklahoma. [Putting the question.] By the sound the ayes seem to have it.

Mr. KIRBY. I ask for a division.

On a division, the amendment was rejected.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Agriculture and Forestry was, in section 2, page 2, line 14, before the word "use," to strike out "create and"; and on the same line, after the word "any," to insert "existing," so as to make the section read:

SEC. 2. That in carrying out the provisions of this act the President is authorized to make such regulations and issue such orders as may be necessary, to enter into any voluntary arrangements or agreements, to use any existing agency or agencies, to accept the services of any person without compensation, to cooperate with any agency or person, to utilize any department or agency of the Government, including the Food Administration Grain Corporation, and to coordinate their activities so as to avoid any preventable loss or duplication of effort or funds.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 11, after the word "necessary," to insert "to carry out the purposes of this act and to enable the people of the United States to purchase wheat products at a reasonable price," so as to read:

SEC. 3. That whenever the President shall find it essential, in order to carry out the guaranties aforesaid or to protect the United States against undue enhancement of its liabilities thereunder, he is authorized to buy, or contract for the purchase of, wheat of said crops of 1918 and 1919 at the places designated for the delivery of the same by the President's proclamations or such other places as he may designate, for cash at the said guaranteed prices, and he is authorized thereafter to buy or contract for the purchase of, for cash, or sell, consign, or contract for the sale of, for cash or on credit, wheat of the said crops of 1918 and 1919 and flour produced therefrom at the said guaranteed prices or at such other prices and on such terms or conditions as may be necessary to carry out the purposes of this act and to enable the people of the United States to purchase wheat products at a reasonable price.

The amendment was agreed to.

Mr. POINDEXTER. Mr. President, I should like to ask the chairman of the committee the purpose of the provision which follows the amendment just agreed to, and which I will read to him. I refer to the provision on page 3, lines 20 to 25, defining the powers of the President conferred by this bill. It says:

Including the protection or indemnification—

The words "or indemnification" are offered as an amendment by the committee—

of millers, wholesalers, jobbers, bakers, and retail merchants who purchase in carload lots against actual loss by them on account of abnormal fluctuations in the price of wheat and wheat flour of said crops.

Mr. GORE. Mr. President——

Mr. POINDEXTER. If I may complete my question before the Senator answers it, I do not see any connection between the function outlined in that provision and the guaranteeing of the price of wheat as heretofore fixed by the President. It is entirely a different subject, entering into a field that was scarcely covered by the vast powers and extraordinary functions conferred upon the administration during the war before the armistice was signed. Under this provision the President would have the power, and it would be his duty to exercise the power when it is conferred under the responsibilities of his position, to protect and indemnify millers, wholesalers, jobbers, bakers, and retail merchants against loss in their business transactions. What is the purpose of that provision?

Mr. GORE. Mr. President, the object of that provision is to meet this situation: The crop of 1918 is still being marketed; it is being marketed on the basis of $2.26 per bushel. Millers have a great deal of that wheat now on hand, and bakers are estimated to have on hand $50,000,000 worth of flour, manufactured from this wheat. The millers have been obliged to buy this wheat at the market price of $2.26.

Bakers have been obliged to buy their flour on the basis of $2.26 per bushel for wheat. Now, it may come to pass, when the new crop comes in, that while paying the farmer $2.26, the guaranteed price, as a matter of course, the President may decide to permit the people to purchase flour on the basis of $1.50 wheat, by way of illustration—whatever may be the market price prevailing in the world. The millers will, of course, have on hand a good deal of wheat which they had to buy at $2.26. The bakers will have on hand flour which they had to buy on the basis of wheat at $2.26. It was felt to be a mere matter of justice that when wheat and flour come down by the action of the Government the millers and bakers ought not to be obliged to take the loss where they had to buy it under Government control.

Mr. POINDEXTER. The Senator says "by the action of the Government"; but the bill does not say that.

Mr. GORE. The Senator understands that all wheat is now being marketed under Government control on the basis of $2.26 a bushel.

Mr. POINDEXTER. I understand that; but the Senator says that the purpose of this provision is to protect them from loss suffered by the action of the Government.

Mr. GORE. Yes, sir.

Mr. POINDEXTER. The bill contains no such limitation at all, nor any limitation. It says:

Against actual loss by them on account of abnormal fluctuations in the price of wheat and wheat flour of said crops—

Any loss.

Mr. GORE. There ought not to be, and probably would not be, any abnormal fluctuation. I take it there will be very little.

Mr. POINDEXTER. Why would there not be? There have been abnormal fluctuations, every year that I have ever paid any attention to the price of wheat, in the price of wheat and in the price of almost every other product.

Mr. GORE. There has been no fluctuation at all under Government control.

Mr. POINDEXTER. No; but you say that you are going to protect them against fluctuations below the Government price.

Mr. GORE. No; the Senator did not understand me. The Government will have to pay the farmers $2.26 per bushel for wheat marketed in June and July. Millers will have on hand wheat harvested in 1918 which they had to buy at $2.26. Now, suppose the Government decides that while it must pay the farmers $2.26 for wheat marketed in June and July of this year, yet the people shall be allowed to buy flour manufactured from such wheat on the basis, say, of $1.50 per bushel for wheat. That would leave millers and bakers with wheat and flour on hand which the Government compelled them to buy on the basis of $2.26; and unless they were indemnified against loss they would, of course, have to sell it in competition with the flour manufactured from wheat sold arbitrarily at $1.50, the Government taking the loss resulting from the difference. Now, the millers ought not to be obliged to take that loss. The Government ought to take that loss.

Mr. KING. Mr. President, will the Senator yield?

Mr. GORE. Yes, sir.

Mr. KING. Suppose that the Government pursues the course which the Senator from Minnesota a short time ago suggested was the wise and proper course—namely, while guaranteeing the price of wheat at $2.26, to let the law of supply and demand take its course, and as a result the market price of wheat was, say, $1.50 a bushel, the Government being compelled to pay the difference between $1.50 a bushel and $2.26. Under those circumstances, as I understand the Senator, a number of millers and bakers who now have a considerable supply of flour on hand would lose money.

Mr. GORE. Yes, sir.

Mr. KING. That is to say, they would have on hand a product that cost them more than the product would cost in the market after the Government allowed the law of supply and demand to take its course.

Mr. GORE. Yes, sir.

Mr. KING. I can not see, with the understanding I now have of this bill, under what principle of morals the Government of the United States ought to indemnify the millers and the bakers and those who have that flour on hand.

Mr. GORE. Why, Mr. President, this is the reason: This country had to be fed. Wheat had to be converted into flour. The millers had to do that. They had to buy it at $2.26 a bushel. They had no choice. Now, it seems to me that it would be an act of the worst imaginable bad faith for the Government to reduce the price of wheat and oblige its citizens who had purchased at a price fixed by the Government to take the loss as compared with that artificially high price when the Government permitted the price to go down.

Mr. KING. If the Senator will pardon me, the Government does not lower the price. It merely permits the law of supply and demand to take its course. If the law of supply and demand brought wheat to $1.50 per bushel, those who had loaded up—if I may be permitted a vulgarism—with wheat at a higher price would have to take the loss, just the same as there are hundreds of retail merchants in the United States to-day who were compelled to buy, in order to meet the demands of their

local trade and their customers, millions and hundreds of millions of dollars' worth of goods at high prices, war prices, goods produced under the war-price standard. Now, with the termination of the war prices have gone down, and their competitors who do not have a large amount of goods on hand may go into the markets and buy the same character of goods and the same quality of goods at a price perhaps 50 per cent less. Does the Senator think the Government ought to come in and indemnify those men because of the losses which they have sustained?

Mr. GORE. Mr. President, I think the Government ought to indemnify every citizen of the United States against any loss that the Government compels him to take. I lay down that principle as universal. Let me cite, now, a concrete case, a hypothetical case, that may happen.

Mr. LODGE. Mr. President——

Mr. GORE. We will say that on July 1 a miller had 100,000 bushels of wheat on hand, that he bought in the regular course of his trade. He bought it on the basis of $2.26 a bushel, because he could not buy it at any other price without violating the law and subjecting himself to prosecution. On the 1st day of July the Government reduces the price of wheat to $1.50 per bushel. Shall the miller take the loss of $75,000 on account of the action of his Government? My understanding is that governments are instituted to protect men against injury and injustice, and not to perpetrate those acts upon them. I think it would be the grossest act of injustice to compel a man to sell an article for less than he paid for it when the Government fixed the price at which he could buy it, and when the purchase, manufacture, and sale was indispensable to the existence of the country.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Massachusetts?

Mr. GORE. I yield to the Senator.

Mr. LODGE. I should like to ask the Senator how far this reimbursement is carried. Is it carried from the miller to the retailer, to the grocer, and to the baker?

Mr. GORE. I think so, where they have purchased in carload lots; yes, sir.

Mr. KELLOGG. Mr. President, will the Senator yield to me to make a suggestion?

Mr. GORE. I yield; yes, sir.

Mr. KELLOGG. It takes, as I recollect, about 10,000,000 bushels of wheat to keep the mills supplied constantly. Now, if they are compelled to buy at $2.26, and by reason of the Government taking off the inhibition about a free market the price goes down to $1.50, the result will be that the millers are not going to keep up the supply of the country. They will not buy the wheat.

Mr. KING. Mr. President, will the Senator from Minnesota permit me to ask him a question?

Mr. KELLOGG. Yes.

Mr. KING. It seems to me that instead of complaining about the Government you ought to praise the Government, because the Senator from Minnesota said, when he was occupying the floor a little while ago, that if the Government had not fixed the price at $2.26 wheat would have gone to $4 or $5 a bushel; so that if these bakers and millers had bought the flour or the wheat at $5 a bushel, as was suggested, the indemnification would be very much more than now, when they bought it at $2.26.

Mr. KELLOGG. The Senator knows, if he knows anything about the matter, that where there is a free market the miller who buys a million bushels of wheat in order to manufacture it into flour sells a million bushels of wheat on the same day, or sells the flour on the same day that he buys the wheat.

Mr. GORE. And is allowed to hedge against it. He hedges against the loss.

Mr. KELLOGG. Absolutely; although he is prohibited from doing so under this law.

Mr. GORE. If the market had been left open, they would have hedged and protected themselves against loss. They were denied that privilege. The markets were closed. Shall the Government oblige innocent men to take these enormous losses?

I simply wish to add one thing to what I have said to illustrate my general position: I was not in favor of the Government getting into this situation at all. We find ourselves, I will say particularly to the Senator from Washington, pretty much in the situation of a man surrounded by a circle of fire, with inflammable material increasing the nearer it approaches to him. In that situation I would advise the man to get out, and to take the thinnest place in the flame, if he could determine which it was; but he ought to get out from the fire before it gets worse.

That is the situation in which the Government is in this matter. It has created an artificial situation. When we change the artificial situation we have got to get out, and we have got to take our losses as we go.

The SECRETARY. The next amendment is on page 3, line 21.

Mr. KING. Mr. President, there has been no vote upon this amendment for indemnification.

Mr. GORE. I will say to the Senator that the only reason that was inserted in addition to "protection" was because that word was supposed to relate to anticipated losses, while "indemnification" applies to cases where they had already purchased it and had it on hand when the change in the situation came. I think the amendment ought to be adopted.

Mr. POINDEXTER. Mr. President, I just want to call attention to the proposition that the provision which has just been discussed by its terms requires the Government to protect every dealer in wheat from any loss—the most unprecedented thing that has ever been suggested in any legislation in the history of Congress.

While I am commenting upon this bill, I should like to ask another question of the Senator from Oklahoma as to the purpose of section 4 of the bill, which gives the President complete control over all grain exchanges and all dealers in grain, and authorizes him to issue licenses to regulate their practices and transactions and operations. The Senator certainly does not contend that that vast authority is necessary in order to enable the Government to fulfill the obligation which it has assumed—that it should pay $2.26 a bushel for the 1919 crop of wheat. Why do you continue to keep this great branch of the industry of the country under Government control?

Mr. GORE. Mr. President, that is a continuation of existing law. A section is contained in the food-control act vesting that authority. I do not know that it is very material now, because if the Government purchases grain and licenses those who handle it from the beginning to the end of its processes, there will be very little opportunity for dealing in it on the boards of trade.

I took up this question rather biased in favor of the Government taking its hands off the situation, as far as practicable, at once, and establishing a free and open market and permitting the trade to handle the situation; but the more I investigated it the more strongly I was driven to the conclusion that it was not practicable, and I conferred with a good many members of the trade. I may say that I conferred with representatives of the Chicago Board of Trade. I think they finally reached the conclusion that the situation was so artificial, not only in this country but in other countries, that the trade would not be equal to handling this crop.

I do not think that is really very material. We have a provision farther on, as the Senator will observe, making it the duty of the President to establish a free and open market as soon as practicable. That was as far as we felt justified in going.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. GORE. I yield; yes.

Mr. NELSON. I want to suggest to the Senator from Oklahoma this idea: That if you do not include boards of trade and grain exchanges the speculation that prevailed before the Government entered into this wheat guaranty would prevail, just as last year in the case of the previous crop, if the boards of exchange and grain exchanges had been open and there had been no guaranty wheat would have been from $3 to $4 a bushel. Now, if the Government guarantees the price of it, we do not want these grain exchanges to step in and interfere with the operations of the Government. If you throw the door open to the grain exchanges, they will hamper the Government in its operations in carrying out this guaranty.

Mr. GORE. Mr. President, that might or might not happen; of course, I can not tell; but other countries have fixed a price on wheat. They will undoubtedly attempt to manage the sale of wheat this year so as to minimize their losses. Therefore there will not be a world market in wheat. It will not be flowing in an open market, here or elsewhere, and it was feared that an attempt to permit the trade to handle it would result in a sagging of the market here which would increase the Government's losses.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from New York?

Mr. GORE. I do.

Mr. CALDER. Has the Senator inquired carefully into the suggestion of the New York Produce Exchange as to the best method of handling this question?

Mr. GORE. I will say that I have considered a like proposition which was submitted by other exchanges. I ought in can-

dor to add that I was predisposed to favor those propositions which looked to the early establishment of a free and open market; but I was finally driven, and reluctantly driven, to the conclusion that the conditions are so artificial, and there are so many arbitrary forces in the situation, that it can not be done; and I think a large percentage of the trade reached the same conclusion. I was convinced, and many of them after hearing the arguments told me that they were convinced, that responsibility would be fixed upon the trade for occurrences for which they were not responsible, and which they did not have the power to avert; and I think many of them are satisfied to have this artificial situation continued for a year.

Mr. CALDER. Mr. President, a further inquiry, if the Senator please. I entered the Chamber just a moment ago and heard the Senator speaking on the subject, but failed to get the full gist of his statement. Is there a provision in this bill by which the people who buy flour, and who consume the bread made from flour, can get it any cheaper?

Mr. GORE. There is a provision in the bill which permits the President to see to it that the consumers of the United States are able to purchase bread at a reasonable price. I assume that that will be construed to mean upon the basis of the world price, so far as the world price can be arrived at. Of course, there really will not be a world market nor a world price, but a reasonable price can be arrived at by considering the price of the wheat which is flowing freely in the world markets and the prevailing prices on corn, rye, and barley in the United States. There is a pretty well-defined ratio between those grains.

Mr. CALDER. So the Government purchases the wheat and then takes the loss in the sale of the wheat to the miller?

Mr. GORE. Yes, sir; that can be done under this bill. I assume it will be done.

Mr. CALDER. All the time having in mind the world market price of wheat?

Mr. GORE. Yes, sir.

Mr. CALDER. The commissioner in charge of the wheat problem will have to meet the world price to sell it?

Mr. GORE. As far as that can be arrived at.

Mr. KIRBY. I wish to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Arkansas?

Mr. GORE. I yield.

Mr. KIRBY. The amendment I proposed would have done what the Senator from New York asked about. There is nothing in the bill now which requires that it shall be done. Is it any less desirable that the Government shall manipulate the market to make $1 wheat sell for $2.26 to the consumer than that the exchange shall do it?

Mr. GORE. Mr. President, I may say that apart from that consideration, a very practical consideration which enters into my mind is substantially that the proposition was submitted to the House, and it was defeated by an overwhelming majority. It is my understanding that an effort will be made by the managers of this bill in the House to concur in the amendment without referring the bill to conference. I think that is extremely desirable. A good many things will have to subordinate themselves to the desire to pass this legislation before final adjournment. The Senator realizes, of course, that in the closing days of a Congress we sometimes do things that we would not do if we had more time.

Mr. PENROSE. I would like to address an inquiry to the Senator from Oklahoma.

Mr. GORE. I yield.

Mr. PENROSE. I notice all through the bill that certain extraordinary autocratic powers are imposed on the President, and that he is directed to investigate the operations of numbers of transactions and perform certain duties. It seems to me we all know that that is a delusion and a deception. Does the Senator believe that the President will ever know a thing about the duties and responsibilities imposed on him specifically under the bill?

Mr. GORE. I think not.

Mr. PENROSE. The Senator does not think he will ever know anything about it?

Mr. GORE. No; I do not.

Mr. PENROSE. In other words, he will delegate these vast powers to some petty autocrat sitting in a department.

Mr. GORE. If the Senator pleases to use that term.

Mr. PENROSE. That is really the outcome as I take it.

Mr. GORE. The duties will be devolved upon subalterns.

Mr. PENROSE. Then it seems to me the bill ought to be amended throughout, and instead of giving the public the thought that the President is going to perform these extraordinary duties, just come out and say that a clerk in a bureau may be directed by the President to carry them out, and let us know where we are. I can live under a benevolent despotism, Mr. President, where I know the despot and can get to see him, but I sympathize with the opposition of the people in Europe to an autocracy. I have had two years' experience of petty bureaucratic autocrats invested with delegated authority, delegated originally by Congress to the President.

Mr. GORE. There is a weird sort of charm about some kinds of ignorance. It sometimes is bliss.

Mr. PENROSE. I understand that; but there is no weird charm but a brutal reality when citizens come to Washington and are insulted and turned aside with scorn by these petty bureaucratic autocrats invested with these extraordinary powers by delegation from the President, who will never know anything about how these duties are discharged except in the most casual, superficial, supervisory way.

Mr. GORE. Would the Senator deny those who are vested with "a little brief authority" their inalienable right to "cut fantastic tricks before high heaven"?

Mr. PENROSE. No; I would not. During the war, when citizens of Pennsylvania and from other parts of the country would come in to see me with the air black with profanity at the way they were treated by some petty autocrat or the utter inability they discovered to get any information even as to their status, I was willing to put up with it, although I thought the whole system wrong, even under war conditions. But now, when we are out of war, I think at least we should return to constitutional methods.

Mr. GORE. Did the Senator hear the speech of the Senator from Nebraska [Mr. HITCHCOCK] this afternoon?

Mr. PENROSE. It is impossible for me to hear all the speeches in the Senate.

Mr. GORE. The Senator does not know then that democracy and good will are now universally prevalent and that everybody is going to promise to be good.

Mr. PENROSE. I have no doubt that is true, particularly in relation to Ireland, but I unfortunately missed that part of the Senator's speech. I will read it carefully. But what consolation is it to the unfortunate citizen who gets into the clutches of these bureaucrats and whose property is threatened with ruin to be assured that humanity will rule abroad, and that an international conscience perchance prompts the petty autocrat of the moment? There is no consolation in it that I can see.

Mr. GORE. Mr. President, I think the Senator and myself are not in so wide a diversion on that point. I thought the Constitution was the bulwark of personal rights and property rights in war as well as in peace.

Mr. PENROSE. I thought so once, but no longer.

Mr. GORE. I thought breaches made in the Constitution in times of war would afterwards be cited by Bolshevists as precedents to follow in times of peace. Of course the Senator realizes my situation. I look upon the bill now pending as I would look upon a major operation if I had to undergo one. I would not like it and I would not proceed to the table under the knife with any special pleasure, but under an overpowering and inevitable necessity I would go. We are in a predicament, as the Senator knows, and have got to get out of it one way or another.

Mr. PENROSE. I think we are in a predicament on account of the economic follies which attended the prosecution of the war in America, and I suppose I will have to vote for the bill.

Mr. GORE. I will say to the Senator that I will use my influence with the administration to have the acts of these autocrats to which he alludes referred to the league of nations.

Mr. PENROSE. That is very kind in the Senator. Will he go to Paris to carry out that program?

Mr. GORE. I do not control the issuance of passports.

Mr. PENROSE. I was only going to suggest in great sincerity that all through the bill the language be amended so as to read that whenever the President shall delegate the power to a clerk or other qualified citizen of the United States he shall then go on and be permitted to discharge these duties.

Mr. GORE. If the Senator can divest that amendment of any suggestion that would indicate any impeachment of the infallibility of those in authority I might support it.

Mr. PENROSE. Would the Senator be willing to support such an amendment? It might expedite the passage of the bill.

Mr. GORE. It seems to me to carry a veiled intimation against the infallibility of those who have been administering this law.

Mr. PENROSE. Does the Senator object to that, because I openly challenge their infallibility or their capacity?

Mr. GORE. I will have to refer that to the executive council.

Mr. PENROSE. Mr. President, I shall not pursue the inquiry any further. Perhaps when the league of peace is per-

fected the question of wheat will be a matter of world-wide regulation and the wheat raised in Turkey will be on a par with that raised in North Dakota.

Mr. GORE. I am afraid the Senator lacks faith in the new light.

Mr. PENROSE. I am full of weaknesses and frailties, I know; but I hope that wheat will be one of the things that is taken care of in the international league of nations.

Mr. SHERMAN. Mr. President, I suppose eventually this bill will pass.

Mr. PENROSE. Will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Pennsylvania?

Mr. SHERMAN. I yield.

Mr. PENROSE. The remarks of the Senator from Illinois are always interesting, and in order that he may have a fitting audience I should like to suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Jones, Wash.	Nelson	Sherman
Calder	Kellogg	New	Simmons
Curtis	Kendrick	Norris	Smith, Ga.
Fernald	Kenyon	Nugent	Smith, S. C.
Fletcher	King	Overman	Smoot
France	Kirby	Pittman	Spencer
Frelinghuysen	La Follette	Poindexter	Sterling
Gay	Lenroot	Pollock	Sutherland
Gore	Lewis	Pomerene	Swanson
Gronna	Lodge	Ransdell	Thompson
Harding	McKellar	Reed	Trammell
Henderson	Martin, Ky.	Shafroth	Vardaman
Jones, N. Mex.	Moses	Sheppard	Wolcott

Mr. LEWIS. I desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Delaware [Mr. SAULSBURY] are detained on official business.

Mr. SWANSON. My colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of illness.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present. The Senator from Illinois is entitled to the floor.

Mr. GORE. I should like to give notice now that I intend to try to hold a quorum to pass this bill to-night. I shall exhaust all the methods known to parliamentary usage to obtain it. I do not say that in the way of a threat, but Senators realize that we must legislate. I feel obligated to get the bill out of the way and not trespass on the time and patience of the Senate.

Mr. SMITH of Georgia. I hope the Senate will sit until 10 o'clock to-night, and it is the purpose of a number of us to do all in our power to keep the Senate here until that hour.

Mr. LEWIS. Not to hold it after 10?

Mr. SMITH of Georgia. Not to hold it after 10.

Mr. SWANSON. I can not agree to that. It depends on how business is progressing. I do not understand that there is any agreement to adjourn at 10.

Mr. SMITH of Georgia. If we hold the Senate until 10, we will be doing so much better than we have been doing that I feel encouraged by the suggestion. I shall not resist remaining longer, but I certainly shall insist that we stay here and work until 10 o'clock.

Mr. SWANSON. I think the Senate should stay and dispose of this measure. If the Senate will stay and see that this legislation is disposed of——

Mr. PENROSE. Is the Senator willing to adjourn after the disposition of this measure?

Mr. SWANSON. I will not say that. There is an executive session desired.

Mr. PENROSE. There seem to be two major generals on the other side. Whom is the minority to select?

Mr. SWANSON. We do not select major generals on this side. Every Senator here has his own individual will and judgment. It is only my individual wish to stay here.

Mr. PENROSE. I should like to have the opinion of the Democratic whip.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. SHERMAN. Mr. President, I do not know why there is such an apprehension on either side of the Chamber when I take the floor.

Mr. HENDERSON. Will the Senator yield to me for a moment?

Mr. SHERMAN. I yield.

THOMAS G. ALLEN.

Mr. HENDERSON. I should like at this time to call up the bill (H. R. 4610) to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States and making an appropriation therefor. It is a bill that was referred to the Committee on Claims after having been passed by the House of Representatives, allowing $500 to Mr. Allen, of the Interior Department.

Mr. PENROSE. If I can be assured that the bill will not lead to prolonged debate, so as to delay the pending measure, I shall not object.

Mr. HENDERSON. I think I can assure the Senator that if it does——

Mr. SHERMAN. That will be the condition.

Mr. HENDERSON. I shall not press its consideration.

Mr. PENROSE. All right.

Mr. HENDERSON. I ask unanimous consent to proceed to the consideration of the bill.

Mr. SMOOT. Let it be read first.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas G. Allen, the sum of $500 in full settlement of all claims against the Government for injuries received while employed in the United States General Land Office, Washington, D. C., December 27, 1915.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. HENDERSON. On December 27, 1915, Mr. Allen was engaged in working in the Interior Department and in the line of his duty in an official capacity was seriously injured. Some of the filing cases fell upon him after he had been instructed to get certain documents. The claim was approved in the House committee for $1,000, but only passed for $500. It was passed December 19, and I was appointed a subcommittee of one by the Committee on Claims to investigate this claim. I made a very thorough investigation of it. It is just. In my opinion Mr. Allen should receive $1,000, but I have not changed the amount fixed by the House.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOURNAL OF GRAND ARMY ENCAMPMENT.

Mr. SMOOT. Will the Senator from Illinois yield to me?

Mr. SHERMAN. I will.

Mr. SMOOT. The House passed House concurrent resolution 69 for the printing of 1,500 copies of the Journal of the Fifty-third National Encampment of the Grand Army of the Republic. I report the concurrent resolution from the Committee on Printing and ask for its immediate consideration.

The concurrent resolution was read and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-third National Encampment of the Grand Army of the Republic for the year 1919, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

GUARANTEED PRICE OF WHEAT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder.

Mr. SHERMAN addressed the Senate. After having spoken for some time,

LEAGUE OF NATIONS.

Mr. SHAFROTH. Mr. President——

Mr. SWANSON. I shall object to the consideration of any bill that interferes with the passage of the pending measure. We have already agreed to-morrow that the entire calendar shall be called, and this bill ought not to be interfered with by any unanimous-consent agreement now. I shall object to any further unanimous-consent agreements.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Colorado?

Mr. SHERMAN. I do.

Mr. SHAFROTH. I have a most splendid editorial from the Christian Science Monitor upon the subject of the league of nations. I ask that it be printed in the RECORD.

Mr. LODGE. I ask that it may be read.

The PRESIDING OFFICER. Is there objection?

Mr. SMITH of Georgia. It may be offered to-morrow morning.

The PRESIDING OFFICER. Objection is raised.

Mr. PENROSE. I should like to hear it.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. SHERMAN. Yes, sir.

Mr. WILLIAMS. In my own time——

Mr. LODGE. The Senator from Mississippi has not got the floor.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. LODGE. The Senator from Illinois has the floor, but I have no doubt he will yield to the Senator from Mississippi.

Mr. WILLIAMS. I have no doubt of it, either. I ask the Senator from Illinois to yield to me.

Mr. SHERMAN. I yield to the Senator from Mississippi, if the Chair please.

Mr. WILLIAMS. Very well.

The PRESIDING OFFICER. The Senator from Illinois yields the floor to the Senator from Mississippi.

Mr. SHERMAN. No; I do not yield the floor.

Mr. WILLIAMS. I am not actuated by the idea of taking up the time of the Senate.

Mr. SHERMAN. I do not yield the floor; and if the floor is to go, I withdraw my consent to yield.

Mr. WILLIAMS. This editorial is entitled "Aude Sapere." At any time while I am reading this if any Senator will move or will suggest that I quit reading it and have it inserted in the RECORD, I will do so.

Mr. WILLIAMS proceeded to read the editorial.

Mr. SHAFROTH. I ask unanimous consent that the Senator from Mississippi be permitted to have the editorial printed in the RECORD.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent that the editorial be printed in the RECORD.

Mr. WILLIAMS. I join in that request.

The PRESIDING OFFICER. Is there objection?

Mr. PENROSE. I object.

The PRESIDING OFFICER. Objection is raised.

Mr. WILLIAMS. Then I shall proceed to read.

Mr. WILLIAMS resumed the reading of the editorial, and having read some time, said:

Mr. President, I now ask unanimous consent of the Senate to insert the remainder of the article in the RECORD.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The editorial entire is as follows:

[From the Christian Science Monitor, Boston, Feb. 24, 1919.]

AUDE SAPERE.

To-day Mr. Wilson lands in Boston Harbor. He lands there as the first President who has ever left the shores of America. And he lands there bringing with him the first draft of the great document he went to Europe to attempt to induce the peoples of the Eastern Hemisphere to sign. For years the President of the United States has been a student of history. He knows intimately the story of the struggle of the human race for liberty and equality. And it is safe to say that there is no page of the story he knows better than that which tells of the signing of the Declaration of Independence of the United States. "We hold these truths to be self-evident," declares that famous instrument, "that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness." Looking round the world, in the autumn of 1918, the President must have been struck by the apparently unfathomable gulf which still stretched between the nations and this ideal. Here and there a nation had won freedom at a great price. But even these nations were being compelled to build ships and to recruit huge armies to prevent the tide of autocracy from flowing across their meadows or through the streets of their towns.

The President of the United States sat down as it were in the quiet of the White House, with the vast oceans heaving their rollers eastward to Europe and eastward to China and Japan, to think out his plan. With all the records of the war at his disposal, with a peculiar opportunity for reading and analyzing the thoughts, the passions, and the ideals which were sweeping through the consciousness of the world and the minds of its statesmen, he built up, little by little, the theory of the league of nations. Of course it was a theory and nothing but a theory then. Of course it is to a great extent a theory now. But it was at least a theory which to have conceived, even if it were destined to be shattered, was better than not to have conceived anything of such a nature at all.

When Mr. Wilson gave his gift to the world he must have smiled a little to himself. Already he must have heard in the Government offices and in the clubs, in the chancelleries, and in the war offices the Homeric laughter of Mars and Jupiter, and the acid criticism of all of those whose training had left them with little or no confidence in the power of good. But Mr. Wilson was a statesman, accustomed not only to encountering criticism and opposition, but to grappling with every strain of public opinion. He determined, therefore, to convince the world that he was right, that the hand of the Lord was not shortened so that it could not redeem. To do this, however, he felt that he must attend the peace conference in person. That he must be prepared to expound and explain his views to the statesmen of other countries. In short, that the issue before the nations was one fraught with such tremendous consequences for humanity that the opportunity for redemption from the old fallacies and the old fetters must not be lost.

What, then, Mr. Wilson saw as he looked around the world was surely something like this: The peoples of the earth had been engaged in the conflict of Armageddon. Principle, as was inevitable, had conquered. That is to say, those nations which had adhered most closely to truth had won the day. The danger, however, was this, that the victors might, for very want of better direction, waste the victory by enacting a peace of revenge. The excuse for such a peace was unfortunately, perhaps, tenfold that of any ordinary war. Yet such a peace could only have laid the train for another war. In such circumstances what was Mr. Wilson to do? He saw the danger of the situation if it were left to drift. He saw the innumerable difficulties of any attempt to stop the drift. And he must have seen also the limitations of his own scheme for saving the situation. Something, however, it was obvious had got to be done if the situation was to be saved. Now, audacity, Danton has told us, is the way out of every difficulty. Mr. Wilson's scheme of a league of nations was, in the circumstances in which it was launched, Dantonesque in its audacity. But, curiously enough, it was also the most Fabian conceivable. To have united Danton with Fabius was surely a triumph of diplomacy.

What Mr. Wilson undoubtedly had in mind in evolving the league of nations was the idea expressed by Lord Grey in the phrase that if the sacrifices of the war could not be utilized to prevent future wars it would be a calamity to the race. The type of mind of the President and Lord Grey is, in many ways, identical. The President, thinking over the same ground as Lord Grey, in the privacy of his own home resolved independently his league of nations. That was one thing. But to induce the nations to accept it was altogether another. He sailed for Europe. In Europe he found the very condition of opposition he had foreseen. But he found also a certain number of brilliant thinkers and the great majority of the people on his side. He was fortunate in winning early the warm friendship and support of King George and of Mr. Lloyd George, and with their help much of the latent questioning of his scheme was overcome.

So Mr. Wilson comes back to America with the league of nations in his dispatch box. The nations of the world have bowed to the idealism of the President, and, with the mental reservations typical of their national characters, have agreed at least to attempt the great renunciation. What do they all hope from it? Something probably in exact proportion to their own trust in the power of good. And this, no doubt, is precisely what each will eventually receive from it. Anyway, a start has been made in a new era—the era of Armageddon. And the start has been made because the President of the United States has not flinched from the old proverb, "Aude sapere"—dare to be wise.

GUARANTIES TO PRODUCERS OF WHEAT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder.

Mr. SHERMAN. Mr. President, it is now time to pay the fiddler. We are engaged in that happy process to the extent of a thousand million dollars. When anybody undertakes to interfere with the market, he must either be prepared to undergo that process or retire from the proceedings early. A great many of my constituents have undertaken to handle all the production in a year of a certain kind of cereal, and they have inevitably either made a fortune or come to grief.

This was a vast undertaking by the Government to corner the wheat market. It had it to do, or it would necessarily have let the market take care of itself; it would have been the ordinary result. Prices of every species of merchandise used in the war—and it included about all of it—were either to be Government controlled or market controlled.

If the Government undertook to control it, it could either buy all that was offered on the open market and sell it the best it could in the event of the war's ending and the prices falling, or it could guarantee a fixed price. The Government adopted the latter process by an act of Congress, under which, by an Executive order, according to power delegated, a price of $2.26 per bushel was fixed on this year's crop of wheat. The Government either had that to do or without its action the commodity would have gone to the market price measured by the demand.

The market price on many other things reached a very high figure. Wheat would have gone to between $3 and $4 a bushel, just as it did during the Civil War, if the Government had not considered the question of fixing the price and buying whatever was offered in the market or whatever was needed for Government purposes as well as for our allies. If it had not made a guaranteed price the producer of wheat would have been discouraged; if the price had been allowed to reach the market level, whatever it might have been, the farmer would not have produced the full quantity of wheat needed for both public and private uses. So, to avoid that difficulty, to encourage the producer, the farmer was induced by a minimum price to put out a large acreage. Last year the price was fixed at something less than this year—$2.20, as I remember—while this year the price was fixed at $2.26 at the primary inland market.

When this was done, it encouraged a very large acreage of wheat. If it had not been done, naturally that acreage would have been put into something else and the result would have been a diminished supply of wheat on the market.

No one could foretell when the war would end, so the Government gave the guaranty for 1919. Unfortunately as to this guaranty, but fortunately as to everything else, the war ended for practical purposes on the 11th of November, 1918. This naturally led to a fall in the price. If the Government had kept its hands off the wheat market, the farmer would have produced wheat under the stimulus of the market price; that price would have reached figures which would have induced him to have put into wheat every acre he could—probably a much larger acreage than that under the Government guaran-

teed price. That condition might not have continued for so long a time; it might not have lasted long enough to cover both 1918 and 1919; but while the high market price prevailed it would have caused a large acreage of wheat. The Government, however, after it had fixed the price and the war ended, faced a falling market.

I am satisfied with the provisions of this bill, taking it in its entirety, although there are some provisions in it I would not write if I were writing a bill to cover the subject; but none of us on a measure of this magnitude can have his ideas met entirely.

When the price began to fall in other markets we had to make some provision for the wheat crop in connection with the market price. In some markets wheat can be had very much cheaper than it can in this country. I understand that the importation of wheat is discouraged, if not actually prohibited, in our country. Wheat in Australia now sells for something less than a dollar a bushel. In that country there is a limited population and they produce a very large surplus. The whole population of Australasia is not equal to that of the State of Pennsylvania—in fact, it is a million less—and their wheat production can only be cared for by an export trade. They have sent some of it to other countries. Some of it reaches England and the ports of other European countries, but it is not allowed to come into our market.

The price of wheat flour and wheat products generally has not fallen, and it is not likely to fall until the Government begins to sell wheat at a lower price than that now prevailing in the market. Sometime the Government can do this. After it has bought all the wheat that is offered, it can turn around and sell it, and can fix the price of the sale. The Grain Corporation, with its office in New York, is a great distributing agency. It is an agency of the Government. If the Government will sell at a lower price, flour and wheat products will be available to the consumer at a lower price than they are now. I do not know whether or not the Government authorities intend to do that. The administration can keep wheat at $2.26 a bushel until the 1st day of July next, or until the entire wheat crop of 1919 is harvested, thrashed, and turned into merchantable form.

If it wishes to keep up the price of flour products to the consumer for that length of time, it can do so, and it will not lose a dollar in this transaction; but the Government faces a loss on the $2.26 guaranty, or its equivalent, only when it sells at a lower price than the guaranteed figures on just so much as it sells below that figure. It will use this fund on the theory that there will be 900,000,000 bushels of wheat next year, or, taking the winter wheat, that is a potential crop now and adding that to the spring-wheat sowing, and adding it all together, the crop of 1918, and estimating it at from 900,000,000 to 1,000,000,000 bushels, a guaranteed price on that of $2.26, if the Government sells it at $2.26, will cost the Treasury nothing; the taxpayer will be out of pocket nothing; but the American consumer will, during all that time of an artificially maintained price, pay the difference. The Government must decide whether it wants to do that or not. When it is generally known that the $2.26 figure, or its equivalent, is the Government-maintained figure, and every bag of flour and all the wheat products of the country are sold on that basis, just how long the Government will be able to maintain its serenity, in the face of criticism, and save the Treasury from a loss nobody knows. It will have that to do, or we will have to face paying the bill. Just so much as the Government sells its wheat under the $2.26, or its equivalent figure, that much the taxpayer or the Treasury stands to lose—there is no escape from it—or the consumer must pay it. In all the prices in which the Government did not interfere, in which markets sought their legitimate levels, based upon the demand for the article—as with rice, with cotton, with peanuts, with cotton products, with everything raised in every area, North or South, that was not interfered with by the Government and the general market outside the Government bought for its own use for war purposes—on all those matters prices sought their legitimate level. The consumer paid the bill in that case.

Some criticism has been made here on the floor of the Senate because the Government did not fix the price of cotton. We remember, a few years ago, when cotton was down to some 6 or 8 cents a pound. Under the pressure of war requirements it rose to many times that figure, an increase of four or five hundred per cent. Some criticism was made here at times—and I probably was guilty of it myself occasionally, as a matter of argument, at least—because there was no Government price-fixing on this article. When the Government did not fix the price on cotton the consumer of every cotton product paid the bill. Every person who bought cotton fabrics, who bought cotton for any purpose in any form, either for clothing or any other purpose, paid his share of that bill. Now, if it comes to a matter of abstract justice, there is no more reason why the consumer of flour products should not pay his proportional part of the bill than there was why the user of cotton products, during these years of high prices, should not pay his share of the bill on those articles.

If the Government had laid its hand on cotton and fixed its price, it would have had to do one of two things. Either it would have diminished the consumption of cotton, and it thereby would have done an injustice to the producer, or it would have had to do what it did with wheat; it would have guaranteed the price of every bale of cotton produced in the United States in order to keep up the production, the inducement being the only way in which you can make a voluntary production possible.

That was not done, and you and I and the rest of us have paid our part of that contribution. The high price of cotton products has been the natural result of the high price level on the market. As a matter of abstract justice, although the first process is distributed among millions of people, there is no difference between them. Everybody has paid from a few cents to many dollars of this cost. When, however, the Government has guaranteed a price and it finds itself with from 900,000,000 to 1,000,000,000 bushels of guaranteed wheat likely to flow into the bins of the Grain Corporation, or that it becomes liable for upon its guarantee, then the question is presented in a very practical way; so that the Government must stand the loss or it must turn around and sell at the artificial guaranteed price. If it sells at that price, no miller can mill wheat and sell the flour to the consumer, or the by-products outside of the flour, at a low price. The baker can not sell bread at a low price. The miller can not sell bran and middlings, shorts, or anything else at a low price. The natural consequence will be that the price of wheat products will be maintained.

If that is true, the Government will lose nothing. The revolving fund of a thousand million dollars provided in this bill will continue in use as a balance for the purchase of grain until the time has expired in 1920, covering the period for the liquidation of all this transaction; and then, if the Government keeps up the artificial price of $2.26, or its equivalent, it will have that entire sum to turn back into the Treasury and there will be no loss; but I do not think that will be done. I do not believe anybody here who votes for this bill expects it to be done. The public will understand that if the present price of flour is maintained, if bran and shorts and all the by-products of wheat maintain their present prices, the consumer will begin to complain.

The consumer will understand that the Government is responsible for the high price. It can not be the grain exchange this time. No board of trade in Chicago, no grain exchange in New York, none of the exchanges in Minneapolis or Kansas City will be responsible for the present price. The people will know where to put the responsibility.

That is why the Government will not stand the pressure. Even this bureaucrat, of whom my friend from Pennsylvania [Mr. PENROSE] spoke very feelingly awhile ago—and I sympathize with him a great deal—even this gentleman, with his metallic cheek and his nerve of drawn steel and his utter insensibility to criticism, would not be able to stand the storm of indignation that would sweep down on him if he undertook to keep the price of wheat products up for all this period, say to 1920, or until the 1919 crop was disposed of. That is what it means, because we will live on the crop of 1919 over into 1920; and I think for one time in the history of Washington there will be some gentlemen at the heads of bureaus whose ears will tingle and who will have no maiden's blush on their cheeks when they hear it. They will not stand up against it. So it means a lowering. That is what I meant when I said, at the beginning here, that the time for paying the musician had arrived—a thousand million dollars of it.

I remember when wheat sold at 60 cents a bushel. Not very many years ago it sold for $1 and less; it sold down to 94 cents. There is no money in wheat under $1. Every wheat producer who keeps books, and who knows what his land is worth, and his agricultural implements, and his team—or his tractor, nowadays—his help, the depreciation of his machinery, who conducts his business like any other business man conducts it, knows that wheat can not be produced unless he goes up into Canada, across the line, where there is cheaper land, for less than $1 a bushel and make anything out of it.

Wheat will come down from $2.26. Say it will come down to $1.26 or $1.25, and that is as low as we could expect it, say, within the next year, by the time the 1919 crop has been harvested and disposed of. When that is done, by taking the estimates here we can tell how this bill was drawn, and that the

Senator from Oklahoma and his colleagues on the committee were approximately correct, as nearly correct as it is possible to be in a transaction of this kind.

In the United States, for instance, it is estimated that in 1919, with the increased acreage, we may have nearly one thousand million bushels of wheat. The crop of 1918 was over 900,000,000 bushels—917,000,000 bushels. If it should run up to one thousand million bushels, and all of it should be claimed from the Government at the guaranteed price, and the price should drop to $1.25 or $1.26 a bushel, it means a loss to the Government of $1 a bushel, and with one thousand million bushels it would absorb the amount of the revolving fund provided in this bill. If the decrease is less than the $1, it will diminish the loss by that much, so the appropriation provided in the bill is within the limits of safety. If the decrease is less than $1, we will have something left to turn back of this fund. If not, we have got to pocket the loss and go on.

We can reconcile ourselves to that, because, whatever the loss may be—whether the entire amount of this appropriation or only a part of it—that loss is a part of the cost of the war. It is as much a part of the expenses of this war as the powder that has been burned, the uniforms worn out, the hospitals that have been built and that we will not need, or these concrete buildings that are around on the Plaza, that will stay here in order that the visitor may know that there are old ruins in America as well as in Europe. [Laughter.]

We are running a hotel, a series of hotels, a series of boarding houses. The boarding-house prune and oatmeal are found in the greatest abundance in these concrete buildings across here that are now occupied. They will be there a long time, and they are a part of the cost of the war. What I said here one time, a year or two ago, will apply there. The hardest thing this Government will have to do will be to get rid of these unsightly objects. The Plaza is doomed to be the habitation of Government eyesores, it seems, indefinitely. We tried to get the old buildings down, and about the time we got them down these others went up. But it is a part of the bill we have to pay; and we will pay the bill for the guaranteed wheat price in just the same way.

Some criticism has been made occasionally of the principle of the Government appropriating this money and providing the machinery to liquidate the transaction. I think it ought to be done just as economically as possible. I do not think the Government ought to throw up its hands and quit. I believe we ought to get out with as little expense as can be well contrived, and that is what this bill is undertaking to do. There will be some pay roll connected with it, and it is provided that the administrative expenses shall be not exceeding $3,000,000. I do not think that is out of proportion for a transaction of this kind, comprising a matter of a thousand million dollars and keeping account of wheat production running into that number of bushels, it is not out of the way.

The Government has undertaken to do a good many things. It has practically put all the grain exchanges of the country out of business. The commission men who have acted as agents between the buyer and the seller, all those men who own the property from the time it left the producer until it reached the consumer, have either been working on a very close margin, a small per cent fixed by the Government, or have gone out of business altogether. I never thought a grain exchange was a burden upon the business. I thought that that agent was a middle man who could not well be supplanted.

I know in some places for a good many years it has been sought to eliminate the grain exchange, but just as surely as the grain exchange is eliminated something else takes its place. There is no difference between an elevator run by a grange in North Dakota and one run by anybody else, except it is supposed that the one run by the grange or by the Government or by a combination of farmers will be run at a less profit than a private company which is maintained entirely for gain.

Time is the great test of those things. The bill goes on the idea somewhat, there is a hint in it, here and there in some sections, that a grain exchange is an object to be legislated against. It is provided that they can not carry on their occupation without taking out a license, and being subject to various penalties for violating what are called "evil practices" in the bill. The evil practices are enumerated and lie largely, not in any matter of statutory definition, but all are matters of rules to be made by the department. So undoubtedly when the rules are made they will keep a grain exchange or a member of it from making any money.

Whatever may be the result though, by the time the Government gets through, it will have had to frame up and put into operation something to take the place of it. The Grain Corporation is nothing but a big grain exchange. It is run by the Government. The stock is owned by the Government. It is headed by a very expert wheat man, Mr. Barnes, but when they get through with it somebody will have paid the bill. The Grain Corporation is run by men just like any other business enterprise. They must live and their salaries are paid. The office, the rent, the stationery, the clerical help, all the usual expenses belonging to a grain exchange are found in the Grain Corporation owned by the Government. Those expenses will not be charged up in all probability to the expenses of the war beginning in 1917 or before that time. It will be said that it was conducted at a very low price. The Government never charges up against its transactions any of these expenses and so they make a very good showing a large part of the time.

The United States has the largest wheat production to its credit of any other country in the world. In 1918 it produced 917,000,000 bushels. British India came in as the second area of production with 379,000,000 bushels, in round figures. Then came Argentina with 219,000,000 bushels. The various wheat-producing countries follow in their order, with Australia next with 121,000,000 bushels. I shall ask permission to insert all these figures at the end of my remarks, because I should like to have these productions in 1918 shown in order to compare the productions of other countries with that of the United States. Ordinarily our exports in normal times run from 100,000,000 to 120,000,000 bushels per annum. Under war conditions, beginning with, say 1915 or 1916, our exports ran to over 300,000,000 bushels. If the same figures would be maintained out of the 900,000,000 or 1,000,000,000 bushels in 1919, we would export one-third of it. That will not be maintained, however, under peace conditions. England will draw some of her wheat supplies from other sources. Some will reach her markets from Australia and some from Argentina. British India will resume her shipments, and of the 300,000,000 to 400,000,000 bushels produced in British India, a large part of it will seek the market of England. The foreign demand for our shipment will be lessened. Even if we kept up to the full export of 1917 and 1918 we could not expect to get the prices prevailing during the war in 1919 for our exports.

Wheat products are cheaper in London than they are in Washington. They are cheaper in every South American city; they are cheaper in any settled peaceful market at present, outside of Russia, than they are here. We are paying high prices. We are still living on a war basis. We will continue on wheat products to live on a war basis until the Government reduces the price of the $2.26 wheat. When it does that the taxpayer will make up the difference.

So it resolves itself into a contest between the consumer of wheat products and the man who pays the taxes into the Treasury that supplies this $1,000,000,000. How long that will continue I do not know. It depends a great deal upon public sentiment as to just how soon the public will discover where the responsibility lies.

Prices are not falling in this country very materially just now. They are not greatly falling in Washington. They will be kept up here for some time. Prices will remain at a fairly high figure for most manufactured articles for some time.

I do not wish to see wages fall, and still a large part of the high prices of merchandise is attributable to the labor cost of whatever the article may be. It is bound to remain that way until the prices change. The labor unions tell us there will be no reduction in wages. I do not wish to see the wages unduly reduced. Whether they can keep to the full war figure or not I very much doubt. I am opposed to any reduction in wages except as the reduction keeps pace with the reduced cost of things that the wage earner must buy. If there is any reduction, the fall ought to be made proportionately so that at the time there is a reduction in wages there will at least be a corresponding reduction in rent, in clothing, and in all manner of food products that go into his kitchen, so that in the end he will not be any worse off with whatever reduction is made than he is with the high prices that prevail all along the line at the present time.

The main thing, after all, is to readjust these prices so as to keep everything moving, so the pay rolls will still be alive, so there will be no idle men collected. Out in the soft-coal country there are many thousands of idle miners. It does not make any difference what the miner could get per day; if he has no work he earns nothing. High prices are continuing for him so as to use up at these figures whatever surplus he may have accumulated. So the first thing to consider is keeping the pay roll.

I would rather the high price of wheat would remain than that it should fall out of all proportion and that the pay roll

in the milling business would be diminished to the point where it hurts. Every time any industry stops it pinches the coal market. A mild winter calls for little fuel coal. The depreciation in values has led to the liquidation of war contracts and the sale of many merchantable products at lower prices. The result has been that a good many of the manufacturers have ceased operation. When the war contracts were drawn some of them had for a time to slow down or quit altogether. Their civil business was gone. They had no private orders. They began building up with war contracts. Some of them had to build their business from the ground. They had to go out and find their orders. While they are doing that some of their war contracts have been held up here under the bill validating informal contracts, that took its last step here to-day. Some $2,000,000,000 owing to contractors or manufacturers has been withheld from the normal current of the trade. This has contributed to diminish the amount of steam coal used in the soft-coal business. All of it together has contributed to make a rather dull winter.

So when we are speaking of lower figures the main thing, after all, is to keep the occupation going and its doors open. I would rather the mills would continue to run on $2.26 wheat and that the general public would have the cost distributed throughout the entire country than to have distress as the result of the closing down of business that would throw many of the men out of work.

I notice in section numbered 4 in the bill it is provided—

> That whenever the President shall find that operations, practices, or transactions, at, on, in, or under the rules of any exchange, board of trade, or similar institution or place of business cause or are likely to cause unjust market manipulation, or unfair and misleading market quotations, or undue depression or fluctuation of the prices of, or injurious speculation in, wheat or wheat flour, hereafter in this section called evil practices, calculated or likely to enhance unduly the liabilities of the United States under the said guaranties, he is authorized to prescribe such regulations governing, or may either wholly or partly prohibit, operations, practices, and transactions in wheat or wheat flour at, on, in, or under the rules of any exchange, board of trade, or similar institution or place of business as he may find essential in order to prevent, correct, or remove such evil practices.

I wish here to call the attention of the governmental authorities very briefly to the difficulties under which a miller will labor with this section unless there is a very liberal interpretation placed upon it by the men who operate it.

Some of the milling companies in the Mississippi Valley, from Minneapolis on south, in the northern spring wheat or the winter wheat, mill under contract very large quantities of flour. It is a very common thing for 100,000 barrels to be covered in a single contract. This would require between 350,000 and 400,000 bushels of wheat. A miller comes in to-day. He is licensed under the Government and the department having charge of the sale of wheat. He wishes to fill an order of that magnitude. He buys from the Government 400,000 bushels of wheat at a guaranteed price of $2.26. It is to fill the orders in some instances that will go out to his regular customers. If it is a single contract all to be delivered at once, there is no difficulty about it. He will mill it and in a very short time the whole quantity will be delivered to the purchaser. If, however, he is doing a custom business, he buys that quantity of wheat expecting to sell it in the next 30 or 60 days to the trade. He mills his flour out of it, and if the Government does not keep wheat at $2.26 for him until he has disposed of the entire purchase, the miller is bound to lose on the contract. There is no way to guarantee him against the loss.

Under the old way in the open market with a grain exchange open, he could write what amounted to an insurance policy for himself which was absolutely certain. Every miller handling a considerable volume of business guarantees himself against loss. If he bought 400,000 bushels of wheat at a fixed price, he sold on the market through the broker 400,000 bushels of wheat. It made no difference whether the market went up or down; one balanced the other; and the process familiarly known to the trade as hedging was a perfectly legitimate transaction by which the miller was able to buy for himself on the market an insurance policy covering the risk. So if he came out of the transaction and liquidated on both trades he would even up on the transaction and have the legitimate profits coming from the milling, and those profits on the transaction would be his without loss on the fluctuations of the market. He is not allowed to do that to-day. If a man were to pursue that process here on a board of trade and sell short on the one hand and be long on the other, he would be fined in the sum of thousands of dollars for such a transaction. That is where the miller must have the care of the Government in milling his wheat, and until all of a given purchase has been turned over on the market to the consumer. If that is not done, milling will be a much riskier business than buying or selling on a margin in a grain exchange when there are no governmental regulations.

I trust that Mr. Hoover or his aids or those in charge of the Grain Corporation will so handle section 4, and I am willing to trust them for it, that the millers of the country will be able to transact business without bankrupting themselves.

There were some abuses under the old way of buying and selling wheat on exchanges; I have no doubt of that. But for one abuse there were ten legitimate transactions.

This entire section is too much, if I were to fall into a critical mood with reference to it, written with the idea that every grain exchange and every broker is to be watched because he is a gambler. The most of the business transacted on the boards of trade and grain exchanges of the country, where there was no regulation on that subject, were not gambling transactions. I know many times the volume of wheat was sold in Chicago and Minneapolis. I know, too, that many times the manufacture of cotton cloth from the mill was sold. If all the cotton cloth from the mills were aggregated in a single year and then all the sales of cotton cloth were aggregated on the other hand, it would be found that many times the volume manufactured had been sold. It may be argued that there was speculation. That would not answer it. There might be some speculation, although ordinarily it does not follow, in that product. But the mills sell to the jobber and the jobber sells in many instances again to the dry goods jobber or sells to the retail merchant, so that there are from two to three times the actual volume of cotton cloth turned over which comes out of the mill before it reaches the user or the consumer; but that does not argue that there is any gambling. It only argues that somebody in handling the volume of cloth coming out of the mills turns it over that number of times before it reaches the user. A great deal of the volume of grain exchanges can be explained in the same way. The latter part of section 4 provides:

> The President shall take seasonable steps to provide for and to permit the establishment of a free and open market for the purchase, sale, and handling of wheat and wheat products upon the expiration of this act.

This act, I believe, expires in 1920, as I have indicated. The President must take seasonable steps to remove the hand of the Government from the natural markets of the world. These regulations will be taken off; the Grain Corporation will liquidate its business; this revolving fund will be wound up; the Government will ascertain its loss; the loss will be deducted, to be drawn out of the Treasury; it will be charged up to profit and loss in the bill for conducting the war. I think that is the business way to do it. I think the Committee on Agriculture and Forestry and the chairman have taken the right way out of this difficulty.

The only thing that I have doubt about is how long the Government will keep the prices of wheat products to the consumer high enough to get even or let them fall, so as to take some of the loss. We are bound to have a loss, and we had just as well take it at one time as another.

When the Government takes its hand off the exchanges, when the natural laws of markets reassert themselves, we shall then go back to the natural price fixed by supply and demand. I suppose the last four lines here in this section anticipate that period. It is proposed to recognize the right of the market to resume its normal operations.

Our export trade is provided for in section 5, which provides:

> *Provided*, That as between the two articles mentioned preference shall be given to the exportation of flour, except when the public interest would, in the judgment of the President, be injuriously affected thereby.

At some time we shall have to take our entire Government regulation off exports. How long we can continue under present conditions is a considerable query. England has very materially interfered with our exports. There is a long list of prohibitions. It covers a very large variety of manufactured merchandise. She will take our flour exports until she can begin to buy flour cheaper some place else. Then, by the natural laws of the market, she will either cease buying or she will some morning quietly add to the prohibited exports from this country that of wheat and its products. She is taking care of herself. I do not blame her for that. I think if ever I had to abjure my allegiance, if I had that misfortune as an American citizen, I should prefer, if I had to expatriate myself, to swear allegiance to the English Government rather than to any other one under the sun. I would be guided in my choice largely because England takes care of her citizens and subjects as well as, if not better, around the world than any other country of which I know. I do not blame her for taking care of her own people on these prohibited exports of ours. She is only undertaking to return to the normal traditions of trade and manufacture. She is doing that to protect her own market and her own pay rolls.

The Senator from North Dakota [Mr. GRONNA] referred to other countries that have given guaranteed prices for wheat. Italy in 1919 fixed prices ranging up from $3.96 to $4.44; France fixed a price of $3.84 and $3.96 for last year; England, or the United Kingdom, fixed a price of $1.64 in 1919 and the same figure in 1918. In Australia the price in 1919 is fixed at 95 cents a bushel. Holland has a price of $3.30, as against $2.76 in 1918. Switzerland has a price of $3.18 in 1919, as against $3.36 in 1918. Norway has a price of $4.09 this year, as against $4.38 last year. Roumania has a price of $1.61, as against $1.61 last year. Brazil has a price of $2.16 for 1919. Canada fixed no price guaranty this year, but last year fixed a guaranty price of $2.24½. The United States has a guaranteed price of $2.26. This price is a basic price. That does not mean the price is $2.26 at every place.

The price in New York is $2.39½; in Philadelphia, $2.39; in Baltimore, $2.38¾; in Duluth, $2.22½; in Minneapolis, $2.22½; in Chicago, $2.26; in St. Louis, $2.24; in Kansas City, $2.18; in Omaha, $2.18; in New Orleans, $2.28; and in Galveston, $2.28. The price in Tacoma is $2.20; in Seattle, $2.20; in Portland, $2.20; in Astoria, $2.20; in San Francisco, $2.20; and in Los Angeles, $2.20; these are all Pacific coast points. At Salt Lake City, $2; at Great Falls, Mont., $2; and at Spokane, $2.

Mr. President, as to the production of wheat for 1918, I should like to add, without reading, the tabulation, if there is no objection.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Without objection, it is so ordered.

The table referred to is as follows:

Wheat—production, visible supply, and surplus.

Country.	Production, 1918.	Visible supply, Dec. 1, 1918.	Estimated surplus.
	Bushels.	*Bushels.*	*Bushels.*
United States	917,100,000	175,066,000	
Argentina	219,431,000	1,850,000	[1] 185,000,000
Chile	28,292,000		
Uruguay	12,860,000		
Italy	176,368,000		
Spain	127,984,000		
Switzerland	7,095,000		
British India [2]	379,829,000		75,000,000
Japan	31,127,000		
Egypt	32,555,000		
Tunis	8,451,000		
Union of South Africa	8,833,000		
Australia	121,772,000	170,000,000	[1] 210,000,000
New Zealand	6,274,000		
United Kingdom	[3]	17,500,000	
Canada	[3]	55,388,000	100,000,000
Afloat		19,248,000	
Total	2,077,971,000	439,052,000	570,000,000

[1] Including harvests of 1918-19. [2] Includes native States. [3] No data.

Wheat production, 1918.

[From United States Food Administration, Division of Statistics (Mr. Lane), branch 55, Jan. 15, 1919.]

Europe:	Bushels.
United Kingdom (England, Ireland, Wales, Scotland)	84,000,000
France	184,000,000
Italy	176,000,000
Spain	128,000,000
Switzerland	8,000,000
Holland	3,000,000
Denmark	8,000,000
Norway	564,000
Sweden	10,000,000
	601,564,000

Mr. SHERMAN. Mr. President, I do not care to take up any more time on this matter. I only wish to say in conclusion that I regard this as an essentially honest act on the part of the Government. I think we ought to pass this bill. In passing this bill we keep the pledge. The proclamations which were issued by the President were issued in pursuance of an act of Congress. We well remember, on the floor of the Senate Chamber here, the controversy that arose in the passage of this guaranty. In pursuance of that power delegated to him by Congress, the President fixed this guaranty. Under that promise this very large acreage of wheat has been sowed. That guaranty holds good for the crop of 1919.

The Government ought to keep faith. If it wishes a response in time of trouble from its citizens again, it must keep faith. It ought to keep faith on this guaranty by the passage of this bill as much as it ought to keep faith in the payment of its 3½ and 4¼ per cent bonds. It is a guaranty in any case for the payment of money, and it seems as though it is a matter of common good faith to pass this bill in the form it is and let the Government get out with as small a loss as possible.

The PRESIDING OFFICER. The Secretary will state the next amendment.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	New	Sherman
Baird	Jones, N. Mex.	Norris	Simmons
Beckham	Jones, Wash.	Nugent	Smith, Ariz.
Calder	Kellogg	Overman	Smith, Ga.
Chamberlain	Kendrick	Owen	Smith, Mich.
Curtis	Kenyon	Pittman	Smith, S. C.
Fletcher	King	Pollock	Spencer
France	Kirby	Pomerene	Sterling
Gay	Knox	Ransdell	Sutherland
Gerry	La Follette	Reed	Swanson
Gore	Lewis	Robinson	Williams
Gronna	McKellar	Saulsbury	Wolcott
Hale	Martin, Ky.	Shafroth	
Harding	Moses	Sheppard	

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum is present.

Mr. GRONNA. Mr. President, when I occupied the Senate floor earlier in the day I was assured by those who claimed to be friends of this measure that the Senate was ready to vote. Upon that assurance I, of course, was willing to conclude my remarks immediately, which I did. I feel, however, since the Senate has seen fit to continue the discussion that I should explain my position.

I do not want Senators to think that because I come from a spring-wheat State I want any measure passed which will not result beneficially to the people of the entire country. I wish to say that wheat and grain are not the only resources of the people of my State. I believe, sir, that in the course of a few years our farmers will engage in other industries which, in my judgment, will be vastly more profitable to them than the industry in which they are now engaged.

I have taken some time to make investigations relative to the abundant coal fields of the State of North Dakota. Perhaps the Senate will be surprised to learn that an estimate made by the Geological Survey shows that we have more than 15,000,000 acres of coal lands. It is estimated by the Geological Survey that North Dakota alone has more than 700,000,000,000 tons of coal. I admit that it is not of the highest grade, but inventions and discoveries have been made which will make it possible to utilize that coal and to improve upon it by manufacture so as to render it as valuable for fuel as the best anthracite coal, not even excepting the coal from the great State of Pennsylvania.

During this session the Congress was kind enough to pass my bill which provided for the investigation of the by-products of this class of coal, and $100,000 was appropriated for that purpose. It may astound Senators when I say that we are told that it is possible to reduce the cost of this coal $1.50 a ton by extracting and using the by-products. We know that lignite coal in my State contains a large amount of moisture, but we can overcome that. Inventions have been perfected which have made it possible for us to manufacture lignite coal into briquets and take out practically every bit of moisture. This coal is absolutely as good, I repeat, as any anthracite coal that is found in the great anthracite coal fields. So, I say to the Senate, that wheat is not the only commodity that we can produce.

I am not going to stand here and beg this body to fulfill its obligations which our President has made absolutely under authority of law.

I am going to take enough time to quote from the official statistics and official records of the commissioner of agriculture and labor of the State of North Dakota, which show some of our resources.

We had in that State in 1918, 70,149 farms, and some of those farms are large; we had in 1918, 6,377 miles of railroad, 336 newspapers, 835 post offices, 600 rural free-delivery mail routes, covering a distance of 75,000. The value of animals fattened and killed for home use in 1917 was $5,828,628. We received for live stock, sold for market during that year, $17,813,645; value of the creamery industry in North Dakota for last year amounted to more than $25,000,000. We have more than 200 lignite coal mines in operation now.

So why should it be charged that it is the selfishness of the Senators from North Dakota who urge the passage of this bill? We have other industries, I want to say to you, but we have been and are patriotic enough to continue to produce the best and cheapest food known to mankind, although as a rule we are

doing it at a loss. We are asking now that you live up to your agreement; that you fulfill the contract with the farmers of the country, which you were so anxious to make when you took from them more than $1 per bushel because you were anxious to give the people of the United States and the European nations the benefit of this reduction and furnish them with cheap flour and cheap bread.

But I want you to know that we have other industries. We expended last year for support of public schools nearly $9,000,000, and we have more than 5,000 of them, with almost 8,000 teachers, and with a valuation of the school property of more than $15,000,000. We have an endowment of land worth $65,000,000, and when you know that we have a population of less than 700,000 and an assessed valuation of property of only a little more than $400,000,000, but with an actual valuation of more than $3,000,000,000, you will therefore pardon me for digressing and calling attention to the resources of my own State, a State where I have spent more than 40 years of my life, a State to whose people I owe much, a State whose people have made me what I am. But let me say to you that in return for what these people have done for me, I am not willing to surrender to the acclaim of selfish interests and repudiate a solemn obligation which vitally affects my people and which would do a great injustice to them. I am here to urge that the Congress carry out this obligation with the farmers of my State and with the farmers of the entire country.

Mr. WILLIAMS. Mr. President, is anybody opposing the idea of paying the contract price of $2.26 a bushel for wheat?

Mr. GRONNA. Yes; there are a number here opposing it, Senators on the other side and Senators on this side.

Mr. WILLIAMS. I confess that I did not know that, because as unjust as it is to the entire American people and as much as it may cost them to make the guaranty good, I can not understand how any man can stand up and oppose making a national guaranty good.

Mr. GRONNA. I agree with the Senator from Mississippi and I am glad to know that he feels that way.

Mr. WILLIAMS. Yes; although the Senator and I differed about this; I did not want to make the guaranty; I did not think it was right; I thought the price ought to be left to the market.

Mr. GRONNA. Well, the Senator and I do not differ as to that.

Mr. WILLIAMS. But we have done what we have done, and I submit to the Senator——

Mr. GRONNA. I did not differ with the Senator on that. I was in favor of not making a fixed price.

Mr. WILLIAMS. I know that, because at the time the Senator hoped for a still higher price.

Mr. GRONNA. Well, I did not hope for it, but the price then spoke for itself.

Mr. WILLIAMS. The Senator solemnly asserted at that time upon the floor of the Senate that the farmer could get a higher price.

Mr. GRONNA. Yes.

Mr. WILLIAMS. In which I did not agree with him; but now the thing has been done and it is settled. Why should we spend time talking about it at the late end of the session, when we have a lot of business to do? I can assure the Senator that there is not the slightest danger of the Federal Government failing in its guaranty of $2.26 a bushel for wheat.

Mr. GRONNA. I am very glad to have that assurance from the Senator.

Mr. WILLIAMS. Then, why not let us go on with something else?

Mr. GRONNA. I will say to the Senator that there are Senators on this side of the Chamber, and on the other side of the Chamber, who are strenuously opposing this guaranteed price. They maintain that, while they might go so far as to comply with the proclamation of the President and pay the guaranteed price for winter wheat, it should not be applied to spring wheat. I wish to make my position clear.

If we are going to have repudiation, let us have it all the way through, because when Congress first enacted this law the farmers in the States where winter wheat is raised received a price all the way from $3 to $3.42 for the 1917 crop while the spring-wheat farmers did not receive it. The spring-wheat farmers did not complain; we were in a tremendous war; and they were willing to do anything in order to win that war, and if the price of wheat had been fixed at $1.50 a bushel they would have produced all they were able to produce. It was a question of patriotism; it was not a question of profit.

Mr. WILLIAMS. I do not remember it in that way. I remember that a good many of the western Senators complained about even that price and wanted it made $2.50; but, however that may be, we can vote those opposing this matter down right now and get through with this bill and proceed to some other business.

Mr. GRONNA. If I have won the Senator from Mississippi to my assistance, I may be able to win over some of the recalcitrant Republicans on this side and the obstinate Democrats on the other side.

Mr. WILLIAMS. They are in the minority, and a very small one at that.

Mr. GRONNA. I hope they are in the minority; but I simply wish to take a little of the time of the Senate to inform them that the winter-wheat farmers, at least, received the price fixed by the law of supply and demand, while that opportunity and that price were taken away from the spring-wheat farmers. I repeat, however, that they did not complain; they were willing to abide by anything that Congress did and by anything the President did.

But I do think that when the question is raised here now, that the winter-wheat farmers again shall receive that guaranteed price, but that the spring-wheat farmers, who have not yet had an opportunity to plant their wheat, shall receive the same shabby treatment from Congress that they received a year ago or two years ago, I think it is eminently unfair.

Let me say to you that when you discourage the production of spring wheat, you have taken away from the American miller the opportunity of making a grade of flour such as they are making to-day, such as they have made for years, which will sell in the markets of the world, and which will be given a preference in the markets of the world. Let me say to you—and I say it from the authority of men who know—that without this spring wheat you can not manufacture the high grade of flour that is being manufactured in the United States. You take spring wheat, with a high percentage of gluten, and it is always the custom to ship an inferior wheat from the South to be mixed with it. You must admit that you can not grow as good a quality of wheat in the winter-wheat belt as we grow in the spring-wheat belt. Any man who knows anything about wheat must admit that. Every miller in the United States will tell you so. Every chemist in the United States knows that I am stating facts. What determines the value of wheat is the amount of gluten in that wheat; and for the benefit of you people who are living in the South, and some of you gentlemen who are living in the North who do not seem to know any more about spring wheat than those who have never raised spring wheat, I want to give you some information about it.

Wheat contains three ingredients or constituent parts: First, its epidermal cells. That is what we call the bran and shorts. Secondly, the aleuron or gluten grains. The gluten may run from 9 to 15 per cent in spring wheat. You will hardly ever find it to exceed 10 per cent in your winter wheat; and that is where the farmer who is raising spring wheat is being robbed. The so-called heart of the wheat is the endosperm or the albumen filled with starch; and you might just as well take rice and mix it with wheat flour as to use nothing but the endosperm in flour. You can not make a good grade of flour nor a good quality of bread from it. But we have had not only Members of Congress combat this proposition, but the very department which should be the friend and the guardian of the farmer has been his worst enemy.

When, a year ago, we inserted in the bill a provision and made an appropriation of $50,000, providing that the Department of Agriculture should install in that great department a small mill and a small bakery for the purpose of making tests, what do we find? We find, upon investigation, that one-half of all that $50,000 has been expended for what? Not for the purpose of machinery, not for the purpose of carrying out this law, but for salaries and for overhead charges.

An estimate was made by the department for $85,000 more this year, and the Committee on Agriculture of the House struck out the entire appropriation; and I find no fault with them. In my judgment, $50,000 was sufficient to do the work to enable the Bureau of Markets to fix standards that would be just—just to the producer, just to the miller, and just to the consumer. It shows what is being done in the department that should administer the affairs of agriculture in the interest of production, in the interest of methods which would improve production, and methods which would improve marketing—and when I use the word "marketing" I will say to you that it has practically no limitation.

Do you suppose that the people of the great State of Michigan, in the manufacture of automobiles or in the manufacture of steel and iron, would go to work and manufacture a lot of automobiles and put them upon the market and ask people

what they were willing to pay for them? Do you suppose that the people of Utah would manufacture sugar by the millions of pounds, and leave it to the public as to what price they should pay? Do you suppose that the manufacturers of Pennsylvania would manufacture steel by the thousands of tons, and then be left to the mercy of the public what the price should be? Do you believe that the boot and shoe manufacturers of New England would manufacture boots and shoes by the hundreds of millions of pairs and be satisfied to let the public make the price? Yet that is what you want to do with the farmer. That is what you have done, and that is what you want to continue to do; and the Agricultural Department does not seem to realize the importance of this matter.

I have been chided because I myself farm. Mr. President, I want to assure the Senate that you are not depriving me of a living, no matter what price you fix on wheat.

I will promise you that personally I am trying to keep away from the poorhouse, whether I raise wheat or not.

I want to prove by the Government records that the statements made by some of the Senators here that it is on account of this law that the price of wheat is so high are not true. I want to prove, if Senators are willing to listen to me, that that is not the fact, and that commodities on the farm for which no price has been fixed have increased more in proportion than the price of wheat, more than it was increased even taking the price of wheat based upon prewar times.

The Senator from Minnesota [Mr. KELLOGG] spoke this afternoon for more than an hour. He proved conclusively to the Senate that the price of wheat in the open market was a great deal more when we enacted this legislation than the price provided for in the law, but you were all led to believe, as I was led to believe, that that was the minimum price. When the question was brought up before the Committee on Agriculture we were told that we should not have a maximum price, because such a price might be too high or too low, but we were assured that while the law did not provide for a maximum price justice would be done to producers by fixing a minimum price. It was the argument by Mr. Hoover and others that we had to make a fair price that would pay the farmer a fair return for his labor, otherwise the country might go hungry and we would lose the war. That was at a time, Mr. President, when we had a crop shortage of some 375,000,000 bushels. In 1917 we produced only about as much wheat as we consumed—a sufficient amount for ourselves—639,000,000 bushels.

Europe wanted our wheat. I know of my own knowledge that neutral nations were here in the city of Washington. Some of the commissions were here from the month of August, 1917, until the month of June, 1918, begging to get the grain, begging this Government for wheat, but we said no. The little country of Norway was here, all the Scandinavian countries were here, and they were all neutrals. They offered any price for this grain. They said, "We do not care if you make it $4 a bushel, our people are starving and we want this wheat; we want this food. If you can not give us the wheat, for God's sake, give us some kind of grain, give us barley or give us oats"; but we said no. I know what I am talking about when I say that we said no. That was the condition at that time, and still Senators stand upon this floor and say that the farmers wanted this law enacted. You misunderstood the situation, Senators. You have forgotten what occurred.

Do you know what the greatest expert in the United States has said with reference to the cost of producing wheat? I will put any Senator upon his honor and ask him, Do you want the farmers of this country to produce wheat at a loss, at less than it cost them to produce it? I hardly think any of you do. And yet Dr. Spillman, after an investigation of more than 20 years, made an official record, in which he made the statement that, based upon the labor cost of 1917, it cost, on an average, in the United States $2.47 per bushel to produce the 1918 crop. Are you ready to deny that statement? I challenge anyone to deny that statement. Mr. Owen, of Minneapolis, one of the best-informed men in the United States, not only on the question of wheat but on the production of wheat and other grains, made a similar investigation at his own instance, and at a very large expense, and his calculation and investigation as to cost of producing wheat practically agreed with the figures of Dr. Spillman. He was only a few cents higher per bushel. The great University of the State of Minnesota made another investigation. Their figures, as I recollect, were more than $2.60 per bushel.

I wish to say to you Senators that this is an important matter. Do you want to cut down the production of spring wheat? If you do, just repudiate the contract which you forced upon the American farmer against his will.

Mr. SMITH of Michigan. Was the figure named by Dr. Spillman the average price throughout the country?

Mr. GRONNA. The average price throughout the entire United States; based upon an analysis of 20 years and taking the labor cost in 1917, he stated that it cost an average of $2.47 per bushel. I should like to have the Secretary of Agriculture or Dr. Bland or anyone in the Bureau of Markets deny that statement.

Mr. President, I am not talking merely to hear myself talk. Those who know me best know that I do not care to do that. But I remember that some 40 years ago, when I was but a mere boy, men from New England States and men from nearly every other State in the Union came to the naked and bleak prairies of North Dakota at a time when there were no railroads there. There were innumerable caravans of ox teams and canvas-covered wagons. Young men who had recently been married took with them their wives, perhaps from good homes, and went upon those bleak prairies and trusted to God Almighty to help them establish for themselves and their little families the homes they so much desired. They had no means even to erect a house. They broke sod and built what we call "sod houses." Young women who had a college education went upon the prairies, and for years they battled with conditions—with drought, with hail, with all the things which we have to combat in the production of that crop. They were too poor even to get back home. Many of them settled upon the prairies which were not yet surveyed.

That was 40 years ago, and most of those farmers have only 160 acres. Many of them have comfortable homes now, it is true; but many of those homes are mortgaged. Yet we hear it said that this is a plutocratic industry; that these people, engaged in the industry of farming, are coming to Congress and asking for special privileges. Why do you not go out there and try farming, if it is such a great thing? Why do you not, you Senators, go out there and get a share of this great privilege, if you think it is so profitable? Those men, who were young men 40 years ago, are old men now. Many—and I might say most of them—raised large families. You will find the large majority of those men and their wives toiling and laboring to-day with bended backs, from early morning until late at night, much longer than any of you, Senators, would be willing to labor. They have 160 acres of land, valuable as it may be, but it is not running into the millions, I assure you. So far as I am personally concerned, and so far as my interest lies in the great industry of agriculture, I am willing to sacrifice what little I have invested in farms if you will make conditions such as will benefit the great agricultural class.

You are talking about bolshevism. You are making it! You are talking about people not being patriotic. I call attention to the fact that these patriotic people, many of them who are too old to labor and should not be laboring, were found in the fields of the West from early morning until late at night, with bended back, trying to produce in order that we might have food for our boys. We sent more than 30,000 of the best men we had from our State alone. Somebody had to take their places. Nobody could fill their places but these old men and these old women, who labored by daylight and by moonlight to garner the crops in order that this great country of ours should win a victory. Are you going to challenge the patriotism of those families? Are you going to say that they were inspired by selfish motives because they increased their acreage? I could not convince you even if I showed you the books, I suppose; but if Dr. Spillman's statement is true, as I believe it to be, that, on an average, it cost $2.47 a bushel for the product for which the farmers averaged $2.05 a bushel since the enactment of this law. Where are the unjust profits of the farmer, I ask you?

Mr. FRELINGHUYSEN. Will the Senator suffer an interruption?

Mr. GRONNA. Mr. President, this is a very important matter and I have a lot of things I ought to say. I do not want to be discourteous, but I do not want to consume any more time than is absolutely necessary to inform the Senate about wheat, because it is evident to me that the Senate is probably ignorant about the production of wheat; but I will yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. I know the Senator is thoroughly conversant with this subject. I am from a State that, while in part an agricultural State, does not produce as much wheat as I know does the State of the Senator, but, nevertheless, has some interest in the subject of agriculture. I have been written to several times in regard to this fixing of the price of wheat, and I am somewhat anxious to have the Senator's views upon the question of price fixing.

Mr. GRONNA. I shall be glad to tell the Senator, if I can.

Mr. FRELINGHUYSEN. I have a letter from one of the citizens of my State who says, in addressing me:

The proposed price of $2.25 a bushel for unsown wheat is a plain waste of public money. Are you yourself willing to subscribe to the next victory loan with the knowledge that perhaps as much as one-fifth of your subscription will be used to pay the farmer a dollar more than the market price for wheat not yet planted?

Certainly a large proportion of the nonfarming class may be expected to prove unwilling to do so; and should the Government adhere to its proposed intention it is certain that this policy can not fail to endanger the success of the new loan which under any circumstances is likely to prove to be the most difficult task of this nature which the Government has yet undertaken.

Although it may appear to be dangerous from the political viewpoint to approve this measure, farmers are as patriotic and as self-respecting and as willing to make a sacrifice as any other group in the Nation, though the giving up of an unearned profit can hardly be considered a sacrifice. It is time to stop the useless expenditures of public moneys not only for the above purpose, but for all other unnecessary purposes.

Then I have another letter, reading as follows:

I have wondered many times whether the Government guaranty of the price of wheat has been cut off as to spring wheat. Of course, the engagement should stand as to the winter wheat, but it should be canceled, if in force, as to wheat not yet sown. Will you give me the facts, and, of course, jump in and save us from the spring-wheat loss, if such a thing is impending?

Both those letters were from constituents.

Mr. SMITH of Michigan. From farmers?

Mr. FRELINGHUYSEN. Yes; from farmers. I replied to those letters about as follows: I stated that at the time this guaranty was made the problem that the United States had was not only to produce enough wheat for our own consumption but to feed our allies and the soldiers on the western front, and in order that sufficient acreage might be planted, the Government gave a guaranty and that guaranty carried through the 1919 crop. Did it not, Senator?

Mr. GRONNA. Yes; it did.

Mr. FRELINGHUYSEN. And included the spring-wheat crop, because if the war had continued it would have been necessary to have had the full production, including the spring wheat. So the farmers went ahead and made their engagements of seed and fertilizer and implements. In other words, they practically prepared last fall for the spring-wheat crop, naturally preparing the ground, buying fertilizer, buying the seed, in order that they might be ready to produce this spring the necessary supply to feed the soldiers on the western front should the war continue. I replied that I felt in honor that the obligation of the Government extended to the fall or winter wheat crop; but in view of the fact that we had practically contracted with these farmers for the spring wheat the good faith of the Government was at stake, and that it was our duty to carry out our contract and pay the price we engaged to pay when we agreed to take the 1919 crop at $2.26.

I should like to ask the Senator from North Dakota if I am right in that assumption; if in my reply to these constituents of mine, all of whom are patriotic, all of whom are willing to pay the increased taxation, that the good faith of the Government is at stake; and whether in my reply to my constituents—and I have many more letters of a similar character—I have given them a correct answer? I should like, then, to ask another question, after the Senator has kindly answered this one.

Mr. GRONNA. I think I can furnish better testimony than my own answer to the question of the Senator from New Jersey, which will show conclusively that his answer to his people was correct.

I want to read just the concluding paragraph in the President's proclamation:

Now therefore I, Woodrow Wilson, President of the United States, by virtue of the power conferred upon me by said act of Congress, and especially by section 14 thereof—

Referring to the food bill—

do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guarantee provided for in said section in order to make effective the guarantee by the Congress for the crop—

Now, mark you—

for the crop of 1919, and to assure such producers a reasonable profit, I do hereby determine and fix and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalent at the respective principal primary markets, as follows.

Then he names a number of terminal markets, which I shall not name, but he begins with New York at $2.39½ per bushel, and the basic price was $2.26 at Chicago.

Mr. President, I think that fairly well answers the question of the Senator from New Jersey [Mr. FRELINGHUYSEN]. The President of the United States did the best he could, and we are not criticizing the President for fixing a lower price than we had reason to believe we could get in the open market. He had to deal with labor; he had to deal with all of the consumers of the United States, and it was his best judgment that this was a reasonable price. I have never questioned that; my people have never questioned it. We accepted that price and were satisfied, whether we incurred a loss or made a profit. That has nothing to do with this question.

The President saw that it was necessary, in order to win the war, in order to stimulate production, to give an assurance to the producers that the price should not go below a certain specified or fixed sum. The President was right. He had the consumers in view, which he should have had, as well as the producers. I know that he spent a great deal of time upon this question, for I myself attended a meeting with the President, together with a number of others from different parts of the United States. He received us courteously; he treated us fairly. It was his judgment that the best prices he could afford to fix were the prices which he named in his proclamation. No man could find any fault with that.

The minimum price was fixed by statute for 1918 at $2 per bushel. It was provided in the act that the President had authority to fix the price for 1919, which he did. Are you going to repudiate the patriotic act of the President of the United States? I am sure that he called upon the best experts in this country to ascertain what a fair and reasonable price would be. He did not promulgate this proclamation blindly; he certainly did not want to risk his reputation and fix an unduly high price at the expense of the consumer. The producers have accepted the price, and were satisfied whether there was a loss or a profit to them. If the President had fixed the price at $2, they would not have complained, because we were in the midst of a terrible war, and it is my honest belief that no more patriotic men and women will be found in this country than the farmers.

I do not want to be misunderstood that anything which I have said is a criticism of the administration, for I do not so intend it. I would be unfair should I make such a criticism.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Jersey?

Mr. FRELINGHUYSEN. Will the Senator from North Dakota suffer another interruption?

Mr. GRONNA. If it is not too long. I intend to conclude in a moment.

Mr. SWANSON. Mr. President, under the rules the Senator from North Dakota can not yield, it seems to me, without losing the floor.

Mr. PENROSE. I suggest the absence of a quorum.

Mr. SHEPPARD. I rise to a point of order, Mr. President.

Mr. SWANSON. The absence of a quorum can not be suggested unless business has intervened since the last roll call.

The PRESIDING OFFICER. The point of order is sustained.

Mr. GRONNA. I think that is correct.

Mr. FRELINGHUYSEN. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FRELINGHUYSEN. Will the Chair quote the rule whereby a Senator can not be interrupted more than once?

The PRESIDING OFFICER. The Chair is not familiar with any such rule.

Mr. SWANSON. I will read the decision on that.

Mr. SMOOT. The last decision, I will say to the Senator, was that it was left entirely to the Senator occupying the floor.

Mr. GRONNA. I have talked a great deal longer than I had expected, but I intend to conclude in a very little while. I understand the Senator from Pennsylvania has withdrawn his request. I do not yield for the purpose of calling for a quorum, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota will proceed.

Mr. GRONNA. Mr. President, I do not want to take the time of the Senate to read the statements which I hold in my hand, but I have before me the Monthly Crop Reporter, which is published by authority of the Secretary of Agriculture, for February, 1919. I merely wish to call attention to the prices of a few articles, beginning with the price of hogs. The price of hogs on January 15, 1914, was $7.45 per hundred pounds. On September 15, 1918, it was $17.50 per hundred pounds. This advance holds good not only with reference to hogs but to beef cattle, to milch cows, to sheep, and to everything that is being produced; and certainly, Mr. President, there was no law which guaranteed a fixed price upon these and other commodities. So it is absolutely reasonable to suppose that the price of wheat would have advanced much higher than or, at any rate, to the

price at which it was when the price was fixed. That price in my locality was $3.07 per bushel. I ask, Mr. President, to have printed as part of my remarks this table, without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Average of prices received by producers of the United States.

Prices of articles quoted below as of 1st of month are averages of reports of county crop reporters, weighted according to relative importance of county and State; 15th of month prices are averages of returns from a list of about 7,000 country buyers; State averages are weighted according to their relative importance to obtain the United States averages.]

Date.	Wheat.	Corn.	Oats.	Barley.	Rye.	Buck-wheat.	Pota-toes.	Sweet potatoes.	Flax-seed.	Apples.	Hay.	Cotton.	Butter.	Eggs.	Chick-ens.
	Per bu.	*Per bu.*	*Per bu.*	*Per bu.*	*Per bu.*	*Per bu.*	*Per bu.*	*Per bu.*	*Per bu.*	*Per bu.*	*Per ton.*	*Per lb.*	*Per lb.*	*Per doz.*	*Per lb.*
Feb. 1, 1910	105.0	65.2	45.0	59.3	76.1	72.0	56.2	76.8	192.9	108.8	11.34	14.0	27.9	28.9	11.1
Feb. 1, 1911	89.8	49.0	33.1	64.1	73.1	64.4	55.1	80.4	233.9	117.2	11.80	14.3	24.1	22.1	10.6
Feb. 1, 1912	90.4	64.6	47.5	91.2	84.4	73.6	94.4	90.2	190.8	95.8	14.30	9.0	29.0	29.1	10.3
Feb. 1, 1913	79.9	50.6	32.4	51.4	68.9	69.4	53.1	85.4	109.3	76.4	10.86	11.9	27.6	22.8	10.9
Feb. 1, 1914	81.6	68.3	39.3	52.4	61.7	75.6	69.7	84.3	127.8	116.8	11.67	11.9	27.4	28.4	11.7
Feb. 1, 1915	120.9	72.8	50.1	62.9	100.6	83.7	50.4	82.0	163.7	71.2	10.83	7.4	27.9	29.2	11.5
Feb. 1, 1916	113.9	66.7	44.6	61.7	88.3	80.7	88.0	71.2	210.9	88.0	10.55	11.5	27.6	26.8	11.9
Feb. 1, 1917	164.8	95.8	55.2	92.7	123.5	114.6	172.4	95.8	253.7	110.0	11.34	16.8	33.5	35.8	14.7
Feb. 1, 1918	201.2	138.8	78.7	131.9	174.8	161.9	122.9	123.1	326.7	140.1	18.88	29.7	43.7	48.4	18.8
Mar. 1, 1918	202.7	154.3	86.2	161.1	201.0	168.2	120.3	142.7	349.8	145.3	19.14	30.2	43.4	40.4	19.9
Apr. 1, 1918	202.6	153.6	88.9	170.2	235.1	170.1	92.6	151.6	379.7	151.3	18.68	31.8	40.7	31.2	19.8
May 1, 1918	203.6	155.7	86.0	158.5	221.1	176.0	80.1	155.0	373.3	154.8	17.97	28.5	39.9	31.0	19.8
June 1, 1918	202.5	152.5	78.1	135.4	187.6	191.0	75.5	148.8	363.6	158.2	17.13	27.4	38.6	29.8	20.0
July 1, 1918	203.2	153.7	76.3	113.6	170.0	200.8	94.9	134.3	349.3	150.4	16.07	28.6	38.2	30.7	21.2
Aug. 1, 1918	204.5	159.7	73.0	110.0	163.9	192.7	141.6	144.7	410.5	128.1	15.92	27.8	39.7	34.4	22.6
Sept 1, 1918	205.6	165.7	70.3	100.9	159.3	189.2	148.8	156.2	381.2	123.7	17.42	32.2	41.4	36.4	22.8
Oct. 1, 1918	205.8	159.5	71.0	95.5	154.0	180.0	143.6	160.6	380.9	133.5	18.45	31.8	47.2	41.6	23.1
Nov. 1, 1918	206.0	140.3	68.2	94.9	152.6	173.0	127.2	146.0	333.8	138.6	19.27	29.3	49.7	47.2	22.4
Dec. 1, 1918	204.4	136.6	71.0	91.8	151.5	166.4	119.5	135.4	340.2	132.5	20.18	27.6	52.7	55.0	21.8
Jan. 1, 1919	204.8	144.7	70.8	91.3	150.7	162.9	116.1	142.1	327.7	147.7	19.92	28.7	54.9	57.2	21.7
Feb. 1, 1919	207.5	138.1	64.3	86.8	140.4	158.1	114.4	143.1	310.1	160.4	19.79	24.9	49.6	48.3	21.6

Mr. GRONNA. Mr. President, I should not have taken up this much time, only I felt that it was my duty to inform my friends on this side as well as my good friends on the other side of the Chamber as to the importance of this question. I thank the Senate for its patience.

Mr. GORE. Mr. President, I wish to prefer a request. I will say, by way of preliminary, that the entire day has now been devoted to a discussion of this measure. So far as I have been able to see, there is no opposition to it. Only one speech has been made against it. In order to restrain its friends and prevent them from unintentionally delaying the measure too long, and thereby jeopardizing its final passage, I ask unanimous consent that hereafter speeches on the pending bill be limited to 10 minutes.

Mr. PENROSE. I object, Mr. President.

The PRESIDING OFFICER. Objection is made.

Mr. GRONNA. Mr. President, I want to inform the Senator from Oklahoma that at least half a dozen Senators on this side of the Chamber have informed me that they were opposed to the bill and were going to vote against it, and I do not want the RECORD to show that there is no opposition to it.

Mr. GORE. Mr. President, I hope the RECORD will show that there is no opposition to it.

Mr. GRONNA. I hope so, too.

Mr. GORE. If any Senator can muster up opposition he is at liberty to do so, but, so far as I am concerned, I hope that the Senator's speech has dissuaded Senators from persisting in their opposition.

Mr. GRONNA. Well, I think it has.

Mr. GORE. I think so; but I do not think there is any opposition to the bill, and I regret that the friends of the measure have taken this day in the discussion of a measure as to which there is no danger of its being defeated.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Pennsylvania?

Mr. GORE. I yield.

Mr. PENROSE. I think that this bill is one of the most questionable of the bills pending before Congress to the ordinary American citizen, without explanation; and I am one of those who feel that a miserable economic policy was adopted during the war in fixing prices.

Mr. GORE. I agree with the Senator entirely about that, Mr. President.

Mr. PENROSE. Now, we are called upon to vote an appropriation for the enormous sum of $1,000,000,000 to make good a mistake——

Mr. GORE. It is that.

Mr. PENROSE. The Senator admits it is a mistake, and a very expensive mistake——

Mr. GORE. Yes, sir.

Mr. PENROSE. Requiring the appropriation of one-sixth of the total amount of all the revenues contemplated to be raised under the recently enacted revenue law; and, indeed, in all seriousness, I think we are entitled to the fullest explanation.

Mr. GORE. Mr. President——

Mr. PENROSE. I come, Mr. President, from a great industrial State, where the wage earners are not in sympathy with this measure. They look at it in some way as tending toward increasing the cost of living; and yet such is the depth of my sympathy that I intend to vote for it; but I want to be fortified with argument. I am in receipt of letters every day protesting against the bill and asking me to vote against it, and my reply is to send to my correspondents the speeches of the Senator from Oklahoma——

Mr. GORE. I thank the Senator.

Mr. PENROSE. As fully explaining it. If those speeches had not been made, where would I be at? [Laughter.]

Mr. GORE. I hope the Senator will explain my explanations, if necessary.

Mr. PENROSE. Moreover, personally I am more persuaded and convinced with every speech that is made to support the measure, notwithstanding it is to make good a folly—an expensive folly—and I hope the Senator will not begrudge a little illumination upon this most expensive blunder. [Laughter.]

Mr. GORE. I am glad that the Senator is not only almost, but altogether, persuaded to vote for this bill. I think every Senator is.

Mr. PENROSE. I can only defend my course on the arguments presented by the Senator from Oklahoma. I have had his speeches printed at my own expense, and I am circulating them in Pennsylvania as the only vindication that I can obtain for my course in voting for this measure with the great mass of nine or ten million wage earners in factory and in mill.

Mr. GORE. I can only say to that compliment what Juliet said when marriage was proposed to her without her previous knowledge, "It is an honor that I dreamed not of."

Mr. PENROSE. Well, through my efforts the Senator's name has become very well known throughout that imperial Commonwealth.

Mr. GORE. I am indebted to the Senator for that addition to my reputation.

Mr. PENROSE. And were it not for my keen sympathy with North Dakota and Oklahoma and the other wheat areas, and did I consult the selfish dictates of section, as sometimes prevails in this body, I would vote against the measure; but, Mr. President, the prosperity of the western prairies is just as dear to my heart as is the prosperity of any Eastern State. I hope the Senator from Oklahoma will realize my patriotism.

Mr. GORE. Mr. President, the Senator's patriotism is beyond challenge; and I am certain that if he needs any additional fortification through my speeches they have been afforded by the very able and exhaustive—mark, I say "exhaustive"—speeches by the senior and junior Senators from North Dakota and the junior Senator from Minnesota. They will afford the Senator ramparts and bulwarks which can not be penetrated.

Mr. PENROSE. I need all the help that I can get [laughter], and I hope the Senator from Oklahoma will not begrudge me any further help.

Mr. GORE. The only explanation in justification for this bill is that we promised to do it; we are simply "standing hitched." That does not really need any elaboration to a man like the Senator from Pennsylvania, who always stands hitched.

Mr. PENROSE. I nearly destroyed my political future by voting for $2.50 wheat at the request of the Senator from Oklahoma. I did it cheerfully, however, and as a result of patriotic inspiration.

Mr. GORE. The Senator's future is much more securely entrenched and fortified than he has imagined. It will withstand many an assault of that character.

Mr. PENROSE. I feel that is true.

Mr. GORE. And if it does not, the farmers of the West will bless his memory.

Mr. President, I ask unanimous consent that this bill and all amendments to it may be voted on at 2 o'clock next Monday afternoon.

Mr. GRONNA. I object.

The PRESIDING OFFICER. The roll will have to be called on that request.

Mr. PENROSE. Let us have the roll call, then. I do not object, but let us have the usual roll call.

Mr. GORE. The Senator from North Dakota has indicated that he would object. Now, I ask unanimous consent to lay this measure aside.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent to lay the pending bill aside. Is there any objection?

Mr. GRONNA. I object.

The PRESIDING OFFICER. Objection is made.

Mr. ASHURST. I move that the Senate proceed to consideration of the Indian appropriation bill, and upon that motion I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arizona that the Senate proceed to the consideration of the Indian appropriation bill, upon which he demands the yeas and nays. Is there a second?

Mr. OWEN. I second it.

Mr. KELLOGG. I object.

Mr. GRONNA. Mr. President, I did not understand the first request of the Senator from Oklahoma. I understood that his first request was to lay this bill aside, and for that reason I objected. I was engaged in conversation at the time with a fellow Senator.

Mr. OVERMAN. Regular order!

Mr. GRONNA. I did not hear the first statement and withdraw my objection to the first request made by the Senator.

Mr. PENROSE. Let us have the yeas and nays.

SEVERAL SENATORS. Regular order!

The PRESIDING OFFICER. The regular order is, Is there a second to the request of the Senator from Arizona?

Mr. OWEN. I second the request.

The PRESIDING OFFICER. The yeas and nays are requested on the motion of the Senator from Arizona.

Mr. LODGE. Mr. President, a motion to lay aside one measure and take up another bill is debatable at this stage.

The PRESIDING OFFICER. It is.

Mr. GORE. It is not in order after the yeas and nays have been ordered, I suggest.

Mr. LODGE. That does not make any difference.

Mr. GORE. I think it does.

Mr. LODGE. The yeas and nays have not been ordered, as a matter of fact, but that makes no difference.

Mr. GORE. I ask that the call of the yeas and nays be proceeded with.

Mr. LODGE. They can not be proceeded with while there is debate.

Mr. GORE. The rule does not permit debate after the yeas and nays have been ordered. We very often indulge in debate afterwards, but it is out of order.

Mr. LODGE. No; it is not out of order, if the Senator will pardon me.

The PRESIDING OFFICER. The Chair inquired if the request for the yeas and nays has been seconded; it has not been seconded up to this time, and the motion is debatable.

Mr. LODGE. The motion is open to debate.

Mr. GORE. I thought the yeas and nays had been ordered.

Mr. President, I do not care to detain the Senate. Perhaps the motion to take up the Indian appropriation bill ought to be thoroughly discussed and illuminated. It is a question involving a great many mysteries, obscure propositions, and corollaries, and the Senate ought not to act precipitately upon so serious and far-reaching a motion as that. I am certain that every Senator is anxious to dispatch business, and I hope now that the debate will proceed on the motion to take up the Indian appropriation bill.

Mr. OWEN. Mr. President, we have now taken about eight hours on this bill, the only point of importance in which is the promise of the United States to pay th's guaranteed price. It has taken eight hours of the session, and it is obvious to the country, and it is perfectly obvious to every Member of this body, that it means nothing in the world except a filibuster to prevent business in this body.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. PENROSE. The Senator from Oklahoma is the chief offender. He made a speech that was interesting, but entirely unnecessary, concerning the league of nations, when pressing legislation was crowding the attention of Congress. I heard a number of Senators intimate a suspicion as to whether he was loyal to these great measures or was not secretly and surreptitiously engaged in a filibuster. [Laughter.] The chairman of the Foreign Relations Committee, the Senator from Nebraska [Mr. HITCHCOCK], made a speech to-day an able and brilliant effort, but entirely unnecessary.

Mr. OWEN. Mr. President——

Mr. PENROSE. Those speeches consumed several hours; in fact, three-fourths of a day have been consumed by the Senator from Nebraska and the Senator from Oklahoma in unnecessary discussions about a matter on which I assume they will vote as it is given to them. It seems to me to require considerable effrontery to charge anyone with filibustering when those two Senators have taken up more time than any other two Members of the Senate in the last three days in needless, ill-placed, and unnecessary discussion, when we are within three days of final adjournment.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Oklahoma?

Mr. PENROSE. Yes.

Mr. OWEN. I appreciate the humor of the Senator from Pennsylvania.

Mr. PENROSE. It is not humor, Mr. President.

Mr. OWEN. But, at the same time, the Senator can not really seriously deny that he has been the chief offender in this filibuster which is going on.

Mr. PENROSE. Oh, Mr. President, I have been confined for nearly five months in the various committees of the Senate, chiefly the Finance Committee and the Naval Affairs Committee, and have been very little on this floor, and have consumed very little time. While the Senator from Oklahoma has been junketing through Europe we have been endeavoring to carry the burdens of state and do the best we can to bring these great measures to a final disposition, and yet the first day he lands in the Senate he takes some half a day in an address upon an academic subject.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. PENROSE. Now, in all seriousness, I think the Senator from Oklahoma should be a little consistent before he charges his colleagues with any hidden effort or desire to delay the proceedings of the Senate.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Oklahoma?

Mr. PENROSE. Yes.

Mr. OWEN. The Senator from Oklahoma was entirely justified in quietly departing when he knew perfectly well that this filibuster was organized at the beginning of the session and would run right straight through and he could not accomplish anything by being here, so he went away.

Mr. GRONNA and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield; and if so, to whom?

Mr. PENROSE. I yield to the Senator from North Dakota.

Mr. GRONNA. I want to say to the Senator from Oklahoma that if he wants to make a request for a unanimous-consent agreement to fix a time to vote on this bill, there will be no objection interposed by me. I misunderstood the Senator from Oklahoma.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Minnesota?

Mr. PENROSE. I do, for an inquiry.

Mr. KELLOGG. I ask the unanimous consent of the Senate to vote on this bill at the time stated by the chairman, on Monday at 2 o'clock.

Mr. ROBINSON. I object.

Mr. KELLOGG. This bill ought to be pushed.

Mr. SMITH of Georgia. Mr. President, I think I can make a suggestion.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Georgia?

Mr. PENROSE. I do.

Mr. SMITH of Georgia. If we will agree to limit debate to 10 minutes from this time on, we will get a vote speedily on this bill.

Mr. KELLOGG. I am perfectly willing to do that.

Mr. SMITH of Georgia. I ask unanimous consent to limit debate to 10 minutes on this bill.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Georgia for that purpose?

Mr. PENROSE. It is not necessary to yield, for I object to the request.

The PRESIDING OFFICER. Objection is made.

Mr. PENROSE. I object to the request to limit debate.

Mr. KELLOGG. Just on this bill.

Mr. PENROSE. There is a motion pending.

Mr. OVERMAN and other Senators. Regular order!

The PRESIDING OFFICER. The regular order is that the Senator from Pennsylvania has the floor.

Mr. PENROSE. Mr. President, I will not object to the unanimous-consent request; but I understand that under the rules a quorum must be called for before the agreement is made.

Mr. ASHURST. Not when an objection is made.

Mr. PENROSE. Well, Mr. President, I understand——

Mr. ASHURST. Will the Senator from Pennsylvania yield to me?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Arizona?

Mr. PENROSE. Yes.

Mr. ASHURST. The Senator from Pennsylvania, I think, will recall—because he is very punctual in his attendance here—that I have made five ineffectual attempts to get up the Indian appropriation bill. The Senator will remember that when the legislative bill was up I was assured that if I would be patient and wait until the legislative bill was passed the Indian appropriation bill would be next. The same assurance was given me on the Diplomatic and Consular bill, on the conference report on the Post Office bill, and on the fortifications bill; yet, for some strange reason, I am unable to get the Indian appropriation bill laid before the Senate. A moment ago I could not even get the yeas and nays. If I can not get the yeas and nays on a motion to take it up, of course, I could not hope to displace the pending bill.

I thought the friends of wheat, from those States where the wheat voters are, wanted this bill. I thought their voters were demanding this bill. Knowing that Senators would rush immediately to vote for any bill that the voters in those wheat States want, I was paralyzed with amazement to see the Senators from wheat States standing on the floor, hour after hour, talking and practically endangering the passage of this bill; and, for all I know, the suspicion is now being engendered that it is a buffer to prevent the passage of other legislation.

I hope that is not true. I repeat—and I have said it so many times that I am ashamed to say it again—that the Indian appropriation bill is not supremely important, but if it is not going to be passed I want to know it. I do not want to sit around here like a child making mud pies. I want to know if the bill is to pass; and if it is not to pass, the Indians can go. They have no votes. Wheat growers vote, of course, and I expect this billion dollars to go to them. They vote, but the Indian does not vote. He can chase jackrabbits and be neglected; but if he had a vote he could make himself manifest and make himself heard.

I think, too, that the Committee on Indian Affairs is entitled to consideration. Sixteen of the best Senators in the Chamber are members of that committee. Some of the most eminent Members of the Senate are members of that committee. Are you going to cast their work aside? Are you going to say that their work shall go for naught? It is the best bill that we have ever brought out. Moreover, on the 4th of March my official head goes into the basket. I shall no longer be chairman of the committee. I have a pride in this bill, very great pride; and then, Mr. President, I do not want the work of myself and my colleagues on the committee wasted.

I ask now that this billion-dollar wheat-growers' bill be passed, and let us forget it just as quickly as we can.

Mr. GRONNA. Mr. President——

Mr. SMOOT. Why does not the Senator withdraw his motion?

Mr. ASHURST. I withdraw my motion, because it would not carry, anyhow. I withdraw my motion now, because it will not carry.

Mr. GRONNA. Mr. President, the Senator from Pennsylvania has kindly yielded to me in order that I may ask unanimous consent that debate on this bill and all pending amendments shall be limited to five minutes. I want to help the Senator from Arizona to pass the Indian bill. As he knows, I am a member of that committee——

Mr. ASHURST. I know the Senator is.

Mr. GRONNA. And I am anxious that that bill shall come up after this bill has been disposed of. I ask unanimous consent to limit debate on the bill and all amendments to five minutes.

Mr. ASHURST. Mr. President, I will not consent to that unanimous-consent agreement unless it is provided that no Senator shall speak more than five minutes, and that no Senator shall be recognized more than once for any purpose whatever until the bill is passed.

Mr. GRONNA. I will agree to that.

Mr. ASHURST. All right, if that is to be the agreement.

Mr. GORE. Mr. President, I do not know that I would want to put myself in that situation.

Mr. ASHURST. All right, then; I object.

Mr. GORE. The Senator understands that when a Senator is in charge of a bill it is hardly proper for him to bind himself to speak only once upon it.

Mr. ASHURST. All right; I will withdraw it.

Mr. CHAMBERLAIN. Mr. President——

Mr. ASHURST. I will withdraw my objection because I can not get any support.

Mr. CHAMBERLAIN. Mr. President, I move that the Senate proceed to the consideration of the Army appropriation bill.

The PRESIDING OFFICER. The Senator from Oregon moves that the Senate proceed to the consideration of the Army appropriation bill.

Mr. KELLOGG. Mr. President, I wish to ask the Senator from Oklahoma, before I proceed to discuss this motion, if he is willing to fix a time on Monday at 2 o'clock to vote on this bill?

Mr. GORE. I will say frankly to the Senator that I think we had better vote on the motion made by the Senator from Oregon.

Mr. CHAMBERLAIN. Mr. President, will the Senator allow me to interrupt him?

Mr. KELLOGG. Yes, sir.

Mr. CHAMBERLAIN. I am assured that if I withdraw that motion this bill will be shortly disposed of; and I therefore temporarily withdraw it, with the understanding that I will renew the motion if the bill is not disposed of soon.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

Mr. KIRBY. Mr. President, I offer an amendment to the bill.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. I wish to inquire what disposition was made of the amendment offered by the committee on page 3, line 21.

The PRESIDING OFFICER. It is the pending question.

Mr. KING. Before it is disposed of I want to be heard.

Mr. KIRBY. Mr. President, I offer an amendment to add a new section at the end of the bill. I suppose it is in order at this time.

The PRESIDING OFFICER. It is not in order at this time.

Mr. KIRBY. I understood that no agreement had been made to take up committee amendments first.

The PRESIDING OFFICER. The Senator may offer it later. The Secretary will state the next amendment of the committee.

The SECRETARY. On page 3, line 21, after the words "including the protection," the committee proposes to insert the words "or indemnification."

Mr. KING. Mr. President, I made an inquiry of the chairman in regard to this provision, and, as I understood the statement that was made by him and by other Senators who are in favor of this bill, the bill contemplates payment to all millers and all bakers and retail merchants for any losses which they may sustain by reason of a decline in the price of wheat or flour in the market, in consequence of which flour and wheat which they have shrink in value.

It seems to me that is a very unfair proposition. Men who have purchased merchandise in large quantities on the war basis are now confronted by a sharp decline in the prices of the same commodities.

It would seem to me that there is just as much obligation on the part of the Government to reimburse them for the losses which they sustained as to reimburse the miller or the baker or

those persons who purchased wheat on the market or flour on the market at market prices, and who now sustain a loss because there will be, or may be, a decline in the price of wheat and flour on the market.

I wish to make a parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. Will a motion to strike out the entire provision bearing upon this question be in order now, at a time when we are considering the Senate amendment?

The PRESIDING OFFICER. It will not be in order at this time.

Mr. KING. A further parliamentary inquiry. Would the adoption of the Senate amendment prohibit a motion to strike out the entire provision as amended at a later period?

The PRESIDING OFFICER. It would not.

Mr. KING. Then I shall not submit a motion now or make further objection to action upon the Senate amendment; but at the proper time I shall move to strike out the entire provision bearing upon this question.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. KIRBY. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill a new section, as follows——

Mr. GRONNA. Mr. President, may we not dispose of committee amendments before we take up amendments to come at the end of the bill?

The PRESIDING OFFICER. There has been no agreement about considering the committee amendments first.

Mr. GORE. I will ask the Senator from Arkansas if he will not defer offering his amendment until we finish the committee amendments? That is the usual procedure. The request was not made to-day.

Mr. KIRBY. Very well; I will do that.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment was, in section 4, on page 6, after line 5, to insert:

The President shall take seasonable steps to provide for and to permit the establishment of a free and open market for the purchase, sale, and handling of wheat and wheat products upon the expiration of this act.

Mr. KING. Mr. President, I should like to have the attention of the chairman of the committee. I see that this is an amendment suggested by the Senate committee. It is not clear to me, and I am asking purely for information what the chairman had in view in tendering such an amendment.

Mr. GORE. The bill provides by its terms for its expiration on June 1, 1920. It also provides for closing boards of trade and grain exchanges throughout the country. If that time comes and no provision has been made for reopening the exchanges or for reopening the markets, of course chaos will prevail in the markets. It will take some time, of course, for the boards to get to running steady, and I thought we ought to devolve the duty on the President to take such steps as he can. It will be impossible to take any steps to restore normal conditions when the end comes.

Mr. KING. If the Senator will pardon me, it seems to me, the act expiring by limitation at a given time, nothing further could be done by the President or any of the executive officers that might operate under the provisions of this bill. In view of the fact that the bill does expire by limitation, there is nothing that the President could or ought to do. The machinery itself ceases to operate when the time for the expiration of the bill arrives.

Mr. GORE. It may be possible that nothing can be done and, of course, there would be nothing to do if there is nothing we can do, but I thought perhaps there would be steps we could take to bring about normal conditions. Of course, in the whole country a great many products are in an abnormal condition. We have got to get back to normal sooner or later. We ought to facilitate the transition to normal conditions as much as we can. It is more a declaration of policy than any fixed direction as to the duties to be performed.

Mr. SMITH of Georgia. Are we not really providing for additional interference with what would be normal, and is it not better to leave the normal to take care of itself?

Mr. GORE. If that day comes and the markets are kept closed until that day Senators are wiser than I am if they can tell what will happen. We go over a precipice, where I do not know, and I do not know what the effect will be. Wheat begins to move in my State and in Texas early in June, and I dislike to see it begin to move into a demoralized market. I do not know what the President can do, but I do know it is desirable to have a free and open market.

I may say that, as Senators know, the handling of the wheat crop is rather a delicate process and involves a great deal of credit, credit pyramiding upon credit. If the trade does not know that normal conditions are established they can not expect to provide themselves with credit.

As Senators know, if an operator in wheat has $100,000 worth of capital of his own, he will buy $100,000 worth of wheat and hedge against it. Then he will use the elevator receipts, and on those he will borrow $90,000 more. He will buy $90,000 worth of wheat with that, and he will hedge against it in the market, and upon the elevator receipts will borrow, say, $80,000 worth, and this wheat has to be carried for 12 months from the time of harvesting in June and July until the time the last wheat is consumed in May or June of the next year.

It is a very delicate process, and I do not know whether it can spring up over night or not. If the President can do anything to repair the situation and to speed the restoration of normal conditions, he ought to do it. Of course, if there is nothing he can do, as the Senator from Utah suggests, there is nothing he will do. I need not say to the Senator from Utah and the Senator from Georgia that I am as much opposed to continued interference and meddling as any man can be, and yet we are at an abnormal height, and we ought to come down by the lock-and-dam system instead of rushing down a cataract and jumping over the precipice.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, in section 5, on page 6, line 14, after the word "announce," to strike out the word "no" and insert:

Provided, That as between the two articles mentioned preference shall be given to the exportation of flour, except when the public interest would, in the judgment of the President, be injuriously affected thereby. No——

Mr. STERLING. Mr. President, just a word in regard to a verbal change in the amendment. Following the reading as I did I am unable to make very good sense out of the amendment taken in connection with the text, considering the punctuation and everything. It occurs to me that there should be a comma after the word "thereby" and that that should not be the end of the sentence. This proviso is thrown in parenthetically.

Mr. GORE. The Senator may be correct about that. If so, I ask that the necessary change be made.

The SECRETARY. After the word "thereby," in the committee amendment, strike out the period and insert a comma and the word "no" with a small "n."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 7, line 7, before the words "wheat flour," strike out the word "or" and after the words "wheat flour" to insert "bran or shorts."

Mr. GRONNA. That should read "bran and shorts."

Mr. GORE. I think the word "or" ought to go out and "and" be inserted.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in section 6, page 8, line 23, after the word "wheat," to insert "semolina"; on page 9, line 6, after the word "wheat," to insert "semolina"; on page 9, line 13, after the word "wheat," to insert "semolina"; in line 13, after the word "wheat," to insert "semolina or wheat flour"; in line 18, after the word "wheat," to insert "semolina or wheat flour"; in line 23, after the word "wheat," to insert "semolina or wheat flour"; and on page 10, line 3, after the word "wheat," to insert "semolina or wheat flour," so as to read:

SEC. 6. That whenever the President shall find it essential in carrying out the guaranties aforesaid, or to protect the United States against undue enhancement of its liabilities thereunder, and shall make proclamation thereof, it shall be unlawful to import into the United States from any country named in such proclamation, or to export from or ship from or take out of the United States to any country named in such proclamation, wheat, semolina, or wheat flour, except at such time or times, and under such regulations or orders, and subject to such limitations and exceptions as the President shall prescribe, until otherwise ordered by the President or by Congress: *Provided*, That no preference shall be given to the ports of one State over those of another. Any person who shall import, export, ship, or take out of the United States, or attempt to import, export, ship, or take out of the United States, any wheat, semolina, or wheat flour in violation of this section or of any regulation or order made hereunder shall be deemed guilty of a misdemeanor and, upon conviction thereof, be punished by a fine

not exceeding $1,000 or by imprisonment for not more than two years, or both: *Provided further*, That when the President finds that the importation into the United States of any wheat, semolina, or wheat flour produced outside of the United States materially enhances or is likely materially to enhance the liabilities of the United States under guaranties of prices therefor made pursuant to law, and ascertains what rate of duty added to the then existing rate of duty on wheat and to the value of wheat, semolina, or wheat flour at the time of importation would be sufficient to bring the price thereof at which imported up to the price fixed or prevailing under the direction of the President under or pursuant to this act, he shall proclaim such facts, and thereafter there shall be levied, collected, and paid upon wheat, semolina, or wheat flour when imported, in addition to the then existing rate of duty, the rate of duty so ascertained; but in no case shall any such rate of duty be fixed at an amount which will effect a reduction of the rate of duty upon wheat, semolina, or wheat flour under any then existing tariff law of the United States.

Mr. KING. If I may have the attention of the chairman of the committee, I ask for information under what authority is there a provision that in time of peace the President may prohibit exports from the United States; and does the Senator think it is wise to give the power to prevent the exportation of wheat or wheat products to any country?

Mr. GORE. Mr. President, the Senator's memory is playing truant for the moment, because I know he is one of the best lawyers in the Senate. The first embargo laid in this country was, I think, the 23d of December, 1806. It was a general embargo against the exportation or importation of all goods. Even our own ships were not permitted to depart from our ports. That measure was repeatedly reenacted and was sustained by the courts of the country.

There can not be any question about the power of Congress to lay an embargo in peace as well as in war. As to the advisability of conferring this power, I may say that my first inclination and my first determination was to favor the elimination of this power from the bill. It struck me that the power to prevent exports was to favor the elimination of this power from the bill. It struck me that the power to prevent exports was in every circumstance a bad power; that it could only result in depressing the price of wheat here at home and in aggravating the indemnity to be paid.

I almost hesitate to tell the Senate what changed my mind. Those in charge of the measure in the other House advised me that they were advised that the fear existed that if the power to prevent exports was not included in this bill there might be an arrangement abroad not to take our wheat except at a price so low that it would not be justified by world conditions, and at a price so low that it would enormously aggravate our burden. The power to prevent its export was included in this bill in order that if any effort of that sort should be made abroad we would refuse to let them have the wheat they did need until they consented to take such supplies of wheat as they required at a reasonable price.

When assured in such an authoritative way that that fear was entertained I felt that I had no choice but to invest this authority in some agency of the Government, because if that contingency should arise the power ought to be invested somewhere to combat it, and I was not willing to take the responsibility of withholding such a power and subjecting ourselves to such treatment. I do not know that there is any danger of such treatment or that the fear was justified, but my information upon the subject did not leave me free as to the course I should take.

Mr. KING. Mr. President, just a word. I am familiar with the act to which the Senator refers, and I know it provoked a great deal of discussion, and there was a great deal of opposition to it, and its constitutionality was questioned. As I recall the statute which was passed at that time, it was not left to the discretion of the President of the United States to lay the embargo upon certain articles. Our controversies at that time with France and with Great Britain and the discrimination under which we were suffering in our trade and commerce with Great Britain and France alternately led some of the American statesmen to a recommendation of the policy of an embargo for the purpose of retaliation.

Mr. GORE. It was a very unwise policy.

Mr. KING. I think it was very unwise, and proved to be very unwise, and the President of the United States at that time was subjected to a great deal of criticism and the officers were subjected to a great deal of criticism in their attempt to enforce it. They attempted to enforce it in the shipment of cargo from one port to another, from one part of the United States to another, and it provoked, as I recall the history of that time, not only verbal controversy but there were some very serious physical encounters. If the Senator will pardon me, and then I shall desist, notwithstanding he has made a very logical statement as a justification for this legislation, I am not persuaded that the reason he assigns warrants us in departing from sound economic principles.

Mr. GORE. This is undoubtedly an unsound economic proposition and only as a weapon of economic warfare would it be justified at all. I remind the Senator that one of the early acts during Jefferson's administration authorized the President to lift the embargo either as to France or England if either one of them would revoke their orders in council or the decrees which were oppressing our commerce.

This I may say to the Senator is merely a case of economic isolation, which will probably become universal at an early date. At least if the power is to be vested in our league of nations to make economic isolation universal, it might be well to experiment with it on a small scale.

The amendment was agreed to.

Mr. POMERENE. Mr. President, may I ask whether amendments are in order?

The PRESIDING OFFICER. Not at this time.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 13, line 7, after the word "flour," to insert the following proviso:

Provided, however, That the President may, if necessary in his judgment to carry out the provisions of this act and protect the public interest, extend said time for a period not exceeding 60 days in which to sell or dispose of any wheat which the Government may have on hand and to wind up the affairs of the Grain Corporation.

Mr. GORE. Mr. President, there was considerable division of view in the committee in regard to the insertion of the proviso just read; and while I am not authorized by the committee to withdraw it, I desire to say that Congress will be in session next winter and in the spring of 1920. If any situation should arise which shall necessitate the extension of the time, Congress could then act. I would rather see the Senate disagree to that amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

The reading of the bill was concluded.

Mr. POMERENE. Mr. President, on page 11, after line 16, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from Ohio.

The SECRETARY. On page 11, it is proposed to add at the end of line 16:

Provided, however, That nothing herein contained shall be construed to be a guaranty of the price of spring wheat harvested in 1919 to the producers who did not sow or produce spring wheat in 1918, and no portion of said moneys herein appropriated shall be paid to such producers of spring wheat.

Mr. POMERENE. Mr. President, I desire to offer just a word in explanation of this amendment. The armistice was signed on November 11 last, and the guaranty which was given extended to the crop of 1919. I have been advised by a number of correspondents that in certain sections of the country where, as a rule, only winter wheat is produced, it is now proposed by a good many farmers that they shall not in the spring plant corn, but shall sow spring wheat, when they have not been accustomed heretofore to do so, in order that they may get the benefit of this guaranty. I think that that is a gross imposition upon the Government.

Mr. WOLCOTT. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Delaware?

Mr. POMERENE. I yield.

Mr. WOLCOTT. Does the Senator from Ohio know about what time spring wheat is usually sowed?

Mr. POMERENE. That of course depends upon the section of the country.

Mr. WOLCOTT. Is there any section of the country in which it has now been sowed?

Mr. POMERENE. I assume there is in the Southwest. I am not entirely familiar with the matter.

Mr. KELLOGG. There are sections of the country in which spring wheat is now being sowed.

Mr. POMERENE. I think that is so.

Mr. WOLCOTT. I should like to suggest to the Senator from Ohio that as to the sowing of the spring wheat that is now in the ground and which was certainly sowed under the guaranty provisions of the existing law, would it not be fairer to provide that from the date of the passage of this act the crop of spring wheat which is sowed shall not receive the benefit of this appropriation?

Mr. POMERENE. Possibly that may be a wise suggestion. My only thought is to prevent the deliberate taking advantage of the bounty of the Government under circumstances which can only be equal to a gross fraud upon the Government. I

may suggest that this amendment be adopted, and if it needs any modification in conference let it be done there. The matter was only called to my attention recently.

Mr. CALDER. Mr. President——

Mr. POMERENE. I yield to the Senator from New York.

Mr. CALDER. Will the Senator from Ohio entertain a modification of the amendment so as to provide that spring wheat should have been produced in 1917 or 1918 by farmers desiring to get the benefit of the law? With many farmers, I am told, it is the custom to alternate crops, so that a farmer who is producing wheat in 1917 might be planting for corn in 1918 and then seeding spring wheat in 1919.

Mr. POMERENE. I hardly think that it would be necessary to modify the amendment in that respect. If farmers were encouraged during the existence of this law guaranteeing the price to sow spring wheat in 1918, and they had not been sowing it theretofore, I am disposed to think that they are entitled to the benefit of this guaranty; but if they did not see fit to take advantage of the guaranty that was given in 1918 and go along down to the point where the war is practically ended, and then see this opportunity to get their hands into the public till, I think that Congress owes it to the public to prevent just that situation.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Washington?

Mr. POMERENE. I yield.

Mr. JONES of Washington. I know of a condition in one State in the Union where there are a great many renters, and I know that some renters who did not raise wheat in 1918 have already rented land especially adapted to wheat growing, and expect to put that land in wheat. They did this sometime ago. Now, it does not seem to me that they should be cut out, and they would be cut out under the Senator's amendment. They have made their preparations for seeding spring wheat.

Mr. POMERENE. If they have made their preparations, I can see how there may be some equity in their behalf. It is not my desire to interfere in that respect.

Mr. JONES of Washington. But the Senator can see the difficulties of applying his amendment without working a very great injustice on some very innocent people.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from South Dakota?

Mr. POMERENE. I yield to the Senator from South Dakota.

Mr. STERLING. Does not the Senator from Ohio believe that the guaranty by the President of a price of $2.26 a bushel for wheat applies to the grower of spring wheat in 1919 as well as it does to any winter-wheat grower?

Mr. POMERENE. Of course, it goes to him.

Mr. STERLING. He has made his arrangements with reference to the sowing of spring wheat.

Mr. POMERENE. Mr. President, I think the Senator from South Dakota misconstrues the purpose of this amendment. The farmer that I have in mind is the man who knows that the war was over in November, but he sees that under the order which was made by the President he can come in and change his crop, refuse to plant corn, put his corn land into wheat, and then get the benefit of this excessively high price.

Mr. STERLING. Mr. President, it seems to me there will be the greatest difficulty in the world in administering a provision such as that proposed by the Senator from Ohio. It goes to the matter of intention upon the part of the sower of wheat, so far as that is concerned.

Mr. POMERENE. Oh, no; it does not.

Mr. STERLING. The Government would have to be able to determine whether the man intended to sow wheat before the armistice.

Mr. POMERENE. It is the matter of intention to get the excessive price. I believe that this safeguard ought to be placed in this bill, and I insist on the amendment.

Mr. KELLOGG. Mr. President, just one suggestion about this matter. This amendment would prohibit any farmer raising any spring wheat in 1919 from obtaining the guaranteed price unless he raised spring wheat in 1918.

Mr. POMERENE. That is true.

Mr. KELLOGG. I wish to suggest to the Senator that, of course, the spring wheat that is sowed in much of the southwestern section is already being planted. That is one serious objection. Another serious objection——

Mr. POMERENE. Mr. President, the Senator is speaking of a locality in which spring wheat is generally produced.

Mr. KELLOGG. No; I am speaking of a locality where the prevailing crop is winter wheat, but where they do raise some spring wheat.

Mr. POMERENE. Very well; if they are raising spring wheat, then this does not affect them at all.

Mr. KELLOGG. Yes; it affects them, because they have planned to sow some spring wheat this year, as I was informed by gentlemen from Texas the other day, on land which they ordinarily do not use for planting spring wheat.

Mr. POMERENE. Well, why are they planting it?

Mr. KELLOGG. Because they are going to get a good price; there is no doubt about that.

Mr. POMERENE. Most assuredly. They have an opportunity to skin the Government and the public.

Mr. KELLOGG. There is one practical objection, and a very serious objection, which is that the Government would have to survey practically every farm. The only way this wheat guaranty can be administered—and I think the chairman of the committee will bear me out in this statement—as shown by the hearings, is to pay a stated price at the markets. It is impossible for the Government to deal with each farmer. That was found to be too complicated; otherwise the Government would have adopted the plan of opening the market and settling with each farmer separately, but it was found that that would entail such a detail of work on the Government that it was practically impossible of operation. This provision would compel the Government at every wheat-purchasing station to deal with every farmer as to what land he raised the wheat on or whether he raised wheat in 1918, and the Government would have to have a force and system which could not be put in existence between now and harvest time.

Mr. POMERENE. There is some provision for the making of regulations.

Mr. KELLOGG. The only regulation the Government made is this: It licenses every purchasing warehouse. All the wheat is sold at the stations, which are authorized and required to pay a stated price. The farmer brings his wheat there and gets the price. No inquiry is made where it comes from or where it was raised, but if the farmers bring it there before June 1, 1920, they get their money. This amendment would require the Government to know every piece of land on which wheat was raised in the United States.

Mr. POMERENE. Oh, no.

Mr. KELLOGG. And to show whether the farmer raised the wheat on the land previously or whether he did not.

Mr. POMERENE. That is an exaggeration which the Senator does not quite expect——

Mr. KELLOGG. I am quite accurate, I think. Let me see——

Mr. POMERENE. No; the Senator is not at all accurate in that statement.

Mr. KELLOGG. I beg the Senator's pardon. I will show him that I am accurate.

Mr. POMERENE. I beg the Senator's pardon, too. In my own State last year there were only, as I am told, 3,000 acres of spring wheat. The Senator does not mean to say that in a State where there were millions of acres of winter wheat there has got to be an inspector sent around to each particular farm?

Mr. KELLOGG. There are no such States; that is the trouble. Now, suppose we take the State of Kansas——

Mr. POMERENE. There is no such state of facts as the Senator suggests.

Mr. KELLOGG. Take the State of Kansas or the State of Nebraska——

Mr. POMERENE. Well, Mr. President, even if that is true, it is a poor argument to be made against a restriction of this kind, that it may require a little diligence on the part of the Treasury in order to prevent fraud upon the Government.

Mr. KELLOGG. It would not only require that, but it would require the purchaser in every market town to show whether the grain was raised on land on which the farmer had raised wheat in 1918. That is exactly what it would require.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Ohio.

Mr. CALDER. Mr. President, I am in accord with the amendment of the Senator from Ohio. I think it is a most meritorious one. Reports are coming in from all over the country that some farmers who have been planting their fields in recent years with alfalfa, corn, sugar beets, and other crops will this spring plant them with wheat, in view of the high price they will receive.

The farmer who was patriotic last year and endeavored to raise wheat to feed our Army, our allies in Europe, and our people at home deserves the support of the Government under the circumstances; but I have no sympathy for the man who did not grow wheat last year, but planted something else because he thought he might get a higher price, and this year plants wheat on the theory that it will be more profitable, and

neglects other crops which the people will need fully as much as they will need wheat.

The larger the crop of wheat we have the greater the sum that will be taken from the Treasury.

A very large crop of wheat ordinarily would mean a low price in the world's market, but under existing circumstances the more wheat raised the more the Government will have to pay out of the Treasury. The patriotic farmer who planted wheat last year ought to be taken care of by this guaranty, but the man who did not ought not to be.

Mr. GRONNA. Mr. President, may I ask the Senator from New York a question?

Mr. CALDER. Yes.

Mr. GRONNA. Does the Senator know how much the increased acreage of wheat was in his State?

Mr. CALDER. For the crop of 1918?

Mr. GRONNA. Yes.

Mr. CALDER. I do not know.

Mr. GRONNA. For the information of the Senator I will say that the report shows that in the State of New York the acreage in 1917 was 40,000 acres, and in 1918, 50,000 acres, an increase of 10,000 acres. That would be an amount that could be divided up among four farmers in the western section of the country.

Mr. CALDER. I assume, Mr. President, that the same proportionate increase will be found in most of the States of the Union.

Mr. GRONNA. I take it the farmers of New York are just as anxious to get a fair price for their product as the farmers of my section of the country.

Mr. CALDER. The amendment of the Senator from Ohio gives them a fair price, and takes care of the farmer who planted wheat in 1918.

Mr. GRONNA. I am merely calling attention to the facts and showing that the acreage increase in the Senator's own State was infinitesimal; it did not amount to anything.

Mr. CALDER. I am not thinking of my State alone; I am thinking of the tax upon the people of the whole country.

Mr. JONES of Washington. Mr. President, I am opposed to this amendment, not because of the injury that I think it will do to the owners of farms, but more because of the injury that I think it will do to farmers who are renters. I am concerned for them more than for anybody else, and I know that this amendment will affect many renters in some sections of the country.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

On a division, the amendment was agreed to.

Mr. KIRBY. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to add a new section, as follows:

SEC. —. All laws authorizing or permitting the making of restrictions against the sales of cotton for export or laying embargoes on or authorizing or requiring licenses for the exportation thereof are hereby repealed.

Mr. KIRBY. Mr. President, this amendment is plain and easy of understanding. It only provides that all laws authorizing the laying of restrictions on the sale of cotton for export, and all laws authorizing the laying of embargoes, and authorizing and permitting or requiring licenses for the exportation of cotton shall be repealed.

We are not asking any bonus of the Government here or any guaranty for the price of cotton. We are not asking anything of the Government except to take off the restrictions, since the war is over, and give us an opportunity to sell our cotton.

It can not be said that the allies can complain about it because it shows a disposition upon the part of our people now to give themselves an opportunity to do business in the products that have been restricted and held here, to the great injury of all the producers, up until this time. We are only asking that the restrictions that ought not to be here now shall be removed; and I hope this amendment will be adopted.

Mr. GORE. Mr. President, I wish to say that it was my original purpose to request the Committee on Agriculture and Forestry to adopt and report an amendment of this character—an amendment modifying the law which authorizes an embargo on cotton. When it was decided to retain the authority to limit the exportation of wheat, I thought it would be inconsistent to do so. I was desirous of avoiding anything which might clutter up the measure and defeat its final passage. I think, in view of the amendment just adopted, offered by the Senator from Ohio, that objection has largely departed. I understand that the amendments reported by the Senate committee, if agreed to by the Senate, will be accepted by the House, thus obviating a conference. The amendment offered by the Senator from Ohio and its adoption, I think, will necessitate a conference. I had intended to offer an amendment of this sort on a measure which is to come up between this time and the expiration of this session. I am not authorized to accept this amendment. If I were, I would certainly accept it. I should be very much pleased if the Senate would vote this amendment into the bill. It is justified by every consideration of sound policy and justice.

There are 2,000,000 cotton producers in the South. Their product, essential to their prosperity and one of the chief contributors to our national prosperity, has been denied the privilege of entering into foreign commerce with certain neutral countries. That privilege is now limited, notwithstanding the armistice was signed nearly four months ago. Every effort has been made by the cotton-producing States, by Representatives and Senators from those States, to prevail upon the authorities here in Washington to revoke this order. We have failed. I think the Congress ought to modify that law and permit cotton to enter into international commerce. It is now selling for less than it is worth. It is selling in my State and in the State of Texas for less than it costs to produce it.

I hope the Senate will adopt this amendment.

Mr. SMITH of Georgia obtained the floor.

Mr. GERRY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. SMITH of Georgia. For a speech or for a question?

Mr. GERRY. I want to ask a question of the chairman of the committee.

Mr. SMITH of Georgia. I yield for that purpose.

Mr. GERRY. I want to ask the chairman, if this embargo is repealed, if it would not be allowing cotton to go into neutral countries and to Germany, thereby breaking the armistice?

Mr. GORE. I assume that authority would exist to prevent the breaking of the armistice. I am as anxious to keep the terms of the armistice in good faith as I am to keep the terms of the wheat guaranty in good faith. Wheat is now being allowed to go into Germany to the amount of 6,000,000 bushels a month.

SEVERAL SENATORS. And the American people are paying for it.

Mr. GORE. I do not know as to that. I raise no question as to the wisdom of that policy, but I do question both the wisdom and the justice of permitting wheat to go into Germany to feed their people and at the same time exclude cotton from going into neutral countries. I do not think this involves the shipment of cotton into enemy countries. It would permit, however, the shipment of cotton into neutral countries. The Government has now limited the shipment to neutral countries. It ought not to be limited. The war is over. The President, in his address to Congress on the 11th of November, declared:

The great war thus comes to an end.

If the war is ended, why preclude cotton from going even into Germany? But I am not insisting upon that. I do insist, however, that cotton ought to be allowed to go into the neutral countries. The reason why it is excluded is because certain countries with whom our relations have been friendly think that it might resuscitate the factories in Germany to their prejudice. I do not think it will reach Germany. Perhaps it ought not to reach Germany. My purpose is to permit it to go into the neutral countries. Exclusion from those countries is unjustified.

Mr. SMITH of Georgia. Mr. President——

Mr. GERRY. Will the Senator yield again just for a question?

Mr. SMITH of Georgia. Certainly.

Mr. GERRY. I simply want to ask the chairman, if cotton is allowed to go into neutral countries, if that will not mean that eventually it will go into Germany; that the neutral countries will buy more than they need, and that will be simply a subterfuge; and that therefore the matter should be left to the President to deal with?

Mr. GORE. Mr. President, I will answer the Senator's question on broader grounds. There is no authority under international law to prevent innocent goods from going to neutral countries. It has been done. It has been done during this war. There was a list of noncontraband articles agreed to by the London convention in 1909, in which it was declared that certain articles should never be classified as contraband. The first article upon that list was raw cotton, but there is no acknowledged authority to prevent innocent goods from going into neutral countries even if it is certain that they will go to enemy countries. Contraband of war can be interdicted from going into neutral countries if they have enemy destination. Conditional contraband goods can be prevented from going into neutral countries if they have an enemy destination and be de-

signed for the combatant forces. Innocent goods can not, in accordance with international law, be precluded from going into neutral countries, even if they have enemy destination and be intended for the combatant forces.

These are the old-fashioned principles of international law before the new era of the "new magic." I do not think any country on earth ever observed those principles except the United States of America. It did observe them during the Civil War. Arms shipped to Matamoras, Mexico, designed, undoubtedly, for the Confederate service, were interdicted. I believe it was in the Peterhof case that the Supreme Court of the United States held that those goods could not be interdicted even though they were consigned to Matamoras, and even though it was morally certain that they had an enemy destination, because that fact had not been conclusively proved.

Mr. SMITH of Georgia. Mr. President, I wish to say to the Senate that no part of the agricultural interests of this country has suffered during the war as have the cotton growers of the Southern States. First, in 1914, the entire market was cut off. Cotton could not go abroad. Sixty-five per cent of it was dependent upon the foreign market, and cotton went down to almost half the cost of production. Last year's crop cost the average farmer about 30 cents a pound to produce it. It has been beaten down by its own Government from the price at which it was selling last September. In the early part of last September cotton was selling at 38 cents a pound. Merchants and farmers advanced money upon it around 30 cents. The War Industries Board raided it, threatening to fix a price that they had no authority to fix and no power to maintain; and after talking about it, and talking about it for several weeks, they broke the market, and got it down to about 30 cents.

Then, when they admitted that they had no authority and no power to fix or maintain a price we thought the market would begin again, and what did we find? The War Trade Board, under the power given as a result of cotton having been put on the embargo list, was declining licenses to ship cotton even to Spain in considerable quantity compared with the demand of that country; it was requiring licenses even to go to Japan; and the market was again broken.

Now, we do not come to the Government that has injured the cotton grower—breaking his price down by its conduct from 38 cents a pound to now about 24 cents, substantially less than it cost him to raise it—we have not come to the Government and asked a billion dollars to take care of our crop or to take off our hands the cotton that has been cut off from its markets. We simply ask that the embargo put upon it be taken off of it, and that it be permitted free shipment; that is all.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. SMITH of Georgia. Yes.

Mr. KELLOGG. I just wish to ask the Senator if he does not remember that when cotton was put in the food bill, authorizing the Government to fix the price, he and all his friends cut it out?

Mr. SMITH of Georgia. On the contrary, I stated that if they would fix the price at any reasonable sum I would not object; but I added that "if you do it, the Government does not need the cotton, the Government will not need to buy any, and you will burden the Treasury."

Mr. KELLOGG. But the committee put it in.

Mr. SMITH of Georgia. No; the committee did not.

Mr. KELLOGG. The committee put it into the food bill; and when it came into the Senate cotton and iron and steel and many other products were in the bill, as I recall.

Mr. SMITH of Georgia. The Senator is mistaken. They were put in on the floor of the Senate——

Mr. KELLOGG. Very well.

Mr. SMITH of Georgia. And we all joined together and took them all out.

Mr. KELLOGG. I did not join together with anyone else. I voted against taking it out. I was in favor of leaving it in.

Mr. SMITH of Georgia. Well, most of those industries joined.

Mr. KELLOGG. The iron and steel industries and cotton made a combination and cut it out. That is what occurred.

Mr. SMITH of Georgia. No; the folly of putting into the bill things that the Government did not intend to take over was realized, and the burden it would place upon the Government if it gave a guaranteed price was also realized.

Mr. KELLOGG. The Senator knows that the wheat growers opposed putting wheat in.

Mr. SMITH of Georgia. I insisted at the time that if the wheat market was to be in a measure controlled by the Government, a guaranty that would take care of the wheat grower should be made; and I voted for $2 wheat and I voted for $2.50 wheat. I said upon the floor of the Senate, "If you wish to put cotton in and give it a relatively increased price, so far as the cotton growers are concerned, I am willing, but I do not think it is wise for the Government; for, if you give that kind of guaranty, our people will plant for an immense crop, and the Government may be compelled to buy from 16,000,000 to 20,000,000 bales of cotton"; and my opposition to it was, at least in part, upon that ground.

Mr. KELLOGG. There is just one other question I wish to ask the Senator. I am not familiar with this situation. Has the President got power now to remove the embargo on cotton?

Mr. SMITH of Georgia. I think he has.

Mr. KELLOGG. Why does he not do it?

Mr. SMITH of Georgia. I differ with him about it. I think he ought to.

Mr. KELLOGG. What reason is given for not doing it?

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the Senator from Arkansas.

Mr. MYERS. I ask to have the amendment stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The Secretary again stated the pending amendment.

Mr. MYERS. Mr. President, I move to amend the amendment by adding at the end of it the following words:

Provided, That no cotton be allowed to go to Germany, Austria, Bulgaria, or Turkey.

I do not think we ought to furnish cotton to any of the central powers.

Mr. SMITH of Georgia. They are under the blockade. The objection to that is that when the war is over it would prohibit its going there.

Mr. GORE. Let me suggest to the Senator that he put in a proviso that the President can prohibit it from going to Germany.

Mr. SMITH of Georgia. No; it is already prohibited. The blockade stops that; and the amendment of the Senator from Montana, even after peace is reached and the blockade is raised, would continue the prohibition against cotton going to those countries.

Mr. MYERS. That would be very agreeable to me.

Mr. SMITH of Georgia. But not to the owners of cotton.

Mr. GORE. Six million bushels of wheat a month are now going to Germany.

Mr. FLETCHER. Mr. President, that will give rise to another difficulty, because objection might be made to a shipment on the theory or supposition that it was going there, and the shipment might be entirely stopped from going to any country upon the assertion that it was likely destined to Germany.

Mr. MYERS. No; I think it would only stop or prohibit shipments going directly to Germany.

Mr. JONES of New Mexico. Mr. President, it seems to me that this is a request of a very important character, and that it comes at a time when it is impossible for the Senate to understand the merits of the proposed amendment.

No committee, so far as I am advised, has taken any testimony upon this proposition. We do not know what the reason is why the embargo is not raised already. It is conceded that the President has power now to raise this embargo and without legislation. Unquestionably some of the Senators who have been speaking upon this question to-night have insisted that this thing be done. It is apparent that it has not been done; and is there anybody here who believes that it has not been done without some cause? Do you not believe there is some good reason why this thing has not been done? And are we, without information, to pass upon this amendment and to take out of the control of the Commander in Chief this most important activity? Do we want to act at this time upon legislation which is so serious in its nature without having examined it most carefully?

I can not recall any proposition which has been presented to the Senate which seems to me to be more in the nature of a half-baked proposition than this. Before you repeal a law of this character, which was entered into after the most careful consideration, and before you repeal it against the protest of the President, who has in his hands its execution, should you not at least know the facts? Should not some one appear here and state why this embargo has not been raised before? Do you want to act in this way without careful consideration and stay the hand of the President of the United States in the performance of his duty without even knowing why he himself fails to perform the thing which the Senators now seek?

I simply ask that Senators give this matter careful consideration. For one I know nothing about it. I have had no opportunity to ascertain the facts. So far as I know it may be that the embargo should be removed, but the people who are intrusted with the duty of enforcing it must have some reason or else this would not be done.

Mr. MYERS. Mr. President, I withdraw my amendment to the amendment.

The PRESIDING OFFICER. The Senator from Montana withdraws his amendment to the amendment.

Mr. NORRIS. Mr. President, it had not been my intention to take up any of the time of the Senate at this late hour in the day and in the session in the discussion of this bill. I assumed, and I believe that assumption was right, that the Senate was practically unanimous in the belief that the guaranty given by the President under a law of Congress as to wheat should be carried out in good faith. I supposed that the bill would not be before the Senate more than a few moments before it would be passed.

I regret, Mr. President, that this amendment has been offered. In my judgment it endangers the success of the legislation which I believe we are all anxious to bring about. As has been truly said, the President has the right under this law to remove the embargo on cotton, and that is what this amendment seeks to bring about. No new legislation is necessary if the President wants to act. The fact that he does not act and remove the embargo is evidence to my mind that, at least, in the judgment of the President, the embargo ought not to be removed. Personally, I do not know why it should be removed.

It may be that if this were a separate proposition and a bill by itself or if hearings could have been had and those connected with the enforcement of the embargo act heard, I would be convinced that we ought to pass this law and repeal the embargo act. But I would not want to vote for its repeal now without a hearing and without getting the viewpoint of the President and those whose duty it is to enforce the law.

I am impressed, and that is a serious argument, with the fact that has been stated on the floor of the Senate here this evening to me that this very day when the President was in his room across the hall in the Capitol he stated to members of the Senate that he did not intend to remove the embargo on cotton. If he did so then he is convinced in his own mind that it ought not to be removed.

I do not know how serious it might be. I do not know what his argument is. I do not know what his reasons are; but at least he is convinced it ought not to be done.

We are now confronted with this legislative proposition: If we tack this amendment on the bill that everybody wishes to become a law it will put up to the President the necessity of either doing what in his judgment ought not to be done or to veto the entire bill, and thus defeat all legislation on the guaranty of the price of wheat. If his reasons are in his mind sufficient that it would be seriously wrong to remove the embargo, he would veto the bill, and the Government would therefore not be in a position to carry out the guaranty that has been solemnly made under the law of Congress. So it seems to me it is not right to tack on this bill this particular amendment.

I think those facts have a direct bearing on the question, but there is still another reason. I heard the argument made in the Senate when the pure food act was before this body. I remember how we put in a large number of articles in that clause which gave to the President the power to control and fix prices, and that cotton was one of them. I voted, I think, for all those amendments. I thought we ought to keep everything out or put practically everything in. I thought if we were going to limit the price the farmer ought to get for his wheat we ought also to limit the price of those things he had to buy to produce the wheat.

I remember an argument being made by some Senator from a cotton State that was rather appealing to me. It was to the effect that there was a reason for putting wheat in and limiting the price that did not exist as to cotton, because he said we must have wheat to live, and while it would be a hard thing to get along without cotton, we could do so. The man who produces wheat did not want the price limited and the historic fact is that the day we passed the law wheat was selling in Minneapolis, as I remember it, for a little over $3 a bushel on the open market, and when we placed the limit at $2 it practically meant that every farmer in the United States contributed to the Treasury of the United States for war purposes $1 for every bushel of wheat he owned. So there is some equity if the farmer lost a dollar a bushel then for his getting next year $1 more. That is outside of the guaranty. I take it we all want to make the word of the Government good since it has been solemnly pledged, no matter what the reason may have been, but that is the equity in it.

Mr. President, there is another thing. Nobody knows now whether there will ever be a dollar necessary to pay to the farmer producing wheat that is to be harvested next summer. We know that if the wheat crop, which now appears to be in good shape, would turn out and no accident happen, if God gives us rain and the wheat yields as it indicates now that it will, if the hail does not destroy it, if pests do not destroy it, it looks now as though it will be necessary to use some of this money to make that guaranty good. But there is no certainty about it. It may be that wheat on the open market will sell higher next year than it would sell now if there was no law on the subject.

It seems to me, Mr. President, taking it all in all, that it is hardly fair to the President to put up to him a proposition that he must either sign a law that will repeal the embargo act or he must violate the pledge of the Government and veto the entire bill.

I hope, therefore, the amendment will not be agreed to.

Mr. POLLOCK. Mr. President, there seems to be a misapprehension on the part of a great many Senators here as to the purposes of this amendment. I might say that I am heartily in favor of the passage of this wheat bill whereby the taxpayers of the United States will contribute to the wheat growers of America more than $1,000,000,000. So far as I am concerned—and, I believe, all those who represent the section of the country from which I come are concerned—we are going to see to it that the pledge of the Government made through its President is kept to the letter. We are going to pledge to the wheat growers of America $1,000,000,000 out of the pockets of the American people, and there need not be any fear on the part of gentlemen on the other side or from any section of the United States that the pledge will not be carried out.

But, Mr. President, that is not the only thing before the American people right now. This is not the only question which is of vital interest to a large number of farmers of this country. The farmers from my section of the country, from the South, from the cotton-producing section, have by reason of this war, by reason of the action of the Government in part, lost more than $1,000,000,000 in the fall in the price of cotton recently. Cotton has dropped, as the Senator from Georgia [Mr. SMITH] has said, from around 38 cents a pound down to a little over 20 cents a pound. The cotton growers have lost from $70 to $80 a bale. On a crop of 12,000,000 or 13,000,000 bales that means a loss to the people of the South of more than $1,000,000,000. We are going to take our less like men and we are not going to come here and ask the Government to make good any loss we have suffered.

In order that Senators may realize fully how this has struck the South, if you take 20 cents a pound as the reasonable and ordinary price for cotton, and that is higher than it was before the war, the amount we are going to appropriate out of the Treasury is more than enough to pay every dollar that the southern cotton crop, the American cotton crop, would bring in gross without allowing one cent for the use of the land, one cent for fertilizer, one cent for labor, one cent for marketing, one cent for anything else. We are going to vote to you gentlemen in the wheat section as much money out of the Treasury as the whole cotton crop of the South is ordinarily worth, and more still.

What is the proposition before the Senate at this time? We merely ask that we be given a free market, as far as it is possible to sell our crop. The amendment offered by the Senator from Arkansas is not merely to raise the embargo that the United States Government has established against the exportation of cotton. There is no embargo. Let me read it:

> All laws authorizing or permitting the making of restrictions against the sale of cotton for export or laying embargoes on or authorizing or requiring licenses for the exportation thereof, are hereby repealed.

There is not an embargo as far as the United States is concerned. Whatever embargo foreign countries have adopted and put in force we can not change by the passage of any act here. But, Mr. President, we can repeal a law which gives any board here in Washington the power to require a license before cotton can be shipped out of America to any other country, and that is all the effect this amendment will have if it is adopted. We ask the balance of the country, we ask the American Senate, we ask American people to do this as a matter of common justice to us. We ask no money out of the Treasury. All we want is that these restrictions be taken off the free movement of cotton wherever the Government of the United States can take it off. We can not take it off in so far as France, Italy, Germany, Austria, England, or any foreign country is concerned, but in so far as the restriction placed upon the movement of it as far as the United States Government is concerned, we ask that these laws be repealed in order that in so far as we are concerned we may find an open market for our cotton. That, Mr. President, it seems to me, ought to be sufficient to appeal to the sense of fairness and justice of every Senator in this body.

We are going to give you $1,000,000,000. We do not ask you for a billion dollars for our cotton; but we do ask you to help

us, as far as it is in your power, to open up the gates of commerce and let us go out and sell that cotton wherever we can, and that you do not require us to get a license, which is oftentimes refused, and which, so far as I can see, is without any reason at all.

I therefore hope the amendment will be adopted for whatever it is worth. I do not believe it is worth as much as perhaps some might think, but whatever it is worth I hope it will be adopted in order that we may get the benefit of it.

Mr. LODGE. Mr. President, I only desire to say a single word. As I understand it, we agreed in the armistice to maintain the status quo; and therefore if we undertake to change it, and it would be a change to remove any embargo, we violate that agreement. I imagine that is the view of the President, though, of course, I know nothing about it. I do not see how he could fail to take that view. It seems to me an unfortunate preface or preliminary to a league of nations to begin by breaking existing agreements.

I am for this bill. I know it is an enormous sum of money. It was improvidently contracted, but it seems to me that it is a debt of honor that ought to be paid and must be paid, and to attach to it something which I should think it extremely improbable the President would sign—for I do not see how he could sign it—is a way of beating the bill that is not very creditable to the Senate and would not be very creditable to the Congress if the House should agree to it.

Mr. POLLOCK. Will the Senator from Massachusetts permit me to ask him a question?

Mr. LODGE. Certainly.

Mr. POLLOCK. Is it not a fact there is no embargo, in so far as the United States Government is concerned, on the exportation of cotton?

Mr. LODGE. I supposed there was.

Mr. POLLOCK. Where did you get the information upon which to base such a supposition?

Mr. LODGE. What does the amendment propose?

Mr. POLLOCK. To repeal all laws that have placed any restrictions upon the exportation of cotton.

Mr. LODGE. The Senator from South Carolina draws a line of distinction between restriction and embargo. The repeal of any laws affecting the status quo agreed to under the armistice is a breach of the armistice to which we have agreed.

Mr. SMITH of Georgia. Mr. President, I do not think for the United States to take an item off its own embargo list would be a change of the status quo.

Mr. LODGE. I understand the Senator from South Carolina [Mr. POLLOCK] that there is no embargo, that it is only a restriction.

Mr. SMITH of Georgia. I do not agree with the Senator from South Carolina. I think that the President put cotton on the embargo list, and there is an embargo on the exportation of cotton, and I think it has to go out under the rules and regulations prescribed by him and licenses issued by the War Trade Board.

Mr. LODGE. That is my precise impression.

Mr. SMITH of Georgia. I am agreeing with you.

Mr. LODGE. I was disagreeing with the Senator from South Carolina.

Mr. SMITH of Georgia. I agree with the Senator from Massachusetts upon that subject, but I do not understand that for the President to take it off of our own embargo list interferes with the status quo. The status quo is the blockade of Germany and Austria, and for us to allow cotton to be exported without a license does not mean that it will go to Germany or Austria at all, but the blockade continues just as the status quo provides. We have taken barley off the embargo list since the armistice was signed. Did that interfere with the status quo? We have taken a number of items off the embargo list in the last 30 days. Indeed, the rules as to the export of cotton have been modified since last November.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Nebraska?

Mr. SMITH of Georgia. I yield to the Senator.

Mr. NORRIS. Without taking any stand on the particular question as to whether we have an embargo or not, at least the President, as I understand it, has declined to remove it. I understand the President was here to-day and talked with Senators; perhaps he talked with the Senator from Georgia. If he did, I should like to know if he told the Senator from Georgia——

Mr. SMITH of Georgia. I should not feel at liberty to repeat any discussion I might have had with the President.

Mr. NORRIS. Then I will not ask the question. I thought perhaps you would not object to stating that.

Mr. SMITH of Georgia. No; I would not feel at liberty to do so.

Mr. NORRIS. I am not at all sure that I would not agree with the Senator fully, but I at least would not want to take this action until the President's side could be heard. If he has only indicated his ideas in confidence and the Senator can not give it to the Senate, I would not like to act upon it until I had that information.

Mr. SMITH of Georgia. I have perfect confidence in my judgment as to the propriety of relieving all agricultural products from the embargo.

Mr. NORRIS. I likewise have confidence in the Senator's judgment.

Mr. SMITH of Georgia. I will yield to the Senator if he wishes to ask a question.

Mr. NORRIS. I was just going to agree with the Senator so far as his judgment is concerned, and yet I think that when the President has the duty to enforce this embargo and refuses to remove it, I am justified in halting before I act without having the President's side.

Mr. SMITH of Georgia. I am not criticizing the Senator from Nebraska. When we allowed this embargo to go into the espionage act, we first beat it on the floor of the Senate on my motion, because I considered it a weapon put into the hands of any set of men dangerous to the people of the country. Subsequently we went into executive session, and upon the assurance that it would only be used during the war to keep supplies out of Germany and Austria, I moved to reconsider the action of the Senate and put the embargo back. Now, I know it has served its purpose. I am glad we took barley off the embargo list. That was done since the armistice; that was within the past 30 days. The Senator from California presented to me views on that subject that made me feel that it was an outrage to keep barley on the embargo list. Other agricultural products have been taken out of the embargo list since the armistice. This did not change the status quo; and I think it but fair that cotton should be taken out.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Mexico?

Mr. SMITH of Georgia. I yield.

Mr. JONES of New Mexico. I have always been under the impression that no one more than the Senator from Georgia has wanted to have Senators fully informed upon any question before being called upon to act with reference to it. Now, if I understand the Senator from Georgia, his position is this: A reason has been given by the President, with information from those who have been executing this authority, against doing what this amendment proposes to do. What that reason is we are not permitted to know. The Senator from Georgia, I have no doubt, with all propriety withholds that information, and as against the withheld information, upon the ipse dixit of the Senator from Georgia, he would have us take his word and say that this thing should be done, when he knows that we do not know the things which can be said upon the other side. I ask the Senator from Georgia, with all respect and deference, if he thinks that is the right position in which to put Senators?

Mr. SMITH of Georgia. I think we understand it perfectly. The Senator from Massachusetts suggested the objection, which was that the terms of the armistice required the status quo maintained. Now, the status quo does require the continuance of our embargo list, for within the past 30 days barley has been removed from the embargo list and other items have also been removed from it.

Mr. NORRIS. May I ask the Senator a question there?

Mr. SMITH of Georgia. Yes.

Mr. NORRIS. Is it not fair to say—or to assume, at least—that the Senator from Massachusetts did not give the reason why the President was keeping it on the list, because, as the Senator says, the President has taken it off of something else within the last 30 days? So there must be some other reason besides that.

Mr. SMITH of Georgia. I do not believe there is another reason. I have never heard any other reason suggested. I do not know.

Mr. NORRIS. I have not heard any reason for his action.

Mr. SMITH of Georgia. I have given the only reason that anyone has communicated to me. I can say that much to the Senator.

Mr. NORRIS. Then it is evident the President did not even give to the Senator from Georgia his reasons for keeping it on.

Mr. SMITH of Georgia. That is the only reason anyone has ever suggested to me, and I insist that it is not a reason which should control action by Congress.

Mr. OWEN. Mr. President, it seems to me there ought to be no great mystery about the embargo on cotton. Cotton is peculiarly available for making nitrocellulose, which is an explosive, and the Germans have, of course, been desirous of getting cotton; but they have been using wood pulp since 1916, which is within a few per cent as available for making nitrocellulose as is cotton.

The British Government has a complete embargo in the form of a blockade against any explosives going into Germany or any cotton going into Germany. The Germans have surrendered their fleet; they have surrendered their submarines; they have surrendered their warships. They are perfectly defenseless against the blockade which Great Britain has established. There is no reason in my mind, when Norway and Sweden want to use our cotton for the making of cloth, why the cotton should not go to Norway and Sweden to be used in the making of cloth.

So far as this embargo on material is concerned on going into Germany, Great Britain herself is now sending to Germany all of her surplus pork products, while we are supplying her with new pork products.

Mr. PENROSE. Will the Senator from Oklahoma permit an inquiry?

Mr. OWEN. Yes.

Mr. PENROSE. Does he still retain the same position concerning filibustering as he gave expression to three hours ago?

Mr. OWEN. An inquiry came from that side of the Chamber with regard to the reason, and I am answering that inquiry. It will take me about two minutes.

Mr. PENROSE. The Senator's remarks are interesting, but he is taking a great deal of time and delaying this bill.

Mr. OWEN. But the Senator from Pennsylvania is recognized in the Senate as the leader of filibustering on that side.

Mr. PENROSE. I am beginning to suspect that I have an able colleague in the Senator from Oklahoma.

Mr. OWEN. The Senator from Oklahoma will not use many minutes.

Mr. PENROSE. I am glad to know it.

Mr. OWEN. I have explained now the reason why cotton has been regarded as subject to the embargo.

I do not know what commitments might have been made some executive officer in dealing with an allied commission that might meet in London with regard to certain products here and there. There may be some agreements of that sort of which I have no knowledge; but I think the Senate is entitled to know if agreements committing the United States against shipping cotton abroad exist. I think we have a right to know it. If we do not know it, I think we have a right to act as if they did not exist. I do not believe that the Senate of the United States should be kept in darkness with regard to commitments made in behalf of the United States. If there are commitments made, we are entitled to have them; and, if we are not advised with regard to them, then I am in favor of acting regardless of any such commitments.

Mr. NORRIS. I agree with what the Senator from Oklahoma [Mr. OWEN] has stated. If this were a proposition where there had been an opportunity to be heard by the President and his advisers, and they did not give us the information, or give any reason why the law should not be repealed, then I would follow those who say it ought to be repealed; but here we have a proposition presented to the Senate without an opportunity for those in favor of it to be heard.

Mr. SMITH of Georgia. Does not the Senator think that if any such agreement had been made to bind our Government it ought to have been made public, and if it has not been made public, have we not the right to conclude that it was not made?

Mr. GORE. Mr. President——

Mr. NORRIS. I will not yield just at this moment. If there is any agreement that was kept secret I could not say whether it ought to be made public, unless I knew all the circumstances. Without knowing, I should say yes. I am not trying to make an argument against this proposed amendment, if those who enforce it, particularly the President, decline to take it off and have the power to do it, and, without giving him an opportunity to be heard, it does not seem to me to be right to pass the law. If he had the opportunity and had the time to give us the information, and refused to do it, as has been stated by those who favor the amendment, that would be an entirely different proposition; but there has not been such an opportunity.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. NORRIS. In just a moment. The very fact that he declined to remove it, having the power to do so, makes a fair and honest presumption that, in his judgment, it ought not to be removed; and, without giving him or those who enforce the law an opportunity to give their reasons, I am opposed to putting up to him the necessity of either vetoing another proposition or backing down on that. If it were standing by itself, I would not hesitate to vote for it, because then he could veto it without hurting anything else.

Now I yield to the Senator from Mississippi.

Mr. VARDAMAN. I am glad to say to the Senator, before making the observations which I wish to make, that I am very much in favor of the bill carrying the appropriation for the wheat growers of America, but, as was suggested by the Senator from Oklahoma [Mr. OWEN], if there is an agreement which prevents the President from removing the embargo on cotton, the American Senate is entitled to know that such an agreement exists and the reason for its existence.

This is no simple, trivial, little thing; it involves an amount equal to a billion dollars.

Mr. NORRIS. I agree with the Senator that the Senate ought to know; I am not disputing that.

Mr. VARDAMAN. Pardon me, if the President has given no reason——

Mr. NORRIS. He has not had an opportunity.

Mr. VARDAMAN. Oh, the matter has been discussed with him repeatedly. A delegation of Senators from the South called on the President this afternoon and discussed it with him.

Mr. NORRIS. Privately; but not a single Senator is at liberty to disclose what the President said. There has been no opportunity to hear his side.

Mr. VARDAMAN. The Senator from Georgia [Mr. SMITH] says that there has been no reason given by him.

Mr. NORRIS. That does not mean that the President does not have a reason.

Mr. VARDAMAN. The Senator from Georgia was the head of the delegation which presented this request to the President.

Mr. NORRIS. If we had had this matter pending before a committee, or something of that kind, or if it were where there had been some opportunity to ascertain all the circumstances, then the argument of the Senator would appeal to me and would be decisive; but I submit that it is a dangerous thing at the very end of a Congress to put up to the President the proposition that this pledge of the Government as to the price of wheat shall either be violated or that he shall be compelled to do what, in his judgment, he ought not to do—remove the embargo on cotton. I will say to the Senator that if he will put it in a separate bill here to-night, so that it can stand on its own bottom, I will vote for it.

Mr. VARDAMAN. I have no desire to embarrass the President, and I would not put this amendment on the bill if I knew it would imperil the passage of the pending measure; but I do not see why it should embarrass the President. I am quite interested in saving to my constituents a billion dollars; it is a matter that affects me quite as deeply as the possibility of displeasing the President.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arkansas.

Mr. SMOOT. I ask for the yeas and nays.

Mr. VARDAMAN. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS], who seems to be absent. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. GORE (when Mr. HARDWICK'S name was called). The junior Senator from Georgia [Mr. HARDWICK] is unavoidably detained from the Senate.

Mr. LEWIS (when his name was called). "Present."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my general pair with the senior Senator from Rhode Island [Mr. COLT] to the senior Senator from Virginia [Mr. MARTIN] and vote "nay."

Mr. WOLCOTT (when his name was called). I transfer my general pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

The roll call was concluded.

Mr. CURTIS. I transfer my pair with the junior Senator from Georgia [Mr. HARDWICK] to the junior Senator from Michigan [Mr. TOWNSEND] and vote "nay."

Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

Mr. JONES of Washington. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is detained from the Chamber on account of the serious illness of his wife.

Mr. HARDING. I transfer my general pair with the junior Senator from Alabama [Mr. UNDERWOOD] to the junior Senator from New Jersey [Mr. BAIRD], and vote "nay."

Mr. OWEN. I transfer my pair to the Senator from New Hampshire [Mr. HOLLIS], and vote "yea."

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness.

Mr. CHAMBERLAIN. I desire to announce the unavoidable absence of my colleague [Mr. MCNARY].

The PRESIDING OFFICER. The Chair desires to announce the unavoidable absence of the senior Senator from Tennessee [Mr. SHIELDS].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS]; and

The Senator from Alabama [Mr. BANKHEAD] with the Senator from Minnesota [Mr. NELSON].

The result was announced—yeas 23, nays 36, as follows:

YEAS—23.

Ashurst	Kirby	Ransdell	Smith, Ga.
Chamberlain	McKellar	Reed	Smith, S. C.
Fletcher	Myers	Robinson	Swanson
Gay	Overman	Sheppard	Trammell
Gore	Owen	Simmons	Vardaman
King	Pollock	Smith, Ariz.	

NAYS—36.

Beckham	Henderson	Martin, Ky.	Shafroth
Calder	Jones, N. Mex.	Moses	Sherman
Curtis	Jones, Wash.	New	Smoot
France	Kellogg	Norris	Spencer
Frelinghuysen	Kendrick	Nugent	Sterling
Gerry	Kenyon	Penrose	Sutherland
Gronna	Knox	Pittman	Thompson
Hale	La Follette	Pomerene	Williams
Harding	Lodge	Saulsbury	Wolcott

NOT VOTING—37.

Baird	Goff	McNary	Townsend
Bankhead	Hardwick	Martin, Va.	Underwood
Borah	Hitchcock	Nelson	Wadsworth
Brandegee	Hollis	Page	Walsh
Colt	Johnson, Cal.	Phelan	Warren
Culberson	Johnson, S. Dak.	Poindexter	Watson
Cummins	Lenroot	Shields	Weeks
Dillingham	Lewis	Smith, Md.	
Fall	McCumber	Smith, Mich.	
Fernald	McLean	Thomas	

So Mr. KIRBY's amendment was rejected.

Mr. GORE. Mr. President, I ask unanimous consent to limit further debate on this bill and amendments to five minutes, and that no Senator shall speak on the bill or on any amendment to the bill more than five minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma?

Mr. LODGE. I ask to have the request stated.

Mr. GORE. That no speech by any Senator on the bill or amendments hereafter shall be of more than five minutes.

Mr. KING. The Senator means, five minutes on each amendment?

Mr. GORE. Yes, sir; on the bill, or on any one amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMITH of South Carolina. Mr. President, I desire to offer an amendment, on page 10, line 5, after the words "United States," to insert a new section, to be known as 6a, which I will ask the Secretary to state. After it is read I desire an opportunity to explain it briefly.

The PRESIDING OFFICER. The Senator from South Carolina offers an amendment, which will be stated by the Secretary.

The SECRETARY. On page 10, after line 5, it is proposed to insert a new section, section 6a, to read as follows:

SEC. 6a. That cotton that, because of the presence of extraneous matter of any character or irregularities or defects, is reduced in value below that of low middling, or cotton that is below the grade of low middling, or, if tinged, cotton that is below the grade of strict middling, the grades mentioned being of the official cotton standards of the United States, or cotton that is less than seven-eighths of an inch in length of staple, or cotton of perished staple or of immature staple, or cotton that is "gin cut" or reginned, or cotton that is "repacked" or "false packed" or "mixed packed" or "water packed," shall not be delivered on, under, or in settlement of such contract.

Mr. SMITH of South Carolina. That is simply to provide that, in the contracts for delivery of cotton, cotton of unmerchantable grades shall not, as now, be tendered on a contract. Under the present cotton-grading law the cotton-grading committee has standardized a great variety of grades of cotton, so that the exchanges are tendering these very low and unmerchantable grades to such an extent that it has driven legitimate business away from the exchanges and has practically converted them into mere gambling places and not a place for legitimate business. In other words, there is now a difference of anywhere from $25 to $30 a bale between the contract and spot market. This amendment is simply to make the exchanges legitimate trading places and make the contracts commercial.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired. The question is upon the amendment of the Senator from South Carolina.

The amendment was agreed to.

Mr. KELLOGG. I wish to give notice that I shall ask for a separate vote on the amendment of the Senator from Ohio [Mr. POMERENE] when the bill comes into the Senate.

Mr. KING. Mr. President, I call attention to page 3 of the bill. A few moments ago I invited attention to an amendment tendered by the committee, and stated that at the proper time I should move to strike out those parts of the paragraph that related to the matter then under consideration.

I now move to strike out, beginning on line 20, page 3, and ending with the word "crops," on line 25, the following words: "including the protection or indemnification of millers, wholesalers, jobbers, bakers, and retail merchants who purchase in carload lots against actual loss by them on account of abnormal fluctuations in the price of wheat and wheat flour of said crops."

It seems to me that the Government is under no moral obligation, and certainly under no legal obligation, under any of the proclamations made by the President to care for the losses, if there should be any losses, upon the part of bakers or merchants who may have had flour on hand when the armistice was signed.

Mr. KELLOGG. Mr. President, I do not think that language ought to be stricken out. As the chairman of the committee explained, it was absolutely necessary to keep the grain in the millers' hands, and 10,000,000 bushels were constantly in transportation in the form of flour, and without that guaranty the milling of grain in the country would stop; that is all there is of it.

The chairman of the committee suggests that an amendment, after the word "crops," so as to read, "the fluctuations in price of wheat and wheat flour of said crops due to Government action," would certainly remove any possible objection that the Senator has.

Mr. KING. Mr. President, will the Senator yield, because I will have no chance to explain the amendment any further, as I presume the few words I uttered would be construed as part of my five minutes? I should like to ask the Senator if it is not a fact that if this bill goes through in the way it is drawn, persons who are engaged in the milling business, or bakers, or wholesalers, or retailers, who bought flour or wheat months ago, and who now would lose by reason of any decline—not any decline caused by the Government, but by the operations of the law of supply and demand—could not compel the Government to reimburse them?

Mr. KELLOGG. Certainly not, because there can not be any decline until the Government fixes the price, and there never will be any decline until the Government takes off the price on the product, so as to lower the market, and then the loss comes; and if the words "due to Government action" should be inserted, they would cover everything.

Mr. KING. May I ask the Senator another question?

Mr. KELLOGG. Yes.

Mr. KING. Suppose the Government concludes to let the law of supply and demand take its course, and the farmers put their wheat on the market—if at the end of the year, or at any time when it is called upon to purchase the wheat under the guaranty, it would do so, and in the meantime under that law wheat goes to $1.50 per bushel, would not those persons who bought flour and wheat at war prices be entitled to reimbursement for their loss at the hands of the Government?

Mr. KELLOGG. The Government can not take off the guaranteed price. It has been made and fixed, and fixed in this law; and there will be no fluctuations, no decreases at least, until the Government takes off the price which is fixed upon the wheat; and when it does, of course, it may go down. In that event the Government would make it good, but it would only make it good once. If it made it good on wheat, it would make no allowance for it on flour.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired. The Secretary will state the amendment of the Senator from Utah.

The SECRETARY. On page 3, beginning on line 20, after the word "trade," it is proposed to strike out the comma and the

following words: "including the protection or indemnification of millers, wholesalers, jobbers, bakers, and retail merchants who purchase in carload lots against actual loss by them on account of abnormal fluctuations in the price of wheat and wheat flour of said crops."

Mr. SMITH of Georgia. Mr. President, I want to give my support to the motion of the Senator from Utah. Why should we protect them? We have made no obligation to them. It is the farmer who raised the wheat that I want to take care of. I do think the obligation of the Government is enough now. That is all right; I am in favor of taking care of the farmer, if some of the wheat-growing people did help beat us on cotton just now. I have stuck by them all the way through on wheat, and I am going to go the rest of the way; I think it is right; but I do not believe in carrying this to the merchants.

I hope the motion of the Senator from Utah will prevail.

Mr. GORE. Mr. President, I think the Senator from Georgia must be under a misapprehension as to the effect of this amendment. The only indemnification that it provides for is where a miller is obliged to sell his wheat at a less price than he paid, due to the action of the Government. The Government compelled him to buy it at $2.26.

Mr. SMITH of Georgia. Why, the Government could not compel him to buy it at all.

Mr. GORE. Well, the Senator understands that wheat must move in this country from the farm to the table. The millers have to buy wheat at the Government price or else they have to stop operation. There is not any choice about it. That is the practical situation.

Mr. REED. Mr. President, that is not all. The ruling was made by the Food Administration that if any miller did pay any other price than the one fixed the miller lost his license.

Mr. GORE. Yes; that is true. It was a sword of Damocles over his head. He had no choice. Now, the Senator will realize that when the Government reduces the price below what the miller paid, and leaves wheat in the miller's hands which he bought at the high Government price, the Government ought to make good the difference between the high price which it compelled him to pay and the price which results from the Government's letting wheat go to the market on any other basis than the market price.

Mr. KING. Will the Senator permit a question?

Mr. GORE. I yield.

Mr. KING. It has been stated repeatedly by the advocates of the bill that if it had not been for the Government fixing the price of wheat it would have gone to four or five or six dollars a bushel. Suppose the mills, retailers, and wholesalers had purchased wheat, the Government not having fixed the price, at four or five or six dollars a bushel, does the Senator think——

Mr. SMITH of Georgia. And the war should suddenly come to an end——

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired. The question is on agreeing to the amendment.

On a division, the amendment was rejected.

Mr. GORE. Mr. President, I move now to insert after the word "crops" the words "due to the action of the Government." I think those words ought to be in.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed by the Senator from Oklahoma to insert, on page 3, line 25, after the word "crops," the words "due to the action of the Government," so as to read:

> Including the protection or indemnification of millers, wholesalers, jobbers, bakers, and retail merchants who purchase in carload lots against actual loss by them on account of abnormal fluctuations in the price of wheat and wheat flour of said crops, due to the action of the Government.

The amendment was agreed to.

Mr. KING. Mr. President. I now move to strike out section 5 of the bill. I am in favor of carrying out, of course, the promise which has been made to the farmers. I think the Government is under obligation to pay according to the proclamation which was made by the President; but I do not think it is necessary to perpetuate the machinery which is now in existence and to create another organization in part as provided by the bill. I believe all that is necessary is for the Government to pay the amount it has agreed to pay. I am opposed in time of peace to the Government superimposing itself upon the States—going into the States and licensing individuals so that no man may engage in the purchase or sale of wheat or flour without obtaining a Federal license and making himself amenable to the rules and regulations and being subject to prosecution under the Federal law for a violation of those rules and regulations.

Mr. GORE. This license is just as odious to me as it is to the Senator from Utah. I consented to it only as a matter of necessity. The Senator will observe that in section 2 the committee struck out the words "create and" and substituted the word "existing," so that it reads "use any existing agency or agencies." We do not intend to have a multiplicity of agencies in this country. I am not certain that this artificial situation can be relieved or that we can restrict the ways and means through which it shall be enforced except by the use of the machinery through the operation of which we got into this situation.

The amendment was rejected.

Mr. KING. Mr. President, I now move, on line 2, page 11, to strike out the figures "$1,000,000,000" and insert in lieu thereof the figures "$500,000,000."

The amendment was rejected.

Mr. REED. Mr. President, I have been obliged to be out of the Senate during the greater part of the evening, and I wish now to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REED. Section 4 is still open to amendment?

The PRESIDING OFFICER. It is.

Mr. REED. I move to strike out on line 4, on page 6, the following language: "$10,000, or by imprisonment for not more than four years, or both," and to insert in lieu thereof "$1,000."

Mr. President, I have not been giving this bill the attention which it no doubt deserves. I wish to say to the Senate, and I say it in all sincerity and with all the earnestness with which I am capable, that when it is proposed to authorize anybody to make rules and regulations simply governing trade transactions and then fine a man $10,000 and send him to the penitentiary for two years for having violated those rules and regulations, any such provision is simply barbarous and a disgrace to a democracy. There is no use in it; there is no sense in it; there is no dignity in it; there is no democracy in it; there is no republicanism in it; there is no humanity in it.

While it is said these rules and regulations will be made by the President, they will, in fact, be made by some clerk, and to impose a penitentiary sentence upon a man for failure to obey the order and mandate issued by some clerk is an outrage upon decency and any such provision in the bill is a reflection upon the committee that reported it.

I therefore move to strike out those words and insert $1,000 fine, which, indeed, is entirely too much.

Mr. GORE. Mr. President, I have no objection to the adoption of this amendment. The bill bristles with penalties from beginning to end. It was my purpose to have the committee recommend the elimination of some of them, but it was an oversight.

The amendment was agreed to.

Mr. JONES of Washington. I suggest that the same amendment should be made in line 10, page 8, by striking out "$5,000 or by imprisonment for not more than two years, or both" and inserting in lieu thereof "$1,000."

Mr. GORE. I will accept that amendment.

The amendment was agreed to.

Mr. KING. I move, on page 9, line 10, to strike out the words "or by imprisonment for not more than two years, or both."

The amendment was agreed to.

Mr. JONES of Washington. On page 10, line 21, I move to strike out "$5,000, or by imprisonment for not more than one year, or both" and insert in lieu thereof "$1,000."

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still in Committee of the Whole and open to amendment.

Mr. REED. Before the bill goes to the Senate I move to insert before the word "willfully," in line 23 on page 5, the words "intentionally and," so that it will read: "intentionally and willfully."

Mr. GORE. I have no objection to that amendment and will accept it.

The amendment was agreed to.

Mr. REED. I move that the same amendment be inserted at the same point in all the penalty clauses in the bill.

Mr. GORE. That is acceptable to me.

The PRESIDING OFFICER. Without objection, the proposed amendments are agreed to.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made in Committee of the Whole, with the exception of the one reserved.

The amendments were concurred in.

Mr. KELLOGG. The question is now on the so-called Pomerene amendment?

The PRESIDING OFFICER. The question is on concurring in the Pomerene amendment, which the Secretary will report.

The Secretary read as follows:

Provided, however, That nothing herein contained shall be considered to be a guaranty of the price of spring wheat harvested in 1919 to producers who did not sow or produce spring wheat in 1918, and no portion of said moneys herein appropriated shall be paid to such producers of spring wheat.

Mr. KELLOGG. Mr. President, I should like to explain that amendment. It simply means this, and I want the Senate to understand what it is: Unless a farmer can show that he raised spring wheat in 1918—he may have made all preparations to plant his crop and raise it in 1918—but unless he can do that he does not get the guaranteed price, while everybody else gets it. You will find that spring wheat is being planted in all the Southwestern States. That is not all. Every grain raiser sells his wheat at a market town, and the market town has got to find out whether he raised spring wheat in 1918 or not, and if he did not they allow him no price and he will sell his grain in a country where there is no open market.

In my judgment the amendment is inequitable and unjust and will require the Government to make every elevator company in every part of the country an agent of the Government to find out where the spring wheat came from and whether the man had raised any in 1918 or not.

Mr. STERLING. Mr. President, if I may say just a word, I believe the Senate wants to be just in this matter and wants to see that the Government pledge with regard to the price of wheat is fulfilled. It will not be just nor will the Government pledge be fulfilled if the amendment of the Senator from Ohio is adopted. It will be unjust, of course, to the owner of the land on which the spring wheat is grown in 1919 in many cases. It will be unjust to the tenant in many cases. It may be that the owner, notwithstanding the inducements for raising wheat in 1918, found it impossible by reason of his particular situation to grow wheat, but he is so situated in 1919 that he may grow wheat. Relying on the pledge of the Government, the guaranty of the Government made in September, 1918, he prepares his ground and sows his crop in the spring of 1919 in pursuance of that idea, and the preparation that he has made for the spring wheat crop in 1919.

Take my own State, for example, where we grow both the winter and spring wheat; winter wheat in the southern part of the State, where I think there is more winter wheat grown than there is spring wheat. There is a tenant on a farm there. He raised in 1918 not a bushel of spring wheat, and he grows winter wheat that year; but he changes his tenancy or moves into the northern part of the State or moves to the newer country west of the river where it is all spring wheat, and relying on the Government guaranty he prepares his ground in the fall of 1918 for the spring wheat crop of 1919. The Government has not fulfilled its pledge to him and has not done justice by him——

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. POMERENE. Mr. President, I realize that we have got to a point where it is very unpopular to try to save any money for the public under any circumstances, and particularly is that true when we are dealing with this subject. I submit there is not an instance before the Senate now in which it is shown that one party has moved from the southern part of the State of South Dakota to the northern part of the State of South Dakota. The amendment which I have offered, and which was adopted, presents this situation: Spring wheat in South Dakota and in Ohio or Indiana and Illinois is not yet sown. They are starting to sow wheat of this kind now that the armistice has been signed, and they conclude they will sow spring wheat because they can get the high price guaranteed by the Government. That course by men who pursue it is not prompted by patriotism; it is prompted by self.

Mr. President, I do not know why the United States Senate should sit silently by when men are threatening to take this very course and thereby take the money out of the Public Treasury. I do not yield to other Senators in any respect in their eagerness to have good faith kept with the farmer. We ought to keep faith with the farmers when the pledge has been made, but they ought certainly not to adopt a method whereby they can take advantage of the Government, and ought not to be permitted to do it. For these reasons I insist upon the amendment.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. KELLOGG. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. REED. Mr. President, I want to get some light on this proposition. The form of the amendment, as I take it, will mean that a farmer who raised spring wheat in 1918, whether he raised 10 bushels or 10,000 bushels, will be paid the full price for his wheat in 1919 whether he raises 10 bushels or 10,000 bushels. I can not see the fairness of that rule. There are entire sections of this country that raise nothing but spring wheat. There are other entire sections that raise nothing but winter wheat. The winter-wheat country will get the guaranteed price for what it raises, but the spring-wheat country will get a less price, being obliged to sell upon the open market.

Mr. POMERENE. It is to be assumed that if there is a spring-wheat section, they are raising spring wheat; but what I am seeking to do is to go into those sections where they have not been raising spring wheat, but are doing it now because they can take advantage of the Government. That is the reason for this amendment.

Mr. REED. The Senator knows I have a very short time.

Mr. POMERENE. I beg the Senator's pardon.

Mr. REED. Will he just let me ask him a question for light? Is it the idea of the Senator from Ohio that if it passes in this form, then if a man rotates his crop and is prepared to plant spring wheat this year and would have planted it any way, even if he did not plant it last year because it was rotation year, when he had corn in that ground, shall not be allowed to plant spring wheat this year?

Mr. POMERENE. In only a very small portion of the country has spring wheat been sown up to this date. In sections in the northern and central West they have not even begun plowing for spring wheat, and in many of these sections the reports show that the people, instead of planting corn in the spring, are going to refuse to plant corn and sow spring wheat. It is to meet that situation.

Mr. REED. Of course, the Senator supposes that that will come, but it is the fact that the man in the spring-wheat section rotates his crop; that he plants his field with corn in one year and perhaps some other crop another year, and then comes his spring-wheat year. So a great number of men in the spring-wheat section will be cut out under this provision, and I can not see why you should discriminate against one section.

Mr. GRONNA. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. GRONNA. I understand those who are in favor of the so-called Pomerene amendment will vote "yea" to keep it in the bill, and those opposed will vote "nay." Am I correct?

The PRESIDING OFFICER. That is a proper interpretation of the vote to be taken.

Mr. GORE. Mr. President, I should like to say that if this amendment is adopted it will be very difficult to administer. I have considered and analyzed a great many propositions of this kind. They could not be administered at all without doing a great deal of injustice.

Now, I have no doubt there are some people who will plant wheat this year on account of the guaranty who would not have planted it but for the guaranty. They are animated, of course, by mercenary motives or motives other than patriotic ones. They may be subject to just criticism. On the other hand, if we adopt this amendment, people will be precluded from the enjoyment of this guaranty who have every moral right to enjoy it and for whom it was originally intended. I believe that, upon the whole, the amendment will do more harm than good.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I transfer my pair with the junior Senator from Georgia [Mr. HARDWICK] to the junior Senator from Michigan [Mr. TOWNSEND] and vote "nay."

Mr. FLETCHER (when his name was called). I make the same announcement as to my pair and its transfer as on the former vote, and vote "yea."

Mr. MYERS (when his name was called). I make the same announcement of the transfer of my pair as on the last vote, and vote "nay."

Mr. OVERMAN. I have a pair with the senior Senator from Wyoming [Mr. WARREN]. I therefore withhold my vote.

Mr. SAULSBURY (when his name was called). I transfer my pair with the senior Senator from Rhode Island [Mr. COLT] to the senior Senator from Virginia [Mr. MARTIN], and vote "yea."

Mr. WILLIAMS (when his name was called). I wish to inquire if the Senator from Pennsylvania [Mr. PENROSE] has voted?

The PRESIDING OFFICER. He has not.

Mr. WILLIAMS. I have a pair with that Senator.

Mr. PENROSE. I am glad to see the Senator from Mississippi in the Chamber. I was engaged in conversation when my name was called, and not knowing that the Senator was present, I postponed my vote until the close of the roll call. At the proper time, and at the first opportunity after the call is completed, I shall ask the privilege of voting.

Mr. WILLIAMS. I vote "yes."

Mr. WOLCOTT (when his name was called). I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Tennessee [Mr. SHIELDS], and vote "yea."

The roll call was concluded.

Mr. OWEN. I transfer my pair to the Senator from New Hampshire [Mr. HOLLIS], and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from Minnesota [Mr. NELSON] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD]; and

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS].

Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

The result was announced—yeas 23, nays 31, as follows:

YEAS—23.

Ashurst	Hale	New	Smith, Ariz.
Beckham	Jones, N. Mex.	Pittman	Smith, S. C.
Calder	Kirby	Pomerene	Trammell
Fletcher	Knox	Robinson	Williams
Gay	McKellar	Saulsbury	Wolcott
Gerry	Martin, Ky.	Simmons	

NAYS—31.

Chamberlain	Kellogg	Nugent	Smoot
Curtis	Kendrick	Owen	Spencer
France	Kenyon	Pollock	Sterling
Frelinghuysen	La Follette	Ransdell	Sutherland
Gore	Lewis	Reed	Swanson
Gronna	Moses	Sheppard	Thompson
Henderson	Myers	Sherman	Vardaman
Jones, Wash.	Norris	Smith, Ga.	

NOT VOTING—42.

Baird	Harding	McNary	Smith, Mich.
Bankhead	Hardwick	Martin, Va.	Thomas
Borah	Hitchcock	Nelson	Townsend
Brandegee	Hollis	Overman	Underwood
Colt	Johnson, Cal.	Page	Wadsworth
Culberson	Johnson, S. Dak.	Penrose	Walsh
Cummins	King	Phelan	Warren
Dillingham	Lenroot	Poindexter	Watson
Fall	Lodge	Shafroth	Weeks
Fernald	McCumber	Shields	
Goff	McLean	Smith, Md.	

So Mr. POMERENE's amendment was nonconcurred in.

The amendments were ordered to be engrossed and the bill be read a third time.

The bill was read the third time, and passed.

THE CENSUS—CONFERENCE REPORT.

Mr. SHEPPARD and Mr. ASHURST addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. SHEPPARD. I move that the Senate proceed to the consideration of the conference report on the census bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas.

Mr. JONES of Washington. Mr. President, the motion is debatable, is it not?

The PRESIDING OFFICER. It is. Does the Senator from Washington desire to be heard?

Mr. JONES of Washington. I think the Senator from Maryland [Mr. FRANCE] desires to be heard.

Mr. FRANCE. Mr. President, I desire to be heard. I have no objection to the conference report being laid before the Senate, but I have some observations which I desire to submit upon it, and therefore, while I am on my feet, I will proceed to make them.

The PRESIDING OFFICER. The Senator from Maryland will proceed.

Mr. FRANCE addressed the Senate. After having spoken for some time,

Mr. SHEPPARD. Mr. President, will the Senator allow the motion to be put to lay the conference report before the Senate?

Mr. FRANCE. Yes; provided I do not lose the floor.

Mr. PENROSE. Mr. President, before that is done, of course, the Senator from Maryland is not to be taken off the floor.

Mr. SHEPPARD. Not at all.

The PRESIDING OFFICER. Does the Senator from Maryland yield; and if so, to whom?

Mr. FRANCE. I yield to the Senator from Texas. He interrupted me.

Mr. SHEPPARD. My intention was to yield at once to the Senator from North Carolina [Mr. OVERMAN], to move a short executive session, and then to adjourn.

Mr. PENROSE. That is satisfactory. That is what I wanted to understand—that the proposition is to make this conference report the unfinished business, and then to move a short executive session, and then adjourn.

Mr. SHEPPARD. Yes, sir.

Mr. PENROSE. That will permit the Senator from Maryland to complete his very important remarks to-morrow.

Mr. SHEPPARD. It will.

Mr. PENROSE. That is all right.

The PRESIDING OFFICER. The question is upon proceeding to the consideration of the conference report on House bill 11984, known as the census bill.

The motion was agreed to; and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

EXECUTIVE SESSION.

Mr. OVERMAN. Mr. President——

Mr. SHEPPARD. I yield to the Senator from North Carolina.

Mr. OVERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 5 minutes a. m., Friday, February 28, 1919) the Senate adjourned until Friday, February 28, 1919, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 27, 1919.

ATTORNEY GENERAL.

A. Mitchell Palmer, of Pennsylvania, to be Attorney General of the United States, vice Thomas W. Gregory, resigned.

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

Hugh Campbell Wallace, of Washington, to be ambassador extraordinary and plenipotentiary to France, vice William G. Sharp, resigned.

SECRETARIES OF EMBASSY OR LEGATION.

The following named, now secretaries of embassy or legation of class 4, to be secretaries of embassy or legation of class 3 of the United States of America:

Cornelius Van H. Engert, of California.
Matthew E. Hanna, of Connecticut.
Charles H. Russell, jr., of New York.
John W. Belt, of Kentucky.
Walter C. Thurston, of Arizona.
Arthur Bliss Lane, of New York.
T. Hart Anderson, jr., of New York.
Ray Atherton, of Illinois.
Frederick C. Chabot, of Texas.
Casper Y. Offutt, of Nebraska.
J. Donald C. Rodgers, of Pennsylvania.

Harold L. Williamson, of Chicago, Ill., to be a secretary of embassy or legation of class 4 of the United States of America.

UNITED STATES ATTORNEYS.

J. D. Clements, of Helena, Mont., to be United States attorney, District of Alaska, division No. 2, vice G. J. Lomen, appointed by court.

Mrs. Annette Abbott Adams, of San Francisco, Cal., to be United States attorney, northern district of California. (Mrs. Adams is now serving as United States attorney under appointment by court.)

Edward C. Knotts, of Springfield, Ill., to be United States attorney, southern district of Illinois. A reappointment; his term having expired.

Alfred Jaques, of St. Paul, Minn., to be United States attorney, district of Minnesota. A reappointment; his term having expired.

Edwin S. Wertz, of Cleveland, Ohio, to be United States attorney, northern district of Ohio. A reappointment; his term expiring March 1, 1919.

John A. Fain, of Oklahoma, Okla., to be United States attorney, western district of Oklahoma. A reappointment; his term having expired.

Edwin Lowry Humes, of Pittsburgh, Pa., to be United States attorney, western district of Pennsylvania, vice R. L. Crawford, appointed by court.

Charles L. Rigdon, of Cheyenne, Wyo., to be United States attorney, district of Wyoming. A reappointment; his term having expired.

UNITED STATES MARSHALS.

Samuel J. Burris, of Denver, Colo., to be United States marshal, district of Colorado. A reappointment, his term expiring March 2, 1919.

John J. Mitchell, of Boston, Mass., to be United States marshal, district of Massachusetts. A reappointment, his term having expired.

John E. Lynch, of St. Louis, Mo., to be United States marshal, eastern district of Missouri. A reappointment, his term having expired.

Albert Bollschweiler, of Trenton, N. J., to be United States marshal, district of New Jersey. A reappointment, his term having expired.

James M. Power, of Brooklyn, N. Y., to be United States marshal, eastern district of New York. A reappointment, his term expiring March 3, 1919.

George H. Bellamy, of Lanvale, N. C., to be United States marshal, eastern district of North Carolina, vice W. T. Woodley, appointed by court.

William R. Bennett, of San Juan, P. R., to be United States marshal, district of Porto Rico. A reappointment, his term expiring March 2, 1919.

Stanley H. Trezevant, of Memphis, Tenn., to be United States marshal, western district of Tennessee. A reappointment, his term having expired.

ASSAYER IN CHARGE OF MINT.

William A. Burns, of Carson City, Nev., to be assayer in charge of the mint of the United States at Carson City, Nev., in place of Ed Ryan, deceased.

REGISTERS OF LAND OFFICES.

Miss Effie A. Frisbee, of Alaska, to be register of the land office at Juneau, Alaska, vice Clyde B. Walker, resigned.

Frank P. Wheeler, of California, to be register of the land office at Eureka, Cal., his present term having expired February 12, 1919. (Reappointment.)

Henry A. Meier, of Nebraska, to be register of the land office at Lincoln, Nebr., his present term expiring March 2, 1919. (Reappointment.)

Gould B. Blakely, of Utah, to be register of the land office at Salt Lake City, Utah, his present term expiring March 2, 1919. (Reappointment.)

Emmett Patton to be register of land office at Roswell, N. Mex., his term having expired March 19, 1918. (Reappointment.)

John L. Burnside to be register of land office at Las Cruces, N. Mex., his term having expired March 19, 1918. (Reappointment.)

RECEIVERS OF PUBLIC MONEYS.

Frank F. Steele, of Montana, to be receiver of public moneys at Helena, Mont., his present term having expired January 24, 1919. (Reappointment.)

Mrs. Lulu Hurley, of Elko, Nev., to be receiver of public moneys at Elko, Nev., vice Ashley G. Dawley, deceased.

Heber C. Jex, of Utah, to be receiver of public moneys at Salt Lake City, Utah, his present term expiring March 2, 1919. (Reappointment.)

Matthias N. Fegtly, of Oregon, to be receiver of public moneys at Vale, Oreg., his present term having expired February 12, 1919. (Reappointment.)

Blair E. Hoar, of Idaho, to be receiver of public moneys at Lewiston, Idaho, his present term having expired February 3, 1919. (Reappointment.)

William G. Cowan to be receiver of public moneys at Roswell, N. Mex., his term having expired March 19, 1918. (Reappointment.)

Raymundo Harrison to be receiver of public moneys at Fort Sumner, N. Mex., his term having expired January 25, 1919. (Reappointment.)

Donaciano E. Rodriguez, of La Mesa, N. Mex., to be receiver of public moneys at Las Cruces, N. Mex., vice Santiago P. Ascarate, term expired.

PROMOTIONS IN THE PUBLIC HEALTH SERVICE.

Asst. Surg. Sanders Louis Christian to be passed assistant surgeon in the Public Health Service, to rank as such from January 8, 1919.

Asst. Surg. Charles Joseph McDevitt to be passed assistant surgeon in the Public Health Service, to rank as such from January 9, 1919.

Asst. Surg. Roscoe Roy Spencer to be passed assistant surgeon in the Public Health Service, to rank as such from January 5, 1919.

Asst. Surg. Walter Casper Teufel to be passed assistant surgeon in the Public Health Service, to rank as such from January 7, 1919.

PROMOTIONS IN THE COAST AND GEODETIC SURVEY.

Roscoe P. Strough, of New York, to be hydrographic and geodetic engineer (promotion from junior hydrographic and geodetic engineer) in the United States Coast and Geodetic Survey, Department of Commerce.

Herbert R. Grummann, of Nebraska, to be junior hydrographic and geodetic engineer (promotion from aid) in the United States Coast and Geodetic Survey, Department of Commerce.

PROMOTIONS IN THE COAST GUARD.

Second Lieut. John J. Hutson to be a permanent first lieutenant in the Coast Guard from the 17th day of November, 1918.

The following-named third lieutenants to be second lieutenants in the Coast Guard from the 7th day of June, 1918:

Earl G. Rose,
Edward H. Smith, and
Henry Coyle.

Third Lieut. Rae B. Hall to be a second lieutenant in the Coast Guard from the 21st day of July, 1918.

PROMOTIONS IN THE REGULAR ARMY.

ORDNANCE DEPARTMENT.

To be colonels.

Lieut. Col. Clarence C. Williams, Ordnance Department (Chief of Ordnance with rank of major general), from January 27, 1919.

Lieut. Col. Samuel Hof, Ordnance Department, from January 27, 1919.

CORPS OF ENGINEERS.

Maj. Lewis H. Rand, Corps of Engineers, to be lieutenant colonel from February 7, 1919.

Capt. Clarence L. Sturdevant, Corps of Engineers, to be major from February 7, 1919.

First Lieut. Llewellyn B. Griffith, Corps of Engineers, to be captain from October 21, 1918.

FIELD ARTILLERY ARM.

Lieut. Col. Thomas E. Merrill, Field Artillery, to be colonel from January 31, 1919.

Maj. George M. Brooke, Field Artillery, to be lieutenant colonel from January 31, 1919.

Capt. William Bryden, Field Artillery, to be major from January 31, 1919.

INFANTRY.

To be colonels with rank from February 2, 1919.

Lieut. Col. Henry J. Hunt, Infantry, detailed in division train (subject to examination required by law).

Lieut. Col. Truman O. Murphy, Infantry, detailed in The Adjutant General's Department.

Lieut. Col. Ross L. Bush, Infantry (subject to examination required by law).

MEDICAL CORPS.

To be captains with rank from November 24, 1918.

First Lieut. Horace S. Villars, Medical Corps (subject to examination required by law).

First Lieut. Donald G. Russell, Medical Corps (subject to examination required by law).

First Lieut. Allen D. Lazenby, Medical Corps (subject to examination required by law).

First Lieut. Patrick F. McGuire, Medical Corps.

First Lieut. James W. McClaran, Medical Corps.

First Lieut. Louis F. Boyd, Medical Corps.

First Lieut. Tom S. Mebane, Medical Corps.

First Lieut. Edmund B. Spaeth, Medical Corps (subject to examination required by law).

First Lieut. Philip L. Coulter, Medical Corps (subject to examination required by law).

First Lieut. James B. Montgomery, Medical Corps.

First Lieut. Percy E. Duggins, Medical Corps.

First Lieut. Brown S. McClintic, Medical Corps.

First Lieut. Henry K. B. Hufford, Medical Corps.

First Lieut. Joseph G. Fernbach, Medical Corps (subject to examination required by law).

First Lieut. Howard H. Dignan, Medical Corps.

First Lieut. Charles W. Sale, Medical Corps.

First Lieut. Robert H. Lowry, jr., Medical Corps.

First Lieut. Hertel P. Makel, Medical Corps.

First Lieut. Ward S. Wells, Medical Corps (subject to examination required by law).
First Lieut. Seymour C. Schwartz, Medical Corps (subject to examination required by law).
First Lieut. Burgh S. Burnet, Medical Corps.
First Lieut. Karl F. Kesmodel, Medical Corps.
First Lieut. Ross Golden, Medical Corps.
First Lieut. Curtis D. Pillsbury, Medical Corps (subject to examination required by law).
First Lieut. Nelson A. Myll, Medical Corps.
First Lieut. John R. De Velling, Medical Corps.
First Lieut. Roy L. Scott, Medical Corps (subject to examination required by law).
First Lieut. William W. Southard, Medical Corps.
First Lieut. George H. Dorsey, Medical Corps.
First Lieut Laurent L. LaRoche, Medical Corps.
First Lieut. Henry C. Dooling, Medical Corps.
First Lieut. Frank S. Matlack, Medical Corps.
First Lieut. Cleon J. Gentzkow, Medical Corps (subject to examination required by law).
First Lieut. James P. Crawford, Medical Corps.
First Lieut. Robert A. Hale, Medical Corps (subject to examination required by law).
First Lieut. Allen R. Howard, Medical Corps.
First Lieut. Benjamin B. Rowley, Medical Corps.
First Lieut. Henry C. Bradford, Medical Corps.
First Lieut. Harry H. Towler, Medical Corps.
First Lieut. Oral B. Bolibaugh, Medical Corps.
First Lieut. Joseph R. Jones, Medical Corps.
First Lieut. Harold E. Clark, Medical Corps (subject to examination required by law).
First Lieut. Roland A. Davison, Medical Corps.
First Lieut. Charles R. Snyder, Medical Corps (subject to examination required by law).
First Lieut. Haskett L. Conner, Medical Corps.
First Lieut. Edward B. Macon, Medical Corps (subject to examination required by law).
First Lieut. Percy J. Carroll, Medical Corps.
First Lieut. Virginius Minervini, Medical Corps.
First Lieut. James V. Falisi, Medical Corps (subject to examination required by law).
First Lieut. William D. Petit, Medical Corps.
First Lieut. Glenn H. Reams, Medical Corps (subject to examination required by law).
First Lieut. Jay DeP. Mingos, Medical Corps.
First Lieut. Allan W. Dawson, Medical Corps.
First Lieut. John W. McKeever, Medical Corps.
First Lieut. Ottis L. Graham, Medical Corps (subject to examination required by law).
First Lieut. Edwin H. Roberts, Medical Corps (subject to examination required by law).
First Lieut. Arthur M. Bacon, Medical Corps.
First Lieut. John J. Moore, Medical Corps.
First Lieut. Anthony J. Vadala, Medical Corps (subject to examination required by law).
First Lieut. Maurice S. Weaver, Medical Corps (subject to examination required by law).
First Lieut. John M. Stanley, Medical Corps (subject to examination required by law).
First Lieut. Arthur H. Nylen, Medical Corps.
First Lieut. Myron P. Rudolph, Medical Corps (subject to examination required by law).
First Lieut. Noble Du B. McCormack, Medical Corps.
First Lieut. Charles E. Sima, Medical Corps.
First Lieut. Bascom H. Palmer, Medical Corps.
First Lieut. Harold D. Rogers, Medical Corps.
First Lieut. John R. Hall, Medical Corps.
First Lieut. Arthur R. Gaines, Medical Corps.
First Lieut. William L. Starnes, Medical Corps.
First Lieut. William A. Boyle, Medical Corps (subject to examination required by law).
First Lieut. Manton L. Shelby, Medical Corps.
First Lieut. Paul H. Streit, Medical Corps (subject to examination required by law).
First Lieut. John E. Robinson, Medical Corps (subject to examination required by law).
First Lieut. Lewis E. J. Browne, Medical Corps (subject to examination required by law).
First Lieut. Ernest K. Stratton, Medical Corps (subject to examination required by law).
First Lieut. James A. Orbison, Medical Corps (subject to examination required by law).
First Lieut. Paul M. N. Kyle, Medical Corps (subject to examination required by law).
First Lieut. William C. Whitmore, Medical Corps.
First Lieut. Albert B. Pavy, Medical Corps.
First Lieut. Francis E. Evans, Medical Corps (subject to examination required by law).
First Lieut. Charles E. Brenn, Medical Corps (subject to examination required by law).
First Lieut. Francis T. Duffy, Medical Corps.
First Lieut. Leonard W. Weaver, Medical Corps.
First Lieut. Louie Felger, Medical Corps.
First Lieut. Leo S. Trask, Medical Corps.
First Lieut. Raymond A. Tomassene, Medical Corps (subject to examination required by law).
First Lieut. Lowyd W. Ballantyne, Medical Corps (subject to examination required by law).
First Lieut. Otto R. Brown, Medical Corps.
First Lieut. Charles E. Yoho, Medical Corps (subject to examination required by law).
First Lieut. Cornelius A. Denehy, Medical Corps (subject to examination required by law).
First Lieut. Joseph P. Madigan, Medical Corps.
First Lieut. Robert K. Simpson, Medical Corps (subject to examination required by law).
First Lieut. Patrick S. Madigan, Medical Corps.
First Lieut. Frederick B. Little, Medical Corps (subject to examination required by law).
First Lieut. Chester A. Stayton, Medical Corps.
First Lieut. Herbert W. Rogers, Medical Corps (subject to examination required by law).
First Lieut. John R. Evers, Medical Corps (subject to examination required by law).
First Lieut. Ralph E. Curti, Medical Corps (subject to examination required by law).
First Lieut. Daniel C. Hankey, Medical Corps (subject to examination required by law).
First Lieut. Frederick A. Blesse, Medical Corps.
First Lieut. Charles C. Dickey, Medical Corps (subject to examination required by law).
First Lieut. George B. Fletcher, Medical Corps.
First Lieut. Walter H. Mytinger, Medical Corps.
First Lieut. John J. Carden, Medical Corps (subject to examination required by law).
First Lieut. Henry E. Fraser, Medical Corps.
First Lieut. John R. Whisenant, Medical Corps (subject to examination required by law).
First Lieut. Harold H. Golding, Medical Corps (subject to examination required by law).
First Lieut. Harry P. Shugerman, Medical Corps.
First Lieut. William C. Pollock, Medical Corps (subject to examination required by law).
First Lieut. William W. McCaw, Medical Corps (subject to examination required by law).
First Lieut. Edward H. Tonolla, Medical Corps.
First Lieut. Earle D. Quinnell, Medical Corps.
First Lieut. Harold O. Brown, Medical Corps.
First Lieut. Douglas H. Mebane, Medical Corps (subject to examination required by law).
First Lieut. Paul B. Johnson, Medical Corps (subject to examination required by law).
First Lieut. Irving K. Lovett, Medical Corps.
First Lieut. Montreville A. St. Peter, Medical Corps (subject to examination required by law).
First Lieut. Frank McA. Moose, Medical Corps (subject to examination required by law).
First Lieut. Percy K. Telford, Medical Corps (subject to examination required by law).
First Lieut. William B. Brigman, Medical Corps (subject to examination required by law).
First Lieut. Benjamin F. Pence, Medical Corps.
First Lieut. Wayne R. Beardsley, Medical Corps.
First Lieut. Warren Stirling, Medical Corps.
First Lieut. Don G. Hilldrup, Medical Corps (subject to examination required by law).
First Lieut. Richard S. Magee, Medical Corps (subject to examination required by law).
First Lieut. William A. Smith, Medical Corps.
First Lieut. Frank W. Pinger, Medical Corps.
First Lieut. Ivy A. Pelzman, Medical Corps.
First Lieut. Edward S. Murphy, Medical Corps (subject to examination required by law).
First Lieut. Richard E. Werlich, Medical Corps.
First Lieut. Herbert R. Stolz, Medical Corps (subject to examination required by law).
First Lieut. Louis de K. Belden, Medical Corps (subject to examination required by law).
First Lieut. Andrew W. Smith, Medical Corps.

First Lieut. Willard S. Howard, Medical Corps (subject to examination required by law).
First Lieut. Philip P. Green, Medical Corps.
First Lieut. William H. Barrow, Medical Corps.
First Lieut. Gordon F. Willey, Medical Corps.
First Lieut. Frank A. Plum, Medical Corps (subject to examination required by law).
First Lieut. Charles R. Irving, Medical Corps (subject to examination required by law).
First Lieut. William W. Jones, Medical Corps (subject to examination required by law).
First Lieut. Charles C. Hawke, Medical Corps (subject to examination required by law).
First Lieut. Noland M. Canter, Medical Corps.
First Lieut. Pierre N. Charbonnet, Medical Corps.
First Lieut. James C. Kimbrough, Medical Corps.
First Lieut. Meredith R. Johnston, Medical Corps.
First Lieut. Merril K. Lindsay, Medical Corps (subject to examination required by law).
First Lieut. William D. Middleton, Medical Corps.
First Lieut. Leon H. Cornwall, Medical Corps.
First Lieut. Read B. Harding, Medical Corps.
First Lieut. James W. Duckworth, Medical Corps.
First Lieut. Bradford Massey, Medical Corps.
First Lieut. Edgar H. Howell, Medical Corps.
First Lieut. George W. Snyder, Medical Corps.
First Lieut. Paul S. Wagner, Medical Corps.
First Lieut. John A. P. Millet, Medical Corps.
First Lieut. Joseph D. Foley, Medical Corps (subject to examination required by law).
First Lieut. Lewis A. Newfield, Medical Corps (subject to examination required by law).
First Lieut. Thomas M. Leahy, Medical Corps (subject to examination required by law).
First Lieut. Louis A. La Garde, jr., Medical Corps (subject to examination required by law).
First Lieut. Edward L. Moore, Medical Corps (subject to examination required by law).

DENTAL CORPS.

To be captains with rank from July 13, 1918.

First Lieut. Samuel J. Rohde, Dental Corps.
First Lieut. Leroy P. Hartley, Dental Corps (subject to examination required by law).
First Lieut. Frederick C. Daniels, Dental Corps (subject to examination required by law).
First Lieut. Nathan C. Pickles, Dental Corps.
First Lieut. Robert L. Lowry, Dental Corps.
First Lieut. Oliver J. Christiansen, Dental Corps.
First Lieut. Timothy Harden, Dental Corps.
First Lieut. Lawrence K. Anderson, Dental Corps.
First Lieut. Timothy F. Leary, Dental Corps.
First Lieut. William C. Webb, jr., Dental Corps.
First Lieut. Edward C. Alley, Dental Corps.
First Lieut. Clinton R. Boone, Dental Corps.
First Lieut. David I. Edwards, Dental Corps.
First Lieut. Orville A. Grove, Dental Corps.
First Lieut. Roy M. Kisner, Dental Corps.
First Lieut. Edward A. Thorne, Dental Corps.
First Lieut. Lynn H. Tingay, Dental Corps.
First Lieut. Claude R. Hollister, Dental Corps.
First Lieut. Marhl H. Welch, Dental Corps.

To be captains with rank from October 4, 1918.

First Lieut. Walter D. Vail, Dental Corps.
First Lieut. Richard K. Thompson, Dental Corps.
First Lieut. Leslie S. Harlan, Dental Corps.
First Lieut. Neil J. McCollum, Dental Corps.
First Lieut. Clement J. Gaynor, Dental Corps.
First Lieut. Walter A. Rose, Dental Corps.
First Lieut. Melvin R. Eiche, Dental Corps.
First Lieut. George Krakow, Dental Corps.
First Lieut. Eugene A. Smith, Dental Corps (subject to examination required by law).
First Lieut. Jerome L. Fritsche, Dental Corps.
First Lieut. Clarence J. Wright, Dental Corps.
First Lieut. Milton A. Price, Dental Corps.
First Lieut. William H. Hoblitzell, Dental Corps.
First Lieut. Francis M. Tench, Dental Corps.
First Lieut. Alvin E. Anthony, Dental Corps.
First Lieut. William J. R. Akeroyd, Dental Corps.
First Lieut. Fletcher D. Rhodes, Dental Corps.
First Lieut. William B. Caldwell, Dental Corps.
First Lieut. Lewis W. Maly, Dental Corps.
First Lieut. Arthur T. Burchill, Dental Corps.
First Lieut. Glover Johns, Dental Corps.
First Lieut. Frederick W. Herms, Dental Corps.
First Lieut. Harold J. Parker, Dental Corps.
First Lieut. Leslie D. Baskin, Dental Corps.
First Lieut. Curtis W. Hallam, Dental Corps.
First Lieut. James F. Dean, Dental Corps.
First Lieut. Henry L. Hogan, Dental Corps.
First Lieut. John C. Campbell, Dental Corps.
First Lieut. Leland S. Wilson, Dental Corps (subject to examination required by law).
First Lieut. Benjamin H. Dean, Dental Corps (subject to examination required by law).
First Lieut. Dell S. Gray, Dental Corps.
First Lieut. William B. Stewart, Dental Corps.
First Lieut. Julius L. Bischof, Dental Corps.
First Lieut. Charles H. Brammell, Dental Corps.
First Lieut. John A. Rowe, Dental Corps.
First Lieut. William T. Williams, Dental Corps.
First Lieut. Hooker O. Lindsey, Dental Corps (subject to examination required by law).
First Lieut. Alvin D. Dannheiser, Dental Corps.
First Lieut. James R. Conner, Dental Corps.
First Lieut. Robert L. Strickland, Dental Corps.
First Lieut. Roy R. Newman, Dental Corps (subject to examination required by law).
First Lieut. Boyd L. Smith, Dental Corps.
First Lieut. Avery G. Holmes, Dental Corps.
First Lieut. George R. Kennebeck, Dental Corps.
First Lieut. Alexander M. Smith, jr., Dental Corps.
First Lieut. Horace R. Finley, Dental Corps.
First Lieut. Cecil R. Hays, Dental Corps.
First Lieut. Roy C. Starr, Dental Corps.
First Lieut. Harold S. Embree, Dental Corps.
First Lieut. Charles L. Andrews, Dental Corps.
First Lieut. Joseph L. Boyd, Dental Corps.
First Lieut. Joseph L. Rahm, Dental Corps.
First Lieut. Clarence R. Jacobson, Dental Corps (subject to examination required by law).
First Lieut. Norman M. Mackenzie, Dental Corps.
First Lieut. Richard F. Thompson, Dental Corps.
First Lieut. Henry H. Collins, Dental Corps.
First Lieut. William A. Moore, Dental Corps.
First Lieut. Adrain C. Ragan, Dental Corps.

To be captain with rank from October 8, 1918.

First Lieut. Byram S. Purviance, Dental Corps (subject to examination required by law).

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE REGULAR ARMY.

CORPS OF ENGINEERS.

To be captain.

First Lieut. Simon Medine, Corps of Engineers, from October 23, 1918.

To be first lieutenants.

Second Lieut. George W. Coffey, Corps of Engineers, from October 21, 1918.
Second Lieut. George O. Consoer, Corps of Engineers, from October 23, 1918.

PROMOTIONS IN THE UNITED STATES ARMY.

INFANTRY.

To be colonels.

Lieut. Col. Paul A. Wolf, from December 31, 1918.
Lieut. Col. George D. Moore, from January 2, 1919.
Lieut. Col. Willis Uline, from January 2, 1919.
Lieut. Col. Charles C. Clark, from January 4, 1919.
Lieut. Col. Vernon A. Caldwell, from January 8, 1919.
Lieut. Col. Edmund L. Butts (subject to examination required by law), from January 9, 1919.

To be lieutenant colonels.

Maj. Hugh D. Wise, from October 8, 1918.
Maj. Pegram Whitworth, from October 8, 1918.
Maj. James A. Moss, from November 2, 1918.
Maj. Ulysses G. Worrilow (subject to examination required by law), from January 2, 1919.
Maj. Frank J. Morrow, from January 4, 1919.
Maj. Henry C. Clement, jr. (subject to examination required by law), from January 4, 1919.

To be majors.

Capt. Alvin C. Voris, from October 8, 1918.
Capt. Fred L. Davidson, from October 8, 1918.
Capt. George E. Kumpe, from November 2, 1918.
Capt. Milo C. Corey (subject to examination required by law), from December 19, 1918.
Capt. Arthur M. Ferguson, from December 19, 1918.

Capt. De Witt W. Chamberlin, from January 4, 1919.
Capt. Walter H. Johnson, from January 4, 1919.
Capt. Robert G. Rutherford, jr. (subject to examination required by law), from January 4, 1919.

MEDICAL CORPS.

Lieut. Col. Samuel M. Waterhouse, Medical Corps, to be colonel from December 3, 1918.
Maj. Leartus J. Owen, Medical Corps, to be lieutenant colonel from December 3, 1918.

To be majors with rank from September 18, 1918.

Capt. William M. Archer, jr., Medical Corps.
Capt. Henry F. Philips, Medical Corps.

To be major with rank from October 9, 1918.

Capt. Nicholson F. Curtis, Medical Corps.

To be major with rank from November 8, 1918.

Capt. John S. C. Fielden, jr., Medical Corps.

To be majors with rank from November 24, 1918.

Capt. John M. Hewitt, Medical Corps.
Capt. Claude W. Cummins, Medical Corps.
Capt. James M. Troutt, Medical Corps.
Capt. Alan DeF. Smith, Medical Corps.
Capt. Frank M. Ende, Medical Corps.
Capt. Samuel A. White, Medical Corps.
Capt. Albert W. Greenwell, Medical Corps.
Capt. Francis M. Fitts, Medical Corps.
Capt. Eric A. Fennel, Medical Corps.
Capt. Paul E. McNabb, Medical Corps.
Capt. Harvey E. Webb, Medical Corps.
Capt. George F. Aycock, Medical Corps.
Capt. Henry W. Grady, Medical Corps.
Capt. Philip J. Lukens, jr., Medical Corps.
Capt. Norman McL. Scott, Medical Corps.
Capt. Marion R. Mobley, Medical Corps.
Capt. Frederick K. Herpel, Medical Corps.

To be captains with rank from September 18, 1918.

First Lieut. William M. Archer, jr., Medical Corps.
First Lieut. Henry F. Philips, Medical Corps.

To be captain with rank from October 9, 1918.

First Lieut. Nicholson F. Curtis, Medical Corps.

To be captain with rank from November 8, 1918.

First Lieut. John S. C. Fielden, jr., Medical Corps.

To be captains with rank from November 24, 1918.

First Lieut. John M. Hewitt, Medical Corps.
First Lieut. Claude W. Cummings, Medical Corps.
First Lieut. James M. Troutt, Medical Corps.
First Lieut. Alan DeF. Smith, Medical Corps.
First Lieut. Frank M. Ende, Medical Corps.
First Lieut. Samuel A. White, Medical Corps.
First Lieut. Albert W. Greenwell, Medical Corps.
First Lieut. Francis M. Fitts, Medical Corps.
First Lieut. Eric A. Fennel, Medical Corps.
First Lieut. Paul E. McNabb, Medical Corps.
First Lieut. Harvey E. Webb, Medical Corps.
First Lieut. George F. Aycock, Medical Corps.
First Lieut. Henry W. Grady, Medical Corps.
First Lieut. Philip J. Lukens, jr., Medical Corps.
First Lieut. Norman McL. Scott, Medical Corps.
First Lieut. Marion R. Mobley, Medical Corps.
First Lieut. Frederick K. Herpel, Medical Corps.

COAST ARTILLERY CORPS.

Lieut. Col. William Chamberlaine, Coast Artillery Corps, to be colonel with rank from January 9, 1919.

FIELD ARTILLERY ARM.

Maj. Edward T. Donnelly, Field Artillery, to be lieutenant colonel from January 5, 1919.
Capt. Charles J. Ferris, Field Artillery, to be major from January 5, 1919.

CAVALRY ARM.

To be majors with rank from November 2, 1918.

Capt. Walter S. Grant, Cavalry (General Staff).
Capt. Charles M. Wesson, Cavalry (Ordnance Department).
Capt. Morton C. Mumma, Cavalry.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE UNITED STATES ARMY.

INFANTRY.

Second Lieut. Harold M. McClelland, Infantry, to be first lieutenant with rank from August 8, 1917.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

The following-named captains to be rear admirals in the Navy, for temporary service, from the 16th day of December, 1918:

Benjamin C. Bryan, an additional number in grade, and
William L. Howard.

Capt. George W. Kline to be a rear admiral in the Navy, for temporary service, from the 31st day of December, 1918.

Commander William H. Reynolds to be a captain in the Navy, for temporary service, from the 16th day of December, 1918.

Commander Clarence L. Arnold to be a captain in the Navy, for temporary service, from the 1st day of January, 1919.

Lieut. Commander Frank C. Martin to be a commander in the Navy, for temporary service, from the 1st day of October, 1918.

Lieut. Commander Henry M. Jensen to be a commander in the Navy, for temporary service, from the 11th day of October, 1918.

Lieut. Commander Stephen Doherty to be a commander in the Navy, for temporary service, from the 7th day of November, 1918.

Lieut. Commander William C. I. Stiles to be a commander in the Navy, for temporary service, from the 14th day of November, 1918.

Lieut. Commander William B. Howe to be a commander in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. Commander Alfred W. Brown, jr., to be a commander in the Navy, for temporary service, from the 11th day of December, 1918.

Lieut. Commander John A. Monroe to be a commander in the Navy, for temporary service, from the 16th day of December, 1918.

Lieut. Commander Charles R. Clark to be a commander in the Navy, for temporary service, from the 1st day of January, 1919.

The following-named lieutenant commanders to be commanders in the Navy, for temporary service, from the 13th day of January, 1919:

Bryson Bruce and
Alfred W. Atkins.

Lieut. Commander Archibald D. Turnbull to be a commander in the Navy, for temporary service, from the 17th day of January, 1919.

Lieut. Commander Aubrey W. Fitch to be a commander in the Navy, for temporary service, from the 23d day of July, 1918, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Douglas W. Fuller to be a lieutenant commander in the Navy, for temporary service, from the 15th day of October, 1917.

Lieut. Glenn B. Strickland to be a lieutenant commander in the Navy, for temporary service, from the 15th day of August, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 21st day of September, 1918:

Fred K. Elder,
Laurence R. Brown,
Edward H. McKitterick, and
Neil H. Geisenhoff.

Lieut. Paulus P. Powell to be a lieutenant commander in the Navy, for temporary service, from the 9th day of January, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 13th day of January, 1919:

Roy Pfaff and
Benjamin H. Lingo.

Lieut. Earl H. Quinlan to be a lieutenant commander in the Navy, for temporary service, from the 17th day of January, 1919.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 1st day of July, 1918:

John W. Rowe and
Ford L. Wilkinson, jr.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 28th day of November, 1918:

Samuel A. Wilson,
Steve V. Edwards, and
Max P. Schaffer.

Lieut. (junior grade) Karl Hart to be a lieutenant in the Navy, for temporary service, from the 1st day of December, 1918.

Lieut. (junior grade) Julius Holbin to be a lieutenant in the Navy, for temporary service, from the 27th day of December, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 1st day of January, 1919:

Casper H. Husted,
Allen J. Gahagan,
George F. Fredenburg,
John A. Lemanski,
Arthur A. Travis,
William C. Procknow,
Frank S. Miller,
Harry F. Quandt,
Harry M. Dickerson,
Frederick A. Mack,
William Pollock,
Frank Schlapp,
Bruce M. Parmenter,
Benjamin F. Schmidt,
Robert E. Simon,
Bea L. Jarvis,
Felix M. Kelley,
Fred J. Pope,
Arthur Boileau,
Frederick Seefeldt,
Frank W. Dunning,
Louis H. Rassler, and
Ferdinand H. Ehlbeck.

Lieut. (Junior Grade) Glenn O. Twiss to be a lieutenant in the Navy, for temporary service, from the 5th day of January, 1919.

Lieut. (Junior Grade) Edwin Brown to be a lieutenant in the Navy, for temporary service, from the 6th day of January, 1919.

Lieut. (Junior Grade) William P. Bachman to be a lieutenant in the Navy, for temporary service, from the 8th day of January, 1919.

Lieut. (Junior Grade) Hal W. Barnes to be a lieutenant in the Navy, for temporary service, from the 9th day of January, 1919.

Lieut. (Junior Grade) Conrad F. Holzermer to be a lieutenant in the Navy, for temporary service, from the 11th day of January, 1919.

Lieut. (Junior Grade) Charles W. Pearles to be a lieutenant in the Navy, for temporary service, from the 13th day of January, 1919.

Lieut. (Junior Grade) William A. Tattersall to be a lieutenant in the Navy, for temporary service, from the 16th day of January, 1919.

Lieut. (Junior Grade) Walter M. Blumenkranz to be a lieutenant in the Navy, for temporary service, from the 17th day of January, 1919.

Ensign Ray C. Hopkins to be a lieutenant (junior grade) in the Navy, for temporary service, from the 1st day of July, 1918.

Ensign Arthur F. Armstrong to be a lieutenant (junior grade) in the Navy, for temporary service, from the 21st day of September, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy, for temporary service, from the 1st day of January, 1919:

John W. Bishop, jr.,
John A. Cleverly,
Carl King,
Francis Earle,
John H. Jones,
Roy L. Maryatt,
Ira D. Bertolet, jr.,
Frederick R. Rogers,
Edward S. Esty,
Egmont G. Hildner,
Edgar C. Earle,
Stephen S. Whitby,
Harold P. Manly,
John W. Savage,
Rodney N. Landreth,
Thacher Jenny,
Robert F. Massoneau,
Percy E. Ricketts,
Frederick H. Hunter,
Ralph McK. Hammer,
Rodney W. Henry,
Paul G. Neal,
Warren C. Dubois,
Raymond D. Thiery,
James B. Griffin,
Donald C. Burnham,
Hal C. Harding,
Edward K. Crothers,
Frank O. Wilhelm,
Robert M. MacDonald,
Donald S. Good,
Lewis J. D. Truhan,
Samuel W. Roberts,
Leo M. Blancke,
Gilder S. Horne,
Francis L. Hamill,
Harold B. Leland, and
Paul F. Dudley.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of January, 1919:

Clarence R. Reed,
Bernard F. Toner,
Robert H. Cline,
Maxmillian B. Deleshe,
Norris L. Wilcomb,
William R. Dolan,
John Bjorling,
Gunder Z. Johnston, and
Cornelius Murphy.

Boatswain Charles Lucas, of the United States Coast Guard, to be an ensign in the Navy, for temporary service, from the 1st day of January, 1919.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 1st day of January, 1919:

William B. Baggaley,
Edward Dethloff,
Otis K. Ketchum,
John T. Ferris,
George R. Groh,
James R. Harrison,
Milo W. Pevonak,
Walter J. Williams, and
Charles H. Silvia.

Ensign William K. Wilbur, of the United States Naval Reserve Force, to be an ensign in the Navy, from the 1st day of January, 1919.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 15th day of January, 1919:

Frederick E. Peterson and
Walter E. Ross.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 15th day of January, 1919:

Jacob E. De Garmo and
John W. Dillinder.

Ensign Harry W. Abrams, of the United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 15th day of January, 1919.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of February, 1919:

Lester K. Daniels,
Martin Nyburg,
Arthur K. Pounds,
John W. Alcorn,
Dennis B. Boykin,
Robert H. Kerr,
William F. Skyles, and
William T. McMahon.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 1st day of February, 1919:

Louis F. Calabres,
Walter H. Springer,
Harry T. Gower,
Francis M. Sutton, and
James D. Dice.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 15th day of February, 1919:

Herbert E. Clarke,
Corneal N. Van Der Heuel,
Ove P. O. Hansen,
Charles R. Brown, and
Edgar C. Suratt.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 15th day of February, 1919:

David L. Jones,
James A. Dover, and
Harvey N. Corwell.

Medical Inspector John M. Brister to be a medical director in the Navy, with the rank of captain, for temporary service, from the 22d day of January, 1919.

Surg. Harry A. Garrison to be a medical inspector in the Navy, with the rank of commander, for temporary service, from the 22d day of January, 1919.

The following-named pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 1st day of January, 1918:

Arthur A. Lee,
Jonas F. Rupert, and
Edwin R. Gallagher.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of December, 1918:

Charles T. Flannery,
Carl L. Biery,
Lyle S. Gunn, and
Harry H. Hines.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 1st day of January, 1919:

Edwin H. Bradley,
Evans A. Powell,
William H. Phillips,
Percy Briggs,
Louis L. Lindenmayer,
John L. H. Clarholm,
Robert W. Durden,
Edgar H. Shaffer.
George H. Crofut.
William D. Burroughs,
Mathew T. Betton,
Theodore W. S. Runyon,
John B. Cattermole,
Robert O. Caples,
Lamar Lee,
William C. Corning,
Andrew O. Shiver,
Claude R. Clerk,
Sebastian A. Biehn, and
John Ball.

Lieut. (Junior Grade) Peter B. Wood, of the United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of January, 1919.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of January, 1919:

Jesse H. Porth,
Cecil B. Bosley,
Joseph G. Hagstrom,
Andrew L. Frelinger, and
Carl W. Seitz.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 1st day of February, 1919:

Edward W. Hawkes,
Earl F. Codding,
Archie J. McDaniel,
Charles D. Kirk, and
Charles S. Bailey.

Ensign William A. White, of the United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of February, 1919.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of February, 1919:

Joseph P. Burke and
Clark H. Wiley.

The following-named naval constructors with the rank of commander to be naval constructors in the Navy, with the rank of captain, for temporary service, from the 21st day of December, 1918:

John E. Bailey,
John A. Spilman,
Henry M. Gleason, and
Sidney M. Henry.

The following-named naval constructors with the rank of lieutenant commander to be naval constructors in the Navy, with the rank of commander, for temporary service, from the 21st day of December, 1918:

Robert B. Hilliard,
Lee S. Border,
James O. Gawne,
Allan J. Chantry, jr.,
Harry G. Knox,
Philip G. Lauman,
Alva B. Court,
Whitford Drake,
Lew M. Atkins, and
Arthur W. Frank.

Naval Constructor Ralph T. Hanson to be a naval constructor in the Navy, with the rank of commander, for temporary service, from the 1st day of January, 1919.

The following-named carpenters to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of October, 1918:

Whitney Collins and
John K. Bacon.

The following-named carpenters to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 14th day of December, 1918:

Sterling C. Girardet,
William Tavenner,
Robert F. Roberson,
Hamilton P. K. Lyons,
William Neidert,
Dorus Nyburg,
Ellis B. Berkstresser,
Frank D. Allen,
Ernest F. Kiefer,
John F. Colvin, and
Otto Meobius.

Boatswain Lloyd R. Moore to be a chief boatswain in the Navy, for temporary service, from the 15th day of February, 1919.

The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 1st day of February, 1919:

William S. Burr and
Frederick L. Cogswell.

Chief Boatswain Carston Nygaard, retired, to be a lieutenant on the retired list of the Navy, for temporary service, from the 1st day of July, 1918.

The following-named lieutenants (junior grade), retired, to be lieutenants on the retired list of the Navy, for temporary service, from the 21st day of September, 1918:

Michael A. Rossiter and
Thomas G. McDonough.

Chief Machinist John T. Riley, retired, to be a lieutenant on the retired list of the Navy, for temporary service, from the 26th day of November, 1918.

Charles E. Chamberlain, chief machinist's mate, to be an ensign in the Navy, for temporary service, from the 1st day of October, 1918.

Acting Pay Clerk Arthur M. Bryan to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of January, 1918.

Acting Pay Clerk Roy L. Davis to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of September, 1918.

Carpenter George D. Barringer to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of October, 1918.

Capt. Harold P. Norton, an additional number in grade, to be a rear admiral in the Navy from the 31st day of December, 1918.

Capt. John D. McDonald to be a rear admiral in the Navy, from the 31st day of December, 1918.

Lieut. Commander Herbert C. Cocke to be a commander in the Navy, from the 1st day of July, 1918.

Lieut. Chester H. J. Keppler to be a lieutenant commander in the Navy, from the 15th day of August, 1918.

Lieut. (Junior Grade) Francis L. Shea to be a lieutenant in the Navy, from the 7th day of March, 1918.

Acting Chaplain Herbert Dumstrey to be a chaplain in the Navy with the rank of lieutenant (junior grade) from the 31st day of January, 1919.

Naval Constructor John D. Beuret to be a naval constructor in the Navy with the rank of captain from the 21st day of December, 1918.

Naval Constructor Clayton M. Simmers to be a naval constructor in the Navy with the rank of commander from the 21st day of December, 1918.

The following-named captains, additional numbers in grade, to be rear admirals in the Navy, from the 20th day of March, 1918:

Thomas W. Kinkaid and
William S. Smith.

Capt. Clarence S. Williams to be a rear admiral in the Navy from the 16th day of December, 1918.

The following-named commanders to be captains in the Navy from the 1st day of July, 1918:

Bion B. Bierer and
Raymond DeL. Hasbrouck.

Lieut. Commander Adolphus Andrews to be a commander in the Navy from the 1st day of July, 1918.

Lieut. Commander Roger Williams to be a commander in the Navy from the 15th day of August, 1918.

Lieut. William L. Beck to be a lieutenant commander in the Navy from the 1st day of July, 1918.

Lieut. Felix X. Gygax to be a lieutenant commander in the Navy from the 26th day of July, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy from the 15th day of August, 1918:

Guy E. Davis,
Lemuel M. Stevens, and
Roy LeC. Stover.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of March, 1918:

Harry W. Hosford,
Aylmer L. Morgan, jr.,
Edward W. Hanson,
Harold R. Keller, and
Harold T. Bartlett.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:

Charles H. McMorris,
Ernest W. Broadbent,
Edgar M. Williams,
Hamilton Harlow,
Fred K. Elder,
Ellis M. Zacharias,
William S. Hogg, jr., and
Grady B. Whitehead.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1918:

Aaron S. Merrill and
Robert E. P. Elmer.

Lieut. (Junior Grade) Glenn B. Strickland to be a lieutenant in the Navy from the 7th day of September, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1918:

Howes Bodfish,
Julius C. Delpino,
Myron W. Hutchinson, jr.,
Scott Umsted,
George C. Kriner, and
William S. Hactor.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 30th day of July, 1918:

Albert Osenger, and
Eugene G. Herzinger.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 1st day of July, 1918:

Ralph W. McDowell,
Lucius W. Johnson,
Harry W. B. Turner,
William M. Kerr, and
John B. Pollard.

The following-named officers to be assistant surgeons in the Navy with the rank of lieutenant (junior grade) from the 10th day of December, 1918:

Henry B. Conrad,
Henry S. Whisman,
DeWayne G. Richey,
James H. Wallace,
Charles L. Trickey,
Leo B. Norris,
Lester C. Todd,
Gustave B. Dudley, jr.,
Max Shaweker,
Charles C. Hoffman,
Isador H. Tumpowsky,
Harold C. Bean,
Wendell P. Blake,
Sterling N. Pierce,
Frederick H. Rapoport,
Hugh R. Phinney,
Albert G. Wenzell,
Carl G. Swendsen,
Oliver W. Miner,
Charles Koenigsberger,
Paul W. Best,
Edward J. Cummings,
Carl J. Bucher,
Kenneth S. Caldwell,
John R. Marshall,
Sylvia L. Johnson,
Edwin Peterson,
Furman Angel,
John J. Keegan,
Harry J. Prall,
Clifford G. Hines,
Arthur S. Judy,
Howard H. Montgomery,
Berton V. D. Scott,
Jesse J. Cancelmo,
Carl H. Fornell,
Pierce J. Dunphy,
William S. McEllroy,
James B. Moloney,
Claiborne T. Smith,
James C. Dickson,
Delbert H. Nickson,
William F. Krone,
Warren C. Ives,
Arthur Van Dusen,
Eugene P. Pendergrass,
Fred W. Granger,
Edgar F. McCall,
Earl H. Mitchell,
John B. Farrior,
John I. B. Vail,
Earl S. Pomeroy,
James F. Runner,
Oscar Davis,
Cecil C. Davis,
Joseph P. Mulhern,
Francis P. Gardner,
Charles H. Carroll,
Arthur C. Dean,
Henry K. Seelaus,
Donald D. Prentice,
John A. Sharkey,
Adrian H. Grigg,
Arvid W. Erickson,
Hjalmar W. Sybilrud,
Hugh McC. Miller,
Robert B. Smalley,
Ammi L. Johnson,
John E. Linden,
Arthur W. Phillips,
Harrison H. Leffler,
Clifton F. West,
William A. Frascolla,
Clark D. Stull,
Hillard L. Weer,
Horace S. Cragin,
Randall F. White,
Edward G. Archibald,
Daniel C. Reyner,
Joseph W. Ratliffe,
Frank J. Clancy,
Blaine R. Goldsberry,
Herbert L. Strong,
John M. Whalen,
Warren Le R. Fleck,
Charles B. Bleasby,
Clifford E. McElwain,
Charles W. Rose,
James C. Walker,
Joseph M. Murphy,
Edward Lewis,
George E. Fortmiller,
Gates Collier,
Israel S. Otis,
William P. Mull,
Walter C. Harris,
Joseph A. Doyle,
John B. Craig,
Harvey L. Basinger,
Martin M. Gould,

Harold P. Cole,
John J. Darby,
Karl McC. Scott,
Cary D. Allen,
Joseph A. Melody,
Leopold J. DeBacker,
Gerald A. Sullivan,
Richard P. Landis,
William D. Small,
Henry J. Murray,
Francis W. Carll,
Haliburton McCoy,
Ross A. Kelly,
Roger A. Nolan,
Eugene W. Torrey,
William W. Davies, jr.,
James E. Bellinger,
Leo L. Davis,
Willis O. Barney,
Thomas J. Sullivan,
Berman Dunham,
August Saska,
Herbert T. Hayes,
Joseph D. Peluso,
Lamar S. Vorhees,
Charles E. Irwin,
Edward D. Leete,
Norman J. Haverly,
Arthur J. Langan,
William E. Stone,
Sherman B. Forbes,
Frank S. Hundley,
Norman Roberts,
Eugene P. Steinmetz,
Claude V. Timberlake,
Walter N. Rowley,
George T. Dill,
James J. Regan,
Lawrence R. Hazzard, and
Edward L. McDermott.

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy with the rank of lieutenant from the 4th day of February, 1916:

Ernest W. Lacy,
Harry D. Johnson,
Harry W. Blaisdell, and
Paul G. White.

Assistant Dental Surgeon Hugh T. Meyers to be a passed assistant dental surgeon in the Navy with the rank of lieutenant from the 29th day of August, 1916.

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy with the rank of lieutenant from the 5th day of June, 1917:

Logan A. Willard,
George H. Reed,
John R. Barber,
John V. McAlpin, and
Marson W. Mangold.

Assistant Dental Surgeon Thomas L. Sampsell to be a passed assistant dental surgeon in the Navy with the rank of lieutenant from the 30th day of July, 1918.

The following-named dental surgeons to be assistant dental surgeons in the Navy with the rank of lieutenant (junior grade) from the 21st day of April, 1915:

Alexander G. Lyle and
Alexander J. Zuehlke.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 17th day of January, 1917:

George M. Frazier,
Frederick C. Vossbeck, and
Frank S. Tichy.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 20th day of February, 1917:

Rufus A. Ferguson and
Alfred W. Chandler.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 8th day of May, 1917:

Albert Knox,
Everett K. Patton,
Irvin G. Kohlmeier, and
Richard C. Green.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 3d day of July, 1917:

James C. Lough,
George C. Fowler,
Deane L. Chamberlain,
William R. Taylor,
John E. Herlihy,
Charles C. Bockey,
Errol W. Willett, and
Robert Van Patton.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 5th day of July, 1917:

DeWitt C. Emerson and
Lou C. Montgomery.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 30th day of July, 1917:

Robert S. Maxwell,
Robert S. Davis,
James I. Root,
Harold A. Daniels,
Joseph A. Tartre,
Kemper K. Weaver,
Charles C. Tinsley,
Hubert F. Delmore, and
Paul W. Yeisley.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 16th day of October, 1917:

William T. Davidson,
Lawrence E. McGourty,
Herbert A. Sturtevant, and
Hubert J. Lehman.

Dental Surg. Armin T. Fellows to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 9th day of February, 1918.

The following-named citizens to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 26th day of December, 1918:

Francis D. Van Valin,
Edward A. Ryland,
Ignatius G. Brennan,
Paul R. Smith,
Harry M. Seldin,
Elmer A. Jasper,
Arma E. Rush,
Lawrence V. Feike,
Leo G. Pollock.
Raymond C. Sheridan,
Clemens V. Rault,
John J. Hass,
Howard C. Wicham,
Harry C. Striffler,
Charles R. Wells,
Rex W. Faulkner, and
Herbert F. Buchanan.

The following-named dental surgeons of the United States Naval Reserve Force to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 26th day of December, 1918:

Walter Rehrauer,
Lloyd C. Austin,
Robert M. Askin,
William S. Thompson,
Cornelius L. Norris,
William F. Hawthorn,
Harry L. Kalen,
Philip H. MacInnis, and
Joseph P. Copp.

The following-named chaplains, with the rank of commander, to be chaplains in the Navy, with the rank of captain, from the 1st day of July, 1918:

Arthur W. Stone,
Evan W. Scott, and
Sydney K. Evans.

The following-named naval constructors, with the rank of lieutenant commander, to be naval constructors in the Navy, with the rank of commander, from the 21st day of December, 1918:

Henry M. Gleason and
Sidney M. Henry.

Boatswain Frank Schultz to be a chief boatswain in the Navy from the 19th day of February, 1918.

Gunner William A. Vick, to be a chief gunner in the Navy from the 13th day of January, 1919.

Machinist Frederick R. Kalde to be a chief machinist in the Navy from the 17th day of January, 1918.

The following-named machinists to be chief machinists in the Navy from the 28th day of December, 1918:

Charles Antrobus,
John W. Boldt,
August Logan, and
Claude S. Padgett.

Machinist Charles E. Briggs to be a chief machinist in the Navy from the 2d day of January, 1919.

The following-named carpenters to be chief carpenters in the Navy from the 1st day of November, 1918:

Frederick B. Britt,
Frank Welch,
James S. Jones,
William H. Hewitt,
Charles N. Liqued,
William F. Twitchell,
John H. Jack, jr.,
Clarence W. Chaddock, and
James A. Cook.

Pay Clerk Benjamin Berkowitz to be a chief pay clerk in the Navy from the 10th day of August, 1918.

Pay Clerk Palmer J. McCloskey to be a chief pay clerk in the Navy from the 15th day of August, 1918.

Pay Clerk Orly Tagland to be a chief pay clerk in the Navy from the 21st day of August, 1918.

Pay Clerk Albert S. Freedman to be a chief pay clerk in the Navy from the 27th day of September, 1918.

Pay Clerk Harry E. Stengele to be a chief pay clerk in the Navy from the 23d day of October, 1918.

Lieut. (Junior Grade) Carl C. Clark, retired, to be a lieutenant on the retired list of the Navy from the 12th day of January, 1919.

Lieut. (Junior Grade) Jefferson B. Goldman, retired, to be a lieutenant on the retired list of the Navy from the 14th day of January, 1919.

Lieut. (Junior Grade) Stanley P. Tracht, retired, to be a lieutenant on the retired list of the Navy from the 30th day of January, 1919.

Passed Asst. Surg. Burt F. Jenness, retired, to be a surgeon with the rank of lieutenant commander on the retired list of the Navy from the 1st day of September, 1918.

The following-named pay clerks on the retired list to be chief pay clerks on the retired list of the Navy from the 1st day of July, 1918:

Frederick H. Ramsay,
Charles W. Loomis,
Isaac T. Van Patten,
William R. Pattison,
George A. White,
George B. Kimberly,
Theodore G. Hansche,
Thomas S. Veitch,
Frederick K. Hunt,
Roland W. Bell,
Floyd C. Miller,
John W. Caum, and
Philip T. Lansdale.

Pay Clerk Ray E. Ames, retired, to be a chief pay clerk on the retired list of the Navy from the 17th day of August, 1918.

Commander Philip Williams to be a captain in the Navy from the 20th day of March, 1918.

Commander Joel R. P. Pringle to be a captain in the Navy from the 1st day of July, 1918.

Lieut. Commander William R. White to be a commander in the Navy from the 18th day of January, 1918.

Lieut. Commander Thomas R. Kurtz to be a commander in the Navy from the 23d day of July, 1918.

The following-named lieutenant commanders to be commanders in the Navy from the 15th day of August, 1918:

Manley H. Simons and
Ivan E. Bass.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1918:

William B. Howe,
Albert C. Read, and
David A. Scott.

Lieut. Miles A. Libbey to be a lieutenant commander in the Navy from the 2d day of July, 1918.

Lieut. Raymond A. Spruance to be a lieutenant commander in the Navy from the 23d day of July, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy from the 15th day of August, 1918:

Joseph S. Evans and
Charles R. Clark.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of March, 1918:

Herbert W. Underwood and
Roy W. Lewis.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:

Henry M. Kieffer,
John H. Culin,
Louis P. Wenzell,
Donald F. Patterson,
Louis E. Denfeld,
William A. Corley,
Oliver W. Bagby,
Emory P. Eldredge,
Herbert G. Gates, jr., and
Campbell D. Edgar.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1918:

John K. Richards,
Paul S. Theiss, and
Garnet Hulings.

Lieut. (Junior Grade) Louis R. Ford to be a lieutenant in the Navy from the 30th day of July, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1918:

Hugh G. Eldredge,
George W. Grove,
Frank C. Huntoon,
Nathaniel M. Pigman,
Robert M. Farrar,
Walter J. Confer,
Noble Withers, and
Claude C. Vickrey.

Surg. Harry F. Hull to be a medical inspector in the Navy, with the rank of commander, from the 1st day of July, 1918.

The following-named passed assistant surgeons to be surgeons in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1918:

Roy Cuthbertson and
Donald H. Noble.

Paymaster Ray Spear to be a pay inspector in the Navy, with the rank of commander, from the 11th day of January, 1918.

Naval Constructor Richard M. Watt to be a naval constructor in the Navy, with the rank of captain, from the 21st day of December, 1918.

The following-named naval constructors with the rank of lieutenant commander to be naval constructors with the rank of commander in the Navy from the 21st day of December, 1918:

John A. Spilman and
Julius A. Furer.

Civil Engineer Carl A. Carlson to be a civil engineer in the Navy, with the rank of commander from the 1st day of February, 1918.

Pharmacist James A. Winterbottom to be a chief pharmacist in the Navy from the 9th day of October, 1918.

Pay Clerk George E. Lord to be a chief pay clerk in the Navy from the 9th day of September, 1918.

Lieut. (Junior Grade) Alphonso H. Cobb, retired, to be a lieutenant commander on the retired list of the Navy from the 28th day of October, 1918.

The following-named captains to be majors in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Raymond R. Wright,
Pedro A. del Valle,
Owen E. O'Neill,
Walter H. Sitz,
William G. Hawthorne,
Oscar R. Cauldwell,
Arnold W. Jacobsen,
Earl H. Jenkins,
Charles A. Wynn,
Thad T. Taylor,
Glenn D. Miller,
Philip T. Chase,
Herbert Rosenzweig,
Thomas E. Watson,
Burwell H. Clarke,
Walter G. Sheard,

Paul Brown,
Robert S. Hunter,
Roger W. Peard,
Charles A. Howell,
John D. Nevin,
Peter C. Geyer, jr.,
James E. Davis,
Lloyd L. Leech,
Charles P. Gilchrist,
Gustav Karow,
Joseph E. Brewster,
Raphael Griffin,
Karl I. Buse,
Harold S. Fassett,
Samuel A. Woods, jr.,
William C. Byrd,
George C. Hamner,
Arthur B. Jacques,
David H. Owen,
James M. Bain,
George B. Reynolds,
James T. Moore,
Horace C. Cooper,
Benjamin T. Cripps,
Louis W. Whaley,
John M. Arthur,
James F. Jeffords.
Jacob M. Pearce, jr.,
Gordon Watt,
Thomas P. Cheatham,
Thomas E. Bourke,
William C. James.
Daniel E. Campbell,
Maurice G. Holmes,
Charles C. Gill,
James E. Betts,
Norman S. Hinman.
George Faunce Adams,
Wethered Woodworth,
James W. Webb,
John M. Tildsley,
Le Roy P. Hunt,
Louis E. Woods,
Edward R. Rhodes,
Donald R. Fox.
William McN. Marshall,
George H. Scott,
Alexander Galt,
Paul R. Cowley,
Bailey M. Coffenberg, and
Eugene F. C. Collier.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Lee H. Brown,
Carl J. Jessup.
Vernon R. Buxton,
Donald B. Creecy.
George R. Jackson,
Clinton I. Smallman,
Robert E. Mills,
Stewart W. Chaffee,
William F. Brown, jr.,
Roswell G. Ham,
Antonio Moschella,
Earle F. Swett,
George L. Cherry,
Paul S. Hanway,
William W. Nottingham,
Charles J. Churchman,
Allan C. Perkinson,
Everett R. Brewer,
Blythe G. Jones,
Robert D. Evans,
Melvin H. Hass, and
Henry Gund, jr.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 2d day of July, 1918:

Philander B. Briscoe,
Herman R. Anderson,
Clarence M. Ruffner,
Philip B. Blake.
Horace L. Hirschler,
Kenneth K. Boynton,
Frederick L. Kolb,
George R. Coxe,
Paul E. Cheney,
Samuel J. Melick,
Darrell J. Bogardus,
Walter M. Brewer.
Garrison P. Anthes,
Chester L. Fordney,
William J. J. Elger,
King H. Young,
Hu H. Phipps,
Harold P. Nachtrieb,
Roy E. Bledsoe,
Thomas A. Langford,
Lucius Q. C. L. Lyle,
Alexander P. Brown,
Walter E. Lawson,
Neil F. Dougherty,
Evans Spalding,
Carman B. Smith,
Donald U. Bathrick,
Norman E. Burbidge,
Leland I. Tolman,
Ulva L. Ettinger,
Gerald J. Pyle,
Frederick C. Lusk,
Matson C. Terry,
Willis F. Ostrander,
Frank J. Haight,
Roy A. Stoner,
Thomas G. MacCarthy,
James H. Williamson,
George G. Munce,
Carroll F. Byrd,
Frederick S. Manter,
Ralph W. Marshall,
Samuel F. Hollins,
Raymond J. Kirwan,
Clifton B. Cates,
George T. Hall,
Hans H. Harders,
Darius T. Wool.
William W. Ashurst,
Frank C. Young,
Willard P. Leutze,
George C. Dickey.
Allan MacRossie, jr.,
John W. McIver,
Walter B. Allen,
James R. Stockton,
Philip G. Stiles,
Richard F. Boyd,
Edward J. Winters,
Hal N. Potter.
Ralph McN. Wilcox,
Clement A. Berghoff,
Bernard W. Bierman,
Walter S. Hallenberg,
Max D. Gilfillan,
Charles A. Etheridge,
Carlton Hill,
Cecil L. Eaton,
Herman A. Zischke,
William O. Lowe,
Samuel N. Lawrence,
Wallace A. Bell,
Kenneth D. Ransom,
George W. Renwick,
Willis Brodhead,
James B. Riley,
Harry W. LeGore.
Morgan R. Mills, jr.,
Harold Moore,
James M. Garvey,
Donald T. Winder,
Victor A. Barraco,
Thomas O. Tate.
James G. Somerville,
Jack H. Tandy.
Augustine Healy,
Eric A. Johnston,
Fred W. Maack.
Kenneth O. Cuttle,
William P. T. Hill,
Robert A. Bowen, jr.,

Henry T. Dunn,
William E. Embry,
Philbrick W. Jackson,
John D. Bowling, jr.,
Walter S. Weeks,
William W. Carson,
Carl G. James,
Norman R. Jensen,
Albert V. Williams,
Holcomb York,
George A. Percy,
William B. Moore,
Harold B. Hoskins,
Benjamin T. Reidy,
Paul S. Taylor,
Marshall P. Madison,
Lucian H. Vandoren,
Stanley W. Burke,
Carroll J. Single,
John L. Gregson, jr.,
Thornton Wilson,
Daniel W. Bender,
Clyde N. Bates,
Richard V. Hood,
Frederick M. Bock, jr.,
Samuel W. Meek, jr.,
George H. Whisenhunt, jr.,
Carl D. Brorein,
Vincent J. Fitzgerald,
Anthony W. Durell, jr.,
William R. Brown,
Moore M. Peregrine,
Dunlevy C. Downs,
James M. Wallace,
John G. Vowell,
Lewis R. Stickles,
William A. Eddy,
Lucius L. Moore,
Oliver T. Francis,
Carlos H. McCullough,
Cornelius H. Reece,
John A. West,
Lemuel A. Haslup,
James P. Adams,
Edward A. Fellowes,
William A. Morrison,
Haskin U. Deeley,
Frederick B. Davy,
Sparling B. Anderson,
Henry W. Paret, jr.,
Louis F. Timmerman, jr.,
Gordon M. F. Chance,
George K. Campbell,
Maco Stewart, jr.,
Harry H. Barber,
Henry R. Heebner,
Fred C. Eastis, jr.,
Robert C. Kilmartin, jr.,
Edward A. Craig,
James E. Hunter, jr.,
William O. Rogers, 3d,
Julian P. Brown,
William E. Riley,
John R. Hardin, jr.,
Albert G. Skelton,
Walter S. Fant, jr.,
Andrew L. W. Gordon,
Percival L. Wilson,
Victor Romaine,
Bernard Dubel,
George C. Medary,
Charles C. Simmons, jr.,
Maurice P. King,
Thomas G. Letchworth,
Edwin C. McDonald,
Earle M. Randall,
Leland S. Swindler,
John P Manton,
Ernest H. Lowenthal,
Ray A. Robinson,
Howard N. Stent,
Gillis A. Johnson,
Kenneth B. Collings,
Basil Gordon,
Donald Spicer,
Ford O. Rogers,
Creswell M. Micou,
Walter G. Farrell,
Raymond T. Presnell,
Lloyd A. Houchin,
Roy M. Simpson,
William L. Harding, jr.,
John B. Neill, jr.,
David Duncan,
Lyle C. De Veaux,
Charles G. Thoma,
Henley M. Goode,
Ralph R. Robinson,
Floyd W. Bennett,
Norman E. True,
Thurston J. Davies,
Walter E. Bilisoly,
John K. Martenstein,
Francis J. Kelly, jr.,
Daniel B. Brewster,
Douglass P. Wingo,
Conrad S. Grove, 3d.,
Dale S. Young,
Charles M. Portis,
St. Julien R. Childs,
Hamilton M. H. Fleming,
Walter I. Greth,
Frederick E. Stack,
George C. Collar,
John F. Roy,
Edward S. Shaw,
Stanford H. Moses,
Edward L. Pollock, jr.,
William J. Parrish, jr.,
Gardiner Hawkins,
Leland D. Breckinridge,
Merritt A. Edson,
Laurence T. Stallings, jr.,
Edgar A. Poe, jr.,
Edward O. Bogert,
Randolph A. Christie,
George Wale, jr.,
John A. Tebbs,
John C. Wemple,
Curtis W. Le Gette,
Cleghorn Foote,
Thomas B. McMartin, and
Thomas H. Raymond.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 16th day of August, 1918:

Donovan Wilmot,
Arthur F. Chmelik,
John C. McLean,
Colin J. Macdonald,
William R. Langford, jr.,
Harry B. Liversedge,
Merton J. Batchelder,
Joseph H. Mueller, jr.,
George E. Monson,
Howard A. Rogers,
Arthur J. Bancroft,
Jacob Lienhard,
Thomas E. Boliver,
Harry R. Swanson,
Charles F. Hansel,
Patrick J. Grealy,
Frank P. Graham,
Arthur C. Prine,
Harry S. Radcliffe,
James G. Brennan,
Arthur D. Challacombe,
Stewart P. Corning,
Harold P. Williamson,
Otey H. Pettigrew,
James P. Scherwin,
Daniel L. Clifford,
Joseph F. Szeszycki,
David S. Craig,
Bernard L. Fritz,
Guy Lewis,
James J. Keating,
Norman T. Alexander,
William J. Mosher,
Maxwell F. Musser,

Bradford A. Parrish,
Lawrence R. Patterson,
Vernon Bourdette,
Joseph F. Burke,
Edward W. Mahan,
Charles V. Iredell,
Robert I. Avery,
John F. Connaughton,
John W. McNamara,
Frank B. Bready, jr.,
Samuel T. Jackson,
Charles W. Creaser,
William B. Pressey,
Homer H. McIntyre,
Guy L. Pyle,
Michael J. Kelley,
Martin L. McManus,
Alfred H. Branham,
Marvin Scott,
James W. Flett,
Earl J. Witt,
John J. Bogardus.
William P. Henchel,
Oliver D. Brown,
Harry W. Bacon,
George R. Lewis,
Irving F. Bigelow,
Barton I. Jenson,
Earl L. Ryan,
John L. Hunt,
Lester E. Power,
Edmund D. Nelson,
William G. Hall,
Delos D. McKenzie,
James C. Faw,
James P. J. McKevitt,
Clinton W. McLeod,
Charles A. Ingram,
Ruel G. O'Neel,
Clinton S. King,
Edward Earle,
Edward T. Bayman,
Paul A. Lesser,
Ross M. Hutchinson,
Nathan S. Noble,
John T. Thornton,
Sidney M. Michael,
Charles W. Ebnother,
Fitzhugh L. Buchanan,
Arnold C. Larsen,
Rees Skinner,
John R. Jacob,
Joseph N. Shaw,
William J. Wallace,
Harold E. Kelsey,
Fletcher H. Lansing,
Ralph C. Judd,
Byron M. Bickford,
Edward Selby,
William F. Brown,
Chauncey H. Applegate,
Carey J. Scott,
Joseph W. Rafter,
Edward F. O'Day,
John H. Andrews,
William D. Bassett,
James B. Johnson,
James McClelland,
Ivan E. Bigler,
Ralph R. Rieker,
Earl S. Eastham,
Tom E. Wicks,
Hansel D. Wilson,
Ralph K. Lawson,
William W. Eustis,
John A. Gustafson,
Olin L. Beall,
Charles E. Richardson,
Jacob J. Kesel,
Francis A. Porter,
William B. Prior,
William F. May,
James Carbary,
Charles F. Morrison,
Harvey D. Weaver,
Stanley E. Wilson,
Murl Corbett,
Harold S. Jones,
Edward P. Simmonds,
Richard F. Mott,
Sidney Hodges,
Miner P. Gross,
Harvey B. Alban,
Ray Rindfleisch,
Sherman H. Bowles,
Jackson C. Palmer,
Byron J. Walters,
William P. Grow,
Paul R. Schoenlaub,
Harry P. Crouch,
Eugene West,
Frank D. Gibson,
Bernard W. Coldewey,
Alan M. Cohen,
Amor L. Sims,
Allen R. Sherman,
James D. Waller,
Robert C. Pitts,
Francis M. Smith,
Aubrey L. Johnson,
Eugene G. Henry,
Joseph B. Carhart,
Hubert C. White,
Leo Healey,
Irving A. Jennings,
George L. Brown,
James B. Darby,
Laurens H. Reyburn,
Raymond D. Andrews,
Howard L. Vose,
Clifford Prichard,
Harry N. Salet,
Emmet Trainor,
Loren P. Kesler,
Cyril W. Martyr,
Leslie Brown,
Earl T. Martineau,
Eugene D. Bradbury,
Oscar E. Kelly,
George M. Hunter,
Kenneth W. Harding,
Robert T. Carrithers,
Oscar B. Kaufman,
Frederick L. Spear,
Roy S. Moore,
Samuel B. Ryan,
Moses J. Gould,
Peter Morgan,
Dale R. South,
Edmund C. Norton,
Newell S. Gordy,
Henry L. Nabbefeld,
Harry C. Swanstrom,
Robert E. Hutchinson,
Clay R. Apple,
Maurice F. Mackey,
James G. White,
William J. Jones,
William A. Zook,
Arthur O. Bodine,
Don D. Newton,
John D. Wagstaff,
George Bower,
Kenneth S. Ferguson,
Ernest L. Wright,
Herbert F. Adey,
Charles W. Brooks,
Jack B. Loraine,
William M. Thomas,
Donald E. Paul,
Ben L. Taylor,
James C. Norton,
Robert C. Patchell,
Charles A. Craig,
William F. Dummer,
George M. Wolcott,
Chauncey L. Mullen,
Oscar D. McDaniel,
Lloyd E. Battles,
Robert B. Moore,

Harvey J. Rice,
Corlies Adams,
Jay Van Housen,
William S. Ive,
Josiah B. Bristol,
Merwin C. Morrison,
Oscar D. Keown,
Basil H. Pollitt,
Henry P. Cottingham,
Gerald A. Craig,
Dan McFarland,
Jo G. Martin,
Arthur C. Cooper,
Laurence D. Berlin,
Lynn E. Perry,
Homer J. Gravelle,
John Groff,
James W. O'Neil,
Carlton A. Fisher,
Ray F. Wetter,
Henry P. Glendinning,
Frank W. Heinrichs,
Irwin T. Brown,
Michael J. Barry,
Willis H. Prather,
Nathaniel W. Emery,
Samuel F. Vance,
Prentice S. Geer,
Frank A. Messmer, jr.,
Leonard Kinsell,
Wendell S. McRae,
Irving G. Beckwith,
John F. Eskay,
John McP. Gault,
Clifton G. McMeen,
William R. Bockus,
George Tholin,
Hilliard C. Wellborn,
Gomer W. Morgan,
George W. Walker,
Clarence E. Briggs,
Page V. Hart,
John W. Housewright,
Richard R. Day,
Ross G. Van Gundy,
Gerald R. Patten,
Frank S. Gilman,
Marshall E. Simmons,
John A. Zimmerman,
William E. Bowe,
Arthur L. Whiteside,
George Draine,
Maurice B. Wiedemer,
George S. Atkinson,
James B. Gracy,
Paul F. Moran,
George C. Flanders,
George R. Rowan,
William R. McKee,
Michael J. Finn,
Joseph F. Simmons,
Leonard E. Rea,
August L. Huhn, jr.,
Sydney M. Moore,
Joseph E. Watson,
Harry G. Lane,
Melville L. Moore,
James F. Wilmeth,
Gail D. McDowell,
James E. Stanners,
Theodore H. Cartwright,
Edward C. Apperson,
George M. Goodman,
Clell G. Johnson,
Barney M. Shively,
Henry D. Shields,
Lucas I. Bruns,
Elijah H. Ikard,
James H. Eason,
Charles L. Turner,
Richard H. Schubert,
Louis F. Peifer,
Walter S. Farley,
Aubrey O. Loughmiller,
Herbert V. Hansen,
Grover C. Moore,
Kenneth R. Berkey,
Egbert J. Wood,
Ogbourne A. Hill,
Joseph F. Verhelle,
Gerald K. Hemsing,
Melvin E. Fuller,
Howard Mayes,
Robert B. Jeffrey,
Vincent M. O'Donnell,
George E. Gardner,
Walter Roll,
Paul Jahn,
Holton Y. Ditto,
Frank M. Keller,
Robert L. Wadell,
Frank P. Simons,
Claude D. Taugher,
Eldred I. Rawles,
Leo W. Horejs,
Richard V. H. Ridgely,
William B. Kinkead,
Philips T. Lehmer,
John J. Emmons,
William T. Howze,
Bruce C. Lubers,
Joseph A. Yeager,
Francis I. Fenton,
Joseph De Paiva,
Thomas R. Wert,
Sherman B. Kramer,
Paul E. Bierly,
Frank W. Rugg,
Charles F. Dalton,
Tom H. Hayden,
Joseph L. Doll,
John W. Cunningham,
Samuel K. Eaves,
Frank D. Upchurch,
Alvan E. Stoddard,
Charles M. Adams,
George W. R. Davidson,
Lindley H. Pryor,
Earl F. Lucas,
Joseph A. Jensen,
Elmer W. Johnson,
Axel G. Johnson,
Charles H. Hassenmiller,
Bertram S. Nickerson,
Hugh A. McGann,
Bert O. Herreid,
Leslie R. Smith,
Herbert B. Renninger,
Alfred J. Wainman,
William K. MacNulty,
Carlton E. Edwards,
Kenneth M. Stead,
Edwin J. Davenport,
Ralph W. Luce,
George W. Houghton,
Chester A. Zeller,
Hamlet C. Sharp,
Marshall Y. Chapman,
Edward C. Fowler,
Richard Cornelius,
William English,
George W. Hopke,
Frederick Israel,
Carl J. Nostrand,
Cecil J. Widdifield,
Frank Neider,
Morris C. Richardson,
George Belmont,
George B. Batten,
John T. Foster,
Russell M. Frederick,
Edward E. Lindgren,
Bayard Vasey,
Jesse L. Crandall,
Edward F. Dunk,
Harry L. Smith,
Robert L. Young,
Charles S. Thompson,
Terrence J. Callan,
Paul J. Ogden,

Maurice E. Barnett, jr.,
William W. Rogers,
George F. Stockes,
William J. Whaling, and
Curtis T. Beecher.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 2d day of January, 1919:

Alfred Dickerson,
Rowan C. Pearce,
Harry A. De Butts,
Francis Parkman,
Axel Enholm,
Edward F. Bailey,
Stanley E. Ridderhof,
Albert T. Kelly,
Willard R. Enk,
Charles E. Emery,
Crusselle D. Woodward,
Eben C. Mann, 2d,
Elton C. Hersman,
Albert E. Gagnon,
William A. Hunter,
Richard F. Cleveland,
Walter F. McKittrick,
Robert E. Quinn,
Ara J. Miller,
Edward S. Bates,
Odilo N. Kass,
George L. Chumbley,
Barton W. Murray, and
Wylie F. McKinnon, jr.

The following-named officers in the Marine Corps Reserve to be second lieutenants in the Marine Corps, for temporary service, from the 1st day of January, 1919:

Alfred Dickerson,
Rowan C. Pearce,
Harry A. De Butts,
Francis Parkman,
Axel Enholm,
Edward F. Bailey,
Stanley E. Ridderhof,
Albert T. Kelly,
Willard R. Enk,
Charles E. Emery,
Crusselle D. Woodward,
Eben C. Mann, 2d,
Elton C. Hersman,
Albert E. Gagnon,
William A. Hunter,
Richard F. Cleveland,
Walter F. McKittrick,
Robert E. Quinn,
Ara J. Miller,
Edward S. Bates,
Odilo N. Kass,
George L. Chumbley,
Barton W. Murray,
Wylie F. McKinnon, jr.,
Joseph Lubomski,
Edwin H. Poulnot, jr.,
Samuel B. Witt,
Richard A. Cullum,
Charlton P. Lee,
Blaine G. Wiley,
Clarence E. Lee,
Stanley S. Herman,
Edwin G. Schwartzman,
George P. Buell,
Bertram L. Smith,
Julian N. Frisbie,
Walter H. Strand,
Ervin R. Whitman,
Harry E. Leive,
Louis F. Weyand,
William Scruggs,
Willard L. Peach,
Benjamin W. Atkinson, jr.,
Ralph C. Battin,
Laurance B. Nourse,
Gilbert C. Henderson,
Max D. Smith,
Walter H. Burt,
Anthony Rinkevich,
Carl J. Allenbaugh,
Herbert H. Von Rohr,
Webster S. Rutledge,
Minter L. Lowther,
Scott Snodgrass,
Franklin H. Hayner,
Wilbur V. Styles,
Joseph Lacey,
Houston P. Sewell,
George E. Ladd, jr.,
Herman Kingsnorth,
John A. Self,
Philip R. Hockenberger,
Donald A. Trayser,
Charles S. Dandridge,
Edward J. Moneypenny,
George S. Van Riper,
Alexander D. Shaw,
William L. McKittrick,
Gerald C. Thomas,
James W. Lea,
George Esau,
Philip W. Mohr,
Adolphus Cannon,
Albert B. Wohlsen,
James B. Gambrell,
Albert L. Winner,
James T. Elliott,
Frank Saddler, jr.,
Howard B. Enyart,
Harold H. Jeter,
William A. Keiter,
Weir R. Goodwin,
Herbert S. Keimling,
Ramie H. Dean,
Karl F. Umlor,
Guy P. Shafer,
Raymond P. James,
Scott Tidyman,
Fred J. Zinner,
George W. Dodd, jr.,
Rueben E. Puphal,
Charles F. Harper,
Stephen Skoda,
Clark W. Thompson,
Frederick J. Pullen,
Harold A. Strong,
James E. Foster,
Clarence L. Seward, jr.,
William A. Siefer,
Roscoe M. Kaiser,
Wilbur T. Love,
William S. Fellers,
Henning F. Adickes,
Roy W. Conkey,
Lee B. Cox,
Samuel H. Wood,
Gerald R. White,
Merile H. Stevenson,
Augustus Paris,
Chester E. Orcutt,
Louis B. West,
Denzil R. Fowls,
Forest J. Ashwood,
George C. Buzby,
Augustus H. Fricke,
Francis C. Lathrop,
Edward M. Butler,
Andrew W. Herron, jr.,
William A. Dole, jr.,
Thomas J. Caldwell,
Louis E. McDonald,
George H. Towner, jr.,
Robert A. Cobban,
Stephen E. St. George,
Louis Cukela,
Harry M. Grayson,
James M. Burns, jr.,
John Gay,
Emmons J. Robb,
Robert E. Caldwell,
Allan S. Heaton,
Erwin F. Schaefer,
William C. Melcher, jr.,
Charles W. Breedlove,
Daniel D. Thompson,

Wilbur Summerlin,
Charles F. Cummings,
Walter W. Wensinger,
Sidney F. High,
Robert O. Williams,
John T. Stanton,
Virgil P. Schuler,
Harry S. Davis,
Peter P. Wood,
Keating L. Simons,
Lawrence E. Westerdahl,
David N. Richeson,
Merle J. Van Housen,
James C. Leech,
Stanley G. Fickes,
Richard S. Ross,
Vinton H. Newell,
Emmit R. Wolfe,
Thomas F. Babcock,
James K. Riley,
Stephen A. Norwood,
Thomas L. Shackford,
Harold A. Robinson,
Raymond A. O'Keefe,
Frank M. Cross,
George W. McHenry,
Gale T. Cummings,
Elisha B. Carter,
Lawrence E. Teberg,
Thomas H. Mitchell,
Ward H. Olmstead,
John H. Culman,
Charles W. Holmes,
Samuel H. Woods,
John T. Aikins,
Wilbur Eickelberg,
Robert A. Butcher,
Edward E. Embree,
John A. Turner,
Allen J. Burris,
Earl M. Rees,
John E. Doran,
Carl Gardner,
Charles K. Safford,
William J. Morrison,
Orla Fightmaster,
Henry G. Hyde,
Wiley F. Shepherd,
Oscar P. C. Wagenknight,
Donald W. Stewart,
John K. Strubing, jr.,
Lewis J. Murphy,
Gordon T. Campbell,
Charles E. M. Norton,
Franklin Petri,
Charles N. Crary,
Roy H. Burton,
Oscar J. Jennings, jr.,
Robert P. Wood,
James F. Smith,
Benjamin N. Trahan,
Mirza L. Black,
Rudolph F. Schmidt,
Donald F. Webb,
John T. Thorndike,
Robert M. Nevins, jr.,
James Cummins,
Henry C. Murray,
John C. Hammond,
Cleveland H. Norton,
William M. Murray,
John L. McSweeney,
Frank L. Dale,
Ezra I. Shaw,
Bert M. Dudley,
Louis J. Giffels,
Douglas L. McBride,
Frederick C. Biebush,
Robert T. Devlin,
Elver B. Lamkin,
Tim J. Sanders,
Joseph K. Giffen,
Paul M. Potter,
Sherman H. Dalrymple,
Stanley B. Smith,
Edwin Gould,
Otto B. Osmondson,
Philip Ebling,
William E. Cort, jr.,
Lawrence V. Morrill, jr.,
Hollis W. Huntington,
Vern A. Coverdell,
Dumas Malone,
Daniel E. Holland,
Richard G. Howard,
Arthur S. King,
Karl E. Bleser,
Edgar W. Federer,
Homer K. Rowley,
Joseph F. Driscoll,
Leslie H. Wellman,
Harold Ogden,
David E. Walker,
John W. Winford,
William E. Hedger,
John J. Dougherty,
Thomas I. Corddry,
Harold J. Sayers,
Sidney H. Graves,
Harry B. Lovell,
Charles W. Drew, jr.,
Harry A. Worth,
Terrell J. Crawford,
Fred H. Thompson, jr.,
George A. MacLiesh,
Raymond H. Gordon,
John O. Flautt, jr.,
Chesley G. Stevens,
John S. Gray,
Barney Kane, jr.,
Waldo W. Norris,
Charles L. Wright,
James Ackerman,
Marshall B. Williams,
Robert M. Mount,
Clifford F. Laible,
John A. Jordan,
Michael Novak,
Julia F. Anderson,
Randolph D. Thomas,
John C. Feland,
Fred S. Matthews,
Ralph E. Parker,
Hall V. Cartmell,
Dutton S. Peterson,
George P. Shannon,
Marck L. Tooker,
Charles R. Bird,
Elbert W. Ross,
Fred J. Zeitz,
Floyd S. Baker,
Harold O. Crist,
William B. Jackson,
Walter L. Ross, jr.,
Robert A. Grant,
Joseph F. Whitney,
Robert M. Balch, jr.,
Jay D. Swartwout,
Ralph D. Logan,
Morris L. Shively,
Simon J. Madden,
Joseph N. Anderson,
Guy B. Hall,
Ernest M. Baker,
Herbert H. Akers,
Carl E. Johnson,
Arthur A. Nelson,
Robert E. Coghlan,
Guy D. Atmore,
John W. Scott,
Harold W. Dice,
James E. Frew,
Claude Thompson,
Thomas McK. Schuler,
David A. Stafford,
Charles W. Ockstadt,
Wayne C. Gilbert,
Andrew S. Hardin,
Ralph R. Westfall,
Raymond Buchanan,

James S. Withington,
Daniel N. Mohler,
Herbert C. Schettler,
Kenneth E. Shepard,
Donald R. Spawr,
George M. Phillips,
Russell Travis,
Keith K. Ambrose,
Holmes J. Smith,
Howard B. Smith,
Frank W. Hanlon,
Charles H. McAvoy,
Harry Davis,
Luther D. Bell,
Edward J. Goldenberger,
David M. Hastings,
Edwin L. Ballard,
Roger Smith,
William J. Stamper,
Glenn W. Helms,
Thomas Whitesel,
John F. Meagher,
Carl A. Janson,
Julius C. Brandt, jr.,
Charles S. Turpin.
Benjamin D. Bleecker,
Morton Stigers,
Joseph E. Barnett,
Jim W. Sutherland,
Harold T. Snider,
Thomas J. White,
Henry M. Husted,
John MacRitchie,
Howard E. Clark,
Charles F. Patterson,
Ralph H. Woods,
Frederick Dimig,
Ralph D. Leach,
Harry Huddleston,
George S. Jones,
Walter B. Casey,
James G. Horan,
John M. Patton, jr.,
Howard E. Cholet,
James H. Satterfield,
Harry W. Pfisterer,
William T. Burris,
Walter G. Fitzpatrick,
Johann A. Boline,
Charles E. Koff,
Fred G. Dupuy,
Lynott R. Jones,
Eric W. Ojerholm,
Robert E. Hughes,
John M. Jamieson,
Claude W. Geiser,
Monitor Watchman, jr.,
John W. E. Warner,
Leland C. Dickie,
George H. Waterman,
Thomas Orgo,
Homer G. Parker,
John W. Fulton,
William R. Davis,
Anthony P. Rumpa,
Ivan C. King,
Gordon Hall,
Rudolph Swan,
John A. Stewart,
Newell F. Guernsey,
William E. McKevitt,
James J. Caffrey,
John H. Purtee,
Gustave P. Schenk,
John B. Cassell,
Samuel B. Kehoe,
Wilbur A. Young,
Robert R. Boswell,
William J. Vierbuchen,
Frank E. McFarland,
Charles H. Van Meter,
Walter S. Cole,
Frank V. Artig,
Edward A. Robbins,
James C. Jackman,
Frank L. Johnson,
Herbert C. Bluhm,
George E. Krehbiel,
Ralph H. Manny,
Frederick L. Ruth,
Edgar G. Kirkpatrick,
Paul Skarstad,
Harry W. Frost,
Edwin J. Farrell,
Reuben Hurtt, jr.,
John J. Kennedy,
Henry D. Hynds,
William B. Bower,
Morel P. Lewis,
Willard J. Hammel,
Leo C. Madden,
Cedric R. Worth,
John L. Creighton,
Bruce N. Pulver,
Paul A. Bridge,
John C. Fabbrini,
Robert E. Barrett,
Simond B. Kozuhowski,
Gerald Feuille,
Harold Hamstreet,
Frank S. Matheny,
Semon Wolf,
Waldo W. Lyman,
Cyrus M. Birney,
Alfred O. Halvorson,
Vernon Littlejohn,
Hyatt M. Cribbs, jr.,
Clarence W. Whealton,
Robert L. Thieme,
John D. Brand,
Herman K. Houlberg,
Merle L. Dunbar,
Adolph L. West,
Francis R. Washington,
Donald R. Jack,
Arvid H. Anderson,
Wallace J. Scott,
Alexander C. Reed,
Clarence M. Kline,
Clarence H. Yost,
Staniford Squire,
William L. Bales,
Bert L. Beaty,
Stephen Brown,
Oscar J. Closset,
Warner F. Hamet,
Walter G. Bagley,
John T. Sheffield,
James D. Baker,
Albert C. Grunow,
Elmer J. Keitz.
Irving G. Hamilton,
Roscoe K. Garver,
George L. Hollett,
Robert T. Ishmael,
Joseph J. McFawn,
David B. Buffum.
Orville A. La Motte,
Donald Hamilton,
Clarence H. Gresham,
Raymond J. Riefler,
Chester L. Arnold,
Fred S. Ebertz,
John A. Nesbit,
Fred C. Howard,
Thomas McC. James,
Thomas M. O'Sullivan,
Robert W. Mason, jr.,
Warren B. Hewitt,
William J. Fitzpatrick,
James B. Sizer, jr.,
Robert R. Gibson,
William A. Rae,
Romel T. Dahl,
Ernest R. Love,
Charles R. Lucas,
Bernard W. Pravitz,
Clyde S. Erskine,
Nick E. Gronland,
Marvin V. Yandle,

Ralph C. Alburger,
John B. Lambson,
Joseph R. Caldwell,
Phil J. Libby,
Benjamin G. Plummer,
Frederick A. Cullimore,
Elmer L. Sutherland,
Uriah D. Sandidge,
Charles L. Smith,
Walter J. Buhrman,
Karl S. Weiner,
Ira F. Gillikin,
Charles W. Pohl,
Stanley Hudgins,
Thomas Jones,
James B. Hardie,
Samuel Culbertson,
La Vergne E. Waite,
Frank J. Tupa,
Otto S. Jolliff,
Waldo J. Mathias,
Frank De L. McClelland,
John J. McDonald,
Rowland R. Street,
Maurice R. Kerr,
John A. Riley,
Vincent M. Carter,
Howard E. Pritchett,
William J. Barham,
Charles A. Bell,
Charles E. Windram,
Donald W. Brennen,
Frank L. Hudson,
Kenneth P. Corson,
William R. Sheets,
James P. Hyde,
Floyd H. White,
Ralph J. Wikan,
Richard A. Thomas,
Joel H. Nichols,
James F. Windiate,
Charles Paget,
Elwood H. Gallien,
Joel D. Mason,
Ellsworth S. Van Der Veer,
Vernon M. Guymon,
Harold N. Miller,
William A. Bayer,
Gilbert C. Chandler,
Austin W. Boden,
James M. White,
Albert K. Komdat,
Edmund McC. Callaway,
Herbert M. Goodwin,
John G. Kapowich,
Frederick J. Knob,
Samuel G. Storberg,
Charles W. Smith, jr.,
Alfred R. Southard,
William H. Winseman,
Sterling P. Anderson,
Theodore J. Cloonan,
William Z. Weems,
Handel V. Rivinius,
Ivan L. Rice,
Morris V. Coleman,
William J. Brothers,
Winfield F. Swallow,
Wylie C. Banks,
Fred W. Hill,
Jeremiah Kinsella,
Howard E. Hadley,
Stanley G. Beebe,
Henry S. Bogan,
Alvin E. Neal,
Herbert A. Miles,
John D. O'Leary,
Clyde H. Hartsel,
Dwight W. Francisco,
Allen P. Carr,
Eugene G. Reid,
Grover C. Darnall,
Willis T. Conway,
George W. Morgan,
John E. Brannon,
Lawrence W. Esckilsen,
Delmar Byfield,
Lloyd R. Pugh,
Hugh M. Todd,
Harold W. Talbot,
Sam H. Pitts,
Cornelius S. Lynch,
Russell E. Smith,
Edward Kellison,
Frederick F. Nagel,
Charles Connette,
Joseph G. Whalen,
Elmer I. Fadden,
Arthur C. Small,
Anthony A. Krzyzaniak,
William H. Faga,
William A. McCleery,
Henry C. Bock,
Harold C. Kearney, and
Clyde Brandon.

The following-named officers to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 10th day of December, 1918:

Henry B. Conrad,
Henry S. Whisman,
DeWayne G. Richey,
James H. Wallace,
Charles L. Trickey,
Leo B. Norris,
Lester C. Todd,
Gustave B. Dudley, jr.,
Max Shaweker,
Charles C. Hoffman,
Isador H. Tumpowsky,
Harold C. Bean,
Wendell P. Blake,
Sterling N. Pierce,
Frederick H. Rapoport,
Hugh R. Phinney,
Albert G. Wenzell,
Carl G. Swendsen,
Oliver W. Miner,
James B. Moloney,
Claiborne T. Smith,
James C. Dickson,
Delbert H. Nickson,
William F. Krone,
Warren C. Ives,
Arthur Van Dusen,
Eugene P. Pendergrass,
Charles Koenigsberger,
Paul W. Best,
Edward J. Cummings,
Carl J. Bucher,
Kenneth S. Caldwell,
John R. Marshall,
Sylvia L. Johnson,
Edwin Peterson,
Furman Angel,
John J. Keegan,
Harry J. Prall,
Clifford G. Hines,
Arthur S. Judy,
Howard H. Montgomery,
Berton V. D. Scott,
Jesse J. Cancelmo,
Carl H. Fornell,
Pierce J. Dunphy,
William S. McEllroy,
Clifton F. West,
William A. Frascolla,
Clark D. Stull,
Hillard L. Weer,
Horace S. Cragin,
Randall F. White,
Edward G. Archibald,
Daniel C. Reyner,
Fred W. Granger,
Edgar F. McCall,
Earl H. Mitchell,
John B. Farrior,
John I. B. Vail,
John M. Whalen,
Warren LeR. Fleck,
Charles B. Bleasby,

Clifford E. McElwain,
Charles W. Rose,
James C. Walker,
Joseph M. Murphy,
Edward Lewis,
George E. Fortmiller,
Gates Collier,
Israel S. Otis,
William P. Mull,
Walter P. Harris,
Joseph A. Doyle,
Hjalmar W. Sybilrud,
Hugh McC. Miller,
Robert B. Smalley,
Ammi L. Johnson,
John E. Linden,
Arthur W. Phillips,
Harrison H. Leffler,
Joseph A. Melody,
Leopold J. De Backer,
Gerald A. Sullivan,
Richard P. Landis,
William D. Small,
Henry J. Murray,
Francis W. Carll,
Haliburton McCoy,
Ross A. Kelly,
Roger A. Nolan,
Joseph W. Ratliffe,
Frank J. Clancy,
Blaine R. Goldsberry,
Herbert L. Strong,
Henry C. Weber,
Earl S. Pomeroy,
James F. Runner,
Oscar Davis,
Cecil C. Davis,
Joseph P. Mulhern,
Francis P. Gardner,
Charles H. Carroll,
Arthur C. Dean,
Henry K. Seelaus,
Donald D. Prentice,
John A. Sharkey,
Adrian H. Grigg,
Arvid W. Erickson,
Ira E. Gaston,
John B. Craig,
Harvey L. Basinger,
Martin M. Gould,
Harold P. Cole,
John J. Darby,
Karl McC. Scott,
Cary D. Allen,
Herbert T. Hayes,
Joseph D. Peluso,
Larnal S. Vorhees,
Charles E. Irwin,
Edward D. Leete,
Norman J. Haverly,
Arthur J. Langan,
William E. Stone,
Sherman B. Forbes,
Frank S. Hundley,
Eugene W. Torrey,
William W. Davies, jr.,
James E. Bellinger,
Leo L. Davis,
Willis O. Barney,
Thomas J. Sullivan,
Berman Dunham,
August Saska,
Norman Roberts,
Eugene P. Steinmetz,
Claude V. Timberlake,
Walter N. Rowley,
George T. Dill,
James J. Regan,
Lawrence R. Hazzard, and
Edward L. McDermott.

The following-named citizens to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 26th day of December, 1918:

Francis P. VanValin,
Edward A. Ryland,
Ignatius G. Brennan,
Paul R. Smith,
Harry M. Seldin,
Elmer A. Jasper,
Arma E. Rush,
Lawrence V. Feike,
Herbert F. Buchanan,
Leo G. Pollock,
Raymond C. Sheridan,
Clemens V. Rault,
John J. Hass,
Howard C. Wichan,
Harry C. Striffler,
Charles R. Wells, and
Rex W. Faulkner.

The following-named dental surgeons of the United States Naval Reserve Force to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 26th day of December, 1918:

Walter Rehrauer,
Lloyd C. Austin,
Robert M. Askin,
William S. Thompson,
Joseph P. Copp,
Cornelius L. Norris,
William F. Hawthorn,
Harry L. Kalen, and
Philip H. MacInnis.

The following-named temporary majors to be majors in the Marine Corps from the 26th day of March, 1917:

Frederick A. Barker and
William T. Hoadley.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 2d day of July, 1918:

David C. Levy,
Joseph H. Fellows,
Louis G. De Haven,
John S. Tyler,
Luther W. Jones,
Harry E. Stovall,
Chester R. Milham,
David P. Cowan,
Robert L. Montague,
Lester A. Dessez,
John R. Minter,
Robert B. Stuart,
James Wood,
Andrew R. Holderby, 3d,
Charles S. Willcox,
Fillmore W. Eiker,
Timon J. Torkelson,
Ross S. Wilson, and
Merton A. Richal.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 2d day of January, 1919:

Walter Sweet,
Joseph Lubomski,
Edwin H. Poulnot, jr.,
Samuel B. Witt,
Richard A. Cullum,
Charlton P. Lee,
Blaine G. Wiley,
Clarence E. Lee,
Stanley S. Herman,
Edwin G. Schwartzman,
George P. Buell,
Julian N. Frisbie,
Ervin R. Whitman,
Harry E. Leive,
Louis F. Weyand,
William Scruggs,
Willard L. Peach,
Benjamin W. Atkinson, jr.
Ralph C. Battin,
Laurance B. Nourse,
Gilbert C. Henderson,
Max D. Smith,
Walter H. Burt,
Anthony Rinkevich,
Carl J. Allenbaugh,
Herbert H. Von Rohr,
Webster S. Rutledge,
Oliver D. Bernier,
Minter L. Lowther,
Scott Snodgrass,

Franklin H. Hayner,
Wilbur V. Styles,
Joseph Lacey,
George E. Ladd, jr.,
Herman Kingsnorth,
John A. Self,
Philip R. Hockenberger,
Donald A. Trayser,
Charles S. Dandridge,
Edward J. Moneypenny,
George S. Van Riper,
Alexander D. Shaw,
William L. McKittrick,
Gerald C. Thomas,
James W. Lea,
George Esau,
Philip W. Mohr,
Adolphus Cannon,
James B. Gambrell,
Albert L. Winner,
James T. Elliott,
Frank Saddler, jr.,
Howard B. Enyart,
William A. Keiter, and
Weir R. Goodwin.

The following-named officers in the Marine Corps Reserve to be second lieutenants in the Marine Corps, for temporary service, from the 1st day of January, 1919:

Walter Sweet and
Oliver D. Bernier.

POSTMASTERS.

ALABAMA.

Samuel F. Clabaugh to be postmaster at Tuscaloosa, Ala., in place of S. F. Clabaugh. Incumbent's commission expired September 23, 1918.

Bettie T. Forster to be postmaster at Thomasville, Ala., in place of B. T. Forster. Incumbent's commission expired July 17, 1918.

Joseph S. McCain to be postmaster at Lineville, Ala., in place of J. S. McCain. Incumbent's commission expired December 22, 1918.

Nannie S. Coleman to be postmaster at Jasper, Ala., in place of N. S. Coleman. Incumbent's commission expired March 19, 1918.

Robert L. O'Neal to be postmaster at Huntsville, Ala., in place of R. L. O'Neal. Incumbent's commission expired June 22, 1918.

M. W. Camper to be postmaster at Florence, Ala., in place of M. W. Camper. Incumbent's commission expired February 12, 1919.

Robert Stephens, jr., to be postmaster at Fairfield, Ala., in place of R. Stephens, jr. Incumbent's commission expired July 17, 1918.

John J. Dunlap, jr., to be postmaster at Eutaw, Ala., in place of J. J. Dunlap, jr. Incumbent's commission expired September 29, 1918.

Jesse B. Hearin to be postmaster at Demopolis, Ala., in place of J. B. Hearin. Incumbent's commission expired January 21, 1918.

Louis C. Kelley to be postmaster at Carbon Hill, Ala., in place of L. C. Kelley. Incumbent's commission expired July 8, 1918.

James W. Horn to be postmaster at Brantley, Ala., in place of J. W. Horn. Incumbent's commission expired October 16, 1918.

Jesse G. Turner to be postmaster at Slocomb, Ala. Office became presidential October, 1918.

Howard F. Little to be postmaster at Linden, Ala. Office became presidential October 1, 1918.

Dawson M. Swint to be postmaster at Lanett, Ala. Office became presidential October 1, 1918.

Sarah M. Salley to be postmaster at Hayneville, Ala. Office became presidential October 1, 1918.

Arthur A. Weeks to be postmaster at Hanceville, Ala. Office became presidential July 1, 1918.

Leona Randall to be postmaster at Fort Morgan, Ala. Office became presidential October 1, 1918.

Robert B. Evans to be postmaster at Elkmont, Ala. Office became presidential October 1, 1918.

Bays D. Cathes, to be postmaster at Pell City, Ala., in place of W. L. Milner, resigned.

Ruth K. Conerly to be postmaster at Lockhart, Ala., in place of J. B. Sinquefield, resigned.

Walter H. Speegle to be postmaster at Hartsells, Ala., in place of Elizabeth Simpson. Incumbent's commission expired May 20, 1917.

ALASKA.

Robert S. McDonald to be postmaster at Nenana, Alaska. Office became presidential October 1, 1918.

ARIZONA.

John Towner to be postmaster at Naco, Ariz., in place of J. Towner. Incumbent's commission expired July 26, 1918.

Charles Osborne to be postmaster at Holbrook, Ariz., in place of Charles Osborne. Incumbent's commission expired December 22, 1918.

Ida E. M. Carty to be postmaster at Fort Huachuca, Ariz., in place of Ida E. Carty. Incumbent's commission expired July 26, 1918.

Tula L. Copening to be postmaster at Casa Grande, Ariz., in place of Tula L. Humphreys. Name changed by marriage.

Leonard D. Redfield to be postmaster at Benson, Ariz., in place of L. D. Redfield. Incumbent's commission expired July 26, 1918.

Ora J. Moss to be postmaster at Somerton, Ariz. Office became presidential October 1, 1918.

Charles P. Heisser to be postmaster at Flagstaff, Ariz., in place of James L. Byrnes, resigned.

ARKANSAS.

Ella H. Smith to be postmaster at Wynne, Ark., in place of E. H. Smith. Incumbent's commission expired July 7, 1918.

James M. Crider to be postmaster at Winslow, Ark., in place of J. M. Crider. Incumbent's commission expired July 7, 1918.

John P. Stafford to be postmaster at Springdale, Ark., in place of J. P. Stafford. Incumbent's commission expired June 13, 1918.

Lucius Pilkington to be postmaster at Searcy, Ark., in place of L. Pilkington. Incumbent's commission expired July 27, 1918.

John W. Puckett to be postmaster at Rogers, Ark., in place of J. W. Puckett. Incumbent's commission expired July 7, 1918.

Charles McB. Cox to be postmaster at Rector, Ark., in place of C. M. Cox. Incumbent's commission expired September 16, 1918.

John A. Marr to be postmaster at Prescott, Ark., in place of J. A. Marr. Incumbent's commission expired June 16, 1918.

Isaac N. Deadrick to be postmaster at Parkin, Ark., in place of I. N. Deadrick. Incumbent's commission expired December 29, 1918.

Stella W. Harris to be postmaster at Junction City, Ark., in place of C. A. Harris. Incumbent's commission expired September 16, 1918.

Nelson H. Mitchell to be postmaster at Gentry, Ark., in place of N. H. Mitchell. Incumbent's commission expired May 26, 1917.

Linn Turley to be postmaster at Forrest City, Ark., in place of L. Turley. Incumbent's commission expired December 29, 1918.

Seaborn J. Smith to be postmaster at Beebe, Ark., in place of S. J. Smith. Incumbent's commission expired July 7, 1918.

Ned P. Atkin to be postmaster at Parkdale, Ark. Office became presidential October 1, 1918.

John E. Bittinger to be postmaster at Grady, Ark. Office became presidential July 1, 1918.

Aubrey Gore to be postmaster at Dierks, Ark. Office became presidential October 1, 1918.

David D. Draper to be postmaster at Ashdown, Ark., in place of Arthur R. Hill, resigned.

Kay S. Rolley to be postmaster at Crawfordville, Ark., in place of Alice L. Rolley, deceased.

Fannie M. Zearing to be postmaster at Devall Bluff, Ark., in place of George C. Cooper, resigned.

William J. Lenehan to be postmaster at De Witt, Ark., in place of Duffy Allen, resigned.

Claude J. Cotter to be postmaster at Marianna, Ark., in place of Emmet H. McMurry, resigned.

Allen G. Blankenship to be postmaster at Monette, Ark., in place of Hollis S. Bass, resigned.

CALIFORNIA.

Nellie Hawkins to be postmaster at Yreka, Cal., in place of Nellie Hawkins. Incumbent's commission expired July 17, 1918.

John J. Blaney to be postmaster at Weaverville, Cal., in place of J. J. Blaney. Incumbent's commission expired August 25, 1918.

Ernest H. Haack to be postmaster at Watsonville, Cal., in place of E. H. Haack. Incumbent's commission expired October 22, 1918.

William B. Hagans to be postmaster at Ukiah, Cal., in place of W. B. Hagans. Incumbent's commission expired October 16, 1918.

George E. Meekins to be postmaster at Stanford University, Cal., in place of G. E. Meekins. Incumbent's commission expired August 25, 1918.

Ross H. Hille to be postmaster at San Fernando, Cal., in place of R. H. Hille. Incumbent's commission expired December 22, 1918.

Margaret C. Hamilton to be postmaster at San Anselmo, Cal., in place of M. C. Hamilton. Incumbent's commission expired August 25, 1918.

Wilmat D. Wood to be postmaster at Paso Robles, Cal., in place of W. D. Wood. Incumbent's commission expired October 16, 1918.

Charles E. Tabler to be postmaster at Parlier, Cal., in place of C. E. Tabler. Incumbent's commission expired December 22, 1918.

Elgin C. Hurlbert to be postmaster at Pacific Grove, Cal., in place of E. C. Hurlbert. Incumbent's commission expired October 22, 1918.

Fred N. Paxton to be postmaster at Oroville, Cal., in place of F. N. Paxton. Incumbent's commission expired October 16, 1918.

John E. Walden to be postmaster at Napa, Cal., in place of J. E. Walden. Incumbent's commission expired March 28, 1918.

Thomas H. Miller to be postmaster at Morgan Hill, Cal., in place of T. H. Miller. Incumbent's commission expired October 22, 1918.

Harrington Brown to be postmaster at Los Angeles, Cal., in place of Harrington Brown. Incumbent's commission expired May 1, 1918.

Reuben E. Baer to be postmaster at Healdsburg, Cal., in place of R. E. Baer. Incumbent's commission expired July 26, 1918.

Charles H. Coffey to be postmaster at Gonzales, Cal., in place of C. H. Coffey. Incumbent's commission expired July 17, 1918.

H. P. Martin Eriksen to be postmaster at Ferndale, Cal., in place of Martin Ariksen. Incumbent's commission expired July 16, 1918.

Rosalia A. Crandall to be postmaster at Etna Mills, Cal., in place of R. A. Crandall. Incumbent's commission expired April 6, 1918.

Charles H. Guy to be postmaster at Concord, Cal., in place of C. H. Guy. Incumbent's commission expired July 8, 1918.

Wellington E. Hiatt to be postmaster at Cloverdale, Cal., in place of W. E. Hiatt. Incumbent's commission expired October 22, 1918.

Benjamin F. Hudspeth to be postmaster at Chico, Cal., in place of B. F. Hudspeth. Incumbent's commission expired October 16, 1918.

Charles G. Clyne to be postmaster at Benicia, Cal., in place of C. G. Clyne. Incumbent's commission expired October 22, 1918.

Myron P. Meacham to be postmaster at Altadena, Cal., in place of M. P. Meacham. Incumbent's commission expired August 11, 1918.

Valentine L. Dillow to be postmaster at Yucaipa, Cal. Office became presidential October 1, 1918.

Ruby Vinten to be postmaster at Terminal, Cal. Office became presidential October 1, 1918.

William Henson to be postmaster at Riverdale, Cal. Office became presidential October 1, 1918.

Fred F. Darcy to be postmaster at Montebello, Cal. Office became presidential October 1, 1917.

Joseph P. Schaefer to be postmaster at Mayfield, Cal. Office became presidential October 1, 1918.

Cinie J. Mills to be postmaster at La Harbra, Cal. Office became presidential October 1, 1918.

Patrick S. Quigley to be postmaster at Hamilton City, Cal. Office became presidential October 1, 1918.

Ethel R. Costello to be postmaster at Acampo, Cal. Office became presidential July 1, 1918.

Anna M. McVeigh to be postmaster at Brea, Cal., in place of R. G. Pettigrew, resigned.

Selma A. Porter to be postmaster at Dunsmuir, Cal., in place of George B. Coon, removed.

Ambrose E. Daneri to be postmaster at Merced, Cal., in place of C. D. Radcliffe, resigned.

Maye S. Large to be postmaster at Moorpark, Cal., in place of Yeteve G. Sanders. Office became presidential April 1, 1918.

George G. Hughes to be postmaster at San Bruno, Cal., in place of Charles A. Bacon, removed.

George E. Kirby to be postmaster at San Luis Obispo, Cal., in place of George A. Barnett, deceased.

Mary A. Thornton to be postmaster at Yosemite, Cal., in place of William D. Thornton, resigned.

Frank F. Smith to be postmaster at Oilcenter, Cal., in place of J. W. Heard, resigned.

Milton L. Spencer to be postmaster at Oilfields, Cal., in place of E. F. Orwig, resigned.

Laura B. Rowden to be postmaster at Riverbank, Cal., in place of R. L. Evans, resigned.

COLORADO.

Marion R. McCauley to be postmaster at La Junta, Colo., in place of M. R. McCauley. Incumbent's commission expired January 27, 1918.

Andrew V. Sharpe to be postmaster at Fruita, Colo., in place of A. V. Sharpe. Incumbent's commission expired December 29, 1918.

William F. Ordway to be postmaster at Dolores, Colo., in place of W. F. Ordway. Incumbent's commission expired July 7, 1918.

Frederick C. Tighe to be postmaster at New Raymer, Colo. Office became presidential October 1, 1918.

Frank G. Colburn to be postmaster at Mount Harris, Colo. Office became presidential October 1, 1918.

John Davis to be postmaster at Arriba, Colo. Office became presidential October 1, 1918.

Clarence H. Reagan to be postmaster at Aguilar, Colo., in place of Joseph Ray, resigned.

Earnest G. Beechler to be postmaster at Akron, Colo., in place of Frederick W. McIntyre, resigned.

Edward Slates to be postmaster at Walsenburg, Colo., in place of A. T. Manzanares, removed.

Robert E. McCunniff to be postmaster at La Jara, Colo., in place of Thomas Cunniff, deceased.

Lester T. Britton to be postmaster at Cripple Creek, Colo., in place of J. E. Hanley, deceased.

CONNECTICUT.

Emery W. Doolittle to be postmaster at Plantsville, Conn., in place of E. W. Doolittle. Incumbent's commission expired August 11, 1918.

John F. Penders to be postmaster at Meriden, Conn., in place of J. F. Penders. Incumbent's commission expired July 6, 1918.

Walter H. Bishop to be postmaster at North Haven, Conn., in place of W. H. Bishop. Incumbent's commission expired July 17, 1918.

Timothy J. Kelly to be postmaster at Oakville, Conn., in place of T. J. Kelly. Incumbent's commission expired December 31, 1918.

William C. Saunders to be postmaster at Waterford, Conn. Office became presidential October 1, 1918.

Frank La Favre to be postmaster at Central Village, Conn. Office became presidential October 1, 1918.

John W. Cook to be postmaster at Beacon Falls, Conn. Office became presidential October 1, 1918.

Irving F. Putney to be postmaster at Saugatuck, Conn., in place of Patrick T. Oates, resigned.

DELAWARE.

Effie M. Truitt to be postmaster at Rehoboth Beach, Del., in place of E. M. Truitt. Incumbent's commission expired July 8, 1918.

George R. Mears to be postmaster at Georgetown, Del., in place of G. R. Mears. Incumbent's commission expired January 12, 1919.

Frederick L. Willey to be postmaster at Bridgeville, Del., in place of F. L. Willey. Incumbent's commission expired December 19, 1918.

FLORIDA.

John R. Thompson to be postmaster at St. Andrew, Fla., in place of J. R. Thompson. Incumbent's commission expired July 26, 1918.

Benjamin S. Hancock to be postmaster at Pensacola, Fla., in place of B. S. Hancock. Incumbent's commission expired October 21, 1918.

William C. McLean to be postmaster at Orlando, Fla., in place of W. C. McLean. Incumbent's commission expired October 13, 1918.

Laura Knight to be postmaster at Millville, Fla., in place of Laura Laird. Name changed by marriage.

James L. Stokes to be postmaster at Micanopy, Fla., in place of J. L. Stokes. Incumbent's commission expired July 17, 1918.

Milton D. Bell to be postmaster at Inverness, Fla., in place of M. D. Bell. Incumbent's commission expired December 22, 1918.

Johnson Y. O'Neal to be postmaster at Dade City, Fla., in place of J. Y. O'Neal. Incumbent's commission expired July 9, 1918.

John M. Kelly to be postmaster at Bocagrande, Fla., in place of J. M. Kelly. Incumbent's commission expired July 17, 1918.

Caroline D. Simrall to be postmaster at Ormond, Fla. Office became presidential July 1, 1918.

Rinda Daniel to be postmaster at Moore Haven, Fla. Office became presidential October 1, 1918.

Leonora K. Gilbride to be postmaster at Fort Dade, Fla. Office became presidential October 1, 1918.

George L. Drew to be postmaster at Jacksonville, Fla., in place of Peter A. Dignan. Incumbent's commission expired July 6, 1918.

Dona H. Weaver to be postmaster at Mayo, Fla., in place of Thomas J. Weaver, resigned.

John W. Doe to be postmaster at Palm Beach, Fla., in place of Eleanor R. McKenna, resigned.

GEORGIA.

James C. Newsom to be postmaster at Washington, Ga., in place of J. C. Newsom. Incumbent's commission expired October 21, 1918.

Tilden A. Adkins to be postmaster at Vienna, Ga., in place of T. A. Adkins. Incumbent's commission expired September 24, 1918.

Josephine H. Lunceford to be postmaster at Union Point, Ga., in place of Josephine Hilliard. Incumbent's commission expired by marriage (name changed).

John Q. West to be postmaster at Thomson, Ga., in place of J. Q. West. Incumbent's commission expired October 21, 1918.

Frank D. Colson to be postmaster at Ocilla, Ga., in place of F. D. Colson. Incumbent's commission expired May 5, 1918.

George G. Brinson to be postmaster at Millen, Ga., in place of G. G. Brinson. Incumbent's commission expired October 1, 1918.

Thomas Davis to be postmaster at Meigs, Ga., in place of T. Davis. Incumbent's commission expired July 9, 1918.

Walter B. Cheatham to be postmaster at Dawson, Ga., in place of W. B. Cheatham. Incumbent's commission expired July 9, 1918.

William T. Thurmond to be postmaster at Commerce, Ga., in place of W. T. Thurmond. Incumbent's commission expired February 25, 1918.

Emma Pettis to be postmaster at Cave Spring, Ga., in place of E. Pettis. Incumbent's commission expired October 1, 1918.

William J. Webb to be postmaster at Canton, Ga., in place of W. J. Webb. Incumbent's commission expired July 25, 1917.

John W. Wells to be postmaster at Adel, Ga., in place of J. W. Wells. Incumbent's commission expired September 24, 1918.

Sam Tate to be postmaster at Tate, Ga. Office became presidential October 1, 1918.

Herbert F. Rudolph to be postmaster at St. Marys, Ga. Office became presidential July 1, 1918.

Abbie F. Beacham to be postmaster at Glenwood, Ga. Office became presidential April 1, 1917.

William D. Wallace to be postmaster at Chamblee, Ga. Office became presidential October 1, 1918.

Anna A. Addison to be postmaster at Carnesville, Ga. Office became presidential October 1, 1918.

Benjamin R. Leggett to be postmaster at Broxton, Ga. Office became presidential July 1, 1918.

Freeman R. Hardisty to be postmaster at Statesboro, Ga., in place of Emmett M. Anderson. Incumbent's commission expired October 30, 1917.

Abe Hargraves to be postmaster at Homerville, Ga., in place of Flem C. Dame, resigned.

HAWAII.

Caesar R. Jardin to be postmaster at Kohala, Hawaii, in place of C. R. Jardin. Incumbent's commission expired October 16, 1918.

Mary Mitchell to be postmaster at Fort Kamehameha, Hawaii. Office became presidential October 1, 1918.

John F. Daly to be postmaster at Hilo, Hawaii, in place of Harry D. Corbett, removed.

IDAHO.

Walter A. Fiscus to be postmaster at Potlatch, Idaho, in place of W. A. Fiscus. Incumbent's commission expired October 22, 1918.

Thomas J. Russell to be postmaster at Post Falls, Idaho, in place of T. J. Russell. Incumbent's commission expired December 22, 1918.

William T. Roberts to be postmaster at Bellevue, Idaho, in place of W. T. Roberts. Incumbent's commission expired December 31, 1918.

Helga M. Cook to be postmaster at McCall, Idaho. Office became presidential October 1, 1918.

Grant A. Bristol to be postmaster at Lava Hot Springs, Idaho. Office became presidential October 1, 1918.

Franklin B. Fiss to be postmaster at Kuna, Idaho. Office became presidential October 1, 1918.

James Campbell to be postmaster at Hope, Idaho. Office became presidential October 1, 1918.

Samuel R. Gwin to be postmaster at Hagerman, Idaho. Office became presidential July 1, 1918.

Ross D. Bothwell to be postmaster at Weiser, Idaho, in place of Frank S. Harding, deceased.

Charles D. McEachron to be postmaster at Orofino, Idaho, in place of P. H. Blake, deceased.

Elsie Harrell to be postmaster at Cambridge, Idaho, in place of Frederick J. Hill, resigned.

ILLINOIS.

George L. Hausmann to be postmaster at Vandalia, Ill., in place of G. L. Hausmann. Incumbent's commission expired September 16, 1918.

Merton L. Spangler to be postmaster at Plainfield, Ill., in place of M. L. Spangler. Incumbent's commission expired July 25, 1918.

Charles Walkup to be postmaster at Oregon, Ill., in place of Charles Walkup. Incumbent's commission expired June 13, 1918.

George Rankin to be postmaster at Normal, Ill., in place of George Rankin. Incumbent's commission expired October 22, 1918.

Gus Blair to be postmaster at Murphysboro, Ill., in place of Gus Blair. Incumbent's commission expired January 12, 1918.

Emil J. Hess to be postmaster at Mendota, Ill., in place of E. J. Hess. Incumbent's commission expired February 4, 1919.

Edward F. Poorman to be postmaster at Mattoon, Ill., in place of E. F. Poorman. Incumbent's commission expired March 27, 1918.

Cora L. Tisler to be postmaster at Marseilles, Ill., in place of C. L. Tisler. Incumbent's commission expired August 19, 1918.

Robert Selby to be postmaster at Lovington, Ill., in place of Robert Selby. Incumbent's commission expired July 27, 1918.

Frank G. Pierski to be postmaster at La Salle, Ill., in place of F. G. Pierski. Incumbent's commission expired July 27, 1918.

Henry Earle to be postmaster at Hebron, Ill., in place of Henry Earle. Incumbent's commission expired January 12, 1918.

Frank W. Freeman to be postmaster at Grant Park, Ill., in place of F. W. Freeman. Incumbent's commission expired August 25, 1918.

John A. Pence to be postmaster at Gibson City, Ill., in place of J. A. Pence. Incumbent's commission expired October 22, 1918.

Frank H. T. Maronde to be postmaster at Franklin Grove, Ill., in place of F. H. T. Maronde. Incumbent's commission expired July 25, 1918.

John Coveny to be postmaster at Elizabeth, Ill., in place of John Coveny. Incumbent's commission expired July 2, 1918.

Darlin H. Thompson to be postmaster at Earlville, Ill., in place of D. H. Thompson. Incumbent's commission expired July 21, 1918.

William F. Hogan to be postmaster at Dixon, Ill., in place of W. F. Hogan. Incumbent's commission expired September 5, 1918.

Stephen A. D. Howe to be postmaster at Cowden, Ill., in place of S. A. D. Howe. Incumbent's commission expired July 21, 1918.

Walter E. Roberts to be postmaster at Coffeen, Ill., in place of W. E. Roberts. Incumbent's commission expired July 25, 1918.

George B. Marvel to be postmaster at Clinton, Ill., in place of G. B. Marvel. Incumbent's commission expired February 18, 1918.

Wilbur F. Whitney to be postmaster at Byron, Ill., in place of W. F. Whitney. Incumbent's commission expired August 25, 1918.

Joseph L. Lampert to be postmaster at Alton, Ill., in place of J. L. Lampert. Incumbent's commission expired February 18, 1918.

Mary Anen to be postmaster at Winthrop Harbor, Ill. Office became presidential October 1, 1918.

Benjamin F. Bosley to be postmaster at Ransom, Ill. Office became presidential July 1, 1918.

William Sutton to be postmaster at Kempton, Ill. Office became presidential July 1, 1918.

Enoch M. Runyon to be postmaster at Green Valley, Ill. Office became presidential October 1, 1918.

Perry Westerfield to be postmaster at Frankfort Heights, Ill. Office became presidential October 1, 1918.

Mabel G. Holmes to be postmaster at Cornell, Ill. Office became presidential October 1, 1918.

Glen S. Fleming to be postmaster at Catlin, Ill. Office became presidential October 1, 1918.

Roscoe Tygett to be postmaster at Christopher, Ill., in place of Moses Jordan, removed.

Thomas Berta to be postmaster at Coal City, Ill., in place of William Baskerville, deceased.

James W. Cogswell to be postmaster at Louisville, Ill., in place of A. J. Ikemire, deceased.

Audie Lindsey to be postmaster at Mahomet, Ill., in place of Eva Carson, resigned.

Rose C. Auth to be postmaster at Rankin, Ill., in place of George A. Griffith, sr., resigned.

Clara M. Smith to be postmaster at Weldon, Ill., in place of Edna Clemons, resigned.

Joseph H. Coffman to be postmaster at Augusta, Ill., in place of J. B. F. Agnew, resigned.

Will G. Leoman to be postmaster at Meredosia, Ill., in place of C. J. Schmitt, resigned.

William H. Roberts to be postmaster at Kincaid, Ill., in place of Ira J. Aull, resigned.

Nathan T. Crews to be postmaster at Menard, Ill., in place of Ernest C. Richter, declined.

Grace R. Skelton to be postmaster at Port Byron, Ill., in place of W. D. Hall, deceased.

INDIANA.

George E. Erdmann to be postmatser at Greensburg, Ind., in place of G. E. Erdmann. Incumbent's commission expired March 10, 1918.

George A. Dalton to be postmaster at West Baden, Ind., in place of G. A. Dalton. Incumbent's commission expired August 19, 1918.

Levi T. Pennington to be postmaster at Spiceland, Ind., in place of L. T. Pennington. Incumbent's commission expired July 26, 1918.

Allen Swope to be postmaster at Seymour, Ind., in place of Allen Swope. Incumbent's commission expired March 10, 1918.

John A. Cody to be postmaster at New Albany, Ind., in place of J. A. Cody. Incumbent's commission expired January 26, 1919.

Rudolph F. Schneider to be postmaster at Montpelier, Ind., in place of R. F. Schneider. Incumbent's commission expired June 16, 1918.

John P. Huther to be postmaster at Jasper, Ind., in place of J. P. Huther. Incumbent's commission expired July 25, 1918.

William W. Drake to be postmaster at Greenwood, Ind., in place of W. W. Drake. Incumbent's commission expired June 6, 1918.

James J. Littrell to be postmaster at Elkhart, Ind., in place of J. J. Littrell. Incumbent's commission expired January 27, 1918.

John W. Brand to be postmaster at Columbia City, Ind., in place of J. W. Brand. Incumbent's commission expired January 27, 1918.

George E. Endres to be postmaster at Bloomfield, Ind., in place of G. E. Endres. Incumbent's commission expired August 11, 1918.

Miles Baxter to be postmaster at Auburn, Ind., in place of Miles Baxter. Incumbent's commission expired March 24, 1918.

Francis M. Fultz to be postmaster at Akron, Ind., in place of F. M. Fultz. Incumbent's commission expired July 8, 1918.

Benjamin H. Knapp to be postmaster at Wheatfield, Ind. Office became presidential October 1, 1918.

Hurbert J. Harris to be postmaster at Hillsboro, Ind. Office became presidential July 1, 1918.

Frank E. Parker to be postmaster at Colfax, Ind. Office became presidential July 1, 1918.

William L. Denman to be postmaster at Greencastle, Ind., in place of William B. Vestal. Incumbent's commission expired June 17, 1917.

Burt E. Kimmel to be postmaster at Howe, Ind., in place of C. E. Schaeffer, resigned.

Lora J. Callihan to be postmaster at Oxford, Ind., in place of Fred H. Foster, declined.

Harrison D. Houser to be postmaster at Parker, Ind., in place of William G. Moulton, declined.

Arthur Vernon to be postmaster at Whiting, Ind., in place of David B. Purinton, declined.

IOWA.

Richard B. McSwiggin to be postmaster at Williamsburg, Iowa, in place of R. B. McSwiggin. Incumbent's commission expired March 19, 1918.

Samuel W. Koster to be postmaster at West Liberty, Iowa, in place of S. W. Koster. Incumbent's commission expired March 19, 1918.

Francis A. Gallagher to be postmaster at Walnut, Iowa, in place of F. A. Gallagher. Incumbent's commission expired August 5, 1918.

Henry G. Kruse to be postmaster at Vinton, Iowa, in place of H. G. Kruse. Incumbent's commission expired June 2, 1917.

J. Brady Piatt to be postmaster at Tipton, Iowa, in place of J. B. Piatt. Incumbent's commission expired July 27, 1918.

Albert A. Montgomery to be postmaster at Stuart, Iowa, in place of A. A. Montgomery. Incumbent's commission expired September 25, 1918.

Eugene F. Kieffer to be postmaster at Remsen, Iowa, in place of E. F. Kieffer. Incumbent's commission expired October 16, 1918.

Harry A. Nash to be postmaster at Perry, Iowa, in place of H. A. Nash. Incumbent's commission expired July 13, 1918.

Charles A. Sample to be postmaster at Oakland, Iowa, in place of C. A. Sample. Incumbent's commission expired July 13, 1918.

Harry E. Chichester to be postmaster at New London, Iowa, in place of H. E. Chichester. Incumbent's commission expired August 5, 1918.

William L. Holtz to be postmaster at Newell, Iowa, in place of W. L. Holtz. Incumbent's commission expired September 25, 1918.

Richard J. O'Connor to be postmaster at Neola, Iowa, in place of R. O'Connor. Incumbent's commission expired August 25, 1918.

George E. Scoles to be postmaster at Nashua, Iowa, in place of G. E. Scoles. Incumbent's commission expired August 5, 1918.

John T. Lanigan to be postmaster at Monticello, Iowa, in place of J. T. Lanigan. Incumbent's commission expired July 13, 1918.

Elbert H. Vary to be postmaster at Mechanicsville, Iowa, in place of E. H. Vary. Incumbent's commission expired July 23, 1917.

James Nowak to be postmaster at Malcom, Iowa, in place of J. Nowak. Incumbent's commission expired September 25, 1918.

John E. McHugh to be postmaster at Lisbon, Iowa, in place of J. E. McHugh. Incumbent's commission expired August 25, 1918.

Leo A. Dugan to be postmaster at Kingsley, Iowa, in place of L. A. Dugan. Incumbent's commission expired July 17, 1918.

William P. Coutts to be postmaster at Kellogg, Iowa, in place of W. P. Coutts. Incumbent's commission expired October 6, 1918.

John Vanderwicken to be postmaster at Grundy Center, Iowa, in place of J. Vanderwicken. Incumbent's commission expired August 25, 1918.

Henry D. Mussman to be postmaster at Lakota (late Germania), Iowa, in place of H. D. Mussman, to change name of office.

William Walter to be postmaster at Dyersville, Iowa, in place of W. Walter. Incumbent's commission expired September 25, 1918.

Samuel B. Wesp to be postmaster at Fredericksburg, Iowa, in place of S. B. Wesp. Incumbent's commission expired October 16, 1918.

Charles H. Bloom to be postmaster at Delmar, Iowa, in place of C. H. Bloom. Incumbent's commission expired May 18, 1918.

John J. McAreavy to be postmaster at Coggon, Iowa, in place of J. J. McAreavy. Incumbent's commission expired July 1, 1918.

Bernhard M. Jacobsen to be postmaster at Clinton, Iowa, in place of B. M. Jacobsen. Incumbent's commission expired May 4, 1918.

John H. Pettibone to be postmaster at Burlington, Iowa, in place of J. H. Pettibone. Incumbent's commission expired July 1, 1918.

Maurice Fay to be postmaster at Anamosa, Iowa, in place of M. Fay. Incumbent's commission expired August 19, 1918.

Alma Camblin to be postmaster at Walcott, Iowa. Office became presidential October 1, 1918.

John Grant to be postmaster at Stanwood, Iowa. Office became presidential October 1, 1918.

Jo. G. Milligan to be postmaster at Pulaski, Iowa. Office became presidential October 1, 1918.

John W. Waterman to be postmaster at Klemme, Iowa. Office became presidential July 1, 1918.

Alphonso T. Joder to be postmaster at Hudson, Iowa. Office became presidential July 1, 1918.

Clem A. Bohnenkamp to be postmaster at Duncombe, Iowa. Office became presidential July 1, 1918.

Alva S. Lynd to be postmaster at Blairsburg, Iowa. Office became presidential July 1, 1918.

Kathryn McGuire to be postmaster at Audubon, Iowa, in place of S. B. Morrissey, resigned.

James F. Conover to be postmaster at Calmar, Iowa, in place of Jacob Meyer, resigned.

Esther Y. Walster to be postmaster at Marble Rock, Iowa, in place of Merton I. J. Ackley, resigned.

Hope C. Niemann to be postmaster at Marcus, Iowa, in place of Benjamin Delaney, resigned.

Maude E. Barkley to be postmaster at Pierson, Iowa, in place of Charles E. Perdue, resigned.

Albert H. Stoltenberg to be postmaster at Schleswig, Iowa, in place of Emil M. Peters, resigned.

Philip W. Lembke to be postmaster at Sibley, Iowa, in place of Jacob H. Bahne, resigned.

Arthur E. Granger to be postmaster at Marion, Iowa, in place of T. T. Williams, deceased.

Frank E. Moravec to be postmaster at Oxford Junction, Iowa, in place of Frank Kenney, resigned.

KANSAS.

Oscar L. Clarke to be postmaster at Washington, Kans., in place of O. L. Clarke. Incumbent's commission expires March 2, 1919.

John A. Lindahl to be postmaster at Enterprise, Kans., in place of J. A. Lindahl. Incumbent's commission expired January 20, 1919.

Carl E. Hallberg to be postmaster at Courtland, Kans., in place of C. E. Hallberg. Incumbent's commission expired January 30, 1919.

Harlan W. Marmon to be postmaster at Barnes, Kans., in place of H. W. Marmon. Incumbent's commission expired February 4, 1919.

Catharine E. Simmons to be postmaster at Wellsville, Kans., in place of C. E. Simmons. Incumbent's commission expires March 2, 1919.

Joseph J. Keraus to be postmaster at Wakeeney, Kans., in place of J. J. Keraus. Incumbent's commission expired December 29, 1918.

George Harman to be postmaster at Valley Falls, Kans., in place of G. Harman. Incumbent's commission expired February 25, 1919.

Timothy D. Seeley to be postmaster at Tonganoxie, Kans., in place of T. D. Seeley. Incumbent's commission expires March 1, 1919.

Henry Block to be postmaster at Syracuse, Kans., in place of H. Block. Incumbent's commission expired February 3, 1919.

Richard D. McCliman to be postmaster at Seneca, Kans., in place of R. D. McCliman. Incumbent's commission expired December 29, 1918.

Isaac N. Richardson to be postmaster at Delphos, Kans., in place of I. N. Richardson. Incumbent's commission expired February 25, 1919.

William F. Grosser to be postmaster at Salina, Kans., in place of W. F. Grosser. Incumbent's commission expired January 12, 1919.

Thomas J. Ryan to be postmaster at St. Marys, Kans., in place of T. J. Ryan. Incumbent's commission expired December 29, 1918.

Louis W. Johnson to be postmaster at Pittsburg, Kans., in place of L. W. Johnson. Incumbent's commission expires March 2, 1919.

Aldamar P. Elder to be postmaster at Ottawa, Kans., in place of A. P. Elder. Incumbent's commission expires March 1, 1919.

William C. White to be postmaster at Osage City, Kans., in place of W. C. White. Incumbent's commission expired July 1, 1918.

James H. Cosgrove to be postmaster at Olathe, Kans., in place of J. H. Cosgrove. Incumbent's commission expires March 2, 1919.

Ernest Bray to be postmaster at Neodesha, Kans., in place of Ernest Bray. Incumbent's commission expires March 2, 1919.

John T. Brothers to be postmaster at National Military Home, Kans., in place of J. T. Brothers. Incumbent's commission expired January 12, 1919.

Henry R. Honey to be postmaster at Mankato, Kans., in place of H. R. Honey. Incumbent's commission expired August 11, 1918.

Lloyd E. Jackson to be postmaster at McPherson, Kans., in place of L. E. Jackson. Incumbent's commission expired December 29, 1918.

Wenslow Cipra to be postmaster at Lincoln, Kans., in place of Wenslow Cipra. Incumbent's commission expired December 29, 1918.

Charles A. Taschetta to be postmaster at Leavenworth, Kans., in place of C. A. Taschetta. Incumbent's commission expires March 1, 1919.

Benjamin F. Tatum to be postmaster at Kinsley, Kans., in place of B. F. Tatum. Incumbent's commission expired September 30, 1918.

Michael A. Frey to be postmaster at Junction City, Kans., in place of M. A. Frey. Incumbent's commission expired February 4, 1919.

Samuel S. Graybill to be postmaster at Hutchinson, Kans., in place of S. S. Graybill. Incumbent's commission expired August 25, 1918.

Samuel T. Osterhold to be postmaster at Holton, Kans., in place of S. T. Osterhold. Incumbent's commission expired December 29, 1918.

Clayton K. Simon to be postmaster at Goff, Kans., in place of C. K. Simon. Incumbent's commission expires March 2, 1919.

Peter J. Murphy to be postmaster at Gardner, Kans., in place of P. J. Murphy. Incumbent's commission expires March 1, 1919.

Henry F. Schmidt to be postmaster at Dodge City, Kans., in place of H. F. Schmidt. Incumbent's commission expired December 29, 1918.

Joseph A. Carson to be postmaster at Erie, Kans., in place of J. A. Carson. Incumbent's commission expired February 4, 1919.

Frederick M. Murphy to be postmaster at Clyde, Kans., in place of F. M. Murphy. Incumbent's commission expired August 25 1918.

Granville S. Hoss, jr., to be postmaster at Cherryvale, Kans., in place of G. S. Hoss, jr. Incumbent's commission expired February 3, 1919.

John W. Lapham to be postmaster at Chanute, Kans.. in place of J. W. Lapham. Incumbent's commission expired January 12, 1919.

Thomas Pore to be postmaster at Cedar Vale, Kans., in place of Thomas Pore. Incumbent's commission expired January 30, 1919.

Frank H. Higley to be postmaster at Cawker City, Kans., in place of F. H. Higley. Incumbent's commission expired December 29, 1918.

William S. Twist to be postmaster at Bonner Springs, Kans., in place of W. S. Twist. Incumbent's commission expired January 22, 1919.

Clarence Coulter to be postmaster at Blue Rapids, Kans., in place of Clarence Coulter. Incumbent's commission expired December 29, 1918.

William A. McClure to be postmaster at Baldwin City, Kans., in place of W. A. McClure. Incumbent's commission expired January 22, 1919.

Louis C. Orr to be postmaster at Atchison, Kans., in place of L. C. Orr. Incumbent's commission expired December 29, 1918.

George S. Hartley to be postmaster at Arkansas City, Kans., in place of G. S. Hartley. Incumbent's commission expired January 12, 1919.

Horatio C. Duckworth to be postmaster at Altoona, Kans., in place of H. C. Duckworth. Incumbent's commission expired January 12, 1918.

Julia B. Temple to be postmaster at Valley Center, Kans. Office became presidential October 1, 1918.

Ollie N. Harbin to be postmaster at Barnard, Kans., in place of Reuben M. Long, resigned.

Anna J. Miller to be postmaster at Lebanon, Kans., in place of James W. Adams, resigned.

Frederick D. Lamb to be postmaster at Manhattan, Kans., in place of John M. Winter, resigned.

KENTUCKY.

George R. Hughes to be postmaster at Frankfort, Ky., in place of G. R. Hughes. Incumbent's commission expired March 20, 1918.

Latt W. Springfield to be postmaster at Sebree, Ky., in place of L. W. Springfield. Incumbent's commission expired October 2, 1918.

Moses Kaufman to be postmaster at Lexington, Ky., in place of M. Kaufman. Incumbent's commission expired December 17, 1918.

John B. Wathen to be postmaster at Lebanon, Ky., in place of J. B. Wathen. Incumbent's commission expired September 5, 1918.

Ephriam P. Brown to be postmaster at Lancaster, Ky., in place of E. P. Brown. Incumbent's commission expired July 27, 1918.

Robert H. Anderson to be postmaster at Georgetown, Ky., in place of R. H. Anderson. Incumbent's commission expired December 19, 1918.

James N. Rule to be postmaster at Falmouth, Ky., in place of J. N. Rule. Incumbent's commission expired August 25, 1918.

Len Beshear to be postmaster at Dawsonsprings, Ky., in place of L. Beshear. Incumbent's commission expired July 17, 1918.

Orie S. Ware to be postmaster at Covington, Ky., in place of O. S. Ware. Incumbent's commission expired July 17, 1918.

Otis W. Jackson to be postmaster at Clinton, Ky., in place of O. W. Jackson. Incumbent's commission expired September 16, 1918.

Moses F. Moore to be postmaster at Central City, Ky., in place of M. F. Moore. Incumbent's commission expired August 5, 1918.

Fannie G. Wilson to be postmaster at Campbellsville, Ky., in place of F. G. Taylor. Name changed by marriage.

John W. Taylor to be postmaster at Stone, Ky. Office became presidential October 1, 1918.

Hallie T. Vaughn to be postmaster at Ravenna, Ky. Office became presidential July 1, 1918.

Mattie E. Carter to be postmaster at Barlow, Ky. Office became presidential July 1, 1918.

Charles E. Cooke to be postmaster at Middlesboro, Ky., in place of W. C. Sleet, resigned.

George L. Penny to be postmaster at Stanford, Ky., in place of Harvey J. McRoberts, resigned.

Charles B. Burke to be postmaster at Beattyville, Ky., in place of George T. Smith, resigned.

LOUISIANA.

Robinson M. Leake to be postmaster at St. Francisville, La., in place of R. M. Leake. Incumbent's commission expired October 22, 1918.

Samuel L. Barksdale to be postmaster at Ruston, La., in place of S. L. Barksdale. Incumbent's commission expired July 17, 1918.

William P. Willett to be postmaster at Pollock, La., in place of W. P. Willett. Incumbent's commission expired February 4, 1918.

W. Randolph Morgan to be postmaster at Mandeville, La., in place of Randolph Morgan. Incumbent's commission expired October 22, 1918.

Shep B. Hanes to be postmaster at Jena, La., in place of S. B. Hanes. Incumbent's commission expired December 19, 1918.

Katherine J. Moynagh to be postmaster at Harvey, La., in place of K. J. Moynagh. Incumbent's commission expired October 22, 1918.

Hardy C. Richardson to be postmaster at Franklinton, La., in place of H. C. Richardson. Incumbent's commission expired October 21, 1918.

Joseph Muth to be postmaster at Elizabeth, La., in place of J. Muth. Incumbent's commission expired August 19, 1918.

Jacob Seiler to be postmaster at Covington, La., in place of J. Seiler. Incumbent's commission expired October 22, 1918.

Irvin P. Duke to be postmaster at Rochelle, La. Office became presidential October 1, 1918.

Simon Kahn to be postmaster at Raceland, La. Office became presidential July 1, 1918.

William W. Drake to be postmaster at St. Joseph, La., in place of Laura B. Beaubien, resigned.

J. Wiley Miller to be postmaster at Many, La., in place of Mary E. Vandegaer, resigned.

A. Mabelle Oaksmith to be postmaster at Welsh, La., in place of Teresa M. Stewart, resigned.

MAINE.

John P. Coughlin to be postmaster at Saco, Me., in place of J. P. Coughlin. Incumbent's commission expired July 7, 1918.

Dwight P. Macartney to be postmaster at Oakland, Me., in place of D. P. Macartney. Incumbent's commission expired February 21, 1918.

Fred A. Pitts to be postmaster at Damariscotta, Me., in place of F. A. Pitts. Incumbent's commission expired July 7, 1918.

Allen H. Stinchfield to be postmaster at Wayne, Me. Office became presidential October 1, 1918.

Mary P. Ross to be postmaster at Vanceboro, Me. Office became presidential October 1, 1918.

Stanley Renier to be postmaster at Madison, Me., in place of Oscar H. Dilworth, removed.

Alice C. Havener to be postmaster at Searsport, Me., in place of Amos Nichols, resigned.

George D. Vose to be postmaster at Kingfield, Me., in place of Reuben A. Huse, resigned.

MARYLAND.

Charles W. Jefferson to be postmaster at Federalsburg, Md., in place of C. W. Jefferson. Incumbent's commission expired November 29, 1917.

Elmore H. Owens to be postmaster at Perryville, Md. Office became presidential October 1, 1918.

Walter S. Wilson to be postmaster at Aberdeen, Md., in place of William H. Jacobs, resigned.

William S. Kelly to be postmaster at Havre de Grace, Md., in place of Henry C. Lawder, resigned.

John D. Rowe to be postmaster at Indianhead, Md., in place of Sophie E. Posey, resigned.

MASSACHUSETTS.

Susan F. Twiss to be postmaster at Three Rivers, Mass., in place of S. F. Twiss. Incumbent's commission expired October 16, 1918.

Joseph Metras to be postmaster at Southbridge, Mass., in place of J. Metras. Incumbent's commission expired January 30, 1918.

Michael O. Haggerty to be postmaster at North Adams, Mass., in place of M. O. Haggerty. Incumbent's commission expired October 12, 1918.

Frederick J. Sullivan to be postmaster at Monson, Mass., in place of F. J. Sullivan. Incumbent's commission expired August 25, 1918.

Edward M. Bent to be postmaster at Medfield, Mass., in place of E. M. Bent. Incumbent's commission expired July 15, 1918.

Nicholas J. Lawler to be postmaster at Greenfield, Mass., in place of N. J. Lawler. Incumbent's commission expired October 16, 1918.

James J. Gorman to be postmaster at Bridgewater, Mass., in place of J. J. Gorman. Incumbent's commission expired July 14, 1918.

John F. Shea to be postmaster at Bondsville, Mass., in place of J. F. Shea. Incumbent's commission expired July 14, 1918.

John McGrath to be postmaster at Amesbury, Mass., in place of J. McGrath. Incumbent's commission expired September 5, 1918.

Patrick R. Mullany to be postmaster at Hatfield, Mass. Office became presidential October 1, 1918.

Margaret E. Lindsey to be postmaster at Fort Andrews, Mass. Office became presidential July 1, 1918.

Maynard N. Wetherell to be postmaster at Chartley, Mass. Office became presidential October 1, 1918.

Albert F. Newell to be postmaster at Holden, Mass., in place of Walter B. Loring, resigned.

Otis J. A. Dionne to be postmaster at Walpole, Mass., in place of Daniel A. Donnelly, resigned.

Willard H. Rowell to be postmaster at Wrentham, Mass., in place of Hiram A. Cowell, resigned.

MICHIGAN.

John B. Murphy to be postmaster at Wayne, Mich., in place of J. B. Murphy. Incumbent's commission expired July 14, 1918.

Thomas H. Sawher to be postmaster at St. Clair, Mich., in place of T. H. Sawher. Incumbent's commission expired August 25, 1918.

Henry J. Klee to be postmaster at Rogers, Mich., in place of H. J. Klee. Incumbent's commission expired January 31, 1918.

William E. Murphy to be postmaster at Pinckney, Mich., in place of W. E. Murphy. Incumbent's commission expired October 22, 1918.

Duncan D. Stewart to be postmaster at Munising, Mich., in place of D. D. Stewart. Incumbent's commission expired February 4, 1918.

James C. Beckwith to be postmaster at Marshall, Mich., in place of J. C. Beckwith. Incumbent's commission expired December 31, 1918.

Earl Hunter to be postmaster at Lowell, Mich., in place of E. Hunter. Incumbent's commission expired December 31, 1918.

Charlie W. Beier to be postmaster at Lenox, Mich., in place of C. W. Beier. Incumbent's commission expired December 31, 1918.

Irwell Brody to be postmaster at Lawton, Mich., in place of I. Brody. Incumbent's commission expired December 31, 1918.

William T. Menge to be postmaster at L'Anse, Mich., in place of W. T. Menge. Incumbent's commission expired January 31, 1918.

Salem F. Kennedy to be postmaster at Lakeview, Mich., in place of S. F. Kennedy. Incumbent's commission expired September 24, 1918.

Robert M. Smith to be postmaster at Kearsarge, Mich., in place of R. M. Smith. Incumbent's commission expired August 25, 1918.

James J. Byers to be postmaster at Houghton, Mich., in place of J. J. Byers. Incumbent's commission expired December 31, 1918.

Patrick Garvey to be postmaster at Hemlock, Mich., in place of P. Garvey. Incumbent's commission expired December 31, 1918.

John Noll to be postmaster at Cheboygan, Mich., in place of J. Noll. Incumbent's commission expired August 25, 1918.

Patrick H. Schannenk to be postmaster at Chassell, Mich., in place of P. H. Schannenk. Incumbent's commission expired December 31, 1918.

Myron E. Miller to be postmaster at Charlotte, Mich., in place of M. E. Miller. Incumbent's commission expired December 31, 1918.

Frederick J. Kruger to be postmaster at Centerville, Mich., in place of F. J. Kruger. Incumbent's commission expired December 31, 1918.

Jacob C. Rough to be postmaster at Buchanan, Mich., in place of J. C. Rough. Incumbent's commission expired March 17, 1918.

Angus M. Miller to be postmaster at Bay City, Mich., in place of A. M. Miller. Incumbent's commission expired January 31, 1918.

Edward Austin to be postmaster at Battle Creek, Mich., in place of E. Austin. Incumbent's commission expired August 11, 1918.

Fred W. Hild to be postmaster at Baraga, Mich., in place of F. W. Hild. Incumbent's commission expired August 25, 1918.

Albert E. Millett, to be postmaster at Armada, Mich., in place of A. E. Millett. Incumbent's commission expired October 9, 1918.

Vincent P. Cash to be postmaster at Alma, Mich., in place of V. P. Cash. Incumbent's commission expired March 20, 1918.

Fred J. Hohn to be postmaster at Frankenmuth, Mich. Office became presidential October 1, 1916.

John G. Ulrich to be postmaster at Ceresco, Mich. Office became presidential July 1, 1918.

John C. Nelson to be postmaster at Midland, Mich., in place of Byron Burch, removed.

Eddy W. Fleming to be postmaster at Rose City, Mich., in place of Ina M. Hammond, resigned.

Ira E. Bush to be postmaster at Ontonagon, Mich., in place of George H. Gauthier, declined.

MINNESOTA.

John Morgan to be postmaster at Thief River Falls, Minn., in place of J. Morgan. Incumbent's commission expired September 23, 1918.

Patrick McCabe to be postmaster at Proctor, Minn., in place of P. McCabe. Incumbent's commission expired September 5, 1918.

James McGinn to be postmaster at Minneota, Minn., in place of J. McGinn. Incumbent's commission expired August 25, 1918.

Patrick B. Jude to be postmaster at Maple Lake, Minn., in place of P. B. Jude. Incumbent's commission expired August 25, 1918.

John B. Hughes to be postmaster at Lake Benton, Minn., in place of J. B. Hughes. Incumbent's commission expired July 27, 1918.

Judge D. Whaley to be postmaster at Fosston, Minn., in place of J. D. Whaley. Incumbent's commission expired July 24, 1918.

Knute Nelson to be postmaster at Fertile, Minn., in place of Knute Nelson. Incumbent's commission expired August 25, 1918.

Charles Jesmore to be postmaster at Eveleth, Minn., in place of C. Jesmore. Incumbent's commission expired July 26, 1918.

George W. Owens to be postmaster at Elmore, Minn., in place of G. W. Owens. Incumbent's commission expired October 22, 1918.

Henry P. Dunn to be postmaster at Brainerd, Minn., in place of H. P. Dunn. Incumbent's commission expired July 27, 1918.

Frank Plotts to be postmaster at Blooming Prairie, Minn., in place of F. Plotts. Incumbent's commission exipred July 27, 1918.

Joseph Haggett to be postmaster at Bird Island, Minn., in place of J. Haggett. Incumbent's commission expired September 23, 1918.

Agnes H. Christenson to be postmaster at Beardsley, Minn., in place of A. H. Christenson. Incumbent's commission expired July 14, 1918.

F. Verne Langdon to be postmaster at St. Louis Park, Minn. Office became presidential October 1, 1918.

John I. Nasett to be postmaster at Robbinsdale, Minn. Office became presidential July 1, 1918.

Oswald C. Brunius to be postmaster at Carver, Minn. Office became presidential October 1, 1918.

Prudence M. Crosbie to be postmaster at Brewster, Minn., in place of Margaret McC. Maher, resigned.

William P. Marston, jr., to be postmaster at Lake Crystal, Minn., in place of Elliott A. Upson, resigned.

Albert J. Rynda to be postmaster at New Prague, Minn., in place of James J. Remes, removed.

James N. Kain to be postmaster at Round Lake, Minn., in place of Mary A. Seeley. Office became presidential July 1, 1918.

Theodore C. Radde to be postmaster at Truman, Minn., in place of James D. Griggs, resigned.

Martin A. H. Taggatz to be postmaster at Winthrop, Minn., in place of Jacob Scherer, resigned.

Levi M. Peterson to be postmaster at Cambridge, Minn., in place of Emanuel Yngve, removed.

MISSISSIPPI.

Frank L. Ratliff to be postmaster at Shaw, Miss., in place of F. L. Ratliff. Incumbent's commission expired December 19, 1918.

Rose Walley to be postmaster at Richton, Miss., in place of Rose Walley. Incumbent's commission expired February 25, 1919.

Nannie Stuart to be postmaster at Morton, Miss., in place of N. Stuart. Incumbent's commission expired December 31, 1918.

William W. Robertson to be postmaster at McComb, Miss., in place of W. W. Robertson. Incumbent's commission expired September 16, 1918.

Benjamin R. Trotter to be postmaster at Lucedale, Miss., in place of B. R. Trotter. Incumbent's commission expired July 17, 1918.

Edgar G. Harris to be postmaster at Laurel, Miss., in place of E. G. Harris. Incumbent's commission expired October 1, 1918.

George C. Jackson to be postmaster at Belzoni, Miss., in place of G. C. Jackson. Incumbent's commission expired July 7, 1918.

Edgar F. Shanks to be postmaster at Taylorsville, Miss. Office became presidential October 1, 1918.

Louise M. Quarles to be postmaster at Minter City, Miss. Office became presidential July 1, 1918.

McCreight Dansby to be postmaster at Decatur, Miss. Office became presidential July 1, 1918.

Frankie M. Storm to be postmaster at Benoit, Miss. Office became presidential July 1, 1918.

Joseph T. Farrar to be postmaster at Anguilla, Miss. Office became presidential July 1, 1918.

James W. Ashcraft to be postmaster at Charleston, Miss., in place of C. S. Summers, resigned.

MISSOURI.

J. Thomas Fisher to be postmaster at Jefferson City, Mo., in place of J. T. Fisher. Incumbent's commission expired February 20, 1919.

Rolla N. Owsley to be postmaster at Windsor, Mo., in place of R. N. Owsley. Incumbent's commission expired December 22, 1918.

Frederick Blattner to be postmaster at Wellsville, Mo., in place of F. Blattner. Incumbent's commission expired September 5, 1918.

Albert E. Michie to be postmaster at Webb City, Mo., in place of A. E. Michie. Incumbent's commission expired January 12, 1919.

Curry B. Ellis to be postmaster at Vandalia, Mo., in place of C. B. Ellis. Incumbent's commission expired August 15, 1917.

Edwin Reavis to be postmaster at Sweet Springs, Mo., in place of E. Reavis. Incumbent's commission expired December 22, 1918.

Francis A. Howard to be postmaster at Slater, Mo., in place of F. A. Howard. Incumbent's commission expired December 22, 1918.

William S. Dray to be postmaster at Savannah, Mo., in place of W. S. Dray. Incumbent's commission expired December 29, 1918.

Louis P. Kern to be postmaster at St. Genevieve, Mo., in place of L. P. Kern. Incumbent's commission expired December 22, 1918.

Charles A. Stoner to be postmaster at Ridgeway, Mo., in place of C. A. Stoner. Incumbent's commission expired December 22, 1918.

Edgar R. Idol to be postmaster at Pleasant Hill, Mo., in place of E. R. Idol. Incumbent's commission expired December 22, 1918.

Albert R. Alexander to be postmaster at Plattsburg, Mo., in place of A. R. Alexander. Incumbent's commission expired August 11, 1918.

Grover C. Gresham to be postmaster at Parkville, Mo., in place of G. C. Gresham. Incumbent's commission expired December 22, 1918.

Joel J. Thom to be postmaster at Neosho, Mo., in place of J. J. Thom. Incumbent's commission expired June 23, 1918.

James R. Lowell to be postmaster at Moberly, Mo., in place of J. R. Lowell. Incumbent's commission expired December 22, 1918.

John V. Bumbarger to be postmaster at Memphis, Mo., in place of J. V. Bumbarger. Incumbent's commission expired October 1, 1918.

William A. Crow to be postmaster at Humansville, Mo., in place of W. A. Crow. Incumbent's commission expired December 22, 1918.

James H. Campbell to be postmaster at Higginsville, Mo., in place of J. H. Campbell. Incumbent's commission expired December 22, 1918.

Joseph B. Smith to be postmaster at Farmington, Mo., in place of J. B. Smith. Incumbent's commission expired January 12, 1919.

Robert W. Corum to be postmaster at Boonville, Mo., in place of R. W. Corum. Incumbent's commission expired June 23, 1918.

Leonidas W. Mitchell to be postmaster at Bevier, Mo., in place of L. W. Mitchell. Incumbent's commission expired January 27, 1918.

Edson C. Utter to be postmaster at Westboro, Mo. Office became presidential October 1, 1918.

Richard A. Strickler to be postmaster at Wellington, Mo. Office became presidential October 1, 1918.

John A. Fields to be postmaster at Powersville, Mo. Office became presidential October 1, 1918.

Albert G. Whited to be postmaster at Goodman, Mo. Office became presidential October 1, 1918.

Thomas H. E. Mathis to be postmaster at Ava, Mo., in place of John H. Orr, resigned.

Cleo J. Burch to be postmaster at Brookfield, Mo., in place of Thomas M. Bremehen, resigned.

Mary L. Shackleford to be postmaster at Bunceton, Mo., in place of Louis O. Nelson, resigned.

Delmer Pool to be postmaster at East Prairie, Mo., in place of A. S. J. Martin, resigned.

Frank P. Engleman to be postmaster at Greenfield, Mo., in place of William R. Bowles, deceased.

De Witt C. Leonard to be postmaster at Ozark, Mo., in place of Charles E. Reid, resigned.

Clyde E. Holt to be postmaster at Cardwell, Mo., in place of John F. Miller, resigned.

John A. Cooper to be postmaster at Trenton, Mo., in place of Wilbur E. Austin, resigned.

Lulu R. Conway to be postmaster at Union, Mo., in place of J. G. Moutier, resigned.

Gedney D. Hart to be postmaster at Warsaw, Mo., in place of Oliver Davis, declined.

MONTANA.

Ephraim E. Hackett to be postmaster at Victor, Mont., in place of E. E. Hackett. Incumbent's commission expired December 22, 1918.

James Bartley to be postmaster at Fort Benton, Mont., in place of J. Bartley. Incumbent's commission expired September 16, 1918.

Jennie Bywaters to be postmaster at Sandcoulee, Mont. Office became presidential July 1, 1918.

Harry Kennedy to be postmaster at Rosebud, Mont. Office became presidential October 1, 1918.

Daniel Knapp to be postmaster at Oswego, Mont. Office became presidential October 1, 1918.

Edna N. Ross to be postmaster at Geyser, Mont. Office became presidential October 1, 1918.

Earl M. Davis to be postmaster at Cut Bank, Mont., in place of Stephen J. Rigney, resigned.

John B. Hyink to be postmaster at Manhattan, Mont., in place of George E. White. Incumbent's commission expired May 20, 1917.

L. Blanche Dawson to be postmaster at Polson, Mont., in place of W. H. B. Carter. Incumbent's commission expired September 1, 1917.

William L. Mank to be postmaster at Roy, Mont., in place of Frederick A. Banney, deceased.

Homer F. Cox to be postmaster at Shelby, Mont., in place of Dan Sullivan, resigned.

James H. Hadzor to be postmaster at Sheridan, Mont., in place of B. L. Golden, resigned.

Thomas H. Morse, jr., to be postmaster at Drummond, Mont., in place of Mary E. Turrell, resigned.

William L. Bruce to be postmaster at Musselshell, Mont., in place of Bruce O. Dean, resigned.

Thomas G. Hayden to be postmaster at Winnifred, Mont., in place of Lawrence C. Porter, resigned.

NEBRASKA.

Jarrett W. Ragan to be postmaster at Utica, Nebr., in place of J. W. Ragan. Incumbent's commission expired October 22, 1918.

Edward P. Griess to be postmaster at Sutton, Nebr., in place of E. P. Griess. Incumbent's commission expired June 18, 1918.

John Conroy to be postmaster at Shelton, Nebr., in place of J. Conroy. Incumbent's commission expired July 27, 1918.

George D. Thomas to be postmaster at Seward, Nebr., in place of G. D. Thomas. Incumbent's commission expired July 6, 1918.

Fred W. Mathews to be postmaster at Rising City, Nebr., in place of F. W. Mathews. Incumbent's commission expired July 6, 1918.

Holton C. Letson to be postmaster at Red Cloud, Nebr., in place of H. C. Letson. Incumbent's commission expired October 1, 1918.

Mark W. Murray to be postmaster at Pender, Nebr., in place of M. W. Murray. Incumbent's commission expired July 6, 1918.

George P. Miller to be postmaster at Papillion, Nebr., in place of G. P. Miller. Incumbent's commission expired February 20, 1919.

Frederick A. Mellberg to be postmaster at Newman Grove, Nebr., in place of F. A. Mellberg. Incumbent's commission expired December 29, 1918.

George W. Ewing to be postmaster at Nelson, Nebr., in place of G. W. Ewing. Incumbent's commission expired July 27, 1918.

Robert F. Pate to be postmaster at Minden, Nebr., in place of R. F. Pate. Incumbent's commission expired July 13, 1918.

Ralph L. Duckworth to be postmaster at Indianola, Nebr., in place of R. L. Duckworth. Incumbent's commission expired July 16, 1918.

John Kinsella to be postmaster at Hemingford, Nebr., in place of J. Kinsella. Incumbent's commission expired July 13, 1918.

John S. Myers to be postmaster at Grant, Nebr., in place of J. S. Myers. Incumbent's commission expired July 6, 1918.

Charles M. Rebbeck to be postmaster at Gordon, Nebr., in place of C. M. Rebbeck. Incumbent's commission expired October 22, 1918.

Alfred G. Corey to be postmaster at Fairfield, Nebr., in place of A. G. Corey. Incumbent's commission expired July 13, 1918.

Edward P. Fitzgerald to be postmaster at Elm Creek, Nebr., in place of E. P. Fitzgerald. Incumbent's commission expired July 27, 1918.

John R. McCann to be postmaster at Beatrice, Nebr., in place of J. R. McCann. Incumbent's ocmmission expired August 19, 1918.

Stephen D. Phillips to be postmaster at Albion, Nebr., in place of S. D. Phillips. Incumbent's commission expired May 1, 1918.

Anna J. Strahl to be postmaster at Ralston, Nebr. Office became presidential July 1, 1918.

Cora D. Barlow to be postmaster at Lodgepole, Nebr. Office became presidential July 1, 1917.

Marguerite A. Riley to be postmaster at Dawson, Nebr. Office became presidential July 1, 1918.

Charles M. Beggs to be postmaster at Carleton, Nebr. Office became presidential July 1, 1918.

Olive C. Messler to be postmaster at Antioch, Nebr. Office became presidential October 1, 1918.

Nellie M. Thayer to be postmaster at Bertrand, Nebr., in place of C. E. Hendrix, resigned.

Alfred O. Hastings to be postmaster at Chester, Nebr., in place of Delbert J. Howard, deceased.

Lewis A. Wight to be postmaster at Gibbon, Nebr., in place of Henry J. Dunkin, resigned.

Edith L. Andersen to be postmaster at Marquette, Nebr., in place of Lottie L. Colby, declined.

Seth W. Oleson to be postmaster at St. Paul, Nebr., in place of J. J. Sazama, resigned.

Dollie W. Hyndshaw to be postmaster at Thedford, Nebr., in place of Edward H. Hines, resigned.

Charles McCray to be postmaster at Merriman, Nebr., in place of Vernon L. Green, resigned.

NEW HAMPSHIRE.

Charles E. Shepard to be postmaster at New London, N. H., in place of C. E. Shepard. Incumbent's commission expired January 12, 1919.

Enoch F. Stevens to be postmaster at Raymond, N. H., in place of E. F. Stevens. Incumbent's commission expired October 22, 1918.

Charles L. Bemis to be postmaster at Marlboro, N. H., in place of C. L. Bemis. Incumbent's commission expired October 16, 1918.

Sidney F. Downing to be postmaster at Lincoln, N. H., in place of S. F. Downing. Incumbent's commission expires March 3, 1919.

Nellie A. Card to be postmaster at New Castle, N. H. Office became presidential July 1, 1918.

NEW JERSEY.

James J. Davidson to be postmaster at Swedesboro, N. J., in place of J. J. Davidson. Incumbent's commission expired June 5, 1917.

James W. Rea to be postmaster at South Amboy, N. J., in place of J. W. Rea. Incumbent's commission expired July 17, 1918.

James F. Beardsley to be postmaster at Pompton Lakes, N. J., in place of J. F. Beardsley. Incumbent's commission expired February 6, 1915.

George N. Harris to be postmaster at Newton, N. J., in place of G. N. Harris. Incumbent's commission expired March 10, 1918.

Arabelle C. Broander to be postmaster at Keansburg, N. J., in place of A. C. Broander. Incumbent's commission expired

Matthias C. Ely to be postmaster at Jersey City, N. J., in place of Matt. Ely. Incumbent's commission expired February 25, 1919.

James C. H. Sherwood to be postmaster at Hohokus, N. J., in place of J. C. H. Sherwood. Incumbent's commission expired July 17, 1918.

Carl L. Richter to be postmaster at Fort Lee, N. J., in place of C. L. Richter. Incumbent's commission expired August 9, 1918.

Edward W. Walker to be postmaster at Cranbury, N. J., in place of E. W. Walker. Incumbent's commission expired December 22, 1918.

Harry F. Hinchman, jr., to be postmaster at Convent Station, N. J., in place of H. F. Hinchman. Incumbent's commission expired December 22, 1918.

Charles E. Crane to be postmaster at Clayton, N. J., in place of C. E. Crane. Incumbent's commission expired December 22, 1918.

Miles W. Hargrove to be postmaster at Brown Mills, N. J., in place of M. W. Hargrove. Incumbent's commission expired July 8, 1918.

John A. Smith to be postmaster at Wrightstown, N. J. Office became presidental October 1, 1918.

Jennie Madden to be postmaster at Tuckahoe, N. J. Office became presidential October 1, 1918.

Arthur D. Appleby to be postmaster at Spotswood, N. J. Office became presidential October 1, 1918.

Gustav H. Rottgardt to be postmaster at Montvale, N. J. Office became presidental July 1, 1918.

William Fehrs to be postmaster at Little Ferry, N. J. Office became presidential July 1, 1918.

Alonzo P. Green to be postmaster at Chester, N. J. Office became presidential October 1, 1918.

John Jenkins to be postmaster at Delanco, N. J., in place of Alice E. Shaw, resigned.

NEW MEXICO.

James L. Seligman to be postmaster at Santa Fe, N. Mex., in place of J. L. Seligman. Incumbent's commission expired October 1, 1918.

Martin Q. Hardin to be postmaster at Lordsburg, N. Mex., in place of M. Q. Hardin. Incumbent's commission expired February 21, 1918.

Bliss Freeman to be postmaster at Las Cruces, N. Mex., in place of B. Freeman. Incumbent's commission expired October 16, 1918.

Charles M. Samford to be postmaster at Hagerman, N. Mex., in place of C. M. Samford. Incumbent's commission expired October 1, 1918.

Louis L. Burkhead to be postmaster at Columbus, N. Mex., in place of L. L. Burkhead. Incumbent's commission expired September 16, 1918.

George Hoffman to be postmaster at Belen, N. Mex., in place of G. Hoffman. Incumbent's commission expired August 25, 1918.

George U. McCrary to be postmaster at Artesia, N. Mex., in place of G. U. McCrary. Incumbent's commission expired August 22, 1918.

NEW YORK.

Charles L. Goodell to be postmaster at Worcester, N. Y., in place of C. L. Goodell. Incumbent's commission expired August 19, 1918.

Allen S. Brower to be postmaster at Woodmere, N. Y., in place of A. S. Brower. Incumbent's commission expired December 22, 1918.

Bessie M. Wyvell to be postmaster at Wellsville, N. Y., in place of B. M. Wyvell. Incumbent's commission expired September 5, 1918.

Barton L. Piper to be postmaster at Watkins, N. Y., in place of B. L. Piper. Incumbent's commission expired July 28, 1917.

Elbridge J. Stratton to be postmaster at Theresa, N. Y., in place of E. J. Stratton. Incumbent's commission expired October 1, 1918.

James R. Comesky to be postmaster at Suffern, N. Y., in place of J. R. Comesky. Incumbent's commission expired October 22, 1918.

John W. Hamilton to be postmaster at Stillwater, N. Y., in place of J. W. Hamilton. Incumbent's commission expired August 7, 1918.

Andrew J. Fitzpatrick to be postmaster at Springville, N. Y., in place of A. J. Fitzpatrick. Incumbent's commission expired August 11, 1918.

Patrick Halloran to be postmaster at Sparkill, N. Y., in place of Patrick Halloran. Incumbent's commission expired October 22, 1918.

William H. Hennessey to be postmaster at Skaneateles, N. Y., in place of W. H. Hennessey. Incumbent's commission expired October 13, 1918.

William F. Britt to be postmaster at Sea Cliff, N. Y., in place of W. F. Britt. Incumbent's commission expired August 7, 1918.

John H. Hurley to be postmaster at Rushville, N. Y., in place of J. H. Hurley. Incumbent's commission expired September 23, 1918.

Charles M. Marnes to be postmaster at Rouses Point, N. Y., in place of C. M. Marnes. Incumbent's commission expired August 7, 1918.

Len R. Francis to be postmaster at Ripley, N. Y., in place of L. R. Francis. Incumbent's commission expired August 7, 1918.

William T. Welden to be postmaster at Richfield Springs, N. Y., in place of W. T. Welden. Incumbent's commission expired August 7, 1918.

Glenn F. Pollard to be postmaster at Oriskany Falls, N. Y., in place of G. F. Pollard. Incumbent's commission expired July 16, 1918.

James O. Murphy to be postmaster at Orchard Park, N. Y., in place of J. O. Murphy. Incumbent's commission expired July 6, 1918.

Augustus A. Blackledge to be postmaster at Nyack, N. Y., in place of A. A. Blackledge. Incumbent's commission expired January 12, 1918.

Robert J. Healey to be postmaster at New York Mills, N. Y., in place of R. J. Healey. Incumbent's commission expired July 17, 1918.

John A. Ganey to be postmaster at New Hartford, N. Y., in place of J. A. Ganey. Incumbent's commission expired July 16, 1918.

Edward A. Gross to be postmaster at New City, N. Y., in place of E. A. Gross. Incumbent's commission expired August 19, 1918.

Charles E. Miller to be postmaster at Moravia, N. Y., in place of C. E. Miller. Incumbent's commission expired August 19, 1918.

William McNeal to be postmaster at Montgomery, N. Y., in place of William McNeal. Incumbent's commission expired August 19, 1918.

Elmer W. Simmons to be postmaster at Millerton, N. Y., in place of E. W. Simmons. Incumbent's commission expired August 19, 1918.

Kent Barney to be postmaster at Milford, N. Y., in place of Kent Barney. Incumbent's commission expired August 19, 1918.

Thomas P. Hammond to be postmaster at Middleport, N. Y., in place of T. P. Hammond. Incumbent's commission expired July 25, 1918.

Charles E. White to be postmaster at Middleburg, N. Y., in place of C. E. White. Incumbent's commission expired October 22, 1918.

John T. Kopp to be postmaster at Martinsville, N. Y., in place of J. T. Kopp. Incumbent's commission expired September 23, 1918.

James W. Kelly to be postmaster at Long Island City, N. Y., in place of J. W. Kelly. Incumbent's commission expired October 13, 1918.

Daniel F. Shea to be postmaster at Jamaica, N. Y., in place of D. F. Shea. Incumbent's commission expired December 22, 1918.

Melvin W. Billings to be postmaster at Hurleyville, N. Y., in place of M. W. Billings. Incumbent's commission expired August 7, 1918.

Cort Kramer to be postmaster at Holland, N. Y., in place of Cort Kramer. Incumbent's commission expired August 19, 1918.

Charles Hogan to be postmaster at Harrisville, N. Y., in place of Charles Hogan. Incumbent's commission expired October 22, 1918.

William Johnson to be postmaster at Groveland Station, N. Y., in place of William Johnson. Incumbent's commission expired August 7, 1918.

Charles Fitzpatrick to be postmaster at Goshen, N. Y., in place of C. Fitzpatrick. Incumbent's commission expired August 19, 1918.

Thomas J. Courtney to be postmaster at Garden City, N. Y., in place of T. J. Courtney. Incumbent's commission expired December 22, 1918.

Eugene M. Andrews to be postmaster at Endicott, N. Y., in place of E. M. Andrews. Incumbent's commission expired August 25, 1918.

Thomas P. Whalen to be postmaster at Dover Plains, N. Y., in place of T. P. Whalen. Incumbent's commission expired August 7, 1918.

Byron E. Ogden to be postmaster at Dolgeville, N. Y., in place of B. E. Ogden. Incumbent's commission expired July 17, 1918.

Harry E. Savage to be postmaster at Dexter, N. Y., in place of H. E. Savage. Incumbent's commission expired October 13, 1918.

Maurice F. Axtell to be postmaster at Deposit, N. Y., in place of M. F. Axtell. Incumbent's commission expired August 19, 1918.

John J. Heneher to be postmaster at Cornwall, N. Y., in place of J. J. Heneher. Incumbent's commission expired September 23, 1918.

William M. Heaney to be postmaster at Cold Spring Harbor, N. Y., in place of W. M. Heaney. Incumbent's commission expired December 22, 1918.

Fred J. Land to be postmaster at Cohocton, N. Y., in place of F. J. Land. Incumbent's commission expired March 24, 1918.

William J. Ferrick to be postmaster at Chappaqua, N. Y., in place of W. J. Ferrick. Incumbent's commission expired December 29, 1918.

James H. Reagan to be postmaster at Chadwicks, N. Y., in place of J. H. Reagan. Incumbent's commission expired October 22, 1918.

Henry J. Vollmar to be postmaster at Boonville, N. Y., in place of H. J. Vollmar. Incumbent's commission expired August 19, 1918.

Florence Williams to be postmaster at Bolivar, N. Y., in place of Florence Williams. Incumbent's commission expired August 19, 1918.

Fancher M. Hopkins to be postmaster at Binghamton, N. Y., in place of F. M. Hopkins. Incumbent's commission expired August 19, 1918.

Margaret D. Cochrane to be postmaster at Bedford, N. Y., in place of M. D. Cochrane. Incumbent's commission expired August 19, 1918.

John H. Mara to be postmaster at Beacon, N. Y., in place of J. H. Mara. Incumbent's commission expired July 21, 1918.

Willard H. Tappan to be postmaster at Baldwinsville, N. Y., in place of W. H. Tappan. Incumbent's commission expired October 13, 1918.

Charles Miller to be postmaster at Baldwin, N. Y., in place of Charles Miller. Incumbent's commission expired July 26, 1917.

Harry J. Towner to be postmaster at Avoca, N. Y., in place of H. J. Towner. Incumbent's commission expired July 27, 1918.

Edward J. Cunningham to be postmaster at Amenia, N. Y., in place of E. J. Cunningham. Incumbent's commission expired August 7, 1918.

William H. Davis to be postmaster at Altmar, N. Y., in place of W. H. Davis. Incumbent's commission expired August 19, 1918.

Archie S. Gould to be postmaster at Alfred, N. Y., in place of A. S. Gould. Incumbent's commission expired August 7, 1918.

Edward W. Harrica to be postmaster at Lymon Mountain, N. Y. Office became presidential October 1, 1918.

Edwin Hotaling to be postmaster at Delmar, N. Y. Office became presidential July 1, 1918.

Gertrude D. Butler to be postmaster at Croton Falls, N. Y. Office became presidential October 1, 1918.

Archibald J. Harrison to be postmaster at Campbell, N. Y. Office became presidential October 1, 1918.

George Q. Johnson to be postmaster at Ardsley, N. Y. Office became presidential October 1, 1918.

Harmon S. Landon to be postmaster at Angola, N. Y., in place of Edward A. Lemmler, resigned.

Michael L. Boyle to be postmaster at Glens Falls, N. Y., in place of Charles Williamson, deceased.

William H. Chillson, jr., to be postmaster at Hannibal, N. Y., in place of Andrew B. Byrne, resigned.

William C. De Witt to be postmaster at Kingston, N. Y., in place of Sylvester R. Deyo, deceased.

Charles A. Stone to be postmaster at St. Johnsville, N. Y., in place of Chauncey G. Brown, removed.

Winfield Hocker to be postmaster at East Islip, N. Y., in place of E. J. Sweeney. Incumbent's commission expired November 22, 1917.

NORTH CAROLINA.

Junius Bridger to be postmaster at Windsor, N. C., in place of J. Bridger. Incumbent's commission expired October 21, 1918.

Millard F. Hales to be postmaster at Wendell, N. C., in place of M. F. Hales. Incumbent's commission expired October 21, 1918.

David T. Clark to be postmaster at Weldon, N. C., in place of D. T. Clark. Incumbent's commission expired December 19, 1918.

Robert V. Brawley to be postmaster at Statesville, N. C., in place of R. V. Brawley. Incumbent's commission expired December 19, 1918.

Benjamin A. Summerlin to be postmaster at Mount Olive, N. C., in place of B. A. Summerlin. Incumbent's commission expired July 8, 1918.

Cyrus L. Linville to be postmaster at Kernersville, N. C., in place of C. L. Linville. Incumbent's commission expired October 21, 1918.

Thomas C. Frisbee to be postmaster at Hot Springs, N. C., in place of T. C. Frisbee. Incumbent's commission expired October 21, 1918.

Samuel Y. Bryson to be postmaster at Hendersonville, N. C., in place of S. Y. Bryson. Incumbent's commission expired March 11, 1918.

Sophie H. Adams to be postmaster at Four Oaks, N. C. Office became presidential October 1, 1918.

Charles W. Bagby to be postmaster at Hickory, N. C., in place of J. H. Aiken, deceased.

William M. Hanner to be postmaster at Liberty, N. C., in place of Julia M. Smith, resigned.

Edgar P. Allen to be postmaster at Norlina, N. C., in place of Albert B. Laughter, resigned.

Thomas S. Booth to be postmaster at East Durham, N. C., in place of E. H. Avent, deceased.

NORTH DAKOTA.

Robert R. Zirkle to be postmaster at Westhope, N. Dak., in place of R. R. Zirkle. Incumbent's commission expired July 7, 1918.

William W. Smith to be postmaster at Valley City, N. Dak., in place of W. W. Smith. Incumbent's commission expired December 29, 1918.

John P. Shahane to be postmaster at Souris, N. Dak., in place of J. P. Shahane. Incumbent's commission expired July 7, 1918.

John K. Diehm to be postmaster at Schafer, N. Dak., in place of J. K. Diehm. Incumbent's commission expired July 17, 1918.

Carl L. George to be postmaster at Sarles, N. Dak., in place of C. L. George. Incumbent's commission expired December 29, 1918.

Albert A. J. Lang to be postmaster at Sanborn, N. Dak., in place of A. A. J. Lang. Incumbent's commission expired December 29, 1918.

Patrick H. Long to be postmaster at Page, N. Dak., in place of P. H. Long. Incumbent's commission expired July 8, 1918.

Samuel Loe to be postmaster at Northwood, N. Dak., in place of S. Loe. Incumbent's commission expired August 11, 1918.

Charles S. Ego to be postmaster at Lisbon, N. Dak., in place of C. S. Ego. Incumbent's commission expired August 11, 1918.

Robert J. Moore to be postmaster at Drayton, N. Dak., in place of R. J. Moore. Incumbent's commission expired August 25, 1918.

Robert B. Stewart to be postmaster at Bottineau, N. Dak., in place of R. B. Stewart. Incumbent's commission expired July 7, 1918.

Benjamin L. Fraser to be postmaster at Wales, N. Dak. Office became presidential October 1, 1918.

Minnie H. O'Donnell to be postmaster at Agricultural College, N. Dak., in place of Kathleen Kelly, resigned.

Minnie S. Abelein to be postmaster at Anamoose, N. Dak., in place of Peter Hengel, deceased.

Jessie J. Davy to be postmaster at Antler, N. Dak., in place of Grace E. Dumont, resigned.

Mabel Nelson to be postmaster at Cando, N. Dak., in place of John McPike, resigned.

Hugh H. Parsons to be postmaster at Fessenden, N. Dak., in place of Nellie Darcy, resigned.

Thomas G. Kellington to be postmaster at New Rockford, N. Dak., in place of Walter Priest, removed.

Bernice R. Pottorf to be postmaster at Plaza, N. Dak., in place of A. O. Dahl, resigned.

Helen D. Thompson to be postmaster at Reynolds, N. Dak., in place of J. F. McMenamy, resigned.

Martin L. Vick to be postmaster at Sheyenne, N. Dak., in place of Iver K. Vick, deceased.

Ole B. Johnson to be postmaster at Forman, N. Dak., in place of Frank Argersinger, resigned.

OHIO.

John S. Gossett to be postmaster at Dennison, Ohio, in place of J. S. Gossett. Incumbent's commission expired January 26, 1919.

James R. Alexander to be postmaster at Zanesville, Ohio, in place of J. R. Alexander. Incumbent's commission expired April 6, 1918.

Emil Weber to be postmaster at Wauseon, Ohio, in place of E. Weber. Incumbent's commission expired August 22, 1918.

Adam E. Schaffer to be postmaster at Wapakoneta, Ohio, in place of A. E. Schaffer. Incumbent's commission expired September 24, 1918.

Alba A. Lathrop to be postmaster at Swanton, Ohio, in place of A. A. Lathrop. Incumbent's commission expired August 25, 1918.

Val Lee to be postmaster at Sidney, Ohio, in place of Val Lee. Incumbent's commission expired August 22, 1918.

Frank C. Schiffer to be postmaster at Shelby, Ohio, in place of F. C. Schiffer. Incumbent's commission expired July 13, 1918.

Fred F. Taylor to be postmaster at Seville, Ohio, in place of F. F. Taylor. Incumbent's commission expired September 23, 1918.

James A. Ryan to be postmaster at Sandusky, Ohio, in place of J. A. Ryan. Incumbent's commission expired July 25, 1918.

Hiram J. Blackmore to be postmaster at Pomeroy, Ohio, in place of H. J. Blackmore. Incumbent's commission expired July 17, 1918.

Frank Miller to be postmaster at Paulding, Ohio, in place of F. Miller. Incumbent's commission expired August 22, 1918.

Harry A. Flinn to be postmaster at Orrville, Ohio, in place of H. A. Flinn. Incumbent's commission expired August 25, 1918.

Francis N. Cary to be postmaster at New Richmond, Ohio, in place of F. N. Cary. Incumbent's commission expired December 31, 1918.

Danus D. Granger to be postmaster at New London, Ohio, in place of D. D. Granger. Incumbent's commission expired July 17, 1918.

Jesse O. Shaw to be postmaster at Newcomerstown, Ohio, in place of J. O. Shaw. Incumbent's commission expired September 16, 1918.

Charles B. Chilcote to be postmaster at Mount Gilead, Ohio, in place of C. B. Chilcote. Incumbent's commission expires March 2, 1919.

Robert E. Sickinger to be postmaster at Milan, Ohio, in place of R. E. Sickinger. Incumbent's commission expired October 16, 1918.

Harry C. Brown to be postmaster at Manchester, Ohio, in place of H. C. Brown. Incumbent's commission expired July 13, 1918.

Peter J. Beucler to be postmaster at Louisville, Ohio, in place of P. J. Beucler. Incumbent's commission expired August 25, 1918.

William E. Warren to be postmaster at Leetonia, Ohio, in place of W. E. Warren. Incumbent's commission expired June 12, 1918.

Jacob E. Mercer to be postmaster at Hicksville, Ohio, in place of Jacob E. Mercer. Incumbent's commission expired December 31, 1918.

Benjamin F. Reineck to be postmaster at Gibsonburg, Ohio, in place of B. F. Reineck. Incumbent's commission expired July 1, 1918.

Alexander J. Shenk to be postmaster at Delphos, Ohio, in place of A. J. Shenk. Incumbent's commission expired July 1, 1918.

Samuel D. Hensel to be postmaster at Continental, Ohio, in place of S. D. Hensel. Incumbent's commission expired July 21, 1918.

Samuel A. Kinnear to be postmaster at Columbus, Ohio, in place of S. A. Kinnear. Incumbent's commission expired September 5, 1918.

David C. Van Voorhis to be postmaster at Bowling Green, Ohio, in place of D. C. Van Voorhis. Incumbent's commission expired July 1, 1918.

James A. Smith to be postmaster at Belle Center, Ohio, in place of J. A. Smith. Incumbent's commission expired July 13, 1918.

Wilber Winfield to be postmaster at Beach City, Ohio, in place of W. Winfield. Incumbent's commission expired July 17, 1918.

Anna A. Tesi to be postmaster at Yorkville, Ohio. Office became presidential October 1, 1918.

Merril J. Humphrey to be postmaster at Tiro, Ohio. Office became presidential October 1, 1918.

Bronson O. Brott to be postmaster at South Euclid, Ohio. Office became presidential July 1, 1918.

Lucius W. Carruthers to be postmaster at Groveport, Ohio. Office became presidential October 1, 1918.

William J. Deibel to be postmaster at Doylestown, Ohio. Office became presidential July 1, 1918.

Arthur M. Eidson to be postmaster at Cygnet, Ohio. Office became presidential October 1, 1918.

Thurman T. Courtright to be postmaster at Lancaster, Ohio, in place of Benjamin F. Price. Incumbent's commission expired October 16, 1917.

Rufus R. Hannahs to be postmaster at Summerfield, Ohio, in place of Russell B. Osborn. Office became presidential April 1, 1918.

Charles W. Miller to be postmaster at Versailles, Ohio, in place of Thomas W. Fahnestock, deceased.

Lillie M. Neel to be postmaster at Dillonvale, Ohio, in place of Charles A. Eberle, resigned.

Tracy Forsythe to be postmaster at Brilliant, Ohio, in place of James E. Vermillion. Office became presidential April 1, 1918.

OKLAHOMA.

Phillip H. Dalby to be postmaster at Ramona, Okla., in place of P. H. Dalby. Incumbent's commission expired September 16, 1918.

Jacob M. Casper to be postmaster at Okeene, Okla., in place of J. M. Casper. Incumbent's commission expired August 5, 1918.

Charles L. Williams to be postmaster at Maysville, Okla., in place of C. L. Williams. Incumbent's commission expired September 16, 1918.

Preston S. Lester to be postmaster at McAlester, Okla., in place of P. S. Lester. Incumbent's commission expired October 1, 1918.

Luke Roberts to be postmaster at Hollis, Okla., in place of L. Roberts. Incumbent's commission expired October 16, 1918.

Lucian B. Sneed to be postmaster at Guymon, Okla., in place of L. B. Sneed. Incumbent's commission expired July 16, 1918.

Michael B. Hickman to be postmaster at Coalgate, Okla., in place of M. B. Hickman. Incumbent's commission expired August 30, 1917.

William C. Parnell to be postmaster at Meeker, Okla. Office became presidential October 1, 1918.

Robert D. Bonham to be postmaster at Keota, Okla. Office became presidential October 1, 1918.

Edward T. Washington to be postmaster at Douthat, Okla. Office became presidential October 1, 1918.

Essyl B. Logan to be postmaster at Calvin, Okla. Office became presidential October 1, 1918.

Bernard H. Buchanan to be postmaster at Collinsville, Okla., in place of Ernest V. Schrimsher, resigned.

Grace E. Wandell to be postmaster at Coyle, Okla., in place of J. A. Pfalzgraf, resigned.

George H. Montgomery to be postmaster at Valliant, Okla., in place of Waldo E. Watkins, resigned.

Luther E. Brown to be postmaster at Tuttle, Okla., in place of T. J. Brown, resigned.

Albert E. Howell to be postmaster at Avant, Okla., in place of Dorothy A. Callen, resigned.

Starrett C. Burnett to be postmaster at Allen, Okla., in place of I. E. Strickland, removed.

Pearl B. Bouse to be postmaster at May, Okla., in place of Ellen L. Morris, resigned.

OREGON.

John P. Cooley to be postmaster at Brownsville, Oreg., in place of J. P. Cooley. Incumbent's commission expired October 22, 1918.

Diana Snyder to be postmaster at Aurora, Oreg., in place of D. Snyder. Incumbent's commission expired July 17, 1918.

Nellie Elliott to be postmaster at John Day, Oreg. Office became presidential October 1, 1918.

Albert L. Cauley to be postmaster at Fort Stevens, Oreg. Office became presidential October 1, 1918.

Margaret Clark to be postmaster at Canyon City, Oreg., in place of C. W. Brown, resigned.

Charles A. White to be postmaster at Lakeview, Oreg., in place of T. B. Vernon, resigned.

Richard F. Evans to be postmaster at Stanfield, Oreg., in place of Edith B. Ward, resigned.

Mary J. Dunn to be postmaster at Sumpter, Oreg., in place of Ada H. Haley, resigned.

Charles R. Tyler to be postmaster at Yamhill, Oreg., in place of Guy W. Brace, declined.

PENNSYLVANIA.

John A. Robinson to be postmaster at Brownsville, Pa., in place of J. A. Robinson. Incumbent's commission expired January 25, 1919.

Jacob L. Hershey to be postmaster at Youngwood, Pa., in place of J. L. Hershey. Incumbent's commission expired September 23, 1918.

Jacob T. Born to be postmaster at Wilmerding, Pa., in place of J. T. Born. Incumbent's commission expired August 11, 1918.

Granville L. Rettew to be postmaster at West Chester, Pa., in place of G. L. Rettew. Incumbent's commission expired August 11, 1918.

Corbly K. Spragg to be postmaster at Waynesburg, Pa., in place of C. K. Spragg. Incumbent's commission expired December 22, 1918.

Milton J. Porter to be postmaster at Wayne, Pa., in place of M. J. Porter. Incumbent's commission expired September 23, 1918.

Henry R. Hummel to be postmaster at Watsontown, Pa., in place of H. R. Hummel. Incumbent's commission expired July 27, 1918.

Abraham H. Nyce to be postmaster at Vernfield, Pa., in place of A. H. Nyce. Incumbent's commission expired July 27, 1918.

Michael J. O'Connor to be postmaster at Trevorton, Pa., in place of M. J. O'Connor. Incumbent's commission expired July 1, 1918.

John F. Johnston to be postmaster at Strasburg, Pa., in place of J. F. Johnston. Incumbent's commission expired July 1, 1918.

George F. Trout to be postmaster at Stewartstown, Pa., in place of G. F. Trout. Incumbent's commission expired December 31, 1918.

James W. Hutchinson to be postmaster at Springdale, Pa., in place of J. W. Hutchinson. Incumbent's commission expired July 27, 1918.

John J. Kinney to be postmaster at South Fork, Pa., in place of J. J. Kinney. Incumbent's commission expired July 27, 1918.

Bartly P. McNulty to be postmaster at Ridgway, Pa., in place of B. P. McNulty. Incumbent's commission expired October 30, 1917.

Lewis Dilliner to be postmaster at Point Marion, Pa., in place of L. Dilliner. Incumbent's commission expired July 27, 1918.

John Kehoe to be postmaster at Pittston, Pa., in place of J. Kehoe. Incumbent's commission expired December 22, 1918.

Thomas Rorer to be postmaster at North Wales, Pa., in place of T. Rorer. Incumbent's commission expired July 7, 1918.

James J. McArdle to be postmaster at Nesquehoning, Pa., in place of J. J. McArdle. Incumbent's commission expired December 31, 1918.

Charles E. Knecht to be postmaster at Nazareth, Pa., in place of C. E. Knecht. Incumbent's commission expired August 3, 1918.

Clyde S. Yothers to be postmaster at Mount Pleasant, Pa., in place of C. S. Yothers. Incumbent's commission expired September 5, 1918.

Edward H. Sutterley to be postmaster at Morrisville, Pa., in place of E. H. Sutterley. Incumbent's commission expired December 22, 1918.

Thomas E. Grady to be postmaster at Montgomery, Pa., in place of T. E. Grady. Incumbent's commission expired August 11, 1918.

James P. Van Etten to be postmaster at Milford, Pa., in place of J. P. Van Etten. Incumbent's commission expired July 27, 1918.

John A. Hughes to be postmaster at Lyndora, Pa., in place of J. A. Hughes. Incumbent's commission expired September 24, 1918.

Victor E. Gill to be postmaster at Latrobe, Pa., in place of V. E. Gill. Incumbent's commission expired August 11, 1918.

Frank M. Longstreth to be postmaster at Lansdowne, Pa., in place of F. M. Longstreth. Incumbent's commission expired August 11, 1918.

Joseph Rodgers, jr., to be postmaster at Lansdale, Pa., in place of J. Rodgers, jr. Incumbent's commission expired July 27, 1918.

Richard T. Hugus to be postmaster at Jeannette, Pa., in place of R. T. Hugus. Incumbent's commission expired August 11, 1918.

Peter V. Abel to be postmaster at Hastings, Pa., in place of P. V. Abel. Incumbent's commission expired July 27, 1918.

Edward E. Fricker to be postmaster at Glenside, Pa., in place of E. E. Fricker. Incumbent's commission expired July 7, 1918.

Walter K. Ashton to be postmaster at Fairchance, Pa., in place of W. K. Ashton. Incumbent's commission expired July 27, 1918.

Henry G. Schleiter to be postmaster at Freedom, Pa., in place of H. G. Schleiter. Incumbent's commission expired July 2, 1918.

Edward M. Dailey to be postmaster at Dushmore, Pa., in place of E. M. Dailey. Incumbent's commission expired August 25, 1918.

Charles L. Fox to be postmaster at Daisytown, Pa., in place of C. L. Fox. Incumbent's commission expired July 27, 1918.

Josephine R. Callan to be postmaster at Cresson, Pa., in place of J. R. Callan. Incumbent's commission expired August 25, 1918.

John T. Butler to be postmaster at Coraopolis, Pa., in place of J. T. Butler. Incumbent's commission expired July 27, 1918.

Adam F. Hess to be postmaster at Clarion, Pa., in place of A. F. Hess. Incumbent's commission expired August 25, 1918.

William H. Nelson to be postmaster at Chester, Pa., in place of W. H. Nelson. Incumbent's commission expired August 11, 1918.

Thomas P. Delaney to be postmaster at Castle Shannon, Pa., in place of T. P. Delaney. Incumbent's commission expired July 27, 1918.

James G. Paul to be postmaster at Bradford, Pa., in place of J. G. Paul. Incumbent's commission expired December 31, 1918.

Jacob H. Maust to be postmaster at Bloomsburg, Pa., in place of J. H. Maust. Incumbent's commission expired August 11, 1918.

William H. Hartman to be postmaster at Bentleyville, Pa., in place of W. H. Hartman. Incumbent's commission expired July 27, 1918.

Ray J. Crowthers to be postmaster at West Elizabeth, Pa. Office became presidential October 1, 1918.

Frances H. Diven to be postmaster at West Bridgewater, Pa. Office became presidential October 1, 1918.

George Althouse to be postmaster at Radnor, Pa. Office became presidential October 1, 1916.

Charles E. Dusenberry to be postmaster at Newell, Pa. Office became presidential July 1, 1918.

James J. Hanlon to be postmaster at Kulpmont, Pa. Office became presidential October 1, 1918.

Emma McNamee to be postmaster at Imperial, Pa. Office became presidential October 1, 1918.

Edna E. Snably to be postmaster at Hollsopple, Pa. Office became presidential October 1, 1918.

Gertrude Griffith to be postmaster at Hellwood, Pa. Office became presidential October 1, 1918.

Mary L. Simons to be postmaster at Harmony, Pa. Office became presidential July 1, 1918.

David J. Bonsall to be postmaster at Grampian, Pa. Office became presidential July 1, 1918.

John L. Goss to be postmaster at Expedit, Pa. Office became presidential October 1, 1918.

Mabel E. Nye to be postmaster at Enon Valley, Pa. Office became presidential July 1, 1918.

Charles W. Blose to be postmaster at Delmont, Pa. Office became presidential October 1, 1918.

George H. Houck to be postmaster at Cairnbrook, Pa. Office became presidential October 1, 1918.

Thomas V. Formey to be postmaster at Arnot, Pa. Office became presidential October 1, 1918.

Archie W. Leech to be postmaster at Beaverdale, Pa., in place of Casper S. Burtnett, resigned.

Pearl C. Zittle to be postmaster at East Downingtown, Pa., in place of Levi A. Moore, resigned.

Everett C. Davis to be postmaster at Nanty Glo, Pa., in place of Patrick J. Mash, resigned.

Alfred A. Ziegenfus to be postmaster at Palmerton, Pa., in place of William H. Gruber, deceased.

Clarence L. Kamerer to be postmaster at West Newton, Pa., in place of Frederick E. Obley, resigned.

John B. Kean to be postmaster at Alexandria, Pa., in place of Charles C. Roseborough, resigned.

PORTO RICO.

George P. DePass to be postmaster at Mayaguez, P. R., in place of G. P. DePass. Incumbent's commission expired October 22, 1918.

RHODE ISLAND.

Thomas F. Cavanaugh to be postmaster at Woonsocket, R. I., in place of T. F. Cavanaugh. Incumbent's commission expired July 16, 1918.

James Mangan to be postmaster at Greystone, R. I., in place of J. Mangan. Incumbent's commission expired September 23, 1918.

John W. Page to be postmaster at Fort Greble, R. I. Office became presidential October 1, 1918.

Almira G. Blake to be postmaster at Ashaway, R. I. Office became presidential July 1, 1918.

Alfred Benoit to be postmaster at Anthony, R. I. Office became presidential October 1, 1918.

Thomas F. Lenihan to be postmaster at Westerly, R. I., in place of John A. Farrell, deceased.

SOUTH CAROLINA.

Thomas P. McLeod to be postmaster at Hartsville, S. C., in place of T. P. McLeod. Incumbent's commission expired July 24, 1918.

James A. Parler to be postmaster at Elloree, S. C., in place of J. A. Parler. Incumbent's commission expired October 21, 1918.

Loka W. Rigby to be postmaster at Moncks Corner, S. C. Office became presidential October 1, 1918.

Estella S. Herndon to be postmaster at Eutawville, S. C. Office became presidential July 1, 1918.

David H. Taylor to be postmaster at Cameron, S. C. Office became presidential October 1, 1918.

Howard A. LittleJohn to be postmaster at Belton, S. C., in place of W. C. Clinkscales, resigned.

Zella D. Abercrombie to be postmaster at McCormick, S. C., in place of Andrew A. Stuart, resigned.

Stella R. Nelson to be postmaster at Ridgeway, S. C., in place of Inez H. Whitlock, not commissioned.

SOUTH DAKOTA.

Martin M. Judge to be postmaster at Webster, S. Dak., in place of M. M. Judge. Incumbent's commission expired September 30, 1918.

Demetrious S. Billington to be postmaster at Spearfish, S. Dak., in place of D. S. Billington. Incumbent's commission expired December 29, 1918.

William Lowe to be postmaster at Madison, S. Dak., in place of W. Lowe. Incumbent's commission expired July 16, 1918.

Anton Koch to be postmaster at Isabel, S. Dak., in place of A. Koch. Incumbent's commission expired October 1, 1918.

Anthony J. Littig to be postmaster at Flandreau, S. Dak., in place of A. J. Littig. Incumbent's commission expired July 21, 1918.

Edward H. White to be postmaster at Castlewood, S. Dak., in place of E. H. White. Incumbent's commission expired August 19, 1918.

George M. Barnett to be postmaster at Carthage, S. Dak., in place of G. M. Barnett. Incumbent's commission expired May 7, 1918.

Rhoda S. Owen to be postmaster at Vienna, S. Dak. Office became presidential October 1, 1918.

Calista M. Hall to be postmaster at Harrold, S. Dak. Office became presidential October 1, 1918.

Hattie L. Meyer to be postmaster at Florence, S. Dak. Office became presidential October 1, 1918.

John D. Evans to be postmaster at Alpena, S. Dak., in place of Henry H. Hatch, resigned.

Leroy A. Gage to be postmaster at Bryant, S. Dak., in place of E. J. Dunn, resigned.

Herman F. Mettler to be postmaster at Colome, S. Dak., in place of C. W. Marley, resigned.

Alma J. McCormack to be postmaster at Faith, S. Dak., in place of Charles S. Engler, resigned.

Mabel H. Godron to be postmaster at Gary, S. Dak., in place of Julius Palmer, resigned.

Clarence E. Archer to be postmaster at Plankinton, S. Dak., in place of John T. Doyle, removed.

TENNESSEE.

John L. Nowlin to be postmaster at Sparta, Tenn., in place of J. L. Nowlin. Incumbent's commission expired February 4, 1919.

Mamie E. Perkins to be postmaster at Selmer, Tenn., in place of M. E. Perkins. Incumbent's commission expired September 29, 1918.

Robert B. Schoolfield to be postmaster at Pikeville, Tenn., in place of R. B. Schoolfield. Incumbent's commission expired July 25, 1917.

Yancey Q. Caldwell to be postmaster at Paris, Tenn., in place of Y. Q. Caldwell. Incumbent's commission expired March 9, 1918.

Benjamin F. Grisham to be postmaster at Newbern, Tenn., in place of B. F. Grisham. Incumbent's commission expired October 1, 1918.

William P. Chandler to be postmaster at Knoxville, Tenn., in place of W. P. Chandler. Incumbent's commission expired August 25, 1918.

Kate Penn to be postmaster at Kenton, Tenn., in place of K. Penn. Incumbent's commission expired December 22, 1918.

Samuel W. McKinney to be postmaster at Etowah, Tenn., in place of S. W. McKinney. Incumbent's commission expired May 20, 1917.

George P. Atchison to be postmaster at Erin, Tenn., in place of G. P. Atchison. Incumbent's commission expired December 22, 1918.

Johnathan L. Haynes to be postmaster at Decherd, Tenn., in place of J. L. Haynes. Incumbent's commission expired December 16, 1918.

John B. Dow to be postmaster at Cookeville, Tenn., in place of J. B. Dow. Incumbent's commission expired October 1, 1918.

Cobey D. Carmack to be postmaster at Columbia, Tenn., in place of E. W. Carmack. Incumbent's commission expired July 15, 1918.

Perry L. Harned to be postmaster at Clarksville, Tenn., in place of P. L. Harned. Incumbent's commission expired October 1, 1918.

Florie W. Landress to be postmaster at Signal Mountain, Tenn. Office became presidential October 1, 1918.

Walter S. Thompson to be postmaster at Ruskin, Tenn. Office became presidential July 1, 1918.

Hugh G. Haworth to be postmaster at New Market, Tenn. Office became presidential April 1, 1917.

James J. Darnell to be postmaster at Morrison, Tenn. Office became presidential July 1, 1918.

Isaac R. Barnes to be postmaster at Cowan, Tenn. Office became presidential July 1, 1918.

Fannie J. Branch to be postmaster at Collierville, Tenn., in place of R. L. Strong, resigned.

Ulysses S. Rose to be postmaster at Crossville, Tenn., in place of W. A. Hamby, resigned.

James R. Jetton to be postmaster at Murfreesboro, Tenn., in place of Margaret G. Elliott, deceased.

James E. Nelms to be postmaster at Kingsport, Tenn., in place of William D. Kyle, resigned.

TEXAS.

Annie H. Hughes to be postmaster at Woodville, Tex., in place of A. Stryker. Name changed by marriage.

Ernest G. Keese to be postmaster at Stamford, Tex., in place of E. G. Keese. Incumbent's commission expired December 29, 1918.

William T. Jackman to be postmaster at San Marcos, Tex., in place of W. T. Jackman. Incumbent's commission expired August 25, 1918.

Myrtle C. Holcombe to be postmaster at Roxton, Tex., in place of M. C. Bradshaw. Name changed by marriage.

Augustus G. Hubbard to be postmaster at Paris, Tex., in place of A. G. Hubbard. Incumbent's commission expired February 20, 1918.

Bessie L. Rorex to be postmaster at Panhandle, Tex., in place of B. L. Rorex. Incumbent's commission expired December 29, 1918.

Hattie M. Culpepper to be postmaster at Palmer, Tex., in place of H. M. Culpepper. Incumbent's commission expired October 21, 1918.

Jerry N. Worsham to be postmaster at Laredo, Tex., in place of J. N. Worsham. Incumbent's commission expired August 19, 1918.

Charles T. McConnico to be postmaster at Kerens, Tex., in place of C. T. McConnico. Incumbent's commission expired December 29, 1918.

John R. Folkes to be postmaster at Giddings, Tex., in place of J. R. Folkes. Incumbent's commission expired July 17, 1918.

Samuel H. Bell to be postmaster at Deport, Tex., in place of S. H. Bell. Incumbent's commission expired December 29, 1918.

Jefferson A. Davis to be postmaster at Dawson, Tex., in place of J. A. Davis. Incumbent's commission expired January 12, 1918.

Charles J. Debenport to be postmaster at Commerce, Tex., in place of C. J. Debenport. Incumbent's commission expired December 19, 1918.

Thomas A. Boothe to be postmaster at Cleveland, Tex., in place of T. A. Boothe. Incumbent's commission expired July 9, 1918.

Ransom A. St. John to be postmaster at Cisco, Tex., in place of R. A. St. John. Incumbent's commission expired October 21, 1918.

A. Burton Reagan to be postmaster at Brady, Tex., in place of A. B. Reagan. Incumbent's commission expired October 24, 1918.

Edwin Forrest, jr., to be postmaster at Blum, Tex., in place of E. Forrest, jr. Incumbent's commission expired December 29, 1918.

Robert E. Rankin to be postmaster at Abilene, Tex., in place of R. E. Rankin. Incumbent's commission expired October 21, 1918.

Tom W. Shank to be postmaster at Winona, Tex. Office became presidential October 1, 1918.

Pearl L. Ward to be postmaster at Roaring Springs, Tex. Office became presidential October 1, 1918.

Green B. Taylor to be postmaster at Pecan Gap, Tex. Office became presidential July 1, 1918.

Hugh R. Park to be postmaster at Krum, Tex. Office became presidential October 1, 1918.

Robert N. McMullen to be postmaster at Huntington, Tex. Office became presidential October 1, 1918.

William F. Miller to be postmaster at Happy, Tex. Office became presidential July 1, 1918.

Lonnie Childs to be postmaster at Fairfield, Tex. Office became presidential October 1, 1918.

May E. Perry to be postmaster at Carlsbad, Tex. Office became presidential October 1, 1918.

James E. Davis to be postmaster at Bullard, Tex. Office became presidential July 1, 1918.

Edith M. Dudley to be postmaster at Brackettville, Tex., in place of Joseph R. DeWitt, resigned.

Andrew B. Corder to be postmaster at Electra, Tex., in place of Rufus Womach Riddels, resigned.

Vincent V. Urban to be postmaster at Hempstead, Tex., in place of Searcy B. Boulware, removed.

Oscar W. Gallman to be postmaster at Longview, Tex., in place of R. G. Brown, sr., deceased.

Talmage A. Smith to be postmaster at Mesquite, Tex., in place of E. P. Shands, resigned.

George A. Barnett to be postmaster at Post, Tex., in place of Mark Hardin, resigned.

Nathan E. Porter to be postmaster at Gladewater, Tex., in place of Johnnie V. Bradley, resigned.

J. Philomel Cox to be postmaster at Sierra Blanca, Tex., in place of Emma M. Love, deceased.

UTAH.

George A. Zabriskie to be postmaster at Springville, Utah, in place of G. A. Zabriskie. Incumbent's commission expired October 22, 1918.

James F. Day to be postmaster at Fillmore, Utah, in place of La Vieve K. Day, removed.

VERMONT.

Rodger Dwyer to be postmaster at West Rutland, Vt., in place of R. Dwyer. Incumbent's commission expired July 6, 1918.

George E. Randall to be postmaster at Wells River, Vt., in place of G. E. Randall. Incumbent's commission expired July 23, 1918.

John H. Wood to be postmaster at Wallingford, Vt., in place of J. H. Wood. Incumbent's commission expired July 6, 1918.

Moses E. Leary to be postmaster at Richmond, Vt., in place of M. E. Leary. Incumbent's commission expired July 8, 1918.

George W. Pierce to be postmaster at Lyndonville, Vt., in place of G. W. Pierce. Incumbent's commission expired December 29, 1918.

Edward Dunn to be postmaster at Castleton, Vt., in place of E. Dunn. Incumbent's commission expired July 6, 1918.

VIRGINIA.

James W. Sibert to be postmaster at Winchester, Va., in place of J. W. Sibert. Incumbent's commission expired December 22, 1918.

Alexander S. Hamilton to be postmaster at Warrenton, Va., in place of A. S. Hamilton. Incumbent's commission expired June 18, 1918.

William H. Maffett to be postmaster at Vienna, Va., in place of W. H. Maffett. Incumbent's commission expired January 26, 1919.

Samuel M. Donald to be postmaster at Staunton, Va., in place of S. M. Donald. Incumbent's commission expired July 25, 1918.

Robert J. Northington to be postmaster at South Hill, Va., in place of R. J. Northington. Incumbent's commission expired July 16, 1918.

Henry C. Humphrey to be postmaster at Remington, Va., in place of H. C. Humphrey. Incumbent's commission expired January 13, 1919.

Jasper W. H. Lawford to be postmaster at Pocahontas, Va., in place of J. W. H. Lawford. Incumbent's commission expired August 19, 1918.

John W. Anderson to be postmaster at Pennington Gap, Va., in place of J. W. Anderson. Incumbent's commission expired August 25, 1918.

Charles C. King to be postmaster at Pearisburg, Va., in place of C. C. King. Incumbent's commission expired October 21, 1918.

Leslie N. Ligon to be postmaster at Pamplin, Va., in place of L. N. Ligon. Incumbent's commission expired October 22, 1918.

Charlie F. Kitts to be postmaster at North Tazewell, Va., in place of C. F. Kitts. Incumbent's commission expired August 19, 1918.

Laura L. Keeler to be postmaster at Middleburg, Va., in place of L. L. Keeler. Incumbent's commission expired January 13, 1919.

George J. Russell to be postmaster at Marshall, Va., in place of G. J. Russell. Incumbent's commission expired October 16, 1918.

George C. Carter to be postmaster at Leesburg, Va., in place of G. C. Carter. Incumbent's commission expired August 19, 1918.

Asa A. Ferguson to be postmaster at Lebanon, Va., in place of A. A. Ferguson. Incumbent's commission expired August 19, 1918.

Aut B. Dye to be postmaster at Honaker, Va., in place of A. B. Dye. Incumbent's commission expired August 19, 1918.

Charles F. Ratliff to be postmaster at Floyd, Va., in place of C. F. Ratliff. Incumbent's commission expired January 26, 1919.

Frederick A. Lewis to be postmaster at Emporia, Va., in place of F. A. Lewis. Incumbent's commission expired September 16, 1918.

Albert N. Cocks to be postmaster at Disputanta, Va., in place of A. N. Cocks. Incumbent's commission expired February 20, 1918.

Gordon E. Gilly to be postmaster at Big Stone Gap, Va., in place of G. E. Gilly. Incumbent's commission expired September 30, 1918.

Samuel S. Brooks to be postmaster at Appalachia, Va., in place of S. S. Brooks. Incumbent's commission expired September 16, 1918.

Charles F. Cummins to be postmaster at Fairfax, Va., in place of Claude E. Wiley, resigned.

Eugene A. Hyde to be postmaster at Saltville, Va., in place of J. B. Perfater, resigned.

WASHINGTON.

George W. Reed to be postmaster at Pullman, Wash., in place of G. W. Reed. Incumbent's commission expired July 17, 1918.

Talleyrand Bratton to be postmaster at Goldendale, Wash., in place of Talleyrand Bratton. Incumbent's commission expired July 24, 1918.

Mae C. Cook to be postmaster at Fort Flagler, Wash. Office became presidential October 1, 1918.

William A. Lancaster to be postmaster at Fort Casey, Wash. Office became presidential October 1, 1918.

Louis H. Gurnsey to be postmaster at Addy, Wash., in place of Paul L. Paulsen, resigned.

Elizabeth M. Collins to be postmaster at Kirkland, Wash., in place of Henry C. Dahlby, resigned.

Vanira Chamberlin to be postmaster at Riverside, Wash., in place of H. T. Jones, resigned.

Fred B. Goldsworthy to be postmaster at Rosalia, Wash., in place of R. P. Turnley, jr., deceased.

Lloyd E. Robinson to be postmaster at Sprague, Wash., in place of Gertrude Cosgrove, declined.

WEST VIRGINIA.

William N. Cole to be postmaster at Williamson, W. Va., in place of W. N. Cole. Incumbent's commission expired August 19, 1918.

William W. Irwin to be postmaster at Wheeling, W. Va., in place of W. W. Irwin. Incumbent's commission expired December 22, 1918.

Charles Lively to be postmaster at Weston, W. Va., in place of Charles Lively. Incumbent's commission expired December 29, 1918.

William G. Bayliss to be postmaster at Macdonald, W. Va., in place of W. G. Bayliss. Incumbent's commission expired September 16, 1918.

Owen J. King to be postmaster at Elkins, W. Va., in place of O. J. King. Incumbent's commission expired April 24, 1918.

Abner N. Harris to be postmaster at Thorpe, W. Va. Office became presidential October 1, 1917.

William A. Stackpole to be postmaster at Pine Grove, W. Va. Office became presidential July 1, 1918.

Hardin D. Carroll to be postmaster at Mason Town, W. Va. Office became presidential April 1, 1918.

Edward P. Boggess to be postmaster at Lumberport, W. Va. Office became presidential October 1, 1918.

James B. Ballard to be postmaster at Dunbar, W. Va. Office became presidential July 1, 1918.

Arthur J. Duncan to be postmaster at Fayetteville, W. Va., in place of A. D. Smith, jr., resigned.

Harry Brooke to be postmaster at Bridgeport, W. Va., in place of William M. Davis, resigned.

Walter E. Stout to be postmaster at Parkersburg, W. Va., in place of Simms Powell, removed.

WISCONSIN.

Marcus T. Syverson to be postmaster at Tomah, Wis., in place of M. T. Syverson. Incumbent's commission expired August 11, 1918.

John Coppes to be postmaster at South Kaukauna, Wis., in place of J. Coppes. Incumbent's commission expired January 26, 1919.

Frank J. Haas to be postmaster at Richland Center, Wis., in place of F. J. Haas. Incumbent's commission expired October 22, 1918.

Francis H. Metcalf to be postmaster at Reedsburg, Wis., in place of F. H. Metcalf. Incumbent's commission expired October 22, 1918.

Levi Lane to be postmaster at Oconto Falls, Wis., in place of Levi Lane. Incumbent's commission expired January 26, 1919.

Charles T. O'Brien to be postmaster at Necedah, Wis., in place of C. T. O'Brien. Incumbent's commission expired October 22, 1918.

Francis J. Eagan to be postmaster at Muscoda, Wis., in place of F. J. Eagan. Incumbent's commission expired October 22, 1918.

Asa H. Craig to be postmaster at Mukwonago, Wis., in place of A. H. Craig. Incumbent's commission expired October 22, 1918.

Nina M. Yeager to be postmaster at Montfort, Wis., in place of N. M. Frankland. Name changed by marriage.

George Crawford to be postmaster at Mineral Point, Wis., in place of George Crawford. Incumbent's commission expires March 3, 1919.

Thomas F. Powers to be postmaster at Mauston, Wis., in place of T. F. Powers. Incumbent's commission expired October 22, 1918.

Dorothea Devlin to be postmaster at Loyal, Wis., in place of Dorothea Devlin. Incumbent's commission expired October 21, 1918.

Michael J. Rice to be postmaster at Kewaunee, Wis., in place of M. J. Rice. Incumbent's commission expired January 12, 1918.

Jeremiah J. Cunningham to be postmaster at Janesville, Wis., in place of J. J. Cunningham. Incumbent's commission expired March 10, 1918.

Christian A. Hoen to be postmaster at Edgerton, Wis., in place of C. A. Hoen. Incumbent's commission expired July 21, 1918.

John A. Kuypers to be postmaster at De Pere, Wis., in place of J. A. Kuypers. Incumbent's commission expired February 13, 1919.

John D. Burns to be postmaster at Colfax, Wis., in place of J. D. Burns. Incumbent's commission expired August 11, 1918.

Edward Cody to be postmaster at Antigo, Wis., in place of Edward Cody. Incumbent's commission expired January 26, 1919.

Carrie A. Anderson to be postmaster at Weyerhauser, Wis. Office became presidential October 1, 1918.

Albert A. Pagel to be postmaster at Schofield, Wis. Office became presidential October 1, 1918.

Carrie B. Carter to be postmaster at Lyndon Station, Wis. Office became presidential October 1, 1918.

Thomas J. Bergen to be postmaster at Prairie du Chien, Wis., in place of A. H. Long. Incumbent's commission expired June 23, 1917.

Libbie M. Bennett to be postmaster at Pewaukee, Wis., in place of Agnes Scholl, resigned.

Ivy R. Carman to be postmaster at Minocqua, Wis., in place of A. J. Bolger, removed.

Charles A. L. Varney to be postmaster at Greenwood, Wis., in place of K. W. Baker, resigned.

Carrie V. Richer to be postmaster at Delafield, Wis., in place of Annie W. Bartholomew, resigned.

Tracy M. Page to be postmaster at Bangor, Wis., in place of E. R. Peck, resigned.

WYOMING.

John McNamara to be postmaster at Kemmerer, Wyo., in place of J. McNamara. Incumbent's commission expired January 27, 1918.

William A. Johnson to be postmaster at Green River, Wyo., in place of W. A. Johnson. Incumbent's commission expired December 22, 1918.

Emma M. Spurgin to be postmaster at Lingle, Wyo. Office became presidential October 1, 1918.

Alvah J. Macy to be postmaster at Moorcroft, Wyo., in place of C. E. Russell, resigned.

Thomas H. Baxter to be postmaster at Jackson, Wyo., in place of Sara McKean, resigned.

Ruby E. Rimington to be postmaster at Guernsey, Wyo., in place of Ethel A. Berry, resigned.

Ira S. Bowker to be postmaster at Newcastle, Wyo., in place of George H. Greedy, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 27, 1919.

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

Hugh Campbell Wallace to be ambassador extraordinary and plenipotentiary to France.

COLLECTORS OF CUSTOMS.

John W. Troy to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska.

Malcolm A. Franklin to be collector of customs for customs collection district No. 32, with headquarters at Honolulu, Hawaii.

UNITED STATES MARSHAL.

John E. Lynch to be United States marshal, eastern district of Missouri.

PROMOTIONS IN THE COAST GUARD.

The following-named third lieutenants to be second lieutenants in the Coast Guard:

Earl G. Rose,
Edward H. Smith,
Henry Coyle, and
Rae B. Hall.

WITHDRAWAL.

Executive nomination withdrawn from the Senate February 27, 1919.

POSTMASTER.

INDIANA.

Clarence B. Taylor to be postmaster at Howe, in the State of Indiana.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 27, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, that the citizens of our National Capital and the strangers within its gates will demonstrate in a tangible way to-day their profound gratitude and appreciation for the brave men who rallied round the flag in answer to the call of distress and danger from over the sea and lifted Old Glory to its full height in answer to the call.

We are coming, millions on millions, to defend liberty, justice, truth, right. May they ever be held by the Nation in grateful memory and wards of our people and all the world, and stand as an earnest that the people of America are ever ready to defend the oppressed and downtrodden of all the world. In the Christ spirit. Amen.

The Journal of the proceedings of yesterday was read and approved.

CORRECTION.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, yesterday, in making the request for printing a statement in relation to Mrs. Mary Russell Butler, I referred to her 19 grandchildren. The RECORD, as printed, says 19 grandsons. I ask that that correction be made. Also, my request included not only the statement in the paper but a list of the 19 grandchildren and the services that they have performed in the war.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, I would like to renew my request to have this printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ORDER OF BUSINESS.

Mr. FERRIS rose.

The SPEAKER. For what purpose does the gentleman from Oklahoma rise?

Mr. FERRIS. To call up a conference report.

The SPEAKER. The Chair has agreed to recognize the gentleman from Alabama [Mr. DENT], who has a short conference report. And the Chair will not recognize anybody to call up a conference report unless he agrees to move the previous question within an hour.

Mr. SHERLEY. Mr. Speaker, before the conference report is taken up may I make a brief statement to the House? It is highly desirable that the general deficiency bill be passed by the House at as early a day as possible, in order to insure its enactment by the Senate. This bill, of all supply bills, ought to become a law at this session, because there are certain sums that are necessary for various departments. It is my desire and hope to call up the bill in a few minutes and ask its passage to-day. In order to do that we must expedite matters, because all of us want to accommodate, and will do so, the minority by not keeping the House in session late this afternoon. I make this statement in order that gentlemen may realize what is ahead of us and that they will not press conference reports unless absolutely necessary.

The SPEAKER. Is the gentleman ready to call his bill up?

Mr. SHERLEY. I am ready now.

Mr. FERRIS. Mr. Speaker, this conference report was to be taken up to-day by a hard and fast agreement. I do not think that other bills ought to keep conference reports back.

Mr. SHERLEY. But it is absolutely necessary that this bill should pass at the earliest possible moment.

Mr. FERRIS. And this conference report ought to be disposed of and go to the Senate.

The SPEAKER. The Chair will make a suggestion himself. It is the Chair's business during the rush to expedite business and get as much through as possible. It does not make any difference whether a conference report passes at 11.15, or 12.15, or 2.15. The Chair will recognize the gentleman from Kentucky.

Mr. FERRIS. I make the point of no quorum, and we will have to have a quorum right along.

Mr. SHERLEY. Mr. Speaker, I desire to make a report on a bill from the Committee on Appropriations.

The SPEAKER. The gentleman from Oklahoma has made the point of no quorum.

Mr. SHERLEY. I would like to suggest that the gentleman from Oklahoma——

Mr. FERRIS. The gentleman need not make any suggestions that will sweep this conference report aside.

Mr. SHERLEY. I am not making a motion to go into Committee of the Whole House on the state of the Union now. I suggest that we probably can accommodate each other, as we must determine to do, in the closing hours. I suggest that the gentleman's report requires action simply by the House and the Senate. Of course it is of the highest privilege, along with other conference reports, but requires but one vote. To-morrow or the next day puts it just as certainly on the statute books as it does to-day; but appropriation bills must be considered, and must be considered by the two bodies as original legislation.

Mr. FERRIS. If the bill had been considered by the Senate and it was not for the opposition over there—an unreasonable opposition, I fear—I would not ask it; but I know that every minute lost here is a step toward killing the bill which for eight years has tied up Government property worth $16,000,000 or $18,000,000. I have worn my shoe leather out to get an agreement to call this bill up the first thing. I had made arrangements with the Speaker, and I do not think I ought to be constantly swept out of the way by bills that have not yet passed the Senate. I have eliminated the objectionable features. I have gone to the gentleman from Wisconsin [Mr. STAFFORD] and the gentleman from Illinois on matters that they objected to and they have been taken out of the bill.

The SPEAKER. All this talk is out of order. The gentleman from Oklahoma makes the point of no quorum, and the Chair will count. [After counting.] Ninety-seven Members present, not a quorum.

Mr. GARRETT of Tennessee. Mr. Speaker, I move a call of the House.

Mr. CRAMTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman can not make a parliamentary inquiry with the point of no quorum pending. The gentleman from Tennessee moves a call of the House.

The motion was agreed to.

Accordingly the doors were closed, and the Sergeant at Arms was ordered to notify absent Members. The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Dill	Kennedy, R. I.	Sears
Ashbrook	Dooling	Kettner	Sells
Austin	Eagle	Key, Ohio	Shackleford
Ayres	Emerson	Langley	Shallenberger
Baer	Estopinal	Lehlbach	Slemp
Bell	Flynn	McKinley	Smith, C. B.
Benson	Francis	McLaughlin, Mich.	Smith, T. F.
Booher	Fuller, Mass.	Mason	Steele
Britten	Garland	Nelson, J. M.	Stephens, Miss.
Brumbaugh	Goodall	Nolan	Stevenson
Caldwell	Gould	Padgett	Sullivan
Cantrill	Graham, Pa.	Paige	Tague
Chandler, N. Y.	Gray, N. J.	Park	Taylor, Ark.
Clark, Fla.	Gregg	Polk	Temple
Cleary	Griffin	Pratt	Templeton
Coady	Hamill	Price	Venable
Connally, Tex.	Hamilton, N. Y.	Ragsdale	Waldow
Costello	Harrison, Miss.	Rankin	Wason
Cox	Harrison, Va.	Reed	Wilson, Ill.
Crago	Heaton	Roberts	Wilson, Tex.
Curry, Cal.	Heintz	Rowland	Winslow
Decker	Helm	Sanders, N. Y.	Woodyard
Delaney	James	Scully	Zihlman

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). Three hundred and thirty-five Members have answered to their names, a quorum.

Mr. FOSTER. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. SHERLEY] is recognized.

COAL AND OIL LEASING—CONFERENCE REPORT (NO. 1138).

Mr. FERRIS. Mr. Speaker, the gentleman does not seem to be present. I call up the conference report upon the bill (S. 2812) to encourage and promote the mining of coal, phosphates, oil, gas, and sodium on the public domain, and ask unanimous consent to dispense with the reading of the report. It is practically the same report that was read the other day. There are only a few minor changes which I can explain more clearly than can be had by the reading of the entire report.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is section 18 substantially different from what it was?

Mr. FERRIS. The big changes are in section 18. The statement is substantially the same as that which accompanied the first report.

Mr. STAFFORD. But the statement does not indicate what changes have been made.

Mr. FERRIS. The statement has been modified.

Mr. STAFFORD. I read the statement, but could not locate the changes that have been made.

Mr. FERRIS. I can state them to the gentleman in a moment. They are in the statement, but are not very much in evidence.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, which I do not intend to do, it having been announced that debate upon these conference reports is to be restricted to one hour, and the gentleman being recognized for that hour, I would inquire if there is to be an equal division of time between those in favor and those opposed to this report?

Mr. FERRIS. I shall yield practically all of the time to the other side, as I do not think any time is required here.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. WALSH. Mr. Speaker, is not that a supplementary statement?

Mr. FERRIS. We modified the statement formerly filed.

Mr. WALSH. I do not think we ought to adopt conference reports without hearing the report of the statement. I think the supplementary statement ought to be read.

Mr. FERRIS. Very well; I ask unanimous consent that the statement be read.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, I desire to make an inquiry of the gentleman from Oklahoma. Before the point of no quorum was made it was understood by Members that the deficiency appropriation bill was to come up. When will that probably be called up?

The SPEAKER pro tempore. The Chair can not inform the gentleman. The Chair recognized the gentleman from Kentucky, but he did not happen to be in the Chamber at the time.

Mr. DYER. Will the Chair state whether or not after this conference report is disposed of it is the intention to recognize the gentleman from Alabama [Mr. DENT] to call up the validation of informal-contracts conference report?

The SPEAKER pro tempore. The present occupant of the Chair does not know who will be in the chair at the time this conference report is concluded. The Chair does not care to answer that now. Is there objection to the request of the gentleman from Oklahoma?

Mr. MANN. Mr. Speaker, reserving the right to object, I do not know what this supplemental statement is, but I am not willing to have an important conference report adopted without reading either the report or the statement.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to read the statement in lieu of the report.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent to read the statement in lieu of the report. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the statement.

The Clerk read the statement.

The second committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"That deposits of coal, phosphate, sodium, oil, oil shale, or gas, owned by the United States, including those in national forests, the Grand Canyon National Park, and the Mount Olympus National Monument, but excluding those in other national parks, and in lands withdrawn or reserved for military or naval uses or purposes, except as hereinafter provided, shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and, in the case of coal, oil, oil shale, or gas, to municipalities.

"COAL.

"SEC. 2. That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State or Territory of the Union, exclusive of those in Alaska, not otherwise appropriated by competent authority, not exceeding 2,560 acres, upon payment to the receiver of not less than $10 per acre for such lands where the same shall be situate more than 15 miles from any completed railroad, and not less than $20 per acre for such lands as shall be within 15 miles of such railroad, and the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair: *Provided*, That improvements or development work of the aggregate value of not less than $8 per acre upon the coal lands so entered shall be made or done upon the lands annually for two years after such award, when patent shall issue therefor. Upon failure to comply with the terms of this section within the required period said lands shall be subject to entry by any other qualified applicant.

"No such person, association, or corporation shall own coal lands entered after the passage of this act in excess of said area, at any one time, nor be interested, directly or indirectly, in any other coal lands or coal taken therefrom, and no member of such association or corporation, or stockholder of such corporation, shall own any other coal lands or be interested, directly or indirectly, in any other coal lands or coal taken therefrom, or in any other association or corporation owning or controlling any coal lands: *Provided, however*, That any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held two years after its acquisition and not longer, and in case of minority or other disability such time as the court may decree.

"That any person, association, corporation, member of such association, or stockholder of such corporation who violates any of the foregoing provisions shall, upon conviction thereof, be deemed guilty of a felony, and punished by a fine of not exceeding $10,000 or by imprisonment in the penitentiary for a period of not exceeding two years, or both.

"That if any of such coal lands entered after the passage of this act shall be owned, leased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of or in any way effect any combination, or are in any wise controlled by any combination in the form of a trust, or the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by individuals, copartnership, association, corporation, mortgage, stock ownership, or control, in excess of 2,560 acres, the title thereto shall be forfeited to the United States of America by proceedings instituted by the Attorney General in the courts for the purpose.

"SEC. 3. That the Secretary of the Interior is authorized to, and upon the petition of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, outside of the Territory of Alaska, unless previously entered under section 2 of this act, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract; and thereafter the Secretary of the Interior shall, in his discretion, from time to time upon the request of any qualified applicant or on his own motion, offer such lands or deposits of coal for leasing, and, upon a royalty fixed by him in advance, shall award leases thereof through advertisement, by competitive bidding, or, in case of lignite or low-grade coals, such other methods as he may by general regulations adopt, to any qualified applicant, unless previously entered under section 2 of this act: *Provided*, That no railroad or other common carrier shall be permitted to take or acquire through lease or permit under this act any coal lands or deposits of coal in excess of such area or quantity as may be required and used solely for its own use, and such limitation of use shall be expressed in all leases or permits issued to railroads or common carriers hereunder. That such a railroad or common carrier may be permitted to take under the foregoing provisions not to exceed one lease hereunder upon and for each 200 miles of its line in actual operation. The term 'railroad' or 'common carrier' as used in this act shall include any company or corporation owning or operating a railroad, whether under a contract, agreement, or lease, and any company or corporation subsidiary or auxiliary thereto, whether directly or indirectly connected with such railroad or common carrier, but shall not include spurs, switches, or branch lines operated by any lessee and necessary to connect the mine with the line or lines of any railroad or other common carrier.

"SEC. 4. That any person, association, or corporation holding a lease of coal lands or coal deposits under this act may, with

the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure modifications of his or its original lease by including additional coal lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

"That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the existing lease, shall not exceed 2,560 acres, through the same procedure and under the same conditions as in case of an original lease.

"SEC. 5. That if, in the judgment of the Secretary of the Interior, the public interest will be subserved thereby, lessees holding under lease areas not exceeding the maximum permitted under this act may consolidate their leases or holdings through the surrender of the original leases or holdings and the inclusion of such areas in a new lease of not to exceed 2,560 acres of contiguous lands.

"SEC. 6. That where coal lands aggregating 2,560 acres and subject to lease hereunder do not exist as contiguous areas, the Secretary of the Interior is authorized, if, in his opinion, the interests of the public and of the lessee will be thereby subserved, to embrace in a single lease sections or parts of sections which can be operated as a single mine or unit.

"SEC. 7. That for the privilege of mining or extracting the coal in the lands covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed in advance of offering the same, and which shall be not less than 2 cents per ton of 2,000 pounds, due and payable at the end of each month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall be not less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines, except when such operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may, if in his judgment the public interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal, which in no case shall aggregate less than the amount of rentals herein provided for.

"SEC. 8. That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of individuals to prospect for, mine, and take for their use but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interest: *Provided*, That this privilege shall not extend to any corporation: *And provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 160 acres, upon condition that such municipal corporations will mine the coal therein under proper conditions and dispose of the same without profit: *And provided further*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the acquisition of such tract or operation of such mine under said limited license.

"PHOSPHATES.

"SEC. 9. That the Secretary of the Interior is hereby authorized to lease or sell to any person qualified under this act any lands belonging to the United States containing deposits of phosphates, under such restrictions and upon such terms as are herein specified, through advertisement, competitive bidding, or such other methods as the Secretary of the Interior may by general regulation adopt.

"SEC. 10. That each lease or sale shall be for not to exceed 2,560 acres of land to be described by the legal subdivisions of the public-land surveys, if surveyed, to be described by the legal subdivisions of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease, in accordance with the laws, rules, and regulations governing the survey of public lands, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such survey; deposits made to cover expense of surveys shall be deemed appropriated for that purpose; and any excess deposits shall be repaid to the person, association, or corporation making such deposits or their legal representatives: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width.

"SEC. 11. That for the privilege of mining or extracting the phosphates or phosphate rock covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, which shall be not less than 2 per cent of the gross value of the output of phosphates or phosphate rock at the mine, due and payable at the end of each month succeeding that of the extraction of the phosphates or phosphate rock from the mine, and an annual rental payable at the date of such lease and annually thereafter on the area covered by such lease at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of a minimum annual production, except when operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior shall determine unless otherwise provided by law at the time of the expiration of such periods.

"SEC. 12. That any qualified applicant to whom the Secretary of the Interior may grant a lease to develop and extract phosphates, or phosphate rock, under the provisions of this act shall have the right to use so much of the surface of unappropriated and unentered lands, not exceeding 40 acres, as may be determined by the Secretary of the Interior to be necessary for the proper prospecting for or development, extraction, treatment, and removal of such mineral deposits.

"OIL AND GAS.

"SEC. 13. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 640 acres of land wherein such deposits belong to the United States and are located within 10 miles of any producing oil or gas well and upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are situated more than 10 miles from any producing oil or gas well and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than 500 feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time and upon such conditions as he shall prescribe. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is

sought, a monument, not less than 4 feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within 30 days after date of said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of 30 days following such marking and posting, be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within 90 days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided*, That in the Territory of Alaska prospecting permits, not more than five in number, may be granted to any qualified applicant for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than 500 feet, unless valuable deposits of oil or gas shall be sooner discovered, within three years from date of the permit, and to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered, within four years from date of permit: *And provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit.

"SEC. 14. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any such permit the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting permit, such area to be selected by the permittee in compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed, or to be surveyed at his expense in accordance with the laws, rules, and regulations governing the survey of placer mining claims if located upon unsurveyed lands: *Provided*, That said permittee shall be given a preference right to lease the remaining and unpatented lands embraced within the limits of his permit at a royalty determined by competitive bidding at a rate of not less than one-eighth, otherwise to be upon the same terms and conditions as provided for other general leases.

"SEC. 15. That until the permittee shall apply for patent to the one-fourth of the permit area heretofore provided for he shall pay to the United States 20 per cent of the gross value of all oil or gas secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

"SEC. 16. That all permits, leases, entries, and patents of lands containing oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands so located, leased, entered, or patented, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners, and to the further condition that the locator, lessee, entryman, or patentee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the location, entry, lease, or patent, to be enforced through appropriate proceedings in courts of competent jurisdiction.

"SEC. 17. That all unappropriated deposits of oil or gas situated within the geologic structure of a producing oil or gas field and the unentered lands containing the same, except, however, those embraced in any prospecting permit during the life of the same, may be leased by the Secretary of the Interior through competitive bidding under general regulations in areas not exceeding 1,280 and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, which shall be not less than one-eigth in amount of value of the productions, which royalty on demand of the Secretary of the Interior shall be paid in oil or gas, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods.

"SEC. 18. Upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed since prior to July 3, 1910, by the claimant hereunder or his predecessor in interest under the preexisting petroleum placer law to any oil or gas bearing land embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced and saved from such land, the claimant or his successor in undisputed possession of any such claim shall be entitled to a lease thereof from the United States for a period of 20 years, at a royalty of not less than one-eighth of all the proceeds of oil or gas produced: *Provided*, That not more than one-half of the area within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provisions of this section when the area of such geological oil structure exceeds 640 acres. Any claimant or his successor subject to this limitation shall, however, have the right to select and receive the lease as in this section provided for that portion of his claim or claims equal to, but not in excess of, said one-half of the area of such geologic oil structure.

"All such leases shall be made and the amount to be paid for oil and gas produced after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all such claims situate within naval petroleum reserves the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for, upon such terms and conditions as he may prescribe.

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

"Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act of August 25, 1914 (38 Stat. L., p. 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one more of them as shall be deemed just.

"SEC. 19. That any person who, at the time of any withdrawal order, or on January 1, 1918, was a bona fide occupant or claimant of oil or gas lands not withdrawn from entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of $250 for each location if application therefor shall be made within three months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions as other permits provided for in this act, or where any such person has heretofore made such discovery he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof: *Provided*, That such lands are not reserved for the use of the Navy: *Provided, however*, That no claimant who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section: *And provided further*, That

within one year after the passage of this act where any land has been included within an oil withdrawal or classification heretofore made after bona fide entry upon the same by a qualified homestead or desert-land entryman and where said entryman has complied with the requirements of the law relating to such entries up to the time when said withdrawal was made, said entryman or the patentee under such entry, shall be given a preference right to a prospecting permit for the same under the same terms and conditions as prescribed in this act.

"OIL SHALE.

"SEC. 20. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed, to be surveyed by the United States, at the expense of the applicant, in accordance with the laws and regulations for the survey of public lands. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum, for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior: *Provided*, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid location to such minerals under existing laws on January 1, 1918, shall, upon the relinquishment of such location, be entitled to a lease under the provisions of this section, for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant who has been guilty of fraud in the location of any oil-shale bearing lands shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person, association, or corporation.

"ALASKA OIL PROVISO.

"SEC. 21. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, or his successors or assigns, who prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in wells and who prior to withdrawal had made substantial improvements on or for each location or had prior to the passage of this act expended not less than $250 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act, or within six months after final denial or withdrawal of application for patent to a prospecting permit or permits, lease or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases in Alaska under this act, whether as a result of prospecting permits or otherwise, shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease, and be subject to readjustment at the end of each 20-year period of the lease: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

"SODIUM.

"SEC. 22. That the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of sodium dissolved in and soluble in water, and accumulated by concentration, in lands belonging to the United States for a period of not exceeding two years: *Provided*, That the area to be included in such a permit shall be not exceeding 2,560 acres of land in reasonably compact form: *Provided further*, That the provisions of this section shall not apply to lands in San Bernardino County, Cal.

"SEC. 23. That upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of one of the substances enumerated in section 22 hereof has been discovered by the permittee within the area covered by his permit the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting limit, to be taken and described by legal subdivisions of the public-land surveys, or if the land be not surveyed by survey executed at the cost of the permittee in accordance with the laws, rules, and regulations governing the survey of placer-mining claims. All other lands described and embraced in such a prospecting permit, from and after the exercise of the preference right to patent accorded to the discoverer, and all other lands known to contain such valuable deposits as are enumerated in section 22 hereof and not covered by permits or leases, except such lands as are situated in said county of San Bernardino, shall be held subject to lease or sale, and may be leased or sold by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, and in such areas as he shall fix, not exceeding 2,560 acres, all leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, and the payment in advance of a rental of 50 cents per acre for the first calendar year or fraction thereof and $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year. Leases may be for indeterminate periods upon such conditions not inconsistent herewith as may be incorporated in each lease or prescribed in general regulation theretofore issued by the Secretary of the Interior, including covenants relative to mining methods, waste, period of preliminary development and minimum production, and a patentee under this section may be lessee of the remaining lands in his permit.

"SEC. 24. That in addition to areas of such mineral land which may be included in any such prospecting permits or leases, the Secretary of the Interior, in his discretion, may grant to a permittee or lessee of lands containing sodium deposits, and subject to the payment of an annual rental of not less than 25 cents per acre, the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 20 acres in area, for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

"GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, SODIUM, OIL, OIL SHALE, AND GAS LEASES.

"SEC. 25. That the Secretary of the Interior shall reserve and may exercise the authority to cancel any prospecting permit upon failure by the permittee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms and conditions stated in the permit, and shall insert in every such permit issued under the provisions of this act appropriate provisions for its cancellation by him.

"SEC. 26. That no person, association, or corporation, except as herein provided, shall take or hold more than one coal, phosphate, or sodium lease during the life of such lease; no person, association, or corporation shall take or hold, at one time, more than three oil or gas leases granted hereunder in any one State, and not more than one lease within the geologic structure of a producing oil or gas field; no corporation shall hold any interest as a stockholder of another corporation in more than such number of leases; and no person or corporation shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations are as a stockholder of a corporation or corporations holding a lease under the provisions hereof, exceeds in the aggregate an amount equivalent to the maximum number of acres allowed to any one lessee under this act; and the interests held in violation of this provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property, or some part thereof, is located, except that any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition: *Provided*, That nothing herein contained shall be construed to limit sections 18 and 19

or to prevent any number of lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines or railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same.

"SEC. 27. That rights of way through the public lands, including the forest reserves, of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior, and upon the express condition that such pipe line shall be constructed, operated, and maintained as common carriers: *Provided*, That no right of way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

"SEC. 28. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit upon such terms as he may determine to be just, for joint or several use such easements or rights of way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided further*, That if such reservation is made, it shall be so determined before the offering of such lease: *And provided further*, That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

"SEC. 29. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease, and may with like consent, surrender any legal subdivision of the area included within the lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency, provisions securing the workmen complete freedom of purchase, requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare: *Provided*, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated.

"SEC. 30. That any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

"SEC. 31. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act: *Provided*, That nothing in this act shall be construed or held to affect the rights of the States or other local authority to exercise any rights which they may have including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

"SEC. 32. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath, unless otherwise specified by him and in such form and upon such blanks as the Secretary of the Interior may require.

"SEC. 33. That the provisions of this act shall also apply to all deposits of coal, phosphate, sodium, oil, oil shale or gas in the lands of the United States, which lands may have been or may be disposed of under laws reserving to the United States such deposits, with the right to prospect for, mine, and remove the same, subject to such conditions as are or may hereafter be provided by such laws reserving such deposits.

"SEC. 34. That all moneys received from sales, royalties, and rentals under the provisions of this act, excepting those from Alaska, shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act, but after use thereof in the construction of reclamation works and upon return to the reclamation fund of any such moneys in the manner provided by the reclamation act and acts amendatory thereof and supplemental thereto, 50 per cent of the amounts derived from such royalties and rentals so utilized in and returned to the reclamation fund shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, said moneys to be used by such State or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct: *Provided*, That any moneys which may accrue to the United States under the provisions of this act from lands within the naval petroleum reserves shall be deposited in the Treasury as "Miscellaneous receipts."

"SEC. 35. That the deposits of coal, phosphate, sodium, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existent at date of the passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws."

And the House agree to the same.

Amendment to the title: That the Senate recede from its disagreement to the amendment of the House to the title to the bill, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"An act to authorize exploration for and disposition of coal, phosphate, sodium, oil, oil shales, or gas on the public domain."

And the House agree to the same.

SCOTT FERRIS,
EDWARD T. TAYLOR,
JOHN E. RAKER,
WM. L. LA FOLLETTE,
N. J. SINNOTT,
Managers on the part of the House.

KEY PITTMAN,
JOHN F. SHAFROTH,
JAMES D. PHELAN,
By KEY PITTMAN,
Managers on the part of the Senate.

STATEMENT.

In order that the specific modifications of the House and Senate bills, as shown in the foregoing, agreed upon, may be indicated by section and specific amendments, they are set out as follows:

Section 1 of the bill as agreed to is section 1 of the House bill, with amendments as follows:

Line 1, page 1, House bill, after "phosphate," insert "sodium."

Line 3, page 1, House bill, strike out "monument" and insert "park."

Line 4, page 1, House bill, after the word "in," insert "other."

Section 2 is section 2 of the Senate bill, with amendments as follows:

Line 9, page 2, Senate bill, after the word "Union," insert "exclusive of those in Alaska."

Line 20, insert the word "aggregate" before the word "value." Also strike out "$10,000" and insert "not less than $8 per acre upon the coal land so entered."

Line 21, strike out "within one year" and insert "annually for two years."

Section 3 is section 3 of the House bill, with amendments as follows.

Line 21, after the word "Alaska," insert "unless previously entered under section 2 of this act."

Line 8, page 3, after the word "applicant" and before the colon, insert a comma and the words "unless previously entered under section 2 of this act."

Sections 4, 5, 6, 7, and 8 are sections 4, 5, 6, 7, and 8 of the House bill, without alteration.

Section 9 is section 7 of the Senate bill.

Section 10 is section 16 of the House bill, with an amendment as follows:

Line 8, page 17, House bill, after the word "lease," insert the words "or sale."

Sections 11 and 12 are sections 17 and 18 of the House bill, unaltered.

Section 13 is section 9 of the House bill, with amendment as follows:

Line 20, page 9, House bill, after the word "granted," insert "to any qualified applicant."

Section 14 is section 12 of Senate bill, with amendment as follows:

Line 8, page 10, Senate bill, after the word "permit," insert the words "at a royalty determined by competitive bidding at a rate of not less than one-eighth, otherwise to be."

Line 9, after the word "other," insert the word "general."

Line 9, after the word "leases," change the comma to a period and strike out balance of the section.

Section 15 is section 13 of the Senate bill, with amendments as follows:

Line 14, page 10, Senate bill, strike out "or lease to the land selected by him" and insert "to the one-fourth of the permit area heretofore provided for."

Line 15, strike out "twenty-five" and insert "twenty."

Line 18, after "disposition" change the comma to a period and strike out balance of section.

Section 16 is section 14 of the Senate bill.

Section 17 is section 12 of the House bill, with amendments:

Line 15, page 12, House bill, strike out "six hundred and forty" and insert "twelve hundred and eighty."

Line 5, page 13, change colon to a period and strike out balance of section.

Section 18 is a compromise, and in lieu of section 16 of the Senate bill and the part of section 12 of the House bill stricken out by the last amendment.

Section 19 is the proviso in section 28 of the House bill.

Line 17, page 25, House bill, strike out the word "*Provided*" and insert "Section 19."

Also amend as follows:

Line 5, page 26, House bill, after the word "act" insert "or where any such person has heretofore made such discovery he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof."

Section 20 is section 14 of the House bill.

Section 21 is section 29 of the House bill, with an amendment at the end of the section as follows: "No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith."

Sections 22–23 are sections 18–19 of the Senate bill.

Section 24 is section 20 of the Senate bill, with amendment as follows:

Line 21, page 18, Senate bill, strike out "phosphates" and insert "sodium."

Section 25 is section 19 of House bill unaltered.

Section 26 is section 20 of the House bill, with amendments as follows:

Line 23, page 19, House bill, after the word "phosphate," insert the words "or sodium."

Line 4, page 20, after the word "person," insert the words "or corporation."

Line 23, page 20, House bill, after the word "construed," insert the words "to limit sections eighteen and nineteen or."

Line 1, page 21, House bill, after the word "of," insert "constructing and carrying on the business of a refinery, or of."

Lines 5–6, page 21, strike out the words "or from constructing and carrying on the business of a refinery."

Section 27 is section 13 of the House bill, with amendment as follows:

Line 16, page 14, after the word "lands," insert "including the forest reserves."

Line 2, page 15, strike out the words "the public" and insert the word "said."

Sections 28, 29, and 30 are sections 21, 22, and 23 of the House bill unaltered.

Section 31 is section 27 of the House bill, with amendment as follows:

Line 7, page 25, House bill, after the word "have," insert "including the right."

Section 32 is section 24 of the House bill.

Section 33 is section 25 of the House bill, with amendment as follows:

Line 24, page 23, House bill, so as to include "sodium."

Section 34 is section 26 of the House bill, with amendment as follows:

Line 5, page 24, House bill, after the word "from," insert the word "sales."

Section 35 is the first part of section 28 of the House bill down to the proviso on page 25 of the House bill.

The managers on the part of the House at the conference on disagreeing votes of the two Houses on the amendments of the House to S. 2812, to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, submit the following written statement in explanation of the effect of the action agreed to by the conferees and recommended in the accompanying conference report:

There are no material changes in section 1 of the House bill.

The House conferees accepted in substance section 2 of the Senate bill with the amendment exclusive of those in Alaska and placing the improvements on an acreage basis, which in effect doubles the requirements on the larger acreage and relieves the smaller operator from a prohibitive burden.

Sections 3, 4, 5, 6, 7, and 8 of the House bill, embracing the coal-leasing provisions and regulations, were accepted by the Senate conferees without amendment.

All of the provisions of sections 15, 16, 17, and 18 of the House bill pertaining to phosphates, and now consisting of sections 9, 10, 11, and 12 of the agreed bill, were accepted by the Senate conferees with an amendment authorizing the sale of phosphate deposits within the discretion of the Secretary of the Interior and upon competitive bidding.

Section 13 of the agreed bill, dealing with the general oil provisions, was accepted by the Senate conferees without a change. It was section 9 of the bill as it passed the House.

Section 14 of the agreed bill makes one substantial modification to the bill as it passed the House, to wit: It provides for a patent to one-fourth of the permit as distinguished from a lease to one-fourth, as was provided by the bill as it passed the House. In both the House bill and the agreed bill a preference right was allowed to the applicant to lease the remaining three-fourths of the permitted area. It will be observed that in making this change the conferees provided an additional safeguard in compelling the Secretary of the Interior to lease the remaining area at competitive bidding, thereby insuring a proper preservation of the Government's interest. It will also be observed that the royalty may be not less than one-eighth, and it may be as high as the competitive bidding and other conditions warrant. This corresponds to section 10 of the bill as it passed the House.

Section 15 is a section not found in the House bill. Its insertion was made necessary by the modifications to section 14.

Section 16 of the agreed bill is accepted as it passed the Senate, being made necessary by the provision allowing a patent to one-fourth of a claim as a bonus to the locator. Otherwise the sections are substantially the same. The corresponding section of the bill as it passed the House was section 11 and section 14 of the Senate bill.

Section 17 of the agreed bill is a literal copy of section 12 of the House bill down to the proviso, with the exception that the area of land which may be leased through competitive bidding is raised from 640 acres to 1,280 acres. The provisos as contained in section 12 of the House bill are now inserted as a separate section and is in substance reenacted in section 18, and is a substitute for section 16 of the Senate bill.

Section 18 of the agreed bill is the so-called relief section. It embodies the substance of the provisos in section 12 of the House bill and sections 16 and 17 of the Senate bill. Section 18

preserves intact the Naval Reserves, subject to the pumping of wells already opened, which might be destroyed by the seeping in of water and other perils known to be damaging. It preserves all the oil intact unless the President, in the public interest, provides for the drilling by Executive order. The proviso to section 18 provides against monopoly in this: That no claimant shall be permitted to have a lease for more than one-half of any geologic oil or gas structure of a producing oil or gas field. The royalty for all oil or gas removed from the land prior to the passage of this act is fixed at one-eighth; for all subsequent production the amount is to be fixed by the Secretary of the Interior and in no case may be less than one-eighth and is without any maximum limitation whatever. Drastic provisions against fraud are incorporated and the legislation specifically provides that no claimant found guilty of fraud in any way shall participate in the benefits of this relief section.

Section 19 of the agreed bill deals with the subject matter provided for in section 28 of the House bill and section 17 of the Senate bill, and is in substance the same as section 28 of the House bill with one or two amendments. Section 19 of the agreed bill is the same as the provisos of section 28 of the bill as it passed the House with two unimportant amendments. The first seven lines of section 28 in the bill as it passed the House is now inserted in the agreed bill as section 35 without change.

Section 20 of the agreed bill is identical with section 14 of the bill as it passed the House.

Section 21, pertaining to Alaska, is identical with section 29 of the House bill, save and except one amendment providing against fraud and specifically providing penalties therefor.

Sections 22, 23, and 24 of the agreed bill pertaining to sodium are the same as the provisions of the Senate bill. The House bill did not contain anything on the subject of sodium.

Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 of the agreed bill are identical with sections 13, 19, 20, 21, 22, 23, 24, 25, 26, and 27 of the House bill, the Senate receding from all the corresponding provisions of the Senate bill.

Section 35, it will be observed, is identical with the first seven lines of section 28 of the bill as it passed the House and is a mere transposition. It deals with another subject and it was thought advisable to make it an independent section.

SUPPLEMENTAL STATEMENT DEALING WITH SALIENT FEATURES OF THE BILL.

Your conferees feel it their duty to make a general statement for the benefit of those who do not desire to make a critical examination of the several amendments. We feel such a statement will be helpful to those who want to arrive at a conclusion regarding this measure and who are not able to take the time to go into it in great detail. This bill makes possible the leasing, in whole or in part, of approximately 700,000,000 acres of public land, approximately 365,000,000 acres of forest reserve, 35,000,000 acres of coal land, 6,000,000 acres of oil land, and 3,500,000 acres of phosphate land. Under present law all of this land may be passed to patent, without Government regulation, without Government royalties, and without the receipt of any remuneration by the Government, excepting such purchase price as may be provided for the patenting of the same.

Sharp differences of opinion have existed as to the advisability of installing leasing legislation of any kind. But for many years the West has been practically tied up and no development had, due to the antiquated land laws that have been on the statute books and the strict interpretation of them, which has rendered them valueless, unworkable, and utterly impracticable.

The legislation provided for herein, it is thought, will go a long way toward the development of the West and of the natural resources of the West and at the same time reserve to the Government the right to supervise, control, and regulate the same, and prevent monopoly and waste and other lax methods that have grown up in the administration of our public-land laws.

In addition thereto, royalties and rentals are provided, so that the Government may not be passing to title the national resources without receiving something in return therefor.

Drastic provisions against fraud are provided in the legislation. No one found guilty of fraud can participate or take advantage of any provision under the proposed law.

This legislation is made necessary by certain withdrawals made by President Taft during his administration and later by President Wilson during his administration. Both Presidents Taft and Wilson and the Secretaries of the Interior under them have felt the necessity of passing this legislation. President Wilson has urged its passage in his annual messages, but due to differences of opinion between the House and Senate and to the advisability of adopting a leasing law it has been forced to wait until this time. The bill in substance as agreed upon has passed the House during three Congresses. It has had the support of Republicans and Democrats uniformly in the House. It has been fashioned with great care. The committee have had the benefit of assistance and counsel of the Departments of the Navy, Justice, Interior, and Agriculture. The committee has had written reports and personal presentations of it from the several departmental heads. Your managers on the part of the House feel that every interest of the Government, including the Departments of the Navy, Interior, and Justice, have been carefully conserved and protected. Your managers on the part of the House feel that, while they have not been able to grant all the oil claimants feel they are entitled to, the claims of each and every one have been carefully considered and that they have been afforded all the relief they are entitled to consistent with the public interest.

It is the thought of your conferees, and they are firmly of the belief, that the legislation is progressive legislation, that it is in the public interest, that it is along conservation lines, that it will help open and develop the West, and that it will break the deadlock that has existed in the West since the withdrawals of 1909.

The bill as agreed upon is the best judgment of your conferees, after six years of effort to secure its adoption, and is the best compromise that can be obtained.

The royalties accruing under this legislation are disposed of in the same manner and in the same form as in the legislation which has three times passed the House.

The House has unanimously passed this bill three times and its provisions have not been criticized by the public. The Senate has each time heretofore refused to accept either the policy or the substance of the House bill, but now, with the exception of a few amendments, which your conferees believe are eminently fair and which do not take out of the hands of the Government the right to preserve its interests, the Senate has accepted the House bill.

SCOTT FERRIS.
EDWARD T. TAYLOR.
JNO. E. RAKER.
W. L. LA FOLLETTE.
N. J. SINNOTT.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for an hour.

Mr. FERRIS. Mr. Speaker, I want to consume only five minutes and will ask the Chair to call my attention to it when I have occupied that much time. The first important change that is made in this second conference report is that instead of including Alaska in the bill we specifically exclude it, both for sale and leasing purposes. The next important change is in section 18. As the bill came before the House the first time and was agreed to here, section 18 provided for the payment of a royalty to the Government estimated on the net instead of the gross. Some very good men in the House and some in the Senate object to that feature, and objection was made. I think myself the objection was partially, if not all, good. We had tried to get our views in toto on this, but had conceded on it to get a report. We felt it was not vital as there was no maximum. We thought, however, that we had protected the rights of the Government fairly well, and that was the best agreement that we could get, by keeping the royalty open so that we could collect as much royalty as the Government elected to have paid, thereby preserving the interests of the Government. Be that as it may, under the present plan we figure on a royalty on the gross, and there is no maximum. We can take whatever royalty the Government elects to take, and we have modified it to that extent.

The first paragraph of original section 18 was stricken out by this last conference, wherein it provided that the President might make certain settlements. It was not stricken out on the theory that it was bad legislation, but on the theory that it might be in excess of the authority of the conferees and in the Senate that some critical objection be made; that objection might be made in the way of exceeding the conferees' authority. That paragraph, however, was originated by the Attorney General's office, who thought that it might be helpful, but we think under the general provision in reference to rules and regulations they can work out and accomplish that without the conferees taking any chances on exceeding their authority. So if you will refer to your original bill you will find that the first paragraph, section 18, as the bill appeared the last time, has been stricken out. If you turn over to page 18 of the present print, you will find we strike out the words "after first deducting the actual and necessary expenses of such production,"

which, of course, makes the claim of the royalty on the gross output instead of the net. I think the gentleman from Wisconsin had some objection to that and that that would meet with his approval.

Mr. STAFFORD. It certainly does.

Mr. FERRIS. We struck out the last paragraph of section 18, which provided that the Secretary of the Interior might make a compromise between the smaller claimants and the larger claimants. I personally think that paragraph should have been left in, because I think under some circumstances it might become necessary that the Secretary have that right, but there was some question as to whether or not we could clearly do that within the rights of the conferees. They have adopted a new rule in the Senate, as the House knows, which is a very critical one, and if any one objection were made it might be made on that proposition, so we struck it out and take no chance on it, feeling, under the general rules and regulations, it could be properly taken care of.

Now, in a word, this bill is the general leasing bill that has been before the House for eight years. It has had the approval of the House three times. The conference report was adopted the other day by a vote of some two to one, but we have had no vote in the Senate recently. There was some objection in the Senate. There were objections of Members who were opposed to a leasing bill at all, and for eight years there was a bitter controversy raging as to whether or not we should adopt a leasing policy in the West at all. So we have had great objection from two sources. Some Senators objected on the score that we were giving too little and some people holding that we were giving too much to the West. In response to that, I desire to say, after eight years of hard work and careful thought and careful consideration, having the benefit in our counsels at all times of Secretary Lane, the Geological Survey, the Bureau of Mines, the Attorney General's office, and the Secretary of the Navy, and Commander Wright, and others who have been called in, this represents the best judgment of all the committee; it is the best thought that can be had, and it sacrifices no public interest. For example, the areas are held to a small area. The royalty is without limit. Government can charge for the lands whatever it wants to charge. There is no limit, and the acreage is limited to a very small acreage, and the bill supplants the old antiquated system of placer leasing laws applied to oil and other leases that have grown antiquated and grown out of use, which ought to be abolished and ought to be repealed, and I think this bill, if a true verdict was put upon it, would be about 75 or 80 per cent perfect and about 20 per cent imperfect.

We have some things in this bill I would like for it to be rid of if I had my own way, but I think, as I say, this bill is about 80 per cent perfect, and I hope the House and Senate will go to it and make it perfect in any way they can. We should adopt this and get rid of the old antiquated land laws. They have outgrown their usefulness. The oil people think we are dealing scantly with them. They have some rights. The Government has rights. Both have long and faithfully been considered. This is a long step forward. It is our best judgment. The conservationists, so called, strong conservationists, feel that we have done too much for the West. It is one of the cases where the House and the Senate have got to be brought together on a reasonable basis. This has been done. Some men oppose it because we are too stingy with the West, and their position is stubborn and resolute. Still to them I say we must protect the Government. We must go forward; we must not stand still; we must not close our ears to those who know this subject and listen too attentively to those who do not know and proceeding on rumors. I think that has been accomplished. There will always be those who can make critical objections. There will always be those who are opposed to moving forward and in favor of standing still. For me and mine these old antiquated land laws should not stand any longer; new and better ones should have supplanted them years ago. They would have supplanted them but for opposition from outside sources who knew little of the subject. Mr. Speaker, I reserve the balance of my time, unless some gentleman wants to ask some question.

Mr. CRAMTON. Mr. Speaker——

Mr. FERRIS. I will yield to the gentleman.

Mr. CRAMTON. Mr. Speaker, I would want about 30 minutes for myself and other gentlemen on this side.

Mr. FERRIS. I will yield to the gentlemen that much time.

Mr. CRAMTON. And I will take five minutes for myself.

Mr. FERRIS. I will yield the gentleman from Michigan five minutes.

Mr. CRAMTON. Mr. Speaker, as the gentleman from Oklahoma [Mr. FERRIS] has said, this subject has been pending before the Congress for eight years. Now, when the calendars of the House and Senate are in the most congested condition that they have been at any time in the eight years, this measure comes before us making a final disposition of this subject, providing for the sale of all our coal deposits, the leasing of all of our oil and gas deposits and other deposits, and, more than that, the adjudication of claims amounting to many millions of dollars. Now, there is neither the time nor, I imagine, the disposition on the part of the House to take up an itemized consideration of what this measure really does. I want to direct the attention of the House to one or two general propositions that I think should be of interest. The conference committee report states that this measure "has had the support of Republicans and Democrats uniformly in the House. It has been fashioned with great care. The committee have had the benefit of assistance and counsel of the Departments of the Navy, Justice, Interior, and Agriculture. The committee has had written reports and personal presentations of it from the several departmental heads. Your managers on the part of the House feel that every interest of the Government, including the Departments of the Navy, Interior, and Justice, have been carefully conserved and protected. Your managers on the part of the House feel that, while they have not been able to grant all the oil claimants feel they are entitled to, the claims of each and every one have been carefully considered and that they have been afforded all the relief they are entitled to consistent with the public interest." In brief, we are given to understand that this measure you are about to vote upon comes before the House with the approval of the Interior Department, the Navy Department, and the Attorney General. Now, I want to impress this fact upon the membership, that for the last two years at any rate, to my own knowledge, the Navy Department, because of the great oil reserves they are seeking, and the Attorney General's department, because of the suits pending that amount to many millions of dollars, have given the closest possible attention to these measures. They were before our Public Lands Committee; they were heard at length; they submitted proposed amendments, and, in fact, I violate no confidence when I say when the House Committee on the Public Lands reported this measure a few months ago the report then was practically dictated by those departments and in accord with their wishes, and so, I think, was the measure the House then passed. You are given to understand the measure now before you is the same measure; but let me say this to you: That these departments that have spent months of time on this legislation, the Attorney General's Department familiar with the legal questions, the Navy Department familiar with their naval oil reserve problem, neither one of those departments to-day approves the bill that is now before you. I am stating a fact that neither the Navy Department——

Mr. ELSTON. Will the gentleman yield?

Mr. CRAMTON. In a moment.

Mr. ELSTON. I take issue with the gentleman on both of those propositions.

Mr. CRAMTON. In a moment I will be glad to yield. Neither the Navy Department nor the Attorney General's office to-day is approving the bill that is before you.

Now, the gentleman asks if I have authority. On February 14 it was stated in the Washington Times:

> After being six years in preparation the oil-land leasing bill is before the House and Senate to-day for final approval or rejection.
>
> Enormous pressure is being brought on Congress for the adoption of the conference report on the bill, and equally heavy pressure is being brought for its rejection.
>
> President Wilson, it was learned to-day, has cabled Secretary of the Interior Lane and Attorney General Gregory, urging them to settle their differences over what form the bill should take, and get behind the bill, so that it may be put through before the present Congress adjourns.
>
> NO CABLE TO DANIELS.
>
> Secretary of the Navy Daniels did not receive a cablegram from the President. He flatly denied the statement of the conferees that the provisions of the bill affecting the naval oil reserves had the approval of the Navy Department. He had never seen the section of the bill in question, he said, as it was agreed to in conference.

Now, that is only a newspaper report, but it has stood uncontradicted from February 14 to now, and the conferees have not and, in my judgment, they could not give to this House any statement of the Navy or the Attorney General approving this measure. Now, further, I wish to say that I was not content to leave this with the newspaper report. I made inquiry as late as yesterday at the Navy Department, and I asked them directly whether they had approved of this bill, and whether they now approve it, and they said to me——

The SPEAKER. The time of the gentleman has expired.

Mr. CRAMTON. I ask for five minutes more to conclude. There are gentlemen here seeking information.

Mr. FERRIS. I will give two minutes more.

Mr. CRAMTON. Five minutes more, Mr. Speaker. I am a member of the committee.

The SPEAKER. What does the gentleman from Oklahoma say?

Mr. FERRIS. I am trying to apportion the time. As I understand, they want 30 minutes on that side opposed to the bill, and I am perfectly willing to yield to the gentleman from Michigan [Mr. CRAMTON] five minutes, the gentleman from Wisconsin [Mr. STAFFORD] five minutes, to the gentleman from Pennsylvania [Mr. KELLY] five minutes, and five to the gentleman from Wyoming [Mr. MONDELL], but I will say that the rest of the time will have to be reserved for those in favor of the bill.

Mr. CRAMTON. I understand. The chairman is very kind.

Now, I was stating that I had made inquiry of the Navy Department, and I was advised on yesterday that the Navy Department had not approved this bill; that the amendments made by the conferees had not been referred to the department. Not only have the Navy Department not approved of the bill but they could not approve of the bill. Of course, I will say that the department has further stated that they have been heard at length before the House committee—if I may have the attention of the chairman, because I want him to know that I am trying to state the question fairly—and they stated further that they had had fair consideration in the House committee, which they did. They got it the way they wanted it. They have had a good hearing everywhere, and now the conferees have acted they did not care to start a campaign—I am not quoting their language—against the report of the conferees. They were not seeking to make trouble. They say that concessions have been made to them and the conferees have used their best judgment, but the fact remains that the Navy Department does not to-day approve the bill as reported by the conferees.

Mr. ELSTON. Will the gentleman yield?

Mr. CRAMTON. Now, further, as to the Attorney General's office. There I have not personally made inquiry, and I can only say to the House that on my best information I have stated the fact as it is.

Mr. ELSTON. Did the Navy Department state wherein they were dissatisfied with the settlement made by the conferees? I would like to have that question answered.

Mr. CRAMTON. I would have been glad if I could have gone into it at length and got their exact points of disagreement, but I would not have time to give it if I had it, as the time this morning is limited and the House would not listen to it. They did say they could not approve of a bill that took away so largely the Navy oil reserve.

Now, Mr. Speaker, I yield back the balance of my time.

Mr. FERRIS. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. ELSTON].

Mr. ELSTON. Mr. Speaker, I am greatly surprised at the statement of the gentleman from Michigan. He and I both attended the hearings before the Public Lands Committee, and we were there when the representative of the Navy Department testified. The gentleman knows the extreme concessions made by the representative of the Navy Department, and if he reads this bill he will see that not only everything the Navy then asked before the committee has been granted, but they have got more than they ever dreamed they would get.

Mr. CRAMTON. Will the gentleman yield?

Mr. ELSTON. I will.

Mr. CRAMTON. I want to submit that the Navy Department ought to know best whether the bill suits them or not. They say it does not.

Mr. ELSTON. The Navy Department is taking a very different course of action from what it did before the committee.

Mr. CRAMTON. I am not responsible for it.

Mr. ELSTON. Before the committee the Navy Department admitted that there were claims in the oil reserves in California which had to be recognized. They were perfectly willing at that time to make concessions for less than have been conceded to them. They were willing to take a relinquishment of all the claims of the California oil men and give them back practically an owner's lease upon a 25 per cent royalty, a better proposition than a man would get who owned the land. What do they get now? They go to these oil men and say: "Relinquish every claim you have; put it into our hands; give us an owner's royalty of one-eighth on all back production without any diminution, notwithstanding what you spent upon it, and as to all forward production, submit it to us. We will take the whole of it if we want to; we will take anything we please, from one-eighth up to 100 per cent." That is what they get. What more do they want?

Mr. CRAMTON. Will the gentleman permit a question? Is the gentleman in a position to contradict my statement that on yesterday and to-day, and ever since the conferees made this report, the Navy Department has not approved it?

Mr. ELSTON. It may be true that they are not willing to approve it, but if they are not willing to approve it they are acting in a very unconscionable way. They have come before us and they have said they are willing to take certain things, and they made certain, definite proposals. They submitted their demands and every demand they submitted was for less than they are getting now in this bill. What do they want? What is the situation now in regard to those claims inside the Navy Reserve? It is this: To the Californians they say, "Submit everything you have got, give it back to us, and we will give you whatever we please."

Under this bill the Secretary of the Navy can go to the President, who has to regulate the royalties on the claims given back by the Californians to the Government, and say, "Mr. President, we claim every bit of that oil. Give it to us." Whereupon the President can say to those people who have given up their rights, "The Government will take an eighth back of everything you have produced and it will take 90 per cent of everything forward."

That is the situation. We have been beaten down to absolutely nothing, and now we are in a position where our future rights rest absolutely in the discretion of the President. That is as much as the Navy could ask. I do not understand their attitude. They came before us, as the gentlemen of the committee will recollect, and made proposals for far less than they are getting now. I can not conceive what is the cause of their new attitude or how they can claim any more from the oil men.

Now look at the situation of the California oil men as compared with those of Wyoming. We went upon the public domain before there was a withdrawal of those lands. We spent millions upon millions upon those properties when it was perfectly legal to do so. Then they put the withdrawal order upon the land. Then the Government imposed a double hardship by another blanket order in the nature of a naval reserve.

It is not just. The Government is getting all that it is entitled to. According to most of the court decrees the California oil men are entitled to the whole of their claims. The Southern Pacific and the Associated Oil are not going to bring in their claims under this bill, so far as I know. The Southern Pacific has already won the title to its claim in naval reserve No. 2 by decree of the circuit court of appeals. They are not going to submit their claims to the Government.

Who are those who must submit to this bill? They are some 80 little operators in that naval oil reserve who have no money left. They have got to submit. They have been beaten down to the point where they say, "Take it all; give us what you will." They are broke. If the Navy wants the rest of it, they can take it under this bill. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. WINGO. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER pro tempore. The gentleman from Arkansas asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. MANN. On what subject?

Mr. WINGO. On the point of order.

Mr. MANN. The gentleman should not interject that into the midst of a conference report debate. In the end it will appear in this place. That is not orderly procedure.

Mr. WINGO. Mr. Speaker, I will withdraw my request.

The SPEAKER pro tempore. The gentleman's request is withdrawn.

Mr. FERRIS. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. FREAR].

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 10 minutes.

Mr. FREAR. Mr. Speaker, I call the attention of the House at this time to the remarkable spectacle just presented, when the chairman of the Committee on Appropriations, with one of the most important bills that can be found, came before us and was unable to get the attention of the House. No other committee can get the attention of the House, because the chairman of the Committee on the Public Lands insisted that this oil provision, this coal provision, this shale and phosphate provision, and everything else in this proposition, must have the right of way. When refused recognition by the Speaker, what did he do? He called for a quorum, and he got it, consuming the closing hours of the session by filibustering for this coal and oil bill.

Oh, Mr. Speaker, there is more in this bill than was suggested by the gentleman from California [Mr. ELSTON], who has

stated that 80 operators are interested in oil claims. There are over 100,000,000 people interested in it. There are many billions of dollars of oil and gas and phosphate, our natural resources on Government lands, contained in this bill, and there is more than that which we are practically giving away here in the closing hours of this session, if we vote for this conference report.

The gentleman from Oklahoma [Mr. FERRIS] suggested a moment ago to the House that the best judgment of the Attorney General's department and of the Navy Department is that this bill meets with their approval. I feel justified in saying it does not. Let me read from a man who calls this bill "public plunder." His statement has been placed in the RECORD time and time again, both on this side of the House and the other. Here is a telegram that Gifford Pinchot sent on February 26, only two days ago:

PHILADELPHIA, PA., *February 26, 1919.*

THOMAS W. GREGORY, Attorney General,
Department of Justice, Washington, D. C.:

I see you are quoted as favorable to the conference report on the so-called coal and oil leasing bill. There must be some mistake. Your patriotic and effective efforts to prevent injury to the Navy through legislation which like this would impair the naval petroleum reserves proves that I feel sure you would not want your name connected with this bill which undoes so much of your work, endangers the interests of the Navy, and leaves the people of the United States holding the bag. You have done too much to leave the rest undone. The belief in Congress that you favor the passage of this bill is a powerful factor in its favor. It ought to be corrected for it might well be decisive. I urge you to let your true position be known.

GIFFORD PINCHOT.

That is a letter from Gifford Pinchot to your legal adviser, your Attorney General Gregory, let me say to my friends across the aisle, the Attorney General of the United States.

Mr. MAYS. Mr. Speaker, will the gentleman yield?

Mr. FREAR. No; I can not yield until I get through with my statement. And here is Attorney General Gregory's answer, under date of February 26. Remember only two days ago the legal adviser of the Government wired this reply:

WASHINGTON, D. C., *February 26, 1919.*

GIFFORD PINCHOT,
1218 Real Estate Trust Building, Philadelphia, Pa.:

In reply to your Western Union wire of 26th. No one can truthfully say that I have favored the conference report on the so-called coal and oil leasing bill. Members of both Houses of Congress are aware of the fact that I have declined to advocate its passage.

THOMAS W. GREGORY.

Here is the opinion of the Attorney General of the United States, and he is supported by the opinion of the Secretary of the Navy. I will not read Secretary Daniels's statement, but will insert it in the RECORD. With those two Cabinet officers refusing to advocate the passage of this bill or to favor it, it has been forced in here, and how? By the chairman of the committee, one of the leading Democrats in the Congress, at the expense of every other proposition. It is forced in here by what influences, I ask? What do you think of the position of the Secretary of the Interior, who is pushing this bill, when, against the action of the House of Representatives and of the United States Senate, the conference committee was permitted to insert a provision regarding the coal lands of Alaska? No conference committee has power to legislate, and it was stricken out in the Senate, but what can we think of turning over all the coal and oil lands on Government lands in this country and Alaska to such officials? I have no personal imputations of bad faith to make, but of inexcusably poor judgment. What do you think of taking these coal and oil lands belonging to 110,000,000 of people and turning them over to one man to administer, who may patent or lease them at his option, no matter what his action may be?

I remember very distinctly, Mr. Speaker, that the one issue that defeated the last Republican President of the United States as much as anything was the issue of the Cunningham claims, when Ballinger was Secretary of the Interior. They were insignificant claims comparatively, but here you have ten times, yes, one hundred times as much property involved belonging to the people of the United States, and in these closing hours of the session extraordinary efforts are being made to railroad this bill through Congress.

All the coal and all the oil substantially remaining in the people is out there in the tracts of land covered by this bill. I sympathize with those 80 men in California who have unadjudicated rights, but, as I said, over 100,000,000 people are interested in these natural resources, and their rights are involved in this bill.

Mr. ELSTON. Will the gentleman yield for a moment?

Mr. FREAR. The gentleman has had his time.

Mr. ELSTON. I would like to have the gentleman point out——

Mr. FREAR. I have not time to point out. I will say that $35,000,000 is held in escrow to-day for men—some of whom were dummy men—who sold their holdings. The hearings show it. Now as far as the 80 people in California are concerned, we would be glad to relieve them, but there are more than these 80 men involved. The Standard Oil Co. is much interested in this. In many States its interests are found entrenched everywhere. It has the same rights as private people and is entitled to proper protection, but the Standard Oil Co. has been interested in the National Security League, which declared this Congress disloyal. Its contributions were liberal, and I can not consent that this coal and oil money shall be used for that purpose any longer. Not with my consent. Let me say to my friends who are pressing this bill, your party on the other side of the aisle has just put through a $33,000,000 river and harbor bill that does not sound well to the people of this country. It is extravagant and wasteful. There is an effort here to put through a $60,000,000 public building bill that is worse in character, if that could be. Here is an oil and coal leasing and patenting bill that takes away the natural resources of the people of this country. You are proposing, practically, to give them away, because the big interests will bid them up and control them as has always been done in the past. The chairman of the Committee on the Public Lands smiles at that statement. I modify that, and I want to say that in his bill before us he provides that 2 cents a ton on coal must at least be reserved by the Secretary of the Interior. That is a postage stamp. I forgot that, but offer the correction. I want to say, Mr. Speaker, to the House and to the country, that the people will look below the surface of this bill. They know what is involved. They know we are taking away the last of their natural resources. The Secretary of the Navy, who wants the greatest navy in the world, asks us not to yield up all the Government oil lands. Can we conceive any more preposterous proposition before the Congress than to have an administration that insists on the greatest navy in the world yielding up all these coal and oil lands to private speculation? And that is only one feature of the bill. It is the coal and the oil and the phosphates and all these natural resources that we are asked by this bill to give up.

Mr. ELSTON. Will the gentleman show how the Government yields up any oil lands? The Government can take them all if it wants to. It can take 100 per cent of them if it wants to. The gentleman ought to read the bill.

Mr. FREAR. I have read the bill. I have not a particle of personal interest in this matter except the public interest. I know the men who are most interested in this bill are here, and the lobby is here, but it will be a grave mistake for this Congress to give up these valuable lands.

I insert herewith a few statements regarding the opinion of responsible authorities on this bill, or the bill which involved the same fundamental principles:

[From Senator HUSTING'S minority report.]

According to statements made by officials of the Departments of Justice and Interior, 66⅔ to 75 per cent of the oil lands in dispute would pass under this bill to a few powerful oil companies, including the Standard Oil Co. It is therefore not a small man's relief measure, and while Congress should not hesitate to grant relief to the Standard Oil Co., or any other large concern, as well as to the impecunious individual, where relief is due, the fact that such large and powerful interests are fostering and financing the persistent efforts to push this measure through is at least to be taken as a warning against hasty action and against too great reliance upon the voluminous assurances and the pathetic appeals which fill the printed hearings.

It is believed that the existing law, applied in an orderly manner by the courts to facts obtained through sworn evidence, will in practically all cases afford all of the protection which equity and good conscience require of the Government. There may be some few cases in which legislative relief would be justifiable. When the facts of those cases, as found by the courts, have been brought to the attention of Congress through the Department of Justice, Congress will be able to grant such monetary relief as each case demands, or pecuniary compensation for improvements honestly though unlawfully but mistakenly made. The effect of this present bill and the evident purpose of the Oil Industry Association in advocating its passage is to grant away the entire subject matter because a small part of it is claimed in circumstances which seem to make a moral appeal.

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[From the hearings, Sixty-fourth Congress, pp. 427, 428.]

WASHINGTON, D. C., *April 18, 1916.*

MEMORANDUM FOR THE ATTORNEY GENERAL.

On April 10 you requested that I submit a brief statement showing what effect the bill (H. R. 406) passed by the House would have on the oil lands in California and Wyoming which are under investigation by the Department of Justice; the character of claims that would be covered by the legislation; the extent of the relief that would be granted; the value of the property affected; and like information, if the bill, as amended and passed by the Senate, should become a law; and like expression of my views if the bill, as amended by the Senate committee, should be enacted into law.

THE LANDS.

Of the lands in California investigated by the special agents, under the arrangements between the Department of the Interior, the Department of Justice, and the Navy Department, reports now in show that 40,810 acres are reported on adversely, exclusive of the Honolulu lands, referred to hereafter. Of these lands 24,053 acres were entered upon by persons who were not protected against the order of withdrawal, or by the provisions of the Pickett Act; and 19,773 acres of such lands are reported to have been entered by persons who claimed fraudulently by employment of the names of dummy entrymen, with the view of acquiring more lands than allowed to be acquired under the acts of Congress. Some of the 24,053 acres is included in the 19,773; that is, as to some of the lands it is reported that dummies have been used, and also that the lands were entered upon after one or both orders of withdrawal. Adverse proceedings have been directed by the Commissioner of the General Land Office as to 17,642 acres, and hearings have been applied for as to 9,990 acres of these lands. As to 3,855 acres, I have not been advised whether hearings have been ordered by the commissioner or not.

THE VALUE OF THE LANDS.

The value of the 40,810 acres is about $50,000,000. In addition there are over 2,700 acres of land reported by the special agents to be adversely affected on account of the order of withdrawal, but claimed by the Honolulu Consolidated Oil Co., and proceedings with respect to which are pending before the Secretary of the Interior. Including the Honolulu lands, the total value of the lands in California reported on adversely by the special agents is $55,000,000. Valuable and extensive oil lands in the Salt Creek oil fields, in Wyoming, were also entered upon in violation of the order of withdrawal of September 27, 1909, and will be affected as the California lands referred to.

In addition there is involved in the controversies the value of many barrels of oil extracted from the lands and converted, or yet on hand held by the receiver appointed by the courts in suits brought by your department. The quantity of oil produced before the receiver was appointed can not be determined until an accounting is had.

BENEFICIARIES OF PROPOSED LEGISLATION.

From 66⅔ per cent to 75 per cent of all the lands referred to above as having been reported upon adversely are controlled by a few large interests, among them the Chanslor-Canfield Midway Oil Co., the operating company of the Santa Fe Railroad Co., and the Standard Oil Co.

The Secretary of the Navy, on February 9, 1916, concluded his testimony before the Senate Committee on Public Lands by saying:

I wish to as earnestly as possible impress upon you our conviction, in which not only the Navy Department joins, but the Department of Justice, that this oil land having been set apart for the Navy belongs to the Navy; that this leasing bill would take away from the Government that which in time of peril might change the tide of war; that these gentlemen who have equitable or legal rights should be remanded to the courts or to the regular department of the Government to have their rights tested.

In a letter to Senator Tillman, chairman of the Committee on Naval Affairs, dated February 17, 1916, Secretary of the Navy Daniels, opposing efforts to lease lands in the naval petroleum reserves, said in part:

These reserves were relied upon when the policy of building oil-burning ships was adopted, and now that we have a large and increasing number of ships that depend solely upon oil for fuel it is of the utmost importance that the rights and needs of the Navy be not overlooked in the effort to relieve claimants of oil lands. * * * The Navy Department does not desire to produce oil from the naval petroleum reserves at the present time and does not want the oil converted into money at any time, but does want the oil conserved under ground, where it may be stored without cost and free from loss or evaporation until the decreased production and the increased market price renders its production and use desirable.

In an address before the American Mining Congress in February, 1916, the Assistant Secretary of the Navy Roosevelt, in part, said:

If private individuals have valid claims on these lands, they must be adequately compensated for these claims, but they must cease to remove oil from these lands.

Secretary of the Navy Daniels said, in testifying before the Senate Committee on Public Lands, February 9, 1916:

* * * In pursuance of a long and earnest effort to secure oil for the Navy we are now building all of our ships in the Navy to burn oil. The advantages of oil burning over coal is so very great that, if there is any policy of practical conservation of oil that can be adopted, I think it is entitled to be put through, especially in view of the plans of preparedness we are now discussing. * * * Every battleship we build now increases the demand by 90,000 barrels per year. Every destroyer we build increases it 20,000 barrels. So, considering the 9 battleships and 17 destroyers authorized to be added to the fleet, the annual consumption of fuel oil will be about 1,760,000 gallons, without counting auxiliaries. That is in time of peace. In times of war it is estimated that it would amount to 5,000,000 barrels. * * * Our country is the greatest oil-producing country in the world, and yet I apprehend, if this bill passes (Phelan bill), before the lives of these ships are ended this country will be in the position of having oil ships and no oil, except at the very high prices that will prevail. * * * Of course the Navy Department has no disposition to deny any man his legal right, but Uncle Sam is also entitled to consideration.

He later on in the same testimony said:

* * * No part of the program for preparedness is of more importance than the providing of an adequate supply of fuel oil for the Navy.

In a letter to Senator KEY PITTMAN, chairman of the special joint conference on Public Lands, dated December 23, 1916 (hearings, p. 104), Secretary of the Navy Daniels said:

My opinion has always been and still is that whatever equities or rights these claimants (naval petroleum reserves) have should be determined through court proceedings which have been or will be instituted, and that it would be highly inadvisable to put an end to all such court proceedings and determine these rights and equities or ex parte evidence. * * *

* * * I am advised that many of the claimants have no rights enforceable in any court of law or equity and that they maintained possession in most cases by force or intimidation. The prospective prize was so rich that their successors by purchase or lease invested large sums of money in the development of these alleged claims in defiance of the law. These men are now asking Congress to give them, at the cost of naval efficiency (which means at the cost of the national security), that to which they have no legal or equitable claims, and it is my understanding that this proposed remedial legislation is calculated to accomplish this result. I consider it to be the duty of the Navy Department to make every effort to fully protect whatever rights the Navy secured through the action of the President in setting aside these reserves for the exclusive use of the Navy, and as the head of the Navy Department I wish to make known my unalterable opposition to any measure that could have the effect of depriving the Navy of the reserves so created.

With the largest Navy in the world under construction and enormous quantities of fuel oil in prospective demand, why has the Secretary of the Navy remained silent on this bill, which gives our public oil and coal fields over to private speculators?

This is the latest official utterance on the subject which I have just presented to the House:

PHILADELPHIA, PA., *February 26, 1919.*

THOMAS W. GREGORY,
Attorney General, Department of Justice,
Washington, D. C.:

I see you are quoted as favorable to the conference report on the so-called coal and oil leasing bill. There must be some mistake. Your patriotic and effective efforts to prevent injury to the Navy through legislation which like this would impair the naval petroleum reserves proves that I feel sure you would not want your name connected with this bill, which undoes so much of your work, endangers the interests of the Navy, and leaves the people of the United States holding the bag. You have done too much to leave the rest undone. The belief in Congress that you favor the passage of this bill is a powerful factor in its favor. It ought to be corrected, for it might well be decisive. I urge you to let your true position be known.

GIFFORD PINCHOT.

WASHINGTON, D. C., *February 26, 1919.*

GIFFORD PINCHOT,
1218 Real Estate Trust Building, Philadelphia, Pa.:

I reply to your Western Union wire of 26th. No one can truthfully say that I have favored the conference report on the so-called coal and oil leasing bill. Members of both Houses of Congress are aware of the fact that I have declined to advocate its passage.

THOMAS W. GREGORY.

The SPEAKER. The time of the gentleman has expired.

Mr. FERRIS. I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, there are certain provisions of this conference report that I can not approve. Some of them are as follows: First, I object to it because it is not exclusively a leasing bill as it pretends to be. So far as the coal features of the bill are concerned, it is an unwise extension of the present sale law. It does not deal fairly with present claimants and locators of oil lands, particularly those outside of rich proven territory, who are mostly men of small means. This failure to do justice in these cases affects not only the locators and claimants but thousands of small investors in the stock of such properties.

The plan of competitive bidding, of bonuses and royalties, is not fair to present claimants or future developers of limited means, and will inevitably give an undue advantage to large interests.

The provisions of the bill relative to future operations are unduly restrictive, are not clear or definite in all respects, and will not, in my opinion, be found to afford a wholly satisfactory or workable plan for equitable development.

The provisions of the bill relative to the disposition of the funds arising from bonuses and royalties are grossly unfair to the States containing large acreages of lands that will become subject to the law. It does not afford them any revenues to compensate them and their communities for the very great loss they will suffer by reason of permanently retaining vast areas of valuable lands from taxation.

With the exception of these objections and a number of others that I could state, had I the time, there is some virtue in the bill. [Laughter.] The people I have the honor to represent, and the people generally of the country affected, are in such a desperate condition now as regards oil development, so utterly unable to carry on their operations and developments, owing to the hostile and unfair attitude of Government bureaus and departments, that they are willing to accept the bill as the only way out of an intolerable situation. They prefer this bill rather than no legislation. Therefore, having voiced my objection to these provisions, I shall not object to the adoption of the conference report. I still entertain the hope that in the no distant future we shall be able to secure amendments that will cure at least some of the objectionable features of the bill.

Mr. FERRIS. I yield five minutes to the gentleman from Washington [Mr. LA FOLLETTE].

Mr. LA FOLLETTE. Mr. Speaker, I have listened with much interest to some of the objections that are being made to this proposed legislation. I have heard the statement here that this bill is in the interest of the Standard Oil Co. and other great corporations, and I give the gentlemen who make these statements credit for being honest and for believing what they say, but I believe they are absolutely wrong; and I want to say—and I think I say it advisedly—that if they were in the pay of the Standard Oil Co. and the Colorado Fuel & Iron Co., or some other so-called big interests of this country, they could not take a better course for the benefit of those great corporations than they are taking on the floor of this House. This is the best-guarded bill against monopoly that has been presented to the House during the eight years I have been a Member, and I bar no bill on any subject.

Mr. LITTLE. Will the gentleman yield long enough to tell us about that 2-cent-a-ton provision for coal?

Mr. LA FOLLETTE. I have not the time to go into that. If there is anything wrong with that it can be amended at any time. It does not cut any figure.

Mr. FERRIS. That is only the minimum.

Mr. ELSTON. The Secretary of the Interior fixes it.

Mr. LA FOLLETTE. It is only a minimum to cover administrative expenses. The Secretary of the Interior can make it a dollar a ton if he wants to. How could your lessees compete if charges were made high? But I want to say that ever since the wild hysteria for half-baked reforms struck this country some 10 or 12 years ago the West has been penalized and in some respects paralyzed thereby. Gentlemen who are honest in their endeavors to benefit the whole United States and to keep some of our great resources from getting into the hands of monopolies have made it possible for the then and present monopolies to penalize and put burdens upon the people of the West they should not be compelled to bear. In the coal States, where there are millions of acres and billions of tons of coal, the people are paying more for coal than some of you have to pay back here in the eastern country where you are much farther from the coal than they are in those States. The Colorado Fuel & Iron Co. have 100,000 acres, and probably very much more, coal lands in the State of Colorado, and because of their monopoly and because of the inability of the people to get permission to mine coal on the public domain or to purchase coal lands, the Colorado Fuel & Iron Co. are selling coal to the little villages of that State at $6 or $7 a ton, when there is enough coal in Colorado undeveloped to last the United States for 500 years, and three or four dollars a ton there should be a high price. They can not mine an acre of it on account of withdrawals and drastic construction of the laws that have been passed, thus taking it out of the reach of developers.

The Interior Department, carrying out the ideas of Mr. Pinchot and a few extremists, who might be right in theory but who know nothing about the practical working of their theories, has placed the value so high on coal lands in that country that nobody can buy or operate them.

Mr. Speaker, it is a singular thing that those who oppose this legislation seem of the opinion that all of those attempting to develop resources under it will be looters, malefactors, and plunderers of the public, and the administrative officers their aids and abettors.

If their ideas could be carried into effect and become law all of those attempting to work under it would, of course, be honorable men and above reproach and the administrative officers would always construe laws in the public interest and the millenium would be at hand. For 10 years the West has suffered, while these gentlemen have attempted to pass their ideas in shape of laws so extreme that Congress has refused to enact them. Mr. Speaker, I can go into some States within 500 miles of this Capitol and buy coal land for $10 an acre with 9 feet of coal underlying it in veins, and $200 per acre is asked in some cases in the West, where there is no better coal or thicker veins than there are in the States I refer to. It is an outrage on the western people. If you really understood the conditions you would prevent it by sane legislation, and this is the sanest of anything that has come before the House of Representatives in the last 10 years. It is trying to give an opportunity to work out and dmonstrate whether ideas of leasing are practical, and at the same time it allows sales so safeguarded that no one can get an acre that way if your officers think it is for the best interests of the country that the lands applied for should be leased. All I ask, gentlemen, is that you do not listen to the extremists and kill this bill that promises relief and is the best that has come before the House of Representatives in a decade, taking it all in all, and promises to settle the questions that have agitated the public mind for the last 10 years. Congress will be in session hereafter, and if it finds this law is not working well it can amend it. [Applause.]

Mr. FERRIS. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker, the gentleman from Washington [Mr. LA FOLLETTE], who has just spoken, says that if the people understood this bill they would request its passage. I agree with him to this extent, that if the people understood this measure before us there would be an uprising of the people in righteous indignation against those who plan to give away countless billions of dollars worth of their property.

Mr. Speaker, it is an ill time to act the spendthrift with the possessions of the people. Americans are at bay before the high cost of living. They are pinched by high taxation. These resources covered by the provisions of this bill are fundamentals of life. They have been monopolized by private interests and toll has been taken from every man, woman, and child in the United States.

Mr. Speaker, there has been a steady and dangerous trend to monopolization of the natural resources of America. Private interests have compelled those dependent on these natural resources to pay tribute to the monopolist. Are we now to give new privileges to those who have exploited the people in the past? Will Congress put new powers in the hands of those who have grossly abused the powers already possessed?

Here are some of the facts by which to judge the situation. The Thirteenth Census report has the following report of the anthracite coal industry:

> The 11 mining concerns affiliated with railroads reported 84.4 per cent of the total coal land in 1909, 75.7 per cent of the total output of anthracite, and 78.2 per cent of the total number of wage earners.

The Thirteenth Census gives the following concerning the oil industry:

> In 1909 there were 7,289 producing operators of petroleum and natural gas and of these, 24, or three-tenths of 1 per cent, controlled 9,322,938 acres, or 66.3 per cent of the entire acreage of oil and gas fields, while 19 operators produced 46.2 per cent of the aggregate value of products.

The Bureau of Corporations in its report of 1914 on the lumber industry says:

> One thousand six hundred and ninety-four timber owners hold in fee over one-twentieth of the land area of the entire United States from the Canadian to the Mexican border. In many States these 1,694 own no land at all. In the 900 timbered counties they own one-seventh of the area.
>
> These 1,694 holders own 105,600,000 acres. This is an area four-fifths the size of France; or greater than the entire State of California; or more than two and one-half times the land area of the six New England States. Sixteen holders own 47,800,000 acres or nearly ten times the land area of New Jersey.

As to water power, Commissioner of Corporations Smith, in his report on "Water power development in the United States," stated that a large proportion of the water powers is owned by a few large capitalists. Thirteen companies controlled at the time of his report 1,825,000 horsepower, or more than one-third of the entire development of the United States at that time. Since then the centralization has greatly increased.

Now, Mr. Speaker and gentlemen of the House, in the very face of such dangerous control already obtained by private interests over the natural resources of America, we have this proposal to give away all that remains in the hands of the Federal Government.

Why, just think of the sums involved. This bill applies to some 450,000,000,000 tons of coal. Section 2 makes it possible for any speculator to force the Government to sell him lands, and he can secure 2,560 acres of coal lands at a nominal sum.

The oil and gas resources covered by this bill, as submitted by the conference committee, are worth many billions of dollars. They belong to all the people, but under the operation of this measure they will pass into private ownership.

Take the phosphate lands alone. There remain in public ownership 20,000,000,000 tons, according to the Senate report. It is worth $4.50 a ton, or $90,000,000,000. There is enough money involved in this one item, little discussed, to pay all the expenses of America in the great war twice over; and still we talk of giving away such national assets.

We have just listened to the statement that the Secretary of the Navy does not approve this bill. We have heard the letter of the Attorney General emphatically declaring his opposition.

I call attention to the fact that another Cabinet member, the Secretary of Labor, is on record many times as being absolutely opposed to the principles of this measure.

He has a right to be heard, for he has been urging for five years the development of these natural resources through community settlements of workers.

In his report for 1918 he says:

> Mineral land which may be utilized as an opportunity for the employment of American soldiers now returning consists for the most part of the coal fields which still remain in the public domain.

The Secretary of Labor goes into details in giving his plans for developing mining communities and forest communities, so that American soldiers and workers shall have permanent opportunities for constructive employment.

Now, this conference report would deprive these Americans of this opportunity. It runs counter to the expressed desire of the heads of at least three great departments of the Government. It brazenly proposes to give away national assets to the value of hundreds of billions of dollars so that a few private operators may build still stronger and firmer and more menacing their monopoly control of natural resources for the exploitation of all the people. [Applause.]

Mr. Speaker, I believe that this report should be defeated now, and that we should take time to enact a measure which will mean real development for the public welfare, and not a surrender of the property and resources of the American people. [Applause.]

Mr. ELSTON. Will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes.

Mr. ELSTON. Has not the gentleman voted for this bill three times before?

Mr. KELLY of Pennsylvania. No; I have not.

Mr. ELSTON. The bill has passed the House three times before.

Mr. KELLY of Pennsylvania. The coal-leasing proposition was never carried in the bill, and I never voted for it.

Mr. FERRIS. Mr. Speaker, how does the time stand?

The SPEAKER pro tempore (Mr. WINGO). The gentleman from Oklahoma has 17 minutes remaining.

Mr. FERRIS. I think there must be some mistake. Several who have had five minutes time have yielded back time.

The SPEAKER pro tempore. The timekeeper at the desk says the gentleman has 17 minutes remaining.

Mr. FERRIS. Mr. Speaker, I yield to the gentleman from North Dakota [Mr. BAER] three minutes.

Mr. BAER. Mr. Speaker, I want to say that I do not know the history of this bill. I know that the gentleman from Oklahoma [Mr. FERRIS] has been advocating this bill for some time. I do know that when this bill first came before this Congress there was a very little group of us who voted against it, including the chairman himself, Mr. FERRIS. The last time the bill was up 106 Members voted against it, including the minority leader of the House, Mr. MANN. I believe this bill is going to lose out at this time, at least I hope it will.

It takes, for instance, one great natural resource, coal, and allows it to be sold at a minimum of 2 cents a ton. In North Dakota the people have been trying to obtain legislation for years to develop this great natural resource. Legislation has now passed whereby the State can develop some of our lignite. If we give it away, the municipalities or the States will not have any chance to develop it, because these exploiters and despoilers of our natural resources will come in and buy it up before the people wake up. It will absolutely alienate every bit of our natural resources from the States, and thereby remove from them the opportunity through their sovereign power to develop these sources of wealth themselves. It is a disguised gift of our natural resources to monopoly and the most pernicious piece of national exploitation ever passed in Congress. It is a complete surrender of our natural resources to wealthy exploiters who have been looting our public lands for years.

I would like to see some legislation initiated which is not drawn up by bureaucrats who are assisted by paid corporation lawyers of the exploiters of this country.

The SPEAKER pro tempore. The time of the gentleman from North Dakota has expired.

Mr. FERRIS. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, it is an easy thing to wave one's arms and denounce this or that man in these days. People who indulge in that kind of thing all too frequently find an audience. But what are the facts in this matter? Long before there was a single withdrawal of public land from entry the men in the West, under the then existing laws of the United States, went upon the lands of the Government, the public domain, and began to explore for oil and other natural resources. They had expended great sums of money in the development of their claims when the President of the United States withdrew the land from further entry. It was withdrawn from the public domain. These men who had their money invested were left high and dry. Congress, recognizing the fact that it was unfair to these men who had in good faith invested their money, passed a bill to give them relief. That bill was known as the Pickett bill. It did not accomplish all that it was intended to accomplish, but the claimants were given a day in court to establish the validity of their locations. Before many months had passed there came a change of government, and the new Secretary of the Navy covered a great tract of this land into what he called a naval reserve. These people in California have been trying for years to get their rights. They were on the land in accordance with law long before it was withdrawn and long before the naval reserve was created. The Secretary of the Interior passed many of the claims to patent. They were held up by the present Secretary of the Navy and the present Attorney General. Finally the Secretary of the Interior, at the request I am told of the President, withdrew his order passing the claims to patent. These people are anxious to get a settlement of some kind. I assert that if a private individual had treated them as the Government of the United States has treated them that individual would have been denounced from one end of the country to the other as a robber and a scoundrel. These people in all honesty, believing that the faith of the United States was behind them, put their money into these ventures.

The gentleman from Pennsylvania [Mr. KELLY] rises in wrath against these people. What would Pennsylvania have been able to accomplish if her oil lands and coal lands had been tied up by some earlier Secretary of the Navy? [Applause.] What would have happened to Pennsylvania if the executive department of the Government had tried to do that in the early days when Pennsylvania developed oil and coal? Fortunately we had officials who respected the rights of the individual, even as against the Government of the United States.

This conference report is not all that the people of the West would like it to be. It does not go far enough, but it is the best that they can get. They are trying now to wind up the trouble they have had in developing these resources in the West. Would there have been a single resource developed if the Congress of the United States had had to appropriate the money to develop them? Not a dollar would have been secured from Congress to drill a hole in the ground in a speculative chance of striking oil. It was private capital that developed those resources, and private capital that was honestly invested under the then law of the land at least ought to be protected. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from California has expired.

ORDER OF BUSINESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 1.30 o'clock p. m. in order to give the Members of the House an opportunity to view the parade of the returned soldiers.

Mr. MANN. Mr. Speaker, might I make a suggestion there? Will not the gentleman from Kentucky [Mr. SHERLEY] report the deficiency bill, so that Members will have a chance to look at it?

Mr. SHERLEY. I would be very glad to do that. I instructed my clerk to have a lot of copies printed, and they are printed.

Mr. MANN. I managed to get a copy of it awhile ago, confidentially and secretly, with the statement that the gentleman from Kentucky [Mr. SHERLEY] did not desire them delivered until the bill was reported.

Mr. SHERLEY. Oh, that was a misunderstanding or a misstatement.

Mr. MANN. It must have been a misapprehension.

Mr. SHERLEY. Because I expressed the desire that they should be delivered to anyone who wanted them. Mr. Speaker, by direction of the Committee on Appropriations, I present the third deficiency appropriation bill (H. R. 16187; H. Rept. No. 1148).

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The SPEAKER. The bill is referred to the Committee of the Whole House on the state of the Union and reported printed.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Wisconsin reserves all points of order on the bill.

RECESS.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House stand in recess until 1.30 o'clock p. m. Is there objection?

There was no objection.

Accordingly (at 12 o'clock and 59 minutes p. m.) the House stood in recess until 1 o'clock and 30 minutes p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] is recognized for 17 minutes.

Mr. FERRIS. Mr. Speaker, I would like to have that much time, but I think there has been an error made in regard to the time. I think some of that time has been used. I feel it my duty to call attention to that fact.

The SPEAKER. The gentleman has nine minutes.

Mr. FERRIS. I think that is correct, Mr. Speaker. Mr. Speaker and gentlemen of the House, of course there are not very many here. I am sorry the gentlemen who heard the other speakers can not hear what I have to say, because I have given a lot of study to this legislation and am anxious to get the facts straight. This bill practically in its present form, with some minor changes and some concessions to the Senate, none of which I feel are vital or in any way sacrificing the interest of the Government, has passed the House with the support both of the Democrats and Republicans, and with the support of all the departmental officials who had studied and were well informed about the subject. About a week ago it passed the House by the vote of 232 for to 109 against, and the things which were then urged as objections have since been eliminated by the second conference, to wit, we now figure the royalty on the gross production instead of on the net production. I felt that the other procedure was not absolutely objectionable, because there was no maximum and the department could make the royalty as high as they desired. The Interior Department tells us they could protect the Government interest under that, but I do say I agree with the gentleman who opposed it that the bill is much better now in that respect than before, because I think that is the normal and regular way of collecting royalty. This is the way it is done in private transactions, and it seems to me we should preserve every safeguard for the Government. The second objection made was that we had Alaska in for the same method of leasing that was accorded the States. My own notion is that Alaska, remote from civilization and with troubles about transportation, markets, and so forth, ought to be on the same plane, and I think with our $40,000,000 investment in Alaska in the Government railroad it is very foolish not to put it on the same plane; but the objection has been made and fears have been made manifest that there might be some trouble in reference to the Cunningham and Guggenheim claims, and so forth; so in deference to the objections in the Senate, in deference to those here objecting, that has been eliminated. The gentleman from North Dakota [Mr. BAER], the gentleman from Wisconsin [Mr. FREAR], both very estimable gentlemen, got up here and railed against this bill because it provided for a 2-cent royalty on coal. Frankness, I think, would have demanded of them to have said that was the minimum royalty above which the department could go as high as they like. If they wanted to make it $1 or to make it $2, or whatever they desired, they could do so; it is a minimum with no maximum. No man can say what the royalty should be on lignite coal far remote from railroad facilities. No one can say what the royalties should be on coal way back where they can scarcely afford to mine it at all, so that the gentlemen of the Geological Survey, the gentlemen from the Bureau of Mines, the gentlemen from the Interior Department, the Department of Justice, and those who have to do with it, thought we should put the minimum and no maximum. We followed that course. It is in the bill now. It is all in the Government's hands. They can protect it under the new proposed legislation, whereas they can not as the law now stands. Of course, my friends who have spoken against the bill have felt keenly about it. They have received letters from people who either have extreme views on the subject or who do not know what the situation actually is. Now, I do not want to get into any quarrel with anybody about it. The gentleman from Wisconsin [Mr. FREAR] for some reason seemed to try to take some sort of a fling at me. This is not a personal matter——

Mr. FREAR. Will the gentleman yield?

Mr. FERRIS. I do.

Mr. FREAR. I desire to apologize for anything I may have said if the gentleman feels that way.

Mr. FERRIS. I am proceeding in perfect good humor. The gentleman is all right. I have no objection to what the gentleman said; I am not thin skinned. I am not taking offense at anything he has said about me. The gentleman has some positive views on river and harbor bills and has presented them here at very great length, and I have no doubt has accomplished some good in their presentation. It is proper to have both sides of this proposition presented. The gentleman from Michigan [Mr. CRAMTON] very ably presented his side. The gentleman from Wisconsin presented his, and what I do say is that the men who have studied this legislation, both in Congress and out, know, and know very well, this bill is the best bill that can be gotten through Congress at this time. There are very few honest men who, if they will proceed carefully to study this bill, but what will say that this bill supplants a very defective system of the old land laws that should have been supplanted years ago. Some one has said here we are giving away the public domain. The slanderer in his finest fettle never uttered a more untrue statement. We gave away what? Nothing. They may collect in charges and royalty whatever they will, they may reject or lease or sell any of the oil, they may collect whatsoever they will of every pound of coal without any limitation. The acreage is small, the limitations are small, the fraud regulations are so drastic that many good men in the Senate and House from the West consider we are tied up so tight that it can not be used at all.

Mr. STAFFORD. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. STAFFORD. May I inquire whether the present conference report differs from the original report that not more than an absolute fee of one-fourth——

Mr. FERRIS. No; that remains the same. I am glad the gentleman raised that question. It has been said that here, why, we are giving away the public domain. Why, under the old law as it now stands on the statute books we give away the public domain and do not get a cent for the Government on oil. Under the placer law we get no royalty; the claimant gets patent to it all. Here is the way we proceed under the present law—a very unwise way, if not the poorest way, to proceed: Eight men, seven of whom usually are dummies, fictitious men, join with one another. They go and take up 160 acres, and then another and then another and then another until one single man and his seven associates can take up the whole area, and when they strike oil and the discovery is actually made technically under the law they get title, and not to one-fourth but four-fourths, for which they pay nothing. No royalty, no reservation of patent, no regulation, no prevention of fraud, no Government powers at all reserved. Now we provide for a lease of oil lands, for a lease of coal, and they may provide any royalty they like; why, it seems to me it ought to be voted for unanimously. I can see no reason for this fury and these objections. I know they must be well intended, but I am sure they are not well guided. I assume plenty of men in the House know about the situation, and plenty of them evidently have known about the situation, but I hate for any honest, earnest, fair-minded man here to vote against this under a misapprehension. The facts are all that is needed here. This fury, this wild opposition—men who are following rumors are not the safe ones to follow here.

Mr. RAKER. Will the gentleman yield right there?

Mr. FERRIS. I could develop one other question, but I will yield.

Mr. RAKER. In regard to one-fourth, if the patent is given, is it not a fact that the other three-fourths is developed territory, on which the Government gets a royalty?

Mr. FERRIS. That is true. They get no patents on proven oil land. We give them one-fourth only on wildcat territory, but if a developer goes on the bald prairies of the West and brings in an oil well at very great expense, it was thought by the committee, and it was thought by the department, they ought to have at least one-fourth of the area as their bonus or reward for discovering the oil, leaving to the Government three-fourths of the developed proven land, which they can use for the Navy or any other purpose that seems just or wise to the Government.

Something was said here to the effect that it was unsatisfactory to the Navy Department and the Department of Justice. The Navy Department is advocating another bill asking Congress to appropriate the money and buy all these oil wells and operate them themselves. I do not know whether that can ever come true or not. My own notion is that when we are taking about 80 per cent of the people's income to carry on and pay for the war, they do not want us to buy oil wells and operate them by the Government. That bill has been here before Congress for a long time and has not been reported. Everyone knows there is no chance to pass such a bill. Wise or unwise, there are no votes here for such a bill. The moment this bill was agreed to I paid a page boy 50 cents to take copies of the bill to Secretary Daniels and to Attorney General Gregory and to Secretary Lane, and I wrote on it this: "We worked eight years on this. This is the best agreement we can get," signed my name and sent it to them. If they object to it, they have not communicated with me. And I sent it to them before the report was written up. I have not heard a word from them. The Department of Justice and the Navy Department did make

serious objection to this bill when it passed the Senate. That bill was stricken out in toto and a new bill substituted. The bill substituted was all gone over by all departments.

The gentleman from Michigan [Mr. CRAMTON] has spoken on this bill. He will corroborate me, as will every other member of the committee, that Secretary of the Navy Daniels had Commander Wright, his oil expert, sitting in the committee with us to help prepare this bill; that Attorney General Gregory had his assistant there, and he helped us; and Secretary Lane had his assistant and best man there, and he helped us. It is easy for some one to come along and say this is public plunder. I could assail the purest man or purest woman in the world by one word like that.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. JOHNSON of Washington. I just wanted to suggest that it has taken the distinguished gentleman from Oklahoma some time to discover that fact.

Mr. FERRIS. I know, and I may be in error about the discovery I have made. I want to give men in and out of the House full credit for honest effort, and I am not upbraiding anybody here or elsewhere that opposes the bill. But it seems to me when we leave it all to the Government, it seems to me when everybody knows the old law is defective and you can not operate under it, and when everybody knows that this bill has passed three or four times, we ought to trust men like Secretary Lane, a bureau like our Geological Survey, and a committee like our Committee on the Public Lands, every one of whom agrees with this bill except the gentleman from Michigan [Mr. CRAMTON], I believe; and I think he agrees with the major portion of it. Of course, I do not want to misquote him.

I think this bill ought to pass and the subject be put to rest and out of the way, and I ask for a vote.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. CRAMTON. I make a point of order that there is no quorum present on that question.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors; the Sergeant at Arms will notify the absentees. Those in favor of the conference report will, when their names are called, answer "yea," and those opposed will answer "nay"; and the Clerk will call the roll.

The question was taken; and there were—yeas 222, nays 78, answered "present" 4, not voting 124, as follows:

YEAS—222.

Alexander	Dixon	Jones	Parker, N. Y.
Anderson	Dominick	Kahn	Peters
Ashbrook	Doolittle	Kearns	Phelan
Aswell	Doughton	Keating	Platt
Austin	Dunn	Kehoe	Polk
Ayres	Eagan	Kettner	Porter
Bacharach	Eagle	Kincheloe	Pou
Bankhead	Elliott	Kinkaid	Purnell
Barkley	Elston	Kitchin	Quin
Barnhart	Evans	Kraus	Ragsdale
Beakes	Fairchild, B. L.	La Follette	Rainey, H. T.
Beshlin	Ferris	Langley	Rainey, J. W.
Black	Fess	Lazaro	Raker
Blackmon	Fields	Lee, Ga.	Rayburn
Bland, Ind.	Fisher	Lesher	Reavis
Bland, Va.	Focht	Lever	Reed
Blanton	Fordney	Linthicum	Riordan
Browning	Foss	Littlepage	Robinson
Buchanan	Foster	Lobeck	Rodenberg
Burnett	Freeman	Lonergan	Rogers
Burroughs	French	Lufkin	Romjue
Byrnes, S. C.	Gallivan	Lunn	Rouse
Byrns, Tenn.	Gard	McAndrews	Rowe
Caldwell	Garland	McArthur	Rubey
Campbell, Pa.	Garrett, Tenn.	McFadden	Sanders, Ind.
Candler, Miss.	Good	McKeown	Sanders, La.
Cannon	Gordon	McLaughlin, Mich.	Sanford
Caraway	Gould	McLaughlin, Pa.	Scott, Iowa
Carew	Gray, Ala.	McLemore	Sells
Carter, Mass.	Griest	Magee	Shallenberger
Carter, Okla.	Hadley	Maher	Sherwood
Chandler, Okla.	Hamlin	Mansfield	Shouse
Church	Hardy	Martin	Siegel
Clark, Pa.	Haskell	Mays	Sinnott
Claypool	Hastings	Merritt	Slayden
Cleary	Hawley	Miller, Wash.	Slemp
Connally, Tex.	Hayden	Mondell	Sloan
Connelly, Kans.	Heaton	Montague	Small
Cooper, Ohio	Heflin	Moon	Smith, Idaho
Crago	Helvering	Moore, Pa.	Smith, T. F.
Crisp	Hensley	Moores, Ind.	Snell
Curry, Cal.	Hilliard	Morgan	Steagall
Dallinger	Holland	Morin	Stedman
Darrow	Hollingsworth	Nicholls, S. C.	Stephens, Nebr.
Delaney	Houston	Nolan	Sumners
Dempsey	Humphreys	Oldfield	Swift
Denison	Husted	Osborne	Switzer
Denton	Igoe	O'Shaunessy	Taylor, Colo.
Dewalt	Johnson, Ky.	Overmyer	Temple
Dickinson	Johnson, Wash.	Overstreet	Thompson
Tillman	Walton	Welty	Wingo
Timberlake	Ward	Whaley	Wood, Ind.
Van Dyke	Watkins	White, Me.	Wright
Venable	Watson, Pa.	White, Ohio	Young, Tex.
Vestal	Watson, Va.	Williams	
Waker	Weaver	Wilson, La.	

NAYS—78.

Anthony	Garner	Knutson	Schall
Baer	Garrett, Tex.	Kreider	Scott, Mich.
Bell	Graham, Ill.	LaGuardia	Smith, Mich.
Brand	Green, Iowa	Lampert	Snyder
Classon	Greene, Mass.	Little	Stafford
Cramton	Greene, Vt.	London	Steenerson
Currie, Mich.	Hamilton, Mich.	Longworth	Stiness
Davis	Haugen	Lundeen	Sweet
Decker	Hersey	McCormick	Tilson
Dillon	Huddleston	McKenzie	Towner
Dowell	Hull, Iowa	McKinley	Vare
Drukker	Hutchinson	Madden	Volgt
Dyer	Ireland	Mann	Volstead
Edmonds	James	Mapes	Walsh
Ellsworth	Johnson, S. Dak.	Nelson, A. P.	Wilson, Ill.
Esch	Juul	Nicholls, Mich.	Wise
Fairfield	Kelley, Mich.	Norton	Woodyard
Farr	Kelly, Pa.	Oliver, Ala.	Young, N. Dak.
Frear	Kennedy, Iowa	Parker, N. J.	
Fuller, Ill.	King	Ramseyer	

ANSWERED "PRESENT"—4.

Butler	Dies	Sherley	Sisson

NOT VOTING—124.

Almon	Dupré	Jacoway	Sabath
Benson	Emerson	Kennedy, R. I.	Sanders, N. Y.
Birch	Essen	Key, Ohio	Saunders, Va.
Booher	Estopinal	Kiess, Pa.	Scully
Bowers	Fairchild, G. W.	Larsen	Sears
Britten	Flood	Lea, Cal.	Shackleford
Brodbeck	Flynn	Lehlbach	Sims
Browne	Francis	McClintic	Smith, C. B.
Brumbaugh	Fuller, Mass.	McCulloch	Snook
Campbell, Kans.	Gallagher	Mason	Steele
Cantrill	Gandy	Miller, Minn.	Stephens, Miss.
Carlin	Gillett	Mott	Sterling
Cary	Glynn	Mudd	Stevenson
Chandler, N. Y.	Godwin, N. C.	Neely	Strong
Clark, Fla.	Goodall	Nelson, J. M.	Sullivan
Coady	Goodwin, Ark.	Oliver, N. Y.	Tague
Collier	Graham, Pa.	Olney	Taylor, Ark.
Cooper, W. Va.	Gray, N. J.	Padgett	Templeton
Cooper, Wis.	Gregg	Paige	Thomas
Copley	Griffin	Park	Tinkham
Costello	Hamill	Powers	Treadway
Cox	Hamilton, N. Y.	Pratt	Vinson
Crosser	Harrison, Miss.	Price	Waldow
Dale	Harrison, Va.	Ramsey	Wason
Davey	Hayes	Randall	Webb
Dent	Heintz	Rankin	Welling
Dill	Helm	Roberts	Wheeler
Donovan	Hicks	Rose	Wilson, Tex.
Dooling	Hood	Rowland	Winslow
Doremus	Howard	Rucker	Woods, Iowa
Drane	Hull, Tenn.	Russell	Zihlman

So the conference report was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. SISSON (for) with Mr. COOPER of Wisconsin (against).

Until further notice:

Mr. STEELE with Mr. BUTLER.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. SABATH with Mr. HAYES.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. BENSON with Mr. BOWERS.

Mr. BOOHER with Mr. BRITTEN.

Mr. CANTRILL with Mr. BROWNE.

Mr. CARLIN with Mr. DALE.

Mr. CLARK of Florida with Mr. FULLER of Massachusetts.

Mr. ALMON with Mr. COPLEY.

Mr. COADY with Mr. GLYNN.

Mr. COLLIER with Mr. GOODALL.

Mr. JACOWAY with Mr. GRAHAM of Pennsylvania.

Mr. DAVEY with Mr. KENNEDY of Rhode Island.

Mr. DENT with Mr. KIESS of Pennsylvania.

Mr. DONOVAN with Mr. LEHLBACK.

Mr. DOOLING with Mr. MASON.

Mr. DOREMUS with Mr. MILLER of Minnesota.

Mr. DRANE with Mr. MOTT.

Mr. GALLAGHER with Mr. MUDD.

Mr. GANDY with Mr. PAIGE.

Mr. GODWIN of North Carolina with Mr. POWERS.

Mr. GOODWIN of Arkansas with Mr. PRATT.

Mr. GRIFFIN with Mr. RAMSEY.

Mr. HAMILL with Mr. ROBERTS.

Mr. HARRISON of Mississippi with Miss RANKIN.

Mr. HARRISON of Virginia with Mr. ROWLAND.

Mr. HULL of Tennessee with Mr. SANDERS of New York.

Mr. JACOWAY with Mr. STRONG.

Mr. KEY of Ohio with Mr. TEMPLETON.

Mr. LARSEN with Mr. TINKHAM.

Mr. LEA of California with Mr. TREADWAY.

Mr. MCCLINTIC with Mr. WALDOW.

Mr. NEELEY with Mr. WASON.
Mr. OLIVER of Alabama with Mr. WHEELER.
Mr. OLIVER of New York with Mr. WOODS of Iowa.
Mr. OLNEY with Mr. ZIHLMAN.
Mr. PARK with Mr. BIRCH.
Mr. PADGETT with Mr. CAMPBELL of Kansas.
Mr. SCULLY with Mr. CARY.
Mr. SEARS with Mr. CHANDLER of New York.
Mr. SIMS with Mr. CLARK of Pennsylvania.
Mr. STEPHENS of Mississippi with Mr. ESSEN.
Mr. STEVENSON with Mr. GEORGE W. FAIRCHILD.
Mr. SULLIVAN with Mr. FRANCIS.
Mr. TAGUE with Mr. GRAY of New Jersey.
Mr. VINSON with Mr. HEINTZ.
Mr. WEBB with Mr. WINSLOW.
Mr. WELLING with Mr. MCCULLOCH.

The result of the vote was announced as above recorded.

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

The SPEAKER. The Doorkeeper will open the doors.

EXTENSION OF REMARKS.

By unanimous consent, leave to extend remarks in the RECORD was granted to Mr. FREAR, Mr. TAYLOR of Colorado, Mr. BAER, and Mr. LA FOLLETTE.

Mr. WINGO. Mr. Speaker, I would like to submit a unanimous-consent request. I would like to substitute in the permanent RECORD a more lengthy statement of a decision on a point of order that I made night before last when the sundry civil appropriation bill was under consideration and I happened to be in the chair.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to prepare for and insert in the permanent RECORD a more elaborate opinion on a point of order which he decided while in the chair night before last. Is there objection?

There was no objection.

VALIDATION OF INFORMAL WAR CONTRACTS—CONFERENCE REPORT (NO. 1144).

Mr. FIELDS. Mr. Speaker, I call up the conference report on the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The SPEAKER. The Clerk will report it.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. WALSH. I object.

The SPEAKER. The gentleman from Massachusetts objects. The Clerk will read the report.

The Clerk read the conference report and the accompanying statement, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for damages resulting from notice by the Government of its intention to acquire or use said lands, or for the production, manufacture, sale, acquisition or control of equipment, materials or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, when such agreement has been performed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That in no case shall any award either by the Secretary of War, or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a reasonable remuneration for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order: *Provided further*, That this act shall not authorize payment to be made of any claim not presented before June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall exist against the executors, administrators, heirs, successors, and assigns, of any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statute of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That in all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers and letters, or other documents; and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding.

"SEC. 2. That the Court of Claims is hereby given jurisdiction on petition of any individual, firm, company or corporation referred to in section 1 hereof, to find and award fair and just compensation in the cases specified in said section in the event that such individual, firm, company or corporation shall not be willing to accept the adjustment, payment or compensation offered by the Secretary of War as hereinbefore provided, or in the event that the Secretary of War shall fail or refuse to offer a satisfactory adjustment, payment or compensation as provided for in said section.

"SEC. 3. That the Secretary of War, through such agency as he may designate or establish is empowered, upon such terms as he or it may determine to be in the interest of the United States, to make equitable and fair adjustments and agreements, upon the termination or in settlement or readjustment of agreements or arrangements entered into with any foreign government or governments or nationals thereof, prior to November 12, 1918, for the furnishing to the American Expeditionary Forces or otherwise for war purposes of supplies, materials, facilities, services or the use of property, or for the furnishing of any thereof by the United States to any foreign government or governments, whether or not such agreements or arrangements have been entered into in accordance with applicable statutory provisions; and the other provisions of this act shall not be applicable to such adjustments.

"SEC. 4. That whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor with respect to any portion of his contract which he shall have sublet to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to such prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, before payments of said award the Secretary of War shall require such prime contractor to present satisfactory evidence of having paid said subcontractor or of the consent of said subcontractor to look for his compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent the Secretary of War shall pay directly to said subcontractor the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditor of said prime contractor.

"SEC. 5. That the Secretary of the Interior be, and he hereby is, authorized to adjust, liquidate, and pay such net losses as have been suffered by any person, firm, or corporation, by reason of producing or preparing to produce, either manganese, chrome, pyrites, or tungsten in compliance with the request or demand of the Department of the Interior, the War Industries Board, the War Trade Board, the Shipping Board, or the Emer-

gency Fleet Corporation to supply the urgent needs of the Nation in the prosecution of the war; said minerals being enumerated in the act of Congress approved October 5, 1918, entitled 'An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply.'

"The said Secretary shall make such adjustments and payments in each case as he shall determine to be just and equitable; that the decision of said Secretary shall be conclusive and final, subject to the limitation hereinafter provided; that all payments and expenses incurred by said Secretary, including personal services, traveling and subsistence expenses, supplies, postage, printing, and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, as the Secretary of the Interior may deem essential and proper, shall be paid from the funds appropriated by the said act of October 5, 1918, and that said funds and appropriations shall continue to be available for said purpose until such time as the said Secretary shall have fully exercised the authority herein granted and performed and completed the duties hereby provided and imposed: *Provided, however*, That the payments and disbursements made under the provisions of this section for and in connection with the payments and settlements of the claims herein described, and the said expenses of administration shall in no event exceed the sum of $8,500,000: *And provided further*, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act: *And provided further*, That no claim shall be allowed or paid by said Secretary unless it shall appear to the satisfaction of the said Secretary that the expenditures so made or obligations so incurred by the claimant were made in good faith for or upon property which contained either manganese, chrome, pyrites, or tungsten in sufficient quantities to be of commercial importance: *And provided further*, That no claims shall be paid unless it shall appear to the satisfaction of said Secretary that moneys were invested or obligations were incurred subsequent to April 6, 1917, and prior to November 12, 1918, in a legitimate attempt to produce either manganese, chrome, pyrites, or tungsten for the needs of the Nation for the prosecution of the war, and that no profits of any kind shall be included in the allowance of any of said claims, and that no investment for merely speculative purposes shall be recognized in any manner by said Secretary: *And provided further*, That the settlement of any claim arising under the provisions of this section shall not bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right to recover any money paid by the Government to any party under and by virtue of the provisions of this section, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns of any party.

"That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

"That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States: *Provided further*, That in determining the net losses of any claimant the Secretary of the Interior shall, among other things, take into consideration and charge to the claimant the then market value of any ores or minerals on hand belonging to the claimant, and also the salvage or usable value of any machinery or other appliances which may be claimed was purchased to equip said mine for the purpose of complying with the request or demand of the agencies of the Government above mentioned in the manner aforesaid."

Amend the title so as to read: "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes."

And the Senate agree to the same.

S. H. DENT, Jr.
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
C. S. THOMAS,
DUNCAN U. FLETCHER,
F. E. WARREN,
P. C. KNOX,
Managers on the part of the Senate.

STATEMENT.

The conferees adopted the report upon this bill made February 11, with the exception of section 5, which provided for the settlement of mining contracts by the Secretary of the Interior. As to section 5, the conferees simply followed the latest instructions of the House authorizing the settlement and liquidation of losses suffered in the production of manganese, chrome, pyrites, and tungsten. The conferees respectfully refer to the report and statement filed February 11, 1919, upon this bill.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

Mr. FIELDS. Mr. Speaker, this report contains the identical language that the House instructed the conferees to agree to. I therefore consider that it is not necessary to discuss it, but the gentleman from Illinois [Mr. CANNON] would like to have two or three minutes. I yield three minutes to the gentleman.

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. CANNON. Mr. Speaker, I shall vote for this conference report, and that is saying a good deal, under the circumstances. The contracts that were made in fact, but were not formally executed, ought to be cared for. That is the main object of the bill. But they come along and make a different rule as to contracts under the legislation of October 5, 1918, which I did not approve. They were not contracts. They amended it and cut out everything but four minerals. I believe that was wise. The House reversed itself by agreeing to that proposition for one reason, and one only. The gentleman from California [Mr. RAKER] said the contracts that were made in fact but not formally executed, because in the stress of war they could not be, amounted to $3,000,000,000. That was the statement of the gentleman from California. But as they amended it and confined it to four of the minerals, that was better than to have included everything, because they were "thick as the leaves in Vallombrosa." [Laughter.] I never was there, but they were said to be very thick. People who produced coal, for instance, said, "For God's sake save our sulphur rocks" in the coal they had produced in developed mines on which they had made great fortunes, and so on.

Now, my apprehension is this, and in voting for this matter I want to give notice here and now: God helping me, I will not throw open the door in a future Congress and give that extreme power to the Secretary of the Interior, which means the head of the Bureau of Mines, to hear, to find, to settle—not to send to the courts, because that is cut off, but to settle and use a permanent revolving appropriation to pay. If I live I will be in the next Congress, and if I am in that Congress or any other Congress I shall not vote to throw open the door in that way.

I wanted to say this much. God helping, I hope the next House of Representatives will never listen to sympathetic appeals in cases such as I have referred to. I felt that I ought to say that much. We would not have put in those four minerals had it not been for the fear on both sides of the House that otherwise the situation was in a condition where $3,000,000,000 of contracts were involved, they having been made under the provisions of the bill, with power to settle. If they did not take three-fourths of the settlement when it was made, they were empowered to go to the court. That was a very different proposition.

We will have to take our chances in the future, but I think I shall not live long enough to see the end of such claims, cropping up either by general legislation or by reports from Committees on Claims. They will be with us. I doubt if one-half of the membership of this House will be here—I am sure I will not be—long enough to see the end of those claims. I am sorry the door was opened, but there you are; and this is all that we could do. I believe that the contracts that made this House reverse itself upon the subject of all the minerals that are mentioned in the act of the 5th of October last caused us, from the standpoint of necessity, to vote the other way. I did not vote the other way because it was quite understood how the four items got in, and they excluded the others. But after all, it leaves to future Congresses, I fear, a great amount of trouble.

Mr. FIELDS. Mr. Speaker, I move the previous question on the adoption of the conference report.

Mr. MANN. I should like to have five minutes.

Mr. FIELDS. I yield five minutes to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, I think one provision in this conference report, which I have not heard referred to, is a very dangerous thing. We passed the bill in the House authorizing the Secretary of War to settle certain contracts which were not legally entered into, as far as their form was concerned, and there was some question as to whether we ought to do that or not. We decided to let the executive branch of the Government, which had carried on all of these negotiations, complete the matter and determine what sum was due to the men who had furnished supplies or entered into any arrangement with or for the Government. As I recall, our bill provided that we did not confer any jurisdiction to bring a suit against the Government. Now the conference report, after authorizing the War Department to settle these claims, inserts a provision under which litigation will continue for many, many years.

Section 2 of the conference report gives to the Court of Claims jurisdiction to determine any of these claims and award fair and just compensation, and so forth, in case the Secretary of War shall fail or refuse to offer satisfactory adjustment, payment, or compensation, as provided. Of course, that means, first, that if the amount which the Secretary of War, on his facts, and after he has disclosed to the claimant all the information that he has, is not satisfactory to the claimant, the claimant can go into the Court of Claims. Second, if there be no just claim, in the opinion of the Secretary of War, the claimant can bring a suit in the Court of Claims 1 year or, so far as this bill is concerned, 25 years from now. There is no limitation even on the length of time within which the suit must be commenced. It confers absolute and unlimited jurisdiction upon the Court of Claims. Now, suppose a case where a man has no legal claim against the Government. We propose to authorize the Secretary of War to settle the matter upon a fair and reasonable basis under the moral conditions and the papers which have been drawn. But this conference report gives to all of these illegal contracts legality. We might as well have passed a short bill stating that so far as *contracts* were entered into by the War Department during the war all restrictions in the statutes as to form were repealed. That goes too far. We ought not to do it. We ought to make compensation to people who through haste and patriotism have obeyed the requests and demands of the War Department, but we ought not to permit everybody in the country who wishes to do so to commence a suit in the Court of Claims against the United States on what is now an illegal contract, but made legal by this conference report. [Applause.]

Mr. FIELDS. The gentleman from California [Mr. KAHN] desires five minutes in which to reply, which puts me in an embarrassing position with reference to yielding time.

Mr. KAHN. I do not wish the time if the House is ready to vote.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

Mr. FIELDS. I move the adoption of the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. FIELDS, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5517. An act to amend the war-risk insurance act; and

S. 5443. An act for the relief of the owners of the schooner *Horatio G. Foss.*

The message also announced that the Senate had passed with amendments the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. OVERMAN, Mr. SHAFROTH, and Mr. CURTIS as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, had agreed to the conference asked for by the House, and had appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5443. An act for the relief of the owners of the schooner *Horatio G. Foss;* to the Committee on Claims.

S. 5517. An act to amend the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 14078. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

H. R. 15834. An act to extend the time for the construction by Kratka Township of a bridge across the Red Lake River, in Pennington County, Minn.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on February 26, 1919, approved and signed bills and a joint resolution of the following titles:

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut;

S. 68. An act to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary";

S. 3079. An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes;

S. 5342. An act providing for the appointment of an additional district judge for the northern judicial district of the State of Texas; and

S. J. Res. 208. Joint resolution providing that one term of the United States District Court for the Eastern District of Oklahoma shall be held annually at Hugo, Okla.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 13034) to validate and confirm certain erroneously allowed entries in the State of Minnesota.

DEFICIENCY APPROPRIATIONS.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 16187, the third deficiency bill.

Mr. SIMS. Mr. Speaker, I was on my feet to ask recognition to call up the conference report upon the water-power bill when the gentleman from Kentucky made his motion to go into the Committee of the Whole, but inasmuch as the Speaker has seen fit, and no doubt properly so, to recognize the chairman of the Committee on Appropriations for the purpose of considering the general deficiency bill, I give notice now that I will call up the conference report on the water-power bill just as soon as the deficiency bill has been considered and disposed of. In order to secure the passage of the water-power bill at this session of this Congress it is absolutely necessary to have immediate consideration of the conference report.

The SPEAKER. The gentleman from Tennessee gives notice that he will call up the conference report as soon as the deficiency appropriation bill is passed.

Mr. SHERLEY. Pending my motion I ask unanimous consent that general debate on the bill be limited to 30 minutes, confined to the bill, and that the gentleman from Illinois [Mr. CANNON] control 15 minutes and I control the other 15 minutes.

Mr. MANN. I wish the gentleman would not ask to have the general debate confined to the bill.

Mr. SHERLEY. I will modify my request, and ask unanimous consent that the general debate be limited to 30 minutes, 15 minutes to be controlled by myself and 15 minutes by the gentleman from Illinois.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the general debate on this bill be limited to 30 minutes, 15 minutes for himself and 15 minutes for the gentleman from Illinois [Mr. CANNON]. Is there objection?

There was no objection.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, with Mr. GARD in the chair.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill may be dispensed with.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman and gentlemen of the House, this deficiency bill carries with it recommendations for appropriations of $26,799,171.24, and is a reduction of the estimates which were submitted of $13,348,404.16. I desire very briefly to call attention to the main items that go to make up the total that is recommended, and then to one or two matters of considerable importance in connection with the recommendations contained in the bill.

The first large item is in connection with the Bureau of War Risk Insurance, which carries $7,220,000. Of this sum $4,220,000 is for salaries and operating expenses, and of this latter sum $500,000 is for payment of expenses in connection with the collection of premiums upon soldiers' policies. Three million dollars is for the compensation fund. The Bureau of War Risk Insurance has had for operating expenses $11,171,000 for this year. The amounts carried in this bill in the way of salaries and operating expenses are with the idea of continuing the present force at its present strength through the remaining months of this fiscal year. The situation presented to the committee was that the moneys that had been appropriated would have been exhausted in the very near future. The work of this bureau must be carried on, and therefore there was nothing left, apparently, except to appropriate the moneys that were requisite to carry on the work until the 1st of July.

The $3,000,000 is the estimated deficiency in connection with the compensation fund. Of course, no one can estimate exactly the money to be paid out under the compensation fund; it depends on the casualties and benefits that accrue under the act that Congress has passed. They originally asked $5,000,000, but subsequently agreed that three million would carry them through the balance of the year.

There is carried $559,868 for the temporary buildings in the District of Columbia for the fiscal year 1920. These buildings have been, or will be, vacated by the various bureaus that have occupied them and which will cease to function in July. Congress has indicated its will—properly so, I think—that the buildings shall be occupied by departments during the fiscal year of 1920, and that the Government should not pay rent for any buildings as long as these were available. The result was that nobody seemed to have made provision for the necessary expense of maintenance of the buildings for the next year. Therefore, while it is not a deficiency for this year, inasmuch as the matter was not taken care of in the legislative bill but was overlooked, it was thought proper to put it in this bill.

In regard to the Navy Department, there is appropriated $6,699,891.30 for the Naval Establishment, of which $5,109,433 is for the expenses in connection with the Engineering Department of the Navy.

The House will recall that when the first deficiency bill was up there was an item of $5,000,000 for this same bureau. It is stricken out as a result of a discussion in connection with the Marconi stations and the taking them over by the Secretary of the Navy. They have come back with the insistence that they need this money, irrespective of the matter of the Marconi stations, as I think I presented to the House. The Marconi stations were bought on December 13 and $1,450,000 was paid, of which the Navy paid $789,500, the Shipping Board $519,300, and the Railway Administration $141,200. This money being asked now is being asked for in connection with steam engineering for repair of ships and bears no relationship whatever to the Marconi stations which, as I stated, were paid for December 13.

There is $1,090,000 for the Bureau of Medicine and Surgery, estimated deficiency in connection with the bureau, incident to the care of the wounded boys as they are brought back from France.

In the Post Office service there is carried $4,000,000, in round figures, $1,062,967 of which is for special-delivery needs. The fourth-class postmasters are permitted to collect as a part of their compensation the special-delivery fees. They have collected them in connection with their salaries, and the moneys appropriated are made necessary in order to meet the obligation of $1,062,967. They asked $400,000 for the manufacture of 2-cent stamps in connection with the resumption of 2-cent postage.

We have given the estimated sum of $890,000 for the loss of insured postal matter. There has been an increase of something like 32 or 33 per cent in the amount of business that the Postal Service has done. There has been a corresponding increase in the loss of postal matter.

Then there is $125,000 to readjust the envelope contract. There is also in the bill quite a number of deficiencies to pay for the increase in the cost of envelopes. The House will recall that Congress passed an act authorizing the Postmaster General to readjust the contracts entered into with the contractors for furnishing envelopes to the Government. They did readjust them on the basis of envelopes delivered and to be delivered after July 2, 1918. The result was an increase of 100 per cent in the cost of these envelopes. Congress authorized the readjustment, the department made it, and there was nothing for the Committee on Appropriations to do except to appropriate the money necessary to meet the increases of cost.

There is $1,500,000 added to the star-route contracts, which have been readjusted on account of the increased cost of letting them under present conditions.

In the Department of Labor the committee recommend $1,800,000 to continue the employment service until the end of the fiscal year, and the committee also recommends $366,000 for mediation and conciliation in labor disputes.

Now, I shall endeavor when we reach that item under the five-minute rule to go somewhat more into detail touching the view the committee held and the view I hold relative to the Employment Service. I simply desire in this preliminary statement to call the attention of the House to the fact that the recommendation is made. As I recall it, the amount of the estimate was $2,900,000, but after examination the committee became satisfied that this amount recommended was sufficient to continue the organization as it at present exists to the end of the fiscal year, the 1st of July next. In regard to mediation, there were a certain number of disputes pending before these conciliators, of whom ex-President Taft and Mr. Walsh are the chief members, and this will take care of them until finally settled and disposed of. The testimony was that they expected to clean up activities by the end of the fiscal year. But in the meanwhile there are these disputes pending that have to be adjudicated.

We recommend the taking back of $32,700,000 from appropriations that were made for the Housing Bureau of the Labor Department. Gentlemen will recall that we appropriated $100,000,000. They came before the committee and offered a proposal to turn back $30,000,000. On presenting their financial statement it was apparent to the committee that from their showing $32,700,000 should be taken back. They made a recommendation asking that $250,000 be appropriated for the purpose of enabling them to make some studies in connection with the furnishing of information to persons desiring to build homes and to make available the data they had gathered. We did not feel that on a deficiency bill the committee should undertake to make such a recommendation, and we accepted that part of their proposal that turned money back into the Treasury and did not agree to that part of it looking to the enlargement of the bureau for the purpose I have outlined.

There is also a provision in the bill that the departments, in buying supplies and equipment here or elsewhere, shall buy them only after ascertainment that the Government has no such supplies or materials which could be used. A number of bills have gone through the House with such provisions on them, but there is a number that have not. There is a good deal of money that could be used without regard to the requirement. It seemed wise to the committee to have a requirement which would deal with all funds appropriated so as to require the Government, as far as possible, to use materials and supplies it now has before its goes out to accumulate or purchase additional supplies.

There is one other matter to which I desire to call the attention of the House, and I do it not only because of its very great importance but because I think there is due to the Committee on Appropriations a very plain statement of the facts. Gentlemen will find in the bill a provision reducing the amount of money that was covered back into the Treasury in the second deficiency bill in regard to the Quartermaster Corps by $829,-

375,295.10. Gentlemen will recall that in that bill we repealed appropriations for about $7,000,000,000, and also repealed authorizations for incurring obligations of about $8,000,000,000. We did that after very careful examination of the condition of balances and of obligations outstanding, and of the needs of the departments for the rest of the fiscal year. That covers a couple of months, and the committee was so careful about the matter that even within less than 24 hours of reporting the bill we had every one of those figures checked up by the various departments involved, and in presenting the matter to the House I called attention to the fact that if we had made any mistakes I desired that the departments might call them to the attention of the Senate in order that the figures might be checked up there. It turns out that the Quartermaster Department has discovered, according to the present belief, that they tremendously underestimated the amount of outstanding obligations that existed against the Government. That apparently grew out of the fact that there were any number of obligations made by officers out over the country that had not been put upon the books here in Washington so as to be taken into account by the Division of Finance in connection with the matter; and they have also had very much heavier demands from overseas, due apparently to two causes, one the slower demobilization of the troops and the other the fact that over there apparently they did not have any accurate information in regard to the extent of their liabilities. The House will very properly ask as I asked what assurance in the face of these facts we can have in regard to the figures that have been furnished by the War Department touching liabilities. I do not know that any satisfactory answer can be made to that inquiry.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. CANNON. Mr. Chairman, I yield the gentleman five minutes of my time.

Mr. SHERLEY. They have presented their best information to date, and all the committee could do under the circumstances was to take these figures as a revision of the former figures. Of course, this ought to be said, that necessarily there is a good deal of doubt, bound to be, and some speculation as to the exact amounts in connection with activities as huge as the War Department engaged in. I think they ought not to have made any such error as this, and I think that the system ought to have been such as to have had brought on the books here a more full statement of their actual liabilities, but it apparently is a fact. Of the total appropriations at the disposal of the War Department this error represents less than 4 per cent. I feel that the action of the committee and of Congress in repealing these sums has not been valueless, and that it is worth while that we should have covered into the Treasury the huge sums, even if now I must come to the House and ask that the amount in regard to the quartermaster be changed to the extent of over $829,000,000. The moment I heard of this I had requests made of all the other bureaus of the War Department to see if they were prepared to take back the statements they had made, and they have stated that they do not desire to do so.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. CANNON. As I recollect the statement, this error is largely due to the fact of frequent changing of the personnel in the quartermaster service.

Mr. SHERLEY. I think that is partially true, although this is true: We had before our committee in the other hearing men who had been in charge of the particular divisions during a long period, though not the whole period of time during which these various purchases were made. They ought to have known what they were talking about when they came and gave us tables as to outstanding liabilities. It appears that a great many of those men have left the service, and it has put an exceedingly difficult load upon Gen. Lord, in charge of the Finance Division, to check up these matters and ascertain the true situation now that the men who dealt with the matters have left the service. The gentleman is correct in that regard; but the trouble lies in the fact that in the desire to get a huge production in a hurry and to do away with what the public so frequently characterizes as red tape, a lot of things were done out in the field that did not get here to be recorded, as they should have been to make up these balances.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. BANKHEAD. There is an item on page 36 of the bill for $1,800,000 for the Department of Labor. Is that intended to carry on the Employment Bureau?

Mr. SHERLEY. It is intended to carry it up to the 1st of July. This bill deals generally with matters up to the 1st of July next.

Necessarily in preparing a general deficiency bill at the close of a short session it has to be done under great pressure. It can not be done until very near the end of the session, because you can not get the data on which to make it. The result is that the committee has had to work day and night nearly all the time, and I want, in this connection, to take occasion to say that to the clerk of the Committee on Appropriations and to his assistants are due the thanks of the committee and of the House. Those boys worked frequently until midnight and past in order to make possible the consideration of the bills that are brought in here in the closing days of the session, and nothing but the loyalty and efficiency of the clerk of the Committee on Appropriations makes possible the work that that committee presents to the House. [Applause.]

Mr. CANNON. Mr. Chairman, I yield the remainder of my time, 10 minutes, to the gentleman from South Dakota [Mr. JOHNSON]. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Chairman, on February 15, in an endeavor to secure some action on the Chamberlain court-martial bill, H. R. 15945, which I introduced on February 14, it was necessary to enter into some discussion of the facts in court-martial procedure. It has been very difficult to secure exact facts and the exact numbers of the cases and the names of the men to whom reference must unavoidably be made. Through the cooperation of some of the finest lawyers in the United States and officers in the United States Army stationed in various parts of the United States I have secured some absolute data which ought to be presented in connection with the consideration of any revision of court-martial laws.

Many of the best lawyers in the United States have also cooperated with me in the legal argument which I am about to present, and at this time I desire to give them credit for the work they have done and to make it clear that the entire argument to be presented is not original with me. There is no Member of Congress who can enter into every detail of law and legislation.

In discussing the question I have no desire to criticize either the Secretary of War or Gen. Crowder. I think both of them realize that they were not altogether responsible for the court-martial system which has grown up through the years in the United States, and I can not believe that either of them do not desire its revision. In many ways the Secretary of War is a man of vision, and I have had and now hold to the opinion that he would like to have exact justice done to every man in the Army, if it were possible to do so. He can not know the administrative details of each division of his bureau, and it may be that he has depended too much in some cases on the advice of others. In my opinion, it is unavoidable that he must do so, and that he must make the same mistakes that the rest of us do. The name of Gen. Crowder must inevitably be brought into any discussion, not to criticize him for things in the past over which he had no control, but to call his attention to the views held by those of us who have not spent a lifetime in the military service and have some knowledge of the rules of law and equity which in civil life govern all men. I assume that he will realize that a discussion of the question does not involve personal criticism of him, and I know that he will respect the views of the 4,000,000 men who have practical knowledge of the court-martial situation which they have gained in the past two years by service in the Army.

Mr. Chairman, I would not inject this discussion at this time into this bill but for the fact that I am informed that General Order No. 84, issued by the War Department in the last few days since the discussion of this question, ordered the commander in chief of the American Expeditionary Forces in France to return for revision all cases of men sentenced under court-martial in France in the American Expeditionary Forces, and the commander in chief of the American Expeditionary Forces, or the staff, in France has absolutely refused to comply with that order and has refused to send them for revision to the Judge Advocate General's office in Washington on the theory that the Articles of War do not provide that they shall be forced to make the return. I am informed, and believe it to be the fact, that among those cases which they refused to send back for revision in Washington from the American Expeditionary Forces there are about six cases where men are sentenced to death and will die unless some action is taken by this House prior to the next session.

My service in this war I should have regarded as peculiarly barren had I learned no lesson from it or come out of it without the desire and purpose of attempting to do something for the improvement of the Military Establishment. I shall indulge in no criticism for the simple sake of criticizing, and whatever criticism is made will be given with the hope and view of pointing out existing deficiencies and offer what I conceive to be reme-

dial suggestions. I shall devote my observations to-day to the deficiencies of the existing military code and of the existing system of the administration of justice in the Army.

A representative of this body should need offer no explanation of the reasons which impel him to speak upon this subject. Justice is the largest interest of man on earth. It has been the subject of poet, bard, and sage in every era of man's existence. It has figured in every theme of moral and political philosophy. God is the source of justice, and the Son of God came to execute justice on the earth. The preamble of our own Constitution declares that this union exists to establish justice. Justice is essential to national perpetuity, and well did Gladstone say that "National injustice is the surest road to national downfall."

In the national domain justice must be national. It must be coterminous with the extent and as broad as the interests of the Nation. The Nation must not establish it in one place only to deny it in another. The Nation can not establish it in one class and deny it to another class. The Nation can not deal justly with one individual while another suffers unjustly. Justice is an attribute which must be of general scope throughout the Nation and of as nearly as possible uniform and common application to all. There can be no such thing as justice to the citizen and injustice to the soldier.

We lack integrity and wholesomeness of interest if we have a greater interest in and a greater anxiety for the administration of civil justice than we have for the administration of military justice. If, indeed, the national thought and interest should be partial in either way, it should be more acute and anxious to see that justice be done in the Army. For in the military, rather than in civil, administration is there greater opportunity for an oppressive, tyrannical, and unjust exercise of power, greater opportunity for injustice which not only crushes the spirit of a man, but actually takes and destroys his life. I have seen injustice in the Army. The existing military code does not establish and guarantee justice to the enlisted man of the Army. I will speak more strongly than that. If followed, in many cases it does not permit of justice. In many instances it is impossible to do justice under it. This is true not only of the substantive code but also of the departmental procedure prescribed for its administration.

The code and the procedure under it are offensive to any enlightened sense of natural justice, and equally offensive to those fundamental principles of law which are elemental in our institutions and which reflect our civilization.

These deficiencies of the code and proceedings under it which lead to this injustice will, I think, become perfectly obvious as such upon a mere statement of them. As to them and their baneful influence there could not be among lawyers, at least, any variance of views. The slightest examination of the code will reveal that it embodies a system which, in reason and logic and upon principle, must necessarily result in injustice, and the military experience of any man will give abundant proof that the injustice which inheres in the principles of the code becomes even enlarged in the practice thereof.

Mr. Chairman, it will be impossible for me to finish my argument within the time allotted to me, and I ask unanimous consent to revise and extend my remarks in the RECORD before proceeding with some of the actual cases, names, facts, figures, and serial numbers.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. That there are deficiencies in the code will, I say, become perfectly obvious upon your examination of it. That there are deficiencies and serious ones—indeed, fundamental ones—is well known to those who have had the most intimate touch with and who have been in immediate charge of the administration of military justice during this war. Many officers who have served in the Judge Advocate General's department during this war and some of those who are still serving therein have no hesitancy in condemning the existing system of military law. If the new officers were free to speak, the great majority of them would unite in the condemnation of the existing system. Deficiencies so patent should be condemned by all officers of the Army, and especially by the Secretary of War and his immediate military advisers, who will, partially at least, admit themselves to be responsible for some of the existing system and for its perpetuation. Unfortunately, the Secretary of War and his immediate advisers seem to see the situation otherwise and to uphold it. Judge Advocate General Crowder, in a speech which he recently made to the Bar Association of the City of Chicago, went to great length in proclaiming the virtues of the existing system and in claiming for it a degree of perfection possessed by few penal codes. The Secretary of War has admitted the unjust judgments of courts-martial during this war, and is resorting now, as he has resorted throughout the war, to partial palliation by the pardoning power, which itself proceeds upon the conclusive presumption that the accused soldier has been fairly and justly tried and convicted. If I may trust the accuracy of the press reports of an address recently delivered by the officer who throughout this war has had most to do with the actual administration of military justice, he has made the authoritative statement that the whole system of courts-martial procedure is archaic, crude, and unjust; that thousands of soldiers during this war have suffered unjust and unlawful punishments, and that there should be immediate revision of the system at the hands of Congress.

If the deficiencies of the present system could be expressed in a single sentence, it could be said to be a failure upon the part of Congress, the War Department, and the Army to appreciate that courts-martial are courts as much so as any other courts in the land, exercising functions which are inherently judicial, which at all times ought to be exercised in a judicial manner. Courts-martial exist under the provisions of the Constitution. Congress shall have the power to make rules and regulations for the government of the land and naval forces. Under this provision of the Constitution the government of the Army of the United States is intrusted not to the President but to the Congress itself. Congress prescribes the offense, Congress prescribes the penalty, Congress provides for the court that is to try the case. Courts-martial are, furthermore, recognized by the exception of the fifth amendment, whereby cases arising in the land and naval forces are withdrawn from indictment by grand jury and trial by petty jury. It has been said a score of times by the Supreme Court of the United States that courts-martial are courts, and that their judgments, when lawfully rendered, are entitled to the same respect and finality as are the judgments of the courts of the United States, created under the judiciary clause of the Constitution. And it was said in Runkel *v.* United States (122 U. S.) at page 558:

> The whole proceeding from its inception is judicial. The trial, finding, and sentence are the solemn acts of a court organized and conducted under the authority of, and according to, the prescribed forms of law. It sits to pass upon the most sacred questions of human rights that are ever placed on trial in a court of justice; rights which, in the very nature of things, can never be exposed to danger nor subjected to the uncontrolled will of any man, but which must be judged according to law.

Such is the character of a court-martial and such are its sacred judicial functions. And I say, and I shall attempt to show later on, that the code and the proceeding under it fail to recognize that judicial character.

Again, the code and the proceeding under it have been predicated upon the theory that those great fundamental safeguards which are inherent in our system of jurisprudence, some of which are declared in the Bill of Rights, contained in the first 10 amendments to the Constitution, do not surround and have no application to an accused placed on trial before a court-martial. This may once have been the view which obtained in the judiciary, and it was certainly the view that obtained in the War Department and in the Army, and, unfortunately, it is a view which the department insists upon maintaining, notwithstanding it is a judicial anachronism.

It may have been that in Fourth Wallace the court, especially the dissenting members, were of the opinion that the great principles of the Bill of Rights had no application to courts-martial procedure. But this case was overruled by the Supreme Court in Grafton *v.* United States (206 U. S.), and that court, once and for all, laid down the rule that an accused before a court-martial is entitled to all the guaranties contained in the Bill of Rights, except where he is expressly excepted from them in the Bill of Rights.

And yet this principle has been absolutely ignored by the War Department and has not been recognized by the legislation enacted by Congress for the government of the Army. Those great principles which are necessary to safeguard the rights of an enlisted man on trial before a general court-martial are not recognized by, or contained in, the present Articles of War.

Why should not a man placed on trial before a court-martial, for murder, for instance, be entitled to just as much protection as he would be entitled to if placed on trial for the same offense before a civil court? The law alleged to be violated is the same, the punishment is the same, and the terrible consequences of the miscarriage of justice are the same. The civil law leaves no stone unturned in building up protection for an accused thus placed in jeopardy. But the military law and the practice under it leave his life to the hazard of what untrained, unskilled, and unadvised Army officers may be disposed to do.

There is much talk about the necessity for supervision of the proceedings after a case has been tried, and of revision of the judgment in case the judgment shall be found to be affected by

error prejudicial to the accused. This is necessary. There ought to be revision. There ought to be a method for the correction of errors. No system of jurisprudence, military or civil, is worthy of the name that does not provide some method for the correction of errors. And yet the military law of the United States does not provide for such correction, and in this respect this country is behind every other enlightened and progressive country of the earth. No matter how gross and prejudicial the errors may be, so far as the law is concerned—certainly as the law is construed by the present Secretary of War and the Judge Advocate General of the Army—no matter how invalid the judgment may be when tested by established legal principles universally recognized, the Secretary of War and the Judge Advocate General at the beginning of the war said judgment had to go uncorrected.

Through the insistence of officers, or certain officers at least, in the Judge Advocate General's Department, an insistence that has grown out of a settled conviction based upon the observation of so much injustice, an insistence which has been continuous, and displayed in season and out of season and upon every opportunity, the Secretary of War and the Judge Advocate General have in some flagrant cases discovered a power somewhere to set aside or modify erroneous judgments, notwithstanding their obstinate resistance to the view that they had such power.

It is now known, from testimony that has been given before the Senate Military Committee, that the Secretary of War, the Inspector General of the Army, the Acting Chief of Staff of the Army, and the Judge Advocate General all combined in the early days of this war to resist the ruling made by Gen. Ansell, who was then Acting Judge Advocate General, and supported therein by every officer in his department, that this power of revision does exist in the department and of necessity had to exist if justice was to be done. This ruling was made when Gen. Ansell was the head of the office, with authority to exercise all the power in the office, and was an official ruling upon the subject and entitled to respect as such. But the Army—represented in this case by the Chief of Staff, the Inspector General, and the Judge Advocate General—combined against the ruling and mustered all their strength, as a result of which they induced the Secretary of War to relieve Gen. Ansell from the headship of the office, to relieve him from all participation in the administration of military justice, to reverse his ruling which would have liberalized that administration, and to order the Judge Advocate General back as head of the office, in order that the hard-and-fast illiberal and unjust practices of the War Department might be continued unchallenged.

Gen. Ansell, in a second brief in which he hopelessly pleaded for a reconsideration of the reactionary and oppressive ruling made by the Army authorities, prophetically predicted the injustice that was bound to ensue if that kind of administration was to obtain during this war. I quote from the head notes containing the points of that brief, and I ask the attention of this House to them:

BRIEF FILED BY PERMISSION OF THE SECRETARY OF WAR IN SUPPORT OF MY RECENT OPINION CONCERNING THE REVISORY POWER OF THE JUDGE ADVOCATE GENERAL OF THE ARMY OVER JUDGMENTS OF MILITARY COURTS.

BEFORE THE SECRETARY OF WAR.

I. The action taken by the Secretary of War on the advice of the Judge Advocate General has been taken under very evident misapprehension. Such action is predicated upon the correctness of conviction, and the acceptance of such an act of grace by these innocent men necessarily implies a confession of guilt of a crime which, upon well-established principles of law and justice, they never committed. Justice is a matter of law and not of executive favor.

II. It is as regrettable as it is obvious that those who oppose my views do not vision in the administration of military justice what the new Army of America will require, nor do they even see what the present is revealing. They are looking backward and taking counsel of a reactionary past whose guidance will prove harmful if not fatal.

1. The views of the Assistant Chief of Staff and the Inspector General savor of professional absolutism.

2. The opposing legal views are anachronistic. They are given a backward slant through undue deference to the theory of an illustrious text writer as to the nature of courts-martial, a theory which civil jurisprudence has never adopted but distinctly denied.

(a) Winthrop's theory was wrong in reason.

(b) Winthrop's theory was wrong in principle and precedent.

3. The teachings which followed upon the premises that courts-martial are executive agencies have all been disproved by the Supreme Court of the United States, though this department still clings to them.

(a) Courts-martial are courts created by Congress, sanctioned by the Constitution, and their judgments are entitled to respect as such.

(b) Courts-martial do not try simply for the crime in its military aspects but for the full and complete offense as recognized by the law of the land.

(c) The judgment of a court-martial, being a complete adjudication by a competent tribunal of the offense as known to the law of the land, is a bar against a second trial in any court of the United States.

(d) The functions of courts-martial are inherently and conclusively judicial, and therefore are not subject to the power of command as such, but only to judicial supervision established by Congress.

(e) Court-martial procedure being judicial from the beginning to the end (Runkle's case, 122 U. S., 588, and all subsequent cases cited), the power of revision, if it exists, is also judicial, and therefore not subject to the power of command.

(f) Such judicial revision is not subject, therefore, to the usual General Staff supervision.

III. The whole argument of the other side is found in the contention that the word "revise" has no substantial meaning, but has reference only to clerical corrections.

One single fact exposes the utter fallacy of that contention, and had it been considered must have prevented an expression of that view.

That fact is this: The word "revise" is an organic word, which solely creates and defines the duties of an entire bureau. Congress went to the great length of creating an independent bureau in the War Department for the sole and declared purpose of having it "revise" the proceedings of all military courts, and made that duty of revision the sole duty of that bureau.

IV. "Revise," in its every sense—ordinary, legal, and technical military sense—means to correct, to alter, and amend.

(a) The ordinary meaning of the word "revise" is not to review for the purpose of corrections, but to perform the act of correction.

(b) In its legal sense the meaning of the word, as evidenced by a multitude of examples of its use, is unmistakable, and if the single example heretofore given of its significance when used in statutes were "persuasive" at all, those to be given now should prove absolutely convincing.

V. The word "revise," as a matter of fact, is in no sense ambiguous and there is no room for construing it. It would have made no difference, therefore, what the administrative practice was or is. The quality of law is not impaired by nonuse. As a matter of fact, Judge Holt did, in form at least, pronounce sentences invalid and did not content himself simply with recommending that pronouncement was by superior authority. His views as to the validity of proceedings were expressed in terms that savor of judicial pronouncement, and the orders of the War Department, so far as examined, seem to respect that quality by confirmance.

VI. The judge advocate general of England certainly did have this power of revision. (I am not advised of his present authority.)

VII. Whence comes the established power to declare proceedings null and void for jurisdictional error? And why should not the larger power include the lesser radical one of correction of legal error?

VIII. The necessity, in the name of justice, of locating this power in this department, and preferably in this office, where logically, and I think legally, it belongs, must be apparent to all who are familiar with the administration of military justice.

It appears from that testimony that Gen. Ansell insisted upon a closer supervision upon courts-martial procedure upon the part of the War Department in a memorandum addressed to the Secretary of War in November, 1917; in another one addressed to the same authority in December, 1917; in another one addressed to the Judge Advocate General in the same month; that between January and the middle of April, 1918, he addressed to the Judge Advocate General of the Army memoranda still insisting upon the necessity for closer supervision of the administration of military justice; and all this in face of the fact that he had been relieved from the administration of military justice because of this insistence.

After four months' study of the systems of military justice obtaining among our allies in Europe, he returned about the middle of July and made a report in which he clearly pointed out many of the elements in which the system of military justice as administered by our allies was far superior to our own. That report was disregarded, ignored, and never reached the Secretary of War.

I care nothing about any individual concerned in this matter of administration further than to say that this officer, who has insisted at all times upon a closer departmental supervision with a view to liberalizing courts-martial procedure, has not only never been given a hearing by the Secretary of War since the question was first agitated, but that he has been, on the other hand, reproved, ignored, and elbowed aside.

But, no matter how much supervision and revision there may be after the judgment of the court-martial has once been made, this could never prove sufficiently effective. The place to prevent error and injustice is at its source. The injustice which at present characterizes the discipline of the Army results largely from this fact: Any officer of the Army may prefer charges against an enlisted man; the charges may be, and frequently are, the result of caprice and petty tyranny; and any officer with court-martial jurisdiction can order that the man shall be tried upon these charges. There is no judicial investigation, no judicial determination, of whether the charges actually allege an offense and whether there is prima facie proof to sustain them. Therefore the current of power which is to result in the taking of a soldier's life or land him in the penitentiary for life or subject him to other punishment can be turned on by any officer of the Army regardless of his rank or experience; and inasmuch as all officers stand together upon the side of so-called discipline, when the current is once turned on it is not likely to be interrupted by the interposition of any officer in authority, and there is no officer of legal or judicial training who is in authority to interpose.

Here, then, at the source is the chief deficiency, an evil which demands immediate remedy and which this bill attempts to do in section 4. Section 4, as drafted, requires that whenever

there is an officer of the Judge Advocate General's Department present for duty on the staff of an authority appointing a court-martial, no charge shall be referred to a court-martial for trial until such officer shall have given his opinion that the charge is a legal charge and that there is prima facie proof against the accused. I suggest an amendment to this section so as to require that no charge shall be referred to trial until those two questions shall have been passed upon by some officer of the Judge Advocate General's Department in all cases.

I am advised that many officers are now being employed in the office of the Judge Advocate General gathering statistics to show that the present system is good, has not worked badly, and that, notwithstanding the heavy punishments, the records are legal.

Right here is one of the few criticisms of the Judge Advocate General and the Secretary of War, and I make them in all kindness, as they are not responsible for the entire system. They content themselves with a strict technical legality of the proceedings, the law to be applied being not the law of our general jurisprudence, being not the generally established principles designed to secure justice, but the strict letter of an archaic code which systematically belongs to medieval times. I defy any man to make an inspection of the Articles of War, amended or otherwise, and say that they belong to this modern, enlightened period, rather than to the England of 200 years ago, whose criminal code of that time was marked by civil harshness and brutality. Herein lies the chief difficulty: The War Department says that these trials have been legal, but I say they reek of lawlessness when judged by any standard of jurisprudence worthy of the name. I charge that they have not been fair, that they have not been impartial, and that in many instances they have not been tried at all. Can a trial be said to be a fair trial when an enlisted man of the Army, ignorant of his rights, unappreciative of the consequences, is placed on trial before a court-martial for his life, and has assigned to him for his defense a newly joined second lieutenant who stands before the court more like a culprit than the accused himself, frightened, inexperienced, knowing nothing of life, knowing nothing of law, and less than nothing about courts-martial procedure? He stands silent and mute, lifting not a hand nor a voice to save the man whom he is assigned to represent from the penalty of death. And yet this is exactly what has occurred in France and in the United States. Second lieutenants of the kind described have been assigned to the so-called defense of enlisted men charged with capital or other most serious offenses and have advised their clients to plead guilty. And courts-martial have thereupon awarded the penalty of death or other serious punishment. Such were the cases that came from France, in which the commanding general of the American Expeditionary Forces vigorously insisted upon the application of the death penalty, and had he had the power to confirm the sentences of death in those cases, as he has in many others, he would have confirmed these. Such were the cases in which the Judge Advocate General of the Army said it would be unfortunate if the War Department was not of one mind in presenting these cases to the President, so that these sentences of death might be carried into execution and discipline maintained. In the name of a just God, what can be said for a system that permits of such tragedies? What can be said of general officers who display such lust for innocent blood? What can be said of a Judge Advocate General, the highest judicial officer in the system itself, who pleads for a united front upon the part of all interested in the maintenance of discipline, that innocent men may be sent to their doom as sacrifices to discipline?

I have shown that an enlisted man may be sent to his trial through caprice and petty tyranny, and I say that the trial itself is frequently but an empty form, conducted by men who know no law and who frequently, in the name of discipline, are not disposed to do justice to the accused, represented by a young, inexperienced officer who is disposed to let the system take its course, regardless of consequences. Not one single principle of law designed to secure a fair trial is applicable to a court-martial during the trial. There are a few statutory forms which the court follows. The principles of justice are not applied.

What could be more revolting to a sense of fairness and decency than that the judge advocate at the trial, whose very title indicates that he is there to perform sacred judicial functions, should have as his first duty to prosecute in the name of the United States, and if he is to do his duty by the United States he should prosecute and prosecute vigorously? And yet, as an indication of the little regard that the court-martial system has for the sacredness of judicial functions upon the one hand, and the sacred rights of the accused on trial on the other, this same prosecutor is made the judicial adviser of the court, and then, to make the matter worse, he is also enjoined by statute to see that the rights of the accused do not suffer. There could be no better system of injustice prescribed than this. One man is to be a vigorous prosecutor for the Government, the judicial adviser of the court which passes upon his prosecution, and the defender of the accused, whom he prosecutes. A system that permits such a confusion of duties must result in the grossest of injustice, and a system that prescribes and requires such a confusion should be cast into eternal damnation. I have seen this same judge advocate, prosecutor, counsel for the defense use his powers or influence or suggestion, with the results that accused enlisted men have come before courts-martial for their trial not even accompanied by the useless counsel to which I have heretofore adverted, but relying upon the advice and clemency of the court they pleaded guilty to the most serious offenses. The functions of a judge advocate are properly those of a judge in a criminal trial, and they should be restored, as they are attempted to be, by section 1 of this bill, and a prosecutor should be appointed to prosecute in the name of the United States, as is attempted to be done by section 2 of this bill, and the right of the accused to counsel, both civil and military, should be established, as is attempted to be done by said section 2. I shall suggest amendments to that section so that a man may have civil counsel if he so provides, and that in every case he shall have any military counsel he selects, and if he selects none then the proper authorities must furnish him with counsel qualified for such duty by rank, experience, and, wherever possible, by legal learning.

The existing law is a travesty in so far as it attempts to secure a fair court through an exercise of the right of challenge. The court is appointed by the authority that passes upon the charges and decides that they should be tried. And the same authority can refer to that court as many sets of charges as he pleases. But the law does not provide for challenges to the panel, but only to the poll; nor does it provide for peremptory challenges, but only challenges for cause,. The challenges, then, must be made one at a time and to the individual member. The challenge is tried by the remaining members of the court. If, therefore, the challenge lies equally to all, as is frequently the case, the members must try that challenge and pass, therefore, upon their own competency and fitness. There have been a considerable number of cases during this war where several men have been tried, one after the other, for the same or similar offense, and by the same court. Of course, it needs no argument to demonstrate that the court which had convicted one of these men did not come to the trial of a second or subsequent man with a fair and unprejudiced mind. This situation is designed to be cured by section 5 of this bill, to which I shall submit some amendments which are designed to make the question a purely judicial one to be decided by a judicial officer, and especially in the right of objection to be exercised at any time.

Courts-martial, under the present code, are subject to the absolute dictation and domination of their commander who appoints them. Even if they acquit a man he is not advised of it. It is kept secret and is reported to the authority that appointed the court, and he may return, and frequently does return, the proceedings of the court instructing them to change their finding. Or if the court should find a man not guilty of the larger offense charged, but guilty of some lesser included offense, in that case also they may be instructed to reconsider their findings and sentence. How inconsonant such procedure is with all principles of justice. This situation is designed to be changed by section 6 of the bill, to which I shall submit an amendment the purpose of which will be to make that section more efficient for that purpose.

The revisory power in the Judge Advocate General, which the Secretary of War and the present Judge Advocate General do not wish to exercise, is conferred upon that officer in section 7. That power ought to be exercised. There is bound to be error under every system, and before any sentence of death, dismissal, or dishonorable discharge shall be executed it should have been determined to have been legally awarded by the highest judicial officer in the Army.

It is very doubtful, to my mind, if, in view of the reluctance of the present Judge Advocate General to exercise that power, a court of military appeals should not be appointed which would exercise the power. This, of course, Congress can provide for and place it beyond all military dictation. Such a court would have this additional advantage: Power could be conferred upon it to pass upon cases which have been unfairly tried during this war to set aside or modify their judgments. I am sure that legislation which operates prospectively will still be deficient in that it will not reach back and correct the injustices which have been perpetrated through courts-martial during this war. Some functionary must be created for that purpose.

I have in the past criticized those who did not present actual names, dates, and figures in support of legislation or in the making of criticisms, and I therefore will give the record of some of the cases which have forced me to the conviction which I hold. These are only a small portion of the cases that have been considered, but they prove the case not only that the system will never deal even-handed justice, but also prove that an immediate review is necessary of every sentence heretofore made. These are the cases referred to:

A case recently called to my attention presents an appealing instance of the effect on the enlisted man of the absence of legal control of our system of Army punishments.

A boy of 18, who had been rejected for a physical defect when he first sought to enlist, finally after persisting in his effort to get into the Army was accepted and sent to Port Arthur, Tex. While he was doing guard duty on one of the coldest nights last winter he and three other boys on the guard stepped a few feet off their beat to warm their hands at a fire. They were found at the fire by their captain, who emphatically threatened to court-martial them the next morning and to have them shot or sent to prison for life. This boy was so impressed by this threat and by the power of his captain to carry it into effect that he telephoned to his father as soon as he went off guard and told him that he was to be court-martialed and shot and asked his father to come and help him. His father was unable to make himself understood over the telephone, and the boy thought he said that he was sick and could not come. Understanding that his father could not come to his assistance and believing himself at the mercy of the court-martial, that boy, rather than face the disgrace and punishment with which he was threatened, committed suicide in the early morning of that same day.

This case presents to my mind a terrible indictment of our court-martial system. That boy felt helpless in the hands of the military authorities. He believed that his captain could go through with the threat to court-martial and shoot him. If he had been in civil life and a similar threat had been made, he would have known that there were juries, judges, and the law to protect his rights and secure him against the arbitrary will of his superior officers. If the men in our Army knew that before they could be punished by military courts the charges against them must be sifted and tried in accordance with the law, if they knew that the military commander could not dominate the court-martial but would himself be dominated by the law, this unfortunate boy could not have been scared into taking his own life.

It seems to me impossible that any man can think for a moment of the circumstances of this boy's death without immediately demanding that these military injustices which are a disgrace to American jurisprudence be now and forever blotted out. Only in our Army is it still true that a man may be subjected to that tyranny which exists when the superior power of another man is not subjected to the control of the law.

It is my intention to get from the War Department all the facts in connection with this case. So far I know that boy's name was Ira R. Sellers; that he enlisted at Dallas on April 10, 1917; that he was 18 years of age; that he belonged to Company F of the Nineteenth Infantry; that he died under the circumstances which I have narrated on December 14, 1917.

A machine gunner in France had a "run in" with a corporal who had been drinking and wanted to fight. The gunner ran away from him to his billet. The corporal followed and, despite the opposition of another soldier, made his way into the billet. There the gunner defended himself with a knife and stabbed the corporal so that he died. The gunner was brought to trial on a specification that he did "willfully, feloniously, and unlawfully commit involuntary manslaughter," and was sentenced to forfeit $15 a month for three years and to perform hard labor for that period without confinement, which means that his hard labor was to be in addition to his regular military duties. On review by the Judge Advocate General the findings were declared to be void for repugnancy, "willful" involuntary manslaughter being a degree of crime unknown to the law.

A private was sentenced to be shot upon conviction as a deserter under the draft and of refusal to obey orders. Upon review by the Judge Advocate General's office the conviction of desertion was set aside on the ground that it had not been shown that the man had received the needful notification from his State adjutant general. For the conviction of disobedience the sentence was commuted to confinement at hard labor for 15 years. Then, some months later, it was discovered that the man was mentally deficient as a result of dementia præcox, and upon the further recommendation of the Judge Advocate General's office he was discharged into the custody of his father. Case No. 117458.

I do not want to mention that boy's name, because he is in the hospital, but I give the number—117458—and anyone who desires the name of any man to whom I refer can secure it from the War Department.

The one conscientious objector sentenced to death had been convicted of disobedience of orders to drill and of having seditious literature in his possession. The sincerity of his objections was established, as well as the fact that he had not been offered noncombatant service provided for under General Order No. 28. It was also established that while certain passages of books in his possession had been denounced by the Department of Justice, that department had also ruled that they might be retained by sectarians for private study. No evidence having been offered that this man attempted or intended to distribute the books, the Judge Advocate General's recommendation that the findings be disapproved and the man discharged was acted upon by the President. Case No. 116790.

A private of infantry was convicted of murder and sentenced to be hanged in the face of a plea of insanity that the prosecution had failed to controvert by evidence. The Judge Advocate General's office disapproved the findings and the man was sent to a Government hospital for the insane. Case No. 116694.

A private at Camp Shelby, Miss., was notified that his regiment was about to proceed overseas and that none might leave the limits of the camp. He waited until the guards were withdrawn and fled, with obvious intention to desert. He was apprehended after his regiment had sailed and sentenced to be shot. This was commuted by the President, on the recommendation of the Judge Advocate General, to 20 years at hard labor. Case No. 118109.

At the near-by Camp Beauregard, La., a private, described by one of his officers on the stand as a "mere boy," was convicted on charges of forgery, escape, and desertion, and was sentenced to 30 years' hard labor. This case, not falling within the category that receives presidential attention, stands as the court left it, and the "mere boy" faces 10 years more in prison than the man thought worthy of death. Case No. 131314.

Still another private at Camp Beauregard, charged with absence without leave for the same period and under the same circumstances, except that he had gone to bid his family farewell, was sentenced to confinement at hard labor for 15 years. Case No. 116800.

Court-martial record No. 108625. The accused was a boy, 17 years old. He was charged with sleeping on post, a capital offense, and he was defended by a second lieutenant and pleaded guilty. The following colloquy took place:

Pvt. So-and-so, do you know that in pleading guilty to that charge, if the court should find you guilty according to your plea, you may be shot to death with musketry?

ACCUSED. No, sir.

PRESIDING OFFICER. Well, you are informed that the maximum penalty for this offense of which you have pleaded guilty is death. Knowing this, do you wish to let your plea of guilty stand.

ACCUSED. Yes, sir; I guess so.

Whereupon the distinguished counsel for the accused made the following plea:

I would like to make a few remarks in behalf of the prisoner. It seems that the sergeant of the guard had given orders for the prisoner to stay on this post and to sit down, and in this warm room, by a fire, it is quite hard for a person to keep awake when he is seated in the dark for a whole hour by himself. It is also generally understood that the Articles of War had never been read to this prisoner, and he knew nothing of the seriousness of the offense of going to sleep. He is only a mere boy, 17 years old, apparently in bad health. Most of his time has been spent in a hospital since joining the Army. I would also state that this is the first post he had ever served on, and he served under very trying circumstances.

Whereupon the court sentenced this boy to be dishonorably discharged from the service, to forfeit all pay and allowances due and to become due, and to be confined at hard labor for two years. He was confined in the disciplinary barracks. On September 9, 1918, the case was brought to the attention of Gen. Ansell, who recommended that the boy be restored to duty.

EXCESSIVE SENTENCES.

SOUTHERN DEPARTMENT.

G. C. M. O. 600, Fort Oglethorpe. Charge: Disobeyed order to go to isolation hospital and order to stand at attention. Sentence: 25 years.

G. C. M. O. 581, Fort Oglethorpe. Charge: Disobeyed order to drill. Sentence: 40 years; reduced to dishonorable discharge and forfeiture of pay.

G. C. M. O. 566, Atlanta, Ga. Charge: Disobeyed order to go back on K. P. Sentence: Dishonorable discharge and forfeiture of pay.

G. C. M. O. 532, Fort Oglethorpe. Charge: Absence without leave four days; broke out of confinement. Sentence: Life.

G. C. M. O. 488, Fort Screven. Charge: Stole pair pants, value $15. Sentence: 15 years.

G. C. M. O. 391, Arcadia, Fla. Charge: Did not remain at barracks as ordered. Sentence: Dishonorable discharge and forfeiture of pay; 15 years.

G. C. M. O. 388, Fort Screven. Charge: Stealing small bottle of morphine, value $2.25. Sentence: 5 years.

G. C. M. O. 129, Camp J. E. Johnston. Charge: Disrespectful words and misconduct while in a civil jail, for which he received 20 days at city prison. Sentence: Dishonorable discharge and forfeiture of pay; 5 years.

G. C. M. O. 68, Eleventh Infantry, Fort Oglethorpe. Charge: Disobeyed order to report for setting-up exercises. Sentence: Dishonorable discharge and forfeiture of pay; 10 years.

WESTERN DEPARTMENT.

G. C. M. O. 115, Fort D. A. Russell, Wyo. Charge: Willfully disobeyed order from superior officer "to go to work." Sentence: Dishonorable discharge and forfeiture of pay; 10 years.

G. C. M. O. 135, Fort Winfield Scott, Cal. Charge: Willfully disobeyed order from superior officer "to resume his work as janitor at office of quartermaster." Sentence: Dishonorable discharge and forfeiture of all pay; 20 years.

G. C. M. O. 170, Fort Winfield Scott, Cal. Charge: Willfully disobeyed order from superior to go with company supply officer to receive his uniform and put it on. Sentence: Dishonorable discharge and forfeiture of all pay; 10 years.

G. C. M. O. 188, Fort MacArthur, Cal. Charge: Refused to put on uniform, etc. Sentence: Dishonorable discharge and forfeiture of all pay; 10 years.

G. C. M. O. 37, United States Disciplinary Barracks. Charge: Desertion—one day's absence. Sentence: Dishonorable discharge and forfeiture of all pay; 15 years.

COMPARISON OF SENTENCES, SHOWING THEIR INEQUALITY OF PUNISHMENT.

SOUTHERN DEPARTMENT.

G. C. M. O. 158, Eleventh Infantry, Oglethorpe. Charge: Disobedience of orders. Sentence: Dishonorable discharge, forfeiture, 2 years' confinement. (Involved two other charges of disobedience and threats to strike with an ax.)

G. C. M. O. 68, Eleventh Infantry, Oglethorpe. Charge: Disobedience of orders. Sentence: Dishonorable discharge, forfeiture, confinement 10 years. (Involved no other charges.)

G. C. M. O. 338, Fort McPherson. Charge: Sleeping at post. Sentence: Six months, forfeiture of pay.

G. C. M. O. 24, Eleventh Cavalry, Oglethorpe. Charge: Sleeping at post. Sentence: Dishonorable discharge, forfeiture, 10 years' confinement.

WESTERN DEPARTMENT.

G. C. M. O. 277, Vancouver Barracks. Charge: Sleeping at post. Sentence: Dishonorable discharge, forfeiture, 2 years, mitigated on review to 6 months.

G. C. M. O. 298, Presidio. Charge: Sleeping on post. Sentence: Dishonorable discharge, forfeiture, 5 years.

G. C. M. O. 299, Taliaferro. Charge: Sleeping on post. Sentence: Dishonorable discharge, forfeiture, 10 years.

G. C. M. O. 166, Presidio. Charge: Sleeping on post. Sentence: Forfeiture one-half pay, confinement 6 months.

G. C. M. O. 227, Fort Lawton. Charge: Sleeping on post. Sentence: Dishonorable discharge, total forfeiture, 10 years.

G. C. M. O. 322, Presidio. Charge: Struck with fist corporal while in execution of his office. Drunk and disorderly in quarters. Sentence: Dishonorable discharge, forfeiture, 2 years' confinement.

G. C. M. O. 349, Taliaferro. Charge: Absent without leave 14 hours; outside camp had liquor and civilian suit in his possession. Sentence: Dishonorable discharge, forfeiture, 10 years.

G. C. M. O. 366, Fort Lawton. Charge: Recruit willfully refused to serve in the Army in any capacity or to wear uniform. Sentence: Dishonorable discharge, forfeiture, 35 years.

G. C. M. O. 412, Fort McArthur. Charge: Refusal to wear uniform. Sentence: Dishonorable discharge, forfeiture, 3 years; on review execution suspended and soldier restored to duty.

G. C. M. O. 348, Disciplinary Barracks. Charge: Desertion; time absent, 3 months. Penalty: Dishonorable discharge, forfeiture, 15 years.

G. C. M. O. 217, Disciplinary Barracks. Charge: Desertion; time absent, 6 months. Penalty: Dishonorable discharge, forfeiture, 10 years.

G. C. M. O. 209, Disciplinary Barracks. Charge: Desertion; time absent, 11 days. Penalty: Dishonorable discharge, forfeiture, 15 years.

G. C. M. O. 197, Disciplinary Barracks. Charge: Desertion; time absent, 1 month. Penalty: Dishonorable discharge, forfeiture, 10 years.

G. C. M. O. 178, Disciplinary Barracks. Charge: Desertion; time absent, 2 months. Penalty: Dishonorable discharge, forfeiture, 10 years.

G. C. M. O. 75, Disciplinary Barracks. Charge: Desertion; time absent, 3½ months. Penalty: Dishonorable discharge, forfeiture, life.

G. C. M. O. 37, Disciplinary Barracks. Charge: Desertion; time absent, 1 day. Penalty: Dishonorable discharge, forfeiture, 15 years.

G. C. M. O. 454, Fort Barrancas. Charge: Desertion; time absent, 1 day. Penalty: Dishonorable discharge, forfeiture, 20 years.

G. C. M. O. 442, Jackson Barracks. Charge: Desertion (also stole rifle); time absent, 30 days. Penalty: Dishonorable discharge, forfeiture, 5 years.

SOUTHERN DEPARTMENT.

G. C. M. O. 30, Oglethorpe. Charge: Desertion; time absent, 2 days. Penalty: Dishonorable discharge, forfeiture, 10 years.

G. C. M. O. 28, Oglethorpe. Charge: Desertion; time absent, 2 months. Penalty: Dishonorable discharge, forfeiture, 5 years.

G. C. M. O. 23, Chickamauga. Charge: Desertion (also guilty of larceny); time absent, 14 days. Penalty: Dishonorable discharge, forfeiture, 5 days.

COMPARISON OF SENTENCES, SHOWING ACTION OF COMMANDING OFFICER ON REVIEW AND ARBITRARY POWER HE POSSESSES UNDER PRESENT LAW.

G. C. M. O. 257, Fort Caswell. Charge: Sleeping at post. Sentence: Fifteen years, dishonorable discharge, forfeiture. Reduced to 9 months.

G. C. M. O. 447, Garden City, Long Island, N. Y. Charge: Sleeping at post. Sentence: Five years, dishonorable discharge, forfeiture. Reduced to 5 months.

G. C. M. O. 292, Fort Benjamin Harrison, Ind. Charge: Sleeping on post. Sentence: Dishonorable discharge, forfeiture all pay, 10 years. Reduced to 6 months.

G. C. M. O. 32, United States Disciplinary Barracks. Charge: Desertion. Sentence: Twelve years. Approved; two previous convictions.

G. C. M. O. 28, United States Disciplinary Barracks. Charge: Desertion. Sentence: Ten years. Reduced to 1 year; two previous convictions.

G. C. M. O. 26, United States Disciplinary Barracks. Charge: Desertion. Sentence: Ten years.

G. C. M. O. 27, United States Disciplinary Barracks. Charge: Desertion. Sentence: Ten years.

Both deserted Camp Funston same day; apprehended same day. No. 26 had two previous convictions; No. 27 had one. No. 26 reduced on review to 1 year; No. 27 approved on review.

G. C. M. O. 351, Fort Slocum. Charge: Desertion (absent part of one day). Sentence: Dishonorable discharge, forfeiture, 15 years.

G. C. M. O. 350, Garden City, N. Y. Charge: Desertion (absent 2 months 20 days). Sentence: Dishonorable discharge, forfeiture, for life.

G. C. M. O. 349, Madison Barracks. Charge: Desertion (absent 1 year 7 months 5 days). Sentence: Dishonorable discharge, forfeiture, 4 months.

Court-martial No. 116069. Howard Matheney, Company F, One hundred and twenty-fourth Infantry. Charge: Desertion. Sentence: Twenty years. Facts: Eighteen years of age, enlisted in Canadian regiment, and saw service overseas.

Court-martial No. 114330. Dave Hooten, Company A, One hundred and fifty-third Infantry. Charge: Desertion, escape, and selling intoxicating liquor. Sentence: Twenty-five years.

Court-martial No. 117370. Ben R. Pethel, Company C, One hundred and fiftieth Infantry. Charge: Desertion. Sentence: Twenty-five years. Facts: No early advantages or education; National Guard; served six months and clemency board recommended unexecuted portion of sentence be remitted.

Court-martial No. 119997. Oda Hayse, One hundred and thirty-eighth Field Artillery. Charge: Desertion. Sentence: Twenty-five years. Facts: Enlisted when 17 years of age; very meager education; went home and worked on father's farm when absent in desertion; clemency board recommended unexecuted portion of sentence be remitted.

Court-martial No. 121537. Hamilton Janpol, private. Base Hospital, Camp Gordon, Ga. Charge: Refusal to sweep and mop a porch. Sentence: Ten years.

Court-martial No. 118830. Thomas E. Phillips, One hundred and twenty-first Infantry. Charge: Desertion. Sentence: Fifteen years. Facts: No record of previous conviction; prisoner 19 years of age; no education and never been away from home before.

Court-martial No. 119019. Herbert Dawdy, Company K, One hundred and forty-ninth Infantry. Charge: Desertion. Sentence: Twenty years. Facts: Married; wife and child in want.

Court-martial No. 118231. James A. Holland, One hundred and fifty-fourth Infantry. Charge: Desertion. Sentence: Twenty-five years. Facts: Little education; wife destitute.

Court-martial No. 116362. Fred Delong, One hundred and twenty-second Infantry. Charge: Desertion. Sentence: Twenty-five years. Facts: Nineteen years of age; no education.

The CHAIRMAN. The time of the gentleman has expired; all time has expired.

Mr. CANNON. Mr. Chairman, I desire to ask unanimous consent just in this connection for one minute to be yielded to the gentleman from California [Mr. KAHN.]

The CHAIRMAN. All time has expired.

Mr. CANNON. Have I a minute left?

Mr. SHERLEY. Mr. Chairman, I suggest that we start the reading of the first paragraph and then the gentleman can take time.

Mr. CANNON. I ask that the gentleman from California be recognized after the reading of the first paragraph.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, namely:

Mr. KAHN. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the statement made by the gentleman from South Dakota [Mr. JOHNSON] is a most interesting one. The whole country has been greatly stirred by this matter of courts-martial. Now, there undoubtedly has been more or less injustice done in the Army to soldiers, but I desire to have read in my time an editorial from the Chicago Tribune of February 15, 1919, upon this important subject.

The CHAIRMAN. Without objection, the Clerk will read the article in the time of the gentleman from California.

There was no objection.

The Clerk read as follows:

ARMY DISCIPLINE.

"For I am a man under authority, having under myself soldiers: and I say to this one, Go, and he goeth; and to another, Come, and he cometh; and to my servant, Do this, and he doeth it." (St. Matthew, viii, 9.)

When a soldier goes absent without leave, deserts his post of duty to see a dying father, he does so because his own personal desires are stronger than his sense of responsibility to his country. It may be a hard thing to give up seeing a dying father, but it is a harder thing to give up running away in the face of the enemy.

That is what military justice is about. The sole preoccupation of an army, wherever it is, is to train its men and keep them trained to obey the will of the commander under the most trying possible circumstances, and serve the will of the nation. If disobedience had been tolerated in the United States, our Army in Europe would not have captured the St. Mihiel salient nor fought six weeks in the Argonne.

The reason that the National Guard made good in this war and failed in our previous wars was that from the time it was inducted into the Federal service it was subjected to Regular Army discipline. In previous wars it kept its own "discipline."

An army, to be successful in the field, must from the moment it begins to train at home have absolute control of its discipline. The commanding general is everything. He must bear the three keys. He must

have final control. He must be the judiciary, the legislature, and the executive. If he were not, he would not have an army. He would have a collection of armed individuals.

Gen. Ansell's testimony before the Senate is based on a fundamental misconception. He thinks the first object of an army is justice. It is not. The first object of an army is victory.

Gen. Ansell is poisoning the public mind against the Army, because he wants his own bureau of the Army—the Judge Advocate General's—to be given more power. He wants to be a supreme court of Army discipline. He is striking at the foundation of the Army—discipline.

There are things that can be done. Young officers, made overnight, as we had to make them, because we had to have officers, make difficult situations. They have to be supported in the interests of discipline. They themselves are frequently disciplined for causing the situation. The solution is to train officers. Young West Pointers who have never served in the ranks are guilty of dangerous absurdities. Make a year in the ranks a prerequisite to West Point, and they will not be so inept.

Our regulations may be bettered and our administration of military law bettered, but it will not be improved by giving appeal powers to a bureau chief in Washington—a place for disgruntled officers, removed for inefficiency, for mutinous soldiers convicted by their commanders to gain sympathy and spread disaffection.

Army discipline is not pleasant. No discipline is pleasant. What seems to be forgotten in this discussion before the Senate is that an Army is no good to the civilian population of this Nation unless it submits to rigorous discipline.

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. DYER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California.

Mr. SHERLEY. Mr. Chairman, I desire to have recognition for just a moment. I hope that gentlemen will forbear as far as possible in connection with debate upon this interesting question at this time. If we are to get the bill through by to-night, it is going to require a certain amount of restraint on the part of all of us, and I trust that gentlemen will not now open up this subject.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask to have five minutes under the rule in order to reply to the telegram that has just been inserted by the gentleman from California.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, the occasion for my rising is the article which has been read from the Clerk's desk presented by the gentleman from California [Mr. KAHN]. I think that that article is most unjust; that the statements therein are most uncalled for, and that they are not in keeping with the American spirit of fairness and justice in the Army. [Applause.] And if the gentleman from California, a distinguished Member of this House, were to become, as I understand he is to become, the chairman of the Committee on Military Affairs of the next House, and if he believes in the statements contained in that article and would in this House encourage them and speak for them I would hate to see him become the chairman of the Committee on Military Affairs of the next House. [Applause.] There is not any question, Mr. Chairman, but what the greatest injustice to-day in the Army is in the manner of courts-martial. It has been so in the Army for many, many years. I have known some of it from observation myself. I have seen men court-martialed, reprimanded, and disgraced by their officers over them without any justification in fact or in law, and the time ought to be here now in this great American Republic when men, be they in the Military Establishment or in civil life, can receive justice and fairness at the hands of their superior officers and the officers of the law. [Applause.] Gen. Ansell, of the Judge Advocate General's office, has risen head and shoulders above anybody in the Military Establishment during this war [applause], and because he has been the man to stand up and come out and say that injustice has been done; that men have been sent to their death without opportunity to have their cases reviewed by the proper officers, it is said in the papers that Gen. Ansell will be compelled to resign and leave the War Department. Think of that, gentlemen, when an officer charged with responsible duty offers suggestions as to how better to do justice to the soldiers in trials by court-martial he is to be driven from the Army.

Mr. Chairman and gentlemen, if that has become the case in this country we ought to reorganize the Military Establishment from top to bottom. [Applause.] That article just read from the desk is the way some of the high officials at the head of the Armies feel about our private soldiers. Some of them seem to reap great pleasure out of the mistreatment of our men who are in the Armies; and I say to you, Mr. Chairman, that the men in the enlisted personnel of our Army are to-day and have been of as high character, as intelligent, and as patriotic as any man in the commissioned personnel of the Army. And because a man gives up certain rights, which he does, to enter the Military Establishment and fight for his country, shall he be denied an opportunity for justice and fairness? I hope that time has not come in this Republic. And it is because of the complaints that we have read about and that we know about, and that the gentleman from South Dakota [Mr. JOHNSON] knows about, a man who has served with honor and credit in France, it is because of what he and others know that we are trying to have a revision of the court-martial law. And, Mr. Chairman, we will have it. It is because of these conditions that the Military Establishment is unpopular and compels them to come here and produce much more than ample evidence for the retention of the Military Establishment in proper strength.

You remember when a few days ago the military bill was here in the House that the Members of this House were willing to vote an Army of only 175,000 men, whereas perhaps they need more, and it is due to the mismanagement of the Army and the fact that we do not receive justice and fairness and square dealing for the men who have fought and are fighting the battles of our country. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ALIEN PROPERTY CUSTODIAN.

For expenses of the alien property custodian authorized by the act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, including personal and other services and expenses incident to the acquiring and rental of quarters in the District of Columbia and elsewhere, per diem allowances in lieu of subsistence not exceeding $4, traveling expenses, printing and binding, law books, books of reference and periodicals, supplies and equipment, and maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, $110,000.

Mr. SHERLEY. Mr. Chairman, I neglected during my statement to the committee to say that it was my purpose by authority of the Committee on Appropriations to offer an amendment to the bill providing for a joint commission of the House and Senate in connection with the present methods of the Government relative to financial matters. I have had printed for the information of the House a number of the copies of the amendment in order that Members may familiarize themselves with this proposition, and I call attention to it now in order that the House may be advised, as I desire a little later to offer the amendment. The copies are at the desk.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEWERS.

For cleaning and repairing sewers and basins, $25,000.

Mr. KING. Mr. Chairman, I move to strike out the last word, and in support of that I ask the Clerk to read the resolution which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to have the resolution read in his time. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

At the meeting of the Iowa State Grange, held at Des Moines, January 23 and 24, the following resolution was adopted:

"*Resolved*, That we are unalterably opposed to the so-called 'daylight-saving plan,' which, instead of saving time, has wasted time and money for the farmer, who works from daylight in the morning to darkness, anyway, and who simply finds an hour of darkness added in the morning to his working day if he conforms to this change. It has proven a serious loss and a continual inconvenience to the farmers of this State and the Nation, and we urge upon our Senators and Representatives in the United States Congress that they use their influence to prevent turning the clocks of the Nation an hour ahead in 1919, as was done last year. We will approve and indorse any resolution introduced in the Iowa State Legislature that will place this State on record as opposing any further tampering with our historic standard method of computing time by the sun."

Mr. KING. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For dust prevention, cleaning, and snow removal, including the same objects specified under this head in the District of Columbia appropriation act for the fiscal year 1919, $60,000.

Mr. SISSON. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The gentleman from Mississippi offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

On page 6, after line 12, insert the following as a new paragraph: "The Commissioners of the District of Columbia are hereby authorized to investigate conditions affecting the existing contract for the collection and disposal of ashes in the District of Columbia during the fiscal year ending June 30, 1919, with a view to determining whether any adjustment should be made in the compensation paid, or to be paid, thereunder and to adjust the same if the facts disclose the necessity for such adjustment: *Provided further*, That additional compensation, if any, paid as authorized herein shall not exceed the sum of $22,000 for the year. And the said commissioners are further authorized, if in their opinion such action shall be to the best interests of the District of Columbia, to hereafter conduct any or all of the operations involved in the collection and disposal of city refuse of every kind as municipal functions, and for that purpose to purchase or lease the necessary plants, buildings, and land, to purchase or hire horses and horse-drawn vehicles, passenger-carrying and other motor-propelled vehicles, equipment, and machinery, and to employ expert and other personal services, and labor, and to pay traveling, maintenance, incidental, and contingent expenses: *Provided*, That products arising from such operations conducted as authorized herein may be sold and the pro-

ceeds arising therefrom shall be repaid to the then current appropriation for the collection and disposal of city refuse: *Provided further*, That any or all operations herein authorized to be conducted as municipal functions may be put into effect as such upon the expiration of any of the existing contracts for the collection and disposal of city refuse or upon the failure of any of the present contractors to properly perform the work covered by their contracts: *Provided further*, That it shall be unlawful for any employee of the District of Columbia engaged in the removal of garbage, ashes, miscellaneous refuse, dead animals, or night soil, or for any employee of a contractor doing such work for the District of Columbia, to accept any gift, except from his employer, in money or any other thing of value for any service performed in connection with the removal of city refuse as hereinbefore described; and it shall be unlawful for any person, firm, or corporation, except such employer, to pay or offer to pay, any money or to make any gift to any such employee for such service; that any person violating the provisions of this paragraph shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined in a sum of not less than $5 nor more than $40 for each such offense."

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. Was not this same amendment inserted in the District bill by the Senate?

Mr. SISSON. Yes.

Mr. MANN. How many bills does the gentleman want to put it in?

Mr. SISSON. Well, if the District bill does not pass, this item ought to be taken care of at this session of Congress.

Mr. MANN. Well, there are a great many items that ought to be taken care of at this session of Congress. Does not the gentleman think the District bill will be passed? If not, why?

Mr. SISSON. I do not think that the District bill has a chance to pass; but this matter is the same matter that was in the deficiency bill before, and a point of order was made at that time on the item. This item is one which is agreeable to the Senate as well as the House conferees. The difference is that under the bill——

Mr. MANN. I know what the item is. The gentleman need not explain. I made a point of order on it in the House before; but what I wanted to get at is, What is the necessity of inserting in this bill an item that is now in the District bill that was reported? The gentleman from Mississippi proposes to defeat the District bill unless the House has its way about changing the law about the half-and-half plan.

Mr. SISSON. Does the gentleman ask that as a question?

Mr. MANN. No; I made it as a statement. It is currently reported to that effect; and I take it, from the offering of the amendment by the gentleman from Mississippi, that he admits that if he can not have his way about changing the law on the appropriation bill he proposes to defeat the whole appropriation bill.

Mr. DAVIS. The gentleman, I understand, if he will permit me, raised the point of order on this when it was in the District bill.

Mr. MANN. I did.

Mr. DAVIS. And the only alternative left is to put it in the deficiency bill.

Mr. MANN. The gentleman is not correct about that statement, and no one knows it better than he, because it is in the District bill now as a Senate amendment.

Mr. DAVIS. But the bill has not come out on the floor. It is liable to be stricken out when it gets on the floor. It is only in the subcommittee.

Mr. MANN. No; the gentleman is mistaken about that. The House has disagreed to it frequently and sent the bill to conference. The bill is in conference, and the House has no chance to express any opinion on that separate item separately.

I will not make the point of order on this. I made the point of order when it was before the House before, and afterwards said I was willing to withdraw the point of order after a statement was made to me by the gentleman from Minnesota and other gentlemen. But I must say it is an unfortunate circumstance as to part of this appropriation bill that it is a certainty, apparently, that we are going to have an early extra session—I will not say an early extra session, but an extra session—and every gentleman who is on one of the conference committees thinks that he can stand out, both here and in the Senate, and not yield, but insist upon having his own way, because he says, "Ah, well, this bill can be enacted into law before the 1st day of July by the next Congress."

That is not the case. If the majority side of this House now and the majority side of the Senate now refuse to enact these appropriation bills, and then the President declines to call an extra session of Congress until he returns from Europe in May or June, it will be an impossibility to pass the appropriation bills before the 1st of July, and the responsibility for the failure will be upon the Democrats. If we should endeavor to pass these appropriation bills in the next House under the spur and whip, every Democrat would have the hydrophobia and would froth at the mouth and insist that they ought to have plenty of time for discussion and consideration.

Why do you not get busy and pass the bills that can be passed? The District bill is one. Mr. Chairman, I withdraw the point of order.

Mr. VARE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. VARE. Mr. Chairman, if this amendment is adopted would it not make a misdemeanor on the part of any of the employees of the contractor to receive a small Christmas present from some person in the line of his work?

Mr. SISSON. I think if it was given for the purpose of having had some special service performed in removing ashes it would be a violation of this provision.

Mr. VARE. I do not refer to a special service. I refer to the ordinary conduct of business.

Mr. SISSON. If it were not given to the employee by virtue of the fact that he occupied this particular place and rendered you some particular service with reference to the ashes, I do not think it would.

Mr. VARE. Is it not true that the Commissioners of the District have the right to make any kind of reasonable regulations in order that proper order and discipline can be enforced?

Mr. SISSON. I think this would have to be either by direct regulation or controlled by regulation.

Mr. VARE. Is it not true that the commissioners have the right to prepare their specifications and arrange——

Mr. SISSON. I think they would have the right to control by regulations their employees, but I doubt if they would have the right to regulate the employees of the contractor.

Mr. VARE. I think the present District Commissioners have the right to pass upon their qualifications.

Mr. SISSON. No; not if he complies with his contract. I will say to the gentleman frankly that this amendment that he speaks of was put in by the Senate. It was not in the provision as it came from our committee here.

Mr. VARE. Does not the gentleman think that it is rather a small work for the American Congress to pass a law making it a misdemeanor for some minor employee to receive a Christmas present? Does not the gentleman think that is a rather small business for the American Congress to engage in?

Mr. SISSON. The conferees agreed to it because we were making an effort to agree with the Senate as nearly as possible, and they insisted on this, and it is a matter of minor importance, and we thought we ought not to let the measure fail, but ought to make some concession to the other body, although it is contended sometimes that we ought to make all concessions to them.

Mr. VARE. Mr. Chairman, it is my opinion that it is within the province of the Commissioners of the District of Columbia so to arrange their specifications in order that the citizens of the District of Columbia shall receive efficient service, and that they have a perfect right to make any regulations they care to which would be an improvement to the service. They have the right to inspect the equipment furnished by the contractor and they have a right to pass upon the efficiency of the employees, and it seems to me that the American Congress is devoting time which might be used to much greater advantage when they want to make a criminal out of a hard-working man if he receives a minor Christmas present while coming in contact with the housekeepers of the city during the year.

Mr. SISSON. This provision was put in the bill in the present form by the Senate, and they added a provision which the gentleman from Pennsylvania has referred to in his remarks. I could see no objection to this, because the ashes of everybody ought to be removed just alike. Those people who happen to be fortunate in having plenty of money could very easily afford to give an extraordinary tip at the end of each month or an extraordinary Christmas present, whereas the poorer people of the city might not be able to do it. I care very little about it, but the Senate put it on and we allowed it to stay.

Mr. VARE. But the contractor is already paid for efficient service. If the commissioners do not force the contractor to do his work, that ought to be a matter for the commissioners, for I assume they are well paid for the service rendered.

Mr. SISSON. That may be true.

Now, Mr. Chairman, in reference to the District bill the House has not only once, but many times, not only by majorities but by overwhelming majorities, decided against the half-and-half principle. We have insisted that the Senate should take this matter up and discuss it.

We have insisted that the Senate take this matter up and discuss it. They have declined to do it. The House twice by

a two-thirds vote has declared against the half-and-half principle. Your conferees feel that the House ought to receive more consideration at the hands of the Senate. When this bill passed there were not enough Members in opposition to get a roll call on the proposition. Not only that, this provision which we put in the bill does not change the rate of taxation nor does it change the valuation of property. It simply provides that the amount of money collected in the District of Columbia as taxes shall first be used to pay the District expenses and that the balance shall be paid out of the Federal Treasury. That action of the House is most liberal toward the District; because I have a report from some 40 different cities, and, without going into details, I state to you that the taxpayers of the District of Columbia pay, according to these reports, less than half what taxpayers in other cities have to pay. But we are not trying to change that. We simply want to provide that the money collected out of the District of Columbia shall first be applied to the payment of District expenses, and then whatever may be appropriated over and above that shall be paid by Congress. That is the simple provision. Now, we have marched up the hill and marched down again, and your conferees have labored with the Senate conferees on this matter, but the Senate conferees have up to date declined to discuss it. It is not in the mouth of the Senate to complain of the House for putting a legislative provision on a bill, which is in order under the rules of the House, when the Senate is the greatest offender in this matter. I will not stop to enumerate the many cases, but they are well known to Members. Your conferees will labor with the conferees of the Senate in an effort to get together on the bill; but the Senate have three times, in spite of the report of a commission, declined to adopt the report of that commission. This commission was composed of three Members from the House and three from the Senate. Every member of the House commission had voted in favor of the half-and-half, and every member of the Senate commission had prior to that time voted in favor of the half-and-half. Yet, after a summer's investigation, that commission unanimously reported to this House and to the Senate that the arbitrary half-and-half provision was wrong; that it was unjust and unfair to the Federal Treasury.

Notwithstanding the commission made that report, the Senate declined to take any action to remove what their commission appointed by them said was an unjust arrangement. The gentleman from Ohio [Mr. GARD] was on that commission. When we brought in the bill last year that provision was not in it, but the gentleman offered it and it passed the House by an overwhelming majority. Your conferees, acting upon the repeated vote of this House, feel that the Senate ought at least to discuss this matter and give to the House that consideration which I am sure every Member of this House would want to give to every provision that might be put upon a bill by the Senate. That is the attitude of the House conferees.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. SISSON].

The amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF STATE.

For additional employees in the Department of State, $25,000: *Provided*, That not more than six persons shall be employed hereunder at a rate of compensation exceeding $1,800.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Is it proposed by the authorization carried in the proviso to grant them authority to employ six additional persons at more than $1,800 under the authority that they now possess under the legislative bill?

Mr. SHERLEY. No. It is my understanding that this simply continues the permission to employ six people at salaries in excess of $1,800. It was not meant to give them six additional people.

Mr. STAFFORD. They have authority under existing law to employ them out of their lump-sum fund?

Mr. SHERLEY. Yes. This is simply to permit them to continue that. I will say to the gentleman that I had the same thought that the gentleman has, but I took it up and examined the question, and my opinion is that this, being a deficiency for the other fund, simply permits six people, as the other fund did, and not more than that.

Mr. STAFFORD. I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

For engravers' and printers' materials and other materials except distinctive paper, miscellaneous expenses, including paper for internal-revenue stamps, and for purchase, maintenance, and driving of necessary motor-propelled and horse-drawn passenger-carrying vehicles, when in writing ordered by the Secretary of the Treasury, $400,000, to be expended under the direction of the Secretary of the Treasury.

Mr. STAFFORD. I reserve a point of order on the paragraph. I wish to inquire what is the necessity in this deficiency bill of authorizing the purchase of automobiles for the use of the Bureau of Engraving and Printing, as carried in this item at the top of page 17?

Mr. SHERLEY. This is simply the exact language in which the original appropriation was made. It is not carried with the idea of buying any horse-drawn or motor-propelled vehicles. They had $1,335,000 as their annual appropriation, and this is simply an appropriation to supply a deficiency due to the increased cost in materials and other supplies in connection with the work of the bureau.

Mr. STAFFORD. Can the gentleman inform the committee as to the number of passenger autos that the Bureau of Engraving and Printing has for its use?

Mr. SHERLEY. I do not recall. I may be able to find it for the gentleman, but we had no testimony about that when we were considering this bill, because, as I say, the sole purpose of this $400,000 is to give them money to supply deficiencies in the cost of these materials.

Mr. STAFFORD. I can not see much need for authorizing the purchase of passenger-carrying automobiles.

Mr. SHERLEY. There is not the slightest need for it; but it was not for that purpose. It was simply in the same language as the original appropriation. The clerk of the committee calls my attention to the fact that they have one horse-drawn rockaway carriage that is used by the director, assistant director, and other officials, and to convey to their homes employees who are injured or who become ill while at work. They have one electric wagonette.

Mr. STAFFORD. Both of these conveyances are old and ancient. I think they should get a modern conveyance. Perhaps this might be used to get an up-to-date Dodge car from the War Department that are now being sold, as I understand, for $250, and they are worth $1,000. So I will not interpose further objection to their purchasing automobiles.

Mr. SHERLEY. This is not to purchase an automobile; it is to use for materials in connection with their work.

Mr. STAFFORD. I hope sometime they will get a modern conveyance and have a little speed. Mr. Chairman, I withdraw the reservation of a point of order.

The Clerk read as follows:

For maintenance of marine hospitals, including subsistence, and all other necessary miscellaneous expenses which are not included under special heads, $200,000: *Provided*, That there may be admitted into said hospitals for study persons with infectious or other diseases affecting the public health, and not to exceed 10 cases in any one hospital at one time.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. This may be the identical language carried in the act authorizing the expenditure. What is the policy of the Public Health Service in inviting into the hospitals persons who are afflicted with infectious or other diseases affecting the public health generally?

Mr. SHERLEY. Some years ago the Public Health Service desired to make a study of a special character of diseases about which the profession did not have as much information as they desired, and they wanted to start the practice of taking these people into the hospitals. They had no authority at law for doing it, and this proviso was put on to enable them to do it. The Committee on Appropriations, in order that the matter might be under control and not left simply to the notion of some one in charge of the particular hospital, put on a limitation of this kind so as to permit a legitimate investigation to go forward without letting it lead to abuse.

Mr. STAFFORD. It is not a new proposal to carry out the ambitious policy of the Bureau of Public Health?

Mr. SHERLEY. No; it has been running three or four years, at least.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

The Clerk read as follows:

RIVER AND HARBOR WORK.

For payment of claims adjusted and settled under section 4 of the river and harbor appropriation act, approved June 25, 1910, and certified to Congress in House Documents Nos. 1756 and 1819 of the present session, $774.31.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I want to make a statement in reference to the river and harbor item for the RECORD. The Secretary of Commerce is required by law to send to the Speaker of the House annually a statement of the accidents caused by barges in tow through the open sea.

He has just forwarded his statement for the fiscal year 1918. It shows that a number of accidents have occurred during the year between Boston and Norfolk, all on the outside. The

practice of having barges in tow is a dangerous one to navigators and is more or less fraught with loss to the shippers. It involves the general problem of transportation, and barges that go into the open sea generally carry fuel from southern points to New England. So that in time of storm, or when vessels come in contact with barges in tow, there is necessarily much delay and heavy loss.

The river and harbor bill just agreed to carries provision for certain inside passages along the Atlantic coast. I am hoping that an improvement of some of these inside waterways may lead to a lessening of the risk of loss that is incurred by the outside route. It is almost absurd in these modern times, when nature has provided an inside passage, that vessels not intended to be sent into the open sea, are obliged to do so in order that the people may obtain fuel. That the practice has been unfortunate, and that there should be a remedy, is apparent from this record of loss in the report of the Secretary of the Treasury. During the year no less than 35 accidents have occurred. We might call them disasters. Some involve a loss of life on the outside of the Atlantic coast between Norfolk and Boston. The list of barges involved is in hand, and the causes leading to the accidents or disasters are stated. Most of them arise from storms, some from darkness, and some from bad navigation.

The causes include springing a leak, foundering, breaking adrift, dragging anchor, stranding, colliding with other vessels, foundering in the gale, seams opened by the ice, and losing rudder in heavy weather. All of these things are incident to the sending of these fragile vessels into the open sea. The money loss on barges alone is upward of $1,000,000.

I ask unanimous consent, Mr. Chairman, to extend my remarks in the RECORD by inserting the list of accidents along the Atlantic coast for the last fiscal year between the points I have mentioned, as forwarded by the Secretary of Commerce to the Speaker of the House.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to insert his remarks in the RECORD. Is there objection?

There was no objection.

The list is as follows:

List of accidents along the Atlantic coast at points mentioned.

Name.	Rig.	Date.	Place.	Cause.	Lives lost.	Money loss.
Norman	Barge	Aug. 4–5, 1917	Orleans Bay, Mass	Springing a leak and foundering		$30,000.00
782	Schooner	Aug. 10, 1917	Off Shinnecock Light, Long Island	do		[1] 69,247.95
Foster	do	Sept. 8, 1917	Off Absecon Light, N. J	do		54,000.00
O. D. No. 37	Barge	Sept. 14, 1917	Near Virginia Beach, Va	Breaking adrift and stranding		[2]
O. D. No. 43	do	do	do	do		[2]
Nathan Lawrence	do	Sept. 16, 1917	do	Dragging anchor and stranding		[2]
Logan	Schooner	Sept. 18, 1917	Nauset, Mass	Stranding		[1] 10,066.95
Western Belle	do	Sept. 23–24, 1917	10 miles north of Fenwick Island Light Vessel.	Unknown	3	15,000.00
780	do	Oct. 24, 1917	Handkerchief Light Vessel	Colliding with light vessel		200.00
Catherine Horan	Barge	do	Quonocontaug, R. I	Breaking adrift and stranding	0	8,000.00
Jack Scully	do	Nov. 20, 1917	Off Plymouth, Mass	Stranding	0	400.00
Madison	do	Dec. 8, 1917	Off Beavertail Light, R. I	Foundering	1	18,000.00
Chippewa	do	do	do	do	3	14,000.00
Marion B	do	do	do	do	2	15,000.00
Beattie	do	do	Near Fenwick Island Gas Buoy, Del	Disabling of tug	0	3,000.00
Michael Dempsey	do	Dec. 8–9, 1917	Near Egg Harbor, N. J	Foundering in gale	0	48,000.00
Katherine Dempsey	do	do	do	Not reported	0	700.00
Ella A. Dempsey	do	do	do	do	0	500.00
Ruthama Shaw	do	Dec. 8, 1917	Near Black Fish Bank, Va	Foundering in gale	0	[1] 30,000.00
Lottie	do	Dec. 9, 1917	do	do	0	[1] 30,000.00
Ruth	do	do	do	do	0	[1] 25,000.00
Lancaster	do	do	10 miles east of Chincoteague, Va	Sinking at anchor during a gale	5	70,000.00
Georgia	Schooner	do	Near mouth of Chincoteague Inlet, Va	Springing a leak and foundering	0	[1] 139,950.00
Scully	do	Dec. 11, 1917	Near Pollock Rip Light Vessel	Force of wind causing collision with schooner F. C. Pendleton.		[2]
Dendron	do	Feb. 7, 1918	Off Cape Charles Light Vessel	Seams opened by ice		56,000.00
Somerset	do	Feb. 10, 1918	Off Ambrose Light Vessel	do		67,000.00
Westmoreland	do	Feb. 26, 1918	5 miles east of Fire Island Light Vessel.	Losing rudder in heavy weather		[2]
Larimer	do	do	do	do		[2]
Henry Failing	do	do	Off Block Island, R. I	Foundering in storm		81,500.00
Hampshire	do	Mar. 10–11, 1918	Near Five Fathom Bank Light Vessel	Sinking while at anchor	4	57,678.00
Severn	do	Apr. 10, 1918	Rehoboth, Del	Dragging anchor and stranding		[2]
Merrimac	do	do	do	do		50,000.00
Hammond	do	do	Wildwood, N. J	Breaking adrift and stranding		35,000.00
Pilgrim	do	May 10, 1918	Off Vineyard Sound Light Vessel	Springing a leak and foundering	4	48,400.00
Liberty	do	May 11, 1918	do	do		36,650.00
Total (35 vessels involved).					22	1,013,292.90

[1] Values of vessels only; values of cargoes not reported.

[2] Not reported.

The Clerk read as follows:

Temporary office buildings: For employees during the fiscal year 1920 at annual rates of compensation as follows, for the maintenance and protection of the temporary office buildings known as War Trade Building, between B and C Streets and Twentieth and Twenty-first Streets NW.; Food Administration Building No. 1, between Eighteenth and Nineteenth Streets and C and D Streets NW.; Food Administration Building No. 2, between New York Avenue and D Street and Nineteenth and Twentieth Streets NW.; Council of National Defense Building, on Eighteenth Street between C and D Streets NW.; Fuel Administration Buildings Nos. 1 and 2, bounded by Virginia Avenue, Eighteenth, and C Streets NW.; Fuel Administration Building No. 3, on D Street, between Twentieth and Twenty-first Streets NW.; H. L. Pettus Building, on Nineteenth Street, between Virginia Avenue and D Street NW.; Archie Butt Building, 1725 New York Avenue NW.; and Corcoran Courts Building, on New York Avenue, between Seventeenth and Eighteenth Streets NW.: Assistant superintendent, $2,000; principal clerk, $2,000; clerks—1 of class 3, 1 of class 2, 3 of class 1; 2 messengers at $840 each; chief electrician, $1,600; electricians—1 $1,400, 4 at $1,200 each; foreman, $1,600; carpenters—1 $1,400, 5 at $1,200 each; plumbers—1 $1,400, 3 at $1,200 each; steam fitter, $1,400; sign writer, $1,400; painters—3 at $1,200 each, 1 $1,000; 8 general mechanics at $1,000 each; assistant engineers—1 $1,400, 3 at $1,200 each; 18 firemen at $840 each; 11 coal passers at $720 each; guards—captain $1,600, 3 lieutenants at $1,080 each, 18 sergeants at $900 each, 167 privates at $780 each; fire marshal, $1,200; foreman of laborers, $1,000; assistant foremen of laborers—2 at $840 each, 9 at $720 each; 84 laborers at $660 each; 6 attendants at $480 each; laborers and charwomen, $97,020; in all, $394,520.

Mr. LONDON. Mr. Chairman, I move to strike out the last word.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. LONDON. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONDON. Mr. Chairman, I will ask the chairman of the committee whether this is new legislation?

Mr. SHERLEY. It is legislation in so far as it relates to the care of these buildings for the next fiscal year, this being a deficiency bill for this year; but it is to take care of a lot of buildings that are here in the city of Washington, provision for which has not been made for the next fiscal year. Ordinarily a good deal of this would have been taken care of in the legislative appropriation bill, but in some way or other the matter was overlooked in that bill.

Mr. LONDON. These are employees ordinarily employed, and I suppose provision would have been made for them.

Mr. SHERLEY. They are employees in this sense, that these departments had their employees under funds that had been voted for them. Those departments are going out of existence. They are departments that came up in connection with the prosecution of the war, and now as they disappear the buildings are to be occupied by other establishments, and it seemed wise to make some provision for next year, for their care and upkeep. Col. Ridley went into the matter and studied it at considerable length. He submitted some tables, which gentlemen will find on page 339, and subsequently of the hearings touching the whole matter. He seems to have made a very exhaustive study. I am frank to say

to the gentleman that I do not know just the number of carpenters, plumbers, painters, and engineers there ought to be for these buildings. I am equally frank in saying that I have not had the time to go into the details of these positions, but Col. Ridley is an efficient engineer officer. He has made a study and an elaborate report about the matter, and in the absence of better information, if there be any, I have accepted his view as to the needs for these buildings. The amounts do not seem excessive when you consider the area.

Mr. MANN. Mr. Chairman, there are one or two things that I would like to inquire about, and it is possible that the gentleman has explained them, but owing to the unusual quiet on the Democratic side of the House he did not lift his voice so that we could hear all of his explanation. I want to say that, so far as I am concerned, I will do anything I can within reasonable bounds to have any of the buildings on Potomac Park torn down and thrown away and have the park resume its normal functions of being a park for the benefit of the people. How far this has a tendency to reserve these buildings and force their use by the Government I do not know. I have frequently heard gentlemen say here—and I do not know but that it is the prevalent opinion in the House—that wherever the Government has a building of its own which it can use it has no right to lease a building from a private person. I think that so far as the Government has temporarily stolen the use of the parks to put up temporary buildings, it ought, wherever it can, to use private leased quarters, to use them, and tear down the buildings put in Potomac Park. [Applause.]

Mr. SHERLEY. If the gentleman will permit, I am not nearly so much in opposition to his view as perhaps he thinks I am.

Mr. MANN. I think the gentleman from Kentucky and I would come probably about as near to agreeing about the proposition of public parks as any two men in the House.

Mr. SHERLEY. I think particularly in regard to these temporary buildings that are of frame construction their life ought to be very limited, but right now we are in a transition state in which we can not at once jolt down into the normal activities of the Government, and we can not tell just what space on ground elsewhere ought to be used. In the meantime there has been considerable congestion in respect to property in the city of Washington, with very high rents. For the present it seemed wise to continue the use of these buildings until we had reached a point where the departments shrink, as I hope they are going to shrink, to something like former conditions; but I will say to the gentleman that touching these particular ones, nearly all of them are on leased ground. In the hearings, on page 344, there is a list of the buildings. The Council of National Defense, Food Administration Buildings 1 and 2, Fuel Administration Buildings 1 and 2, Fuel Administration Building 3, War Trade Building, the Quartermaster Pettus Building, the Quartermaster Butt Building, and the Corcoran Courts Building are all on rented ground, and they constitute the majority portion of these buildings.

Mr. MANN. I have not been through any of the buildings either on the Mall or in Potomac Park. The fact is that I have not been inside any of them, either while under construction or since they were constructed, while they were occupied or since they have been unoccupied. I am told by gentlemen who have been to a number of these buildings that a large share of the space is now unoccupied, wholly unoccupied. It does seem to me, if that is the case, and a portion of two buildings is occupied and a large portion of two buildings is unoccupied, it is desirable to consolidate the parts that are occupied and tear down the building that is not occupied and for which there is no need.

Mr. SHERLEY. I think that is true; if there is no need—but I am inclined to think that in order to get rid of very expensive leased property that is not particularly satisfactory, for some part of the next fiscal year most of these will have to be pretty fully occupied.

Mr. MANN. That may be. I do not speak with knowledge about that.

Mr. SHERLEY. I am frank to say to the gentleman that I know of nothing more difficult than to undertake to follow the matter of housing with respect to a lot of these departments. In the first place, the departments quarrel like a lot of children as to where they will be housed, the space they ought to occupy; and unless some special authority is created to control the matter Congress is constantly going to be asked to go into a lot of details that it can not know very much about and which take a great deal of time that ought to be done as a matter of administration.

Mr. MANN. Of course, we have covered that now in the legislative appropriation bill by the provision for a commission.

Mr. SHERLEY. That is true.

Mr. MANN. I am not familiar with these buildings. It struck me, among other things, that 200 policemen is quite a bunch of men to take care of the few buildings that are occupied a few hours in the daytime and possibly occasionally at night.

The people of Washington want more policemen in the city. They have to have policemen on duty, quite a number of them, all the time. If we provided policemen in the city of Washington in proportion to the police we provide for these buildings I do not know how many thousands or tens of thousands there would be.

Mr. SHERLEY. Well, the whole matter was on the basis of the cost of guarding per square foot, and those buildings, some of them, rather all of them, probably, are frame buildings, where the fire risk is greater than normal.

Mr. MANN. Oh, well——

Mr. SHERLEY. I am perfectly frank in saying to the gentleman I am neither prepared to condemn nor to support the details of this matter. I just could not go into the question within the time at my disposal, and I took Col. Ridley's statement. He has worked out the proposition in a good deal of detail. Now, it is possible that he may be overstocked with policemen. There are nine buildings here, and that looks to a day and night force——

Mr. MANN. They do not need very many men on duty at night, and I do not know but they need fewer on duty in the daytime. A lot of these Government buildings have so many men in them that you fall over them when you go in and stumble against them when you come out. It is absolutely ridiculous, it would seem to me, without very much knowledge——

Mr. SHERLEY. I am not prepared to say.

Mr. MANN (continuing). To propose a police force of 200 men to take care of, did the gentleman say 11 buildings?

Mr. SHERLEY. If the gentleman desires and wants to make the point of order, I will be glad to try to take the matter up and let the Senate put it in or put it on in conference.

Mr. MANN. I do not propose to make the point of order. I thought in the first place that these buildings might be in the Mall, and I might accomplish the destruction of some of them if I made the point of order, and if I thought I could destroy all of them I would. I do not propose to make a point of order because it contains a lot of superfluous policemen, but there is no sense in it. We have a police force in Washington that takes just as good care of these buildings as it does of the house the gentleman from Kentucky lives in or the apartment where I put up, or am put up, and if the Highlands Apartment had a dozen or fifteen policemen to watch it it would not be any more in proportion than these buildings will be, and they do not need as many as the Highlands do. Some officer in charge gets perfectly crazy about the number of men he wants under him in the police force, not to arrest anybody, but just to draw pay and look on. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

BUREAU OF STEAM ENGINEERING.

For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $5,109,433: *Provided*, That no part of this appropriation shall be expended for the acquisition of radio stations in whole or in part used for the transmission or reception of commercial messages.

Mr. MANN. Mr. Chairman, I move to strike out the last word. When this item was up in the consideration of the former deficiency bill it was stricken out by a vote of the House in the hope that the Navy Department might give some information concerning it. The gentleman from Tennessee [Mr. PADGETT], the chairman of the Committee on Naval Affairs, I am told, though not by him, shortly thereafter inserted in the RECORD under leave a letter from the Secretary of the Navy replying to my speech on the floor of the House. It is usual where such things are done for the Member inserting such a letter to call it to the attention of the gentleman whom the letter endeavors to criticize, but the gentleman from Tennessee [Mr. PADGETT] inadvertently did not give me any notice he was inserting such a matter in the RECORD, and in the midst of the work of this session I did not happen to pick up the letter in the CONGRESSIONAL RECORD because I rarely attempt to read the fine print of the RECORD. The gentleman the other day told me there was such a letter in the RECORD, though I have not yet read it. He told me that the Secretary said in his letter that my statement on the floor that he had asked authority from Congress to purchase the wireless outfits, or whatever they are called, was not correct; that he had never made such a request of Congress. It seems to me rather remarkably odd for the Secretary of the Navy with considerable naïveté to send a letter to Congress admitting that he has expended some millions of dollars for which he had never

asked any authority. It is rather peculiar that any gentleman occupying an office so high and exalted a place as a Cabinet officer, permitted to be gazed at and to gaze upon the President of the United States, to admit that he holds Congress in such contempt that he will not even ask for money to put the Government in a new line of business at the expense of millions of dollars.

But I am told the Secretary of the Navy said he did not need to ask Congress for the authority because the Solicitor of the Navy informed him that he already had the authority. I read on the previous occasion the item of appropriation out of which this money had been expended, which did not in a single syllable intimate any authority to purchase these wireless lines, but the Secretary of the Navy says, in effect, "I appointed a man Solicitor of the Navy who told me I had the authority." I suppose the Secretary of the Navy told his appointee, "You tell me that I have the authority or I will find some other solicitor who will." The solicitor of so many of the departments is attached to the Attorney General's office, and it ought to be the case in all of the departments—appointed by the Attorney General, under control of the Attorney General, and assigned to a department. I believe the Solicitor of the Navy is attached to the Navy Department. I do not think he is appointed by the President or confirmed by the Senate. I may be in error. I have only examined the appropriation bill to find out how he is appropriated for. He is appropriated for as an employee of the Navy Department. I never heard of him before.

But it is easy for the Secretary of the Navy, if he wants to expend money improperly and illegally, to direct that employee named by him to tell him he has the authority to do it out of an appropriation which does not hint at the expenditure of money. I hope it will be investigated. And if the next House of Representatives has any nerve left—and I am not sure it will have; we have got a lot of spineless men in it and coming in it—they will investigate this transaction and hold somebody responsible for the wanton misapplication of millions of dollars. [Applause.]

The Clerk read as follows:

COLUMBIA INSTITUTION FOR THE DEAF.

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, $3,000.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 27, line 20, after the figures "$3,000," insert as a new paragraph:

"The sum of $40,000,000 of the unexpended balance of the appropriation heretofore made for carrying out the provisions of the act entitled 'An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the disposition of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply,' approved October 5, 1918, shall be covered into the Treasury immediately upon the passage of this act."

Mr. SHERLEY. Mr. Chairman, will the gentleman state just what information he has as to the balance that he has proposed to cover in? I am in harmony with the purpose of covering in these unnecessary and unused funds, but I have tried as far as I could to ascertain the actual situation as to balances before undertaking to cover in any particular amount.

Mr. WALSH. Mr. Chairman, in reply to the gentleman from Kentucky, I may say that this balance is from the appropriation of $50,000,000 made in the act referred to, which is the mining and minerals bill passed last October. And by the validation-of-contracts bill, the conference report on which was agreed to to-day, the sum of $8,500,000 was made available for the settlement of these mining, mineral, and ore claims. And there would be further, from the appropriation of $50,000,000 the sum of $1,500,000 left, which I think would be ample to cover all the activities of the Interior Department under that act in administration and investigation. I am advised by the gentlemen who have been intimately related to that association that the Secretary of the Interior shortly after the signing of the armistice discontinued operations under the authority granted by that act, and that they were so advised by him at a conference which they held in connection with this phase of the validation-of-contracts act.

And I think I may state that it is their view that the sum of $1,500,000 would be sufficient to cover the activities outside of that necessary for the settlement of these claims. And so it would make this situation: Fifty million dollars was available by the act of October 5, 1918; $8,500,000 is available for the settlement of these mining and mineral claims, and $1,500,000 is available for other activities which may have been conducted or begun and which are not included in the settlement of claims, leaving a balance of $40,000,000, which is covered into the Treasury by this amendment.

Mr. SHERLEY. Mr. Chairman, I am inclined to agree with the gentleman that the million and a half over and beyond what is the maximum fixed for the settlement of any of these claims ought to be sufficient to take care of their needs. I only want to say now that in taking back this sum I think it ought not to be construed as an indication to the department that we expect them to spend the $1,500,000 or the $8,500,000 on the claim, but, as I stated before, the covering back of money is simply an evidence that that certainly is not needed, but not an evidence that the Congress thinks the balance needs to be expended in its entirety.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In all, McNeil Island (Wash.) Penitentiary, $22,000.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington moves to strike out the last word.

Mr. JOHNSON of Washington. Mr. Chairman, we have just passed a deficiency item in regard to McNeil Island Penitentiary. I want to say it and make it a matter of record that I am much surprised to note that in the sundry civil appropriation bill the warden of that penitentiary is to receive for another year a salary of only $2,000 a year. I have been hoping that among the increases given to employees, and particularly penitentiary employees, this warden would be increased.

Mr. MANN. Does not the gentleman think that Congress has shown a great liberality in increasing the salary of the permanent physician at this island from $1,200 to $1,600. That is an instance of great liberality and a great concession. They expect to employ probably one of the most expert physicians in the country to live on McNeils Island at $1,600 a year. We have been paying him heretofore $1,200.

Mr. JOHNSON of Washington. If they pay that salary to a physician in a regular penitentiary, it is more than the Government pays to some physicians on Indian reservations in the far Northwest. But I see we are a little too far away to get in on these increases of salaries for fully competent men long in Government service.

Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman withdraws the pro forma amendment. The Clerk will read.

The Clerk read as follows:

For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured, and collect-on-delivery mail, $890,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Mr. Chairman, I do so in order to ask if the gentleman in charge of the bill can state whether there is any deficiency in the payment for indemnity for injury and loss on registered mail which has been sent to the soldiers abroad?

Mr. SHERLEY. There is quite a deficiency in regard to payment for insured mail, and the item carried here is what is estimated will be necessary to take care of that situation. As I stated in general debate, there has been an increase of something like 32 or 33 per cent in volume and about that increase in the expense due to loss of mail.

The gentleman will find in the hearings the testimony giving some reasons for it. Part of it was due to the fact that for a while people were employed who were less competent than the old employees, due to the large expansion of this work and the fact that a great many people had gone into the Army and Navy. The increase of loss bears relationship very largely to the increased volume of business. There was a considerable loss of mail at some of the cantonments, due to various causes, among others the fact that there were inexperienced clerks in many instances dealing with the mail.

Mr. WALSH. But this item is restricted to domestic mail. Would it include mail that was sent from this country to the soldiers in France?

Mr. SHERLEY. I am not sure that we insure that mail, but I think there is a separate fund for that purpose.

Mr. WALSH. But this also applies to registered matter?

Mr. SHERLEY. Yes.

Mr. WALSH. And $10,000 is appropriated——

Mr. STAFFORD. If the gentleman will permit, there is a separate item of appropriation for registered foreign mail. There are different regulations pertaining to the registration of foreign mail. That is controlled by the Universal Postal Union, and the rates and amounts are different——

Mr. WALSH. Ten thousand dollars is appropriated for that purpose——

Mr. STAFFORD. As compared with the registration and insurance of domestic mail.

Mr. RANDALL. The mail sent to our forces in Europe is sent as domestic mail.

Mr. STAFFORD. There is no question about that. The gentleman was inquiring as to the foreign mail. There is a different appropriation for that purpose.

Mr. WALSH. Does the gentleman say that the mail sent to soldiers abroad is sent as domestic mail?

Mr. SHERLEY. I can not answer that definitely.

Mr. WALSH. Ten thousand dollars will not cover that.

Mr. SHERLEY. This is all they asked, and the committee does not usually anticipate requests.

Mr. WALSH. It may be that the department might have construed it as an admission of serious inefficiency if they had at this time asked for an amount that would be sufficient to take care of the loss of mail that has been sent abroad to soldiers. This sum, $890,000, for payment of limited indemnities for the injury or loss of pieces of domestic registered matter, insured and collect-on-delivery mail, I do not believe will begin to pay those losses.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment. It is generally known that the War Department has declined to sanction the sending of any parcel-post packages to our soldier boys abroad unless they first had the approval of a commanding officer above the rank of captain. Of late there has not been much parcel-post mail sent to our soldier boys because of that restrictive order.

Mr. WALSH. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Massachusetts.

Mr. WALSH. The War Department has not prevented the sending of registered letters abroad, has it?

Mr. STAFFORD. Oh, no; not registered letters, but the sending of anything by parcel post.

Mr. WALSH. I am talking about registered mail.

Mr. STAFFORD. The gentleman a few minutes ago talked about insured packages.

Mr. WALSH. I beg the gentleman's pardon. I did not say anything about insured packages. I said there had been a vast quantity of registered mail sent abroad and lost.

Mr. STAFFORD. I understood the gentleman from Massachusetts to refer to the insurance feature of mail sent from this country to our soldier boys abroad. I was calling attention to the fact that that was extremely limited by reason of the order of the War Department, which has been in force for nearly a year past.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Not to exceed $200,000 of the appropriation for expenses of the Fourteenth Census, contained in the legislative, executive, and judicial appropriation act for the fiscal year 1920, shall be made available from and after the passage of this act for preliminary expenses in preparation for the Fourteenth Decennial Census, including alteration and repairs to buildings, the strengthening of floors, the purchase and installation of freight elevators, the construction of fireproof vaults, the rental or construction of a garage in the District of Columbia, and printing.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. Are we to understand, from the incorporation of this provisional appropriation, that the census bill which has been in conference for nearly a month or more is going to fail, and that it is necessary to have an appropriation of $200,000 to carry on this work before the beginning of the next fiscal year?

Mr. EAGAN. The purpose of this appropriation is to enable the Census Bureau to begin preparations for the taking of the Fourteenth Census. The money appropriated under the other bill would not be available anyhow until the beginning of the fiscal year, and this is to be made available in the meantime.

Mr. STAFFORD. This appropriation has direct reference to putting into condition for the use of the Census Bureau one of the temporary buildings in Henry Park.

Mr. EAGAN. Yes; and certain other expenditures necessary for the bureau in preparing for the next census.

Mr. STAFFORD. It is intended to shore up that building and construct some firmer foundations for the machines that it will be necessary to use in the taking of the next census?

Mr. EAGAN. The Building at Missouri Avenue and Four-and-a-half Street SW., which is to house the temporary force of the Census Bureau, will need some small alterations.

Mr. STAFFORD. I wish to inquire, because it has been called to the attention of the legislative subcommittee, as to the reason for the authorization of the construction of a garage? The legislative committee denied the Director of the Census authority to purchase an automobile. I was in sympathy with the idea that he should be granted that privilege. Here you provide not only for the rental of a garage but for the construction of a garage. Certainly I should not like to see a temporary garage erected in Henry Park. While I am not entirely in accord with the position taken by the distinguished leader of the minority as to the abandonment of these temporary buildings while they are serviceable for Government purposes, nevertheless I am not in favor of authorizing any Government official to erect a garage on the Mall, as this would give him authority to do.

Mr. EAGAN. I do not think there is any intention to erect a garage if a garage can be rented in the neighborhood. This provides for rental or construction.

Mr. STAFFORD. The language directly provides for the erection of a garage.

Mr. EAGAN. Rental or construction of a garage.

Mr. STAFFORD. Yes; construction. I am directing attention to the authorization for the construction of a garage. We have not heretofore authorized any Cabinet officer or the like to construct a garage. This is merely for the use of the Director of the Census. All he wants is authorization to purchase a Ford or other inexpensive car, with which I am in sympathy. But now he comes and asks for authority to construct a garage. The automobile is to enable him to go expeditiously between his headquarters in the Department of Commerce and the temporary building on the Mall.

Mr. EAGAN. As I recall the hearings, it is for the purpose of providing for two motor trucks. If they are unable to rent a garage in the immediate neighborhood, it makes other provision. One plan suggested was the utilization of a portion of the building itself for the trucks. The suggestion, as I recall it, was made that they might be able to tear out a small part of the building, and put in doors, and run the trucks in and store them there at night. I do not know whether the construction of the building is such that that could be done.

Mr. STAFFORD. I hardly think the Mall should be used for the storage of automobile trucks and have the temporary buildings changed so that they can be utilized for that purpose. Mr. Chairman, I make a point of order against the words on line 2, page 34, "or construction," not being authorized by existing law.

The CHAIRMAN. Does the gentleman from New Jersey desire to be heard on the point of order?

Mr. EAGAN. No; I think it is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For an additional amount for the purchase or construction of a wooden power lighter for use at the Pribilof Islands, and for equipment thereof, $7,500.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I take it, by the language, that this wooden power lighter has been authorized for the fishery service. Will the gentleman state how much was originally authorized for this craft?

Mr. EAGAN. I think $20,000.

Mr. WALSH. And now they need one-third more than the original appropriation. How far completed is the lighter?

Mr. EAGAN. I understand it has not been started. The lowest bid was twenty-six thousand eight hundred or nine hundred dollars.

Mr. WALSH. What is the lighter to be used for?

Mr. EAGAN. The islands are 40 miles apart, and this lighter is to be used to go between the islands and the mainland. It is to be used for the purpose of loading onto and unloading from the larger vessels that are unable to get in there. The islands are mere rocks rising out of the sea, and a wharf there is not possible.

Mr. WALSH. Are these islands very thickly settled?

Mr. EAGAN. The employees and a few natives.

Mr. WALSH. I was wondering what cargoes the vessels had to unload which required the use of a lighter.

Mr. EAGAN. They send supplies for the natives and employees that are there.

Mr. DYER. And they use it for the transportation of furs. They kill a good many seals there, do they not?

Mr. STAFFORD. I assume that the lighter is used for transportation between the Pribilof Islands and the mainland.

Mr. EAGAN. I read from page 303 of the hearings:

There are no means of transportation now provided between the islands, which are 40 miles apart, and there are no means of communication between the islands and the nearest Alaskan mainland. It is only when our steamer goes up there that there is any communication possible, but at other times of the year it is highly desirable that the islands should be able to communicate with one another.

The pro forma amendment was withdrawn.

The Clerk read as follows:

DEPARTMENT OF LABOR.

CONTINGENT EXPENSES.

For amount required during the fiscal year 1919 to meet the increased cost of envelopes in accordance with the adjustment made by the Postmaster General under section 4 of the Post Office appropriation act approved July 2, 1918, $5,496.79.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Congressmen have been advised by numerous telegrams, letters, petitions, and messages that it will be desirable to make a very large appropriation for the continuance of the so-called Employment Service in the Department of Labor.

Mr. EAGAN. That is the next paragraph.

Mr. MOORE of Pennsylvania. But I want to discuss it at this time. I question whether a more successful propaganda has been carried on for many years than has been inaugurated through attachés of the Department of Labor for the purpose of sustaining an appropriation which will amount to $14,000,000 and which would be capable of keeping in the service of the Government anywhere from 5,000 to 15,000 men if the money was properly distributed.

Mr. JOHNSON of Washington. If the gentleman will yield, I would like to ask him a question about that. Are these men who are in charge of the employment offices throughout the country brought in through the civil service?

Mr. MOORE of Pennsylvania. I think not.

Mr. JOHNSON of Washington. Can they take active part in politics?

Mr. MOORE of Pennsylvania. I think they can. I have heard that some of them have done so. But what I wanted to speak about is this propaganda.

Mr. JOHNSON of Washington. The gentleman knows that a very large part of the activities and energy of the departments of the Government are devoted to building up efforts to make it appear that their particular bureau is a very important one.

Mr. MOORE of Pennsylvania. I did not intend to discuss that matter with the gentleman, although the gentleman is right. I understand the tendency is for all departments to utilize the newspapers and their friends everywhere to impress upon Congress the importance of increased appropriations.

Mr. JOHNSON of Washington. In regard to that matter the Interior Department can give the other departments cards and spades.

Mr. MOORE of Pennsylvania. It is another propaganda to which I want to call attention. The President has returned from abroad with a desire to impress on the American people the importance of establishing a league of nations, in which the people of the United States are to bear the laboring oar. They have borne it in the matter of finance and the number of men they have given to the accomplishment of a world democracy, so far as that has been brought about. But it is rather a new thing to undertake to win the people in the manner in which it is now proposed to convince the people of the United States, even against their will, perhaps, that the President is right. I have in my hand an interesting pamphlet, that has just come to my desk, as I suppose it has come to the desks of all Members of this Congress. It provides suggestions for league speakers. I do not know why it should come to Congressmen, unless it is intended to give notice of the methods to be employed to influence Congress. It contains what is frankly declared to be "speech material for league of nations addresses." If the departments of the Government have been responsible for giving the league of nations and its advocates an idea that Congress can be influenced in this way, perhaps we can give credit to the departments. I do not know where the idea originated.

It has come to pass, however, that when you want to obtain an appropriation from Congress, you start the fires burning under the Congressmen back home. Maybe this is something of that kind. Here is the interesting pamphlet. It contains 70 pages, labeled "Suggestions for league speakers," and it is issued from some headquarters in New York.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. It is intended evidently to post young men who may not be thoroughly posted upon the question of the league of nations as to what they should say in support of the President or in support of this foreign proposal of a league of nations.

Mr. LONDON. Is not that issued by the league of which Mr. Taft is the president?

Mr. MOORE of Pennsylvania. That may be. Mr. Taft is very active in the movement. I find in the "Foreword" this admonition: "That those who exercise the power of spoken word in favor of the league of nations are among the great contributors to the final success of the cause," and that "only by arousing public opinion can a ratification by the Senate of the treaties creating a league of nation be made certain."

In other words, this pamphlet proposed to start the fires burning under the people of the United States to compel the Senate to ratify the league of nations or any treaty of peace that may be made with respect thereto.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. SHERLEY. Mr. Chairman, reserving the right to object, I have agreed, in order to accommodate the other side, to move that the committee rise at half past 5 o'clock, and I hope the gentleman will permit the reading of a couple of paragraphs more within the remaining time.

Mr. MOORE of Pennsylvania. Does the gentleman object?

Mr. SHERLEY. I should very much like to read to a given point, and then I am going to move that the committee rise.

Mr. MOORE of Pennsylvania. I should like to go on with this to show how propagandists——

Mr. SHERLEY. The gentleman will have indefinite opportunities to do that.

Mr. MOORE of Pennsylvania. This idea comes from very respectable sources—eminently respectable.

Mr. SHERLEY. Oh, surely, that is true. Mr. Chairman, I ask that the Clerk read.

The Clerk read as follows:

MISCELLANEOUS.

To enable the Secretary of Labor, during the remainder of the fiscal year 1919, to maintin the organization established under appropriations contained in the suadry civil appropriation act approved July 1, 1918, for the furnishing of information and the rendering of assistance to wage earners throughout the United States during the present emergency, including personal services in the District of Columbia and elsewhere, per diem in lieu of subsistence at not exceeding $4, traveling expenses, rental, and maintenance of quarters in the District of Columbia and elsewhere, heat and light, telegraph and telephone service, supplies and equipment, and printing and binding, $1,800,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Recurring to the matter of the propaganda which the Department of Labor is accused of encouraging for the purpose of obtaining large appropriations from Congress and to the eminent respectability of the gentlemen who are proposing to influence the Senate and the House by speeches and "speech material" in the form of "suggestions to league speakers," I desire to say that this pamphlet of 70 pages, gotten out under these auspices, contains many terse paragraphs from messages and speeches of the President of the United States, some of them pertaining to his 14 points, some of them quoting excerpts from his speeches and writings with regard to the desirability of having peace on earth and to the avoidance of wars in the future, and to establishing leagues that would carry out his high ideals. But I find that about half of the pamphlet is made up of opinions in favor of the league of peace under the heading "Public opinion overseas," and that much stress is laid upon expressions by statesmen and national leaders from the other side of the water who favor the United States coming into the league of nations. The burden of the song of this pamphlet seems to be that our friends on the other side of the water are very anxious that we should come in; that they are extremely anxious that we shall support our President, who desires us to come into this league of peace. It makes no difference how much it costs the people of the United States nor how many lives may be sacrificed on foreign battle fields, or what burdens may be created in this country to be imposed upon generations to come, these gentlemen on the other side of the water are still very anxious that the voters of the United States shall support President Wilson in his desire to have the United States bear a part, if not the major part, of the burdens of the effort to establish a world democracy.

Among those quoted, and rather extensively quoted, in favor of the people of America voting in favor of this league of peace are David Lloyd George, Prime Minister of Great Britain. He may be quoted as rather earnest in the desire that our constituents should instruct us to encourage the President to go on with his league of peace——

Mr. JOHNSON of Washington. Is Prof. George Herron quoted?

Mr. MOORE of Pennsylvania. Prof. Herron is not quoted in this pamphlet, so far as I have observed.

Mr. JOHNSON of Washington. Fortunately.

Mr. MOORE of Pennsylvania. I was quoting eminently respectable men.

Mr. JOHNSON of Washington. Well, he ran a school of social education, I believe, and is a pioneer internationalist.

Mr. MOORE of Pennsylvania. Herbert Asquith, former Prime Minister of Great Britain, is quoted. He would be pleased to have our constituents instruct us to vote as the President would have us vote. Arthur James Balfour, the distinguished statesman, who addressed us once from the rostrum there, the British secretary for foreign affairs, is in favor of our constituents instructing us and is perfectly willing that this campaign of education shall go on.

Mr. DEWALT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I find that other representatives of His Majesty's Government are quoted. Sir Cecil Spring Rice is quoted in a letter.

Mr. DEWALT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Viscount Gray, of Fallodon, a former British secretary for foreign affairs, also is quoted as indicating that we should go into a league of nations. Arthur Henderson, former member of the British War Council; also Lord Shaw. They are quoted in support of the thought that it would be well for these speakers to go forth and encourage the idea of a league of nations that we may participate in the responsibilities of keeping the world at peace. Gen. Smuts is also quoted—Gen. Jan Christian Smuts, who is quite active on the other side in bringing about a league of nations, a league that would probably add to our already heavy burdens—he is very much in favor of our going in.

Mr. LONGWORTH. Who, in fact, wrote the text.

Mr. MOORE of Pennsylvania. Gen. Smuts is responsible for much that is in the draft of the proposed league of nations, as I understand it. The Right Rev. Charles Gore, Lord Bishop of Oxford, is another who thinks that it would be a good thing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. There are quite a number of other eminent persons I would like to quote, Mr. Chairman, but they are mostly from overseas.

Mr. BLANTON. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. Mr. Chairman, probably to offer an amendment, but I want to ask the chairman of the committee a question. Mr. Chairman, I want to ask the question whether this item of $1,800,000 is to carry this employment service beyond the 1st day of July?

Mr. SHERLEY. It is not.

Mr. BLANTON. And any part of it remaining could not, of course, be spent after the 1st day of July?

Mr. SHERLEY. Without further legislation it will be covered back into the Treasury.

The Clerk read as follows:

To enable the Secretary of Labor, during the remainder of the fiscal year 1919, to carry on the work of mediation and conciliation in labor disputes, including personal services and rent in the District of Columbia and in the field, per diem in lieu of subsistence not to exceed $4, traveling expenses, law books, books of reference, periodicals, newspapers, supplies, and equipment, contingent and miscellaneous expenses, and printing and binding, $366,000.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to; accordingly the committee rose, and the Speaker having resumed the chair, Mr. GARD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 16187, had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. DYER. Mr. Speaker, I ask the same privilege.

Mr. CRAMTON. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; and

H. R. 13034. An act to validate and confirm certain erroneously allowed entries in the State of Minnesota.

CHANGE OF REFERENCE.

Mr. HASKELL. Mr. Speaker, I ask unanimous consent for a change of reference of the bill (S. 2124) to increase the salary of the United States district attorney of the eastern district of New York, which was inadvertently referred to the Committee on Expenditures in the Department of Justice, whereas it should have been referred to the Committee on the Judiciary.

Mr. RAKER. Mr. Speaker, reserving the right to object——

Mr. CRAMTON. Mr. Speaker, the gentleman's statement as to the correct reference is not correct. The bill is properly referred, and I shall be obliged to object.

Mr. HASKELL. Mr. Speaker, I had a talk with the chairman of this committee, and he is perfectly agreeable and recognizes the fact that it was inadvertently referred. The bill passed the Senate and was referred to the House on the 14th of February. I hope there is no objection.

Mr. CRAMTON. Did the gentleman talk with the chairman of the committee?

Mr. HASKELL. I talked with the chairman of the Committee on Expenditures in the Department of Justice, and he has no objection.

Mr. CRAMTON. Did he have the committee together?

Mr. HASKELL. I talked with him, and he was apparently willing that the change should be made, and thought it was inadvertently referred to his committee.

Mr. CRAMTON. I still object. I am surprised that the chairman of the committee did not read the rule.

LEGISLATIVE DRAFTSMAN.

The SPEAKER. In the revenue bill lately passed there is an authorization to the Speaker to appoint a legislative draftsman, and the Chair accordingly appoints for that place Mr. Middleton Beaman, at the request of all the Members of the Ways and Means Committee.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 37 minutes p. m.) the House, under its previous order, adjourned until Friday, February 28, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting a third supplemental report of the claims determined during the period aJnuary 25 to February 19, 1919, inclusive, for damages and loss to private property occasioned by the explosion at the plant of the T. A. Gillespie Loading Co., at Morgan, N. J. (H. Doc. No. 1735, pt. 3), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SUMNERS, from the Committee on the Judiciary, to which was referred the resolution (S. J. Res. 222) extending until July 1, 1920, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, reported the same without amendment, accompanied by a report (No. 1150), which said bill and report were referred to the House Calendar.

Mr. HUMPHREYS, from the Committee on Flood Control, to which was referred the bill (H. R. 15585) authorizing and directing the Secretary of War to cause survey to be made of

the Colorado River with a view to controlling the flood water of said stream, and for other purposes, reported the same without amendment, accompanied by a report (No. 1149), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes; committed to the Committee on the Whole House on the state of the Union.

By Mr. VAN DYKE: A bill (H. R. 16188) to provide for the entry and patent of mining claims containing disseminated ore deposits and for the annual labor to be expended thereon; to the Committee on Mines and Mining.

By Mr. BRODBECK: A bill (H. R. 16189) authorizing the acquisition of a site for permanent military post at Gettysburg, Pa.; to the Committee on Military Affairs.

By Mr. DONOVAN: A bill (H. R. 16190) to punish the use of the mail to promote fraudulent enterprises in the guise of war charities or patriotic organizations; to the Committee on the Judiciary.

By Mr. FORDNEY: A bill (H. R. 16191) to amend an act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919; to the Committee on Ways and Means.

By Mr. HENRY T. RAINEY: Joint resolution (H. J. Res. 438) to permit entry of distilled spirits shipped to the United States prior to September 9, 1917, and wines and other nonspirituous alcoholic beverages so shipped prior to January 1, 1919; to the Committee on Ways and Means.

By Mr. KITCHIN: Joint resolution (H. J. Res. 439) to repeal section 904 of the revenue act of 1918, approved February 24, 1919; to the Committee on Ways and Means.

By the SPEAKER: Memorial from the Legislature of the State of Kansas, requesting the Government of the United States to take immediate action permitting all soldiers, sailors, and marines inducted into the great world war of 1914–1918 to retain all personal property, including uniforms and individual equipment, except guns or other special weapons of warfare; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HERSEY: A bill (H. R. 16192) granting an increase of pension to William D. Tyrell; to the Committee on Invalid Pensions.

By Mr. LUNN: A bill (H. R. 16193) granting a pension to Gilbert G. Harris; to the Committee on Pensions.

By Mr. COLLIER: Resolution (H. Res. 612) to pay Sarah Grayson Adams, sister of the late S. Monroe Grayson, an employee of the House, a sum equal to six months' compensation; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Eugenics Research Association, asking Congress to make due provision for future inheritance-tax legislation; to the Committee on Ways and Means.

Also, petition of Boise Commercial Club, Boise, Idaho, asking that Congress empower the United States Reclamation Service to undertake the reclamation of Snake River Valley lands; to the Committee on Irrigation of Arid Lands.

By Mr. CAREW: Petition of George Stuart Smith, New York, regarding the future of investments; to the Committee on Banking and Currency.

Also, petition of V. E. Mann, New York, urging against repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Petition of Wadsworth Hawland & Co.; Union Lobster Co.; Supply Trades Credit Bureau (Inc.); Suffolk Knitting Co.; Haughton & Dutton Co.; Henry H. Tuttle Co.; R. H. White Co.; Chas. M. Cox Co.; Kistler Leather Co.; J. M. Wilson; Bernard J. Rothwell; Bay State Milling Co.; president National Association Cotton Manufacturers; Gordon Marsh Co.; John Rapst Blake; Franklin P. Shumway Co.; Brown-Wales Co.; Clapp & Tilton Co.; the American Thread Co.; John A. Gardner; Avery & Lowry Co., all of Boston, Mass., protesting against the repeal of daylight-saving law; to the Committee on Agriculture.

Also, petition of Andrew J. Peters, mayor of Boston, protesting against repeal of the daylight-saving measure; to the Committee on Interstate and Foreign Commerce.

Also, petition of George E. David Federal Employees' Association, Woodshale, Mass., asking support of McKellar-Keating bill; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: Memorial of various citizens of Comas, Wash., favoring six months' extra pay and allowances for enlisted men of the American Military and Naval Forces; to the Committee on Military Affairs.

By Mr. MERRITT: Petition of citizens of Derby, Ansonia, Shelton, and Seymour in State of Connecticut, urging self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. MOORES of Indiana: Petition of E. C. Shurgman and other citizens of Indiana urging the Government ownership of all railways, telegraph, and telephone facilities, 11 signatures affixed; to the Committee on Interstate and Foreign Commerce.

By Mr. PRATT: Petition of sundry citizens of Corning, N. Y., opposing daylight saving; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of Elmira, N. Y., favoring the retention of the United States Employment Service; to the Committee on Labor.

By Mr. RAKER: Petition of W. J. Varnes, of San Francisco, Cal., indorsing McKellar-Keating retirement bill by labor unions of California; to the Committee on Interstate and Foreign Commerce.

Also, petition of Pacific Audit & System Co., of San Francisco, Cal., against appropriation for United States Employment Service; to the Committee on Labor.

Also, petition of Federal Employees' Union of San Diego, Cal., urging the maintenance of the Woman in Industry Service and the Employment Service of the United States Department of Labor; to the Committee on Labor.

Also, petition of executive committee of the Woman's Missionary Society of the Pacific Conference, Methodist Episcopal Church, California, urging passage of Randall bill, H. R. 14077; to the Committee on the Judiciary.

Also, petition of certain citizens of the State of California, urging Government ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of certain citizens of Grass Valley, Cal.; H. O. Yohner, of Stockton, Cal.; assistant secretary State board of health, Sacramento, Cal., urging daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: Petition of North Star Lodge, No. 2, Brotherhood of Railway Clerks and Station Employees, urging Government ownership of railways; to the Committee on Interstate and Foreign Commerce.

By Mr. SCULLY: Petition of Charles E. Jones, business agent, Plumbers' Union, Monmouth County, N. J.; Barbour Asphalt Paving Co., Maurer, N. J.; Didier-March Co., Woodbridge, N. J.; Mayor Marshall Woolley, Long Branch, N. J.; H. G. Parker, president National Bank of New Jersey, New Brunswick, N. J.; Mayor C. E. F. Hetrick, Asbury Park, N. J.; J. L. Crowell, business agent Carpenters' Union, Perth Amboy, N. J.; Lewis T. Bryant, commissioner of labor, Trenton, N. J., favoring large appropriation to continue United States Employment Service; to the Committee on Appropriations.

Also, petition of T. D. Waring, S. G. Brinkman, Roessler & Hasslaucher, Standard Underground Cable Co., Raritan Copper Co., American Smelting & Refining Co., William Puckers (business agent Painters' Union), and Mayor Frank Dorsey, all of Perth Amboy, N. J., asking for continuance of United States Employment Service; to the Committee on Labor.

Also, petition of the Community War Labor Board of Perth Amboy, N. J., Adrian Lyon, chairman, favoring construction of Federal public works, roads, reclamation of waste lands, waterways, etc., in order to provide employment for demobilized soldiers, sailors, marines, and civilians; to the Committee on Labor.

By Mr. TAGUE: Telegrams protesting against the repeal of the daylight-saving law from Kistler Leather Co., Bay State Milling Co., Supply Trades Credit Bureau, Wright & Ditson, National Association of Cotton Manufacturers, and letters of the same tenor from Franklin P. Shumway Co., Miss Ellen Dabney, and Miss Sarah H. Dabney, all of Boston, Mass., and also a letter from the American Thread Co., of Holyoke, Mass., who also protest against the repeal of this law; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *February 28, 1919.*

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, who from Thy throne dost behold all the dwellers of the earth, look upon us as we come beseeching Thee for Thy grace this day, that we may wisely plan for the uplift of humanity, for the peace and prosperity of the world; that we may have Thy guidance in the discharge of the duties pertaining to our domestic affairs; and that all things done may be according to Thy will for the accomplishment of Thy purpose in us as a nation. We ask for Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SWANSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

LIST OF JUDGMENTS (S. DOC. NO. 428).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims amounting to $250,714.65, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SCHEDULES OF CLAIMS (S. DOC. NO. 426).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules of claims amounting to $172,357.08 allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, etc., which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

INDIAN DEPREDATION CLAIM (S. DOC. NO. 427).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a letter from the Assistant Attorney General submitting a judgment rendered by the Court of Claims in favor of claimant in an Indian depredation case in the sum of $300, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

BARKENTINE "MABEL I. MEYERS (S. DOC. NO. 429).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a record of a judgment of the United States district court for the district of Massachusetts, referring the claim of the owners of the barkentine *Mabel I. Meyers* to the court with jurisdiction to hear and determine the same for judgment, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MILEAGE TO OFFICERS (S. DOC. NO. 430).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting supplemental estimates of appropriation required by the War Department for mileage to officers and contract surgeons, and for arms, uniforms, equipment, and field artillery matériel, National Guard, etc., which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the amendment of the Senate to the bill (H. R. 9897) to authorize the contesting and cancellation of certain homestead entries, and for other purposes.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FLOOD, Mr. LINTHICUM, and Mr. COOPER of Wisconsin managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill H. R. 13034, an act to validate and confirm certain erroneously allowed entries in the State of Minnesota, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

The memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial 16.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the Senate of the State of Oregon (the House of Representatives concurring) respectfully represent this, that—

Whereas Congressman SINNOTT, of the third congressional district of the State of Oregon, has introduced a bill, which is now pending in the Congress of the United States, having for its purpose, among other things, the appropriating of $1,000,000,000 for reclamation and drainage of lands in the western portion of the United States; and

Whereas there is located in Baker County, Oreg., an irrigation project consisting of approximately 63,000 acres of irrigable land lying in a compact body in what is commonly known as Lower Powder River Valley; and

Whereas there is lying adjacent to said Powder River project another irrigation project, commonly called the Sparta irrigation district, consisting of approximately 15,000 acres of irrigable land; and

Whereas all preliminary engineering and investigation work has been done on each of these said projects, and the same have been found to be entirely feasible; and

Whereas the said House bill for the appropriation of $1,000,000,000 for reconstruction work is intended to aid in furnishing employment and homes for returned and returning soldiers and sailors; and

Whereas the said Powder River and Sparta projects will furnish work and homes for said soldiers and sailors forthwith: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives concurring), That the Representative Assembly of the State of Oregon favors the passage by Congress of the said House bill, and to that end the Senators and Representatives in Congress of the United States from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the chief clerk of the Senate of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States, to W. P. Davis, Director General of the United States Reclamation Service, and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the house February 21, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate February 15, 1919.

W. I. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I present a resolution adopted by the Legislature of the State of Oregon, which I ask to have printed in the RECORD.

The resolution is as follows:

Senate joint resolution 24.

Whereas retirement on annuities has for many years been a vital issue with all organizations of Federal civil-service employees, for the reason that a large number of men and women over 68 years of age have served the United States for a lifetime at such comparatively low wages that it has been impossible for them to accumulate a sum of money sufficient to enable them to voluntarily retire; and

Whereas these men and women know that either demotion or dismissal awaits them if a retirement bill is not passed by the Congress, as the efficiency of employees rapidly declines after the age of 68 years; and

Whereas the United States Civil Service Commission in its last annual report strongly recommended a system of retirement, as follows:

"It is too costly to continue the aged and infirm in positions requiring alertness and vigor, and a retirement system is possible which would be alike in the interest of the Government and the worker.

"While inefficiency is a just cause for removal, appointing officers naturally hesitate to dismiss old employees who have become incapacitated after rendering long and efficient service, and a virtual pension system thus exists.

"A retirement system would give stability to the service, create an inducement for capable men to continue in it, contribute to improve administrative methods, and make possible a standardization of salaries and other needed reforms"; and

Whereas there is now before the Congress a bill known as the McKellar-Keating bill, which has for its object the retirement on annuities of all superannuated and disabled civil-service employees of the United States, at a cost to be borne equally by the Government and the employees; and

Whereas the McKellar-Keating bill, which is known in the Senate as S. 4637 and in the House of Representatives as H. R. 12352, has received the unanimous indorsement of all organizations of Federal civil employees as being the most comprehensive and satisfactory retirement bill that has been submitted to the Congress for its consideration: Now, therefore, be it

Resolved by the senate and the house of representatives jointly concurring, That the Legislature of the State of Oregon declares itself to be in full sympathy and accord with the McKellar-Keating bill, known in the Senate as S. 4637 and in the House of Representatives as H. R. 12352; and be it further

Resolved, That our Senators and Representatives in Congress be, and they are hereby, requested to use all honorable means to secure the passage of said act; and be it further

Resolved, That the chief clerk of the senate be, and he hereby is, directed to forward copies of this resolution to the President of the Senate of the United States, the Speaker of the House of Representatives, and to each of Oregon's Senators and Representatives in Congress.

Adopted by the house February 21, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate February 15, 1919.

W. I. VINTON,
President of the Senate.

Mr. COLT. I present a resolution adopted by the General Assembly of the State of Rhode Island, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

STATE OF RHODE ISLAND, ETC.,
IN GENERAL ASSEMBLY,
January Session, A. D. 1919.

Resolution by the general assembly urging upon Congress the passage of legislation granting additional pay to soldiers and sailors.

Whereas there is pending in the Congress of the United States a bill which will permit the payment of six months' additional pay to all soldiers and sailors who have participated in the war with Germany; and

Whereas the payment of an additional sum to all soldiers and sailors will be of great benefit to these men during the period of unemployment which, in many cases, may occur during the transition from military to civil life: Therefore be it

Resolved, That the General Assembly of the State of Rhode Island urges upon Congress the passage of legislation which will permit additional payments to all soldiers and sailors who have served in the war with Germany; and be it further

Resolved, That a copy of this resolution be forwarded to the Secretary of War and to the Senators and Representatives in Congress from the State of Rhode Island.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence.

I hereby certify the foregoing to be a true copy of the original resolution approved February 27, 1919.

In testimony whereof I have hereunto set my hand and affixed the seal of the State of Rhode Island this 27th day of February, in the year 1919.

[SEAL.] J. FRED PARKER,
Secretary of State.

Mr. NELSON presented petitions of sundry citizens of Minneapolis, Virginia, and St. Paul, all in the State of Minnesota, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Brainerd, Minn., praying for a gratuity pay to honorably discharged soldiers and sailors until they shall have found employment, which was referred to the Committee on Military Affairs.

Mr. CURTIS presented a memorial of Norton County Farmers' Educational and Cooperative Union, of Lenora, Kans., and a memorial of sundry citizens of Barclay, Kans., remonstrating against compulsory military training, which were referred to the Committee on Military Affairs.

He also presented a petition of Local Union No. 1048, International Association of Machinists, of Dodge City, Kans., and a petition of Local Union No. 356, Amalgamated Sheet Metal Workers, of Parsons, Kans., praying for a gratuity pay to honorably discharged soldiers and sailors until they shall have found employment, and also praying for appropriations to complete the construction of public improvements, which were referred to the Committee on Military Affairs.

He also presented a petition of Pioneer Lodge, No. 43, Ancient Order United Workmen, of Russell, Kans., and a petition of the local draft board of Russell, Kans., praying for the deportation of those aliens who, in order to escape military service, dropped their first citizenship papers, which were referred to the Committee on Immigration.

He also presented a memorial of Washington Post, No. 12, Grand Army of the Republic, Department of Kansas, of Lawrence, Kans., remonstrating against the reduction in pay of soldiers from $30 per month to $15 per month, which was referred to the Committee on Military Affairs.

He also presented a petition of Council No. 976, Knights of Columbus, of Newton, Kans., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. SIMMONS. From the Committee on Finance I report back favorably, without amendment, the bill (H. R. 16136) to amend the liberty bond acts and the War Finance Corporation act, and for other purposes, and I submit a report (No. 786) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. HENDERSON, from the Commitee on Banking and Currency, to which was referred the bill (S. 5512) to amend the Federal farm-loan act, approved July 17, 1916, reported it without amendment and submitted a report (No. 787) thereon.

Mr. WEEKS, from the Committee on Post Offices and Post Roads, to which was referred the joint resolution (S. J. Res. 229) to extend the period of Government control and possession of the telegraph and telephone systems of the United States, reported it without amendment.

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. I introduce a joint resolution proposing an amendment to the Constitution of the United States extending the right of suffrage to women, which I ask to have read and referred to the Committee on Woman Suffrage.

The joint resolution (S. J. Res. 230) proposing an amendment to the Constitution of the United States extending the right of suffrage to women was read the first time by its title, the second time at length, and referred to the Committee on Woman Suffrage, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"Article —.

"SECTION 1. That the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. The several States shall have the authority to enforce this article by necessary legislation, but if any State shall enforce or enact any law in conflict therewith, then Congress shall not be excluded from enacting appropriate legislation to enforce it."

FIFTH LIBERTY BOND BILL.

Mr. LA FOLLETTE submitted an amendment intended to be proposed by him to the bill (H. R. 16136) to amend the liberty bond acts and the War Finance Corporation act, and for other purposes, which was ordered to lie on the table and be printed.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. GAY submitted an amendment proposing to appropriate $2,094.17 to pay the claim of Morgan's Railroad & Steamship Co., etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WOLCOTT submitted an amendment proposing to appropriate $336 to enable the Postmaster General to cause the account of Merritt O. Chance, postmaster at Washington, D. C., to be credited with that sum, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. JONES of Washington submitted an amendment proposing to appropriate $150,000 to enable the Secretary of the Interior to combat the influenza in Alaska and to afford relief to indigent natives thereof, intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

WITHDRAWAL OF PAPERS—JOHN CLOPHINE.

On motion of Mr. CURTIS, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill S. 3859, Sixty-fifth Congress, second session, granting an increase of pension to John Clophine, no adverse report having been made thereon.

SHIPMENT OF DAMAGED WHEAT TO BELGIUM.

Mr. CALDER. I submit a Senate resolution, and ask unanimous consent for its immediate consideration.

The resolution (S. Res. 480) was read, as follows:

Whereas in sworn testimony, taken before Chief City Magistrate McAdoo in New York County, State of New York, in a John Doe inquiry on February 13, 1919, it was stated as facts:

First, that a large quantity of moldy, musty, and immature American wheat was shipped from the United States to Belgium in 1917 for the purpose of Belgian relief, and that this wheat was milled into flour and distributed among the Belgian sufferers, causing the death of more than a thousand such persons;

Second, that one George W. Moench, of Logan, Utah, admitted that he "sold a large quantity of rotten wheat, some 240,000 bushels, at a pretty good price to the buyers, who shipped to the Belgian Relief," and that he "sold 17,000 bushels of that wheat, getting a good price for it, although it was not fit for poultry food";

Third, that certain St. Louis mills had ground a quantity of rotten wheat and sent the flour to Belgium direct, which was distributed among the Belgian sufferers with disastrous results; and

Whereas these sworn statements and charges have been printed repeatedly in the public press and have not been officially denied; and

Whereas if the statements and charges above made are true, they constitute a reflection on the United States Government and make it appear possible that wholesale quantities of food unfit for human consumption was dumped into Belgium and there given to sufferers, who had no choice but to eat or perish: Therefore be it

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, is hereby authorized and directed to investigate the said charges to ascertain whether unwholesome food was shipped to Belgium, and, if so, by whom and the profits made by each and every shipper of moldy wheat or flour made from moldy wheat, and to investigate any other charges and allegations made concerning the Commission for Relief in Belgium, and to make a report of the result of such investigation to the Senate.

Mr. LODGE. Mr. President, is the resolution before the Senate?

The VICE PRESIDENT. There is a request for the immediate consideration of the resolution. Is there objection?

Mr. LODGE. I should like to be heard upon it.

Mr. SWANSON. It seems to me the resolution ought to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. If the Senator will allow me to speak to it, I gave notice that I would address the Senate this morning. In my absence from the Senate an agreement was made in regard to the calendar, of which I wholly approve; but I ask the indulgence of the Senate, before the morning hour concludes, as the resolution is now before us, to speak at this time.

The VICE PRESIDENT. It is not yet before the Senate. Unanimous consent has not been given for its consideration. Is there objection? The Chair hears none, and it is now before the Senate. The Senator from Massachusetts will proceed.

CALLING OF THE ROLL.

Mr. KELLOGG. Mr. President, there are very few Senators here, and I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brandegee	Henderson	Myers	Simmons
Calder	Johnson, Cal.	New	Smith, Mich.
Chamberlain	Jones, Wash.	Norris	Smith, S. C.
Curtis	Kellogg	Nugent	Smoot
Fernald	Kenyon	Page	Spencer
France	La Follette	Pittman	Swanson
Frelinghuysen	Lodge	Pomerene	Trammell
Gay	McCumber	Ransdell	Weeks
Gronna	McKellar	Robinson	
Hale	Martin, Va.	Saulsbury	
Hardwick	Moses	Sheppard	

Mr. SHEPPARD. I wish to announce that the Senator from Rhode Island [Mr. GERRY], the Senator from Montana [Mr. WALSH], the Senator from Nebraska [Mr. HITCHCOCK], and the Senator from Kentucky [Mr. BECKHAM] are detained on official business.

Mr. SAULSBURY. The senior Senator from North Carolina [Mr. OVERMAN] and the junior Senator from Delaware [Mr. WOLCOTT] are detained on official business.

Mr. ROBINSON. The Senator from Maryland [Mr. SMITH], the Senator from Colorado [Mr. THOMAS], and the Senator from Arizona [Mr. SMITH] are detained by illness.

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr COLT, Mr. DILLINGHAM, Mr. KIRBY, Mr. REED, Mr. SHAFROTH, Mr. SMITH of Georgia, Mr. SUTHERLAND, Mr. THOMPSON, Mr. UNDERWOOD, Mr. VARDAMAN, and Mr. WADSWORTH answered to their names when called.

Mr. SUTHERLAND. I wish to announce that my colleague [Mr. GOFF] is absent on account of illness.

Mr. CUMMINS, Mr. NELSON, Mr. STERLING, Mr. JONES of New Mexico, Mr. BAIRD, and Mr. WILLIAMS entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-eight Senators have answered to their names. There is a quorum present.

ADMONITION TO THE OCCUPANTS OF THE GALLERIES.

The VICE PRESIDENT. Before the Senator from Massachusetts proceeds, in order to take time by the forelock and avoid trouble, the Chair desires again to call the attention of the occupants of the galleries to the fact that there is a rule of the Senate which prevents either applauding or hissing in the galleries or any other manifestation of approval or disapproval. It was not a rule that appealed to the Chair, but it is one which the Senate forced upon the Chair and compels the Chair to see that it is observed.

There has been a great deal of trouble in the discussion of the questions about which the Senator from Massachusetts is going to proceed, and the occupants of the galleries have not obeyed the rule of the Senate. If kept up it will lead to both cheering and hissing and disorder in the galleries. There is only one way to enforce the rule that the Chair knows of, and that is if the occupants of the galleries will not obey the rule of the Senate and will not keep quiet to clear the galleries.

The Chair does not like to make this statement, because occasionally, as the Chair thinks, nothing is less disorderly than to be cheered, but the Senate thinks otherwise. So the occupants of the galleries will be kind enough to observe the rule, with the assurance that if they do not there will be a desperate effort to clear the galleries upon the first manifestation of approval or disapproval.

CONSTITUTION OF THE LEAGUE OF NATIONS.

Mr. LODGE. Mr. President, all people, men and women alike, who are capable of connected thought abhor war and desire nothing so much as to make secure the future peace of the world. Everybody hates war. Everyone longs to make it impossible. We ought to lay aside once and for all the unfounded and really evil suggestion that because men may differ as to the best method of assuring the world's peace in the future, anyone is against permanent peace, if it can be obtained, among all the nations of mankind. Because one man goes to the Capitol in Washington by one street and another man by a different street it does not follow that they are not both going to the Capitol. We all earnestly desire to advance toward the preservation of the world's peace, and difference in method makes no distinction in purpose. It is almost needless to say that the question now before us is so momentous that it transcends all party lines. Party considerations and party interests disappear in dealing with such a question as this. I will follow any man and vote for any measure which in my honest opinion will make for the maintenance of the world's peace. I will follow no man and vote for no measures which, however well intended, seem in my best judgment to lead to dissensions rather than to harmony among the nations or to injury, peril, or injustice to my country. No question has ever confronted the United States Senate which equals in importance that which is involved in the league of nations intended to secure the future peace of the world. There should be no undue haste in considering it. My one desire is that not only the Senate, which is charged with responsibility, but that the press and the people of the country should investigate every proposal with the utmost thoroughness and weigh them all carefully before they make up their minds. If there is any proposition or any plan which will not bear, which will not court the most thorough and most public discussion, that fact makes it an object of suspicion at the very outset. Beware of it; be on your guard against it. Demand that those who oppose the plan now offered present arguments and reasons, based on facts and history, and that those who favor it meet objections with something more relative than rhetoric, personal denunciation, and shrill shrieks that virtue is to be preferred to vice and that peace is better than war. Glittering and enticing generalities will not serve. We must have facts, details, and sharp, clear-cut definitions. The American people can not give too much thought to this subject, and that they shall look into it with considerate eyes is all that I desire.

In the first place, the terms of the league—the agreements which we make—must be so plain and so explicit that no man can misunderstand them. We must, so far as it can be done by human ingenuity, have every agreement which we make so stated that it will not give rise to different interpretations and to consequent argument. Misunderstandings as to terms are not a good foundation for a treaty to promote peace. We now have before us the draft of a constitution for a league of nations, prepared by a commission or committee, which is to be submitted to the representatives of the nations. The nations, through their delegates, have not agreed to it. It has not passed beyond the stage of a committee report. It is open to amendment and change in the peace conference. The Senate can take no action upon it, but it lies open before us for criticism and discussion. What is said in the Senate ought to be placed before the peace conference and published in Paris, so that the foreign Governments may be informed as to the various views expressed here.

In this draft prepared for a constitution of a league of nations, which is now before the world, there is hardly a clause about the interpretation of which men do not already differ. As it stands there is serious danger that the very nations which sign the constitution of the league will quarrel about the meaning of the various articles before a twelvemonth has passed. It seems to have been very hastily drafted, and the result is crudeness and looseness of expression, unintentional, I hope. There are certainly many doubtful passages and open questions obvious in the articles which can not be settled by individual inference, but which must be made so clear and so distinct that we may all understand the exact meaning of the instrument to which we are to be asked to set our hands. The language of these articles does not appear to me to have the precision and unmistakable character which a constitution, a treaty, or a law ought to present. The language only too frequently is not the language of laws or statutes. The article concerning mandatories, for example, contains an argument and a statement of existing conditions. Arguments and historical facts have no place in a statute or a treaty. Statutory and legal language must assert and command, not argue and de-

scribe. I press this point because there is nothing so vital to the peace of the world as the sanctity of treaties. The suggestion that we can safely sign because we can always violate or abrogate is fatal not only to any league but to peace itself. You can not found world peace upon the cynical "scrap of paper" doctrine so dear to Germany. To whatever instrument the United States sets its hand it must carry out the provisions of that instrument to the last jot and tittle, and observe it absolutely both in letter and in spirit. If this is not done the instrument will become a source of controversy instead of agreement, of dissension instead of harmony. This is all the more essential because it is evident, although not expressly stated, that this league is intended to be indissoluble, for there is no provision for its termination or for the withdrawal of any signatory. We are left to infer that any nation withdrawing from the league exposes itself to penalties and probably to war. Therefore, before we ratify, the terms and the language in which the terms are stated must be as exact and as precise, as free from any possibility of conflicting interpretations, as it is possible to make them.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Oklahoma?

Mr. LODGE. I yield.

Mr. GORE. I should like to ask if the Senator from Massachusetts remembers that when Napoleon's prime minister called his attention to the treaty affecting the Louisiana Purchase he observed that he was afraid one article of the treaty was a little obscure. Napoleon told him to scrutinize the article again, and, if it was not obscure, to make it so.

Mr. LODGE. The explanation or interpretation of any of these doubtful passages is not sufficient if made by one man, whether that man be the President of the United States, or a Senator, or anyone else. These questions and doubts must be answered and removed by the instrument itself.

It is to be remembered that if there is any dispute about the terms of this constitution there is no court provided that I can find to pass upon differences of opinion as to the terms of the constitution itself. There is no court to fill the function which our Supreme Court fills. There is provision for tribunals to decide questions submitted for arbitration, but there is no authority to decide differing interpretations as to the terms of the instrument itself.

What I have just said indicates the vast importance of the form and the manner in which the agreements which we are to sign shall be stated. I now come to questions of substance, which seem to me to demand the most careful thought of the entire American people, and particularly of those charged with the responsibility of ratification. We abandon entirely by the proposed constitution the policy laid down by Washington in his Farewell Address and the Monroe doctrine. It is worse than idle, it is not honest, to evade or deny this fact, and every fair-minded supporter of this draft plan for a league admits it. I know that some of the ardent advocates of the plan submitted to us regard any suggestion of the importance of the Washington policy as foolish and irrelevant. Perhaps it is. Perhaps the time has come when the policies of Washington should be abandoned; but if we are to cast them aside I think that at least it should be done respectfully and with a sense of gratitude to the great man who formulated them. For nearly a century and a quarter the policies laid down in the Farewell Address have been followed and adhered to by the Government of the United States and by the American people. I doubt if any purely political declaration has ever been observed by any people for so long a time. The principles of the Farewell Address in regard to our foreign relations have been sustained and acted upon by the American people down to the present moment. Washington declared against permanent alliances. He did not close the door on temporary alliances for particular purposes. Our entry into the great war just closed was entirely in accord with and violated in no respect the policy laid down by Washington. When we went to war with Germany we made no treaties with the nations engaged in the war against the German Government. The President was so careful in this direction that he did not permit himself ever to refer to the nations by whose side we fought as "allies," but always as "nations associated with us in the war." The attitude recommended by Washington was scrupulously maintained even under the pressure of the great conflict. Now, in the twinkling of an eye, while passion and emotion reign, the Washington policy is to be entirely laid aside and we are to enter upon a permanent and indissoluble alliance. That which we refuse to do in war we are to do in peace deliberately, coolly, and with no war exigency. Let us not overlook the profound gravity of this step.

Washington was not only a very great man but he was also a very wise man. He looked far into the future and he never omitted human nature from his calculations. He knew well that human nature had not changed fundamentally since mankind had a history. Moreover, he was destitute of any personal ambitions to a degree never equaled by any other very great man known to us. In all the vital questions with which he dealt it was not merely that he thought of his country first and of himself second. He thought of his country first and never thought of himself at all. He was so great a man that the fact that this country had produced him was enough of itself to justify the Revolution and our existence as a Nation. Do not think that I overstate this in the fondness of patriotism and with the partiality of one of his countrymen. The opinion I have expressed is the opinion of the world. Fifteen years after Washington's death Byron wrote the famous and familiar lines:

Where may the wearied eye repose
When gazing on the Great,
Where neither guilty glory glows,
Nor despicable state?
Yes, One—the first—the last—the best—
The Cincinnatus of the West,
Whom Envy dared not hate—
Bequeathed the name of Washington,
To make man blush there was but one!

That was the opinion of mankind then, and it is the opinion of mankind to-day, when his statue has been erected in Paris and is about to be erected in London. If we throw aside the political testament of such a man, which has been of living force down to the present instant, because altered circumstances demand it, it is a subject for deep regret and not for rejoicing. When Washington prepared the Farewell Address he consulted Hamilton, perhaps the greatest constructive mind among modern statesmen, who prepared a large part of the draft; Madison, one of the chief framers of the Constitution and President of the United States; John Jay, Chief Justice and one of the great lawyers in our history. Following them came Thomas Jefferson, James Monroe, and John Quincy Adams, bringing the Monroe doctrine to complete and round out the principles of Washington to which they were all alike devoted. If we are to be driven by modern exigencies to dismiss Washington and his counselors and the men who declared the Monroe doctrine from our consideration, we ought, at least, as these stately figures pass off the stage of guiding influence, to pay our homage to them and not relegate them to the shades of the past with jeers and laughter directed against their teachings.

But if we put aside forever the Washington policy in regard to our foreign relations, we must always remember that it carries with it the corollary known as the Monroe doctrine. Under the terms of this league draft reported by the committee to the peace conference the Monroe doctrine disappears. It has been our cherished guide and guard for nearly a century. The Monroe doctrine is based on the principle of self-preservation. To say that it is a question of protecting the boundaries, the political integrity, of the American States is not to state the Monroe doctrine. Boundaries have been changed among American States since the Monroe doctrine was enunciated. That is not the kernel of the doctrine. The real essence of that doctrine is that American questions shall be settled by Americans alone; that the Americas shall be separated from Europe and from the interference of Europe in purely American questions. That is the vital principle of the doctrine.

I have seen it said that the Monroe doctrine is preserved under article 10; that we do not abandon the Monroe doctrine, we merely extend it to all the world. How anyone can say this passes my comprehension. The Monroe doctrine exists solely for the protection of the American Hemisphere, and to that hemisphere it was limited. If you extend it to all the world, it ceases to exist, because it rests on nothing but the differentiation of the American Hemisphere from the rest of the world. Under this draft of the constitution of the league of nations American questions and European questions and Asian and African questions are all alike put within the control and jurisdiction of the league. Europe will have the right to take part in the settlement of all American questions, and we, of course, shall have the right to share in the settlement of all questions in Europe and Asia and Africa. Europe and Asia are to take part in policing the American Continent and the Panama Canal, and in return we are to have, by way of compensation, the right to police the Balkans and Asia Minor when we are asked to do so. Perhaps the time has come when it is necessary to do this, but it is a very grave step, and I wish now merely to point out that the American people ought never to abandon the Washington policy and the Monroe doctrine without being perfectly certain that they earnestly wish to do so. Standing always firmly by these great policies, we

have thriven and prospered and have done more to preserve the world's peace than any nation, league, or alliance which ever existed. For this reason I ask the press and the public and, of course, the Senate to consider well the gravity of this proposition before it takes the heavy responsibility of finally casting aside these policies which we have adhered to for a century and more and under which we have greatly served the cause of peace both at home and abroad.

Very complete proof must be offered of the superiority of any new system before we reject the policies of Washington and Monroe, which have been in our foreign relations the Palladium of the Republic. Within the memory of those to whom I now speak the Monroe doctrine stopped the incursions of England upon the territory of Venezuela and settled the boundary question finally by arbitration. Under the Monroe doctrine we arrested the attempt of Germany to take Venezuelan territory on another occasion. In these two instances the doctrine was enforced by a Democratic President and by a Republican President, and they were supported in so doing by all the people of the United States without regard to party. I mention these cases merely to show that we are not cutting away dead limbs from the body politic, but that we are abandoning two cardinal principles of American government, which, until the presentation of this draft for the constitution of the league of nations, were as vital as on the day when Washington addressed the people of the United States for the last time or when President Monroe announced his policy to the world. What has happened since November 11, 1918, to make them so suddenly valueless, to cause them to be regarded as injurious obstacles to be cast out upon the dust heaps of history? It seems to me that that is a question which at least deserves our consideration before we take action upon it.

Two other general propositions, and I shall proceed to examine these league articles in detail. In article 10 we, in common, of course, with the other signatories and members of the projected league, guarantee the territorial integrity and the political independence of every member of the league. That means that we ultimately guarantee the independence and the boundaries, as now settled or as they may be settled by the treaty with Germany, of every nation on earth. If the United States agrees to guaranties of that sort we must maintain them. The word of the United States, her promise to guarantee the independence and the boundaries of any country, whether she does it alone or in company with other nations, whether she guarantees one country or all the countries of the world, is just as sacred as her honor—far more important than the maintenance of every financial pledge, which the people of this country would never consent to break.

I do not now say the time has not come when, in the interest of future peace, the American people may not decide that we ought to guarantee the territorial integrity of the far-flung British Empire, including her self-governing dominions and colonies, of the Balkan States, of China or Japan, or of the French, Italian, and Portuguese colonies in Africa; but I do suggest that it is a very grave, a very perilous promise to make, because there is but one way by which such guaranties, if ever invoked, can be maintained, and that way is the way of force—whether military or economic force, it matters not. If we guarantee any country on the earth, no matter how small or how large, in its independence or its boundaries, that guarantee we must maintain at any cost when our word is once given, and we must be in constant possession of fleets and armies capable of enforcing these guaranties at a moment's notice. There is no need of arguing whether there is to be compulsive force behind this league. It is there in article 10 absolutely and entirely by the mere fact of these guaranties. The ranks of the armies and the fleets of the navy made necessary by such pledges are to be filled and manned by the sons, husbands, and brothers of the people of America. I wish them carefully to consider, therefore, whether they are willing to have the youth of America ordered to war by other nations without regard to what they or their representatives desire. I would have them determine after much reflection whether they are willing to have the United States forced into war by other nations against her own will. They must bear in mind constantly that we have only one vote in the executive council, only one vote in the body of delegates, and a majority of the votes rules and is decisive.

I am not here to discuss the constitutional question of the sole right of Congress to declare war. That is a detail, as it relates only to the Constitution, which we may decide later. In my own opinion, we shall be obliged to modify the Constitution. I do not think, and I never can admit, that we can change or modify the Constitution by a treaty negotiated by the President and ratified by the Senate. I think that must be done, and can only be done, in the way prescribed by the Constitution itself, and to promise to amend our Constitution is a serious task and a doubtful undertaking.

I hope the American people will take time to consider this promise before they make it—because when it is once made it can not be broken—and ask themselves whether this is the best way of assuring perfect peace throughout the future years, which is what we are aiming at, for we all are aiming at the same object. A world's peace which requires at the outset preparations for war—for war either economic or military—in order to maintain that peace presents questions and awakens thoughts which certainly ought to be soberly and discreetly considered.

The second general proposition to which I would call attention is this: We now in this draft bind ourselves to submit every possible international dispute or difference either to the league court or to the control of the executive council of the league. That includes immigration, a very live question, to take a single example. Are we ready to give to other nations the power to say who shall come into the United States and become citizens of the Republic? If we are ready to do this, we are prepared to part with the most precious of sovereign rights, that which guards our existence and our character as a Nation. Are we ready to leave it to other nations to determine whether we shall admit to the United States a flood of Japanese, Chinese, and Hindu labor? If we accept this plan for a league, this is precisely what we promise to do. I know that by following out all the windings of the provision for referring to the council or allowing the council to take charge of what has been called hitherto a nonjusticiable question, we shall probably reach a point where it would not be possible to secure unanimous action by the league upon the question of immigration. But, Mr. President, I start with the proposition that there should be no jurisdiction in the league at all over that question; that it should be separated absolutely and entirely from any jurisdiction of the league. Are we prepared to have a league of nations—in which the United States has only one vote, which she could not cast on a dispute to which she was a party—open our doors, if they see fit, to any and all immigration from all parts of the world?

Mr. Taft has announced, in an article which appeared in the National Geographic Magazine, that the question of immigration will go before the international tribunal, and he says now that all organized labor is for the league. If American labor favors putting the restriction of immigration in the control of other nations they must have radically changed their minds and abandoned their most cherished policy. Certainly the gravity of such promises as are involved in the points I have suggested is sufficient to forbid haste. If such promises are to be given they must be given in cold blood with a full realization of what they mean and after the American people and those who represent them here have considered all that is involved with a serious care such as we have never been called upon to exercise before. We are asked to abandon the policies which we have adhered to during all our life as a Nation. We are asked to guarantee the political independence and the territorial integrity of every nation which chooses to join the league—and that means all nations, as the President stated in his speech at Manchester. We are asked to leave to the decision of other nations, or to the jurisdiction of other nations, the question of what immigrants shall come to the United States. We are asked also to give up in part our sovereignty and our independence and to subject our own will to the will of other nations, if there is a majority against our desires. We are asked, therefore, in a large and important degree to substitute internationalism for nationalism and an international state for pure Americanism. Certainly such things as these deserve reflection, discussion, and earnest thought.

I am not contending now that these things must not be done. I have no intention of opposing a blank negative to propositions which concern the peace of the world, which I am as anxious to see promoted as any living man can be; but I do say, in the strongest terms, that these things I have pointed out are of vast importance not only to us but to the entire world, and a mistake now in making the league of nations might result in more war and trouble than the old system in its worst days. What I ask, and all I ask, is consideration, time, and thought.

The first and most practical question for us to consider and decide is whether the terms of this committee draft of a constitution for the league of nations really make for harmony, among the nations or will tend to produce dissension and controversy. We all desire peace, but in our zeal for peace we must be careful not to create new obligations and new and untried conditions, which may lead to fostering war rather than peace. For this reason I am going now to examine the articles in the draft of the constitution for the league of nations one by one.

Upon the preamble we need not pause. It states purposes and objects with which everybody, of course, is in sympathy.

Article 1 deals with the officers and the delegates, and they are sufficiently and clearly provided for, and also that there shall be an international secretariat. I think nothing is omitted so far as the creation of offices goes.

Nothing is said about how the delegates shall be chosen. That, of course, is a matter which is left to each nation to determine, but I venture, with all respect, to suggest that delegates representing the United States in what is to be a world state, to which we are to give a portion of our sovereignty and independence, ought to represent the United States; they ought to be selected by the people of the United States or appointed as ambassadors and consuls are appointed. I think these delegates, who are certainly as important as ambassadors or consuls, should be appointed by the usual method of the President and the Senate, and not ever be allowed to be irresponsible personal agents. That, however, is something we can attend to here, I think, when the league of nations is submitted to us in treaty form.

Article 2 refers to the meetings of the body of delegates, and also provides that "each of the high contracting parties shall have one vote but may not have more than three representatives." Therefore the voting in the body of delegates proceeds on the well-settled principle of international law that each national sovereignty is equal to every other national sovereignty, and the United States will have one vote and so will Siam.

In article 3 we come to the executive council, which is of the greatest possible importance, for it is in the provision stated here—and also, I am sure, as practice will show—the controlling force of the entire league:

The executive council shall consist of representatives of the United States of America, the British Empire, France, Italy, and Japan, together with representatives of four other States members of the league.

What other States shall be selected has not yet been disclosed to us, but there must be four other States. The executive council now has five members—three from Europe, one from Asia, and one from America. Ultimately it will have nine members. I assume, and I think I have the right to assume, on the best authority, that there is no intention of making Germany one of the four nations to be added to the existing five which will compose the nine members of the executive council. I think it is probable that Germany will have a period of probation before she is even admitted to the league, and that seems to me to be eminently wise.

Then the article provides for the meeting of the council, and then says in the last paragraph:

Invitations shall be sent to any power to attend a meeting of the council at which matters directly affecting its interests are to be discussed, and no decision taken at any meeting will be binding on such powers unless so invited.

This, of course, looks to having the executive council consider the affairs of every country in the world, whether they are members of the league or not, and all the council has to do in order to make its action binding on such powers is to invite them to be present. It is a paragraph not without importance.

ART. 4. All matter of procedure at meetings of the body of delegates or the executive council, including the appointment of the committees to investigate particular matters, shall be regulated by the body of delegates or the executive council, and may be decided by a majority of the States represented at the meeting.

It is to be decided by the executive council, where we shall have one vote in five, or, when the council is enlarged, one vote in nine, and in the body of delegates, of course, only one vote.

Then comes article 5, which provides for the secretariat and concerns only offices and provisions for expenses. The words creating offices and providing for salaries leave no room for doubts or questionings.

Article 6 is a matter of course. It simply gives the delegates diplomatic immunities and privileges.

Article 7 covers the admission to the league of States and, when a State is invited to adhere, "requires the assent of not less than two-thirds of the States represented in the body of delegates, and shall be limited to fully self-governing countries, including dominions and colonies."

The inclusion of dominions and colonies, of course, covers the four great self-governing dominions of Great Britain. I have no fault to find with the arrangement. Canada, New Zealand, South Africa, and Australia are far more worthy and more valuable members of a league of nations than some of the nations which I think will find their way into the body. But the fact remains that in the body of delegates England has five votes to one vote of any other country.

The next paragraph says:

No State shall be admitted to the league unless it is able to give effective guaranties of its sincere intention to observe its international obligations.

I do not wish to seem hypercritical, but I think that in a document of this kind we should know a little better what an "effective guaranty of a sincere intention" is.

How can we have an effective guaranty of a sincere intention? I merely throw this out as one of the points which it seems to me ought to be made clear. Let us know what it means. How are we to test the sincerity of the intention? How are we to get a guaranty for the sincerity of the intention in advance? I think it would be well to have that more precisely defined.

We now come to article 8, which refers to disarmament, a most important question, one of the most important in the constitution of the league, with the purpose of which everybody must be in the keenest sympathy. The reduction of armaments, if it can be brought about successfully, will be of the greatest value to the world and relieve the people of all countries from a burden of taxation which has become intolerable. But its very importance makes it necessary, in my opinion, to express what is to be done with the utmost clearness. The article says:

The high contracting parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations—

That is, the reduction must be consistent with the "enforcement by common action of international obligations," words to be considered and which the instrument itself must explain.

Here we are dealing solely with military force which we are seeking to reduce, and it is recognized that in disarmament one of the elements to be considered is the "enforcement by common action of international obligations," which, I assume—we have to assume more or less as we pass along through these articles—refers to the obligations of the league. We certainly owe no international obligation to anybody else to-day as to what fleets and armies we shall have. Yet this article contemplates as one of the tests of disarmament the amount of force which will be needed to carry out the purposes of the league. The article continues:

having special regard to the geographical situation and circumstances of each State, and the executive council shall formulate plans for effecting such reduction.

I do not know how far the formulation has a binding effect, but the article goes on to say:

The executive council shall also determine for the consideration and action of the several Governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament—

"Laid down." Again I have to interpret. Laid down, I assume, by the executive council itself, because it is they who make the program—

and these limits, when adopted, shall not be exceeded without the permission of the executive council.

There comes in an absolutely binding provision. It says "when adopted." Adopted by whom? The natural inference is, adopted by the several governments, if you trace it back through the wording of the previous paragraphs. Ought not an instrument of this vital character to be drafted with the ordinary care which a clerk gives in drafting a clause in an appropriation bill for a Senate committee? Ought it not to be stated clearly, "thus adopted by the several governments," and then there can be no question that each government will decide on the program itself and its own share before it is put in a position where it can never exceed that program without the permission of the executive council—I assume the majority of the executive council. That is another thing which apparently it has not been thought worth while to state, but I do not think you can be too clear when you are exacting from nations these great promises and laying upon them these heavy burdens.

The high contracting parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections, and direct the executive council to advise how the evil effects attendant upon such manufacture can be prevented.

That, I take it, is mere advice to be laid before the body of delegates, but it is not explained how far the advice goes.

The high contracting parties—

The last paragraph says—

undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to warlike purposes or the scale of their armaments, and agree that there shall be full and frank interchange of information as to their military and naval program.

An admirable proposition! Certainly it can not but add to the prospect of the peace of the world if every nation shall explain to every other nation just what military and naval pro-

gram it has; but there seems to be no method expressed here by which they can be compelled to give that information, except by saying that if they do not do it they fail in a moral obligation and will be guilty of what some people might define as "moral obliquity."

Article 9 says:

A permanent commission shall be constituted to advise the league on the execution of the provisions of article 8 and on military and naval questions generally.

A very useful body, but constituted by whom? There is not one syllable in the article to show by whom it shall be constituted. It may be unnecessary to do it; we may be able to infer it; but when you get into the misty region of inferences by individuals you must have some tribunal established like our Supreme Court, who can declare whether the inference is correct or not.

Article 10 is probably the most important article in the whole constitution—I have already referred to it—because to me it is graver than anything else with perhaps one exception in this entire treaty. It is also perfectly clear:

The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled.

The executive council is to have the power of advice, which I do not suppose is binding at all, but the guaranty remains, and, as I have already said—it can not be too often repeated—that when one nation guarantees the political independence and the territorial integrity of another, that guaranty must be maintained, and guaranties can only be maintained by the exercise in the last resort of the force of the nation. If we were to guarantee the political independence and territorial integrity of Mexico or Guatamala, or any of those States, we should have to stand behind them with our armies and our fleets when the guaranty was invoked, and there is no escape from that obligation. Those plain words demand it. I am not now arguing whether we should give the guaranty or whether we should not give the guaranty, but I beg my fellow countrymen to consider well before they give this promise to invoke the mighty power of the United States in order to enforce a guaranty which extends to the boundaries of every State on the face of the earth. It is a tremendous promise, and if we give it this country must carry it out. The United States must never be guilty of in any way impairing the sanctity of treaties. But let us think well before we do it. Let us consider it. In the presence of such promises as that is it unreasonable to ask that the American people should have time to consider, to realize, just what it means before they give the promise? If they decide coolly and deliberately, there is nothing more to be said; we bow to it, and Congress will fulfill it; but that is too weighty a promise to make by simply saying, "I am in favor of a league of nations and of the eternal peace of the world." We are all in favor of the peace of the world. A mere title does not carry with it any explanation of the responsibility which is undertaken.

Article 11. Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations—

"Any action" covers war—

It is hereby also declared and agreed to be the friendly right of each of the high contracting parties to draw the attention of the body of delegates—

Which I suppose means the five who are now assigned and the four who are to join with them, making nine in all—

to draw the attention of the body of delegates or of the executive council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends.

Everyone must agree to that, except for the slight uncertainties of statement, but it embodies in practice one of the paragraphs of The Hague convention.

Now we come to the disputes. Those articles relating to the settlement of disputes would require a long time by themselves, if we touched nothing else, to discuss, and also to understand. I merely wish to call attention to a few points which occur on a casual reading. It says in article 12 "disputes." It says in article 13 "any disputes." That means any dispute that may arise among nations, of any kind, whether involving domestic or internal matters or foreign relations. The words "any disputes" cover everything. On that point I wish to reiterate what I have already said. I am not going further into it.

It is no reply to the point that is made about immigration to say that, if you follow it through all the windings of the provisions here for justiciable and nonjusticiable questions you will find it reaches a point where the league could do nothing about immigration into the United States unless it was unanimous, and that it is very unlikely they would ever be unanimous. Grant it; it is unlikely that the league will ever be unanimous about anything, but the possibility is there. I deny the jurisdiction. I do not think we should leave to the league any question as to immigration, because immigration lies at the very root of national character and national economy; it ought to be made plain that the league has no jurisdiction whatever over such questions in any way. We do not want a narrow alley of escape from the jurisdiction of the league. We want to prevent any jurisdiction whatever. As we stand to-day no nation or nations can say who shall come into the United States. There is only one rule as to that, and that is the rule of the United States. It should so remain. What I say for the United States I mean for every other nation. No nation should be compelled to admit anyone within its borders whom it does not choose to admit.

Some of these points I think it might be well for those who prepared this draft to consider. Perhaps I do not regard the drafting committee with the veneration which the Senator from Nebraska [Mr. HITCHCOCK] feels toward them; I know some of them, and, without reflecting upon them in any way, I do not think their intellect or position in the world are so overpowering that we can not suggest amendments to this league. I can not say I know them all; I do not believe anybody here could get up and say who the 14 members of that commission are.

But there is a practical question to which I was about to call attention. This constitution here says until three months there shall be "no resort to war without previously submitting the question and matters involved either to arbitration or to inquiry by the executive council and until three months after award by the arbitrators or a recommendation by the executive council."

That binds the members of the league; but there have been outlaws among the nations before now. As a matter of history, the sudden manner in which Frederick the Great threw aside all his most solemn promises and poured his armies over Silesia, which Prussia has held ever since he tore it from Austria. How was this present war begun? By the sudden precipitation of an enormous war machine on the unprepared lands of Belgium and the nearly unprepared territory of France.

Suppose we had a Mexican raid across our border. It has happened. Perhaps Mexican nature has changed and it will never happen again, but it may happen. We are members of the league, we will suppose, and mean to carry out, as we must, every provision in absolute good faith. Mexico does not happen, we will say, to be a member of the league, or she is a member and breaks her covenants; she has not yet given "effective guaranties of sincere intention"; she breaks across our border, and under this article we have got to wait three months before we do anything. That, I think, would be a little hard on the people who live on the border.

Mr. REED. If the Senator from Massachusetts will pardon me, it is three months after the decision, is it not?

Mr. LODGE. Three months after the award.

Mr. REED. And the award might be made 30 years after the occurrence?

Mr. LODGE. No; the award of the arbitrators must "be made within a reasonable time."

Mr. REED. Oh, yes. [Laughter on the floor and in the galleries.]

The VICE PRESIDENT. The galleries will be cleared, except the senatorial gallery. We might as well settle this question first as last.

Mr. REED. Oh, Mr. President——

The VICE PRESIDENT. The Chair can not sit here and not enforce the rule. Either repeal the rule or the Chair must enforce it. The Chair does not care anything about the rule.

Mr. REED. Perhaps I am to blame for the disturbance. I will apologize for having made the remark; and I hope the Chair, having admonished the galleries, will not have them cleared.

The VICE PRESIDENT. The Chair is admonishing the galleries every 15 minutes. The Chair does not care anything about the rule—he wishes it were repealed—but unless the rule can be repealed it is going in some way to be observed.

Mr. LODGE. Mr. President, such disturbance as there was came chiefly, I think, from Senators themselves.

Mr. BRANDEGEE. Absolutely.

Mr. LA FOLLETTE. Absolutely.

Mr. POINDEXTER. I ask, in view of the fact that this is the first infraction of the rule, that for the time being the rule be not enforced.

The VICE PRESIDENT. If the Senate does not desire the rule enforced, the Chair will not enforce it.

Mr. LODGE. Mr. President, I think some provision ought to be made by which any country which is a member of the league and carrying out its principles, as it must, in good faith, should have some right reserved to protect itself against sudden inroad or invasion. We may say that is never going to occur. That is the answer which is usually made to most of these things; that it is inconceivable. It is not inconceivable, for it has happened before, and it may happen again. There ought to be some provision to cover it. That is all I venture to suggest.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. LODGE. I yield.

Mr. NORRIS. Will the Senator permit an interruption?

Mr. LODGE. I will; yes.

Mr. NORRIS. The Senator from Massachusetts, in giving an illustration, used Mexico, and said he assumed that Mexico would not be a member of the league.

Mr. LODGE. Oh, no. I was only assuming that for purposes of illustration. I suppose Mexico will be a member of the league. It does not make any difference whether she disregard her obligations as a member or have none.

Mr. NORRIS. I want to take the Senator's assumption as he gave it. Where is the language in article 12 or 13, which the Senator was discussing that, at least, would apply to that kind of a case? As I read the language there, it applies only between members of the league. It would not apply at all in the case the Senator from Massachusetts has put.

Mr. LODGE. I assume that as to members of the league it will cover it, but I think later on the Senator will find the proposition there about putting nations outside of the league who are not members of the league within the control of the league.

Mr. NORRIS. Yes, I think so.

Mr. LODGE. It comes pretty near to it.

Mr. NORRIS. But the Senator was discussing articles 12 and 13, and got that kind of a construction out of them.

Mr. LODGE. I am perfectly willing to leave it to Mexico as a member of the league. I do not think that being a member of the league is going to alter Mexican character materially, although it may.

Mr. NORRIS. But it would alter the Senator's assumption materially.

Mr. LODGE. No; not at all, because Mexico may break out. I say again there might be an outlaw among nations.

Mr. NORRIS. I call the Senator's attention to the fact that he assumed, in the illustration he gave, that Mexico was not in the league; that we were, and that articles 12 and 13, which he was discussing, would apply to his suggeston.

Mr. LODGE. I specifically said let us assume that for the purpose of argument. I am perfectly willing to drop the assumption and confine it to the exact language of the article, which suits me just as well for illustration.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. LODGE. I can not yield further, Mr. President. I wish to finish. Article 13 reads:

> The high contracting parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration—

That is, disputes which a majority of the high contracting parties recognize to be suitable for submission to arbitration—

> and which can not be satisfactorily settled by diplomacy, they will submit the whole matter to arbitration.

Of course, the only people who can submit a matter to arbitration are the people who are parties to the dispute. Those who have no dispute can not submit anything to arbitration, because they have nothing to submit.

The reason I bring this apparently trivial point up at this time is that it will be well to differentiate these "theys" and show that in one case the reference is to the high contracting parties who agree that any dispute that arises among them suitable for submission shall be submitted, and, in the other that those between whom the dispute arises will submit it. This is clearly the meaning, I think, but it might be expressed a little more luminously.

The executive council "proposes," I suppose, by a majority, although it does not say so; and how binding the proposal is does not appear. I think it ought to be explicitly stated that a majority of the executive council shall have the power to propose and declare whether the proposal is binding or not. The word "propose" does not imply a binding character, I am well aware; but I should like to get rid of one of the implications of which this document is full.

Article 14 provides that "the executive council shall formulate plans for the establishment of a permanent court of international justice."

Then comes article 15, which is very important, and which provides for those disputes "likely to lead to rupture," which are not submitted to arbitration, but which the high contracting parties agree they will refer to the executive council through the secretary general. They are to make their statements of the case there and such recommendations are to be made as the executive council thinks just and proper for the settlement of the dispute, and "if the report is unanimously agreed to by the members of the council other than the parties to the dispute the high contracting parties agree that they will not go to war with any party which complies with the recommendations."

Unless the council is unanimous, I take it, they are at liberty to go to war. And "if any party shall refuse so to comply the council shall propose measures necessary to give effect to the recommendation." There is no explanation of what measures. I presume we must take it to mean all measures. I will not follow the referred dispute through all its tortuous pathway, but it comes eventually to the body of delegates, and in that connection the proposed constitution says:

> All the provisions of this article and of article 12 relating to the action of the executive council shall apply to the action and powers of the body of delegates.

This means that the body of delegates, as I take it, must unanimously agree, and if they do not unanimously agree it appears to me to leave the whole matter open. This may be a protection in certain cases, but in other cases, it seems to me, it does not offer a very strong resistance or create a very serious obstacle to war.

Now we come to article 16, which says that—

> Should any of the high contracting parties break or disregard its covenants under article 12 it shall thereby ipso facto be deemed to have committed an act of war against all the other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

There can be no doubt, under the conditions given, that we shall be called upon to enter on an economic war with any State on earth, whether a member of the league or not, if that State breaks or disregards any of the covenants relating to arbitration. I merely call attention to it because I venture to think that cutting off our intercourse with another nation and opening our territory to the passage of troops is a very serious promise to make; and I think it ought to be honored with more consideration than perhaps it has yet received.

Article 16 contemplates also the duties of the executive council in such cases "to recommend what effective military or naval forces the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league."

Here it is apparent that there can be no question that the armed forces of the United States are to be called upon for work of this kind; and if we are to act in good faith, it seems to me we are morally bound by this clause to contribute what the executive council recommends to the armed forces called forth to protect the covenants of this league. We may say their recommendation does not bind, but it certainly binds us morally if we agree to it; and I do not think that we can afford to enter a league of nations for the preservation of the peace of the world with any misunderstanding on a point of this kind. It seems to me that, in any event, this is a direct interference with the power of Congress to raise armies and maintain navies, and we shall be compelled to have a constitutional amendment in order that this provision may be carried out. However, I am not going at this time to enter upon constitutional questions, which are regarded by most advocates of the league as either humorous or academic.

Article 17 refers to the case of disputes between members of the league and other States not members, and makes various provisions raising many of the questions which are raised by the preceding article.

Article 19 is one of the great articles of the proposed constitution. It provides for the States of the league being mandatories and taking charge of other States classified under various descriptions in the article, which I will not read. Oddly enough, it does not say who is to select the mandatories; at least, I can find nothing in the article stating who is to choose the mandatories, whether the body of the delegates or the executive council; nor does it appear whether a mandatory is bound if once selected. I presume not; but it is not stated. I do not think it is hypercriticism to suggest that when a mandatory is to be selected to take charge of the fortunes of another people,

or of another State, there should be some provision for the selection of the mandatory, and it should be made clear, at least, whether the nation so selected is bound.

I am not going into the general question of taking up the work of the mandatories and holding States in tutelage. That was so thoroughly covered by the Senator from Iowa [Mr. CUMMINS] that it is not necessary for me to take the time of the Senate to discuss it further; but I suggest this thought—and I shall keep on suggesting it—that before the United States binds itself in any way it should be made clear to what extent it is bound, for I have no sympathy with the proposition that we can refuse this and refuse that; in other words, that we can violate the principles of the treaty whenever we feel like it. I think that idea ought to be finally dismissed. What we are bound to in honor we are bound to do, and I think whether we should be prepared to take charge of other countries and of other peoples is an important question for the American people to decide. I am not speaking now of States which we are to establish as a result of the war. We must help in the establishment of such States. But that belongs to the German peace. The peace with Germany will settle the boundaries of Poland and the Jugo-Slav and the Czecho-Slovak States and the rest. That is part of the German peace which we are bound to see through; but this article 19 is a promise to enter upon the work of trusteeship for all time, and I venture to think it is very serious and deserves much thoughtful consideration.

Of course article 20, for securing or maintaining fair and humane conditions of labor for men, women, and children, is an article in which everyone must sympathize.

Now, article 21:

> The high contracting parties agree that provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the league—

"Freedom of transit." Does that mean transit by land alone, or does it mean transit by land and water? If it means transit by land and water we shall have to repeal our coastwise laws.

"Equitable treatment for the commerce of all States members of the league." Under that phrase, every tariff duty which any other nation thought was inequitable the league of nations could take hold of, and "recommend" or "advise," or "decide," whatever the word may be. If we leave this loose language there the tariff and all import duties of every nation will come before the league. If we think that there is an unjust discrimination against some American goods by any country we have a right to take it before the league and see if we can not get equitable treatment. I think this opens up a wide field of dispute. It does not seem to me, moreover, that to throw all questions of tariff or of import duties into the jurisdiction of the league can do anything to promote peace. I think, on the contrary, it will be a breeder of dissension. I do not see how it can be anything else.

That is the first very vital objection to it in my mind; but I also have a feeling—and, of course, I am aware it is an old-fashioned one—that the Constitution gives to the House of Representatives the right to originate all bills to raise revenue; and this meddling of the league with tariff rates, of course, would affect revenue very seriously.

Next come the international bureaus, in article 22, to which no one would object.

Then comes article 23, which provides that no such treaty or international engagement, when once made, shall be binding until it has been registered by the secretary general. Our Constitution says that it shall become binding after it has been ratified by the Senate and ratifications have been exchanged; and this seems to add a new condition to the constitutional conditions. I am told by friends of this treaty that we can hold back ratification until the registry has taken place, but while this ingenious scheme undoubtedly slips by the Constitution, it seems to me that it would be just as well to make it plain and avoid a constitutional objection which would get into our courts if nowhere else.

Article 24 is not very clear, but it says:

> It shall be the right of the body of delegates from time to time to advise the reconsideration by State members of the league of treaties which shall become inapplicable and of international conditions of which the continuance may endanger the peace of the world.

I confess I do not clearly understand what is meant by this. I have no doubt that there are Senators, who like the league just as it is printed, who perhaps can explain that thoroughly; but "international conditions of which the continuance may endanger the peace of the world" and "the league of treaties"—I think it must be misprinted; but, at all events, it needs some examination.

Article 25 provides that we solemnly engage not to enter hereafter into any engagements inconsistent with the terms of the league of nations. Now, that is a distinct limitation upon the treaty-making power of the Constitution. That is a new provision which must be added, in my judgment, by constitutional amendment if this article remains unchanged. The Constitution gives us very well-defined powers as to treaty making, and here we promise that we will not enter upon any engagement inconsistent with the terms of the league of nations. The object is excellent, of course, but it nevertheless raises a very obvious constitutional difficulty.

The provision for amendments to the constitution of the league makes amendment very difficult, if not practically impossible. That is another reason why I am anxious, perhaps unduly anxious, as to the importance of getting this article clear and precise now, before we are asked to approve it. When our Constitution was formed we had in the convention some 50 of the ablest men in the country, and some of the ablest men, I believe, in the world. They took some three months, as I recall, in their work. They had a committee on style, headed by Gouverneur Morris, and that is the reason the language of the Constitution of the United States is so extremely clear, precise, and excellent; and yet, precise and clear as those articles are, under them, and especially under the grant in regard to commerce between the States, have arisen questions the decisions of which by the Supreme Court would fill volumes, showing the extreme difficulty and also the need of extreme care in phraseology. I think a committee on style in this league, to redraft the proposed constitution and put it in legal language, would not have been amiss.

Finally, as I come to the end, the Senate will observe that there is no provision for withdrawal. That is very important. We are making an indissoluble treaty. The old fashion of treaties, always beginning by swearing eternal friendship, common certainly as late as the seventeenth century, has been abandoned in modern times entirely. Almost all treaties now contain provisions for terminating the treaty on due notice. Others limit the life of the treaty. An indissoluble treaty, without the right of withdrawal, is very unusual.

It has been pointed out to me—not once but many times—that we can abrogate, that we can violate, that we can overrule any treaty by the action of Congress. I know that. We can denounce it. I know that. I think, however, that to form a league of this kind and leave it in such a form that no nation can get out of it except by abrogation, by violation, or by denunciation—action which usually in the intercourse of nations means war—is very serious. If the right of withdrawal were preserved, a nation could withdraw—on due notice, of course—without shattering the league or impairing in any way the sanctity of treaties. It seems to me there ought to be some such provision. If you leave a country—I am not speaking merely of the United States—tied hard and fast, so that they can not get out of this league without tearing everything to pieces by denouncing it or by abrogating it or violating it, you create a situation which in my mind does not promote the peace of nations, but the very reverse.

I have seen here not so many years ago an occasion when, in a burst of passion, the House of Representatives swept away a treaty with a friendly nation, which contained provisions for notice and withdrawal, without any regard for the terms of the treaty. The resolution was modified here so as to avoid insult and offense; but that was the way it passed the House in a moment of anger and excitement. Passion and emotion are not going to perish or die out of men because we sign an agreement for a league of nations. They will remain. The case to which I have referred, which was with Russia, involved the good relations of the United States with one nation; but such treatment of the provisions of the league would involve a similar feeling on the part of all nations of the earth, practically all members of the league. I think this is a very serious danger, a danger to the peace of the world which we are all seeking to promote. It must be avoided by a simple amendment.

Thus, very imperfectly, I have reviewed these articles. I have stated some of the doubts and questionings which have arisen in my own mind, and I could print in the RECORD letters which I have received showing other points and questions which have occurred to other minds. This demonstrates the uncertainties which cloud this instrument from beginning to end. When the United States enters into an indissoluble permanent alliance there ought to be, as I have said, no uncertainties in the terms of the agreement. I earnestly desire to do everything that can be done to secure the peace of the world, but these articles as they stand in this proposed constitution seem to give a rich promise of being fertile in producing controversies and misunderstandings. They also make some demands which I do not believe any nation would submit to in a time of stress. Therefore this machinery would not promote the peace of the world, but would

have a directly opposite effect. It would tend to increase the subjects of misunderstanding and dispute among the nations. Is it not possible to draft a better, more explicit, less dangerous scheme than the one here and now presented? Surely we are not to be shut up to this as the last and only word to take or leave.

To those who object that the criticism of this tentative draft plan of the committee of the peace conference must be not only destructive but constructive it might be said that the burden of proof lies upon those who propose, in order to establish the future peace of the world, that the United States must curtail its independence, part with a portion of its sovereignty, and abandon all the international policies which have been so successful for more than a hundred years. Those who support the present draft of the constitution for the league must demonstrate that it is an improvement before they can expect its general acceptance. But the Senate can not at this time undertake to make plans for a league, because we are in the process of negotiation, and the Senate does not begin to act until the stage of ratification is reached. At the same time there are certain constructive propositions which it would be well, I think, for the peace conference to consider. If it is said that you can preserve the Monroe doctrine by extending it, which appears to me clearly to mean its destruction and to be a contradiction in terms, then let us put three lines into the draft for the league which will preserve the Monroe doctrine beyond any possibility of doubt or question. It is easily done. Let us also have, if we enter the league, a complete exclusion from the league's jurisdiction of such questions as are involved in immigration and the right of each country to say who shall come within its borders and become citizens. This and certain other questions vital to national existence ought to be exempted from any control or jurisdiction by the league or its officials by a very few words, such as can be found in the arbitration treaties of 1907. There should be some definite provision for peaceful withdrawal from the league if any nation desires to withdraw. Lastly, let us have a definite statement in the constitution of the league as to whether the league is to have an international force of its own or is to have the power to summon the armed forces of the different members of the league. Let it be stated in plain language whether the "measures," the "recommendations," or the suggestions of the executive council are to be binding upon the members of the league and are to compel them, technically or morally, to do what the league delegates and the executive council determine to be necessary. On the question of the use of force we should not proceed in the dark. If those who support the league decline to make such simple statements as these—I mean statements in the body of the instrument, not individual statements—it is impossible to avoid the conclusion that they are seeking to do by indirection and the use of nebulous phrases what they are not willing to do directly, and nothing could be more fatal to the preservation of the world's peace than this, for every exercise of power by the executive council which the signatories to the league might fairly consider to be doubtful would lead to very perilous controversies and to menacing quarrels.

Unless some better constitution for a league than this can be drawn, it seems to me, after such examination as I have been able to give, that the world's peace would be much better, much more surely promoted, by allowing the United States to go on under the Monroe doctrine, responsible for the peace of this hemisphere, without any danger of collision with Europe as to questions among the various American States, and if a league is desired it might be made up by the European nations whose interests are chiefly concerned, and with which the United States could cooperate fully and at any time, whenever cooperation was needed. I suppose I shall make myself the subject of derision for quoting from the Farewell Address, but it states a momentous truth so admirably that I can not refrain from giving it, for I think it ought to be borne in mind. Washington says:

> Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

It must also be remembered that if the United States enters any league of nations it does so for the benefit of the world at large, and not for its own benefit. The people of the United States are a peace-loving people. We have no boundaries to rectify, no schemes, and no desires for the acquisition or conquest of territory. We have in the main kept the peace in the American hemisphere. The States of South America have grown constantly more stable, and revolutions have well-nigh disappeared in the States south of those bordering on the Caribbean. No one questions that the United States is able to prevent any conflicts in the American hemisphere which would involve the world in any way or be more than passing difficulties, which in most cases could be settled by arbitration. If we join a league, therefore, it must be with a view to maintaining peace in Europe, where all the greatest wars have originated, and where there is always danger of war, and in Asia, where serious conflicts may arise at any moment. If we join a league, of course, we have in mind the danger of European conflicts springing up in such a way as to involve us in the defense of civilization, as has just happened in the war with Germany. But such wars as that are, fortunately, rare; so rare that one has never before occurred, and when the time came we took our part; but in the main our share in any league must be almost wholly for the benefit of others. We have the right, therefore, to demand that there shall be nothing in any agreement for the maintenance of the world's peace which is likely to produce new causes of difference and dissension, or which is calculated to injure the United States, or compel from us undue sacrifice, or put us in a position where we may be forced to serve the ambitions of others. There is no gain for peace in the Americas to be found by annexing the Americas to the European system. Whatever we do there we do from almost purely altruistic motives, and therefore we are entitled to consider every proposition with the utmost care in order to make sure that it does not do us injustice or render future conditions worse instead of better than they are at present.

To me the whole subject is one of enormous difficulties. We are all striving for a like result; but to make any real advances toward the future preservation of the world's peace will take time, care, and long consideration. We can not reach our objects by a world constitution hastily constructed in a few weeks in Paris in the midst of the excitement of a war not yet ended. The one thing to do, as I said in the Senate some time ago, and that which I now wish above all others, is to make the peace with Germany—to make a peace which by its terms will prevent her from breaking out again upon the world; to exclude Turkey from Europe, strengthen Greece, and give freedom and independence to the Armenians and to the Jewish and Christian populations of Asia Minor; to erect the barrier States for the Poles, Czecho-Slovaks, and Jugo-Slavs; to take possession of the Kiel Canal; to establish the Baltic States and free them from Russia and restore Danish Schleswig to Denmark. Provision must be made for indemnities or reparation, or by whatever name we choose to call the damages to be exacted from Germany. We ought, in my judgment, to receive indemnities which would enable us to provide for the *Lusitania* claims and for the destruction of our ships by submarines—to go no further. But the enormous losses of England and Italy in shipping should be made good, either in money or in kind. Belgium must be restored and fully compensated for her terrible injuries.

Finally there is France, and the indemnities to France ought to be ample and complete. The machinery taken from her factories should be restored. The cattle driven from her fields should be brought back. The debt of the free and civilized world to France is inestimable. Our own debt to her is very large. France has been our outpost and our bulwark. She has bared her breast to the storm and stood between us and the advancing hordes of Germany in the darkest days. It was France, aided by the small but gallant army of England, which checked the onrush of the Germans at the first battle of the Marne. It is her land which has been desolated and her villages and cities which have been destroyed. She should have compensation to the utmost limit in every way. Eternal justice demands it. But it is also to our immediate and selfish interest as a Nation that France should be made as strong as possible. Alsace and Lorraine she must have without question and without reduction, and other barriers if necessary to make her impregnable to German assault, for on the strength of France more than anything else, because she is the neighbor of Germany, rests the future peace of the world. We ought then to make this peace with Germany and make it at once. Much time has been wasted. The delays have bred restlessness and confusion everywhere. Germany is lifting her head again. The whining after defeat is changing to threats. She is seeking to annex nine millions of Germans in German Austria. She is reaching out in Russia and reviving her financial and commercial penetration everywhere. Her fields have not been desolated nor her factories destroyed. Germany is again threatening, and the only source of a great war is to be found in the future as in the past in Germany. She could be chained and fettered now and this menace to the world's peace should be removed at once. Whatever else we fought for certainly our first and paramount purpose was to defeat Germany. The

victory over Germany is not yet complete. Let it be made so without delay.

That which I desire above everything else, that which is nearest to my heart, is to bring our soldiers home. The making of a league of nations will not do that. We can only bring our soldiers home, entirely and completely, when the peace with Germany is made and proclaimed. Let that peace be made and I can assure the world that when the treaty of peace with Germany comes to this Chamber there will be no delay in the Senate of the United States. We must bring our men back from France—the men who fought the war, the men who made the personal sacrifice. Let us get them back at once, and to that end let us have the peace made with Germany, made now, and not delay it until the complicated questions of the league of nations can be settled with the care and consideration which they demand. What is it that delays the peace with Germany? Discussions over the league of nations; nothing else. Let us have peace now, in this year of grace 1919. That is the first step to the future peace of the world. The next step will be to make sure if we can that the world shall have peace in the year 1950 or 2000. Let us have the peace with Germany and bring our boys home.

This is the immediate thing to do toward the establishment of the world's peace, but there is an issue involved in the league constitution presented to us which far overshadows all others. We are asked to depart now for the first time from the foreign policies of Washington. We are invited to move away from George Washington toward the other end of the line at which stands the sinister figure of Trotzky, the champion of internationalism.

We have in this country a Government of the people, for the people, and by the people, the freest and best Government in the world, and we are the great rampart to-day against the anarchy and disorder which have taken possession of Russia and are trying to invade every peaceful country in the world. For Lincoln's Government of the people, for the people, and by the people we are asked to substitute in the United States on many vital points government of, for, and by other people. Pause and consider well before you take this fateful step. I do not say that agreements may not be made among the nations which stand for ordered freedom and civilization, which will do much to secure and preserve the peace of the world; but no such agreement has yet been presented to us. We must beware of the dangers which beset our path. We must not lose by an improvident attempt to reach eternal peace all that we have won by war and sacrifice. We must build no bridges across the chasm which now separates American freedom and order from Russian anarchy and destruction. We must see to it that the democracy of the United States, which has prospered so mightily in the past, is not drawn by any hasty error or by any glittering delusions, through specious devices of supernational government, within the toils of international socialism and anarchy. I wish nothing but good to all the races of men. I hope and pray that peace, unbroken peace, may reign everywhere on earth. But America and the American people are first in my heart now and always. I can never assent to any scheme no matter how fair its outward seeming which is not for the welfare and for the highest and best interest of my own beloved people of whom I am one—the American people—the people of the United States.

Before the conclusion of Mr. LODGE's speech,

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Massachusetts will suspend for a moment. The hour of 12 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. The report of the committee of conference upon the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

After the conclusion of Mr. LODGE's speech,

Mr. HITCHCOCK. Mr. President, I rise particularly for the purpose of referring to what appears to me a scandalous article in one of the great papers this morning. Before I take it up, however, and while the idea is fresh in my mind——

Mr. LODGE. Does the Senator from Nebraska say I referred to it?

Mr. HITCHCOCK. No; I do not.

Mr. LODGE. I have seen no paper this morning.

Mr. HITCHCOCK. I am not charging the Senator with anything. I am going to exonerate him.

While the idea is fresh in my mind, however, and before it gets out of the minds of those present, I desire to repudiate the suggestion contained in the speech of the Senator from Massachusetts [Mr. LODGE] that this league will in the slightest degree limit the privilege and the duty of any nation—the United States or any other—to defend itself when attacked, to protect its territory and protect its rights when invaded either by a member of the league or one not a member of the league. That suggestion struck me as so preposterous that I can not allow it to remain in the mind of anyone as a possibility.

Mr. LODGE. Of course, if the Senator will allow me, I only want to say it may have struck the Senator from Nebraska as preposterous, but there are other minds, and my point is only emphasized by what he says. He takes one view, honestly, I am sure, and I take another, honestly, I am sure. Let us have it stated in the instrument what it does mean.

Mr. HITCHCOCK. The whole league is for the purpose of preventing wars from starting. When war starts against a nation its supreme right of self-defense supersedes everything else, as the Senator knows.

Mr. LODGE. The Senator has no right to say I know. It does not appear under this instrument.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. HITCHCOCK. I have yielded, and the Senator from Massachusetts has spoken.

What I rose particularly to take up is an article in this morning's New York Sun, which specifically mentions the names of a number of Senators now present, most of whom attended a conference and dinner at the White House as guests of the President night before last. Let me read a part of the article:

> At midnight last night and early this morning Senators and Representatives who had labored to penetrate Mr. Wilson's mind and to understand his policies were themselves so weary and mind muddled that they were unable to discuss coherently what had taken place.
>
> This afternoon when they had opportunity to get together to compare notes and to check up one another's recollections they were able to present a clear account of the conversation. The result of this symposium is indeed amazing.

Before I read some of these alleged statements of Senators, permit me to call attention to the fact that there has been a strong desire in Congress, and particularly in the Senate, that the President should take into his confidence the Members of this body; that, responding to that natural desire and doing it as soon as he could after a draft had been made of the proposed constitution, he invited by cable the members of the Senate Committee on Foreign Relations and the members of the House Committee on Foreign Affairs to dine with him in Washington almost immediately upon his arrival. Senators went there as his guests. Senators were treated as his guests, and I am sure that there is not a Senator here who will question my statement when I say the hospitality and the reception, the treatment and the conversation on the part of the President, were generous, frank, and sincere. He took the Members present into his confidence fully. He answered all questions specifically and definitely and candidly. He allowed himself to be cross-examined, as the Senator from Mississippi [Mr. WILLIAMS] suggests to me. Now, is it possible that any Senator coming from such hospitality could use language which has been attributed to Senators in this body? I say it is not; and on behalf of the Senators who are quoted here I here and now specifically deny that they made the statements attributed to them.

First I quote how the paper says Senator BRANDEGEE, of Connecticut, expressed himself:

> I feel as if I had been wandering with Alice in Wonderland and had tea with the Mad Hatter. When I awakened this morning I expected the White Rabbit waiting to go to breakfast with me.

The article continues:

> Senators and Representatives who went to the dinner and heard Mr. Wilson deliver a prose poem eulogizing the British-Wilson league-of-nations plan and who tried by persistent questioning to get detailed information about the plan declare they marveled at Mr. Wilson's apparent ignorance about some parts of the league's constitution. This astonished and embarrassed most of the men, who, pressing question after question upon the President, finally became aware of his lack of precise knowledge concerning all of the 26 articles.

Nothing more preposterously false could be stated, and I aver now that there is not a Senator or Representative who will indorse such a statement, let alone originate it. The President was frank and candid. He opened his heart on international questions, and without having a copy of the constitution before him he talked freely and fluently to the Senators and Representatives, who had copies from which they were reading.

Mr. WILLIAMS. He made no speech.

Mr. HITCHCOCK. As the Senator from Mississippi suggests, the President made no speech. He put himself voluntarily in the witness box and said he was ready to answer questions and be cross-examined. There could not have been more complete, candid, and generous treatment afforded to those who were his guests and who are interested in this subject and who have responsibilities as the President has.

But let me continue to quote from the article:

One Senator said to the Sun correspondent: "Believe me, I felt the same blushing embarrassment that used to come over me as a small boy when some boy friend with a balky memory forgot the piece he was bidden to recite and broke down in the middle of it."

Think of attributing such language to a Senator of the United States—"believe me."

Touching on this matter, the impressions of several Senators may be found interesting.

Senator KNOX of Pennsylvania remarked to a group of friends: "The President displayed amazing lack of familiarity with the proposed league constitution."

Senator LODGE of Massachusetts, putting the thought another way, said: "The President seemed actually befuddled about many most important points."

Senator WILLIAM ALDEN SMITH of Michigan confided: "The President's ignorance of the terms of the covenant was amazing."

Senator BRANDEGEE of Connecticut said: "With the wide-open eyes of an ingénue, the President met every legal constitutional or commonsense question with glittering generalities. Even more interesting were totally unexpected admissions the President was induced to make. It is the opinion of a number of Senators that unwittingly, perhaps, he has slain the infant of his dreams by these confessions."

I renew my statement on behalf of the Senators named and deny that they used any such language in reference to the President of the United States, the host of the evening.

Pressed by men eager for scraps of information, prominent among whom were Senator BRANDEGEE, Representative HENRY W. TEMPLE of Pennsylvania, and WILLARD RAGSDALE of South Carolina, the President stated with finality that—

I shall not read all the statements the President is charged with stating with finality, but I will read those that are absolutely and unqualifiedly false.

One of the statements was that he was charged with stating with finality:

The United States must surrender vital points of sovereignty.

The President made no statement which by any possible stretch of the imagination could be distorted into such a statement.

Ireland is to be left to the mercies of England.

The President made no statement that by any possibility could be stretched or interpreted to mean anything of that sort,

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Will the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. Would it be permissible for the Senator to state what the President did say with reference to Ireland.

Mr. HITCHCOCK. The President practically stated nothing with reference to Ireland. The Irish question was not under consideration.

Mr. BORAH. But there were questions asked?

Mr. HITCHCOCK. There was a question asked which was greeted with laughter, and there was nothing more said about it. It was not an issue in the conversation and had nothing to do with it. We were not discussing internal questions but international questions.

Mr. BORAH. Does the Senator say the President made no response to the question which was presented to him with reference to the independence of Ireland?

Mr. HITCHCOCK. It was not a serious question presented; it was not presented in a serious way.

Mr. BORAH. Pardon me. Does the Senator say the President made no response to it?

Mr. HITCHCOCK. I do. However, the Senator from Mississippi [Mr. WILLIAMS] corrects me. He says the President stated that the league had nothing to do with domestic and internal questions. He did state that; he stated it several times during the evening; and in stating it he said the league had nothing to do with the immigration question. This question has been raised here as a great bugaboo against the league of nations, the attempt being made to arouse prejudice against the league of nations by construing it to bring the Japanese immigration question into the realm of arbitration.

Mr. BORAH. Then, if I understand the Senator correctly, what the President said with reference to the question, since he has raised the question himself with reference to Ireland, was that the league had nothing to do with it.

Mr. HITCHCOCK. The Senator from Mississippi [Mr. WILLIAMS] recollected that.

Mr. BORAH. And that was a matter, therefore, with which the league had nothing to do, but which must necessarily be settled by Ireland and England?

Mr. HITCHCOCK. The Senator can draw his own conclusion. It evidently and obviously is not an international question at this time with which the league has to do.

Mr. BORAH. Then, if the league has nothing to do with it, of course it must be left where it was before, between Ireland and England?

Mr. HITCHCOCK. The Senator can draw his own conclusion. I am dealing with facts. I am dealing with the fact that one of the great papers of the country has arraigned Senators of the United States as guilty of the grossest violation of a decent respect for an intimate conference at a hospitable entertainment.

Mr. BORAH. But, Mr. President, the Senator is attacking an article in a paper and, indirectly, Senators.

Mr. HITCHCOCK. No; I am defending Senators; I am not attacking Senators.

Mr. BORAH. Yes; I observe. The Senator now admits that the question which the paper discusses was brought up, and that the President did make an answer.

Mr. HITCHCOCK. The Senator from Mississippi [Mr. WILLIAMS] corrected me when I said the President made no answer. It passed so momentarily that I did not recall that he made any answer. The Senator from Mississippi states that he made the answer that domestic and internal questions were not subjects of the league's jurisdiction; and, of course, he did state that. He stated it repeatedly during the evening when domestic questions were presented.

Mr. BORAH. If the Senator from Mississippi [Mr. WILLIAMS] and the Senator from Nebraska [Mr. HITCHCOCK] are at a difference as to what the President said upon that important matter, other Senators might have understood it in a different way.

Mr. HITCHCOCK. I accept the recollection of the Senator from Mississippi, as it is very definite.

I come, now, to another——

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. HITCHCOCK. I yield.

Mr. POINDEXTER. The Senator from Nebraska, as I understood him, stated a moment ago that the President, in this conference, stated that the league of nations would have nothing to do with the question of Japanese immigration. I wish to ask the Senator, if I understood him correctly, how the President could make that statement in view of article 12 of the constitution of the league of nations, which provides that:

The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the question and matters involved either to arbitration or to inquiry by the executive council and until three months after the award by the arbitrators or a recommendation by the executive council; and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council.

Mr. HITCHCOCK. I can not take the time of the Senate just now to enter into a discussion with the Senator from Washington of the merits of the league of nations. I did not rise for that purpose, but I will say to him that it is very obvious from the reading of the constitution, and it was very obvious from conversation with the President, that the league is intended only for the purpose of assisting in the settlement of disputes which may arise on international questions; and questions like immigration and marriage and divorce and the voting franchise and all other domestic questions remain solely and only in the keeping of every nation member of the league.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Washington?

Mr. HITCHCOCK. I hope the Senator will not press his interruptions.

Mr. POINDEXTER. I merely wish to ask the Senator a question. Does the Senator deny that the dispute between the United States and Japan over Japanese immigration, which was particularly of concern on the Pacific coast, was an international question?

Mr. HITCHCOCK. I affirm that immigration to this country or emigration from this country is purely a domestic question; that every country has the right to protect its citizenship; that every country has the right to say what aliens shall be allowed to come to its shores. It is sometimes provided by treaty with various countries who will be allowed to come.

Mr. POINDEXTER. Of course, what effect the constitution of the league would have upon this question must be determined by the language of the proposed constitution, which I just read, and not by what the President says about it.

Mr. HITCHCOCK. Japan evidently realizes the utter impossibility of bringing the Japanese question under the jurisdiction of the league. The mighty effort which Japan made in Paris to secure a declaration of the conference that race equality should be recognized and no discrimination made because of race was voted down unanimously by the members of the conference. When Japan failed in that she lost the last shred of

hope of bringing the immigration question within the jurisdiction of the league, if she desired to do so.

Mr. POINDEXTER. Notwithstanding that, here is a provision which covers every question which can be conceived of, absolutely without limitation or exception.

Mr. HITCHCOCK. Well, that is where the Senator and I differ.

Now, I come to the next statement which the President is charged with having made with finality:

Chinese and Japanese exclusion goes out of American control into the hands of league control.

The exact opposite of that was the unqualified declaration of the President in answer to definite questions, because the President stated with finality and energy that the immigration question was a question purely and entirely domestic and wholly within the control of the United States. The statement was unqualified. That is one reason why I do not think this correspondent got this incorrect quotation from a Senator. I can not conceive of any Senator willing to misrepresent the matter or with not having intelligence enough to understand what the President said.

This is another statement which the President is said to have made with finality:

American troops would be compelled at need to participate in purely European wars.

The President made no such statement. That might be concluded by some Senator in reading the constitution, as the Senator from Massachusetts [Mr. LODGE] has concluded, but the President did not make it.

In conclusion, I desire to say that one of the paragraphs reads as follows:

Every Senator, KNOX, LODGE, BRANDEGEE, MCCUMBER, HITCHCOCK, and naming a few who discussed the dinner to-day, agreed that the President actually made these statements or admissions.

I have not seen this article until a few minutes ago. I had not any knowledge that anybody pretended that the President had made such statements. I certainly made no admission of the sort, and I deny, on behalf of my colleagues, that they made any such statements.

THE CALENDAR.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. The Chair calls the attention of the Senate to the unanimous order entered last night.

Mr. MYERS. Mr. President, I call for the regular order under that agreement.

The PRESIDING OFFICER. On page 4396 of the CONGRESSIONAL RECORD of February 27 occurs the following:

Mr. MYERS. I ask unanimous consent that at the close of morning business to-morrow morning the Senate proceed to the call of the calendar for unobjected bills, and continue the call until the calendar is called once in its entirety for unobjected bills only.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The attention of the present occupant of the chair, who was not in the Senate at the time of the entry of this order and who did not personally know of it, was not called to the unanimous-consent agreement at the expiration of the morning hour. At 12 o'clock, when the morning hour expired, that automatically closed the unfinished business, and it was in order, under the unanimous-consent agreement which the Chair has just quoted, to proceed to the call of the calendar. The Senator from Massachusetts [Mr. LODGE] was occupying the floor, and the Chair, not having his attention called to the order, laid down the unfinished business, which was the conference report on the census bill. The Chair holds that it is in order, under the unanimous-consent agreement heretofore quoted, only to proceed with the call of the calendar for unobjected bills. The Secretary will therefore call the first bill on the calendar.

Mr. SHEPPARD. Mr. President, I ask that the unfinished business be temporarily laid aside until the call of the calendar shall have been finished.

The PRESIDING OFFICER. Without objection, that will be done. The Chair hears none, and it is so ordered. The Secretary will now state the first business on the calendar.

The joint resolution (S. J. Res. 39) to appropriate $3,000,000 to enable the Secretary of Agriculture to prosecute the work of eradicating the southern cattle tick was announced as first in order.

Mr. SMOOT. Let that resolution go over, Mr. President.

The PRESIDING OFFICER. The joint resolution goes over.

The joint resolution (S. J. Res. 53) authorizing the President to appoint two additional Assistant Secretaries of Agriculture, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDING OFFICER. The joint resolution will go over.

The bill (S. 1725) to stimulate the production of food upon private and public lands within reclamation projects, and for other purposes, was announced as next in order.

Mr. LENROOT and Mr. SWANSON. Let that bill go over.

The PRESIDING OFFICER. The bill goes over.

The resolution (S. Res. 91) extending the authority of and provision for the committee appointed under S. Res. 92, Sixty-third Congress, first session, to investigate the charges of alleged attempts to influence legislation was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The resolution goes over.

The bill (S. 23) granting to the State of Nevada 7,000,000 acres of land in said State for the use and benefit of the public schools of Nevada and the State University of the State of Nevada was announced as next in order.

Mr. JONES of Washington. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

The joint resolution (S. J. Res. 90) proposing an amendment to the Constitution of the United States was announced as next in order.

The PRESIDING OFFICER. Let that bill go over.

Mr. BRANDEGEE. Mr. President, has that bill been objected to?

The PRESIDING OFFICER. Yes.

Mr. BRANDEGEE. Who made the objection?

The PRESIDING OFFICER. The present occupant of the chair.

Mr. BRANDEGEE. Very well.

The bill (S. 3311) to increase and expedite the supply of munitions of war was announced as next in order.

Mr. SWANSON. Let that go over.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government was announced as next in order.

Mr. OWEN. Let that go over.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 951) to provide for the sinking of artesian wells, and for other purposes, was announced as next in order.

Mr. WILLIAMS and Mr. OVERMAN. Let that bill go over.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 758) to increase the productive agricultural area of the United States by the reclamation of arid and swamp lands was announced as next in order.

Mr. SMOOT. Let that bill go over.

Mr. TRAMMELL. Mr. President, while that bill is before the Senate I desire to offer some amendments to it, which I ask may lie on the table and be printed.

The PRESIDING OFFICER. Without objection, the amendments will be received and ordered to be printed. The Chair hears none.

The amendments referred to are as follows:

On page 2, in line 20, section 2, following the words "swamp lands" insert "in any of the States of the Union."

On page 4, in line 11, section 3, strike out the word "voted" and insert in lieu thereof "authorized in accordance with State irrigation or drainage laws."

On page 4, in lines 12 and 13, strike out the words, "not to exceed 4 per cent per annum."

The joint resolution (S. J. Res. 132) to amend section 14 of the food-control act by increasing the guaranteed minimum price of wheat for the crop of 1918 from $2 to $2.50 per bushel was announced as next in order.

Mr. SWANSON. Let that joint resolution go over.

The PRESIDING OFFICER. The joint resolution goes over.

The bill (S. 3899) to repeal the sixth section of an act approved July 12, 1882, entitled "An act to enable national banking associations to extend their corporate existence, and for other purposes," was announced as next in order.

Mr. OWEN. Mr. President, the bills from Order of Business 332 down to Order of Business 368 were reported from the Banking and Currency Committee. They have been repeatedly objected to; and it is so late now in the session that it would be impossible to get any action of the House upon them. While some of them are of importance, I do not desire to take the time of the Senate to simply have them objected to one by one. I therefore object to the present consideration of the bills from Order of Business 332 down to and including Order of Business 368.

The PRESIDING OFFICER. The bills referred to by the Senator from Oklahoma being objected to by him go over.

The bill (S. 3260) to remove the charge of desertion from the record of Wilbur F. Lawton was announced as next in order.

Mr. OWEN. Let that bill go over.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 4459) to amend an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, was announced as next in order.

Mr. OWEN. Let that go over.

The PRESIDING OFFICER. The bill goes over.

The joint resolution (S. J. Res. 249) to print the article entitled "The Electoral College and Presidential Suffrage" as a Senate document was announced as next in order.

Mr. OWEN. Let that go over.

The PRESIDING OFFICER. The joint resolution goes over.

The bill (S. 4221) for the relief of private owners of lands within or near the Bitter Root National Forest, Mont., was announced as next in order.

Mr. LENROOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

DISTRIBUTION OF PUBLIC DOCUMENTS.

The bill (S. 4366) to amend section 5 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913 (38 Stat. L., pp. 4, 75), was announced as next in order.

Mr. OVERMAN. Let that bill go over, Mr. President.

Mr. JONES of Washington. I want to suggest to the Senator from North Carolina that that bill only relates to the distribution of public documents to public libraries.

The PRESIDING OFFICER. Is there objection to the request to proceed with the consideration of the bill?

Mr. OVERMAN. It is an amendment to the sundry civil bill.

The PRESIDING OFFICER. Objection has been made.

Mr. JONES of Washington. I thought probably if I merely called attention to the character of the bill the objection to it would be withdrawn.

The PRESIDING OFFICER. But the Chair calls the attention of the Senator from Washington to the fact that debate is not in order, and the Chair is compelled to enforce the rule.

Mr. JONES of Washington. But there may be debate of five minutes under the regular rule.

The PRESIDING OFFICER. Not under this unanimous-consent agreement.

Mr. JONES of Washington. I thought if I merely called the attention of the Senator from North Carolina to the character of the bill he might withdraw his objection. That is all I desired to do. I do not want to discuss the bill. This bill relates to the distribution of public documents to public libraries.

Mr. OVERMAN. The only objection I have to it is that it proposes an amendment to a bill that has not yet come over to us.

Mr. JONES of Washington. This relates to a bill which has already passed.

Mr. OVERMAN. Then I will withdraw my objection.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the President of the United States——

Mr. JONES of Washington. The Senator from North Carolina withdraws his objection to the consideration of the bill, I will say to the Chair.

Mr. KENYON. May I make a parliamentary inquiry?

The PRESIDING OFFICER. The Senator will state it.

Mr. KENYON. As suggested by the Senator from Washington, if a Senator objects to a bill, is there not opportunity afforded to those who favor the bill to call attention to what the bill is, when possibly the Senator objecting may withdraw his objection, as has been done in this case.

The PRESIDING OFFICER. The Chair suggests to the Senator from Iowa that that could be done privately, but under the rule governing this unanimous-consent agreement, and under that agreement itself, debate is not in order.

Mr. KENYON. If a Senator had to go to every other Senator privately to explain a bill in order to get him to withdraw his objection to its consideration, it seems to me it would not work very well.

The PRESIDING OFFICER. The Senator, of course, understands that the right to debate a measure at all is the right of unlimited debate.

Mr. BRANDEGEE. Mr. President, has it not been the custom to recognize a Senator long enough to ask the Senator objecting if he would not withdraw his objection?

The PRESIDING OFFICER. When no objection is made; but when an objection is made, it is, of course, the duty of the Chair to enforce the rule.

Mr. BRANDEGEE. When objection has been made, has not the custom been that a Senator could ask if the Senator making the objection would not withhold the objection for a minute?

The PRESIDING OFFICER. In this case objection was made and repeated.

Mr. BRANDEGEE. I know; but, if my recollection serves me, I have seen Senators always given an opportunity to ask the Senator objecting if he would not withhold the objection for a minute.

The PRESIDING OFFICER. That may be done by unanimous consent, and debate may be had with unanimous consent; but when an objection is made, the Chair must enforce the rule.

Mr. BRANDEGEE. I do not think a query like that would be debate.

The PRESIDING OFFICER. The Chair, of course, is compelled to hold that it does constitute debate. Any remarks upon a bill of whatever nature constitutes debate under the well-known rules of parliamentary law.

Mr. BRANDEGEE. Of course; but in this case the remarks, not being upon the bill, but an appeal to the courtesy of the Senator to withdraw his objection, I thought it might be in order.

The PRESIDING OFFICER. That is held to be debate by all of the precedents with which the present occupant of the chair is familiar.

The Chair calls the attention of the Senator from Washington to the pending bill and inquires whether amendments are to be presented?

Mr. JONES of Washington. I have no amendment to present.

Mr. CHAMBERLAIN. Mr. President, this is Calendar No. 449, is it not?

Mr. LA FOLLETTE. Yes.

Mr. CHAMBERLAIN. It makes a slight amendment in a sundry civil act heretofore passed.

The PRESIDING OFFICER. The Chair was informed by the Secretary that there were notations on the bill to the effect that amendments were to be made. Of course, that does not constitute a formal amendment, and perhaps should not be presented to the Senate, but, at the suggestion of the Secretary, the matter is called to the attention of the Senate.

Mr. SMOOT. Mr. President, I think that I called attention to the proposed amendments when the bill was up once before, and I now move to strike out the word "depositories," in line 2, on page 2, and insert in lieu thereof the word "depositaries."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. SMOOT. Also in line 4, where it reads "may be made when librarians," I move to strike out "librarians," and insert "libraries."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 3269) to remove the charge of desertion from the military record of John H. Armstrong was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3379) to authorize the Secretary of the Interior to exchange public coal lands for private coal lands in certain cases was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2898) to provide for the erection of a public building at Knoxville, Knox County, Tenn., was announced as next in order.

Mr. LENROOT. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

ELIZABETH T. WELLS.

The bill (S. 1930) for the relief of Elizabeth T. Wells was announced as next in order.

Mr. SMOOT. I wish to ask the Senator from Colorado to kindly explain the bill. It is a bill for the relief of Elizabeth T. Wells.

Mr. SHAFROTH. Mrs. Wells is the widow of Charles Wells, who enlisted in the service, as I understand, under the first call of President Lincoln for 90 days, obtained a furlough, and did not return to duty, thinking his contract with the Government had expired. For that reason it seems to me that the relief ought to be granted.

Mr. SMOOT. The only way in which a pension can be secured for Mrs. Wells is to first pass a bill removing the charge of desertion from her late husband, and then the question of whether or not she shall receive a pension should go to the Committee on Pensions and not to the Committee on Military Affairs. I object to the consideration of the bill.

The PRESIDING OFFICER. Objection is made.

Mr. SHAFROTH. This bill does not grant any pension.

Mr. SMOOT. That is what it is designed to do.

Mr. SHAFROTH. It simply seeks to remove a charge of desertion.

The PRESIDING OFFICER. It is not in order to debate the bill, and, under objection, it goes over.

BILLS PASSED OVER.

The bill (S. 1857) for the relief of Patrick McMahon was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3602) for the relief of John L. O'Mara was announced as next in order.

Mr. OWEN. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

NATIONAL BUDGET SYSTEM.

The joint resolution (S. J. Res. 121) creating a commission to report a plan for the adoption of a national budget system was announced as next in order, and the Senate, as in Committee of the Whole, resumed its consideration.

The PRESIDING OFFICER. There is an amendment pending which the Secretary will state.

The SECRETARY. In section 4, on page 4, line 5, after the word "resolution," it is proposed to insert the words "within the limit of the amount appropriated in section 5," so as to make the section read:

SEC. 4. That said commission is authorized to employ such experts and such clerical assistance as may be necessary to carry out the provisions of this resolution within the limit of the amount appropriated in section 5.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

BILLS PASSED OVER.

The bill (S. 4891) making certain officers of the Army eligible for appointment as chief of staff corps and departments was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4852) to create an executive department in the Government to be known as the department of aeronautics, and for the appointment of a secretary of aeronautics and an assistant secretary, and providing for appropriations for said department, was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 4637) for the retirement of employees in the classified civil service was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4472) providing for the sale of public lands for the purpose of using the proceeds arising therefrom in the construction of roads and other permanent improvements in national parks was announced as next in order.

Mr. LENROOT. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4894) to amend the one hundred and eighteenth article of war and to authorize the calling into service of dismissed or discharged officers was announced as next in order.

Mr. GRONNA. I ask to have that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4946) to permit organizations, units, and detachments of the military forces to sell kitchen by-products, waste, and garbage from their messes and to permit the Government to be the purchaser thereof was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 829) to authorize the employment of Federal prisoners on public roads within the State was announced as next in order.

The PRESIDING OFFICER. The bill will be passed over.

Mr. SHAFROTH. I hope there will be no objection.

The PRESIDING OFFICER. Objection has been made, and the bill will go over.

The bill (S. 4931) to insure a supply of coal for munition works, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4990) to repeal a proviso of paragraph 3, section 1, of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and further amending said act, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4857) authorizing an Army account of advances for Army appropriations, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4605) to protect the insignia of the Young Men's Christian Association, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. CHAMBERLAIN. I desire to say that some of the bills which have recently been called and passed over have been reported from the Committee on Military Affairs. I am making no question about their going over, because the House can not possibly act on them at this session, although many of them are meritorious measures.

The bill (S. 4523) to transfer the tract of land known as the Lighthouse Reservation, at North Point, Md., from the jurisdiction of the Department of Commerce to the jurisdiction of the War Department, was announced as next in order.

Mr. CHAMBERLAIN. That bill might go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3219) to incorporate the Recreation Association of America was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

LOAD LINES FOR VESSELS IN FOREIGN TRADE.

The bill (S. 4991) to establish load lines for vessels in foreign trade was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment in section 4, on page 2, line 19, after the word "Act," to insert:

Provided further, That this exception shall not apply in the case of ships of any foreign country in which it appears to the Secretary of Commerce that corresponding provisions are not extended to vessels of the United States.

So as to make the bill read:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized and directed to establish by regulations from time to time in respect of vessels of 1,000 gross tons or over the load lines and marks thereof beyond which it shall not be lawful to load such ships in salt water for the foreign trade, and such regulations when duly published shall have the effect of law.

SEC. 2. That collectors of customs shall refuse clearance to any vessel subject to such regulations until such regulations have been complied with unless waived by the Secretary of Commerce.

SEC. 3. That the Secretary of Commerce shall appoint a committee of the American Bureau of Shipping or, at the option of the owner of the ship, a committee of any other corporation or association for the survey or registry of shipping, approved by the Secretary of Commerce, or any officer of the Government specially designated by him for the purpose, to approve and certify the position of marks of load lines on ships subject to the regulations herein provided.

SEC. 4. That this act and the regulations herein provided for shall apply to vessels of the United States and, after due notice, to like vessels of foreign countries: *Provided*, That whenever the Secretary of Commerce shall certify that the laws and regulations in force in any foreign country relating to safe loading are equally effective with the regulations established under this act, the Secretary of Commerce may direct, on proof that a ship of that country has complied with such foreign laws and regulations, that such ship shall not be refused clearance for failure to comply with the regulations provided for by this act: *Provided further*, That this exception shall not apply in the case of ships of any foreign country in which it appears to the Secretary of Commerce that corresponding provisions are not extended to vessels of the United States.

SEC. 5. That this act shall take effect 60 days after its passage.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was to be engrossed for a third reading, read the third time, and passed.

HENRY J. DAVIS.

The bill (S. 923) for the relief of Henry J. Davis was considered as in Committee of the Whole. It provides that in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Henry J. Davis, who served under the name of Henry Davis, and who was a private of Company K, Seventh Regiment Maine Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of that company and regiment on the 29th of November, 1861.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COST-PLUS CONTRACTS.

The bill (S. 4726) to prohibit "cost-plus" governmental contracts, and to prohibit the payment of commission for the awarding of Government contracts, was announced as next in order.

Mr. WALSH. Let that bill go over.

Mr. POINDEXTER. Does any Senator object to that bill?

Mr. KING. I should be glad if the Senator from Montana would allow this bill to be considered. It was considered by the Judiciary Committee and favorably acted upon.

Mr. WALSH. Yes; but I object to it simply because it will be impossible to give the proper consideration to a measure of this kind at this time under the five-minute rule.

Mr. POINDEXTER. I regret very much that the Senator objects to it.

The PRESIDING OFFICER. Objection is made, and the bill goes over.

CLAIMS OF CHEROKEE NATION.

The bill (S. 10) conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States was announced as next in order.

Mr. GRONNA. Let that go over.

Mr. OWEN. Mr. President, I hope the Senator will not object to the consideration of that bill. The Cherokee Nation is about to expire, and it ought to be wound up; its affairs ought to be closed. This is just a question of interest due to the nation on an investment fund. It ought to be disposed of. It has to be disposed of at some time, and I hope the Senator will withdraw the objection.

Mr. GRONNA. I withdraw the objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It confers jurisdiction upon the Court of Claims to hear, consider, and determine the claim of the Cherokee Nation against the United States for interest, in addition to all other interests heretofore allowed and paid, alleged to be owing from the United States to the Cherokee Nation on the funds arising from the judgment of the Court of Claims of May 18, 1905 (40 Ct. Cls., p. 252), in favor of the Cherokee Nation. The said court is authorized, empowered, and directed to carefully examine all laws, treaties, or agreements, and especially the agreement between the United States and the Cherokee Nation of December 19, 1891, ratified by the United States March 3, 1893 (27 Stat. L., p. 640, sec. 10), in any manner affecting or relating to the question of interest on said funds, as the same shall be brought to the attention of the court by the Cherokee Nation under this act. And if it shall be found that under any of the said treaties, laws, or agreements interest on one or more of the said funds, either in whole or in part, has not been paid and is rightfully owing from the United States to the Cherokee Nation, the court shall render final judgment therefor against the United States and in favor of the Cherokee Nation, either party to have the right to appeal to the Supreme Court of the United States as in other cases. The said claim shall be presented within one year after the passage of this act by petition in the Court of Claims by the Cherokee Nation as plaintiff against the United States as defendant, and the petition shall be verified by the attorney employed to prosecute said claim by the Cherokee Nation acting through its principal chief. A copy of the petition shall be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in said cause. The law and practice and rules of procedure in said courts shall be the practice and law in this case. The attorney for the Cherokee Nation shall be paid the fee as stipulated in his contract of employment, not to exceed 15 per cent on the gross amount, if any, that shall be recovered for said Cherokee Nation. The amounts recovered for said Cherokee Nation, if any, except the fee to said attorney, shal be disbursed under the supervision of the Secretary of the Interior to the parties entitled thereto in the manner prescribed by the Court of Claims.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS, ETC., PASSED OVER.

The bill (S. 5025) to amend an act entitled "An act for the establishment of marine schools, and for other purposes," was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 5026) to amend an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 336) directing the War Trade Board to report to the Senate to what extent the export of cotton is being restricted, the reasons for such course, etc., was announced as next in order.

Mr. ASHURST. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 358) to create a committee of eight Senators, which shall be charged with the duty of proceeding to Paris at the proper time in order to be present during the peace conference, was announced as next in order.

Mr. ASHURST. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 5052) to make section 5 of the Post Office appropriation act for the fiscal year ending June 30, 1918, as amended by section 1110, war-revenue act of October 3, 1917, applicable to the District of Columbia, was announced as next in order.

Mr. SHEPPARD. Mr. President, fortunately this bill is already out of the way, having been embodied in the new revenue act, and I therefore move that it be indefinitely postponed.

The PRESIDING OFFICER. The bill will be postponed indefinitely.

PURCHASE OF MILITARY SUPPLIES.

The resolution (S. Res. 346) directing the Secretary of War to transmit to the Senate the names of all commissioned officers in the Army and other persons who have been since April 6, 1917, authorized by the War Department to purchase ordnance, quartermaster, or other supplies for the military departments, etc., was announced as next in order.

Mr. KING. Mr. President, I should like to have that resolution considered, if there is no objection. It merely asks for certain information.

Mr. SMOOT. Let it be read. It is not long.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of War transmit to the Senate the names of all commissioned officers in the Army, and of all other persons who, since the 6th day of April, 1917, have been authorized by the War Department to purchase ordnance, quartermaster, medical, and other supplies for the use of the Military Establishment of the United States, and to inform the Senate as to what interest as shareholders, partners, employees, or security holders such officers or persons may have, directly or indirectly, so far as the Secretary may be advised, in any corporation, company, partnership, firm, or business which has been awarded contracts for the furnishing of ordnance, quartermaster, medical, or other supplies for the Military Establishment.

COMPENSATION OF CERTAIN REPRESENTATIVES IN CONGRESS.

The joint resolution (H. J. Res. 358) authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties was considered as in Committee of the Whole. It authorizes and directs the Sergeant at Arms of the House of Representatives to pay to those Members of the House of Representatives of the Sixty-fifth Congress who have been serving with the military or naval forces of the United States in the present war with Germany and her allies, compensation from and after the day of their discharge from military or naval duty at the rate provided by law for Representatives in Congress, upon the resumption and during the continuance of their duties as Representatives in Congress.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATIONAL BUDGET SYSTEM.

Mr. KENYON. Mr. President, Senate joint resolution 121, with relation to a budget system, was passed. That joint resolution provided that the commission should report by the 1st day of March, 1919. The joint resolution was drawn some time ago. Of course that is impossible; and I should like to recur to that measure in order that I may offer an amendment to change it so that the commission shall report on January 1, 1920.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent to recur to Senate joint resolution 121. Is there objection? The Chair hears no objection. Without objection, the vote by which the joint resolution was ordered to a third reading and passed will be reconsidered. The Chair hears no objection. The joint resolution is before the Senate.

Mr. KENYON. I ask the privilege of amending the joint resolution by striking out "March 1, 1919," and inserting "January 1, 1920," where it appears on lines 2 and 3, and the same amendment on lines 23 and 24 of section 2.

The amendments were agreed to.

The joint resolution was read the third time and passed.

The preamble was stricken out.

PAY TO ARMY AND NAVY NURSE CORPS.

The bill (H. R. 12860) granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female), Army field clerks, field clerks, Quartermaster Corps, and civil employees of the Army pay and allowances during any period of involuntary captivity by the enemy of the United States, was considered as in Committee of the Whole. It proposes to give to members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female), Army field clerks, field clerks, Quartermaster Corps, and civil employees of the Army full pay and allowances during any period of involuntary captivity by the enemy of the United States; and their right to such full pay and allowances shall not be abridged or lost by reason of absence from duty when that absence is caused by involuntary captivity by the enemy of the United States. Any captivity by the enemy shall be construed to be involuntary until the contrary shall be affirmatively established.

All rights and privileges hereunder shall be in force from April 6, 1917, to the end of the existing war.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COPIES OF CONTRACTS.

The bill (S. 4733) requiring the filing of copies of all contracts for services rendered or materials furnished to the United States, or certain contractors and agencies of the United States, was announced as next in order.

Mr. KING. Mr. President, that bill was included in one of the appropriation bills, or in the revenue bill, and in part has now been enacted into law. I move that it be indefinitely postponed.

The motion was agreed to.

PROMOTIONS IN OVERSEAS SERVICE.

The resolution (S. Res. 359) requesting the Secretary of War to furnish the Senate full information in reference to promotions in overseas service, and also of officers who have not seen overseas service, etc., was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of War be, and he is hereby, requested and directed to furnish to the Senate full information in reference to promotions in overseas service.

Also full information as to promotions already made of officers who have not seen overseas service.

Also any plans he may have of equalizing promotions, to the end that those who have become entitled to promotions by reason of service abroad or at home shall be accorded such promotion.

BILL PASSED OVER.

The bill (S. 4922) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, was announced as next in order.

Mr. PENROSE and Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

D. C. DARROCH.

The bill (S. 4773) for the relief of D. C. Darroch was considered as in Committee of the Whole. It directs that D. C. Darroch, former private Company B, Fifty-first Regiment Indiana Volunteer Infantry, be hereafter held and considered to have been honorably discharged from the military service of the United States, and that no pension, pay, bounty, or allowance shall accrue prior to the passage of this act.

Mr. SMOOT. Mr. President, will the Senator from Texas explain the bill briefly?

Mr. SHEPPARD. This soldier voluntarily enlisted in the Union Army when he was under 16 years of age. He served for three years, made a gallant soldier, was captured, sent to a parole camp, and paroled for the rest of the war. While in the parole camp he violated one of the rules, and was subjected to what he considered very severe treatment, and went home. He could not be considered as a deserter in the ordinary sense, and I trust that the bill granting this relief will be passed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

VALIDATION OF CONTRACTS.

The bill (S. 5261) to legalize informal or defective orders for war supplies and materials, to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims or canceled or partially filled contracts and orders, and to provide relief for contractors pending final determination, was announced as next in order.

Mr. KING. Mr. President, that bill, I think, has received consideration. I shall not ask for its indefinite postponement, but I ask to have it go over.

The PRESIDING OFFICER. The bill will be passed over.

IMPROVEMENT OF HIGHWAYS.

The joint resolution (S. J. Res. 200) authorizing the Secretary of War to transfer to the Secretary of Agriculture certain war material suitable for improvement of highways, to be distributed among the several States, was considered as in Committee of the Whole.

The joint resolution had been reported from the Committee on Post Offices and Post Roads with amendments, in line 4, to strike out "and directed" and insert "at his discretion," and on line 5, after the word "available," to insert "and suitable," so as to make the joint resolution read:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized at his discretion to transfer to the Secretary of Agriculture all available and suitable war material not needed for the purposes of the War Department, but suitable for use in the improvement of highways, and that the same be distributed among the highway departments of the several States upon the same basis of distribution as provided by the Federal-aid road act, approved July 11, 1916.

The amendments were agreed to.

Mr. BANKHEAD. Mr. President, I move that the joint resolution be indefinitely postponed, because its provisions are included in the Post Office appropriation bill.

The motion was agreed to.

BILLS PASSED OVER.

The bill (S. 5191) for the relief of private owners of lands within or near the Bitter Root, Lolo, or Missoula National Forests, Mont., was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4603) to protect interstate and foreign commerce against bribery and other corrupt trade practices was announced as next in order.

Mr. OWEN. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4261) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. OWEN and Mr. ASHURST. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

NAVAL BRIG "NIAGARA."

The bill (S. 3063) for the repair, preservation, care, and future maintenance of the restored historical naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie, was announced as next in order.

Mr. OWEN. Let that go over.

Mr. HARDING. Mr. President, I should like the Senate to give consideration to this bill, and I am sure no one can have any objection to it. Very briefly, it is for the preservation of the flagship *Niagara*, of Perry's victorious fleet at the Battle of Put in Bay.

I do not believe that the bill requires any explanation on my part. This historic vessel was rescued from the bottom of Lake Erie some years ago and restored, and it has been a difficult matter to preserve it for the view of Americans of the present day. It is proposed to devote the modest sum of $15,000 to its complete assignment in the waters of the harbor of Erie, Pa., and, under Government regulation and control, to maintain it for all time as an object of veneration and interest to visiting Americans.

I think it is a fine thing to do, and there ought to be no objection whatever to the passage of the measure. One could speak at length upon the subject, uttering pleasing thoughts, but I forbear if the Senate will do the more practical thing and consider and pass the bill.

Mr. PENROSE. Mr. President, I had not intended saying anything on this measure. It happens that by accident I introduced it. It is not a sectional matter in any way. All the States on the Great Lakes have made contributions by their State legislatures and have erected a magnificent memorial, costing several million dollars, I think, on the shores of Lake Erie, in the State of Ohio. This old flagship is one of the most remarkable and striking historical relics in connection with the American Navy and in connection with a wonderful sea fight. This memorial——

Mr. OWEN. I withdraw my objection.

Mr. PENROSE. I beg the Senator's pardon; I did not hear that he withdrew it. Sometimes one gets so accustomed to hearing his own voice that he fails to hear the voices of others. I apologize for detaining the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It appropriates the sum of $15,000, to be used for the repair, preservation, care, and maintenance of the restored historical naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship, in which he won the Battle of Lake Erie, and which is now fast going to decay in the harbor of Erie, Pa., and provides that said restored historical naval vessel shall become the property of the United States, and the city of Erie, Pa., shall provide free of charge a suitable site to be selected in said city or at the public docks of said city, where a concrete basin shall be built and the vessel set therein with running water around it that can be shut off or on and a gangway built leading from the ship to the shore giving the appearance of the vessel being afloat, historical relics of said battle to be collected and arranged on board and all placed on exhibition free of cost to the public, and a portable deck house shall be built to cover the vessel during the winter months: *Provided further*, That said sum of $15,000 shall be expended under the direction and supervision of the Secretary of the Navy under such rules and regulations as he may prescribe, and who shall see that the provisions of this act are carried out at the earliest practicable time to prevent the total decay of said historical old naval vessel; and shall include in the estimates he recommends for the naval appropriation act each year a sum sufficient to provide a competent ship keeper for said vessel, who shall be paid a fixed monthly salary and be provided with quarters, heat, and light, and shall reside on board said vessel, who shall be appointed by the Secretary of the Navy from applicants who have been honorably discharged or retired from the naval service and of good character, and for the repair, preservation, care, and maintenance of said historical naval vessel: *And provided further*, That the Secretary of the Navy shall appoint a local commission of five prominent citizens of the city of Erie, Pa., who, under his direction, shall assist in carrying out the provisions of this act at the earliest practicable time, and who, under the direction of the Secretary of the Navy, shall have local charge of said vessel, the historical relics of the naval battle kept on board, and the ship keeper; and who shall report semiannually to the Secretary of the Navy the condition of said vessel and the site on which it sets and make any recommendations necessary for the repair, preservation, care, and maintenance of said historical naval vessel; and the site shall be selected and recommended by said local commission and approved by the Secretary of the Navy: *And provided further*, That said naval vessel may be used for a local Navy recruiting station in the city of Erie, Pa., whenever it may be required for that purpose.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LITTLE COLORADO AND CANYON DIABLO RIVERS BRIDGES.

The bill (S. 5277) reappropriating and making immediately available the $42,500 appropriated for the construction of two bridges over the Little Colorado and Canyon Diablo Rivers, near the Leupp Agency, Ariz., by the act approved March 2, 1917, was announced as next in order.

Mr. ASHURST. Mr. President, that has been included in the Indian appropriation bill. I ask that it be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the bill will be indefinitely postponed.

LANDS IN OREGON.

The bill (H. R. 13042) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act was considered as in Committee of the Whole. It authorizes the Secretary of the Interior, within his discretion, to continue to not beyond January 12, 1929, the segregation of the lands embraced in approved Oregon segregation list No. 13, under the Carey Act.

Mr. SMOOT. Mr. President, will the Senator from Oregon explain what the bill provides and what the result of it will be, just in a few words? I do not find any report accompanying the bill.

Mr. CHAMBERLAIN. Mr. President, this is a bill extending the time for the completion of a Carey Act project under the State of Oregon. The time has been extended once until January, 1919, and unless it is extended for another term it can not be completed. The State asks for it, and the Secretary of the Interior recommends it.

Mr. SMOOT. Very well.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TIMBER RIGHTS IN IDAHO.

The bill (H. R. 12579) to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg., was announced as next in order.

Mr. NUGENT. Let that go over.

Mr. MYERS. Mr. President, I hope the Senator will not object to the consideration of that bill. It is favorably reported from the Public Lands Committee.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that section 8 of an act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891, chapter 561, as amended by an act approved March 3, 1891, chapter 559, page 1093, volume 26, United States Statutes at Large, be amended by adding thereto the following:

That it shall be lawful for the Secretary of the Interior to grant permits, under the provisions of the eighth section of the act of March 3, 1891, to citizens of Malheur County, Oreg., to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove the timber so cut to Malheur County, State of Oregon.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINAM NATIONAL FOREST, OREG.

Mr. CHAMBERLAIN. Mr. President, on July 8, 1918, when I was absent from the Senate in the Military Affairs Committee, Order of Business 457, being Senate bill 3864, to add certain lands to the Minam National Forest, Oreg., was passed by the Senate and was sent over to the House. In the meantime the House passed a bill identical in its provisions. It came to the Senate and was referred to the Committee on Public Lands. I ask that the Committee on Public Lands be discharged from the further consideration of that bill and that the bill as it came to the Senate be passed, because it is exactly similar to the bill which the Senate passed.

The PRESIDING OFFICER. Without objection, the request of the Senator from Oregon will be agreed to. The Chair hears no objection. The Committee on Public Lands is discharged from the further consideration of House bill 10394, and the Senator from Oregon asks unanimous consent for its present consideration. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10394) to add certain lands to the Minam National Forest, Oreg. It provides that the following-described lands shall be included in and made a part of the Minam National Forest, subject to all prior valid adverse rights, and that the lands shall hereafter be subject to all laws affecting national forests: Sections 34 and 35, the north half of section 36, township 7 south, range 43 east, and sections 2 and 3, township 8 south, range 43 east, all of Willamette meridian, in Oregon.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 127) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870, authorizing the Postmaster General to continue in use in the Postal Service Marcus P. Norton's combined postmarking and stamp-canceling hand stamp patents, or otherwise, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

ESTATE OF CHARLES BOCKMAN, DECEASED.

The bill (S. 978) for the relief of Watson B. Dickerman, administrator of the estate of Charles Bockman, deceased, was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Watson B. Dickerman, administrator of the estate of Charles Backman, deceased, the sum of $5,335.71, the said payment being a refund of taxes erroneously exacted and paid on distilled spirits in excess of the quantity withdrawn by him from United States bonded warehouse, which spirits had been manufactured and bonded prior to July 20, 1868.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was stricken out.

LANDS IN COLORADO.

The bill (H. R. 5989) to grant certain lands to the town of Olathe, Colo., for the protection of its water supply was con-

sidered as in Committee of the Whole. It authorizes and directs the Secretary of the Interior to convey to the town of Olathe, county of Montrose, and State of Colorado, the southeast quarter of section 24, township 48 north, range 12, and the south half of section 19, and the southwest quarter of section 20, both in township 48 north, range 11 west, of the New Mexico principal meridian, in said county and State, containing 640 acres, more or less, to have and to hold said lands for the purpose of the protection of the reservoirs and water supply pipe lines and waterworks system of said town: *Provided*, That the said town of Olathe shall, within two years from the passage of this act, pay for said lands, or such portions thereof as may be necessary for said purposes, at the rate of $1.25 per acre: *And provided further*, That the grant hereby made is, and the patent issued thereunder shall be subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States: *And provided further*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found in the lands so granted, and all necessary use of the lands for extracting the same: *And provided further*, That title to the land shall revert to the United States should the same or any part thereof be sold or cease to be used for the purposes herein provided.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (H. R. 12210) to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska," was announced as next in order.

Mr. GRONNA. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

REFUND OF DUTIES ON MATERIALS DESTROYED BY FIRE.

The bill (S. 2496) for the refund of duties paid on materials destroyed by fire was considered as in Committee of the Whole.

The bill had been reported from the Committee on Finance with amendments, on line 5, to strike out the word "agency" and the comma and to insert "agency of"; and, on line 7, to strike out "$208,075.07" and to insert "$192,278.83," so as to make the bill read:

Be it enacted, etc, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the agency of Canadian Car & Foundry Co. (Ltd.), the sum of $192,278.83, as a refund of import duties paid on certain materials to be manufactured in the United States for shipment abroad, but which were destroyed by fire.

The amendments were agreed to.

Mr. SMOOT. Mr. President, is there anyone here who can explain in detail why this amount should be paid?

Mr. KING. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER.

The bill (S. 5065) amending section 4904 of the Revised Statutes was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 5066) amending chapter 143 of the act of March 3, 1883 (22 Stats., p. 625), and for other purposes, was announced as next in order. It proposes to amend chapter 143 of the act of March 3, 1883, to read as follows:

Patents may be granted without payment of fee for any invention or discovery that is useful in or for the public service: *Provided*, That the application therefor shall contain a stipulation that such invention or discovery may be made and used without royalty by or for the Government of the United States and anyone contracting with the Government of the United States in performing the contract, which stipulation shall be included in the patent.

No person shall be excluded from the benefit of this act because of being in the civil, Military, or Naval Establishments of the United States, except officers or employees of the Patent Office.

CLAIMS OF CHEROKEE NATION.

Mr. OWEN. Mr. President, I want to call the attention of the Senate to Senate bill 10, which was passed over a few minutes ago. The House, by House bill 357, passed the same substantial matter. I should like to ask the reconsideration of the action of the Senate on that bill and the substitution of House bill 357, and I call the attention of the Senator from North Dakota to it.

Mr. GRONNA. I have no objection.

The PRESIDING OFFICER. Will the Senator from Oklahoma please state his request again?

Mr. OWEN. I ask to substitute H. R. 357 for Senate bill 10, which was passed. It is on the calendar, Order of Business No. 555, and the Senate passed it a few minutes ago.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent to recur to Senate bill 10. Without objection, that order will be made. The Chair hears no objection. The Senator from Oklahoma asks unanimous consent to reconsider the vote by which Senate bill 10 was ordered to a third reading and passed.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent that the Committee on Indian Affairs be discharged from the further consideration of H. R. 357, and that the bill be considered by the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 357) conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States. It confers jurisdiction upon the Court of Claims to hear, consider, and determine the claim of the Cherokee Nation against the United States for interest, in addition to all other interest heretofore allowed and paid, alleged to be owing from the United States to the Cherokee Nation on the funds arising from the judgment of the Court of Claims of May 18, 1905 (40th Court of Claims Rept., p. 252), in favor of the Cherokee Nation. The said court is authorized, empowered, and directed to carefully examine all laws, treaties, or agreements, and especially the agreement between the United States and the Cherokee Nation of December 19, 1891, ratified by the United States March 3, 1893 (27 Stat. L., p. 640, sec. 10), in any manner affecting or relating to the question of interest on said funds, as the same shall be brought to the attention of the court by the Cherokee Nation under this act. And if it shall be found that under any of the said treaties, laws, or agreements interest on one or more of the said funds, either in whole or in part, has not been paid and is rightfully owing from the United States to the Cherokee Nation, the court shall render final judgment therefor against the United States and in favor of the Cherokee Nation, either party to have the right to appeal to the Supreme Court of the United States as in other cases. The said claim shall be presented within one year after the passage of this act by petition in the Court of Claims by the Cherokee Nation as plaintiff against the United States as defendant, and the petition shall be verified by the attorney employed to prosecute said claim by the Cherokee Nation acting through its principal chief. A copy of the petition shall be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in said cause. The law and practice and rules of procedure in said courts shall be the practice and law in this case.

The attorney for the Cherokee Nation shall be paid such fee as the Court of Claims may find reasonable, the same to be approved by the Secretary of the Interior: *Provided*, That in no case shall the fee decreed by said Court of Claims be in excess of the amount stipulated in his contract of employment, nor amount to more than 10 per cent of the sum, if any, to which the Cherokee Nation shall be found entitled. The amount recovered, if any, for the Cherokee Nation shall be disbursed under the supervision of the Secretary of the Interior to the parties entitled thereto in the manner prescribed by the Court of Claims.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RESIGNATIONS OF OFFICERS AND DISCHARGES OF ENLISTED MEN.

The joint resolution (S. J. Res. 196) authorizing the Secretary of War to accept resignations of officers and to grant discharges to enlisted men in the Army under certain conditions was considered as in Committee of the Whole. It directs the Secretary of War, in demobilizing the armed forces within the United States, to accept resignations of officers who were commissioned for the present emergency under act of May 18, 1917, and preceding acts, and to grant discharges to enlisted men enlisted under the act of May 18, 1917, and under preceding acts, upon their offer of resignation or application for discharge immediately in the following classes of cases:

First. Where the officer or enlisted man has dependents drawing an allowance from the Government because of the applicant's service.

Second. Where the officer or enlisted man presents an affidavit from a person or officer of a corporation making a bona fide offer of a civil position to such officer or enlisted man.

Mr. McKELLAR. Mr. President, since this joint resolution was reported out by the Military Affairs Committee that committee has had the same matter under consideration again and has amended the joint resolution. I ask that the amendment which

I send up to the desk be used as substitute for the original resolution.

The PRESIDING OFFICER. Without objection, that will be done.

The SECRETARY. On page 2 it is proposed to strike out lines 1 to 10 and to insert:

First. Where the officer or enlisted man has dependents drawing an allowance from the Government because of the applicant's service.

Second. Where the officer or enlisted man presents an affidavit from any person, firm, partnership, or officer of a corporation making a bona fide offer of a civil position to such officer or enlisted man.

Third. Where the officer or enlisted man submits affidavits showing that he is needed on a farm upon which he proposes to work during the current year.

Fourth. Those who present affidavits showing that their education has been interrupted by their Army service and that if discharged they will continue their studies.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

AMBASSADOR TO REPUBLIC OF PERU.

The joint resolution (S. J. Res. 197) authorizing the appointment of an ambassador to the Republic of Peru was announced as next in order.

Mr. GRONNA. Let that go over.

Mr. HITCHCOCK. The Diplomatic and Consular appropriation bill which passed the other day contained a provision for the salary of the new ambassador. I had the impression that this bill had also passed, but if it has not passed it should be passed at the present time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the President is hereby authorized to appoint, as the representative of the United States, an ambassador to the Republic of Peru, who shall receive as his compensation the sum of $17,500 per annum.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ST. CROIX CHIPPEWA INDIANS.

The bill (S. 4699) for the relief of the St. Croix Chippewa Indians of Wisconsin was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and insert:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, to be expended under the supervision of the Commissioner of Indian Affairs in the purchase of subsistence supplies in relieving cases of actual distress and suffering among those needy St. Croix Indians of Wisconsin whose cases are referred to in report of January 13, 1915, transmitted by the Secretary of the Interior to the House of Representatives March 3, 1915, pursuant to the provisions of the act of Congress of August 1, 1914 (38 Stats. L., pp. 582-605), and printed as House Document No. 1663, Sixty-third Congress, third session.

SEC. 2. That there is hereby appropriated, out of any money in Treasury not otherwise appropriated, the sum of $141,000, in full settlement of the claims against the United States of the St. Croix Chippewa Indians of Wisconsin whose names appear upon the final roll prepared by the Secretary of the Interior pursuant to the said act of August 1, 1914, and which final roll is contained in the said report of the Secretary of the Interior, March 3, 1915, and in said House Document No. 1663.

SEC. 3. That the Secretary of the Interior is hereby authorized and directed to distribute said fund of $141,000 per capita among said Indians appearing upon said final roll, or, in his discretion, the per capita share of each of said Indians may be credited to him and expended by said Secretary for his benefit in such manner, including the purchase of land, as he may deem proper: *Provided*, That no part of the funds hereby appropriated shall be paid to any person or persons as attorney's fees: *Provided further*, That where any of said enrolled Indians have died since enrollment the Secretary shall ascertain and pay their pro rata shares to their proper distributees, under such rules and regulations as he may prescribe: *And provided further*, That one-half of said sum shall be expended in the purchase of land in northern Wisconsin for agricultural purposes, such land to be allotted to said St. Croix Chippewa Indians, each Indian to receive land to the value of one-half of his distributive share in the fund appropriated by this act, patents therefor to be issued in accordance with the general allotment laws of the United States. The land so selected shall be situated in organized school districts, and not be purchased in bodies of more than one section, and said bodies shall not adjoin each other. Such land shall be selected by an agent of the Indian Office familiar with lands in northern Wisconsin and an agent to be selected by said St. Croix Chippewa Indians. If these two disagree as to the value or desirability of any particular tract of land, they shall agree upon a third person, who shall act with the two agents aforesaid in determining such matter of disagreement. No land shall be purchased hereunder unless and until the purchasing agents, together with said third person so selected, shall in person go upon each tract so purchased.

SEC. 4. That the Secretary of the Interior is hereby authorized and directed to strike from said final roll the name of Maggie Staples, No. 39 thereof, and also strike therefrom the name or names of any other Indians who shall hereafter be found to have received an allotment of land on any Indian reservation: *Provided*, That no part of the money hereby appropriated shall be paid to any of the persons whose names shall be so stricken from the final roll by the Secretary of the Interior.

Mr. WALSH. I inquire of the Senator from Wisconsin if this bill is not in substance in the Indian appropriation bill.

Mr. LENROOT. It is.

Mr. WALSH. Then why should we pass it now?

Mr. MYERS. I should like to say that it seems quite probable the Indian appropriation bill may not pass, I am sorry to say.

Mr. LENROOT. If this bill is passed, it will avoid any question of order about the item in the Indian appropriation bill.

Mr. ASHURST. There is no doubt about the Indian appropriation bill passing in the next two or three hours.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. LENROOT. I ask unanimous consent that the report on Senate bill 4699 may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection.

The report is as follows:

Mr. LA FOLLETTE, from the Committee on Indian Affairs, submitted the following report:

The Committee on Indian Affairs, to whom was referred S. 4699, for the relief of the St. Croix Chippewa Indians of Wisconsin, having considered the same, report thereon with an amendment in the form of a substitute, with the recommendation that when so amended the bill do pass.

By an act of Congress approved August 1, 1914, the Secretary of the Interior was directed to cause an investigation to be made of the condition and tribal rights of the so-called St. Croix Chippewa Indians residing in northern Wisconsin. Among other things he was required to ascertain what tribal rights, if any, they had with any band or tribe of Indians residing in either Wisconsin or Minnesota and what benefits in land or money they would have received had they removed to a reservation or had not been excluded from enrollment and allotment with the Chippewa Indians of Minnesota under the provisions of the act approved January 14, 1889. The Secretary was further directed to cause a census and enrollment of said Indians with recommendations for their relief as he might deem necessary.

On March 3, 1915, the Secretary made his final report to Congress as directed (Doc. No. 1663, 63d Cong., 3d sess.). In this report 95 Indians were found to be entitled to benefits from the Government under the treaty of September 30, 1854, and that they would be entitled to between $1,000 and $1,500 each.

This bill is for the purpose of carrying out the recommendations of the Secretary of the Interior.

In a report upon a bill introduced in the House of Representatives upon this same subject the Secretary states:

"In further explanation of the failure of these Indians to remove to their respective reservations following the treaty, supra, I learn from the Commissioner of Indian Affairs that some of the subchiefs and many members of the band of Chief Buck did not understand that the present Lac Courte Oreille Indian Reservation established by said treaty was to be their future home; that they believed the lands embracing the waters of the St. Croix and Yellow Rivers were to be set aside for them as their home and hunting grounds; and that they never ceded or relinquished such country to the United States. I am also advised that the Indians themselves understood that there were not sufficient lands on the Lac Courte Oreille Reservation to provide for them should they have removed thereto, nor could they have made a living in such event."

This bill was referred to the Secretary of the Interior for report, and his report is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, December 21, 1918.

MY DEAR SENATOR: I am in receipt of your reference of November 25, 1918, for report on a copy of S. 4699, "for the relief of the St. Croix Chippewa Indians of Wisconsin."

The bill provides for an appropriation of $9,500 for the immediate relief of these Indians named upon the final roll prepared by the Secretary of the Interior, under the act of Congress of August 1, 1914 (38 Stat. L., 582, 605); and for an additional appropriation of $142,500 to be paid to, or expended for the benefit of, the said enrolled Indians. The bill further provides, in effect, that the Secretary of the Interior shall pay to any attorney or attorneys who may now represent or may have heretofore represented the said Indians a sum not exceeding 5 per cent of the amount so appropriated.

On January 24, 1916, I had the honor to report to the chairman of the Committee on Indian Affairs of the House of Representatives on H. R. 5774, for the relief of these Indians, which bill carried an item of but $125,000. It was said therein after setting out the merits of the claim that one of the 95 enrolled persons (No. 39, Maggie Staples) was found to have received an allotment of land and was not entitled to further benefits from the Government; and that another enrolled Indian (No. 81, Bet-to-wash-a-no-quah) was charged with having received an allotment with the Chippewas of the Lac Courte Oreille Reservation, Wis. It was accordingly recommended therein that the bill be so amended as to authorize the Secretary to strike from the final roll the name of Maggie Staples and also drop therefrom the name of any other Indians who should hereafter be found to have received allotments of land on any Indian reservation; and further, that no part of the money appropriated should be paid to any of the persons whose names were stricken from the said final roll.

With the letter of March 3, 1915, I transmitted to Congress a copy of the report dated January 13, 1915, from the official who investigated the conditions among these Indians (H. Doc. No. 1663, 63d Cong., 3d sess.), from which it clearly appears that they are in the main doing fairly well as farmers, etc., and that there are a few needy cases among them—

those living in the woods in tepees or wigwams and subsisting mainly on roots and muskrats.

It was suggested in the report mentioned that an appropriation of not to exceed $1,000 would be sufficient to purchase subsistence supplies to prevent suffering in these few instances. Further, it was shown in that report that these Indians who were placed on the roll as entitled to benefits should each be paid from $1,000 to $1,500 for allotments of lands to which they would have been entitled under the provisions of the Chippewa treaty of September 30, 1854 (10 Stat. L., 1109), had they removed to their respective reservations. Should the maximum sum of $1,500 be allowed for 94 persons so found entitled it would aggregate $141,000. This would make the total to be appropriated by the bill, should the $1,000 for immediate relief be granted, but $142,000 instead of $143,000 carried by the present bill.

I have no information as to any attorneys having rendered services to these Indians. In fact, the records show that the investigation into their status and the enrollment were made in accordance with the act of August 1, 1914 (38 Stat. L., 582–605), by an official from the Indian Bureau without the aid of any attorneys whatsoever.

It is accordingly recommended that the bill be amended as follows:

Page 1, line 4, strike out all after the word "of" to the end of the page and insert in lieu thereof the following:

"One thousand dollars to be expended under the supervision of the Commissioner of Indian Affairs in the purchase of subsistence supplies in relieving cases of actual distress and suffering among those needy St. Croix Indians of Wisconsin whose cases are referred to in report of January 13, 1915, transmitted by the Secretary of the Interior to the House of Representatives March 3, 1915, pursuant to the provisions of the act of Congress of August 1, 1914 (38 Stats. L., 582, 605), and printed as House Document No. 1663, Sixty-third Congress, third session."

Page 2, strike out all of sections 2, 3, and 4 to the end of bill and insert in lieu thereof the following:

"SEC. 2. That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $141,000 in full settlement of the claims against the United States of the St. Croix Chippewa Indians of Wisconsin whose names appear upon the final roll prepared by the Secretary of the Interior pursuant to the said act of August 1, 1914, and which final roll is contained in the said report of the Secretary of the Interior, March 3, 1915, and in said House Document No. 1663.

"SEC. 3. That the Secretary of the Interior is hereby authorized and directed to distribute said fund of $141,000 per capita among said Indians appearing upon said final roll, or, in his discretion, the per capita share of each said Indian may be credited to him and expended by said Secretary for his benefit in such manner, including the purchase of land, as he may deem proper: *Provided*, That no part of the funds hereby appropriated shall be paid to any persons as attorney's fees: *And provided further*, That where any of said enrolled Indians have died since enrollment the Secretary shall ascertain and pay their pro rata shares to their proper distributees under such rules and regulations as he may prescribe.

"SEC. 4. That the Secretary of the Interior is hereby authorized and directed to strike from the said final roll the name of Maggie Staples, No. 39 thereof, and also to strike therefrom the name or names of any other Indians who shall hereafter be found to have received an allotment of land on any Indian reservation: *Provided*, That no part of the money hereby appropriated shall be paid to any of the persons whose names shall be so stricken from the final roll by the Secretary of the Interior."

Should the bill be amended as suggested, I would recommend that it be enacted.

Cordially, yours,

FRANKLIN K. LANE,
Secretary.

Hon. HENRY F. ASHURST,
Chairman Committee on Indian Affairs,
United States Senate.

The substitute bill is that favorably recommended by the Secretary of the Interior, except the last proviso of section 3, which is added by the committee to insure that a portion of the funds shall be used for the purchase of lands for the benefit of said Indians.

SENATOR FROM MICHIGAN.

The next business on the calendar was Senate resolution 415, referring the petition of Henry Ford, contesting the election of Truman H. Newberry as a Senator from Michigan, to the Committee on Privileges and Elections and authorizing said committee to take possession of the ballots, poll books, tally sheets, and documents and to make investigation and take all necessary proceeding relating to said contest.

Mr. JONES of Washington. Let that go over.

The PRESIDING OFFICER. The resolution will go over.

OLD RIVER (TEX.) IMPROVEMENT.

The bill (H. R. 7362) to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF SHIPS.

The bill (S. 5292) making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That from and after the passage of this act it shall not be necessary to secure a permit from the United States Shipping Board to enter into a contract for the construction of ships for foreign account in American shipyards.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DIVISION OF TUBERCULOSIS, PUBLIC HEALTH SERVICE.

The bill (S. 1597) to provide a division of tuberculosis in and an advisory council for the United States Public Health Service, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

Mr. RANSDELL. I hope the Senator from Utah will not object to the consideration of this bill. It is a very important measure. It is urged by the Public Health Service. Tuberculosis is rapidly growing in this country, and they need a division in the Public Health Service to study and report upon it.

Mr. KING. I shall insist upon my objection.

Mr. RANSDELL. The bill also provides, I will say, for the creation of an advisory council——

The PRESIDING OFFICER. Objection is made.

Mr. RANSDELL. I ask unanimous consent that the report accompanying the bill may be printed in the RECORD in connection with my remarks.

The PRESIDING OFFICER. Without objection, leave will be granted.

The report is as follows:

Mr. RANSDELL, from the Committee on Public Health and National Quarantine, submitted the following report:

The Committee on Public Health and National Quarantine, to which was referred the bill (S. 1597) to provide a division of tuberculosis in, and an advisory council for, the United States Public Health Service, and for other purposes, having had the same under consideration, reports thereon with the recommendation that it do pass.

In support thereof the committee submits a letter and memorandum from Dr. Rupert Blue, Surgeon General Public Health Service, dated January 18, 1919, and a letter from Mr. William H. Baldwin, treasurer National Tuberculosis Association, dated January 20, 1919.

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TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, January 18, 1919.

Hon. JOS. E. RANSDELL,
Chairman Public Health Committee, United States Senate.

MY DEAR SENATOR RANSDELL: In reply to your letter of January 16, 1919, inclosing copy of S. 1597, to provide a division of tuberculosis in, and an advisory council for, the United States Public Health Service, and for other purposes, I beg to inclose a memorandum on this bill.

Very truly, yours,

RUPERT BLUE, *Surgeon General.*

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MEMORANDUM ON S. 1597, TO PROVIDE A DIVISION OF TUBERCULOSIS IN, AND AN ADVISORY COUNCIL FOR, THE UNITED STATES PUBLIC HEALTH SERVICE, AND FOR OTHER PURPOSES.

Section 1 of this bill provides for the establishment in the United States Public Health Service of an additional division to be known as the division of tuberculosis, which shall be in charge of a commissioned medical officer of the Public Health Service, detailed by the Surgeon General, who shall be while thus serving an Assistant Surgeon General on the same basis as the other Assistant Surgeons General, provided by the law of 1912, on duty at the bureau.

The object of this section is to provide a special administrative division of the United States Public Health Service, the duty of which shall be to study tuberculosis, its causes and prevention, and demonstrate methods for its suppression. In connection with the necessity for establishing such a division, the following is submitted:

Tuberculosis as a cause of death and disability: Tuberculosis is still the greatest single cause of death in the mortality sheets of this Nation. According to the returns of the United States Census Bureau for 1916, tuberculosis caused 101,396 deaths in the registration area of the United States, which comprises 70 per cent of the total population. The total number of deaths for the calendar year 1916 was 1,001,921. Tuberculosis thus caused 10.1 per cent of all deaths. If the same death rate from tuberculosis prevailed in the area of the United States outside of the registration area, the total number of deaths in the entire United States from this disease was approximately 145,000. Moreover, tuberculosis is a disease which attacks the young and those in the prime of life, as 74 per cent of those dying from tuberculosis are less than 45 years of age. Tuberculosis, therefore, is essentially a disease of youth and of early middle age, causing the deaths of thousands upon thousands at the time when they should be at the height of energy and usefulness and, through its long duration and debilitating course, causing hundreds of thousands, nay millions, of other persons to be a charge upon the Nation at the very time when we have need of the entire fund of national man power for the purpose of reconstruction, rehabilitation, and recuperation if this Nation is to play its part in the healing of the gigantic wounds left by the war.

The effect of tuberculosis on military man power: The effect of tuberculosis as a factor in depreciating national man power is well shown in the figures of the physical examination of the draft. Over 5 per cent of all examined, or more than 1 in 20, were found unfit for military duty because of tuberculosis, while many thousands subsequently developed tuberculosis after induction in the military service and were discharged. If we were to apply the figures of the prevalence of tuberculosis found during the physical examinations incident to the selective-service law to the whole population of the draft age, it may be estimated that there are approximately 1,000,000 cases of tuberculosis in the population of the age groups between 21 and 31. With these figures concerning the prevalence of tuberculosis in this country and its prominence as a cause of death in the national mortality statistics, it is no wonder that tuberculosis has been known as the great white plague.

Tuberculosis a preventable disease: Tuberculosis, though transmissible from man to man and also from the lower animals to man, is a preventable disease. Its cause is known; much information has been acquired as to its means of spread and methods for control. It is to be regretted that hitherto no definite steps have been taken by Congress to wage war against this terrible enemy of national life and prosperity. By giving specific direction and facilities to the national health agency to take such steps as will result in concerted and cooperative effort to suppress and prevent tuberculosis, a great forward movement will be

made in stopping the ravages of this disease. It is still the greatest single waster of human national resources in the category of diseases.

Relation of the Public Health Service to tuberculosis: Under the law approved August 14, 1912, the Public Health Service may study and investigate the diseases of man and the conditions influencing the propagation and spread thereof and under the law approved February 15, 1893, the Public Health Service is required to cooperate with and aid State and municipal boards of health * * * to prevent the introduction of contagious and infectious diseases into the United States from foreign countries and into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia; and * * * to make such additional rules and regulations as are necessary to prevent the introduction of such diseases into the United States from foreign countries, or into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia. The authorization of the Public Health Service to undertake antituberculosis work is therefore ample under the law.

Up to the present time all of the activities of the Public Health Service relating to the investigation of the diseases of man are being conducted under the Division of Scientific Research, while cooperative work in the prevention of the interstate spread of disease and its introduction from foreign countries into the United States is carried on by the Division of Domestic and Interstate Quarantine and Division of Foreign and Insular Quarantine, respectively, in the bureau. While of necessity tuberculosis has been considered in the work of these divisions, it has not been practicable because of insufficient funds and facilities to devote the intensive study to this great problem which it has long merited. Tuberculosis is such an important cause of deaths and disability that if a serious effort is made to reduce to proper limits the needless annual toll of thousands of lives because of its ravages, there is imperative need of a division in the Public Health Service which shall devote all of its time, energy, and funds to the solution of this great problem.

Although tuberculosis has long been the object of study and much knowledge has been acquired of the disease, that knowledge still has many gaps to be filled. For instance, we are still far from having complete information regarding such important points as the chief port of entry of the infection into the body, the conditions causing susceptibility, or relative immunity, the relative value of various preventive measures, the mechanism by which immunity to tuberculosis is created, and the arrest or cure of the disease effected. We are still without any specific treatment for tuberculosis or without any means of increasing individual resistance by the use of serums or vaccines. Yet, there is reason to believe that by intensive study of these subjects hopeful results are to be secured. Besides this, there is great need for coordinating and correlating the work of national, State, and local agencies for the prevention and control of tuberculosis. The work of coordinating such agencies is unquestionably the proper function of the Federal Government, as tuberculosis must be regarded as a national, not a local, health problem. For the universal prevalence of tuberculosis throughout the country not only wages war on national vitality but the disease is spread through interstate channels because of the migrations of those affected with it.

For these reasons it is believed that there is urgent need at this time for the taking up at once by the National Government of the tuberculosis problem as an essential part of the after-the-war reconstruction, and the establishment of a division of tuberculosis in the Public Health Service under the provisions of this act is the first logical step toward this end.

Section 2 of the bill provides that there shall be an advisory council for consultation with the Surgeon General of the Public Health Service relative to the scientific work to be inaugurated by the said service and the methods of performing it, and that the present advisory board of the Hygienic Laboratory shall be abolished. Under the act approved July 1, 1902, section 5, an advisory board of the Hygienic Laboratory was created for consultation with the Surgeon General of the Public Health and Marine Hospital Service relative to the investigations to be inaugurated and the methods of conducting the same in that institution. The board consists of five members, specially skilled in laboratory work, not in the employ of the Government, and three others in Government services—the Army, the Navy, and the Department of Agriculture. This board had jurisdiction only over investigations to be undertaken at the Hygienic Laboratory. The act of 1912, however, has greatly increased the scope of the investigations which may be conducted by the service, and the same need exists for consultation with competent authorities by the Surgeon General in regard to such investigations as in more technical matters of laboratory research. The effect of this section is to increase the number of members on the board and to broaden the scope of the advisory powers of the board so that, instead of giving the Surgeon General advice solely in matters relating to the conduct of investigations at the Hygienic Laboratory, they may give the benefit of their advice and experience in regard to the entire field of public-health investigation.

In view, therefore, of the increased scope of the functions of the Public Health Service since the passage of the law of 1902, and the need, too, for an advisory council with special relation to the problem of tuberculosis, it becomes eminently desirable to increase the functions of the present advisory board of the Hygienic Laboratory so as to cover all public-health investigations undertaken by the service, and to add to its membership, so that all fields of public-health research may be covered. Section 2 provides for an increase in the membership of the advisory board from 8 to 10, and, moreover, by abolishing ex-officio members, gives a wider field of selection, so that all branches of public-health work may be represented on the board. An advisory board organized on these lines should be of the greatest aid to the National Government.

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NATIONAL TUBERCULOSIS ASSOCIATION,
Washington, D. C., January 20, 1919.

Hon. J. E. RANSDELL,
United States Senate.

DEAR SENATOR RANSDELL: In behalf of the National Tuberculosis Association I desire earnestly to urge the passage by Congress at this session of the bill to provide a division of tuberculosis in the Public Health Service (S. 1597). As to this, the association has a right to speak, for it has been and is the leading agency in the United States dealing with the disease which does more harm and takes a greater toll of human life than any other.

Its leadership is not due to any effort to monopolize the field, for it has constantly and successfully sought, since it was formed 15 years ago, by a coming together of those who felt the need of united action in such an important movement, to arouse people in all parts of the country to the dangers from tuberculosis and the possibilities of its prevention, and to promote the formation of associations and agencies which would take up the struggle at close range.

When the National Tuberculosis Association was formed real work for the control of tuberculosis was being undertaken in only five States, there were only about 100 hospitals and sanatoria for it, most of them poorly equipped, less than 20 special tuberculosis clinics, less than 30 antituberculosis associations, and the funds for what was being done came largely from private means. The death rate in 1904 was 200.7 per 100,000 of population.

The problem was vast and vague, and the association was without authority and without funds, but the possibilities for those who knew were likewise very great, and as information was spread the work began to grow rapidly. The association secured funds with which to send striking exhibits showing the nature and effects of tuberculosis into the principal cities of every State in the Union, and 10 years ago the International Congress on Tuberculosis, bringing here Dr. Robert Koch, who discovered the bacillus which causes the disease, and other authorities on the subject throughout the world, was held under its auspices in Washington. During the year following this the number of associations in the work nearly doubled, sanatoria and hospitals increased by 40 per cent, and legislation of various kinds was secured in most of the 30 States in which legislatures met that year.

The movement has broadened since until there is now an active State association in each of the States, as well as in Porto Rico, Hawaii, the Philippines, and Panama. There are about 1,500 other antituberculosis associations or societies, more than 550 special tuberculosis sanatoria and hospitals, and more than 450 clinics and dispensaries, while the death rate had fallen from 200.7 in 1904 to 141.6 in 1916, a decline of nearly 30 per cent. Many State commissions had been formed in connection with various phases of the subject, and an increasing amount of money was being appropriated each year by cities, counties, and States, some of the States having laws requiring the establishment of sanatoria in each county or in groups of counties, but the development of the problem began to reveal more and more clearly the need of something more, something different; and it was for this reason that three years ago the National Tuberculosis Association joined in a definite request for the formation of a division of tuberculosis in the Public Health Service, which would enable it to take a more nearly appropriate rank among the forces working against tuberculosis than it has been able to do. On the failure of Congress to pass that measure, the pending bill was introduced at the beginning of the present Congress.

That was nearly two years ago. The measure has not been urged until now because the war was just begun, and all energy was devoted to prosecuting it. In this, too, the National Tuberculosis Association took an active part. An investigation into the ravages of tuberculosis in the Army in France, which a former president of the National Tuberculosis Association, Dr. Hermann M. Biggs, was delegated to make, showed how soldiers had suffered because the need of men made it impossible to examine them carefully before enrolling them; and the former executive secretary of the National Tuberculosis Association, Dr. Livingston Farrand, with Mr. Homer Folks, another ex-president, and for six months Dr. David R. Lyman, its president at this time, has been more than a year and a half in Paris, working with the French Government to find ways of meeting the national need for protection against tuberculosis, just such an undertaking as the Public Health Service can well inaugurate and carry on in this country if this division is established.

The National Tuberculosis Association made a careful report before the war began to the Council of National Defense, with recommendations for guarding against taking tuberculous men into our forces. Through its members it aided in the examination of men called to the Army, and the care used in passing on such men has been of the greatest service to the Government. But these very examinations have brought out strikingly the prevalence of tuberculosis, and the great drama which has been enacted since this bill was introduced has demonstrated the need for it more convincingly than anything else could. The Surgeon General of the Army has done and is doing more for tuberculous soldiers than was ever done before for the men in any army. Adequate sanatoria were promptly provided, to which those needing treatment are sent to be cared for until their cases are arrested or until it is found that they will not be further improved by treatment.

The names of those discharged, as well as of men rejected in the draft, are furnished to the National Tuberculosis Association, so that through the local tuberculosis associations spoken of above, State boards of health, or the Red Cross, the men and their families can be kept track of and furnished with such care and assistance as they need; but the time will come when the control of the Army over these men will cease, and as they are absorbed into civil life it is absolutely necessary that there shall be a Federal agency with power to look after their interests and the interests of the people about them. The Public Health Service is the agency which should do this, and it should have a division of tuberculosis now. If the bill is not passed at this session it is altogether probable that before the authority to handle the problem can be given the men in the Army will have dropped back into civil life and the opportunity to prevent harm to and from them offered by the war will have been lost.

Moreover, if some of the hospitals at the camps and cantonments are likely to be used by the Public Health Service for the care of discharged soldiers needing treatment, it is quite important that there should now be such a division in the Public Health Service to aid in the selection of these places while the process of arranging for them is going on.

Emphasizing the need of this division of tuberculosis are the facts disclosed by the examinations for the draft in the various States. Among those in which we should expect the greatest freedom from tuberculosis are Arizona and New Mexico, with their bright skies and fine climate; but in a shaded map showing the proportion of men found tuberculous these two favored States are colored black, as among those having the most. The explanation is that those who have tuberculosis in other States go there, often when it is too late, infect others there, and die there. The individual States can not regulate such matters as these. The Public Health Service now has power to stop absolutely the migration of a person with tuberculosis from one State to another, but it is not exercising it because a rigid invariable rule would be objectionable, and it has not had the means or the men to work out a system which will afford all possible relief to the sufferers and at the same time protect the helpless people on whom they now impose themselves.

Nothing is more needed than the actual regulation of this matter, which the National Tuberculosis Association is taking up at the urgent request of the people of some of the Southwestern States, and they are

urging that this division of tuberculosis be established now, so that whatever action is found necessary may be taken.

The war could not have been won by 48 separate campaigns by the different States. This enemy, tuberculosis, attacks the Nation, mobilizing its forces wherever the line of defense is weakest. The fight was begun by individuals and has moved up through cities, counties, and States until the need of prompt Federal participation is clear.

Another fact which calls for help is the effect of war conditions in civil life. There have been indications of late that the death rate from tuberculosis would increase instead of diminishing. The figures for 1917 for the whole country are not yet available for publication, but it is known that the rate is higher than for 1916; somewhere between those for 1914 and 1915, the first increase for many years. This is undoubtedly due in part to the pressure of industry, crowded working conditions, and the high cost of living, all of them national problems with which only the Federal Government can properly deal.

This statement is not meant to seek credit for the National Tuberculosis Association and its work, but to show that, however much it may have done in the past, the work now to be done is more comprehensive, and involves elements which private effort can not reach. But it is desirable to continue the earnestness and unselfishness which have been so important in the splendid results so rapidly accomplished thus far. This is provided for by the formation of the advisory council spoken of in section 2, which will give the Surgeon General the right to call upon the highest authorities in the country for advice and help in working out the problems of the Public Health Service. The compensation is trifling, but this identification with the interests of the Nation will insure the most loyal service, and the advice and support thus made available will be invaluable.

The National Tuberculosis Association will, of course, continue its efforts, and will steadily and freely do whatever lies in its power; but the high service it can render the cause to which it is devoted is to secure the passage by Congress now of this bill.

Thanking you sincerely for all your great interest, I am,

Yours, very truly,

WM. H. BALDWIN,
Chairman Committee on Federal Legislation.

TIMBER IN NEVADA.

The bill (H. R. 13056) to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes and to remove such timber to Modoc County, Cal., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAND PATENTS IN HAWAII.

The bill (S. 5343) to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii and to issue land patents to those eligible under the terms of said agreements, was announced as next in order.

Mr. LENROOT. Let that go over.

Mr. SAULSBURY. I do not know which Senator made the objection, but I wish he would withhold it and permit the consideration of the bill. There are 26 people in Hawaii who own land in the island of Maoa. The whole tract does not cover more than 500 acres. There are 33 parcels of land. These homesteaders took up their homesteads originally and found the land absolutely unavailable because of the character of the soil. Then the homesteaders, on the advice of the commissioner, surrendered those homesteads and took up other lands, but found afterwards that the advice was wrong in that there was no legal authority to surrender their land and take up new homesteads. The Territory of Hawaii, through its legislature, has adopted resolutions approving this measure. Every officer of the Government whose attention has been brought to it has approved it. It is simply for the relief of 26 homesteaders in Hawaii.

Mr. LENROOT. The only difficulty is that they had taken homesteads previously, which they gave up on the advice of the commissioner.

Mr. SAULSBURY. That is the understanding.

Mr. LENROOT. That was the only reason.

Mr. SAULSBURY. That was the only reason of which I am aware, and the report shows that.

Mr. LENROOT. I withdraw the objection.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the governor of the Territory of Hawaii is hereby authorized and directed to ratify and carry into effect the agreements made by the commissioner of public lands of the Territory of Hawaii with certain homesteaders, referred to in the resolution adopted by the Senate and House of Representatives of the Territory of Hawaii, April 26, 1917; also to issue land patents to those living up to the terms of the agreements when same have been completed; also to issue land patents to those who have already complied with all the terms of their agreements, and to ratify and confirm the land patents already issued to homesteaders in accordance with the provisions of the resolution of the Senate and House of Representatives, Territory of Hawaii, of April 26, 1917, above mentioned.

SEC. 2. The governor shall report to the Secretary of the Interior the action taken by him hereunder.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PREFERENCE RIGHT OF ENTRY.

The bill (H. R. 5559) to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments, on page 1, line 10, before the word "Carey," to strike out "such," and in line 12, after the word "had," to strike out "initiated a claim under the State laws" and insert "entered the land under and pursuant to the State laws providing for the administration of the grant under the Carey Act," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior, when restoring to the public domain lands that have been segregated to a State under section 4 of the act of August 18, 1894, and the acts and resolutions amendatory thereof and supplemental thereto, commonly called the Carey Act, is authorized, in his discretion and under such rules and regulations as he may establish, to allow for not exceeding ninety days to any Carey Act entryman a preference right of entry under applicable land laws of any of such lands to which such person had entered the land under and pursuant to the State laws providing for the administration of the grant under the Carey Act, and upon which such person had established actual bona fide residence, or had made substantial and permanent improvements.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL AND RESOLUTION PASSED OVER.

The bill (H. R. 7236) to amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898, was announced as next in order.

Mr. LENROOT. Let that go over.

Mr. MYERS. I wish to make a statement about the bill. It will not take more than a minute. This bill was introduced in the House of Representatives by Mr. SMITH of Idaho, passed the House, and came to the Senate Committee on Public Lands. I carefully looked into it and recommended its passage.

It simply provides that in the construction of Government reclamation projects, where it is necessary to have a road across a little public land or a camping site for employees, for putting up a boarding house temporarily, or something of that kind—a few acres of land for administration and executive purposes—they shall have that right. The bill, I think, is perfectly harmless. I have no interest in it, but Representative SMITH of Idaho spoke to me about it, and having passed the House and having been carefully looked into and recommended by the Senate Committee on Public Lands, and serving a useful purpose, I think it ought to pass. I appeal to the Senator who made the objection to withdraw it.

Mr. LENROOT. I will state that my objection to such bills is that it grants a title to land, whereas the Secretary of the Interior in his report recommends only an easement. I am opposed to granting a title for any such purpose.

The PRESIDING OFFICER. The bill will go over.

The next business on the calendar was Senate resolution (S. Res. 438) requesting the Secretary of State to furnish the Senate certain information.

Mr. KING. Let that go over.

The PRESIDING OFFICER. It will go over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 5554) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. KING. I object.

The PRESIDING OFFICER. Objection is made.

Mr. KING. I will ask the Senator from Montana [Mr. WALSH], the chairman of the Committee on Pensions, if he thinks this measure is so important as to require attention at this time.

Mr. WALSH. I think it ought to have the consideration of the Senate.

Mr. KING. Very well; I withdraw my objection.

The Senate as in Committee of the Whole proceeded to consider the bill.

It proposes to place on the pension rolls the following:

The name of Jonathan M. Ragner, late of Company B, Twenty-seventh Regiment Missouri Volunteer Mounted Infantry, and pay him a pension at the rate of $21 per month in lieu of that he is now receiving.

The name of Peter L. Leuszler, late of Company H, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pen-

sion at the rate of $40 per month in lieu of that he is now receiving.

The name of R. W. Duncan (colored), known as Pack Duncan, late guide, Second Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mary E. Williams, widow of William H. H. Williams, late of Company G, Seventh Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary Alcinda Wingert, helpless and dependent daughter of Martin B. Wingert, late first lieutenant Company A, One hundred and sixty-fifth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $12 per month.

The name of Leonora V. Lunt, widow of George H. Lunt, late of Company F, Thirty-first Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William H. Makee, late of Company D, Twenty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles E. Haskell, late unassigned, Maine Volunteers, and unassigned, Twenty-ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $21 per month.

The name of Sarah Van Doozer, widow of William N. Van Doozer, late of Company A, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Anna F. Baugh, widow of Jacob L. Baugh, late of Company A, One hundred and fourteenth Regiment, and Company E, One hundred and ninetieth Regiment, Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Esther U. McKelvey, former widow of James Ling, late of Company B, Eighth Regiment, and Company D, Sixteenth Regiment, Pennsylvania Volunteer Cavalry, and widow of Henry E. McKelvey, late of Company K, Sixty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary Snow, widow of Dennis T. Snow, late of Company G, Thirty-first Regiment Iowa Volunteer Infantry, and Company I, Tenth Regiment Veteran Reserve Corps, and former widow of John A. Smith, late of Company M, Second Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Martha A. Tucker, former widow of Jesse T. Breedlove, late of Company A, Eighth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $25 per month.

The name of Mary M. Ayer, former widow of James Stanley, late of Company A, First Battalion Sharpshooters, Maine Volunteer Infantry, and Company A, Twentieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Frederick Deppe, late of Company B, Fifteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eliza E. Herman, former widow of Robert H. Herman, alias Robert Harmond, late of Company H, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George N. Morse, late of Company K, Forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Hulda Johnson, widow of James M. Johnson, late of Company B, Fifty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sarah F. Steele, former widow of John S. Steele, late of Company D, Thirteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Josiah McKnight, late of Company I, Forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sylvester H. Gaskill, late of Company G, Fourth Regiment United States Veteran Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jennie Magee, widow of Samuel H. Magee, late acting second assistant engineer, United States Navy, and pay her a pension at the rate of $25 per month.

The name of Henrietta Buswell Brown, widow of Henry E. Brown, late of Company A, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Joseph Masden, late of Company E, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary L. Colnay, former widow of William Graham, late of Company I, Sixth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Cora W. Merryman, widow of David C. Merryman, late of Company B, Fifteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Alexander D. Tanyer, late captain Company H, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of W. Lafayette League, late of Company F, Thirteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Hermann, former widow of Jacob Schlosstein, late of Company B, Third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Clara Stillman, widow of Willett D. Stillman, late of Company C, Forty-fourth Regiment New York Volunteer Infantry, and former widow of Oscar L. Myers, alias Henry Myers, late of Company K, One hundred and thirty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary Rumbold, widow of Charles H. Rumbold, late of Company B, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Nancy J. Bower, widow of John Bower, late of Company D, Eighty-second Regiment Ohio Volunteer Infantry, and former widow of Levi Shaul, late of Company A, Fifty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William H. Henkle, late of Company G, Ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Camm T. Sanders, late of Company B, Tenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John T. Showalter, late of Company B, Ninth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Cora C. O'Neill, widow of Arthur O'Neill, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $20 per month.

The name of Anna C. Seaman, former widow of Joseph Robinson, late of Company A, Sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Davis Parsons, late of Company H, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frances L. Haha, widow of Frederick Haha, late of Company G, Sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Abbie B. Garrett, widow of John M. Garrett, late of Company H, Thirty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Susan E. Guyn, former widow of Joseph T. Marshall, late of Company I, Fifty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William McDonald, late of Company F, Fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John W. Huffman, late of Company D, One hundred and sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Boman R. Butcher, late of Company H, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry H. Niles, late of U. S. S. *Moose*, United States Navy, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles F. Perry, late of Company H, Ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James Hanners, late of Company G, Fifth Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $21 per month in lieu of that he is now receiving.

The name of Catherine A. Brownlee, widow of William H. Brownlee, late of Company A, Fifty-fourth Regiment Illinois Volunteer Infantry, and former widow of Levi Remick, late of Company I, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ida B. Willison, widow of John C. Willison, late of Company L, Fourth Regiment United States Cavalry, and pay her a pension at the rate of $25 per month and $2 per month additional on account of the minor child of said John C. Willison until she reaches the age of 16 years, all such pension to be in lieu of that now being paid under minor's certificate No. 810234 on account of said minor child.

The name of George Graham, late of Company E, Thirteenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Albert F. Nelson, late of Company C, Tenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lewis Newman, late of Company H, Ninth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John W. Combs, late of Company D, Third Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Hagadorn, widow of Henry J. Hagadorn, late of Company H, Seventh Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ida V. Haskins, widow of Hiram S. Haskins, late of Company K, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Clara E. Buckland, former widow of Jason I. Noland, late of Companies F and C, First Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Henry M. Chase, late of Company A, Coast Guards, Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William T. Potts, late of Company E, Tenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louisa Jones, former widow of Rudolph Blum, late of Companies K and B, Ninth Regiment Wisconsin Volunteer Infantry, and widow of Abraham Jones, late of Company G, Twentieth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Andrew J. Moody, late of Company H, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William F. Blanchard, late of Company B, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William B. Douglas, late of Company A, Second Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Emeline C. Starr, helpless and dependent daughter of George Starr, late of Company E, Eleventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Samuel Lockwood, late of Company H, One hundred and eleventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ella A. Mead, widow of James A. Mead, late of Company B, One hundred and forty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Isaac D. Hamilton, late of Company A, Sixth Regiment, and Company F, Seventh Regiment, Delaware Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles Wiley, late of Company L, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Newell Strout, late captain Company K, Third Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lucy A. Schriver, former widow of Nelson M. Tenney, late of Company I, Forty-third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jesse W. Bowdle, late of Companies F and A, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month, without deduction or rebate on account of former alleged erroneous payments of pension.

The name of Sarah M. Geiger, former widow of Henry H. Geiger, late of Company A, Eighty-fifth Regiment, and Company G, One hundred and thirty-third Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Isabell Cunningham, widow of Washington Cunningham, late of Company K, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Cunningham, helpless and dependent son of said Washington Cunningnam, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Isabell Cunningham the name of said John Cunningham shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Isabell Cunningham.

The name of James H. Cornell, late of Company I, Sixth Regiment Minnesota Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lucina E. Smith, former widow of Ira G. Christian, late of Company F, Thirty-second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of James C. Daly, late of Company A, Battalion Volunteer Cavalry, Mississippi Marine Brigade, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jennie L. Barrows, helpless and dependent daughter of Benjamin G. Barrows, late of Capt. Cobb's company, State Guards, Maine Militia Infantry, and pay her a pension at the rate of $12 per month.

The name of Mary M. Hood, widow of Robert Hood, late of Company B, Thirteenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Amos L. Hood, late of Company D, One hundred and seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $32 per month in lieu of that he is now receiving, the same to be paid to him without deduction for any alleged former erroneous payments of pension.

The name of Henry H. Hering, late captain of Company E, Seventy-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Blitz, late of Company C, Sixty-seventh Regiment New York National Guard Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Maranda E. McHaffie, widow of Oscar F. McHaffie, late of Capt. A. J. Lee's company, attached to Fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George F. Griffith, alias Frank W. Morton, late of Troop D, First Regiment United States Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Carrie E. Hewett, former widow of Hollis Smart, late of Company A, Maine Coast Guard Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Robert B. Patrick, late of Company D, Seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George F. Hood, late of Company E, Eleventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Stewart Orr, late of Company C, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Effie E. Milton, widow of John C. Milton, late of Companies F and C, Eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Hermann Hoffmeister, late of Company C, Second Regiment Missouri Volunteer Infantry, and Company H, Eighth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alonzo R. Cole, late captain Company E, One hundred and twentieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah F. Robinson, former widow of Samuel W. Blethen, late of Company F, Ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George Forker, late of Company L, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Georgia M. Hodgsdon, widow of Daniel B. Hodgsdon, late first lieutenant U. S. S. *Reliance*, United States Revenue-Cutter Service, Civil War, and captain U. S. S. *McCulloch*, United States Revenue-Cutter Service, War with Spain, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Milton W. Burnham, late of Company K, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah C. Vaughan, former widow of Augustus Vaughan, late of Company A, Seventeenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James H. Johnston, late of Company C, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John F. Lichty, helpless and dependent son of Jacob P. Lichty, late of Company H, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Rouser Mettler, late of Company K, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Arabella Roberts, widow of George J. S. Roberts, alias James S. Roberts, late of the U. S. S. *Grampus, Eastport*, and *Red Rover*, United States Navy, and pay her a pension at the rate of $25 per month.

The name of Alonzo J. Finch, late of Company G, Forty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Levi M. Starne, late of Company B, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Catharine Derstine, permanently helpless and dependent daughter of John F. Derstine, late of Company G, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Horton Mosher, late of Company G, First Regiment United States Lancers, Michigan Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of Alexander Faries, late of Company A, Sixth Regiment, and Company F, Seventh Regiment, Delaware Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jacob R. Stillwagon, late of Company D, Ninth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Franklin Bryan, late of Company F, Thirty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $46 per month in lieu of that he is now receiving.

The name of William Dugent, late of Company B, Thirteenth Regiment Maryland Volunteer Infantry, and Company D, Fourth Regiment United States Infantry, and pay him a pension at the rate of $30 per month.

The name of Benjamin A. Sturtevant, late sergeant major and first lieutenant Company B, Twenty-third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William E. Hughes, late of Capt. Foxwell's Company (Henderson Guards), Second Battalion, District of Columbia Militia Infantry, and pay him a pension at the rate of $20 per month.

The name of James Rowland, late of Company K, Sixty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward D. Hamilton, late of Company G, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William J. Vanhoose, late of Company C, Forty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Daniel C. Darlington, late of Company F, Purnell Legion, Maryland Volunteer Infantry, and Company F, First Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary A. Lake, former widow of Amby M. Welch, late of Company I, Forty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Isaac N. White, late of Company B, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

Mr. WALSH. On page 3, line 18, I move to strike out lines 18 to 23, inclusive, in the following words:

The name of Mary Snow, widow of Dennis T. Snow, late of Company G, Thirty-first Regiment Iowa Volunteer Infantry, and Company I, Tenth Regiment Veteran Reserve Corps, and former widow of John A. Smith, late of Company M, Second Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

I move the amendment, the beneficiary being dead.

The amendment was agreed to.

Mr. WALSH. Likewise on page 9 I move to strike out lines 1 to 4, inclusive, in the following words:

The name of John W. Huffman, late of Company D, One hundred and sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. WALSH. On page 12 I move to amend by striking out lines 11 to 14 in the following words:

The name of William B. Douglas, late of Company A, Second Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to

Mr. WALSH. After line 19, on page 21, I move to insert:

The name of Ella E. Smith, widow of John A. B. Smith, rear admiral, United States Navy, retired, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. WALSH. After line 23, on page 21, I move to insert:

The name of Alice Chenoweth Day, widow of Selden Allen Day, late colonel, Coast Artillery Corps, United States Army, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. WALSH. I also move to add:

The name of Henry S. Silsby, late of Company G, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. WALSH. I ask that the following statement be inserted in the RECORD.

The statement is as follows:

S. 5211. Henry S. Silsby was a member of Company G, Fifth Regiment New Hampshire Volunteer Infantry, known in the Army of the Potomac as "The Fighting Fifth." He enlisted August 11, 1862, and served over three years, being discharged August 24, 1865, for physical disability, namely, hydrocele and atrophy of left testicle.

He is nearly 74 years of age and receives a pension of $40 per month under certificate No. 136704. He was formerly pensioned at $25 per month under the age and service act of May 11, 1912. His original allowance of pension was under the general law at $4 per month from discharge; increased to $5, November 1, 1871; to $8, February 9, 1882; to $10, April 27, 1887; and to $17, February 6, 1895, for hydrocele and atrophy of testicles and intolerance of heat, result of sunstroke, all incurred in the service.

Medical and other evidence submitted to the committee shows that soldier is an infirm and tottering old man, suffering from rheumatism, heart disease, enlarged prostate, and other infirmities of age; also that he is nearly blind and barely able to get about, and is in such an enfeebled condition that he can do no kind of labor and requires the watchful aid and care of an attendant. He is also shown to be very poor and without property and with no other support than his pension.

In view of soldier's advanced age, his long and honorable service, his poverty and helplessness, party due, no doubt, to disabilities incurred in service, your committee report the bill favorably with recommendation for increase of pension to $50 per month.

S. 5649. Alice C. Day is the widow of Selden A. Day, late second lieutenant, Fifth United States Artillery, and colonel, Artillery Corps, United States Army, retired.

Col. Day entered the Army June 20, 1861, as private in Company C, Seventh Ohio Infantry. He was appointed second lieutenant in the Fifth Regular Artillery, April 7, 1864, and continued in active service until July 22, 1902, when he was placed on the retired list. He was made lieutenant colonel July 1, 1901, and was advanced to the grade of colonel on the retired list April 23, 1904. Had it not been for irregular promotions (through which he lost, by no fault of his own,

an entire grade) he would have been retired as brigadier general. He served his country honorably and faithfully in the Army for upward of 41 years.

Col. Day died at his home in Washington December 22, 1918. His widow, the beneficiary under this bill, whom he married April 9, 1902, is now receiving the pension of $25 per month (certificate No. 861885) provided by the acts of April 19, 1908, and October 6, 1917, for the widow of an officer or enlisted man who served 90 days in the Civil War. She is unable to obtain an allowance under the general law more commensurate with the rank and service of her distinguished husband, for the reason that she can not prove that his death was due to wound, injury, or disease incurred during the period of his actual service with the Army.

Mrs. Day is now well advanced in years, and, as the evidence shows, without income of any kind for her support. She has a home property, which is encumbered by mortgage, and also the right to a small amount of unimproved land, which is a burden and expense and produces no income. We append hereto an extract from the Army and Navy Register showing something of this officer's record.

In view of the long and exceedingly valuable services of Col. Day and the widow's necessitous circumstances, your committee report the bill favorably with recommendation for increase of pension to $50 per month.

Col. Selden Allen Day, United States Army, retired, passed from this life, after a prolonged illness resulting in general breakdown, December 22, 1918, in the eighty-first year of his age, at his home, 1838 Lamont Street, Washington, D. C., where a brief service was held. Col. Day was a member of the Unitarian Church, but it was his wish that his funeral be strictly private and that it be conducted by his old comrade and long-time friend, Henry N. Couden, Chaplain of the House of Representatives. The immediate family and a small group of his Masonic and military friends only were present. Col. Day leaves a widow here and several brothers and sisters in California and New York. His five nephews are with the Army in France, four of the five being officers. The Chaplain read the thirteenth chapter of First Corinthians, which was followed by a prayer and a tribute to his memory as a soldier. The Masonic burial service was then performed, after which the military took charge and conveyed the body to Arlington, where it was buried with full military honors. The old soldier has made his last march, fought his last battle, heard for the last time taps, and has laid himself down to peaceful repose on fame's eternal camping ground, where, we confidently trust, he has heard ere now the reveille which calls him from slumber to the larger life and nobler activities. Col. Selden Allen Day possessed a remarkable personality, and, though he has passed from this life, his heroic deeds live and are worthy of emulation by all true men. Col. Day's military career began when he raised a company of volunteers at the first call for troops in 1861. Owing to the excess of troops enrolled under this call, his company could not be mustered and was disbanded. He then enlisted as a private in Company C, Seventh Ohio Infantry. He was appointed a second lieutenant, Fifth Artillery, and in the spring of 1864 was ordered to the front. He joined Battery A in the Battle of Cold Harbor and was brevetted first lieutenant for gallantry in that action. He served continuously in the field until the close of the war. He was one of the lieutenants in charge of Jefferson Davis during his imprisonment at Fortress Monroe, and retained the lifelong friendship of the Davis family because of his humane and soldierly treatment of his prisoner. He was graduated from the Artillery School in 1874 and from the Medical College of the State of South Carolina in 1880. He was promoted to captain, Fifth Artillery, in 1886. He was mentioned, with others, in the general order from headquarters of the Army in 1897 for gallantry displayed in the rescue of 17 people from a sinking steamer in a storm at Fort Canby, Wash., February 28, 1896. At the opening of the War with Spain he became major of the Fifth Artillery and, while in command at Galveston, was ordered to Cuba and Porto Rico. After the promulgation of peace he took over the forts and armament, hoisted the flag over El Morro Castle at San Juan, and fired the national salute on the day of final occupation, October 18, 1898. After a long term of duty in the Tropics, Col. Day was ordered home and to command Fort Williams, Portland, Me., and reached the retiring age while there. Had it not been for irregular promotions (through which he lost, through no fault of his own, an entire grade), he would have been retired as brigadier general. A bill to correct that wrong was in Congress, but was never pushed to action. Col. Day's unflagging efforts for the advancement of the profession to which he had given his whole life are also matters of record. A number of his inventions are in use, and he was engaged for several years past in perfecting flying-machine parts. He held patents in eight of the belligerent countries on a flying machine, upon which he was still working when the war with Germany was declared, when he offered his services and his inventions to the Government. The "dum-dum," or soft-pointed bullet for small arms, was invented by Col. Day and patented by him in all prominent countries except the United States. He has been frequently employed in scientific work, for which his qualifications as a physician and surgeon, an expert rifle shot, and his knowledge of explosives specially fitted him. Interment was at Arlington on December 24.

S. 4948. Ella E. Smith is the widow of the late Rear Admiral John A. B. Smith, United States Navy, retired.

John A. B. Smith was born in Baltimore, Md., March 21, 1843. He entered the Navy from civil life April 21, 1863, by appointment on that date as third assistant engineer and was in active service continuously through the several grades to the rank of rear admiral until March 21, 1905, when he was placed on the retired list. He was immediately, however, detached from the retired list and continued on active duty until August 1, 1908. He was made rear admiral March 21, 1905. He was a capable and efficient officer. We append hereto a complete statement of the officer's service.

Admiral Smith died at New Orleans, La., March 9, 1918. His widow, the beneficiary under this bill, is now receiving the pension of $25 per month (certificate No. 854250) provided by the act of October 6, 1917, on account of the officer's service in the Civil War. She is unable to obtain pension under the general law more commensurate with the rank and service of her distinguished husband for the reason that she can not prove that his death cause originated prior to his retirement from active duty. She married the deceased officer October 10, 1871.

Mrs. Smith is nearly 68 years of age, and, as the evidence shows, in straitened circumstances and with but little means for her support. In view of the long and exceedingly valuable services of Admiral Smith and in the light of numerous precedents, your committee report the bill favorably, with recommendation for increase of pension to $50 per month, which is the amount heretofore allowed in similar cases.

J. A. B. Smith entered the service from civil life on the 21st of April, 1863, as third assistant engineer; was ordered to the U. S. S. *Housatonic*, off Charleston, S. C., in June, and served on that vessel until she was blown up by a torpedo on the night of February 17, 1864; was rescued by boat from *Canandaigua;* on account of the crowded condition of that vessel, was sent to the U. S. S. *Wabash;* served on that vessel until May; after going north for a new outfit, was ordered to the U. S. S. *Paul Jones;* served on that vessel in Stono Inlet and Ossibau Sound; after the *Water Witch* was captured, came north in *Paul Jones;* in August, 1864, was ordered to U. S. S. *Mohongo*, building at Jersey City. Promoted to second assistant engineer September 28, 1864; made the trip from New York to San Francisco in *Mohongo*, and was detached on the 7th of August, 1867; served on the trials of the *Contoocook, Moshulan, Passmalation*, and *Miantonomah* in latter part of 1867–68; joined U. S. S. *Saco* at Aspinwall in September, 1868, and, on that vessel going out of commission, was ordered to U. S. S. *Seminole*, sent out to capture the pirate steamer *Telegraph*, supposed to be at Samaria Bay; served on *Seminole* until December, 1869; ordered as chief engineer of *Mayflower* in August, 1870, and went in that vessel to Mexico, in connection with the Saufeldt Expedition to survey for canal (Tehuantepec Canal); returned in 1871, and was detached in May; ordered to League Island Station, and served until 1873; was ordered to *Saugus* in July, 1883; was chief of that vessel during the *Virginius* excitement. Was promoted to passed assistant engineer January, 1873; went to Pensacola on *Saugus*, and was then ordered as chief of that yard and served there during the epidemic of yellow fever, 1874; was relieved in November of 1874, when yard was reported healthy; granted six months' leave; ordered to *Hartford*, flagship of North Atlantic Squadron, in December, 1875, and served on that vessel until August, 1877, part of the time as chief engineer; ordered to U. S. S. *Wyandotte*, at Washington yard, in December, 1877; was detached in May, 1880, the last year as chief engineer; in September, 1883, was ordered in charge of stores at Norfolk Navy Yard, and chief engineer of receiving ship *Franklin;* served there until May, 1886; was then ordered as senior assistant of the new cruiser *Atlanta;* served on her during all of her trial trips, and until November, 1888; in December, 1888, was ordered to duty under Naval Advisory Board at Washington; on April 1, 1889, was ordered to inspection duty at Cramp's shipyard, in connection with U. S. S. *Philadelphia*, served on trial trips of the *Baltimore;* was detached December 4, 1889, and ordered as inspector of cruiser *No. 9*, at Baltimore. Served as chief engineer U. S. S. *Montgomery*, 1890 to 1891; chief engineer of the U. S. S. *Texas*, 1892 to 1893; engineer officer of the Norfolk Navy Yard, 1894 to 1898; promoted to captain when the Engineer Corps was combined with the line of the Navy in 1898; ordered to New York in 1899 to rebuild the machine shop at the New York yard; served as engineer officer New York yard, 1899 to 1905; superintended the construction of the engines for the U. S. S. *Connecticut* while attached to the New York yard. Promoted to rear admiral March 21, 1905; placed on the retired list in 1905, on account of age, but kept on active duty until 1909, as general inspector of machinery and president of the board on changes for ships under construction. Died in New Orleans, La., March 9, 1918.

The bill (S. 5553) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, was considered as in Committee of the Whole.

It proposes to place on the pension roll the following:

The name of Charles F. Cavenaugh, late of Company F, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Milton M. Lile, late of Company F, Second Battalion of Engineers, United States Army, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Amme A. Wilson, late of Company H, Twenty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles B. Smith, late of Troop G, Eighth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Edward Flannery, late of Troop G, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Thomas Kent, late of Thirty-sixth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Palmyra Johnson, dependent mother of Edward W. Johnson, late of Company K, Twenty-fifth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of James A. Criswell, late of Company D, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Andrew E. Waterman, late of Company H, First Regiment South Dakota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Henry L. Henrysen, late of Company B, Twentieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Isaac F. Roberts, late of Company D, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Eugene M. Symonds, late of Company C, Sixty-fifth Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Mary E. Allen, former widow of William T. Boles, late of Captain Preston's company, First Regiment Virginia Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month.

The name of Frank H. Seay, late of Company L, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William H. Hart, late fireman, second class, United States Navy, War with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Thomas J. Scanlain, late of Company C, Eighth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Arthur G. Bosson, late of Company C, Fifth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Albert Grimes, late of Company D, Fifteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of James L. Graham, late of Thirty-second Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of David Britton, late of Troop H, Second Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Tarter, late of Company A, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Clark, late of Company K, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George E. Lawrence, late captain, United States Volunteer Signal Corps, War with Spain, and pay him a pension at the rate of $20 per month.

The name of Charles Weitfle, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $20 per month.

The name of Mary Melissa Anderson, widow of John F. Anderson, late of Company F, Calhoun's Mounted Battalion, Georgia Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Wilfred W. Phaneuf, late of Company M, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Rufus H. Hopkins, late of Company F, Seventeenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Ulyssis S. G. Canfield, late of Troops C and E, Eleventh Regiment United States Cavalry, and Company A, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Joseph J. Horan, late of Company E, Fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Dennis Driscoll, late of Troop I, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James D. Wilder, late of Troop M, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Lemuel Lunger, late of Company M, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George Moir, late of Battery B, Battalion Utah Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles H. Skillings, late of Company M, First Regiment Maine Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Elizabeth E. Baker, widow of Laurence S. Baker, late second lieutenant, Companies A and F, United States Mounted Rifles, Texas and New Mexico Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John F. Manuel, late of Capt. Alexander McRay's company, Nauvoo Legion, Utah Volunteers, Utah Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph W. Culbertson, late Indian scout, United States Army, Indian wars, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Elvina Adams, widow of William R. Adams, late of Capt. Newbern's and Capt. Johnson's companies, Florida Mounted Volunteers, Seminole Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ellen Jones, widow of Harry Jones, late of Company F, Sixth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Cornelia A. Nickels, widow of John A. H. Nickels, late commodore, United States Navy, retired, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of James J. Butler, late of Company L, First Regiment Washington Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Susan Owens, widow of Thomas J. Owens, late of Company B, Twelfth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of John Franklin Haynes, late of Company E, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Marion T. Mitchell, late of Company E, Signal Corps, United States Army, War with Spain, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Francis E. Searway, late of Company H, Thirty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John J. Duke, late of Company H, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Emeline A. Spaulding, widow of Herbert O. Spaulding, late of Company G, Second Battalion, Eleventh Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Jacob D. Emery, late of Company M, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Lily D. Murphy, widow of Frank T. Murphy, late of Battery K, Third Regiment United States Artillery, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Albert L. Newland, late of Company L, Second Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George W. McMahan, late of Company E, Sixteenth Regiment, and Company I, Nineteenth Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Oscar S. Pomeroy, late of Company F, Thirty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David W. Herriman, late of Company B, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Edwin W. Gordon, late of Company G, Thirteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Daley, late of Company F, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $50 per month.

The name of Charles F. Hahn, late of Company D, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Arthur H. Letts, late of Company G, Thirty-third Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Carrier Thompson, late of Company L, Sixteenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Floyd E. Driskel, late of Troop I, First Regiment United States Cavalry, War with Spain, and pay him a

pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Sarah Hale, widow of George W. Hale, late of Company B, First Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $25 per month.

The name of Amanda F. Mahin, widow of Elijah L. Mahin, late of Company B, Third Regiment Kentucky Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of William W. Treadway, late of Company G, Fourth Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Benjamin H. Kimbler, late of Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Lee Begley, late of Company M, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry Fields, late of Company A, Twenty-eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charley Shelton, late of the Eighty-second Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

Mr. WALSH. I move to amend by striking out, on page 11, lines 3 to 6, inclusive, the following words:

The name of Floyd E. Driskel, late of Troop I, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. WALSH. On page 12, after line 9, I move to insert:

The name of James A. Cox, late of Company D, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

Mr. WALSH. I also move to add the following:

The name of John D. Harkless, late second lieutenant, Company F, Twenty-third Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

Mr. WALSH. I also move to add the following:

The name of Mike A. Langeneck, late of Company D, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. WALSH. I also move to add the following:

The name of Joseph R. Owens, late of Battery E, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

Mr. SMOOT. I ask the Senator if he will file the report with the bill at this time?

Mr. WALSH. I submit the following statement for the RECORD:

S. 5550. James A. Cox was a member of Company D, Fourth United States Infantry, in which he served three years, from September 29, 1896, to September 28, 1899, when honorably discharged. He took part with his company in the Santiago campaign during the War with Spain and also served for some months in the Philippine Islands.

He filed application for pension March 28, 1903 (No. 1298279), alleging that from exposure during service in Cuba and the Philippine Islands he contracted articular rheumatism, affecting the right sacroiliac articulation. In later applications he alleged also injury of left wrist, incurred in March, 1897, by fall on icy sidewalks.

The medical records on file in the War Department show that soldier was treated from March 6 to 19, 1897, for severe sprain of left wrist by a fall on icy sidewalk in line of duty. The claim for injury to left wrist was rejected, however, on the ground that a ratable degree of disability from such injury had not been shown from date of application. The claim for rheumatism of right sacroiliac articulation was rejected, after special examination, on the ground of no record of same in War Department, and the best obtainable evidence fails to establish origin of said disability in service or its existence at discharge.

The medical records of the War Department show that soldier was treated in Cuba August 2 to 8, 1899, for malarial fever and for same fever at Camp Wickoff, N. Y., September 9, 1898, and furloughed for one month. He was also treated in the Philippines in June and July, 1899, for acute diarrhea. The records further show that he was treated as an ex-Regular at Army and Navy General Hospital, Hot Springs, Ark., March 6 to April 2, 1903, for chronic articular rheumatism, right sacroiliac articulation.

The evidence on file establishes the fact that soldier was sound at enlistment, and there appears to be an equally good showing of rheumatism about nine months after discharge, and there is no question, as far as we can see, as to the continuance of the disability from that time to the present.

The evidence clearly shows that when soldier returned home on furlough in September, 1898, he was in poor health and weak and debilitated from malaria and fever contracted during the Santiago campaign. There is also evidence of soldier's sickness in the Philippine Islands and that he frequently complained of pains in legs and hips. Some of his comrades testify to that effect, and the evidence as to his physical condition from the time of discharge is that he has not been in same good health he was before enlistment.

Soldier was first officially examined August 5, 1903, by a full board of surgeons, who rated him $17 on chronic rheumatism right sacroiliac articulation, $4 on heart trouble, and $6 on general debility. He was again examined the 7th of August, 1912, for injury of left wrist alone, which the board reported did not constitute a disability for manual labor. He was last examined October 4, 1916, by the Vinita (Okla.) board of surgeons, who rated him $6 on injury of left wrist and $12 on the rheumatic trouble.

Evidence filed with the bill is to the effect that soldier is practically unable to perform manual labor for the support of himself and family, and photographs submitted show that the disability has produced spinal curvature and some shortening of limb. He is 45 years of age and poor and in need of the relief a pension would give him.

The weight of evidence appears to indicate the service origin of the disability, and your committee report the bill favorably, with recommendation for pension at $17 per month.

S. 5609. Mike A. Langeneck, of North Vernon, Ind., served during the War with Spain, Company D, Second United States Volunteer Engineers, from June 23, 1898, to May 16, 1899, when honorably discharged. I. Ctf. 1045272.

The soldier contracted rheumatism and resulting disease of heart, chronic diarrhea and disease of rectum, and piles in the service, and was allowed a pension of $17, which he now receives, under the general law.

An increase was recently denied on the ground the present rate is adequate. In August, 1918, he filed testimony of a physician who states that he suffers so severely from rheumatism and resulting disease of heart, chronic diarrhea, and disease of piles, diseased rectum, as to be fully three-fourths disabled at all times for performing manual labor.

Boards of surgeons have recommended $10 and $12 for rheumatism and disease of heart and $8 and $10 for disease of rectum and diarrhea and piles. The last board made this recommendation.

With the bill the petitioner files an affidavit, in which he states he is wholly unable to perform labor an account of rheumatism, disease of heart, chronic diarrhea and resulting disease of rectum and piles, and that he owns no property other than household goods worth $100.

Lay testimony sustains his allegations as to physical and financial condition. Medical testimony shows that this soldier is much of the time wholly disabled for manual labor by reason of severe rheumatism and resulting disease of heart, chronic diarrhea, resulting disease of rectum and piles, and all of the time is fully three-fourths disabled for performing manual labor. One of the physicians states that, in his opinion, this man is unable fully five-sixths of the time to perform work of any kind.

Your committee report the bill favorably, with recommendation for increase of pension to $24 per month.

S. 5506. Joseph R. Owens enlisted April 17, 1899, as a private in Battery E, First United States Artillery, War with Spain, and was discharged by expiration of service April 16, 1902. He enlisted May 31, 1904, as coal passer in the United States Navy, and was discharged May 30, 1908. He again enlisted in the Navy May 5, 1913, as fireman, second class, and was discharged March 23, 1914.

Applicant's claim for pension, No. 1293532, which was first filed December 6, 1902, is based on bronchitis, chronic diarrhea, and stomach trouble, contracted during service in the Philippine Islands. The claim was rejected on the ground of no ratable degree of disability from causes alleged since date of filing application.

Applicant was sound at enlistment, as is evidenced by the report of his official examination at that time. Official records show that, commencing in August, 1899, he was under treatment on numerous occasions for acute diarrhea, chronic diarrhea, chronic amebic dysentery, malarial fever, anemia, and general debility, chronic catarrhal enteritis, and tonsilitis.

Evidence shows that applicant has been in poor health since discharge and more or less incapacitated for manual labor. Dr. Southgate Leigh testified that he attended applicant in September and October, 1912, for chronic diarrhea. Dr. James G. Riddick, testifying March 25, 1913, said that applicant had malaria in chronic form and trouble with bowels and stomach. Dr. Riddick again testified that he treated applicant for chronic bowel trouble in March, 1913, and again in August, 1914. Official records of the Navy Department show that during last enlistment applicant was admitted to hospital at Norfolk, Va., August 15, 1913, with appendicitis and was under treatment for two months, being operated on September 17, 1913.

Applicant was officially examined June 23, 1914, by a full board of surgeons, who rated him $8 on chronic diarrhea. He is 39 years of age and in his own behalf states that he is wholly disabled for manual labor by reason of disease of stomach, bowels, and lungs, contracted in the service and line of duty; also that he has no property and no income.

The record and other evidence is in favor of his claim, and your committee report the bill favorably, with recommendation for pension at $17 per month.

S. 2637. John D. Harkless was late second lieutenant with Company F, Twenty-third Regiment Kansas Volunteer Infantry, in the War with Spain. He was enrolled July 6, 1898, mustered in July 16, 1898, and mustered out with company April 10, 1899.

On June 18, 1909, he made claim for pension (No. 1384157), alleging that in Cuba, about November 9, 1898, he contracted malarial fever in a chronic form. The claim was rejected November 9, 1909, on the ground that a ratable degree of disability had not been shown from date of filing from malarial fever. He filed a second claim January 19, 1916, alleging that in Cuba, in December, 1898, he contracted malarial poisoning; that since his discharge other complications have resulted, mainly rheumatism affecting his limbs, back, shoulders, and arms; also impaired hearing and eyesight; that he did not contract last-mentioned disabilities while in service, nor does he claim for any other disability of service origin than above stated. The claim was rejected in August, 1917, on the ground of claimant's manifest inability to furnish satisfactory evidence showing existence of malarial poisoning at date of discharge and continuance thereafter; rheumatism and impaired sight and hearing not alleged as of service origin.

The company muster-out roll shows soldier reported as sick in quarters November 9 to 12, 1898, December 2 to 6, 1898, and January 13 to 16, 1899; all in line of duty. The medical records on file in the War Department show that soldier was treated December 3 to 6, 1898, for malarial fever; January 14 to 18, 1899, diarrhea, acute complication; January 16, 1899, malarial fever. On examination preliminary to discharge soldier declared he had rheumatism in his hips; also right

foot sprained, the latter incurred November 23, 1898, in Cuba, on drill ground, the former on account of sleeping in damp tents. The surgeon reported "small tumor on back of right wrist, probably a ganglion, not permanent and not disabling."

Dr. S. P. Douglass, testifying September 4, 1909, said he had been soldiers family physician for about three and a half years, during all of which time soldier suffered from chronic malaria and was not able to do manual labor.

Dr. L. MacLean, testifying August 21, 1909, said that he then found upon examination soldier's condition as follows: "Pulse 72, temperature 97 degrees, loss of eyesight about one-fourth from normal, tongue coated, and constipation and loss of appetite; he claims pains in legs and body at various times during the day or night, and from his history of lying on the ground in Cuba during the war the said soldier has chronic malaria and is not physically able to do manual labor."

Soldier was officially examined October 6, 1909, by the Pueblo (Colo.) board of surgeons, who reported as follows: "Height, 5 feet 4½ inches; weight, 196 pounds; palms soft; muscles soft; body well nourished. Chest measurement at rest, 40; expiration, 41; inspiration, 42 inches. Both lungs normal upon percussion and auscultation. No rating.

"Heart: Apex beat in fifth interspace, 1 inch to right of left nipple line. No hypertrophy, no œdema, no dyspnea or cyanosis, no valvular lesion. No rating.

"Urinalysis: Specific gravity, 1018, color amber, acid, no albumen, no sugar. No rating.

"Malarial fever: We find no malarial cachexia. Skin is normal to feel, conjunctivæ not yellow, tongue slightly coated; liver dullness extends from lower border of seventh to slightly below twelfth rib, slightly tender; no tenderness over abdomen; spleen dullness from ninth to lower border of eleventh rib, not tender.

"Rectum shows no hemorrhoids, no fissures, no stricture; abdomen measures 43 inches. No rating.

"We find no evidence of any glandular disease. No rating.

"No other disability is found to exist."

Accompanying the bill is affidavit of Dr. J. Q. A. Webb, who states that he treated soldier from February 1, 1914, to February 5, 1915, for malarial cachexia, with secondary complications of rheumatism and otitis media, with total deafness of right ear; that soldier was physically unable to support himself by manual labor to any extent.

Affidavit of Dr. S. G. Holmes, who stated that soldier came under his care April 5, 1917, and was treated for chronic malaria, rheumatism, deafness of right ear, and errors of vision.

Soldier is 50 years of age, and two neighbors testify that he is physically incapacitated for performing manual labor, and that he has no property and no income. It further appears that he is crippled by amputation of left arm above wrist, which entirely incapacitates him for manual labor; he claims this to be caused by poor health resulting from service in Cuba during the War with Spain. In his own behalf he makes the following statement:

UNITED STATES OF AMERICA,
District of Columbia, ss:

John D. Harkless, of Washington, D. C., being duly sworn, deposes and says that he enlisted in the Spanish-American War in July, 1898, as a member of Company F, Twenty-third Regiment Kansas Volunteer Infantry, and was honorably discharged from said service in April, 1899; that at the time of his enlistment he was sound in health; that he performed the greater part of his military service in Cuba, having been there from August, 1898, to February, 1899, during which time the tropical climate, bad water, heavy rains, and hot weather had a material effect on his health, finally undermining his health and resulting in malaria and Cuban itch, which diseases exhibited themselves shortly after leaving the service. As a result of these diseases, affiant states that his blood became poisoned and that an abscess formed on his left arm, which necessitated amputation; that his said left arm was amputated above the wrist, which has totally incapacitated him for the performance of manual labor; that he also suffers severely from rheumatism and lumbago and also from deafness in the right ear, resulting from exposure in the service and line of duty; that he has no income whatever from any source; and that, on account of his destitute and disabled condition he feels that he is justly entitled to a pension at the rate of $30 per month.

JOHN D. HARKLESS.

Subscribed and sworn to before me, a notary public, this 24th day of February, A. D. 1919.

[SEAL.] JOHN J. MCGRAIN,
Notary Public.

My commission expires June 23, 1923.

Your committee report the bill favorably with recommendation for pension at $24 per month.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 1, after line 9, to strike out:

The name of Benjamin Foust, late of Company C, Forty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 2, after line 2, to strike out:

The name of William T. Slocum, late of Company I, Eleventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, after line 6, to strike out:

The name of Emma L. Pugh, widow of Samuel Pugh, late of Company D, First Michigan Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 21, before the words "per month," to strike out "$30" and insert "$12," so as to make the clause read:

The name of Simon Z. Whiteleather, late of Company H, One hundred and ninety-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, after line 22, to strike out:

The name of William Row, late of Company B, Forty-third Regiment, and Company H, Fiftieth Regiment, Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, after line 14, to strike out:

The name of Margaret Steele, widow of Edward T. Steele, late of Company I, Twelfth Regiment Connecticut Volunteer Infantry, and Company G, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 23, to strike out:

The name of Rebecca Roszell, alleged helpless and dependent child of Charles M. Roszell, late of Company B, Seventy-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 14, to strike out:

The name of William S. Nail, late of Company E, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 5, to strike out:

The name of Mary J. Titus, widow of Francis J. M. Titus, late of Company F, Seventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 9, to strike out:

The name of Harriet J. Houghtaling, widow of Aaron Houghtaling, late of Company D, Fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 13, to strike out:

The name of Walter L. Todd, late of Company I, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 7, to strike out:

The name of William H. Simmons, late of Company D, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 7, after line 20, to strike out:

The name of Joel Bryant, late of Company B, First Regiment East Tennessee National Guards, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, after line 12, to strike out:

The name of Sarah Morrill, former widow of Oel Morrill, late of Company B, Twelfth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 16, to strike out:

The name of James McNeal, late of Company A, One hundred and thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to strike out:

The name of Benjamin M. Donaca, late of Company C, First Regiment Oregon Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, after line 16, to strike out:

The name of John L. Wheeler, late of Company I, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, after line 20, to strike out:

The name of John Clark, late of Company D, Twenty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 10, line 13, after the word "late," to strike out "clerk" and insert "of," and in line 15, before the words "per month," to strike out "$35" and insert "$30," so as to make the clause read:

The name of James Forsyth Harrison, late of Quartermaster Department, United States Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, after line 12, to strike out:

The name of Charles H. Johnson, late unassigned recruit, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 11, line 20, after the word "month" to insert "without deduction or rebate on account of former alleged erroneous payments of pension," so as to make the clause read:

The name of Franklin Kirby, late of Company D, Sixty-sixth Regiment Indiana Volunteer Infantry, and Company L, First Regiment Indiana Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month without deduction or rebate on account of former alleged erroneous payments of pension.

The amendment was agreed to.

The next amendment was, at the top of page 13, to strike out:

The name of William Schooley, late of Company K, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, after line 8, to strike out:

The name of Margaret L. Cisney, widow of John W. Cisney, late of Company I, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 4, to strike out:

The name of Peter M. Smith, late of Company B, One hundred and thirty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, after line 4, to strike out:

The name of John S. Miller, late of Company H, One hundred and fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, after line 4, to strike out:

The name of Sarah E. Jackman, widow of Robert C. Jackman, late of Company G, Eighty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

Mr. THOMPSON. Mr. President, I trust that the House provision in the bill in this case will be restored. I am acquainted with some of the facts in the case, and I know the condition of the widow is far more serious than is indicated by the testimony. This is a very meritorious case, and if a pension is granted in any case it does seem to me this should be one of them.

I call the attention of the chairman to the report on page 34:

H. R. 12232. Sarah E. Jackman, aged 73 years, whose post-office address is 1337 North Topeka Avenue, Wichita, Kans., is the widow of Robert C. Jackman, late a sergeant, Company G, Eighty-second Regiment Indiana Infantry, from August 12, 1862, to October 9, 1862, when discharged on a surgeon's certificate of disability. Soldier was pensioned at $17 per month, certificate No. 450331.

He and this claimant were married July 15, 1873, and were recognized as husband and wife to the date of his death, November 9, 1910. She has filed no claim for pension as his widow under the general law. She has no title under other existing laws.

Medical testimony filed in support of this bill indicates the claimant is in a practically helpless condition and unable to contribute to her own support, by reason of cancer of breast, almost total loss of vision of both eyes, general debility, and impairment of mental faculties, which is supplemented by the testimony of others indicating she is without adequate means of support. It is therefore recommended her name be placed on the pension roll at the rate of $25 per month.

Mr. KING. Is the Senator trying to secure an increase?

Mr. THOMPSON. I am not. I am trying to get an original pension for a very worthy soldier's widow. She has never had a pension. I am trying to restore the item stricken out by the Senate committee, but which was passed by the House. I simply desire the Senate not to concur in the amendment. The widow married the ex-soldier in 1873 and she was his wife until the time of his death. A great many women married old soldiers in the last few years of their lives and have enjoyed the benefit of a pension. Here is one who lived with her ex-soldier husband practically all his life after his return from the Army, and I trust the Senate will not concur in the amendment. While her husband served only 58 days, yet he was honorably discharged on account of physical disabilities received in the service, and his widow should certainly be entitled to a pension.

Mr. CURTIS. I should like to indorse what has been said by my colleague and I hope the Senate amendment will be rejected. This soldier served in the Union Army and was discharged for disability contracted in the line of duty and drew a pension under the old law. He established his claim in the Pension Bureau, and the record shows that he was discharged because of disability contracted in the line of duty. He drew a pension at $17 a month until he died. He married his present widow in 1873, and they lived together until he died. This woman is now helpless. She did not file a claim for pension in the department, because she could not establish the fact that her husband died as the result of disability contracted in the service, but the truth remains that he drew the pension for that disability contracted in the service, and the only reason he did not have longer service was the fact that he was wounded and discharged on a surgeon's certificate.

I do hope the chairman of the committee will permit the House provision to stay in the bill, and if the chairman does not consent I trust the Senate may disagree to the amendment of the committee.

Mr. WALSH. The only information I have about this is found in a brief statement about the case in the report on page 81:

H. R. 12232. Sarah E. Jackman (Rept., p. 34). Claimant's husband enlisted August 12, 1862, and after 59 days was discharged October 9, 1862, on account of phthisis pulmonalis, which may or may not have been of service origin. He was pensioned under the general law for chronic diarrhea and resulting piles. He died in November, 1910, some 48 years after his discharge, of disease of heart, aged 74 years and 8 months.

Claimant has never applied for pension under the general law, and there is no evidence to show that soldier's fatal disease resulted from the disabilities for which he was pensioned, or from the military service, in view of which and his very short service the committee feel compelled to report unfavorably in this case.

We felt that it would open the door to a large number of claims where the service was very brief, a policy that the committee does not feel that it ought to approve.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

On a division, the amendment was rejected.

The next amendment was, on page 16, after line 12, to strike out:

The name of Ambrose White, late of Company I, Third Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 4, to strike out:

The name of Craig M. Geiselman, late of Company B, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 19, to strike out:

The name of Kate Peck, widow of Alfred Peck, late of Company D, Fifty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 20, to strike out:

The name of Peter G. Wynegar, late of Company H, One hundred and thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 4, to strike out:

The name of James F. Scott, late of Company I, Fifty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, line 24, before the words "per month," to strike out "$25" and insert "$15," so as to make the clause read:

The name of Malinda J. Wilson, widow of Edward F. Wilson, late of Company A, Fourth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $15 per month.

The amendment was agreed to.

The next amendment was, on page 21, after line 4, to strike out:

The name of Martin McDermott, helpless and dependent child of Michael McDermott, late of Company I, One hundred and sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 21, after line 8, to strike out:

The name of Albert Ullman, late of Company K, One hundred and fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 16, to strike out:

The name of Nancy A. Lawther, widow of James T. Lawther, late of Company B, Ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, at the top of page 22, to strike out:

The name of Peter Wagener, late of Company I, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, line 10, before the words "per month," to strike out "$30" and insert "$24," so as to make the clause read:

The name of David A. Conner, late of Company F, Seventh Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, line 20, after the word "Nancy," to strike out "Robertson" and insert "Robinson," and in line 21, before the word "Robertson," to insert "Robinson, alias Mitchell E.," so as to make the clause read:

The name of Nancy Robinson, widow of Mitchell E. Robinson, alias Mitchell E. Robertson, late of Company B, Second Regiment North Carolina Volunteer Mounted Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 24, after line 12, to strike out:

The name of John A. Neff, late of Company G, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, after line 16, to strike out:

The name of George A. Hitchcock, late of Company A, Second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, after line 20, to strike out:

The name of Ann E. McGrew, widow of William T. McGrew, late of Company A, First Ohio Volunteer Light Artillery, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 26, after line 16, to strike out:

The name of Hamor H. Hanson, late of Company B, Eighty-first Regiment, and Company A, Fifty-eighth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, line 16, after the word "Infantry," to insert "and widow of Samuel Sides, late of Company H, One hundred and ninety-first Regiment Pennsylvania Volunteer Infantry," so as to make the clause read:

The name of Elizabeth Sides, former widow of Alexander Ruffaner, late of Company C, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and widow of Samuel Sides, late of Company H, One hundred and ninety-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 28, line 13, after the word "Infantry," to insert "and widow of Newton J. Perry, late of Company I, One hundredth Regiment Ohio Volunteer Infantry," so as to make the clause read:

The name of Charlotte Perry, former widow of Hiram S. Barber, late of Company I, Fifty-fifth Regiment Ohio Volunteer Infantry, and widow of Newton J. Perry, late of Company I, One hundredth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 28, after line 18, to strike out:

The name of Rhoda Button, widow of James Button, late of Company G, Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 28, line 24, before the words "per month," to strike out "$30" and insert "$20," so as to make the clause read:

The name of David Kimball, late of Company E, First Regiment Missouri Engineers of the West, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, line 1, after the word "Myra," to strike out the initial "S" and insert the initial "E," so as to make the clause read:

The name of Myra E. Stephen, former widow of John M. Stephen, late of Company H, Fiftieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 30, after line 21, to strike out:

The name of Elisha S. Perkins, late of Company B, Second Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, after line 8, to strike out:

The name of Major Buley, helpless and dependent child of William J. Buley, late of Company C, Twenty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 31, after line 12, to strike out:

The name of Mary Jedowin, widow of Theophilus Jedowin, jr., late of Battery C, First Regiment Vermont Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 31, after line 16, to strike out:

The name of Thomas F. Duffy, late of Company B, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 32, after line 16, to strike out:

The name of Daniel H. Woodruff, late of Company D, Twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 33, after line 12, to strike out:

The name of Emelia Branner, widow of John S. Branner, late of the Topeka Battery, Second Kansas State Militia, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

Mr. CURTIS. I hope the Senate committee amendment will not be agreed to in this case.

I knew Mr. Branner all my life. He was a member of what was known as the Topeka Battery, which took part in the Battle of the Blue. There were 21 men in that battery who, stationed in a little patch of woods, held off a regiment for over four hours, and when at last the regiment got into the woods they found that every member of the Topeka Battery was either killed or wounded.

Mr. Branner was a State militiaman. The pension laws which applied to the State militia expired in 1875. After July 1, 1875, no soldiers or the widows of soldiers of the State militia could obtain a pension. This man applied immediately after the war and drew a pension all his life. In the battle he was wounded in the arm and side. It was reported around Topeka that in the same battle he received an injury to his head, and ever afterwards he walked with his head to one side.

He died after 1875. The widow had no pensionable status in the Pension Office. Congress gave the widow a pensionable status in 1914 on the same basis as if she had applied before 1875 and granted her a pension of $12 a month. If she had applied for a pension before 1875 and it had been granted her, she would now be drawing $25 a month. I know that the widows of men who were killed or wounded in that battle who applied for pension prior to 1875 are now drawing $25 a month.

This soldier married the widow in 1870. They lived together and reared a large family. His widow is now dependent upon the $12 a month that she receives, and I submit to the Senate that if she had applied for a pension under the law prior to 1875 she would now be drawing $25 a month. It is only fair to put her in the same status as are other widows who did apply for pensions before 1875.

I know this man only had 16 days' service, but that one Battle of the Blue was a battle that is known all over the West, and is a historic battle of the Civil War. I submit that this gallant little group of 21 men, who stood off a great regiment for four hours, are entitled to the recognition that they would have had had they served in the Regular Army. I hope the Senate will disagree to this amendment, and I hope they will allow this old woman a pension of $25 per month.

Mr. WALSH. Mr. President, in view of the very distinguished service rendered by the husband of the beneficiary of this item in the bill, and notwithstanding his brief service, I do not myself want to offer any objection to disagreeing to the amendment.

The PRESIDING OFFICER. Without objection, the amendment will be disagreed to. The Chair hears no objection, and the amendment is disagreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Pensions was, on page 33, after lines 16, to strike out:

The name of William O. Fraser, late of Company B, One hundred and forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 33, after line 20, to strike out:

The name of Matthew M. Eshelman, late of Company F, One hundred and forty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 34, after line 16, to strike out:

The name of George Walton, late of Company A, Sixth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 35, after line 16, to strike out:

The name of Walter R. D. Vaughan, late of Company K, Eleventh Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 36, line 7, before the words "per month," to strike out "$50" and insert "$40," so as to make the clause read:

The name of John E. Beatty, late of Company D, Sixty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 36, after line 12, to strike out:

The name of Wilson B. George, late of Company L, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 36, line 23, before the words "per month," to strike out "$50" and insert "$40," so as to make the clause read:

The name of John M Dixon, late of Company K, Twelfth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

REFUND OF IMPORT DUTIES.

Mr. WARREN. While I was absent from the Chamber a short bill was passed over on the objection of one Senator, who now has no objection to its consideration. I allude to the bill (S. 2496) for the refund of duties paid on material destroyed by fire. I ask unanimous consent that the Senate now may recur to that bill.

The PRESIDING OFFICER. The Senator from Wyoming asks unanimous consent to recur to the bill named by him.

Mr. WALSH. What is the bill?

Mr. WARREN. It is a very brief bill, and I think it will not take up any time. If there is any discussion of it, I shall not insist on its consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2496) for the refund of duties on materials destroyed by fire.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COMMISSION TO PORTO RICO.

The joint resolution (S. J. Res. 211) authorizing the appointment and sending of a commission to Porto Rico to study its industrial and economic conditions, and for other purposes, was considered as in Committee of the Whole.

The joint resolution was reported from the Committee on Pacific Islands and Porto Rico with an amendment in section 1, page 1, line 4, after the word "than," to strike out the word "three" and insert "five"; in the same line, after the word "members," to insert "of whom one shall be a native and resident of Porto Rico"; and in line 6, after the words "be to," to strike out "proceed to" and insert "meet in," so as to make the section read:

That the President be, and he hereby is, authorized to appoint a commission of not more than five members, of whom one shall be a native and resident of Porto Rico, whose duty it shall be to meet in Porto Rico and to study, and make report to the President upon, the industrial and economic conditions of said island; and said commission shall have authority to appoint a secretary.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I shall not object to the consideration of the joint resolution if the Senator from Delaware desires it considered, but I can not see why a resolution of this kind ought to be passed.

Mr. SAULSBURY. Mr. President, I can explain this joint resolution very briefly.

The conditions in Porto Rico in many respects are now very much more serious than they ever have been. The Senator from Utah is doubtless aware that the population of Porto Rico is a very dense one; I think something like 625 per square mile. The population there is much more dense than is the population in this country. They have had recently down there very serious earthquakes, and they have had a severe epidemic of the influenza. The problems of social life and of education in Porto Rico are very grave ones to be met by this Government.

This joint resolution was brought to the attention of the Porto Rican and Pacific Islands Committee by the Insular Bureau. The proposal was to have three Americans sent to Porto Rico to examine conditions there and to report as to the amelioration of the conditions which have prevailed there for a long time, due to the causes to which I have referred. The committee, at the suggestion of the Delegate from Porto Rico, on a hearing and consideration, increased that commission to five members, providing that one member should be a native and resident of Porto Rico, so that certainly the Porto Ricans would have a voice in the investigations that went on.

There will be very little expense incurred, I am told, by Gen. Walcutt, who is the chief of the Insular Bureau, that he hopes it will not be more than a few hundred dollars. He is very anxious to get some information which it is almost impossible to get at this distance without special persons being sent down there. The appropriation for this year is limited to $7,500 and the individual payments to the commissioners and the secretary to $10 per day. It seems that it would be a very good thing to furnish the Bureau of Insular Affairs with this information, and after talking with the Chief of the Bureau of Insular Affairs, whom I know very well, I think this would be a very good joint resolution to pass.

Mr. SHAFROTH. Mr. President, I should like to say a word with relation to this matter, for I was the chairman of the Porto Rican and Pacific Islands Committee for a number of years.

I know there is considerable discontent over certain matters in Porto Rico, and I feel satisfied that if a commission could be appointed by the proper authority it would do much to improve existing conditions. The Porto Ricans were very enthusiastic over the organic act which was passed in the preceding Congress. This is not a matter of salaries; it is a matter merely of a few dollars to be expended for the purpose of ascertaining the condition of the people in Porto Rico and seeing whether legislation would remedy conditions. It seems to me the joint resolution should be passed.

Mr. SMOOT. I am not going to discuss this question at all; but as this joint resolution can not pass the House at this session, I will object to its consideration.

The PRESIDING OFFICER. The joint resolution goes over.

BILLS PASSED OVER.

The bill (S. 4968) to provide for the creation and establishment of a Federal Commission on Reconstruction, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill goes over.

The concurrent resolution (S. Con. Res. 25) to provide for the appointment of certain joint congressional committees on reconstruction, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The resolution goes over.

DISPOSITION OF INTOXICATING LIQUORS.

The bill (H. R. 10851) to provide a method for disposing of intoxicating liquors now or hereafter in the possession of United States court officials was announced as next in order.

Mr. KING. Mr. President, that bill was sent to the Senate by the Attorney General, who says that the condition is such as to demand the passage of the bill immediately. In the prosecution of a number of liquor cases a considerable quantity of liquor is now held, though the cases are ended. There is no method of disposing of such liquor. This bill is to make provision for the disposition of intoxicating liquors which may be held by the courts as the result of prosecutions. The passage of the bill is needed, and I sincerely hope no objection will be made to its consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, in section 4, page 2, line 23, after the word "uses," to insert "or to order the same sold for such purposes, the proceeds to be covered into the Treasury of the United States to the credit of miscellaneous receipts," so as to make the section read:

SEC. 4. That in all cases in which intoxicating liquors may be subject to be destroyed under the provisions of this act the court shall have jurisdiction upon the application of the United States attorney to order them delivered to any department or agency of the United States Government for medicinal, mechanical, or scientific uses, or to order the same sold for such purposes, the proceeds to be covered into the Treasury of the United States to the credit of miscellaneous receipts.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CORRUPT TRADE PRACTICES.

Mr. WALSH. Mr. President, when Order of Business 586 was reached objection was made to its consideration. It is the bill (S. 4603) to protect interstate and foreign commerce against bribery and other corrupt trade practices. I can not believe that there will be any opposition whatever to the bill. It is a law that is much needed.

Mr. OWEN. I withdraw my objection. I merely made the objection to save time.

Mr. WALSH. I ask unanimous consent that we recur to that bill.

The PRESIDING OFFICER. The Senator from Montana asks unanimous consent to recur to the bill named by him. Is there objection?

Mr. SMOOT. I reserve the right to object to the bill until I see what it is. I ask that the bill be read.

The PRESIDING OFFICER. Without objection the Senate will recur to the bill. The Chair hears no objection. The Secretary will read the bill.

Mr. HARDING. I should like to have this bill go over.

Mr. SMOOT. This is a very important bill——

The PRESIDING OFFICER. Objection to its consideration has been made, the Chair will say to the Senator from Utah, and the bill therefore goes over.

REIMBURSEMENT OF FIRE LOSSES IN HAWAII.

The bill (S. 1765) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900, was considered as in Committee of the Whole. It proposes to appropriate $85,975 to pay to the Trans-Atlantic Fire Insurance Co., $9,500; Prussian National Fire Insurance Co., $2,850; North German Fire Insurance Co., $8,000; Hamburg-Bremen Fire Insurance Co., $10,450; Royal Insurance Co., $25,100; Liverpool and London and Globe Insurance Co., $6,900; New Zealand Insurance Co., $6,025; Fireman's Fund Insurance Co., $9,250; National Fire Insurance Co., of Hartford, Conn., $4,150; Caledonian Insurance Co., of Edinburgh, Scotland, $750; North British Mercantile Insurance Co., $3,000; the sums mentioned being the amounts paid by each of the companies on account of insurance against fire on property in the Territory of Hawaii, which property was destroyed by the Government in the suppression of the bubonic plague in that Territory in the years 1899 and 1900.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. W. E. CRAWFORD.

The bill (H. R. 2012) for the relief of Mrs. W. E. Crawford was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Mrs. W. E. Crawford $140.40 in full compensation for services rendered as auxiliary carrier of mails at Decatur, Ala., from March 28, 1914, to June 28, 1914.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH B. EDDY.

The bill (S. 4864) to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy was announced as next in order.

Mr. KING. I reserve the right to object to that bill. I should like to hear some explanation of it.

Mr. GRONNA. I observe that it was reported by the Senator from Indiana [Mr. NEW]. I am a member of the Claims Committee, but I did not have an opportunity to attend when this bill was considered. I hope the Senator will not object to the bill, but let it go over without prejudice.

Mr. KING. Very well. I ask that it be temporarily laid aside.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER.

The bill (S. 4263) for the relief of Capt. Frederick B. Shaw was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 5019) for the construction of a memorial archway at Vicksburg, Miss., and for other purposes, was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 5334) to correct the military record of Jesse E. Smalley was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

PROCEEDINGS OF AMERICAN MERCHANT MARINE CONFERENCE.

The resolution (S. Res. 452) to print the manuscript entitled "Proceedings of the conference on the American merchant marine" as a Senate document was announced as next in order.

Mr. SMOOT. I object to that resolution.

Mr. RANSDELL. I hope the Senator will allow me to make a very brief explanation before he objects. The conference referred to in this resolution was a very important conference held in this city and addressed by two Senators, two Representatives, and a number of men who are specialists in the matter of the mercantile marine. As everyone knows, we are trying to develop our merchant marine and are spending a great deal of money on it. These proceedings will furnish valuable information for the country, and I hope there will be no objection.

Mr. SMOOT. There are various important conventions being held in all parts of the United States nearly every day in the year, and if we begin to print proceedings of conventions we will never hear and will never reach the end.

Mr. RANSDELL. We have printed a great many such documents. This manuscript is very brief and the document will be very valuable. As I have said, the conference was addressed by two Members of the Senate and two Members of the House, who made important contributions to the discussion.

Mr. SMOOT. There will be no objection if it is merely desired to have the addresses of the Senators or Representatives placed in the RECORD or made a public document, but if we print the proceedings of a convention of this sort we will be called on to print the proceedings of thousands of other organizations.

Mr. RANSDELL. I will say that this is a technical matter. Addresses were made by such men as Mr. Homer Ferguson, president of the Newport News Shipbuilding Co. and a trained specialist on this subject. That kind of information can not be obtained every day. He does not go to conventions ordinarily. Members of the Shipping Board also addressed the convention. They went there and discussed a technical subject and treated

it very ably. This is not an expensive matter, and it certainly would be very beneficial. It is of no benefit to me, I will say, but it will benefit the country, and so I hope the Senator will not insist on his objection.

Mr. SMOOT. It is not the amount of expense that will be entailed that causes me to object so much as it is the practice of printing proceedings of conventions which may be held in all parts of the country.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. I object.

The PRESIDING OFFICER. Objection is made.

RESOLUTION PASSED OVER.

The resolution (S Res. 444) expressing the opinion of the Senate relative to the withdrawal of United States soldiers from Russia was announced as next in order.

Mr. NELSON. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

RIGHTS OF WAY THROUGH PUBLIC LANDS.

Mr. BORAH. Mr. President, when Calendar No. 627 was called, the Senator from Wisconsin [Mr. LENROOT] objected to its consideration. I have since conferred with that Senator in regard to that bill, and I now ask unanimous consent to recur to it and to have it considered.

The PRESIDING OFFICER. The Senator from Idaho asks unanimous consent to recur to Calendar No. 627, being House bill 7236. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7236) to amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898.

Mr. BORAH. I move to amend the bill on page 2, line 6, after the word "contained," by inserting the words "the Secretary of the Interior"; and, in the same line, by striking out the words "there is hereby granted" and inserting the words "is authorized to grant permits or easements not to exceed 5 acres of ground."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, line 6, after the word "contained," it is proposed to insert the words "the Secretary of the Interior"; on the same line, before the word "not," to strike out "there is hereby granted" and insert the word "is authorized to grant permits or easements for not to exceed 5 acres of ground," so as to make the bill read:

Be it enacted, etc., That in addition to the rights of way granted by sections 18, 19, 20, and 21 of the act of Congress entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1892 (26 Stat., p. 1095), as amended by the act of Congress entitled "An act to amend the irrigation act of March 3, 1891 (26 Stat., p. 1095, sec. 18), and to amend section 2 of the act of May 11, 1898 (30 Stat., p. 404)," approved March 4, 1917 (39 Stat., p. 1197), and, subject to the conditions and restrictions therein contained, the Secretary of the Interior is authorized to grant permits or easements for not to exceed 5 acres of ground adjoining the right of way at each of the locations, to be determined by the Secretary of the Interior, to be used for the erection thereon of dwellings or other buildings for the convenience of those engaged in the care and management of the works provided for by said acts.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill read a third time.

The bill was read the third time and passed.

J. C. GARRETT.

The bill (S. 4949) for the relief of J. C. Garrett was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment in line 6, after the word "of," to strike out "Infantry" and insert "Cavalry," and on the same line, after the word "of" where it occurs the second time, to strike out "Infantry" and insert "Cavalry," so as to make the bill read:

Be it enacted, etc., That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, J. C. Garrett, formerly a captain of Cavalry, a captain of Cavalry to take rank as if he had remained continuously in the service.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 2, line 21, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Axel O. Olson, late of Company A, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 16, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of William A. Martin, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 1, after the words "per month," to strike out "*Provided*, That no part of this pension shall be withheld or retained to reimburse the Government on account of any alleged erroneous payments in connection with any former pension allowed this soldier" and insert "the same to be paid him without deduction or rebate on account of former alleged erroneous payments of pension."

The amendment was agreed to.

The next amendment was, on page 5, line 1, before the words "per month," to strike out "$12" and insert "$17," so as to make the clause read:

The name of Charles W. Sasser, late of Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 7, line 18, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Henry Braunagel, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, after line 18, to strike out:

The name of Leonard J. Ripple, late of Troop L, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 8, line 7, after the words "Elizabeth Hogan," to strike out "who served as a nurse during the War with Spain with the Medical Corps" and insert "late nurse, Medical Department," and in line 9, after the word "Army," to insert "War with Spain," so as to make the clause read:

The name of Elizabeth Hogan, late nurse, Medical Department, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 22, to strike out:

The name of Mary D. Jenness, dependent mother of Herbert T. Jenness, late of Company B, Fifth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to strike out:

The name of Frank W. Godsey, late of Company L, Third Regiment Texas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 9, line 21, before the words "per month," to strike out "$24" and insert "$12," so as to make the clause read:

The name of Ward Houchin, late of Company B, Third Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 2, to strike out:

The name of Julius Scheuer, late of Company F, Third Regiment Georgia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 11, after line 16, to strike out:

The name of John J. McGinley, late of Company M, One hundred and sixtieth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, line 9, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Burton Erwin, late of Companies G and K, Fourth Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, line 24, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of William Wilson, late of Troop B, Seventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 13, to strike out:

The name of Emma R. Steen, dependent mother of Dell A. Steen, late of Company D, First Regiment Missouri Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 17, to strike out:

The name of Thomas W. Trent, late of Company G, Second Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 16, line 7, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of James P. Curtis, late of Company I, Thirty-fourth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 16, line 16, after the words "name of," to strike out "Ambrose" and insert "Ambroce," so as to make the clause read:

The name of Ambroce C. Waldsmith, late of Company L, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, line 18, after the words "per month," to strike out "*Provided*, That no part of this pension shall be withheld for the purpose of reimbursing the Government on account of any alleged erroneous payments which may have been made in connection with any former pension allowed the said Earl W. Newlon" and insert "the same to be paid him without deduction or rebate on account of former alleged erroneous payments of pension," so as to make the clause read:

The name of Earl W. Newlon, late of Company H, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month, the same to be paid him without deduction or rebate on account of former alleged erroneous payments of pension.

The amendment was agreed to.

The next amendment was, on page 18, after line 10, to strike out:

The name of John J. Burke, late of Troop D, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 18, after line 16, to strike out:

The name of John Felzen, late of Company F, Thirty-seventh Regiment, United States Infantry, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 20, to strike out:

The name of Jean N. Roach, widow of Ernest S. Roach, late first Lieutenant Company A, First Regiment Oklahoma Militia Infantry, National Guard, Mexican border service, and pay her a pension at the rate of $17 per month, and $2 per month additional on account of each of the two minor children of the said Ernest S. Roach until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 19, line 15, after the word "late," to strike out "of"; in line 16, after the word "Unassigned," to strike out "Regiment"; and, in the same line, after the word "Corps," to insert "United States Army," so as to make the clause read:

The name of Pleasy J. Graham, late Unassigned Coast Artillery Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 22, line 5, before the words "per month," to strike out "$36" and insert "$30," so as to make the clause read:

The name of Louis Sherard, late of Company G, Third Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 22, after line 6, to strike out:

The name of Hannah J. Clark, widow of William H. Clark, late of Troop E, Fifth Regiment United States Cavalry, Indian Wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, after line 23, to strike out:

The name of Peter Beebe, late of Company F, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 25, line 17, after the word "Freda," to strike out "Buron" and insert "Burow," and, in line 18, after the initial "M.," to strike out "Buron" and insert "Burow," so as to make the clause read:

The name of Freda Burow, widow of William M. Burow, late of Company I, Sixteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 11, to strike out:

The name of Baxter Hogan, late of Company F, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 15, to strike out:

The name of Jacob Johnson, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 28, to insert:

The name of Fred E. Savage, late of Company G, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 28, after line 7, to strike out:

The name of Herman Lazarus, late of Company G, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 29, to strike out:

The name of William Mendenhall, late of Company E, Thirty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 29, line 14, before the words "per month," to strike out "$24" and insert "$12," so as to make the clause read:

The name of Charles Desmond, late of Company B, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 29, after line 20, to strike out:

The name of Maria Kuehn, widow of Charles Kuehn, late of Company C, Fourth Regiment United States Infantry, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, line 21, after the words "late of," to strike out "casualty detachment and," so as to make the clause read:

The name of William Anderson, late of Troop F, Eleventh Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, at the top of page 31, to strike out:

The name of William Mendenhall, late of Company E, Thirty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ARUNDEL SAND & GRAVEL CO.

The bill (S. 4526) for the relief of the Arundel Sand & Gravel Co. was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims, with amendments, on page 2, line 5, before the word "shall," to insert

the word "as"; in the same line, after the word "against," to insert "or in favor of"; and in line 6, after the words "and in favor of" to insert "or against," so as to make the bill read:

Be it enacted, etc., That the claim of the Arundel Sand & Gravel Co., a corporation organized and existing under the laws of the State of Delaware and doing business in the city of Norfolk, Va., owner of the steam tug *A. G. Bigelow*, against the United States for damages alleged to have been caused by collision between the said tug and the U. S. S. *Susquehanna* in Norfolk Harbor on the 26th day of November, 1917, may be sued for by the said Arundel Sand & Gravel Co. in the District Court of the United States for the eastern district of Virginia, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against or in favor of the United States in favor of or against the Arundel Sand & Gravel Co. upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

Mr. PENROSE. Mr. President, I do not want to take up any unnecessary time by having all of these bills read; but it is quite unsatisfactory to have the amendments to some of them read by the Secretary, without any notion of what is in the bill. In the case of this particular bill—which I have not the slightest doubt is most meritorious, coming as it does from the author—I should just like to have the bill read.

Mr. SWANSON. It is simply a bill where there was a collision between a Government boat and another one; and it is to let the court decide whether the Government or the individual is responsible, and ought to pay damages.

Mr. PENROSE. That seems reasonable. I did not want to oppose the bill. I am glad to have the Senator's explanation of it.

The PRESIDING OFFICER (Mr. KING in the chair). The question is on agreeing to the amendments of the committee.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROLAND S. ROBBINS.

The bill (S. 5371) for the relief of Roland S. Robbins was considered as in Committee of the Whole. It authorizes and directs the Postmaster General to cause the account of Merritt O. Chance, postmaster at Washington, D. C., to be credited with the sum of $336, and that he cause said credit to be certified to the Auditor of the Treasury for the Post Office Department, being on account of value of 80 war-savings stamps, belonging to the United States Government, which were stolen or otherwise disappeared from the custody of Roland S. Robbins on the 14th day of September, 1918, during the war-savings stamps drive at Keith's Theater, Mr. Robbins being held personally liable for the amount represented, although in possession of them only for the purpose of selling them to the patrons of Keith's Theater and otherwise, and himself receiving no pecuniary or other material benefit from such disposal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 5493) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation, was announced as next in order.

Mr. PENROSE. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

LANDS IN ARKANSAS.

The bill (S. 4745) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark., was considered as in Committee of the Whole.

The Secretary proceeded to read the bill.

Mr. WALSH. Mr. President, I ask unanimous consent that the further reading of the bill be dispensed with.

The PRESIDING OFFICER. Is there any objection to the request of the Senator from Montana? The Chair hears none.

The bill is as follows:

Whereas in the Government survey made in February, 1846, and approved December 23, 1846, an area in sections 19, 20, 29, and 30, in township 11 north, range 10 east, in Mississippi County, Ark., containing 602.45 acres, was meandered as a lake, and designated as a lake on the official plat of the survey, which area is known locally as Round Lake; and

Whereas many years ago the riparian proprietors in good faith, believing themselves to be the owners of said area, drained and reclaimed the same by the construction of ditches and canals and cleared every acre of said land, and the same is now in a high state of cultivation; and

Whereas the said claimants are entitled to some equity by reason of such labor, expenses, and improvements, and the great value which they have added to the land: Now, therefore,

Be it enacted, etc., That the Government survey of township 11 north, range 10 east, Mississippi County, Ark., approved December 23, 1846, be, and the same is hereby, confirmed.

SEC. 2. That, under rules and regulations to be prescribed by the Secretary of the Interior, all persons who, at the date of the passage of this act, are in the actual possession of the area in sections 19, 20, 29, and 30 of said township and range, meandered and platted as a lake, and known locally as Round Lake, and who have cleared and are now cultivating said land, and who are the owners of the improvements thereon, shall have a preferred right at any time within one year from the passage of this act to purchase said lands from the Government at the rate of $12.25 per acre: *Provided*, That nothing in this act shall be so construed as to grant to any person a title to any part of said land which is shown to be within the limits of land previously surveyed and disposed of by the Government.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

BILL PASSED OVER.

The bill (S. 5492) granting to certain claimants a preference right to purchase certain public lands in the State of Arkansas was announced as next in order.

Mr. WALSH. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

BUFFALO RIVER ZINC MINING CO.

The bill (S. 2024) for the relief of the Buffalo River Zinc Mining Co. was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay, out of any moneys in the Treasury not otherwise appropriated, to the Buffalo River Zinc Mining Co., a corporation of St. Louis, Mo., the sum of $4,200, being the amount of money paid by the said company to the United States of America, on or about the 21st day of July, 1904, as the purchase price of certain public lands in Searcy County, Ark., the patents to which have since been canceled at the suit of the United States of America and the said lands having been restored to the public domain; provided, that the Secretary of the Interior shall first make an investigation of all the facts concerning said claim, and shall be satisfied of its justness and of the good faith of the said company and its officers, and that the acts of the agent of the company by reason of which the said patents were canceled were done wholly without the knowledge or consent of said company or any of its officers, and shall certify these facts to the Secretary of the Treasury; the expense, however, of said investigation, if any, shall be deducted from the amount found to be due said company.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY P. GRANT.

The bill (S. 1486) for the relief of Henry P. Grant, of Phillips County, Ark., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims, with an amendment in line 5, after the words "sum of," to strike out "$7,598.24" and to insert "$7,574.24," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $7,574.24 to Henry P. Grant, formerly postmaster of Helena, Ark., said sum being the amount he voluntarily paid into the Treasury to make good the shortage of the assistant postmaster, William B. Lindsey, who was duly tried and convicted of said crime and punished by imprisonment in the penitentiary for a term of four years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS OF ARMY OFFICERS.

The bill (S. 5593) for the relief of certain officers in the Army of the United States, and for other purposes, was considered as in Committee of the Whole.

The Secretary proceeded to read the bill.

Mr. ROBINSON. Mr. President, I ask unanimous consent to make a brief statement touching this bill. I think it will conserve the time of the Senate.

The bill relates to a number of claims which have been audited by the War Department. It was sent to me, as the chairman of the Committee on Claims, with the request that it be presented to the Senate. It consists of a large number of claims, most of them being very small. Every year a number of

claims of this class arise; and, as may be stated by the former chairman of the Committee on Claims, the Senator from Wyoming [Mr. WARREN], it is exceedingly desirable that this bill should pass. It is quite a long bill; and I am going to ask unanimous consent to dispense with the reading of the bill, and to offer some amendments which have been sent to me by the War Department since the bill was reported by the committee. The amendments are necessary corrections in amounts, or are mere verbal amendments. I make that request for unanimous consent, and I hope Senators will agree to it.

Mr. SMOOT. Mr. President, why not allow the bill to be read, and then offer the amendments?

Mr. ROBINSON. I am asking that the reading of the bill be dispensed with. There is no practical necessity for the reading of the bill. It contains a large number of accounts. Most of them are small, and the Senate would simply consume a considerable amount of time by having the bill read. Of course, I realize that any Senator can insist upon the reading of the bill; but when we consider the nature of the claims, I am sure the Senator from Wyoming will agree with me.

Mr. WARREN. Mr. President——

Mr. ROBINSON. I yield to the Senator from Wyoming.

Mr. WARREN. As I understand, they are all estimates of the department, moneys due; and the War Department has asked us to relieve the officers, whoever they are, and pay them.

Mr. ROBINSON. That is true.

Mr. WARREN. As the Senator says, they are small amounts, running sometimes from $1 to $15 or $18, or something like that.

Mr. ROBINSON. Yes. There are, however, a few larger claims, amounting to more than $1,500. There are only a few of those.

Mr. GRONNA. Mr. President——

Mr. ROBINSON. I yield to the Senator from North Dakota.

Mr. GRONNA. I rose simply for the purpose of asking for the total amount. I do not insist upon having the bill read. I would rather have the statement of the Senator from Arkansas.

Mr. ROBINSON. The total amount is about $11,500, or a little less.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and the formal reading of the bill will be dispensed with.

Mr. ROBINSON. I send to the desk a series of amendments and ask to have them stated.

Mr. SMOOT. I will ask the Senator if the amendments that he proposes are of a like character to the items that are in the bill?

Mr. ROBINSON. They are. There are two classes. Most of them are mere verbal amendments that are apparent upon reading the bill. Two of them, however, relate to the amount. They are mere typographical errors, made in the War Department before the bill was sent in.

The PRESIDING OFFICER. Without objection, the request of the Senator from Arkansas is granted. The Secretary will state the amendments.

The SECRETARY. On page 10, line 19, strike out "$1,635.46" and insert in lieu thereof "$1,636.46."

The amendment was agreed to.

The SECRETARY. On page 17, line 5, strike out "$80.80" and insert in lieu thereof "$86.80."

The amendment was agreed to.

The SECRETARY. On page 21, line 10, after the word "hundred," strike out "and" and insert "to."

The amendment was agreed to.

The SECRETARY. On page 24, lines 12 and 13, strike out the words "out of any money in the Treasury not otherwise appropriated."

The amendment was agreed to.

The SECRETARY. On page 24, lines 20 and 21, strike out the words "out of any money in the Treasury not otherwise appropriated."

The amendment was agreed to.

The SECRETARY. On page 11, line 15, after the words "directed to," strike out "all" and insert in lieu thereof the word "allow."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES W. CROSS.

The bill (S. 2497) for the relief of James W. Cross was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "$660" and insert "$92," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James W. Cross, $92, as full compensation to said James W. Cross for personal injuries received as a result of an accident October 26, 1914, without negligence on his part, while he was engaged in the performance of his duties as a laborer at the State, War, and Navy Department Building.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS FOR ARREARS OF PAY.

The bill (S. 4139) repealing certain provisions contained in the urgent deficiency act approved December 22, 1911, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 2, line 12, to strike out the words "under the provisions of this act" and to insert "for pay, bounty, or other allowances," so as to make the bill read:

Be it enacted, etc., That the following provisions contained in the urgent deficiency act approved December 22, 1911, to wit: "No claim for arrears of pay, bounty, or other allowances growing out of the service of volunteers who served in the Army of the United States during the Civil War shall be received or considered by the accounting officers of the Treasury unless filed in the office of the Auditor for the War Department on or before December 31, 1912;" "No claim for arrears of pay, bounty, or other allowances growing out of the service of volunteers who served in the Army of the United States during the War with Spain shall be received or considered by the accounting officers of the Treasury unless filed in the office of the Auditor for the War Department on or before December 31, 1914," relating to claims for arrears of pay, bounty, or other allowances growing out of the Civil War and the War with Spain, are hereby repealed.

SEC. 2. That hereafter no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim for pay, bounty, or other allowances shall, directly or indirectly, contract for, demand, or receive for such services in preparing, presenting, or prosecuting such claim a sum greater than 20 per cent of the amount allowed by the accounting officers of the Treasury Department, which sum shall be payable only on the order of the said accounting officers; and any person who shall violate any of the provisions of this section, or shall demand, collect, or receive from the claimant the whole or any part of a claim allowed such claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding $500.

SEC. 3. That all acts or parts of acts inconsistent with this act are hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PERRY'S VICTORY MEMORIAL.

The bill (H. R. 13482) creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes, was considered as in Committee of the Whole.

The Secretary proceeded to read the bill.

Mr. WALSH. I ask unanimous consent that the further reading of the recitals of the preamble be dispensed with.

The PRESIDING OFFICER. Is there any objection to the request of the Senator from Montana? The Chair hears none, and the recitals will be omitted.

The Secretary read the portion of the bill following the preamble. The bill is as follows:

Whereas there has been erected by the Perry's Victory Centennial Commission, composed of members appointed pursuant to law, a great memorial monument on Put in Bay Island, Lake Erie, Ohio, at a cost of approximately $1,000,000, perpetually memorializing the victory of Commodore Oliver Hazard Perry in the Battle of Lake Erie, and Gen. William Henry Harrison's northwestern campaign in the War of 1812, and commemorating the century of peace which has ensued between Great Britain and the United States since the termination of that conflict by the signing of the treaty of Ghent; and

Whereas the Federal Government and the States of Ohio, Pennsylvania, Michigan, Illinois, Wisconsin, New York, Rhode Island, Kentucky, and Massachusetts have severally contributed to the payment of such cost; and

Whereas the legal title to the land constituting the site whereon said memorial has been erected is vested in the United States solely, in perpetual trust, for the use, occupancy, and enjoyment of said memorial and other memorial public uses and purposes not inconsistent with said memorial; and

Whereas said memorial is now self-sustaining and will so continue as to the maintenance thereof, if due provision is made for its care and protection: Therefore

Be it enacted, etc., That a Perry's Victory Memorial Commission is hereby created, consisting of Nelson A. Miles, Charles H. Davis, and J. Warren Keifer, commissioners of the United States; George H. Worthington, Webster P. Huntington, S. M. Johannsen, Eli Winkler, and Horace Holbrook, commissioners from the State of Ohio; A. E. Sisson, Milton W. Shreve, Edwin H. Vare, T. C. Jones, and George W. Neff, commissioners from the State of Pennsylvania; Arthur P. Loomis, John C. Lodge, Roy S. Barnhart, and E. K. Warren, commissioners from the State of Michigan; William H. Thompson, Chesley R. Perry, James Pugh, Richard S. Folsom, Nelson W. Lampert, Adam Weckler, William Porter Adams, Willis J. Wells, W. H. McIntosh, and H. S. Beckemeyer, commissioners from the State of Illinois; Frederick M. Symonds, John M. Whitehead, A. W. Sanborn, C. B. Perry, S. W. Randolph, Louis Bohmrich, and Sol P. Huntington, commissioners from the State of

Wisconsin; William J. Conners, George D. Emerson, John F. Malone, Edward D. Jackson, Simon L. Adler, Martin H. Glynn, William F. Rafferty, William L. Ormrod, Charles H. Wiltsie, and Jacob Shifferdecker, commissioners from the State of New York; John P. Sanborn, Louis N. Arnold, Sumner Mowry, Henry Davis, and Harry Cutler, commissioners from the State of Rhode Island; and Henry Watterson, Andrew Cowan, Samuel M. Wilson, R. W. Nelson, and Mackenzie R. Todd, commissioners from the State of Kentucky, who shall serve without compensation save necessary expenses.

As vacancies occur in the commission on the part of the several States, they shall remain unfilled until only three commissioners from each State remain; thereafter the commissioners from each State shall be three.

When a vacancy shall occur in the commission on the part of the United States it shall be filled by the President of the United States, and when such vacancy shall occur on the part of any State, the same shall be filled by the President of the United States on the recommendation of the governor of such State.

SEC. 2. That said commission, upon the said memorial and the site thereof being turned over to it, shall forthwith have full possession and control thereof with power to maintain, improve, protect, and preserve the same from injury thereto so far as its revenues will permit, and with power to appoint all necessary officers, agents, and employees, and to fix their compensation; also to have such other powers as may be necessary to accomplish the purposes and objects and to fulfill the duties of the commission. It shall not contract any debt or obligation payable otherwise than from the net revenues derived from its operation and management of said site and memorial, or that may be derived by it from other sources.

SEC. 3. That the title to said memorial and site hitherto conveyed to the United States by the State of Ohio is hereby accepted by the United States for the uses, purposes, and trusts therein and by this act provided.

SEC. 4. That the said commission is authorized and empowered to receive donations and bequests, to improve said site, and to erect thereon, when sufficient funds are available for such purposes, other structures of a general public character, but the same shall harmonize with the memorial, and such structures when erected shall become subject wholly to said commission, and the title to the same shall vest as does the title to said site and memorial and be subject to the same uses, possession, trust, control, and management.

SEC. 5. That said commission, through its president and treasurer, shall make, in writing, a report to the Secretary of the Interior of the United States on the first Monday in December of each year, in which shall be stated the condition of the said site and memorial as to preservation, and all receipts and disbursements of money pertaining thereto.

SEC. 6. That the officers of the commission shall be a president, vice president, secretary and treasurer, and such other officers, agents, and employees as it may deem necessary.

The commission shall have power to adopt rules and by-laws for its government and to provide the methods of voting and the number of votes each State having more than three commissioners shall cast at its meeting.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. The preamble will stand unless there is objection.

Mr. POMERENE. Mr. President, I have before me a short report on this bill, prepared by Judge SLAYDEN, of the House Committee on the Library. I ask that it may be incorporated in the RECORD for the information of the Senate.

The PRESIDING OFFICER. Without objection, the request of the Senator from Ohio is granted.

The report is as follows:

Mr. SLAYDEN, from the Committee on the Library, submitted the following report (to accompany H. R. 13482):

The Committee on the Library, having considered H. R. 13482, "A bill creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes," respectfully refer the bill back to the House of Representatives with the recommendation that it do pass.

A former Speaker, Gen. J. Warren Keifer, accompanied by Messrs. W. P. Huntington, of Ohio; A. E. Sisson, of Pennsylvania; and Simon L. Adler, of New York, appeared before the committee to explain the purposes of the bill.

From the statements of Gen. Keifer and the three gentlemen who were with him the following summary of facts is made and submitted for consideration by the House:

The monument is not only a tribute to the Perry victory but a memorial of the century-old peace between Great Britain and the United States and the treaty by which all armed forces were removed from the Great Lakes. On this point Gen. Keifer said:

"That treaty stipulated that there should be no war vessels beyond 100 tons of either nation, Great Britain or the United States, on any of the Lakes, any of these Great Lakes in the North. Well, it had to be modified as to the weight of the vessels that were there for police purposes after we had steam, and so on. It has always been kept up to the present time, and while we have spent billions of money in trying to fortify the Atlantic coast and the Gulf and Pacific, and have never been sure we have succeeded, we have never spent one dollar to fortify anything on the Lakes. We haven't a city like Chicago or Buffalo, if you please, or Cleveland, or others that could have been built where they are if we had to treat ourselves and our country in relation to Great Britain as we have with the other coasts and regions. So this has been the most important treaty, and it is literally kept. It prohibits Great Britain from having war vessels there and the United States, and the two prohibit the other nations of the world from ever having one there."

In March, 1911, Congress appropriated $250,000 to help build the monument. Contributions were made by nine of the States, to wit: New York, Pennsylvania, Rhode Island, Michigan, Kentucky, Illinois, Wisconsin, Massachusetts, and Ohio. These contributions were made on the condition that title to the memorial and site be passed to the United States. All papers touching the conveyance to the United States are in proper legal form, and this bill is merely intended to have the Federal Government accept the memorial and the site and names the first commissioners. Legally the title, to quote Gen. Keifer, "is in the United States now."

Provision is made in the bill for a commission to have charge of the memorial. Three of the permanent commissioners are to be appointed by the President. These are named in the bill and are Gen. Nelson A. Miles, Charles H. Davis, and J. Warren Keifer.

The bill provides a large number of commissioners that, with the passing of those named in the bill itself, will be reduced to three from the United States and three from each of the nine contributing States.

It is the wish of the gentlemen who have been connected with the project from the beginning that the States should be associated with the United States in the control of the memorial, and as the States have paid approximately three-fourths of the cost, the committee believed their request reasonable.

The monument is of granite, 350 feet high, equipped with an elevator, and has room in the visitors' gallery at the top for 200 people. This is a source of revenue that has provided an ample income for the maintenance of the memorial with a considerable margin of gain. Receipts exceeded expenses by $4,329 in 1915, by $4,126 in 1916, by $3,769 in 1917, and by $3,968 in 1918. So the monument is expected to be self-supporting.

The commissioners named in the bill were appointed by the President and by the governors of the contributing States.

The commissioners are to receive no compensation beyond actual expenses in attending meetings, and the committee was assured that all expenses would be paid out of the earnings of the monument itself.

The PRESIDING OFFICER. The Chair suggests to the Senator from Ohio that this is a House bill, and perhaps the preamble should be omitted.

Mr. POMERENE. That will necessitate the bill being sent back to the House, and I prefer that that be not done at this stage of the session.

Mr. PENROSE. The Senator withdraws his amendment, does he?

Mr. POMERENE. I did not offer any amendment.

Mr. PENROSE. I thought some one asked to have the preamble stricken out.

Mr. POMERENE. The suggestion came from the Chair, and I ask that that be not insisted upon.

Mr. PENROSE. Oh, yes. I am glad the Senator has done so, so that the bill will not have to go back to the House.

Mr. POMERENE. Yes; that was my idea.

AMENDMENT OF THE RULES.

The resolution (S. Res. 339) to amend Rule XXV of the Standing Rules of the Senate by adding thereto a paragraph restricting or regulating membership of certain committees of the Senate was announced as next in order.

Mr. OVERMAN. I object, at the request of another Senator, who has asked me to object to the consideration of this resolution.

Mr. NORRIS. Mr. President, I was just going to say that the Senator from North Carolina was present when this resolution was reported, and it was a unanimous report.

Mr. OVERMAN. I was; that is correct. I am in favor of the resolution myself, but another Senator has requested me to object.

Mr. CUMMINS. Mr. President, may I say, with unanimous consent, just this word, that it is very necessary that this rule be voted upon before the close of the present session, and I shall do what I can to see that it is voted on before we adjourn.

Mr. OVERMAN. As chairman of the committee, I shall not stand in the way. I supported it.

Mr. CUMMINS. I know that the Senator from North Carolina is in favor of it. I think most of the Senators are in favor of it. There will be no debate. All that I ask is that we may have a vote.

OTIS C. MOONEY.

The bill (S. 3964) for the relief of Otis C. Mooney was announced as next in order.

Mr. GRONNA. Let that go over.

Mr. WARREN. Mr. President, I hope that bill may pass. It has already passed the Senate once. It relates to a very old man, who wishes to have his record corrected.

Mr. GRONNA. Mr. President, will the Senator from Wyoming give an explanation of the bill?

Mr. WARREN. It relates to a soldier who entered the Army during the Civil War and served two years and was honorably discharged. He enlisted again and served nearly two years. He was only a child when he enlisted. His father took him up into Canada, on the plea of giving him a visit, and kept him there until after the time had expired for his return, and he was recorded as a deserter. This is to change his record. It simply gives him a clean record in the last days of his life and the opportunity to draw a pension from now until his death.

Mr. GRONNA. I withdraw the objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, their widows and dependent relatives, Otis C. Mooney shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a

private of Company K, Eighth Regiment Vermont Volunteer Infantry, May 18, 1864, and that no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN ARKANSAS.

Mr. ROBINSON. I ask unanimous consent to recur to Order of Business 655, Senate bill 5493. Some objection was made to the consideration of that bill when it was reached on the calendar, and I am informed by the Senator since, when I explained the matter to him, that the objection will not be renewed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5493) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation.

The Secretary read the bill, as follows:

Be it enacted, etc., That all of those unentered, unreserved public lands, and all of those entered lands for which no final certificates have been issued, within the areas hereinafter described, are hereby made and declared to be subject to the laws of the State of Arkansas relating to the organization, government, and regulation of drainage districts to the same extent and in the same manner, except as hereinafter provided, in which lands held under private ownership are or may be subject to said laws: *Provided*, That the United States and all persons legally holding unpatented lands under entries made under the public land laws of the United States shall be accorded all the rights, privileges, and benefits given by said laws to persons holding lands in private ownership, said lands being those public lands in Mississippi County, Ark., in townships 14, 15, and 16 north, range 9 east, and townships 15 and 16 north, range 10 east, fifth principal meridian, according to the official surveys thereof approved October 12, 1915, and all of those unentered public lands, and all of those entered lands for which no final certificates have been issued to Poinsett County, Ark., in townships 11 and 12 north, range 6 east, fifth principal meridian, according to the official surveys thereof approved July 30, 1913.

SEC. 2. That the construction and maintenance of canals, ditches, levees, and other drainage works upon and across the lands subject to the operation of this act are hereby authorized subject to the same conditions as are imposed by the laws of the State of Arkansas upon lands held in private ownership, and that the cost of construction and maintenance of canals, ditches, levees, and other drainage works, incurred in connection with any drainage project under said laws shall be equitably apportioned among all lands held in private ownership, all unentered public lands, and all lands embraced in unpatented entries affected by such project. Officially certified lists showing the amount of charges assessed against each smallest legal subdivision of such lands shall be furnished to the register and receiver of the United States land office of the district in which the lands affected are situated as soon as said charges would become a lien if the lands were held in private ownership.

SEC. 3. That all charges legally assessed pursuant to the drainage laws of the State of Arkansas by a drainage district against any unentered public lands, or against any lands embraced in unpatented entries, subject to the provisions of this act, shall be a lien upon said lands which may be enforced by sale in the same manner and subject to the same conditions, except as hereinafter set forth, under which said charges shall be enforced against lands held in private ownership, and whenever any of said lands shall be sold for nonpayment of such charges, inclusive of lands bid in for a drainage district, a statement showing the name of the purchaser, the price at which each legal subdivision was sold, the amount assessed against it, together with penalties and interest, if any, and the cost of the sale, and the amount of excess, if any, over and above all lawful assessment charges and the cost of sale shall be officially certified to the register and receiver of the United States land office of the district in which the lands are situated immediately after the completion of such sale, but nothing in this act shall be construed as creating any obligation on the United States to pay any of said charges.

SEC. 4. That all moneys received from the sale of entered or unentered lands subject to the operation of this act, which shall be in excess of assessments due thereon, together with penalties and interest and the cost of the sales, shall be paid by the proper county officer to the receiver of the United States land office of the district in which the lands are situated, and such excess moneys shall be covered into the United States Treasury as proceeds from the sales of public lands.

SEC. 5. That at any time within 90 days after the sale of unentered public lands and at any time within 90 days after the expiration of the period of redemption provided for in the drainage laws under which the lands are sold, no redemption having been made, after the sale of lands embraced within unpatented entries, the purchaser at such sale, a drainage district being herein expressly excepted from the operation of this provision, shall, upon the filing of an application therefor and an affidavit containing proof of necessary qualifications, with the register and receiver of the United States land office, and upon payment to the receiver of the price of $5 per acre, together with the usual fees and commissions charged in entry of lands under the homestead laws, be entitled to receive a patent: *Provided*, That such purchaser shall have the qualifications required in making entry of lands under the homestead laws and any such purchase shall exhaust any further homestead right of the purchaser to the extent of the amount of lands thus purchased by him. Not more than 160 acres of such lands shall be sold and patented to any one purchaser under the provisions of this act. This limitation shall not apply to lands subject to the operation of this act which may be bid in for a drainage district, but no patent shall be issued to a drainage district or to anyone bidding in said lands for a drainage district. The proceeds derived by the Government shall be covered into the United States Treasury and applied as provided by law for the disposal of the proceeds from the sale of public lands.

SEC. 6. That unless the purchaser shall, within the time specified in section 5 of this act, file with the register and receiver of the United States land office an application for a patent, together with the required affidavit, and make payment of the purchase price, fees, and commissions as provided in said section 5, any person having the qualifications of an entryman under the homestead laws may file an application for a patent, together with the required affidavit, and upon payment to the receiver of the purchase price of $5 per acre, fees, and commissions, and in addition thereto an amount equal to the drainage charges, penalties, interest, and costs for which the lands were sold, and if the lands were bid in for the drainage district, an additional amount equal to 6 per cent per annum on the sum for which the lands were sold from the date of such sale, said applicant shall become subrogated to the rights of such purchaser and shall be entitled to receive a patent for not more than 160 acres of said lands. When payment is made to effect subrogation as herein provided, the register and receiver of the United States land office shall serve notice upon the purchaser that an application for patent for the lands purchased by him has been filed, and that the amount of the drainage charges, penalties, interests, and costs of the sale will be paid to him upon submission of proof of purchase and payment by him of said sums. The receiver shall make such payment as soon as said requirement shall have been fulfilled. If the lands were bid in for a drainage district, the receiver will pay to the proper county officers the amount of the drainage charges, penalties, and interests and costs of sale, together with the additional sum of 6 per cent per annum, to which said drainage district is entitled. All remaining moneys to which the United States may be entitled shall be covered into the United States Treasury and applied as provided by law for the disposal of the proceeds from the sale of public lands.

SEC. 7. That a copy of all notices required by the drainage laws of the State of Arkansas to be given to the owners and occupants of lands held in private ownership shall, as soon as such notice is issued, be delivered to the register and receiver of the United States land office of the district in which the lands are situated where any of the lands subject to the operation of this act are affected, and the United States and the entryman claiming under the public land laws of the United States shall be accorded the same rights to be heard by petition, answer, remonstrance, appeal, or otherwise as are given to persons holding lands in private ownership, and all entrymen shall be given the same rights of redemption as are given to the owners of land held in private ownership.

SEC. 8. That this act shall not be effective as to any lands involved in suits instituted on behalf of the United States with a view to quieting title in the Government to such lands until and unless such suits shall be finally determined in favor of the United States.

Mr. LENROOT. Mr. President, I should like to ask the Senator from Arkansas a question.

Mr. ROBINSON. I yield to the Senator.

Mr. LENROOT. I should like to ask the Senator whether this bill applies what is known as the Volstead Act to the State of Arkansas?

Mr. ROBINSON. It is not a literal copy of the Volstead Act. It does apply something of the same principle. In the area affected by this bill, known as the subland district, largely, are vast tracts of uncultivated and unreclaimed lands. The title to the greater portion of these lands is in the Government. It is impossible for private citizens within the area to reclaim their land without reclaiming the Government land.

The burdens on the private lands, if the whole burden were imposed upon them, would be prohibitive. The provisions of the bill contemplate that assessments for benefits shall be made against all the lands in the district reclaimed, and the settlers upon the land shall pay their proportionate share for the reclamation of the land. Unless some such measure as this is passed it will be impossible to reclaim these areas which, when reclaimed, are of very great value indeed.

Mr. LENROOT. That is exactly the situation that resulted from the passage of the Volstead Act. I am quite familiar with conditions in the Senator's State, and what I am especially interested in is how this bill differs from the Volstead Act.

Mr. ROBINSON. I was serving in the House of Representatives when the Volstead Act was passed, but I can not state from memory the difference. I do not know that there is any substantial difference.

Mr. LENROOT. Can the Senator state that the interests of the Government are as fully protected in this bill as they are in the Volstead Act?

Mr. ROBINSON. I am sure they are.

Mr. WALSH. Mr. President, this is rather a lengthy bill and must have had consideration by the Committee on Public Lands, and the committee apparently made no amendment to it. I therefore ask that the further reading of the bill be dispensed with.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH B. EDDY.

Mr. NEW. When the bill (S. 4864) to carry into effect the finding of the Court of Claims in the case of Elizabeth B. Eddy was reached it was passed over temporarily because of the absence from the floor of the Senator from New York [Mr. WADSWORTH], by whom it was introduced, and the Senator from Indiana, myself, by whom it was reported. I ask unanimous consent that the bill be taken up.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Elizabeth B. Eddy, widow of Charles G. Eddy, of New York, N. Y., the sum of $602.92, and the said sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of this act.

Mr. NEW. If an explanation of the bill is desired I will say that Elizabeth B. Eddy is the widow of Charles G. Eddy, who was a soldier in the Civil War and who ranked as a sergeant. He was detailed as a telegraph operator and that position carried with it pay at the rate of $70 a month——

Mr. FLETCHER. There seems to be no opposition to the bill and I think it will pass without any explanation.

Mr. NEW. Very well; I ask that it be put on its passage.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CAPT. FREDERICK B. SHAW.

Mr. NEW. The same state of facts exists with reference to the bill (S. 4263) for the relief of Capt. Frederick B. Shaw, and I ask unanimous consent that it be now taken up.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Frederick B. Shaw, United States Army, the sum of $356.50, which sum, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, said sum to be payment in full for all losses of personal property incurred by him by reason of the sinking of the United States transport *Meade* in the harbor of Ponce, P. R., on or about May 16, 1899: *Provided*, That the accounting officer of the Treasury shall require a schedule and affidavit from him, such schedule to be approved by the Secretary of War.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PIKE NATIONAL FOREST RESERVATION.

The bill (S. 4729) to exclude certain lands from the Pike National Forest Reservation was announced as next in order.

Mr. LENROOT. Let that go over.

The PRESIDING OFFICER. The bill will go over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 2, line 24, before the words "per month," to strike out "$24" and insert "$17," so as to make the clause read:

The name of Noah Collins, late of Company I, Second Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, no page 3, line 3, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Michael S. Kane, late of Battery A, First Battalion Maine Volunteer Heavy Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 3, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of John H. Caldwell, late of Company K, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 7, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Sylvester P. Martin, late of Company K, Fifth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 17, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Howard L. Burnett, late of Troop L, Fourth United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 20, before the words "per month," to strike out "$24" and insert "$12," so as to make the clause read:

The name of Rufus Adamson, late of Troop M, Sixth United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 10, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Charles H. Jessee, late of Company A, Fifth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 12, before the word "Infantry," to strike out "Volunteer," and in line 14, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Arthur D. Warden, late of Company M, Nineteenth Regiment United States Infantry, and Quartermaster Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 25, before the word "Infantry," to strike out "Volunteer," so as to make the clause read:

The name of Silas Clyde Whitcomb, late of Company I, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, line 12, after the word "Corps," to insert "United States Army," so as to make the clause read:

The name of Clark P. Hoskins, late of the Hospital Corps, United States Army, and Fifth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 9, to strike out:

The name of Harold A. Salisbury, late of Captain John L. Sperry's company, Umatilla Guards, Oregon State Militia, Bannock Indian War, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 13, after the word "Eli," to strike out "Gusdonowicz, alias Eli Guedonowicz," and insert "Gvosdanowich," so as to make the clause read:

The name of Eli Gvosdanowich, late of Company L, Fifteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 17, after the word "Robert," to strike out "Heukel" and insert "Henkel," so as to make the clause read:

The name of Robert Henkel, late of Company E, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 11, line 9, before the word "Artillery," to strike out "Light," so as to make the clause read:

The name of Jonathan F. Titus, jr., late of Battery F, Fifth United States Artillery, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, after line 14, to strike out:

The name of George Casseboom, late of Company A, First Regiment California Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 11, to strike out:

The name of Eleanora Sharpe, widow of Andrew Sharpe, late of Company E, Ninth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 22, to strike out:

The name of Michael Levi, late of Troop A, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 4, to strike out:

The name of Charles Michener, late of Battery F, First Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 7, to strike out:

The name of George Polleti, late of Troop D, Seventh Regiment United States Cavalry, Regular Establishment, Indian wars, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 12, to strike out:

The name of Eliza L. Ellis, helpless and dependent daughter of William West, late of Captain M. Huntington's company, North Carolina Militia, War of 1812, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 20, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Fred E. Kies, late of Company G, Third Regiment Connecticut Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill read a third time.

The bill was read the third time and passed.

Mr. WALSH. I send to the desk and ask to have published in the RECORD a statement showing the number of beneficiaries of pension bills and the yearly cost.

The PRESIDING OFFICER. Without objection, the request will be granted.

The statement referred to is as follows:

If the following pension bills become laws, the yearly cost to the Government will be as follows:

	Yearly cost.	Number of beneficiaries.
S. 5554	$22,400	114
S. 5553	10,800	66
H. R. 14894:		
As passed by House	$40,000	
As reported by Senate committee	20,000	160
H. R. 14945:		
As passed by House	$32,800	
As reported by Senate committee	28,800	131
H. R. 15706:		
As passed by House	$16,000	
As reported by Senate committee	15,300	91
	107,300	562

LANDS IN SOUTH DAKOTA.

The bill (H. R. 12082) authorizing the sale of certain lands in South Dakota for cemetery purposes was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAND IN MISSISSIPPI COUNTY, ARK.

The bill (S. 5566) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark., was considered in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENTS OF FEDERAL FARM-LOAN ACT.

The bill (S. 5512) to amend the Federal farm-loan act, approved July 17, 1916, was announced as next in order.

Mr. SMOOT. That may as well go over.

Mr. HITCHCOCK. Will the Senator withhold his objection until I can make a little explanation of what the amendments are?

Mr. SMOOT. I will withhold the objection.

Mr. HITCHCOCK. The first paragraph simply provides for the appointment of a deputy register, who is really necessary in order to act when the register is away.

The second paragraph is simply for administration purposes and to facilitate the administration of the farm-loan act, and is strongly recommended by the board. Then there is a very small change in the legislative provision.

Mr. SMOOT. Can the Senator state what the change is?

Mr. HITCHCOCK. It relates to the applications for loans, for membership in the farm-loan association. It is found at the bottom of page 2 and the top of page 3 of the bill. It is an unimportant matter except that it facilitates the business.

Section 10 relates to the acts of the farm-loan committee and facilitates the investigation of titles and provides for written reports to be filed for the benefit of the farm-loan board.

Section 4 has no change in it from the existing law except that in partial payments from time to time, instead of having, as the law is now, specific payments of $25 at a time, the amounts are made optional.

Section 20 does not differ in any respect except that it provides that bonds may be issued in denominations of $25 and $50 instead of $20 and $40.

Section 6 simply provides for a change in the signing of the officers of the bank of bonds issued, so that the vice president or the secretary and treasurer may do so instead of putting the whole burden upon the president.

Section 7 contains a provision authorizing the Federal farm-loan bank to limit its search of titles to the period of the statute of limitations, and to make an extra charge where it is necessary to do so, the extra charge to go into a sinking fund to repair any possible loss. They are all merely administrative changes for strengthening the administration of the law.

Mr. SMOOT. There are eight pages of the bill, and it seems to me it proposes to amend about every section of the law.

Mr. HITCHCOCK. Most of the provisions are really a reenactment of the existing law, with the changes I am now suggesting.

Mr. SMOOT. I see there is no report on the measure. It is simply a mere statement that the committee recommends the passage of the bill.

Mr. HITCHCOCK. It was the unanimous action of the committee, and the bill was reintroduced, so as to avoid the insertion of the amendments.

Mr. GRONNA. May I say to the Senator that the Senator from Nebraska [Mr. NORRIS] thought it would be well and insisted that the sections should be reenacted, and for that reason the bill is really much longer than there was any necessity to make it.

Mr. SMOOT. I do not object to the passage of the bill; I merely wish time to examine it.

Mr. GRONNA. They are simply minor changes, as the Senator from Nebraska [Mr. HITCHCOCK] stated. I believe the bill should pass. It is a very important measure, and the committee has made a unanimous recommendation for its passage.

Mr. SMOOT. Of course, there is no report before us, and no hearings at all, and no opportunity to examine into it to see just what the changes are which are presented. I think it is pretty dangerous to allow a bill of this character to pass when we can not discuss it at all.

Mr. HITCHCOCK. I will say to the Senator there is one important change to which I am just now coming, but I have not omitted anything that was of importance. The only important change provides for a revolving fund of $50,000,000 in the Treasury, to be used by the Secretary of the Treasury in advancing money temporarily to the banks to purchase bonds when necessary. This revolving fund is secured by selling bonds of the farm-loan bank already in the Treasury, and the bill limits the amount hereafter which the Treasury can advance to $50,000,000, the present limit being $100,000,000. So, in a way, it is a move in the direction of conservatism and merely places the Secretary of the Treasury in a position, after selling the present bonds and putting the money into the Treasury, where he can use that fund, when necessary, temporarily, to tide them over during the sale of bonds.

Mr. SMOOT. I see the bill provides that the bonds shall bear interest at the rate of 5 per cent.

Mr. HITCHCOCK. The law is not changed in that respect.

Mr. SMOOT. I know it is not changed, but does not the Senator think it ought to be changed?

Mr. HITCHCOCK. The law is that way anyway, and this bill would not affect that feature of it.

Mr. SMOOT. But does not the Senator believe that this ought to be changed? For instance, we issued our first liberty bonds at 3½ per cent, and they are selling now for 98 and a fraction, whereas the 4¼ per cent bond is down to 94.

Mr. HITCHCOCK. That is very true.

Mr. SMOOT. Just as soon as the Federal farm loan has a sale of bonds, if they are made free from tax, and they are offered in New York to some of those central banking officers, of course the 5 per cent nontaxable bond will be immediately grabbed up and will not go into the hands of people generally throughout the country, but will be taken by people in quantities as large as they can get for the purpose of avoiding the payment of taxes on those particular bonds.

Mr. HITCHCOCK. I think there is very much in what the Senator says, and I am inclined to think I would be disposed to favor it if it were proposed to change the law in that respect. The bill does not touch that, however, and, as a matter of fact, when we do issue bonds for the Federal farm-loan bank the quantity issued is so small compared to the great issues of the Government for its loans as to be almost negligible.

Mr. SMOOT. But they run into the hundreds of millions of dollars.

Mr. HITCHCOCK. Oh, no; nothing like that at the present time.

Mr. SMOOT. I will say to the Senator that we have already authorized a hundred million dollars for 1918 and a hundred million dollars for 1919.

Mr. HITCHCOCK. We authorized the Treasury to purchase; but, as a matter of fact, they have not been required to purchase as much as $100,000,000; and if this bill is passed the quantity that the Treasury will hold will be reduced by the sale of $50,000,000 of bonds.

Mr. SMOOT. Yes; but the bonds will be marketed and will be owned by somebody else. I had just as lief have the Treasury Department hold them rather than to sell them and pay 5 per cent interest and then have them nontaxable.

Mr. HITCHCOCK. As a matter of fact, the sale of these bonds is largely under the control of the Secretary of the Treasury. The Federal Farm Loan Board takes his recommendation and suggestion—or dictation, if you please—so that their sales are so made as not to conflict with the sale of the bonds of the National Government.

Mr. SMOOT. They never will conflict. If they put out a 5 per cent bond which is virtually guaranteed by the Government of the United States, morally and in every other way, when it comes to the question of competition with the 3½ per cent bond the Senator knows there will be no competition but that everybody will take the 5 per cent bond.

Mr. HITCHCOCK. Yes; if the quantity be large.

Mr. FLETCHER. Let me state that after the total issue of 5 per cent bonds to the amount of $155,000,000 the issues were discontinued at that rate. That issue has been discontinued by direction of the Secretary of the Treasury. Most of the bonds have been 4½ per cent bonds. When they were sold at 4½ per cent the farmers got their money at 5 per cent, and when the 5 per cent bonds were sold the farmers got their money at 5½ per cent. There is to be no other issue of bonds at 5 per cent at this time.

Mr. SMOOT. Mr. President, I am aware of what the Senator from Florida has just stated, because one of the members of the board asked me what I thought about selling any more than $55,000,000 of these bonds at 5 per cent. I told him it could not be justified for the Government to issue 3½ per cent bonds and at the same time sell a 5 per cent bond. Then the sale was immediately discontinued. I think they did sell some at 4½ per cent, following that action.

Mr. FLETCHER. They are not selling any bonds now at 5 per cent.

Mr. WEEKS. Mr. President, I want to ask the Senator from Nebraska how much of the appropriation which was made of $100,000,000 for 1918 and $100,000,000 for 1919 has been actually invested in bonds?

Mr. HITCHCOCK. My recollection is it has been $67,000,000.

Mr. WEEKS. That is the total amount which has been invested out of both funds?

Mr. HITCHCOCK. I think so; that is my recollection. This bill would provide for the sale of $50,000,000 of those bonds and the payment of the money into the Treasury to be used from time to time, if necessary, to assist the banks in marketing bonds at certain seasons. They make their loans at certain seasons, but the marketing of bonds may extend through the whole year. So there may be a month or two or three at a time when the assistance of the Treasury would be helpful.

Mr. WEEKS. Sixty-seven million dollars of bonds are about the amount which had been promised by the bankers on loans when the directors of the banks came to Congress for assistance last year, and I presume that that is the amount actually invested; but I can not see any propriety in the public policy of furnishing a fund of $50,000,000 to loan in this way, bringing the loans directly into competition with the Government financing, and a competition which the Government can not meet at the rates of interest which Government bonds bear. It really is enabling some citizens of this country to obtain their loans at a lower rate than they can obtain them in other ways. While there may be some justification for that in ordinary times—which I personally deny—I do not see how there can be any justification in such times as these. I think that no money should be loaned under the provisions of this law for which the bonds should not be directly sold and that the Government should not be involved in furnishing money to carry out this law in a way that was not intended when the bill originally passed Congress.

Mr. HITCHCOCK. Mr. President, the Senator from Massachusetts will recall that it was the Secretary of the Treasury who put a stop to the public sale of these bonds. If the Secretary of the Treasury will merely keep his restraint off, the farm-loan banks will have no difficulty in seling their bonds under the law as it exists. It is only because the Treasury objects to having the sale urged at certain times and has taken the bonds into the Treasury rather than have them thrown on the market that the Treasury has absorbed these bonds.

Mr. WEEKS. Of course, the firm-loan banks will have no difficulty in selling a 5 per cent nontaxable bond under the conditions which prevail to-day. There is no reason why a man should invest in a 3½ per cent Government bond when he can get a 5 per cent bond that is practically guaranteed by the Government. I contend that these loans should not enter into competition with Government financing in any respect. We are going to have difficulty enough in floating the issue of bonds which is about to be made; and until we have financed the war there should not be any Government money involved in financing farm loans for private individuals.

Mr. HITCHCOCK. This bill, the Senator will appreciate, actually reduces the quantity that the Treasury will hold.

Mr. WEEKS. I think it does, but it will provide for $50,000,000 of bonds to be used for that purpose.

Mr. HITCHCOCK. But if there is an objection to the Treasury holding them, this bill ameliorates that objection and to some extent avoids it.

Mr. WEEKS. It does modify it; but what is John Jones, the man whom we approach and ask to buy Government bonds as a patriotic measure, going to say when he knows that the money is going to be loaned to his neighbor, who happens to be a farmer, because his neighbor can get the money at a lower rate of interest from the Government than he can get it in any other way?

Mr. HITCHCOCK. The Senator is talking about the present law and not this bill.

Mr. WEEKS. I am talking about providing any fund to be used for that purpose.

Mr. HITCHCOCK. But this bill reduces the fund.

Mr. WEEKS. I would eliminate the fund; that is what I would do.

Mr. FLETCHER. The Senator surely would do one thing or the other; he would let the Government keep hands off and let the bonds sell on their merit, or if the Government interferes with the sale of bonds, then the Government ought to take the bonds.

Mr. WEEKS. No; I would not follow that course at all. I do not think these loans ought to interfere in the slightest degree with the Government financing the war, and I think that they ought to be eliminated for the time being from any competition with the placing of the next Government loan.

Mr. HITCHCOCK. Of course, that has nothing to do with this measure.

Mr. WEEKS. It has to do with the $50,000,000 provided for in section 8.

Mr. HITCHCOCK. This reduces that from $67,000,000 to $50,000,000; so the Senator admits that this bill helps some.

Mr. WEEKS. It does; but I want to help more.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, was announced as next in order.

Mr. ASHURST. Mr. President, I apprehend, of course, that it would be a waste of time to attempt to consider that bill at this moment. I am sure it could not now make any headway.

Mr. SMOOT. I think the Senator is right, and I, therefore, ask that the bill go over, because it would be merely a waste of time now to proceed to its consideration.

Mr. ASHURST. The Senate knows how earnestly I desire the bill passed, but I do not think it would make any progress if taken up now.

Mr. SMOOT. I object.

Mr. MYERS. I had hoped there would be no objection to the bill. I think it can be passed in an hour.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 5557) to safeguard temporarily, by a license control of imports of potash, the interests of domestic potash producers until trade conditions are readjusted, was announced as next in order.

Mr. WALSH. I ask that that bill go over.

The VICE PRESIDENT. The bill will go over.

Mr. NORRIS. May I inquire——

Mr. HITCHCOCK. Was objection made to the consideration of Senate bill 5557?

Mr. NORRIS. May I inquire what Senator objected to the consideration of that bill?

Mr. WALSH. I made objection to the consideration of the bill. I think it involves too serious a question to be determined offhand upon the call of the calendar.

Mr. KING. I think so, too.

Mr. NORRIS. Will not the Senator from Montana withdraw his objection and let the bill be briefly explained?

Mr. WALSH. I shall be very glad to do that, but in view of the statement concerning the nature of the bill which I made I shall object to its consideration under the five-minute rule.

Mr. NORRIS. If the Senator is going to object anyway, of course there is no use taking up the time of the Senate to make an explanation.

The bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, was announced as next in order.

Mr. KING. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

EXHIBITION OF RED FLAG.

The bill (S. 5207) to declare unlawful the exhibition of a red flag, and to fix a penalty therefor, was announced as next in order.

Mr. WALSH. I ask that that bill be passed over. I desire to say that if the bill had had the consideration of the Senate it was my purpose to tender an amendment which I think would have removed any objection to it. I would tender an amendment to strike out the words "general cessation of industries" wherever those words occur in the bill. Then I propose to submit a further amendment which I ask to have read from the desk.

Mr. FRANCE. I object.

The VICE PRESIDENT. Does the Senator object to the reading of the amendment?

Mr FRANCE. I object to the consideration of the bill.

Mr. WALSH. I ask that the amendment be read.

The VICE PRESIDENT. The Secretary will read.

Mr. NORRIS. Mr. President, a parliamentary inquiry. The bill having been objected to, is it not improper to take up amendments to it?

The VICE PRESIDENT. If there is objection; yes.

Mr. NORRIS. I object.

Mr. FRANCE. Objection was made by me.

Mr. WALSH. I asked unanimous consent to present an amendment to the bill.

Mr. FRANCE. I object to the consideration of the bill and amendments.

Mr. WALSH. I am not asking for the consideration of any amendment or of any bill. I simply want to have the amendment read.

Mr. NORRIS. I did not understand the Senator.

Mr. WALSH. I ask unanimous consent to present the amendment and let it lie on the table and be printed.

Mr. FRANCE. I call for the regular order.

The VICE PRESIDENT. The Secretary will state the next bill on the calendar.

Mr. WALSH. I did not understand there was any objection to the request made by me.

The VICE PRESIDENT. There seems to be objection to doing anything under the unanimous-consent agreement. The only thing the Chair can do is order the amendment of the Senator from Montana to be printed and lie on the table.

Mr. WALSH. That is all I ask.

The VICE PRESIDENT. That will be done.

BILL PASSED OVER.

The bill (S. 5305) to stimulate the production, sale, and distribution of live-stock products, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

SUNNYSIDE, UTAH, WATER SUPPLY.

The bill (S. 4479) for the protection of the water supply of the town of Sunnyside, Utah, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, in section 3, page 3, line 4, before the word "Act," to strike out the word "this" and insert the word "the," so as to make the section read:

SEC. 3. That the said Secretary of the Interior is hereby authorized to prescribe and enforce such regulations as he may find necessary to carry out the purpose of this act, including the right to forbid persons other than those authorized by him and the municipal authorities of said municipal corporation, from entering or otherwise trespassing upon these lands, and any violation of this act or of regulations issued thereunder shall be punishable as is provided for in section 50 of the act entitled "An act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909," (35 Stat. L., p. 1,098), as amended by the act of Congress approved June 25, 1910 (36 Stat. L., p. 857).

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 5265) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry inventions, patents, and patent rights, and for other purposes, was announced as next in order.

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 313) to amend section 4 of the act to regulate commerce, passed February 4, 1887, and subsequent amendments thereof, was announced as next in order.

Mr. KELLOGG. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

CAPE COD CANAL.

The bill (S. 5658) to authorize the acquisition and operation by the United States of the Cape Cod Canal was considered as in Committee of the Whole.

The bill has been reported from the Committee on Commerce with an amendment in section 2, page 2, line 3, after the words "sum of" to strike out "$10,000," and insert "$10,000,000"; so as to make the section read:

SEC. 2. That the sum of $10,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the improvement of this waterway, with the view to maintaining a depth of 25 feet at mean low water, with suitable channel widths, out of which sum may be paid any awards which may be made under the aforesaid condemnation proceedings: *Provided*, That the total amount to be paid under such awards shall not exceed $10,000,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FLETCHER. In connection with the bill just passed, I ask to have printed in the RECORD a letter from the Secretary of Commerce.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

DEPARTMENT OF COMMERCE,
Washington, February 26, 1919.

MY DEAR SENATOR: I am inclosing copy herewith of House Document No. 1825, which contains a table showing the accidents sustained by barges in tow between Boston and Norfolk through the open sea, which would have been avoided had the inland waterway been available.

This might be useful in connection with the bill to authorize the acquisition and opening by the United States of the Cape Cod Canal.

Very truly, yours,

WILLIAM C. REDFIELD,
Secretary of Commerce.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MRS. SUSAN A. NICHOLAS.

The bill (S. 1599) for the relief of the heirs of Mrs. Susan A. Nicholas was announced as next in order.

Mr. SMOOT. I object to the consideration of that bill.

Mr. RANSDELL. Mr. President, I did not understand who objected to the bill.

Mr. SMOOT. I asked that it go over.

Mr. RANSDELL. I hope the Senator will let me explain it very briefly before he insists upon his objection. The bill is to provide for the payment for property taken during the Civil War from persons formerly living in Louisiana but now living in New York. They have tried faithfully to get their claim paid by the Government through the Court of Claims, but they have not been able to do that. They have been guilty of no laches. I ask the Senator not to make objection to the bill.

Mr. SMOOT. If this claims bill is passed by Congress on the testimony that is shown in the report we will open the door to untold hundreds and thousands of millions of dollars of such claims.

Mr. RANSDELL. I would like to suggest to the Senator that the testimony is of the same character as that in a great many claims which have been paid.

Mr. SMOOT. Not claims of this character, I will say to the Senator. The Committee on Claims has agreed to consider and recommend favorable action upon certain classes of claims, but not the class of claims in which this bill falls. Therefore I object.

Mr. RANSDELL. It was favorably reported by the committee in the last Congress.

The VICE PRESIDENT. There is objection, and the bill goes over.

HEIRS OF ADAM AND NOAH BROWN.

The bill (S. 534) for the relief of the heirs of Adam and Noah Brown was considered in the Committee of the Whole. It directs the Secretary of the Treasury to pay to the heirs of Adam and Noah Brown $11,583.53, being due to them as owners of the brig *Warrior* since the middle of June, 1815.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ARTHUR NELSON.

The bill (S. 1557) for the relief of Arthur Nelson was announced as next in order.

Mr. SMOOT. Mr. President, I should like to have some Senator explain why a claim against the Government for $48 for office rent was not paid. I will ask the Senator from Arkansas [Mr. ROBINSON], the chairman of the Committee on Claims, to explain it.

Mr. ROBINSON. I will ask that the bill may temporarily be passed over. I have not had an opportunity to look into it recently.

The VICE PRESIDENT. The bill will be passed over.

REFUND OF STAMP TAXES.

The bill (S. 5482) providing for the refund of taxes collected for stamp tax on certain policies under the emergency tax act of October 22, 1914, under the proviso of which act such policies were exempt, was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Central Manufacturers' Mutual Insurance Co., of Van Wert, Ohio, the sum of $2,888.77, being the amount paid for stamp taxes under the emergency revenue act of October 22, 1914, on policies of such company, which policies were exempt from such tax under a proviso to said act as determined by the United States Circuit Court of Appeals for the Sixth Circuit in the case of Niles, collector of internal revenue, against Central Manufacturers' Mutual Insurance Co., decided June 10, 1918, and reported in volume 252 of the Federal Reporter, page 564.

Mr. SMOOT. Mr. President, will the Senator from Arkansas give me his attention? The Senator from Ohio, who introduced this bill, has entered the Chamber; and, if the Senator would prefer, I will ask the Senator from Ohio the question that I desired to ask the Senator from Arkansas.

Mr. ROBINSON. I think I can answer the question; but the Senator is present, and I shall be glad to have him do so.

Mr. SMOOT. This is Senate bill 5482, Order of Business 691. It provides for the refund of taxes collected for stamp tax on certain policies under the emergency tax act of October 22, 1914, to the Mutual Insurance Co. of Van Wert, Ohio, in the total amount of $2,888.77; and I wanted to ask the Senator what was the basis of the claim of this amount? The reason why I ask the question is that a lot of these claims—I do not know how many of them—were paid, and at the time they were paid they were all of the claims that were known to the department. In the report from the Committee on Claims there is no statement from the department as to whether these claims are recommended by the department or not. Perhaps the Senator can explain it.

Mr. POMERENE. Mr. President, I may say that this matter was first called to my attention by a Congressman in whose district this company does business. It grew out of this state of facts: Under one of the earlier revenue bills it was believed that mutual companies were exempted from the payment of this tax. The Commissioner of Internal Revenue at that time held that they did not come within that exemption, and they were obliged to pay these taxes. Later the company brought suit to recover these taxes as being illegally exacted, and the United States district court sustained the contention of the company and they recovered a judgment, as I recall the facts now, for these amounts. At least, the court held that they were improperly exacted, and that finding of the court was final; so that they are seeking now to recover the amount of these taxes, with a view to refunding them to the policyholders. I think there can be no possible objection to this bill. The attorney who presented it is one of the very high-class lawyers of the State.

Mr. ROBINSON. I call attention, also, to the fact that the case was appealed from the district court to the circuit court of appeals and there affirmed.

Mr. SMOOT. And it was affirmed by the higher court?

Mr. ROBINSON. And it was affirmed by the circuit court of appeals; yes, sir.

Mr. SMOOT. Then, if that is the case, I think it ought to be paid.

Mr. POMERENE. Oh, yes; I think there is no doubt about it at all.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

STANDARDIZATION OF SCREW THREADS.

The bill (H. R. 15495) to annul an act to provide for the appointment of a commission to standardize screw threads was considered as in Committee of the Whole. It amends the act providing for the appointment of a commission to standardize screw threads, approved July 18, 1918, so that it will read:

That a commission is hereby created, to be known as the commission for the standardization of screw threads, hereinafter referred to as the commission, which shall be composed of nine commissioners, one of whom shall be the Director of the Bureau of Standards, who shall be chairman of the commission; two representatives of the Army, to be appointed by the Secretary of War; two representatives of the Navy, to be appointed by the Secretary of the Navy; and four to be appointed by the Secretary of Commerce, two of whom shall be chosen from nominations made by the American Society of Mechanical Engineers and two from nominations made by the Society of Automotive Engineers.

SEC. 2. That it shall be the duty of said commission to ascertain and establish standards for screw threads, which shall be submitted to the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce for their acceptance and approval. Such standards, when thus accepted and approved, shall be adopted and used in the several manufacturing plants under the control of the War and Navy Departments, and, so far as practicable, in all specifications for screw threads in proposals for manufactured articles, parts, or materials to be used under the direction of these departments.

SEC. 3. That the Secretary of Commerce shall promulgate such standards for use by the public and cause the same to be published as a public document.

SEC. 4. That the commission shall serve without compensation, but nothing herein shall be held to affect the pay of the commissioners appointed from the Army and Navy or of the Director of the Bureau of Standards.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 1456) making appropriation for expenses incurred under the treaty of Washington was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

CORRUPT TRADE PRACTICES.

Mr. FLETCHER. Mr. President, I was temporarily out of the Chamber, being called out on some other business, when Order of Business No. 586, Senate bill 4603, was reached. It is a bill to protect interstate and foreign commerce against bribery and other corrupt trade practices. I understand that the Senator from Ohio objected to it, and it went over under his objection. I further understand that the Senator has some amendments to the bill that he desires to offer.

Mr. POMERENE. The objection was made by my colleague [Mr. HARDING].

Mr. FLETCHER. Precisely.

Mr. POMERENE. I do not know the nature of his objections.

Mr. FLETCHER. I am not going to insist on the bill being considered. The Senator from Ohio [Mr. HARDING] objected, and I understand that he had some amendments that he desired to offer to it at some time. In view of the fact that it is a Senate bill, and there is very little chance of its passing Congress anyhow, I am not disposed to urge it at this time, although it is very important. I ask leave to print in the RECORD in connection with it some resolutions received from the Travelers' Association, by way of indicating the nature of the bill and the general commercial desire to have it enacted into law.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

At a regular meeting of the Travelers' Association of the Paint and Allied Trades of New Jersey, held at No. 842 Broad Street, Newark, N. J., February 7, 1919, the following preamble and resolutions were adopted:

"Whereas we, the members of the above-named organization, knowing the disadvantages of unfair methods which have at times been employed in obtaining business; and

"Whereas, we being desirous of placing ourselves on record in opposition to such practices: Therefore be it

"*Resolved*, That we, the Travelers' Association of the Paint and Allied Trades of New Jersey, do most earnestly urge the early passage of Federal criminal legislation for the suppression of commercial bribery, and the further protection of interstate and foreign commerce against other corrupt trade practices; and be it further

"*Resolved*, That a copy of this preamble and these resolutions be forwarded to the Chairman of the House Committee on Interstate and Foreign Commerce and to such other members of the Federal Government as have the power to cause an early adoption of this particular legislation."

E. F. HOPPE, *President*.
[SEAL.] F. S. VERNOY, *Secretary*.

EXPENSES UNDER TREATY OF WASHINGTON.

Mr. KING. Mr. President, a moment ago I objected to the consideration of Order of Business 697, Senate bill 1456. I ask that it may be temporarily laid aside until the Senator from Connecticut [Mr. BRANDEGEE] comes into the Chamber—that it may go over without prejudice.

EDUCATION OF NATIVE ILLITERATES.

The bill (S. 5464) to promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; to provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship, was announced as next in order.

Mr. KING. I object. Let the bill go over.

Mr. KENYON. Mr. President, will not the Senator withhold that objection for just a moment?

Mr. KING. I will say to the Senator that while the subject is all right the bill, in my opinion, is fundamentally wrong.

Mr. KENYON. Will not the Senator withhold the objection for a moment? On this bill, which a good many people concur in believing is the most important bill before Congress, I want to have read and placed in the RECORD a letter from the Secretary of the Interior, and then I want to follow that with a letter from the President. That may change the mind of the Senator from Utah.

Mr. PENROSE. Just on that point, if the Senator will permit me, I want to say that the recommendations of the Secretary of the Interior for the expenditure of money are sufficient to bankrupt this Government or any other Government. The actual recommendations made by him to either branch of Congress during the life of the present Congress run into the billions.

Mr. KENYON. This is a measure to make American citizens out of 8,000,000 people, or thereabouts, who can not speak the English language.

Mr. KING. I call for the regular order.

Mr. KENYON. Will not the Senator permit this letter to be read?

Mr. PENROSE. Not only that, Mr. President, but after the estimates were all in and solemnly handed to the Finance Committee a couple of days ago as the basis of the contemplated loans a deficiency of nearly $900,000,000 was discovered in a most culpable error in the Quartermaster Department——

Mr. KENYON. Not in the Interior Department.

Mr. PENROSE. And the Secretary of the Interior comes to the Committee on Agriculture, which has not put a bar up in the last six years against the expenditure of money, and gets a favorable report for $100,000,000 for a chimerical project to reclaim farms for soldiers.

Mr. SWANSON. Mr. President, I insist on the regular order.

Mr. PENROSE. I have a right to speak on the bill for five minutes, as I understand.

Mr. SWANSON. No.

Mr. PENROSE. Then I will stop by saying it ends in a $4,000,000,000 expenditure.

Mr. KENYON. I ask the Senator from Utah that this letter may be read into the RECORD.

Mr. KING. I have no objection to its going into the RECORD; but if the Senator offers that letter as an explanation for urging the passage of the bill I shall feel constrained to give my reasons for opposing the bill, and I think they are very persuasive, and it will take up unnecessary time.

Mr. KENYON. It is not taking any unnecessary time to explain the reasons for trying to make American citizens. If the Senator objects now, I shall take the first opportunity during the consideration of any of these bills to read that letter and also a letter from the President on the subject.

Mr. ASHURST. Although the distinguished Senator from Utah has objected to this bill, I will state that I am quite interested in it, and I trust he will allow us to have two or three minutes to discuss it. I am sure I do not want to delay the calling of the calendar; but I think the Senator from Iowa, who is a most courteous Senator, ought to have the opportunity at least to have read a letter from the President of the United States and the Secretary of the Interior, if he has such letters. I myself would crave the opportunity to say at least 8 or 10 sentences on this bill. It is a very important bill, and will not my good friend, the junior Senator from Utah, withhold his objection until two or three of us can say at least half a dozen sentences on the bill?

Mr. KENYON. Mr. President, I want to say to the Senator that the letter from the President is not to me personally, but to Congressman BANKHEAD, of the House, who is one of the authors of this measure, and he has consented that I may use it. Has the Senator any objection?

Mr. KING. The only objection I had was this: If the Senator gives the reasons which he has for supporting this bill—and there are very many strong reasons—I, having objected to it, would feel constrained to give the many reasons which I have against this measure and to suggest a policy which I think very much superior to the policy suggested in the letter from the Secretary of the Interior; and because we were anxious to have other measures disposed of, and in view of the fact that this measure will not be considered now, it seemed to me that it was unnecessary. I have no objection, however, if the Senator desires to have read the letter from the Secretary of the Interior, to that being done, but I object to the consideration of the bill now.

Mr. SWANSON. Has objection been urged to the consideration of this bill?

Mr. KING. Yes.

Mr. KENYON. I ask the Senator from Utah to withdraw the objection, so as to let a letter be read into the RECORD from the President of the United States on this bill.

Mr. SWANSON. The question is whether the bill is opposed or not. Under this unanimous-consent agreement, if opposed, it goes over.

Mr. KENYON. I will read the letter in my own time. It will be read.

Mr. SWANSON. I ask the Chair to enforce the unanimous-consent agreement.

The PRESIDENT pro tempore. The Chair did not hear the request of the Senator from Virginia.

Mr. SWANSON. My request is that this unanimous-consent order be enforced. If it is opposed, it goes over.

Mr. KENYON. It has not been enforced up to this time.

The PRESIDENT pro tempore. The Secretary will state the next bill on the calendar.

The bill (S. 5607) to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public park purposes was announced as next in order.

Mr. ASHURST. Mr. President, I want to discuss a matter. I want to discuss the general subject.

Mr. KING. I call for the regular order.

Mr. ASHURST. I have the right to five minutes on this bill.

Mr. KING. Objection was made to the consideration of the bill.

The PRESIDENT pro tempore. The Secretary will state the next bill on the calendar.

Mr. KENYON. A parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KENYON. Has a bill now been taken up?

The PRESIDENT pro tempore. Objection has been made to the last bill, the title of which was read.

Mr. MYERS. Mr. President, there was no objection made to Calendar 700. In fact, the title has not been read.

The PRESIDENT pro tempore. The Chair will state to the Senator from Montana that the junior Senator from Utah made and reiterated an objection.

Mr. MYERS. He was objecting to Calendar 699, not Calendar 700. I ask that Calendar 700 be laid before the Senate.

The PRESIDENT pro tempore. The Secretary will restate Calendar 700.

The SECRETARY. A bill (S. 5607) to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public park purposes.

The PRESIDENT pro tempore. Is there objection?

Mr. KENYON. Mr. President, I have hoped against hope that the Senate might get down to business and consider this important bill, which the Senator from Arizona has discussed.

When it was reached on the calendar the Senator from Utah [Mr. KING] objected. I rose to ask that I be permitted to place in the RECORD a letter from the Secretary of the Interior to me concerning the bill, and a letter from the President of the United States to Congressman BANKHEAD concerning the bill. That simple privilege seems to have been denied. So in taking a little time I disclaim being responsible for extending the debate.

I trust the chairman of the Committee on Education, the distinguished Senator from Georgia [Mr. SMITH], whose heart I know is in this bill, will, before the Senate adjourns, move to take up the bill and test out the Senate as to whether it is willing or unwilling to pass a bill of such tremendous importance to the people of the United States.

Mr. SMITH of Georgia. Will the Senator from Iowa now place those letters in the RECORD?

Mr. KENYON. I am going to place them in the RECORD, but now I am going to say a word or two, not taking over four or five minutes.

The purpose of this bill is to try to Americanize and assist the States in the process of Americanizing people in this country who can not read, speak, or write the English language. For every dollar that the Government contributes to this cost the States must contribute a like sum. Senators, stop and think. Do you realize that there are over 8,500,000 people in the United States to-day who can not read or write our language?

Mr. MYERS. The Senator means 8,500,000 adults?

Mr. KENYON. Over 10 years of age; and the majority of those who do not know the English language are uneducated in any language. That eight and one-half million are more than the combined population of Nevada, Wyoming, Delaware, Arizona, Idaho, Mississippi, Vermont, Rhode Island, North Dakota, South Dakota, Oregon, Maine, Florida, Connecticut, and Washington; more than all the men, women, and children of all the cities in the United States west of the Mississippi River except one, and equal to the population of the Southern States at the time of the Civil War. Think over these figures.

That is the problem. We had a magnificent procession of soldiers yesterday passing up the Avenue, reviewed by the President, men who had gone out to save the country of which we are so proud. It would take a procession of these illiterates who can not speak our language, two abreast, marching 25 miles a day, two months to pass a reviewing stand in front of the White House. Do you get that?

Is there need for such a bill as this? Is there need to do anything to Americanize that population? When men can not read the Constitution, can not read the statutes, how can we inculcate ideas of government in them; how can they grasp the ideals of this Republic? There is your field for bolshevism. Foreigners go to them; Russians can preach to them of the success of the Bolsheviki movement. They believe it; they can not read a paper; they can not read a message of the President of the United States; they can not read a speech of the United States Senators; they can not learn otherwise. Is it right to the Nation? Is it fair even to the illiterates?

That is the greatest problem, Mr. President, that America has to deal with. We talk about being a great melting pot, and we are; but a melting pot will not amount to anything if you have no fire under the pot to do the melting. This bill is to endeavor to put a fire under the melting pot to make Americans out of these illiterate people who have come to our shores. If we can not make Americans out of them by education and if any of them have ideas against our Government, as many of them have, though not all of them, of course, then other courses may be pursued. Let them be returned to the country from which they came.

We are appropriating millions of dollars here for agriculture to teach people agriculture, and yet there are three and one-half million people in agriculture in this country who can not read, speak, or write the English language. Can not read a bulletin of the Agricultural Department.

Those are some of the reasons why it seems to me it is important that this bill should receive consideration. Ignorance makes for inefficiency. Inefficiency means more accidents. The report of the Bureau of Mines lately issued shows that the non-English-speaking races in the anthracite region are twice as liable to death and injury as the English-speaking workers. What kind of citizens of this Nation can 6,000,000 or 8,000,000 illiterates make?

I have other figures here, but I am not going to take the time of the Senate to insert them. They have been perfectly startling to me. There are nearly 10,000,000 unnaturalized persons in the United States. Is that not a proposition that concerns us at all? Is it not just as important that we give some attention to this great problem of Americanization as it is that we should pass appropriation bills? I wish all Senators would read a part of the report of the Secretary of the Interior, and whatever the Senator from Pennsylvania may say about the Secretary of the Interior, he is a man of great vision for his country and is deeply interested in this splendid work. If Senators will read that report, their patriotism will be stimulated and the problem of making democracy safe where such a large proportion of the population is illiterate will loom large before them.

Mr. President, there is, of course, no use of arguing as to the effect illiteracy has upon wages and in holding labor down to a class from which it could well desire to rise. There is no use of arguing the question of its limiting the quantity of production; of its making necessary greater supervision; that it breeds suspicion and disagreements and makes for accidents. Illiterates do not think for themselves; they permit others to do their thinking. They can be made to believe anything. They can not be made to understand the questions of cooperative labor; they can render no aid in solving the great problems of industrial unrest; they can have no knowledge of simple economics. The blood of America is being diluted by ignorance. These are self-evident propositions. Who will deny them.

I wish this Congress would pass the Burnett immigration bill. That is one of the things we ought to do. It is important in this country that every man, every woman, and every child shall know and be able to think in at least one language—not in foreign accents, but to think in accents of the United States.

Mr. OWEN and Mr. GRONNA addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Iowa yield; and if so, to whom?

Mr. KENYON. I yield first to the Senator from Oklahoma.

Mr. OWEN. I have a letter from Frank Morrison, secretary of the American Federation of Labor, urging the passage of the Burnett immigration bill and constructive action by Congress. Might I be permitted to ask that it be inserted in the RECORD without reading?

Mr. KENYON. Yes; I should be very glad to have that done.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter referred to is as follows:

WASHINGTON, D. C., *February 25, 1919.*

Hon. ROBERT L. OWEN,
Senate Office Building, Washington, D. C.

DEAR SIR: I beg leave to ask your careful consideration of the following cablegram received from President Gompers and members of the executive council of the American Federation of Labor, now in Paris, France:

"PARIS, *February 23, 1919.*

"MORRISON, *Washington, D. C.:*

"Five members executive council in Paris urge you lay before the Congress and President Wilson, when he arrives, the following:

"Our investigation and findings on European countries show that unrest and unhealthy conditions now prevailing among laboring classes are due mainly to after-war conditions; that there is danger to the public weal in some of the efforts that are being put forward by the discontented masses; and that to prevent growth of similar conditions in America Congress must take such action as will put governmental affairs into constructive, rather than a passive or questionable position.

"We recommend that project to defer building construction for governmental purposes until February 1, 1920, be abandoned and that individual enterprises in building industry be encouraged.

"We also strongly urge that action be taken toward completion of ships now 25 per cent or more finished, thus giving employment to those now idle and likely to become idle, and with the additional advantage of avoiding the loss which would otherwise occur if ships were not completed, even if necessary to sell ships at less than normal prices if not needed by the Government.

"GOMPERS."

There is great danger that the attitude of Congress in the defeat of various measures which might relieve the present industrial situation will result in increasing the unrest and uncertainty prevailing in this country.

I earnestly urge that the following bills be given your earnest support and that they be enacted before the close of the session, and that the course of legislation may be so shaped that it will tend to quiet rather than provoke unrest and discontent:

Burnett immigration bill (H. R. 13669); Kenyon public-works bill (S. 5397); bill for irrigation, drainage, etc., to furnish homesteads for returning soldiers, sailors, and marines; appropriations for United States Employment Service and other essential activities of the Department of Labor.

Very respectfully, yours,

FRANK MORRISON,
Secretary American Federation of Labor.

Mr. GRONNA. Mr. President, I am sure the Senator from Iowa inadvertently criticized Congress. The Senator will remember that Congress by an overwhelming vote passed the Burnett bill, but that it was vetoed by the President.

Mr. KENYON. That is not the Burnett bill which I have in mind. I refer to the Burnett bill prohibiting immigration into this country for a period of four years, which, I understand, has passed the other House and is now in some committee of the Senate.

Mr. OWEN. Mr. President——

Mr. KENYON. I yield to the Senator from Oklahoma.

Mr. OWEN. Will the Senator permit me to call attention to the fact that the passage of this bill is avoided and prevented by the rules of the Senate? It is the rules of the Senate that make it impossible for this body to legislate, and I do hope that when the Republicans take charge of the body they will pass rules that will permit this body to function, and thus meet the expectations of the American people. I will give my cordial support to that.

Mr. KENYON. I hope they will; but I will say to the Senator from Oklahoma that I do not believe they will.

The steel and iron manufacturers of this country employ over 58 per cent of foreign-born helpers; the slaughtering and meat-packing trades, 61 per cent; the bituminous coal-mining industry, 62 per cent; the silk and dye trades, 34 per cent; the glass-making enterprises, 38 per cent; the woolen mills, 62 per cent; the cotton factories, 69 per cent; the clothing business, 72 per cent; the boot and shoe manufacturers, 27 per cent; the leather tanners, 57 per cent; the furniture factories, 59 per cent; the glove manufacturers, 33 per cent; the cigar and tobacco trades, 33 per cent; the oil refiners, 67 per cent; and the sugar refiners, 85 per cent.

Of the foreign-born wage earners in this country who have been here five years or more, who were of adult age on arrival, only 31 per cent are naturalized. They have no knowledge of the history or the ideals of this Republic, and they can not get that knowledge. National unity, it seems to me, is dependent upon some language which all of our people can speak and in which they can think.

I venture the assertion that not more than four people out of every ten in the United States can accurately state any four principles laid down in the Constitution of the United States. Education is not merely a State matter. This bill proceeds on the theory of helping the States. Men have said to me, "My State does not need this." Let us see as to that. Alabama may need it; they have a high rate of illiteracy there; but the State of Iowa probably does not need a penny of it. We can take care of all of these questions. But illiteracy in any State in the Union is a problem for every other State in the Union. It is not entirely a State question; it is a national question. Illiteracy in Alabama is a question for the people of Iowa, of Wisconsin, and Minnesota. It is a great national question, and it ought to be treated as such.

We are doing more for education nationally of the population of the Philippine Islands—and what we have done there is a great tribute to America—than we are doing nationally for the education of the people of this country.

England, in the midst of this great war, could stop and work out a great plan as a part of her reconstruction plan for helping education. Education is the foundation stone of this Republic; it is an insurance policy against Bolshevism, against sedition, and against any attempts to tear down this Government.

Mr. President, I ask to have read at the desk a letter from the President to Representative BANKHEAD, who has been one of the ardent supporters of this measure, and whose name it bears, together with that of the distinguished Senator from Georgia [Mr. SMITH]. Following that I ask to have read a letter from the Secretary of the Interior, Mr. Lane.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

THE WHITE HOUSE,
Washington, February 27, 1919.

MY DEAR MR. BANKHEAD: Perhaps it is idle to hope for the passage of any but the most immediately essential measures at this session, but I have been so much impressed with the importance of the so-called Americanization bill that I am writing to ask if you see any chance of getting it through without interfering with the supply bills?

Cordially and sincerely, yours,

WOODROW WILSON.

Hon. WILLIAM B. BANKHEAD,
House of Representatives.

THE SECRETARY OF THE INTERIOR,
Washington, February 28, 1919.

MY DEAR SENATOR: There is, as you state, no one matter which overshadows in the public mind or in importance to the Nation that which is known as Americanization. It carries with it no implications of partisanship or of private interest. It touches and vitally affects every section of the land. It is to-day's problem and the answer to many of the problems of to-morrow.

We are not in good faith with the world so long as we are proclaiming the supreme advantages of democracy, and winning the world to our belief in it, and at the same time our War Department reports that 20 per cent of the first million and a half men called to arms in America could not write a letter home, could not sign a pay roll or read a written order. You are a conservationist and so am I. You believe in preventing waste of the gifts of God to this Republic. What greater waste can there be than the waste of human raw material? Certainly a man can not be of this world fully who is denied access by illiteracy to all that human thought and experience has written in books and in papers. And this Government can not maintain its place of leadership, or claim such position, unless those who constitute it are informed and have that knowledge which is the foundation of judgment. Can you tell me of anything more humiliating to Americans than to find American Army officers training men in camp in the meaning of the English words "halt," "forward," "march"? There are responsibilities that go with democracy, and the first and greatest of these is that every man shall know our language, understand it when spoken, and be able to use it as a means of understanding what America is and what the opportunities of the American are.

And so I say to induce the States to do this work is a national duty and a national opportunity.

The need for it has never before been realized as it is to-day. Intelligent labor is insistent upon it, that it may itself be protected from the mistakes of the ignorant. Every mine operator and every manufacturer suffers in damages because his men do not know the instructions that are given them. A more informed workman means a safer workman, a wiser workman, a better-paid workman. We can pay our national debt by the added wealth, the greater output of a better-equipped body of workmen. This is not rhetoric, it is downright common sense. It means money to America to give our people the primary tools of knowledge. And it means safety, too. It is not safe to be at the mercy of ignorance. Of what use is it to preach sane social or economic theories to those who can have no wider vision than their own doorstep? How can the ignorant check what they are told and test it by the experience of the world? It is absurd to expect it. And these are days when all the weather bulletins do not come out of the Agricultural Department. Of what use is it to tell men that this is a land governed by law, with a written Constitution, under which men can make just such a society as will fit their needs best, when they can not know what that Constitution guarantees to them and can not for themselves gain any fair interpretation of what the tradition, the history, and the spirit of this country is?

We are at the end of a session; but I would heartily urge that no effort be spared to make its close significant by the passing of this measure, through which we can make America mean so much more to many millions of our people, home born and foreign born, than it has meant before.

Cordially, yours,

FRANKLIN K. LANE.

Hon. WILLIAM S. KENYON,
United States Senate.

Mr. SWANSON. Mr. President, I ask unanimous consent that all debate on any bill on the calendar from now on shall be limited to five minutes. I wish to state that unless that consent is given and we proceed to the consideration of the calendar under that rule I will object to any further bills being considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Virginia?

Mr. BRANDEGEE. Mr. President, before agreeing to the unanimous consent requested by the Senator, I should like to get clear in my mind what the existing unanimous consent is under which we are proceeding.

The PRESIDENT pro tempore. The Chair stated, in response to a parliamentary inquiry, that the Chair did not find in the unanimous-consent agreement any limitation of debate to five minutes, as under the ordinary rule, and, therefore, the debate might proceed subject to objection to the bill under consideration at any time.

Mr. MYERS. I hope the request of the Senator from Virginia will be granted, because if it is not granted all the other bills remaining on the calendar will be cut off, and there are a few that ought to be considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Virginia for unanimous consent?

Mr. POINDEXTER. May I inquire the meaning of the request? I do not understand that it means to limit all debate on the bills to five minutes, but that each speech shall be no longer than five minutes.

Mr. SWANSON. That each speech shall not be longer than five minutes on any measure called on the calendar under the present unanimous-consent agreement. That is my request.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered.

Mr. BRANDEGEE. Mr. President, while I was off the floor for a few moments a bill on the calendar was reached which I reported——

The PRESIDENT pro tempore. The Chair will state to the Senator from Connecticut that there is a bill undisposed of before the Senate at the present moment, which the Chair thinks should be disposed of.

Mr. BRANDEGEE. I do not wish to object to that at all.

Mr. MYERS. Mr. President, I wish to say a word about the bill under consideration.

The PRESIDENT pro tempore. The Chair will recognize the Senator from Connecticut after the pending bill is disposed of.

Mr. BRANDEGEE. Very good.

Mr. MYERS. Mr. President, I wish to state to the Chair and to the Senate why I was so insistent that Calendar No. 700 be not considered objected to. There seemed to be some misunderstanding. I knew when the Senator from Utah ob-

jected that he meant his objection to apply to Calendar No. 699; I knew he had no objection to Calendar No. 700; but the Chair and the clerks at the desk seemed to understand that objection was made to Calendar No. 700, and I desired to remove that misunderstanding. I am interested in Calendar No. 700, because it was called to my attention by Representative CRAMTON, of Michigan. It was carefully investigated by the Senate Committee on Public Lands, and provides for the selling to the county of Huron, in the State of Michigan, of a small tract of 120 acres of land, I believe, at a dollar and a quarter an acre. It is, I am told, about the only tract of public land left in northern Michigan. It is very rocky and not fit for argiculture, and some city in the county of Huron wishes to use it as a park. I was interested in it because my attention had been drawn to it, and I hope that the bill may pass.

Mr. President, while I am speaking I wish to take sharp issue with the criticism that was made a short time ago by the Senator from Pennsylvania [Mr. PENROSE] on the Secretary of the Interior. He used very rash and extravagant language and made very rash and extravagant assertions, stating that if all the appropriations asked for by the Secretary of the Interior were granted it would bankrupt the Government. That assertion, in my opinion, is wholly unjust, unwarranted, and undeserved. The Secretary of the Interior is a man whose vision, great statesmanship, and comprehension of the economic questions facing this country now and to face it in the future are unsurpassed by those of anybody in this country. He has plans for the betterment of the people of this country, and whenever he asks for an appropriation there is something substantial back of it; there is something substantial and beneficial to come from it.

He has only asked for one large appropriation from this Congress, and that is an appropriation of $100,000,000 for the purpose of reclaiming lands and furnishing homes for returned soldiers and sailors. That project is in behalf of men who offered their lives and limbs in defense of the liberties of this country. It is not to be a donation; it is to be a loan, which they are to repay out of money made from honest labor through avenues afforded by the United States Government. It is a commendable project, and I do not think that the Secretary of the Interior is subject to censure on account of bringing it forward. I hope it may be enacted by this Congress, and I think that it would be of incalculable benefit to the people of this country.

That is all I care to say, and I hope now that Calendar No. 700 will be passed unanimously.

Mr. SMITH of Michigan. Mr. President, this bill was introduced by my colleague [Mr. TOWNSEND]. He is unfortunately detained from the Senate by reason of seriousness illness in his family. It comes here with a unanimous report from the Committee on Public Lands. It gives to the county of Huron a small acreage of ground for park purposes, and it is thoroughly protected under the usual requirements of Congress, so far as minerals, and so forth, are concerned. I sincerely hope the bill may be passed.

The PRESIDENT pro tempore. If there be no amendments to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXPENSES UNDER TREATY OF WASHINGTON.

Mr. BRANDEGEE. Mr. President, I assume now that Order of Business 697, Senate bill 1456, may be recurred to under the unanimous-consent agreement.

The PRESIDENT pro tempore. The Chair understood it was temporarily passed over.

Mr. BRANDEGEE. Was there objection to the bill?

Mr. KING. No.

Mr. BRANDEGEE. That bill appropriates $1,500 to pay an amount which was due to one of the secretaries of Caleb Cushing when he was counsel for the Government under the treaty of Washington at the Geneva arbitration. There are three committee reports—two by the Senate Committee on Foreign Relations and one by the House Committee on Foreign Affairs—in favor of the bill. There are two communications from the Department of State giving the history of the claim and stating that Mr. Hackett never received the money and that he is equitably entitled to it. It was appropriated before. This reappropriates some $800 and adds enough to it by a new appropriation to bring it up to $1,500. The salaries of the secretaries of these three commissioners were increased by the State Department from $1,500 to $3,000, and Mr. Hackett never got his $1,500.

Mr. OVERMAN. Mr. President, I think I will object to it. I know all about that claim. I used to be on the Committee on Claims.

The PRESIDENT pro tempore. Objection is made to the consideration of the bill, and it goes over.

Mr. BRANDEGEE. Very well.

BILLS PASSED OVER.

The bill (S. 5611) granting to certain claimants a preference right to purchase public lands in the State of Arkansas was announced as next in order.

Mr. NUGENT. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 5652) providing for cooperation between the United States and State governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes, was announced as next in order.

Mr. GRONNA. Mr. President, that is too important a bill to be passed at this time of the session. I ask that it go over.

Mr. MYERS. Mr. President, I just want to say one word. That is the bill embraced in the plan of the Secretary of the Interior to furnish homes for soldiers and sailors. I think we might as well consider it now as at any time. I had hoped we could do it now.

The PRESIDENT pro tempore. Objection has been made. The Secretary will state the next bill on the calendar.

MODOC NATIONAL FOREST, CAL.

The bill (H. R. 17) to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes, was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That any lands within those certain portions of Modoc and Siskiyou Counties, Cal., found by the Secretary of Agriculture to be available for the production of timber or the protection of stream flow or regulation and improvement of the grazing thereon described as follows, to wit:

Commencing at that point on the California-Oregon State line where the same crosses the west line of the Modoc National Forest, being in section 29, township 48 north, range 8 east, Mount Diablo meridian; thence southerly and westerly, following the meanderings of the said west line of said Modoc National Forest to the point where the same crosses the south line of township 45 north, range 4 east, Mount Diablo meridian, at the southeast corner of section 34 in said township; thence west, following the section lines to the southwest corner of township 45 north, range 3 east, Mount Diablo meridian; thence north along the township line between ranges 2 and 3 to the point where the same crosses or intersects the California-Oregon State line; thence east along said State line to the point of beginning; also all of sections 34 and 35, township 48 north, range 16 east, and the west half of section 2 and all of section 3, in township 47 north, range 16 east, Mount Diablo meridian, with the approval of the Secretary of the Interior, be included in and made a part of Modoc National Forest, Cal., by proclamation of the President, for the purpose of production of timber, protection of stream flow, or regulation and improvement of the grazing thereon, and thereafter to be governed, controlled, and used under the same rules and regulations now in force or to be hereafter adopted governing said Modoc National Forest.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GIG HARBOR MILITARY RESERVATION.

The bill (H. R. 11219) providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes, was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Gig Harbor abandoned military reservation in sections 5 and 8, all in township 21 north, range 2 east, Willamette meridian, in the county of Pierce and in the State of Washington, be caused by the Department of the Interior to be surveyed and subdivided into tracts and lots to conform as far as practicable to the tracts and lots lawfully occupied by the tenants thereon on December 5, 1917.

SEC. 2. That after said survey and the approval thereof by the Commissioner of the General Land Office the plat thereof shall be filed in the office of the register and receiver in the manner provided by law, and thereafter any lawful lessee in actual occupancy on December 5, 1917, of any portion of the lands described in section 1 hereof who made actual settlement thereon in good faith under the terms of a lease by the War Department, or a sublease thereunder on said date, or the heirs or assignees of such lessee or sublessee, shall be entitled to purchase for the appraised value one of such surveyed tracts so occupied, no right of purchase of such lessee or sublessee to exceed the lands actually occupied and improved by him on December 5, 1917, and in no case exceeding 10 acres in a body, according to Government surveys and subdivisions thereof, upon the payment to the Government of a sum of money equal to the appraisal value thereof, such appraisement to be made as provided by law: *Provided*, That in making such appraisement the appraisers shall not include the improvements thereon made by the occupants of such lands: *Provided further*, That payment to the Government may be made in one sum, or one-tenth cash and the balance in nine equal annual installments, with interest at 5 per cent per annum, payable annually, as the purchaser may elect.

SEC. 3. That if any tract of the lands described in section 1 hereof be not purchased by the lessee or sublessees, his heirs or assigns, as provided in section 2 of this act, within 90 days after the same becomes subject to purchase under the provisions of this act, then and in that event the Secretary of the Interior is hereby authorized to dispose of the remaining lands under the provisions of the act of Congress of July 5, 1884, entitled "An act to provide for the disposal of abandoned and useless military reservations," and the said lessees, sublessees, heirs, or assigns, in occupancy of lawfully leased tracts on December 5, 1917,

who do not purchase such tracts shall have the privilege of removing from their tracts any buildings placed thereon, and the Secretary of the Interior is authorized to reappraise any unsold tracts from time to time before offering the same for sale under said act of July 5, 1884.

SEC. 4. That any lands needed for lighthouse or roadway purposes may be segregated or reserved for such use, and the lands so segregated or reserved shall not be subject to disposal hereunder.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LANDS IN ALASKA.

Mr. MYERS. Mr. President, I ask unanimous consent that we recur for a minute to Order of Business 601, House bill 12210; and I should like two or three minutes in which to make a statement about it, if there is no objection.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

Mr. OVERMAN. Why not wait until we get through with the calendar?

Mr. MYERS. We are nearly through now. If I wait until we get through, I can not go back. I want to go back now, while I can. It will not take over two or three minutes.

The PRESIDENT pro tempore. The Secretary will state the title of the bill.

The SECRETARY. A bill (H. R. 12210) to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska."

Mr. MYERS. I want to make a statement of two or three minutes about this bill. It is a matter in which I have no personal interest, but it is a matter of great importance to the people of Alaska. It was objected to a while ago, and I did not think to make any statement then, but I want to make a statement about it now.

It is intended to remedy a very bad state of affairs in regard to the public lands of Alaska. It was introduced in the House by Delegate Sulzer, of Alaska, and passed the House, and I feel that it should really be given some attention here. It is very earnestly not only recommended, but urged, by both the Secretary of the Interior and the Secretary of Agriculture; and to give you an idea of the nature of the bill, and their views about it, I will read briefly from the House report. It says:

> This provision of the homestead laws has been applicable only in the Territory of Alaska, and has had the effect of greatly retarding the settlement and development of the Territory. The coast line of Alaska is 26,000 miles in extent, and the river frontage measured on both sides of all navigable streams must be several times the length of the coast, as the departments have found it necessary, under the law, to consider all streams navigable that would float the smallest craft at any season of the year.

In the letter of the two Secretaries to the House Committee on the Public Lands it is said:

> The bill, if enacted, would furnish relief from certain restrictions in the homestead law which are applicable only in the Territory of Alaska. The special provisions in the homestead law as applicable to Alaska, requiring that alternating 80-rod strips be left between homesteads fronting on navigable waters and limiting the frontage of any entry to 160 rods, have been found, in many cases, to work unnecessary hardship, without in such instances the slightest offsetting public advantage. In the national forests this restriction is unnecessary, since all lands are already reserved and no land is opened to entry until first examined, classified, and listed by the Secretary of Agriculture for entry under the forest homestead act. Lands needed for public purposes, such as harborage purposes, are not opened to entry anyhow, no matter how far distant from other patented lands, and no matter how small an amount of shore line is involved. The present law, therefore, merely operates to prevent the listing of land which might be used for agricultural purposes, and which is of no value for harborage or other water-front purposes. In effect, the measure under consideration would leave such spaces reserved, excepting where it is found they are not needed for public purposes. Outside of the national forests, discretion in making such exceptions and restoring such reserved spaces to entry would, by this measure, be vested in the Secretary of the Interior.
>
> The enactment of this measure would enable the executive departments to afford immediate relief to many worthy settlers who have in good faith occupied, improved, and cultivated lands of no special value because of their water frontage, and have in every way complied with the requirements of the homestead law, excepting that they are found to be within 80 rods of another entry fronting upon navigable water, or it is found that their water frontage, following the sinuosities of the shore, exceeds the 160-rod limitation.
>
> Since this measure fully protects all public interests, while at the same time allowing the utilization of lands which would otherwise remain unnecessarily unused and reserved, it is our opinion that the bill under consideration should be enacted into law.
>
> Very truly, yours,
>
> ALEXANDER T. VOGELSANG,
> *Acting Secretary of the Interior.*
> D. F. HOUSTON,
> *Secretary of Agriculture.*

The PRESIDENT pro tempore. The time of the Senator from Montana has expired. The Secretary will state the next bill on the calendar.

Mr. MYERS. Mr. President, just a word. I understand my time is limited to five minutes, and I have quit. Now, can not the bill be voted on?

The PRESIDENT pro tempore. The Senator made no motion.

Mr. MYERS. I asked unanimous consent to recur to it, because it was passed over.

The PRESIDENT pro tempore. Is there objection?

Mr. OVERMAN. Mr. President, I did not object to it, and I have no objection; but somebody in the Senate objected to it, and he must have had a reason. I do not think that after some Senator has objected to a bill unanimous consent should be asked to take it up.

Mr. MYERS. Sometimes, when an explanation is made, a Senator withdraws his objection.

Mr. OVERMAN. But some of the Senators are not here now.

Mr. MYERS. I do not know who objected.

Mr. GRONNA. Mr. President, this is a very important measure, and we ought not to try to pass a bill of this kind while debate is limited to five minutes, and I shall object to it.

The PRESIDENT pro tempore. Objection is made. The Secretary will proceed with the next bill on the calendar.

ENLARGEMENT OF YELLOWSTONE NATIONAL PARK.

The bill (H. R. 13350) to add certain lands to the Yellowstone National Park was announced as next in order.

Mr. NUGENT. I ask that that bill be passed over.

Mr. SHEPPARD. Mr. President, a parliamentary inquiry. Was Calendar No. 705 called?

Mr. MYERS. Calendar 705 was not read.

The PRESIDENT pro tempore. Calendar No. 705 is not in the file of the Secretary of the Senate. It has not yet been printed. The Secretary will proceed with the reading of the next bill.

Mr. SHAFROTH. Do I understand the Chair to say the bill has not been printed?

The PRESIDENT pro tempore. So the Chair is informed.

Mr. SHAFROTH. I will state that it is printed.

The PRESIDENT pro tempore. The Chair will recur to that measure at the end of the call of the calendar, unless some Senator makes an objection.

Mr. MYERS. Mr. President, I just want to say in regard to Calendar 706, which has been objected to, that it is supported by the Secretary of the Interior and the Director of the National Park Service, who are very earnestly in favor of it.

Mr. NUGENT. Mr. President, in respect to Calendar No. 706, I will say that I apprehend that a great proportion of the lands intended to be added to the Yellowstone National Park are in the State of Wyoming. It appears, however, from information coming to me, that certain portions of those lands are in the State of Idaho. I know nothing whatever in respect to this matter of my own knowledge, but during the past days I have received a communication on behalf of a large number of people in the State of Idaho entering very strenuous objection to the passage of this bill. I received a protest from the officers of the Idaho Wool Growers' Association, from the officers of the Idaho Horse and Cattle Growers' Association, from agricultural agents in certain counties in Idaho bordering on these lands, as well as from the officers of certain local horse growers' and cattle growers' associations; and under those circumstances I consider that I am justified in asking the bill be passed over.

The PRESIDING OFFICER. Objection is made. The Secretary will now recur to Calendar No. 705, which has just been received at the Secretary's desk.

LINCOLN-DOUGLASS SANATORIUM, OF DENVER, COLO.

The bill (H. R. 11368) to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain-described tract of land, was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for the following tract of land, to wit: The northwest quarter of the northwest quarter of section 1, and the northeast quarter of the northeast quarter of section 2, in township 3 north, range 61 west of the sixth principal meridian, in Colorado, upon the payment of $1.25 per acre: *Provided*, That there shall be reserved to the United States all oil, coal, or other mineral deposits found in the land and the right to prospect for, mine, and remove the same: *And provided further*, That this grant shall be subject to all prior valid existing rights under the land laws of the United States, and that if the grantee shall fail to use the land for sanatorium purposes or shall devote the same to other uses the title thereto shall revert to the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEARINGS BEFORE COMMITTEE ON THE JUDICIARY.

The resolution (S. Res. 469) authorizing the Committee on the Judiciary to continue investigation of German and Bolsheviki propaganda and to incur and pay the expenses of said investigations, etc., was announced as next in order.

Mr. GRONNA. Let that go over.

The PRESIDENT pro tempore. That completes the calendar.

Mr. SHEPPARD. I call for the regular order.

Mr. OVERMAN. I should like to know who objected.

Mr. GRONNA. I objected.

Mr. OVERMAN. I want to say to the Senator from North Dakota that we need only four days to complete that investigation.

Mr. GRONNA. Mr. President, let me say to the Senator that I consider this an acknowledgment that the Department of Justice is not functioning. With the stringent laws that we have on the statute books on this subject, including the espionage law, why is it necessary to have any additional committees to investigate the matter? Furthermore, so important a matter as this should have been brought to the attention of the Senate earlier, and it should not be brought up at a time when we are limited to five-minute speeches.

I believe that the Department of Justice has all the authority necessary to stamp out anarchy and lawlessness, and I believe they should be stamped out. I also believe that the Senate committee now has all the authority it needs to conclude its investigations.

Mr. OVERMAN. The Senate has authorized us to make the investigation. We have not finished it. We would like about four days in which to finish it and get up our report. That is all the resolution is for. Does the Senator still object?

Mr. GRONNA. I object.

Mr. OVERMAN. I want to say that we have a right to do it anyway, and we are going on to do it.

The PRESIDENT pro tempore. Objection is made.

Mr. SHEPPARD. I call for the regular order.

THE CENSUS—CONFERENCE REPORT.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) providing for the Fourteenth and subsequent decennial censuses.

PUBLIC BUILDING AT JUNEAU, ALASKA.

Mr. JONES of Washington. Mr. President, I want to ask the Senator from Texas to yield for just a moment. The Public Buildings and Grounds Committee to-day reported a bill that is considered an emergency measure, increasing the limit of cost for a public building at Juneau, Alaska. The conditions there are deplorable. It is only half a dozen lines; and I ask unanimous consent to consider and pass that bill.

Mr. SHEPPARD. I ask that the unfinished business be temporarily laid aside until the bill to which the Senator from Washington refers can be considered.

Mr. JONES of Washington. I thank the Senator.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent that the Senate temporarily proceed to the consideration of Senate bill 5648. Is there objection?

There being no objection, the Senate, as in Committe of the Whole, proceeded to consider the bill (S. 5648) to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska. It increases the limit of cost for the construction of a public building at Juneau, Alaska, authorized by section 4 of the public buildings act approved June 25, 1910, by the sum of $450,000, to meet the cost of additional space needed for rooms for the Territorial legislature and for the Territorial library and museum to be located therein, and authorizes the Secretary of the Treasury to enter into contract for the completion of said building within the limit of cost provided in the act of 1910 and the additional limit herein authorized.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLAIM OF CHARLES MORGAN, MAIL CONTRACTOR.

Mr. SHEPPARD obtained the floor.

Mr. GAY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Louisiana?

Mr. SHEPPARD. I do.

Mr. GAY. I ask unanimous consent for the consideration of Senate resolution 473.

Mr. SHEPPARD. Will it take any time?

Mr. GAY. I think not. If it provokes any debate I will withdraw it.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will read the resolution.

Mr. GAY. I move the adoption of the resolution,

Mr. FRELINGHUYSEN. I ask that the resolution may be read.

Mr. GAY. It is a request on the Secretary of the Treasury to report the facts as shown by the records of the Treasury Department in a claim involving Morgan's Louisiana & Texas Railroad & Steamship Co. It is a local matter, and it is one that has been pending for some time. I merely ask for its consideration at this time in order to advance business.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 473) submitted by Mr. GAY on the 26th instant, as follows:

Resolved, That the Secretary of the Treasury be directed to report the facts, as shown by the records of the Treasury Department, as to a claim of Morgan's Louisiana & Texas Railroad & Steamship Co., as assignee of Charles Morgan, mail contractor, for $2,094.17 for one month's extra pay, under certificate No. 74 of the sixth auditor, which claim was certified to Congress for appropriation in House of Representatives executive documents as follows: No. 29, Forty-sixth Congress, second session (p. 99); No. 30, Forty-sixth Congress, third session (p. 133); No. 26, Forty-seventh Congress, first session (p. 78); No. 153, Forty-eighth Congress, second session (p. 93); No. 314, Fifty-first Congress, first session (p. 5); and No. 210, Forty-ninth Congress, first session (p. 17), and was reported upon favorably by the Committee on Claims of the House of Representatives in its report No. 2750, Fifty-first Congress, first session, and further reported to Congress in Senate Document No. 92, Fifty-seventh Congress, second session (p. 18); and to report also whether any reason appears to the Treasury Department why appropriation should not now be made.

The PRESIDENT pro tempore. Is there objection to the consideration of the resolution?

Mr. SMOOT. I wish to know something about it.

Mr. GAY. The resolution, I will say, simply calls on the Treasury Department to show the record in this case and to report also whether any reason appears to the Treasury Department why the appropriation should not be made. It is only asking for information.

Mr. SMOOT. I have no objection to information being given as to this mail contract.

Mr. GAY. That is all it asks for.

Mr. SMOOT. No; I think it also seeks an expression of opinion as to whether it ought to be paid or not.

Mr. GAY. Whether there is any reason why it should not be paid.

Mr. SMOOT. There is no reason why the Treasury Department should be asked to give such an opinion.

Mr. GAY. It is following the custom that has existed before in a number of other cases. However, I do not wish to take up the time of the Senate with a discussion of the resolution. I thought there would be no objection to it.

Mr. SMOOT. I have no objection to getting the information.

Mr. GAY. I told the Senator from Texas that if there should be any objection to it I would not press it.

Mr. SMOOT. If the Senator will strike out the words "and to report as to whether any reason appears to the Treasury Department why appropriation should not now be made," I have no objection to the other part of the resolution.

Mr. GAY. I am perfectly willing to have that amendment made.

Mr. SMOOT. I move that amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

AMENDMENT OF THE RULES.

Mr. CALDER. I give notice that at the appropriate time I shall move to suspend the provisions of paragraph 3 of Senate Rule XVI, prohibiting any amendment proposing general legislation to any general appropriation bill, for the purpose of offering the following amendment to the third deficiency bill:

That the Postmaster General is authorized and empowered, within the limits of the amounts herein authorized—

(a) To construct a tunnel or subway in the city of New York along, through, and under such street or streets as may be designated by the local authorities for the purpose of transmitting mail matter between the post office located at or near the terminal station of the Pennsylvania Railroad Co. in said city and the post office located at or near the terminal station of the New York Central Railroad Co. in said city.

(b) To provide such type of equipment and of operation as, in his discretion, he may consider desirable and practicable for the efficient operation of said tunnel or subway.

(c) To purchase, lease, or acquire any land or interest therein, in the name of the United States, which may be necessary in constructing or equipping said tunnel or subway.

(d) To enter into a contract or contracts with a private individual, firm, or corporation for the construction, equipment, and operation, or separately for construction, equipment, or operation of said tunnel or subway upon such terms and conditions as he may deem advisable.

That for the purpose of carrying out the provisions of this act the expenditure of $1,500,000 is hereby authorized, and in executing the authority granted by this act the said Postmaster General shall not expend or obligate the United States to expend more than the said sum, excepting for the maintenance and operation of said tunnel or subway, the expense of which shall be a charge against the general appropriation of the Post Office Department.

That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

ADDRESSES BY JUDGE STAFFORD.

Mr. CHAMBERLAIN. Mr. President, I had the pleasure of hearing an address by Judge Stafford, of the Supreme Court of the District, the other day on Lincoln at the Lincoln anniversary. He has also delivered an address to the Vermont Bar Association on the subject of "A League of Nations." I ask that these two addresses be referred to the Committee on Printing, in the hope that they may be recommended for printing as a public document.

The PRESIDENT pro tempore. Without objection, that reference will be made.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. PITTMAN. Mr. President, I wish to announce that at 9 o'clock, or as soon thereafter as any Senator yields the floor who has it, I am going to present the conference report on the oil and gas leasing bill, Senate bill 2812, and ask unanimous consent at that time to proceed to its consideration. If such agreement is not granted, I shall then move to take up the conference report for consideration. I give this notice so that any Senators who may be interested in the matter may be here.

CONSTITUTION OF THE LEAGUE OF NATIONS.

Mr. LENROOT. Mr. President, it is not my purpose at this time to discuss at length the proposed constitution of the league of nations, but I believe it is the duty of every Senator to make known at this time to the country and to President Wilson his position upon it.

The Senate never has had since the beginning of this Republic a more important responsibility than it will have when the peace treaty shall finally come before it for ratification, amendment, or rejection. At this time the country is confronted with an unprecedented situation, unprecedented, in the first place, because for the first time the President of the Republic has left American soil and has spent months on foreign territory, participating in the formation of a peace treaty. I am not criticizing that, for if he shall be successful in securing a treaty that will be in the interest of America, that will be acceptable to the American people, that will in some measure at least prevent wars in the future, the entire American people will give their approval.

But the situation is unprecented in a more important respect. The commission that has been at work for some months in Paris has, through one of its committees, presented this proposed constitution of a league of nations, a constitution which we are told is not the American plan, but is the English plan. That proposed constitution has been agreed to by the President of the United States and the commissioners whom he has selected. The President has returned to America upon this proposition, written in very large part by those having at heart not the interest of America, but the interest of their own countries, not to seek the counsel of the American people, not to seek the counsel of the United States Senate, but as he himself states, merely to report progress. From all we can gather, the President is not asking for the advice of the American people as to any portion of this proposed constitution.

In addition to that, we find Senators, notably the chairman of the Committee on Foreign Relations, the Senator from Nebraska [Mr. HITCHCOCK], insisting that there shall be no criticism of this proposed constitution, that it is now absolutely perfect as if inspired from on high; that no one, either in the Senate or elsewhere, can make any suggestion for its improvement that should receive any consideration either from President Wilson or from those who are entitled to seats in the peace conference.

Mr. President, since the convention that framed our Constitution no more important question has confronted the American people. The time for discussion is now. If the Senate will not ratify a treaty embodying the league of nations, as now proposed, President Wilson should know it before his return to Paris. Silence upon the part of a Senator now may be regarded as acquiescence. If the President knows upon his return to Paris that modifications must be made in order to secure ratification by the Senate, the presumption is that he will secure such modifications as may be necessary. If he does not, then in case of ultimate failure of the Senate to ratify the treaty he must take the responsibility for any consequences that may follow. I recognize that the appropriation bills are important and that many must fail of passage by next Tuesday if this matter is to receive proper discussion; but these bills can be passed at a special session, while the discussion of this matter should not be postponed.

I am not opposed to a league of nations. I favor it. I approve the general plan of the formation of the league as proposed. In my judgment the country will approve the proposed constitution if certain material modifications are made and other provisions simplified and their interpretation made certain.

Articles 1 to 7, inclusive, it seems to me, are free from objection except in one important particular, already pointed out by others who have addressed the Senate upon the subject, and that is the equality of voting power of every nation. Serbia has the same power in this league as the United States. The vote of Greece weighs as heavily in arriving at the judgments of the league as does that of the United States. It has already been pointed out that in the meeting of the delegates Great Britain will have five votes, the United States will have one. This objection was recognized by the framers of the constitution in the provision made for the executive council whereby the United States, Great Britain, France, Italy, and Japan will always constitute the majority; but it must be remembered that under article 15 any dispute between the nations, members of the league, may on application of either party be taken out of the hands of the council and referred to the body of delegates; so that, in fact, the provision against domination of the league by small nations becomes of no value. If the league is to have any powers beyond a moral force and recommendation, the United States should not be placed upon an equality with Czecho-Slovakia in determining the liberties of the world and the future of mankind. President Wilson truly says the United States is the most important factor in the world to-day. This is due to two things:

Our example to the world as an unselfish, liberty-loving, self-governing people, and

Our entire freedom of action to determine for ourselves what course will best serve the preservation of our own liberties and the future of civilization.

This freedom of action is not only to be surrendered to a league of nations but it is to be surrendered to a body in which we shall have no greater voting power than Portugal. Either this inequality must be remedied or else our freedom of action must be preserved.

We next come to article 8, relating to disarmament.

The matter of disarmament is one of the most important of the President's 14 points, so far as the future peace of the world is concerned; but I agree with the Senator from Illinois [Mr. LEWIS] that there is nothing in this article, or anywhere in the constitution of the league, that requires reduction of armaments.

All that this article does is to direct the executive council to formulate a plan for disarmament and propose the same to the nations members of the league, but its adoption is wholly optional with each government. True, when once adopted the limit of armament can not afterwards be exceeded without the permission of the executive council, but no nation would be insane enough to adopt such plan so long as there was any powerful nation, either within or without the league, that had not adopted it. The result would be that a separate convention would have to be entered into and agreed to by all the powerful nations of the world before reduction of armaments could be accomplished. All the league of nations could do would be to propose such a convention or treaty. Thus, in the most important factor for the prevention of future wars, the reduction of armaments, so strongly emphasized by President Wilson in his 14 points, the league is powerless.

The same observations can be made of the second paragraph of the article, relating to manufacture of munitions and implements of war. The action of the league is advisory merely. In the third paragraph agreement is made that there shall be no concealment of the condition of industries as are capable of being adapted to warlike purposes, and that there shall be full and frank interchange of information as to military and naval programs.

This paragraph may be of value in that such information, although always secured by powerful nations through some means or other, can by this paragraph be secured as a matter of right.

I can see no objection to article 8. It can do no harm, and in initiating a program for disarmament it may do some good. But we should not be deceived by any representation that this league will insure reduction of armaments, for it will not.

Mr. WADSWORTH. Mr. President——

The PRESIDENT pro tempore. Will the Senator from Wisconsin yield to the Senator from New York?

Mr. LENROOT. I yield.

Mr. WADSWORTH. Does the Senator construe the last sentence of the paragraph which he has just read as compelling a nation to disclose any invention which might directly or indirectly be applied to the waging of war?

Mr. LENROOT. I am frank to say that I think either interpretation might be gathered from the language. The language is vague and indefinite upon that subject.

Article 9, providing for a permanent advisory commission on the execution of the provisions of article 8, and on military and naval questions generally, will be beneficial in affording expert advice in formulating a program to be proposed to the parties to the league.

We next come to article 10, whereby the high contracting parties undertake to respect and preserve against external aggression the territorial integrity and existing political independence of all States members of the league. By this article the United States would become obligated to use all its resources and all its man power, if necessary, for the preservation of the existing territory and political independence of every nation in the league if attacked by any other nation. This means we would be in honor bound to send our troops to every quarter of the globe where trouble may arise. No matter how despotic a nation may be, though their own people may be fighting for liberty, no other nation can assist them, or, if they fight, they must fight not for liberty, but for the preservation of despotism.

If Turkey should be admitted to the league, so far as this constitution is concerned, the Sultan may massacre the Christians within its borders at will. Such action will not be within the jurisdiction of the league, nor will any member of the league have the right to go in and free the Christian peoples and enable them to set up a separate Government. To illustrate, if Armenia had remained under the Turkish Empire, we would by this article guarantee that it should forever remain under Turkish rule and no nation would be permitted to assist them to freedom. True, by this war Armenia will become an independent nation, but in the years to come there may be other Armenias, peoples may struggle against despotism and for freedom, but this league of nations under this article would not only prevent us from helping them, but we must actually fight any nation that would undertake to help them. Surely this is not making the world safe for democracy. I am not unmindful of the fact that this article would also prevent a despotic nation from extending its territory and enslaving free peoples, but to prevent autocracy extending in one direction, we should not prevent liberty extending in another. Moreover, the United States never would make war against any nation, great or small, except for its own safety, or to bring liberty to others, as was done in Cuba, but, under this article, we can never, whatever the provocation may be, assist any people to free themselves from a despotic government and establish their own independence. I say we can not and neither can the league of nations do so. If we fight at all, under the terms of this article, we must fight against them, not for them.

If there is trouble in the Balkans in the future, we must send, under this obligation, our quota of troops to Europe to preserve the territorial integrity and existing political independence of the Balkan States. If Bolshevists or Socialists in Russia should undertake to assist in overthrowing any of the monarchies in the Balkan States, we must fight Russia, we must become a party to every little quarrel in Europe and contribute American boys and American money to stop it. No such obligation should be imposed upon us. The European nations members of the league should be primarily responsible for the peace of Europe.

The United States should be primarily responsible for peace in the Western Hemisphere. If the European nations shall be unable to maintain peace, then they should be free to call upon us for help; but we should be left free to decide for ourselves whether the situation is such as to call for our intervention. If the peace of the world is menaced, we will intervene, as we did in this war, but we should not be obliged to do so. On the other hand, the United States will prevent external aggression against any of the nations in the Western Hemisphere, and will ask no aid from European nations in so doing.

I do not think we can safely agree to this article as written, either from an American standpoint or from the standpoint of safeguarding the liberties of mankind. We can safely have an understanding or agreement, such as was had between France and Great Britain in 1912. That understanding was in these words—Sir Edward Grey to the French ambassador in London:

> I agree that if either Government has grave reason to expect an unprovoked attack by a third power, or something that threatened the general peace, it should immediately discuss with the other whether both Governments should act together to prevent aggression and to preserve peace, and, if so, what measures they would be prepared to take in common.

Here, then, was no obligation, except to discuss and consider common action. And yet in 1914, when the European war was started, that understanding was sufficient to bring Great Britain and France together, because they realized that it was necessary for them to fight together against a common enemy.

Article 10, in question, could well be amended along the same lines by agreeing that in the case of external aggression or threatened aggression against one of its members the executive council should at once take jurisdiction of the matter and advise such common action as it may deem necessary in the particular case. The article might go even further, by entering into an obligation that in no case should a member State extend its territory, either through force or peaceful means, without the consent of the inhabitants of the territory affected.

There should be no objection to article 11, for any war or threat of war should be a matter of concern to the league; but it should be observed that the high contracting parties reserve to themselves to take any action that may be deemed wise and effectual to safeguard the peace of nations. In this article, while a threat of war is declared a matter of concern to the league, no powers, even of an advisory nature, are granted to the league, but the parties to the league reserve to themselves entire freedom of action. In view of the subsequent articles, however, it is difficult to conceive what such freedom of action could be.

It should be noticed that this article relates to war or any threat of war, while the previous article relates to external aggression. The mind at once inquires whether these two phrases are synonymous or not. The presumption is they are not, and that the term "external aggression" in article 10 may mean something less than war. If this be true, article 10 is all the more dangerous, for we may be obligating ourselves to prevent propaganda, from the outside, tending to overthrow an existing government. For many years Irish societies have had for their object a free Ireland. Under article 10, could this Government be obligated to suppress such Irish societies? I merely raise the question, but I will say, Mr. President, that while I have not had opportunity to examine the judicial interpretation of the words "external aggression" or "aggression" in international law, if there be any such judicial interpretation, I do find in Webster's Dictionary that the word "aggression" has, among others, this interpretation:

> The first act of injury; the first act leading to a war or a controversy.

If that be true, and we are committed to protect every country against external aggression, it means that we are committed to take the side of that nation, the member of the league, although the dispute may be only a controversy, although there may be merely organizations in one nation that are by propaganda, financial assistance, or otherwise, attempting to assist the people of another nation, also a member of the league, to gain their liberty.

Articles 12 and 15 should be considered together, for they relate to the same subject. Both cover in part the same ground, and, to a certain extent, seem to be inconsistent with each other. Under article 12 the high contracting parties agree that they will in no case resort to war without previously submitting the dispute to arbitration or to the executive council of the league, and until three months after the award of the arbitrators, or a recommendation by the executive council, and that even then they will not resort to war as against a member of the league complying with the recommendation of the executive council. Under article 15 the parties again agree that any dispute between members of the league likely to lead to rupture shall be referred to the executive council. Article 12 provides that war shall not be resorted to against any member of the league complying with the recommendation of the council. Article 15 binds the parties in the same manner only if the vote of the members of the council, other than the parties to the dispute, is unanimous. This section provides that in any event a recommendation shall be made under this article, but it is binding only if unanimous. Under article 12 there is no such qualification. This article also provides that the executive council may upon its own motion refer the dispute to the body of the delegates and upon application of either party it shall be so referred. If the recommendation of a majority shall have any binding force, then even without the addition of any other nations to the league the five great powers will constitute a minority. Czecho-Slovakia, Greece, Poland, Portugal, Roumania, and Serbia could outvote the United States, Great Britain, France, Italy, and Japan. If, on the other hand, the decision shall be binding only if unanimous, a case probably never would arise where a member would be obligated to refrain from war following the recommendation of the council or the body of delegates.

I think everyone should agree that the inconsistency in these two articles should be remedied. If the action of the league is to be binding only if unanimous, there may be no great danger in these articles, but if otherwise the United States can not

safely delegate to this league, in which Roumania shall have the same voting power, questions which we do not recognize as justiciable, questions which may involve our honor, aye, even our future existence as a Republic.

From a reading of articles 12 and 15 one is led to believe that they were separate drafts prepared to cover the same subjects, and the commission was unable to decide which should be selected, and so they selected both of them. If one believes that action by a majority should be binding, section 12 can be pointed to as so providing. If one believes that unanimous action only should be binding, section 15 can be pointed to as so providing.

Article 13, providing for voluntary arbitration of justiciable questions, should be approved. It merely reiterates the declaration of The Hague conventions of 1899 and 1907. It is interesting to note in this connection, however, the reservation made by the United States upon signing both of such conventions. It is in the following language:

Nothing contained in the convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign state, nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.

Article 14 provides for the establishment of a permanent court of international justice, and it seems to me there should be no disagreement as to the desirability of this article.

Article 16 provides for the enforcement of the covenants under article 12. If this were limited to awards made under arbitration of disputes voluntarily submitted to the league, I see no objection, and even if it included all justiciable questions it perhaps should receive approval, but the Senator from Iowa [Mr. CUMMINS] has clearly pointed out the danger to the United States if this article is to cover all disputes of every nature. He particularly pointed out the possibility of Japan raising the question before the executive council of our exclusion laws. Unquestionably the league would have the power under the proposed constitution to open our gates to Japanese, Chinese, and oriental immigration, or else we would have to repudiate every contract made in the league. Forcibly preventing the landing of such immigrants after the award would constitute an act of war, and by that act we, by the terms of this article, would be at war with every member of the league, and would suffer all the penalties in the article provided. Are the American people ready to submit the determination of our immigration laws to a league of nations?

Mr. President, I undertake to say that no constitutional lawyer—and I do not make any pretense of being such—of standing in the United States would ever render an opinion that, if this league constitution be adopted as now proposed, our immigration laws will not be within the jurisdiction of the league of nations. All that is necessary to give this league of nations jurisdiction is a dispute between two nations, a dispute under one article, that may lead to a rupture. Will anyone say from the experiences we have had in the past that there has been no dispute between Japan and the United States on this question? Will anyone say that, if this constitution be ratified, the very next day Japan can not again raise the question which she has raised before, and, on our failing to come to an agreement that is satisfactory to her, under the very provisions, the explicit provisions, of this constitution, she may appeal to the executive council, and the executive council then must take jurisdiction of the dispute? There can not be any question of the jurisdiction of the league over immigration laws or any other of our domestic laws that may be in dispute with any other nation.

Ah, Mr. President, the reply to that criticism made to-day by the Senator from Nebraska [Mr. HITCHCOCK], and the reply that is being made by other defenders of this league in the form in which it now stands, is always "President Wilson says that is not so; President Wilson says that it is clear this league would have no jurisdiction of our immigration laws;" but President Wilson will not be the final interpreter of the jurisdiction that is conferred upon this league of nations by this constitution. That will be determined by the interpretation of the constitution itself, and it will be determined by the interpretations, presumably, of men versed in international law, and it is no answer either to this criticism, or any other, that President Wilson says it is not so.

Article 17 deals with nonmember States, and in case of disputes provides for membership in the league for the purpose of such disputes. This should be considered in connection with articles 12 and 15, which I have already discussed, and the observations made with respect to these articles apply to article 18. I would, however, call particular attention to the last paragraph of this article, reading as follows:

If both parties to the dispute, when so invited, refuse to accept the obligations of membership of the league for the purposes of such dispute, the executive council may take such action and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

It will be noted that the disputes here referred to are not limited to disputes which may lead to war, but they include all disputes of every nature. The consent of the nations to submit the dispute is not required. There may be no threat of war. The nonmember nations involved in the dispute may have no thought of war, but here the executive council is given power to take such action as will settle it. By what right can this self-constituted authority intervene in such cases? By what principle of democracy can it be asserted? It boldly asserts the right of this league to govern other self-governing peoples without their consent. There can be but one situation where interference could be justified, and that is where such disputes might affect the rights or menace the safety of a member of the league. To go further than that would be despotism.

Article 19 governs mandatories. As I interpret this article the executive council shall have the right to designate members of the league who shall undertake the supervision of and become the guardians of those colonies and territories formerly belonging to the central powers and now proposed to be given their independence but not able to stand by themselves. The article recites that the tutelage of such peoples should be intrusted to advanced nations who by reason of their resources, their experience, or their geographical position can best undertake this responsibility. Specific mention is made of communities formerly belonging to the Turkish Empire, Central Africa, South Africa, and the South Pacific isles. A very casual reading discloses unmistakably that Great Britain will take care of Africa, but who will take care of and be responsible for Turkey? Just as clearly as the paragraph relating to Africa points to Great Britain, which will be to her advantage, so just as clearly does the paragraph relating to Turkey point to the United States. The sick man of Europe is to be turned over to the United States. Notice the language: "The wishes of these communities must be a principal consideration in the selection of the mandatory power." This language is not used in speaking of Africa and the South Pacific isles, it is used only of communities formerly belonging to the Turkish Empire.

Then turn to President Wilson's Boston address, "There is no nation in Europe that suspects the motive of the United States." That is true, and we all glory in it, but because it is true every weak, struggling people in Europe will ask that the United States be made its guardian, and the communities lately a part of the Turkish Empire are sure to select the United States, and article 19 declares that as to those peoples their wishes should be the principal consideration.

Further quoting from the President's address:

Whenever it is desired to send a small force of soldiers to occupy territory where it is thought nobody else will be welcome, they ask for American soldiers.

Mr. President, I do not believe American mothers and fathers are willing to send their boys to keep the peace with the unspeakable Turk through all the years to come. Our boys are now in Russia, kept there in violation of the Constitution. The American people insist that they be withdrawn. I have had hundreds of letters upon the subject, all without exception demanding the return of our boys. Think you the American people will be any more willing to send their boys to Turkey? Is Turkey a menace to the peace of America? Is it our business to preserve law and order there? How generous our European associates are! As a reward for our intervention in the great war, for the sacrifice of 50,000 American boys now sleeping beneath the sod in France, given to preserve our own liberties and our own institutions here in America, we are to be permitted—no, not permitted; we shall be required—to keep an American Army in the Turkish Empire. Mr. President, the American people will not submit to this, and if there were no other objections to the proposed constitution this provision as it now stands would cause its rejection by an overwhelming majority of the American people. This article should be amended so as to make it clearly optional with any member of the league to accept the mandate, and it should be provided that it could only be accepted with the consent of the legislative body of the nation invited. It should further be provided that the mandate could be surrendered to the league at any time.

Article 20, relating to labor, is advisory only, and if this league can make any recommendations resulting in a benefit to labor it should be welcomed.

Article 21 provides that provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the league. Just what this language means no one seems to know. If it means that the league shall have power to take jurisdiction over tariff laws, shipping, and so forth, of States members, of course it can not be approved by the United States. If, on the other hand, it means no more than the provisions known as the most-favored-nation clause of our treaties, there may be no serious objection. In any event, there can be no excuse for not amplifying this article and making plain what is meant.

The remaining articles, 22 to 26, inclusive, should, it seems to me, receive our approval as they stand. As this constitution now stands it is a perpetual covenant. No provision is made for withdrawal by any member. I think, inasmuch as it is an experiment, its life should be limited to 10 years. If it is a success, it can then be made perpetual or further extended. If it is a failure, the nations should not be perpetually bound by it.

Mr. President, I have thus hastily reviewed the different articles of the proposed constitution. I have tried to approach this question without prejudice, without partisanship. I have studied it solely as an American, anxious and ready to approve it in so far as I believe it to be consistent with the aims and purposes and ideals of America. I am not ashamed to say that in its consideration I have had America first in mind. Our soldiers fought primarily not to make democracy safe in the world but to make it safe in America, and by making it safe here, by preserving our own freedom, we can best make it safe for others.

We all pay tribute to President Wilson's idealism, but I believe it better to insure the realization of our ideals here in America rather than surrender any part of them for the possibility of the realization of a world ideal. Mr. President, this is not the first time that a league of nations has been proposed, with the realization of noble ideals as its professed object.

The Holy Alliance in 1815 was a league with declared ideals of the highest order, and it is not out of place in this connection to read the declaration of that league, signed in September, 1815, by Russia, Prussia, and Austria:

In the name of the Most Holy and Indivisible Trinity, their majesties the Emperor of Austria, the King of Prussia, and the King of Russia, in consequence of the great events which have marked the course of the last three years in Europe, and especially of the blessings which it has pleased Divine Providence to shower down upon those States which place their confidence and their hope in it alone, having acquired the intimate conviction of the necessity of settling the steps to be observed by the powers, in their reciprocal relations, upon the sublime truths which the holy religion of our Savior teaches; they solemnly declare that the present act has no other object than to publish, in the face of the whole world, their fixed resolution, both in the administration of their respective States, and in their political relations with every other Government, to take for their sole guide the precepts of that holy religion, namely, the precepts of justice, Christian charity, and peace, which, far from being applicable only to private concerns, must have an immediate influence upon the counsels of princes, and guide all their steps, as being the only means of consolidating human institutions and remedying their imperfections. In consequence, their majesties have agreed on the following articles:

ART. 1. Conformably to the words of the holy Scriptures, which command all men to consider each other as brethren, the three contracting monarchs will remain united by the bonds of a true and indissoluble fraternity, and, considering each other as fellow countrymen, they will, on all occasions and in all places, lend each other aid and assistance; and, regarding themselves toward their subjects and armies as fathers of families, they will lead them, in the same spirit of fraternity with which they are animated, to protect religion, peace, and justice.

ART. 2. In consequence, the sole principle in force, either between the said governments or between their subjects, shall be that of doing each other reciprocal service, of testifying by unalterable good will the mutual affection which ought to animate them, of considering themselves all as members of one and the same Christian nation; for the three allied princes look on themselves as merely delegated by Providence to govern three branches of the one family, namely, Austria, Prussia, and Russia, and thus confess that the Christian world, of which they and their people form a part, has in reality no other sovereign than Him to whom alone power really belongs, because in Him alone are found all the treasures of love, science, and infinite wisdom, that is to say, God, our divine Savior, The Word of the Most High, the Word of Life. Their majesties consequently recommend, with the most tender solicitude for their peoples, as the sole means of enjoying that peace which arises from a good conscience and which alone is durable, to strengthen themselves every day more and more in the principles and exercise of the duties which the divine Savior has taught to mankind.

ART. 3. All the powers who shall choose solemnly to avow the sacred principles which have dictated the present act, and shall acknowledge how important it is for the happiness of nations, too long agitated, that these truths should henceforth exercise over the destinies of mankind all the influence which belongs to them, will be received with equal ardor and affection into this holy alliance.

Done in triplicate and signed in Paris, the year of grace, 1815, the 14th (26th) September.

FRANCIS.
FREDERICK WILLIAM.
ALEXANDER.

Mr. President, could there be higher ideals than those expressed and professed by this league more than 100 years ago? And it is interesting to note, Mr. President, that while Great Britain gave a limited approval to this league a few months after the declaration that I have read, and although England had an unwritten constitution, Great Britain did not believe that under their form of government and constitution they were at liberty to become parties to the league. Let me read the note of the British Prince Regent upon that subject:

As the forms of the British constitution * * * preclude me from acceding formally to this treaty in the shape in which it has been presented to me, I adopt this course of conveying to the august sovereigns who have signed it my entire concurrence in the principles they have laid down and in the declaration which they have set forth, of making the divine precepts of the Christian religion the invariable rule of their conduct in all their relations, social and political, and of cementing the union which ought ever to subsist between all Christian nations.

I do not for a moment, Mr. President, intimate that because that league was a failure this league will be a failure. Indeed, I hope that quite the contrary will be the case. I only refer to it for the purpose of reminding the Senate that this is not the first time that a league has been formed with the very highest ideals of which the human mind could conceive.

It would be interesting, Mr. President, to call attention to the various leagues to enforce peace that have had their rise and fall in the years that have gone, but I shall not take the time of the Senate to do so now. I hope that at this time a league of nations may be formed that will be more successful in preserving peace than others that have had their day. I shall gladly vote to ratify a treaty embodying a league having the fullest powers consistent with our own interests and our safety. If the proposed constitution shall be modified before it is finally presented to us for ratification, I hope to be able to support it.

I will conclude with one statement which will not be successfully challenged by any who are supporting the league.

If there had been a league of nations with this proposed constitution at the time of the Revolutionary War there never would have been a United States of America. There never would have been a Star-Spangled Banner. We would still have been one of the dominions of Great Britain, for France could not have come to our aid, and if Europe had not been at war England would have been free to crush our struggling little army in a few months.

If, following the Revolutionary War and before the Mexican War, a league of nations with this proposed constitution had been created, California, Colorado, New Mexico, and Arizona would still have been a part of Mexico, and we would have been bound to protect Mexico in her possessions. If, following the Mexican War and before the Spanish-American War, a league of nations had been created with this proposed constitution, Cuba and the Philippine Islands would still have been colonies of Spain. We could not have interfered in the Weyler butcheries in Cuba nor could the league of nations have done so. We entered that war with no selfish purpose. We declared war with Spain on behalf of humanity, and we gained liberty and self-government for millions of people. This proposed constitution would forever prevent us from doing a like service for mankind. A league of nations, yes; but the American people will not be for such a league as may prevent America from realizing her own ideals, achieving her own destiny, and enable her to serve the cause of liberty and mankind as to her may seem best.

Mr. President, greater than the President of the United States, greater than the Senate and the House of Representatives, is the American people. They are the only sovereigns in America. Their judgments, when deliberately formed, should be the sole guide of all those in authority.

They are discussing this matter to-day by every fireside, wherever men and women gather together. They are hungry for facts. They ask for details. They are not content with generalities. When their judgment is finally formed I am confident the response will be, "We are for a league of nations; but in the interest of America, in the interest of liberty, in the interest of mankind, the proposed constitution must be modified."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, announced that the House agrees to the amendments of the Senate numbered 2 and 3 to the bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes, and disagrees to the amendment of the Senate numbered 1.

The message also announced that the House had passed a bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

H. R. 4610. An act to compensate Thomas G. Allen for injuries while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 13274. An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes; and

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

HOUSE BILL REFERRED.

H. R. 16187. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts and joint resolution:

On February 27, 1919:

S. 5058. An act to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.;

S. 5192. An act for the construction of a bridge across Rock River at or near South Jackson Street, in the city of Janesville, Wis.;

S. 5316. An act granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within four miles northerly from the town of Chelan Falls, in the State of Washington;

S. 5478. An act granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across the Tug River;

S. 5534. An act granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes; and

S. 5580. An act granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.

On February 28, 1919:

S. J. Res. 107. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury.

PROPOSED LEAGUE OF NATIONS FOR PEACE.

Mr. FRELINGHUYSEN. Mr. President, I agree with the Senator from Wisconsin [Mr. LENROOT] in the statement that this is the most important question at this time before the country, and it is the duty of those men who represent the people to express their views upon this subject. The conditions as suggested in the proposal of the league of nations should not be imposed upon the people of this country until they have a full realization of what those conditions are and what they mean, and the men who represent their constituencies should not be criticized if, through honest criticism, they oppose the conditions of the league, because it is their duty, in my opinion, to state publicly their views. In my State I have been somewhat criticized because it has been stated that I am opposed to a league of nations.

I do not wish at this time, in the closing hours of the session, to take too much of the valuable time of the Senate in discussing this question, but in view of the fact that we shall shortly adjourn and it is doubtful whether an extra session will be soon called, which I fervently hoped might be very soon called, in order to dispose of the important questions before the country, I feel that it is my duty at this time to state very definitely my views upon this important question.

Mr. President, on November 11, 1918, the President of the United States announced to Congress in joint session the terms of the armistice accepted and signed by the German authorities and informed us that the war thereby came to an end.

On December 2, 1918, he again appeared before Congress in joint session and stated his intention of departing immediately for Europe. In the course of his address he said:

> I welcome this occasion to announce my purpose to join in Paris the representatives of the Governments with which we have been associated in the war against the central empires for the purpose of discussing with them the main features of the treaty of peace.
>
> The allied Governments have accepted the bases of peace which I outlined to the Congress on the 8th of January last, as the central empires also have, and very reasonably desire my personal counsel in their interpretation and application, and it is highly desirable that I should give it in order that the sincere desire of our Government to contribute without selfish purpose of any kind to settlements that will be of common benefit to all the nations concerned may be made fully manifest. The peace settlements which are now to be agreed upon are of transcendent importance both to us and to the rest of the world, and I know of no business or interest which should take precedence of them. We hope, I believe, for the formal conclusion of the war by treaty by the time spring has come.

Spring has almost come, the President has returned, but without any treaty of peace, and, so far as I can gather, without any clear conception as to when there will be a treaty of peace.

More than three months have elapsed since the armistice was signed. Almost daily during that period I have been importuned, as I am sure every other Senator has been importuned, to know when our boys will all be returned. If I can believe the relatives of the boys themselves, they, too, desire to return and long for their homes, now that the actual fighting has ceased and time hangs heavily upon their hands. On all sides business men are clamoring for a return to peace conditions. Why a treaty of peace has not been concluded and when a treaty of peace is likely to be concluded are questions on which I have no more light than the average citizen.

When the President announced his departure for Europe he assured us:

> I shall be in close touch with you and with affairs on this side of the water and you will know all that I do. At my request the French and English Governments have absolutely removed the censorship of cable news which until within a fortnight they had maintained, and there is now no censorship whatever exercised at this end, except upon attempted trade communications with enemy countries. * * * I did so at the advice of the most experienced cable officials, and I hope that the results will justify my hope that the news of the next few months may pass with the utmost freedom and with the least possible delay from each side of the sea to the other.

Notwithstanding the promise made by the President that he would be in close touch with Congress and with affairs on this side of the water and that we would know all that he did, I am sure it is an open secret that the President never communicated any information to Congress during his absence of almost 12 weeks.

On the eve of his departure he told us, as above stated, that the allied governments accepted the bases of peace which he outlined on January 8, 1918. The first basis called for "open covenants of peace openly arrived at." Had that basis been followed and had the censorship of cable news been removed, as he assured us it would be, we could have learned through the press all that was taking place. Instead, however, of "open covenants of peace openly arrived at" we learn from the press that practically all negotiations take place in secret.

At the time of the departure of the President, December 4, 1918, I introduced the following resolution in the Senate:

> Whereas the President has informed Congress that the bases of peace outlined by him on the 8th of January last have been accepted by the allied Governments and by the central empires, and that it is his duty to see that no false or mistaken interpretation is put upon them; and
>
> Whereas the President has never stated his own interpretation of such bases and the same, particularly those relating to "A league of nations" and the "Freedom of the seas," are open to various interpretations, some of which may be in conflict with established national traditions; and
>
> Whereas the President has announced that the various steps in the approaching negotiations abroad shall be promptly made known to the American people: Therefore be it
>
> *Resolved*, That the President be, and he is hereby, respectfully requested to make publicly known his own interpretation of his proposed peace terms as presented to Congress January 8, 1918, and not attempt to impose such interpretation upon the international conference about to assemble until full opportunity is presented to the American public to become acquainted with the same, to the end that this Nation may not be committed to policies in contravention of the traditions of the United States; and be it further
>
> *Resolved*, That a copy of this resolution be forthwith transmitted to the President.

At the time of its introduction and by way of explanation I made the following statement:

"Mr. President, in his address to Congress of December 2 the President informed us that the bases of peace outlined by him to us on the 8th of January last have been accepted by the allied Governments and by the central empires, and by way of explanation of his trip to Europe he stated that it was his duty to see 'that no false or mistaken interpretation is put upon them.'

"In view of this explanation it requires no argument to show that various interpretations may be placed upon the bases of peace which he outlined. Some of the bases relate not merely to a settlement of the present war but to our relations in the future with all governments. Heretofore we have been guided by certain traditions. The immortal Washington, in his Fare-

well Address, gave certain advice, which we have religiously followed. He said:

"Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

"It may well be that conditions have so changed that we should no longer follow advice by which we have been guided for more than a century. As a representative of the people, it seems to me that we should not bind ourselves to a policy at variance with it unless certain that such is the will of the people.

"The fourteenth basis proposed by the President reads:

"A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike.

"Does this basis mean that we will join with European nations in a guaranty of the political independence and territorial integrity of all States both great and small? Does it mean that to preserve such territorial integrity and political independence we will, in fulfillment of our guaranty, use, whenever necessary, our Army and Navy? Does it mean that henceforth we must take part in all political and territorial disputes throughout the world? We have among us many who came to our shores and the children of many who came to our shores because of the constant quarrels and jealousies of European nations and because of the fear that such quarrels and jealousies might any day involve them in war. I do not say that we should not do our utmost to prevent future wars. That I concede is our duty, but if we propose to obligate ourselves to use our Army and Navy whenever necessary in any part of the world to preserve peace we should be certain that we are conforming to the will of those whom we represent.

"The President is the chosen leader of the United States. Any proposal which he may make will naturally carry with it great weight. If he proposes in behalf of the United States the use of its Army and Navy to preserve the peace of the world, or if he assents to any such proposal if made by another nation, what position will the Senate be in should such a proposal be adopted? Constitutionally we will be free to exercise our own judgment and to accept or reject any treaty which the Executive may negotiate. Will we, however, be free from embarrassment should other nations say to us, 'Your Chief Executive spoke in behalf of the American public and supposedly voiced their views'? That brings me to the point of my motion. Is the President sure that his interpretation of the bases of peace is the interpretation of the American public? As he has never made known such interpretation, how can he be sure? Should he not, in all justice, before he makes any proposal on such momentous questions make known to the public what interpretation he places upon his fourteenth basis, and should he not afford the public an opportunity to voice its opinion?

"The fourteenth basis is not the only one which involves a comparison of our past traditions with what should be our policy in the future. During the Civil War in order to preserve the Union we found it necessary to insist upon and to exercise the right to condemn cargo owned by a neutral and shipped from one neutral port to another neutral port where it appeared that such cargo was ultimately intended for transshipment to the enemy. In Europe the doctrine of ultimate destination was disputed, but if that doctrine had not been practiced during the present war who will dare say what would have been the result? Certainly the prevention of supplies reaching Germany through neutral countries contributed in no small measure to her defeat. Can anyone here tell me what is the true interpretation of the second basis of peace outlined by the President in January last? It reads:

"Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

"If such had been the rule during the Civil War, could supplies have flowed uninterruptedly from Europe to the South by way of Mexico? If in force during the present war, could supplies have flowed uninterruptedly from North and South America to Germany through Holland? I confess that I do not know what is the true interpretation of the phrase 'absolute freedom of navigation upon the seas,' and as a representative of the people I respectfully suggest that if the President's interpretation involves a departure from our traditions he should not propound such interpretation as a proposal in behalf of the American public unless he is certain that the American public approves it. How can he be certain that the American public approves an interpretation which has never been made known to it?

"It is hardly necessary for me to call attention to any other basis of peace proposed by the President to illustrate my viewpoint. There has never been a time in our history which called for greater caution and wisdom. There has never been a time when the practice of pitiless publicity, so frequently advocated by the President, was more urgently required. The American public is a reading public, a thinking public. It does not hesitate and will not hesitate to express its opinion if afforded an opportunity. In my opinion the President should not in behalf of the American public make proposals which involve a radical departure unless he is certain that his proposal carries with it the approval of the people. Though we are not bound by any treaty which he may negotiate, still, in view of the fact that he was chosen by the people to the highest position in the country, other nations may not recognize that his proposals are subject to our review and may feel affronted should we differ from him. It is his duty as well as ours to act for the people; and, to avoid misunderstanding, it seems to me that the people should be told by him what is the interpretation which he places upon his bases of peace and should be advised to what extent he intends in their behalf to propose a policy which may involve an abandonment of our traditions. All I ask is that the public should be taken into the confidence of the President, that he should afford the public an opportunity to express its views, and, should it appear that there is a pronounced view upon any subject, that he will not run counter to it. It is for such reason that I have introduced my motion."

Mr. President, more than three months have passed since I suggested that the public should be taken into the confidence of the President and should be afforded an opportunity to express its views upon the bases of peace suggested by him, and particularly upon his proposed league of nations. Has the public been taken into the confidence of the President? It has to this extent: That a league of nations recommended by representatives of 14 powers has been presented to the world, and the President on the day of his arrival in Boston delivered an address If I read that address correctly, the President resents criticism of the league of peace. He argued that we had fought not so much to defeat the Germans but to establish liberty throughout the world, and that now it was our duty henceforth to preserve liberty not merely in the United States but anywhere and everywhere. He sets up no simple task for ourselves and our posterity. His appeal, however—and I say it with all due respect—was to sentiment rather than to reason. It is rarely that the author of any project that will stand criticism and dissection resents either or resorts to threats against those who attempt to try either. Yet, if I read the Boston address correctly, anyone who dares to dissent from the league of nations is threatened with dire results. To avoid misunderstanding I will quote a few passages:

Any man who resists the present tides that run in the world will find himself thrown upon a shore so high and barren that it will seem as if he had been separated from his human kind forever.

He continued that it was our duty not only to sign a treaty of peace but also to combine with others to make it good and to give assurances to the people of the world "that they shall be safe." Without such combination and assurances he stated that a treaty of peace would be but "a modern scrap of paper," though I do not see any place in the address wherein he established that a paper league of nations might not also be but a modern scrap of paper. However, he proclaimed that any man who dared to think that America is not willing to combine to make good any treaty of peace which may be established and to give assurances to all people that they shall be safe did not know his country. He invites such men to test the sentiments of the country, urging that it is our duty to make men free everywhere, and that anyone unwilling to undertake such a task is provincial and that he for one is ready to measure swords with him. He said:

I have fighting blood in me, and it is sometimes a delight to let it have scope; but if it is a challenge on this occasion it will be an indulgence.

What a change has the trip to Europe made! Only two years ago the President was elected to a second term of office. What was urged for his reelection? Was it not that he had kept us out of war? Can it be claimed of the President that he raised one finger to save Belgium or to save France or to save any of the oppressed peoples of Europe? Was he not criticized here at home because he was "too proud to fight," and did he not close his eyes to the fact that American rights were being trampled upon by Germany, and that we were scorned and dishonored? Did he not tell us that we should be neutral not only in fact but also in thought? Did he resort to war against Germany until men like Col. Roosevelt and other citizens insisted that the country had some honor, and that the

rights of our citizens must be safeguarded? Did he not in his address of February 26, 1917, advise merely "armed neutrality," explaining such act on the following April 2, when Germany had actually forced us into war, as follows:

I thought that it would suffice to assert our neutrality rights with arms, our right to use the seas against unlawful interference, our right to keep our people safe against unlawful violence.

He found armed neutrality insufficient to the protection of our rights, and he engaged in the war because Germany at the time was really waging war on us, and because public sentiment refused to close its eyes to that fact. Now the man who, in spite of bitter criticism and the fact that the honor of our country was at stake, refused to fight heaps maledictions on the heads of those who dare to question his plan to fight if necessary to make not our people but the people of the whole world safe, and who does not hesitate to say to those who question the wisdom of such a course that he has fighting blood in him, and that to now fight for the people of the whole world will be an indulgence.

This is surely remarkable language for a man who two years ago seemed to consider a fight for the protection of the rights of American citizens as a most bitter pill.

The world longs for peace. For centuries men have studied and discussed plans to prevent wars. So far no successful plan has been devised. I am willing to advocate any plan that will prevent wars. The President has my admiration and congratulations for the study which he has given to the subject and for his tireless efforts in that direction. I can not believe, however, that universal peace will come through any plan which its authors refuse to have the public carefully study, criticize, and understand before giving approval.

As a Senator of the United States, I feel that my duty is first to the people of the United States. To me it seems that the question is not whether the plan is better for, say, the Balkans, but whether it will be in harmony with the opening of our Constitution. As the opening clause of the Constitution is rarely referred to and seems to be ignored in discussion, I will read it:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Will this proposed plan secure "the blessings of liberty to ourselves and our posterity"? Will it insure domestic tranquillity? Will it promote the general welfare and common defense? These are questions which we must all consider, and we must not refrain from their consideration because of threats, no matter how or by whom made. We must perform our duty. We are all for universal peace, but primarily we are all for the United States. We should not make any change in our policies unless we are reasonably sure that such change will promote the interests of the United States.

It is with some surprise that I have read a statement of Mr. Taft, a man whom I greatly respect and admire, to the effect that he who objects to the proposed league of nations should suggest another remedy to prevent war or else hold his peace. Mr. Taft certainly has an advantage over me in that he has had legal training and unusual experience on the bench and at the bar. As a plain business man, however, in the conduct of my business I always believed and supposed that other men believed that when any of my associates or subordinates proposed a change in the manner of conducting our business that it was up to the person proposing the change to show why it should be made. I think the lawyers call it "the burden of proof." For more than a century we have pursued a certain policy. A change is now advocated. I confess I can not see why those who desire to look carefully into the change should be told that they must hold their peace unless they can propose a better change. Logically, it seems to me that those who are proposing the change must satisfy the people that it is to their interest to make it, and they should cheerfully welcome all questions and criticisms, so as to be afforded an opportunity to carry the burden and to demonstrate beyond doubt that we have reached the parting of the ways; that we must abandon our old policies and pursue a new course. In short, to my mind those who advocate a departure from the course outlined by the immortal Washington must show very clearly and convincingly that that proposed by Mr. Wilson, though as yet untried, is superior to that of Washington, which has stood the test of more than a century.

Neither the Senate nor the House of Representatives nor the people of the United States can be treated as school children nor even college undergraduates. The very first amendment to our Constitution provided for freedom of speech and of the press, and if there is one thing which citizens of the United States cherish it is the right to consider acts of their representatives and to freely criticize them. Criticism does not necessarily mean hostility. We all want peace—peace not merely in the United States but peace throughout the world, because war in any part of the world has more or less effect upon every other part. If it is possible to have a league of nations which will substitute the pen for the sword, we most certainly want it. A league of nations is now proposed, and as a Member of the Senate I consider it not only my right but my duty to call attention to parts in it which I do not understand and to seek information which will enable me and those whom I represent to determine whether it should be adopted as it is; and if not, whether it is capable of amendment and in what respects. Light, however, upon it and some illustrations of how it may work are required. The Committee on Foreign Relations has had an opportunity to confer with the President, and from him I hope it has gained such light that it will be able to explain to us the meaning of certain clauses of the league which are not entirely clear and to illustrate to the public what may be expected to happen under it.

In the preamble of the league it is recited that it is adopted to promote international cooperation and to establish justice "and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another." Are we prepared to enter into a compact that all existing treaty obligations between any of the parties to the league must be scrupulously observed? Time and again have we heard the charge made that the bane of civilization is secret treaties. I can not find in the text of the league any provision that all treaties now existing between any of the parties to it must be laid on the table and exposed to the public view.

Mr. HITCHCOCK. I think the Senator will find such a provision in the articles of the league.

Mr. FRELINGHUYSEN. Will the Senator please point it out? I am anxious to have my questions answered, and I intend that these questions shall go into the RECORD; and before I make up my opinion on this league of nations I shall demand that those questions be answered. I will continue while the Senator is hunting for the provision.

I had hoped that henceforth there would be no secret treaties and that the people of each nation would know the compacts which their own nation and every other nation had made.

By article 23 of the league the contracting parties agree "that every treaty or international engagement entered into hereafter by any State member of the league shall be forthwith registered." Why limit the registration to treaties "hereafter" made? Perhaps the Senator can answer that. It is true that by article 25 the parties agree that all obligations inter se "which are inconsistent with the terms" of the league shall be deemed abrogated. Who is to determine if they are inconsistent, and how is it to be determined if the treaties are not made public? In other words, it seems to me that the President is proposing a league which tacitly recognizes the existence of secret treaties and which does not require their publication. If it is logical to have future treaties registered, why is it not just as logical to have past treaties registered? Why should we enter into a compact where some of the parties to it may have obligations among themselves of which we know nothing, and from which we might shrink if we did know them. When the President was governor of the State of New Jersey and I was a member of the senate of that State, he advocated pitiless publicity. Let us have pitiless publicity upon all phases of any compact to which we are a party. May I therefore ask the Committee on Foreign Relations the following question?

Question 1. Is it true that if the league of nations as proposed is entered into, some of the parties to it can keep secret treaties made between them at any time prior to its adoption?

In article 2 it is provided that each of the contracting parties shall have one vote, while from article 7 I would infer that not only may a nation be a party to the league, but also its dominions and colonies. Does that mean that a nation with a number of colonies may have as many votes as it has colonies plus its own vote? It has been charged here that Great Britain will have five votes. We have all seen in the press long before the league of nations became public that Great Britain would not submit to any curtailment of its navy or to any interference with its rights on the sea. One of Mr. Wilson's 14 points called for absolute freedom of navigation upon the seas. I can not find any reference to that point in the proposed constitution of the league of nations. In the address which Mr. Wilson delivered in Boston the other day he calls attention to many new nations which will be set up in Europe, such as the Polish Nation, the Nation of Czecho-Slovaks, and the Nation of Jugo-Slavs. Many of our citizens never heard of the latter two nationalities until within the past year. No mention, however, is made in Mr. Wilson's address of the Irish. If Great

Britain has been forceful enough to keep out of the league of nations all reference to freedom of the seas, and if Mr. Wilson could not call attention to the organization of any nation for the Irish, what will Great Britain be able to do if it is true as is charged on the floor of this Senate that she will when the league of nations is organized have five votes? A reference to the Declaration of Independence will show that the Colonies on July 4, 1776, solemnly published and declared that all political connection between them and the State of Great Britain is and ought to be totally dissolved, and for seven years they waged war to dissolve it, and they did dissolve it. Are we now to enter into a compact whereby Great Britain will have five votes and we one? May I, therefore, ask the Committee on Foreign Relations the following question, and I will ask the reporter to mark it "Q. 2":

Question 2. Is it true that in the league of nations, if adopted in its present form, Great Britain will have more votes than the United States of America?

May I also ask:

Question 3. Is it possible that if the league of nations is adopted as proposed, people who were formerly subject to our enemies shall have the right of self-determination, but such right shall be denied to people who are subject to those who fought with us against our enemies?

In article 5 it is provided that the secretary general of the league shall be chosen by the executive council. May I ask the Committee on Foreign Relations the following question:

Question 4. If it can tell us if there is anything in the proposed league which will prevent some of the parties to it from uniting in an agreement before its adoption as to the personnel of the secretary general?

In article 8 it is provided that the executive council shall determine for the consideration and action of the several Governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament, and that such limits when adopted shall not be exceeded without the permission of the executive council.

It is also provided that national armaments should be reduced to lowest point consistent with national safety, having special regard to the geographical situation and circumstances of each State. Inasmuch as we are protected by an ocean on the east and on the west, is it not possible that the executive council may conclude that we should reduce our military equipment and armament to a minimum, while Great Britain, because of its geographical position, should maintain supremacy on the sea and should also, because of proximity to the Continent of Europe, maintain a substantial military equipment and armament?

Question 5. Are the people of this country satisfied to have a council made up of representatives of governments the majority of which are of a form different from ours pass upon such a vital question as to the size of our Army and Navy? Perhaps the committee can give us some light on the subject, and I therefore ask them:

Question 6. To what extent will the United States part with its right to determine the size of its own Army and Navy should it enter into the league of nations as proposed?

In article 10 the parties agree to respect and preserve as against external aggression the territorial integrity and existing political independence of all the members of the league.

This article is one to which I have given much thought and study. I will refrain from expressing my views at length upon it until I am better informed as to just what it means. Let us assume that the league of nations had been adopted in 1775. Could France have come to the aid of the Colonies if she had obligated herself to respect the territorial integrity of Great Britain? Would she have exposed herself to attack by other parties of the league if she attempted to help the Colonies? Would she not by so doing have been guilty of external aggression against Great Britain?

Take our War with Mexico. If that clause had been in existence, would Texas have been a part of the United States? Would California be a part of the United States? Take our War with Spain. Could we have helped Cuba? Would Cuba now be a Republic? Would we even now be a Republic? Does this clause mean an end to the possibilities of people overthrowing their form of Government? Some of the nations who will be parties to the league will have colonies, just as we were a colony of Great Britain in 1776. If any colony, after the adoption of the league of nations, attempts to set up self-government, can it look for any help from people who enjoy self-government? Will not help be practically prohibited? May I therefore ask the Committee on Foreign Relations the following question:

Question 7. Assuming that a league of nations in the form proposed was in effect at the time of our Revolution could France have assisted us? Assuming that it was in effect at the time Texas became attached to the Union could Texas have become part of the Union? Assuming that it was in effect at the time of our War with Spain would Cuba now be free?

Articles 12, 13, 14, and 15 relate to the submission of disputes to arbitration. Article 13 seems to restrict the submission to such disputes as the parties to them consider suitable for submission, but article 12 provides that in no case shall there be resort to war without submission. Germany committed acts against us in 1915, 1916, and 1917 which were not suitable for arbitration. She committed acts which any self-respecting nation would resent by force. If in the future acts are committed against us which affect our honor, the lives and property of our citizens, must we refrain from war and submit same to arbitration? Are we obligated to allow such acts to continue during the pendency of the arbitration? Must we submit to continued insults for months until a decision is rendered? If the executive council passes upon a dispute to which we are a party and unanimously decides against us even though we are convinced that such unanimity is the result of a combination against us and even though the decision subjects us to a continuance of insults and an encroachment upon the rights of our citizens, must we submit to it or fight the whole league? If by force we resent some insult rather than submit the matter involved to arbitration it would seem under article 16 we would ipso facto be deemed to have committed an act of war against all other members of the league.

I am sure you all remember how frequently Mr. Roosevelt called attention to the fact that there were some matters which no self-respecting nation could submit to arbitration; that nations are like men, and that there are certain kinds of insults which no self-respecting nation or no man with red blood in his veins can delay resenting until some one else passes upon it. There are times when the honor of a nation or the honor of a man must be resented on the spot, and a nation or a man which does not resent certain kinds of insults the instant they occur is not worthy of being called a nation or a man. May I, therefore, ask the Committee on Foreign Relations the following question:

Question 8. Must all questions, irrespective of how they affect our honor or the lives and property of our citizens, be submitted to arbitration; and if so, is it not possible for the offending nation to continue the insult or invasion of our rights pending the arbitration?

Under article 10 and the articles relating to arbitration it is not clear to me what may be the result if two nations in South America should become involved in war. It seems possible that the league of nations might decide that one of them was guilty of violation of the constitution of the league, and that as a result all the other members of the league should make war upon it. Should such a decision be rendered and should war be made by all upon a nation of South America, that nation undoubtedly would be defeated. I see nothing in the terms of the league which would prevent some portion of the territory of the defeated nation being taken to compensate some or all the members of the league for their losses. In other words, I do not feel certain that it would not be possible under this league for European nations to secure some of the territory of a nation of South America or, say, even of Mexico and colonize it, contrary to the Monroe doctrine. May I, therefore, ask the Committee on Foreign Relations the following question:

Question 9. Is it not possible in the event of a war in which members of the league take part against an American nation for some or all of the members to insist upon and to secure part of the territory of an American nation as compensation and to colonize such part contrary to the Monroe doctrine?

In article 20 provision is made for the establishment of a permanent bureau of labor as part of the organization of the league. What the functions of such a bureau will be I do not know. How they will be determined is not clear. It occurs to me that perhaps its functions will be determined by the executive council or by the delegates of the parties to the league. We certainly will be in the minority. The conditions of labor in this country are better, I believe, than in any other part of the world, and it may be possible that labor in this country will run the risk of an attempt to pull down the standards which prevail here. I would therefore submit the following question to the Committee on Foreign Relations:

Question 10. What will be the functions of the permanent bureau of labor, and by whom and how will such functions be determined, and what effect may such bureau have upon the rights of labor in the United States?

A reading of the entire text makes me wonder what would have been the effect on our Civil War had such a league existed during that period. We all remember the attitude of England during the Civil War. Even Gladstone was hostile to the North, and his language at times led our minister to wonder if he should not depart. Had it not been for the attitude of Russia, England would probably have interfered in behalf of the South. If such a league were in force during the Civil War, and if Great Britain had, as charged on the floor of this Senate, five votes in the league, would the Union have been preserved—would slavery have been abolished? Perhaps our committee, after its discussion with our President, is in a position to answer the following question:

Question 11. What would have been the probable effect upon the controversy between the North and the South during the Civil War if the league of nations then existed and if, as charged, Great Britain would have five votes?

I suppose that we should read the proposed league in the light of the President's address in Boston on the 24th of this month. To illustrate what I have in mind, I quote the following from that address:

> Do you believe in the aspirations of the Czecho-Slovaks and the Jugo-Slavs as I do? Do you know how many powers would be quick to pounce upon them if there were not the guaranties of the world behind their liberty?
>
> Have you thought of the sufferings of Armenia? You poured out your money to help succor the Armenians after they suffered; now set your strength so that they shall never suffer again.

Reading the league in the light of such statements, I am led to the conclusion that it is the desire and intention of the President that this Nation with its Army and Navy should be prepared to protect Poland against aggression, to protect the Jugo-Slavs against aggression, to protect the Czecho-Slovaks against aggression, and to protect the Armenians against aggression. Is it possible that he intends that we should be ready with our Army and Navy to protect every nation in the world against aggression? Are we to be involved in every dispute, and must we be ready at all times to ship our soldiers overseas? Will the mothers of the United States sanction any such plan? Will the taxpayers of the United States be prepared to bear the expense? Are we to be the big brother of every nation? Are we to be the peacemaker of the world? I challenge anyone who reads the address of the President made in Boston to draw any other conclusion than that Europe to-day is a seething cauldron and that the nations will be at each other's throats within a generation unless we prevent it, and that none of the nations of Europe trust each other, but that all trust in us. Are we to join a partnership of that kind? Are we to join a partnership every member of which, excepting ourselves, is suspicious of every other member and ready at the first opportunity to pounce upon it? The rôle of peacemaker in such a combination is indeed one to be seriously considered. How often has it been said that the peacemaker, instead of promoting peace, has been torn to pieces? Far be it from me to think that Europe is as bad as the President paints it. Perhaps I have misinterpreted his meaning. I am willing, however, to have light, and I therefore ask the Committee on Foreign Relations the following question:

Question 12. If the United States joins in the league of nations, as proposed, must we be prepared with our Army and Navy at all times to protect every party to it? To bring home the thought which I have in mind I will, perhaps, be a little more specific.

Question 13. Assuming that an independent Poland is established, that Germany and Russia are restored, and that they unite in an attack upon Poland, must we be prepared with our Army and Navy to make war upon Germany and Russia?

The President has invited those who would question the league of nations to test the sentiment of this Nation. The views of our people not only should be ascertained but must be ascertained. All phases of the league should be discussed and considered. What we want is the decision of this Nation, based upon reflection and reason and not upon mere sentiment. Let us have free and open discussion. Let the public consider not merely the advantages of the proposed league but also the burdens. Let the public say whether it is satisfied with the league as proposed or, if not, whether it can be amended so as to be made satisfactory, and, if so, in what respects. The public looks forward to the day when war will be a thing of the past. If, owing to human imperfections, such a day may never come, we all wish to reduce wars in any event to a minimum. If the proposed league will accomplish that result, the public, no doubt, will favor it, but as the proposed league is at least to some extent visionary and experimental, the public, unless I am mistaken, will join with me in a search for light upon its meaning and for information about the burdens we will assume and the possibilities which may ensue from its establishment. The President is sure the public approves it as it is and threatens with isolation upon a barren shore those of his fellow citizens who would question it, while for the Government of any foreign nation that dares oppose it he predicts that the people of such nation will rise in their might and overthrow such a Government.

Notwithstanding his threats, I dare ask for light to guide me to a decision of what is my duty to the people of the United States. With all due respect to the President I differ from his conclusion upon my duty. My duty is first to my own country. If I can be true to my own country and at the same time help the world I will do so.

Perhaps the President knows the heart and the mind of the American people better than I do. I can not, however, believe that the President can take pride in the fact that the war was won because of his inspiration, and he states that his views about the duty of this country are infallible and not open to criticism, and upbraids and threatens not only his fellow citizens but also foreign nations who question his views. I can not believe the President thoroughly understands the sentiment of his fellow citizens, and for one I prefer to ascertain that sentiment directly from our fellow citizens rather than to take it without question from him.

THE CENSUS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial Censuses.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Knox	Penrose	Smoot
Brandegee	La Follette	Pittman	Spencer
Chamberlain	Lewis	Pomerene	Swanson
Fletcher	Lodge	Robinson	Trammell
France	McKellar	Shafroth	Underwood
Frelinghuysen	Martin, Va.	Sheppard	Vardaman
Gore	Moses	Simmons	Wadsworth
Harding	New	Smith, Ariz.	Warren
Hitchcock	Nugent	Smith, Ga.	Weeks
Jones, Wash.	Overman	Smith, S. C.	Wolcott

The PRESIDING OFFICER. Forty Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the roll of the absent Senators, and Mr. REED and Mr. STERLING answered to their names when called.

Mr. KENYON, Mr. MARTIN of Kentucky, Mr. SHERMAN, and Mr. CURTIS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum is not present.

Mr. SWANSON. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. ASHURST, Mr. JONES of New Mexico, and Mr. HENDERSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. There is a quorum present.

Mr. FRANCE. Mr. President, I think it is advisable for the Senate to have a clear understanding of this proposed census legislation.

I submitted amendments to the census bill in November, which I considered to be of very great importance. They had been prepared after a considerable amount of investigation and work. They were presented to the Senate on the 21st of November last, and were referred to the Census Committee for action by that committee. The committee did not see fit to act favorably upon the amendments, and the bill was reported from the committee without the amendments being incorporated in it.

It was not until the 15th day of January that I had an opportunity of offering these amendments to the bill. At first they received very litle consideration, but after some considerable debate the chairman of the committee, stating that he was impressed with the merit of the amendments, indicated that he would not oppose their adoption, and they were adopted by the Senate. The bill then went to conference. I appeared before the conference committee and explained the nature of these amendments to the committee. The conference committee

seemed to be favorably impressed, but finally decided to report the bill without the amendments being incorporated therein.

The conference report is now before the Senate. During my observations upon these amendments on January 15 and 16 I was very considerately heard by the Senate, and I was given a very courteous hearing by the conferees on the bill. During all the time the measure was before the Senate and before the conference committee there was to my knowledge no reasonable objection urged against the amendments, except possibly one. The only rational objection raised during the pendency of these amendments was the objection that a census conducted along these modern and scientific lines would involve too great an expenditure. The question of expense, however, is one which must be considered from every standpoint. In connection with every appropriation the question arises as to whether the proposed outlay is an expenditure or an investment. In my judgment an appropriation for the carrying out of a census as provided for in these amendments would not be an expenditure, But it would rather be an investment of the most profitable character.

I wish, very briefly, to explain the nature of these amendments. They were designed to modernize the census. If adopted, they would have secured for us a census which would have some social value, some economic value, some value in making possible rational ameliorative legislation. My amendments called for a continuous survey of the population of the United States and of its activities. They provided for the substitution of what we all know as the continuous card-catalogue system for the old-fashioned one, which gathers statistics and then lays them away where they are of no assistance toward securing practical beneficial results. The amendments which I offered provided for the continual gathering of vital, social, and industrial statistics, without which statistics kept always up to date scientific precision and rational method in legislation are absolutely impossible.

During the course of my remarks upon this subject I desired to indicate that we had no accurate knowledge of the statistics on unemployment; that we had no accurate statistics concerning the growth of our population; that we had no accurate statistics on illiteracy, on school attendance, on school facilities; that we had no accurate statistics on the industrial accidents and diseases concerning which we legislate; that we had no accurate statistics as to how many persons are engaged at any one time in the productive industries. In short, under the present plan we make a survey every 10 years of the condition of the country. The results of that survey are published in ponderous volumes; but by the time those volumes are published the statistics are entirely out of date and are of no social value, of no practical value, as a basis for scientific legislation.

That contention is abundantly borne out by our experience at the beginning of this war. We entered this war without knowing what the population of the United States might be. We did not know how many men there were of military age. We did not know how many illiterates we had. We did not know how many disabled and diseased we had. We did not, in fact, have any definite information as to the character and condition and as to the extent and distribution of our population. Now, of course, when we came to realize this we substituted a census, so far as those of military age were concerned, which in a very close way resembles the census which I have in mind. We found it was absolutely necessary for us to have an actual record of our men of military age, of their number, of their condition of health, of their training; and Gen. Crowder instituted, after the war had been in progress for some time, this card-catalogue census system, applying it, of course, only to those of the military age.

This census was made late in the war. I might note in passing that as early as May, 1917, shortly after the outbreak of the war, I urged that a card catalogue census of all of those from 18 to 45 be taken; but instead of this census being made in May, 1917, it was made, I think, after August, 1918.

Of course, if it is desirable for us to know the character, the health, and the condition of all the population in time of war, it is also necessary for us to know these important facts about our population in times of peace. I regret very much that this whole problem of the census did not receive earlier consideration at the hands of the Senate. I am one of those who believe that you can not solve problems until you see them; and we are trying to solve great national problems without even knowing what they are. We are trying to solve the problem of stamping out tuberculosis without knowing accurately how extensive that disease is. We are trying to solve the problem of unemployment without knowing how many unemployed we have and who and where they are. We are trying to solve the problem of combating the industrial diseases without having any systematic survey to give us information as to what those diseases are, and as to the particular industries which cause the various diseases. This in itself I have indicated is a very important question—this question of the extent and distribution of the various industrial diseases. I think it will occur to all of you that during this period of reconstruction particularly we ought to have a clear conception of what our reconstruction problems are. Why, this bill as it was sent down here from the department did not even have a provision for the separate enumeration of those who had served in the military forces and those who had been wounded during this war.

At this point Mr. FRANCE yielded the floor for the day.

Friday, February 28, 1919.

Mr. FRANCE. Mr. President, the unfinished business before the Senate is the conference report upon the census bill. I have already said, in connection with that measure, that it does not at all represent my views as to what a census bill should be. But, in view of the situation which confronts us, I do not feel justified in making any attempt to defeat that conference report or to so delay its passage that it might possibly fail of enactment in the very closing hours of this session.

Inasmuch, however, as the census bill is now the unfinished business before the Senate, I do not feel that the remarks which I desire to make at this time, and which I feel it is my duty to make, will endanger the passage of this measure in the least. Therefore I desire to submit some observations upon what I think is the great issue which confronts this Senate and which confronts the country at this time—the question as to whether there shall be an early extra session of the Congress. Some of the Senators on the other side have said that there seemed to be a disposition upon this side of the Chamber to delay legislative action. So far as I am concerned, my position on the question of an extra session is a matter of record, for yesterday I introduced a resolution dealing with it. I shall not move the immediate consideration of this resolution, as I do not desire to displace the unfinished business, but I do desire to call the attention of the Senate and, so far as I may, of the country to the wording of this resolution. I believe that if the press of the country would carry to the people the words of this resolution those words would have the unequivocal, almost unanimous, indorsement of the American people.

This is the resolution which I introduced yesterday, and of which I think some of the Senators may be in ignorance, as it was introduced while many other measures were pressing, and therefore it may have escaped the attention of some:

Whereas grave and pressing problems in connection with the reconstruction period now confront us, and there is apparent much unrest throughout the country, due to unemployment, illiteracy, ill health, poverty, the underproduction and faulty distribution of the commodities and necessities of life, high living costs, and other undesirable but in part remediable conditions created, aggravated, or new discovered by the war; and

Whereas the President, because of his prolonged absence from the seat of government and from the country, and because of his careful occupation with international problems, has not been afforded an opportunity to become fully informed of such problems and unsatisfactory and distressful conditions and the immediate and imperative need of remedial legislation to meet them: Therefore be it

Resolved, That it be the sense and judgment of the Senate that the situation is such as to make it seem desirable and advisable that an extra session of the Congress should be called for the 5th of March, 1919; and be it

Resolved further, That a copy of this resolution be respectfully submitted to the President for his consideration.

Is there a Senator on this floor who is so blind as he sits in his upholstered chair as not to know that these problems, as set forth in the preamble of this resolution, confront the country? Is there a Member of the Senate who does not believe that remedial legislation is immediately imperative?

Senators, we ought to face this issue; we ought to face it with the full realization that the responsibility for legislative action or for the failure to take legislative action in the face of a serious situation such as this, rests upon us and upon us alone.

I want to say that every Senator who believes that this preamble fairly sets forth the facts is under obligation, in my opinion, to either support this resolution and thus secure a formal affirmative expression of the sentiment of the Senate that there should be an extra session, or he should adopt whatever other legitimate means he can command to secure such an extra session of the Congress.

Mr. President, I know perfectly well that in such serious times as these there sometimes exists a timidity which tends to lead men to temporize or to evade. I know that men naturally shrink from being pilloried before the country. I know that some men fear persecution at the hands of the press, but we are in a situation, Senators, where timidity has no place; where the

fear even of misrepresentation by a reactionary press should not weigh with us.

There are timid men, of course, in every legislative body; that is to be expected.

Some of the Members of this Congress may not have always had the courage which they should have. I do not blame the average man who is a Member of Congress from fearing at times to stand before the withering flame of the cruel criticism of the man whose voice is heard, either the man of the newspaper or the man in such a position that his voice can be heard over the land—the unkind critic here, there, everywhere; but, I say that if there is a Member of this Congress—and I hope there is not—who sat in his seat and voted to send out our boys over the seas to face the destructive fire of the German guns, and who, after casting that vote, ever hesitates here to vote his honest convictions because he is afraid of some one's criticism, I say that man had better tear up his commission and go home. He is not qualified to sit in any of the legislative halls of this Republic.

Mr. President, in my discussion of the espionage law—and I shall advert to that before I am through with these remarks—I took occasion to quote from Samuel Adams, who said:

> Truth loves an appeal to the common sense of mankind. Your unperverted understandings can best determine on subjects of a practical nature. The positions and plans which are said to be above the comprehension of the multitude may always be suspected to be visionary and fruitless. He who made all men hath made the truths necessary to human happiness obvious to all.

I desire to say if we do not understand the situation of the country, if we do not see the need for an extra session of the Congress, the masses of the people, those with "unperverted understandings," those who are out where they know what the conditions are, because many of them are suffering from them—they know, if we do not, that an extra session of the Congress is necessary.

Is there a Senator on this floor who believes that we can, before this Congress finally adjourns, give careful, painstaking consideration to the measures which must be passed if there is to be no extra session? You either think that this jamming of bills through without study is the way to conduct the business of this Republic or you do not; you either think that it is proper for you to vote blindly the judgment of the committee or you do not think so. If you think that the committee method of legislating is a proper and constitutional method, you are excused for cooperating in jamming and crowding these bills through; but if you, as Senators, believe that it is the duty of the Members of this body to examine and study bills before they vote upon them and to reach a sane and independent judgment, then you should be standing here with me fighting for an early extra session of the Congress.

I wish to say that if there is anyone here who does believe that this forced method of legislating is the proper one; if there is any Member of this body who approves of this way of conducting the public business he will not remain here long, because, however much some of the Members of the Senate may approve of doing business in this unconstitutional way, and however much the subtleties of their reasoning may convince them that they are fulfilling their constitutional duties when they so legislate without due deliberation the American people, the men with the "unperverted understanding," the men who rise with the sun and go out singing to follow the plow through the fertile furrows, know that this is not the proper way to legislate.

For a long time the people have been very restless under a system by which a few men on a committee can bring in almost any bill and have it passed, or, what is far worse, by which is possible the killing by a committee of legislation which the people want, which they have a right to ask, and which they have sent men here to enact for them. I want to say that this vicious, un-American system of legislating has reached the high-water mark during the last six years.

It would be a compliment to this body to say that we have of late accepted the judgment of our committees; that we have only accepted the finding of our fellow Senators who in committee have given serious, unprejudiced, honest consideration to measures, and then have recommended them to us. It would be a compliment to the Democratic Party if I could say that you had followed that method. There is not a man on that side of the Chamber who does not know that we have not even relied upon the committee system, certainly during the last months, because even the committees have often not functioned; even the committees have frequently failed to study the legislation, which has been really passed upon in the bureaus, written, Senators, as you know, sometimes by men who did not only not know the language of the law, but who did not seem even to know the grammar of the tongue of the country.

My name was one of a few sent out broadcast as one of the traitors to the country because I voted against the food control bill, which I believe to be utterly unsound, which was, after it had been studied, pronounced unsound by some of the leading political economists of the country, and which subsequent events have proven to be unsound, because last night we had to pass a bill carrying a billion dollars to pay a further penalty in money, as we had previously paid it in many other forms for this unscientific legislation. That food control bill, when it came down here, had this clause in it, which, I think, I remember clearly: "Hereafter it shall be illegal for prices to fluctuate"—not for men to cause prices to fluctuate. The prices themselves were to be made the criminals. It provided that if prices fluctuated, they would be guilty of a crime.

The American people know that legislation without deliberation is dangerous. They know when we accept a command to jam legislation through the legislative bodies of this Republic without giving that legislation due and proper consideration, that we have violated the sacred oaths which we took when we became Members of this body. And let me tell you, Senators, that the judgment of the masses is safer than the judgment of a man. If it be not so, then the doctrine which was advanced on the other side of this Chamber—that in war republics are weak, and that in times of stress democracies can not defend themselves, and that the rule of the one, that autocracy alone, can be efficient—is true. But that doctrine is not true. That doctrine is proved false by every fact of history. There was but one Government in all the world at the opening of this war which was a despotism; and when I talk of forms of government I attempt to speak with some degree of accuracy. I do not call limited monarchies republics or democracies, although I am not a constitutional lawyer. I do not call constitutional governments despotisms, however despotically they may operate. The fact remains that there was but one despotism at the opening of this war, and that was Russia. I do not think that those who contended on the other side of the Chamber for one-man power were prepared at that time, or that they have been prepared since, to argue that this one despotism was the most efficient government for war. I do not think that the members of the various committees who have been looking over the situation, but superficially, it is true, to see what has been done with the money which we have appropriated in such vast sums are disposed now to contend that one-man power, that a government ruled by the one, is more efficient than the government ruled by the many. I do not think that there are many in this Chamber who are prepared to say that there is more wisdom residing in the mind of any one man than in the minds of all—the minds of all, the common mind, the mind made up after that free interchange of opinion, which we have denied the American people during the recent months—the common mind, which, when allowed to operate unhampered, is the nearest approach we have to the wisdom of the infinite intelligence.

Do you wish to be pilloried with me, because I have introduced a resolution which shall, if passed, convey to the President that it is the sense of this body that there shall be an early extra session of this Congress? Or do you prefer to violate your constitutional oaths by being obedient and jamming through legislation, voting for measures the very language of which you have never read? You must obey a man or the mandates of our fundamental law. There is no alternative.

I choose to be pilloried, because I can do nothing else. I deserve no credit for it. I merely happen to be so constituted that when I take an oath I have to keep it as best I can, even though some man may try to persecute me on the pages of a reactionary and subservient press.

Let me say that this question of the press has not been settled yet, either. When a press becomes so subservient that it learns to obey the mandates of bureaucrats, I say that the time is fast approaching when something should be done to make it obey the mandates of the people and to carry the truth, whether the truth be complimentary to an administration or whether it be not.

I do not wish, as I told the Senator in charge, to kill the census bill. I did feel that now, at last, the time had come when our great census should be modernized, so that it would really be a social survey, investigating actual conditions throughout the country, and reporting and keeping up-to-date reports as to what the problems for the legislative body were, but I was in the minority. The time had not come. The party of progress and liberalism was not in power to pass so good a law. It was not to be.

The committee decided, when it rejected those amendments, that it did not care to adopt scientific methods to find out what

unemployment there was, what poverty there was, what illiteracy there was, what ill health there was.

I think I showed conclusively that already we had the agencies for finding out those facts, but agencies which, because of the multiplicity and complexity of their character and methods, could not give us the desired results. I stated that, in the aggregate, considering the State, county, and municipal expenditure and the expenditure on the part of the Federal Government necessary to unify all of these agencies, that the cost would be less if we should adopt a scientific census. But the argument was made that it would cost the Federal Government too much.

After I was told that it would cost too much for this Republic to know as much about the condition of its citizens as the commercial insurance companies know about their insured, some of my very good friends on the other side—and they are my very good friends, and I excuse them because of the political necessities—put giant hoops upon a huge new pork barrel, which may not be any twenty-five or fifty million dollar pork barrel in the future, but perhaps a billion-dollar post-road pork barrel; and with scarcely any delay they passed a road amendment to the Post Office bill, which carried at least three times the amount which it would have been necessary to spend to know the actual condition and the needs of the people of this Republic.

Of course, I know that I was confronted with the constitutional argument that it was not for the Federal Government to know these facts, which was tantamount to arguing that a census, instead of being effective, ought to be ineffective, because all I was asking, as I said last evening, was that common-sense methods be put into a senseless census.

I have said something in condemnation of the committee system as it is now employed. I stated that only by the blind acceptance of the findings of our committees could we pass in the short time remaining even a few of the important measures which we have before us. I said that this system as it sometimes operates is an evil one, because it enables committees to rush through legislation without the fair judgment of the Senate upon it and because it enables committees to suppress legislation in committee which should be acted upon by the Senate. I indicated that this deplorable system had reached its highest development during the last six years, and particularly during the last few months.

The Senator from Pennsylvania [Mr. KNOX] had his qualifications as a statesman examined and passed upon many times before he was finally returned by his great Commonwealth to represent her once more, in part, in this body; and the American people who knew his name and of his world-wide reputation as an authority on international questions rejoiced when they learned that the great Commonwealth of Pennsylvania had returned him, a man prominent as a lawyer, experienced as a diplomat; a man who had been preeminent as Secretary of State; a man whose judgment was so sorely needed by the Nation in this crisis, to the Senate of the United States.

On the 3d day of last December the Senator from Pennsylvania [Mr. KNOX] introduced here a resolution which, in my judgment, contained the proper solution for the international question, so far as the resolution went; and I think that because of his experience in diplomatic affairs the Senator from Pennsylvania, after deliberation, did not think it best to go any further at that time. It was a rational solution; it was a solution which would have met the world situation which the Senator knew existed. That is my judgment. It may not be the judgment of all, and it probably is not. But I say that when the Senator from the great Commonwealth of Pennsylvania, Mr. PHILANDER C. KNOX, on the 3d day of December last, introduced a resolution bearing upon the international situation, courtesy to that Senator, respect for the great Commonwealth which he represents, a due consideration for the proper interests of the Republic, all demanded that the resolution should receive immediate and careful consideration by the Committee on Foreign Relations.

You know the history of that resolution. Explain it how you will, the fact remains that this resolution to-day lies neglected on the files of the Committee on Foreign Relations. It has never been reported. I do not wish to do the committee any injustice, but it is my opinion that the resolution was never even seriously considered by the Committee on Foreign Relations. If the chairman of that committee, for whom I have the highest regard, were here he could correct me if I am in error; but as a result of what I have seen since I have been a Member of this body I do not believe the whole Foreign Relations Committee ever sat and seriously and earnestly, with a view to action, considered that resolution.

If this resolution had been adopted and its recommendations heeded, I believe the great Republic would to-day be at peace with her enemies, that our armies would be moving rapidly homeward, that our country would be going on swiftly toward her rehabilitation, and that the reconstruction of the world would also have started on, and certainly all this might have been far advanced. I want to tell the Members on the majority side that, however much the ten thousands of tongues of a subservient press may clamor an excuse as the newspapers bow in obedience to the mandates of a bureaucrat in the Post Office Department, the American people know in their hearts that this method of killing important legislation is not the proper way to conduct the business of this Republic. Any man who thinks it is, and who may try to pillory me because I know it is not, will attempt in vain to convince the people that this sort of a committee system is a proper one by which the public's business should be done. You may seek to explain and extenuate it in very many ways. Sophistry is a very subtle thing. It is very agile, supple, and acrobatic.

But I tell you that the voting from power last November of the party which is named Democrat was no accident, for that party had ceased to observe its noble traditions and its cherished doctrines. Not Washington and Hamilton and the great Federalists only, but Jefferson, the great Democrat, seem to have been forgotten by your present leaders. The doctrines of Jefferson were first repudiated as being out of date, and then you reached the altitudes of wisdom from which you dared to intimate that the words of Washington in that matchless message of farewell, spoken as he launched a new-created Nation down the swelling tides of time, are no longer applicable to these changed conditions. With how few regrets and with how little of true reverence do some make vain attempt to wrap the noble figures of these two unequaled statesmen in the vast winding sheet of oblivion, while consigning their inspired teachings to the junk heap with all the useless and outgrown political theories of the past.

It is, however, the very nature of words of inspiration that they are launched full freighted with eternal truth, that they carry within them a deep significance which may not at the time they are spoken be full apparent, and that amid all the seeming change of outward circumstance they find their universal application. You may yet encounter that quality of inspired words and changeless and eternal truth before our situation is entirely cured.

I do not wish to defeat the census bill. I told the chairman of that committee, however, that I could not promise to indefinitely delay my observations upon what I consider to be the condition of the country at this time simply because he could not, even by most earnest endeavor, get the census bill before the Senate. I did feel obliged to discuss, and to discuss at some length, the question which I did not have an opportunity to discuss while that bill was pending in the Senate—the subject of national reconstruction—and I did feel that, in view of this disposition to rush legislation through and to bring this session to a close, I should now at least express my opinion as to the propriety of such a method of procedure. I hope I have registered my protest against such a program. I hope I have convinced you that at no man's order will I become particeps criminis in such a plan.

I referred to the holding in committee of the resolution of the Senator from Pennsylvania dealing with the foreign situation. I find fault with that. Perhaps it was to be expected that the plan which I suggested, embodied in a resolution which was introduced early in January, should not be considered. I shall not complain of that. I thought then and I still think that a compromise between what I had in mind, what the Senator from Pennsylvania had in mind—and he should be first and foremost—and the views which some Members on this side of the Chamber had in mind to express when those measures should be reported would have been proper and helpful. I do think these two resolutions were entitled, at least out of courtesy, to an examination and to a report by the Committee on Foreign Relations, even although that committee had deliberately decided to abdicate its important function as a part of this advisory body in the making of treaties. I do feel that, even though that committee had deliberately decided to abdicate its function, it might at least have paid the great Senator from Pennsylvania [Mr. KNOX] and my very humble self the compliment of noticing the resolutions referred to it upon our motions.

The members of that committee know that I say this in no unkindness. They are my friends, many of them, I hope all of them; but it is my duty to call attention to the error. I have

said to my other friends in the Senate, as I now say to my friends upon that committee, that we begin to tread a dangerous path when we move toward the Senate's abdication of its functions.

I want to advert to one other thing, and here perhaps I am in a hopeless minority, perhaps a minority of one. Perhaps I am in that minority because my understanding has been "unperverted" by legal learning; and I say that with all due respect for the law—the law, which is the "perfection of reason"; the law, the study of which develops such minds as have some of the learned who do me the courtesy now to listen to me. Perhaps I am in the minority because I have not a legal mind and because I do not know how to wind in and out amid precedent and phrase with the skill, the agility, and the subtlety which would enable me to show that the plain, simple, accurate, grammatical language of the Constitution does not mean what it seems to say.

It is not necessary for me to read to the Senate of the United States the first amendment to the Constitution of the Republic. Perhaps there are some who have forgotten it. I hope some did forget it or that it is true that my lack of legal learning leaves me shut away from some light which guided others when they started down the long and dangerous way of passing legislation which could be used to deny the people of the United States the right to freely and fearlessly discuss, not the President's affairs, not the affairs of the Senate, not the affairs of the House of Representatives, but their own governmental business.

You may fail to distinguish monarchies and despotisms and disorganized democracies from this matchless free Republic, but loose and inaccurate language does not change the fact, and in a republic, let me remind you, the President is not the sovereign. This is not a sovereign Senate; over yonder is not a sovereign House of Representatives. The sovereigns lie out yonder—100,000,000 of them. We are a Senate representing sovereign States, which are in turn mere creations of a sovereign people.

You may try to stand the Republic upside down; you may attempt to balance the pyramid upon its apex in your dreams; but the fathers built not a tottering and unstable structure balanced upon its point, with all of the weight and power above. They built an everlasting pyramid of government, and in that government, try to pervert it or to subvert it as you will, the fact remains that the people are yet sovereign. When that people declared in language which I understood, in language which prevented me from voting for the espionage act—when they declared as they adopted the Constitution of this Republic:

> Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances—

The sovereign people spoke, and through all the years that sovereign has been speaking with a mandate which you can not sit here and disobey unless you either violate your oaths or explain away that language by some legal subtlety. I could not explain it away, and therefore I voted against the espionage act. I have never regretted that vote. I was in the minority, but I am happy that on that occasion I was in the minority with Jefferson; I was in the minority with Hamilton; and I rest content, even though some of the reactionary papers tried to persecute me, some of the very papers the editorials of which I have been several times tempted to introduce here as examples of the violation of that act by those who did not need to fear the punishment, editorials calculated to bring into contempt representative government.

I have here an editorial from a paper which once attacked me because I opposed the enactment of the espionage law, that editorial being headed "Why the Senate?" asking that question as it joined in the then popular outcry raised by those who sought for selfish ends to discredit popular government and popular sovereignty. That paper was safe; it knew well where to place its adulations; it knew well where to fawn and praise; it knew when to be brave, when to criticize, and when to condemn. The Postmaster General has not yet excluded that paper out from the mails.

I did not vote for the espionage law. I thought it unconstitutional; I thought it far beyond the delegated powers of Congress to enact a statute which should in its effect say to this sovereign people, to the people of this great Republic, "We are at war now; be still; in war this is not the people's government; this Government belongs to Washington, and we can run it without your advice."

I desire to hear the voice of the people. If I can ever merit it, I want to hear its word of encouragement; but, more than that, I ask to hear its condemnation; I am willing when I disobey its mandates to feel the burning lash of punishment. I believed the espionage law was an unconstitutional act. I did not blame those who voted for it. I must believe that they did so because of some legal knowledge which threw a different light upon the simple words of the Constitution, which seemed to forbid me to vote for the measure. I thought it was a dangerous measure. I have already said in allusion to this question, and I must refer to it once more, that I thought it was dangerous, because the language of it was so broad, that it would make possible persecution and unjust prosecution. To avoid this danger I tried to have written into the law this language: "That nothing in this act shall be construed as limiting the liberty or inhibiting the right of the individual citizen to speak what is true, from good motives, and for justifiable ends."

I have in my hand a report of the Attorney General of the United States, which refers to what happened during the pendency of my amendment. I shall not characterize this part of that report, a report issued by the Department of Justice to the American people to inform the American people as to the operations of that Department of Justice, as misleading or false, but I wish to call your attention to it.

I have stated that the amendment which I offered was in essence this—that it would have allowed the truth of any statement to be offered as a defense in case of an attempted punishment for words. A man called before that Department of Justice could say, "But it was true, and I thought it was my duty to tell the truth." This is what the department reports concerning that incident:

> In the course of the pendency of these amendments it was proposed to incorporate a provision under which antiwar utterances or propaganda would not be punishable if made with good motives and for justifiable ends.

That was presumably written by a lawyer, and a lawyer knows that the best defense in a libel case is the proof of the truth of the statement, and the Department of Justice knew that the essential feature of my amendment was that it allowed the truth of a statement to be offered in evidence. And yet, in its official report to the American people of that incident, it merely states:

> Would not be punishable if made with good motives and for justifiable ends.

And further—

> The experience of this department has shown that some of the most dangerous types of propaganda were either made from good motives or else that the traitorous motive was not provable.
>
> The department realized that the proposed clause would, in effect, destroy the value of the espionage act as a weapon against propaganda. And upon this representation Congress enacted this statute without this proviso.

That is a very interesting thing to have in the RECORD. Here is a Department of Justice that wanted to have the privilege of prosecuting people who even told the truth, and the RECORD will show, if you compare the language of my amendment and the language of the Department of Justice as it records the incident, whether or not the Department of Justice told the whole truth about this incident.

I contended that the language of this act, as we passed it, was so broad as to make possible unjust prosecutions. Constitutional lawyers on the other side contended that it was not so, and that there would be no difficulty whatever in placing a clear and definite construction upon the language of the statute. Sometimes, if a man waits long enough, his judgment may find vindication, and this is what the Department of Justice states in its report about the language of this statute:

> The unusually broad language of the espionage act has given rise to differing and conflicting interpretations at the hands of United States attorneys and United States commissioners in different parts of the country, resulting in serious confusion as to what authoritative definition is to be placed upon certain clauses of this act.

I shall not burden you with telling you the whole story, which is, in short, this—that the language was found by the department to be so broad and subject to such "conflicting interpretations," that the Department of Justice had to send out notices to all of the United States district attorneys not to prosecute any cases until the cases had first been submitted to the Attorney General for him to determine whether or not, in his judgment, the party using the language had violated the law.

Senators, do you realize what it means for the legislative body of a great, free Republic to pass a law making speech a crime, a law which enables a Government to throw men into prison for words, by a statute so broad that it rests in the discretion of one man to say whether or not the speaking or writing of those particular words constituted a crime?

We did not have much time to tell the American people about this at the last election. Our congressional candidates on the Republican ticket were not discussing such issues. While many

of them desired to come back here to serve the Republic in its hour of trial, I do not think many of them were thinking much about the great issues of the campaign. They were trying to sell liberty bonds. There was no extended political campaign; but that great public mind out there sensed something. The people had not been told by the campaign speakers of all the facts. The people had not been told all the truth by the papers; not all the truth and nothing but the truth. The American people will know about these facts later. There is a campaign coming, and before the next presidential campaign the American people will get the whole truth. They had information enough, however, to cause them to throw from power the Democratic organization which had passed this autocratic law. Under this espionage act, susceptible of so many differing interpretations, many must have been prosecuted and imprisoned for words spoken without malice or evil intent, while many were no doubt prevented from speaking the truth, which it was their duty to speak, because of a fear that they might by some chance fall under the ban of such an elastic, despotic, and arbitrary statute.

Early in last January I introduced a bill to repeal this law, but this bill was not reported from the committee. It never was even perhaps considered by the committee. That committee is a committee made up of experienced men. I do not say that the bill should have been reported and passed, although I think it should have been; but I say that under the proper functioning of the committee system that bill should have been reported and voted upon, so that the American people might know the men who in time of peace would keep in force a statute which can deny the people the right to discuss their own governmental affairs. I had a right to have my recorded vote show that I was for restoring to the American people the right to speak, that I was for allowing them to exercise their constitutional right to assemble and to petition for the redress of their grievances. I had a right, and my friends on this side of the Chamber had a right, to have a record vote upon that bill.

A distinguished member of that committee, a man learned in constitutional law, a man who reveres the Constitution of this Republic, a man who is my friend, and who, I hope, respects my judgment even when he differs with me, and whose judgment I respect even when we disagree, thought that I was mistaken and that I should not urge the repeal of the espionage law. I said to him recently, in effect, "Senator, we face a serious situation. We have enacted a drastic law with language so broad as presumably to prevent sedition and the stirring up by agitators of social unrest; but the unrest is here. What shall we do now?"

"We have seen in this Chamber the mass of literature written by the Reds, Bolshevist literature, anarchistic literature, socialistic literature, and we know magazines are springing up everywhere, preaching change or revolution." He said, "The situation is serious, I know." I replied, "There is one of two courses to follow. You must either go forward or you must go back. You must enact more drastic, more despotic, more repressive legislation, and then more and more; you must club more, throw more into prison, be more brutal in your methods, or you must go back; repeal the present law, and trust the people."

My policy was to go back. I was willing to take the responsibility of going back to a system which would allow the people to fearlessly speak and freely assemble. I trust the popular will and judgment. I know the masses of our people believe in the Republic as it was intended to be, and I believe that they will preserve it. I know that if you permit them to speak freely that there will be some discordant notes, some voices anarchistic, socialistic, destructive; but on the whole, if you let them speak, I believe they will in the end speak their love for the Republic.

My bill to repeal was never reported, but it was not many more days before a policy was decided upon, not many days before from the Judiciary Committee there was reported the so-called red-flag bill, making it a crime to raise the red flag on the soil of this Republic, and further curtailing the right of free speech.

Oh, Senators, that we should have lived to see the day when any Member of the Senate of this Republic should think it necessary to pass a law making it a crime to raise the red flag in the place of our country's flag. Senators, something is radically wrong. Senators, we must search our hearts and search our records to see if perchance when we were following not the dictates of our conscience but the dictates of a bureaucrat in the Department of Justice we did not fall into the pit; search our hearts and search our records, to see if we are not possibly responsible for the condition which has led to the wearing of the red flag in some American hearts. This is the question: If that red flag is in the hearts of some of the American people, has the Government, by its mistakes, planted it there? I do not believe it is in many hearts. I do not believe that it will often wave if we repeal this espionage law.

The red flag is a revolutionary flag, a protest against evil conditions. It is needed in some countries. It is not needed here because the red, white, and blue flag is our revolutionary flag. We have had our revolution. We rid ourselves in that revolution forever of the conditions against which the red flag must ever be a protest.

Senators, why is it that any man on American soil should wear a red flag in his heart or wish to fly it in place of the Stars and Stripes? Are we in any way to blame? We are certainly at fault because we have not properly educated some of our people in a knowledge of our institutions. I am referring to the aliens who have not been by proper education assimilated. We are to blame because when this whole question of limiting the freedom of speech was before us we did not seek to be guided by the lamp of experience.

Mr. KING. Will the Senator yield for just a moment?

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Will the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. I yield with pleasure.

Mr. KING. In the interests of accuracy, and I know the Senator desires to be accurate, I wish to invite his attention to the bill which the Judiciary Committee did report a few days ago.

Mr. FRANCE. I shall be very glad to have the exact language. Of course, I am discussing merely the general principle; I am not discussing the exact language of the measure, because I did not happen to have it right at my hand, but I shall be very happy to have it read into the RECORD.

Mr. KING. The bill was introduced by the Senator from Indiana [Mr. NEW] making the display of a red flag under certain circumstances an offense. That bill, together with the bill which was introduced by the Senator from Washington, was referred to the Judiciary Committee, and the part with reference to the flag, as it came from the Judiciary Committee and which constitutes section 2 of the bill as reported by the Judiciary Committee on the 15th day of this month, reads as follows:

SEC. 2. That the display or exhibition at any meeting, gathering, or parade, public or private, of any flag, banner, or emblem, symbolizing, or intended by the person or persons displaying or exhibiting the same to symbolize, a purpose to overthrow, by force or violence, or by physical injury to person or property, or by the general cessation of industry, the Government of the United States or all government, is hereby declared to be unlawful.

I should like to state to the Senator that a further amendment was offered which strikes from the proposed bill submitted by the Judiciary Committee the words "or by the general cessation of industry." In view of the fact that the Senator stated that the Judiciary Committee had reported a red-flag bill, I wanted, in the interest of accuracy, that the Senate should be advised of the exact words of the bill bearing upon that subject which was reported by that committee.

Mr. FRANCE. I will say to the Senator that I am pleased to have the language of the measure read into the RECORD. Of course, we all know that the flag of anarchy is the red flag.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Maryland yield to the Senator from Ohio?

Mr. FRANCE. I yield.

Mr. POMERENE. In connection with the question which was asked by the Senator from Utah [Mr. KING], I desire, if I may, to call the Senator's attention to two or three paragraphs, which I will, with his permission, read.

Mr. FRANCE. Mr. President, may I yield to the Senator from Ohio without losing the floor, as he desires to make some remarks?

Mr. POMERENE. I do not wish to take the Senator off his feet.

Mr. FRANCE. I yield, with the understanding that I do not lose the floor.

Mr. POMERENE. Mr. President, the Senator referred a moment ago also to a bill he had introduced for the repeal of the espionage law. I want to read an extract from a letter which I received the other day from a very prominent citizen of Cleveland, Ohio, in which this paragraph occurred:

Revolution is being talked constantly and the workmen of this city are being fanned into a flame for it. Yesterday an automobile truck paraded through the workshop district with fife and drum corps playing loudly and calling the attention of the workmen to the coming revolution and inviting them to attend a meeting to be held last night.

This letter is dated February 22. The writer sent to me certain literature which was spread broadcast in the city in anticipation of this meeting. A closing paragraph of one circular reads as follows:

War is the natural outcome of the present economic system, and as long as private property in production continues there will continue to be wars. War is the capitalist method for ending unemployment. But at the end of each war the unemployment becomes worse.

However, there is another method of ending unemployment, wars, and all the other ills of society. This method is the method of the rising working class—revolution.

Workers and soldiers, you must revolt and take everything for your own use instead of having somebody make profits out of you and having the power to dictate to you what you shall do and what you can not do.

There are only two courses open to you—another war or revolution. Which will you choose?

Allow me to read another paragraph from another speech which was circulated as a part of this propaganda:

Labor produces all wealth. Labor is therefore entitled to all wealth. We are going to do away with capitalism by taking possession of the land and the machinery of production. We don't intend to buy them, either. The capitalist class took them because it had the power to control the muscle and brain of the working class in industry. Organized, we, the working class, will have the power. With that power we will take back that which has been stolen from us.

When propaganda of this kind is being circulated, does not the Senator think that, instead of repealing the espionage laws, there should be some additional legislation to meet this particular situation?

Mr. FRANCE. I thank the Senator from introducing into the RECORD some concrete evidences of the very condition of which I have been speaking. I have been discussing the question whether it is better to go forward and enact more drastic legislation or to go back, repeal, and trust the people. We live in a Republic which is a constitutional Republic; we have laws which make violence a crime, which make murder a crime, which make riot a crime. All of those acts were crimes before this war. They will be crimes after the repeal of the espionage law.

I have been trying to say, regardless of how the situation has been created, that it is here, and that you must enact more drastic legislation or you must go back to the Constitution, go back to the principles of the Republic, and let men speak their views, trusting the love and loyalty and sanity of our people.

I quoted the other day, in my address to the Senate on the espionage act, the words of Jefferson on the subject of free speech. The Senator, by what he indicates would be his policy, shows once more that when the teachings of Washington were consigned to oblivion those of Jefferson were also. I have on my desk an encyclopedia of Jefferson's words. I shall not detain you to read his words concerning the sedition law and freedom of speech. If Senators who are followers of Jefferson would read that encyclopedia more they might not think Jefferson, after all, so much out of date. Jefferson said on one occasion:

If there be any among us who wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it.

Senators, no man on this floor can properly accuse me of being in favor of riots, of revolution, of disregard of the Constitution. I have not violated the Constitution in my votes. There is the test. Search my record, and I do not think you will find that I have cast one vote against the language of that Constitution, even when I had to suffer for voting in the minority for the protection of the fundamental law of our country. I believe that the real revolutionist in this Republic is the man who disrespects and disregards the Constitution of the country, and I care not where he is, or whether he be a ragged, illiterate, oppressed workman, suffering from the injustice of conditions which legislative bodies of this land have allowed to exist, protesting in his physical hunger against a system which he believes is not giving him justice, or whether he sits in an upholstered chair in some legislative body and votes against the fundamental law of his country because some one tells him to do so, and he is afraid to disobey.

You are complaining now of a condition similar to that which Alexander Hamilton predicted would follow the sedition act of 1798 and which the Republican Party, the liberal party of the Republic, foresaw might come when we voted here for my "speaking of the truth" amendment to the espionage act. This the party of Hamilton knew such a condition would come, because we did not think that Washington and Hamilton were out of date.

In 1798 Congress, only 11 years after the Constitution was adopted, thought the Constitution was out of date. Hamilton was living then. He saw the "alien and sedition" measures introduced into the Congress, and he had no sooner seen them than he wrote these words:

Let us not establish a tyranny. Energy is a very different thing from violence. If we make no false step, we shall be essentially united. But if we push things to extremes, we shall then give to faction body and solidity.

Frothy words do no harm; factional opinion does no harm. Hamilton saw the danger of giving to discontent body and solidity, and that is what you did with the espionage law, because you thought you knew more than Hamilton. Hamilton wrote those words in 1798. The Congress disregarded them. He was not mistaken then, as I have said before. His prophecy then proved true, for in a few short months was born for the first time, as a result of giving to faction "body and solidity," the doctrine of nullification and secession which ultimately led to civil war.

Mr. SHEPPARD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. For a question.

Mr. SHEPPARD. Does not the Senator feel now that he can permit the census bill to be passed?

Mr. FRANCE. I have here now some letters which I had not intended to introduce into the RECORD when I first began.

Mr. SHEPPARD. Will not the Senator answer my question?

Mr. FRANCE. I thought the Senator had taken his seat.

Mr. SHEPPARD. Does not the Senator feel that he can permit us to pass the census bill?

Mr. FRANCE. I have assured the Senator that I think the census bill is perfectly safe.

Mr. SHEPPARD. It is the safety of the dead.

Mr. FRANCE. Well, history will prove whether that is true.

I want to tell the Senators a significant fact; and I wish the Senator from Ohio, Mr. Pomerene, had been able to remain to hear the answer which I wished to give to his question. When I introduced the bill to repeal the espionage law, I began to get letters from all parts of the country. Most of those letters came from those who, during the last months, have been in a small minority. Many of them had come from those who hate war because of their religious beliefs; men of peace, who felt the hand of this law most heavily; those who were more radical internationalists than some of you gentlemen who are now talking the same internationalism, if of a more conservative character. Some few lawyers wrote to me, but many of our more conservative people were probably in doubt as to what policy we should pursue, whether we should go ahead and enact more drastic laws or go back and trust the people. But, Senators, soon after this bill which the Senator from Utah, Mr. KING, has read in part, was reported to the Senate, my mail changed; and from the most conservative citizens, including lawyers, in the country came to me words of warning, that we had better not be rash, that they saw the real danger of pressing things so far that actual violence might be invited.

I will read you one of those letters, but I will not give you the name of the writer; and I will not put it into the RECORD. It is from a lawyer in New York City, living at a conservative address, and this is only one of many letters, showing that even the conservative men now see the danger which Hamilton saw and which I pointed out to you in his words so many months ago. This letter reads:

DEAR SIR: The theory of constructive crime, I believe, was invented by Lord Justice Jeffries in his bloody assizes following the Monmouth insurrection in 1685.

Jeffries's innovation in criminal jurisprudence was the predication of criminality upon the supposed dangerous tendency of acts or opinions instead of upon tangible wrongs, demonstrable, committed by the accused. As in prosecutions under our espionage act, it was easy for juries composed entirely of political adversaries, and charged by a judge who was also a political adversary, to infer from the character of the defendant's opinions that criminal harm would be a "natural and probable" consequence of their expressions.

Mind you, this is a conservative man, who had not protested against the espionage act, who wrote only after he saw that the policy was to go forward and carry this inaugurated policy to its logical conclusion. He mentions the espionage act first in his letter, and then he continues:

The provisions of the so-called antianarchist bill now pending seem calculated to perpetuate the rediscovered technique of punishing for principles. The victims of the espionage act have not been spies. I venture to suspect that the antianarchist bill is not aimed at anarchists. Whatever its aim, its tendency will be to continue the persecution of legitimate political agitation. I hope very much you are going to oppose it vigorously.

I have a mass of letters from conservative men on this bill. I want to read one more letter from the State of Indiana, showing that the conservative men are now alarmed; and I can

match every letter which the Senator from Ohio [Mr. POMERENE] receives from misled fanatics, who wish their country well, but who have not realized the importance of conserving its fundamental principles and of its Constitution. I can match every letter which he reads from one of those fanatics, who want to suppress this evil by unconstitutional means, with a letter from a conservative lawyer, which points out the danger of the continuance of this un-American policy. This letter reads:

> We understand that you are a member of a committee considering the passage of a peace-time sedition act. We want to protest to you against the passage of this infamous measure.
>
> It is not our purpose to defend lawlessness, as you can see by our stationery. We have been for a quarter of a century practicing law, and are still practicing law, and will continue to uphold law and order as against lawlessness. It is not a protest against the expressed purpose of the bill, but it is a protest against the passage of the bill, and the construction the courts will place upon it, and the interpretation to be placed upon it by the prosecuting attorneys of the several districts in the enforcement of the law. The law should not be made so broad that it will suppress free speech in this country, and the bill, as I apprehend it, if it is passed, does that very thing.

Mr. President, I had not the slightest idea that I would take so long in these preliminary observations upon the vices of the committee system, which enable the Judiciary Committee of this Senate, for example, not only to disregard a bill referred to it by a Senator and fail to report it, but afterwards to report a bill subsequently introduced, representing a totally different policy, before the Senate had an opportunity to fully discuss the question first submitted.

We must without discouragement or delay face the great task of national reconstruction.

I met here recently an enthusiastic young fellow who has been working heart and soul to have the adult illiteracy or Americanization bill passed, which you have not passed. You have not had time to take up the illiteracy bill and the need for it is pressing. I thought this young fellow was discouraged and I said, "Do not be blue. We are going to get after this illiteracy problem yet. Do not be blue." "Oh," he said, "I am not blue." He said, "When a man tells me not to be blue I say I am not blue, I am red, white, and blue."

In the reconstruction of the Republic we must beware of the danger of this new so-called yet undefined democracy.

Senators, I have held in my hand in the laboratory a crystal tube of beautiful sweet amber-colored culture fluid—of such concealed and concentrated poisonous potency as would cause it, if properly distributed, to spread pestilence and death on every hand. But, Senators, let me say to you that such physical poison is not more dangerous to the body than this political poison which is being disseminated over this country and over the world is to the state, the poison of a democracy undefined, disordered, hating in its despotic heart the limitations of the Constitution; the democracy which dares to despise the fundamental law; the democracy which holds that the majority is always right and that it hence has a right to do anything which it pleases with the minority. Such democracy is not the goal of history.

Mr. President, we live in days when narrow creed looking to partisan ends is not enough. We need a political philosophy looking to history's purposes.

We can not solve the stupendous problems of national and the world's social reconstruction until we become filled with a rational faith in the "form and substance" of Republican government.

We need a whole new national and international policy formulated in recognition of the fact that historic evolution; of which this war is but one of the violent stages, has been steadily toward the establishment of a Government which should be stable, because a true resultant of the free interplay of individual forces; permanent, because broad, based upon a popular will, freely and intelligently expressed, preserving liberty by a constitution properly defining, limiting, and distributing its various powers, yet so integrated in all its parts and so coordinated in all of its functions as to eliminate chance as it extends with absolute certainty and scientific precision to every citizen the very maximum of opportunity for healthful life, expression and free expansion, self-development, achievement, and happiness. Such was this Republic designed by the fathers to be, and such the Government which it is our duty to defend, nurture, and perfect, that the hopes of the fathers may be brought to full fruition. Such is the American ideal of government. It is practical, because under its inspiration we have builded the greatest of all nations. It is rational because it is in harmony with universal law. It is indestructible, because when fully realized it will be eternal truth expressed in social form.

We have not yet realized this ideal of government, nor have the great principles enunciated by the fathers become vital and incorporate in all the departments and functions of our governmental structure. We have not yet fully applied these great principles to modern problems and current pressing social needs.

This has been a war for liberty, but political liberty, dear as it is to every American heart, is not enough. Men must be free, at least in this Republic, from the conditions that deprive of equal opportunities.

I know that some of you believe that these restless ones are all foreigners. It is not so. Some of them are our best citizens. I know that you think that a very large majority of these restless ones are demanding "equality of circumstance." This is not true. The Americans who went to the front to fight have no such idea. The true American does not ask equality of circumstance; he only asks that the purposes of this Republic be fulfilled.

Lincoln correctly called ours—

> That form and substance of government whose leading object is to elevate the condition of men; to lift artificial weights from all shoulders, to clear the paths of laudable pursuit to all; to afford an unfettered start and a fair chance in the race for life.

And it is in furtherance of that purpose that we should continue to work here in extra session until we have solved some of the grave reconstruction problems which confront us.

Senators, I do not ask you to pass this resolution informing the President that it is the judgment of the Senate that we should remain in session in order that we may adopt socialistic or bolshevistic legislation designed to give equality of circumstance to all who are Americans. The boys back home without employment, those walking the streets of New York, begging money and selling matches, do not ask for that. The men who marched down into the valley of the Marne and their mothers and their fathers who waited in agony at home do not ask for equality of circumstance; but they ask, and I ask for them, that we stay here in session seeking to give them what they have a right at our hands to demand—conditions affording absolute equality of opportunity.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. I yield.

Mr. SHEPPARD. I ask the Senator if he will not permit us to pass the census bill, and then continue his remarks on some other measure?

Mr. FRANCE. I would lose the floor. The Senator knows that.

Mr. SHEPPARD. No; the Senator will not lose the floor.

Mr. FRANCE. I do not blame the Senator for wishing me to do so.

Mr. SHEPPARD. The Senator will not lose the floor; he will not lose it under any consideration.

Mr. FRANCE. I feel that I can almost assure the Senator that his bill will pass. I do not wish to take any advantage of the Senator.

Mr. SHEPPARD. It will be impossible to hold the right of way much longer, I will say to the Senator, and he will soon make it impossible for the bill to pass.

Mr. FRANCE. I am not asking for the immediate passage of my resolution.

Mr. ASHURST. Will my friend, the Senator from Maryland, yield to me?

Mr. FRANCE. With pleasure.

Mr. ASHURST. I have listened to all of the Senator's speech, and I want to say here that amidst a great deal of that speech with which I do not agree there are some golden grains of truth interspersed here and there—not many, but there are some. [Laughter.] I am not speaking in the language of flattery, but I have hope still. I have sat here, like a lone Indian on a promontory, on guard, trying to pass the Indian bill. I still have hope that when the conference report on the census bill is disposed of we can pass the Indian bill, which, I think, could be done in about three hours and a half. I want the Senator to understand that I would not be so presumptuous or so ill mannered as even to suggest that he shorten his really interesting speech; but I do hope that all Senators will remain here, so that when his speech is concluded we can take up this bill and pass it to-night.

Mr. FRANCE. I hope they will remain. I thought I was making myself clear, but I have not; because if I had made myself clear I know that the distinguished Senator from Arizona would agree with me entirely. If I had been able to express what is in my mind and heart, the Senator would agree with more than a fraction of what I have said, because, after all, our differences are merely such differences as those between the waves of the sea. You get up here and propose measures and

I combat them, or you oppose my motions and there is a stormy sea of debate, but beneath the superficial discord is the great ocean of a brotherhood in this Republic where we find the deeps of mutual interest and understanding.

The Senator has misunderstood me in another respect. I have not been trying to kill legislation. The doctrine of the discontinuance of the session comes from that side of the Chamber, not from this. I am worn and weary also. We have been working here under the stress of war and near the hot furnaces of doubt and trial, and we are all very tired. I want to go home to the Maryland hills and look out over the beautiful Chesapeake as much as the Senator from Arizona wants to go into the invigorating air of his own magnificent State. I am not pleading that this legislation should not pass. I am willing to stay here day and night until by law this session expires, and I am willing, if I can get the measures which, in my heart, I believe should be enacted before this fiscal year ends, to work day and night even until I fall in the exhaustion of death, or until July or on to December. I can not be justly charged by any man from that side of the Chamber—in that party which has fallen into the delusion that it would be safe for Congress to adjourn until July or December with the Republic in this condition—with trying to kill legislation.

I am pleading for more legislative time; and if the Senators on that side go home and break the quorum to-night, when they are advocating that the legislative bodies of this Republic shall adjourn until July or December, they will violate the faith which the people of this Republic have in them.

I think I probably have not made myself clear at all if any of the Senators on that side believe that my aim is to impede legislation. I am willing to stand here until I fall after exhausting every parliamentary resource to get an extra session of this Congress on the 5th day of March, in order that we may properly meet the serious situation which exists in this Republic and which I tell you does not exist only as a result of war. The war did not cause all of the difficulty. I believe in my heart that this condition has been caused by the grave mistakes of the executive and the legislative departments of this Republic, and I take my share of the blame.

Senators, I know that from 1914 until this Republic declared war our people were divided in opinion. If you doubt that, study the history of the period. But, Senators, when this Congress voted, upon the recommendation of the President, for war all substantial divisions disappeared and we became a united people, as we had never been before, but later, by a series of blunders which were inexcusable, we permitted discord, misunderstandings, intolerance, class conflict, bitterness, to interfere with the proper development of that great spirit of sympathy, mutual understanding, and of desire for cooperative effort which were so manifest everywhere soon after our declaration of war.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Iowa?

Mr. FRANCE. I yield.

Mr. KENYON. I should like to ask the Senator if he does not think it would be a very good thing for this Congress to pass what is known as the Americanization bill before we adjourn? Is not that about as essential as any measure before us?

Mr. FRANCE. Most certainly; and while the Senator was absent from the Chamber I adverted to the fact that the adult illiteracy bill was one of the bills which we could not pass, because, under the decree and under the Democratic policy we are expected to adjourn until December, and, by so adjourning, kill legislation which our people need, and demand immediately, at our hands.

What did we do to disintegrate the unity of spirit of our people? What did we do to disorganize this mighty Republic, rising in all her splendor to put on her shining armor for the vindication of her inalienable rights, and for a demonstration that she was a Nation which dared to fight when her rights were trespassed upon and violated?

Our people were united. Of course, this is a great Republic of more than 100,000,000 people on a vast continent extending from ocean to ocean, with varying differences and circumstances and systems of training and tradition and education, with too much difference, I think, in the latter. Differences of opinion are not only legitimate but necessary. As we all know, the Republic is stable because it is the true resultant of difference of thinking on the part of the people, of various individual opinion and multitudes of thoughts and expressions, of mind beating against mind, word against word, thought against thought, will against will. There must be in a true Republic such normal differences of opinion.

One Sunday afternoon, nearly three years ago, I was in a great American city, with its teeming hundreds of thousands of men of all circumstance and condition. I knew that city well. I knew its rich, I knew its poor, I knew the misery which was there in some of the hovels which a reactionary city government had allowed to exist and to be called homes—mere slovenly pens where men dwelt in poverty and ignorance and degradation almost on a level with the beasts. I walked through a street which was a cross section of that city and noting a sign upon a theatre I entered and found a seat in a vast auditorium which was crowded from pit to topmost gallery. It was an open forum meeting such as were permitted to be held in the old days, in the days far back in 1916 before we concluded that we were wiser than our fathers when they said that the principal pillar of free government is freedom of speech, of expression, and of assembly.

This was before we had discovered this doctrine, which has been advocated on the other side of the Chamber, that one-man governments are more efficient than Republics, and that the free expression of differences of opinion is extremely dangerous.

As I waited in this great auditorium a frail little woman came out upon the stage and began to speak. She began to speak of poverty. She spoke of the London slums, of the degradation in American cities, of child labor, and of the little spirits in pale and wan bodies which never knew of free and happy play in the open sun. The audience was in large part composed of men, but when this woman had finished speaking the thousands there had been most deeply moved. She had begged for justice for little children. She had asked only for the equal opportunity which it is the purpose of the Republic to assure. The speaker was but a spirit in a fragile human shell, but a mighty soul filled with courageous devotion and a love for humanity. She had been traveling up and down the country for many months preaching, not anarchy, not socialism, not demanding an equal circumstance, but demanding a fair chance, an unfettered start for women and the children of the poor in the race of life.

I think that little woman, Rose Pastor Stokes, traveling up and down the Republic did some good. She certainly made some friends. After war was declared that little woman wrote an indiscreet editorial for a western paper. It was the expression of a proper human emotion at an improper time, the expression of that very emotion that is being given expression to-day when you plead for a permanent peace.

Senators, it was the same heroic, sacrificing, devoted spirit of that little woman which found different expression when our troops charged resistlessly at Chateau-Thierry. It is the spirit which longs for liberty, for world advancement, for equal opportunity. It was indiscreetly expressed by her I know, but do you think that this indiscreet article in that paper would have stopped the great Republic from calling any part of its Army to the colors?

Senators, that editorial would not have kept one single soldier from responding to his country's call. Men had to fight this war. The women helped, but the brawn and bone and courage of men were needed, and the American men had it; and you lacked faith in their spirit and courage when you feared that words of anguish wrung from a tender woman's heart would keep them from going to their duty. She wrote this editorial, and the rough hand of the Department of Justice fell upon her, and she was dragged into court, tried, convicted, and given a heavy prison sentence. I shall not discuss whether, in the abstract, that was justice, but I am sure that all the people who knew her and of her work resented it when they learned that there had been laid upon her the rough and inconsiderate hands of the law and that she was to be sent to prison for mere words.

Senators, you know the story of our court-martials. You know how the failure to pay allotments left little festering sores here and there. I shall close. I am not speaking as a partisan when I ask you to pass that resolution merely expressing your sentiments, if they are your sentiments, to the President, your fellow partyman, and friend, that this Congress should remain in session to repeal some of this drastic legislation to cure some of these crying evils, to heal some of these festering sores.

I am willing to yield to the Senator from Texas if he will assure me, and those on the other side of the aisle will assure me, that the conference report presented by the Senator from Texas will be agreed to at once.

During the delivery of Mr. FRANCE'S speech,

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Maryland yield to the Senator from Iowa?

Mr. FRANCE. I yield, with pleasure.

Mr. KENYON. I observe a number of soldiers in uniform who are unable to get into the galleries. I ask unanimous consent that any man in uniform be admitted to the Senators' gallery.

The PRESIDING OFFICER. Without objection, it is so ordered.

At the conclusion of his speech, Mr. FRANCE said:

I will yield, Mr. President, for the adoption of the conference report.

Mr. SHEPPARD. Regular order!

The PRESIDING OFFICER (Mr. KING in the chair). The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. SHEPPARD. I move that the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 12, and that the Senate agree to the same.

Mr. SMOOT. The conference report has been agreed to.

Mr. SHEPPARD. This is an amendment by the House, and I move that the Senate concur in it.

Mr. SMOOT. I think the record will have to be changed, then.

Mr. SHEPPARD. The Secretary has at his desk the amendment of the House to the conference report.

Mr. SMOOT. Let it be read before the Senate agrees to it.

The PRESIDING OFFICER. The Secretary will read the amendment of the House.

The SECRETARY. To the matter inserted by said amendment insert:

That hereafter in making appointments to clerical and other positions in executive departments and independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, or marines, and the widows of such, if they are qualified to hold such positions.

Mr. SHEPPARD. That is substantially the amendment which the Senate placed in the bill.

Mr. SMOOT. Simply one word. I do not object to it at all, but I am sorry to see that the change was made.

The PRESIDING OFFICER. The question is on concurring in the amendment of the House which has just been read by the Secretary.

The amendment was concurred in.

INDIAN APPROPRIATIONS.

Mr. ASHURST. I move that the Senate proceed to the consideration of the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments.

Mr. ASHURST. I make the usual request; that is to say, I request that the formal reading of the bill be disposed with and that the bill be read for committee amendments only, and that the committee amendments be disposed of first.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and the request is granted.

Mr. SMOOT. Will the Senator from Arizona yield to me for a moment?

Mr. ASHURST. I yield.

LANDS IN MONTANA.

Mr. SMOOT. On February 18, 1919, the Senate passed a resolution directed to the Secretary of the Interior requesting information. Secretary Lane on February 26, 1919, addressed a letter to Hon. James M. Baker, Secretary of the United States Senate, in answer to that resolution.

Mr. President, I have never seen that done before in the history of the Senate, and I am going to ask the Senate that all this correspondence be returned to the Secretary of the Interior, with a request that he direct his response to the resolution in the ordinary and usual way.

Mr. LEWIS. Mr. President, I would like to assure the Senator from Utah that no disrespect was intended by the Secretary of the Interior in this matter, for there is no man in official life in Washington who more desires not only to show respect by word but by action than the Secretary of the Interior, and if an error has been occasioned such as the Senator points out, I assure the Senator it was a clerical error and not an intentional one, and the Secretary of the Interior will be glad, indeed, to conform to the suggestion of the Senator, in order that he may show to the Senator, as to every other Member of the Senate, that he is deferential and in no wise intended to be contumacious by addressing a document, instead of addressing it to this body, to one of its employees.

I only rise at this time to say to the Senator he may rest assured that it was an unintentional error.

Mr. SMOOT. I want to assure the Senator from Illinois that I fully agree with him as to all that he says about Secretary Lane. I have no thought in my mind in the way of condemnation of this way of answering the resolution. Perhaps I might say that it passed over the desk of the Secretary of the Interior without his noticing it. I am perfectly willing to give him the benefit of the doubt. Thousands of letters are signed, I suppose, by him every day or so, and I take it for granted that he does not read all of them. I trust that is the way it occurred.

Mr. LEWIS. I have no doubt it did.

Mr. SMOOT. The Senator must know that I have said nothing which would indicate in the least that I have any feeling over the matter, but I do believe that the Senate ought to be respected in the request made of it, and that the answer should come to the Senate rather than to an employee of the Senate.

Mr. LEWIS. I think, Mr. President, that the Senator from Utah has correctly apprehended how the error arose, surely clerical and inadvertent, and we will get such a response from the returned document as will fairly indicate that. I join in the request because I want the record corrected.

The PRESIDING OFFICER. The Senator from Utah and the Senator from Illinois will indulge the Chair for a moment.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. And the Senator from Montana will indulge the Chair. The Chair suggests to the Senators that they look at the report. The Chair thinks that there are some matters in relation to it that may change the suggestion made by the Senator from Utah and the Senator from Illinois.

Mr. SMOOT. "Some reason," did the Chair say?

The PRESIDING OFFICER. If the Chair may be pardoned for so doing, he suggests to the senior Senator from Utah and to the Senator from Illinois that they examine the report. There may be some confidential matters, the Chair will state, which, perhaps, induced the course which was pursued by the Secretary of the Interior.

Mr. SMOOT. I will say to the Chair that I recognize that it is stated in the letter that it is a confidential matter, but I am quite sure that the Secretary could address the confidential matter to the President of the Senate just as well as he could to an employee of the Senate. I have never known—at least I do not now remember—of such an occurrence ever having before happened.

Mr. MYERS. Mr. President, I knew nothing about the resolution to which the Senator has referred nor about the response to the resolution until to-night. It was all new to me until to-night. I only had a minute or two to hastily glance at the communication. It appears to be confidential. I do not know what the practice of the Senate has been heretofore, but it seems to me that it is not inappropriate to address a response of that kind to the Secretary of the Senate, who is supposed to lay it before the Senate. That is the duty of the Secretary—to lay any communications before the Senate.

Mr. SMOOT. How can the Secretary lay a communication before the Senate? The Secretary of the Senate has no right to lay any paper before the Senate.

Mr. MYERS. The Secretary of the Senate can hand it to the Presiding Officer of the Senate.

Mr. SMOOT. The communication should have been addressed to the Presiding Officer of the Senate in the first place.

Mr. MYERS. It seems to me merely a matter of etiquette; and to the correction of that error in etiquette I have no objection whatever. I only wish to concur in what the Senator from Illinois [Mr. LEWIS] has stated, that I know the Secretary of the Interior meant no disrespect to the Senate, that he did not mean to depart in any way from the usual custom of official legislative etiquette, and that he only intended to comply with his official duties in a respectful and courteous manner, as he always does.

Mr. GORE. Regular order, Mr. President.

Mr. MYERS. This is the regular order. If the Secretary of the Interior has departed from the etiquette of the Senate, and it is proper to have him conform to it, I suppose there can be no objection to his doing so.

Mr. SMOOT. I simply did not want to have this form of answer to a resolution recognized; that is all.

The PRESIDING OFFICER. The Chair does not quite understand the request of the senior Senator from Utah [Mr. SMOOT] with respect to the communication.

Mr. SMOOT. My request is that the communication be returned to the Secretary of the Interior calling attention to the

fact that the answer to the resolution should be directed to the Vice President, the President of the Senate.

The PRESIDING OFFICER. The Senator from Utah requests that the communication just referred to be withdrawn from the Committee on Public Lands and respectfully returned to the Secretary of the Interior, and that it may be addressed in the manner indicated by the Senator's motion. The question is on that motion. [Putting the question.] The ayes have it, and the motion is agreed to.

ORDER OF BUSINESS.

Mr. SWANSON. In order to carry out the arrangement that has been made, I ask unanimous consent that when the Indian appropriation bill has been passed the Senate then adjourn.

Mr. ROBINSON. Until what hour?

Mr. SWANSON. There is a general order that the Senate shall meet at 10 o'clock, and until that order is changed, when the Senate adjourns it will adjourn to meet at that hour.

The PRESIDING OFFICER. Is there objection to the request which has been made by the Senator from Virginia [Mr. SWANSON]? The Chair hears none, and it is so ordered.

INDIAN APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

The first amendment of the Committee on Indian Affairs was, under the head of "Irrigation on Indian Reservations (Reimbursable)," on page 3, line 5, after the word "Reservation," to strike out "$21,000" and insert "$20,000," and, in line 7, after the word "total," to strike out "$33,000" and insert "$32,000," so as to make the clause read:

Irrigation district 1: Sand Creek and Agency projects, Klamath Reservation, $20,000; Round Valley Reservation, Cal., $2,000; Colville Reservation, $10,000; total, $32,000.

The amendment was agreed to.

The next amendment was, on page 3, line 14, after the word "Reservation," to strike out "$6,000" and insert "$1,000"; in line 18, after "$1,000," to strike out "Papago pumping plants, $5,000"; in line 19, after "Reservation," to strike out "$6,000" and insert "$4,500"; in line 20, after the word "projects," to strike out "$7,600" and insert "$6,600"; and in line 21, after the word "total," to strike out "$45,200" and insert "$33,700"; so as to make the clause read:

Irrigation district 4: Agua Caliente Reservation, $1,000; Ak Chin, Maricopa Reservation, $3,200; Big Pine Reservation, $3,500; Grindstone Creek Reservation, $1,300; La Jolla Reservation, $6,000; Martinez pumping plant, $2,000; Morongo Reservation, $1,600; Owens Valley Reservation, $1,000; Pala Reservation, $4,500; Rincon Reservation, $3,000; miscellaneous projects, $6,600; total, $33,700.

The amendment was agreed to.

The next amendment was, on page 3, line 23, after the word "Reservation," to strike out "$22,000" and insert "$20,000"; in line 24, after the word "Pueblos," to strike out "$12,000" and insert "$11,000"; on page 4, line 2, after the words "Red Lake," to strike out "$20,000" and insert "$18,200"; and in the same line, after the word "total," to strike out "$80,200" and insert "$75,400," so as to make the clause read:

Irrigation district five: Southern Ute Reservation, Pine River project, $8,000; San Juan Reservation, $20,000; New Mexico Pueblos, $11,000; Zuni Reservation, $18,200; Navajo and Hopi miscellaneous projects, including Tes-nos-pos, Moencopi Wash, Captain Tom Wash, and Red Lake, $18,200; total, $75,400.

The amendment was agreed to.

The next amendment was, on page 5, line 7, after the word "reservations," to strike out "$268,050" and insert "$250,750," so as to read:

In all, for irrigation on Indian reservations, $250,750, reimbursable as provided in the act of August 1, 1914.

The amendment was agreed to.

The next amendment was, under the head of "Suppressing liquor traffic," on page 5, line 21, after the word "Indians," to strike out "$125,000" and insert "$100,000," so as to read:

For the suppression of the traffic in intoxicating liquors among Indians, $100,000.

The amendment was agreed to.

The next amendment was, under the head of "Relieving distress, etc.," on page 6, line 9, after "$375,000," to insert "of which sum $25,000 shall be immediately available," so as to read:

For the relief and care of destitute Indians not otherwise provided for, and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases, including transportation of patients to and from hospitals and sanatoria, $375,000, of which sum $25,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, under the head of "Support of Indian schools," on page 7, line 16, after "$1,750,000," to insert "of which sum not to exceed $25,000 shall be immediately available," so as to read:

For support of Indian day and industrial schools not otherwise provided for, for other educational and industrial purposes in connection therewith, $1,750,000, of which sum not to exceed $25,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, under the head of "Indian school and agency buildings," on page 8, line 6, after the word "therewith," to strike out "$350,000" and insert "$335,000," so as to make the clause read:

For construction, lease, purchase, repair, and improvement of school and agency buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $335,000.

The amendment was agreed to.

The next amendment was, under the head of "Per capita cost," on page 9, line 23, after the word "be," to strike out "determined by taking the average attendance for the entire fiscal year and not any fractional part thereof" and insert "based upon average attendance, determined by dividing the total daily attendance by the number of days the school is in session," so as to make the clause read:

That hereafter, except for pay of superintendents and for transportation of goods and supplies and transportation of pupils, not more than $225 shall be expended from appropriations made in this act, or any other act, for the annual support and education of any one pupil in any Indian school, unless the attendance in any school shall be less than 200 pupils, in which case the Secretary of the Interior may authorize a per capita expenditure of not to exceed $250: *Provided*, That the total amount appropriated for the support of such school shall not be exceeded: *Provided further*, That the number of pupils in any school entitled to the per capita allowance hereby provided for shall be based upon average attendance, determined by dividing the total daily attendance by the number of days the school is in session: *Provided further*, That all moneys appropriated for school purposes among the Indians for the fiscal year ending June 30, 1919, may be expended, without restriction as to per capita expenditure, for the annual support and education of any one pupil in any school.

The amendment was agreed to.

The next amendment was, under the head of "Telegraphing and telephoning," on page 11, line 26, after the word "Washington," to strike out "$6,000" and insert "$8,000," so as to make the clause read:

For telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, $8,000.

The amendment was agreed to.

The next amendment was, under the head of "General expenses of Indian Service," on page 13, line 8, after the word "available," to strike out "$135,000" and insert "$140,000: *Provided*, That $5,000 of this amount shall be immediately available," so as to make the clause read:

For pay of special agents, at $2,000 per annum; for traveling and incidental expenses of such special agents, including sleeping-car fare, and a per diem of not to exceed $3.50 in lieu of subsistence, in the discretion of the Secretary of the Interior, when actually employed on duty in the field or ordered to the seat of government; for transportation and incidental expenses of officers and clerks of the Office of Indian Affairs when traveling on official duty; for pay of employees not otherwise provided for; and for other necessary expenses of the Indian Service for which no other appropriation is available, $140,000: *Provided*, That $5,000 of this amount shall be immediately available: *Provided further*, That $15,000 of this appropriation shall be used for continuing the work of the Competency Commission to the Five Civilized Tribes in Oklahoma.

The amendment was agreed to.

The next amendment was, under the head of "Determining heirs," on page 13, line 25, after the word "exceed," to strike out "$25,000" and insert "$30,000," so as to make the clause read:

For the purpose of determining the heirs of deceased Indian allottees having any right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, $100,000, reimbursable as provided by existing law: *Provided*, That the Secretary of the Interior is hereby authorized to use not to exceed $30,000 for the employment of additional clerks in the Indian Office in connection with the work of determining the heirs of deceased Indians, and examining their wills, out of the $100,000 appropriated herein: *Provided further*, That the provisions of this paragraph shall not apply to the Osage Indians nor to the Five Civilized Tribes of Indians in Oklahoma.

The amendment was agreed to.

The next amendment was, under the head of "Industry among Indians (reimbursable)," on page 14, line 11, after the word "crops," to strike out "$100,000" and insert "$250,000," so as to read:

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $250,000, or so much thereof as may be necessary, to be immediately available, which sum may be used for the purchase of seed, animals, machinery, tools, implements, and other equipment necessary, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting.

The amendment was agreed to.

The next amendment was, under the head of "Miscellaneous," subhead "Suppressing Contagious Diseases among Live Stock of Indians," on page 16, line 7, after the word "rolls," to strike out "shall contain the ages and quantum of Indian blood"; in line 14, after the word "two" in parentheses, to strike out "and shall be conclusive both as to ages and quantum of Indian blood," and in line 18, after the word "Minnesota," to insert "or the Menominee Indians of Wisconsin," so as to make the clause read:

That the Secretary of the Interior is hereby authorized, wherever in his discretion such action would be for the best interest of the Indians, to cause a final roll to be made of the membership of any Indian tribe; such rolls, when approved by the said Secretary, are hereby declared to constitute the legal membership of the respective tribes for the purpose of segregating the tribal funds as provided in section 28 of the Indian appropriation act approved May 25, 1918 (40th Stat. L., pp. 591, 592): *Provided*, That the foregoing shall not apply to the Five Civilized Tribes or to the Osage Tribe of Indians, or to the Chippewa Indians of Minnesota, or the Menominee Indians of Wisconsin.

The amendment was agreed to.

The next amendment was, in section 2, under the head of "Arizona and New Mexico," page 18, line 6, after the word "superintendent," to strike out "$35,050" and insert "$32,700," and in line 7, after the words "in all," to strike out "$38,850" and insert "$36,500," so as to make the clause read:

For support and education of 150 Indian pupils at the Indian school at Fort Mojave, Ariz., and for pay of superintendent, $32,700; for general repairs and improvements, $3,800; in all, $36,500.

The amendment was agreed to.

The next amendment was, on page 18, line 10, after the word "superintendent," to strike out "$142,500" and insert "$132,000," and in line 11, after the words "in all," to strike out "$155,000" and insert "$144,500," so as to make the clause read:

For support and education of 700 Indian pupils at the Indian school at Phoenix, Ariz., and for pay of superintendent, $132,000; for general repairs and improvements, $12,500; in all, $144,500.

The amendment was agreed to.

The next amendment was, on page 18, line 14, after the word "superintendent," to strike out "$24,000" and insert "$22,000," and in line 15, after the words "in all," to strike out "$27,000" and insert "25,000," so as to make the clause read:

For support and education of 100 pupils at the Indian School at Truxton Canyon, Ariz., and for pay of superintendent, $22,000; for general repairs and improvements, $3,000; in all, $25,000.

The amendment was agreed to.

The next amendment was, on page 18, line 21, after the word "eighty-one" in parentheses, to strike out "$10,000" and insert "$7,500"; in line 22, after the word "systems," to strike out "$10,000" and insert "$7,500"; and, in line 23, after the words "in all," to strike out "$20,000" and insert "$15,000," so as to make the clause read:

For continuing the work of constructing the irrigation system for the irrigation of the lands of the Pima Indians in the vicinity of Sacaton, on the Gila River Indian Reservation, within the limit of cost fixed by the act of March 3, 1905 (33 Stat. L., p. 1081), $7,500; and for maintenance and operation of the pumping plants and canal systems, $7,500; in all, $15,000, reimbursable as provided in section 2 of the act of August 24, 1912 (37 Stat. L., p. 522).

The amendment was agreed to.

The next amendment was, on page 19, line 15, after the word "land," to strike out "$75,000" and insert "$54,000," and, in line 20, after the words "in all," to strike out "$209,000" and insert "$188,000, to be immediately available," so as to make the clause read:

For continuing the construction of the pumping plant for irrigation purposes on the Colorado River Indian Reservation, Ariz., by the installation of a settling basin, $11,000, and for continuing the construction of the necessary canals and laterals for the utilization of water in connection with said pumping plant, as provided in the act of April 4, 1910 (36 Stat. L., p. 273), $82,000, and for maintaining and operating the pumping plant, canals, and structures, $41,000, reimbursable as provided in said act; and for continuing the purpose of securing an appropriation of water for irrigation of approximately 150,000 acres of land on said reservation by the conduct of surveys and the preparation of plans and estimates for a complete irrigation system to supply water to said land, $54,000, reimbursable from funds in the Treasury of the United States to the credit of the Indians of said reservation arising from the proceeds from the sale of town lots authorized by the act of April 13, 1908 (35 Stat. L., p. 70); in all, $188,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 22, line 8, after the word "tribe," to insert "by the Indians benefited," so as to make the clause read:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $17,500 of any tribal funds on deposit to the credit of the Indians of the San Carlos Reservation in Arizona, and to expend the same for the operation and maintenance of pumping plants for irrigating the lands of the Indians on the said reservation, and for the installation of a tank or tanks for the economical handling of fuel oil for said pumping plants: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

The amendment was agreed to.

The next amendment was, in section 3, under the head of "California," line 16, after the word "superintendent," to strike out "$138,600" and insert "$128,400"; in line 17, after the words "in all," to strike out "$153,600" and insert "$143,400: *Provided*, That not to exceed $20,000 may be expended from Indian moneys, proceeds of labor, Sherman Institute, for the purchase of land and water rights, the title to which is to be held in the United States," so as to make the clause read:

For support and education of 680 Indian pupils at the Sherman Institute, Riverside, Cal., including pay of superintendent, $128,400; for general repairs and improvements, $15,000; in all, $143,400: *Provided*, That not to exceed $20,000 may be expended from Indian moneys, proceeds of labor, Sherman Institute, for the purchase of land and water rights, the title to which is to be held in the United States.

The amendment was agreed to.

The next amendment was, on page 24, line 11, after the word "supply," to strike out "$5,000" and insert "and the purchase of land and water rights, $10,000"; and in line 13, after the words "in all," to strike out "$30,200" and insert "$35,200," so as to make the clause read:

For support and education of 100 Indian pupils at the Greenville Indian School, Cal., including pay of superintendent, $24,000; for general repairs and improvements, including developing and installation of water supply and the purchase of land and water rights, $10,000; for purchase of dairy cows and farming implements, $1,200; in all, $35,200.

The amendment was agreed to.

The next amendment was, on page 24, after line 22, to insert:

For the relief and care of nonreservation Indians in California in destitute circumstances, for the prevention and treatment of tuberculosis, trachoma, conjunctivitis, smallpox, and other diseases, and including the transportation of patients to and from county hospitals and almshouses, and to special physicians when necessary, $20,000; said fund to be expended under contract with county supervisors and under such regulations and conditions as the Secretary of the Interior may prescribe, provided that not to exceed 50 per cent of the actual cost of such service to the supervisors shall be paid from this fund.

The amendment was agreed to.

The next amendment was, under the head of "Florida," on page 25, line 12, after the word "education," to strike out "$20,000" and insert "$10,000"; and in line 13, after the word "buildings," to insert: "*Provided*, That the unexpended balance heretofore appropriated for said Seminole Indians in Florida is hereby reappropriated and made available for the purposes herein named," so as to make the clause read:

SEC. 4. For relief of distress among the Seminole Indians in Florida, and for purposes of their civilization and education, $10,000, including the construction and equipment of necessary buildings: *Provided*, That the unexpended balance heretofore appropriated for said Seminole Indians in Florida is hereby reappropriated and made available for the purposes herein named.

The amendment was agreed to.

The next amendment was, on page 26, after line 7, to insert:

IOWA.

SEC. 6. For the construction, maintenance, and operation of a drainage system for lands of the Sac and Fox Indians in Iowa, $10,000, to be immediately available and to remain available until expended: *Provided*, That any moneys expended for this purpose shall be reimbursed out of any tribal funds in the Treasury of the United States to the credit of said Sac and Fox Indians: *Provided further*, That the Secretary of the Interior is hereby authorized to enter into agreements, or make such other suitable arrangements with the owners of adjacent lands benefited by the construction of such system as will insure payment from such owners, on a per acre basis, of a proportionate part of the construction, operation, and maintenance of such drainage system.

The amendment was agreed to.

The next amendment was, under the head of "Kansas," on page 26, line 23, to change the number of the section from 6 to 7.

The amendment was agreed to.

The next amendment was, on page 27, after line 2, to insert:

For support and education of 80 Indian pupils at the Indian school, Kickapoo Reservation, Kans., including pay of superintendent, $19,400; for general repairs and improvements, $4,000; in all, $23,400.

The amendment was agreed to.

The next amendment was, under the head of "Michigan," on page 27, line 21, to change the number of the section from 7 to 8.

The amendment was agreed to.

The next amendment was, under the head of "Minnesota," on page 28, line 2, to change the number of the section from 8 to 9.

The amendment was agreed to.

The next amendment was, on page 28, after line 8, to strike out:

The Secretary of the Interior is hereby authorized to advance to the executive committee of the White Earth Band of Chippewa Indians, in Minnesota, the sum of $1,000, or so much thereof as may be necessary, to be expended in the annual celebration of said band to be held June 14, 1919, out of the funds belonging to said band.

The amendment was agreed to.

The next amendment was, on page 28, after line 14, to strike out:

That not to exceed $50,000 of the funds derived from the sale of timber from the Red Lake Indian Forest, Minn., under authority of the act of May 18, 1916 (39 Stat. L., p. 137), may be expended by the Secretary of the Interior in payment of the expenses authorized by said act, and in the logging, booming, towing, and manufacture of timber at the Red Lake Agency sawmill.

The amendment was agreed to.

The next amendment was, on page 28, after line 22, to insert:

That not to exceed $10,000 of the funds derived from the sale of timber from the Red Lake Indian Forest, Minn., under authority of the act of May 18, 1916 (39 Stats. L., p. 137), may be expended by the Secretary of the Interior in payment of the expenses authorized by said act: *Provided*, That hereafter all proceeds of sales of timber products manufactured at the Red Lake Agency sawmill, or so much thereof as may be necessary, shall be available for expenses of logging, booming, towing, and manufacturing timber at said mill.

The amendment was agreed to.

The next amendment was, on page 30, line 3, after the words "sum of," to strike out "$10,000" and insert "$15,000"; in line 10, after the word "tribe," to strike out "including" and insert "and also"; in line 11, after the words "expenses of," to strike out "its legislative committee in" and insert "Chippewa delegates"; in line 13, after the word "second," to strike out "session" and insert "and third sessions"; and in line 14, after the word "available," to strike out "and said actual and necessary expenses to be approved by the president and secretary of the general council and certified to the Secretary of the Interior and as so approved and certified to be paid," so as to make the clause read:

That the sum of $15,000, or so much thereof as may be necessary, of the tribal funds of the Chippewa Indians of the State of Minnesota is hereby appropriated to pay the expenses of the general council of said tribe to be held during July, 1919, pursuant to the constitution of the general council of said Chippewa Indians of Minnesota, organized in May, 1913, and to pay the expenses of said general council in looking after the affairs of said tribe, and also the actual and necessary expenses of Chippewa delegates visiting Washington during the second and third sessions of the Sixty-fifth Congress; said sum to be immediately available.

The amendment was agreed to.

The next amendment was, on page 30, after line 17, to insert:

For the completion of the enrollment of the allottees within the White Earth Reservation, in the State of Minnesota, required by the act of June 30, 1913, as amended, $2,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 30, after line 21, to insert:

Hereafter on ceded lands in the State of Minnesota embraced within the provisions of the law entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889, the minerals in and mineral rights pertaining to any of the lands, the cession of which was provided for in said act and which the United States has not conveyed title, shall be and remain in and are reserved for the use and benefit of the Chippewa Indians of the State of Minnesota.

The amendment was agreed to.

The next amendment was, on page 31, after line 5, to insert:

The Secretary of the Interior is hereby authorized and directed to withdraw from the Treasury of the United States the sum of $60,000, or so much thereof as may be necessary, of the tribal funds of the Chippewa Indians of Minnesota, and to expend or pay the same, under such rules and regulations as he may prescribe, for the erection or purchase of homes for Chippewa Indians in said State whose homes were destroyed by forest fires during the year 1918, to be immediately available and to remain available until expended: *Provided*, That said sum may be used for material and labor for the construction of such houses; for the purchase of portable houses; or to pay for the erection of houses under contract, said contract to be executed or approved by the superintendent, who shall also inspect and approve all work done or houses erected or purchased hereunder before making payment therefor: *Provided further*, That not to exceed $1,000 may be used for the purchase or construction of any one home: *And provided further*, That not to exceed 5 per trative of the amount expended may be used for administ- centum purposes.

The PRESIDING OFFICER. The Chair calls attention to a misprint in the committee amendment on page 31, lines 24 and 25, where the words "administrative" and "per centum" have been transposed. Without objection, the Secretary will be authorized to make the necessary correction. The question now is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The next amendment was, at the top of page 32, to insert:

That the Secretary of the Treasury be, and he hereby is, directed to pay, out of any money in the Treasury of the United States to the credit of the Chippewa Indians of the State of Minnesota, proceeds of the final judgment obtained in the Court of Claims against the United States in case No. 30,447, entitled "The Mille Lac Band of Chippewa Indians in the State of Minnesota v. the United States," the following sums: To Wah-we-yea-cumig and Ain-dus-o-geshig, Mille Lac chiefs, each $5,000; to Me-ge-zee, a Mille Lac chief, $500; to the heirs of Go-gee, a Mille Lac chief, $500; to the heirs of Nay-gwa-nay-be-ke-waln-zee, a Mille Lac chief, $500; and to Mrs. Ella H. Beaulieu, widow of Gus H. Beaulieu, $5,000, upon the execution by each of a receipt in full for all claims and demands against the Chippewa Indians of Minnesota, or any band thereof, for services rendered and money expended in connection with the preparation or prosecution of the said case; in all, $16,500; the sums hereby appropriated to be immediately available.

The amendment was agreed to.

The next amendment was, on page 32, after line 19, to insert:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $20,000 of the tribal funds of the Chippewa Indians of Minnesota and to expend or pay the same, under such rules and regulations as he may prescribe, for the construction and repair of roads on the Chippewa and ceded Indian reservations in the State of Minnesota.

The amendment was agreed to.

Mr. KELLOGG. Mr. President, at this point I should like the attention of the chairman of the committee. I offer the amendment which I send to the desk to the amendment reported by the committee, on page 33. I have two amendments to offer to the bill.

Mr. ASHURST. It is an amendment to the committee amendment, as I understand?

Mr. KELLOGG. It is an amendment to the committee amendment.

Mr. ASHURST. Then it is in order.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The SECRETARY. The committee amendment on page 33, beginning in line 16, reads as follows:

That the Secretary of the Interior be, and he is hereby authorized, in his discretion, to pay the amounts assessed against tribal and allotted Indian lands of the Fond du Lac Indian Reservation, Minn., by Carlton County Judicial Ditch No. 1. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,947, or so much thereof as may be necessary, to be reimbursed from any funds in the possession of the United States belonging to the individual allottees whose lands are benefited, or their heirs, in case of their decease, when the payment relates to allotted lands, and from any funds belonging to the tribe subject to be prorated, when the payment relates to tribal lands: *Provided*, That no patent in fee shall be issued for any tract of land under the terms of this paragraph until the United States shall have been wholly reimbursed for all assessments paid or to be paid on such tract under the terms hereof.

Mr. KELLOGG proposes to amend the amendment by striking out, beginning in line 16, the words:

That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to pay the amounts assessed against tribal and allotted Indian lands of the Fond du Lac Indian Reservation, Minn., by Carlton County Judicial Ditch No. 1. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,947.

And inserting the words:

That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to pay the amounts assessed against tribal and allotted lands of the Indian reservations of Minnesota on account of benefits accruing to said lands by reason of the construction of a drainage ditch or ditches under the laws of Minnesota. There is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $60,000.

Mr. ASHURST. I have conferred with such members of the committee as are available, and it is their disposition to accept the amendment, and it will be accepted so far as the committee is concerned.

Mr. KELLOGG. If the committee finds on consultation with the Indian Bureau that the amendment is not correct, they can change it in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KELLOGG. I have one other amendment to offer.

The PRESIDING OFFICER. There is a committee amendment immediately preceding the one just agreed to which was not stated. The Secretary will now state that amendment.

The SECRETARY. On page 33, after line 2, it is proposed to insert:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $100,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to use the same for the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act: *Provided*, That on and after July 1, 1919, not to exceed three regular Indian agencies shall be maintained among the Chippewa Indian reservations in the State of Minnesota.

Mr. KELLOGG. Mr. President, I offer an amendment striking that out, and I should like to state to the chairman of the committee the reasons; and then, if the chairman desires a vote on it, it can be taken.

This fund, amounting to about $6,000,000, in the Treasury of the United States was created under a treaty of the United States and an act of Congress putting the treaty in force, under which act of Congress it was provided that the principal sum

should forever remain a trust fund and the interest only should be used for the following purposes——

Mr. CURTIS. Mr. President, the Senator said "forever." I think the treaty provides "50 years."

Mr. KELLOGG. I beg the Senator's pardon; that is right—that it should remain a trust fund for 50 years, the interest only to be used, as follows: The fund was to be placed at interest at the rate of 5 per cent, payable annually, for the period of 50 years, after the allotments provided for in the act had been made, and the interest and permanent fund were to be expended for the benefit of the Indians in the manner following:

One-half of said interest shall, during the said period of 50 years, except in the cases hereinafter otherwise provided, be annually paid in cash in equal shares to the heads of families and guardians of orphan minors for their use; and one-fourth of said interest shall, during the same period and with the like exception, be annually paid in cash in equal shares per capita to all other classes of said Indians; and the remaining one-fourth of said interest shall, during the said period of 50 years, under the direction of the Secretary of the Interior, be devoted exclusively to the establishment and maintenance of a system of free schools among said Indians, in their midst and for their benefit; and at the expiration of the said 50 years the said permanent fund shall be divided and paid to all of said Chippewa Indians and their issue then living, in cash, in equal shares: *Provided*, That Congress may, in its discretion, from time to time during the said period of 50 years, appropriate for the purpose of promoting civilization and self-support among the said Indians a portion of said principal sum not exceeding 5 per cent thereof.

Mr. President, the Supreme Court of the United States held, in the case of Minnesota against Hitchcock—an original case in the Supreme Court of the United States—that that was a treaty between the Indians and the United States Government binding on both, and that the fund constituted a trust fund. The question is whether the Congress has any right to appropriate, from the principal of that fund, any sum for the ordinary expenses of running the Indian agency.

In 1917 this question came up and the House struck it out entirely. It came into the Senate, and the Senate committee inserted "$185,000." After long consultation with the Indian Department it was concluded to leave it at $175,000 for the year 1917, and during that time the Indian Department agreed to make an investigation of the situation and see whether the fund was necessary. I shall not take the time to-night to explain this long investigation.

Mr. ASHURST. Mr. President, I think the members of the committee understand the Senator's amendment, because I believe it has been discussed pretty thoroughly.

Mr. KELLOGG. I think it has.

Mr. ASHURST. And, so far as I am concerned, as chairman of the committee, unless some of the other Senators have an objection to offer, I am willing to accept the Senator's amendment. It relates particularly to a matter in his State, and was argued by him before the committee.

The PRESIDING OFFICER. If the Senator will pardon the Chair, the Chair understands that this is an amendment of the committee, and the end desired by the Senator from Minnesota will be accomplished by voting down the committee amendment.

Mr. ASHURST. I think so.

The PRESIDING OFFICER. The question is upon agreeing to the committee amendment.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, under the head of "Mississippi," on page 34, line 9, to change the number of the section from 9 to 10.

The amendment was agreed to.

The next amendment was, under the head of "Montana," on page 34, line 17, to change the number of the section from 10 to 11.

The amendment was agreed to.

The next amendment was, under the head of "Nebraska," on page 38, line 22, to change the number of the section from 11 to 12.

The amendment was agreed to.

The next amendment was, under the head of "Nevada," on page 39, line 8, to change the number of the section from 12 to 13.

The amendment was agreed to.

The next amendment was, on page 39, line 10, before the word "hundred," to strike out "three" and insert "four"; in line 12, after the word "superintendent," to strike out "$69,500" and insert "$82,000"; and in line 16, after the words "in all," to strike out "$92,500" and insert "$105,000," so as to make the clause read:

For support and education of 400 Indian pupils at the Indian school at Carson City, Nev., including pay of superintendent, $82,000; for general repairs and improvements, $10,000; for enlarging and improving sewerage system, $8,000; for enlarging and improving irrigation system and placing additional land under cultivation, $5,000; in all, $105,000.

The amendment was agreed to.

The next amendment was, on page 39, after line 20, to insert:

For the purchase of land and water rights for homeless Indians in Nevada, the title to which is to be held in the United States for the benefit of said Indians; also for the purchase of agricultural equipment, building material, and other supplies necessary for said Indians in utilizing the land purchased for them; and for the expense of locating the Indians upon such land, including pay of employees where necessary, $20,000, to be immediately available and to remain available until expended.

The amendment was agreed to.

The next amendment was, under the head of "New Mexico," on page 40, line 6, to change the number of the section from 13 to 14.

The amendment was agreed to.

The next amendment was, on page 40, line 17, after the word "attorney," to strike out "$2,500" and insert "$5,000," so as to make the clause read:

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $5,000, or so much thereof as the Secretary of the Interior may deem necessary.

The amendment was agreed to.

The next amendment was, on page 41, after line 19, to insert:

For the completion of the construction of a bridge across the San Juan River at Shiprock, N. Mex., on the Navajo Indian Reservation, $4,226.14, in addition to the $16,500 appropriated for this purpose by the act approved June 30, 1913 (38 Stat. L., p. 91), to be immediately available for payment to the El Paso Bridge & Iron Co., of El Paso, Tex., for extra work and material, the same being made necessary by acts of the Government: *Provided*, That said sum shall be reimbursed to the United States by the Navajo Indians and shall remain a charge and lien upon the lands, property, and funds belonging to said Navajo Indians until paid in full.

The amendment was agreed to.

The next amendment was, under the head of "New York," on page 42, to change the number of the section from 14 to 15.

The amendment was agreed to.

The next amendment was, under the head of "North Carolina," on page 42, line 15, to change the number of the section from 15 to 16; in the same line, before the word "Indian," to strike out "one hundred and sixty" and insert "two hundred"; in line 18, after the word "superintendent," to strike out "$37,800" and insert "$46,800," and in line 19, after the words "in all," to strike out "$43,800" and insert "$52,800"; so as to make the clause read:

SEC. 16. For support and education of 200 Indian pupils at the Indian school at Cherokee, N. C., including pay of superintendent, $46,800; for general repairs and improvements, $6,000; in all, $52,800.

The amendment was agreed to.

The next amendment was, on page 42, after line 19, to insert:

That the sum of $8,000 appropriated for the construction of a bridge across the Ocona Lufty River at or near the Indian school at Cherokee, N. C., by the act approved May 25, 1918 (Public No. 159, 65th Cong.), or so much thereof as may be required, is hereby reappropriated and made immediately available for the same purpose and under the same conditions as provided in the said act.

The amendment was agreed to.

The next amendment was, under the head of "North Dakota," on page 43, line 2, to change the number of the section from 16 to 17.

The amendment was agreed to.

The next amendment was, on page 44, line 6, after "$6,000," to insert "for a shop building, $3,000," and in the same line, after the words "in all," to strike out "$52,800" and insert "$55,800," so as to make the clause read:

For support and education of 200 Indian pupils at the Indian school, Wahpeton, N. Dak., and pay of superintendent $46,800; for general repairs and improvements, $6,000; for a shop building, $3,000; in all, $55,800.

The amendment was agreed to.

The next amendment was, on page 44, after line 13, to insert:

That the Secretary of the Interior is hereby authorized and directed to sell and convey 2 acres of land situated in township 152, north of range 65, west of the fifth principal meridian in North Dakota, situated in the Fort Totten Indian School and Agency Reservation, and described as follows: Beginning at the northwest corner of the northwest quarter of northwest quarter, section 21, township 152, north of range 65 west, fifth principal meridian in North Dakota, and running south 20 rods on the section line, thence east 16 rods, thence north 20 rods, thence west 16 rods on the section line to the point of beginning, to the public-school district in which the land is situated, at not less than the appraised valuation: *Provided*, That Indian children shall be permitted to attend any school established thereon on an equality with white children.

The amendment was agreed to.

The next amendment was, on page 45, after line 4, to insert:

That there is hereby appropriated out of any money in the Treasury not otherwise appropriated the sum of $676, to reimburse Benson County, N. Dak., for money actually paid by said county to the State of North Dakota for care of three insane Indians, Mary Josephine Pejihutaskana, Alfred Littlewind, and Joseph Langer, in the North Dakota State Insane asylum.

The amendment was agreed to.

The next amendment was, under the head of "Oklahoma," on page 45, line 13, to change the number of the section from 17 to 18.

The amendment was agreed to.

The next amendment was, on page 46, after line 18, to insert:

That the trust period upon the lands heretofore allotted to the Mexican Kickapoo Indians in Oklahoma, and the restrictions against taxation and alienation existing thereunder be, and the same hereby are, extended for the period of 10 years from the date upon which the existing period expires.

Mr. GORE. Mr. President, I make a point of order against that amendment, on the ground that it is general legislation on an appropriation bill. It changes the existing law. It changes the existing status of the lands of the Indians. I will say, further, that the Secretary of the Interior has power, under existing law, to make an order extending this trust period. He can exercise that power at any time between this time and the 1st day of September. It is needless from that standpoint, but I object to it on the ground that it is legislation. It does not appropriate any money. It changes the law; and the facts and circumstances and conditions of the legal status of these Indians and their lands will be different, if this bill passes, than they would be otherwise.

Mr. ASHURST. Mr. President, I do not want to consume any time at this late hour. In fact, I would be guilty of a breach of propriety if I were to do so. I wish my friend would withdraw the point of order. I think it will lie. I think it is good, and I am not going to make any extended argument, but I think the trust period ought to be extended. I will not argue the question now. I think the Senator ought to withdraw the point of order.

Mr. GORE. I do not want to petrify in the law what the Secretary has authority to do and has not done.

The PRESIDING OFFICER. Does the Senator insist upon the point of order?

Mr. GORE. Yes.

The PRESIDING OFFICER. The point of order is sustained.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 47, line 4, after "$7,000," to insert "for improvement of water and engineering system, $20,000," and in line 5, after the words "in all," to strike out "$101,600" and insert "$121,600," so as to make the clause read:

For support and education of 550 Indian pupils at the Indian school at Chilocco, Okla., including pay of superintendent, $94,600; for general repairs and improvements, $7,000; for improvement of water and engineering system, $20,000; in all, $121,600: *Provided*, That $20,000 heretofore appropriated for roads and bridge on the Chilocco Indian Reservation in Oklahoma, or any unexpended balance thereof, is hereby reappropriated and made available for the construction or completion of such roads and bridge.

The amendment was agreed to.

The next amendment was, on page 48, line 8, after the words "sum of," to strike out "$20,000" and insert "$40,000," so as to read:

That the Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, not to exceed the sum of $40,000, or so much thereof as may be necessary, of the money on deposit to the credit of the Osage Tribe of Indians in Oklahoma, to be expended for the support, education, and systematic vocational instruction of Osage children.

The amendment was agreed to.

The next amendment was, on page 49, line 1, after the word "exceed," to strike out "$25,000" and insert "$35,000," so as to make the clause read:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, not to exceed $35,000 of the funds on deposit to the credit of the Osage Tribe of Indians in Oklahoma and to pay out the same for necessary expenses in connection with oil and gas production on the Osage Reservation, including salaries of employees, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles.

The amendment was agreed to.

The next amendment was, on page 49, after line 7, to insert:

That the provision in the Indian appropriation act for the fiscal year ending June 30, 1919, authorizing the expenditure of not exceeding $25,000 from unexpended Osage tribal funds heretofore appropriated for any fiscal year for the use and construction of a fireproof office building for Osage Agency is hereby amended to provide that not exceeding $35,000 of such unexpended Osage tribal funds may be used in the construction of such fireproof office building, including the removal of the present office building and rearrangement of interior of same for employees' quarters.

The amendment was agreed to.

The next amendment was, on page 49, after line 17, to insert:

There shall be held on the first Monday in June, 1919, at Pawhuska, Okla., a general election, at which there shall be elected a principal chief, assistant chief, and eight members of the Osage tribal council: *Provided*, That the principal chief, assistant chief, and four members of said council shall be full-blood Osage Indians, and four members shall be mixed-blood Osage Indians by blood, all as indicated on the approved rolls of said tribe, and shall be residents of the Osage Nation. In all cases where there is a tie in the vote of the council members on any matter, the principal chief, or in his absence, the assistant chief, shall have a vote. The officers so elected shall hold office for a term of two years from July 1, 1919, and such officers shall be elected biannually thereafter, each election to be held under rules and regulations approved by the Secretary of the Interior, and no officers so elected shall enter upon duty until their election shall have been approved by the Secretary of the Interior. In case of vacancy in the office of principal chief, by death, resignation, or otherwise, the assistant chief shall succeed to said office, and all vacancies in the Osage tribal council shall be filled in a manner to be prescribed by the council, in accordance with the provisions of this act as to Osage blood, and with the approval of the Secretary of the Interior. The Secretary of the Interior is hereby authorized to remove from the council any member or members thereof for good cause to be by him determined. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. GORE. Mr. President, I make a point of order against that, on the ground that it is general legislation on an appropriation bill.

Mr. ASHURST. For the purposes of the RECORD, Mr. President, I want to say to my friend, the learned Senator from Oklahoma, that he is making a mistake, in my judgment. However, I do not want to put my opinion as to the condition in his State against his own opinion; but let me give the situation.

These Osages, if I understand the situation properly, are wealthy Indians. Each one of these 4,000 Indians has an income of $2,200—each man, woman, and child.

Mr. CURTIS. They have an income of $4,000 each.

Mr. ASHURST. Four thousand dollars. The half-breeds, it is asserted, overthrow the will of the full bloods, and very frequently when the full bloods, who are a splendid type of Indian, attempt to do something they are overthrown in their council or otherwise by the half-breeds. This has appealed to me as the most beneficient and just legislation, that four members of the council and the chief of the tribe and the assistant chief should be full bloods; and I appeal to my friend here, at this hour of midnight, when I have sat here, as I say, seven long days urging that this bill be brought up, to withdraw his point of order and let this legislation go to conference. It ought to go to conference.

Mr. GORE. Mr. President, in the abstract my sympathies would be with the full-bloods in a contest as against the half-breeds or the other Indians; but I object to this not only on the ground that it is general legislation but in the interest of world democracy. If these Indians are ever to learn to stand alone and to walk alone, we ought not to direct them as to whom they are to choose as their officers in an election. I did suggest to the chairman of the committee privately that if he would accept an amendment to this providing that all existing members of the senate and house of representatives should be reelected without opposition I would not make a point of order against it; but here we are undertaking to direct an election to be held amongst these Indians. They either ought not to be allowed to hold an election at all or else they ought to be allowed to hold an election.

Mr. ASHURST. Mr. President, facetiousness after 12 o'clock or near 12 o'clock is never pardonable except at banquets that are not "dry," and I am not going to indulge in anything of the kind.

The PRESIDING OFFICER. The Chair is ready to rule. The point of order is sustained.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 50, after line 20, to insert:

All that part of the act approved June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma Territory, and for other purposes," (34 Stat. L., 539), which reserves to the Osage Tribe the oil, gas, coal, or other minerals covered by the lands for the selection and division of which provision is made in that act, is hereby amended so that the oil, gas, coal, or other minerals covered by said lands are reserved to the Osage Tribe for the period ending December 31, 1956: *Provided*, That the minerals upon the allotted lands shall become the property of the individual owner of the surface of said lands at the expiration of said period unless otherwise provided for by act of Congress.

Mr. OWEN. Mr. President, I feel compelled to make a point of order against that, on the ground that it is general legislation on an appropriation bill.

Mr. ASHURST. Mr. President, I want to be heard on that. That is estimated for. It is in the big Book of Estimates. It is in the book which the Interior Department sent to the Treasury Department. It is on page 406 of the Book of Estimates; and, under our rules, if an item is estimated for, or reported favorably from a standing committee, it is impervious to a point of order.

The PRESIDING OFFICER. Will the Senator permit the Chair to inquire whether or not that rule would govern where it relates to legislation that is not purely of the character of an appropriation?

Mr. ASHURST. I think the Chair will find, if he will examine the rule, that legislation on an appropriation bill, if it

is estimated for by a department, is rendered impervious to a point of order.

Mr. OWEN. Mr. President, the Treasury Department can not put general legislation in an estimate without any appropriation of money. There is no money appropriated for this at all. It is purely legislation, without any appropriation at all.

Mr. CURTIS. Mr. President, I wish to say merely a word on the point of order. I do not think the amendment is subject to a point of order on the ground that it is general legislation. The act of 1906 reserved the oil, gas, and other minerals in the Indian tribe for 25 years, with the reservation that Congress should extend that time if it saw fit. Now, Congress is simply carrying out the act of 1906. It is not general legislation. It does not change existing law. It simply carries out the act, extending the time as the act authorizes.

I am not expressing myself on the merits of this amendment, because I will frankly say that it is one I have not fully made up my mind upon, as I stated in the committee. I have some doubt about it; but I must say that I do not think it is subject to a point of order.

Mr. OWEN. It certainly changes existing law and is subject to a point of order on that ground. You can not change existing law on an appropriation bill where the item does not appropriate any money.

Mr. JONES of New Mexico. Mr. President, as the Senator from Kansas has said, it is just an extension or rather carrying out of a provision of the act of Congress. It seems to me that if the merits of this proposition should be considered by the Senator from Oklahoma he would not be inclined to insist on his point of order. If I recall the testimony when this amendment was inserted, it developed this situation. The time for holding the oil in trust for the tribe was limited to a definite period. In operating those lands they sell a lease for a given specified time and as long as oil and gas may be found. It is the judgment of the department that that period of time will not enable the lessee to extract all the oil or gas. So when the leases are put up for sale the amount of bonus which is offered is very much limited by reason of that, and it ought to be. It is the purpose of this amendment to protect the Indians, to enable the Indians to get full value for their property.

Moreover, the surface of these lands has been allotted to different Indians. Some of it, and quite a lot of it, has passed into the hands of individual white owners, and under the terms of the statute all the mineral and oil which is in existence beyond this period of time becomes the property of the individual owner, and it would transfer to the individual owner the mineral right to take it away from the tribe, whereas the tribe has the full beneficial interest in it at present.

Of course, these allottees, the individuals whose land has been allotted and which has become immensely valuable, are very much interested in defeating this amendment, but I submit that for the good of the tribe, the women and children, the children yet unborn, these lands ought to be held for the benefit of the tribe and not be given away through negligence on the part of Congress to any other allottee or transferee of an allottee.

I submit, Mr. President, that the point of order can not be well taken, because it is incumbent upon Congress to look after that situation, and I think it is merely carrying out the intention of Congress. I hope the amendment is not subject to a point of order, because on the merits I was greatly impressed with the importance of putting this amendment on the bill.

Mr. OWEN. Mr. President, I did not undertake to discuss the merits of this matter. The merits of it would take considerable time to discuss. The fact is that the proposal to continually extend this time has prevented the officers of the Interior Department from properly leasing the land which has oil and to develop that oil as rapidly as it ought to be developed. The very reason why I am opposed to it on its merits is because I want the department to lease the land and have the land open for the production of oil so that those people may get the benefit of it while they are alive and not wait for some remote, future period for the recovery of the oil values. We want to have our State developed. I think there is not a single Member of the Oklahoma delegation who is not opposed to extending this right at this time.

Mr. ASHURST. Mr. President, let me be heard for just a moment and offer a solution.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Arizona?

Mr. OWEN. I shall yield the floor. I have made the point of order because it is identical with the Kickapoo case. I stand on the point of order.

Mr. ASHURST. I will be a member of the committee of conference. I have entire confidence in both Senators from Oklahoma to do absolute justice. Let the amendment go to conference, and if we find that the department comes before the conferees, as the department will, and asserts that this legislation is absolutely necessary to protect the Indians' rights, as I believe it to be, although the trust period does not expire for some time yet——

Mr. GORE. In 1931.

Mr. ASHURST. Why not let it go to conference? The conferees will do substantial justice. I appeal to the Senator from Oklahoma to let it go to conference. I think that is a fair way to treat the matter. There it can be discussed. The argument made by the Senator from New Mexico, it seems to me, has great force, and I am sure it has appealed to every Senator sitting here. It is an argument of immense force.

Mr. CURTIS. I should like to read the provision of the law:

Provided further, That the oil, gas, coal, and other minerals upon said allotted land shall become the property of the individual owners of said land at the expiration of 25 years, unless otherwise provided by act of Congress.

The PRESIDING OFFICER. The Senator will pardon the Chair. Is it the Senator's contention that if there shall be a general statute designating the period within which lands may be opened it is not general legislation upon an appropriation bill to extend the period?

Mr. CURTIS. The contention I make is that the original act of Congress authorizes Congress to extend the time. Now, Congress is simply extending the time.

The PRESIDING OFFICER. Would not that be general legislation?

Mr. CURTIS. I think not.

The PRESIDING OFFICER. Why should it be taken from the class of general legislation because Congress is authorized to extend the time? Congress would have the power anyway without the authorization.

Mr. CURTIS. Congress would have the power, but the right is specially reserved in the act that we are extending, and, so far as general legislation is concerned, it applies only to one tribe of Indians and is not general at all in its character.

The PRESIDING OFFICER. The Senator will pardon the Chair. The Chair does not mean to be discourteous in interrupting the Senator.

Mr. CURTIS. I am glad to be interrupted by the Chair.

The PRESIDING OFFICER. The Chair desires to learn the rule correctly. Does the Senator think that in order to be general legislation it must extend to a multitude of persons or parties within the same class?

Mr. CURTIS. It has been the ruling both in the House and in the Senate that it was special and not general.

The PRESIDING OFFICER. The Supreme Court, if the Senator will pardon the Chair, has held, for instance, that legislation with reference to insurance companies, if it embraced all the insurance companies of that class, was general, in contradistinction to special legislation.

Mr. CURTIS. This applies only to one tribe. As I said, I simply expressed myself on the point of order. On the merits of the case I have not fully made up my mind, as I stated a minute ago, and I do not care to express any opinion.

Mr. ASHURST. I ask for the ruling of the Chair.

The PRESIDING OFFICER. The Chair is ready to rule. The Chair thinks it is general legislation, and sustains the point of order.

The next amendment was, under subhead "Five Civilized Tribes," on page 51, line 10, to change the number of the section from 18 to 19; in line 12, after the word "employees," to strike out "$185,000:" and insert "$205,000, of which sum $20,000 shall be immediately available"; and, in line 21, after the word "leases," to insert "excluding oil and gas leases," so as to read:

SEC. 19. For expenses of administration of the affairs of the Five Civilized Tribes, Oklahoma, and the compensation of employees, $205,000, of which sum $20,000 shall be immediately available: *Provided*, That a report shall be made to Congress by the Superintendent for the Five Civilized Tribes through the Secretary of the Interior, showing in detail the expenditure of all moneys appropriated by this provision: *Provided further*, That hereafter no part of said appropriation shall be used in forwarding the undisputed claims to be paid from individual moneys of restricted allottees, or their heirs, or in forwarding uncontested agricultural and mineral leases, excluding oil and gas leases, made by individual restricted Indian allottees, or their heirs, to the Secretary of the Interior for approval.

The PRESIDING OFFICER. The amendment will be agreed to without objection.

Mr. OWEN and Mr. GORE. No.

The PRESIDING OFFICER. The Chair will put the question.

Mr. GORE. As the Chair perhaps observed, my colleague and myself both rose on this point. We are both very much opposed to this proposition, as is the entire citizenship of our State. I will state in a word the ground of our objection.

One-third of all the Indians in the United States live in the State of Oklahoma. The Five Civilized Tribes live in the State of Oklahoma. Some of them at least have always been civilized, as far back as their history runs or as knowledge of the white man extends in relation to those tribes. There are some 70,000 of these civilized Indians. They had a vast estate in that country. There is a Commission for the Five Civilized Tribes, appointed by the President and confirmed by the Senate. The present occupant of that office used to be the register of the Treasury, but he is an Indian by blood. Prior to that he was president of a college. He is one of the most exemplary men in the State of Oklahoma. I might almost say, as I could without extravagance, that he is an ideal man for this position. An Indian by blood, every impulse of his heart beats in sympathy with the interests of the Indian. There could not be a better guardian of their interests and their welfare.

There are vast mineral properties belonging to these Indians. These lands have been allotted in severalty. They are still leased, however, subject to the approval of the Interior Department; that is, so far as the restricted Indians are concerned. Certain Indians have had their restrictions removed. Other Indians are known as restricted Indians. Leases affecting their property must pass through the Interior Department and must obtain the approval of the Secretary of the Interior. There is an enormous amount of business originating in that section, involving millions of money.

I do not object, no one objects—indeed, I would insist as strenuously as anyone—that matters affecting the interests of the Indians which are contested ought to go through the Department of the Interior, or, at least, there ought to be an appeal to the Secretary of the Interior. But it is our contention that the detailed business which is uncontested ought to be subject to the approval of the commissioner for the five tribes, and if he is not a man qualified for that service then somebody ought to be appointed who is.

In our State at least we have grown weary of this long-range Government 1,600 miles away. In other days an Indian could not buy a set of chain harness without having the matter come to the Interior Department for approval. There has been some liberalization of those rules. Larger jurisdiction has been committed to the local authority in Oklahoma. When I say local authority I mean the Commission for the Five Civilized Tribes.

It is our contention that oil and gas leases which are uncontested ought to be subject to the approval of the Commission for the Five Civilized Tribes. Where there is a contest, where there is a protest, where there is a complaint, where there is a controversy, it ought to go, we will admit, to the Secretary of the Interior. When these uncontested claims come to the Department of the Interior here in Washington what is done? The report is made by appointees of the department in Oklahoma.

They look over the land, they investigate the situation, and they submit a report. Now, when there is no contest, why should not the Commission for the Five Civilized Tribes be permitted to pass judgment? Why oblige those papers to come to Washington through this tedious process and let a clerk here in the Interior Department, with a record submitted by the appointee of the department sooner or later, pass judgment upon a matter that is not in controversy and that is not contested?

Now, we are merely insisting upon a larger measure of local government, only that measure of local government which would not impair or jeopardize the rights or the interests of the Indians. This way of centralizing authority at some remote state of government, withdrawing it from local authorities, is not consistent with the alleged spirit of the times.

Mr. ASHURST. The amendment is not subject to a point of order.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. ASHURST. Mr. President, much as I regret to take five minutes or even two minutes at this unseasonable hour, my duty requires me to say that I earnestly appeal to every Senator here to vote for this amendment. With all the earnestness I am capable of summoning I appeal to every Senator here to vote for the amendment and for the reason I shall state.

I mean no reflection on the splendid delegation from the State of Oklahoma in the House and in the Senate, but here is the situation: Lands that contain immense stores of oil and gas are becoming progressively more valuable each year. I assert that leases, contested or uncontested, which propose to lease lands valuable in coal or oil or gas should be passed upon by the Department of the Interior.

I have a record before Congress of being a most inveterate opponent of all kinds of red tape. I am opposed to red tape, but there are matters which are infinitely serious that run to the very vitals of legislation. On a matter of this seriousness, much as I like to disagree with my esteemed friend from Oklahoma, I am profoundly convinced that the Senate would make a grievous and serious error if it were to leave the jurisdiction of passing upon oil and gas leases to the commissioner in Oklahoma. The pressure in my State is intense upon him. We ought to relieve the agent down there, able, honorable, and conscientious though he is, from the pressure that will be put upon him to approve this lease or that lease. He ought not to be required to run the fire that all politicians are obliged to run. We have to run certain gantlets ourselves.

We ought not to require that agent down there to do it. I am here to testify that he is an able and honest and resourceful man, but the duties that are required of him are too vast; they are too great, too enormous in extent, fraught with too much consequence, to leave it to his judgment alone.

I am not going, for reasons that will be obvious, to have the roll called on the amendment, and I could have no personal interest in the matter. I am about to leave the chairmanship of the Committee on Indian Affairs. It is a splendid committee. We have had our quarrels and we have had our differences and have shaken our fists at times at each other, but we are all animated by the same desire to do good to these tribes, to try to save all the property for tribes of Indians who are unable to withstand the advancing white man's methods of civilization. We have done it to an immeasurable extent. In the past 8 or 10 or 12 years the Indians' property rights have been safeguarded.

As to this tribe of Indians in Oklahoma, I had a letter just a few days before he died from Joseph H. Choate, distinguished lawyer and statesman. I think the last letter he ever wrote was a letter which he addressed to me as chairman, which I put into the RECORD, urging me last year not to consent to any legislation which would leave such stupendous burdens upon the local agent in Oklahoma.

I have large respect for the Senators who oppose the amendment, but my personal respect and affection for men must be subordinated to what I believe to be my duty. I am going to leave this chairmanship and pass it over, I believe, to better hands, and I should profoundly regret that the last bill I am to pilot through the committee and through the Senate is a bill which would not contain this amendment, which means so much to the Indians of Oklahoma. I say this with the greatest respect to Oklahoma's two Senators. They are statesmen of a high type, and I do not blame them for standing here and battling for what they conceive to be in the interest of their State and their people; but there is a duty that we have to perform as trustees for these Indians, and I ask the Senate to adopt this amendment.

Mr. OWEN. Mr. President, these lease forms are printed forms with all the safeguards that the department could conceive of written into them. When these lands are leased to people who want to take the chance of drilling on them and there is no contest whatever, no question arising, after all, some employee of the Government puts his approval on the lease and writes "O. K.," and it goes. Whether that is done by a clerk at Muskogee or a clerk in the Pension Office Building here or in the building on Eighteenth Street is immaterial, except in the matter of time, requiring the mail to come here, over sixteen hundred miles, and to go back sixteen hundred miles, thus putting these people under a long-range government. After all, it is a question of human agency passing upon it. These forms are printed and the examination is made by a local officer down there. Mr. Parker receives the same salary as does the Commissioner of Indian Affairs and is a man of equal ability. It is only to relieve the State from this long-range government; that is all. The entire Oklahoma delegation desire to have the work there facilitated. There can be no danger of any harm to any of the Indians. Whatever values are there which might be developed under speculative drilling contracts will be developed under the one case as well as under the other. So we appeal to the Senate to sustain the Oklahoma delegation in their wishes on this matter and to reject this amendment. It says "uncontested."

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 51, line 24, after the word "leases," to insert "except oil and gas leases," so as to read:

But all such undisputed claims or uncontested leases, except oil and gas leases, now required to be approved under existing law by the Secretary of the Interior shall be paid, approved, rejected, or disapproved by the Superintendent for the Five Civilized Tribes of Oklahoma.

The amendment was agreed to.

The next amendment was, on page 52, line 25, after the word "act," to insert "except that the Secretary of the Interior is hereby authorized, within 30 days after the passage of this act, to investigate the claim not to exceed $200 growing out of a contract between John Calvin Gray as an enrolled member of the Choctaw and Chickasaw Nations and Henry W. Blair as attorney, and in case such claim is found to be valid and the contract approved in accordance with existing law, the said Secretary may, in his discretion, apply any amount that may be found due under this paragraph, or from any funds standing to the credit of said John Calvin Gray as an enrolled member of the Choctaw Nation to the payment of such fee, but the amounts due hereunder to other enrolled members of the Choctaw and Chickasaw Nations shall not be held in abeyance to this claim, but shall be paid promptly without reference thereto," so as to make the clause read:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Choctaw and Chickasaw Tribes of Indians of Oklahoma entitled under existing law to share in the funds of said tribes, or to their lawful heirs out of any moneys belonging to said tribes in the United States Treasury, or deposited in any bank or held by any official under the jurisdiction of the Secretary of the Interior, not to exceed $150 per capita, said payment to be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That in cases where such enrolled members, or their heirs, are Indians who by reason of their degree of Indian blood belong to the restricted class, the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians: *Provided further*, That the money paid to the enrolled members or their heirs, as provided herein, shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this act except that the Secretary of the Interior is hereby authorized, within 30 days after the passage of this act, to investigate the claim not to exceed $200 growing out of a contract between John Calvin Gray, as an enrolled member of the Choctaw and Chickasaw Nations, and Henry W. Blair, as attorney, and in case such claim is found to be valid and the contract approved in accordance with existing law, the said Secretary may, in his discretion, apply any amount that may be found due under this paragraph, or from any funds standing to the credit of said John Calvin Gray as an enrolled member of the Choctaw Nation to the payment of such fee, but the amounts due hereunder to other enrolled members of the Choctaw and Chickasaw Nations shall not be held in abeyance to this claim, but shall be paid promptly without reference thereto: *Provided further*, That the Secretary of the Interior is hereby authorized to use not to exceed $8,000 out of the Choctaw and Chickasaw tribal funds for the expenses and the compensation of all necessary employees for the distribution of the said per capita payments.

The amendment was agreed to.

The next amendment was, on page 54, line 1, after "$85,000," to insert:

Provided, That when any probate attorney shall render service of a legal nature in connection with any estate of a restricted allottee or his heirs, wherein such estate is of the value of $1,000 or more, the court having jurisdiction thereof shall allow from the estate a reasonable fee which, in his discretion, is sufficient to cover the value of the service so rendered, and the amount so allowed shall be accounted for and paid into the Treasury of the United States, and report shall be made annually to Congress by the Secretary of the Interior on or before the first Monday of December of all moneys collected and deposited as herein provided.

Mr. OWEN. I make the point of order on that amendment that it is general legislation changing existing law. The United States is paying these probate attorneys, and there is no reason why they should tax the Indian estates in addition to the salaries they are receiving.

The PRESIDING OFFICER. It seems to the Chair that the point of order is well taken, and it is sustained.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 55, line 2, after the word "of," to strike out "this" and insert "the"; and in the same line, after the word "act," to insert "of May 25, 1918 (40 Stats., p. 564)," so as to make the clause read:

The sum of $225,000, to be expended in the discretion of the Secretary of the Interior, under rules and regulations to be prescribed by him, in aid of the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations, and the Quapaw Agency in Oklahoma, during the fiscal year ending June 30, 1920: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the act of May 25, 1918 (40 Stat., p. 564), limiting the expenditure of money to educate children of less than one-fourth Indian blood.

The amendment was agreed to.

The next amendment was, on page 55, line 21, before the word "That," to insert:

That the Secretary of the Interior be, and he is hereby, authorized to use not exceeding $25,000 of the proceeds of sales of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes for payment of salaries of employees and other expenses of advertising and sale in connection with the further sales of such tribal lands and property, including the advertising and sale of the land within the segregated coal and asphalt area of the Choctaw and Chickasaw Nations or of the surface thereof as provided for in the act of Congress approved February 19, 1912 (37 U. S. Stat. L., p. 67), and of the improvements thereon, which is hereby expressly authorized, and for other work necessary to a final settlement of the affairs of the Five Civilized Tribes: *Provided*, That not to exceed $2,500 of such amount may be used in connection with the collection of rents of unallotted lands and tribal buildings: *Provided further*—

So as to make the clause read:

That the Secretary of the Interior be, and he is hereby, authorized to use not exceeding $25,000 of the proceeds of sales of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes for payment of salaries of employees and other expenses of advertising and sale in connection with the further sales of such tribal lands and property, including the advertising and sale of the land within the segregated coal and asphalt area of the Choctaw and Chickasaw Nations or of the surface thereof as provided for in the act of Congress approved February 19, 1912 (37 U. S. Stats. L, p. 67), and of the improvements thereon, which is hereby expressly authorized, and for other work necessary to a final settlement of the affairs of the Five Civilized Tribes: *Provided*, That not to exceed $2,500 of such amount may be used in connection with the collection of rents of unallotted lands and tribal buildings: *Provided further*, That during the fiscal year ending June 30, 1920, no moneys shall be expended from tribal funds belonging to the Five Civilized Tribes, without specific appropriation by Congress, except as follows: Equalization of allotments, per capita and other payments authorized by law to individual members of the respective tribes, tribal and other Indian schools for the current fiscal year under existing law, salaries and contingent expenses of governors, chiefs, assistant chiefs, secretaries, interpreters, and mining trustees of the tribes for the current fiscal year at salaries at the rate heretofore paid, and one attorney each for the Choctaw, Chickasaw, and Creek Tribes employed under contract approved by the President, under existing law, for the current fiscal year: *Provided further*, That the Secretary of the Interior is hereby authorized to continue during the ensuing fiscal year the tribal and other schools among the Choctaw, Chickasaw, Creek, and Seminole Tribes from the tribal funds of those nations, within his discretion and under such rules and regulations as he may prescribe: *And provided further*, That the Secretary of the Interior is hereby empowered, during the fiscal year ending June 30, 1920, to expend funds of the Chickasaw, Choctaw, Creek, and Seminole Nations available for school purposes under existing law for such repairs, improvements, or new buildings as he may deem essential for the proper conduct of the several schools of said tribes.

The amendment was agreed to.

The next amendment was, on page 57, after line 11, to insert:

For the salaries and expenses of not to exceed four oil and gas inspectors and necessary clerks and field assistants, under the direction of the Secretary of the Interior, to supervise oil and gas mining operations on allotted and tribal lands in the State of Oklahoma from which restrictions have not been removed, and to conduct investigations with a view to the prevention of waste, $17,500: *Provided*, That this amount shall be reimbursed under such rules and regulations as the Secretary of the Interior may prescribe from the royalties received for the benefit of the Indian allottees.

Mr. GORE. I make the point of order that this amendment is general legislation. It is similar in character to the one as to which the Chair just sustained the point of order.

The PRESIDING OFFICER. The point of order is sustained.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 58, line 3, after the word "Congress," in parentheses, to strike out, "*Provided*, That this item shall not prohibit other sales as provided by existing law," so as to make the clause read:

That the Secretary of the Interior is authorized to reoffer for sale between September 15, 1919, and November 15, 1919, the unsold and forfeited tracts of coal and asphalt deposits in the Choctaw and Chickasaw Nations upon the same terms and conditions as provided in the act of February 8, 1918 (Public, No. 98, 65th Cong.).

The amendment was agreed to.

The next amendment was, on page 58, after line 22, to insert:

That the sum of $1,666.65 is hereby appropriated, out of any money in the possession of the United States belonging to the Choctaw Tribe of Indians not otherwise appropriated, to reimburse William R. McIntosh for services rendered as coal and asphalt mining trustee for the Choctaw Nation during the months of October, November, and December, 1915, and January and February, 1916: *Provided* that no part of such sum shall be payable to William R. McIntosh for which disbursement there is any authorization by existing law.

Mr. GORE. Mr. President, I desire to offer an amendment to this amendment. I will explain it to the chairman, though I have already explained it to him.

I presented the two matters to the Committee on Indian Affairs. One embodied in the bill is in behalf of Mr. McIntosh and embodies an appropriation of $1,666.65, while the one which I send to the desk is in behalf of Mr. Moore and is for $392.60. They stand exactly on the same footing.

Mr. ASHURST. It comes out of the Indian funds and not out of the Treasury, and the Indian tribe favors it.

Mr. GORE. I understand the tribe desire it to be done. It is an obligation that can not be paid without legislation, and the services were rendered. I filed both sets of papers at the same time with the Committee on Indian Affairs, but the chairman of that committee says that this set of papers was, for some reason, overlooked.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The SECRETARY. It is proposed to add to the amendment of the committee the following:

That the sum of $392.60 is hereby appropriated, out of any money in possession of the United States belonging to the Chickasaw Tribe of Indians not otherwise appropriated, to reimburse Jacob B. Moore, of Ardmore, Okla., for probate expenses incurred and paid by him in the performance of his duty as attorney for the Chickasaws under a contract between him and Douglas H. Johnston, governor of the Chickasaw Nation, approved by the President of the United States December 1, 1913.

The PRESIDING OFFICER. It seems to the Chair that this amendment ought to be submitted as an independent amendment, but if there is no objection the Chair will treat it as an amendment to the committee amendment. The Chair hears none. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, under the head of "Oregon," on page 59, line 9, to change the number of the section from "19" to "20."

The amendment was agreed to.

The next amendment was, on page 60, line 3, after the word "employees," to strike out "$4,000" and insert "$3,000," so as to make the clause read:

For support and civilization of Indians at Grande Ronde and Siletz Agencies, Oreg., including pay of employees, $3,000.

The amendment was agreed to.

The next amendment was, on page 60, after line 7, to insert:

That the Secretary of the Interior is hereby authorized and directed to investigate the claim of Charles S. Hood, a Modoc Indian, for services rendered in securing the restoration and enrollment of the Modoc Indians of Oklahoma as members of the Klamath Tribe of Indians of the State of Oregon, and to report to Congress at the next session what amount, if any, of money is equitably due him under the petition of the Modoc Indians, addressed to the Commissioner of Indian Affairs, dated September 9, 1911 (file No. 84276).

The amendment was agreed to.

The next amendment was, on page 60, after line 17, to insert:

That where the issuance of trust patents for certain allotment selections on the Klamath Reservation, in Oregon, has been withheld for the reason that the lands so selected were found to be more valuable for their timber than for agricultural or grazing purposes, the Secretary of the Interior, in his discretion, is authorized to confirm such selections and to cause trust patents to be issued therefor under existing laws.

The amendment was agreed to.

The next amendment was, under the head of "South Dakota," on page 61, line 2, to change the number of the section from "20" to "21."

The amendment was agreed to.

The next amendment was, on page 61, line 9, after "$6,000," and insert "for repair and improvement of artesian well, $10,000," and in line 10, after the words "in all," to strike out "$64,250" and insert "$74,250,' so as to make the clause read:

For support and education of 250 Indian pupils at the Indian school at Pierre, S. Dak., including pay of superintendent, $58,250; for general repairs and improvements, $6,000; for repair and improvement of artesian well, $10,000; in all, $74,250.

The amendment was agreed to.

The next amendment was, on page 62, line 12, after the word "employees," to strike out "$14,000" and insert "$9,000," so as to make the clause read:

For subsistence and civilization of the Yankton Sioux, S. Dak., including pay of employees, $9,000.

The amendment was agreed to.

The next amendment was, on page 63, after line 2, to insert:

The Secretary of the Interior is hereby authorized, in his discretion, to withdraw from the Treasury of the United States the sum of $140,000, or so much thereof as may be necessary, of the tribal funds of the Rosebud Sioux Indians accruing under the act of May 30, 1910 (36 U. S. Stats. L., p. 448), and to use the same for the purpose of making a per capita payment of $25 to the Indians entitled thereto, under such rules and regulations as he may prescribe, and he is further authorized to withdraw from the Treasury the additional sum of $25,000 of said funds for the purchase of cattle for the Rosebud Indians on the reimburseable plan, also under such rules and regulations as he may prescribe.

The amendment was agreed to.

The next amendment was, under the head of "Utah," in line 16, to change the number of the section from 21 to 22.

The amendment was agreed to.

The next amendment was, under the head of "Washington," on page 65, line 18, to change the number of the section from 22 to 23.

The amendment was agreed to.

The next amendment was, on page 68, after line 4, to insert:

For beginning the construction of diversion dams and canal systems for irrigating 12,000 acres of Indian land adjacent to Toppenish and Simcoe Creeks, Yakima Indian Reservation, $100,000, to be immediately available and to remain available until expended, the total cost not to exceed $150,000: *Provided*, That the cost of the diversion dams and distributing systems shall be reimbursed to the United States by the owners of the lands irrigable thereunder in not to exceed 20 annual payments, and the Secretary of the Interior may fix operation and maintenance charges, which shall be paid as he may direct: *Provided*, That if any allottee shall receive patent in fee to his allotment before the amounts so charged against him shall have been paid to the United States, then such amount remaining unpaid shall be and become a lien upon his allotment, and the fact of such lien shall be recited in such patent and may be enforced by the Secretary of the Interior by foreclosure as a mortgage, and should any Indian sell any part of his allotment with the approval of the Secretary of the Interior, the amount of any unpaid charges against the land sold shall be and become a first lien thereon and may be enforced by the Secretary of the Interior by foreclosure as a mortgage, and delivery of water to such land may be refused within the discretion of the Secretary of the Interior until all dues are paid: *Provided further*, That no right to water or to the use of any irrigation ditch or other structure on said reservation shall vest or be allowed until the owner of the land to be irrigated as herein provided shall comply with such rules and regulations as the Secretary of the Interior may prescribe, and he is hereby authorized to prescribe such rules and regulations as he may determine proper for making effective the foregoing provisions, and to require of owners of lands in fee such security for the reimbursement herein required as he may determine necessary, and to refuse delivery of water to any tract of land until the owners thereof shall have complied therewith.

Mr. OWEN. Mr. President, I should like to ask the chairman of the committee if this amendment was recommended and favorably reported by the Interior Department? I refer to the Yakima irrigation project amendment.

Mr. ASHURST. Yes; it is earnestly recommended by the Interior Department. I recall it very well, but I can not turn for the moment to the page of the hearings in which it was recommended.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 69, after line 14, to insert:

That the Secretary of War and the Secretary of the Interior are hereby authorized and directed immediately to investigate, and to report to Congress at its next session, the advisability and necessity of acquiring with a view to returning to the dispossessed Indians, from the authorities of Pierce County, Wash., those several tracts of allotted Nisqually Indian lands, Nisqually Reservation, Wash., aggregating approximately 3,200 acres which were acquired under a compromise agreement of April 18, 1918, between said Secretaries of War and the Interior for the sum of $78,400 from the said Nisqually Indians by said county of Pierce for War Department purposes, and which said lands were by decree of May 6, 1918, of the local State court awarded in fee to the said county of Pierce for the purpose of transferring title thereto to the War Department as an addition to Camp Lewis.

The amendment was agreed to.

The next amendment was, under the head of "Wisconsin," on page 70, line 7, to change the number of the section from 23 to 24.

The amendment was agreed to.

The next amendment was, on page 70, line 14, after "$8,000," to insert "for drainage of school land, $2,500"; and in line 15, after the words "in all," to strike out "$71,875" and insert "$74,375," so as to make the clause read:

For support and education of 275 Indian pupils at the Indian school, Tomah, Wis., including pay of superintendent, $63,875; for general repairs and improvements, $8,000; for drainage of school land, $2,500; in all, $74,375.

The amendment was agreed to.

The next amendment was, on page 70, after line 20, to strike out:

For the support and civilization of those portions of the Wisconsin Band of Pottawatomie Indians residing in the States of Wisconsin and Michigan, and to aid said Indians in establishing homes on the lands purchased for them under the provisions of the act of Congress approved June 30, 1913, $75,000, or so much thereof as may be necessary, said sum to be reimbursed to the United States out of the appropriation, when made, of the principal due as the proportionate share of said Indians in annuities and moneys of the Pottawatomie Tribe in which they have not shared as set forth in House Document No. 830 (60th Cong., 1st sess.), and the Secretary of the Interior is hereby authorized to expend the said sum in the clearing of land and the purchase of houses, building material, seed, animals, machinery, tools, implements, and other equipment and supplies necessary to enable said Indians to become self-supporting.

And insert:

For the support and civilization of those portions of the Wisconsin Band of Pottawatomie Indians residing in the States of Wisconsin and Michigan, and to aid said Indians in establishing homes on the lands purchased for them under the provisions of the act of Congress approved June 30, 1913, $15,500, or so much thereof as may be necessary, said sum to be immediately available and to be reimbursed to the United States out of the appropriation, when made, of the principal due as the proportionate share of said Indians in annuities and moneys of the Pottawatomie Tribe in which they have not shared as set forth in House Document No. 830 (60th Cong., 1st sess.), and the Secretary of the Interior is hereby authorized to make a per capita payment of $50 to said Indians out of said funds: *Provided*, That no further expenditures be authorized or made under appropriations heretofore enacted making provisions for the purchase of land and the clearing of same for said Pottawatomie Indians.

The amendment was agreed to.

The next amendment was, on page 72, after line 5, to insert:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, to be expended under the supervision of the Commissioner of Indian Affairs in the purchase of subsistence supplies in relieving cases of actual distress and suffering among those needy St. Croix Indians of Wisconsin whose cases are referred to in report of January 30, 1915, transmitted by the Secretary of the Interior to the House of Representatives March 3, 1915, pursuant to the provisions of the act of Congress of August 1, 1914 (38th Stat. L., pp. 582 to 605), and printed as House Document No. 1663, Sixty-third Congress, third session.

The amendment was agreed to.

The next amendment was, on page 72, after line 17, to insert:

That to carry out the provisions of the Chippewa treaty of September 30, 1854 (10 Stat. L., p. 1109), there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $141,000, in full settlement of the claims against the United States of the St. Croix Chippewa Indians of Wisconsin whose names appear upon the final roll prepared by the Secretary of the Interior pursuant to the said act of August 1, 1914, and which final roll is contained in the said report of the Secretary of the Interior, March 3, 1915, and in said House Document No. 1663.

That the Secretary of the Interior is hereby authorized and directed to distribute said fund of $141,000 per capita among said Indians appearing upon said final roll, or, in his discretion, the per capita share of each of said Indians may be credited to him and expended by said Secretary for his benefit in such manner, including the purchase of land, as he may deem proper: *Provided*, That no part of the funds hereby appropriated shall be paid to any person or persons as attorney's fees: *Provided further*, That where any of said enrolled Indians have died since enrollment the Secretary shall ascertain and pay their pro rata shares to their proper distributees, under such rules and regulations as he may prescribe: *And provided further*, That one-half of said sum shall be expended in the purchase of land in northern Wisconsin for agricultural purposes, such land to be allotted to said St. Croix Chippewa Indians, each Indian to receive land to the value of one-half of his distributive share in the fund appropriated by this act, patents therefor to be issued in accordance with the general allotment laws of the United States. The land so selected shall be situated in organized school districts, and not be purchased in bodies of more than one section, and said bodies shall not adjoin each other. Such land shall be selected by an agent of the Indian Office familiar with lands in northern Wisconsin and an agent to be selected by said St. Croix Chippewa Indians. If these two disagree as to the value or desirability of any particular tract of land, they shall agree upon a third person, who shall act with the two agents aforesaid in determining such matter of disagreement. No land shall be purchased hereunder unless and until the purchasing agents, together with said third person so selected, shall in person go upon each tract so purchased.

That the Secretary of the Interior is hereby authorized and directed to strike from said final roll the name of Maggie Staples, No. 39 thereof, and also strike therefrom the name or names of any other Indians who shall hereafter be found to have received an allotment of land on any Indian reservation: *Provided*, That no part of the money hereby appropriated shall be paid to any of the persons whose names shall be so stricken from the final roll by the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, on page 74, after line 19, to insert:

For the construction of a road from the village of Odanah, in the Bad River Reservation, to the south line of said reservation, $20,000, to be expended under the direction of the Secretary of the Interior, said sum to be reimbursable under such rules, regulations, and conditions as the Secretary of the Interior may prescribe: *Provided*, That the Secretary of the Interior may cooperate with the State of Wisconsin in the construction of said road.

The amendment was agreed to.

The next amendment was, on page 75, after line 2, to insert:

That the relinquishment executed on the 8th day of May, 1914, at Hayward, Wis., by John Stone, a member of the Lac Court 'd Oreilles Band of Chippewa Indians, by which he relinquished all his right, title, interest, and inheritance to the allotment of Maggie Grover, deceased, allotment No. 761 of said band of Indians, and described as follows: The west fractional one-half of the northwest quarter of section 18, in township 39 north, of range 8 west of the fourth principal meridian, Wisconsin, containing 74 acres and seventy-three one-hundredths of an acre, be, and the same hereby is, validated, and that the Secretary of the Interior be, and he hereby is, authorized to issue a patent to the above-described land to Steve Grover, the father of the aforesaid Maggie Grover, deceased.

The amendment was agreed to.

The next amendment was, under the head of "Wyoming," on page 75, line 19, to change the number of the section from 24 to 25.

The amendment was agreed to.

The next amendment was, on page 77, line 18, to change the number of the section from 25 to 26.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. CURTIS. On page 78, line 21, I suggest to the chairman of the committee that the appropriation of $301,000 be reduced to $151,000. The item relates to the Crow Indians.

Mr. ASHURST. The Senator is entirely right about that.

Mr. CURTIS. I move that amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 78, line 21, after the word "Crow," it is proposed to strike out "$301,000" and insert "$151,000."

The amendment was agreed to.

Mr. OWEN. Mr. President, I offer an amendment providing as follows:

The Secretary of the Interior is hereby authorized and directed to pay to Victor M. Locke the sum of $1,290.26 as balance in full due him for salary and expenses as principal chief of the Choctaw Nation.

That amendment was given to me by one of the Members of the House. I do not know what the facts are, but I assume that it is all right.

Mr. ASHURST. I have no objection to the amendment.

The PRESIDING OFFICER. At what part of the bill does the Senator desire the amendment inserted?

Mr. OWEN. On page 51, after line 8.

The PRESIDING OFFICER. Two paragraphs went out there on a point of order, so that the amendment will come in on page 49, after line 17.

Mr. OWEN. That is all right.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, I want to offer a slight amendment that I ought to have spoken to the chairman about, but I have not. I have been so busy that I have overlooked it. This is a matter that I think probably has been called to the attention of the committee by this Mr. Bishop who is here representing the Indians of the Northwest, especially those of northwest Washington.

There are a great many old and indigent Indians in Washington who have to be cared for by their relatives, and also many of them by the county, and I am going to propose an amendment which I know is subject to a point of order. I do not think it is estimated for, but I hope the chairman will allow it to go in, so that it may be considered in conference, because I understand the department is favorable to the proposition that I am going to suggest.

Mr. ASHURST. I will ask the Senator kindly to present it.

Mr. JONES of Washington. It is on page 6, line 9, where I propose to increase the $375,000 to $385,000, and insert:

Of which $10,000 shall be used for the care and support of old and indigent Indians in western Washington.

Mr. ASHURST. I have no objection to the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 6, line 9, it is proposed to strike out "$375,000" and insert:

$385,000, of which $10,000 shall be used for the care and support of old and indigent Indians in western Washington.

The amendment was agreed to.

Mr. ASHURST. Will not that require some other change in the phraseology?

Mr. JONES of Washington. I think not.

Mr. ASHURST. Very well. Mr. President, there are a few other amendments—one or two.

I call attention to page 61; and I wish to say, first, that the Senator from South Dakota [Mr. STERLING] had some amendments, and I do not recall that he handed to the chairman copies of the amendments. If he did, I have, unfortunately, in the general confusion, misplaced the amendments; but I know that on page 61, line 5, he desires to have the numerals "$8,000" changed to "$10,000." I move that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 61, line 5, strike out "$8,000" and insert "$10,000" and change the total accordingly.

The amendment was agreed to.

Mr. ASHURST. Now, Mr. President, I offer, on behalf of the Senator from South Dakota, the matter which I send to the desk, which has already passed the Senate, to be added to the bill, and ask that it be inserted at the appropriate place at the end of the South Dakota items.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 63, after line 14, it is proposed to insert the following:

That the Secretary of the Interior is hereby authorized and directed to issue a patent in fee simple to the duly authorized missionary board, or other proper authorities of any religious organization engaged in mission or school work on any Indian reservation for such lands thereon as have been heretofore set apart to and are now being used and occupied by such organization for mission or school purposes.

The amendment was agreed to.

Mr. ASHURST. Mr. President, I have one other amendment, which has been sent to me from the Department of the Interior since the bill was reported. I ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona will be stated.

The SECRETARY. On line 3, page 6, after the word "six," it is proposed to insert the following:

Provided further, That the provisions of Article IX of the agreement with the Nez Perce Indians of Idaho, dated May 1, 1893, and ratified and confirmed by the act of Congress approved August 15, 1894 (28 Stat. L., 286–330), prohibiting the sale of intoxicating liquors to those Indians or its introduction upon their lands, are hereby extended for the period of 10 years.

The amendment was agreed to.

Mr. ASHURST. I ask that the justification of the amendment be placed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

JUSTIFICATION.

Said Article IX of the agreement with the Nez Perces is as follows: "It is further agreed that the lands by this agreement ceded, those retained, and those allotted to the said Nez Perce Indians shall be subject, for a period of 25 years, to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country, and

that the Nez Perce Indian allottees, whether under the care of an Indian agent or not, shall, for a like period, be subject to all the laws of the United States prohibiting the sale or other disposition of intoxicants to Indians."

As the 25-year protection would expire on August 15 of this year (1919), it is desired that the proposed item of legislation be enacted in order that said Indians and lands be protected for a further period of 10 years. This legislation should be enacted without regard to what is done in the matter of general prohibition in order that there may be no possible chance of there being a period following August 15, 1919, when said Indians and their lands are not protected by the provisions contained in said section 9.

DENVER, COLO., *February 24, 1919.*

INDIAN OFFICE, *Washington:*

Nes Perce agreement extending liquor provisions to former Nes Perce Reservation included ceded lands expires August 15 next. If possible urge that you have proviso inserted in present Indian appropriation bill extending prohibition provisions 10 years from that date. This is very important in order to protect Nes Perce Indians. Superintendent Breid here to-day concurs in urging immediate action on this matter.

LARSON.

Mr. ASHURST. That completes, as far as the chairman is concerned, the amendments presented originally from the floor.

Mr. OWEN. Mr. President, I want to call attention to an amendment which I am requested to present to the Senate, providing for payment to Stuart, Lewis, Gordon & Rutherford. I send the amendment to the desk and ask to have it stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 57, after line 11, it is proposed to insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Stuart, Lewis, Gordon & Rutherford, out of any funds in the Treasury of the United States belonging to the Creek Nation, the sum of $7,000, being in full settlement of the claim of the said Stuart, Lewis, Gordon & Rutherford against the said Creek Nation for legal services rendered the said Creek Nation employed by authority of an act of the national council of the Creek Nation, approved January 7, 1898, the said sum of $7,000 having been appropriated in payment of said services by an act of the national council of the Creek Nation, approved October 18, 1900.

Mr. OWEN. Mr. President, at the time these services were rendered the Creeks were making their negotiations with the United States with regard to allotting their country, and these attorneys represented them and advised with them while they were negotiating, on the other hand, with representatives of the Interior Department.

They appropriated the money for the payment of this bill by an act which I will submit for the RECORD, and all the papers bearing upon it, together with the reports of Mr. John Wright, who passed upon it on the 17th of October, 1900; but at that time the acts had to be approved within 30 days by the President of the United States under an act of Congress. The matter came up to the President on the last day of the 30 days, with a recommendation by the Secretary of the Interior, on a technical ground, against the payment, so that they have never been paid for it.

The Creeks wanted them paid, and the Government officers recognized that they had rendered the service; and the matter has been favorably reported in the House of Representatives, to accompany H. R. 906. I ask to have the report of the House committee put into the RECORD. I do not know whether or not the chairman had occasion to examine this report.

Mr. ASHURST. I know in a general way about the claim. It is against the Creek Indians?

Mr. OWEN. It is against the Creek Indians.

Mr. ASHURST. The Indians have no objection—that is my information—and I have no objection.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oklahoma.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the matter referred to by the Senator from Oklahoma will be printed in the RECORD.

The matter referred to is as follows:

The Committee on Indian Affairs, to whom was referred the bill (H. R. 906) making an appropriation from the tribal funds of the Creek Nation to Stuart, Lewis, Gordon & Rutherford, in payment of legal services rendered by them to the Creek Nation of Indians, having carefully considered the same, reports the bill back without amendment and recommends that the bill do pass.

Your committee find—

That Stuart, Lewis, Gordon & Rutherford in 1898 were a firm of eminent lawyers in the Indian Territory, now Oklahoma; that the Creek Nation was one of the Five Civilized Tribes; that by an act of the constituted authorities of the Creek Nation through its council, approved by the principal chief, of date January 7, 1898, the Creek Nation authorized the employment of said firm to represent the Creek Nation in all matters before the various courts and the departments; and that the said firm rendered services satisfactory to the Creek Nation in the making and approval of the early treaties, represented the nation in suits before the various courts, and in all things advised the Creek authorities in compliance with the terms of their contract.

That the Creek Council by an act approved by the principal chief on October 22, 1900, appropriated the sum of $7,000 in payment of said services rendered; that when said act of the Creek Council approved January 7, 1898, was passed it was not necessary to have same approved by the President of the United States; that before the act of October 22, 1900, making the appropriation to compensate said attorneys for their services was passed by the Creek Council, Congress, by the act of June 28, 1898, made the approval of all acts of the Creek Council by the President of the United States necessary before said acts were effective; and that this act was recommended for disapproval by the Secretary of the Interior purely upon technical grounds.

Inasmuch as the Creek National Council had the authority by the act of January 7, 1898, to employ said firm, and inasmuch as there appears to be no dispute but that the services were rendered in accordance with the contract satisfactory to the Creek authorities, and inasmuch as the Creek National Council after investigation appropriated by the act of October 22, 1900, $7,000 in payment of said services, we recommend that the bill do pass.

Attention is invited to the last paragraph of a letter dated November 16, 1900, of the Commissioner of Indian Affairs transmitting said act of the Creek Council appropriating the aforesaid money, which is as follows:

"It may be proper, however, to add that the said beneficiaries have rendered services to the Creek Nation and the Creek people appear to be anxious to pay for such services, and that, therefore, the act should, if no objection thereto appears, receive the approval of the President."

The following letter of the Secretary of the Interior gives a history of the subject matter of the bill and shows the present attitude of the Interior Department:

DEPARTMENT OF THE INTERIOR,
Washington, March 8, 1916.

MY DEAR MR. STEPHENS: In response to your request of February 17, 1916, for a report on H. R. 10872 for the information of your committee, which is entitled "A bill making an appropriation to Stuart, Lewis, Gordon & Rutherford, in payment of legal services rendered by them to the Creek Nation," introduced in the House of Representatives on February 4, 1916, by Mr. HASTINGS, of Oklahoma, I have the honor to transmit herewith a copy of an act of the Creek National Council adopted by the house of warriors on October 17, 1900, concurred in by the house of kings on October 18, 1900, and approved by P. Porter, principal chief of the Creek Nation, on October 18, 1900, which had heretofore been submitted to the President and was disapproved on November 17, 1900, by the then President William McKinley.

It appears from the records of the Indian Office that said claim is based upon alleged services rendered by Stuart, Lewis, Gordon & Rutherford at the special instance of the then Creek chief, Isparhecher, the incumbent prior to P. Porter, his successor as principal chief of the Creek Nation, and said services are alleged to have been rendered to protect the rights of the Creek people.

All the information contained in the records of the Indian Office bearing on the merits of the claim are to be found in letters, copies of which are transmitted herewith for the information of your committee.

(a) Letter of Stuart, Lewis, Gordon & Rutherford, attorneys at law, South McAlester, Ind. T., dated November 1, 1900.

(b) Letter of P. Porter, principal chief of the Creek Nation, Muskogee, Ind. T., dated November 7, 1900, addressed to the United States Indian inspector.

(c) Letter of J. George Wright, United States Indian inspector for the Indian Territory, dated November 15, 1900.

(d) Letter of the Commissioner of Indian Affairs, dated November 16, 1900, to the Secretary of the Interior.

(e) Letter of the Secretary of the Interior, dated November 17, 1900, submitting the contract to the President for his disapproval because it was not executed or approved as required by section 2103, Revised Statutes.

(f) Letter of the Acting Secretary of the Interior, dated November 19, 1900, returning to the Commissioner of Indian Affairs for proper disposition the act of the Creek National Council proposing to appropriate $7,000 for the payment of the services of said attorneys, which was disapproved by the President on November 17, 1900.

In view of the record of disapproval by the President on November 17, 1900, of the claim as then presented by said attorneys, and as 15 years have elapsed since the disapproval without any further action being taken by said attorneys to renew the claims, which seem to be without merit, I recommend that no further action be had on H. R. 10872.

Cordially, yours,

FRANKLIN K. LANE,
Secretary.

Hon. JOHN H. STEPHENS,
Chairman Committee on Indian Affairs,
House of Representatives.

SOUTH MCALESTER, IND. T., *November 1, 1900.*

Hon. J. GEORGE WRIGHT,
United States Indian Inspector, Muskogee, Ind. T.

DEAR SIR: Your letter of October 31, asking us to submit to you a statement of the legal services rendered by us to the Creek Nation, beginning on or about the 7th day of January, 1898, is at hand. In reply, we beg leave to state that from January, 1898, we represented the Creek Nation of Indians in all matters pertaining to the powers of their tribal government. We have been before the United States Court for the Northern District of the Indian Territory at Muskogee in many cases touching the law of interior pastures. Among the cases involving the construction of this law were Baldridge Brothers *v.* Creek Nation, W. F. Crabtree *v.* Creek Nation, D. A. Lee *v.* Creek Nation, and others.

We appeared for and represented the Creek Nation in many cases touching their schools and adjusted many conflicts between their school officers and other authorities of the Creek Nation. We represented the Creek Nation and appeared in court in many cases touching the question as to whether or not the passage of the Curtis bill had the effect of discharging all persons convicted by the Creek tribunals, the Curtis bill having no saving clause with reference to these pending suits. Some of these cases we were compelled to follow to the United States Court of Appeals for the Indian Territory. We represented the Creek Nation in negotiating a treaty with the Dawes Commission. We encouraged in every way the making of this treaty, and one member of our firm was present nearly every time the treaty was under considera-

tion. The time finally came for the approval of the treaty, and a member of this firm was present, and the delegates from the Creek Nation and members of the Dawes Commission, and every provision of the treaty was gone over one by one, and the approval of the Indians was secured. We feel that we were largely instrumental in bringing these people to a point where they would treat at all with the United States Government, the former chief, Isparhecher, being especially stubborn in regard to these matters.

During the period of these services we were compelled to visit the town of Okmulgee during several sessions of the council and visited the different courts trying and hearing the issues above mentioned; this required much time and the expenditure of much money. All of these services were rendered by us at the special instance and request of the Creek chief, Isparhecher, and were necessary to be performed in order to protect the rights of the Creek people.

The Creek treaty negotiated between the Creek people and the Dawes Commission, to which we referred above, did not finally become effective, although adopted by the Creek people; but, as is well known, it was largely the model and basis for the subsequent treaty actually made and now pending before Congress.

As stated above, the Creek full bloods were much averse to treating with the Government at all, and we believe that it will be conceded on all hands that the services rendered by us in bringing these full bloods to an appreciation of their position and fostering a friendly spirit between them and the United States Government led up to and was the prime cause of the treaty finally being made. Since the negotiation of the treaty above referred to opposition in reaching an agreement with the United States Government on the part of the full bloods has well-nigh passed away, only a few still holding out.

From January, 1898, until Chief Porter was elected we were constantly in the service of the Creek Nation. We were offered many cases against the nation which would have been lucrative to us, but we could not, of course, accept any employment of this nature, being disqualified by virtue of our employment by the Creek chief.

We have not been paid for our services, and you are doubtless familiar with the facts touching our surrender to the Government, through you, of warrants held by us. We may add that this appropriation was passed at Okmulgee through the Creek Council by practically a unanimous vote, and we are quite sure that the council, together with the present chief, were not only willing but anxious that we be paid, this appropriation being in full settlement of all claims held by us against the Creek Nation for legal services.

If you require us to make any further statement, please let us know without delay, as we are anxious to conform to the requirements of the department in this regard.

Very truly, yours,

STUART, LEWIS, GORDON & RUTHERFORD.

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MUSKOGEE, IND. T., *November 7, 1900.*

Hon. J. GEORGE WRIGHT,
United States Indian Inspector, Muskogee, Ind. T.

SIR: In reply to your letter of the 31st ultimo asking information about the appropriation made by the National Council of the Creek Nation, just adjourned, in favor of Stuart, Lewis, Gordon & Rutherford, to pay them for services as attorneys for the Creek Nation, I have to state that their claim for services was presented to the executive office with the request that it be transmitted to the council for consideration; and inasmuch as it had prior to that time been presented to the council by my predecessor, Chief Isparhecher, and as it was a matter that arose during his administration, I referred the council to him and to Roley McIntosh and David Anderson, the latter two gentlemen being at that time delegates of the Creek Nation, for information respecting the matter, and the council passed the act after due investigation (as I presume) by a committee appointed by the council for the purpose, and the act was signed by me as an act of the national council.

In submitting the matter to the council I requested them to give it consideration, and should they find that if in honor they were bound for the payment of it they should make the necessary appropriation, as claims of that character grow with age.

Should the department approve of this course of the Creek Council, such approval will be satisfactory to me.

Very respectfully,

P. PORTER,
Principal Chief Creek Nation.

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DEPARTMENT OF THE INTERIOR,
Washington, November 15, 1900.

The SECRETARY OF THE INTERIOR.

SIR: I have the honor to transmit herewith an act of the Creek Council, approved by the principal chief on October 22, 1900, which appropriates the sum of $7,000 in favor of Messrs. Stuart, Lewis, Gordon & Rutherford, attorneys at law, employed by authority of an act of the National Council of the Muskogee Nation, approved by the principal chief January 7, 1898, said sum to be in full settlement of all claims against the Muskogee Nation under any contract made under said act, and provides that the same shall be paid out in accordance with such rules and regulations as may be prescribed by the Secretary of the Interior for the disbursement of Creek funds.

Attached to this act is a certificate from the clerk of the house of kings (senate), showing that the vote in favor of this act by said body was 21 to 7, and that in the house of warriors (representatives) the same passed by a vote of 72 to 1.

In connection with this act I have the honor to report that the act of the Creek Council, approved by the principal chief January 7, 1898, appropriated $20,000 for the employment of attorneys to represent the Creek Nation and authorized the principal chief to enter into a contract for such a purpose, and a contract, dated March 3, 1898, was entered into with Stuart, Lewis, Gordon & Rutherford by the then principal chief of the Creek Nation whereby they were to represent the Creek Nation in all matters pertaining to their interest and affecting their government before the Congress of the United States and the departments at Washington, and especially to represent said nation in all habeas corpus matters then pending before the court of Indian Territory, in consideration for which they were to be paid $20,000.

In partial payment thereof this firm was paid in Creek warrants $8,000, but the act of the council appropriating such money not having been submitted to the President for approval, as required by law, and as the contract with these parties had also not been submitted to the department as required by section 2103 of the Revised Statutes, they were advised, under date of June 29, 1899, by the honorable Secretary of the Interior, that such contract came within the provisions of section 2103 of the Revised Statutes and was, therefore, considered null and void because not executed and approved as required by that section, and they were furnished a copy of an opinion, dated June 27, 1899, rendered by the Assistant Attorney General and approved by the honorable Secretary, to that effect.

Said attorneys were, therefore, requested to deliver to me, within 10 days from the receipt of my communication, for the use and benefit of the Creek Nation, all the money, warrants, evidences of indebtedness, and other things of value received by them, directly or indirectly, from the Creek Nation under said contract.

In compliance therewith, as per my report dated July 27, 1899, this firm returned to me $5,988.50, and subsequently, as per my communication of February 23, 1899, I forwarded a communication from them, asking that they be allowed 30 days' additional time to submit further facts with reference to the balance, $2,000, which they had received. I was advised by the department, under date of October 16, 1899, that their request to retain the $2,000 for services rendered could not be considered, and that they must comply with the demand to return all moneys received by them under said contract.

Subsequently I was informed personally by the honorable Secretary that I might allow them a reasonable length of time to return this $2,000, in view of the fact that they had promptly returned $5,988.50, and in further view of their expressions to me that they were not able to deliver the balance at that time.

The total amount paid them up to that time was $8,000, in warrants of $1,000 each. One of these warrants, however, was never negotiated by them. Therefore, there is only $1,000 due from them under the previous order of the department above referred to.

The $7,000 now appropriated is, therefore, to refund them for this amount, including the amount returned by them.

I would respectfully refer to page 88 of the pamphlet laws of the Creek Nation, 1893 to 1899, inclusive, for information concerning the act of January 7, 1898, above referred to.

In connection with the act now submitted, I addressed a communication to the principal chief on the subject, asking for further information in reference thereto, and I inclose herewith his reply, in which he states that the claim of these parties for services was presented to his office with a request that it be transmitted to the council for consideration, and as it had, prior to that time, been presented to the council by his predecessor, and was a matter that arose during his administration, he referred it to the council, and the council passed it, after due investigation by a committee appointed for that purpose.

He further states that in submitting the matter to the council he requested them to give it consideration, and should they find that if in honor they were bound for the payment of it to make the necessary appropriations, as claims of that character grew with age. He also states that if the council's course is approved by the department such approval will be satisfactory to him.

I also requested Messrs. Stuart, Lewis, Gordon & Rutherford to submit a statement showing the legal services rendered by them to the Creek Nation under their contract, and I inclose herewith their reply, wherein they state that from January, 1898, they represented the Creek Nation in all matters pertaining to their tribal government; that they have been before the United States Court for the Northern District of the Indian Territory in many cases touching the law of interior pastures, and also in other cases cited; and that they also acted as attorneys at the time agreements were being negotiated with the Dawes Commission, and also visited different courts trying and hearing various cases, all of which required much time and the expenditure of much money. They also state that they rendered material benefit to the Creek Nation, as also to the United States Government, in negotiating an agreement, and they state that they have not been paid for their services, the warrants having been returned to me as above set forth.

I am not sufficiently familiar with the services rendered by these attorneys to make an intelligent recommendation as to the merits of this act, but inasmuch as they rendered services to the Creek Nation at various times, and after having done so the matter has now been investigated and passed upon unanimously by the Creek Council, who appear to consider that they are in honor bound to pay this claim, and as the same will undoubtedly be prosecuted by these claimants until finally adjudicated, I am inclined to recommend that the same receive favorable consideration. However, the act is respectfully submitted herewith for such consideration as the department deems proper in the premises.

Very respectfully, your obedient servant,

J. GEO. WRIGHT,
United States Indian Inspector for the Indian Territory.

(Through the Commissioner of Indian Affairs.)

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DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, November 16, 1900.

The SECRETARY OF THE INTERIOR.

SIR: I have the honor to transmit herewith an act of the Creek or Muskogee National Council, approved by the principal chief October 18, 1900, providing for an appropriation for and payment to Stuart, Lewis, Gordon & Rutherford, attorneys at law, of the sum of $7,000 for services heretofore rendered by them for the Creek Nation.

This act was received in this office on November 16, 1900, together with the report of the inspector of the Indian Territory, giving a full history of the transaction, and inclosing communications received by him from the principal chief of the nation, and also from the beneficiaries under the act.

In view of the fact that this act was approved by the principal chief on October 18, 1900, and because it has been held by the department that the President must approve it within 30 days after the date of its approval by the principal chief, if at all, the office transmits it without further comment than that contained in the inspector's recommendation.

It may be proper, however, to add that the said beneficiaries have rendered services to the Creek Nation, and the Creek people appear to be anxious to pay for such services, and that, therefore, the act should, if no objection thereto appears, receive the approval of the President.

Very respectfully, your obedient servant,

W. A. JONES, *Commissioner.*

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DEPARTMENT OF THE INTERIOR,
Washington, November 17, 1900.

The PRESIDENT.

SIR: Herewith I transmit an act of the Creek or Muskogee National Council, approved by the principal chief October 18, 1900, appropriating the sum of $7,000 out of the general funds of the nation to pay Messrs. Stuart, Lewis, Gordon & Rutherford, attorneys, for services heretofore rendered by them to the Creek Nation.

For the reason that these services were rendered under a contract coming within the provisions of section 2103 of the Revised Statutes, but which was not executed or approved as required by that section, I respectfully recommend that the act be disapproved.

This act has only come to my office to-day, and I find upon an examination of the statute (30 Stat., 84) that if you concur in my recommendation that the act be disapproved it will be necessary for the disapproval to be made to-day, this being the thirtieth day after the passage of the act.

Very respectfully, E. A. HITCHCOCK, *Secretary.*

Be it enacted by the National Council of the Muskogee Nation, That there be, and is hereby, appropriated the sum of $7,000, out of the general funds of the Muskogee Nation not otherwise appropriated, in favor of Stuart, Lewis, Gordon & Rutherford, attorneys at law, employed by authority of an act of the National Council of the Muskogee Nation approved January 7, 1898; said sum, when paid, shall be full settlement of all claims against the Muskogee Nation under any contract which has been made under said act of the national council approved January 7, 1898.

Said sum to be paid in accordance with such rules and regulations as may be prescribed by the Secretary of the Interior for the disbursement of Creek funds.

Adopted October 17, 1900.

AMOS MCINTOSH,
Speaker, House of Warriors.
A. P. MCKELLOP,
Clerk.

Concurred in October 18, 1900.

T. W. PERRYMAN,
President, House of Kings.
LEE MCNEVINS,
Clerk.

Approved, October 18, 1900.

P. PORTER,
Principal Chief.

This is to certify that the records of the house of warriors show that a bill appropriating $7,000 in favor of Stuart, Lewis, Gordon & Rutherford, for services rendered as attorneys for the nation, was reported by the committee on claims with recommendation that the bill do pass, and that after full discussion of the bill the same was put upon its passage and passed the house by a vote of 72 to 1.

A. P. MCKELLOP,
Clerk of the House of Warriors.

OCTOBER 17, 1900.

This is to certify that the records of the house of kings show that a bill appropriating $7,000 in favor of Stuart, Lewis, Gordon & Rutherford, for services rendered as attorneys for the nation; said bill being favorably reported by the committee on claims and adopted by the house of warriors, was taken up Thursday, October 18, 1900, and after a full discussion the bill was concurred in by the house of kings by a vote of 21 to 7.

LEE MCNEVINS,
Clerk, House of Kings.

OCTOBER 18, 1900.

EXECUTIVE OFFICE,
Muskogee Nation, October 22, 1900.

I, P. Porter, principal chief of the Muskogee Nation, do hereby certify that the foregoing is an act of the national council of said nation passed at its October, 1900, session and approved by me in my official character on October 18, 1900, and I do hereby submit the same for the approval of the President of the United States, under the provisions of the act of Congress of June 7, 1897 (30 Stats., 62, 84), entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1898, and for other purposes."

In witness whereof I have hereunto signed my name as principal chief of the Muskogee Nation on this the 22d day of October, 1900, and caused the seal of the nation to be affixed.

[SEAL.]

P. PORTER,
Principal Chief Muskogee Nation.

Attest:
W. S. FEARS,
Private Secretary.

EXECUTIVE MANSION,
Washington, November 17, 1900.

Disapproved.

WILLIAM MCKINLEY.

DEPARTMENT OF THE INTERIOR,
Washington, November 19, 1900.

THE COMMISSIONER OF INDIAN AFFAIRS.

SIR: The act of the Creek Nation appropriating $7,000 in favor of Stuart, Lewis, Gordon & Rutherford, attorneys at law, was disapproved by the President November 17, 1900, and it is transmitted herewith for proper disposition. The United States Indian inspector for the Indian Territory has been advised of the action taken, in a letter herewith inclosed for your information, to be forwarded.

Respectfully,

THOS. RYAN, *Acting Secretary.*

Mr. ASHURST. Now, Mr. President, I just want to make a short statement.

The Senator from New Mexico [Mr. JONES] is going to propose an amendment in which I confess I am deeply interested—not personally at all, but interested as a Senator. It has passed the Senate, and I take considerable pride in the fact that I was in a manner its author. It passed the House once and passed the Senate, but the same bill never passed both Houses. It is the bill, Mr. President, which provides for metalliferous mining on Indian reservations. It is not subject to a point of order, because it has been reported favorably from a standing committee of the Sixty-fifth Congress. It lacked only 13 votes of receiving a two-thirds vote in the House; and although the hour is late and the Senators are not numerous in attendance, I should like to see it offered. It has been the subject of more thought and more close investigation than any other one particular bill that I know of since I have been here.

It provides that the Secretary of the Interior and the President shall not have any power to create reservations; that the Congress alone shall create the reservations; and I hope it will be put on the bill and allowed to go to conference. It has passed the Senate practically unanimously, and is not subject to a point of order. One or two Senators objected perfunctorily. My colleague [Mr. SMITH of Arizona] is very much interested in it and asked me to present it.

Mr. JONES of New Mexico. Mr. President, that bill embodies some provisions which I have been interested in for years. In fact, I became especially interested in it when I was connected with the Department of the Interior. It provides for the development of the metalliferous ores on Indian reservations. It will enable the Indians themselves to get employment, and it provides for royalties to be paid to the Indians; and the bill has been thoroughly worked out.

Mr. SWANSON. Mr. President, this applies only to Indian reservations?

Mr. JONES of New Mexico. Yes, sir.

Mr. SWANSON. Does it limit the power of the President outside of Indian reservations?

Mr. JONES of New Mexico. Oh, no; not at all.

The PRESIDING OFFICER. The amendment offered by the Senator from New Mexico will be stated.

The SECRETARY. It is proposed to add, at the end of the bill, a new section, as follows:

That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him and under such terms and conditions as he may prescribe not inconsistent with the terms of this act, to lease to citizens of the United States or to any association of such persons or to any corporation organized under the laws of the United States or of any State or Territory thereof, any part of the unallotted lands within any Indian reservation within the States of Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Washington, or Wyoming, heretofore withdrawn from entry under the mining laws for the purpose of mining for deposits of gold, silver, copper, and other valuable metalliferous minerals, which leases shall be irrevocable, except as herein provided, but which may be declared null and void upon breach of any of their terms.

That after the passage and approval of this act, unallotted lands, or such portion thereof as the Secretary of the Interior shall determine, within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for the discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be located by such citizens in the same manner as mining claims are located under the mining laws of the United States: *Provided*, That the locators of all such mining claims, or their heirs, successors, or assigns, shall have a preference right to apply to the Secretary of the Interior for a lease, under the terms and conditions of this act, within one year after the date of the location of any mining claim, and any such locator who shall fail to apply for a lease within one year from the date of location shall forfeit all rights to such mining claim: *Provided further*, That duplicate copies of the location notice shall be filed within 60 days with the superintendent in charge of the reservation on which the mining claim is located, and that application for a lease under this act may be filed with such superintendent for transmission through official channels to the Secretary of the Interior: *And provided further*, That lands containing springs, water holes, or other bodies of water needed or used by the Indians for watering live stock, irrigation, or water-power purposes shall not be designated by the Secretary of the Interior as subject to entry under this act.

That leases under this act shall be for a period of 30 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease and upon acceptance thereof be thereby relieved of all future obligations under said lease.

That in addition to areas of mineral land to be included in leases under this act the Secretary of the Interior, in his discretion, may grant to the lessee the right to use, during the life of the lease, a tract of unoccupied land, not exceeding 80 acres in area, for camp sites, milling, smelting, and refining works, and for other purposes connected with and necessary to the proper development and use of the deposits covered by the lease.

That the Secretary of the Interior, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided*, That the said Secretary, during the life of the lease, is hereby authorized to issue such permits for easements herein provided to be reserved.

That any successor in interest or assignee of any lease granted under this act, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the approval under which such rights are held and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the original lessee hereunder.

That any lease granted under this act may be forfeited and canceled by appropriate proceedings in the United States district court for the district in which said property or some part thereof is situated whenever the lessee, after reasonable notice in writing, as prescribed in the lease, shall fail to comply with the terms of this act or with

such conditions not inconsistent herewith as may be specifically recited in the lease.

That for the privilege of mining or extracting the mineral deposits in the ground covered by the lease the lessee shall pay to the United States, for the benefit of the Indians, a royalty which shall not be less than 5 per cent of the net value of the output of the minerals at the mine, due and payable at the end of each month succeeding that of the extraction of the minerals from the mine, and an annual rental, payable at the date of such lease and annually thereafter on the area covered by such lease, at the rate of 25 cents per acre for the first calendar year thereafter; 50 cents per acre for the second, third, fourth, and fifth years, respectively; and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year.

That in addition to the payment of the royalties and rentals as herein provided the lessee shall expend annually not less than $100 in development work for each mining claim located or leased in the same manner as an annual expenditure for labor or improvements is required to be made under the mining laws of the United States: *Provided*, That the lessee shall also agree to pay all damages occasioned by reason of his mining operations to the land or allotment of any Indian or to the crops or improvements thereon: *And provided further*, That no timber shall be cut upon the reservation by the lessee except after first obtaining a permit from the superintendent of the reservation and upon payment of the fair value thereof.

That the Secretary of the Interior is hereby authorized to examine the books and accounts of lessees, and to require them to submit statements, representations, or reports, including information as to cost of mining, all of which statements, representations, or reports so required shall be upon oath, unless otherwise specified, and in such form and upon such blanks as the Secretary of the Interior may require; and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

That all moneys received from royalties and rentals under the provisions of this act shall be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the reservation where the leased land is located, which moneys shall be at all times subject to appropriation by Congress for their benefit, unless otherwise provided by treaty or agreement ratified by Congress: *Provided*, That such moneys shall be subject to the laws authorizing the pro rata distribution of Indian tribal funds.

That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations not inconsistent with this act as may be necessary and proper for the protection of the interests of the Indians and for the purpose of carrying the provisions of this act into full force and effect: *Provided*, That nothing in this act shall be construed or held to affect the right of the State or other local authority to exercise any rights which they may have to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee.

That mining locations, under the terms of this act, may be made on unallotted lands within Indian reservations by Indians who have heretofore or may hereafter be declared by the Secretary of the Interior to be competent to manage their own affairs; and the said Secretary is hereby authorized and empowered to lease such lands to such Indians in accordance with the provisions of this act: *Provided*, That the Secretary of the Interior be, and he is hereby, authorized to permit other Indians to make locations and obtain leases under the provisions of this act, under such rules and regulations as he may prescribe in regard to the working, developing, disposition, and selling of the products and the disposition of the proceeds thereof of any such mine by such Indians.

That hereafter no public lands of the United States shall be withdrawn by Executive order, proclamation, or otherwise, for or as an Indian reservation except by act of Congress.

The PRESIDING OFFICER. The question is upon agreeing to the amendment offered by the Senator from New Mexico.

The amendment was agreed to.

Mr. OWEN. Mr. President, there is one other matter I should like to call the attention of the chairman to. A year ago, on the 23d of March, 1918, there was an amendment put on the Indian appropriation bill to pay a balance of interest due to the Cherokee Nation. I should like to offer this amendment and to submit for the RECORD the report which was made upon it a year ago. It passed the Senate a year ago.

Mr. ASHURST. Let it be read, and let the report go in the RECORD.

Mr. OWEN. I should like to have the report of the Secretary of the Interior bearing upon it go into the RECORD. It is not very long. The amendment provides for the payment of a balance of interest due.

The PRESIDING OFFICER. Without objection, the report will go into the RECORD.

The report is as follows:

The Committee on Indian Affairs, to whom was referred the bill S. 988, "A bill providing for the payment of certain interest on items 1 and 4 of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation," having carefully considered the same, recommends that with an amendment the bill be passed. The bill as amended reads as follows:

"*Be it enacted, etc.*, That the general deficiency appropriation act of June 30, 1906 (34th Stat. L., p. 664), so far as the said act provides for the payment of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation, with interest (40 C. Cls. Repts., p. 252), be, and the same hereby is, so amended as to allow additional interest to be paid upon items 1 and 4 of said judgment, and upon the funds arising from said items 1 and 4, respectively, as follows, to wit: On the amount of the fund which arose from item 1 of said judgment as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee school fund, interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the amount of the fund which arose from item 4 of said judgment, as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee national fund, interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the original principal sum of item 4 of said judgment, interest at 5 per cent per annum from July 1, 1893, to July 1, 1903, and on the amount of the interest thus accruing interest at 4 per cent per annum from December 29, 1905, to May 14, 1906; and on the aggregate of the sums of the interest for the last two periods herein above mentioned, interest at 5 per cent from July 2, 1906, to the date of the passage of this act; and the sum of $27,500, or so much thereof as may be necessary, to pay the interest above allowed, is hereby appropriated and authorized to be paid to the Cherokee Nation: *Provided*, That the Secretary of the Treasury is hereby authorized and directed to pay the amount arising from item 4 of said judgment, with interest thereon as herein above provided for, to the agent appointed by the Cherokee Nation acting through its principal chief to receive the same, said payment to be made immediately upon the approval of this act."

The Secretary of the Interior, in a letter to the chairman of the Committee on Indian Affairs of the House of Representatives, dated July 5, 1917, recommends that an appropriation be made to pay the interets upon the funds arising from items 1 and 4 of the judgment of the Court of Claims of May 18, 1905, be made as provided in said bill.

The judgment and decree of the court covering said items 1 and 4 of said judgment are as follows:

Item 1. The sum of $2,125, with interest thereon at the rate of 5 per cent from February 27, 1819, to date of payment.

* * * * * * *

Item 4. The sum of $20,406.25, with interest thereon from July 1, 1903, to date of payment.

"The proceeds of said several items, however, to be paid and distributed as follows:

"The sum of $2,125, with interest thereon at the rate of 5 per cent from February 27, 1819, to date of payment, less 5 per cent thereof contracted by the Cherokee Nation to be paid as counsel fees, shall be paid to the Secretary of the Interior in trust for the Cherokee Nation, and shall be credited on the proper books of account to the principal of the 'Cherokee school fund' now in the possession of the United States and held by them as trustees.

"The sum of $20,406.25, with interest thereon at the rate of 5 per cent per annum from July 1, 1893, to date of payment, less 5 per cent thereof contracted by the Cherokee Nation to be paid as counsel fees, shall be paid to the Secretary of the Interior and credited on the proper books of account to the principal of the 'Cherokee national fund,' now in the possession of the United States and held by them as trustees."

The Cherokee school fund and the Cherokee national fund were each 5 per cent interest-bearing trust funds under the general law. The funds arising from these two items of judgment were duly paid to the Secretary of the Interior on July 2, 1906, but were not credited to the principals of the said interest-bearing trust funds until May 26, 1910. No matter what may be the final outcome of the claim of the Cherokee Nation to interest on all of these judgment funds under the agreement of 1891, there is no question but that the two funds arising from items 1 and 4 are entitled to interest from the day they were paid into the hands of the Secretary of the Interior in trust for the Cherokee Nation, to wit, from July 2, 1906, until May 26, 1910, when they were credited to said interest-bearing trust funds.

Also, it appears from the Secretary's letter that no interest was allowed on the original principal sum of item 4 of said judgment between July 1, 1893, and July 1, 1903; that failure to allow such interest was due to a clerical error in the wording of the court's decree. Your committee finds that to be the fact and that the Cherokee Nation is clearly entitled to interest on said original principal sum for the period of time between July 1, 1893, and July 1, 1903, and to the additional interest as provided to be paid by this bill (H. R. 4699).

Following are copies of letters from the Secretary of the Interior relative to the merits of the bill:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 17, 1917.

MY DEAR MR. HASTINGS: Reference is made herein to your informal inquiry as to the report on S. 988, a bill providing for the payment of certain interest on items 1 and 4 of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation, and to the report on S. 10, a bill conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States. In compliance with your request there are transmitted herewith for your information copies of the reports of May 2, 1917, setting forth the views of the department relative to said bills. There is also inclosed copy of the report of the same date on S. 11, this last-mentioned bill being also one concerning certain claims of the Cherokee Nation.

Sincerely, yours,

CATO SELLS, *Commissioner.*

Hon. W. W. HASTINGS,
House of Representatives.

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MAY 2, 1917.

Hon. HENRY F. ASHURST,
Chairman Committee on Indian Affairs,
United States Senate.

MY DEAR SENATOR: Reference is made herein to S. 988, entitled "A bill providing for the payment of certain interest on items 1 and 4 of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation," and to your request of April 9, 1917, for my views thereon.

Said bill provides for the allowance and payment of certain interest claimed to be due the Cherokee Nation on the funds which arose out of items 1 and 4 of the judgment of May 18, 1905, of the Court of Claims, in favor of the Cherokee Nation in the case of said nation against the United States (40 Ct. Cls., 252–363). The bill further provides that the payment of the sum claimed to be due the Cherokee Nation as interest on said item 4 be made to Mr. Frank J. Boudinot, attorney at law, as compensation for services and expenses alleged to have been heretofore performed and incurred by him on behalf of the Cherokee people.

The Court of Claims by its judgment and decree of May 18, 1905, awarded the Cherokee Nation the following sums:

Item 1. The sum of $2,125, with interest thereon at the rate of 5 per cent from February 27, 1819, to date of payment.

Item 2. The sum of $1,111,284.70, with interest thereon at the rate of 5 per cent from June 12, 1838, to date of payment.

Item 3. The sum of $432.28, with interest thereon at the rate of 5 per cent from January 1, 1874, to date of payment.

Item 4. The sum of $20,406.25, with interest thereon from July 1, 1903, to date of payment.

The judgment and decree also made provision as to the payment and distribution of the proceeds of said items of award. Said decision of the Court of Claims was affirmed by the Supreme Court of the United States on April 30, 1906 (202 U. S., 101), with a modification, however, as to the distribution of the fund arising out of item 2 of the award. The act of Congress of June 30, 1906 (34 Stat. L., 634–664), making appropriation for the payment of the above-mentioned judgment, provided for the payment of the principal sum of $1,134,248.23 as set forth in said judgment, together with such additional sum as might be necessary to pay interest "as authorized by law." The act of Congress of March 4, 1909 (35 Stat. L., 907–938), provided that the interest on item 2 of the judgment should be carried "up to such time as the roll of the individual beneficiaries entitled to share in said judgment shall be finally approved by the Court of Claims," and an appropriation was made for said additional interest. It appears that the roll of individual beneficiaries was finally approved by the Court of Claims on March 15, 1910. It appears from the books of the Indian Office that the sum of $4,972,902.04 appropriated by the deficiency act of June 30, 1906 (34 Stat. L., 664), was on July 2, 1906, under Treasury Warrant No. 11, credited to the Cherokee Nation under the title, "Judgment, Court of Claims, Cherokee Nation," said sum being the aggregate of the following items of the judgment:

Item.	Principal.	Interest.
1	$2,125.00	$9,395.46
2	1,111,284.70	3,825,751.46
3	432.28	708.21
4	20,406.25	2,888.68
Total	1,134,248.23	3,838,743.81

It further appears from the books of the Indian Office that there was credited to the Cherokee Nation on April 19, 1910, under Treasury warrant No. 58, the sum of $161,324.92, being additional interest on item 2 of the judgment as provided for by the deficiency act of March 4, 1909 (35 Stat. L., 938). The Comptroller of the Treasury in an opinion dated May 25, 1916, stated that while he was not advised as to the payments in the case, he presumed that in accordance with the decisions of his office the interest on the various items in the court's decree was computed as follows:

Item 1. At 5 per cent on original principal from February 27, 1819, to December 29, 1905, and at 4 per cent on original principal plus amount of interest to December 29, 1905, from December 30, 1905, to May 14, 1906.

Item 2. At 5 per cent on original principal from June 12, 1838, to March 15, 1910.

Item 3. At 5 per cent on original principal from January 1, 1874, to December 29, 1905, and at 4 per cent on original principal plus the amount of interest to December 29, 1905, from December 30, 1905, to May 14, 1906.

Item 4. At 5 per cent on original principal from July 1, 1903, to December 29, 1905, and at 4 per cent on original principal plus amount of interest to December 14, 1906.

The comptroller further states that under existing law there was no authority for computation of interest on the various items of the above-mentioned judgment on any other basis than as above indicated. Copies of the comptroller's decisions of July 11, 1906, January 29, 1909, April 2, 1910, and May 25, 1916, relating to the question of interest on the several items of the above-mentioned judgment of the Court of Claims are inclosed for your information. The matter of the computation of interest on the several items of the above-mentioned judgment of May 18, 1905, of the Court of Claims has been the subject of some correspondence with persons interested in the Cherokee Nation. It has been contended by some that the interest was not computed in accordance with the orders of the court or of the terms of the agreement of December 19, 1891, of the United States with the Cherokee Nation, ratified by the act of Congress of March 3, 1893 (27 Stat. L., 612–640).

In the decree of the Court of Claims it was provided that the proceeds of item 1, less 5 per cent thereof, contracted by the Cherokee Nation to be paid as counsel fees, should be paid to the Secretary of the Interior in trust for the Cherokee Nation, and be credited on the proper books of account to the principal of the "Cherokee school fund." It was also provided in said decree that the proceeds of item 4, less 5 per cent thereof, contracted by the Cherokee Nation to be paid as counsel fees, should be paid to the Secretary of the Interior and credited on the proper books of account to the principal of the "Cherokee national fund." Said Cherokee school fund and Cherokee national fund were each, under the provisions of the act of April 1, 1880 (21 Stat. L., 76), 5 per cent interest-bearing trust funds. The proceeds of items 1 and 4 of the judgment of the Court of Claims were included in the amount placed to the credit of the Cherokee Nation on July 2, 1906, under the title "Judgment, Court of Claims, Cherokee Nation," which account, as carried on the books of the Indian Office, did not bear interest. It appears, however, that by certificate of the Auditor for the Interior Department, No. 17264, dated May 26, 1910, the sum of $33,769.99, being on account of certain amounts arising under items 1 and 4 of the judgment of the Court of Claims, was transferred from the above-mentioned noninterest-bearing account, and the following credits were correspondingly made, bearing interest at 5 per cent per annum:

Cherokee school fund, $11,174.53; Cherokee national fund, $22,595.46.

If said sums had been placed to the credit of these last-mentioned funds on July 2, 1906, when received, they would have borne interest at the rate of 5 per cent per annum from that date as a part of the Cherokee trust funds. The failure, therefore, of the Government to cause the transfer to be made to said trust funds, as provided in the decree of the Court of Claims, until May 26, 1910, caused a loss to the Cherokee Nation of the interest on said amounts from July 2, 1906, to May 26, 1910. It has also been claimed, in reference to item 4 of the judgment of the Court of Claims, that the interest provided for in said item should have been from July 1, 1893, instead of from July 1, 1903, and that the provision in the decree as to the interest was in conflict with the statement contained in the opinion of the court as to such interest, and that the date named in the decree from which the interest should run was a clerical error. The Comptroller of the Treasury, in his opinion of May 25, 1916, states that the failure to allow interest on item 4 from 1893 instead of from 1903 was no doubt due to a clerical error in the wording of the court's decree, and that there appeared to be merit in certain proposed legislation looking to the correction of such error.

In view of the comptroller's opinion of May 25, 1916, that the failure to allow interest from 1893 to 1903 on item 4 of the decree of the Court of Claims was no doubt due to a clerical error in the wording of the court's decree. I see no objection to legislation looking to the correction of such error and providing for the payment to the credit of the Cherokee Nation of the amount of interest which the Cherokee Nation failed to receive through said error. Neither do I see any objection to legislation providing for the payment to the credit of the Cherokee Nation of the amount of interest which said nation failed to receive on items 1 and 4 of the judgment of the Court of Claims through the failure of the Government to cause the transfer of the proceeds of said items to be made to the Cherokee interest-bearing trust funds before May 26, 1910.

In reference to the payment which S. 988 provides shall be made to Mr. Frank J. Boudinot, attorney at law, for services and expenses said to have been performed and incurred in behalf of the Cherokee people, I am not advised as to the services or expenses for which said compensation is contemplated. If said proposed payment is for the settlement of the claim of Mr. Boudinot for compensation for services and expenses in the matter of obtaining the exclusion from participation in the allotment of lands and distribution of funds of the Cherokee Nation of intermarried white persons described in the suit entitled "Cherokee intermarriage cases, Red Bird et al., citizens of the Cherokee Nation by blood, *v.* The United States" (40 Ct. Cls., 411; 203 U. S., 76), your attention is invited to the report of March 25, 1910, of the then Secretary of the Interior, and to the report of May 10, 1910, of the then Acting Secretary of the Interior, as set out in Senate Report No. 550, Sixty-first Congress, second session, and House Report No. 2077, Sixty-first Congress, third session. Copies of said reports are inclosed for your convenient reference thereto. In view of the facts set forth in said reports, I am of the opinion that the provision for the payment to Mr. Frank J. Boudinot, as set forth in S. 988, should be eliminated from said bill.

In view of the above concerning the question of interest claimed to be due the Cherokee Nation, I am of the opinion that S. 988 should be amended by the insertion of the word "additional" before the word "interest" in line 10, page 1, of said bill, and that said bill should be further amended by the omission of all the provisions therein following the colon on line 2, page 2, thereof and by the substitution of the following in lieu thereof:

"On the amount of the fund which arose from item 1 of said judgment as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee school fund, interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the amount of the fund which arose from item 4 of said judgment as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee national fund, interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the original principal sum of item 4 of said judgment, interest at 5 per cent per annum from July 1, 1893, to July 1, 1903; and on the amount of interest thus accruing interest at 4 per cent per annum from December 29, 1905, to May 14, 1906; and on the aggregate of the sums of the interest for the last two periods hereinabove mentioned, interest at 5 per cent per annum from July 2, 1906, to the date of the passage of this act; and the sum of $27,500, or so much thereof as may be necessary to pay the interest above allowed, is hereby appropriated and authorized to be paid to the Cherokee Nation."

I recommend the enactment of S. 988 if the same be amended as above suggested.

Cordially, yours,

FRANKLIN K. LANE,
Secretary.

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DEPARTMENT OF THE INTERIOR,
Washington, May 2, 1917.

Hon. HENRY F. ASHURST,
Chairman Committee on Indian Affairs,
United States Senate.

MY DEAR SENATOR: Reference is made herein to S. 11, entitled "A bill to amend the general deficiency appropriation act of June 30, 1906, and the act of Congress of March 4, 1909, regarding payment of judgment of the Court of Claims in favor of Cherokee Nation," and to your request of April 10, 1917, for my views thereon.

Said bill provides for the allowance and payment of certain interest claimed to be due the Cherokee Nation on the funds which arose out of items 1 and 4 of the judgment of May 18, 1905, of the Court of Claims in favor of the Cherokee Nation in the case of said nation against the United States (40 Ct. Cls., 252–363). The bill further provides that the payment of the sum claimed to be due the Cherokee Nation as interest on said item 4 be made to Mr. Frank J. Boudinot, attorney at law, as compensation for services and expenses alleged to have been heretofore performed and incurred by him on behalf of the Cherokee people.

This matter is the subject of my report of even date on S. 988. A copy of my letter of even date to you concerning said S. 988 and containing my views as to legislation providing for the payment of additional interest on said items 1 and 4 of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation, is inclosed for your convenient reference thereto.

Cordially, yours,

FRANKLIN K. LANE,
Secretary.

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MAY 2, 1917.

Hon. HENRY F. ASHURST,
Chairman Committee on Indian Affairs,
United States Senate.

MY DEAR SENATOR: Reference is made herein to S. No. 10, entitled "A bill conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States," and to your request of April 10, 1917, for my views thereon.

Said bill provides jurisdiction for the Court of Claims to hear, consider, and determine the claim of the Cherokee Nation against the United States for interest, in addition to all other interests heretofore allowed and paid, alleged to be owing from the United States to the Cherokee Nation on funds arising from the judgment of the Court of Claims of May 18, 1905 (40 Court of Claims Reports, p. 252), in favor of the Cherokee Nation.

The claims of the Cherokee Nation to certain additional interest on items 1 and 4 on the above-mentioned judgment of the Court of Claims

are the subject of S. 11 and S. 988, Sixty-fifth Congress, first session, and of my letters of even date to you concerning said bills. A copy of my letter of even date to you concerning S. 988 and setting out the facts relating to the above-mentioned judgment of the Court of Claims and the allowance and payment of interest thereon is inclosed for your convenient reference thereto.

In view of the facts disclosed, I saw no reason why an appropriation should not be made for the payment of certain additional interest on items 1 and 4 of the above-mentioned judgment in favor of the Cherokee Nation, and therefore recommended the enactment of S. 988 provided it was amended as suggested in my letter. S. 10 includes, however, the claim of the Cherokee Nation for additional interest on the other items of the above-mentioned judgment of the Court of Claims.

It has been claimed on behalf of the Cherokee Nation that the accounting officers of the Treasury should have computed the interest on item 2 of the decree of the Court of Claims up to December 29, 1905, the date of filing of the transcript of the judgment of the Court of Claims with the Secretary of the Treasury and added said interest for a new principal upon which interest should have been computed from December 30, 1905, to March 15, 1910, and it is claimed that as a result of the alleged error in the method of computation there is still due the Cherokee Nation the sum of $478,801.94 as interest on said item 2. It has been further claimed that interest should be allowed on this last-mentioned sum from March 15, 1910, until paid.

In reference to item 3 of the decree of the Court of Claims it has been claimed that the amount thereof, representing a part of the proceeds of the sale of the Cherokee strip, should have been distributed among certain Cherokee interest-bearing trust funds in the Treasury, and that as no interest has been paid on the proceeds of said item 3 since July 2, 1906, the Cherokee Nation is entitled to interest thereon at 5 per cent to the present time.

The question of whether the Cherokee Indians are entitled to additional interest claimed by them to be due on said items 2 and 3 of the above-mentioned judgment of the Court of Claims is not one upon which I am prepared to express an opinion. I see no objection to legislation to provide for the adjudication by the Court of Claims of the question of whether the Cherokee Indians are entitled to any additional interest on said items 2 and 3. I suggest, however, that said S. No. 10 be amended by the elimination of the words "by the Cherokee Nation acting through its principal chief" on lines 20 and 21 of page 2 of the bill, and by the substitution in lieu thereof of the following words, "under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law," and that said bill be further amended by the elimination of the provisions on page 3 of the bill following after the word "cause," on line 1 of said page 3, and by the substitution therefor of the following provision: "The attorney for the Cherokee Nation shall be paid such fee as the Court of Claims may find reasonable, provided that in no case shall the fee decreed by said Court of Claims be in excess of the amount stipulated in the approved contract nor amount to more than 10 per cent of the sum, if any, to which the Cherokee Nation shall be found entitled. The amounts recovered for the Cherokee Nation, if any, shall be disbursed under the supervision of the Secretary of the Interior to the parties entitled thereto in manner prescribed by the Court of Claims."

I see no objection to the enactment of S. 10 if the same be amended as above suggested.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

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DEPARTMENT OF THE INTERIOR,
Washington, July 5, 1917.

MY DEAR MR. CARTER: Reference is made herein to H. R. 4699 entitled "A bill providing for the payment of certain interest on items one and four of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation," and to your request of May 28, 1917, for a report thereon for the information and use of the Committee on Indian Affairs of the House of Representatives. Said bill provides for the allowance and payment of certain interest claimed to be due the Cherokee Nation on the funds which arose out of items 1 and 4 of the judgment of May 18, 1905, of the Court of Claims in favor of the Cherokee Nation in the case of said nation against The United States (40 Court of Claims, 252–363).

The claim of the Cherokee Nation to additional interest on items 1 and 4 of the above-mentioned judgment was the subject of S. 988, Sixty-fifth Congress, first session. A copy of my letter of May 2, 1917, to Hon. HENRY F. ASHURST, chairman of the Committee on Indian Affairs of the United States Senate, in regard to said S. 988, and containing my views as to legislation providing for the payment of certain additional interest on said items 1 and 4 of the above-mentioned judgment, is transmitted herewith for your information. The principal facts relating to said judgment of the Court of Claims, and to the allowance and payment of interest thereon, are set forth in said communication.

H. R. 4699 contains, on page 3, lines 6 to 12, inclusive, the following:

"*Provided*, That the Secretary of the Treasury is hereby authorized and directed to pay the amount arising from item 4 of said judgment, with interest thereon as herein above provided for, to the agent appointed by the Cherokee Nation, acting through its principal chief, to receive the same, said payment to be made immediately upon the approval of this act."

In reference to the matter of the collection and disbursement of tribal funds and as to the tribal government, your attention is invited to the provisions contained in sections 64, 66, and 67 of the agreement of the United States with the Cherokee Nation, contained in the act of Congress of July 1, 1902 (32 Stat. L., 716–727), and to the provisions of sections 17 and 28 of the act of Congress of April 26, 1906 (34 Stat. L., 137, 143, 148).

The tribal government of the Cherokee Nation has been abolished, the services of the principal chief being retained only until the tribal affairs have been completely closed, there remaining a few matters still undisposed of. The provision of H. R. 4699 above quoted does not state the purpose of the payment to the tribal agent provided for therein. It is not shown whether the payment to the proposed tribal agent is to be for the purpose of settlement of claims against the Cherokee Nation, or for the purpose of distribution per capita to the members of the tribe.

In view of the above-mentioned provisions of existing law as to the collection and payment of Cherokee tribal funds, placing the supervision of said matters under the Secretary of the Interior, and of the status of Cherokee tribal affairs, I see no reason why provision should be made for the payment to a tribal agent of any additional interest which may be allowed the Cherokee Nation on the above-mentioned judgment of the Court of Claims. I believe that any such additional sum which may be allowed the Cherokee Nation as interest on the above-mentioned judgment should be placed in the Treasury of the United States to the credit of the Cherokee Nation to be disposed of under existing law for the benefit of the Cherokee Tribe. I therefore recommend that the above-quoted provisions contained in lines 6 to 12, inclusive, on page 3 of H. R. 4699, be eliminated from said bill. In view of the facts set forth in my report of May 2, 1917, on S. 998, concerning the claim of the Cherokee Nation to additional interest on the above-mentioned judgment of the Court of Claims of May 18, 1905, I recommend the enactment of H. R. 4699 provided said bill be amended as indicated above.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

Hon. C. D. CARTER,
Chairman Committee on Indian Affairs,
House of Representatives.

—

Know all men by these presents, That I, W. C. Rogers, principal chief of the Cherokee Nation, do hereby make, constitute, and appoint Frank J. Boudinot, Fort Gibson, Okla., my true and lawful attorney in fact and agent for me and in my name, place, and stead; and in the name, place, and stead of the principal chief of the Cherokee Nation; and in the name, place and stead of the Cherokee Nation, to receive from the proper officer or officers of the United States Government any sum or sums of money that may be owing to said Cherokee Nation from the United States, or that may hereafter become due and payable to said nation by appropriation act of Congress or otherwise, on account of the fund arising from item 4 of the judgment of the Court of Claims of May 18, 1905, in cause No. 23199, The Cherokee Nation *v.* The United States, or on account of interest on said item 4 or on any part of same.

Hereby giving unto said attorney and agent full power and authority in the premises to do and perform all things whatsoever that may be required to secure payment to him of said money, to sign all papers and receipts that may be required in the name and on behalf of the undersigned principal chief of the Cherokee Nation and in the name of the Cherokee Nation; hereby ratifying and confirming all the lawful acts of said attorney in fact and agent done in pursuance of the authority hereby given.

Witness my hand and seal on this the 20th of November, 1916, at Tulsa, State of Oklahoma.

W. C. ROGERS,
Principal Chief of the Cherokee Nation.

I, Frank J. Boudinot, hereby accept the power of attorney and agency above given this 20th day of November, 1916.

FRANK J. BOUDINOT.

—

STATE OF OKLAHOMA,
County of Tulsa, ss:

Before me, Conn Linn, judge district court, Tulsa County, Okla., in and for said county and State, on this the 20th day of November, 1916, personally appeared W. C. Rogers, principal chief of the Cherokee Nation, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

In witness whereof, I have hereunto subscribed my name and affixed my official seal at Tulsa, State of Oklahoma, on the day last above written.

CONN LINN,
Judge District Court, Tulsa County, Okla.

Attest:
[SEAL.] FRANK INGRAHAM, *County Clerk.*
By R. L. LAWS, *Deputy.*

The PRESIDING OFFICER. Will the Senator from Oklahoma indicate to what part of the bill this is offered as an amendment?

Mr. OWEN. Page 51, after line 8.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 51, after line 8, it is proposed to insert the following:

For payment of interest upon certain interest-bearing trust funds belonging to the Cherokee Nation, which funds arose from the judgment of the Court of Claims of May 18, 1905, in favor of said Nation, and were paid into and retained in the Treasury of the United States, as follows, to wit:

On the amount of the fund which arose from item 1 of said judgment as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee school fund, interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the amount of the fund which arose from item 4 of said judgment, as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee national fund interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the original principal sum of item 4 of said judgment, interest at 5 per cent per annum from July 1, 1893, to July 1, 1903, and on the amount of the interest thus accruing interest at 4 per cent per annum from December 29, 1905, to May 14, 1906; and on the aggregate of the sums of the interest for the last two periods herein above mentioned, interest at 5 per cent per annum from July 2, 1906, to the date of the passage of this act; and the sum of $27,500, or so much thereof as may be necessary, to pay the interest above allowed, is hereby appropriated and authorized to be paid to the Cherokee Nation: *Provided*, That the Secretary of the Treasury is hereby authorized and directed to pay the amount arising from item 4 of said judgment, with interest thereon as herein above provided for, to the agent appointed by the Cherokee Nation, acting through its principal chief to receive the same, said payment to be made immediately upon the approval of this act.

Mr. SWANSON. Mr. President, this payment is to be made entirely out of Indian trust funds, is it?

Mr. OWEN. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. ASHURST. I move that the Senate request a conference with the House of Representatives upon the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. OWEN, Mr. JONES of New Mexico, and Mr. GRONNA conferees on the part of the Senate.

ADJOURNMENT.

Mr. SWANSON. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 55 minutes a. m., Saturday, March 1, 1919) the Senate adjourned until Saturday, March 1, 1919, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 28, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee our Father in heaven, for every laudable ambition, every high and holy aspiration, which has and is now leading us onward and upward to larger intellectual, moral, and spiritual attainments; and we most fervently pray that Thou wilt continue to lead us as individuals and as a people to right living, that the differences between men, classes, and conditions shall be rightly adjusted, to the glory and honor of Thy holy name, in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

POINT OF NO QUORUM.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point that there is no quorum present.

Mr. GARNER. Mr. Speaker, will the gentleman withhold that point for a moment?

Mr. MOORE of Pennsylvania. Yes.

The SPEAKER. Did the gentleman from Pennsylvania withdraw his point?

Mr. MOORE of Pennsylvania. I withhold it temporarily.

The SPEAKER. The gentleman from Pennsylvania withholds his point temporarily.

EXTENSION OF REMARKS.

Mr. RAMSEYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a memorial address on the late Col. Roosevelt, delivered before the joint session of the Iowa Legislature by Hon. N. E. Kendall, who was a Member of the Sixty-first and Sixty-second Congresses.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD by inserting an address delivered on the late Col. Roosevelt before the Iowa Legislature. Is there objection?

Mr. WALSH. Reserving the right to object, how long an address is this?

Mr. RAMSEYER. It probably took 40 minutes to deliver it. Furthermore, under the circumstances under which it was delivered, it may be considered as an official tribute of the State of Iowa to Col. Roosevelt.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, I think every State may possibly be in the same position as Iowa. I do not believe in encumbering the RECORD. I shall have to object.

The SPEAKER. The gentleman from Ohio objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 4610. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 69.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-third National Encampment of the Grand Army of the Republic for the year 1919 not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

REPEAL OF LUXURY TAXES.

Mr. KITCHIN. Mr. Speaker, I desire to present a report (No. 1152) from the Committee on Ways and Means accompanying House joint resolution 439, for the repeal of the luxury taxes.

The SPEAKER. The Clerk will report it.

Mr. GARNER. He only desires it to be read.

The SPEAKER. The Clerk will report it.

Mr. KITCHIN, from the Committee on Ways and Means, submitted the following report:

The Committee on Ways and Means, to whom was referred House joint resolution 439, to repeal section 904 of the revenue act of 1918, approved February 24, 1919, having had the same under consideration, report it back to the House without amendment and recommend that the resolution do pass.

In presenting the conference report upon the revenue bill to the House the chairman stated that he would introduce a resolution to repeal section 904 of the bill after it became a law.

The purpose of section 904 was to encourage thrift and economy and to prevent extravagance as well as to provide revenue. It was understood that these consumption taxes were levied as war taxes only. This was a proper tax in time of war, but your committee believes that in time of peace it can not justify the placing of the burden (1) on the retailers of the country of keeping the necessary additional accounting system to collect the tax from the taxable sales in order to properly return the tax collected to the Government; or (2) such a heavy tax upon the consumer.

Your committee is unanimous in recommending the passage of this resolution.

Section 904 of the revenue act of 1918 reads as follows:

"SEC. 904. (a) That on and after May 1, 1919, there shall be levied, assessed, collected, and paid a tax equivalent to 10 per cent of so much of the amount paid for any of the following articles as is in excess of the price hereinafter specified as to each such article, when such article is sold by or for a dealer or his estate on or after such date for consumption or use—

"(1) Carpets and rugs, including fiber, except imported and American rugs made principally of wool, on the amount in excess of $5 per square yard;

"(2) Picture frames, on the amount in excess of $10 each;

"(3) Trunks, on the amount in excess of $50 each;

"(4) Valises, traveling bags, suit cases, hatboxes used by travelers, and fitted toilet cases, on the amount in excess of $25 each;

"(5) Purses, pocketbooks, shopping and hand bags, on the amount in excess of $7.50 each;

"(6) Portable lighting fixtures, including lamps of all kinds and lamp shades, on the amount in excess of $25 each;

"(7) Umbrellas, parasols, and sunshades, on the amount in excess of $4 each;

"(8) Fans, on the amount in excess of $1 each;

"(9) House or smoking coats or jackets, and bath or lounging robes, on the amount in excess of $7.50 each;

"(10) Men's waistcoats, sold separately from suits, on the amount in excess of $5 each;

"(11) Women's and misses' hats, bonnets, and hoods, on the amount in excess of $15 each;

"(12) Men's and boys' hats, on the amount in excess of $5 each;

"(13) Men's and boys' caps, on the amount in excess of $2 each;

"(14) Men's, women's, misses', and boys' boots, shoes, pumps, and slippers, not including shoes or appliances made to order for any person having a crippled or deformed foot or ankle, on the amount in excess of $10 per pair;

"(15) Men's and boys' neckties and neckwear, on the amount in excess of $2 each;

"(16) Men's and boys' silk stockings or hose, on the amount in excess of $1 per pair;

"(17) Women's and misses' silk stockings or hose, on the amount in excess of $2 per pair;

"(18) Men's shirts, on the amount in excess of $3 each;

"(19) Men's, women's, misses', and boys' pajamas, nightgowns, and underwear, on the amount in excess of $5 each; and

"(20) Kimonos, petticoats, and waists, on the amount in excess of $15 each.

"(b) The tax imposed by this section shall not apply (1) to any article enumerated in paragraphs (2) to (8), both inclusive, of subdivision (a), if such article is made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof or ivory, or (2) to any article made of fur on the hide or pelt, or of which any such fur is the component material of chief value, or to (3) any article enumerated in subdivision (17) or (18) of section 900.

"(c) The taxes imposed by this section shall be paid by the purchaser to the vendor at the time of the sale and shall be collected, returned, and paid to the United States by such vendor in the same manner as provided in section 502."

Mr. MOORE of Pennsylvania. On that, Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Pennsylvania reserves all points of order on the House joint resolution.

Mr. MOORE of Pennsylvania. On the resolution accompanying the report.

The SPEAKER. The report is ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make a point of no quorum.

EULOGIES ON THE LATE REPRESENTATIVE BORLAND.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that it may be in order on Sunday, March 2, between the hours of 11 and 12 o'clock, to deliver memorial addresses on the life, character, and public services of our deceased colleague, Hon. WILLIAM P. BORLAND.

The SPEAKER. The gentleman from Missouri asks unanimous consent that there shall be a meeting of the House on Sunday, March 2, at 11 o'clock a. m., and that the time from 11 to 12 o'clock be set aside for the delivery of memorial addresses on the life, character, and public services of the late WILLIAM P. BORLAND, a Representative from Missouri. Is there objection?

Mr. GARNER. Had not the gentleman better make that from 10 o'clock to 11? Would it not be just as convenient?

Mr. ALEXANDER. I doubt if it would be as convenient.

Mr. GARNER. That difference of one hour on Sunday would mean a good deal.

Mr. STAFFORD. I assume that the gentleman would have no objection to providing that it would not interfere with conference reports, so that there would be an hour for these exercises on that day at that time?

Mr. ALEXANDER. No; we realize the condition, and we do not want to interfere, but our plans are already made.

The SPEAKER. The gentleman from Missouri asks unanimous consent that on Sunday, the 2d of March, there be a meeting of the House at 11 o'clock a. m., and that the time from 11 to 12 be set aside for the delivery of memorial addresses on the life, character, and public services of the late WILLIAM P. BORLAND. Is there objection?

There was no objection.

CALL OF THE HOUSE.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Pennsylvania makes the point of no quorum. Evidently there is no quorum present.

Mr. KITCHIN. I move a call of the House.

The SPEAKER. The gentleman from North Carolina moves a call of the House. Is there objection?

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Donovan	Hensley	Russell
Anthony	Dooling	Howard	Sabath
Austin	Doremus	Ireland	Sanders, La.
Ayres	Drukker	James	Saunders, Va.
Baer	Dunn	Johnson, S. Dak.	Scott, Iowa
Barkley	Eagle	Kelley, Mich.	Scully
Birch	Emerson	Key, Ohio	Sears
Booher	Esch	Kiess, Pa.	Shackleford
Britten	Estopinal	Larsen	Sims
Brumbaugh	Fairchild, G. W.	Lehlbach	Slemp
Buchanan	Fields	Linthicum	Small
Burnett	Flynn	Lunn	Smith, Mich.
Candler, Miss.	Focht	McCormick	Smith, C. B.
Cantrill	Francis	McLaughlin, Mich.	Smith, T. F.
Carlin	Gandy	Miller, Minn.	Snook
Carter, Mass.	Garland	Montague	Steele
Cary	Gillett	Morin	Stephens, Nebr.
Chandler, N. Y.	Goodall	Mott	Stiness
Clark, Fla.	Gordon	Mudd	Sullivan
Classon	Graham, Pa.	Neely	Sweet
Cleary	Gray, N. J.	Nelson, J. M.	Swift
Coady	Greene, Mass.	Nichols, Mich.	Tague
Connally, Tex.	Gregg	Nolan	Taylor, Ark.
Cooper, Ohio	Griffin	Park	Taylor, Colo.
Copley	Hamill	Parker, N. J.	Thomas
Costello	Hamilton, Mich.	Parker, N. Y.	Tinkham
Cox	Hamilton, N. Y.	Pratt	Waldow
Cramton	Harrison, Va.	Price	Ward
Curry, Cal.	Hastings	Ramsey	White, Ohio
Davey	Haugen	Rayburn	Williams
Davis	Hayes	Reavis	Wilson, Ill.
Decker	Heaton	Riordan	Winslow
Delaney	Heintz	Roberts	Woods, Iowa
Dewalt	Helm	Rodenberg	Woodyard
Dillon	Helvering	Rowland	

The SPEAKER. On this roll call 288 Members, a quorum, have answered to their names.

Mr. KITCHIN. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

COMMISSION ON EQUALIZATION OF SALARIES.

The SPEAKER. In the legislative, executive, and judicial appropriation act there is a provision authorizing the Speaker to appoint a commission to equalize the salaries of employees. The Chair appoints as members of that commission Messrs. HAMLIN, KEATING, and COOPER of Wisconsin. [Applause.]

Mr. MANN. Mr. Speaker, has the legislative bill been reported to the House as having been signed by the President?

The SPEAKER. It was sent to the President day before yesterday, so the Chair supposes the President has signed it.

Mr. MANN. We have not had any message announcing his signature, I think.

The SPEAKER. The Chair will appoint them over again when the message comes in.

CERTAIN HOMESTEAD ENTRIES.

Mr. McCLINTIC. Mr. Speaker, the bill (H. R. 9897) to authorize the contesting and cancellation of certain homestead entries, and for other purposes, has passed the House, and the Senate has returned it to the House with an amendment. I ask unanimous consent to take the bill from the Speaker's table and concur in the Senate amendment.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to take from the Speaker's table H. R. 9897 and concur in the Senate amendment. Is there objection?

There was no objection.

The Senate amendment was read.

The SPEAKER. The gentleman moves to concur in the Senate amendment.

The motion was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table the Diplomatic and Consular appropriation bill (H. R. 14516), disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. FLOOD, Mr. LINTHICUM, and Mr. COOPER of Wisconsin.

DEFICIENCY APPROPRIATIONS.

On motion of Mr. SHERLEY, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, with Mr. GARD in the chair.

The CHAIRMAN. The Clerk will resume the reading of the bill.

The Clerk read as follows:

HOUSING FOR WAR NEEDS.

The sum of $32,700,000 of the unexpended balance of the appropriations heretofore made for carrying out the provisions of the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, shall be covered into the Treasury immediately upon the passage of this act.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Can the gentleman from Kentucky state how much of this fund has been expended?

Mr. SHERLEY. There were two appropriations made, one of $60,000,000 and one of $40,000,000, to carry out the housing program——

Mr. LONDON. Mr. Speaker, I make a point of order against the paragraph.

Mr. SHERLEY. The point of order comes too late. There has been discussion upon the provision.

Mr. LONDON. I do not believe it comes too late. As soon as I caught the purpose of the remarks of the gentleman——

Mr. SHERLEY. That was just too late. As soon as discussion of a paragraph has begun the point of order is too late.

Mr. LONDON. I was on my feet, expecting to make the point of order.

The CHAIRMAN. The Chair had recognized the gentleman from Massachusetts, and the proposition was under discussion.

Mr. SHERLEY. There were two appropriations made, one of $60,000,000 and one of $40,000,000 to carry out the housing program in connection with the war needs of the Government. A statement was made by the officials of the bureau under the Department of Labor that they would wind up their work and have a balance of something over $30,000,000. We had a hearing, in which they presented their financial statement, and from that financial statement it was apparent that the amount here

proposed to be repealed was not needed, and that the balance was amply sufficient to carry out all the projects that they proposed to carry out.

Mr. WALSH. There was $60,000,000 appropriated at first?

Mr. SHERLEY. Sixty million dollars first and forty million dollars afterwards.

Mr. WALSH. The $60,000,000 was all expended, and there is this amount remaining from the later appropriation?

Mr. SHERLEY. The two amounts were both appropriated in the same fiscal year and constitute one fund.

Mr. WALSH. I withdraw my amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Legislative——

Mr. SHERLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 37, after line 8, insert as a new paragraph the following:

"To enable the superintendent of the United States Capitol Building and Grounds to revise the plans and estimate of cost for carrying out the extension of the Capitol Building in accordance with the report contained in House Document No. 385, Fifty-eighth Congress, third session, and supplementary reports, $2,500, to continue available during the fiscal year 1920."

Mr. STAFFORD. I reserve a point of order on the amendment.

Mr. SHERLEY. In the Fifty-eighth Congress there was a commission appointed, consisting of Mr. Cannon, Mr. Hepburn, and Mr. Richardson, and of Senators Wetmore, Alger, and Gorman, to consider the question of the extension and completion of the Capitol Building. As Members are aware the Capitol Building has never been completed according to its original design. The central part of the building, between the two wings, according to the original plans should be brought farther out onto the Plaza. The work of this commission was very elaborate, with drawings and estimates as to cost. The report was the result, as it should have been, of the most careful consideration of matters affecting the Nation's Capitol in which we all take such very great pride.

The purpose of the amendment is to enable the Superintendent of the Capitol to revise the estimates and plans in connection with that improvement so that if Congress shall want subsequently to undertake this work and provide thereby not only for the greater beauty of the Capitol but for that change which is needed in connection with the Supreme Court and its activities, it would have the data when it comes to do it. It in no sense binds Congress to anything except that it enables the Superintendent of the Capitol to take these plans and bring them up to date as to the amount that will be required.

Mr. STAFFORD. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. STAFFORD. As I recollect, this proposition was before the House 12 years ago. The distinguished gentleman from Illinois [Mr. CANNON], then Speaker of the House, was its sponsor. I believe it involved an expenditure of $1,750,000, or thereabouts, but there was at that time strong opposition to the project of extending the front of the Capitol. Do I understand the gentleman to say that the old Capitol is not erected according to the original plan?

Mr. SHERLEY. My understanding is that the front of the Capitol, as it now exists, does not represent the entire original plan.

Mr. STAFFORD. What is the reason for reviving this project when it has been dormant for 10 or 12 years?

Mr. SHERLEY. Speaking for myself, because it has been dormant. I think it highly desirable that the Capitol should not have as the center a plaster front. The wings are marble but the center is simply plaster. There is also a mechanical reason in connection with the foundation of the whole Dome of the Capitol. The science of building now has advanced very greatly and the knowledge of weights and strength is much more accurate. It is quite possible that sooner or later there will have to be some work done on the Dome of the Capitol, simply as repair work, and there are many who believe that the Dome ought to be in marble so as not again to be in a condition of imitation as to outward appearances.

There has been a bill introduced by the gentleman from Virginia [Mr. MONTAGUE], who has taken a lively interest in the Capitol and its beauty, and is pending before the Committee on Appropriations for an appropriation to carry out this work. I believe that the committee was not warranted at this time in asking an appropriation of the House to carry out the work under the program nearly 15 years old. The committee thought it highly desirable that we have the Superintendent of the Capitol, Mr. Woods, to whom the Nation is indebted for the preservation of many things of architectural beauty and historic interest, to revise the figures and estimates and make a report to Congress, and then the future Congress can do what it chooses.

Under authority to extend my remarks I desire to insert the following letter from the Superintendent of the Capitol Building and Grounds upon this question of the extension of the Capitol, and also to include a portion of the report made by the joint commission, to which I have heretofore referred.

OFFICE OF SUPERINTENDENT
UNITED STATES CAPITOL BUILDING AND GROUNDS,
Washington, D. C., February 19, 1919.

Hon. SWAGAR SHERLEY,
Chairman Committee on Appropriations,
House of Representatives.

SIR: Some time ago I brought to your attention, personally, the question of the extension and completion of the Capitol Building, asking that you give it your consideration, and expressed hope that the subject might meet with your approval. I did all this on the basis of a former action on the part of Congress and subsequent report expressed in House Document 385, Fifty-eighth Congress, third session, being a report entitled, "Extension and Completion of the Capitol Building."

This report, presented to Congress on March 3, 1905, and referred to the House Committee on Appropriations, was the result of the deliberations of a joint committee named by Congress in the sundry civil act of April 28, 1904. The printed copy I inclose and hope that it may be of service to you. Indeed, I hope you may make it of record again, as the report is short and contains all the important data necessary to consideration of the subject in case you or your committee desire to consider it.

The action of the joint commission, as set forth in the report of March 3, 1905, was based upon a report of the consulting architects chosen by the commission, Messrs. Carrere and Hastings, of New York. These architects made a supplementary report to the commission respecting the reconstruction of the present cast-iron dome into one of marble. This supplementary report does not appear to have been presented in the commission's report to Congress. Nevertheless, it is worthy of attention, because the architects deemed the reconstruction of the dome as necessary to the completion, so to speak, of the Capitol. I hope it may be accorded a place in the RECORD, along with the report first alluded to. I therefore add it to the first report.

You will understand, of course, that the estimates of cost in these reports are subject to revision under the conditions of present market prices for material and labor.

A short time ago Hon. A. J. MONTAGUE introduced a bill providing for the extension of the Capitol, based on the reports hereinbefore named. I understand that this bill has been referred to your committee.

The whole matter has lain dormant since the year 1905. I therefore beg to recall to you our conversation, with the hope that the subjects of it may be taken up and considered by you and your committee, and that such consideration may result in an authorization to proceed with the work.

One recommendation in the report (page 3 of the report, paragraph marked 4), relating to the "placing a sculptural group in the House pediment," etc., has already been carried out.

Very respectfully,

ELLIOTT WOODS,
Superintendent United States
Capitol Building and Grounds.

[Document No. 385, Fifty-eighth Congress, third session.]

EXTENSION AND COMPLETION OF THE CAPITOL BUILDING.

Mr. Hepburn, from the joint commission, submitted the following report relative to plans for the extension and completion of the Capitol Building:

The joint commission established by the sundry civil act of April 28, 1904, to inquire into and report on plans for the extension and completion of the Capitol Building, beg leave to report.

The sundry civil appropriation act of April 28, 1904, contains the following provision:

"A joint commission composed of three Senators, namely, Hon. George P. Wetmore, of Rhode Island, Hon. Russell A. Alger, of Michigan, and Hon. Arthur P. Gorman, of Maryland, and three Members of the House of Representatives of the Fifty-eighth Congress, namely, Hon. Joseph G. Cannon, of Illinois, Hon. William P. Hepburn, of Iowa, and Hon. James D. Richardson, of Tennessee, which is hereby created, is authorized to inquire and report to Congress at its next session plans in detail and estimates of cost for the extension and completion of the Capitol Building, in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications thereof as they may deem advantageous or necessary, and for each and every purpose connected therewith, including the employment of such professional and other services as they may deem requisite, and for such other expenses as said joint commission may authorize or incur, there is hereby appropriated the sum of $50,000, or so much thereof as may be necessary; and the Superintendent of the Capitol Building and Grounds, under the direction and supervision of said commission, or such commission as may be authorized by Congress, shall conduct the making of all contracts for said construction, whenever and not before the same shall be authorized by Congress, after proper advertisements and the reception of bids, and said superintendent, subject to the direction and approval of such commission, shall employ such professional and personal services in connection with said work, when authorized as aforesaid, as may be necessary. Any vacancy occurring by resignation or otherwise in the membership of said commission shall be filled by the presiding officer of the Senate or House, according as the vacancy occurs in the Senate or House representation on said commission."

The joint commission as constituted by the act met on April 30, 1904, and organized by the election of Hon. George P. Wetmore, of Rhode Island, as chairman.

The firm of Carrère & Hastings, architects, of New York City, were appointed consulting architects to the joint commission, with instruc-

tion to study the problem involved and submit preliminary designs and also the necessary complete plans and estimates contemplated in the act creating the joint commission, the same to be based on the plan for an extension of the central east front of the Capitol, designed by the late Thomas U. Walter and dated February 20, 1865.

The consulting architects were also requested to consider and report on the question of—

(1) Refacing with white marble such portions of the present west front of the Capitol as are now built in sandstone, preserving the present design;

(2) Replacing with white marble the two broad flights of terrace steps on the west of the Capitol; and

(3) Placing a sculptural group in the House pediment to correspond in character, size, and finish with the sculptural work now existing in the pediment of the Senate wing.

The architects were directed to report as their work progressed, and during the past summer and autumn meetings of the commission were held to receive and consider preliminary reports.

Under authority of the sundry civil act of March 3, 1903, the Superintendent of the Capitol Building and Grounds had constructed a plaster model of the Capitol Building as it exists to-day, with movable sections showing two of the three plans of the late Thomas U. Walter for an extension of the central east front. The commission has had constructed in addition models illustrating the designs submitted by the consulting architects.

At a meeting of the commission on February 19, 1905, the consulting architects submitted their report (Appendix A). They recommend the adoption of a plan marked "Scheme A" as being in their opinion the most conservative and in every way the best solution of the architectural problems involved in correcting the defects of the east façade, to which Mr. Walter called attention in his report of 1865.

Scheme A provides for moving the entire central east front forward only so far as necessary (12 feet 10 inches) to bring the main wall of the building at the center, under the extreme projection of the Dome, and give the Dome the apparent support which it should have, at the same time adding one column on each side of the central pediment, broadening the pediment accordingly, so that it will dominate the two pediments of the Senate and House wings. It also proposes to reproduce the present east front in white marble. In this scheme no consideration has been given to increased space within the building. Nevertheless, the moving of the wall easterly 12 feet 10 inches gives on the main floor to the east of the Supreme Court a series of alcoves, back of the present screen, for retiring or robing rooms, and a similar series of alcoves to the east of Statuary Hall, as well as on the floor above. In the basement this additional projection would add to the size of the adjacent rooms, enlarging and improving them, especially in the case of the law library, under the Supreme Court. In the central section of the building two spacious rooms are obtained on either side of the main entrance, with windows opening on the portico, giving 12 additional rooms for committee or other purposes, those on the first and second floors being well lighted and all very accessible. The estimated cost of scheme A is $800,000.

The architects also submitted an alternative plan, scheme B, as illustrating what they believe to be the least objectionable manner in which the central east front can be extended for the purpose of securing any considerable room space within the building.

In scheme B the central portion is projected 32 feet 6 inches easterly from the walls of the Supreme Court and Statuary Hall, a wide corridor east of the Rotunda, connecting the Senate and House wings, is provided, and the building will gain 54 large rooms, 18 on each of the three floors. The estimated cost of scheme B is $1,075,000.

The joint commission recommends the adoption by Congress of—

(1) Scheme A, as to the extension of the central east front of the Capitol:

(2) Also recommends the refacing with white marble such portions of the present west front as are now built of sandstone, the present design to be reproduced in every detail;

(3) Replacing with white marble the two broad flights of steps on the west of the Capitol from the upper terrace to the foot of the embankment where the garden begins; and

(4) Placing a sculptural group in the House pediment to correspond in character, size, and finish with the sculptural work now existing in the pediment of the Senate wing.

The estimated cost will thus be:

East front extension, scheme A (see Appendix A)	$800,000
Reproducing the west front in white marble	425,000
Reproducing west terrace steps in white marble	50,000
Sculptural treatment of the east pediment of the House wing	55,000
Total	1,330,000

A statement of the expenses of the commission to date is attached hereto, marked Appendix B.

GEO. PEABODY WETMORE,
Chairman.

R. A. ALGER.
A. P. GORMAN.
J. G. CANNON.
W. P. HEPBURN.
JAMES D. RICHARDSON.

APPENDIX A.

REPORT ON THE EXTENSION AND COMPLETION OF THE UNITED STATES CAPITOL, 1904.

To the Joint Commission of the Senate and House for the Extension and Completion of the United States Capitol Building:

GENTLEMEN: We feel deeply the responsibility imposed upon us in reporting to your commission in regard to any changes to be made in the Capitol Building of the United States, a building so interesting from the artistic as well as from the historic point of view, and which, though it may have some architectural faults, is, nevertheless, one of the most monumental and beautiful edifices in this country. We find ourselves therefore hesitating whether we should advise the reproduction of the east front of the building in marble to harmonize with the rest of the Capitol, preserving the design practically as it exists to-day, or whether we should recommend enlarging the building in accordance with Mr. Walter's plans of 1865.

In his report as architect of the Capitol extension, dated November 1, 1864, he states:

"Now that the new dome and the wings of the Capitol are approaching completion, it must be apparent to everyone that the extension of the center building on the east to the line of the new wings becomes an architectural necessity. I have therefore prepared plans for thus completing the work in harmony with what has already been done, and will place them in the Capitol for future reference.

"I do not suppose, nor would I recommend, that any action be taken by Congress in reference to such an improvement until the war is ended and the financial conditions of the country becomes settled and prosperous; but inasmuch as it is my purpose to retire from these works as soon as the Dome is finished, I deem it incumbent upon me to leave upon record my views as to their final completion."

When we read this report accompanying his plans of 1865 we were impressed with the feeling that Mr. Walter had been influenced, perhaps under pressure from Congress, by the desire to obtain increased accommodations within the building, and that he would have recommended a somewhat different treatment if he had had under consideration only the strictly architectural necessities of the design. We feel very sure that it would be better to reproduce the present design in marble, as nearly as possible as it now stands, than to carry out Mr. Walter's plans of 1865 in their entirety.

It seems remarkable, when considering the history of this building, that so beautiful and harmonious a design should have resulted from the successive additions made to the original building, the result of which is certainly a monument to the skill of Mr. Walter. Whatever faults there may be in the design are distinctly the outcome of the limitations which were imposed upon the architect in adapting the new conditions to the building as it then existed. The Dome had to be designed in proportion to the enlarged building, and yet Mr. Walter found himself compelled to place this larger Dome upon the masonry foundations and walls of the smaller Dome. Owing to the fact that the foundations were built on most unfavorable soil, he very naturally hesitated to add upon these walls any unnecessary masonry weight or to disturb in any way the existing masonry where it could be used and adapted to the new conditions. He felt very strongly, however, as we do, the defect that on the east front the Dome does not appear to be supported; in fact, it overhangs the wall of the building and seems to rest partly upon the portico. He was right in wishing to have this defect corrected and, also, in wishing to add another column on either side of the central motive on the east front of the building, thus increasing the width of the pediment and making the central motive with its pediment predominate over the two wings with their pediments. While we feel, therefore, that the direct elevation of the east front of the Capitol recommended by Mr. Walter should be carried out in every respect, we are at the same time certain that could Mr. Walter have given more time and further study to this great problem, unhampered by practical limitations, he would have been finally persuaded not to project the central building with its pediment any farther east than absolutely necessary to give the Dome the apparent support which it now lacks.

In our judgment, one of the most impressive views of the Capitol is obtained when one sees the entire east front and the Dome together, which is only possible while standing fairly close to the building and to the east of either the Senate or House wing. Now, if the central building were brought too far forward it would mask the Dome and destroy this very picturesque and yet imposing view of the Capitol, and there would be no point from where the entire height of the Dome could be seen in its relation to the rest of the building, which is now possible on the east front.

We also believe that if this central building were carried far forward toward the east the architectural effect of the entire east front would be injured, even when considered without regard to the Dome. In a monumental scheme of this character three parts or architectural motives are much simpler, and a broader and better composition, than five parts. The extreme projection of this central building would completely destroy the present composition of three units, with its breadth and simplicity, and would not only produce a division with five members—the center, the two wings, and the intervening spaces—but would make these members practically equal in size and architectural value. That such a composition already existing on the west front is nevertheless rather imposing is to be ascribed to the fact that the Capitol is always so greatly foreshortened by the perspective, due to the fall of the land on the west—a result which could not be expected on the east front, where the foreground is level and the building can be seen in close proximity.

Another important reason for not making this great projection is that it would destroy the court-like effect of the east front where the two wings project beyond the simple and broad central building, one of the most picturesque and pleasing features of the Capitol wherever seen on the east, but especially when standing fairly close to the building and looking up at the Dome.

Lastly, it would seem most unfortunate not to be able, when looking diagonally toward this façade as one approaches from the north or from the south, to see the full length of the building as at present. The extreme projection of the central building would produce this result, for it would practically mask that part of the building beyond it, so that when approaching the Capitol from the south one would see the House wing and the central projection, while the Senate would be hidden from view by the projection of the central building. The same would be true with regard to the House wing when approaching the building from the north. We are, therefore, strongly of the opinion that if Mr. Walter had been entirely unhampered by practical considerations, and if he had written his report after the completion of the Dome and the two wings, he would have reached the same conclusion.

In view of these considerations, and after very careful study, we respectfully submit plan, Scheme A, as being, in our opinion, the most conservative and in every way the best solution of the architectural problems involved in correcting the defects of this façade, to which Mr. Walter called attention in his report of 1865.

Realizing, as already stated, that the composition of this façade, and especially the relation of wall surfaces to each other, should be changed as little as possible, we have moved the entire front of the central portion forward only so far as necessary to bring the main wall of the building, at the center, under the extreme projection of the Dome, and give the Dome the apparent support which it should have. At the same time we have added one column on each side of the main pediment, broadening the pediment accordingly, so that it will dominate the two pediments of the Senate and House wings, which Mr. Walter so strongly felt should be done.

In this scheme no consideration has been given to increased space within the building, and the problem has been solved strictly according to the architectural necessities of the case; nevertheless the moving of the wall easterly 12 feet 10 inches gives on the main floor to the east of

Statuary Hall a series of alcoves which can be used to advantage for the additional storage of documents, and to the east of the Supreme Court a similar series of alcoves, back of the present screen, for retiring or robing rooms for the judges. Similar alcoves would also be obtained in both cases on the floor above, which could be reached from the central portion of the building and used for various purposes. These changes would in no way affect any of the internal arrangements or even the decorations on the main floor.

In the basement this additional projection has added to the size of the adjacent rooms, enlarging and improving them, especially in the case of the law library under the Supreme Court.

In the central section of the building two spacious rooms are obtained on either side of the main entrance, with windows opening onto the portico, giving 12 additional rooms for committee or other purposes, those on the first and second floors being well lighted and all very accessible.

We strongly recommend that whatever alterations are decided upon should be substantially in harmony with this plan, scheme A, and that in no event should the central portion of the building be made to project any farther eastward than shown thereon.

We have prepared an alternative plan, scheme B, partly to illustrate our contention that the building should not be projected farther eastward than absolutely necessary to give an apparent support to the dome, and at the same time to show what, in our judgment, is the least objectionable manner, if the architectural beauty and simplicity of the east front are to be preserved, of obtaining additional space within the building while retaining to the greatest possible extent the present character of the east front.

In scheme B the central portion has been projected 32 feet 6 inches easterly from the walls of the Supreme Court and Statuary Hall, adding to the building 14 spacious and well-lighted rooms on each floor, 7 on each side of the main entrance. These rooms are approached by a corridor of ample width connecting with both the Senate and House wings, the rotunda, and other important circulations of the building. This corridor, besides giving the Senators and Congressmen direct access to their respective committee rooms, also provides a new communication from one end of the Capitol to the other, which would be both private and convenient.

In order to obtain this through corridor and at the same time avoid the deep-recessed courts which would then exist between the Senate wing and the central building on the one side and the House wing and the central building on the other, we have indicated on the plan, scheme B, entirely new sections. Each of these new sections connecting the central building with the Senate and the House wings would contain four additional large rooms on each floor, opening into a court, supplying light from the east to the present passages connecting the main building with the Senate and the House wings. The colonnade now existing at this point is moved forward to form the easterly façade of the new connecting sections.

By reference to the plan it will be seen that under this scheme 18 large, well-lighted rooms are obtained on the main floor and a similar number on the gallery floor, available for committee rooms or other purposes. Eighteen corresponding rooms are obtained on the ground floor, some of which can be used for committee rooms and others for the services of the building.

From the practical point of view this plan commends itself to us very highly, as it provides ample and well-lighted additional space without disturbing the present internal arrangements of the building or its decorations. It establishes, besides, a new and important circulation between the two wings, serving the different new committee rooms. It produces a more interesting and satisfactory façade than could be obtained under the recommendation made by Mr. Walter in his report of 1865. It would be simpler and more dignified, and would preserve the breadth and monumental character of the easterly façade; but it would be much less interesting and picturesque. It would be such a great change from the present façade, so familiar to our people, and which they have learned to love and venerate, that we make this suggestion merely to meet the condition which has been imposed upon us by your commission of reporting a scheme with added space. We hope, nevertheless, that this alternative plan, scheme B, will not be favorably considered.

In order to facilitate the study of this problem by your commission we submit herewith a plan of the main floor of the United States Capitol and a large photograph of the east front showing the building as it exists to-day; also a complete elevation, at double the scale of the plans, showing the easterly façade as it would look in direct elevation with the greater width of the pediment obtained by the addition of one column on each side of the present pediment. Sketch perspectives and complete models of this façade are likewise submitted, further illustrating scheme A, scheme B, and the east front as it exists to-day.

In the preliminary estimates, which we append to this report, as requested by your committee, giving the cost involved in the execution of either of the schemes proposed, we have also included alternate estimates for refacing the present central building of the east façade with white marble to correspond with the Senate and the House wings, the present design being, of course, reproduced in every detail. One estimate submitted is for the reproduction of the façade in every detail just as it stands; the other includes the suggested addition of two columns and the widening of the east pediment, otherwise reproducing the present façade.

Estimates are also submitted, first, for the probable cost of a sculptural group in the House pediment to correspond in character, size, and finish with the sculptural work now existing in the pediment of the Senate wing; and, second, for refacing with white marble such portions of the present west front as are now built in sandstone, the present design being, of course, reproduced in every detail.

In accordance with your request we also submit an estimate for replacing with white marble the two broad flights of steps on the west of the Capitol, from the upper terrace to the foot of the embankment where the garden begins. We are strongly of the opinion that an error of judgment was made in using a dark material for these steps, and that the present effect is most injurious to the general harmony, dignity, and repose of this impressive front. This work would not disturb any of the white marble ramps and balustrades, and contemplates only replacing the bluestone steps and platforms with white marble.

In conclusion we should state that during the study of this important problem and the preparation of this report we have conferred from time to time with the Superintendent of the Capitol, and we are greatly indebted to him for his very valuable assistance.

We have the honor to remain, very respectfully, your obedient servants,

CARRÈRE & HASTINGS,
Consulting Architects.

NEW YORK, *December 27, 1904.*

ESTIMATE OF COST, UNITED STATES CAPITOL EXTENSION.

The following estimates include in each case all labor and material complete in place on the building:

EAST FRONT EXTENSION.

Scheme A (12-foot 10-inch projection).

Cut stone, including all steps (white marble)	$590,000
Masonry and fireproofing	100,000
Steelwork	20,000
Roofing	15,000
All interior work	75,000
Total	800,000

Scheme B (32-foot 6-inch projection).

Cut stone, including all steps (white marble)	$635,000
Masonry and fireproofing	200,000
Steelwork	50,000
Roofing	30,000
All interior work	160,000
Total	1,075,000

Reproducing present east front in white marble without any changes.

Cut stone, including all steps (white marble)	$455,000
Masonry (entirely new wall)	60,000
Roofing	5,000
All interior work	30,000
Sculpture	15,000
Total	565,000

Reproducing present east front in white marble; also adding two columns and increasing the width of pediment.

Cut stone, including all steps (white marble)	$450,000
Masonry (entirely new wall)	75,000
Roofing	5,000
All interior work	30,000
Sculpture	15,000
Total	575,000

Reproducing present west front in white marble without any changes.

Cut stone, including all steps (white marble)	$325,000
Masonry (entirely new wall)	65,000
Roofing	5,000
All interior work	30,000
Total	425,000

Terrace steps, west front.

Marble steps	$37,000
Removing old work	5,000
Masonry	8,000
Total	50,000
Sculptural treatment of the east pediment of the House wing, including the sculptor's honorarium for the model; supplying of the necessary marble, erected in place, and the execution of the carving from the artist's model	55,000

Respectfully submitted by—

CARRÈRE & HASTINGS,
Consulting Architects.

NEW YORK, *December 27, 1904.*

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. BLAND of Indiana. I wonder if the plan contemplates a change in the Goddess of Liberty that wears the Indian helmet.

Mr. SHERLEY. I do not know that that was contemplated at all.

Mr. BLAND of Indiana. The gentleman is no doubt familiar with the history of that statue.

Mr. SHERLEY. Yes.

Mr. KING. If the gentleman will pardon me, I desire to inform the gentleman from Indiana that if he will read the Standard Guide of Washington he will find that it is not the Statue of Liberty but the Statue of Victory Armed, and that is why she wears a helmet.

Mr. BLAND of Indiana. Then it is evident that the best authority in the city of Washington on that subject is wrong. I am informed that the Goddess of Liberty should have worn a liberty cap, but the liberty cap was objectionable to Mr. Jefferson Davis, then Secretary of War, who prescribed the Indian helmet.

Mr. KING. That is entirely erroneous.

Mr. STAFFORD. Mr. Chairman, when the matter was before the House there was strong opposition to adopting the report and extending the east front of the Capitol. This amendment merely proposes a revision of the estimates and enables the subsequent Congress to take such action as it sees fit on the report, and therefore I shall not press the point of order against the proposed amendment.

The CHAIRMAN. The point of order is withdrawn, and the question is on the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The Clerk read as follows:

Legislative drafting service: For salaries and expenses of maintenance of the legislative drafting service as authorized by section 1303 of the "revenue act of 1918," the unexpended balance of the appropriation for this purpose for the fiscal year 1919 is reappropriated and made available for the fiscal year 1920, together with the further sum of $20,000.

Mr. SHERLEY. Mr. Chairman, I offer at this point, after line 14, page 37, a new paragraph, which is the amendment I gave notice yesterday that I would offer in connection with the creation of a joint committee on financial methods.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Insert the following after line 14, page 37:

"That a joint commission of Congress is created, to be known as the joint commission on financial methods, which shall consist of six Senators, to be appointed by the President of the Senate, and six Members of the House of Representatives, to be appointed by the Speaker. Any vacancy arising shall be filled in the manner of the original appointment, but vacancies shall not be created by the expiration of the term in Congress of any Member.

"It shall be the duty of the commission to inquire into the methods of the Government in connection with each of the following financial functions and their relation to one another in order to effect a proper correlation thereof and to recommend such changes in present methods as may be deemed necessary:

"(1) The preparation of estimates of appropriations and data explanatory thereof and their transmission to Congress.

"(2) The consideration of estimates of appropriations and the preparation and consideration of appropriations by the Congress.

"(3) The disbursement and expenditure of appropriations by administrative officials.

"(4) The auditing of accounts arising from the disbursements of appropriations and the reporting to and consideration by Congress of expenditures of appropriations, with especial reference to the establishment of a system of auditing and reporting of expenditures that shall be responsible to the Congress.

"The commission shall report by bill or otherwise to the two Houses of Congress, with any recommendation it shall choose to make, at such early date as may be practicable, and shall have the right to report at any time.

"The commission is authorized to sit during the session or recess of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this section. It may demand and shall receive full cooperation and assistance from the administrative branches of the Government.

"The commission may select its officers and may incur such expenses as may be necessary, to be paid on proper vouchers approved by it and evidenced by its chairman, not to exceed in the aggregate the sum of $100,000, which is hereby appropriated and made available until June 30, 1920."

Mr. SHERLEY. Mr. Chairman, I shall not delay the House at this time with a discussion of a budget system for the Government. I have had occasion a number of times to speak on the subject, and I shall at the conclusion of my very brief remarks ask to have permission to extend them in the RECORD by making a somewhat more elaborate statement as to my own personal views touching the character of the reforms that ought to be undertaken. The amendment that is proposed provides a joint commission of six Members of the House and six Members of the Senate, the idea being that this whole matter ought to be one in which the legislative body should take the initiative and have the control of recommendations that should be made touching what to my mind is the most important reform that can take place in connection with the Government of the United States. It provides that the Members who are appointed shall not cease to be members of the commission by virtue of ceasing to be a Member of Congress. The idea of that was simply to have a continuity of work, and in that connection, for fear anyone might misunderstand my own attitude in connection with it, I shall cease to be a Member of Congress on the 4th of March, but it is not my intention to accept, even if it should be tendered to me, a place upon this or any other commission that may be created by the Government of the United States, so that the provision that is here is put here without regard to any personal desire of any Member.

Mr. Chairman, I came into this Congress nearly 16 years ago. One of the first speeches I ever made as a very young Member was to call attention to the needs to my mind of a budget system, of a system that would require both the Executive and the Congress to consider the estimates for appropriations as a whole before they undertook to consider details, and to match outgo and income with some degree of consistency.

This Nation has been so wealthy in the past that the sums that it could raise by taxation were in excess of even the extravagance of any administration or of any Congress; but the time has come when that is no longer true and when there will be required the highest order of statesmanship to match the revenues to the Government that can be obtained by proper taxation with the expenditures that should be made in economically administering that Government. It is a thing that can not be determined immediately. My personal hope is that if this should become enacted into law the members of this commission will from time to time make separate reports on special matters, in order that the Congress might digest the proposals that come. One of the things in particular that I hope will come out of the recommendations of this commission is an independent audit, subject to the control of Congress and not to the administrative branch of the Government. [Applause.] That was the great reform that Gladstone put into the parliamentary procedure of England. It is the one thing that is essential in order to keep Congress advised of expenditures without compelling it to look to a lot of details; and, as I have repeatedly said to the House, the trouble is that with such a mass of detail as we have to consider here we do not have the time for the consideration of great policies of government, with the result that administrations determine policies and Congress simply votes money to carry them out. I believe that in a free country the real power of determining policy must rest with the legislative branch. There is a limitation upon what men can do, and if the Congress is required, in order to prevent waste, constantly to consider little items of detail in the various departments, it inevitably follows that it can not have the time for the consideration of those great, vital things that affect the very nature and structure of our Government. I hope that by a proper system of audit, of audit that is responsible to the Congress, we can have brought to our attention the things that need correction without the detailed consideration that is now required, and that that will give the leisure to enable this House—which, after all, is the real guardian of the liberties of the people, because it represents at short periods of time the popular will of the people—to take its true place in determining what shall be done and what shall not be done in respect to the great questions that confront this country and the world. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. HAWLEY. I followed the reading of the amendment as closely as I could in the confusion existing in the Chamber. Does this amendment provide that the Members to be appointed in the Senate and the House shall be divided between the two political parties?

Mr. SHERLEY. It does not, and yet it is my idea that it should. Personally I have no objection to the insertion of an amendment that will so perfect the form. It is my belief that the Speaker of the House of Representatives ought to pick out six of the ablest men in the House—three from each side. This is not a matter of partisanship; it is a matter in which we are all equally concerned. Both parties are on record in favor of the reform. I think the Speaker ought to appoint three men on each side, and I hope the Vice President will do the same in the Senate, and that those men, having, as the amendment provides, a sufficient fund to get proper clerical assistance, and to have the departments subject to their orders touching help and information, may report from time to time to the Congress. The House of Commons in England recently created a committee for this very purpose, and one of the most interesting things is that in their last report—I think their ninth report—they are proposing a committee that bears a very close relationship to the Committee on Appropriations in this House, and the criticisms of their procedure are just as severe, if not more so, than any criticism I have heard against our own. And that, by the way, is a good illustration to those who think everything else is done better elsewhere than at home, of the old saying that far-off oxen have long horns. They have their problems there and elsewhere, and they are not solved. The problem of good government will never be finally solved. It will be a progressive matter. My idea and my hope is that there will be a commission of the character I have indicated.

Mr. HAWLEY. Mr. Chairman, will the gentleman offer such an amendment?

Mr. SHERLEY. I shall be happy to do so. Mr. Chairman, I offer to amend, in line 5, after the word "Representatives," by adding the words "three of whom shall be of the majority party and three of whom shall be of the minority party"; and I offer after the word "Senators," in line 3, the same amendment.

I desire, under leave granted to extend my remarks, to reprint a speech made by me in the House of Representatives on February 28, 1913, which, for lack of time now to prepare a more comprehensive statement of the necessity for the creation of the joint commission proposed by this amendment, sets forth the main defects which I believe to exist in our present system of dealing with estimates, appropriations, and expenditures:

SPEECH OF HON. SWAGAR SHERLEY, OF KENTUCKY, IN THE HOUSE OF REPRESENTATIVES, FEBRUARY 28, 1913.

"Mr. SHERLEY. Mr. Speaker, I desire to express to the Members of the House my appreciation of the opportunity afforded me to speak to them in these closing hours, when there is so

much of legislation to be enacted, and my only excuse is that the subject of my speech I believe to be of great importance to the House and to the country, and I desire the intelligent criticism of my colleagues touching the proposals that I shall make relative to the procedure of the House. Two days ago the President of the United States sent a message to the House on the subject of a national budget. I shall not undertake in the limited time at my disposal to deal with the many phases of so vast a subject as that or to consider the message itself, but beyond some incidental remarks touching the general subject of a budget I desire to address myself to the proposition of creating a budget committee for this House in order that there may be a more comprehensive and effective consideration of revenue and annual supply bills.

"The United States is peculiar among all of the great nations of the earth in that it has never developed what might be called a budget system of government. At the time of our independence, England had not developed that system of responsible government that has since been the model for so many other nations, and a budget as a method of fixing responsibility was, in its modern sense, practically unknown. And yet the elements of a budget system are found in the Constitution itself. Article I, section 8, provides that 'the Congress shall have power to levy and collect taxes, duties, imposts, and excises'; and section 9, paragraph 7, provides that 'no money shall be drawn from the Treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be furnished from time to time.' By these provisions the legislative body, the only logical representative of a free people, is given primary and theoretically complete control over taxation and expenditure, but by virtue of other provisions in the Constitution giving to the President the power and duty to administer the law, with the right to appoint the chief administrative officers, such actual control over expenditures as is exercised by Parliament under the English system is impossible here.

"I shall not undertake now any discussion of the English system. It is sufficient to point out that its cardinal virtue lies in the fact that those who administer the laws are chosen from and are a part of the legislative body and hold their ministerial posts at the will of that legislative body.

"Yet constant reference is made to this system, and by some all proposals are to be measured by it. In so doing they seem to forget that government is a matter of evolution. Probably the cause of more failures to reform methods of doing government business—city, State, or National—is the fact that the man proposing the reform faces it from the outside rather than from the inside. Governments, like men, are always narrowed and restricted by habits—personal habits, if I may be pardoned for such a use of the word—habits that restrict their activity and their initiative just as they do every individual. Having in mind some of the habits of our Government, and particularly of this body, I have a proposal that, while not representing an ideal reform, is sufficiently simple, I trust, to enable it to be adopted and yet of sufficient importance to produce some real relief from our present intolerable system and in time lead the way to other reforms. But, before I read the proposal, let me very briefly outline our present practice, familiar though it is to most of you.

"The theory of the makers of the Constitution was a separation of the executive, legislative, and judicial departments, a separation that has continued and must continue in the absence of a radical fundamental change in our Constitution. And, as I have indicated, that makes unnecessary of consideration the many propositions that are presented that are predicated on the idea of a ministry that is the Government and comes out of and is answerable only to the legislative body; where they prepare and present a budget and on its legislative success or failure depend their ministerial lives. Here the President, chosen by all the people and absolutely free from accountability to Congress, save only through impeachment for malfeasance in office, selects his Cabinet officers, who by express constitutional prohibition may not be Members of Congress. These Cabinet officers are responsible to Congress in no true sense of the term, their tenure rests with the President, and while Congress may and does impose duties upon them, the proper performance of such duties can in no effective way be compelled by it. Among the duties so imposed is one requiring them to submit detailed estimates of needed appropriations for an ensuing year.

"The estimates must be submitted to the Secretary of the Treasury by the 15th of October each year and by him submitted to Congress upon its opening in December of each year. It is made his duty to assemble them and to present them to the Congress in the form that has been usual in presentation of the estimates of the various departments; and if they are submitted to him in a form other than that in which they have heretofore been submitted, it is his duty to put them in the proper form, leaving to a footnote any suggested change in form. Recently it has been made also his duty to estimate the revenues of the ensuing year and the appropriations probably necessary for the maintenance of the Government; and if it is found that the appropriations will exceed the estimated revenues, then he shall certify that fact to the President of the United States, that the President in communicating to Congress may inform it how the appropriations can be curtailed or the revenues increased. Many other provisions of law exist touching the preparation of particular estimates, concerning which you are doubtless familiar. All of these various laws are ones limiting the discretion of the administrative officers. These limitations are frequently the cause of useless trouble and expense in particular cases, but Congress, having, as I have indicated, no real direct control over the departments and constantly finding abuses, is forced into continual limitations upon the discretion of all these officers. Congress, in brief, distrusts them, and they in return frequently assume an attitude of hostility toward its will.

"And this is a condition that is not simply the result of an improper presentation of estimates and expenditures, as stated by the Economy Commission in its budget report, but grows directly out of the facts I have just stated of Cabinet officers having a fixed tenure and a responsibility, not to the body granting the funds but to the executive who is to see to their expenditure. Now, in the preparation of the estimates of the departments each Cabinet officer acts on his own responsibility, and while they are all transmitted to Congress by the Secretary of the Treasury, he is simply the messenger for the various departments.

"John Sherman, one of the very greatest of the Secretaries of the Treasury that this country ever had, undertook to get the power to supervise the estimates of the other members of the Cabinet. But naturally every one of the other Secretaries objected to having a veto power given to anyone else over the budget that he presented, and so the matter failed. But Congress could well afford to give to one member of the Cabinet not only the power but to make it his duty to revise these estimates. And the reason of that would be this: You would then compel a certain consideration by the executive department of the budget as a whole. There is a tendency for each Secretary to consider the needs of his department only; and not unusually the sum total of the estimates to be submitted is found not by any consideration of the Government's power to raise revenue, not by any consideration of the relative merits of this department's demands as against that department's demands, but simply by the opinion that the head of each department has of its needs and then a sum in addition. And so I believe that one of the reforms that should be had and that could be had without in any way changing the present form of government would be to empower and direct the Secretary of the Treasury to revise the estimates. Of course we can not require the President. We can simply do as we did in this instance that I speak of, require the Secretary to communicate to the President that the President may, in turn, inform Congress. But the fatal mistake in the provision enacted was that it required the Secretary of the Treasury only to inform the President when he found the estimated revenues to be less than the estimated appropriations for the ensuing year. Now, the reason for it exists just as much in a case where the revenues of the country may be sufficient to meet the ordinary expenses as it does where we are likely to have a deficit in the revenues. And unless the duty is imposed upon him you will not have, other than through the initiative of some Executive desirous of bringing about reform, that supervision and consideration of the different items that go to make up a budget.

"I quite agree with the Economy Commission that the form in which estimates are submitted is not one calculated to give to Congress the information it most needs or desires. A rearrangement should be made of the estimates, but here it is well to bear in mind what I have said of the habits of government. This Congress has adapted itself to certain classifications. Some should be abolished, but some, though scientifically not defendable because of a fixed habit, should be retained.

"In some particulars we have a proper plan. The beginning of the fiscal year is near enough to the time when the estimates are submitted and near enough to the period at which those estimates are likely to have been enacted into law to bring about as much accuracy as possible in dealing with the future. In this regard I think the system is all that it should be. We have also passed stringent laws in regard to the creation of deficits, and have done much to require the keeping within the year of the expenses of the departments, and not to permit the

borrowing from a future year for the expenses of a current year, with the idea of enabling the Government and the legislative branch of it to know without serious difficulty what the appropriations for a particular year happen to be. But much more can be done along this line.

"But the great reform to be made is, as I have said, to compel consideration by the Executive and his Cabinet of the estimates as a whole. It may be that Congress will insist on having the original estimates of departmental chiefs, though I do not believe it need to, but certainly, if possible, the Executive should be required to assume the responsibility of a budget proposal, and Congress can then take the responsibility of granting, curtailing, or enlarging such proposal. As it is now, there is no true central executive responsibility. Much of this reform could be had without change of law on the initiative of the President. It is his duty to advise Congress from time to time, and as a basis for such action he can require any information desired from administrative officers.

"But it is not as to the administrative side of the budget that I desire to chiefly speak, but of its legislative aspect, though they are so dependent upon each other as to make it necessary to constantly consider both.

"The estimates sent to Congress, as you know, are distributed to the various appropriating committees and these committees from time to time report bills appropriating such sums as are considered proper for the various governmental departments.

"Up until the Civil War the Committee on Ways and Means had jurisdiction over both the levying of taxes and the appropriation of the revenues. It very properly, from the standpoint of theory, had charge of those two highest functions of government, the levying of taxes and the spending of money raised as a result of the levy. But in 1865, largely on account of the tremendous labors that were being imposed upon that committee, a division took place, and there was created the Committee on Appropriations, and given to it exclusive power over the appropriation bills, leaving to the Ways and Means Committee the power it now has of exclusively considering the revenue bills. In this country it has been supposed by some people that there was not that same need for having a central authority over matters of raising revenue and matters of expenditure that existed in other countries. To my mind that is a mistake. It has been true, and probably will be true for many years, that Congress will levy taxes frequently for purposes and reasons other than the raising of revenue. But it ought to be true that somewhere in a legislative body there should be some central authority to consider the levying of taxes and the raising of revenue in connection with the appropriation of moneys for the maintenance of the Government. Nothing is stronger evidence of a bad system of government than the piling up either of huge surpluses, that are a constant invitation to extravagance, or the failure to provide sufficient revenues to meet the ordinary and necessary expenses of the Government. And to properly prevent that there must be cooperation somewhere between that power that first formulates the bill to levy the taxes and that power that first formulates the bill disposing of the money so raised. But we have not only separated these two functions of raising revenue and of disbursing revenue, but in 1880 we took from the Committee on Appropriations control over the Agriculture appropriation bill; and that was followed in 1885 by taking from them control over the appropriation bills relative to the Army, the Navy, Indian affairs, foreign affairs, and rivers and harbors; so that to-day the Committee on Appropriations has control of 6 out of the 14 supply bills, and you have seven or eight different roads to the Treasury; and as Mr. Tawney, the former chairman of the Appropriations Committee, very happily said, 'As many byways as there are members of these appropriating committees.' The result of that has been that there is not now any consideration in Congress of the appropriations as a whole.

"Only in these closing days of Congress has any consideration been given to the total of expenditure that is to be made for the ensuing fiscal year. In other words, after the act has been done and is in large measure beyond recall, there then comes a summing up to determine whether or not it has been a wise or a foolish act.

"Now, a more indefensible system can hardly be imagined, and all will unite in condemning it. But what of the remedy? And that brings me to my proposal. I have undertaken to provide in the resolution that I will read in a moment a means to compel a consideration by this House, and through that consideration by the country at large, of the broad fundamental question of how much shall be raised and how much shall be expended during a fiscal year; and that having that, we will then be able to consider not simply the details of particular supply bills, as we do now, but how far we want to pursue a given policy of government touching expenditures along one line or another. The resolution I have introduced is in language as follows:

"*Resolved*, That the following rule be added to the rules of the House, and to be known as section 6 to Rule X:

"6. There shall be a committee on estimates and expenditures, whose personnel shall consist of the following members: The chairmen and three ranking majority members and the ranking minority member of the Committees on Ways and Means and Appropriations, and the chairman and the ranking minority member of the Committees on Rules, Agriculture, Foreign Affairs, Military Affairs, Naval Affairs, the Post Office and Post Roads, Rivers and Harbors, and Indian Affairs. The chairman of said committee shall be selected by the members thereof. Said committee shall, as soon after the convening of each regular session of Congress as may be, report to the House the amount of revenue probably available for appropriation for the next fiscal year, and apportion the amount to the several appropriation bills within the jurisdiction of the committees empowered by the rules and practice of the House to report appropriations from the Treasury. This report, or supplementary reports to meet exigencies of the public service, may be made on any legislative day after the reading of the Journal, and when agreed to by the House shall limit the totals of the appropriations reported by the several committees.

"The proposal is substantially this: That instead of undertaking what I believe to be the impossible task of bringing back to the Committee on Appropriations jurisdiction of all the supply bills, to create a committee composed in its personnel of the heads of the various appropriating committees. I gave to the Committee on Ways and Means representation greater than any other committee except Appropriations. I did that because the Committee on Ways and Means is properly charged with the great function of determining the amount of revenues that shall be available. I gave to the Committee on Appropriations a preponderance over other appropriation committees, not out of partiality for that committee, but because it has under its charge six of the great supply bills, whereas the other great appropriating committees have only one, except in the instance of the Committee on Military Affairs, which reports two supply bills. I also made as a part of that committee the chairman and the minority member of the Committee on Rules, because that is necessarily the great political committee of the House and should have a voice in a matter so fundamental as the arrangement of a budget.

"This committee would consist of 16 majority members and 10 minority members. It is urged that that is too large a number, but I desire to suggest to the House that it is really two committees, because the majority members would necessarily come to their conclusions in private, just as the majority members of the Committee on Ways and Means now do, and they would then present to the minority members their proposal.

"A counter proposal of the minority would be made, and those two proposals would come to the House for adoption or modification. These reports would bring to the attention of this House and require the consideration by it of the real purposes of government and of legislation, for in the final analysis nearly every proposition that comes before a deliberative body is one either of taxation or expenditure.

"Now, I insist that one of the most vicious things that has occurred in America has been the constant raising of revenue without any consideration of the needs of revenue for the purposes of government, and, as a result of that—having a country whose tax limit has never been even approached, let alone reached—we have at various times piled up great surpluses in the Treasury, a constant invitation to extravagance in expenditures.

"This report when adopted should be made a limitation upon the power of any committee to report. As an illustration, the committee on the budget estimates that the revenues will amount to a thousand million in the ensuing year and that that sum should be the amount proper to be expended. Having determined that general amount, it then allots it, and it says to the Army, 'You will have $90,000,000.' It says to the Navy, 'You shall have a hundred and thirty million dollars.' Of course, I am speaking just in loose figures, and to the various other appropriating committees, you can appropriate such sums. The problem, then, that will confront the departments will not be simply how much can we expend—that has been determined—but how best can we expend that sum in the interest of the people of America? [Applause.] And instead of having the ingenuity of the department expended in trying to arrive at reasons for increased appropriations you will compel every department which comes with a particularly new or pet proposal of theirs to show something that can be eliminated or economized in in order to make room for the new proposal.

"Mr. HUMPHREYS of Mississippi. I would like to ask the gentleman a question there.

"Mr. SHERLEY. I yield to the gentleman.

"Mr. HUMPHREYS of Mississippi. Suppose the Congress should think it desirable to engage upon some enterprise; for instance,

if we should undertake to take the Mississippi River out of the rivers and harbors bill and undertake to prevent the floods in the lower river just as we undertake to dig the Panama Canal, would not the fact that the budget at the opening of the sessions had limited the expenses to a given sum for that year preclude the Congress from undertaking that work?

"Mr. SHERLEY. It would not necessarily, because the committee on the budget is given power to bring in supplemental estimates from time to time.

"Mr. HUMPHREYS of Mississippi. It would not prevent any committee from bringing in such a bill without the consent of the budget committee previously obtained?

"Mr. SHERLEY. It would as to any appropriation not provided for in the original report or some subsequent report of the budget committee. Now, the resolution I read I do not think is complete, nor do I think it is entirely in the proper form. I am sure that it should be supplemented by a rule which would make subject to the point of order any bill reported by any committee appropriating a sum that was in excess of the amount allotted for such purpose; so it would be within the individual power of any single Member to recommit to the committee reporting it a bill which violates the rule that the House had adopted. In addition to that I am inclined to believe we are going to be forced to the position now occupied in the English Parliament, where it is no longer in the right of a single member to make a motion to increase any item in any of the supply bills.

"Mr. FOWLER. The gentleman says you make subject to a point of order an appropriation in amount in excess of the budget allowance. Now, would the gentleman also make it subject to the point of order to appropriate a sum less than the amount of the budget allowance?

"Mr. SHERLEY. By no means. I would not undertake to say these committees in working out their details should not make economies beyond that suggested by the budget committee. The whole function of the budget committee is not to usurp the work now being done by the various appropriating committees, because, in my judgment, there is no limited number of men, such as would comprise a committee of working size, sufficiently industricus and sufficiently intelligent to do the work of preparing the detail of all the supply bills that are to be appropriated by this Congress, and that is one of my answers to the proposal frequently made that you should give back to the Appropriations Committee entire charge. I say, if we do that, it will result in dividing that committee simply into subcommittees, and that those subcommittees would be as distinct for all practical purposes as the various appropriating committees are now.

"Mr. HAMLIN. I am in entire sympathy with the gentleman, I think, and I believe he is along the right line; but it has been suggested—I have heard it suggested—that it might place too much power in the hands of a few men, and, as I understand the general scheme, this budget committee must report to the House, and the House must adopt its report before it is binding.

"Mr. SHERLEY. The gentleman is right. The budget committee's report would be binding only when approved by the House.

"Now, the criticism suggested by some and just mentioned by the gentleman really applies to the proposal urged in lieu of mine, of giving back to the Appropriations Committee exclusive jurisdiction of supply bills. That is what destroyed it before. That committee would determine what is the real function of the House alone to determine—the relative size of the various bills. Now, I believe in power and with it responsibility, but what I particularly want is the power of a party and not a committee of a party, and then, as a true sequence, party responsibility.

"In my judgment, a lot of the trouble in American public life now is not so much that a combination of men have too much power, but that many individual men have so much hidden power that no party can be held responsibility by the American people. I am a believer in party government. I believe the present condition of affairs we are passing through in America is altogether a temporary one. You can not agree to the idea, that we of Anglo-Saxon stock have been bred to believe in, of a true representative government unless you have party responsibility, and one of the curious features of evolution in America is that everywhere else than upon the floor of this House the tendency has been more and more toward the centralization of power, and with it responsibility. What is the meaning of the commission form of government in cities? What is the meaning of the constant tendency to lessen the number of officials? It is to give to a limited number of people power, and then give to the great body of the people the right to make those men who have been given this power answerable and responsible.

"Now, we have developed in America a peculiar system, a system of committee government largely brought about by the tremendous detail of legislation that comes in a great country like this. The result is that every old Member realizes that in committee is done most of the great creative work touching legislation. That is a condition that we could not change now if we would. But it ought to result not in taking away from committees power in the first instance, but in bringing their work before Congress, so that the whole body can pass judgment upon it and so as to create party responsibility. We had a debate in this House just a few days ago touching the size of the American Navy. That debate should not have happened on the naval bill. It ought to have happened in the consideration of a budget. This House ought to determine, the Congress ought to determine, in the first instance, how much it can and how much it is willing to expend for military purposes, whether for the Army or for the Navy, how much for peace, how much for the ordinary upkeep of the Government, and that determination should be made before we get into the details of bills.

"If that had been had, the question that would have been before this House for determination when the naval bill was up would not have been the size of the bill, but whether the particular items were proper items and whether that amount of money could better be expended in building a particular type of ship or another type or doing this particular work or that particular work. Instead of that you had a debate here that undertook, in a way, to review the general appropriations and whether we were running away beyond what Congress ought to appropriate during a single session.

"Mr. TILSON. Mr. Chairman, may I interrupt the gentleman?

"Mr. SHERLEY. Certainly.

"Mr. TILSON. I would like to ask just what part the gentleman has assigned here to the Senate? What would he do with the amendments brought in by the Senate?

"Mr. SHERLEY. That raises a question I expected to come to later, but will discuss now. It has been suggested that this plan would be of no avail because we fail to take into consideration the Senate, which is a body of equal power with this. I grant you that is a weakness, and it may be that the remedy for that is to have this committee on the budget to report a concurrent resolution, which shall be adopted by the House and sent to the Senate, and there considered by the Senate and if modified go through the ordinary course of conference, and finally be agreed to, and, when agreed to, shall mark the absolute limitations of the Congress.

"Some have suggested the idea of a joint committee made up of the House and the Senate, but knowing, as I said in the beginning, the habits of Governments, the habits of these legislative bodies, I did not believe it was practicable, at least at this time, to bring about such a joint committee of the House and the Senate. But this I do think would happen, even if we had no cooperation with the Senate: The very moment you focused public attention upon such a consideration as I have outlined would be the result of this budget committee's report, that moment you would stop most of the abuses that we all now recognize.

"Why is it the American people are so indifferent to expenditure? Is it that they are an extravagant people? Is it that they accept in a loose way the constantly repeated statement made here of a former Speaker, that this was a billion-dollar country, and therefore we should have a billion-dollar Congress? No. The reason the American people have heretofore not been interested in questions of expenditure is because they have never had brought to their attention in its broad aspect this question of expenditure. The only time the American people know anything about what we are going to spend is after we have appropriated it, just as this House only knows after it has ended its labors. If this House had known in advance it was liable to find itself with the total it now finds itself with, in my judgment you would have had a very different attitude touching these various supply bills, and when the people have learned of the expenditures there is no party upon whom can be rightfully placed the responsibility.

"While as to the personnel of this budget committee I am not indifferent, I am in no sense wedded to the proposal here made. It has been suggested by some that it would be well simply to have two majority members and one minority member of each of the appropriating committees. My own idea was that the Ways and Means Committee and the Committee on Appropriations were entitled to a larger representation, because they represented in their subsequent work larger interests than those of any other single committee.

"Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

"The SPEAKER pro tempore (Mr. FLOYD of Arkansas). Does the gentleman yield?

"Mr. SHERLEY. Certainly.

"Mr. ALEXANDER. If the resolution were agreed to and this budget committee created, would it not devolve upon this budget committee the duty of hearing all the claims made for appropriations, and would they not duplicate the work of the several committees or else take over to themselves that entire work? How would you manage that?

"Mr. SHERLEY. I think not, although I want to say that the clerk of the Committee on Appropriations, for whose judgment I have a very great respect, and who has had an experience away beyond that of any man here, has thought that that would be the result. Here is what I think: I believe that it would be easily possible for such a committee, having as a part of its personnel men who by previous experience as chairmen of the various committees were familiar with details, to consider the broad questions without hearing all of the people that these various committees now hear or determining all the details. And I suggest a further thought that the trouble now is with all of our appropriations that they are not based upon what we ought to expend or upon what the country ought to be willing to stand for in the way of taxation, but they are based upon what men who have the expenditures to make say they need or desire.

"I believe the time is coming in America when Federal taxation plus that already made by State and county and city is going to be sufficiently burdensome for the membership of this House to consider how far it is warranted in levying a tax; and whenever you reach that point, then you have got to consider—truly consider—a budget. Heretofore, with the idea of doing welfare work by virtue of taxation, we have gathered together such huge revenues that we have never had to consider the question of retrenchment, except occasionally in times of depression.

"Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

"The SPEAKER pro tempore. Does the gentleman yield?

"Mr. SHERLEY. Certainly.

"Mr. ALEXANDER. I simply want the gentleman from Kentucky to understand that I am in entire accord with the purpose that he hopes to accomplish.

"Mr. SHERLEY. I am obliged to the gentleman for his interest and inquiry.

"Mr. HARDWICK. Mr. Speaker, will the gentleman yield?

"The SPEAKER pro tempore. Does the gentleman yield?

"Mr. SHERLEY. Yes.

"Mr. HARDWICK. As I understand the gentleman's plan, it is that, with the exception of some Members from the Committee on Ways and Means and some from the Committee on Rules, the balance of the budget committee would be taken from the appropriating committees of the House. Of course, that is necessary to some extent; but does the gentleman consider that on this budget committee some balance or equilibrium ought to be maintained between the appropriating and the nonappropriating committees; or, in other words, between the fellows who want to hold things down and the fellows who want to increase appropriations? I ask the gentleman whether it would not be a good thing to hold a balance between the economists and the others who might not be economists?

"Mr. FITZGERALD. Where are they? [Laughter.]

"Mr. HARDWICK. I do not know. My private opinion is that they are not anywhere. [Laughter.]

"Mr. SHERLEY. The safety lies in the fact that you have to have the approval of the House of the budget committee's recommendation before it becomes effective. What I believe would happen is this, that the recommendations of the majority members of the budget committee would come before a caucus of that party and would be perfected and adopted in caucus, and that the minority proposals would come before the minority caucus and be approved there.

"Now, I know that there are men on this floor who absolutely differ with that idea, men who do not want what they say is caucus government. I answer by saying that what you need in America more than anything else is party responsibility. Who is answerable for large expenditures? We on this side load the blame on you, and you in return lay it on us. Each of us points to various and sundry votes that have been cast touching appropriations to support our position. But whenever a party comes in with a proposal touching the expenditures for the entire ensuing year, that moment it will make an issue, and an intelligent issue, on which the electorate of the country will determine who shall be given the reins of power.

"Mr. HAMLIN. Mr. Speaker, will the gentleman yield to me for an interruption?

"The SPEAKER pro tempore. Does the gentleman yield?

"Mr. SHERLEY. Certainly.

"Mr. HAMLIN. I recognize that this is one of the most important propositions that has come before the House lately, and I am very much interested in it. I want to ask the gentleman this question: The country is growing from year to year, and of course appropriations and expenditures must keep pace with the growth of the country. Now, this budget committee, in parceling out the amounts of money that shall be permitted to be appropriated this year by the Naval Committee or the Military Committee or the Committee on Agriculture or any other committee, will have to take into consideration, will it not, the estimates of the different departments?

"Mr. SHERLEY. Yes; of course.

"Mr. HAMLIN. Would they not have to hear evidence?

"Mr. SHERLEY. They ought to take up the estimates in one sense. I believe, as I said in the beginning, that this is only a step toward a full reform. What you must have finally is to have the administrative end of the Government present its budget to the legislative end, a statement of what it is willing to stand sponsor for and what it considers to be needed, and then let the legislative body, as it alone can do, determine the policy of how far it will warrant the proposals of the administrative end.

"Now, as to the hearing of evidence. The gentleman has in mind that that would require a consideration of details, just as suggested by the gentleman from Missouri [Mr. ALEXANDER]. I answer no. I believe it is possible to bring before the committee the broad, general question of expenditures. They would not have to go into the details. For instance, take the Committee on Fortifications. I speak of that because as chairman of that subcommittee I am peculiarly familiar with it. That bill carries, as a rule, somewhere from four to seven or eight million dollars a year, dependent somewhat upon the amount of new work that is to be undertaken, the maintenance funds, and so forth. The budget committee would not be required to do the detailed work of examining that my subcommittee does in determining whether a particular amount of money is necessary to buy searchlights or range finders in order to decide whether this Government, as a matter of policy, should spend $5,000,000 or $7,000,000 or $10,000,000 or $15,000,000 on seacoast defenses.

"The trouble is that we have all gotten a reverse idea of the functions here. We have gotten the idea that the policy of Congress is to be determined by estimates. I insist that it is the duty of Congress to determine how much it can afford to tax the people of America; and, having determined that, then to apportion the amounts to be used for the various purposes that they consider requisite and necessary.

"Mr. HAMLIN. In that I agree with the gentleman from Kentucky absolutely; but it occurs to me that in the evolution of this thing finally it might result in the budget committee of necessity going into details, and I want to say that I do not believe I would be averse to that idea. I do not know but what all of these appropriation bills ought to be reported from one committee.

"Mr. SHERLEY. My own judgment is that it is absolutely impossible for one committee to do it.

"Mr. HAMLIN. With a large committee you could subdivide it.

"Mr. SHERLEY. If you subdivide it, you have all the ills you now have, of a divided control over the matter; and what I am after is not simply the consideration by the same individuals of each individual bill, but I am after forcing the consideration by the Congress, and through it by the country, of totals. That is the important thing that must be brought about if you are to have a reform.

"Mr. HARDY. I understand the gentleman's whole theory is that the Government, as a wise business concern, should start off by saying how much money it may be able to raise and spend during the year, and then say to the departments, 'Make your estimates within that total range.'

"Mr. SHERLEY. Unquestionably. As I have said, this theory found expression when the Ways and Means Committee had not only charge of the revenue-raising bills, but it had charge of all appropriating bills; and it was only at the time of the Civil War that that power was taken away from the Ways and Means Committee. It is interesting to remember why. It was because the work became so heavy that they could not do it. Then what happened? The Committee on Appropriations had the entire jurisdiction of supply bills, and there came a great fight on a great leader who was chairman of that committee, and it was believed that Samuel J. Randall had gathered to himself so much power as chairman of the Committee on Appropriations that in order to give the membership their proper share in the Government the Committee on Appropriations should be stripped of some of its power; and gradually, one by one, the appropriat-

ing powers that now find lodgment in these various other committees were taken from the Committee on Appropriations.

"Mr. HAMLIN. I understand that perfectly, I think; but here is the idea: How could this committee properly and fairly determine how much money the Rivers and Harbors Committee, for instance, could expend this year unless they went into the details of the work?

"Mr. SHERLEY. The thing to determine first is how much the Rivers and Harbors Committee shall spend; not how much they could spend.

"Mr. HAMLIN. I did not mean how much they could spend. I meant how much they needed and ought properly to have.

"Mr. SHERLEY. The Rivers and Harbors Committee is a very good illustration. River and harbor work, so far as it relates to contract obligations, ought to be determined by a settled policy that should bear a relationship to the necessary expenditures made along other lines of governmental activity. In other words, every question of expenditure is not simply a question of whether a particular thing is well to do, but whether that thing is well to do, having in mind the need or the desirability of doing some other particular thing. Therefore it would be perfectly easy for a budget committee to determine as a matter of policy that, say, $50,000,000 should be expended for river and harbor work. And it would not need, in order to determine that question, to go into the subject of how much money was needed for the particular work on Red River or how much was needed on the Missouri or the Ohio, but it would determine that, considering the revenues, we can afford to spend only so much, and then it would properly leave it to the Rivers and Harbors Committee to work out the details.

"Mr. EDWARDS. Will the gentleman yield?

"Mr. SHERLEY. Yes.

"Mr. EDWARDS. Does not the gentleman think that perhaps we would be up against this proposition: The budget committee would say that it might expend, say, $50,000,000 for the purpose of improving rivers and harbors, and there would be an incentive or inclination on the part of the committee to go up to it, when, in point of fact, the necessities might not require that amount?

"Mr. SHERLEY. That might be so; but they go up to that point and beyond it now. There would be this: If you carried along with this proposal the other proposal that it should not be in order, in the consideration of any supply bills, for a man to offer an amendment increasing the amount, the activity of the Committee of the Whole would be engaged in holding down the appropriation, whereas every man knows now that every chairman of a committee with a supply bill who comes out here does not have to fight to keep his bill from being reduced, but he has to fight to keep the Committee of the Whole from running away with it and increasing it. Why? Because the selfishness of individual men will always compel, whenever the House permits it, these men to increase expenditures.

"So you have to-day by the rules to protect the Committee of the Whole against the selfish opportunity of individuals. We are all alike; we live in an atmosphere where a man's success here is essential if he is to live. He does not have the opportunity a member of Parliament has, where he lives or falls with his party. Here every man has to show an individual activity under our present system, and as the result of a spur from behind he is constantly seeking to get something for his particular locality, and until you prevent that by the rules or cultivate a public opinion that will not judge Members by the amount of money they bring home to their districts, you will have the same tendency continued.

"Mr. EDWARDS. How many members does the gentleman say the budget committee ought to consist of?

"Mr. SHERLEY. I have stated 26 members.

"The SPEAKER. The time of the gentleman from Kentucky has expired.

"Mr. AUSTIN. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Kentucky be extended 15 minutes.

"The SPEAKER. The gentleman from Tennessee asks unanimous consent that the time of the gentleman from Kentucky be extended 15 minuts. Is there objection?

"There was no objection.

"Mr. MURDOCK. Will the gentleman from Kentucky yield to me for a question?

"Mr. SHERLEY. Certainly.

"Mr. MURDOCK. Under our party government ordinarily the executive department is of the same party as the legislative department, or the majority in the legislature, and the executive department, by reason of patronage and other things, dominates more or less the legislative branch, and the origin to-day of appropriations is not generally on the floor but is in the departmental offices. They do make extravagant demands upon the legislative committees. As I understand the gentleman's proposition, it is—and I think it has virtue—that the initiative of the amounts to be expended will be, in fact, in the legislative body and not in the executive body?

"Mr. SHERLEY. Not entirely. It is true that no legislative body can, by virtue of its very numbers, by virtue of the multiplicity of its duties, know as the administrative officers can know the particular needs of a particular service. They only know in the first instance, and there must of necessity be given to the Congress through the administrative offices this information, and that is the true function of the budget from the administrative end. But this is a legislative function; having obtained that information, to determine how far, considering that every expenditure represents a tax, the resources of the country warrant the levying of taxes to raise given amounts, and how far a particular bit of governmental activity, though it may be worth while as an abstract thing, is warranted, having in mind the burdens of taxation and the need of certain other things.

"Mr. MURDOCK. Will it not actually follow under that proposition that the executive department, having in mind certain necessities and referring that to Congress as the needs of the department, will determine the budget and the amount of money to be expended, and will you not be traveling in a circle?

"Mr. SHERLEY. Not entirely. In the first place, the time has never been when Congress absolutely accepted the recommendation of the department, and it never will be and it never should be; Congress should always exercise a supervision over it. The trouble now is that you get nothing from the departments that approaches a budget.

"The Executive has absolutely neglected one of the chief functions of an administrative officer, and that is not simply to see that moneys appropriated are properly and economically expended, but to determine the needs of the Government as a whole. As I stated in the beginning, estimates are now made by district and local officers. They go on up through the heads of the departments and finally to the Cabinet officers, and then are by them sent through the Secretary of the Treasury to Congress. You have no real premier of the Cabinet, and you have never had practically a consideration by the Executive of a budget as such.

"Mr. MURDOCK. But you do have a maximum demand from all departments.

"Mr. SHERLEY. Yes; but it largely represents an appetite rather than a theory of government.

"Mr. MURDOCK. Yes; and Congress largely follows it.

"Mr. SHERLEY. No; I do not think so; but it follows it somewhat, because its consideration of the estimates is just as faulty in method as the consideration by the President is faulty in the first instance. We, just as much as he, have failed to consider totals.

"Mr. AUSTIN. Mr. Speaker, will the gentleman yield?

"Mr. SHERLEY. Certainly.

"Mr. AUSTIN. When the budget committee makes its report to the House will the House have any right to increase the amount carried in the budget?

"Mr. SHERLEY. Unquestionably; and that is the debate that ought to take place on the floor at the beginning of Congress, as to whether the party charged with responsibility has made a sufficient allowance for agriculture, a sufficient allowance for the Navy and the Army, or for pensions or for any other subject of appropriation.

"Mr. AUSTIN. Suppose the budget committee should decide in favor of an expenditure of $25,000,000 for public buildings and grounds, who would determine the items to make up that $25,000,000?

"Mr. SHERLEY. The Committee on Public Buildings and Grounds.

"Mr. OLMSTED. Mr. Speaker, if a question as to what amount of money should be expended for agriculture or for the Navy or for the Army were to be debated at the beginning of Congress, how would you determine how much is required, unless you first have hearings such as the Committee on Appropriations or the Committee on Agriculture has, where the heads of the departments appear?

"Mr. SHERLEY. I do not think that you could have the debate that is properly had in the consideration of the details of a bill, but I think that you could have a pretty general debate as to how well you are following out a policy touching any one question. Let us take the Navy, for instance. I use that because that is in the minds of us all. Suppose the administration determines as a governmental policy that the Navy should

be increased each year by the addition of two battleships, and we called that a naval program.

"The majority in control of the House brings in a proposal carrying so many millions of dollars for the Navy. Some gentlemen will ask those in charge of the bill if that contemplates the expenditure for one battleship or two battleships. The reply is made that the total is based on an expenditure for one battleship, and the question is asked why, and he is answered, then, because it is found that we have to expend so much for the Army and so much for agriculture and so much for the judiciary and so much for the ordinary upkeep, and so forth, that the probable revenues that the Government will have amount to so many millions, and that if we give to the Navy enough money to build two battleships we will have to cut some of these other items or increase taxation or have a deficit. That raises the question, then, not simply as to the desirability of two battleships, but as to the desirability of two battleships as against an Army of a certain size, as against certain expenditures for agriculture, and so forth.

"In other words, it brings a discussion of comparative merit rather than a discussion of particular items segregated from everything else.

"Mr. AUSTIN. Would it not reduce also the time consumed in this House in the consideration of appropriation bills?

"Mr. SHERLEY. I think it would; and that brings to mind another thought. I believe we have to get away from the plan that I have advocated and that a great many others have advocated heretofore of detailed specifications and limitation upon every appropriation. If the gentleman heard the first of my speech, he will recall that I said in substance that we treat every executive officer as if he were a suspicious character, and he treats us as if we were a lot of numskulls who knew nothing about the needs of the service, and out of that mutual suspicion comes half the trouble. Aside from the fundamental reason of absence of responsibility to us, one reason we have had to treat him as a suspicious character is because the form of making estimates and the form of reports of work done did not give us information as to whether it was well done or not, and so, for fear it might not be well done, we have taken away discretion and tied his hands, whereas the real system ought to be to give to an administrative officer some discretion and then require accountability.

"I do not wish to further delay the House, but I want to make this suggestion while it is in my mind. I do not suggest this plan as the ultima thule of government, and I do not suggest it as the best that can be had, but I submit to this House that we do need a change, as the present condition is intolerable [applause], and I ask my critics to suggest something better if they are not pleased with this, and I shall be perfectly willing to modify it; but the time has come for action on the part of Congress. Let us look to some system better than the antiquated method we now have.

"Mr. AUSTIN. I desire to ask the gentleman if the Committee on Appropriations have thoroughly discussed this plan and approved of it?

"Mr. SHERLEY. No; there are nearly as many opinions in the Committee on Appropriations as there are members of that committee. The other one most frequently urged and which is held by the chairman of the committee, Mr. Fitzgerald, and by the gentleman from Illinois [Mr. CANNON] is to return to the old condition where the Appropriations Committee had exclusive jurisdiction of all supply bills.

"I have already referred several times to that proposal and its fatal defect. To my mind, no plan is effective that does not provide for the consideration of the total sum to be appropriated prior to a consideration of individual supply bills. This is true, even though one committee have exclusive jurisdiction of supply bills.

"Now, if the advocates of the Appropriations Committee propose a submission by it to the House of a budget, then every argument they advance against my plan applies equally to theirs with the added difficulty of taking from other Members powers they now have and giving to the already overburdened members of the Appropriations Committee such additional powers.

"I do not for a moment believe that the members of these other committees will ever consent to give up their power over the details of these supply bills, but I do believe that without unduly disturbing existing conditions a budget committee as outlined can be formed.

"I am very much obliged to the House for its patience." [Loud applause.]

Under the leave granted me to extend my remarks I also desire to reprint for the benefit of the House an extract from the "Ninth Report of the Select Committee on National Expenditure," of the House of Commons, which is as follows:

The select committee on national expenditure have made progress in the matters to them referred, so far as relates to the procedure of the house in relation to supply and appropriation, and have agreed to the following ninth report:

FINANCIAL PROCEDURE OF THE HOUSE OF COMMONS.

1. Our terms of reference include a direction "to make recommendations in regard to * * * the procedure of this house in relation to supply and appropriation, so as to secure more effective control by Parliament over public expenditure." We intrusted to a subcommittee appointed for the purpose the duty of ascertaining the opinions of those best qualified to speak upon this subject. The subcommittee decided to proceed by way of written question and answer. They framed a questionnaire, which was sent to Mr. Speaker, the chairman of ways and means and the deputy chairman, to the chancellor of the exchequer and the ex-chancellors, to the financial secretary to the treasury and the ex-financial secretaries, to certain other members of the house representative of parties, to the comptroller and auditor general, to certain government officials, and to a small number of others whose views it was thought desirable to ascertain. We present in the appendix to this report the questions and the replies, together with a synopsis.

Those questions and replies related to the normal conditions of times of peace, and this report relates to them also. There is nothing in existing circumstances, however, which would render our recommendations inapplicable. Their adoption is, in our judgment, at least as necessary during the continuance of war expenditure as it will be on the return of peace.

2. The replies show, with few exceptions, a consensus of opinion that the present system of parliamentary control over expenditure is inadequate. In that view we concur. Indeed, our terms of reference themselves, inviting proposals to render control more effective, indicate that the house is not satisfied with the existing procedure.

3. The committee of the whole house on supply has the name but has none of the methods of a committee. It was established in the days of recurring conflict between Parliament and the Crown as a device to secure freedom of discussion on matters of finance. The debates in the house itself were recorded in the journal, which was sometimes sent for and examined by the King; and they were conducted in the presence of the speaker, who in those days was often the nominee and regarded as the representative of the Sovereign. By going into committee under the chairmanship of a member freely selected the House of Commons secured a greater degree of privacy and independence. But a so-called committee of 670 members can not effectively consider the details of finance. The time at its disposal is closely restricted. It can not examine witnesses. It has no information before it but the bulky volumes of the estimates themselves, the answers of a minister to questions addressed to him in debate, and such facts as some private member may happen to be in a position to impart. A body so large, so limited in its time, so ill-equipped for inquiry, would be a very imperfect instrument for the control of expenditure, even if the discussions in committee of supply were devoted entirely to that end. But those discussions afford the chief, sometimes the only, opportunity in the course of the year for the debate of grievances and of many questions of policy. In the competition for time those matters of greater interest and often of greater importance usually take precedence, and questions of finance are crowded out. And even if all these obstacles are overcome, and some rare occasion arises on which the House of Commons discovers and debates a case where a reduction in an estimate appears desirable, and would be disposed to insist upon its view, the present practice, which regards almost every vote of the house as a vote, not only on the merits of the question but for or against the Government of the day, renders independence of action impossible. Under these conditions it is not surprising that there has not been a single instance in the last 25 years when the House of Commons by its own direct action has reduced on financial grounds any estimate submitted to it.

4. The presentation of estimates to Parliament serves, no doubt, a useful purpose. tI secures publicity for the sums which they include and fixes responsibility for their expenditure. It has an indirect influence also on ministers and departments, since there is always the possibility that any item may be selected and challenged. The debates in committee of supply are indispensable for the discussion of policy and administration. But so far as the direct effective control of proposals for expenditure is concerned, it would be true to say that if the estimates were never presented and the committee of supply never set up, there would be no noticeable difference. Indeed, a large part of the estimates are formally passed year by year under the closure at the end of each session, without even the appearance of discussion; while every item in every estimate, whether closured or not, emerges from the parliamentary process in precisely the same shape as it entered it. Yet it can not be contended that there is never an occasion in any year or under any head on which proposals for expenditure could with advantage be reviewed and amended.

5. The estimates undergo in normal times a close examination by the treasury before they are presented. But the treasury is itself part of the executive. When any departmental minister has secured the personal assent of the chancellor of the exchequer to any proposal which he desires to insert or to retain in his estimates, the treasury is necessarily silent. Treasury control, invaluable as it is up to a point, is not a substitute for parliamentary control.

6. The comptroller and auditor general, on the other hand, is an officer of the House of Commons itself. But his scrutiny of expenditure, though exhaustive and independent, is a scrutiny of accounts and not of estimates, of expenditure which has already been incurred, and not of expenditure which is contemplated. He inquires whether the sums included in the accounts have actually been spent and whether the spending was regular. It is not within his province to consider whether it was desirable or necessary, although it is regarded as his duty by the public accounts committee to draw attention to expenditure which is wasteful or extravagant.

It is recognized on all hands that the work of the comptroller and auditor general and of the public accounts committee, which examines and reports upon the results of his inquiries, is highly efficient and useful, but no one would suggest that it covers, or could be made to cover, the whole field.

7. It is sometimes urged that the only safeguard against extravagance likely to be successful is to be found in the ministers and officials of the spending department themselves; that Parliament should be content to rely upon them; that any attempt at direct control would be ineffective, because it could not be sufficiently painstaking and minute, and harmful, because ministers would feel that the final responsibility

had been transferred from their shoulders, and that they were no longer expected to exercise a meticulous care.

We can not subscribe to that doctrine. It would convert the responsibility of ministers into irresponsibility. It contemplates an executive which would be autocratic so far as expenditure is concerned, subject only to audit in order to insure honesty, and to the extreme measure of dismissal in case of gross abuse. If, however, it is answered that it is not intended to push the doctrine so far, and that the present practice provides the right admixture of ministerial responsibility and parliamentary control, we would express the conviction that the House of Commons ought not to accept a system which recognizes its authority, so long as it is never exercised, and concedes the appearance of control on the condition that it is not made a reality.

Nor can we agree that ministers and their officials—on whom, in the first instance, it is true, dependence must be placed for the avoidance of waste—would be likely to become less careful if they knew that their estimates would undergo in Parliament an effective instead of an ineffective review.

To regard the executive, whether it be the Sovereign or whether it be a ministry dependent upon Parliament, as the sole authority to limit the sums which ought to be provided for each branch of the public service is contrary, in our judgment, to the principles on which the constitution is based. We consider that the House of Commons, as the representative of the taxpayer, should reassert, fully and effectively, its right of restricting the amounts to be allotted for each head of the national expenditure, and we recommend the adoption of the measures to that end, which we now proceed to detail.

STANDING COMMITTEES ON ESTIMATES.

8. The great majority of the replies to the questions which were circulated favor the principle that the estimates should be subjected to examination by a select committee. Among those who express that view are all the officers of the house who were consulted—Mr. Speaker, the chairman of ways and means, the deputy chairman, and the clerk of the house. We are unanimously of the same opinion.

We recommend that at the beginning of each session there should be appointed, by the customary procedure, two standing committees on estimates, each consisting of 15 members. After some experience of the working of these committees, it may be found desirable to add a third.

We have considered the alternative of a single committee with a larger membership, which should divide itself into a number of subcommittees, each dealing with one department or group of departments, but we have arrived at the conclusion that for the purpose in view the balance of advantage lies against this method.

We have considered also whether the committees which will deal with estimates should also deal with accounts, the public accounts committee being amalgamated with them. We are of opinion that the two matters should be kept separate, and that the public accounts committee should continue with the same composition and functions as hitherto. It would be advisable, however, for some of its members to be appointed to serve on the estimates committees also, in order that the bodies should be in close touch with each other's work.

9. The annual estimates should, without special motion, be subject to the examination of the estimates committees A and B, the allocation of classes of votes to one or the other being made by the chairman of ways and means.

10. Any supplementary estimates for the current year introduced at the beginning of the session could not as a rule be examined by the estimates committees on account of the shortness of the time usually available before the 31st of March, by which date they must be passed through all their stages. But in special cases, and if time allowed, the house might desire them to be so referred. Supplementary estimates introduced in the latter part of the session should follow the normal course and be referred to the committee. We desire incidentally to emphasize the importance of limiting the use of supplementary estimates to a minimum.

11. It would be the duty of the estimates committees to consider such votes, and in such order as they might think fit, and to present reports upon them from time to time to the house. We are of opinion that special attention should be given to any items which had first been voted in the previous year as supplementary estimates without having been reported upon by one of the committees. The reports should include an account of the action taken on any recommendations in the previous year's report.

12. It should not be within the competence of the committees to make any recommendations inconsistent with the policy implied in the estimates. Policy is a matter for the Government and for the house itself and not for standing committees on estimates. To transgress this rule would be to invite controversy within the committees and to endanger the success of their working.

Although "policy" can not be defined in precise terms, the experience of the estimates committee set up in 1912 and of our own committee—from both of whose references the consideration of matters of policy was specifically excluded—shows that in practice the line is not difficult to draw.

13. The House of Commons itself has foregone the power, and does not now seek the power, to increase the estimates submitted to it on behalf of the Crown. Its committees can not possess a larger authority. The duty of the estimates committees would be to suggest desirable economies, and they should not be authorized to propose increased expenditure. There may no doubt be cases, however, in which it might be proper to indicate that a larger capital expenditure, for example, upon the plant of some Government establishment, would result in an economy through a more than equivalent saving in working expenses.

14. The estimates committee of 1912, 1913, and 1914 was appointed in pursuance of a recommendation of the select committee on national expenditure of 1902–3. It rendered useful service, but its usefulness was impaired by three causes.

First, the task imposed upon it was too large for a single body to perform. It was able to consider each year only a fraction of the estimates; its examination of the votes of any particular department was rather an exceptional incident than a normal part of the financial procedure. The departments knew that once their estimates had been considered it would probably be from 7 to 10 years before they were considered again. Our proposals for two committees—and, if experience shows it to be desirable, for the addition of a third—should go far to remove this drawback, particularly if each of the committees were expected to give as much time as might be necessary to enable it to cover each session a large part of the whole field.

Secondly, the previous committee, in common with the house itself, was handicapped by the form in which the estimates have been framed. As to this we have proposed large changes in a separate report, to which we shall refer later.

The third drawback was not the least serious. The estimates committee of those years had no professional assistance at its command. Its inquiries, necessarily, were to a great extent haphazard. The annual estimates cover the whole sphere of national government; they enter into minute detail; to comprehend them fully is a science in itself. The public accounts committee is aided in its investigations by the reports of the comptroller and auditor general, who in turn is supplied with information by a large staff in close touch with every branch of administration. The previous estimates committee had no such technical advice. We regard it as essential that this deficiency should be made good.

We have considered whether the duty of assisting the estimates committees might not be added to those already performed by the comptroller and auditor general and his staff. This course would have the advantage of making use of existing machinery. But we are clearly of opinion that it is inadvisable, for the reason, among others, that it would introduce undesirable complications into the relations between the comptroller and auditor general and his department on the one hand and the treasury and the spending departments on the other.

We have considered also whether the duty might not be allotted to the treasury itself. To this there is the objection that every estimate before being presented to Parliament has already been submitted to the treasury and passed. Once its sanction has been given the function of the treasury must rather be to meet and answer criticism than to stimulate and direct it. It would be desirable, no doubt, that officers of that department should be ready to attend the meetings of the committees whenever necessary, in order to furnish them with information; but they would be placed in an impossible position if they were expected to suggest the points, which might usefully be considered with a view to amendments, in estimates which had already been approved by the department of which they were members and by the ministers under whom they served.

We therefore recommend that the committees should be assisted by an officer of the house, to be appointed for the purpose, with the title of examiner of estimates. His duty would be to collect from his own study of the estimates, from information obtained officially or semi-officially, from communications received from members of the house or from the public, facts which would indicate to the estimates committees useful lines of inquiry. He would stand in much the same relation to them as the comptroller and auditor general stands to the public accounts committee. His salary would be borne upon the vote for the House of Commons offices. It would not be necessary to attach to him any large specialized staff, but experience might show that it was desirable to furnish him with one or more technical assistants, and the clerical establishment of the house would render such service as might be required.

15. There remains the question of the opportunity to be provided for the consideration by the house of the recommendations of the estimates committees.

It has not been proposed in any quarter, and we do not suggest, that the decisions of the committees should have any binding effect. The House of Commons would not delegate to them any of its powers in matters of finance; their province would be limited to inquiry and report. But no doubt in many cases the departments concerned would accept and act upon the view expressed by the committees, just as the recommendations of the public accounts committee and of our own committee with respect to current expenditure are frequently welcomed by the Government and carried into effect, without it being necessary to occupy the time of the house with their discussion. It is essential, however, if the work of the committees is to be effective, if their influence is to be maintained, and if they are to attract the service of able and active members of the house, that their recommendations, when not agreed to, should be given the publicity, the full consideration, and the opportunity of eliciting a wider support, which can only be obtained by debate in the house itself.

The most suitable occasion for such a purpose is obviously the day when the estimates of the department concerned are taken in committee of supply. Several considerations, however, have to be borne in mind in this connection. Supply days are utilized also for debates on policy and on administration, and opportunities for such debates are indispensable. The department whose estimates are to be taken on a particular supply day is selected in accordance with the desires of the house, so as to enable the matters to be brought forward on which discussion is thought to be specially needed at that time. It is a convenient practice for the consideration of supply to be distributed over the session, and for one day in the week to be devoted as a rule to that purpose. Any arrangements that are made to secure the due consideration of the recommendations of the estimates committees should involve as little disturbance as possible of those arrangements.

16. We propose—

(1) That the estimates should be presented and the estimates committees set up at the earliest practicable date after the beginning of the session.

(2) That the committees should indicate to the chairman of ways and means at an early stage in their proceedings the classes or votes, if any, on which they did not propose to report that session, unless unforeseen considerations should arise which would lead them to do so.

(3) That the committees should consider the estimates of the several departments in such order, so far as possible, as would be most likely to meet the convenience of the house, and should present their report on each as soon as their inquiries with regard to it were completed.

(4) That the selection of the votes to be taken in the house on any particular supply day should be, as a rule, from among those on which the estimates committees had already presented reports or had intimated that they would be unlikely to report that year. This practice should not, however, preclude other votes being selected if there were a strong desire to debate matters of public importance relating to a department on whose vote a report from the estimates committees was expected but had not yet been received.

(5) That in the latter case either—

(a) The vote itself should not be finally passed, but the discussion of it should be deferred. Another day should be given if a report subsequently presented by one of the estimates committees contained recommendations needing discussion. If there were no such report, the vote would be passed under the closure at the end of the session; or

(b) A supplementary estimate for a token vote of £100 should be proposed at a later date in order to afford an opportunity for further debate if a report from an estimates committee made it appear desirable.

It should be the recognized practice of the house that the estimates committees should have the right to require that special opportunity should be afforded for the consideration of any of their reports which had not been discussed in ordinary course, subject to the limit that not more than two days should be asked for in any session for this purpose.

(6) That where recommendations from an estimates committee were before the house in time for the supply day on which the vote was taken to which those recommendations referred, the chairman of ways and means should endeavor so to arrange the course of the debate as to give an opportunity for their discussion. He would bear in mind the relative importance of the financial points raised by the committee and of any other matters which members of the house might desire to discuss on the same day. If it should be found impracticable to afford such an opportunity, the procedure suggested in the previous paragraph to meet the case where the votes were taken before the estimates committee's report was ready should apply.

(7) That it should be the duty of the chairman of an estimates committee, or of some other member nominated for the purpose, to be present in the house when the occasion was offered for the discussion of its recommendations, and to speak in their support, and the duty of the minister in charge of the vote either to accept the recommendations or to give reasons for not doing so.

FREEDOM OF VOTING IN COMMITTEE OF SUPPLY.

17. We are convinced that these measures, while they would go far to secure the object in view, would not be adequate for their purpose without one further change of fundamental importance in the practice of the house. The spirit in which the proposed committees will carry on their work, the attitude of ministers toward their recommendations, the confidence of the people at large in their activities, will all depend upon the degree of support which they are enabled to receive from the House of Commons itself. But the house will not be free to give them support so long as the present convention continues, which introduces into every division on a proposal of the government of the day, however unimportant, however remote from broad considerations of national policy, the question of confidence or want of confidence in that government. It is plain that if, on a division on some minor economy in a departmental estimate, a majority adverse to the Government is to be regarded as a censure, even as a reason for its resignation, or for subjecting the country to a general election, the smaller issue must be completely eclipsed by the larger, and that a decision on the merits of the particular question must become impossible. Only when the House of Commons is free, not merely in theory and under the forms of the constitution but in fact and in custom, to vote, when the occasion requires, upon the strict merits of proposed economies, uncomplicated by any wider issue, will its control over the national expenditure become a reality.

The estimates committees will be precluded from dealing with policy. That limitation should exclude from their recommendations any proposals which, if carried against the Government, should properly entail either their resignation or a dissolution of Parliament.

We recommend that the House of Commons, if it approves and decides to act upon our proposals for the establishment of estimates committees, should also resolve that any motion carried in committee of supply in pursuance of the recommendations of those committees should not be taken to imply that the government of the day no longer possessed the confidence of the house.

FORM OF THE ESTIMATES AND ACCOUNTS.

18. The form in which the estimates have hitherto been framed is not such as to make them serviceable for the purposes of parliamentary review. We have made inquiry into this branch of the matters referred to us through a subcommittee, on which several of our members served who were also members of the public accounts committee, and to which there were co-opted, under the permission given by our terms of reference, a civil servant of long experience and three gentlemen with expert knowledge of commercial systems of accounting. As the outcome of their exhaustive inquiries we have expressed the opinion in our seventh report of this session that "estimates and accounts prepared on the present basis are of little value for purposes of control, either by departments, the treasury, or Parliament," and we have recommended that they should be remodeled in a form of greater significance and utility.

We regard the adoption of the recommendations in our seventh report as an essential part of our proposals for securing a proper control over expenditure by Parliament.

19. Their adoption will require that in the case of the estimates for the navy, army, and air force a vote on account should be taken at the beginning of the session, as is already the practice in the case of civil-service estimates. But in any event such a vote on account will be necessary to enable the procedure proposed in paragraph 16 to be fully applicable to the estimates for those services.

20. We are of opinion that when an estimate includes an item for the initiation of a new scheme which is likely to throw an increasing charge upon the exchequer in subsequent years a statement should, as a general rule, be added, showing the amount of that increase, as is already the practice with regard to estimates for building services, and as has occasionally been done by a memorandum in some other cases. Reasons of state may sometimes, however, render this course inadvisable, in which event the information should be subsequently furnished to the estimates committee concerned.

21. A useful return was presented to Parliament in 1909, on the motion of Mr. Harold Cox, under the title of "National Income and Outgo." It gave a comprehensive view of both sides of the national account, and included financial information not readily obtainable elsewhere. The new form of the national accounts recommended in our seventh report will cover some of the ground included in that return. We are of opinion that the public accounts committee, when experience has been gained of the new accounts, should be invited to consider whether it might not be desirable to publish annually a return similar to that of 1909.

MONEY RESOLUTIONS FOR BILLS.

22. We have given careful consideration to the standing orders of the house, which require that all bills involving expenditure should be preceded or accompanied by a resolution, to be passed in committee of the whole house and in the house itself on report, authorizing the expenditure. We are of opinion that the rule serves a useful purpose, but that its utility could be further increased. We recommend that the procedure with respect to money resolutions for Government bills involving expenditure should be retained and should be extended as follows:

(1) The terms of the money resolution should be placed on the notice paper of the house. In the case of bills not originating in committee, this should be done before the second reading of the bill.

(2) They should, wherever possible, either comprise a statement of the probable expenditure, whether capital or annual, or be accompanied by a white paper furnishing such a statement.

(3) If cases should occur where the conditions did not allow a forecast to be made, the fact should be stated in a white paper, with a full explanation of the reasons.

(4) Any statement furnished as proposed in the foregoing paragraphs should be referred to one of the estimates committees for examination and report, unless the house, on account of urgency or of the smallness of the sum involved, should by resolution dispense with that procedure in the particular case.

(5) It should be the duty of the committee to elucidate the facts and to examine the basis of any estimate that may have been formed or the reasons advanced for not forming one. The purpose in view would not be the insertion of a definite figure in a bill in all cases, for that would often be impracticable or injurious to good administration. It should be remembered also that any expenditure incurred must always, unless charged upon the consolidated fund, come before the house each year in one of the estimates. The purpose would be to insure that Parliament should not pass legislation involving financial commitments without a clear idea, based on the inquiries of one of its own committees, of the nature and extent of those commitments, so far as they can be ascertained.

(6) The recommendations in this report with respect to the exclusion of questions of policy and to the freedom of voting in the house on the proposals of the estimates committees should apply in the case of money resolutions as in the case of estimates.

In the case of private members' bills involving expenditure, the procedure proposed in this paragraph should apply if and when a money resolution to authorize the expenditure is moved on behalf of the Crown.

OTHER PROPOSALS.

23. We have considered a number of suggestions for eliminating or curtailing various stages of the procedure by which the house deals with financial business, but we do not recommend any of them for adoption.

24. We have no alteration to suggest in the number of days allotted each session to supply.

25. The estimates for which one minister is responsible are frequently distributed between several votes. It would be advisable for the existing classification to be reviewed in the manner proposed by the joint secretaries of the treasury in their reply to our questions. (See appendix, reply No. 20, question 8.)

26. It is the present practice for the comptroller and auditor general to report to the public accounts committee only when the annual accounts of a department are finally closed. His staff conduct a continuous audit, but if any matters needing attention are brought to light in the course of the year he has no authority to report upon them. We are of opinion that it would add greatly to the value of the audit and conduce to good administration if this restriction were removed, and if the attention of the public accounts committee could be called at once to any apparent impropriety before the expenditure is completed. An amendment to the exchequer and audit departments act, 1866, may be needed for the purpose.

27. We consider that the ministry as a whole should be responsible both for making and for declining to make proposals to Parliament for increased expenditure. There have been departures in recent years from the practice by which an individual minister was not considered at liberty to dissociate himself publicly from his colleagues, and, while himself retaining office, to throw upon the treasury the onus of refusing a particular grant affecting his own department. We deprecate these departures, which, if they became the rule, would make the position of a chancellor of the exchequer almost untenable. We recommend that the former practice should be rigidly observed.

28. We believe that the Treasury can not fully exercise its powers of control if it is itself a spending department, and we recommend that the direct responsibility for old-age pensions, which now rests with the board of customs and excise, a subdepartment of the treasury, should be transferred as soon as may be to another department.

CONCLUSIONS AND RECOMMENDATIONS.

29. (1) We are of opinion that the existing procedure of the House of Commons is inadequate to secure proper parliamentary control over the national expenditure.

(2) We recommend that there should be appointed each session two standing committees on estimates, each consisting of 15 members, and that a third should be added if experience showed that this was desirable.

(3) It should be the duty of the committees to consider the annual estimates and such supplementary estimates as the conditions allowed, and to report to the house any economies which they regarded as desirable and which did not raise questions of policy.

(4) For the assistance of the committees there should be appointed an officer of the house, with the title of examiner of estimates.

(5) Opportunity should be provided for the consideration by the house of the recommendations of the committees in the manner proposed in paragraph 16.

(6) It should be established as the practice of Parliament that members should vote freely upon motions for reductions made in pursuance of recommendations of the estimates committees, and that the carrying of such a motion against the government of the day should not be taken to imply that it no longer possessed the confidence of the house.

(7) The form in which the estimates are framed should be remodeled in accordance with the recommendations in our seventh report of the present session.

(8) There should be a vote on account for navy, army, and air services at the beginning of each session.

(9) Where an estimate involves a commitment to a larger expenditure in subsequent years, the fact should, subject to the qualification mentioned in paragraph 20, be stated in the estimate.

(10) The terms of money resolutions for bills involving expenditure should be placed upon the notice paper of the house. They should embody or be accompanied by a white paper furnishing a statement of the probable amount. If the conditions did not allow such a statement to be framed, a white paper should be presented giving the reasons.

(11) Any statement furnished in connection with a money resolution should be referred to one of the estimates committees for examination and report, unless the House should dispense with that procedure in any particular case.

(12) The classification of the supply votes should be reviewed.

(13) The comptroller and auditor general should be authorized to report to the public accounts committee on matters needing their attention as and when they are brought to light in the course of his continuous audit.

(14) The committee of public accounts should be invited to consider whether a return on the lines of the national income and outgo return of 1909 should be presented annually to Parliament.

(15) A minister should not be at liberty to dissociate himself publicly from his colleagues in matters of expenditure and to throw upon the treasury alone the onus of refusing a particular grant affecting his department.

(16) The treasury should cease to be itself a spending department.

The CHAIRMAN. The gentleman from Kentucky offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment offered by Mr. SHERLEY:
Page 1, line 3, after the word "Senators," insert the following: "three of whom shall be members of the majority party and three of whom shall be members of the minority party."
Page 1, line 5, after the word "Representatives," insert the following: "three of whom shall be members of the majority party and three of whom shall be members of the minority party."

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not know whether it is altogether desirable to have that amendment to the resolution. It might be well to leave the appointments wholly with the Vice President and the Speaker. Let the responsibility fall upon them. At first blush I was inclined to oppose this resolution and to make a point of order against it, because I believed that would be in order; but after listening to the gentleman from Kentucky I am inclined to think it might be a wise thing to pass the resolution as a step toward retrenchment. Anyone who sits for any length of time on the Ways and Means Committee will realize the very great difficulty of ascertaining facts with regard to our expenditures. I presume the Committee on Appropriations has even more difficulty, but the committee charged with the duty of raising revenue undoubtedly has very little in the way of substantial financial facts to go upon. They call in the Treasury officials and ask them what the state of the finances is, and they are sometimes troubled to give an answer. Ask what our indebtedness is and there is difficulty in ascertaining just exactly what it is at any given time. The Secretary of the Treasury, apparently, does not have sufficient jurisdiction as to other departments to check up the expenditures and requirements of the departments. The War Department has been given large lump-sum appropriations and spends freely, spends in contracts that carry over into the future. The Navy Department does the same thing. So, if you want to check up your accounts, if you want to take account of stock, it is difficult to do it. Great waste undoubtedly results. I believe this Nation to-day is very close to the rocks, financially.

If the $7,000,000,000 loan bill that we passed in this House a few days ago does not pass another body very soon, it may necessarily hasten an extra session in order to raise the revenue to meet the actual obligations of the Government. That is one question involved in the passage of this resolution.

I am not so sure, however, that this whole question has not been investigated heretofore. But we have just gone through a great war; we have incurred the vastest expenditures any nation ever incurred, and our obligations are such as to stagger us when we attempt to analyze them. If this resolution will have the effect of an investigation or an inquiry by Members of Congress that will enable us to systematize the method of collecting the revenue and appropriating it, it might do some good.

Mr. KING. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Pardon me for just one minute. This administration is spending more money than any other; it is spending it more recklessly, more extravagantly than any other in the history of the world; therefore there may be reason at this particular time to have a commission appointed in order that we may enact some reform. I now yield to the gentleman.

Mr. KING. Why is it necessary to have this lame-duck proposition involved in this amendment offered by the gentleman from Kentucky?

Mr. MOORE of Pennsylvania. I am not so sure, after reading the resolution and considering these vast problems I have tried to describe, that this is necessarily a lame-duck proposition. It may be a very good thing. The departments have made tremendous expenditures. We should stop some of them. All of us are complaining of our lack of knowledge of the manner in which the money has been spent. All of us know that in the matter of aviation, for instance, we spent $640,000,000 and did not get a single combat plane in France. We know that in the Army and in the Navy and elsewhere enormous sums have been spent and enormous sums have been held in reserve. We know we are passing appropriations constantly for sums aggregating as high as a billion and more than a billion of dollars. How are we checking them up? What is to be the salvage? How do we know when the Treasury officials themselves are not able to tell us? Therefore may it not be wise to establish a commission made up of men who are not in the departments, who are separate from the administration, separate from the Executive, who can look into this question and bring us back to a system by which we can make appropriations intelligently and with due regard to our income?

Mr. KING. On that proposition I agree with the gentleman absolutely, but I do not understand this proposition of keeping Members of Congress here on the salary roll after they have been defeated by their constituents.

Mr. MOORE of Pennsylvania. Well, I do not think that is necessarily the fact. The resolution provides for a commission which shall be composed of six Senators to be appointed by the Vice President. They are not necessarily going out, and it provides for a like number of Members to be appointed by the Speaker, and they are sitting Members. There is an appropriation to pay the expenses of the commission, but I question whether it is a "lame-duck" proposition.

Mr. SHERLEY. If the gentleman will permit, I drew this resolution, and I drew it with the idea not in the slightest degree to take care of anybody. I stated openly a few moments ago, and I desire to repeat it, that there is no commission that this Congress can create or has created upon which I would accept any sort of position. Whatever work I may be able to give in helping to bring out a good budget system for America will be given gratuitously. I am not hunting a legislative job nor providing for such through legislation.

Mr. KING. I wish to say that I had no reference whatever to the gentleman from Kentucky. If he were going to be one of the commission, I would be very glad to support that particular feature.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, I take advantage of those two minutes' extension of time to state my confident belief that the statement of the gentleman from Kentucky is accurate.

I have watched his course in this House for 12 years, the length of time I have been here, and do not believe he has prepared this amendment with the view of taking care of himself. On the other hand, I think it fair to say of the gentleman from Kentucky that he has been a consistent advocate of an improved fiscal policy for the Nation. He has labored for this proposition on the floor; has made speeches indicating that there was extravagance, not necessarily accusing anybody, but that because of the system that prevailed, the duplicated committee system of making appropriations, there has been a loss to the Government that should not exist. His idea, from my point of view, has been honorable and statesmanlike. He has sought to prevent the duplication of appropriations and the waste of them, so far as I have observed.

Mr. WALSH. Mr. Chairman, I desire to offer an amendment.

Mr. MONDELL. Mr. Chairman——

Mr. MANN. Mr. Chairman——

Mr. WALSH. I will withhold my motion. The gentleman from Illinois desires recognition.

Mr. MANN. Mr. Chairman, I am very much in favor of the amendment offered by the gentleman from Kentucky [Mr. SHERLEY]. I have given a good deal of consideration myself during my service in the Congress to the subject of appropriations and the methods of making estimates for appropriations, and I have heard a great many men at different times on the floor of the House propose remedies which seemed to me so full of holes that they would be worse than a sieve to hold water.

I am glad the gentleman from Kentucky worked out this proposition. It is a peculiar thing, he having given the study that he has to the subject, and I having given the study I have to the subject, that each has prepared a proposition along practically the same lines. And when I prepared my proposition originally it did not contain the provision which would permit a Member of this Congress not a Member of the next Congress to be appointed on the commission and retain his place. I changed that and provided that the vacancy created by the expiration of the term in Congress of any Member should not create a vacancy on the commission, and I think in that respect the gentleman from Kentucky, in drawing his amendment, follows the language of my resolution without having in view on his part what was in view in my mind when I put that provision in the resolution. It was not in the proposition which I drew originally. I hope the gentleman from Kentucky will not feel obliged to make any statement just at present about what I am going to say. I put that proposition in my resolution because I thought the gentleman from Kentucky ought

to be on the commission [applause], and I am inclined to think that the gentleman from Wisconsin [Mr. STAFFORD] ought to be on the commission [applause], men who have given great study to a subject of this kind and who would continue the work and would not be hampered by the work which Members of the next Congress would have to perform in their official capacity here on the floor and in their offices. I think a majority of the members of the commission ought to be Members of the next Congress, in a way supervisory. There ought to be somebody on this commission who is familiar with the legislative methods and procedure, to give active attention to the work.

We appointed a good many years ago, as it seems to me—it was quite awhile ago anyhow, and I do not remember what it was called—a commission to investigate the form of appropriations and estimates, and so forth, and they submitted a report. I read their report and talked with various members of that commission, and there was not one of them who had any knowledge or perception whatever of the legislative practice and procedure in Congress.

Such a commission could not make a report that would be of any value, and their report was of no value. I am inclined myself—and I would like to say that much before I take my seat—to think there will never be a wholly satisfactory method provided, though there may be many improvements adopted, until members of the President's Cabinet are selected either from the House of Representatives or the Senate [applause], and thereby become somewhat of a responsible Government. It can not be and it never will be that the executives shall make up a so-called budget and submit it to Congress, and that all Congress can do is to accept it or reject it. We are now under subserviency to the Government, to the Executive, much more than we ought to be. But if all we could do would be to write yes or no upon a proposition submitted by the Executive for the expenditure of money we might as well abolish Congress. [Applause.]

Now, in those countries where they have responsible governments the government makes those suggestions. They prepare a budget; they submit the proposed appropriations to their respective parliaments, and the parliaments must make the appropriations proposed by the government or the government is turned out. But the government can be turned out because the government consists of members of the parliament; and if the parliament does not sustain their position, others come in their place. But that can not be under our form of government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask for five minutes, although I will not take that much of time.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MONTAGUE. Would it be agreeable to the gentleman from Illinois to permit me to ask him a question?

Mr. MANN. It is always agreeable to yield to a question which helps to elucidate a matter.

Mr. MONTAGUE. Does the gentleman think that the budget system which he is now so intelligently discussing would be promoted by giving the Cabinet members seats on the floor of the respective bodies——

Mr. MANN. I do not.

Mr. MONTAGUE. Will the gentleman permit me to continue the question? Seats on the floor of the respective bodies, with right to follow measures relating to their departments and also the corresponding right on the part of the House to interrogate them, of course, under appropriate rules of procedure?

Mr. MANN. I have a very fixed opinion on that. I do not think it would be of any advantage. [Applause.] I can be very brief; I do not want to take much time——

Mr. MONTAGUE. I did not mean to lead the gentleman into a discussion. I wanted his opinion categorically.

Mr. MANN. If the Cabinet members now were admitted to the floor of the House on an appropriation bill, this side would be inert. It would be completely dominated by the Cabinet officers.

That side of the House, the minority side of the House, would do nothing to heckle them. [Applause.] If a Cabinet officer came in here to explain a proposition now, under the existing administration, with no power or responsibility, the Republican side of the House would ask them all the questions human ingenuity could devise which they could not answer, and the Democratic side of the House would do whatever they told them to do. [Applause.] If they did not, the Cabinet officers would be discredited but not removed.

The only way to have a responsible government, with an Executive given the power to propose and dominate legislation or appropriations, is to fix it so that if a majority of the House does not agree with them they have got to resign. Let the majority of the House have somebody who will agree with them. I do not know whether that will ever come or not, though I suspect that this thing will go on until some day the President will feel compelled to adopt the theory of a responsible form of government and select his Cabinet officers from men who have the power to make up their proposed appropriations and therefore pass them through Congress, or when defeated resign their Cabinet positions and let somebody else do it.

However, this present proposal is a proposition in the right direction. We can not afford to have the country believe that Congress is grossly extravagant and careless in its appropriations, unmindful of the public needs. There has been a propaganda—and I have just learned what effect a propaganda can have [applause]—against Congress in favor of adopting what is called the "budget system," which nobody can explain, and nobody undertakes to tell what they mean by it. But the propaganda has gone over the country until the country believes that Congress has a very loose and lamentable method of making up its appropriations. I received from my State the other day a copy of the "Budget of Illinois," proposed by the governor or his financial board, to be submitted to the legislature, now in session, for the next two years. They call it a "budget"—a popular name. It does not begin to be one-half as well prepared and considered as the estimates of appropriations submitted to Congress under existing law, although it is a great improvement over what has been done in Illinois in the past. But the country has the notion that Congress acts upon its appropriations without receiving information from the Executive, without any idea of what its revenues are to be, without any notion of what its expenditures are to be, and without any knowledge on the part of the Executive as to what he has asked for; and we have got to make a careful and scientific investigation of the subject, first, to satisfy ourselves and possibly and probably accomplish good, and, second, to satisfy the country that we are not an irresponsible body of looters. [Applause.]

Mr. MONDELL. Mr. Chairman, at one time and another there has been a great deal of talk in the country about a budget system, and a great many people imagine that we can establish under our Government a budget system similar to that of the responsible monarchical and republican governments of Europe. The probability is that that could not be accomplished without a constitutional amendment, at least without very extraordinary and elastic constitutional interpretation.

No one is proposing a change in the form of our Government that would clearly make possible budgets as they are understood in England and Italy and France, but there can be a great improvement, in my opinion, in the manner of presenting and consideration of appropriations. Those who have served on appropriating committees of the House, I think, are all of them of the opinion that there is a lack of careful and correlated consideration of estimates. The annual Book of Estimates comes in, and then from time to time supplemental estimates of all sorts and kinds, apparently frequently hurriedly prepared and ill considered, are sent to Congress.

That is the affair of the Executive. It is not very clear to me how Congress can much improve that situation. The executive branch of the Government can very greatly improve its methods. President Taft was the one President in my recollection who made an earnest and intelligent effort toward the careful, conscientious, and correlated consideration of estimates, and under his administration there was a constant tendency toward economy in the public service. But we have seen nothing of that kind since Mr. Taft's day.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Pennsylvania?

Mr. MONDELL. Yes.

Mr. MOORE of Pennsylvania. I was unable in my time to get out this point, and I want the gentleman, who is well posted, to answer, if he will: Suppose the War Department under existing methods asked for $500,000,000 for aviation, and the Navy Department under existing circumstances asked for $500,000,000 for aviation, and one or two others——

Mr. MONDELL. And I would say to my friend that they would be very likely to do that very thing——

Mr. MOORE of Pennsylvania. And thereby buy a vast number of machines and a vast lot of machinery under both appropriations, when one might have accomplished the purpose. Would not this commission be delegated to look into expenditures of that kind with a view to correcting the system?

Mr. MONDELL. It is not very clear to me, though I do not pretend to have as profound a knowledge of these matters as some Members who have given the matter more study, how the

Congress can greatly improve the executive methods in the preparation and submission of estimates. We can suggest, and we may be able to compel more careful consideration of estimates by improving our methods, and along with that improvement calling to the attention of the country the laxity and the carelessness of the executive departments in submitting estimates. In that way indirectly what we do in Congress will, I trust, be reflected on the executive branch of the Government.

Mr. MANN. Mr. Chairman, may I interject a remark about aviation, inasmuch as the gentleman has brought it up?

Mr. MONDELL. Yes.

Mr. MANN. Some years ago the War Department declined to make a recommendation or estimate for aviation in the Army, and they did not make it. There never had been one, and the Chief Signal Officer hoped he might get an estimate, but the Secretary of War would not send an estimate to the Congress. I offered on the floor of the House an amendment to the Army appropriation bill to make an appropriation for aviation, and through a little skillful maneuvering got it by a point of order. But we had quite a fight over it. It was agreed to.

Now, under the system that many people want adopted, it would not have been possible for Congress to have made the appropriation and started aviation in the Army if the War Department had not asked for it, and they refused to ask for it.

Mr. MONDELL. The gentleman has called attention to a situation that might be created if Congress restricted its action to initiate appropriations. Replying further to the inquiry of the genleman from Pennsylvania, I want to emphasize the fact that, in my opinion, we can promote, if not compel, an improvement of executive committees by improvement in our own methods. Certainly no one conversant with the facts will deny that, putting it mildly, the manner of the submission of estimates by certain departments and agencies under this administration has been scandalous and apparently without regard to the Treasury.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time of the gentleman from Wyoming be extended five minutes. Is there objection?

There was no objection.

Mr. MONDELL. Estimates have been submitted without the proper coordinated and correlated consideration by the executive authorities that there should be, this bureau and that bureau and the other bureau, each on its own hook, suggesting estimates in large sums and having its suggestions sent to Congress without very much consideration. We can remedy that situation somewhat if we correct our own methods. The gentleman from Kentucky [Mr. SHERLEY] has performed a conspicuous service in remedying that condition, assuming that gentlemen who are to be responsible in the departments act on what he has brought out, for he has developed, more than any man ever did in the House, the carelessness, to put it mildly, with which estimates are submitted to the Congress.

Now, we can improve our methods, and we ought to improve our methods, and possibly one way to do it is through a commission such as is suggested, although it could be accomplished, I think, by the regular committees of the House. If we are to have a commission, one of less numbers than is proposed would be better.

I want to say in connection with this matter that I regret that the gentleman from Kentucky [Mr. SHERLEY] has stated that under no circumstances would he serve on such a commission, for I know of no man better qualified to serve on that kind of a commission than he; and if the commission is established, I hope one of those places will be tendered to him, and that he will find he can afford to take it. If he does, of course it will be at a financial loss, because the gentleman from Kentucky can go into private practice and make a very great deal more for himself and his family than he could on any Government salary. But what we need is some one thoroughly conversant with the practice of the House, with the history of appropriations and estimates, on a commission of this sort.

Those who imagine that we are going to ape and adopt European methods will be disappointed in the reports of any commission that we appoint, but there are many things that can be done, and one of them that is right in sight and has appealed to every man who has served on appropriating committees is the establishment of what has sometimes been referred to as an independent audit. It might be brought about by the transfer of the auditing departments of the Government to the Capitol, where they would be more nearly within the reach of Congress and more nearly responsible to Congress, so that the expenditures as they are made might be audited by people in no wise connected with the administrative departments that spend the money. That would be a great reform. I cast no reflection on the auditing agencies of the Government. Those officials have performed their duty with honesty and fidelity, and generally with intelligence and thoroughness, but as a matter of practice the Government audit should be independent of the department that spends the money, and so far as connected with any branch of the Government they should be connected with the branch of the Government that votes the funds. So much for that.

Now, in connection with such an independent audit there ought to be a body of men prepared and qualified to inform the committees of Congress relative to expenditures. Every man who has ever served on an appropriating committee has time after time been brought to realize the helplessness of such a committee, the hopeless helplessness of such a committee at times, in getting at the real essential facts with regard to expenditures.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. I ask for three minutes more.

The CHAIRMAN. The gentleman asks for a further extension of three minutes. Is there objection?

There was no objection.

Mr. MONDELL. A body of men connected with an independent audit, whose business it was to keep constantly in touch with expenditures, whose duty it was to know the way in which expenditures were being made, and the purposes for which they were being made, could serve the appropriating committees of Congress, and not leave them, as they now are sometimes, the victims of the ex parte testimony which is presented by those who are seeking appropriations, and who, however honest and well meaning they may be, color all their arguments in line with their views of what ought to be done, and in extenuation of all that has been done. Everyone who has served on an appropriating committee has realized that if the chairman of such a committee could have at his elbow men who could prepare data and statements and make suggestions as to expenditures, such assistance would be of tremendous value to him and to the House. I hope we will have a commission. I hope the gentleman from Kentucky [Mr. SHERLEY] will find that he can afford to be the head of such a commission; and I want to second the suggestion of the gentleman from Illinois that a splendid member of such a commission would be the gentleman from Wisconsin [Mr. STAFFORD].

Mr. SHERLEY. Mr. Chairman, I shall detain the committee only a moment longer about this matter, and I hope that in a few moments we can vote on it and go forward with the bill. I appreciate—I would be less than human if I did not appreciate—the very generous things that Members of the House have seen fit to say about me. But the chairman of the Committee on Appropriations has many burdens and responsibilities placed upon him, and there is no consideration which could make me feel that I could accept a position upon a commission created by a bill coming from my committee. When the Speaker was good enough to say to me that he would like to appoint me on two other commissions I said to him that I would not accept appointment. I do not like to talk about myself or to have this matter take a personal turn; but I want to make it perfectly plain that while I am glad to give anything of value that I can to my Government in the way of suggestion and information, there is no condition under which I would accept a place upon this commission or employment under it.

Mr. WALSH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. There is already pending two amendments to the amendment.

Mr. WALSH. Then I will offer this as a substitute.

Mr. SHERLEY. I suggest that the other amendments pending may be voted on first.

Mr. WALSH. Very well.

The CHAIRMAN. The question is on the amendments to the amendment proposed by the gentleman from Kentucky. There are two amendments, similar in their terms, and the Chair will have them submitted together.

The Clerk read as follows:

Amendments to the amendment offered by Mr. SHERLEY: Page 1, line 3, after the word "Senators," insert "three of whom shall be members of the majority party and three of whom shall be members of the minority party"; page 1, line 5, after the word "Representatives," insert "three of whom shall be members of the majority party and three of whom shall be members of the minority party."

The CHAIRMAN. The question is on the amendments.

The amendments to the amendment were agreed to.

The CHAIRMAN. The Clerk will now report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment to the amendment offered by Mr. WALSH: Page 1, line 8, after the word "members," strike out the period, insert a colon, and add the following:

"*Provided*, That the Senators shall be Members of the Sixty-sixth Congress and the Representatives elect shall be Members of the Sixty-sixth Congress."

Mr. WALSH. Mr. Chairman, in the legislative bill, which has not yet been approved, there is a provision for a commission to classify and readjust salaries, and from an intimation given by the Speaker this morning that commission is to be a so-called "lame duck" affair. When the conference report was presented to the House it was read without having been printed, without an opportunity for Members to find out what was in it, and without anybody, as far as I know, except the conferees and possibly one or two others, knowing that changes had been made in the manner in which that commission should be selected.

I submit that we ought to see to it that if we are to authorize the appointment of a commission of this kind and importance it should not be created so as to provide for Members who may have been unsuccessful in the late elections.

The gentleman from Kentucky [Mr. SHERLEY] would be a most competent man to serve upon this commission, but he has indicated his preference not to accept an appointment on that commission, and his determination is entitled to highest praise. I submit that we ought to see to it, with respect to this very important commission, that it shall not go out to the country that in the closing hours of this Congress the Democratic majority and the Democratic Speaker are authorized to appoint "lame ducks," so called, to commissions without a protest on the part of somebody.

Why, the commission on classification of salaries, provided for by the legislative, executive, and judicial appropriation act, if I may be permitted to say so, as will be named by the Speaker—with no intention of casting any reflection upon the Members suggested or upon our beloved Speaker—will be composed of men who have no particular qualifications whatever to recommend them, as far as intimate knowledge of the classified service is concerned, except it would seem that they will not be Members of the Sixty-sixth Congress. I submit that upon these commissions we ought not to authorize appointments which will carry additional expenditures on account of services rendered, but we ought to have members on it who will be here in the next Congress, and who will be associated with and related to the problems they are considering.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. The gentleman had something to say a few moments ago with reference to the commission provided for in the legislative appropriation bill, the commission on classification and readjustment of salaries. I want to call the gentleman's attention to the fact that when that report was presented the statement was read to the House, and if the gentleman will examine the RECORD he will find that having charge of the report I made an explicit and clear statement of the exact terms of that provision to the House. I do not think the gentleman's criticism is justified, if I understood him correctly.

Mr. WALSH. I meant no personal criticism of the gentleman from Tennessee. He presented the report, as he was at liberty to do, under the rules of the House during the last six days of the session without it being printed, and made a statement which at times could not be heard but by few owing to the confusion, which sometimes occurs when we are dealing with conference reports, and very few could follow intelligently the changes that had been made.

When we were considering the legislative bill originally in the House, I think I made a point of order, or somebody did, and it went to the Senate, where a provision was included providing that the Members of the Senate and the House on that commission should be Members of the Sixty-sixth Congress, but it had another proviso, to the effect that if the Senators or Representatives who will not be Members of the Sixty-sixth Congress were willing to serve on the commission they might be appointed to it.

Mr. BYRNS of Tennessee. The original provision as reported by the House Committee on Appropriations provided that members of that commission should be Members of the Sixty-sixth or succeeding Congress.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. STAFFORD. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks that the time of the gentleman from Massachusetts be extended five minutes. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, I would like to see if we can not agree upon debate on this amendment and all amendments thereto.

Mr. FESS. I want five minutes.

Mr. MAGEE. I want 10 minutes.

Mr. SHERLEY. Mr. Chairman, in addition to the five minutes just given to the gentleman from Massachusetts [Mr. WALSH], I ask unanimous consent that all debate on this amendment and amendments thereto close in 20 minutes, 10 minutes to be given to the gentleman from New York [Mr. MAGEE].

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate on this amendment and amendments thereto close in 20 minutes, 10 minutes to be given to the gentleman from New York [Mr. MAGEE]. Is there objection?

There was no objection.

Mr. WALSH. I yield further to the gentleman from Tennessee.

Mr. BYRNS of Tennessee. The House Committee on Appropriations recommended a provision which provided that the members of the commission should be appointed from the membership of the Sixty-sixth Congress. It went out on a point of order. The Senate adopted the provision, to which the gentleman from Massachusetts just referred, requiring that the commission should be composed of the retiring Members of the Sixty-fifth Congress, in the event any of them were willing to serve. The bill as it came from the conferees was a compromise between the position of the House committee, which was for a commission composed of Members of the next Congress, and the action of the Senate, which provided for the appointment of retiring Members, if they were willing to serve. The commission as reported is to consist of Members of the Congress to be appointed by the presiding officers of each House.

Mr. WALSH. Mr. Chairman, I appreciate the rule with respect to remarks concerning Members of the other body, but I want to compliment the other branch of the legislative department of the Government upon the fact that they have three first-class humorists in their membership, if this is a compromise. I recall, and gentlemen here will recall, that the present minority party some years ago, when it was a majority party, received the condemnation of the press and people of the country for the action it had taken as it was going out of power in making possible the appointment of members of its own party to jobs and places upon commissions carrying salaries, and, if I mistake not, that was the time the phrase "lame duck" originated or when it was revived and brought into popular usage once more. We are embarking upon an unwise policy, and I want to protest, as one member of the minority. If we are going to appoint commissions to study these important questions, they should be made up of Members of the Congress which will begin on the 4th day of March, and not of men who will go out of public office on that day, and who will because of their service upon these commissions require additional expenditure of money to pay for their services.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. I do not know of any bigger job that confronts anyone than the question of reclassifying and readjusting the salaries of Government employees, and I want to say to the gentleman that it is going to require the entire time of men who are appointed upon that commission——

Mr. WALSH. Mr. Chairman, I did not yield to the gentleman to make a speech. I want to say, however, that there is one bigger job than that, and that job is to seek to conserve the finances of the Treasury of the United States, and it is about time we began to do it. [Applause.] During the last three days of this session we will be confronted with legislation that will be brought in here under one pretext and another which will require the expenditure of hundreds and hundreds of thousands of dollars in addition to the expenditures we have already made, and it is time that some of us were struck with a streak of economy, even though we do have to practice it at the expense of most estimable gentlemen who are Members of this Congress, and who would receive the favor, apparently, of the Speaker of the House as the representative of the majority. Speaking for myself personally, and not attempting to represent the minority, I protest against this plan proposed by the Democrats in the closing hours of this Congress, when you are soon to become the minority party, in attempting to put through a plan that will permit the taking care of a dozen or 15 of your own Members on these commissions, to be paid salaries from the Treasury, and I trust that my amendment will be agreed to.

Mr. SHERLEY. Mr. Chairman, the gentleman will realize that I have been a party to no such plan. I stated in the beginning that I thought the membership of this commission ought to be composed of Members of the next Congress. My only desire is that if they do become members of this commission, and should for any reason not be Members of the succeeding Congress, their work should go on and should not be interrupted by losing membership on the commission. I have no objection to the gentleman's amendment, and I want to repeat that there is nothing that can be done by this Congress in the way of appointment to office that I would accept under any conditions.

Mr. WALSH. I am simply trying to second the sentiments of the distinguished gentleman from Kentucky, who has stated here that if it were permissible under this amendment he would not accept a position on this commission, but I doubt not that others could be found upon that side who will not be in the next Congress who would be willing to accept such an appointment. I trust my amendment will be adopted.

Mr. MAGEE. Mr. Chairman, I just want to get a few facts in relation to a national budget system into the RECORD, and I ask now unanimous consent to revise and extend my remarks therein.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MAGEE. Mr. Chairman, I want to call the attention of the House to the fact that by an act of appropriation of June 25, 1910, there was made available $100,000—

to enable the President, by the employment of accountants and experts * * * to more effectively inquire into the methods of transacting the public business * * * with a view of inaugurating new or changing old methods * * * so as to attain greater efficiency and economy therein, and to ascertain and recommend to Congress what changes in law may be necessary to carry into effect such results of his inquiry as can not be carried into effect by Executive action alone.

As I understand it, after that $100,000 had been used up a request was made for an additional appropriation of $250,000, and upon that request Congress appropriated $75,000 more, making a total expenditure in the premises of $175,000.

The commission that was created pursuant to the authority of Congress and during the administration of President Taft was called the Commission on Economy and Efficiency and made extended investigations and a detailed report on "The Need for a National Budget."

The report and recommendations of the commission and the messages of President Taft to the Congress in relation thereto during the second session of the Sixty-second Congress can be found in Document No. 854 of the House of Representatives and in Senate Document No. 1113. These two documents contain nearly 1,000 pages of printed matter.

It has been suggested upon the floor of the House that the members of that commission were not efficient, and that their extended report is not of much value. I have examined the report and, in my judgment, the report is of very material value and shows a vast amount of painstaking investigation and industry upon the part of the members of the commission.

In relation thereto President Taft, in a message to the Congress on June 27, 1912, said, in part:

I send herewith the report of the Commission on Economy and Efficiency on The Need for a National Budget. The recommendations contained therein are approved by me. I recommend to the Congress the enactment of the legislation necessary to put them into effect.

President Taft further said:

Regular committees on expenditure have been established by the Congress for the purpose of obtaining knowledge of conditions through special investigations. During the last century over 100 special congressional investigations have been authorized to obtain information which should have been regularly submitted, and much money, as well as much time, has been spent by the Congress in its effort to obtain information about matters that should be laid before them as an open book; many statutes have been passed governing the manner in which reports of expenditures shall be made; specific rules have been laid down giving the manner in which estimates shall be submitted to the Congress and considered by it. From time to time special investigations have been made by heads of executive departments. During the last century many such investigations have been carried on, and much money has been spent in the conduct of them, as well as by the Congress, for the purpose of obtaining facts as a basis for intelligent consideration of methods and procedure of doing business with a view to increasing economy and efficiency. From time to time Executive orders have been issued, and reorganizations have taken place.

Generally speaking, however, the only conclusions which may be reached from all of this are that—

No regular or systematic means has been provided for the consideration of the detail and concrete problems of the Government.

A well-defined business or work program for the Government has not been evolved.

The reports of expenditures required by law are unsystematic, lack uniformity of classification, and are incapable of being summarized so as to give to the Congress, to the President, or to the people a picture of what has been done and of cost in terms either of economy of purchase or efficiency of organization in obtaining results.

President Taft, in concluding his message, further said:

The purpose of the report which is submitted is to suggest a method whereby the President, as the constitutional head of the administration, may lay before the Congress, and the Congress may consider and act on, a definite business and financial program; to have the expenditures, appropriations, and estimates so classified and summarized that their broad significance may be readily understood; to provide each Member of Congress, as well as each citizen who is interested, with such data pertaining to each subject of interest that it may be considered in relation to each question of policy which should be gone into before an appropriation for expenditures is made; to have these general summaries supported by such detail information as is necessary to consider the economy and efficiency with which business has been transacted; in short, to suggest a plan whereby the President and the Congress may cooperate—the one in laying before the Congress and the country a clearly expressed administrative program to be acted on; the other in laying before the President a definite enactment to be acted on by him.

Included in this report are summaries of expenditures for the year 1911, summaries of appropriations for the fiscal year 1912, and summaries of estimates of appropriations for the fiscal year 1913. To these summaries your special attention is invited. Attached is also an appendix containing a digest of laws pertaining to appropriations and allotments, to the preparation of estimates, and to forms of reporting expenditures; also the suggested pro forma draft of budget, which has been prepared by the commission and is submitted for your consideration as a matter bearing very directly on the economy and efficiency with which Government business is carried on.

That message was sent to the Congress nearly seven years ago. The Democratic administration that came into power shortly afterwards, as I am informed, starved the Commission on Economy and Efficiency to death. I am strongly in favor of a national budget system. I am in favor of it now, and while I do not wish to question the good faith of any Member of the House or of anybody else, nor to impugn the motive of any Member, yet I say that, after the Democratic administration has let this proposition sleep for seven years, I am not in favor of a proposition now that will put it to sleep for the next quarter of a century.

I want to do something in the public interest. I want drastic retrenchment in public expenditures. I want the Government to do business in a businesslike way. What I say is that we ought to get at this proposition now and show the country that we mean to do something. You can not make me believe that the adoption of a national budget system is too complex a problem for us to solve.

We all know that we can do much to improve the situation. I am not in favor, for instance, of the Committee on Indian Affairs appropriating money; I am not in favor of the Committee on Agriculture appropriating money; we can even through ourselves do much toward bringing about a practical budget system, such as was indicated in the resolution introduced in the House by Representative Fitzgerald, of New York, in September, 1917.

In the public interest and for economy and efficiency we should have, in my judgment, only one committee of the House making appropriations of public funds. Who of my colleagues are in favor of such a proposition? If any of them are, let them speak out. I am gratified to see that the distinguished chairman of the Committee on Appropriations is. I know that he is sincere. I want to help him, but I want to call the bluff that is now under consideration in the form of the pending amendment. I do not like the idea of canning the creation of a national budget system for years to come. I do not like camouflaging the public. We owe it to ourselves to show the public by prompt action that we are in earnest.

We can do something else through ourselves. We have in the House 9 or 10 departmental expenditure committees. I do not speak in a spirit of criticism, but I feel that I must say that they are nothing more or less than ornamental barnacles. Who of my colleagues are in favor of doing away with these department expenditure committees and of creating in their place a great committee on "national expenditures" or on "public accounts," fashioned after the great committee on public accounts in the House of Commons, due to the advocacy of Mr. Gladstone? If any of them are, let them speak out.

Mr. GARRETT of Tennessee rose.

Mr. MAGEE. I have only a few minutes, and I want to get some facts into the RECORD. I will say that I am going to demand of my own party, as I have demanded of the majority party here in the House, that ornamental barnacles be abolished, that the patronage connected therewith be eliminated, and that we go on and do business in the House with some degree of efficiency and economy.

I think that we ought to provide in the pending amendment that the commission to be appointed thereunder shall make a report to the Congress within 60 days after the convening of the first session of the Sixty-sixth Congress. I am heart and soul against telling the American people, who are demanding economy in public expenditures, who have been demanding for generations a national budget system, that we are not going to do anything in the matter and that we are going back and begin again where we left off in June, 1912. I feel that we have sufficient ability and intelligence in the Congress to solve the problem. At least we should be given the opportunity, and

if it shall develop that we have not brains enough to do it, then will be the time to create another commission and to waste $100,000 more in camouflaging the public. [Applause.]

Mr. SHERLEY. Mr. Chairman, I should hope that any commission appointed that was really serious in its work, and I hope no other kind will be appointed, will be able to report on a number of matters within 60 days after the next session of Congress meets. Whether they can make a complete report, I question. I think it is desirable that the Congress instead of undertaking to get the result of the report to which the gentleman referred—a proposition so revolutionary we never could deal with it—get from this commission a report as to concrete things from time to time, and that is the reason I provided that it should have the right to report at any time with the idea that it might come in with specific recommendations that could be taken up and put into actual law. I do not want this thing to drift indefinitely. The war prevented me from making a further movement in regard to it because that prevented everything except the prosecution of the war. I made the hardest fight I ever made on the floor in reference to it——

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MAGEE. I am very glad to hear the distinguished gentleman make that statement.

Mr. FESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair will state that there is an amendment pending offered by the gentleman from Massachusetts [Mr. WALSH].

Mr. FESS. I will offer an amendment to the amendment, then.

Mr. CAMPBELL of Kansas. I suggest if the amendment is not in order at this time that it be read for information of the House.

The CHAIRMAN. The Chair will have the Clerk read the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Page 2, line 9, strike out the words "at such early date as may be practicable" and insert in lieu thereof the words "by the 4th of March, 1920," so that the line as amended will read:

"The commission shall report by bill or otherwise to the two Houses of Congress with any recommendation it shall choose to make on the 4th day of March, 1920, and shall have the right to report at any time."

Mr. WALSH. Of course that is not in order at this time.

Mr. FESS. Mr. Chairman, this is not an amendment to the gentleman's amendment, but it is an amendment to the bill.

Mr. WALSH. This whole proposition is an amendment.

Mr. FESS. Is the whole matter an amendment?

Mr. SHERLEY. I will say to the gentleman from Ohio after the amendment of the gentleman from Massachusetts is voted upon it will be in order for him to offer his amendment.

Mr. FESS. I accept the correction; I was not aware that the whole language was an amendment.

The CHAIRMAN. The amendment offered by the gentleman from Ohio is not now in order.

Mr. FESS. Mr. Chairman and gentlemen of the committee, I agree very greatly with what the gentleman from Massachusetts [Mr. WALSH] has said in regard to the abuses of the appointing power to give places to those who are not to be Members of the next Congress who might be termed "lame ducks." At the same time I doubt very much the wisdom, notwithstanding the force of the argument, drawn from the history of the last few years to put such a matter as law. For that reason I am rather afraid to support his amendment for fear there is more harm in it than good. I just arose to comment briefly on what the gentleman from New York has said, that this commission of economy and efficiency having done a wonderful work in a report of very exhaustive character seems to have gone into decay; nothing has come from the work it did. That leaves him the fear, and I partly share it, that the same thing might occur with this movement. However, if we put the provision in that there shall be a report either in the form of a bill or otherwise not later than a certain date, it seems to me we will keep alive the proposition.

I think there is no movement before the country so important as this one. I know this is a step in the direction that we want to reach ultimately. I remember with great sensitiveness of a colloquy that was held on the floor of the House on February 11, 1915, in which I figured, when I was urging the adoption of a budget system, and which was commented upon with considerable vigor by the gentleman from New York, Mr. Fitzgerald, then the chairman of the Committee on Appropriations, and the gentleman from Illinois [Mr. MANN], the minority leader. I got at that time the opinion as to the extreme difficulty in making any changes in the machinery of the Government. We hold with much tenacity to a thing that already is, simply because it is, and we proceed with such caution to a suggestion of any change because we do not know just where the change is leading. Whether a budget system like the English system will ever be engrafted upon our Government or not we do not know, and I care very little whether it will be in that form or not, but we certainly must have a system whereby the auditing is not done by the departments that do the spending. I think everybody will agree to that. We need a change here, and whether it will be in this form or that we can not say; but this commission is given the authority to make investigations, and if we will set the time for the report I think we are assured of the adoption of some more modern system. For that reason I sincerely hope that this step, especially from the standpoint of the Republican side of the House, will be taken, with the assurance that more economy can be exercised, that less extravagance will be had, and a better estimate can be made, and a surer responsibility established, because we can not do it when there are 13 committees, each one rivaling the other to get money out of the Treasury of the Government. This move for the establishment of a budget, if a time is fixed when it can report, will certainly result in a good reform. And I hope it will be granted.

Mr. TOWNER. Mr. Chairman and gentlemen of the committee, it is not a question of whether or not we think this reform desirable. In my judgment it is absolutely imperative. Every day that passes in which we do not take some step toward the securing of a reform in our methods of appropriation is a reflection upon this body.

I am in favor of the amendment of the gentleman from Massachusetts [Mr. WALSH]. I would be glad if the gentleman from Kentucky [Mr. SHERLEY] could be made a member of that commission. I think there is not a man on the floor of this House that would not vote to name him as the chairman of it. I know I would be very glad, indeed, to do so. However, unfortunately for us, he peremptorily declines the consideration of his name.

I want to call the attention of the members of the committee to this fact, that this is in its essence a reform of the rules of the House. The next Congress should do this. It is their business. It is their duty. Among the revisions of the rules that it will present this should be one. And I quite agree with the gentleman from New York [Mr. MAGEE], who says it ought to be done within 60 days after the convening of Congress. And I quite agree with the gentleman from Kentucky [Mr. SHERLEY], who said that at least a preliminary report could be made by that time.

Gentlemen, I presume that we ought not to expect a complete and a revolutionary reform—a system for the purpose of accomplishing the objects that we desire. Probably that could not be done, in the first place, because of the fact that there would be opposition to it in the House; in the second place, because of the fact that we could not, at a blow, strike off the completed system. Perhaps it is better for us that we should take our steps slowly. But there are some things that we can remedy. There are some changes in the rules of the House that we can and ought to make, and ought to make soon. We ought not to allow this next Congress, this next session of this next Congress, to pass without taking some steps in that direction. I am very glad, indeed, to know that men on the Democratic side of the House are as anxious, perhaps, as we are to secure this reform. We realize that during these war days there has been some excuse, perhaps, for not taking some steps. However, that time now has passed when any further excuse can be offered for our not taking some action in regard to this. The gentleman knows that the business interests of this country demand that such action shall be taken. The gentlemen here know that they expect the next Congress to do this. If the Republican Congress shall not do it, it will not be meeting the expectations of the business men of this country. It will not be doing its duty, because these tremendous appropriations that we are called upon to consider and which are presented to us can not be intelligently considered, not through any fault of the appropriation committees, but because of the faults of the system itself. These appropriations can not be correlated. The appropriations being made in three different departments for aeronautics is an example of the defects of the system. These matters ought to be budgeted, perhaps not by an elaborate system such as the English system, but the estimates given by the different members of the Cabinet ought to be revised by some other committee and presented, with their report, to the House for consideration. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time allotted for debate on the amendment has expired.

The question now arises on the amendment to the amendment offered by the gentleman from Massachusetts [Mr. WALSH], which for the information of the committee the Clerk will again report.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment to the amendment, as offered by the gentleman from Massachusetts [Mr. WALSH].

The question was taken, and the amendment to the amendment was agreed to.

Mr. SHERLEY. Mr. Chairman, I understand the gentleman from Ohio desires to offer an amendment.

The CHAIRMAN. Does the gentleman from Ohio [Mr. FESS] desire to offer his amendment?

Mr. FESS. I do.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GALLIVAN having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On February 27, 1919:

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio;

H. R. 13369. An act to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass.;

H. R. 13393. An act to revive and reenact the act entitled "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved April 22, 1912;

H. R. 13427. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13647. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13648. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13649. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 14555. An act granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry, in said county;

S. 5058. An act to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.;

S. 5192. An act for the construction of a bridge across Rock River at or near South Jackson Street, in the city of Janesville, Wis.;

S. 5316. An act granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington;

S. 5478. An act granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across the Tug River;

S. 5534. An act granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes; and

S. 5580. An act granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.

On February 28, 1919:

S. J. Res. 107. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. FESS: Page 2, line 9, strike out the words "at such early date as may be practicable" and insert in lieu thereof "by the 4th of March, 1920."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was rejected.

Mr. TOWNER. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report to the committee.

The Clerk read as follows:

Amendment offered by Mr. TOWNER: Page 2, line 9, of the Sherley amendment, after the word "make," strike out the words "at such early date as may be practicable" and insert the following: "within 60 days after the convening of the Sixty-sixth Congress."

Mr. TOWNER. Mr. Chairman, I desire only to suggest——

Mr. FOSTER. Mr. Chairman, has not the debate been closed?

The CHAIRMAN. By previous order all debate has been closed.

Mr. TOWNER. I beg the pardon of the Chair. That was on the amendment of the gentleman from Kentucky [Mr. SHERLEY] and not all amendments thereto.

The CHAIRMAN. The understanding of the Chair was that the request of the gentleman from Kentucky was that debate on all amendments was to be concluded within 25 minutes.

Mr. TOWNER. I think the Chair is mistaken.

Mr. FOSTER. I think not. The Chair stated plainly that debate on this amendment and all amendments thereto was to be closed within 25 minutes.

Mr. TOWNER. That was the Sherley amendment.

Mr. FOSTER. On this amendment which the gentleman from Kentucky [Mr. SHERLEY] offered and all amendments thereto.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. TOWNER].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. TOWNER. Mr. Chairman, I call for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 11, noes 32.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on agreeing to the amendment offered by the gentleman from Kentucky [Mr. SHERLEY], as amended by the committee.

The amendment as amended was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To pay the widow of WILLIAM P. BORLAND, late a Representative from the State of Missouri, $7,500.

Mr. WALSH. Mr. Chairman, I rise to a parliamentary inquiry. Have lines 9 to 14 been read?

The CHAIRMAN. Yes.

Mr. WALSH. I think only the words on line 8 were read.

The CHAIRMAN. The Clerk tells the Chair that the amendment was marked to be presented at the end of line 14, and that all previous lines had been read.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 37, after line 17, insert: "To pay ALBERT JOHNSON, for salary, $1,442.98, for clerk hire, $333.32; TOM CONNALLY, for clerk hire, $393.92; CARL HAYDEN, for salary, $1,176.37, for clerk hire, $333.32; FIORELLA H. LAGUARDIA, for salary, $9,486.31, for clerk hire, $1,666.60; VICTOR HEINTZ, for salary, $10,583.90, for clerk hire, $1,992.92; ROYAL C. JOHNSON, for salary, $7,171.23, for clerk hire, $999.92: *Provided*, That there shall be deducted from such amounts any money received by any of the above named as compensation for service in the Army during the present emergency, and the affidavits of the above-named persons shall be accepted as proof as to whether or not any such payments have been received by them. In all, $35,593.79."

Mr. SHERLEY. Mr. Chairman, reserving a point of order, I desire simply to say this: I shall not make the point of order because it is a matter that relates to the membership of the House, and so far as the House is concerned the membership of the House ought to have an opportunity to express its desire in connection with the amendment that the gentleman from Illinois has offered.

Mr. MANN. Will the gentleman withdraw his point of order?

Mr. SHERLEY. I will withdraw it personally.

Mr. MANN. Mr. Chairman, this amendment speaks for itself. I think all gentlemen understand what the purpose is. The

amounts provided have been carefully checked up by the Sergeant at Arms and the Clerk of the House. They are the amounts which would be due if the certificates of attendance and pay by the Sergeant at Arms, as far as salaries are concerned, had been made out. The Speaker had indicated his willingness to sign the certificates, but there is some question as to asking the Sergeant at Arms to pay the money, he being under bond, and it seemed desirable to make provision for it directly, so that there would be no individual responsible.

Mr. WELLING. Has the gentleman included the names of all of those who entered the military service during the war?

Mr. MANN. I endeavored to.

Mr. WELLING. I understood that Mr. JONES of Texas entered the service. I listened attentively to the reading, but I understood it was not included.

Mr. SANFORD. The gentleman's name was eliminated at his own request.

Mr. MANN. The gentleman from New York [Mr. SANFORD] prepared this amendment and went over the matter with the Sergeant at Arms and with the Clerk and with the various Members, or most of them, at least, whose names are mentioned. I do not think it is a desirable thing to discuss on the floor of the House.

Mr. GARRETT of Tennessee. No. It is a most embarrassing thing to be put up to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For reimbursement to the official stenographers to committees for moneys actually and necessarily expended by them from July 1, 1918, to March 4, 1919, $650 each, $2,600.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. I do so for the purpose of inquiring with reference to the item at the top of page 38, as to this $650 each, paid out by stenographers to committees.

Mr. SHERLEY. The stenographers to committees hire their transcribers, and the Congress reimburses them for their actual expenses which they certify they have paid for transcribing the testimony.

Mr. WALSH. Then the situation is that the persons who transcribe the proceedings of the House as taken by the Official Reporters of debates are on the roll, but the persons who transcribe the hearings before committees are not?

Mr. SHERLEY. I believe that is true.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GALLIVAN having taken the Chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder, in which the concurrence of the House of Representatives was requested.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

SEC. 3. That the heads of the several executive departments and other responsible officials, in expending appropriations contained in this or any other act, so far as possible shall purchase material, supplies, and equipment, when needed and funds are available, from other services of the Government possessing material, supplies, and equipment no longer required because of the cessation of war activities. It shall be the duty of the heads of the several executive departments and other officials, before purchasing any of the articles described herein, to ascertain from the other services of the Government whether they have articles of the character described that are serviceable. And articles purchased by one service from another, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government are authorized to sell such articles under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office material, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

Mr. GOOD. I offer it as a new paragraph.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 49, after line 3, insert the following as a new paragraph:

"That no part of the money appropriated by this act shall be used for any personal services or to pay for any advertisement, telegram, letter, or circular designed to defeat or enact any proposed legislation of Congress, or to influence any Member of Congress to vote on any appropriation unless specifically authorized."

Mr. GOOD. Mr. Chairman, I think a great injustice has grown up in some of the executive departments of the Government in sending out telegrams to various organizations throughout the United States requesting them to wire Members of Congress to vote for or against certain measures or to vote certain appropriations. I do not know what the expenditures would amount to for this kind of propaganda, but it runs into thousands of dollars. I know that there has never been any appropriation from which these expenses might legally be paid. I also know that the Committee on Appropriations a few days ago received telegrams by the thousands that were actuated solely by telegrams sent out from the Department of Labor at Government expense. No appropriation has ever been made for such purpose. A few months ago the Members were also deluged with telegrams and letters that had their origin in the Department of Education, all on behalf of certain legislation and increased appropriations. Now, it seems to me that that is not the duty or the part of any Government official, who is appointed to enforce the provisions of the law, so far as they relate to his office, to engage in propaganda of this kind.

Mr. BAER. Will the gentleman yield?

Mr. GOOD. I do.

Mr. BAER. There is another department here that is sending men all through the country talking to presidents of colleges and professors, and having meetings, and talking to ministers, and then they are writing back to us sending resolutions. They are lobbying through the whole country and then coming back here to lobby.

Mr. GOOD. This amendment would absolutely put a stop to that practice, so far as the funds carried in this bill are concerned. Of course, they ought not to be permitted to spend the money of the people in this way. Congress ought to say, and it does attempt to specify, the purposes for which appropriations shall be expended, and it ought not to be necessary to pass amendments of this kind. It ought not to be within the power of any official to take money out of the Treasury that Congress has appropriated for legitimate purposes and use it to carry on propaganda of this kind. The real fact is that the amendment ought to apply not only to the moneys carried in this bill but in all other bills. I hope the amendment will be agreed to.

Mr. BLANTON. Mr. Chairman, I am heartily in favor of the amendment offered. During the past week I have received telegrams and communications from various labor organizations and chambers of commerce in my district urging me to support an amendment which will be offered to the sundry civil bill to continue and make permanent the employment service. The propaganda was so general that I sent an inquiry to my district to find out where it came from and what was its source. Much to my surprise I learned that the editor of the Employment Service Bulletin, published here in Washington, a Government official, had sent out at Government expense telegrams to every labor union and labor organization in my district and to every chamber of commerce in my district, urging them to wire their Senators and their Representative to see that this public-service employment was made permanent. I take it that it is beyond the scope of employment and duty of any Government official here in Washington to take upon himself the distribution of that kind of propaganda to influence legislation.

Mr. GARNER. Especially at Government expense.

Mr. BLANTON. Especially at Government expense. All these labor unions and chambers of commerce expect their Senators and Representatives to answer their communications and tell them what they expect to do with regard to the legislation referred to. Why, I dare say it would take the services of an extra stenographic clerk to every Member to answer the communications that Members have received within the last week on this particular item.

Mr. WALSH. Did not the gentleman answer one of the telegrams?

Mr. BLANTON. Yes; I answered one; and if I had time I would like to put my answer in the RECORD.

Mr. EAGAN. Read it.

Mr. BLANTON. I will tell you what I answered, Mr. Chairman. When I received, through Secretary Morrison, a copy of the cablegram from Mr. Samuel Gompers, in France, telling us that it would be well for the Members of Congress not only to uphold this public-service employment amendment that is to

be offered, but every other species of legislation that was within the labor program, otherwise we could expect a revolution in this country from the returned soldier boys later on, I answered a paper in my district and told them that it was not the returned soldier boys that we had to fear in that respect; that it was not the returned soldier boys from France who caused 6,000 strikes to occur within the United States by organized labor between the 6th day of April, 1917, and the 11th day of November, 1918, during this war. I have a statement from the Department of Labor here in my pocket showing that within that time, during this war, there were 6,000 strikes in this country by labor organizations, of an average duration of 18 days each. I told this same paper that it was not the returned soldier boys who, when this Congress spoke in no uncertain terms on what is known as the Borland amendment, which was a good piece of legislation, providing that the 240,000 clerks and employees of this Government should in war time work eight hours a day to be entitled to the $120 blanket raise in salary—I told them it was not the returned soldier boys who came to the President of the United States the next day and to the papers of Washington and said, "If that bill is not vetoed we will march on the Capitol and walk out and quit our positions and cripple every department of this Government."

Mr. COOPER of Ohio. Surely the gentleman from Texas does not want to leave the impression that organized labor during the period of the war did not try to do its part?

Mr. BLANTON. There were certain members of organized labor who were loyal to the core, who went to France and worked in the trenches at $33 a month without a murmur; but it was some of the members of organized labor who stayed here at home who made the trouble.

Mr. GOOD. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. GOOD. I will say to the gentleman that I offer this amendment not only to cure abuses in that department but in others. The abuses I refer to are as prevalent in many other departments, and the useless expenditure of Government money is just as great in the other departments.

Mr. BLANTON. I am sorry that my argument should embarrass the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I ask unanimous consent that I may proceed for five minutes.

Mr. GALLIVAN. Reserving the right to object, when the amendment is offered, as it will be offered later, we will be glad to give the gentleman all the time that the House then has at disposal, and I object.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. GOOD. I will.

Mr. GARRETT of Tennessee. I want to ask the gentleman from Iowa about the amendment. If I understand him correctly, I am very much in sympathy with him. I understand the purpose of his amendment is to prevent any department of the Government from sending out messages suggesting to organizations or individuals that they wire or write touching legislative matters. Is that correct?

Mr. GOOD. The amendment goes that far in some respects and in some respects it does not go that far. The amendment is a limitation only on appropriations contained in this bill, and specifically provides that no part of the money appropriated by this act shall be used for personal services or advertisement, or sending telegrams, letters, or circulars designed to affect legislation or appropriations, unless the money is specifically appropriated for such purposes.

Mr. GARRETT of Tennessee. It will prevent, if I understand it, inserting advertisements in the papers from this fund.

Mr. GOOD. Absolutely.

Mr. GARRETT of Tennessee. In other words, the gentleman is striking, if I understand correctly, at the efforts of departments here to initiate movements.

Mr. GOOD. Absolutely, and have it appear to the person receiving the telegram that the movement originated back home, whereas it originated in the department here in Washington. A man in Tennessee receives from some department a telegram to wire his Senator or Representative in Congress to vote for an appropriation. The Member receiving the telegram at first does not know that the telegram really originated here in Washington, but when he commences to receive them by the hundreds he knows then that the whole propaganda originated here, and thousands of dollars and the services of many clerks are used to promote this kind of propaganda. The only objection that gentlemen will have to the amendment is that it only applies to the money appropriated in this bill.

Mr. STAFFORD. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

In line 2, of the Good amendment, after the word "this," insert the words "or any other."

Mr. STAFFORD. Mr. Chairman, this is clearly subject to a point of order. The purpose of the amendment is to extend the provision of this amendment to all appropriations. It will be merely a camouflage amendment if it is inserted here to apply only to this bill, because it will be futile. There is no money, or very little, that can be used for this purpose. Let us make it mean something. The legislative appropriation bill, agreed to in conference, carried a Senate amendment to which I wish to direct special attention, because the abuse sought to be corrected was adverted to yesterday afternoon, and that is to prohibit the publication of all these numerous periodicals and pamphlets that are being issued by the publicity agencies and sent broadcast throughout the country at a tremendous expense to the Treasury. It provides that all publications, periodicals, journals, magazines that are printed by any governmental agency shall be discontinued unless specifically authorized by Congress. There are connected with the Government 47 publicity bureaus, and every one, on occasions, resorts to the practice that is sought to be discontinued by the pending amendment. Recently the Bureau of Education sent out propaganda to the leaders of education advocating the establishment of a department of education and suggesting an appeal to Members of Congress when there is no chance whatever for its consideration. There has been no bill reported, and yet we have been receiving letters by the score already that had their genesis here in the Bureau of Education.

Mr. GARRETT of Tennessee. I do not know to what extend this would go in preventing the franking privilege. I presume we do not wish to prevent the Educational Bureau from using the frank for proper purposes.

Mr. STAFFORD. Not at all.

Mr. GARRETT of Tennessee. Will it go to the extent of preventing that in any way?

Mr. STAFFORD. Does the gentleman refer to the amendment offered by the gentleman from Iowa or the provision in the legislative bill?

Mr. GARRETT of Tennessee. I am referring to the amendment offered by the gentleman from Iowa as applied to the present law.

Mr. STAFFORD. No; as I read the amendment it would not prevent in any wise the distribution of proper matter, printed matter, circulars concerning their activities, but it would prohibit their sending out circulars under postage or frank at Government expense——

Mr. GARRETT of Tennessee. Urging somebody to vote for something, and with that I am in sympathy.

Mr. GALLIVAN. It would stop Members of Congress from sending wires to people to vote for their bills. If it does not, I think the gentleman ought to amend it. It ought to include Members of Congress who telegraph under their frank to other Members asking them to support bills. I received a telegram when at home from a Member of Congress urging me to come back and give them a vote on this or that proposition, and it ought to be stopped.

Mr. STAFFORD. It would not go to that extent.

Mr. GALLIVAN. Do not assume for ourselves something that we are not willing to give to the departments.

Mr. STAFFORD. We ought not to be placed upon a parity with them in this respect.

Mr. GALLIVAN. Let us be on the level. I will vote for it if it will include Members of Congress.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. CANNON. As I understand, the telegram is used to get a quorum, and to get people——

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. The case instanced by the gentleman from Massachusetts [Mr. GALLIVAN] is not on all fours with the abuse sought to be corrected. Undoubtedly the gentleman on rare occasions may have received a telegram from the Democratic whip to return to vote on some proposition. That is entirely proper, but the abuse sought to be corrected here is in appropriating money to Government officials to use as a back fire upon Members of Congress.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. KEARNS. Does the gentleman say that the Democratic or the Republican whip has the franking privilege when they send telegrams to Members?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEARNS. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for one minute.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, how much time would that allow to me?

Mr. SHERLEY. I do not know that it would allow anything to the gentleman. The Chair has the power of recognition.

Mr. BLANTON. Reserving the right to object, I want sufficient time in which to read a telegram—three minutes.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object——

Mr. SHERLEY. Mr. Chairman, I insist that the gentleman either object or not object.

Mr. BLANTON. I object.

Mr. SHERLEY. Then I move that all debate upon this amendment and all amendments thereto close in 10 minutes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 71, noes 1.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twelve Members present, a quorum.

So the motion to close debate was agreed to.

Mr. KEARNS. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. KEARNS. Mr. Chairman, I take this time to ask the gentleman from Wisconsin a question. I understood the gentleman from Wisconsin a few moments ago to say that the Democratic whip and the Republican whip in sending telegrams to absent Members have the franking privilege for those telegrams. Is that true?

Mr. STAFFORD. No. I was replying to the objection of the gentleman from Massachusetts [Mr. GALLIVAN]——

Mr. GALLIVAN. I said nothing about whips.

Mr. STAFFORD. He referred to telegrams which he has received urging him to return. Those occasions must have been very rare, because he is generally here.

Mr. KEARNS. Has the Democratic whip or the Republican whip the franking privilege when sending for absent Members?

Mr. GALLIVAN. Of course they have.

Mr. GARRETT of Tennessee. Oh, no.

Mr. FOSTER. They are performing public business.

Mr. GARRETT of Tennessee. They have not the franking privilege on telegrams.

Mr. STAFFORD. I am not acquainted with the practice of the Republican or the Democratic whips in sending telegrams. I know this: That the contingent fund of the House is used for the payment of official telegrams sent by Members of Congress to their constituents or to other persons throughout the country.

Mr. KEARNS. If they have the franking privilege——

Mr. STAFFORD. The franking privilege does not extend to telegrams. It extends only to letters.

Mr. KEARNS. I want to say that I have a protest that I desire to make, because the Republican whip sent me a telegram collect, on which I had to pay 78 cents. [Laughter.]

Mr. STAFFORD. Then I think the gentleman has a good case against the Republican whip.

Mr. GARRETT of Tennessee. The whips send telegrams under the head of official business whenever it is official business and they are paid for by the Government.

Mr. CLARK of Missouri. At Government rates.

Mr. GARRETT of Tennessee. Yes; at Government rates.

Mr. BLANTON. Mr. Chairman, the gentleman from Massachusetts asked me awhile ago if I answered all of these telegrams that I received. I did answer them, and among such answers I sent one by telegram in particular, which, in my time, I want to read.

Mr. GALLIVAN. Before the gentleman begins, will he yield for a question?

Mr. BLANTON. Yes.

Mr. GALLIVAN. Was this a Government message, charged to the Government?

Mr. BLANTON. I refuse to yield right now. That telegram is as follows:

[Telegram.]

WASHINGTON, *D. C., February 26, 1919.*

SAN ANTONIO EXPRESS,
San Antonio, Tex.:

Kindly permit me to publicly answer a 1,000-word telegram just received from Director J. F. Carl. Sundry civil bill continues Employment Service until July. This service in Texas is beneficial, worthy, and ideal. Not so in many other States. It is not the returning soldier boys who are now demanding that this service be made permanent, adding an extra ten million appropriation for coming year, but it is members of organized labor who didn't enlist or fight, but who claimed industrial exemptions, and who during entire war have drawn higher wages than ever dreamed of before, as high as $11 per day, more than the salary of the governor of Texas, while our fighting boys in trenches were paid only $33 per month. When Gen. Crowder ordered all men to "work or fight," it was Samuel Gompers and this same bunch who threateningly told him that he could not apply the work-or-fight order to organized labor, and thus forced the drafting of boys 18 years old. When Congress required the 240,000 Government clerks, drawing annual salaries up to $2,500, to work eight hours per day during the war, it was this same bunch who forced President Wilson to veto this eight-hour provision by thousands of such employees threatening to march on the Capitol and threatening to quit work and thus crippling every department of Government in war time. Statistics in Labor Bureau show that during war, April 6, 1917, until armistice was signed, November 11, 1918, there were in the United States 6,000 strikes by members of organized labor, lasting an average of 17 days' duration.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No. I will not yield.

In several Southern States, where farming is absolutely dependent upon negro labor, Government representatives of this Employment Service have induced thousands of negroes to leave farms and have unionized them in cities. The editor of the Employment Service Bulletin here has lately wired the unions and chambers of commerce throughout my district urging them to insist on my supporting this union program, and it takes an extra stenographer to answer such communications from labor unions. Although 45 States have ratified the prohibition amendment, and it is a part of our Constitution, these same labor unions are arranging a strike against the Constitution of the United States on July 1. They also defied law and the courts of California.

Mr. Samuel Gompers has cabled us to support this and other union measures, insinuating that a failure to do so might cause a revolution of the discontented labor members here. It has now reached a point when Congress must decide whether America and its Government is to be run in the interests of its 110,000,000 people or run solely by Samuel Gompers in the selfish interests of 3,000,000 members of labor unions. The success of a doctor, lawyer, preacher, teacher, Congressman, merchant, farmer, and public officer depends entirely upon his ability, efficiency, and class of service given, but the 3,000,000 members of unions depend solely upon Samuel Gompers, union card, power of strike, and revolution——

Mr. LONDON. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. The point of order is that the gentleman can not read a document without the permission of the House.

Mr. BLANTON. I am reading in my own time, and I ask that this be not taken out of my time.

Mr. LONDON. The gentleman can not read from a document without the consent of the House.

Mr. WALSH. But the gentleman must make that point before the other gentleman starts reading.

The CHAIRMAN. The time allotted to the gentleman from Texas has expired.

Mr. COOPER of Ohio. Mr. Chairman, I would like to be recognized for three minutes.

The CHAIRMAN. But three minutes remains of the time.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to insert the balance of this telegram.

The CHAIRMAN. Is there objection?

Mr. GALLIVAN. Mr. Chairman, reserving the right to object, I shall object to its going into the RECORD unless everything shows on the telegram; and if it was sent at Government expense, that that goes into the RECORD.

Mr. BLANTON. I will put it in just like it is.

Mr. GALLIVAN. Was it sent at Government expense?

Mr. BLANTON. I will answer that if the gentleman will get me time.

Mr. GALLIVAN. Oh, that does not take any time; that only takes half a second.

Mr. BLANTON. I will answer if the gentleman will get me two minutes time.

The CHAIRMAN. Is there objection?

Mr. BENJAMIN L. FAIRCHILD. Give him the time.

Mr. GALLIVAN. I object—all right——

Mr. BLANTON. If the gentleman will get me the time to answer I will answer.

Mr. GALLIVAN. I have asked the question whether that wire was sent at Government expense or not?

The CHAIRMAN. The Chair has recognized the gentleman from Ohio [Mr. COOPER] to proceed for three minutes, being the only time remaining of the allotment upon this subject.

Mr. COOPER of Ohio. Mr. Chairman and gentlemen of the committee, I do not believe that I can sit still in my seat and

listen to the gentleman from Texas [Mr. BLANTON] indicting the union labor men of this country. I have not always agreed with Mr. Samuel Gompers, and on several occasions I have taken issue with him right here on the floor of the House, but when the gentleman from Texas intimates that organized labor of this country caused all of these strikes and did not do their part in the winning of this war, he makes a misstatement which he can not prove by the facts. There is no body of men in this country who lent their heartiest support to the prosecution and winning of this war more than the workingmen of this country. Who was it who made all the ammunition, the arms, and the guns; who was it who kept our railroad trains running section after section to the seacoast towns, so that the docks were piled up with provisions, ammunition, and guns for the soldiers abroad who were fighting our battles? Was it not the workingmen of this country? I want to say to you that no man in this land did more to keep organized labor in line and did more in the prosecution and winning of this war than did Mr. Samuel Gompers. [Applause.] If it had not been for the efforts of Mr. Gompers the Bolsheviki and the I. W. W.'s would have had their way in this country and the wheels of industry would have been clogged and we would not have had——

Mr. BLANTON. Will the gentleman yield?

Mr. COOPER of Ohio. No, not now; the gentleman would not yield, but wants to talk all the time. [Laughter.] Mr. Chairman, I come from a section that is probably one of the greatest industrial districts of this country. I know how the organized labor men felt regarding the prosecution of this war up in my section, for that great industrial section, the Mahoning Valley, which takes in the cities of Youngstown, Niles, Warren, and the great steel industrial centers there, sent 22,000 men into the service, and a large majority of those men were men who came out of the factories, the mills, and the workshops, and the mines, and it ill becomes the gentleman from Texas to stand here on this floor and charge that organized labor did not do their part during the great crisis which we have passed through. [Applause.]

The CHAIRMAN. The time of the gentleman has expired; all time has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to modify the amendment by having it appear as a new section, section 4, instead of as a new paragraph.

Mr. SHERLEY. Mr. Chairman, I do not believe in riders upon an appropriation bill. I think they are a mistake, but the House seems to want to legislate on this matter. If they do, I am willing for the House to express its opinion, and I will not make the point of order on the amendment of the gentleman from Wisconsin to the amendment of the gentleman from Iowa.

The CHAIRMAN. The reservation of the point of order is withdrawn.

Mr. KEATING. Mr. Chairman, I renew the point of order.

The CHAIRMAN. The question is now upon the amendment offered by the gentleman from Iowa [Mr. GOOD], who asks leave to modify his amendment. The Clerk will report the modified amendment.

The Clerk read as follows:

Mr. GOOD modifies his amendment so it will read: "Page 49, end of line 3, add a new section, as follows:

"SEC. 4. That no part of the money appropriated by this act shall be used for any personal services or to pay for any advertisement, telegram, letter, or circular designed to defeat or enact any proposed legislation by Congress or to influence any Member of Congress in his vote on any appropriation unless specifically authorized."

Mr. KEATING. Mr. Chairman, I make the point of order against that on the ground it is new legislation.

The CHAIRMAN. There was no reservation of the point of order. The question is upon the amendment proposed by the gentleman from Iowa [Mr. GOOD].

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Chairman, a moment ago the House agreed to an amendment which I offered, to pay certain salaries and clerk hire. I ask unanimous consent to modify the amendment which was agreed to by inserting after the word "amounts" the words "for salary, respectively," so that the deductions which may have been paid to Members of the House who went into the Army shall be from the salary and not from the clerk hire.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the amendment which he offered be modified as indicated. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. MANN: After the word "amounts" insert "for salary, respectively."

The CHAIRMAN. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Chairman, I do not know of a more embarrassing proposition that has been thrust upon me during my term of service here than that which was proposed by the amendment offered by the gentleman from Illinois a few moments ago. I am sure it is embarrassing to every Member. The amendment proposed by the gentleman from Illinois has been agreed to. As a matter of fact, those gentlemen who left the House of Representatives and accepted commissions in the Army, under all the holdings of the past as reported by the Committee on the Judiciary following an investigation of precedents made in order by a resolution offered by the gentleman from Illinois [Mr. MANN] calling upon them for a report, forfeited their seats as Members of the House of Representatives. I say those who accepted commissions. Those who went as privates, of course, occupied a different status.

Now, there is not any doubt about that. There is not any doubt in the mind of any gentleman here. Here, unfortunately, is what, because of our unwillingness to engage in an ungracious act, we are doing: We are providing an entirely different plane for men who left the House of Representatives and went into the Army from those who left other departments of the Government and went into the Army. I have no doubt, so far as I am personally concerned, of the correctness of the report made by the Committee on the Judiciary. I have no doubt that they were correct under the precedents; I have no doubt they were right under the reasoning. I did not make the point of order. It would have been an ungracious thing to do, it would have been an exceedingly objectionable thing to do to the membership of the House, and yet this opportunity having arisen to express myself, I wish to take advantage of it to say that I did not approve of the amendment offered by the gentleman from Illinois [Mr. MANN], and which was adopted by the Committee of the Whole. I understand there was one Member of the House [Mr. JONES] who entered the Army who asked that there be no appropriation made for his salary or clerk hire. I am glad of that. To sacrifice is one thing; to not sacrifice is an entirely different thing.

Now, Mr. Chairman, that is all I desire to say. Of course, the amendment is passed now.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. PARKER of New Jersey. Mr. Chairman, I ask leave to speak for five minutes on this subject.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey have five minutes.

The CHAIRMAN. The request is made that the gentleman from New Jersey [Mr. PARKER] may proceed for five minutes. Is there objection?

Mr. MANN. Mr. Chairman, is there objection to the request I made to modify the amendment?

Mr. GARRETT of Tennessee. I reserved the right to object, and I suggest the gentleman from New Jersey can do the same thing and have some time.

Mr. MANN. If there is going to be any objection to it——

Mr. PARKER of New Jersey. It is really necessary that this should be discussed for a moment.

Mr. MANN. I am willing for the gentleman to discuss it, but I want to know if there is objection to the modification of the proposition that I just submitted?

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. MANN].

Mr. GARRETT of Tennessee. Of course, Mr. Chairman, I shall not object to that, the other matter having gone through.

The CHAIRMAN. The Chair hears no objection to the modification and correction being made, and it is so ordered.

The Chair recognizes the gentleman from New Jersey [Mr. PARKER] for five minutes.

Mr. PARKER of New Jersey. Mr. Chairman, I think the House ought to understand the last decision that was had with reference to this matter of Army service of Members of Congress and their pay.

The Constitution of the United States provides that no person holding any office under the United States shall be a Member of either House during the continuance of that office. During the Spanish-American War several Members of this House went into the war, which was a very temporary affair, as officers of Volunteers, and a resolution was offered, which went before the Committee on the Judiciary, inquiring whether they had forfeited their seats. There had been a good deal of contradictory practice in the House of Representatives before that time, during the Civil War, and no one had ever actually been turned out of the House. The provision of the Constitution is different from that of the statute in England. In England, if any member of Parliament accepts any office under the Crown, the statute declares his

seat vacant and forfeited, and that a writ of election shall immediately issue. Our Constitution does not say that the seat is forfeited forever. It simply says that no one holding office under the United States shall be a Member of either House during the continuance of his office. When this matter came before the Committee on the Judiciary, then presided over by Mr. Henderson, a resolution was reported by the majority of the committee that each of these Members, of whom Gen. Wheeler was one, had forfeited his seat. I filed a minority report, to protect these officers, suggesting that the Constitution recognized the necessity sometimes of using Members of Congress for temporary employment. The United States had sent Senators over as commissioners to Europe in order to negotiate peace and had sent Mr. Dingley to Canada as commissioner to negotiate a treaty. And while I acknowledged and believed that during the continuance of such office under the United States, such temporary office, the man was not in Congress and could not draw his pay or emoluments here, yet I insisted that if no notice was taken by Congress or by the States of the fact that the vacancy existed, the membership was only suspended and the Member could come back to his seat again.

This matter never came to decision on the merits. When the resolution was moved in the House, a veteran of the Civil War, Mr. Lacey, of Iowa, raised the question of consideration, and under the question of consideration the House refused to consider the fact that these Members had left for this temporary service. At the same time it was ruled by the Speaker, Mr. Reed then being Speaker, that he would sign no warrants for pay while they were away as officers of the Army, and while their offices continued they received Army pay, but no payment was made to any Member of Congress who went into the Army of his salary as Member during his absence. Those who returned retook their seats after discharge from the Army as officers, and went on with their duties and received their salary as Members here, as some of the present Members already have done.

Those were the facts at that time. I am not making any argument. But my theory, as I say, was that under the Constitution during the continuance of this temporary duty they should receive Army pay, but were not Members of the House or entitled to salary as such. I believe that is all I have to say.

Mr. SHERLEY. Mr. Chairman, I ask to have the last section, section 4, read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. That this act hereafter may be refererd to as the "third deficiency appropriation act, 1919."

Mr. SHERLEY. I ask unanimous consent to return to page 27, in order to precede the amendment that was offered by Mr. WALSH and adopted by the committee, with the heading "Ores, Metals, and Minerals." He offered an amendment which, if it would appear in the bill without a heading, would seem to make it relate to a matter of the Columbia Institution for the Deaf, to which, of course, it has no relation.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the committee return to page 27 for the purpose of offering a correcting amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 27, to precede the amendment of Mr. WALSH, insert as a center head the following: "Ores, Metals, and Minerals."

Mr. SHERLEY. That is simply a subhead in the bill to make the amendment relate properly. I ask unanimous consent that "Section 4" be changed to "Section 5."

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that "Section 4" be changed to read "Section 5" in the pending bill. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. Does the gentleman want this section 4 to remain in the bill as it is—"third deficiency appropriation act"?

Mr. SHERLEY. Personally I have no opinion one way or the other. The reason we adopted the enumeration of deficiency bills was that during the war a bill would come in as a deficiency, and then there would come in another and another deficiency, and it was rather hard always to identify them. There has been in this year 1919 no general deficiency, and I personally do not object to its being designated as the "general deficiency appropriation act, 1919."

Mr. MANN. I really think that officers of the Government would not be misled, and probably that is the most important consideration. But where you say "third deficiency appropriation act, 1919," the ordinary individual would suppose that you meant the calendar year 1919. Of course, what you mean is the fiscal year 1919, because this is not the third deficiency appropriation act of this calendar year.

Mr. SHERLEY. Of course, that could be cleared up by inserting the words "fiscal year" in front of "1919."

Mr. MANN. It could.

Mr. SHERLEY. If that meets with the gentleman's view, Mr. Chairman, I suggest to amend it so as to read, "third deficiency appropriation act, fiscal year 1919." I suggest that as an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 49, line 5, after the word "act," insert "fiscal year."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to extend my remarks by printing data in connection with the report on the extension and completion of the Capitol Building.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD by making the insertions of which he has spoken. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise and report the bill.

Mr. WALSH. Mr. Chairman, will the gentleman permit an inquiry?

Mr. SHERLEY. Yes.

Mr. WALSH. In connection with the extension of the gentleman's remarks on the proposed commission looking toward the revision of our financial system, does the gentleman intend to incorporate part of the report made by the committee in Great Britain?

Mr. SHERLEY. In regard to the question of the budget, about which the gentleman is asking, I shall be very glad to place in the RECORD, by the permission of the House, in connection with my remarks on the budget, part of the ninth report, I think it is, of a special committee of Parliament on the question of reform of procedure.

Mr. WALSH. The gentleman had permission to extend his remarks, and I wanted to know if he would put that in.

Mr. SHERLEY. I hope to put in part of that report.

Mr. Chairman, I move that the committee do now rise and report the bill back to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SHERLEY. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Kentucky moves the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for a separate vote on the Mann amendment, relative to the payment of salaries to Members of Congress who were in the military service.

The SPEAKER. The gentleman from Tennessee asks that a separate vote be had on the Mann amendment. Is a separate vote demanded on any of the other amendments? If not, the Chair will put them in gross. The question is on agreeing to the other amendments.

The amendments were agreed to.

The SPEAKER. The Clerk will report the Mann amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 37, after line 17, insert:
"To pay ALBERT JOHNSON, for salary, $1,442.98, for clerk hire, $333.32; TOM CONNALLY, for clerk hire, $399.92; CARL HAYDEN, for salary, $1,176.37, for clerk hire, $333.32; FIORELLA H. LAGUARDIA, for salary, $9,486.31, for clerk hire, $1,666.60; VICTOR HEINTZ, for salary, $10,583.90, for clerk sire, $1,992.92; ROYAL C. JOHNSON, for salary, $7,171.23, for clerk hire, $999.92: *Provided*, That there shall be deducted from such amounts any money received by any of the above-named as compensation for service in the Army during the present emergency, and the affidavits of the above-named persons shall be accepted as proof as to whether or not any such payments have been received by them. In all, $35,593.79."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the Speaker announced that the ayes seem to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 73, noes 29.

Mr. HUDDLESTON. Mr. Speaker, I demand the yeas and nays; and, pending that, I make the point of order that there is no quorum of the House present.

The SPEAKER. You do not have to make both of them at once. The gentleman from Alabama makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the amendment will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 229, nays 120, answered present 4, not voting 75, as follows:

YEAS—229.

Anderson	Fisher	Lonergan	Rowe
Anthony	Flood	Longworth	Rowland
Bacharach	Focht	Lufkin	Sabath
Baer	Foster	Lundeen	Sanders, Ind.
Barnhart	Freeman	McAndrews	Sanders, N. Y.
Benson	French	McArthur	Sanford
Beshlin	Fuller, Ill.	McClintic	Schall
Blackmon	Gallagher	McCormick	Scott, Iowa
Bland, Ind.	Gallivan	McCulloch	Scott, Mich.
Bowers	Gandy	McFadden	Shallenberger
Browne	Garland	McKenzie	Siegel
Browning	Glynn	McKinley	Sims
Burroughs	Good	McLaughlin, Mich.	Sinnott
Caldwell	Graham, Ill.	McLaughlin, Pa.	Slemp
Campbell, Kans.	Graham, Pa.	McLemore	Sloan
Campbell, Pa.	Green, Iowa	Madden	Smith, Idaho
Cannon	Greene, Mass.	Magee	Smith, Mich.
Carew	Greene, Vt.	Mann	Smith, C. B.
Carter, Okla.	Griest	Mapes	Smith, T. F.
Chandler, Okla.	Hadley	Mason	Snell
Clark, Pa.	Hamilton, Mich.	Mays	Snooks
Classon	Harrison, Va.	Merritt	Snyder
Cleary	Haskell	Miller, Minn.	Steenerson
Cooper, W. Va.	Haugen	Miller, Wash.	Stephens, Nebr.
Cooper, Wis.	Hawley	Mondell	Stevenson
Crago	Hayes	Moore, Pa.	Stiness
Cramton	Hersey	Moores, Ind.	Strong
Currie, Mich.	Hicks	Morgan	Sweet
Curry, Cal.	Hilliard	Mott	Switzer
Dale	Hollingsworth	Nelson, A. P.	Taylor, Colo.
Dallinger	Hood	Nelson, J. M.	Temple
Darrow	Hull, Iowa	Nichols, Mich.	Templeton
Davey	Husted	Nolan	Tilson
Davis	Hutchinson	Norton	Timberlake
Delaney	Ireland	Oliver, N. Y.	Tinkham
Dempsey	James	Olney	Towner
Denison	Juul	Osborne	Treadway
Denton	Kahn	O'Shaunessy	Vestal
Dillon	Kearns	Paige	Voigt
Dixon	Kehoe	Parker, N. Y.	Volstead
Donovan	Kelly, Pa.	Peters	Waldow
Dowell	Kennedy, Iowa	Phelan	Walsh
Drukker	Kennedy, R. I.	Platt	Ward
Dunn	Kiess, Pa.	Polk	Wason
Dupré	King	Porter	Watson, Pa.
Dyer	Kinkaid	Powers	Weaver
Eagan	Kitchin	Pratt	Welling
Edmonds	Knutson	Purnell	Wheeler
Elliott	Kraus	Ragsdale	White, Me.
Ellsworth	Kreider	Rainey, J. W.	Williams
Elston	La Follette	Ramsey	Winslow
Esch	Lampert	Ramseyer	Woods, Iowa
Evans	Langley	Randall	Woodyard
Fairchild, B. L.	Lea, Cal.	Rankin	Young, N. Dak.
Farr	Linthicum	Reed	Zihlman
Ferris	Little	Riordan	
Fess	Littlepage	Rodenberg	
Fields	Lobeck	Rose	

NAYS—120.

Alexander	Bell	Byrnes, S. C.	Crisp
Almon	Black	Byrns, Tenn.	Crosser
Ashbrook	Bland, Va.	Candler, Miss.	Decker
Aswell	Blanton	Caraway	Dent
Ayres	Brand	Claypool	Dewalt
Bankhead	Brodbeck	Coady	Dickinson
Barkley	Buchanan	Collier	Dies
Beakes	Burnett	Connally, Tex.	Dominick
Doolittle	Holland	Moon	Stafford
Doremus	Houston	Oldfield	Steagall
Doughton	Howard	Oliver, Ala.	Stedman
Drane	Huddleston	Overstreet	Stephens, Miss.
Eagle	Humphreys	Padgett	Sumners
Fuller, Mass.	Igoe	Parker, N. J.	Thompson
Gard	Jacoway	Pou	Tillman
Garner	Johnson, Ky.	Quin	Venable
Garrett, Tenn.	Jones	Rainey, H. T.	Vinson
Garrett, Tex.	Keating	Raker	Walker
Godwin, N. C.	Key, Ohio	Rayburn	Walton
Goodwin, Ark.	Kincheloe	Robinson	Watkins
Gordon	Larsen	Romjue	Watson, Va.
Gray, Ala.	Lazaro	Rouse	Webb
Hamlin	Lee, Ga.	Rubey	Welty
Hardy	Lesher	Rucker	Whaley
Harrison, Miss.	Lever	Saunders, Va.	White, Ohio
Hastings	London	Sells	Wilson, La.
Hayden	McKeown	Sherley	Wingo
Heflin	Mansfield	Sisson	Wise
Helvering	Martin	Slayden	Wright
Hensley	Montague	Small	Young, Tex.

ANSWERED PRESENT—4.

Butler	Johnson, Wash.	LaGuardia	Rogers

NOT VOTING—75.

Austin	Emerson	Heintz	Sanders, La.
Birch	Essen	Helm	Scully
Booher	Estopinal	Hull, Tenn.	Sears
Britten	Fairchild, G. W.	Johnson, S. Dak.	Shackleford
Brumbaugh	Fairfield	Kelley, Mich.	Sherwood
Cantrill	Flynn	Kettner	Shouse
Carlin	Fordney	Lehlbach	Steele
Carter, Mass.	Foss	Lunn	Sterling
Cary	Francis	Maher	Sullivan
Chandler, N. Y.	Frear	Morin	Swift
Church	Gillett	Mudd	Tague
Clark, Fla.	Goodall	Neely	Taylor, Ark.
Connelly, Kans.	Gould	Nicholls, S. C.	Thomas
Cooper, Ohio.	Gray, N. J.	Overmyer	Van Dyke
Copley	Gregg	Park	Vare
Costello	Griffin	Price	Wilson, Ill.
Cox	Hamill	Reavis	Wilson, Tex.
Dill	Hamilton, N. Y.	Roberts	Wood, Ind.
Dooling	Heaton	Russell	

So the amendment of Mr. MANN was agreed to.

The Clerk announced the following pairs:

Mr. BUTLER (for) with Mr. STEELE (against).
Mr. BRUMBAUGH with Mr. COSTELLO.
Mr. ESTOPINAL with Mr. EMERSON.
Mr. BOOHER with Mr. COOPER of Ohio.
Mr. CANTRILL with Mr. FAIRFIELD.
Mr. CARLIN with Mr. FORDNEY.
Mr. CLARK of Florida with Mr. FOSS.
Mr. DOOLING with Mr. FREAR.
Mr. HAMILL with Mr. GOODALL.
Mr. HELM with Mr. GOULD.
Mr. KETTNER with Mr. HEATON.
Mr. LUNN with Mr. KELLEY of Michigan.
Mr. NEELEY with Mr. LEHLBACH.
Mr. PARK with Mr. MORIN.
Mr. SANDERS of Louisiana with Mr. MUDD.
Mr. SEARS with Mr. VARE.
Mr. SCULLY with Mr. WILSON of Illinois.
Mr. SHERWOOD with Mr. WOOD of Indiana.
Mr. STERLING with Mr. HAMILTON of New York.
Mr. SULLIVAN with Mr. FRANCIS.
Mr. TAGUE with Mr. ESSEN.
Mr. NICHOLS of South Carolina with Mr. SWIFT.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

WAR-RISK INSURANCE (H. REPT. NO. 1136, PT. 2).

Mr. PARKER of New Jersey. Mr. Speaker, I ask unanimous consent to file minority views on the bill to amend the war-risk insurance act.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to file minority views on the bill to amend the war-risk insurance act. Is there objection?

There was no objection.

ENTRY OF DISTILLED SPIRITS.

Mr. HENRY T. RAINEY, from the Committee on Ways and Means, presented joint resolution (H. J. Res. 438, H. Rept. 1153) to permit entry of distilled spirits shipped to the United States prior to September 9, 1917, and wines and other nonspirituous alcoholic beverages so shipped prior to January 1, 1919.

DAMS ACROSS NAVIGABLE WATERS—CONFERENCE REPORT (NO. 1147).

Mr. SIMS. Mr. Speaker, I call up the conference report on the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Tennessee calls up conference report on the bill S. 1419, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. STAFFORD. Reserving the right to object, this conference report has never been presented in the House for consideration in its entirety and therefore I object.

Mr. SIMS. Then, Mr. Speaker, I ask for the reading of the report and statement.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"That a commission is hereby created and established, to be known as the Federal Power Commission (hereinafter referred to as the commission), which shall be composed of the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture. Two members of the commission shall constitute a quorum for the transaction of business, and the commission shall have an official seal, which shall be judicially noticed. The President shall designate the chairman of the commission.

"SEC. 2. That the commission shall appoint an executive secretary, who shall receive a salary of $5,000 a year, and prescribe his duties. The work of the commission shall, in so far as practicable, be performed by and through the Departments of War, Interior, and Agriculture and their clerical forces.

"All of the expenses of the commission, including rent in the District of Columbia, all necessary expenses for transportation and subsistence, including in the discretion of the commission a per diem of not exceeding $4 per day in lieu of subsistence incurred by the commissioners or by their employees under their orders in making any investigation, or conducting field work, or upon official business outside of the District of Columbia and away from their designated points of duty, shall be allowed and paid on the presentation of itemized vouchers therefor approved by a member or officer of the commission duly authorized for that purpose; and in order to defray the expenses made necessary by the provisions of this act there is hereby authorized to be appropriated such sums as Congress may hereafter determine, and the sum of $100,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available until expended, to be paid out upon warrants drawn on the Secretary of the Treasury upon order of the commission.

"SEC. 3. That the words defined in this section shall have the following meanings when found in this act, to wit:

"'Public lands' means such lands and interest in lands owned by the United States as are subject to private appropriation and disposal under public-land laws. It shall not include 'reservations,' as hereinafter defined.

"'Reservations' means lands and interest in lands owned by the United States and withdrawn, reserved, or withheld from private appropriation and disposal upon the public-land laws and lands and interest in lands acquired and held for any public purpose.

"'Corporation' means a corporation organized under the laws of any State or of the United States empowered to develop, transmit, distribute, sell, lease, or utilize power in addition to such other powers as it may possess, and authorized to transact in the State or States in which its project is located all business necessary to effect the purposes of a license under this act. It shall not include 'municipalities' as hereinafter defined.

"'State' means a State admitted to the Union, the District of Columbia, and any organized Territory of the United States.

"'Municipality' means a city, county, irrigation district, drainage district, or other political subdivision or agency of a State competing under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power.

"That the term 'navigable waters' as used in this act and as applied to streams shall be construed to include only such streams or parts of streams as are in their ordinary natural condition used for the transportation of persons or property in interstate or foreign commerce or which through improvement heretofore or hereafter made have been or shall become usable in such commerce.

"'Municipal purposes' means and includes all purposes within municipal powers as defined by the constitution or laws of the State or by the charter of the municipality.

"'Government dam' means a dam or other work constructed or owned by the United States for Government purposes, with or without contribution from others, from which flows surplus water not needed for Government purposes that may be disposed of under the provisions of this act.

"'Project' means a complete unit of improvement or development, consisting of a power house, all water conduits, all dams and appurtenant works and structures (including navigation structures) which are a part of said unit, and all storage, diverting, or forebay reservoirs directly connected therewith, the primary line or lines transmitting power therefrom to the point of junction with the distribution system or with the interconnected primary transmission system, all miscellaneous structures used and useful in connection with said unit or any part thereof, and all water rights, rights of way, ditches, dams, reservoirs, lands, or interest in lands, the use and occupancy of which are necessary or appropriate in the maintenance and operation of such unit.

"'Project works' means the physical structures of a project.

"'Net investment' in a project means the actual legitimate original cost thereof as defined and interpreted in the 'Classification of investment in road and equipment of steam roads, issue of 1914, Interstate Commerce Commission,' plus similar costs of additions thereto and betterments thereof, minus the sum of the following items properly allocated thereto, if and to the extent that such items have been accumulated during the period of the license from earnings in excess of a fair return on such investment: (a) Unappropriated surplus, (b) aggregate credit balances of current depreciation accounts, and (c) aggregate appropriations of surplus or income held in amortization, sinking fund, or similar reserves, or expended for additions or betterments. The term 'cost' shall include, in so far as applicable, the elements thereof prescribed in said classification, but shall not include expenditures from funds obtained through donations by States, municipalities, individuals, or others.

"SEC. 4. That the commission is hereby authorized and empowered—

"(a) To make investigations and to collect and record data concerning the power industry and its relation to other industries and to interstate or foreign commerce, and concerning the location, capacity, development costs, and relation to markets of power sites, and whether the power from navigation dams can be advantageously used by the United States for its public purposes, and what is a fair value of such power, to the extent it may deem necessary or useful for the purposes of this act.

"(b) To cooperate with the executive departments and other agencies of the Government in such investigations; and for such purpose the several departments and agencies are authorized and directed, upon the request of the commission, to furnish such records, papers, and information in their possession as may be requested by the commission, and temporarily to detail to the commission such officers or experts as may be necessary in such investigations.

"(c) To make public from time to time the information secured hereunder, and to provide for the publication of its reports and investigations in such form and manner as may be best adapted for public information and use. The commission, on or before the first Monday in December of each year, shall submit to Congress for the fiscal year preceding a classified report showing the permits and licenses issued under this act, and in each case the parties thereto, the terms prescribed, and the moneys received, if any, on account thereof.

"(d) To issue licenses to citizens of the United States, or to any association of such citizens, or to any corporation organized under the laws of the United States or any State thereof, or to any State or municipality for the purpose of constructing, operating, and maintaining dams, water conduits, reservoirs, power houses, transmission lines, or other project works necessary or convenient for the development and improvement of navigation, and for the development, transmission, and utilization of power across, along, or in any of the navigable waters of the United States, or upon any part of the

public lands and reservations of the United States (including the Territories), or for the purpose of utilizing the surplus water or water power from any Government dam, except as herein provided: *Provided*, That licenses shall be issued within any reservation only after a finding by the commission that the license will not interfere or be inconsistent with the purpose for which such reservation was created or acquired, and shall be subject to and contain such conditions as the Secretary of the department under whose supervision such reservation falls shall deem necessary for the adequate protection and utilization of such reservation: *Provided further*, That no license affecting the navigable capacity of any navigable waters of the United States shall be issued until the plans of the dam and other navigation structures have been approved by the Chief of Engineers and the Secretary of War. Whenever the contemplated improvement is, in the judgment of the commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, a finding to that effect shall be made by the commission and shall become a part of the records of the commission: *Provided further*, That in case the commission shall find that any Government dam may be advantageously used by the United States for public purposes in addition to navigation, no license therefor shall be issued until two years after it shall have reported to Congress the facts and conditions relating thereto, except that this provision shall not apply to any Government dam constructed prior to the passage of this act.

"(e) To issue preliminary permits for the purpose of enabling applicants for a license hereunder to secure the data and to perform the acts required by section 9 hereof: *Provided, however*, That upon the filing of any application for a preliminary permit by any person or corporation the commission, before granting such application, shall at once give notice of such application in writing to any State or municipality likely to be interested in or affected by such application; and shall also publish notice of such application for eight weeks in a daily or weekly newspaper published in the county or counties in which the project or any part thereof or the lands affected thereby are situated.

"(f) To prescribe rules and regulations for the establishment of a system of accounts and for the maintenance thereof by licensees hereunder; to examine all books and accounts of such licensees at any time; to require them to submit at such time or times as the commission may require statements and reports, including full information as to assets and liabilities, capitalization, cost of project, cost of operation, and the production, transmission, use, and sale of power; and to make adequate provision for currently determining said costs. All such statements and reports shall be made upon oath, unless otherwise specified, and in such form and on such blanks as the commission may require. Any person who, for the purpose of deceiving, makes or causes to be made any false entry in the books or the accounts of such licensee, and any person who, for the purpose of deceiving, makes or causes to be made any false statement or report in response to a request or order or direction from the commission for the statements and report herein referred to shall, upon conviction, be fined not more than $2,000 or imprisoned not more than five years, or both.

"(g) To hold hearings and to order testimony to be taken by deposition at any designated place in connection with the issuance of any permit or license, or the regulation of rates, service, or securities, or the making of any investigation, as provided in this act; and to require by subpœna, signed by any member of the commission, the attendance and testimony of witnesses and the production of documentary evidence from any place in the United States, and in case of disobedience to a subpœna the commission may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any member, expert, or examiner of the commission may, when duly designated by the commission for such purposes, administer oaths and affirmations, examine witnesses, and receive evidence. Depositions may be taken before any person designated by the commission and empowered to administer oaths, shall be reduced to writing by such person or under his direction, and subscribed by the deponent. Witnesses summoned before the commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

"(h) To perform any and all acts, to make such rules and regulations, and to issue such orders not inconsistent with this act as may be necessary and proper for the purpose of carrying out the provisions of this act.

"SEC. 5. That each preliminary permit issued under this act shall be for the sole purpose of maintaining priority of application for a license under the terms of this act for such period or periods, not exceeding a total of three years, as in the discretion of the commission may be necessary for making examinations and surveys, for preparing maps, plans, specifications, and estimates, and for making financial arrangements. Each such permit shall set forth the conditions under which priority shall be maintained and a license issued. Such permits shall not be transferable, and may be canceled by order of the commission upon failure of permittees to comply with the conditions thereof.

"SEC. 6. That licenses under this act shall be issued for a period not exceeding 50 years. Each such license shall be conditioned upon acceptance by the licensee of all the terms and conditions of this act and such further conditions, if any, as the commission shall prescribe in conformity with this act, which said terms and conditions and the acceptance thereof shall be expressed in said license. Licenses may be revoked only for the reasons and in the manner prescribed under the provisions of this act, and may be altered only upon mutual agreement between the licensee and the commission after 90 days' public notice.

"SEC. 7. That in issuing preliminary permits hereunder or licenses where no preliminary permit has been issued the commission shall give preference to applications therefor by States and municipalities provided the plans for the same are deemed by the commission equally well adapted to conserve and utilize in the public interest the navigation and water resources of the region; and as between other applicants, the commission may give preference to the applicant the plans of which it finds and determines are best adapted to develop, conserve, and utilize in the public interest the navigation and water resources of the region.

"That whenever, in the judgment of the commission, the development of any project should be undertaken by the United States itself, the commission shall not approve any application for such project by any citizen, association, corporation, State, or municipality, but shall cause to be made such examinations, surveys, reports, plans, and estimates of cost of the project as it may deem necessary, and shall submit its findings to Congress with such recommendations as it may deem appropriate concerning the construction of such project or completion of any project upon any Government dam by the United States.

"SEC. 8. That no voluntary transfer of any license, or of the rights thereunder granted, shall be made without the written approval of the commission; and any successor or assign of the rights of such licensee, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the license under which such rights are held by such licensee and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the original licensee hereunder: *Provided*, That a mortgage or trust deed or sales made thereunder or under tax sales shall not be deemed voluntary transfers within the meaning of this section.

"SEC. 9. That each applicant for a license hereunder shall submit to the commission—

"(a) Such maps, plans, specifications, and estimates of cost as may be required for a full understanding of the proposed project. Such maps, plans, and specifications when approved by the commission shall be made a part of the license; and thereafter no change shall be made in said maps, plans, or specifications until such changes shall have been approved and made a part of such license by the commission.

"(b) Satisfactory evidence that the applicant has complied with the requirements of the laws of the State or States within which the proposed project is to be located with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes and with respect to the right to engage in the business of developing, transmitting, and distributing power, and in any other business necessary to effect the purposes of a license under this act.

"(c) Such additional information as the commission may require.

"SEC. 10. That all licenses issued under this act shall be on the following conditions:

"(a) That the project adopted, including the maps, plans, and specifications, shall be such as in the judgment of the commission will be best adapted to a comprehensive scheme of improvement and utilization for the purposes of navigation, of water-power development, and of other beneficial public uses; and if necessary in order to secure such scheme the commission shall have authority to require the modification of any project

and of the plans and specifications of the project works before approval.

"(b) That except when emergency shall require for the protection of navigation, life, health, or property, no substantial alteration or addition not in conformity with the approved plans shall be made to any dam or other project works constructed hereunder of a capacity in excess of 100 horsepower without the prior approval of the commission; and any emergency alteration or addition so made shall thereafter be subject to such modification and change as the commission may direct.

"(c) That the licensee shall maintain the project works in a condition of repair adequate for the purposes of navigation and for the efficient operation of said works in the development and transmission of power, shall make all necessary renewals and replacements, shall maintain adequate depreciation reserves for such purposes, shall so maintain and operate said works as not to impair navigation, and shall conform to such rules and regulations as the commission may from time to time prescribe for the protection of life, health, and property. Each licensee hereunder shall be liable for all damages occasioned to the property of others by the construction, maintenance, or operation of the dam, reservoir, or of the works appurtenant or accessory thereto, constructed under the license, and in no event shall the United States be liable therefor.

"(d) That after the first 20 years of operation out of surplus earned thereafter, if any, accumulated in excess of a specified rate of return upon the net investment of a licensee in any project or projects under license the licensee shall establish and maintain amortization reserves, which reserves shall, in the discretion of the commission, be held until the termination of the license or be applied from time to time in reduction of the net investment. Such specified rate of return and the proportion of such surplus earnings to be paid into and held in such reserves shall be set forth in the license.

"(e) That the licensee shall pay to the United States reasonable annual charges in an amount to be fixed by the commission. When licenses are issued that contemplate the use of Government dams or other structures owned by the United States, in the discretion of the commission the charges to be paid by the licensee may be readjusted at the end of 20 years after the beginning of operations and at periods of not less than 10 years thereafter, in a manner to be described in each license: *Provided*, That licenses for the development, transmission, or distribution of power by States or municipalities shall be issued and enjoyed without charge to the extent such power is used by such State or municipality for State or municipal purposes; and that licenses for the development, transmission, or distribution of power for domestic, mining, or other beneficial use in projects of not more than 50 horsepower capacity may be issued without charge; but in no case shall a license be issued free of charge for the development and utilization of power created by any Government dam and that the amount charged therefor in any license shall be such as determined by the commission.

"(f) That whenever any licensee hereunder is directly benefited by the construction work of another licensee or of the United States of a storage reservoir or other headwater improvement, the commission may in its discretion require as a condition of the license that the licensee so benefited shall reimburse the owner of such reservoir or other improvements for such part of the annual charges for interest, maintenance, and depreciation thereon as the commission may deem equitable. The proportion of such charges to be paid by any licensee shall be determined by the commission.

"Whenever such reservoir or other improvement is constructed by the United States the commission shall assess similar charges against any licensee directly benefited thereby, and any amount so assessed shall be paid into the Treasury of the United States to be reserved and appropriated as a part of the special fund for headwater improvements as provided in section 17 hereof.

"(g) Such further conditions not inconsistent with the provisions of this act as the commission may require.

"(h) That combinations, agreements, arrangements, or understandings, express or implied, to limit the output of electrical energy, to restrain trade, or to fix, maintain, or increase prices for electrical energy or service are hereby prohibited. In issuing licenses for a part only of a complete project, where the land of the United States required is to be used only for transmission lines, water conduits, or for storage reservoirs, or for a complete project of not more than 50 horsepower capacity, the commission may in its discretion waive such conditions, provisions, and requirements of this act as it may deem equitable in the circumstances.

"SEC. 11. That if the dam or other project works are to be constructed across, along, or in any of the navigable waters of the United States, the commission may, in so far as it deems the same reasonably necessary to promote the present and future needs of navigation and consistent with a reasonable investment cost to the licensee, include in the license any one or more of the following provisions or requirements:

"(a) That such licensee shall, to the extent necessary to preserve and improve navigation facilities, construct in whole or in part, without expense to the United States, in connection with such dam, a lock or locks, booms, sluices, or other structures for navigation purposes, in accordance with plans and specifications approved by the Chief of Engineers and the Secretary of War and made part of such license.

"(b) That in case such structures for navigation purposes are not made a part of the original construction at the expense of the licensee, then, whenever the United States shall desire to complete such navigation facilities, the licensee shall convey to the United States, free of cost, such of its land and its rights of way and such right of passage through its dams or other structures, and permit such control of pools as may be required to complete such navigation facilities.

"(c) That such licensee shall furnish free of cost to the United States power for the operation of such navigation facilities, whether constructed by the licensee or by the United States.

"SEC. 12. That whenever application is filed for a project hereunder involving navigable waters of the United States, and the commission shall find upon investigation that the needs of navigation require the construction of a lock or locks or other navigation structures, and that such structures can not, consistent with a reasonable investment cost to the applicant, be provided in the manner specified in section 11, subsection (a) hereof, the commission may, before taking action upon such application, cause a report upon such project to be prepared, with estimates of cost of the power development and of the navigation structures, and shall submit such report to Congress with such recommendations as it deems appropriate concerning the participation of the United States in the cost of construction of such navigation structures.

"SEC. 13. That the licensee shall commence the construction of the project works within the time fixed in the license, shall thereafter in good faith and with due diligence prosecute such construction, and shall within the time fixed in the license complete and put into operation such part of the ultimate development as the commission shall deem necessary to supply the reasonable needs of the then available market, and shall from time to time thereafter construct such portion of the balance of such development as the commission may direct, so as to supply adequately the reasonable market demands until such development shall have been completed. The periods for the commencement and completion of construction may be extended by the commission when not incompatible with the public interests. In case the licensee shall not commence actual construction of the project works or of any specified part thereof within the time prescribed in the license or as extended by the commission, then, after due notice given, the license shall, as to such project works or part thereof, be terminated upon written order of the commission. In case the construction of the project works or of any specified part thereof have been begun but not completed within the time prescribed in the license or as extended by the commission, then the Attorney General, upon the request of the commission, shall institute proceedings in equity in the district court of the United States for the district in which any part of the project is situated for the revocation of said license, the sale of the works constructed, and such other equitable relief as the case may demand, as provided for in section 26 hereof.

"SEC. 14. That upon not less than two years' notice in writing from the commission, the United States shall have the right upon or after the expiration of any license to take over and thereafter to maintain and operate any project or projects as defined in section 3 hereof and covered in whole or in part by the license, or the right to take over upon mutual agreement with the licensee all property owned and held by the licensee then valuable and serviceable in the development, transmission, or distribution of power and which is then dependent for its usefulness upon the continuance of the license, together with any lock or locks or other aids to navigation constructed at the expense of the licensee, upon the condition that before taking possession it shall pay the net investment of the licensee in the project or projects taken, not to exceed the fair value of the property taken, plus such reasonable damages, if any, to property of the licensee valuable, serviceable, and dependent as above set forth but not taken, as may be caused by the severance therefrom of property taken, and shall assume all contracts entered into by the licensee with the approval of the commission. The net investment of the licensee in the project or projects so taken and the amount of

such severance damages, if any, shall be determined by agreement between the commission and the licensee, and in case they can not agree, by proceedings in equity instituted by the United States in the district court of the United States in the district within which any such property may be located: *Provided*, That such net investment shall not include or be affected by the value of any lands, rights of way, or other property of the United States licensed by the commission under this act, by the license, or by good will, going value, or prospective revenues: *Provided further*, That the values allowed for water rights, rights of way, lands, or interest in lands, shall not be in excess of the actual reasonable cost thereof at the time of acquisition by the licensee: *Provided*, That the right of the United States or any State or municipality to take over, maintain, and operate any project licensed under this act at any time by condemnation proceedings upon payment of just compensation is hereby expressly reserved.

"SEC. 15. That if the United States does not, at the expiration of the original license, exercise its right to take over, maintain, and operate any project or projects of the licensee, as provided in section 14 hereof, the commission is authorized to issue a new license to the original licensee upon such terms and conditions as may be authorized or required under the then existing laws and regulations, or to issue a new license under said terms and conditions to a new licensee, which license may cover any project or projects covered by the original license, and shall be issued on the condition that the new licensee shall, before taking possession of such project or projects, pay such amount for the property taken, and assume such contracts as the United States is required to do, in the manner specified in section 14 hereof: *Provided*, That in the event the United States does not exercise the right to take over and does not issue a new license to the original or a new licensee, then the commission shall issue from year to year an annual license to the then licensee under the terms and conditions of the original license until the property is taken over or a new license is issued as aforesaid.

"SEC. 16. That when in the opinion of the President of the United States, evidenced by a written order addressed to the holder of any license hereunder, the safety of the United States demands it, the United States shall have the right to enter upon and take possession of any project, or part thereof, constructed, maintained, or operated under said license, for the purpose of manufacturing nitrates, explosives, or munitions of war, or for any other purpose involving the safety of the United States, to retain possession, management, and control thereof for such length of time as may appear to the President to be necessary to accomplish said purposes, and then to restore possession and control to the party or parties entitled thereto; and in the event that the United States shall exercise such right, it shall pay to the party or parties entitled thereto just and fair compensation for the use of said property as may be fixed by the commission upon the basis of a reasonable profit in time of peace, and the cost of restoring said property to as good condition as existed at the time of the taking over thereof, less the reasonable value of any improvements that may be made thereto by the United States and which are valuable and serviceable to the licensee.

"SEC. 17. That the charges arising from licenses hereunder shall be paid into the Treasury of the United States. Fifty per cent of the charges arising from licenses hereunder for the occupancy and use of national forests is hereby reserved and appropriated as a special fund in the Treasury to be expended under the direction of the Secretary of Agriculture in the survey, construction, and maintenance of roads and trails within such national forests. Fifty per cent of the charges arising from licenses hereunder for the occupancy and use of national parks is hereby reserved and appropriated as a special fund in the Treasury, to be expended under the direction of the Secretary of the Interior in the improvement and development of such parks. Fifty per cent of the charges arising from licenses hereunder for the occupancy and use of public lands, and of national monuments, and power site or other reserves outside of national forests, shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act. All proceeds from any Indian reservation shall be placed to the credit of the Indians of such reservation. Fifty per cent of the charges arising from all other licenses hereunder is hereby reserved and appropriated as a special fund in the Treasury to be expended under the direction of the Secretary of War in the maintenance and operation of dams and other navigation structures owned by the United States, or in the construction, maintenance, or operation of headwater or other improvements of navigable waters of the United States.

"SEC. 18. That the operation of any navigation facilities which may be constructed as a part of or in connection with any dam or diversion structure built under the provisions of this act, whether at the expense of a licensee hereunder or of the United States, shall at all times be controlled by such reasonable rules and regulations in the interest of navigation, including the control of the level of the pool caused by such dam or diversion structure as may be made from time to time by the Secretary of War. Such rules and regulations may include the maintenance and operation by such licensee at its own expense of such lights and signals as may be directed by the Secretary of War, and such fishways as may be prescribed by the Secretary of Commerce; and for willful failure to comply with any such rule or regulation, such licensee shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 25 hereof.

"SEC. 19. That as a condition of the license, every licensee hereunder which is a public-service corporation, or a person, association, or corporation owning or operating any project and developing, transmitting, or distributing power for sale or use in public service, shall abide by such reasonable regulation of the services to be rendered to customers or consumers of power, and of rates and charges of payment therefor, as may from time to time be prescribed by any duly constituted agency of the State in which the service is rendered or the rate charged. That in case of the development, transmission, or distribution, or use in public service of power by any licensee hereunder or by its consumer engaged in public service within a State which has not provided a commission or other authority with power to regulate and control the services to be rendered by such licensee or by its consumer engaged in public service, or the rates and charges of payment therefor, or the amount or character of securities to be issued by any of said parties, it is agreed as a condition of such license that jurisdiction is hereby conferred upon the commission, upon complaint of any person aggrieved or upon its own initiative, to exercise such regulation and control until such time as the State shall have provided a commission or other authority for such regulation and control: *Provided*, That the jurisdiction of the commission shall cease and determine as to each specific matter of regulation and control prescribed in this section as soon as the State shall have provided a commission or other authority for the regulation and control of that specific matter.

"SEC. 20. That when said power or any part thereof shall enter into interstate or foreign commerce the rates charged and the service rendered by any such licensee, or by any subsidiary corporation, the stock of which is owned or controlled directly or indirectly by such licensee, or by any person, corporation, or association purchasing power from such licensee for sale and distribution or use in public service shall be reasonable, nondiscriminatory, and just to the consumer and all unreasonable discriminatory and unjust rates or services are hereby prohibited and declared to be unlawful; and whenever any of the States directly concerned has not provided a commission or other authority to enforce the requirements of this section within such State or to regulate and control the amount and character of securities to be issued by any of such parties or such States are unable to agree through their properly constituted authorities on the services to be rendered or on the rates or charges of payment therefor, or on the amount or character of securities to be issued by any of said parties, jurisdiction is hereby conferred upon the commission, upon complaint of any person aggrieved, upon the request of any State concerned, or upon its own initiative to enforce the provisions of this section, to regulate and control so much of the services rendered, and of the rates and charges of payment therefor as constitute interstate or foreign commerce and to regulate the issuance of securities by the parties included within this section.

"The administration of the provisions of this section, so far as applicable, shall be according to the procedure and practice in fixing and regulating the rates, charges, and practices of railroad companies as provided in the act to regulate commerce, approved February 4, 1887, as amended, and that the parties subject to such regulation shall have the same rights of hearing, defense, and review as said companies in such cases.

"In any valuation of the property of any licensee hereunder for purposes of rate making, no value shall be claimed by the licensee or allowed by the commission, for any project or projects under license in excess of the value or values prescribed in section 14 hereof for the purposes of purchase by the United States but there shall be included the cost to such licensee of the construction of the lock or locks or other aids of navigation and all other capital expenditures required by the United States, and no value shall be claimed or allowed for the rights granted by the commission or by this act.

"SEC. 21. That when the licensee is a municipal corporation, or a political subdivision of a State, or a public-service agent of a State, or a public utility or service corporation, and can not

acquire by contract or pledges the right to use or damage the lands or property of others necessary to the construction, maintenance, or operation of any dam, reservoir, diversion structure, or the works appurtenant or accessory thereto, it may acquire the same by the exercise of the right of eminent domain in the district court of the United States for the district in which such land or other property may be located, or in the State courts. The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar action or proceeding in the courts of the State where the property is situated.

"SEC. 22. That whenever the public interest requires or justifies the execution by the licensee of contracts for the sale and delivery of power for periods extending beyond the date of termination of the license, such contracts may be entered into upon the joint approval of the commission and of the public-service commission or other similar authority in the State in which the sale or delivery of power is made, or if sold or delivered in a State which has no such public-service commission, then upon the approval of the commission, and thereafter in the event of failure to issue a new license to the original licensee at the termination of the license, the United States or the new licensee, as the case may be, shall assume and fulfill all such contracts.

"SEC. 23. That the provisions of this act shall not be construed as revoking any permit or valid existing right of way heretofore granted, or as revoking any authority heretofore given pursuant to law, but any person, association, corporation, State, or municipality, holding or possessing such permit, right of way, or authority may retain the same subject to the conditions set forth in the grant thereof and subject to any and all rules and regulations applicable thereto and existing at the date of the approval of this act, or may apply for a license hereunder, and upon such application the commission may issue to any such applicant a license in accordance with the provisions of this act, and in such case the provisions of this act shall apply to such applicant as a licensee hereunder.

"As to all streams or parts of streams, other than streams the use of which is herein authorized to be licensed, over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, permission is hereby given to construct dams therein: *Provided*, That any applicant who proposes to construct a dam in any such last-mentioned stream or part of stream may at his option make application to the commission, and if the contemplated improvement is, in the judgment of the commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of navigation in interstate or foreign commerce, the applicant may receive a license under the conditions with all of the rights and privileges herein provided for streams or parts of streams used for the transportation of persons or property to interstate or foreign commerce in their ordinary, natural, or improved condition.

"SEC. 24. That any lands of the United States included in any proposed project under the provisions of this act shall from the date of filing of application therefor be reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the commission or by Congress. Notice that such application has been made, together with the date of filing thereof and a description of the lands of the United States affected thereby, shall be filed in the local land office for the district in which such lands are located. Whenever the commission shall determine that the value of any lands of the United States so applied for, or heretofore or hereafter reserved or classified as power sites, will not be injured or destroyed for the purposes of power development by location, entry, or selection under the public-land laws, the Secretary of the Interior, upon notice of such determination, shall declare such lands open to location, entry, or selection, subject to and with a reservation of the right of the United States or its permittees or licensees to enter upon, occupy, and use any part or all of said lands necessary, in the judgment of the commission, for the purposes of this act, which right shall be expressly reserved in every patent issued for such lands; and no claim or right to compensation shall accrue from the occupation or use of any of said lands for said purposes. The United States or any licensee for any such lands hereunder may enter thereupon for the purposes of this act, upon payment of any damages to crops, buildings, or other improvements caused thereby to the owner thereof, or upon giving a good and sufficient bond to the United States for the use and benefit of the owner to secure the payment of such damages as may be determined and fixed in an action brought upon the bond in a court of competent jurisdiction, said bond to be in the form prescribed by the commission: *Provided*, That locations, entries, selections, or filings heretofore made for lands reserved as water-power sites or in connection with water-power development or electrical transmission may proceed to approval or patent under and subject to the limitations and conditions in this section contained.

"SEC. 25. That any licensee, or any person, who shall willfully fail or who shall refuse to comply with any of the provisions of this act, or with any of the conditions made a part of any license issued hereunder, or with any subpœna of the commission, or with any regulation or lawful order of the commission, or of the Secretary of War, or of the Secretary of Commerce as to fishways, issued or made in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall, in the discretion of the court, be punished by a fine of not exceeding $1,000, in addition to other penalties herein prescribed or provided by law; and every month any such licensee or any such person shall remain in default after written notice from the commission, or from the Secretary of War, or from the Secretary of Commerce, shall be deemed a new and separate offense punishable as aforesaid.

"SEC 26. That the Attorney General may, on request of the commission or of the Secretary of War, institute proceedings in equity in the district court of the United States in the district in which any project or part thereof is situated for the purpose of revoking for violation of its terms any license issued hereunder, or for the purpose of remedying or correcting by injunction, mandamus, or other process any act of commission or omission in violation of the provisions of this act or of any lawful regulation or order promulgated hereunder. The district courts shall have jurisdiction over all of the above-mentioned proceedings and shall have power to issue and execute all necessary process and to make and enforce all writs, orders, and decrees to compel compliance with the lawful orders and regulations of the commission and of the Secretary of War, and to compel the performance of any condition imposed under the provisions of this act. In the event a decree revoking a license is entered, the court is empowered to sell the whole or any part of the project or projects under license, to wind up the business of such licensee conducted in connection with such project or projects, to distribute the proceeds to the parties entitled to the same, and to make and enforce such further orders and decrees as equity and justice may require. At such sale or sales the vendee shall take the rights and privileges belonging to the licensee and shall perform the duties of such licensee and assume all outstanding obligations and liabilities of the licensee which the court may deem equitable in the premises; and at such sale or sales the United States may become a purchaser, but it shall not be required to pay a greater amount than it would be required to pay under the provisions of section 14 hereof at the termination of the license.

"SEC. 27. That nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the respective States relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses, or any vested right acquired therein.

"SEC. 28. That the right to alter, amend, or repeal this act is hereby expressly reserved; but no such alteration, amendment, or repeal shall affect any license theretofore issued under the provisions of this act, or the rights of any licensee thereunder.

"SEC. 29. That all acts or parts of acts inconsistent with this act are hereby repealed: *Provided*, That nothing herein contained shall be held or construed to modify or repeal any of the provisions of the act of Congress approved December 19, 1913, granting certain rights of way to the city and county of San Francisco."

And the House agree to the same.

T. W. SIMS,
SCOTT FERRIS,
A. F. LEVER,
JOHN J. ESCH,
WM. L. LA FOLLETTE,
G. N. HAUGEN,
Managers on the part of the House.

J. H. BANKHEAD,
D. U. FLETCHER,
KEY PITTMAN,
H. L. MYERS,
KNUTE NELSON,
Managers on the part of the Senate.

I do not concur in the first amendment made by the conferees to subsection (d), section 10.

G. N. HAUGEN.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the conference report.

The conferees adopted as the basis of their report the House amendment. The amendments which were made in conference were made to the House amendment. The references by sections are to the House amendment.

The first amendment is as follows: At the end of section 2 add the words "and their clerical forces." The amendment simply declares that the clerical forces of the Departments of War, Interior, and Agriculture shall so far as practicable perform the work of the Water Power Commission.

The next amendment is in section 3. In the definition of the word "corporation" the words "sell, lease," are inserted after the word "distribute," and after the word "power" the words "in addition to such other powers as it may possess" are inserted. This amendment is an enlargement of the definition of the word "corporation."

The next amendment is the insertion of the definition of the term "navigable waters." There was no corresponding definition in the House amendment, and the definition inserted is exactly as passed by the Senate.

The next amendment is the changing of the word "navigation" in the definition of "navigation dam" to that of "Government," and this change is carried all through the bill. It is thought that "Government dam" is a more comprehensive and clearer expression of what is intended than the expression "navigation dam." In the definition of the term "Government dam" the words "the improvement of navigation" are stricken out and the words "Government purposes" are inserted. In the opinion of the conference committee this is a proper change, as it is thought to be more comprehensive.

The next amendment occurs in section 4, subsection (c). The amendment of the House provides that the commission might make public such portions of the information secured under the authority of this act as it might deem expedient in the public interest. The amendment provides that all information shall be made public, and is as follows: Strike out the words "such portions of" after the word "time" and strike out the words "as it shall deem expedient in the public interest" after the word "hereunder." In the same paragraph the words "and in each case" are inserted, so as to provide that in each license issued the names of the parties thereto, the terms prescribed, and the moneys received shall be made public.

The next amendment is in subsection (d). The words "the majority of the stock of which is owned by citizens of the United States" are stricken out, and the words "organized under the laws of the United States or any State thereof, or to any" are inserted in lieu thereof.

The next amendment is to strike out the word "its" before the word "public," in the third proviso, and after the word "purposes" the insertion of the words "in addition to navigation," so that the proviso will read:

"That in case the commission shall find that any Government dam may be advantageously used by the United States for public purposes in addition to navigation, no license therefor shall be issued until two years after it shall have reported to Congress the facts and conditions relating thereto, except that this provision shall not apply to any Government dam constructed prior to the passage of this act."

The next amendment is in section 7. The word "hereunder," which occurs after the word "licenses," is transposed and placed after the word "permits," and after the word "licenses" the words "where no preliminary permit has been issued" are inserted; and in the same paragraph after the word "commission" the words "equally well" are inserted. Your committee thought these changes were in the interest of clarity. In section 7, second paragraph, after the word "project," in the last line, the words "or completion of any project upon any Government dam" are inserted. It is thought that this amendment would prove of benefit to the Government in the protection of its own property.

The next amendment is in section 8, as follows: At the end of the section add the following:

"*Provided*, That a mortgage or trust deed or sales made thereunder or under tax sales shall not be deemed voluntary transfers within the meaning of this section."

This amendment is put in only for the purpose of making more clear the evident intent of the paragraph and to avoid any confusion thereunder.

The next amendment is in section 10, subsection (c), and is as follows: Strike out of said subsection the words "Each license issued hereunder shall contain an express condition that the licensee shall, before the commencement of the construction of said project works, comply with all laws of the State in which said project works, or any part thereof, are to be situated relative to damages that may be caused, directly or indirectly, by said proposed project works; but the United States shall not be liable for any part of said damages," and insert in lieu thereof the following: "Each licensee hereunder shall be liable for all damages occasioned to the property of others by the construction, maintenance, or operation of the dam, reservoir, or of the works appurtenant or accessory thereto constructed under the license, and in no event shall the United States be liable therefor." The purpose of this amendment is to provide that the licensee shall pay all damages caused to the property of others. It is thought that the proposed amendment accomplishes this more perfectly than the language stricken out.

Section 10, subsection (d), is the so-called amortization section. The bill as passed the House provided that this amortization feature should be incorporated into the license from the beginning of the term of the grant. The House amendment as amended in conference provides that this amortization feature shall not become effective until after the expiration of the first 20 years of operation. There is also stricken from this subsection the last sentence.

The next amendment is in subsection (e) of section 10. The second sentence of that subsection, as passed the House, down to the proviso is as follows:

"When licenses are issued that contemplate the use of navigation dams or other structures owned by the United States, in the discretion of the commission the charges to be paid by the licensee may be readjusted at periods of not less than 10 years, in a manner to be described in each license."

As amended the sentence reads as follows:

"When licenses are issued that contemplate the use of Government dams or other structures owned by the United States, in the discretion of the commission the charges to be paid by the licensee may be readjusted at the end of 20 years after the beginning of operations and at periods of not less than 10 years thereafter, in a manner to be described in each license."

The next amendment is in subsection (f) of section 10. The first paragraph of the section, as it passed the House, reads as follows:

"That whenever any licensee hereunder is directly benefited by the construction by another licensee of a storage reservoir or other headwater improvement, the commission may in its discretion require as a condition of the license that the licensee so benefited shall reimburse the owner of such reservoir or other improvements for such part of the annual charges for interest, maintenance, and depreciation thereon as the commission may deem equitable. The proportion of such charges to be paid by any licensee shall be set forth in the license, and all amounts so received by any licensee shall be paid into a special amortization reserve, for the retirement of the cost of such reservoir or other improvement."

As amended the paragraph is as follows:

"That whenever any licensee hereunder is directly benefited by the construction work of another licensee or of the United States of a storage reservoir or other headwater improvement, the commission may in its discretion require as a condition of the license that the licensee so benefited shall reimburse the owner of such reservoir or other improvements for such part of the annual charges for interest, maintenance, and depreciation thereon as the commission may deem equitable. The proportion of such charges to be paid by any licensee shall be determined by the commission."

In the opinion of your conferees these changes are necessary in order to make the section workable.

The next amendment is in subsection (h), section 10, and is as follows: At the end of the paragraph add:

"In issuing licenses for a part only of a complete project, where the land of the United States required is to be used only for transmission lines, water conduits, or for storage reservoirs, or for a complete project of not more than fifty hosepower capacity, the commission may in its discretion waive such conditions, provisions, and requirements of this act as it may deem equitable in the circumstances."

It is thought by your conferees that such discretion should be vested in the commission.

The next amendment is in section 14. The Senate recedes from its disagreement to this section with an amendment as

follows: After the word "taken" where it first occurs in the section insert the words "not to exceed the fair value of the property taken," and the House agrees to the same.

The next amendment is at the end of section 15, and is as follows:

"*Provided*, That in the event the United States does not exercise the right to take over and does not issue a new license to the original or a new licensee, then the commission shall issue from year to year an annual license to the then licensee under the terms and conditions of the original license until the property is taken over or a new license is issued as aforesaid."

The next amendment is in the third paragraph of section 20, and is as follows: At the end of the section add the words "but there shall be included the cost to such licensee of the construction of the lock or locks or other aids of navigation and all other capital expenditures required by the United States, and no value shall be claimed or allowed for the rights granted by the commission or by this act." It is thought that this amendment should be inserted in order that there might be no misunderstanding that it was the intention and purpose of Congress that the expenditures set forth in the amendment should be included for the purposes of rate making. Some of your conferees were of the opinion that this was clearly set forth in the section as it passed the House, but in order that there be no misunderstanding the amendment was agreed to.

The next amendment is at the end of section 21, and is as follows:

"The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar action or proceeding in the courts of the State where the property is situated."

The next amendment is in section 23, and is a new paragraph added to that section, as follows:

"As to all streams or parts of streams other than streams the use of which is herein authorized to be licensed, over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, permission is hereby given to construct dams therein: *Provided*, That any applicant who proposes to construct a dam in any such last-mentioned stream or part of stream may at his option make application to the commission, and if the contemplated improvement is, in the judgment of the commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of navigation in interstate or foreign commerce, the applicant may receive a license under the conditions with all of the rights and privileges herein provided for streams or parts of streams used for the transportation of persons or property in interstate or foreign commerce in their ordinary, natural, or improved conditions."

This amendment is only an amplification of the Senate definition of "navigable waters." In our opinion the amendment grants no additional jurisdiction or rights.

T. W. SIMS.
SCOTT FERRIS.
A. F. LEVER.
JOHN J. ESCH.
WM. L. LA FOLLETTE.
G. N. HAUGEN.

Mr. SIMS. Mr. Speaker, I expect to move the previous question before the hour expires. I thought it would be fair to the members of the conference committee that I should retain 20 minutes for members of the Interstate Commerce Committee who are on the conference committee, one-half of that time to be yielded to the gentleman from Wisconsin [Mr. ESCH], 20 minutes to the gentleman from Oklahoma [Mr. FERRIS], and 20 minutes to the gentleman from South Carolina [Mr. LEVER], to be yielded by them as they see proper. I will yield this time for Members to discuss the report, but I expect to retain the floor for the purpose of moving the previous question. How will that suit the gentleman from Wisconsin.

Mr. ESCH. The gentleman can not get more than one hour for the consideration of the conference report?

Mr. SIMS. The Speaker said he would not recognize anybody to call up a conference report who would not agree to move the previous question at the end of an hour. I promptly agreed to do so.

Mr. ESCH. The gentleman will divide the time among the three committees?

Mr. SIMS. Yes; what does the gentleman say to that arrangement?

Mr. MANN. Are all of these gentlemen in favor of the conference report?

Mr. SIMS. I think they are.

Mr. MANN. That would be a pretty situation, to have an hour divided all among gentlemen in favor of the report. What is the use of taking any time at all?

Mr. SIMS. Those gentlemen can yield to whoever they please.

Mr. MANN. That is just it; they can.

Mr. SIMS. I have not heard of any gentleman being against the report.

Mr. WALSH. I am.

Mr. MANN. Several people are against it. I think it would take more than an hour to explain it to me.

Mr. SIMS. The bill was before the House last summer for two or three weeks and very fully discussed.

Mr. MANN. Not this bill. This bill has never been explained to the House. I am not complaining about the time. If the gentleman wants to move the previous question and agree to it without any discussion at all, I am willing to vote against it, but to agree to an hour's time to be wholly used by those in favor of it is of no use.

Mr. SIMS. I do not know of anyone opposed to it.

Mr. WALSH. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. WALSH. If the gentleman knows of nobody who is opposed to it, I will ask him how anybody could be opposed to it with time controlled by three gentlemen in favor of it. This bill has been in conference several months.

Mr. SIMS. As far as I know everybody is in favor of it. I will yield time to the gentleman from Massachusetts.

Mr. WALSH. People opposed to it ought to have some amount of the time.

Mr. LA FOLLETTE. If the gentleman from Tennessee will yield, I think there is a misapprehension as to the division of this time. The gentleman is simply dividing the time between the three committees, 20 minutes to each committee, and the Member representing the committee can yield the time to those opposed to it?

Mr. SIMS. Yes.

Mr. MANN. And if they do not want to they can give none.

Mr. LA FOLLETTE. There is no disposition not to give opponents part of the time.

Mr. SIMS. I assume that gentlemen would not do such a thing as that.

Mr. LA FOLLETTE. Not if they were gentlemen.

Mr. SIMS. I would not do such a thing.

Mr. MANN. But the gentleman is proposing it.

Mr. SIMS. Mr. Speaker, I submit this request for unanimous consent.

Mr. WALSH. The gentleman does not have to ask for unanimous consent; he controls the entire hour. What is the need of unanimous consent?

Mr. SIMS. I am a member of the Interstate and Foreign Commerce Committee, the gentleman from Oklahoma [Mr. FERRIS], is a member of the Committee on the Public Lands, and the gentleman from South Carolina [Mr. LEVER] is a member of the Committee on Agriculture.

Mr. MANN. The gentleman has the authority to yield, but he can not do it by unanimous consent.

Mr. SIMS. The chairmen of these different committees know better to whom to yield than I do.

Mr. MANN. The gentleman has the authority to yield, if he pleases, but he can not do it by unanimous consent.

Mr. SIMS. I only wanted to see if it would meet with unanimous consent. Mr. Speaker, I give notice that I reserve one minute at the end of the hour in which to move the previous question within the hour. As I understand it, the time for debate begins now?

The SPEAKER pro tempore. Yes.

Mr. SIMS. Mr. Speaker, I want to say in as few words as possible, so as to make myself clear, that the bill as agreed to in conference, so far as the fundamental provisions of the bill are concerned, so far as any question of principle is concerned, is practically in all respects just as it passed the House. The difference between the Senate and the House on fundamental matters was on the recapture clause, on the question of the amount to be charged by the Government for power. The charge provisions of the bill are exactly as they passed the House, no change whatever. Section 10, subsection (e) provides that the licensee shall pay to the United States reasonable annual charges in an amount to be fixed by the commission. There is no maximum and no minimum. We simply give the commission the power—and that is exactly as it passed the

House—to make reasonable annual charges, so that the commission can control each and every project as to charges with regard to the special conditions that may surround any particular project. On the net investment or recapture clause of the bill, section 14, the Senate recedes from its disagreement to this section, with an amendment as follows:

After the word "taken," where it occurs first in the section, insert the words "not to exceed the fair value of the property taken."

Section 14, as it passed the House, provided for payment to licensee, upon recapture, of the net investment. Gentlemen will remember that the gentleman from Oklahoma [Mr. FERRIS] fought that very bitterly upon the idea that the property might be depreciated in value; that unnecessary expense might have been incurred in the construction; and that the net investment would exceed the fair value or the reasonable value, or even just compensation at the end of the license period, and this amendment which has been agreed to in conference "not to exceed the fair value," retains the net investment provisions as to the cost accounting and everything else; nothing is stricken out of section 14, nothing is taken away from the net investment provisions of the bill, and the only words added are the ones that I just referred to, "not to exceed the fair value of the property taken." That is the only change there is in section 14, which is called the recapture section.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. WALSH. Does the bill define the meaning of the words "fair value?"

Mr. SIMS. No.

Mr. WALSH. But it does of "net investment."

Mr. SIMS. It does of net investment, and I will say to the gentleman it does not make a definition of "fair value." It does say what the net investment shall be, but from this net investment are to be deducted certain elements of value, such as going concern, good will, increased value of land furnished by the United States, and so on. The fair value, of course, will be limited by these deductions, because these deductions are made to apply to the net investment, as provided in the law. The net investment means what the investor has put in the project, but not to exceed the fair value of the property taken, retaining all the limitations in the bill touching the net investment, although it does not define the words "fair value."

Mr. WALSH. What is added to it by those words?

Mr. SIMS. I will state that the conferees thought that the net investment at the end of the license period on account of loss of markets or the run-down condition of the property or something of that sort, that the exchange or commercial value might be less than the net investment. In other words, the net investment might show $100,000, but the property might not have a commercial value of exceeding $50,000, and that if anybody except the Government or a municipality or a State was going to purchase this property he would not have to pay more than its actual value, whatever that might be, and this amendment is to save the Government or the State or the municipality from having to pay the net investment when the net investment as shown by the books of the company exceeds the exchange or ordinary commercial value of the property. It is to protect the United States Government, the States, and municipalities that may desire to take over the property.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. RAKER. In section 15 of the bill, lines 7 to 13 of the confidential prints, page 24, the conferees added a new proviso to the effect that if the United States does not exercise the right to take over and does not enter into a new lease with the original or a new lessee, the commission shall issue from year to year an annual license to the then licensee under the terms and conditions of the original license until the property is taken over or a new lease entered into as aforesaid. Is it the purpose to allow the original licensee to continue from year to year just as long as he wants to, or what was the object of that amendment?

Mr. SIMS. That is not the purpose of it. The argument was made in considering this bill by investors and by the bond houses that if the license period should end abruptly and the Government did not take it over and a municipality or State did not take it over, and no new licensee had applied for a new license, that we would abruptly terminate the service of the project, though it might be delivering power to a municipality, a State, or a manufacturing concern, and the Senate conferees were very insistent upon not having a possible hiatus. This provision only provides that until the Government acts or the State or the municipality acts or a new license is granted.

Mr. RAKER. In other words, the original terms granted to the first licensee without any interruption or diminution continues up to its end.

Mr. SIMS. Yes.

Mr. RAKER. But if the Government fails to take it over or it can not get a new licensee to the end that the project does not cease, that the public are not inconvenienced, the licensee may continue from year to year at a rental fixed in the original lease to operate the plant.

Mr. SIMS. Yes; that is it. Now, there is another change, but I do not think that is a fundamental change. It was not contrary to any principle in the bill. In the House bill, as it passed, where dams built by the Government were leased the Government retained the right to readjust the rentals in periods of not less than 10 years. Some of the conferees insisted that it would be wiser and better to make the first period 20 years from the beginning of operation and then every 10 years thereafter. It does not change the principle of the right to readjust, but prevents readjustment for that period of time when it is reasonable to suppose the property would not be earning the amount that it would after it had been in operation for some time. These three changes, the one covering the hiatus, the other providing that in recapture the net investment should not exceed the fair value, are all that are material. We have a number of minor changes which the report and statement set out, but those are all that are fundamental or that in any way affect the fundamental principles in the bill. I want to say it is the best all-around water-power bill that has ever been reported in the House or Senate or that has ever passed either House, and it is better now than it was when the Senate passed it or when it passed the House. All kinds of water-power development are provided for—Government water-power development, State water-power development, municipal water-power development, private corporation water-power development, individual water-power development, or development of water powers by associations of individuals. Potentially every kind and character of water-power development can be had under the provisions of the bill.

Mr. SINNOTT. Will the gentleman yield?

Mr. SIMS. How much time have I used?

The SPEAKER pro tempore. The gentleman has used nine minutes.

Mr. SIMS. I will have to yield according to what I said to the gentleman from Wisconsin [Mr. ESCH].

Mr. SINNOTT. The gentleman from Minnesota [Mr. ANDERSON] secured an amendment to the bill in the House permitting municipalities to take the property before the end of the term by paying just compensation. Is that still in the bill?

Mr. SIMS. It remains in the bill as it passed the House.

Mr. SINNOTT. Then in regard to another section.

Mr. SIMS. That meant, as I understood at the time in the House, that the Government has the right to take over a project at any time before the expiration of the license period by paying just compensation.

Mr. SINNOTT. Another question: Is there anything now in the bill or conference report fixing the measure of the fair value or the manner in which the fair value is to be determined?

Mr. SIMS. There is no new legislation in the conference report defining fair value, as I have just said a moment ago in reply to an inquiry of the gentleman from Massachusetts [Mr. WALSH]. Mr. Speaker, how much time have I used?

The SPEAKER pro tempore. The gentleman has used one minute more, making in all 10 minutes.

Mr. SIMS. I will reserve one minute for myself, making 11 minutes, and I will yield to the gentleman from Wisconsin [Mr. ESCH], if he desires to debate or discuss the report for that purpose.

Mr. ESCH. I would like to yield part of the time to the gentleman from Illinois.

Mr. SIMS. That is all right. I yield to the gentleman from Wisconsin [Mr. ESCH] 10 minutes, to be yielded as he sees proper.

Mr. ESCH. Mr. Speaker, the Senate passed what is known as the Shields bill, which only relates to the construction of dams upon navigable waters, the jurisdiction of which being vested in the Secretary of War. The House bill, recommended by the joint water-power committee, embraces in a single measure the construction of dams upon navigable waters, upon the public domain, and in the forest reserves. In order to do this the bill provides for the creation of a commission consisting of the three secretaries—the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture. These differences in the plan and scope of these two measures constituted one of the chief obstacles to the conferees getting together on the pending bill. There was much opposition on the part of the Senate conferees to the plan of a commission of Cabinet officers. The House conferees, however, prevailed in their contention. We maintained the administrative features in the House bill throughout. One of the principal changes made by

the conferees in the bill as it left the House relates to the definition of "navigable waters." No definition was contained in the House bill. The House conferees accepted the definition in the Shields bill. Another change made in conference related to the matter of creating amortization reserves. As the bill left the House these amortization reserves were to begin at the beginning of the term. As amended the amortization reserves are not required to be created until 20 years after the time the project goes into operation. The House conferees agreed to the compromise. Another change made by the conferees related to the readjustment of charges on Government dams. As the bill left the House these charges were to be readjusted at intervals of 10 years after the project goes into operation. Under the conferees' agreement this readjustment was changed so that it could not be made until 20 years after the project went into operation and thereafter at 10-year intervals.

The recapture clause was changed by the conferees by the addition of these words, "shall not exceed the fair value of the property taken." I resisted that amendment of the conferees as long as I could, but yielded ultimately. I had been in favor of the net investment as a basis for recapture and the basis for rate making, believing that net investment was a fixed, determined amount and could be ascertained at any day, month, or year. Another change made by the conferees was to take care of the hiatus which under the House bill resulted at the end of the termination of the period of 50 years. As the bill left the House, at the end of the 50-year period the licensee merely became what might be called a tenant at sufferance. That was a doubtful status, and one which would create hesitancy on the part of investors in lending money to the licensee. In conference we adjusted this difficulty in this way: We gave the commission the power, after the termination of the 50 years, to extend the license for periods of one year and until the Government either took over the project itself or found a new licensee. Another change made by the conferees was in reference to the basis for rate making. In the House bill the basis for rate making was practically the net investment, but there was some doubt expressed by the Senate conferees that the terms used would not authorize the commission to allow to the licensee the cost for the construction of locks, aids to navigation, or other capital expenditures. Personally I believe that the net-investment definition covered the matter, but to remove all doubt we provide that for the purpose of rate making the commission shall take in account the cost to the licensee of the construction of lock or locks, aids to navigation, or capital expenditures.

I wish to state, Mr. Speaker, that the conferees labored long and hard to bring about an agreement between the Houses. For 10 years there has been a conflict between the Houses on the matter of water-power legislation, and the rock upon which the two Houses have split for most of this period is the one which gave to the Government the right to exact a charge for the development of water power. This bill gives the commission the power to demand such charge. The Senate has uniformly denied the right of the Government to exact a charge for the development of water power. This, to my mind, was the crucial question which divided the Houses, and upon this crucial question the Senate has receded and the House has won its contention.

Mr. SINNOTT. Will the gentleman yield?

Mr. ESCH. For just a moment.

Mr. SINNOTT. I notice in section 23 that a permit may be given for a dam on a nonnavigable feeder of a navigable stream.

Mr. ESCH. I will state that amendment was presented by the gentleman from Washington [Mr. LA FOLLETTE]. My time has about elapsed, and I will suggest that the inquiry be put to him.

Mr. SINNOTT. I wanted to get the gentleman's view. I understand it is not compulsory upon the applicants to apply for that permit. That is optional, and that one building a dam on the nonnavigable stream is not compelled to apply to the commission for permission unless he sees fit?

Mr. ESCH. Mr. Speaker, how much time have I left?

The SPEAKER pro tempore. The gentleman has used eight minutes.

Mr. SINNOTT. I understand the gentleman agrees with me on that?

Mr. ESCH. That is my opinion.

Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. MANN].

Mr. MANN. I get two minutes out of this hour. The gentlemen in favor of the bill get the balance of the time.

Mr. LA FOLLETTE. Mr. Speaker, I yield to the gentleman three minutes out of my time.

Mr. MANN. Then I get five minutes out of the hour. I am much obliged.

I would like to take two or three minutes to express my confidence in the members of the conference committee. I have been working along with them on this subject, some of them, for many years, and I have a great deal of confidence in their judgment. I need not say I have a great deal of confidence in their integrity or purpose and their intelligence, because it would be impossible for one who knows them half as well as I do not to have. And yet here is a conference report upon an extremely important subject presented to Congress in the closing days, when everybody is pressed almost beyond endurance; printed in the RECORD, it is true, with an hour's discussion permitted, of which, so far as I know, those opposed to it get five minutes, and the subject proposed to be disposed of in that way after a controversy lasting 8 or 10 years. Now, just for instance, I want to call attention to one thing in the conference report. The gentleman from Oregon [Mr. SINNOTT] just suggested it was not necessary to get a permit for the construction of a dam on a stream which was nonnavigable. Of course, the Government has no control whatever over a stream that is nonnavigable unless it be on Government property. There can be no question about that. But it has always been contended by the Government that if a stream which was navigable here, say, and up at the other end of this aisle, it was a navigable stream in the eye of the law all the way. The Government has always maintained and the courts have always held, under the contention of the Government, that a stream that was navigable was navigable, not in parts here and there and elsewhere. Of course, nobody builds a dam as a rule right where a stream is navigable. Here is the Potomac River, a navigable stream, up here where the rapids are and where the falls are. It would take an act of Congress to authorize the construction of a dam there, but under the terms of this conference report it is nonnavigable.

The gentleman from Oregon [Mr. SINNOTT] shakes his head. He is not familiar with it. I call his attention to the definition.

That the term "navigable waters" as used in this act and as applied to streams shall be construed to include only such streams or parts of streams as are in their ordinary natural condition used for the transportation of persons or property in interstate or foreign commerce or which, through improvements, heretofore or hereafter may have been or shall become usable in such commerce.

Here is a stream that is navigable. It has rapids or falls in it, a place where you can construct a dam. Usually it is not navigable there. Now, under the terms of this bill, where they can construct a dam it is declared nonnavigable, and, under the law, where it is nonnavigable it is controlled wholly by the States. The Federal Government has nothing to do with it. Here is the definition of navigable streams which puts the Government of the United States out of court.

Mr. LA FOLLETTE. Will the gentleman yield?

Mr. MANN. I yield.

Mr. LA FOLLETTE. In section 23 of the bill it is amplified as carrying out the idea suggested by the gentleman, that the Government has control of streams that are navigable in part, although they are not navigable right at the time. And it says the commission can grant licenses in that kind of a stream provided the licensee asks for it.

Mr. MANN. Oh, well, the gentleman from Oregon just showed it was not necessary for a man to ask for a license from the Government. And the Government either has control or it has not. The Government of the United States can not grant a license for the construction of a dam across a nonnavigable stream in a State. We have got no more to do with it than the King of England.

Mr. SINNOTT. Will the gentleman yield?

Mr. MANN. Yes.

Mr. SINNOTT. My question was merely directed to a nonnavigable feeder of a navigable stream.

Mr. MANN. It was directed to the point to which the gentleman from Washington directed his statement.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HAUGEN. Does the gentleman desire more time? If you do, I will grant you five minutes.

Mr. MANN. Is my time up?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MANN. The gentleman has yielded me more time. I will take a minute.

Mr. SIMS. Mr. Speaker, I understand it is to come out of the time that goes to the Committee on Agriculture?

Mr. MANN. I am not complaining.

Mr. HAUGEN. I yield five minutes to the gentleman from Illinois.

Mr. MANN. I shall not occupy the full five minutes. I do not want to take all the time of those who may be opposed to the propopsition. I have called attention to one glaring defect

in this report, which apparently gives away the whole case of the Government.

You can define all you please what the terms are, where a dam is to be constructed in a navigable stream under the control of the Government, and put in all you please about how much they shall pay, and nobody who wants to construct a dam will complain if at the same time you tell them that where they want to construct it it does not come within the control of the Government. Here is the definition of navigable waters as applied to streams, which exempts practically every place in the United States where you can build a dam. Why, Muscle Shoals were not navigable, yet we had a great contest. Nobody doubted that the river at that point was called a navigable river, because it was navigable above and below; but, under the terms of this definition, it was declared nonnavigable, and when it is declared nonnavigable the Government of the United States has nothing more to do with it. It is purely within the control of the State, because the only authority which the General Government has over the flowing water is on the ground of the control of navigation.

Now, I will let the gentlemen wrestle with that proposition a little while.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman permit a question?

Mr. MANN. Yes.

Mr. COOPER of Wisconsin. Is not this report on this bill, in company with others, a report upon a bill introduced away back in 1917? I have not a copy of the bill, but I see that this conference report here was filed and ordered printed February 26; that is, day before yesterday. It says, "To accompany Senate bill 1419." Was not that bill introduced away back in 1917?

Mr. MANN. I suppose it was introduced probably the first day that this Congress met. It was acted upon by the Senate a long time ago and acted upon by the House a long time ago, so far as that is concerned, and even that was not the beginning. This controversy has been pending for many years. This House, while I was not here, created a special water-power committee, as I understand, composed of members of other committees, which I think was a very appropriate thing to do.

Mr. COOPER of Wisconsin. The reason I asked the question of the gentleman from Illinois was to call attention to the fact that this legislation, than which there is hardly anything of an industrial character to be conceived of greater in importance, is pending between the two Houses month after month. Finally it is brought up here, within two or three days of the final adjournment of this Congress, and there is no opportunity for fair discussion. It is the old system, which I have seen put in practice here ever since I have been a Member of the House.

Mr. MANN. Oh, it is a good deal better than the system which was in the House when the gentleman from Wisconsin came into the House and when I came into the House, in this respect, that it was not then the practice nor the custom to ever print a conference report in the RECORD, and that was not done until I made a holy terror of a kick in the House, reactionary as I was. [Applause.]

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MASON].

The SPEAKER pro tempore. The gentleman from Illinois is recognized for two minutes.

Mr. MASON. Mr. Speaker, I am not specially interested in the dam discussion in this bill, and I say reverently that I do not give a damn for the dams. I wish to emphasize the word "reverently." [Laughter.] But I am interested, Mr. Speaker, in the proposition of bringing home the American boys, and we are now in this situation: In the two minutes that I have I desire simply to say a word, and I again give notice that there shall be a quorum here. I see from the newspapers that the President has announced that there will be no extra session and no chance for Congress to be in session and pass upon the question of demobilization in the Army camps of this country. According to the mail that I have from the boys there, there has been no fair show in the execution even of the orders issued by the War Department. To-day, with 41 cruisers and 39 battleships, we are bringing home a less number of boys every month than we sent over at a critical time. I have asked for a resolution here to have a committee appointed that shall sit during the session to hear the question and determine questions of demobilization.

Mr. Speaker, I am addressing my colleagues, and if I should appear at any time to make a dilatory motion it is for this reason, that the men, women, and children of this country are suffering, the farmers are suffering, because the little men with big epaulets keep the boys in the service regardless of the fact that they have furnished the necessary affidavits for discharge. They are not bringing the men home as rapidly as they can and as they should. I make the point now——

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. MASON. I have not spoken a minute.

The SPEAKER pro tempore. When the gentleman challenges the accuracy of the Chair, the clock says two minutes.

Mr. MASON. I yield to the clock and also to the Chair.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. SIMS] is recognized.

Mr. MASON. Mr. Speaker, I make the point of no quorum.

SEVERAL MEMBERS. Oh, no!

Mr. MASON. Oh, yes. Let us stay. There is no quorum. Count them.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of no quorum.

Mr. SIMS. Mr. Speaker, how much more time does the gentleman want?

Mr. MASON. I want five minutes.

Mr. RAKER. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. The gentleman from California moves a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Anthony	Estopinal	Kincheloe	Sherley
Ashbrook	Fairchild, G. W.	Langley	Shouse
Barnhart	Fairfield	Lehlbach	Slemp
Birch	Fisher	Linthicum	Smith, C. B.
Blackmon	Flynn	Miller, Minn.	Smith, T. F.
Bland, Ind.	Focht	Mondell	Snell
Booher	Foss	Morin	Steele
Britten	Francis	Neely	Stephens, Miss.
Brodbeck	Frear	Nelson, J. M.	Stephens, Nebr.
Brumbaugh	Goodall	Nicholls, S. C.	Strong
Buchanan	Gray, N. J.	O'Shaunessy	Sullivan
Burroughs	Gregg	Overmyer	Sumners
Butler	Griffin	Park	Swift
Candler, Miss.	Hamill	Porter	Tague
Carlin	Hamilton, N. Y.	Pou	Taylor, Ark.
Cary	Heaton	Powers	Templeton
Chandler, N. Y.	Heintz	Price	Thomas
Church	Helm	Ragsdale	Towner
Cooper, Ohio	Hersey	Reavis	Vare
Copley	Hood	Reed	Vinson
Costello	Houston	Riordan	Voigt
Cox	Howard	Roberts	Waldow
Davey	Hull, Tenn.	Rowland	Weaver
Dent	Johnson, Ky.	Russell	Webb
Dies	Kahn	Sanford	White, Ohio
Dooling	Kehoe	Scully	Wilson, Ill.
Doremus	Kelley, Mich.	Sears	Woodyard
Drukker	Kennedy, R. I.	Sells	Wright
Emerson	Key, Ohio	Shackleford	Zihlman

The SPEAKER pro tempore. On this call 312 Members have answered present—a quorum.

Mr. CRISP. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER pro tempore. The gentleman from Georgia moves to dispense with further proceedings under the call.

The motion was agreed to.

Mr. SIMS rose.

The SPEAKER pro tempore. The Doorkeeper will unlock the doors. The gentleman from Tennessee is recognized.

Mr. MASON. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. MASON. I rise to make a motion to adjourn.

Mr. SIMS. I move the previous question on the adoption of the conference report. If we are going to have a regular filibuster, why, let us have it.

Mr. WALSH. Oh, well, the gentleman had previously agreed that there should be one hour of debate.

Mr. SIMS. I know I had, but the gentleman from Illinois is wasting the time in filibustering.

Mr. WALSH. He has a right to do it.

Mr. SIMS. Of course he has a right to do it, and I have a right to move the previous question.

The SPEAKER pro tempore. The Chair recognized the gentleman from Tennessee. The gentleman from Illinois rose and addressed the Chair, and the Chair asked him for what purpose he rose. He said, "I rise to make a motion to adjourn." That does not constitute a recognition.

Mr. WALSH. That is just what I was going to contend, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. SIMS] has been recognized.

Mr. SIMS. We are going to dispose of this conference report to-night, or as soon as possible. If the gentleman wants to debate the bill, I am willing——

Mr. MASON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MASON. I want to inquire whether the motion to adjourn is in order?

The SPEAKER pro tempore. The motion to adjourn is always in order when a gentleman gets recognition to make it; but the gentleman from Tennessee [Mr. SIMS] has the floor and has an hour.

Mr. MASON. And the Chair now rules, as I understand the ruling, that he did not recognize me because I had made a motion to adjourn?

The SPEAKER pro tempore. The Chair never recognized the gentleman, and can not recognize him in the time of the gentleman from Tennessee. The gentleman from Tennessee has this hour and the right to parcel it out as he chooses.

Mr. MASON. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Illinois rise?

Mr. MASON. I desire to appeal from the decision of the Chair.

Mr. WALSH. There is nothing to appeal from.

Mr. LEVER. I make the point of order that there is nothing to appeal from.

The SPEAKER pro tempore. The gentleman from Illinois appeals from the decision of the Chair, but there is nothing from which the gentleman from Illinois can appeal. The gentleman from Illinois has not been recognized.

Mr. MASON. Mr. Speaker, I desire——

The SPEAKER pro tempore. The gentleman from Tennessee will proceed.

Mr. SIMS. I move the previous question on the adoption of the conference report.

The SPEAKER pro tempore. The gentleman moves the previous question on the conference report.

The question being taken, the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MASON. I call for a division.

The SPEAKER pro tempore. The gentleman from Illinois asks for a division on the motion to order the previous question.

The House divided; and there were—ayes 131, noes 36.

Mr. MASON. I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Illinois demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Ten Members, not a sufficient number.

Mr. MASON. Mr. Speaker, I make the point of no quorum.

Mr. FERRIS. I make the point of order that that is dilatory. The roll has just been called.

The SPEAKER pro tempore. The Chair will say to the gentleman from Oklahoma that no question of dilatoriness can be raised in connection with the point of no quorum.

Mr. FERRIS. If the Chair will indulge me a moment, the roll has just been called, and no business has transpired since then.

The SPEAKER pro tempore. That rule applies to a different situation. The point of no quorum can never be treated as dilatory. The presence of a quorum is the very foundation of business in the House. The Chair will count. [After counting.] Two hundred and thirty-two Members present, a quorum.

Mr. MASON. Mr. Speaker, I make the point of order that the Chair has counted Members elect who are not Members of this Congress.

The SPEAKER pro tempore. The Chair thinks not.

Mr. MASON. I ask for a roll call.

The SPEAKER pro tempore. The gentleman from Tennessee has the floor. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. MASON) there were 175 ayes and 40 noes.

Mr. MASON. I make the point that the last count shows no quorum.

The SPEAKER pro tempore. The Chair thinks that there is a quorum present.

Mr. MASON. The last count does not show it.

Mr. SIMS. Mr. Speaker, I move to reconsider the vote, and that that motion lie on the table.

Mr. MASON. Mr. Speaker, I make the point that on the last announcement of the Chair no quorum is present.

The SPEAKER pro tempore. The Chair will say to the gentleman that there were many Members present who did not vote.

Mr. MASON. I do not know.

The SPEAKER pro tempore. The Chair does know. [Laughter and applause.]

Mr. COOPER of Wisconsin. Mr. Speaker, I demand the yeas and nays.

Mr. SIMS. Oh, Mr. Speaker, that is too late; the vote has been declared, and I moved to reconsider.

Mr. COOPER of Wisconsin. Mr. Speaker, I was on my feet asking for the yeas and nays.

Mr. SIMS. But it is too late. I have moved to reconsider.

The SPEAKER pro tempore. The Chair will not be too hasty about that. The question is on ordering the yeas and nays. All those in favor of taking this vote by yeas and nays will rise. [After counting.] Forty-five Members, a sufficient number, and the Clerk will call the roll.

Mr. BLANTON. Mr. Speaker, on what is this vote to be taken?

The SPEAKER pro tempore. On agreeing to the conference report.

Mr. SIMS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SIMS. I did not understand that the gentleman from Wisconsin had demanded the yeas and nays on the adoption of the conference report. I thought it was on my motion to reconsider. Of course I would not have the slightest objection to the yeas and nays being taken on the conference report.

The SPEAKER pro tempore. The yeas and nays are ordered, and the Clerk will call the roll.

The question was taken; and there were—yeas 263, nays 65, not voting 100, as follows:

YEAS—263.

Almon	Evans	LaGuardia	Robinson
Anderson	Fairchild, B. L.	Larsen	Rodenberg
Ashbrook	Ferris	Lazaro	Rogers
Aswell	Fess	Lea, Cal.	Romjue
Austin	Fields	Lee, Ga.	Rose
Ayres	Fisher	Lesher	Rouse
Bacharach	Flood	Lever	Rowe
Bankhead	Focht	Littlepage	Rubey
Barkley	Foster	Lobeck	Rucker
Barnhart	Fuller, Ill.	Lonergan	Sanders, Ind.
Beakes	Fuller, Mass.	Lufkin	Sanders, La.
Bell	Gandy	Lunn	Sanford
Benson	Gard	McAndrews	Saunders, Va.
Beshlin	Garland	McArthur	Scott, Iowa
Black	Garrett, Tex.	McClintic	Sells
Blackmon	Glynn	McCormick	Shallenberger
Bland, Ind.	Godwin, N. C.	McCulloch	Sherley
Bland, Va.	Good	McFadden	Sherwood
Blanton	Goodall	McKenzie	Siegel
Brand	Goodwin, Ark.	McKeown	Sims
Brodbeck	Gordon	McKinley	Sinnott
Browning	Gould	McLaughlin, Mich.	Sisson
Burnett	Graham, Pa.	McLaughlin, Pa.	Sloan
Byrnes, S. C.	Gray, Ala.	McLemore	Small
Byrns, Tenn.	Greene, Mass.	Magee	Smith, Idaho
Caldwell	Greene, Vt.	Maher	Smith, C. B.
Campbell, Pa.	Griest	Mansfield	Smith, T. F.
Candler, Miss.	Griffin	Martin	Snook
Cantrill	Hadley	Mays	Steagall
Caraway	Hamilton, Mich.	Merritt	Stedman
Carew	Harrison, Miss.	Miller, Minn.	Stephens, Miss.
Carter, Okla.	Harrison, Va.	Miller, Wash.	Sterling
Clark, Fla.	Haskell	Mondell	Stiness
Classon	Hastings	Montague	Sumners
Claypool	Hawley	Moon	Switzer
Cleary	Hayden	Moore, Pa.	Taylor, Colo.
Coady	Hayes	Moores, Ind.	Templeton
Collier	Heflin	Morgan	Thompson
Connally, Tex.	Helvering	Mott	Tillman
Connelly, Kans.	Hensley	Mudd	Tilson
Cooper, W. Va.	Hicks	Nicholls, S. C.	Timberlake
Crago	Hilliard	Nolan	Tinkham
Crisp	Holland	Oldfield	Treadway
Curry, Cal.	Hollingsworth	Oliver, Ala.	Van Dyke
Dale	Hull, Tenn.	Oliver, N. Y.	Venable
Dallinger	Humphreys	Olney	Vestal
Darrow	Husted	Osborne	Waldow
Davey	Hutchinson	O'Shaunessy	Walker
Decker	Igoe	Overstreet	Walton
Delaney	Ireland	Padgett	Ward
Dempsey	Jacoway	Paige	Wason
Denton	Johnson, S. Dak.	Parker, N. J.	Watkins
Dewalt	Johnson, Wash.	Parker, N. Y.	Watson, Pa.
Dickinson	Kearns	Peters	Watson, Va.
Dill	Kehoe	Phelan	Weaver
Dixon	Kennedy, Iowa	Platt	Welling
Dominick	Kennedy, R. I.	Polk	Welty
Donovan	Kettner	Porter	Whaley
Doolittle	Key, Ohio	Pratt	White, Me.
Doughton	Kiess, Pa.	Purnell	Wilson, La.
Drane	Kincheloe	Quin	Wilson, Tex.
Dupré	Kinkaid	Raker	Wingo
Eagan	Kitchin	Ramsey	Wise
Eagle	Kraus	Randall	Young, Tex.
Elston	Kreider	Rayburn	Zihlman
Esch	La Follette	Riordan	

NAYS—65.

Baer	Denison	Gallagher	King
Bowers	Dillon	Gallivan	Knutson
Browne	Dowell	Garner	Lampert
Cannon	Dunn	Graham, Ill.	Little
Chandler, Okla.	Dyer	Green, Iowa	London
Clark, Pa.	Edmonds	Haugen	Longworth
Cooper, Wis.	Ellsworth	Huddleston	Lundeen
Cramton	Essen	Hull, Iowa	Madden
Crosser	Farr	James	Mann
Currie, Mich.	Fordney	Juul	Mapes
Davis	French	Kelly, Pa.	Mason

Nelson, A. P.	Sabath	Sweet	Williams
Nichols, Mich.	Schall	Temple	Wood, Ind.
Norton	Scott, Mich.	Voigt	Young, N. Dak.
Rainey, J. W.	Smith, Mich.	Volstead	
Ramseyer	Stafford	Walsh	
Rankin	Steenerson	Wheeler	

NOT VOTING—100.

Alexander	Emerson	Jones	Shackleford
Anthony	Estopinal	Kahn	Shouse
Birch	Fairchild, G. W.	Keating	Slayden
Booher	Fairfield	Kelley, Mich.	Slemp
Britten	Flynn	Langley	Snell
Brumbaugh	Foss	Lehlbach	Snyder
Buchanan	Francis	Linthicum	Steele
Burroughs	Frear	Morin	Stephens, Nebr.
Butler	Freeman	Neely	Stevenson
Campbell, Kans.	Garrett, Tenn.	Nelson, J. M.	Strong
Carlin	Gillett	Overmyer	Sullivan
Carter, Mass.	Gray, N. J.	Park	Swift
Cary	Gregg	Pou	Tague
Chandler, N. Y.	Hamill	Powers	Taylor, Ark.
Church	Hamilton, N. Y.	Price	Thomas
Cooper, Ohio	Hamlin	Ragsdale	Towner
Copley	Hardy	Rainey, H. T.	Vare
Costello	Heaton	Reavis	Vinson
Cox	Heintz	Reed	Webb
Dent	Helm	Roberts	White, Ohio
Dies	Hersey	Rowland	Wilson, Ill.
Dooling	Hood	Russell	Winslow
Doremus	Houston	Sanders, N. Y.	Woods, Iowa
Drukker	Howard	Scully	Woodyard
Elliott	Johnson, Ky.	Sears	Wright

So the conference report was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. STEELE with Mr. BUTLER.

Mr. HAMILL with Mr. FOSS.

Mr. CARLIN with Mr. FAIRFIELD.

Mr. HELM with Mr. HEATON.

Mr. TAGUE with Mr. KELLEY of Michigan.

Mr. CHURCH with Mr. ANTHONY.

Mr. DENT with Mr. BRITTEN.

Mr. DOREMUS with Mr. BURROUGHS.

Mr. FLYNN with Mr. COPLEY.

Mr. HAMLIN with Mr. ELLIOTT.

Mr. HARDY with Mr. FREEMAN.

Mr. HOOD with Mr. KAHN.

Mr. HOUSTON with Mr. LANGLEY.

Mr. HOWARD with Mr. REAVIS.

Mr. LINTHICUM with Mr. REED.

Mr. POU with Mr. SANDERS of New York.

Mr. RAGSDALE with Mr. SLEMP.

Mr. SLAYDEN with Mr. SNYDER.

Mr. STEPHENS of Nebraska with Mr. STRONG.

Mr. STEVENSON with Mr. TOWNER.

Mr. VINSON with Mr. WINSLOW.

Mr. WEBB with Mr. WOODYARD.

Mr. WHITE of Ohio with Mr. GEORGE W. FAIRCHILD.

Mr. WRIGHT with Mr. SWIFT.

The result of the vote was announced as above recorded.

Mr. MASON. Mr. Speaker, I ask for a verification of the vote.

The SPEAKER. A verification of the vote rests entirely in the judgment of the Speaker. If it were a close vote, so close that mistakes enough might have been made to change it, the Chair would have no hesitancy in granting that request, but the Chair declines to order a verification of the vote.

Mr. MASON. Mr. Speaker, I appeal from the decision of the Chair.

Mr. FOSTER. Mr. Speaker, I move to lay that appeal on the table.

The SPEAKER. The gentleman from Illinois [Mr. MASON] appeals from the decision of the Chair, and the gentleman from Illinois [Mr. FOSTER] moves to lay that appeal on the table. The gentleman from Illinois [Mr. MASON] has no right to appeal from the decision of the Chair on that particular point, as it is a matter that is entirely within the discretion of the Speaker.

Mr. SIMS. Mr. Speaker, I move to reconsider the vote by which the bill was passed and to lay that motion on the table.

The SPEAKER. Without objection, it is so ordered.

Mr. MASON. Mr. Speaker, I object.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to reconsider the vote by which the bill was passed and to lay that motion on the table.

The question was taken, and the Chair announced that the ayes had it.

Mr. MASON. Mr. Speaker, I ask for a division.

Mr. CALDWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALDWELL. Does the affirmative vote lay this motion on the table?

The SPEAKER. It does.

Mr. WALSH. How can you have two motions pending before the House?

The SPEAKER. This is a motion that is always put in that way.

Mr. WALSH. That is when it is done by unanimous consent.

Mr. FOSTER. Nobody asked for a division.

Mr. WALSH. You do not have to divide a motion to reconsider and a motion to lay that motion on the table.

The SPEAKER. Those in favor of the motion of the gentleman from Tennessee will rise and stand until counted.

Mr. WALSH. Mr. Speaker, I make a point of order.

The SPEAKER. The gentleman will state it.

Mr. WALSH. That the House can not have under consideration two motions at one and the same time. The gentleman from Tennessee moves to reconsider and asked to lay that motion on the table.

The SPEAKER. That is the way it is always done.

Mr. WALSH. That is, when it is done by unanimous consent.

The SPEAKER. The question before the House is to lay the motion to reconsider on the table. We are not voting on the motion to reconsider, but to table it.

Mr. STAFFORD. Mr. Speaker, if the Chair will pardon me, the House must first vote on the motion to reconsider. Any Member has the right to enter the motion to reconsider.

The SPEAKER. Any Member has the right to ask to have these two motions severed, but nobody asked it.

Mr. STAFFORD. I wish to direct the attention of the Speaker to the actual conditions. The gentleman from Tennessee made the customary motion to move to reconsider and to lay that motion on the table. Usually that is put by unanimous consent, and it was so put, but objection was made. Then the gentleman from Tennessee moved to reconsider.

Mr. SIMS. No; he did not.

The SPEAKER. No; it was done in the usual way, and any gentleman had the right to ask to have the two severed, but nobody did.

Mr. STAFFORD. Never in the history of the House have two motions been voted on at the same time.

The SPEAKER. Those in favor of this motion will rise and stand until counted. [After counting.] One hundred and sixty-three in the affirmative. Those opposed to tabling the motion to reconsider will rise and stand until counted. [After counting.] Five. On this question the ayes are 163 and the noes 5.

Mr. MASON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present. The Chair will count.

Mr. CHARLES B. SMITH. Mr. Speaker, I make the point of order that that motion is dilatory.

The SPEAKER. No; the Chair will not hold that the motion is dilatory. [After counting.] Two hundred and fifty-one Members are present, a quorum.

Mr. MASON. Mr. Speaker, I rise to make the point that many men have been counted who are Members of the next Congress——

The SPEAKER. How does the gentleman know any such thing as that? [Applause.] The Chair is doing this counting.

SEVERAL MEMBERS. Regular order!

The SPEAKER. The motion is carried.

Mr. BYRNS of Tennessee. Mr. Speaker, I desire to call up the conference report——

Mr. BYRNES of South Carolina. Mr. Speaker, I renew my motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104.

Mr. BYRNS of Tennessee. Mr. Speaker, there is on the Speaker's desk the fortification appropriation bill with Senate amendments—three short amendments—which I desire to call up.

Mr. BYRNES of South Carolina. Several conference reports have been called up to-day with amendments, with the statement that they would only take a few minutes——

Mr. BYRNS of Tennessee. This is not a conference report.

The SPEAKER. The Chair will recognize the gentleman from South Carolina as soon as he gets through with the gentleman from Tennessee.

Mr. BYRNES of South Carolina. The Speaker said that this morning in regard to the bill of the gentleman from Tennessee, which we have just finished.

The SPEAKER. The gentleman from Tennessee got in an important conference report——

Mr. BYRNES of South Carolina. Does not the Speaker think it important that the sundry civil bill should go to the Senate?

The SPEAKER. Well, the Chair will recognize the gentleman next——

Mr. BYRNES of South Carolina. Provided no one else asks for recognition.

The SPEAKER. It does not make any difference who asks for it.

Mr. MASON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MASON. It is about the dinner hour, and I rise to make a motion to adjourn.

The SPEAKER. The Chair had recognized the gentleman from Tennessee.

FORTIFICATION APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I call up the bill H. R. 15979, the fortification bill, with Senate amendments.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BYRNS of Tennessee. Mr. Speaker, there are three amendments adopted by the Senate. I ask that amendments numbered 2 and 3 be read and then I shall move that the House agree to those amendments.

Mr. MASON. Mr. Speaker, I object.

The SPEAKER. The Clerk will report the amendment.

Mr. STAFFORD. It requires unanimous consent.

The SPEAKER. After a while; yes.

The Clerk read as follows:

Page 6, line 8, strike out "$125,000" and insert "$140,000."
Page 12, after line 17, insert:
"SEC. 8. That no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can be manufactured or produced in each or any of the Government arsenals of the United States for a sum less than it can be purchased or procured otherwise.

Mr. BYRNS of Tennessee. Mr. Speaker, I move to agree to the amendments just read.

Mr. GOOD. Which amendments?

Mr. BYRNS of Tennessee. To the amendments just read, amendments numbered 2 and 3.

The SPEAKER. The gentleman from Tennessee moves that the House agree to the Senate amendments just read.

Mr. BYRNS of Tennessee. Mr. Speaker, amendment No. 2 relates to a provision for the construction of a concrete wharf in the Philippine Islands. The estimate submitted to the committee was for $140,000. The committee after the hearing reported $125,000 and it so passed the House. Now, the authorities in the War Department appeared before the Senate committee and stated that it would be absolutely impossible to build this wharf for less than $140,000, the amount of the original estimate, and told the committee——

Mr. MASON. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. Not just now. And they told the committee that unless $140,000 could be appropriated then there was no necessity of making any appropriation, because it could not be built for $125,000. The House committee and the Senate committee were satisfied that this wharf was badly needed, because the one there now is insecure and unsafe, and therefore I move that the House concur in the amendment of the Senate appropriating $15,000 more.

Mr. MASON. Mr. Speaker——

Mr. BYRNS of Tennessee. Now, as to amendment No. 3, it simply provides that no money appropriated in any section of this act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can be manufactured in each or any of the Government arsenals of the United States. In other words, it is a simple provision providing that those articles shall be, when it is possible, manufactured in Government arsenals rather than by private concerns. Mr. Speaker, I move the previous question——

The SPEAKER. The gentleman has to get unanimous consent.

Mr. MASON. Mr. Speaker, reserving the right to object——

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table——

Mr. BYRNS of Tennessee. I thought that had been already granted.

The SPEAKER. To take from the Speaker's table——

Mr. BYRNS of Tennessee. I thought unanimous consent had been given.

The SPEAKER. No; it never had been asked for or given.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Does it require unanimous consent to consider Senate amendments on this bill?

The SPEAKER. It takes unanimous consent to take from the Speaker's table and ask for a conference.

Mr. BYRNS of Tennessee. I am not asking for a conference, Mr. Speaker.

Mr. MANN. The Chair lays a bill before the House, and I am under the impression—I may be mistaken—that unless it is a Senate amendment which requires new consideration in the Committee of the Whole it is a privileged matter to move to concur in the Senate amendment.

The SPEAKER. I think the gentleman from Illinois [Mr. MANN] is correct. Those in favor of these two amendments——

Mr. BYRNS of Tennessee. Mr. Speaker, I move the previous question.

Mr. MASON. Will the gentleman from Tennessee yield for a question?

Mr. BYRNS of Tennessee. I will yield.

Mr. MASON. Is there in your amendment, or in the proposition you make, a provision for bringing the boys who are in the American Army home to this country?

Mr. BYRNS of Tennessee. This amendment has no relation to the inquiry the gentleman makes of me.

Mr. MASON. Have you any information that you can give to the House—— [Cries of "Regular order!"]

Mr. BYRNS of Tennessee. I have no information on the subject.

The SPEAKER. The regular order is demanded.

Mr. MASON. The gentleman yielded for a question. I do not propose to take my seat until I have asked an important question. I suppose he had a right to yield for a question.

The SPEAKER. The Chair thought the gentleman had finished his question.

Mr. MASON. I had not.

The SPEAKER. What is the question?

Mr. MASON. I am presenting it now to the gentleman in charge of this bill.

The SPEAKER. The Chair himself would like to know what it is.

Mr. MASON. All right. Thank you. Is there any proposition in this bill or in your amendment that proposes to assist the fellows who under the rules of the War Department are being deprived of the right to go home?

Mr. BYRNS of Tennessee. The gentleman knows the answer to his question as well as I could possibly give it to him. I have been entirely courteous to the gentleman.

Mr. MASON. You have been courteous, and I know the answer.

Mr. BYRNS of Tennessee. This bill, I will say to the gentleman, has no relation whatever to the soldiers in the service or to the question of their discharge.

Mr. MASON. I thank you for knowing what I knew in advance. [Laughter.]

The SPEAKER. The question is on agreeing to the two amendments.

The question was taken, and the amendments were agreed to.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House disagree to Senate amendment No. 1.

The SPEAKER. The gentleman from Tennessee moves that the House disagree to Senate amendment No. 1.

Mr. MASON. Mr. Speaker, I rise in opposition to that motion.

Mr. BYRNS of Tennessee. I have the floor, I think, Mr. Speaker.

The SPEAKER. The gentleman from Tennessee has the floor.

Mr. BYRNS of Tennessee. This amendment, gentlemen of the House, makes provision for the manufacture of 26 railway mounts and for 5 barbette carriages, costing something like $6,700,000. And the amendment provides that over $3,000,000 shall be available in cash and the balance in authorization. This proposition was very carefully considered by the House committee and was denied, for the reason that it was perfectly evident that these railway mounts could be manufactured much quicker than the guns can be forged and machined, and we therefore thought this appropriation could be postponed.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] moves that the House disagree to the amendment.

Mr. BYRNS of Tennessee. I move the previous question.

Mr. MASON. Mr. Speaker, I rise in opposition. I would like to be heard in opposition.

Mr. BYRNS of Tennessee. I have the floor.

The SPEAKER. The gentleman from Tennessee has the floor.

Mr. MASON. But he did not move the previous question until I had addressed myself to the Chair. I rise in opposition to the amendment.

Mr. BYRNS of Tennessee. I had not surrendered the floor.

The SPEAKER. The gentleman can move the previous question if he wants to do so.

Mr. BYRNS of Tennessee. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on disagreeing to this amendment No. 1.

The question was taken, and the motion was agreed to.

Mr. MASON. Mr. Speaker——

The SPEAKER. Does the gentleman want to move to send this bill to conference?

Mr. BYRNS of Tennessee. I do not.

Mr. MASON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MASON. I move to adjourn.

The SPEAKER. The gentleman from Illinois moves that the House do now adjourn.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. MASON. Mr. Speaker, I call for a division.

The House divided; and there were—ayes 7, noes 154.

Mr. MASON. I make the point of order that there is no quorum present.

The SPEAKER. The motion to adjourn is rejected.

Mr. FOSTER. Mr. Speaker, I make the point of order that it does not require a quorum to adjourn.

The SPEAKER. The gentleman from Illinois [Mr. MASON] makes the point there is no quorum present. The Chair will count.

Mr. FOSTER. Mr. Speaker, I make the point that it does not require a quorum.

The SPEAKER. I know it does not require a quorum, but they can demand a roll call and everything of the sort.

Mr. NICHOLLS of South Carolina. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. NICHOLLS of South Carolina. I rise for the purpose of asking that the House donate a case of nuxated iron to the gentleman from Illinois [Mr. MASON].

The SPEAKER. The motion is out of order.

Mr. MASON. If the gentleman had as much love for the boys in the old country as I have——

Mr. NICHOLLS of South Carolina. The gentleman has got more than he needs.

Mr. MASON (continuing). He would not waste cheap words on this particular question.

The SPEAKER. The Chair will count.

Mr. MASON. If the gentleman tried nuxated iron he would have more force and less gall.

The SPEAKER. Two hundred and twenty-seven gentlemen are present—a quorum.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. BYRNES of South Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104—the sundry civil appropriation bill.

The SPEAKER. The gentleman from South Carolina moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104—the sundry civil bill. The question is on agreeing to that motion.

The motion was agreed to.

Mr. MASON rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. MASON. I desire to oppose the motion to go into Committee of the Whole.

The SPEAKER. It has already been voted on.

Mr. CRISP. And it is not debatable.

The SPEAKER. The motion is agreed to, and the gentleman from Texas [Mr. GARNER] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104, the sundry civil appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 16104) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF COMMERCE.

LIGHTHOUSES, BEACONS, FOG SIGNALS, LIGHT VESSELS, AND OTHER WORKS UNDER THE LIGHTHOUSE SERVICE.

The United States Shipping Board Emergency Fleet Corporation is authorized and directed, from vessels building or under contract, to transfer to the Lighthouse Service three vessels for use as lighthouse tenders and one vessel for use as a light ship, such vessels to be in lieu of the vessels authorized for the Lighthouse Service by the act approved June 20, 1918, and one vessel (to cost not to exceed $300,000) for use as a light ship to replace the vessel destroyed at the Diamond Shoal Light Station, N. C.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Louisiana moves to strike out the last word.

Mr. DUPRÉ. I should like to ask the gentleman in charge of the bill for some explanation as to the details and workability of this scheme that has been developed by the committee in regard to these light vessels and tenders. I should like to know something more about it.

Mr. BYRNES of South Carolina. Mr. Chairman, all that there is to be said about it is that the Emergency Fleet Corporation has building and under contract many ships. They stated to the committee that the value of those ships when completed is something to be determined in the future. Certainly they will not get full cost value, and inasmuch as that is true and the Lighthouse Service needs vessels of this character, we directed that the United States Shipping Board Emergency Fleet Corporation shall transfer to the Lighthouse Service the vessels needed by the Lighthouse Service to carry on their business.

Mr. DUPRÉ. I should like to ask the gentleman whether that is to be done after consultation with the officials of the Shipping Board?

Mr. BYRNES of South Carolina. It is. I will be frank to say to the gentleman that I have a letter from the Department of Commerce, in which they state that they have some doubt as to whether the Fleet Corporation can furnish them with the exact type of ships that they desire.

Mr. DUPRÉ. The gentleman evidently did not quite catch my inquiry. It was not so much the objections that were lodged against the proposition by the Department of Commerce and the Lighthouse Service, but as to what the Shipping Board had to say on the subject. Have they ships in process of construction now, or have they contracted for ships, subject to be constructed hereafter, that would be adaptable to this purpose and could be spared from other needs of the Government and assigned to this service?

Mr. BYRNES of South Carolina. They have 2,538 ships now, either building or under contract to be built, and the opinion of the committee, after talking with representatives of the Fleet Corporation, was that some of those ships can be adapted to the uses of the Lighthouse Service. The economical thing to do is to complete those contracts and have the Fleet Corporation build those vessels in accordance with the requirements of the service.

Mr. DUPRÉ. I do not want to have a water haul after this thing is enacted into law and be told by the Shipping Board or the Emergency Fleet Corporation that they can not carry out the authorization and direction of this Congress in this regard, and it does not seem to me quite fair that the Committee on Appropriations should have brought in a provision of this kind unless they are prepared to tell gentlemen on this floor interested in these particular items that in their honest judgment this authorization can be carried out and will be.

Mr. BYRNES of South Carolina. I have some hesitation in saying that they can assure the gentleman exactly what he desires. They may not furnish them to entirely suit the wishes of the Lighthouse Service, because our experience is that no department of the Government will ever agree to accept anything that has been contracted for by another department. The departments in a great many instances are not on speaking terms with each other; but there is not any doubt in the opinion of the members of this committee but that the Fleet Corporation can build, under the contracts they have, ships that will be suitable for the Lighthouse Service. I think the gentleman will be of the opinion that they are suitable.

Mr. DUPRÉ. I have no particular interest in the conflict between the departments, or as to whether certain old ladies and gentlemen are not on speaking terms with each other. [Laughter.] What I want to find out is whether something substantial will come from this, or whether this will be simply a "scrap of paper."

Mr. BYRNES of South Carolina. I can tell the gentleman that something is very likely to come from this. The Fleet

Corporation is building these ships, and it is directed to build them.

Mr. DUPRÉ. Are they required to assign those ships to the Department of Commerce?

Mr. BYRNES of South Carolina. They are.

Mr. DYER. Mr. Chairman, I ask to be recognized in opposition to the pro forma amendment. I want to ask the gentleman in charge of the bill a question. I do not care to take the time of the committee, but will the gentleman advise us how far he expects to have the bill read to-night?

Mr. BYRNES of South Carolina. We have only 30 or 40 pages yet to read, and we expect to complete the bill to-night and send it to the Senate. After it passes the House, if the Senate does not want to pass it, they can do what they please with it.

Mr. DYER. The gentleman anticipates that there will be some considerable debate on this bill, does he not?

Mr. BYRNES of South Carolina. No; I do not anticipate that there will be considerable debate.

Mr. DYER. If the gentleman does not expect to get through to-night, I hope he will advise us to that effect, for the reason that we should not be kept here late. Some of us were kept here quite late last night.

Mr. BYRNES of South Carolina. I think we can get through with it in the course of an hour or so.

Mr. MANN. I hope gentlemen will stay here until this bill is passed. If the House is to consider a contested election case to-morrow, this bill ought to be considered until it is out of the way.

Mr. BYRNES of South Carolina. I intend to demand a call of the House in case it should be necessary.

Mr. MANN. Yes; send out the Sergeant at Arms and bring in absent Members. This is one night when Members ought to be here to do business, and if they are not here to do business they should be sent for.

Mr. BYRNES of South Carolina. That is my view and that is my purpose.

Mr. DYER. Mr. Chairman, the American soldiers, sailors, and marines in the War with Germany have again demonstrated their ability to meet all comers. Those sent to France and those ready to go were as fine a body of men as was ever furnished by any country. These men met in France those from every portion of the world, and they proved themselves equal to any in spirit, enthusiasm, pluck, and intelligence. This was so of our soldiers regardless of color or nationality.

At this time I desire to say a word with reference to the colored soldier. From all the reports received from France it is evident that these soldiers have equaled any. They performed heroic feats and earned and received the commendation of the commanding officers of the American Army, as well as those of the French Army. Hundreds and hundreds of the colored soldiers have been singled out for special distinction. In some cases whole regiments, battalions, and companies have been likewise honored. The records of the War Department, from reports received from France, confirm these statements fully and completely. I can only take the time to mention a few of them, but the colored soldiers as a whole have shown the highest degree of patriotic service in this war. I will cite some of these evidences:

Distinguished-service crosses have been awarded by the commading general, American Expeditionary Forces, for extraordinary heroism in action in France to the following-named colored officers and enlisted men:

Charles G. Young, first lieutenant, Three hundred and sixty-eighth Infantry. For extraordinary heroism in action near Binarville, France, September 27 and 28, 1918. While in command of a scout platoon he was twice severely wounded from shell fire, but refused medical attention and remained with his men, helping to dress their wounds and to evacuate his own wounded during the entire night, and holding firmly his exposed position covering the right flank of his battalion.

Harvey W. Wilson, second lieutenant, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Bussy Farm, France, September 28–29, 1918. After being hit by a shell splinter he continued to lead his platoon against the enemy position until he was again hit by another shell fragment and had to be carried from the field. His example of devotion to duty and his courage inspired the men of the platoon to continue the attack successfully.

Ira M. Payne, sergeant, Company A, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Sechault, France, September 29, 1918. Having found a machine gun hidden in a brush which was causing serious casualties to his company, he crept up, killed the gunners with his rifle, and captured the gun.

Roy A. Brown, sergeant, Company E, Three hundred and sixty-sixth Infantry. For extraordinary heroism in action near Leseaux, France, September 4, 1918. He was a member of a combat group which was attacked by 20 of an enemy raiding party, advancing under a heavy barrage and using liquid fire. The sergeant in charge of the group was killed and several others, including Sergt. Brown, were wounded. Nevertheless this soldier, with three others, fearlessly resisted the enemy until they were driven off.

Clifton Merrimon, corporal, Company L, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Bussy Farm, France, September 27, 1918. He attacked with hand grenades an enemy machine gun which was causing heavy losses to his platoon and succeeded in killing the gunner and putting the gun out of action. He then organized the remainder of the platoon and led them to their positions in the trenches south of Bussy Farm.

Van Horton, corporal, Company E, Three hundred and sixty-sixth Infantry. For extraordinary heroism in action near Leseaux, France, September 4, 1918. During a hostile attack preceded by heavy minnenwerfer barrage, involving the entire front of the battalion, the combat group to which this courageous soldier belonged was attacked by about 20 of the enemy, using liquid fire. The sergeant in charge of the group and four other men having been killed, he fearlessly rushed to receive the attack and the persistency with which he fought resulted in stopping the attack and driving back the enemy.

Lewis Wakins, private, first class, Company A, Three hundred and fiftieth Machine Gun Battalion. For extraordinary heroism in action near Eply, France, November 4, 1918. He accompanied an Infantry patrol, acting as gunner with a heavy machine gun. When a large party of the enemy had worked around the flank of the patrol and was advancing across a road along which the patrol was withdrawing, he went into action with his gun, at a range of less than 100 yards, although the order to withdraw had been given. Displaying exceptional coolness and bravery under heavy rifle and machine-gun fire, he succeeded in dispersing the enemy. He was the last of the patrol to retire.

George Bell, private, Company E, Three hundred and sixty-sixth Infantry. For extraordinary heroism in action near Leseaux, France, September 4, 1918. Although he was severely wounded, he remained at his post and continued to fight a superior enemy force which had attempted to enter our lines, thereby preventing the success of an enemy raid in force.

Alex Hammond, private, Company E, Three hundred and sixty-sixth Infantry. For extraordinary heroism in action near Leseaux, France, September 4, 1918. Although he was severely wounded, he remained at his post and continued to fight a superior force which had attempted to enter our lines, thereby preventing the success of any enemy raid in force.

Bernard Lewis, private, Company A, Three hundred and sixty-eighth Infantry. For extraordinary heroism in action near Binarville, France, September 30, 1918. During an attack on Binarville he volunteered to go down the road that leads into the village to rescue a wounded soldier of his company. To accomplish his mission he was compelled to go under heavy machine-gun and shell fire. In total disregard of personal danger he brought the wounded man safely to our lines.

Clifford Crawford, private, Headquarters Company Three hundred and seventy-second Infantry. For extraordinary heroism in action near Bussy Farm, France, September 28–29, 1918. He was acting as liaison agent between regimental headquarters and the battalion. Having carried a message through a heavy bombardment to the commander of a battalion which was about to make an attack, he joined the first wave of the attack and dashed into the enemy's trenches. Seeing two of the enemy rush to a dugout, he followed them and brought 10 prisoners from the dugout, killing two who tried to escape.

George Gross, private, Company D, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Sechault, France, September 29, 1918. Although he had been badly gassed, he kept his machine gun in action until he fell beside his gun.

Samuel H. Johns, private, Company L, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Bussy Farm, France, September 28, 1918. After several other runners had been killed or wounded, he volunteered to carry a message over fields swept by heavy machine-gun fire and artillery bombardment. He succeeded in delivering the message, but was severely wounded while on the return trip.

Clarence R. Van Allen, private, Company L, Three hundred and seventy-second Infantry. For extraordinary heroism in

action near Bussy Farm, France, September 28, 1918. This soldier, unassisted, rushed an enemy machine gun, putting it out of action, and capturing three prisoners.

Other awards have been made, but the above are the only ones that have thus far been published officially in War Department General Orders.

The total number of colored soldiers participating were nearly 400,000, and the number serving abroad in France, Germany, Italy, etc., were over 200,000.

The colored commissioned officers in the service were over 1,200, many of them being college graduates.

Colored men served in all branches of the Military Establishment, including the Cavalry, Infantry, Artillery (Field and Coast), Signal Corps (radio or wireless telegraphy, etc.), Medical Corps, Aviation Corps (ground section), Ambulance and Hospital Corps, sanitary and ammunition trains, stevedore regiments, labor battalions, depot brigades, and engineer regiments.

Colored soldiers fought with especial distinction in France in the forest of Argonne, at Chateau-Thierry, in Belleau Wood, St. Mihiel district, Champagne sector, Metz, Vosges, etc., winning praise from French and American commanders. Colored troops were nearest the Rhine when the armistice was signed.

Entire regiments of colored troops cited for exceptional valor and decorated with the French Croix de Guerre were the Three hundred and sixty-ninth, Three hundred and seventy-first, and Three hundred and seventy-second; groups of officers and men of the Three hundred and sixty-fifth, Three hundred and sixty-sixth, Three hundred and sixty-eighth, and Three hundred and seventieth were likewise decorated.

Many individuals, like Henry Johnson, Needham Roberts, and William Butler were awarded the Croix de Guerre and Distinguished Service Cross, and scores of officers earned promotions in their military units.

The entire first battalion of the Three hundred and sixty-seventh (Buffaloes) Infantry was cited for bravery, and awarded the Croix de Guerre, thus entitling every officer and man in the battalion to wear this distinguished French decoration. This citation was made by the French commission because of the splendid service and bravery shown by this battalion in the last engagements of the war.

In a general order Second Lieut. Nathan O. Goodloe, of the Three hundred and sixty-eighth Machine-Gun Company, was commended for excellent work and meritorious conduct. During the operations in the Forest D'Argonne Lieut. Goodloe was attached to the Third Battalion. During the course of the action it became necessary to reorganize the battalion and withdraw part of it to a secondary position. He carried out the movement under a continual machine-gun fire from the enemy. Gen. Martin said: "Lieut. Goodloe's calm courage set an example that inspired confidence in his men."

Gen. Martin, commander of the Ninety-second Division, also cited for meritorious conduct near Vienne le Chateau Tom Brown, a wagoner, who, as driver of an ammunition wagon, displayed remarkable courage, coolness, and devotion to duty under fire. Brown hauled his wagon even after his horse had been hurled into a ditch by shells and, despite his own painful wounds, worked until he had extricated his horses from the ditch, refusing to quit until he had completed his work, even though covered with blood from a painful wound.

Mr. Chairman, I shall not in these remarks attempt to more than casually refer to the part taken by the colored soldiers in this war. Some time I trust there will be published a complete record of the part that they have taken, and the names of organizations, men, battles, and so forth, fully stated. I am sure that the entire colored population of the United States will have every reason to feel proud of the record that these men have made. Likewise every American citizen, regardless of color, religion, or nationality, should be proud of what they have done to bring about the great victory for the people of the entire universe. The whole citizenship of the United States should know the record that these soldiers have made in France, and I shall be one of those to do everything in my power to publish these facts fully and completely. I hope, too, that as the American people fully realize how heroically the colored soldiers have fought and how bravely they have died to bring freedom to the people of the world that there will be a better feeling toward them in all parts of the United States. Notwithstanding the record of these soldiers in this war an unjust feeling against the race still exists, as is indicated in an editorial recently called to my attention and which was published in a newspaper at Greenwood, Miss., as follows:

Circuit Clerk G. S. Pate informs the Daily Commonwealth that a good many negroes are applying at his office and registering for the purpose of voting in our elections, according to their statements to him. Our advice to these negroes, and all other negroes who contemplate registering, is that they had better get this idea out of their heads as soon as possible. The negroes are getting along mighty well with the white people of Leflore County, and have been for some time, and they ought to have better sense than to think that they will ever again have the remotest chance of voting in our elections. Such a thing is simply unthinkable, and the sooner these negroes who have registered—and those who contemplate doing so—realize this fact, the better for them. Therefore the thought should be speedily banished from their misguided minds.

A distinguished citizen of our country, recently discussing this and other evidences of the unfair treatment of the colored people, had this to say:

It is one thing to grant in a constitution, and in the forms of law, the fullest recognition of religious freedom, and it is another thing to achieve complete equality of opportunity in the political, social, and business fields of activity unobstructed by traditional religious prejudices.

The laws of our country promise to give equal rights, but how are they observed? The negro under the Constitution is regarded as a citizen, at least when he is to pay taxes and fight for the country's flag, but that ends his opportunity, except the privilege of being lynched from time to time. The equal rights of the smallest nation is to be maintained under the league just consummated abroad, but the equal rights of some of the citizens of the largest Republic in the world is "a mere scrap of paper." Is it a matter of surprise that the red agitators find material for hellish propaganda among the disfranchised, whether white or black? Congress is busy investigating in many directions. Why not stop such cowardly threats as are contained in the above editorial? I am not waving the bloody shirt, but as an American citizen voice my protest against racial or religious persecution and injustice.

Mr. Chairman, I sincerely hope that out of this war and the sacrifices made by the colored people that there will come a wave throughout the land of patriotic fervor on the part of all the people that will demand of those charged with the responsibility of government that the colored people shall receive and that they will have their rights as citizens protected. There ought not to be any need for these people and their white friends petitioning to the Congress of the United States that laws be enacted to give them justice. Yet we are petitioned from time to time to do that which is right and proper in this regard. Recently there came to Congress a petition as follows:

To the Congress of the United States—A memorial:

The board of managers of the Freedmen's Aid Society of the Methodist Episcopal Church hereby earnestly memoralizes the Senate and the House of Representatives of the United States to pass a Federal law for the suppression of lynching, we being thoroughly convinced that this brutality can not be hindered by State legislation and as thoroughly convinced that it can be stopped by Federal legislation and the holding of each locality in which lynching occurs to a community responsibility for the doings of its anonymous citizens. We further believe that to-day is the day of days for such legislation, inasmuch as the Negro race, which has been the most frequent object of lynching, has made a record for bravery and efficiency and patriotism on the battle field and at home, so as to make their conduct a righteous demand that the rights belonging to an American citizen shall be accorded them in full measure.

This memorial was unanimously adopted by the board of managers of the Freedmen's Aid Society at its annual meeting, January 14, 1919.

FREDERICK D. LEETE,
First Vice President.
P. J. MAVEETY,
I. GARLAND PENN,
Corresponding Secretaries.

Attest:

D. LEE ALTMAN,
Recording Secretary.

Accompanying this petition is a statement as to what the Freedmen's Aid Society is and who represented it in its petition to Congress. As to this, I find the following to be the facts:

The Freedman's Aid Society of the Methodist Episcopal Church was organized in 1866. Its purpose is the Christian education of the Negro. It has a theological seminary at Atlanta, Ga., for the training of colored ministers; a medical college at Nashville, Tenn., where 500 young men and a few young women are being trained as physicians, pharmacists, dentists, and nurses; and in addition it has 18 other institutions for the training of teachers, industrial, and other Christian leaders for service among the Negro people. These centers of Christian education are open to the people of all denominations or no denomination.

In the 52 years of its work it has sent from these schools ministers, physicians, teachers, and industrial leaders numbering over 200,000. This service has cost more than $10,000,000. To-day it has 20 schools, 334 teachers, and 5,702 students. The annual budget amounts to over $500,000.

BOARD OF MANAGERS OF THE FREEDMEN'S AID SOCIETY.

Bishops: William F. Anderson, Cincinnati, Ohio; William A. Quayle, St. Louis, Mo.; Frank M. Bristol, Chattanooga, Tenn.; Francis J. McConnell, Denver, Colo.; Frederick D. Leete, Atlanta, Ga.; Wilbur P. Thirkield, New Orleans, La.; Joseph C. Hartzell, Cincinnati, Ohio.

Ministers: Henry C. Jennings, Albert J. Nast, D. Lee Altman, Herbert Scott, E. C. Wareing, W. H. Wehrly, John H. Race, C. E. Schenk, V. F. Brown, W. B. Slutz, E. R. Overley.

Laymen: R. B. McRary, Charles Hommeyer, E. R. Graham, Lewis N. Gatch, E. C. Harley, C. F. Coffin, C. L. Swain, H. H. Garrison, Harlan C. West, George D. Webb.

Mr. Chairman, in this present Congress I presented a bill (H. R. 11279) for the purpose of protecting citizens of the United States against lynching in default of protection by the States. That bill has not been enacted into law, but I shall present it again in the next Congress and continually as long as I am a

Member of Congress till a law substantially as outlined in this bill is written upon the statute books of the United States. In some of the States colored people are not protected against lynching. State officials and county officials fail in their duty in this respect.

The Congress of the United States must enact a law and see to it that it is enforced and all guilty of participating in or permitting lynching are severely punished. I trust that in the next few months we will see evidences of a better feeling on the part of the people in all parts of the United States toward the colored race. If that comes about, then there will be probably no need for the enactment of a law by Congress touching lynchings; yet during this war and while the colored soldiers have been fighting and dying in France to preserve the honor of the United States, its Government and its people, lynchings have been going on in some sections of this country. These lynchings have practically all been of colored people. I for one shall continue to protest and fight against this unjust treatment accorded to a great portion of our people. I am going to remember the heroism of our colored soldiers in France and of the many who have given up their lives there, and I shall now again resolve, in the words of Lincoln, "that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion; that we here highly resolve that these dead shall not die in vain; that this Nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the earth." [Applause.]

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Keepers of lighthouses: For salaries of not exceeding 1,800 lighthouse and fog-signal keepers and laborers attending lights exclusive of post lights, $1,300,000.

Mr. MASON. Mr. Chairman, I wish the RECORD to show that I am addressing the Chair during this reading.

The Clerk read as follows:

Inspectors, clerks, etc.: For salaries of 17 superintendents of lighthouses, and for clerks and other authorized permanent employees in the district offices and depots of the Lighthouse Service, exclusive of those regularly employed in the office of the Bureau of Lighthouses, District of Columbia, $380,000.

Mr. MASON. Mr. Chairman, at the end of this paragraph I desire to be recognized to make the point of order that no quorum is present.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices and shops, $45,000.

Mr. MASON. Mr. Chairman, I wish the RECORD to show that at the end of this paragraph I addressed the Chair and the Chair declined to recognize me. I have no personal feeling about it, but just simply want the record as it is. Under the rules of the House I suppose I can make a point of no quorum. I want to bring the boys home.

The Clerk read as follows:

Private John Allen Station (Tupelo, Miss.): Superintendent, $1,500; fish-culturist, $900; 3 apprentice fish-culturists, at $600 each; in all, $4,200.

Mr. MASON. Mr. Chairman, I rise to offer the following amendment to the section just read, page 145, line 3.

The Clerk read as follows:

For salaries of officers and crews of the steamers *Halcyon* and *Phalarope*, $17,700.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 146, strike out the language in lines 6 and 7 and insert in lieu thereof the following:

"Steamer *Halcyon:* Master, $1,700; first officer, $1,200; engineer, $1,400; assistant engineer, $1,200; 3 firemen at $780 each; 3 seamen at $810 each; cook, $870; cabin boy, $600; in all, $11,740.

"Steamer *Phalarope:* Master, $1,500; engineer, $1,200; fireman, $780; 2 seamen at $810 each; cook, $870; in all, $5,970."

Mr. BYRNES of South Carolina. Reserving the point of order, the amendment does not propose to increase the amount?

Mr. WALSH. Mr. Chairman, I do not think the amendment is subject to a point of order, but I will say that it corresponds exactly to the estimates submitted by the department.

Mr. BYRNES of South Carolina. I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. MASON. Will the gentleman yield for a question?

Mr. WALSH. I will yield for a question.

Mr. MASON. I want to know if you wish to proceed without a quorum? I have made the point of order that there is no quorum present, and it is perfectly apparent that there is no quorum. I want to ask whether you expect the law would be constitutional and binding in this country without a quorum, when I have made the point of no quorum, and when I am not recognized to make the point of no quorum?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

The Clerk read as follows:

Alaska, general service: For protecting the seal fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska, transportation of supplies to and from the islands, expenses of travel of agents and other employees and subsistence while on said islands, hire and maintenance of vessels, and for all expenses necessary to carry out the provisions of the act approved April 21, 1910, entitled "An act to protect the seal fisheries of Alaska, and for other purposes," and for the protection of the fisheries of Alaska, including travel, hire of boats, employment of temporary labor, and all other necessary expenses connected therewith, $125,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word to ask why this item has been increased?

Mr. BYRNES of South Carolina. There is an increase there because of the increased cost of supplies, food, fuel, and clothing. For this year they had $144,700, including the sundry civil appropriation and a deficiency appropriation, and the amount here is $125,000.

Mr. MONDELL. Mr. Chairman, I want to delay the committee only a moment. This item brings to my mind a practice which curiously illustrates some of the methods of the governmental departments. The Pribilof Islands, the home of the fur-seal herd, lie up in the Bering Sea, one of the most exposed regions in the world, up yonder inside the Arctic Circle. In the care of the seals and the preparation of the skins it is necessary to employ quite a considerable number of natives. There is quite a settlement of natives on the islands. It is necessary that they have houses, and we have been putting up houses for those natives, up on those bleak, wind-swept, icy coasts. What kind of houses do you suppose? Well, they are not exactly pasteboard houses. They are the next thing to it. They are these cheap, knocked-down, put-up-with-a-hammer houses that are made in Kalamazoo and Oshkosh and shipped up there in sections and put together. If one can conceive anything more extraordinary and incongruous than that sort of construction in that sort of a country, they must be possessed of a very lively imagination.

Mr. WALSH. Will the gentleman yield?

Mr. MONDELL. I do.

Mr. WALSH. What kind of houses do the natives build for themselves?

Mr. MONDELL. Well, I do not know that they are building much in the way of houses for themselves since we got in the habit of building these flimsy shacks for them. Naturally, they have lost the art and the habit of building for themselves. I have been asking this service for a number of years to study the original house construction of the natives, and the house construction of Iceland, and the Shetlands, and Spitzbergen, and regions similar to these, and the cheap grout construction of the Northwest, where houses are built easily with ordinary labor, something that the natives can build and repair and keep in order. I trust they will build no more of these flimsy structures, and I have some hope—just a little hope—that we may eventually stir up the initiative of the bureau and get them to doing something practical up there in the Arctic in the way of house construction.

The idea in a section like that of building ready-to-erect houses in Oshkosh and shipping them across the continent, taking them up through the icy seas, unloading them onto barges in the wind-swept and tempestuous water, carrying them ashore—of course, they break—and putting them together, the slimsiest things in the world, intended for camp purposes. They were never expected to be used as permanent habitations for man in a tempestuous climate. But some one connected with the service found that was the easiest way to buy a house, as you buy a pound of tea, and have it ready-made, take it up there and put it up.

Mr. LOBECK. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LOBECK. How long has this thing been going on?

Mr. MONDELL. For a number of years. I have been trying, in my feeble way, for a long time to wake up this bureau

to the utter folly and futility of that kind of construction. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Testing of large scales: For investigation and testing of railroad track scales, elevator scales, and other scales used in weighing commodities for interstate shipments and to secure equipment and assistance for testing the scales used by the Government in its transactions with the public, such as post-office, navy-yard, and customhouse scales, and for the purpose of cooperating with the States in securing uniformity in the weights and measures laws and in the methods of inspection, including personal services in the District of Columbia and in the field, $40,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to return to line 4, page 149, to insert an amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 149, line 4, after the word "and," insert the word "made."

The amendment was agreed to.

The Clerk read as follows:

For compensation, to be fixed by the Secretary of Labor, of examiners, interpreters, clerks, and stenographers, for the purpose of carrying on the work of the Bureau of Naturalization, provided for by the act approved June 29, 1906, as amended by the act approved March 4, 1913 (Stat. L., vol. 37, p. 736), and May 9, 1918 (Stat. L., vol. 40, pp. 542 to 548, inclusive), including personal services in the District of Columbia, and for their actual necessary traveling expenses while absent from their official stations, including street car fare on official business at official stations, together with per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for such per diem together with actual necessary traveling expenses of officers and employees of the Bureau of Naturalization in Washington while absent on official duty outside of the District of Columbia; telegrams, verifications of legal papers, telephone service in offices outside of the District of Columbia; not to exceed $5,300 for rent of offices outside of the District of Columbia where suitable quarters can not be obtained in public buildings; carrying into effect section 13 of the act of June 29, 1906 (34 Stat., p. 600), as amended by the act approved June 25, 1910 (36 Stat. L., p. 765), and in accordance with the provisions of the sundry civil act of June 12, 1917; and for mileage and fees to witnesses subpœnaed on behalf of the United States, the expenditures from this appropriation shall be made in the manner and under such regulations as the Secretary of Labor may prescribe, $350,000.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, I move to strike out the figures "$350,000" and insert "$675,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL of Pennsylvania: Page 152, line 16, strike out "$350,000" and insert "$675,000."

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, the work being done by this Bureau of Naturalization is of vital importance at this particular time. This money does not come out of the taxpayers of the country. They have paid into the Treasury by the head tax $750,000 in excess of the amount necessary to take care of the service. We asked that this be made $675,000 in order that this good work may be carried on. In cities where there is a large foreign population it is of the utmost importance to Americanize these new citizens. The cities throughout the country are giving schoolrooms, and the Government is furnishing free textbooks. At this time it is of great importance to offset the work of the propaganda that has a tendency toward socialism and bolshevism, and I appeal to you to accept this amendment, as it is not money to come out of the taxpayers.

I ask that you adopt this amendment to enable this department to continue the work it has already started. In the city of Pittsburgh and other cities it is doing a wonderfully good work.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CAMPBELL of Pennsylvania. Yes.

Mr. LAGUARDIA. What type of men are employed for this kind of work?

Mr. CAMPBELL of Pennsylvania. Men that are naturalized and speak the language of those that we want to reach.

Mr. LAGUARDIA. Is it not a fact that the employees of the bureau assume an arrogant attitude toward these people?

Mr. CAMPBELL of Pennsylvania. It may be, but not in this case.

Mr. LAGUARDIA. I am talking about the Bureau of Naturalization. Does not Mr. CAMPBELL feel it his duty to prevent people from being naturalized rather than assist them in being naturalized?

Mr. CAMPBELL of Pennsylvania. Does the gentleman mean me?

Mr. LAGUARDIA. No; I am talking about the Chief of the Naturalization Bureau.

Mr. CAMPBELL of Pennsylvania. I think not.

Mr. LAGUARDIA. The gentleman said that textbooks were furnished to the schools. Does the gentleman have any such schools conducted in his city?

Mr. CAMPBELL of Pennsylvania. There are.

Mr. LAGUARDIA. By the Bureau of Naturalization?

Mr. CAMPBELL of Pennsylvania. There are schools conducted there by voluntary subscription.

Mr. LAGUARDIA. But not by the Bureau of Naturalization. The gentleman said the purpose of the bureau was to keep down bolshevism and socialism. Is the gentleman aware that that is what they are not doing? A man who is a Bolshevist goes there and kids these people who want to become citizens and want to remain here.

Mr. CAMPBELL of Pennsylvania. The object of the bureau is to make American citizens of them.

Mr. LAGUARDIA. But that is just what they do not do.

Mr. CAMPBELL of Pennsylvania. In the district I have the honor to represent there are upward of 35 nationalities, and they are all eager and anxious to become Americanized, eager to be taught; even men 50 years old are going to school.

Mr. LAGUARDIA. I am not discussing the schools.

Mr. FARR. Are the schools not conducted under the authority of the school superintendent?

Mr. CAMPBELL of Pennsylvania. Yes.

Mr. MONDELL. Does the gentleman from Pennsylvania understand that these schools could be conducted under this appropriation?

Mr. CAMPBELL of Pennsylvania. Yes.

Mr. MONDELL. The gentleman is mistaken.

Mr. CAMPBELL of Pennsylvania. Why not, if they have the money to pay for it?

Mr. MONDELL. There is no authority of law for it. If they had all the money in the world, they could do nothing of the sort.

Mr. CAMPBELL of Pennsylvania. I am only asking for an increase in the appropriation.

Mr. MONDELL. If they had an increase they could not conduct schools with it.

Mr. CAMPBELL of Pennsylvania. They could carry on the work as provided in the law.

Mr. MONDELL. There is no such thing as providing schools carried in the law.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Pennsylvania. Yes.

Mr. PLATT. There is a bill now before the Committee on Education which provides for Americanizing foreigners and taking care of that very thing, but this item does not provide for anything of the kind; and if you increase the appropriation, it would not do any good.

Mr. CAMPBELL of Pennsylvania. They have been doing this very work.

Mr. PLATT. Oh, no.

Mr. CAMPBELL of Pennsylvania. And Mr. Lane asked for $7,500,000 to conduct this very work.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, the gentleman from Pennsylvania [Mr. CAMPBELL] is misinformed as to the character of work done under this appropriation. Many of the things that he has referred to may be most desirable, but as the gentleman from Pennsylvania [Mr. FARR] said, the schools to which he has referred are being paid for by the State of Pennsylvania. Under this appropriation not only is a school not conducted, but none of the textbooks to which the gentleman has referred are paid for out of the funds.

Mr. CAMPBELL of Pennsylvania. I grant the gentleman that the textbooks are furnished out of another fund, but this is to conduct the work.

Mr. BYRNES of South Carolina. What work?

Mr. CAMPBELL of Pennsylvania. To pay these men that go around who are employed by the Bureau of Naturalization.

Mr. BYRNES of South Carolina. Mr. Chairman, this fund is used for no purpose other than to pay examiners. We have always had a force of examiners. Heretofore the appropriation was $275,000. On May 9, 1918, Congress passed an act having for its purpose the naturalization of the soldiers in the cantonments of the country. The Senate included an appropriation of $400,000.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Not now. That $400,000 made $675,000 altogether. With the $675,000 the Naturalization Service proceeded to employ examiners.

And before the armistice was signed the estimate was submitted for $675,000, for which the gentleman now asks. The

armistice came. The naturalization examiners were taken from the cantonments, and they are now on the hands of the Bureau of Naturalization, which is striving to find some job to keep these examiners, who traveled around the country to these camps, on the pay roll. The number of examiners who visited these camps run away up—more than 100. They received good salaries. The gentleman who is in charge of this work was asked the specific question by me as to what he proposed to do with them. He said that they were very good men, who wanted to stay in the work, and therefore he thought he would keep them and put them on this regular work. In no way can it be said that they contribute to the work the gentleman has in mind of educating those who desired naturalization, except in this.

He says that when an examiner goes to a man who is an applicant for citizenship he impresses upon him the wisdom of being a citizen. There is no earthly reason why the examiner who goes to him originally with regard to his naturalization can not advise him to become a citizen just as easily as a man who was on the pay rolls last year and whose duty it was to be sent on another trip to visit him and say, "I want to advise you to become a citizen." These men are examiners. Not one dollar is spent out of this fund except for examiners. The gentlemen who are the members of the committee endeavored to get information from the head of this service, and after they had vainly spent three or four hours endeavoring to get an account of the exact amount spent under the original appropriation of $275,000, and what was proposed to be done with the $400,000 that was asked for, we all came to the conclusion that we could not get any information.

The gentleman was asked to revise his remarks, and as they appear in the hearings they defy analysis, and the only conclusion that you can reach is that the $400,000 was lumped with the $275,000, and now that he has these gentlemen in the service he desires to keep them, as he says in the hearings. I yield to the gentleman from Pennsylvania.

Mr. CAMPBELL of Pennsylvania. Will not the gentleman admit that there were naturalized 167,000 aliens in our Army camps?

Mr. BYRNES of South Carolina. There were.

Mr. CAMPBELL of Pennsylvania. And the purpose is to Americanize them?

Mr. BYRNES of South Carolina. Oh, no; that work is finished, and the gentleman who has charge of finishing it says so.

Mr. CAMPBELL of Pennsylvania. Many of them could not speak the English language clearly when they went to camp.

Mr. LAGUARDIA. They fought in our Army.

Mr. CAMPBELL of Pennsylvania. Yes; and they are entitled to be instructed in Americanism.

Mr. BYRNES of South Carolina. And they are.

Mr. CAMPBELL of Pennsylvania. You make no provision for that.

Mr. BYRNES of South Carolina. The gentleman can not make provision out of this fund to establish schools. You would have to have legislation authorizing the establishment of schools.

Mr. CAMPBELL of Pennsylvania. The Congress has given the Bureau of Naturalization authority to promote the training of these foreigners by the public schools of the country.

Mr. BYRNES of South Carolina. The public schools of the country are training them. There is not any reason here for any man to argue that a dollar of this fund is to be expended in schools, because it can not be expended there. There is no reason for any arguments other than this, that with the $75,000 additional appropriation given in this bill they can communicate with any man who is an applicant for citizenship and advise him of the benefits of citizenship, and of learning the English language and becoming a citizen, and we have given them $75,000 more this year than they had for any previous year because we believe in encouraging the work, but none of the many desirable things urged by the gentlemen are possible here.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. WELTY. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, I am indeed amazed at the statement of the gentleman who has charge of this bill, because of the lack of knowledge that he seems to possess in the matter of work of the bureau of naturalization. The head of this bureau appeared, as the evidence will show, before the committee and showed how this money was spent. Last year there was appropriated for this bureau $275,000, and because of the exigencies of war $400,000 additional was allowed to procure additional help for the purpose of naturalizing aliens who enlisted in our Army. It is estimated that we have about 12,000,000 aliens in the United States. The number of registrants between the ages of 21 and 31 years was 1,703,006. Those who registered on the 12th of September, 1918, numbered 2,174,072, making a total of aliens who registered for our Army of 5,214,050, while the number of aliens and citizens registered was 23,908,576, thus making 21.9 per cent of all of those who registered as aliens and naturalized persons. Seven hundred and fifty thousand of those aliens who registered had no knowledge of the English language. Now, then, what has been done with this fund? On May 9, last year, the Congress passed an act permitting citizenship to every alien who had taken out his first papers and who enlisted under our banner. Many of those soldiers could not understand the commands of their own officers. They did not know what "fours right" or "fours left" meant. They did not know what it meant when the officers said "Forward, march."

Mr. LAGUARDIA. They did pretty well in France, though, under those commands.

Mr. WELTY. Certainly, they did well in France, and I am not saying anything against these men who fought so nobly in France. Certainly, they did; but shall it be said that this Nation is so stingy, so small, as not to provide for an agency whereby they can be furnished books and literature and permitted to learn the English language and thus be able to convey their feelings to us who can not understand their language?

Mr. LAGUARDIA. This will not do it.

Mr. WELTY. This will not do it; what will do it? By permitting the alien to drift?

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. We do it in the city of New York at our own expense.

Mr. WELTY. Most assuredly; but you have agencies having men go around and find just where they are and offer opportunity to learn the basic principles of our country. The aliens will not go to your public schools. They will not go there, because they are too old. They must have separate night schools.

Mr. LAGUARDIA. We do that in New York.

Mr. WELTY. I am asking for a small sum to stimulate the public schools to greater activity. You go to one locality in New York and often wonder whether you are in Bohemia, Russia, or Poland. You go to another section, and you wonder whether you are in Italy.

Mr. LAGUARDIA. Certainly, because the Italians brought some of their country's culture there.

Mr. WELTY. It is not American culture. What we want is to teach these aliens American ideals and let them know what those American ideals mean and that the same is distinctly American.

Mr. LAGUARDIA. They were all imported, were they not?

Mr. WELTY. Certainly; they were all immigrants. They came to our land because there was something here which they could not get where they came from. I believe that most of them were attracted to our shores because of the customs, laws, and institutions of our country. Some, I am sorry to note, came here for no other purpose than to exploit our resources, get some money, with a hope that some day they can return and live on that money earned here with greater ease than in the land from whence they came. This class of citizens should not be permitted to remain in this country. They care nothing for our country and its ideals. Most of them care very little for the comforts of home life in America. They do not bring their families, but expect to live cheaply here, content to occupy poor quarters, with a hope of getting rich quick and return after they have earned enough to keep them the balance of their lives.

Mr. Chairman, for years we have permitted the scum and every grade of criminals in Europe to find an asylum here with those who came here because they were sick and tired of autocracy and its handicaps to the toiling. I am inclined to believe that the gentleman from New York [Mr. LAGUARDIA] does not understand the meaning and force of the proposed amendment of the gentleman from Pennsylvania [Mr. CAMPBELL]. The money appropriated by Congress for the Bureau of Naturalization is not used to deport objectionable aliens, for the jurisdiction of deportation rests under our laws with the Commissioner of Immigration. It was not the Commissioner of Naturalization who deported the bunch of I. W. W.'s who denounced this country and its Constitution in such language as not to permit its repetition here.

I know some of these immigration officers do make mistakes at times, but I do not think they make a mistake when they take by the nape of the neck every I. W. W. and Bolshevik and boot him across the sea from where he came.

Mr. Chairman, what the Bureau of Naturalization attempts to do is to build a fire under the "melting pot in America" and teach these aliens the basic principles so that they might

float off into American citizenship and lose their foreign identity by mingling with those possessing a common language and owe allegiance only to the Stars and Stripes.

And, sirs, we are asking only for a sum of money out of the surplus collected from these aliens. Not one cent comes from the taxpayers. Since the declaration of war the Bureau of Naturalization has been exceedingly busy because of the act of May 9, 1918, providing for the naturalization of all aliens who had taken out their first papers upon entering the Army. Between the 1st day of October, 1917, and September, 1918, 176,816 drafted soldiers were naturalized, while 150,246 alien soldiers became citizens since the passage of the act. This required additional help not only in the field but in the office force as well. Now, these soldiers can not read and write the English language. They will not go to school with children 7 and 8 years old. If you are not going to provide educational facilities for the alien population, are we justified in permitting these soldiers who fought to protect our country and homes from drifting? Should we not encourage night schools for them?

We hear a great deal about vocational training. Every wounded or sick soldier with a hospital record is entitled to the benefits of an education. Every alien soldier who was sent to the hospital will receive the benefit of this education. They learn to read and write and are taught a useful occupation, but shall we neglect those who were not sent to the hospital, especially when the appropriation of this amount is only out of the surplus of the amount the Government collected from these aliens? Gentlemen, we can not in good conscience collect this tax off of these aliens unless we mean to use the funds so collected for their benefit.

Mr. Chairman, the present bill carries $2,000,000 for vocational training.

At first the bill carried a million and a half, but the gentleman from Alabama [Mr. BANKHEAD] offered an amendment to increase that to $3,000,000 and was strongly supported by my friend from Ohio [Mr. FESS], all this vast sum to be spent for vocational training alone.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WELTY. I ask unanimous consent to proceed for five minutes.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, I ask that the gentleman be given five additional minutes.

Mr. SHERLEY. Mr. Chairman, let us see if we can have an agreement for debate on this matter. I ask unanimous consent that all debate on this paragraph and amendments to the paragraph end in 15 minutes.

Mr. SIEGEL. I desire five minutes.

Mr. SHERLEY. I expect to take five minutes.

Mr. MONDELL. I would like to have three minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate on this paragraph and all amendments thereto shall close in 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. WELTY. Not now. I do not want to be discourteous, but I wish you would wait until I finish what I am about to develop. Now, I am in favor of the reeducation of these men who are wounded and in doing everything we can, but, as was said on the floor of the House, every college and State institution is not only willing but anxious to furnish education to these young soldiers, and it will not cost the Government one cent for their education, save and except their subsistence, quarters, and medical aid. These colleges are the proper places to send these boys. They want to return home. God knows that many a heart is aching to return to the old homestead. Return these boys to their respective States to be educated in their respective State schools. The hospital is no place to reeducate our boys. Restore them to health and then discharge them from the hospital as soon as possible.

But we have appropriated $2,000,000 for vocational training. Oh, out here at the Walter Reed Hospital, for instance, what do we find? A printing press that cost, I understand, $13,000, to teach those boys how to print and instruct them in the art of printing. Buildings after buildings are erected and expensive equipment installed, and yet beween 60 and 70 per cent of those boys have not passed further than the eighth grade. I understand there is a wireless apparatus out there with which last week they were able to pick up a message between Berlin and London. We have a greenhouse there, where they attempt to grow vegetables and flowers for the sick in this hospital. You go through that greenhouse and you will find they raise the finest of vegetables and flowers for these boys. It is right that money should be appropriated for that purpose, but when you go to the books and find out where these vegetables and flowers have gone you will then realize that three-fourths of them have gone to the colonels and the majors and the captains and the lieutenants, probably that those officers might serve the poor patients more efficiently. Are we going to spend all this money for these purposes? Are we going to coordinate in this vocational training?

Mr. FESS. Will the gentleman yield?

Mr. WELTY. Yes.

Mr. FESS. Reverting to the colleges willing to do this work, my colleague will recognize the Government must pay for the expense of subsistence.

Mr. WELTY. Oh, yes; and that is not all. They pay for quartors and for medical aid and for subsistence. That is not very much. That does not cost very much, as the gentleman from Ohio knows, because he used to be a teacher——

Mr. FESS. The plan of the vocational board was to utilize all these existing institutions without the Government creating any new ones.

Mr. WELTY. That is all right if they are doing that. But why are they spending these large sums of money here at the hospitals? It seems that we are going wild in some of our appropriations and forget that these colleges are better equipped to educate the soldiers than any agency the Government can create.

Mr. FESS. A hospital is for the primary work before the training can begin, and now the boys are about to go out from the hospitals, where the training is increasing very rapidly.

Mr. WELTY. In passing, let me say that I do not want to reflect on the Surgeon General's office. It is impossible to keep selfishness out of the Army. I feel sure that Gen. Ireland will speedily correct any abuses that may be called to his attention. Too much praise can not be given to the work of this department, especially when we compare the unhealthy conditions of the camps and the sickness during the Spanish-American War and the work done by the Medical Department in this war. No soldiers received better medical treatment than did the American soldiers during this war. I am simply calling this matter to the attention of the House because we are apt to overlook the fact that our State schools will take care of these boys if we will only permit them to do so.

Mr. BLANTON. Will the gentleman from Ohio yield for a moment?

Mr. WELTY. Yes.

Mr. BLANTON. Is the gentleman aware of the fact that the Committee on Education is expecting to-night to favorably report what is known as the Americanization bill, which is legislation that will bring about what the gentleman from Pennsylvania [Mr. CAMPBELL] and the gentleman from Ohio [Mr. WELTY] wish?

Mr. WELTY. Most assuredly. That is what they are going to try to do; and that is the trouble with our Federal Government. It is attempting to control every agency rightly belonging to our States. I do hope that the time will never come when the control of our schools is transferred from the several States to the Federal Government. God knows that the Federal Government is controlling too much now. The tendency is to destroy not only the initiative of every individual but to deprive our States of their sovereignty and reduce them to townships and counties. If this fund is appropriated, it will not be used to start schools, but to furnish books and literature to be used in night schools under the direction of the local boards of education.

We do not need any more new agencies. We have enough bureaus. It keeps a Member of Congress busy trying to learn where they can be found.

The proper channel to teach these aliens American ideals is through the Bureau of Naturalization. That is why this bureau was organized. Then why should the Department of Education assume this duty when all can be accomplished by the naturalization officers through the medium of the common schools?

Remember this, gentlemen, that the 176,816 soldiers naturalized under the act passed by Congress are not the only aliens in our Army. It is estimated that 50,000 aliens in the country joined the independent forces. The Czech, Slovak, Bohemian, and Polish aliens in America formed an independent army because they could not understand our officers. All these are returning, and it is high time that we knew their spirit; and we should remember that we are unable to know it, when they come back, unless we have a common language. These all fought for the American ideals, and yet they are unable to convey that ideal to us in a language we can understand. We believe alike, think alike, and we act alike, and yet we do not

know our kindred spirits. Gen. Crowder in his report has this to say about these aliens:

The great and inspiring revelation here has been that men of foreign and of native origin alike responded to the call to arms with a patriotic devotion that confounded the cynical plans of our arch enemy and surpassed our own highest expectations. No man can peruse the muster roll of one of our camps, or the casualty list from a battle field in France, without realizing that America has fulfilled one of its highest missions in breeding a spirit of common loyalty among all those who have shared the blessings of life on its free soil. No need to speculate how it has come about; the great fact is demonstrated that America makes Americans. In the diary of a German officer, found on the battle field, the following sentence, penned by one of the enemy whom these men went out to fight, speaks volumes: "Only a few of the troops are of pure American origin; the majority are of German, Dutch and Italian parentage. But these semi-Americans—almost all of whom were born in America and never have been in Europe—fully feel themselves to be true-born sons of their country."

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WELTY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. WELTY. We hear so much of America being the "melting pot of the world." A judge, in his charge to the jury, aptly said:

We find all over these United States, in groups, little Germanies, little Italies, little Austrias, little Norways, little Russias. These foreign people have thrown a circle about themselves, and, instead of keeping the oath they took that they would try to grow American souls inside of them, they have studiously striven to exclude everything American and to cherish everything foreign. A clever gentleman wrote a romance called "America, the Melting Pot." It appealed to our vanity, and through all these years we have been seeing romance instead of fact. That is the awful truth. The figure of my country stands beside you to-day. It says to me, "Do not blame this man alone. I am partly to blame. Teach him, and the like of him, and all those who have been misled by him and his like that a change has come."

There must be an interpretation anew of the oath of allegiance. It has been in the past nothing but a formula of words. From this time on it must be translated into living characters incarnate in the life of every foreigner who has his dwelling place in our midst. If they have been cherishing foreign history, foreign ideals, foreign loyalty, it must be stopped, and they must begin at once, all over again, to cherish American thought, American history, American ideals. That means something that is to be done in your daily life. It does not mean simply that you will not take up arms against the United States. It goes deeper far than that. It means that you will live for the United States, and that you will cherish and grow American souls inside of you.

The Bureau of Naturalization is the proper agency to lead these men to this new light. They have been furnishing the textbooks and literature for use in the common schools without any expense to the taxpayer. These aliens have paid it all—not one dollar comes from the taxpayers. This money has been collected from the aliens and there is a surplus in the Treasury of $754,415.21. Should we not use this money to educate these soldiers who can not read and write the English language? Will we help them or suppress them? It is their country just as much as it is our country, for they fought to preserve its institutions. I hope that the amendment will carry.

Some time ago I introduced a bill requiring every alien to register and pay an annual fee during his alienage, which bill, I believe, will be favorably reported by the Committee on Immigration; but I can not support even my own bill if the money so collected will not be used to teach these aliens American ideals so that we might better understand them and that they might receive the benefits of a knowledge of the basic principles of our Government.

The American laborer must receive sufficient pay to live and rear his family in pleasant surroundings, and out of his surplus earnings pay for a home which he should own. He can not do this in competition with cheap laborers who are content to live in dirt and filth. The foreigner must realize that American citizenship has advantages which he desires. We can not throw citizenship on him. He would not appreciate the same. He must win that citizenship himself, and the only way he can do it is by possessing a knowledge of our language, customs, and institutions, and being taught to live in a home where his children can be reared to become equals to every American. I do hope that the amendment will carry.

Mr. SEIGEL. Mr. Chairman, I exceedingly regret that what is a most important matter has temporarily descended into a dispute between the gentleman from Ohio [Mr. WELTY] and my colleague [Mr. LAGUARDIA] as to the place or places from where the population of this country came. The work these examiners in naturalization have been doing has consisted of examining the declarations made by would-be citizens. At the present time there are 46,000 of such declarations that have been unexamined for months. They have had to appear before the various judges where naturalization courts are held for the purpose of examining the applicant and his witnesses. Now, the truth of the matter is, we are short of examiners; and I believe that if the members of the Appropriations Committee had seen the shortage of examiners in the city of New York, for example, where applicants for naturalization have to stand in line and to wait day in and day out for the purpose of becoming naturalized, they would not have proceeded to cut down the amount which is actually required.

Now, it is true that these same examiners have done a certain amount of Americanization work, and it is true that considerable credit is due to Mr. Crist for having started that work. But these examiners are needed for other purposes. They are needed because in this country to-day there are 11,000,000 people who have not been naturalized, and it is useless to yell from one end of the country to the other for them to get naturalized and expect the applicant to stand day in and day out for the purpose of being naturalized, dragging witnesses down to the court repeatedly, standing in long lines in the post-office building, and then expect men to become American citizens at a great, unnecessary loss of time and money to them and their witnesses.

Mr. FESS. Will the gentleman yield to a question?

Mr. SIEGEL. I will.

Mr. FESS. We passed a bill providing for the naturalization by wholesale of those who had gone already in the Army.

Mr. SIEGEL. That is correct.

Mr. FESS. But provided that it could be done in the camps where an officer of the court could go and do it. Do we have any information as to how many of those have been naturalized?

Mr. SIEGEL. I think something more than 179,000 have been naturalized, which is a large number. The court went to the camps and these examiners went down there. While that was going on naturalization ceased, practically, in the other parts of the country.

Mr. WELTY. It is 179,116 that were actually naturalized in the camps.

Mr. FESS. What proportion will that make of our entire alien soldier activity? That is, were a very large proportion of them naturalized?

Mr. SIEGEL. I will say this, it is known now that at least 200,000 and some odd who could have claimed exemption waived exemption and went into the service to fight for us and many of them have received the distinguished service cross.

There are over 10,000 applications of aliens for citizenship which have arrived from the other side, and the final papers have not been granted. Those papers are still lying around and are yet to be examined.

Mr. FESS. The law was justified, then?

Mr. SIEGEL. Yes; it was more than justified. It was justified by urgent necessity and it was justified by international law. If they had been captured on they other side, they could have been executed.

I urge the appropriation for this reason, because every dollar has come from the people naturalized. Not a single cent comes out of the Treasury of the United States. Over $750,000 was received during the last fiscal year, and the total amount that we ask for all the expenses, including office rent and including nine or ten thousand dollars for the blank paper on which these certificates are issued, is a total of $675,000.

Now, I do not know how many Members of the House have watched the process of naturalization actually going on. I have watched it step by step in New York. One of my colleagues from Ohio was with me a week ago; and I tell you, gentlemen, that every dollar appropriated brings more than 100 per cent in returns. We should do all we can to help men become real American citizens in this case. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MONDELL. Mr. Chairman, I want to be recognized for three minutes, if I may.

Mr. Chairman, the item under consideration has been increased over the appropriation for the current year by some $75,000, and that in spite of the fact that a very considerable amount of the activities undertaken in the current year will be completed and will not be carried on in the next fiscal year.

It is true that we have a great many aliens in this country, and it is true that a great many of them need education in English. But it is also true that, without regard to the size of this appropriation, no dollar of it could be properly expended for the purpose of educating aliens. There has been quite a sentiment in favor of the Federal Government doing this work, but it can not be done under this appropriation.

Mr. WELTY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I yield, although I have only three minutes.

Mr. WELTY. Can not this fund be used for the purpose of sending the books and the literature to the schools?

Mr. MONDELL. No part of this fund is used for sending out books. There is a separate and distinct fund for the purpose of sending textbooks out, and not a dollar of this fund is used for that purpose. What gentlemen want to use it for is "to send men around." That is the theory. There have been a lot of men employed in this service in one place and another, going around and talking to the folks, and they want to continue the employment of these gentlemen going around and talking to people——

Mr. WELTY. Making arrangements with schools.

Mr. MONDELL. There is no provision in the law under which this appropriation can be used for the purpose of "sending men around," and there is no reason why we should pay money out of the Federal Treasury for the purpose of "sending men around." [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. SHERLEY. Mr. Chairman, I desire to say only a word. The Committee on Appropriations is compelled to rely upon the showing made by the departments, and whenever a department can not show what it is going to do with money you can bet, to use a slang expression, nobody else can, because they have developed an ingenuity and a skill in the way of finding reasons for appropriating public money that is beyond anything dreamed of.

Now, the gentleman from South Carolina [Mr. BYRNES] and the gentleman from Wyoming [Mr. MONDELL] exhausted a great deal of energy in trying to get from Mr. Crist, who came representing these items, something to show why he needed any more money than what the committee had indicated.

Mr. WELTY. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. No; I have only two minutes. The very best they could do was to get out of him a statement by which he accounted for $280,000 and for $95,100. If you add these two sums together, you will get $375,100. The committee cut it $25,000, and that, judging by my experience of a good many years in department estimates, was a very conservative cut. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. CAMPBELL].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. CAMPBELL of Pennsylvania. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 18, noes 33.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. WATKINS. Mr. Chairman, unless the Committee on Labor have an amendment to offer, I would like to offer an amendment here.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WATKINS: Page 152, after line 17, insert as a new paragraph the following:

"United States Employment Service: To enable the Secretary of Labor to continue the United States Employment Service during the fiscal year ending June 30, 1920, $10,033,080.10, or so much thereof as may be necessary."

Mr. BLANTON. Mr. Chairman, I make a point of order against it.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

Mr. SIEGEL. Mr. Chairman, I have an amendment to offer, at the end of line 16, to strike out "$350,000" and make it "$375,000."

The CHAIRMAN. That paragraph has been passed.

Mr. SIEGEL. No new paragraph has been read.

The CHAIRMAN. Very well. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 152, line 16, strike out "$350,000" and insert "$375,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. SIEGEL. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 17, noes, 23.

Mr. SIEGEL. I ask for tellers.

The CHAIRMAN. The gentleman from New York demands tellers. Those in favor of ordering tellers will rise and stand until they are counted [After counting.] Five Members, not a sufficient number, and tellers are refused.

Accordingly the amendment was rejected.

The clerk read as follows:

MISCELLANEOUS.

To enable the Secretary of Labor to continue the investigation touching women in industry, including personal services in the District of Columbia and in the field, $40,000.

Miss RANKIN. Mr. Chairman, on page 152, line 20, I move to strike out $40,000 and insert $150,000.

The CHAIRMAN. The lady from Montana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Miss RANKIN: Page 152, line 23, strike out "$40,000" and insert "$150,000."

Miss RANKIN. Mr. Chairman, this provides for an investigation touching women in industry. We have had women in industry for a great many years, but during the war so many more women entered industry that it is very essential that the conditions under which those women work should be investigated and should be kept to the same high standard that we demand for men's work. Unless this is done it is going to double the expense of taking care of men in industry, for these women will undercut the men in their pay and will demoralize the working conditions. So it is very necessary to make a special study of women in industry for the benefit of both men and women. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, the committee in fixing the sum of $40,000 fixed the identical sum for this work that has been carried during the current year. When this was established as a war emergency bureau of the Department of Labor during the past year Prof. Marshall, who presented very excellent reasons for it, urged that $40,000 would be sufficient for the purpose of this particular bureau, carrying out its duty of policy making. It provided a director at $5,000, an assistant director at $3,500, a chief clerk at $2,500, a secretary at $2,000; and a very able woman was placed in charge, who up to this time has been doing her best to develop some policies and to establish standards for women throughout the country. In the very nature of things it can not be expanded into a separate department of the Government with district offices throughout the country, and, as the lady in charge very intelligently shows, it can not be made a statutory organization, but for the present should be continued.

She believes it is a special problem, and we will all admit that women are always a special problem, whether in industry or out of industry. For that reason the committee thought it wise to recommend that $40,000, the same amount carried for the current year, be appropriated, in order that she may have a chance to see whether she can accomplish the purposes she has in mind. She stated that she arrived at this estimate of $150,000, because she took the amount spent for women in industry in the Ordnance Department, and the amount spent in the Navy Department, and the various other departments during the war and lumped them all, and before the armistice was signed this estimate of $150,000 was made. I think the amount appropriated for this service is ample, and I believe that under her direction it will do very good work.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. HULL of Iowa. What amount did the bureau ask for?

Mr. BYRNES of South Carolina. One hundred and fifty thousand dollars.

Mr. CANNON. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. CANNON. Has the Bureau of Statistics in the Labor Department been doing this work?

Mr. BYRNES of South Carolina. Not this particular work, but the Bureau of Labor Statistics has been doing work of this kind, and it has prepared documents on the subject of women in industry, and made investigations. Miss Van Kleek, who was in charge of this bureau, said that possibly the work could be carried on by the Bureau of Labor Statistics; but because a separate bureau would give greater prestige to the organization, she was anxious to have it continued as a separate organization.

Mr. CANNON. This would have been subject to a point of order if it had been made, would it not?

Mr. BYRNES of South Carolina. In my opinion, it would have been, but the Committee on Appropriations realized that women are always a special problem, whether in industry or out of industry, and realizing that we have presented it to the House in order that the House might express its views.

Mr. CANNON. I think we passed it because she was a woman.

Mr. BYRNES of South Carolina. I am disposed to agree with the gentleman.

Mr. CANNON. And $40,000 is all that is needed.

Mr. KEATING. I move to strike out the last word. I do not think it is quite fair that this should be presented to the House as a suggestion to donate $40,000 for some fad which is urged by a woman. We have no right to appropriate $40,000 merely to please a woman, and that is not the proposal here.

The proposition is a very serious one. It is to vitalize the bureau in the Department of Labor that has to do with women in industry; not to play up some fad, but to make special investigations and to pay special attention to the needs of thousands and millions of women who are going out every morning into the workshops and the factories of this country. I do not think the House should pass upon the proposition in the light of the airy remark made by the gentleman from Illinois [Mr. CANNON]. This is a very serious problem. The work done by this bureau is a serious work, and it is a work to which the Government of the United States should address itself. There is not a more important item in this bill than this one providing for an adequate appropriation for the Bureau of Women in Industry, and I hope the House will adopt the amendment offered by the lady from Montana. [Applause.]

Mr. SHERLEY. With part of what the gentleman from Colorado [Mr. KEATING] has said I thoroughly agree. I think there is a problem in connection with women in industry, whether it is going to continue a permanent problem in America I do not know. I am still old-fashioned enough to hope that the men of America may continue in a large measure to provide for the women of America without forcing them into industry. But in some instances they have been forced into industry and some have gone of their own predilection, and as a result of the conditions war has produced, a great many are now there.

But I desire to call the attention of the House to the fact that it is a mistaken notion that efficiency in the solution of a problem is measured by the amount of money which the Treasury is called upon to supply. The fact is I have never known in life outside, or in the Government itself, an organization to become efficient by sudden mushroom growth. It grows efficient by gradual growth; it makes itself efficient by proving step by step its work.

It so happens that the Government was fortunate in getting this particular woman at the head of this bureau. She is a woman of high intelligence and efficiency, and has done good work, but if people think that by increasing the appropriation they increase efficiency they are mistaken. With the larger appropriation, they are apt to proceed along lines that are not intelligent, that are not worth while.

There is not a department in this Government that is not to-day making a plea that it can only be efficient by having more money to spend. The history is that the more money departments have the less efficient they frequently are. What we need in America is to learn not to attempt to solve overnight all the problems that exist, and not to believe that simply by pouring out great sums of money we can thereby solve a problem. I had rather have one woman, an intelligent woman like the head of this one, in charge of the bureau than 20 people helping her, because those that help her will only interfere instead of being an actual help.

Another thing to be remembered is that the men in industry, the women in industry, those who toil, pay for governmental activities. You may not be able to put your finger on the tax, but in the last analysis the people must pay the sum. We have placed tremendous burdens on the people. Gentlemen say this is a small amount. That is always the cry. The argument was made to-day that large sums have been appropriated for certain purposes, and that therefore we ought to vote it for this purpose. It is that argument that makes necessary taxes in billions, and sooner or later there will come a Congress that will measure the work and not be prodigal with appropriations. [Applause.]

Mr. MONDELL. Mr. Chairman, this was the only service among all of the war activities that was not provided for by law that the committee recommended the continuation of. The committee took that responsibility knowing that the item was not provided for by law, that it was subject to a point of order, because we were impressed with the importance of the work to be carried on, and further we were impressed with the very evident intelligence with which the work had been carried on. It was one of the very few new war bureaus which justified itself beyond any question or controversy. I believe in this work and I believe in those engaged in it. I think my friendship for the work can not be questioned in view of my attitude as a member of the subcommittee. As a friend of this work, as a believer in the importance of the work, I shall not vote to increase this appropriation. I think that in the long run this work will be better done and more wisely extended if it is continued for another year, within the appropriation originally asked for it, at a time when the problem was most acute in the midst of a great war. While those responsible for the work have not said so, I believe that they believe that the future of their work is quite as safe under the present appropriation as under an expansion.

What does expansion mean? Simply the establishment of district offices around over the country. Let us continue the character of the service as intended and proposed in the first instance. It was said that it was not to be a functioning service. It was stated at the hearings this year, I believe, that it was not believed to be wise to make it an extended functioning service, that it ought to be a planning service, an advisory service, a standardizing service, and that it can be such a service under this efficient organization with its present appropriation. In my opinion its friends will be better able to defend it and its work if it continues another year with this appropriation. In the meantime we can pass on the question whether there should be an extension and expansion of the work.

Mr. MANN. Mr. Chairman, we went into the war and called 4,000,000 men into the Army, and a good many more into the various civil services connected with the Army. Did the women of the country hold back? Did they do their share? Did they in many cases take the place of the men who were called into the service and perform the necessary work in order that the Government might do its proper function in providing for the Army and taking care of its share of the work? In every branch the women responded nobly. They did work which without them could not have been done for lack of labor. Are they not entitled to have the conditions under which they have gone into this work properly investigated? [Applause.] Have they not responded in such a way that we can do our little part toward knowing whether they have proper treatment and work under proper conditions? They have not held back. While I do not believe in extravagant appropriations, I think we can afford to give $150,000 toward investigating and knowing the conditions under which they labor in this voluntary work which they have assumed and without which we could not have successfully taken our part in the war. [Applause.]

Mr. CANNON. Mr. Chairman, I just want to say a word. This provision was subject to a point of order but it was not made. This woman captured the committee. The Bureau of Statistics is well equipped to do similar work, and it has done similar work. The women, God bless them, have done their share and are doing their share, but there is no sense now in time of peace in increasing this appropriation. There is not one of these bureaus connected with the Department of Labor and with some other departments—and I shall keep close to the text—that is not now in time of peace saying, "Why, my work commenced in war, but it is a confounded sight more important for peace." That is the position of the Department of Labor. I have no objection to and I am not criticizing the Department of Labor. God knows I have trod every path that labor has trod, almost from the cradle up to mature years. You know our children and grandchildren and great grandchildren will get back to earth and touch the earth. I do not believe in increasing the work of the Department of Labor. The Bureau of Education cooperating with it, what happens? Oh, all kinds of schemes—coordinate with the States—yes, yes; coordinate with the States, and in the name of labor and education what do they propose to do?

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. CANNON. In a moment. In the name of labor and education they propose to take charge of the schoolmasters in the States. Good God! Let us keep something for local self-government. I yield to the gentleman.

Mr. GORDON. Was there any evidence before the committee showing whether or not these women who went into these industries were leaving them, and as to how many would be employed in the next fiscal year?

Mr. CANNON. Oh, just what were employed before. It is to enlarge the service. The woman at the head gets $5,000 a year and the next one $3,500 a year, and she made such a good appearance before this committee that—well, we caved. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the lady from Montana.

The question was taken; and on a division (demanded by Miss RANKIN) there were—ayes 41, noes 48.

Miss RANKIN. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed Miss RANKIN and Mr. BYRNES of South Carolina to act as tellers.

The committee again divided, and the tellers reported—ayes 58, noes 68.

So the amendment was rejected.

Mr. GALLIVAN. Mr. Chairman, I offer the following amendment, which I send to the desk, and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. GALLIVAN: Page 152, line 20, insert a new section as follows:

"To enable the Secretary of Labor to advance the opportunities for profitable employment of the wage earners of the United States there is hereby appropriated out of available money in the Treasury, $10,033,808.10."

Mr. BLANTON. Mr. Chairman, I make the point of order against that.

The CHAIRMAN. The point of order is sustained.

Mr. GALLIVAN. Mr. Chairman, I appeal from the decision of the Chair, if we can not discuss the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. GALLIVAN. Then the Chair withdraws the ruling?

The CHAIRMAN. If the gentleman desires to be heard upon it.

Mr. GALLIVAN. Of course I want to be heard upon it.

The CHAIRMAN. Upon the point of order?

Mr. GALLIVAN. Upon the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. GALLIVAN. I suppose that the Chair must have already discussed with somebody some sort of an amendment that was about to be offered at this point, but he certainly has not read this amendment. I contend that my amendment is in order.

The CHAIRMAN. The gentleman is addressing the Chair now?

Mr. GALLIVAN. Yes.

The CHAIRMAN. This makes law, does it not?

Mr. GALLIVAN. It makes no new law.

The CHAIRMAN. It makes new law.

Mr. GALLIVAN. It makes no new law. I direct the attention of the Chair to the organic act creating the Department of Labor, section 1, the second last sentence:

The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

That is the organic law of the land in this hour, and my amendment asks that the Secretary of Labor be given the wherewith to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

The CHAIRMAN. Will the gentleman from Massachusetts permit the Chair to ask him a question? Does the gentleman from Massachusetts seriously insist that the proposition contained in his amendment comes within the limits of the law that is prescribed here?

Mr. GALLIVAN. Why, certainly. I can not imagine the Chair seriously insisting that it does not. If it is not for the purpose mentioned in the organic act, what is it for?

Mr. KEATING. Mr. Chairman, before the Chair rules might I call the Chair's attention to a few authorities in Hinds' Precedents on this point? In Volume IV, section 3615, page 410, there is a precedent that seems to me in point:

A department being created for the declared purpose of investigation, an appropriation for the instrumentalities of such investigation was held to be within the rule.

And, if the Chair wishes, I will read the remainder of the decision, with which, I take it, he is familiar:

On February 14, 1901, the sundry civil appropriation bill was under consideration—

The very bill we are now considering—

was under consideration in the Committee of the Whole House on the state of the Union, and the Clerk had read the following paragraph relating to the work of the Fish Commission:

"Employees at large: Two field-station superintendents, at $1,800 each; 2 fish culturists, at $960 each; 2 fish culturists, at $900 each; 5 machinists, at $960 each"—

And various other employees.

Mr. Olmsted, of Pennsylvania, made a point of order against this paragraph, that the appropriations proposed were not authorized by law.

After debate, during which reference was made to sections 4395–4398, Revised Statutes, to the fact that the law of 1871 created the department for the prosecution of investigations, and to the decision of Chairman Payne, on January 30, 1897, the Chairman (Mr. Hopkins, of Illinois), on February 16, held—

And he proceeded in his opinion to overrule the point of order and to hold that the fact that the department was created for the express purpose of conducting such investigations made in order the appropriations to carry out such investigations.

I do not pretend, Mr. Chairman, to be an authority on parliamentary law, but in the time I have had at my disposal I have gone through the books with a great deal of care, and I have failed to find a single instance where an attempt has been successfully made to overrule the proposition laid down by Chairman Hopkins in 1901.

I want to call the attention of the Chairman to a case that is not reported in Hinds'. I am quoting now, Mr. Chairman, from the CONGRESSIONAL RECORD for the second session, Sixty-third Congress, page 6712. An attempt was made to increase the appropriation for the Children's Bureau. An amendment was offered in the form of a detailed item, in which the bureau was authorized to employ clerks and experts of one kind and another. The Chair ruled that amendment out of order.

The CHAIRMAN. Was that to increase an appropriation or to make it?

Mr. KEATING. That was to increase the personnel of the department. It was ruled out on the ground that the bill creating the bureau fixed the personnel for the bureau, and that therefore the personnel could not be increased without the passage of a bill. Then the gentleman from Iowa [Mr. GOOD] offered an amendment authorizing a lump-sum appropriation to carry out one of the objects in the organic law creating the bureau, and they had a long and interesting discussion on that point.

The gentleman from Wyoming [Mr. MONDELL], who had urged the point of order against the amendment as originally offered, opposed the point of order presented against the lump-sum appropriation, and he stated the whole case in one paragraph, which I shall, with the indulgence of the Chair, read:

Mr. MONDELL. Mr. Chairman, the amendment just offered is clearly in order; as clearly in order as the amendment offered a few minutes ago was not in order. Section 2 of this law outlines the jurisdiction of this bureau, and it is clearly within the jurisdiction of this committee to bring in a lump-sum appropriation for the purpose of enabling the bureau to perform the services within its jurisdiction. The amendment which was offered to section 2 proposed to change the office personnel, which had been fixed by law, and which in the terms of the statute could only be changed by law. Of course, we could not do that by amendment to an appropriation bill, but we could appropriate a million dollars for any one of the purposes named in section 1 of the act—to investigate infant mortality, to investigate the birth rate, questions of orphanage, juvenile courts, dangerous occupations, diseases of children, legislation affecting children, etc.

Now, Mr. Chairman, our contention is this, which is the contention made by the gentleman from Wyoming in this discussion, and, as I believe, a contention sustained by every Chairman who has ruled over the proceedings of this House in Committee of the Whole House on the state of the Union for many years: The organic act creating the Department of Labor having specifically charged the department with the duty of finding profitable employment for the workers of this country, it is within the power of this House on this bill to vote a lump-sum appropriation to permit the Secretary of Labor to carry out one of the objects for which his department was created.

That is our contention in a nutshell. I might go on here taking up the time of the committee, but, as I say, I have searched these bulky volumes as earnestly as I knew how, and I have failed to find a single precedent which would sustain the Chairman in sustaining this point of order.

Mr. COOPER of Wisconsin. Mr. Chairman, I have but a word to say, and that word I did not expect to say until I heard the gentleman from Massachusetts [Mr. GALLIVAN] read the paragraph from the organic act which sets forth the objects for which this bureau or agency was established.

As I understood the gentleman from Massachusetts, the last clause in that paragraph declares that one of the objects of the organic act is "to increase opportunities for employment." That is substantially the language, is it not, Mr. Chairman?

Mr. HARRISON of Mississippi. If the gentleman will permit me, I would like to read it.

Mr. COOPER of Wisconsin. Yes.

Mr. HARRISON of Mississippi. It reads:

The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

The amendment follows the language there.

Mr. COOPER of Wisconsin. I am obliged to the gentleman from Mississippi. Now, the language in that paragraph which, in my judgment, makes this amendment germane is the expression, "to advance their opportunities for profitable employment."

For would not this amendment, if made law, "advance their opportunities for profitable employment"? Actual experience supplies an answer to that question, for experience demonstrates that the Government Employment Service does increase such opportunities. This is certainly a fact, if we take as true statements in letters which come to us not only from laboring men and labor organizations, but also from employers. Only

this morning I received a letter from the Simmons Manufacturing Co., of the city of Kenosha, in my district, an establishment employing upward of 3,000 men, in which the writer urges the retention in the law of the provision for such employment agency. I have also received several letters from other employers in my district, some in the city of Janesville, saying that the existing service enables them to secure employees readily, and laboring men write me that it has helped them to secure employment. All this being true, then this amendment proposing to keep in existence an agency which does increase the "opportunities for profitable employment" clearly comes within the meaning of the paragraph of the organic act that was read by the gentleman from Massachusetts and the gentleman from Mississippi, and which declares the objects for which the Government bureau was created.

Mr. BLANTON. Mr. Chairman, I desire to be recognized on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. BLANTON. The law which sets forth the purpose of this department shows that the purpose is threefold. Simply because it specifies this threefold purpose is no reason why Congress has the right to inaugurate new legislation here and spend $10,000,000. One of the purposes is to promote and develop the welfare of wage earners. Why, if the gentleman from Massachusetts is correct in his contention, the Secretary of Labor could contend that he could furnish every wage earner with a Pierce-Arrow limousine to ride to his place of work. That would promote his welfare. Would the gentleman contend it would not require legislation, special legislation, for the Secretary of Labor to do a thing of that kind? One of the purposes is that it is to improve their working conditions. Why, the Secretary of Labor might decide in his discretion that in order to have their working conditions improved each one of them should own a brownstone mansion. Would the gentleman contend for one moment that the Secretary of Labor could carry out that purpose from a lump appropriation without special legislation authorizing it? The other purpose is "and to advance their opportunities for profitable employment." Why, the Secretary of Labor might well say that it would advance their opportunity for profitable employment to send each one of them to Yale University or to Harvard or to Columbia, and let them take an A. B. degree. Does the gentleman contend, simply because he is to help them in their opportunities, he could decide in his discretion to give them a university education out of the lump-sum appropriation, without new and special legislation passed by Congress to authorize it?

I submit, Mr. Chairman, it does take new legislation here to authorize the expenditure of this $10,300,000 proposed, and without new legislation authorizing it it is certainly subject to a point of order.

Mr. LUNDEEN. Mr. Chairman, under the language of the act creating the Department of Labor the amendment is certainly germane. To refuse to provide for our Government Employment Bureau is almost criminal, in view of the present crisis. Not only do I favor Government employment bureaus, but I favor strongly increasing their number and efficiency.

When it comes to the question of unemployment, I would like to say that on November 21 I introduced a resolution asking that a program be prepared by the committees of Congress, presented here, and passed, to take care of the rapidly increasing number of unemployed in this country. To-day we are faced with a situation where thousands of our soldiers are marching the streets of our great cities in search of work, many of them objects of charity. According to the Department of Labor reports as issued, hundreds of thousands of war workers are seeking work. The Employment Service of the Department of Labor told me the other day that nearly two and one-half millions of men and women were out of work in this country.

Mr. SIEGEL. Will the gentleman yield?

Mr. LUNDEEN. I will.

Mr. SIEGEL. I would like to know who gave the gentleman that information.

Mr. LUNDEEN. The Department of Labor.

Mr. SIEGEL. I saw Mr. Densmore, and he told me that there were not more than 350,000 people out of work in the country.

Mr. LUNDEEN. I will say this in that connection, that there are 122 cities that are reporting at the present time, and these 122 cities give only a partial list of manufacturing establishments in those cities. This does not begin to cover the country.

The action of the Appropriations Committee in striking out the $10,033,080.10 asked by the Labor Department for its employment agency can not be defended. The immense and distressing problem of unemployment which the country faces to-day with millions of men and women now in enforced idleness should compel that committee to reconsider its action.

I feel that the course of this Congress in sitting here for the past four months and refusing to do anything to provide employment for the millions of demobilized soldiers and war workers has been most reprehensible.

On November 21, 1918, only a few days after the armistice was signed, and when we knew that demobilization was upon us, I introduced a resolution, House resolution 452, directing the great committees of the House to provide work for the unemployed, which, had it been promptly acted on by Congress, would have avoided all the distress and danger which has since come upon the country by the creation of this vast compulsory army of nearly two and a half millions of unemployed men and women we have to-day, with the long train of evils and distress which it inevitably entails, to say nothing of the loss of billions of wealth to the country which is necessarily the result of the enforced idleness for months of millions of our wealth producers.

The Labor Department Employment Agency should have its proper appropriation as asked for by the department and as recommended by the minority report. But an employment agency does not and can not create opportunities for employment for anyone; it can only indicate to employers and workmen the places where shortage or surplus of labor exists; that is a proper and excellent part of the service. But it can not create the vast opportunities for work required to furnish employment for these ever-increasing millions of unemployed. That can only be done by opening up to labor the vast unused natural resources of the Nation with the aid of either private or Government capital. But as private capital "hesitates" to invest, waiting in hope of lower prices and lower wages, and as millions of men, women, and children can not and will not stand idle and starve while the capitalist "hesitates" and waits for lower wages and prices, there is but one thing to be done, and that is for the Government, which by its war program has created this abnormal condition, to step in with ample capital which it is able to command and in the various appropriation bills provide the means for opening up employment for all those in enforced idleness.

The Employment Service of the Labor Department says, "Since the war we have been finding places for workers in this country at the rate of 100,000 per week." But there are since the war 250,000 unemployed a week for whom they did not find places. There are at present nearly 2,500,000 unemployed in the United States, and the Labor Department reports that "the peak has not yet been reached"; their number is constantly increasing by whole armies of men and women each week.

What would this mere drop in the bucket of $10,000,000 for the Employment Service for the whole year amount to if directly applied as a means of providing employment for 2,500,000 unemployed? That would be $4 apiece. How much employment will that furnish? It will pay for less than one day's work apiece for the millions already out of employment and leave not a cent for the other millions who at the rate of thousands of men a day are being thrown into enforced idleness.

What this Congress should do is to provide, in this and in the other appropriation bills, sums sufficient to furnish work for every unemployed man and woman in the United States.

At the present rate of increase by the 1st of May there may be nearly 4,000,000 out of work, and at $4 wages per day apiece that would require $16,000,000 per day, and 300 working days for the year would amount to $4,800,000,000. That is the sum which is needed to-day to be appropriated in this sundry civil bill and the other appropriation bills of this Congress if we are to deal in any adequate and effective way with this vast and ever-increasing army of the unemployed, already numbering nearly two and a half millions, and which is being increased every week by hundreds of thousands of compulsory recruits.

The moment Congress starts providing the money for employing those out of work it will instantly encourage and stimulate private capitalists in all lines of industry. For no one knows better than the capitalist that when the Government gives work to all the unemployed the market demand for their products in every line of business will be both permanent and profitable.

Every man employed on Government work helps to make jobs for others in private employment to make the goods he will buy. With all men and women employed, the average wage will steadily and naturally rise. But high wages do not necessarily mean high prices and high cost of living, for with the vast improvements in roads, transportation, and storage facilities which Government work will provide the flow of farm, forest, and mine products to the cities and city products to the farm and mine will in time increase the supply and reduce the price of all the necessities of life.

The weekly report on labor conditions issued by the Department of Labor, February 22, 1919, gives 73 cities reporting a surplus of labor of 355,597 unemployed and a shortage in 15 cities of 7,900, and this is only a partial report from the industrial centers. On November 30, 1918, 29 cities reported a shortage of 33,878, and 12 cities reported a surplus of 11,114. Between these two reports conditions have steadily grown worse, and the peak has not yet been reached. We are now informed by the Labor Department that there are now about 2,000,000 unemployed in the United States to-day.

A writer in Reconstruction, Frederick K. Kerby, says in February, 1919:

A million and a quarter workers are jobless to-day in the United States of America. They are, to use the official expression of the United States Employment Service, "involuntarily unemployed." That is to say, they want work and they can't get it. This estimate, based on official returns and made for me by the statistician of the New York headquarters of the United States Employment Service, covers the situation at the end of January. By the 1st of March, at the present rate of increase, the army of the unemployed will have reached at least 2,000,000.

Dr. George W. Kirchwey, Director United States Employment Service for New York State, says:

I do know that the great centers of population throughout the country are going to suffer a condition of unemployment which may easily become serious in the course of the next 30 days.

We must work out some reorganization of our industrial system that will provide public buffer employment for those who are not employed in private industry at any given time. That will prevent these eternal swings of the pendulum from prosperity to adversity. We must speed up all kinds of works of public improvement in cities, counties, States, and Nation if we would avoid the dangers that are ahead of us. There is no time to be lost; if we do not get action, and quickly, it may be too late.

This condition of affairs is not entirely unexpected. Many who are well informed issued warnings from time to time, asking some program for the period of reconstruction immediately following the cessation of hostilities. On December 7, Nathan A. Smyth, assistant to the director general of the United States Employment Service, stated that unemployment is the greatest danger confronting the United States during the next four months. The New Republic, as early as March 30, 1918, reported that—

Contrary to the prevailing impression, there are many hungry and unemployed men at the gates of our shipyards and munition plants to-day—not so many as there were in December and January, but yet a large number.

On November 21, 1918, I introduced the following resolution:

House resolution 452.

Whereas the rapid demobilization of 4,000,000 soldiers and 10,000,000 or more war workers in the United States during the next few months is liable to create a great body of unemployed; and

Whereas these conditions are brought about as a direct result of the exercise of the war-making power by Congress: Therefore be it

Resolved, That it is the plain and imperative duty of Congress to at once initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness during the coming months.

Resolved further, That as a first step to remedy the danger of widespread unemployment of millions of our people during the winter and following months, this House hereby authorizes and directs the Committees on Labor, Interstate Commerce, Public Buildings and Grounds, Rivers and Harbors, Naval Affairs, Military Affairs, District of Columbia, and Post Offices and Post Roads to each make an investigation as to the possibilities of work for the unemployed in those branches of industry, either in public or private employment, coming within the purview of each of the above committees of this House.

Resolved further, That said committees shall have power to subpœna witnesses and administer oaths, to send for persons and papers, and employ such assistants as may be necessary to carry out the purpose of this resolution, and to report to this House on or before December 20, 1918.

Had this resolution been adopted, and a program formulated and passed by Congress, as indicated therein, there would not be a single person in enforced idleness in the United States to-day, nor would there be any unemployed at any future time as long as this remains the policy of the Government; and in justice to the men and women who labor it ought to be the policy of the Government for all time to come. This resolution asked action by Congress by the 20th day of December, 1918, and a hearing was had by the Rules Committee on December 10 and 11, 1918. I have placed the resolution in the RECORD for the information of the public, together with certain extracts from the hearings before the Rules Committee on the resolution.

On January 2 I introduced a bill creating a Bureau of Unemployed in the Department of Labor. I ask that this bill be made part of the RECORD:

A bill (H. R. 13592) to amend an act entitled "An act to create a Department of Labor" by providing for a bureau of the unemployed.

Be it enacted, etc., That an act entitled "An act to create a Department of Labor," approved March 4, 1913, be, and the same is hereby, amended by adding the following section:

"SEC. 12. That there shall be in the Department of Labor a bureau to be called the bureau of the unemployed, and a commissioner of the unemployed, who shall be the head of the said bureau, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of $6,000 per annum. There shall also be in said bureau a deputy commissioner, who shall receive a salary of $4,000 per annum, and who shall, in the absence of the commissioner, act as and perform the duties of the commissioner of the unemployed, and who shall also perform such other duties as may be assigned to him by the Secretary of Labor or by the said commissioner.

"The said commissioner shall have power and authority under the direction of the Secretary of Labor—

"(a) To take a census, at as frequent intervals as possible, of the unemployed in the United States.

"(b) To make and keep a classified enrollment of the unemployed by avocations.

"(c) To correct and keep full records of the industrial and commercial conditions throughout the United States, especially in relation to opportunities for the employment of labor.

"(d) To furnish the fullest possible information to the unemployed of opportunities for employment in any part of the United States and to devise plans for facilitating the movement of the unemployed to places where opportunity for employment exists.

"(e) To make investigations and report to Congress and the President annually on the 1st of December, and oftener if requested, the extent of enforced idleness and unemployment in the United States and the causes thereof, with suggestions for remedies for the same.

When the bill creating the existing executive department to be known as the Department of Labor was first introduced in Congress in 1902 it was plainly indicated in the structure of the bill and in the arguments before the Committee on Labor of the House that one of the principal purposes of the framers of the law was that the new department should be a large and important instrumentality of the Government for solving the distressing and dangerous problem of the unemployed.

H. R. 13592 in substance was introduced in the House first in 1915 by Representative Fowler, of Illinois, but no action was taken thereon. Shortly after an attempt was successfully made to embody part of the plan in an amendment to the Labor Department law creating a United States employment agency. Many Members of Congress and others in the executive branches of the Government seem to be under the impression that by merely creating an "employment agency" in the Department of Labor they would be creating employment. This was a costly error, for while an employment agency is useful as a means of advertising the temporary scarcity or surplus of labor in localities and saving the workers from the fees of private employment agencies, it does not and can not furnish one single additional day's employment for one single man or woman in the United States.

My bill, H. R. 13592, provides that the Department of Labor shall "make investigations and report to Congress and the President annually on the 1st of December, and oftener if requested, the extent of enforced idleness and unemployment in the United States and the causes thereof, with suggestions for remedies for the same."

Thus the Department of Labor, in conjunction with Congress, will be able to plan and provide for the opening of new opportunities for employment on such lines as will effectually solve the problem of the unemployed and forever banish from the United States the curse of enforced idleness and its resulting poverty and misery, to say nothing of preventing the present loss of from three to ten billions of dollars of wealth annually which results from involuntary idleness of our wealth producers.

It is known that Australia and Canada are well advanced in their reconstruction programs. Australia and Canada have made extensive preparations; so also has England; and Italy has appropriated 3,500,000,000 lire for the same purpose. Other countries might be enumerated. In fact, the United States, so far as I know, is the last country to take any action; in fact, we are just beginning to think about doing something. We are now in the position of loaning or giving great sums of money to foreign nations, with which these countries make possible some sort of program for their unemployed after the war, while we, who furnished the money, are drifting into a very serious condition of affairs at home. This very month Congress has appropriated $100,000,000 for foreigners through the push-button methods of an absent President, but I have yet to hear of a dollar being appropriated for the relief of distress in America. I am a believer in the policy of America first; foreigners second; and I am proud of it. I will never, so far as I know it, vote for or consent to a policy of foreigners first and Americans second.

It is true that we have a Labor Department, and we have employment bureaus. This, however, merely distributes positions already existing; it does not create new positions. The bureau and departments can not lay down a program of road building, reclaiming lands, such as swamp lands, cut-over lands, and irrigated lands, and open to labor hundreds of millions of acres of good, productive land now being held out of use by speculators and monopolists. I venture to say that if something is not done soon to relieve distress in this country, Congress will hear from our great industrial centers in no uncertain way; in fact, already we are in receipt of many letters and resolutions demanding that something be done. Strikes and growing unrest are now the order of the day. There are those who scoff

at the idea of unemployment in this country. They seem to fear to admit that such a condition exists or that it may grow worse. In fact, if the war were actively on, anyone who might seek to remedy the condition would be called pro-German possibly, or perhaps disloyal. Certainly, those who seek to better conditions are loyal to the people who work and to their families who are suffering want. If, however, such action is hostile to the great employers who desire lower wages, in order that they may increase their profits, if that is disloyalty, I am willing to accept that term.

In the contest between man and money I am for the man as against the dollar. The man who is willing to work and able to do work is entitled to a position; and if he can not find a position, it is the Government's duty to find one for him; and if the Government can not find one for him, it is our duty to create a job, so that he may support his family and not become a seeker for charity, which destroys the morale, weakens the strength, and degrades the character of our citizens.

Just the other day here in Washington a leading bank inserted an advertisement for clerks; 172 replies were had. A short time before hostilities ceased the same bank received no replies to the same ad. One employer who sought a stenographer before the armistice, the other day advertised and received 53 applications. These instances can be cited in any number. In Boston, New York, and many other centers thousands of returned soldiers march in parades demanding work.

On the 29th of December the surplus labor supply was rapidly approaching the point of danger, and it was announced in the headlines of the press, "Lack of work may keep men in the Army."

The American soldier will not remain in the Army for any such reason. He is still an American, and he will stand on his rights, and he has the right to be released when the war is over; and the politicians who oppose his release will have 4,000,000 soldiers to contend with when they seek political preferment in the future.

The Wall Street journals are already talking cuts in wages, and state that such reduction will surely come before the end of this year. There are plenty of roads to build, plenty of cut-over lands to put in condition for future farmers, swamp lands to be drained, irrigation projects to be developed, and many other public works on which soldiers and war workers can be used, and, for that matter, anyone who is out of employment. Above all, there are in the United States hundreds of millions of acres of good farm lands, forest and mineral lands, the natural opportunity for millions of men to employ themselves, which are to-day being held out of use by individual and corporate speculators and monopolists. If we, as the chosen representatives of the people, fail to protect our own people, ours will be a heavy responsibility.

Mr. Hoover, who has resided in London for the past 20 years, says that "America must furnish 20,000,000 tons of foodstuffs to hungry Europe this year," but he does not mention anything about supplying milk to the half-starved children in New York City. Our Labor Department has issued statistics showing that thousands of babes die in our country every year for want of milk. Says the Washington Times:

> It isn't pleasant to read of a mother with six young children able to buy 3 pints of milk every other day, or to read about hungry babes angrily beating with their little fists on their mother's breast.

Every ton of food shipped to the foreigner creates just so much of a greater scarcity in the United States, and we pay for this scarcity in higher prices for food. A higher cost of living is the penalty.

One out of every five school children in New York City is starving and 7 out of 10 are undernourished to such a degree that they are fertile ground for wandering disease germs. Labor statistics show that in 10 years, from 1907 to 1916, there was a gradual increase in wages, amounting to 16 per cent. In the same period retail prices of food rapidly increased to 19 per cent in 1912, 25 per cent in 1914, up to 39 per cent in 1916. In January, 1917, this increase had reached 56 per cent, and in February 62 per cent. Milk is becoming more precious than the spices of Arabia, while our wheat goes to our associated nations, who industriously consume beer and whisky made from American cereals; but the American school child grows thinner, and is often struck down by disease; and that is our manner of beginning charity at home.

In England and Wales only 10 per cent of the school children were found underfed after two years of war. In New York City 21 per cent of the boys and girls between ages of 8 and 13 are lacking proper food. Conditions are rapidly growing worse. The percentage was 11 last year, and that was bad enough; and, strange to say, in that great city the socialist aldermen are leading the fight and labor is backing them up, while many so-called patriotic taxpayers and so-called loyal real estate owners are doing everything in their power to obstruct relief measures.

We must not forget that before the world war began the United States was drifting into a frightful condition of unemployment in the manufacturing, building, transportation, and miscellaneous trades. In the State of New York, out of 1,184 union members, 18.8 per cent were reported idle at the end of March, 1912; 21.8 per cent at the end of March, 1913; 28.3 per cent at the end of March, 1914; 27.4 per cent at the end of March, 1915; and 16.4 per cent at the end of March, 1916. These figures show the rapid increase of idleness during the first part of Wilson's administration, the decrease of idleness after outbreak of the world war, and the stimulus that war orders have given languishing industries of the country.

Congress should heed the voice of the Chicago Federation of Labor, November 30, 1918, in their platform, section 4:

> Abolition of unemployment by the creation of opportunity for steady work through the stabilization of industry and the establishment through periods of depression of Government work on housing, road building, reforestation, reclamation of desert and swamp, and the development of ports and highways.

We must not forget that while our soldiers fought bravely at Cantigny, Chateau-Thierry, Argonne Forest, and St. Mihiel, that here at home in the trenches of labor millions upon millions of patriotic American citizens were toiling to forge the weapons and missiles of war with which they achieved victory. Without American labor standing behind the American soldier, victory never could have come to our banners. We owe much to these men. They carry upon their backs the industries and the prosperity of the country, and it will be an evil day for the Nation when Congress and the legislatures forget the debt we owe them. The man who leaves home in the early morning—yes, in the gray of dawn—oftentimes toiling until the twilight; the man who must eat his meal from the dinner pail, grimy and weary with toil—this man, I say, is the backbone of the Nation. You may talk about money and brains, but labor is prior to and independent of money; and when it comes to brains, the American workman is able to run the United States, to furnish our leaders, our generals, our captains of industry, and the foremost men in every line.

In recent years I have often heard it said complainingly that labor has forced demands for higher wages and better conditions. When their rights are denied, when no relief is given, it is the right of American labor lawfully not only to demand but to force better conditions by means of organization, by means of strikes, and by means of demands which can be easily understood. With 2 per cent of the people owning 65 per cent of our wealth, one of the great future problems will be to bring about a more general distribution of this tremendous wealth.

We must pass prosperity around. We continue to concentrate the wealth of this Nation in the hands of fewer and ever fewer numbers of men until now a small circle controls the entire output of the country. The Government is now reaching out for this wealth and taxing it away from these robber barons who have made life miserable and intolerable for the great mass of our citizens for these many years.

Our people have not forgotten the watchwords of the French Revolution, "Liberty, Equality, Fraternity." When royalty and landed nobility of that day were overturned, the workmen of France carved these words into the archways and over the entrances of every public building, of every cathedral throughout the land, and they remain there to-day that all men may behold.

While traveling through France recently I saw an approaching engine, and on the tender the word "Etat." I supposed, of course, it was the equivalent of our Baltimore & Ohio or Pennsylvania, but learned, to my surprise, that Etat means the State, so that here the nation owns the railways, locomotives, and rolling stock; it is the people's property to do with as they see fit and it is not the plaything of one man or a set of men who set themselves up as having the divine right of wealth, which to me is as abominable a doctrine as that of the divine right of kings. There are to-day in this country more than 2,000,000 unemployed. I hope that number will not increase, but many well-posted authorities tell us that this number will increase, that it will reach two and a half and perhaps three million unemployed. Therefore, it is high time that appropriations are passed for America and to disentangle ourselves from Europe and her quarrels, and seek first the welfare and well-being of our own people at home. The brave lads who fought our battles for us abroad will be in no mood to listen to excuses when they return, and they will return in the not distant future—2,000,000 of them to join 2,000,000 more who did not cross, and I ask you gentlemen to remember that since the beginning of time the soldier and the veteran is a man who

looks you square in the eye without fear or favor and gives you his ideas and plans straight from the shoulder. Men who have faced death on the field or prepared themselves in spirit to meet that ordeal will not quail before problems and politicians at home. They will demand results; they are strong; they are ambitious; they want work, and they are going to get it; if not at first, then finally when the pressure of public opinion compels action on the part of Congress.

To meet the needs of this situation, the following statements were presented in hearings before the Rules Committee by myself and others. This was in support of House resolution 452, which I introduced November 21, 1918:

UNEMPLOYMENT BY REASON OF DEMOBILIZATION OF SOLDIERS AND WAR WORKERS.

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., Tuesday, December 10, 1918.

The committee met at 10.30 o'clock a. m., Hon. EDWARD W. POU, presiding.

The committee thereupon proceeded to the consideration of H. Res. 452 and H. Res. 463.

The CHAIRMAN. Gentlemen, we have two different resolutions before us this morning, the only difference between them being that 463 has added some committees to 452.

Mr. LUNDEEN, the committee will now be glad to hear you.

STATEMENT OF HON. ERNEST LUNDEEN, MEMBER OF CONGRESS FROM MINNESOTA.

Mr. LUNDEEN. Mr. CLAYPOOL'S resolution, 463, and mine are alike, with the exception that to his have been added several more committees, as the chairman stated. The question is as to how many there shall be. I think we can agree on one proposition, and that is that the Congress ought to take steps to see that there will be no unemployment, if such a thing is possible, rather than to cure unemployment after it arises. That seems to be the attitude of other governments. I have been looking over some of the activities in this regard of the government in Australia, Canada, and England, and I find they are going ahead on the theory that if the governments of these different colonies and countries do not take steps to prevent unemployment they are going to have it on their hands, and then have to cure the evil after it arises. For instance, in the congressional files in the reading room of the Library we find that Canada has already passed a bill for a three years' program—$50,000,000 the first year, $100,000,000 the second year, and $150,000,000 the third year; $300,000,000 in all—right along these lines. Of course, we have a Labor Department, we have the employment bureaus, and there is a movement on foot to consolidate and to coordinate the municipal, State, and national employment bureaus. But that is not going to reach the thing we want to reach. In the Committee on Irrigation of Arid Lands, of which I am a member, we have been talking for more than a year about doubling the amount of money now invested. We have over $100,000,000 in the irrigation projects, and Secretary Lane thought we ought to put another $100,000,000 in there.

That is only one of the committees. Such matters as swamp lands and cut-over lands should be considered. We have a great deal of cut-over lands in our State of Minnesota.

Mr. FOSTER. What would you do with those cut-over lands, Mr. Lundeen? I do not understand your proposition in that respect.

Mr. LUNDEEN. Well, there was a project discussed a great deal some years back by the Minnesota Legislature about having State farms, the State selling the land to the individual for a number of years, say 40 years.

Mr. FOSTER. I know; but what I am getting at is what you thought the Government should do.

Mr. LUNDEEN. They would clear, say, 10 acres of that land, so that he could have enough to support himself on; we will say put in a well, erect a house there——

The CHAIRMAN (interposing). Loan them money on the land at a per cent, and then the man could pay it back.

Mr. LUNDEEN. This is a project which is approved by the most conservative business men of the State.

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Mr. LUNDEEN. This proposition is a resolution instructing committees to remedy the danger of widespread unemployment. Here is a committee on roads. They might bring in a recommendation after this resolution were passed, after investigating, that we could put in a billion dollars in transcontinental roads in the United States, and that there should be feeders running in different directions, and that the surplus labor be put to work on that.

Mr. FOSTER. How are you going to finance it? What is your idea? You say a billion dollars for roads; how are you going to get the money?

Mr. RODENBERG. By the issue of bonds?

Mr. FOSTER. That is what I want to find out.

Mr. LUNDEEN. My idea is that the Government get behind this, as the Canadian Government has in appropriating $300,000,000. For instance, we are all going to do all we can for the soldiers. But their problem is easier than that of the war workers, because the soldiers are going to be given a preference by law or given a preference without law. We will see that the man who fought the battles is given a place.

The CHAIRMAN. I want to ask you a question. Do you think there is any danger of any widespread lack of employment, except possibly from the demobilization of our Army?

Mr. LUNDEEN. Yes; I do.

The CHAIRMAN. In other words, there has been approximately 4,000,000 men who have been under arms. If they were taken care of, do you think there would still be any considerable danger of lack of employment in the country?

Mr. LUNDEEN. Yes; I do. In 1914—I have papers here, though it is not necessary to go into them—but the statistics show that in that year, when the war broke out, for instance, in some labor unions in Chicago there were 28 per cent of their members out of work. There was very heavy unemployment throughout the United States at that time, and it was increasing. That was the 1st of August, 1914.

Mr. SNELL. Sometimes a labor union will say there is lack of employment because they will not permit their members to work unless they accomplished certain results or the employers do certain things.

Mr. LUNDEEN. As a general thing, those who are not in the union have a heavier rate of unemployment than those in the unions, because the unions are better able to take care of their members.

Mr. SNELL. In our country we have done away with trying to improve roads and do necessary repairs, because we have not had the labor and it has been impossible to get it for the last three years, and away back in 1914 they could not get help enough to do the work.

Mr. LUNDEEN. Only in certain skilled lines.

Mr. SNELL. This was absolutely unskilled labor.

Mr. RODENBERG. That was due to the wonderful activities of the munition plants, where they paid such high wages.

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Mr. LUNDEEN. I believe the Government machinery ought to be put to work on this problem at once, and that these people ought to be called in and that the committees ought to have sittings on this proposition.

Mr. GARRETT. I am not taking issue with you on that. That is probably correct. But I am just speaking now as to the necessity of this particular resolution. Why have they not all the necessary authority already—all these committees—to do the very thing proposed in your resolution.

Mr. LUNDEEN. There is the grave danger of Nation-wide unemployment and enforced idleness of millions of men and women. It should be gone into by all these committees, not only with respect to unskilled laborers but all others. The need is for quick results; therefore the committees should have to the full the powers given them in the resolution. There should be no delays and there should be ample power to get the facts from persons and papers.

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Mr. LUNDEEN. Of course, there will be public buildings and all that sort of thing. Speaking of what I was mentioning here awhile ago, on March 30, 1918, the New Republic had then to say: "Contrary to the prevailing impression there are many hungry and unemployed men at the gates of our shipyards and munition plants to-day; not so many as there were in December and January, but yet a large number." Certain skilled people, of course, are provided with work, but here you have unemployment right at the shipyards.

Mr. SNELL. That same came from the Department of Labor down here in the city, did it not?

Mr. LUNDEEN. No; it did not.

Mr. SNELL. They have claimed all the time there was plenty of labor, but I personally could never believe that.

Mr. LUNDEEN. This was furnished me by the Legislature Reference Bureau over here in the Congressional Library. As soon as we get back to the prewar basis we are going to have the same condition that we had in 1914, only aggravated, I believe. And while the Australians and Canadians and the British are taking hold of this, which many of them did before the war ended, I do not see much evidence here that we are grappling with the problem. We must be forehanded in this matter and not let it arise and then cure it after it gets underway.

I do not say that is exactly the form of the resolution that should be passed or that it exactly names the proper committees, but committees ought to take it up and they ought to summon these people and they ought to cooperate with the departments who are having it in hand. Congress is going to be held responsible, I believe, for the condition of labor within the next few months. These men are being demobolized at the rate of 200,000 a week, or 30,000 a day, and, supposing the President keeps 1,000,000 men or so over in Europe, there will be another million coming back from "over there." They will be displacing the war workers here, because the soldier will always be taken care of first.

The CHAIRMAN. You are right about that, and my thought has been that if we provide for taking care of the men who have fought in the Army—which, of course, everybody feels we should do; in fact, we needed a man here, and I sent down and announced my preference for a soldier, if we could get him. The young man is here this morning. I think this is typical of what everybody is doing, that if we could provide for the taking care of the Army, it would seem to me that ought to come pretty near solving the situation.

Mr. RODENBERG. What is going to become of the other 3,000,000 or 4,000,000 the soldiers are going to displace? We have got to make some provision for those people.

The CHAIRMAN. I have my own idea as to the best way to take care of the soldiers.

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The CHAIRMAN. My idea is that the Government ought to stand behind these soldiers until they get back in their employment, to stand behind them for two or three years, if necessary—soldiers and sailors, too.

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Mr. LUNDEEN. Here is a statement by Mr. N. A. Smyth, assistant director general, United States Employment Service. He is right in touch with the situation, and he says this [reading]:

"Unemployment is the greatest danger confronting the United States during the next four months the labor reconstruction conference was told at its meeting here to-day by Nathan A. Smyth, assistant director general of the United States Employment Service?

"Soldiers are being discharged by the thousands daily on the basis of military units, with no reference to whether or not they are now needed in industry.

"There is every prospect that unless remedial measures are promptly taken the sight of stranded, workless, moneyless soldiers will be common throughout the land.

"The great danger in the coming four months is that there won't be jobs enough to go around; that unemployment will come with attendant misery and social unrest at a time when anarchistic tendencies are contagious.

"Chiefly must we look to our manufacturers to carry the burden. But they are hesitant. Taxes are not yet determined. The cost of money is high and credit timid for a while. The prices of raw material and labor are high. The producer hopes they will fall, and manifests a tendency to wait till they do. To meet each of these deterrent features is an immediate national task."

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Mr. CAMPBELL. That was the impression I had of the situation, but these business men, these employers of labor, seem to take the other view of it. Do you understand what is their source of information? Have you looked into the matter sufficiently to know what their source of information is?

Mr. LUNDEEN. I do not know where they get their information. I think they are absolutely wrong. Every country in the world is anticipating unemployment, and every country in the world that is forehanded and forward looking at all is going to meet it. As I mentioned

early in my statement here, they are putting forth all sorts of projects—first, to take care of the soldiers, and, secondly, the war workers. All sorts of road-building and housing projects and State farms are being projected.

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Mr. LUNDEEN. Take, for instance, one of the factories in my home city. Before the armistice 25 or 30 men would apply for work each day, while since the armistice there has been double the number of men asking for jobs. That may be partly due to the fact that one large plant in my home city burned and threw several thousand men out of employment.

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Mr. SNELL. That may be a peculiar situation due to an unusual condition.

Mr. LUNDEEN. But they were asking for jobs even before this plant was burned, and it has increased since then; and also due to the fact that they formally used three shifts, and two shifts have been dispensed with, and only one shift is now working in almost all of the foundries and steel and iron works in our home city. But that is only one portion of the country.

The resolution looks toward a survey of the situation. Since we have had surveys of various kinds, I do not see why we should not have a survey on this proposition by the committees of Congress, with authority to call these men before them and administer oaths and inquire and look into the general situation.

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The CHAIRMAN. It is clear they have to employ assistance.

Mr. SNELL. I think that goes altogether too far.

Mr. GARRETT. These committees already have their clerks. What will be the necessity, Mr. LUNDEEN, taking the suggestion there as to the lack of authority on the part of these committees to subpœna witnesses, of their being clothed with that particular authority to summon witnesses and force the attendance of people to discuss this problem? The interest in it surely must be great enough that they would come voluntarily without being brought by subpœna to discuss a great economic situation. I hope you will understand I am not undertaking in any way to discredit your efforts. Your motives do you credit. I am merely speaking of just what sort of a situation we would be in if we carry this resolution or some resolution to the floor of the House. What answer could we give to such inquiries as I am now making?

Mr. LUNDEEN. If men come willingly there would be no necessity of using that power; if they do not, we could see that they do come in.

The standing committees enumerated in the resolution should by all means have all the powers granted them by the last paragraph of the resolution. The fact that the chairmen and members of those committees are not now of the belief that their committees possess these powers, and therefore have not acted and will not act, is one of the strongest reasons for the passage of the resolution. Another reason is that the resolution is not only a specific direction and authority to act at once, which is conferred on these enumerated standing committees of the House; but it is a broad and positive declaration of principle and public policy on the part of the House, which is a definite reassurance and pledge to the soldiers and the war workers, as well as the people generally that as they stood by the Nation in its need of men and women to fight and work for political liberty in foreign lands, so now the Nation will stand by them in their need for employment and economic liberty here at home.

The CHAIRMAN. Is it not your idea, Mr. LUNDEEN, that there is probably a real danger of unemployment; that your opinion in that respect being sustained by the action taken by these other countries—England, Australia, and Canada—that up to the present no concrete action has been taken to meet that possible emergency, and that your resolution is more in the nature of a suggestion to call it to the attention of Congress in order that some action may be taken to meet this possible emergency?

Mr. LUNDEEN. That is just what I have in mind, and along that line the President in his address of November 11 said this (reading):

"The ordinary and normal processes of private initiative will not, however, provide immediate employment for all of the men of our returning armies.

"It seems to me important, therefore, that the development of public works of every sort should be promptly resumed, in order that opportunities should be created for unskilled labor in particular, and that plans should be made for such developments of our unused lands and our natural resources as we have hitherto lacked stimulation to undertake.

In a great many sections of the country public work can not be undertaken during the winter, and it will be several months before public work can be undertaken, and these men are being discharged now, in the fall of the year, with winter approaching, and when there is lack of work.

The CHAIRMAN. If you are mistaken, then no harm can come from having what you call a survey. If there shall be found widespread unemployment, then it is worth the trouble and expense involved in trying to meet it.

Mr. LUNDEEN. I think it is the first duty of Congress at this time to look into it and make a survey.

Mr. CAMPBELL. Would you have that done by all these committees or one committee, as has been suggested?

Mr. LUNDEEN. I introduced a resolution naming several, and another Congressman introduced a resolution naming still more committees, and it has been suggested here that we have just one committee. It makes no difference to me, but I want somebody to get at it.

Mr. SNELL. If you want definite action, you better have one committee.

Mr. CAMPBELL. Have you any knowledge as to whether a committee of the Manufacturers' Association has taken up the question or not with a view of restoring or readjusting their industries to peace conditions and employing labor, the need for just what you all want done?

Mr. LUNDEEN. Along that line they are hesitating until the taxation problem has been fixed. They are doing, I am sure, all that they can do; but you know the armistice came upon this country very suddenly. I presume the American private was the only person who foretold the armistice. You remember when he said, "Hell, heaven, or Hoboken by Christmas." All the generals and everybody said it would take until next spring before an armistice could be hoped for. I do not suppose they have been able to readjust themselves, and I am sure they are doing everything they can. But I believe that the Government will have to assist in the situation; that we should not allow this road program to go by the board, or perhaps something along the irrigation line, or something like the swamp-land and cut-over land program; that a committee or several committees or many committees of Congress should take hold of it right away.

Mr. CAMPBELL. I agree with you. I think the Committee on Roads, Irrigation, Arid Lands, and any committee that has authority on these swamp lands should take all those questions and employ laborers at once, or just as soon as it can be arranged. I think the Appropriations Committee should take the question up.

Mr. GARRETT. Here is the Committee on Flood Control, which is not mentioned. That would be one committee.

Mr. FOSTER. It may be in the other resolution.

Mr. LUNDEEN. Others are named in Mr. Claypool's resolution.

Mr. FOSTER. I notice you mention the Committee on Post Offices and Post Roads. Of course, I do not suppose it would be insisted that that committee should undertake to arrange for positions beyond the need of the public service.

Mr. LUNDEEN. No; I do not think that that should be done. But if there is some future work that should be done and it can be just as well done at the present time, it should not be delayed. The slack should be taken up by all these different committees. I do not want to take any further time just now.

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The CHAIRMAN. We will now hear Mr. CLAYPOOL.

STATEMENT OF HON. H. C. CLAYPOOL, MEMBER OF CONGRESS FROM OHIO.

Mr. CLAYPOOL. My part in this is quite brief and merely supplementary. Finding that our friend (Mr. LUNDEEN) had introduced a resolution, it only occurred to me that a few committees should be added, and that is the part I undertook to supply. I first started simply to amend this resolution, but it amounted to an entire resolution by the time they got it printed.

I may be all wrong in this. I came here this morning from home with the idea that there was a real danger of the unemployed. That was the impression where I had been traveling. I came here to learn that there is probably no such danger existing, and I am pleased to death that there is not. Surely, if we can get down off of the high perch where we have been preparing a great Army, running the manufacturing plants to the high point in producing munitions of war and clothing and everything that goes with a great Army, if we can get off of that eminence to the normal without a jar, I am tickled to death. There is not anybody more pleased with that than I am.

But, you will pardon me, we all have our opinions. I do not believe we can do it. There are many things which enter into it. Even before 1915, as has been said here by some of the Members when everything was stimulated by a foreign war, we were on the verge of manufacturing tramps. We had more men than we had real use for. Now, we have gone through that period. Not only the foreign war, but our own coming into the war a year and a half ago has stimulated everything to the high point. Even this has entered into it: Back home, in the farming country where my friend CAMPBELL lives and where I live, farmers are arranging to get along with fewer men. They are using the tractor, they are doing this and that, using machinery for husking and cutting corn, and learning to get along generally without so many men. Even that is going to enter into it. Take the great factories; they are going to hesitate a little while to know just what to do. Beyond the new conditions following the great war like we have just had is going to develop——

Mr. CANTRILL. Mr. CLAYPOOL, if the farmers are making this great demand for tractors and machinery, would it really not have the effect of increasing the demand for labor, because it will take those men to make all this machinery in the factories which the farmers are demanding?

Mr. CLAYPOOL. Yes; but one machine requiring but a few men to manufacture would do the work of a hundred men when set in operation on the farm. That works into the problem all the way along the line. All we hope to do in this direction, if you gentlemen find in your wisdom that a different resolution will answer the purpose, you have my entire consent, and I have no pride in the form of the resolution. If you find fewer committees can investigate to better advantage, I have not anything to say. I only wanted to add, in my additional resolution, for instance, a matter that has been discussed here quite a little in my presence, and that is the road proposition. I want to say, too, by way of preliminary, that I am a pretty fair economist, of necessity, and I do not want to spend a dollar of the Government's money without producing something worth one hundred cents on the dollar. Take, for illustration, if this Government would undertake to run a few trunk lines—one, two, or three, whatever may be necessary—of paved roads across this great continent of ours, I would want it to be worth one hundred cents on the dollar, and I believe it would be worth that. Not only that, but we should stimulate the States to run their laterals into those trunk lines and also the counties to do the same thing. It would be a foundation for all good road systems that we gentlemen have in mind here and would certainly be a valuable asset.

I only speak of that as one particular matter.

I want to call attention, too, while passing along rapidly the line that is suggested here, that I find it well founded that other countries are anticipating the same fear that a few of us have in mind. Canada, which has been mentioned, has arranged already to give each returning soldier 160 acres of land, and lend him $2,500 in money to go and enter it and prepare for business. That might be a little extravagant, but those of us who have lived in the era following the War of the Rebellion remember that we had a great West then—Kansas, Nebraska—all that great fertile country that was ready for farming was opened to settlement, and they rushed out there. It was a relief to the whole situation. But we all know that that condition does not exist now. When you come to taking up swamp lands, when you come to getting water on millions of acres of arid land, the individual can not go and do it. It has to be done by great private companies that speculate or it has to be done by the Government—one way or the other. You can not expect the fellow who is thrown out of a factory or who is thrown out of the Army to go out there onto that arid land and get water on it. It can not be done. Those of us who have given that public-land matter a little attention know it can not be done that way. That land is either going to remain there unimproved or fall into the hands of great speculators, bringing about a situation that the Government has got to take some notice of and do something along the line we mentioned.

There is one other thought that struck me, and I am going to hurry along with it, and that is this: All the men thrown out of employment are not in the same lines of life. You talk about farmers, and a good many people think anybody can farm. There never was a greater mis-

take. The average young man accustomed to city life can not go out there on that arid land, and even if somebody got him water on it, he can not become a farmer. He is 25 years old, perhaps, and has been in the Army a while and spent all his life in some city or some factory. And so it goes all the way along the line. That is our notion for having several lines of endeavor considered. Farming is one proposition; the building of roads, which will require brick, cement, and other materials, opens up avenues of employment for men who would not be farmers, and so with matters coming under all the attention of almost every one of these different committees; as we all agree that this is to be a mere survey we ask that you give it attention.

All that I expected to do was to intensify the consideration. I agree with Mr. GARRETT—and we nearly agree—that these committees have much of the power needed, but might they not overlook it, unless attention was called to it, in the busy whirl of affairs here? So, we simply want to intensify that idea and call attention to it more than any other one thing in reciting these matters and calling the committee's attention to the matter in these resolutions:

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Mr. CLAYPOOL. And that is largely what prompts us in calling special attention to this, whatever you may conclude to do. With our shipping facilities and the great foreign demand and all that which goes with it will it not naturally keep up to the high point the food products for the next year or two or three years, perhaps? If there will be a superabundance of labor—you know everything is governed by supply and demand more or less—might it not reduce their wages below what would be an honest living even for the honest laborer? That is the only thing we want to call your attention to, and beyond that we have no interest.

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Mr. CLAYPOOL. My friend here, Mr. Ramage, has given a good deal of time and thought to these matters, and I will be glad for you to hear him.

STATEMENT OF MR. MATHEW H. RAMAGE, 1343 CLIFTON STREET, WASHINGTON, D. C.

Mr. RAMAGE. The thing that appealed to me, gentlemen——

The CHAIRMAN. Will you please tell us what position you occupy?

Mr. RAMAGE. I am chairman of the executive committee of the Economic Liberty League, a body organized to help out this situation.

Mr. SNELL. When was it organized, and tell us something about it?

Mr. RAMAGE. It was organized in New York City about six weeks ago, and I was over there and they made me chairman of it.

Mr. SNELL. What does that mean; what does it stand for?

Mr. RAMAGE. Well, it stands for a better and fairer economic adjustment. The Economic Liberty League is an organization for the betterment of mankind. The following is the memorial recently presented to Congress which contains the declaration of principles and list of officers of the league:

THE ECONOMIC LIBERTY LEAGUE,
Washington, D. C., November 20, 1918.

To the honorable the Speaker and House of Representatives of the United States of America.

GENTLEMEN: We respectfully submit for your consideration and action during the present Congress the legislative proposals set forth in the inclosed resolutions. Being firmly persuaded that only by prompt action along these lines can the immemorial and beneficent principles of Jeffersonian democracy be perpetuated and expanded to enable the hundreds of millions of Americans of this and future generations to enjoy the full fruits of that economic liberty, the denial of which has been the main cause of human miseries in the modern world; and America's adoption of which now will save our people and help other nations to escape the disasters to civilization which have befallen many peoples in Europe.

Respectfully, yours, ECONOMIC LIBERTY LEAGUE,
NATIONAL EXECUTIVE COMMITTEE,
MATTHEW H. RAMAGE, *Chairman.*
WM. DELAHUNTY, *Secretary.*

PETITION AND MEMORIAL TO THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA.

Resolutions adopted at the meeting of the National Executive Committee of the Economic Liberty League, Washington, D. C.

Whereas the armies of freedom having won in the great war political liberty and independence for the peoples of Europe; in order to make permanent these and other liberties, it is now necessary for the people of the United States and other nations to achieve the last and greatest of the rights of man—economic liberty—without which all the other forms of freedom fail; and

Whereas as was wisely declared by the Revolutionary Convention of France in 1789:

"Ignorance, neglect, and contempt of human rights are the main sources of public misfortunes and corruptions of government"; and

Whereas in times of long-settled peace and public sympathy, and under the iron discipline and ruthless despotism of war times, human rights are often and easily trampled under foot and treated with "ignorance, neglect, and contempt," yet not so may human rights be safely treated in the mighty flux and change at the close of such a stupendous and bloody struggle as that through which the world has just passed; and

Whereas more urgent and important than any other issue facing the people of the United States to-day is the problem of the future employment and the economic liberty of the millions of men and women of the military and war material forces who are about to be released from their present occupations; not a day should be lost by our citizens and our National, State, and local government bodies in making ample preparation for this huge and complex emergency, which must be settled quickly and with justice, gentleness, and wisdom. The first duty falls on the Federal Congress, because under our Constitution all the issues of war and peace are the peculiar province of the National Government. And, of the coordinate branches of the Federal Government, to Congress falls more especially the duty of solving these greatest of the problems of peace, because in dealing with these vital matters the judiciary is impotent and the executive practically helpless without authority and direction from Congress.

The legislative branch of the Government must lay the foundation broad and deep, founded on the solid rock of economic liberty. Freedom of access for labor to the unused natural resources of the country and equal opportunities for all the people over the highways of the Nation are fundamental.

The maintenance of highways is one of the most important functions of the Government—one of the great essential attributes of sovereignty, of which no State can divest itself without endangering the very existence of free government. Therefore

Resolved, That we demand as the first step in the program of reconstruction, the establishment of permanent Government ownership and operation of the telegraph and telephone systems as a part of the Postal Service of the Nation. And we indorse and recommend the immediate enactment of the principles of the pending Cary bill, H. R. 6750, for the erection of a Federal department of transportation, as a first step toward the early establishment of Government ownership and operation of all railroads, pipe lines, and waterways.

We demand the adoption by the Government—Federal, State, and local—of a policy of Government provision for employment for returning soldiers and sailors and war industries workers who are now about to be released from their employment. And as a first step to that end, we urge the immediate enactment of the principles of the Loft and Fowler unemployment bills of 1915.

We also demand as a part of this provision the enactment of the principles of the Crosser bill as a feature of the pending Federal revenue legislation and of the permanent revenue policy of the Nation. And we insist upon the necessity of a rehearing before the House and Senate committees of the Congress on the pending revenue bill because of the important changes necessarily arising out of the termination of the war. We indicate the possibility of securing $4,000,000,000 of public revenue from a site value tax on the unimproved land values of the country, which now flows into the pockets of private land monopoly; this amount can be raised without laying a single penny of added taxes on the industry or consumption of the Nation.

The adoption by the Government of the policies herein set forth will not only remove the menace of unemployment but by vastly increasing production will greatly reduce the present needless and enormous trust-created high cost of food, fuel, and other necessities of life; this, too, without making at all necessary those proposed increases of hours of work, and reductions of wages of labor, which may entail serious disturbance of the industrial and commercial conditions of the country. For no one can deny that economic liberty and justice are to-day vitally necessary additions to the policies of all Governments in order to insure permanent industrial as well as international peace for the war-wearied peoples of the world.

Respectfully submitted.

ECONOMIC LIBERTY LEAGUE,
National Executive Committee.

Mr. CAMPBELL. Is it incorporated or voluntary?

Mr. RAMAGE. It is just a voluntary organization.

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Mr. CAMPBELL. Who are the members?

Mr. RAMAGE. Edward J. Bowen, 320 Fifth Avenue, New York, is treasurer, and Mr. William Delahunty is the secretary. Capt. Charles Campbell, water transportation expert, is the vice chairman.

Mr. CAMPBELL. Do they maintain an office?

Mr. RAMAGE. Yes; there is an office in New York, at 320 Fifth Avenue, and also here, at 810 F Street, Washington, D. C.

Mr. CAMPBELL. How is it sustained—what supports it?

Mr. RAMAGE. It is supported just by voluntary contributions among ourselves.

The CHAIRMAN. You are a resident of this city?

Mr. RAMAGE. I live here in the wintertime; I live down in Maryland in the summer and am a farmer down there on the Potomac River.

The CHAIRMAN. All right, we will be glad to hear anything you desire to say.

Mr. RAMAGE. The thing that appealed to me about this reconstruction, to state it in as concrete a manner as possible. This great number of laborers in the war-munitions plants and also the soldiers in uniform are being released at a time when I do not think there is the least possibility of a very material lowering of the cost of living—the cost of living is higher probably than it has ever been at any time in the history of America—and it was in view of the tremendous amount of materials that they seem to have to send to Europe we are going to be down to a point where, if we get enough to eat, we will have to pay a big price for it here right along, and I understand that even wages now in a great many parts of this country are not quite commensurate with the cost of living. I understand that the cost of living has gone up 65 per cent and the wages only 50 per cent in the United States. That being the case, living is above normal.

Mr. CAMPBELL. I think you are right. I do not think anybody could live on the standard of living upon which they lived four years ago to-day, even if there were a 65 per cent increase in wages.

Mr. RAMAGE. That is what we fear. We fear some great turmoils might take place in the country, big strikes would start up, and we might have a worse condition than we ever dreamed of having unless something substantial is done. I do not believe that the United States Government needs to spend one dollar that is not for permanent improvements; that is to say, that the people will not get the full return for. I believe good roads, for instance, will pay for themselves in a few years. There is a great lack of good roads where I live. I live 45 miles from Washington. It takes me a half a day to get there on the boat and it takes me another half of a day to get back. If I use a team, I have got to go to La Plata on the train and take a team 22 miles, and the roads are most deplorable. I am not advocating anything for that part of the country particularly, but those are the conditions there, and good roads are needed everywhere.

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STATEMENT OF MR. WESTERN STARR, BALTIMORE, MD.

Mr. WESTERN STARR. Mr. Chairman, they have asked me to say a few words here. My name is Western Starr.

The CHAIRMAN. State your occupation, and so on.

Mr. WESTERN STARR. My residence is in Baltimore. I am a farmer. I do not know that I ought to say, living in Baltimore, that I am a farmer, but I have been a farmer for a great many years, and I am now, between seasons, waiting for the next season's work to begin.

My relationship to this organization is that of a consulting friend. I never heard of it until 10 days ago.

Mr. SNELL. You mean the organization this other gentleman represented?

Mr. WESTERN STARR. Yes, sir; it was only newly organized, and its object, as it was presented to me, appealed to my sympathies, and I have consented to look into the subject a little and to bring before you some observations in connection with it.

Of course, anything I have to say will be fragmentary, following the words that have been said before, and the first thing I want to do is to reply to the suggestion involved or suggested by the question of the gen-

tleman in the easy chair [Mr. GARRETT] with reference to what further authority is needed by the committees that have been mentioned in these resolutions. I think that there has been practically no lack of interest, but there is a mandate needed. These men have power to do what is necessary, but until Congress, which is theoretically a sovereign power of this Government, takes it up and says that it is necessary that something should be done, the committees are very apt, being burdened, as they are, with other things, to let matters take their natural course.

The CHAIRMAN. We will have to ask you to conclude as quickly as you can.

Mr. WESTERN STARR. I will ask you to tell me how many minutes you can give me.

The CHAIRMAN. We have to go into executive session here in a few minutes. We will hear you for five minutes, when we will have to conclude the hearing for to-day.

Mr. WESTERN STARR. Nature, left alone, will in most cases rectify all the blunders that occur. But it is the art of the position to assist nature, and if we are to allow this situation to take care of itself, undoubtedly it will work itself out in time, but by application of the wisdom of developed observation we will probably be able to assist nature in the solution of this great question, and without the distress that nature alone will involve.

I apprehend that we are touching very close to important fundamentals on this question. Being limited for time, I must be brief in what I have to say. In perfectly normal times there is 3 to 5 per cent involuntary unemployment in this country at all times. It is not always located in the same communities, but there is a total of 3 to 5 per cent involuntary idleness in this country. We now have involved in war enterprises, either in uniform or out, not less than 17,000,000 or 18,000,000 of individuals. War industries are being stopped. I was talking with three gentlemen from Pittsburgh this morning. They told me, in answer to the direct question, "We are simply waiting. We are laying off men. We will not take on new men and we can not undertake new enterprises, because we do not know what may happen, and we are not able to go ahead without knowing what we are going to do. We can do nothing until the treaty is absolutely signed except to prepare." And they are living from hand to mouth, and that is so all over the country.

My judgment is that the regulator of wages as to the levels and the volume of employment is always the degree of accessibility to natural opportunities of this country, under a condition that has existed for 50 years, to be practically absorbed. They are not utilized and they are not developed, but they are absorbed and have passed out of Government control into the hands of private individuals or corporations. There is a way of reaching that.

I believe on the question of post roads the one big thing is the annual migration that comes twice every year, in the spring and fall, from the rural districts into the city and from the city into the rural districts, growing out of the fallibility of seasonal occupations. But there is enough to employ all the involuntary idleness by Government work in the form of post roads and highways alone. I offer that merely as a suggestion. That ought not to be done entirely by the Government; the States themselves should take part in it; and I believe a system could be developed under which, following the lines suggested in a recent bill that the Government will provide a certain fund provided the localities furnished a stated fund to keep those men at work with the improvements that should be going on, and the inducements should be sufficient in the form of wages to stimulate the work and keep it going.

When we dislocate 50 per cent of the available producing power of the country—and you are perfectly well aware that the census reports show, fallible as they may be, only 30 to 35 per cent of the people were employed in gainful occupations in this country in normal times, and over half were employed in war industries—and to turn them loose and let them go at their own sweet will, what will happen? We have no inducements to offer in the way of idle, vacant land which the Government owns. We should put them on the land, but not give them title except for use and occupation. That is what we should have done heretofore, but we did not do it. We gave them the land outright, and now it has passed into the hands of speculators.

Mr. CAMPBELL. What land do you mean?

Mr. WESTERN STARR. I mean the great lands of the West—Nebraska, Kansas, Iowa; take those railroad land grants and where is the land?

Mr. CAMPBELL. It is owned by individuals very largely.

Mr. WESTERN STARR. The land grant?

Mr. CAMPBELL. Yes.

Mr. WESTERN STARR. That may be true in certain sections.

Mr. CAMPBELL. It is true all along the line of the Union Pacific.

Mr. WESTERN STARR. Take, then, the Northern Pacific.

Mr. CAMPBELL. I do not know anything about that.

Mr. WESTERN STARR. It is not true along the Northern Pacific.

Mr. CAMPBELL. I know that in Kansas that land is owned by individuals, men on small farms.

Mr. WESTERN STARR. It is not the farmers who are buying farms; it is the banker and the lawyer who are buying farms. The farmers of this country have never made any money agriculturally; they have never made any money by farming. I am talking now of the mass of profits which have been the profits of the land speculators.

Mr. SNELL. Where do you get that sort of information?

Mr. WESTERN STARR. From your own census report. You go to Illinois, Iowa, and Nebraska, and those States, and you will find at the crossroads retired farmers who have rented or sold their farms and who are living in the little towns there and have been there during the last three or four years of their lives.

Mr. FOSTER. You realize that one great drawback—and I do—is that it is the man who lives on the farm and does not own it.

Mr. WESTERN STARR. The tenant farmer is the curse of the country.

Mr. FOSTER. The man who sits in the town and lives off of the farmer out in the country.

Mr. SNELL. That is so in every part of the country. However, the lawyers and bankers buying farms I never heard of before.

Mr. WESTERN STARR. You will find it so. That is literally so, and I can produce testimony in this room of high authority. I would enjoy your questions and am sorry that we have not more time.

POSTAL EMPLOYEES.

And so, gentlemen of the House, you see this most important problem was gone into some time back but nothing was done, and in this connection let me say that the Postal Service is near to my heart. I have a brother, Joel Lundeen, who has served the Government for years in the Railway Mail Service. I have stood by these boys right along in Congress and out of Congress.

The United States Government is a big employer of labor and should by all means set an example by giving employment to our men. The Post Office Department during the war has curtailed all branches of the service to conserve man power by reducing the force of letter carriers, clerks, and railway mail clerks, by cutting out one delivery a day or more, and by taking service off a large number of railroad trains.

During the last year the department has opened the doors to women as carriers and as railway mail clerks, and, although that may have been the proper step during the war to conserve man power, I believe now that the war is over that the department should only employ men in those branches. This would give employment to many returned soldiers. Women are not physically able to perform this class of labor. The department is to hold an examination for railway mail clerks March 15, 1919, for both men and women between the ages 18 to 35. The employment of women in the carrier or Railway Mail Service was unheard of until a year or so ago. To show the curtailment in the Railway Mail Service from July 1, 1916, to December 31, 1917, taken from official schedules issued by the department, the Merchants' Association of New York spent six months' time collecting data to find the cause for the poor service, and they give the following figures, which pertain to the tenth division, which includes Minnesota, Wisconsin, North Dakota, South Dakota, and northern part of Michigan: Eighty-nine railway post-office trains wholly discontinued, 107 railway post-office trains discontinued in part, which makes 196 railway post-office trains discontinued wholly or in part. That makes 12,983 miles of Railway Post Office Service discontinued, which makes 4,271,084 annual miles of Railway Post Office Service discontinued during that time. Only 24 railway post-office trains have been established, wholly or in part, which makes 1,658 miles, or 538,527 annual miles. So the net service discontinued for the period is 172 trains, with 11,325 miles; all told, 3,723,557 annual miles, which, summarized, means that July 1, 1916, there were 548 trains in operation, of which 172 trains were discontinued, or 31.39 per cent.

It has been estimated that it would take 400 men in this one division to restore the service to where it was July 1, 1916; and that is only 1 division out of 15 which cover the whole United States. For the whole United States there was July 1, 1916, 6,636 railway post-office trains, of which 1,612 railway post-office trains were discontinued wholly or in part, which means that 25.32 per cent of railway post-office trains have been discontinued from July 1, 1916, to December 31, 1917, which when put in miles means that on July 1, 1916, there were 217,462 miles of railway post-office train service, of which 96,178 miles have been discontinued, or 44.23 per cent.

The merchants' association summarizes their report, in part, by saying:

1. That mails are not dispatched with former frequency;
2. That they are not fully worked in transit;
3. That in consequence much "stuck" letter mail is turned into the terminal station, and then materially delayed;
4. That inferior mails move with extreme slowness;
5. That train delays are not a principal cause of slowness in the mails; but that
6. Insufficiency in the number of railway postal cars, their withdrawal from a great number of routes throughout the United States, and the reduction of the crews of railway postal cars appear to be the main causes of the conditions shown.

The Government has no men in its service more intelligent, more faithful, and efficient than the postal employees. Why curtail them? Why treat them unjustly? Not only should their pay be ample, but at the end of the road, when life's sun is setting, they should of a right have a retirement pension, and, gentlemen, I stand ready to vote for the Keating-McKellar bill or any other bill along this line.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LUNDEEN. As far back as the first part of December, 1918, the legislation proposed in my resolution of November 21 was considered of sufficient importance to force the great Rules Committee of the House to take up the question. Hearings were held for two days. Members of Congress, economists, business men, and the Secretary of Labor appeared before the committee in support of the proposition; and at the hearings every member of the committee but one emphatically expressed his approval

of the resolution. In spite of all this, however, no report was made by the committee, and no action was taken by either the committee or the House. What mysterious power prevented action remains a secret.

The unprecedented meeting of the governors of all the States and the mayors of 100 leading cities of the United States called by the President to meet at the White House March 4 is evidence that the extreme and urgent importance of the unemployment problem is at last recognized. But how much better for the unemployed people of the United States would it have been if President Wilson had called this conference of governors and mayors and urged action by Congress last November, when I presented my resolution.

Brazen contempt and heartless neglect of human rights are essentially responsible for the building up of the great fortunes, whose growth is such a marked feature of our development. From the same cause spring poverty and pauperism. "The tramp is the complement of the millionaire." Unemployment is more menacing to the Republic than hostile armies and fleets bent on destruction.

The Independent Labor Party, representing all the labor organizations of Chicago, adopted the following platform the latter part of December, and therein strongly indorses the principle of my unemployment resolution:

THE INDEPENDENT LABOR PARTY PLATFORM.

RIGHT TO ORGANIZE.

1. The unqualified right of workers to organize and to deal collectively with employers through such representatives of their unions as they choose.

DEMOCRATIC CONTROL OF INDUSTRY.

2. Democratic control of industry and commerce for the general good by those who work with hand and brain and the elimination of autocratic domination of the forces of production and distribution, either by selfish private interests or bureaucratic agents of government.

EIGHT-HOUR DAY AND MINIMUM WAGE.

3. An 8-hour day and a 44-hour week in all branches of industry, with minimum rates of pay which, without the labor of mothers and children, will maintain the worker and his family in health and comfort and provide a competence for old age, with ample provision for recreation and good citizenship.

ABOLITION OF UNEMPLOYMENT.

4. Abolition of unemployment by the creation of opportunity for steady work at standard wages through the stabilization of industry and the establishment, during periods of depression, of Government work on housing, road building, reforestation, reclamation of desert and swamp, and the development of ports and waterways.

EQUAL RIGHTS FOR MEN AND WOMEN.

5. Complete equality of men and women in government and industry, with the fullest enfranchisement of women, and equal pay for men and women doing similar work.

STOP PROFITEERING.

6. Reduction of the cost of living to a just level immediately and as a permanent policy by the development of cooperation and the elimination of wasteful methods, parasitical middlemen, and all profiteering in the creation and distribution of the products of industry and agriculture in order that the actual producers may enjoy the fruits of their toil.

ABOLISH KAISERISM IN EDUCATION.

7. Democratization of education in public schools and universities through the participation of labor and the organized teachers in the determination of methods, policies, and programs in this fundamental field.

EXTENSION OF SOLDIERS AND SAILORS' INSURANCE TO ALL WORKERS.

8. Continuation after the war of soldiers and sailors' insurance; extension of such life insurance by the Government without profit to all men and women; and the establishment of governmental insurance against accident and illness and upon all insurable forms of property.

TAX INHERITANCE, INCOMES, AND LAND VALUES TO PAY WAR DEBT AND GOVERNMENT EXPENSES.

9. Liquidation of the national debt by the application of all inheritances above a hundred thousand dollars, supplemented as may be necessary by a direct capital tax upon all persons and corporations where riches have been gained by war or other profiteering, and payment of the current expenses of Government by graduated income taxes, public profits from nationally owned utilities and resources, and from a system of taxation of land values which will stimulate rather than retard production.

PUBLIC OWNERSHIP OF PUBLIC UTILITIES—NATIONALIZATION AND DEVELOPMENT OF NATURAL RESOURCES TO FURNISH EMPLOYMENT FOR RETURNING SOLDIERS AND SAILORS AND DISLOCATED WAR WORKERS.

10. Public ownership and operation of railways, steamships, stockyards, grain elevators, terminal markets, telegraphs, telephones, and all other public utilities, and the nationalization and development of basic natural resources, water power, and unused land, with the repatriation of large holdings, to the end that returning soldiers and sailors and dislocated war workers may find an opportunity for an independent livelihood.

RESTORATION OF FREE SPEECH, FREE PRESS, AND FREE ASSEMBLAGE.

11. Complete restoration, at the earliest possible moment, of all fundamental political rights—free speech, free press, and free assemblage; the removal of all war-time restraints upon the interchange of ideas and the movement of people among communities and nations; and the liberation of all persons held in prison or indicted under charges due to their championship of the rights of labor or their patriotic insistence upon the rights guaranteed to them by the Constitution.

LABOR REPRESENTATION IN ALL DEPARTMENTS OF GOVERNMENT AND ALL GOVERNMENTAL AGENCIES OF DEMOBILIZATION AND RECONSTRUCTION.

12. Representation of labor in proportion to its voting strength in all departments of Government and upon all governmental commissions and agencies of demobilization and reconstruction, and recognition of the principles of trade-unionism in the relocation of soldiers, sailors, and war workers in peace pursuits, with adequate provision for the support and extension of the Department of Labor as the principal agency therefor.

LABOR REPRESENTATION IN PEACE CONFERENCE.

13. Representation of the workers, in proportion to their numbers in the armies, navies, and workshops of the world, at the peace conference and upon whatever international tribunals may result therefrom, with the labor of this Nation represented by the president of the American Federation of Labor and such other delegates as the workers may democratically designate.

AN END TO KINGS AND WARS.

14. Supplementing the league of nations, and to make that instrument of international democracy vitally effective for humanity, a league of the workers of all nations pledged and organized to enforce the destruction of autocracy, militarism, and economic imperialism throughout the world, and to bring about world-wide disarmament and open diplomacy, to the end that there shall be no more kings and no more wars.

The Christian Science Monitor says labor is out for a complete reconsideration and readjustment of its position. This position was defined as clearly as possible in the statement made, quite recently, in the House of Commons by the general secretary of the National Union of Railwaymen. Mr. Thomas left, indeed, little to the imagination:

The organized workers of Great Britain have made up their minds to obtain for themselves an increasing share of the wealth which their labor has produced and produces. The workers of the threefold organization are determined to shorten materially the hours of labor in their respective industries. They are dissatisfied with the system of society which treats their labor power as a mere commodity to be bought, sold, and used as though they were machinelike units in the process of wealth production and distribution, and they therefore demand that they shall become real partners in industry, jointly sharing in determining the working conditions and management.

LABOR'S LAST WORD.

There you have the last word of labor in every civilized country in the world. And labor follows its demand with the question, "What are you going to do about it?" On the statesmanlike quality of the reply, not only of capital but of governments, to that question may depend the future peace of the world. It is the second stage of Armageddon.

Mr. BYRNES of South Carolina. Mr. Chairman, may I be permitted to call the attention of the Chair to the organic act which has been referred to by the gentleman from Massachusetts [Mr. GALLIVAN] and the gentleman from Colorado [Mr. KEATING]?

When this service was established by the appropriation in the sundry civil bill last year it was manifestly subject to a point of order. The opinion of the committee then was that it was so subject. The United States Employment Bureau was established as a war emergency bureau. Now, the gentlemen who seek to have it continued urge that it can be continued by a change of language, because the first section of the organic act contains the declaration of purpose to the effect that the purpose of the Department of Labor shall be to improve the working conditions and advance their opportunities for profitable employment. Mr. Chairman, that is nothing more than a declaration of the purpose of the department.

If that is sufficient legislation to authorize the establishment of a new bureau, then you may as well abolish the Committee on Labor, for it has no further function to perform. The gentleman from Colorado, who argues on the point of order, I know is not in earnest, for before his own committee—the Committee on Labor—is a bill introduced by himself to establish an employment bureau, define its duties, and prescribe its limitations.

Mr. KEATING. Mr. Chairman, will the gentleman yield, just for a moment?

Mr. BYRNES of South Carolina. I will.

Mr. KEATING. I call the attention of the gentleman and the attention of the Chair to this very important point, that this amendment that I have offered here does not establish an employment bureau in the Department of Labor. It gives the Secretary of Labor a lump-sum appropriation to carry out one of the objects set forth in the organic law, which is an entirely different proposition from the establishment of a labor bureau.

Mr. BYRNES of South Carolina. The Chair has heard that and is familiar with it. Under that first section it is sought to be held that the amendment is in order. If that be true, why was it necessary to secure legislation for the establishment of a Children's Bureau? If that be true, why was it necessary to secure legislation to establish a Bureau of Labor Statistics; and why was it necessary to secure legislation for the establishment of a Bureau of Immigration, or why would it be necessary hereafter to secure legislation to establish any bureau under the

Government? The organic act of the Department of Commerce contains a declaration of purpose similar to that which is contained in this organic act establishing the Department of Labor. Is it contended that because that declaration is contained in the organic act of the Department of Commerce the sum of $10,000,000, or any other sum, can be appropriated for the mere carrying out of the declaration of purpose?

The act goes on in subsequent sections to prescribe duties and to provide the duties of the various bureaus under the Department of Labor; and I want to call the attention of the Chair to the eighth section of the organic act. There it provides that the Secretary of Labor shall have the power to act as mediator and appoint commissioners of conciliation in labor disputes whenever, in his judgment, the interests of industrial peace may require it to be done. It goes on and requires the Secretary of Labor to report back to Congress the result of his investigations, in order that legislation may be had to accomplish the purposes set forth in the organic act.

Again, in section 10, it is provided:

That the Secretary of Labor shall investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the Secretary of Labor with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to labor and its conditions, in order to harmonize and unify such activities, duties, and powers, with a view to further legislation to further define the duties and powers of such Department of Labor.

Now, if under the declaration of purpose they have the power to appropriate money to carry on anything they want to do in order to accomplish the purpose, why require the Secretary of Labor to report back to Congress for further legislation to define the duties and the powers of the Department of Labor? Manifestly it would be useless. It is nothing more than a declaration of purpose similar to that contained in the organic act of every department, and if under that the Chair could hold that this should be done, then there is no excuse for the existence of legislative committees in this House or in any other. [Applause.]

Mr. GALLIVAN. Mr. Chairman, I can not allow the gentleman from South Carolina [Mr. BYRNES] to leave the impression on the minds of the Members of the House that this is an attempt to create a new bureau in the Department of Labor. I have read the language of the organic act, and I want to call the attention of the Chair to the fact that as far back as 1915 the Secretary of Labor, basing his action upon the authority granted in the organic act creating the Department of Labor, in a report pointed out that the Department had established, through its division of information, Federal labor exchange branches, with a public employment branch station in 18 employment zones throughout the country. The work of these labor exchanges was fully explained in that report, and the results were tabulated.

And again, in his report in 1916, the Secretary of Labor reported that "The United States Employment Service, now an established agency of this department, is engaged in promoting a beneficial distribution of wage-earning labor throughout the United States by advancing opportunities for profitable employment."

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. BYRNES of South Carolina. Which department or bureau was it—the Bureau of Immigration and Naturalization—under which that was specifically authorized in order to secure employment for aliens?

Mr. GALLIVAN. I do not think it was specifically authorized under the Bureau of Immigration.

Mr. BYRNES of South Carolina. It was.

Mr. GALLIVAN. It was under the Department of Labor. It may have been in connection with the Immigration Service, but I can say to the gentleman that I can recall an employment service in the Department of Labor in my own city before I came to Congress. That is nothing new. This is no attempt to establish a new branch.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. LOBECK. In my own city the Department of Immigration has been entirely separated, and has been from the very beginning, from the Employment Service.

Mr. GALLAGHER. That is only a branch of the Department of Labor.

Mr. LOBECK. The gentleman was speaking of their being together. They are entirely separate.

Mr. MONDELL. Mr. Chairman, as a member of the Committee on Appropriations my natural inclination is to enlarge the jurisdiction of that committee. It would have simplified the task of the committee tremendously in the preparation of this bill if we had taken the easy and elastic view of our authority and jurisdiction that is now urged upon us by the gentleman from Colorado [Mr. KEATING] and the gentleman from Massachusetts [Mr. GALLIVAN]. But we did not take the view that an appropriating committee could run amuck and appropriate as it saw fit, simply because a service had been undertaken and carried for a short period of time.

I shall not be particularly disturbed, however the Chairman rules. If he rules that we have jurisdiction, it will make the duties of the committee easier. But in my opinion it is rather important, from the standpoint of the legislating committees of this House, that there be left some little jurisdiction for those committees.

Now it is urged in support of this amendment that it is drafted in the language of the organic law of the Bureau of Labor. That is true. But when before has it been claimed that an appropriating committee could appropriate by simply quoting the general declaration of purpose of an act creating a department of the Government?

Mr. HARRISON of Mississippi. Will the gentleman yield one moment?

Mr. MONDELL. Yes.

Mr. HARRISON of Mississippi. On page 160 of this bill, which I presume the gentleman voted to report, in line 13 it says:

For the Department of Labor, $150,000.

If that is not subject to the point of order, certainly this other provision would not be subject to the point of order.

Mr. MONDELL. That is the regular, ordinary appropriation for the printing for the Department of Labor, provided for by law.

Now, what is the fact with regard to the Department of Labor? It has an all-embracing declaration of beneficial and useful purpose; and, following that very broad and general declaration, the law sets up certain bureaus and agencies within the department and allots to them their duties and responsibilities. If an appropriating committee of the House, by simply quoting the language of an organic act, could appropriate, there would no longer be any necessity for the Committee on Labor or half a dozen other committees in the House whose duties it is to establish new bureaus and to provide new activities. My friend from Colorado did me the honor of quoting from an argument I made in support of an appropriation under the Children's Bureau. But my friend, while he does not claim to be a parliamentarian, is a sufficiently good parliamentarian to understand the very marked and clear and distinct difference between that situation and this. In that case a bureau was established with certain definite functions and responsibilities.

In this case a department is established, in the establishment of which there is a broad and sweeping declaration of general purpose. Of course, in the case of that bureau, any one of the activities delegated to that bureau could be provided for by an item of appropriation. But to say that because a department is established to do certain things therefore you may legislate all over the general field that may be included within that declaration, is to give the appropriating committees all of the jurisdiction which we have heretofore supposed rested with the legislative committees.

Mr. Chairman, certain somewhat questionable decisions connected with items on the Agricultural bill have been quoted. There have been more conflicting decisions on the Agricultural bill and in connection with the items of that bill than in connection with any other appropriation bill in the House. It is true that in some cases the decisions have been rather broad, but in none have they been as broad as is now proposed. I imagine that chairmen, in passing on those cases, may have been influenced by the fact—should not have been, but may have been influenced by the fact—that the Agricultural Committee is both an appropriating and a legislative committee, which has authority to legislate and authority to appropriate, and the only question on the appropriation bill is not, Is this new legislation and therefore outside of the jurisdiction of this committee? but it is, Is this new legislation on a general appropriation bill? And while the fact that that committee both appropriates and legislates should not sway the judgment of the presiding officers, there is no doubt that it has swayed their judgment in some cases. But even in those cases no decision has been as far-reaching as a decision in favor of this particular amendment would be. If this sort of an appropriation is in order on a bill reported by the Committee on Appropriations, then we may very well dispense with the services of half a dozen legislating committees of the House and leave the matter of establishing bureaus and departments and agencies and activities to the subcommittees of the Appropriations Committee.

Mr. SHERLEY. Mr. Chairman, I shall not undertake to take the time of the House by speaking to the merits of the proposal. My view touching the merits that underlie the amendment has been indicated somewhat by the appropriations carried for the Department of Labor in the deficiency bill, which made provision to continue this employment agency until July 1, and before then I hope for affirmative legislation. But the question which is at issue here—and it is an exceedingly important question, very much more important than even the $10,000,000 that is involved in the amendment—is this: How far a general statement of the purposes for which a bureau or department is established confers upon an appropriating committee without legislative power the right to appropriate any amount of money in the general terms "for the purpose of promoting," and so forth.

I think all of us are apt at times to overlook the importance of the real observance of the rules of the House. If gentlemen who have spoken in favor of the amendment are correct, the Committee on Appropriations absorbs, by virtue of this decision, practically all of the powers of the various legislative committees. And it will have the right simply to take almost any act relative to the creation of any activity of the Government and turn to that part of the language which lawyers might say was in the nature of inducement, but is not really and strictly a power, and on that rest the case. Gentlemen have not undertaken to define the duties—to read the law which defines the duties—of the Department of Labor; but they say, inasmuch as the language says this shall be the purpose of the Department of Labor to do so-and-so, therefore, by starting out with the same generic language in an amendment, it is in order.

The history of the Department of Labor is that it was carved out of the old Department of Commerce and Labor. When this department was separated various bureaus were put into the Department of Labor and various bureaus put into what is now the Department of Commerce.

In order that the whole subject of what might hereafter be given to the Department of Labor should not be foreclosed, there is enumerated first the various bureaus and then it is made the specific duty of the Secretary of Labor to investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the Secretary of Labor with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to labor and its conditions, in order to harmonize and unify such activities, duties, and powers, with a view to further legislation to further define the duties and powers of such Department of Labor.

As was suggested by the gentleman from South Carolina [Mr. BYRNES], if the opening part of the act conferred upon the Secretary of Labor the right to do anything whatever that in his judgment would promote and develop the welfare of the wage earners of the United States, to improve their working conditions, and so forth, what folly it is to make one of his specific duties the reporting to Congress what additional legislation might be necessary in order to enlarge his powers. His powers already covering all of creation, so far as they are related to wage earners, it was absolutely unnecessary and foolish to undertake further to define them. I repeat, because it is of tremendous importance to this House and to orderly procedure, if you can take a matter of inducement in connection with these various bureaus and simply by putting the amendment in that general language make it in order, then I say to you it is possible to write as in order anything appropriating any sum of money for any purpose under the sun, and I will guarantee to write an amendment that will be proof against any point of order, if the gentleman's contention is correct.

Mr. PHELAN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. PHELAN. It does not necessarily follow that because you direct the Secretary of Labor to advise Congress as to what things should be done he can not do other things, if he has the money, because it might be the duty of Congress, although giving him the power to do certain things, to require him to report back so that Congress might know what to give him money for and why to give it to him.

Mr. SHERLEY. But the language is "legislation to further define the duties and powers of such Department of Labor." The language that the gentleman speaks of does not say that it is the duty to do various things or to have various bureaus, but the general purpose of the Department of Labor, and I submit that if that language is sufficient to tie an appropriation of this kind to, we can simply take the organic act creating any department of the Government and appropriate any lump sum we wish, and leave it to that department under such general language to do with as it pleases.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. LONDON. Would it have been in order to offer an amendment specifying the particular objects for which this money should be appropriated, provided it came within the general purpose for which the department was created?

Mr. SHERLEY. I think not. The distinction has to be drawn between the general purpose and the prescribed duty. Congress creates a department for a general purpose, and it creates all departments for the general purpose of improving the welfare of the citizens of America; but when it comes to defining the particular activities of the departments, it does not rest upon the general ground of promoting the welfare, but it defines certain functions as duties, and I insist that this, therefore, is not in order. Let us see where it would lead. There have been any number of bills introduced in Congress, and they went to the Committee on Labor. That committee had the right, as it had the duty, in my judgment, to recommend legislation dealing with what I think is a serious situation. It has not seen fit to do so, and therefore an effort is made to make of the Committee on Appropriations a medium for carrying through an undigested program, appropriating a lump sum under the general authority of the preamble of the act. I do not believe it is in order so to do.

Mr. KEATING. Mr. Chairman, I want to call the Chair's attention to this significant fact: The gentlemen who are urging this point of order are among the great parliamentarians of the House. They have not cited for the information of the Chair a single decision sustaining their contention, not one decision. In all the history of the House, whenever this point was raised, the Chair has ruled that lump-sum appropriations to carry out the objects of the provisions of the organic law was in order, and these gentlemen, with all their knowledge of the precedents, failed to cite a single decision.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Yes.

Mr. SHERLEY. I have never before heard anybody contend that general language of inducement could be the basis of such an appropriation.

Mr. KEATING. Mr. Chairman, I submit to the Chair that all of the authorities on that subject cited by the various gentlemen who have discussed it have taken that position.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Certainly.

Mr. NOLAN. Is the gentleman aware of the fact that prior to the declaration of war for two years the Division of Information spent a great deal of money in providing employment to men on the farms and in industries in this country?

Mr. KEATING. I am familiar with that, and yet, anticipating what the gentleman from South Carolina would say, I do not hold that this is in order because of that action.

It is true in the law creating the Bureau of Immigration the Bureau of Information is created, and one of the objects of that bureau is to furnish employment for aliens, and in this great emergency the Secretary of Labor so construed it that some employment was offered to those who were not able to secure employment—at least that is the report.

We base our case squarely on the organic law creating the Department of Labor, and we maintain that all precedents sustain us.

The chairman of the Committee on Appropriations says that if we overrule this point of order the Committee on Appropriations can then absorb the jurisdiction of all the committees of the House. There are several things to prevent that. One is the good sense of the Members of this House. The membership of the House will not permit it to do that; but, in addition to that, Mr. Chairman, Congress will never legislate the entire contents of the Treasury in lump-sum appropriations.

I admit that this is a poor way to provide for an employment bureau. I think that we should have enacted legislation creating an employment bureau in the Department of Labor, but the fact is that we have not. It makes no difference where the responsibility rests. It has not been created, and therefore Members of the House are justified in taking advantage of this extraordinary remedy, a perfectly legal remedy, not one to be used every day, but to be used upon such an occasion as this, when a real crisis confronts the Nation. Congress has been derelict in its duty in enacting legislation, and you must go back to the organic law creating the bureau or the department and find there, if you can, a clear authority for the thing you are attempting to do, and then, instead of attempting to create a bureau with all its employees, give a lump-sum appropriation to the chief of the bureau or the secretary of the department and trust to his honesty and to his wisdom in administering it. This is the proposition we submit, Mr. Chairman.

Mr. BYRNES of South Carolina. Mr. Chairman, just one minute. I only desire to call the attention of the Chair with reference to the statement urged that prior to the establishment of the employment service in the last sundry civil act an employment bureau existed, that it existed by reason of specific legislation authorizing the establishment of a division of information and prescribing the duties of such division, that it should promote the beneficial distribution of aliens admitted into the United States. Now, in reference to the statement of the gentleman from Colorado that no precedent has been cited, whereas they have offered precedents, I desire to say that the precedent cited by the gentleman from Missouri related to a ruling upon a point of order which held that the establishment of a bureau was not in order, but an appropriation for an investigation was in order under the act of May 25, 1900, enlarging the powers of the Department of Agriculture; that an appropriation for an investigation was in order because there was specific legislation contained; that the Secretary of Agriculture may, from time to time, collect and publish useful information as propagation, uses, and preservation of such birds and other authorizations, directing the Department of Agriculture to make such investigation. Now, as to the statement made by the gentleman from Mississippi that this bill, on page 160, carries a general appropriation for the Department of Labor, that appropriation, as the gentleman from Mississippi ought to have known, is only for printing and binding, and is made under the subhead, "For printing and binding," and he ought to have known that if he did not. [Cries of "Rule!"]

The CHAIRMAN. The Chair is ready to rule. The gentleman from Massachusetts offers an amendment to insert a new section, as follows:

To enable the Secretary of Labor to advance the opportunities for profitable employment of the wage earners of the United States there is hereby appropriated out of available moneys in the Treasury $10,023,000—

And so forth.

To that amendment the gentleman from Texas [Mr. BLANTON] and the gentleman from New York [Mr. GOULD] make the point of order. Arguing the point of order, the gentleman from Massachusetts and other gentlemen who have discussed it cited certain language in the organic act which create the Department of Labor. That language is:

The duties of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

That language is relied upon, as the Chair understands, to make this amendment in order. The House has always been extremely careful in conferring the legislative power upon committees; at least it has been so for 50 years. It has withheld from the Committee on Appropriations any power of legislation, and, naturally, having withheld that power, it has provided that no amendment to an appropriation bill if it carried legislation should be in order if offered on the floor of the House. This is very peculiar language as contained in this organic act. If the Committee on Appropriations could have rightfully brought in a proposition such as contained in the amendment of the gentleman from Massachusetts, and, of course, if it could not have, why an amendment from the floor of the House would be subject to the point of order. The Chair is unable to see where the limit on the Committee on Appropriations would end. If this—well, something like the whereas of a resolution—should be held to authorize appropriations by the Committee on Appropriations, why there is absolutely no limitation that you could put upon your Committee on Appropriations.

And, of course, if the Appropriations Committee could bring in a proposition any amendment from the floor would be in order. The Chair thinks this amendment that is offered by the gentleman from Massachusetts makes new legislation, not authorized by any existing law, and that therefore it is obnoxious to the rule of the House. Therefore, the Chair sustains the point of order.

Mr. GALLIVAN. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the decision of the committee? The gentleman from New York [Mr. DONOVAN] will take the chair.

The CHAIRMAN (Mr. DONOVAN). The question is, Shall the decision of the Chair stand as the decision of the committee?

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. KEATING. Division, Mr. Chairman.

The committee divided; and there were—ayes 114, noes 58.

So the decision of the Chair stood as the decision of the committee.

The CHAIRMAN. The Clerk will read.

Mr. LONDON. Mr. Chairman, I rise to offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

Mr. LONDON. As a section for the purpose of continuing the present system of unemployment exchanges, the sum of $10,000,000.

Mr. BLANTON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The Clerk will report the amendment.

Mr. BYRNES of South Carolina. Mr. Chairman, I make a point of order on that.

Mr. BLANTON. I make a point of order. It is new legislation.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LONDON: Page 152, after line 20, insert, as a new section, the following:

"For the purpose of continuing the present system of unemployment exchanges, $10,000,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is new legislation.

The CHAIRMAN (Mr. GARRETT of Tennessee). The gentleman from Texas makes the point of order.

Mr. LONDON. Mr. Chairman, before the Chair rules on the point of order I desire to draw the following distinction between the previous motion and this amendment. The principal objection which was raised to the amendment previously offered was that it repeated the language of the organic law, which was too indefinite. The objection to the amendment was that it was as vague as the organic law itself. In this case I provide for the continuance of a function undertaken by the Department of Labor and which comes fairly within the general purpose for which the department was created.

The CHAIRMAN. Will the gentleman cite the Chair to that statute?

Mr. LONDON. Yes. The statute reads that it is one of the functions of the Department of Labor to increase opportunities of profitable employment, to increase the opportunities of the wageworker for profitable employment. Now, if the Chair will bear with me for a moment, the Labor Department was created for the purpose of promoting the general welfare of labor, and among the functions of the Department of Labor one is to increase the opportunities for profitable employment. Now, it was with the object of increasing the opportunities for profitable employment, of minimizing unemployment, of minimizing involuntary idleness, that a national system of unemployment exchanges was created, so as to bring the man and the job together. I am not arguing the merits of my amendment, but it is necessary to understand the object of maintaining a system of unemployment exchanges in order to realize that the function which the department is now exercising is squarely within the purpose for which it was created.

The CHAIRMAN. Now, does not that go back to the very proposition upon which the Chair ruled; that is, is not the gentleman predicating his amendment and his argument upon that general language which the Chair has just held was not sufficient to authorize an appropriation?

Mr. LONDON. No. I am predicating it on two facts. I can realize——

The CHAIRMAN. I mean the law. I do not mean the facts.

Mr. LONDON. The law. I realize that an amendment calling for an appropriation of $500,000,000 to the Secretary of War to carry out the purposes for which the War Department was created would be out of order.

But my amendment is confined to one specific duty, to one particular item, to a limited function, and that function is not the creation of something new, but the continuance of an existing system of unemployment exchanges, now maintained by the Department of Labor, and for which an appropriation has been carried in an appropriation bill during the war and for which an appropriation is carried in the deficiency appropriation bill.

The CHAIRMAN. Let the Chair say this to the gentleman, although it is not the custom of the Chair ordinarily to say that: The Chair can not reflect, or ought not to reflect, his legislative views in his parliamentary decisions. The present occupant of the Chair has never, so far as he is conscious of it, reflected a legislative view in a parliamentary decision. The Chair is not passing now upon the wisdom or unwisdom of the proposition, but the Chair is only passing on the parliamentary situation. We must preserve the integrity of the rules of the House. Otherwise we would be in constant chaos.

Now, that upon which the Chair wishes to hear the gentleman is how his amendment can be justified under the law.

Mr. LONDON. Exactly. That is what I was addressing myself to.

The CHAIRMAN. Whether the gentleman's amendment and his argument do not go back to the exact proposition upon which the Chair just ruled.

Mr. LONDON. Oh, no. The Chair previously ruled that the appropriation, couched in the language of the organic law, which is vague and indefinite and which permits the branching out into hundreds of activities, is too general to be admitted under an appropriation act. But in this case I again call the attention of the Chair to the fact that I am narrowing down the appropriation to one distinct item.

The CHAIRMAN. Where is the statute which authorizes the United States Employment Service?

Mr. LONDON. It does by authorizing and directing the Secretary of Labor to devise means to increase the opportunities of profitable employment.

The CHAIRMAN. That is the very language that was quoted in the amendment offered by the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. LONDON. I know; but what the Chair objected to before was the use of the very expression of the statute, "to increase the opportunities for profitable employment."

The CHAIRMAN. It seems to the Chair that that would present a stronger case than the indefinite language. Is there a statute anywhere that authorizes unemployment exchanges?

Mr. LONDON. There is no statute which in so many words authorizes unemployment exchanges, but there is this legal situation before you: The department is created for the purpose of increasing the opportunities for profitable employment. In the course of the life of the Department of Labor it has been found that in order to increase the opportunities for profitable employment it has become necessary to create a clearing house, a network of unemployment exchanges, so as to enable the jobless man to find his job and to bring the man and the job together. That function is now being exercised by the Department of Labor, and the Chair must take judicial notice of the fact that the Department of Labor is now exercising that function.

And furthermore, the presumption exists that no department of the Government is violating the law. The Secretary of Labor is now, under the law under which his department was created, maintaining a system of unemployment exchanges.

The CHAIRMAN. Of course, the department is not violating the law, but the authority under which the department is operating in the employment exchange was carried in an appropriation bill at some time; I mean the money with which it is operating——

Mr. LONDON. Not in so many words——

The CHAIRMAN. Which possibly would have been subject to a point of order if it had been made at the time. The decision of the Chair does not indicate that the department has been violating the law in any way.

Mr. LONDON. I understand that that was not the object of the decision.

The CHAIRMAN. Has the gentleman from New York concluded?

Mr. LONDON. Yes. Of course, I know that there is no law which in so many words authorizes the establishment of unemployment exchanges for the next fiscal year.

Mr. CALDWELL. Mr. Chairman——

The CHAIRMAN. The gentleman from New York [Mr. CALDWELL] is recognized.

Mr. CALDWELL. Mr. Chairman, the Chair has asked for a citation of the law that would justify the amendment of the gentleman from New York [Mr. LONDON]. I have listened with a great deal of care to the arguments both for and against this amendment, and I particularly call the attention of the Chair to the wording of this statute, as applied to the amendment just offered. If the Chair has before him volume 37 of the public laws, part 1, page 736, chapter 141, the next to the last sentence in the paragraph reads—

> The purpose of the Department of Labor shall be—
>
> Then there are several other words of general character—
>
> to advance their opportunities for profitable employment.

Now, that is not a general, glittering power. It is a duty, and it is specific. It is a duty that is imposed by law, and if this Congress passes a law of that kind, it is the duty of this Congress, if it expects the department to carry out the will of the Congress of the United States, to appropriate the necessary moneys to enable it to be carried out. And if it is our duty to appropriate under the existing law, then it is not new legislation, and it is not expanding the authority of the Committee on Appropriations. It is not robbing any committee of its legislative function, but it is the plain intendment of the statute that here and now, at this time, the Congress of the United States in its general appropriation should supply the Department of Labor with money enough to do that which this statute says they shall do, and it seems to me very plain.

Now, no decision that has been quoted here has been differentiated or explained. Every precedent that has been cited applies to this case, and no precedent has been cited against it, and no one of the precedents cited has been differentiated; and with all due respect, I do not think the Chair was right in the other decision, and certainly is not justified in ruling this amendment out of order.

The CHAIRMAN. So far as the other ruling was concerned, that is res judicata, for it has been sustained by the committee.

Mr. CALDWELL. The committee has sustained it, and I meant no reflection whatever on the Chair.

The CHAIRMAN. The Chair understands that.

Mr. GORDON. Will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. GORDON. Would Congress have authority to appropriate a thousand million dollars and authorize the Secretary of Labor to go out and hire everybody who was out of a job and put him to work?

Mr. CALDWELL. No.

Mr. GORDON. Why not? That is furnishing more direct employment than your agency would.

Mr. CALDWELL. The proposition of the gentleman from Ohio would go outside of the fundamental law. Here a duty is imposed upon the Department of Labor, and it being a duty, it is necessary for us to appropriate the money necessary to enable it to perform that duty, and is therefore naturally a matter for the Committee on Appropriations.

The CHAIRMAN. The reason the Chair did not refer to the precedents that were cited in the argument made upon the point of order to the amendment offered by the gentleman from Massachusetts was that the Chair did not think there was one of those precedents that was on all fours at all with this proposition. The Chair thought that, in so far as the precedents cited were concerned, the amendment presented a de novo proposition. That is why the Chair did not refer to the decisions that were suggested as possible precedents. Now, coming to the amendment offered by the gentleman from New York [Mr. LONDON], it reads as follows:

> Page 152, after line 20, insert as a new section:
> "For the purpose of continuing the present system of employment exchanges, $10,000,000."

All that has been cited is the very language that was cited in the argument upon the amendment offered by the gentleman from Massachusetts. No statute has been directed to the attention of the Chair other than the general language upon which the Chair undertook to pass. The Chair thinks it stands exactly as the other amendment stood, and sustains the point of order.

Mr. DECKER. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. DECKER: Page 152, after line 20, insert as a new section:
> "For expenses of Department of Labor, made necessary by the act of March 4, 1913, entitled 'An act to create a Department of Labor,' $10,000,000."

Mr. BLANTON. I make a point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GALLIVAN. I should like to have the gentleman give some reason for the point of order.

Mr. BLANTON. Because it is legislation and not germane.

Mr. GALLIVAN. It is not new legislation.

The CHAIRMAN. The Chair thinks that this clearly falls within the same lines we have been discussing, and the Chair sustains the point of order.

Mr. DECKER. Mr. Chairman, I would like to be heard.

The CHAIRMAN. The Chair will hear the gentleman, although the Chair has sustained the point of order.

Mr. DECKER. Mr. Chairman, the Chair has repeatedly asked for some act to base the appropriation on. I wish the Chair for a moment to consider the fact that I base this amendment on the original act.

Now, it may be that Members of this House, or it may be that the Chairman, do not think that $10,000,000 is necessary to carry out the expenses of the bureau created by the original act. But that does not make it out of order. That, I submit, is a question for the good judgment and conscience of Members who sit in this body. I can not see on what ground, by whatever stretch of the imagination, or by what discrimination of logic——

Mr. MONDELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MONDELL. Has not the Chair sustained the point of order?

Mr. DECKER. He has, but he is listening to me. [Laughter.]

Mr. CANNON. A very patient man. [Laughter.]

Mr. DECKER. He is.

Mr. BLANTON. Mr. Chairman, a point of order. I submit that the gentleman is attempting to argue the merits of the amendment and not addressing himself to the point of order.

The CHAIRMAN. The Chair thinks the gentleman from Missouri is speaking to the point of order.

Mr. DECKER. Mr. Chairman, I think I know the difference between the merits and the point of order, and, knowing that he is a learned judge, I would not presume to place myself in the class of a jurist, like the distinguished gentleman from Texas, but I do submit, and I claim the clemency of the Chairman, who knows my frailties and limitations better than the gentleman from Texas, to speak on the proposition which looks to me simple. If it is not simple it is not my fault. That is this, that once upon a time the Congress of the United States created a Bureau of Labor. The Congress of the United States provided for certain officers and expenditures of that Bureau of Labor, and to-night, as a Member of this body, I offer an amendment which says that for the expenses of carrying on that Bureau of Labor we shall appropriate, instead of what has already been appropriated, the large sum of $10,000,000; and if the distinguished Chairman will allow that to be in order, as I think it is in order, I would like to discuss with the distinguished jurist from Texas the merits of the question. But, so far as it being in order, it may be a fool amendment, it may be unwise, it may be radical, but that is for me and gentlemen who represent their constituencies to take upon their consciences and exercise their judgment. [Applause.]

I know something about the rules of logic. I am not a parliamentarian, but if the expenditures of the Bureau of Labor are now $1,000,000, I claim the right to make it $10,000,000, according to the original act, and then the gentlemen can stand in their places and vote aye or no, whether they want to spend that much money for the sake of the toilers of this land. [Applause.]

The CHAIRMAN. The Clerk will read.

Mr. DECKER. I did not hear the ruling, and I most respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Missouri appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. BRAND took the chair.

The question was taken; and on a division (demanded by Mr. DECKER) there were 106 ayes and 33 noes.

So the decision of the Chair stands as the judgment of the committee.

Mr. GARRETT of Tennessee resumed the chair.

The Clerk read as follows:

The paragraph of the deficiency appropriation act approved July 8, 1918, which increased the compensation of certain employees of the Government Printing Office during the period of the war and for six months after the proclamation of peace, shall continue in effect until June 30, 1920.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph to ask the gentleman from South Carolina a question. What increase did this provide on July 8, 1918?

Mr. BYRNES of South Carolina. Fifty to sixty cents an hour in certain cases and sixty to sixty-five in other cases.

Mr. WALSH. The schedule of increases based on compensation received at the time?

Mr. BYRNES of South Carolina. For linotype operators, printers, proof readers, and so forth.

Mr. WALSH. Why is it desired to extend this time until June 30, 1920?

Mr. BYRNES of South Carolina. For the reason that if it is not done then there will be a considerable reduction in the pay of the employees at that time, when all other employees of the Government are receiving an increase. In justice to them it does not look fair at this time, when the compensation of all other employees is being increased, not to give to these men an increase that it granted them during the war until the end of the fiscal year. It does not carry beyond the fiscal year.

Mr. KEATING. Mr. Chairman, I have not the figures here, but my recollection is that if you eliminate this paragraph the members of the typographical union in the Government Printing Office would be receiving considerably less than the members of the other printing offices around town.

Mr. WALSH. Of course that will be so after June 30, 1920. Is it intended that before June 30, 1920, not only these Government employees but the others shall secure legislation making these increases permanent?

Mr. BYRNES of South Carolina. So far as the committee is concerned of course we have no such intention at this time and make no declaration as to what will then take place. We hope that by action of Congress there will be some classification of salaries by that time that will be fair to all, but it did seem to us that it would be unfair at this time to cause a reduction in the salaries of these particular employees of the Government when all the others are being increased.

Mr. WALSH. I understand that the $240 bonus which has been provided in the legislative, executive, and judicial appropriation bill runs until June 30, 1920.

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. The increase that is granted to the Government Printing Office employees was not fixed upon that basis at all. It was an increase upon a schedule from 50 cents to 60 per hour, according to the class of work done, and when that increase was originally granted it was to continue until the termination of the war and for six months thereafter, and by that language they were given at the time it was granted apparently a longer period in which they would enjoy that increase than those who were given the $120 bonus last year; but that seems to me no reason why we should provide now that they should go to June 30, 1920.

Mr. BYRNES of South Carolina. The bonus of $240 will apply to all employees until June 30, 1920.

Mr. WALSH. And not to these employees?

Mr. BYRNES of South Carolina. And these employees would be receiving a decrease in their salaries without the application of the bonus.

Mr. WALSH. Do these employees get the $240 bonus?

Mr. BYRNES of South Carolina. They do.

Mr. WALSH. And this additional compensation besides?

Mr. BYRNES of South Carolina. The bonus means about 33 cents a day. The committee took the trouble to figure it out in order to ascertain the justice of this claim. The increase that was given by Congress to these men amounted in their case to at least 40 cents a day. It means that if they get the $240 they are decreased 7 or 8 cents anyway in a day.

Mr. WALSH. I do not quite understand the gentleman's mathematics. They get a $240 bonus?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. And by this provision they get a further increase?

Mr. BYRNES of South Carolina. The same compensation they have been receiving; and since last year they get the $120.

Mr. WALSH. And beginning July 1 they will get $240?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. And then they will get, further, 40 cents a day?

Mr. BYRNES of South Carolina. No. If they are not permitted to continue to receive it, it means that their compensation will be reduced at least 7 cents a day, and in some cases it goes up to 20 cents or 25 cents a day; and I can say to the gentleman that the committee figured it out most carefully, and they are of opinion that we should not reduce the wages of these people.

Mr. WALSH. Mr. Chairman, I withdraw the point of order.

Mr. JUUL. Mr. Chairman, I have the greatest respect for the law-drafting ability of gentlemen who attend to the doing of such things in the city of Washington, but would it not be possible to give a man 40 cents or 50 cents a day more than he was getting without putting the increase into bills in a manner so that it takes two of the greatest experts on the floor of the House to understand what you are doing, leaving the other 400 men not understanding it at all?

Mr. BYRNES of South Carolina. I agree with the gentleman entirely.

Mr. JUUL. It seems to me that if you want to give a man a dollar more a day, it could be put into a bill so that even a man from out in my country could understand it. [Laughter.]

Mr. BRYNES of South Carolina. I agree with the gentleman.

The Clerk read as follows:

For the War Department, $1,000,000: *Provided*, That the sum of $3,000, or so much thereof as may be necessary, may be used for the publication, from time to time, of bulletins prepared under the direction of the Surgeon General of the Army, for the instruction of medical officers, when approved by the Secretary of War, and not exceeding $50,000 shall be available for printing and binding under the direction of the Chief of Engineers.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph. What bulletins are to be printed from this appropriation of $1,000,000 for the War Department for the instruction of the medical officers?

Mr. BYRNES of South Carolina. The $3,000 item?

Mr. WALSH. Yes.

Mr. BYRNES of South Carolina. The exact information that is to be contained in the bulletins I do not know. The statement was that they want to issue some bulletins for the instruction of the surgeons in the Army. I suppose from time to time that is done. It seems to me it ought to be done. It seems to me they ought to be able to secure the benefit of the information that the Surgeon General can secure.

Mr. WALSH. I suppose this information will be taken from textbooks or medical works of some character?

Mr. BYRNES of South Carolina. No; it may be the result of research, and that is what I imagine is the purpose, that the result of the research will be communicated to surgeons of the Army so they may be able to keep up with the progress in medicine.

Mr. WALSH. Does either of the gentlemen know whether this covers the publication of the bulletin issued by the War Department in connection with the rehabilitation work?

Mr. BYRNES of South Carolina. No; I do not. That was not for the instruction of medical officers, and I am satisfied it is not included in it.

Mr. WALSH. I withdraw the point of order.

The Clerk read as follows:

For the Department of Agriculture, including not to exceed $47,000 for the Weather Bureau, and including the Annual Report of the Secretary of Agriculture, as required by the act approved January 12, 1895, and in pursuance of the joint resolution No. 13, approved March 30, 1906, and also including not to exceed $200,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by Senators, Representatives, and Delegates in Congress, as they shall direct, $600,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word to inquire why this increase of a half in the appropriation?

Mr. SHERLEY. They had in 1918, $650,000; in 1919, $600,000, and this is the same amount.

Mr. WALSH. I discovered I was in error and I withdraw the pro forma amendment.

The Clerk read as follows:

For the Department of Labor, $150,000.

Mr. JUUL. Mr. Chairman, I just wish to ask the chairman of the committee, in line 13, for the Department of Labor, $150,000. What is that for?

Mr. SHERLEY. That is for printing and binding for the department.

Mr. JUUL. Now, may I be permitted to ask another question?

Mr. SHERLEY. Yes, sir.

Mr. JUUL. Could that item here carry $10,000,000 or carry any other thing without being subject to the point of order?

Mr. SHERLEY. It would be in order to increase the amount in any sum, but if it were increased it could only be spent for printing and binding.

Mr. JUUL. The gentleman's idea is that this body does not possess power under existing law to increase to any sum the money of any item that is in here and then utilize the money for employment?

Mr. SHERLEY. No. It has to be utilized for the purpose for which it is appropriated, and in order to be carried for that purpose it must be authorized by existing statute law. Now, I am glad the gentleman asked the question that I may say this: The other matter is over, and I do not care to revive it——

Mr. JUUL. The gentleman understands I am not speaking in criticism.

Mr. SHERLEY. I understand.

Mr. JUUL. I am trying to see if this body possesses the power while handling this bill to meet an emergency that to me seems to have arisen. Do we possess the power in any way to-night to add to any item the sum necessary to maintain these employment bureaus?

Mr. SHERLEY. Well, I do not think there is any place in the bill where you could increase amounts for the purpose of carrying on the employment bureau for next year. The gentlemen will recall I carried in the bill which passed the House to-day an appropriation of $1,800,000 for the express purpose of carrying on the employment bureau until July 1, and I did that in connection with the deficiency bill because we had made an appropriation for the fiscal year that ends in July, which turned out to be insufficient, and I felt under present conditions we ought to carry a sum sufficient to carry that department until the 1st of July, and personally, speaking just for myself, I also believe that there is a certain amount of activity that ought to be carried on after that date in connection with the demobilization and with the present condition in the labor market, but I think that ought to be done through a provision that would indicate some direct purpose rather than in the loose way that would have resulted if we had undertaken without authority to put it on this bill, and I spoke to the point of order not because of the merit of the proposal, with which I had a great deal of sympathy, but because it is the duty of the chairman of the committee to protect the bill and because the effects of these rulings upon legislation in the future are very widespread and far-reaching.

Mr. JUUL. Then the gentleman's verdict is we are absolutely helpless to remedy this condition?

Mr. SHERLEY. Well, not to remedy it permanently, but to do it by an amendment on this bill at this time. There is no reason why Congress should not deal with the situation long before the 1st of July.

Mr. JUUL. This would be the only opportunity between now and March 4?

Mr. SHERLEY. I do not know. You can suspend the rules in a day or two.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes; and

H. R. 357. An act conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States.

The message also announced that the Senate had passed with amendments the bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 15706. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 5559. An act to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes;

H. R. 2012. An act for the relief of Mrs. W. E. Crawford;

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 10394. An act to add certain lands to the Minam National Forest, Oreg.;

H. R. 11219. An act providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes;

H. R. 11368. An act to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain-described tract of land;

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.;

H. R. 12860. An act granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female), Army field clerks, field clerks, Quartermaster Corps, and civil employees of the Army pay and allowances during any period of involuntary captivity by the enemy of the United States;

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act;

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.;

H. R. 13482. An act creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes;

H. R. 15495. An act to amend an act to provide for the appointment of a commission to standardize screw threads; and

H. J. Res. 358. Joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5553. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 5554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For the Supreme Court of the United States, $15,000; and the printing for the Supreme Court shall be done by the printer it may employ, unless it shall otherwise order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. That is peculiar language, and I would like to ask the chairman of the committee whether he thinks the words "unless it shall otherwise order" are necessary?

Mr. SHERLEY. The purpose of that, I think, is to enable the Supreme Court, if in its judgment it thinks it necessary, to have certain printing done other than in the Government Printing Office.

Mr. MOORE of Pennsylvania. As it reads it would appear as if the Supreme Court might have the printing done where it pleases unless it reverses itself. The expression is an odd one—"unless it shall otherwise order."

Mr. SHERLEY. I think that language is a little peculiar. It has been there a number of years. I do not know its ancestry or history, but the purpose of it is to give to the Supreme Court liberty to do its printing where it desires.

Mr. MOORE of Pennsylvania. Does the gentleman say that language has been used heretofore?

Mr. SHERLEY. I am quite sure it has. I think it was put there before my time in the Congress.

Mr. MOORE of Pennsylvania. I should hesitate very much to have the Congress reflect upon the Supreme Court in this way and to indicate it might do this thing unless it thought it wise to do otherwise.

Mr. SHERLEY. Well, the Supreme Court has power, of course——

Mr. MOORE of Pennsylvania. If the gentleman is satisfied with the language, I will not move to strike it out. I thought perhaps those words "unless it should otherwise order" were not necessary.

Mr. SHERLEY. We have followed the routine of previous bills.

Mr. MOORE of Pennsylvania. If the court has the power to have the printing "done by the printer it may employ," why add "unless it shall otherwise order"?

Mr. SHERLEY. I suppose somebody put that in in order that by the employment of one printer it might not be compelled during the fiscal year to use only that printer.

Mr. MOORE of Pennsylvania. Well, if the gentleman is satisfied I am.

The Clerk read as follows:

For the Library of Congress, including the copyright office and the publication of the Catalogue of Title Entries of the copyright office, and binding, rebinding, and repairing of library books, and for building and grounds, $200,000.

Mr. MILLER of Minnesota. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill a question.

The Library of Congress has been for some years publishing some documents giving the result of researches in historical subjects, which documents are, in my opinion, of unusual and extraordinary value. Their publication was nearly all discontinued about two years ago. Upon inquiry I found it was because of lack of funds. I assume that the only provision in the bill which might furnish funds for these publications is in this paragraph. If I am incorrect, I would like to be corrected.

Mr. BYRNES of South Carolina. I will say to the gentleman this amount is all they asked, and when you vote for it you give them all they ask. They asked for $200,000, and this bill carries $200,000.

Mr. MILLER of Minnesota. That certainly is as generous as the committee could expect to be. But may I inquire further, then, if the committee has in its estimates from the Library of Congress the completion of the publication of some of these items? I refer to one in particular, although there are several, which is the publication of the Records of the Continental Congress. It has all been completed but two volumes. It is of distinct value throughout the country. They have the material; the manuscript is waiting and accumulating dust. May I ask the gentleman if the estimates included these items?

Mr. BYRNES of South Carolina. No; I must say we have no information as to the status of the particular documents that they have, but I am satisfied if they did not ask for more than $200,000 they must have based that largely on the work they have on hand and with a view of completing the publications to which the gentleman refers.

Mr. MILLER of Minnesota. May I ask the gentleman this question, then? The language indicates to me that this appropriation covers two subjects, if I may use that language.

First, the binding and rebinding of general books that are on the shelves of the Library of Congress; also the binding of such publications as I have just referred to. Am I correct in that assumption?

Mr. BYRNES of South Carolina. It covers all their binding. It is the only fund that they have, and any binding that they have is covered by this fund.

Mr. MILLER of Minnesota. Does that compare favorably with the amount appropriated two years ago?

Mr. BYRNES of South Carolina. It is the exact sum that they have had for five years.

Mr. MILLER of Minnesota. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For the Interstate Commerce Commission, $130,000, of which sum not exceeding $10,000 shall be available to print and furnish to the States at cost report-form blanks.

Mr. ESCH. Mr. Chairman, I ask unanimous consent to have printed in the RECORD a letter from Chairman Daniels, of the Interstate Commerce Commission, inclosing a letter received by him from Commissioner Prouty, director of the division of values, on the subject of the use of cars in connection with parties engaged in valuation work. There was some comment made on this subject matter when that item was before the House.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to have printed in the RECORD the letter indicated. Is there objection?

There was no objection.

Following is the correspondence referred to:

INTERSTATE COMMERCE COMMISSION,
Washington, February 27, 1919.

Hon. JOHN J. ESCH,
House of Representatives, Washington, D. C.

DEAR SIR: In view of the fact that the question has recently come before the House as to the character of equipment used by valuation parties of the Interstate Commerce Commission, I requested from the director of valuation a memorandum relating to the character of this equipment.

A copy of the director's reply is submitted herewith.

Very truly, yours,

W. M. DANIELS, *Chairman.*

FEBRUARY 26, 1919.

Hon. WINTHROP M. DANIELS,
Chairman Interstate Commerce Commission,
Washington, D. C.

DEAR SIR: You ask me to state the character of equipment which is used for the housing of our road and track parties engaged in valuation work.

Very early in this work it became apparent for reasons which need not be stated here that, except in the most densely populated parts of the country, it would be necessary to subsist our parties in cars which would contain the instruments and records necessary for field work, and would house and feed our men. The first of these cars were provided by taking two freight cars for each party and fitting up the interiors with bunks, a computing room, and a kitchen.

While these outfit cars have never been altogether satisfactory, they have been continued in use during the whole period of our work, and are still in service, with the exception of two or three cars in the southern district, which have been turned back to the railroads when the party using them was disbanded.

After trial of this plan, it was suggested that a better and more economical arrangement might be worked out by using Pullman tourist cars which had been discarded as worn out by that company. A contract was finally entered into with the Pullman Co. to refit a certain number of these cars, strengthening them so as to be available for service in passenger trains, providing a kitchen with cooking apparatus in one end and a computing room in the other, etc., etc. The cars were thoroughly overhauled in every respect and freshly painted. The price paid by the Government was approximately $3,000 per car.

These cars have proved fairly satisfactory. As our parties are gradually being disbanded they are offered for sale. Five of them have already been advertised and bids recently opened. The highest bid received is $1,000 per car.

Respectfully,

(Signed) C. A. PROUTY, *Director.*

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Money appropriated under the foregoing allotments shall not be expended for printing or binding for any of the executive departments or other Government establishments, except such as shall be certified in writing to the Public Printer by the respective heads or chiefs thereof to be necessary to conduct the ordinary and routine business required

by law of such executive departments or Government establishments, and except such reports, monographs, bulletins, or other publications as are authorized by law or specifically provided for in appropriations herein; all other printing required or deemed necessary or desirable by heads of executive departments or other Government establishments or offices or bureaus thereof shall be done only as Congress shall from time to time authorize.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. If I understand correctly the purpose of this paragraph, it is that none of the departments that receive money from any appropriations made in this bill can have printed at the Government Printing Office any publication, bulletin, monograph, or report, except such as may be authorized by law or specifically provided for herein, or except as shall be certified in writing to the Public Printer by the respective heads or chiefs of the bureaus and departments as necessary in order to conduct the routine business of these departments. Can the gentleman having this measure in charge state how many of these certificates the Government Printer has one file, certifying to the necessity of these many, many publications, magazines, bulletins, monographs, autographs, and photographs that have been published at the Government expense during the past two years?

Mr. BYRNES of South Carolina. I have no information from the Government Printing Office that they have thousands, or even hundreds, of certificates. I know that the Printing Office does require orders from the departments for every bit of printing that it does; every requisition. I do not think it is abused at all. I have no information that it is.

Mr. WALSH. Does the gentleman think that the right of publication of these various documents by the different departments has not been abused?

Mr. BYRNES of South Carolina. I mean under this fund. If the gentleman means that the departments may have been refused their right to publish bulletins, or if he reflects on the character of the bulletins they have issued, I will not take issue with him. But I mean that they have not committed any abuse under this paragraph.

Mr. WALSH. Of course I know that the gentleman is a very busy and competent member of this most important committee, and that he has to give a great deal of time to the preparation of the legislation which it reports. But it would seem to me that there are several departments which receive their most important and essential appropriations under the provisions of this act that are having printed bulletins and other publications which, if they are certified in writing to be necessary to conduct the ordinary and routine business required by law of such executive departments, we either should amend this law or we should require the chief or his assistant, who signs the certificate, to read the document before he signs it, because there are a great many of these publications that have been issued that certainly are not necessary to conduct the routine business of the department, and I think they are a hindrance, because they require additional help to send them out and prepare them and issue them. Some of them are sent out in expensive wrappers and scattered hither and yon at a great expense to the Government for transportation by mail. I had hoped that the gentleman might have given some information on this subject.

Mr. BYRNES of South Carolina. I would state to the gentleman that in the legislative bill there is a provision giving the Joint Committee on Printing authority and direction to investigate allotments in order that some of the work that the gentleman refers to and complains about may be eliminated.

Mr. CANNON. Mr. Chairman, will the gentleman yield to me for a minute?

Mr. BYRNES of South Carolina. I will.

Mr. CANNON. I want to make an observation, hoping that the time will come before a great while when there will be a severe censorship as to Government documents. There are services paid for from the Public Treasury, propaganda touching almost every conceivable subject, in the name of education, in the name of information, that, in my judgment, are very improper, but you can not undertake to regulate it to-night.

Mr. STAFFORD. If the gentleman will permit——

Mr. CANNON. Yes——

Mr. STAFFORD. The very practice which the gentleman seeks to criticize has been prohibited in an amendment that was offered in the Senate and was adopted by the conferees on the legislative, executive, and judicial appropriation bill.

Mr. CANNON. I am very glad to hear it. Speed the day when it will go into effect!

The Clerk read as follows:

For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference, directories, books, miscellaneous office and desk supplies; paper; twine, glue, envelopes, postage, car fares, soap, towels, disinfectants, and ice; drayage, express freight, telephone and telegraph service; repairs to building, elevators, and machinery; preserving sanitary condition of building, light, heat, and power; stationery and office printing, including blanks, price lists, and bibliographies, $39,000; for catalogues and indexes, not exceeding $16,000; for binding reserve remainders and for supplying books to depository libraries, $80,000; equipment, material, and supplies for distribution of public documents, $20,000; in all, $150,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to amend line 12, page 163, by striking out "$150,000" and inserting in lieu thereof "$155,000." It does not change other items, but simply corrects a total.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 163, line 12, strike out "$150,000" and insert "$155,000."

The amendment was agreed to.

The Clerk read section 3.

Mr. MONDELL. Mr. Chairman, the Clerk has read so rapidly that we passed the Panama Canal item before I knew it. I want to make a very brief statement in regard to that enterprise. A few years ago we used to discuss the Panama Canal a very great deal; but the great war and the things connected with it have taken our minds away from that great engineering work of ours. We hear and speak very little of it.

It is interesting to know that even with the conditions of war that have existed, the tolls during the last fiscal year have been larger than ever in the history of the canal. They amounted to $6,439,083.99. The appropriations for the fiscal year were $10,650,000; but the Panama Canal Commission separated the items, and they have estimated that those items properly chargeable to cost of operation amounted to $5,903,719.69, giving us a net balance of revenues over actual cost of operation of about $500,000.

The commission called the attention of the committee to the fact that had the original rules of measurement been in operation the revenue the last year would have been largely increased. Instead of being the sum that I have mentioned, it would have been $7,522,195.68, an increase of $1,083,069. By reason of the change in rules of measurement we have lost $2,797,260.26. There is a bill before the House proposing to restore the old rule of measurement. That bill should become a law. These great losses in canal revenues are in the main going to the benefit of foreign shippers. A very few American shippers, shortsighted in their view of things, in my opinion, believing they were somewhat affected by this matter of measurement, have opposed the change to the original system.

They have been beneficiaries to a very limited degree of the new system. The foreigner has been the beneficiary in a very great degree, particularly those ships carrying the British flag. We have practically given to British shipping since the change in the rules of measurement two and three-quarter million dollars that should be in the Treasury of the United States. We ought to remedy that mistake in the very near future.

With regard to the future of the canal, Col. Harding, in his statement before the committee—and this will seem rather startling to gentlemen after the statement that we have collected half a million dollars more in tolls in the past year than the actual cost of operation—estimated that instead of collecting $6,000,000, as we have the last year, if the time comes when we shall collect $23,000,000 from the canal it will begin to pay. The period when the tolls will increase from their present sum to $23,000,000 is probably some distance off.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask unanimous consent for one minute more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. MONDELL. We can hasten the day by restoring a fair, reasonable rule of measurement under which carriers shall pay for the cargoes they carry through. With the coming of peace there will, of course, be a very greatly increased traffic through the canal.

Fortunately the difficulties with regard to slides are all over. The canal is operating smoothly; everything is moving as it should; it is a good going concern, and if business gets better, as it should, we may some day in the future begin to get a revenue from that great enterprise.

Mr. CURRY of California. Mr. Chairman, I do not wish to take up the time of the committee so late to-night, when I know that it wishes to finish the bill, in discussing the Panama Canal question. But when the bill referred to by the gentleman from Wyoming [Mr. MONDELL] shall be reported to the House favorably and comes before the House for action I will discuss it

and tell why it was reported and why they want it passed. That bill is not in the interest of American shipping; it is entirely aimed at the coastwise trade between the Pacific coast and the Atlantic coast and the Atlantic coast and the Pacific coast. That is a statement on my part which I can prove, but which I do not wish to take up the time of the House to-night to do.

The Clerk read as follows:

SEC. 4. That the President is authorized to transfer to the custody and care of such of the departments or independent establishments as he may determine the files and records of the agencies created for the period of the war upon the discontinuance of such activities.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I notice this section is section 4, the one before it is section 3, and the one before that is section 2, but there is no section 1.

Mr. BYRNES of South Carolina. All of the bill preceding is section 1.

The Clerk read as follows:

SEC. 5. That the following portions of the unexpended balances of appropriations for the fiscal year 1919 for the support of the various services, as set forth in this section, shall be covered into the Treasury immediately upon the approval of this act, namely:

Capital Issues Committee, $265,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Mr. Chairman, this section strikes me as being one of the most important in the bill. Is it understood that upon the adoption of section 5 the Capital Issues Committee will go out of business?

Mr. BYRNES of South Carolina. It is practically out of business now, only one member of the committee there, and this will leave $200 or so to wind up the business.

Mr. MOORE of Pennsylvania. The section winds up by saying: "The following portions of the unexpended balances of appropriations for the fiscal year 1919 for support of the various services, as set forth in this section, shall be covered into the Treasury immediately upon the approval of this act." And then it names the Capital Issues Committee, $265,000. My question is, Does that take back into the Treasury all the money that is left available to the Capital Issues Committee?

Mr. BYRNES of South Carolina. All except $100 or some small amount to pay outstanding obligations.

Mr. MOORE of Pennsylvania. It means that the Capital Issues Committee goes out of business completely on the passage of this act?

Mr. BYRNES of South Carolina. Yes.

Mr. MOORE of Pennsylvania. And the Committee on Public Information, $200,000 of the appropriation of $1,250,000?

Mr. BYRNES of South Carolina. It does.

Mr. MOORE of Pennsylvania. That means that Mr. Creel's Bureau of Information goes out of business?

Mr. BYRNES of South Carolina. Except that we leave to them a little larger amount, because they have outstanding obligations which exist, and that they may dispose of some bills. But we specifically provide that this bureau and the Bulletin shall go out of business on April 1, so that there shall be no mistake about it.

Mr. MOORE of Pennsylvania. Does $1,250,000 remain in the bureau after the passage of this bill?

Mr. BYRNES of South Carolina. Oh, no; only two or three thousand dollars—I have forgotten the amount—but the bureau will wind up business.

Mr. MOORE of Pennsylvania. The bill reads $200,000 of the appropriation of $1,250,000.

Mr. BYRNES of South Carolina. That means that the original appropriation was $1,250,000.

Mr. MOORE of Pennsylvania. And they have used up all but $200,000, and the bill provides that the maintenance of the service bureau in the District of Columbia and the publication of the Official Bulletin shall be discontinued from and after April 1, 1919, and thus we get rid of the Official Bulletin and the service bureau?

Mr. BYRNES of South Carolina. We do.

Mr. MOORE of Pennsylvania. Mr. Creel and all his associates on the passage of the act go out of business after April 1, 1919?

Mr. BYRNES of South Carolina. No. Mr. Creel has a fund out of the President's fund, but I have no information as to what constitutes that fund. So far as the money we have appropriated, we take it away.

Mr. MOORE of Pennsylvania. If the service is continued here or in Mexico, where they issue a bulletin, or in France, where Mr. Creel now is, apparently, it will be continued out of the President's fund?

Mr. BYRNES of South Carolina. It will, because he has no other fund here.

Mr. MOORE of Pennsylvania. Congress stops all appropriations for Mr. Creel and his bureau?

Mr. BYRNES of South Carolina. That is the purpose of this section.

Mr. MOORE of Pennsylvania. And the Council of National Defense, $75,000. Does that wind up the Council of National Defense?

Mr. BYRNES of South Carolina. No; it does not. In my opening remarks I called attention to that in presenting the bill. The Council of National Defense was created prior to our entering the war. Its purpose was to collect statistics which might be used in case of war. The Council of National Defense asked the Congress to appropriate $300,000 for the next year, as they wished to engage in several activities. They have a highway department to advise as to the value of good roads and several other things, and the committee, instead, has left them with a small amount. We made an appropriation in this bill of $50,000 for the next fiscal year, which is ample, we think, for them to carry out the purpose and perform the duties described in the organic act creating them, which was to collect statistics as to the manufactures of the country.

Mr. MOORE of Pennsylvania. This $75,000 was a part of an appropriation made direct by Congress to the Council of National Defense?

Mr. BYRNES of South Carolina. That is right.

Mr. MOORE of Pennsylvania. And they have other funds remaining with which to go on with these new activities? I am asking these questions to learn how soon we are going to get rid of these war boards.

Mr. BYRNES of South Carolina. We will get rid of every war bureau with the exception of the Council of National Defense, and that, after you have taken this $75,000, will have left a small balance which will enable them to continue a very much reduced organization to July 1, and after July 1 they will have an appropriation of $50,000.

Mr. MOORE of Pennsylvania. The policy of the committee, however, is to cut down from this time.

Mr. BYRNES of South Carolina. That is the purpose of this; and every other war bureau, by reason of this section, will have to wind up its affairs on July 1.

Mr. MOORE of Pennsylvania. The Federal Trade Commission, $300,000.

Mr. BYRNES of South Carolina. Of course, that is not classed with the war bureaus at all. The Federal Trade Commission voluntarily stated to the committee that they were able to save out of a lump sum that was given to them $300,000. It was based on the continuance of the war, and with the discontinuance of the war and the discontinuance of their activities in arriving at the cost prices for the Army and Navy, they were able to turn back into the Treasury this amount of $300,000.

Mr. MOORE of Pennsylvania. That, of course, is a continuing body.

Mr. BYRNES of South Carolina. Yes.

Mr. MOORE of Pennsylvania. That is provided for by law. Food Administration, $3,500,000.

Mr. BYRNES of South Carolina. That is covered back to the Treasury, and the Food Administration will discontinue its activities on July 1.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes more to continue these inquiries. This is a very important matter, and I think the committee is to be commended for this report, and the House and the country ought to be gratified to know that these agencies are going out of business and we are saving some money.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNES of South Carolina. I will tell the gentleman the status of these agencies. When we take back from the Food Administration the sum of $3,500,000 we will leave them with a small amount, sufficient to wind up their affairs. They will have some auditors left, who will audit the accounts that will come in between now and July 1, and they will have a few file clerks, who are engaged in filing the records of the administration, but they will go out of business completely on July 1.

Mr. MOORE of Pennsylvania. What will become of the headquarters, the buildings and the furniture, and things of that kind that have been used by the Food Administration?

Mr. BYRNES of South Carolina. All of the furniture is turned over to the general supply commission, and the building will be turned over to the Superintendent of Capitol Buildings and Grounds under the provision of the legislative bill.

Mr. MOORE of Pennsylvania. The passage of this bill and the recovery of $3,500,000 will practically wipe out the Food Administration?

Mr. BYRNES of South Carolina. Yes.

Mr. MOORE of Pennsylvania. And if the gentleman will tell us about the War Industries Board, $1,925,000.

Mr. BYRNES of South Carolina. The withdrawal of this sum means that they will cease their activities and, as in the case of the other bureaus, they are left with a small sum sufficient to take care of their outstanding obligations up to July 1.

Mr. MOORE of Pennsylvania. Is that particular branch to continue its war activities?

Mr. BYRNES of South Carolina. If they are they will have no funds under this bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not wish to detain the House, but the fact that we are about to get rid of these various appendages of the Government due to the war is a matter of congratulation, I think, to the country. The Capital Issues Committee served a useful purpose. It was of doubtful origin, but it has served its purpose and is going out of business, refunding $265,000. The Committee on Public Information, headed by Mr. Creel, has run its course and is about to wind up its affairs, for which I trust the country will be grateful. The Council of National Defense has been useful and has brought fame to many a dollar a year man, some of them having large personal knowledge of matters of Government and some of them serving with a real patriotic purpose. It is about to go out of business, except as indicated by the chairman of the committee. The Federal Trade Commission, of course, continues.

The Food Administration, headed by Mr. Hoover, turns back $3,500,000 and is about to quit, for which I think the Nation should be thankful. The Fuel Administration is in the same boat; it will turn back about $775,000, and I think we can all feel we are well rid of these bodies. The War Industries Board will turn back $1,925,000; but, according to the chairman of the committee, certain reservations have been made and certain activities of that board are to be continued. I am pleased to note that the War Trade Board is going out of business, and that it will refund $250,000. The utility of the War Trade Board has been very dubious indeed. It has been an organization intended to aid American commerce and protect it during the progress of the war; but complaints with regard to the War Tarde Board have been such that its passing should not be without comment. Our American merchants endeavoring to trade on the other side have been prevented from doing business because of the activity or the inactivity of the War Trade Board, and apparently it has been as much in the interests of other countries as it has been in the interest of the United States. Here is a communication from a large American concern—the Metal Export Co. of America—indicating that because of the relation between the War Trade Board of the United States and certain foreign agencies it has been practically impossible for the American merchant to do business abroad. We may sell at the American price, but the world price is cheaper than the American price. By manipulation, by licensing, by operation of foreign embargoes, the American dealer has been put to very great disadvantage. Mr. Chairman, I ask unanimous consent that I may insert this letter as a part of my remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by publishing the letter indicated. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

METAL EXPORT CO. OF AMERICA,
New York City, February 24, 1919.

HONORABLE SIR: We will show in a brief and incontrovertible way how the good offices of the present administration are being unconsciously and unwittingly employed to assail and destroy the industries of this country.

2. The following are the facts and the remedy:

3. On May 8, 1918, the Trondhjem Blikemballagefabrik (tinplate box manufacturers), of Trondhjem, Norway, members of and secretary to the Trondhjem Import Canners' Union, contracted with us to furnish them 3,000 double boxes of tin plates f. o. b. New York.

4. The Norske Handelsbank of Trondhjem on the same day gave us a bank guaranty, available for one year, guaranteeing the payment on presentation of bills of lading in Trondhjem.

5. We complied with all existing Norwegian, British, and American regulations and duly received from the buyer the import number, 149, issued by the Trondhjem Import Canners' Union, of which the buyer is secretary.

6. We gave the Norwegian Legation in Washington proof of the issuance of the guaranty number by the Trondhjem Import Canners' Union, and they, in the conventional manner, supported our license with the War Trade Board.

7. On July 26, 1918, the Norwegian Legation in Washington wrote us as follows:

"METAL EXPORT CO. OF AMERICA,
"*59 Pearl Street, New York City.*

"DEAR SIRS: Re tin plates. We are in receipt of your letter of the 25th instant, and in reply regret to say that in accordance with information given us by the War Trade Board there is no more possibility of obtaining export license for the above commodity from America. We understand that an arrangement has been reached at according to which England is to supply all the quantity of tin plate as required by Norway. Inclosed we return the letter from the Trondhjem Canners' Import Union.

"Yours, very truly,
"LEGATION OF NORWAY,
"*Commercial Department.*"

This arrangement was subsequently rescinded, and we received the export licenses to which we were entitled. In the interval, however, it clearly follows that prospective Norwegian buyers were not covering their requirements in America.

8. On December 22, 1918, we received a cable from our agents stating, "Trondhjem Blikemballage want to cancel, which we refused."

9. On February 13 the Norwegian Legation called up the Norwegian-American Line twice on the long-distance telephone and told them under no circumstances to accept these goods, and subsequently told them to keep very confidential the source of their information. On the same day the Norwegian-American Line in New York confirmed the conversation in writing and stated:

"We have received confidential request from the Norwegian Legation to withhold the forwarding on the ground that the export license is not yet formally in order. Therefore, without disclosing the source of your information, it might be well to have your Washington representative call on said legation and ask them what they know about the license in question, and that we are holding up your shipment."

10. We immediately reported the facts to the Foreign Trade Adviser, State Department, also to the Bureau of Foreign and Domestic Commerce.

11. On February 13, 1919, the Norwegian Legation in Washington wrote us as follows:

"DEAR SIRS: Referring to your shipment of 3,000 cases to Trondhjem Blikemballagefabrik, for which we understand you have obtained an export license from the War Trade Board, we beg to inform you of having received a cable from the ministry of foreign affairs stating that the import certificate covering this shipment is canceled. Under these circumstances we should advise you, in case the goods having not as yet been shipped, to withhold shipment until further and a new import permit has been granted or the old one renewed, as otherwise you may risk a refusal of the import on arrival to Norway."

This veiled threat is not supported by the contract, which provides for payment by the Norske Handelsbank against shipping documents and not on arrival.

12. On February 21 we received the following letter from the War Trade Board:

"DEAR SIRS: License was recently granted to you to ship 3,000 cases of tin plates to Trondhjem Blikemballagefabrik, the shipment being covered by import certificate No. 149. The Norwegian Legation has advised us that this import certificate had been canceled, and they further advised us that so far you have not made use of the license. The legation has requested us to cancel that license, and in order to comply with their wishes in the matter we would request that you return the license to us at once.

"Yours, truly,
"WAR TRADE BOARD,
"BUREAU OF EXPORTS."

To which we replied in the negative and that the facts were not correctly stated.

14. Owing to purchasing the goods from us at a time when foreign exchange was so greatly in their favor, the buyers no doubt availed themselves of the opportunity to buy dollars, with a resulting profit of about 25 to 30 per cent. As the exchange market has now reversed itself, if they are permitted to repudiate the contract, they can now use the same dollars to buy kroner, and make both ways on the transaction.

15. The contract was made in good faith, and because circumstances have temporarily placed this country at a disadvantage, and consequently the same lot may be purchased very much cheaper from another country, the buyer is desperately seeking, with every available means and subterfuge in their power, to abandon the contract, with the assistance of official influence which they have procured in some mysterious way.

* * * * * * *

17. We quote the Boston News Bureau, December 10, 1917:

"Subcommittee on tin of the institute was again in consultation with Washington authorities on Monday, and action to release the American industry from further domination of the British tin committee is expected."

At the present time English tin is quoted in New York at 72½ cents per pound and in London about 46 cents, enabling British manufacturers to easily and substantially undersell the American works.

18. The freight from New York to Trondhjem is over 3 cents a pound, and the freight across the North Sea is only a small fraction, and correspondingly less insurance. The boats leave England daily for Norway and the distance is negotiated in about 24 to 36 hours.

* * * * * * *

The very existence of our export trade, which has made this country a creditor Nation is imperilled, and unless the present administration immediately corrects this abuse of our institutions by foreign nations and stops shielding foreign firms at the expense of American citizens we will be a target for the mockery of the world and a shadow of bankruptcy and despair will confront us.

At this very moment, due to a state of somnolence, the foreign nations all over the world are making great strides in their efforts to conquer us in the world's markets, and as the recent speeches in Congress show, some of the Members are fully alive to the dangerous and intolerable situation, but this specific and concrete case * * * should bring every Senator and Congressman to his feet, denouncing in unequivocal terms this unparalleled injustice to our commerce, directed and instigated by a foreign nation.

We exporters, who have patiently suffered during the war inconceivable hardships and prodigious losses, appeal to you for justice and redress. * * *

Yours, most respectfully,
METAL EXPORT CO. OF AMERICA,
Per ALBERT A. MOERS.

Mr. TAYLOR of Colorado. Mr. Chairman, I move to strike out the last two words. Whatever may be said about the vari-

ous boards that are about to terminate their existence, there is one certainly I feel the country owes a great deal to, and that is the Capital Issues Committee. I do feel that they have done a splendid service in this country, and I think we ought really to continue their existence during the next liberty loan. I feel that they would render great service to this country during that loan. I feel that they would prevent a large number of concerns over the country from trading in securities and trading in liberty bonds that would be beneficial to the country, and I was hoping they would allow them to exist until this next liberty loan was over.

Mr. BYRNES of South Carolina. If the gentleman will yield, I will say that the Capital Issues Committee has no desire to continue in existence——

Mr. TAYLOR of Colorado. I know.

Mr. BYRNES of South Carolina. But express their willingness to turn this back; and in fact all the committee, except one gentleman, has left the city, and he is exceedingly anxious to leave.

Mr. TAYLOR of Colorado. They do not want a job, any of them, and they have been doing good work.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. TAYLOR of Colorado. I will.

Mr. MOORE of Pennsylvania. I can say to the gentleman that the hearings of the Ways and Means Committee reveal the fact that the Treasury officials are entirely satisfied with the force they now have for disposing of this new $7,000,000,000 loan. They are perfectly aware that the Capital Issues Committee have ceased to function, and they are resigned to that, and they are satisfied that the money appropriated in the loan bill will accomplish the sale.

Mr. TAYLOR of Colorado. I know the members of the committee do not want to continue their occupation at all. They are not hunting a job. The question is whether or not there is anybody or any other organization that can perform the services and protect the American people in the way they have been doing.

Mr. MOORE of Pennsylvania. You mean in the matter of investments and issues of investments?

Mr. TAYLOR of Colorado. Certainly.

Mr. MOORE of Pennsylvania. I think they have served a useful purpose during the war.

Mr. TAYLOR of Colorado. I say they ought to continue.

Mr. CALDWELL. Mr. Chairman, at this closing hour I would like to call attention to the fact that notwithstanding all appropriations passed by this Congress have been passed by a Congress that was practically evenly divided between the Democrats and Republicans, and notwithstanding the Republicans, in the face of that proposition, have voted very largely for the appropriations, they have criticized the Democratic administration for extravagance in office and the waste of money to an unheard-of extent. As a matter of fact, the greater portion of the legislative days of this Congress have been devoted to a criticism on this Republican side of the House, where I now stand, of the administration on the question of extravagance and inefficiency. And yet, notwithstanding the fact that the Democrats have not appropriated any money except the amounts that were largely approved by the Republicans in this House, here, in these few small items, the Democratic administration, by reason of its efficiency, has been able to turn back into the Treasury out of these small sums that have been appropriated with the approval of the Republicans the large sum of $7,290,000. And I congratulate the Democratic administration for its efficiency, and I feel that we ought to be proud of the success that has attended their efforts to economize and conduct the Government in a way the Republic has approved.

Mr. GREEN of Iowa. Mr. Chairman, I am glad to hear the gentleman who has just taken his seat make some remarks about the efficiency with which the administration has conducted the affairs of the country and his reference to the items we have in hand. I observe one item which I read with a great deal of satisfaction, with reference to the Fuel Administration and of the appropriations from which $775,000 is to be stricken out. With reference to this particular board there is nothing that becomes it so much as its passing away. We will all hail it with a great deal of pleasure. It is like the funeral we have so often heard about, as to which somebody asked what complaint the deceased suffered from, and the reply was that there was no complaint; everybody was satisfied.

Mr. Chairman, in times of war, and possibly on other occasions, we can endure being tyranized over by men of talent and ability who do great things; we can even endure arrogance and haughtiness from a really big man whose work is a model of efficiency in the public service. But when some pinhead who fancies himself great, but whose ability is in inverse ratio to his own estimate of himself, putting on the airs of an oriental potentate, messes and muddles our affairs with not half the sense that an ordinary busybody would manifest, it is really too much.

Mr. Garfield thought himself of such importance that he kept about his person such restrictions as the most haughty autocrat would use. The orders which he issued might produce all sorts of oppression and hardship. What of that? His serene highness must not be disturbed with reports of how the actions of his department were interfering with or ruining business, freezing entire communities, nor even told of the utter folly of his pet projects, nor the extreme hardships which were being inflicted. Why should he, the all powerful, listen to any complaints? Had he not already applied his infallible intellect to the problems of his office? He had spoken, and that settled it.

If the consequences had not been so dangerous to the country a more ludicrous spectacle of a man attempting to elevate himself with nothing to build upon would have ever existed. The results of Mr. Garfield's actions were serious enough in the winter of 1917–18, and if the war had continued and the winter of 1918–19 been of ordinary severity, untold calamities would have befallen us. A kind Providence that tempers the wind to the shorn lamb preserved us by sending one of the mildest winters ever known. The war ended and we were saved through no fault of his. During the summer and fall he was busily engaged in directing hard coal to Canada and in making arrangements which resulted in stopping to a large extent the mining in my State and Illinois.

The Fuel Administration has been criticized by nearly everyone and praised by nobody. The only thing those most anxious to excuse it could say was that it had a "difficult task." It had, indeed. The job of making one continuous round of blunders must have been something terrific, and how it could have succeeded in bringing about a more wretched mess of the fuel situation than it did last winter is more than I can imagine. It had some able men connected with it, but the utter incompetency of its chief made complete failure inevitable.

Mr. Chairman, in the course of the procedure of this particular bureau all of us have had their griefs, and I have had mine. This board undertook the management of the fuel of this country, and one of the first discoveries its chief made was that, in order to prevent the congestion of freight at our ports, it would be an excellent plan to shut down the factories for about two weeks. In the same manner it could have been easily arranged to entirely stop the factories by burning them down, so that the ports would never again get congested. The latter system would have been a little more effective than the first which was proposed, and just about as sensible. As it was, this foolish performance cost the country not less than $25,000,000. Without rhyme or reaon it undertook to change the route of shipments for the whole country and cast all previous experience to the winds.

But if this board had made its blunders universal all over the country and treated everybody alike there would not have been so much complaint. Unfortunately it distributed special favors and placed all sorts of discriminations throughout the country. In the distribution of coal in my section of the country I ascertained some time last fall that notwithstanding Garfield had made orders that Illinois coal should not go into the part of Iowa where I lived, certain favored individuals were receiving their coal right along, and others, that they chose to discriminate against, were not receiving it. Other gentlemen have reported to me numerous other discriminations, and like myself found they could get no remedy. Mr. Garfield surrounded himself with a sort of bodyguard of highly paid assistants, whose chief function seemed to be to keep common individuals like Congressmen, governors, and judges away lest he should find out what the people were thinking of him. In fact, he was wastefully supplied with help, both in this city and everywhere, but the millions which his bureau expended in this way were but a small part of what his régime cost the country. He seemed to fancy that the circle of his presence was so sacred that ordinary mortals should not venture into it, but stand far off and submit their complaints to some underling so far down on the official ladder that he could give no remedy if he would and would not if he could.

I went to see his royal highness, who presided over this institution, and——

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. I ask unanimous consent to proceed for five minutes. This is the first time I have occupied the floor on this bill.

There was no objection.

Mr. GREEN of Iowa. As I was about to state, I attempted to call on the head of the Fuel Administration, to remonstrate with him against these proceedings. I thought perhaps I would be able to see his majesty without much trouble. I was informed that possibly I might see him in a couple of days. I went there a couple of days afterwards, and I succeeded in seeing the fourth assistant buffer, who inquired as to the nature of my visit; and after having seen the fourth assistant buffer I was subsequently permitted to see the third assistant buffer. [Laughter.]

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. No; I can not yield.

Mr. CALDWELL. I was going to ask the gentleman——

Mr. GREEN of Iowa. I do not yield.

The CHAIRMAN. The gentleman from Iowa declines to yield.

Mr. GREEN of Iowa. I was then told that possibly I might see the secretary upon the next day. I called the next day, but did not see the secretary, but I saw the second assistant secretary [laughter], and then I was informed that I might see some one else, possibly the next day. So I went on for about a week in my effort to see the royal duke. It was more difficult to see this little self-constituted magnate, who had shut himself up to manage the fuel service of this country, and who did more to confuse things and disturb business than anything else, than it would have been to see the President himself; and I never did see him, and the people of my region never did get any relief. The same discrimination occurred, the same breaking of the law, the same utter disregard of principles of right and justice on the part of this administration was continued until the end.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. No; I can not yield. It is very late, and I want to get through.

Mr. LOBECK. Who was your fuel administrator in Iowa?

Mr. GREEN of Iowa. I decline to yield.

Mr. LOBECK. Of course, you will not say.

The CHAIRMAN. The gentleman declines to yield.

Mr. GREEN of Iowa. There was no possibility of getting any redress. It seemed that this little minion, dressed in a little brief authority, assumed that he might be able to Prussianize this country, and, to a certain extent, he succeeded, so that millions of the money of the people has been wasted to no purpose except to annoy, harrass, and disturb business. Therefore, Mr. Chairman, I view with great satisfaction the demise of the Fuel Administration. [Applause.]

I wish to say, however, that in one respect the Fuel Administrator was highly efficient. That was in looking after the operators of the mines. The governor of my State, the executive council, the delegation in Congress, and nearly everybody insisted that the operators of mines in Iowa were making extortionate profits. Mr. Garfield insisted that their cost sheets showed that they were not, but refused to make public the cost sheets. As a matter of fact, these operators were simply guilty of legalized robbery. Mr. Garfield defended and protected them. I do not charge corruption on his part, but if there had been corruption the results would have been no worse. Let the Fuel Administration go. It has no friends and few apologists.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BYRNES of South Carolina. I move the previous question on the bill and amendments to the final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. BURNETT. Mr. Speaker, I move to recommit the bill with the following instructions to the Committee on Appropriations——

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BURNETT. I am not.

The SPEAKER. If anybody who is opposed to the bill wants to offer a motion to recommit, the Chair will recognize him. If not, the gentleman from Alabama will be recognized.

Mr. CALDWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALDWELL. Has not the minority a representative who is entitled to offer this motion?

The SPEAKER. Anybody who qualifies by stating that he is opposed to the bill has the right of way. If nobody does that, then the gentleman from Alabama will be recognized. The Clerk will report the motion offered by the gentleman from Alabama.

The Clerk read as follows:

Mr. BURNETT moves to recommit the bill with instructions to the committee to report the bill back forthwith with the following amendments: Amend, by adding at the end of line 20, page 150, the following: "*Provided*, That no part of this sum shall be expended in salaries or expenses of any officer, clerk, or employee who authorizes, permits, or aids in the admission of any alien who falls within the excluded classes named in section 3 of the act entitled 'An act to regulate the immigration of aliens to and the residence of aliens in the United States,' passed February 5, 1917."

Mr. BYRNES of South Carolina. I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. BYRNES of South Carolina, a motion to reconsider the vote by which the bill was passed was laid on the table.

WHEAT GUARANTY.

Mr. LEVER. Mr. Speaker, I ask the Speaker to lay before the House the wheat guaranty bill (H. R. 15796), with Senate amendments.

The SPEAKER laid before the House the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder, with Senate amendments thereto.

Mr. LEVER. I move that the House concur in all the Senate amendments except Senate amendment No. 12 and Senate amendment No. 24.

Mr. HAUGEN. Well, Mr. Speaker, we will have a separate vote. We can not vote on them both at the same time. Is it the purpose of the gentleman to send the bill back to conference?

Mr. LEVER. I am going to try to concur in such amendments as I do not think are vital to the bill.

Mr. HAUGEN. If the bill goes to conference, the gentleman ought to send all the amendments to conference. That is the usual way of doing it.

Mr. MOORE of Pennsylvania. I want to say to the gentleman that I would like a disagreement to amendment 9.

Mr. LEVER. I will be glad to send that back.

Mr. HAUGEN. How about amendment No. 3?

Mr. YOUNG of North Dakota. Send them all back.

Mr. MOORE of Pennsylvania. Let us send them all back to conference.

Mr. LEVER. If the gentleman from Iowa [Mr. HAUGEN] desires to tie up this bill in conference on inconsequential amendments, I will ask that the House disagree to all the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that the House disagree to all the Senate amendments and ask for a conference.

Mr. LEVER. Except Senate amendment numbered 24, which has to do with the cotton proposition. I want to offer a motion to concur in Senate amendment 24 with an amendment.

Mr. HAUGEN. That is all right.

The SPEAKER. The gentleman from South Carolina moves to concur in Senate amendment 24 with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. LEVER moves to concur in Senate amendment 24 with the following amendment:

"That the United States cotton-futures act, approved August 11, 1916 (39 Stat. L., p. 476), is hereby amended as follows:

"In the fifth subdivision of section 5 of said act, strike out the words 'good ordinary' wherever the same occur and substitute therefor the words 'low middling'; strike out the words 'low middling' and substitute therefor the word 'middling'; and strike out the words 'if stained, cotton that is below the grade of middling' and substitute therefor the words 'if yellow stained, cotton that is below the grade of strict middling, or, if blue stained, cotton that is below the grade of good middling,' so that the said subdivision shall read as follows:

"'Fifth. Provide that cotton that, because of the presence of extraneous matter of any character, or irregularities or defects, is reduced in value below that of low middling, or cotton that is below the grade of

low middling, or, if tinged, cotton that is below the grade of strict middling, or, if yellow stained, cotton that is below the grade of good middling, the grades mentioned being of the official cotton standards of the United States, or cotton that is less than seven-eighths of an inch in length of staple, or cotton of perished staple or of immature staple, or cotton that is "gin cut" or reginned, or cotton that is "repacked" or "false packed" or "mixed packed" or "water packed," shall not be delivered on, under, or in settlement of such contract.'

"Strike out the sentence comprising the seventh subdivision of section 5 of said act and substitute therefor the following:

"'Seventh. Provide that all tenders of cotton and settlements therefor under such contract shall be in accordance with the classification thereof made under the regulations of the Secretary of Agriculture by such officer or officers of the Government as shall be designated for the purpose, and the costs of such classification shall be fixed, assessed, collected, and paid as provided in such regulations. All moneys collected as such costs may be used as a revolving fund for carrying out the purposes of this subdivision, and section 19 of this act is amended accordingly.'

"Strike out the last sentence of section 5 of said act and substitute therefor the following:

"'The Secretary of Agriculture is authorized to prescribe regulations for carrying out the purposes of the seventh subdivision of this section, and the certificates of the officers of the Government as to the classification of any cotton for the purposes of said subdivision shall be accepted in the courts of the United States in all suits between the parties to such contract, or their privies, as prima facie evidence of the true classification of the cotton involved.'

"The foregoing amendments to section 5 of said act shall become effective on and after the approval of this act, but nothing herein shall be construed to diminish any authority conferred on any official of the United States necessary to enable him to carry out any duties remaining to be performed by him under said act as unamended, or to impair the effect of such act as to any contract subject to its provisions entered into prior to the effective date of said amendments, or to impair the effect of the findings of the Secretary of Agriculture upon any dispute referred to him under said section 5 as unamended.

"Effective on and after the date of the passage of this act, insert at the end of section 8 of said act the following:

"'*Provided further*, That it shall be the duty of any person engaged in the business of dealing in cotton, when requested by the Secretary of Agriculture or any agent acting under his instructions, to answer correctly to the best of his knowledge, under oath or otherwise, all questions touching his knowledge of the number of bales, the classification, the price or bona fide price offered, and other terms of purchase or sale, of any cotton involved in any transaction participated in by him, or to produce all books, letters, papers, or documents in his possession or under his control relating to such matter. Any such person who shall, within a reasonable time prescribed by the Secretary of Agriculture or such agent, willfully fail or refuse to answer such questions or to produce such books, letters, papers, or documents, or who shall willfully give any answer that is false or misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $500.'"

Mr. STAFFORD. Mr. Speaker, I reserve a point of order on that.

Mr. NOLAN. Mr. Speaker, I make the point that there is no quorum present.

Mr. LEVER. Mr. Speaker, I move to concur in the Senate amendment.

The SPEAKER. But the gentleman from California makes the point of no quorum.

Mr. LEVER. Will the gentleman from California withhold that until I make the parliamentary motion?

Mr. HEFLIN. I shall move a call of the House if he insists on the point of no quorum.

Mr. NOLAN. I will withhold it for the present.

Mr. LEVER. Mr. Speaker, I move to concur in the Senate amendment with an amendment by striking out all of the Senate amendment and substituting the amendment that has just been read.

Mr. STAFFORD. Mr. Speaker, I make a point of order on the motion. As I understand, it is the gentleman's intention to move to disagree to all the other Senate amendments and ask for a conference except on this amendment 24?

Mr. LEVER. Exactly.

Mr. STAFFORD. This bill goes over to the Senate with all other amendments disagreed to except amendment 24. Does the gentleman expect that the Senate will accept amendment 24 as amended by the House in case the House adopts the amendment, or does he expect that the Senate will move to disagree to Senate amendment 24 and ask for a conference on that?

Mr. LEVER. I have the assurance of the chairman of the committee that the amendment I have proposed will be acceptable. I have also the assurance of a prominent man representing the Southern States, interested in this proposition, that this amendment is satisfactory to him. So I think there is no question but that the Senate will accept it. I think it is agreed that the Senate amendment is so very narrow in its lines as to the delivery of contracts that it might have an effect to greatly depress the contract price and probably might result in closing some exchanges.

The purpose of the amendment I have offered is to put the matter in conference, so that if there are any defects in the proposition I offer, we have a proposition broad enough so that we can work out a reasonable solution.

Mr. STAFFORD. But you are not putting it in conference; you are forcing upon the Senate in the closing hours of the session the necessity of the Senate asking for a disagreement to amendment 24, as proposed by the House, and asking the House to grant a conference.

Mr. LEVER. Let me say that this amendment I have proposed was unanimously agreed upon by the cotton members of the Committee on Agriculture on yesterday and also by the full committee. I have talked with the chairman of the Committee on Agriculture in the Senate, and the amendment proposed here is satisfactory to him. If I may be permitted, out of order, I will say that I have talked with Senator SMITH of Georgia, who has been interested in this proposition, and he feels that the Senate will promptly accept the proposition.

Mr. STAFFORD. I am only pointing out that in case the Senate should not accept the House amendment to the Senate amendment it would require further action on the part of the Senate.

Mr. WALSH. Can not that be obviated by sending amendment 24 to conference and instructing the conferees to agree to that amendment with an amendment?

Mr. STAFFORD. I think that is the better way, as suggested by the gentleman from Massachusetts. I am informed unofficially that a filibuster has been going on for five hours in the Senate. The gentleman does not want to get into that snarl.

Mr. CANDLER of Mississippi. I have just come from the Senate, and I want to say that the filibuster is over and they have agreed on a program.

Mr. LEVER. I will state that if this proposition endangers the bill I should recede from it, for I do not propose to lose the bill.

Mr. STAFFORD. If the gentleman would disagree to all Senate amendments and then make a motion to instruct the conferees to agree to Senate amendment 24 with an amendment, as suggested by the gentleman from Massachusetts, I think that would be the better solution.

Mr. LEVER. I am quite willing to do that. Mr. Speaker, I withdraw the motion that I made.

The SPEAKER. What is the gentleman's motion?

Mr. LEVER. Mr. Speaker, the gentleman from Georgia [Mr. CRISP] suggests that might make it subject to a point of order under the Senate rules. I stand by my original motion to strike out the Senate provision and substitute the matter that has been read at the Clerk's desk.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order from the amendment.

The SPEAKER. The gentleman from South Carolina moves to concur in the Senate amendment 24 with an amendment.

Mr. LEVER. Striking out the amendment and inserting——

The SPEAKER. Striking out the Senate amendment and substituting the matter read at the Clerk's desk.

Mr. HUMPHREYS. Mr. Speaker, will the gentleman yield?

Mr. LEVER. Yes.

Mr. HUMPHREYS. I heard the provision read. It does not limit the contract in the New York and New Orleans Cotton Exchanges in the number of bales that may be delivered on any contract of various grades. For instance, I do not know how many, but my information is that there are several hundred different kinds of cotton that can be delivered now under the law.

Mr. LEVER. The gentleman is mistaken about that.

Mr. CANDLER of Mississippi. Twenty-one.

Mr. HUMPHREYS. I think it is at least ten times 21. I think that can be clearly demonstrated. That number can be delivered now, and the vice of it is that on a contract for the delivery of 100 bales of cotton 25 different kinds of cotton can be tendered, which makes it utterly unacceptable, and, therefore, forces a settlement on margins. That, therefore, converts the exchange purely into a bare gambling establishment. It occurs to me that there ought to be some limitation on the number of bales of any particular type that can be delivered on a contract, and I just want to submit to the gentleman unless he does that he is not getting very far toward the elimination of the very undesirable features of the contract now.

Mr. LEVER. Let me say to the gentleman from Mississippi that under the present law there are 20 different grades deliverable upon contract, ranging from the highest grade to ordinary. Under the terms of the proposal here the number of grades tenderable would be 10 instead of 20. The Senate proposition is 7 instead of 10. In addition to that, this proposes that instead of having agents or employees of the various cotton-future exchanges classify their own cotton, we propose in this that the Government shall classify this cotton through its own agents, to do two things, first, to save the time of appealing the dispute to Washington and the expense, and, second, to do away with the constant complaint that they are

delivering very low-grade cotton upon contracts such as dog-tail and the like of that, and thus enhance the confidence of the public in the contract, which in turn enhances the value of the contract. The other proposition is to see to it that some agency is set up which will gather from the various spot markets of the country quotations which shall be published daily as to the value of these various untenderable grades. If you do not do that, you put these untenderable grades, which may sometimes amount to 15 or 20 per cent of a crop in abnormal conditions, and under normal conditions 5 to 10 per cent, absolutely at the mercy of the big spot-cotton merchants and spinners.

We have set that machinery up to take care of that situation and we have reduced the number of tenderable grades from 20 to 10.

Mr. HUMPHREYS. Here is the thought I had in mind, that if they are permitted to offer any of the types that they may offer in lots of 50 bales, say—that can be handled, that would take care of all the low-grade cotton, that would not depress that at all—if they can deliver on a contract for 100 bales of cotton 100 different kinds of cotton——

Mr. LEVER. They could not do that under this provision.

Mr. HUMPHREYS. One or two or three bales of a kind, it would be utterly unacceptable to anybody who is in the cotton business. I have not got it in my pocket, but I am going to insert in the RECORD, if I may, a letter from a very large cotton merchant——

Mr. LEVER. And a cotton miller?

Mr. HUMPHREYS. No. He is not interested in mills. He is a large cotton planter and what we call a cotton buyer, a cotton merchant. I will introduce that into the RECORD, and if the gentleman will read it he will find that under this contract you now prescribe they will be able to deliver not 21, which the gentleman says they can deliver now, but at least 50 different types of cotton.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. LEVER. I am going to move the previous question on this right now.

Mr. KITCHIN. I hope the gentleman will withhold that point for just a minute.

Mr. MOORE of Pennsylvania. No; I will not. If this is to continue until 12 o'clock——

Mr. LEVER. No; I am going to move the previous question just now.

Mr. HEFLIN. I am going to move a call of the House; I give notice now.

Mr. KITCHIN. Will the gentleman just withhold his point for a moment?

Mr. MOORE of Pennsylvania. I withhold it for a moment.

Mr. GALLIVAN. Mr. Speaker, I demand the regular order.

Mr. KITCHIN. Just withhold that for one moment. I want to ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, I think after having worked so long to-night we will do very well if we go to work at noon.

Mr. KITCHIN. We hope to get through a little earlier to-morrow night. We have a contested election case to-morrow that will take, I would say, at least six hours, at least five and one-half hours of debate.

Mr. MONDELL. Does the gentleman understand as much time as that is desired?

Mr. KITCHIN. Yes; I understand it.

Mr. MONDELL. If that is true——

Mr. KITCHIN. Then, we would like to get this little luxury tax bill through, which will only take a few minutes.

Mr. MONDELL. Do I understand we are to take up the contested-election case the first thing in the morning?

Mr. KITCHIN. I have a little luxury tax bill which will take about two minutes.

A MEMBER. It is agreed the election case is to be taken up?

Mr. KITCHIN. Yes.

Mr. GALLIVAN. I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that the House meet at 11 o'clock?

Mr. WALSH. Mr. Speaker, reserving the right to object, I understand that to-morrow the business in order will be, first, the repeal of the luxury tax in the revenue bill passed and then the contested-election case?

Mr. KITCHIN. That is my understanding.

Mr. WALSH. Then, you can not come in with conference reports and shut out an election case. That is of the highest privilege.

Mr. LEVER. I recognize that.

Mr. WALSH. I want to know if it is understood that the first thing is the luxury tax repeal bill?

Mr. TAYLOR of Colorado. We have one or two uncontested conference reports that ought to be disposed of.

Mr. WALSH. Wait until after the election case.

The SPEAKER. Does the gentleman from North Carolina answer the question of the gentleman from Massachusetts?

Mr. KITCHIN. I was going to say to the gentleman from Massachusetts I understand there is a conference report that certainly could not take over 5 or 10 minutes, and we would like to dispose of that. If it takes any time over that, I will withdraw it.

Mr. SNYDER. I object to meeting at 11 o'clock.

Mr. KITCHIN. I will say to the gentleman from Massachusetts that we have the election case and the luxury tax bill——

Mr. WALSH. I will object to running in any conference reports. We started out with a conference report to-day with the understanding it would only take 10 minutes and they talked over 2 hours.

The SPEAKER. Is there objection?

Mr. KITCHIN. We will not have conference reports until we finish the contested-election case.

Mr. LEVER. Mr. Speaker, I move the previous question on the motion to concur.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on concurring with an amendment to section 24.

Mr. HARRISON of Virginia. I would like to ask the gentleman a question.

Mr. HEFLIN. Regular order.

The SPEAKER. The previous question has been ordered.

Mr. SNYDER. Mr. Chairman, did my objection stand as to the 11 o'clock meeting to-morrow?

Mr. McLAUGHLIN of Michigan. The gentleman withdrew it.

Mr. SNYDER. I did not withdraw it.

The SPEAKER. Is there objection to meeting at 11 o'clock a. m. to-morrow?

Mr. SNYDER. I object.

The SPEAKER. The question is on the motion of the gentleman from South Carolina [Mr. LEVER].

The motion was agreed to.

Mr. LEVER. Mr. Speaker, I move to disagree to other Senate amendments and ask for a conference.

The motion was agreed to.

The CHAIRMAN announced the following conferees: Mr. LEVER, Mr. LEE of Georgia, and Mr. HAUGEN.

Mr. LEVER. Mr. Speaker, I ask that the gentleman from Missouri [Mr. RUBEY] and the gentleman from Minnesota [Mr. ANDERSON] be added. I overlooked that fact.

The SPEAKER. Without objection, those names will be added.

ADJOURNMENT.

Mr. STAFFORD. Mr. Speaker, I make the point of order there is no quorum present.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I move that the Senate——

The SPEAKER. Does the gentleman from Wisconsin [Mr. STAFFORD] withdraw his point of order that there is no quorum present?

Mr. STAFFORD. No; I do not.

The SPEAKER. The gentleman from Wisconsin makes a point of order there is no quorum present.

Mr. HEFLIN. Mr. Speaker, I move a call of the House.

The SPEAKER. Evidently there is no quorum.

Mr. HEFLIN. If the gentleman from Wisconsin will withdraw that a moment and let this message come in——

Mr. STAFFORD. I have no objection to that.

The SPEAKER. The gentleman from Wisconsin withdraws his point momentarily.

Mr. HEFLIN. And I withdraw mine.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, and that the Senate recedes from its disagreement to the amendment of the House to the amendment of the Senate numbered 12 and agrees to the same.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reports that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 171. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915;

H. R. 5999. An act for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise;

H. R. 204. An act to provide for the fitting up of quarters in the post-office building at the city of Sacramento, Cal., for the accommodation of the district court of the northern district of California and its officers;

H. R. 3217. An act providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio;

H. R. 12211. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 13308. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 13366. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions;

H. R. 13035. An act to amend section 4 of Chapter V of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918," approved July 9, 1918, and to make said amendment retroactive;

H. R. 13394. An act to extend the time for the completion of the dams across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by acts approved June 3, 1912, and March 1, 1916;

H. R. 15950. An act granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River;

H. R. 13037. An act to amend the fiftieth article of war;

H. R. 13306. An act to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued;

H. R. 15834. An act to extend the time for the construction by Kratka Township of a bridge across the Red Lake River, in Pennington County, Minn.;

H. R. 14078. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 13274. An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes;

H. R. 4610. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 13034. An act to validate and confirm certain erroneously allowed entries in the State of Minnesota; and

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5553. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 5554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 4610. An act to compensate Thomas G. Allen for injuries while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 13274. An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes;

H. R. 10394. An act to add certain lands to the Minam National Forest, Oreg.;

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 15495. An act to amend an act to provide for the appointment of a commission to standardize screw threads;

H. R. 11368. An act to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain described tract of land;

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.;

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act;

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 12579. An act to grant to the citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.;

H. R. 2012. An act for the relief of Mrs. W. E. Crawford;

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes; and

H. J. Res. 358. Joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties.

ADJOURNMENT.

Mr. STAFFORD. Mr. Speaker, I make the point of no quorum.

Mr. KITCHIN. Mr Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Saturday, March 1, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting an estimate of appropriation required by the Department of the Interior for administration and protection of the Grand Canyon National Park, Ariz. (H. Doc. No. 1834); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of State, submitting, at the request of the President, an estimate of an appropriation for the national security and defense (H. Doc. No. 1835); to the Committee on Appropriations and ordered to be printed.

3. A letter from the secretary of the Capital Issues Committee, transmitting report of the Capital Issues Committee as of December 31, 1918 (H. Doc. No. 1836); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LEVER, from the Committee on Agriculture, to which was referred the bill (H. R. 16184) to amend section 5 and section 8 of the United States cotton-futures act, approved August 11, 1916, and for other purposes, reported the same with amendment, accompanied by a report (No. 1151), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5517) to amend the war-risk insurance act, reported the same without amendment, accompanied by a report (No. 1154), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CROSSER, from the Committee on Patents, to which was referred the bill (H. R. 15853) to amend sections 8 and 21 of the

copyright act, approved March 4, 1909, reported the same with amendment, accompanied by a report (No. 1158), which said bill and report were referred to the House Calendar.

Mr. BANKHEAD, from the Committee on Education, to which was referred the bill (H. R. 15402) to promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth, etc., reported the same without amendment, accompanied by a report (No. 1159), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KITCHIN, from the Committee on Ways and Means, to which was referred the joint resolution (H. J. Res. 439) to repeal section 904 of the revenue act of 1918, approved February 24, 1919, reported the same without amendment, accompanied by a report (No. 1152), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (H. Res. 599) requesting the President to communicate to the House certain information concerning the War Trade Board, reported the same without amendment, accompanied by a report (No. 1155), which said bill and report were referred to the House Calendar.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, submitted a report (No. 1157) to accompany House Document No. 1188, of the Sixty-fifth Congress, second session, relative to the purchase of land in the District of Columbia for the Bureau of Standards, which said document and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CLARK of Florida, from the Committee on War Claims, to which was referred the bill (H. R. 11290) for the relief of heirs of estate of John Edwards, deceased, reported the same without amendment, accompanied by a report (No. 1156), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McCULLOCH: A bill (H. R. 16194) to donate a captured cannon or gun to Ricksecker Post, No. 469, city of Dover, State of Ohio; to the Committee on Military Affairs.

By Mr. LUNDEEN: A bill (H. R. 16195) to create a department of air service; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Colorado: A bill (H. R. 16196) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. MORIN: A bill (H. R. 16197) authorizing the Secretary of War to donate to the University of Pittsburgh two German cannons or fieldpieces, with carriages and suitable complement of projectiles; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 16198) authorizing the Secretary of War to donate to the borough of Glassport, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUNDEEN: A bill (H. R. 16199) to repeal the espionage and censorship laws; to the Committee on the Judiciary.

Also, a bill (H. R. 16201) to provide for an advisory referendum vote of the people of the United States on the proposed league of nations; to the Committee on the Judiciary.

Also, a bill (H. R. 16202) to provide for an advisory referendum vote of the people of the United States on all declarations of war by the Government of the United States; to the Committee on the Judiciary.

By Mr. FOSTER: A bill (H. R. 16203) authorizing the Secretary of War to deliver to the city of Robinson, Ill., one cannon or fieldpiece and carriage captured from the German Army in the recent war; to the Committee on Military Affairs.

By Mr. LUNDEEN: A bill (H. R. 16204) to provide for Government ownership and control of the manufacture and sale of all weapons and munitions of war; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Joint resolution (H. J. Res. 440) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. MASON: Resolution (H. Res. 613) requesting the Secretary of the Treasury to furnish the House information relative to purchase of United States bonds by the Treasury; to the Committee on Ways and Means.

By Mr. RUBEY: Resolution (H. Res. 614) to pay Mayme O. Peak, clerk of the late William P. Borland, a Representative in Congress, $166.66; to the Committee on Accounts.

By Mr. LUNDEEN: Resolution (H. Res. 615) to investigate foreign propaganda in the United States; to the Committee on Rules.

By the SPEAKER: Memorial from the Legislature of the State of Utah, urging the continuance of the United States Employment Service; to the Committee on Appropriations.

Also, memorial from the Legislature of the State of Oregon, favoring the passage of the McKellar-Keating bill, which provides for the retirement of certain civil-service employees; to the Committee on Reform in the Civil Service.

Also, memorial from the Commonwealth of Massachusetts, urging Congress to provide additional pay for soldiers and sailors discharged from the service of the United States; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Oregon favoring the passage of a bill appropriating $1,000,000,000 for reclamation and drainage of lands in the western portion of the United States; to the Committee on the Public Lands.

By Mr. GARNER: Memorial from the Legislature of the State of Texas, favoring the return of the telephone and telegraph lines to their owners; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of the State of Texas, favoring an appropriation by Congress for the reclamation of swamp lands; to the Committee on Appropriations.

Also, memorial from the Legislature of the State of Texas, favoring the deportation of undesirable aliens; to the Committee on the Judiciary.

By Mr. MAYS: Memorial from the Legislature of the State of Utah, petitioning for the continuance of the United States Employment Service; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. TAYLOR of Colorado introduced a bill (H. R. 16200) authorizing an exchange of land by A. A. Bruce, of La Veta, Colo.; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALLINGER: Petition of Payson Park Congregational Church, regarding league of nations; to the Committee on Foreign Affairs.

By Mr. DARROW: Petition of Otto Eisenlohr & Bros. (Inc.), H. O. Hurlburt & Sons, Smaltz Goodwin Co., Belfield Country Club, Peter Bros. & Co., C. J. Moran, and Arthur H. Lea, of Philadelphia, Pa., against the repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of American Association of Woolen and Worsted Manufacturers, against the repeal of daylight-saving law; to the Committee on Agriculture.

By Mr. DELANEY: Petition of Italian citizens of the city of New York, advocating the return to Italy of territory formerly belonging to it; to the Committee on Foreign Affairs.

By Mr. EMERSON: Petition of William V. Backus and others, in favor of an appropriation to be devoted to research work concerning the Spanish influenza; to the Committee on Appropriations.

Also, petition of John F. Daly and others, in favor of Government ownership of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Association of Machinists, Local No. 83, Cleveland, Ohio, protesting against legislation to prevent the right to strike; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petitions of Burson Knitting Co. and O. Nedlung, superintendent Metropolitan Life Insurance Co., of Rockford; W. F. Roetz, of Ottawa; and Hibbard, Spencer, Bartlett & Co., of Chicago, all in the State of Illinois, opposing repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of the Chicago Federal Employees' Union, favoring the McKellar-Keating retirement bill; to the Committee on Labor.

Also, petition of the Chicago Federal Employees' Union, favoring the McKellar-Keating retirement bill; to the Committee on Labor.

Also, petition of the commercial committee of the Streator (Ill.) Trades and Labor Council, for resumption of work on all projects discontinued during the war; to the Committee on Labor.

Also, petitions of Peter Jones, secretary United Mine Workers of America, of Oglesby, and the Daily Post and Mattiesson & Hegeler Tinsel Co., of La Salle, Ill., for continuing the United States Employment Service; to the Committee on Appropriations.

Also, petition of the Traffic Club of Chicago, Ill., for improvement of the harbor at Great Lakes Naval Training Station; to the Committee on Rivers and Harbors.

Also, petition of the Congregational Ministers' Union of Chicago and vicinity, favoring a league of nations; to the Committee on Foreign Affairs.

Also, petition of the national conference of State manufacturers' associations, favoring demand for indemnities from Germany; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Petition of Edward N. Cogswell Worden, asking for appropriation for maintenance of United States Employment Service; to the Committee on Appropriations.

Also, petition of Albert W. Lewis, Dorchester, Mass.; Frank W. Whitcher, president Massachusetts Chamber of Commerce, Cambridge, Mass.; American Thread Co.; and Kerr Mills, Fall River, Mass., strongly favoring daylight-saving plan; to the Committee on Interstate and Foreign Commerce.

Also, petition of James G. Lincoln, J. C. McCarthy, Smith Patterson Co., M. Finkovitch (Inc.), Broman, Dow & Co., all of Boston, Mass., and the National Retail Hardware Association, Argos, Ind., urging retention of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of the student body and faculty of Massachusetts State Normal School, Worcester, Mass., urging United States Senate to vote its approval and support of league of nations; to the Committee on Foreign Affairs.

By Mr. GARNER: Petition of members of rotary clubs of eighteenth district of State of Texas, proposing to establish a national bureau or department of mercantile marine and overseas transportation; to the Committee on the Merchant Marine and Fisheries.

By Mr. HOLLINGSWORTH: Petition of the chamber of commerce and H. D. Westfall, opposing repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Petition of St. Patrick's Day convention, of San Francisco, demanding release of Sinn Fein prisoners in English and Irish jails; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Resolution of the General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation which will permit additional payments to all soldiers and sailors who have served in the war with Germany; to the Committee on Military Affairs.

By Mr. KING: Petition of O. B. Timberlake and 68 other citizens of Henry and Mercer Counties, Ill., protesting against daylight-saving bill and urging retention of old system as being more beneficial to farmers; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of George W. Bahlke, representing 40 employees, unanimously urging continuance of daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Chesapeake Iron Works, Baltimore, Md., opposing the pending appropriation of $14,000,000 to continue the United States Employment Bureau; to the Committee on Appropriations.

Also, petition of the Federal Employees' Union No. 21, requesting passage of McKellar-Keating retirement bill; to the Committee on Labor.

Also, petition of the Baltimore Federation of Labor, Henry F. Browning, secretary, urging appropriations requested by Department of Labor for United States Employment Service; to the Committee on Appropriations.

Also, petition of Newcomer & Co., Baltimore, Md., approving House bill 16016, providing appropriation for literature for the blind; to the Committee on Appropriations.

Also, petition of J. M. Sheridan, jr., Baltimore, Md., relating to special-tax bill; to the Committee on Ways and Means.

Also, petition of Dr. J. H. M. Knox, jr., Baltimore, Md., urging defeat of Senate bill 2812 and Senate bill 1439; to the Committee on the Public Lands.

Also, petition of the War Camp Community Service, of Baltimore, urging appropriation for continuance of United States Employment Service; to the Committee on Appropriations.

Also, petition of G. A. Tschudy, Baltimore, Md., favoring Government ownership and control of railroads, telegraphs, and telephones; to the Committee on Interstate and Foreign Commerce.

Also, petition of McCormick & Co., T. Parkinson Mitchell, and Daniel Miller, all of Baltimore, Md., asking for continuance of daylight-saving law; to the Committee on Agriculture.

Also, petition of Brigham Hopkins Co., the Hub, Eisenberg's, A. A. Brager, National War Service Committee Dry Goods Stores, L. Slesinger & Son, Munch & Eisenbrey Co. (Chas. E. Allen, president), and Isaac Hambarger & Sons, all of Baltimore, Md., asking for repeal of luxury tax; to the Committee on Ways and Means.

Also, petition of Maryland and District of Columbia Retail Clothiers' Association, urging repeal of amendment 904 of revenue bill, pertaining to luxury tax; to the Committee on Ways and Means.

Also, petition of the Leader, Cohn Coblens Co., Baltimore, Md., urging joint resolution repealing luxury taxes as embodied in revenue bill; to the Committee on Ways and Means.

Also, petition of E. H. Norman, president Baltimore Business College, and the Private Business School Managers' Association of the United States, protesting against rider attached to agricultural appropriation bill which is to repeal daylight saving law; to the Committee on Agriculture.

Also, petition of Miss Alice J. Reilly and Armstrong Cator & Co., Baltimore, Md., disapproving of the daylight saving measure; to the Committee on Interstate and Foreign Commerce.

Also, petition of Swindell Bros., Baltimore, Md., urging that the daylight-saving measure be continued; to the Committee on Interstate and Foreign Commerce.

Also, petition of E. W. Bartol, superintendent of the Metropolitan Life Insurance Co., Baltimore, Md., indorsing Smith-Bankhead Americanization bill, H. R. 15402; to the Committee on Education.

By Mr. HENRY T. RAINEY: Petition of C. E. Bolin and 69 other citizens of Milton, Ill., favoring repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. SNELL: Petition of citizens of Ogdensburg, N. Y., protesting against the rider attached to the Agricultural appropriation bill to repeal the daylight-saving law; to the Committee on Agriculture.

By Mr. STINESS: Petition of the Providence Real Estate Dealers' Exchange, of Providence, R. I., protesting against any attempt to repeal the daylight-saving law; to the Committee on Agriculture.

Also, petition of the Chamber of Commerce of Providence, R. I., protesting against any attempt to repeal the daylight-saving law; to the Committee on Agriculture.

By Mr. TAYLOR of Colorado: Petition of the Plateau Valley Stock Growers' Association of Collbran, Colo., urging return of railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON of Pennsylvania: Petition of the Sellersville Board of Trade, favoring a reasonable period to allow for the necessary preparation and adjustment by the owners of the great wire systems under Federal control; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *March 1, 1919.*

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee with a profound sense of our dependence upon Thee. We are walking in the uncharted way, through paths that are new. We lift up our hearts to Thee for light, for wisdom, and for guidance. We pray that that which we do may have the sanction of the Divine will. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Fletcher	Jones, Wash.	Nelson
Brandegee	France	Kellogg	New
Calder	Gay	Kirby	Norris
Chamberlain	Gronna	Knox	Nugent
Culberson	Hale	La Follette	Overman
Cummins	Harding	Lodge	Owen
Curtis	Hardwick	McCumber	Page
Dillingham	Henderson	McKellar	Pittman
Fernald	Johnson, Cal.	Martin, Va.	Poindexter

Ransdell	Simmons	Smoot	Thompson
Reed	Smith, Ariz.	Spencer	Trammell
Robinson	Smith, Ga.	Sterling	Walsh
Saulsbury	Smith, Mich.	Sutherland	Watson
Sheppard	Smith, S. C.	Swanson	

Mr. SUTHERLAND. I wish to announce that my colleague [Mr. GOFF] is absent on account of illness.

Mr. SMITH of Michigan. I desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND] on account of serious illness in his family. I should like to have this announcement stand for the day.

Mr. SAULSBURY. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

I wish also to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Delaware [Mr. WOLCOTT] are absent on official business.

Mr. CURTIS. I desire to announce that the Senator from Idaho [Mr. BORAH] is detained from the Senate by illness.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

GOVERNMENT EMPLOYEES (S. DOC. NO. 432).

The VICE PRESIDENT laid before the Senate communications from the Secretary of War, the Secretary of Agriculture, the Postmaster General, and the Chairman of the United States Shipping Board, transmitting, in response to a resolution of December 15, 1918, lists showing the number of civil employees in their respective departments on February 26, 1919, and the number discharged during the previous two weeks, which were ordered to lie on the table and be printed.

COST OF THE WAR (S. DOC. NO. 433).

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General, transmitting, in response to a resolution of December 23, 1918, a report relative to the cost of the war with Germany and her allies, which was ordered to lie on the table and be printed.

MEMBER OF LEGISLATIVE DRAFTING SERVICE.

The VICE PRESIDENT. Under section 1303 of the so-called revenue act of 1918, approved in the year 1919, there is a provision for a Legislative Drafting Service, one of whom is to be appointed by the President of the Senate. The Chair will appoint Maj. Thomas I. Parkinson as the Senate member of the Legislative Drafting Service.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910.

The message also announced that the House agrees to the amendment of the Senate numbered 24 to the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, with an amendment, in which it requested the concurrence of the Senate, and disagrees to the residue of the amendments to the bill, asks a conference with the Senate on the disagreeing votes of the two Houses thereon and had appointed Mr. LEVER, Mr. LEE of Georgia, Mr. RUBEY, Mr. HAUGEN, and Mr. ANDERSON managers at the conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes;

H. R. 2012. An act for the relief of Mrs. W. E. Crawford;

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 7362. An act to authorize the construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam and for the protection of rice crops against salt water;

H. R. 10394. An act to add certain lands to the Minam National Forest, Oreg.;

H. R. 11368. An act to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain described tract of land;

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 12579. An act to grant to the citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.;

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act;

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.;

H. R. 15495. An act to amend an act to provide for the appointment of a commission to standardize screw threads; and

H. J. Res. 358. Joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented a memorial of the Farmers' Union of Groveland, Kans., and a memorial of sundry citizens of Wauneta, Kans., remonstrating against compulsory military training, which were referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Rotary Club of Hutchinson, Kans., favoring the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented petitions of the board of directors of the Chamber of Commerce of Kansas City, of the County Commissioners of Wyandotte County, and of the Board of Commissioners of Kansas City, all in the State of Kansas, praying for the continuance of the United States Employment Service, which were referred to the Committee on Appropriations.

He also presented a petition of Lodge No. 487, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of Atchison, Kans., and a petition of Lodge No. 490, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of Parsons, Kans., praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of Lodge No. 119, Independent Order of Odd Fellows, of Russell, Kans., and a petition of the Ministerial Union of Russell, Kans., praying for the deportation of those aliens who, in order to escape military service, dropped their first citizenship papers, which were referred to the Committee on Immigration.

He also presented a petition of Local Union 282, Amalgamated Sheet Metal Workers' International Alliance, of Pittsburg, Kans., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Dodge City, Kans., praying for the proposed five-year extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the executive board of the Kansas State Federation of Labor, favoring Government ownership of railroads, telephone and telegraph lines, which were referred to the Committee on Interstate Commerce.

Mr. OVERMAN. I send to the desk a resolution of the Legislature of North Carolina, which I ask to have printed in the RECORD.

The resolution is as follows:

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE,
Raleigh, N. C., February 27, 1919.

Hon. LEE S. OVERMAN,
Washington, D. C.

DEAR SIR: I am instructed by the General Assembly of North Carolina to send to you a copy of the within resolution.

With best wishes,
Respectfully,

J. BRYAN GRIMES,
Secretary of State.

Resolution 31.

Joint resolution indorsing the bill now pending in the House of Representatives of the United States providing an appropriation for preparing lands in the various States to be occupied by discharged soldiers, sailors, and marines of the United States.

Whereas a bill has been introduced in the House of Representatives of the United States, the same being House bill 13651, providing for an appropriation of $100,000,000, to be expended under the direction of

the Secretary of the Interior, for the investigation, irrigation, drainage, and development of swamps, arid, waste, and undeveloped lands, for the purpose of providing employment and farms with improvements for honorably discharged soldiers, sailors, and marines of the United States; and

Whereas the State of North Carolina has a large acreage of land that could profitably be used for this purpose; and

Whereas the people of the State of North Carolina would welcome any opportunity to make provision for the comfort and prosperity of the returned soldiers, sailors, and marines who have taken part in the recent world war: Now, therefore, be it

Resolved by the senate (the house of representatives concurring)—

SECTION 1. That the General Assembly of North Carolina approve and indorse the provisions of House bill 13651, now pending in the House of Representatives of the United States, providing for an appropriation of $100,000,000, to be expended under the direction of the Secretary of the Interior for the investigation, irrigation, drainage, and development of swamp, arid, waste, and undeveloped lands for the purpose of providing employment and farms with improvements and equipment for honorably discharged soldiers, sailors, and marines of the United States.

SEC. 2. That a copy of this resolution be sent to each of our Senators and Representatives in the National Congress at Washington, with request that they use their efforts to bring about the passage of the bill referred to in section 1 hereof.

SEC. 3. That this resolution be in effect from and after this ratification.

In the general assembly read three times and ratified this 25th day of February, 1919.

LINDSAY C. WARREN,
Pro tempore President of the Senate.
D. G. BRUMMIT,
Speaker of the House of Representatives.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE,
Raleigh, February 27, 1919.

I, J. Bryan Grimes, secretary of state of the State of North Carolina, do hereby certify the foregoing and attached (two sheets) to be a true copy from the records of this office.

In witness whereof I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh this 27th day of February, in the year of our Lord 1919.

[SEAL.] J. BRYAN GRIMES,
Secretary of State.

Mr. OVERMAN. I also present a resolution adopted by the Friends Monthly Meeting, of High Point, N. C., favoring the establishment of a league of nations, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

The resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolved, That we, the members of the Friends Monthy Meeting, of High Point, N. C., do heartily indorse the constitution for a league of nations which has been presented to the allied peace conference, and that we pledge our support to President Wilson in his strenuous efforts to establish a basis for permanent world peace.

Signed on behalf of the meeting.

O. E. MENDENHALL, *Clerk.*
Mrs. H. A. WHITE, *Recording Clerk.*

Mr. HALE presented a petition of sundry citizens of North Berwick, Me., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Maine Society of Civil Engineers, favoring an adequate construction of national highways, which was referred to the Committee on Agriculture and Forestry.

Mr. THOMPSON presented a petition of sundry citizens of Pratt, Kans., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Ohio Vegetable Growers' Association, remonstrating against any reduction being made in the appropriation for the Market News Reporting Service of the Department of Agriculture, which was referred to the Committee on Agriculture and Forestry.

Mr. MOSES presented petitions of the Congregations of the First Baptist Church, of Exeter; of the Methodist Episcopal Church of Exeter; of the congregation of the Congregational Church of Manchester; of the Congregational Brotherhood, of Milton; of the Women's Club of Contoocook; of the women's committee of the Council of National Defense, of Plymouth; of Asquamchumauke Chapter, Daughters of the American Revolution, of Plymouth; of the New Hampshire State Federation of Women's Clubs; of the Unity Club, of Lancaster; of sundry citizens of Rindge; and of Marian O. Wilbur, principal of the grammar school of Charlestown, all in the State of New Hampshire, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by Merrimack Lodge, No. 27, Brotherhood of Railway Clerks, of Concord, N. H., favoring Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by Lodge No. 118, International Association of Machinists, of Somersworth, N. H., favoring the continuance of the United States Employment Service, which were referred to the Committee on Appropriations.

Mr. McLEAN presented petitions of sundry citizens of Ansonia, Derby, and Shelton, all in the State of Connecticut, praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Ansonia, Derby, and Shelton, all in the State of Connecticut, praying for the freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Army and Navy Association of the Great War, of Stamford, Conn., praying for the retention by soldiers and sailors of their uniforms, which was referred to the Committee on Military Affairs.

He also presented a petition of Excelsior Lodge, No. 257, International Association of Machinists, of Derby, Conn., and a petition of the Organized Machinists of New London, Conn., praying for the extension of Government control of industry where such control is necessary to insure useful employment at established Federal Wage Board standards for all willing and able workers, especially for discharged soldiers and sailors, which were referred to the Committee on Education and Labor.

He also presented a petition of Waldemere Council, No. 6, Order United American Mechanics, of Bridgeport, Conn., praying for the proposed restriction of immigration, which was referred to the Committee on Immigration.

He also presented petitions of the Commonwealth Club of New Britain, of the Civic Union of Watertown, and of the faculty and students of Connecticut College, New London, all in the State of Connecticut, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented a memorial of the Westchester and Fairfield Horticultural Society, of Greenwich, Conn., remonstrating against the enactment of legislation to prohibit the importation of foreign plants and bulbs after June 1, 1919, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of New Britain, Conn., praying for the repeal of the daylight-saving law, which was ordered to lie on the table.

Mr. KENDRICK. I present a memorial of the Legislature of the State of Wyoming, protesting against the extension of the boundaries of Yellowstone National Park, which I ask to have printed in the RECORD.

The memorial was ordered to lie on the table and be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of enrolled joint memorial No. 2, House of Representatives, Fifteenth Legislature of the State of Wyoming, being original house joint memorial No. 3, has been carefully compared with the original filed in this office on the 22d day of February, A. D. 1919, and is a full, true, and correct copy of the same and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 25th day of February, A. D. 1919.

[SEAL.] W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS, *Deputy.*

[Enrolled joint memorial 2, House of Representatives, Fifteenth Legislature of the State of Wyoming.]

Memorial to the Senate and House of Representatives of the United States, relating to public lands within the State of Wyoming.

Whereas the State of Wyoming has been forced to concede many of its rights to the United States Government in the way of oil and timber; and

Whereas a movement is on foot at Washington to enlarge the boundaries of the Yellowstone National Park, thus taking valuable land from the State of Wyoming which should be left to the State; and

Whereas said lands are partly and should be further developed into revenue-producing acres by farming and the development of the live-stock interests of the State of Wyoming: Therefore be it

Resolved, That the Congress of the United States be urged not to extend the boundaries of the Yellowstone National Park; be it further

Resolved, That a certified copy of the memorial be sent to each member of the Wyoming delegation in Congress and urge their cooperations.

E. J. SULLIVAN,
Speaker of the House.
T. G. POWERS,
President of the Senate.

Approved.

ROBERT D. CAREY, *Governor.*

Feb. 22, 1919—10.48 p. m.

Mr. KENDRICK. I also present a memorial of the Legislature of the State of Wyoming, relative to the construction and maintenance of national highways, which I ask to be printed in the RECORD.

The memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of enrolled joint memorial No. 3, Senate, Fifteenth Legislature of the State of Wyoming, being original senate joint memorial No. 5, has been carefully compared with the original filed in this office on the 24th day of February, A. D. 1919, and is a full, true, and correct copy of the same and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 25th day of February, A. D. 1919.

[SEAL.] W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS,
Deputy.

[Enrolled joint memorial No. 3, Senate, Fifteenth Legislature of the State of Wyoming.]

Memorial to the Senate and House of Representatives of the United States, requesting Congress to provide for the immediate construction of a system of Federal highways.

Whereas the Legislature of the State of Wyoming is firmly convinced that the present is the most opportune time to commence immediately upon the construction of a system of main Federal highways, to be constructed and maintained by the Government of the United States: Therefore be it

Resolved by the Senate of the State of Wyoming (the House of Representatives concurring) That the Congress of the United States be memorialized to take immediate steps in providing the necessary legislation: Be it further

Resolved, That a copy of this memorial be sent to Hon. FRANCIS E. WARREN, Hon. JOHN B. KENDRICK, and Hon. FRANK W. MONDELL, Representatives in Congress from the State of Wyoming.

T. G. POWERS,
President of the Senate.
E. J. SULLIVAN,
Speaker of the House.

Approved.

ROBERT D. CAREY,
Governor.

February 24, 1919—9.26 a. m.

Mr. KENDRICK. I also present a memorial of the Legislature of Wyoming, favoring an appropriation for the erection of a soldiers' and sailors' home in the Big Horn Hot Springs State Reserve, Wyoming, which I ask may be printed in the RECORD and referred to the Committee on Appropriations.

The memorial was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of enrolled joint memorial No. 1, House of Representatives, Fifteenth Legislature of the State of Wyoming, being original house joint memorial No. 12, has been carefully compared with the original filed in this office on the 22d day of February, A. D. 1919, and is a full, true, and correct copy of the same and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 25th day of February, A. D. 1919.

[SEAL.] W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS,
Deputy.

[Enrolled joint memorial No. 1, House of Representatives, Fifteenth Legislature of the State of Wyoming.]

A joint memorial to the Congress of the United States to appropriate funds to be used with the State of Wyoming in establishing, equipping, and maintaining a war veterants' memorial in the State of Wyoming.

Whereas the country is greatly indebted to the soldiers and sailors who have served in the Army and Navy in the preservation and defense of their country; and

Whereas the debt of gratitude to these heroes has not been repaid by the inadequate monetary consideration appropriated for the payment of their services; and

Whereas many of our soldiers and sailors have become incapacitated for active service in their usual vocations through sickness and injury, thereby placing the supreme obligation upon the country to soften the life and lighten the burdens of these heroes through the period of their various incapacities: Now, therefore, be it

Resolved by the House of Representatives of the Fifteenth State Legislature of the State of Wyoming (the Senate concurring), That the Congress of the United States be, and it is hereby, memorialized to appropriate the sum of $125,000, to be used jointly with a like amount to be appropriated by the State of Wyoming, for the purpose of erecting and equipping a war veterans' memorial upon the Big Horn Hot Springs State Reserve, in the State of Wyoming, to consist of such building or buildings and equipment as may be suitable for the care, comfort, and recreation of returned soldiers and sailors who have served in the Army or Navy of the United States, together with an annual appropriation for the maintenance of such institution. And that the erection, equipment, maintenance, and management of the said institution be placed under such joint control of the United States and the State of Wyoming as may be determined by the Congress and the Legislature of said State.

E. J. SULLIVAN,
Speaker of the House.
T. G. POWERS,
President of the Senate.

Approved.

ROBERT D. CAREY,
Governor

February 22, 1919—10.49 p. m.

REPORTS OF COMMITTEES.

Mr. MARTIN of Virginia. From the Committee on Appropriations I report back favorably, with amendments, the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year 1919 and prior fiscal years, and for other purposes, and I submit a report (No. 790) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. CUMMINS, from the Committee on Interstate Commerce, to which was referred the bill (S. 5284) to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, reported it without amendment.

Mr. RANSDELL, from the Committee on Commerce, to which was referred the joint resolution (S. J. Res. 215) directing the United States Coast Guard to resume its operations under the Treasury Department, reported it without amendment and submitted a report (No. 788) thereon.

MATTIE R. MAYER.

Mr. RANSDELL. From the Committee on Public Lands I report back favorably, with an amendment, the bill (S. 3699) for the relief of Mattie R. Mayer, and I submit a report (No. 789) thereon. It is a private bill and will take only a few seconds to pass it. I should like to have it put on its passage if there is no objection.

Mr. PITTMAN. I object.

The VICE PRESIDENT. The bill will go on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

A bill (S. 5668) for the relief of Barneybas Eastridge; to the Committee on Military Affairs.

By Mr. CURTIS:

A bill (S. 5669) donating captured cannon and cannon balls to the city of Tribune, Kans.;

A bill (S. 5670) donating captured cannon and cannon balls to the city of Smith Center, Kans.;

A bill (S. 5671) donating captured cannon and cannon balls to the city of Junction City, Kans.;

A bill (S. 5672) donating captured cannon and cannon balls to the city of Thayer, Kans.; and

A bill (S. 5673) donating captured cannon and cannon balls to the city of Paola, Kans.; to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FLETCHER submitted an amendment to provide for the development of the submarine base at Key West, Fla., etc., intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and be printed.

Mr. POMERENE submitted an amendment authorizing the Secretary of the Treasury to receive fully itemized and verified claims and reimburse contractors and their subcontractors, including material men, for the construction, improvement, special repair, equipment, or furnishing of post offices and other buildings or work under the supervision of the Treasury Department, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. HENDERSON submitted an amendment proposing to appropriate $3,102.92 to pay to the Copper River & Northwestern Railway Co., a corporation organized and existing under the laws of the State of Nevada, etc., intended to be proposed by him to the general deficiency appropriation bill; which was ordered to lie on the table and be printed.

He also submitted an amendment relative to contracts on public works by the Secretary of the Navy, etc., intended to be proposed by him to the naval appropriation bill; which was ordered to lie on the table and be printed.

INVESTIGATION BY JUDICIARY COMMITTEE.

Mr. OVERMAN. Mr. President, I must ask pardon of the Senate for bringing up a matter, but it will take only a minute.

The Senate ordered a committee to investigate bolshevism and the activities of the Brewers' Trust. It has been impossible for us to get out our report on account of this jam. We want about 10 days to continue our work; that is all. We can finish it and get out our report and at the next session file our report. It is impossible to file it at this session. I ask unanimous consent to take up House resolution 710, which gives us a short time to examine about half a dozen witnesses and complete our report.

Mr. PITTMAN. I object. I demand the regular order.

Mr. OVERMAN. I wish the Senator would withdraw his objection. It would not take more than a minute. I want to say, if I can not get the resolution through there will be no report in the matter. I do not care whether the report is in or not, it will not be my fault. The Senate ordered the investigation, and if the Senator from Nevada wants to object and have no report on bolshevism, it is all right with me. I shall be very glad to go home.

CONFERENCE ON PENSION BILLS.

Mr. WALSH. In the case of House bill 14894, House bill 14945, and House bill 15706, passed by the Senate yesterday, I move that the Senate request a conference with the House upon the bills and amendments, and that the Vice President appoint the conferees upon the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts and joint resolution:

On February 28, 1919:

S. 932. An act to provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.;

S. 935. An act for the relief of settlers on certain railroad lands in Montana;

S. 2088. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 2715. An act to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes;

S. 3571. An act granting lands for school purposes in lots No. 111 in each of the townsites of Forts Shaw and Simms, Sun River reclamation project, Mont.;

S. 4103. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 4244. An act for the relief of entrymen within the Castle Peak irrigation projects in Utah;

S. 5279. An act to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes;

S. 3646. An act granting the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes; and

S. J. Res. 198. Joint resolution to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, as amended, and for other purposes.

On March 1, 1919:

S. 5627. An act to fix the time of holding court in the Amarillo division of the northern district of Texas.

REPORT OF ALIEN PROPERTY CUSTODIAN.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Commerce and ordered to be printed:

To the Senate and House of Representatives:

As required by section 6 of the trading with the enemy act, I transmit herewith for the information of the Congress a detailed report by the Alien Property Custodian of all proceedings had by him under said act during the calendar year 1918 and to the close of business on February 15, 1919.

WOODROW WILSON.

THE WHITE HOUSE, *28 February, 1919.*

HOUSE BILL REFERRED.

H. R. 16104. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. PITTMAN. I present the second report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of oil, gas, phosphate, potassium, and sodium on the public domain, which I ask to have read.

The VICE PRESIDENT. The conference report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed by the House amendment insert the following:

"That deposits of coal, phosphate, sodium, oil, oil shale, or gas, owned by the United States, including those in national forests, the Grand Canyon national park, and the Mount Olympus national monument, but excluding those in other national parks, and in lands withdrawn or reserved for military or naval uses or purposes, except as hereinafter povided, shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in the case of coal, oil, oil shale, or gas, to municipalities.

"COAL.

"SEC. 2. That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State or Territory of the Union, exclusive of those in Alaska, not otherwise appropriated by competent authority, not exceeding 2,560 acres, upon payment to the receiver of not less than $10 per acre for such lands where the same shall be situate more than 15 miles from any completed railroad, and not less than $20 per acre for such lands as shall be within 15 miles of such railroad, and the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair: *Provided*, That improvements or development work of the aggregate value of not less than $8 per acre upon the coal lands so entered shall be made or done upon the lands annually for two years after such award, when patent shall issue therefor. Upon failure to comply with the terms of this section within the required period said lands shall be subject to entry by any other qualified applicant.

"No such person, association, or corporation shall own coal lands entered after the passage of this act in excess of said area, at any one time, nor be interested, directly or indirectly, in any other coal lands or coal taken therefrom, and no member of such association or corporation, or stockholder of such corporation, shall own any other coal lands or be interested, directly or indirectly, in any other coal lands or coal taken therefrom, or in any other association or corporation owning or controlling any coal lands: *Provided, however*, That any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held two years after its acquisition and not longer, and in case of minority or other disability such time as the court may decree.

"That any person, association, corporation, member of such association, or stockholder of such corporation who violates any of the foregoing provisions shall, upon conviction thereof, be deemed guilty of a felony, and punished by a fine of not exceeding $10,000 or by imprisonment in the penitentiary for a period of not exceeding two years, or both.

"That if any of such coal lands entered after the passage of this act shall be owned, leased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of or in any way effect any combination, or are in anywise controlled by any combination in the form of a trust, or the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by individuals, copartnership, association, corporation, mortgage, stock ownership, or control, in excess of 2,560 acres, the title thereto shall be forfeited to the United States of America by proceedings instituted by the Attorney General in the courts for the purpose.

"SEC. 3. That the Secretary of the Interior is authorized to, and upon the petition of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, outside of the Territory of Alaska, unless previously entered under section 2 of this

act, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract, and thereafter the Secretary of the Interior shall, in his discretion, from time to time upon the request of any qualified applicant or on his own motion, offer such lands or deposits of coal for leasing, and, upon a royalty fixed by him in advance, shall award leases thereof through advertisement, by competitive bidding, or, in case of lignite or low-grade coals, such other methods as he may by general regulations adopt, to any qualified applicant, unless previously entered under section 2 of this act: *Provided*, That no railroad or other common carrier shall be permitted to take or acquire through lease or permit under this act any coal lands or deposits of coal in excess of such area or quantity as may be required and used solely for its own use, and such limitation of use shall be expressed in all leases or permits issued to railroads or common carriers hereunder. That such a railroad or common carrier may be permitted to take under the foregoing provisions not to exceed one lease hereunder upon and for each 200 miles of its line in actual operation. The term 'railroad' or 'common carrier' as used in this act shall include any company or corporation owning or operating a railroad, whether under a contract, agreement, or lease, and any company or corporation subsidiary or auxiliary thereto, whether directly or indirectly connected with such railroad or common carrier, but shall not include spurs, switches, or branch lines operated by any lessee and necessary to connect the mine with the line or lines of any railroad or other common carrier.

"SEC. 4. That any person, association, or corporation holding a lease of coal lands or coal deposits under this act may, with the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure modifications of his or its original lease by including additional coal lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

"That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the existing lease, shall not exceed 2,560 acres, through the same procedure and under the same conditions as in case of an original lease.

"SEC. 5. That if, in the judgment of the Secretary of the Interior, the public interest will be subserved thereby, lessees holding under lease areas not exceeding the maximum permitted under this act may consolidate their leases or holdings through the surrender of the original leases or holdings and the inclusion of such areas in a new lease of not to exceed 2,560 acres of contiguous lands.

"SEC. 6. That where coal lands aggregating 2,560 acres and subject to lease hereunder do not exist as contiguous areas, the Secretary of the Interior is authorized, if, in his opinion, the interests of the public and of the lessee will be thereby subserved, to embrace in a single lease sections or parts of sections which can be operated as a single mine or unit.

"SEC. 7. That for the privilege of mining or extracting the coal in the lands covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed in advance of offering the same, and which shall be not less than 2 cents per ton of 2,000 pounds, due and payable at the end of each month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall be not less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines, except when such operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may, if in his judgment the public interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal, which in no case shall aggregate less than the amount of rentals herein provided for.

"SEC. 8. That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of individuals to prospect for, mine, and take for their use but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interest: *Provided*, That this privilege shall not extend to any corporation: *And provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 160 acres, upon condition that such municipal corporations will mine the coal therein under proper conditions and dispose of the same without profit: *And provided further*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the acquisition of such tract or operation of such mine under said limited license.

"PHOSPHATES.

"SEC. 9. That the Secretary of the Interior is hereby authorized to lease or sell to any person qualified under this act any lands belonging to the United States containing deposits of phosphates, under such restrictions and upon such terms as are herein specified, through advertisement, competitive bidding, or such other methods as the Secretary of the Interior may by general regulation adopt.

"SEC. 10. That each lease or sale shall be for not to exceed 2,560 acres of land to be described by the legal subdivisions of the public-land surveys, if surveyed, to be described by the legal subdivision of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease, in accordance with the laws, rules, and regulations governing the survey of public lands, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such survey; deposits made to cover expense of surveys shall be deemed appropriated for that purpose; and any excess deposits shall be repaid to the person, association, or corporation making such deposits or their legal representatives: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width.

"SEC. 11. That for the privilege of mining or extracting the phosphates or phosphate rock covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, which shall be not less than 2 per cent of the gross value of the output of phosphates or phosphate rock at the mine, due and payable at the end of each month succeeding that of the extraction of the phosphates or phosphate rock from the mine, and an annual rental payable at the date of such lease and annually thereafter on the area covered by such lease at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of a minimum annual production, except when operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior shall determine unless otherwise provided by law at the time of the expiration of such periods.

"SEC. 12. That any qualified applicant to whom the Secretary of the Interior may grant a lease to develop and extract phosphates, or phosphate rock, under the provisions of this act shall have the right to use so much of the surface of unappropriated and unentered lands, not exceeding 40 acres, as may be determined by the Secretary of the Interior to be necessary for the proper prospecting for or development, extraction, treatment, and removal of such mineral deposits.

"OIL AND GAS.

"SEC. 13. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 640 acres of land wherein such deposits belong to the United States and are located within 10 miles of any producing oil or gas well and upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are situated more than 10 miles from any producing oil or gas well and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than 500 feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time and upon such conditions as he shall prescribe. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is sought, a monument not less than 4 feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within 30 days after date of said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of 30 days following such marking and posting, be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within 90 days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided*, That in the Territory of Alaska prospecting permits, not more than five in number, may be granted to any qualified applicant for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than 500 feet, unless valuable deposits of oil or gas shall be sooner discovered, within three years from date of the permit and to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered, within four years from date of permit: *And provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit.

"SEC. 14. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any such permit the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting permit, such area to be selected by the permittee in compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed, or to be surveyed at his expense in accordance with the laws, rules, and regulations governing the survey of placer mining claims if located upon unsurveyed lands: *Provided*, That said permittee shall be given a preference right to lease the remaining and unpatented lands embraced within the limits of his permit at a royalty determined by competitive bidding at a rate of not less than one-eighth, otherwise to be upon the same terms and conditions as provided for other general leases.

"SEC. 15. That until the permittee shall apply for patent to the one-fourth of the permit area heretofore provided for he shall pay to the United States 20 per cent of the gross value of all oil or gas secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

"SEC. 16. That all permits, leases, entries, and patents of lands containing oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands so located, leased, entered, or patented, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners, and to the further condition that the locator, lessee, entryman, or patentee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the location, entry, lease, or patent, to be enforced through appropriate proceedings in courts of competent jurisdiction.

"SEC. 17. That all unappropriated deposits of oil or gas situated within the geologic structure of a producing oil or gas field and the unentered lands containing the same, except, however, those embraced in any prospecting permit during the life of the same, may be leased by the Secretary of the Interior through competitive bidding under general regulations in areas not exceeding 1,280 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, which shall be not less than one-eighth in amount of value of the production, which royalty on demand of the Secretary of the Interior shall be paid in oil or gas, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods.

"SEC. 18. Upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed since prior to July 3, 1910, by the claimant hereunder or his predecessor in interest under the preexisting petroleum placer law to any oil or gas bearing land embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced and saved from such land, the claimant or his successor in undisputed possession of any such claim shall be entitled to a lease thereof from the United States for a period of 20 years, at a royalty of not less than one-eighth of all the proceeds of oil or gas produced: *Provided*, That not more than one-half of the area within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provisions of this section when the area of such geological oil structure exceeds 640 acres. Any claimant or his successor subject to this limitation shall, however, have the right to select and receive the lease as in this section provided for that portion of his claim or claims equal to, but not in excess of, said one-half of the area of such geologic oil structure.

"All such leases shall be made and the amount to be paid for oil and gas produced after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all such claims situate within naval petroleum reserves the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for, upon such terms and conditions as he may prescribe.

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such

claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

"Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act of August 25, 1914 (38 Stat. L., p. 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section the Secretary of the Interior is authorized to grant leases to one or more of them as shall be deemed just.

"SEC. 19. That any person who, at the time of any withdrawal order, or on January 1, 1918, was a bona fide occupant or claimant of oil or gas lands not withdrawn from entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of $250 for each location if application therefor shall be made within three months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions as other permits provided for in this act, or where any such person has heretofore made such discovery he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof: *Provided*, That such lands are not reserved for the use of the Navy: *Provided, however*, That no claimant who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section: *And provided further*, That within one year after the passage of this act where any land has been included within an oil withdrawal or classification heretofore made after bona fide entry upon the same by a qualified homestead or desert-land entryman and where said entryman has complied with the requirements of the law relating to such entries up to time when said withdrawal was made, said entryman or the patentee under such entry, shall be given a preference right to a prospecting permit for the same under the same terms and conditions as prescribed in this act.

"OIL SHALE.

"SEC. 20. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed, to be surveyed by the United States, at the expense of the applicant, in accordance with the laws and regulations for the survey of public lands. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum, for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior: *Provided*, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid location to such minerals under existing laws on January 1, 1918, shall, upon the relinquishment of such location, be entitled to a lease under the provisions of this section, for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant who has been guilty of fraud in the location of any oil-shale bearing lands shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person, association, or corporation.

"ALASKA OIL PROVISO.

"SEC. 21. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, or his successors or assigns, who prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in wells and who prior to withdrawal had made substantial improvements on or for each location or had prior to the passage of this act expended not less than $250 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act, or within six months after final denial or withdrawal of application for patent to a prospecting permit or permits, lease or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases in Alaska under this act whether as a result of prospecting permits or otherwise shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease, and be subject to readjustment at the end of each 20-year period of the lease: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

"SODIUM.

"SEC. 22. That the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of sodium dissolved in and soluble in water, and accumulated by concentration, in lands belonging to the United States for a period of not exceeding two years: *Provided*, That the area to be included in such a permit shall be not exceeding 2,560 acres of land in reasonably compact form: *Provided further*, That the provisions of this section shall not apply to lands in San Bernardino County, Cal.

"SEC. 23. That upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of one of the substances enumerated in section 22 hereof has been discovered by the permittee within the area covered by his permit the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting limit, to be taken and described by legal subdivisions of the public-land surveys, or if the land be not surveyed by survey executed at the cost of the permittee in accordance with the laws, rules, and regulations governing the survey of placer-mining claims. All other lands described and embraced in such a prospecting permit, from and after the exercise of the preference right to patent accorded to the discoverer, and all other lands known to contain such valuable deposits as are enumerated in section 22 hereof and not covered by permits or leases, except such lands as are situated in said county of San Bernardino, shall be held subject to lease or sale, and may be leased or sold by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, and in such areas as he shall fix, not exceeding 2,560 acres, all leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, and the payment in advance of a rental of 50 cents per acre for the first calendar year or fraction thereof and $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year. Leases may be for indeterminate periods upon such conditions not inconsistent herewith as may be incorporated in each lease or prescribed in general regulations theretofore issued by the Secretary of the Interior, including covenants relative to mining methods, waste, period of preliminary development, and minimum production, and a patentee under this section may be lessee of the remaining lands in his permit.

"SEC. 24. That in addition to areas of such mineral land which may be included in any such prospecting permits or leases, the Secretary of the Interior, in his discretion, may grant to a permittee or lessee of lands containing sodium deposits, and subject to the payment of an annual rental of not less than 25 cents per acre, the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 20 acres in area, for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

"GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, SODIUM, OIL, OIL SHALE, AND GAS LEASES.

"SEC. 25. That the Secretary of the Interior shall reserve and may exercise the authority to cancel any prospecting permit upon failure by the permittee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms

and conditions stated in the permit, and shall insert in every such permit issued under the provisions of this act appropriate provisions for its cancellation by him.

"SEC. 26. That no person, association, or corporation, except as herein provided, shall take or hold more than one coal, phosphate, or sodium lease during the life of such lease; no person, association, or corporation shall take or hold, at one time, more than three oil or gas leases granted hereunder in any one State, and not more than one lease within the geologic structure of a producing oil or gas field; no corporation shall hold any interest as a stockholder of another corporation in more than such number of leases; and no person or corporation shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, exceeds in the aggregate an amount equivalent to the maximum number of acres allowed to any one lessee under this act; and the interests held in violation of this provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property, or some part thereof, is located, except that any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition: *Provided*, That nothing herein contained shall be construed to limit sections 18 and 19 or to prevent any number of lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines or railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same.

"SEC. 27. That rights of way through the public lands, including the forest reserves, of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act to the exent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior, and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That no right of way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

"SEC. 28. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit upon such terms as he may determine to be just, for joint or several use such easements or rights of way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting the deposits therein: *Provided further*, That if such reservation is made, it shall be so determined before the offering of such lease: *And provided further*, That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

"SEC. 29. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease, and may with like consent surrender any legal subdivision of the area included within the lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency, provisions securing the workmen complete freedom of purchase, requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare: *Provided*, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated.

"SEC. 30. That any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

"SEC. 31. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act: *Provided*, That nothing in this act shall be construed or held to affect the rights of the States or other local authority to exercise any rights which they may have including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

"SEC. 32. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath, unless otherwise specified by him and in such form and upon such blanks as the Secretary of the Interior may require.

"SEC. 33. That the provisions of this act shall also apply to all deposits of coal, phosphate, sodium, oil, oil shale or gas in the lands of the United States, which lands may have been or may be disposed of under laws reserving to the United States such deposits, with the right to prospect for, mine, and remove the same, subject to such conditions as are or may hereafter be provided by such laws reserving such deposits.

"SEC. 34. That all moneys received from sales, royalties, and rentals under the provisions of this act, excepting those from Alaska, shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act, but after use thereof in the construction of reclamation works and upon return to the reclamation fund of any such moneys in the manner provided by the reclamation act and acts amendatory thereof and supplemental thereto, 50 per cent of the amounts derived from such royalties and rentals so utilized in and returned to the reclamation fund shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, said moneys to be used by such State or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct: *Provided*, That any moneys which may accrue to the United States under the provisions of this act from lands within the naval petroleum reserves shall be deposited in the Treasury as "Miscellaneous receipts."

"SEC. 35. That the deposits of coal, phosphate, sodium, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existent at date of the passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws."

And the House agree to the same.

Amendment to the title: That the Senate recede from its disagreement to the amendment of the House to the title to the bill, and agree to the same with an amendment as follows: In

lieu of the matter proposed by the House amendment insert the following:

"An act to authorize exploration for and disposition of coal, phosphate, sodium, oil, oil shale, or gas on the public domain."

And the House agree to the same.

KEY PITTMAN,
JOHN F. SHAFROTH,
JAMES D. PHELAN,
By KEY PITTMAN,
Managers on the part of the Senate.

SCOTT FERRIS,
EDWARD T. TAYLOR,
JOHN E. RAKER,
WM. L. LA FOLLETTE,
N. J. SINNOTT,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the report.

Mr. PITTMAN. On that I ask for the yeas and nays.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Henderson	New	Smith, Ga.
Brandegee	Hitchcock	Norris	Smith, Mich.
Calder	Johnson, Cal.	Nugent	Smith, S. C.
Chamberlain	Jones, Wash.	Overman	Smoot
Cummins	Kellogg	Pittman	Spencer
Curtis	King	Poindexter	Sterling
Dillingham	Kirby	Pomerene	Sutherland
Fernald	Knox	Ransdell	Swanson
France	Lewis	Reed	Thompson
Gay	Lodge	Saulsbury	Trammell
Gore	McCumber	Shafroth	Vardaman
Gronna	McKellar	Sheppard	Wadsworth
Hale	Martin, Va.	Sherman	Walsh
Harding	Moses	Simmons	Weeks
Hardwick	Nelson	Smith, Ariz.	Williams

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present.

CONSTITUTION OF LEAGUE OF NATIONS.

Mr. KNOX. Mr. President, the Official Bulletin—printed daily under the order of the President of the United States—has published, under date of Friday, February 14, 1919, and under the title "Text of covenant on league of nations," the report of the peace conference commission on the league of nations. The document was read to the plenary session by the President, chairman of this particular commission, who accompanied his reading with comments. This document and the league plan which it outlines, in so far as they can be understood, may include so much that is strange to our traditional foreign policy, contrary to our fundamental principles of international intercourse and conduct, destructive of treaty rights, indispensable to the safety of ourselves and other nations of this hemisphere, and so much that would require—before and in order that it could become operative—such basic changes in our Constitution to enable us to make the necessary surrender of high sovereign rights on which our great liberties rest, that not only the Senate, which in due time may be called upon to advise and consent to the ratification of the plan, but the entire Congress and the whole people of the United States must give thereto the fullest and most mature, careful, and calm consideration. The submission of this plan for adoption will constitute for our people far and away the greatest and most important matter placed before them since the Nation was founded. We are now invited to assist in forming and become a part of the united States of the world.

As I have already stated, the document which we have before us is, in its present form, merely the report of a commission; it has been laid on the conference table at plenary session, from which, as Mr. Clemenceau has assured the members, it may be removed for debate, amendment, and adoption or rejection. In view of these facts, we might well forego its discussion until the conference in plenary session has adopted it, except that the report itself has acquired for this Nation a peculiar significance by reason of the fact that the President presided over the body which drafted it; that he participated in the proceedings incident to the drafting; that as president of the commission he read the report submitting it to the plenary session of the conference; that he indorsed the document and thereby committed himself as National Executive to it; and that he has officially assured, in his cable to the members of the Foreign Relations Committees of the two Houses of Congress, that there are good reasons even for the verbiage of the document, crude as that is.

By way of clearing the ground and that no doubt may exist as to my own personal attitude on war and the pacific settlement of international disputes, I crave indulgence at this point for a few words of explanation in order that such negative conclusions as I may reach shall not be charged to unfriendliness or bias. I may, in the first place, observe that I am, and always have been, against war and all its attendant woe, misery, horrors, and crime. In common with all Christians, I can not and would not do otherwise than condemn it in terms as extravagant as language can frame.

Feeling thus, I shall at any and all times do my utmost to bring into the world a reign of law, of order, and of universal peace. No man dreams loftier or feels more intensely than I on these matters. I realize, moreover, that with nations as with individuals sacrifice brings growth, moral and spiritual, and, further, that when all is said and done the moral and the spiritual things are all that are worth while in life, national and individual. I am willing, therefore, personally to sacrifice, and to see my country sacrifice, the utmost possible to the establishment of peace and righteousness in the world. But my country's sacrifice counts for so much in the world that, since mere sacrifice itself availeth little, I wish to make sure before placing our national offering on the alter that, when the fire is kindled and the offering is burned, we shall have measurably and proportionately advanced the cause of human liberty and happiness. It is in this spirit that I approach the discussion of the present project.

After the most mature deliberation it is possible for me to give, I am convinced that you may place the case as high as you will, yet you can not in the present state of society spell out an attainable end which would justify the destruction of our great country and Government—the greatest democracy of all recorded time. Our liberties, our free institutions, our civilization, traditions, and ideals are all worth all we have ever given to get them and all we could possibly give, even to the point of extermination, to preserve them. Conjure in your mind, if you can, a world without the Declaration of Independence, without our Constitution and free institutions, without our proclamations of emancipation of races and of nations, without this Nation itself, which all these things have builded and made mighty, and then tell me, I challenge you, what is in that now put before us which would fill in terms of blessing—not to ourselves but to the world—the gap caused by their blotting out. The world has nothing more precious for man to-day and for the myriad generations yet unborn than our own great Government, institutions, and people—a people which, without the obligation of treaty or alliance, without thought of gain, and with only the thought of protecting eternal right, put on the full accouterment of war and went to battle that the inalienable human rights of life, liberty, and the pursuit of happiness might still have a dwelling place among men, "that government of the people, by the people, and for the people might not perish from the earth."

Holding our Government and its institutions in this fervent reverence, and profoundly averse to war for its own sake, I must for myself demand that any plan proposed shall, to secure my support, meet these simple and reasonable tests:

Do its provisions abolish war and make it hereafter impossible? For I would be willing we should go far and risk much to accomplish this. Do its provisions strike down our Constitution or destroy our sovereignty or threaten our national independence and life? For if the plan proposed does these things, then it must receive the condemnation of every loyal citizen. And I tell you here in all soberness that these matters must be approached by all of us in a spirit of candid fairness, without cavil, bias, or partisanship, for our fate and the fate of the world, if this matter go certainly forward, waits upon our decision. And one word further, let me say, if we are to go forward with this plan it must be whole-heartedly and with absolute good faith. Neither we nor those who represent us in the league bodies must trifle with our sacred plighted word. For weal or for woe we must stand by our covenant. We must never leave in our history the taint of the "scrap of paper."

Having thus made my explanation, I proceed to the plan itself, which I shall discuss without heat or color and with such judicial calm and fairness as I am able to bring to my command.

Any definite and precise examination or criticism of the covenant is made immeasurably difficult because of the looseness of expression which characterizes the document throughout; and, while I shall not take your time to discover mere matters of verbiage, there are two such matters to which I invite your attention, because they relate to matters more or less basic. The first is the language of article 1, which provides that "the action of the high contracting parties * * * shall be effected through the instrumentality of meeting of a body of delegates." This, as a matter either of language or of logic, is sheer nonsense, and yet this article purports to lay

down one of the fundamental precepts of the plan. One is tempted to believe on casual reading that this is mere infelicity of expression and that, after all, the meaning may be plain; but further study raises a serious doubt, because it is not at all clear whether the document sets up one or two operating entities for its enforcement, as the following extracts will show:

Article 1 prescribed that "the action of the high contracting parties under the terms of this covenant shall be effected through the instrumentality of meeting of a body of delegates representing the high contracting parties," and not of the league.

Article 11 declares that any war or threat of war is a matter of concern to the league, and that "the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations." Assuming the language is carefully chosen, it is obvious that it is quite impossible for the league itself, which is the creature of the high contracting parties, to reserve a right against the parties creating it, and yet it is quite intelligible and accurate to say that the high contracting parties who create the league reserve a right as against the league itself.

Again, in the last paragraph of article 19 the high contracting parties "agree to establish" a mandatory commission, which shall, inter alia, "assist the league in insuring the observance of the terms of all mandates."

Article 15 provides that in case a dispute "between States, members of the league," has not been submitted to arbitration under article 13, and possibly 12, then "the high contracting parties agree that they will refer the matter to the executive council," but "either party to the dispute may give notice of the existence of the dispute to the secretary general" of the league.

Under article 18 "the high contracting parties agree that the league shall be intrusted with general supervision of the trade in arms and ammunitions," and so forth. It would be absurd here to substitute "league" for "high contracting parties," so that the sentence would read, "The league agrees that the league shall be intrusted," and so forth.

Again, in article 21 "The high contracting parties agree that provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the league." Obviously here the high contracting parties and the league can scarcely refer to the same operating entity.

How important this matter of a possible double international entity is becomes at once apparent when it is observed that the provisions of the supercovenant of article 10 reads, "The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league."

I shall later comment upon other covenants of the high contracting parties, when it will become increasingly apparent how indispensable it becomes to have this point cleared up, because if the high contracting parties do not comprise every State that is a member of the league, then the burden assumed by the high contracting parties, whoever they may be, possibly the "big five," is crushing in its weight.

One other point closely akin to the two foregoing should be considered here. The text, as printed in the Official Bulletin, is entitled "Covenant on the league of nations." Now, the term "league of nations" as applied to the organization contemplated by this covenant is, if judged by popular conception, a deceptive misnomer. The popular thought is that a league of nations means a league of all the nations of the world. Such, however, is not the league provided for in the document now before us, save in remote contemplation, for under this proposed plan the nations of the world are divided into three classes:

First. "Signatories" of the covenant; these are not named, but it is assumed they will include and possibly be confined to the five great entente powers; that is to say, the British Empire, France, Italy, Japan, and the United States.

Second. "States not signatory to the covenant but named in the protocol attached to the covenant." No information is given as to who these States are, though surely they will include such entente powers, if any, as are not signatories as well as certain other States neutral in the conflict now closing; and

Third. Those States which are neither signatories nor protocol States and which must, to be admitted to the league, be prepared to give certain effective guaranties as to their intention to be bound by their international obligations. These latter are outcast States and presumably include the central powers and their allies in the war.

Thus a league of nations in the sense of all the nations is not created by this document, nor are the States members of the league treated as equals, as is apparent, and will be more fully shown when it is considered that the governing body of the proposed league, namely, the executive council, is made up of representatives of only nine States.

But the term league is a misnomer in another and really vital matter. For a league connotes a confederation, and a confederation implies a right in the several parties to withdraw at their will. But there is no right of secession within the four corners of this covenant. On the other hand, the association here provided for is a union in the full sense of that term as applied to our own political institutions. Once in this union and we remain there no matter how onerous its gigantic burdens may become. No matter how great the distaste and revulsion our people may have for it, we must remain members until either we persuade all the States represented in the executive council and three-fourths of those represented in the body of delegates to bid us depart in peace or until the league crumbles of its own weight or is destroyed by its enemies or until we fight our way out against the British Empire, France, Italy, Japan, and all the lesser States they are able to persuade to join the league.

It is well that all discussions of this project should be had with the foregoing preliminary matters in mind.

In proceeding with my analysis it will be convenient to examine first the machinery set up by this document for carrying out its covenants, noting the powers and duties of the respective parts, and then to consider the broad matters of substance. The document before us establishes six operative league bodies as follows:

Body of delegates.
Executive council.
Military naval commission.
Mandatory commission.
Bureau of labor.
Permanent secretariat.

1. BODY OF DELEGATES.

The body of delegates is to be made up of representatives of the "high contracting parties," each party to have not more than three delegates but to have only one vote.

The specific jurisdiction given to the body of delegates in the instrument bestows roughly three broad powers—first, to entertain reports made by any of the "high contracting parties" of "circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends"; second, to take jurisdiction of a dispute not settled by arbitration which is referred to it by either party thereto or by the executive council providing this reference is made within 14 days after the dispute is submitted to the executive council, in respect of which reference the body of delegates has the same actions and powers concerning the dispute as would the executive council if it continued to entertain jurisdiction; and third, to advise the reconsideration by members of the league of those treaties which have become inapplicable and of international conditions the continuance of which may endanger the peace of the world. The body of delegates is also ultimately to choose the four other States not named in the document, who shall be represented on the executive council, and is also to vote on the admission to the league of certain outcast states to be noted later.

But the document contains no provisions whatever regarding the appointment, removal, compensation, or tenure of these representatives who are to exercise these powers. Neither is there any provision covering the organization of the body or how it shall vote or function, nor what number of States or delegates constitute a quorum for doing business, whether distinctions shall be made as to the number necessary to transact different kinds of business, beyond the provision of article 4, which puts matters of procedure and the appointment of committees into the hands of a "majority of the States represented at the meeting."

2. EXECUTIVE COUNCIL.

The executive council is to be made up of representatives of the British Empire, France, Italy, Japan, and the United States, and of four other States to be selected "by the body of delegates on such principles and in such manner as they think fit," that is nine States in all.

The jurisdiction of this superbody, thus made up of representatives of nine out of the half hundred States, more or less, which compose the world, is stated to be "any matter within the sphere of action of the league or affecting the peace of the world." But in addition to this general grant of jurisdiction certain specific powers are bestowed, the more important of which may be stated in general terms as follows:

Making plans for the disarmament of the world, determining what is fair and reasonable military equipment and armament for each nation, and deciding regarding any increase in armament of any power; formulating plans to cure the evils of

private manufacture of munitions of war; devising means for fulfilling the obligations to preserve—if necessary by armed force—the territorial integrity and existing political independence of all States members of the league against external aggression; sitting in judgment on and making recommendations regarding any dispute whatsoever arising between the high contracting parties; proposing steps for the enforcement of arbitral awards; formulating plans for establishing a permanent court of international justice; proposing measures necessary to give effect to their own recommendations; recommending what effective military or naval forces each member of the league shall contribute to protect the covenants of the league, seemingly, not only against league but nonleague members, that is, as a practical matter, the power to declare war; determining the conditions upon which nonmembers may assume the obligations of the league for the purpose of any particular dispute and examining and making recommendations concerning any dispute which may arise between members of the league and nonmembers or among nonmembers themselves; taking such action and making such recommendations as will prevent hostilities between two nonmember disputing States who have declined to accept the obligations of membership in the league for the purpose of dispute; and defining in a special act or charter "the degree of authority, control or administration to be exercised by the mandatory State over the colony or territory placed under its protection.

Obviously, as already suggested, this is the real governing body of the league, yet such essential matters as what shall be the number of representatives from each State, who shall fix the number, shall the States be represented by an equal number of representatives, what shall be the manner of organization and of voting, are not stated in the document. Neither does the document provide for the appointment, removal, compensation, or tenure of these representatives, though the document provides that procedure at the meetings of the council, including the appointment of commitees to investigate particular matters, is to be regulated by the council "and may be decided by a majority of the States represented at the meeting." Who shall call the meetings, except the first, how many States or representatives shall constitute a quorum, what, if any, matters would require more than a majority vote, and all other vital matters connected with the deliberations of this world-ruling body are entirely unprovided for. And yet, this is the body which is hereafter to determine whether we, the people of the United States, shall go to war, and what our participation therein shall be.

Nor are these all the defects of the instrument in respect of the operations of the executive council. There are absolutely no principles, rules, or regulations laid down in the covenant by which this world-governing body is to be guided. It makes its own principles, rules, and regulations; it hales before it every power, whether league member or not, whom it believes has violated any such principle, rule, or regulation; it sits as a court to determine whether any violation has actually occurred; it passes judgment upon a violation when found; and it determines the means which shall be used in enforcing its judgments or recommendations, the league being bound to furnish the means so determined upon.

I am not unmindful of the fact that by the "covenant-preamble" international cooperation and international peace and security are to be promoted, inter alia, "by the firm establishment of the understandings of international law as the actual rule of conduct among governments." But this provision merely accentuates the difficulty, for there is no universally recognized body of international law and no provision is made in the instrument for even an attempt to secure one. Indeed there are many great and fundamental differences of opinion as to what is the rule or principle of international law on many grave questions, and even the customs of nations, not generally regarded as having yet ripened into international law, are greatly at variance. Thus the executive council in reality stands in a position, as already stated, to make its own law, rules, and regulations. To sum up, the executive council is legislature, court, and in a large part, executive, all in one. A body clothed with powers such as this is an anachronism. It belongs not to the enlightened age of the twentieth century but to the days of the Medes and Persians. A union more abhorrent to our traditions, to our free institutions, to the trend of all civilized government, could not be devised.

3. MILITARY NAVAL COMMISSION.

The permanent military naval commission provided for in article 9 is to "advise the league on the execution of the provisions of article 8—which relate to disarmament—and on military and naval questions generally." That is to say, it is the great general staff of the league, and seemingly is to be laden with the entire military responsibility thereof in whatever military activities the league may undertake. The document submitted contains absolutely no intimations as to the composition of the commission, the number of members, the method of appointment, the States from which they shall be appointed, their removal, their compensation, or their tenure. Neither are there any rules, beyond the most general, laid down for their guidance and control.

4. MANDATORY COMMISSION.

The mandatory commission is to be established by the high contracting parties, and it "is to receive and examine annual reports of the mandatory powers and to assist the league in issuing the observance of the terms of all mandates." The same indefiniteness exists as to the organization and operations of this commission that exists with reference to the military naval commission.

5. BUREAU OF LABOR.

The high contracting parties agree to establish "as part of the organization of the league a permanent bureau of labor," which is set up to carry out the undertaking of the high contracting parties that they "will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations" extend. Here again are no details as to the composition, organization, appointment, removal, compensation, or tenure of the members of this bureau.

Read in the light of the provision of article 21, which requires that the high contracting parties shall make provision through the instrumentality of the league "to secure and maintain * * * equitable treatment for the commerce of all States members of the league," the question arises as to whether or not it is the intent of these provisions to put the labor of all countries upon an equality, and if this be the intent and purpose of the document, then the labor of this country may well consider, inasmuch as France has already given notice that it will be impossible for French labor to be put on an equality with American labor in hours of work, whether American labor is to be brought to the level of French labor in this regard, in order that there may be equitable treatment of the commerce of the two countries.

6. PERMANENT SECRETARIAT.

Finally, there is the permanent secretariat which apparently is to perform the ordinary secretarial duties both for the body of delegates and for the executive council.

The duties of the secretariat are, in addition to the secretarial services necessary for the body of delegates and the executive council, to receive from "parties" in dispute statements of their cases, with all relevant facts and papers and to register and publish all treaties hereafter entered into by regular members.

This is the machinery of the league. The mere narration I have made shows great gaps in indispensable provisions and procedure. I assume I need make no argument to establish that before we become parties to any such plan as herein proposed, we must know something, must have some assurance on these vitally important matters now unprovided for. Nor can it be properly said that these are mere details which have no place in a great document, for all are of the kind which are provided for in our own Constitution, which certainly is entitled to rank fully with this covenant as to novelty of plan and provision and as to importance and far-reaching consequences.

Referring again to the possible distinction between the high contracting parties and the league, and the fact that seemingly the document provides for these two international entities, each with its own rights, duties, and obligations, it is most important to note the nature of the covenants which under this document are to be entered into by the high contracting parties—and we must remember that what the high contracting parties covenant we covenant; their obligations are our obligations—and by the league, respectively. The proceeding may prove tedious, but it appears to me necessary that these covenants be fresh in our minds for the discussion with which I intend to follow them. In listing the more important of them I shall follow the order in which they occur in the document, without attempting to correlate those of like nature. Those of the high contracting parties are as follows:

The high contracting parties agree, in connection with the program for disarmament, not to conceal from one another the condition of their industries capable of being adapted to war-like purposes; to give a full and frank interchange of information as to their military and naval programs; and not to exceed the armament limits proposed by the executive council and adopted by themselves except with the consent of the council,

The supercovenant of article 10 obligates these parties, including ourselves, to respect and to preserve against external aggression the territorial integrity and existing political independence of all league members. It is to be noted that this guaranty runs not alone to the existing territory of nations, but to any territorial extent to which they may hereafter attain. If, for example, any of the German colonies shall ultimately be incorporated into the territory of any of the parties, this guaranty will run to this extension. It should be here further observed that if there is a difference between the high contracting parties and the league, then it is high contracting parties, including ourselves, and not the whole league, which guarantee not only their own territorial integrity and independence but the territorial integrity and political independence of every other member of the league.

By article 12 the parties agree not to resort to war against any high contracting party over any dispute whatsoever until the matter has been submitted to arbitration or subjected to inquiry before the executive council, and not then until three months after a decision by either; and, further, not to resort to war in any event against any member of the league which complies with the award of arbitration. It may be remarked in passing two things are obvious: First, that this does not prevent but merely delays war by the high contracting parties, except that, second, if a member of the league obtaining the judgment before the arbitration tribunal or the council accepts the benefit of the judgment—as, of course, the winning party would all but universally do—then the losing party shall not under such circumstances go to war against the winning party.

Article 13 contains a narrower covenant to arbitrate difficulties with an undertaking to carry out the award in good faith.

By article 15 the high contracting parties agree to refer to the executive council any dispute not submitted to arbitration and likely to lead to rupture which may arise between States members of the league; "the parties" agree to communicate to the secretary general "statements of their case," with all relevant facts and papers, which the executive council shall forthwith direct to be published, and, further, that they will not go to war "with any party" which complies with any recommendation of the executive council which is unanimously concurred in by all members of the council except the parties to dispute. Seemingly they may go to war over a recommendation of the council which is not unanimously concurred in by all members of the council, except the parties in dispute. Finally, this article stipulates that the high contracting parties agree that if any party refuses to comply with any such recommendations so made the council shall propose measures necessary to give effect to their decision.

Under article 16 it is agreed that if any of the high contracting parties breaks or disregards its covenants under article 12—the article in which the parties bind themselves not to go to war except under certain conditions—that then the parties shall subject the offenders to a severance of trade and financial relations and of intercource between nationals of the offending State or States, and to the prevention of all financial, commercial, or personal intercourse between the nationals of offending States and the nationals of all other States. Moreover, the high contracting parties bind themselves mutually to support one another, first, in the financial and economic measures which may be taken under article 16 "in order to minimize the loss and inconvenience" resulting from the measures outlined in this article, and, second, in resisting any special measures aimed at one of their number by a covenant-breaking State.

In article 17 the parties agree that in disputes between members of the league and nonmembers thereof, or in disputes entirely among nonmembers, the involved nonmembers shall be invited "to accept the obligations of membership in the league for the purpose of such dispute" upon conditions fixed by the executive council. If this invitation be accepted, the preceding provisions shall be applied with modifications deemed necessary by the league. If the power so invited refuses to accept the obligations of membership in the league for the purposes of such dispute, and if such power takes against a league member any action which, if taken by such a member, would constitute a breach of article 12—that is the article which contains the covenant against a resort to war—then the provisions of article 16—the article which contains the sanction by which observance of article 12 is to be compelled—shall be applicable as against the unwilling State. With reference both to this article and to article 16, it should be recalled that it is the duty of the executive council in case the prescribed peaceful means of coercion do not suffice to bring the offending State to terms, "to recommend what effective military or naval forces the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league."

By article 20 the high contracting parties undertake to endeavor to secure and maintain fair and humane conditions of labor in member States and among nonmember States and agree to establish as part of the organization of the league a permanent bureau of labor—a somewhat drastic potential interference, not merely with our Federal but with our State powers as well.

In article 21 the high contracting parties agree that provision shall be made through the league to secure and maintain freedom of transit and equitable treatment for the commerce of all members, with special arrangements in regard to the necessities of regions devastated in the present war.

Under article 23 the high contracting parties agree that every treaty hereafter entered into shall be registered with the secretary-general, and that no such treaty shall be binding until so registered.

And by article 25, probably the third most important in the entire document, the high contracting parties agree that this covenant shall abrogate all obligations inter se which are inconsistent with the terms thereof, and that they will not enter into any other engagements which are thus inconsistent. In case any powers make, after entering the league, inconsistent obligations, they must take immediate steps to procure release from such obligations. In passing I raise this as a question of no little importance: Since the covenants of the league guarantee territorial integrity and political independence of league members, then a similar covenant between any two members of the league would probably be considered an inconsistent obligation; and if this be true, I invite the attention of the Senate to the possible abrogation of the Platt amendment treaty between ourselves and Cuba—a treaty heretofore regarded as indispensable to our national welfare and safety—in case both Cuba and the United States become members of the league.

The foregoing are the most important covenants which run in the name of the high contracting parties.

I wish now to direct your attention to the powers which run in the name of the league as such, and to renew my invitation that you consider well the differences between the two sets of covenants and powers, and to my question as to whether the plan contemplates two international entities, namely, the high contracting parties and the league.

By article 7 the league is to prescribe conditions of entry into it of the outcast States; by article 17 the league is to be intrusted with the general supervision of trade in arms and ammunition in countries where a control of the traffic of such is necessary to the common interest; by article 19 the league, assisted by the mandatory commission, is to insure an observance of all mandates; and by article 21 the league is to be the instrument through which the high contracting parties shall secure and maintain freedom of transit and equitable treatment of commerce of all members, together with special arrangements with regard to the necessities of regions devastated in the present war.

These are the sum total of the powers and obligations which in this covenant run to the league as such. How great the undertakings of the high contracting parties, how meager the obligations of the league itself is evident from this enumeration.

Nowhere is it more important to determine whether the high contracting parties are operating as an international entity than in the construction of article 11, which reads:

> Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations.

It is obvious that if the reservation of the right to take action under this article is to the high contracting parties as an entity, that they thereby have assumed jurisdiction of the world; whereas if the reservation of the right of the high contracting parties to take action is a reservation of the right to the nations as individuals, the whole proposition is a rope of sand.

And in considering all this it must be remembered that once we enter this league and assume these obligations, we can not secure any modification thereof except with the consent of all the States whose representatives compose the executive council and of three-fourths of the States whose representatives compose the body of delegates. What a magnificent field we would thus create for grandiose international political manipulation by ambitious men and groups!

With this analysis before us, we are now in a position to consider the application of the rules by which, in my judgment, this proposal must be tested:

First. Do its provisions abolish war and make it hereafter impossible? There is not an important article in the document which does not specifically answer that question "No." And, further, the scheme provided therein holds out a higher prom-

ise—nay, assurance—of a futuro world-wide war, greater than any which has gone before, than any other document in the history of recorded time.

I have already pointed out that the covenant provides for three sorts of States; first, "signatories" of the covenant; second, protocol States; and, third, outcast States, which I take it are the central powers and their allies.

Now, it is unnecessary to labor an argument to show that the inevitable result of outlawing the central States will be to drive them more closely together for mutual self-protection, and that this in turn will make the formation of a second league of nations almost an assured certainty. It may well be that this second league will not at the outset be constituted with all the formalities which mark the one we have under consideration, but in all human probability such a league will be somehow formed, by informal understanding or otherwise, and when so formed will bid for the adherence to it of neutral States. We would thus have in no distant future two great leagues of nations, which will become two great camps, each preparing for a new and greater life and death struggle. Our only escape from this result, under this plan, would be through the exercise of such a tyrannical despotism over the peoples of the central powers as we, with all our traditions and ideals, must not become a party to, for it would be violative of all of those human rights for which our fathers fought and which our own Constitution guarantees. Moreover, to keep peoples in such a state of subjection as would be necessary to obviate the result above pointed out, would require such an expenditure of effort, treasure, and blood as never would be permanently tolerated by our people. Thus the plan proposed, instead of being a plan by which the permanent peace of the world would be assured, becomes a plan under which a constant warfare or a potential great world-wide conflagration becomes an assured fact.

In other words, this plan, as the prescriptions of the document demonstrate, is in effect merely an offensive and defensive alliance between certain picked powers as between themselves, and a coalition among them as against the balance of the world, and this coalition is formed with an avowed and published purpose to impose upon the stranger powers the will of the coalition, not merely in matters relating to the prevention of war but in all other matters in which the conduct of the stranger powers affects the members of the coalition. This is tyranny, nothing more, nothing less. Has history ever answered an attempt to do this thing save in one way, and has that way ever spelled anything but disaster for the coalition? Is such a proposal not monstrous, and, if so, can it have our support? Must our every effort not be to avoid so dividing the world into two warring camps? In what respect will the situation so formed differ from that created by the centuries-old doctrine of balance of power, save only that now, for the first unhappy time in our history, we are to be placed in one side of the balance?

"But," it is said, "this is all merely potential, it may not happen, and therefore the league should not for that be condemned."

Grant this, for the sake of argument: What then?

In the first place, the league plan still regards war as legal and as possible in the following more obvious cases:

First. Under article 12, if two of the high contracting parties have a dispute which is submitted to arbitration and with the award of which neither party is satisfied, they may properly go to war after an interval of three months from the date of the award.

Second. Under the same article, if there is a like dispute between like parties, and the matter is submitted to the executive council, which makes a recommendation which neither party is willing to accept, then the parties may after three months properly go to war.

Third. Under article 15 if a dispute goes either to the executive council or the body of delegates, and either body gives a decision unanimous, except as to the parties in dispute, and this decision is unacceptable to both parties to the dispute, then they may legally go to war.

Fourth. It would seem, under the same article, that if neither the executive council nor the body of delegates can reach a decision which is unanimous except for the parties to the dispute, that then the parties thereto may legally go to war.

Fifth. All conflicts between States not members of the league would under the covenant appear to be legal under the covenant, though the league declares its right and intention to interfere in them if it desires.

Sixth. The high contracting parties may take a hand in any war under the stipulations of article 11, that "any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations."

Seventh. Under the provisions of articles 17, 12, and 16, disputes between States members of the league and States not members of the league may lead to legal wars either between the two States themselves or between the disputants—one or both—and the league, or the high contracting parties.

In all of these cases the covenant recognizes the legality of a state of war. But the covenant goes way beyond this and provides for and requires that in certain far-reaching controversies the parties must go to war. Without attempting to spell out from this instrument the full number of cases in which war is mandatory, I confine myself to three:

First. By this document we, as one of the high contracting parties, obligate ourselves to preserve by force of arms, if necessary, the territorial integrity and political independence of all States members of the league.

Second. If any of the high contracting parties breaks or disregards its covenants under article 12—the covenant dealing with resort to arms—then, as a member of the league, we must fly to arms to protect the covenants.

Third. If any nonmember of the league, either accepting or not accepting the obligations of membership in the league for the purposes of the dispute, acts in such way as would constitute a violation of article 12, if the State were a member of the league, then we must go to war to protect the covenants of the league.

And in all these three cases, whether or not we participate and the amount of our participation in belligerent operations is determined not by ourselves but by the executive council in which we have seemingly, at most, but one voice out of nine, no matter what we think of the merits of the controversy, no matter how we view the wisdom of a war over the cause, we are bound by this covenant to go to war when and in the manner the executive council determines. Thus it is seen that in this alleged instrument of peace war is legalized in seven cases and made compulsory in three.

And in this connection, as bearing upon our financial and economic burdens outside those connected with carrying on our share of the war, I ask your consideration of the last paragraph of article 16, by which "the high contracting parties agree further that they will mutually support one another in the financial and economic measures which may be taken under this article, in order to minimize the loss and inconvenience resulting from the above measures." What our contributions will be under this, how much our citizens must be ground down by taxes to take care of wild and extravagant expenditures which we did not and would not initiate and over which we would have no control, only an all-wise Providence can foresee.

Thus the proposed covenant, instead of abolishing war, actually sanctions, breeds, and commands it. Moreover, it absolutely requires that every future war shall be a potential world war, and that we shall be an active participant in every such war. We are thus thrust fully into the terrible cauldron of European politics, and every outbreak in the Balkans—even domestic, if it threaten international war—will call for some expenditure of treasure, for some shedding of American blood, for some loss of American life. It is idle to say and fatuous to hope or believe these outbreaks will not occur, for ambitious men do not hesitate to waste life in order to punish an enemy or gain a goal.

The plan, therefore, fails to meet the first test.

We come now to the second question I proposed: Do the provisions of the proposed covenant strike down the precepts of the Constitution? A mere listing of some of the more conspicuous provisions of each show that it does.

Under the Constitution the Congress of the United States has the exclusive power to declare war. The proposed covenant puts the power of declaring war in the hands of the executive council, in which, it is true, we have a voice but not the constitutional voice. Thus, whether Congress wishes or not, whether the people wish or not, we may be forced into war, with all its sacrifices of life, in a cause in which we have no real concern and with which we may be out of sympathy, under the penalty that if we do not go to war we shall, by breaking a covenant of the league, bring war upon ourselves by the balance of the world.

Under the Constitution the Congress of the United States has the exclusive power to raise and support armies and to provide and maintain a Navy. The covenant provides that the executive council shall formulate plans limiting the size of our Army and Navy, that the council shall then "determine for the consideration and action of the several Governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament,

and these limits when adopted shall not be exceeded without the permission of the executive council."

If we act in good faith under this agreement we shall, of course, adopt the armament limits, which, as a member of the executive council, we shall have assisted in formulating. Thereafter, no matter what our necessity or what its urgency, no matter what Congress or the people themselves may think the situation requires, we can not raise a single man beyond our limit save and except it be approved by the executive council in which we are one of nine participating States. If war were abolished this might be tolerable, but with war legalized even between members of the league and actually commanded in certain contingencies this may spell for us overwhelming disaster.

Under the Constitution, a treaty becomes effective upon its ratification, following the advice and consent thereto of the Senate. Under the covenant no treaty becomes binding until it has been registered with the secretary-general of the league.

It seems reasonably certain, moreover, that situations calling for unconstitutional action by this Government might arise under the provisions of article 16 relating to financial and economic measures of support and article 20 relating to freedom of transit and equitable treatment for commerce, because under these provisions the league might demand the making of laws which in the sound discretion of Congress ought not to be made and yet Congress might find itself under the compelling force of war with the entire league to enact such legislation. And next to the powers of war, no powers are more far-reaching or vital than those which control the financial and economic life of the Nation.

One other matter demanding consideration, the question of mandates, may be appropriately dealt with here. The provisions of the covenant relating to this subject are so loosely drawn, purposely or otherwise, that one can not tell just how the mandatory States are to be selected. It is true that, with reference to the communities formerly belonging to the Turkish Empire, it is stated that the wishes of the communities must be a principal consideration in the selection of the mandatory power, but this provision is not made as to any of the other colonies or territories for which provision is to be made, and this notwithstanding the principle of self-determination adopted, as have been reported in the press, by all the powers now in conference. Are the mandatory States to be chosen by the high contracting parties, by the members of the league, by the body of delegates, or by the executive council? Or is the State protected, for stripped of the new-day verbiage a protectorate is really provided for, other than the Turkish Empire communities, to indicate or to pick out from the league membership or from States not league members or from the high contracting parties that particular State which the protected State wishes as a protector? It is clear, however, that the protecting State, the mandatory, will have in the matter no choice or voice other than that which it exercises in the body of delegates or in the executive council or as a member of the high contracting parties, whichever makes the choice. But no matter who picks the mandatory power, clearly some one beside ourselves has the power to say whether and when our boys and how many of them shall be sent to the arid regions of Armenia, or to the sleeping-death regions of central Africa, or to the wildernesses of southwest Africa, or to the inhospitable South Pacific Isles, and when they get there it will be somebody else besides ourselves who will determine how long they shall remain, by what laws they shall govern the people, and what shall be their measure and rules of protection. For it is clear—that is as clear as the covenant makes anything—that the terms of the protectorate are to be determined not by and between the protecting and protected States, but by the high contracting parties or they failing by the executive council in a special act or charter.

Moreover, it seems a matter of certain deduction that as parties other than ourselves are to determine the size of the army of occupation which we shall send, the methods and nature of its operations, the length of time it shall remain there, the rules and principles by which it shall govern the peoples of the occupied territory, and the kind and extent of the upbuilding work which shall be performed by the protecting State, then somebody else besides ourselves must decide how many billions—for we speak now only in such terms—we shall wring from our own people by taxation and spend in the territory over which he have been made mandatory, perhaps against not only our own free desires but the will of the protected peoples themselves.

I take it to be unnecessary to point out how destructive all these things would be of our Constitution, which lodges in the Congress the power to raise and equip armies, to raise revenue, and make appropriations—in both matters solely in accordance with the discretion of Congress, and which lodges in the National Executive the power to control and direct the operations of any army in the field, including the power to lay down the rules which shall operate and control between the occupying army and the inhabitants of the territory occupied.

Thus this covenant will, if it becomes operative, strike down most vital provisions of our Constitution, and here again it fails to meet the test.

I am now to the third question I have put: Are the provisions of the proposed covenant destructive of our sovereignty?

Cast up in your mind the collosal powers granted to the executive council, in which, be it always remembered, we are but one of nine participating powers; recall the far-reaching and vital covenants into which we shall enter as one of the high contracting parties; and hold in mind that we are to give up the power to say when we shall have war, when peace, what shall our Army number, how many vessels of war shall we have, how, when, where, and under what conditions shall our Army and Navy be used, when shall our treaties be binding, what shall our treatment of commerce be, how great shall our gift of funds to other powers, and, therefore, how great the tribute we shall pay? Consider all these, and you can not but say that our sovereignty has in matters of national life and death been destroyed.

Pause, Mr. President, and consider what it is proposed to do—to take from the social organism not alone the right but the power of self-defense. We shall stand not only naked but bound and helpless.

Why, sir, it is contrary to the eternal course of nature, exhibited in all her works since the dawn of time, for a defenseless organism to survive, whether that organism be plant, animal, or social. How, then, shall we hope to live?

I come now to the fourth and last of my tests: Will this plan, if put into operation, threaten our national independence and life?

Judged by all the standards of the past, by history and by experience, we must answer that it does.

It threatens our life in respect of all those matters in which our sovereignty is impaired, because when sovereignty goes, life as a nation goes. Independence goes when our conduct is dictated by others, when our continued existence depends upon the will of others, when we are no longer able to avail ourselves of our wonted means of defense, actual or by anticipation.

That under this plan our conduct is dictated by others can not be gainsaid when we recall that we may be launched into a world-wide war without the power of determining what our participation shall be, either in men, armament, or money. That our continued existence depends on the will of others is clear from the fact that, disarmed by the mandate of the league, we shall not be permitted to increase our armament save by the consent of the executive council, no matter how great or pressing the emergency or the danger.

That we may no longer avail ourselves of our wonted means of defense, actual or by anticipation, is not to be successfully denied, as one illustration will suffice to show.

It was Thomas Jefferson who said, "Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs." On this latter principle Monroe announced later the doctrine which bears his name, namely, "We should consider any attempt on their part—the part of European powers—to extend their systems to any portion of this hemisphere as dangerous to our peace and safety"; and, "We could not view any interposition for the purpose of oppressing them—the young American Republics—or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States." It was Secretary Olney who said, "To-day the United States is practically sovereign on this continent and its fiat is law upon the subjects to which it confines its interposition."

To say that the elaborate plan now before us which contemplates and provides for the mastery of the world does not run counter to these announced principles, is to be blind to the plainest meaning of plain language. Moreover, to contend that this great doctrine, which embodies a vital principle of policy not a mere tenet of international rule or law is saved by the vague and general prescriptions of the covenant preamble or by the poorly worded declarations of article 1, is either to convict of a failure to understand the question or of a deliberate attempt to impose on the credulity of those who have not had opportunity to read the document themselves. No. Mr. President, if we adopt this plan we take from the Monroe doctrine its life, we do not longer control the destinies of America, and the great national security which for a century has thereby come to us, has gone, perhaps forever.

Thus the plan fails to meet each and every of the tests I have applied. It does not abolish or prevent wars and it does sanction and commend them. It does strike down great constitutional principles, bulwarks of our protection. It does rob us of the most vital attributes of sovereignty. It does threaten our independence and life.

Why, then, and I ask it in all sincerity, this feverish anxiety for the adoption of this plan? Why is there this racing up and down over the face of the whole land by propagandists urging its adoption? What benefit is to come from such a sale of country as is urged upon us? Who are the beneficiaries of this betrayal of our people? No nation threatens us; no group of nations seeks our destruction; never before were we relatively so strong. War itself, the great curse of mankind, is further away to-day than it has been in centuries. Have we shown ourselves recreant when the world labors big with potential disaster? Let our billions of treasure poured out as from perpetual fountains, our tens of thousands of young lives nobly sacrificed in a great cause, answer. Has famine failed to appeal to us? Count the millions of tons of food we send to feed the starving. Have we been deaf to the cry of the oppressed? Count our young men in France. Have we failed to love liberty and humanity better than life itself? Ask the mothers whose sons lie on the battlefields of Europe.

Can we not be trusted again to come to the rescue when again popular government, civilization, and human right threaten to be overwhelmed? I challenge any man or nation to say nay. Why, then, this plan to strangle and crush us? Mr. President, there is here something amiss. We stand here in the Senate of the United States, and soberly and anxiously, debate, plan, and consider, not as did our fathers before us, on how can we best preserve and augment our liberties and make ourselves and our posterity free men, but on the dark and gloomy problem, what is the greatest bondage which we can put on our backs and live.

"But," we are told, "look at the mighty wastage, the sorrow, the suffering and agony, the slavery, and the death of this great universal war—is there not some way to prevent the world from being again so cursed? Our industrial and economic relations we can cover by separate trade agreements with individual countries, but can we not do something to avert the horrors of war?"

Yes; there are ways, some of them simple and well tried.

One way is to provide for the compulsory arbitration of all disputes under some such plan as that provided for in the international prize court, or the unratified American-British and American-French arbitration treaties of 1911, or the Olney-Pauncefote treaty of 1897, or a union of the best in all of them.

We need not worry about the enforcement of the awards of the arbitral court, for I recall no case between great powers in which an award made has not either been carried out as given or has not led to an adjustment mutually satisfactory to both parties. We may forget armed force in this and look to the reign of law and order. If small States should be recalcitrant as between themselves, means of persuasion can be found that will satisfy all needs.

This will adjust peacefully the great bulk of our disputes, including questions of territorial extent and thus prevent war. we had the proud privilege, by the Jay treaty of 1794 with Great Britain, to usher in "the modern era of arbitration." From then till the present, almost a century and a quarter, arbitration has saved us from all but three relatively small international wars, barring this last, and compulsory arbitration might have saved us even this. Let us not discard or think lightly of arbitration as a means of preventing war.

A second way would be this: If we feel that world interests and power are reshaping in such way that we need to be protected and that we need to protect others, then let us form an alliance with the strongest other power or two powers of the world for mutual protection. That we be not thrown into quarrels in which we would have no sympathy, we must choose as our allies those powers whose traditions, institutions, ideals, and people are most like our own. If we are as ready to fight for them as we will be—under the present supposition—to have them fight for us, let us make this as strong an alliance as can be written, because from a shadowy one we shall have all the disadvantages and few of the advantages of a strong one. In either event, such a definite understanding between ourselves and our allies will obviously and inevitably drive the balance of the world into a counteralliance, which can not but bring trouble in the future.

Or, in the third place, if the people of the United States—not a clamorous part of them, but a great majority—desire to establish a true league of nations; if they feel either the need or the desirability of creating an organization to stop war and not merely to build a coalition to further trade or to preserve and expand territorial possessions; and if so feeling, and to this end they are willing, to make the present necessary sacrifice in independence and sovereignty and the inevitable future sacrifice of untold American treasure and life, then we may proceed as follows:

At a convenient and proper time in the relatively near future we shall cooperate with the representatives of all the other powers in the formation among all, not a portion, of the nations of the world an international league. Among the first articles of the constitution which shall create this league should be one which shall provide that war is thereby declared to be an international crime and that any nation engaging in war, except in self-defense when actually attacked, shall be punished by the world as a international criminal.

This constitution should also provide that all disputes relating to international matters as defined by an international code should be decided by an international court.

The code would define what war is and would discriminate between aggressive and defensive war, between assault and protection, and would outlaw one and not the other, for no system of law ever enacted or wisely projected has penalized self-defense by man or by State. Existence ceases when the right and power of self-defense is gone.

This code would also provide that one nation could not summon another before the international court, except in respect to a matter of international and common concern to the contending nations, and that the jurisdiction of the court would not extend to matters of governmental policy, which would be excluded from arbitration unless one of the disputing parties had by treaty or otherwise given another country a claim that might involve these subjects. Under such a code we would not be called upon to arbitrate the policy involved in our Monroe doctrine, our conservation policy, our immigration policy, our right to expel aliens, our right to repel invasion, our right to maintain military and naval establishments, or coaling stations within our own borders or elsewhere, as the protection and development of this country might demand, our right to make necessary fortification of the Panama Canal, or on our frontiers, our right to discriminate between natives and foreigners in respect to rights of property and citizenship, and other matters of like character.

The international court should be authorized by the league constitution to call upon the powers signatory to enforce its decrees and awards as against unwilling States by force, economic pressure, or otherwise.

The court should sit in the hemisphere of the contending nations; and if the disputants lived in opposite hemisphere, then in the hemisphere of the defendant power.

The constitution should further provide that if it were necessary to enforce a decree against an American power refusing to follow the decree of the court that such decree should be enforced by the countries of this hemisphere; that if a decree of the court must be enforced against a country of the Eastern Hemisphere, then it should be by such means and methods and by such forces and powers as the court and the powers of that hemisphere should decide.

A league framed on these broad lines would carry with it a minimum of loss of our sovereignty; it would relieve us from participation in the broils of Europe; it would preserve the Monroe doctrine and save America from the results of European aggression and intrigue; it would reduce to the minimum the causes of war; and would make the waging thereof otherwise than in self-defense when attacked a public crime, punishable by the combined forces of the world.

But, Mr. President, these are not the problems which now press urgently upon us. As I have recently proposed to the Senate, let us have an end of all this. Let the discussion of a league of nations be postponed for later consideration not alone by the victorious belligerents but by all the nations if and when at some future time a general conference on this subject may be both possible and useful. Professing as we do to have all humanity for our concern, let us not in our league outlaw a great part of the civilized world. Let us see to it that this league which is to usher in a reign of righteousness upon the earth shall comprise all peoples that dwell upon it, including our regenerated, democratized enemy.

Meanwhile our cobelligerents need have no anxiety, for so surely as the sun rises if the Hun flood again threatened to engulf the world, we shall again be found fighting for the right, with the same complete accord and cooperation as in the past, all for the defense of civilization.

And why should this be our course, because, Mr. President, a million and a half of our boys are marking time in Europe, waiting patiently, anxiously, their eyes turned across the water, for the signing of the treaty of peace that shall allow them to return to the homeland, to the family hearths which need them and which they need. How much longer shall their return wait on academic discussion of unattainable dreams? How much longer shall they for this suffer exposure and hardship and endure disease? How many more of them must die "over there"? While the Hun thrust forth his cruel, bloodthirsty hulk, they gladly abode there and gave their all, even to life itself, but now that he cowers, like a whipped cur in his kennel, they feel that their work is finished. They want to come home.

Remembering what they have given, what they were willing to give, and what their dead comrades have given; remembering the wan-faced waiting mothers, wives, and children; remembering the wrack, the weariness, and the heartache of it all, we must find a way to grant their scant but deep-felt wish.

OIL AND GAS LANDS—CONFERENCE REPORT.

The Senate, as in Committee of the Whole, resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

Mr. PITTMAN. Mr. President, I am going to make a very few remarks on the pending measure, the mineral leasing bill, which is now before the Senate, because the time is limited within which to vote upon the measure.

I realize, as does each Member of the Senate, that under the peculiar rules of this body any two or three Senators may kill a bill toward the end of any session of Congress. It is a rule that is not founded in reason. It is a rule that is disgusting to the people of this country and undemocratic. It is a rule that no man of progressive tendencies has a right to utilize; and yet I am not saying but that it has become so general in this body that no one is subject to criticism in using it. The fact, however, is that by reason of the unlimited debate upon any subject that is permitted in this body, we find now that when the constitutional duration of this Congress is about to expire there are eight or nine great governmental measures that have been agreed to by both Houses of Congress that are about to die because Senators have it in their power to defeat the will of Congress by unlimited debate.

I am not saying this in the way of a criticism of the distinguished Senator who has just closed, because he has only followed the practice that others have followed. He has made an able contribution to this discussion. He was probably, from his standpoint, entitled to take up the time by reason of the fact that others had spoken on the subject. Nevertheless, we have but a few hours left of this Congress, and the great bills that are necessary to support this Government, to maintain our Army and our Navy, are dying. It is for that reason that I asked of those having charge of bills that will follow this bill to permit us, with regard to this great measure, a small period of time.

Immediately following this measure will be the bond bill, the passage of which is essential to the power of the Government to sell bonds to bring home our troops, and other necessary matters. The Senator in charge of that bill has consented not to move to take up that bill until this conference report has had four hours' consideration. I will say that it was a concession to those who are seeking the passage of this bill. I know that had he come in here this morning and moved to take up the bond bill a majority of the Senators in this body would have voted to take it up. It would have ended the conference report on the general mineral leasing bill. I am stating that for the reason that I know that at the end of four hours the Senator in charge of the bond bill, so-called, will move that the Senate proceed to the consideration of the bond bill. I am confident that that motion will carry.

I will not oppose that motion, although I know the result will be that the Senate will take up that bill and displace this bill forever, unless it is voted on prior to that time.

This is a conference report. This is legislation that is completed. This is a bill that has carried, by 207 to 109 votes, in the House of Representatives. There are 65 votes in this body committed to vote for the conference report. It is a more liberal bill than has three times passed this body and three times passed the House on the same subject; but this is the first time that the two Houses have gotten together on the bill. There were five conferees appointed from each body. Nine out of those 10 men agreed to this bill. The only one who did not agree to this bill, who did not sign the conference report or authorize the signing of it, was the Senator from Utah [Mr. SMOOT], whose objection to the bill is that its provisions are too drastic, if anything, and that he is opposed to leasing as a principle——

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Nevada yield to the Senator from Utah?

Mr. PITTMAN. I do.

Mr. SMOOT. Just a moment. I know the Senator does not want to state anything but just what the facts are.

Mr. PITTMAN. No.

Mr. SMOOT. The Senator knows that there was virtually an understanding, an agreement, reached that one-half of the royalties collected should go to the State. Now, is not that a fact?

Mr. PITTMAN. Is that the only objection the Senator has?

Mr. SMOOT. That is the greatest objection.

Mr. PITTMAN. Is that the only objection?

Mr. SMOOT. No; it is not the only objection, but I do not want to take the time of the Senate now to refer to the others. I have had only a few minutes to explain the matter, but I do not want to take another moment of time on it.

Mr. PITTMAN. I do not want to misstate the Senator's position.

Mr. SMOOT. Another thing that I said on the floor of the Senate the other day was this: The Senate, when it passed the bill, had in it a provision for a minimum rate, and a maximum rate of 50 per cent. That is entirely changed now. The Senator must admit that when we had that bill before the Senate it was virtually agreed that those two provisions would remain in the bill, and yet both of them went out; and I think they are very vital points.

Mr. PITTMAN. That sustains exactly what I said, so I shall not have to comment any further. The Senate limited the amount of the royalties the Government could charge. We have taken out that limit. The Senator from Utah is not satisfied.

Mr. SMOOT. That limit was 50 per cent.

Mr. PITTMAN. Yes; that is exactly what I said. The bill is now more favorable to the Government than it was.

Now, let me say this: There have been attacks on this bill, and yet they have not been specific. I should like to have some one point out wherein this bill is unjust to the Government. Why, you find articles in the Christian Science Monitor attacking this bill in general terms, and yet it is evident that the person who wrote the article never saw the bill. You find resolutions here from some society attacking the bill; and yet, if you will read the resolutions, you will know that those adopting the resolutions never read the bill. That character of propaganda should cease to have effect upon Congress. They say they are in favor of a leasing bill. Every provision in this bill is a leasing provision. It provides that all of the coal, gas, oil, phosphate, and sodium lands now withdrawn and owned by the United States shall be disposed of and operated under leases.

There is not a provision in this bill for the sale of any oil, gas, phosphate, or sodium lands. Not only is it a straight leasing bill in regard to those minerals, but it allows the Government to take just as much of the profit as it chooses, or all the profit if it sees fit. There is no limit to the amount of rent that the Government may charge for these lands.

What is the complaint against it? I want to put in the RECORD, without reading, from the House hearings on the bills H. R. 3232 and S. 2812, the proposal of the Department of the Interior and the Navy Department.

The PRESIDING OFFICER. Without objection, leave is granted. The Chair hears no objection, and it is so ordered.

The matter referred to is as follows:

DEPARTMENTAL REPORTS ON H. R. 3232 AND S. 2812.

DEPARTMENTAL PROPOSAL AS A SUBSTITUTE FOR THE RELIEF SECTION OF H. R. 3232 AS IT APPEARS ON PAGE 12, SECTION 12, BEGINNING WITH THE PROVISO IN LINE 24, AND THE REMAINING PORTION OF THE PARAGRAPH ON PAGE 13.

That any claimant who, either in person or through his predecessor in interest, entered upon any of the lands embraced within the Executive order of withdrawal dated September 27, 1909, prior to July 3, 1910, honestly and in good faith for the purpose of prospecting for oil or gas, and thereupon commenced discovery work thereon, and thereafter prosecuted such work to a discovery of oil or gas, shall be entitled to lease from the United States any producing oil or gas well resulting from such work at a royalty of not less than one-eighth of all the oil and gas produced therefrom, together with an area of land sufficient for the operation thereof, but without the right to drill any other or additional wells: *Provided*, That such claimant shall first pay to the United States an amount equal to not less than the value of one-eighth of all the oil and gas already produced from such well: *And provided further*, That this act shall not apply to any well involved in any suit brought by the United States, or in any application for patent, unless within 90 days after the approval of

this act the claimant shall relinquish to the United States all rights claimed by him in such suit or application: *And provided further*, That all such leases shall be made and the amount to be paid for oil and gas already produced shall be fixed by the Secretary of the Interior under appropriate rules and regulations.

FRANKLIN K. LANE,
Secretary of the Interior.

JANUARY 8, 1918.

Mr. PITTMAN. In this connection I ask unanimous consent to insert in the RECORD without reading the leasing provision of the pending bill.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection, and it is so ordered.

The matter referred to is as follows:

All such leases shall be made and the amount to be paid for oil and gas produced after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all such claims situate within naval petroleum reserves the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder of any such claim upon which such wells have been drilled; and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for, upon such terms and conditions as he may prescribe.

No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

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OIL AND GAS.

SEC. 13. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 640 acres of land wherein such deposits belong to the United States and are located within 10 miles of any producing oil or gas well and upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are situated more than 10 miles from any producing oil or gas well within the limits of the land embraced in any such permit the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting permit, such area to be selected by the permittee in compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed, or to be surveyed at his expense in accordance with the laws, rules, and regulations governing the survey of placer mining claims if located upon unsurveyed lands: *Provided*, That said permittee shall be given a preference right to lease the remaining and unpatented lands embraced within the limits of his permit at a royalty determined by competitive bidding at a rate of not less than one-eighth, otherwise to be upon the same terms and conditions as provided for other general leases.

SEC. 15. That until the permittee shall apply for patent to the one-fourth of the permit area heretofore provided for he shall pay to the United States 20 per cent of the gross value of all oil or gas secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

SEC. 16. That all permits, leases, entries, and patents of lands containing oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands so located, leased, entered, or patented, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners, and to the further condition that the locator, lessee, entryman, or patentee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the location, entry, lease, or patent, to be enforced through appropriate proceedings in courts of competent jurisdiction.

SEC. 17. That all unappropriated deposits of oil or gas situated within the geologic structure of a producing oil or gas field and the uncentered lands containing the same, except, however, those embraced in any prospecting permit during the life of the same, may be leased by the Secretary of the Interior through competitive bidding under general regulations in areas not exceeding 1,280 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, which shall be not less than one-eighth in amount of value of the production, which royalty on demand of the Secretary of the Interior shall be paid in oil or gas, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods.

SEC. 18. Upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed since prior to July 3, 1910, by the claimant hereunder or his predecessor in interest under the preexisting petroleum placer law to any oil or gas bearing land embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced and saved from such land, the claimant or his successor in undisputed possession of any such claim shall be entitled to a lease thereof from the United States for a period of 20 years, at a royalty of not less than one-eighth of all the proceeds of oil or gas produced: *Provided*, That not more than one-half of the area within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provisions of this section when the area of such geological oil structure exceeds 640 acres. Any claimant or his successor subject to this limitation shall, however, have the right to select and receive the lease as in this section provided for that portion of his claim or claims equal to, but not in excess of, said one-half of the area of such geologic oil structure.

All such leases shall be made and the amount to be paid for oil and gas produced after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all such claims situate within naval petroleum reserves the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion lease the remainder of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for, upon such terms and conditions as he may prescribe.

No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act of August 25, 1914 (38 Stat. L., p. 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one or more of them as shall be deemed just.

SEC. 19. That any person who, at the time of any withdrawal order, or on January 1, 1918, was a bona fide occupant or claimant of oil or gas lands not withdrawn from entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of $250 for each location if application therefor shall be made within three months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions as other permits provided for in this act, or where any such person has heretofore made such discovery he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof: *Provided*, That such lands are not reserved for the use of the Navy: *Provided, however*, That no claimant who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section: *And provided further*, That within one year after the passage of this act where any land has been included within an oil withdrawal or classification heretofore made after bona fide entry upon the same by a qualified homestead or desert-land entryman and where said entryman has complied with the requirements of the law relating to such entries up to the time when said withdrawal was made, said entryman or the patentee under such entry, shall be given a preference right to a prospecting permit for the same under the same terms and conditions as prescribed in this act.

Mr. PITTMAN. Having that in the RECORD, I challenge anyone to show that there is any difference between the proposals submitted by the department or the Government and that adopted with regard to the Navy. I defy anyone to show that there is any difference between the proposition submitted by the department and that agreed to in this bill outside of the naval reserve. Inside of the naval reserve only the wells are leased because they ought not to hold the oil in the ground. Outside of the naval reserve the aim is production, and there they have lease to the land.

In discussing the provision I have just had inserted in the RECORD, which was submitted to the Committee on the Public Lands of the House with a recommendation, I will read from the letter of the Secretary of the Navy of February 27, 1919, which was put in the RECORD the other day:

I did agree with the Attorney General and the Secretary of the Interior upon a provision sometime ago that would protect the naval reserves and would confer upon the President power to operate the going wells. I did this because I did not wish to assume to be standing in the way of the passage of legislation of importance, which I favored, and I write you because I hope you will correct the impression that I have changed in my attitude. I believe that the naval interests require that whatever in the naval reserves belongs to the Navy by law should go to the Navy, though the final matter should be settled by the courts, unless the provision referred to, which the Attorney General and myself agreed to sometime ago, is incorporated. I think it would be a great mistake to go further than that. I will be glad if you make my position known.

The provision requested by the Secretary of the Navy has been incorporated in this bill. I have inserted in the RECORD the exact agreement of the Secretary of the Navy, the Attorney General, and the Secretary of the Interior, so that you may see what each proposes and what the committee have agreed to; and each Senator may form his own opinion as to whether or not there is ground for complaint.

It is a waste of time for us to argue whether this report agrees with that or not. You can read it and you will see that the language is practically identical. But I can right now hear the argument being made that "you added to what the Secretary of the Navy suggested." How? The President of the United States, if he sees fit in the interest of the Government to re-

quire more development in the naval reserve, shall have the right to permit sinking additional oil wells. That was not suggested in the first place by the Secretary of the Navy, because the Secretary of the Navy forgot that you had to develop land to get oil. That is the change.

There is still an addition to the proposition by the Secretary of the Navy, and that is, if the Government does lease any of that land in the naval reserve, these men, to whom the wells are leased, shall be entitled to a preference right of lease upon the same terms and conditions that are established for bidders for the land. That is all there is to this whole language.

I am going to surrender the floor now, although I have had charge of this bill. I am going to surrender it so that the remaining time may be taken by those who oppose the bill. I do not intend to speak any more unless Senators may desire to ask me questions. I ask permission now to have inserted as a part of my remarks the bill as reported by the conference.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection.

The matter referred to is as follows:

Be it enacted, etc., That deposits of coal, phosphate, sodium, oil, oil shale, or gas, owned by the United States, including those in national forests, the Grand Canyon National Park, and the Mount Olympus National Monument, but excluding those in other national parks and in lands withdrawn or reserved for military or naval uses or purposes, except as hereinafter provided, shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in the case of coal, oil, oil shale, or gas to municipalities.

COAL.

SEC. 2. That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State or Territory of the Union, exclusive of those in Alaska, not otherwise appropriated by competent authority, not exceeding 2,560 acres, upon payment to the receiver of not less than $10 per acre for such lands where the same shall be situate more than 15 miles from any completed railroad, and not less than $20 per acre for such lands as shall be within 15 miles of such railroad, and the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair: *Provided*, That improvements or development work of the aggregate value of not less than $8 per acre upon the coal lands so entered shall be made or done upon the lands annually for two years after such award, when patent shall issue therefor. Upon failure to comply with the terms of this section within the required period said lands shall be subject to entry by any other qualified applicant.

No such person, association, or corporation shall own coal lands entered after the passage of this act in excess of said area, at any one time, nor be interested, directly or indirectly, in any other coal lands or coal taken therefrom, and no member of such association or corporation, or stockholder of such corporation, shall own any other coal lands or be interested, directly or indirectly, in any other coal lands or coal taken therefrom, or in any other association or corporation owning or controlling any coal lands: *Provided, however*, That any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held two years after its acquisition and not longer, and in case of minority or other disability such time as the court may decree.

That any person, association, corporation, member of such association, or stockholder of such corporation who violates any of the foregoing provisions shall, upon conviction thereof, be deemed guilty of a felony, and punished by a fine of not exceeding $10,000 or by imprisonment in the penitentiary for a period of not exceeding two years, or both.

That if any of such coal lands entered after the passage of this act shall be owned, leased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of or in any way effect any combination, or are in anywise controlled by any combination in the form of a trust, or the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by individuals, copartnership, association, corporation, mortgage, stock ownership, or control, in excess of 2,560 acres, the title thereto shall be forfeited to the United States of America by proceedings instituted by the Attorney General in the courts for the purpose.

SEC. 3. That the Secretary of the Interior is authorized to, and upon the petition of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, outside of the Territory of Alaska, unless previously entered under section 2 of this act, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract, and thereafter the Secretary of the Interior shall, in his discretion, from time to time, upon the request of any qualified applicant or on his own motion, offer such lands or deposits of coal for leasing, and, upon a royalty fixed by him in advance, shall award leases thereof through advertisement, by competitive bidding, or, in case of lignite or low-grade coals, such other methods as he may by general regulations adopt, to any qualified applicant, unless previously entered under section 2 of this act: *Provided*, That no railroad or other common carrier shall be permitted to take or acquire through lease or permit under this act any coal lands or deposits of coal in excess of such area or quantity as may be required and used solely for its own use, and such limitation of use shall be expressed in all leases or permits issued to railroads or common carriers hereunder. That such a railroad or common carrier may be permitted to take under the foregoing provisions not to exceed one lease hereunder upon and for each 200 miles of its line in actual operation. The term "railroad" or "common carrier" as used in this act shall include any company or corporation owning or operating a railroad, whether under a contract, agreement, or lease, and any company or corporation subsidiary or auxiliary thereto, whether directly or indirectly connected with such railroad or common carrier, but shall not include spurs, switches, or branch lines operated by any lessee and necessary to connect the mine with the line or lines of any railroad or other common carrier.

SEC. 4. That any person, association, or corporation holding a lease of coal lands or coal deposits under this act may, with the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure modifications of his or its original lease by including additional coal lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the existing lease, shall not exceed 2,560 acres, through the same procedure and under the same conditions as in case of an original lease.

SEC. 5. That if, in the judgment of the Secretary of the Interior the public interest will be subserved thereby, lessees holding under lease areas not exceeding the maximum permitted under this act may consolidate their leases or holdings through the surrender of the original leases or holdings and the inclusion of such areas in a new lease of not to exceed 2,560 acres of contiguous lands.

SEC. 6. That where coal lands aggregating 2,560 acres and subject to lease hereunder do not exist as contiguous areas, the Secretary of the Interior is authorized, if, in his opinion, the interests of the public and of the lessee will be thereby subserved, to embrace in a single lease sections or parts of sections which can be operated as a single mine or unit.

SEC. 7. That for the privilege of mining or extracting the coal in the lands covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed in advance of offering the same, and which shall be not less than 2 cents per ton of 2,000 pounds, due and payable at the end of each month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall be not less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines, except when such operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may, if in his judgment the public interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal, which in no case shall aggregate less than the amount of rentals herein provided for.

SEC. 8. That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of individuals to prospect for, mine, and take for their use, but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interest: *Provided*, That this privilege shall not extend to any corporation: *And provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 160 acres, upon condition that such municipal corporations will mine the coal therein under proper conditions and dispose of the same without profit: *And provided further*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the acquisition of such tract or operation of such mine under said limited license.

PHOSPHATES.

SEC. 9. That the Secretary of the Interior is hereby authorized to lease or sell to any person qualified under this act any lands belonging to the United States containing deposits of phosphates, under such restrictions and upon such terms as are herein specified, through advertisement, competitive bidding, or such other methods as the Secretary of the Interior may by general regulation adopt.

SEC. 10. That each lease or sale shall be for not to exceed 2,560 acres of land to be described by the legal subdivisions of the public-land surveys, if surveyed, to be described by the legal subdivisions of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease, in accordance with the laws, rules, and regulations governing the survey of public lands, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such survey; deposits made to cover expense of surveys shall be deemed appropriated for that purpose; and any excess deposits shall be repaid to the person, association, or corporation making such deposits or their legal representatives: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width.

SEC. 11. That for the privilege of mining or extracting the phosphates or phosphate rock covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, which shall be not less than 2 per cent of the gross value of the output of phosphates or phosphate rock at the mine, due and payable at the end of each month succeeding that of the extraction of the phosphates or phosphate rock from the mine, and an annual rental payable at the date of such lease and annually thereafter on the area covered by such lease at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and $1 per acre

for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of a minimum annual production, except when operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior shall determine unless otherwise provided by law at the time of the expiration of such periods.

SEC. 12. That any qualified applicant to whom the Secretary of the Interior may grant a lease to develop and extract phosphates, or phosphate rock, under the provisions of this act shall have the right to use so much of the surface of unappropriated and unentered lands, not exceeding 40 acres, as may be determined by the Secretary of the Interior to be necessary for the proper prospecting for or development, extraction, treatment, and removal of such mineral deposits.

OIL AND GAS.

SEC. 13. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 640 acres of land wherein such deposits belong to the United States and are located within 10 miles of any producing oil or gas well and upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are situated more than 10 miles from any producing oil or gas well and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than 500 feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time and upon such conditions as he shall prescribe. Whether the lands sought in any such application and permit are surveyed or unsurveyed, the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is sought a monument not less than 4 feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within 30 days after date of said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of 30 days following such marking and posting, be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within 90 days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided*, That in the Territory of Alaska prospecting permits, not more than five in number, may be granted to any qualified applicant for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than 500 feet, unless valuable deposits of oil or gas shall be sooner discovered, within three years from date of the permit and to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered, within four years from date of permit: *And provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit.

SEC. 14. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any such permit the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting permit, such area to be selected by the permittee in compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed, or to be surveyed at his expense in accordance with the laws, rules, and regulations governing the survey of placer mining claims if located upon unsurveyed lands: *Provided*, That said permittee shall be given a preference right to lease the remaining and unpatented lands embraced within the limits of his permit at a royalty determined by competitive bidding at a rate of not less than one-eighth, otherwise to be upon the same terms and conditions as provided for other general leases.

SEC. 15. That until the permittee shall apply for patent to the one-fourth of the permit area heretofore provided for he shall pay to the United States 20 per cent of the gross value of all oil or gas secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

SEC. 16. That all permits, leases, entries, and patents of lands containing oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands so located, leased, entered, or patented, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners, and to the further condition that the locator, lessee, entryman, or patentee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the location, entry, lease, or patent, to be enforced through appropriate proceedings in courts of competent jurisdiction.

SEC. 17. That all unappropriated deposits of oil or gas situated within the geologic structure of a producing oil or gas field and the unentered lands containing the same, except, however, those embraced in any prospecting permit during the life of the same, may be leased by the Secretary of the Interior through competitive bidding under general regulations in areas not exceeding 1,280 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, which shall be not less than one-eighth in amount of value of the production, which royalty on demand of the Secretary of the Interior shall be paid in oil or gas, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods.

SEC. 18. Upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed since prior to July 3, 1910, by the claimant hereunder or his predecessor in interest under the preexisting petroleum placer law to any oil or gas bearing land embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced and saved from such land, the claimant or his successor in undisputed possession of any such claim shall be entitled to a lease thereof from the United States for a period of 20 years, at a royalty of not less than one-eighth of all the proceeds of oil or gas produced: *Provided*, That not more than one-half of the area within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provisions of this section when the area of such geological oil structure exceeds 640 acres. Any claimant or his successor subject to this limitation shall, however, have the right to select and receive the lease as in this section provided for that portion of his claim or claims equal to but not in excess of said one-half of the area of such geologic oil structure.

All such leases shall be made and the amount to be paid for oil and gas produced after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all such claims situate within naval petroleum reserves the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for upon such terms and conditions as he may prescribe.

No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act of August 25, 1914 (38 Stat. L., 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one or more of them as shall be deemed just.

SEC. 19. That any person who, at the time of any withdrawal order, or on January 1, 1918, was a bona fide occupant or claimant of oil or gas lands not withdrawn from entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of $250 for each location if application therefor shall be made within three months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions as other permits provided for in this act, or where any such person has heretofore made such discovery he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof: *Provided*, That such lands are not reserved for the use of the Navy: *Provided, however*, That no claimant who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section: *And provided further*, That within one year after the passage of this act where any land has been included within an oil withdrawal or classification heretofore made after bona fide entry upon the same by a qualified homestead or desert land entryman and where said entryman has complied with the requirements of the law relating to such entries up to the time when said withdrawal was made, said entryman or the patentee under such entry, shall be given a preference right to a prospecting permit for the same under the same terms and conditions as prescribed in this act.

OIL SHALE.

SEC. 20. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed, to be surveyed by the United States, at the expense of the applicant, in accordance with the laws and regulations for the survey of public lands. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum, for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such

royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior: *Provided*, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid location to such minerals under existing laws on January 1, 1918, shall, upon the relinquishment of such location, be entitled to a lease under the provisions of this section, for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant who has been guilty of fraud in the location of any oil-shale bearing lands shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person, association, or corporation.

ALASKA OIL PROVISO.

SEC. 21. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, or his successors or assigns, who prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in wells and who prior to withdrawal had made substantial improvements on or for each location or had prior to the passage of this act expended not less than $250 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act, or within six months after final denial or withdrawal of application for patent to a prospecting permit or permits, lease or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases in Alaska under this act, whether as a result of prospecting permits or otherwise, shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease, and be subject to readjustment at the end of each 20-year period of the lease: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

SODIUM.

SEC. 22. That the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of sodium dissolved in and soluble in water, and accumulated by concentration, in lands belonging to the United States for a period not exceeding two years: *Provided*, That the area to be included in such a permit shall be not exceeding 2,560 acres of land in reasonably compact form: *Provided further*, That the provisions of this section shall not apply to lands in San Bernardino County, Cal.

SEC. 23. That upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of one of the substances enumerated in section 22 hereof has been discovered by the permittee within the area covered by his permit the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting limit, to be taken and described by legal subdivisions of the public-land surveys, or if the land be not surveyed by survey executed at the cost of the permittee in accordance with the laws, rules, and regulations governing the survey of placer mining claims. All other lands described and embraced in such a prospecting permit, from and after the exercise of the preference right to patent accorded to the discoverer, and all other lands known to contain such valuable deposits as are enumerated in section 22 hereof and not covered by permits or leases, except such lands as are situated in said county of San Bernardino, shall be held subject to lease or sale, and may be leased or sold by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, and in such areas as he shall fix, not exceeding 2,560 acres, all leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, and the payment in advance of a rental of 50 cents per acre for the first calendar year or fraction thereof and $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year. Leases may be for indeterminate periods upon such conditions not inconsistent herewith as may be incorporated in each lease or prescribed in general regulation theretofore issued by the Secretary of the Interior, including convenants relative to mining methods, waste, period of preliminary development, and minimum production, and a patentee under this section may be lessee of the remaining lands in his permit.

SEC. 24. That in addition to areas of such mineral land which may be included in any such prospecting permits or leases, the Secretary of the Interior, in his discretion, may grant to a permittee or lessee of lands containing sodium deposits, and subject to the payment of an annual rental of not less than 25 cents per acre, the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 20 acres in area for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, SODIUM, OIL, OIL SHALE, AND GAS LEASES.

SEC. 25. That the Secretary of the Interior shall reserve and may exercise the authority to cancel any prospecting permit upon failure by the permittee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms and conditions stated in the permit, and shall insert in every such permit issued under the provisions of this act appropriate provisions for its cancellation by him.

SEC. 26. That no person, association, or corporation, except as herein provided, shall take or hold more than one coal, phosphate, or sodium lease during the life of such lease; no person, association, or corporation shall take or hold, at one time, more than three oil or gas leases granted hereunder in any one State, and not more than one lease within the geologic structure of a producing oil or gas field; no corporation shall hold any interest as a stockholder of another corporation in more than such number of leases, and no person or corporation shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, exceeds in the aggregate an amount equivalent to the maximum number of acres allowed to any one lessee under this act; and the interests held in violation of this provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property, or some part thereof, is located, except that any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition: *Provided*, That nothing herein contained shall be construed to limit sections 18 and 19 or to prevent any number of lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines or railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same.

SEC. 27. That rights of way through the public lands, including the forest reserves, of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior, and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That no right of way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

SEC. 28. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit upon such terms as he may determine to be just, for joint or several use such easements or rights of way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided further*, That if such reservation is made, it shall be so determined before the offering of such lease: *And provided further*, That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

SEC. 29. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease, and may with like consent, surrender any legal subdivision of the area included within the lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency, provisions securing the workmen complete freedom of purchase, requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare: *Provided*, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated.

SEC. 30. That any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

SEC. 31. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act: *Provided*, That nothing in this act shall be construed or held to affect the rights of the States or other local authority to exercise any rights which they may have including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

SEC. 32. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath, unless otherwise specified by him and in such form and upon such blanks as the Secretary of the Interior may require.

SEC. 33. That the provisions of this act shall also apply to all deposits of coal, phosphate, sodium, oil, oil shale, or gas in the lands of the United States, which lands may have been or may be disposed of under laws reserving to the United States such deposits, with the right to prospect for, mine, and remove the same, subject to such conditions as are or may hereafter be provided by such laws reserving such deposits.

SEC. 34. That all moneys received from sales, royalties, and rentals under the provisions of this act, excepting those from Alaska, shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act, but after use thereof in the construction of reclamation works and upon return to the reclamation fund of any such moneys in the manner provided by the reclamation act and acts amendatory thereof and supplemental thereto, 50 per cent of the amounts derived from such royalties and rentals so utilized in and returned to the reclamation fund shall be paid by the Secretary of the Treasury after the ex-

piration of each fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, said moneys to be used by such State or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct: *Provided*, That any moneys which may accrue to the United States under the provisions of this act from lands within the naval petroleum reserve shall be deposited in the Treasury as "miscellaneous receipts."

SEC. 35. That the deposits of coal, phosphate, sodium, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existent at date of the passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws.

Mr. HARDWICK obtained the floor.

Mr. SMOOT. Will the Senator from Georgia yield to me for a moment?

Mr. HARDWICK. I yield.

Mr. SMOOT. I wish to say to the Senator from Nevada that I do not intend to take a minute, but I do not want it to appear because I have not made a speech that I shrank from the challenge that was issued by the Senator. If it can be done, I am perfectly willing that the conference report shall be adopted, and not a minute of time shall be taken by me.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

CONSTITUTION OF THE LEAGUE OF NATIONS.

Mr. HARDWICK. Mr. President, for a few brief moments, and possibly for the last time in my career here, I crave the indulgence of the Senate while I undertake to present as briefly and as compactly as I may what I regard as the most momentous issue that has ever confronted the American people since that July day in 1776 when our fathers declared to all the world that these United States are, and of right ought to be, free and independent States.

It is my purpose to discuss the proposition generally known as the league of nations, to endeavor to present to the Senate and to the people of this country, as far as my voice may reach and carry, exactly what I believe, with all my heart and soul, this proposal means to the people of America.

Mr. President, at this moment we are standing in a twilight zone between peace and war, with no fighting in progress, with no cannon sounding, with no armed hostilities in progress, and yet with no peace officially and legally declared and determined upon. I submit to the calm thought and sober judgment of the people of this country first that the most important duty of the commissioners who represent the United States of America at the peace conference is to speedily conclude a just and honorable peace with our late adversaries, to bring us out of this twilight zone, to bring our boys home once more, and to let this great peaceable and peace-loving Nation speedily and completely resume its peaceful vocations and its peaceful work.

I thought, sir, at the beginning of this session, that the first and most important service the American Congress could render to the American people would be to repeal at once every one of the great war measures that had been adopted under the stress of war conditions, that were in violation of the genius and spirit of our institutions, and that were in derogation of the fundamental propositions upon which this great Government of the free rests.

With that view in mind, on the very first day it was my honor and privilege to attend this session, I introduced several bills to accomplish that purpose, to repeal the espionage law adopted under stress of war conditions, and I think and thought then unnecessarily, but to repeal it now that peace has come once more, and to repeal many of the great war measures that had given to the Government of the United States for the purpose of prosecuting the war great powers that are utterly inconsistent with the genius of our institutions and with the form and structure of the American Government itself in ordinary peace times. Unfortunately, these bills have not been acted upon.

While these great questions are in no sense partisan, while they strike to the very root of fundamentals and appeal to Americanism rather than to partisanship, I do not hesitate to say to my colleagues on this side of the Chamber that in my judgment you have committed the most serious mistake that men instrusted with power, representing a great party, ever committed when you did not repeal these measures at once, as soon as your President had negotiated the armistice and had notified us officially that the war was at an end. You waited, you elected to wait, until the 4th day of March should come. You elected to wait until the Republicans were given power, in the most remarkable election ever held in any country, when the administration that had conducted a great war to a glorious and successful climax was yet repudiated, at the very moment of its victory, at the polls by the people of America. Confronted with that knowledge and with that knowledge in your minds, you deliberately elected to wait until the 4th of March should come and the Republicans, our friends on the opposite side of this Chamber, given power as a result of that election, should proceed to restore the rights and liberties of American citizens and to bring the country back to a normal peace basis again.

However that may be, it is not pertinent to this discussion. The water that has passed turns no wheels. If we made a mistake along that line we can not remedy it now. I merely mention it to show you the importance of our proceding at once, without an instant's delay, to make a satisfactory and reasonable and just treaty of peace with our late adversaries in this war and to restore this great Nation to the paths of peace once more and permanently.

Mr. President, there ought not to be coupled with the conclusion of peace any other proposition on this earth whatever as an international legislative rider. We have seen the mischief wrought in the two Houses of Congress with legislation on that score and from that practice. The peace treaty ought to be made speedily, completely, and then if another and further proposal relating to permanent peace throughout the world, an object that all good men desire, is to be considered, that ought to be considered on its own merits and without delaying the consummation of that peace which the world so devoutly desires and so urgently needs.

We come now to a consideration of the proposal embodied in the so-called constitution of the league of nations that has been framed by the committee having the matter in charge and reported to the body of representatives of the entente powers who are engaged in preliminary meetings with each other before the convening of the official peace conference.

Mr. President, I expect to demonstrate to the Senate of the United States three main propositions; at least it is to be my endeavor to do so to-day. First, that the league of nations as proposed, instead of keeping this country out of war and keeping the world out of war, is far more likely to lead this country into war and keep the entire world at war than not.

Second, that in at least four particulars the proposed constitution of a league of nations violates the fundamental and organic law of this land, the Constitution of the United States. No Senator can support it as long as the oath which he took at yonder desk remains in his memory, unless he believes that the Constitution of the United States is no longer of vital living force and has no longer a standing either in the forum of law or morals.

I propose to show that the proposed constitution of a league of nations delegates to that body the power conferred by the Constitution of the United States on the Congress, first, to provide an army and a navy for the country; second, to declare war and to decide when war is to be declared; third, it limits the treaty-making power provided in the Constitution by delegating some of the functions of that power to the league of nations composed in major part of the representatives of foreign and alien powers; and, fourth, that there are certain provisions in this constitution of the league of nations that are utterly violative of the provisions of the tenth amendment to the Constitution of the United States, which propose to delegate to the league of nations powers that the Congress itself has not, powers that belong to the States and that are expressly reserved to them and their people under the written terms of the Constitution of the United States.

I propose to show, Mr. President, in the third place, that the proposed league of nations not only is violative of the Constitution of the United States but it violates the basic and fundamental principles upon which this Government of the people was formed, and that it violates traditional and correct American policies from the beginning of the Government up to this present moment, or certainly up to the very recent past.

The strength of this proposal before the people rests upon one proposition, and just one, and that is the anxiety of every right-thinking man and woman throughout this country and throughout the world to promote the cause of universal peace and to prevent the recurrence of wars. But for that sentiment and but for a vague, undefined, loose belief, incapable of either exact definition or accurate expression, in the minds and on the tongues of many people, there would not be a scintilla of support for this proposition anywhere in the United States.

It is not remarkable that that should be true either in this country or in Europe or throughout the world. We are standing at the close of the greatest war this world has ever seen; a war that cost the nations engaged in it 7,000,000 lives of men killed on the battle field and 6,000,000 more men who are utterly and permanently destroyed, utterly useless and helpless, although not dead. It cost the world $167,000,000,000, represented and reflected in the increase of the debt of all the great nations that fought in it on one side or the other.

Under circumstances like these, although fortunately in the providence of Almighty God the American blood loss was not

heavy, comparatively and relatively speaking, it is not strange that every right-thinking man and every right-thinking woman throughout this country ardently desires that whatever practical thing can be done with reason and with safety, with common sense and with ordinary prudence, shall be done in order to prevent a repetition of this awful carnage; in order to prevent their sons being sent in some future war into the depths of another hell. They are right, everlastingly right; and it is the duty of this Nation and of every civilized and particularly of every Christian nation, practicing the doctrines and invoking the name of the Prince of Peace, to do everything that reasonable men, prudent men, and practical men can do which will tend to remove this danger from the future and which will tend to keep this country and all other countries, as far as may be, out of war.

But I assert, Mr. President, in spite of many assertions to the contrary from high authority, that this league of nations as proposed, as it now stands, instead of keeping us out of war will put us in every war of the world for all time to come, if we live up to the covenants and agreements that we assume when we sign it; and no honorable and high-minded person can contend that we ought to sign or become a party to it unless we intend in good faith to live up to the contracts and covenants which it contains.

I am not going to undertake a complete and thorough analysis of this constitution as a whole. It has been done by other men far more able to do it than I. You can take the able speech that the Senate heard this morning from the junior Senator from Pennsylvania [Mr. KNOX]. It will live in the history of this discussion, in the consideration of this question, as one of the most luminous and forceful and convincing analyses that any mortal man can make of the questions involved in this matter. The Senator from Pennsylvania and I differ as radically as two men can and are as apart as the poles can be on most questions of ordinary politics, but I confess it is a matter of regret to me that the country can not have at Paris in this emergency, at this crisis, the services of such distinguished, able, and well-equipped statesmen, Americans, as the distinguished Senator from Pennsylvania [Mr. KNOX] instead of having unknown and untried people like Col. House, for instance, and Barney Baruch, whoever he may be—— [Applause in the galleries.]

The PRESIDING OFFICER. The occupants of the gallery will be in order. The rules of the Senate prohibit demonstration in the galleries. It is the duty of the Chair to enforce this rule. The occupants of the galleries, I trust, will not abuse the privilege of the Senate.

Mr. HARDWICK. Without undertaking, especially after the splendid analysis of this document as a whole given by the Senator from Pennsylvania this morning, to submit a complete analysis of it, I wish to emphasize in connection with the point I have particularly in mind certain provisions of the constitution of the league of nations.

Article 11 of the constitution pledges the United States, if it signs it, to any action that the league may deem wise and effective whenever war occurs anywhere or is threatened anywhere. Let a war occur in the Balkans between Serbia and Montenegro, let us say, for the purposes of illustration, and that is not an impossibility nor even an improbability; if a dozen or so men, all of them except one a foreigner, all of them except one an alien as far as this country is concerned, determine that we ought to take one side or the other, to whatever extent those men say you have got to conscript—because that policy seems to be well established now in this country and in its legislative development—American boys from the farm and the factory and the foundry and the workshop and the bank and the store and everywhere else, and send them over to do what these men say is right about a Balkan boundary line.

Not only that, but if no war actually breaks out, if one is threatened only, and unless we are misinformed by the current press wars are being threatened even now in more than one quarter of the world, then if this league of nations, acting first and primarily through its executive council and secondly and as a last resort through the body of delegates itself, determines that one or the other party to this dispute which threatens war is wrong, we are to send our boys so conscripted and take whatever side these men determine is right. If any member of this league of nations declines to arbitrate any dispute or fails to abide by any award as provided in article 12 of the constitution of the league of nations, then under the provisions of article 16 of that same instrument—and I quote now the language—

Such conduct is ipso facto an act of war.

Such conduct is ipso facto an act of war, and every member of the league must enter the war under such terms as may be prescribed either by the executive council or by the body of delegates.

Let me illustrate what might well happen. Suppose our sister Republic of Mexico should make a claim before this league of nations or its executive council that some 60 or 70 years ago we went down on a little freebooting expedition, waging war upon her, taking away great areas of her territory, Texas and New Mexico and California and Arizona; that it was a gross injustice, and that they are entitled to have these territories restored; and suppose we then said: "We will not arbitrate such a question," or if we did arbitrate it and the award went against us, then we should decline to submit to it, then under this constitution of the league of nations every member of this league would be bound to wage war against us in order to take back what we took away from Mexico in the forties.

Article 16 not only provides for the carrying out of these awards by military force, but it provides also for a commercial blockade, and that is really the first and primary way of dealing with it if any nation fails to comply with the conditions of any award. I can without any very great stretch of imagination conceive very well what may happen in such a contingency. If England was the party that had this blockade declared against her—I do not suppose that is very probable as a practical proposition, when I consider how the British delegates have the real control of the league; but if it did happen, then what would become of the cotton planter of the South? He would be deprived of his most profitable customer, he would have to do without the principal customer that we have for the great staple of the South. So it is if this commercial blockade were declared against any power that was any considerable customer for our cotton or wheat or any of the great American products of agriculture or mining or manufacture. We would find it causing here at home all sorts of unanticipated and unsurmountable trouble.

I think the best thing to do is for this country to continue to control her own commercial policy according to her own idea of what is right and best.

Under article 16 it is provided that whenever any member of the league does not go into this arbitration proceeding or this appeal to the league of nations and this executive council, or, having gone into it, does not abide by the decision, it is ipso facto an act of war; and the executive council or the body of delegates themselves shall determine exactly what force, military and naval, each power as a member of the league shall supply.

But under article 17 what happens? Under article 17 the same thing is precisely and exactly true of every nation on this earth that is not a member of the league of nations. So I do not now see why they drew that distinction between nations that were members of the league and those that were not, for they propose to apply the same drastic remedies to them all. That means that we, with three or four other considerable powers, are to undertake to guarantee the peace of the world with the lifeblood of every American citizen, wherever he lives, however rich he is or however poor he is, or whatever he does.

What will be our duties, let me inquire of the Senate, under the mandatory provision in article 19 of this proposed constitution of the league of nations? The Senator from Pennsylvania, I think, is exactly right. I have studied that provision, I think, as hard as anything else in this constitution, and I must confess that it is the most vaguely drawn and the most loosely drawn of any provision of this sort that I ever saw engrafted in any constitution or in any statute. It might mean a great many things, and it may mean almost nothing. It is left capable of many constructions, many of them conflicting with others that might be adopted.

Now, let me ask you, are we to undertake police duty all over this world under this mandatory provision? Let me tell you what I believe I know, and what I deliberately charge in my place as a Member of this body on this floor. I believe that it has already been virtually agreed that the United States of America is to be the mandatory for Armenia. Of course, the United States, if it goes into this compact, must take its fair share of the duties and responsibilities growing out of it and of the situation created by it. They are already discussing over in Paris, through the processes of secret diplomacy, exactly what that part shall be.

I do not know how other Senators feel, but, so far as I am concerned, I am utterly unwilling to see this country made, in whole or in part, the policeman of the world, and to see our boys drafted from factory and from farm, from hillside and from valley, and sent all over the world to administer government in East Africa, in Central Africa, in Armenia, in Turkey, in the islands of the South Sea, on account of the vague, theoretical ideals of a thoroughly impracticable man.

Mr. REED. Would it interrupt the Senator if I should ask him a question?

Mr. HARDWICK. I yield to the Senator from Missouri.

Mr. REED. I should like to have the Senator's views as to about how large an army it might take to police Russia alone. Napoleon once tried that.

Mr. HARDWICK. Napoleon tried it, and Napoleon was unable even to vanquish the snows of Russia. If the Bolsheviki are as active and restless over there as I believe them to be, if they are as hungry as was represented to us when they were asking for a hundred million dollars to help feed them, if they are as dangerous as they now paint them and portray them, there will be no limit to the size of the army that we shall have to raise for that purpose alone.

Mr. President, it is an open secret, arrived at, it is true, through leakings in the processes of secret diplomacy, that the nations of Europe are already insisting, since the United States of America, relatively, did not bear much of the burden and brunt and lose much of the blood in the war, that we must take the major portion of these police duties that are to come after the war and as a result of this league of nations project.

Article 10 pledges this country to fight to maintain the political independence and the territorial integrity of every member of the league of nations. That will get us into untold wars, in my judgment. While I am willing to vote every drop of blood in this country and every cent of money in this country to fight in any war that is necessary to be fought in order to vindicate American honor or to establish American rights, I say to the Senate of the United States that I would be unwilling to vote a single cent of money or a single drop of American blood to maintain the political independence of any nation on this earth, except that of the United States of America, or to keep intact the boundary lines of any country on this globe except our own.

Now, the issue is pretty plainly drawn there. The President, who, in conjunction with former President Taft, stands to-day as the principal sponsor and proponent of this project, understands full well what it means. He is not deceiving himself as to what this peace league is. When he presented this report to the delegates of the various powers that are engaged in this preliminary conference at Paris, he used these words:

Armed force is in the background in this program, but it is in the background, and if the moral force of the world will not fight, the physical force of the world shall.

Mr. SMITH of Michigan. Who said that?

Mr. HARDWICK. Mr. Wilson. It is the dogma of a thoroughly impracticable man. The physical force of the world has always settled these question and always will, when it comes to the last analysis, until the millennium shall arrive, and all the nations shall beat their swords into plowshares, and the lion and the lamb shall lie down in peace together.

Still, the President does not deceive himself on this proposal. He says that physical force is in the background, but it is there, and that if moral suasion will not do the work the combined physical force of the world will.

Again, in his speech at Boston the other day, while he was urging us not to speak, the President undertook to lay down his views on this question; and, although I know that Senators are familiar with them, as I want the country to understand what those views are in connection with this very position which I am now taking, I will read what the President said then. He said in the course of that speech:

Any man who thinks that America will take part in giving the world any such rebuff—

That is, rejecting this league of nations project—

And disappointment as that does not know America.
I invite him to test the sentiments of the Nation.

Well, the invitation is going to be accepted by every true American in this country who believes in American fundamentals and is willing to stand out like a man and define and analyze and dissect this proposal regardless of party. The President and Mr. Taft are standing together.

In a telegram sent to President Wilson from Mr. Taft in Atlanta, in my own State, on yesterday or last night Mr. Taft referred to the fact that he was glad, in speaking at an early date to a New York audience, that he and President Wilson, belonging to two great parties who were opposed to each other, could stand side by side and shoulder to shoulder on this great question. So they do, for they think alike. So we are going to find, before this thing is over, that men in the North and in the South, in the East and in the West, who think alike on it are going to stand together, side by side and shoulder to shoulder, no matter how anybody else stands and no matter what the ordinary party alignments are on ordinary political questions. The President continued:

I should welcome no sweeter challenge than that.

All right. The gage is accepted; the battle is joined. The President will find that men who believe in the sturdy principles of Americanism throughout this Republic will not hesitate to accept his challenge, and that everywhere in this Republic where human reason can be appealed to, where human intellects can be informed, where human courage can be rallied, the battle cry will be raised for the preservation of American sovereignty, for the preservation of American nationality.

Again, reading the President's language:

I should welcome no sweeter challenge than that. I have fighting blood in me, and it is sometimes a delight to let it have scope—

I believe it will have full scope. He will have all he wants before this thing is over—

but if it is a challenge on this occasion, it will be an indulgence. We set this Nation up to make men free, and we did not confine our conception and purpose to America, and now we will make men free.

When the President was urging this Congress to go into war he said officially that we ought to declare war on Germany, and on Germany alone, because Germany was the only power that had committed an overt act against us, had fired on our flag, and had murdered our citizens, and he resisted the proposal that we should declare war on Austria-Hungary until Austria-Hungarian troops and ours had come into armed collision. He resisted even to the bitter end, and successfully, the proposal that we ought to declare war on Turkey and Bulgaria. So the President, in his present contention that we went into this war in order to set all men free, is not speaking in accordance with the facts of history, as everybody will know before this performance is over.

Think of the picture, think of the utter blackness that would fall on the world. America has failed. America made a little essay at generosity and then withdrew. America said, "We are your friends," but it was only for to-day, not for to-morrow. America said, "Here is our power to vindicate right," and then the next day said, "Let right take care of itself and we will take care of ourselves."

I am pretty strong for the right, but it is a pretty good principle of common sense that the first thing everybody ought to do is to take care of himself, and in that way the general right and the general good will be best promoted. The first duty we owe in this matter is to ourselves, to this great country of ours which God has given us, and to the people that live in it and to their children and to their children's children that are to come after them for the generations that are yet unborn, and I am not willing to sacrifice those considerations for anybody in German East Africa, in Armenia, in the islands of the south seas, or anywhere else—even in Russia.

And think of the world that we would leave. Do you realize how many new nations are going to be set up in the presence of old and powerful nations in Europe and left there, if left by us, without a disinterested friend?

Do you believe in the Polish cause, as I do?

That is what Mr. Wilson asks. I do not know; but I believe in the American cause; I believe in taking care of ourselves; I believe in looking out for our own Nation; I believe in avoiding foreign entanglements and foreign obligations. I believe with all my heart and soul and strength in the doctrines and sentiments of Washington and Jefferson and Monroe rather than in those of Woodrow Wilson. I do not know whether I love the Poles as well as he does or not, but I do know that I love the people of America as well as he does.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Oklahoma?

Mr. HARDWICK. I yield.

Mr. GORE. The Senator remembers that Poland was divided in 1770?

Mr. HARDWICK. Yes; between Austria, Russia, and Germany.

Mr. GORE. That was six years before the Declaration of Independence.

Mr. HARDWICK. Yes.

Mr. REED. There was not much left when she was divided.

Mr. HARDWICK. I am not expressing any view about that; but I say that we do not owe as a sovereign Nation any guaranty of the permanence of Polish political independence or the territorial integrity of whatever nation may be set up there.

Are you going to set up Poland, immature, inexperienced, as yet unorganized, and leave her with a circle of armies around her? Do you believe in the aspirations of the Czecho-Slovaks and the Jugo-Slavs as I do?

I do not know whether I do or not. I do not know what they are, but I believe in the aspirations of free Americans, and I believe in the right of the people of America to attend to their own business, and not to mix up in every quarrel on this earth and do police duty all around the globe.

Do you know how many powers would be quick to pounce upon them if there were not the guaranties of the world behind their liberty?

Well, I do not believe it. Germany is not apt to pounce on anybody in a thousand years to come. They may have troubles about boundary lines and boundary waters with their neigh-

bors; they have had all through their history, and I do not suppose they have changed entirely; but if they have I do not think it is any of our business and I do not want anything to do with it.

Again, the President asked:

Have you thought of the suffering of Armenia?

Yes; and I have thought somewhat about the sufferings of the people of America, too, and I think more about the sufferings that will occur here while we are conscripting our boys to send them to Armenia and the South Sea islands and other countries of the world. I am not so much concerned about Armenian sufferings as I am about American rights and liberties.

You poured out your money to help succor the Armenians after they suffered.

Yes; but I do not propose to pour out any American blood to do it, if I can prevent it, unless somebody jumps on us.

I wish to read next from one or two earlier addresses of President Wilson on this question. Speaking before the League to Enforce Peace in this city on the 27th day of May, 1916, President Wilson used this language:

If it should ever be our privilege to suggest or initiate a movement for peace among the nations now at war I am sure that the people of the United States would wish their Government to move along these lines: First, such a settlement with regard to their own immediate interests as the belligerents may agree upon.

Well, that is all right.

We have nothing material of any kind to ask for ourselves and are quite aware that we are in no sense or degree parties to the present quarrel.

That was before this idea struck us that we were going to democratize the world and save the liberties of the world. We had not got that far along then. That was while we still had on our peace robes and were convincing the American people that we ought to reelect Mr. Wilson because he had "kept us out of war," thereby implying that he proposed to continue to keep us out of war.

First, such a settlement with regard to their own immediate interests as the belligerents may agree upon. We have nothing material of any kind to ask for curselves, and are quite aware that we are in no sense or degree parties to the present quarrel. Our interest is only in peace and its future guaranties. Second, a universal association of the nations—

At that time all nations were to be included—Germany, Austria-Hungary, Turkey, and all the others—

Second, a universal association of the nations to maintain the inviolate security of the highway of the seas—

What has become of that? Somebody ought to take out a search warrant to find what has become of that great contention for which he first went to Europe—

for the common and unhindered use of all the nations of the world, and to prevent any war begun either contrary to treaty covenants or without warning and full submission of the causes to the opinion of the world—

That part of it is very good, but listen to the conclusion—

a virtual guaranty of territorial integrity and political independence.

That is where I part company with President Wilson on this question. I am not willing to guarantee, and this country ought never to guarantee, the political independence or the territorial integrity of any one of these peoples or nations.

Again, on the 22d day of January, 1917, President Wilson made an address to us, to the United States Senate, on this floor from that rostrum. This was his "peace without victory" speech. I think it is possibly a little cruel to quote this, and I do not intend to quote too many of President Wilson's speeches at once, because they present too many and too varied angles of contemplation. But then the President's idea was that it was best for this war to come to an end without anybody winning; in fact, there was no other way to secure the future peace of the world; and that, if the war did not come to that sort of an end, a renewal was probable. On that occasion the President said:

I think it will be serviceable if I attempt to set forth what we understand them to be—

That is, the principles on which he thought this war ought to be settled then—bear dates in mind—

They imply, first of all, that it must be a peace without victory. It is not pleasant to say this. I beg that I may be permitted to put my own interpretation upon it, and that it may be understood that no other interpretation was in my thought. I am seeking only to face realities and to face them without soft concealments. Victory would mean peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be accepted in humiliation, under duress, at an intolerable sacrifice, and would leave a sting, a resentment, a bitter memory upon which terms of peace would rest, not permanently, but only as upon quicksand. Only a peace between equals can last.

Now, if that be true, if the President fears that this war will be renewed and seeks to commit this country to a policy which is to prevent the renewal even in a cause or quarrel utterly remote from us, utterly dissociated from any American issue, utterly disconnected from any American interest, we ought to prevent it even to the point of spilling our blood and sending our own men by force across the seas to fight all over the earth and to establish "peace on earth, good will to men" at the point of bayonets and from the mouth of cannon.

Again, he said in this same speech to the Senate:

Mere agreements may not make peace secure. It will be absolutely necessary that a force be created as a guarantor of the permanency of the settlement so much greater than the force of any nation now engaged or any alliance hitherto formed or projected that no nation, no probable combination of nations, could face or withstand it.

So, Senators, instead of a league to secure peace, we have got a league proposed to be set up to establish, as final and controlling throughout the world, the decisions of this executive council and of this body of delegates, in which we only have a small and fractional voice, and which proposes to put behind those decisions, on whatever subjects they may be rendered, the organized power and force of every nation that signs this agreement, no matter how trivial the dispute may be.

The plan is intensely practical in one respect. It is not ideal or idealistic on the proposition that moral suasion alone can accomplish this purpose; it is frankly admitted and conceded by the President of the United States that force, armed force, soldiers and sailors, ships and cannon, are necessary to carry out what this proposal really means. So I want our good church people throughout the country who are hailing this proposal—and some of them are doing that—as something that is second only to the dispensations of the Savior of Mankind, the great Prince of Peace, who initiated the doctrine of love and peace among all men and throughout all ages, I want them to realize that what is really proposed is not a league for peace but a league maintained to prosecute war whenever what they want can not be had instantly without it.

Senators, until the millennium arrives, until the nations of this earth are willing to substitute internationalism for nationalism, to abandon the countries they love and the Governments they have created, until that time shall arrive, then, I say, Mr. President, that it is utterly inconsistent with the principles of common sense that they can or will surrender the sovereign powers of nations in order to constitute a supernation that shall decide issues of peace and war and that shall exercise every vital power of government in behalf of them all.

Mr. President, as I said to the Senate some days ago, I thoroughly favor the proposal that this Nation shall agree with every civilized nation on earth—and there is none, I think, so uncivilized or so barbarous that I would not be willing to make a similar agreement with them—that we will not go to war with any one of them, the engagement being reciprocal, as far as we are concerned, until we make an earnest effort and an honest effort to arbitrate and settle peaceably the differences between us. That will give us pause, if we get into a dispute with another nation; that will give us cooling time; that will give an opportunity for the calm and sober voice of reason and justice to assert itself; and I think in ninety-nine cases out of one hundred it will probably avert war. But further than that, further than a treaty agreement back of which only there shall stand plighted the national faith and the moral suasion that come from the sentiments and opinions of mankind, we can not go without surrendering our nationalism to internationalism, and without substituting for this Government a supergovernment over all nations and governments.

Now, Mr. President, as briefly as I may, I wish to point out four respects, item by item, specifically, wherein this proposed constitution of the league of nations is in conflict, and in irreconcilable conflict, with the Constitution of the United States, where it is proposed to grant to this body that we reorganize and create, this so-called league of nations, powers conferred on the Congress by the Constitution of the United States which the Congress has no right and no power, either in law or in morals, to delegate to any body on this earth, in this country or outside of it.

First, I say that the provision—and I am not going to elaborate these things, because they have been stated by other Senators with more strength than I can hope to state them, but I am going to try to rifle them—first, the provision in the constitution of the league of nations embraced in article 8 of that instrument, authorizing this league to limit the armaments of the powers that are signatory to this agreement, is in utter and irreconcilable conflict with Article I, section 8, clauses 12 and 13 of the Constitution of the United States, which authorize the Congress, and the Congress alone, to organize and maintain armies and to provide and equip navies for this country. The Congress of the United States has no right, in law or in morals, to delegate that power to any other agency on this earth, or to surrender it to any domestic agency or to any foreign agency.

Second, it is in irreconcilable conflict with the Constitution of the United States, because it impinges the treaty-making

power provided in the Constitution of the country, which is that the President, by and with the advice and consent of the Senate, may negotiate whatever treaty he and they please with any power on this earth; and yet articles 23, 24, and 25 say that if we do not list our treaties with this secretariat they shall not be any good at all, and that we shall not make any except certain ones of a certain character which they may approve. As far as I am concerned, if I were a member of this body, I would stay here until I rotted before I granted anybody else on earth the power that is conferred on the Congress by the Constitution of the country that I have sworn at that desk to support.

Third, it impairs the right of Congress to determine when this country shall go to war, and it is in irreconcilable conflict with the Constitution of the United States on that question. Articles 10, 12, 16, and 17 are all in irreconcilable conflict with that provision of the Constitution of the United States embraced in Article I, section 8, which says that the power to declare war is given to the Congress of the United States, and to it alone. Congress has no power on earth, no authority, no right in morals or in law, to delegate that power to anybody on this earth, and least of all to a body of delegates the majority of whom are selected by alien powers.

Fourth, the provision for an economic and commercial blockade, which I have already referred to, embraced in this constitution of a league of nations, is in irreconcilable conflict with that provision of Article I, section 8 of the Constitution, which says that the Congress of the United States shall have the power to regulate commerce with foreign nations, among the Several States, and with the Indian tribes. That is a power that we have no right to delegate to any agency on this earth, in this country or out of it, and least of all would I be willing to delegate it to a body the vast majority of whose delegates were composed of citizens of alien and foreign powers.

Fifth, it impairs the rights of Congress and of the States, both, to deal with purely national and domestic questions.

On that subject I am going to particularize for just a moment. I am reading now from the conclusion, the last paragraph of article 11 of the proposed constitution of the league of nations:

It is hereby also declared and agreed to be the friendly right of each of the high contracting parties to draw the attention of the body of delegates or of the executive council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends.

I should like to know, if we could have open diplomacy about the processes by which these conclusions have been arrived at and this language drafted, who suggested that language. I should like to know if it came from the representatives of Japan in this congress, because it fits the school question in the West, the Japanese and oriental question in the West, like a glove made to order.

It lies within the memory of every Senator in my hearing and of every Member of this body that we have more than once in the last few years stood on the verge of grave trouble with Japan about this matter; and it is proposed by this language to remit to the jurisdiction of this body of delegates and executive council the consideration of a question that the Congress of the United States itself has no power to control, under the provisions of amendment 10 to the Constitution, which reserves these powers to the States and their people. The Congress of the United States itself can not prescribe to the people of California or of Oregon or of any other State in this Union on what terms they will admit children to their schools. We can not confer on any body of delegates, or on any executive council, a power that was expressly withheld from us. I am not without other basis for my belief that this may be the entering wedge for a great many very serious troubles.

Appearing in the Atlantic Monthly, the current issue, I think, and for the past few months, there is a series of articles on "The idea of a league of nations." I want to read you what the introduction is, and then a list of the committee who are furnishing these articles for this American magazine. Here is the introduction:

A small group of qualified Englishmen have long been working toward universal peace from an angle of their own.

I believe that.

Forming the League of Free Nations' Association, they have divided the principal problems among experts for extended study, appraisal, and suggestions for solution. These inquiries, eventually to be published in book form, will, in the Atlantic's belief, form a highly important treatise on world peace; but in the meantime the group has united in the compilation of the following article which may well serve as an introduction to all attempts at a league of nations. The composite authorship of the paper is especially interesting, the names of the collaborators being H. G. Wells, chairman; Viscount Grey; Gilbert Murray; J. A. Spender; A. E. Zimmern; H. Wickham Steed; Lionel Curtis; William Archer, secretary; Viscount Bryce.

Mr. Wells was not able to wait for the committee book, and he has already written one of his own; and I want to show you what his view is of what sort of internal questions this league of nations will have jurisdiction of and ought to be allowed to settle, so that you may see the extent to which it is proposed that these foreign gentlemen shall meddle in our purely local and domestic affairs. He says:

I suppose the proceedings can be brought into court in this way—

That is, to prevent wars—

fall under such headings as these that follow: Restraint of trade by injurious tariffs—

He is going to control that question for you—

or such like differentiations, or by interference with through traffic, improper treatment of the subjects or their property (here I put a query) of the plaintiff nation in the defendant State, aggressive military or naval preparation, disorder spreading over the frontier, trespass (as, for instance, by airships), propaganda of disorder, espionage, permitting the organization of injurious activities, such as raids or piracy. Clearly all such actions must come within the purview of any world-supreme court organized to prevent war. But in addition there is a more doubtful and delicate class of case, arising out of the discontent of patches of one race or religion in the dominions of another. How far may the supreme court of the world attend to grievances between subject and sovereign?

Such cases are highly probable, and no large, vague propositions about the "self-determination" of peoples can meet all the cases. In Macedonia, for instance, there is a jumble of Albanian, Serbian, Bulgarian, Greek, and Roumanian villages always jostling one another and maintaining an intense irritation between the kindred nations close at hand. And quite a large number of areas and cities in the world, it has to be remembered, are not homogeneous at all. Will the great nations of the world have the self-abnegation to permit a scattered subject population to appeal against the treatment of its ruling power to the supreme court? There is a much more serious interference with sovereignty than intervention in an external quarrel. Could a Greek village in Bulgarian Macedonia plead in the supreme court? Could the Armenians in Constantinople, or the Jews in Roumania, or the Poles in west Prussia, or the negroes in Georgia, or the Indians in the Transvaal make such an appeal?

And then he goes on and argues for it.

President Wilson will find a pretty sweet time getting any support for this proposal in Georgia or anywhere in the South or the West when the people understand that one of the questions remitted to the league of nations is to consider and redress the so-called wrongs and grievances of negroes in the South and of Japanese and other orientals in the West. I wonder that this talented Englishman did not suggest as equally subject to the jurisdiction and determination of the court, if it were given the powers that he suggested and will have the scope of jurisdiction that he thinks it ought to have, the grievances of Ireland against Great Britain.

Mr. President, I am against this proposal because it violates traditional American policies and principles, as well as utterly conflicting with the Constitution of the United States. As far as I am concerned, I have always believed that Washington and Jefferson and Monroe were right; that Europe had a set of primary interests that were not our concern; and that it ought to be the firm and abiding and unchanging policy of this Government to avoid entanglement in European affairs and to avoid being drawn into European wars. We have only been so drawn in twice during our national existence, and both times because our rights on the high seas were denied, one time by England, in 1812, and the second time by Germany, in 1917. I believe since this last demonstration of America's power to wage a war, of America's great dormant strength that can be relied upon to support a war once it is declared, that no nation on earth is likely ever again to lightly deny America's rights upon the high seas or to lightly infringe upon the rights of her citizens on land or sea, wherever they may be. I think the danger of that has been tremendously lessened by America's participation in this war, and it was for the reason that I knew it would be so lessened, as well as for the reason that I am willing always for this country to declare war on anybody on this earth that fires upon her flag and murders her people, wherever they be, that I unhesitatingly voted for this war.

But now, since the world understands how powerful is America, how mighty is her resentment, and how effectual is the war that she can wage on short notice, I believe there is hardly a remote possibility that any one of these European nations or anybody else is liable to infringe upon our rights on the seas in a good many hundred years to come. In view of Washington's warning, of Washington's basic and fundamental Americanism, concurred in by Jefferson, in the language stated this morning and which I therefore do not repeat, stated by the distinguished Senator from Pennsylvania [Mr. KNOX], warning us to avoid participation in European alliances and warning us against having anything to do with European wars—in view of those things it seems to me utterly unreasonable and wholly unnecessary that this country should reverse its traditional, historic, fundamental, sound, and safe principles and policies of action with regard to this matter.

Mr. President, not so very long ago I was reading a new book, a biography of John Bright, the great commoner statesman of England, the man who had the courage during the Crimean war to stand in the British Parliament and before the people of Great

Britain urging that the war was unnecessary and that it was a mistake; a man who lived and died England's most trusted commoner, England's most glorious statesman, during the span of his public activities. I read in that book, while he was in the travail of sufferings of the Crimean war, that he held up his hands and said, "Oh, that my people were like unto those of America, who live far across the waters instead of having only a narrow channel separating them from the Continent of Europe, where they can keep disentangled from these European broils and keep from sending their young men down into the pits of these bottomless hells every time politicians and statesmen and diplomats disagree with each other about some trifle." And yet it is proposed that we give it up! Men are saying that the country has progressed so and is so much closer to the balance of the world that it is necessary for us to assume the double and combined duties of a guardian for all the nations of the earth, civilized and uncivilized alike, and those of policeman at one and the same time.

The issue is going to be joined. The American electorate is to be appealed to in this matter. The people of this country, once you repeal the espionage laws and get away from these methods that were pursued during war times, of intimidation, repression, and suppression, are going to express themselves on this question and are going to control it, and they ought to. Whenever we can ascertain their verdict in the orderly way and manner prescribed by the Constitution and laws of this country, to that verdict every man must bow in contented, even if it is sometimes unconvinced, submission, whether that man be President or Senator or Representative or what not.

Before the American voter passes on this question, before the American patriot answers it in some struggle of the future, I am going to ask him a number of questions and ask him to answer each one of them. I am going to ask him:

Are you willing to pull down the Stars and Stripes?

Are you willing to furl the flag that makes you free?

Are you willing to silence forever the song, "My Country, 'Tis of Thee," and substitute for it some tribute to this supernation, this league of nations?

Are you willing to revoke and deny and renounce the Declaration of Independence?

Are you willing to strike from the American calendar the glorious American Fourth of July?

Are you willing that the American eagle shall shrink back into its shell?

Are you willing to surrender, in whole or in part, the sovereign power and the sovereign dignity of the United States of America?

Are you willing for this Republic to become a vassal state?

Are you willing for the American people to lose their identity and become a part of a great international bolshevism?

Did the fathers who created this Constitution and framed this Government make a mistake, and has all wisdom come in later days?

Would Washington enter into an entangling alliance of this sort?

Would Jefferson—who said he could hardly withhold himself from the wish that an ocean of fire rolled between Europe and America—enter into a league of this sort with Europe and Asia?

Could Patrick Henry have fired American patriotism by exclaiming, "Give me a league of crowned heads and foreign powers or give me death"?

Were the Tories good Americans?

Are you willing to surrender your own right of self-determination in order to insure a theoretical self-determination to other peoples in other lands?

Are you willing to treat the Constitution of the United States, Senators, that you have sworn to support, as a "scrap of paper"?

Are you willing to intrust to foreigners the determination of our destiny?

Are the American people incapable of self-government?

Are you willing for kings and emperors and foreign powers to tell our self-governing people in free America what they shall do and what they shall not do?

Are you willing to enter into a covenant with death secretly arrived at?

Are you willing to resume the chains which our fathers burst asunder?

Are you willing for the United States of America to become the policeman of the world?

Do you believe that the ambitions of Europe have all of a sudden been foregone?

Do you believe that human nature has been in an instant changed and revolutionized, and that the lion and the lamb are about to lie down together in a league of eternal peace?

Do you believe in the fairies? Do you believe in the "new magic"?

Are you willing to plunge our people forever into the maelstrom of European and Asiatic slaughter?

Are you willing to bind our people in advance to undertake, like Don Quixote, to engage in every war against every windmill that happens, whether it touches our rights and interests and honor or not?

Are you willing to draft our boys to die in wars that concern us not, on the burning deserts of Arabia and on the frozen plains of northern Siberia?

Are you willing to enter into a league for perpetual, unending, interminable, and innumerable wars?

Are you willing to let our commercial rivals close our ports by a majority vote in this league of nations, destroy our markets, ruin our commerce, and bankrupt our people?

Would Great Britain consent to a scheme of economic isolation if her mighty fleet did not command the seven seas?

Is there any American who would become a bondman?

Is there anyone in this country who would be so base as not to be free?

Mr. President, just a word more, and I shall have finished.

Within the last few years I have witnessed the astonishing climax of, I might term it, the evolution of what is misnamed progressive democracy. Shades of Jefferson, of Madison, of Monroe, of Washington, look down in horror on the profanation of the holy words and of that sacred term! Progressive democracy! I have seen here, through 16 years of service in the two Houses of Congress, first the rights of the States, in which are bound up the eternal and vital principles of local self-government, disappear and vanish before the marauding encroachments of the Federal power, and too often have I seen southern Senators and southern Representatives, tempted by the fleshpots of Egypt, joining in the iniquitous raid on the holy principle of local self-government, that ought to be fundamental with all Anglo-Saxon peoples.

Next, I have seen during this war what amounted for the moment to the temporary destruction of the rights and liberties of the individual citizen of America. Many Senators, many Representatives, equally honest and, in my own opinion, far more intelligent than myself, thought it was necessary, and I am not quarreling to-day with their judgment. I did not so believe, in many cases. I thought that a country which was fit to be free, that a country which was capable of self-government, should be just as free in war as in peace, and I thought that if the Constitution of the United States amounted to nothing except in the fair-weather days of peace and became a mere scrap of paper under the stress and strain of war, our institutions were threatened with failure.

I have seen next the taking over by the Government, one by one, of many functions that properly belonged to private enterprise and individual initiative, to the extent that the State has been socialized and communism enthroned here in Washington, and the end is not yet.

Next, after we gradually absorbed, gradually reached out and took all the powers and all the rights of the several States and put them in the arms of this Federal Moloch, I have seen the three coordinate branches of the Federal Government itself broken down, their independence and integrity and coordination destroyed by an Executive who, with the lash of war in his hands, has usurped the powers of Congress and paid no attention, in some cases, to the decisions of the courts. No attention was paid to the decision of the Circuit Court of the United States at Louisville with reference to the taking over of these railroads before the enabling act was finally passed.

I have seen the executive branch of this Government absorb and magnify its own powers at the expense of other branches of the Government until the Congress of the United States stands abashed and ashamed before the American people without standing, without credit, without self-respect, without power. Your bills are drawn in the executive bureaus and are merely passed up to you for your complaisant acquiescence, their rejection not being permitted.

I have seen this country Prussianized in order that we might maintain the proposition that free America was unable to fight a war unless she adopted the methods of despots.

And now, last of all, Mr. President, the fitting climax comes. Having absorbed all power that belonged to the States, having taken all rights that belonged to the citizens and lodged them all here with the Federal Government, the Executive, then proclaiming his indifference in some cases to judicial opinion and his contempt always for congressional sentiment, proceeds to take them all to Europe with him in a ship named by mockery the *George Washington*, and proposes to hand them over to a league of nations dominated by foreign powers.

Mr. President, I am not a pessimist. I believe the American people will remedy these things. I believe God's eternal truth will triumph in this matter. I believe that in the end sober, thoughtful, honest, self-respecting people of America will remedy this thing in the right way. I am not sure but what—and I say it with all personal kindness to my colleagues—there will have to be a different breed of men in office than we have had. I am sure they will have to fill both Houses of Congress with men with some iron in their souls who can stand up for the rights and liberties of the people when they are assailed from within or from without.

But whatever the remedy, I am sure, Mr. President, that the principles of freemen will triumph in this country. I am sure that the American flag is not to be hauled down in this country in order to substitute for it the banner of some foreign league of nations.

Oh, Senators, I beg of you to stand firm in this great fight for American rights and American liberties. I will not be here to share it with you. Personally, I am glad. I have nothing of personal regret about that matter. But I beg of you to stand firm for the rights and liberties of your own constituents of your own States. Stand firm, so that you may, in the days that are yet to come, transmit to your children and to your children's children those same rights and liberties that your fathers and your fathers' fathers left to you.

FORTIFICATIONS APPROPRIATIONS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives agreeing to the amendments of the Senate numbered 2 and 3 to the bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes, and disagreeing to the amendment of the Senate numbered 1.

Mr. UNDERWOOD. Mr. President, I wish to say that this amendment is the only one in disagreement. I do not think it is worth while to carry one amendment in disagreement to conference, and although I think the Senate was right in its position it is a minor matter, and I do not care to hold up the bill. Therefore, I ask unanimous consent that the Senate may recede from the amendment and allow the bill to pass.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent that the Senate recede from the amendment in disagreement with the House. Is there objection?

Mr. CALDER. Mr. President, I regard this amendment as a matter of very great importance to the country, and I regret exceedingly that it was disagreed to by the House. It carries appropriations which provide for the protection of our coasts. I know of no item in the bill more important, but I agree with the Senator from Alabama that at this late day and hour in the session we may lose the bill altogether if we refuse to agree to the action of the House. I am hopeful that at a very early day at the next session this matter will be taken up and provided for. It ought to be done so as to protect our coasts against any possible attack by an enemy.

The PRESIDING OFFICER. Without objection, the request of the Senator from Alabama is granted. The Chair hears no objection, and the Senate recedes from its amendment.

LEAGUE OF NATIONS.

Mr. LEWIS. Mr. President, I beg the privilege at this time to tender a manuscript by R. A. Widdowson, of Chicago, Ill., on the Anglo-American league of nations, which I desire to have made a public document; but in order to do so I ask that it be referred to the Committee on Printing, in order that they may examine it and reach some conclusion.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LA FOLLETTE obtained the floor.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. PITTMAN. Mr. President, I fear that my statement was subject to misconstruction in regard to the time for the consideration of the conference report upon Senate bill 2812. It was originally understood that for the purpose of facilitating business last night and in the future I would not on last night move to take up the conference report upon the bill with the understanding that the Senator in charge of the so-called bond bill would not move to take that bill up until the conference report had a hearing before the Senate of four hours. At that time it was supposed that the two Senators [Senators HARDWICK and KNOX] who have spoken to-day would not speak during that time, but it was also understood that I would have the full four hours, which, of course, would give three hours and a half longer now.

I simply wish to correct my statement of this morning so that the Senator from Wisconsin will understand that there will be no effort on the part of the Senator from North Carolina to displace this measure during that period of time.

Mr. GORE. Will the Senator from Wisconsin yield to me for a moment?

Mr. LA FOLLETTE. For what purpose?

Mr. GORE. To offer a Senate resolution.

Mr. LA FOLLETTE. I yield for that purpose, if I may.

Mr. GORE. In view of the fact that the morning hour was taken up by the speeches to which we have listened, I submit the following Senate resolution and ask for its present consideration.

Mr. OVERMAN. I object.

The PRESIDING OFFICER. Objection is made.

Mr. GORE. I wish to say that I merely wanted to get the President's speech and certain other speeches made a public document.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	New	Simmons
Bankhead	Henderson	Norris	Smith, Ariz.
Beckham	Hitchcock	Nugent	Smith, Ga.
Brandegee	Jones, N. Mex.	Overman	Smith, S. C.
Calder	Jones, Wash.	Owen	Smoot
Chamberlain	Kendrick	Page	Sterling
Colt	Kenyon	Pittman	Sutherland
Cummins	King	Poindexter	Swanson
Dillingham	Kirby	Pomerene	Thomas
Fernald	La Follette	Ransdell	Thompson
Fletcher	Lewis	Reed	Trammell
France	McKellar	Robinson	Underwood
Gay	McLean	Saulsbury	Walsh
Gore	McNary	Shafroth	
Gronna	Martin, Ky.	Sheppard	
Hale	Moses	Shields	

Mr. SMOOT. I desire to announce that the Senator from Idaho [Mr. BORAH] is unavoidably detained from the Senate on account of illness.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Sixty-one Senators have answered to their names. There is a quorum of the Senate present.

Mr. SIMMONS. I move that the Senate proceed to the consideration of the bill (H. R. 16136) to amend the liberty bond acts and the War Finance Corporation act, and for other purposes.

Mr. LA FOLLETTE. I believe I have the floor.

The PRESIDING OFFICER. The Chair understands that the Senator from Wisconsin was recognized before the present occupant assumed the chair, and he is therefore entitled to the floor.

Mr. PITTMAN. I am afraid the Senator from North Carolina was not present when I made a statement in reference to this matter just a few minutes ago.

Mr. SIMMONS. I was not.

Mr. PITTMAN. I will repeat the statement, with the permission of the Senator from Wisconsin. It was that last night for the purpose of facilitating business and also facilitating the passage of the bond bill, I, having charge of the conference report, was induced not to move to take it up last night, with the understanding that I should have four hours to-day on the conference report. It was expected that I would have from 10 until 2 o'clock on the conference report. It was also expected and hoped that Senator KNOX and Senator HARDWICK would make their speeches after the four hours had expired and on the time of the Senator from North Carolina.

Mr. HARDWICK. The Senator from Pennsylvania is not present, but I wish to state that I was not apprised of any such arrangement. I had given notice that I would follow the Senator from Pennsylvania, and the notice was given many days ago.

Mr. PITTMAN. I realize that, but that not transpiring the Senator from North Carolina recognizes the necessity of letting us have the total of four hours, no matter when it happens. I therefore ask the Senator who has the floor to understand that the agreement is to remain until it has been carried out.

The PRESIDING OFFICER. The Chair will state that the Senator from Wisconsin has been recognized, as the RECORD will show.

Mr. SIMMONS. I am making no question with the Senator from Wisconsin, but I should like to say to the Senator that I would be glad if he would let me have my bill be made the unfinished business, and then I will agree to lay it aside temporarily.

Mr. SMOOT. The conference report is before the Senate.

Mr. SIMMONS. Very well; I will wait.

Mr. LA FOLLETTE addressed the Senate. After having spoken for three hours,

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LA FOLLETTE. I yield.

Mr. SIMMONS. I do not desire to take the Senator off the floor, but there was an understanding that at the expiration of four hours I would call up the bond bill. Of course, when that bill is taken up and made the unfinished business the Senator can continue his speech. I ask the Senator if he will not yield now long enough for me to ask for the present consideration of the bond bill.

Mr. LA FOLLETTE. I wish to say to the Senator I understood that that is to be done in pursuance of an arrangement made last night, but the four-hour period was to begin at 10 o'clock this morning. I would be very glad if I am mistaken about that, but I should like just a moment to confer with some of my associates to be sure that I am not acting in violation of their understanding of what the arrangement was.

Mr. CURTIS. I suggest that a call might be made for a quorum, and the Senator would then have an opportunity to converse with Senators.

Mr. SIMMONS. I will move, with the consent of the Senator from Wisconsin, that the Senate proceed to the consideration of the bill (H. R. 16136) to amend the liberty bond acts and the War Finance Corporation act, and for other purposes.

Mr. LA FOLLETTE. Mr. President, I yield for that purpose, with the understanding that, having yielded, I shall not be considered to have exhausted my privilege to speak twice upon the conference report if it is brought up again.

The PRESIDING OFFICER. The rule provides that any Senator may speak twice on the same subject within one day, and that means every day.

Mr. LA FOLLETTE. Then it is not necessary for me to make a reservation.

The PRESIDING OFFICER. Will the Senator from North Carolina modify his resolution to a request for unanimous consent?

Mr. SIMMONS. I will put it in that form. I request unanimous consent.

VICTORY LIBERTY LOAN.

The PRESIDING OFFICER. The Senator from North Carolina asks unanimous consent that the Senate proceed to the consideration of the bill (H. R. 16136) to amend the liberty bond acts and the War Finance Corporation act, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDING OFFICER. The Secretary will proceed to read the bill.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CARTER of Oklahoma, Mr. HAYDEN, Mr. CHURCH, Mr. CAMPBELL of Kansas, and Mr. SNYDER managers at the conference on the part of the House.

The message also announced that the House had passed a joint resolution (H. J. Res. 439) to repeal section 904 of the revenue act of 1918, approved February 24, 1919, in which it requested the concurrence of the Senate.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until 7 o'clock this evening.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until 7 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 7 o'clock p. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Gay	Jones, N. Mex.
Bankhead	Colt	Hale	Jones, Wash.
Borah	Curtis	Harding	Kenyon
Brandegee	Fletcher	Hardwick	La Follette
Calder	France	Henderson	Lewis
Lodge	Penrose	Smith, Ariz.	Trammell
McKellar	Pittman	Smith, Ga.	Vardaman
Martin, Ky.	Ransdell	Smith, S. C.	Wadsworth
Martin, Va.	Reed	Smoot	Warren
Moses	Robinson	Sterling	Weeks
Norris	Shafroth	Sutherland	Wolcott
Nugent	Sheppard	Swanson	
Overman	Shields	Thomas	
Page	Simmons	Thompson	

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. There is a quorum present.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. LA FOLLETTE. Mr. President, so much has been said by the proponents of the oil and coal leasing bill about the merits of the legislation, the hardships bound to fall upon the people of the great West if it were not passed, the difficulties that have been encountered by conflicting interests in arriving at the understanding and agreement that at last had permitted a report by a conference committee on the disagreeing votes of the two Houses, and something suggesting criticism of anybody who at this stage of the session interposed any objection to the enactment of this measure as being a proceeding upon the part of the objector trenching upon unfairness and an attempt to abuse the limited time for debate at this late stage of the session, that I am compelled, Mr. President, at the outset of what I have to say to devote a few moments of time to the legislative situation which confronts the American Congress.

This is the 1st day of March. A limited number of hours lie between the present moment and the time when the term of this Congress will expire. That hour of expiration of the life of this Congress is fixed by the Constitution. It is within the knowledge of everybody that on the 4th of March at 12 o'clock by constitutional limitation the power of this Congress over legislation shall cease.

That, Mr. President, is a constitutional limitation upon the term of every Congress. When the two years' period of the life of a Congress has elapsed, the legislative function of that Congress terminates. There is no Member of Congress who has not understood perfectly that on the 4th day of March the power of this Congress to function upon legislation would cease, and that any legislation not then enacted into law dies with it, and if revived at all must be revived by reintroduction into the new Congress that will assemble whenever it be called, either by the Executive into extra session or under the Constitution on the first Monday in December, 1919.

Mr. President, that brings me to say something about the practice we have fallen into in dealing with important legislation. I have been a Member of this body actively since 1906. I was elected in 1905. I do not recall a single session when the calendar has not been crowded the last few days of the session with bills carrying the most important legislation of the whole Congress, deferred to that time. Mr. President, an examination of the RECORD will confirm what I say, that near the close of the term of every Congress you will find that much of the very important legislation, about which there is any controversy whatever, not only of the short session but of the whole Congress, is held back until within 10 or 15 days of the close of the Congress, and then it is suddenly brought forward and we are asked to pass upon it.

Usually it is brought in at that time under peculiar and exceptional privileges. It comes usually in the form of a conference report. All Senators understand what I mean when I say that. But what I am saying I am saying not alone to the Senate but to the country as well because I hope to awaken, on the part of the public, in a little measure, some general interest in this important subject. I am always, Mr. President, sufficiently repaid if in some small way what I have to say to the public awakens some interest in needed reformation. So what I am saying about this matter is not only addressed to the Senate but it is addressed as well to the country.

What is a conference report? I pause to define it. A bill is introduced in the House of Representatives. It passes through the legislative stages of committee consideration, report to the House, debate in the House, passage by the House, and is sent to the Senate. Then it is referred to the committee having jurisdiction of that particular subject in the Senate for its consideration. It is there considered, finally passed upon, comes back to the Senate in the form of a committee report, is either acted upon immediately when reported or goes to the calendar and is called up later, receives consideration by the Senate, much or little, depending upon the condition of business that prevails at the time it is called up. It may receive a very imperfect consideration by the Senate particularly if it be late in the session, and especially if it be called up in the morning hour when we have a limited period for the consideration of general public business. Little is said about it. Those who were not in perfect accord

with the idea expressed in the legislation may not happen to be present, and it slips through. But, be that as it may, it finally matures by our prescribed legislative methods into the form of a senatorial edict with respect to that measure.

Now, then, we will suppose that it differs somewhat from the views of the House as expressed when the bill came over here from that body; that is, we will suppose that the particular measure as passed by the House does not fully and completely agree with the same measure as passed by the Senate. There is a disagreement between the House of Representatives and the Senate of the United States upon that particular measure. Hence our rules provide that what are called conference committees shall be appointed, one by the House and one by the Senate, usually consisting of three conferees on the part of each body, to come together as a conference committee on the disagreeing votes of the two Houses in order that, if possible, the differences existing between the two Houses, as expressed in their legislative action, may be harmonized.

When finally those conferees, having given their time to the consideration of the differences between the two Houses, are ready, they report their conclusions to their respective Houses. In the course of the development of legislative procedure rules have been prescribed by the two bodies of Congress with regard to conference committee reports. Certain rules have been adopted regulating the procedure of this body and the procedure of the House of Representatives when the reports of their respective conferees are received upon a measure.

AUTHORITY AND PRIVILEGE OF CONFERENCE REPORTS.

Mr. President, in the course of the experience of Congress it has come about that a certain authority—a certain recognized superiority—has been conferred upon the reports of these conferees until a conference report has come to be invested with certain privileges that permits and enables it to brush aside and to override whatever business may be engaging the attention of the United States Senate at that time. It matters not, Mr. President, how important the business may be upon which the Senate is engaged—you may be considering something vital to the life of the Republic; you may be considering a constitutional amendment; you may be considering something that strikes down to the very roots, that touches the very soul of representative democracy—whenever a conference report passes through that door [indicating] between the House and the Senate, when that conference report comes onto this floor, under the rule, even though it be upon a matter of minor importance, that conference report rises to such dignity and power that the Senator into whose hands it falls, because he is chairman of the committee of conference, may sweep aside anything that the Senate of the United States is considering and present the conference report. It may be a bill to provide for the grabbing of oil lands or coal lands or water powers. The bill may be one that is an expression of the most mercenary spirit and greed that ever actuated man, yet by virtue of the fact that this is a conference report it has privileges in this body under the rule that enables it to set aside any other business and to have the right of way here for presentation.

Mr. President and Senators, in the name of representative government, I beg you to consider what that means. A conference report may thus be brought in; it may be unimportant, but it may dig down into the very vitals of the life of representative government; it may deal with the priceless heritage of all the public lands belonging to all the people of the United States; it may hand the people of the United States to the last generation over to a monopoly of water-power control that shall be able to dictate the price of electricity to our children and to our children's children, and to every generation to come; it may give away the coal and the oil and the phosphates and the other minerals, and the timberlands—all the precious heritages of our great national resources—and be forced to consideration here under conditions that make impossible a study of its terms and its effects.

It has the right of way; it has a supreme legislative prerogative; it sets aside whatever the Senate is considering; and here is the troublesome thing about it: It may be brought up for immediate consideration by the Senate. It need not be printed; it need not have appeared in type form; it may be 40 pages long; it may deal with everything vital to the future life of the people of this country regarding heat, light, and power. It may be as important as that; and yet, under the rules, it has the right to brush aside all pending legislation when it first comes into the Senate, and be read from the desk, and the demand made that we proceed to consider and pass upon it.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. I do.

Mr. THOMAS. There is a great deal of the criticism of the Senator which is unanswerable, and yet I hope he will pardon me for suggesting that there are two sides to the subject.

I recall shortly after my entrance into the Senate that the Senator himself, because of the priority of conference reports, succeeded during the closing days of the Congress, which ended in March, 1913, in securing final consideration for the bill to value railroad property; and shortly afterwards I had the pleasure of assisting in securing final consideration during the closing hours of a session subsequently of a bill to regulate the rights of seamen, both of which, I think, the Senator from Wisconsin originated, and to whom nearly all the credit of their ultimate passage belongs. Now, but for these rules, which the Senator very justly criticizes, I suggest that possibly that important legislation might have failed.

Mr. LA FOLLETTE. Very true, Mr. President; but anybody who gets legislation here must get it under the rules.

Mr. THOMAS. Certainly.

Mr. LA FOLLETTE. And I adjusted myself to the rules of the Senate and secured consideration of the bill providing for the valuation of railroad property. I am much obliged to the Senator for introducing that subject. It suggests to me a matter for further discussion. [Laughter on the floor and in the galleries.] You see, Mr. President—and I digress here a bit now——

The PRESIDING OFFICER. Let there be order in the galleries.

REASON OF RULE AGAINST APPLAUSE.

Mr. LA FOLLETTE. Mr. President, let me say that human nature is human nature, and if something that the Senator from Colorado said provoked a little bit of laughter on the floor on the part of Senators, which found a wee bit of an echo in the galleries, I do not think the galleries ought to be rebuked for it.

The PRESIDING OFFICER. If the Senator from Wisconsin will permit the Chair, the Senate has made a rule which provides that there can be no demonstrations of any character in the galleries.

Mr. LA FOLLETTE. Well, let me say a word about that. I am much obliged to the Chair; I will be glad to discuss that rule for a little while.

The PRESIDING OFFICER. If the Senator from Wisconsin will permit the Chair for a moment, the rule provides that the Chair must enforce the rule.

Mr. LA FOLLETTE. I know that.

The PRESIDING OFFICER. And we are all sworn to enforce it.

Mr. LA FOLLETTE. Exactly; but there never was any trouble about the enforcement of the rule about applause or dissent in the galleries of the United States Senate previous to five years ago. I have been a Member of this body since 1906.

Mr. THOMAS. Mr. President, I think the Senator will agree with me that demonstrations of approval or disapproval in nearly all cases begin on the floor of the Senate.

Mr. LA FOLLETTE. I do agree with the Senator, and for that reason I think that there ought to be a human sort of construction of that rule with regard to the galleries.

Mr. THOMAS. So do I.

Mr. LA FOLLETTE. I never heard during my membership in this body prior to five or six years ago the same invocation of that rule that has been applied since. Do you know how that rule originated? It did not originate in an innocent expression of human sentiment from the galleries of the United States Senate. I have spent a little time in running it down. It originated, Mr. President, in an offensive attempt to do violence upon the Senate of the United States on an occasion when an insane man in the galleries broke forth. It originated because of that experience, which made it necessary to have some rule to apply on such occasions; but it never was intended to be invoked when there was some slight and natural expression of humor from the galleries that did not interfere in any way with the deliberative proceedings of the Senate. I think we will all agree that where there has been an infraction of that sort by the galleries it has been found to have started here on the floor.

The other day when waves of applause swept the galleries of the United States Senate again and again at the conclusion of one of the speeches made here, it was because the unusual and extraordinary spectacle of applause manifested itself upon the part of the dignified Senators, who gave approval to what one of their colleagues had said. That occurred not only upon one occasion, but upon three occasions; but the Presiding Officer did not rebuke the Senate of the United States, because the rule has no application to the Senate. The Presiding Officer took it out on the poor, unfortunate galleries. It was not just exactly

fair, in my opinion, for it started down here. Do you not remember it?

Three-fourths of the Members on the floor of the Senate applauded the closing of a speech made here, and when the Senator concluded his remarks crowded around him in a procession such as I used to see in the House of Representatives when I was a Member of that body 25 or 30 years ago at the conclusion of a moving speech. Here was an exhibition of real human feeling; and I wish to say here that I think it was wholesome and good. I think if once in a while we could inject into the slow-moving blood of a United States Senator a little human feeling it would be a right good thing to do.

Mr. President, I do hope we will have a rational construction of that rule of the Senate. I do not care particularly about it, because I never say anything that is good enough to merit applause. I am a very humble sort of a Member of this body, who once in a while addresses the Senate, usually dealing with some economic question or some question involving a principle. I do not meddle much in the general contentions of this body over the details of legislation—perhaps I would be more useful as a Member of this body if I did—and what I have had to say about this rule is just the result of observation and reflection as a Member of the body.

POWER OF CONFEREES OVER LEGISLATION.

Coming back now, Mr. President, to what I was discussing when I was diverted by the manifestations of applause from the gallery because of what the Senator from Colorado [Mr. THOMAS] had said—coming back to the consideration of this vital thing, the power of conferees over both Houses of Congress—that presents an issue worthy of the attention of Senators, of Members of the House, and of the people of the country; it is an issue and if I stood alone I would raise it. I have spent a good part of my 30 years in the public service out on the skirmish line; in the gray of the morning I have heard the sing of the bullets of special privilege; and if I stood alone, absolutely alone, I would venture now, modestly, to challenge to the death struggle the power of conference committees, in defiance of the will of the great people of the United States represented in the two Houses of Congress, to control legislation. I am here to challenge that; and I tell you that from this session on through all the sessions, so long as it is my privilege to be a Member of this body, no important measure shall get through, if it can be stopped, the report on which through a conference committee has been delayed to the last hours of the Congress. It must be brought in soon enough so that the cover can be taken off and it can be thoroughly considered.

Mr. ASHURST. Mr. President, will the Senator yield for a question or for a short statement?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Arizona?

Mr. LA FOLLETTE. If I am not in danger of losing the floor. The floor is precious to me now.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield just for a question.

Mr. ASHURST. It must have been perfectly obvious that there were grave abuses committed by conferees injecting or inserting into their reports matter not considered by either House; but let me call the Senator's attention to what we call the Curtis amendment to the rules, which was adopted about a year ago and which I think is one of the most salutary and needful rules ever adopted by a legislative body, as well as one of the most drastic. It is so drastic that it prevents in effect what we call in parliamentary law a "full and free conference," which has been known to English parliamentary law for centuries. The rule is so drastic that it prevents full and free conference. I refer to paragraph 2 of Rule XXVII, which reads:

> Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses. If new matter is inserted in the report, or if matter which was agreed to by both Houses is stricken from the bill, a point of order may be made against the report; and if the point of order is sustained, the report shall be recommitted to the committee of conference.

If the Senator will pardon me further, I may have an erroneous view of that rule, but it is nevertheless my view that if the conferees insert in their report a word that was not passed upon by at least one of the two Houses, the report is subject to a point of order; and if they omit a word that was agreed to by both Houses the conference report is subject to a point of order. I say, after some investigation, that it is the most drastic rule known to English-speaking parliamentary bodies. I utterly fail to see how a more drastic rule could be conceived. I think the abuses against which the Senator inveighs were committed up until the time this rule was adopted.

Mr. LA FOLLETTE. I am much obliged to the Senator for giving point to my argument. He did not happen to remember, perhaps, that this very conference report was driven off the floor of the Senate by my raising a point of order under that rule.

Mr. ASHURST. Mr. President, will the Senator let me further interrupt him?

Mr. LA FOLLETTE. Certainly.

Mr. ASHURST. Does not that weaken the force of the Senator's argument that grave abuses are creeping in, owing to our lax rules on conferences?

The point I am trying to make—and the Senator will pardon me if I am taking his time—is that under the so-called Curtis amendment to the rules we have the most drastic rule on conference reports that the human mind can conceive, because, if the conferees inject a word that did not receive the approval of at least one of the Houses, it goes out on a point of order. What more barriers, what more entrenchments or fortifications, could be conceived that would protect the public and protect parliamentary procedure from the injection of extraneous matter into a conference report?

I thank the Senator for permitting me to interrupt him.

Mr. LA FOLLETTE. Mr. President, there are two answers to the Senator, either of which is quite sufficient. The first is that there may be such a wide difference between the two Houses that the yielding of the conferees of one House to the other in the last hours of a session, in order to get some legislation, may be such a surrender of principle as the House whose views have been yielded would not consent to if it had a time sufficient for deliberative consideration of that surrender. The other is that the rule itself is shown to be necessary because of the exercise of power on the part of the conferees that is a denial of the principle of representative government to the Congress of the United States through the Senators and the Members.

Why, just think of what gave life to that rule. It was enacted because conferees took out of the hands of the United States Senate and the House of Representatives the legislative decision which they had rendered on the subject matter under consideration. The very fact that it was ever necessary to enact a rule such as the Curtis rule, denying to conferees the right to put into a bill new matter, which neither House had considered, or to strike from a bill matter agreed to by both Houses, shows what an utter disregard conferees had come to exercise respecting the limitations on their authority.

Here the Senate had declared itself with respect to some principle in a bill, to some feature of a bill; the House declared itself with regard to some feature of the bill—both, we will say, in perfect agreement—but it did not meet the views of conferees. Assuming an autocratic power, which shows a perfect disregard of the principles of democracy, they would come together and set aside the action of the House and the action of the Senate. There was perfect accord; there was a legislative declaration of perfect agreement upon that feature of the bill; and yet these conferees would sweep that to one side and write a different provision into the bill.

Mr. ASHURST. Mr. President, will the Senator further yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin further yield to the Senator from Arizona?

Mr. LA FOLLETTE. Certainly.

Mr. ASHURST. That may have been true prior to the adoption of this rule; but I fail, in all candor——

Mr. LA FOLLETTE. Why, where was the Senator from Arizona when I raised the point of order on this very conference report and drove it off the floor of the Senate because it violated the Curtis rule?

Mr. ASHURST. Sitting in my seat; and that only weakens, in my judgment, if the Senator will pardon me, the force of his argument that the rules are ineffective to protect the public and the Senate.

Mr. LA FOLLETTE. No, no; it shows that conferees will not obey the plain rule, and that in the closing hours of a legislative session it therefore becomes necessary for each and every Member of both bodies to scan with critical eyes the reports that are made by conferees, in order to be assured that they have not been betrayed by the conferees.

Mr. ASHURST. If the Senator will further indulge me—and then I will interrupt him no more—it is now, under this rule, within the power of one Senator to compel the conferees on all conference reports to observe the rule that they shall not inject new matter and must not omit matter that has been passed by both Houses.

Mr. LA FOLLETTE. Oh, of course it is, if his point of order is sustained by the Presiding Officer.

Mr. ASHURST. That is all I want to know. We then have a rule that puts it within the power of one Senator to make conferees obey the rule.

Mr. LA FOLLETTE. Well, now, I hope the Senator will just sit down a minute and let me convict him.

Mr. ASHURST. I will do that. I shall not feel any stigma in being convicted by the Senator.

Mr. LA FOLLETTE. Suppose a conference report comes in here, like this report, of 20 or 30 pages. It comes in under a privilege that does not require it to be printed. When it is presented it can be read from the desk, and Senators have to sit here and by their ears judge whether new matter has been put in by the conferees or not. What protection is that?

Mr. ASHURST. Let me answer the Senator's question, if I can.

Mr. LA FOLLETTE. Surely.

Mr. ASHURST. When a conference report is presented, if the question is raised as to its immediate consideration, that, of course, is determined without debate. It requires a majority of the Senate to do that. A clear majority of the Senate must pass upon the question as to whether or not they shall proceed to the immediate consideration of the report. Very well. The only privilege it has is the privilege of being open to presentation at any time, except when the Journal is being read or the roll is being called. After it is presented, and the Senate by a majority vote has consented to proceed to the consideration of the report, the point of order will still lie, and must be enforced by the Chair, if the conferees have inserted a word that has not been passed upon by either House, or if they have left out a word or a sentence that was agreed to by both Houses.

So, with perfect respect to the learned Senator, I do not see at this time, in all candor, under the rules now, how any abuse can come to the Senate or any injury to the American people if there is one Senator who sits here and listens to these conference reports—if there is just one. We all ought to be here, and I ought to be here more; I admit that; but I do think that the point of the Senator's argument—and I say this with great respect—is very much weakened, that abuses are liable to come from conference reports now, because no human ingenuity can frame a better or a more drastic rule than the one we have now. I will add that I am very much in favor of that rule, and have enforced it when I have temporarily occupied the chair.

That is all I wish to say about it.

Mr. LA FOLLETTE. Mr. President, I do not know to a certainty, but I very strongly suspect that if I had not happened to be in my seat, and had not happened to have time to examine this report, the flagrant violation of the rule that the Senate conferees had been guilty of with respect to Alaskan coal would have been overlooked by the Senator from Arizona and other Senators here, and it might have been accepted as being no violation of the rule, and might have gone through. So, Mr. President, under the privilege that prevails with regard to conference reports, it is always possible that there may be no opportunity for Senators to become acquainted with the details of a report.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. Oh, I am very glad to yield to the Senator.

Mr. SHAFROTH. Will the Senator yield for a statement?

Mr. LA FOLLETTE. Yes.

Mr. SHAFROTH. The matter to which the Senator refers was the extension of the provisions of this bill to Alaska, and that provision was requested by the Secretary of the Interior. It was thought that this would be a workable bill for the development of the resources of the West, and, inasmuch as they had tried a leasing bill for Alaska without any privilege whatever of entering the land, that therefore there would be a rectification of the laws of the Territory of Alaska by giving it the identical laws applicable to the United States, and we supposed that nobody would think there was any objection to doing that. Now, the conference report was submitted and printed in the CONGRESSIONAL RECORD nearly a week before it was presented over here, because there were delays—delays in getting the signature of one of the conferees, by reason of the fact that a concurrent resolution had to be passed—and that report was on record over in the House. At least, it was printed a number of days before it was called up here.

The power which the Senator refers to was a power that he invoked himself, and he had a right to invoke it; but the invocation of that point of order delayed us for over a week in getting the correction that was made. We have tried to present in this conference report not a single item but what was passed upon in the discussion of these bills, and, in addition to that, we have eliminated everything that could be objectionable under the Curtis amendment to the rules.

Now, Mr. President, I just want to say this with respect to the discussion that occurred——

Mr. LA FOLLETTE. Mr. President, the Senator can answer me when I get through.

Mr. SHAFROTH. Very well. Will the Senator consent to designate when that will be?

Mr. LA FOLLETTE. Oh, hardly.

Mr. SHAFROTH. I supposed so.

Mr. LA FOLLETTE. Mr. President, the Senator seems to think that it is a sufficient apology to the United States Senate for violating its rules that the Secretary of the Interior or somebody else wanted to change the rule with respect to Alaska from that which had been fixed in the bill as passed by the Senate and by the House; and therefore these conferees, with a hardihood and an audacity that deserved fitting rebuke by the Senate, came in here with a new legislative proposition that had not been passed upon by either the House or the Senate. Who invested the conferees of the Senate and the conferees of the House with power to legislate for the United States? Who, I should like to know, clothed them with power to represent the State of Wisconsin or the State of Illinois or the State of Indiana and say what the law should be?

The Constitution of the United States prescribes that there shall be one Member of the House of Representatives for every unit of population agreed upon, two United States Senators from each State in the Union, and that they shall assemble at the seat of government on the first Monday of December in each year, and there, acting for themselves—never for the Standard Oil Co, never for any other interest, but acting always and only for the people of the United States—they shall legislate, and, through their legislation, they shall record the will of the people.

That is representative government, Mr. President. That is the kind of government that Washington's army fought for. That is the kind of government that men died for at Lexington.

That is the kind of government that the men at Gettysburg died to keep undivided upon the map of the world. It was not a government where three or four men, because they happened to be conferees, could defeat the will of the Senate and the will of the House of Representatives and bring in a measure here in the last hours of a legislative session and rush it through when it could not be properly inspected. That is not the kind of government, I want to tell you, that our forefathers fought for. That is not the kind of government that our fathers fought for, from Sumter to Appomattox.

No, no! Representative government means that every single State in the Union shall have an equal chance in making the law; that every unit of population represented in the House shall have an equal chance in making the law. When you set up a conference committee here that assumes to speak for the people of Massachusetts and Illinois and Wisconsin and Iowa, and to do it in violation of the rule of the Senate, then I say that the hour has come when that sort of thing deserves the united cooperation of Members upon both sides here to put an end to it forever.

DISREGARD OF TRUE PRINCIPLES OF REPRESENTATIVE GOVERNMENT PROMOTES UNREST.

So, Mr. President, I am here inveighing against a practice that has grown and grown until it has become an organized defiance of constitutional government. Why, sir, up here in the seclusion of this Chamber, walled in as we are, where there is not a window which lets in God's sunlight, sometimes we hear things from the outside world, but mostly we live by ourselves; and when we have been separated from our constituencies for a few months some of us seem pretty prone to forget whom we were sent to represent. And so, Mr. President, it is not to be marveled at that in the seclusion of this retired space in the Capitol of the United States we should wonder that there is unrest and disturbance over this great land of ours. But I venture to suggest to Senators that it is possible that their disregard of the spirit of the Constitution which they have sworn to support may have some remote relation to the wave of unrest and dissatisfaction that is pulsing its way across our great country from ocean to ocean; and I hope my colleagues here, so many of them representing constituencies of great wealth and power in our economic system, may pause to consider whether the conditions which they deprecate as being menacing in this country at this time are to be dealt with by a better regard upon their part of the true principles of representative government as embodied in the Constitution, or are to be dealt with by drastic legislation that shall seek to repress all complaint which

has been provoked by our failure to make this Government more truly representative of the will of the people.

I purpose, somewhat later in the present session, upon another measure, to have something to say about the critical situation existing in this country to-day; and I do not wish to be too far diverted, although there beckon to me on every side, as I seek to pursue the line of my argument, digressions bearing not only indirectly but directly upon that situation.

Mr. President, I say it is most remarkable that it was found necessary by the United States Senate to write into its rules a regulation denying to conferees authority to legislate. Why, you would not have thought that three men in the House of Representatives and three men in the United States Senate would presume to put into a conference report legislation which had never passed either of the two bodies that had appointed them to adjust and report upon the differences between those two legislative bodies. You would not have thought it possible that those men would arrogate to themselves the power to set aside the will of the United States Senate and the will of the House of Representatives, and to assert their will and their power as to legislation affecting the interests of the whole people, in total disregard of the will of the Senate and the House of Representatives expressed in the two bills. And yet, Mr. President, so many times, so frequently, had that been done that the Senate was at last compelled to try to protect itself by rule against the practice.

Mr. President, the writing of this rule in the United States Senate stands like a guide board on the highway for conferees. It should forever remind them of the fact that it had become necessary in the United States Senate to restrain members of conference committees from utterly disregarding the legislative action of the two Houses of Congress.

[At this point Mr. PENROSE engaged in a whispered conversation with Mr. LA FOLLETTE.]

Mr. ROBINSON. Has the Senator from Wisconsin yielded the floor?

Mr. LA FOLLETTE. No; I have not. I do not know of any rule of the Senate that regulates exactly how fast a man shall talk here.

Mr. ROBINSON. Is the Senator from Wisconsin talking as slowly as he can?

Mr. LA FOLLETTE. No; he is not. He has been covering a good deal of ground, and I hope it will be beneficial to the Senator from Arkansas.

Mr. ROBINSON. There is no doubt about the Senator covering a good deal of ground, but he is scattering it out rather thin.

Mr. LA FOLLETTE. It may so appear to the Senator from Arkansas, but I may venture to guess that there will come a time when it will not so appear generally to the people of this country.

Mr. ROBINSON. I hope the Senator from Wisconsin will take some other time to have his conferences with the Senator from Pennsylvania and continue to illumine the subject now before the Senate.

Mr. LA FOLLETTE. About that I shall be guided largely by my own judgment. I will have to be. I can not always——

Mr. ROBINSON. Will the Senator yield for a question?

Mr. LA FOLLETTE. Not just this minute. I can not always conform, you know, to what the Senator from Arkansas might think was exactly suitable. If some Senator comes upon the floor here while I am speaking and desires to communicate with me, I think it entirely proper that I should listen to what he has to say. The Senate does not lose any time by it. We have lost already very much more time than that, and I do not want to lose any time, you know. I am rather particular about it.

Mr. ROBINSON. Will the Senator yield for a question or not?

Mr. LA FOLLETTE. Certainly; in the interest of saving time, I yield.

Mr. ROBINSON. The Senator from Arkansas, of course, understands perfectly that the Senator is speaking sarcastically when he refers to his purpose of saving time.

Mr. LA FOLLETTE. The Senator understands nothing of the kind. I am speaking upon this bill, and the Senator has no right to make that inference here in my time. He can make it after I get through, but when he asked me to yield he has not any right to use the time for that purpose.

Mr. ROBINSON. Will the Senator yield for a further question?

Mr. LA FOLLETTE. I yield.

Mr. ROBINSON. Does the Senator think the business of the country in its present state should be suspended and that the galleries should be deprived of the value of his luminous remarks in order that he may hold conferences while he retains the floor, discussing an important matter of legislation? Does he not think he might hold his conferences elsewhere and continue uninterruptedly?

Mr. LA FOLLETTE. The Senator is impudent and ignorant of the reason why I was interrupted. I was interrupted by the Senator from Pennsylvania, who told me that the managers of legislation upon this side wanted a recess at 5 o'clock, and that in his opinion I ought to be advised of it.

Now, Mr. President, I am going on with what I have to say——

Mr. ROBINSON. Mr. President——

Mr. PENROSE. I thought it might be that the information——

Mr. ROBINSON. Will the Senator yield?

Mr. LA FOLLETTE. I will.

Mr. ROBINSON. The statement of the Senator from Wisconsin is erroneous, and that is a moderate characterization of it. No Senator on this side has asked for any recess. A request came from the representatives on the other side of the Chamber that a recess be granted them from 5.30 until 7 o'clock in order that a conference might be held to enable the other side of the Chamber to determine whether or not it would support or oppose the so-called liberty bond bill, which is designed to provide for the raising of funds necessary to bring our soldiers back from France. The statement made by the Senator from Wisconsin that the request came from this side for any interruption of the brilliant and remarkable speech that is now being made by the Senator from Wisconsin is erroneous and can not be characterized on the floor of this body in the language that would properly designate it.

Mr. LA FOLLETTE. Mr. President, I decline to reply to observations made in that spirit by a Senator on this floor, and I decline to yield again to the Senator from Arkansas. A man who will abuse the privileges of another Senator to insult him upon the floor does not deserve anything but contumely.

Mr. ROBINSON. Will the Senator yield?

Mr. LA FOLLETTE. I will not.

The PRESIDING OFFICER. The Senator from Wisconsin declines to yield.

Mr. LA FOLLETTE. Now, Mr. President, I am proceeding within my right upon this floor, and I resume the discussion at the point where I was interrupted. I was entirely innocent, Mr. President, of violating any of the proprieties much less the rules of the Senate, in pausing for a second to listen to the message the Senator from Pennsylvania conveyed to me just as I represented it to the Senate, when rebuked or criticized by the Senator from Arkansas.

Mr. ROBINSON. Will the Senator yield?

Mr. LA FOLLETTE. No; I do not yield. Once is enough for me. [Manifestations in the gallery.]

The PRESIDING OFFICER. There must be order in the galleries. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, I come back to discuss the vital importance of representative government, which had been somewhat encroached upon by conferees to the extent that it had become necessary for the Senate of the United States to write into its standing rules something to restrain the hand of these conferees from interfering with the rights of Members of the Senate and Members of the House to represent their constituencies here and their respective States. You can understand that when a conference report comes here, with all the rights and prerogatives that have been accorded to such reports, it may be extremely difficult, if any advantage or if any encroachment had been made upon the legislative declarations of the Senate, for instance, by the conferees, for Senators to protect themselves against that encroachment. Why was it so difficult? I will tell you.

SENATE WAS COMPELLED TO PROTECT ITSELF AGAINST THE USURPATION OF CONFEREES.

Mr. President, in a very innocent way the practice has grown up of giving conference reports certain rights. A conference report embodies what is supposed to be a combination of the legislative ideas of the Senate and House of Representatives upon the subject which is committed to the conferees. As I said, a sort of practice had grown up in both bodies to give very high privileges to a report coming from conferees who were supposed to present in their report the views of the two bodies of Congress, harmonized by the committee to whom the subject of legislation had been turned over. Of course, it is to be recognized that in every legislative measure there must be yielding where there is difference of opinion. It was an established practice, recognized not only by the Congress of the United States but by our legislative bodies in the different States where a similar

practice has grown up, that when these differences arise between two legislative branches of government they must be harmonized if legislation is to result.

But, Mr. President, it was always fundamental, it was always the very soul of any action upon the part of those conferees that they should deal with differences between the two Houses. That is all right. They were commissioned to discuss those differences, harmonize them if possible, and report them back to see whether their respective principals would indorse the action of their agents, the conferees. That is rational procedure. Here are two individuals, for instance, who do not agree about their rights. They are in sharp collision. It is important that those differences should be adjusted. Each one appoints an agent, the two to come together and consider the differences.

But, Mr. President, it never was accepted as to any matter of arbitrament between agents of principals, who differed with regard to some matter, that the agents should go outside and take up things that did not concern the controversy. That would be recognized anywhere as a violation of the principle of arbitration. But, Mr. President, conferees took such great liberties with the matters committed to them that the Senate found it necessary to adopt a rule to stop them from going entirely outside of the matters of difference between the two Houses, framing up new legislation and bringing it in. It came to be a very great abuse, because it was repeated so often. Now, there is not a Senator who does not recognize the very conservative character of the United States Senate. The United States Senate is pretty slow to take action in a new direcion. It will stand abuse; it will submit to the violation of legislative principles session after session and year after year; so conservative is this body, that is elected for a six-year period, that it corrects abuses very tardily; and when the United States Senate wrote into its rules a declaration that members of a conference committee should not write into a conference report matter upon which neither body had acted, you may be assured that it did it after that rule had been violated again and again and again, until the subject became one which Senators regarded as such a legislative abuse that it must be corrected in the interest of representative government.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. SIMMONS. Mr. President, I am advised that while I was absent from the Chamber the Senator from Wisconsin made a statement to the effect that he was advised that I had asked the Republicans to hold a conference this afternoon and offered to give them a recess for an hour and a half for the purpose of holding that conference.

Mr. LA FOLLETTE. I do not think I said that, Mr. President.

Mr. ROBINSON. Will the Senator yield to me, in order that I may make a correction?

Mr. LA FOLLETTE. I should like to make a correction. I understood the Senator from Pennsylvania [Mr. PENROSE] to say that the Senator from North Carolina had suggested or desired—I am not responsible if he did not state it to me just exactly as it was—that perhaps there should be a recess taken at about 5 o'clock, and that in the meantime it had been suggested, not by the Senator from North Carolina—I did not so understand it—but by Republicans that there should be some conference on the part of Republicans. I simply stated that as I understood the Senator from Pennsylvania to state it, and if I am in error at all about it I shall be very glad to be corrected.

Mr. SIMMONS. The Senator is undoubtedly in error.

Mr. ROBINSON. Will the Senator yield to me for a moment?

Mr. LA FOLLETTE. I yield to the Senator from Arkansas.

Mr. ROBINSON. The statement which particularly elicited my interest was the statement by the Senator from Wisconsin that the request for a recess had come from this side of the Chamber. That was the exact language used by the Senator from Wisconsin, as I remember it—that he had been informed that a request had come from this side, meaning the Democratic side of the Chamber, for a recess from 5.30 until 7 o'clock, or about that time. That was the statement which the Senator from Wisconsin made.

Mr. SIMMONS. If the Senator from Wisconsin will permit me, in view of that statement, I am sure he must have misunderstood the Senator from Pennsylvania, because I am sure the Senator from Pennsylvania did not intend to convey that idea; but I think it is due to myself to make a statement.

Mr. LA FOLLETTE. The Senator from Pennsylvania sat here and heard what I said, and if I misstated him he ought to have corrected me.

Mr. SIMMONS. I think so, too.

If the Senator will permit me, I desire to state the facts with reference to this matter. Shortly after the Senate convened this morning the Senator from Massachusetts [Mr. LODGE], the leader upon the other side of the Chamber, asked for a conference with me.

Mr. LA FOLLETTE. I submit that that has not anything to do with whether or not I correctly quoted the Senator from Pennsylvania. I do not want to go into ancient history. I am trying to make a connected argument.

Mr. SIMMONS. Will the Senator allow me to make a brief statement with regard to the matter? It will not take me more than a minute.

Mr. LA FOLLETTE. Certainly; I yield to the Senator for that purpose.

Mr. SIMMONS. The Senator from Massachusetts [Mr. LODGE] stated to me that on account of certain statements in regard to the attitude of certain Senators on that side it had become very desirable that there should be a conference of the minority Senators. He asked me if I would consent to having the bill laid aside temporarily, and take a recess for two hours, to permit that conference to take place. I told him I could not answer him then, but I would do so in a short time. In a short time afterwards I did answer him, telling him that I would accede to that request.

Mr. LA FOLLETTE. Mr. President, I hope the matter is straightened out now. Of course, when a Senator is speaking here on the floor and another Senator sidles up to him and interrupts him——

Mr. SIMMONS. I can understand how that may happen.

Mr. LA FOLLETTE. And whispers something to him, he may not subsequently state it in exactly the same words in which he received it. The Senator from Pennsylvania, however, as I have stated, sat right here while I did state it, and if I did not state it exactly correct he was in a position to correct me. I certainly did not mean to misstate anything.

Mr. SIMMONS. I wish to suggest to the Senator that I had no conversation with the Senator from Pennsylvania about the matter until probably an hour after the Senator from Massachusetts and myself had our first conversation. He then came and asked me to fix a time for a recess at a different hour from the time originally suggested.

Mr. LA FOLLETTE. Mr. President, I do not know anything about any of these conferences. I was making what I thought was a pretty good argument about this conference report. I deprecated the interruption by the Senator from Pennsylvania. I was real sorry, for it would be necessary for me, in order to accommodate myself to the wishes of other Senators, to stop in my argument, and I really wanted to go on. I am just getting under way.

I come back now, if I may proceed, as best I can recollect to connect up with what I was saying at the time of the interruption—and I could save a lot of time if I were permitted to go right straight along—I can see very valid reasons for clothing conferees with certain powers. The conferees represent, or ought to represent, the best legislative judgment of the two bodies; but I say it is absolutely fundamental that they do not touch anything that the two bodies have not acted upon, because, to speak plainly about it, that is usurpation of power that betokens an utter disregard of the high office that they are filling. When conferees write into a conference report matter about which neither of the two legislative bodies acted, I do not think there can be any dispute between us that they are doing a pretty radical thing, one which ought not to be done; and when it is true that that sort of practice has grown up and become so common that it is necessary to enact a rule to stop it, that indicates a pretty flagrant disregard of the principles of representative government and of the principles of democracy about which we have heard so much in recent years.

ANOTHER DANGEROUS ABUSE.

Mr. President, there is another abuse which has grown up here besides the abuse upon the part of conferees which elicited the enactment of the rule. It is that reprehensible practice that has grown up of bringing in conference reports in the closing hours of a Congress. Human nature is in a way accountable for it, I admit, but it is one of the violations of proper legislative action that must be curbed, must be checked, must be stopped, or it is the end of all proper legislation by the Congress of the United States. The life of a Congress is for two years. A bill is introduced here; it goes to a committee; it may not be acted upon during that session or it may be acted upon; it may reach the calendar; it may be passed; it may go over to the other branch of Congress; it may be acted upon there by the committee of that House and go upon the calendar of that body. But suppose that in the House of Representatives a bill

which has been favorably acted upon early in the life of a Congress by the United States Senate encounters some opposition, that there is some difference of opinion, which results, after the House has acted upon it, in the appointment of a conference committee to adjust the differences between the House and the Senate, and that conference committee meets in the first session of the life of a Congress, considers the matter, and finds that there are differences between the two Houses and can not come to any agreement upon the matter. Then in the closing hours of the two-year period of the life of that Congress the conferees come together, arrive at an agreement, and bring in their conference report on the measure at a time when the calendar is crowded with important legislation. Legislation which has been permitted to be delayed in conference should put Congress on inquiry. In those closing hours, when appropriation bills involving billions upon billions of dollars must be considered, a measure like the pending bill, involving the disposition of the great public domain in which is treasured the coal, the oil, the gas, and other natural resources, is thrust in here, and we are expected to jam it through without time for proper consideration. This bill, if enacted, will dispose of all the resources that will furnish heat and energy to the people of the United States for all time to come, for there is practically gathered up within the four corners of this proposed legislation all that the people have left of the coal, the oil, and the natural gas underlying our public lands.

Now, Mr. President, when conferees are invested with the high privilege of coming on this floor at any hour, at any moment when the Senate is in session, with a conference report dealing with the coal and the oil and the gas that is the common property of the people of the United States, and a report that contains within it provisions for the acquisition of that property by private interests, as I view it, and as I shall demonstrate later, from the terms of the bill, I do protest against a measure of that infinite, that sweeping importance to the people of this country being brought on for consideration at a time when the calendar is crowded with measures of the highest importance.

NOT THE TIME TO BRING IN IMPORTANT LEGISLATION.

Yet, when the currents of legislation are running at high flood with measures of the greatest and most vital importance we have thrust in here during the last hours a report privileged to come up for action at any moment of time, and involving the legislative action of the House and the Senate upon which they passed months and months ago. The Senator from Utah [Mr. SMOOT], who is a member of the conference committee, informs me that these bills were acted upon last year and the year before by the respective bodies of Congress. But this conference report comes in here at the last hour of the two-year period of this Congress, and at a time when Senators are obliged to give their time to other legislation of the most vital importance.

Now, Mr. President, there is no possible excuse for the long delay upon this measure. The very fact that the bill appears here in the last hours should be notice to the Senate to carefully examine it. I say this without meaning any reflection upon the members of the conference committee. I know personally some of the members of the House conference committee, and all of the members of the Senate committee, and I would say no word that would reflect personally upon any of them. But I want to say that a judgment that resisted for a year or more must have been in the end more or less coerced into agreement.

Why, the Senator from Colorado, and I do not know but the Senator from Nevada, and other Senators who are concerned in this legislation, very properly and very vitally, because of their constituencies, have again and again risen on the floor here and said: "After six years we have gotten together. There have been the widest sort of differences, but we have come together on this thing." Mr. President, I tell you that that statement in itself must compel every Senator on this floor who feels responsibility for his vote to vote with care on a decision arrived at in that way.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. For a question.

Mr. SHAFROTH. I should like to make just a little statement.

Mr. LA FOLLETTE. No; I do not want to endanger my right to the floor.

Mr. SHAFROTH. Oh, no; I do not want the Senator to do so.

Mr. LA FOLLETTE. I know the Senator does not want me to, and I do not propose to. I understand the rule to be that I can yield for a question.

Mr. SHAFROTH. I will ask this question, then:

The conferees on this matter have been acting in a most careful manner with respect to this bill. The Senate bill was passed here after a discussion of several days, I think, in January, 1918. The provision in the Senate bill was different from the House provision that had passed the House several times. The House bill had passed three times and had come over to the Senate, and in some instances was not acted upon by the Senate.

Now, I want to state to the Senator, if he will permit me, the difference between the two bills.

Mr. LA FOLLETTE. Oh, no, no, Mr. President. The Senator will have the opportunity to do that later. If the Senator wants to ask me some question, I can properly yield, but not otherwise.

Mr. SHAFROTH. When the conferees have been laboring hard for the purpose of getting an agreement, and we have agreed upon a matter that seems to be fair to both sides, and we could not get the agreement until, say, the 1st of February—that was the date that we agreed—I want to ask the Senator if he thinks there is any unreasonable delay in it?

Mr. LA FOLLETTE. That was just what I was discussing and just what I was proposing to discuss.

Mr. SHAFROTH rose.

Mr. LA FOLLETTE. Now, I am going to answer the Senator. The Senator has asked his question.

Mr. SHAFROTH. Let me——

Mr. LA FOLLETTE. No, no; one question is enough at a time.

The PRESIDING OFFICER. The Senator declines to yield further.

Mr. SHAFROTH. Does not the Senator agree that when the head of the managers on the part of the House got sick and failed to get to the House until in January, we could not confer with him in December? The result was that it has been tied up by delays of that kind and was tied up by the Senator from California [Mr. PHELAN] going to California and not getting back.

Mr. LA FOLLETTE. I think perhaps it is true that a doctor ought to have been called in very much earlier in this matter; but here is the proposition: The fact that you did not agree until the last few days, after you had had the matter under consideration for months, is an evidence that you have been put in much the same position as a jury where the judge locks them up on bread and water to force an agreement against the judgment of the jury.

STATEMENTS OF CONFEREES SHOULD WARN SENATORS.

Sir, the very statement that the Senator from Colorado has made on this floor that "we have been six years trying to get together on this thing, and have only been able to do so just now," is a statement which should put every Senator on his inquiry to scan this report with the very greatest care. Then, when finally it appears here, and we find that the conferees have done something in violation of the rules, I think we are forced to conclude that they are under such tremendous pressure from their constituents, have been so eager for an agreement that possibly their judgment has been warped and that we would be unsafe in acting on the matter in these rushing, pressing, closing hours of a great Congress. Here we are fagged out by our labors and struggles over appropriation bills and war measures and revenue bills until our minds have lost their edge, and now we are called upon to pass a wise judgment upon a conference report that required a year and some months to compose the divergent opinions of the two Houses. And, Mr. President, when there is involved in that the fuel that is to furnish light and warmth to the people of this country for all time to come, and when you may be starting upon a policy that commits you to monopoly that can grind the people with excessive prices, as I shall argue later——

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. Not just now.

Mr. SHAFROTH. I should like to explain to the Senator just a minute with relation to why this difference of opinion is existing.

Mr. LA FOLLETTE. No; the Senator can make his explanations after I get through.

Mr. SHAFROTH. We can not talk on our side, because it consumes time.

Mr. LA FOLLETTE. Why can you not? If you had brought this bill in when you ought to you would have had plenty of time to talk.

Mr. SHAFROTH. We have been trying to bring it in. I have been trying.

Mr. LA FOLLETTE. I know the Senator has, and I know how earnest and honest the Senator from Colorado is about

this matter and I have a lot of sympathy with him. I know he thinks it is going to do some good to his constituents. I think I can show, before I get through, that it is the ruin——

Mr. SHAFROTH. Why, Mr. President, we have guarded against monopoly in every way. We have got every clause in here that absolutely prohibits a combination of any two companies in the coal lands of this country.

Mr. LA FOLLETTE. Ah! That depends upon who happens to be Secretary of the Interior, who happens to be in the position to enforce the law; and I propose to show that we have had Secretaries of the Interior who have robbed the people of an inheritance with reference to the public domain that ought to forever hand their names down to infamy.

Mr. SHAFROTH. Mr. President, does not the——

The PRESIDING OFFICER. The Senator declines to yield further.

Mr. LA FOLLETTE. I am not going to run any chance of losing the floor.

Mr. SHAFROTH. I do not want the Senator to lose the floor.

Mr. LA FOLLETTE. I know the Senator does not. I know my friend is too considerate of me for that.

Mr. SHAFROTH. But I should like to say——

Mr. LA FOLLETTE. It can not be with my yielding.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. SHAFROTH. Well, all right.

Mr. LA FOLLETTE. I should be perfectly glad to yield, but I do not want to take any chances.

DEPARTMENTS OF JUSTICE AND NAVY OPPOSE BILL.

Mr. President, I do not want Senators to think that I am arguing for a myth, because I am not. The integrity of the measure which is embodied in this conference report has been challenged by two great departments of our Government. When two of the great departments of our Government protest against the enactment of this legislation, surely, sir, a man is not without some warrant in standing here at this hour to speak against it. So I beg permission, Mr. President, to take it up with some thoroughness.

Mr. President, there is a little more behind this; and I do not want to reflect upon anybody. I have a kindliness of feeling for the people out West. My early boyhood was passed in what we then called the West. I have a sympathetic understanding of the responsibilities and the perplexities that besiege the Members from the West with respect to the disposition of the natural resources—coal and oil. We went through that in Wisconsin when I was a boy, and we took exactly the course that you want to take here, and it did not help us any. It delivered us to monopoly, as I purpose to demonstrate that the course you want to take here will deliver you, not from monopoly but to monopoly; not only you but the balance of the country as well.

When it comes to a discussion of the various provisions of the bill I shall show that its enactment has been resisted step by step from the time it was brought to the attention of the office of the Attorney General of the United States down to yesterday. Senators have been advised that the Attorney General and the Secretary of the Navy were satisfied with this legislation. Senators and Members of the House have been informed by the zealous advocates of this conference report that these departments that have been resisting its enactment for two years were ready to lay down their hands and welcome its passage.

I offer that as another reason, added to those I have already given, why the advocates of this measure have lost control of their sense of proportion and their judgment of values with respect to it, and that they are not wise counselors to us in these brief and crowded hours.

I, and I know other Senators, have been told that it was all right, so far as the Secretary of the Navy was concerned, that the Department of Justice was satisfied. But on yesterday came the startling information from each of those officers that they were being misquoted in favor of this legislation. Pile those things one on top of the other, the long delay in the conferees coming to an agreement, the reaching out to bring the Alaskan coal fields under the terms of the bill in violation of the rules of the Senate, making it possible to acquire title to the very lands that were in question and which led to the removal from office of Mr. Ballinger as Secretary of the Interior and his retirement in disgrace—coupled with that fact, restive under the reports that were being circulated that the Department of Justice and the Navy Department were favorable to this legislation, a letter from the head of each of those departments was elicited on yesterday disavowing these statements. These letters appear in the CONGRESSIONAL RECORD of to-day. Coupling these things together, I say it imposes upon every Senator who feels responsibility for the future of the coal, the oil, the phosphates, and other mineral resources of this country the obligation of scanning this matter with the very greatest care.

HOW THE LIEU LAND MEASURE WAS PUT THROUGH.

In saying that I do not intend to be construed as imputing improper motives to anybody. Men become warped in their judgments. Why, heavens and earth, shall we forget the things that have occurred within these walls? In the closing hours of a Congress there was put through here, against the warning protest of Senator Pettigrew on this floor, attached, I think it was, to an appropriation bill, a provision giving the railroad companies of the United States the right to exchange undesirable lands included within their land grants for lands anywhere in the public domain. The lavish hand of an inconsiderate Congress had given these railroads grants of land for 20 miles on each side of their rights of way, and in the closing days of another inconsiderate Congress a proposition was enacted that allowed the railroad companies to surrender any of that land within their land grants; in many cases it was a barren mountain side; it was not desirable; it was not marketable; but in its closing hours a Congress permitted the roads to turn back that land into the public domain for our soldiers returning from France while the railroads were permitted to go into the public domain and select choice timberlands and coal lands and other lands in exchange. I tell you, Mr. President, Congress itself makes mistakes, and those mistakes are made generally just at a period of legislation such as we are in now, when the channels of legislation are filled to the banks upon either side and when men can not scan things with care and when personal appeals are made to Senators and Representatives. Who has not been called out into the Marble Room in the last few days to be told, "I hope you will not object to this thing; it is all right"; and you say, "What is it?" "Well, it is so-and-so, and so-and-so." You do not have the time to look into it, and if it is somebody you happen to know, some one upon whose judgment you depend, you accept it, but his judgment may be colored a little bit by some stock he has in the thing but about which he does not tell you.

One of the greatest scandals of legislation in the history of the United States Senate and of Congress was that right given to the railroad companies to exchange the bad land along the rights of way for the choicest lands in our great domain.

I am not impeaching the integrity of the Senators who passed that. Sometimes, you know, in moments of indignation reading about that, I have wondered if some of them did not know more than they seemed to know about it. But I think we are all of us prone to believe that everybody wants to do about what is right. A thing comes along at the last minute here, and there is a jury which has been locked up for six months on bread and water, or rather a conference committee, that has argued and struggled until their patience and their judgments are worn to shreds and patches, and then, in haste, at the last moment they take the plunge and agree. It is not an independent, free judgment; in a measure it is a coerced judgment.

So I think we ought to take it with some degree of allowance, and particularly when men who are serving the public interests like the Attorney General and the Secretary of the Navy for months and months resist the enactment of this legislation, and then, owing, probably, to some misunderstanding that arises from some defect in our cable service, their activities become somewhat curtailed along about the time this conference report comes in.

ATTORNEY GENERAL KEEPS RECORD STRAIGHT.

Then finally when the President came home and saw the bill and talked with the Secretary of the Navy and his Attorney General and got their point of view as to the changes made in conference, the clamps seem to be off. We do not know just what took place. We must surmise; but, anyway, yesterday the Attorney General felt himself free at least to clear his skirts from the seeming inconsistency that the silence which had fallen upon him allowed to be inferred; and there was offered in the House by Mr. FREAR, a Member from Wisconsin, this message found on page 4492 of the RECORD, wired by the Attorney General to Mr. Gifford Pinchot, who had presumably asked him about it and received this answer, which must have been transmitted by Mr. Pinchot to Mr. FREAR. That message from the Attorney General reads as follows. It is dated Washington, February 26, 1919:

GIFFORD PINCHOT,
1218 Real Estate Trust Building, Philadelphia, Pa.:

In reply to your Western Union wire of the 26th, no one can truthfully say that I have favored the conference report on the so-called coal and oil leasing bill. Members of both Houses of Congress are aware of the fact that I have declined to advocate its passage.

THOMAS W. GREGORY.

Mr. President, before I conclude I shall show to the Senate from testimony of the Attorney General, pages and pages of the record, to the effect that he fought step by step against this

legislation. He was on record not once, not in some ill-considered and premature statement, but he was on record as it will appear as I progress to unfold my story, as a result of action brought in the various Federal courts and carried through to the Supreme Court of the United States, to protect the public rights against the encroachment of men who are to-day represented in the lobbies about the Congress of the United States, seeking to secure this legislation, men who have been seeking to get confirmed by legislation rights which the courts have denied to them. Not only the Department of Justice has taken that view but the Supreme Court has passed upon it. That ought to be pretty persuasive with Senators.

Suppose the court had not passed upon it, and the Attorney General had sent word down here that in his opinion this thing ought not to be done; that the Government had rights there; that it had title to the property which these men in violation of the Executive order had sought improperly to gain control over? Why, if we had no more than that, it seems to me we ought to halt and not in the last 72 hours of the life of this Congress enact a legislative proposition that had the opposition of the Department of Justice.

NEED OF ANOTHER RULE.

I say it is time for the Senate to make another rule in addition to that designed to prevent conferees reporting a matter which was not submitted to them. We need another rule; and in my humble judgment, at some time, in the interest of good legislation, we will enact a rule that in the short session all bills originating in either House shall be sent to the other House not later than the 10th day of January, and that after that period no legislation shall be received, and then we will provide—we may vary it somewhat—but we will put a limitation on hasty and ill-considered legislation affecting the public interest, vital to the life, happiness, and prosperity of the people of this country. We will say in our rules something like this, I apprehend, that committees receiving these measures after a reasonable time, to be named in the rule—a month, five weeks, or six weeks—shall report them out. As it is now, committees can hold back legislation until the eleventh hour and the fifty-ninth minute, and then can bring it into the United States Senate or the House of Representatives and drive it through. It goes over to the other body and the pressure behind it secures hasty consideration of it, and it becomes a subject of conference. The powers of the conferees give it privilege; it can be brought in at any hour, and brush aside legislation that has been well considered; it can command a right of way to the consciences and the judgment—the ill-considered judgment—and the vote of Members of the body. You see them scurrying about here, saying, "I do not know what this is; I hardly know how to vote upon this proposition." It comes up under the rule and you are faced with responsibility. You do the best you can; you ask somebody if he has examined it; and if he has not examined it you ask some one else if he has, and beg him to tell you what he thinks about it. You get the best idea you can and discharge your duty as best you can.

Mr. President, you will not do business that way very much longer. Some time or other the House will say to the Senate and the Senate will say to the House, "Whatever legislative measures you propose you shall consider and send over to the Senate by such and such a date of the session"; and the Senate will say to its various committees, "Whatever bills you are to report you shall report for consideration of the Senate by such and such a time." There may be some emergency provision that will relax the rigidity of this rule, but I apprehend that sooner or later the Senate, which wants to do what is right, will provide some way of protecting the integrity of its proceedings by rules, just as they saw the wisdom of a rule to prevent new matter being put in by conferees.

I can turn to the page in the RECORD, when I happened to be making something of the same sort of a speech that I am making here to-day, where I said, "Mr. President, I predict the time will come when we will have a rule which will deny the right of conferees to put new matter in their conference reports." The Senator from North Carolina [Mr. OVERMAN], sitting in the chair by which I am now standing, said, "Yes; we should have a rule at once on that subject." It was but a few months after that when the Senator from Kansas [Mr. CURTIS] introduced a proposal to amend the rules, and a little later we had such a rule. I do not mean to say that I am responsible for it. I just happened to stumble on that line of thought while I was talking here one day about some new matter, which we had not considered, that came in under the privilege of a conference report. It had the right to go through; you could debate it—you could protest all you pleased—but our rules did not permit the conference report to be amended.

MUST TAKE THE WHOLE DOSE.

Suppose that 99 per cent of a conference report met the approval of your judgment and that 1 per cent of it was very bad in your opinion; you have no choice; you have to vote to pass the 99 per cent and stand for the bad 1 per cent of it. Of course, you could not amend the conference report, because that would be an endless chain; you would be doing over just what the committees do and just what the Senate does when it considers the bill in the first instance. We will have to work this thing out in some way, Senators; but I tell you that one of the things that we can do to protect ourselves is to provide that the great important measures shall come before the Senate not four days, not a week, not two weeks before the adjourning time, and then come in all together, when, work as you will, you can not discharge your obligations, you can not act intelligently; but we can and must provide by rule that they shall be reported early enough for full and fair consideration. So, Mr. President, I say that this experience, this contest that we are having now, may work out some good for the Senate.

I know it is a thankless task for one to do what I am doing here to-day. I am very fond of the Senator from Colorado [Mr. SHAFROTH], who goes out of this body on the 4th of March, and who I believe to be a thoroughly conscientious legislator. I do not agree with his judgment many times, but he is a conscientious legislator, a man who has a splendid record behind him in his own State. I knew something about his record as executive of that State. I should like to agree with him about this; he has come to me here about it again and again, and talked with me about it. But, Mr. President, at some time or other somebody or other has to make a protest and put up a flag of warning. He may get shot; he is liable to. I have lots of scars; I have lost a good many friends; I have a lonesome time; I have had a lonesome time here in the Senate. I like good fellowship as well as anybody does. I am not claiming any superiority of judgment or any superiority of righteousness. Whatever I have done I have done because I could not help it. I have just kind of gone this way because I had to. I do not stop to analyze it. I yield to other men the same regard for doing right according to their light that I have. But it has been my misfortune all through my political life that I have been with the under dog. I did not, some way or other, just take the easier way; and there is an easier way.

I am just hoping, you know, that out of this labored and rambling and very imperfect effort of mine we shall get some reforms in legislation. I can not tell you about certain personal considerations that make this course of mine very hard for me to-day—unusually so—but for a score of years I have had fixed convictions about these natural resources, and I can not, I dare not, do other than follow my convictions.

SOME COAL CONSERVATION HISTORY.

Mr. President, I do not want to talk vainglorioously or boastfully to the Senate this afternoon. I came to the United States Senate in 1906. I was put upon the Committee on Indian Affairs. One of the first bills that came to my attention was a measure proposing to sell the coal lands of the Choctaws and Chickasaws in the Indian Territory. According to my recollection, 437,000 acres of coal lands were involved. I was the only member of that committee who resisted the proposition. I had investigated it a little during the brief time that I had been on the committee, and I found that whatever segregated lands belonging to these tribes that had been disposed of had come within the control of certain interests in that country, and had resulted, not in any benefit to the public but in gouging the public and producing high prices for coal. The land had passed out in the same way that this would pass out of the control of the Government, as I see it. So when voted down in the committee on the proposition, I asked leave to oppose it on the floor. They laughed at me in the committee. I was new. The bill came to the floor of the Senate carrying the provision that the committee had put into it. As best I could—and it was a mighty clumsy performance, for it was about the first time that I had raised my voice here, and, as I remember, I was frightened——

Mr. ASHURST. Mr. President, will the Senator from Wisconsin yield to me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Arizona?

Mr. LA FOLLETTE. Yes.

Mr. ASHURST. Would the Senator kindly indicate the period of time when that happened?

Mr. LA FOLLETTE. That was in 1906. I had not been here long.

Mr. ASHURST. I wanted to make the point that no Senators who were then on the Committee on Indian Affairs are now members of that committee.

Mr. LA FOLLETTE. Oh, no. I am not meaning to reflect upon anybody.

Mr. ASHURST. I know that; but I wanted the RECORD to show it.

Mr. LA FOLLETTE. The members of the committee at that time were just as good men as I was. I just had this fool notion, you know, of wanting to save that coal for the public; but I was afraid that if it passed into the hands of private interests under the terms proposed that the public would not get the benefit of it; that it would not be a competing proposition with the coal that was already being mined down in that country.

Mr. President, this has a little bit of historical interest, and in a way explains the matter, and I offer it as my reason for my very great interest in this measure. It is a somewhat interesting history of which I have confirmation by private correspondence and by the records of Congress.

That proposition to dispose of the coal which was part of the Indian appropriation bill of 1906 was debated here for two days on this floor. The Senator from Pennsylvania [Mr. KNOX], if he were present, would remember it. He came to my seat and sat there, and in whispers made suggestions to me to stay my faltering steps in my first effort to walk down the aisle here and say a few words. As I remember, after a two days' discussion, the committee withdrew the proposition and substituted for it a resolution that the committee should go down into the Territory and investigate the situation there. As I have followed it, that coal remains the property of the Indians now just as it was then.

SUGGESTED WITHDRAWAL OF ALL FUEL LANDS.

That led to considerable comment in various publications. I was surprised that it attracted any attention; it seemed to be such a simple thing; but the Outlook and a number of other publications printed some editorials about it. It happened that I went up to the White House a few days after, and President Roosevelt, as I came into his room, extended his hand to me, and said, "Senator LA FOLLETTE, you have done a mighty good thing with regard to the coal lands in the Indian Territory; I congratulate you." I replied, "The stopping of the sale of that coal until some plan can be worked out that will finally protect both the Indians and the public in that section was worth while, and Mr. President, I beg you to consider whether you should not by Executive order withdraw the coal lands, the oil lands, and the other lands in the public domain containing natural resources from public sale and entry until some plan can be worked out to conserve and protect the public interest there as well." He looked at me, and said, "By Jove, that is a mighty important thing. I like the sound of that. Have I the power to do it?" I said, "Mr. President, I have looked into it somewhat, and, as I remember, there is a precedent back many years ago of the Secretary of the Interior having issued such an order as that—an Executive order—which was sustained." "Well," he said, "I will put the Attorney General at work upon it." Congress was about to adjourn, and I said, "Mr. President, if the Attorney General expresses any doubt about it, do not be afraid. Congress is on the eve of adjournment, give the public the benefit of the doubt, issue an Executive order withdrawing these coal lands, so that they may not be grabbed off at the minimum price of $10 or $20 an acre; hold them until the matter can be investigated, and in the next Congress it will be possible to get legislation on the subject."

I promised President Roosevelt that I would introduce a joint resolution authorizing him to withdraw those public lands underlaid with coal and other minerals, but I said, "We are bound to adjourn in a few days. It probably can not get through. If it does not get through, I hope you will go ahead and do it. I trust that the investigations that you are to have the Attorney General make will confirm the suggestion I made to you that you have that authority and that there is a precedent for it." I suggested to him that when withdrawn the lands should be leased, and that a law should be enacted that the leases should contain provisions preventing waste in the mining operations of coal or oil or any other natural resource; furthermore, that if there was any collusive bargaining between those who had leases, fixing prices to the public on coal or oil or any of the products of these public lands, it should terminate the lease; and I appealed to President Roosevelt not to leave it to the Secretary of the Interior, because the records will show that certain Secretaries of the Interior have been easy and lax in permitting the public domain to be taken from this country, if not in violation of the letter of the law, in plain violation of the spirit of the law.

ADMINISTRATION SUPPORT OF A LEASING BILL.

I said, "I am going to introduce a bill of that sort at the next session." President Roosevelt said, "If you do that, I will take it up in my message and indorse the idea, and I will put the strength of the administration behind your bill." I asked President Roosevelt to request the Attorney General to assign to me the best legislative draftsman in his office. He gave me a note to the Attorney General requesting that that be done, and I worked with that gentleman for weeks and months. We briefed up the legislation of practically all the mining laws of the world on the subject of conserving coal and other resources, and drafted a bill. We went over it again and again and again, and when I left at the conclusion of that session of Congress and said good-by to President Roosevelt I told him I hoped he would issue the Executive orders; that the bill would be ready at the next session.

I was filling speaking engagements during the summer and had not been out over the country more than two or three weeks before I saw in a newspaper on a train that the first Executive order withdrawing from sale or entry the lands containing these natural resources had been issued.

At the end of the vacation I returned somewhat early in order to confer with the President on this subject. I never shall forget his greeting. It was this: "I am glad to see you. I hope you have your coal bill ready. I have presented the subject in the message." I told him the coal bill was ready to be submitted and I should like to have him go over it with me. He made an appointment, and I spent an evening with him. We went over it. He approved of it again and again as he walked back and forth, and smote the table and said at the reading of paragraph after paragraph, "Admirable! Admirable!"

It was not my work alone; it was the work of one of the ablest draftsmen of the Attorney General's office, who had spent months in briefing up the subject. The President asked me if I could introduce the bill right away. I told him that it would be introduced the next day. He said the administration would give support to it, and the newspapers contained a column or so approving of the bill as an administration measure. That was a leasing bill. I reintroduced it, session after session, for many years.

Now, Mr. President, I ventured to state this personal experience and personal narrative as in some measure explaining, perhaps, my exceptional and unusual interest in this subject and the fact that I have looked into the matter, maybe, more than I otherwise would.

NOT A HASTY JUDGMENT.

When I digressed, as I had no expectation of doing, I had called the attention of the Senate to the fact that through Congressman FREAR, of Wisconsin, there was brought to the attention of the House of Representatives the fact that the Attorney General wants it understood that he is not advocating the passage of this legislation, and I am going to show you before I conclude that he has been before the committees of Congress actively opposing it. It is about a year and a half, I think, since the Attorney General asked me to come to his office and discuss this legislation with him personally. He declared his opposition in no uncertain terms, and I was glad to see this telegram in the CONGRESSIONAL RECORD yesterday. However much the conferees at the last moment have compromised their judgments and convictions under tremendous pressure in order to effect an agreement I do not know, but I do know that his judgment has not been warped; and let me say to you that his was no hasty judgment such as you are forming here in the Senate and such as we are compelled to form from our superficial knowledge of a matter brought in at this hour. Upward of two years ago the interest of the Attorney General was enlisted in the subject. Now, am I looking at it from a distorted angle? Is there something wrong with my vision? The Attorney General looks at it to-day just as he did a year and a half and two years ago, and he has given more time to it than I have been able to.

But that is not all, Mr. President. He was considering the legal rights of the Government in some of the territory involved, very rich in oil deposits, which had been invaded in violation of law. The Attorney General was called in, as I understand, to protect the interests of the Government against the encroachments of oil companies and individuals who went upon lands that had been reserved by the Government for the people.

Now, then, another one of the great departments of the Government was interested in that subject. I am not going much into detail in this matter, because I have got to take it up again in a more detailed way when I come to go into the testimony of Attorney General Gregory and the testimony of Secretary Daniels. But just preliminary to reading a communication from Secretary Daniels, dated yesterday, I make this statement: That as Secretary of the Navy he became much interested in the Government having a supply of oil to be used by the more modern vessels of the Navy Department, constructed to

burn oil instead of coal. It seems that the progressive nations of the world within the last few years, as I understand, have changed from coal-burning war vessels to oil-burning war vessels.

SECRETARY DANIELS WANTS NAVY INTERESTS SAFEGUARDED.

A few years ago, and I think it was pretty nearly coincident with Secretary Daniels coming to the head of the Navy Department, those interested in naval construction were giving vital consideration to the needs of the Navy, to the importance of the United States Government segregating from its oil fields enough of oil-producing lands to insure a supply for the Navy, not for to-morrow or next year or next decade but to guarantee to the United States in perpetuity, perhaps, that there should be always a supply of oil reposing in the reservoirs nature had provided.

Mr. President, I say that was a most commendable spirit. What folly for the Government to part with this oil at the figure that is proposed in this legislation or that has existed in any legislation which it has been possible to put through Congress, and then buy the oil back at Standard Oil prices to supply the Navy and tax the people for the difference. Suppose you individually owned some territory—160 acres of land—that had oil on it, and you could use it for the comfort of your family, for the energy, the motive power required upon your farm, and you had the facilities to do it, and could extract it at a reasonable cost, would you not be a consummate fool to turn that over to some great oil company that could put what price it pleased upon your use of that product?

That is what Secretary Daniels thought. He said the Government has this territory, rich in oil. The President ought to set off a section of this land so that the Navy may be supplied; it ought to be large enough so that there will never be any doubt about the future, and we can hereafter arrange about how that oil shall be taken out; that is not so important; that will develop in time; it may be advisable for the Government to take it out itself; it may be advisable for the Government to make some arrangement to have somebody else take it out, but we can fix all that. But there is one thing dead sure. I can imagine Secretary Daniels saying to himself, "It is not good business for the United States to let these great oil companies acquire that land and then buy at Standard Oil prices the oil which the Government is going to need for its Navy and tax the people of the United States to pay the price. That looks all right to me."

I got a good deal of enthusiasm for it, and so much enthusiasm about it that I talked it over with Secretary Daniels as I had talked it over before with the Attorney General. Attorney General Gregory called it to my attention first, and I took quite a bit of interest in it. My former colleague was very much interested in it. It was my misfortune to be absent from the Senate for many months, owing to sickness in my family last year, but my colleague, former Senator Husting, now deceased, was a member of the Committee on Public Lands of the Senate, and he was deeply interested in this question. He spent months in his investigations, and as a member of the committee he prepared an exhaustive report upon the bill, dissenting from the action of the majority of the committee of the Senate. He did not file that report. Congress adjourned, as I remember, on the 6th day of October. He submitted copies of the report to some of his friends and stated that upon his return to the Senate in December, after conferring with the President and perhaps with members of the Cabinet about it, he should file the report. It was his misfortune to lose his life before the next session began, and that report was never filed.

At this point Mr. LA FOLLETTE yielded, that H. R. 16136, the bond bill, might be taken up; after which the Senate took a recess until 7 p. m.

Mr. SHAFROTH addressed the Senate. After having spoken a few minutes,

Mr. JONES of New Mexico. Mr. President, will the Senator yield to me that I may submit a report?

Mr. SHAFROTH. I yield.

Mr. JONES of New Mexico. I report favorably from the Committee on Woman Suffrage the following joint resolution——

Mr. WADSWORTH. I object.

The PRESIDING OFFICER. Objection is made.

Mr. SHAFROTH. Mr. President, the speech of the Senator from Wisconsin [Mr. LA FOLLETTE] was made with the object and purpose of killing the leasing bill. The Senator is setting up his individual judgment against the voice of three-fourths of the Members of the House of Representatives voting upon the conference report after full debate. The vote was 227 to 75.

The Senator from Wisconsin laid great stress upon the fact that this conference report is before the Senate in the closing hours of the session and he seems to intimate that under no circumstances should a conference report be presented to the Senate at that time.

The two most important measures the Senator from Wisconsin ever had enacted in this body were the seamen's act, a bill which was passed in the very closing hours of the session, and the act providing for the valuation of the railroads, which was passed and approved on the 3d of March as the session closed.

Mr. President, it is apparent that when a man has a measure of his own it makes no difference at what time it is presented to the Senate if he can get consideration of it, but if anyone presents a measure which the Senator from Wisconsin does not approve then he brands as pernicious practice the attempt to put the measure through the Senate in the closing hours of a session. However, these are not the closing hours of the session. There are still many hours left for debate, because we do not adjourn until the 4th of March and this is the 1st of March.

But, Mr. President, how will that practice against which the Senator inveighs compare with the action of the man who is attempting, not by a fair elucidation of the subject, but by pure and simple filibuster, to force his will against the opinion of all the Members of the House of Representatives who voted in favor of this measure and fully two-thirds of the Members of the Senate. This measure was passed by the Senate in January, 1918, after a thorough discussion. The House amendment to the bill was adopted by the House of Representatives after thorough discussion in May, 1918. A conference committee was appointed who at last, after numerous concessions, agreed on February 1, 1919, to the conference report now being considered by the Senate.

Mr. SMITH of Arizona. Why did not the Senator move the adoption of the report?

Mr. SHAFROTH. I have tried to time and again. I tried to interrupt the Senator from Wisconsin, and I could not get him to yield. He would not surrender the floor. There is a rule of the Senate that is far more pernicious than any other—that is the rule permitting one Senator to defeat a measure by unlimited debate, even if three-fourths of the Senators are in favor of the legislation.

Now, Mr. President, he has taken up this conference report and has criticized it. He has referred to the coal lands of the West which were withdrawn from entry in President Roosevelt's administration and reclassified with such high valuations affixed as to prevent any locations. I might say that the law had always been to permit the entry of coal lands; but notwithstanding that, it was his desire and his suggestion that these lands should be leased. If the Senator lived out West, if he lived in a State that has millions of acres of public coal lands, he would know that coal lands can not be developed under a leasing system. That is plain and clear to any person who understands the situation. Why is it that they can not be developed under such circumstances? It is because development of coal lands involves investment of large sums of money in order successfully to compete with the great coal companies of the country. There must be installed the most modern machinery, sometimes at a cost of millions. Frequently railroad construction must be undertaken, because the coal lands that are close to railroads have generally been taken up. So the only way those lands can be developed is by a bond issue, by going to New York City and saying, "We want to borrow enough money to finance this coal-leasing proposition." The interview then proceeds something like this:

"What kind of a title have you?"

"We have a lease from the Government."

"Can the lease be forfeited?"

"Yes; forfeiture clauses are contained in the lease."

"Then to-morrow we might find that we had no security for this bond issue."

"Yes."

A careful business man, realizing that the security rests solely upon the favor of some officer, naturally would turn down the proposition and refuse to lend money for development. That is the reason why there is no development of coal lands in the West. It is because attempt has been made to force a leasing system upon us, and under a leasing system capitalists will not lend money sufficient to develop the mines.

The Senator from Arizona [Mr. SMITH] suggests to me the effect of the bill that we passed concerning Alaska coal. That was purely and simply a leasing bill, and it was heralded that it would be the great developer for Alaska. But, Mr. President, it has been four years and a half since we passed that bill, and yet, notwithstanding that, only four applications for leases have been made, and two of those fell through because of the very fact that the promoters could not borrow money with which to develop the mines. The other two are small concerns;

of course, you can have some development under a leasing system when a mine is small and furnishes coal for the local community.

The Senator from Wisconsin indicated how these lands, about 15 years ago, were withdrawn from entry and then such high valuations placed on them, to the extent of $300, $400, and $500 an acre, as would make it unprofitable for anyone to develop them.

The Senator no doubt was earnest and honest in his desire and hoped to benefit the West, but, instead of proving beneficial, the mines have been locked up so that no development whatever has taken place. How did that affect my State, the State of Colorado? There is a great company there that has 100,000 acres of coal lands obtained by a Mexican grant when that portion of the country was a part of Mexico. With that acreage they have the greatest coal-mining property in the entire State and virtually have a monopoly of the coal production. They take out of the pockets of the consumers of the State of Colorado $1 a ton upon every ton that is produced in that State. So, instead of the defeat of this measure being in the interest of the people, it is in the interest of the coal monopoly existing there. There is enough public coal lands in Colorado to provide 3,000 competing companies each with a mine of the area of 2,560 acres. Wyoming has in its borders sufficient public coal land to provide 4,000 such competing companies.

Mr. President, the Senator says he is very eager to guard against monopoly. I can assure him that this bill provides in the most stringent terms against any monopoly. Here are the provisions affecting ownership acquired by competitive bidding, with a minimum price of not less than $10 or $20 an acre, depending upon proximity to a railroad; here is the provision as to those who make application to the Secretary of the Interior for coal lands and for the opportunity of buying the same:

No such person, association, or corporation shall own coal lands entered after the passage of this act in excess of said area at any one time nor be interested, directly or indirectly, in any other coal lands or coal taken therefrom, and no member of such association or corporation or stockholder of such corporation shall own any other coal lands or be interested, directly or indirectly, in any other coal lands or coal taken therefrom, or in any other association or corporation owning or controlling any coal lands: *Provided, however*, That any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held two years after its acquisition, and no longer, and in case of minority or other disability such time as the court may decree.

The charge that monopoly would result from the passage of the bill is absurd in view of that provision. It is a charge without any foundation whatever.

Now, let me direct attention to another provision of the bill:

That if any of such coal lands entered after the passage of this act shall be owned, leased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of or in any way effect any combination, or are in any wise controlled by any combination in the form of a trust, or the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by individuals, copartnership, association, corporation, mortgage, stockholdership, or control, in excess of 2,560 acres, the title thereto shall be forfeited to the United States of America by proceedings instituted by the Attorney General in the courts for the purpose.

Does that sound like monopoly? Is there anything in the bill that justifies the accusation of the Senator from Wisconsin that it would foster monopoly, when the matter is absolutely checked and controlled by the strongest language it is possible to devise?

The Senator has the idea that there is a limited quantity of coal. According to the Geological Survey, we have in the State of Colorado 371,000,000,000 tons of coal, which is enough to supply not only Colorado, not only the United States, but the entire world for 300 years; and yet these resources are locked up and held so that they can not be developed. In effect that policy creates monopoly control in a large corporation, which imposes a heavy burden upon the people of our State.

Mr. President, none of the States of the Union had any royalties imposed upon them by a leasing system. Indiana was given her coal and all of her natural resources so that the State could use or develop them as she deemed proper. So long as the title to these lands remains in the Government they can not be taxed, and you can see what a heavy burden that is upon the people of the State who own property subject to taxation. They must pay all the taxes for State, county, and school purposes. The idea of not taxing lands, of holding them for years and years, and not permitting them to be developed, is something against which the Western States have protested time and time again. There has not been a convention held in the Western States, whether a Republican convention or a Democratic convention, which has not protested in the strongest and most vigorous terms against this prevention of the development of the lands in those States by the leasing system. Mr. President, you know that taxation of land, with a reasonable rate of interest upon each yearly payment, in 30 years amounts to the value of the land.

Our lands have been locked up for nearly 60 years; they have been completely locked up since the orders of 15 years ago fixing prices beyond the reach of reason, and it can readily be seen, while title to the lands is held in the Government and they are not subject to taxation, what a terrible burden it imposes upon us. The people practically pay for those lands every 30 years by having the taxes increased on their own private holdings. So, when we look at the question from the standpoint of what is fair to the States, it becomes an absolute wrong, which very many Senators have recognized, and which, under this bill, we have sought to correct by giving the option to the applicant as to whether he will lease the land or whether he will buy the land upon an offering at public auction.

Mr. President, it is said that under this bill coal may become subject to monopoly. I deny that there can be any monopoly if the bill is enacted. There are enough coal lands in the Rocky Mountain region to permit of the creation of 15,000 competing coal companies which could proceed to develop coal under the system provided in this bill. That, of course, would reduce the price of coal, and consequently would encourage manufacturing and would develop the country, not only by affording a cheaper fuel but in affording cheaper means for the generation of power.

Mr. President, the Senator from Wisconsin has been frantic in his endeavor to defeat this bill. There is no reason on earth why it should be defeated if we wish to be fair to the States of the West.

In the enabling act of every State that has been admitted into the Union there has been contained a clause to the effect that the State should be admitted upon equal terms with the other States "in every respect whatsoever," and inasmuch as every State, until the States of the Rocky Mountain region were reached, was given the control of its natural resources, it is unfair to the Western States, which are so distant from the markets and are at the disadvantage of being compelled to pay high transportation rates, that they should be denied access to the resources within their borders. It is absolutely wrong that a burden should be imposed upon us in addition to the payment of royalties—even if the lands could be developed under a leasing system—because under perpetual ownership by the Government of the coal lands they can not be taken for State, county, and school purposes. It has been estimated that the value of the public coal lands of Colorado is $500,000,000. What a great wrong it is by perpetual ownership in the Government to exempt them from taxation forever.

It seems to me an outrage on the people of the West that we should be compelled to suffer defeat of this measure by tactics that consist of talking for hours, so that the session will close before the bill can come to a vote.

I promised the Senator from North Carolina [Mr. SIMMONS] that I would be brief. I should like to go into a discussion of the terms of this bill relating to oil, because a fair and equitable arrangement has been made in that regard. I can demonstrate that it is for the best interests of the Navy that the naval reserves should be treated exactly as they are treated in this bill. The bill is not framed in the interest of any person to permit them to grab any land in the naval reserves. To develop them the only thing that is required is that the wells which are already producing should be continued in operation, for if they are not the result will be that the wells will be drained by adjoining wells in the alternate railroad sections or on other neighboring sections. In addition to that they might fill with water, which would ruin them and to a large extent would destroy the value of the naval reserves.

RAILROAD CONTROL.

Mr. CUMMINS. I ask unanimous consent to give the following notice. I will state that the proposed amendment is the bill reported by the Interstate Commerce Committee and the purpose is to restore to the Interstate Commerce Commission the control and jurisdiction which we took away from it when we passed the railroad-control act.

The notice was read by the Secretary, as follows:

The Senator from Iowa [Mr. CUMMINS] hereby gives notice that on Monday, March 3, 1919, or when the above bill is under consideration, he will move to suspend the third paragraph of Rule XVI for the purpose of making it in order to offer as an amendment to section 7 of the bill H. R. 16187, the general deficiency appropriation bill, the matter hereto attached and made a part hereof:

Amend section 7 by adding thereto the following:

"That section 10 of an act entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' approved March 21, 1918, is hereby amended so as to read as follows:

"'SEC. 10. That carriers, while under Federal control, shall be subject to all laws and liabilities as common carriers, whether arising under State or Federal laws, or at common law, except in so far as

may be inconsistent with the provisions of this act, or any other act applicable to such Federal control. Actions at law or suits in equity may be brought by and against such carriers and judgments rendered as now provided by law; and in any action at law or suit in equity against the carrier, no defense shall be made thereto upon the ground that the carrier is an instrumentality or agency of the Federal Government. All final judgments for a plaintiff or plaintiffs rendered in actions for personal injuries or for loss of or damage to property shall be promptly paid by the Director General of Railroads either from the operating revenue of the defendant or defendants or the revolving fund herein created. Nor shall any such carrier be entitled to have transferred to a Federal court any action heretofore or hereafter instituted by or against it which action was not so transferable prior to the Federal control of such carrier; and any action which has heretofore been so transferred because of such Federal control, or of any act of Congress, or official order or proclamation relating thereto, shall, upon motion of either party, be transferred to the court in which it was originally instituted. But no process, mesne or final, shall be levied against any property under such Federal control.

"'That during the period of Federal control the right to initiate or change rates, fares, charges, classifications, regulations, and practices exercised by the carriers now under Federal control, prior to the 29th day of December, 1917, shall hereafter be exercised by the President or by the Director General of Railroads, but such right shall be exercised under all the limitations and conditions which were imposed upon it by the act to regulate commerce, approved February 4, 1887, as amended; and the Interstate Commerce Commission shall have as full and complete authority and jurisdiction to set aside, change, modify, suspend, or otherwise review all such rates, fares, charges, classifications, and regulations as though the Government had not assumed the possession and control of said transportation systems. To that end the said act to regulate commerce, as amended, is hereby declared to be in full force and effect with respect to rates, fares, charges, classifications, practices, and regulations, anything in the act approved March 21, 1918, to the contrary notwithstanding. The procedure before the Interstate Commerce Commission shall be the same as formerly, except that the Director General of Railroads shall stand in the stead of the carriers, and all notices theretofore required to be given to or served upon carriers shall be given to or served on said Director General. All orders or findings of the commission shall bind the Director General to the same extent as they formerly bound the carriers.

"'In determining any question concerning any such rates, fares, charges, classifications, practices, or regulations, or any changes or proposed changes in the same, the reasonableness thereof or any discrimination therein, the rule to be applied shall be the same as existed under the said act to regulate commerce, as amended, and under the general law of the subject as it was prior to the Government's possession and control.'"

VICTORY LIBERTY LOAN.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16136) to amend the liberty-bond acts and the War Finance Corporation act, and for other purposes, which had been reported from the Committee on Finance without amendment.

The Secretary read the bill, as follows:

Be it enacted, etc., That the second liberty bond act is hereby amended by adding thereto a new section to read as follows:

"SEC. 18. (a) That in addition to the bonds and certificates of indebtedness and war-savings certificates authorized by this act and amendments thereto, the Secretary of the Treasury, with the approval of the President, is authorized to borrow from time to time on the credit of the United States for the purposes of this act, and to meet public expenditures authorized by law, not exceeding in the aggregate $7,000,000,000, and to issue therefor notes of the United States at not less than par in such form or forms and denomination or denominations, containing such terms and conditions, and at such rate or rates of interest, as the Secretary of the Treasury may prescribe, and each series of notes so issued shall be payable at such time not less than one year nor more than five years from the date of its issue as he may prescribe, and may be redeemable before maturity (at the option of the United States) in whole or in part, upon not more than one year's nor less than four months' notice, and under such rules and regulations and during such period as he may prescribe.

"(b) The notes herein authorized may be issued in any one or more of the following series as the Secretary of the Treasury may prescribe in connection with the issue thereof:

"(1) Exempt, both as to principal and interest, from all taxation (except estate or inheritance taxes) now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority;

"(2) Exempt, both as to principal and interest, from all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority, except (a) estate or inheritance taxes and (b) graduated additional income taxes, commonly known as surtaxes, and excess-profits and war-profits taxes, now or hereafter imposed by the United States upon the income or profits of individuals, partnerships, associations, or corporations;

"(3) Exempt, both as to principal and interest, as provided in paragraph (2); and with an additional exemption from the taxes referred to in clause (b) of such paragraph, of the interest on an amount of such notes the principal of which does not exceed $30,000, owned by any individual, partnership, association, or corporation; or

"(4) Exempt, both as to principal and interest, from all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority, except (a) estate or inheritance taxes, and (b) all income, excess-profits, and war-profits taxes, now or hereafter imposed by the United States, upon the income or profits of individuals, partnerships, associations, or corporations.

"(c) If the notes authorized under this section are offered in more than one series bearing the same date of issue, the holder of notes of any such series shall (under such rules and regulations as may be prescribed by the Secretary of the Treasury) have the option of having such notes held by him converted at par into notes of any other such series offered bearing the same date of issue.

"(d) None of the notes authorized by this section shall bear the circulation privilege. The principal and interest thereof shall be payable in United States gold coin of the present standard of value. The word 'bond' or 'bonds' where it appears in sections 8, 9, 10, 14, and 15 of this act as amended, and sections 3702, 3703, 3704, and 3705 of the Revised Statutes, and section 5200 of the Revised Statutes as amended, but in such sections only, shall be deemed to include notes issued under this section."

SEC. 2. (a) That until the expiration of five years after the date of the termination of the war between the United States and the German Government, as fixed by proclamation of the President, in addition to the exemptions provided in section 7 of the second liberty bond act in respect to the interest on an amount of bonds and certificates, authorized by such act and amendments thereto, the principal of which does not exceed in the aggregate $5,000, and in addition to all other exemptions provided in the second liberty bond act or the supplement to second liberty bond act, the interest received on and after January 1, 1919, on an amount of bonds of the first liberty loan converted, dated November 15, 1917, May 9, 1918, or October 24, 1918, the second liberty loan, converted and unconverted, the third liberty loan, and the fourth liberty loan, the principal of which does not exceed $30,000 in the aggregate, owned by any individual, partnership, association, or corporation, shall be exempt from graduated additional income taxes, commonly known as surtaxes, and excess-profits and war-profits taxes, now or hereafter imposed by the United States, upon the income or profits of individuals, partnerships, associations, or corporations.

(b) In addition to the exemption provided in subdivision (a), and in addition to the other exemptions therein referred to, the interest received on and after January 1, 1919, on an amount of the bonds therein specified the principal of which does not exceed $20,000 in the aggregate, owned by any individual, partnership, association, or corporation, shall be exempt from the taxes therein specified: *Provided*, That no owner of such bonds shall be entitled to such exemption in respect to the interest on an aggregate principal amount of such bonds exceeding three times the principal amount of notes of the Victory liberty loan originally subscribed for by such owner and still owned by him at the date of his tax return.

SEC. 3. That section 5 of the second liberty bond act, as amended by section 4 of the third liberty bond act, is hereby further amended by striking out the figures "$8,000,000,000" and inserting in lieu thereof the figures "$10,000,000,000."

SEC. 4. That section 3 of the fourth liberty bond act is hereby amended to read as follows:

"SEC. 3. That, notwithstanding the provisions of the second liberty bond act or of the War Finance Corporation act or of any other acts, bonds, notes, and certificates of indebtedness of the United States and bonds of the War Finance Corporation shall, while beneficially owned by a nonresident alien individual, or a foreign corporation, partnership, or association not engaged in business in the United States, be exempt both as to principal and interest from any and all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States or by any local taxing authority."

SEC. 5. That the privilege of converting 4 per cent bonds of the first liberty loan converted and 4 per cent bonds of the second liberty loan into 4½ per cent bonds, which privilege arose on May 9, 1918, and expired on November 9, 1918, may be extended by the Secretary of the Treasury for such period, upon such terms and conditions and subject to such rules and regulations, as he may prescribe. For the purpose of computing the amount of interest payable, bonds presented for conversion under any such extension shall be deemed to be converted on the dates for the payment of the semiannual interest on the respective bonds so presented for conversion next succeeding the date of such presentation.

SEC. 6. (a) That there is hereby created in the Treasury a cumulative sinking fund for the retirement of bonds and notes issued under the first liberty bond act, the second liberty bond act, the third liberty bond act, the fourth liberty bond act, or under this act, and outstanding on July 1, 1920. The sinking fund and all additions thereto are hereby appropriated for the payment of such bonds and notes at maturity, or for the redemption or purchase thereof before maturity by the Secretary of the Treasury at such prices and upon such terms and conditions as he shall prescribe, and shall be available until all such bonds and notes are retired. The average cost of the bonds and notes purchased shall not exceed par and accrued interest. Bonds and notes purchased, redeemed, or paid out of the sinking fund shall be canceled and retired and shall not be reissued. For the fiscal year beginning July 1, 1920, and for each fiscal year thereafter until all such bonds and notes are retired there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of such sinking fund, an amount equal to the sum of (1) 2½ per cent of the aggregate amount of such bonds and notes outstanding on July 1, 1920, less an amount equal to the par amount of any obligations of foreign Governments held by the United States on July 1, 1920, and (2) the interest which would have been payable during the fiscal year for which the appropriation is made on the bonds and notes purchased, redeemed, or paid out of the sinking fund during such year or in previous years.

The Secretary of the Treasury shall submit to Congress at the beginning of each regular session a separate annual report of the action taken under the authority contained in this section.

(b) Sections 3688, 3694, 3695, and 3696 of the Revised Statutes, and so much of section 3689 of the Revised Statutes as provides a permanent annual appropriation of 1 per cent of the entire debt of the United States to be set apart as a sinking fund, are hereby repealed.

SEC. 7. (a) That until the expiration of 18 months after the termination of the war between the United States and the German Government, as fixed by proclamation of the President, the Secretary of the Treasury, with the approval of the President, is hereby authorized on behalf of the United States to establish, in addition to the credits authorized by section 2 of the second liberty bond act, as amended, credits with the United States for any foreign Government now engaged in war with the enemies of the United States, for the purpose only of providing for purchases of any property owned directly or indirectly by the United States, not needed by the United States, or of any wheat the price of which has been or may be guaranteed by the United States. To the extent of the credits so established from time to time the Secretary of the Treasury is hereby authorized to make advances to or for the account of any such foreign Government and to receive at par from such foreign Government for the amount of any such advances its obligations hereafter issued bearing such rate or rates of interest, not less than 5 per cent per annum, maturing at such date or dates, not later than October 15, 1938, and containing such terms and conditions as the Secretary of the Treasury may from time to time prescribe. The Secretary, with the approval of the President, is hereby authorized to enter into such arrangements from time to time with any such foreign Government as may be necessary or desirable for establishing such credits and for the payment of such obligations before maturity.

(b) The Secretary of the Treasury is hereby authorized from time to time to convert any short-time obligations of foreign governments which may be received under the authority of this section into long-time obligations of such foreign governments, respectively, maturing not later than October 15, 1938, and in such form and terms as the Secretary of the Treasury may prescribe; but the rate or rates of interest borne by any such long-time obligations at the time of their acquisition shall not be less than the rate borne by the short-time obligations so converted into such long-time obligations; and, under such terms and conditions as he may from time to time prescribe, to receive payment, on or before maturity, of any obligations of such foreign governments acquired on behalf of the United States under authority of this section, and, with the approval of the President, to sell any of such obligations (but not at less than par with accrued interest unless otherwise hereafter provided by law), and to apply the proceeds thereof, and any payments so received from foreign governments on account of the principal of such obligations, to the redemption or purchase, at not more than par and accrued interest, of any bonds of the United States issued under the authority of the first liberty bond act or second liberty bond act as amended and supplemented, and if such bonds can not be so redeemed or purchased, the Secretary of the Treasury shall redeem or purchase any other outstanding interest-bearing obligations of the United States which may at such time be subject to redemption or which can be purchased at not more than par and accrued interest.

(c) For the purposes of this section there is appropriated the unexpended balance of the appropriations made by section 2 of the first liberty bond act and by section 2 of the second liberty bond act as amended by the third liberty bond act and the fourth liberty bond act, but nothing in this section shall be deemed to prohibit the use of such unexpended balance or any part thereof for the purposes of section 2 of the second liberty bond act, as so amended, subject to the limitations therein contained.

SEC. 8. That the obligations of foreign governments acquired by the Secretary of the Treasury by virtue of the provisions of the first liberty bond act and the second liberty bond act, and amendments and supplements thereto, shall mature at such dates as shall be determined by the Secretary of the Treasury: *Provided*, That such obligations acquired by virtue of the provisions of the first liberty bond act, or through the conversion of short-time obligations acquired under such act, shall mature not later than June 15, 1947, and all other such obligations of foreign governments shall mature not later than October 15, 1938.

SEC. 9. That the War Finance Corporation act is hereby amended by adding to Title I thereof a new section, to read as follows:

"SEC. 21. (a) That the corporation shall be empowered and authorized, in order to promote commerce with foreign nations through the extension of credits, to make advances upon such terms, not inconsistent with the provisions of this section, as it may prescribe, for periods not exceeding five years from the respective dates of such advances:

"(1) To any person, firm, corporation, or association engaged in the business in the United States of exporting therefrom domestic products to foreign countries, if such person, firm, corporation, or association is, in the opinion of the board of directors of the corporation, unable to obtain funds upon reasonable terms through banking channels. Any such advance shall be made only for the purpose of assisting in the exportation of such products, and shall be limited in amount to not more than the contract price therefor, including insurance and carrying or transportation charges to the foreign point of destination if and to the extent that such insurance and carrying or transportation charges are payable in the United States by such exporter to domestic insurers and carriers. The rate of interest charged on any such advance shall not be less than 1 per cent per annum in excess of the rate of discount for 90-day commercial paper prevailing at the time of such advance at the Federal reserve bank of the district in which the borrower is located; and

"(2) To any bank, banker, or trust company in the United States which after this section takes effect makes an advance to any such person, firm, corporation, or association for the purpose of assisting in the exportation of such products. Any such advance shall not exceed the amount remaining unpaid of the advances made by such bank, banker, or trust company to such person, firm, corporation, or association for such purpose.

"(b) The aggregate of the advances made by the corporation under this section remaining unpaid shall never at any time exceed the sum of $1,000,000,000.

"(c) Notwithstanding the limitation of section 1 the advances provided for by this section may be made until the expiration of one year after the termination of the war between the United States and the German Government as fixed by proclamation of the President. Any such advance made by the corporation shall be made upon the promissory note or notes of the borrower, with full and adequate security in each instance by indorsement, guaranty, or otherwise. The corporation shall retain power to require additional security at any time. The corporation in its discretion may upon like security extend the time of payment of any such advance through renewals, the substitution of new obligations, or otherwise, but the time for the payment of any such advance shall not be extended beyond five years from the date on which it was originally made."

SEC. 10. That section 15 of the War Finance Corporation act is hereby amended to read as follows:

"SEC. 15. That all net earnings of the corporation not required for its operations shall be accumulated as a reserve fund until such time as the corporation liquidates under the terms of this title. Such reserve fund shall, upon the direction of the board of directors, with the approval of the Secretary of the Treasury, be invested in bonds and obligations of the United States, issued or converted after September 24, 1917, or upon like direction and approval may be deposited in member banks of the Federal Reserve System, or in any of the Federal reserve banks, or be used from time to time, as well as any other funds of the corporation, in the purchase or redemption of any bonds issued by the corporation. The Federal reserve banks are hereby authorized to act as depositaries for and as fiscal agents of the corporation in the general performance of the powers conferred by this title. Beginning 12 months after the termination of the war, the date of such termination to be fixed by a proclamation of the President of the United States, the directors of the corporation shall proceed to liquidate its assets and to wind up its affairs; but the directors of the corporation, in their discretion, may, from time to time, prior to such date, sell and dispose of any securities or other property acquired by the corporation. Any balance remaining after the payment of all its debts shall be paid into the Treasury of the United States as miscellaneous receipts, and thereupon the corporation shall be dissolved."

SEC. 11. That the short title of this act shall be "victory liberty loan act."

Mr. SIMMONS obtained the floor.

Mr. KENYON. Mr. President, before the Senator starts—we have reached the point of amendment, I suppose—I should like to offer an amendment, so that the Senator may discuss it, too, in his remarks.

I send to the desk and ask to have stated an amendment which I propose to offer to the bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add a new section at the foot of page 14, to read as follows:

SEC. 11. That the portrait or vignette placed upon any notes or bonds or certificates of indebtedness issued under this act shall be that of Theodore Roosevelt, former President of the United States.

Mr. SIMMONS. Mr. President, I do not deem it necessary to do more than make a brief statement as to the provisions of the bill. I assume that there will be a good deal of discussion, and I shall, of course, later present some general views with reference to the legislation; but at this time I shall content myself with a mere summary of the different provisions of the bill.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Massachusetts?

Mr. SIMMONS. I yield.

Mr. WEEKS. May I suggest to the Senator from North Carolina that he give to the Senate his general views relative to this legislation? Nobody, outside of the members of the Finance Committee, knows anything about it, has read the hearings, or knows the reasons for the different features of this bill, some of which are extraordinary. I think the Senator from North Carolina should make a thorough explanation of the bill, so that Senators who have not had an opportunity to acquaint themselves with it may hear from him the reasons for the different provisions of the bill.

Mr. SIMMONS. Mr. President, it is very well understood that in order to defray the extraordinary expenses of the great war through which we have just passed the Government has been compelled to contract obligations far in excess of the amount of revenue possible to derive from the ordinary sources upon which the Government relies to defray its ordinary expenses. It was estimated when we were considering the revenue bill that the expenditures of the Government for this fiscal year would amount to about $18,000,000,000. There were Senators who, after having given much study and thought to the subject, reached the conclusion that the Treasury estimates were too low. It was estimated that the expenditures would perhaps reach $20,000,000,000.

As a result of the experience of the Treasury, and since the discussions which took place in the committee room and on the floor upon this subject, I think the opinion of the department is that the expenses will be about midway between the original estimate of the department and the estimate of a number of Senators who addressed the Senate in connection with the revenue bill. It will be not quite twenty billions, yet in excess of eighteen billions. It is now estimated that the expenditures will reach about $19,000,000,000. That liability has already been incurred; or, to speak more accurately, nearly all of that liability has been incurred. Eight-tenths of it, at least, has already been incurred. In order to meet that expenditure we have to rely upon borrowing money, except as to the $6,000,000,000 that we expect to realize from the taxes which we have imposed in the revenue bill just recently enacted.

Beginning with $6,000,000,000 from taxes, it is evident that there will be $13,000,000,000 which it is absolutely necessary, unless the Government is to default in its payments, we shall raise from other sources. We have sold already and applied to this indebtedness $7,000,000,000 of liberty bonds, and $1,000,000,000 of war-saving certificates, making $8,000,000,000 in the total.

Five billion dollars must, therefore, be raised by further borrowing. There can be no further taxation. The rates that we have already imposed upon the people are regarded by everybody as being as high as the great business interests of the country can stand without serious and harmful effects upon the country. No additional taxes of any kind, so far as I know, are contemplated. We must raise this money by borrowing, and raise it within a very short time, because these obligations will all become due before the 1st day of July, and the Government has never yet defaulted in the payment of its obligations. I do not believe that any patriotic American desires under any condition that the Government should default in the payment of its just obligations. If the Government is not to default, then in some way or other we must get this money before the 1st day of July of this year.

Under existing law the only authority vested in the Secretary of the Treasury to make loans is that contained in the second

liberty-loan act as amended. That authorizes him to issue certain bonds. He has issued all the bonds he is authorized under that act to issue except $5,000,000,000. If the Secretary of the Treasury could put upon the market those bonds and could sell them, enough money could be realized from that source, barely enough, to meet the maturing obligations of the Government.

But Senators will remember that liberty bonds which may now be issued are, in the first place, subject to all Federal taxes except normal income taxes. They are subject to surtaxes; they are subject to excess-profits taxes; they are subject to war taxes. The maximum rate of interest prescribed in the liberty-loan act is 4¼ per cent. When the last issue was offered Senators will recall that at first the bonds did not sell readily. They will recall that a nation-wide campaign had to be conducted, that every agency of publicity had to be employed, in order to arouse the patriotic sentiment of the people with respect to sustaining and supporting the Government in the great enterprise in which it was engaged, which at that time had reached a crucial stage. This was necessary in order to successfully float that issue.

If there ever was a time and condition calculated to induce the people to disregard every consideration of profit, to invest their money upon the purely naked basis of patriotic duty, I think Senators will agree with me that that was the condition which existed when we made the last sale of liberty bonds. I think Senators will agree with me further that if it had not been for those conditions, for the fact that in Europe 2,000,000 of our boys were under arms, face to face with the enemy, with the issue hanging in the balance, and with the chances, perhaps, rather against our country, the sales of liberty bonds would have fallen short. Even under those conditions Senators will recall how difficult it was to stir the people up to the point of being willing to invest their money in liberty bonds at a time when the former issues of those bonds were selling in the market at something below par, not as much below par as they are now, but nevertheless selling in the open markets of the country at below par. I do not carry figures very well in my mind. Probably the Senator from Utah [Mr. SMOOT], who does, can tell me exactly how much they were below par then. I think it was about 2 cents on the dollar.

Mr. SMOOT. At what time?

Mr. SIMMONS. At the time when we were selling the fourth liberty loan bonds.

Mr. SMOOT. The different issues ran from 96 up to about 97 and a fraction.

Mr. SIMMONS. What are they now?

Mr. SMOOT. Ninety-four and a fraction.

Mr. SIMMONS. Mr. President, the situation has changed. There is sufficient authority in the law as it now exists, as I have stated heretofore, to authorize the Secretary of the Treasury to put five billions of these bonds upon the market. That amount would be sufficient to meet the deficit in our receipts. But the Secretary of the Treasury gave the committees of the two Houses his judgment respecting the necessity for the enactment of this pending measure after a most thorough investigation had been conducted through the banks and through the vast organization which has been built up by the department, with its ramifications extending to every nook and corner of this country; the vast voluntary organization which has been created, as I said, by the department for the purpose of promoting the sale of these bonds, and which is composed, I am told by the Secretary, of 2,000,000 workers, and is one of the greatest and most extensive organizations, as well as one of the most efficient organizations, ever created in this country, every man and every woman who belongs to that organization having entered it voluntarily, without price and without hope of financial gain, giving time and labor as a free offer of patriotism.

Following a thorough investigation conducted through these agencies existing in every place in the country—and Senators will understand how easy it is for the Treasury Department to quickly feel the pulse of the investing public through an organization such as that—the Secretary of the Treasury comes to the committee of the House and to the committee of the Senate having in charge the financial affairs of the Congress and says in no uncertain or doubtful terms, "After I have made this thorough investigation I say to you that it would be utterly impossible to sell these bonds at par, and the law does not permit them to be sold except at par and at this rate of interest and subject to this rate of taxation."

Mr. CURTIS. May I ask the Senator a question?

Mr. SIMMONS. Certainly.

Mr. CURTIS. Is that the reason why the majority reported this bill leaving the rate of interest to be fixed by the Secretary of the Treasury?

Mr. SIMMONS. I am not discussing that. I have not reached that point of my statement yet.

Mr. CURTIS. I want to know if that is the reason. If the Senator will reach it later, of course I will withhold my question at this time.

Mr. SIMMONS. The reason why we have left that with the Secretary of the Treasury is a different reason from that, I will state to the Senator.

Mr. CURTIS. I should like in the same connection to ask the Senator if it has not always been the policy of the Government in the issuance of bonds for Congress to fix the rate of interest?

Mr. SIMMONS. Undoubtedly; so far as that is concerned, the Senator is correct. I do not know of any bonds which Congress has authorized without fixing the rate of interest. It is also true, Mr. President, that we have authorized the Secretary of the Treasury to issue $10,000,000,000 of certificates of indebtedness, having a possible life of one year, and we have authorized the Secretary of the Treasury, without any sort of restrictions or qualifications, to fix the interest charge. We are not proposing here, I will say to the Senator, to authorize the issuance of bonds.

Mr. PAGE. Mr. President, may I ask the Senator a question?

Mr. SIMMONS. In just a moment, please.

The Ways and Means Committee of the House after considering this matter decided that it would not authorize any additional issue of bonds, decided that it would not attempt to change the interest rate or the tax provisions of the present law with reference to bonds, decided that instead of selling these bonds—and in that decision they had the concurrence of the Treasury Department—which could be sold, of course, if you would increase the rate of interest, could be sold if you would eliminate the taxation or part of the taxation, decided not to authorize the sale of any additional bonds or to change in any way the terms of interest and taxation as now written in the law with reference to the fourth issue of liberty bonds, but instead decided to recommend to the Congress that short-term notes of not less than one year's nor more than five years' maturity be issued.

Mr. PAGE. May I ask the Senator what limit you have decided to place upon the issue of the $10,000,000,000 of certificates? Have you made a maximum limit as to the rate of interest which they will bear?

Mr. SIMMONS. No; I will say to the Senator—and that in part answers the inquiry of the Senator from Kansas—we have provided for an increase in the amount of certificates of indebtedness which the Treasury Department may issue. The present law provided for not in excess of $8,000,000,000. The pending bill increases that amount and authorizes the Secretary of the Treasury to issue as much as $10,000,000,000 of certificates.

Mr. PAGE. What is the maximum rate of interest which they may bear under the proposed bill?

Mr. SIMMONS. There is no rate fixed as to certificates of indebtedness.

Mr. PAGE. The highest rate heretofore has been 4½ per cent.

Mr. SIMMONS. I think that is true of certificates of indebtedness, but I call the attention of the Senator to the fact that that rate is fixed under the law by the Secretary of the Treasury.

Mr. PAGE. And the same rule applies to certificates in regard to the rate that applies to the new issue of bonds——

Mr. SIMMONS. The new issue of notes.

Mr. PAGE. The new issue of notes, in regard to the rate which they bear?

Mr. SIMMONS. Yes.

Mr. PAGE. May I ask if it is the expectation of the Secretary of the Treasury to base the new issue of bonds or certificates upon a business basis or to make the usual appeal to the public for patriotic reasons?

Mr. SIMMONS. I am glad the Senator asks that question. I am advised that it is the opinion of the Secretary of the Treasury, and I know it was the opinion of at least the majority of the Finance Committee and I am also told it was the opinion of the Ways and Means Committee, not a mere majority but a practically unanimous opinion of that committee, that it would be utterly impossible to sell bonds now as we did earlier solely upon the basis of patriotism; that no bond or note that is not issued upon a reasonable business basis would probably be readily taken up by the public.

Of course there are many who would take them at any rate of interest, without regard to whether they were at par or below par, in order to relieve the country in its present financial stress; but the Senator knows that the fervor of war has

passed away. While patriotism still lives in this country as it did when we were fighting the war, the heat and passion of the war having passed away there is a subsidence of ardor in the patriotism of the people.

Mr. PAGE. The Senator will remember that only a few days ago the Senator from Washington [Mr. JONES] made the suggestion that there ought to be some means taken to prevent the further depression in the price of liberty bonds. I think the 4 per cent bonds are now selling around 92, and the last, or fourth, issue of liberty bonds around 94. In the opinion of the Senator, are we likely to expect a further reduction in the current market value of these different loans?

Mr. SIMMONS. I answer the Senator frankly. I think if the business conditions of the country return to a basis of prosperity, there will not likely be any additional shrinkage; but if the halt in business that has already been realized shall continue, and if conditions of business shall grow worse instead of better, of course I think it is possible that the result of that situation would be a further reduction in the market value.

Mr. CURTIS. In that same connection, I desire to ask would that not depend upon the rate of interest fixed in these notes? Would not that influence the value in the market of the outstanding bonds?

Mr. SIMMONS. I do not know that I quite understand the Senator. Does the Senator mean that the rate of interest which we fix upon the notes will probably affect the market value of the existing bonds?

Mr. CURTIS. That is the question.

Mr. SIMMONS. Without their being interchangeable or convertible?

Mr. CURTIS. Yes.

Mr. SIMMONS. Possibly that may be so, but I do not see how it would materially affect it.

Mr. CURTIS. The reason is this: They contain a certain exemption clause, which I hope the Senator will explain a little later on. Those notes will yield a certain amount of interest to the investor. Naturally those who want to buy the best investment, therefore would offer more for the short-term notes that pay the larger rate of interest, than they will for the long-term bonds at a lower rate of interest.

Mr. SMOOT. Mr. President, will the Senator from North Carolina yield to me?

Mr. SIMMONS. I yield.

Mr. SMOOT. The law of interest is just the same as is any other business law. The value of bonds under the fourth liberty loan, the third liberty loan, the first liberty loan, or any other loan which the Government makes will be based upon the value of money at any time that the bond is sold. The value of the bond daily goes up or down as the value of money increases or decreases.

Mr. KING. As measured by commodities.

Mr. SMOOT. It can not be otherwise.

Of course, the question of the Senator from Kansas [Mr. CURTIS] in relation to the exemptions, the Senator from North Carolina will explain, and I do not want to take time now to do it; but the exemptions, of course, simply mean adding value to the bond or taking value from them in just the proportion that the return upon the bond is increased or decreased. It is just the same as any mercantile paper or first-class note, or any other kind of an obligation that is placed upon the market and sold daily upon the basis of the value of money.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Oklahoma?

Mr. SIMMONS. I yield.

Mr. OWEN. I think the question of the value of these bonds has been affected by the circumstance that many of the banks of the country have thought it advisable to lend 90 cents on the dollar on the face value of the bonds as security. I do not know just what the reasoning was that led them to do that; but when banks take that attitude toward a Government bond it is as if it were a certain appraisal of the value of the bond, and I think it would have a depressing effect.

Mr. SMOOT. I want to say to the Senator from Oklahoma that the banks of the country were asked by the Treasury Department to do that; and, in fact, I think if the banks had not done so, the loans which were made would not have been so successful, for the enthusiasm and patriotism of the people had not been aroused on the first loan as it was on subsequent loans.

Mr. OWEN. When the banks put an appraisal on the bonds as collateral security of 90 cents on the dollar, they are depressing the value of the bonds. If they had put a value of 50 cents on the dollar, it would have depressed them more. You may smile and say that they would not do that, but the principle is the same. I merely make that suggestion to show that it would have that effect.

To encourage the banks to regard these bonds as of value up to 90 cents as a collateral, I think, was a mistaken policy on the part of the Government. I do not say that in any critical spirit, because I have no doubt of the good intent of those who gave the advice. I think that, if the banks want to place these bonds among the people, the bonds will move better to the people if they are regarded by the banks as being of value in collateral up to par.

Mr. SMOOT. If they were valued up to par and the banks would lend par upon them everyone who wanted to sell a bond at par would go and borrow money from the banks, put up a bond, and then say to the banks, "You can take the bond."

Mr. OWEN. That is possible in some cases, of course, but that assumes that the man who is capable of buying a bond has no relative value to the bond; it is assuming that a man who is a patriotic citizen and who buys a bond has no value on his own note, not even the value of 10 per cent or 1 per cent. I take the ground that a citizen going in with a bond as collateral is himself entitled to a certain measure of credit even as a moral risk. Certainly the banks know who are entitled to credit in addition to the moral risk as a commercial risk. So I think it is a depressing policy, and I have regretted to see that policy pursued, because I think it is harmful. Not all of the banks do that. Many of the banks take these bonds as worth their face value as collateral, and I think that it is a much better policy to regard them as of face value.

Mr. SIMMONS. Mr. President——

Mr. PAGE. One word, Mr. President.

Mr. SIMMONS. Will the Senator let me complete my statement?

Mr. PAGE. I should like to know whether this is interrupting the Senator in an unpleasant way?

Mr. SIMMONS. It is not interrupting me at all.

Mr. PAGE. The Senator is coming to a very interesting branch of this argument, and I should like to see it proceed in its ramifications and see where we will land, because I think it is for the interest of the Senate to know what conditions attach to the present loan that may disturb the financial conditions of the country as applying largely to the local banks in the States or in rural communities. I think there is likely to be some trouble there, which might be expected, but I do not want to interrupt the Senator at this time.

Mr. SIMMONS. Mr. President, let me say, in a general way, to the Senator from Vermont—I do not know that I can satisfactorily answer all of the Senator's questions—but with reference to his first inquiry, as to whether in my opinion these bonds are likely to go to a lower level than at present, I want to say to the Senator that any opinion, in my judgment, that I, as a layman, or that any of the great bankers of this country, as experts, might give in answer to that inquiry would be purely speculative. There are so many contingencies which determine the value of bonds of this character that it is difficult to tell what is going to be the effect upon them of conditions to-morrow or in the near future.

There are certain special factors that are operating at the present time to depress the price of these securities in the market. Chief among those is the fact that so many securities of the Government, of municipalities, and of industrial corporations of the country are being dumped upon the market with varying rates of interest, with varying security behind them, that they are not stable. Not only is the market for Government bonds unstable at this time, but the market for all classes of securities is unstable. It is the result of conditions with which we are confronted. As those conditions change, this class of securities is affected and given an upward or downward tendency, accordingly as the conditions change for the better or change for the worse.

Nobody can look into the future and say whether the conditions in this country five months from now are going to be more stable than they are at the present time. My own opinion, if the Senator values that at all, is that as soon as this business across the water is settled, as soon as the gates to the great highways of international trade are thrown open wide, and as soon as we can get the governmental agencies which we created here during the war and in whom we reposed great powers over trade and over the activities of the people to take their hands off business, instead of a hesitant industrial condition, this country will see a rapidly improving condition which will in a very short time attain to a great tide of prosperity.

Mr. PAGE. Mr. President, I wish to refer to a fact which has come to my knowledge, and which, it seems to me, bears upon this question. To my mind, to-day the question is largely this: Is the rate of interest which the bonds or notes which we are

to issue within the next three months going to be 4¼, 4½, 4¾, or 5 per cent? If we can float the loan because of some inducements by way of exemption from taxation at 4 or 4¼ per cent, I can not foresee any particular trouble arising from the fact to which I am going to call the Senator's attention in a moment; but if the rate is made 5 per cent I surmise that we are going to see trouble in some sections of this country; and let me tell the Senator wherein——

Mr. SIMMONS. If the Senator will pardon me, I have never heard anybody suggest, and I do not believe anybody has ever thought of suggesting, a rate as high as 5 per cent upon these notes.

Mr. PAGE. I have heard that the one-year notes might bear as high a rate as 5 per cent.

Mr. SIMMONS. Why, the certificates of indebtedness have never borne more than a 4½ per cent rate, and they are sold readily; there has been no trouble, and there is no trouble now, on the part of the Treasury Department in getting all the money it needs upon the short-term certificates of indebtedness bearing 4½ per cent interest.

Mr. PAGE. The Senator fully believes that the rate of interest on the bonds will not go beyond 4½ per cent?

Mr. SIMMONS. If the Senator will pardon me, in the case of a bond or a note with a partial exemption from taxation, such as all of these notes will have, I can not conceive of the necessity for the purpose of floating them, even in the present restricted market, of making the rate more than 4½ per cent.

Mr. PAGE. And what the Senator says in regard to the bonds he thinks is true in regard to the short-time certificates?

Mr. SIMMONS. I am speaking now of the short-time notes running from one year to five years.

I will say to the Senator that I did not wish to get into that just at this time; and, of course, the Senator understands I am only expressing an opinion of my own now; I am not giving the view of the Secretary of the Treasury, for I do not know what his views are; and I do not think that the Secretary of the Treasury at this time has any definite views as to what rate of interest he will have to prescribe in order to successfully float this issue. I think he believes that that can only be determined when we reach the time when the securities are to be issued; that is to say, that a rate that would be suited to to-day may not be at all suited to the conditions confronting the Secretary of the Treasury on April 15, when he puts these notes upon the market.

Mr. PAGE. Then, why does not the Senator think it wise to place some limit upon the price we may pay for this money?

Mr. SIMMONS. Because if you place a limit, you have got to place a limit beyond which you do not wish to go; and it may not be necessary for the Secretary of the Treasury to go that high. It is the experience with all issues of this sort that, if you fix a rate which you say is to be the maximum rate, it is always necessary when the bonds are issued to go up to that maximum.

Mr. PAGE. But to-day, if the Senator will pardon me, the fourth liberty loan issue is selling on a 94-cent basis. I will ask the Senator from Oklahoma if I am not right in that?

Mr. OWEN. Approximately so.

Mr. SIMMONS. The Senator means that they are being sold on the market at that rate?

Mr. PAGE. On the market to-day. But here is the point that I wish to bring to the Senator's attention: There are to-day States in this Union—I do not care to mention them, because it is not necessary to do so now; but I know about them, and I presume the Senator does—that are banking largely upon railroad bonds; up to five years ago they were loaning on railroad bonds. That is not true in regard to my own State to any considerable extent, but some States were loaning on railroad bonds. Those bonds have gone down so fast and so far in the markets of the world that, if the savings banks were now forced to realize upon those bonds many of them would become insolvent. Those banks are paying 4 per cent to depositors, and if for any reason the rate on the Government securities is made 4¾ or 5 per cent, can you not see that the depositors are going to withdraw their money from the savings banks to such an extent as to compel the sale of these railroad bonds at a price so low as to force into bankruptcy or insolvency many of the banks?

Now, query: In view of that fact, would it not be wise to place a maximum limit of, say, 4½ per cent on these notes, the same as you are now placing on the certificates, because if you go beyond that you are imperiling the financial condition of the banks in some of the States of the Union?

Mr. SIMMONS. Mr. President, I wish to say to the Senator that heretofore, when we have authorized the issuance of liberty bonds, we passed the bill authorizing the issue immediately before the drive took place. The rate of interest, therefore, was fixed by Congress with full reference to the actual conditions that existed at the time of the drive. There is a brief statement of the Secretary of the Treasury before the Ways and Means Committee of the House that contains an argument on this question. I read from page 9 of the hearings before that committee, as follows:

> In respect to the notes and also in respect to the bonds of a maturity of 10 years or less, I have asked authority to determine the interest rate as the situation may develop. I am by no means convinced that conditions will be such in April as to necessitate an increase in the interest rate over that provided in existing law to an important extent, if at all; yet, if I were obliged to determine now what is the lowest rate at which I could undertake with certainty to finance the requirements of the Government when the issue is offered in April, I should be obliged to name a maximum rate much higher than that which, if developments are as favorable as I expect they will be in the interval, will, I hope, be sufficient to float the loan.
>
> There is not, I venture to say, a solvent banking house in America which would enter into a firm obligation to-day to purchase in April any important amount of securities of any character at any price whatever—certainly not at a price which failed to make such an allowance for contingencies in the interval as would be regarded as prohibitive by the borrower. Yet that is exactly what the Congress would require the Secretary of the Treasury to do if it were to fix the interest rate to-day. I can not undertake the responsibility of saying now at what rate the bonds or the notes may be sold in April; and if you were to-day to fix a maximum rate, such as to be sufficient in any possible contingency, you would by that very act tend to force the adoption of that maximum rate when the loan is offered.
>
> No liberty loan has ever been sold at lower rate than the maximum fixed by the act under which it was issued. On the other hand, in the second liberty bond act, which was approved nearly a year and a half ago, you conferred upon Secretary McAdoo authority to issue Treasury certificates of indebtedness without limit as to the rate of interest, and he and I have been able to maintain the rate of 4½ per cent for such certificates during a full year, including the period when our war prospects were at their darkest and the recent period when the cessation of hostilities has made the problem of selling Government securities most difficult. The floating debt, represented by Treasury certificates now outstanding and to be issued in the interval before the victory liberty loan is offered, must be refunded, and bonds or notes must be sold to an amount sufficient to accomplish this purpose. To withhold from the Secretary of the Treasury the power to issue bonds or notes bearing such rate of interest as may be necessary to make this refunding possible might result in a catastrophe. To specify in the act the maximum amount of interest at a figure sufficient to cover all contingencies would be costly, because the maximum would surely be taken by the public as the minimum.

Now, the Secretary of the Treasury says, "If I were going to start my drive immediately upon the adjournment of Congress there might not be any objection to Congress prescribing the rate of interest; but," he says, "in the case of a bond, as in the case of a business investment, if you go to a bank to-day and ask 'at what rate of interest will you lend me money to meet my immediate needs?' they will give you the rate; but if you ask them 'at what rate of interest will you lend me the same amount of money six months from now?' I doubt whether any bank in this country would be willing to fix you a rate."

The Secretary of the Treasury says these notes are not to be put upon the market until about the middle of April. No living man can tell in the unsettled conditions in which we live, in the rapidly changing circumstances which affect business, investment, and everything else in this country, what will be a reasonable rate of interest on the 15th day of April. Of course, when you are talking about interest with reference to these bonds, the mere fraction of a quarter of 1 per cent is a very important matter.

I think that there would be no necessity to fix a 5 per cent rate. As between five and four, what fraction would be the proper fraction might be easily determined to-day, in the light of circumstances and conditions; but there is not the same certainty as to conditions even six weeks hence.

Mr. MOSES. But the simple remedy, I suggest to the Senator, is to keep Congress in session and act upon this question when the time comes.

Mr. SIMMONS. I am not going into a political discussion at this time. I am trying to talk about this bill. I do not wish to inject any politics into this matter now.

Mr. PAGE. I do not, either.

Mr. SIMMONS. I hope not. We will get to that later.

Mr. PAGE. I want to say, however, that if the larger banks of this country could foresee the conditions that imperil the prosperity of the smaller banks in the less wealthy States of the Union, and we were to say to them, "In order to prevent any trouble we want you to lend this money on a 4½ per cent basis," I believe you could go to those banks to-day and make a trade for the money. If you put it upon a purely business basis, you could go and make a trade that would be just as certain, even though it were two months ahead, as if you made it to-day.

Mr. SIMMONS. That is the trouble about this liberty bond issue now. We have ample authority to issue liberty bonds and pay off these debts; but we fixed the interest rate upon those liberty bonds nearly a year ago; and in the conditions of the

country, in the conditions of business, in the conditions of world affairs, we were able to float those bonds at that rate. We still have the authority; but, because conditions are changed and circumstances affecting the market and the value of securities and the rates of interest are different, we find that the Secretary of the Treasury, with ample authority to issue bonds—bonds that he could and did sell four or five months ago—is utterly unable to sell one of those bonds to-day at the same rate of interest.

Mr. PAGE. I fully agree with the Senator.

Mr. SIMMONS. You have tied his hands, you have made this legislation ineffective for the emergency of the present situation, because you fixed a rate that suited the condition six months ago and it does not suit the condition to-day. That is the very situation with reference to these notes, except that the difference of time between now and when the bonds will be put upon the market is six weeks instead of six months.

Mr. PAGE. Does the Senator anticipate any possible condition in which we can not float these certificates on a 4½ per cent basis?

Mr. SIMMONS. Let me say to the Senator that I do not know how bad business conditions in this country may become. I hope and I believe that in certain circumstances they will become very satisfactory. They are not satisfactory now and they are getting no better now. What I think we want to do, what I think is the sensible thing to do, is to say to the Secretary, "We have trusted you to fix the rate of interest upon ten billions of certificates of indebtedness, running for a year or less. You have fixed that rate one time at one figure and another time at another figure, fixing it always to suit the conditions. You have never fixed an excessive rate. You have never fixed a rate that was so low that the bonds would not sell. We trust you now. This is one issue. You may have to make additional issues. We may have to increase this issue of notes; but fix the rate in your discretion as an official of the Government, with the approval of the President of the United States, at a figure that will enable you to sell the notes on the day on which you offer them."

Does the Senator believe it is wise to fix any rate that is so low that when these notes are put on the market they will not be readily taken up by the public?

Mr. PAGE. No; I do not. Neither do I think it wise to leave a limit so high that you have power to interfere with the prosperity of the banks of the country.

Mr. SIMMONS. What reason has the Senator to believe—speaking in the light of past experience with reference to Secretaries of the Treasury—that the Secretary of the Treasury and the President of the United States will not be just as mindful of the important interest to which he has referred—namely, that of the savings banks—as he is? I want to say to the Senator that I know that the former Secretary of the Treasury, when we were framing the war finance bill, came before the Finance Committee, and he was thoroughly awake to the situation of the savings banks and to the danger that might threaten them from certain legislation that was then pending, and he was there appealing to the committee to do nothing which would or could by any reasonable possibility undermine the financial strength of those great institutions. The present Secretary of the Treasury can be likewise trusted. It is inconceivable to me, Mr. President, that the Senator should believe that the present Secretary of the Treasury, with the approval of the President, would fix a rate upon these notes so high that it would destroy the business of the savings banks of the country.

Mr. PAGE. When the Senator is through I will make my answer.

Mr. SIMMONS. I will yield to the Senator now.

Mr. PAGE. This is a power that never has before been given to any Secretary of the Treasury, certainly not to the amount of $10,000,000,000. I do not believe the country to-day demands that kind of legislation. I do not believe it is just for the country that we should have it. Of course, that is a matter of opinion.

Mr. SIMMONS. Why does the Senator say it has never been given to him? There is asked for here a seven-billion-dollar issue.

Mr. PAGE. But you have named a rate beyond which he is not to go.

Mr. SIMMONS. The question I was going to ask the Senator was, Why does he say that we have never given the Secretary of the Treasury authority to fix the rate upon short-term paper in the face of the fact, which I have repeatedly stated here to-night, that the present law authorizes him to issue $8,000,000,000 in one-year notes, and himself fix the rate of interest upon them?

Mr. PAGE. At what price was that fixed? Was it left indefinite?

Mr. SIMMONS. And we increased that to ten billions. There is no suggestion that we should fix a rate as to those certificates. If the Secretary were going to fix a rate upon these one to five year notes that would be destructive to these institutions that are referred to, if he wanted to do it and could do it if he were given plenary power over the question of the interest rate on this seven billions, why could he not just as effectively destroy these institutions or embarrass them in the way that the Senator speaks of, by fixing a high rate of interest upon these ten billions of certificates of indebtedness we have authorized him to issue?

Mr. PAGE. May I ask if you have been unanimous in your views in regard to that in your discussions in the Committee on Finance, or have you differed in regard to this question of limit?

Mr. SIMMONS. I did not suppose there was any Senator here who did not know that we had differences in the Finance Committee.

Mr. PAGE. I am talking now about the bill before us to-day.

Mr. SIMMONS. That is what I am talking about.

Mr. PAGE. Is there not an objection to leaving that matter in the air?

Mr. SIMMONS. I have just stated to the Senator that there was a difference of opinion in the Finance Committee. The majority opinion in the Finance Committee was in favor of adopting the Secretary's request. They recognized the force of the Secretary's reasoning. They agreed with the Secretary, and they were in favor of it. But there was a minority of the committee who did not agree to that, and I thought every Senator in the body knew it.

Mr. PAGE. May I ask, further, is there not a feeling among the financiers of the country that this is a dangerous power, dangerous not only to the city banks but dangerous to the country banks that may be confronted with a 4½ and 4¾ per cent rate, which will disturb the deposits of the savings banks of the country to such an extent that it may involve in some cases absolute bankruptcy?

Mr. SIMMONS. I want to say, in reply to the Senator, that for the last six years I have been the chairman of the Finance Committee, and during that time I have reported more revenue bills and tariff bills, probably, than had been reported in the 50 years preceding my chairmanship.

Mr. PAGE. I know that to be a fact.

Mr. SIMMONS. Occupying that position, I have received, of course, when all these bills were framed and presented to Congress, communications from business people from all parts of the country, from people whose interests were affected, directly or indirectly, by these various pieces of legislation. I get in that way a pretty general expression of opinion, whether it be an approval or disapproval. I want to say to the Senator that if the letters and the telegrams that have come to me from representative business interests in all parts of this country, with respect to this particular proposition, mean anything, they mean that the great financial and the great business interests of this country would look with horror upon the defeat of this legislation. They believe that this is a good and a wise bill, and are asking that it shall be enacted into legislation. That has been more pronounced in the case of this bill than of any of the many revenue and bond bills that have been passed since I have been chairman of the Committee on Finance.

Mr. PAGE. The Senator says that a 4½ per cent rate will not disturb the financial business of the country. I agree. A 5 per cent rate certainly, and I think a 4¾ per cent rate, would disturb the financial interests as pertaining to the savings banks of the country; and the Senator knows how very, very important they are to the country.

Mr. SIMMONS. Since the Senator has forced me to discuss, beyond the time and out of the order in which I had intended to discuss it, this phase of the bill, I will say to the Senator that these notes may be issued in four different series. A part of them, or all of them, if the Secretary of the Treasury so decides, may be issued free of tax, except inheritance or estate tax, just as the first liberty loan bonds were free of tax. The first liberty loan bonds, although bearing only 3½ per cent, are not very far from par now.

Mr. SMITH of Michigan. They are about 98.

Mr. SIMMONS. If the Secretary sees fit, he can issue all of these notes free of tax, except inheritance tax, and he can fix the rate of interest at 3½ per cent, the rate of the first liberty loan bonds. I suppose they would sell very readily on the market upon that basis, being short-term notes.

There is another class of notes that he is authorized to issue. They bear the same burdens of taxation that the fourth liberty

loan bonds bear. That is to say, while free from the normal income tax, free from general State and municipal taxes, they are subject to individual surtaxes, excess profits, and war taxes. He may issue notes of that class. If he should issue notes of that class, of course, they would stand upon a parity, so far as taxation is concerned, with bonds of the fourth issue.

Mr. PAGE. May I interrupt the Senator here?

Mr. SIMMONS. They are selling at a pretty low price. I should say that if those were long-term bonds, they, of course, would not bring par in the market. Now that we have gotten down to a commercial basis, now that patriotism is no longer the governing inspiration in these matters, I should say that clearly they would not sell at par; that is, at the present rate of 4¼ per cent. I am merely speculating about that, because I am not a financier; I am not an expert.

Mr. PAGE. I am seeking to get this so that it will benefit us as a whole. I ask this question in all candor: Would it not be better for us to place upon these bonds some benefits by way of taxation that would make them salable at 4¼ per cent, rather than have a higher rate? We certainly should have no rate beyond 4½ per cent. I wish we were not compelled to go above 4¼ per cent, so that the savings banks, that are banking to-day on railroad bonds which they bought at 100 and which to-day are selling at 70, 75, and 80, and that would be ruined if there should be a run made upon them, would have the issues protected by some provision in regard to taxation that we could place upon this bill that we are passing to-day, or seeking to pass to-day, fixing a limit, in which we should say that in no case shall these bonds be sold upon a higher basis than 4¼ or possibly 4½ per cent.

Mr. SIMMONS. As I explained to the Senator, if you fix a maximum basis, that would be the basis upon which these bonds will have to be sold.

Mr. PAGE. I do not concede that.

Mr. SIMMONS. That is the opinion of financiers, that there is a psychology in that situation that makes it impossible to float these bonds at less than the maximum rate prescribed in the law.

I want to say to the Senator that we are moving in a circle in this argument, and I should like to get through with it.

Mr. PAGE. I want to apologize for taking so much of the Senator's time, and I will retire.

Mr. SIMMONS. The Senator asks the question, Why should we not fix this rate now instead of leaving it to the Treasury Department? And he asks if we can not fix it just as well as the Secretary of the Treasury. My answer to that is that the Congress could fix it just as well as the Secretary of the Treasury if the Congress were in possession of all the information with reference to all the various and sundry factors that affect market investment conditions, as the Secretary of the Treasury is, and if it had equal facility with the Secretary of the Treasury for ascertaining at any time that it becomes expedient and necessary to ascertain the exact conditions of that particular time. We can not look ahead. If we pass a law here to-day, we must predicate that act and fix the rate upon a sale six weeks from now. We can not look into the future. Congress can not know the financial condition and the investing conditions six weeks from now. They could not do it in normal times. They could not do it in these times, when the situation is unsettled and changing like a kaleidoscope every day and every week. We must act now. We can not divine these conditions.

The Secretary of the Treasury is not going to act now in fixing that rate. The Secretary of the Treasury can wait until the time when the drive begins, until the time when the bonds are to be advertised to the public and the rates prescribed. He can wait until then in order to fix the rate, and when he fixes it he can adjust it to the conditions that then exist. Confessedly and admittedly he has such opportunities, such agencies, for ascertaining the exact facts with reference to the financial conditions and the investing conditions of the country as no other man and no other institution in this country possesses.

Mr. KING. Will the Senator yield to me just a moment?

Mr. SIMMONS. Yes.

Mr. KING. The Senator from Vermont [Mr. PAGE] apparently does not seem to differentiate between a certificate of indebtedness of short duration and long-time bonds. Certificates of indebtedness may be issued for one or five years, and it would be impossible now to determine what the interest should be on them.

Mr. SIMMONS. That is correct, and just what I contend.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator a question. The Senator has described the condition of the Treasury and the necessity for this legislation and described it very graphically and, I have no doubt, correctly. Can the Senator tell us how much money we have loaned to foreign governments and what we have taken in return for it?

Mr. SIMMONS. We have loaned something over $8,000,000,000.

Mr. SMOOT. Eight billion six hundred million dollars.

Mr. SIMMONS. Yes; I think that is about the figure.

Mr. SMITH of Michigan. Can the Senator tell us whether we have taken the bonds of those governments for the loans?

Mr. SIMMONS. We have not taken the bonds, if by the word "bonds" you mean obligations of a long period of maturity; but if you mean bonds in the sense of an obligation to pay a given amount, yes, upon demand of the United States. They are demand obligations. That covers it.

Mr. SMITH of Michigan. Have we anything in the Treasury negotiable from any foreign government for the $8,600,000,000 loaned?

Mr. SIMMONS. I do not think those securities are in a negotiable condition at this time.

Mr. SMITH of Michigan. Then they would not be available to recoup the Treasury now if the Secretary should decide to use them?

Mr. SIMMONS. No; I think not. I will say to the Senator I have not gone very fully into that matter; but my understanding is that we have nothing but the demand obligations of the governments. Those demand obligations, I understand, agree upon demand to convert them into bonds of the government.

Mr. SMITH of Michigan. The reason why I ask the Senator this question is because, for instance, the French bonds and the British bonds all seem to be higher than ours. They bear a higher rate of interest also, I will say to the Senator. If they were in negotiable form, being the obligation of Great Britain or France or Italy or Belgium, they ought to be good. I have been wondering whether in an emergency they could not be used to fortify our Treasury.

Mr. SIMMONS. I want to say to the Senator that I do not well see how we are going to fix the rate of interest upon these bonds until after the last issue of bonds for war purposes has been made. We have been fixing our rates on these bonds progressively. We started with 3½ per cent and went up to 4 per cent and we are now up to 4¼ per cent. We may have to go beyond 4¼ per cent, though I hope we never will, but we might go to 4½ per cent. There might be circumstances under which we would go to 5 to pay the war indebtedness.

All of these foreign bonds now are convertible into the higher rate. The lowest rate bond can be converted into the highest rate bond. My understanding is that when these demand notes are taken up and long-term obligations of those countries are given to us they will be at the highest rate this Government will be required to pay upon its war indebtedness. Therefore it is necessary to ascertain what that highest rate will be. That is one reason why we could not right now convert them into definitive bonds. This very bill authorizes the Secretary of the Treasury to convert these demand papers into long-term Government bonds of our allies, and fixes the maximum maturity.

But I want to answer the Senator from Michigan upon the merits of his proposition. He says if those obligations were in negotiable shape he sees no reason why we could not sell them. Of course, I think the Senator knows that an English bond right now in the American market would probably not sell for par.

Mr. SMITH of Michigan. No; but if our Government guaranteed them——

Mr. SIMMONS. If the bonds of England—and that is probably the strongest financial country among our allies, with all her powerful and almost exhaustless resources behind her credit—would probably not sell in the market of this country upon the rate of interest we have fixed on our bonds, I do not see how they could be utilized unless we sell them below par, and I do not believe it is the purpose of this Government to part with any of these foreign securities below par.

With the 4¼ per cent bonds of this Government, partially exempt from taxation, selling in the markets of this country to-day at 94 cents, with all the credit and all the resources of the United States behind these bonds, does the Senator think that the British bonds would sell for par?

Mr. SMITH of Michigan. I should like to answer the Senator, and I will do so in a word. I think the British bonds are higher than the American bonds to-day. They are worth par.

Mr. SIMMONS. What is the rate of interest? That is what I am asking.

Mr. SMITH of Michigan. I think they bear a higher rate of interest, probably as high as 5½ per cent.

I am not asking these questions to embarrass the Senator from North Carolina.

Mr. SIMMONS. They do not embarrass me in the slightest.

Mr. SMITH of Michigan. I mean by that, we are in a situation that is very perplexing, and something must be done.

Mr. SIMMONS. I realize that.

Mr. SMITH of Michigan. My recollection is that the bonds of Great Britain bearing 5 per cent are about par and the bonds of Great Britain bearing 5½ per cent are 101.

Mr. SIMMONS. The bonds of this country bearing the same rate would be at par and above par.

Mr. SMITH of Michigan. We have issued, I suppose, our last bond issue. This is not a bond issue proposed by the bill.

Mr. SIMMONS. No; it is not.

Mr. SMITH of Michigan. The 4¼ per cent bonds were the last issued, and that would fix the rate. If we could fix the rate and put these foreign bonds now in the Treasury upon the market, the American Government could afford to guarantee the principal and interest upon those bonds, and Great Britain's bond backed by our guarantee ought to sell higher than the bonds of either country alone.

Mr. SIMMONS. I do not think so. Does the Senator really believe that the bonds of the United States are selling at less than par to-day because any living man or investor in this country doubts the security that is behind those bonds?

Mr. SMITH of Michigan. No; I do not think that. I think that our bonds are——

Mr. SIMMONS. Does the Senator believe that a British bond bearing the same rate, subject to the same taxation that the American bond is subject to, would sell at par in the market of the United States simply because the United States wrote its name on the back of that bond?

Mr. SMITH of Michigan. I am inclined to think it would.

Mr. SIMMONS. Then if the Senator believes that, the Senator believes that the bonds of the United States to-day are below par not because of the low interest, not because of the taxation burdens which they bear, but because there is some lack of confidence in the security which is behind them.

Mr. SMITH of Michigan. No; they are British short-time bonds.

Mr. SIMMONS. I am talking about the long-time bonds.

Mr. SMITH of Michigan. I am talking about the short-time bonds of Britain.

Mr. SIMMONS. I say there is no amount of indorsement upon the back of the liberty bonds, for which the United States and all its resources are pledged, that would affect the market value of these securities one particle, because the security is as good as it can be, and there is no human being or financier in the world who doubts the adequacy of the security.

Mr. SMITH of Michigan. Why strain the credit of our own Government when we have the obligations of the European governments of a first class who have won a war and are about to exact indemnities from a vanquished foe? Why strain our credit when we have or should have and can obtain within a very reasonable time the formal obligations of those victor governments?

Mr. SIMMONS. The Senator and myself do not disagree about that. Here is where we disagree: What I am saying to the Senator is that the United States can not sell these foreign bonds in the markets of the United States for par, at the rate of interest they are bearing, because the United States' own bonds are not selling in the market at par.

Mr. SMITH of Michigan. Mr. President, the bonds of the city of Marseille are selling at 99. The bonds of almost every subdivision of France are selling higher than our bonds to-day. I do not know of any reason in the world why we should cripple ourselves and strain our credit when we have the obligations of first-class powers, or should have those obligations, in the Treasury for money advanced.

Mr. SIMMONS. The Senator probably is right, but when he talks about the bonds of these great municipalities of France selling at par he loses sight of the fact that that is by reason of the circumstance that they bear a high rate of interest and carry the expectation of a speculative profit in franc exchange which justifies par value in the market. The trouble with our American bond is that it does not bear a rate of interest which justifies par in present conditions. If we should take a foreign bond for the same amount at the same rate of interest, the rate of interest would be such as would make it impossible for us to sell that foreign bond in the market at less than par. The United States is not going to sell a single one of its own bonds in the American market at less than par. If the United States is not going to sell its own bonds at less than par, why should it sell these foreign bonds that it has purchased with its own bonds at less than par?

Mr. SMITH of Michigan. It is very humiliating that the purchaser of American bonds must part with them far below par.

Mr. SIMMONS. I want to ask the Senator, when the United States has got two bonds, one issued by its own Government bearing 4 per cent interest and one issued by a foreign government and turned over to the United States in exchange for one of the bonds in this land, if he would be willing to sell either one of those bonds while in the possession of the United States and the property of the United States at less than par?

Mr. SMITH of Michigan. I think they should bring par, but I would use the available assets in the American Treasury to assist in financing the Government in time of stress, especially when we are financing it for the benefit largely of others.

Mr. SIMMONS. I wish to say to the Senator if these foreign bonds which are in possession of the Treasury could be sold in the open markets of this country at par, I would be in favor of using those bonds to pay the deficit in the Treasury. I would be in favor likewise of selling the bonds that are now authorized under the fourth liberty loan act to pay that indebtedness. But we can not sell those bonds at par; and, as we can not sell them at par, we are not proposing to sell them at all at this time.

Mr. SMITH of Michigan. I am not so concerned about bringing them up as I am about bringing them out. I should like to bring them out of the Treasury, and if anyone's credit is to be stretched or strained I would stretch and strain the credit of those I had helped rather than my own Government.

Mr. SIMMONS. That is as much a bond of the Government as any one of them, because we gave a Government bond for them.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. I yield.

Mr. SMOOT. I simply want to say to the Senator that the question is not whether the bond is good or not. We must remember that a Canadian bond issued and owned by an American citizen is never taxed. It is tax free. The English Government issues two classes of bonds, a tax-free bond and a taxable bond. The rate of interest upon the two bonds is based upon that fact. The one is taxable and the other nontaxable. The French 5½ per cent bond to-day is selling for 105⅝. That French bond the American citizen can buy and hold here and never pay a cent of taxes in France, and even under the bill which we have before us here there is a provision that a nonresident alien holding an American bond shall be taxed upon the interest on that bond. We are putting that into the law just the same as other countries are doing; and there is an advantage to an American citizen, so far as interest is concerned, in carrying a French bond as against a United States bond, provided he has an income of over $5,000.

Mr. SIMMONS. The Senator does not doubt for a moment that a bond bearing the same rate of interest as the French bond he has spoken of and having the same exemption from taxation would bring above par just as that bond does?

Mr. SMOOT. There is no doubt about it at all.

Mr. SIMMONS. There is no doubt about it.

Mr. SMITH of Michigan. I should like to ask the Senator from Utah if he would find some way, if he had the power, to make use of the $8,600,000,000 worth of foreign bonds in our Treasury to relieve us now?

Mr. SMOOT. Mr. President, on February 15—in the month just passed—I introduced a bill in the Senate directing the Secretary of the Treasury to negotiate and arrange with certain foreign governments to convert their present indebtedness to the United States into marketable and salable securities, and I have not any doubt that we are going to do it. I think that it ought to be done, and I think it will be done.

Mr. SMITH of Michigan. Where is the Senator's bill? Is it on the calendar?

Mr. SMOOT. No; it has not yet got that far.

Mr. SMITH of Michigan. And it never will.

Mr. SMOOT. It is still in committee.

Mr. SIMMONS. Mr. President, I thank the Senator from Utah for his enlightening statement. I think we are getting very near the heart of the trouble about this whole business. The trouble about our bonds, as has been repeatedly said by myself and others to-night, grows out of the rate of interest and the taxation. When this war is finally over by the establishment of real peace, when we have got back to normal conditions as to business, and the war debt has been very largely paid off, as it will be with the action of a sinking fund, and a constantly dwindling tax rate, these very bonds, bearing this identical rate of interest, carrying these tax burdens, will sell for more than par. In ordinary conditions 4¼ per cent is a high rate of interest for a Government bond to bear. When the war burdens have

passed—and we are going rapidly to get out of this condition, for the tax burdens for the calendar year 1919 are very much less than they were for the calendar year 1918; four years will see these tax burdens, while still heavy, comparatively very light—these bonds are inevitably going up. Especially is the prospect of improvement true with reference to the income tax and the excess-profits war taxes. The war taxes practically passed away with the year 1918. There is a slight remnant left for 1919. The excess-profits tax for 1919 is cut one-half; the income tax is materially reduced. When you get your income tax to something like a normal basis and get rid of your war-profits tax and your excess-profits tax, by that means you will relieve these bonds of the burden they are now carrying, and you will be in normal times with a high interest rate and with your taxes greatly reduced. I think in those conditions there will be no doubt about these bonds going to a very considerable premium.

Mr. OWEN. Mr. President——

Mr. SIMMONS. The point I am making is that while in these particular conditions, while temporarily, owing to the stress of circumstances, these bonds are below par, as a permanent investment they should be treated as worth above par.

Mr. OWEN. Mr. President, I want to confirm what the Senator is saying, because the United States had occasion to recently borrow 250,000,000 pesetas from Spain. That loan was negotiated through certain banks in this country, operating through banks in Spain, and the securities were discounted by the Bank of Spain with 3½ per cent interest. So we need not be apprehensive of the rate of interest going up, but these bonds must go up.

Mr. SIMMONS. While that is true——

Mr. PAGE. I should like to ask the Senator from North Carolina one question.

Mr. SIMMONS. Will not the Senator let me develop this thought, and then I will yield to him?

Mr. PAGE. Certainly.

Mr. SIMMONS. While that is true with reference to the tax burdens which these bonds bear, those tax burdens will disappear almost automatically; but with reference to the interest rate we can not, it seems to me, except under the compulsion of absolute necessity, afford to increase the rate of interest on bonds because some of these bonds are running for 20-odd years and some of them for 30 years. They are long-term bonds. If we increase the rate of interest on these bonds, which will, as I say, in a few years, although they are very much below par now, be above par, and which I say are a good permanent investment—if we increase the rate of interest upon one issue of them, we, perhaps, ought to go back to the first issue and increase the rate of interest upon every one of those issues of bonds.

Mr. SMITH of Michigan. Automatically.

Mr. SIMMONS. No. It would require an act of Congress. If we should convert all the bonds—the 3½s, the 4s, and the 4¼s—up to this higher rate we should thereby impose not only an immensely increased burden in the present year and the next upon the people of this country but impose that great increase in burden upon the taxpayers of this country until the very last issue of these bonds shall have been discharged.

Mr. SMITH of Michigan. The Senator from North Carolina does not mean that we convert them into bonds bearing the rate that these notes are to bear, does he?

Mr. SIMMONS. These notes give rise to no conversion privilege.

Mr. PAGE. May I ask the Senator if he expects that the promise which has been held out to us in the papers that we will pay off our indebtedness within 25 years is likely to materialize?

Mr. SIMMONS. Well, Mr. President, that is a calculation, and they say that it is probably as reliable as the result of any other mathematical calculation. It is a purely mathematical proposition. They say that, beyond all question, if the basis of indebtedness is fixed and you apply the 2½ per cent sinking fund, you can ascertain how many years, how many months, in fact, how many days, it will take to pay it off, and that, upon the basis of a 2½ per cent cumulative sinking fund, the indebtedness will be paid off in 25 years, I believe.

Mr. PAGE. And would the Senator expect naturally that that would increase the value of our bonds, and that instead of the four-and-a-quarters selling at 94, as they are to-day, we will perhaps have a gradual and constant increase?

Mr. SIMMONS. I think that will affect the value of them. I wish to say to the Senator, again, that there is not a single one of the liberty bonds, unless we have a financial crash in this country, that will not be worth par and more than par in less than five years.

Mr. President, I did not expect to take anything like the time I have taken, but I think the Senate will bear me out that I have consumed this time as a result of constant interruptions.

Mr. LODGE rose.

Mr. SIMMONS. Does the Senator from Massachusetts desire to interrupt me?

Mr. LODGE. No; I did not desire to interrupt the Senator. I thought the Senator had concluded.

Mr. SIMMONS. I have not quite concluded. The Senator knows that I have not touched upon a great many other matters in the bill, but I am going to detain the Senate only a few minutes longer.

There is probably one provision of the bill to which I ought to call attention, because it is secondary in importance only to the authorization of $7,000,000,000 of notes. I refer to the provision which authorizes the Government of the United States to continue, up to the present authorization, to advance credits to foreign governments for the purpose, and only for the purpose, of enabling them to purchase from the United States anything of value that it may have for sale and for which it has no present use, and to enable foreign governments to purchase wheat in the markets of the United States. Those are the only two purposes for which we permit the Government to continue to establish credits for foreign governments after the termination of the war.

We have a great deal of property over in Europe that must be salvaged, and, unless we can sell it to our allies, for a great deal of it we will have no purchaser at all. Especially is that true of the extensive structures which we have erected over there—warehouses, terminals, depots, railroads, hospitals, and property of that kind. Then we have a great deal of portable property over there, such as rolling stock, engines, and things of that sort, which it is not desirable to bring back home. It is very well known that at this time the countries to which we could reasonably hope to sell these things are not able to pay in cash, and it is thought advisable to permit the Government to make advances to them for the purpose of enabling them to purchase this property. It is merely an arrangement for credit after all.

Then, Mr. President, I think everybody realizes that on account of the guaranty we have given to the wheat growers of this country it is necessary that we shall find markets for our wheat. It is thought advisable to lend to our allies, to Belgium, to France, and to all European countries that are not able to pay cash for our shipments of wheat, the money that is necessary to enable them to buy it. That is again nothing more than a credit transaction. We get the obligations of the foreign governments in this case, however, just as we do in the case where we advance them the actual money. That is one of the important provisions to which I wish to call attention in addition to the ones that I have discussed. But there is another provision to which I wish especially to direct attention, and which, to my mind, means so much to the immediate business prosperity of the country that it would be almost a crime if it should not become a law as speedily as possible.

It is very well known, Mr. President, that the conclusion of the war is going to open the greatest opportunity that this country has ever enjoyed to extend its foreign trade. Especially is that true of our trade with Europe. There is hardly any limit to be placed upon the necessities of Europe for the things that we produce in this country, both in the nature of raw materials and of finished products. If they had the money with which to buy, in order to meet in full their necessities and needs, there would be a market created at once for the products of this country which would be many, many times greater than our ability to supply the demands; but they do not have the money. Everybody knows that those countries have been drained of means to purchase foreign goods.

When the war began the balance of trade in our favor was about $400,000,000—a mere bagatelle when compared with the balance of trade in our favor to-day. Most of our balance of trade was due us from Europe. The balance of trade was rather against us in the remainder of the world. Europe paid that balance of trade against her, not in dollars, but she paid it in shipping charges, for nearly all of our transportation was purchased from the maritime nations of Europe. She paid it in interest upon the great volume of American securities which were locked up in the vaults of her banks. She paid it in the expenses in European countries of tourists. The actual balance in cash that she had to send to us amounted to scarcely nothing.

Now the situation is changed. Instead of a balance of trade in our favor of $400,000,000 the balance of trade in our favor last year, I think, was somewhat in excess of $3,000,000,000.

Most of it—not all of it, but most of it—was from Europe. We can not hope to continue that great balance; and yet if we continue to enjoy one-half of that balance of trade—yes; if we continue to enjoy one-third of that balance of trade—it will be from twice to three and a half times as great as before the war, and England and France and Germany and all the other maritime nations of Europe will have nothing to pay us with except cold cash. We own our own shipping now. The $200,000,000 that we paid in freight charges to Europe in partial extinguishment of this $400,000,000 balance of trade is no longer a charge against us in favor of our foreign customers.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New York?

Mr. SIMMONS. Yes.

Mr. WADSWORTH. Does not the Senator believe when he makes the statement that the freight charges will no longer be a charge against our trade that it will be necessary to operate our merchant fleet at a loss?

Mr. SIMMONS. I did not mean that it would not be a charge against our trade. I said it would not be a charge in favor of our foreign customers. I meant by that—if the Senator did not understand me probably he would have to take what I was saying before that in connection with it—I meant by that that they paid us off before the war in the prices which we paid them for transportation, owning, as they did, the ships in which our foreign trade was conveyed. Now, to the extent to which we own and will be able to control our own transportation there will be nothing due our foreign customers from us on account of freight charges.

Mr. WADSWORTH. What I had in mind was that the picture is not complete unless it is thoroughly understood, and I think it should be thoroughly understood that we are going to operate this merchant fleet of ours at a loss.

Mr. SIMMONS. I do not know how that is. I can not tell. I do not think the Senator knows; I do not think anybody knows; but I do not see that that has any pertinency to the point I was making. The Government may lose something in the operation of this merchant marine; I do not know; but the point I was making was that Great Britain and France and Italy before the war had us pay in freight charges, transportation charges, nearly one-half of the entire balance of trade in our favor. Then the interest upon the securities which were held against us by foreign countries liquidated another large part of that balance of trade in our favor, leaving but little actual cash that had to be sent over here to meet the balance due.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Florida?

Mr. SIMMONS. I do.

Mr. FLETCHER. I do not see why anyone need apprehend that our merchant ships would be operated at a loss to-day. It is perfectly well known that the world's tonnage is short from twelve to fifteen million tons, and it will take probably five years before the world can restore the tonnage which has been lost during the war; and at the rates as they have existed enormous fortunes were made in shipping. Even at lower rates than the war-time rates there is no reason why our ships should not be operated at a tremendous profit.

Mr. SIMMONS. Certainly that is true for many years to come; but that is not the point I was making, Mr. President. I was not discussing the question of whether or not we were going to make money on our merchant marine. I was discussing the question as it affects the payment by our foreign customers of the balance of trade that might at any time exist against them. I was arguing that before the war they did not have to pay off this balance in money, because they had other things to sell us—transportation, interest charges on securities, and things of that sort.

I was proceeding to make this point when interrupted by the Senator from New York; I was proceeding to say that whatever the present balance in our favor may be, whether it be $400,000,000 or $800,000,000 or $1,000,000,000—whatever the balance of the present year in our favor may be—there is no way for our foreign customers, especially our European customers, to discharge that debt at the present time except by the payment of actual cash.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New York?

Mr. SIMMONS. Yes.

Mr. WADSWORTH. I simply desire to say to the Senator from North Carolina that I gathered the impression, from the first remark he made on this phase of the subject, that he believed that our foreign trade would be relieved of the burden of paying freight to the foreign owners of merchant vessels. And when I hear the Senator from Florida indicate his belief that our merchant ships can be operated at a profit, and thereby not incur a burden upon our own commerce, I am prompted to inquire why it has already been suggested that a billion dollars be wiped off of the shipbuilding account in an endeavor to show a profit on the operation of the ships for the money invested?

Mr. SIMMONS. I shall not discuss that. I will not be led off into that subject. I wish to make just a few further observations. The point I was trying to express and that I have been prevented from expressing twice in succession is this: Whatever the balance of trade between this country and Europe may be this year or next year, while the present conditions last she has no way of paying that balance except in dollars. Now, a pound note of Great Britain is as sound as a gold dollar, but a pound note does not pass current in the markets of the United States. If Great Britain, with all of her credit, shall buy in this market, and if she does not sell us something by way of exchange with which to pay us, she can not pay us with pound notes. No country in Europe can pay us with its circulating paper currency. She must pay us in gold. That is the only way in which she can discharge that obligation.

Mr. President, the last section, which I was discussing, is for the purpose of giving to the Finance Corporation—not to give to the United States but to the Finance Corporation—power to sell its bonds and loan to the exporters of this country to the extent of a billion dollars in order to enable those exporters to supply the markets of Europe and of South America upon the basis of long credit.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New Jersey?

Mr. SIMMONS. I yield to the Senator.

Mr. FRELINGHUYSEN. I simply wanted to ask the Senator if he could give the Senate any idea of what the needs of the Government will be for the next three months, and whether it is necessary at the present time to have this seven and a half billion dollars in order to meet the obligations of the country?

Mr. SIMMONS. Yes, Mr. President. I do not know whether the Senator was here when I began or not; but I will say to the Senator that our expenditures will be about $19,000,000,000. We have already provided for six billions by taxes; we have sold seven billions of liberty bonds and one billion of war-savings certificates, making in all $14,000,000,000. That leaves $5,000,000,000 unprovided for. Of the certificates of indebtedness, we have issued about $5,000,000,000 up to the present time. It is contemplated, I am advised, that we will have to borrow about one billion four hundred millions for March. It is estimated that it will take about the same for April and May.

Mr. FRELINGHUYSEN. Each?

Mr. SIMMONS. Yes; for each month. So the Senator will see that the certificates of indebtedness can not carry us through.

Mr. FRELINGHUYSEN. What is the balance in the Treasury at the present time?

Mr. SIMMONS. I do not know what the balance is at this particular time.

Mr. SMOOT. The balance yesterday was $1,487,000,000.

Mr. FRELINGHUYSEN. What will be needed for the interest on the outstanding bonds?

Mr. SIMMONS. That is a matter of calculation that I have not made. The interest is to be paid at different dates, and I suppose a part of the interest has already been paid.

I can not answer the Senator. I do not know exactly when the interest falls due; but this nineteen billions of dollars includes the interest charges. That is the entire expenses of the United States, including ordinary and extraordinary expenditures.

Mr. FRELINGHUYSEN. What I am trying to get at is this: At the present time the Government needs money. This bill provides for seven billions of dollars. I want to know how much it is necessary for the Government to have in the next three months to meet its immediate needs. With one billion four hundred millions in the Treasury and obligations of practically a billion and a quarter for interest, there are only one hundred and fifty millions available. As I understand, there are about $3,000,000,000 of informal war contracts to be provided for. There are other expenditures as well. I should like very much to know what the immediate needs of the Government are, and I ask the chairman of the Finance Committee if he can tell me?

Mr. SIMMONS. I have stated to the Senator that the Government has obligations amounting to nineteen billions of dollars. I have stated that it has fourteen billions of dollars with which to pay them, and that it will take five billions more to carry it through this fiscal year. The last month our expenses

were very low compared with what they had been in previous months. Nobody can tell exactly what they are going to be during the next three or four months. The Treasury, as I stated to the Senator awhile ago, estimates that $1,400,000,000 will be about the expenditures for each of the months of March, April, and May.

Mr. PENROSE. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Pennsylvania?

Mr. SIMMONS. I yield to the Senator.

Mr. PENROSE. Does the Senator include in that estimate the $5,000,000 carried in a bill introduced by Representative SHERLEY yesterday, to appropriate a lump sum for the use of the President in providing for the expenses of the peace conference?

Mr. SIMMONS. Does the Senator mean in the deficiency bill?

Mr. PENROSE. No; a separate bill, prepared by the State Department, and disclosed to the light of day yesterday.

Mr. SIMMONS. If it was only disclosed yesterday, of course, the Treasury could not possibly have included it in an estimate made a week or 10 days ago. I had not heard of it before.

Mr. PENROSE. I am surprised that the Senator has not heard of it.

Mr. SIMMONS. When did the Senator from Pennsylvania first hear of it?

Mr. PENROSE. I learned of it as soon as the bill was introduced.

Mr. SIMMONS. When was that?

Mr. PENROSE. Yesterday.

Mr. SIMMONS. I understood the Senator to say it was yesterday.

Mr. PENROSE. The bill was introduced yesterday.

Mr. SIMMONS. I am surprised that the Senator from Pennsylvania did not know of it before yesterday.

Mr. PENROSE. I am not in the confidence of the State Department, and I had no means of knowing until it was published.

Mr. SIMMONS. I am not any more in the confidence of the State Department than the Senator from Pennsylvania is; but that is neither here nor there.

Mr. PENROSE. I was curious to know whether it was included in the estimate.

Mr. FRELINGHUYSEN. I should like to ask the chairman of the Finance Committee about this billion dollars for the War Finance Corporation. He says it is to take care of the export situation. Does it provide that we shall pay for the goods we import from foreign countries?

Mr. SIMMONS. Certainly not. It has no relation to imports from foreign countries at all.

Mr. FRELINGHUYSEN. Or is it the exports that we make to France and Belgium?

Mr. SIMMONS. It is the exports altogether. It has no relation to anything except financing export operations—the producers, the manufacturers, and the exporters of this country. If the Senator will permit me, it simply provides that this corporation can loan money to an exporter upon his promissory note to the extent of the value of the product exported, upon good and sufficient security, provided it shall be made to appear that on account of financial conditions he can not secure accommodations through the regular banking channels.

Mr. FRELINGHUYSEN. Can the Senator state what countries it is expected that this corporation will assist?

Mr. SIMMONS. Only domestic exporters. It does not make any difference to what country they are exporting American goods.

Mr. FRELINGHUYSEN. How is the billion dollars arrived at?

Mr. SIMMONS. Of course, that was arrived at just by estimating how the money devoted to accommodations that could be obtained in the regular banking channels would be secured to relieve the pressing needs of our business.

I will say to the Senator that long-time paper is needed for a certain class of our trade; for instance, with South America and Central America. One of the great difficulties we have had in getting and holding that trade has been caused by the short-time credits customary with our system of banking and in the consequent difficulty in extending them the long-time credit which their conditions require. Foreign countries like Germany and France and other countries that deal with them have a more liberal banking system than we have.

We are giving to our exporters these loans on long time to enable them to meet that situation in South America in order that they may give their customers there longer time. Then when we get over in Europe we must have a still longer time, running from two to five years. One year would answer the requirements of the South American markets, but one year would not answer the requirements of the European markets at this time, especially in devasted countries like France and Belgium. They require a longer time. Unless they can get time, say two or three years, to get on their feet, to get their factories built, to get their machinery installed, to begin to produce in order that they may raise money, they can not pay. By means of the pending bill our exporters will be put in a position whereby they can give the creditors who require this longer time the benefit of the long-time credit that they get over here. It is believed that that will be very conducive to the extension and the expansion of our trade with our allies.

Mr. FRELINGHUYSEN. I thank the Senator. May I in connection with the statement made by the Senator read into the RECORD some comparisons regarding the gross debt of the allies at the beginning of the war and at the end of the war?

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. LODGE. Mr. President, I desire to say only a few words in regard to the bill, against which I voted in committee. The bill provides for a loan of $7,000,000,000, and the loan is put in the form of notes, although they will be notes with five years to run, in order to put them beyond the right of conversion given to other bonds, and also to enable the Secretary of the Treasury to fix the interest upon them, something which has never been done before with an obligation which had so many years before reaching maturity.

It has been the universal practice in regard to bonds for the Congress to fix the rate of interest. Here that great power is conferred on the Secretary of the Treasury, and the only reason given for it is that between now and the 21st of April rates of money may be lower than at present, and we shall be able to borrow at better rates than if we fix the rates now. That, of course, is a mere gambler's chance, and it may just as well work the other way as the way in which the Secretary of the Treasury hopes it will work.

I do not think this power ought to be given to the Secretary of the Treasury in regard to these notes. I think Congress ought to keep within its own hands, as it always has, any serious loan for any considerable length of time and fix the rate.

There are four kinds of notes provided for. The first are notes with the same exemption as the 3½ per cent bonds. The second are a class with the same exemption as the 4¼ per cent bonds. The third is a class of bonds to which is extended the privilege given in the fourth liberty loan of a certain exemption in proportion to the subscription. The fourth, it seems to me, is a wholly pointless and useless class. It is to have a note which shall have the same exceptions to exemption as the 4¼ per cent bonds, with the addition that they shall not be exempt from any income tax, the 4¼ per cent bonds being exempt from the normal tax, and this adds the normal tax. We know the price of the 4¼'s and that fourth clause would require no doubt a very high rate of interest. I can see no purpose in putting it in.

I think these notes should be divided into only two classes, the third class, of course, merely carrying on the privilege now given to the bonds of the fourth liberty loan, but the fourth class should be stricken out and the first two classes retained.

The Secretary of the Treasury not only has the power to fix the rate of interest; he also has the power to determine how many bonds shall be issued under each of these various classes. These appear to me to be enormous powers to be conferred, and wholly needless.

It was moved in the committee to strike out in the fourth and fifth lines the words "as the Secretary of the Treasury may" and insert in lieu thereof "as prescribed herein," and then to fix the rate for the first class of notes at 3½ per cent with complete exemption, and the second class at 4¼ per cent with the exemptions of the 4¼ per cent bonds, which I believe could be placed. I am sure if we took out the only tax left on the three-and-a-halfs, the estate or inheritance taxes, they could cover the whole loan with low-rate notes.

Mr. SIMMONS. Will the Senator please repeat his statement? I did not quite catch it at the moment.

Mr. LODGE. To fix the rate for the first class of bonds at 3½ per cent and for the second class at 4¼ per cent, and I should prefer to see the three-and-a-halfs made clear of all taxes. I believes, as I was just saying, that the entire loan could be taken at that figure. Those amendments at the proper time I shall move.

The objection to that was that these three-and-a-halfs exempt from taxation would be taken up very rapidly by great

capitalists who would thereby take the exemption; but, after all, the first purpose of the loan is to get money. If they could get the money, they would save enough on the interest to more than make up the taxes from which the millionaire would be exempted.

There is no need whatever really of passing this bond bill now. It would be much better to pass it, as bond bills usually are, just on the eve of the issue with the rate fixed by Congress. But there seemed to be an impression in the Treasury Department that when this Congress adjourns there will never be another. I am convinced there will be another, and that it will be perfectly able to attend to it.

That, Mr. President, is all I desire to say in regard to the bill. I merely wished to express the reasons for my opposition. I think I may add that the policy of giving a fund to the Finance Corporation in order to enable that corporation to extend credit in the export trade seems to me desirable, but I think too much has been appropriated.

I think $500,000,000 would be ample for the purpose.

The Senator from Pennsylvania [Mr. PENROSE] moved that amendment in the committee, and it was voted down, as were all amendments. I trust he will renew it here, for that amendment, as well as those I have suggested, I think ought to be voted upon by the Senate.

Mr. SMOOT. Mr. President, as is usually the case when there is an extraordinary legislation to pass through Congress, this administration withholds it until the closing days of a session of a Congress, and then representatives of the administration come to Congress and claim that the legislation is of vital interest to the Government, and if it does not pass immediately there is no telling what is going to happen to the country. This bill could not pass Congress in the form in which it is presented here if it were not in the closing days of the session. I recognize, Mr. President, that no amendment is to be allowed upon the bill. It is to pass just as it has been reported to the Senate, without the crossing of a "t" or the dotting of an "i" or the changing of a word.

The Secretary of the Treasury by the bill is authorized to sell these notes, so called, at not less than par and at a rate of interest that he shall determine upon. No such power as that has ever been granted to a Secretary of the Treasury in this country or in any other country in the world, and the only excuse that is offered for it, Mr. President, is that if we name the rate of interest in the pending bill the psychology of the situation would be such that the people would demand a higher rate at the time the sale is made than they would if the rate is withheld until one week before the bond-sale drive begins.

That reminds me that in the beginning of the year 1914, before the war broke out, the business conditions of this country were upon the toboggan. The balance of trade against our country was leaping by millions of dollars every month. Business was almost at a standstill, and everybody knew that under normal conditions there was financial trouble ahead for this country. We were told by the President that it was only a psychological condition; that the people were only thinking hard times; that it was not so; they were only thinking so.

Mr. SMITH of Michigan. A Democratic psychology.

Mr. SMOOT. And now we are told, Mr. President, that if we will preach the principle of Wilsonian psychology you can fool the people of the United States into buying bonds at a low rate of interest. We are giving the Secretary of the Treasury the power to name the rate rather than to have Congress to do its duty and say what the rate shall be, and let the people know at the time of the passage of the law what the rate is to be. Can you tell me how it is going to make a particle of difference with the purchaser of a bond or note, so called, anywhere in the United States whether the rate of interest is named in the law or whether it is named by the Secretary of the Treasury in five weeks from now? No, Mr. President; it is the same old policy, "Give me more power"; and this is about the only power that could be thought of that had not already been granted.

Mr. CUMMINS. I should like to know from the Senator from Utah, for my own information, whether the bill gives to the Secretary of the Treasury the right to declare to what extent, if any, these bonds shall be exempt from taxation?

Mr. SMOOT. If the Senator will look at the bill, on pages 2 and 3, he will find that the Secretary of the Treasury has the power to designate the amount of each one of the classes of notes named, and that there are four classes of notes. He has the power to say they shall all be of one class up to $7,000,000,000, or they can be divided equally into four classes, or in any way that he may decide.

Mr. President, when the revenue bill was under consideration I made a statement upon this floor that the expenditures necessary for the Government of the United States for the fiscal year ending June 30, 1919, would be not $18,000,000,000, as stated by Secretary McAdoo, but, at the very least, they would be $20,000,000,000. I was taken to task by some officials of the Treasury Department, who stated that I was trying to excite the people of America, and that it was an unwise and exaggerated statement. I notice, Mr. President, in the hearing before the Committee on Finance, which was held the other day, that Mr. Leffingwell, the Assistant Secretary of the Treasury, in discussing this question, makes the following statement:

> The position that the Treasury found itself in at the termination of hostilities was a very difficult one, and it seemed important at once to make some sort of a rough estimate of the problems before us. Secretary McAdoo immediately indicated to you his impression, in view of the armistice, that the expenditures for this fiscal year ending June 30, would be in the neighborhood of $18,000,000,000. I remember that at the time Senator SMOOT said that it would be nearer $20,000,000,000, and it may be that he was right. The expenditures ran at nearly $2,000,000,000 a month in November, December, and January last.

There is no question that our expenses are going to be $20,000,000,000, not taking into consideration a number of important appropriations which have been requested, but have not yet passed Congress.

Mr. President, I believe that the proper way to treat the American people is to tell them what they have got to meet. Let them know the obligations that the Government is under, and tell them just how they have got to meet them and when. If that course is followed, you will have the confidence of the American people, and they will rally to the support of the Government, as they have in the past; but it is just this method of legislating which, if continued much longer, is going to raise a distrust in the minds of the people so that it will be very hard, indeed, to raise the necessary money for the Government.

What we know already of the expenses of the Government and what we know will have to be met by June 30, 1920, will leave an interest-bearing debt of the Government of the United States of at least $33,000,000,000. I am not making statements merely for the purpose of making them. So that I may be judged in the future by what I say to-night I want to put into the RECORD, and I will say here now that not only will those expenses reach the figures to be named by me, but I am afraid that the amount of those expenses will be a billion or two billion dollars more.

We know, Mr. President, that the expenditures from July 1, 1918, to January 31, 1919, in round numbers, were $12,500,000,000. I am not going to give the exact dollars and cents, but I can do it if desired. We know that the expenditures, in round numbers, from February of this year—not taking into consideration the unpaid contracts of over $2,000,000,000, which, if paid out, would add to these figures—the expenditures for February were $1,250,000,000; for March, April, May, and June, they will be $6,000,000,000, or a total of $19,750,000,000.

Mr. President, these figures include expenditures made and to be made, which we know have got to be met, not including the appropriations which I might name here that would greatly increase the aggregate.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. I yield.

Mr. KENYON. What is the Senator's estimate of the expenditures for the next fiscal year?

Mr. SMOOT. The expenditures for the next fiscal year, I will say to the Senator from Iowa, will be over $10,000,000,000.

Mr. KENYON. Does that include the Oklawaha River also? [Laughter.]

Mr. SMOOT. I really did not figure in the Oklawaha River, but I want to say of that river that the future appropriations for it no human being can tell.

Mr. President, the expenditures of the Government from February to June, at the very lowest estimate, will be $7,250,000,000. We are to receive by way of interest on foreign loans, from revenue, and from miscellaneous items $3,000,000,000, making a net increase up to June 30, 1919, of $4,250,000,000.

The debt owed by the Government on the 31st day of January, 1919, in round numbers, was $23,250,000,000, making a total debt on June 30, 1919, of $27,500,000,000. As to the debt increase for the coming year there is no question that it will be $5,000,000,000 more. There is no question but that the Treasury will have to come to Congress and ask for an increase of bonds or obligations of the Government of some sort before the revenues of the Government will be sufficient to pay the annual expenses of the Government. In other words, there is no doubt that the total obligations of the Government will be $33,000,000,000, and I believe, Mr. President, before we get through with it, it will be even more than that, although I must admit that the salvage that will be received from sale of war material will go toward reducing the amount which I have named.

Mr. COLT rose.

Mr. SMOOT. I yield to the Senator from Rhode Island.

Mr. COLT. I am much interested in the statement of the Senator, because he is so accurate in regard to the information which he gives us upon financial matters. I simply want to ask him if these estimates include the amount of loans to foreign nations?

Mr. SMOOT. They do include that amount, and I was coming to that, I will say to the Senator.

Mr. COLT. I thank the Senator. I should like to get, if the Senator can give it, the net amount of that debt.

Mr. SMOOT. In answer to the Senator, I will say that these estimates do include the amount of obligations of foreign governments to the United States. Those obligations to-day, in round numbers, are $8,500,000,000. There is no question but that indebtedness is going to increase. We can not help it if we are going to deal with certain foreign countries.

In this bill we provide a billion dollars as a revolving fund, to be used by the War Finance Corporation for the purpose of stimulating our trade with foreign nations. But, Mr. President, the real reason of it is that, if we continue to trade with foreign countries, we must provide some way to take care of the balance exchange between our country and those foreign countries. So long as our exports to a country exceed our imports there must be some arrangement made to maintain the exchange between the two countries. That is why we have been lending money to foreign countries. On a previous occasion, on the floor of the Senate, when asked how much money we were going to lend to foreign countries, I said, "Just the amount of money that the trade balance is in our favor," and that is what we have advanced. And as this trade balance in our favor continues, if it does continue, we have got to make advances or loans in order to take care of the balance of trade. There is not gold enough in the world to pay us the balances due for a few years past. That is impossible. Why did the United States go to Spain and make a loan a little while ago? Because we have purchased and imported more goods from Spain than we have sold to Spain. Spain furnished our Army with great quantities of goods, amounting to more than our exportations to that country. We had not the gold to send them, or rather we had it but we were not willing to part with it. Therefore we made the loan in order to balance our account with Spain and stabilize exchange. So as long as we are a creditor Nation and as long as our exports to any country are greater than our imports from that country arrangements must be made, either by advancing them the money or by their making a loan in some other country, to pay the balance.

Mr. President, I do not think there is any need of going into the details of this bill. In ordinary times we could offer amendments, as suggested by the Senator from Massachusetts and other Senators, which we know would improve this bill; but what is the use of talking about or offering them when we know what is before us?

It was questioned whether it was or was not a good thing to call the proposed obligations of the Government "notes" or "bonds." In one of the acts passed by Congress we did define the meaning of "note," namely, that when an obligation of the Government ran for longer than a five-year period it was to be a bond; less than that length of time, a note. That was done on account of the short-time certificates or other obligations that we might temporarily issue. The real reason, however, for using the word "note" instead of "bond"—and yet they are exactly the same thing so far as results are concerned—was that if we were to use the word "bond," and the Secretary of the Treasury, through the power which is to be granted him by this bill, should conclude that under one of the classifications he would make the rate of interest 5 per cent, all other bonds issued by the Government of the United States would bear 5 per cent, as well as the loans to all foreign countries, as provided in their contract with our Government. There is no doubt about that.

We will save interest in this way; and I am going to support anything that will save interest to the Government of the United States, for I wish to say to the Senate now and to the country that for the next 25 years the appropriations that will be necessary in order to pay the expenses of the Government, including interest upon the obligations of the Government, and provide for a sinking fund that must be provided for, will amount, on the average, to at least $3,000,000,000 each year for that whole length of time. We provide in this bill a sinking fund of 2½ per cent on the total obligations of the Government, less the obligations owed to us by foreign countries.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I yield.

Mr. CALDER. How long a time does the Senator think it will take to pay these bonds?

Mr. SMOOT. Mr. President, under the provisions of this bill, with a 2½ per cent sinking fund, it will take 24 years to pay the bonded indebtedness of the Government. I will tell the Senator how that is worked out. Grant that the foreign obligations to this Government amount to $10,000,000,000 and that our bonded indebtedness amounts in all to $30,000,000,000. The difference would be $20,000,000,000; and 2½ per cent on $20,000,000,000 amounts to $500,000,000 a year. Five hundred million dollars collected for 24 years, and, as it is collected, used to purchase bonds of the Government, and the interest on those bonds, reinvested, so that at the end of, I think, 23 years and 11 months the debt will be paid. That is the object of the sinking-fund provision.

Mr. President, the $500,000,000 would be a permanent sinking fund, to be paid by the people of the United States every year for 24 years; and, besides that, the interest of 4¼ per cent must be paid upon our bonded debt. Granting that there is $20,000,000,000 difference between the obligations of foreign countries held by our Government and our bonded debt, the interest at the rate of 4¼ per cent would amount to $425,000,000 more for an average of 10 years, making the interest and the sinking fund alone amount to $925,000,000.

Mr. CALDER. That is an obligation that the country must meet?

Mr. SMOOT. That is an obligation the country must meet.

Mr. CALDER. In addition to the cost of running the Government?

Mr. SMOOT. In addition to the cost of running the Government. We can not get away from it. It is impossible to do so.

Mr. President, I believe in a sinking fund. I think we ought to begin, just as soon as it is possible, to create that fund. But I believe, Mr. President, the best way to raise a sinking fund would be to impose a 1 per cent tax upon sales. Nobody would feel it. The American people would pay no more for their goods, and the money would be collected regularly, placed in the sinking fund, not $500,000,000 per annum, but $1,250,000,000, and we would pay our debt that much quicker and do no harm to the business interests of this country, and I do not believe the American people would have to pay more for their goods than they would without the small tax.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I yield.

Mr. CALDER. I think the Senator's suggestion is an excellent one. I advocated it in a speech I made here when the revenue bill of a year ago was under consideration, and I regret exceedingly that some provision of the character referred to by the Senator was not incorporated in the bill this year. I agree with him that there would be little difference in the cost of the things the people buy if the plan he suggests were adopted.

I should like to ask the Senator if he has ever given any thought to the proposition of extending the payment of these bonds over a period of longer than 24 years—say, 40 years. Would that be too long?

Mr. SMOOT. I think that is too long a time, Mr. President. If we are going to make a sinking fund, I think we ought to make a sinking fund so that it would pay the indebtedness within 25 years.

Mr. CALDER. My idea was to spread the payment over a longer period, so as not to ask the people of this generation to make the entire sacrifice.

Mr. SMOOT. I should say to the Senator that we could provide a plan like this: Have a sinking fund of 2½ per cent upon the amount of our bonds each year, and with a sinking fund of 2½ per cent on the twenty billions the next year it would be nineteen billions five hundred millions, and the next year nineteen billions; and if we followed that system it would take just 40 years and about 2 months to pay it off.

Mr. THOMAS. Mr. President.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. I yield.

Mr. THOMAS. I should like to ask the Senator if he really thinks this bond issue is going to be paid in 40 years?

Mr. SMOOT. I am afraid not, Mr. President.

Mr. THOMAS. Does the Senator think it will be paid in 400 years?

Mr. SMOOT. That is so long ahead, Mr. President, that I hate to express an opinion.

Mr. THOMAS. Of course the Senator knows that Great Britain is paying interest upon debts which were contracted for

carrying on the war against the Colonies in the days of the Revolution. They will never be paid.

Mr. SMOOT. I will say to the Senator that if the debt is paid there will be other debts created. Mr. President, this world war, so called, is not the last war we are going to have, nor is it the greatest war that will occur in this world. I do not want to be led off into a discussion now upon this question, but I feel just as confident as that I live that wars will continue in the world until selfishness and greed are eliminated from man's nature.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. I yield to the Senator.

Mr. GRONNA. I understood the chairman of the Finance Committee to say that the reason why the rate of interest was not specified on these so-called notes was that they were to be short-time notes. If it is true—and I am afraid that it will prove to be true, as the Senator from Colorado has stated—this debt will not be paid for a great number of years, is not that a very good reason why the rate of interest ought to be specified, that it should not be left to any department to insert any kind of a rate? Would it not be better even to sell these notes below par than to allow a large interest rate? Perhaps I am mistaken.

Mr. SMOOT. The Senator is not mistaken. Not only that but what would the Senator as a banker say if the board of directors of a bank should say to the cashier, "Well, now, for some psychological reason we are not going to pass upon what the rates of interest shall be upon our loans, but we are going to give you the right and the power to name the rate of interest and the kind of a note or obligation. If it is your friend, you can make a low rate of interest; you can do as you please"? How long would a bank last doing that kind of business?

I want to say to you that the Government of the United States never ought to put that power in any man's hands, I do no care how honest he may be; I do not care how patriotic he may be. Congress is the power to name the rates; Congress is responsible for the results; Congress has to raise the revenue to pay the interest and that power ought never to be released by Congress.

Mr. GRONNA. Mr. President, it would seem to me to be a very unsafe method of doing business; but, if it does not disturb the Senator, I want to ask another question. There seems to be a difference between the estimate made by the Senator from Utah and the estimate made by the Senator from North Carolina, the chairman of the Finance Committee. The chairman of the committee seems to think that the amount required for the next year will be $19,000,000,000.

Mr. SIMMONS. That is for this year.

Mr. GRONNA. The Senator from Utah has figures showing $20,000,000,000. Just for my own information, and for the information of those who read the RECORD, is it possible that the Senator from Utah has figured in unearned interest, and that the Senator from North Carolina has not figured in that unearned interest?

Mr. SMOOT. I can not say on what the Senator from North Carolina figured——

Mr. SIMMONS. The Senator from North Carolina did not state his own opinion about it. The Senator from North Carolina simply said that the Treasury Department now estimates that the expenses for this fiscal year, not next year, will amount to about $19,000,000,000.

Mr. SMOOT. The Senate will find it in the hearings before the committee. It was stated by the Assistant Secretary of the Treasury, Mr. Leffingwell—and I want to say, in passing, that he knows more about the affairs of the Treasury Department than any man in it.

Mr. SIMMONS. I would not go that far, but I would say that Mr. Leffingwell's knowledge of the finances of this Government is very full and very thorough.

Mr. SMOOT. I have no hesitation in making the statement that I did.

Mr. GRONNA. I have a great deal of confidence in the Senator from North Carolina, and the Senator from Utah knows that I have the utmost confidence in the accuracy of his figures; and I think it is very important that the country should know, as nearly as possible, what these staggering amounts are, because we must prepare to meet them. The Senator from Utah referred to the amount of obligation, of debt. I assume he meant when he said that there were $33,000,000,000, including loans to the allies, that that is an interest-bearing debt. Of course, there are millions and hundreds of millions more, and we do not know what they are going to be, because there are still outstanding, I assume, perhaps billions of dollars' worth of contracts which have not been completed, and what that will amount to no one can tell. Did the Senator mean that the $33,000,000,000 included only the interest-bearing obligations?

Mr. SMOOT. They will all be interest-bearing obligations; but, to be frank with the Senator, I wish to say that that amount will include the estimated amount of contracts that we know are unsettled. That will be the total of the interest-bearing obligations of the Government if we are careful in making appropriations; but just think of what is coming to the Senate to be passed by next Tuesday at 12 o'clock. A deficiency bill of some $800,000,000, to take care of an item that we repealed the other day, based upon the estimate of the War Department, and within 10 days after the estimate was given and the passage of the law we were told that there was a mistake made of over $800,000,000! I know it does not amount to much, but it will amount to a great deal to the American people when they are called upon to pay it. There is $750,000,000 for the railroads, and a billion dollars in this bill for export business.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I yield.

Mr. WADSWORTH. Is this $750,000,000 for the railroads another one of those revolving funds?

Mr. SMOOT. Mr. President, it is supposed to be a revolving fund, but it does not revolve many times until it is almost gone.

Mr. SMITH of Michigan. I think it is a dissolving fund.

Mr. WADSWORTH. You mean you go in with a full satchel and come out with it empty?

Mr. SMITH of Michigan. Yes.

Mr. SMOOT. That was the experience with the first $500,000,000 we provided. I want to say to the Senator from North Dakota, however, that a part of that $500,000,000 the Government will get back, and there will be a part of this $750,000,000 that the Government will get back. The Railroad Administration, Mr. President, claim that there is an actual loss of $196,000,000 out of that $500,000,000, providing all the advances made to the railroads for improvements of the roads, and so forth, are paid back into the Treasury of the United States; but I know, Mr. President, that the accounts of many of the railroads of this country are four months overdue. The creditors of these railroads are carrying millions of dollars. I do not know how soon they will be paid, but when they are paid the $196,000,000 so-called loss will be increased. If it does not increase the $196,000,000 for the year 1918, it will increase the loss for the coming year by just the amount of the accounts unpaid. If I wanted to, Mr. President, I could go into the details of the instructions that have been given about settling railroad accounts and show why they have not been paid.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. I yield to the Senator.

Mr. SIMMONS. I understood the Senator a little while ago to say that there was a billion dollars authorized to be loaned to exporters of this country, and to include that billion dollars among the Treasury liabilities.

Mr. SMOOT. Oh, no, Mr. President; the Senator misunderstood me.

Mr. SIMMONS. The Senator undoubtedly said that "here is this billion dollars that we have authorized to be loaned to the exporters for export business."

Mr. SMOOT. Does the Senator say the War Finance Corporation will not have to get the money from some source?

Mr. SIMMONS. The Senator does say that the Government will not borrow the money; that it is not a Treasury liability at all.

Mr. SMOOT. Oh, well, Mr. President, why try to evade a question?

Mr. SIMMONS. Mr. President, I am not trying to evade any question.

Mr. SMOOT. Why try to evade a question, Mr. President? The War Finance Corporation will more than likely advance this money upon the credit of the firms to which the goods are shipped. It is not the Government of Great Britain that is going to give security for goods imported; it is the man who receives the goods and purchases from the exporter of this country. But before the War Finance Corporation will advance any money it will require securities, and I think they will demand good securities. They take those securities to a bank, the bank advances the money upon the securities, through the War Finance Corporation, and then the bank borrows upon those securities from the Federal reserve bank. That is why Federal reserve notes have increased by the hundreds of millions of dollars, and they are not up to the limit yet. I think now there are about

$2,500,000,000. I had the figures just the other day as to the exact amount.

Mr. HITCHCOCK. No; the amount has been reduced lately.

Mr. SMOOT. I can tell the Senator in just a minute the exact amount.

Mr. SIMMONS. Mr. President, will the Senator permit me to interrupt him?

Mr. SMOOT. Yes.

Mr. SIMMONS. The Senator from Utah knows perfectly well that we are not making, nor will we ever be called upon to make, an appropriation out of the Treasury to pay this money which we authorize the Finance Corporation to loan to the exporters of this country. The Finance Corporation is authorized to issue three billions of its bonds; and it is authorized, when it has issued those bonds, sold them in the market, and gotten money on them, to loan $1,000,000,000 of that money to the domestic exporters of this country and take security for repayment of that money; so that it is not an obligation of the people at all. It is an obligation of the War Finance Corporation, and it is an obligation for which they take from the parties to whom they loan it such securities as a bank doing an ordinary business in this country would require of its customers.

Mr. SMOOT. If what the Senator says is true, I say that it makes no difference whether I take money out of my right-hand pocket or whether I take it out of my left-hand pocket. The money has to be raised in some way or other.

Mr. SIMMONS. If that is a liability of the Government, and if the position of the Senator is correct—that because the money has to be raised somewhere, therefore it is a burden upon the Government—every loan by a bank in this country which has to sell its stock to get money, which has to borrow money to loan to somebody else, is likewise an obligation of the Government.

Mr. HITCHCOCK. The Senator gave some figures a few moments ago of the indebtedness of the United States. Did he include in that statement of indebtedness the amount of Federal reserve bank notes outstanding?

Mr. SMOOT. Certainly not.

Mr. HITCHCOCK. Then why does he refer to them now as an obligation of the United States?

Mr. SMOOT. Just the same as I would refer to the obligation if it were a bank.

Mr. HITCHCOCK. I repeat my question. Did the Senator include in the statement of the indebtedness of the United States the Federal reserve bank notes outstanding? He says no, and yet he now claims to the Senator from North Carolina [Mr. SIMMONS] that these Federal reserve bank notes issued to this corporation are to be included in the obligations of the United States.

Mr. SMOOT. This is what I stated, Mr. President: I said they are interest-bearing obligations of the Government; are certificates of indebtedness and war-savings stamps all drawing interest. That is what I called at the time the interest-bearing obligation of the Government. Why, Mr. President, all you have to do is to pick up the daily statement of the Treasury Department and you will find whether or not they are obligations.

Mr. GRONNA. Mr. President, I agree with the Senator from Utah that these notes must be obligations. If they are not, the old theory that the more notes we print the richer we get is true. I never believed that to be the case.

Mr. SMOOT. It never would work out in practice.

Mr. GRONNA. For that reason I asked the Senator from Utah, because I consider him an authority, if the $33,000,000,000 to which he referred was an interest-bearing debt. No man, I think, will deny that the notes which the Senator from Utah has referred to are obligations of the Government. I think we must all acknowledge that, and I want to distinguish between the two.

Mr. SMOOT. Mr. President, the Senator from New Jersey [Mr. FRELINGHUYSEN] asked the Senator from North Dakota [Mr. GRONNA] what is the amount of money in the Treasury of the United States and whether we have bonds authorized that could be sold by the Secretary of the Treasury and anticipated receipts from other sources that could take care of the expenses of the Government up to June 30. Of course, I could not follow the Senator from North Carolina in his answer, but I want to say that in round numbers we have $1,500,000,000 in the Treasury. On March 15 we will receive from taxation under the revenue law $1,500,000,000 more. That would make a total of $3,000,000,000. We have certificates of indebtedness unsold, if this bond bill did not pass, of about $4,000,000,000. That would be $7,000,000,000. Then we have $5,000,000,000 of bonds authorized which I do not claim should be sold at this time. In fact, I think they could not be sold under the terms of the law which says that they shall not be sold for less than par. It is doubtful whether this can be done. The patriotism of the people was appealed to in all our four liberty bond drives at a time when our country was engaged in active war, but that condition does not exist to-day.

This bill ought to be amended in many particulars. I will predict now that no such measure will pass the Congress in the future. The time is past when the war cry can be used to pass autocratic legislation. That time is past and from now on reasons must be given before action will be allowed.

Mr. PENROSE. Mr. President, I do not intend to detain the Senate at this late hour. There is no use in discussing the bill, in my opinion. It is evident that it is to be put through at the point of the bayonet, and I am powerless to prevent it. If I had my way, I would gladly see it taken up in a deliberate way at an extra session of Congress and discussed as its magnitude justifies and passed, as has always been the case with similar pieces of legislation, on the eve of the loan drive. But, in order to avoid an extra session until the last moment, the administration and the majority in control in this Chamber have determined to pass this bill.

In view of that determination, it became necessary for them to insert the extraordinary provision in the bill that the Secretary of the Treasury should have the arbitrary discretion to fix the rate of interest on these bonds, for they are for all practical purposes bond issues. They are called notes simply as a change of name to prevent the conversion privilege of the previous issues and to give some colorable excuse for conferring upon the Secretary of the Treasury this unusual power.

Never before in the history of the American Republic has Congress abdicated its power in this respect and conferred on the head of the Treasury Department an authority of this character. We have been so accustomed to granting these extraordinary powers during the war period that it seems we are not shocked when they are continued when peace is practically prevailing. But I, for one, Mr. President, have cast my last vote in favor of giving these autocratic and extraordinary powers to the executive department. On this occasion I shall vote against this measure when it comes up for final passage.

Largely for this reason the minority members of the Finance Committee voted against the bill in the committee when the question of its final report came up. Many meritorious amendments were offered to the measure in committee. They were all voted down by a strictly party vote, notwithstanding the fact that some members of the majority confessed that the amendments should be adopted, but they were unwilling to change the bill in any particular at this late day of the session.

This measure, Mr. President, was not presented to Congress until well into February. It has not been before Congress or before the American people much over two weeks. Yet we are called upon to take it without any accurate estimate of the Government expenses, and with this radical departure from the constitutional practice of Congress and the Government through the whole life of the Republic. February 22 this bill first saw life, and it is being put through here without the possibility of discussion, hardly with an opportunity to the minority members of the Finance Committee to study the questions involved, and with the fact staring us in the face that doubtless a motion to lay on the table every amendment which may be offered will be made.

Under these circumstances, Mr. President, I shall feel justified in voting against the bill. I have no confidence in the estimates made by the Treasury Department. They soar continually. They have estimated $18,000,000,000 or $19,000,000,000 one day, and hardly has another day rolled around when one or two more billion dollars of expenditures are disclosed. If this keeps on, Mr. President, instead of having a debt of $35,000,000,000, we have in sight a debt of $40,000,000,000, and it is not unlikely to go up toward the $50,000,000,000 mark. I do not recall a single occasion when the Secretary of the Treasury presented himself to the Finance Committee that within three weeks he did not come back with supplemental estimates, varying not in millions or hundreds of millions of dollars but by several billion dollars. Hardly had the Finance Committee passed upon this bill when it was discovered in the House of Representatives that a little mistake of nearly $900,000,000 had been made in the estimates of the War Department. I think the statement of Mr. SHERLEY in defending this measure is one of the most remarkable that was ever delivered in the American Congress. He said:

> It turns out that the Quartermaster Department has discovered, according to the present belief, that they tremendously underestimated the amount of outstanding obligations that existed against the Government. That apparently grew out of the fact that there were any number of obligations made by officers out over the country that had not

been put upon the books here in Washington so as to be taken into account by the Division of Finance in connection with the matter; and they have also had very much heavier demands from overseas, due apparently to two causes, one the slower demobilization of the troops and the other the fact that over there apparently they did not have any accurate information in regard to the extent of their liabilities. The House will very properly ask, as I asked, what assurance in the face of these facts we can have in regard to the figures that have been furnished by the War Department touching liabilities. I do not know that any satisfactory answer can be made to that inquiry.

* * * * * * *

They have presented their best information to date, and all the committee could do under the circumstances was to take these figures as a revision of the former figures. Of course, this ought to be said, that necessarily there is a good deal of doubt, bound to be, and some speculation as to the exact amounts in connection with activities as huge as the War Department engaged in. I think they ought not to have made any such error as this, and I think that the system ought to have been such as to have had brought on the books here a more full statement of their actual liabilities, but it apparently is a fact. Of the total appropriations at the disposal of the War Department this error represents less than 4 per cent.

This amount, Mr. President, compels Mr. SHERLEY to ask for an appropriation of $829,000,000, an oversight of the War Department discovered three days ago. How is any bond bill or any tax bill going to meet the requirements of blunders and errors of that kind?

The day before Mr. SHERLEY made this announcement the Secretary of the Interior comes to the House of Representatives and gets reported favorably from the Committee on Agriculture a bill to appropriate $100,000,000 to promote the reclamation of land and encourage the rural settlement of soldiers, sailors, and marines, and to induce them to settle in the Dismal Swamp and other attractive localities. He has the effrontery to proceed to state that ultimately $4,000,000,000 ought to be appropriated for this work, and in the facile way in which we are spending money I have no doubt he will get, in some form or other, the $4,000,000,000 before this administration is through.

This is one of the most ridiculous and chimerical projects ever presented to Congress. As the Senator from North Dakota [Mr. GRONNA] knows, because he has presented petitions from North Dakota and elsewhere in the RECORD, every grange and State association of farmers in the United States is opposed to this measure. It has absolutely no argument by which it can be defended. What we want in this country are not more farms but improved and more intensive cultivation of the farms we have. Even if we do want more farms, any of the soldiers who want to go on a farm could do better by taking up a semi-abandoned farm in the East than by waiting for the indefinite development of swamp lands under the direction of the Secretary of the Interior. The State Grange of Pennsylvania has acted in protest against this proposition, and I have no doubt in most of the States of the Union they will be heard here in very vigorous terms.

There is no evidence that the returning soldiers desire these farms or would avail themselves of them. In most cases they are needed on the farms at home, where farm labor is scarce and where farmers are in many cases giving up farming and going to the cities because they can not get labor.

Then every day similar propositions come in, so that I am disheartened in the proposition of raising money by loan or tax unless we can have some responsible budget system on the part of the administration by which the requisition for appropriations shall come through the Secretary of the Treasury and not upon the initiative of every Cabinet officer, and some concerted system introduced into the expenditures.

In this morning's paper I notice another little item of $5,000,000 for the trip of President Wilson, a lump sum. The article reads:

The Republican leaders of Congress to-night considered asking President Wilson to submit an itemized account of the expenses of his trip in Europe.

Introduction of a bill in the House of Representatives to-day granting the President a blanket appropriation of $5,000,000 with which to defray the expenses of his trip to England, Italy, and France, and the expenses of the American peace commission in Paris, raised the question.

The bill was drafted by the Department of State at the request of the President and was introduced to-day by Representative SHERLEY, chairman of the House Appropriations Committee. The President during his visit at the Capitol yesterday asked that the bill be passed before adjournment next Tuesday. The sum would be appropriated to the President "for the national security and defense," and in a statement submitted by the Acting Secretary of State it was declared that most of the $150,000,000 fund given the President since the United States entered the war has been expended, and that there is not a sufficient amount remaining to meet the expenses of the peace delegates and of the President's trip.

I see the chairman of the Committee on Appropriations, the Senator from Virginia [Mr. MARTIN], before me, and I should like to ask him whether that is one of the measures scheduled to pass as the President has requested prior to the expiration of the present Congress on the 4th of March?

Mr. MARTIN of Virginia. Mr. President, I will say to the Senator that no communication has reached the Senate Committee on Appropriations in respect to that matter, I know nothing whatever about it except what I have seen in the public press.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Missouri?

Mr. PENROSE. I yield.

Mr. REED. The Senator from Pennsylvania was speaking a moment ago in regard to the return of the soldiers from camp and the Army. I should like to make this statement, if the Senator will permit me: That a soldier from one of these camps called on me to-day and filed with me a request signed by some 50 of 75 privates, corporals, and sergeants, and, I think, all below the grade of any commissioned officer, petitioning that they be discharged from their camps, and attaching to their requests various orders that had been issued.

The purport of this statement was that the only way a man could be released from a camp was by making a showing that he had a job, that he was necessary in some particular branch of a particular industry, and man after man had been refused a discharge, although they had shown that there was a shortage of labor in the particular industry in which they were skilled. The philosophy of the War Department seems to be that no man should be released until he had a job, and in the meantime they were keeping him in camp in a position where he could not get a job. Practically he was in prison, and, although it might be shown that there was a great dearth in the steel manufacturing business and a man should show he were a skilled worker in steel, that was not enough; he must show that he actually had a job and that his individual labor was necessary in some particular place, and, while the man was required to make that showing, he was kept in a camp, so that it was impossible for him to secure a particular job from a particular industry.

These men protested against this sort of thing. The man who brought me the paper said, "I hope you will protect us so that we will not be sent to the penitentiary."

The Senator's remark recalled this fact to my mind, and I want to add my word of admonition and warning. I again want to utter a protest against keeping American soldiers in these camps.

Mr. PENROSE. Perhaps Mr. Lane wants to keep them there until he can get the swamps reclaimed. [Laughter.]

Mr. REED. Perhaps so; I do not know.

Mr. PENROSE. Neither do I.

Mr. REED. This much, I say, that the man who brought me this petition told me that he had applied five different times for a discharge, and he had been moved three different times from one camp to another.

The other day, in some remarks in the Senate, I protested against keeping these American soldiers in American camps. If the Senator will be so kind as to indulge me this further remark, I think the time has come when the Senate ought to say to the Military Department that the boys in American camps ought to be allowed to return to their homes and to the industries of the country. That is especially true, as is suggested by the Senator from Mississippi [Mr. VARDAMAN], of those who are naturally employed upon the farms.

Mr. PENROSE. Does not the Senator think they had better go home and take up their tasks on the farm with their parents and relatives and neighbors, or wait and reclaim swamps in some distant locality away from everybody they know?

Mr. REED. Mr. President, the Senator from Pennsylvania has been so generous with his time, will he let me answer that in my own way?

Mr. PENROSE. Yes; but I hope the Senator will not express too fully his real feelings. [Laughter.]

Mr. REED. If I were to undertake that I am afraid I would take more time, and I shall not delay the passage of this bill.

Mr. PENROSE. I am through anyway, and I will yield the floor to the Senator.

Mr. REED. I do not want the Senator from Pennsylvania to yield the floor.

I said the other day, and I now repeat, that the average American citizen knows how to take care of himself; that he does not need the guardianship of the War Department or of any man in the War Department between the Secretary of War and the second lieutenant who may undertake to tell him what to do. If you will allow these boys, reared in American homes and educated in American schools, the opportunity to take care of themselves they will be quite able to find their way to their respective homes and to their places of business or of labor.

The truth is—and it might as well be stated with brutal frankness—that there are a lot of gentlemen who have concluded that if they were to let these men, who were forced to leave their homes, return to their homes too quickly it might affect the labor situation—a very narrow view and a view that

utterly disregards the rights of these men, who were dragged from their homes and who are to-day in the camps of this country. Those camps are rapidly becoming nothing more nor less than prison camps. When you take a man from his home by force of law and put him into a military camp for the purpose of defending his country, that is not a servitude; that may be considered as an honor; but when the war is over and when peace in fact exists, if you require that man to be held in a camp in order that the wage market or the economic conditions may not be disturbed, according to the ideas of certain men, you are in fact imprisoning that man, holding him there against his will, and holding him there against the interests of his country.

I am growing tired of seeing men in the United States uniform, who are, in fact, prisoners, held by the command of some gentlemen who happen to have authority in our Army, and thousands and tens of thousands of these men are being so held—a petty tyranny to my mind, by men who happen to be commissioned officers in the Army and who happen to be at the head of the War Department. It ought to cease, and it ought to cease at once.

Mr. VARDAMAN. Mr. President——

Mr. REED. I yield to the Senator from Mississippi.

Mr. VARDAMAN. I want to ask the Senator from Missouri, a member of the Military Affairs Committee, if any reason has ever been given or any excuse assigned for holding the boys in the Army who are in the camps in the United States? They are certainly not being held with a view of sending them to engage in war. I want, if the Senator will pardon me for taking up his time, to state that I have received within the last 10 days five hundred or a thousand letters from boys who came from Mississippi who are in the Army and in the Navy, who are the sons of farmers and whose fathers need them. Many of them are young men with small farms, and they can not get labor. If those men are not permitted to go home within the next 30 days, it will be impossible to make a crop during the present year and the entire year will be lost. I should like to ask the Senator from Missouri if he knows any reason for this policy? Did the War Department undertake to give any excuse for this what seems to me a criminal, stupid policy?

Mr. REED. Mr. President, I can only answer that in this way: Shortly after the war closed, I was in what might be called a conference; and the question was asked what was going to be done to prevent further sacrifices by our soldier countrymen. It was stated that all the men who had been ordered out by the last draft had been told not to meet at the points arranged, and those on the way had been told to return to their homes—a very excellent arrangement and one highly satisfactory to every member of the committee that made inquiry. Then, the question came up as to how the men in the American camps would be demobilized; and I found that a program had been arranged, a somewhat elaborate program, by which certain men in certain vocations and employments would be released, then certain other men, and then certain other men, and so forth. The inquiry was made: Why this elaborate system, this technical arrangement of release? And the answer was that men must not be released too soon because the labor market would be congested, and because these men serving in the Army might remain too long in the cities of the East, and so forth, and so forth.

I ventured at that time to suggest that the average American boy had enough sense so that he did not need guardianship; that he had not lost all of his judgment when he was mustered into the Army; that if he had been able to take care of himself before he was either drafted or enlisted he might possibly be able to find his way home now and did not need the guiding hand of the War Department in order to take care of him. I ventured further to suggest that it was not the business of the War Department to undertake to regulate wages or the economic or industrial conditions of our country; that the thing to do was to turn these young men loose and let them go back to their homes, to their wives—if they had wives—to their mothers, and to their sweethearts and to the neighborhoods in which they lived; and that if they would but turn them loose and recognize the fact that all the wisdom in the world was not concentrated in Washington and all of the brains of creation was not monopolized by the War Department, but that some other people somewhere, somehow, at some time, might have a little sense, the whole problem would be speedily solved; that all they needed to do was to give these young men a chance to strip off their uniforms and return to their homes.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. REED. I do.

Mr. McKELLAR. Does the Senator recall that immediately after the armistice the War Department stated to the American people in innumerable interviews in the newspapers that we were going to discharge 30,000 a day until the Army was discharged?

Mr. REED. I do.

Mr. McKELLAR. If they had lived up to that promise, there would have been over 3,300,000 boys discharged up to date; all who were in the Army in this country would have been discharged; but, as a matter of fact, only a little more than one-half of the young men have been discharged. The War Department has discharged less than one-third of the number they promised to discharge.

Mr. REED. I thank the Senator from Tennessee, who has given great attention to these matters as a member of the Military Affairs Committee, for his contribution. The fact of the matter is—and I hesitate to say it; I do not like to say it; but, in my opinion, the War Department is being guided in its actions by outside advice, and that outside advisory committee is interested in constantly keeping a dearth of labor. It is so wise, and the War Department is so wise, as to think, if there are 10,000,000 workers in the world, if 5,000,000 of them are put in military camps and the other 5,000,000 are obliged to support them, that that has benefited the whole 10,000,000. That sort of philosophy belongs in that classification of superlative wisdom which is able to write leagues of nations.

Why, Mr. President, the order, as I have read it—and I am sorry I have not my papers with me; I had no idea that this would come up at this hour of the evening—the order provides that men shall be released if they can show they have a job. In God's good name—and I say it reverently—what has the question whether an American citizen has a job already secured to do with his right to be restored to his civil status when the war is over? You take a man from his family, you take him from his home for the purpose of defending his country in its hour of peril, and you propose to release him only if he has a job! What business is it of the War Department whether he has a job or not? How is he going to get a job in Missouri while you have him imprisoned in a camp in Maryland? How is he going to get a job in Washington while you have him in camp somewhere in Massachusetts or in Maine? What right have you to keep this man in a camp in a condition practically of imprisonment, and to issue orders that he shall only be released in the event that he has a job?

Mr. JONES of Washington. Mr. President——

Mr. REED. I yield to the Senator.

Mr. JONES of Washington. I agree with what the Senator says with reference to the men in the Army. I have a good many requests, however, from men who enlisted in the Navy, and the showing is made on their behalf by their friends that a job is awaiting them, and yet, even under those circumstances, we can not get them out from the Navy. The men understood they were enlisting for the war. The Navy authorities announce that they are in for four years, and they are going to keep them, and will not send them back even when the job is ready.

Mr. REED. I do not know how you are going to regulate these matters. When you find executive officers who disregard the spirit of law, who disregard the rights of men, I do not know how you are to regulate that sort of thing. One of the strangest things in this world is the fact that a grant of executive power is a very dangerous thing under any and all circumstances, and the smaller the man the more certain he is to abuse that power. If he is a very small man, you can invariably count on his abuse of power.

We called these boys from the farm, from the anvil, from the loom, from the countinghouse, from all places of our land, and we said to them, "This is a service of patriotism. When you have served your country you will be released." The statement made by the Senator from Washington that men were enlisted for the war and are now told that they must be kept for four years is a very startling statement. If the Senator from Washington is not mistaken as to the facts—and I know that he is sincere—then a breach of faith unparalleled and shocking is about to be perpetrated or has been perpetrated.

Mr. JONES of Washington. Mr. President——

Mr. REED. I yield to the Senator.

Mr. JONES of Washington. Of course my sole authority is the statements of the boys who enlisted. I will venture to say that I have gotten 25 or 30 letters, and almost every one that seeks discharge from the Navy states that the recruiting officer assured him when he enlisted in the Navy that it was only for the period of the war.

Mr. REED. Mr. President, I do not know how these matters will be straightened out. I know this—that the man or the men who are guilty of any breach of faith with these American citizens, who are American citizens although they wear a uniform,

will, if he lives very long, regret that breach of faith. The 2,000,000 men that come back from France will come back with their experience and with their ideas, and I venture the prediction that when they come back they will have some very practical ideas; that they will bring back some common sense with them; that you will find that they are not believers in any kind of magic, either modern or ancient; that you will learn that these men know what it costs to make war in foreign countries, and what the hardships are upon the man who has been dragged from his home and kept in trench or camp for two or three years.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Florida?

Mr. REED. I do.

Mr. FLETCHER. Before the Senator passes from the inquiry of the Senator from Washington [Mr. JONES] I wish to say that I think it will be found that the actual enlistment papers will show that the men enlisted for a term of years; but, at the same time, that situation also is peculiar, in that the naval crews are manning the merchant ships that are bringing the boys home from France, and they are needed for that service just about as badly as we ever needed them in time of war. We must bring the boys home; we must man these ships by the men from the Navy, and we need them for that purpose. It is a very important purpose.

Mr. REED. That is absolutely correct. The Senator's statement of the fact as he understands it is accurate. Of course, men should be held for that purpose. That is not the statement made by the Senator from Washington; but a short time would do that. That does not mean an enlistment for four years, as has been suggested in a side remark of the Senator from Oklahoma [Mr. OWEN].

Mr. President, this young man who came into my office this morning with this protest from the Army camp signed by 50 men, all of whom understood they were probably jeopardizing such liberty as they had, stated that his case was no exception; that he had made his application weeks ago, he had absolutely complied even with the limitations and restrictions of the orders, and yet he had been moved from camp to camp. He said to me that his case was but typical of others. He brought in a paper signed by about 50 other men. When soldiers sign their names to a paper of that kind under the conditions that now exist, and 50 or 60 of them will sign from one camp, it is a very significant fact; and as he handed me the paper he said, "I hope you will see that we are not sent to the penitentiary."

Mr. President, petty tyrants do not exist long among a free people, and these small men, who strut about to-day, armed with a brief authority, will not last long in this Republic. I regard it as an unspeakable outrage that 600,000 men are still confined in the military camps of this country. I regard it as an indictment of the Chief of Staff, if he is responsible; of the Secretary of War, if he is responsible; of any man, however great his place, if he is responsible. These men are American citizens. They have the right to be returned to their homes at the earliest moment. If there was danger of war, and if they were needed for that reason, they would be content to remain and serve, and I would be content to insist that they should remain and serve; but——

Mr. MYERS. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED. Let me finish the sentence; then I will yield gladly. But the war is over; it has been over for months; there is no reason for their retention. I repeat that the rules and regulations for their discharge were inspired from outside—from other reasons, nonmilitary reasons. I will put it that way, and let it stand at that. I yield to the Senator from Montana.

Mr. MYERS. Mr. President, can the Senator assure us that there will not be a renewal of hostilities with Germany, or that there will not be an outbreak of hostilities with Russia? Especially, can he assure us that that would be the case if we should disband all of our troops and send them home?

Mr. REED. Mr. President, I can answer the Senator from the War Department itself. The War Department admits that there is no necessity of keeping these troops that are in American camps for the purposes indicated by the Senator. The War Department's sole excuse is that it is afraid to turn these troops loose too quickly, lest there should be some disturbance in the labor market of America. The War Department, further than that, says that it intends to bring the men back from Europe, and claims that it is trying to bring them back as rapidly as it can; and, of course, it would not be bringing the men back from Europe if there were still serious danger of war in Europe. Of course, too, if it can safely bring the men back from the battle front, from the scene of war, it can surely discharge the men who never were within 3,000 miles of the scene of war.

Moreover, while I am speaking of that, let me remark that the bringing back of these men, as I said the other day, has been so miserably slow that, as shown by the Senator from Oklahoma, the men withdrawn from the battle front have been put in unhealthful camps for want of boats to bring them; and the boats that we could so readily get to carry our soldiers over to Europe to die in the cause of Europe more than in our cause have been withdrawn from our use, and we do not have them to return our troops to their homes.

Mr. President, a Senator may be making a sort of nuisance of himself at this late hour to rise and utter this protest; but I understand that the Congress is not to be reassembled. Therefore, the protest I now make, and which I would have made upon the reassembling of Congress had it been called, I make because there probably will be no other time. I do not think it will be much heeded. I do not think that at the other end of the Avenue there is much respect for the Congress of the United States. I do not think there is much respect for the Senate of the United States. There will not be much respect until the Senate asserts its authority, until the people of the United States are again represented by men who do not fear to speak their sentiments.

Mr. President, I have interjected this long speech in the midst of the remarks of the Senator from Pennsylvania, but as he has graciously yielded the floor for it, I thank him.

Mr. JOHNSON of California. Mr. President, before the Senator from Missouri takes his seat may I make a very brief inquiry of him, and, with his permission, read to him a letter recently received?

I am so very thoroughly in sympathy with what the Senator says concerning the soldiers; I have such an obsession upon the idea that Congress ought to see that these soldiers are sent home at the earliest possible moment, and not only that they ought to see that these soldiers are released at the earliest possible moment, but that they ought to be sitting here seeing that there is employment for every released soldier of the United States Government who has fought in this war; I have, I say, such an obsession upon that subject that I commend the Senator from Missouri for what he has said. But there are 5,000 of our boys, too, deserted, abandoned, forgotten, in Russia; and I want to read to you a letter from one of those boys and then ask the Senator from Missouri his view concerning them.

Here is a letter from a man, dated Archangel, Russia, January 5, 1919, handed to me by the senior Senator from Michigan [Mr. SMITH], and authentic in every respect:

ARCHANGEL, RUSSIA, *January 5, 1919.*

MY VERY DEAR MOTHER AND FATHER: If you receive this letter, it is entirely due to the kindness of an American sailor friend of mine, who has offered to mail it when arriving in the States. He leaves this land of chaos in a few days. I am not writing you this letter to cause you worry, but no doubt it will. I find that conditions are such here that everything possible must be done to improve them. The American forces in this section of Russia consist only of our regiment, about 3,500 men. We are under British orders, which, in my opinion, is a disgrace to the United States. As I have explained in a previous letter, we were told that this expedition was only for the purpose of guarding American supplies here and defeating the Huns, preventing Russia from becoming an ally of the central powers. It has developed into an expedition of interference. We are now fighting the Bolsheviks, but this is not being done with the aid of the Russian people. They are all plotting and working against us, with the exception of the capitalists, who are solely soliciting the aid of the allies. The Russian people consider the problem is for themselves to take care of, and we have no right to murder any of these Russians. Affairs at the front have taken on a very serious aspect. During the past few days the casualties are heavier than they were at the western front. For the same body of men we are outnumbered 10 to 1, and I can not understand why we should be gradually slaughtered in this manner. The number of men killed and wounded during the past few days is 86. But then, that has to be expected, when you consider the odds. Every American soldier has 10 Bolsheviks against him. The Russians that are enlisting in the British Army here obtain all the food and clothing they can possibly obtain, and when they are taken to the front they go over to the Bolshevik side. Do you think we should fight here under such conditions?

At the present time there is an order in which may result in us moving to the front in a few days. Now, do not think, mother and dad, that this letter is an expresison of cowardice on my part. On the contrary, I will fight like a tiger until I am beaten; but I appeal in behalf of "Detroit's Own" that something be done. Either take us out of here or else reinforce us so that we will at least have an even fight; and, for the Lord's sake, try to have us placed under American command. We are all loyal Americans, true to our country and flag, and are ready to die for the cause at any time, but we believe that the United States of America is ignorant of conditions here. Confer with DOREMUS and TOWNSEND, anyone at all who may be able to assist in clearing this matter. If conditions do not improve soon, I would not be surprised that you will address my letter "private" again instead of "sergeant," as I will be doing something here which will cause a demotion. Please allow my dear little wife to read this letter, or a copy of it. She may be able to help you. Love, hugs, and kisses.

And the dear little wife he speaks of is working to-day in the city of Grand Rapids earning her living because of delayed allotments, working there while the man, the breadwinner of the family, is in the snows of Russia, fighting a war never declared by the United States, fighting a war in which we never in any degree participated either as a Congress or as a people. Forgotten, deserted, abandoned are these men in Russia, under British command. That is a favorite sort of thing, perhaps, to-day for us, but under British command every man, every platoon, and every company there, and they appeal to me just as the soldiers that have been suggested by the Senator from Missouri appealed to him. Like the Senator, I long and hope and pray that the day may soon come when they may return to their own America again, Americans doing Americans' work in America.

Mr. REED. What was the question the Senator wished to ask?

Mr. JOHNSON of California. Do you think these men should be brought home and relieved as well as those to whom you advert?

Mr. REED. Mr. President, I answered that question in a few remarks I made here some days ago. At that time I ventured to say that every nation must work out its own salvation; that nations could not come in and organize a nation to lift it by virtue of outside help. So I say in answer to the Senator's question Russia must work out her salvation. That great nation, numbering, I think, nearly 190,000,000 and occupying a territory so vast as to be almost incomprehensible, must fix its own kind of government, must provide its own police force, must settle its own differences, must reestablish peace within its own borders.

More than that, Mr. President, I insist that it is the right of those people to do that. There was a time when the Russian Government was under contract with the allies to sustain a certain part in the war, and when that Government suddenly was crushed or when it was betrayed, under whichever term you want to describe it, there might have been an interval when we would have been fully justified in sending our armies into Russia for the purpose of maintaining that battle front and enabling that nation to assist in crushing the Teutonic powers. That time passed by. I do not criticize because there were not soldiers sent in; perhaps they could not be; but we arrived, then, at a period when Russia found herself in a state of chaos, and a little later we arrived at a period when peace had practically come, and the great Russian people were left there to work out the kind of government they desired to live under.

Mr. President, they have a right to solve that problem for themselves in their own way. I need cite no higher authority upon that question than the President himself, for all will remember that when war and anarchy were in complete control of Mexico, the President repeatedly said those people had the right to solve their own problems, that they had the right of self-determination, that they had the right to set up any kind of government they wanted to set up, and it was no business of the United States, although Mexico was a near neighbor, to undertake to dictate a form of government for her. Mr. President, we backed the President of the United States in that statement, and I think the people ratified it at the polls.

I do not know the merits of the contest going on in Russia, but any people capable of self-government will resent and repel with indignation and contumely and scorn the attempt of any outside government to set up a government for them. Any nation that is fit for self-government will never tolerate outside interference. Any government that is fit to live must be a government that springs from the people and finds its origin in the hearts and will of the people who are to live under that government—aye, who, indeed, are to be a part of that government; and I am in favor of letting Russia settle her own conditions.

Then I am in favor of it for another reason. The reason I have given is one based upon human right, justice, and equity; but there is another reason. I am in favor of letting Russia work out her own destiny, because we could not do anything else if we tried. Napoleon undertook to police Russia, and Russia's courage plus the snows of Russia's winters decimated the army of Napoleon and finally the blasts from the north drove his troops back and back and back until the ragged, skeleton army retreated across the Russian frontier.

How many troops would it take to police Russia? There are 180,000,000 men in Russia. Once you arouse their fighting spirit they will fight as well as most other men. How many American boys must we keep over there to police Russia? When the league of nations has been formed and we have agreed that we will perform the obligations of this compact and preserve the boundaries and the political independence of each of the nations within the league, how many hundred thousand men will it take to hold Russia in check and to conquer her? And if Russia be outside the league, how many hundred thousand or million of men will it take to discipline Russia as one of the backward nations mentioned in the proposed constitution of the league of nations?

On the other hand, if you will let Russia alone and do not undertake to set up a suzerainty over her, Russia will finally solve her own problems in accordance with the will of the majority of her people. I do not know whether she will call back the house of Romanoff, or whether she will establish a republic something like ours, or whether she will have a government of Soviets. Whatever she has, Russia has a right to her own government, whatever it may be. This country has no more right to set up a government over Russia than Russia has the right to set up a government over us. The right of all just governments springs from the consent of the governed. Once you deny that doctrine, you have denied the doctrine upon which our Republic is founded. Once you pull out that pillar in the philosophy of government, the temple of human freedom will topple about the heads of the sons of men.

I insist that England has the right, if she wants, to have a government at the head of which shall be a king; and she has the right to have a king who is a mere shadow king, dancing in the fantastic farce of autocracy, or she has the right to have a real king. She has the right to have a titled autocracy, or she has the right to strike them all down. She has the right to govern herself the same as we have the right to govern ourselves.

France, glorious France, has a right to have a Republic. She has a right to set aside that Republic and to find some degenerate son of the race of Napoleon and put him on a throne, if she wants to do so. It is none of the business of the United States of America. I hope she will not do it; I pray for the sake of the French people she will not do it; but if the French people want a kingly government, they have the right to put a crown upon the head of any creature, whether he be great or whether he be small.

And so I say of Germany. Although Germany to-day lies prostrate, and ought to lie prostrate until she has been thoroughly disciplined, yet the time will come and must come when the German people will be entitled to form their own government, and any attempt to keep them from doing it will be a mistake; it will be a retrograde movement.

Thus with all the nations of the earth. Governments generally are only the reflection of the heart and soul and desire of a people. Not always is this true, but generally it is the case. The business of the United States is to recognize the great principle upon which our Government is founded, which is that every people have the right to determine their own government. All just government springs from the consent of the governed.

Mr. President, answering the question of the Senator from California, all I have to say is this: I do not know the particular circumstances that put our Army into Russia, but I do know that our Army ought to be taken out of Russia if its purpose there is to control the Russian people in their internal affairs. That is not our business; that is not our task. More than that, all history demonstrates the futility of such an undertaking. Suppose an army were to descend into our country if we were in a state of disaster.

I do not care whether they came with Bibles in their hands, I do not care whether they came with the sweetest philosophy that ever fell from human lips, so long as those Bibles were supported by the sword and the bayonet of a hostile force, so long as that philosophy came to us upon the lips of officers who were in command of armies that had their feet upon our soil, we would reject it, we would purge it, we would repudiate it. Every page of history, bloody and ghastly as history's pages are, has been rendered more bloody and more ghastly by the attempt of one nation and one people to force its philosophy, its doctrines, its teachings, and its opinions upon another nation.

Mr. President, I hope our troops will be drawn out of Russia. I hope Russia will speedily get peace. I hope that in this night of Russia's trial there may appear finally the star that will guide the Russian people upon the high plane of progress, achievement, and liberty. But I do know that it is not our part to try to shoot our ideas into the hearts of the Russian people, to endeavor to try to carry our kind of government and our philosphy into Russia upon the point of the bayonet, to seek to force our notions into the breast of Russia with bayonets.

Mr. CALDER. The pending amendment introduced by the junior Senator from Iowa [Mr. KENYON] provides that the vignette of Col. Roosevelt shall be printed on the bonds or notes provided for in the measure under consideration.

I am heartily in favor of this amendment and commend it to the consideration of the Senate. It is suggested that this be

termed a victory loan, but I can conceive of no better name for it than the Roosevelt victory loan. How better can we honor the memory of this great man than by placing his picture upon the war bonds of the country, and what better method, Mr. President, to assist in selling them to the people of the Nation than to have them termed "Roosevelt victory bonds"?

I know, Mr. President, there will be a disposition to lay on the table all amendments to this bill, but I trust the Senator in charge of this measure will not object to this amendment, which I think will add so materially to the popularization of the loan.

There has been a great deal said this evening about these bonds and the other obligations of the Government, and some Senators have expressed fear at the business outlook. The most important thing this Congress must consider in these closing days and the next Congress when it meets is the necessity of using every care in appropriating the people's money. In my opinion there is no greater obligation resting upon Senators and Representatives. We are placing very great burdens upon the people in the unusual taxes Congress has levied. They will find difficulty in meeting them, and we should above and beyond all consider their interests.

Mr. President, I do not share the hopelessness expressed by some Senators. We have had deposited in the banks and other financial institutions of the United States during the past four years sums totaling over $5,000,000,000 more than those institutions contained previous to that time. Then, too, Mr. President, the wealth of this country totals in the neighborhood of $235,000,000,000. So I see no reason why we should not feel certain of the future, provided Congress legislates intelligently and does everything in its power to keep down the costs of Government.

I contemplate occupying the time of the Senate just a moment or two in discussing a phase of this bill.

Mr. President, one of the clauses of this bill deals with the War Finance Corporation. It is intended that the War Finance Corporation be continued in existence for a year after the proclamation of peace, and be empowered to use $1,000,000,000 of the total $3,500,000,000 which the original war finance corporation act placed at its disposal. The purpose of the extension of power is to permit a continuation of our export trade, unrestricted by the lack of credit on the part of the prospective purchasers in devastated Europe.

The need for some such measure becomes evident from a study of the facts. As a result of the war our production capacity has increased considerably. Our production of steel increased from about 31,000,000 tons in 1913 to 45,000,000 in 1917. Our production of pig iron rose in the same proportion. Our refinery production of copper grew from 1,600,000,000 pounds in 1913 to about 2,400,000,000 in 1917. Production was increased not only in the basic materials, but also all along the line, including manufactures. This increase of production was called forth by the insistent needs of Europe. Our exports during the war rose from about $2,500,000,000 in 1914 to over $6,000,000,000 in 1918. The duty of the moment is to make it possible that our industrial machine keeps going. Every section of the country and every class in the community is vitally interested, and would be directly affected by any serious slackening up in industry. This slackening up is inevitable if the important outlets abroad are closed for lack of credit facilities for purchase.

But not only are we concerned in stimulating exports; the peoples of Europe need our goods. The National Foreign Trade Council at the end of 1916 estimated that the rehabilitation needs of Belgium and northern France would amount to about $10,000,000,000. An official report made by the French ministry of the interior shows that over 46,000 houses, 221 city halls, 379 schools, 331 churches, and 306 other public buildings were destroyed or damaged up to June, 1916. At that time estimates were made of the amount of reconstruction material. The needs are enormous for lumber, iron goods, hardware, drainage and heating appliances, and paints. The rehabilitation of industrial France and Belgium will call for machine tools and machinery of the latest model to replace that looted by the Hun.

Here you have a situation in which there is an imperative need that we continue to export to insure in the United States the stabilization of labor, industry, and commerce on the one hand, and on the other there is the urgent call for our goods from the devastated countries of Europe, who have not at present the means wherewith to pay for them. Under present conditions we can not sell if we do not lend.

Before the war our exports exceeded our imports by about $500,000,000. This excess of commodities was balanced in several ways. First of all, Europe charged us upward of a hundred million for carrying our exports. Then again, we had an annual debit covering interest and dividends on American securities held in Europe. Furthermore, Great Britain and Germany financed our export trade in sterling or mark drafts. Finally, to balance the account, Europe would send us gold when necessary. That is, before the war Europe's charges for shipping and banking services and interest balanced our excess of commodity exports. The war has made it impossible for Europe to pay in this manner any longer.

What happened during the war? During the years ending June 30, 1914 to 1918, our balance of commodity exports totaled the enormous sum of over $11,000,000,000. To pay for this excess of commodities Europe shipped us over a billion dollars in gold; this was the usual prewar method of settling trade balances. When the Bank of England's reserve ratio continued to decline from its prewar level of about 60 per cent down to 20 per cent or so, British financiers sought other methods of payment. They turned to American securities held in Europe. And they shipped them. Mr. L. F. Loree, president of the Delaware & Hudson Railroad, estimated that about $2,500,000,000 worth of American securities were returned to us. That is, in future we shall no longer have to pay interest and dividends on these abroad. The British then floated an unsecured loan, the Anglo-French five-year fives, offered in 1915, which, owing to the unfamiliarity of American investors with bonds of this class, was raised with difficulty.

They then proceeded to mobilize the remaining securities, American or neutral, and pledged them under the United Kingdom 5½s offered in November, 1916, and in February, 1917, the total amount being $500,000,000 for the unsecured loan and $450,000,000 for the secured loans. We then approached the period in the financing of the war when Great Britain would not ship gold and had no more securities to sell or pledge. Do you remember what happened? Our bankers made public declarations that unless we made further loans to our customers our exports would decline and our industry would become idle. Indeed, some large orders intended for American plants were turned over to the Canadians, who were willing to lend in order that they might sell. The difficulty was solved when we entered the war, and authorized Government advances to our allies. To date the United States Government has advanced about $8,500,000,000 to our associates in the war.

What of the after-war prospect? We have changed from a debtor to a creditor country, and we must take the course that our new position imposes upon us. What is the course? It is the one that before the war was followed by Great Britain, France, and Germany. They loaned money to their customers. Indeed the securities pledged by Great Britain and France under our loan to them cover those of Argentina, Brazil, Uruguay, Norway, Sweden, Denmark, Switzerland, and Holland, as well as those of the British Dominions. The United States in the future will have to lend if it would sell. The immediate situation is acute and demands prompt action. I believe that nothing less than Government aid in the present emergency will tide us over until the period of readjustment is over and private initiative is able to assume this new duty.

How would the plan work? The War Finance Corporation would not lend any money directly to the European importers. It would not cover goods not produced in the United States, nor would it make any advances to any American manufacturer except for the purpose of selling goods abroad. If an American producer receives an order from a European merchant, manufacturer, or municipality, and they arrange satisfactory terms of credit up to a period of five years within which payment is expected, the American manufacturer would either have to carry the account himself, which would eventually tie up his liquid capital, or else have his bank carry it for him, which procedure would limit his remaining credit with the bank in addition to tying up bankable funds which are needed in other directions. If now either the American manufacturer or the American banker who holds the foreign security presents it to the War Finance Corporation, he will be able to obtain an advance.

Even if the corporation does not exercise this power on a large scale, the mere fact that the power is available to be used in an emergency is of great potential value. The War Finance Corporation has in the past, in some cases, by its mere approval of an advance against securities which were to be issued, made it possible for companies to sell their securities directly to the public. Again the corporation made advances of, say, 30 per cent against securities upon the condition that the applicant for an advance raise the other 70 per cent in the usual banking or investment channels. In this sense the War Finance Corporation would underwrite American prosperity during the critical transition period we are now in the midst of.

It is not intended that this be a permanent Government function. Nor is it intended that Government activity replace private initiative in the matter. The aim is to have the Government assist during the brief emergency in order that private initiative in industry and commerce be given free scope.

If we allow matters to take the course they did before the war, we may find that cotton will remain down, copper and iron likewise, and our industry will remain stagnant, our labor, too, in part unemployed, and the general economic conditions depressed. Our foreign trade is not a mechanical thing stuck on to our economic life. It is an integral part of it. Our foreign trade bears the same relation to our domestic welfare as did the nail in the old legend "for the want of a nail the shoe was lost; for the want of the shoe the horse was lost; for the want of the horse the rider was lost, all for the want of a horseshoe nail." The difficulties we face, if our export trade should be greatly curtailed, are far more serious than would be the imaginary danger of a slight extension of Government function for the short period and under limited conditions, especially if intrusted to the War Finance Corporation, which has shown no disposition to lend too freely. If we do not provide the War Finance Corporation with these new powers for fear of extending the Government's powers, we may be compelled to resort to far more extensive measures of Government aid and relief later on.

If we do not extend credit, European countries must maintain a balance between their exports and imports. This they can only do by exporting as much as possible and restricting their imports by embargo or other means. If we do not extend the means by which they may buy, European countries will have to impose restrictions on what we may wish to sell them in order to maintain their trade balance and therefore their exchange rates. By aiding American merchants to sell to Europe we quicken the restoration of European trade and industry and restore stability to the international economic and financial situation. Our responsibility to favor the continuance of the War Finance Corporation during the brief emergency is a responsibility not only to American labor, that it may be employed, not only to the American manufacturer that he may keep his plant going, but also a responsibility to the nations of Europe that they may the sooner restore normal conditions in industry and in finance.

Mr. President, I think the really meritorious provision of this measure is that relating to the War Finance Corporation. I commend it to Senators, for I am certain, if it remains in the measure, it will contribute much toward readjusting the present difficult situation in our European business.

Mr. JONES of Washington. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Washington?

Mr. CALDER. Yes.

Mr. JONES of Washington. The Senator can probably give me the information I desire. As I understand, in section 9 of this bill the War Finance Corporation is authorized to make advances to the amount of a billion dollars?

Mr. CALDER. Yes.

Mr. JONES of Washington. Where does it get that billion dollars?

Mr. CALDER. They are allowed to use one billion of the $3,500,000,000 which was placed at the disposal of the War Finance Corporation during the last session of Congress.

Mr. JONES of Washington. Does the Senator know how much of that they have already used?

Mr. CALDER. I have not the figures before me, but not very much; I think, in the neighborhood of $400,000,000.

Mr. JONES of Washington. So that this billion dollars will not exhaust their capital?

Mr. CALDER. No; they will still have over $2,000,000,000 to draw from if there is necessity for it and Congress gives the authority to use it.

Mr. JONES of Washington. I remember now about that provision. It had escaped me, and I was wondering where the billion dollars would come from. I remember now, however, that we authorized them to issue notes or bonds or something of that sort. We gave them a very large capital.

Mr. CALDER. I feel certain, Mr. President, that a careful examination of this particular provision of the measure will commend it to Senators, and I trust that it will meet with the approval of the Senate.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa.

Mr. LA FOLLETTE. Mr. President, I have an amendment to propose to the bill, and, while I shall discuss the bill briefly, I will ask to have the amendment read before I begin the discussion.

The PRESIDING OFFICER. The amendment will be read for information. It can be offered later, as there is at present a pending amendment.

Mr. LA FOLLETTE. Is there a pending amendment?

The PRESIDING OFFICER. Yes; there is an amendment offered by the Senator from Iowa [Mr. KENYON]. The amendment of the Senator from Wisconsin can be read for information, and the Senator can offer it formally later.

Mr. LA FOLLETTE. Very well.

The PRESIDING OFFICER. The Secretary will read the proposed amendment.

The SECRETARY. After section 7 it is proposed to insert a new section to read as follows:

SEC. —. Every person who by threats or force, or by threatening letters, or any threatening communication, influences, controls, or intimidates, or in like manner endeavors to influence, control, or intimidate another with the intent of causing him to subscribe for any of the notes, bonds, certificates, or obligations authorized under this act, or any bonds, certificates, or other obligations authorized by existing law, or that may hereafter be authorized, and to part with any money or other thing of value in payment therefor, shall, upon conviction thereof, be punished by a fine of not less than $1,000 or more than $5,000, or by imprisonment for not less than six months nor more than three years, or by both such fine and imprisonment.

Every officer of the United States who by threats or force, or by threatening letters, or any threatening communication, influences, controls, or intimidates, or endeavors to influence, control, or intimidate another with the intent of causing him to subscribe for any of the notes, bonds, certificates, or obligations authorized under this act, or any bonds, certificates, or other obligations authorized by existing law, or that may hereafter be authorized, and to part with any money or other thing of value in payment therefor, shall, upon conviction thereof, be punished by a fine of not less than $2,000 or more than $10,000, or by imprisonment of not less than one year nor more than five years, or by both such fine and imprisonment.

If two or more persons conspire by threats or force, or by threatening letters, or any threatening communication, to influence, control, or intimidate, or in like manner endeavor to influence, control, or intimidate, another with the intent of causing him to subscribe for any of the notes, bonds, certificates, or obligations authorized under this act, or any bonds, certificates, or other obligations authorized by existing law, or that may hereafter be authorized, and to part with any money or other thing of value in payment therefor, shall, upon conviction thereof, each be punished by a fine of not less than $1,000 or more than $5,000, or by imprisonment of not less than six months nor more than three years, or by both such fine and imprisonment.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I yield.

Mr. KENYON. Has the Senator from Wisconsin any objection to voting now on the amendment I have proposed?

Mr. LA FOLLETTE. No; I have not.

Mr. KENYON. I ask, then, for a vote on my amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Iowa.

Mr. GRONNA. May we have the amendment stated?

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add a new section at the end of page 14, as follows:

SEC. 11. That the portrait or vignette placed upon any notes or bonds or certificates of indebtedness issued under this act shall be that of Theodore Roosevelt, a former President of the United States.

Mr. SIMMONS. Mr. President, do I understand that the Senator from Wisconsin has yielded for the purpose of a vote on this amendment?

Mr. LA FOLLETTE. I was requested to do so.

Mr. KENYON. If it is going to provoke discussion, I do not want to take the Senator off his feet.

Mr. LA FOLLETTE. I supposed we were ready for a vote upon the amendment; but if there is going to be any debate upon it, I prefer to proceed now.

Mr. SIMMONS. I am willing to have a vote.

Mr. KENYON. I will not ask for a vote at this time, then. The Senator from Wisconsin can make his remarks upon this amendment.

Mr. SIMMONS. I have no objection to a vote.

Mr. KENYON. I ask for the yeas and nays.

Mr. LA FOLLETTE. If a vote can be had without debate, I will yield for that purpose. I should prefer to submit the remarks that I have to make upon the bill itself. If there is to be further discussion, however, I prefer to deliver my remarks at this time.

Mr. SIMMONS. I will ask for the yeas and nays upon the amendment of the Senator from Iowa [Mr. KENYON].

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SAULSBURY (when his name was called). I transfer my general pair with the senior Senator from Rhode Island

[Mr. COLT] to the junior Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. SIMMONS (when his name was called). I transfer my general pair with the junior Senator from Minnesota [Mr. KELLOGG] to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

The roll call was concluded.

Mr. CURTIS. I transfer my pair with the junior Senator from Georgia [Mr. HARDWICK] to the junior Senator from Vermont [Mr. PAGE], and vote "yea."

Mr. HARDING. I transfer my general pair with the junior Senator from Alabama [Mr. UNDERWOOD] to the junior Senator from Michigan [Mr. TOWNSEND], and vote "yea."

Mr. FRELINGHUYSEN. Has the junior Senator from Montana [Mr. WALSH] voted?

The PRESIDING OFFICER. He has not.

Mr. FRELINGHUYSEN. I transfer my pair with the junior Senator from Montana to my colleague, the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. WOLCOTT. I transfer my general pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Virginia [Mr. MARTIN] and vote "nay."

Mr. MYERS. I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. OWEN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay." I wish to say, however, that but for the fact that amendment of the bill would jeopardize the bill I should vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Minnesota [Mr. NELSON] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON]; and

The Senator from Massachusetts [Mr. LODGE] with the Senator from Georgia [Mr. SMITH].

The result was announced—yeas 23, nays 37, as follows:

YEAS—23.

Calder	Jones, Wash.	Norris	Sterling
Curtis	Kenyon	Penrose	Sutherland
France	Knox	Reed	Wadsworth
Frelinghuysen	Lenroot	Sherman	Warren
Hale	Moses	Smoot	Weeks
Harding	New	Spencer	

NAYS—37.

Ashurst	Jones, N. Mex.	Overman	Simmons
Bankhead	Kendrick	Owen	Smith, S. C.
Beckham	King	Pittman	Swanson
Chamberlain	Kirby	Pollock	Thompson
Fletcher	La Follette	Pomerene	Trammell
Gay	Lewis	Ransdell	Williams
Gerry	McKellar	Robinson	Wolcott
Gore	Martin, Ky.	Saulsbury	
Henderson	Myers	Shafroth	
Hitchcock	Nugent	Sheppard	

NOT VOTING—36.

Baird	Goff	McLean	Smith, Ga.
Borah	Gronna	McNary	Smith, Md.
Brandegee	Hardwick	Martin, Va.	Smith, Mich.
Colt	Hollis	Nelson	Thomas
Culberson	Johnson, Cal.	Page	Townsend
Cummins	Johnson, S. Dak.	Phelan	Underwood
Dillingham	Kellogg	Poindexter	Vardaman
Fall	Lodge	Shields	Walsh
Fernald	McCumber	Smith, Ariz.	Watson

So Mr. KENYON'S amendment was rejected.

Mr. LA FOLLETTE addressed the Senate. After having spoken for some time, he said:

Mr. President, I have not the attention of many Senators here, but it is just barely possible that I am urging a question that may become a pretty large one before long.

Mr. PENROSE. Mr. President, the remarks of the Senator from Wisconsin are very interesting and important. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Pennsylvania suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	King	New
Beckham	Harding	La Follette	Norris
Chamberlain	Henderson	Lenroot	Nugent
Cummins	Hitchcock	Lewis	Overman
Curtis	Jones, Wash.	McKellar	Owen
Fletcher	Jones, N. Mex.	Moses	Penrose
Gerry	Kendrick	Myers	Pittman
Ransdell	Sherman	Sutherland	Warren
Robinson	Simmons	Swanson	Weeks
Saulsbury	Smoot	Trammell	Williams
Sheppard	Sterling	Vardaman	Wolcott

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Forty-four Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absentees.

The Secretary called the names of absent Senators, and Mr. FRANCE, Mr. GORE, Mr. MARTIN of Kentucky, Mr. POLLOCK, Mr. POMERENE, Mr. REED, Mr. SHAFROTH, Mr. SMITH of South Carolina, and Mr. WADSWORTH answered to their names when called.

Mr. THOMPSON entered the Chamber and responded to his name.

Mr. SWANSON. I desire to announce that my colleague, the Senator from Virgina [Mr. MARTIN], is detained from the Senate on account of sickness.

Mr. CURTIS. I desire to announce the absence of the Senator from Michigan [Mr. TOWNSEND] on account of illness in his family.

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum is present.

Mr. LA FOLLETTE resumed his speech at 1.30 a. m., Sunday, March 2.

Mr. PENROSE (at 4 o'clock and 15 minutes a. m., Sunday, March 2). If the Senator from Wisconsin will permit an interruption, I move that the Senate adjourn.

Mr. LA FOLLETTE. I yield for that purpose.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The question is on the motion of the Senator from Pennsylvania.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. The motion is not debatable. [Putting the question.] The noes have it.

Mr. PENROSE. I ask for the yeas and nays.

Mr. LA FOLLETTE. Let us have a division.

Mr. WILLIAMS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary called the roll.

Mr. BECKHAM. Has the Senator from West Virginia [Mr. SUTHERLAND] voted?

The PRESIDING OFFICER. He has not.

Mr. BECKHAM. I transfer my pair with the Senator from West Virginia [Mr. SUTHERLAND] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. OVERMAN. I am paired with the Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], which I transfer to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. SMITH of South Carolina (after having voted in the negative). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I transfer my pair to the Senator from Virginia [Mr. MARTIN] and let my vote stand.

Mr. WOLCOTT (after having voted in the negative). I have a general pair with the Senator from Indiana [Mr. WATSON]. Not being able to obtain a transfer of my pair I withdraw my vote.

Mr. MARTIN of Kentucky (after having voted in the negative). I have a general pair with the junior Senator from New Hampshire [Mr. MOSES]. He has not voted, and I therefore withdraw my vote.

Mr. GERRY (after having voted in the negative). I have a general pair with the junior Senator from New York [Mr. CALDER]. I transfer my pair to the Senator from Arkansas [Mr. KIRBY] and let my vote stand.

Mr. SMOOT. I have been requested to announce the following pairs:

The Senator from Kansas [Mr. CURTIS] with the Senator from Georgia [Mr. HARDWICK];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH]; and

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD].

The Senator from Massachusetts [Mr. LODGE] with the Senator from Georgia [Mr. SMITH]; and

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS].

Mr. SIMMONS (after having voted in the negative). I have a general pair with the junior Senator from Minnesota [Mr. KEL-

LODGE]. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and let my vote stand.

The result was announced—yeas 5, nays 38, as follows:

YEAS—5.

France	La Follette	Penrose	Sherman
Gronna			

NAYS—38.

Bankhead	Jones, Wash.	Pittman	Smoot
Beckham	Kendrick	Pollock	Spencer
Chamberlain	Kenyon	Pomerene	Swanson
Fletcher	King	Ransdell	Thompson
Gay	Lewis	Reed	Trammell
Gerry	McKellar	Robinson	Vardaman
Gore	Norris	Shafroth	Weeks
Henderson	Nugent	Sheppard	Williams
Hitchcock	Overman	Simmons	
Jones, N. Mex.	Owen	Smith, S. C.	

NOT VOTING—53.

Ashurst	Hale	Martin, Ky.	Smith, Mich.
Baird	Harding	Martin, Va.	Sterling
Borah	Hardwick	Moses	Sutherland
Brandegee	Hollis	Myers	Thomas
Calder	Johnson, Cal.	Nelson	Townsend
Colt	Johnson, S. Dak.	New	Underwood
Culberson	Kellogg	Page	Wadsworth
Cummins	Kirby	Phelan	Walsh
Curtis	Knox	Poindexter	Warren
Dillingham	Lenroot	Saulsbury	Watson
Fall	Lodge	Shields	Wolcott
Fernald	McCumber	Smith, Ariz.	
Frelinghuysen	McLean	Smith, Ga.	
Goff	McNary	Smith, Md.	

So the Senate refused to adjourn.

The PRESIDING OFFICER. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. PENROSE. There is no quorum present.

The PRESIDING OFFICER. The absence of a quorum having been disclosed, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, N. Mex.	Owen	Smoot
Beckham	Jones, Wash.	Pittman	Spencer
Chamberlain	Kendrick	Pollock	Swanson
Fletcher	Kenyon	Pomerene	Thompson
France	King	Ransdell	Trammell
Gay	Lewis	Reed	Vardaman
Gerry	McKellar	Robinson	Weeks
Gore	Martin, Ky.	Shafroth	Williams
Gronna	Norris	Sheppard	
Henderson	Nugent	Simmons	
Hitchcock	Overman	Smith, S. C.	

The PRESIDING OFFICER. Forty-one Senators have answered to their names. A quorum is not present. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators, and Mr. WOLCOTT answered to his name when called.

The PRESIDING OFFICER. Forty-two Senators have answered to their names—not a quorum.

Mr. OWEN. I move that the Sergeant at Arms be instructed to arrest the Senators who are in the cloak room and compel them to come in here and answer to their names.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oklahoma.

Mr. KENYON. I move to amend the motion by including all Senators in the city.

Mr. RANSDELL. I second the motion.

Mr. SMOOT. Mr. President, under the rules there is a certain motion that can be made, and I think the Senator from Oklahoma ought to make the usual motion first.

Mr. OWEN. I do not think that Senators have any right to go in the cloakroom and break a quorum for the purpose of preventing the Senate from functioning.

Mr. SMOOT. That does not change the rules of the body. I do not care how long the request for the attendance of absent Senators remains in force, but I believe the usual motion should be made first.

Mr. SIMMONS. I think we ought to proceed in the ordinary course.

Mr. SMOOT. I think so, too.

Mr. SIMMONS. The first motion is that the Sergeant at Arms be directed to request the attendance of absent Senators, and I make that motion.

Mr. KENYON. I will ask the Senator if the Sergeant at Arms can not be instructed to compel their attendance?

Mr. SIMMONS. The motion I have made is the first one in order.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Carolina.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. PENROSE and Mr. LA FOLLETTE entered the Chamber and answered to their names.

Mr. OWEN. Mr. President, I want to record my opinion that Senators around this floor ought to be counted.

Mr. SMOOT. Does the Senator from Oklahoma want to be counted?

Mr. OWEN. I want to express the opinion for the RECORD that Senators have no right to sit in this Chamber and refuse to answer to their names, thus breaking a quorum and preventing the Senate from functioning.

The PRESIDING OFFICER. Will the Senator state who are the Senators to whom he refers?

Mr. OWEN. I will if I may have the last roll call. [A pause.] I see that the Senator from Illinois [Mr. SHERMAN] is here, and he has not answered to his name.

The PRESIDING OFFICER. The Secretary will call the name of the Senator from Illinois.

The Secretary called the name of Mr. SHERMAN, who answered to his name when called.

Mr. HITCHCOCK. The Senator from Illinois states that he answered in the first place.

Mr. KENYON. Was the Senator from Illinois recorded?

The PRESIDING OFFICER. The record is now being examined.

Mr. PENROSE. I hope the record will be kept unhindered and accurate.

The PRESIDING OFFICER. The record shows that the Senator from Illinois had not answered.

Mr. PENROSE. After my motion to adjourn was so ruthlessly turned down by the Chair, when I had the votes in favor of it, I have lost a little confidence in the desk.

Mr. SIMMONS (at 4 o'clock and 45 minutes a. m.). I desire to inquire if a quorum is in attendance?

The PRESIDING OFFICER.. It is not.

Mr. SIMMONS. I move that the Sergeant at Arms be directed to use all necessary means to compel the attendance of absent Senators, excepting those away on account of sickness.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

At 5 o'clock a. m. Mr. KIRBY entered the Chamber and answered to his name.

The PRESIDING OFFICER (at 5.20 a. m.). The Secretary will read the partial report of the Sergeant at Arms.

The Secretary read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
Washington, D. C., March 2, 1919.

To the PRESIDENT OF THE SENATE:

In obedience to the order of the Senate received by me at 4.55 a. m. directing that I direct the attendance of absent Senators, I have the honor to report that I have requested the attendance of Senators CALDER, WALSH, and THOMAS. Senator CALDER reports personally that he is sick and unable to come. Senator WALSH reports that he is unable to come. Senator THOMAS reports that he is not well and can not come. Senators CUMMINS, MYERS, and HOKE SMITH are coming immediately. The order is being further executed.

Very respectfully,

CHARLES P. HIGGINS,
Sergeant at Arms, United States Senate.

At 5.35 a. m. Mr. SMITH of Arizona entered the Chamber and answered to his name.

At 5.40 a. m. Mr. SMITH of Georgia entered the Chamber and answered to his name.

The PRESIDING OFFICER (at 5.45 a. m.). The Secretary will read a further report from the Sergeant at Arms.

The Secretary read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
Washington, D. C., March 2, 1919.

To the PRESIDENT OF THE SENATE.

SIR: In obedience to the order heretofore received, I have the honor to further report that I requested the immediate attendance of Senator SMITH of Arizona, who responded and said that he would come at once. Senator PAGE stated that he would come at once. Senator MOSES stated that he would come at once.

I have been unable to locate the following Senators by telephone, as I can not get any response from their residences: Senators ASHURST, BAIRD, BORAH, BRANDEGEE, CURTIS, DILLINGHAM, FERNALD, FRELINGHUYSEN, HARDING, JOHNSON of California, KNOX, LENROOT, MCNARY, and WADSWORTH.

The order is being further executed.

Very respectfully,

CHARLES P. HIGGINS,
Sergeant at Arms, United States Senate.

Mr. SIMMONS. Mr. President, I move that the Sergeant at Arms be directed, if he can not secure the attendance of these absent Senators by telephoning, to send messengers in automobiles for the purpose of communicating with them personally and bringing them to the Senate.

The PRESIDING OFFICER. The Chair will state that this authority exists under the order already given.

Mr. SIMMONS. Mr. President, I do not wish to say anything reflecting upon the Sergeant at Arms. I have no doubt he is doing what he can; but I think he ought not to rely upon telephoning Senators, but that he ought to send messengers to their houses if they do not answer the telephone. It does not accomplish any purpose to telephone a Senator when no answer is received. I think it is the duty of the Sergeant at Arms to do more than that. A great number of Senators are here, inconvenienced by the failure of absent Senators to come into the Chamber, and I think the Sergeant at Arms ought to employ some other agency than the telephone.

The PRESIDING OFFICER. The Chair will communicate the suggestion of the Senator from North Carolina to the Sergeant at Arms.

At 5.55 a. m. Mr. HARDWICK, Mr. PAGE, and Mr. MYERS entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Fifty-one Senators have answered to their names. There is a quorum present.

Mr. SIMMONS. Mr. President, I move that further proceedings under the order to the Sergeant at Arms, directing him to require the attendance of Senators, be vacated.

The motion was agreed to.

Mr. LA FOLLETTE. Mr. President there are some facts respecting this bill which I feel it my duty to state to the Senate and to the country. We all understand, of course, that certain Senators are going to vote for the bill, regardless of its bad provisions and precedents, but it is none the less the duty of the Members of the Senate to discuss it so that the people of the country may know, at least, something of the iniquities of the measure.

The first section of this bill provides for issuing $7,000,000,000 of the obligations of the Government and selling these by means of a "drive" within the next few weeks or months. Then this bill raises the limit on the amount of certificates of indebtedness that may be issued and outstanding at any one time from $8,000,000,000 to $10,000,000,000. As there is now said to be outstanding about four billion dollars of these Treasury certificates, the effect of the bill is to allow $6,000,000,000 additional in Treasury certificates. The existing law also provides for the issuance of something over $5,000,000,000 of bonds by the Government, so that without the bill at all the Treasury can issue some four or five billion dollars in Treasury certificates and over five billion dollars in bonds.

Of course, it does not make any difference whether you call these obligations bonds, notes, certificates, or anything else, once they are issued and outstanding they are the obligations of the Government and must be paid by the people. So that the net result if this bill becomes a law will be that the Secretary of the Treasury can issue $7,000,000,000 of what the bill designates as notes of the United States, over $5,000,000,000 Treasury certificates, and something over $5,000,000,000 of bonds under an existing law. This bill also allows the Secretary of the Treasury to fix the dates of maturity for the $7,000,000,000 of notes he may issue within the maximum period of five years and minimum period of one year. It leaves the entire matter of rate of interest and terms of payment to him, as well as permitting him to exempt them in whole or in part from all taxation; and more than that it allows him to relieve holders of the liberty bonds of previous issues from taxation in proportion as they may subscribe to this new issue of Treasury notes.

IS CONGRESS A MERE DUMMY?

Now, a bare statement of these facts respecting this bill is sufficient to show that the Congress, if it accepts this bill, is a mere dummy in the whole proceeding.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from New Mexico?

Mr. LA FOLLETTE. Mr. President, I do not wish to be discourteous to the Senator; but I would a good deal rather that any Senator who has any suggestions to make as to my argument shall make them after I have concluded.

Mr. JONES of New Mexico. I just wanted to ask a question.

Mr. LA FOLLETTE. I know, Mr. President, but I prefer to proceed without interruption at present.

Mr. JONES of New Mexico. If I may have the privilege, Mr. President, I would be glad to withdraw my interruption.

Mr. LA FOLLETTE. It is unnecessary. You have not made any yet that I have recognized.

Nine times out of ten when a Senator is interrupted an examination of the RECORD will show that his response is, "If the Senator will be patient he will find that a little later I shall take up that subject in the course of my arguments." Interruptions of carefully prepared arguments, I venture to say, Mr. President, result from an impulse upon the part of other Senators to anticipate the argument that is to be made.

Mr. PENROSE. It leads to delay.

Mr. LA FOLLETTE. It does in this case lead somewhat to delay. If I do not, in the course of my discussion of this bill, meet the point which the Senator from New Mexico has in mind in a satisfactory way, I shall be grateful to him when I have concluded if he will raise the point at that time.

Mr. JONES of New Mexico. I shall be very glad to comply with the request of the Senator from Wisconsin.

Mr. LA FOLLETTE. As I said, Mr. President, a bare statement of these facts respecting the bill is sufficient to show that the Congress, if it accepts the bill, is a mere dummy in the whole proceeding. The Congress of the United States, and the Congress alone, has power, and I quote the language of the Constitution, "to borrow money on the credit of the United States." Can it truthfully be said in any right sense that Congress is borrowing this money? To borrow money means to make a bargain. It means fixing the terms of an agreement. No one can pretend that the Congress of the United States is to do that in this bill or that it is laying down the terms of a proposition which will be accepted and become a mutually binding obligation when a person subscribes for some portion of these $7,000,000,000 worth of notes.

I do not pretend to say, Mr. President, anything about what the courts may decide on this subject. I have not gone into that, but it is pretty clear to my mind that by this legislation the Congress is shirking the duty that the Constitution lays upon it, or rather has been coerced by somebody into abrogating its functions and turning over its constitutional powers to the Executive branch of the Government.

PRESSURE ON CONGRESS.

In this connection the following testimony, appearing at page 67 of the hearings on this bill held before the Committee on Ways and Means of the House, is illuminating.

Mr. TREADWAY, member of the Ways and Means Committee of the House of Representatives, is questioning the representative of the Treasury Department when the bill was pending before the Committee on Ways and Means. He said:

Of course, the committee has taken no action; naturally could not. But I think there is no secret at all that the sentiment of the membership of the House, irrespective of the membership of the committee, which has not been tested out by a vote, is absolutely against this authorization asked for.

Mr. Leffingwell, Assistant Secretary of the Treasury, replied:

Is that so?

Mr. TREADWAY. I don't think there is any question about that. I just wanted to follow out the idea whether the department would be more explicit to us if that were so.

Mr. GARNER, member of the Committee on Ways and Means, then said:

Suppose this committee should determine by a practically unanimous vote that they were unwilling to give the Secretary of the Treasury the right to fix the rate of interest or to exempt bonds; now, you come to the practical question: If we felt that way, are we to go on and pass no bond issue and trust it to a future Congress? Which is the best thing to do? I will say, frankly, I have heard a great deal of discussion among the members of this committee and among other Members of the House—naturally the Members get together in the cloakroom and other places and discuss these matters—and there has got to be a powerful work done and pressure brought to bear or something done to get Congress to give the authority asked for in this bill. So we might as well come to the practical question: Are you willing now to say or are you willing to wait for such authority as Congress will give you on the eve of your liberty loan?

Mr. Leffingwell, Assistant Secretary of the Treasury, replying to this interrogatory propounded to him, said:

I have no authority, of course, to answer that question except to repeat what the Secretary said this morning.

Of course, it is understood that Mr. Leffingwell is the representative of the office of the Secretary of the Treasury, Mr. TREADWAY a distinguished member of the minority of the committee, and Mr. GARNER is one of the leading members of the majority of the committee.

It appears that the "powerful work" referred to by Mr. GARNER has been done, and the necessary "pressure" has been brought to bear upon Congress to give to the Secretary of the Treasury the authority referred to in the bill.

What "powerful work" and what "pressure" has been brought to bear? Certainly it was something entirely foreign to the merits of the bill, for I undertake to say that no finance bill in the history of the United States was ever so little discussed or considered as this one. It was regularly received by the Finance Committee February 26, and, instead of being subjected to extended discussion and scrutiny by the committee as other bond bills were, it was reported to the Senate February 28.

When you stop to consider that our Civil War debt at its highest point never exceeded one-third of this $7,000,000,000 of notes or bonds proposed to be issued in this bill, you get some idea of the magnitude of the transaction which is being put through here at this hour of 1.15 a. m. March 2, Sunday morning.

And when you consider that never in all the history of the Government of the United States have any such powers been conferred upon the Secretary of the Treasury as this bill proposes—such as fixing interest rates and exempting from taxation not only securities issued under this bill but others already issued—you get some idea of the radical departure which this bill proposes to make from all precedent, and, as I believe, from all lawful authority.

At this point Mr. PENROSE raised the point of no quorum, and the roll was called.

Mr. LA FOLLETTE. Mr. President, I have said that under the Constitution the power to borrow money rests solely with the Congress, and that it is this power that the bill proposes to turn over to the officials of the Treasury. The Constitution also vests in Congress the "power to lay and collect taxes." But it would be hard to say how the taxing power could be more plainly exercised than by determining, as this bill gives the Secretary of the Treasury power to determine, what kind of bonds, notes, or other securities the tax shall be imposed on and what ones shall be exempt from taxation.

Mr. President, I venture to say that the suggestion that I make in these two sentences is worthy of the consideration of the lawyers in this body. If this bill shall be passed, if this departure from all precedent—and, I believe, from the Constitution—shall be tolerated, it will be only a short time before Congress will not be consulted at all about borrowing money on the credit of the Government, except, possibly, it will be required to pass a bill to provide simply that the Secretary of the Treasury is authorized to raise by loans anywhere from $100 to $100,000,000,000, upon such conditions as he may prescribe—as the Secretary of the Treasury may prescribe, not as the Congress may prescribe. There should be some line of demarkation between the constitutional powers with which Congress is invested with respect to borrowing money and what we can turn over to the Secretary of the Treasury. In reality such a bill would find more of a precedent and more of justification in the principles of the present bill than the present bill finds in any other bill ever passed by the Congress of the United States.

To what a pitiful status has the Congress of the United States been reduced in the last few months! Officials of the executive departments come before the committees of Congress and tell them how much money they desire. The committees of the Congress say all right and report that the money should be appropriated. Then another committee of the Congress says to the Secretary of the Treasury, "Go ahead and raise the money according to your own judgment." Sometimes the estimates of the different departments concerning their expenditures are right, and then again it appears they are wrong. The Secretary of War forgot a little item of $750,000,000 on one of his estimates the other day. Then when he got back to his office he felt he had forgotten something and he sent over to the committee and said that he wanted that much more money. He might just as well have telephoned. He would have gotten it just the same.

WRONG FINANCIAL POLICY OF ADMINISTRATION.

It may be remembered by some that when the question of financing this war first came up and as each successive bill has come before the Senate I have urged the adoption of a policy which would raise as much of the expenses of the war as possible by taxation and as little as possible by selling bonds. I am not going to take the time of the Senate at this hour to repeat the arguments I used on those occasions to support my contentions. And it is no satisfaction to me to point out to-day that much of the evil is already appearing which I prophesied would quickly follow the wrong policy of financing this war, which was adopted at the beginning.

Instead of raising as much money by taxation as possible and as little by borrowing as was strictly necessary, the administration adopted the very opposite policy. It has raised as little by taxation as possible and as much by bond sales as could be extracted from the people. This policy was especially vicious in view of the war profits which should have been almost wholly taken to pay the costs of the war and which wholly disappear with the ending of the war.

Speaking in the Senate on the 21st of August, 1917, I said:

No one knows what the future holds for us. The war may end suddenly, as suddenly as it began. Who knows? The whole world was startled with the war declarations that followed fast one upon the other. Possibly the breakdown of this war may come as suddenly as its beginning. Shall it find us with a system of war financing fastened upon us where taxation bears to bond issue a ratio of 1 to 5? It will if you follow the majority members of this committee, and if the war should cease within the next year you would have then allowed the great mass of these war profits to escape taxation. They will have pocketed their war profits, but the people will find themselves saddled with a nine billion debt in the form of war bonds which will already have been issued.

I have heard it suggested, Mr. President, that sometimes in my zeal for a cause in which I am deeply interested I do not always preserve that moderation and conservatism which is so desirable in one charged with the duty of lawmaking. I feel sure I have a most conservative and judicial attitude of mind upon public questions, and certainly it must be admitted in this particular case I was extremely conservative. The war did stop almost within the year, but our bonded debt so far from being nine billion, was seventeen billion, while the whole debt of the United States on January 31, 1919, was $23,267,000,000.

I quote from the testimony of Mr. Leffingwell before the Ways and Means Committee:

The debt assumed by the testimony before the Committee on Ways and Means shows that the whole debt of the United States on January 31 (1919) was $23,267,000,000 (p. 10).

Let us go one step further with Mr. Leffingwell's testimony. When he came before the Senate Committee on Finance a few days ago to explain this bill to us he testified:

The total cash expenditure from April 6 to January 31 was approximately $26,500,000,000, and the total receipts of the Government during the same period, except other than from borrowed money, were $6,000,000,000, showing that, although we had contemplated, in a general way, the financing of the Government one-third by taxes and two-thirds by loan, we were actually during the period of the war, in receipts from taxes and in interest from foreign loans made by us and from miscellaneous sources of an income, a good deal less than a quarter of the amount of our expenditures during that period.

While Mr. Leffingwell refers, in a general way, to the receipts of the Government from all sources as a good deal less than a quarter of the amount of its expenditures, an actual calculation shows that the receipts were 22 and a fraction per cent of the expenditures. You will note, also, that the receipts include receipts from all sources, not merely the receipts from taxes levied for war purposes.

FALSE CLAIM OF THE ADMINISTRATION.

Now, sir, if there was one thing to which this administration was pledged concerning the financing of this war it was that not more than two-thirds of the expenses entailed should be raised by borrowing. Even that was an indefensibly low proportion. In an argument here in the Senate on the 21st of August, 1917, I went to some pains to review the history of the methods by which the recent great wars of history had been financed. I pointed out how the policy of excessive borrowings during the early days of the Civil War had almost wrecked the cause of the North, and how this policy was changed in 1863, and that from that time forward more than one-third of all expenditures were derived from taxation. I pointed out that 50 per cent of the cost of our war with Spain was met by taxation; that Great Britain met more than 47 per cent of the expenses of her Napoleonic wars by taxation; that in the Crimean War she raised 52 per cent of her war expenses by taxation; and that in the present war, with only a fraction of our wealth and population and with more vast expenses, she was raising far more in proportion by taxes than we were.

So it was that the administration met this argument and the other arguments showing the folly and wickedness of allowing war profits to escape so lightly from taxation, while forcing bond issue after bond issue upon the people of the country—by asserting that it would raise one-third of the war costs by taxation as it went along. What the administration actually did in this matter is given by the figures before quoted from the testimony of Mr. Leffingwell.

The whole matter is covered so fully from the tables which appear in the hearing before the Committee on Ways and Means on this measure that I wish to insert them as an appendix to my remarks. Mr. President, I ask leave to insert the tables in the RECORD without detaining the Senate to read them.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. LA FOLLETTE. The tables speak for themselves. They show that the claim which the administration has made that it would raise one-third of the cost of this war by taxation is absolutely incorrect. Even when the last finance bill was before the Congress a few months ago, you will remember that it originally carried taxes of about $8,000,000,000; and upon the cessation of hostilities the Secretary of the Treasury came before the Committee on Finance of the Senate, as well as before the Ways and Means Committee of the House, and gave an estimate that the expenses for the fiscal year would not exceed $18,000,000,000, and, therefore, that the administration stood for reducing the amount to be raised by taxation to $6,000,000,000, keeping up the fiction of raising one-third of the

expenses by taxes and two-thirds by bond issues. No pretense was made by the representative of the Treasury, in the brief hearings we had upon the present bill a few days ago, that eighteen billions would be sufficient to meet the expenses of the Government for the fiscal year. That claim had served its purpose. It had reduced taxation $2,000,000,000. It had let the profiteers escape to that extent; and the presence of this bond bill here to-day, with the amount that it proposes to raise by selling these Treasury notes, is the admission that the former estimate of the Secretary of the Treasury, given us only a few months ago, is incorrect.

OUR WAR COSTS TO BE $35,000,000,000.

Mr. Leffingwell, when before the Finance Committee on the present bill, made no contention that the expenses would not be $20,000,000,000 instead of $18,000,000,000; and when the members of the committee pointed out to him reasons for believing that that estimate was too low he had no satisfactory answer.

In discussing the finance bill in the Senate, August 21, 1917, I said:

If this war shall last for another fiscal year, our expenditures will not be counted in the billions merely, but in tens of billions. We will have to reckon with an expenditure of probably thirty or forty billion dollars for the succeeding fiscal year if this war continues. Do you know what that means? That is a sixth of the total wealth of the United States. It is not improbable that the entire income of all the people of the country, estimated at $38,000,000,000, will not equal the money cost of the second year of this war.

Now, what is the fact? The war did not last through the second fiscal year nor through half of it; but Mr. Leffingwell, in his testimony a few days ago before the Senate Finance Committee, admitted that our war expenses up to the last of last month had been over $23,000,000,000, and that they would amount eventually to $35,000,000,000. Let me quote again from the testimony:

The CHAIRMAN. As I understand it, Mr. Leffingwell, our indebtedness, including the amount that we have loaned to the allies, would be about $35,000,000,000?

Mr. LEFFINGWELL. Senator, I want to save myself from making an estimate on that; but what I said was this, that we had $23,000,000,000 on January 31, and there is nothing in the situation which will lead me to believe that it will ever run above $35,000,000,000.

* * * * * * *

Mr. LEFFINGWELL. Taking into account the items which Senator LODGE and Senator PENROSE mentioned, and everything before us, it seems to me that $35,000,000,000 was an outside figure.

Here again it is perfectly clear, in the light of the facts as we know them, that it was possible to make a reasonably accurate estimate of the expenditures of the war for the fiscal year, and that the Secretary of the Treasury did not do it. In the estimate of the Secretary of the Treasury furnished to the committee in the hearings on the finance bill in August, 1917, the estimated expenditures for the fiscal year 1918 were $10,835,807,000. The figures given in the table hereinbefore quoted show that the actual expenditures for that fiscal year were about two billion in excess of the estimate. In the majority report of the Finance Committee on the revenue bill of December 6, 1918, it is said:

Because of the changed conditions resulting from the signing of the armistice Secretary McAdoo recommends that a tax levy of $6,000,000,000 is all that is now necessary or justifiable, and the changes recommended by this committee, it is estimated, will reduce the revenue to this amount.

Do you get that? "That a tax levy of $6,000,000,000 is all that is now necessary or justifiable." That is pretty strong language from the Secretary of the Treasury. He evidently wanted to get the revenue bill which we passed only a few weeks ago cut down from eight billions to six billions; and the committee said, in reporting that bill, that—

Because of the changed conditions resulting from the signing of the armistice Secretary McAdoo recommends that a tax levy of $6,000,000,000 is all that is now necessary or justifiable, and the changes recommended by this committee, it is estimated, will reduce the revenue to that amount.

As we have seen, this change was based upon estimated expenditures for the fiscal year ending June 30, 1919, of $18,000,000,000. This estimate, like the others, is now admitted to be wrong, and, like the others, errs in that it is too low by several billions of dollars. But it was used as a basis to relieve from taxation many billions of dollars of war profits and surplus incomes.

RECORD DOES NOT INSPIRE CONFIDENCE.

I just told you that if you study these estimates furnished by the administration you will find that they err upon one side right along, and upon the side that furnishes a basis for cutting down taxation upon war profits, and works out finally for increasing the bonds that the people have to carry. Get away from that if you can.

Mr. President, I am not recalling these facts which are known to everyone on the Finance Committee because of any desire to criticize or condemn the judgment or official acts of the Secretary of the Treasury, or anyone else, because there is not any satisfaction in that after a thing of this kind is over with. But, sir, when the Secretary of the Treasury comes to the Congress to-day and asks for power over the finances of this country, over the fortunes—yes, the very lives—of the people of this country, greater than any man ever before exercised or thought of exercising, it is very pertinent to pause long enough at least to inquire how the office of the Secretary of the Treasury has been administered in the last two years.

Has the Treasury Department been administered during this war so wisely and on such sound principles and by such sane methods that the head of it can fairly come to Congress to-day and on the record which he has made ask the Congress to blindly trust him to exercise not only his own powers but the most important powers of Congress as well? Is the Congress prepared to surrender its most important powers solemnly committed to it by the Constitution and turn over the financial destiny of the people of this country to the head of one of the executive departments? However other Senators may answer to that question, my answer is no.

The administration, of which the Secretary of the Treasury is a mere instrument, has financed this war on a principle condemned by every great political economist of the world, and condemned by the experience of every nation which has ever conducted a great war. We have got to settle for it finally. The excessive amounts of the bonds issued, as compared with the amounts raised by taxation, for war purposes by this administration will go down in history as the most colossal folly and rankest injustice of which any administration has heretofore been guilty, so far as the history of this Government is concerned.

Mr. President, I ask leave to incorporate in my remarks, without taking the time of the Senate now to read it, an extract from a memorial presented to Congress when the subject of financing the war was first before this body, signed by 309 of the most distinguished professors of economics and physics, members of the faculties of 47 of the leading universities and colleges of the country.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

The taxation policy is practicable, because the current income of the people in any case must pay the war expenditures. The choice between bond issues and taxation is merely a choice whether the Government shall take income with a promise to repay those who furnish it or take income without such promise. The actual arms, munitions, and other equipment and supplies for use in the war, except to the small extent that they have been stored up in the past, must be produced now, during the war itself, not after the war, and, moreover, must be produced by our own people. The policy of borrowing within the country itself does not shift any part of the Nation's burden of war expenditures from the present to the future. All it does is to make possible a different distribution of the burden among individuals and social classes to permit repayment to certain persons who have contributed income during the war by other persons after the war. If the people can support the war at all, they can do it on a cash basis. Borrowing creates nothing. Except by borrowing abroad, which we can not do, we can get nothing which we do not ourselves produce. * * *

The taxation policy and no other will enable the country to escape the enormous evils of further inflation. The present high level of prices in Europe and America is primarily due to the war bonds and the paper money issued abroad. If the United States joins on a huge scale in this policy of borrowing, prices are bound to become far higher still.

Price inflation is harmful even in time of peace. During a war it is disastrous. It increases the cost of conducting the war. It postpones victory and thus adds to the war's toll of lives, as well as to its money expenditures. By every bond issue the Government enhances the price it must pay, and thus creates the need of more bonds. The policy works against itself.

Moreover, inflation of prices works injustice between different classes of society. The burden rests chiefly upon wage earners and salary receivers, whose pay never rises as fast as prices, and upon those who receive fixed or contractual incomes. The hardship which millions of our people are already suffering from the increased cost of living will be made manyfold greater if the Government issues billions of dollars of bonds to finance the war. * * *

The policy of taxation for war expenditures is demanded by justice. Apart from the injustice arising from price inflation, the policy of paying for the war by bond issues gives property a preference over life; it deals unjustly as between citizen and citizen. The question of taxation versus bonds is not merely one of economics; it is one of morals, of right against wrong. * * *

The citizen who contributes even his entire income, beyond what is necessary to subsistence itself, does less than the citizen who contributes himself to the Nation. * * *

If conscription of men is just and right, conscription of income is the more so.

RESULT OF ADMINISTRATION POLICY.

Mr. LA FOLLETTE. As a result of this policy of the administration the entire cost of this war, principal and interest, with the exception of the comparatively small amounts collected from surplus wealth and war profits under laws already passed, will have to be borne by the masses of the people of this country who have little or no wealth. The taxes which can be collected from wealth under peace-time conditions will be promptly shifted to

the consumers by the increased prices of the things they eat, wear, and use, and will also be shifted to labor by the decreased wages it receives. This has all been made so plain in the writings of political economists and has been demonstrated so completely over and over again in the case of other great war debts that it seems that no one who wishes to know the truth could be lead into error.

The "errors" of the department in estimating the expenses of the war, to which I have called attention, conveniently turned up about the time a tax bill was under consideration and have been used as a means for reducing taxes upon wealth and war profits, thus aggravating the evils inseparable from the wrong principle adopted by the administration.

The result has been that additional bond issues far exceeding any estimates given to the people have been called for. This bond bill is merely an illustration of the principle. If it becomes a law the Treasury Department will be clothed with power to immediately issue securities of the United States in three times the amount that the department's estimates show, or even pretend, are needed at this time. Why this demand for this unlimited and uncontrolled power of the Treasury Department to mortgage the future of the people of this country indefinitely? Is it expected that within a few months the administration will have to tell the people that its Treasury Department has made another "error" in estimates, and that they must, therefore, buy still more billions and billions of bonds, and that the administration desires to have the whole matter in its own hands and need not apply to Congress at all?

REASONS GIVEN BY THE ADMINISTRATION FOR ITS DEMAND.

But, Mr. President, the Secretary of the Treasury has given a reason why the administration demands this unlimited power. The reason is as remarkable as the demand. It is this: The Secretary of the Treasury asserts that he desires to keep the people in the dark concerning the character of the securities they are going to be required by the Government to buy until the "drive" is ready to start with its force of 2,000,000 bold sellers and the other agencies with which we have grown familiar for forcing the people to buy these bonds.

I do not ask you to take my construction of the language for a statement so extraordinary. Mr. Leffingwell, an Assistant Secretary of the Treasury and a man who was put forth by the Treasury Department, both before the Ways and Means Committee and the Finance Committee, to explain and argue for this bill, in his testimony before the Senate committee said—and I quote from page 16 of those hearings:

Mr. LEFFINGWELL. It is just because we do not believe that it would be advisable to fix the interest rate at this time, to give the people a definite answer to the question, that we have asked authority to determine it. My view is this: We can not now safely say at what rate the Government can borrow the money; that is, before the life of this Congress terminates. If you fix a rate which we may hope would be sufficient in April, the markets would adjust themselves to that rate; the attraction would be discounted; the prices of liberty bonds and other securities would all reflect the decision; and by the time the drive begins, almost two months from to-day, as the bankers say, the bloom will be off the issue and you will not be able to sell a note upon terms which, if you had left the question open to the last minute, would seem at that time very attractive. We are very anxious that you should not ask us to make an estimate of the interest rate for that reason.

There you have the Treasury explanation and its only explanation. If you let the people know a little while in advance something about the securities they are going to be required to buy, it will not seem so attractive. But if you can spring it on them suddenly before they have time to think you can persuade them into buying. This is the argument: "The bloom will be off the issue," Mr. Leffingwell says. He is very anxious to sell the people the bonds, bloom and all. Evidently the entire office of the Secretary of the Treasury is strong on bloom, for the Secretary himself, testifying before the House Committee on Ways and Means—and I quote from page 21 of those hearings—says:

Secretary GLASS—

I am quoting now from the Secretary of the Treasury—

I frankly realize, quite as forcibly as you gentlemen, that it is an extraordinary request; that it is unusual in this country at least; but we are confronted by an extraordinary situation. As pointed out in my statement to the committee heretofore, only a few days have elapsed between the action taken by the Congress in fixing the terms of a liberty loan and the actual projection of the drive. So that almost instantly after the terms had been fixed the drive was projected. Now, two months will have elapsed between the time Congress might act and the time we have in mind for the next liberty-loan drive and in that two months the country will have discussed in the minutest way every feature of the proposed loan; every possible objection to it, rational or irrational, will have been directed against it; and what the experienced trained bond experts call the bloom of the issue will have faded away and an insuperable situation will have presented itself. I may say to the committee that I have been out in the country somewhat as a preliminary to the next bond issue, to feel the public pulse and to get the atmosphere of the banking and bond investing circles, and we are going to have vastly more difficulty in floating the next loan than we have ever had.

The spirit that pervaded the country while the guns were firing, the delirium of war, has passed away and there is distinctively a reactionary feeling. And on all sides the Secretary of the Treasury is met with the suggestion and advice that the next liberty loan must be floated on a cold-blooded business basis. I am unwilling to admit that; I do not believe it.

You will see that the Secretary of the Treasury is even more frank than his assistant, Mr. Leffingwell. The Secretary not only wants the bloom on the peach—lest they may discover it is a lemon—but he wants something as a substitute for "the delirium of war."

Oh, Mr. President, I wish that all the people of this country could read this testimony and know what was being prepared for them down here in Washington by the men sworn to protect their interests. I wish they could understand the scheme by which they are to be denied all chance of acting deliberately in this great matter of paying out their savings to buy the securities of their Government. I wonder if the President or the Secretary of the Treasury ever stopped to think how grave, how serious a matter it is to millions of the people whom they are going to ask to buy these bonds when they go to the savings bank or other depository and take out a hundred or fifty or twenty dollars in order to make an investment with it. A hundred dollars in the case of many millions of them represents the savings of an entire year. It represents self-denial. It represents denial to the wife and to little children of the pleasures and the little comforts which would have made life more happy. But the desire to provide for the future and for old age and its helplessness, and possibly for sickness, has been stronger than anything else, and so the money has been saved. I know something of the care and consideration, of the family counsel, of the anxious thought that attends purchases made under these circumstances. It is this chance to counsel together, to deliberate, to plan with respect to their savings that the Secretary of the Treasury says must not be permitted when a liberty bond, sold probably on the installment plan, is presented to these people by the glib-tongued bond seller.

Mr. President, in most of the States they have what are called blue-sky laws, laws against foisting on the people securities which are not what the purchaser is cleverly led to believe they are. I say, Mr. President, it is morally just as wrong to sell to a poor man a good security which he can not possibly afford to keep, and will be compelled to sell at a sacrifice, as it is to sell a poor security to a man who can afford to buy. What might be only a moral wrong in an individual in such a transaction becomes the more reprehensible when the Government not only becomes a party to it, but devises and puts through the transaction.

The Treasury Department, sir, must know, as it seems to me, that what it is planning to do, if the reasons which it has given for its action are its true reasons, is, in effect, little less than fraud—bad faith—for it knows that the people to whom it will sell the bonds in the "delirium" that the Secretary talked about will soon be forced to sell those same bonds at a great sacrifice to those who can afford to buy them.

WILL BE FORCED TO SELL TO THE RICH.

Note this testimony taken before the Committee on Ways and Means of the House. I quote from page 69 of these hearings:

The CHAIRMAN. I am going to ask you a practical question. I see on January 31, 4½ per cent bonds net were quoted at 95.60. What are they worth to-day? It is the 4½ bonds of 1932 and 1947, first liberty loan converted.

Mr. MEYER. I think they are about 94½ now.

The CHAIRMAN. 94½ to-day?

Mr. MEYER. All of the bonds have gone down.

The CHAIRMAN. Here is the fourth liberty bonds of 4¼ per cent, at 95.4—what is that worth to-day?

Mr. MEYER. They are just a trifle under 94. They have been as low as 93.80.

The CHAIRMAN. Haven't you an opinion that the reason the bonds have fallen right here lately since January 31 is that an effort is being made on the part of somebody to manipulate the market and drive them down so as to get a higher rate on these future loans and also with the hope that if we have a higher rate on the future loans Congress will, at some time, raise the rates on the bonds now outstanding?

Mr. LEFFINGWELL. No; I haven't the slightest notion of it. I think the selling is from two sources. Most of it comes from the small bondholders, I am sorry to say—from people who are out of employment, from people who wanted to buy Christmas presents. They are coming in barrels and boxes and cases from the people of small means who bought them as a matter of patriotic duty. Some of them are out of employment, some are on reduced wages, some of them have been gulled by the sellers of mining stocks, oil stocks, and different kinds of stocks, people who wanted to sell them silk shirts, Christmas presents, jewelry. The war is over, the patriotic duty to hold their bonds no longer impresses them with full force, and much of the selling, I should say, is coming from that sort of people.

Other selling comes from great corporations which are not plentifully provided with cash and which have been keeping their shops open and not selling the things they have for sale.

In the face of that testimony, Mr. President, in the face of that awful confession—for that is what it amounts to—the Treasury Department is deliberately planning to do the same

thing over again. The people of small means, the people out of work, are selling their liberty bonds, and I quote the exact words of the Assistant Secretary of the Treasury, "They are coming in barrels and boxes and cases." Not only that, but he tells why they bought the bonds. He says, "They bought as a matter of patriotic duty." They could not afford to buy them. As a consequence they had to sell and sell at a loss of from $5 to $6 on every $100 bond. Most of the purchases of these bonds, I suppose, were made on the installment plan. It was not humanly possible for them to keep their bonds. A fair and benevolent Government instead of trying to force bonds upon these people should have warned them against purchasing, because of the losses they knew would follow. They should have taken the other course by imposing a tax upon war profits that would have taken, if necessary, in order to furnish the Government with the amount of money required to carry on the war, the last dollar of the war profits of the profiteers.

Then, of course, there is this fact which must always be reckoned with: These bonds, by their provisions exempting them from taxation, are an attractive investment to the rich and those who have large income taxes to pay, while the poor man, even if he has a little money to invest, does not benefit by these tax-exempt features, and could much more profitably buy some other good securities with a much higher rate of interest.

If the Secretary of the Treasury is right in his opinion that he can only put over this bond issue by keeping the public in ignorance of the character of the bonds so long as possible, what a confession of failure it is of the administration's policy of financing the war. "The delirium of war" is over, he says. Therefore he must work up some other "delirium" to take its place. The poor have bought bonds beyond their means to carry or to pay for, and now Mr. Leffingwell says that they are selling their bonds by the barrel. What does the statesmanship of the administration offer as a solution of a most serious situation? The administration is demanding that the Congress shall not only renounce its constitutional duty to regulate bond sales but that it shall have no sufficient opportunity even to consider this bill. What plan, then, does the administration submit as its justification for demanding that Congress shall abrogate its constitutional power and shirk its constitutional duty? Absolutely nothing, except that it is proposed simply to repeat the performance of forcing bonds upon people by the old methods and by the new ones which the Secretary of the Treasury has described.

The facts with respect to the other bond sales have been described. They will be infinitely worse now, for the Treasury Department has no hesitation in saying that the bonds which were sold before are being resold now at great loss. Surely the Treasury Department must see now in all its enormity the injustice of forcing these bonds upon the people of small means in the "delirium" of the war or any other delirium, or by any trick or device whatsoever, for it has the complete evidence that those bonds will soon be sold to the wealthy at greatly reduced prices.

This bill, by the unlimited authority which it gives to the Secretary of the Treasury to issue these bonds freed from taxation, puts it within the power of this one man to transfer from the pockets of the poor to those of the rich hundreds of millions of dollars by so issuing these bonds as to make it practically certain that the poor man, if he buys them, will be unable to keep them.

What does it mean to a man who has no income beyond the necessities of life, or even a few dollars more, whether these bonds are free from taxation or not? But how alluring to the rich are the tax-exemption features of these bonds. To the man whose income runs into thousands and tens of thousands and millions of dollars, this feature of the bonds makes them very valuable. But to the great majority, to the 90 per cent of the people against whom this "drive" is to be directed, the tax-exempt feature means nothing. And even if they were able to pay for their bonds they can not afford to hold them, while those who buy and only partly pay for them must take what they can get.

INDUSTRIAL SITUATION OF THE COUNTRY.

Prof. E. A. Ross, of the University of Wisconsin, in a book published in May, 1918, has drawn for us a moderate but clear and brief statement of industrial conditions in this country, which it would be well for the Secretary of the Treasury and officials of this administration generally to study. Prof. Ross's book is entitled "Russia in Upheaval." Prof. Ross has been for many years a professor of sociology at the University of Wisconsin, and is the author of a number of standard works dealing with sociology and with history.

Let me say that Prof. King just before his death, which occurred a few years ago, published a work on the distribution of wealth. Prof. King was recognized among the statisticians and students of sociology and of the economists in this country as a very eminent man in his particular field. He was a member of the faculty of the Wisconsin University when he died.

Prof. Ross said—I quote from this work, beginning at page 345:

> Let it not be supposed that the United States, with its qualified political democracy, will prove immune to anticapitalist agitation. The fact is our society is one of the most vulnerable, because we have clung so long to the law and politics of an outworn individualism that the resulting distribution of wealth and of income would be grotesque were it not so tragic. According to the investigations of Prof. King, a statistician of unquestioned skill and impartiality, 65 per cent of our people are poor; that is, they have little or no property, except their clothes and some cheap furniture, and their average annual income is less than $200 per capita.

That is—let me emphasize that—65 per cent of the people of the United States have nothing but their clothing and some cheap furniture, and their average annual income is less than $200 a year per capita.

> Thirty-three per cent of our people compose the middle class, in which each man leaves at death from one to forty thousand dollars' worth of property. The remaining 2 per cent comprise the rich and very rich, who own almost one and one-half times as much as the other 98 per cent together.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I do.

Mr. KENYON. The figures the Senator quotes from Prof. King are so startling that I should like to ask the Senator a question. Did the Senator say that, according to Prof. King, 65 per cent of our people have an income of less than $200 per year?

Mr. LA FOLLETTE. Per capita.

Mr. KENYON. That is, a man with a family of four would figure each one in the income?

Mr. LA FOLLETTE. Yes, sir.

Mr. President, I submitted as a part of the minority report in 1917 on the revenue bill fixing war profits taxes these very figures quoted from Prof. King, and I discussed them on this floor. I cited them over and over again, and tried to make them as impressive as possible. We are asleep; we treat as a joke the poverty of 65 per cent of the people of this country. Senators jibe and sneer and scoff and grin at the recital of these figures here to-night. You may, by pursuing that course long enough, invite into the Senate Chamber sometime or other a mob.

Mr. KENYON. Mr. President, my question was not intended as a jibe or a sneer.

Mr. LA FOLLETTE. Oh, I understand.

Mr. KENYON. I am deeply interested in that question.

Mr. LA FOLLETTE. I am glad the Senator asked it. I want to impress the fact upon the mind of the Senate, and I will repeat it—I wish I had a full Senate to appeal to—65 per cent of the people of this country have absolutely nothing, as shown by the best investigators, but their clothing, a little cheap furniture, and a scanty income of $200 a year per capita.

The PRESIDING OFFICER. Will the Senator give the date when that computation was made?

Mr. LA FOLLETTE. The Senator can send to the library for the publication. The statement was made by Prof. King, who died two years ago, as I remember, and this book was published just before his death. Prof. Ross's book, in which he quotes these figures of Prof. King and approves them, was issued a few months ago. Prof. Ross is one of the leading thinkers and investigators of the country; there is not a magazine published in America that would not pay the highest price for an article by Prof. Ross. Economists all over the country know the value of Prof. King's works.

WAR FINANCED SO AS TO IMPOSE ADDED BURDENS ON THE POOR.

Mr. President, that is the great sociological fact which should be reckoned with in determining how this war was to be financed. I want stability in this Government; I want a Government of law and order; but I will restrain the temptation to digress. Instead of adopting a system which has added many billions to the already collosal fortunes of the 2 per cent and made life still harder for the 98 per cent, a system should have been applied which through taxation would have taken enough from the 2 per cent of the population so that the war would not have borne too heavy upon the other 98 per cent.

What have we gotten out of this war? Three-fourths of the war debt down to the 31st day of last December you have represented in bond issues, to be carried by the people and paid for when they buy things to eat and to wear and to use. You let off from taxation the people who had made unparalleled profits through three years before we entered the war; and I will show you some figures and tables in a moment to prove it. They have

taken those profits out of the war business untaxed altogether; and then you passed a law taxing their war profits for our first war year only 31 per cent.

You left them all they had made during that period; and it appears in testimony that has been taken by various committees of Congress that they made not only the enormous profits represented by the prices they had charged, but that in many cases Great Britain and other foreign Governments built their factories for them without charge. Yet we put into the tax bill that we passed here, the last war revenue bill, a plan of amortization of the investments in those factories, when Dr. Adams testified before the Committee on Finance of the Senate, and it is in cold type, that in the great mass of cases Great Britain and the other foreign countries were so eager for the war materials that they furnished American manufacturers with the capital to build those plants, and then paid unprecedented prices for the products that were turned out of those plants. Then, when you came to fix your war-profits tax, when you ought to have taken all of it—they had had the benefit of the enormous war profits through three years of the war, and if you had taken every cent of it it would not have been an injustice—what did you do? In 1917 you took about 31 per cent of it, as I remember, not 31 per cent of the profits that they had made during these three years of the war, but 31 per cent of their war profits over and above the average of their prewar profits. Therefore, you left them 69 per cent of their war profits on top of the enormous profits that they had made besides.

Senators, facing the ugly fact that 65 per cent of the people of this country have nothing but their clothing and a little cheap furniture, on the testimony of the most expert investigators that we have of social conditions, and the scanty income of $200 per capita per annum, I ask you if you have not some fundamental causes for unrest when you put a tax system such as is provided by our war-revenue laws?

Mr. KENYON. Mr. President, I do not like the Senator to come here and point his finger at "we-uns" back here and say we did it, for we did not. I wish he would go to the ones who voted that way. We did not.

Mr. LA FOLLETTE. I know the Senator from Iowa voted for every single amendment that was offered here, starting from 80 per cent tax on war profits, and when that was defeated, voting for the next one, and the next one, and the next one, clear down the line.

But, Mr. President, I know that I am overtaxing the patience of the Senate. I do want to put this material into the pages of the RECORD, however, and I am kind of hopeful that maybe not right now, but later along, if it can be repeated over and over again, maybe it will finally make its impression upon the senatorial mind, and maybe some good will come from it. It is God's truth. That is what it is. It is a startling thing to be confronted with, and I am not quite through with the facts yet. I have just told you what the condition of 65 per cent of the people of this country is. Take a little more of it.

According to Prof. King's classification, which Prof. Ross adopts and approves, 65 per cent of our people should have been eliminated at once from all consideration as possible bond buyers. They have "little or no property except their clothes and some cheap furniture, and their average annual income is less than $200 per capita." It must be known in advance, of course, that every bond sold to a member of that class represents a considerable loss to the purchaser, for it will shortly have to be resold at a greatly reduced price.

Among the other 33 per cent who have some little property there are doubtless a number who might fairly and reasonably consider some investment in bonds; but the number would be few and the investment small, and to them the tax-exempt feature would be of no importance, for their incomes, at best, would not be sufficiently large to be touched by the surtaxes.

It is the remaining 2 per cent, who own the wealth of the country, who have the greatest stake, whose incomes are so great that even luxuries and excessive and reckless living makes no impression upon them. This is the class upon whom the financial burden of the war should have been placed, so far as possible. But instead of pursuing that policy, what has been done? This class, so far from bearing any of the burdens of the war, has grown richer under war conditions than ever before. Now, is not that strictly true? I believe it. I may refer to this a little later, but at present I shall continue with the quotation from Prof. Ross.

MONEY OF COUNTRY WAS WASTED.

Mr. FRANCE. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. LA FOLLETTE. Yes.

Mr. FRANCE. From what book is the Senator quoting? I heard the name of the author, but I did not hear the title of the book.

Mr. LA FOLLETTE. I am quoting from Prof. Ross, professor of sociology in the University of Wisconsin, author of Russia in Upheaval, Social Psychology, Changing China, Changing America, The Old World in the New, and so forth.

Mr. FRANCE. I know the author's works very well, but I did not know the title of the book. I will ask the Senator a question if it will not disturb him.

Mr. LA FOLLETTE. Not at all.

Mr. FRANCE. Of course, quite properly, we have a national pride that leads us to boast of our national wealth; and at the beginning of this war we were, I believe, what might fairly be called a wealthy Nation. That does not mean, of course, that all of the exaggerated statements which have been made with reference to our national wealth are true; but I think the figures as given by the census reports perhaps represent conditions as fairly as any figures could; certainly as fairly as the figures that come out of the imaginations of men when they are speaking in the fervor of eloquence. I think the figures show that our national wealth in 1912 was one hundred and eighty-seven billions—a fairly liberal estimate, if we consider that the assessment valuation was sixty-nine and a half billions. Now, if the assessment value was what it should be, a fair representation of the actual value, and if the statements which have been made to-night are correct, it would seem that we have spent thirty-three billions of an assessed value of sixty-nine and a half billions, not an inconsiderable proportion of our national wealth.

I do not wish to be unjust to the administration, but it is my honest opinion that 50 cents of every dollar expended during this war has been squandered because of the incompetent management of the war. That is merely a personal opinion. However, it is not a guess. It is an opinion arrived at after a careful line of thought from the operations which I have observed, some of them in my own State.

Am I interrupting the Senator?

Mr. LA FOLLETTE. Not at all.

Mr. FRANCE. Now I am asking the question; I had to explain this. I think the figures indicate that before the war about 14 per cent of our population were in a condition of primary poverty—that is, a condition of poverty which means actual want. Does the Senator think that that percentage would naturally be increased as a result of our expenditure of thirty-three billions out of one hundred and eighty-seven billions of our total national wealth?

Mr. LA FOLLETTE. I have no doubt of it.

Mr. FRANCE. So the Senator anticipates that the unhappy conditions to which he refers may be even increased as a result of this expenditure?

Mr. LA FOLLETTE. I do.

Mr. FRANCE. I thank the Senator, because I value very much his opinion on the subject.

AN INDICTMENT OF OUR SOCIAL SYSTEM.

Mr. LA FOLLETTE. I was about to continue the quotation from Prof. Ross's book, which, I believe, will be found by Senators to be very interesting. He says:

> Take income rather than wealth. From a critical study of all accessible wage statistics Rubinow concludes that in the period 1907–1912 the decline in real wages in this country was 7 or 8 per cent, and in the period 1900–1912 the loss was about 10 per cent. Despite strikes, boycotts, trade-unions, the new unionism, and the I. W. W, the ordinary wage earner has been losing surely and not even slowly, so that before the war his earning power was from 10 to 15 per cent less than it was a quarter of a century ago. He has missed slipping down to a lower plane of living only because he raises fewer children than he used to and his wife and daughter more often contribute to the family budget; that is, more persons work to support the family.

What an indictment, Mr. President, of our social system, and our society, and Government. Indeed the crime of it all is that the burden of this war for democracy, so called, is nearly all placed upon the wage earners of the country. It is their lives which were sacrificed. It is their labor which must produce the wealth that was destroyed by the war, and their own share in the wealth so created constantly grows smaller.

Continuing, Prof. Ross says:

> In the prewar period nearly half of the adult male workers in organized industry were earning less than $600 a year, while four-fifths received less than $750, which according to the unanimous testimony of social workers is the least on which a town family of normal size can be supported in health and decency. The receipts of property from the product of American industry have grown faster than ever before, while all the organizations of labor, the struggles and sacrifices to resist exploitation by the employer, have not only failed to increase the reward of labor, but have not availed to prevent the actual forcing down of real wages.
>
> In the last dozen years, since the exposure of commercial wrongdoing cooled the infatuation of the public with "captains of industry" our progressives, by expending an immense amount of agitation and publicity, have curbed child labor, limited the working hours of women, established in a few States a minimum wage for women, put safety first in industry, and won compensation for industrial

accidents. Measuring the value of the accomplishment by the effort it has cost, we look upon it with no small complacency and imagine we are making encouraging progress toward solving the social question. In the meantime, however, the silent, unnoted pressure of capital, wielded in ever larger masses and ever more successful in wresting from labor its one effective weapon, organization, appears to have lessened the share of the product of industry going to the workers and increased the share going to owners of capital.

Yes, Mr. President, it is the silent "unnoted pressure of capital" that accomplishes results. It is this pressure that shapes the financial policy of the administration. It is this pressure which is trying to force through this bond bill without even a decent opportunity to discuss and consider its provisions.

Note well now the language of Prof. Ross:

In view of the plight in which labor will find itself in America after the war, we can not hope to insure ourselves against a disastrous reverberation from the Russian revolution unless we so accelerate our social evolution that the edge will be taken off the just sense of grievance of wage earners. There is no contenting all, but it is possible to make the majority feel that their interests are too well looked after for them to risk tossing a monkey wrench into the machinery of industry. To this end our adoption of ameliorative policies for labor ought to be many times prompter and heartier than it is.

In view of the plight in which labor will find itself, in the light of the facts, it certainly does not overstate the truth. What could be greater folly than to contemplate putting through this bond bill by the methods proposed, with the certainty that the people to whom the bonds are sold as the result of the "drive" will soon be reselling their purchases at a great loss? Every one of these people is certain to have a sense of grievance against the Government which he will feel took an unfair advantage of him in the transaction.

DANGER OF NOT HEEDING THE CRY OF THE MASSES.

I turn aside from my theme for the moment, Mr. President, to say that Prof. Ross, in the language I have quoted, is not demanding justice for labor or for the people of small means. He only points out the danger that comes to the favored few from crushing the masses. It is the danger of an empty stomach to some one else that he apparently sees most clearly, not the wrong done whereby the man has been reduced to that condition. Mr. President, I believe the day is fast approaching when the question we must answer is not how little will pacify the poor, but how much they should in fairness and justice receive. If we do not dare to face the question how much labor is entitled to, instead of haggling about how little will keep it contented, we will have to face the question that is being tragically put up to the privileged classes of many European countries, and which Russia seems to be answering to-day. That question is, How much will the great mass of the people take when they become united in a purpose to right their own wrongs by their own hands?

Mr. President, the Government's present embarrassment results from the original wrong it committed when it adopted its financial policy for this war. I tried to make it plain in 1917 when that policy was first presented under which the war was to be financed principally by borrowing instead of by taxing. Apparently I did not succeed. But what I failed to make plain then is perfectly plain now. The Treasury officials themselves in the testimony I have quoted have made it so. The evil consequences of forcing bonds and more bonds upon the people have manifested themselves earlier than I expected. The people of small means or with no means at all, forced to buy bonds they could not afford to buy, have, of course, been forced by necessity to sell them.

Had the proper amount of money been raised by taxation from the beginning, we would not now be on the eve of another "drive." Had surplus wealth and war profits been fairly taxed, the National Treasury would be full, instead of empty. Had not the Secretary of the Treasury demanded at the last moment that the tax bill passed a few months ago should be reduced by $2,000,000,000 we would have been vastly better off, and could more easily tide over the situation by Treasury certificates, until the taxes came in. Had the administration shown a purpose even to deal fairly with the people in this matter of the taxation of wealth, the country could safely depend upon the gratitude and affection of the people to make any further sacrifice that could be fairly asked of them. Had the men who made billions of dollars out of this war been compelled to turn over to the Government a fair share of their profits, and had the pampered millionaires who never abated a single useless luxury because of this war been made to disgorge some substantial portion of their wealth for its support, there would be no need to-day to call upon the very poor or the people of small means to take bonds they can not possibly afford to buy, and which if they are forced to buy they must necessarily sell at a loss.

Is it surprising, sir, when you contemplate the injustice wrought by the system by which this war has been financed, that there should be no enthusiasm for bond buying by the common man? Is it surprising that the great majority of the people to whom the war has brought harder living conditions instead of prosperity, that they should be slow about buying bonds, when they see that the few have amassed greater fortunes out of the war?

PROFITS OF THE PACKERS.

Take but a single illustration—the packers' profits. And I refer to the facts as established from official testimony and official records.

Mr. President, without detaining the Senate at this late hour to amplify on a statement of the packers' profits as developed by the investigation conducted by the Committee on Agriculture and as established out of the mouths of the packers themselves and by the record evidence obtained by the Federal Trade Commission in its investigation, I shall ask leave to incorporate in the RECORD some material without reading it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

The great value of the investigation now on before the Senate Committee on Agriculture is that the case against the packers is proven by the records, books, letter files, and testimony of the packers themselves. Under the masterful cross-examination conducted by Francis J. Heney for the commtitee the infamy of the packers is proven out of their own records and their own mouths.

Fortunately the searching investigation prosecuted by Mr. Heney for the Federal Trade Commission enabled the commission to secure much incriminating evidence from the packers, their records, and correspondence before they succeeded in obtaining from a Federal judge in Chicago an injunction restraining the commission and Mr. Heney from further access to the correspondence and records of the packers.

But enough evidence had been secured before the restraining order was obtained from the Federal judge by the packers to enable the commission to make a report based on packer records and packer testimony so conclusive and so damaging that they were compelled to say something in their own defense. Then they made the fatal mistake of protesting that they had not been given an opportunity to be fully heard in their own defense by the commission before it made its report.

The Senate Committee on Agriculture determined to give the packers a "chance to be heard." Preliminary to hearing the packers this committee called Mr. Heney before it to state the case against the packers. His statement of facts secured, while conducting his investigation for the Federal Trade Commission, occupied the entire time of several sessions of the committee before it was completed. It was calmly and dispassionately presented, but it was a terrible arraignment. The committee also called Mr. Stuart Chase, an accountant employed by the Federal Trade Commission, who had examined the books and accounts of the packers.

I shall, from time to time, give to the readers of this magazine such opportunity to become acquainted with the truth about the packers as the limits of these pages will permit, including the truths they and their own employees have been compelled to tell about themselves.

Some enlightening figures as to the profits of the big packers were brought out in the testimony of Mr. Stuart Chase, the expert accountant who examined the packers' books for the Federal Trade Commission.

In considering the packers' profits, Mr. Chase said:

"The packers have a way, in reporting their profits to the public in their advertisements and annual statements and elsewhere, of deducting their reserves for excess-profit taxes. Now, the law in regard to excess profits is that such taxes shall be paid out of profits as determined. Now, the true profit is the amount before they make any provision for these excess-profits taxes. Swift & Co. in 1917 announced broadcast throughout the country—in fact, made charts showing their profits as $34,000,000, but they had arbitrarily deducted from their true profits a reserve of $10,000,000 to take care of excess-profits taxes. Now, properly, from an accounting, technical point of view their real profit was $44,000,000 at least. And all the packers do that."

But, without adding these profits which were deducted for the excess profit taxes, Mr. Chase gave figures of the aggregate profits of Armour, Swift, Morris, Wilson, and Cudahy for each of the years since 1912, as follows:

1912	$18,715,000
1913	20,217,000
1914	22,108,000
1915	40,052,000
1916	60,759,000
1917	95,639,000

Mr. Chase also gave some interesting testimony as to the profits of these companies separately which, summarized for three companies, is as follows:

Armour & Co.

Year.		Percentage of capital and surplus.	Per cent of capital stock.
1904	$1,850,000	6	28.5
1912	5,702,000	6.1	30.8
1913	6,158,000	6.1	30.8
1914	7,640,000	7.3	38.2
1915	11,156,000	10.2	55.8
1916	22,849,000	19.2	114.2
1917	27,137,000	19.8	[1] 27.1
Prewar average		6.5	
War average		16.7	

[1] In 1916 Armour's capital stock was $20,000,000, but in that year they issued a stock dividend of $80,000,000, which accounts for the lower percentage on capital in 1917.

Swift & Co.

Year.		Percentage of capital and surplus.	Per cent of capital stock.
1904	$3,850,000	8.6	11.6
1912	8,745,000	8.6	11.6
1913	9,449,000	8.7	12.6
1914	9,651,000	8.5	12.8
1915	33,387,000	19.8	31.2
1916	34,195,000	19.1	32.2
1917	47,236,000	33.4	63
Prewar average		8.6	
War average		24.5	

Morris & Co.

Year.		Percentage of capital and surplus.	Per cent of capital stock.
1912	$1,813,000	6.8	60.4
1913	1,917,000	6.9	63.9
1914	2,206,000	7.5	73.5
1915	2,321,000	7.5	77.3
1916	4,890,000	15	163
1917	8,012,000	22.6	267.7
Prewar average		7.2	
War average		15.6	

Testifying further with respect to the packers' profits, Mr. Chase said:

"Of course, I don't feel that the profit regulation of the Food Administration has amounted to anything, so far as regulating the packers' profit is concerned. At the time that I took charge of those records and accounts under Mr. Cotton I made a report to Mr. Cotton soon after the packers had sent in their first period returns for the months of November and December, 1917, and in that report I made some estimates which since have been substantially carried out by the final year's results, under the Food Administration regulation, as much as they had made in the year 1917, which was the most profitable year in their entire history.

"Senator NORRIS. As I understand you, the regulation of the Food Administration, allowing them a certain profit on different classes of business, in reality did not amount to anything?

"Mr. CHASE. That is what I should conclude, yes.

"Senator NORRIS. In other words, that as far as those regulations were concerned, their profit was unlimited?

"Mr. CHASE. No; it was not unlimited, but it was way up to the most they had ever made in their previous history.

"Mr. GRONNA. Wasn't it more than that? According to Mr. Cotton's own statement before this committee he said that the packers—he allowed the packers to make a profit, or rather to include their borrowed money as well as capital stock. Now, did the packers do that before the Food Administration took charge of it?

"Mr. CHASE. Well, that was simply for the purpose of determining a rate upon which to base the 9 per cent—that is, the 9 per cent on the capital stock, plus surplus, plus borrowed money.

"Senator GRONNA. Plus bonds?

"Mr. CHASE. Yes; plus bonds.

"Senator GRONNA. Plus everything.

"Mr. CHASE. Plus everything but accounts payable.

"Senator GRONNA. Well, wouldn't that permit them to make more money; in fact, what the chairman has stated, as unlimited amount?

"Mr. CHASE. Well, it allowed them to make a great deal more than 9 per cent on their own money, and a great deal more than 9 per cent on capital stock.

"Senator GRONNA. They might borrow a good deal more than their capital stock, and the more money they could borrow the more money they would make?

"Mr. CHASE. Yes; and in that connection, the statement made by one of the officials of the Food Administration, is rather interesting. He told my assistant, Mr. Tater, at the time these regulations were under consideration that they were going to base this percentage—to include borrowed money, because the public effect would be to make the rate appear lower.

"Senator NORRIS. What member of the Food Administration was that?

"Mr. CHASE. I think it was Mr. Durand. * * *

"Mr. CHASE. They are net profits.

"Senator GRONNA. And from the figures you have given us here this afternoon, it indicates that during the war period and during these regulations the packers have made more money than they did before the war. * * *

"Mr. CHASE. Taking in the total, I think you might summarize it by saying they made three times as much on their net worth during the war years as they made before the war."

What do you people who have been paying Hoover prices for meat during the war period think of this example of profiteering which the packers have been permitted to practice on the American public?

Do you marvel that the packers were among the most "patriotic" of the "superpatriots" for the war to make Turkey "safe for democracy"?

Did you ever hear of the Security League or the Navy League or any of the high-salaried gentlemen who were "doing war work" ever raising any question about the packers being "100 per cent patriots"?

These packers are not only very patriotic, but they are a benevolent bunch.

When the war suddenly ended the orders for the foreign governments for packers' products fell off. With foreign orders shrinking, there was imminent danger that the surplus meat products would have to be sold to our own people at lower prices. It would inevitably result in reducing the 267 per cent packer profits on capital stock which they made in 1917, for example.

By all the nine gods, that must never be permitted!

Hence the packers benevolently boosted for the bill to appropriate $100,000,000 of the taxpayers' money to aid in buying up their meat products here, shipping them abroad to feed "our friends" over there, and incidentally "stabilize the American market"; that is, keep up the prices on the meat-hungry people in our own country.

And thereupon Congress, having appropriated $100,000,000 as a gratuity to "our friends" in Europe, a few days later decided that it would be advisable to appropriate $200,000,000, to be expended—not as a gratuity to the needy here—but in road building throughout the country, so that some of our people might find employment and in the sweat of their faces earn money in the good old American way, to pay packer profits and feed their hungry ones here at home.

Mr. LA FOLLETTE. I am just going to cite these figures. The Federal Trade Commission obtained access to books of the packers. It had an expert accountant at work upon those books. It developed the fact that their profits in 1912 were $18,000,000 and I will leave off the odd thousands; in 1913, $20,000,000; in 1914, coming down to the war period, half of that year being a war year, $22,000,000; 1915, $40,000,000; 1916, $60,000,000; 1917, $95,000,000.

EXCESSIVE PROFITS REVEALED BY TAX RETURNS.

I now desire to call attention in a word to some further profits. In the State of Wisconsin we have an income-tax law. The income-tax law of Wisconsin, before it was amended two years ago, permitted the public to know the income of any man reporting under it. I regret that it has never been possible to put through the Senate an amendment of our Federal income-tax law that would enable anyone interested to ascertain the income tax paid by the taxpayers of the country. Besides, if we had such a law as that there would not be so much cheating upon income taxes as there is at the present time.

But there was recently published in the Capital Times, printed at Madison, Wis., a table showing the net incomes of various lines of business established from the income-tax returns of the tax commission of Wisconsin. I am not going into that table in detail to-night. I know Senators want to conclude the consideration of this bill, but it deals with such packing companies as Drummond Packing Co., Cuddahy Packing Co., the Plankinton Packing Co., with coal, with shoes, with paper. We have in Wisconsin a great many paper mills. It deals with steel, with the great Allis-Chalmers plant in Milwaukee, one of the greatest in the country; the American Brass Co., the Falk Co., the Federal Pressed Steel Co., the Gisholt Machine Co., at Madison, and the Simmons Co., at Kenosha. I just want to call attention to one company. It is one of the home companies. Here is the Gisholt Machine Co., of Madison, Wis. In 1911 it had a net profit on which income tax was paid, as shown by its sworn returns, of $21,190. Just hold those figures in mind a minute—$21,000. I will leave off the odd hundreds. In 1912, $29,000. In 1913 they did not show any net profits at all. The war came on. In 1914 they showed no net profits. In 1915 their net profits were $1,130,000, and in 1916, $2,378,884.

I am going to ask permission, Mr. President, to print this table in the RECORD in connection with my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Net profits of which income tax was paid to the State of Wisconsin by the following 21 companies for five years.

	1911	1912	1913	1914	1915	1916
Meat:						
Drummond Packing Co	$9,846	$48,073	$56,521	$51,854	$80,037	$107,653
Cudahy Bros. Co.	79,698	.....	134,900	137,482	836,698	695,586
Plankinton Packing Co	.....	11,930	188,870	285,636	1,026,134	878,070
Total	89,544	60,603	380,291	474,972	1,942,869	1,681,314
Coal:						
Milwaukee Coke & Gas Co	269,196	465,735	494,678	261,362	820,202	1,939,038
C. Reiss Coal Co.	.....	343,861	250,852	283,278	303,289	723,803
Milwaukee Western Fuel Co	264,645	529,542	400,114	367,417	424,783	612,141
Total	533,841	1,339,138	1,145,644	912,057	1,548,274	3,274,987
Shoes:						
F. Mayer Boot & Shoe Co	162,406	216,739	234,464	255,584	188,043	429,732
Harsch & Edmonds	117,906	106,079	120,574	91,863	57,056	400,923
Nunn & Busch Shoe Co	.....	808	8,719	31,694	57,643	239,011
Total	279,312	323,626	363,757	379,341	302,142	1,069,663

Net profits of which income tax was paid, etc.—Continued.

	1911	1912	1913	1914	1915	1916
Paper:						
Kimberly-Clark Co.	$218,641	$356,024	$198,099	$283,024	$138,939	$1,309,195
Nekoosa-Edwards Co.	.....	102,708	87,398	90,736	29,329	1,149,166
Thilmany Paper Co.	63,392	89,826	31,793	107,984	100,550	863,168
Wausau Sulphite Co.	.....	43,880	61,444	73,236	79,825	770,998
Menasha Paper Co.	39,726	36,700	.....	2,550	11,414	339,973
Northern Paper Mills Co.	29,355	45,666	60,218	86,374	81,654	322,269
Total	351,104	674,504	438,952	643,904	441,710	4,754,769
Steel:						
Allis-Chalmers Co.	.....	.....	.....	4,904	348,710	1,316,200
American Brass Co.	.....	211,266	205,500	125,769	471,361	2,290,009
The Falk Co.	110,347	129,578	162,946	71,781	260,720	822,712
Federal Pr. Steel Co.	40,305	70,029	21,185	.....	189,786	1,485,412
Gisholt Machine Co.	21,190	29,513	.....	.....	1,130,040	2,378,884
Simmons Co. (Kenosha)	239,688	484,839	402,970	233,897	653,792	1,429,100
Total	411,530	925,225	792,601	536,351	3,054,409	9,711,317
Meat	89,544	60,603	380,291	474,972	1,942,869	1,681,314
Coal	533,841	1,339,138	1,145,644	912,057	1,548,274	3,274,987
Shoes	279,312	323,626	363,757	379,341	302,142	1,069,163
Paper	351,104	674,504	438,952	643,904	441,710	4,754,769
Steel	411,530	925,225	792,601	536,351	3,054,409	9,722,317
Powder	65,668	162,194	167,385	157,361	1,978,329	2,832,629
Total	1,730,999	3,485,290	3,288,629	3,103,986	9,267,733	23,335,179

Mr. LA FOLLETTE. Mr. President, nothing can be done now that will wholly correct the wrong conditions which the wrong policy has brought about. But something can still be done if the Government will take the people into its confidence and not try to make the poor buy bonds by the high-handed methods heretofore used.

EVIDENCE OF COERCION IN THE SALE OF GOVERNMENT BONDS.

Mr. President, I do not believe I would be justified in taking the time of the Senate to present a mass of material that I have before me in support of the amendment which I have offered to impose a penalty upon anybody who seeks by coercion to compel the purchase of Government bonds. But I am satisfied that the Senate would be absolutely startled if the Senators were present here in larger numbers and could be induced to listen to the facts presented in the documents which I have upon my desk. Here is the Atlantic Monthly containing an article on the subject covering a number of pages. Here is the Equity News, containing affidavits in mob violence cases which were placed before the Department of Justice. A member of the Legislature of Wisconsin, in my own State, presented these affidavits. They are positively appalling in their recitation of facts.

There is delivered at my residence and has been for many months, and I suppose to the residence of every other Senator here, a daily copy of the Christian Science Monitor. All last spring and summer during the bond drive and shortly thereafter the Christian Science Monitor printed columns from every section of the country of reports of coercion, mob violence, intimidation, whipping, directed against people to compel them to purchase bonds. I have placed before the Secretary of the Treasury cases in which affidavits have been sent to me. I recall at this moment one case in particular where the official body that had charge of the alloting and selling of bonds in a county in Wisconsin issued a summons, a copy of which I sent to the Secretary of the Treasury, directing a citizen of that county in the formal language of a summons to appear before a court commissioner and give evidence as to the amount of property he had, with a view to assessing him a certain percentage and requiring him to buy bonds to that amount. The man had a mortgage on his home. He had a few cows and a horse. He went to a bank, borrowed some money and bought a $50 bond. He was pursued by these officials, and threatened with punishment if he did not buy, as I remember now, $200 in bonds. He sold part of the stock that he kept on his little mortgaged farm up in the cut-over lands of northern Wisconsin, where he had only about 30 acres under cultivation, and, through fear and intimidation, bought the bonds. Many similar cases have been brought to my attention, and it is time that effective action be taken to put an end to these illegal and reprehensible methods of disposing of Government securities.

Mr. President, here is an editorial from the Christian Science Monitor, dated October 18, 1918. It is not very long, and I am going to read it. It is entitled "The Cheerful Giver," and is as follows:

THE CHEERFUL GIVER.

Every farseeing person must have deprecated the pressure which some overenthusiastic people have brought to bear on their neighbors to collect money, not only for the present loan but for past drives, such as the Red Cross. The money which is dragged from people by threats or by terrorism is credited to the debit side of the loan or the drive, inasmuch as it is just so much weight cast against the great demand of the President that the citizens of the United States should give all that they can. When men sink to the level of discovering their neighbors' incomes and attempting to levy taxes, after the nature of those benevolences which cost King Charles of England his throne and his head, they steep themselves in the very mire of Prussianism, and, so far from assisting the loan or the drive, they go a long way toward making that loan or that drive a failure. They have raised a crop of animosity, of bitterness, of hatred, and of a sense of injury which far outweighs the few miserable dollars they may have been able to capture from an unwilling victim. Nor is it very easy to estimate the full force of the damage which they are doing, for no man is able to say how far these seeds of bitterness and anger have been sown amongst people who have not the moral courage to put their resentment into effect by withholding loans or subscriptions. Everybody who has studied the war to-day knows that what the world is fighting is the German mentality. It is not the soldiers recruited from the German people, or the rifles and cannon made in the German arsenals, which the world is opposing. These are the mere effects of the true enemy, which is the arrogance of power, the lust of selfishness, and the passion of self-will. How, then, can these qualities be met by people who put the very same qualities, even if of a less brutal expression, into practice? If there is a disinclination to subscribe to the loan to-day, it is because the nation calling itself a Christian nation has not begun to understand the Bible it professes to make its rule of conduct. "For," wrote the great Apostle to the Gentiles, "God loveth a cheerful giver."

Mr. President, I ask unanimous consent to incorporate in the RECORD, without reading——

Mr. WILLIAMS. I object, Mr. President.

Mr. LA FOLLETTE. Then, Mr. President, I will take the time to read what extracts I have in mind.

Mr. WILLIAMS. I want to hear the Senator read them; they are so interesting.

Mr. LA FOLLETTE. That is quite agreeable to me. I read as follows:

AFFIDAVITS IN MOB VIOLENCE CASES ARE PLACED BEFORE JUSTICE DEPARTMENT OFFICIALS—C. B. BALLARD TURNS DOCUMENTS OVER TO FEDERAL BUILDING MEN HERE—TELL OF MOB VIOLENCE.

C. B. Ballard, newly elected member of the legislature and organizer for the Society of Equity in Outagamie County, has laid before officials of the Department of Justice of this city affidavits concerning assaults made on farmers in that section during the recent liberty loan drive. These affidavits have also been laid before Gov. Philipp, and action for the prosecution of the perpetrators of the attacks has been asked.

At a recent meeting of the Outagamie Society of Equity it was decided to ask Federal prosecution of these cases. At the recent State and national conventions of the equity society resolutions were adopted against mob violence. The following are affidavits that were filed here by Mr. Ballard.

—

(By Dan Schultze.)

About 4 o'clock in the afternoon the liberty loan men called on me and wanted me to sign for $1,750. One called me a slacker and another gave me a punch in the chest and jerked me around by the collar. We went to the house then and I asked two or three to come in and told the others to stay out, but all flocked in and kept me encircled until I promised to come to town and sign up, which I thought the best thing to do, for my wife was almost scared to death.

Of these who were here I know the chief of police and Joseph Ulman. The one that struck and jerked me I did not know, but they called him Balliet or something like that.

—

(By William Bates.)

On October 17 about 30 men entered my yard as it was getting dark. They said they were the council of defense and that I sneaked to the bank and took out $200 and that they were here to get the full amount, $650. I said that I could not afford it. Chief of police called me a pro-German and a dirty rat. I tried to get away from them but Balliet, the coal dealer, pulled me back and asked my wife where the yellow paint was. My wife said I better sign with them and get rid of them. Those who I knew were Chief Prim, Dr. O'Keefe, J. McCann, Mr. Moder, and Balliet.

—

(By Charles Drenks.)

About 30 men called on my father, asking him to subscribe for the fourth liberty loan. Of that number we knew J. Conway, Chief of Police Prim, Joseph Ulman, and Steve Balliet.

My father was in very poor health, but they called him pro-German and said he ought to be sent back to the Kaiser, and if he did not sign up the Federal agents would come and confiscate his property. He was very much worked up over the visit of these men and did sign up, and the next day he went to Appleton and subscribed the amount. Five days later he died.

—

(By Louis Becker.)

On October 18, 1918, at about 11.30 o'clock p. m. my wife was home alone in the house and fast asleep when at once she heard a noise. She got up to look, and she saw a crowd of men outside and heard some of the men say "open up the door or we will break in." She opened the door and told them it was no need for them to come in as I was not at

home, but they stormed in the house. As they got in the house they demanded a light. She told them that she didn't know what the children done with the lamp in the evening. They lit matches and lit the lamp themselves. Then they demanded from her to tell where I was, or they would search the house. She told them to search the house as long as they went that far. They then went and looked in the bedroom. They then told her if I would not be in Appleton the next forenoon at 10 o'clock they would come out on Saturday night and kill the horses on me. They then left.

(By August Julius.)

On October 18, 1918, I was gone to the grange hall to a special meeting on account of my neighbor's funeral. At about half-past 11 o'clock p. m., when I returned home with my wife and child, I see some autos stop near my home. Upon arriving there I see the road was blocked with 9 or 10 autos. I said to my wife there must be something happened there. When I was about a rod away I got out to see what was the matter, when one man came up to me whom I do not know, asked me who are you, and I told him my name. He said, "Here is the fellow we are looking for." I then asked him, "What is the matter?" and in a second they closed around me like a vise. Then Steve Balliet said to me, "Is your father at home?" I said, "I don't know, for he should come to Fond du Lac." Then a man who I don't know said, "We don't need the old man. You are good enough for it." In the meanwhile some one stopped the engine on my car. Then Steve Balliet said to me, "Sign up $1,100 for your father's liberty bond." I then said, "How can I sign up for him, as I signed my share when the committee men was around, my allotment being $100?" They then said, "If you don't sign up, we will take you along and send you to France." Then my wife said, "How can we do that? We haven't got the money." Then one man said, "Why, borrow it." Then another man said, "If you don't keep still, we'll take you along, too." I said, "I will go along with you to George Schaefers, your committeeman, if you don't believe me." Then Steve Balliet says to me, "You have pestered him long enough. He don't want to be pestered by you any more." Then my wife come up and said, "We got to go home," for she was getting cold and the baby was crying. My wife tried to pull me out of the crowd, and then D. P. Steinberg pulled me back as I tried to get away and said, "Am I of your size?" Then I told him, "I didn't look for no sizes. I want to go home." They said they would not let me go home if they stayed there until morning. They then pushed me to my car and turned on the lights, which they had turned off before, gave me the pencil, and forced me to sign up my father's allotment, being $1,100, I being forced to sign my own name and my father's. They then told me, "If he don't pay up, you'll have to pay up." They then told me, "If you hain't in Appleton to-morrow morning by 10 o'clock and take out the allotment of $1,100, we will be out here to-morrow afternoon and get you." They then left their cars in the road and said, "Now, let's go to L. Becker."

(By H. A. Holzman.)

On October 17, 1918, about 3 p. m. o'clock, while I was out in the field working, I see a crowd of about 18 men coming toward me. As soon as they was near me they said we are Council of Defense. Then Steve Balliet said, here is two papers; either you sign up your full allotment or sign this pledge. Then I said what have you got there. He showed me the two papers and I read them myself, and I said I'll sign up for that, meaning I would sign the blacklist and take my medicine; then he said you don't understand this right. You pledge yourself as a slacker and a pro-German. This paper is going to Washington and after the war is over you will be sent to Germany. I said all right I'll take my medicine for I can't take my whole allotment. Then I said let's go to the house. I then walked into the house and talked to my wife. My wife told me I should offer them half, being $350. I said to her they won't accept that. Then they opened the door and come in the house, and I then said won't you take half of it. Then Steve Bulliet said we want the whole, being $700. I then told him I was going to sign the blacklist, and then they should go, for the children was crying and half scart to death. Then they handed me the paper and I signed the blacklist. Then some of the men whom I didn't know said let's tar and feather him. I then told 'em to leave and my wife said the same. Then Steve Balliet said come to the town hall to-night and I said I wont come there for I was there last night. He then said a man like you ought to be sicked out of the country. I told them I would take my medicine. Another man whom I don't know said a man like you don't think much of his wife and children. I said to him if you'd think as much of your wife and children as I do you wouldn't be here. Then they walked out and left.

About 10 o'clock that same evening a bunch of autos came into my yard and made a racket. My father asked if they had a breakdown, and some one said, "No; but we are looking for something." They went away and later came back with more, making a terrible noise. My sister asked them what all this meant and they said, "We want to get Frank Julius," but I was away from home.

When she was outside two of the men sneaked into the house through a back door, and when she went in a bunch of them came rushing in. They were told to go out, but did not go. Some of them were smoking and were asked to stop it. Some threw their cigars outside, others threw them upon the floor, and some kept on smoking. Then they started loud talk, stamping feet and clapping hands. They told my sister they would take her along too. Turning to my father one said, "I suppose you are going back to see the Kaiser pretty soon." He replied, "I am here and going to stay here and I am not a Kaiser man."

I was absent from home until late. When I came home a bunch of them grabbed me. I asked who they were and they replied, "Your friends, the council of defense." I went into the house and a bunch was in there. They asked if I was going to sign up and I said, "I have taken out as much as I can in this fourth loan." They said, "Sign it." Chief Prim said, "Hurry up and sign," and I did.

The next night, October 18, 1918, about 9 o'clock p. m., I was up alone, the rest of the family was all gone to bed. I heard some autos outside. I opened the door and recognized the same crowd that was there the day before. They said they was going to give me a ride. I told 'em I wouldn't go, and in the meanwhile my wife had got up, and she come out of the bedroom and told them, "No; he is not going along." Then a man who I don't know took her by the arm and pushed her down on a chair and told her to keep still or they would take us both along. They simply told me I'd have to sign up or there would be something doing. Then I signed up my allotment. Then they left. Upon leaving they said, "Now, we will see some more of your friends."

(By Frank Julius.)

In the afternoon of October 18 four men came to my field and introduced themselves as Steinberg, Ullman, Gallager, and a soldier whose name I have forgotten. They said they were out for the liberty loan and that I had not taken my full allotment. I told them I had taken all I could for this time. I was then called to the house by my folks, and started, but was told by these men to stop. They asked several questions, and then I started again, and they asked me again to stop, saying, "Are you going to sign up?" I replied I had taken all I could for the fourth loan and they went away.

Then they wanted me to go with them and show them where John Julius lives. I told them I would not. Then they grabbed me and tried to pull me out of the house and a table and a plate was broken. Then my mother and two sisters tried to hold me back. They kicked my mother, and struck one of the girls on the head, and pushed me out of the house, and told us to get into the chief's car, which the two girls and myself did. The girls were without wraps and one was dressed only in a nightgown and a kimona as she was in bed when the disturbance began. When we arrived at John Julius's house, about 4 miles away, they made me rap on the door, but there was no one at home and they took us back home.

I had donated to the Red Cross fund and in church for the boys in camps. Had bought war-savings stamps, took a bond in the second loan, the full allotment of the third, as much of the fourth as I felt I could, and then forced as I was to take the balance of the allotment.

Those of the bunch we knew were Chief Prim, D. P. Steinberg, Galager, Ullman, and McCann.

In a letter Mr. C. B. Ballard describes another of these outrages, as follows:

I might say that the case of prosecuting the members of the council of defense in Outagamie County who took part in raids, mob violence, is now under way. We have sworn statements from a very large number of people who were misused and beaten up. We have the testimony of one woman who can prove that her husband is in the insane asylum by reason of the methods used on him to force him to buy bonds. This man's name is Merritt Black, a member of our society.

One of the worst cases I have heard of is right near the capital, the seat of government. An old Scotch woman, 71 years of age, who had bought bonds and contributed money and labor in the interests of the Red Cross, has been shamefully treated. It seems she refused to contribute toward the war-chest fund. Was willing to continue in the Red Cross relief work, but refused to do anything for the war chest. A large truck, manned by a bunch of patriotic gentlemen, drove into the yard of this old gentleman and his wife on the 11th of November, when the peace celebration was pulled off. They backed up to his outhouse and were about to put a rope around it and drag it behind their truck down the road, when he protested and said if they wanted something to burn they could have wood in his woodshed without any expense. They ordered them back into the house, saying if he did not keep still they would take him down and throw him on the fire. They then dragged this outbuilding down the road to a vacant lot and went to the property of other people in Evansville and took seven outhouses, taking them down to this lot and setting them on fire.

The old gentleman, who was born in Vermont, a Yankee, walked down town to see if something could be done. He felt that it was wrong for anyone to take his building off from his property, and while he was away another gang of 200 per cent Americans appeared with an old tiger's cage, which some show had left there on a wagon and drove up to the residence of this old couple, where this old lady, 71 years of age was, and deliberately carried her out and put her in this cage and hauled it down on the street and took part in the parade. The poor old woman was frantic, and her husband, seeing his wife in this cage, called upon the Baptist minister and some other people and tried to have her released. They were told if they did not keep away they would be thrown into the cage with her. After they had finished what they called "sport" they took the old lady back to her home. Her husband, Mr. Shaw, went to the district attorney of Rock County and tried to have some action taken regarding this matter. I have talked to him and his wife, and up to this time nothing has been done. The Baptist minister, Rev. Pearce, formerly pastor of the Baptist Church at Appleton, knows all about this case and I have a letter from him regarding it. He said to his congregation in Evansville that he would leave the village and the State, as he felt that where the so-called best citizens of the town could take part in such a disgraceful proceeding and nothing apparently could be done, he felt that he and his wife were not safe and he has left the State.

Mr. PENROSE. Mr. President, I should like to ask the Senator from Wisconsin a question. I was out of the Chamber for a few moments. In what part of the country did this coercion occur?

Mr. LA FOLLETTE. This coercion, an account of which I have just read into the RECORD, occurred in the State of Wisconsin.

I now present, Mr. President, some clippings from the Christian Science Monitor. I have here an editorial from the Christian Science Monitor which I read; but, in addition to that, I wish to present the following:

[From the Christian Science Monitor, Tuesday, Oct. 15, 1919. No. 373.]

DRASTIC METHODS FOR THE LOAN.

To the Editor of the Christian Science Monitor:

I notice in your editorial for Saturday, September 28, that you deal with Prussianism in the drive for the liberty loan. I thought you might be interested in the phase of it presented to me recently.

On Monday, before the drive was to begin, two solicitors for the liberty loan called on me and asked for my husband's name, occupation, employer, and what his earnings were, and informed me that every one must subscribe at least 10 per cent of his earnings. I declined to tell my husband's earnings or what we intended to subscribe, saying that we intended to buy to the limit of our ability, but that I felt that we were the ones to judge how much we could buy. At that I was informed that every employee in the town who did not subscribe his full 10 per cent was to have his name published as a slacker and would lose his position.

I knew what my rights were, so was not terrorized, but I know that a great many—the majority, no doubt, as there are many foreigners here—were not so well informed and meekly submitted to such rank Prussianism.

MYRA K. JACKSON.

EAST CHICAGO, *October 1, 1918.*

[From The Christian Science Monitor, Boston, U. S. A., Wednesday, Oct. 16, 1918.]

BOND SALES AND TAR AND FEATHERS—SEVERE MEASURES TAKEN BY LIBERTY LOAN COMMITTEES IN SOLICITING SUBSCRIPTIONS IN VARIOUS LOCATIONS ON THE PACIFIC COAST.

(Special to The Christian Science Monitor from its Pacific coast bureau.)

SAN FRANCISCO, CAL.

Severe measures are being taken by some liberty loan committees in soliciting subscriptions and in dealing with those who do not purchase bonds to the amount decided upon by the committees in various parts of the Pacific coast.

The Brawley News, of Brawley, Cal., for October 3, for example, reports an instance of violence in this connection, as follows:

"J. Edgar Ross was taken to the liberty bond headquarters this morning, urged to subscribe for liberty bonds in such sum as the committee deemed fair, and after persistently refusing to do so was taken by a couple of persons, whose names are unknown, to an obscure spot in the suburbs, where a coat of tar and feathers was applied and the man returned to a position in front of the Hotel Dunlack, where he was chained to a pillar of the house and a placard bearing the inscription, 'J. Edgar Ross, who loved his money better than his country,' was suspended above his head. The man was kept in that position until afternoon, when he was removed to the city park. Later he was taken to El Centro."

In an editorial on this subject in the same issue this newspaper says: "And there are those not yet apprehended who are due to receive the same medicine."

A full page advertisement in a Seattle (Wash.) newspaper, headed, "No mercy for bond shirkers," also exemplifies the same spirit when it says, for instance, among other things of a similar nature: "If you have not fulfilled your duty to the United States Government in this fourth liberty loan, make up your mind to this fact: Every eye in Seattle will be fixed upon you until you do. The finger of every man, woman, and child will be pointed in your direction. An unenviable record will be placed against you that will live for all time.

"The committee that calls upon you is sent by the United States Government. The committeemen are clothed with full authority to demand an adequate fourth liberty bond subscription from you. You may refuse or act discourteously if you want to, but remember this: The official report filed opposite your name is public property and will, if necessary, be given the widest publicity."

The campaign manager of San Francisco has also threatened to make public the names of those who do not purchase bonds in the amount that it is thought that they should.

Printed slips signed "Liberty loan committee," used in solicitation in San Francisco, read as follows:

"(1) Be prepared to give the committeeman a quick answer as to the greatest amount of bonds you can buy.

"(2) Give your subscription to the committeeman having charge of the district where you work—not to others.

"(3) If you have subscribed outside your district, keep your receipt so it can be shown to your committeeman. He has instructions to get a subscription from you or a good reason for not getting it."

Mr. President, I read from the Atlantic Monthly of January, 1919, page 99, an article which is signed by Charles D. Stewart. Under the title, "Prussianizing Wisconsin," there is the following editorial:

PRUSSIANIZING WISCONSIN.

[The symptoms of a root-and-branch revolutionary movement which, for want of a better name, the newspapers term "bolshevism," are of interest and, perhaps, of serious moment in this country. We are therefore printing in the guise of an article a long informal letter which the editor received recently from Wisconsin, a State which, owing to the reported disaffection of a large proportion of its population during the war, and to the character of its vote at the late election, is under national scrutiny. Mr. Stewart's points seem to us to make for a useful understanding of the situation.—The Editors.]

HARTFORD, WIS., *September, 1918.*

The EDITOR OF THE ATLANTIC.

DEAR SIR: As a member of the profession which looks before and after, possibly you may appreciate a sort of news-letter from Wisconsin.

As you are aware, of course, Wisconsin—the Milwaukee district—has returned a Socialist—Victor Berger—to the House of Representatives; a man indicted by the Federal grand jury in Chicago and also, more recently, in Milwaukee; and this at a time when we are at war for "democracy," an idealistic war for human freedom. And the man elected to Washington still stands on the St. Louis socialistic platform, which was against the war and condemned it on mercenary grounds.

At the same time, the district which has returned Berger has always gone "over the top" in all war drives, so that Milwaukee has a stamp to be affixed to business and private mail which announces that "Milwaukee has met every demand of the Government in men and money."

A district supports the Government in every way, and yet returns a Socialist to Congress. How is this? you will say.

Or, take the county I live in—Washington County. It has always been a Democratic county; a Democratic nomination was equivalent to election. Republicans came second; Socialism did not cut much of a figure. It went "over the top" in the fourth liberty loan.

At the recent election the result stood as follows: The Republicans, as the rural mailman eloquently said, "wiped 'em up." Socialists second. Democrats—Wilson's men, with "Wilson" nailed to the masthead—came limping along at the rear, after the Socialists, a sudden new element.

In the Wisconsin Legislature we shall have 15 Socialists in the assembly (or possibly more on final returns), and 2 Socialist senators—far more than the Socialists ever had at the height of their power here. At the same time, Wisconsin has always gone "over the top," and the State has been complimented by Gen. Crowder for its efficiency in the selective draft and for being the first of the States to report its work done in that regard. Now, how is this? you might inquire.

You will find no answer to this question if you read every newspaper published in Milwaukee or throughout Wisconsin. Eastern papers, such as the New York Times, for instance, will tell you quite confidently that it is just pro-Germanism. For what, forsooth, but pro-Germanism would elect a Congressman who represents opposition, as per the St. Louis platform, to the war for democracy?

As you are aware, a party which gets a sudden accession of voters at one time—as when Berger was originally elected to Congress and then beaten in the same district, and then elected again—is profiting, not by a steady clientele moved by unswerving devotion to its abstract principles, but by voters who are influenced by immediate conditions against which they are registering a protest. It is the same with the Democratic and Republican parties; a great victory in a particular locality does not mean a great victory the next time.

As Wisconsin was the birthplace of the Republican party—it was born at Ripon, Wis.—one might now say that it bade fair to be the birthplace of a new political power, Socialism. Berger founded the Social-Democratic party in this country; Debs, whom they ran repeatedly for President, was a convert of his. And while MEYER LONDON, Socialist Congressman, was defeated in New York, Socialism out here has come back with a whang that seems to send the party wonderfully ahead and causes the whole country to turn its head in this direction.

Just how much is this permanent and convinced advance and how much a mere protest against this local condition and that? As I say, you would never get any light on this matter in any editorial in a Milwaukee or other Wisconsin paper. Never.

Carlyle said that "Of all forms of government, a government by busybodies is the worst." This is true. It is worse than Prussianism, because that is one form of goverament, at least; and worse than Socialism, because Socialism would be run by law, anyway. But government by busybodies has neither head nor tail; working outside the law, it becomes lawless; and having no law to support it, it finally depends for its enforcement upon hoodlums and mob rule. When the respectable and wealthy elements are resorting to this sort of government, abetted by the newspapers and by all sorts of busybody societies intent upon "government by public sentiment," we finally have a new thing in the world and a most obnoxious one—mob rule by the rich, with the able assistance of the hoodlums—always looking for a chance.

It starts as follows:

The Government wishes a certain amount of money. It therefore appeals to local pride; it sets a "quota," which has been apportioned to each locality, and promises a fine "over-the-top" flag to be hoisted over the courthouse. All well and good; local pride is a very fine thing, competition is wholesome.

But the struggle that ensues is not so much local pride as it looks to be.

Milwaukee, for instance, a big manufacturing center, is noted for its German population. This, the local proprietors fear, may affect its trade. It may be boycotted to some extent. A traveling man comes back and says that a certain dealer in stoves refuses to buy stoves made in Milwaukee!

Ha! Milwaukee must redeem its reputation; it must always go over the top; it must be able to affix this stamp to all its letters.

Now, as the State has a quota, and the county and city has each its quota, so each individual must have his quota. Each individual must be "assessed" to buy a certain quota of bonds. Success must be made sure—the manufacturers must see the honor of Milwaukee and Wisconsin maintained.

It is not compulsory to give a certain "assessed" amount to the Y. M. C. A.; and the Government does not make a certain quota of bonds compulsory upon citizens—oh, no! it is not compulsory, only you must abide by your assessment. And we will see that you do. No excuses accepted.

As to the people who do the assessing, they are just local committees loosely got together; they assess by one rule of thumb or another, with little real knowledge of the individual's financial difficulties, and, while it is not compulsory, this committee's law must somehow be made as the laws of the Medes and the Persians.

It is easily done. Humanity falls into three classes—those who work at a trade, those who are in business, and those who farm. The first class is easy to handle—subscribe your assessed amount or lose your job also, as in Milwaukee—some gang from another department of the works, whom you can not report by name, will coat you with yellow paint as you leave the works. It is no use to report to the district attorney. He will "have to investigate," but will do nothing.

Another point. Exemption from military draft depends upon the employer; it would be of little use for the workman to say he was essential to any industry if the employer said he was not, and so Gen. Crowder insisted that others besides the registrant should make a plea for his exemption—the employer, for instance. So it is a case of subscribe or lose your job, and probably go to war. This unwritten and unexpressed law soon becomes known; all workmen subscribe; the subscription is, in short, taken out of their wages.

Handling the working classes to go "over the top" was easy.

As to lines of business, these were organized in groups and so solicited; each firm would be solicited by some one in the same line of business—a wholesaler or a customer with whom you dealt. Thus they kept track of one another, and any quibbling about the size of your assessment was not politic.

But the farmer. Now, there was a conundrum. He does not work for a "boss"; he can not be discharged on Saturday night, and you can not boycott him in business or refuse to deal with him when he comes soliciting for trade.

What shall we do with him? Shall we leave him to subscribe what he can, and voluntarily?

The only answer to this conundrum is simply mob rule in one form or another; either by actual violence or by ingenious schemes to make illegality look legal or by scaring him and making him think that something indefinite but awful is going to happen to him if he buys only $300 worth of bonds, for instance, instead of $500 worth.

A few examples from different counties will serve to illustrate. I have before me a sworn statement, which I got from a friend in Outagamie County. This sworn statement was made for a Wisconsin association of some 30,000 members, The Farmers' Equity Society, which was incensed at the treatment accorded many of its members.

A STATEMENT MADE BY JOHN DEML, OF OUTAGAMIE COUNTY, WIS., AT MADISON, WIS., TUESDAY, OCTOBER 22, 1918.

About half past 12 o'clock (continuing for more than an hour) Sunday morning, October 20, my wife awaked me, saying that there were a large number of men on the front porch pounding and rapping on the door besides talking in a loud tone of voice. I was upstairs; then I came downstairs and went to the front door, where they were, and I asked them who was there. Several answered at once, "The Council of Defense." I then asked them, "What do you want?" and they replied, "We want you to sign up." I replied, "I have done my

share." And they asked me when, and I replied, "I did my share in the spring." (That is, I meant to say I had done my share in the third loan when I subscribed for $450 in bonds.) To make it plain, on the 28th of September, at the opening of the fourth drive, I was notified by letter that my bond assessment would be $500. When Henry Baumann came to see me I told him I could not possibly take $500 now, but would take some, meaning a substantial amount; that is, all I could afford, and he replied, "My orders are you must take $500 or nothing."

After I had replied that I had done my share in the spring they demanded that I open the door and let them in. I told them I didn't have to open the door; then they undertook to force the door open and went so far as to tear the screen door open; then they threatened to break down the door, and I said, "Come on, then, boys." Then they appeared to be planning, and while they were doing that I took the time to put my shoes on. By that time they were at the kitchen door, and they made a demand that I let them in through that door; then I went to the kitchen door and opened it and found a crowd of men (much larger than I expected) around the door, and then reaching out two by two around toward the front of the house. I left the door and walked to the front porch to see if they had done any painting (as they had previously painted a neighbor's mail box); I walked to the road to see if they had painted my mail box. And then I turned around to return to the house, when they all at one time closed in on me like a vise; some grabbing my fingers or wrist, others my legs, and several of them were shouting, holding a paper before me, "Sign up." I said, "I will not sign up at this time of night." Then a man shouted, "Get the rope." The first I knew was when the rope was about my neck and around my body under my arms. Some one then gave a sharp jerk at the rope and forced me to my knees and hands; at the same time some of them jumped on my back, and while bent over some one struck me in the face, making me bleed; then a man (whom I recognized) said, "Boys, you are going too far," and then as they got me away from them a little I heard a man say, "You can't scare him." I answered, "I am not afraid of the entire city of Appleton." Then a man (whom I knew) got me to one side, and he said, "Let's go into the house and talk between ourselves." Then two men (whom I knew) went with me into the house, and we sat or stood around the table, and they still demanded that I sign up. I said, "I will not sign up for any man after being abused like this." Then a man (whom I knew) told me I would have to go with them, or if I didn't go with them would have to come to town that Sunday morning at 10 o'clock to see Mr. Keller. I told them that I would be there; they left; as they left I noticed, and so did my family and neighbors, that they rode away in seven automobiles. I did not go to see Mr. Keller.

(Signed) JOHN DEML.

This man tried to get a warrant for assault with intent to do great bodily harm. The president of the Equity Society and the assemblyman from that district both argued the matter with the district attorney, but without success. Then they went to the governor. He would "investigate," but nothing was done. Officials "passed the buck," as usual in such cases.

So much for Outagamie County. Now let us take a glance at Milwaukee County as being more interesting.

Picture to yourself the following "collection committee" traveling out of the highly civilized, "kultured" city of Milwaukee.

Twenty-five automobiles containing 60 to 70 respectable citizens of Milwaukee.

One color guard (a flag at the head), with two home guardsmen in citizen's clothes.

Two deputy sheriffs.

One "official" photographer.

One "official" stenographer.

One banker—this personage to make arrangements to lend a farmer the money in case he protests that he has subscribed too much already.

This phalanx, entirely lawless, moves down upon a farmer who is urging two horses along a cloddy furrow doing his fall plowing.

They form a semicircle about him; the speechmaker says, "Let us salute the flag" (watching him to see that he does it promptly), and while his horses stand there the speechmaker delivers a speech. He must subscribe his "assessed" amount; no excuses accepted. If he owes for the farm and has just paid his interest and has only $15 to go on with, it makes no difference. He must subscribe the amount of his "assessment" and "sign there."

If not, what happens? The farmer all this time, of course, is probably scared out of his wits, or does not know what to make of this delegation of notables bearing down upon his solitary task in the fields. But if he argues too much he finds this. They have a large package of yellow placards reading:

The occupant of these premises has refused to take his just share of liberty bonds.

DO NOT REMOVE.

And they put them all over his place. He probably signs.

Now, bear in mind that this method is not practiced merely against farmers who have made unpatriotic remarks or have refused to support the war. It is practiced against a farmer who has taken only $100 when he was assessed a hundred and fifty and this is to make him "come across" with the remainder.

You might ask, Is this comic opera or is it government? I would say that it was the former, were it not so serious in its effects upon a peaceful, law-abiding population.

The various schemes (I am not troubling you with all) in the various counties all emanate from the city or the small manufacturing town. And you must remember that the population of Wisconsin is quite largely an agricultural population, and with a considerable amount of nationally famous lines of manufacture sprinkled all over in the little towns, and concentrated in Milwaukee. Country merchants do not usually go out on these soliciting committees—it might insult customers—so the local manufacturer lets loose some of his foremen and others who do not depend upon farmer trade.

Thus the farmer—who in a great many cases has been assessed too high by people not familiar with his problems—finds himself being camped upon and persecuted by the manufacturing and financial interests. To show you that this method is taken as a matter of course out here—as natural to Milwaukee as if it were Prussia itself—I append a clipping which happens to come from the Milwaukee Journal.

MORE SLACKERS ON LOAN FOUND.

Milwaukee County has been blemished by three more yellow cards placed in front of homes whose occupants refused to invest their fair share in the fourth liberty loan. The first call of the liberty bond flying squad Friday was near the city limits in the town of Lake.

A farmer, considered financially able, had purchased a $50 bond. His allotment was placed at $150 additional. He said he was financially involved and had no money, but refused the offer of a bank to carry the loan for him. Members of the committee posted the yellow card.

The second call was at the home of a man of 84, who had subscribed $50, while his allotment was placed at $500. He said that he had no money other than that which he had loaned on interest.

Asserting that he had done his share by coming North from Louisiana at the outbreak of the Civil War to avoid service in the Confederate Army, he said he was drafted in Wisconsin and had to pay a substitute $550 to fight in his place. He reckoned the Government owes him about $2,000 by this time as interest on the money, which never was returned. The man, a Hollander by birth, came to this country when 18. He has two grown sons who are known as patriots and active in loyalty work.

But the issue was with the father. Because of the cold weather he was taken inside the house by the committee, where Dr. W. B. Hill explained matters. The man finally subscribed for his full share of $500, remarking, "There has been a war at each stage of my life, and each has cost me $550."

In the same town a bachelor living with his father, a man more than 80, said he could do no better than subscribe $50 additional to the $50 bond he had purchased through workers. His father is known to have done his full share.

When the squadron arrived at the home the son was out. Later he was seen cutting across lots toward the rear of his premises. He refused to stop on call of the committeemen. He was overtaken and given the customary message from the Government. Prompted by his sister, he refused to subscribe to more than $50 worth, although his allotment was placed at $500. The yellow card was ordered tacked up.

In the town of Oak Creek one supposed slacker was absent, and left word he had come into Milwaukee to buy a $100 bond.

A neighbor of his, who had subscribed $100, was allotted $500 as his fair share. He was obdurate and uncommunicative. With little ceremony the third card of the day and the fourth of the campaign was placed in position. Every man visited bore a German name. In several instances they were reputed to be worth more than $20,000, considerable of which was in cash. About half of the calls resulted in the men deciding to do their fair share, without offering the plea that they couldn't afford it and had already invested in a $50 bond.

In the rural country where I live different methods were used, more ingenious and really more flagrant, as creating a disrespect for law. False law, with false threats and penalties which are never carried out, creates contempt for real law, and is itself contemptible.

For instance, in the stamp drive all the men in the district were obliged to meet at the schoolhouse and make up any shortage in the quota. If one man did not, another must. Notices were sent around on a white postal card under Government frank, headed "White House," and then to make everyone think that they were obliged to go to that meeting and take their assessed amount in a savings society the President's war-savings message was altered from the original version.

The following document illustrates the scheme resorted to in this same county for dealing with those who had not subscribed to the fourth liberty loan their quota as "assessed." I acquired it by the simple process of standing on my constitutional rights and awaiting complete results. Two of a special "collecting" committee came round, both employees of the local automobile factory, which had a large contract. One was the "collector" and the other the "witness," and they handed me this:

TREASURY DEPARTMENT,
LIBERTY LOAN ORGANIZATION,
FEDERAL RESERVE DISTRICT NO. 7, WEST BEND, WIS.

TO CHARLES STEWART:

Whereas it appears that you have so far failed or refused to support our Government by subscribing for your share of the fourth liberty bond, you will therefore appear at the courthouse in West Bend, Wis., on the 19th day of October, 1918, between the hours of 10 o'clock a. m. and 6 o'clock p. m., then and there to subscribe your full allotment or show cause for your apparent delinquency and your apparent obstruction to the war-finance requirements of the United States.

(Signed) E. J. KEARNEY,
Federal Reserve Director of Sales for Wisconsin.

Served this 18th day of October, 1918.

By F. C. KEHR,
Committeeman.

In presence of—
G. H. PRATT.

Of course, this thing, with its whereas and its therefore has about as much legal standing as the resolution of a woman's sewing society. But it is intended to appear to be a legal summons; you are to appear at the "courthouse," though not in court. With this they fetched the farmers and put the county "over the top." Until this was invented the county had fallen short in its "quota."

I told the collector and his "witness" that they could "rest assured that I would not be there," and asked them to please watch and see what happened.

Nothing happened, of course. But they got the full quota out of most of the farmers who had not taken enough—and I got the document.

Such methods have created opposition. From the beginning the drives were preceded by bluffs and threats and illegal claims of some indefinite penalty—and each time none of the threats was carried out against those who defied them. They could not be; they were lawless and illegal. Then the committee would try something new and more persuasive. Their methods went from bad to worse. The whole proceeding was represented as coming from "our Government" "by order of Secretary McAdoo," etc. And it is not difficult to imagine the effect upon the farmer's ideas of a Federal administration to which he attributes such methods.

The meaning of the whole phenomenon is simply this: The manufacturer or financier in town wishes to make sure that the farmer will subscribe liberally, so that the burden may not fall wholly on himself.

But why go into further details? This is business at work in Wisconsin. In the whole State you would not find a newspaper which said a word of protest or raised a question as to the citizen's rights under the Constitution. For the business leaders own and advertise in and run the newspapers, and the little paper in the country town simply goes along in the swim—never does any thinking for itself. If you asked any of them what the Bill of Rights was, they could not tell you; they do not know their "rights" from a hole in the ground.

And now we come to the conclusion. Imagine yourself either a workman in Milwaukee or a farmer out in the country. You are dealt

with in this entirely Prussian manner—possibly the committee, which knows little of your financial difficulties in your home, has just assessed you arbitrarily.

Your constitutional rights do not count. There is no remedy. If you are painted yellow, the district attorney will pass the buck; he knows what the manufacturer expects of him, and the financier. The State officers of these drives, Federal representatives, are always Milwaukee bankers.

But for you there is no remedy if you are "assessed" too high.

With the Y. M. C. A. and other religious society drives the same assessment scheme is worked. You can not give to the Y. M. C. A.; you are told right off how much you are to pay.

Now, if you were a workman or a banker and the Government was supposed to be the one who was dealing with you thus, and an election came along, what would you do?

Vote for the party in power? I trow not. You would vote Socialist till the cows came home. In fact, I would do that myself were it not that I know the essential nature of Wilson's government by request and the inevitable outcome of such a policy of "government by public sentiment" instead of by law.

Being a Republican, of course, I vote that ticket straight.

But the result was a great relief to me, even if some did vote Socialist. This is America; and to a large extent, and in a sense which you will understand, the Socialists' sudden accretion was a pro-America vote, not a pro-German.

CHARLES D. STEWART.

At this point Mr. LA FOLLETTE yielded to Mr. PENROSE, who raised the question of a quorum; the roll was called, and Mr. LA FOLLETTE did not thereafter resume the floor.

APPENDIX.

EXHIBIT 1-A.

Statement showing classified receipts, exclusive of public debt, by months, from Mar. 1, 1917, to Jan. 31, 1919, as published in daily Treasury statements.

	Customs.	Internal revenue.	Miscellaneous revenue.	Panama Canal.	Total.
March, 1917	$20,154,128.38	$40,961,678.49	$5,244,258.74	$857,634.48	$67,217,700.09
Apr. 1 to 5, 1917	3,047,788.66	5,589,899.06	1,488,499.62	62,884.39	10,189,071.73
Total, Mar. 1 to Apr. 5, 1917	23,201,917.04	46,551,577.55	6,732,758.36	920,518.87	77,406,771.82
Apr. 6 to 30, 1917	17,863,547.22	59,462,899.10	5,804,920.33	314,793.31	83,446,159.96
May, 1917	28,660,148.60	157,619,868.79	11,361,950.32	634,421.46	198,267,389.17
June, 1917	18,688,805.14	252,224,196.35	14,120,100.17	694,056.30	285,725,157.95
Total, Apr. 6 to June 30, 1917	65,210,500.96	469,297,964.24	31,286,970.82	1,643,271.07	567,438,707.09
Total, Mar. 1 to June 30, 1917	88,412,418.00	515,849,541.79	38,019,729.18	2,563,789.94	644,845,478.91
July, 1917	15,805,129.91	60,374,840.20	7,575,979.09	171,687.08	83,927,636.28
August, 1917	15,902,255.99	48,170,690.46	9,839,107.31	584,477.10	74,496,530.86
September, 1917	15,201,388.70	47,291,868.96	12,967,317.09	648,787.75	76,109,362.50
October, 1917	13,617,946.24	56,303,319.18	20,226,866.64	277,158.50	90,458,290.56
November, 1917	11,935,389.41	88,257,600.68	39,175,579.26	122,208.09	139,490,777.44
December, 1917	11,247,214.10	75,150,610.13	18,034,677.89	626,568.30	105,059,070.42
Total, July 1 to Dec. 31, 1917	83,739,324.35	375,551,929.61	107,819,527.28	2,430,886.82	569,541,608.06
January, 1918	12,163,216.06	73,093,908.84	17,795,189.59	302,895.38	103,356,209.87
February, 1918	12,019,441.74	72,316,414.70	14,177,234.29	585,348.96	99,098,439.69
March, 1918	18,106,373.13	121,059,264.75	16,536,309.47	1,047,330.70	156,749,278.05
April, 1918	16,415,531.99	176,126,011.63	16,111,894.79	635,705.85	209,319,144.26
May, 1918	19,925,706.94	477,186,725.76	97,254,972.78	378,705.51	594,746,110.99
June, 1918	17,598,789.28	1,890,709,056.82	22,817,686.62	655,481.06	1,931,772,013.78
Total, Jan. 1 to June 29, 1918	96,259,059.14	2,810,482,382.50	184,694,287.54	3,605,467.46	3,095,041,196.64
Total for fiscal year 1918	179,998,383.49	3,186,034,312.11	292,513,814.82	6,036,354.28	3,664,582,864.70
July, 1918	15,837,889.72	603,444,442.73	21,974,810.55	619,994.14	641,877,137.14
August, 1918	14,175,802.76	114,531,789.63	22,645,000.24	899,439.10	152,252,031.72
September, 1918	12,719,024.43	125,314,103.65	13,757,134.67	94,391.05	151,884,653.80
October, 1918	11,451,096.69	123,463,872.52	16,058,975.73	604,815.02	151,580,759.96
November, 1918	12,583,861.29	128,563,579.32	169,112,403.43	734,419.15	310,994,263.19
December, 1918	9,681,907.59	179,575,131.72	14,213,636.93	431,587.99	203,902,264.23
Total, July 1 to Dec. 31, 1918	76,451,582.48	1,274,892,919.57	257,761,961.54	3,384,646.45	1,612,491,110.04
January, 1919	12,732,514.54	155,429,048.67	27,054,788.82	626,489.31	195,842,841.34
RECAPITULATION.					
Mar. 1 to Apr. 5, 1917	23,201,917.04	46,551,577.55	6,732,758.36	920,518.87	77,406,771.82
Apr. 6 to June 30, 1917	65,210,500.96	469,297,964.24	31,286,970.82	1,643,271.07	567,438,707.09
July 1 to Dec. 31, 1917	83,739,324.35	375,551,929.61	107,819,527.28	2,430,886.82	569,541,608.06
Jan. 1 to June 29, 1918	96,259,059.14	2,810,482,382.50	184,694,287.54	3,605,467.46	3,095,041,196.64
July 1 to Dec. 31, 1918	76,451,582.48	1,274,892,919.57	257,761,961.54	3,384,646.45	1,612,491,110.04
Jan. 1 to Jan. 31, 1919	12,732,514.54	155,429,048.67	27,054,788.82	626,489.31	195,842,841.34
Grand total	357,594,898.51	5,132,205,822.14	615,350,294.36	12,611,279.98	6,117,762,294.99

EXHIBIT 1-B.

Statement showing classified disbursements, exclusive of public debt, by months, from Mar. 1, 1917, to Jan. 31, 1919, as published in daily Treasury statements.

	Ordinary.	Foreign loans.	Other special.	Total.
March, 1917	$72,773,903.20	.....	$27,176,896.12	$99,950,799.32
Apr. 1 to 5, 1917	10,271,591.52	.....	408,584.28	10,680,175.80
Total, Mar. 1 to Apr. 5, 1917	83,045,494.72	.....	27,585,480.40	110,630,975.12
Apr. 6 to 30, 1917	71,328,006.70	$200,000,000.00	7,885,770.50	279,213,777.20
May, 1917	114,102,809.68	407,500,000.00	4,962,746.28	526,565,555.96
June, 1917	134,304,049.35	277,500,000.00	919,445.78	412,723,486.13
Total, Apr. 6 to June 30, 1917	319,734,856.73	885,000,000.00	13,767,962.56	1,218,502,819.29
Total, Mar. 1 to June 30, 1917	402,780,351.45	885,000,000.00	41,353,442.96	1,329,133,794.41
July, 1917	208,299,031.05	452,500,000.00	1,511,814.92	662,310,845.97
August, 1917	277,438,000.64	478,000,000.00	2,019,363.50	757,457,364.14
September, 1917	349,013,305.34	396,000,000.00	1,364,980.35	746,378,285.69
October, 1917	462,045,359.94	480,700,000.00	1,623,392.58	944,368,752.52
November, 1917	512,952,035.17	471,929,750.00	1,200,022.36	986,081,807.53
December, 1917	611,297,425.62	492,000,000.00	1,914,433.70	1,105,211,859.32
Total, July 1 to Dec. 31, 1917	2,421,045,157.76	2,771,129,750.00	9,634,007.41	5,201,808,915.17

EXHIBIT 1-B—Continued.

Statement showing classified disbursements, exclusive of public debt, by months, from Mar. 1, 1917, to Jan. 31, 1919, as published in daily Treasury statements—Continued.

	Ordinary.	Foreign loans.	Other special.	Total.
January, 1918	$715,302,039.83	$370,200,000.00	$4,854,005.86	$1,090,356,045.69
February, 1918	675,209,068.43	325,000,000.00	12,477,917.31	1,012,686,985.74
March, 1918	819,955,367.26	317,500,000.00	18,338,441.98	1,155,793,809.24
April, 1918	910,756,758.95	287,500,000.00	17,031,020.28	1,215,287,779.23
May, 1918	1,038,203,026.82	424,000,000.00	15,992,203.83	1,508,195,233.65
June, 1918	1,263,914,905.86	242,700,000.00	5,958,796.56	1,512,573,702.42
Total, Jan. 1 to June 30, 1918	5,453,341,167.15	1,966,900,000.00	74,652,388.82	7,494,893,555.97
Total for fiscal year 1918	7,874,386,324.91	4,738,029,750.00	84,286,396.23	12,696,702,471.14
July, 1918	1,259,782,599.23	343,485,000.00	5,015,055.21	1,608,282,654.44
August, 1918	1,524,901,777.74	279,250,000.00	1,361,445.28	1,805,513,223.02
September, 1918	1,274,505,845.05	282,150,000.00	608,440.22	1,557,264,285.27
October, 1918	1,174,622,406.40	489,100,000.00	1,139,854.59	1,664,862,260.99
November, 1918	1,655,051,004.19	278,949,697.70	1,248,607.01	1,935,249,308.90
December, 1918	1,670,890,396.88	389,052,000.00	1,033,458.60	2,060,975,855.48
Total, July 1 to Dec. 31, 1918	8,559,754,029.49	2,061,986,697.70	10,406,860.94	10,632,147,588.13
January, 1919	1,659,580,520.24	290,250,800.00	12,519,629.59	1,962,350,949.83
RECAPITULATION.				
Mar. 1 to Apr. 5, 1917	83,045,494.72		27,585,480.40	110,630,975.12
Apr. 6 to June 30, 1917	319,734,856.73	885,000,000.00	13,767,962.56	1,218,502,819.29
July 1 to Dec. 31, 1917	2,421,045,157.76	2,771,129,750.00	9,634,007.41	5,201,808,915.17
Jan. 1 to June 30, 1918	5,453,341,167.15	1,966,900,000.00	74,652,388.82	7,494,893,555.97
July 1 to Dec. 31, 1918	8,559,754,029.49	2,061,986,697.70	10,406,860.94	10,632,147,588.13
Jan. 1 to Jan. 31, 1919	1,659,580,520.24	290,250,800.00	12,519,629.59	1,962,350,949.83
Grand total	18,496,501,226.09	7,975,267,247.70	148,566,329.72	26,620,334,803.51

EXHIBIT 2.

Authorizations for issues of liberty bonds.

The first liberty bonds act (Apr. 24, 1917) authorized new issues of bonds not to exceed		$5,000,000,000
The same act authorized the issue under the terms of such act of the unissued bonds previously authorized as follows:		
For construction of Panama Canal (act Aug. 5, 1909), but including the unissued Panama Canal bonds authorized to be issued for the nitrate plant (act June 3, 1916) and for the Shipping Board (act Sept. 7, 1916), the amount of issued postal savings bonds being deducted from the amount authorized (approximately)		225,000,000
For extraordinary expenditures (act Mar. 3, 1917)		100,000,000
For expediting naval construction (act Mar. 4, 1917)		150,000,000
And in addition authorized an additional amount to provide for payment of loan of 1908–1918		63,945,460
Total authorization under first liberty bond act		5,538,945,460
First liberty loan subscriptions allotted		2,000,000,000
Balance bonds unissued under first liberty bond act		2,538,945,460
The second liberty bond act (Sept. 24, 1917) authorized the issue of bonds (in addition to the $2,000,000,000 issued under the first liberty bond act), not to exceed in the aggregate		7,538,945,460
And provided that of such sum $3,538,945,460 should be in lieu of unissued bonds authorized by the first liberty bond act.		
The third liberty bond act (Apr. 4, 1918) increased the authority for the issue of bonds to		12,000,000,000
and		
The fourth liberty bond act (July 9, 1918) further increased such authority to		20,000,000,000
Issues of liberty bonds under second liberty bond act and under such act as amended:		
Subscriptions allotted—		
Second liberty loan	$3,807,891,900	
Third liberty loan	4,176,516,850	
Fourth liberty loan	6,993,073,250	
		14,977,482,000
Balance authority under existing law for issues of liberty bonds		5,022,518,000

February 12, 1919.

EXHIBIT 3.

Interest-bearing debt of the United States Jan. 31, 1919.

[Preliminary figures, subject to correction.]

Title.	Rate.	Amount outstanding.
Bonds:	*Per cent.*	
Consols of 1930	2	$599,724,050
Loan of 1925	4	118,489,900
Panamas of 1916–1936	2	48,954,180
Panamas of 1918–1938	2	25,947,400
Panamas of 1961	3	50,000,000
Conversion bonds	3	28,894,500
Postal Savings bonds	2½	11,349,960
First Liberty loan of 1932–1947	3½	1,413,805,200
First Liberty loan of 1932–1947, converted	4	198,865,200
First Liberty loan of 1932–1947, converted	4¼	376,129,100
Second Liberty loan of 1927–1942	4	800,365,100
Second Liberty loan of 1927–1942, converted	4¼	2,752,153,400
Third Liberty loan of 1928	4¼	4,055,687,050
Fourth Liberty loan of 1933–1933	4¼	[1] 6,917,000,000
		17,457,365,040

[1] Proceeds not on Jan. 31 fully covered in the Treasury.

EXHIBIT 3.—Continued.

Interest-bearing debt of the United States Jan. 31, 1919.—Continued.

Title.	Rate.	Amount outstanding.
Treasury certificates:	*Per cent.*	
Certificates of indebtedness—		
In anticipation of victory Liberty loan—		
Series V. A. (Dec. 5, 1918–May 6, 1919)	4½	$413,438,000
Series V. B. (Dec. 19, 1918–May 20, 1919)	4½	572,494,000
Series V. C. (Jan. 2, 1919–June 3, 1919)	4½	751,684,500
Series V. D. (Jan. 16, 1919–June 17, 1919)	4½	600,101,500
Series V. E. (Jan. 30, 1919–July 1, 1919)	4½	[1] 687,381,500
In anticipation of internal revenue taxes—		
Tax series of 1919 (Aug. 20, 1918–July 15, 1919)	4	66,811,000
Series T. (Nov. 7, 1918–Mar. 15, 1919)	4½	794,172,500
Series T. 2 (Jan. 16, 1919–June 17, 1919)	4½	[1] 297,775,000
Pittman Act	2	123,008,000
Special issues	2–4½	291,198,800
		4,798,064,800
War Savings certificates (cash receipts)	4	1,011,609,242
Total interest-bearing debt:		
Bonds		17,457,365,040
Treasury certificates		4,798,064,800
War Savings certificates		1,011,609,242
		23,267,039,082

[1] Proceeds not on Jan. 31 fully covered into the Treasury.

DIVISION OF LOANS AND CURRENCY,
February 12, 1919.

EXHIBIT 4.

Bond-purchase fund.

Bonds purchased to Jan. 31, 1919:		Par amount.
First Liberty loan converted fours		$656,000
Second Liberty loan fours	$63,050,000	
Second Liberty loan converted four-and-a-quarters	132,295,000	
		195,345,000
Third Liberty loan four-and-a-quarters		115,935,500
Fourth Liberty loan four-and-a-quarters		35,000,000
Total		346,936,500

EXHIBIT 5.

Fourth Liberty loan—Final allotment of subscriptions.

[Corrected to Feb. 1, 1919.]

Federal reserve district:	
Boston	$632,124,850
New York	2,044,931,750
Philadelphia	598,763,650
Cleveland	701,909,800
Richmond	352,685,200
Atlanta	217,885,200
Chicago	969,209,000
St. Louis	295,340,250
Minneapolis	242,046,050
Kansas City	295,951,450
Dallas	146,090,500
San Francisco	462,250,000
Treasury (includes Army subscriptions, subject to change)	33,885,550
Total	6,993,073,250

Mr. SHERMAN. Mr. President, I wish to voice my protest against the pending bill. I shall not take the time to go into it at length, nor is it my purpose to engage in any consumption of the Senate's time which would amount to delay. I expect to use only a few minutes.

Before I submit my remarks I wish to offer an amendment to the bill and direct a part of my remarks to the amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed, in line 11, page 1, to strike out "$7,000,000,000" and insert in lieu thereof "$5,000,000,000."

Mr. SHERMAN. Mr. President, this amendment is found applying to page 1 of the bill. The report made by the committee in the House states that—

> At the present time our expenditures for the fiscal year ending June 30, 1919, are estimated to be at least $19,000,000,000 and our estimated receipts $14,000,000,000, divided as follows: Fourth liberty loan, $7,000,000,000; war-savings certificates, $1,000,000,000; and taxes, $6,000,000,000, thus leaving a deficit of $5,000,000,000, which it is contemplated will be met from the sale of the notes provided for in section 1 of this bill. Of course, there are $5,000,000,000 of bonds authorized under existing law and available to be issued, but it is the opinion of your committee that those bonds could not be sold now under the terms of their authorization. The Treasury Department concurs in this view and has no intention of trying to sell those bonds now upon the terms provided in existing law. The Treasury and your committee believe that out of abundance of caution we should authorize the issue of $7,000,000,000 of notes, since the excess over $5,000,000,000 will doubtless be required early in the next fiscal year.

It was with the view that only a deficit of $5,000,000,000 exists between the income from all sources and the expenditures for the fiscal year. Leaving $5,000,000,000 as the margin, the excess of $2,000,000,000 seems to be out of a superabundant caution. It is to be assumed that Congress will be in session some time after the term expires by its own limitations on the 4th day of March; that between now and next December it will be expedient for the Executive to call an extraordinary session of Congress some time, when lies in his discretion, but it is inexpedient for the country to remain with no President within its borders and no Congress in session. The Nation is not yet at peace. It is living only under an armistice. It is unwise, then, Mr. President, to leave the Nation headless, the Executive gone and the Congress adjourned and its Members dispersed to various quarters of the United States. In view of that fact, very likely a special session will be called. If it go until the Executive shall return from abroad from a second trip, it would be along in midsummer. Full legislation to meet any emergency required by a deficit in the Treasury or any unknown expenditures at this time can be provided at that session.

There seems to be too much in this bill of a desire to provide for unknown contingencies. All these provisions will cause additional tax levies, and the tax levies ought to follow an economical expenditure of the money. When the money is already provided, without considering the two together, there is much less probability of an economical expenditure of those funds. For that reason I have offered the amendment to reduce the amount contemplated from $7,000,000,000 to $5,000,000,000, which, I think, will cover all the expenditures for the fiscal year.

The reason why Congress should take some action on these matters and why it should be in session to do so is the wheat guaranty; that, we assume, will be disposed of at this session. There is a provision there for one thousand million dollars to meet the guaranteed price of wheat. There is a deficit in the railway operation under the Government control of $750,000,000. There is, in addition, a naval bill pending of $750,000,000. The naval bill will be presented here in due time. Following the same recommendation, the Senate ought to pass the naval bill as well as the $750,000,000 deficit in the operation of the steam railways of the country. This would make two and one-half billion dollars, the appropriations for these three items alone.

These appropriations or expenditures will require additional taxes. The tax levy must be provided by some future Congress. This Congress has exhausted the possibilities of further tax levy. In the short time that remains between now and its expiration it is idle to think of discovering any new sources of revenue.

The bills that come during this last part of the session, all of them clamor for action at once. It is one of the vices of legislation, and especially the method that we have followed for some time in legislating here, to accumulate all the bills, rush in the last hours of the session, and then call for the immediate passage without examination and without consideration by the Members or by the Senate as a body.

The other practice, which is a sort of a handmaid to this evil, is the tendency for the vital legislation to come from conference committees. The report of a conference committee is always in order. Many things that take place in the conference committee are unknown to the great body of the House and the Senate. The Senate is confined to a very few Members on that committee. When the report comes in there is but a single vote. No amendments are possible. It is either voting the report in or its defeat. This is an evil.

The evil is somewhat mitigated by a rule adopted in the Senate that no original matter can be added in the conference committee. Before that time the conference committees, under the rules or the practices, had original power of legislation, and they evolved new measures, new sections that came out for the first time in the conference committee reports, and were heard for the first time on the floor of the Senate, with no opportunity to amend and no opportunity to consider maturely, as it ought to be done.

The amendment of the rules has changed the original matters that have not been considered by either House, so that the conference committee now deals entirely with differences, but, having dealt with the differences, eliminated some sections, modified some, because the modification can be made, the committee still has jurisdiction to draft new sections covering matter that has been considered in both Houses or going over the same province it comes in, and in the form of a conference committee report it gives no time for due deliberation to follow the many changed portions of the bill.

So the two together, the great accumulation of bills and the tendency to legislate by conference committee reports, are both of them evils. Jointly they become a very great evil.

One of the reasons why I shall vote against this bill is because it comes in at the last hours of the session. There has been abundant time since the first Monday in last December to have framed this bill. It was known there would be some such bill required. The last bond issue had hardly been placed until it was known. The press carried notices, the Treasury knew, the House and the Senate knew, that another bond issue was imminent, and that by spring details would be required so that it could be offered to the general public. So there is no excuse for bringing this bill in here at the last moment, and I shall vote against the bill because it does not give time for the consideration of a measure of this importance.

I have no desire to take the time of the Senate here, and I am not engaging in a filibuster for the purpose of destroying time. I have waited here until this time to-night in order that I might in due form voice my protest against the bill and very briefly state my reasons for voting against it. I shall content myself with these remarks, and after that I shall vote accordingly.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The question is on the amendment of the Senator from Illinois.

Mr. JONES of Washington. Let the amendment be read.

The PRESIDING OFFICER. It has been read, but it will be read again.

The SECRETARY. Amend, in line 11, page 1, by striking out "$7,000,000,000" and inserting in lieu thereof "$5,000,000,000," so as to read "not exceeding in the aggregate $5,000,000,000."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Illinois.

The amendment was rejected.

Mr. PENROSE. I desire to offer an amendment. I do not call the yeas and nays. It is to make the revolving fund, or whatever it is called, $500,000,000 instead of $1,000,000,000.

Mr. SIMMONS. The Senator refers to the amount the Finance Corporation is authorized to advance?

Mr. PENROSE. Yes; I offer that amendment. I offered it in the Finance Committee and it was voted down. I expect it to meet a like fate now.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 13, line 5, strike out "$1,000,000,000" and insert "$500,000,000," so as to read:

> The aggregate of the advances made by the corporation under this section remaining unpaid shall never at any time exceed the sum of $500,000,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Pennsylvania.

The amendment was rejected.

Mr. PENROSE. The Senator from Wisconsin [Mr. LA FOLLETTE], who is not in the Chamber, has an amendment which, I think, ought to be voted on. The Secretary has it at the desk. It relates to the coercion of persons for subscription to loans.

Mr. SIMMONS. Yes; that ought to be voted on.

Mr. PENROSE. I would like to have it voted on.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Add as a new section, after section 7, the following:

> SEC. —. Every person who by threats or force, or by threatening letters, or any threatening communication, influences, controls, or intimidates, or in like manner endeavors to influence, control, or intimidate another with the intent of causing him to subscribe for any of the notes, bonds, certificates, or obligations authorized under this act, or any bonds, certificates, or other obligations authorized by existing law, or that may hereafter be authorized, and to part with any money or other thing of value in payment therefor, shall, upon conviction

thereof, be punished by a fine of not less than $1,000 or more than $5,000 or by imprisonment for not less than six months nor more than three years, or by both such fine and imprisonment.

Every officer of the United States who by threats or force, or by threatening letters, or any threatening communications, influences, controls, or intimidates, or endeavors to influence, control, or intimidate another with the intent of causing him to subscribe for any of the notes, bonds, certificates, or obligations authorized under this act, or any bonds, certificates, or other obligations authorized by existing law, or that may hereafter be authorized, and to part with any money or other thing of value in payment therefor, shall, upon conviction thereof, be punished by a fine of not less than $2,000 or more than $10,000 or by imprisonment of not less than one year nor more than five years, or by both such fine and imprisonment.

If two or more persons conspire by threats or force, or by threatening letters, or any threatening communication to influence, control, or intimidate, or in like manner endeavor to influence, control, or intimidate another with the intent of causing him to subscribe for any of the notes, bonds, certificates, or obligations authorized under this act, or any bonds, certificates, or other obligations authorized by existing law, or that may hereafter be authorized, and to part with any money or other thing of value in payment therefor, shall, upon conviction thereof, each be punished by a fine of not less than $1,000 or more than $5,000 or by imprisonment of not less than six months nor more than three years, or by both such fine and imprisonment.

Mr. GORE. Mr. President, I should like to say one word on the amendment. I think intimidation and duress have been used to compel soldiers and sailors to buy the bonds. I think it is not only unfair, but reprehensible. If the hour were not so late and the session so near its close, I would insist on the adoption of this amendment, in so far at least as soldiers, sailors, and marines are concerned.

Mr. WILLIAMS. Mr. President, this amendment is aimed to cure a fault which is absolutely inherent in human nature. It can not be cured by the amendment. Loyal people during times of war will and must and do exercise a certain degree of intimidation upon disloyal people. It began with the Boston Tea Party. In the Civil War it began with the denunciation of the Copperheads in the North and of the Unionists in the South.

This is an attempt to create a change in human nature itself. A man loyal to his country in time of war can not help more or less by word or act intimidating the man who is disloyal. It can not be otherwise. This amendment has nothing to do with the bill. It is foreign and alien to its real meaning, which is to raise money.

Now, of course, if Congress wants to pass an act which will put the fiat of its disapproval upon this Boston Tea Party, it may do it; but I for one do not want to see it done. Of course, the act of the Boston Tea Party was illegal. It was intimidation. It was Ku-Kluxism, to express it in one word. But you can not help that sort of thing. And that is not all. That sort of thing is right. There is a man with hundreds and thousands of money or millions of money who will not contribute to help the Government when the Government needs money. When the bodies and the lives of men are being conscripted to help the Government he will not contribute a cent. It is nothing but right that his neighbors should call on him and tell him that he has got to contribute; that he must do his part.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Wisconsin.

The amendment was rejected.

Mr. JONES of Washington. I called the attention of the chairman of the committee to an amendment the other day that I submitted. I am going to offer the amendment now, but I am not going to take the time of the Senate to discuss it. I know the situation and I know that all amendments will be voted down, and it is useless to present the amendment in the hope of having it adopted. If I had any hope of accomplishing anything, I would use any method that I thought would accomplish the purpose. The chairman of the committee has kindly assured me that he is hoping that something may be worked out in the department to take care of the situation intended to be covered by the amendment.

Mr. SIMMONS. I will say to the Senator that I have been in communication with the department on the subject.

Mr. JONES of Washington. The amendment in brief is to try to devise some way to take care of the situation where the owners of bonds who have to sell them under distressing circumstances have to sell them at a discount. I shall simply offer the amendment and have it read and then take a vote on it; and I hope the Senator from North Carolina and I will be able to work out something in the department to take care of the situation.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the proper place insert the following:

That any owner of liberty bonds not exceeding $500 par value shall be paid in cash the par value thereof and accrued interest thereon through any Federal banking institution upon making a satisfactory showing that he is the owner and original purchaser thereof and that he is disposing of the same to meet his present needs.

The Secretary of the Treasury is authorized and directed to make such rules and regulations as may be necessary to carry out the foregoing provisions.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was rejected.

The PRESIDING OFFICER. If there be no further amendment to be offered as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIMS OF CONTRACTORS.

Mr. POMERENE. I give notice in writing of a motion to suspend the rules for the purpose of presenting an amendment to House bill 16187.

The notice was read by the Secretary, as follows:

I hereby give notice in writing that I will move to suspend paragraph 3 of Rule XVI for the purpose of offering the amendment to H. R. 16187, hereunto attached.

ATLEE POMERENE.

The amendment is as follows:

Amendment intended to be proposed by Mr. POMERENE to the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

That the Secretary of the Treasury is hereby authorized and directed, under such regulations as he may prescribe, to receive fully itemized and verified claims and reimburse contractors and their subcontractors, including material men, for the construction, improvement, special repair, equipment, or furnishing of post offices and other buildings or work under the supervision of the Treasury Department and the Superintendent of the Capitol Building and the officer in charge of Public Buildings and Grounds and the Washington Monument whose contracts were awarded, or whose bids, as thereafter accepted, were submitted prior to the entrance of the United States into the war with Germany, to wit, April 6, 1917, and whose contracts have been or will be completed after said date, for increased costs thereafter arising, due, first, to increased cost of labor or materials; second, to delay on account of the action of the United States Priority Board or other governmental activities; third, to commandeering by the United States Government of plants or material, shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone: *Provided*, That any subcontractor may submit his claim through the contractor or to the Secretary of the Treasury. And the Secretary of the Treasury is hereby authorized, as such buildings, etc., are respectively completed and paid for, and all outstanding liabilities paid, to transfer into a special fund the available balances of the specific appropriations from which the original contracts were payable, which fund is hereby made available for the payment, as far as possible, of such claims, or any installment thereof, arising out of increased costs: *Provided*, That no claim for such reimbursement shall be paid unless filed with the Treasury Department within six months after the passage of this act: *Provided further*, That in no case shall the contractor or subcontractor be reimbursed to an extent greater than is sufficient to cover his actual cost in fulfilling his contract or subcontract, exclusive of profits to such contractor or subcontractor, nor shall such reimbursement include any advances or payments made by the sureties of such contractor or subcontractor in executing the work: *Provided further*, That the Secretary of the Treasury shall report to Congress at the beginning of each session thereof the amount of each expenditure and the facts on which the same is based.

SENATOR FROM SOUTH CAROLINA.

Mr. POLLOCK. I present the credentials of Hon. NATHANIEL B. DIAL, chosen by the qualified electors of the State of South Carolina a Senator from that State, and I ask that they be read.

The credentials were read and ordered to be filed, as follows:

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, NATHANIEL B. DIAL was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency our governor, R. A. Cooper, and our seal, hereto affixed at Columbia this the 27th day of February, in the year of our Lord 1919.

R. A. COOPER, *Governor.*

By the governor:
[SEAL.]

W. BANKS DOVE,
Secretary of State.

DEFICIENCY APPROPRIATIONS.

Mr. SWANSON. I move that the Senate proceed to the consideration of House bill 16187, being the general deficiency appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. SWANSON. I ask unanimous consent that the bill which is now the unfinished business be laid aside temporarily in order that the Senate may consider the action of the House of Representatives on the wheat price guaranty bill.

The PRESIDING OFFICER. Without objection, the unfinished business will be temporarily laid aside.

GUARANTIES TO PRODUCERS OF WHEAT.

Mr. GORE. I ask the Chair to lay before the Senate the message from the House of Representatives in regard to the wheat price guaranty bill.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives agreeing to the amendment of the Senate numbered 24 with an amendment to the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, insisting upon the residue of the amendments of the Senate to the bill, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GORE. I move that the Senate agree to the amendment of the House to the amendment of the Senate numbered 24 and further insist upon the residue of the Senate amendments still in disagreement.

The motion was agreed to.

LEAGUE OF NATIONS.

Mr. GORE. I ask unanimous consent to offer a Senate resolution.

The resolution (S. Res. 481) was read and referred to the Committee on Foreign Relations, as follows:

Resolved, That the delegates representing the United States at the peace conference assembled at Paris are hereby requested to offer amendments to the formulated plan proposing to establish the league of nations by the insertion of the following provisions, to wit:

First. Add to the end of section 15, and as a part of said section, the following sentence:

"In the event that the award, decision, or recommendation of the court of arbitration, executive council, or body of delegates shall not be accepted by the governments parties to the dispute, then the executive council shall provide for referring the question of accepting or rejecting such award, decision, or recommendation to a vote of the people in the country or countries whose governments or officials have so withheld or refunded their acceptance."

Second. Add the following as section 15A:

"Each of the high contracting parties covenants and agrees not to wage or declare war against another until the question of peace or war shall have been first submitted to a vote of its people, save and except in case of invasion or where the danger is so imminent as not to admit of delay."

Third: Article 15B:

"Representatives of the member States in the body of delegates shall be chosen by the peoples of the respective States."

AMENDMENT OF FEDERAL RESERVE ACT—CONFERENCE REPORT.

Mr. SWANSON. I move that the Senate proceed to the consideration of executive business.

Mr. OWEN. Mr. President, I will ask the Senator from Virginia to withhold his motion for a moment.

Mr. SWANSON. I withhold the motion for a moment.

Mr. OWEN. I ask unanimous consent that the Senate consider the conference report on Senate bill 5236 amending certain sections of the Federal reserve act. I think there is no opposition to it now in the Senate.

Mr. WEEKS. I hope the conference report will be agreed to.

Mr. SWANSON. If there is no opposition to it, although we had an agreement——

Mr. PENROSE. It is subject to a point of order.

Mr. OWEN. If there is any opposition to it I will withdraw the request, of course.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Mr. President, I desire to make a statement regarding that measure. I have no objection now to the conference report being adopted, inasmuch as the bond bill has been passed in the shape in which it was reported to the Senate. I recognize that the conferees inserted the word "notes" in the conference report on the bill called up by the Senator from Oklahoma. I know why that word was put in, namely, to take care of the obligations authorized under the bill that has just passed the Senate. I think, inasmuch as that bill has now passed the Senate, we ought to agree to the conference report in order that notes shall have the same rights in connection with the issuance of circulating currency as the bonds which have already been issued.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report on Senate bill S. 5236, which will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the amendment proposed by the House insert the following:

"That that part of the first paragraph of section 7 of the Federal reserve act which reads as follows: 'After the aforesaid dividend claims have been fully met all the net earnings shall be paid to the United States as a franchise tax except that one-half of such net earnings shall be paid into a surplus fund until it shall amount to 40 per cent of the paid-in capital stock of such bank,' be amended to read as follows:

"'After the aforesaid dividend claims have been fully met, the net earnings shall be paid to the United States as a franchise tax except that the whole of such net earnings, including those for the year ending December 31, 1918, shall be paid into a surplus fund until it shall amount to 100 per cent of the subscribed capital stock of such bank and that thereafter 10 per cent of such net earnings shall be paid into the surplus.'

"SEC. 2. That that part of section 10 of the Federal reserve act which reads as follows: 'The members of said board, the Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank,' be amended to read as follows:

"'The Secretary of the Treasury and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank. The appointive members of the Federal Reserve Board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank, except that this restriction shall not apply to a member who has served the full term for which he was appointed.'

"SEC. 3. That section 11 of the Federal reserve act as amended by the act of September 7, 1916, be further amended by striking out the whole of subsection (m) and by substituting therefor a subsection to read as follows:

"'(m) Upon the affirmative vote of not less than five of its members the Federal Reserve Board shall have power to permit Federal reserve banks to discount for any member bank notes, drafts, or bills of exchange bearing the signature or indorsement of any one borrower in excess of the amount permitted by section 9 and section 13 of this act, but in no case to exceed 20 per cent of the member bank's capital and surplus: *Provided, however*, That all such notes, drafts, or bills of exchange discounted for any member bank in excess of the amount permitted under such sections shall be secured by not less than a like face amount of bonds or notes of the United States issued since April 24, 1917, or certificates of indebtedness of the United States: *Provided further*, That the provisions of this subsection (m) shall not be operative after December 31, 1920.'

"SEC. 4. That section 5172, Revised Statutes of the United States, be amended to read as follows:

"'SEC. 5172. That in order to furnish suitable notes for circulation, the Comptroller of the Currency shall, under the direction of the Secretary of the Treasury, cause plates and dies to be engraved in the best manner to guard against counterfeiting and fraudulent alterations, and shall have printed therefrom and numbered such quantity of circulating notes in blank or bearing engraved signatures of officers as herein provided, of the denominations of $1, $2, $5, $10, $20, $50, $100, $500, and $1,000, as may be required to supply the associations entitled to receive the same. Such notes shall express upon their face that they are secured by United States bonds deposited with the Treasurer of the United States by the written or engraved signatures of the Treasurer and Register, and by the imprint of the seal of the Treasury, and shall also express upon their face the promise of the association receiving the same to pay on demand, attested by the written or engraved signatures of the president or vice president and cashier; and shall bear such devices and such other statements and shall be in such form as the Secretary of the Treasury shall, by regulation, direct.'"

ROBERT L. OWEN,
GEO. P. MCLEAN,
Managers on the part of the Senate.
MICHAEL F. PHELAN,
JOE H. EAGLE,
E. A. HAYES,
Managers on the part of the House.

Mr. OWEN. I move the adoption of the conference report.

The report was agreed to.

INVESTIGATION OF GERMAN PROPAGANDA.

Mr. SWANSON. I renew my motion.

Mr. OVERMAN. I ask the Senator to withhold his motion for a moment.

Mr. SWANSON. As the Senator knows, there is an agreement with the other side; but if they have no objection to the request of the Senator from North Carolina, I will withhold my motion.

Mr. OVERMAN. I ask unanimous consent that the Senate proceed to the consideration of the resolution (S. Res. 469) authorizing the Committee on the Judiciary to continue investigation of German and Bolsheviki propaganda and to incur and pay the expenses of said investigations, and so forth.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

Mr. GORE. I object.

Mr. OVERMAN. I move that it be considered notwithstanding the objection.

Mr. SWANSON. Objection being made, I think, under the agreement to which I have referred——

Mr. OVERMAN. Senators on the other side do not object to it. They are all in favor of it. It is merely to allow the German propaganda committee to continue its investigation.

The PRESIDING OFFICER. Objection is made. The resolution goes over.

EXECUTIVE SESSION.

Mr. SWANSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

RECESS.

Mr. SWANSON. I move that the Senate take a recess until 1 o'clock p. m. to-day.

The motion was agreed to; and (at 6 o'clock and 40 minutes a. m., Sunday, March 2, 1919) the Senate took a recess until 1 o'clock p. m., Sunday March 2, 1919.

NOMINATIONS.

Executive nominations received by the Senate March 1, 1919.

MINISTER TO DENMARK.

Norman Hapgood, of New York City, to be envoy extraordinary and minister plenipotentiary of the United States of America to Denmark.

UNITED STATES CIRCUIT JUDGES.

George T. Page, of Peoria, Ill., to be United States circuit judge, seventh circuit, vice Christian C. Kohlsaat, deceased.

Thomas G. Haight, of Newark, N. J., to be United States circuit judge, third circuit, vice John B. McPherson, deceased. (Mr. Haight is now serving as United States district judge, district of New Jersey.)

CIRCUIT JUDGE, TERRITORY OF HAWAII.

Cornell S. Franklin, of Honolulu, Hawaii, to be first judge of the circuit court, first circuit of the Territory of Hawaii, vice Clarence W. Ashford, whose term has expired.

UNITED STATES ATTORNEYS.

J. M. Clements, of Helena, Mont., to be United States attorney, District of Alaska, division No. 2, vice G. J. Lomen, appointed by court.

W. L. Hensley, of Farmington, Mo., to the United States attorney, eastern district of Missouri, vice Arthur L. Oliver, whose term has expired.

UNITED STATES MARSHALS.

Herman O'Connor, of Grand Rapids, Mich., to be United States marshal, western district of Michigan. A reappointment, his term expiring March 1, 1919.

Thomas D. McCarthy, of New York City, to be United States marshal, southern district of New York. A reappointment, his term expiring March 3, 1919.

PROMOTIONS IN THE REGULAR ARMY.

CAVALRY ARM.

First Lieut. Robert C. Candee, to be captain with rank from January 11, 1919.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE REGULAR ARMY.

CAVALRY ARM.

To be captains.

First Lieut. Ion C. Holm, Cavalry, from December 19, 1918.
First Lieut. Joseph L. Philips, Cavalry, from January 18, 1919.
First Lieut. Kenneth McCatty, Cavalry, from January 24, 1919.
First Lieut. Joseph W. Geer, Cavalry, from February 4, 1919.

To be first lieutenants.

Second Lieut. Wingate Battle, Cavalry, from November 15, 1918.
Second Lieut. Harold B. Wharfield, Cavalry, from November 15, 1918.
Second Lieut. Wade C. Gatchell, Cavalry, from November 15, 1918.
Second Lieut. Norman D. Twichell, Cavalry, from November 23, 1918.
Second Lieut. Andrew J. Wynne, Cavalry, from November 25, 1918.
Second Lieut. Howard C. Wiener, Cavalry, from November 25, 1918.
Second Lieut. Walter F. Goodman, Cavalry, from November 25, 1918.
Second Lieut. Thomas M. Benson, Cavalry, from November 25, 1918.
Second Lieut. Lucian K. Truscott, jr., Cavalry, from December 10, 1918.
Second Lieut. Ralph E. Alstead, Cavalry, from December 13, 1918.
Second Lieut. James H. Akerman, Cavalry, from December 19, 1918.
Second Lieut. Raymond T. Connell, Cavalry, from December 21, 1918.
Second Lieut. James N. W. McClure, Cavalry, from December 25, 1918.
Second Lieut. Gabriel R. Mead, Cavalry, from December 28, 1918.

PROMOTIONS IN THE NAVY.

Medical Inspector Ammen Farenholt to be a medical director in the Navy, with the rank of captain, from the 15th day of October, 1917.

Medical Inspector Dudley N. Carpenter to be a medical director in the Navy, with the rank of captain, from the 1st day of February, 1918.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 15th day of October, 1917:

Archibald M. Fauntleroy and
Joseph P. Traynor.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 1st day of January, 1918:

Charles C. Grieve,
James S. Woodward,
John D. Manchester, and
James A. Randall.

Surgeon Robert G. Heiner to be a medical inspector in the Navy, with the rank of commander, from the 1st day of February, 1918.

Assistant Dental Surgeon Joseph D. Halleck to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 4th day of February, 1916.

POSTMASTERS.

ARKANSAS.

Claude E. Skinner to be postmaster at Corning, Ark., in place of A. B. McKinney. Incumbent's commission expired January 27, 1918.

FLORIDA.

Robert E. L. McFarlin to be postmaster at Quincy, Fla., in place of R. E. L. McFarlin. Incumbent's commission expired January 18, 1919.

GEORGIA.

John W. Clark to be postmaster at Augusta, Ga., in place of J. W. Clark. Incumbent's commission expired June 16, 1918.

Thomas B. Perry to be postmaster at Camilla, Ga., in place of T. B. Perry. Incumbent's commission expired January 12, 1919.

MISSOURI.

Leonidas J. Hall to be postmaster at Columbia, Mo., in place of J. H. Guitar. (Removed.)

NEVADA.

Ella C. Currie to be postmaster at Gardnerville, Nev., in place of R. W. Gale. (Resigned.)

George T. Nugent to be postmaster at Yerington, Nev., in place of Lotta S. Howe. (Declined.)

TEXAS.

William H. Carpenter to be postmaster at Comanche, Tex., in place of F. J. Reese. (Removed.)

Waldo Williams to be postmaster at Fort Stockton, Tex., in place of Elias Barry. (Resigned.)

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 1, 1919.

UNITED STATES CIRCUIT JUDGE.

George T. Page, of Peoria, Ill., to be United States circuit judge, seventh circuit, vice Christian C. Kohlsaat, deceased.

UNITED STATES ATTORNEYS.

Alfred Jaques to be United States attorney, district of Minnesota.

James A. Smiser to be United States attorney, district of Alaska, division No. 1.

Charles L. Rigdon to be United States attorney, district of Wyoming.

W. L. Hensley to be United States attorney, eastern district of Missouri.

UNITED STATES MARSHALS.

James M. Power to be United States marshal, eastern district of New York.

Samuel J. Burris to be United States marshal, district of Colorado.

George H. Bellamy to be United States marshal, eastern district of North Carolina.

APPOINTMENTS AND PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

To be second lieutenants.

Robert Gibbins Gard.
Sydney Ward Gould.
Joseph Vincil Phelps.
Luther Lyons Hill.
Lester DeLong Flory.
Henry Ellis Sanderson, jr.
William Leighton McEnery.
Albert Sidney Johnston Stovall, jr.
Wayne Cliffton Zimmerman.
Josiah Toney Dalbey.
John Francis Lavagnino.
Archie William Cooey.

CORPS OF ENGINEERS.

To be second lieutenants.

James Logan Rhoads.
David Ayres Depue Ogden.
Howard Louis Peckham.
Randolph Piersol Williams.

INFANTRY.

To be second lieutenants.

Robert Alwin Schow.
Thomas Markham Brinkley.
James Coachman Cullens, jr.
Reginald Worth Hubbell.
Jessie Lewis Gibney.
Vincent John Conrad.

CAVALRY.

James Coachman Cullens, jr., to be second lieutenant.

PORTO RICO REGIMENT OF INFANTRY.

Urbino Nadal, to be captain.
Luis F. Cinchini, to be first lieutenant.

INFANTRY.

Herbert Soleman Smith, to be first lieutenant.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

To be rear admirals.

Benjamin C. Bryan.
William L. Howard.
George W. Kline.
Thomas W. Kinkaid.
William S. Smith.
Clarence S. Williams.

To be captains.

William H. Reynolds.
Clarence L. Arnold.
Bion B. Bierer.
Raymond DeL. Hasbrouck.
Philip Williams.
Joel R. P. Pringle.

To be commanders.

Adolphus Andrews.
Roger Williams.
Frank C. Martin.
Henry M. Jensen.
Stephen Doherty.
William C. I. Stiles.
William B. Howe.
William R. White.
Thomas R. Kurtz.
Manley H. Simons.
Ivan E. Bass.
Alfred W. Brown, jr.
John A. Monroe.
Charles R. Clark.
Bryson Bruce.
Alfred W. Atkins.
Archibald D. Turnbull.
Aubrey W. Fitch.

To be lieutenant commanders.

Douglas W. Fuller.
Glenn B. Strickland.
Fred K. Elder.
Laurence R. Brown.
Edward H. McKitterick.
Neil H. Geisenhoff.
Paulus P. Powell.
Roy Pfaff.
Benjamin H. Lingo.
Earl H. Quinlan.
William L. Beck.
Felix X. Gygax.
Guy E. Davis.
Lemuel M. Stevens.
Roy LeC. Stover.
Harry W. Hosford.
Aylmer L. Morgan, jr.
Edward W. Hanson.
Harold R. Keller.
Harold T. Bartlett.
Charles H. McMorris.
Ernest W. Broadbent.
Edgar M. Williams.
Hamilton Harlow.
Fred K. Elder.
Ellis M. Zacharias.
William S. Hogg, jr.
Grady B. Whitehead.
Aaron S. Merrill.
Robert E. P. Elmer.
Glenn B. Strickland.
Alphonso H. Cobb.
William B. Howe.
Albert C. Read.
David A. Scott.
Miles A. Libbey.
Raymond A. Spruance.
Joseph S. Evans.
Charles R. Clark.

To be lieutenants.

Carl C. Clark.
Jefferson B. Goldman
Stanley P. Tracht.
Donald F. Patterson.
Louis E. Denfeld.
William A. Corley.
Oliver W. Bagby.
Emory P. Eldredge.
Herbert G. Gates, jr.
Campbell D. Edgar.
John K. Richards.
Paul S. Theiss.
Garnet Hulings.
Louis R. Ford.
Herbert W. Underwood.
Roy W. Lewis.
Henry M. Kieffer.
John H. Culin.
Louis P. Wenzell.
John W. Rowe.
Ford L. Wilkinson, jr.
Samuel A. Wilson.
Steve V. Edwards.
Max P. Schaffer.
Karl Hart.
Julius Holbin.
Casper H. Husted.
Allen J. Gahagan.
George F. Fredenburg.
John A. Lemanski.
Arthur A. Travis.

William C. Procknow.
Frank S. Miller.
Harry F. Quandt.
Harry M. Dickerson.
Frederick A. Mack.
William Pollock.
Frank Schlapp.
Bruce M. Parmenter.
Benjamin F. Schmidt.
Robert E. Simon.
Bea L. Jarvis.
Felix M. Kelley.
Fred J. Pope.
Arthur Boileau.
Frederick Seefeldt.
Frank W. Dunning.
Louis H. Rassler.
Ferdinand H. Ehlbeck.
Glenn O. Twiss.
Edwin Brown.
William P. Bachman.
Hal W. Barnes.
Conrad F. Holzermer.
Charles W. Pearles.
William A. Tattersall.
Walter M. Blumenkranz.

To be lieutenants (junior grade).

Howes Bodfish.
Julius C. Delpino.
Myron W. Hutchinson, jr.
Scott Umsted.
George C. Kriner.
William S. Hactor.
Albert Osenger.
Eugene G. Herzinger.
John T. Ferris.
George R. Groh.
James R. Harrison.
Milo W. Pevonak.
Walter J. Williams.
Charles H. Silvia.
William K. Wilbur.
Frederick E. Peterson.
Walter E. Ross.
Jacob E. De Garmo.
John W. Dillinder.
Harry W. Abrams.
Lester K. Daniels.
Martin Nyburg.
Arthur K. Pounds.
John W. Alcorn.
Dennis B. Boykin.
Robert H. Kerr.
William F. Skyles.
William T. McMahon.
Louis F. Calabres.
Walter H. Springer.
Harry T. Gower.
Francis M. Sutton.
James D. Dice.
Herbert E. Clarke.
Corneal N. Van Der Heuel.
Ove P. O. Hansen.
Charles R. Brown.
Edgar C. Suratt.
David L. Jones.
James A. Dover.
Harvey N. Corwell.
Ray C. Hopkins.
Arthur F. Armstrong.
John W. Bishop, jr.
John A. Cleverly.
Carl King.
Francis Earle.
John H. Jones.
Roy L. Maryatt.
Ira D. Bertolet, jr.
Frederick R. Rogers.
Edward S. Esty.
Egmont G. Hildner.
Edgar C. Earle.
Stephen S. Whitby.
Harold P. Manly.
John W. Savage.
Rodney N. Landreth.
Hugh G. Eldredge.
George W. Grove.
Frank C. Huntoon.
Nathaniel M. Pigman.
Robert M. Farrar.
Walter J. Confer.
Noble Withers.
Claude C. Vickrey.
Thacher Jenny.
Robert F. Massoneau.
Percy E. Ricketts.
Frederick H. Hunter.
Ralph McK. Hammer.
Rodney W. Henry.
Paul G. Neal.
Warren C. Dubois.
Raymond D. Thiery.
James B. Griffin.
Donald C. Burnham.
Hal C. Harding.
Edward K. Crothers.
Frank O. Wilhelm.
Robert M. MacDonald.
Donald S. Good.
Lewis J. D. Truhan.
Samuel W. Roberts.
Leo M. Blancke.
Gilder S. Horne.
Francis L. Hamill.
Harold B. Leland.
Paul F. Dudley.

To be ensigns.

Clarence R. Reed.
Bernard F. Toner.
Robert H. Cline.
Maxmillian D. Deleshe.
Norris L. Wilcomb.
William R. Dolan.
John Bjorling.
Gunder Z. Johnston.
Cornelius Murphy.
Charles Lucas.
William B. Baggaley.
Edward Dethloff.
Otis K. Ketchum.
Charles E. Chamberlain.

To be lieutenants, retired.

Carston Nygaard.
Michael A. Rossiter.
Thomas G. McDonough.
John T. Riley.

To be naval constructors with rank of captain.

John E. Bailey.
John A. Spilman.
Henry M. Gleason.
Sidney M. Henry.
Richard M. Watt.

To be naval constructors with rank of commander.

John A. Spilman.
Julius A. Furer.
Robert B. Hilliard.
Lee S. Border.
James O. Gawne.
Allan J. Chantry, jr.
Harry G. Knox.
Philip G. Lauman.
Alva B. Court.
Whitford Drake.
Lew M. Atkins.
Arthur W. Frank.
Ralph T. Hanson.

To be naval constructors.

Henry M. Gleason.
Sidney M. Henry.

To be assistant naval constructors with rank of lieutenant (junior grade).

Whitney Collins.
John K. Bacon.
Sterling C. Girardet.
William Tavenner.
Robert F. Roberson.
Hamilton P. K. Lyons.
William Neidert.

Dorus Nyburg.
Ellis B. Berkstresser.
Frank D. Allen.
Ernest F. Kiefer.
John F. Colvin.
Otto Meobius.
George D. Barringer.

To be civil engineer with rank of commander.

Carl A. Carlson.

To be pay inspector with rank of commander.

Ray Spear.

To be assistant paymasters with rank of ensign.

Jonas F. Rupert.
Edwin R. Gallagher.
Charles T. Flannery.
Carl L. Biery.
Lyle S. Gunn.
Harry H. Hines.
Edwin H. Bradley.
Evans A. Powell.
William H. Phillips.
Percy Briggs.
Louis L. Lindenmayer.
John L. H. Clarholm.
Robert W. Durden.
Edgar H. Shaffer.
George H. Crofut.
William D. Burroughs.
Mathew T. Betton.
Theodore W. S. Runyon.
John B. Cattermole.
Robert O. Caples.
Lamar Lee.
William C. Corning.
Andrew O. Shiver.
Claude R. Clerk.
Sebastian A. Biehn.
John Ball.
Peter D. Wood.
Jesse H. Porth.
Cecil B. Bosley.
Joseph G. Hagstrom.
Andrew L. Frelinger.
Carl W. Seitz.
Edward W. Hawkes.
Earl F. Codding.
Archie J. McDaniel.
Charles D. Kirk.
Arthur A. Lee.
Arthur M. Bryan.
Roy L. Davis.
Charles S. Bailey.
William A. White.
Joseph P. Burke.
Clark H. Wiley.

To be medical director with rank of captain.

John M. Brister.

To be medical inspectors with rank of commander.

Harry A. Garrison.
Harry F. Hull.

To be surgeons with rank of lieutenant commander.

Roy Cuthbertson.
Donald H. Noble.
Burt F. Jenness.

To be surgeons.

Ralph W. McDowell.
Lucius W. Johnson.
Harry W. B. Turner.
William M. Kerr.
John B. Pollard.

To be assistant surgeons.

Henry B. Conrad.
Henry S. Whisman.
DeWayne G. Richey.
James H. Wallace.
Charles L. Trickey.
Leo B. Norris.
Lester C. Todd.
Gustave B. Dudley, jr.
Max Shaweker.
Charles C. Hoffman.
Isador H. Tumpowsky.
Harold C. Bean.
Wendell P. Blake.
Sterling N. Pierce.
Frederick H. Rapoport.
Hugh R. Phinney.
Albert G. Wenzell.
Carl G. Swendsen.
Oliver W. Miner.
Charles Koenigsberger.
Paul W. Best.
Edward J. Cummings.
Carl J. Bucher.
Kenneth S. Caldwell.
John R. Marshall.
Sylvia L. Johnson.
Edwin Peterson.
Furman Angel.
John J. Keegan.
Harry J. Prall.
Clifford G. Hines.
Arthur S. Judy.
Howard H. Montgomery.
Berton V. D. Scott.
Jesse J. Cancelmo.
Carl H. Fornell.
Pierce J. Dunphy.
William S. McElroy.
James B. Moloney.
Claiborne T. Smith.
James C. Dickson.
Delbert H. Nickson.
William F. Krone.
Warren C. Ives.
Arthur Van Dusen.
Eugene P. Pendergrass.
Fred W. Granger.
Edgar F. McCall.
Earl H. Mitchell.
John B. Farrior.
John I. B. Vail.
Earl S. Pomeroy.
James F. Runner.
Oscar Davis.
Cecil C. Davis.
Joseph P. Mulhern.
Francis P. Gardner.
Charles H. Carroll.
Arthur C. Dean.
Henry K. Seelaus.
Donald D. Prentice.
John A. Sharkey.
Adrian H. Grigg.
Arvid W. Erickson.
Hjalmar W. Sybilrud.
Hugh McC. Miller.
Robert B. Smalley.
Ammi L. Johnson.
John E. Linden.
Arthur W. Phillips.
Harrison H. Leffler.
Clifton F. West.
William A. Frascolla.
Clark D. Stull.
Hillard L. Weer.
Horace S. Cragin.
Randall F. White.
Edward G. Archibald.
Daniel C. Reyner.
Joseph W. Ratliffee.
Frank J. Clancy.
Blaine R. Goldsberry.
Herbert L. Strong.
John M. Whalen.
Warren Le R. Fleck.
Charles B. Bleasby.
Clifford E. McElwain.
Charles W. Rose.
James C. Walker.
Joseph M. Murphy.
Edward Lewis.
George E. Fortmiller.
Gates Collier.
Israel S. Otis.
William P. Mull.
Walter C. Harris.

Joseph A. Doyle.
John B. Craig.
Harvey L. Basinger.
Martin M. Gould.
Harold P. Cole.
John J. Darby.
Karl McC. Scott.
Cary D. Allen.
Joseph A. Melody.
Leopold J. DeBacker.
Gerald A. Sullivan.
Richard P. Landis.
William D. Small.
Henry J. Murray.
Francis W. Carll.
Haliburton McCoy.
Ross A. Kelly.
Roger A. Nolan.
Eugene W. Torrey.
William W. Davies, jr.
James E. Bellinger.
Leo L. Davis.
Willis O. Barney.
Thomas J. Sullivan.
Berman Dunham.
August Saska.
Herbert T. Hayes.
Joseph D. Peluso.
Lamar S. Vorhees.
Charles E. Irwin.
Edward D. Leete.
Norman J. Haverly.
Arthur J. Langan.
William E. Stone.
Sherman B. Forbes.
Charles C. Bockey.
Errol W. Willett.
Robert Van Patton.
Frank S. Hundley.
Norman Roberts.
Eugene P. Steinmetz.
Claude V. Timberlake.
Walter N. Rowley.
George T. Dill.
James J. Regan.
Lawrence R. Hazzard.
Edward L. McDermott.

To be assistant surgeons with rank of lieutenant (junior grade).

Henry B. Conrad.
Henry S. Whisman.
DeWayne G. Richey.
James H. Wallace.
Charles L. Trickey.
Leo B. Norris.
Lester C. Todd.
Gustave B. Dudley, jr.
Max Shaweker.
Charles C. Hoffman.
Isador H. Tumpowsky.
Harold C. Bean.
Wendel P. Blake.
Sterling N. Pierce.
Frederick H. Rapoport.
Hugh R. Phinney.
Albert G. Wenzell.
Carl G. Swendsen.
Oliver W. Miner.
James B. Moloney.
Claiborne T. Smith.
James C. Dickson.
Delbert H. Nickson.
William F. Krone.
Warren C. Ives.
Arthur Van Dusen.
Eugene P. Pendergrass.
Charles Koenigsberger.
Paul W. Best.
Edward J. Cummings.
Carl J. Bucher.
Kenneth S. Caldwell.
John R. Marshall.
Sylvia L. Johnson.
Edwin Peterson.
Furman Angel.
John J. Keegan.
Harry J. Prall.
Clifford G. Hines.
Arthur S. Judy.
Howard H. Montgomery.
Berton V. D. Scott.
Jesse J. Cancelmo.
Carl H. Fornell.
Pierce J. Dunphy.
William S. McEllroy.
Clifton F. West.
William A. Frascolla.
Clark D. Stull.
Hillard L. Weer.
Horace S. Cragin.
Randall F. White.
Edward G. Archibald.
Daniel C. Reyner.
Fred W. Granger.
Edgar F. McCall.
Earl H. Mitchell.
John B. Farrior.
John I. B. Vail.
John M. Whalen.
Warren LeR. Fleck.
Charles B. Bleasby.
Clifford E. McElwain.
Charles W. Rose.
James C. Walker.
Joseph M. Murphy.
Edward Lewis.
George E. Fortmiller.
Gates Collier.
Israel S. Otis.
William P. Mull.
Walter P. Harris.
Joseph A. Doyle.
Hjalmar W. Sybilrud.
Hugh McC. Miller.
Robert B. Smalley.
Ammi L. Johnson.
John E. Linden.
Arthur W. Phillips.
Harrison H. Leffler.
Joseph A. Melody.
Leopold J. De Backer.
Gerald A. Sullivan.
Richard P. Landis.
William D. Small.
Henry J. Murray.
Francis W. Carll.
Haliburton McCoy.
Ross A. Kelly.
Roger A. Nolan.
Joseph W. Ratliffe.
Frank J. Clancy.
Blaine R. Goldsberry.
Herbert L. Strong.
Henry C. Weber.
Earl S. Pomeroy.
James F. Runner.
Oscar Davis.
Cecil C. Davis.
Joseph P. Mulhern.
Francis P. Gardner.
Charles H. Carroll.
Arthur C. Dean.
Henry K. Seelaus.
Donald D. Prentice.
John A. Sharkey.
Adrian H. Grigg.
Arvid W. Erickson.
Ira E. Gaston.
John D. Craig.
Harvey L. Basinger.
Martin M. Gould.
Harold P. Cole.
John J. Darby.
Karl McC. Scott.
Cary D. Allen.
Herbert T. Hayes.
Joseph D. Peluso.
Larnal S. Vorhees.
Charles E. Irwin.
Edward D. Leete.

Norman J. Haverly.
Arthur J. Langan.
William E. Stone.
Sherman B. Forbes.
Frank S. Hundley.
Eugene W. Torrey.
William W. Davies, jr.
James E. Bellinger.
Leo L. Davis.
Willis O. Barney.
Thomas J. Sullivan.
Berman Dunham.
August Saska.
Norman Roberts.
Eugene P. Steinmetz.
Claude V. Timberlake.
Walter N. Rowley.
George T. Dill.
James J. Regan.
Lawrence R. Hazzard.
Edward L. McDermott.

To be passed assistant dental surgeons.

Ernest W. Lacy.
Harry D. Johnson.
Harry W. Blaisdell.
Paul G. White.
Hugh T. Meyers.
Logan A. Willard.
George H. Reed.
John R. Barber.
John V. McAlpin.
Marson W. Mangold.
Thomas L. Sampsell.

To be assistant dental surgeons.

Alexander G. Lyle.
Alexander J. Zuehlke.
George M. Frazier.
Frederick C. Vossbeck.
Frank S. Tichy.
Rufus A. Ferguson.
Alfred W. Chandler.
Albert Knox.
Everett K. Patton.
Irvin G. Kohlmeier.
Richard C. Green.
James C. Lough.
George C. Fowler.
Deane L. Chamberlain.
William R. Taylor.
John E. Herlihy.
Francis D. Van Valin.
Edward A. Ryland.
Ignatius G. Brennan.
Paul R. Smith.
Harry M. Seldin.
Elmer A. Jasper.
Arma E. Rush.
Lawrence V. Feike.
Leo G. Pollock.
Raymond C. Sheridan.
Clemens V. Rault.
John J. Hass.
Howard C. Wicham.
Harry C. Striffler.
Charles R. Wells.
Rex W. Faulkner.
Herbert F. Buchanan.
Walter Rehrauer.
Lloyd C. Austin.
Robert M. Askin.
William S. Thompson.
Cornelius L. Norris.
William F. Hawthorn.
Harry L. Kalen.
Philip H. MacInnis.
Joseph P. Copp.

To be assistant dental surgeons, with rank of lieutenant (junior grade).

DeWitt C. Emerson.
Lou C. Montgomery.
Robert S. Maxwell.
Robert S. Davis.
James I. Root.
Harold A. Daniels.
Joseph A. Tartre.
Kemper K. Weaver.
Charles C. Tinsley.
Hubert F. Delmore.
Paul W. Yeisley.
William T. Davidson.
Lawrence E. McGourty.
Herbert A. Sturtevant.
Hubert J. Lehman.
Armin T. Fellows.
Francis P. VanValin.
Edward A. Ryland.
Ignatius G. Brennan.
Paul R. Smith.
Harry M. Seldin.
Elmer A. Jasper.
Arma E. Rush.
Lawrence V. Feike.
Herbert F. Buchanan.
Leo G. Pollock.
Raymond C. Sheridan.
Clemens V. Rault.
John J. Hass.
Howard C. Wichan.
Harry C. Striffler.
Charles R. Wells.
Rex W. Faulkner.
Walter Rehrauer.
Lloyd C. Austin.
Robert M. Askin.
William S. Thompson.
Joseph P. Copp.
Cornelius L. Norris.
William F. Hawthorn.
Harry L. Kalen.
Philip H. MacInnis.

To be chaplains.

Arthur W. Stone.
Evan W. Scott.
Sydney K. Evans.

To be chief boatswains.

Lloyd R. Moore.
Boatswain Frank Schultz.

To be chief gunner.

Gunner William A. Vick.

To be chief machinists.

Machinist Frederick R. Kalde.
Charles Antrobus.
John W. Boldt.
August Logan.
Claude S. Padgett.
Charles E. Briggs.

To be chief carpenters.

Frederick B. Britt.
Frank Welch.
James S. Jones.
William H. Hewitt.
Charles N. Liqued.
William F. Twitchell.
John H. Jack, jr.
Clarence W. Chaddock.
James A. Cook.

To be chief pharmacists.

William S. Burr.
Frederick L. Cogswell.
James A. Winterbottom.

To be chief pay clerks.

George E. Lord.
Benjamin Berkowitz.
Palmer J. McCloskey.
Orly Tagland.
Albert S. Freedman.
Harry E. Stengele.
Frederick H. Ramsay.
Charles W. Loomis.
Isaac T. Van Patten.
William R. Pattison.
George A. White.
George B. Kimberly.
Theodore G. Hansche.
Thomas S. Veitch.
Frederick K. Hunt.

Roland W. Bell.
Floyd C. Miller.
John W. Caum.
Philip T. Lansdale.
Ray E. Ames.

To be majors in the Marine Corps.

Raymond R. Wright.
Pedro A. del Valle.
Owen E. O'Neill.
Walter H. Sitz.
William G. Hawthorne.
Frederick A. Barker.
William T. Hoadley.
Oscar R. Cauldwell.
Arnold W. Jacobsen.
Earl H. Jenkins.
Charles A. Wynn.
Thad T. Taylor.
Glenn D. Miller.
Philip T. Case.
Herbert Rosenzweig.
Thomas E. Watson.
Burwell H. Clarke.
Walter G. Sheard.
Paul Brown.
Robert S. Hunter.
Roger W. Peard.
Charles A. Howell.
John D. Nevin.
Peter C. Geyer, jr.
James E. Davis.
Lloyd L. Leech.
Charles P. Gilchrist.
Gustav Karow.
Joseph E. Brewster.
Raphael Griffin.
Karl I. Buse.
Harold S. Fassett.
Samuel A. Woods, jr.
William C. Byrd.
George C. Hamner.
Arthur B. Jacques.
David H. Owen.
James M. Bain.
George B. Reynolds.
James T. Moore.
Horace C. Cooper.
Benjamin T. Cripps.
Louis W. Whaley.
John M. Arthur.
James F. Jeffords.
Jacob M. Pearce, jr.
Gordon Watt.
Thomas P. Cheatham.
Thomas E. Bourke.
William C. James.
Daniel E. Campbell.
Maurice G. Holmes.
Charles C. Gill.
James E. Betts.
Norman S. Hinman.
George Faunce Adams.
Wethered Woodworth.
James W. Webb.
John M. Tildsley.
Le Roy P. Hunt.
Louis E. Woods.
Edward R. Rhodes.
Donald R. Fox.
William McN. Marshall.
George H. Scott.
Alexander Galt.
Paul R. Cowley.
Bailey M. Coffenberg.
Eugene F. C. Collier.

To be captains in the Marine Corps.

Lee H. Brown.
Carl J. Jessup.
Vernon R. Buxton.
Donald B. Creecy.
George R. Jackson.
Clinton I. Smallman.
Robert E. Mills.
Stewart W. Chaffee.
William F. Brown, jr.
David C. Levy.
Joseph H. Fellows.
Louis G. De Haven.
John S. Tyler.
Luther W. Jones.
Harry E. Stovall.
Chester R. Milham.
David P. Cowan.
Robert L. Montague.
Lester A. Dessez.
John R. Minter.
Robert B. Stuart.
James Wood.
Andrew R. Holderby, 3d.
Charles S. Willcox.
Fillmore W. Eiker.
Timon J. Torkelson.
Ross S. Wilson.
Merton A. Richal.
Roswell G. Ham.
Antonio Moshella.
Earle F. Swett.
George L. Cherry.
Paul S. Hanway.
William W. Nottingham.
Charles J. Churchman.
Allan C. Perkinson.
Everett R. Brewer.
Blythe G. Jones.
Robert D. Evans.
Melvin H. Hass.
Henry Gund, jr.
Philander B. Briscoe.
Herman R. Anderson.
Clarence M. Ruffner.
Philip B. Blake.
Horace L. Hirschler.
Kenneth K. Boynton.
Frederick L. Kolb.
George R. Coxe.
Paul E. Cheney.
Samuel J. Melick.
Darrell J. Bogardus.
Walter M. Brewer.
Garrison P. Anthes.
Chester L. Fordney.
William J. J. Elger.
King H. Young.
Hu H. Phipps.
Harold P. Nachtrieb.
Roy E. Bledsoe.
Thomas A. Langford.
Lucius Q. C. L. Lyle.
Alexander P. Brown.
Walter E. Lawson.
Neil F. Dougherty.
Evans Spalding.
Carman B. Smith.
Donald U. Bathrick.
Norman E. Burbidge.
Leland I. Tolman.
Ulva L. Ettinger.
Gerald J. Pyle.
Frederick C. Lusk.
Matson C. Terry.
Willis F. Ostrander.
Frank J. Haight.
Roy A. Stoner.
Thomas G. MacCarthy.
James H. Williamson.
George G. Munce.
Carroll F. Byrd.
Frederick S. Manter.
Ralph W. Marshall.
Samuel F. Hollins.
Raymond J. Kirwan.
Clifton B. Cates.
George T. Hall.
Hans H. Harders.
Darius T. Wool.
William W. Ashurst.
Frank C. Young.
Willard P. Leutze.
George C. Dickey.
Allan MacRossie, jr.
John W. McIver.

Walter B. Allen.
James R. Stockton.
Philip G. Stiles.
Richard F. Boyd.
Edward J. Winters.
Hal N. Potter.
Ralph McN. Wilcox.
Clement A. Berghoff.
Bernard W. Bierman.
Walter S. Hallenberg.
Max D. Gilfillan.
Charles A. Etheridge.
Carlton Hill.
Cecil L. Eaton.
Herman A. Zischke.
William O. Lowe.
Samuel N. Lawrence.
Wallace A. Bell.
Kenneth D. Ransom.
George W. Renwick.
Willis Brodhead.
James B. Riley.
Harry W. LeGore.
Morgan R. Mills, jr.
Harold Moore.
James M. Garvey.
Donald T. Winder.
Victor A. Barraco.
Thomas O. Tate.
James G. Somerville.
Jack H. Tandy.
Augustine Healy.
Eric A. Johnston.
Fred W. Maack.
Kenneth O. Cuttle.
William P. T. Hill.
Robert A. Bowen, jr.
Henry T. Dunn.
William E. Embry.
Philbrick W. Jackson.
John D. Bowling, jr.
Walter S. Weeks.
William W. Carson.
Carl G. James.
Norman R. Jensen.
Albert V. Williams.
Holcomb York.
George A. Percy.
William B. Moore.
Harold B. Hoskins.
Benjamin T. Reidy.
Paul S. Taylor.
Marshall P. Madison.
Lucian H. Vandoren.
Stanley W. Burke.
Carroll J. Single.
John L. Gregson, jr.
Thornton Wilson.
Daniel W. Bender.
Clyde N. Bates.
Richard V. Hood.
Frederick M. Bock, jr.
Samuel W. Meek, jr.
George H. Whisenhunt, jr.
Carl D. Brorein.
Vincent J. Fitzgerald.
Anthony W. Durell, jr.
William R. Brown.
Moore M. Peregrine.
Dunlevy C. Downs.
James M. Wallace.
John G. Vowell.
Lewis R. Stickles.
William A. Eddy.
Lucius L. Moore.
Oliver T. Francis.
Carlos H. McCullough.
Cornelius H. Reece.
John A. West.
Lemuel A. Haslup.
James P. Adams.
Edward A. Fellowes.
William A. Morrison.
Haskin U. Deeley.
Frederick B. Davy.
Sparling B. Anderson.
Henry W. Paret, jr.
Louis F. Timmerman, jr.
Gordon M. F. Chance.
George K. Campbell.
Maco Stewart, jr.
Harry H. Barber.
Henry R. Heebner.
Fred C. Eastin, jr.
Robert C. Kilmartin, jr.
Edward A. Craig.
James E. Hunter, jr.
William O. Rogers, 3d.
Julian P. Brown.
William E. Riley.
John R. Hardin, jr.
Albert G. Skelton.
Walter S. Fant, jr.
Andrew L. W. Gordon.
Percival L. Wilson.
Victor Romaine.
Bernard Dubel.
George C. Medary.
Charles C. Simmons, jr.
Maurice P. King.
Thomas G. Letchworth.
Edwin C. McDonald.
Earle M. Randall.
Leland S. Swindler.
John P. Manton.
Ernest H. Lowenthal.
Ray A. Robinson.
Howard N. Stent.
Gillis A. Johnson.
Kenneth B. Collings.
Basil Gordon.
Donald Spicer.
Ford O. Rogers.
Creswell M. Micou.
Walter G. Farrell.
Raymond T. Presnell.
Lloyd A. Houchin.
Roy M. Simpson.
William L. Harding, jr.
John B. Neill, jr.
David Duncan.
Lyle C. De Veaux.
Charles G. Thoma.
Henley M. Goode.
Ralph R. Robinson.
Floyd W. Bennett.
Norman E. True.
Thurston J. Davies.
Walter E. Bilisoly.
John K. Martenstein.
Francis J. Kelly, jr.
Daniel B. Brewster.
Douglass P. Wingo.
Conrad S. Grove, 3d.
Dale S. Young.
Charles M. Portis.
St. Julien R. Childs.
Hamilton M. H. Fleming.
Walter I. Greth.
Frederick E. Stack.
George C. Collar.
John F. Roy.
Edward S. Shaw.
Stanford H. Moses.
Edward L. Pollock, jr.
William J. Parrish, jr.
Gardiner Hawkins.
Leland D. Breckinridge.
Merritt A. Edson
Laurence T. Stallings, jr.
Edgar A. Poe, jr.
Edward O. Bogert.
Randolph A. Christie.
George Wale, jr.
John A. Tebbs.
John C. Wemple.
Curtis W. Le Gette.
Cleghorn Foote.
Thomas B. McMartin.
Thomas H. Raymond.

To be first lieutenants in the Marine Corps.

Donovan Wilmot.
Arthur F. Chmelik.
John C. McLean.
Colin J. Macdonald.
William R. Langford, jr.
Harry B. Liversedge.
Merton J. Batchelder.
Joseph H. Mueller, jr.
George E. Monson.
Howard A. Rogers.
Arthur J. Bancroft.
Jacob Lienhard.
Thomas E. Boliver.
Harry R. Swanson.
Walter Sweet.
Joseph Lubomski.
Edwin H. Poulnot, jr.
Samuel B. Witt.
Richard A. Cullum.
Charlton P. Lee.
Blaine G. Wiley.
Clarence E. Lee.
Stanley S. Herman.
Edwin G. Schwartzman.
George P. Buell.
Julian N. Frisbie.
Ervin R. Whitman.
Harry E. Leive.
Louis F. Weyand.
William Scruggs.
Willard L. Peach.
Benjamin W. Atkinson, jr.
Ralph C. Battin.
Laurance B. Nourse.
Gilbert C. Henderson.
Max D. Smith.
Walter H. Burt.
Anthony Rinkevich.
Carl J. Allenbaugh.
Herbert H. Von Rohr.
Webster S. Rutledge.
Oliver D. Bernier.
Minter L. Lowther.
Scott Snodgrass.
Franklin H. Hayner.
Wilbur V. Styles.
Joseph Lacey.
George E. Ladd, jr.
Herman Kingsnorth.
John A. Self.
Philip R. Hockenberger.
Donald A. Trayser.
Charles S. Dandridge.
Edward J. Moneypenny.
George S. Van Riper.
Alexander D. Shaw.
William L. McKittrick.
Gerald C. Thomas.
James W. Lea.
George Esau.
Philip W. Mohr.
Adolphus Cannon.
James B. Gambrell.
Albert L. Winner.
James T. Elliott.
Frank Saddler, jr.
Howard B. Enyart.
William A. Keiter.
Weir R. Goodwin.
Charles F. Hansel.
Patrick J. Grealy.
Frank P. Graham.
Arthur C. Prine.
Harry S. Radcliffe.
James G. Brennan.
Arthur D. Challacombe.
Stewart P. Corning.
Harold P. Williamson.
Otey H. Pettigrew.
James P. Scherwin.
Daniel L. Clifford.
Joseph F. Szeszycki.
David S. Craig.
Bernard L. Fritz.
Guy Lewis.
James J. Keating.
Norman T. Alexander.
William J. Mosher.
Maxwell F. Musser.
Bradford A. Parrish.
Lawrence R. Patterson.
Vernon Bourdette.
Joseph F. Burke.
Edward W. Mahan.
Charles V. Iredell.
Robert I. Avery.
John F. Connaughton.
John W. McNamara.
Frank B. Bready, jr.
Samuel T. Jackson.
Charles W. Creaser.
William B. Pressey.
Homer H. McIntyre.
Guy L. Pyle.
Michael J. Kelley.
Martin L. McManus.
Alfred H. Branham.
Marvin Scott.
James W. Flett.
Earl J. Witt.
John J. Bogardus.
William P. Henchel.
Oliver D. Brown.
Harry W. Bacon.
George R. Lewis.
Irving F. Bigelow.
Barton I. Jenson.
Earl L. Ryan.
John L. Hunt.
Lester E. Power.
Edmund D. Nelson.
William G. Hall.
Delos D. McKenzie.
James C. Faw.
James P. J. McKevitt.
Clinton W. McLeod.
Charles A. Ingram.
Ruel G. O'Neel.
Clinton S. King.
Edward Earle.
Edward T. Bayman.
Paul A. Lesser.
Ross M. Hutchinson.
Nathan S. Noble.
John T. Thornton.
Sidney M. Michael.
Charles W. Ebnother.
Fitzhugh L. Buchanan.
Arnold C. Larsen.
Rees Skinner.
John R. Jacob.
Joseph N. Shaw.
William J. Wallace.
Harold E. Kelsey.
Fletcher H. Lansing.
Ralph C. Judd.
Byron M. Bickford.
Edward Selby.
William F. Brown.
Chauncey H. Applegate.
Carey J. Scott.
Joseph W. Rafter.
Edward F. O'Day.
John H. Andrews.
William D. Bassett.
James B. Johnson.
James McClelland.
Ivan E. Bigler.
Ralph R. Rieker.
Earl S. Eastham.
Tom E. Wicks.
Hansel D. Wilson.
Ralph K. Lawson.
William W. Eustis.
John A. Gustafson.
Olin L. Beall.
Charles E. Richardson.
Jacob J. Kesel.
Francis A. Porter.

William B. Prior.
William F. May.
James Carbary.
Charles F. Morrison.
Harvey D. Weaver.
Stanley E. Wilson.
Murl Corbett.
Harold S. Jones.
Edward P. Simmonds.
Richard F. Mott.
Sidney Hodges.
Miner P. Gross.
Harvey B. Alban.
Ray Rindfleisch.
Sherman H. Bowles.
Jackson C. Palmer.
Byron J. Walters.
William P. Grow.
Paul R. Schoenlaub.
Harry P. Crouch.
Eugene West.
Frank D. Gibson.
Bernard W. Coldewey.
Alan M. Cohen.
Amor L. Sims.
Allen R. Sherman.
James D. Waller.
Robert C. Pitts.
Francis M. Smith.
Aubrey L. Johnson.
Eugene G. Henry.
Joseph B. Carhart.
Hubert C. White.
Leo Healey.
Irving A. Jennings.
George L. Brown.
James B. Darby.
Laurens H. Reyburn.
Raymond D. Andrews.
Howard L. Vose.
Clifford Prichard.
Harry N. Salet.
Emmet Trainor.
Loren P. Kesler.
Cyril W. Martyr.
Leslie Brown.
Earl T. Martineau.
Eugene D. Bradbury.
Oscar E. Kelly.
George M. Hunter.
Kenneth W. Harding.
Robert T. Carrithers.
Oscar B. Kaufman.
Frederick L. Spear.
Roy S. Moore.
Samuel B. Ryan.
Moses J. Gould.
Peter Morgan.
Dale R. South.
Edmund C. Norton.
Newell S. Gordy.
Henry L. Nabbefeld,
Harry C. Swanstrom.
Robert E. Hutchinson.
Clay R. Apple.
Maurice F. Mackey.
James G. White.
William J. Jones.
William A. Zook.
Arthur O. Bodine.
Don D. Newton.
John D. Wagstaff.
George Bower.
Kenneth S. Ferguson.
Ernest L. Wright.
Herbert F. Adey.
Charles W. Brooks.
Jack B. Loraine.
William M. Thomas.
Donald E. Paul.
Ben L. Taylor.
James C. Norton.
Robert C. Patchell.
Charles A. Craig.
William F. Dummer.
George M. Wolcott.
Chauncey L. Mullen.
Oscar D. McDaniel.
Lloyd E. Battles.
Robert B. Moore.
Harvey J. Rice.
Corlies Adams.
Jay Van Housen.
William S. Ive.
Josiah B. Bristol.
Merwin C. Morrison.
Oscar D. Keown.
Basil H. Pollitt.
Henry P. Cottingham.
Gerald A. Craig.
Dan McFarland.
Jo G. Martin.
Arthur C. Cooper.
Laurence D. Berlin.
Lynn E. Perry.
Homer J. Gravelle.
John Groff.
James W. O'Neil.
Carlton A. Fisher.
Ray F. Wetter.
Henry P. Glendinning.
Frank W. Heinrichs.
Irwin T. Brown.
Michael J. Barry.
Willis H. Prather.
Nathaniel W. Emery.
Samuel F. Vance.
Prentice S. Geer.
Frank A. Messmer, jr.
Leonard Kinsell.
Wendell S. McRae.
Irving G. Beckwith.
John F. Eskay.
John McP. Gault.
Clifton G. McMeen.
William R. Bockus.
George Tholin.
Hilliard C. Wellborn.
Gomer W. Morgan.
George W. Walker.
Clarence E. Briggs.
Page V. Hart.
John W. Housewright.
Richard R. Day.
Ross G. Van Gundy.
Gerald R. Patten.
Frank S. Gilman.
Marshall E. Simmons.
John A. Zimmerman.
William E. Bowe.
Arthur L. Whiteside.
George Draine.
Maurice B. Wiedemer.
George S. Atkinson.
James B. Gracy.
Paul F. Moran.
George C. Flanders.
George R. Rowan.
William R. McKee.
Michael J. Finn.
Joseph F. Simmons.
Leonard E. Rea.
August L. Huhn, jr.
Sydney M. Moore.
Joseph E. Watson.
Harry G. Lane.
Melville L. Moore.
James F. Wilmeth.
Gail D. McDowell.
James E. Stanners.
Theodore H. Cartwright.
Edward C. Apperson.
George M. Goodman.
Clell G. Johnson.
Barney M. Shively.
Henry D. Shields.
Lucas I. Bruns.
Elijah H. Ikard.
James H. Eason.
Charles L. Turner.

Richard H. Schubert.
Louis F. Peifer.
Walter S. Farley.
Aubrey O. Loughmiller.
Herbert V. Hansen.
Grover C. Moore.
Kenneth R. Berkey.
Egbert J. Wood.
Ogbourne A. Hill.
Joseph F. Verhelle.
Gerald K. Hemsing.
Melvin E. Fuller.
Howard Mayes.
Robert B. Jeffrey.
Vincent M. O'Donnell.
George E. Gardner.
Walter Roll.
Paul Jahn.
Holton Y. Ditto.
Frank M. Keller.
Robert L. Wadell.
Frank P. Simons.
Claude D. Taugher.
Eldred I. Rawles.
Leo W. Horejs.
Richard V. H. Ridgely.
William B. Kinkead.
Phillips T. Lehmer.
John J. Emmons.
William T. Howze.
Bruce C. Lubers.
Joseph A. Yeager.
Francis I. Fenton.
Joseph De Paiva.
Thomas R. Wert.
Sherman B. Kramer.
Paul E. Bierly.
Frank W. Rugg.
Charles F. Dalton.
Tom H. Hayden.
Joseph L. Doll.
John W. Cunningham.
Samuel K. Eaves.
Frank D. Upchurch.
Alvan E. Stoddard.
Charles M. Adams.
George W. R. Davidson.
Lindley H. Pryor.
Earl F. Lucas.
Joseph A. Jensen.
Elmer W. Johnson.
Axel G. Johnson.
Charles H. Hassenmiller.
Bertram S. Nickerson.
Hugh A. McGann.
Bert O. Herreid.
Leslie R. Smith.
Herbert B. Renninger.
Alfred J. Wainman.
William K. MacNulty.
Carlton E. Edwards.
Kenneth M. Stead.
Edwin J. Davenport.
Ralph W. Luce.
George W. Houghton.
Chester A. Zeller.
Hamlet C. Sharp.
Marshall Y. Chapman.
Edward C. Fowler.
Richard Cornelius.
William English.
George W. Hopke.
Frederick Israel.
Carl J. Nostrand.
Cecil J. Widdifield.
Frank Neider.
Morris C. Richardson.
George Belmont.
George B. Batten.
John T. Foster.
Russell M. Frederick.
Edward E. Lindgren.
Bayard Vasey.
Jesse L. Crandall.
Edward F. Dunk.
Harry L. Smith.
Robert L. Young.
Charles S. Thompson.
Terrence J. Callan.
Paul J. Ogden.
Maurice E. Barnett, jr.
William W. Rogers.
George F. Stockes.
William J. Whaling.
Curtis T. Beecher.
Alfred Dickerson.
Rowan C. Pearce.
Harry A. De Butts.
Francis Parkman.
Axel Enholm.
Edward F. Bailey.
Stanley E. Ridderhof.
Albert T. Kelly.
Willard R. Enk.
Charles E. Emery.
Crusselle D. Woodward.
Eben C. Mann, 2d.
Elton C. Hersman.
Albert E. Gagnon.
William A. Hunter.
Richard F. Cleveland.
Walter F. McKittrick.
Robert E. Quinn.
Ara J. Miller.
Edward S. Bates.
Odilo N. Kass.
George L. Chumbley.
Barton W. Murray.
Wylie F. McKinnon, jr.

To be second lieutenants in the Marine Corps.

Alfred Dickerson.
Rowan C. Pearce.
Harry A. De Butts.
Francis Parkman.
Axel Enholm.
Edward F. Bailey.
Walter Sweet.
Oliver D. Bernier.
Stanley E. Ridderhof.
Albert T. Kelly.
Willard R. Enk.
Charles E. Emery.
Crusselle D. Woodward.
Eben C. Mann, 2d.
Elton C. Hersman.
Albert E. Gagnon.
William A. Hunter.
Richard F. Cleveland.
Walter F. McKittrick.
Robert E. Quinn.
Ara J. Miller.
Edward S. Bates.
Odilo N. Kass.
George L. Chumbley.
Barton W. Murray.
Wylie F. McKinnon, jr.
Joseph Lubomski.
Edwin H. Poulnot, jr.
Samuel B. Witt.
Richard A. Cullum.
Charlton P. Lee.
Blaine G. Wiley.
Clarence E. Lee.
Stanley S. Herman.
Edwin G. Schwartzman.
George P. Buell.
Bertram L. Smith.
Julian N. Frisbie.
Walter H. Strand.
Ervin R. Whitman.
Harry E. Leive.
Louis F. Weyand.
William Scruggs.
Willard L. Peach.
Benjamin W. Atkinson, jr.
Ralph C. Battin.
Laurance B. Nourse.
Gilbert C. Henderson.
Max D. Smith.
Walter H. Burt.

Anthony Rinkevich.
Carl J. Allenbaugh.
Herbert H. Von Rohr.
Webster S. Rutledge.
Minter L. Lowther.
Scott Snodgrass.
Franklin H. Hayner.
Wilbur V. Styles.
Joseph Lacey.
Houston P. Sewell.
George E. Ladd, jr.
Herman Kingsnorth.
John A. Self.
Philip R. Hockenberger.
Donald A. Trayser.
Charles S. Dandridge.
Edward J. Moneypenny.
George S. Van Riper.
Alexander D. Shaw.
William L. McKittrick.
Gerald C. Thomas.
James W. Lea.
George Esau.
Philip W. Mohr.
Adolphus Cannon.
Albert B. Wohlsen.
James B. Gambrell.
Albert L. Winner.
James T. Elliott.
Frank Sadgler, jr.
Howard B. Enyart.
Harold H. Jeter.
William A. Keiter.
Weir R. Goodwin.
Herbert S. Keimling.
Ramie H. Dean.
Karl F. Umlor.
Guy P. Shafer.
Raymond P. James.
Scott Tidyman.
Fred J. Zinner.
George W. Dodd, jr.
Rueben E. Puphal.
Charles F. Harper.
Stephen Skoda.
Clark W. Thompson.
Frederick J. Pullen.
Harold A. Strong.
James E. Foster.
Clarence L. Seward, jr.
William A. Siefer.
Roscoe M. Kaiser.
Wilbur T. Love.
William S. Fellers.
Henning F. Adickes.
Roy W. Conkey.
Lee B. Cox.
Samuel H. Wood.
Gerald R. White.
Merile H. Stevenson.
Augustus Paris.
Chester E. Orcutt.
Louis B. West.
Denzil R. Fowls.
Forest J. Ashwood.
George C. Buzby.
Augustus H. Fricke.
Francis C. Lathrop.
Edward M. Butler.
Andrew W. Herron, jr.
William A. Dole, jr.
Thomas J. Caldwell.
Louis E. McDonald.
George H. Towner, jr.
Robert A. Cobban.
Stephen E. St. George.
Louis Cukela.
Harry M. Grayson.
James M. Burns, jr.
John Gay.
Emmons J. Robb.
Robert E. Caldwell.
Allan S. Heaton.
Erwin F. Schaefer.
William C. Melcher, jr.
Charles W. Breedlove.
Daniel D. Thompson.
Wilbur Summerlin.
Charles F. Cummings.
Walter W. Wensinger.
Sidney F. High.
Robert O. Williams.
John T. Stanton.
Virgil P. Schuler.
Harry S. Davis.
Peter P. Wood.
Keating L. Simons.
Lawrence E. Westerdahl.
David N. Richeson.
Merle J. Van Housen.
James C. Leech.
Stanley G. Fickes.
Richard S. Ross.
Vinton H. Newell.
Emmit R. Wolfe.
Thomas F. Babcock.
James K. Riley.
Stephen A. Norwood.
Thomas L. Shackford.
Harold A. Robinson.
Raymond A. O'Keefe.
Frank M. Cross.
George W. McHenry.
Gale T. Cummings.
Elisha B. Carter.
Lawrence E. Teberg.
Thomas H. Mitchell.
Ward H. Olmstead.
John H. Culnan.
Charles W. Holmes.
Samuel H. Woods.
John T. Aikins.
Wilbur Eickelberg.
Robert A. Butcher.
Edward E. Embree.
John A. Turner.
Allen J. Burris.
Earl M. Rees.
John E. Doran.
Carl Gardner.
Charles K. Safford.
William J. Morrison.
Orla Fightmaster.
Henry G. Hyde.
Wiley F. Shepherd.
Oscar P. C. Wagenknight.
Donald W. Stewart.
John K. Strubing, jr.
Lewis J. Murphy.
Gordon T. Campbell.
Charles E. M. Norton.
Franklin Petri.
Charles N. Crary.
Roy H. Burton.
Oscar J. Jennings, jr.
Robert P. Wood.
James F. Smith.
Benjamin N. Trahan.
Mirza L. Black.
Rudolph F. Schmidt.
Donald F. Webb.
John T. Thorndike.
Robert M. Nevins, jr.
James Cummins.
Henry C. Murray.
John C. Hammond.
Cleveland H. Norton.
William M. Murray.
John L. McSweeney.
Frank L. Dale.
Ezra I. Shaw.
Bert M. Dudley.
Louis J. Giffels.
Douglas L. McBride.
Frederick C. Biebush.
Robert T. Devlin.
Elver B. Lamkin.
Tim J. Sanders.
Joseph K. Giffen.
Paul M. Potter.

Sherman H. Dalrymple.
Stanley B. Smith.
Edwin Gould.
Otto B. Osmondson.
Philip Ebling.
William E. Cort, jr.
Lawrence V. Morrill, jr.
Hollis W. Huntington.
Vern A. Coverdell.
Dumas Malone.
Daniel E. Holland.
Richard G. Howard.
Arthur S. King.
Karl E. Bleser.
Edgar W. Federer.
Homer K. Rowley.
Joseph F. Driscoll.
Leslie H. Wellman.
Harold Ogden.
David E. Walker.
John W. Winford.
William E. Hedger.
John J. Dougherty.
Thomas I. Corddry.
Harold J. Sayers.
Sidney H. Graves.
Harry B. Lovell.
Charles W. Drew, jr.
Harry A. Worth.
Terrell J. Crawford.
Fred H. Thompson, jr.
George A. MacLiesh.
Raymond H. Gordon.
John O. Flautt, jr.
Chesley G. Stevens.
John S. Gray.
Barney Kane, jr.
Waldo W. Norris.
Charles L. Wright.
James Ackerman.
Marshall B. Williams.
Robert M. Mount.
Clifford F. Laible.
John A. Jordan.
Michael Novak.
Julia F. Anderson.
Randolph D. Thomas.
John C. Feland.
Fred S. Matthews.
Ralph E. Parker.
Hall V. Cartmell.
Dutton S. Peterson.
George P. Shannon.
Marck L. Tooker.
Charles R. Bird.
Elbert W. Ross.
Fred J. Zeitz.
Floyd S. Baker.
Harold O. Crist.
William B. Jackson.
Walter L. Ross, jr.
Robert A. Grant.
Joseph F. Whitney.
Robert M. Balch, jr.
Jay D. Swartwout.
Ralph D. Logan.
Morris L. Shively.
Simon J. Madden.
Joseph N. Anderson.
Guy B. Hall.
Ernest M. Baker.
Herbert H. Akers.
Carl E. Johnson.
Arthur A. Nelson.
Robert E. Coghlan.
Guy D. Atmore.
John W. Scott.
Harold W. Dice.
James E. Frew.
Claude Thompson.
Thomas McK. Schuler.
David A. Stafford.
Charles W. Ockstadt.
Wayne C. Gilbert.
Andrew S. Hardin.
Ralph R. Westfall.
Raymond Buchanan.
James S. Withington.
Daniel N. Mohler.
Herbert C. Schettler.
Kenneth E. Shepard.
Donald R. Spawr.
George M. Phillips.
Russell Travis.
Keith K. Ambrose.
Holmes J. Smith.
Howard B. Smith.
Frank W. Hanlon.
Charles H. McAvoy.
Harry Davis.
Luther D. Bell.
Edward J. Goldenberger.
David M. Hastings.
Edwin L. Ballard.
Roger Smith.
William J. Stamper.
Glenn W. Helms.
Thomas Whitesel.
John F. Meagher.
Carl A. Janson.
Julius C. Brandt, jr.
Charles S. Turpin.
Benjamin D. Bleecker.
Morton Stigers.
Joseph E. Barnett.
Jim W. Sutherland.
Harold T. Snider.
Thomas J. White.
Henry M. Husted.
John MacRitchie.
Howard E. Clark.
Charles F. Patterson.
Ralph H. Woods.
Frederick Dimig.
Ralph D. Leach.
Harry Huddleston.
George S. Jones.
Walter B. Casey.
James G. Horan.
John M. Patton, jr.
Howard E. Cholet.
James H. Satterfield.
Harry W. Pfisterer.
William T. Burris.
Walter G. Fitzpatrick.
Johann A. Boline.
Charles E. Koff.
Fred G. Dupuy.
Lynott R. Jones.
Eric W. Ojerholm.
Robert E. Hughes.
John M. Jamieson.
Claude W. Geiser.
Monitor Watchman, jr.
John W. E. Warner.
Leland C. Dickie.
George H. Waterman.
Thomas Orgo.
Homer G. Parker.
John W. Fulton.
William R. Davis.
Anthony P. Rumpa.
Ivan C. King.
Gordon Hall.
Rudolph Swan.
John A. Stewart.
Newell F. Guernsey.
William E. McKevitt.
James J. Caffrey.
John H. Purtee.
Gustave P. Schenk.
John B. Cassell.
Samuel B. Kehoe.
Wilbur A. Young.
Robert R. Boswell.
William J. Vierbuchen.
Frank E. McFarland.
Charles H. Van Meter.
Walter S. Cole.
Frank V. Artig.

Edward A. Robbins.
James C. Jackman.
Frank L. Johnson.
Herbert C. Bluhm.
George E. Grehbiel.
Ralph H. Manny.
Frederick L. Ruth.
Edgar G. Kirkpatrick.
Paul Skarstad.
Harry W. Frost.
Edwin J. Farrell.
Reuben Hurtt, jr.
John J. Kennedy.
Henry D. Hynds.
William B. Bower.
Morel P. Lewis.
Willard J. Hammel.
Leo C. Madden.
Cedric R. Worth.
John L. Creighton.
Bruce N. Pulver.
Paul A. Bridge.
John C. Fabbrini.
Robert E. Barrett.
Sigmond B. Kozuhowski.
Gerald Feuille.
Harold Hamstreet.
Frank S. Matheny.
Semon Wolf.
Waldo W. Lyman.
Cyrus M. Birney.
Alfred O. Halvorson.
Vernon Littlejohn.
Hyatt M. Cribbs, jr.
Clarence W. Whealton.
Robert L. Thieme.
John D. Brand.
Herman K. Houlberg.
Merle L. Dunbar.
Adolph L. West.
Francis R. Washington.
Donald R. Jack.
Arvid H. Anderson.
Wallace J. Scott.
Alexander C. Reed.
Clarence M. Kline.
Clarence H. Yost.
Staniford Squire.
William L. Bales.
Bert L. Beaty.
Stephen Brown.
Oscar J. Closset.
Warner F. Hamet.
Walter G. Bagley.
John T. Sheffield.
James D. Baker.
Albert C. Grunow.
Elmer J. Keitz.
Irving G. Hamilton.
Roscoe K. Garver.
George L. Hollett.
Robert T. Ishmael.
Joseph J. McFawn.
David B. Buffum.
Orville A. La Motte.
Donald Hamilton.
Clarence H. Gresham.
Raymond J. Riefler.
Chester L. Arnold.
Fred S. Ebertz.
John A. Nesbit.
Fred C. Howard.
Thomas McC. James.
Thomas M. O'Sullivan.
Robert W. Mason, jr.
Warren B. Hewitt.
William J. Fitzpatrick.
James B. Sizer, jr.
Robert R. Gibson.
William A. Rae.
Romel T. Dahl.
Ernest R. Love.
Charles R. Lucas.
Bernard W. Pravitz.
Clyde S. Erskine.
Nick E. Gronland.
Marvin V. Yandle.
Ralph C. Alburger.
John B. Lambson.
Joseph R. Caldwell.
Phil J. Libby.
Benjamin G. Plummer.
Frederick A. Cullimore.
Elmer L. Sutherland.
Uriah D. Sandidge.
Charles L. Smith.
Walter J. Buhrman.
Karl S. Weiner.
Ira F. Gillikin.
Charles W. Pohl.
Stanley Hudgins.
Thomas Jones.
James B. Hardie.
Samuel Culbertson.
La Vergne E. Waite.
Frank J. Tupa.
Otto S. Jolliff.
Waldo J. Mathias.
Frank De L. McClelland.
John J. McDonald.
Rowland R. Street.
Maurice R. Kerr.
John A. Riley.
Vincent M. Carter.
Howard E. Pritchett.
William J. Barham.
Charles A. Bell.
Charles E. Windram.
Donald W. Brennen.
Frank L. Hudson.
Kenneth P. Corson.
William R. Sheets.
James P. Hyde.
Floyd H. White.
Ralph J. Wikan.
Richard A. Thomas.
Joel H. Nichols.
James F. Windiate.
Charles Paget.
Elwood H. Gallien.
Joel D. Mason.
Ellsworth S. Van Der Veer.
Vernon M. Guymon.
Harold N. Miller.
William A. Bayer.
Gilbert C. Chandler.
Austin W. Boden.
James M. White.
Albert K. Komdat.
Edmund McC. Callaway.
Herbert M. Goodwin.
John G. Kapowich.
Frederick J. Knob.
Samuel G. Storberg.
Charles W. Smith, jr.
Alfred R. Southard.
William H. Winseman.
Sterling P. Anderson.
Theodore J. Cloonan.
William Z. Weems.
Handel V. Rivinius.
Ivan L. Rice.
Morris V. Coleman.
William J. Brothers.
Winfield F. Swallow.
Wylie C. Banks.
Fred W. Hill.
Jeremiah Kinsella.
Howard E. Hadley.
Stanley G. Beebe.
Henry S. Bogan.
Alvin E. Neal.
Herbert A. Miles.
John D. O'Leary.
Clyde H. Hartsel.
Dwight W. Francisco.
Allen P. Carr.
Eugene G. Reid.
Grover C. Darnall.
Willis T. Conway.

George W. Morgan.
John E. Brannon.
Lawrence W. Esckilsen.
Delmar Byfield.
Lloyd R. Pugh.
Hugh M. Todd.
Harold W. Talbot.
Sam H. Pitts.
Cornelius S. Lynch.
Russell E. Smith.
Edward Kellison.
Frederick F. Nagel.
Charles Connette.
Joseph G. Whalen.
Elmer I. Fadden.
Arthur C. Small.
Anthony A. Krzyzaniak.
William H. Faga.
William A. McCleery.
Henry C. Bock.
Harold C. Kearney.
Clyde Brandon.

POSTMASTERS.

PENNSYLVANIA.

Spurgeon L. Wilson, Driftwood.

WEST VIRGINIA.

Arthur T. McCort, Follansbee.

WITHDRAWAL.

Executive nomination withdrawn from the Senate March 1, 1919.

UNITED STATES ATTORNEY.

J. D. Clements, of Helena, Mont., to be United States attorney, District of Alaska, Division No. 2.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 1, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, amidst the profound mysteries which surround us in this life another day, luminous with truths which we may comprehend, is before us with its duties and responsibilities.

We pray for light to guide us, strength to sustain us in our convictions, that we may do our whole duty in the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF A MEMBER.

Mr. FLOOD. Mr. Speaker, Representative elect Hon. JAMES P. WOODS, of the sixth congressional district of Virginia, is present and desires to be sworn in. I ask that the certificate of election be taken from the Speaker's table, and that he be sworn in.

The SPEAKER. The Chair has the election certificate, which is in due form.

The oath of office was administered by the Speaker to Mr. WOODS.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5593. An act for the relief of certain officers in the Army of the United States, and for other purposes;

S. 3964. An act for the relief of Otis C. Mooney;

S. 5512. An act to amend the Federal farm-loan act, approved July 17, 1916;

S. 4699. An act for the relief of St. Croix Chippewa Indians of Wisconsin; and

S. 4949. An act for the relief of J. C. Garrett.

The message also announced that the Senate had passed with amendments bills of the following titles, had requested a conference with the House of Representatives on the bills and amendments, and had appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT as the conferees on the part of the Senate:

H. R. 15706. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors;

H. R. 14894. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14945. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 14746. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes and for other purposes, for the fiscal year ending June 30, 1920.

The message also announced that the Senate had passed with amendments the bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following title was taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5292. An act making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account; to the Committee on the Merchant Marine and Fisheries.

S. 4949. An act for the relief of J. C. Garrett; to the Committee on Military Affairs.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, announced that the President had this day approved and signed bills of the following titles:

H. R. 14078. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 171. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915;

H. R. 204. An act to provide for the fitting up of quarters in the post-office building at the city of Sacramento, Cal., for the accommodation of the district court of the northern district of California and its officers;

H. R. 3217. An act providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio;

H. R. 15834. An act to extend the time for the construction by Kratka Township of a bridge across the Red Lake River, in Pennington County, Minn.;

H. R. 15950. An act granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River (H. Doc. No. 1838); and

S. 5627. An act to fix the time of holding court in the Amarillo division of the northern district of Texas.

LEAVE TO PRINT—"MADE IN GERMANY."

Mr. CANNON. Mr. Speaker, I desire to ask unanimous consent, for the first time in many years, to print as a document an interview I had on the 2d of December last. It was printed in the Saturday Evening Post, entitled "Made in Germany." I have had so many requests for copies from Democrats and Republicans, by letter and otherwise, from Members and friends, that I can not buy any more of them, and I ask unanimous consent that the interview be printed as a document.

The SPEAKER. The gentleman from Illinois asks unanimous consent to have printed as a document an interview—a very elaborate one—that he had in the Saturday Evening Post, entitled "Made in Germany." Is there objection?

There was no objection.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 14746, the Indian appropriation bill, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to take from the Speaker's table the bill H. R. 14746, the Indian appropriation bill, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked for by the Senate. Is there objection?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker——

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

The SPEAKER. Is there objection?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, there is an amendment included with reference to the approval of oil leases in the Five Civilized Tribes. The gentleman at this stage of the session, I assume, desires speed particularly, and I presume in conference there will be a disposition to eliminate contested and controverted matters. I would want to feel that at this time there would not be any protracted delay in conference over that particular item.

Mr. CARTER of Oklahoma. Mr. Speaker, the amendment to which the gentleman calls attention was passed by the House by a vote of 198 for to 69 against—a very decisive vote; and in view of that vote, I assume that the conferees would feel that they ought to stand reasonably for the House position in the premises.

Mr. CRAMTON. It was put in in the Senate without a roll call.

Mr. CARTER of Oklahoma. Yes; but the House action was very decisive.

Mr. CRAMTON. Very possibly, but if the House conferees insist, as the gentleman intimates, there would be considerable delay involved in conference.

Mr. CARTER of Oklahoma. That was my reason, Mr. Speaker, for wanting to get into conference upon it.

Mr. CRAMTON. Well, Mr. Speaker, if we are to have that delay we might as well have it before the conference as afterwards.

Mr. CARTER of Oklahoma. I am advised by the enrolling clerk that unless this bill gets to him by to-morrow night—Sunday night—he will be unable to have it enrolled and back in time for adoption and signature by the time the House adjourns on Tuesday.

Mr. CRAMTON. The gentleman knows that when we had it up before I felt that we did not have opportunity for sufficient consideration by the House. The gentleman knows that whatever agreement there may be in conference on the bill there will not be an opportunity after the report is made for consideration. I am frank to say that unless we can be assured that that controverted matter will not be forced upon us at this time, when it can not be considered, I will object.

Mr. CARTER of Oklahoma. Of course the gentleman would not want me to agree before we go into conference to eliminate a matter that the House put on by that decisive vote.

Mr. CRAMTON. I think at this time controverted matters of great importance ought not to be forced upon the House without opportunity for consideration.

Mr. CARTER of Oklahoma. This matter has heretofore been before the House, and, as the gentleman knows, it was considered at length.

Mr. CRAMTON. It was brought up without notice to the House. It was not in the original bill. It came in here as an amendment on the floor, and, as I felt, without notice to the House and without sufficient consideration.

Mr. CARTER of Oklahoma. It has been discussed both at this session and at the last session. There has been quite a lot of discussion of it. The gentleman surely does not expect me to agree that the conferees will abandon the position of the House at the first fire.

Mr. CRAMTON. I think that in the last days some of the fine distinctions might be eliminated and these matters of controversy taken out. Otherwise I should have to object.

Mr. CARTER of Oklahoma. Certainly the disposition of the conferees will be to try to get the bill passed. That will be the disposition, I assume, of the House conferees, at least.

Mr. CRAMTON. Mr. Speaker, I object.

The SPEAKER. The gentleman from Michigan objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had passed with amendment the bill (H. R. 10851) to provide a method for disposing of intoxicating liquors now or hereafter in the possession of the United States court officials, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had receded from its amendment numbered 1 to the bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1920, and for other purposes.

HOSPITAL FACILITIES FOR DISCHARGED SOLDIERS, ETC.

Mr. CLARK of Florida. Mr. Speaker, I present a conference report on H. R. 13026 for printing in the RECORD, and I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. As I understand it, the conference report will now lie upon the Speaker's table, and can be taken up at any time.

The SPEAKER. Yes.

Mr. CLARK of Florida. I ask unanimous consent that it be taken up immediately after the disposition of the contested-election case.

The SPEAKER. The gentleman asks unanimous consent that this conference report be taken up for consideration immediately after the conclusion of the contested-election case. Is there objection?

Mr. TAYLOR of Colorado. Reserving the right to object, I have another little conference report which I should like to submit.

Mr. CLARK of Florida. This is a matter of providing hospital accommodations for discharged soldiers and sailors. If it is not taken up and disposed of very quickly, there will be no arrangements whatever made for these men.

The SPEAKER. Is there objection?

Mr. WALSH. What is the gentleman's request, Mr. Speaker?

The SPEAKER. The request is that this hospital conference report be taken up immediately after the conclusion of the election case. Is there objection?

Mr. STAFFORD. Mr. Speaker, I believe in the importance of this matter, but do not think we should establish an order for the consideration of any certain conference report at this time. It is a matter of privilege within the discretion of the Chair, and I object.

The SPEAKER. The gentleman from Wisconsin objects. The conference report will be printed under the rule.

LEAVE TO EXTEND REMARKS.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the sundry civil bill, which we passed last night.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks on the sundry civil bill. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Texas makes the same request. Is there objection?

There was no objection.

Mr. BURNETT. I make the same request.

The SPEAKER. The gentleman from Alabama makes the same request. Is there objection?

There was no objection.

Mr. WELLING. I make the same request.

The SPEAKER. The gentleman from Utah makes the same request. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. I make the same request.

Mr. GREEN of Iowa. I make the same request.

Mr. STEAGALL. I make the same request.

The SPEAKER. The gentleman from Alabama [Mr. STEAGALL], the gentleman from Texas [Mr. CONNALLY], and the gentleman from Iowa [Mr. GREEN] make the same request. Is there objection?

Mr. WALSH. I understand, Mr. Speaker, that these requests for extension of remarks are on the sundry civil bill in each instance?

The SPEAKER. Yes; in each instance. Is there objection?

There was no objection.

Mr. HUMPHREYS. During the debate on the sundry civil bill last night I referred to a newspaper article on cotton futures that I wanted to put into the RECORD. I now ask unanimous consent to print that in the RECORD.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks by printing an article that he referred to last night, on cotton futures. Is there objection?

There was no objection.

Mr. AUSTIN. I ask leave to extend my remarks on the league of nations.

Mr. LINTHICUM. I make the same request.

The SPEAKER. The gentleman from Tennessee [Mr. AUSTIN] and the gentleman from Maryland [Mr. LINTHICUM] ask unanimous consent to extend their remarks in the RECORD on the league of nations. Is there objection?

There was no objection.

Mr. MANN. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAYES. I make the same request.

Mr. LAGUARDIA. Reserving the right to object, on what subject?

Mr. HAYES. On the subject of vocational education.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McFADDEN. I ask unanimous consent to extend my remarks in the RECORD.

Mr. WALSH. On what subject?

Mr. McFADDEN. On a bill that passed the Senate yesterday pertaining to the farm-loan system.

The SPEAKER. The gentleman from Pennsylvania [Mr. McFADDEN] asks unanimous consent to extend his remarks in the RECORD on the farm-loan system. Is there objection?

There was no objection.

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the league of nations.

Mr. McARTHUR. I ask unanimous consent to extend my remarks in the RECORD on the subject of Government ownership of railroads.

The SPEAKER. The gentleman from California [Mr. OSBORNE] asks unanimous consent to extend his remarks in the RECORD on the league of nations and the gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD on the subject of Government ownership of railroads. Is there objection?

There was no objection.

Mr. CLARK of Pennsylvania. I ask unanimous consent to extend my remarks on the league of nations.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the league of nations. Is there objection?

There was no objection.

REPEAL OF TAX ON LUXURIES.

Mr. KITCHIN. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House joint resolution 439.

Mr. MANN. I hope the gentleman will not make that motion. It was understood we would take up the election case. If we go into the Committee of the Whole House on the state of the Union on this joint resolution it may take all day.

Mr. KITCHIN. It will not take five minutes.

Mr. MANN. If the gentleman wants to have the bill passed quickly, I have no objection to his asking unanimous consent to consider it in the House as in Committee of the Whole.

Mr. KITCHIN. I ask unanimous consent that House joint resolution 439 be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent that House joint resolution 439 be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. ROBINSON, indefinitely, on account of illness in his family.

LEAVE TO WITHDRAW PAPERS—JENNIE J. BROWN.

Mr. HOLLINGSWORTH, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of H. R. 4769, granting a pension to Jennie J. Brown, no adverse report having been made thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4366. An act to amend section 5 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913;

S. J. Res. 121. Joint resolution creating a commission to report a plan for the adoption of a national budget system;

S. 4891. An act making certain officers of the Army eligible for appointment as chief of Staff Corps and departments;

S. 1486. An act for the relief of Henry P. Grant, of Phillips County, Ark.;

S. 2497. An act for the relief of James W. Cross;

S. 4139. An act repealing certain provisions contained in the urgent deficiency act approved December 22, 1911;

S. 4864. An act to carry into effect the finding of the Court of Claims in the case of Elizabeth B. Eddy;

S. 4263. An act for the relief of Capt. Frederick B. Shaw;

S. 4745. An act for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.;

S. 4479. An act for the protection of the water supply of the town of Sunnyside, Utah;

S. 534. An act for the relief of the heirs of Adam and Noah Brown;

S. 5482. An act providing for the refund of taxes collected for stamp tax on certain policies under the emergency tax act of October 22, 1914, under the proviso of which act such policies were exempt;

S. 5648. An act to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska;

S. 923. An act for the relief of Henry J. Davis;

S. 4773. An act for the relief of D. C. Darroch;

S. 978. An act for the relief of Watson B. Dickerman;

S. 5343. An act to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii and to issue land patents to those eligible under the terms of said agreements;

S. J. Res. 196. Joint resolution authorizing the Secretary of War to accept resignations of officers and to grant discharges to enlisted men in the Army under certain conditions;

S. J. Res. 197. Joint resolution authorizing the appointment of an ambassador to the Republic of Peru;

S. 2496. An act for the refund of duties paid on material destroyed by fire;

S. 5658. An act to authorize the acquisition and operation by the United States of the Cape Cod Canal;

S. 1765. An act to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900;

S. 4526. An act for the relief of the Arundel Sand & Gravel Co.;

S. 5371. An act for the relief of Roland S. Robbins;

S. 2024. An act for the relief of the Buffalo River Zinc Mining Co.;

S. 5607. An act to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron in the State of Michigan for a certain described tract of land for public park purposes;

S. 3063. An act for the repair, preservation, care and future maintenance of the restored historical naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie; and

S. 5566. An act for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.

The message also announced that the Senate had passed the bill (H. R. 5989) to grant certain lands to the town of Olathe, Colo.

The message also announced that the Senate had passed with amendments the bill (H. R. 7236) to amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898, in which the concurrence of the House of Representatives was requested.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3964. An act for the relief of Otis C. Mooney; to the Committee on Military Affairs.

S. 4699. An act for the relief of the St. Croix Chippewa Indians of Wisconsin; to the Committee on Indians Affairs.

S. 5512. An act to amend the Federal farm-loan act approved July 17, 1916; to the Committee on Banking and Currency.

S. 5593. An act for the relief of certain officers in the Army of the United States, and for other purposes; to the Committee on Claims.

S. 5493. An act authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation; to the Committee on the Public Lands.

S. 5292. An act making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account; to the Committee on Merchant Marine and Fisheries.

ALIEN PROPERTY CUSTODIAN.

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on the Judiciary and ordered printed without the accompanying documents:

To the Senate and House of Representatives:

As required by section 6 of the trading-with-the-enemy act, I transmit herewith for the information of the Congress a detailed report by the Alien Property Custodian of all proceedings had by him under said act during the calendar year 1918 and to the close of business on February 15, 1919.

WOODROW WILSON.

THE WHITE HOUSE, *28 February, 1919.*

Mr. MANN. Ought not the accompanying documents to be printed, Mr. Speaker?

The SPEAKER. The documents have been ordered printed by the Senate.

RESIGNATION.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, February 28, 1919.

Mr. Speaker CLARK:

I hereby resign the position of trustee of Columbia Hospital, to take effect immediately.

M. D. FOSTER.

The resignation was accepted, and the Chair appointed to the vacancy Mr. LAZARO, of Louisiana.

REPEAL OF TAX ON LUXURIES.

The SPEAKER. The Clerk will report the joint resolution offered by the gentleman from North Carolina [Mr. KITCHIN].

The Clerk read the joint resolution, as follows:

Joint resolution (H. J. Res. 439) to repeal section 904 of the revenue act of 1918, approved February 24, 1919.

Resolved, etc., That section 904 of the revenue act of 1918 is hereby repealed.

Mr. KITCHIN. Mr. Speaker, this section levies a tax on necessities in fact, but called luxuries, in excess of a certain amount. The House inserted it in the revenue bill during the war strictly as a war tax upon the suggestion and recommendation of the Secretary of the Treasury; not so much as a revenue producer but to encourage thrift and economy and prevent extravagance among the people during the war.

After the armistice was signed the Senate Finance Committee struck from the bill this section 904. It was agreeable to the Committee on Ways and Means, but in the last day of the discussion of the revenue bill in the Senate it was put back. After it was restored in the Senate a motion was made and carried to strike out one or two items of the section. So that when the conferees met they found this section with these items in regard to clothing stricken out, leaving a tax of 10 per cent on all other items, such as shoes, hats, and underwear, and other necessities; we were unable to strike out the balance of the section because the Senate had agreed with the House bill, and it was not in conference. The conferees agreed, however, that they would recommend to the House and the Senate, immediately after the bill was signed, a joint resolution to repeal the whole of section 904. This resolution does that.

Mr. MOORE of Pennsylvania. Will the gentleman yield to me five minutes?

Mr. KITCHIN. I will.

Mr. STAFFORD. If the gentleman will yield, I have received numerous telegrams from candy manufacturers claiming that if we are going to lift the tax on jewelry——

Mr. KITCHIN. The jewelry tax is not lifted.

Mr. STAFFORD. Furs.

Mr. KITCHIN. Furs are not in the repealing resolution.

Mr. STAFFORD. Or on these articles of luxury——

Mr. KITCHIN. This section which this resolution repeals levies a tax on carpets, hats, shoes, bonnets, underwear, and many other similar articles selling above a certain price.

Mr. STAFFORD. If they are going to lift the tax on those articles it should be lifted for the same reason on candy.

Mr. KITCHIN. The committee really did not think candy was quite as much of a necessity as shoes and hats.

Mr. STAFFORD. But those are shoes and hats above a certain high price.

Mr. KITCHIN. Yes; hats above $5.

Mr. STAFFORD. The gentleman does not mean that candy which is eaten by children and babies is not as much of a necessity as hats that cost $5 or shoes that cost more than $15.

Mr. KITCHIN. The committee decided that candy was not a necessity, even for children.

Mr. STAFFORD. I would like to have the gentleman give his authority that candy is not a necessity for children. I was taught differently when I was a child.

Mr. KITCHIN. If the gentleman had not eaten so much he might have been larger in stature. [Laughter.]

Mr. STAFFORD. Facetiously speaking, I think the gentleman from North Carolina must have lived mostly on food of a saccharine quality. [Laughter.]

Mr. MOORE of Pennsylvania. If the gentleman will yield so that we may have it in the RECORD, what was the amount to be raised by section 904?

Mr. KITCHIN. About $80,000,000.

Mr. WELLING. How much revenue is supposed to be derived from the tax on candy?

Mr. KITCHIN. From twelve to fifteen million dollars.

Mr. WELLING. The gentleman thinks that that ought not to be repealed?

Mr. KITCHIN. Not at this time.

Mr. STAFFORD. How much revenue would be raised by this luxury tax?

Mr. KITCHIN. This tax that we are repealing—about $80,000,000.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LAGUARDIA. What was the attitude of the committee in reference to sporting goods?

Mr. KITCHIN. The committee took the same view on sporting goods—baseball bats, tennis rackets, and so forth—that it did with respect to candy. The committee did not think they were as much of a necessity as shoes, underwear, and articles of that kind.

Mr. MILLER of Washington. Is this $80,000,000 that is to be eliminated by this resolution to be put on other things?

Mr. KITCHIN. No; this does not raise the tax on anything in the revenue bill. It repeals that, and in our estimate we considered that this would go out.

Mr. MILLER of Washington. The tax on no other article will be increased?

Mr. KITCHIN. No.

Mr. SABATH. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. SABATH. Not having had a chance to examine the resolution, I do not know what it purports to repeal, and therefore I am obliged to ask the question. Does this repeal the tax on furs?

Mr. KITCHIN. No; it only repeals section 904.

Mr. SABATH. Can the gentleman give me about the amount that is expected to be raised by the tax on furs?

Mr. KITCHIN. I do not recall, but something near $5,000,000. Now I will yield to the gentleman from Pennsylvania [Mr. MOORE] five minutes.

The SPEAKER. The gentleman has no time to yield; we are operating under the five-minute rule.

Mr. MOORE of Pennsylvania. Mr. Speaker, having obtained recognition from the Chair, how much time am I entitled to?

The SPEAKER. Five minutes.

Mr. MOORE of Pennsylvania. The chairman of the committee has fairly stated this proposition. The conferees did hear from the people in protest against the so-called luxury taxes, and they decided to report a resolution to both Houses providing for the repeal of section 904, which includes the so-called luxury taxes. As a matter of fact, they were not luxury taxes at all. They were taxes upon articles of common use above a certain price. The article itself was not to be taxed under a reasonable price. These articles, included in section 904, begin with carpets and rugs, include picture frames, trunks, valises, and so forth, and run on down to men's shirts and women's dresses and kimonos, and so forth. The thought was—and it was a thought born of the English taxing methods—that if a good woman was inclined to pay $1,000 for a dress, it might fairly be stated that all in excess of, say, $300 paid for that dress was a luxury and therefore subject to tax. If a gentleman desired to pay $300 for an evening dress suit, whereas he could get one for $60, then everything in excess of $60 might be regarded as pandering to his taste and would be subject to tax for war purposes.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GREEN of Iowa. While the gentleman has correctly stated the situation as the bill originally left the House, the gentleman is aware that after it came back from the Senate the matter of dresses was omitted.

Mr. MOORE of Pennsylvania. I was coming to that. I think that Senate change is the real reasen for bringing the whole matter back.

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. I have only five minutes.

Mr. LINTHICUM. I just want to make the statement that I filed with the committee a protest of 10,000 of our citizens against this tax.

Mr. MOORE of Pennsylvania. That is to say, the gentleman's constituents were opposed to helping the war along to this extent. A great many other people were perfectly willing to go into the war and have all sorts of expenses charged up to the Government, but when brought to book and asked to pay were in favor of removing all taxation. That was one of the difficulties of the entire situation. When this matter was before the Committee on Ways and Means the same question was before the English Parliament, and a committee there was considering the imposition of luxury taxes. That committee was in session for a long time. It never imposed luxury taxes; but with the usual American haste the Ways and Means Committee inserted a so-called luxury tax in this bill. There was a war necessity for it at the time. The President of the United States had told us that we must raise $24,000,000,000 to carry him along with the war expenses for this fiscal year. He and the Secretary of the Treasury insisted that $8,000,000,000 of the $24,000,000,000 be raised by taxation from the body of the people. Most of the gentlemen on the committee were inclined to raise all that money from corporate interests, from railroads, and manufacturing and business concerns. They were not inclined to tax the body of the people, the voters of the country, at all. That is another of the difficulties in attempting to frame a revenue bill. Those in charge always seek to avoid placing the burdens upon the masses of the people, and desire to tax only certain special interests that are supposed to be able to bear the burden.

Mr. JUUL. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield in five minutes. I have only started on this question. If I can get more time I will be very glad to answer questions. The party in power never wants to tax the people. But the party in power in this instance demanded $24,000,000,000 for the fiscal year 1918, ending June 30 next, and they have demanded more money since; and the day of reckoning is at hand.

The SPEAKER pro tempore (Mr. RAKER). The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I am not finding fault with the party in power for imposing the taxes under the circumstances. Great responsibility was placed upon the administration. They had to raise money. They did raise it and they did spend it lavishly. We do not yet know the end of the expenditures. If we do not pass the $7,000,000,000 bond bill that is now in another body before next Tuesday the chances are that we will be forced into extra session to raise money to save this Government from an actual deficit, from actual embarrassment in the payment of its obligations incurred during the year. It may be that we will have to come back and devise a new system of taxation. When witnesses came before the committee insisting that they should be relieved of taxes we asked if they were in favor of the war. They said they were. Many of them were merchants who were charging the highest prices ever paid by mortal man. It was an incident of the war. We asked them if they thought it was patriotic to seek to avoid taxes, and everyone of them said no, but they thought this or that particular kind of tax was obnoxious. There was scarcely a man in private life, in corporate life, or in public life who did not feel that his particular ox was being gored. Under these conditions these so-called luxury taxes went into the revenue bill. Now, gentlemen in power in the committee and in the administration are hearing from the country that the tax is obnoxious. It is probably not a good tax to go before the country on. So the so-called luxury taxes are to come down. If the $80,000,000 to be raised in this way is needed, the incoming Congress will have the responsibility of raising it. I am not so sure but that we will have to raise it. It is another case of dumping the responsibility.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GORDON. Why did they not dump it over before the election?

Mr. MOORE of Pennsylvania. Because the administration said there was a necessity for it before election. They said they needed the money then because they had spent the money. This was a case of getting the war money back. I am not too anxious to tax the people, but I am not afraid as a Representative or as a Republican, when I have voted to incur obligations, to vote to get the money somewhere to pay those obligations.

Mr. LINTHICUM. Was not this bill passed by the House with this provision in it before election?

Mr. MOORE of Pennsylvania. I think so.

Mr. LINTHICUM. Then that does not look as though we were afraid of that.

Mr. MOORE of Pennsylvania. This bill was passed when the President of the United States, whom the gentleman has been following loyally, and when his Secretary of the Treasury——

Mr. LINTHICUM. And I think the gentleman from Pennsylvania has followed him somewhat.

Mr. MOORE of Pennsylvania. This was passed when the President of the United States and his Secretary of the Treasury, who spent more money than he could collect and who has turned over his great responsibility to a successor, were telling us that unless we got this money the country would go to the demnition bow wows. We had to provide the ways and means to meet the administration's war demands.

It may be that our President and our Secretary of the Treasury, who has gone, are getting wise to the fact that it is unpopular to tax articles of consumption, but they started it. I do not propose to let you get from under without assuming your share of the responsibility. I do not propose to let you unload the burden upon the Republican Party without telling you about it.

Mr. LINTHICUM. If we do not pass the bond bill, it is because the Republicans in the Senate do not allow us.

Mr. MOORE of Pennsylvania. I do not think so; you have control in the Senate. There are more Democratic votes in the Senate than Republican votes, and you have the power to pass the bill now; but your leaders in the Senate are not in close juxtaposition with the President. There are some belonging to the Democratic Party who seem to have no desire to get the bill through. You should go to your Senators—you should go to them and tell them to pass that loan bill in order that your debts may be paid, and paid before the Republicans come in——

Mr. CALDWELL. Will the gentleman yield?

Mr. MOORE of Pennsylvania. And here is the young war horse from New York. [Laughter.]

Mr. CALDWELL. Will the gentleman answer me this, all right?

Mr. MOORE of Pennsylvania. I will not deny New York if I yield to Maryland.

Mr. CALDWELL. Are you very sorry?

Mr. MOORE of Pennsylvania. For what?

The SPEAKER. The time of the gentleman has expired.

Mr. MANN. Mr. Speaker, I would just like to make this suggestion to gentlemen on this side of the House: We have been waiting a long time to call up an election case where the contestant is a Republican and it was agreed that we would take up that case to-day. Gentlemen on the committee who worked hard on the case ought to have a reasonable length of time to present their views. They are men who seldom come before the House and make speeches and I wondered—there is no controversy, as far as I know—if we could not close debate and dispose of the joint resolution and go to the contested-election case.

Mr. KITCHIN. I was about to ask for a vote.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. KITCHIN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On February 28, 1919:

H. R. 13035. An act to amend section 4 of Chapter V of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918, and to make said amendment retroactive;

H. R. 13037. An act to amend the fiftieth article of war;

H. R. 13306. An act to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued;

H. R. 13308. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 13366. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions;

H. R. 13394. An act to extend the time for the completion of the dams across the Savannah River by authority granted to

Twin City Power Co. by an act approved February 29, 1908, as amended by acts approved June 3, 1912, and March 1, 1916;

S. 932. An act to provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.;

S. 935. An act for the relief of settlers on certain railroad lands in Montana;

S. 2088. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 2715. An act to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes;

S. 3571. An act granting lands for school purposes in lots No. 111 in each of the townsites of Fort Shaw and Simms, Sun River reclamation project, Mont.;

S. 4103. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 4244. An act for the relief of entrymen within the Castle Peak irrigation project, in Utah;

S. 5279. An act to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes;

S. 3646. An act granting the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes; and

S. J. Res. 198. Joint resolution to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, as amended, and for other purposes.

CONTESTED-ELECTION CASE OF BRITT AGAINST WEAVER.

Mr. WATSON of Virginia. Mr. Speaker, I desire to call up the contested-election east of Britt against Weaver, and I would like to inquire of gentlemen on the other side representing the committee whether or not we could have an agreement as to the time to be occupied in the consideration of this case.

Mr. DOWELL. Mr. Speaker, the record of this case is a very voluminous record of very fine type. I assume we ought to have as much as is possible for the House to give. I think we should have at least five or six hours.

Mr. GORDON. On a side?

Mr. DOWELL. On both sides.

Mr. WATSON of Virginia. May I inquire of the gentleman how many speeches he expects to have delivered on that side?

Mr. DOWELL. We expect to have about four speeches I know of now.

Mr. WATSON of Virginia. Mr. Speaker, there will probably be four or five speeches on this side. Now, I dislike very much to take up the time of the House under the circumstances in which it is placed to consider the dry details of an election case, but I know of no more important duty that the House has to determine than this, and I believe the House will not only be justified but it is the duty of the House to give due consideration to the merits of this case. I therefore ask, Mr. Speaker, that two and a half hours be accorded to each side of this case.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that two and a half hours be allowed to each side for the consideration of this election contest.

Mr. WATSON of Virginia. One half of the time to be at the disposition of the gentleman from Iowa [Mr. DOWELL] the ranking Member on that side, and the other half by the chairman of the committee.

Mr. MANN. Let me make this suggestion: And at the end of that time the gentleman from Iowa shall have leave to offer a substitute resolution and the previous question be considered as ordered upon the resolution and the substitute.

Mr. WATSON of Virginia. I accept the suggestion.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that debate upon this contest be limited to five hours, two and a half hours to be controlled by the gentleman from Virginia and two and a half by the gentleman from Iowa, and that after that time the gentleman from Iowa be permitted to offer a substitute resolution, and that the previous question shall be considered as ordered on the two resolutions until final disposition. Is there objection?

Mr. CLARK of Florida. Mr. Speaker, I do not want to object, but there are a number of very important matters here to be disposed of. That will carry the House until after 6 o'clock.

Mr. MANN. Let me make a suggestion to the gentleman from Florida—that an objection will not limit time; it will only extend it, because the only effect of this is to order the previous question.

Mr. CLARK of Florida. It may not and it may. I was going to ask, Mr. Speaker—this case has been pending here a long time, and it seems to me the report should have been taken up earlier; but here are a number of very important matters that have to be disposed of. For instance, one matter I have here is to provide hospital accommodations for these boys who are coming home. There are absolutely none now, and 15,000 of them now ask for accommodations and can not get them. Now, Mr. Speaker, it does seem to me Members are pretty familiar with this case and the testimony is in print. I do not believe that any of these speeches are going to have very much effect about changing the minds of the Members of the House who have read the testimony. Now, why could not this matter be limited to, say, three hours? It does seem to me that in an hour and a half on a side these gentlemen can present the salient facts to the House, and I hope the gentleman will not insist upon five hours.

Mr. MANN. Oh, that has already been agreed upon between the two sides, and gentlemen have arranged their speeches accordingly.

Mr. CLARK of Florida. That is the trouble; everything has been agreed upon and fixed before any request is made.

Mr. MANN. One of the reasons here is to close the debate at the end of the time.

Mr. CLARK of Florida. I am not going to object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The gentleman from Virginia is recognized for two and a half hours.

Mr. MANN. I ask unanimous consent that the gentleman from Iowa [Mr. DOWELL], out of the time allotted to him, may have the privilege of yielding to the contestant time.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] asks unanimous consent that out of the time allotted to the gentleman from Iowa [Mr. DOWELL] he be authorized to yield to the contestant, Mr. Britt. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. WATSON] is recognized for two and a half hours.

Mr. WATSON of Virginia. Mr. Speaker, the gentleman from Florida [Mr. CLARK] suggested a few moments ago that the record in this case was familiar to the Members of the House. I was very much encouraged to hear that statement from the gentleman, because, if I may assume it to be a fact, I shall be very greatly relieved from the duty which I have undertaken to impose upon myself in this case. I know how hard it is, gentlemen, in the midst of the congestion which prevails at this time, to call your attention away from matters in which you are vitally interested to the dry details of a contested-election case. And yet in equity and good conscience I do not know of any question which can present itself to the Members of this House which is more important and more lasting in its effects upon the character of this assembly. I esteem it a fortunate circumstance that the question involved in this case, to my mind, at least, is a question of law and not a disputed question of fact. And in the determination of this legal question your committee thinks that you will have adjudicated this case upon its merits.

The case here for your consideration is whether or not under the statute of North Carolina a ballot not marked in strict accordance with the directions of the statute is a legal ballot. There are some ninety-odd of these ballots involved in this case. They are referred to in the record as "unmarked ballots." If those ninety and odd ballots are valid and legal under the State laws, then, according to the judgment of your committee, the contestee, Mr. Weaver, is entitled to a seat in this body. If the so-called "unmarked ballots" involved in this testimony are not legal ballots, then, in the judgment of your committee, the contestant was entitled to a seat in this body and should have been given the certificate of election.

Mr. MILLER of Minnesota. Will the gentleman yield for an inquiry?

Mr. WATSON of Virginia. Yes.

Mr. MILLER of Minnesota. Were all of the so-called "unmarked ballots" duly considered by the committee in making this decision? Perhaps that is not quite clear. I am advised that in this particular county there were 28 voting districts, in either one of which there were numerous unmarked ballots; that the election reviewing board selected certain of the districts, namely, 5, in which they counted the unmarked ballots, and by so doing gave a majority to Mr. Weaver; but they did not count similarly unmarked ballots in others of the 23 voting districts. Is that correct?

Mr. WATSON of Virginia. No, sir.

Mr. MILLER of Minnesota. I would like to have that cleared up, then. I understood that was what had been the case.

Mr. WATSON of Virginia. I will say to the gentleman from Minnesota that when I come to that detail I will endeavor to apprise him of what facts appear to be proven to the committee on that subject. The statement which he has made is subject to many qualifications. I might say in passing to the gentleman that out of the ninety-odd unmarked ballots covered by the report of the committee in this case only 33 were involved in the proceedings to which he makes reference.

Mr. FIELDS. Will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. FIELDS. I would like to know what you mean by an "unmarked ballot"?

Mr. ALEXANDER. Mr. Speaker, I suggest that the gentleman proceed to make his argument without interruption. I should like to have a clear statement of the case.

Mr. JUUL. If the gentleman will permit me, I think we might as well have a definition first, so that we can understand what is being talked about.

Mr. ALEXANDER. Let the gentleman proceed, and perhaps the gentleman from Illinois will understand what he means. The gentleman from Virginia is a very clear lawyer.

The SPEAKER pro tempore. The gentleman from Virginia has the floor.

Mr. WATSON of Virginia. Gentlemen, what is meant by the "unmarked ballot" under the State law is this: They have no Australian ballot in the State of North Carolina. They have no general ticket in the State of North Carolina. The voter goes to the polls and asks for a ticket. He is handed a ticket. Under their law there is a separate ticket for every class of officers voted for in the election. There is a separate ballot for State officers; a separate ballot for county officers; a separate ballot for township officers; a separate ballot for Members of Congress; and a separate ballot for each political party with respect to all these officers. Under the laws of North Carolina prior to the year 1915 the only requirements as to the ballot were that it should be printed or written on white paper, and the size of the same should be prescribed by the State board of elections. In that year the legislature undertook to legalize primary elections, and in a long statute embracing many sections one was incorporated, namely, section 32, which provided in substance that opposite the name of each candidate on the general ticket to be voted for at the general election there should be placed a small square, and the choice of the voter should be indicated by making a cross mark in that square opposite the name of the candidate for whom he desired to vote. That was a primary-election law.

Mr. GRIFFIN. Will the gentleman yield at that point?

Mr. WATSON of Virginia. I will.

Mr. GRIFFIN. May I ask whether that is true, even though there were only one name on the ballot?

Mr. WATSON of Virginia. I was trying to expound to the House the requirement of the statute, which was without any qualification, that opposite the name of each candidate on the general ticket to be voted at the general election there should be placed a square, and the choice of the voter should be indicated by placing a cross mark in the square opposite the name of the candidate for which he desired to vote. It must be perfectly obvious to the House that that requirement of this primary law was intended to apply to a general ticket in a general election. Now, it so turned out that the general-election law made no provision for any such general ticket; but, on the contrary, when the congressional election was held the only ticket which confronted the voter as to Congress were two separate ballots, one headed "Republican ticket," upon which was printed the name of James J. Britt and opposite his name a square, and which ballot carried the statement printed by the State board of elections to this effect, "To vote this ticket make a cross mark in the square." Now, likewise, there was a Democratic ticket, headed "Democratic ticket," and "For Representative for Congress in the tenth North Carolina district, Zebulon Weaver," and opposite his name a square, and incorporated in the body of the ticket, "To vote this ticket make a cross mark in the square." There were two separate ballots, the Republican ballot printed upon one slip of paper, the Democratic ballot printed on another slip of paper.

Now, these ballots were presented to the voters when they presented themselves at the polls, with only one name upon each, and the voter took the ballot and handed it to the judge of the election who kept the box, to be deposited in the box, or he put the ballot in the box himself, which he had the right to do under the State law. It was a separate ballot box. There were five ballot boxes in use at that particular election in November, 1916. There was a box for the presidential electors, a box for the State officers, a box for the county officers, a box to receive the ballots for township officers, and a box for congressional candidates.

It turned out that upward of 36,000 people voted in that election, and, with this direction printed on the face of the ballot by the State board of election to the effect that a cross mark must be placed in this square, it happened that nearly all of these 36,000 voters followed the directions of the State board of elections and placed the cross mark in the square opposite the candidate's name. But it also transpired that when the returns were fully inspected it was found that there were ninety-odd electors who had not been careful enough to place the cross mark in the square opposite the candidate's name, and when the canvassing boards came to review these returns——

Mr. KEARNS. Were these ballots on separate pieces of paper?

Mr. WATSON of Virginia. I will say to the gentleman, as I tried to make it plain before, that these ballots were on separate pieces of paper headed "Democratic" and "Republican," each with one name thereupon, and placed in a separate ballot box.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. GORDON. Did this regulation of the State board provide that no ballots should be counted except those marked according to the State regulations?

Mr. WATSON of Virginia. The State board of elections had no such authority. It could not have undertaken to pass on the validity of the ballot. Under the North Carolina law the only function to be performed by the State board of elections, in regard to this point, was to prescribe the size of the ballot.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. GRIFFIN. I would like to know if the law prescribed the form of the ballot as well as the size?

Mr. WATSON of Virginia. The State law provided that the ballot should be printed or written, or partly in writing and partly printed, on white paper, and the law devolved upon the State board of elections the duty to prescribe the size of the ballot.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. COLLIER. I did not catch what the gentleman said in reference to the 90 electors complained of. Did they leave off the cross mark in voting?

Mr. WATSON of Virginia. Out of these thirty-six thousand and over ballots cast in that election there were some ninety-odd on which the cross mark was not placed in the square opposite the name of the candidate.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. AYRES. Do I understand the gentleman to say that there is a separate ballot box for each candidate for Congress; that is, a box in which is deposited the Democratic ballots and one in which is deposited Republican ballots?

Mr. WATSON of Virginia. No.

Mr. AYRES. All these ballots were deposited in one box?

Mr. WATSON of Virginia. Yes; in the congressional box.

Mr. ROSE. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. ROSE. The gentleman spoke of the printed directions. Were the instructions to the voters prescribing that the ballots should be marked in the square prescribed by the laws of North Carolina?

Mr. WATSON of Virginia. No.

Mr. GORDON. Then the board of elections had no right to prescribe such a regulation.

Mr. ALMON. Where was that instruction placed?

Mr. WATSON of Virginia. It was printed on the face of the ballot.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. KEARNS. I think it possible that the gentleman has already stated it, but it is not clear in my mind. Were the Democratic and Republican ballots all put in the same box? And if they were on the same ballot, how would the voter be given a ballot? Would a Republican be given a Republican ballot, and a Democrat be given a Democratic ballot?

Mr. WATSON of Virginia. Under the election laws of the State the State board of elections sends out the tickets, and they go to the county boards, and they distribute them to the election officers in the different precincts. The Republican ballots are distributed among the Republican election officers, and the Democratic ballots among the Democratic election officers, and when the voter comes up he gets his ballot from the Repub-

lican judge if he is a Republican, and a Democratic voter gets his ballot from a Democratic judge.

Mr. DOWELL. Mr. Speaker, I suggest that the gentleman be permitted to present his argument in his own way without interruptions.

The SPEAKER pro tempore. That is up to the gentleman.

Mr. KEARNS. Mr. Speaker, will the gentleman permit a question?

Mr. WATSON of Virginia. Yes; but let the gentleman make it short.

Mr. KEARNS. In this particular State a man must vote, then, for all Republicans or for all Democrats? Is that true?

Mr. WATSON of Virginia. No.

Mr. KEARNS. That is a question I want to know about. They are on separate ballots and all the ballots are handed to a man?

Mr. WATSON of Virginia. The Republican judge will have the Republican ballots, and if I am a Republican I walk up to him and ask for a Republican ticket.

Mr. KEARNS. Does the voter himself ask for a Britt ticket or a Weaver ticket?

Mr. WATSON of Virginia. No. He goes to the Republican judge and asks for a Republican ticket, or he goes to the Democratic judge and asks for a Democratic ticket.

Mr. KEARNS. Suppose he wants to vote a mixed ticket?

Mr. WATSON of Virginia. He can do that. He can go to a Democratic judge and get Democratic tickets if he wants to vote for other candidates who are not Republicans.

Mr. JUUL. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. JUUL. I think the gentleman should set us right at the outset as to the method of procedure. Then we will understand the gentleman better. Is an identifying mark put upon the printed ballot by the judge to distinguish that ballot from the unvoted ballot? What I mean is, does the judge put a mark upon the ballot, identifying it as a ballot which has been voted, or in other words, used, or is an unvoted ballot left in the possession of the judge, identical with the ballot that goes into the box?

Mr. WATSON of Virginia. There is no identifying mark placed on the ballot. The fact that it is deposited in the box is the only proof that the law requires of its identity.

Mr. JUUL. It does not require identification as a ballot that has been voted?

Mr. WATSON of Virginia. No.

Mr. TILSON. Mr. Speaker, will the gentleman yield for one brief question?

Mr. WATSON of Virginia. Yes.

Mr. TILSON. Is the law as printed on page 3 of the minority views a correct statement of the law?

Mr. WATSON of Virginia. What statement does the gentleman refer to?

Mr. TILSON. On page 3 of the minority report it says "the law was as follows," and then follows a statement purporting to be the law. Is that correct?

Mr. WATSON of Virginia. I have not read it, but I take it that it is.

Mr. KEARNS. Let us have it read, so that we will know what the law is.

Mr. WATSON of Virginia. I am going to read it in time.

Gentlemen, I was undertaking to say that there were ninety-odd of these ballots cast at that election that were found in the congressional ballot box on which no cross mark appeared in the square opposite the candidate's name.

The question that your committee had to determine, and the question which this House has to determine, is whether or not those particular ballots were valid and should be counted in this contest. The House must be familiar with the general rule of law that a provision in a statute of this character may be mandatory or it may be merely directory. Courts and text writers have undertaken to find some rule applicable to questions of this sort, and I think we can draw from the decisions of courts and from text writers and from the precedents of this House a principle which ought to be satisfactory and conclusive of the questions involved in this case.

The statute to which reference has been made by the gentleman from Connecticut, and the substance of which I have undertaken already to state to you, reads as follows:

That opposite the name of each candidate on the general ticket to be voted at the general election shall be a small square, and the vote for any candidate shall be indicated by marking a cross mark, thus (×), in the square, and no voter shall vote for more than one candidate for any office. But there shall also be a large circle opposite the names of each party's candidate on each ticket, and printed instructions on said ticket that a vote in such large circle shall be a vote for each and all of the candidates of the various officers of the particular party, the names of whose candidates are opposite said circle, and if a voter in a general election indicates by a cross in such large circle his purpose to vote the straight and entire ticket of any party, his vote shall be counted for all the candidates of such party for the offices for which they are candidates, respectively, as indicated on such ticket.

Now, the question is whether that provision of the North Carolina statute is a mandatory provision or whether it be merely directory.

Judge Cooley lays down this rule for the purpose of determining such a question:

Those directions which are not of the essence of the thing to be done, but which are given with a view merely to the proper, orderly, and prompt conduct of the business, and by a failure to obey which the rights of those interested will not be prejudiced, are not commonly to be regarded as mandatory; and if the act is performed, but not in the time or in the precise mode indicated, it may still be sufficient, if that which is done accomplishes the substantial purpose of the statute. (Constitutional limitations, p. 113, and the following cases from State courts: Odiorne *v.* Rand, 59 N. H., 504; Pond *v.* Negus, 3 Mass., 230; Holland *v.* Osgood, 8 Vt., 276; Colt *v.* Eves, 12 Conn., 243; People *v.* Hartwell, 12 Mich., 508; Edmonds *v.* James, 13 Tex., 52; People *v.* Tompkins, 64 N. Y., 53; State *v.* Baltimore Commissioners, 29 Md., 516; Fry *v.* Booth, 19 Ohio, 25; Slayton *v.* Halings, 7 Ind., 144.)

And relative to the construction of election laws in particular, the same author says:

Every ballot should be complete in itself and ought not to require extrinsic evidence to enable the election officers to determine the voter's intention. Perfect certainty, however, is not required in these cases. It is sufficient if an examination leaves no reasonable doubt upon the intention, and technical accuracy is not required in any case. The cardinal rule is to give effect to the intention of the voter, wherever it is not left in uncertainty, etc. * * * A great constitutional privilege—the highest under the Government—is not to be taken away on a mere technicality, but the most liberal intendment should be made in support of the elector's action wherever the application of the common-sense rules which are applied in other cases will enable us to understand and render it effective. (Idem, pp. 914 and 920.)

The rule laid down by Judge Cooley is supported by decisions in nearly every State of the Union.

The report of the committee cites a dozen or more of these decisions. Mr. McCrary, who was once a distinguished Member of this House from the State of Iowa, in endeavoring to elucidate a rule applicable to the same subject matter, uses the following language:

The language of the statute construed must be consulted and followed. If the statute expressly declares any part of an act to be essential to the validity of the election, or that its omission shall render an election void, all courts whose duty it is to enforce such statutes must so hold, whether the particular act in question goes to the merits or affects the result of the election or not. Such a statute is imperative, and all considerations touching its policy or impolicy must be addressed to the legislature. But if, as in most cases, the statute simply provides that certain acts or things shall be done, within a particular time or in a particular manner, and does not declare that their performance is essential to the validity of the election, then they will be regarded as mandatory if they do, and directory if they do not, affect the actual merits of the election. * * * The principle is that irregularities which do not tend to affect the results are not to defeat the will of the majority; the will of the majority is to be respected even when irregularly expressed. (McCrary on Elections, pp. 93 and 94; and see to the same effect Tucker *v.* Com., 20 Penn. St. R. 493.)

I do not suppose this House ever had a chairman of the Election Committee more careful in his work than Mr. McCall, of Massachusetts, who was chairman in the Fifty-fourth Congress. In a very well-known report in the case of Yost against Tucker, which came from my own State, cited in II Hinds' Precedents, section 1077, Mr. McCall, on the part of his committee, made a report, which was adopted by the House, and in which he used the following language in discussing the subject we have under review:

Where the intention of the voter is clear, the ballot will not be rejected for faulty marking by the voter unless a law undoubtedly mandatory so prescribes.

"Where the intention of the voter was not in doubt the House followed the rule of the Kentucky court and declined to reject a ballot because not marked strictly within the square required by the State ballot law." (Moss *v.* Rhea, II Hinds' Precedents, section 1121.)

In many election cases which have come to this House it has counted ballots erroneously rejected because of a mistake of law on the part of election officers, and as cases in point I would cite the attention of the House to the case of Sessinghaus against Frost, Forty-seventh Congress, Hinds' Precedents, Volume II, section 975.

But it so happens in regard to this particular question we do not have to rely upon the precedents of the House. We do not have to rely upon the pronouncements of text writers. We do not have to rely upon the opinions of courts in other jurisdictions. The Supreme Court of the State of North Carolina, construing this very language in this statute in a proceeding instituted by the contestant, made the following deliverance:

If the matter was properly before us and we had jurisdiction to decide it, we would hold as to the congressional ticket which has only one name on it that all unmarked ballots ought to be counted for the respective candidates, because the purpose of the election is to ascertain the will of the voter, and the marking of the ballot can only

serve a useful purpose in ascertaining this will when there are more names than one upon the ballot. (See Britt v. Board of Canvassers, 172 N. C., p. 797.)

Mr. MILLER of Minnesota. Will it inconvenience the gentleman to respond to a question at this point?

Mr. WATSON of Virginia. I hope it will not.

Mr. MILLER of Minnesota. I have understood that a large number of ballots in this county were destroyed immediately after the election, and were not obtainable for any purpose within a few days after the election. Can the gentleman advise the House how many such ballots there were destroyed, in how many districts, and what evidence there was as to unmarked ballots in those districts where the ballots were completely destroyed, and can he advise us why they were destroyed?

Mr. WATSON of Virginia. When I come to deal with the facts in this case I will endeavor to answer the gentleman's question. I am now trying to discuss the legal proposition, and when I have concluded that phase of the case I will address myself to the facts concerning which his question is put.

Mr. KEARNS. Will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. KEARNS. I did not follow the gentleman in reading the supreme court decision of the State, but do I understand the supreme court based its opinion on this fact, that since there was only one man's name on the printed ballot the ballots must have been handed by the voters to the election officer, and consequently the 90 that had not been marked must have been handed to the officer and must have been deposited in the ballot box?

Mr. WATSON of Virginia. The supreme court assumed that the ballot in question was cast by a qualified voter and was properly in the box. The judgment of the supreme court is based on that assumption.

Mr. KEARNS. And it must have been a Democrat, because he had the ballot in hand.

Mr. WATSON of Virginia. There is no question about a Democrat or a Republican. Some of these unmarked ballots were Republican and some Democratic.

Mr. KEARNS. He was the man he wanted to vote for if he counted him, or he would not have had the ballot in hand.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. MILLER of Minnesota. Is it not possible that the legal construction would open the door entirely to fraud for this reason? If it does, it is abhorrent to law, no matter whether the intent of the voter is expressed or not. The man goes to the judge and says, "I am a Republican and I want a Republican ticket." The judge gives him the ticket, he puts a cross mark on, which identifies him with the vote, and it is put in the Republican box. When the Democrat presents himself he goes through the same ceremony with the Democratic judge. Now, if we do not restrict the counting of the votes to those that are marked with a check, what is to prevent a disreputable judge, or a disreputable Republican, or a dishonest judge from slipping unmarked ballots ad libitum into the box?

Mr. WATSON of Virginia. I would like to respond to the gentleman from Minnesota, but he is continually dealing with facts and I am trying to confine myself to the legal principles.

Mr. MILLER of Minnesota. It certainly has a legal bearing if the contention of the gentleman opens the door to fraud.

Mr. WATSON of Virginia. If Judge Cooley thought it was illegal——

Mr. MILLER of Minnesota. He never passed upon any such situation.

Mr. WATSON of Virginia. I have endeavored to show what Judge Cooley thought was the proper legal rule and what Mr. McCrary thought was a safe rule of construction.

Mr. MILLER of Minnesota. I do not think that is a proper inference at all from the decisions quoted.

Mr. WATSON of Virginia. The House by its precedents established the rule that when the intention of the voter was plain on the face of the ballot, the ballot should not be invalidated by reason of failure to properly mark it.

Mr. MILLER of Minnesota. The gentleman's contention is absolutely correct in that particular, but it is not what I am trying to call attention to. If the method the gentleman states opens the door to fraud, will not that fact prevent its being a legal method? I understand that neither Judge Cooley nor the judge down there passed on that.

Mr. WATSON of Virginia. Mr. Chairman, I will turn aside from my argument and endeavor to close the door to fraud which seems to be open in the mind of the gentleman from Minnesota. There is no official ballot of North Carolina, as I have stated. Thousands are printed by the State board of elections and sent through the country, frequently through unofficial sources. Two or three times as many ballots are sent to the polls as are required by the voters in the election. In the ordinary course of things the voter would present himself to the judge and get a ticket, but the record disclosed the fact that frequently the officers of election having the tickets in custody would give out bunches of them to party workers. Republican Party workers had tickets in their possession at the polls, and Democratic Party workers had tickets in their possession at the polls, and the only thing in the world that saved the ballots from the perpetration of the fraud which the gentleman has in mind was that when the voter came to the polls with the ticket in hand and offered to vote the election officers looked to see if he had more than a single ticket and ascertain if he was a qualified voter.

Mr. ROBINSON. Will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. ROBINSON. There was the further protection that the clerk of election took down the names on the poll book and you could not have more ballots than you had names on the poll books.

Mr. WATSON of Virginia. I was coming to that; that was contemporaneous with the act of the voter.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. GRAHAM of Illinois. That was the question I was going to ask. In this election did the number of names tally with the number of ballots counted in these precincts?

Mr. WATSON of Virginia. I can not answer that question.

Mr. GRAHAM of Illinois. Was any point made on it?

Mr. WATSON of Virginia. No question of that kind has arisen that I am aware of.

Now, returning to the legal proposition involved, I want to call the attention of the House to the fact that there is nothing in the statutes of North Carolina which prescribes that a failure on the part of the elector to put that cross mark in the square shall invalidate the ballot. I do not see the gentleman from Connecticut in his seat, but I want to tell him that. That section of the primary election law contains every word with reference to the marking of the ballots. It was a primary law that the legislature was trying to enact. I have no idea upon the face of the earth that the legislature ever thought about the general election in enacting that statute. In fact, if gentlemen will take the time to read the primary law they will see from the whole text that it never was intended to apply to a general election. The section was evidently taken from a statute of some State in which there was a general ticket; it refers to a general ticket—that is, a ticket upon which the names of candidates generally were printed. But when this election came to be held it was found that no general ticket was to be used.

When this election came on in November, 1916, there was not a ballot to which that section of the primary law could by any possibility of reason have applied. Here was a slip of paper headed "Republican congressional ticket," on which the name of the contestant appeared. The testimony showed the ticket to have been 3 inches long and perhaps 2 inches wide. Another ticket of similar dimensions, upon which the name of the contestee appeared, was headed "Democratic congressional ticket." The voter got his ticket, folded it up, and went to the judge of election and handed it to him to put in the box or he stepped up to the box and put it in himself.

Mr. ROSE. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. ROSE. I am wondering, if this section of the law just quoted refers only to primary elections, whether the gentleman does not think the insertion of it in this report can only tend to confuse the House rather than to clear things up?

Mr. WATSON of Virginia. The State of North Carolina has nothing in its constitution which prevents the amendment of a general election law in this way. In the State of Virginia the constitution prescribes that no bill shall have more than one object, and that that object shall be expressed in the title. In that State, therefore, no such act as this could have been effective for any purpose.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. AYRES. The gentleman says the Supreme Court of North Carolina has passed on this proposition construing this particular law to which he has just referred.

Mr. WATSON of Virginia. I have read the language of the Supreme Court of North Carolina, and if the gentleman followed me closely he must have seen that the court said that if it had jurisdiction to try this question and if it were properly before it, it would hold that all of these unmarked ballots should have been counted for the respective candidates for whom they

were cast. In other words, that the provision of the statute was not mandatory.

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. MILLER of Minnesota. The court said that it did not have jurisdiction, that the case was not before it, but that if it had jurisdiction and if the case were before it, then it would hold so and so. Of just how much value is that kind of a decision of any court on earth?

Mr. WATSON of Virginia. I shall permit the gentleman to ask a question, but would prefer to hear his argument later.

Mr. KELLEY of Michigan. I notice that the result of this election was changed by a supplemental canvass in one county.

Mr. WATSON of Virginia. I am coming to that.

Mr. REED. It was admitted that the State authorities did recognize this condition in the primary election law as applying to the general election law.

Mr. WATSON of Virginia. This provision of the statute the State board of elections in North Carolina construed I think improperly, your committee thought improperly, and so thought the supreme court of the State.

The construction of the State board of elections, however, appears to have been accepted by the managers of both political parties in the district and was evidently accepted by the great bulk of the voters. But I will say to the gentleman from West Virginia that we are not concerned about the legal opinion of the State board of elections in North Carolina. We are not concerned to know how the contestant construed the statute nor specially concerned how the contestee construed it. What it does concern us to know, however, is whether these ninety-odd voters in North Carolina who possess the legal qualifications of electors should have themselves disfranchised by an improper construction of the law of their State. That is the question submitted to us. There is nothing in the statute itself which makes a ballot voted in this way invalid. Under the rule laid down by Judge Cooley, under the rule laid down by Mr. McCrary, under the precedents of this House, where the statute itself did not make the language mandatory, neither courts nor Congress would be justified in holding it so unless it concerned the essence of the election itself. It must be obvious to the House that the sole purpose of placing this cross mark in the square was to indicate the intention of the voter.

That was the sole purpose. There could have been no other. And where the ticket handed to the judge of election contained but one name I ask, in the name of common sense, how any doubt could arise as to the voter's intent? And if no doubt arose as to the voter's intent how can it be said that the placing of this cross mark in the square on the ballot concerned in any manner the essence or the merits of the election?

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. HARDY. Would it not have been the same thing if they had demanded that the ballot be folded in three folds in order to vote?

Mr. WATSON of Virginia. If the law had said that the ballot should be folded in three folds, it would have had just as much to do with the merits of this case as it did to say that the cross mark should be put opposite a man's name when there was but one name on the paper.

Mr. MILLER of Minnesota. What connection could there be between the way a ballot or a blank piece of paper is folded and the expression of intent on the part of the voter? The folding of the ballot does not express intent.

Mr. WATSON of Virginia. Exactly the same connection that there is between putting a cross mark opposite the name of the gentleman from Minnesota if it were printed in plain black type on that paper and no other name than his appeared upon it.

Mr. MILLER of Minnesota. I do not quite agree with the gentleman, but I would like to ask a question. As I understand, the North Carolina statute contains no provisions relative to how a ballot must be marked, how it must be deposited, or how it shall be counted. Am I correct in that?

My understanding, from the gentleman's statement of the North Carolina law, is this: It does not specify how ballots shall be marked, not even how they shall be printed.

Mr. WATSON of Virginia. Printed on white paper.

Mr. MILLER of Minnesota. Except printed on white paper and of a certain kind, not how it shall be deposited nor how it shall be counted?

Mr. WATSON of Virginia. It says deposited by the voter himself or the judge of election.

Mr. MILLER of Minnesota. Yes; with that correction. Now, manifestly they must leave to somebody, some regulation, to say how the ballot shall be marked and how counted?

Mr. WATSON of Virginia. How it shall be counted?

Mr. MILLER of Minnesota. Well, canvassed.

Mr. WATSON of Virginia. The North Carolina election law is full and complete as to canvassing the vote. I am now trying to ascertain whether or not this vote had the right to go in the ballot box in this shape; and having settled that, I will try to help him count it thereafter.

Mr. MILLER of Minnesota. I am not trying to count now. I am trying to find out in reference to how the voter can place his intent upon the ballot.

Mr. WATSON of Virginia. Simply by getting the ballot and putting it in the box.

Mr. MILLER of Minnesota. Your election officer of the State of North Carolina construed the law to be that the man had to mark it or else he would not have put it in.

Mr. WATSON of Virginia. The State board of elections.

Mr. MILLER of Minnesota. All but 90 out of 37,000 did. I assume that that is true throughout North Carolina. For how long had it been the practice or how long had the State election board required that this marking should be had?

Mr. WATSON of Virginia. This is the first congressional election held after the new primary law; and I will say to the gentleman, while it has nothing to do with the merits of this case, that after this experience the succeeding general assembly repealed section 32 of the statute, and it is no longer a part of the law of that State.

Mr. WEAVER. Will the gentleman yield a moment?

Mr. WATSON of Virginia. I will.

Mr. WEAVER. I wish to call the attention of the gentleman from Virginia to this fact, that the State board of elections, when it met officially at Raleigh to decide upon the tickets, as an official body determined that the congressional ticket would have to be marked, and that was never changed officially.

Mr. MILLER of Minnesota. They had required it?

Mr. WEAVER. They left one Republican member and one Democratic member to get out the tickets.

Mr. MILLER of Minnesota. A marvelous situation, it seems to me, where the voter can express his intent by voting for State and county officers one way, but when he is voting for a congressional office he can express his intent in an entirely different way. Of course, that statement condemns it; it can not be the law.

Mr. WEAVER. I merely wanted to call attention to the fact that this board decided officially—decided in that way about it.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. WATSON of Virginia. I will.

Mr. SAUNDERS of Virginia. Under the Australian ballot system, with which we are all familiar, the names of the different candidates are all, as a rule, printed on one ballot?

Mr. WATSON of Virginia. It is a general ticket, they call it.

Mr. SAUNDERS of Virginia. There is also afforded under this system some distinguishing method by which the voter can indicate his choice in these names. In some States the voter marks out all the names except the one of his choice. In other States a cross mark is put by the one for whom it is desired to vote. In all the statutes under this system there is some method prescribed by which the voter indicates the particular candidate for whom he wishes to vote. This marking has nothing to do with preventing fraud. It is merely for the purpose of indicating the candidate of the voter's choice. Now, as I understand what the gentleman stated in this connection, so far as these particular ballots were concerned, there was but one name on the ballot.

Mr. WATSON of Virginia. That is right.

Mr. SAUNDERS of Virginia. Having that in mind I wish to ask a question that is suggested by the remarks which preceded what I am saying in this connection. How would a cross mark opposite the name of a certain candidate, whether Mr. Britt in one case, or Mr. Weaver in the other case, in any wise prevent fraud, or in any wise identify the ballot as an official ballot?

Mr. WATSON of Virginia. I know of no way by which frauds could have been prevented or eliminated in any way by marking the ballot.

Mr. SAUNDERS of Virginia. I am in a measure asking a question that has been partly answered, but how would a voter more strongly indicate his purpose to vote for a particular candidate than by depositing in the box a ballot carrying the single name of that candidate?

Mr. WATSON of Virginia. I will say to the gentleman from Virginia that the judge of elections, under the North Carolina law, would have had no right to inspect a ballot of the voter when he came up to vote, except for the purpose of seeing whether he voted more than one ballot.

Mr. SAUNDERS of Virginia. That is the same as the Virginia law.

Mr. WATSON of Virginia. That being true, the disreputable character figuring in the imagination of my friend from Minnesota could not have been stopped at the edge of the ballot box by any mere cross mark on his ballot——

Mr. SAUNDERS of Virginia. One more question. As I understand the statement of the gentleman, but for this section that appears in the primary law, there would be no question whatever about this case.

Mr. WATSON of Virginia. None whatever.

Mr. SAUNDERS of Virginia. Hence it is a question of interpreting, so far as this body is concerned, that section.

The board of canvassers, not a judicial body certainly, nor standing on the same plane as five judges of the Supreme Court of North Carolina, undertook to interpret that section and misinterpreted it, according to the chairman of the committee. But five judges of the Supreme Court of North Carolina, not sitting as a court——

Mr. WATSON of Virginia. They were sitting as a court.

Mr. SAUNDERS of Virginia. So far as this question is concerned they were not passing upon it as a court, but passing judgment on same as five individual lawyers, composing the Supreme Court of North Carolina. In the latter capacity they opposed their judgment to the judgment of the canvassers. Is that correct?

Mr. WATSON of Virginia. That is a fair statement.

Mr. SAUNDERS of Virginia. Then certainly the judgment of these five judges construing this section is more persuasive than the judgment of the canvassers.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. WATSON of Virginia. I will.

Mr. WOOD of Indiana. In the law of North Carolina is there a statute providing that the ballots will be invalidated if they have distinguishing marks on them?

Mr. WATSON of Virginia. No, sir; there is not.

Mr. WOOD of Indiana. The fact, then, of either marking or not marking the ballot has nothing to do with the distinguishing feature?

Mr. WATSON of Virginia. The sole purpose was to indicate the intention of the voter; who he desired to vote for.

Mr. HARDY. Right in that connection, was it not really to draw the distinction as to which candidate when there was more than one on the ticket——

Mr. WATSON of Virginia. It goes back to the same question of what was the intention of the voter when he cast his ballot.

Mr. WOOD of Indiana. The purpose of the Australian ballot statute was to preserve the secrecy and purity of the ballot, and one of the essentials was that there should not be anything to distinguish one man's ballot from another man's ballot.

Mr. WATSON of Virginia. There is no such provision in North Carolina.

Mr. KELLEY of Michigan. Referring to the question of the gentleman from Indiana [Mr. WOOD], would it not have some bearing upon the reason for marking the ballot, as a matter of right and equity? If a ballot has any distinguishing marks upon it, under, for instance, the law of most States that would be an illegal ballot. Now, one of the best ways I could imagine for putting a distinguishing mark on the ballot would be not to mark it at all.

Mr. WATSON of Virginia. If they were all marked.

Mr. KELLEY of Michigan. Yes. If it was required to be marked or if the general practice was to have them marked, a corrupt boss, for instance, in a locality could say, "I will deliver you 90 votes." "How am I to know that I get the votes?" "I will say to my voters not to mark the ballot."

Mr. WATSON of Virginia. There is no such requirement in North Carolina.

Mr. KELLEY of Michigan. Would not that be one way to practically insure the delivery of fraudulent votes?

Mr. WATSON of Virginia. As far as I am aware, the statute had no relation to the subject of fraudulent voting whatever.

I stopped awhile ago with the proposition that there is nothing in the statute of North Carolina expressly invalidating a ballot of this sort; that there could have been no practical purpose in the requirement of the statute except to indicate the intention of the voter. I submit, therefore, that under the legal principles I have endeavored to present we are bound to hold that this provision of the statute is directory merely and never was intended to be mandatory; and that it would be a hardship and an injustice if we were to require that these 90 electors in the tenth North Carolina district should be disfranchised because of their failure to follow merely formal requirement of State law.

Mr. FIELDS. Will the gentleman yield?

Mr. WATSON of Virginia. Yes, sir.

Mr. FIELDS. In regard to the intention of the voter, the fact that the voter called for a ballot, which ballot contained the name of one candidate only, was regarded by the committee, as I understand it, as evidence of the voter's intention to vote for that candidate?

Mr. WATSON of Virginia. That was the view of the committee. Now, the gentleman from Minnesota [Mr. MILLER] has suggested, discussing the facts in this case, that he had understood that after these ballots were voted and after they were canvassed they were destroyed. I wish to say to him that there has never been any provision of the North Carolina election law requiring the preservation of the ballots after they are canvassed. Not only were these ballots destroyed, but every one of the 36,000 others cast in this contest were destroyed, as far as this evidence shows. If I were to go down to that district and try to recount the ballots that were cast in that election I would not know where to find more than 9 of them out of 36,000, and that would be in the precinct of Tryon, in the county of Polk, where they did tie up 9 of these unmarked ballots and put them in a box and saved them.

Mr. MILLER of Minnesota. If I may be allowed to make an inquiry, and differentiate, if my information is correct, is it not a fact that the ballots in this county, in these voting districts, were destroyed before they were destroyed anywhere else in the State? Is it not a fact that they were destroyed before the canvassing board had completed its work?

Mr. WATSON of Virginia. There is not a scintilla of evidence to support that in this record that I know of.

Mr. MILLER of Minnesota. Another question. The election occurred on the 7th of November. When did the canvassing board make its final return in this district?

Mr. WATSON of Virginia. The gentleman has in mind some particular precinct or county. I am discussing the whole congressional district. Nobody has picked out any districts here except the gentleman himself.

Mr. MILLER of Minnesota. The gentleman knows that there were unmarked ballots elsewhere in the district not counted at all. Everybody else knows.

Mr. WATSON of Virginia. I will say to the House that the committee in this report has endeavored to deal with every single unmarked ballot that they could find satisfactory evidence of the existence of in the whole district.

Mr. MILLER of Minnesota. That may be true, but whether the unmarked ballots besides these were ever destroyed or not, or ever found, did not the canvassing board hold back the returns from this county until the 17th of November?

Mr. WATSON of Virginia. The gentleman evidently has some county in his mind—the county of Buncombe?

Mr. MILLER of Minnesota. Yes; Buncombe County.

Mr. WATSON of Virginia. And the gentleman forgets that there were 13 counties in the district, and the ballots involved in the Buncombe controversy were a comparatively small fraction of the whole.

Mr. MILLER of Minnesota. In Buncombe County did they not hold back until the 17th of November, and at that time were not all the ballots destroyed in that county?

Mr. WATSON of Virginia. I will say to the gentleman that the canvassing boards met on the second day after election, November 9, 1916. In every county seat in that district but one, so far as I am advised, the canvassing boards completed their duties on the 9th of November, the second day after election; and in the county of Buncombe, to which the gentleman has referred, the board assembled on the 9th of November, and on account of a controversy which arose as to these very unmarked ballots, that board did not complete its duties until the 16th or 17th of November. That is the fact, so far as the record of the case discloses.

Mr. MILLER of Minnesota. And at the time they made the final report were not the ballots under their jurisdiction destroyed?

Mr. WATSON of Virginia. I think the record shows not a single suggestion that any ballot anywhere, marked or unmarked, in that county was preserved one single moment after the election officer canvassed them on the night of the election.

Mr. MILLER of Minnesota. I think that is undoubtedly correct. That corresponds exactly with my information, that by the 9th of November every ballot was destroyed.

Mr. WATSON of Virginia. Yes; all over the State.

Mr. MILLER of Minnesota. It may be, but I did not hear so. And I will say to the gentleman that my information came from a northern business man who happened to be at Asheville, who had nothing to do at the time—and he is a Democrat, by the way—and he heard of the excitement, and out of curiosity he presented himself there and stayed there day after day and

watched them, and when he came back he said, "If this is the way elections are conducted in the South, then God help the South."

Mr. BURNETT. Mr. Speaker, may I ask the gentleman, does any of that appear in the record?

Mr. WATSON of Virginia. Not one syllable.

Mr. BURNETT. Why is the gentleman talking about things that are not in the case?

Mr. MILLER of Minnesota. Mr. Speaker——

Mr. WATSON of Virginia. I do not yield. I do not mean to be discourteous to the gentleman from Minnesota.

Mr. MILLER of Minnesota. No; but the gentleman from Alabama has been. The gentleman from Minnesota never stated it was in the record. He said just exactly where it came from.

Mr. BURNETT. Mr. Speaker, may I inquire whether we are trying this case on rumors outside of the record or whether we are trying it on the record?

The SPEAKER. The gentleman from Virginia has the floor, and if gentlemen want time they will ask the Chair to be recognized.

Mr. WATSON of Virginia. So far as I know this case, there is not a single fact connected with it that ought to be kept from the House. No ballot was kept in North Carolina after it had once been canvassed, so far as I know and believe. That is not peculiar to North Carolina, however. Some of the States require that the ballots shall be burned on the night of election. It was within only comparatively recent years in my own State that the ballots were preserved after they were once canvassed.

I have not seen and I have not heard it suggested by anybody connected with this case that there was any improper destruction of a single ballot on the night of election or at any subsequent time; and, I will say to the gentleman from Minnesota, further than that, that I do not understand that there is any charge of fraud connected with the conduct of an election officer on the day of election. There is nothing in the contestant's brief which charges any specific wrongdoing against the election officers in the actual conduct of the election, and there is not, so far as I know or believe, a single line or a single syllable in this testimony which shows that a human being connected with this election ever did destroy improperly or try to improperly destroy a ballot voted in this election.

Mr. REED. Mr. Speaker, will the gentleman yield to me for a question for information?

Mr. WATSON of Virginia. Yes.

Mr. REED. The ballots having all been destroyed, the evidence of unmarked and marked ballots comes to this contest in what way? From evidence presented by the commissioners of election?

Mr. WATSON of Virginia. I am coming to that in a moment. There was no preservation of the ballots here—not only of the ninety-odd ballots which were unmarked and which are here in question, but no preservation of the other 36,000 upon which the title to a seat in this House rests—so that in the nature of the case, gentlemen, we could not have a recount. There is no such thing as a recount under the North Carolina law.

When we came to ascertain the facts as to these unmarked ballots we had to take the testimony of the election officers themselves and of bystanders who were conversant with the facts, and it is upon that testimony that your committee has found that ninety-odd of these unmarked ballots were cast in that election. The very nature of the case admitted of no testimony but that of the election officers and bystanders who saw those ballots when they were counted. And upon that testimony—concerning which I will say to the gentleman from West Virginia if he will read this record he will find that there is but little conflict—your committee decided that there were certainly 90 of these ballots, unmarked, cast in the election, and that a proper canvass of the same added to the other votes cast showed a majority in favor of the contestee.

The gentleman from Minnesota has adverted to the fact that the officers in Buncombe County took several days to complete their canvass; that they received supplemental and amended returns before they completed their canvass. I would not be candid with the House if I did not say, as a lawyer, that while I entertain no doubt the election officers should have returned these unmarked ballots as they returned all the other ballots cast in the election, and while I hold it was in the power of the county board of canvassers to correct and amend any defective returns of such officers, yet I do not approve of the manner in which some of the returns were sought to be corrected in this case.

I do not think the election officers at the precincts in controversy, when they attempted to make out amended returns, had any power to act separately and individually. In my view of the law, when it turned out that in their returns they had not included these unmarked ballots, the county board of canvassers should have ordered them to be reassembled; or, if they did not order them to be reassembled, having themselves judicial power and power to send for persons and papers, they ought to have summoned the election officers before themselves and required them to complete their returns in accordance with the law. But the House should remember that these people were not lawyers but laymen.

Mr. MILLER of Minnesota. May I ask just one more question?

Mr. WATSON of Virginia. Wait a moment, and then I will yield to the gentleman. But in addition to that I want to say that while I disapprove of the manner in which these returns were amended, when these election officers were put upon the stand subsequently—most of them put there by the contestant in this case—in every instance except one their testimony established the fact that the returns were amended in accordance with the facts in the case. So that while they had done the thing in an improper manner in every case but one, they had stated the facts with absolute fidelity; and in that case the amended return was sustained by a decided preponderance of the evidence.

Mr. MILLER of Minnesota. I think the gentleman has reached the essential and critical feature of the case. I really have not differed with the gentleman in his construction of the law up to this point. These election officers, after the time when their returns should have been submitted and sent in, not acting as a board, but each by himself, made a supplemental return. Several of them did that. Does the gentleman think, as a lawyer, that they had a legal right to do that act; and, if they did not have a legal right, should that supplemental return have been considered; and, if it should not have been considered, should not their first report, which they made legally and according to law, stand as the record in the case?

Mr. WATSON of Virginia. Now, gentlemen, this question about the supplemental and amended return is purely academic, so far as this House is concerned. It does not make any difference whether the Buncombe board made a mistake or not in seeking to amend these returns. If they did make a mistake, the House is here to correct that mistake; and the question before this body now is not whether they made such mistake, for that is immaterial, but whether these voters in Buncombe County cast these ballots, and, if they did cast them, whether or not they shall be counted.

Mr. HARDY. If the facts were shown to your committee, they would have included those facts even though there were no supplemental returns?

Mr. WATSON of Virginia. Had the supplemental returns never been made it would have been not only the right but the duty of the committee to pass upon those unmarked ballots.

Mr. SAUNDERS of Virginia. In other words, that would only affect the original certificate, and does not at all affect the merits of the case now before this House.

Mr. WATSON of Virginia. The question involved before the Buncombe County board of canvassers concerned solely the right to the certificate in this case, and no action of the board could have precluded the right of this House to pass upon the merits of those unmarked ballots.

Mr. BURNETT. The question before your committee and before this House is, who got the votes, is it not?

Mr. WATSON of Virginia. That is true.

Mr. BURNETT. And that was the matter that was proven, was it not?

Mr. WATSON of Virginia. That is true. Now, I want to give one other fact and then I am through. In the hearings on this case the contestant sought to discredit the character of these unmarked ballots because, as he alleged, it was not known who cast them, and because further it was not known whether they were cast by qualified voters or not.

I want to say that the character of these unmarked ballots is just as good and no better, is just as bad and no better, as the character of every one of the other 36,000 ballots put in the ballot boxes. Nobody could tell to-day who cast any of these ballots, except in a few instances of the unmarked ballots, but we know just as much about the unmarked ballots as we do about those that were marked. We know just as much about who cast them as we do about who cast those that were marked. We know just as much about the qualifications of the electors who cast them as we do about the qualifications of the electors who cast the marked ballots. The only assurance the House has on this

subject is that bipartisan election officers, against whose character nobody has cast suspicion, conducted the election with what seems to us to have been entire good faith. No specific charge of fraud is made against any of them, and none was proven.

Mr. Speaker, I reserve the rest of my time.

Mr. DOWELL. Mr. Speaker, I want to be notified when I have used 30 minutes, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. DOWELL. Mr. Speaker——

Mr. NOLAN. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER pro tempore (Mr. RAKER). The gentleman from California makes the point that no quorum is present, and the Chair will count. [After counting]. Not a quorum present.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, the Sergeant at Arms was directed to notify the absentees.

The Clerk called the roll, and the following-named Members failed to answer to their names:

Anthony	Emerson	Little	Smith, C. B.
Bankhead	Essen	Lunn	Snook
Barnhart	Estopinal	McLaughlin, Pa.	Stafford
Bell	Fairchild, G. W.	Mason	Steele
Birch	Ferris	Miller, Minn.	Stephens, Miss.
Booher	Flynn	Montague	Strong
Britten	Francis	Moon	Sullivan
Browne	Frear	Mott	Swift
Brumbaugh	Freeman	Neely	Tague
Butler	Gandy	Nelson, A. P.	Taylor, Ark.
Carlin	Gard	Nelson, J. M.	Taylor, Colo.
Cary	Garland	Olney	Temple
Chandler, N. Y.	Gould	Osborne	Templeton
Classon	Graham, Pa.	O'Shaunessy	Towner
Collier	Gray, N. J.	Overmyer	Treadway
Cooper, Ohio	Heaton	Park	Vare
Cooper, W. Va.	Heflin	Platt	Vestal
Cooper, Wis.	Heintz	Price	Vinson
Costello	Helm	Reavis	Waldow
Cox	Howard	Riordan	Webb
Crago	Hull, Iowa	Roberts	Winslow
Dempsey	Humphreys	Rodenberg	Wise
Dickinson	Johnson, Ky.	Rowland	Wood, Ind.
Dies	Johnson, S. Dak.	Russell	Gregg
Dooling	Kahn	Sanders, N. Y.	Hamill
Doolittle	Kennedy, Iowa	Scully	Hamilton, N. Y.
Doremus	Kennedy, R. I.	Sells	Hayes
Drukker	Lea, Cal.	Shackleford	
Edmonds	Lehlbach	Shouse	

The SPEAKER pro tempore. On this roll call 315 Members have answered to their names. A quorum is present, and the Doorkeeper will unlock the doors.

Further proceedings were dispensed with under the call.

INDIAN APPROPRIATION BILL.

Mr. GARRETT of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I present a privileged report.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 617.

Resolved, That the bill (H. R. 14746) entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920," be, and hereby is, taken from the Speaker's table with the Senate amendments thereto, to the end that the Senate amendments be, and they hereby are, agreed to, and the conference requested by the Senate on the disagreeing votes on said amendments be, and hereby is, agreed to, and the Speaker shall immediately appoint the conferees.

Mr. WALSH. Mr. Speaker, I reserve a point of order on that. The matter before the House, the contested-election case, is of the highest privilege. The gentleman from Iowa has been recognized by the Chair and is entitled to the floor. I submit that the Committee on Rules of this House can not interrupt a question of the highest privilege with the gentleman from Iowa occupying the floor, entitled to present the minority views on the report of that committee, by a report from the Committee on Rules, even though they have a right to report at any time.

Mr. GARRETT of Tennessee. Mr. Speaker, I shall not quarrel with the gentleman about the point of order. It is true that an election contest involves matters of the very highest privilege. It is also true that the Committee on Rules has the right to report at any time, and it depends largely on the matter of recognition. Does the gentleman say that he had been recognized?

Mr. DOWELL. I had the floor when the point of no quorum was made, and I was in the very act of addressing the House.

Mr. GARRETT of Tennessee. Can we not settle up this thing in a very good-humored way? Will the gentleman yield until we permit this, without getting into any trouble over the parliamentary situation?

Mr. DOWELL. Mr. Speaker, it will take just as long to dispose of this matter now as it will after the other matter has been disposed of.

Mr. GARRETT of Tennessee. Of course, the importance of this is to get the bill to conference.

Mr. MANN. Oh, I think the gentleman from Iowa would be warranted in yielding the floor for that purpose. It will not affect the time allotted to him.

Mr. DOWELL. How long would it take?

Mr. GARRETT of Tennessee. It will not take more than a minute or two.

Mr. DOWELL. I want to dispose of this matter as early as possible.

Mr. GARRETT of Tennessee. There is no disposition to interfere with the gentleman in any way.

Mr. CAMPBELL of Kansas. Mr. Speaker, I have just been going over the Indian appropriation bill. There are a large number of items, and if it goes to conference at all, it should go immediately. There is no objection to this rule. I do not think that it will take more than a minute or two.

Mr. DOWELL. Mr. Speaker, I yield to the gentleman.

Mr. WALSH. Mr. Speaker, I withdraw the point of order.

Mr. GARRETT of Tennessee. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER pro tempore. Without objection, the Speaker pro tempore will appoint the conferees. Is there objection?

There was no objection.

The SPEAKER pro tempore appointed the following conferees: Mr. CARTER of Oklahoma, Mr. HAYDEN, Mr. CHURCH, Mr. CAMPBELL of Kansas, and Mr. SNYDER.

CONTESTED-ELECTION CASE OF BRITT AGAINST WEAVER.

Mr. DOWELL. Mr. Speaker, I listened with some interest to the able argument of my friend from Virginia [Mr. WATSON] presenting the views of the majority of the committee, but that argument was not convincing. I believe there can be no doubt about the general rule with reference to the marking of ballots. Even the dictum in the case from North Carolina, referred to by the gentleman from Virginia, called specific attention to that fact—

that such provisions are usually held to be mandatory.

Yet the court says in this instance that if the question had been presented to them they would have held this provision not mandatory. There are so many cases holding that it is a mandatory provision that the matter is usually disposed of by the courts with a reference that the cases are so numerous it is not necessary to cite them. In a recent case in Colorado this identical question was raised, where only one name appeared on the ballot and a written name was placed on the ballot. The courts there held that it was not in compliance with the statutes, and therefore could not be counted. That is identically the question that is in the North Carolina case, but I am not going to waste the short time I have in speaking to this legal proposition, which I believe to be absolutely sound.

I want to get directly, if I may, to that which you are interested in, viz, the facts of the case. I am ready to say at the outset that this is a clear case where the election officers proceeded to take without any excuse the certficate of election from the contestants in the case, and I think before we have completed we will be able to show you at least some very suspicious circumstances. The evidence is not only suspicious, but conclusive that there never was a fair ballot and a fair count in the tenth district of North Carolina.

First I desire to call attention to two or three of the political manipulators in this district. First, Don Elias was the general manager of the Weaver campaign. He was the chairman of the Democratic congressional committee in that district. Next I call your attention to the name of J. W. Haynes, who was the county attorney of Buncombe County. He was very active in this case. I am going to call attention to some of the things that have been done, and then I am going to ask the gentlemen on the Democratic side of the aisle if they are going to give their indorsement to such conduct as the record in this case shows has been carried on throughout this election.

In the first place, as was stated by the gentleman from Virginia, there was a provision for the distribution of the ballots to the various precincts in the district, and in this connection

I want to call attention to a letter which this same political boss, Don Elias, wrote just before election, dated October 30, 1916, and then I shall ask what was the motive of the gentleman who wrote the letter and for what purpose did he send it. I now read from this letter:

In order that no question shall arise hereafter, in distributing the ballots I am going to make up a package of one-third of the ballots, address it to the Republican judge, one-third and address it to the Democratic judge, and one third to the Democratic registrar; then wrap the three packages in one package and deliver the whole to the Democratic registrar. He will then become my agent for the distribution of the ballots, and on election morning will open them all up and give each one his package, but they will then be in the election booth. In this way the Republicans will not get hold of the ballots until the day of election.

I am marking all of the Zebulon Weaver ballots before they are distributed, and hope you will see the same is done in Henderson County. This will eliminate any possibility of a vote being cast which is not properly marked. Our Republican brethren can mark theirs on election day when they get them.

That is a very interesting document.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. DOWELL. I do not want the gentleman to take up my time. I yield for a question.

Mr. GORDON. Does the gentleman claim that that was fraudulent conduct on the part of this man?

Mr. DOWELL. The letter speaks for itself.

Mr. GORDON. Oh, no; it does not.

Mr. DOWELL. I yielded only for a question because my time is so short. This letter speaks for itself. This man was the chairman of the Democratic organization in that district. When he sent that to one chairman of the county, he may have sent it to all; and they were instructed what to do so that it would not be possible that a mistake would be made and a Weaver ballot cast unmarked. That was his intention, and that is what the evidence shows was done in many of the counties of the district.

Mr. ROBINSON. Mr. Speaker, will the gentleman yield?

Mr. DOWELL. I have not the time.

Mr. ROBINSON. Just for one question?

Mr. DOWELL. I am sorry that I have not the time. What else happened? This is only a starter——

Mr. GORDON. It is a mighty small starter, I think.

Mr. DOWELL. Mr. Speaker, I ask gentlemen to make their speeches on the outside or wait until I get through. We tried to give the other side all of the time possible.

Mr. BURNETT. Does the gentleman mean to say, in view of so many questions having been asked Judge WATSON, that he does not intend to yield?

Mr. DOWELL. I asked Judge WATSON not to yield.

Mr. BURNETT. Many gentlemen asked him questions.

Mr. DOWELL. If I had the time, I would like to answer all the gentleman's questions.

Mr. BURNETT. The gentleman has not the time; all right; I wanted to understand it.

Mr. DOWELL. What is further, in every voting precinct in that district there were two Democratic judges and one Republican judge appointed by the Democratic board. They served in all of those precincts, a partisan board, and they proceeded to hold this election, and when the time came for counting the vote on the night of the 7th of November they returned the vote without unmarked ballots. In the county of Buncombe, where this chairman, Don Elias, had his domicile, there were, according to the official count, on the 9th day of November following, the 28 precincts answered, giving 288 majority for Mr. Weaver in that county. In all the other counties, as was stated by the gentleman from Virginia, they canvassed the vote on the 9th of November and adjourned and made a proper return. In Buncombe County there were 28 Democrats from the 28 precincts assembled to canvass this vote. Not a Republican had an opportunity to say one word. When it appeared that there were only 288 majority for Mr. Weaver in that county the board proceeded to prolong its proceedings and, unlike the other counties in the district, they did not adjourn, but continued in session not only that day, but the day following and the day following, and then adjourned for six more days before they finally concluded this count of this county. But in the meantime they had heard from the other counties in the district and then Don Elias gets busy on the wire. Several days before the election he had time to write, and along at 4.20 of the afternoon of the 9th, when the other counties had canvassed the vote and when the vote had been counted in Buncombe County, he then sends a wire to J. M. Carson at Rutherfordton, N. C., as follows:

Give us more than 435 votes, if possible.

[Laughter and applause on the Republican side.]

A few votes will decide.

Mr. PHELAN. Will the gentleman yield for a question?

Mr. DOWELL. No; I have not the time.

Mr. PHELAN. All right.

Mr. DOWELL. That was sent at 4.20 in the afternoon by actual count. Along in the same day the colonel returned the wire:

D. S. ELIAS, *Asheville, N. C.:*

The vote has been canvassed and the records filed. Weaver's majority is 446. Sorry did not get your telegram earlier.

[Laughter and applause on the Republican side.]

Can you gentlemen on that side of the aisle stand for elections like that?

Mr. PHELAN. Will the gentleman yield?

Mr. DOWELL. I have not the time. I have more of this; this is not all.

SEVERAL MEMBERS. Let us have it.

Mr. DOWELL. All right, you will get it:

SOLOMON GALLERT,
Rutherfordton, N. C.—

This was 4.20 in the afternoon that the same telegram was sent to this same official—

Give Weaver more than 452 if possible.

[Laughter.]

A few votes may decide.

Listen to this, just as significant as the other; and I call upon you gentlemen to listen:

Your telegram too late. Official vote had already been canvassed.

[Laughter on the Republican side.]

As though it made any difference whether this telegram came or not. "Your telegram too late." He waited until 4.20 in the afternoon, when he had found that under the count Mr. Britt had 13 majority in that district. That is why this appeal was made; that is why he came back and replied, "Too late." [Laughter on the Republican side.] That is not all; I have not started yet. [Laughter.] Then he gets on the telephone. He first uses a letter, then he telegraphs, and then he wants to find out just what the fellow is doing, so he calls up—this is Mr. Haynes, his side partner, county attorney for Buncombe County——

SEVERAL MEMBERS. Buncombe.

Mr. DOWELL. Where Mr. Elias lives, and he is the chairman for the party in Buncombe County, and he gets busy on the telephone, and Haynes calls up J. S. Davis, at Waynesville, Haywood County. He is a prominent Democrat, four times a member of the general assembly from that county, and I assume that in that community he was reasonably respectable; and I want you to hear the story of this man who has been four times in the legislature of that State, and then I want to ask if you are going to stand for this. If you are, I am deceived, for I can not conceive that anybody will put the stamp of approval upon such conduct as found in this conversation over the telephone which I am going to read to you. It is in the record of this case. Mr. Davis said:

Mr. Boyd talked first, and so finally he told Mr. Haynes that Davis was there and he would answer for himself. And so I went to the phone, and the first statement he made was that the returns were in from all the counties—that is, in the congressional vote—and it showed that Britt was elected by 13 votes.

Now, this is a reputable gentleman, and he is entitled to the confidence of every Democrat on this floor.

Q. Was that what you heard?—A. That is what Mr. Haynes said to me. That is the first thing he said to me. The returns were in from all the counties, and it showed Mr. Britt was elected by 13 votes; and that he wanted the canvassing board of Haywood County to throw out the vote of the south ward of Beaverdam, as he had been informed that it was irregular, and we would be justified in throwing it out. I replied to him that the board had adjourned, and they had all gone home except the chairman and the secretary, who were completing the work; and that the count had been made and that everything was regular, and we couldn't afford to; and I went on further and stated that a hundred men knew what the vote was, and we would put ourselves in a pretty bad predicament to throw out that vote; and, in fact, the board had gone home. Then he asked me to hire automobiles and send after the board, have them reassemble, and they would pay for it—said, "We will pay for it." I protested against that; said I would not do it. Then he told me that the complexion of the next House of Representatives depended upon Weaver being seated from this district, and that the eyes of the Nation and State were upon us; that it was very important; and he asked me if I would hold—not adjourn—hold what we had until he could send a man over to confer with us. At first I refused; told him I wanted to get through that evening, and a boy was there with a buggy to drive me home. I lived 10 miles in the country, and was very anxious to get home. He said he could get this man there by 5 o'clock. I told him then that we would hold and wait for him, but there was no need of it; that as far as Haywood was concerned the vote had been counted, and that if they wanted to make any changes—any stealing to be done—it could be done in Buncombe and not in Haywood.

Then this board that had been assembled in Buncombe County adjourned until the next day, and then again on Friday they adjourned until Saturday, and then they assembled in secret session behind locked doors, in violation of the law of North Carolina—these same Democrats who were on this convassing

board—and this same county attorney, J. W. Haynes, addressed them. I want to quote just a word of what he said:

This is Sumner's testimony, found on page 192. He went to the door and found it locked. He finally got in just as they were closing the meeting. Mr. Haynes took the platform and used this language:

Gentlemen, the object of this meeting is to tell you what to do and how to do it, and I have done it.

Yet the gentleman from Virginia [Mr. WATSON] said that these were laymen, unaccustomed to the method of doing things, and therefore may have made a mistake. But I find they assembled there, without any authority whatever, and in the secret of that chamber Mr. Haynes, the county attorney of that county, told these men how to take that certificate from Mr. Britt and seat Mr. Weaver in this House.

Then they proceeded and went to five precincts in Buncombe County. And on the 15th or 16th or 17th, I think, when they finally adjourned, they had presented to that canvassing board five additional amended and substituted returns, including 27 unmarked ballots for Mr. Weaver and 6 for Mr. Britt. Up to this day no man has ever seen one of these mysterious unmarked ballots except the officers who testified with reference to them.

The SPEAKER pro tempore. The gentleman asked me to advise him when he had consumed 30 minutes of time.

Mr. DOWELL. I would like to use five minutes more.

The case relied upon by the gentleman from Virginia, in which he stated that they would have counted these unmarked ballots if they had been before the court under a proper case with proper jurisdiction, in the same decision made this statement:

We would also hold that what are referred to as supplemental returns ought not to have been considered if, as the plaintiff contends, they were made up after the registrar and poll holders had fully performed their duties and without calling the registrar and poll holders together.

And it was admitted everywhere that this was not done. In Leicester they counted two votes for Britt when it should have been three. In Ednaville they failed to give Britt one that we are entitled to. In Chimney Rock one man had voted there, and after he had voted and when they were counting the votes they raised the question that he was an illegal voter, and they actually took a ballot belonging to Mr. Britt out of the box and threw it away. And no one, from this record, knew how the gentleman voted, and no evidence was introduced to show that he was an illegal voter. Therefore Mr. Britt should have that vote in Chimney Rock. In Hazel they had four under the original returns. The committee themselves failed to believe the man who testified that there were four votes and reduced it to two. We think there should not have been any, because Mr. Miller, who testified in the case, said there was but one unmarked ballot cast, and the registrar, who said there were four, and the majority would not believe him, and, of course, we had no reason to do so. But there was some conflict at Hazel. The clear weight of the evidence in that case shows that Britt was entitled to one vote and Weaver was entitled to none. At Beaver Dam Britt was entitled to five, and they only gave him three. At West Asheville it was two and three instead of five and two, giving Mr. Britt nine votes upon this count.

Under this testimony, in Bushnell precinct the majority never referred to it at all, and never give credit to any one. Mr. G. S. Welch, on page 372, says that there was a Britt ballot. Mr. Nichols says that there was one unmarked ballot for Britt. Mr. Monteith, a Democratic judge, says that there was one unmarked ballot for Britt and none for Weaver. Do you tell me that we are not entitled to the testimony of both Republican and Democratic judges, when there is not a single particle of testimony to the contrary? And yet they did not find it. I do not blame them. I am not charging them with doing anything improper. I think they failed to find this vote, as they did all of the ones following. In Swannanoa, Bartlett testifies, there was an unmarked ballot, and none for Weaver. In Waynesville one unmarked ballot there. And so it was in Morgan, one unmarked ballot for Britt, which was not counted; it was thrown away. And I come to Black Mountain. I want to call your attention to it, because it was very interesting. Shelton testified that there was one Weaver ballot and two Britt ballots. That is disputed by one of the judges.

In Rutherfordton we are entitled to 2, in East Flat Rock to 1, which gives Mr. Britt under this count 19 additional votes. The one extra vote for Mr. Weaver there takes one off, which makes 18. Under their count they gave Mr. Weaver 12 majority; and under that, which is fair and correct by the weight of this testimony, under the count of the unmarked ballots. If you throw down all the bars and let everything come in, and let everybody testify, if you let every scrap of testimony come in, Mr. Britt has a majority of 7, counting the unmarked ballots.

We found there were 36 men who voted who had no legal right to vote, who cast their votes for Mr. Weaver. We also find that out of 21 voters that Mr. Britt claimed were not permitted to vote, 14 were legal voters and should have been permitted to cast their vote for Mr. Britt. Mr. Weaver has been holding his seat in this House for two years without any legal right.

Mr. GORDON. Mr. Speaker, will the gentleman yield to me for a question?

Mr. DOWELL. I am through, but what is the gentleman's question?

Mr. GORDON. Do you claim there was a conspiracy to defraud here and that Mr. Weaver was a party to it?

Mr. DOWELL. No. I want to say this for Mr. Weaver: There is nothing in this record to show that Mr. Weaver did anything that was not absolutely right. [Applause.] And I want to say for him that there is not a suggestion that Mr. Weaver was a party to anything that was not honest and upright. [Applause.]

Mr. GORDON. Another question: Why, then, did you read those letters here?

Mr. DOWELL. They were not written by Mr. Weaver.

Mr. GORDON. They had nothing to do with this case, unless he was a party to it.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired. To whom does the gentleman from Iowa yield further time?

Mr. DOWELL. How much time have I remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has used 40 minutes.

Mr. DOWELL. Mr. Speaker, I will yield to the gentleman from New York [Mr. LAGUARDIA] 20 minutes.

The SPEAKER pro tempore. The gentleman from New York is recognized for 20 minutes.

Mr. LAGUARDIA. Mr. Speaker, the distinguished chairman of the committee, the gentleman from Virginia [Mr. WATSON], based his argument chiefly on the validity of the unmarked ballots, and the contention of the majority of the committee is that the unmarked ballots are valid. Surely if the unmarked ballots are not lawful and valid, then they have no case, for the reason that the supplemental report of Buncombe County was based solely on counting and adding a number of unmarked ballots.

It appears that in passing upon election cases and determining what happened it is the practice or the custom for members of committees to assume an innocent attitude, to cast aside all practical experience in politics, rather than to use that experience, that knowledge, in the interpretation and construction of what actually took place. Now, gentlemen, we have all had practical experience, more or less, in politics; some of us, and a good many, have had official dealings with it. As deputy attorney general of my State for two years I have come in contact with election frauds, and rather than set aside all this knowledge and all this experience, I shall apply it and use it in this case and see what happened.

Now by some chance—just how it happened I do not know—a provision got into the statute of the State of North Carolina providing that ballots must be marked. You can see the purpose of that. Let us go into North Carolina for a moment and see the make-up of this congressional district, or of the State of North Carolina, and see the party that was in power in the State legislature, and you can readily see the purpose of trying this provision in their election law. Does it not appear as an experiment which turned unfavorable to the dominating party? All of the enlightened States of the Union have such a provision in their election laws. It was put into the law of North Carolina in 1915. Naturally all parties interested wanted to know how that provision of the law would be construed relative to the congressional ballot, which contained but one name, and it was generally accepted, and an opinion was rendered by the attorney general of the State, that all ballots had to be marked, and there is no doubt as to the construction of the law as understood by the managers of the party of the contestee, as you have already heard from the letter read by the gentleman from Iowa [Mr. DOWELL], the "Bo" Freeman letter, in which he stated, "We will mark our ballots, and we will let the Republicans mark theirs on the day of election," tells the tale. So that everybody concerned on both sides understood and intended that the ballots should be marked.

Now, then, gentlemen, it was argued by the distinguished chairman that it was not necessary to mark these ballots, because the very fact that the ballot contained one name showed the intention of the voter. Is it not true that the ballot must give every opportunity to the voter to express his intent?

It is ridiculed that the mere marking of the ballot would show the intention of the voter. I ask the gentleman, You say

that you have provided a law where the mere dropping of the ballot in the ballot box shows his intention? How is a man to vote who does not wish to vote for that candidate? Suppose a Democrat in North Carolina, for good and sufficient reasons, does not care to vote for that candidate, yet he wants to deposit a ballot. He surely does not want to deposit a Republican ballot, because by so doing he would vote for the Republican candidate. The only manner in which he can do so is by dropping his blank ballot into the ballot box.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. In just one moment.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. LAGUARDIA. Not just yet. That is the manner provided by the law of giving the voter the opportunity of voting for this man if he wants to or passing it up and dropping a blank ballot; and the right of dropping a blank ballot as a protest against that candidate must be respected just as much as the right to vote entirely against him.

Let us see as to the development of ballots. We first started out with ballots where no action was necessary on the part of the voter. The voters receive the ballots and drop them in the boxes. You all know the history of ballot-box stuffing. That is just what made it possible. Then we developed the Australian ballot and the Massachusetts ballot, which required an act on the part of the voter to express his intent. The North Carolina statute required that, but in the case of the congressional candidate they had but one name on the ballot, and it was clearly the intent of the legislature to require that affirmative act on the part of the voter in marking his ballot to express his intent, and it was so understood.

After election day the returns were sent in. You heard what happened. The gentleman from Iowa [Mr. DOWELL] did not tell you, but this is in the record, that the board of canvassers of Buncombe County met on the 7th of November, were organized, and proceeded to canvass the votes. They canvassed the vote of every precinct in that county—28 precincts—and there was no protest made. Each precinct was represented; the vote was called off; the Republican member, I believe, checked off the totals; they were written down; put on an adding machine; and the total number ascertained. After that, assuming that an error was found in five precincts of Buncombe County, the board were estopped from any further action. An order of a court was necessary to review in order to change the result as certified by the board of canvassers, and that is elementary.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. LAGUARDIA. I yield to the gentleman from Indiana.

Mr. WOOD of Indiana. Is it not a fact that the instructions sent out by these Buncombe County men disclosed that they had marked all of the Weaver ballots in advance?

Mr. LAGUARDIA. Oh, absolutely.

Mr. WOOD of Indiana. Now, as I understand, the committee did not see these unmarked ballots.

Mr. LAGUARDIA. No.

Mr. WOOD of Indiana. How do they account for there being any unmarked ballots for Weaver, when in Buncombe County they had marked all the Weaver ballots in advance?

Mr. LAGUARDIA. Those were workers' ballots. They have no official ballot in the State of North Carolina. Anyone can print ballots, and they have no official ballots such as they have in your State or mine.

Mr. WOOD of Indiana. All of the Weaver ballots were marked in advance, as I understand?

Mr. LAGUARDIA. Not all.

Mr. LONDON. Will the gentleman yield?

Mr. LAGUARDIA. I yield to the gentleman.

Mr. LONDON. Under their practice a voter intending to vote the Republican ticket would ask a Republican worker or ward heeler for a ballot, and so a Democrat would ask a Democratic worker. It was to all intents and purposes an open ballot. Now, what difference does it make under the practice which prevails there whether a man marks his ballot or not?

Mr. LAGUARDIA. To give a man an opportunity to express his intent and to require an act on the part of the voter to prevent illegal voting, of course.

Mr. LONDON. I know, but the ballot was practically an open ballot. All secrecy was removed, because a man intending to vote showed his intent by applying either to a Republican or to a Democrat.

Mr. LAGUARDIA. Oh, he might get both ballots.

Mr. GORDON. The voter indicates his intention by depositing the ballot in the box. Is not that an affirmative act?

Mr. LAGUARDIA. Not enough; no.

Mr. GORDON. That, of course, is a matter of opinion. Now, look here: The supreme court of North Carolina passed on all these interesting questions of law that you are talking about.

Mr. LAGUARDIA. No, it did not; thank you very much for the suggestion.

Mr. PHELAN. Will the gentleman yield?

Mr. LAGUARDIA. I yield to the gentleman from Massachusetts.

Mr. PHELAN. Is it not a fact, testified to in the testimony, that ballots were marked by somebody else other than the voter, and that the voters took the ballots as marked and dropped them into the ballot box, and that those ballots were counted? Is that true?

Mr. LAGUARDIA. That is true. That is an unfortunate condition which has grown up there.

Mr. PHELAN. That being a fact, is there anything in the North Carolina statute at any place to prevent that thing being done if people want to do it in every single case of every ballot deposited?

Mr. LAGUARDIA. There is not.

Mr. PHELAN. So that the only thing that determines a man's intention necessarily under the North Carolina statute is the depositing of the ballot and not the marking of it.

Mr. LAGUARDIA. There is where the gentleman and I differ. I say that the intent of the law and the words that they used in their statute required an act on the part of the voter.

Mr. PHELAN. But the fact that the law makes absolutely no provision to guard against anybody else marking the ballot is an indication, and I think a demonstration, of the fact that that part of the statute is not mandatory, but merely directory.

Mr. LAGUARDIA. No.

Mr. LONDON. On this point and in connection with the same question, I understood the gentleman from Virginia [Mr. WATSON] to say that the law of North Carolina required the marking of the ballots only in primary elections.

Mr. LAGUARDIA. No; that is not so.

Mr. LONDON. What is your construction of it?

Mr. LAGUARDIA. I will read to the gentleman the statute:

That opposite the name of each candidate on the general ticket to be voted at the general election shall be a small square, and the vote for any candidate shall be indicated by marking a cross mark, thus (×), in the square.

So it leaves no doubt there. Now, the law cited by the majority of the committee is not applicable to this. The leading case cited in this brief report to any matter which is not of the essence, and I maintain that the marking of the ballot is the very essence of the ballot. The cases covered by the opinions cited by the majority of the committee refer to instances of immaterial acts, such as where returns are required and there are no forms available and a makeshift form is used, irregularities of that nature, but not to the ballot itself. I want to call the attention of the House to this fact, that after North Carolina had tried the marked-ballot system and found how it worked in 1916 this provision was repealed in 1917. They repealed this provision the following year.

Mr. LONDON. The provision requiring the marking of the ballots?

Mr. LAGUARDIA. The provision requiring the marking of the ballots. So does not that show clearly that my contention is correct?

Now, assuming that the marking of the ballot was not necessary, and contestee had a right to get a supplemental report from Buncombe County, then of course the contestant had a right to recanvass all the district and have all of the unmarked ballots cast for him counted. But then they tell us, "Why, we did not keep the unmarked ballots, because our law does not provide for it. We will have to go and get testimony." Then, in all such cases the testimony is conflicting, and the committee says, "We can not count these, because there is conflicting testimony." But they counted enough in Buncombe County to overcome the difference of 13 votes.

You have all heard the S O S call sent out for more votes, but, to the credit of the other counties, they refused to change. Buncombe County, however, kept up the reputation of its name and consented to give them. [Laughter.]

Mr. DALLINGER. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. DALLINGER. Where did the extra ballots that the canvassing board of Buncombe County added to the official returns come from?

Mr. LAGUARDIA. From the floor.

Mr. LONDON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. LONDON. Was the S O S call issued by an election officer?

Mr. LAGUARDIA. Yes.

Mr. LONDON. Who received the call?

Mr. LAGUARDIA. Election officers. Give me a board like that, with such zeal, with its daring, with its courage, and I can go into any district in the South and be elected on the Republican ticket. [Laughter.]

Mr. PARKER of New Jersey. Will the gentleman from New York yield?

Mr. LAGUARDIA. Yes.

Mr. PARKER of New Jersey. What testimony was there as to the number on the poll list corresponding with the ballots that were cast?

Mr. LAGUARDIA. The gentleman from Indiana [Mr. SANDERS], who follows me, will explain that. [Applause.]

Mr. WATSON of Virginia. I yield 20 minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY of Texas. Mr. Speaker——

Mr. LONDON. Will the gentleman permit me?

Mr. CONNALLY of Texas. I will yield.

Mr. LONDON. There are two things that worry me. Was the S O S message, to which the gentleman from New York referred, which practically amounted to a demand that the vote be increased—was the recipient of that an election official? And the other question is, Were these unmarked ballots counted for both candidates?

Mr. CONNALLY of Texas. To be sure they were counted for both candidates. As to the first question—the man was not an election official; the uncontradicted evidence in the record and before the committee showed that the telegram was received after the official vote had been canvassed and did not affect the result in favor of Mr. Weaver, but on the final count they reduced the vote six votes in one precinct, and instead of his receiving a majority of 452 he only received a majority of 446. The uncontradicted testimony is that the telegram had no effect on the result in that county or upon the vote in that county.

The gentleman from Iowa, if you will recall, praised very highly the recipient of the telegram and said he was a man of the highest character and that he resented any imputation contained in the telegram.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. CONNALLY of Texas. I will.

Mr. KELLEY of Michigan. As I understood, the question of the gentleman from New York [Mr. LONDON] was whether or not the telegram was received by an inspector.

Mr. CONNALLY of Texas. No; he said he was not. Neither the man who sent it nor the man who received it was an election officer.

Mr. DOWELL. Will the gentleman yield?

Mr. CONNALLY of Texas. No; I have only 20 minutes. The gentleman had an hour and declined to yield to this side. Now, gentlemen of the House, if there be such a man who intends to vote from a party standpoint or from prejudice, I can have no hope that my remarks will in any way influence him. However, I desire to lay down a few broad principles that govern this particular case. In the first place, gentlemen on both sides of the Chamber will agree that in all election laws the object of the law is to give the voter an opportunity to register his will in the election for the candidate of his choice. You will furthermore agree that the election machinery, where it prescribes the manner of holding the election, will give every intendment to ascertain the voter's choice, and the provisions of law as to the manner of holding an election will be regarded as directory, unless the law itself provides that the failure to do some particular act shall result in the vote not being counted, in which event it is mandatory.

I want to call the attention of the House to the particular provision of the law of North Carolina regarding marked and unmarked ballots. Prior to 1915 the law of North Carolina simply provided that you cast the ballot without any square or any mark upon it whatever.

Let me call your attention to the further fact that in North Carolina they have separate boxes for different offices to be voted on. For instance, they have a ballot box for the county officers, and that is a separate box. There is another box in which voters are to deposit the ballots for candidates for Congress. There is another box which contains the ballots for candidates for State offices, and still another box for precinct officers. So when it comes to casting a vote for Congressman the ballot, whether it be Republican or Democrat, necessarily contains but one name, the single name of the congressional candidate for whom the voter desires to register his vote. No other ballots go into that particular box except those for Congressman.

This provision in section 32 of the act of 1915 of the Legislature of North Carolina seems to have been put on as a rider or an amendment to an election law, which in its title did not refer to general elections at all, but which referred to primary elections in North Carolina. Everybody knows that in a primary election where there is a number of candidates for the same office it would be perfectly proper to require some designation in order to indicate the choice of the candidate, where there were five or six. So in section 32 of this act there was a general provision that opposite the candidate's name there should be made this mark. I will show you that this did not intend to refer to general elections as a general proposition. I want to read this law:

CHAP. 101. An act to provide for primary elections throughout the State.

That is all the title that this act contains, and that is the subject matter of that act. It seems that some one obtained the adoption of section 32. I want you to bear in mind what was in the mind of the Legislature of North Carolina in enacting this statute. It was providing a method whereby the voters of different political parties might select their candidates for office when there was more than one competing for some particular office. Section 32 provided that opposite the name of each candidate on the general ticket to be voted at the general election shall be a small square, and a vote for any candidate shall be indicated by making a cross mark in such square, and no voter shall vote for more than one candidate for any office. It is apparent the general election and the primary were confused, because, of course, a voter is not going to vote for more than one candidate for the same office in the general elections. If he did, his act would be absolutely nugatory, and there would be no way of indicating his choice.

Mr. GORDON. He would have to vote two tickets.

Mr. CONNALLY of Texas. He would have to vote two tickets, both Democratic and Republican, because the law prescribes that on the Democratic ticket there shall be only the name of the candidate of the Democratic Party, and that there shall be a separate ticket for the Republican ticket. To show, furthermore, that the legislature in enacting that statute had no real intention to regulate the general elections or to impose that requirement upon a voter in voting in general elections, the next session of the Legislature of North Carolina which convened repealed expressly that particular section, and I have here, if any Member of the House wants the reference, the act of the Legislature of North Carolina repealing section 32 of the general primary law, because it was called to its attention and it was realized it had no proper place in that law.

If it had been the intention of these men who cast these unmarked ballots to perpetrate a fraud and cast illegal ballots, and if in certain sections of the country there is that political cunning and that political fraud that is intimated by the gentleman from New York [Mr. LAGUARDIA], do you suppose that these shrewd politicians would have hesitated to have marked the ballots? Would they have overlooked the marking of the ballots? To be sure if they had been fraudulent they would have met every requirement, both technical and otherwise, of that law, and you could not have found any flaw in it. So I take it that one of the best evidences that these ballots are honest ballots, that they were cast by voters who desired to vote for Mr. Weaver, is the fact that they are not marked. If this House desires to arrive at the choice of those voters who cast these unmarked ballots, how are we going to arrive at that choice? The voter could vote but once, of course. He had the privilege of going either to the Republican judge and getting a Republican ballot with Mr. Britt's name on it, or he had the choice of going to the Democratic judge and getting the Democratic ballot with Mr. Weaver's name on it. So the fact that he went to the Democratic judge to procure the Democratic ballot with Mr. Weaver's name on it is the first evidence that he desired to vote for Mr. Weaver. The testimony in this record is uncontradicted. The testimony by both Republican judges and Democratic judges is that the unmarked ballots which have been counted in the case by your committee were found in the ballot box with the other ballots which had been marked, and there is no evidence by any Republican judge in this case, not one particle of testimony, as to any fraud whatever in the depositing in the ballot box of these unmarked ballots. On the other hand, there is testimony in this record that the Republican Party officials in that district had given explicit instructions to their representatives on election boards that it was to be the duty of Republican election judges to preside over the congressional ballot boxes, so as to see that their interests were not overlooked. We do not charge that there was any fraud involved in that, but we do say that when the record shows that the Republican judges presided over the congressional boxes it does not lie in the mouths of these gentlemen to insinuate that they permitted ballots to go

into the box fraudulently or improperly for the Democratic candidate.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. GORDON. Is there any allegation of fraud in this case?

Mr. CONNALLY of Texas. None whatever, except they make some allegations, both of them, that some parties voted who had not paid their poll tax. Each side makes those claims. Mr. Weaver states that the number of voters who he says were not entitled to vote is somewhat larger than the number charged by Mr. Britt. But the committee took the position that under the law of North Carolina the election officials in all those precincts had the judicial discretion and power to pass upon the qualification of those voters, as to whether they had paid their poll tax or as to whether they were liable to pay a poll tax, and the committee did not go into these individual cases.

Mr. GORDON. And the Supreme Court of North Carolina distinctly held those election officers had that jurisdiction.

Mr. CONNALLY of Texas. Absolutely. I have before me the decision of the Supreme Court of North Carolina in the case of Britt against the election officers. The opinion in this case is authority for the proposition just stated by the gentleman from Ohio [Mr. GORDON]. What does it further state with reference to the unmarked ballots? I take it that while this Congress is not bound in determining an election contest by the laws of any State, at the same time it has always been the custom and precedent for Congress in interpreting a statute to give great weight to the decision of the highest court of that particular State construing such act. The Supreme Court of North Carolina says, and this is a statute of North Carolina which it is interpreting, that while the particular question is not involved in a decision of this particular case, yet at the same time if the question were properly before the court it would be bound to hold that the unmarked ballots were legal ballots and should be counted, because the court says that they are evidence of having been cast and properly placed in the box, and the fact that they contain but one name is irrefutable testimony of the fact that the voter registers his will in voting for Mr. Weaver.

I want to call the attention of the House to the further fact that unmarked ballots were cast for both Mr. Britt and Mr. Weaver. When Mr. Britt made this contest originally in the courts he did not attack the returns in any county outside of Buncombe County. Buncombe County is the home both of Mr. Weaver and Mr. Britt.

Mr. Britt at that time made no charge in reference to the sending of this telegram in anywise affecting the count of the vote in this particular. Now, let us see——

Mr. LONDON. Will the gentleman yield?

Mr. CONNALLY of Texas. I will.

Mr. LONDON. The statement in reference to the telegram would have been irrelevant in the proceedings in reference to Buncombe County.

Mr. CONNALLY of Texas. To be sure.

Mr. LONDON. Therefore he did not make that contention.

Mr. CONNALLY of Texas. No. He could have instituted proceedings to involve the other counties just as well as to involve Buncombe County. If he could raise the question about Buncombe County, certainly in such a proceeding in these other counties he could raise a similar question and raise the question of this telegram, and as to that telegram it was evidently sent by a very zealous partisan. I am sure that gentlemen of the political astuteness of the gentlemen who are conducting the election contest on that side of the House would never have sent such a telegram. But, my friends, the proof is incontrovertible that, however much you may presume that a man intends to perpetrate a fraud, the facts are absolutely uncontradicted that it had no such result. Now, if you will——

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. CONNALLY of Texas. I have but a few minutes.

Mr. KELLEY of Michigan. I was interested particularly in this revision of the returns from Buncombe County. In the course of the gentleman's address, will he discuss that?

Mr. CONNALLY of Texas. If I have the time.

Mr. KELLEY of Michigan. It seems to me the whole case hinges around the county canvassers changing those figures.

Mr. CONNALLY of Texas. I will refer to that; the gentleman means the new returns.

Mr. MILLER of Minnesota. Will the gentleman yield for a brief inquiry?

Mr. CONNALLY of Texas. Not to take all of my time.

Mr. MILLER of Minnesota. Suppose a Democrat determined to vote for Mr. Britt and put the name of James J. Britt—put it in and wrote a cross mark on it on a Weaver ballot and deposited it in a Weaver box. For whom would it have been counted?

Mr. CONNALLY of Texas. There is no Weaver box; there is just one box for Weaver and Britt both.

Mr. MILLER of Minnesota. For whom would it have been counted?

Mr. CONNALLY of Texas. I assume—I do not——

Mr. MILLER of Minnesota. He had a perfect right to do that.

Mr. CONNALLY of Texas. I do not know what the facts were and the particular way they counted those votes; but I will say to the gentleman he had the right to mark out the name of Britt and insert Weaver there and vote.

Mr. MILLER of Minnesota. No; the gentleman does not get me. Take the printed ballot exactly as it is with Weaver's name printed upon it and no cross mark after it. Then he writes in the name of James J. Britt and puts a cross mark on that. How would that be counted?

Mr. CONNALLY of Texas. I have got more concrete cases than I will be able to handle in my time, and I do not like to go into the realms of imagination.

Mr. BURNETT. Would not that manifest a clear intention to vote for Britt?

Mr. CONNALLY of Texas. To be sure. Anyone who was not satisfied with the printed ballot could write a new name on. If he wrote the name on the printed ballot, that would indicate that he believed in the doctrine, I suppose, that anything written with your hand overrules anything printed.

Mr. SAUNDERS of Virginia. When you write in another name on a ballot, thereby making two names thereon, and a cross mark is placed by one name, the name so marked will be taken as the candidate of the voter's choice. When there are two or more names on a ballot, it is necessary to put a mark by one of them in order to indicate the voter's choice.

Mr. CONNALLY of Texas. However, that is an academic question as far as this case is concerned. If you want to arrive at how the voter intended to vote, how are you going to arrive at it except by the evidence which a voter gives as to his choice? Now, it is certain that every man who put a ballot in the box intended to vote either for Britt or for Weaver, did he not? Every voter who put a ballot in the box intended to vote for Britt or Weaver, so if you have a ballot with Weaver's printed name on it, although it is not marked, and that ballot is deposited in the box, is not that evidence that the voter intended to vote for Weaver? If he did not intend to vote for Weaver, for whom did he intend to vote? Mr. Britt, you will say; but can it be presumed that a man who desires to vote for Britt, when he has an opportunity to go to a Republican judge and get a ballot with Britt's name printed upon it and deposit it in the box, would, contrary to that intention, procure a ballot with Weaver's name printed upon it and deposit it in the box. So if the ballot has Weaver's name upon it, although unmarked, is to be counted for anybody, it is bound to be counted for Weaver. What would be the necessity of the very useless requirement that, in addition to the name appearing there, the voter should mark a cross mark opposite the name?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONNALLY of Texas. It is absolutely unnecessary and serves no useful purpose whatever. I regret very much I did not have time to get to the question of the gentleman from Michigan. May I have one more minute to answer the gentleman?

Mr. WATSON of Virginia. I yield the gentleman one more minute.

Mr. CONNALLY of Texas. The gentleman from Michigan asked me a question in reference to the supplemental returns in Buncombe County. I will say to the gentleman that, so far as the proper procedure of making up those supplemental returns under the laws of North Carolina is concerned, the supreme court here in this decision intimates, and, I assume, if it were before it, would decide, that the supplemental returns could not have been made up except by the calling together of the election board.

But this House is not concerned with whether or not those returns were made out under the laws of North Carolina, provided this House finds that those votes were actually cast, and that they were properly voted, and that they evidence the intention of the voter to cast his vote for Mr. Britt or Mr. Weaver.

Mr. KELLEY of Michigan. Let me ask you right here. It is my understanding the ballot has been determined, and your committee would have no way of determining whether or not this supplemental report was a fake all the way through.

Mr. CONNALLY of Texas. The record is full of testimony by both Republicans and Democrats.

Mr. PHELAN. And Mr. Britt himself acknowledges a great many of those.

Mr. CONNALLY of Texas. To be sure. And the evidence in the record in many cases is undisputed by both Democratic and Republican judges, as to how many were unmarked, and how many were for Britt, and how many for Weaver. And he who does not understand that record does not want to understand it.

Mr. DOWELL. Mr. Speaker, I yield 30 minutes to the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Speaker, we are nearing the close of the great war Congress. This happens to be the first term that I have served here. But the Members of the House who have served in Congresses heretofore say that during the three sessions of this great war Congress there has been a manifestation of as little partisanship as has ever occurred in any Congress. Near the close of this session we are confronted with a problem which really involves no partisanship. On the surface one might think that a contest between a Democrat and a Republican might involve partisanship. But, after all, it does not, because the House of Representatives does not determine the question as to who shall represent the people of any district. The voters of that district determine the question, and it is for the membership of this House to perform the solemn duty to-day of reaching a judicial determination of what the voters did decide.

It is fortunate that in a case of this great public importance both sides are represented; it is fortunate for the sitting Member of the House that he has able men who have studied this record and concluded that he is entitled to serve in the House, and by reason of that fact his side of the case has been to-day ably presented. And I think it is fortunate, indeed, that the gentleman who is waging this contest had the gentleman from Iowa [Mr. DOWELL], with his clear insight, with his careful, industrious work, to lay before this House the great fraud that had been perpetrated in North Carolina.

Mr. GORDON. Will the gentleman yield right there?

Mr. SANDERS of Indiana. I beg your pardon, but I have not the time.

I want to say in fairness to the sitting Member in this House, Mr. Weaver, as did my good friend Mr. DOWELL, that there is no evidence in this case of any act on his part which showed that he took any part in this colossal fraud to deprive the people of their rights to determine who shall represent them in this honorable body. Not only that, but at the time down there in North Carolina, in his old home, at the time this great fraud was perpetrated, there was a good angel by the side of Mr. Weaver which led him to say then—and I want you to weigh these words—at the time they were holding the secret meeting for the purpose of perpetrating this fraud, after they had adjourned and recessed from time to time, when it had been announced in the papers that Mr. Britt's majority was 13, and when they were behind closed doors to determine the question, Mr. Weaver, in talking over this matter when he found what was going on, said, "I have got 288 majority in Buncombe County"—which, by the way, would give Mr. Britt the seat in this House by 12 votes—"If I have not enough outside of Buncombe to elect me, they can not law it onto me." [Applause.]

He said, "They can not law it onto me." I am quoting from the record in this case. And then again, on page 192, he is reported to have said, "They are not going to take anything away from me, and they are not going to give me anything that does not belong to me." That is what Mr. Weaver said at that time. [Applause.]

This is a very clear question that we have here. I do not think the unmarked ballots ought to be counted. The law positively says that the vote shall be indicated by marking the ballot, and if they are not counted it is conceded by the gentleman from Virginia [Mr. WATSON] and by the majority report that Mr. Britt is entitled to his seat. But regardless of that, when they went behind it all and brought in the evidence in this case, taking into consideration all the evidence of votes in this case, it is evident that Mr. Britt is entitled to his seat if you do not count those ballots which were not marked. The chart here shows the facts.

And I am not blaming the gentlemen who prepared the majority report or who are advocating the seating of Mr. Weaver here. The majority and the minority differ in their construction of the evidence covering certain cases, which makes a difference of 9 votes. There were left out of the majority report 10 precincts, which makes a difference of 9 more—18 votes—and they only claim that Mr. Weaver was elected by 12 votes. So under that, if you did not go into anything else, Mr. Britt is entitled to his seat in the House. But I think that the gentlemen who prepared the majority report in this case are undertaking to lay down a precedent here that this House can not afford to follow. I wonder if you thought what the real effect was when the distinguished gentleman from Texas [Mr. CONNALLY] stated that the majority had determined that these boards had the ultimate right to decide these questions and that they would not go into 400 illegal votes charged here? Just think of that position. The House of Representatives——

Mr. CONNALLY of Texas. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. CONNALLY of Texas. Out of the 400 is it not a fact that a larger number are charged with having voted for Mr. Britt than having voted for Mr. Weaver?

Mr. SANDERS of Indiana. That is true; and if the gentleman's logic follows, all that Mr. Weaver needs to do is to pick up 300 more in the record and charge that they voted illegally for Mr. Britt. That is, the greater the fraud is, and the more evidence, the further you will go. If you steal a loaf of bread they send you to the penitentiary; but if you steal a railroad they will send you to Congress, some say. [Laughter.]

Mr. ROMJUE. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. Yes; if the gentleman will be brief.

Mr. ROMJUE. Out of the race from which this contest grows did not those people contest?

Mr. SANDERS of Indiana. Yes.

Mr. ROMJUE. What was the result?

Mr. SANDERS of Indiana. I understand the result was to send Mr. Weaver back. They might have gotten the wires to work a little earlier to send telegrams that did not "come too late" to elect him. But I do not charge that. The right of the people is plenary. They had the right to elect Mr. Britt in 1916 and Mr. Weaver in 1918. Take the case of my friend PURNELL, of Indiana. He ran in 1914 and was defeated. He ran again in 1916 and was elected, and he ran again in 1918 and was elected. I think he will continue to be elected if they have good taste out there, but the fact that he was elected in 1916 and again in 1918 did not give him the right to a seat in 1914.

But, gentlemen, I have gone into these individual votes, and I want to say that I think the majority report left out these precincts because they did not know the nature of the result. There was not any dishonesty about that, however. They decided they would not go into these individual votes, which cover about 1,200 pages, there, and when my good friend DOWELL and I went through these individual votes we found these other precincts with the unmarked ballots, and we found enough of them to elect Mr. Britt with great ease.

But outside of that and outside of everything that has been discussed here, the illegal votes that were cast for Mr. Weaver, which are shown up plainly in this case, when deducted leave Mr. Britt's majority about 46 votes. They did not go into them, and they say they are about equal. They further say that the illegal voters did not have to testify how they voted, and you could not introduce legal evidence outside of that. The gentlemen are mistaken about the line of authority. There is a line of authority to the effect that a legal voter can not be compelled to testify as to how he voted, because that is a confidential matter, especially under the Autralian ballot system. But all authorities say that an illegal voter who fraudulently casts a vote is entitled to testify if he wants to, and may be compelled to testify, unless it incriminates him, and you can introduce other evidence in the case.

Mr. WATSON of Virginia. Mr. Speaker, will the gentleman from Indiana allow me to ask him this question?

Mr. SANDERS of Indiana. Yes.

Mr. WATSON of Virginia. Do I understand the minority members of the committee investigated each individual case of the 200 illegal voters charged by the contestee with having cast ballots for the contestant in this case?

Mr. SANDERS of Indiana. Yes, sir; I did.

Mr. WATSON of Virginia. Do I understand the gentleman on the minority of the committee investigated the 156 individual cases in which he claimed that he had voted for?

Mr. SANDERS of Indiana. I did.

Mr. WATSON of Virginia. Then I ask the gentleman why the minority of the committee, in writing their report, did not report the fact to the House?

Mr. SANDERS of Indiana. Well, if the gentleman please, the gentleman has been here longer than I have. Here is what they say in the majority report about it:

Amid the pressure of other duties and with time at its command, it would be a physical impossibility for the committee to trace out the details of each of these near 400 cases, each depending for solution

upon its own state of facts, and it has been able to investigate carefully only a limited number of them. * * * They "seem to us to have fallen about equally on both sides."

In other words, the distinguished chairman of this committee in his report said they examined part of them for Weaver and part for Britt, and in the parts they did examine they were about equal. He does not set out a single one in the report, and yet he is complaining because we did not set them out in our report. I can give the gentleman a list.

But aside from the question as to whether you could introduce other evidence about these illegal voters——

Mr. LONDON. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. LONDON. The gentleman does make some statements in the minority report?

Mr. SANDERS of Indiana. Yes; but we did not set them out.

Mr. LONDON. You say the vote in favor of Britt is about 24, which is not quite in agreement with this table.

Mr. SANDERS of Indiana. That is the illegal vote. These are the unmarked ballots here. These illegal voters are the individuals who did not live where they voted, or who were under age, or who had not paid their taxes.

Mr. LONDON. How many are there of them?

Mr. SANDERS of Indiana. There are 38 Weaver votes and there are 12 Britt votes.

Mr. WATSON of Virginia. Mr. Speaker, will the gentleman allow me to ask him about one vote?

Mr. SANDERS of Indiana. Yes.

Mr. WATSON of Virginia. In the list of 21 which the contestant claims appeared to vote for him and were entitled to vote but were excluded from voting, may I ask the gentleman what he found to be the fact about a man named Heaton?

Mr. SANDERS of Indiana. There is not much dispute about that question.

Mr. WATSON of Virginia. I would like to see what you found.

Mr. SANDERS of Indiana. I took a look at the hearings, and I found this: The attorney who represented Mr. Weaver was asked this question by the distinguished chairman:

Can you say how many, Mr. Lloyd, of those voters who offered to vote and who were entitled to vote and were prevented by fraud from doing so—can you say how many, Mr. Lloyd, so as to save us the trouble of investigating this?

He claims 21 were counted. We think 7 of those should not be included in the list, and probably there were 14 who were denied the privilege of voting who should have been permitted to cast their votes for Mr. Britt.

They have not mentioned those in the majority report, and in the computation made by the gentleman here on the floor of the House they have not mentioned them, and those 14 are counted in the 46 votes for Mr. Britt. Then Mr. CONNALLY of Texas, the gentleman who preceded me, said:

It may be that the judge was trying to find out if you made any admission to that effect.

He replies:

I do not make the positive admission, but I am inclined to believe that 14 in that list should be counted.

And finally, when driven to it, he named the 7 who ought not to be counted, and in the hearing segregated those who ought to be counted for Mr. Britt from the others that ought not to be counted. So those 14 should be counted.

Mr. WATSON of Virginia. Does the gentleman think he has answered my question about Mr. Heaton? My question is, What did you find to be the fact in regard to the vote of Mr. Heaton, who is named in the list by the contestant in his brief? What did you find to be the fact about that man who, it was charged, offered to vote and was entitled to vote and was not allowed to vote?

Mr. SANDERS of Indiana. I do not recollect the specific facts about that case.

Mr. WATSON of Virginia. The record shows that he did vote.

Mr. SANDERS of Indiana. The record in some of these cases shows they were not entitled to vote because it did not show that they were clearly qualified to vote.

Mr. WATSON of Virginia. The records plainly show that this man Heaton did vote and his vote was counted.

Mr. FOCHT. The gentleman refers to that single vote. Are there any colored males in that district?

Mr. SANDERS of Indiana. There are some.

Mr. FOCHT. How many votes were cast by them?

Mr. SANDERS of Indiana. The record did not disclose the colored vote.

Mr. BURNETT. They did not get into that.

Mr. SANDERS of Indiana. They have the grandfather clause in North Carolina. They had the grandfather clause up to 1908, and they have the modified grandfather clause there now.

Gentlemen of the House, the distinguished chairman of this committee talked to me about these individual votes. They all say they have not gone into these votes, and the distinguished chairman further says these supplemental returns were not illegal enough not to be counted. I say Mr. Britt ought to be occupying the seat, because the original count gave it to him. Is it possible you are going to wrest this seat from Mr. Britt by a report and by a judicial decision which refuses to go into the question of the illegal votes that are charged to have been counted? I have the list here. Fred Carson went on the stand and testified himself that he was not entitled to vote. Will Owens did the same thing. S. S. Hooper did the same thing. J. I. Watson did the same thing. John H. Smith did the same thing. And so clear on down the line, a list of 38, nearly all of whom were called. There were many other cases, but it is a difficult thing to prove, and the evidence in each case did not go quite far enough. But this list of 38 is the list of those left after the acid test has been made and after you weigh the testimony more favorably for the benefit of the sitting Member. Those 38 votes ought to be added to Mr. Britt, and there were 12 that were cast for Mr. Britt that ought to be deducted.

Gentlemen, the question you have to decide and the question that the gentlemen on the Democratic side have to decide is the question whether we shall put the stamp of approval upon this colossal fraud that was perpetrated there in North Carolina. You remember the telegrams that were sent, the letters that were written, the phone calls that were made, the secret conferences behind closed doors by public officials that were held, the testimony showing that frequently they undertook to put in two Weaver tickets together, which occurred in eight or nine different places in this record, and the testimony of the continuous acts of these different precinct guards in refusing legal voters their legal right to vote, all show that a great conspiracy was formed, and it was carried out. Finally, when they did not have enough votes, when they had failed to steal in some of the other counties, they were told that if they stole any they would have to steal them in Buncombe County, and they started in. This board has a meeting. They added this vote up on an adding machine in Buncombe County, calling off either the official returns or the tally sheets, and added 288 votes for Mr. Weaver, which still made a majority in the district of 13 votes for Britt. They added it up and had it announced, but not in an official way, and then when they found what the total would be they went to work and recessed from time to time until the 17th day of November. For eight days they went about this fraud, and during those eight days they sent out and got supplemental returns enough to change the vote from 13 in favor of Britt to 9 in favor of the gentleman who is now the sitting Member from that district. Is it possible that we are going to put our stamp of approval on that conduct? When we vote in this case we reach that decision.

Mr. LONDON. Will the gentleman yield?

Mr. SANDERS of Indiana. I will.

Mr. LONDON. What is the law of North Carolina as to supplemental returns?

Mr. SANDERS of Indiana. There is no law, but the decision of the supreme court states that the supplemental returns ought not to have been counted. The Supreme Court of North Carolina holds that.

Mr. CONNALLY of Texas. Not that the ballots ought not to be counted, but that the returns were not made in a proper way.

Mr. SANDERS of Indiana. That they should not be taken into consideration. Does the gentleman think they ought to have been counted?

Mr. CONNALLY of Texas. Did the court say that they should not be counted, or that they were not made up properly?

Mr. SANDERS of Indiana. They decided that the vote should not be counted in five precincts as these gentlemen there counted them. They went out and took five precincts which gave to Mr. Weaver 26 and gave to Mr. Britt 6. That is what they did, and then when you go back and count them all, if they are good for Weaver they are good for Britt, and when you count them all you find Mr. Britt has a majority of about 6, anyway. They only claim a majority of 12, and when you adopt their figures it leaves Britt elected by 6 votes; but that is entirely outside of the question of the 14 admitted in there.

There is another admission in the hearings.

Mr. LONDON. Will the gentleman yield?

Mr. SANDERS of Indiana. I will.

Mr. LONDON. Was the total number of ballots cast increased by the supplemental returns?

Mr. SANDERS of Indiana. Certainly; Mr. Britt has a majority of 13 by the original returns. They sent out, after recessing, supplemental returns, not signed by the whole board but

by Democrats only, except one was signed by a Republican who said that the facts stated were not true—they bring in these 5 not signed by all the board, but by Democratic members; they were added to Mr. Weaver's vote and cut Britt's majority down 13 to Weaver's 9.

Mr. LONDON. That was not my question. My question is, Was the total number of votes for Weaver and Britt increased by the supplemental returns?

Mr. SANDERS of Indiana. Yes.

Mr. LONDON. Where did they come from?

Mr. SANDERS of Indiana. The unmarked ballots came from the county of Buncombe. The pretense was that there were certain unmarked ballots. They found precincts were not correct, and they had to deduct 2, and when you count them all you find that Britt was elected by at least 6 votes outside of the 146.

Mr. LONDON. I should have asked whether the total number of ballots cast was increased by the supplemental returns.

Mr. SANDERS of Indiana. Not increased, if you consider the unmarked ballots as having been cast.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. MILLER of Minnesota. Do the statutes of North Carolina require the canvassing board to make its return within two days after the election?

Mr. SANDERS of Indiana. They made the canvass, but they did not certify; they waited.

Mr. MILLER of Minnesota. They made it up in accordance with the law except the certification, but thereafter the board never met for official action?

Mr. SANDERS of Indiana. No.

Mr. MILLER of Minnesota. But the individual members certified to these unmarked ballots as individuals?

Mr. SANDERS of Indiana. Yes.

Mr. MILLER of Minnesota. Did the Supreme Court of North Carolina ever hold that the certificates by the individual members should be counted?

Mr. SANDERS of Indiana. No; the Supreme Court held by a dictum that the supplemental returns had no legal effect. The chairman of our committee asserted on the floor of the House that they had no legal effect, but when you admit the supplemental returns had no legal effect you have said that the certificate should be issued to Britt and he should occupy the seat until the contest was over. If they had done that Mr. Britt would have been the sitting member and Mr. Weaver the contestant.

Mr. MILLER of Minnesota. They build their legal argument on the proposition, which is illegal, that an individual certificate to a supplemental return is lawful.

Mr. SANDERS of Indiana. That is true; but the gentlemen undertake to go behind all the returns and that is all right. I do not think the unmarked ballots ought to be counted, but we have taken them at their word for the purpose of the argument, and as shown by the gentleman from New York [Mr. LAGUARDIA], they ought not to be counted, and I could cite half a dozen similar cases holding that they ought not to be counted. But if you count all the unmarked ballots Britt was elected. [Applause.]

Mr. DOWELL. Will the gentleman from Virginia yield some of his time? We have only one more speech.

Mr. WATSON of Virginia. There is but one more speech on this side. This side has 38 minutes and the gentlemen on that side have an hour, so I will ask the gentleman to yield first.

Mr. DOWELL. Mr. Speaker, I yield the balance of my time, one hour, to the contestant, Mr. Britt.

Mr. BRITT. Mr. Speaker and gentlemen, I am profoundly grateful for the privilege of the floor to appear in my own behalf. I earnestly hope this question will be decided as a matter of justice between man and man, and one in which the public is also largely interested. I hope it will not be decided by you as Democrats or as Republicans or as independents. Justice asks no question of party or creed. It merely asks to be ascertained and administered. In 130 years since this House was first organized I venture to say that this is the first time a seat was ever claimed, much less held, on the floor of this House on the strength of election ballots that were outlawed, on election ballots as to which there is no positive proof that they were ever cast, on election ballots that are not in existence, on election ballots wherein only 3 out of 90 is there a scintilla of proof that any voter in the tenth district of North Carolina ever claimed to have cast them.

In the course of my remarks I shall make certain serious charges against certain individuals of the district, and I shall criticize some people sharply, but I want, in the very beginning, to make it perfectly clear that I do not mean the Democrats of the tenth district of North Carolina in any general sense. I know those men. I have run for Congress in that district four times, and have been twice elected; have run for the senate of the State assembly once and been elected, and in each and every one of those elections I have received the votes of a large number of Democrats; and I want to say now, 500 miles away from home, what I have said a hundred times at home, that the masses of the Democratic Party in my district, in honesty, intelligence, and uprightness, are the equal of a like number of men anywhere. The charges that I bring are against less than two score election officials and managers of the contestee's party.

One more word as to the consideration of this case. It is a long, long way to Tipperary, we have heard as a refrain lately. For two long years, after having knocked at the door of every court in North Carolina, I have journeyed regularly to this Capitol to urge that you determine the issue between me and the contestee. Twenty-five such trips I have made, at an enormous expense, and I rejoice now, although it is within three days of the end of the term, that you are to consider the issues involved in this contest, and determine them by your suffrages as Members of this House. So, gentlemen, I hope that to-morrow, after you have voted, there will come to you no troubling question of whether you supported your party or your section, but that, knocking silently at the hearts of each of the Members of this House, will come the question, "Did I do justice between man and man?"

I am amazed that the learned gentlemen on the other side should claim that the primary-election law of North Carolina was an inadvertence in so far as it relates to the requirement of marked ballots. If there ever was a law in that State that was made after deliberate consideration it was that statute; and let me show you from the record that that is true. If you will turn to the primary law of the State from which this law concerning the ballots is quoted you will find one-half dozen references to the general State election. I thought it was understood everywhere, under the American system of elections, that the term "general election" is used in contradistinction from "primary election." It is so used in North Carolina; it is so used throughout the States of the Union. Please take time to read this statute. In six different places in the statute, which the distinguished gentleman from Virginia [Mr. WATSON] says is an inadvertence, reference is made to the "general election" of North Carolina, showing that the legislature intended to make provision for certain things relating to the "general elections" as well as to the "primary election." Let me read a word of it:

That opposite the name of each candidate on the general ticket to be voted at the general election shall be a small square, and a vote for any candidate shall be indicated by making a cross mark in such square.

I challenge the gentlemen on the other side to name a single exception under this law to the requirement that the mark must be placed on the ballot. Every ticket voted under this statute requires a mark. Why should the congressional ticket be excepted from that provision, and what does it take to make a statute mandatory? Let us consider that for a moment.

The statute itself uses the most imperative language. It says "shall be placed." It does not say "may be placed." In the second place, the construction of the statute was mandatory. The State board of elections construed it to require the cross mark. The attorney general of the State construed it to require the cross mark. Every State official that touched it held it to require the cross mark, and when they came to apply it they still held it required the cross mark. I thought I heard it said on the other side to-day that the State board of elections did not hold that the ballots should be so marked. The State board of elections was administered at that time by a Democratic chairman and one Republican member. Mr. Freeman, member of the State board of elections, swears they so held, and that the attorney general, through his assistant, so held. Not only that, but A. E. Holton, a prominent lawyer of the State, went to the capital to advise concerning it, and they told him that they must be marked. The candidate against the gentleman from North Carolina [Mr. STEDMAN], Mr. Grissom, went to the capital, and they told him they must be marked. Let me call your attention to a few others who said they must be marked: D. S. Elias, Democratic chairman of the district, held that they must be marked; J. W. Haynes, referred to here to-day as the leading manager for the contestee, held they must be marked. Who else held they must be marked? Every single party manager, including the contestee and myself and every election poll holder in the places where amended and supplementary returns were made. Let us consider the terms "mandatory" and "directory." What can make a law more mandatory? The statute used mandatory language. The law officer of the State, the attorney general, held it to be mandatory; the State board of elections used mandatory language. Mr. Weaver used mandatory language. I used mandatory language. His managers used mandatory language, and the poll

holders themselves sat in council on that question and decided that the ballots must be marked. I submit to this House that there never was any statute in the history of any State relating to any subject made more mandatory by its provisions than was this marking of the ballots, and there could be no valid ballot without it.

I hold in my hand a copy of a circular of instructions which I prepared and distributed to all the voters of the district. Here is what it said:

Republican congressional ballot. (To vote this ticket make a cross mark.) For Representative in the Sixty-fifth Congress, tenth district, James J. Britt.

And I instructed the voters that if they did not place the mark there it would not be a valid ballot. Now, gentlemen, if the statute says it, and the attorney general says it, and all the State executives say it, and all the party managers say it, and the contestee says it, and I say it, let me ask you, in the name of all reason, what more is necessary to make it a mandatory provision? Gentlemen, I hold in my hand a specimen of the ballot voted for the contestee and myself at the election of November 7, 1916. Here are the words:

Democratic congressional ballot. (To vote this ticket make a cross mark in the square.) For Representative in the Sixty-fifth Congress, tenth district, Zebulon Weaver.

What is mine?

Republican congressional ballot. (To vote this ticket make a cross mark in the square.) For Representative in the Sixty-fifth Congress, tenth district, James J. Britt.

The ticket itself stated it, the contestee said it, everybody said it. Now, I ask you if it is fair for those who made the law, who construed it, who administered it, to put me in the position of doing a thing, and then let the contestee reverse that law and come here and hold a seat in Congress for two years on a law and construction, about which I had no choice, except to do what I was told to do? Is that fair? Let me submit this proposition to the gentleman, and it will be a good thing to reflect upon before you start to worship to-morrow. Suppose I had been short of election by 13 votes and I had wanted the seat in Congress which Mr. Weaver coveted, and I had gone to the State election authorities of North Carolina and had said to them, "You made the law, you construed the law, you administered the law, you made me put these marks on the ballot, but I want you to reverse it all so as to give me a seat in Congress."

Why, gentlemen, I would have been counted the biggest fool in North Carolina; I would have been laughed out of court. They would have said, "Britt, you are asking us to nullify the law as made and construed by the State officials after it is applied by your consent." I ask my Democratic friends to ponder over that before they cast their vote against me this evening, and to ponder it over in the interest of those principles of justice that seek all places for a temple and for all seasons summer.

Mr. MAYS. Will the gentleman yield in that connection?

Mr. BRITT. I can not yield; I can not make my speech as I have planned it and yield. If I should yield to one gentleman I would be compelled to yield to others. Now, let us see. Here are five propositions, and I want you to get them. The unmarked ballots ought to be discredited because they are unlawful, but if we do count them I was elected. If you do not count them I was elected. If you count all your unmarked ballots in the district I was elected; if you leave all the unmarked ballots off I was elected. If you add the unmarked ballots, in addition to those other uncounted ballots that they admit I received, I was elected, and by any construction of the record under heaven that has reason or justice in it, the contestant was elected and not the contestee. Now, let us see what was done, and, gentleman, I regret to say some things that I must say now. What did those telegrams of Elias mean? Rutherford County had given Mr. Weaver 2,367 votes and had given me 1,941 as a final vote, and two days after his manager is asking that the laws of nature be reversed, that the laws of arithmetic be changed, and Haynes is crying, "Yonder in the Capitol Weaver's vote is needed."

Haynes is calling up Hill, of Jackson, and telling him to go into Graham County and threw out a certain precinct, and "We will stand by you if you will stand by us." What else? We find every effort made—a conspiracy if ever there was a conspiracy formed in the world—to cheat me out of the election after the news came that I had been elected by 13 majority. The Elias telegrams and the Haynes telephone messages are only a part. On the morning of the 9th the Buncombe County canvassers met. R. B. Stone had voted in the fourth precinct, but he lived in the sixth precinct. The testimony of Harkins and Gudger in the record shows that the board threw out this vote. But a few days thereafter, in one of those subterranean sessions—when things were done, God only knows what—this vote was thrown out. It is admitted by Stone that he had not been in the precinct for 15 months. It was sworn to by Harkins and Gudger. What took place in the secret meeting? Listen: Section 4350 of the statutes of North Carolina says the canvassers shall count and return the vote "in the presence of such electors as choose to attend." Note the words. Yet, they got down in the county commissioner's office, locked the doors, and there held a session after they had pretended to publicly adjourn until the next Thursday, and the meeting was broken up, and in the breaking up of that meeting they have Haynes, one of their managers, saying, "Well, gentlemen, I have told you what to do." And they did it. Now, what was the result? Listen: The news had gone out that Mr. Weaver's friends had found 5 unmarked ballots at West Asheville and Britt 2. Supplemental returns were made from that precinct which would give Mr. Weaver an increase of 3 votes. The news had come from the sixth precinct that Weaver had 7 and Britt 2. Supplemental returns were made from there. News had come from the second Asheville precinct that Weaver had 5 and Britt 1. Returns were made from there to Mr. Weaver's advantage.

The news had come in from Lower Hominy that Weaver had six there, and supplemental returns were made that gave Weaver the advantage. Now, gentlemen, here is the wickedness of the thing. They knew that Britt had received five unmarked ballots at Beaverdam precinct and Weaver none. No returns were made from there. Why? The news had come that Britt had received three unmarked ballots at Leicester. No returns were made. No advantage to Mr. Weaver. In Asheville No. 1 Britt had two, Weaver one. No return from there, because it would be of no advantage to Mr. Weaver. News had come from Swannanoa that Britt had one and Weaver none. No returns, for it would be of no advantage to Mr. Weaver.

I ask the Democratic Member to forget all the traditions of his party and meditate upon those facts, undisputed in this record, before he casts a vote in this Chamber this evening to put his approval upon that sort of conduct. What happened? Startling was the statement of one of the poll holders at Beaver Dam. He says, "If Britt wants them counted, let him count them. It is a matter of politics with us." We all know it was. What else was said? Malone, another member of the canvassing board—and if anybody challenges it I will name the page—said "It does not make any difference who has the vote; we intend to give it to Mr. Weaver." That was the talk. That was in the air. That was everywhere. And, gentlemen, what took place? The law says to meet at 9 o'clock. They met at 9 o'clock. They organized. They counted the congressional vote. They counted it all, and they made no objection to it except in Stone's case, and in that case they threw the ballot out. And, gentlemen, they then proceeded to count all the other tickets, the State, county, judicial, the constitutional amendment, presidential, and everything else. The returns were sufficient. I want to show you what the evidence was on that.

I received 4,037 votes in that county and Mr. Weaver received 4,325. Outside of the county I had received 13,971 votes and he had received 13,670. I had a majority of 13. They then proceeded to delay. I want to call your attention to something right here. It will take but a minute. Look at page 73 of the hearings before you. On page 73 are the returns published in the Asheville Daily Citizen on the 8th of November, 1916. The vote for every office is reported there except that of Congress. Why is Congress not put there? The returns were known. Everybody knew what the result was. Something was being held up. They said, "We are not going to dispose of that congressional vote now. We have got to do something before we can make that decision or else Weaver will not be elected and Britt will be." What did they proceed to do? Count all the other votes made by the same returning board. I ask you gentlemen of the majority if these returns were lawful for the presidential election, for the State election, and for the county election, if they were lawful for those purposes, why under heavens should the returns for Congress be held up? For no other reason than that they intended to seek an advantage in some way and did not want these returns yet published. Now, what did they do? On the 9th they worked, and again on the 10th, and on the 11th they adjourned until the next Thursday. During all this time I was trying to find out what was going on. My attorney moved that I be given the vote that I had, and the chairman said, "We are adjourned," without the form of a motion. Hill stepped up and reminded him what happened, and he said, "I don't give a damn." In everything it was high-handed. It was tyrannical. It was overbearing. It was secret. It was such as to say throughout, "We intend to do it, because we have made up our minds to do it."

While a handful of these fellows and Mr. Weaver's managers were doing that sort of thing the great body of Democratic voters were joining the Republican voters in protest, saying,

"Whatever the result is, let us have an honest count, and let the man elected have his place." And until this good night I have not lost my faith in those men, and until this good night they disapprove what was done.

Oh, somebody over there says, "But since that time they have voted for Mr. Weaver." But it was an extraordinary time. That is not in the record. We had been in a great war. The times were extraordinary. Everybody was supporting the President of the United States. Candidates for Congress were forgotten. No attention was paid to them scarcely, particularly in the South, and Mr. Weaver did receive nominally a majority of the vote at the last election. I do not know whether he will refer to it or not, but if he does let me say in advance that whereas votes were taken away from the Republican congressional candidate two years ago by the score, they were taken away by the hundreds in the election of 1918; yes, by the hundred, whereas they were taken by the score before.

Now, gentlemen, if you will count all the unmarked ballots in Buncombe County found for Mr. Weaver and found for Mr. Britt, I shall have, including the other vote in the district, a majority of 7 votes. If you go outside of the county and include all the unmarked ballots in the district, just as Judge WATSON has found them, 26 for Mr. Weaver and 21 for me, I would be elected in the district by 8 votes. If you deduct from the contestee's vote the unlawful Stone vote and the vote of West, who swore he voted twice for Weaver and accepted pay for it, I would be elected in the district by 24. And there are yet others, in my judgment, as the record absolutely proves, giving me a majority of 187. Take any view of it; take the unmarked or the marked ballots, count them or reject them, and make the returns as you please, and I was elected in the district.

Now, gentlemen, one more word about whether these ballots are proved. In North Carolina there must be four things done before a man can get the benefit of a vote at an election: First, there must be a lawful voter; second, there must be a lawful ballot; third, there must be the act of voting; and, fourth, there must be a lawful return of the vote. Gentlemen, if you will look over this report of the majority you will see that they are very careful to say that the supreme court by a dictum held that these ballots might be counted. But they do not go a little further and tell you, as they should have told you, that the same supreme court held that these returns in these five precincts, made in the way in which they were made, were absolutely null and void. Can it be possible that the vote can be legal if it was not lawfully returned? Every poll holder, Democrats and Republicans, in each of these five precincts, every one of them, swears that no meeting was held and no notice was given, and that the Republican member never heard of it, except in the Hazel precinct. Every one of the ballots returned in this way ought to be thrown out.

Gentlemen, this ballot is 3¼ inches long and 2 inches wide and one three-hundredths of an inch thick. They came from the State board of elections in closely packed bales. They were pressed together. There were the congressional, the electoral, the county, the township, and the constitutional-amendment ballots. They were pinned together. This ticket was pinned on the top. Now, everybody here knows how easy it is to stick two of those little Weaver ballots together; and yet you come here and argue that in all that uncertainty Mr. Weaver has had a right to a seat in this Congress for the past two years. Out of 90 men only 3 have ever claimed that they voted unmarked ballots. Who are they? Connolly said, "I forgot to mark my ballot, and I moved to throw it out because it was unlawful." He was an honest man and a good Democrat. West said, "I voted one intentionally, because I wanted to defy the law." And McClure said, "Hardin voted one because he did not like Mr. Weaver and would not vote for Mr. Britt because he was a Republican."

Out of 90 unmarked ballots those are the only 3 that anybody ever claimed to have voted. You can understand how easily those ballots could have been picked up together and pinned and deposited, and honestly so.

Why did not Mr. Weaver come here with the proofs? Let me tell you what they are. He ought to have come here with the unmarked ballots. That is the best evidence you know, as many of you are lawyers. He did not bring one of them. That is the highest proof. Then the next proof would have been the testimony of the voter that, since the matter was brought to his attention, he recalls that he had cast his ballot without putting a mark on it.

I am going to address myself to the mode of getting the certificate in a moment, and you will then conclude that it was unlawful. Now, what proof ought he to bring? He ought to come here with the ballots. He has not done it. He ought to come here with the testimony of the voters of that district, who swear that since the matter has been broached and their attention called to it they remember they put their ballots in the boxes and did not mark them. He only brings the testimony of 3 out of 90. What is the next thing he ought to have done? He ought to have taken the registered vote and have compared the total Britt and Weaver vote with the total registered vote, and have shown this House that the total Britt vote and Weaver vote was as much less than the registered vote as was equal to the number of unmarked ballots at that place. All voters voted either for Mr. Weaver or myself. The people of North Carolina are strong on voting when they get a chance. God knows some of us are strong on having our votes taken away, but we do vote, and we insist upon voting.

The next proof he ought to have come here with is this: He ought to have taken the highest vote of some Republican candidate and some Democratic candidate at that precinct. He ought to have added those two votes together and have seen how much more they were than his vote and mine added together. There is not a scintilla of testimony as to that.

Gentlemen, it is a great thing to be a Member of this House, provided you come here in such a way that you have the law and morals behind you; but I want to ask you if any man ought to rest at ease in a seat in this House basing his claim on ballots that nobody claims to have cast, ballots which were outlawed, ballots that nobody knows anything about except that there is some testimony that they were found in the ballot boxes.

Now I will address myself to the way the certificate was obtained, and I trust I may be understood on this point. When the State board of election gave the certificate to Mr. Weaver on the 19th day of December, 1916, they had before them the certified vote of the secretary of state, and the secretary of state had the certified vote from the register of deeds in the counties. That vote, as it was returned from Rutherford County, in the footing as compared with the items, showed Mr. Weaver 10 votes more than he had received, showed for me 10 votes less than I had received. The State board of canvassers did not add the items. If you had bought a bill of groceries or had traded a little at the store, being good business men, as I know you are, you would have added up the items to see whether the total was correct. They never added the items to verify the total.

Mr. WATSON of Virginia. Will the gentleman yield?

Mr. BRITT. I declined to yield before, but I will yield this once.

Mr. WATSON of Virginia. I would like to ask the gentleman if in the hearings before the committee he did not admit that that miscalculation in Rutherford County was a mistake?

Mr. BRITT. I did not admit it. I said a question was raised concerning it. I asked permission to verify it, which I never had an opportunity to do. I merely said the question was raised.

Mr. WATSON of Virginia. May I not ask you if the certified returns for Rutherford County in this record are all right?

Mr. BRITT. I do not know. I know the certified returns that the secretary of state had before him were not right, and I know that the State board of elections never had enough consideration for my rights to verify those returns. If they had added the votes from the precincts they would have found that even on those returns, after they had been stuffed with unmarked ballots from Buncombe County, even on those returns Mr. Weaver was short 11 votes, and I was entitled to the certificate. I do not know whether the Rutherford certificate contained a mistake or not. There may have been a mistake. If there was a mistake, it was their duty to correct it then and there, and until they did correct it Mr. Weaver was not entitled to the certificate

But that is not all. Three hours before the State board of canvassers gave Mr. Weaver the certificate the Supreme Court of North Carolina held that the amended and supplemental returns, made in the way they were made, were unlawful, and inferentially that no ballots returned by them could be counted. Notwithstanding that fact the State board of canvassers closed their eyes to my rights. They thought only of Mr. Weaver and gave him the certificate. If they had counted the 27 votes which the supreme court three hours before held were not lawful, because they had not been lawfully returned, and if they had deducted the 20 from Rutherford County, which, whether a mistake or not, were the only figures they had before them from that county, they would have found me entitled to the certificate instead of Mr. Weaver.

Mr. WEAVER. Will the gentleman yield to me?

Mr. BRITT. I will.

Mr. WEAVER. I have been for some time at least anxious to know the gentleman's position in regard to Rutherford

County. Does the gentleman state to the House that he was deprived of any votes in Rutherford County, or that I was given any votes I was not entitled to in Rutherford County? I have been trying for a year to get that information.

Mr. BRITT. If that is the gentleman's question I will answer it, and if his mind is troubled I will ease it. The certificate I got was from the Democratic register of deeds of Rutherford County, and the certificate before the board of canvassers was from the Democratic secretary of state, and they both showed your vote 10 greater than it was, and mine was 10 less than it was.

Mr. WEAVER. What was the total vote shown by the certificate sent to the secretary of state for the contestant and the contestee?

Mr. BRITT. The total vote shown for you by the items from the precincts was 2,367, and you took 2,377. The total vote shown by the items for me was 1,941, and the count gave me 1,931. The State gave you a certificate on a false count.

Mr. WEAVER. One question more. What was the total vote by the State board of elections given to the contestant and the contestee for Rutherford County?

Mr. BRITT. The total vote they gave me was 2,331, and the items before them showed 2,341. The total vote they gave you was 2,377, and the items showed 2,367.

Mr. WEAVER. What was the total vote?

Mr. BRITT. That was the total vote; that is what they gave you. [Applause on the Republican side.]

Mr. WEAVER. What does the gentleman claim was the correct vote of Rutherford County?

Mr. BRITT. Nobody knows from the Democratic returns. [Laughter and applause on the Republican side.]

Now, Mr. Speaker, I want to address myself to some other matters. I am not saying whether the Rutherford County vote was correct or incorrect; I do not know; but what I am saying is that they were so disregardful of my rights, so hasty to give the contestee a certificate, that they did not even have a clerk add up the figures; and the result was that the footings were false and gave him 10 more votes than he was entitled to and me 10 votes less than I was entitled to, as shown by the returns before them. As I have said, in the whole matter before them everything was run with a shameful disregard of the rights of the Republican candidate.

Now, gentlemen, I referred a moment ago to two things on the part of the State board of canvassers, and I referred to them to show the methods that were used and to show you that my rights were absolutely disregarded and trodden under foot. I had no voice in any of those matters. I could not be present and I had no authority.

Now, I am going to say something that may be aside. Take the whole thing; take the counting of the vote; take the returns of the vote; take the secret meetings; take the rush of matters; take the treatment that my friends received at every stage of the proceedings; and I want to say that in the recent great struggle we have gone through, in which you Democratic Members and Republican Members and all the men that gave your first born—I sent two sons there, and one sleeps on French soil and another may also, for aught I know—but I want to say to this House that the force and fraud and tyranny which our boys struggled against in France and Flanders was different from that which a few officials and managers of the contestee accorded my rights in North Carolina only in degree and not in kind. We were run over, knocked down, and trampled under foot. No; there was no difference, except in degree.

It was Rob Roy's maxim, "Let him take that has the power, and let him keep that can." They had the power, and they took. I could not keep. I had the right. I had not the power.

Now, gentlemen, I want to address myself to some votes other than those included in the unmarked ballots.

I want the attention of the House while I refer again to one vote to which I specially referred a moment ago.

Mr. MAYS. Will the gentleman yield?

Mr. BRITT. Yes.

Mr. MAYS. The same people in North Carolina counted you in once.

Mr. BRITT. Not one of the fellows that did the counting out this time. They counted me in when I had 768 majority, but if I had had only 13, I fear my fate would have been as it was this time. [Laughter.]

Mr. MAYS. They might have robbed you of the 700.

Mr. HAMILTON of Michigan. That would be rather too big a job, brother.

Mr. BRITT. Now, let us go to the vote in the fourth precinct. I do not criticize the majority members of the committee; it is not my province. Why that vote, known as the Stone vote, was not counted is a mystery to me. There is absolute and unqualified evidence of its validity. The testimony of Stone himself shows that he has been out of the precinct 15 months and the law says that you can not stay out more than 4 months and vote. Harkins swears it, Gudger swears it, and swears that this vote was put in and then taken out. I know that it must be an oversight on the part of the committee, or they would have stricken that vote out, and they will strike it out when it is called to their attention. That reduces his claimed majority by the committee to 11. In one precinct in Waynesville, West swore he voted in the south ward. He voted for Weaver first, and they gave him a dollar, and then he went to the north ward and voted again. Why was it that the majority members did not cast that vote out? It ought to have been thrown out. That reduces the claimed majority down to 10 votes.

There are 21 votes treated on page 30 of my brief, open to your inspection. There I have set out the number of voters who claimed to have offered to vote for me, but were refused the right to vote; the same list to which the gentleman from Indiana [Mr. SANDERS] refers, and every single one of those men, with the possible exception of two, is a lawful voter. Mr. Weaver's counsel admitted, in effect, before your committee that 14 of these votes ought to have been counted. If they had been counted, as it seems to me you must count them, then, making every possible deduction, after you have given Mr. Weaver every unmarked ballot that the committee claims for him, and you have given me such as you have given me, still there is a majority of 24 votes for me; and on page 60 of my brief 156 names are set out of another class, men who voted for Mr. Weaver who had not paid their poll-taxes, or who had not lived in the State two years, or in the county six months, or in the precinct four months, or who were not in other particulars qualified. Yet there seems to have been, I am sorry to say, by the majority members of the committee, no consideration whatever of these votes. I ask that this House take into consideration these votes. Beyond peradventure there is legal evidence to show that out of 156 claimed illegal to vote for him, beyond any doubt 125 have not a scintalla of legality. I have a right to ask that those votes be cast from his votes, which would have the effect of adding an equal number to my votes.

Gentlemen, there are just a few things more to which I want to refer. One of the things is—and I refer to it here because you ought to be fully advised—that the sessions of the board of canvassers of Buncombe County were put off from day to day by a subterfuge. When they first met the votes were counted, tabulated, and were ready for proclamation. There was nothing wrong whatever with them, and even Mr. Weaver himself admitted it, and I want to read to you now what he said through the lips of one of his ardent supporters. I call it to your attention because Mr. Weaver had an opportunity to dispute it, had an opportunity to go upon the witness stand and deny it, but he never did. I read from page 192 of this record. If Mr. Weaver had let his 288 majority in Buncombe County alone, I would have had just what I did in fact have, 13 majority. John D. Sumner voted for Mr. Weaver. He worked for him tooth and nail, was one of his zealous supporters, although he was a Republican. He had become offended at me about something and he supported Mr. Weaver, and here is what he says:

> I said, "Now, Mr. Weaver, you know I was doing everything I could and assisted you and done all I could for you in the campaign, but when it comes to stealing, I am done with it."
>
> He stated further that they couldn't change that, and if they could they wouldn't, and if they did they couldn't lay it on him. I told him that Britt was elected, and that he knew it, by 13 majority.
>
> He replied that was so.

Among the men in the tenth district of North Carolina who never doubted my election for one moment at the beginning, never doubted it until men like Mr. Haynes began to say that the organization of this House depended upon it, was the contestee himself, and his friend swears that he told him that I was elected, and Mr. Weaver during 90 days of these hearings had the opportunity to go upon the witness stand and disprove it. But he never once dared to dispute the testimony of Mr. Sumner, and it stands on the record that he himself admitted my election.

Gentlemen, one word more about the canvassers. Why did they adjourn from the 9th to the 10th, from the 10th to the 11th; why the same thing on the 11th, why from the 11th to the 16th; why from the 16th to the 17th? The law says that on the day they meet they must count and return this vote. They put it off for 10 days, and for what purpose? They put it off until they could doctor the returns—doctor them sufficiently to give Mr. Weaver some sort of a prima facie majority and let the State board of canvassers award him the certificate, and when he once gets the certificate the seat belongs to him, as he thinks, and then when the decision comes it will be a late date in the

term; and, I repeat, as I said at the beginning, for two long years I have knocked at the door of this House, journeying 25 times, 500 miles, to ask that my rights be adjudicated, at an expense far above the salary if I receive it; and now, within three days of the close of this term, after many, many other cases have been determined, it is up to you to determine whether I am to receive the seat for the remaining three days or whether Mr. Weaver shall continue to hold it. If it involved only the salary or the right to vote in this House, I assure you I would not have made this contest. I fought through the courts of my State, which stood like a solid wall against me. I would not have journeyed here so often; but, thank God, I have a little red blood left in my veins, and if I am finally overwhelmed and crushed I shall not cease to fight for my rights as an American citizen as long as any remedy is left me.

It is my duty to stand for those rights, and now for two long years, against majorities and opposing courts, I have fought for those rights. I appeal to you now not to vote as Democrats, not to vote as Republicans. I claim no vote from any man here because he is a Republican, but I claim I am entitled to a vote of this House on the record in this case, and that I ought to receive it. Gentlemen may say, as in two instances in North Carolina, the question of bribery was raised. A poor, loathsome creature, spotted all over like a leper with crimes, swore on one occasion that somebody had offered him something to obtain 18 votes. That creature, covered all over with crime, serving a term of three years in prison, was brought out to make an affidavit to that effect, and then, after it was done, they had such little confidence in his testimony that he was never indicted, they whom he charged were never indicted, no indictments were made on the charge of bribery. The whole thing was for the purpose of detracting attention from the gigantic frauds and abuses to which I have referred. That was all the result of the affidavit of a poor, miserable criminal, and following what was done by him, I do not say at whose instance, nor for what, but the day that he made the affidavit against me he was brought from the chain gang, and his sentence was reduced from three years on the chain gang to one year in jail instead, and he was made a "trusty," and, so far as I know, he may have been decorated and made a Knight of the Garter. [Laughter.] I mention this because nobody comes after me on my side to mention it.

Gentlemen, in conclusion I ask that you will vote on your conscience; that you will not vote by party or by section; that you will vote under that still, small voice that approves or disapproves. No three days added to the contestee's term by your votes as party men would do him or you any good. I ask it not merely to give me the brief term of three days, but I ask it in the name of justice; of the hope of the weak against the strong; in the name of a square deal. The hope of our institutions depends upon the principle that every qualified American shall have the right to cast one vote and have that vote honestly returned. [Applause.]

The SPEAKER. The law requires the Speaker to appoint a committee on accounts, consisting of three members, to act ad interim. The Chair appoints the gentleman from Georgia, Mr. PARK, the gentleman from Kentucky, Mr. JOHNSON, and the gentleman from New York, Mr. SANFORD. The gentleman from Virginia has 40 minutes remaining.

Mr. WATSON of Virginia. Mr. Speaker, I yield the balance of my time to the gentleman from North Carolina [Mr. WEAVER], the contestee in this case. [Applause.]

Mr. WEAVER. Mr. Speaker and gentlemen of the House, for two years I have occupied a seat as a Member of this body. I have occupied it believing as sincerely as any man who ever sat in this body believed it that I was elected by a majority of the voters of the tenth district of North Carolina. I do not wish to come before you, before the membership of this House, Republicans and Democrats, as a butcher of the reputations of men. My distinguished friend, who claims so many outrageous things have been perpetrated on him in North Carolina, is not careful, to say the least of it, of men who have been his friends in Buncombe County and in Asheville, close friends, and who resent, and who have resented for the last two years, the false accusations made and now repeated against them upon the floor of this House. I wish I had time to speak to you at some length upon the facts in this election case, but I have not. The contestant says that I said my majority in Buncombe County was 288, and that one of my supporters so testified. I wish to clear that up before I go further. He says that I said my majority in Buncombe County was 288. I never said any such thing to Mr. Sumners. I never said such thing to Dan W. Hill, and he knows it is false.

On the occasion referred to these gentlemen and Mr. Shelton came to me and said that somebody connected with the Buncombe board was having a secret meeting at the courthouse, and Dan Hill, one of the Republican managers, and Theodore Shelton, another, and Mr. John B. Sumners came to me, and I said, "Gentlemen, I will see that nothing like that occurs; I do not believe it," and I went with those men, although they were opposed to me politically, and I said, "If they do anything wrong here, and I am not elected, I would not accept the seat." But I found that no votes were ever counted for me that were not cast and found in the ballot boxes. And I never accepted it until the Supreme Court of North Carolina had decided the question of the legality of these ballots in the very case which the contestant brought. I think the decision was common sense, and I think it was in accord with common morals. Those ballots, though unmarked, were morally mine all the time, and the legal question was tested in the courts and I then accepted the certificate, and I now hold the seat by a majority of the votes of that district. You need not worry about that. John Sumners did not vote for me because he loved me. John was one of the progressive Republicans, and about that time, in the spring, they had had a primary election as to the Republican candidate for President of the United States to be nominated at the national convention. Nearly every Republican down there voted for Mr. Roosevelt. Ninety-five per cent of the Republicans were for him and Mr. Britt was a delegate to the national convention, and as such delegate he disregarded these instructions; and John Sumners, it is claimed, voted against him for disregarding the instruction of the primary. It was not because he loved me, but because he got mad about that incident. Here is the truth about what I said. Mr. Shelton told the truth about it, and he is one of Mr. Britt's witnesses. This is his sworn testimony in this record. He said:

> I was among the first to reach Mr. Weaver, I believe, and was present when he was informed as to what was taking place at the auditor's office, and I went with Mr. Weaver to the door and was present during the conversation that took place there, and I recall having heard Mr. Weaver say when we were talking on the street that there was only a difference of a few votes between what he claimed was his majority and what Mr. Britt claimed was his majority here. I don't recall that he stated the exact number.

How does this square with the statement of the contestant on this floor? And Shelton was his own manager and witness.

Now, that is the truth. And yet this man, claiming that he was elected, comes before you, relying upon Republican partisanship, and misrepresents such incidents as that to you. And I do resent it with every fiber of my being. [Applause on the Democratic side.] You can sit here if you wish and vote against me, but I hope there are honest Republicans upon that side who will not listen to such matters as this and to suggestions that telegrams and letters to determine their votes. I know nothing of the alleged telegram, even if the false construction asked should be placed on it. Gentlemen, if they had come to me I would have said not to send any telegram that might be misunderstood. But take all the telegrams, and they show only anxiety and do not suggest that anything should be done that way—wrong. I was not even there. I was 125 miles away from Asheville, trying a lawsuit, when the Buncombe County board acted. I never asked for a single vote to be counted for me that was not proper. I never asked for a single thing to be done that was not just. The majority report finds, and truthfully, that no vote was counted that was not cast. And you can take these 1,200 pages of the record, with all the venom of a defeated candidate—and no man has ever carried more venom in his system for the last two years than this contestant has—and I defy you, I challenge you, to find one single word or thing that I have ever said or done that does not comport with the highest honor. Yet I say that an attempt is made to distort the truth before this House. Are you going to defeat me here, gentlemen, because Mr. Elias sent some telegrams that I never saw or heard of, the meaning of which has been twisted and contorted by this contestant? My vote in Rutherford County was 2,377 and Mr. Britt's vote was 1,931—that is the true vote—and that is what each received. But I am going to tell you Republicans something that might interest you about this contestant. I am going to tell you Republicans and you Democrats something further about Rutherford County.

You received a brief recently, circulated by the contestant in this case. In that brief is a long statement about the Rutherford County vote, in which he says, gentlemen of this House, that 10 votes were taken from him and 10 votes added to me in Rutherford by failing to add up a column of figures correctly. The evidence in Rutherford in this case was taken in March, 1917. He did not file it up here before the Clerk until November of that year. He filed his brief in February, 1918, and when we opened the evidence I discovered in it an exhibit that was not offered in evidence, and was put in the record by him without legal warrant, not being a part of the evidence, and sent up here, purporting to be a certificate of the secretary of state about the Rutherford County vote.

And then I began to investigate this. He filed his brief here, claiming that something had been done to him in Rutherford County. I sent down to Rutherford and got the original returns, and what did I find? Under our law two sets of abstracts have to be made, and the original returns have to be filed in the clerk's office. The original returns were there and the other two abstracts were there. They were correct in every particular, and gave the correct vote as canvassed in each precinct; but in copying one for the secretary of state somebody made a clerical error in three of the precincts, which would have made a change, but the totals were correct all the time. I got a certified copy of those returns, of the original returns. He is strong on original returns, everywhere but in Rutherford. I put them in the record over here before the committee. The committee gave him 10 days to answer. He has not answered yet. And I charge, and I charge it openly and boldly, that he kept that matter secret, knowing that it was a clerical error, from May, 1917, until he filed his brief in February, 1918, expecting to deceive the committee and this House by what he knew was a clerical error. He has not said yet, and he would not say on this floor, what his position is in regard to Rutherford County, but attempts here now on this floor to claim that the Rutherford vote was incorrectly given and acted upon, and is in doubt. He knew this was a clerical error, and knew it for nearly a year before he filed his brief, and he tried to deceive the committee, evidently not knowing that evidence could be offered up here to refute the malicious charges against the State board and the canvassing board of Rutherford County. Why did he not, if he is honest, say, "Yes; I find that the true number of votes were given to each of us in Rutherford"? The original, undisputed original returns are on file in the clerk's office in Rutherford, and certified copies are filed with your committee. What was his duty as an honest contestant? Talk of a telegram by Mr. Elias. Get the record and the hearings and compare this deliberate attempt to defraud with a telegram that meant nothing wrong and accomplished nothing wrong.

Take him if you want him. The people have settled this question. He made it an issue in the last election. Do not forget that. He has the advantage of me; he has made that speech so many times that he has it by heart. [Laughter.] He made it before Judge Adams when he got out his mandamus. He made it before the supreme court, identically the same speech, about these unmarked ballots. He has lost every time. He has made it on the stump in western North Carolina. He has repeated it in the press in western North Carolina.

And yet, with all that, when he raised that issue in the last election, I said, "All right, make it an issue." The people there know that these unmarked ballots at Lower Hominy, Asheville No. 2, and from Asheville No. 6 were honestly cast for me. The people were there in possession of the facts, and I increased my majority in every single one of those precincts and in Buncombe County. And I will say this, since the last election we have established the Australian ballot system in Buncombe County. We have it there now. The voters went in, every man unto himself, under the Australian ballot law, and in every precinct where he charged that fraud was done I doubled the majority I had over him in 1916. [Applause.]

Let us see about his alleged 13 majority and what the Buncombe County board did.

The first thing demanded by Britt from the board on November 9, 1916, was that it should deduct from the original returns at Asheville No. 4, 1 vote cast for me by R. B. Stone. Stone was an honest man—an honest voter. He had always voted at that precinct for 17 years, and because he had moved across the street a short time before the election they demanded that this vote be deducted. The board refused to deduct this ballot from the original returns, and this man has decried the board up and down the State of North Carolina for this as a fraud.

Why did this minority committee not deduct from his vote at Asheville No. 1 the 3 illegal ballots cast for him by Burrell, English, and Tom Brown, who plead guilty to illegal voting in open court, and when the certified record of these convictions was before them?

At Lower Hominy precinct the judges found in the box 6 unmarked ballots for me. All the judges, Democrats and Republicans, testified that this was true. W. E. McCall, a candidate on the Republican ticket, testified that it was true. They were not counted with the marked vote, but a separate paper was pinned to the original returns with this statement: "Found for Mr. Weaver, 6 unmarked votes." This statement accompanied the original returns on November 9, and the board merely counted these legal votes, and they were determined by the Supreme Court of North Carolina to be legal. And he again cries "fraud" and has libeled this Buncombe County board at every opportunity.

At Asheville No. 2 there were 5 unmarked ballots for me and 1 for him. The two Democratic judges so testified; Joe Ford, the Republican judge, so testified. They further testified that it was agreed when the votes were counted that these unmarked ballots should be certified to the canvassing board to have their legality determined. The two Democratic judges, Garren and West, simply certified this fact and carried out this agreement, while Ford, the Republican judge, though he testified that the ballots were there, refused to discharge his official duty and certify to the truth. These ballots were counted for me by the Buncombe board, and this is charged as fraud in the face of the admitted facts.

At Asheville No. 6 there were 7 for me and 2 for Britt not counted. They were noted on the tally sheets as were those at Asheville No. 2. It was agreed that they should be sent to the county board to have their legality determined. This was done in accordance with this agreement and in accordance with the facts—the admitted facts—and were counted for me as the supreme court said they ought to have been counted. These ballots alone defeated this contestant.

At Tryon, N. C., there were found in the box 9 unmarked ballots for me and 1 for him. They were noted and preserved. The Democratic judges argued that they were legal, the Republican judge said they were not legal and refused to sign the returns with these ballots included, and thus kept out of the original returns these 9 votes for me. It was here also agreed that the ballots should be certified to the county canvassing board to have their legality determined. One of the judges of election states that he did present the matter to the board, but they were not counted. These ballots have not yet been counted for me, which would have increased my majority in the tenth district.

The majority of your committee have carefully considered the evidence as to every unmarked ballot not counted in the whole tenth district and finds that I was elected by at least 12 majority. Where are the morals of this matter? Shall we honestly count votes that were honestly cast, as the Buncombe County board did, or stand upon a technicality as to the marking and disfranchise the voters who cast these ballots?

Judge Adams decided against him when his mandamus was heard; the supreme court affirmed this decision and again he lost. The majority of your election committee has decided against him, and now by an organized effort he comes before the Membership of this House, asking to be seated by a partisan vote regardless of the decision of the court, regardless of the facts.

These votes were cast. There is not a single one that this majority report gives me that was not cast by an honest voter in that district. I wish I had time to go into the details of them. Yes, gentlemen, he knows they were cast and asks that he be given a seat in this Congress on a mere technicality as to marking. I would like to tell you how he got some votes that he did get. He thought I might refer to the evidence in the record as to the 18 votes bought for him at Asheville precinct No. 1. They are in the alleged majority of 13. The record shows that in the basement of the very courthouse where he was charging the Buncombe County board with fraud one of his supporters, whom he now is so ungrateful as to denounce as a criminal, bought 18 votes for him, and he now has the benefit of them in these returns. [Laughter.]

More than that, he talks of letters and telegrams. He knows that in this record there is uncontradicted evidence that in Jackson County two men admitted that they sold their votes; that they voted for him for $12.50 per vote. There is further evidence in that record that Charles J. Harris, one of the great Republican leaders in North Carolina, offered $15 to Dock Shular if he would vote for Britt, and he would not do it. Harris was an employer of Shular, and he turned him off the next day after the election because of this. We tried to get Mr. Harris on the witness stand. We subpœnaed him and he would not come. We asked for him when Mr. Britt took his evidence in Jackson, and he promised to produce him, and still he was not there to deny that.

There is evidence of corruption in Cherokee County, and in Buncombe County there is an affidavit in the record from a man by the name of Banks showing that the Britt supporters collected the voters and marched them up in solid phalanx, with one Republican leader at the head and another at the foot, to see that they voted right. The affidavit shows that they were paid. Why this marching of sovereign voters in phalanx to the polls? Telegrams? That shows how some of these votes that were counted for Britt were obtained.

Has it been shown that the telegram from Buncombe County cost Mr. Britt a single vote? Are you going to unseat me unless he shows you? The unofficial report was that Weaver's majority in Rutherford was 452. He said, "Give him more if

you can." This was not an invitation to fraud; it was to a private citizen merely to see that every vote received was properly counted for me. They were sending men to all the counties, gentlemen. We did not have a German spy system in their offices as they had in ours, as we found out. [Laughter.] That telegram went over to Rutherford County on the 9th before the official count. Then Carson telegraphed back, and the brief he circulates among you does not contain this telegram. It was this:

Official vote counted. Weaver, 2,377; Britt, 1,931. No contest. Everything straight.

This was on November 9 and after the official count, which gave me 446 majority instead of 452, as unofficially reported. Where is the wrong?

He never mentions that, not for a single time. He expects you Republicans to act upon prejudice, which he attempts to build up against me, because I am a Democrat, in regard to a harmless telegram and letter, without showing any facts upon which to base his claim of election.

Now, what was done? Rumors were floating around that my majority in Rutherford County was about 452. I think both the Republican and Democratic headquarters were carrying it that way as an unofficial report. When the board met in Rutherford they counted up the vote and found my majority to be 446, 6 votes less than the figures referred to in the telegram. Is there a Republican on this side of the House who has any doubt about Rutherford County? There is no Republican in Rutherford County who thinks Mr. Britt did not get all he was entitled to.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. WEAVER. Yes.

Mr. KEARNS. It was claimed that the unmarked ballots cast for you were counted and that the unmarked ballots cast for Mr. Britt were not counted. What about that? That is what I would like to know.

Mr. WEAVER. Of course, that is not the case. Let me tell you what happened before that board. Is that what you want to know?

Mr. KEARNS. I want to know about that. How about that?

Mr. PHELAN. Tell what that chart shows. That chart shows the unmarked ballots counted for Mr. Britt. It shows the unmarked ballots voted for both candidates, and it shows in some cases unmarked ballots before the contest ever arose, and in other cases it shows unmarked ballots since the contest arose.

Mr. KEARNS. It is claimed here that some unmarked ballots were counted and that others were not counted. I should like to know what the fact is.

Mr. PHELAN. The fact is that unmarked ballots were counted for both Mr. Britt and Mr. Weaver.

Mr. KEARNS. All of them?

Mr. PHELAN. All of those for which we have any evidence. Of course, there has been some dispute in some cases as to whether there was or was not a ballot. For example, one election official said there were eight for one candidate and four for the other. The other two election officers said there were seven and two. In that case we went by the preponderance of evidence; but we have counted unmarked ballots on both sides of this case.

Mr. MILLER of Minnesota. Then this chart is wrong, is it?

Mr. CONNALLY of Texas. Absolutely.

Mr. PHELAN. That chart tells only one part of the story——

Mr. MILLER of Minnesota. But it tells the part of the story that these men believe in.

Mr. CONNALLY of Texas. I will ask the gentleman, with reference to the question asked by the gentleman from Ohio, if it is not a fact that the committee in making this report, or in counting these ballots, counted only the unmarked ballots for both Britt and Weaver about which there was, you might say, no controversy at all between the Republican judges and the Democratic judges.

Mr. PHELAN. That is true.

Mr. CONNALLY of Texas. Where they agreed we counted them and where they did not agree we rejected them for both parties.

Mr. MILLER of Minnesota. May I ask the gentleman a question?

Mr. WEAVER. Yes.

Mr. MILLER of Minnesota. Is there anything in the North Carolina constitution which says that a statute can have but one object, and that must be expressed in its title?

Mr. WEAVER. No; not in North Carolina.

Mr. MILLER of Minnesota. I understood the gentleman from Virginia [Mr. WATSON] to make that statement.

Mr. WEAVER. No; he said that was in the Virginia constitution.

Mr. MILLER of Minnesota. If there is no such provision in the North Carolina constitution, was section 32 the law at the time this election was held? I notice that integrated throughout this so-called primary election law there are provisions governing general elections in North Carolina. I was led to believe by the argument made by the gentleman from Virginia——

Mr. WEAVER. I do not yield to the gentleman for a speech. I have only 30 minutes.

Mr. MILLER of Minnesota. I should like to have the gentleman answer my question.

Mr. WEAVER. What is the gentleman's question?

Mr. MILLER of Minnesota. Is section 32 not the law of North Carolina?

Mr. WEAVER. It is not now.

Mr. MILLER of Minnesota. Was it at the time this election was held?

Mr. WEAVER. Section 32 was in the statute at the time the election was held.

Mr. MILLER of Minnesota. Then why is it possible to count any of the unmarked ballots? This says a man must mark his ballot.

Mr. WEAVER. I would have to read you a long Supreme Court decision which determined that, and held they did not have to be marked. Now, I am going to say this to my friend from Iowa and my friend from Indiana: I am surprised that they as members of an election committee, charged with high duties, would put before this House the figures in this chart which hangs before you. I believe that Judge Watson in trying this case took as much pains to arrive at what were the true facts as if he had been sitting upon a chancery bench trying a case in equity. [Applause.] He did not give me all I asked for. He did not accept my claims. He has deducted many votes that I think I am entitled to upon the preponderance of the testimony, but where there was the slightest squint, and regardless of the overwhelming testimony in the case, these gentlemen, the minority, have attempted to put on that chart before you certain votes as cast for Mr. Britt that have no foundation. You know the difficulty of running through details like that in the few minutes I have. At Lester one judge swore there were three and another one swore there were two. But, gentlemen, I do not think Mr. Britt is entitled to a single one, because the evidence shows that there were about seven more votes already counted for Mr. Britt and me than there were men entitled to vote, as shown by the poll book. I do not think he is entitled to a single one there. The minority would increase this discrepancy.

Now, gentlemen, let us take Edneyville. The only judge of election who made any affidavit about that is on page 1160 of the record. His name is Edney. I suppose the place was named for him. His affidavit is in the record stating that there were two unmarked ballots for me and no unmarked ballot for Mr. Britt; but these gentlemen, the minority members of the committee, give one to Mr. Britt in the face of this evidence.

I want to say to you that I obtained or sent out to every election official in that district a report as to the exact number of these votes; and if they had been for Mr. Britt he could have shown it, and did show all he could. They are all in this record, and I had, in fact, a majority of 20 or 22 votes, counting all unmarked votes. Now, at Edneyville there were two for me and none for Mr. Britt. That is by the statement of the judge of the election. That is the statement made about it a few days after the election.

Take Chimney Rock. This chart gives Britt one. There was not any unmarked ballots for Mr. Britt at Chimney Rock. There were 2 for me, and Mr. Logan, the Republican judge, took them out of the box, dropped them down, and put his foot on them, and said, "Two illegal votes for Mr. Weaver." That was the way he disposed of them. They asked me, "Why did you not have a recount?" I said, "I could not get them out from under the feet of these judges."

Now, there was apparently 1 illegal vote put in the box at Chimney Rock. It was not an unmarked ballot, but a man voted, and then it developed that some months before the election, about July, 1916, he had moved over into McDowell County and was a resident of that county. Mr. Logan, one of the judges, said they took out that ballot. The other two judges said they did talk about it, but that they did not take it out at all, and it is still in there for Mr. Britt, and he asks to count it for him again. Why does this minority report try to give it to him again? But they claim it was cast and that the precinct judges had no right to deduct it after it was cast. Logan said the man had removed to McDowell County. Chimney Rock is in Rutherford. But suppose it had not been

counted; it was illegal, and even then there should be uniformity in handling such ballots. If they go on that theory, there is an undisputed vote for me in the county of Cherokee. A man voted for me. Somebody raised the question as to whether he had paid his poll tax. He had not, but he had gone to list his taxes. It was a Republican county, and the tax lister said, "Well, you are so near 50 years of age that I will not charge you with a poll." It was a Republican official that said that. If he had charged him with the poll tax it would have been paid, but they took out one vote for me that had been deposited that day by this voter. Another young fellow voted in the adjoining precinct. He had been out to Oklahoma working in a packing house. He came up and voted for me, but the Democrats got uncertain about it and they took that vote out, and so if you give the vote to Britt at Chimney Rock, you ought to give me these two in Cherokee County.

At Hazel I am entitled to two votes, but Mr. Britt does not want to give me any. I am entitled to two votes on his own testimony.

Take the five precincts where the unmarked votes were counted in Buncombe County. If this case were before a jury the judge would have to tell the jury, "If you believe the contestant's evidence you will find the facts as the Buncombe board found them." That is a strong statement, but I mean every word of it. At Lower Hominy, six for Weaver are admitted; at Asheville No. 2, five for Weaver, one for Britt admitted; at Asheville No. 6, seven for Weaver, two for Britt, shown on tally sheet, proven by three witnesses, and practically admitted by the Republican judge. These defeated Britt. Did the Buncombe board commit a fraud when it acted only on the truth? The Republican judge swore these votes were found for me. At Hazel, what was the fact there? I am entitled to four votes. Spivey, who is a Democrat, was put on the stand by the contestant. He swore that there were four unmarked ballots for Weaver and one for Britt. Miller, Republican judge, said he remembered only one for Britt, and even said he was tallying, and he knew at one time during the count there were two for Weaver and one for Britt. Carlin corroborated Spivey. So I ought to have had four votes, but the minority disregard Britt's own evidence, take four votes from me, and give him one. That is the treatment I receive at the hands of this minority membership of the committee.

At Beaver Dam there was a controversy. One judge said there were five unmarked votes for Britt. Another judge and Ed Blackstocks, who kept the tally, said three, but the record shows that the aggregate vote already counted was greater than the number of men who voted at the precinct.

At Block Mountain two judges said there were none for either of us; and again the record shows that the vote already counted for both of us exceeded the number of men who voted by ten.

But the minority, in both these instances, disregard the facts, and attempt on this chart to give the contestant five at Beaver Dam and two at Block Mountain. But give him all these and the undisputed and conclusive evidence still gives me a substantial majority.

The Buncombe board has been maliciously assailed on the ground that they counted some for me and did not count other precincts. They counted every unmarked ballot shown by any sort of returns from every precinct, and they did not count any until they had submitted the question of their legality to Gen. Davidson, Bourne, and others, who filed a written opinion with the board. Did these disinterested attorneys advise fraud? No.

I could go on down through these other precincts shown on this chart. Let me tell you something about Bushnell. When they sent in the returns from Bushnell they sent up a Britt vote that just had my name marked off and the word "Britt" written on it. The judges did not know whether to count it or not. They sent it up and told the canvassing board in Swain County that they had a vote like that down there and did not count it in the original returns, and the board said to add it on. Gentlemen, have you ever heard of this contestant complaining of things like that? I say that it was right to put it there; but when they add a few honest votes that were counted for me in Buncombe, that I am going to show you were on the tally sheets, votes from Lower Hominy, 6 votes pinned to the original returns, 5 from Asheville No. 2, and 7 from Asheville No. 6, all voted on the tally sheets—when they count a few votes like that honestly cast for me—then he has howled and whined all over the State of North Carolina, and continues to do it, in order to obtain a seat in this Congress.

Take Bryson City. They gave him 1 there. The evidence of this is not worthy of consideration—should not stand in any court. L. B. Woodward, the election judge, swears all unmarked ballots were counted, but the minority report disregards this. At the same time this minority declined to give me a marked vote there that one of the judges swore was taken out of the box as a sample to mark another by and forgot to count it, and took it up to the canvassing board and they did not count it. They counted one for Britt and did not count for me. I ought to have 1 there.

They say that Britt had 2 votes in the south ward of Waynesville. Let me show you what the judge said there. Just to test the accuracy of the figures I want to read you what the only judge who testified about it said in regard to those votes. Mr. Mott, a mere bystander, swore he thought there were 2 unmarked votes for Mr. Britt. They chalk them up there for Britt, but Mr. Cagle, one of the judges, testified, and here is what he swore:

Q. Mott swore in September here at this place on behalf of Britt that he recalled 3 unmarked votes for Britt that were thrown out and not counted.—A. There was not one that was not counted. If there were any, they were counted. Every ticket that was in that box was counted. I counted them to Mr. Williams, one at a time, and Mr. Williams counted them.

Q. Was that unmarked ballot counted?—A. Yes.

Q. So every unmarked ballot found there for Mr. Britt was counted for him?—A. Yes; there was not any ticket thrown out.

While he has denounced the unmarked ballot as illegal, in this very instance of South Waynesville, upon the undisputed evidence, he is the recipient in the original returns of 2 unmarked ballots to make up his boasted 13, and the minority come in here now and wish to add 2 more for him, votes already counted and included in the original returns from that precinct.

Mr. GORDON. Who were the candidates in that district last fall—the same ones?

Mr. WEAVER. The same ones.

Mr. GORDON. What was the majority?

Mr. WEAVER. I had about 1,100. Upon the morals of this thing, the people of my district have passed upon an appeal made to them by this contestant. He made it the issue. I know that it is not in evidence here, still Mr. Britt referred to it. He made it expressly the issue and said that the people would adjust these differences between us. I told him all right, and when the returns came in, instead of his being elected, as he claimed he would be, I carried every Democratic county in the district by an increased vote and reduced the majority in every Republican county in the district. Now he comes up here and asks you to seat him.

Let us take East Flat Rock. The minority give Mr. Britt one unmarked vote there. As a matter of fact the Republican judge and the Democratic judge—and the testimony of the two judges is in here—said there was not one for either of us, and yet because a little fellow by the name of Jones said he thought there was one there for Mr. Britt they gave it to him, the Republican judge himself in this record having testified that there was not one for either one of us. This is a fair sample of this chart and the bona fides of the minority report.

I might say the same thing as to Rutherfordton. I want to test the accuracy of this statement a little further——

The SPEAKER. The gentleman's time has expired. All time has expired.

Mr. WATSON of Virginia. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Virginia makes the point of order that there is no quorum present. The Chair will count.

Mr. WATSON of Virginia (interrupting the count). I withdraw that until I can offer a resolution. I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That Zebulon Weaver was elected a Member of this Congress and is entitled to his seat in this House.

Mr. DOWELL. Mr. Speaker I desire to offer the following substitute for the resolution just read.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That Zebulon Weaver was not elected a Representative in the Sixty-fifth Congres from the tenth congressional district of North Carolina and is not entitled to retain his seat therein.

Resolved, That James J. Britt was duly elected a Representative in the Sixty-fifth Congress from the tenth congressional district of North Carolina and is entitled to a seat therein.

The SPEAKER. The vote is on the substitute offered by the gentleman from Iowa.

The question was taken.

Mr. MANN. Mr. Speaker, I demand a division.

Mr. PHELAN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll.

Mr. WATSON of Virginia. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and fifty-one gentlemen are present, a quorum. The Clerk will call the roll. The question is on the substitute resolution offered by the gentleman from Iowa that Britt is entitled to his seat and Weaver is not.

The question was taken; and there were—yeas 182, nays 177, answered "present" 6, not voting 65, as follows:

YEAS—182.

Anderson	Fordney	Longworth	Sanders, Ind.
Anthony	Foss	Lufkin	Sanders, N. Y.
Austin	Freeman	Lundeen	Sanford
Bacharach	French	McCormick	Schall
Baer	Fuller, Ill.	McFadden	Scott, Iowa
Birch	Fuller, Mass.	McKenzie	Scott, Mich.
Bland, Ind.	Garland	McKinley	Sells
Bowers	Good	McLaughlin, Mich.	Siegel
Britten	Goodall	McLaughlin, Pa.	Sinnott
Browne	Gould	Madden	Slemp
Browning	Graham, Ill.	Magee	Sloan
Burroughs	Green, Iowa	Mann	Smith, Idaho
Cannon	Greene, Mass.	Mapes	Smith, Mich.
Chandler, N. Y.	Greene, Vt.	Mason	Snell
Chandler, Okla.	Hadley	Merritt	Stafford
Clark, Pa.	Hamilton, Mich.	Miller, Minn.	Steenerson
Classon	Haskell	Miller, Wash.	Stiness
Cooper, Ohio	Haugen	Mondell	Strong
Cooper, W. Va.	Hawley	Moore, Pa.	Sweet
Cooper, Wis.	Hayes	Moores, Ind.	Switzer
Copley	Hersey	Morgan	Temple
Crago	Hicks	Morin	Templeton
Cramton	Hollingsworth	Mott	Tilson
Currie, Mich.	Hull, Iowa	Nelson, A. P.	Timberlake
Curry, Cal.	Husted	Nelson, J. M.	Tinkham
Dale	Hutchinson	Nichols, Mich.	Vestal
Dallinger	Ireland	Nolan	Voigt
Darrow	James	Norton	Volstead
Davis	Johnson, S. Dak.	Osborne	Waldow
Dempsey	Johnson, Wash.	Paige	Walsh
Denison	Juul	Parker, N. J.	Ward
Dillon	Kahn	Parker, N. Y.	Wason
Dowell	Kearns	Peters	Watson, Pa.
Drukker	Kelley, Mich.	Platt	Watson, Va.
Dunn	Kelly, Pa.	Powers	Wheeler
Dyer	Kennedy, Iowa	Pratt	White, Me.
Elliott	Kennedy, R. I.	Purnell	Williams
Ellsworth	Kiess, Pa.	Ramsey	Wilson, Ill.
Elston	King	Ramseyer	Winslow
Esch	Kinkaid	Rankin	Wood, Ind.
Essen	Knutson	Reavis	Woods, Iowa
Fairchild, B. L.	Kraus	Reed	Woodyard
Fairfield	Kreider	Rodenberg	Young, N. Dak.
Farr	La Follette	Rogers	Zihlman
Fess	LaGuardia	Rose	
Focht	Lampert	Rowe	

NAYS—177.

Alexander	Dixon	Jones	Rouse
Almon	Dominick	Keating	Rubey
Ashbrook	Dooling	Kehoe	Rucker
Aswell	Doolittle	Kettner	Sabath
Bankhead	Doughton	Key, Ohio	Sanders, La.
Barkley	Drane	Kincheloe	Saunders, Va.
Barnhart	Dupré	Kitchin	Scully
Beakes	Eagan	Larsen	Sears
Bell	Eagle	Lazaro	Sherwood
Benson	Evans	Lea, Cal.	Sims
Beshlin	Ferris	Lee, Ga.	Sisson
Black	Fields	Lesher	Small
Blackmon	Fisher	Lever	Smith, C. B.
Bland, Va.	Flood	Linthicum	Smith, T. F.
Blanton	Foster	Littlepage	Snook
Brand	Gallagher	Lobeck	Steagall
Brumbaugh	Gallivan	Lonergan	Stedman
Buchanan	Gandy	McAndrews	Stephens, Miss.
Burnett	Gard	McClintic	Sterling
Byrnes, S. C.	Garner	McKeown	Stevenson
Byrns, Tenn.	Garrett, Tenn.	Maher	Sumners
Campbell, Pa.	Garrett, Tex.	Mansfield	Taylor, Colo.
Candler, Miss.	Godwin, N. C.	Mays	Thomas
Cantrill	Goodwin, Ark.	Montague	Thompson
Caraway	Gordon	Moon	Tillman
Carew	Gray, Ala.	Neely	Van Dyke
Carter, Okla.	Griffin	Nicholls, S. C.	Venable
Church	Hamlin	Oldfield	Walker
Clark, Fla.	Hardy	Oliver, Ala.	Walton
Claypool	Harrison, Miss.	Oliver, N. Y.	Watkins
Cleary	Harrison, Va.	O'Shaunessy	Webb
Coady	Hastings	Overmyer	Welling
Collier	Hayden	Overstreet	Welty
Connally, Tex.	Heflin	Padgett	White, Ohio
Connelly, Kans.	Hensley	Phelan	Wilson, La.
Crisp	Holland	Polk	Wilson, Tex.
Crosser	Hood	Pou	Wingo
Davey	Houston	Price	Wise
Decker	Howard	Quin	Woods, Va.
Delaney	Huddleston	Ragsdale	Wright
Dent	Hull, Tenn.	Rainey, H. T.	Young, Tex.
Denton	Humphreys	Rainey, J. W.	The Speaker
Dickinson	Igoe	Raker	
Dies	Jacoway	Rayburn	
Dill	Johnson, Ky.	Romjue	

ANSWERED "PRESENT"—6.

Ayres	Doremus	Sherley	Treadway
Donovan	Riordan		

NOT VOTING—65.

Booher	Campbell, Kans.	Costello	Emerson
Brodbeck	Carlin	Cox	Estopinal
Butler	Carter, Mass.	Dewalt	Fairchild, G. W.
Caldwell	Cary	Edmonds	Flynn
Francis	Helvering	Park	Stephens, Nebr.
Frear	Hilliard	Porter	Sullivan
Gillett	Langley	Randall	Swift
Glynn	Lehlbach	Roberts	Tague
Graham, Pa.	Little	Robinson	Taylor, Ark.
Gray, N. J.	London	Rowland	Towner
Gregg	Lunn	Russell	Vare
Griest	McArthur	Shackleford	Vinson
Hamill	McCulloch	Shallenberger	Weaver
Hamilton, N. Y.	McLemore	Shouse	Whaley
Heaton	Martin	Slayden	
Heintz	Mudd	Snyder	
Helm	Olney	Steele	

So the substitute resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. LEHLBACH (for) with Mr. PARK (against).

Mr. GRAHAM of Pennsylvania (for) with Mr. RIORDAN (against).

Mr. SWIFT (for) with Mr. MARTIN (against).

Mr. FREAR (for) with Mr. STEPHENS of Nebraska (against).

Mr. TOWNER (for) with Mr. DOREMUS (against).

Mr. EDMONDS (for) with Mr. SULLIVAN (against).

Mr. TREADWAY (for) with Mr. BOOHER (against).

Mr. MCARTHUR (for) with Mr. WHALEY (against).

Mr. COSTELLO (for) with Mr. HAMILL (against).

Mr. CAMPBELL of Kansas (for) with Mr. AYRES (against).

Mr. SNYDER (for) with Mr. DEWALT (against).

Mr. BUTLER (for) with Mr. STEELE (against).

Until further notice:

Mr. ESTOPINAL with Mr. EMERSON.

Mr. OLNEY with Mr. GRIEST.

Mr. SHERLEY with Mr. GILLETT.

Mr. ROBINSON with Mr. LITTLE.

Mr. TAYLOR of Arkansas with Mr. LANGLEY.

Mr. CARLIN with Mr. CARTER of Massachusetts.

Mr. CALDWELL with Mr. GEORGE W. FAIRCHILD.

Mr. VINSON with Mr. FRANCIS.

Mr. HELM with Mr. GLYNN.

Mr. HELVERING with Mr. ROBERTS.

Mr. SLAYDEN with Mr. ROWLAND.

Mr. SHALLENBERGER with Mr. VARE.

Mr. TAGUE with Mr. MUDD.

Mr. BANKHEAD. Mr. Speaker, I had a pair with the gentleman from California, Mr. HAYES. After I answered "present" he came in the Hall and we agreed to destroy the pair, and I therefore desire to vote "no."

The name of Mr. BANKHEAD was called, and he voted "no."

Mr. DOREMUS. Mr. Speaker, is the gentleman from Iowa, Mr. TOWNER, recorded?

The SPEAKER. No.

Mr. DOREMUS. I desire to change my vote of "no" and answer "present."

The name of Mr. DOREMUS was called, and he answered "Present."

Mr. ASWELL. Mr. Speaker, I wish to vote "no."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. KNUTSON. Mr. Speaker, was the gentleman in the Hall, listening?

Mr. ASWELL. Yes.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. ASWELL, and he voted in the negative.

Mr. MANN. Mr. Speaker, we could not understand.

The SPEAKER. He said he was in the Hall, listening. The gentleman qualifies. There is no question about that.

Mr. BURNETT. Mr. Speaker, I understood the gentleman from Wisconsin, Mr. ESCH, to vote "present," but I understood when the Clerk called his name he called him as voting "aye."

The SPEAKER. He voted "aye."

Mr. BURNETT. Very well.

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he voted in the negative.

Mr. CRISP. Mr. Speaker, this vote is very close. I ask that the vote be recapitulated.

The SPEAKER. We will see how close it is. The Chair thinks the gentleman is entitled to a recapitulation.

Mr. KNUTSON. Mr. Speaker, I would like to ask how Mr. BROWNE, of Wisconsin, voted.

Mr. WEBB. The gentleman has no right to find out how a man voted. The recapitulation will show that.

The SPEAKER. No. The gentleman has no right. There is only 2 difference in the vote—181 to 179.

Mr. GALLIVAN. Which way? [Laughter.]

The SPEAKER. The gentleman is entitled to a recapitulation.

Mr. WALSH. Mr. Speaker, the Chair announced the figures, but did not state which side.

The SPEAKER. Yes; and I am not going to until the recapitulation.

Mr. WALSH. Of what value is the recapitulation?

The SPEAKER. If the gentleman will listen, the Chair will tell him. Until a final announcement is made any Member has the right to call for a recapitulation, but if the Chair has announced which side carries it, he can not change his vote. It is a fine distinction, but that is it.

Mr. WILLIAMS. I do not understand it.

Mr. DOWELL. Mr. Speaker, I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOWELL. When the vote is submitted to the Speaker, should he not announce the vote?

The SPEAKER. The Speaker did announce the vote.

Mr. DOWELL. But not on which side the vote was cast.

The SPEAKER. The Chair just explained that to the gentleman from Massachusetts [Mr. WALSH].

Mr. DOWELL. I understand.

Mr. GARNER. The gentleman from Iowa seems to understand, but does not.

Mr. WILLIAMS. Mr. Speaker, the vote was 181 to 179?

The SPEAKER. Yes.

Mr. WILLIAMS. One hundred and eighty-one noes? [Laughter.]

The SPEAKER. The Chair announced it, 181 ayes and 179 noes. There is no trouble about it.

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. Suppose some Member should come in and, on recapitulation, he said he voted "aye" when he voted "no"?

The SPEAKER. Until the final announcement is made any gentleman has the right to change his vote if he wants to.

Mr. PHELAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PHELAN. Can a man who is in the Chamber, listening now, vote if he has not been here before? If a man was in the Chamber listening when his name was called, can he vote if he has not already voted?

The SPEAKER. Of course not. The recapitulation is only to verify what is here. The Clerk will recapitulate the vote.

The Clerk recapitulated the vote.

During the recapitulation,

Mr. SWITZER. Mr. Speaker, did the Clerk call my name?

The SPEAKER. The gentleman's name was called. He is down here voting in the affirmative. Does the gentleman want to change his vote?

Mr. SWITZER. No.

Mr. WATSON of Virginia. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is recorded in the negative.

Mr. WATSON of Virginia. I wish to change my vote from "no" to "aye."

The SPEAKER. The gentleman from Virginia changes his vote from "no" to "aye."

Mr. DONOVAN. Mr. Speaker, I would like to ask unanimous consent to withdraw my vote. I voted under a misapprehension. I was here during the debate this afternoon. When the Speaker asked me if I was present I thought he referred to my being present during the debate.

Mr. THOMAS. Mr. Speaker, I did not hear the Clerk call my name on the recapitulation.

Mr. KNUTSON. That is because you were not in the Hall.

Mr. THOMAS. I was in the Hall and voted "aye."

Mr. DONOVAN. I supposed I was asked if I was present during the debate. I want to state that I went to my dinner. When I was asked if I was in the Hall, listening, I supposed the Speaker had reference to my being present during the debate, but it seems the Speaker had reference to the vote. I was not here when my name was called. I understand I have no right to vote, and so I ask unanimous consent to withdraw it.

Mr. THOMAS. Mr. Speaker, how am I recorded?

The SPEAKER. In the negative.

Mr. THOMAS. The gentleman from Minnesota said I was not here.

After recapitulation,

The SPEAKER. The changes in the vote make the vote stand 182 yeas, 177 nays, present 5. The substitute is carried.

Mr. WATSON of Virginia. Mr. Speaker, I move to reconsider the vote by which the substitute has just been adopted.

The SPEAKER. The gentleman from Virginia moves to reconsider the vote by which the substitute has been adopted. Those in favor will say "aye."

Mr. WATSON of Virginia. I call for the yeas and nays on that.

Mr. GARLAND. I object, Mr. Speaker.

Mr. MANN. We could not hear the Speaker, even.

Mr. WALSH. Mr. Speaker, I ask for order.

The SPEAKER. The Chair will again announce the vote. The recapitulation of the vote, with the changes, makes the figures stand yeas 182, nays 177, present 5, and the substitute is carried. The gentleman from Virginia [Mr. WATSON] moves to reconsider the vote by which the substitute was carried.

Mr. WATSON of Virginia. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Those in favor of reconsidering this vote will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 180, nays 177, answered "present" 2, not voting 71, as follows:

YEAS—180.

Alexander	Dill	Jacoway	Rayburn
Almon	Dixon	Johnson, Ky.	Romjue
Ashbrook	Dominick	Jones	Rouse
Aswell	Donovan	Keating	Rubey
Bankhead	Dooling	Kehoe	Rucker
Barkley	Doolittle	Kettner	Sabath
Barnhart	Doughton	Key, Ohio	Sanders, La.
Beakes	Drane	Kincheloe	Saunders, Va.
Bell	Dupré	Kitchin	Sears
Benson	Eagan	Larsen	Shallenberger
Beshlin	Eagle	Lazaro	Sherwood
Black	Evans	Lea, Cal.	Sims
Blackmon	Ferris	Lee, Ga.	Sisson
Bland, Va.	Fields	Lesher	Small
Blanton	Fisher	Lever	Smith, T. F.
Brand	Flood	Linthicum	Snook
Brodbeck	Foster	Littlepage	Steagall
Brumbaugh	Gallagher	Lobeck	Stedman
Buchanan	Gallivan	Lonergan	Stephens, Miss.
Burnett	Gandy	McAndrews	Sterling
Byrnes, S. C.	Garner	McClintic	Stevenson
Byrns, Tenn.	Garrett, Tenn.	McKeown	Sumners
Campbell, Pa.	Garrett, Tex.	McLemore	Taylor, Colo.
Candler, Miss.	Godwin, N. C.	Maher	Thomas
Cantrill	Goodwin, Ark.	Mansfield	Thompson
Caraway	Gordon	Mays	Tillman
Carew	Gray, Ala.	Montague	Van Dyke
Carter, Okla.	Griffin	Moon	Venable
Church	Hamlin	Neely	Vinson
Clark, Fla.	Hardy	Nicholls, S. C.	Walker
Claypool	Harrison, Miss.	Oldfield	Walton
Cleary	Harrison, Va.	Oliver, Ala.	Watkins
Coady	Hastings	Oliver, N. Y.	Watson, Va.
Collier	Hayden	Overmyer	Webb
Connally, Tex.	Heflin	Overstreet	Welling
Connelly, Kans.	Helvering	Padgett	Welty
Crisp	Hensley	Phelan	White, Ohio
Crosser	Holland	Polk	Wilson, La.
Davey	Hood	Pou	Wilson, Tex.
Decker	Houston	Price	Wingo
Delaney	Howard	Quin	Wise
Dent	Huddleston	Ragsdale	Woods, Va.
Denton	Hull, Tenn.	Rainey, H. T.	Wright
Dickinson	Humphreys	Rainey, J. W.	Young, Tex.
Dies	Igoe	Raker	The Speaker

NAYS—177.

Anderson	Fordney	Lufkin	Rowland
Anthony	Foss	Lundeen	Sanders, Ind.
Austin	French	McCormick	Sanders, N. Y.
Bacharach	Fuller, Ill.	McCulloch	Sanford
Baer	Garland	McFadden	Schall
Birch	Glynn	McKenzie	Scott, Iowa
Bland, Ind.	Good	McKinley	Scott, Mich.
Bowers	Goodall	McLaughlin, Mich.	Sells
Britten	Graham, Ill.	McLaughlin, Pa.	Siegel
Browning	Green, Iowa	Madden	Sinnott
Burroughs	Greene, Mass.	Magee	Slemp
Cannon	Greene, Vt.	Mann	Sloan
Cary	Hadley	Mapes	Smith, Idaho
Chandler, N. Y.	Hamilton, Mich.	Mason	Smith, Mich.
Chandler, Okla.	Haskell	Merritt	Snell
Clark, Pa.	Haugen	Miller, Minn.	Stafford
Classon	Hawley	Miller, Wash.	Steenerson
Cooper, Ohio	Hayes	Mondell	Stiness
Cooper, W. Va.	Hersey	Moore, Pa.	Strong
Cooper, Wis.	Hicks	Moores, Ind.	Sweet
Copley	Hollingsworth	Morgan	Switzer
Crago	Hull, Iowa	Morin	Temple
Cramton	Husted	Mott	Templeton
Currie, Mich.	Hutchinson	Nelson, A. P.	Tilson
Curry, Cal.	Ireland	Nelson, J. M.	Timberlake
Dale	James	Nichols, Mich.	Tinkham
Dallinger	Johnson, S. Dak.	Nolan	Vestal
Darrow	Johnson, Wash.	Norton	Voigt
Davis	Juul	Osborne	Volstead
Dempsey	Kahn	Parker, N. J.	Walsh
Denison	Kearns	Parker, N. Y.	Ward
Dillon	Kelley, Mich.	Peters	Wason
Dowell	Kelly, Pa.	Platt	Watson, Pa.
Drukker	Kennedy, Iowa	Powers	Wheeler
Dunn	Kennedy, R. I.	Pratt	White, Me.
Dyer	Kiess, Pa.	Purnell	Williams
Elliott	Kinkaid	Ramsey	Wilson, Ill.
Ellsworth	Knutson	Ramseyer	Wood, Ind.
Elston	Kraus	Rankin	Woods, Iowa
Esch	Kreider	Reavis	Woodyard
Essen	La Follette	Reed	Young, N. Dak.
Fairchild, B. L.	LaGuardia	Rodenberg	Zihlman
Fairfield	Lampert	Rogers	
Farr	Langley	Rose	
Fess	Longworth	Rowe	

ANSWERED "PRESENT"—2.

Riordan Smith, C. B.

NOT VOTING—71.

Ayres	Francis	Lehlbach	Sherley
Booher	Frear	Little	Shouse
Browne	Freeman	London	Slayden
Butler	Fuller, Mass.	Lunn	Snyder
Caldwell	Gard	McArthur	Steele
Campbell, Kans.	Gillett	Martin	Stephens, Nebr.
Carlin	Gould	Mudd	Sullivan
Carter, Mass.	Graham, Pa.	Olney	Swift
Costello	Gray, N. J.	O'Shaunessy	Tague
Cox	Gregg	Paige	Taylor, Ark.
Dewalt	Griest	Park	Towner
Doremus	Hamill	Porter	Treadway
Edmonds	Hamilton, N. Y.	Randall	Vare
Emerson	Heaton	Roberts	Waldow
Estopinal	Heintz	Robinson	Weaver
Fairchild, G. W.	Helm	Russell	Whaley
Flynn	Hilliard	Scully	Winslow
Focht	King	Shackleford	

The SPEAKER. The Clerk will call my name.

The name of Mr. CLARK of Missouri was called, and he voted "yea."

The Clerk announced the following pairs:

On this vote:

Mr. AYRES (for) with Mr. CAMPBELL of Kansas (against).

Mr. HAMILL (for) with Mr. COSTELLO (against).

Mr. PARK (for) with Mr. LEHLBACH (against).

Mr. STEELE (for) with Mr. BUTLER (against).

Mr. DEWALT (for) with Mr. SNYDER (against).

Mr. MARTIN (for) with Mr. SWIFT (against).

Mr. STEPHENS of Nebraska (for) with Mr. FREAR (against).

Mr. DOREMUS (for) with Mr. TOWNER (against).

Mr. SULLIVAN (for) with Mr. EDMONDS (against).

Mr. BOOHER (for) with Mr. TREADWAY (against).

Mr. WHALEY (for) with Mr. MCARTHUR (against).

Mr. RIORDAN (for) with Mr. GRAHAM of Pennsylvania (against).

Until further notice:

Mr. HILLIARD with Mr. GRAY of New Jersey.

Mr. GARD with Mr. BROWNE.

Mr. SCULLY with Mr. WINSLOW.

Mr. TAYLOR of Arkansas with Mr. FOCHT.

Mr. O'SHAUNESSY with Mr. HEATON.

Mr. SLAYDEN with Mr. WALDOW.

The result of the vote was announced as above recorded.

Mr. MANN. Mr. Speaker, I ask for a recapitulation of the vote.

The SPEAKER. The gentleman from Illinois demands a recapitulation, and I think he is entitled to it.

The Clerk recapitulated the names of those voting in the affirmative.

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. What is the proper time to call attention to any inaccuracy in the vote as read?

The SPEAKER. Now or never.

Mr. DYER. Then I desire to challenge the vote of Mr. CALDWELL, his name having been read as voting in the affirmative.

The SPEAKER. His name was not read.

Mr. DYER. I understood the Clerk to read it.

The SPEAKER. He is not recorded.

The Clerk recapitulated the names of those voting in the negative.

Mr. ELLIOTT. Mr. Speaker, did the Clerk call the name of the gentleman from Ohio, Mr. KEARNS, as voting nay?

The SPEAKER. Yes.

The Clerk recapitulated the names of those answering "present."

Mr. MANN. Is the gentleman from Kentucky, Mr. SHERLEY, recorded?

The SPEAKER. He is not recorded.

Mr. BYRNES of South Carolina. The gentleman from Kentucky, Mr. SHERLEY, is paired with the gentleman from Massachusetts, Mr. GILLETT.

Mr. SHERLEY. I have a pair with the gentleman from Massachusetts, Mr. GILLETT, and have not voted.

Mr. MANN. The gentleman is paired with our absent leader.

The SPEAKER. On this vote as corrected the yeas are 179, the nays are 176, present 2; the motion to reconsider is carried, and the question is on the substitute offered by the gentleman from Iowa [Mr. DOWELL].

Mr. MANN. On that I ask for the yeas and nays.

Mr. SAUNDERS of Virginia. On that I ask for the yeas and nays.

The SPEAKER. Everybody wants the yeas and nays. Obviously a sufficient number. Those in favor of the substitute of the gentleman from Iowa [Mr. DOWELL] will answer yea, those opposed will answer nay, and the Clerk will call the roll.

The question was taken; and there were—yeas 185, nays 183, answered "present" 6, not voting 56, as follows:

YEAS—185.

Anderson	Foss	Lufkin	Rowe,
Austin	Freeman	Lundeen	Rowland
Bacharach	French	McCormick	Sanders, Ind.
Baer	Fuller, Ill.	McCulloch	Sanders, N. Y.
Birch	Fuller, Mass.	McFadden	Sanford
Bland, Ind.	Garland	McKenzie	Schall
Bowers	Glynn	McKinley	Scott, Iowa
Britten	Good	McLaughlin, Mich.	Scott, Mich.
Browne	Goodall	McLaughlin, Pa.	Sells
Browning	Graham, Ill.	Madden	Siegel
Burroughs	Green, Iowa	Magee	Sinnott
Cannon	Greene, Mass.	Mann	Siemp
Carter, Mass.	Greene, Vt.	Mapes	Sloan
Cary	Hadley	Mason	Smith, Idaho
Chandler, N. Y.	Hamilton, Mich.	Merritt	Smith, Mich.
Chandler, Okla.	Haskell	Miller, Minn.	Snell
Clark, Pa.	Haugen	Miller, Wash.	Stafford
Classon	Hawley	Mondell	Steenerson
Cooper, Ohio	Hayes	Moore, Pa.	Stiness
Cooper, W. Va.	Hersey	Moores, Ind.	Strong
Cooper, Wis.	Hicks	Morgan	Sweet
Copley	Hollingsworth	Morin	Switzer
Crago	Hull, Iowa.	Mott	Temple
Cramton	Husted	Nelson, A. P.	Templeton
Currie, Mich.	Hutchinson	Nelson, J. M.	Tilson
Curry, Cal.	Ireland	Nicholls, Mich.	Timberlake
Dale	James	Nolan	Tinkham
Dallinger	Johnson, S. Dak.	Norton	Vestal
Darrow	Johnson, Wash.	Osborne	Voigt
Davis	Juul	Paige	Volstead
Dempsey	Kahn	Parker, N. J.	Waldow
Denison	Kearns	Parker, N. Y.	Walsh
Dillon	Kelley, Mich.	Peters	Ward
Dowell	Kelly, Pa.	Platt	Wason
Drukker	Kennedy, Iowa	Porter	Watson, Pa.
Dunn	Kennedy, R. I.	Powers	Wheeler
Dyer	Kiess, Pa.	Pratt	White, Me.
Elliott	King	Purnell	Williams
Ellsworth	Kinkaid	Ramsey	Wilson, Ill.
Elston	Knutson	Ramseyer	Winslow
Esch	Kraus	Rankin	Wood, Ind.
Essen	Kreider	Reavis	Woods, Iowa
Fairchild, B. L.	La Follette	Reed	Young, N. Dak.
Fairfield	LaGuardia	Roberts	Zihlman
Farr	Lampert	Rodenberg	
Fess	Langley	Rogers	
Fordney	Longworth	Rose	

NAYS—183.

Alexander	Dominick	Jones	Romjue
Almon	Donovan	Keating	Rouse
Ashbrook	Dooling	Kehoe	Rubey
Aswell	Doolittle	Kettner	Rucker
Bankhead	Doughton	Key, Ohio	Sabath
Barkley	Drane	Kincheloe	Sanders, La.
Barnhart	Dupré	Kitchin	Saunders, Va.
Beakes	Eagan	Larsen	Scully
Bell	Eagle	Lazaro	Sears
Benson	Evans	Lea, Cal.	Shallenberger
Beshlin	Ferris	Lee, Ga.	Sherwood
Black	Fields	Lesher	Sims
Blackmon	Fisher	Lever	Sisson
Bland, Va.	Flood	Linthicum	Small
Blanton	Foster	Littlepage	Smith, T. F.
Brand	Gallagher	Lobeck	Snook
Brodbeck	Gallivan	Lonergan	Steagall
Brumbaugh	Gandy	Lunn	Stedman
Burnett	Gard	McAndrews	Stephens, Miss.
Byrnes, S. C.	Garner	McClintic	Sterling
Byrns, Tenn.	Garrett, Tenn.	McKeown	Stevenson
Campbell, Pa.	Garrett, Tex.	McLemore	Sumners
Candler, Miss.	Godwin, N. C.	Maher	Tague
Cantrill	Goodwin, Ark.	Mansfield	Taylor, Colo.
Caraway	Gordon	Mays	Thomas
Carew	Gray, Ala.	Montague	Thompson
Carter, Okla.	Griffin	Moon	Tillman
Church	Hamlin	Neely	Van Dyke
Clark, Fla.	Hardy	Nicholls, S. C.	Venable
Claypool	Harrison, Miss.	Oldfield	Vinson
Cleary	Harrison, Va.	Oliver, Ala.	Walker
Coady	Hastings	Oliver, N. Y.	Walton
Collier	Hayden	O'Shaunessy	Watkins
Connally, Tex.	Heflin	Overmyer	Watson, Va.
Connelly, Kans.	Helvering	Overstreet	Webb
Crisp	Hensley	Padgett	Welling
Crosser	Holland	Phelan	Welty
Davey	Hood	Polk	Wilson, La.
Decker	Houston	Pou	Wilson, Tex.
Delaney	Howard	Price	Wingo
Dent	Huddleston	Quin	Wise
Denton	Hull, Tenn.	Ragsdale	Woods, Va.
Dickinson	Humphreys	Rainey, H. T.	Wright
Dies	Igoe	Rainey, J. W.	Young, Tex.
Dill	Jacoway	Raker	The Speaker
Dixon	Johnson, Ky.	Rayburn	

ANSWERED "PRESENT"—6.

Ayres	Riordan	Treadway	Weaver
Gould	Sherley		

NOT VOTING—56.

Anthony	Costello	Fairchild, G. W.	Gray, N. J.
Booher	Cox	Flynn	Gregg
Buchanan	Dewalt	Focht	Griest
Butler	Doremus	Francis	Hamill
Caldwell	Edmonds	Frear	Hamilton, N. Y.
Campbell, Kans.	Emerson	Gillett	Heaton
Carlin	Estopinal	Graham, Pa.	Heintz

Helm	Mudd	Shouse	Swift
Hilliard	Olney	Slayden	Taylor, Ark.
Lehlbach	Park	Smith, C. B.	Towner
Little	Randall	Snyder	Vare
London	Robinson	Steele	Whaley
McArthur	Russell	Stephens, Nebr.	White, Ohio
Martin	Shackleford	Sullivan	Woodyard

So the substitute was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. CAMPBELL of Pennsylvania (for) with Mr. AYRES (against).

Mr. SNYDER (for) with Mr. DEWALT (against).

Mr. BUTLER (for) with Mr. STEELE (against).

Mr. GOULD (for) with Mr. Charles B. SMITH (against).

Mr. GRAHAM of Pennsylvania (for) with Mr. RIORDAN (against).

Mr. SWIFT (for) with Mr. MARTIN (against).

Mr. FREAR (for) with Mr. STEPHENS of Nebraska (against).

Mr. TOWNER (for) with Mr. DOREMUS (against).

Mr. EDMONDS (for) with Mr. SULLIVAN (against).

Mr. TREADWAY (for) with Mr. BOOHER (against).

Mr. MCARTHUR (for) with Mr. WHALEY (against).

Mr. LEHLBACH (for) with Mr. PARK (against).

Mr. COSTELLO (for) with Mr. HAMILL (against).

Till further notice:

Mr. ROBINSON with Mr. LITTLE.

Mr. WHITE of Ohio with Mr. ANTHONY.

Mr. BUCHANAN with Mr. WOODYARD.

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he voted in the negative.

Mr. GOULD. Mr. Speaker, I had a pair with the gentleman from New York, Mr. SMITH. I voted yea. I wish to change my vote to present.

Mr. MANN. May I inquire if the gentleman from California, Mr. RANDALL, is recorded as voting?

The SPEAKER. He is recorded.

Mr. MANN. He did not vote. Some other gentleman answered for him, but Mr. RANDALL did not vote.

The SPEAKER. Is Mr. RANDALL here?

Mr. MANN. I shall not name the other man who answered for him, but I know who he is.

SEVERAL MEMBERS. Name him.

Mr. MANN. I will not, because I am not certain that he did do it inadvertently.

Mr. NICHOLLS of South Carolina. I ask that the gentleman name him.

The SPEAKER. He does not have to name him unless he wants to.

Mr. LITTLE. Is the gentleman from North Carolina, Mr. ROBINSON, recorded as voting?

The SPEAKER. He did not vote.

Mr. LITTLE. I am paired with the gentleman, and so have answered "present."

The SPEAKER. The name of Mr. RANDALL ought to be erased from the roll.

Mr. DIES. Mr. Speaker, I rise to a question of privilege.

Mr. MANN. A question of privilege can not interrupt a roll call.

The SPEAKER. Nothing can interrupt a roll call.

Mr. CRISP. Mr. Speaker, this vote is very close. I ask that it be recapitulated.

The SPEAKER. Let us see whether it is close enough or not.

Mr. CRISP. It is close enough, all right.

Mr. MANN. I hope I will not have to make that request the next time.

The SPEAKER. On this vote the yeas are 185, the nays are 183, answering "present" 5, and the vote is close enough to justify a recapitulation.

The Clerk recapitulated the vote.

Mr. WATSON of Virginia. Mr. Speaker, may I inquire if the gentleman from Pennsylvania, Mr. GRIEST, has voted?

The SPEAKER. He is not recorded.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the Watson resolution as amended by the substitute offered by the gentleman from Iowa.

Mr. WATSON of Virginia. On that, Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. All those in favor of the Watson resolution as amended by the substitute of the gentleman from Iowa will vote "aye" and those opposed will vote "no."

The question was taken; and there were—yeas 185, nays 182, answered "present" 6, not voting 57, as follows:

YEAS—185.

Anderson	Foss	Lundeen	Rowland
Austin	Freeman	McCormick	Sanders, Ind.
Bacharach	French	McCulloch	Sanders, N. Y.
Baer	Fuller, Ill.	McFadden	Sanford
Birch	Fuller, Mass.	McKenzie	Schall
Bland, Ind.	Garland	McKinley	Scott, Iowa
Bowers	Gillett	McLaughlin, Mich.	Scott, Mich.
Britten	Glynn	McLaughlin, Pa.	Sells
Browne	Good	Madden	Siegel
Browning	Goodall	Magee	Sinnott
Burroughs	Graham, Ill.	Mann	Slemp
Cannon	Green, Iowa	Mapes	Sloan
Carter, Mass.	Greene, Mass.	Mason	Smith, Idaho
Cary	Greene, Vt.	Merritt	Smith, Mich.
Chandler, N. Y.	Hadley	Miller, Minn.	Snell
Chandler, Okla.	Hamilton, Mich.	Miller, Wash.	Stafford
Clark, Pa.	Haskell	Mondell	Steenerson
Classon	Haugen	Moore, Pa.	Stiness
Cooper, Ohio	Hawley	Moores, Ind.	Strong
Cooper, W. Va.	Hayes	Morgan	Sweet
Cooper, Wis.	Hersey	Morin	Switzer
Copley	Hicks	Mott	Temple
Crago	Hollingsworth	Nelson, A. P.	Templeton
Cramton	Hull, Iowa	Nelson, J. M.	Tilson
Currie, Mich.	Husted	Nichols, Mich.	Timberlake
Curry, Cal.	Hutchinson	Nolan	Tinkham
Dale	Ireland	Norton	Vestal
Dallinger	James	Osborne	Voigt
Darrow	Johnson, S. Dak.	Paige	Volstead
Davis	Johnson, Wash.	Parker, N. J.	Waldow
Dempsey	Juul	Parker, N. Y.	Walsh
Denison	Kahn	Peters	Ward
Dillon	Kelley, Mich.	Platt	Wason
Dowell	Kelly, Pa.	Porter	Watson, Pa.
Drukker	Kennedy, Iowa	Powers	Watson, Va.
Dunn	Kennedy, R. I.	Pratt	Wheeler
Dyer	Kiess, Pa.	Purnell	White, Me.
Elliott	King	Ramsey	Williams
Ellsworth	Kinkaid	Ramseyer	Wilson, Ill.
Elston	Knutson	Rankin	Winslow
Esch	Kraus	Reavis	Wood, Ind.
Essen	Kreider	Reed	Woods, Iowa
Fairchild, B. L.	La Follette	Roberts	Young, N. Dak.
Fairfield	LaGuardia	Rodenberg	Zihlman
Farr	Lampert	Rogers	
Fess	Langley	Rose	
Fordney	Lufkin	Rowe	

NAYS—182.

Alexander	Dominick	Keating	Rouse
Almon	Donovan	Kehoe	Rubey
Ashbrook	Dooling	Kettner	Rucker
Aswell	Doolittle	Key, Ohio	Sabath
Bankhead	Doughton	Kincheloe	Sanders, La.
Barkley	Drane	Kitchin	Saunders, Va.
Barnhart	Dupré	Larsen	Scully
Beakes	Eagan	Lazaro	Sears
Bell	Eagle	Lea, Cal.	Shallenberger
Benson	Evans	Lee, Ga.	Sherley
Beshlin	Ferris	Lesher	Sherwood
Black	Fields	Lever	Sims
Blackmon	Fisher	Linthicum	Sisson
Bland, Va.	Flood	Littlepage	Small
Blanton	Foster	Lobeck	Smith, T. F.
Brand	Gallagher	Lonergan	Snook
Brodbeck	Gallivan	Lunn	Steagall
Brumbaugh	Gandy	McAndrews	Stedman
Burnett	Gard	McClintic	Stephens, Miss.
Byrnes, S. C.	Garrett, Tenn.	McKeown	Sterling
Byrns, Tenn.	Garrett, Tex.	McLemore	Stevenson
Campbell, Pa.	Godwin, N. C.	Maher	Sumners
Candler, Miss.	Goodwin, Ark.	Mansfield	Tague
Cantrill	Gordon	Mays	Taylor, Colo.
Caraway	Gray, Ala.	Montague	Thomas
Carew	Griffin	Moon	Thompson
Carter, Okla.	Hamlin	Neely	Tillman
Church	Hardy	Nicholls, S. C.	Van Dyke
Clark, Fla.	Harrison, Miss.	Oldfield	Venable
Claypool	Harrison, Va.	Oliver, Ala.	Vinson
Cleary	Hastings	Oliver, N. Y.	Walker
Coady	Hayden	O'Shaunessy	Walton
Collier	Heflin	Overmyer	Watkins
Connally, Tex.	Helvering	Overstreet	Webb
Connelly, Kans.	Hensley	Padgett	Welling
Crisp	Holland	Phelan	Welty
Crosser	Hood	Polk	Wilson, La.
Davey	Houston	Pou	Wilson, Tex.
Decker	Howard	Price	Wingo
Delaney	Huddleston	Quin	Wise
Dent	Hull, Tenn.	Ragsdale	Woods, Va.
Denton	Humphreys	Rainey, H. T.	Wright
Dickinson	Igoe	Rainey, J. W.	Young, Tex.
Dies	Jacoway	Raker	The Speaker
Dill	Johnson, Ky.	Rayburn	
Dixon	Jones	Romjue	

ANSWERED "PRESENT"—6.

Ayres	Gould	Riordan	Treadway
Garner	Little		

NOT VOTING—57.

Anthony	Doremus	Gray, N. J.	Lehlbach
Booher	Edmonds	Gregg	London
Buchanan	Emerson	Griest	Longworth
Butler	Estopinal	Hamill	McArthur
Caldwell	Fairchild, G. W.	Hamilton, N. Y.	Martin
Campbell, Kans.	Flynn	Heaton	Mudd
Carlin	Focht	Heintz	Olney
Costello	Francis	Helm	Park
Cox	Frear	Hilliard	Randall
Dewalt	Graham, Pa.	Kearns	Robinson

Russell	Snyder	Taylor, Ark.	White, Ohio
Shackleford	Steele	Towner	Woodyard
Shouse	Stephens, Nebr.	Vare	
Slayden	Sullivan	Weaver	
Smith, C. B.	Swift	Whaley	

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he voted "no," as above recorded.

The Clerk announced the following additional pairs:

On this vote:

Mr. BOOHER (against) with Mr. TREADWAY (for).

Mr. EDMONDS (for) with Mr. SULLIVAN (against).

Mr. TOWNER (for) with Mr. DOREMUS (against).

Mr. STEPHENS of Nebraska (against) with Mr. FREAR (for).

Mr. SWIFT (for) with Mr. MARTIN (against).

Mr. GRAHAM of Pennsylvania (for) with Mr. RIORDAN (against).

Mr. GOULD (for) with Mr. CHARLES B. SMITH (against).

Mr. BUTLER (for) with Mr. STEELE (against).

Mr. DEWALT (against) with Mr. SNYDER (for).

Mr. CAMPBELL of Kansas (for) with Mr. AYRES (against).

Mr. PARK (against) with Mr. LEHLBACH (for).

Mr. HAMILL (against) with Mr. COSTELLO (for).

Mr. WHALEY (against) with Mr. MCARTHUR (for).

Until further notice:

Mr. ROBINSON with Mr. LITTLE.

Mr. WHITE of Ohio with Mr. ANTHONY.

Mr. GARNER with Mr. LONGWORTH.

Mr. BUCHANAN with Mr. WOODYARD.

The SPEAKER. On this vote the yeas are 183 and the noes 184.

Mr. MANN. Mr. Speaker, I ask for a recapitulation of the vote.

The SPEAKER. A recapitulation is ordered.

The Clerk recapitulated the names of those who voted in the affirmative.

Mr. KELLY of Pennsylvania. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. KELLY of Pennsylvania. I voted yea on that roll call, and I have not heard my name recapitulated as among those voting yea.

The SPEAKER. The gentleman from Pennsylvania [Mr. KELLY] is recorded among those who voted in the negative.

Mr. KELLY of Pennsylvania. Mr. Speaker, I voted yea.

The SPEAKER. The Clerk will change the vote to conform to the statement of the gentleman.

The Clerk recapitulated the names of those who voted nay.

Mr. WATSON of Virginia (interrupting the recapitulation). Mr. Speaker, how did the Clerk have me recorded?

The SPEAKER. In the negative.

Mr. WATSON of Virginia. Mr. Speaker, I wish to change my vote from the negative to the affirmative.

The SPEAKER. The gentleman from Virginia changes his vote from nay to yea, and the Clerk will so record him.

The Clerk concluded the recapitulation of those who voted in the negative.

The Clerk recapitulated the names of those who answered "present."

The SPEAKER. On this vote the yeas are 185, nays 182, present 6, and the resolution is agreed to.

Mr. WATSON of Virginia. Mr. Speaker, I move to reconsider the vote by which the resolution was agreed to.

Mr. MANN. I make the point of order that that motion is not in order.

The SPEAKER. Why not?

Mr. MANN. Mr. Speaker, the Manual says, and I think that is a correct statement of parliamentary law:

> The motion to reconsider a vote on a proposition having been once agreed to, and the said vote having again been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendments.

The SPEAKER. The Chair will ask the gentleman a question. Does not he think this is entirely changed?

Mr. MANN. Not at all. It is the same proposition, precisely. There is a good deal of question as to whether there was any necessity of having this vote, but the nature of the proposition has not been changed. It is precisely the same proposition which we considered before and upon which the vote was had after reconsideration, precisely.

Mr. RAGSDALE. Mr. Speaker, I ask for order. The gentleman from Massachusetts is making so much noise——

Mr. MANN. If the gentleman from South Carolina would keep still we would get through.

Mr. RAGSDALE. The gentleman from South Carolina has got a right to have order, and gentlemen have no right to make a disturbance over there.

Mr. MANN. The gentleman is noisy but seldom sensible. Now, here is exactly the same proposition——

The SPEAKER. Is it not exactly crosswise?

Mr. MANN. No; it is the same question precisely. How many times are we going to reconsider? I did not offer, when it looked as though the vote might be against us, to change my vote for the purpose of reconsidering, because I was satisfied that we had no right to a reconsideration after this vote under the rules, and I did not think—oh, I know the Speaker would not consider it from any partisan point of view [applause], but there must be an end to all conflict. Even as it is, we have had four or five votes upon the same proposition every time. It has only been one proposition voted upon in the House since we commenced to call the roll. How many times have we had a roll call—four or five times, I am not sure which? It has been the same proposition, and now to say you can reconsider—of course, it is a different stage of the proceedings, but it is a different stage of the proceeding if you reconsider and have a vote over again. It is a different stage of proceeding. The question is whether it is the same proposition under the precedents, or whether it has been changed by amendment, and there has been no change made, not the crossing of a "t" or the dotting of an "i." We have voted upon the same proposition now at least four times. I do not think it is possible, under proper parliamentary procedure, to keep the House voting forever upon a proposition because on one vote it goes one way and on another vote it goes the other way. On that idea a gentleman of the House on the next vote might keep us bobbing back and forth here all night purposely in order to take up time.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. I will.

Mr. GARNER. Suppose the House had decided that neither Mr. Britt nor Mr. Weaver was elected. Would it not have the right to ask for a reconsideration, and then they could declare neither one elected?

Mr. MANN. Why, certainly; but that has nothing to do with the question.

Mr. GARNER. It has.

Mr. MANN. Absolutely nothing to do with the question.

Mr. PHELAN. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. PHELAN. Suppose a man on the first vote felt this way, that if either one of these men should get the seat it ought to be Britt. He may say I think neither one ought to have it, but if either man ought to have it, it ought to be Britt, therefore on the first vote I will vote for Mr. Britt. Now, when it comes to the second vote that man, without being in any way inconsistent, will vote against Mr. Britt because he does not want either man, which shows it is a different question involved in these two motions. [Cries of "Oh!"]

Mr. MANN. Mr. Speaker, if any man here thinks that neither Mr. Britt nor Mr. Weaver was elected he has got no chance to vote that way at all. There is no resolution pending here that Mr. Weaver was not elected.

Mr. PHELAN. Will the gentleman yield again?

Mr. MANN. In the original proposition there was no such proposition presented.

Mr. PHELAN. Will the gentleman yield again?

Mr. MANN. Now it can not be separated.

Mr. PHELAN. Will the gentleman yield?

Mr. MANN. If the gentleman thinks neither one was elected, he had better go outside and hang himself. He can not vote that way now. If this resolution does not carry, there is no way of preventing Mr. Weaver keeping his seat. If this amendment does not prevail, there is no motion in order, and so Mr. Weaver was not elected.

Mr. PHELAN. The gentleman need not refer to me as he did. I am taking this proposition as I see it. I believe Mr. Weaver should be seated. I have been on this committee and have gone through all the evidence——

Mr. MANN. I do not yield to an argument.

Mr. PHELAN. The gentleman made a remark he need not have made. A man here might very well believe anything, in view of all this evidence, with 400 ballots in doubt; and I defy anybody on earth to come to a conclusion from those ballots. With 400 ballots in doubt, you might very well feel that way; and that is the way I feel.

Mr. MANN. Mr. Speaker, what I call attention to is the fact that there is no chance under the existing parliamentary procedure for a man to vote that way.

Mr. PHELAN. He has had the chance, just as I have described.

Mr. SAUNDERS of Virginia. A very simple test, Mr. Speaker, will show how utterly fallacious is the contention of the gentle-

man from Illinois [Mr. MANN]. If these propositions are the same, tell me why the second vote? If the first vote seated Mr. Britt, why was it necessary to take this second vote, and the fact that in order to seat him it was necessary to proceed to a second vote, absolutely demonstrates that the first vote was short of accomplishing the desired result. The first step in conjunction with a second is necessary to seat the contestant. One plus one, is not the same thing, or equal to one. As to the argument that a Member can keep the House here all night by switching backward and forward, that suggestion is as fallacious as the other contention of the gentleman from Illinois. If this switch fails to reconsider the pending proposition, Mr. Britt is absolutely and finally seated. This matter is thereby at once finally and fully disposed of. Hence there is no possibility of keeping the House in session all night by the simple act of switching backward and forward. We could reconsider the vote on the first proposition, because that was a vote on a single, distinct proposition. We reconsidered it. The question then arose as to agreeing to the substitute. We agreed to it. But that did not seat Mr. Britt. If it did, why did not the House stop at that point? Plainly it was necessary to take another step. The House took the first step toward seating the contestant. We are now dealing with the second phase of the proposition, and one absolutely essential to the determination of Mr. Britt's right to his seat. If we vote down this motion to reconsider, then, as I said a moment ago, that action will absolutely settle for all time all question of controversy in this situation. By refusing to reconsider Mr. Britt's right to a seat in this House will be finally established.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. I would just like to reply briefly to the suggestion of the distinguished gentleman from Virginia [Mr. SAUNDERS].

The first question before the House was the Dowell amendment in the nature of a substitute declaring that Mr. Britt was elected. The substitute was adopted. The question then came upon the Watson motion as amended by the substitute, and that was exactly the same proposition to submit to the House; the Watson motion was amended, and it comes clearly within the rules cited by the gentleman from Illinois [Mr. MANN]. You first voted upon the amendment and then voted upon the proposition as amended, and the House has never yet voted upon the Watson motion as a separate proposition. You are voting upon the same proposition both times, first as an amendment and then on a motion amended. And so the motion to reconsider could not be made first upon the amendment, and after the amendment is adopted, taking the original proposition as amended, you could not then make another motion to reconsider that, because you are moving to reconsider the same proposition in another stage of parliamentary procedure. And I submit that the substitute having been adopted, it comes within the rule cited by the gentleman from Illinois [Mr. MANN].

The SPEAKER. The point of order is overruled.

Mr. MANN. Mr. Speaker, I respectfully appeal from the decision of the Chair.

The SPEAKER. The gentleman from Illinois appeals from the decision of the Chair.

Mr. FOSTER. Mr. Speaker, I move to lay the appeal on the table.

Mr. MANN. Why not have a direct vote?

Mr. GARNER. To lay it on the table is the same thing.

Mr. MANN. Well, we can stay all night, too.

Mr. SAUNDERS of Virginia assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The question before the House is a motion to lay on the table an appeal from the decision of the Chair.

Mr. MANN. On that I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Illinois asks for the yeas and nays.

Mr. GARRETT of Tennessee. Mr. Speaker, pending that I move that the House do now adjourn.

SEVERAL MEMBERS. Oh, no.

Mr. SABATH. Let us get through with it.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] asks that the vote be taken by the yeas and nays, and the gentleman from Tennessee [Mr. GARRETT] moves that the House do now adjourn.

Mr. HEFLIN. I hope the gentleman will withdraw that motion.

The SPEAKER pro tempore. Those who favor the motion to adjourn will indicate it by saying "aye"; those opposed will say "nay."

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BANKHEAD. A division, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Alabama asks for a division. Those who favor the motion to adjourn will rise and stand until they are counted. [After counting.] One hundred and fifty-one gentlemen have risen in the affirmative. The ayes will be seated and the noes will rise and stand until they are counted. [After counting.] One hundred and seventy-one gentlemen have arisen in the negative. On this vote the ayes are 151 and the noes are 171.

So the House refused to adjourn.

The SPEAKER pro tempore. The question is on agreeing to the motion to lay on the table. Those in favor of the motion will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 180, nays 186, answered "present" 4, not voting 59, as follows:

YEAS—180.

Alexander	Dixon	Johnson, Ky.	Romjue
Almon	Dominick	Jones	Rouse
Ashbrook	Donovan	Keating	Rubey
Aswell	Dooling	Kehoe	Rucker
Bankhead	Doolittle	Key, Ohio	Sabath
Barkley	Doughton	Kincheloe	Sanders, La.
Barnhart	Drane	Kitchin	Saunders, Va.
Beakes	Dupré	Larsen	Scully
Bell	Eagan	Lazaro	Sears
Benson	Eagle	Lea, Cal.	Shellenberger
Beshlin	Evans	Lee, Ga.	Sherley
Black	Ferris	Lesher	Sherwood
Blackmon	Fields	Lever	Sims
Bland, Va.	Fisher	Linthicum	Sisson
Blanton	Flood	Littlepage	Small
Brand	Foster	Lobeck	Smith, T. F.
Brodbeck	Gallagher	London	Snook
Brumbaugh	Gallivan	Lonergan	Steagall
Burnett	Gandy	Lunn	Stedman
Byrnes, S. C.	Gard	McAndrews	Stephens, Miss.
Byrns, Tenn.	Garrett, Tenn.	McClintic	Sterling
Campbell, Pa.	Garrett, Tex.	McKeown	Stevenson
Candler, Miss.	Godwin, N. C.	McLemore	Sumners
Cantrill	Goodwin, Ark.	Maher	Tague
Caraway	Gordon	Mansfield	Taylor, Colo.
Carew	Gray, Ala.	Mays	Thomas
Carter, Okla.	Griffin	Moon	Thompson
Church	Hamlin	Neely	Tillman
Clark, Fla.	Hardy	Nicholls, S. C.	Van Dyke
Claypool	Harrison, Miss.	Oldfield	Venable
Cleary	Harrison, Va.	Oliver, Ala.	Vinson
Coady	Hastings	Oliver, N. Y.	Walker
Collier	Hayden	O'Shaunessy	Walton
Connally, Tex.	Heflin	Overstreet	Watkins
Connelly, Kans.	Helvering	Padgett	Watson, Va.
Crisp	Hensley	Phelan	Webb
Crosser	Holland	Polk	Welling
Davey	Hood	Pou	Welty
Decker	Houston	Price	Wilson, La.
Delaney	Howard	Quin	Wilson, Tex.
Dent	Huddleston	Ragsdale	Wingo
Denton	Hull, Tenn.	Rainey, H. T.	Wise
Dickinson	Humphreys	Rainey, J. W.	Woods, Va.
Dies	Igoe	Raker	Wright
Dill	Jacoway	Rayburn	Young, Tex.

NAYS—186.

Anderson	Dyer	Hutchinson	Merritt
Austin	Elliott	Ireland	Miller, Minn.
Bacharach	Ellsworth	James	Miller, Wash.
Baer	Elston	Johnson, S. Dak.	Mondell
Birch	Esch	Johnson, Wash.	Moore, Pa.
Bland, Ind.	Essen	Juul	Moores, Ind.
Bowers	Fairchild, B. L.	Kahn	Morgan
Britten	Fairfield	Kearns	Morin
Browne	Farr	Kelley, Mich.	Mott
Browning	Fess	Kelly, Pa.	Nelson, A. P.
Burroughs	Fordney	Kennedy, Iowa	Nelson, J. M.
Cannon	Foss	Kennedy, R. I.	Nichols, Mich.
Carter, Mass.	Freeman	Kiess, Pa.	Nolan
Cary	French	King	Norton
Chandler, N. Y.	Fuller, Ill.	Kinkaid	Osborne
Chandler, Okla.	Fuller, Mass.	Knutson	Paige
Clark, Pa.	Garland	Kraus	Parker, N. J.
Classon	Gillett	Kreider	Parker, N. Y.
Cooper, Ohio	Glynn	La Follette	Peters
Cooper, W. Va.	Good	LaGuardia	Platt
Cooper, Wis.	Goodall	Lampert	Porter
Copley	Graham, Ill.	Langley	Powers
Crago	Green, Iowa	Lufkin	Pratt
Cramton	Greene, Mass.	Lundeen	Purnell
Currie, Mich.	Greene, Vt.	McCormick	Ramsey
Curry, Cal.	Hadley	McCulloch	Ramseyer
Dale	Hamilton, Mich.	McFadden	Rankin
Dallinger	Haskell	McKenzie	Reavis
Darrow	Haugen	McKinley	Reed
Davis	Hawley	McLaughlin, Mich	Roberts
Dempsey	Hayes	McLaughlin, Pa.	Rodenberg
Denison	Hersey	Madden	Rogers
Dillon	Hicks	Magee	Rose
Dowell	Hollingsworth	Mann	Rowe
Drukker	Hull, Iowa	Mapes	Rowland
Dunn	Husted	Mason	Sanders, Ind.

Sanders, N. Y.	Snell	Timberlake	Wheeler
Sanford	Snyder	Tinkham	White, Me.
Schall	Stafford	Treadway	Williams
Scott, Iowa	Steenerson	Vestal	Wilson, Ill.
Scott, Mich.	Stiness	Voigt	Winslow
Sells	Strong	Volstead	Wood, Ind.
Siegel	Sweet	Waldow	Woods, Iowa
Sinnot	Switzer	Walsh	Young, N. Dak.
Sloan	Temple	Ward	Zihlman
Smith, Idaho	Templeton	Wason	
Smith, Mich.	Tilson	Watson, Pa.	

ANSWERED "PRESENT"—4.

Ayres	Garner	Gould	Riordan

NOT VOTING—59.

Anthony	Flynn	Lehlbach	Slayden
Booher	Focht	Little	Slemp
Buchanan	Francis	Longworth	Smith, C. B.
Butler	Frear	McArthur	Steele
Caldwell	Graham, Pa.	Martin	Stephens, Nebr.
Campbell, Kans.	Gray, N. J.	Montague	Sullivan
Carlin	Gregg	Mudd	Swift
Costello	Griest	Olney	Taylor, Ark.
Cox	Hamill	Overmyer	Towner
Dewalt	Hamilton, N. Y.	Park	Vare
Doremus	Heaton	Randall	Weaver
Edmonds	Heintz	Robinson	Whaley
Emerson	Helm	Russell	White, Ohio
Estopinal	Hilliard	Shackleford	Woodyard
Fairchild, G. W.	Kettner	Shouse	

So the motion of Mr. FOSTER to lay on the table the appeal from the decision of the Chair was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. CHARLES B. SMITH (for) with Mr. GOULD (against).

Mr. HAMILL (for) with Mr. COSTELLO (against).

Mr. AYRES (for) with Mr. CAMPBELL of Kansas (against).

Mr. MARTIN (for) with Mr. SWIFT (against).

Mr. MONTAGUE (for) with Mr. SLEMP (against).

Mr. DEWALT (for) with Mr. FOCHT (against).

Mr. STEPHENS of Nebraska (for) with Mr. FREAR (against).

Mr. DOREMUS (for) with Mr. TOWNER (against).

Mr. SULLIVAN (for) with Mr. EDMONDS (against).

Mr. RIORDAN (for) with Mr. GRAHAM of Pennsylvania (against).

Mr. WHALEY (for) with Mr. MCARTHUR (against).

Mr. PARK (for) with Mr. LEHLBACH (against).

Mr. STEELE (for) with Mr. BUTLER (against).

Until further notice:

Mr. BOOHER with Mr. VARE.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The House refuses to lay the appeal on the table, and the question now is, Shall the decision of the Chair stand as the judgment of the House?

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. CLARK of Florida. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The SPEAKER pro tempore. Those in favor of the decision of the Chair standing as the judgment of the House will vote "yea," those opposed will vote "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 173, nays 182, answered "present" 3, not voting 71, as follows:

YEAS—173.

Alexander	Crisp	Griffin	Lonergan
Almon	Crosser	Hamlin	Lunn
Ashbrook	Davey	Hardy	McAndrews
Aswell	Decker	Harrison, Miss.	McClintic
Bankhead	Delaney	Harrison, Va.	McKeown
Barkley	Dent	Hastings	McLemore
Barnhart	Denton	Hayden	Maher
Beakes	Dickinson	Heflin	Mansfield
Bell	Dill	Helvering	Mays
Benson	Dixon	Hensley	Neely
Beshlin	Dominick	Holland	Nicholls, S. C.
Black	Donovan	Hood	Oldfield
Blackmon	Dooling	Houston	Oliver, Ala.
Bland, Va.	Doolittle	Howard	Oliver, N. Y.
Blanton	Doughton	Huddleston	O'Shaunessy
Brand	Drane	Hull, Tenn.	Overstreet
Brodbeck	Dupré	Humphreys	Padgett
Brumbaugh	Eagan	Igoe	Phelan
Burnett	Eagle	Jacoway	Polk
Byrnes, S. C.	Evans	Johnson, Ky.	Price
Byrns, Tenn.	Ferris	Jones	Quin
Campbell, Pa.	Fields	Kehoe	Ragsdale
Candler, Miss.	Fisher	Key, Ohio	Rainey, H. T.
Cantrill	Flood	Kincheloe	Rainey, J. W.
Caraway	Foster	Kitchin	Raker
Carew	Gallagher	Larsen	Rayburn
Carter, Okla.	Gallivan	Lazaro	Romjue
Church	Gandy	Lea, Cal.	Rouse
Clark, Fla.	Gard	Lee, Ga.	Rubey
Claypool	Garrett, Tenn.	Lesher	Rucker
Cleary	Garrett, Tex.	Lever	Sabath
Coady	Godwin, N. C.	Linthicum	Sanders, La.
Collier	Goodwin, Ark.	Littlepage	Saunders, Va.
Connally, Tex.	Gordon	Lobeck	Sears
Connelly, Kans.	Gray, Ala.	London	Shallenberger
Sherley	Sterling	Vinson	Wilson, Tex.
Sherwood	Sumners	Walker	Wingo
Sisson	Tague	Walton	Wise
Small	Taylor, Colo.	Watkins	Woods, Va.
Smith, T. F.	Thomas	Watson, Va.	Wright
Snook	Thompson	Webb	Young, Tex.
Steagall	Tillman	Welling	
Stedman	Van Dyke	Welty	
Stephens, Miss.	Venable	Wilson, La.	

NAYS—182.

Anderson	Freeman	Lundeen	Rowe
Austin	French	McCormick	Rowland
Bacharach	Fuller, Ill.	McCulloch	Sanders, Ind.
Baer	Fuller, Mass.	McFadden	Sanders, N. Y.
Birch	Garland	McKenzie	Sanford
Bland, Ind.	Gillett	McKinley	Schall
Bowers	Glynn	McLaughlin, Mich.	Scott, Iowa
Britten	Good	McLaughlin, Pa.	Scott, Mich.
Browne	Goodall	Madden	Sells
Browning	Graham, Ill.	Magee	Siegel
Burroughs	Green, Iowa	Mann	Sinnott
Cannon	Greene, Mass.	Mapes	Sloan
Carter, Mass.	Greene, Vt.	Mason	Smith, Idaho
Cary	Hadley	Merritt	Smith, Mich.
Chandler, N. Y.	Hamilton, Mich.	Miller, Minn.	Snell
Chandler, Okla.	Haskell	Miller, Wash.	Snyder
Clark, Pa.	Haugen	Mondell	Stafford
Classon	Hawley	Moore, Pa.	Steenerson
Cooper, Ohio	Hersey	Moores, Ind.	Stiness
Cooper, W. Va.	Hicks	Morgan	Strong
Cooper, Wis.	Hollingsworth	Morin	Sweet
Copley	Hull, Iowa	Mott	Switzer
Crago	Husted	Nelson, A. P.	Temple
Cramton	Hutchinson	Nelson, J. M.	Templeton
Currie, Mich.	Ireland	Nicholls, Mich.	Tilson
Curry, Cal.	James	Nolan	Timberlake
Dale	Johnson, S. Dak.	Norton	Tinkham
Dallinger	Johnson, Wash.	Osborne	Treadway
Darrow	Juul	Paige	Vestal
Davis	Kahn	Parker, N. J.	Voigt
Dempsey	Kearns	Parker, N. Y.	Volstead
Denison	Kelley, Mich.	Peters	Waldow
Dillon	Kelly, Pa.	Platt	Walsh
Dowell	Kennedy, Iowa	Porter	Ward
Dunn	Kennedy, R. I.	Powers	Wason
Dyer	Kiess, Pa.	Pratt	Watson, Pa.
Elliott	King	Purnell	Wheeler
Ellsworth	Kinkaid	Ramsey	White, Me.
Elston	Knutson	Ramseyer	Williams
Essen	Kraus	Rankin	Winslow
Fairchild, B. L.	Kreider	Reavis	Wood, Ind.
Fairfield	La Follette	Reed	Woods, Iowa
Farr	LaGuardia	Roberts	Young, N. Dak.
Fess	Lampert	Rodenberg	Zihlman
Fordney	Langley	Rogers	
Foss	Lufkin	Rose	

ANSWERED "PRESENT"—3.

Ayres	Garner	Riordan

NOT VOTING—71.

Anthony	Flynn	Lehlbach	Sims
Booher	Focht	Little	Slayden
Buchanan	Francis	Longworth	Slemp
Butler	Frear	McArthur	Smith, C. B.
Caldwell	Gould	Martin	Steele
Campbell, Kans.	Graham, Pa.	Montague	Stephens, Nebr.
Carlin	Gray, N. J.	Moon	Stevenson
Costello	Gregg	Mudd	Sullivan
Cox	Griest	Olney	Swift
Dewalt	Hamill	Overmyer	Taylor, Ark.
Dies	Hamilton, N. Y.	Park	Towner
Doremus	Hayes	Pou	Vare
Drukker	Heaton	Randall	Weaver
Edmonds	Heintz	Robinson	Whaley
Emerson	Helm	Russell	White, Ohio
Esch	Hilliard	Scully	Wilson, Ill.
Estopinal	Keating	Shackleford	Woodyard
Fairchild, G. W.	Kettner	Shouse	

So the decision of the Chair was not sustained.

The Clerk announced the following additional pairs:

Until further notice:

Mr. STEVENSON with Mr. HAYES.

Mr. SIMS with Mr. ESCH.

Mr. BUCHANAN with Mr. WOODYARD.

Mr. GARNER with Mr. LONGWORTH.

Mr. WHITE of Ohio with Mr. ANTHONY.

Mr. ROBINSON with Mr. LITTLE.

Mr. BOOHER with Mr. VARE.

On this vote:

Mr. MONTAGUE (for) with Mr. SLEMP (against).

Mr. DEWALT (for) with Mr. FOCHT (against).

Mr. SCULLY (for) with Mr. DRUKKER (against).

Mr. HAMILL (for) with Mr. COSTELLO (against).

Mr. STEPHENS of Nebraska (for) with Mr. FREAR (against).

Mr. SULLIVAN (for) with Mr. EDMONDS (against).

Mr. DOREMUS (for) with Mr. TOWNER (against).

Mr. MARTIN (for) with Mr. SWIFT (against).

Mr. WHALEY (for) with Mr. MCARTHUR (against).

Mr. RIORDAN (for) with Mr. GRAHAM of Pennsylvania (against).

Mr. STEELE (for) with Mr. BUTLER (against).

Mr. CHARLES B. SMITH (for) with Mr. GOULD (against).

Mr. AYRES (for) with Mr. CAMPBELL of Kansas (against).

Mr. PARK (for) with Mr. LEHLBACH (against).
Mr. POU (for) with Mr. WILSON of Illinois (against).
Mr. MOORE of Pennsylvania. Mr. Speaker, did the gentleman from South Carolina, Mr. STEVENSON, vote?
The SPEAKER pro tempore. The gentleman from South Carolina, Mr. STEVENSON, did not vote.
Mr. DOMINICK. What gentleman from South Carolina did the gentleman from Pennsylvania inquire about?
Mr. MOORE of Pennsylvania. I asked if the gentleman from South Carolina, Mr. STEVENSON, had voted.
Mr. LEVER. Did the gentleman from South Carolina, Mr. STEVENSON, vote? Is he recorded?
The SPEAKER pro tempore. He did not vote.
The result of the vote was announced as above recorded.
The SPEAKER pro tempore. The effect of the vote just announced is that the ruling of the Speaker does not stand as the judgment of the House, and the point of order against the motion to reconsider is sustained. The Chair therefore announces that the resolution of the gentleman from Virginia [Mr. WATSON] as amended by the substitute of the gentleman from Iowa [Mr. DOWELL] is adopted, thereby establishing the right of the gentleman from North Carolina, Mr. Britt, to a seat in this House. [Applause on the Republican side.]
The SPEAKER took the chair.

SWEARING IN OF A MEMBER.

Mr. MANN. Mr. Speaker, I present the gentleman from North Carolina, Mr. BRITT, to take the oath of office.
Mr. BRITT appeared at the bar of the House and took the oath of office.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. FLOOD. Mr. Speaker, I present a conference report on the Diplomatic and Consular appropriation bill (H. R. 14516) for printing under the rule.
The SPEAKER. The conference report and statement will be printed.

ORDER OF BUSINESS.

Mr. CLARK of Florida. Mr. Speaker, I wish to call up a conference report.
Mr. MANN. A parliamentary inquiry, Mr. Speaker.
The SPEAKER. The gentleman will state it.
Mr. MANN. If the House should adjourn now to meet to-morrow under the agreement that has been heretofore made—I was not in the House when it was made—would to-morrow be the legislative day of Saturday or Sunday?
The SPEAKER. To-morrow is Sunday and it would be the legislative day of Sunday. To-day would not extend over.
Mr. MANN. I did not know what the agreement was, whether we would take a recess or not.
The SPEAKER. Unless we take a recess, to-morrow will be a separate day.
Mr. MANN. Mr. Speaker, I move that the House stand in recess until 11 o'clock a. m. to-morrow.
Mr. KITCHIN. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. KITCHIN. Under the agreement for the House to meet to-morrow, if we adjourn to-night we would adjourn to meet at 11 o'clock a. m.?
The SPEAKER. Yes.
Mr. KITCHIN. After the memorial exercises the House could do any other business it desired. Suppose it should recess by unanimous consent or by motion until 11 o'clock a. m. to-morrow, that ends at once, because the session we have all agreed on begins at 11 o'clock to-morrow.
Mr. MANN. I did not understand the arrangement. I understood that the House was to meet to-morrow for the purpose of eulogies, but I was not in the Hall when the arrangement was made. If we are to go on with business to-morrow—and I apprehend that we are—we ought to do it under the legislative day of Saturday and not under the legislative day of Sunday.
Mr. KITCHIN. We could, by unanimous consent, set the order aside and then get unanimous consent to recess until 11 o'clock with the understanding that from 11 to 12 we will have the eulogies .
Mr. CLARK of Florida. Mr. Speaker, I want to call up the conference report on the bill H. R. 13026. I do not call it up for the purpose of transacting any business to-night, but I simply want to get recognition.
Mr. COLLIER. What is the bill?
Mr. CLARK of Florida. It is the hospital bill.
The SPEAKER. The Chair will recognize the gentleman from Florida as soon as we get through the memorial exercises to-morrow.

ACCOUNTS BETWEEN THE DISTRICT OF COLUMBIA AND THE UNITED STATES.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD for the purpose of filing a report concerning the accounts between the District of Columbia and the United States.
Mr. MANN. The gentleman can not file the report in that way, but he can include the report in his remarks.
Mr. JOHNSON of Kentucky. The report contains no recommendation and the parliamentarian says that it will have to be done in this way.
Mr. MOORE of Pennsylvania. Mr. Speaker, I would like to know what the request is.
Mr. JOHNSON of Kentucky. As I said, I wish to include a statement showing the work done by the Committee on the District of Columbia in inquiring into the accounts between the District of Columbia and the United States.
The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.
The report is as follows:

INVESTIGATION OF ACCOUNTS BETWEEN DISTRICT OF COLUMBIA AND UNITED STATES.

REPORT OF THE SUBCOMMITTEE OF THE HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA, APPOINTED UNDER AUTHORITY OF PROVISIONS OF THE ACTS OF APRIL 17, 1917, AND MARCH 28, 1918, OF THE SIXTY-FIFTH CONGRESS.

Acting under authority of a provision of the deficiency appropriation act of April 17, 1917, and a similar provision of the deficiency appropriation act of March 28, 1918, the chairman of the House Committee on the District of Columbia appointed a subcommittee, composed of Mr. JOHNSON (Kentucky), Mr. HILLIARD, and Mr. MAPES, to continue the investigation previously authorized of the accounts between the District of Columbia and the United States. This investigation during the Sixty-fifth Congress, made with the assistance of accountants, disclosed that the District of Columbia was indebted to the United States as follows:

On account of the construction and equipment of the District jail	$125,000.00
On account of a loan to pay teachers in the District public schools	97,740.50
On account of the unpaid balance of a loan to defray District of Columbia expenses of the fiscal year of 1878	75,000.00
On account of loan made to the District of Columbia for the support of schools of the District of Columbia	75,000.00
On account of loan made to the District of Columbia to defray the expense of constructing and equipping a school building in Georgetown, D. C	50,865.00
	423,605.50

The reports of the accountants showing the foregoing items of indebtedness of the District of Columbia to the United States were referred first to the Commissioners of the District of Columbia, with the request that this committee be informed as to whether these reports were in accord with the books and records of the District of Columbia. In each instance the Commissioners of the District of Columbia informed the subcommittee that the reports of the accountants, according to the books and records of the District of Columbia, were correct and that payment had not been made of any of the several items of indebtedness. The reports of the accountants were then referred to the House Committee on Appropriations. As a result of this latter reference the Appropriations Committee made provision in the District of Columbia appropriation bill for the fiscal year of 1919 for the payment by the District of Columbia to the United States of the first two items stated above, viz, $125,000 and $97,400. This bill became a law on August 31, 1918, and these two amounts have been refunded by the District of Columbia to the United States. In addition, as a result of the reference just mentioned, the Appropriations Committee made provisions in the District of Columbia appropriation bill for the fiscal year of 1920 for the payment to the United States by the District of Columbia of the remaining items enumerated above, viz, $75,000 and $50,865. This latter bill was passed by both Houses of Congress and is now in conference between the two Houses. No objection has been made in either House to the payment of these debts by the District of Columbia to the United States.
The subcommittee further reports that previous investigations of the accounts between the District of Columbia and the United States made by the Committee on the District of Columbia and subcommittees thereof, with the assistance of accountants, disclosed the following additional items of indebtedness of the District of Columbia to the United States, all of which have since been paid, viz:

Relief of poor account, 1879	$3,825.00
Error, deduction from revenue, 1897	8,952.08
Interest paid on these two items	2,810.96
Washington Market Co., rentals	166,012.50
Interest on 3.65 bonds	586,067.23
Government Hospital for Insane	282,754.26
Court fines in United States cases	235,750.88
	1,286,172.91

Because of the investigations made by the subcommittee on the District of Columbia, there was also paid by the District of Columbia to the United States $719,536.09 on account of other errors in the accounts between the District of Columbia and the United States relating to the Government Hospital for the Insane.
The report of the accountants on the above item of $166,012.50, Washington Market Co., rentals, was submitted to the Comptroller of the Treasury and approved by him. Additional to the refunding by the District of Columbia to the United States of this last-named amount, the effect of the approval of the report of the accountants by the Comptroller of the Treasury is that the United States has received, or will hereafter receive, rentals from the Washington Market Co. in the amount of $202,500 (assuming that this company is permitted to

retain possession of Center Market), which otherwise would have been lost to the United States.

The aggregate of the foregoing amounts which have heretofore been recovered or which will hereafter be recovered by the United States as a direct result of the investigations conducted by the committee is $2,631,814.50.

All of which is now reported to the House of Representatives.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4991. An act to establish load lines for vessels in foreign trade; to the Committee on Merchant Marine and Fisheries.

S. 978. An act for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased; to the Committee on Claims.

S. 2496. An act for the refund of duties paid on materials destroyed by fire; to the Committee on Ways and Means.

S. 4864. An act to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy; to the Committee on Claims.

S. 923. An act for the relief of Henry J. Davis; to the Committee on Military Affairs.

S. 4773. An act for the relief of D. C. Darroch; to the Committee on Military Affairs.

S. 5482. An act providing for the refund of taxes collected for stamp tax on certain policies under the emergency tax act of October 22, 1914, under the proviso to which act such policies were exempt; to the Committee on Claims.

S. 4139. An act repealing certain provisions contained in the urgent deficiency act approved December 22, 1911; to the Committee on Claims.

S. 5648. An act to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska; to the Committee on Public Buildings and Grounds.

S. 4479. An act for the protection of the water supply of the town of Sunnyside, Utah; to the Committee on the Public Lands.

S. 5343. An act to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements; to the Committee on the Territories.

S. 5566. An act for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.; to the Committee on the Public Lands.

S. 4745. An act for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.; to the Committee on the Public lands.

S. 2024. An act for the relief of the Buffalo River Zinc Mining Co.; to the Committee on Claims.

S. 4366. An act to amend section 5 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913 (38 Stat., 4, 75); to the Committee on the Library.

S. 2497. An act for the relief of James W. Cross; to the Committee on Claims.

S. 1486. An act for the relief of Henry P. Grant, of Phillips County, Ark.; to the Committee on Claims.

S. 4263. An act for the relief of Capt. Frederick B. Shaw; to the Committee on Claims.

S. 1765. An act to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900; to the Committee on Claims.

S. 4526. An act for the relief of the Arundel Sand & Gravel Co.; to the Committee on Claims.

S. 5658. An act to authorize the acquisition and operation by the United States of the Cape Cod Canal; to the Committee on Interstate and Foreign Commerce.

S. 5371. An act for the relief of Roland S. Robbins; to the Committee on Claims.

S. 534. An act for the relief of the heirs of Adam and Noah Brown; to the Committee on Claims.

S. J. Res. 121. Joint resolution creating a commission to report a plan for the adoption of a national budget system; to the Committee on Appropriations.

S. J. Res. 196. Joint resolution authorizing the Secretary of War to accept resignations of officers and to grant discharges to enlisted men in the Army under certain conditions; to the Committee on Military Affairs.

S. J. Res. 197. Joint resolution authorizing the appointment of an ambassador to the Republic of Peru; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 11219. An act providing for the appraisal and sale of Gig Harbor abandoned military reservation in the State of Washington, and for other purposes;

H. R. 13482. An act creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes;

H. R. 12860. An act granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female), Army field clerks, field clerks, Quartermaster Corps, and civil employees of the Army pay and allowance during any period of involuntary captivity by the enemy of the United States; and

H. R. 357. An act conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States.

COMMITTEE APPOINTMENTS.

The SPEAKER. The Chair appoints the gentleman from Oklahoma, Mr. MCCLINTIC, to the Committee on Printing.

The gentleman from New York, Mr. SANFORD, and the gentleman from Maine, Mr. GOODALL, having been appointed to the Committee on Accounts ad interim and having declined to serve, the Chair appoints the gentleman from Illinois, Mr. IRELAND.

EXTENSION OF REMARKS.

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the upper Cumberland River.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the order heretofore made to meet at 11 o'clock a. m. to-morrow be vacated.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the order formerly made to meet to-morrow at 11 o'clock a. m. be vacated. Is there objection?

There was no objection.

Mr. KITCHIN. Now, Mr. Speaker, I ask unanimous consent that the House stand in recess until 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House stand in recess until 11 o'clock a. m. to-morrow.

Mr. MANN. And that the ordinary business be suspended for eulogies on the late WILLIAM P. BORLAND, beginning at 11 o'clock a. m.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Accordingly (at 11 o'clock and 25 minutes p. m.) the House stood in recess until to-morrow, Sunday, March 2, 1919, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAKER, from the Committee on Woman Suffrage, to which was referred the bill (H. R. 14604) to secure and protect the rights of women citizens of the United States to vote for Senators and Representatives in the Congress of the United States of America, reported the same without amendment, accompanied by a report (No. 1160), which said bill and report were referred to the House Calendar.

Mr. WALKER, from the Committee on the Judiciary, to which was referred the bill (S. 1735) to create an additional judge in the southern district of Florida, reported the same without amendment, accompanied by a report (No. 1162), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WALTON, from the Committee on Expenditures in the Department of Justice, to which was referred the bill (S. 2124) to fix the salary of the United States district attorney for the eastern district of New York, reported the same without amendment, accompanied by a report (No. 1163), which said bill and report were referred to the Committee of the Whole House on the State of the Union.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5555) to amend the war-risk insurance act, reported the same without amendment, accompanied by a report (No. 1164), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CAMPBELL of Kansas: A bill (H. R. 16205) authorizing the Secretary of War to donate one captured German cannon or fieldpiece to the city of Neodesha, Kans.; to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 16206) to authorize the Department of Commerce to examine and test manufactured articles or products for the owner or manufacturer thereof, to issue a certificate as to the nature and quality of such manufactured articles or products, and to prevent the illegal use of such certificates; to the Committee on Interstate and Foreign Commerce.

By Mr. REAVIS: A bill (H. R. 16207) authorizing the Secretary of War to donate two captured cannons to the town of Brock, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 16208) to authorize the Secretary of War to turn over to the American National Red Cross certain Army supplies; to the Committee on Military Affairs.

Also, a bill (H. R. 16209) to fix the date of the next session of Congress; to the Committee on the Judiciary.

By Mr. BRODBECK: A bill (H. R. 16210) authorizing the Secretary of War to donate to the town of Mount Wolf, York County, Pa., one cannon or fieldpiece with carriage, with suitable number of shells; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 16211) directing the Secretary of War to grant an honorable discharge to William H. Hand; to the Committee on Military Affairs.

Also, a bill (H. R. 16212) directing the Secretary of the Navy to grant an honorable discharge to Robert J. Corie; to the Committee on Naval Affairs.

By Mr. HASTINGS: A bill (H. R. 16213) to amend sections 12 and 15 of an act entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes," authorizing loans to be made to honorably discharged soldiers, sailors, and marines who served in the war with Germany; to the Committee on Banking and Currency.

By Mr. CANNON: Resolution (H. Res. 616) to pay Arthur Lucas $30 for special janitor services; to the Committee on Accounts.

By Mr. GOULD: Resolution (H. Res. 618) requesting full information relative to the situation in the Republic of Mexico; to the Committee on Foreign Affairs.

By Mr. TAGUE: Resolution (H. Res. 619) to appoint a committee of the House to inquire into the illegal voting in the tenth Massachusetts district in the election held on the 5th day of November, 1918; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 441) authorizing discharged soldiers, sailors, and marines to wear uniforms on certain days; to the Committee on Military Affairs.

By Mr. BROWNE: Memorial from the Legislature of the State of Wisconsin, requesting peace conference to grant the right of self-determination to Ireland; to the Committee on Foreign Affairs.

By Mr. CARY: Memorial from the Legislature of the State of Wisconsin, requesting peace conference to grant the right of self-determination to Ireland; to the Committee on Foreign Affairs.

By Mr. ESCH: Memorial from the State Legislature of Wisconsin, requesting peace conference to grant the right of self-determination to Ireland; to the Committee on Foreign Affairs.

By Mr. SABATH: Memorial from the Legislature of the State of Massachusetts, urging such legislation as will cause a reduction in freight rates on material for public works; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: Memorial of the Legislature of the State of Oregon, favoring the passage of an appropriation for reclamation and drainage of lands in the western portion of the United States; to the Committee on Appropriations.

Also, memorial from the Legislature of the State of Oregon, favoring the passage of the McKellar-Keating retirement bill; to the Committee on Reform in the Civil Service.

By Mr. ADOLPHUS P. NELSON: Memorial from the Legislature of the State of Wisconsin, requesting peace conference to grant the right of self-determination to Ireland; to the Committee on Foreign Affairs.

By Mr. RAKER: Memorial of the Legislature of the State of California, urging the acquisition by the United States of that peninsula or country known as Lower California, etc.; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of California, protesting against the consummation of contracts for building of ships in foreign shipyards; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of California, indorsing the plan of the Secretary of the Interior for the appropriation of $100,000,000 for the placing of returning soldiers on farms, etc.; to the Committee on Appropriations.

By Mr. STINESS: Memorial from the Legislature of the State of Rhode Island, favoring the passage of legislation which will permit the payment of six months' additional pay to all soldiers and sailors who have participated in the war with Germany; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EVANS: A bill (H. R. 16214) for the relief of Margie R. Ashbrook; to the Committee on Military Affairs.

By Mr. BLANTON: A bill (H. R. 16215) for the relief of J. C. Garrett; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of C. L. Smith and 187 other citizens of Ashland County, Ohio, against the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

By Mr. BURROUGHS: Petition of Manchester (N. H.) Central Labor Union, advocating the withdrawal of United States troops from Russia, in order to prevent the sacrifice of the life of even one more American, where his sacrifice would not be for his country, not for any human principle, and in direct violation of the best traditions of our land; to the Committee on Military Affairs.

Also, petition of Merrimack Lodge, No. 27, Brotherhood of Railway Clerks, of Concord, N. H., H. G. Jewell, secretary, urging the enactment of legislation to insure the permanent control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, telegrams from L. H. Shattuck (Inc.), and Gale Shoe Co., Portsmouth, N. H., and F. W. Dudley, Concord, N. H., in favor of daylight saving; to the Committee on Agriculture.

Also, telegrams from following advocating the continuance of the United States Employment Service of the Department of Labor: Hon. Edward N. Cogswell, warden, and Hon. Herbert B. Fischer, New Hampshire State senator, Concord; Boiler Makers and Iron-ship Builders' Union, No. 467, J. A. Quin, secretary, and Hon. Albert Hislop, mayor, Portsmouth; and Frank Hobbs, Wolfeboro, all in the State of New Hampshire; to the Committee on Appropriations.

Also, telegrams from the following in opposition to the continuance of the United States Employment Service of the Department of Labor: Mr. C. A. Towle, representing manufacturers and Laconia Board of Trade; George A. Tenney, treasurer Monadnock Mills, Claremont; H. W. Carter & Sons, Carter & Churchill Co., Peoples Trust Co., Richardson & Langlois, Harrison Bros. Co., American Woolen Co., Everett Knitting Works, Carter & Rogers, and Lebanon National Bank, Lebanon; I. B. Williams & Sons, A. Melvin Moss, D. Foss & Son, George R. Williams, superintendent Kidder Press Co., Joel Q. Sheppard, of National Wood Work Machinery Co., Pacific Mills, and John F. Minnick, Dover; Philip H. Stiles, agent, Great Falls Manufacturing Co., Walter Holdsworth, superintendent Queensbury Mills, and E. D. Royce, superintendent Great Falls Woolen Co., Somersworth; P. M. Varroll, Colony Woolen Mills, and A. W. Slocum, agent, Cochron Woolen Manufacturing Co., Rochester; N. B. Thayer Shoe Co., East Rochester; Miltonia Mills, Dwight Hall, trustee, Milton Mills; Harold M. Bowman, Somersworth Foundry Co., and L. W. Quealty, agent, Salmon Falls Manufacturing Co., Salmon Falls; Walter M. Gallant, agent, Newmarket Manufacturing Co., Newmarket; American Box & Lumber Co., E. E. Bartlett Co., Buxton Garment Manufacturing Co., Gregg & Son, William Pighton & Sons Co., Nashua Manufacturing Co., Nashua Mills, Nashua Gummed & Coated Paper Co., Nashua Saddlery Hardware Co., White Mountain Freezer Co., Wona-

lancet Co., Pease Co., Nashua Cooperative Iron Foundry Co., Indian Head Table Co., Rollins Engine Co., Flather Foundry Co., Flather & Co., Nashua Machine Co., Nashua Paper Box Co., Grover File Co., Osgood Construction Co., Maine Manufacturing Co., Flather Manufacturing Co., Gardiner Beardsall Co., and International Paper Box Machine Co., Nashua, all in the State of New Hampshire; to the Committee on Appropriations.

Also, telegrams from following favoring "daylight saving": Chauncy A. Williams, Wm. Corey Needle Co., R. O. Reed, W. H. McElwain Co., Briggs Felton, S. A. Felton Brush Works, R. D. Reed, George R. Jones Shoe Co., Harry A. Wheeler, Wheeler Ice Cream Co., H. B. Hopkins Printing Co., F. H. Emerson, George P. Crafts Shoe Co., Stuart Redman, Stark Mills, F. Lyons, F. H. Lyons Iron Works, John Rice, Leighton Machine Co., G. T. Brodberg, Currier Needle Co., B. S. Wheeler, A. Dalton Shoe Co., Commonwealth Last Co., and Adams & Burnham, all of Manchester, N. H.; to the Committee on Appropriations.

Also, telegrams from following manufacturers of Cheshire County, N. H., in oppositon to the continuance of the United States Employment Service of the Department of Labor: Wassookeag Woolen Co., Wilcox Comb Co., Ashuelot Woolen Co., C. L. Russell & Sons, Keene Gas & Electric Co., Burdett Chair Co., Keene Artistic Narrow Web Co., Keene Screen Co., Calef Co., Beaver Mills, Whitney Bros. Co., New Brattleboro Overall Co., Sprague & Carleton, Robertson Bros., Fisk Paper Co., Morgan Mfg. Co., Troy Blanket Mills, Impervious Package Co., Fowler Norwood Green Co., Keene Glue Co., New England Box Co., C. J. Amidon & Son, Faulkner & Colony Mfg. Co., Ashuelot Paper Co., Gurnsey Bros. Co., G. A. Robertson Co., W. F. Robertson Co., A. E. Martell Co.; to the Committee on Appropriations.

Also, telegrams from following substantiating resolutions of Manchester, N. H., members of the New Hampshire Manufacturers' Association, urging the discontinuance of the United States Employment Service, of the Department of Labor: Chauncey A. Wiliiams (chairman), Ralph D. Reed, Briggs Felton, Chauncey Williams, Harry E. Wheeler, H. B. Hopkins, F. H. Emerson, Stuart Redman, F. P. Lyons, John Rice, G. T. Broberg, G. R. Jones Shoe Co., S. A. Felton & Co., William Corey Co., Wheelers Ice Cream Co., Hopkins Printing Co., G. P. Crants Co., Stark Mills, F. P. Lyons Iron Works, Leighton Machine Co., Currier Needle Co., B. S. Wheeler, C. E. Kershaw, A. B. Carpenter, C. A. Adams, A. Dalton Boc Co., Commonwealth Last Co., Amoskeag Paper Co., Adams & Burnham; to the Committee on Appropriations.

Also, petition of International Association of Machinists, Lodge No. 118, Somersworth, N. H., Louis Boulay, secretary, advocating the continuance of the United States Employment Service by the Government; to the Committee on Appropriations.

Also, letters from the following-named persons, favoring the passage of House bill 15402: Wallace J. Gilbert, Alfred Begin, and Joseph Baurque, Somersworth; A. J. Gilbert, Rochester; Marie Barlon and James C. Rathborne, Exeter; L. R. Wendell, Wolfeboro; Olive S. Fox, N. G. Kidney, V. C. Brogg, K. M. Stanford, Philip J. Torsney, John L. True, Joseph Routhier, J. E. Collins, H. H. Kimball, Charles W. Guilmet, and Daniel L. Sheetz, Dover; and Henry Julien, Newmarket, all in the State of New Hampshire; to the Committee on Education.

By Mr. CARY: Petition of National League for Woman's Service in Wisconsin, indorsing plan for league of nations; to the Committee on Foreign Affairs.

Also, petition of Milwaukee Pressmen's Unions Nos. 7 and 27, asking amnesty for political prisoners; to the Committee on Military Affairs.

Also, petition of Pattern Makers' Association of Milwaukee, urging appropriation for United States Employment Service; to the Committee on Appropriations.

Also, petition of Wisconsin State Telephone Association, asking for immediate return of telephone properties to private control; to the Committee on the Post Office and Post Roads.

Also, petition of Milwaukee Printing Pressmen's Union No. 7, demanding amnesty for political prisoners who are held under bond; to the Committee on Military Affairs.

Mr. CARTER of Oklahoma: Petition of Oklahoma City Division of the War Mothers of America, deploring the discomforts of the soldiers of the American forces in France and asking that they be brought home as early as possible; to the Committee on Military Affairs.

By Mr. DARROW: Petition of Samuel R. Sharp & Co. and Erben-Harding Co., of Philadelphia, Pa., opposing the repeal of daylight-saving law; to the Committee on Agriculture.

By Mr. DALLINGER: Petition of Commonwealth of Massachusetts, urging Congress to provide additional pay for soldiers and sailors discharged from the service of the United States; to the Committee on Military Affairs.

By Mr. DRANE: Petition of the Syrian Societies of Tampa, Fla., asking the United States to act as trustee for Syria in the coming days of reconstruction; to the Committee on Foreign Affairs.

By Mr. EMERSON: Petition of Cleveland Federation of Labor, urging public improvements for unemployed; to the Committee on Labor.

By Mr. ESCH: Petition of Wisconsin State Telephone Association, asking for immediate return of telephone properties to private control—not later than June 30, 1919; to the Committee on the Post Office and Post Roads.

Also, petition of American Institute of Chemical Engineers, Chicago, Ill., urging that splendid work of Tariff Commission be continued; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: Petition of Barbers' Union of Rockford, Ill., for legislation to limit working day in factories to eight hours, and other matters; to the Committee on Labor.

Also, petition of the Ottawa (Ill.) Chamber of Commerce, opposing repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. HOLLINGSWORTH: Petition of the Deeming Co., Salem, Ohio, in favor of Caldwell bill, authorizing Secretary of War to loan unused Government machine tools; to the Committee on Military Affairs.

By Mr. KETTNER: Petition of Chamber of Commerce of Santa Ana, Cal., relative to citizenship of persons found guilty of offense against the United States or her allies—that they shall be deported and forever debarred from reentry to the United States; to the Committee on Immigration and Naturalization.

Also, petition of United Brotherhood of Maintenance of Ways and Railway Shop Laborers, Paint Lodge, Local 1061, of Needles, Cal., relative to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of residents of San Bernardino, pertaining to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of Baltimore Kindergarten Club, 75 members, asking support of President Wilson in league of nations; to the Committee on Foreign Affairs.

Also, petition of American Federation of Labor, that appropriation be made for public improvements, immigration be prohibited, monthly salary be provided for discharged soldiers, and sum be appropriated to purchase and drain lands, etc.; to the Committee on Appropriations.

Also, petition of Davison Chemical Co., Baltimore, Md., urging passage of House bill 13274; to the Committee on Military Affairs.

Also, petition of S. D. Buck, Baltimore Association of Credit Men, against repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of William P. Duffy, Baltimore, Md., opposing Smith educational bill; to the Committee on Education.

Also, petition of N. Hess & Sons (Inc.), McDowell & Co. (Inc.), and A. Yerkes, all of Baltimore, Md., opposing luxury tax in revenue bill; to the Committee on Ways and Means.

Also, petition of Men's Club of Church of St. Michael and All Angels, Baltimore, Md., advocating a league of nations as the best means of maintaining peace; to the Committee on Foreign Affairs.

Also, petition of citizens of the District of Columbia, urging House bill 10550, providing for national ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. S. Hopkins, Baltimore, Md., asking for repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORES of Indiana: Petition of Alonzo C. Marshall and 7 other citizens of Indianapolis, Ind., urging permanent Government ownership and control of all railways, telephone and telegraph facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of California White and Sugar Pine Manufacturers' Association of California, urging the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of Henry A. Wise Wood, of New York, against the league of nations; to the Committee on Foreign Affairs.

By Mr. ROGERS: Petition of Commonwealth of Massachusetts, urging Congress to provide additional pay for soldiers and sailors discharged from service of United States; to the Committee on Military Affairs.

By Mr. TAGUE: Telegrams and letters urging continuance of the daylight-saving law from Jackson & Co.; Hon. Andrew J. Peters, mayor of the city of Boston; Charles M. Cox Co.; R. H. White Co.; Shepard Norwell Co.; Braman, Dow & Co.; Boston Insurance Co.; and Charles A. Heath, all of Boston; Massa-

chusetts Chamber of Commerce; S. W. Wakeman, general manager Fore River plant (Quincy, Mass.) of the Bethlehem Steel Corporation; and American Thread Co., Fall River, Mass.; to the Committee on Interstate and Foreign Commerce.

By Mr. TEMPLE: Petition of Rev. T. B. Anderson, College Hill congregation, Beaver Falls, Pa., that the preamble of the National Constitution be amended; to the Committee on the Judiciary.

By Mr. VARE: Petition of employees of the Metropolitan Life Insurance Co. of Philadelphia, favoring Senate bill 5464; to the Committee on Education.

Also, petition of Philadelphia Chamber of Commerce, regarding legislation restricting immigration; to the Committee on Immigration and Naturalization.

SENATE.

SUNDAY, *March 2, 1919.*

(Legislative day of Saturday, March 1, 1919.)

The Senate met at 1 o'clock p. m., on the expiration of the recess.

MEMORIAL ADDRESSES ON THE LATE SENATOR HUSTING.

Mr. LA FOLLETTE. Mr. President, I ask for the adoption of the resolutions which I send to the desk.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. No. 482) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. PAUL O. HUSTING, late a Senator from the State of Wisconsin, in pursuance of an order heretofore made, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Wisconsin.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. LA FOLLETTE. Mr. President, PAUL O. HUSTING was born in the city of Fond du Lac, Wis., April 25, 1866. His father, John P. Husting, a native of the Grand Duchy of Luxemburg, emigrated to the United States in 1855. It has been my privilege to know the father of my late colleague and friend, Senator HUSTING. He is a man of rare character and exceptional refinement, a skilled watchmaker, who brought with him from his fatherland a love of music and art and a ready command of several languages.

The mother of Senator HUSTING is a woman of that native power and marked individuality so typical of our strong pioneer stock. She is the daughter of Solomon Juneau, who, in 1818, founded the city of Milwaukee. A foolish pride in ancestry is a weakness. A just pride in ancestry may inspire a worthy ambition in one to render a high service to his generation and to posterity. I venture to dwell for a moment upon this branch of the ancestry of the late Senator HUSTING.

Solomon Juneau was the first white man who located on the present site of Milwaukee, where as the representative of the American Fur Co. he established a trading post. He built there the first log house in 1822, and two years later the first frame dwelling erected in Milwaukee. In 1835 he was appointed the first postmaster, and in 1846 he was chosen as the first mayor of Milwaukee. He died in 1856. He was at one time a man of great wealth and owned a large portion of the land on which was finally builded the metropolis of Wisconsin.

Solomon Juneau was of pure French or Alsatian ancestry, and was an honest, upright, forceful man, the trusted friend and counselor of the great body of Indians then living in the Territory of Wisconsin.

The author of the Pioneer History of Milwaukee says of Juneau:

> He was, without exception, the finest looking specimen of his race that I have ever seen. In height over 6 feet, large of frame, and straight as an arrow.

On an eminence in Juneau Park, overlooking the city of Milwaukee, and facing the sun as it rises over Lake Michigan, stands the commanding bronze statue of Solomon Juneau, the grandfather of Senator HUSTING.

The wife of Solomon Juneau, the grandmother of our deceased colleague, was of French and Indian blood. She was the grandniece of La Farrinee, the old Menomonie king. She was a woman of striking presence and high courage. On more than one occasion it is recorded that she saved the lives of the first settlers of that section, who would otherwise have fallen victims to Indian vengeance.

From his ancestry upon both sides Senator PAUL O. HUSTING inherited a fine nature, sterling integrity of character, and a rugged, intrepid courage that would make no compromise with defeat.

The great fortune which his mother would have inherited was swept away before her father's death.

The boy PAUL received a common-school education, and at the age of 17 challenged his fortunes single handed and alone.

He resolved to become a lawyer. His people had no means to advance his ambition. He had but the meager education that one could acquire in the district school. And yet that boy had in him the worthy purpose, the grim determination to cross swords with fate, and to fight his way to a high place among his fellow men.

Mr. President, with a father of pleasing address; with a grandfather on the maternal side, who, the author of the Pioneer History of Milwaukee says, was the finest specimen of manhood he had ever seen in his life; with a grandmother, the wife of Solomon Juneau, a woman of commanding and queenly appearance, it was one of the curious tricks of fate that our late colleague was endowed with a fine nature, a keen appreciation of art, music, and the best literature, and a vigorous mind, was so handicapped physically that he was at no inconsiderable disadvantage as a speaker. And yet so resolute was his purpose, so deep and sincere were his convictions, so direct and forceful his reasoning, that he became an effective and powerful debater and public speaker.

He was resolved to become a lawyer. He clerked in a general store. He passed the required examination and entered the Postal Service as a railway mail clerk. Is it to be wondered at, let me say to Senators, that this man all through his political life was found fighting on the side of the great masses of the people, with a keenly sensitive interest in the hard struggles of the worker?

Later he secured the position of assistant bookkeeper in the office of the secretary of state of Wisconsin. All the while his eye was on the position to which he aspired. He was climbing higher and higher. He wanted to be a lawyer. He had to get his legal education; he had no means with which to support himself while he did it. He had to hack his own way through all of the obstacles that lay ahead of him; but he never swerved from that fixed purpose which had entered his mind as a boy.

An interesting story is told of HUSTING, then a rugged, big-shouldered, sturdy, farmer-looking boy, going into the office of Gov. Peck, of Wisconsin, at that time. In his plain, homely, direct way he said, "Gov. Peck, I want a job where I can work and earn my salary and where I can attend the university law school." He at once secured the position from the warm-hearted governor of Wisconsin.

At last the way was opened for him to achieve his cherished ambition, and he entered the law school of the University of Wisconsin. In 1895 he passed the State bar examination and immediately entered upon the practice of his profession at Mayville, Wis. He soon became known throughout his county as a safe counselor and successful trial lawyer. In 1902 he was elected district attorney of Dodge County and reelected in 1904.

During the period in which young HUSTING was winning his way as a lawyer in Dodge County events were transpiring in the State which had an important bearing upon his career.

A political contest of profound significance came on in Wisconsin early in the nineties and continued for many years. It produced a deep and lasting impression on the life of the State and exerted an influence in many other States. It was a struggle for progressive democracy, democracy that is always advancing and that never halts; it was a determined effort, as it was first to put forth in the State, to bring the Government back to the people. It appealed strongly to Mr. HUSTING, who became active with the more progressive element of the Democratic Party, and was finally elected from Dodge County to the Wisconsin State Senate in 1906.

At that time, I may say, the majority of the Democratic Party was not controlled by the progressive element, and it is a testimonial to the aggressiveness, the power, and the forcefulness of this man that when he turned aside from his professional life to take part in the politics of Wisconsin the progressive element of the Democratic Party of that State was in the minority, but under the leadership of this self-made man and the others who worked with him the Democratic Party of Wisconsin became a progressive Democratic Party.

The great body of the progressive laws of Wisconsin had been enacted before Mr. HUSTING entered the State senate. But he at once became prominent in that body as the leading progressive Democrat, and was especially active in working for legislation to protect the natural resources of the State, and to carry forward step by step in an intelligent way legislation to advance and improve industrial and social conditions.

His leadership as a progressive Democrat made him the most available candidate of his party for the United States Senate

in 1914. His great personal strength with the people generally who had confidence in his high purpose to serve public interest brought him such support among independent voters that he was elected to the United States Senate to succeed Hon. Isaac Stephenson for the term of office ending March 4, 1921.

The election of Senator HUSTING to the United States Senate from a strong Republican State testifies to the respect and the trust which the people of that Commonwealth reposed in the man. He had served but eight years in the State senate, but that brief period had sufficed to make him known everywhere as a man of sterling integrity, a close student of public affairs, an able debator, and a conscientious legislator keenly alert and sensitive at all times for the public interest.

As a Member of the United States Senate, as in the legislature of his native State, he impressed his colleagues with his industry, his courage, and devotion to his convictions at any cost or sacrifice.

In this body he stood squarely with the little band of progressive Senators who sought to secure a just system of taxation to support the war, voting independently on every single amendment that was offered here to increase the taxes upon wealth. Those amendments were voted down; but, pressing on and on, he supported by speech and vote, one after another, all those amendments, because they were sanctioned by his convictions. That was the spirit of the man. Upon all economic issues uninfluenced by politics, Senator HUSTING was absolutely free and independent in his thinking and expression.

Senator HUSTING was a free and ready Speaker, an aggressive, able debater. In the fight on the water-power bill and on the coal and oil bill, he at once gained recognition as a fearless antagonist who was undaunted by the overwhelming odds, but fought on and on to the very end for his convictions.

Senator HUSTING found himself in a peculiar position when the resolution declaring war was presented to this body. He lived in Dodge County, Wis., a county where the local and surrounding influences were against our entering into the war. There again came out the high qualities of the man's character. He knew that he had to sacrifice personal friendships; he knew that he would alienate the affection of neighbors; but he followed the course where his conscience pointed the way.

Mr. President, I did not agree with Senator HUSTING as to the necessity of our engaging in the European war. But, sir, I recognized his right to hold and express his opinions at all times and under all circumstances upon that as upon every other question, and I respected the sturdy and courageous way in which he asserted and maintained his settled convictions. Nothing could better attest the soundness of his conception of true democracy than the spirit of tolerance which he manifested during that period that sorely tried men whose opinions were in sharp conflict. He accorded to those who did not agree with him the same right to a free expression of opinion which he claimed for himself. He knew that you can have no real democracy where that right is denied.

Senator HUSTING's tragic death was a great shock to the Senate and to the country.

When the Congress adjourned October 6, 1917, he went directly to his home in Wisconsin, to find recreation in the one form which had appealed to him most strongly from boyhood.

The call of the wild was in his blood. It was a part of his inheritance. He loved the forests, the streams, the thousand lakes of his native State. He was an expert woodsman, a trained hunter. Whenever freed from his professional duties and the work imposed upon him by public life, he always sought recreation in the wilds of northern Wisconsin.

And so on this occasion after a brief visit with his aged parents and the other loved ones of the family, with guns and dogs and boat, he sought his heart's desire on one of his favorite hunting excursions. He was accompanied by a younger brother whom PAUL had trained to the skillful use of the gun.

Then the end came. It fell to his fate to go down under an accidental shot fired by his brother.

The story of the next few hours is harrowing in the extreme. Wounded unto death, it was hours before medical assistance could be secured. But Senator HUSTING knew from the first that death was at hand. With marvelous control he gave directions as to his business affairs, his first care being for those dependent upon him. And then he turned to meet the grim messenger with that same intrepid spirit that had marked his whole life.

I attended, as did many of the Members of the Senate and House, the funeral services at the Husting home in Mayville. Thousands of his friends were present from all parts of the State, expressing by their presence the high esteem and tender regard of the entire Commonwealth.

Mr. ROBINSON. Mr. President, there is an oriental maxim as old as the earliest literature: "Earnestness is the path of immortality." The truth underlying this declaration is evidenced by history. No man of questionable sincerity ever ascended to great and abiding renown. The gigantic figures of history, those which tower above the level of mediocrity and stand as sentinels along the avenues of human progress, have all demonstrated earnestness in thought, purpose, and action. Wit and humor have their necessary and proper places in literature and speech. They afford relief from austerity and relaxation from anxiety, but neither furnishes a secure foundation for permanent frame. Only they who devote themselves seriously to the important problems of life are remembered with admiration by the generations following them.

THE KEYNOTE TO MR. HUSTING'S CHARACTER.

Will not all who knew Mr. HUSTING intimately agree that earnestness was the keynote to his character and labors? As a Senator he went about the public business with a realization of the importance of his duties and responsibilities. Yet he was prompted by no exaggerated conception of his own capacity or obligations. He constantly kept in mind the gravity and dignity of his position. This characteristic made him a great legislator in spite of defects calculated to render him unattractive in appearance and unimpressive in utterance.

A MAN OF STRONG CONVICTION.

Mr. HUSTING was a man of strong convictions. He possessed great will power. In consequence, he formed decisive opinions on every public issue properly arising for his consideration. He never hesitated, rarely remained long in doubt as to the course to pursue, and universally took a bold and emphatic stand on public questions.

Former Speaker CANNON once said: "All important legislation is the result of compromise." Experience in Congress demonstrates that this is nearly true. It is rare, indeed, that the laws we pass reflect clear-cut victories for either contention in bitterly contested cases. There have, of course, been instances, many of them, no doubt, which constitute exceptions to the rule. Nevertheless legislation usually reflects a compromise.

Senator HUSTING never compromised. He fought every legislative battle to a finish, enjoyed victory with moderation, and endured defeat with resignation. An analysis of the legislative history of the United States will demonstrate the overwhelming importance, the real greatness of this attribute of characer so generally, if not universally, demonstrated in the public services of Mr. HUSTING. His speeches possessed a peculiar quality. They rarely thrilled and frequently sounded laborious, yet almost always held attention and usualy convinced. It would be difficult to describe the power of his utterances or to explain fully the reason for it. The secret of his effectiveness as a speaker depended upon two things: First, he never spoke save on important subjects, and, second, he had always clearly in mind the important and logical points of argument to be stated, so that in spite of awkwardness in manner and impediments in speech his addresses furnished information and carried conviction.

During his service in the Senate he never took the floor on a trivial or unimportant subject. Only the big issues claimed his attention. He never minimized their importance by frivolous discussions.

Perhaps there remains another quality to be mentioned accountable in part for the undoubted influence which Mr. HUSTING quickly acquired in the Senate. In every speech and act he demonstrated loyalty to what he believed to be the public interest. Selfish interests often subconsciously influence public men. Senator HUSTING was as free from recognition of them in his public acts as any man I have ever known. The old, unwritten rule of the Senate that new Members should preserve dignified silence of late years has been frequently disregarded. It seems destined to become a mere tradition. Senator HUSTING quickly became a factor in the deliberations of this body. His previous experience in legislation, his service in the State Senate of Wisconsin familiarized him with legislative procedure and relieved him from the embarrassments under which inexperienced Senators labor.

Mr. HUSTING took the progressive view of public questions. He believed in and advocated the conservation of our natural resources with a forcefulness which lastingly impressed his colleagues. While in political faith he was devoted to the Democratic Party, he always took advanced ground, and received his inspiration from prospects rather than from precedents.

MR. HUSTING AND THE WAR.

He was a party man and constantly supported the administration both in its policies and measures. From the beginning of

the great war through which the world has recently passed he was proally and anti-German. Perhaps birth and racial instincts were responsible in part for his emphatic opposition to German propaganda. His colleagues will recall the frankness and fearlessness with which he exposed the efforts of Germany to unfairly secure sympathy and support for her cause by the publication in this country of false statements and by secret machinations. He was of Alsatian descent. Anyone who knew him and who understood his principles and nature would have expected him to aggressively champion at the first opportunity the cause which many here were slow to appreciate—the cause of the allies. His militant nature gave prompt and vigorous support to every step by which our Government advanced to war and to victory.

Mr. HUSTING's death was a distinct loss to the Senate and to the Nation. Few men who have served in the Senate during the present generation have more quickly earned recognition for serious-mindedness and devotion to duty than PAUL HUSTING. Before death called him he had become, notwithstanding his brief service, a leader among us. We respected his ability and admired his courage.

Mr. LEWIS. Mr. President, I did not know the eminent Senator who has just been eulogized in such fitting terms by the distinguished senior Senator from his State [Mr. LA FOLLETTE] until the junior Senator, Mr. HUSTING, came into this body as a Member. It fell to my lot, sir, to have such confidence of him as a trusted fellow Member might have; my seat was near him; I was frequently communicated with by him as to matters that touched his personal interests as an official here in the Senate. In that manner I learned to know some of those characteristics as they unfolded themselves in the man, and which the Senator-colleague, Mr. LA FOLLETTE, has detailed.

We have to-day heard from the senior Senator the first detailed history of the early struggles and career of this man whose career in this body so won our admiration. My mind reverts to fitting lines, which recite—

How truly that our lives
  Are as but the twinkle of a star
In God's eternal day.
  Obscured and dimmed by mortal clouds,
Yet may shine bright for Him,
  And, though darkened here, shine fair
To spheres afar.
  So let's be patient, lest we bar
His grace and goodness,
  And we fall supine;
In our hands our weaknesses are,
  Our strength, oh God, in Thine.

Where could we have had an exemplification of that more exquisitely proven than in the detailed account of this young man's life, as given us in the depictation of the Senator?

Mr. President, I was first attracted to what is called his courage. I live near the border of Wisconsin. I am one of the Representatives in this body of the State of Illinois. It neighbors upon the splendid Commonwealth which has been described by the Senator from that State. I knew much, sir, of its inhabitants, of the political weight and preponderance of nationality of its people; and I was attracted to that independent courage on the part of Senator HUSTING when he faced and braved what must have been the political fate of any man had things not gone as they did. It was apparent to every one that he was careless, whatever might be the fortune to himself. He must first consider his duty as he saw it to his country. Sir, all this facinated me as I beheld in him that element of utter lack of all selfishness and the presence of that warm impulse of true patriotism and influence within of that quality of the man which sought all about him to do that thing which he felt was right before God and man without regard to the consequences to his private fortunes or political destiny. From this unfolding I watched his career develop in this body in greatness of statesmanship. All was first demonstrated morning after morning when we saw by multiplied thousands and thousands these telegrams coming into the body seeking to intimidate as well as persuade Members to a certain course of official conduct on the self-defense of America. It appeared that the attempt was by their numerical strength and great preponderating majority, in order to frighten toward one political course or obstruct them from going in another. Then this man from a country where he might indeed have paused to consider the consequences, sir, struck them full and fair in the face, all with a defiance that was magnificent to behold, a courage beautiful to witness, and a manhood too seldom seen. We saw him exemplify the patriot and the statesman; and we there realized, after all, sir, that if, as the distinguished Senator said, he had been for a long time in an obscure existence and unknown in his merits he showed us how truly, in the line of that poet's couplet—

Full many a gem of purest ray serene
The dark, unfathomed caves of ocean bear.

Mr. President, it fell to me, sir, after the death of Senator HUSTING to be in Wisconsin upon an errand that justified my going from county to county through that State. I heard the comments of those who had known him from his boyhood. I listened to the praise that fell to him for his career in the State legislature. I heard them speak tenderly of his poverty, and yet, as against it all, how he resisted any opportunity that could have enriched him and would have aided some personal fortune to him. Despite all its temptations, he preferred his way, a rocky path, but in the light; and then I knew why it was that confidence was so reposed in him that everywhere one went he met the single verdict, "He was an honest official, a true friend, a worthy citizen of his State." I was proud, sir, to hear that regard of those who were close to him.

Ordinarily, as you know, those who are close to us seldom see us. It is only those who view us in the perspective who see us correctly. Intimacies breed either exaggerations in our praise on the one hand or great injustices of criticisms on the other. Seldom do we see where one thrown so closely with his own neighbors could have been so justly measured, so fairly appraised, and upon whom so true a judgment could have been pronounced.

In this body, sir, his inclination along certain lines disclosed him particularly fitted in those things that protected his people against the ravages of institutions that combine too frequently to pillage public communities in the name of public welfare. He was not deceived in the efforts to seize the power of the different States in the form of water conservation and convert it to private welfare, that it might enrich the pockets of those who were as deficient in patriotism as they were wanting in honesty; and, indeed, sir, we caught the other glimpse of that long career on the part of this young gentleman, up to the later days of his life, in behalf of the thing he felt right toward his neighbor and to his fellow man. It was these, sir, that drew me to him; these, sir, that gained to him my confidence, and I trust, in part, contributed some of the reasons of his confidence in me.

He passed away at that sudden moment described by the Senators. It was when in his holiday, when he had gone to the woods, where he could worship in the temple of nature, amidst the angels of her flowers, amidst the giants of her trees, he fell, in sudden shock, at the hand of his own brother.

What a tragic suggestion that brings to us! We are inclined, Mr. President, to feel such to be a great and indescribable catastrophe; and yet I wonder, sir, if we can not indulge this thought: That nature has her way of paying her debt to her children and of attracting attention to the event that shows the tribute paid. When you have seen the sunlight upon a mountain peak, sir, your eyes are drawn to it in the glow and glory of all its beauty and we break into rapture of praise; but when the evening comes, sir, and the solemn shades befall it, we seldom turn to note it again. It is wrapped in gloom. It is dark and lost to view. Sir, the sun and radiance of the highest touch of his career fell upon him, and just as it glowed upon him with a radiance that a star lights a promontory he was stricken, and from this high moment passed on, but left to his people the reflection of all that he meant to them—a life of light that leads and duty performed that ennobled.

Sir, I do not know if he professed any creed or religion; but as I watched his course here, and heard it spoken of in the land where they knew him best, my mind reverts to the legend which justly embalms PAUL HUSTING.

You remember that Sir John Lubbock leaves us what he calls his celestial dream. He dreamed he had died, and he was at the gates of heaven when Peter, the gatekeeper, summoned a vigil to investigate the applicant for entrance. The sentinel asked, "Who are you?" He said: "I am John Lubbock." "And what brings you here? What is your religion and your church?" "I have no church. I have tried to do my duty to men. I have given bread to the hungry; I have given water to the thirsty; I have lifted the fallen; I have listened to a widow's wail, and heard the cry of a child and hushed both by my service." "Ah, yes," says the vigil, "well, and you have no church"—and Lubbock looked beyond, and there beneath the gleaming cross sat the sainted Catholic, and by the crystal fount was the Baptist, and where the celestial choir was singing was the Methodist; and the sentinel said, "Which of these do you choose?" And he said, "I am of neither house"; when the Master, hearing this, came out and said: "Ah, Sir John, we have up here heard much of you. Come you in, sir, and sit you down wherever you please."

To such a man as this man, PAUL HUSTING, let us believe, the great Master's voice at last said: "Come in, and, by the merits of the life you lived, sit you down wherever you please."

Mr. WALSH. Mr. President, owing to the accident of my birth in the State of which the late Senator HUSTING was likewise a native, and which he was chosen in part to represent in this body, an intimacy quite close sprang up between us very speedily after his entry upon the discharge of his official duties here. Nature had not been partial to him either in respect to his physical make-up or his vocal equipment. I have often had occasion to note, Mr. President, what advantage accrues to a man in public discussion who has a commanding stature, a well-proportioned frame, a sonorous and mellifluous voice.

Senator HUSTING had no such aids. The impression he made on his first appearance was distinctly disappointing, but he very speedily dispelled any idea that he did not measure up fully intellectually to the requirements of the high office to which he had been called, and before his tragic and lamentable death he had established a reputation among his colleagues and through the country for industry and intelligence, for courage and sagacity. Some men are gifted with a pleasing personality, facility in graceful speech, through the aid of which they quickly ingratiate themselves with strangers. Those whose talents and attainments are solid rather than showy are ordinarily compelled to travel a longer road to popular favor.

The career of Senator HUSTING in this body was brief, and it could scarcely be said that it was brilliant, and yet, Mr. President, brief as it was, his sterling worth came to be so generally recognized that not a few Senators went to him for counsel as to how to vote when suddenly summoned to the Chamber from their work upon committees or from other duties which had prevented them from following the course of the proceedings or attending to the merits of the debate.

He never permitted his judgment upon any measure to be influenced by considerations of personal friendship for its supporters, and he never yielded to importunities, however strong they might be, that did not wholly convince him of the error of his position. He has an item of service to his credit that has richly earned for him the gratitude of his country.

His sagacious mind enabled him to perceive that what was generally accepted as a more or less spontaneous expression of popular opinion—the outgrowth of the humanitarian impulses and peace-loving disposition of our people—was, in fact, a corrupt and sinister propaganda through which Germany attempted to wheedle America into inaction while she overwhelmed Europe and subverted the liberties of the world. With a courage and relentlessness which shall remain as one of the proud traditions of the Senate, and with a fullness of detail and an amplitude of proof that dispelled doubt and defied denial, he exposed to public view the ugly hydra-headed thing that sickened and died when brought to the light of day. By common consent his speech in support of the resolution in favor of a declaration of war against the Kaiser's Government was the greatest delivered on that momentous occasion. It was a ringing appeal to all citizens to be Americans and Americans only, and contributed much, no doubt, to the remarkable unanimity of sentiment with which the historic contest was prosecuted by the great Republic of the western world.

I admired Senator HUSTING living; I revere his memory dead.

Mr. ASHURST. Mr. President, PAUL O. HUSTING, whose tragic and untimely death the Nation mourns, came to the Senate practically a stranger. Although possessed of strong and capacious brain, in it there had been lit no lamp of genius; he was not ambitious for fame; he was not wealthy; he had no capacity for political intrigue; he never set the stage for brilliant appearances, and yet with a service of less than two years in this Senate, where new recruits are weighed and measured by no common nor easy standard, he earned—and justly earned—an enviable distinction as a capable legislator, a stout defender of civil liberty; and when the mysterious finger of silence touched him there was felt throughout the length and breadth of our land the realization that a statesman upon whom the people could depend to advance the cause of truth and justice had passed from the national council.

The Senator who essays to take a leading part in the debates here must be prepared at any moment to stand up to his antagonists, to receive blows as well as to deliver them. It is a test which no man can escape. Senator HUSTING in full measure met this highest test. His method in debate was to ignore trivial annoyances but to destroy, not merely injure and weaken, the argument of his opponent. He was planetary, not meteoric. He "scorned delights and lived laborious days." He believed that neither the bird of beautiful plumage, nor the sweet songster, nor the chattering magpie, nor the turtledove, but the eagle, with eye that never winks and wing that never tires, was our national emblem. He was the grim and unrelenting foe of anarchy, sabotage, syndicalism, and communism, and with audacious boldness he smote those unclean hosts of crime and ignorance who with red banners and lying symbols assaulted the citadels of American liberty.

Though he lacked the golden romance of the warrior priest in mail
Who upon a silken palfrey went a questing for the grail,
Yet the soul of modern knighthood devised him on her forge
For the Eagle and the Lily and the Lion of St. George.

The world is filled with countless and interlacing filaments of influence which spread from one individual to another. No man can separate himself from the influence he leaves behind him. The voices of the dead are these influences that speak to us. The grave may close over a man; he may descend into dreamless dust; green grass and brave red roses may heal the scar made by his descent into the earth; he may sink deeper than plummet ever sounded into the airless meadows of the ocean, and leviathan may heave the billows above him, but there lives on this interlacing filament of his influence which he spread in his life.

It may be, and usually happens, that the sphere of individual action is circumscribed and meager, but this influence none the less operates.

The sun sets behind the western hills, but "by the bright track of his fiery car gives token of a goodly day to-morrow."

Senator HUSTING'S earthly labors are over, but his career sheds an encouraging light to the struggling boys of to-morrow. Although he is now invisible to mortal eyes, such a life as his leaves behind an influence that will never die.

Many public men of large ability, industry, and true physical courage who do not shrink from extreme bodily danger frequently quail before an opposing multitude for fear, doubtless, that their suggestions may be ridiculed, their prestige injured, their pride humbled, or that they may perchance find themselves in the minority at the next ensuing election. It is unfair to characterize such men as cowards. They suffer poignant mental anguish, and like the severed flax they fall asunder at the touch of fire. They lack an abundantly filled reservoir of moral courage, which is one of the noblest attributes that adorn the sons of men.

So, Mr. President, when we ask how came about the phenomenal rise of PAUL O. HUSTING from obscurity, when we seek to know why his loss was so keenly felt by the American people, we recall that Bulwer-Lytton, in his Richelieu's Vindication, says:

* * * I found France rent asunder,
The rich men despots and the poor banditti;
Sloth in the mart and schism within the temple;
Brawls festering to rebellion, and weak laws
Rotting away with rust in antique sheaths.
I have recreated France; and, from the ashes
Of the old feudal and decrepit carcass,
Civilization, on her luminous wings,
Soars, phœnix-like, to Jove! What was my art?
"Genius," some say; some, "Fortune"; "Witchcraft," some.
Not so; my art was Justice.

The art of PAUL O. HUSTING was courage.

Mr. GRONNA. Mr. President, my acquaintance with Senator HUSTING was of short duration. I shall, therefore, not attempt to give a detailed account of the exceptional qualities which, I understand, characterized him in his early life, nor shall I attempt to portray any of the splendid achievements which he accomplished, beginning with his early entrance into political life. I am glad, however, to have the opportunity of briefly testifying to his splendid ability and high character during his service in this body. His early life's career has been beautifully portrayed by some of his more intimate and closer friends, by those who had the privilege of knowing him from his birth to his untimely death.

I had the privilege of serving with Senator HUSTING for only a short time in this body. I served with him on some of the committees. I served with him upon the Committee on Indian Affairs, and in the discharge of his duties as a member of that committee he demonstrated with marked ability his genuine sympathy for humanity as well as a clear vision for constructive legislation which always would result in a full measure of the greatest good to the greatest number.

Senator HUSTING was an able debater and a forceful speaker. He was a unique figure of the real courageous, progressive type. His trials in early life seem to have imbued him with kindness and with sympathy, and he lived and devoted his great ability to the welfare of his people.

He was a Democrat in soul and spirit as well as in name, because he was an advocate of democracy or government by the people. He was loyal to his party, but more profoundly inter-

ested in the welfare of the general public. He was of a peculiar type, symbolizing simplicity and genuineness. He bore the earmarks of an early training in state affairs, and, representing a constituency like that of Wisconsin, it was inevitable that his political tendencies should be along progressive lines.

As a member of the Committee on Indian Affairs, Senator HUSTING took an active part in dealing with the affairs of the Indians. He held very decided views with reference to Indian property and the conservation of the natural resources on Indian lands. He was firm in his convictions that the lands, as well as the other natural resources, should be used for the benefit of the Indians; and he was much opposed to the exploitation of Indian property by the white man, and very often sharply criticized the mismanagement of Indian affairs by those who have been and are the custodians of the Indians' property.

Senator HUSTING had firm opinions with reference to the development of water power, both on and off Indian lands. He believed in the doctrine that the natural resources should be retained by the Government for the use of all the people rather than the exploitation of them by a few men.

Although a new Member of the United States Senate, he was recognized as a man of ability and character. During the short time he served in the Senate he won for himself an enviable record, and he had the confidence of all who learned to know him. I believe I can truthfully say that he had the confidence of the entire membership of this body. He was held in high esteem by all those who knew him best.

I might go on and amplify on the character, the virtues, and the courage of PAUL O. HUSTING, but it is not necessary. The history of this man, the story of his life, of his devotion to his duties, to his country, of love and devotion to his family, will remain as the most lasting monument to his memory.

Mr. President, his untimely death was a shock to the membership of this body, to the people of the great State of Wisconsin, and to the entire country.

In company with other Senators I attended the funeral of Senator HUSTING. Naturally it was a most sad event, due to his tragic and untimely death. The bereavement to his aged parents, to his brothers, sisters, and other numerous friends, seemed almost unbearable; but in those clouds of sorrow there was a rift manifesting brightness and comfort; back of those clouds could be seen the beautiful life of PAUL O. HUSTING, and although his body was now to be consigned to the grave his soul was still living; the character of his beautiful life was visible upon the horizon; his friends and those who loved him most could see before them the sympathetic heart, his high character, and the virtues of his life, so that in death as in life the noble spirit of his own soul, his sympathy, his deeds, and his life work seemed now, like it always had, the real hope of solace and relief.

Mr. THOMAS. Mr. President, PAUL O. HUSTING, born in 1866, clerk, laborer, lawyer, State attorney, State senator, and Senator of the United States, died in 1917 at the vigorous age of 51 years. Such in brief epitome is the career of a typical self-made American; of a man born under American institutions, early perceiving the opportunities they made possible to all able to take advantage of and to improve them; and crowding into a busy life, like a well-staged drama, a series of successes crowned with the attainment of a seat in this exalted body bestowed by a constituency whose political majorities had been almost uniformly adverse to the fortunes of the political party to which he belonged. Here, surely, is an answer to the discontent and criticism which proclaim that America is no longer a land of preferment, and that the door of opportunity has been shut in the face of the poor and the deserving. Here, surely, is full illustration of the great truth that under the shield of the great Republic the race is still to the man of resolution, of character, and of effort, that merit will win its rewards and moral courage its victories, that our people appreciate self-effort and make tribute to private integrity and political virtue. For this young man, the descendant of emigrants seeking fairer skies and better lands and freer governments, born in obscurity, reared in poverty, and circumscribed by their limitations, slowly, painfully but surely met difficulty and surmounted it, encountered obstacles and overcame them, measured his lance with adversities and overthrew them. Undaunted by a forbidding environment and undiscouraged by the keen rivalries of a competing world, he made a fulcrum for the lever of his purpose and lifted all hindrances impeding his pathway until his people, perceiving his worth and proud of his successes, commissioned him to vote and speak for them in the Capitol of the Nation.

Here the Senator's career, though tragically brief, fully vindicated their confidence and affection. He was transparently, obstinately honest, and never hesitated to speak and act upon his convictions. They may have been and, I think, sometimes were erratic, but they were his own, and right manfully he maintained them.

He came to this forum in the midst of a great European war which we were with difficulty seeking to avoid, while the struggle of the combatants was constantly interfering with, sometimes infringing upon, our rights or our natural interests. Sentiment was divided between the contending belligerents, and Senator HUSTING, representing a composite population, was more than once appealed to by some of his constituency to utilize the opportunities of his great office in behalf of one of the combatants. This he refused to do. But he was not content with refusal. From his seat he gave the great public the details of one of these appeals, demonstrated its conceited nature, exposed its origin and purpose, and proclaimed his devotion to America over all, to the land of his birth, to his country against the world. His voice was as that of one speaking with authority, his words the purifier of an atmosphere then altogether overcharged with hesitancy, with timidity, and with a spineless pendulosity characteristic of men in high position more concerned with retaining their seats than with proclaiming their convictions. Had Senator HUSTING done nothing more than this while a Member of the Senate, he would have done enough and more to vindicate the wisdom of the State of Wisconsin in choosing him as one of its Delegates to the National Capital.

One beautiful morning in October, 1917, by the Pacific seaside at Miramar in California, slowly recovering from a serious malady, I saw in the headlines of a San Francisco paper that Senator HUSTING had been accidentally shot and killed the day before. I read the details, which shocked me beyond expression. When I left Washington during the previous July, uncertain whether I should ever return, I thought of many of my associates, wondering, perchance, if some of them who had reached their three score and ten would be here to welcome me should I by good fortune recover and resume my public duties. I gave not even a passing thought to the young and stalwart ones like the junior Senator from Wisconsin, who seemed immune from the vicissitudes of life and death. Yet he was the first to go; not only that, but, save Senator NEWLANDS, the only face I missed in this Chamber when in January I resumed my seat. And only then did I learn all the details of his tragic fate. It is not too much to say that, coming at the time, his death was a national calamity.

Had his career been uninterrupted we know what it would have been by the features revealed in its unfinished proportions. Like the broken fragment of a Grecian statue, it suggests to the eye a vision of the genius which designed it and to the heart a sense of what the world lost when the exquisite figure was broken into fragments.

Mr. LENROOT. Mr. President, in the roll of names of men who have occupied seats in this Chamber will be found great patriots and statesmen who will always live in the history of this Republic. Great crises have always produced great characters, and when the history of this world war shall be finally written the name of PAUL HUSTING will always receive honorable mention.

Wisconsin is normally a Republican State by from fifty to one hundred thousand majority, but in 1914 PAUL HUSTING, a Democrat, was elected to a seat in this body. He had made an enviable record in the State senate in championing progressive legislation. He was a hard worker and an able debater there, and his experience thus gained was of great value to him in his work here. In this larger field he had the same aims and purposes as he had in State matters, and he was early recognized as a stanch supporter of progressive legislation here. One of his assignments was the Committee on Public Lands, and he took a deep interest in all legislation concerning our natural resources. Upon two great measures which have been before Congress for many years and are still pending—the mineral-leasing and water-power bills—he did a tremendous amount of work and took a very active part in the debate upon them in the Senate. He was rapidly making a national reputation in these matters, but it was in the events leading up to and following our entry into the war that he rose to his true greatness. Most of his colleagues from Wisconsin differed with him in these matters. It seemed at one time as if the people of Wisconsin differed with him, but with deep conviction as to the right course to pursue he unhesitatingly and unfalteringly followed it. He would not condemn his colleagues who differed with him; he assumed that they were conscientious in their position as he was in his. He chose rather to argue the strength of his own position than denounce those who did not agree with him. This is illustrated by an incident shortly before our declaration of war was made. A great loyalty meeting was to be held in the city of Milwaukee. He and I had been invited to address that meeting. We discussed the matter and agreed that we would

attend upon condition that it be made an occasion for affirmatively demonstrating the loyalty of Wisconsin, but not for denouncing our colleagues who differed with us. We both accepted the invitation upon this condition, and an audience of 7,500 as patriotic citizens as ever breathed the air of freedom cheered Senator HUSTING and the other speakers to the echo, and he then made one of the truly great speeches of our time. Senator HUSTING lived in a county which before our declaration of war was largely pro-German in its sympathies. For a time many of his closest friends differed with him, but none failed to respect him, and, although he lived but a few months after our entrance into the war, at the time of his death he knew not only that he was right but also had the support of an overwhelming majority of the people of the State.

Mr. President, courage is not a very rare thing, ability is not a very rare thing, vision is not a very rare thing, but it is not often that we find all these qualities combined in one man as they were in Senator HUSTING. He had the courage, he had the ability, he had the vision, and for it the country will forever be grateful. Speaking upon the war resolution he said:

> Vital matters and principles that every true American holds dear are involved in the consideration of this resolution. Our honor, our rights, the lives of our citizens, our national safety, our sovereignty, yes, democracy itself is at stake. The perpetuation of this country and its institutions is the most important thing in the world to us, to the people of the whole world and to posterity. Our Government is an experiment destined to prove whether or not men are capable of self-government. The permanent success of this experiment means the eventual emancipation of all mankind, its failure spells the doom of freedom everywhere.

Senator HUSTING was a Democrat, but Republicans of Wisconsin forgot that and thought of him only as an American. The entire State mourned over his death. His friends were of every party and every creed. His sterling patriotism, in a most critical hour of our Republic, will long be remembered. In his death the State of Wisconsin, this body, and the country suffered a loss which can not be measured. He was one of the Nation's great men.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE DAVIDSON.

Mr. LA FOLLETTE. Mr. President, I present the resolutions which I send to the desk.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 483) were read, considered by unanimous consent, and unanimously agreed to, as follows:

> *Resolved*, That the Senate assembles as a mark of respect to the memory of Hon. JAMES H. DAVIDSON, late a Representative from the State of Wisconsin, in pursuance of an order heretofore made, in order that fitting tribute may be paid to his high character and distinguished public services.
>
> *Resolved*, That the Senate again expresses its profound sorrow at the death of the late Representative from Wisconsin.
>
> *Resolved*, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. LA FOLLETTE. Mr. President, we are here to-day to express the esteem and affection we felt for the Hon. JAMES H. DAVIDSON in his lifetime and to manifest the deep respect in which we hold his memory. Wisconsin may have had more brilliant Representatives in the House than our departed friend, but it had none more industrious and certainly none more unselfishly devoted to the public service.

Mr. DAVIDSON was born in Downsville, N. Y., June 18, 1858. His home was humble. He was always a hard worker, no less in youth than in manhood. He received his early education in the public schools of his native town and supplemented it by a course at the Walton Academy, New York. He taught school and later studied law, and graduated from the Albany Law School in 1884.

Shortly afterwards he removed to Wisconsin and began the practice of law in Princeton, Green Lake County, in that State, in 1887. The citizens of that county soon recognized his ability and sterling character, and in 1888 elected him to the office of district attorney. In 1892 he removed to Oshkosh, then the second city in size in the State, where he continued his successful practice of the law, but in a wider field than before.

Four years after he removed to Oshkosh he was elected to Congress and served through the Fifty-fifth, Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth, Sixty-first, and Sixty-second Congresses. He was then defeated, but in 1916 he was reelected again from his old district and served in this Congress until his labors were ended by his untimely death in August, 1918.

Part of his district bordered on Lake Michigan, and he was naturally much interested in water transportation. Early in his first period of service in the Congress he was appointed on the Committee on Rivers and Harbors, and continued as one of the most valuable members of that committee until his defeat for Congress in 1912. Had he been returned to the Congress at that time he would have been the ranking Republican member of that committee. Upon taking his place in the Sixty-fifth Congress he was assigned to the Committee on Military Affairs.

He labored earnestly to keep our country out of war, but when we became involved in it no member of the committee worked more incessently or intelligently for the success of our arms than did he. It is the opinion of many of the intimate friends of Mr. DAVIDSON that it was his untiring labor upon this committee which resulted in breaking his health and hastening his untimely death.

This brief mention of some of the leading political events of Mr. DAVIDSON's life gives no adequate idea of his sterling qualities or substantial achievements in public service. Because of his modesty or indifference to personal distinction his hardest work was done upon measures connected more intimately with the names of other men.

It was Mr. DAVIDSON's untiring work in the committees that shaped and perfected much of the legislation originating in the great committees of which he was a member.

While Mr. DAVIDSON knew the vicissitudes of political life, he met defeat with the same tranquillity with which he accepted victory. He never for a moment lost the confidence of his party either at home or in Washington, and was the nominee of his party under the Wisconsin primary election law when he was defeated for election in 1912 and 1914 in that State, as well as when he was elected in 1916.

His genial disposition and manly qualities won him friends in all parties and among all classes of people. His home was an ideal American home, and it was there he found his greatest satisfaction and happiness. A loving wife and daughter and two devoted and loving sons have been bereaved by the death of our friend, but he has left to them the memory of many happy years of beautiful association with him and the example of a life dedicated to high ideals and rich with worthy achievements.

Mr. RANSDELL. Mr. President, I knew Congressman DAVIDSON, of Wisconsin, intimately and regarded him as one of my best friends in congressional life. We served together on the Rivers and Harbors Committee of the House for 12 years and always worked together in harmony, our views coinciding on most questions. During this period the committee made several trips to different parts of the country in order to inspect personally the projects presented for their consideration. These trips were, as a rule, very pleasant and instructive in the highest degree, for they gave the members of the Rivers and Harbors Committee a chance to see the river or harbor or prospective canal on which it was proposed to expend, in many instances, large sums of money, to talk to the citizens of the localities, to visit the cities and important towns, to get an idea of the adjacent country, and in a general way to inform themselves at first hand before reaching a decision.

Members of the committee were thrown very closely together on these trips, some of which extended from one week to three weeks, and excellent opportunities were given for becoming thoroughly acquainted with each other. Mr. DAVIDSON and I were placed in intimate contact on several of these tours.

He was for some time vice president of the National Rivers and Harbors Congress, of which I had the honor to be president, and took a very active part in its councils. He addressed in the most eloquent and persuasive manner more than one convention of the congress, and was always one of its truest friends and advisers. Indeed, he was one of the principal organizers of this association, which had its rebirth at the city of Cincinnati in June, 1905, during a trip of the Rivers and Harbors Committee from Pittsburgh to Cairo, one of the most instructive and entertaining tours in which it was my privilege to participate.

"Jim," as I called Mr. DAVIDSON, was a true friend of the improvement and utilization of the Nation's waterways as carriers of freight and regulators of transportation charges. In the work of the Rivers and Harbors Committee he was always national in his viewpoint, never local or sectional. Though he watched like a hawk every interest of Wisconsin and never failed to champion it in the most loyal and effective way, he was a friend to every project of real merit that found place in river and harbor bills during his long service on the committee.

I was especially grateful for his constructive assistance in my pet projects—the improvement of the Ouachita River, La. and Ark., by means of locks and dams and construction of levees on the Mississippi south of Cairo, in order to protect that splendid region from the devastating floods of the Father of Waters. It was a long, hard struggle to secure proper congressional aid for the levee system. The fight began a great while before I entered Congress 20 years ago, and is still proceeding. During the past 20 years much progress has been

made, and to no one outside of the valley is more credit due for friendly cooperation and assistance than to Congressman DAVIDSON.

If Jim disapproved of a measure pending before the Rivers and Harbors Committee, he would fight it hard, but if defeated would never exhibit any soreness or complaining spirit, and thenceforth the project would receive his support. I think he had as little animosity in his make-up as anyone I have ever known.

It was a great pleasure for Mrs. Ransdell and myself to visit at his beautiful home in Oshkosh, where we were entertained in a most hospitable manner by him and his charming wife. This was my first visit to Wisconsin, and I enjoyed it thoroughly, thanks to the courtesy and attention of Congressman DAVIDSON.

Another tie between Jim and myself was that he was an alumnus of the law school of Union University, at Albany, N. Y., having graduated, if I mistake not, in the class of 1884, while I am an alumnus of Union College, Schenectady, N. Y., in the class of 1882. Both of us were active members of the Union College Alumni Association of this city, and both very proud of our alma mater, old Union. The university has just cause to mourn his death as one of its most distinguished and able sons.

Jim was a tall, handsome man of very pleasing personality. His manners were sedate and quiet. Though possessed of great firmness and force of character, he was as modest and gentle as a woman, rarely raising his voice above an ordinary conversational tone. When aroused, however, he was very positive, and on any occasion demanding it made himself effectively heard and felt. I never saw him really angry, and he seemed entirely devoid of resentment. Indeed, Jim was an unusually even-tempered, well-balanced man, remarkably free from the usual weaknesses of the flesh, and on the whole as attractive as anyone I have ever known.

He was very devoted to his family, an indulgent, loving husband and father, true to his friends, and possessing the faculty of binding them very closely to him. A genuine party man, he never wavered in support of the principles and policies of the Republican Party, in which he believed implicitly; and he was thoroughly loyal to his family, his friends, his party, and his country.

Mr. President, there are many sad things in connection with official life in Washington, and nothing sadder than the loss of such true, tried friends as JAMES H. DAVIDSON had always been to me. I can say of him, as I could of very few men outside of my immediate family, that I really loved him and felt the greatest personal loss when apprised of his untimely death.

Mr. JONES of Washington. Mr. President, this Nation is not a pure democracy; it is a representative democracy. The people themselves do not legislate; they act through others. The whole theory of this Government is that it is one of delegated power. Senators and Representatives in Congress hold in trust the right to legislate for the people. Through them the people discharge the functions of government of a free people devoted to the principles of self-government. They are the agents of the people in the great task of government.

No greater trust can be reposed in mortal man than to permit him to control and direct the property, the liberty, the life, and very destinies of another and of a free people. No higher honor can be bestowed by one upon another than to allow the one to speak for the other in the affairs of government. Therefore the position of Senator and Representative in Congress is the greatest honor and highest responsibility that can be bestowed in this Republic.

Some men become puffed up by the importance and dignity of the position they hold when intrusted with power. They lose sight of those who honor and trust them, and dwell in the heaven of their own importance. Such men are unworthy of the honor and trust they enjoy and are unfitted to represent a free people.

JAMES H. DAVIDSON was not this kind of a man. He was true and faithful to the trust reposed in him. He never forgot the people who honored him. He always remembered that he was their agent, their Representative. Their wants and their needs had every attention by him, and the humblest citizen gained his consideration just as freely as the highest, and even more so. He knew the responsibilities and duty of his position. His highest aim was to discharge them fully and serve those who trusted him in the most faithful way, with the welfare of his country as his highest aim and purpose. He was not a brilliant man, but he was an able, trustworthy, conscientious, courageous, industrious worker with an abundance of good, common sense. After all, this is what makes a Representative the best and most effective Representative.

This man, whom we honor in this memorial service, was modest, true, faithful, and capable and most earnestly strived to promote the welfare of the people of his district and of the country.

To have been counted as one of his friends is a precious thing to me. Our association is a priceless memory. In personal character and manly qualities he was a man among men. He was kind, considerate, and gentle to a wonderful degree; yea, one can well use the word "lovable" in describing him and his intercourse with those about him. His personal attributes will live in the memory of his friends and loved ones until they, too, pass to the great beyond, whose mysteries he has solved. He has gone beyond the veil, but his sweet memory lives with us to spur us on to higher and better things. To-day we shed a tear to his memory, pay a feeble tribute to his virtues, and gain new strength by his example of duty well done.

Mr. ROBINSON. Mr. President, the framers of the Constitution believed that while Senators in a sense should represent their States, Members of the House should be directly responsible to their constituencies and familiar with local as well as general issues. A short term, and consequent frequent elections, were believed to be the most reliable means of providing a legislative body truly representative of popular opinion.

The Senate was designed to be a conservative factor in the legislative machinery. The short term prescribed for Members of the House requires them to obtain frequent indorsements from the electors of their districts, and at the same time it gives electors an effective means of checking up their Congressmen and of supplanting them when occasion justifies.

Notwithstanding the theory of short terms for Members of the House of Representatives, everyone of experience realizes the value to the public of long service in Congress, especially at this time when legislative subjects have multiplied and increased in perplexity. The people have come to know that experience in legislation is just as valuable as in any other sphere of activity.

Former Representative DAVIDSON experienced long service in the popular branch of Congress. This service was characterized by conscientious discharge of duty. It was also marked by exceptional ability displayed in the proceedings of committees and in debates upon the floor of the House. Many public men catch and hold attention through the promulgation of new theories or the championship of queer policies. They become associated with reforms, real or fancied, and advance to prominence with the progress of the cause with which they are allied. Mr. DAVIDSON had no fads. He was a sound, well-balanced, prudent legislator, content to reflect in his votes the enlightened will of his constituency. His speeches disclosed fluency and attachment to exalted ideals. As a speaker he was eloquent and forceful.

For many years he served with distinction and usefulness on the Committee on Rivers and Harbors. His labors in that connection were marked by diligence and thoroughness. He made frequent investigations of many projects claiming recognition in the bills reported by his committee, and his judgment respecting them was sound and fair. He earned the confidence of his colleagues. They habitually consulted him and frequently abided his conclusions on topics with which he was familiar and concerning which conditions afforded them little opportunity for more direct information.

In the political landslide of 1912 Mr. DAVIDSON was defeated and remained out of Congress for four years. Upon his return to the House in 1917 Mr. DAVIDSON was assigned to membership on the Committee on Military Affairs. Everyone here knows that, on account of the large membership in the House, Members usually have service on only one and never on more than two important committees at the same time, while in this body every Senator serves upon several important committees. This is one of the greatest difficulties we encounter. Frequently a Senator is called on the same day to attend three or four committee meetings, and sometimes these meetings have under consideration matters of vital consequence. Hardly any one of us, under the rules and practices which have prevailed for a number of years respecting committee service, is able with the utmost diligence to perform his committee duties with that deliberation which is essential to the determination of great issues.

Mr. DAVIDSON did not vote for the resolution declaring a state of war with Germany. He justified his action on the theory that the United States might avoid the conflict and thus escape the loss which everyone knew must result from participation in the war. After war had been declared, however, he never failed in any instance to support by word and vote the cause of

the Government and the measures of the administration in preparing for and in maintaining the conflict.

His name is not associated with any one great statute, but his painstaking and conscientious devotion to duty are reflected in the important general legislation enacted by Congress during the period of his service. He was a practical, capable, faithful officer, prompt and efficient always in the discharge of duty.

Mr. WEEKS. Mr. President, I am glad to have an opportunity to bear a brief tribute to the memory of my old friend, JAMES H. DAVIDSON. He represented the sixth Wisconsin district in the House of Representatives for eight consecutive terms. After 16 years of service in Congress, due to the exigencies of unusual political conditions, he lost his seat and, after a brief interregnum, performed the rather unusual feat of coming back to the House. He would undoubtedly have held his seat in that body indefinitely but for his untimely death.

We are familiar with the different types of Congressmen. Some men make brilliant speeches and base their reputations largely on that qualification. Others are especially industrious in attending to the infinite details incident to congressional life. The first qualification is desirable, the second is necessary; but there is another feature of successful congressional service very much more important from the public standpoint—the careful, prudent, industrious, and level-headed Member who regularly attends his committee meetings and brings to bear on the public questions there considered his best judgment and intelligence. Such men are real legislators. They are neither for or against measures until they have heard the evidence, and then carefully analyze the evidence submitted to determine, without giving undue consideration to the requirements of their own constituents, what will be for the best interests of the most people. Those of us who have served a long time in Congress know how absolutely essential such men are in bringing about good legislative results. They are the wheel horses of Congress, and, while they seldom make speeches and even less often appear in the headlines of the press, they are invaluable in connection with the work of Congress.

When I came to Washington, at the beginning of the Fifty-ninth Congress, Mr. DAVIDSON had already served four terms, so that he was a comparatively old and experienced Member. I soon learned that he was one of the type I have attempted inadequately to describe. While a fluent and ready speaker, he seldom addressed the House except on occasions when measures reported by his own committees were under consideration and only then when it was necessary to do so in order to promote the enactment of legislation he thought should pass.

Indeed, Mr. DAVIDSON'S whole life was the typical career we expect of those who have undertaken a profession and reached a place of importance in practicing it. His training in the public schools, his later education, his experience as a school teacher, and his use of the proceeds from this occupation to acquire a knowledge of law and provide him a living during the early days of the practice of his chosen profession are familiar in the case of a very large percentage of the men who have reached positions of importance in the political world.

Mr. DAVIDSON always had the courage of his convictions, and his honesty of purpose and integrity were never once questioned by his associates in the other House. He voted against the declaration of war—an unpopular vote and one contrary to my own convictions—and yet not one of his colleagues interposed an objection to his appointment to the important Committee on Military Affairs, a committee which, very largely at least, was to conduct the preparations for the war's efficient prosecution. Nor did anyone doubt his loyalty to his country. He never tired in his efforts to prepare the Nation to take its place on the battle front in France and to bring victory to our arms. Undoubtedly his close application to the work of the war Congress helped to undermine his already failing health.

I can make these general observations concerning the life of Congressman DAVIDSON without reservation. I shall always recall with great pleasure the personal interest and friendship which existed between us. He was a good Republican, a loyal friend, and a devoted son of his adopted State. It is not too much to say, in my judgment, that a Congress made up of JAMES H. DAVIDSONS in efficiency, disinterested public service, and beneficial results to all our people would be head and shoulders above any Congress which has served the Republic.

To every man there openeth
A way, and ways, and a way,
And the high soul climbs the high way
And the low soul gropes the low;
And in between, on the misty flats,
The rest drift to and fro.
But to every man there openeth
A high way and a low,
And every man decideth
The way his soul shall go.

As Mr. DAVIDSON saw the light he selected the high way—a way he consistently followed on earth—and if high purpose, honesty, and steadfastness are rewarded his soul has gone the high way it so richly deserved. His taking was to me a keen personal loss and a much larger one to the State and district he represented so well.

Mr. TOWNSEND. Mr. President, it is a faithful saying that we never value our friends and associates at their true worth until they die. We live, labor, or otherwise associate with them and unconsciously, maybe, feel their qualities of mind and heart but seldom do we acknowledge their qualities as individual characteristics. We would probably know if we would stop long enough to analyze and understand that they exist. Sometimes some men and women have such pronounced special virtues that they arrest our attention and we give them credit while they yet live; but the ordinary man, whose apparent aim is to live a manly life and who succeeds in doing it, is by his acquaintances regarded simply as a part of the machine of the body politic, which if destroyed by mortality can be replaced by the mechanician of time and fortune and no disturbance is felt. When, however, death comes the friends and relatives pause for a brief time and review the life that has gone out. This constitutes the chief value of memorials. The occasion is always tinged with personal sadness, for however good and great and happy the life of the departed may have been, however kind and considerate we may have been to him while he was amongst us, yet memory becomes active and it is not long before we recall opportunities which have come to us to show our appreciation of our friend, but which we neglected to improve. Then we understand his nature and how we failed to recognize it when an honest demonstration of real friendship would have made his life brighter and sweeter.

The men who have been long in Congress have become used to crêpe-covered desks and flags at half-mast. The mortality rate in Congress is greater than in war or in a pestilence-stricken city. When I review my experience of 15 years in Congress and call to memory the 2,000 different Members I have known I am saddened by the long list of those who have been mustered out of active service and have passed into the great unknown from which somehow, someway, they came. I suppose that every man who comes to Congress believes that he made a mistake in entering public life. If he is conscientious—and I believe that most Congressmen are—he will doubt at times that he has done as well for his constituents and country as some other man might have done and will wonder if it all is worth while, anyway. At such moments his greatest compensation is derived from the fact that he has come to know good men and that he has absorbed benefits from such knowledge which have made him a little bigger and perhaps a little broader and better. It is life's friendships that compensate for labor, sacrifice, and disappointments. If the offsets of neglected opportunities, of selfish disregard of others, is not too great, the balance of memory's pain and pleasure may not be written in red.

Among the good men whom I first met in the Fifty-eighth Congress was JAMES H. DAVIDSON, from Oshkosh, Wis. He had been a Member of the National House of Representatives for six years when I entered. It has always seemed to me that the House membership of the Fifty-eighth Congress was the strongest that I have known. Certain it is that it contained many men of great and unusual ability.

Congressman DAVIDSON was not a brilliant orator or strongly inclined to publicity. He was modest almost to a fault, but he was recognized by his colleagues as an unusually well-informed man, and his judgment was sought and prized. On river and harbor legislation he was an authority. Representative Burton, of Ohio, was chairman of the committee which had charge of such legislation, but Mr. DAVIDSON was second in command only, and he was always equipped with full knowledge on the subject. He was a wise and conscientious statesman, though not a professional progressive. His desire was to serve his people, who seven times expressed their confidence in him by electing him to Congress. He knew they trusted him and he did not feel it was necessary to neglect his duties to be performed according to the dictates of his well-informed judgment in order that he might keep his ear close to the ground. He knew that sometimes creeping, crawling, buzzing insects infest the ground and their noises might well confuse the voice of the people. He trusted his constituents and they reciprocated the trust.

It is easy to exaggerate the good qualities of a friend at his funeral. By his friends I will not be accused of that fault when I say that JAMES H. DAVIDSON had the respect, confidence, and frequently the great admiration of all who knew him. It is especially true that his congressional colleagues regarded

him highly and affectionately. He was as incapable of dishonor as he was of disloyalty or cowardice.

He was my personal friend and I was his, and as one who deeply regrets his death I pay my sincere tribute to his memory. He was one of the best men in Congress.

This may not be the proper occasion to speak in detail of his family and home relations, but his life story could not be faithfully told without reference to his family, which he loved devotedly, and which returned to him their great affections. He was preeminently a domestic man. He found his greatest happiness and satisfaction in his home surrounded by his devoted wife, his affectionate daughter, and his two worthy sons. Whether in his northern Wisconsin cottage, in his beautiful home in Oshkosh, or in his apartment here in Washington, he was most truly happy only when his loved ones were with him.

As I have said, I knew Mr. DAVIDSON intimately and well. I have worked with him in Congress. I have visited him at his home, which was always overflowing with true hospitality. I knew something of the motives which dominated his thought and action, and I fear it will be long before I look upon his like again.

Mr. LENROOT. Mr. President, JAMES H. DAVIDSON had a long and honorable career in the House of Representatives. His value as a legislator was best known by those who knew him best and served upon committees with him. He was not often heard in debate, but when he did speak Members listened, for they knew whenever he addressed the House they would receive accurate information acquired after painstaking investigation. Early in his service he was assigned to membership upon the Committee on Rivers and Harbors, and he made a specialty of the subject of our waterways. Few men in America had a better knowledge of the subject than he. In this field he was a mine of information. The important facts about every important waterway were stored away in his mind, to be called out upon a moment's notice. His view of waterway improvements was a national view. He was opposed to waste of money upon waterways that could not be justified from a commercial standpoint, but he recognized the great benefit to the country, as a whole, in the improvement of waterways upon which commerce could be carried cheaper than by rail. In his death the country has lost an authority upon the subject.

He was respected by all his colleagues and loved by those who knew him well. During the many years that I knew him I never heard him speak ill of a living soul. He never knowingly hurt the feelings of any man. He was not as aggressive in public matters as his ability warranted, and I believe this was due to the fact that one can not be aggressive in public life without often unintentionally hurting the feelings of those who differ with him. This he recognized, and I believe often deterred him from aggressive action. He had a friendly hand and genial smile for every one. He was the soul of honor and had a keen sense of public duty. Every vote cast by JIM DAVIDSON, as his friends affectionately called him, was a vote cast according to his conscience. He studied every question and sought only to find the right way. No one who may have differed with his conclusions ever questioned his motive. They knew he was doing what he thought was right.

To new Members coming into the House he was especially helpful. He sought them out, assisted them in every way possible, and out of his rich experience rendered them invaluable service.

His domestic life was perfect. He was a devoted husband and father and his family worshiped him. His was an ideal American home.

Mr. President, the true measure of a man is made by those who know him best, and, so measured, JAMES DAVIDSON was a true man. It is not what the world at large may say of us, but it is what those who know us best really think of us that counts. Those of us who served with him know in what esteem his colleagues held him. Those of us who attended his funeral know of the regard his neighbors and townspeople had for him. The entire city mourned. They realized even more deeply than we that a devoted husband and father, a kindly neighbor, a loved townsman, a friend of all mankind, had been taken to dwell in God's eternal city, there to wait a while for a reunion with his loved ones which should never end.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE COMSTOCK.

Mr. NEW. Mr. President, I offer the resolutions which I send to the desk.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 484) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. DANIEL W. COMSTOCK, late a Representative from the State of Indiana, in pursuance of an order heretofore made, in order that fitting tribute may be paid to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Representative from Indiana.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. NEW. Mr. President, when a good man and a faithful public servant dies, it is well that those who knew him in life should make acknowledgment of the character and the value of his service. Therefore, Mr. President, I rise in my seat to-day to pay a brief but well-deserved tribute to DANIEL W. COMSTOCK, late a Representative in Congress from the sixth Indiana district, for he was both.

The life of this man was typical of all that is best in American manhood—the most enviable and commendable manhood of the world in which we live. As boy and youth his lot was that of the average American boy of his State and generation. His greatest desire was that he might acquire an education, and this he won in spite of many obstacles which to other men would have been unsurmountable, being graduated from the Ohio Wesleyan University in 1860, when but 20 years of age.

He took up his home and entered upon the practice of the law in HENRY County, Ind., and two years later had so established himself in the esteem and the confidence of the people that he was elected by them as prosecuting attorney for his district.

It was at this time that Mr. COMSTOCK showed the stuff that was in him. The great Civil War was devastating the country. He not only heard the call to duty but responded to it by surrendering his office and the competency which it guaranteed, and enlisting in the Army of the Union as a member of the Ninth Indiana Cavalry. As a soldier of his country he distinguished himself, having received special commendation for unusual bravery in action.

He served as a soldier until late in 1865, when there was no longer need for soldiers. Then he returned to Indiana and took up his residence at Richmond, resuming the practice of the law. It was not long until his friends and neighbors recognized that his fairness, his evidence sense of justice, demonstrated his fitness for the bench, and he was elected judge of the court of that circuit. There he served with such credit that his party later nominated and elected him to the appellate court of the State, where for 15 years he was universally known and recognized as a wise and just judge.

Mr. President, ambition is a worthy thing; indeed, it may be said that it embraces most of all that is best in men. It is said that it was Judge COMSTOCK's ambition to serve his district in the Congress of the United States, and this ambition was happily gratified when, in 1916, he was elected to represent a district that has furnished to the Hoosier State and to the country some of the most illustrious names in our history. Judge COMSTOCK's name is worthy to be associated with the names of those great men.

But, Mr. President, Providence decreed that Judge COMSTOCK's congressional career should be but brief. He lived only three months after having assumed his office; but in that time he had demonstrated his qualities for service, as he had in every previous instance.

It is a matter of genuine regret to all who knew him that he should have so soon succumbed; but he has left behind him the record of a life well spent and the respect and the affection not only of his colleagues but of all who knew him.

Mr. WATSON. Mr. President, I have not had the opportunity to commit to paper any remarks for this occasion, and within the limits of the allotted time I can not adequately estimate the life, the character, and the services of this distinguished citizen of my State.

He was born in 1840 and died in 1917, thus living in an eventful and, in fact, in an heroic period of the Republic. Like other boys, he played about, all unconscious of the tragic events that were shaping about him and in the final triumph and culmination of which he was to play a conspicuous part.

After graduating from the common schools he entered the university at Delaware and graduated there in 1860. Subsequently, as my colleague [Mr. NEW] has already said, he began to practice law at Newcastle; but shortly after entering upon the practice of his chosen profession he heard the call of duty, and that to him was a louder call than the demands of selfish ambition. He enlisted in the Army and served there with distinction until late in the year 1865. He entered as a private; he retired as a captain, thus showing the faithfulness of his service to his country in the time of its distress.

Subsequently he settled in the city of Richmond, Ind., and entered upon the practice of his profession; was chosen prosecuting attorney for two terms, judge of the common pleas court for 12 years, and afterwards was for 15 years a member of the appellate bench of the State of Indiana.

It was a matter of the greatest pride to him that he had showed his love for his country by service in the Army, and his devotion to his fellow soldiers and comrades of the war of 1861 was such that they afterwards chose him as the department commander of the Grand Army of the Republic for the State of Indiana.

The Commonwealth to which we belong, Mr. President, furnished to the Nation 208,000 soldiers, as I recall, during the Civil War, and yet it is somewhat singular that in that hotbed of politics, notwithstanding the fact that the soldiers exerted such a very great influence on the political life of the State and directed the political energies of both political parties, but one of the soldiers of the Civil War found his way into this body from that State, and that was Gen. Benjamin Harrison, afterwards President of the United States.

It is another fact that we may well mention on this occasion, that Judge COMSTOCK was the last soldier of the Civil War to be elected to Congress from the State of Indiana, and, in the very nature of things, is the very last that will be so chosen. Therefore, as we remember him to-day as a man, as an individual, as a citizen, and as a patriot we also pay something of tribute to the soldiers of the Civil War, for, as I have said, his service in the Army was his chief pride in life.

Mr. President, sometimes we are apt to think that the heroic days of the Republic have gone, and perhaps gone forever, and there are those among us who are constantly mourning the decadence of the race. The flight of time casts a halo about men. As an instance of this fact, we are prone to speak of Senators of the days gone by as giants, and men in a way deprecate the existing condition of affairs and minimize those who at this time represent States in this great body and in its associate at the other end of the Capitol; but, after all, in the future, when history writes with her unerring hand the real truth of the present time, she will undoubtedly recite that the men who this day represent the States of the Union in this body and who represent the people of the various districts in the associate body measure up in patriotism, in character, and in high purpose with those of any preceding day in the history of the Republic.

Sometimes we have thought that we were so devoted to commercialism and so wedded to the thought of the accumulation of wealth that the great virtues were ebbing away, that men had lost that ruggedness of character and those essential fundamentals that make for sterling manhood and for the highest character of American patriotism, but when we reflect upon Chateau-Thierry, upon St. Mihiel, and upon the Argonne Forest we see that the virtues are still here and that in any time of stress or peril the same ruggedness of character, the same virility of manhood that characterized the generation gone will respond upon the call of the country.

Therefore I do not despair of the institutions founded by the fathers and handed down to us at such a great sacrifice of blood and of treasure, and I attribute this persistence of patriotism and this continuity of manhood to the noble example of men like the subject of these remarks.

Judge COMSTOCK represented for two months the district I had the honor to represent as a Member of the House of Representatives for a dozen years. For 25 years he and I were intimate personal and political friends and associates, and, echoing what the honored Vice President said to me but a few moments ago, he was one of the most delightful men it has ever been my privilege to know. He was a magnificent specimen of physical manhood; he had splendid traits and characteristics that showed in his very countenance and ever displayed themselves to all his friends in his social intercourse.

He was a just judge; he was an upright man; he was a conscientious lawyer; he was a true patriot; he was a noble citizen of the Republic; and we do well in the midst of the turmoil and even the tragedy of life, as it is now being enacted in the world, to withdraw for a brief period and pay our tribute of respect to this splendid man, who served his generation well and who has fallen asleep.

Mr. President, in accordance with arrangements heretofore made, I now move that, as a further mark of respect to the memory of the deceased Senator and Representatives, the Senate take a recess until to-morrow morning at 10 o'clock.

The motion was unanimously agreed to; and (at 3 o'clock and 40 minutes p. m., Sunday, March 2) the Senate took a recess until to-morrow, Monday, March 3, 1919, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SUNDAY, *March 2, 1919.*

(Legislative day of Saturday, March 1, 1919.)

The recess having expired, the House was called to order by the Speaker at 11 o'clock a. m.

THE LATE REPRESENTATIVE WILLIAM P. BORLAND.

The SPEAKER. The Chaplain will lead in prayer.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Father of all souls, with unbounded faith in the overruling of Thy providence for the final good of all mankind, we humbly and reverently bow in Thy holy presence and pray for that love which casteth out fear. Increase our love for Thee and for our fellow men, that when death comes to our dear ones, our grief may be assuaged by a perfect trust in Thee.

We meet here to-day to record on the pages of history the life, character, and public service of a Member of this House who passed from the scenes of this life far from home and native land—a scholar, a teacher, a professor, a president of a college, a writer, a statesman. Be graciously near to those who knew and loved him, especially to his bereaved wife. Comfort and sustain her in the blessed hope of the life everlasting.

Faith is the rainbow's form
Hung on the brow of heaven,
The glory of the passing storm,
The pledge of mercy given;
It is a bright, triumphant arch,
Through which the saints to glory march.

Hear us in His name. Amen.

Mr. DICKINSON. Mr. Speaker, I offer the following resolutions, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 621.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. WILLIAM P. BORLAND, late a Member of this House from the State of Missouri.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House, at the conclusion of the proceedings of this day, do stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolutions.

The resolutions were agreed to.

Mr. DICKINSON. Mr. Speaker, the news of the death of WILLIAM P. BORLAND came as a distinct shock to all of the Members of the House. He had gone about the 1st of January, on a trip to France, and was taken ill while on his way to Coblenz, on German soil. He contracted a cold, which resulted in pneumonia and, finally, in his death, about the 20th of February.

I knew WILLIAM P. BORLAND intimately. His friendship I enjoyed and appreciated. He came to Congress and entered upon his services here on the 4th of March, 1909. He served 10 consecutive years in this body, the longest period of service of any Representative from Kansas City, which place he represented with such distinguished ability. That city is said to be the Cape Hatteras of American politics, and changes its Congressmen with unusual rapidity. It is notable that this courageous Representative stayed so long in Congress from this great Kansas City district. Mr. BORLAND was comparatively a young man. He had barely passed the half-century mark, being nearly 51½ years old.

The hand of the reaper
Takes the ears that are hoary,
But the voice of the weeper
Wails manhood in glory.

He was a graduate of law at the University of Michigan and commenced the practice of law in Kansas City, which was not the home of his birth. He was born at Leavenworth, Kans. He finally moved to Kansas City, which remained his home until his death.

He organized a school of law in that city and was the dean of that school. He wrote one or more law books, a textbook on wills and administration.

He entered political life comparatively early and was in the public eye up to the time of his death. He was a public-spirited man, a man of courage and strong convictions, and battled for his ideals. He hunted for the right. He did not feel the pulse of the public to learn whether what he did was popular but acted always from the impulse of what he believed to be right. He felt that his career as a Representative in Congress might

end quickly and that he would be retired, because he was not allied to any great political organization in his city, and he came repeatedly to Congress, fearlessly asserting the right, and as a strong Representative of a great city and district—tied to the chariot wheels of no organization—he repeatedly came because he was the popular choice of this great district. Mr. BORLAND was an easy and ready public speaker, and took an active part in this House, was active in debate, a hard student, well informed, and handled his subjects with unusual ability. By reason of his public services he attained State and National reputation. His name was always before the public because of his activities as an industrious public servant. He was a member of the Appropriations Committee, where he rendered active and efficient service. He was vigorous mentally and physically, and bore evidence of a long and active life.

It was a great shock when we learned of his passing away. His anxiety to see and learn by personal contact what was going on in France and Germany caused him to breast the storm of severe weather in a hard winter, and he took a severe cold, resulting in pneumonia and death, which was a distinct loss to his State and the Nation.

WILLIAM P. BORLAND was popular because he was courteous. He was gentlemanly in his bearing toward his fellow men. His courage and intelligent work gave him the respect of his associates in Congress. He led a correct life, and was a man of high ideals and lived and loved to do the right. He was ambitious even beyond the office that he held, and if he had lived he would still have remained in the public eye and continued to be prominent in the affairs of the State and Nation. All who knew him intimately learned to love him for his many virtues; all who knew him and saw him in his daily work respected him for his high character and deeply regretted his early departure from life and its activities. We will miss him. He will live in the affections of those who knew him because of his courageous stand for what he believed to be right and good. Many notable speeches did he make in this great public body. He has gone into the great beyond. He has entered the gates of eternal life. He builded on earth a character that will remain a monument to bear evidence to his worth. His virtues and active efforts to help build for the right will be a sweet memory to his hosts of friends, who gave him support because they believed in him. His place will be hard to fill. He gave the example of a correct life, of the duties of a public servant, and the confidence of those who gave him opportunity for public service will be a lasting monument to his great and unusual public career.

Mr. DECKER. Mr. Speaker, I deem it an honor to stand in this Hall and pay a tribute to a departed friend and to a statesman of ability and courage. Mr. BORLAND, of Missouri, as we all know, was a man of the highest personal character. Upon his private life there was no stain. He was a worthy friend and a worthy citizen in private as well as public life. As a public man his work was greatly appreciated by the people of the State whom he had the honor in part to represent. I have not an extensive personal acquaintance in the great metropolis of Kansas City, where he lived, but I think that without using the language of extravagance I can say truthfully that I never met a man from Kansas City who did not have a word of praise for Representative WILLIAM P. BORLAND. I have no doubt he had his personal and political opponents, but it was singular and a matter of frequent remark by men who lived outside of Kansas City how highly our friend and departed colleague was esteemed by the people of his home city.

He was a man of much more than the average ability. He was a scholar, and by that I do not mean that he was a product of the schools. He was a man of much reading, a man of much research, a man of much investigation. He was a lawyer, a lawyer of more than usual ability. He was one of those lawyers who realize that genius consists mostly in hard work, and WILLIAM P. BORLAND was an industrious man. As a young man myself I wish to pay him a tribute for one thing. I wish to speak in behalf of the young lawyers, many of them in the State of Missouri, and pay to him not only a tribute, but also speak a word of gratitude and appreciation for the work which he did as an educator in the law. Many a young man in Missouri who to-day stands high in the profession that most of us regard as a very high profession, would not stand there to-day if it had not been for the untiring industry of our departed colleague and for his spirit of generosity and willingness to serve his fellow man. The Kansas City Law School has done much good in our State, and when I think of the Kansas City Law School I think of WILLIAM P. BORLAND. As a public citizen, as a Representative, and as a statesman he took high rank. His chief characteristic, or, rather the two characteristics which most impressed me as I watched his career were industry and courage. He took an interest in all the legislation of this body. I do not mean that anybody's mind is of sufficient breadth and power fully to master every subject that comes before this body, but, perhaps, on account of the varied interests of the great metropolis which Mr. BORLAND had the honor to represent, his duty as a Representative made it necessary for him to be familiar with and to participate in many fields of legislation. The next quality was his quality of courage. He stood for cleanness in American politics. Kansas City is one of the greatest cities in the United States. I speak somewhat from personal knowledge because I was educated within a few miles from there. It is a clean city as cities go. It is a city where public virtue and civic spirit is high, and on the right side, on the clean side of every public question, WILLIAM P. BORLAND, our departed colleague, was found. But he had his enemies. He catered to no pernicious influences. He never sacrificed his honor, he never sacrificed his manhood for public preferment. He stood four square to all the world and dared to do what he thought was right, and dared to do what he conceived was his duty. How well he did I need not say, for you men knew him as well as I. As a member of one of the greatest committees, perhaps the greatest committee of this legislative body, he was a useful, valiant, and able member, and I was impressed in the last year with the toil and the foresight and the wisdom which he displayed as a member of that committee in appropriating for the great needs of this titanic struggle through which our Nation has passed.

I am not surprised that when the armistice was signed, when the war was over—the war to which he had devoted so much of his time and of his heart interest and his intellect—he could not restrain himself from wanting to go across the sea and observe for himself as an American representative what the real situation was and what was the result of our efforts on the other side. I know that he was prompted to go by his deep and abiding interest in all the brave boys who have won the battle for our country and for humanity and for the civilization of the world.

And while upon this mission—this important mission—the summons came. Far from home—I will not say far from friends, because it is a matter of consolation to us to know that he was among those who cared for him well—when the end came he was among those who appreciated his worth and knew the things for which he stood. He was among Americans when he answered the last summons, and although those who were the nearest and dearest to him were far away at the end, I know that as he was brave in private life, as he was clean in private life, I know that as he was brave and courageous in public life he was not afraid to answer the last roll call. For I know that he could say with Tennyson:

Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar,
When I put out to sea.

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell
When I embark.

For tho' from out our bourne of Time and Place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crost the bar.

Mr. STAFFORD. Mr. Speaker, in 48 hours the great war Congress will come to an end, and in this hour we set aside the pressing legislative business to pay our last tribute to one of the men who did much in this Chamber and in the committee to make possible the great victory that is about to be consummated in a peace that will bring, it is hoped, all wars to an end for years and years.

Mr. BORLAND had more than average ability, else he could not have achieved the distinction he attained. He was one of the recognized forces for good, truth, and right. He led many fights on this floor. His worth was recognized in the Committee on Appropriations when the chairman imposed on him the high responsibility in the present Congress of chairmanship of the subcommittee on fortifications.

Prior to this Congress he had not served on that subcommittee, but on the other important and leading subcommittees—the sundry civil, the District of Columbia, and the legislative. Being a stranger to the work, he immediately applied himself to the heavy task, as he did to every subject invested to him to take charge of, and after months of close study and laborious work he presented to the full committee, and later to this House, the

fortification appropriation bill that carried the enormous amount of $5,600,000,000. His handling of that measure on the floor of this House showed the great work in which he had engaged to make himself master of the subject of fortifications.

We were all greatly surprised when we learned that he had lost in the primary fight for nomination. We had thought that his people would recognize his work and worth. If the people of his district had possessed the same estimate of him and the high regard in which he was held here, I truly believe that he would have been renominated and would have continued for many years the useful service that he had given to the country and his district these many years past. His whole life seemed to have been in preparation for public service, so favorably equipped was he for its needs. Though I did not know him intimately, yet my personal estimate of him from his work in committee and on the floor was that he was preparing and was peculiarly qualified to be advanced to higher position in the other body, the Senate of the United States.

It is sad to contemplate that in his prime his work should have ended so abruptly. If he had lived, the rich promise of the mid years of life would have been crowned with laurels of requitted labor and service. The future historian, as he studies the annals of Congress, will agree that WILLIAM P. BORLAND has left his impress upon the legislation of the greatest Congress that ever met—the war Congress that is about to close.

Mr. MONDELL. Mr. Speaker, the news of the passing of our dear friend over yonder in France came to me as a very great shock and left me with a sense of profound sorrow and personal loss, for he was a rare soul, and I deem it a privilege to have been among those who were his friends.

One of the most universal hopes of the human heart is that when the summons comes to "join the innumerable caravan that moves into the silent halls of death" we may be privileged to meet that summons at home, in the midst of family and friends, sustained and supported by the sympathy of our loved ones. Our friend was not granted this boon, and yet the messenger of death was not unkind to him, for it granted him the privilege of passing into the eternities from a land that has ceased to be foreign to our hearts and sympathies, a land near and dear to us through the heroic service of millions of our boys, consecrated by the supreme sacrifice of our best beloved. A land from whose hillside and forests the souls of thousands of our brave boys went to their reward. Truly, if one may not pass to the great beyond at home, what better place from which to take our departure could there be than France, fair France, sanctified by the heroism and devotion of the brave and gallant of many lands, and among them the heroic soldiers of the great Republic?

Mr. Speaker, the eloquent young gentleman from Missouri [Mr. DECKER], who has just spoken, referred to two among the many splendid qualities of our departed friend—industry and courage. He was tremendously industrious, but the two traits of his splendid character that most impressed me were courtesy and courage. How difficult it is in the clash of opinions on this floor, in triumph and more so in defeat, to keep one's temper, to maintain a judicial attitude, and to be uniformly courteous. How much all of us have at one time and another had to regret the word quickly and thoughtlessly spoken. It was a characteristic of our friend that no matter how the tide of battle ran he was calm and courteous, kindly and considerate. No man who has ever occupied a place on this floor has displayed more than he the quality of courage. I have come to the belief that the quality needed here above all other qualities and endowments is that of courage. We are drawn naturally to men with whom we agree, but as time goes on and our legislative labors continue we frequently become strongly attached to men with whom we often disagree, but whom we learn to value and appreciate as being sincere, conscientious, and courageous.

Some day American constituencies will realize that the primary qualification for a Member of this body is enlightened, unselfish moral courage. I sometimes think that within the boundaries of those things that we consider as being reasonable it does not matter so much what men's views are, do they but hold them unselfishly with conviction and maintain them with courage. Our friend, with a courtesy that never failed, combined a courage that never faltered.

We do not know what lies beyond the veil. We do not know what the future may hold for any of us. But we do know this, that for the splendid, loyal, conscientious, helpful, courageous soul of our friend the future and the great beyond can hold no terrors and have naught but good. He was faithful, courteous, courageous, conscientious always, and we do not despairingly mourn for him in his passing, much as we regret his loss, for every duty of his life was well done, and he has, we know, gone to a goodly reward.

Mr. IGOE assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. LINTHICUM] is recognized.

Mr. LINTHICUM. Mr. Speaker, I feel should I not say something of the worth of the Hon. WILLIAM PATTERSON BORLAND I should be remiss in a duty which my State owes to his memory.

There is a very dear and historical connecting link between Mr. BORLAND and the State of Maryland, especially its metropolis, the city of Baltimore.

During the heat of the Revolutionary War there came to our then town of Baltimore 20 gentlemen of large means, experience, and generosity. Among this number was one William Patterson, who became one of the bulwarks of our city and State. He it was, together with other public-spirited citizens, raised money to equip the troops, helped form the banks, and provide means and money to develop and deepen the harbor and channels of Baltimore. Many other things vitally necessary to the winning of the war and the prosperity of the city were largely due to him.

In 1812 William Patterson's clipper ships plied the Seven Seas and did more to destroy English commerce during that war than any other one factor and hasten the conclusion of the war. It was Patterson who helped fortify North Point and Fort McHenry, where the English were repulsed and the Star-Spangled Banner was born. There was no citizen of our splendid Commonwealth who lived during those precarious times of two wars who did more for his adopted city and State than did William Patterson.

William Patterson brought with him to this country his daughter Elizabeth, afterwards known as Betsy Patterson, and a foster son Thomas Borland. It was William Patterson Borland, a son of Thomas, who settled in Kansas and became the father of WILLIAM PATTERSON BORLAND, our colleague, whom we knew so well. Betsy Patterson, the daughter, on the 24th of December 1803, as published in the Federal Gazette, was married by the Rev. Bishop Carroll to Jerome Bonaparte, the youngest brother of the first consul of the French Republic, afterwards the Great Napoleon, and from this sprang the grandson, the former Secretary of the Navy, Charles J. Bonaparte, of Baltimore.

Thomas Borland and Betsey Patterson were brought up like brother and sister, and the splendid service of William Patterson endeared them both to the city of Baltimore and our State. WILLIAM PATTERSON BORLAND, our former colleague and friend, was a familiar figure in the House of Representatives. Always vigorous, always attentive to his duties, and as a constant attendant upon the sessions, he became known and loved by each and every one of his colleagues. The ability with which he grasped the various subjects of legislation was remarkable. His tenacity was almost beyond his endurance. When I first came to this House, eight years ago, he looked well and strong and the picture of health and vigor, but his constant and untiring energy greatly sapped his constitution, so that before he left for France, where he died, he showed the fatigue of the long sessions we have had during the past years.

A man of perseverance, good judgment, and a splendid speaker was our friend Mr. BORLAND. We shall miss him in the Halls of Legislation. Marylanders, whom he has addressed on several occasions, will grieve at his passing away. They will connect his work and his life with the history of his illustrious namesake, William Patterson, and his grandfather, Thomas Borland, of Maryland.

On behalf of the people of Maryland, on behalf of the great city of Baltimore, I extend to those whom he has left behind our tenderest sympathy, our greatest admiration for the deceased, and our fervent wishes that his family may look upon Maryland second alone to the State of Missouri, which he so admirably represented.

The SPEAKER pro tempore. The gentleman from Iowa [Mr. GOOD] is recognized.

Mr. GOOD. Mr. Speaker, death has laid its hand very heavily upon the Sixty-fifth Congress. During this Congress 14 Members of the House and 10 Members of the Senate have already passed to the great beyond. In the death of WILLIAM P. BORLAND the House lost one of its most scholarly and industrious Members and the Nation was bereft of a statesman of high order. His work in Congress was not confined to his district alone, but was national in scope and permanent in character.

It was my good fortune to become closely associated with Mr. BORLAND. We had many things in common. We were of

the same age, graduated from the same university, entered the same Congress together, and for eight years labored together upon the Committee on Appropriations. In this association I came to know him intimately. I admired him for his great industry, his ripe scholarship, and, above all, his straightforward and manly character. In my experience I have rarely met a man in whom there were so happily combined those rare qualities of scholarship, of fidelity to duty, of industry, and courage that were combined in him.

His greatest work in Congress was in the preparation of the fortifications bill during the last session. That bill was prepared while we were at war and carried more than $6,000,000,000. Its preparation involved not only a study of our seacoast defenses in the United States, the Panama Canal, Hawaiian Islands, and the Philippine Islands, but it also involved the greater problem of supplying the American Expeditionary Forces in France with field artillery and field-artillery ammunition. This, in turn, compelled a thorough study of the productive capacity of America to furnish arms and ammunition necessary to win the war. It involved an examination of existing facilities and plants, the building of new plants, and the enlargement of plants already constructed. In the preparation of that bill it was necessary to study not alone the practical questions of supplying matériel, but also the scientific problems involved in their production. The work of Mr. BORLAND in the preparation of that measure was the admiration and delight of his associates. Neither the magnitude of the bill nor the many minute details involved in its preparation deterred him in the least from the most searching and thorough investigation required for the solution of the problems which it involved. When that great measure was considered in the House it was found to have been so thoroughly prepared that scarcely an amendment to it was adopted on the floor of the House.

I recall with great pleasure the manner in which he approached his work in the preparation of that bill. Weeks before the estimates were taken up by the subcommittee every member was furnished with a list of books and periodicals having a special bearing upon the production of the matériel which would be embraced within the bill. We were furnished by him with scientific references to the production of nitrates, liquid chlorine, picric acid, toluol, and other necessary ingredients of ammunition and high explosives, for which there was a great demand and of which there was a shortage in the United States. The preparation of that measure, therefore, involved not only a knowledge of science but a cool and deliberate judgment of a high order, and Mr. BORLAND'S work in its preparation is a monument to his statesmanship more enduring than granite.

Mr. BORLAND was a very industrious Member of the House. He called his subcommittee together early in the morning, and its work kept them in session ofttimes until the late hours of night. He shrank from no duty, but approached his work with genuine enthusiasm, and I have no doubt that his early demise was in some measure due to the unusual strain upon his time and strength which the consideration and preparation of the great bill which had been intrusted to his care exacted.

His work is ended. It was well and patriotically performed. The great State of Missouri, which gave him to Congress, will miss him. His friends and associates here, where he performed his greatest public service, will miss his counsel and advice. But the greatest personal loss will be felt by his family. He was essentially a home man, and when not engaged in his public duties he sought the companionship of home. Surrounded by a loving and interesting family, he spent his leisure hours with its members. And so to-day our tenderest sympathy goes out to the bereaved widow and family left to mourn his loss. To them, as to us, he will be remembered as a man of high ideals, of pure heart, pure mind, and pure speech. Those who knew him best loved him most.

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. FERRIS] is recognized.

Mr. FERRIS. Mr. Speaker, I knew the late WILLIAM P. BORLAND intimately during the last 20 years of his life. He was the dean of the Kansas City Law School when I graduated from that institution. I knew him while he was teacher and I scholar; I knew him here in Congress as a Member of Congress. I served with him throughout his service here; I remember very well when he first came to this House. I had preceded him by two years in the Congress of the United States, and when I met him down in the well of the House yonder he said to me, "I used to teach you. Now you can teach me." I merely mention that fact to show the breadth of character and the generous disposition that he had.

As we see the lives of our friends ebbing away, as our friends pass to that unknown, we are always impressed with the mystery that enshrouds it and surrounds it, and we are again impressed, it seems to me, with the thought that death always comes too soon and in the lives of men that are so full of usefulness, so full of true worth, so full of generous and unstinted endeavor, the loss which we feel and the loss which we know the world suffers becomes more acute and is brought home to us with greater force.

Our late colleague had no enemies here and he had none at home. I used to live in Kansas City, Mo., myself. I was born in that State. I have known him intimately for 20 years. The State loses a great man, the Nation loses a great man, the Congress loses a great man. But it seems to me, after all, that when death approaches, as it must approach us all, it is worth something to his friends to know, and it will be worth something for his family to know, that while here he left nothing but favorable impressions behind and nothing but real and true service to the Congress, to Missouri, to the Nation, and the teeming millions that make up the Nation.

I was proud to be a student of his school. I was proud to serve with him here. I was proud to have known him. I was proud to have known of his clean, honorable career. I am proud to utter this word concerning his life and character. We may all mourn his passing.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. CLARK] is recognized.

Mr. CLARK of Missouri. Mr. Speaker, in this Congress the Missouri delegation in House and Senate has suffered an unusual percentage of losses. Senator Stone, Dr. Meeker, and WILLIAM P. BORLAND were all called to their last accounts. Senator Stone was 68 years old, Meeker was in the very prime of his life, and BORLAND had not passed his meridian. Senator Stone had nearly lived out the psalmist's allotment of three score years and ten. There was not a more robust man in the House than Dr. Meeker. BORLAND was not very much behind him in that regard; a little older, not so heavy, but a man of remarkably good health. If I had been called on to pick out 25 men in the House who in all human probability would be living a quarter of a century hence, I would have picked both Meeker and BORLAND. Mr. BORLAND was a good-looking man, a pleasant man, a good debater, a tiptop stump speaker, an incorrigible optimist. He was a lawyer of high standing, author of three or four law books, dean of a law school, and had served in Congress 10 years. He represented one of the finest congressional districts in America. I do not believe that there is a finer body of land under the sun than Jackson County, Mo., of which Kansas City, young, robust, growing, ambitious, is the metropolis. If a circle were drawn with a radius of 400 miles with Kansas City as the center, there would be more good land within that circle than any circle of the same size on the habitable globe. BORLAND was intensely proud of his district, as he had a right to be. He served the people thereof faithfully and well. He was also a popular lecturer. I do not know it for a fact, but I believe part of his trip to Europe, on which he died, was not only intended for the purpose of getting first-hand information about our soldiers over there but also to collect material for a lecture about things connected therewith. He waged some notable battles while in Congress. Sometimes he won and sometimes he lost, as happens to most Members who take an active part in the proceedings. He was always on the side of the people.

We were all much grieved, because of our friendship for him, to hear of his untimely death while still in the very prime of his splendid powers, and we were also greatly shocked because when he left his native country he was the very picture of health and seemed destined for a long life. I have often wondered why some people useful to their kind and their country are cut off in the prime of life, or even before they reach their meridian, while others live to great old age.

When one of our friends departs, we involuntarily repeat the question that Job propounded thousands of years ago, "If a man die, shall he live again?" It is one of the most interesting questions about which man ever reasoned. I have no sort of doubt that the question was old when Job propounded it. I undertook once to run back to its source the doctrine of the immortality of the soul. It extends back to the very twilight of recorded history, and the chances are it was debated and talked about and hoped for before history began, and it will still be discussed and talked about and hoped for by the very latest of our descendants.

It is a great pity that Lazarus was not interviewed when he came to life. He undoubtedly could have thrown a flood of light on the much-debated subject.

The ancients reasoned about it as clearly and comprehensively as we do. A great many people think that Christ originated the doctrine of the immortality of the soul, but it has been the doctrine of the human race, it seems, from the beginning. Socrates reasoned it out that when he saw the wicked flourish in this world and the good in unfortunate circumstances, that there must be a hereafter where these wrongs would be righted. When he was forced to drink the fatal hemlock, he said to his judges, "I go; you remain. Which is the happier fate?" To my mind the doctrine of the resurrection, which runs like a thread of gold through all the New Testament Scriptures, is of most consoling character. In the human heart there is an unceasing yearning to meet again and greet again those to whom we were nearly connected in this life. The sweetest words that ever fell on human ears were those of Christ: "I am the resurrection and the life," and it has sustained men and women in all the difficulties and cruelties of this world.

Among other characteristics, Mr. BORLAND was very active in his religious duties. His actions were correct, his language was chaste, and in this respect he was a model citizen. Defeat came to him as it comes to most everybody else in the long run, but he was so young, so vigorous, so well equipped, that I have no sort of doubt that if he had lived and had chosen to return to public life that his vacation would have been short.

In the House we valued him highly while living, and we mourn him sincerely in his grave.

Everything seems out of joint. Nature seems to have made a sad botch of the world.

It has been customary to rail at religion for the great catastrophe which in late years has come upon half of the world. They find fault and pick flaws, and many sorely tried and despairing souls have felt constrained to curse God and die. Yet over all the wreck of matter and crash of worlds we may still say, "The Lord God omnipotent reigneth."

Ashes to ashes, dust to dust,
Yet hope will dream
And faith will trust
That somehow, somewhere, meet we must.

Great religious revivals follow great wars frequently, and the signs of the times indicate that a universal revival is now impending.

Mr. BYRNS of Tennessee. Mr. Speaker, again the flag upon the Capitol has hung at half-mast and the hearts of the Members of the House have been made sad by the news of the death of one of their colleagues. Again the unrelenting hand of death has beckoned to one of our Members, and he has left us for that bourne from which no traveler ever returns. The death of Hon. WILLIAM P. BORLAND forcibly reminds us that in the midst of life we are in death. It was but a very few weeks ago that in the best of health and spirits and with the promise of a long and useful life before him he departed for Europe in order to personally visit the western battle front in France and to investigate conditions, particularly with reference to the boys from his own city and section who had given their lives in behalf of their country. Within two weeks after he landed in Europe he became ill, and the House was inexpressibly shocked and grieved to learn that he had passed away on February 20, 1919, near Coblenz, Germany.

Mr. BORLAND and I entered Congress together in 1909 and two years later were both chosen to serve on the Committee on Appropriations. Since that time we were closely associated in the work of the committee and a cordial friendship existed between us. I had occasion, therefore, possibly as much as any Member of the House, to observe the industry, courage, and intelligence which marked his whole career as a member of the committee and of Congress.

There is no committee in the House which requires a greater degree of industry on the part of its membership than the Committee on Appropriations. The appropriations carried are so varied and cover such a wide range of subjects that one must have industry and diligently devote himself to the study of the various subjects presented and have the courage to say no if he hopes to make himself a useful member of the committee. Mr. BORLAND possessed both of these qualifications to a very high degree. He never failed to do his duty, and the knowledge which he had acquired by close investigation and application was always most helpful to the committee and to the House in consideration of appropriation bills.

His courage was of a very high order. He never deserted a principle in order to build up his personal political fortunes. He acted always from the highest motives and with regard to what he believed to be the best interest of the country. If he erred at times—and there are none of us who have not—then it was an error honestly made. He never voted for or against an appropriation because of any possible effect his vote might have upon his own political future. In addition to his work upon the committee, he found time to devote to the study of all the important legislation that has come before Congress, and the CONGRESSIONAL RECORD gives evidence of the careful and intelligent consideration he had given to most of the important matters which have come before Congress during his term of office. He served his country faithfully and efficiently and has left behind him an enviable record for close application and attention to duty and an earnest devotion to his country and the people who had honored him and whom he served with signal fidelity and ability.

Mr. Speaker, Mr. BORLAND was greatly admired and respected by the members of the Committee on Appropriations, with whom he had served for eight years, and as an evidence of their affectionate regard and high estimate of his ability and value as a legislator, I desire to make a part of my remarks the resolutions which were adopted by the committee at its final meeting after news was received of his death. These resolutions are as follows:

The committee has heard with the most profound sorrow of the death of the Hon. WILLIAM P. BORLAND, of the State of Missouri, which occurred near Coblenz, Germany, on February 20, 1919. Mr. BORLAND first entered Congress on March 4, 1909, and two years later was chosen a member of the Committee on Appropriations, upon which he served until his death with signal ability, unimpeachable integrity, unquestioned fidelity, tireless energy, and a genuine devotion to duty, which was characteristic of his entire career in Congress.

Possibly the greatest service rendered by Mr. BORLAND as a member of the committee, and also as a Member of Congress, was as chairman of the Subcommittee on Fortifications in the preparation of the fortification bill for the fiscal year 1919, carrying more than $8,000,000,000 in appropriations and authorizations made necessary by the war. He worked unceasingly and tirelessly to familiarize himself with the many technical details of that bill, and the hearings which were conducted as a preliminary to its preparation evidenced his hard work, his unceasing efforts, and his intelligent and thorough grasp of all the facts necessary for its proper preparation.

In all of his public service he was actuated by the highest and purest motives and by the earnest desire to faithfully serve the country and those who had chosen him to represent them in the Halls of Congress.

In January, 1919, he went to Europe for the purpose of making an inspection tour of the battle lines on the western front and to investigate conditions as regards American soldiers and hospitals. While on this tour of inspection he was stricken with bronchial pneumonia and died far from home and native land: Therefore be it

Resolved by the committee, That the death of Mr. BORLAND is a distinct personal loss to his colleagues on the committee, and that the committee has lost one of its most useful members, the Congress a capable, careful, and efficient legislator, and the country a faithful and devoted public servant. Be it further

Resolved, That we tender to his widow and family our most sincere sympathy on account of their great loss. And that this memorial be spread upon the journal and a copy furnished by the clerk of the committee to his bereaved widow.

Mr. DYER. Mr. Speaker, I desire to add a word to what has already been so well said concerning the life and public service of my late colleague, the Hon. WILLIAM P. BORLAND. He was a faithful and efficient Member of this House for a number of years. He possessed great ability and was an indefatigable worker. While I did not agree with him in all positions he has taken upon public questions, I recognize his honesty and uprightness of purpose. I mourn with my other colleagues and with the people of my great State in the loss that has come to us in his recent death. To his widow and loved ones I extend my sincere sympathy. The death of our colleague is but another evidence of the fact that—

All that tread the globe are but a handful
The tribes that slumber in its bosom.

In the passing of this splendid representative of the people, it should cause us all to endeavor the greater to do our full part in giving to the people of the United States the best service that is possible while we are yet here.

Show us the truth and the pathway of duty,
Help us to lift up our standard sublime
Until earth is restored to its order and beauty,
Lost in the shadowless morning of time.
Teach us to sow the seed of many a noble deed,
Make us determined, undaunted, and strong,
Armed with the sword of right, dauntless amid the fight,
Help us to level the bulwarks of wrong.

Mr. HAMLIN. Mr. Speaker, the news of the death of our colleague, WILLIAM P. BORLAND, came as a distinct shock to every one of us. It serves to remind us again of the fact that "in the midst of life there is death." At best, he has only preceded us a little while.

Life is a great mystery. We can not understand that why one so splendidly equipped to serve his fellows should be cut down in the very prime of life and others less fitted to fight life's battles are allowed to remain. We can only say "the Lord giveth and the Lord taketh away; blessed be the name of the Lord."

I believe that about 14 of our colleagues have answered the final summons during this present Congress. This should re-

mind us of what Job said: "Man that is born of woman is of few days and full of trouble, he cometh forth like a flower and is cut down." * * * "His bounds are appointed and he can not pass."

Another has spoken of the uncertainty of life in these words: "Go to now, ye that say, to-day, or to-morrow we will go into such a city and continue there a year, and buy and sell and get gain; whereas, ye know not what shall be on the morrow. For what is your life? It is even a vapor that appeareth for a little while and then vanisheth away."

The religion of the Lord Jesus Christ is the only one that has answered the centuries-old question: "If a man die, shall he live again?" Job's faith in God enabled him to really answer his own question. He says: "There is hope of a tree, if it be cut down, that it will sprout again, and that the tender branch thereof will not cease, though the root thereof wax old in the earth, and the stock thereof die in the ground; yet, through the scent of water, it will bud and bring forth boughs like a plant." Clearly prophesying the resurrection, thousands of years afterwards, Paul, descanting upon the same vital question, said: "But some man will say, how are the dead raised up? And with what body do they come? Thou fool, that which thou sowest is not quickened except it die; and that which thou sowest, thou sowest not that body that shall be, but bare grain, it may chance of wheat, or some other grain, but God giveth it a body as it hath pleased Him and to every seed his own body." * * * "There are also celestial bodies and bodies terrestrial; but the glory of the celestial is one and the glory of the terrestrial is another." * * * It is sown in corruption, it is raised in incorruption. It is sown in dishonor, it is raised in glory. It is sown a natural body, it is raised a spiritual body."

We, therefore, must believe in a future existence, and, by the same token, must believe that in this life we must prepare for this future existence.

I have no doubt but that this was the simple faith of our departed friend. May we all have an abiding faith in the efficacy of the shed blood of Jesus Christ, so that when we come to "pass over" we may know that we shall live again.

Mr. IGOE. Mr. Speaker, Mr. BORLAND was the third member of the Missouri delegation in the House and Senate in this Congress to pass away. When I received word that he was dead it seemed that there must be some mistake, because but a few weeks ago he was here in our midst busily engaged in the work that he loved so well and enjoying, apparently, the best of health. He had decided to go to France to see for himself the battle fields upon which our victorious armies had fought, to study at first hand the condition of our forces, and to become better acquainted with the great problems that have followed the ending of this the greatest war of all time. His illness while so engaged was unknown to us, and consequently the news that he was dead came as a great surprise to all of his colleagues in the House.

As a Representative in Congress for 10 years he had taken a prominent part in framing the important legislation enacted during that period, and there were few men here who had a more comprehensive knowledge of the activities of the Government. As a member of the Appropriations Committee he had rendered splendid service in studying the needs of the various departments, and with the other members of that great committee had labored industriously, especially during the war, in providing properly for carrying on the necessary work of these departments. The members of that committee are not frequently given credit for their valuable service to the country, and yet there is no more important committee in the House. Upon their work depends largely the success of the departments, and in their hands rests largely the economical administration of these same departments. The members of that committee have a difficult and laborious task, and Mr. BORLAND brought to his work ability and industry unexcelled.

His service here was marked by an active participation in the proceedings of the House, and he was unusually well informed upon public questions. In his State he was well known as a public speaker and in his city took an active part in municipal affairs.

Mr. Speaker, no Member of this House was more devoted to his work, and the record he made here will always be a monument to his industry, energy, and ability.

Mr. ALEXANDER. I ask unanimous consent that those who have spoken on this occasion may have unanimous consent to revise and extend remarks in the RECORD and that Members desiring to do so may print remarks on the life, character, and public services of Mr. BORLAND.

The SPEAKER. The gentleman from Missouri asks unanimous consent that Members have leave to extend remarks in the RECORD on the life, character, and public services of the late Mr. BORLAND. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, I ask leave to extend my remarks in the RECORD on the life, character, and public services of our late colleague, Mr. BORLAND, for whom I entertained the highest respect and admiration for his personal qualities and his distinguished services.

The SPEAKER. The gentleman from Missouri asks leave to extend his remarks in the RECORD on the life and character of the late Mr. BORLAND. Is there objection?

There was no objection.

HOSPITALS FOR DISCHARGED SOLDIERS, ETC.—CONFERENCE REPORT (NO. 1161).

The SPEAKER. The time having elapsed which was set aside for memorial purposes, the Chair recognizes the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, I call up the conference report on the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged and disabled soldiers, sailors, and marines, and I ask that the statement may be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

Mr. MANN. Reserving the right to object, the report is not very long, and it has not been before the House.

Mr. CLARK of Florida. All right, I withdraw the request. Let the Clerk read the conference report.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged sick and disabled soldiers, sailors, and marines, Army and Navy nurses (male and female), patients of the War Risk Insurance Bureau, and the following persons only: Merchant-marine seamen, seamen on boats of the Mississippi River Commission, officers and enlisted men of the United States Coast Guard, officers and employees of the Public Health Service, certain keepers and assistant keepers of the United States Lighthouse Service, seamen of the Engineer Corps of the United States Army, officers and enlisted men of the United States Coast and Geodetic Survey, civilian employees entitled to treatment under the United States employees' compensation act, and employees on Army transports not officers or enlisted men of the Army, now entitled by law to treatment by the Public Health Service.

"SEC. 2. There are hereby permanently transferred to the Treasury Department for the use of the Public Health Service for hospital or sanatoria or other uses the following properties, with their present equipment, including sites and leases, or so much thereof as may be required by the Public Health Service, including mechanical equipment in connection therewith, and approaches thereto, with authority to lease or purchase sites not owned by the Government, as follows: Hospitals, with such other buildings and land as may be required, at Camp Cody, N. Mex.; Camp Hancock, Ga.; Camp Joseph E. Johnston, Fla.; Camp Beauregard, La.; Camp Logan, Tex.; Camp Fremont, Cal.; and nitrate plant, Perryville, Md.; and such hospitals, with other necessary buildings, hereafter vacated by the War Department, as may be required and found suitable for the needs of the Public Health Service for hospital or sanatoria purposes. And for the purpose of such remodeling of or additions to the above-named plants as may be required to adapt them to the needs and uses of the Public Health Service, the sum of $750,000 is hereby authorized.

"SEC. 3. The Secretary of War is hereby authorized and directed to transfer, without charge, to the Secretary of the Treasury for the use of the Public Health Service such hospital furniture and equipment, including hospital and medical

supplies, motor trucks, and other motor-driven vehicles, in good condition, not required by the War Department, as may be required by the Public Health Service for its hospitals, and the President is authorized to direct the transfer to the Treasury Department of the use of such lands or parts of lands, buildings, fixtures, appliances, furnishings, or furniture under the control of any other department of the Government not required for the purposes of such department, and suitable for the uses of the Public Health Service.

"SEC. 4. So much of the Battle Mountain Sanatorium at Hot Springs, S. Dak., the National Home for Disabled Volunteer Soldiers, with its present equipment, as is not required for the purposes for which these facilities were provided, is hereby made available for the use of the Public Health Service for a period of five years from the approval of this act, unless sooner released by the Surgeon General of the Public Health Service.

"SEC. 5. The Secretary of the Treasury is hereby authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for immediate use, in whole or in part, of their present facilities, so as to provide bed capacity and facilities for not exceeding 1,000 patients, and for such purposes the sum of $300,000 is hereby authorized.

"SEC. 6. The Secretary of the Treasury is hereby authorized, if in his judgment the same will be for the best interests of the Government from the standpoint of cost, location, and of the emergency needs of the Public Health Service, to purchase the site, buildings, and hospital facilities and appurtenances, at Corpus Christi, Tex., known as General Hospital No. 15, and for such purpose the sum of $150,000 is hereby authorized.

"The sum of $1,500,000 is hereby authorized to be held as an emergency fund for the purchase of land and buildings suitable for hospital and sanatoria purposes, which the Secretary of the Treasury is hereby authorized to select and locate, and to make additions and improvements suitable to adapt them to the uses of the United States Public Health Service, if in his judgment the emergency requires it.

"SEC. 7. By the construction of new hospitals and sanatoria, to include the necessary buildings with their appropriate mechanical and other equipment and approach work, including roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, vehicles, and live stock on sites now owned by the Government, or on new sites to be acquired by purchase or otherwise, at the places hereinafter named: *Provided*, That if the Secretary of the Treasury shall make a finding that any hospital project hereinafter specifically authorized is not to the best interest of the Government from the standpoint of cost, location, and of the emergency needs of the Public Health Service, he is hereby authorized to reject such project or projects and to locate, construct, or acquire hospitals at such other locations as would best subserve the interest of the Government and the emergency needs of the Public Health Service within the limits of cost of such authorization.

"a. At Cook County, Ill., by taking over the land and executing the contract for the construction thereon of hospital buildings specified therein of a certain proposed contract executed by the Shank Co., August 31, 1918, and in accordance with such contract and the plans and specifications identified in connection therewith August 31, 1918, by the signature and initials of Brig. Gen. R. C. Marshall, jr., Construction Division, Quartermaster Department, United States Army, by Lieut. Col. C. C. Wright, and the Shank Co., by George H. Shank, president, at the cost stated therein, namely $2,500,000, with such changes in said plans and specifications as may be required by the Secretary of the Treasury to adapt said specified buildings to the needs and purposes of the Public Health Service, at a total limit of cost not to exceed $3,000,000.

"b. In carrying the foregoing authorization into effect, the Secretary of the Treasury is authorized to execute the contract with the Shank Co. hereinbefore specified, with such verbal changes as are made necessary by a change in the contracting officers, and to assume all obligations in said contract contained, and to purchase materials and labor in the open market, or otherwise, and to employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of cost herein authorized.

"c. At Dawson Springs, Ky., on land to be acquired by gift, the necessary buildings for a sanatorium having a capacity of not less than 500 beds. The sum of $1,500,000 is hereby authorized for the construction of such sanatorium.

"d. The sum of $900,000 is hereby authorized for the construction, including site, of a hospital plant complete at Norfolk, Va.

"e. The sum of $550,000 is hereby authorized for the construction, on land owned by the Government, on a site to be selected by the Secretary of the Treasury with the approval of the President, of a hospital plant complete in the District of Columbia or vicinity.

"f. The sum of $190,000 is hereby authorized for additional hospital accommodations, including such minor alteration in and remodeling of existing and authorized buildings as may be necessary to economically adapt them to the additional accommodations herein authorized for the Marine Hospital at Stapleton, Staten Island, N. Y., the sum appropriated for additions to the said hospital by the act approved March 28, 1918, is authorized to be expended in full without the construction of psychiatric units.

"SEC. 8. In carrying the foregoing authorization into effect, all new construction work herein authorized shall, as far as feasible, be of fire-resisting character, and the Secretary of the Treasury is authorized to enter into contracts for the construction, equipment, etc., of such buildings on Government-owned lands, or lands acquired for such purpose, to purchase materials and labor in the open market, or otherwise, and to employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of cost herein authorized.

"SEC. 9. For the purpose of carrying the foregoing authorization into effect, there is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available and remain available until expended, the sum of $8,840,000, and for furniture and equipment not otherwise provided for, the sum of $210,000, in all $9,050,000.

"SEC. 10. And the Secretary of the Treasury is hereby authorized, in his discretion, to employ, for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereby authorized and appropriated for construction purposes, at customary rates of compensation, such additional technical and clerical services as may be necessary, exclusively to aid in the preparation of the drawings and specifications for the above-named objects and supervision of the execution thereof, for traveling expenses, and printing incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding $210,000 of the above-named limit of cost. All of the above-mentioned work shall be under the direction and supervision of the Surgeon General of the Public Health Service, subject to the approval of the Secretary of the Treasury.

"SEC. 11. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for necessary personnel, including regular and reserve commissioned officers of the Public Health Service and clerical help in the District of Columbia and elsewhere, and maintenance, hospital supplies and equipment, leases, fuel, lights, and water, and freight, transportation, and travel, and reasonable burial expenses (not exceeding $100 for any patient dying in hospital), $785,333 for the fiscal year ending June 30, 1920."

And the Senate agree to the same.

FRANK CLARK,
ANTHONY J. GRIFFIN,
R. W. AUSTIN,
Managers on the part of the House of Representatives.

THOS. W. HARDWICK,
J. C. W. BECKHAM,
I. L. LENROOT,
JNO. W. LANGLEY,
Managers on the part of the Senate.

STATEMENT.

The committee of conference on the disagreeing votes of the two Houses on the amendment to the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment.

The Senate amendment struck out all after the enacting clause in the House bill and made authorizations and appropriations for specific projects aggregating $7,100,000.

The amendment proposed by the conferees strikes out all after the enacting clause and inserts new matter embodying the projects named in the Senate bill, with certain qualifications, limitations, and additions, and provides for a total appropriation of $9,050,000.

The bill embodied in the conferees' report consists of 11 sections, as follows:

Section 1: Authorizing the Secretary of the Treasury to provide immediate additional hospital and sanatorium facilities for

the care and treatment of discharged, sick, and disabled soldiers, sailors, and marines, Army and Navy nurses (male and female), patients of the War Risk Insurance Bureau, and other classes of persons, which are specifically named, now entitled by law to treatment by the Public Health Service.

Section 2: Provides for the transfer to the Treasury Department for the use of the Public Health Service certain hospitals, which are specifically named, situated at various camps now used by the War Department, and makes an appropriation of $750,000 to remodel and adapt them to the needs of the Public Health Service.

Section 3: Authorizes the Secretary of War to transfer to the Secretary of the Treasury hospital furniture and equipment and supplies, and authorizes the President to direct the transfer to the Treasury Department of the use of lands, buildings, etc., under the control of any other department of the Government which may be suitable for the uses of the Public Health Service.

Section 4: Authorizes the use of a part of Battle Mountain Sanitarium at Hot Springs, S. Dak., by the Public Health Service.

Section 5: Authorizes the Secretary of the Treasury to secure additional bed capacity and authorizes the expenditure of $300,000.

Section 6: Authorizes the Secretary of the Treasury, if in his judgment the same will be for the best interests of the Government, to purchase the hospital known as General Hospital No. 15, at Corpus Christi, Tex., and appropriates $150,000; also sets aside an emergency fund of $1,500,000, for the purchase of land and building suitable for hospital and sanitorium purposes, as the emergency may require.

Section 7: Authorizes the construction of new hospitals and sanitoria at the following places, provided that if the Secretary of the Treasury shall make a finding that any hospital project specifically authorized is not to the best interests of the Government he may reject such project, or projects, and locate, construct, or acquire hospitals at other locations which will best subserve the interests of the Government and the emergency needs of the Public Health Service:

(a) At Cook County, Ill	$3,000,000
(b) Directions as to above.	
(c) Dawson Springs, Ky	1,500,000
(d) Norfolk, Va	900,000
(e) District of Columbia	550,000
(f) Marine Hospital, Staten Island, N. Y	190,000
	6,140,000

Section 8: Contains directions as to fireproof construction and as to purchase of material and labor.

Section 9: Summarizes the appropriations for the foregoing and provides an appropriation for furniture and equipment, making in the aggregate $9,050,000.

Section 10: Contains the general and usual provisions as to technical and clerical services, and limits the expense therefor to $210,000.

Section 11: Appropriates for personal, clerical help, maintenance, hospital supplies and equipment, and so forth, and burial expenses of patients, the sum of $785,333.

FRANK CLARK.
JOHN L. BURNETT.
ANTHONY J. GRIFFIN,
R. W. AUSTIN.
JOHN W. LANGLEY.

ADDITIONAL STATEMENT.

We, the undersigned conferees on the part of the House, beg to make the following additional statements in regard to the above-named bill as agreed upon on the part of the conferees.

We concur in the general features of the report except that portion of the same which designates specific places for the purchase or construction of hospitals, and we have reluctantly signed the report because of the fact that we consider the legislation as of extreme necessity and we believe that it is our duty to waive some serious objections to the bill as agreed upon to prevent a defeat of the legislation by the refusal of the Senate conferees to agree to what we think ought to be in the bill.

The bill as it was passed by the House put the responsibility of selecting the locations of the hospitals on the Treasury Department, where it belongs. The Public Health Service is a bureau of the Treasury Department and has all the facilities, including physicians, surgeons, and so forth, to intelligently make such selections. Congress has no such facilities, and yet for some reason this responsibility is put upon us by this bill. If the Treasury Department desired to shift this responsibility from its own shoulders to those of Congress, it has never given any good reason for such action, so far as we know. Extensive hearings were had before the House committee on the bill as reported by that committee. In fact, the bill was drawn by the department and sent to the House committee. Not a suggestion was made to the House committee that the department desired us to designate any localities, except in the separate bill for Dawsonsprings. On that bill we had extensive hearings, and the committee was convinced that there was an urgent necessity for immediate action while a comprehensive scheme was being worked out. For that reason the Dawson Springs bill was reported. On its consideration by the House that contention was overruled and the bill was passed, giving the President the right to appoint a commission to locate hospitals, and the Secretary of the Treasury was given the authority to construct and equip them. We had no intimation that the department desired to adopt any policy of specific location or designation until the general bill had been reported by the Senate Committee on Public Buildings and Grounds. This very naturally aroused a suspicion that the Treasury Department wishes to unload on Congress a responsibility that it is unwilling to assume to itself.

We mean no reflection whatever on any one of the projects proposed in the bill, but do think it strange that Congress should be required to assume a responsibility which ought to be carried by the Treasury Department. We have been informed that the Secretary of the Treasury desires the places and projects designated in the bill agreed upon by the conferees. If that is true, why should we be unwilling to confer by this legislation the power, the duty, and the responsibility on that department of doing so? The proviso, however, does put it up to the Treasury Department to pass upon the question as to whether there are not better places and projects, and we hope that that department will at least assert its authority if it believes some other place or project better.

FRANK CLARK.
JOHN L. BURNETT.

Mr. STAFFORD. I reserve a point of order on the conference report.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. I wish to obtain some information before pressing the point of order.

In the original Senate amendment no authority was carried for the purchase of the hospital at Corpus Christi, Tex., as provided for in section 6 of the report agreed to by the conferees.

Mr. CLARK of Florida. That is true.

Mr. STAFFORD. I should like to obtain some information from the chairman, not only as to the reason why the conferees agreed to adopt that project, but also why the conferees saw fit to depart from the policy of the House by designating the respective hospitals that are provided for in the conference report?

Mr. CLARK of Florida. Mr. Speaker, I will answer the gentleman's last question first.

The Senate took the position that Congress ought to name the places where these hospitals are to go; that Congress itself ought to legislate, and not leave it up to the departments to select locations. The House conferees objected to that, although we thought the Senate conferees were right on the general proposition that Congress ought to be specific in naming locations, and that that was their right and that it ought not to be delegated. But this bill had been framed, and the House had seen fit to leave the selection of all locations to the Public Health Service or to the Treasury Department. We insisted that no places at all should be named in the bill. The Senate insisted that these places should be named and that it was the duty of Congress to name them. We finally acceded to that view of it.

Now, what was the other question the gentleman asked?

Mr. STAFFORD. As to the selection of the hospital at Corpus Christi, which was not designated in the original Senate amendment.

Mr. CLARK of Florida. The Senate conferees agreed that the property at Corpus Christi, which is now in the hands of the Government and being used as a hospital, having been fitted up for that purpose, is an exceedingly cheap piece of property and a great bargain. The Treasury Department had recommended it, I think, since the bill passed the Senate.

Mr. STAFFORD. Is it privately owned?

Mr. CLARK of Florida. It is a privately owned hotel, as I understand it, which has been taken over by the Government and fitted up for hospital purposes, and is now in use for that purpose and is a very splendid property, and worth very much more, as I understand, than the price named in the bill.

Mr. BARNHART. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman.

Mr. BARNHART. Have the public-health authorities approved of these sites?

Mr. CLARK of Florida. Absolutely.

Mr. STAFFORD. Now, will the gentleman from Florida inform the committee what is the policy of the Public Health

Service in designating so many of these hospitals that have been erected in conjunction with war service at the respective camps, and particularly why they have designated mostly those in the South? I did not desire to raise any sectional question, but it strikes me upon reading the report that they have designated only hospitals in the Southland particularly, and have not designated the very complete hospitals that have been erected at camps in the North; for instance, at Camp Custer, Camp Devens, and Camp Grant.

At four of our northern camps we established permanent heating systems, not only to provide heating for the hospitals but for the camps themselves. I should like to have the viewpoint of the conferees, because when this bill was originally considered we did not give any consideration whatever to the designation of these hospitals. We voted a lump sum. The bill came in here, and the gentleman from Alabama asked unanimous consent to take it from the Speaker's table and send it to conference. I asked that the only question litigated in the House, as to limiting the facilities of these hospitals to those named in the House bill, should be adhered to, and I understood the gentleman from Florida that he would insist on that position. We now find that the bill has been broadened as it passed the Senate, and the House position has been departed from.

Mr. CLARK of Florida. The gentleman has mentioned several matters, and I would like to know what particular one he wishes me to answer.

Mr. STAFFORD. Why it happened that so many hospitals connected with camps in the South have been designated and none of those connected with camps in the North.

Mr. CLARK of Florida. If the gentleman will pause for a minute, I will answer him.

Mr. STAFFORD. I will stop for an hour.

Mr. CLARK of Florida. I do not ask the gentleman to do that. I will tell the gentleman that when this bill went to the Senate the Senate committee said there were a large number of these hospitals all over the country at military camps, and they took it upon themselves to ascertain if some of these hospitals could not be made available for the present use of the Public Health Service in that regard. They called the officials from the Surgeon General's office of the War Department, and they went into an extensive investigation of it.

They asked the officials of the Surgeon General's office of the War Department to indicate to them what hospitals at particular camps could they turn over for that purpose. This list of hospitals, as described in the bill, is a list of hospitals which the War Department said they could turn over for this purpose. These are all that can be turned over just now. But the gentleman from Wisconsin understands that this is simply the beginning of hospital construction and hospital use. Later on the War Department can turn over other hospitals, which they expect to do. Therefore, instead of trying to arrange hospital capacity sufficient now to take care of all the needs of the service, they are simply providing for a sufficient number to take care of the needs for the immediate present, with the idea that they will get more of these cantonment hospitals a little later which the War Department will be willing to turn over.

Mr. STAFFORD. Will the gentleman permit?

Mr. CLARK of Florida. Certainly.

Mr. STAFFORD. As I understand the gentleman's position, there will be other hospitals available for Government use after the War Department has no longer need of them. May I ask why the Government is going to the expense of $1,500,000 in the establishment of a hospital at Dawsonsprings, Ky., when we have these hospitals tributary to the District?

Mr. CLARK of Florida. We will not have hospital capacity to take care of all the sick and wounded of the Government. It is absolutely necessary to build new ones now. The cantonment hospitals will not be sufficient to take care of all of them. And they are not of the character of hospitals for certain kinds of treatment. These particular ones are to be built—one in the city of Washington, one taken over in the city of Chicago, one at Dawsonsprings, Ky., and another at Norfolk, Va. These are the ones to be built and which we are assured by the Public Health Service of the Treasury Department will be needed for this purpose. Just as fast as the War Department can dispense with hospitals at the different cantonments they will be turned over to the Treasury Department for its use.

Mr. STAFFORD. Can the gentleman give any estimate of the total charge on the Treasury by the Government establishing these permanent hospitals throughout the country and for their maintenance and operation?

Mr. CLARK of Florida. No; I can not.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of a point of order.

Mr. WALSH. Mr. Speaker, I renew it. I would like to ask the gentleman a question.

Mr. CLARK of Florida. I am at the gentleman's service.

Mr. WALSH. The gentleman may have explained this before, but I have just come in from a committee meeting and was not able to get away before. There is a provision here which makes available the Battle Mountain Sanatorium at Hot Springs. The bill says it is not required for the facilities for which it was provided. Will that, in the gentleman's judgment, permit the transfer of the patients in that institution to some other place on the ground that they can be taken care of somewhere else, and therefore the facilities are not required?

Mr. CLARK of Florida. I do not understand that they are to remove any patients from there. I understand that they are simply using that portion of Battle Mountain Sanatorium which is not being used for its original purposes. I will yield to the gentleman from South Dakota.

Mr. GANDY. Mr. Speaker, the gentleman undoubtedly has in mind a bill which was before the House some weeks ago, wherein it was sought to transfer this institution temporarily to the War Department for hospital purposes. That bill did contemplate that there might be a transfer from the institution at Hot Springs to some similar institution of those who could be transferred without injury to their health. But there is no such provision in this bill. I may say to the gentleman that the capacity of the institution is somewhere about 600. The War Department has plans for glassing in the verandas, and in that event a considerably larger number of patients could be taken care of. There are only 330 there now.

Mr. WALSH. I desire to direct the attention of the gentleman from South Dakota and the gentleman from Florida to this language:

SEC. 4. So much of the Battle Mountain Sanatorium at Hot Springs, S. Dak., the National Home for Disabled Volunteer Soldiers, with its present equipment, as is not required for the purposes for which these facilities were provided, is hereby made available for the use of the Public Health Service for a period of five years from the approval of this act, unless sooner released by the Surgeon General of the Public Health Service.

Now that language certainly, it seems to me, would permit the officials to transfer patients who were there to some other institution.

Mr. CLARK of Florida. Mr. Speaker, my friend from Massachusetts [Mr. WALSH] is mistaken about that. I want to call the gentleman's attention to the wording of it again—

So much of the Battle Mountain Sanatorium at Hot Springs, S. Dak., the National Home for Disabled Volunteer Soldiers, with its present equipment, as is not required for the purposes for which these facilities were provided, is hereby made available for the use of the Public Health Service for a period of five years from the approval of this act, unless sooner released by the Surgeon General of the Public Health Service.

There is no attempt at all to encroach upon any space that is needed for its original purposes, but the fact, as I understand it, is that a large part of that sanatorium is not in use, is vacant.

Mr. DYER. Mr. Speaker, will the gentleman yield for a question?

Mr. CLARK of Florida. Just a moment; and the whole purpose of this is to allow the Public Health Service to use the portions of it not required for its present purpose, and that is all there is to it. There is no desire at all to transfer the present patients to any other place. That, of course, could not be done.

Mr. WALSH. But it gives opportunity, if the gentleman will permit——

Mr. CLARK of Florida. I do not believe it could be done under the language here.

Mr. WALSH. The language is—

* * * as is not provided for the purposes for which these facilities were provided.

Mr. CLARK of Florida. Who will determine whether it is required or not?

Mr. WALSH. If certain patients are now occupying certain quarters there, and they ascertain that they can be taken care of somewhere else——

Mr. CLARK of Florida. Oh, no.

Mr. WALSH. But I want to be assured that that language, in the gentleman's opinion, is not susceptible of that interpretation, and also to have a further assurance from him, as one of the conferees and as the chairman of the committee, that it is not intended to write this act in such a way as to permit those patients to be transferred at will and turn this entire institution over to this new service.

Mr. CLARK of Florida. I assure the gentleman that it is not so intended on the part of any of the conferees. They do not intend to encroach upon the patients at all. It was the sole purpose of the conferees to take such space as was not needed by them and use it temporarily.

Mr. WALSH. And that they are to be permitted to continue there?

Mr. CLARK of Florida. Absolutely.

Mr. WALSH. I am glad to have the gentleman's assurance.

Mr. DYER. Mr. Speaker, may I ask the gentleman from Massachusetts a question?

Mr. WALSH. Yes.

Mr. DYER. The gentleman from Massachusetts has asked the gentleman from Florida whether it is the intention of the conferees—the gentleman from Florida being one of them—to remove the soldiers who are at this institution?

Mr. CLARK of Florida. Not at all.

Mr. DYER. Or whether it is their intention to interfere with them at all. The gentleman from Florida, of course, will not have anything to do with that matter when this bill is passed. As I understand it, under the act itself creating soldiers' homes the board may transfer every soldier there to some other home.

Mr. CLARK of Florida. There is no such power granted here.

Mr. DYER. They already have the power to transfer them to some other home.

Mr. CLARK of Florida. Does the gentleman think these old soldiers ought to be taken out of that place and transferred?

Mr. DYER. That is not the question, but they have the authority to do so now.

Mr. CLARK of Florida. That is just exactly what we want to guard against. These old soldiers who are in the sanatorium want to stay there.

Mr. DYER. Under the gentleman's agreement in this conference report, and under the existing law creating soldiers' homes, every soldier there can be transferred to some one of the other branches.

Mr. CLARK of Florida. He is not going to be transferred under the operation of this bill. That is dead sure.

Mr. DYER. The conference report does not prevent the board from transferring them.

Mr. CLARK of Florida. But here is the fact about it: Here is a sanatorium, a hospital, owned by the Government, for the purpose of these old veterans, and they are there being treated. There is a large amount of it that is vacant, that is not being used, and the whole purpose of this is simply to take over that which is not being used, and which will not be used, and use it temporarily. That is all there is to it—not to interfere at all with the status of the patients of the home now.

Mr. GANDY. And one thing more in that connection, if the gentleman will permit. Under the language of this proviso, if a sufficient number of veterans of former wars would enter this institution to fill it to its capacity, there would be no space available.

Mr. DYER. They have to make application to enter that branch, and the application has to be approved.

Mr. BURNETT. This does not interfere with the rights of those who could remove them. Certainly no right is conferred upon the Bureau of Health to remove them. It would not be right for us to undertake to interfere with the rights that already exist under the law of transfer, but what we meant is simply that this Bureau of Health could not occupy this if it was needed by the soldiers of any war and as long as it is needed by the soldiers of any war.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. DYER. Will the gentleman state whether there is anything in this conference report that would prevent the Treasury Department or the Public Health Service from making additions to the buildings and facilities there for taking care of patients. In other words, they can put up additional buildings, can they not?

Mr. CLARK of Florida. Oh, no; they can not put any other buildings at this place.

Mr. DYER. They can not put up additions there?

Mr. CLARK of Florida. No; not at this place.

Mr. BURNETT. They can at other places.

Mr. ALEXANDER. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. WALSH. I yield to the gentleman from Missouri.

Mr. ALEXANDER. I am curious to know the attitude of these gentlemen toward the soldiers of this war. I gather from the drift of their inquiries that they do not want the soldiers of the present war to enjoy these facilities although they may be afforded in this institution.

Mr. WALSH. Oh, well, that is not confined to the soldiers of the present war, I will say to the gentleman from Missouri.

Mr. ALEXANDER. To whom else?

Mr. WALSH. To others subject to treatment by the Public Health Service.

Mr. ALEXANDER. Who are they?

Mr. WALSH. It takes in civilian employees.

Mr. ALEXANDER. Does the gentleman believe they will send any others in preference to soldiers?

Mr. WALSH. If they are not, they should be eliminated from the act there.

Mr. CLARK of Florida. They were included in the act. The gentleman from Illinois [Mr. CANNON] raised the question on the floor, and we have simply included all persons whom the Government is absolutely solemnly obligated to provide hospital accommodations for; that is all.

Mr. ALEXANDER. You do not exclude soldiers of the present war?

Mr. WALSH. I do not think veterans of the Civil War ought to be shifted from hospitals to make a place for assistant keepers of the Lighthouse Service, or enlisted men of the United States Coast and Geodetic Survey, or civilian employees entitled to treatment under the employees' compensation act.

Mr. ALEXANDER. I understand their rights are not to be interfered with?

Mr. WALSH. The gentleman asks in reference to the attitude toward the soldiers of the present war, and I am simply calling his attention that this bill is not confined to soldiers of the present war. Undoubtedly in a few years those receiving benefits under this act, the civilian service of the Government, may outnumber the soldiers of the present war, because they will either have been cured or are taking other treatment.

Mr. ALEXANDER. I assume all of us do not want the interests of the veterans of the Civil War to be interfered with in any way, whether by soldiers of the present war or by civilian employees of the Government?

Mr. WALSH. Certainly, I agree with the gentleman on that.

Mr. MILLER of Washington. Will the gentleman yield in order to enable me to ask a question of the gentleman from Florida?

Mr. WALSH. I yield first to the gentleman from Nebraska.

Mr. SLOAN. If the gentleman will yield, I have been taking a good deal of interest in this whole matter for the last two or three weeks because there have been a number of bills affecting this subject introduced and some came upon the floor. What to me appears to be a serious thing is, first, will they under any circumstances interfere with the soldiers of the Civil War who are there now as inmates receiving special treatment which this sanitarium was established to provide?

Mr. CLARK of Florida. Not the slightest.

Mr. SLOAN. The second proposition is, Will it in any way interfere with or calculate to interfere with the incoming of the other Civil War soldiers who might be provided for there and would need treatment and a retreat there for those who have not yet become members of that home?

Mr. CLARK of Florida. Not at all.

Mr. SLOAN. I desire to be assured, because I am in hearty sympathy with the purpose. Here we have a great sanatorium built by the Government for the soldiers, and all we knew at that time were Civil War soldiers. Other soldiers coming in are entitled to consideration, but the first claim is to the Civil War soldiers, and whatever surplus space and equipment there, after the soldiers of the Civil War who are in there now, may be used for soldiers of this war, or other persons included in this report, and it goes no further than that. Is that the construction of the conference committee?

Mr. CLARK of Florida. That is the construction, as the gentleman stated it.

Mr. MADDEN. I beg the gentleman's pardon. This does not give any preferential rights to soldiers of the present war. This bill provides for the care of all persons enumerated in the bill, the employees of the geodetic service, merchant marine, Coast Guard, Engineer Corps, Lighthouse Service, of all the different branches of the service enumerated in the act, and has no reference whatever to preferential right for soldiers of the present war. There will be no prior rights given to soldiers of this war.

Mr. SLOAN. May I ask, Is it a fact that all during the next five years people pressing for treatment are more liable to be soldiers of this war than civilians?

Mr. CLARK of Florida. Absolutely.

Mr. SLOAN. I am speaking of the general proposition; that they would be looked after rather than civilians.

Mr. CLARK of Florida. Absolutely. I want to say to the gentleman that we are bound by a solemn act of Congress to take care of the different persons who have been mentioned in the bill, to give them hospital accommodations and treatment; but the gentleman knows and everybody knows that the soldiers of this country, of whatever war it may be, will be given preference in all these hospitals. It has been that way and always will be. We are preparing here just a beginning. No man can tell how much hospital accommodations are going to be required. We have got about 15,000 now asking for treatment. We are trying to take care of those as best we can. The fact of it is there will have to be other accommodations and larger accommodations

provided to take care of all those wounded and sick growing out of this war.

Mr. MILLER of Washington. Will the gentleman yield for a question?

Mr. CLARK of Florida. Yes.

Mr. MILLER of Washington. Somewhat separate from the line the gentleman is speaking on now. I call the attention of the chairman to section 10 of the report. I would like to ask him in reference to the elimination of employees from the civil service that this service shall be employed without regard to the civil-service law.

What is the significance of that language and what is the purpose of it?

Mr. CLARK of Florida. It was in the House bill that passed the House and was not in conference at all.

Mr. MILLER of Washington. I am familiar with the act that passed the House.

Mr. CLARK of Florida. This provision was in the House bill and passed the House and was not in conference at all.

Mr. MILLER of Washington. But if I mistake not, there are several clauses here found that are over and above what the House measure carried.

Mr. CLARK of Florida. I think not.

Mr. MILLER of Washington. That is my amendment. I have not the bill before me.

Mr. CLARK of Florida. I think not. But the gentleman knows this clause was originally inserted for the purpose of giving a free hand for the erection and construction of these hospitals and the remodeling of hospitals quickly, so as to give these people the benefit of them at the very earliest possible date.

Mr. MILLER of Washington. Then the gentleman is sure there is nothing carried over and above what was in the original House bill? My memory was different, but I will take the chairman's word for it.

Mr. OSBORNE. Mr. Speaker, there are no people in America who are more interested in proper hospital facilities for the soldiers of the present war than the veterans of the Civil War. Naturally it is so, because great numbers of them are their sons and their grandsons, and they feel a deep interest in every facility, and especially hospital facilities, which will be for their benefit.

But there was introduced into the House, and was discussed here on the floor two or three weeks ago, a bill upon this very subject of the Battle Mountain Sanatorium, which provided that these veterans of the Civil War and of the Spanish War were to be removed from this place. Naturally those who were interested in the soldiers of the Civil War feel a desire for assurance at this time that this is not in any way a renewal of that suggestion.

Mr. CLARK of Florida. Not in the slightest, I can say to the gentleman.

Mr. OSBORNE. That is what we want to know.

Mr. CLARK of Florida. Not in the slightest. I should not favor that myself.

Mr. OSBORNE. We want to know that these men are not to be removed, but that these soldiers of the Civil War of 55 years ago are to be left there in comfort in the homes provided for them.

Mr. CLARK of Florida. That is the entire purpose of the act, I will say to the gentleman.

Mr. OSBORNE. And that those who need these facilities at the home, as suggested by the gentleman from Nebraska [Mr. SLOAN], are not cut off?

Mr. CLARK of Florida. Oh, no. There is no such intention at all. It is simply to use the vacant space.

Mr. SLOAN. That bill provided that that sanitarium was to be transferred to the War Department, which was very obnoxious and objectionable to the members of that institution.

Mr. WALSH. Will the gentleman yield further?

Mr. CLARK of Florida. Yes.

Mr. WALSH. There are included in the conference report, under section 7, six or seven subdivisions—Cook County; Dawsonsprings; Norfolk, Va.; and Stapleton, Staten Island—and then an authorization for a site to be selected by the Secretary. When the Dawsonsprings project was before the House, objection was urged to it on the part of a great many Members that the department should present some general scheme which would be adequate to furnish accommodations for all who probably would need hospital treatment and the facilities and equipment incident thereto. Does this measure present the general scheme now of the War Risk Bureau and Public Health Service to take care of what they calculate and estimate to be the number needing treatment?

Mr. CLARK of Florida. You mean altogether?

Mr. WALSH. Yes, sir.

Mr. CLARK of Florida. Well, I will say to the gentleman from Massachusetts, as the gentleman knows, there are hospitals at all of these cantonments over the country.

Mr. WALSH. Yes.

Mr. CLARK of Florida. Now, we have designated in this bill all of the cantonments which we can get. It is hoped, and it is extremely probable, that we will be able to get a large number of hospitals at the cantonments that are now being used for the Army. So, therefore, the committee did not think it was wise to provide for the construction of a large number of new hospitals when we could probably get these other hospitals a little bit later on and with practically no additional cost to the Government. So that the bill at present does not provide all of the hospital accommodations which the Government is likely to need, growing out of this war, but they hope to get them from the other cantonments throughout the country without expending millions of dollars for them.

Mr. WALSH. Does it provide for all the additional construction which it is thought will be necessary outside of possibly altering and enlarging the hospitals at the cantonments?

Mr. CLARK of Florida. It provides for all the additional construction which is needed now. It is possible that they may have to build another hospital or two. I do not know. No one knows. We can not possibly tell until they find out just how many patients they are to have and how long they are to require treatment, and so forth.

Mr. BARNHART. Will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. BARNHART. I might say to the gentleman that the representatives of the Public Health Service and of the War Department and the Bureau of War Risk Insurance were before the committee and set forth that there are a large number of hospitals now being created in the United States, most of them leased, as a matter of fact, and that these are available until such time as it can be determined what the permanent hospital facilities of the Government should be; and until that time only such are asked as are absolutely necessary to provide the accommodations for the decrepit men as the emergency necessitates. Therefore the bill as reported, it seems to me, in its economic features is fully safeguarded, because it is utterly impossible to ascertain at this time just how much of facilities we are going to need.

Mr. WALSH. If we keep soldiers in Russia and in Germany for the next five years, it will take us 50 years to catch up with hospital accommodations.

Mr. BARNHART. That is what I am saying to the gentleman.

Mr. WALSH. My inquiry was to know if this is in any way the general scheme of the two departments to provide the hospital facilities which they estimate will be required; that is, by additional construction and by transfer of cantonment hospitals to the jurisdiction of the War Risk Bureau and Public Health Service?

Mr. CLARK of Florida. This is what they agree upon as being needed now: Both departments hope, and those that had the matter in charge hope, that it will not be necessary to build other hospitals. But, of course, we can not tell. It is utterly impossible, as the gentleman knows, for us to tell at this time whether it may be necessary to build another hospital or not.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Well, will the gentleman state what is to prevent the taking over of these hospitals at the cantonments in this country?

Mr. CLARK of Florida. They are needed by the Army. The Army is using them.

Mr. WALSH. Six hundred thousand men are being detained at these cantonments now, men who want to be discharged. If they were discharged the hospitals would be available, would they not?

Mr. CLARK of Florida. Mr. Speaker, I do not know whether they would be or not. They are holding them because the War Department says they need them.

Mr. WALSH. They are holding the men?

Mr. CLARK of Florida. They are holding the hospitals, because they say they need them. Now, we have got to trust somebody. Somebody has got to say whether they are needed or not, and I know of no better authority than the War Department, which has this matter in charge. They say they have turned over to us all which they possibly can deliver at this time.

Mr. WALSH. Yes.

Mr. CLARK of Florida. Later on they will be willing to turn them over as they can dispense with them, and then we shall be able to tell whether it will be necessary to authorize the construction of any further hospitals.

Mr. WALSH. I trust that the gentleman from Florida will do me the honor to agree with me that as long as we keep the men at the cantonments and do not discharge them they will need hospital facilities at the cantonments for those men who are not being discharged.

Mr. CLARK of Florida. Yes.

Mr. BURNETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURNETT. I want to know whether this discussion is going on in response to questions that gentlemen are propounding under the reservation of a right to object, because if an hour is permitted to be used in this way it can not be allotted to gentlemen desiring to speak. I want to know if this is in response to questions pending the reservation of a point of order, and whether it is to be included in the hour given for debate, if an hour is decided on?

The SPEAKER. The Chair understands that this talk for the last half hour has been on a point of order that the gentleman from Massachusetts [Mr. WALSH] threatens to make or reserves the right to make. It would not be taken out of the hour.

Mr. WALSH. It will not be taken out of the hour, I trust, Mr. Speaker.

The SPEAKER. No; it will not.

Mr. DYER. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is for the gentleman from Massachusetts either to make or to withdraw his point of order.

Mr. DYER. I am perfectly willing that the gentleman from Florida shall have the time necessary to discuss the conference report.

The SPEAKER. The truth is that the discussion has drifted in a general confabulation about this bill.

Mr. CLARK of Florida. Mr. Speaker, I think the House has the right to know something about the bill if it wants to.

The SPEAKER. Certainly.

Mr. WALSH. Mr. Speaker, I withdraw the reservation.

The SPEAKER. The gentleman from Massachusetts withdraws the reservation of the right to object.

Mr. CLARK of Florida. Mr. Speaker, I move the adoption of the conference report. I move the previous question.

Mr. GOOD. Mr. Speaker, I hope the gentleman will not do that.

Mr. STAFFORD. The reservation of the point of order was not expected to stop discussion on this report. There was no discussion on the Chicago hospital item.

Mr. CLARK of Florida. It the gentleman will be patient, we can reach some conclusion as to the disposal of time.

Mr. MADDEN. Does the gentleman from Florida think it necessary for the gentleman from Wisconsin to keep still in order to reach a sensible conclusion? [Laughter.]

Mr. STAFFORD. Sometimes it is necessary to speak plainly about these matters.

The SPEAKER. The gentleman from Florida has 20 minutes left.

Mr. CLARK of Florida. No, Mr. Speaker——

Mr. BURNETT. That was the parliamentary inquiry that I made.

Mr. CLARK of Florida. Does any other gentleman desire time?

Mr. AUSTIN. I may want five minutes.

Mr. MADDEN. I want five minutes. I may not use it all.

Mr. MANN. I should like to have five minutes.

Mr. GOOD. Mr. Speaker, will the gentleman yield to me for a question?

Mr. CLARK of Florida. No; I want to arrange about the time.

Mr. GOOD. I do not know that I will want any time if the gentleman will make a statement.

Mr. CLARK of Florida. I will yield five minutes to the gentleman.

Mr. GOOD. Mr. Speaker, the subject I wish to inquire about is one that I do not have sufficient information about to enable me to discuss it intelligently, but it is a matter upon which I would like to have some knowledge before I vote either for or against this bill. It is a matter that I think should be explained in fairness to the parties in interest and to the Government.

I am told that there has been maintained here in Washington during the past few weeks one of the most expensive lobbies that was ever maintained in Washington for one of the items in this bill. I have some doubt as to the correctness of this report, and have been unable to verify it. Personally I do not know how correct it is. It may have no foundation at all. I understand that that information has come to the committee. If I am mistaken, I want to be corrected. The lobby, as I understand it, is to have a proposition accepted to give a hospital to the Government. Some one in Chicago, I understand, either wants to present to the Government a hospital that he has contracted for, that is to cost some millions of dollars, and the Government is to pay for it and take a contract for its construction off his hands. From the language of the report there seems to be some contract connected with it, and if I am correctly informed, after the Government has used the hospital for the treatment of returning soldiers, this man is to take it back for a certain percentage—about 40 per cent, I am told—of what the Government pays for it, and then this man agrees to give it to the city of Chicago as a memorial to his son who lost his life in France. I do not know the extent to which the Government is bound by such contract. I am told that an expensive lobby is being maintained here in Washington in the interest of that proposition, and I think Congress ought to know all the facts in regard to it if that is true.

It is barely possible that if all the facts were known no objection would be made to it; that an explanation will fully justify the Government in the transaction as well as the donor. And it is due to both that all the facts be made public. I submit that so far as I can read the facts in this report they are not fully disclosed. They should be in view of the rumors referred to. I may be misinformed. I hope I have been, for I do not want to do anybody an injustice, but before this bill passes the full facts should be disclosed.

Unless the whole transaction is fully explained, we may be doing something that on full disclosure of the facts we would not do. Before we pass this bill we should know not only our rights but our obligations under the legislation proposed. We ought to know what the facts are.

If somebody wants to make a donation to the city of Chicago or to the Government, he ought to be permitted to do it, but no man ought to be permitted to reach his hands into the Treasury of the United States and take from there the cost of a building and with it erect a monument to his family. Men ought to erect monuments to their families out of their own pockets and not out of the proceeds of the United States Treasury. I would like to know from the gentleman from Florida or some one who knows all about it what the facts are.

Mr. MADDEN. If the gentleman will permit me to answer that, I will try to do it.

Mr. GOOD. And I will say that when this information is fully given I may not have any objection whatever, and other Members may not have any objection; but I do think that when we are considering a matter that involves $3,000,000 all the facts ought to be laid before us, so that we may know just what we are doing, and especially is this true in a case where there is some contracts to be executed in the future.

Mr. CLARK of Florida. I yield to the gentleman from Illinois [Mr. MADDEN] five minutes.

Mr. MADDEN. Mr. Speaker, I wish to say at the outset that I have no interest, direct or indirect, in any lobby, and I know nothing about the matters stated by the gentleman from Iowa [Mr. GOOD]; but I have taken pains to investigate the hospital facilities being afforded to the vicinity of Chicago. I have done this because of the large number of soldiers sent to the front from the State of Illinois. Our State sent something like 300,000 men to the front or to the camps, and necessarily we have a great many wounded men coming back. The people of our State were anxious to have facilities for the care of these men as near home as possible. I think the War Department, through the Surgeon General's office, investigated the question about which the gentleman from Iowa [Mr. GOOD] has spoken, and the report made by the Surgeon General's office was to the effect that such an institution as the one referred to by him should be established. The building erected on the ground referred to is 2,040 feet long, four stories high, and of the best permanent construction that it is possible to make. The building itself cost, I should judge, something in the neighborhood of $1,500,000. It is a permanent structure of the best type, built under the direction of the Surgeon General. I understand there was no formal contract entered into between the parties who erected the building and the Government; that the contract had been prepared but not signed. In addition to the building there are 320 acres of ground. It is located substantially in the heart of the city of Chicago. It is surrounded by a great fence that makes it a private institution, so to speak. The land is worth at least $1,000 an acre, in my judgment, and will continue to grow in value as time goes by. If there ever was an ideal spot for the care of men who are to be rehabilitated, this is the spot.

Now, the interest that I took in it was this: They were building temporary wooden structures at Fort Sheridan for the care of our soldiers. Fort Sheridan is 37 miles away from Chicago, the structures are temporary in character, built of wood, regu-

lar fire traps, and I did not like to think of our soldiers being put in those fire traps. Besides, if the father and mother of a soldier who was being treated at Fort Sheridan wished to see him, it would take them a whole day to go and come and cost them about $2 apiece for railroad fare, whereas they could go to this place in Chicago in two hours, there and back, at a cost of 10 cents apiece.

Now, there ought to be some consideration given to both sides of the question. First, this building in Chicago is permanent. I had an idea once that what we ought to do would be to have our State build a permanent structure; that is, to pay the difference between the cost of a temporary structure and a permanent structure. It was proposed to the War Department with the idea that our State take it over at the end of the war; but the Government of the United States, through the War Department, would not listen to that proposition. The cost of this Chicago building to the Government, if you base it on the number of beds, will be less per bed at the price proposed in the bill than the cost of the temporary wooden fire traps that they are building at Fort Sheridan, and the Chicago building is permanent and fireproof. I say the cost will be less per bed. I mean what I say. I have gone into it as a builder. I have looked into the cost from the practical knowledge I have. I have no interest in the question of whether the individuals connected with this have a contract or make the sale. I do not care whether you adopt this or not, but knowing this matter was coming up for consideration, I thought I ought to know something about it, and I went out and looked at the building. I went into it and over it and examined its construction in every detail. I have been in the building business all my life, in a large way, and pretend to know something about it. I give you my word that I never saw a better piece of construction. It is specially designed under the direction of the Surgeon General's office.

Mr. BURNETT. Of the War Department?

Mr. MADDEN. Well, the War Department and the Surgeon General's office combined. It was specially designed by them and constructed under their direction, although there is no contract and has been none, though everybody connected with it thought there was, as I understand it. I do not care what you do with it. It makes no difference to me. My only interest in examining it was to see whether it was a suitable structure. I say we ought to have permanent, fireproof construction for the men who are to come under our care as the result of injury. I say they ought not to be put into fire traps made of wood, costing more than the fireproof hospital.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. GOOD. The gentleman has not answered my question yet.

Mr. MADDEN. If the gentleman wants to ask me a question, I should like to have a minute.

Mr. GOOD. What is the proposition? After the Government acquires this, is it to be transferred to some other control?

Mr. MADDEN. I do not know. I have no knowledge of that.

Mr. AUSTIN. I will answer that.

Mr. CLARK of Florida. I yield five minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. DYER. Will the gentleman permit an inquiry in the nature of a parliamentary inquiry? I should like to know, Mr. Speaker, what the program is, if any, to-day with reference to this matter or any other matters that are coming up?

The SPEAKER pro tempore. The Chair can not inform the gentleman what is coming up.

Mr. DYER. Is there anyone here who knows whether there is anything else coming up after this conference report? I make the inquiry so that we can get a quorum here, if we are going to discuss important matters.

Mr. TAYLOR of Colorado. I think we have two or three conference reports.

Mr. DYER. I should like to know if any other bills are going to be brought up to-day.

The SPEAKER pro tempore. The Chair has recognized the gentleman from Tennessee [Mr. AUSTIN]. The gentleman from Missouri [Mr. DYER] was recognized to submit a parliamentary inquiry. His inquiry was not a parliamentary inquiry. The gentleman from Tennessee [Mr. AUSTIN] is recognized.

Mr. DYER. Pending that I make the point of no quorum.

Mr. CLARK of Missouri. The gentleman can not do that when the gentleman from Tennessee has the floor.

Mr. DYER. I can make the point at any time, but I will withdraw it until the gentleman from Tennessee finishes his remarks, with the understanding that I will renew it, unless I can get some information as to what is to be the program for to-day.

Mr. CLARK of Florida. If the gentleman will go to those who know, he can find out.

Mr. AUSTIN. Mr. Speaker, I signed with my colleagues the conference report now being considered by the House. I did not do it until I had made a thorough investigation of the hearings in the Senate which lasted about a month. I not only read the hearings with an open mind, but discussed with the members of the subcommittee of the Senate all the rumors referred to by the gentleman from Iowa [Mr. GOOD], one of whom was for many years an honored Member of this House, the Senator from Wisconsin [Mr. LENROOT]. Then I talked privately with the Members of this House representing the city of Chicago. In my judgment, the best proposition carried in the pending bill is the Chicago hospital, looking to the best interests of the Government and the welfare of the soldiers and sailors.

I do not know Edward Hines, of Chicago; never saw him; would not know him if I were to meet him, and no one has approached me on the subject of the Government taking over his hospital. I understand he retained an attorney to appear before the Committee on Public Buildings and Grounds of the Senate, a former Member of Congress from New York, Hon. William S. Bennet.

The necessity of an attorney, in my opinion, after reading the Senate hearings, was on account of a controversy Mr. Hines's partner had with a Chicago real estate man, who became connected with the Government. There was a dispute as to an offer submitted to this partner by the real estate agent that he would use his influence with the War Department officials, for $100,000 commission, to put over the proposition.

When Mr. Hines heard of this unlawful offer he sent for his Chicago attorney and later came to Washington City and reported the entire matter to the Secretary of War. He said not one cent should be paid in the way of a commission; absolutely repudiated and denounced it, and his conduct, according to the sworn testimony, from the beginning to the end is to his credit. These false rumors about a paid lobby in Washington were put in circulation by Mr. Hines's malicious enemies, and I can assure the gentleman from Iowa [Mr. GOOD] that there is absolutely no foundation for them.

According to the statement made by reputable leading citizens of Chicago Mr. Hines is a man of the highest standing and justly entitled to the confidence and respect of the public. He gave a son to the Army who lost his life in France. He subscribed $2,000,000 to the liberty loans. He has already expended over $750,000 on the construction of this hospital on land he owns. He did it after his representative came to Washington and submitted the proposition to the officials of the War Department. They made a personal investigation and they directed Mr. Hines's agent to go forward and the contract would be signed by the Secretary of War. Time was essential because the ships were returning with maimed and wounded soldiers.

The official report approving and recommending the construction of this hospital is signed by two majors, one lieutenant colonel, two major generals, and one brigadier general representing the Inspector General's office, the Surgeon General's Bureau, the construction department, and the Judge Advocate General's office, all of whom made an examination of the property, and so forth.

This hospital now is within five weeks of completion, at a cost per bed less than any other hospital provided for by Congress, except in the Corpus Christi, Tex., case. Not one cent of profit does it carry for Mr. Hines.

The hospital architects of the War Department drew the plans and prepared the specifications, and 800 men were put to work within a few days, and all materials assembled for a fireproof building. When completed it will be the greatest hospital in America, if not the greatest, most modern in the world.

Then these rumors with reference to an alleged bribe came up, and the Secretary, or one of his subordinates, hesitated or declined to sign the contract, either for that reason or because the Secretary believed under the law he could not erect a permanent hospital. Mr. Hines in good faith accepted the statement of the subordinate of the War Department and prosecuted the work to the extent of spending over three-quarters of a million dollars on it.

He makes this proposition, that if the Government desires him to complete the proposition he will finish it; the Government can use it for eight years, and then he will take it back, pay to the Government 40 per cent of the original cost and present the hospital to the city of Chicago as a fitting memorial to his gallant, patriotic son, who freely gave his life to the Republic he loved so well.

Now, I challenge the statement from the sworn record that there is an expensive paid lobby in Washington City to put this proposition over, for none of my colleagues in this House upon the Committee on Public Buildings and Grounds have ever been talked to or approached on the subject. The three Members of the Senate who sat with us on the conference committee assured us that they had no evidence of it, and they carried on an exhaustive investigation, lasting four weeks. No lobby was needed to secure favorable action on this meritorious offer. It appeals to the common sense, the sound judgment, and the patriotism of every Member of Congress.

Mr. Speaker, there is no selfish, sordid personal motive in this generous, noble, patriotic proposition of Mr. Hines. I do not know a parallel case in America, as far as the interests of the soldiers and sailors are concerned, where any public-spirited citizen has done what he is doing and has offered to do in this case. I stand here a perfect stranger to him, and I say it is unkind, in view of what he has done, to have it stated that he is trying to put over something that is improper, unmanly, unjust, or unfair. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Speaker, I am not going to devote my time either to the defense or the condemnation of any project. I want to say this, however, in regard to the Chicago proposition: The statement the gentleman from Tennessee [Mr. AUSTIN] has just made, that the hospital is almost now completed, does address itself to my favorable consideration. I know nothing about the facts of the case; I have seen the pictures that my colleagues from Illinois, Judge SABATH and Mr. MCANDREWS, have shown me. It is an immense building, an economically constructed building, in my judgment, and I know nothing shady about it. My friend from Iowa [Mr. GOOD] did not state that there was any lobby. The gentleman was perfectly fair, and he asked a legitimate question, because rumor had been going around and the gentleman had a right to ask the question and to know the facts.

Mr. GOOD. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. GOOD. I want to say that I know absolutely nothing about it except a rumor, but there was a rumor in regard to it. I want to ask the gentleman this question: Did I understand the gentleman to say that the building was commenced under some agreement originally with the War Department or the Surgeon General for the building of a Government hospital there?

Mr. BURNETT. That is my understanding. I want to say that my objection to this report is that we were not given enough information. This information ought to have been conveyed to Members of the House, and should have been given to the House committee. I refused to sign this report until yesterday, because when the Dawson Springs proposition came up and a fight was made against singling out any locality, the House itself expressed its desire not to single out any proposition, but to make a lump-sum appropriation for hospitals to be located by a commission and constructed by the Treasury Department.

Mr. HUSTED. Mr. Speaker, will the gentleman yield?

Mr. BURNETT. Just for a question.

Mr. HUSTED. In view of the fact that it has been stated here that there was no contract with the Government, formal or informal, how does it happen that this building was constructed under the plans and specifications prepared by the Surgeon General's office or by the War Department?

Mr. BURNETT. I think I made myself clear when I stated that I do not know about those things, and that is the main objection that I have to this report. I have signed the report, and I have signed it because I regard it as an emergency matter. I stated in reply to the query of my friend from Wisconsin [Mr. STAFFORD] a few days ago, when attention was called to the fact that the Senate had gone into specifications and had named this place and that place, that I did not like it, and he asked if I would oppose it, and I said that I would, but that I would not oppose it to the extent of jeopardizing the bill. I have done just that. I agreed to the report in respect to the Dawson Springs proposition some weeks ago, because we had before us day after day representatives from the Bureau of Public Health, and I thought we had information as to its desirability, availability, and immediate necessity. But when the House by its action overruled that view I felt I was instructed virtually to stand for a comprehensive scheme, and I did not believe that the Treasury Department ought to put on you and me the duty of selecting any place, be it good or bad. That was my position.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. BURNETT. For a question.

Mr. CANNON. I do not know much about this. The Dawson Springs proposition is in this report?

Mr. BURNETT. Yes.

Mr. CANNON. When is that to be completed, when can it be had, if the report should be adopted?

Mr. BURNETT. It will take a good while——

Mr. CANNON. One, two or three years?

Mr. BURNETT. Perhaps a year. My recollection is that the hearings show that it can be completed within a year; but I am not sure about that.

Mr. CANNON. It is still at an estimated cost of $3,000 a bed?

Mr. BURNETT. I do not know about that.

Mr. CANNON. I recollect that on a former occasion, when it stood alone, it was stated that it would cost $3,000 a bed.

Mr. BURNETT. Yes.

Mr. CANNON. When is this Chicago hospital to be available?

Mr. BURNETT. They tell me that within six weeks it can be completed, and there is the strength of that proposition, regardless of whether there is a lobby here or not.

Mr. CANNON. I think some one told me who professed to know that it will cost the Government for the Chicago proposition in six weeks $1,000 a bed. It that correct?

Mr. BURNETT. I think so.

Mr. CLARK of Florida. One thousand three hundred dollars a bed. It is much less than any other we have anyway.

Mr. CANNON. Whether it is $1,300 or $3,000, if any of them are necessary, and this information is reliable—and I do not know a thing about it—I suggest that this is the best one of the lot for the cost to the Government. While I live in Illinois and have lived there for many years, I have never had any particular love for Chicago. Chicago had less than 100,000 people, however, in 1860, and to-day it has two millions and a half, and we can not stop its growing and the necessity for hospitals.

Mr. BURNETT. I am not here to either defend or condemn. The Speedway proposition is one that has been assailed. I stand right where I stood when I asked that this bill be referred to conference. I believe that the Treasury Department, through its Bureau of Health, ought itself to determine these questions, and it aroused my suspicion that something was wrong somewhere when neither the War Department nor the Treasury Department nor anyone else wanted to assume the responsibility, but wanted us to assume it without knowing anything about it. They have technical experts to look to the matter much better than we had, in view of the fact that we had never had a witness before us in the House committee on these propositions. I have stated what I have believed to be the virtue of this Chicago proposition. If the Senate bill had been called to our attention 10 days ago, I should have insisted that it be brought back to this House, and that we be instructed upon the question of specific designations. The objection of the Senators to our bill was that it carried a lump sum of ten million dollars and over. I said to the Senate conferee who made that objection, "Are you not voting for lump-sum appropriations every day, and in this very conference report is there not another lump-sum appropriation of one million and a half dollars?" It is only because I regard it as in imperious necessity that something should be done now that I on yesterday reluctantly signed the report, and if gentlemen will do me the honor of reading the additional statement made by the chairman of the committee and myself they will see exactly my attitude in regard to the matter.

I want to say one other thing. You will notice there is a provision in the bill which makes it much better than it was as it passed the Senate. The Secretary of the Treasury is empowered by the conference report to determine whether some other places are not better than these, and if so to adopt them. My idea was to put it squarely up to them to determine, in the first instance, which were the best, and if these are not the best then to select some others.

That was my insistance. I hope this bill will pass, because there are some places that we can get in the next few weeks. Another thing I regard as helpful in this is the fact that we are taking over several of the camp hospitals which the Government already owns. Some gentleman, not in an unkindly way, has referred to the fact that most of these are located in the South. It is simply because the War Department has said that they were the only ones they could give up now. When the representatives of the War Department and the Treasury Department were before the House committee on this bill it was stated that the War Department at that time had only two, I believe, that they could give up to the Treasury Department for the purpose of the construction of these hospitals. Now

they come up and give these and say that as time progresses and as the soldiers are demobilized they hope to be able to yield others.

I felt it due to myself on account of the answer that I made to the question of my friend from Wisconsin [Mr. STAFFORD] that I should state that my attitude has not changed. I believe that we ought to have better faciliies, and I expressed, when the bill was before the House, a very high confidence in the Bureau of Health and, I am sorry to say, that the Bureau of Health has not confirmed that confidence by its action in regard to this matter. We ought to have had full information about these matters before the House committee, and, but for the fact that human lives may be at stake, that men may die for the lack of early treatment that can not now be afforded, I would never have signed this report.

Mr. MASON. Mr. Speaker, may I have two minutes?

Mr. CLARK of Florida. How much time does the gentleman from Wyoming desire?

Mr. MONDELL. I suggested I would like to have five minutes, but if the gentleman from Illinois desires some time I will yield for him to make a statement.

Mr. CLARK of Florida. How much time does the gentleman from Illinois want?

Mr. MASON. I would like to have two or three minutes.

Mr. CLARK of Florida. I will yield two minutes to the gentleman.

Mr. MASON. Mr. Speaker, in that time, of course, I can not discuss the hospital. The report makes it perfectly apparent that it is right and best for the Government. I rise now to speak in these two minutes for the young man in whose memory some time it is hoped that this hospital may be dedicated. He did not have to go to war. He had all the opportunities in life to keep out. He gave himself a voluntary sacrifice. He fought with your son and mine. The most bitter, cruel, indecent thing that can be done, now that a generous father seeks to give, at the expense of possibly a million dollars, a monument for the benefit of those who are sick and in trouble, and claims only the poor boon of having the name of his son given to it, is the mere suggestion of selfishness in the gift, and it is so absolutely puerile and small and wicked that I rise to protest against it in the name of the brave young man who gave his life for your country and mine. There is not a dollar of corruption. There has been no lobby. He has had an attorney, I am told, to defend his own good name. There have been women here—in a lobby you call it? It was a lobby of the mothers of the city of Chicago, who did not want their boys housed in the cheap fire traps up there that the Government was prepared to build. Their lobby was in the interest of your son and mine who come home crippled and wounded. I never saw them but two or three times, and they had a right to come here. You may call them a lobby if you like, but they came here not to lobby for a building to be dedicated to the memory of this brave young man, Hines, but they came here protesting against the use of the fire traps at Fort Sheridan and elsewhere to be used by our boys who come back sick and crippled. They came here to plead that the Government would have sense enough to turn aside from the scandal mongers and blackmailers who tried to prevent a generous man from being generous, from doing something in the interest of his own city and country and at the same time in honor of his own son, one of the bravest boys who crossed the water under your flag and mine. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I had not intended to speak upon this matter at all and do not profess to have any great knowledge of it, but necessarily have some from reading the Chicago papers. Mr. Hines in December talked with me about the proposition which he then had in the War Department. If there is a lobby here I do not know anything about it. No one has been to see me since or lately. This is the situation: Mr. Hines's son was in the Army in Europe. He was taken to a hospital supposed to be very seriously ill. Mr. Hines's applied for permission to go abroad to see him; could not get a passport, and the boy died. Of course, the circumstances were distressing. Mr. Hines was willing to charter a vessel to take him abroad if one could be obtained. His wife and he were deeply affected by this blow. Mr. Hines conceived the idea of aiding the Government by constructing a fireproof hospital to be used as the Government might use a temporary wooden-constructed hospital. The War Department was constructing a good many temporary hospitals, wooden structures, throughout the country; among others, some at Fort Sheridan. Mr. Hines proposed to the War Department that he be permitted to construct a fireproof hospital which the Government might use temporarily, and at the end of the time the Government saw proper to use it that he might have it back on the basis of the wrecking value of a temporary hospital. So that the Government would recover just as much from the hospital as it would recover from the wrecking of a wooden, nonfireproof hospital. That arrangement was approved by the Surgeon General's office in the War Department, and by the Quartermaster's Department, by all officias of the War Department dealing with the matter. Contracts were drawn up. Mr. Hines, before they were drawn, however, was directed to go to Chicago and commence the construction of the hospital, which he did. The War Department officials superintended and supervised its construction. The contracts were prepared, signed, or initialed by all of the War Department officials who would have to deal with this matter. This was with the knowledge of the Secretary of War, as I am led to believe, and was approved by him.

But meanwhile Secretary Baker had gone abroad. The Assistant Secretary of War declined to sign the contract. Mr. Hines came to me at that time and asked me what my advice would be. I advised him to see the Secretary of War and have the matter gone over again and have a commission appointed of the War Department, if he could, or ask for one, to report to the Secretary of War. I do not think it was because of this advice of mine, but the Secretary of War appointed a commission to investigate this hospital, and they, unfortunately, probably, recommended that the Government take the hospital as a permanent one. That probably prevented the original contracts from being signed, because the Secretary of War, while he had the authority to provide for the construction of temporary hospitals for the Army, did not feel that he had the authority to provide for a permanent hospital for the Army. And I think he was right in that respect. The matter was gone into by one of the Senate committees and an investigation was made that was quite thorough, and they are the ones who reported in favor of this item.

Now, I do not profess to know much about what the Army ought to do about the hospitals. I do not know just what the arrangement is now in the War Department to which reference is made here, though I expect it is similar to what I have stated. But if this is accepted, the Government gets what I am led to believe is the most perfectly constructed hospital in the world to-day. No expense was spared in making this a perfect hospital, with all the appointments of such an institution, and of fireproof construction. I know from what Mr. Hines said to me when he called upon me that his ambition was in the end, because of peculiar conditions relating to the death of his son, to get back this hospital at its wrecking value and donating it to the public.

Mr. TAYLOR of Colorado. Will the gentleman submit to a suggestion?

Mr. MANN. Certainly.

Mr. TAYLOR of Colorado. The Government is not compelled to turn it back if it does not want to do so.

Mr. MANN. I do not know what the arrangement is.

Mr. TAYLOR of Colorado. My understanding is that it is not.

Mr. MANN. I do not know what the arrangement is. I can not say, as I am not informed. If the Government keeps it, it gets the hospital at a much less cost than it can construct a hospital, I am told by gentlemen on the floor and elsewhere. I am not posted about that. Even if it does not desire to keep the hospital in the end, I doubt very much whether it will unload the hospital now upon a basis which would secure to the Government the best hospital facilities in the world temporarily, with no loss to the Government by the construction of a temporary hospital.

Mr. CLARK of Florida. Mr. Speaker, did the gentleman from Illinois use all of his time?

The SPEAKER pro tempore. Yes.

Mr. CLARK of Florida. I yield two minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Speaker, when I rose to make inquiry with regard to this item a few minutes ago it was not to cast any reflection upon anyone. I stated at the outset that I knew nothing about the matter. I had gone to some of the members of the committee and they told me they were not satisfied with the hearings they had, and that there were some things about which they wished they knew more. From some of the members of the committee I also learned they had heard the charge of the existence of the lobby. I only rose to see if we could get some information on the subject. I know that Mr. Hines is a man of high character and great business ability. I realize the fact that a great grief has come to him. I do not want to be placed in the position of criticizing him, or preventing any

man who has made the sacrifice that he has made to erect a monument to a son that he gave in this great war. My only reason for raising the question was to find out the facts. I now understand before the armistice was signed, while the war was on, Mr. Hines had entered into a contract that was not completed with the Surgeon General for the building of this hospital.

Now, I think there should be no discrimination between a contract of that kind and a contract that was entered into for the production of war materials and that was not completed; that this contract should be validated if it is as these gentlemen explain it, as other contracts are to be validated under a recent act of Congress. And, as I understand from gentlemen, this contract provides that Mr. Hines may, if the Government desires, take the building over at its wrecking value, but if the Government desires to retain it for all time as a Government hospital it has reserved to itself the right to do that. Now, if that is the fact, and if it is also a fact that we are having here constructed a fireproof hospital, one of the most modern in the world, at a cost to the Government less than the cost of a temporary structure, I think the Government has struck a good bargain, and that the Nation owes Mr. Hines an additional debt of gratitude. It would not have been fair either to Mr. Hines or the Government to have allowed this bill to pass without a full explanation of this item. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. KREIDER], a member of the committee.

Mr. KREIDER. Mr. Speaker and members of the committee, this is the conference report on the bill on which I had written a minority report opposing its passage and pointed out in that report the objectionable features. The report shows that all of the old bill has been stricken out after the enacting clause and the bill has been rewritten, and in this conference report the objectionable features, the points and features to which we seriously objected and covered in our report, have been eliminated. As I stated on the floor of the House it is most unfortunate that the various departments of the Government while all are under the same administration, yet they do not work in harmony with each other, and as a result the country is put to unnecessary expense and the soldiers for whom we all express such deep affection must suffer correspondingly. At the hearings held by the committee the testimony showed clearly that the War Department had not only a large number of vacant beds in the hospitals, but entire hospitals that they did not need, yet those in charge of the Public Health Service, which takes care of the patients of the War Risk Insurance Bureau, insisted upon building a large number of new hospitals—14, I think—and did not seem to desire to use the War Department hospital capacity and equipment available. In the report now before us the bill is rewritten and has been changed, and now provides that these surplus hospitals and equipment shall be used, and because of this change it will be noticed that a saving is being effected to the Government running into the millions of dollars. We want plenty of hospital capacity and equipment; but what to my mind, Mr. Speaker, is even more important is that the hospitals shall be managed in such a manner as to give the greatest possible comfort and benefit to our crippled, wounded, and sick soldiers.

Our soldiers should be given better treatment. It will do no good to build hospitals and furnish equipment if the service is not rendered to our soldiers by the management of these hospitals.

My desk is being flooded constantly with complaints against the management of these hospitals.

I had in my office a week ago a captain who was leading his command in the great drive at Chateau-Thierry and was hit by mustard gas and was cut off with two of his lieutenants and a few men for over 24 hours, but was finally brought to a first-aid hospital, who declared to me that he lay for days in a hospital abroad without receiving proper attention, but said he has no complaint to make. He says the doctors and nurses did all they could; the wounded and crippled were brought in by the hundreds, and it was physically impossible for the doctors or nurses to give the treatment required, even though they were working day and night in an effort to do so. He was returned to this country in one of the first ships bringing back wounded soldiers, and he had hoped that when he landed here in the United States hospital he would receive proper attention, but was sadly disappointed. He says that he lay for four days without a doctor even looking at or opening his bandaged leg. One afternoon he called a doctor and pleaded with him to dress his wounds, but the doctor pulled out his watch and said, "It is 4 o'clock, and I am going off duty now." He finally received treatment several days later. Others, wounded and suffering agony every minute, were given no attention for 10 or 11 days. He became so enraged at the lack of attention given his wounded and suffering companions that he, even at the risk of being court-martialed and punished, decided to call and did call up the Surgeon General's department here in Washington and insisted that an investigation of the management of that hospital be made and the treatment given the soldiers should be looked into. An investigation was made, which resulted in somewhat changed conditions, but it also resulted in direct and indirect punishment for the captain. However, the captain said to me, "I was willing to suffer anything so that others who were lying for weeks without care or attention might receive proper medical attention thereafter."

It is not only necessary that we should supply hospitals for the boys; but, gentlemen, we ought to insist upon it that the management of those hospitals be conducted in a humane manner and that the men should receive proper attention. I do not want to take up the time of the House, but if I knew what to do in order to secure more efficiency and more humane treatment for the boys in the hospitals I would be glad to do it. I do not know whether it could be accomplished by a resolution or otherwise. I do not know whether a resolution would have any effect at all. But I want it clearly understood that the treatment of our soldiers in the hospitals as well as the treatment of our soldiers in the cantonments and the treatment of our soldiers overseas now that the war is over, ought to be placed on a more humane basis, because, gentlemen, I take it, that when you and I voted for that bill which authorized the Government of the United States to take the boy out of his home, away from his family, away from his father and mother, and away from his occupation, we voted for that because we felt that the country was in danger and that the soldier should go out and defend our country, and we did not vote to take the boy out to be abused, to be treated as no citizen of the United States, or no human being should be treated. [Applause.]

Something should be done that would convince the military authorities that the private soldier has rights that must be fully respected. While I am fully aware that discipline must be maintained, and have not one word to say against the maintenance of proper discipline, and am glad to say that I know that there are a great many officers in the Army who are doing their full duty, are doing everything they can to alleviate the sufferings of the wounded and everything they can to ameliorate the hardships of the private soldier, yet there are just enough underlings in our armies of a kind calculated to cause endless mischief—men who have subordinate commissions, who never before in their lives had any authority over anything or anybody, but are now in a position where men must obey their orders, unreasonable as they may be. These men delight in showing their authority and have not yet learned that the first duty of an officer is to look after the comfort of the men under their command. Such officers should be drummed out of the Army and court-martialed; we should in some manner be able to reach those men. [Applause.]

Mr. Speaker, I yield back the remainder of my time.

Mr. CLARK of Florida. Mr. Speaker, I yield three minutes to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. The gentleman from Wyoming is recognized for three minutes.

Mr. MONDELL. Mr. Speaker, in addition to the camps and cantonments that we propose to turn over under this bill to the Public Health Service, together with the Battle Mountain Sanatorium General Hospital No. 15, and a splendid hospital at Chicago, nearly finished, there are three new projects in the bill, one the Dawson Springs project, about which the House has had some information, a hospital project at Norfolk, and one in the District of Columbia. As I understand it, those are entirely new projects not yet undertaken or contracted for.

As far as I am informed, the location has not yet been determined upon, or the character of the structure. Will the chairman of the committee be good enough to inform us what the controlling reasons were that led to the determination on the part of the committee to provide for those two hospitals? There is at Hampton, Va., now a hospital connected with the soldiers' home, near Norfolk, that is being utilized for the purposes for which these hospitals are to be used, and I wondered what the situation was that necessitated a new institution of this kind near Norfolk rather than elsewhere in the country.

Mr. GRIFFIN. As to the hospital indicated, it is not at Norfolk, but at Hampton.

Mr. MONDELL. Is there a hospital that is to be taken over? Is that what the proposition is?

Mr. GRIFFIN. No. The project at Norfolk, Va., is an absolutely new one, and that item was injected into the bill in the Senate. The Senate committee held hearings and adopted the recommendations of the Treasury Department, the War

Risk Insurance Bureau, and the Public Health Service—that in view of the fact that Norfolk was a very great port, the second in size as to shipping and business in the entire United States, it was very essential that they should have some facilities there contiguous to the point of debarkation for the accommodation of the returning soldiers, and also for the use of the merchant marine and the other features.

Mr. MONDELL. Mr. Speaker, I presume it will be well to have a hospital at Norfolk. What was running through my mind was how it happened that Norfolk was selected among all the various places where hospitals might properly be established—selected as the one place to be specified by the committee.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. No, Mr. Speaker; I can not yield further. I would like to ask the chairman of the committee what the argument was in favor of the establishment of a new hospital in Washington? We already have a very considerable Army hospital here in the Walter Reed Hospital, and various other hospitals. Washington is not particularly centrally located with regard to the homes of returning soldiers. Why should there be a new hospital under the Public Health Service in Washington? Will the gentleman from Florida, who is chairman of the committee, be good enough to answer my inquiry?

Mr. CLARK of Florida. I was asking the gentleman from New York [Mr. GRIFFIN] to do it because the gentleman from New York really had more to do with the drafting of this bill than anybody else. But if the gentleman wants me to say anything about it, I will say that the Walter Reed Hospital is entirely under the War Department, as the gentleman knows, and they have not any room there that would enable them to take care of these discharged soldiers and sailors who come under the Public Health Service, and the Public Health Service thought they ought to have—and so convinced the Senate—a hospital at the Capital of the Nation to take care of discharged soldiers and sailors.

Mr. MONDELL. I take it for granted that soldiers are generally not discharged from the Army hospitals until cured, if curable, and that after soldiers are discharged from the Army and Navy hospitals who are permanently injured or crippled they will be taken in charge by the Vocational Rehabilitation Service and cared for. Is this Washington hospital to be conducted in connection with the project for the vocational rehabilitation of soldiers, their vocational training, and so forth, or is this a plan of the Public Health Service—a plan they have long had in mind—to secure a large hospital here under their jurisdiction?

Mr. BURNETT. I want to say to the gentleman that I hope the vocational rehabilitation crowd will not get hold of it, because I am afraid it would be absorbed in salaries and not much of it would ever reach the soldiers. Under the pretext of aiding in the rehabilitation of disabled soldiers, it was shown last week in the debate that this patriotic board has 344 employees, all receiving good salaries, and only had 157 soldiers in its charge—more than 2 men for every soldier. It was further shown that 1 of these patriot teachers was receiving $10,000 a year, 1, $7,000; 20, $4,000; 28, $3,500; 62, more than $3,000; and 49, from $2,500 to $3,000. May the good Lord deliver us from such cormorants.

Mr. MONDELL. So the gentleman thinks it may be well, if this be a plan of the Public Health Service, to get a central institution here in Washington?

Mr. CLARK of Florida. That is my idea about it.

Mr. BURNETT. I think so.

Mr. HOLLAND. Will the gentleman yield just a moment?

Mr. MONDELL. If I have the time.

The SPEAKER. The gentleman's time has expired.

Mr. CLARK of Florida. I yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, about six months ago a report reached me that the Government was about to take over a certain piece of property known as the Speedway tract in Chicago at a very high price. I thought it was my duty to call the attention of the Secretary of War to that report, and therefore sent him a letter of inquiry as to the truth of the report, and learned that this tract was to be utilized by the Government for hospital purposes, and that a tremendous structure was being built on the property.

When the charges against the frame-constructed hospital at Fort Sheridan were made, I determined to look into those accusations and learn if the conditions as described were true. As a result of an inspection which I made of the structures on the occasion of a visit to Chicago shortly thereafter, I disagree with the gentlemen who have branded them as cheap frame fire traps. True, they are of wooden construction, and therefore can not be classed with the hospital erected on the Speedway tract, but I do not regard them as fire traps or shacks. On the other hand, I found that the Speedway hospital is a tremendous fireproof structure, well constructed and located. I also endeavored to secure the relative cost of the two projects, in view of the charges as to the excessive price, and learned that the fireproof-constructed hospital at the Speedway had been contracted for at a smaller cost to the Government than any other in the United States and for a little more than the frame-constructed hospitals at Fort Sheridan.

Upon returning to Washington I received information from the department that the construction of the Speedway hospital had been approved and sanctioned by one of the bureaus of the department. As the structure was nearing completion, an order was issued by the Assistant Secretary of War to stop further work on the project, and immediately many insinuations were made as to the reasons for such order.

These charges, however, have been thoroughly investigated by a commission of the War Department and also by a Senate committee, which finally recommended unanimously the acquisition of this building for a War Risk Insurance Bureau hospital. Therefore, I feel satisfied that the department, as well as the committee which investigated the matter, came to the conclusion that the price and all conditions were satisfactory and, in view of the false report made to me about this project, I feel that they were made also to others, and that therefore an underlying motive in these charges and accusations were deliberately intended to prevent the acquiring of the property. Lest I forget, I also wish to state that the only reason given me upon my investigation why the work was stopped was that the armistice being signed the War Department would not have any use for this building, but being informed that there was a liability on the part of the Government for work already done I felt that the structure should be utilized not as a temporary hospital, but as a permanent one that could be utilized for reconstruction work and later on as a permanent sanatorium or home for the boys who have so gallantly and bravely fought for our country.

This hospital is located only about 11 or 12 miles from the heart of the city and can be reached within 30 or 40 minutes from the most thickly populated sections of our city and from those localities which gave the largest number of its boys to the Nation. It lies in a westerly direction of Chicago which is populated by Czecho-Slovaks, Polish, Jewish, and Irish peoples who volunteered in greater numbers than in any other section of Chicago. It is for that reason that we in and around Chicago should have such an institution which will enable the Nation to properly take care of those that the Government can aid in case of disability.

Mr. CLARK of Florida. I yield 10 minutes to the gentleman from New York [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Speaker and gentlemen of the House, when the war-risk insurance act was passed in October, 1917, it contained the provision that discharged soldiers, sailors, and marines should be given hospital attention, and in addition to that be furnished with the necessary appliances, such as artificial limbs, crutches, and other appurtenances necessary in order to rehabilitate them. That is contained in section 300, paragraph 3 of the act. It places upon the War Risk Insurance Bureau the duty of caring for the discharged soldiers and sailors. As the War Risk Insurance Bureau is a part of the Treasury Department, the duty was incumbent upon the Treasury Department to provide the hospital facilities. There was a predicament. There were 190,000 men wounded on the other side, and soldiers sick in camps, soldiers being discharged from day to day, and it became a serious question with the various bureaus of the Government having to do with this matter how they should provide for the care of these soldiers.

The War Department took care of them while they were soldiers, but the moment that they were discharged the War Department had no authority to treat them in its hospitals. Furthermore, the War Department had only four general hospitals. They had encampments with infirmaries primarily intended for the treatment of the soldiers occupying the encampments; but there was no organization, no body with any facilities whatever in the United States to handle this absolutely new proposition. In that predicament the Treasury Department framed a bill, sent it to the Speaker of this House, requesting that the bill be passed, and for what? Primarily to look after the soldiers and sailors. The first bill is entitled "to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors." We amended the bill so as to include Army and Navy nurses, male and female; but, primarily, the purpose of this legislation is to provide accommodations for discharged soldiers and sailors.

Mr. STAFFORD. Will the gentleman yield?

Mr. GRIFFIN. I will.

Mr. STAFFORD. I have had difficulty in learning the situation as to the use of these hospitals for discharged soldiers and sailors. I understand that the Army does not discharge a disabled soldier until he is fairly well. If that is the practice, what is the use of these hospitals for discharged soldiers and sailors?

Mr. GRIFFIN. That is the understanding, but like many other understandings it is not very well lived up to. The proof of the pudding is in the eating of it. The War Department has already discharged 81,000 soldiers who are sick and disabled. They have discharged 24,500 patients suffering from tuberculosis, and under the law these soldiers have the right to appeal to the War Risk Insurance Bureau for relief. On January 22, in answer to my inquiry, Col. Banks said that they had up to that time received applications for hospital treatment from 14,200 discharged soldiers. Is not that an answer to the gentleman's question?

Mr. STAFFORD. No; and for this reason——

Mr. GRIFFIN. They are coming in at the rate of 200 per day. The other day, in conference with the Senate committee, Col. Banks said that they had upward of 20,000 applications from sick and disabled discharged soldiers and sailors.

Mr. STAFFORD. I know there were many men drafted into the service who were rejected for physical ailments, such as tuberculosis, but these were men who were never really in the service. These hospitals are for the benefit of these men who had tuberculosis, but they were not fit to go into the service. The care of such persons should be continued by the States and local municipalities. There is no objection to providing facilities for the treatment of the soldier who received his ailment or his injuries in the service.

Mr. GRIFFIN. I beg the gentleman not to go into a small matter like that. That is such a small fragment of the great body of the soldiers who served in the trenches that it is small and picayune for us to bother with it. Under certain circumstances, it is true, it will become necessary to render aid to a few poor devils rejected by the surgeons after they were dragged into the service by the local boards, but this is too insignificant to be compared with the great body of sick and disabled discharged soldiers who are to be benefited. It strikes me as very small to compare it with the disabilities in the Army of 2,000,000 men who were over on the other side, 700,000 of whom were in the trenches. [Applause.]

Mr. FARR. Will this measure provide ample facilities for all the sick and disabled soldiers?

Mr. GRIFFIN. The accommodations that are provided by this bill? The original bill as submitted by the Treasury Department, and which we passed with some changes, provided for fifty-five hundred beds in new construction at a cost of $10,000,000. We passed that in a lump sum, without any question, by a big vote. The bill went over to the Senate and there they strike out all after the enacting clause and write a new bill. They put in this bill the Chicago proposition for $3,000,000; they resurrect the Dawsonsprings proposition and put that in the bill for $1,500,000. The balance of the appropriation two millions and a half for various other projects. The total number of beds provided for in the Senate bill was about 9,341. Six thousand of these, however, were derived from Army camps to be surrendered.

I confess to you gentlemen that our attitude at first was hostile. In the last analysis, however, perhaps their method of handling the proposition was correct from the point of view that it is good policy always to designate the place and purpose of each appropriation. The House conferees' objection to the Senate's designation of places was not against the principle, but rather against the idea of specially naming projects which we had no opportunity to investigate on this side of the Capitol. Therefore, with respect to those projects a limitation proviso was agreed upon which virtually puts the burden of ultimate selection and adoption upon the Treasury Department. We also included the Corpus Christi project in that category. By the addition of the Corpus Christi proposition we gain 252 beds at an approximate cost of $600 per bed. We also provide 1,000 beds for immediate use by authorizing the Secretary of the Treasury to lease space from existing hospitals and sanatoria. In addition to this, an emergency fund is created to enable the Secretary of the Treasury to purchase buildings and sites suitable for hospitals and sanatoria as the occasion may require, believing that with such a fund at his disposal he will be able, when the emergency arises, to take up at a moment's notice and without haggling suitable buildings at reasonable cost and not be at the mercy of land sharks and speculators. By these modifications the conference bill makes available 8,252 beds within six weeks and over 11,852 beds inside of one year. Thus by the new bill we have doubled the bed capacity and reduced the appropriation contained in the bill as passed by the House by $1,450,000.

RETURN OF THE RAILROADS.

Mr. SIMS. Will the gentleman from Florida yield a minute to me?

Mr. CLARK of Florida. I yield a minute to the gentleman from Tennessee.

Mr. SIMS. Mr. Speaker, I have received the following letter from the Director General of Railroads about returning the railroads to the owners, and I ask that it be read at the desk.

The SPEAKER. Without objection, the Clerk will read the letter.

There was no objection.

The Clerk read the letter, as follows:

DIRECTOR GENERAL OF RAILROADS,
Washington, February 28, 1919.

MY DEAR JUDGE SIMS: As you are aware, there has been some inquiry as to whether there might be an immediate or precipitate return of the railroads to private management. The Railroad Administration has indicated, whenever this inquiry has been made, that it would not recommend that any such step be taken.

For your further information, I am glad to say that I have now discussed the matter with the President, and he has authorized me to state that not only will there be no sudden relinquishment of the railroads, but, further, that it is not his purpose to relinquish the railroads until there has been an opportunity to see whether a constructive permanent program of legislation is likely to be considered promptly and adopted within a reasonable time.

Very sincerely, yours,

WALKER D. HINES.

Hon. THETUS W. SIMS,
Chairman House Committee on
Interstate and Foreign Commerce,
House Office Building, Washington, D. C.

Mr. GARLAND. Mr. Speaker, I object to that going into the RECORD.

The SPEAKER. The gentleman is too late.

Mr. GARLAND. But I did not know the contents of the letter.

The SPEAKER. The Chair said it would be read without objection, and nobody objected.

Mr. GARLAND. I move to expunge it.

The SPEAKER. The gentleman is not recognized for any such purpose.

HOSPITALS FOR DISABLED SOLDIERS, ETC.

Mr. CLARK of Florida. Mr. Speaker, I move the previous question on the adoption of the conference report.

The SPEAKER. The gentleman from Florida moves the previous question on the adoption of the conference report.

Mr. GARLAND. Mr Speaker, is there no opportunity for a Member of Congress to object to the reading of a letter?

The SPEAKER. The Chair asked the question if there was objection to the reading of the letter, and the Chair heard none.

Mr. GARLAND. Nobody knew what was in the letter.

The SPEAKER. Neither did the Chair.

Mr. GARLAND. I did not; but I know now what is in the letter.

The SPEAKER. The gentleman can not object now, after consent was given to read it. The question is on the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

Mr. WALSH. Mr. Speaker, I make the point that no quorum is present.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that all gentlemen who have spoken on this conference report may have leave to extend remarks in the RECORD.

The SPEAKER. The gentleman from Massachusetts has made a point that no quorum is present.

Mr. HOUSTON. Mr. Speaker, did I not have recognition before the point of order was made?

The SPEAKER. The point of order that no quorum is present is always in order.

Mr. WALSH. Mr. Speaker, for the present I withdraw the point of order.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that all those who spoke on this conference report may have three legislative days within which to extend their remarks in the RECORD.

Mr. MANN. There is but one more legislative day in this Congress.

Mr. STAFFORD. The request should be for three calendar days.

Mr. CLARK of Florida. Very well.

The SPEAKER. Is there objection?

Mr. GARLAND. Mr. Speaker, is it necessary to indicate the nature of a protest in objecting to the extension of remarks or in extending them in the RECORD? I intend to answer if I may be permitted by inserting remarks in the RECORD the letter which has been inserted by the gentleman from Tennessee, and to present objections to the acceptance of the letter by Congress.

The SPEAKER. The letter was not accepted by Congress.

Mr. GARLAND. It was put into the RECORD.

Mr. MANN. Permit me to suggest to the gentleman from Pennsylvania that when a letter is read it goes into the RECORD regardless.

Mr. GARLAND. Is it objectionable that I deny the facts?

Mr. SIMS. Mr. Speaker, time was yielded to me by the gentleman from Florida, and I was in regular order to read it myself.

The SPEAKER. The gentleman from Florida asks unanimous consent that all gentlemen who have spoken on this bill have three calendar days within which to extend their remarks in the RECORD. Is there objection?

Mr. SABATH. Mr. Speaker, in connection with that I ask that my colleague, Mr. MCANDREWS, may be accorded that privilege.

The SPEAKER. And the gentleman asks that the name of Mr. MCANDREWS be added. Is there objection?

There was no objection.

Mr. GARLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, on what subject?

Mr. GARLAND. On the subject of the letter which was read in the time of the gentleman from Tennessee [Mr. SIMS].

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING MONDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m., Monday, March 3, 1919.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. on Monday. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, out of respect to the memory of our deceased colleague, the late Representative BORLAND, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 37 minutes p. m.) the House adjourned until Monday, March 3, 1919, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. POU, from the Committee on Rules, to which was referred the resolution (H. Res. 620) providing for the consideration of H. R. 12352, reported the same without amendment, accompanied by a report (No. 1166), which said bill and report were referred to the House Calendar.

Mr. RAKER, from the Committee on Woman Suffrage, to which was referred the joint resolution (H. J. Res. 440) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, reported the same without amendment, accompanied by a report (No. 1167), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAMPERT: A bill (H. R. 16216) granting a gratuity to members of the United States Army, Navy, and Marine Corps, Army Nurse Corps, Army field clerks, and naval reservists; to the Committee on Military Affairs.

By Mr. GANDY: A bill (H. R. 16217) to authorize a lieu selection by the State of South Dakota of 160 acres on Pine Ridge Indian Reservation, and for other purposes; to the Committee on Indian Affairs.

By Mr. GALLIVAN: Memorial from the Legislature of the State of Massachusetts, urging Congress to provide additional pay for soldiers and sailors discharged from the service of the United States; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. GREENE of Vermont: Petition of W. S. Clark and 45 other citizens of Rutland, Vt., and vicinity, favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. HILLIARD: Petition of G. W. Long and 121 other Denver (Colo.) residents, favoring the withdrawal of the American Army from Russia; to the Committee on Military Affairs.

By Mr. LUFKIN: Memorial of the General Court of Massachusetts, urging Congress to provide additional pay for soldiers and sailors discharged from the military service of the United States; to the Committee on Military Affairs.

By Mr. SABATH: Petition of the Virden Commercial Club, of Virden, Macoupin County, Ill., favoring an emergency public-works board, to coordinate with and expedite national improvement; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Petition of the Providence (R. I.) Engineering Society, protesting against the repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. VARE: Petition of the Archbishop Ryan Assembly of Philadelphia, recommending the continuation of the appropriation for the United States Employment Service; to the Committee on Appropriations.

SENATE.

MONDAY, *March 3, 1919.*

(Legislative day of Saturday, March 1, 1919.)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

THE COAL PROBLEM.

Mr. VARDAMAN. Mr. President, I ask the indulgence of the Senate for a few moments.

There is no economic problem of more importance to the American people than the production and distribution of bituminous and anthracite coal. Bituminous coal is scattered over a larger area of the earth than anthracite; the former is found in every section of this Republic, and it is, therefore, more difficult to monopolize its production and distribution. But anthracite coal is confined to one very limited spot of the Western Hemisphere, and the monopoly of its production and distribution is complete.

Anthracite coal is found in a small area in the State of Pennsylvania, embracing something like 300,000 acres. It is confined principally to four counties. The Manufactures Committee of the Senate devoted considerable time a year ago to the investigation of bituminous coal and sugar. That was during the unfortunate reign of Mr. Hoover and Dr. Garfield. Mr. Hoover has gone to Europe, happily for the American people, and the end of his interference with and control of the food supply of America will soon be at an end, while Dr. Garfield, bless his dear patriotic soul, has gone into the quiet shades of "innocuous desuetude."

The testimony taken and printed by the Manufactures Committee of the Senate on coal and sugar will be of great use to the Congress in dealing with these two questions, even in time of peace. I regret that the time was so limited that the committee during my chairmanship was unable to go as completely into the subject as the gravity and importance of the question demand. But we have taken volumes of testimony which has been printed, and I trust that the coming session of the new Congress may carry this work on to a successful and complete conclusion. Owing to my inability to have the testimony all printed in time for the individual members of the committee to go over it, I am unable to present a report from the committee, but I have gathered together certain facts which I trust will be of help to the next Congress in dealing with the question. I ask, Mr. President, permission to have the statement published in the RECORD, without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

"The principal anthracite coal lands known to be developed in North America are found in Pennsylvania. There is anthracite found west of Martinsburg, W. Va., and some near the Arctic Circle, but it is not now for the market, because the West Virginia anthracite is so friable and in such small veins as not to make it profitable, while the Canadian product is so distant from any transportation lines that it could not be marketed. These coal lands are principally in four counties—Schuylkill, Luzerne, Northumberland, and Lackawanna Counties. The original content of anthracite, conservatively estimated, was 26,000,000,000 tons. There has been taken to the surface about 4,000,000,000 tons, and there has been marketed 2,774,000,000 short tons, or about two and one-half billion long tons. The 1,000,000,000 tons of coal brought to the surface and not marketed represented small sizes that were dumped, much of which went into the streams and were washed away, and all triturated or pulverized coal, for which up to the present time there has been practically no market at all. The effort to convert this pulverized coal into briquettes has up to this time been more of an experiment than a success. It is estimated that there remains in the earth about 22,000,000,000 tons of anthracite coal in Pennsylvania. The percentage of coal to be won and marketed in the future depends largely upon improved engineering methods of holding up the surface by other methods than pillars of coal that are now principally depended upon to hold up the mining roofs while coal is taken from the breasts or chambers.

"The aggregate extent of the well-defined coal territory is over 300,000 acres. There are about 25,000 additional acres carrying more or less coal, some of which, because of its friable nature, will not be worked until the harder coal is less abundant.

"The anthracite territory has been principally divided into three fields—the Wyoming, Lehigh, and Schuylkill.

"1. The Wyoming, comprising the northern field, is traversed by the Lackawanna and Susquehanna Rivers.

"2. The Lehigh fields comprise territory found at an average of from 700 to 1,000 feet higher than either the Wyoming or the Schuylkill fields. They are all on what is known as the Broad Mountain, the backbone mountain of eastern Pennsylvania.

"3. The Schuylkill fields are divided by Broad Mountain. The northern Schuylkill field is along the Mahanoy and Shamokin Creeks. The main body of the southern Schuylkill field is drained by streams that flow into and make up the Schuylkill River. The great wealth of unmined coal is in this southern Schuylkill field, bounded on the south by Sharp Mountain and on the north by Broad Mountain.

"All of these fields except the southern of these two Schuylkill fields are under active development. The coal is much more accessible in the northern part of the Wyoming field and in the Lehigh field than in the southern part of the Wyoming field or in either of these two Schuylkill fields, except where the coal outcrops in the several fields.

"The anthracite production in the year 1917 was 89,443,277 tons, and for the year 1918 it was 86,338,136 tons, or a total for the two years of 175,781,413 tons.

"Seventy-two per cent of the production from the anthracite coal territory is controlled by eight transportation companies. Most of this coal land is owned by these transportation companies or their subsidiaries in fee. Notwithstanding the fact that the constitution of Pennsylvania prohibits a transportation company from engaging in mining, these transportation companies are in this business of not only transporting this coal but of mining it. The transportation companies rank in the following order, according to their holdings and production:

"The Reading (which is the holding company of the Philadelphia & Reading Coal & Iron Co. and the Jersey Central, which in turn owns all of the stock of the Lehigh & Wilkes-Barre Co.);

"The Lehigh Valley;

"The Delaware, Lackawanna & Western;

"The Delaware & Hudson;

"The Lehigh Coal & Navigation Co. (which owns and controls the Lehigh & New England);

"The Erie; and

"The New York, Ontario & Western.

"Among the things proved at the hearing was the fact that the Susquehanna Collieries Co., which produced 5¼ per cent of all of the coal mined, has taken over all the coal companies that heretofore were known as Pennsylvania companies; that is, companies that were formerly in the control of the Pennsylvania Railroad.

"The Lehigh Valley, the Delaware, Lackawanna & Western, Delaware & Hudson, Jersey Central, Erie, Pennsylvania, and the New York, Ontario & Western Railroads transport the coal from the Wyoming field; the Lehigh Valley, the Jersey Central, and the Pennsylvania, from the Lehigh field. The coal from the northern Schuylkill field is carried by the Lehigh Valley, the Reading, and the Pennsylvania, and from the southern field by the Philadelphia & Reading, the Jersey Central, the Lehigh Coal & Navigation Co. (or the Lehigh & New England), and the Pennsylvania.

"The Reading owns and controls 51 per cent of all the unmined coal—that is, the coal in place—45 per cent through its subsidiary, the Philadelphia & Reading Coal & Iron Co., and 6 per cent through its subsidiary, the Lehigh & Wilkes-Barre. The total acreage owned and controlled by the Reading is 113,188, of which 96,687 acres are held in fee and 16,501 under lease. Of this holding, the Philadelphia & Reading Coal & Iron Co. owns and controls 97,868 acres, of which 84,932 it holds in fee and 12,936 operated under lease. And the other subsidiary, the Lehigh & Wilkes-Barre, owns and controls 14,320 acres, of which 11,755 are held in fee and 3,565 operated under lease.

"The Lehigh Valley owns and controls 42,000 acres of coal land, of which 25,000 acres are held in fee and 17,000 acres under lease.

"The Delaware, Lackawanna & Western owns and controls 13,922 acres of coal land, of which 10,500 acres are held in fee and 3,342 acres under lease.

"The Delaware & Hudson owns and controls 24,000 acres of coal land.

"The Lehigh & Navigation (the Lehigh & New England Railroad Co.) owns and controls 13,863 acres of coal land.

"The Erie owns and controls 18,600 acres.

"The New York, Ontario & Western owns and controls 7,000 acres in coal.

"The Susquehanna Collieries Co. owns and controls in coal 21,880 acres.

"The Girard estate owns in fee 12,780 acres, of which there are 4,880 in coal.

"The Locust Mountain Coal Co. paid to the Girard estate in royalties in the year 1918, $658,000; in the year 1917, $517,000; paying in the year 1918 on the average of $1.04 a ton royalty and in 1917, 83 cents a ton royalty. The total royalty received by the Girard estate for the year 1918 was $2,482,930.70. That was the amount of royalty paid to the Girard estate on a total of a little over 4,000 acres, the Locust Mountain Coal Co. paying $658,000 on a shipment of 629,742 tons. The total acreage under lease by the Locust Mountain Coal Co. is 390 acres; that is, the Locust Mountain Coal Co. is paying over $1,600 an acre annually on the lands they hold under lease. If the Locust Mountain Coal Co.'s shipment of 1919 equals that of 1918, it will receive an amount in excess of $1,600 an acre. The contracts with the Girard estate provide for a percentage of the selling price of the year previous; that is, the prevailing figure that they will receive for the coal mined from their property in 1919 will be based upon the high prices of coal in 1918. The first cost of the coal being so great in royalty means a correspondingly high price of coal to the consumer, as it is a well-established economic fact that nothing contributes so much in the final cost of any product as the initial cost.

"While the domination and control of the anthracite product, and the fact that 72 per cent of all the anthracite is produced and marketed by transportation companies, accounts largely for the present high price of coal, that is not the full story. These companies not only control 72 per cent of the production, but make it impossible for independent operators to compete with them on any fair basis. They produce coal in such quantities that they can control what is known as the 'cargo market,' the coal that is put in boats at tidewater. The customer wants a size of coal that is best adapted to his needs, whether it be steamboat, broken, stove, chestnut, pea, buckwheat, or rice. There being so many different sizes, the independent operator is not in a position to furnish the cargo sizes in sufficient quantity, unless either at the place of production or the point of delivery he accumulates cars of coal of that particular size. But when such cars are held beyond a certain day, the independent operator is charged demurrage, and that demurrage to the independent operator is a loss. But demurrage is no loss to the transportation companies, which only take the money out of one pocket and put it in the other. For instance, the Hudson Coal Co. operates lands owned and controlled by the Delaware & Hudson Railroad Co., but the Delaware & Hudson Railroad Co. owns and controls the Hudson Coal Co., so that demurrage charged against the Hudson Coal Co. is simply paid to its own owner and controller, the Delaware & Hudson Railroad Co. The result is that the independent operator is in no position to compete for the market where the coal is taken from tidal points by boats.

"Another handicap of the independent operator is that he is not in a position to accumulate large quantities of coal of various sizes in storage yards or bins. There was a time when the

Lehigh Valley maintained and permitted the independent operator to use large storage bins at tidal points until such time as he had accumulated cargo lots. But there is no longer any such provision as that to put the independent operator on a competitive basis with the operating transportation companies.

"During the years 1917 and 1918, independent coal operators could have greatly increased their output had they been permitted to mine coal in close proximity to their workings. Their efforts to get this coal to mine for the market availed them nothing. It was coal that the transportation companies had no facilities themselves to mine.

"The pernicious evil of these transportation companies leasing and not developing is shown in the case of the lease of a 360-acre tract between Pottsville and Minersville. The Lehigh Valley has had that tract under lease since 1890, paying a minimum royalty of $21,000 a year. That company has paid on that lease in royalty and taxes about $600,000 and has not mined or shipped a pound of coal from that property or permitted anyone else to mine and ship from it.

"The nearest operating mine to tide, by the present all-rail route, is about 95 miles. The anthracite mine or mines farthest from tide can be reached by about 180 miles.

"Another evil is the 'dog-in-the-manger' attitude of these corporations. Not only do they have an advantage in holding their large percentage of the anthracite unmined coal in fee and under lease, so that individual operators can not get this land and mine it, but, with much of their own property undeveloped, they pursue a policy of reaching out and become the most aggressive competitors in getting control of lands, other than what they own or hold in fee, by leasing them. For instance, the Reading, which owns and controls more than 50 per cent of all the unmined anthracite, paid out $693,536 in 1918 in royalties on leases, although less than half of its own property was under development at the time.

"Millions of tons of coal could have been won to relieve the coal shortage of 1917 had the Fuel Administration used the despotic power given the President to compel the transportation companies to reclaim the culm banks. They have great banks carrying many of the small sizes of coal, commonly known as "dumps" or culm banks. No skilled labor is required to reclaim this coal from the bank and put it on board cars. One man can produce for the market three times as much coal from a culm bank as he could win of fresh from the mine. Many enterprising people were keen and anxious to reclaim this coal from the banks and put it on board cars, even offering excessive royalties. Yet, in spite of all the suffering growing out of the coal shortage, these appeals fell upon deaf ears. Not only were new enterprises denied the right to reclaim these culm banks, but in some cases operators actually dismantled their plants for want of material to keep them going, because transportation companies would not permit these culm banks to be reclaimed. This disregard of the public interest is due to two causes—the greed and cupidity of the mine owners and the inefficiency of the Fuel Administration.

"Other than transportation companies, the largest owner of unmined coal is what is known as the Girard estate. The Girard estate owns over 4,000 acres of coal-bearing land. The Lehigh Valley Coal Co. has 13,000 acres in the southern anthracite field alone, and notwithstanding the fact that it is operating less than 1,000 of its own 13,000 acres in the southern anthracite field it is paying excessive royalties to control and operate nearly one-half of the Girard estate under lease.

"The Reading also is a tenant of the Girard estate, notwithstanding the fact that it has about 40,000 acres of its own undeveloped, practically virgin territory.

"The Girard estate receives annually in royalties an average of over $600 an acre on its 4,000 acres. Although the will of Stephen Girard intended to establish a great charity for orphan boys, the present management and operation of the Girard estate makes it one of the greatest curses to the householder. By reason of its commanding position in the coal business, the royalties received by the Girard estate fix the standard for high royalties. While the average cost of royalties on bituminous coal in Pennsylvania is only 10 cents a ton, the average cost of the royalties paid to the Girard estate is more than ten times that amount for anthracite coal mined for domestic purposes, thus causing this domestic necessity, which ought to go to the poor people at the lowest possible price, to be almost a luxury.

"The sale price of coal is controlled by what is sent out through a publication or folder called 'the circular.' These prices are known to the trade as 'circular prices.' The circular prices are published each month in the coal trade publications. They are the law of the business. 'The circular' is issued by the Reading Co.

"The Reading holds its large percentage of coal by reason of foreclosures of former holding companies of large interests. The financial interest under which these foreclosure proceedings were directed was Morgan & Co., of New York, affiliated with the banking house of Drexel & Co., of Philadelphia, and practically the same directors control all the different corporations involved.

"All facts set forth in the above report are based upon testimony and geological data bearing upon the anthracite coal situation.

"It will be readily seen from the foregoing report that there is no commodity in common use that is so absolutely monopolized as the anthracite coal production and there is no commodity upon which there is such a high rate of tolls paid for the carrying of the same. It is a low-grade commodity, where the loading is through chutes from bins, carried in carload lots, and dumped without any more hand labor than the mere opening of gates to permit the coal to run from the cars. This same character of product, to wit, the bituminous coal, is carried to the market at about one-half of the toll rates charged for anthracite. It has been stated time and again, it is the backbone of a least six of these nine anthracite carrying companies because of the great receipts for this product.

"When it is taken into consideration that the royalty cost is ten times greater than bituminous and that the tonnage cost is twice as great as bituminous, it can be readily understood why anthracite is commanding such a high figure.

"If there is any subject matter that needs the serious consideration of the Congress of the United States, it is these excessive royalties and high tonnage rates of anthracite coal, together with the great underlying cause of all—that one group of financiers control the anthracite production of this country.

"The Creator of this universe placed coal in the bowels of the earth for the use and benefit of man. It is one of the vital necessities of life; and the great corporations which own and control it should not be permitted to exercise the monopoly which they now enjoy, to the disadvantage and discomfort of mankind generally. The great transportation companies have no more right to this God-given article of necessity than the humblest citizen of this Republic. The transportation companies that profit by the monopoly of coal production have no natural rights which rise higher than the law that permits them to be chartered to transport the coal, and the monopoly is not in accordance with the constitution of the State of Pennsylvania, which forbids them to engage in mining it. If the constitution of Pennsylvania, which forbids the transportation companies to mine coal, is a dead letter in that State, there is no reason why the Federal Government should not interpose and forbid these companies who are engaged in interstate commerce from doing the unlawful thing of mining coal.

"It is within the power of the Federal Government, and a power which should be exercised, to divorce the transportation companies from the mining companies. It is a matter which can be easily and effectually accomplished under the interstate-commerce clause of the Federal Constitution. The people of the United States have a right to demand of Congress that they be protected from the greed, cupidity, and avarice of these soulless corporations. It is unfortunate, in my judgment, that the Federal Constitution is so constructed that the Federal Government can not take control of coal mines and operate them for the benefit of all the people. Governments are made for men rather than men for Governments, and the Government that fails to protect its citizens from the cupidity of corporations in the distribution of one of the necessities of life is faithless to its people.

"Owing to the limited time, the many phases, and ramifications of this business, the committee has found it impossible to finish this work. The time at hand will not permit a thorough investigation and the working out of some proper solution; but we have succeeded in uncovering so many facts and have gathered together so much evidence, that Congress will find the completion of the task easy of accomplishment.

"We sincerely hope that necessary legislation may be enacted at an early date which will vouchsafe to the people of America an ample supply of anthracite coal at a reasonble cost. If the Government will so act in dealing with this problem as to secure justice for all, it will relieve the world from much suffering. The price of coal should be fixed by the Government, and a fair return on the investment of those who have secured a monopoly on one essential of life should also be vouchsafed by the Government."

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Nugent	Smoot.
Bankhead	Jones, N. Mex.	Overman	Spencer
Calder	Jones, Wash.	Owen	Sterling
Colt	Kellogg	Page	Sutherland
Culberson	Kenyon	Pittman	Swanson
Curtis	King	Pomerene	Thomas
Dillingham	La Follette	Ransdell	Thompson
France	McCumber	Robinson	Trammell
Frelinghuysen	McKellar	Saulsbury	Vardaman
Gay	McLean	Shafroth	Wadsworth
Gronna	Martin, Va.	Sheppard	Walsh
Hale	Moses	Sherman	Warren
Harding	Myers	Simmons	Williams
Hardwick	Nelson	Smith, Ga.	Wolcott
Henderson	New	Smith, Mich.	
Hitchcock	Norris	Smith, S. C.	

Mr. SMITH of Michigan. I again announce the unavoidable absence of my colleague [Mr. TOWNSEND] on account of serious illness in his family.

Mr. SHEPPARD. The Senator from Kentucky [Mr. BECKHAM] is unavoidably detained on official business.

I also wish to announce that the Senator from Arkansas [Mr. KIRBY] is detained on official business.

Mr. SAULSBURY. The senior Senator from Maryland [Mr. SMITH] is absent on account of illness.

Mr. PITTMAN. I wish to announce that the Senator from Rhode Island [Mr. GERRY] is detained on official business.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present.

INVESTIGATION BY JUDICIARY COMMITTEE.

Mr. OVERMAN. I ask the Senator from Virginia [Mr. MARTIN], who is in charge of the deficiency appropriation bill, to yield to me temporarily to make a motion.

Mr. MARTIN of Virginia. I have no objection to yielding temporarily, assuming the matter the Senator brings up will not consume any considerable time. If it should take any considerable time, I must insist on the regular order.

Mr. OVERMAN. If it does, I will agree to lay it aside. Four times I have asked unanimous consent to take up an important matter in which the Senate is involved. It is Senate resolution 469, instructing the Judiciary Committee to make an investigation. We have not been able to make a complete investigation and make a report on account of the jam here before the Senate, because we had to be here in the Senate in the last few weeks. I ask unanimous consent to proceed once more to the consideration of the resolution, and I want to say that if unanimous consent is not given I propose to move to take it up and pass it.

Mr. JOHNSON of California. May I ask what the particular resolution is?

Mr. OVERMAN. It is the resolution to investigate the liquor traffic, German propaganda, and Bolshevism.

Mr. JOHNSON of California. I object.

Mr. OVERMAN. I move that the Senate proceed to the consideration of the resolution.

The motion was agreed to.

The VICE PRESIDENT. The resolution will be read.

Mr. OVERMAN. It was read Saturday night.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to, as follows:

Resolved, That the Committee on the Judiciary, conducting, by subcommittee, under resolutions of the Senate numbered 307 and 436, investigations of German propaganda and Bolsheviki propaganda, be, and they are hereby, authorized and directed to continue said investigations until the expiration of one calendar week from the commencement of the first session of the Sixty-sixth Congress; to sit in Washington or elsewhere during the period between the end of the Sixty-fifth Congress and the beginning of the Sixty-sixth Congress and thereafter during the sessions or recesses of the Senate, and to report in the first session of the Sixty-sixth Congress; and the authority for the incurring and payment of the expenses of said investigations, whether incurred in Washington or elsewhere, is hereby extended for the same length of time.

JOINT COMMISSION ON RECLASSIFICATION OF SALARIES.

The VICE PRESIDENT. As senatorial members of the Joint Commission on Reclassification of Salaries, as provided for by section 9 of the legislative, executive, and judicial appropriation act, approved March 1, 1919, I appoint the Senator from New Mexico [Mr. JONES], the Senator from Nevada [Mr. HENDERSON], and the Senator from Missouri [Mr. SPENCER].

SALARIES OF POSTMASTERS AND POSTAL SERVICE EMPLOYEES.

The VICE PRESIDENT. In pursuance of section 3 of the Post Office appropriation act approved February 28, 1919, authorizing the appointment of a commission consisting of five members of the Committee on Post Offices and Post Roads of the United States Senate, to be appointed by the President of the Senate, together with a similar committee from the Committee on the Post Office and Post Roads of the House of Representatives, to investigate the salaries of postmasters and employees of the Postal Service, with a view to reclassification and readjustment of such salaries on an equitable basis, the Chair appoints the Senator from Alabama [Mr. BANKHEAD], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Louisiana [Mr. GAY], the Senator from South Dakota [Mr. STERLING], and the Senator from Connecticut [Mr. MCLEAN] as the committee on the part of the Senate.

FUNERAL OF THE LATE REPRESENTATIVE BORLAND.

The VICE PRESIDENT. In pursuance of the resolution submitted by the senior Senator from Missouri [Mr. REED] on the 25th ultimo, the Chair appoints the senior Senator from Missouri [Mr. REED], the junior Senator from Missouri [Mr. SPENCER], the Senator from Oklahoma [Mr. GORE], the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Iowa [Mr. KENYON], the Senator from Colorado [Mr. THOMAS], the Senator from Illinois [Mr. SHERMAN], the Senator from Kansas [Mr. CURTIS], the Senator from Arkansas [Mr. KIRBY], and the Senator from Idaho [Mr. NUGENT] as the committee on the part of the Senate to attend the funeral of the late Representative Borland, of Missouri.

WAR DEPARTMENT EMPLOYEES.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, in response to a resolution of the 14th instant, which will be inserted in the RECORD and referred to the Committee on Military Affairs.

The communication is as follows:

WAR DEPARTMENT,
Washington, March 3, 1919.

To the PRESIDENT OF THE UNITED STATES SENATE.

SIR: In reply to the Senate resolution of January 14 (calendar day, Jan. 18), I report that so far as the records of the department show all former civil-service employees of the War Department in the District of Columbia who resigned and volunteered or were drafted into the Army and who have been discharged therefrom and applied for reinstatement to their former positions have been reappointed and are being assigned to duty as rapidly as they report.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

MORGAN'S LOUISIANA & TEXAS RAILROAD (S. DOC. NO. 438).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 28th ultimo, a report of the facts as shown by the records of the Treasury Department as to a claim for $2,094.17 of Morgan's Louisiana & Texas Railroad & Steamship Co., as assignee of Charles Morgan, mail contractor, which was ordered to lie on the table and be printed.

COST OF THE WAR (S. DOC. NO. 441).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Commerce, transmitting a report relative to the cost of war with Germany and Austria as shown by expenditures under the appropriations for the service of the Department of Commerce, which, with the accompanying paper, was ordered to lie on the table and be printed.

SEIZED ALIEN PROPERTY (S. DOC. NO. 439).

The VICE PRESIDENT laid before the Senate a communication from the Alien Property Custodian, transmitting, in response to a resolution of the 24th ultimo, certain information relative to property taken over by him and the disposition made of the same, etc., which was referred to the Committee on Commerce and ordered to be printed.

GOVERNMENT EMPLOYEES (S. DOC. NO. 437).

The VICE PRESIDENT laid before the Senate a communication from the Director of the War Trade Board, transmitting, in response to a resolution of December 15, 1918, a list showing the number of civil employees in that board on February 26, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

REPORT OF THE SERGEANT AT ARMS (S. DOC. NO. 440).

The Vice President laid before the Senate a communication from the Sergeant at Arms of the United States Senate, transmitting a full and complete report of all the property in his

possession and in the Senate Office Building on the 21st of December, 1918, which, with the accompanying paper, was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 357. An act conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States;

H. R. 11219. An act providing for the appraisal and sale of Gig Harbor abandoned military reservation in the State of Washington, and for other purposes;

H. R. 12860. An act granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female), Army field clerks, field clerks, Quartermaster Corps, and civil employees of the Army pay and allowances during any period of involuntary captivity by the enemy of the United States; and

H. R. 13482. An act creating a commission for the maintenance, control, care, and so forth, of the Perry victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. ASHURST. I present a telegram in the nature of a petition from Leroy Holt, president of the Imperial Irrigation District, of Los Angeles, Cal., relative to an appropriation to furnish employment and homes for returning soldiers and sailors, which I ask may be printed in the RECORD.

The telegram was ordered to be printed in the RECORD, as follows:

LOS ANGELES, CAL., *March 1, 1919.*

Senator HENRY F. ASHURST,
Washington, D. C.:

As a community which has been credited with furnishing the largest number of men for the military service of the United States according to its actual population, Imperial Valley urges your support of Lane's hundred million dollar appropriation to furnish employment and homes for returning soldiers. Imperial Valley with its wonderful record of over $30,000,000 of production annually is an example of what can be done in the way of turning desert and waste places into pleasant and profitable homes. Over 300,000 additional acres of public land equally fertile lie within the Imperial Valley, but beyond the present irrigation system which could be reclaimed by a reasonable expenditure and made into homes for returning soldiers. Other communities probably offer similar attractive proposition. We feel that Secretary Lane's plan offers a wonderful constructive program for the reconstruction period which will not only constitute a suitable recognition of the courage and patriotism of our soldiers and sailors but also will increase the resources of our country, add to the stability of our Government, and increase the contentment of society in general.

IMPERIAL IRRIGATION DISTRICT,
By LEROY HOLT, *President.*

Mr. CURTIS. I present concurrent resolution No. 34 of the Legislature of Kansas, which I ask may be printed in the RECORD and referred to the Committee on Military Affairs.

The resolution is as follows:

House concurrent resolution 34.

A resolution concerning the return of the Thirty-fifth Division from service overseas.

Whereas it has been announced that the Thirty-fifth Division, composed of the National Guard of Kansas and Missouri, will shortly be returned to this country for muster out of Federal service; and

Whereas this division was organized and trained by National Guard officers of Kansas and Missouri, and the record made by the citizens of Kansas and Missouri constituting its membership in the battle of the Argonne Forest was one of unsurpassed heroism and efficiency; and

Whereas the affection existing between the officers and men composing the division and their State pride and esprit de corps contributed in the largest measure to their gallant achievements against the professional soldiers of Germany; and

Whereas it is the desire of the members of the division and of the citizens of Kansas that our citizen soldiers be permitted to return to their own people under their own officers: Therefore be it

Resolved by the Legislature of the State of Kansas, That the President of the United States be, and is hereby, respectfully petitioned to direct that upon the embarkation of the division the officers who accompanied it across be returned to it, and that National Guard officers of Kansas and Missouri serving with the same be assigned to the command of its regiments, battalions, companies, and batteries to accompany the same to the point of demobilization.

Resolved further, That the governor be requested to cause these resolutions to be laid before the President and to acquaint him with the earnest desire of the people of this State that this simple act of justice be done the survivors of more than 10,000 Kansans whose efforts and sacrifice have made possible the glorious achievements of this division; and

Resolved further, That the Senators and Representatives of this State in Congress be requested to call on the President immediately upon his return from France and petition him to cause the necessary orders to be issued in the premises.

I hereby certify that the above concurrent resolution originated in the house and passed that body February 25, 1919.

D. A. N. CHASE,
Speaker of the House pro tempore.
CLARENCE W. MILLER,
Chief Clerk of the House.

Passed the senate February 26, 1919.

CHAS. S. HOFFMAN,
President of the Senate.
EMMET D. GEORGE,
Secretary of the Senate.

Approved, February 27, 1919.

HENRY J. ALLEN, *Governor.*

Mr. SHEPPARD. I present a resolution of the Legislature of the State of Texas, favoring the return of telegraph and telephone lines to private ownership, which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

The resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Simple resolution 54.

Feeling that the public sentiment of the people of Texas, as expressed by resolution of this senate, would better enable the Congress of the United States to solve and direct the course of the problem of Government ownership of telegraph and telephone lines: Therefore be it

Resolved by the Senate of the Thirty-sixth Legislature of the State of Texas, That we are opposed to Government ownership of telegraph and telephone lines. Be it further

Resolved, That we favor the return of the telegraph and telephone lines to their owners at the earliest possible moment. Be it further

Resolved, That the Secretary of the senate forward properly authenticated copies of this resolution to each Senator and Member of Congress, in the United States Congress, and copies to the chief clerk of the legislature of every State in the United States.

Mr. WEEKS. I present resolutions adopted by the General Court of Massachusetts, favoring the granting of six months' additional pay to honorably discharged soldiers and sailors, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The resolutions are as follows:

THE COMMONWEALTH OF MASSACHUSETTS.
IN THE YEAR 1919.

Resolutions urging Congress to provide additional pay for soldiers and sailors discharged from the service of the United States.

Whereas thousands of soldiers and sailors in the service of their country are daily being discharged from the Army or Navy of the United States; and

Whereas such discharged soldiers and sailors are encountering much difficulty in securing employment on account of the present industrial condition of the country; and

Whereas in the opinion of the General Court of Massachusetts it is the duty of the National Government to provide for the care and support of such discharged soldiers and sailors until they secure employment: Therefore be it

Resolved, That the General Court of Massachusetts hereby requests the Congress of the United States to pass suitable legislation for the purpose of providing six months' additional pay for soldiers and sailors upon their discharge from the service of the United States; and be it further

Resolved, That copies of these resolutions be sent by the secretary of the Commonwealth to the President of the United States Senate, to the Speaker of the National House of Representatives, and to the Members of the Senate and House in Congress from this Commonwealth.

In house of representative adopted February 13, 1919.
In senate adopted, in concurrence, February 18, 1919.
A true copy.
Attest:

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

Mr. HENDERSON. I present for the Senator from California [Mr. PHELAN] a resolution adopted by the Legislature of the State of California favoring an appropriation of $100,000,000 for placing the returning soldiers and sailors upon farms, and so forth, which I ask to have printed in the RECORD.

The resolution was ordered to lie on the table and be printed in the RECORD, as follows:

CALIFORNIA LEGISLATURE, FORTY-THIRD SESSION,
AT SACRAMENTO, ASSEMBLY CHAMBER, *January 25, 1919.*

To the Hon. Franklin K. Lane, Secretary of the Interior, to the President of the United States Senate, Speaker of the House of Representatives, and to each Senator and Member of Congress from the State of California:

In compliance with the provisions of assembly joint resolution No. 14, adopted by the Legislature of the State of California at the forty-third session, I am sending you a true copy thereof, in title and words, as follows:

CHAPTER 21.

Assembly joint resolution 14.

(By Mr. N. J. Prendergast, of the twenty-seventh district)

Relative to the plan recommended by the Hon. Franklin K. Lane, Secretary of the Interior, for the placing of returning United States soldiers upon farms.

Whereas it has been recommended by the Hon. Franklin K. Lane, Secretary of the Interior, that Congress immediately appropriate the sum of $100,000,000 for placing the returning soldiers of the United States upon farms, thereby inaugurating a plan whereby at least 100,000 men will be immediately employed in the creation of at least 25,000 farms within the territory of the United States; and

Whereas the plan as outlined by the honorable Secretary of the Interior proposes the reclamation of approximately 215,000,000 acres of arid and swamp land within the United States at present unfit for cultivation because of the lack of water in the one case and drainage in the other; and

Whereas the plan suggested is not a "charity scheme," and under appropriate management will be self-funding, and will offer alluring opportunities to settlers as compared with the old land settlement systems, inasmuch as 40 years' time is to be given the settlers within which to reimburse the United States for the money and credit loaned to them: Now, therefore, be it

Resolved by the senate and assembly, jointly, That the plan as outlined by Secretary of the Interior Lane meets with its heartiest and utmost approval, and that this legislature urges upon the Congress of the United States the early enactment into law of the plan proposed and the appropriation of the money needed to carry out the provisions thereof; and be it further

Resolved, That the chief clerk of the assembly be, and he is hereby directed to forward copies of these resolutions to the Hon. Franklin K. Lane, Secretary of the Interior, to the President of the Senate of the United States, Speaker of the House of Representatives, and each of California's Senators and Representatives in Congress.

HENRY W. WRIGHT,
Speaker of the Assembly.
C. C. YOUNG,
President of the Senate.
MARTIN C. MADSEN,
Private Secretary to the Governor.
FRANK C. JORDAN,
Secretary of State.

And do hereby certify that the same was duly filed with the secretary of state on January 25, 1919.

B. O. BOOTHBY,
Chief Clerk of the Assembly.

Mr. HENDERSON. I also present for the Senator from California [Mr. PHELAN] a resolution of the Legislature of California concerning an adequate merchant marine, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

The resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

CALIFORNIA LEGISLATURE,
AT SACRAMENTO, FORTY-THIRD SESSION,
Assembly Chamber, January 26, 1919.

To the honorable President of the United States, President of the United States Senate, Speaker of the House of Representatives, and to each Senator and Representative in Congress from the State of California:

In compliance with the provisions of assembly joint resolution No. 10, adopted by the Legislature of the State of California at the forty-third session, I am sending you a true copy thereof, in title and words, as follows:

CHAPTER 18.

Assembly joint resolution 10, by Mr. Edgar S. Hurley, of the thirty-eighth district, relative to the constructing and fitting out of all ships and vessels used by Emergency Fleet Corporation or coming under their control.

Whereas during our recent war there have been constructed within the United States many shipyards which, taken altogether, have a capacity sufficient to construct all the ships required by the Federal Government in the operation of the American merchant marine; and

Whereas we are now confronted with the problem of caring for our returned soldiers, there appearing to be more men than jobs; and

Whereas in face of this fact the Emergency Fleet Corporation is reported to have let contracts to the shipyards located in foreign countries in an amount exceeding $30,000,000: Therefore be it

Resolved by the assembly and the senate, jointly, That the Legislature of the State of California memorializes the Congress of the United States that they take such steps as may be necessary to prevent final consummation of this deal and to cancel any contracts that have been entered into if the same can be done consistent with the honor and integrity of the United States. And that they enact such laws as will prevent a repetition of such, and that they further provide for all American ships to be constructed in shipyards in the United States.

Resolved, That the Senators and Representatives in Congress from the State of California be requested to use all honorable means to secure the action desired in this matter for the purpose aforesaid: And be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, President of the United States Senate, Speaker of the House of Representatives, and each of the Senators and Representatives in Congress from the State of California, including those who shall assume office on March 4, 1919.

HENRY W. WRIGHT,
Speaker of the Assembly.
C. C. YOUNG,
President of the Senate.
MARTIN C. MADSEN,
Private Secretary to the Governor.
FRANK C. JORDAN,
Secretary of State.

And do hereby certify that the same was duly filed with the secretary of state on January 25, 1919.

B. O. BOOTHBY,
Chief Clerk of the Assembly.

Mr. HENDERSON (for Mr. PHELAN) presented a petition of the governing committee of the Realty Board of Los Angeles, Cal., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented a resolution adopted by the Trades Council of Kemmerer, Wyo., favoring an investigation into the Postmaster General's administration of the wire system, which was referred to the Committee on Post Offices and Post Roads.

Mr. HALE presented a petition of Terminal Lodge, No. 602, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of Portland, Me., praying for Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. MYERS presented a petition of sundry citizens of Billings, Mont., praying for the repeal of the tax on sporting goods, which was referred to the Committee on Finance.

Mr. MOSES presented resolutions adopted by sundry manufacturers of Franklin, N. H., favoring the continuance of the daylight-saving law, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Hillsboro County Teachers' Association, of New Hampshire, praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by Council No. 92, Knights of Columbus, of Manchester, N. H., favoring the freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of congregations of the Congregational and Methodist churches of Bristol, N. H., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

Mr. KNOX presented a petition of the Board of Trade of Sellersville, Pa., and a petition of the Kiwanis Club, of Easton, Pa., praying the return to private ownership of telegraph and telephone lines be deferred until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed, which were referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by Local Union No. 500, United Brotherhood of Carpenters and Joiners of America, of Butler, of the United Labor Council of Butler, and of Monongahela Lodge No. 430, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of West Elizabeth, all in the State of Pennsylvania, favoring the proposed five-year extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

Mr. THOMPSON. I present a resolution adopted by the Legislature of the State of Kansas, relative to the embarkation of the Thirty-fifth Division, composed of the National Guard of Kansas and Missouri, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House concurrent resolution 34.

A resolution concerning the return of the Thirty-fifth Division from service overseas.

Whereas it has been announced that the Thirty-fifth Division, composed of the National Guard of Kansas and Missouri, will shortly be returned to this country for muster out of Federal service; and

Whereas the division was organized and trained by National Guard officers of Kansas and Missouri and the record made by the citizens of Kansas and Missouri constituting its membership in the Battle of the Argonne Forest was one of unsurpassed heroism and efficiency; and

Whereas the affection existing between the officers and men composing the division and their State pride and esprit de corps contributed in the largest measure to their gallant achievements against the professional soldiers of Germany; and

Whereas it is the desire of the members of the division and of the citizens of Kansas that our citizen soldiers be permitted to return to their own people under their own officers: Therefore be it

Resolved by the Legislature of the State of Kansas: That the President of the United States be and is hereby respectfully petitioned to direct that upon the embarkation of the division the officers who accompanied it across be returned to it and that National Guard officers of Kansas and Missouri serving with the same be assigned to the command of its regiments, battalions, companies, and batteries to accompany the same to the point of demobilization.

Resolved further, That the governor be requested to cause these resolutions to be laid before the President and to acquaint him with the earnest desire of the people of this State that this simple act of justice be done the survivors of more than 10,000 Kansans whose efforts and sacrifice have made possible the glorious achievements of this division; and

Resolved further, That the Senators and Representatives of this State in Congress be requested to call on the President immediately upon his return from France and petition him to cause the necessary orders to be issued in the premises.

I hereby certify that the above concurrent resolution originated in the house and passed that body February 25, 1919.

D. A. N. CHASE,
Speaker of the House pro tempore.
CLARENCE W. MILLER,
Chief Clerk of the House.

Passed the senate February 26, 1919.

CHAS. S. HUFFMAN,
President of the Senate.
EMMET D. GUGE,
Secretary of the Senate.

Approved February 27, 1919.

HENRY J. ALLEN,
Governor.

Mr. GORE. I should like to have printed in the RECORD a memorial introduced by State Senator Hill and adopted by the Oklahoma State Senate, and perhaps by this time adopted by the house. I also present a resolution adopted by the city council of Tulsa, Okla. I ask to have the memorial and resolution printed in the RECORD, together with certain other letters and matter which I will furnish later.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Senate resolution No. 22.

A resolution requesting the Senators and Representatives in Congress from Oklahoma to use their good offices in behalf of Oklahoma soldiers who are now confined in Federal prisons by order of courts-martial.

Whereas it has been currently reported that a number of Oklahoma soldiers who were at training camps have received severe and unjust prison sentences from military courts-martial; and

Whereas these soldiers came into the Army from civil occupations and were wholly unaccustomed to, and unfamiliar with, military rules and regulations; and

Whereas under such conditions the imposition by court-martial of such severe and unwarranted sentences is destructive to morale and discipline and tends to weaken the confidence of the civil population in the ability and integrity of our military leaders: Now, therefore, be it

Resolved by the senate, That our Senators and Representatives in Congress are hereby respectfully requested to use their good offices to the end that justice may be done to these soldiers, and that they may not, for minor offenses, be forced to languish behind prison bars.

Passed February 27, 1919.

RESOLUTION OF THE IRISH SITUATION.

Whereas the Great World War, by virtue of the armistice that has been heretofore executed, is at a standstill, and

Whereas there is at this time assembled a conference of the representatives of the different nations of the world being held upon French soil, and

Whereas there has been suggested the names of delegates to this great peace conference that have not been accorded a seat thereat, and

Whereas we feel that a country that has been the home of statesmen like Emmet, Curran, O'Connell, Purnell, and the Count Horace Plunkett, should be represented at this conference, for

As we look back over the pages of history we see in the distance a small nation that has, throughout the centuries, been struggling upward and onward and a country that has produced some of the brightest minds, the greatest intellects, the finest orators, and the sublimest statesmen that have been permitted to set their feet upon the footstool of the Almighty.

This small nation has been ruled and governed by the strong arm of a monarchy that has at times been of the most tyrannical nature that ever pressed down the crown of thorns upon the brow of human kind. A few of the many acts of tyranny that have been enforced by this monarchial form of government against this small nation during the years that have dawned and died, have been,

The coercion acts in which the citizens were coerced into doing things that were revolting to their manhood.

The suspension of the habeas corpus act by which thousands of the people of this country were put in prison without charge or any means of any character afforded to them by which they could get release or relief.

The suspension of a trial by jury, the result of which meant new punishment or acts of tyranny against the individuals in such manner as might seem or be the pleasure of tyrannical judges to inflict.

A search by the police without warrant or ceremony of any character, ruthlessly crossing the threshold of the home at any time that their own peculiar inclinations might suggest.

The innocent were fined and imprisoned for offenses committed by the guilty, who were permitted to go without molestation.

The alien or foreign visitors have been expelled from this country.

The curfew law and the blood money of the Norman conquerors have been exacted; the press and the newspapers have been gagged, suppressed, and, in some instances, destroyed. This tyrannical monarchy has manufactured new crimes and offenses; yet and with it all, and through it all, the people of this country have struggled on and on, at all times looking toward the day when they could be free and independent and establish for themselves a republic and make a democracy that would be a benefit to themselves, a blessing to their inhabitants, and an inspiration to the world.

The eyes of America are turned at this time on the Irish people. The world knows of the Sinn Feiners and to the people of America the Sinn Feiners are standing in the same attitude toward England to-day as the Thirteen Colonies along the eastern shores of the United States stood in 1775, and are making the same fight for their own independence that the heroic men of Washington's Army made, and we sincerely hope that their success in obtaining their independence will be equal to that obtained by John Hancock, Benjamin Franklin, and the signers of the Declaration of Independence of 1776.

It occurs to the people of the United States, or at least a large number of them, that the Sinn Feiners are the democratic organization of the Irish colonies, and due recognition is given to their assertion that they never have relinquished their claim to separate nationhood and to the establishing of an Irish republic; and they feel that they have certain inalienable rights to sovereign independence and that they should choose their own form of government, and they deny the right of the British Parliament or British Crown or the right of any foreign government to legislate for the republic of Ireland. The people of the United States feel the same as a "highly placed Englishman in Dublin," when he recently said, "We have to choose now between recognition of Ireland's rights or the loss of our hard-won union with America, with all that that means to ourselves and to the world." This is the cardinal fact, this is the menace in the Irish situation and the press of England's answer, appears to be to the Englishman, to "use all their influence to divert the disaster to the world which this threatens," and concluded by saying, "A little longer and it will be too late," and we feel that they should be recognized and be permitted a seat at the peace session in Paris, and that inasmuch as Count Plunkett, Edmond de Valera, and Arthur Griffith have been named by the Irish republic as their delegates to the peace conference: Therefore be it

Resolved by the mayor and board of commissioners of the city of Tulsa, Tulsa County, Okla., That the people of Ireland should, and of right, ought to be free and independent; and be it further

Resolved, That our Government should lend its assistance to this struggling country to aid it in establishing for itself a democratic form of government; and be it further

Resolved, That the representatives of our Government now sitting at the peace table in the Republic of France should insist upon the recognition of Count Horace Plunkett, Edmond de Valera, and Arthur Griffith as duly qualified and regularly elected representatives at said conference, and be it further.

Resolved, That the Government of the United States should recognize the Republic of Ireland with its Democratic ideas, ideals, and independence as a free and independent nation, and accord to it all of the rights and privileges of any Republic.

Adopted and approved this 28th day of January, A. D. 1919.

C. H. HUBBARD, *Mayor.*
M. J. MCNULTY, jr.,
Commissioner Streets and Public Property.
F. M. BOHN,
Commissioner Police and Fire.
H. F. NEWBLOCK,
Commissioner Finance and Revenue.
R. E. CURRAN,
Commissioner Water.

Attest:
[SEAL.]
CHAS. F. BURKE,
City Auditor.

STATE OF OKLAHOMA,
County of Tulsa, city of Tulsa:

I, Chas. F. Burke, the duly elected, qualified and acting city auditor and ex officio city clerk of the city of Tulsa, Okla., hereby certify that the foregoing copy of the "Resolution on the Irish Situation," is a true and correct copy of the original resolution now on file in my office.

Dated this the 25th day of February, 1919.

[SEAL.]
CHAS. F. BURKE,
City Auditor.

THE COTTON EMBARGO—LEAGUE OF NATIONS.

Mr. GORE. Mr. President, I should like to have printed in the RECORD a memorial introduced by State Senator Hill and adopted by the Oklahoma State Senate, and perhaps by this time adopted by the house. I also present a resolution adopted by the city council of Tulsa, Okla. I ask to have the memorial and resolution printed in the RECORD, together with certain other letters and matter which I will furnish.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

THE COTTON EMBARGO.

(Appeal to the President, signed by Senator GORE and other cotton States Senators.)

FEBRUARY 24, 1919.

Mr. PRESIDENT: We respectfully urge the necessity for immediately removing cotton from the embargo list.

The present price at which cotton sells is below the estimated cost of production in many localities. Bankers and merchants have advanced upon it in many instances beyond the prices at which it now sells.

The situation is demoralizing business conditions of the States in which cotton is raised, and threatens serious financial loss to cotton growers and to merchants and bankers who have advanced upon cotton.

We urge that this condition has been brought about in large part by the embargo which prevents shipments of cotton to markets in which it could otherwise be sold.

Cotton, now on the embargo list, can not be exported except where the exportation is approved by the War Trade Board. A number of us have learned recently of large sales of cotton which could be made to neutral countries but for the fact that the War Trade Board refused licenses, and cotton, being on the embargo list, could not be exported without the licenses.

We are advised that the burden resting upon cotton owners will be greatly relieved if you will remove cotton from the embargo list.

That you may appreciate the condition and the injury that this restriction of markets places upon holders of cotton, we call your attention to the fact that cotton was selling last September for 38 cents a pound. It was then that the subject of cotton was referred to the War Industries Board, with a view to stabilizing the price or fixing the price. This interference with the market broke the price and demoralized purchasers, so that buyers ceased to purchase at the 38-cent market and bid down the market to around 30 cents a pound. The War Industries Board finally determined that it had no authority to fix a price and no power to maintain it, but the injury had already been done.

Then it developed that the War Trade Board was seriously interfering with the export of cotton by restricting licenses for shipment even to countries not contiguous to Germany and Austria, and from which countries cotton could not have reached either of the enemy countries. This still further demoralized the cotton market and forced down the price.

If cotton is taken off the embargo list broader opportunities for sale at once will follow, and the injury which has been done to cotton raisers and merchants and bankers in the sections where cotton is raised will be reduced.

We earnestly appeal to you to take cotton off the embargo list and permit it normally to be sold and shipped where purchasers are willing to buy.

The cotton raiser has suffered more from the war than any class of our citizens. He is not now asking the Government to give him the assistance which is going to other farm products. We only ask that he be relieved from burdens placed on him by his own Government.

Respectfully,

———— ————.

VATICAN FINDS FAULT WITH PROPOSED LEAGUE.—"MIGHT HAVE BEEN CONSTITUTED IN SIMPLE MANNER," SAYS PAPER.

ROME, *March 12.*

The Osservatore Romano, the semiofficial organ of the Vatican, prints an article on the league of nations which is understood to embody the viewpoint of the Holy See. It says the league "might have been constituted in a simpler manner" and outlines the functions of the league as follows:

The setting up of an arbitration tribunal to solve international conflicts.

The formation of a society of all civilized nations, including those defeated in the war, which will pledge themselves to submit their differences to a tribunal and accept its rulings.

The bringing about of an agreement to declare an economic boycott against any nation which refuses to submit controversies to a tribunal or which will not accept decisions on matters which have been so submitted.

In conclusion the article recalls that such a project was suggested in the pope's appeal to belligerent nations on August 1, 1917.

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OSCAR STRAUS URGES PEACE LEAGUE CHANGE—FAILS TO GET AMENDMENT AT UNION MEETING TO GUARD MONROE DOCTRINE.

LONDON, *March 12.*

(By the Associated Press.)

The efforts of Oscar Straus, of the American League to Enforce Peace, to have the league of nations union favor an amendment to the league of nations covenant designed to safeguard the Monroe doctrine failed to-day.

The French and English delegates, who dominated the conference, pleaded that the subject was too far-reaching for quick action, while the Chinese protested that it too vitally affected them.

Mr. Straus proposed an addition to article 10, providing that should two States threaten war on each other the nearest great power "in the first instance" was obligated to step in without calling for the assistance of the other great powers. Should this power fail, then it would be a matter for the entire league's fighting forces to handle.

The British proposal that article 16 be changed to make any nation which breaks the covenant ipso facto at war with all the other members of the league, rather than merely committing an act of war, as the covenant provides, was defeated on the plea of Mr. Straus, who maintained that it conflicted with the Constitution of the United States. Whereupon the other delegates said they were glad to drop the matter as they were unwilling to arouse further feeling in the United States.

The French and British societies presented many proposed changes, but those agreed upon were relatively unimportant.

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LEAGUE OF NATIONS INDORSED BY BRYAN—FORMER SECRETARY, HOWEVER, FINDS SOME FAULT AND PROPOSES CHANGES—BIG STEP TOWARD PEACE—WOULD PRESERVE MONROE DOCTRINE, INCREASE UNITED STATES VOTE, AND LIMIT AUTHORITY OF GENERAL COUNCIL.

WASHINGTON, *March 11.*

William Jennings Bryan issued a statement here to-night indorsing the league of nations but suggesting amendments to the proposed constitution which, among other things, would preserve specifically the Monroe doctrine, enlarge the proportionate voting power of the United States, and make it clear that each member nation might decide for itself whether it would support decrees of the league's general council.

While pointing to imperfections, Mr. Bryan argued that they should not be allowed to lead to rejection of the plan, declaring that risks to be run in accepting the league were less than those involved in rejection and returning "to the old ways of blood and slaughter."

Mr. Bryan dictated the statement from his sick bed at the home of friends, where he has been confined for nearly three weeks. He said the league of nations idea, "the greatest step toward peace in a thousand years," was taken from the 30 arbitration treaties negotiated by the United States while he was Secretary of State. It was not to be expected, he said, that so great an idea would be made perfect in detail in so short a time, and added that while President Wilson "had done the best he could" he would be helped by intelligent and friendly criticism from the American public.

MR. BRYAN'S STATEMENT.

The statement follows:

"The league of nations is the greatest step toward peace in a thousand years. The idea of substituting reason for force in the settlement of international disputes is in itself an epoch-making advance. The constitution of the league as announced provides for three things which constitute in themselves an advantage the importance of which can scarcely be estimated. Deliberation before the war, the investigation of all disputes, of their kind and character, before hostilities begin. This almost ends war. The idea is taken from the 30 treaties negotiated by the United States with three-quarters of the world. Our Nation, therefore, gives to the peace league its greatest piece of machinery. Second, the reduction of armaments will make it impossible for a nation to prepare for war without notifying the world of its intention. Third, the abolition of secret treaties, which will do much to prevent the combinations which lead to war. If the league of nations did nothing more than provide for these three things, our Nation would be justified in supporting it to the utmost.

"It is not to be expected that so great an idea as the league of nations would be made perfect in detail in so short a time. There are defects that should be corrected, and the fullest discussion of proposed amendments should be invited. The newspapers of Great Britain, France, and Italy are not backward in the expression of their views as to changes that should be made. Why should the American people be silent? Ours is the Nation most influential in the league and the most powerful, because most disinterested. Its people should help, by free and frank discussion, to perfect the league. The President has done the best he could, but he will be aided by intelligent criticism from those friendly to the idea.

PROPOSES AMENDMENTS.

"I venture to point out certain amendments that should, in my judgment, be made in the interest of a stronger and better league. First, the basis of representation is not fair to the United States. A comparison of voting strength will show that while our Nation is the most powerful in the combination, whether measured by population, wealth, or moral influence, it has no larger vote than nations much inferior in population, wealth, and influence. This inequality ought, if possible, be corrected, for justice is the only foundation upon which any institution can rest in permanent security.

"Second, the terms of admission to nations that may desire to join hereafter are not fair. To require a two-thirds vote to admit a new nation suggests the social club, where a few blackballs may keep out an uncongenial applicant. The world league is for the world. The President has well said that our Nation is not interested in a league unless all nations are in it. The qualification for admission ought to be fixed, and then it ought to be made as easy as possible for those who are qualified to gain admission. Under no circumstances should the consent of more than a majority be required for the admission of any qualified nation.

FINDS DRAFT INDEFINITE.

"The faults of the constitution are found to be in its indefiniteness rather than in things positively objectionable. For instance, it is not stated with sufficient clearness that the Monroe doctrine is preserved. Our Nation is not asking to be permitted to assist in the settlement of European disputes, and therefore it ought not to be asked to give up its paramount influence in the Western Hemisphere as a condition precedent to its entry into the league. Then, too, it is not stated with sufficient clearness that a league member is not required to become a mandatory. It ought to be definitely stated that a nation asked to become a mandatory is at liberty to accept or decline. Again, it should be made clear that the league is not to interfere in the internal affairs of the nations belonging to the league. The league is for the settlement of international disputes, not for the adjustment of differences between a nation and its own people.

"Another matter that should be made clear—and nothing can be more important than this—is that each nation has a right to decide for itself whether it will undertake the things advised by the general council. The language of the constitution, while not definite, would seem to indicate that no nation is required to furnish force to back up a decision of the council. But no doubt should be left on this subject. This matter can not afford to allow a council in which it has so small a voice to carry it into war against its will. Our people will have as much sense when the time comes to act as they have now, and they will have more light to guide them. When the emergency arises and they understand all the circumstances and conditions, they may be willing to assist by force, but they can not decide in advance or call a council to decide for them.

OPPOSES COMPULSORY BOYCOTT.

"The constitution of the league would seem to imply the right of the council to compel the declaration of an economic boycott by the members of the league. This is not quite so serious as the declaration of war, but economic boycott is likely to develop into a war, and an economic boycott may be pecuniarily advantageous to the nations that want to declare it. Our interests may not be identical in this respect, and we ought to have a right to say at the time whether we would declare such a boycott.

"I venture to suggest that the scope of the league's work might well be extended beyond what is now contemplated. A substitute for war must be able to deal with every situation that can become a cause of war. One of the most fruitful causes of war has been the necessity for expansion. Growing nations, feeling the necessity for more room, have often gone to war on some clumsy pretext when the real purpose has been to secure territory for an increasing population. The right to live is one of the inalienable rights. It is a primal right that must be recognized in nations as well as individuals.

TO BRING IN NEW TERRITORY.

"Nations exercise the right of taking unused land and distributing it among those who need it. So if the league of nations is to substitute reason for war it must be able to deal with claims that are made for the waste places of the earth. A nation feeling a need for more territory should be able to go before the league and present its claims and point out the territory which it can use to advantage. The council should consider the claim and advise it, and the force of public opinion should be used to secure such an adjustment of equities as would afford a peaceable means of securing needed territory.

"Such adjustments could be made the easier if the league indorsed the proposition that any nation extending its sovereignty over new territory should stand ready to purchase the property of residents who do not desire to remain under the new sovereignty. The resident does not go with the land. He has rights independent and superior to the right of the land. If, against his will, he is brought under new sovereignty, he ought to be able to sell his property without loss, and choose a sovereignty of his own like.

"I have suggested what seemed to me to be desirable changes, some being modifications, some being merely more explicit statements. I conclude, as I began, that while we should endeavor to make the league as nearly perfect as possible, we should not allow its imperfections to lead to its rejection. We must take risks no matter whether we accept the league or reject it. The risks that we take in accepting it are less than the risks we take if we reject it and turn back to the old ways of blood and slaughter. God grant that those who are intrusted with the launching of this great work may have the wisdom to so purge it of selfishness and greed and so infuse into it the spirit of the Prince of Peace as to make it the end of war."

THE LEAGUE OF NATIONS.

[Interview with Senator GORE, The Daily Oklahoman.]

It would be a tragedy worse than war if nothing came out of this war which even tends to minimize the causes, multiply the substitutes, and moderate the horrors and sorrows of war. As to that end all are agreed. As to the best means of attaining that end there will be a diversity of views and there should be the greatest liberality of discussion. Free discussion is the best crucible in which to separate the gold from the ore. When the 13 original States ratified the Constitution of the United States, they recommended more than 150 amendments. Twelve amendments were submitted by the First Congress, 10 of which were adopted. That was a method sanctioned alike by statesmanship and by common sense. Ex-President Taft has just suggested that the Monroe doctrine and that foreign immigration should be excepted out of the jurisdiction of this proposed league. I agree with him. American labor will never consent, no true American will ever consent, that the question of Japanese and Chinese immigration should be referred to and decided by interested aliens.

Senator OWEN and other Senators have suggested certain amendments. I have suggested a certain amendment designed to democratize war. The proposed constitution provides that before resorting to war the nations will refer their disputes to a "court of arbitration," the "executive council," or to the body of "delegates." My amendment would add "THE PEOPLE." Require each nation before resorting to war to submit the issue to the people themselves. I want the fathers and mothers whose sons are to fight these battles and die in distant lands to pass judgment upon the desirability of the war. That is democracy. I could not consent to see economic isolation apply to any country which had not voted for war. Economic isolation punishes the innocent as well as the guilty. It is little less than economic death. Take a case in point: The isolation of the United States would break practically every cotton farmer. It would break practically every bank that finances them. It would break practically every merchant that depends upon their patronage. The economic isolation of Great Britain—which could never be enforced on account of her navy—would wreck many of our own industries as well as hers.

I am not willing, through an entangling alliance or otherwise, to bind the United States in advance to take part in every war that ever happens in every quarter of the globe, without reference to our rights, our interests, and our honor. The proposed league should make this clear, that we do not surrender the independence or vacate the sovereignty of the United States. No true American is willing to tear down the Stars and Stripes, to furl the flag that makes him free, to see the Government of the people, by the people, and for the people perish from the earth. I hope to see a permanent international legislative council established. It should meet annually and should clarify, codify, and promulgate the rules and principles of international law. A permanent court of arbitration should also be established to decide justiciable questions—a court of conciliation to consider nonjusticiable questions. The enlightened opinion of mankind should be concentrated against the offending or refractory nation, and a scheme of economic isolation might be applied to the nation whose people vote for war. These would be long steps in the course of evolution. Our hope is in evolution—not in revolution. Let us not lose the jewels at our feet trying to grasp the stars above our head.

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THE CONQUERED BANNER.

["Father Ryan" (Abram J. Ryan).]

Furl that banner, for 'tis weary;
Round its staff 'tis drooping dreary;
Furl it, fold it, it is best:
For there's not a man to wave it,
And there's not a sword to save it,
And there's not one left to lave it
In the blood which heroes gave it;
And its foes now scorn and brave it;
Furl it, hide it—let it rest.

Take that banner down, 'tis tattered;
Broken is its staff and shattered;
And the valiant hosts are scattered,
Over whom it floated high.
O! 'tis hard for us to fold it;
Hard to think there's none to hold it;
Hard that those, who once unrolled it,
Now must furl it with a sigh.

Furl that banner—furl it sadly;
Once ten thousands hailed it gladly,
And ten thousands wildly, madly,
Swore it should forever wave;
Swore that foeman's sword should never
Hearts like theirs entwined dissever
Till that flag should float forever
O'er their freedom or their grave!

Furl it! for the hands that grasped it,
And the hearts that fondly clasped it,
Cold and dead are lying low;
And that banner—it is trailing!
While around it sounds the wailing
Of its people in their woe.

For, though conquered, they adore it!
Love the cold, dead hands that bore it!
Weep for those who fell before it!
Pardon those who trailed and tore it!
But, oh! wildly they deplore it,
Now who furl and fold it so.

Furl that banner! True, 'tis gory,
Yet 'tis wreathed around with glory,
And 'twill live in song and story,
Though its folds are in the dust;
For its fame on brightest pages,
Penned by poets and by sages,
Shall go sounding down the ages—
Furl its folds though now we must.

Furl that banner, softly, slowly,
Treat it gently—it is holy—
For it droops above the dead.
Touch it not—unfold it never,
Let it droop there, furled forever,
For its people's hopes are dead!

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NEW YORK, *February 26, 1919.*

Hon. THOMAS P. GORE,
Senate Office Building, Washington, D. C.

SIR: Americans are being asked to enter a league of nations and bind themselves to abide by its constitution forever.

Do my fellow Americans, let me ask, realize clearly the fact that the United States of America is now the richest and most powerful Nation in the world?

Do they realize clearly the fact that as a member of the "league" the United States would be only one of an "executive council" of nine nations, and that the other eight would have a common interest against us in the internationalization of our Panama Canal?

Do they realize clearly the fact that the European nations have important interests in common which we do not share, and that in these questions they would naturally stand together against us?

Do they realize, for instance, that the other eight nations are our debtors, and we are the creditor of all; that we would be one creditor in the power of eight debtors?

Are they willing to bind themselves not to increase our Army or Navy without the consent of an "executive council" controlled by the other eight—by the powers of Europe and Asia? I am not.

Are they willing thus to surrender into the hands of such a coalition of European and Asiatic powers the security upon which depends the sovereignty of the United States? I am not.

Are they willing to bind themselves to "preserve as against external aggression"—which means to fight for—the territorial integrity and political independence of States, little and big, in Europe, Africa, Asia, and Central and South America? I am not.

Are they willing to bind themselves to accept the decision of the powers of Europe and Asia in matters which relate to Mexico and the countries which surround and control our Canal Zone, and thus, in effect, to surrender the Monroe doctrine? I am not.

Are they willing to bind themselves not to make war in defense of our southern border or our Canal Zone without the consent of the European and Asiatic powers? I am not.

Are they willing to bind themselves not to make war to prevent the transfer of Magdalena Bay or Lower California to a foreign nation, if the European and Asiatic powers confirm the title of the purchaser and refuse the United States their permission to fight? I am not.

Are they willing to bind themselves to stop doing business at the command of the powers of Europe and Asia with any nation that those powers may determine to punish, even if it be against our will and interests? I am not.

Are they willing to bind themselves to surrender the control which we now exercise over the supply of arms and ammunition to Mexico, for instance, and to place that control in the hands of the European and Asiatic powers? I am not.

Are they willing to bind themselves to administer remote territories in Europe, Asia, or Africa as an agent of the European and Asiatic powers? I am not.

Are they willing to bind themselves to give these powers the right to direct our actions as merely an agent of these powers in the work of policing Central America, for instance, for the protection of our Panama Canal? I am not.

Finally, are they willing, have they the right, to bind themselves, their children and their children's children, to these things forever? I am not; I have not the right.

Is America so unable to care for herself that she needs must place herself under an international protectorate? Ought we not have sufficient faith in her great destiny to wish to preserve her independence?

What would have been Roosevelt's answer to these questions? I know, so should every American.

Cordially,

HENRY A. WISE WOOD.

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[From the Washington Post, Sunday, March 9, 1919.]

MAJ. GEN. WILLIAM CROZIER DISCUSSES THE QUESTION OF TESTING THE INTERNATIONAL CONSTITUTION OF THE LEAGUE OF NATIONS.

(By Maj. Gen. William Crozier, member of the International Peace Conference of 1899 at The Hague.)

A good way to estimate the sufficiency of the new constitution of the league of nations for effecting its object of avoiding war is to apply its terms to some of the international disputes which in the past have proved too much for the powers of diplomacy and have brought the disputants into armed conflict. We can examine the probable effect of the new constitution if it had been in operation at the time of these conflicts, and can also make up our minds as to how we would have liked the results.

In 1914 I published in the North American Review an article in which I undertook to show that we would not have liked at all the probable outcome of the submission to judicial settlement of the causes of several of the wars in which the United States had been engaged, for the reason that our contentions, though just, and subsequently accepted as such by the world at large, had not been in accordance with the precedent and established order which constituted the international law of the time, and therefore could not have been granted by a judicial body.

RUSSO-JAPANESE WAR CITED.

The war in which hostilities have so recently ceased is too close to be fairly used as a test case for the new constitution. Nobody who is likely to see these lines can claim to be in an entirely judicial frame of mind in regard to its causes. But if we go as far back as the Russo-Japanese War, for instance, we can claim to be reasonably free from prejudice, and can also examine the attendant circumstances from the detached viewpoint of the outsider who had no direct interest in the quarrel.

The war arose from the mutual jealousy of Russia and Japan, each distrusting the intentions of the other with reference to the territory of Manchuria and Korea, lying between them.

Manchuria belonged to China, in regard to whose political health the rest of the world had for a good while been solicitous, while Korea was independent, but was undoubtedly very sick and senile. Neither of these nations was able to stand up for itself, and Korea was even less able than China to govern itself in the interest of its own inhabitants or to fulfill its obligations to foreign nations.

Russia had for some years since the Boxer troubles been occupying Manchuria with her troops, but under a delayed promise to get out. Japan claimed "special interests" in Korea. Under these circumstances Japan suspected Russia of an intention to permanently occupy Manchuria and to spread from there over into Korea, to the threat of her own national existence. Of what intentions Russia suspected Japan it is not so easy to say.

JAPAN'S DEMANDS ON RUSSIA.

Japan, therefore, demanded of Russia that she keep her engagement with China and withdraw her troops from Manchuria, and Russia replied that Japan had nothing to do with her affairs with China, but she would respect Japan's special interests in Korea if Japan would agree not to use Korean territory for strategic purposes; that is, presumably, would not keep troops in Korea conveniently disposed for interfering with Russia's doing in Manchuria.

Both nations evidently had designs on territory that was not their own—Russia on Manchuria and Japan on Korea—and probably both were apprehensive that the other would not stop in the territory on which it had its first designs. Not being able to come to agreement, they went to war.

If the constitution of the league of nations had been operative at the time, what could have been done under it to meet the situation and avoid the war?

WOULD ARTICLE 13 APPLY?

Under article 13 it is agreed to submit to arbitration any dispute or difficulty which the parties recognize to be suitable for such submission, but it is altogether probable that neither Russia nor Japan would have considered their quarrel which culminated in 1904 to be such a dispute.

Russia's promise to get out of Manchuria was, of course, a justiciable matter, which could have been pronounced upon by a court; but the promise was made to China and not to Japan, and it is not certain that Japan could have gotten into court on the issue. Besides, Russia knew that that particular question, if it could have been taken into court, would have been decided against her, and therefore she would not have consented to a judicial determination of it in its simple form.

Japan knew that her underlying desire to control Korea could also not be granted by a judicial body and consequently would not have found her remedy to lie in action by such a body. Indeed, she had opportunity to try for such action in that an international court had been provided

for by The Hague peace conference of 1899, but there is no record of an effort on her part to resort to it.

NO NATION URGED RESORT TO COURT.

That the rest of the world agreed that judicial process would not meet the situation is evidenced by the fact that no nation advised resort to the court, although the tender of such advice was a duty which they had assumed as signatories of the convention for the peaceful settlement of international disputes. Article 27 of the convention reads in part:

"The signatory powers consider it their duty in case a serious dispute threatens to break out between two or more of them, to remind these latter that the permanent court of arbitration is open to them." It was adopted as a measure of moral pressure to induce resort to arbitration when attempts to secure agreement to compulsory arbitration of certain classes of cases had failed.

The situation, therefore, would seem to have called for action under article 15 of the constitution, in which it is agreed that any dispute likely to lead to rupture, which is not submitted to arbitration, shall be referred to the executive council of the league; and it is pertinent to examine what the council could have done in the way of a solution which would have satisfied the sense of right of the world at large, and would therefore have justified support of the league.

INTEREST OF WORLD CONSIDERED.

With respect to the withdrawal of the military forces of Russia from Manchuria, the task of the council would have been much more difficult than that of a court. It is easy enough to decide that the presence of Russia in Manchuria was not legal, but it is not so easy to decide that it was not in the interest of good government and social order at that time, and therefore best for the world at large, and even for the Chinamen in the occupied territory. If the Chinese government of Manchuria had been bad enough and oppressive enough of its own people, it is conceivable that the council might have considered the only really satisfactory conclusion to lie in the termination of the Chinese sovereignty.

But since Manchuria has carried on under China since the war in a manner which the world has not found intolerable, it is probably that the council would not have found such a radical measure as the withdrawal of Manchuria from Chinese sovereignty necessary, and could, therefore, with reasonable assurance have decided upon the evacuation of the territory by the Russian troops. But there would have remained the question of Korea, and with it the probability that this country could not have continued under its corrupt, feeble, and altogether inefficient government with such maintenance of tolerable living conditions as to justify the council in advising the continuance of the status quo.

OUTCOME OF WAR SATISFACTORY.

In trying to make up our minds as to the possibility of a satisfactory outcome through the intervention of the council, we can not do better than to take the outcome of the war as about as good a conclusion as could have been reached, since it has resulted in conditions good enough to survive until the present day. This outcome was, in the main, the withdrawal of the Russian forces from Manchuria, and the agreement between Russia and Japan that they would carry on their respective enterprises in Manchuria with decent respect for the sovereignty of China; the recognition of Japan's special interests in Korea, which immediately resulted in a protectorate, and the transfer—as about the only spoils of war—of the lease of Port Arthur and the Laotung peninsula from Russia to Japan. As part of the outcome may be included the complete annexation of Korea to Japan, under the name of "Chosen," which occurred about five years later.

The stable results of the war, therefore, were recognition and respect for China's sovereignty over Manchuria; substitution of the orderly Government of Japan for the decrepit Government of Korea in Chosen, and the transfer of Port Arthur. Would the league have been able to bring about so good a result?

COULD LEAGUE DECIDE PROBLEM?

There appears to be no doubt that, under the proposed constitution, the league could have competently directed the final actual outcome with respect to Manchuria. But with respect to Port Arthur and Korea, the power to produce the actual result does not seem to exist. Russia, Japan, and China may be assumed to have been members of the league if it had been alive. The membership of Korea is much more doubtful, but if she had been a member the undertaking of article 10 to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league would have prevented her annexation to Japan, or even the protectorate which immediately followed the war.

Article 19 provides for the administration under mandate from the league of certain backward countries by more advanced nations, as trustees responsible to the league for the government of these backward countries in the interest of their inhabitants; but the countries are limited by the terms of the article to those colonies and territories which, as a consequence of the late European war, have ceased to be under the sovereignty of the States which formerly governed them; and the article is apparently inserted only to cover the cases of the former colonies and other dependencies of Germany and her allies, and is not intended to be of general application.

KOREAN QUESTION NOT COVERED.

So, even if Korea had not been a member of the league, the constitution does not seem to provide for her administration in any way by Japan. The difficulty about the transfer of Port Arthur is not so important.

Here then is a limit to the power of the league under its constitution. It does not provide for the assumption, by an advanced Nation, of the government of a backward country, in which life, property, and other human rights are not secure, and the people are not sufficiently intelligent or instructed to compel a government in their own interest from their tyrannical or incapable governing officials. In the case in point the war brought about a state of affairs in regard to Korea which was better for all concerned, including the Koreans and the world at large, than the league would have had power to produce, unless its powers under the proposed constitution had been exceeded.

Let us look into another case. Our war of 1812 with Great Britain was undertaken on account of two causes: improper interference with our sea-borne commerce and the impressment of seamen into the British service after visitation and search of our vessels. The first cause was voluntarily discontinued before the commencement of hostilities, so that the war was actually fought for the second cause alone.

The right of a belligerent to impress into its naval service its own nationals, found upon visitation and search on board neutral vessels, has been examined by the late Hon. John W. Foster and the late Admiral Mahan, who both concluded that the practice was in accordance with long-established precedent, and had not before our protest been called in question. The need of England for sailors, fighting for her life and making essential use of her sea power in prosecuting the Napoleonic war, was almost desperate and not to be lightly given up, while the long-continued practice of impressment of nationals had not theretofore occasioned distressing incidents because there had been no great difficulty in distinguishing the nationals of the visiting vessel from the crew of the vessel visited, who were usually of a different race.

The practice was based on the doctrine of the inalienability of citizenship, which we ourselves admitted at the time and for some years thereafter.

NEW CONDITION HAD ARISEN.

Now, however, a new condition had arisen, in which there had come into existence a nation formed of the same stock as the one claiming the right of impressment, and the practice gave rise to errors and hardships which the United States considered intolerable. The interests were directly conflicting. Those of England were bound up with the old order, while those of the United States called for a change. Both sets of interests were of the greatest importance to the respective parties. What relief could have been afforded by the league of nations, supposing it to have been in existence under the proposed constitution?

England evidently would have been willing to invoke article 13 and submit the matter to judicial settlement, since all the precedent was on her side; but the United States needed a new rule to fit new conditions and therefore could not have considered the case one suitable for such submission. The only possible chance for the United States would have been in submission of the matter to the executive council, under article 15, or to the body of delegates. Now, what could either body have done in the premises for the relief of the United States? If the conclusion had been that the existing law and practice needed no change the matter would have been simple enough and there would have been nothing for the United States to do but give up its contention and submit to the continued impressment of its sailors.

THINKS COUNCIL WOULD LACK POWER.

But if the council or the body of delegates had considered that the position of the United States was right and that the law, although clear, was wrong, it is not easy to see what they could have done about it.

To change the law would have required legislative action, and an examination of the proposed constitution does not disclose legislative powers granted by it to either the executive council or the body of delegates.

Mr. Taft has not failed to note the necessity for legislative powers for the league, if it is to have a chance of completely serving its purposes, and has included in his scheme a general congress, saying, "All nations should be represented in the general congress, but the representation should be determined by the charter members in accordance with the population, political importance, and responsibility of each applicant. The congress would enact and codify, subject to the approval of the nations, international law and adopt other general rules of policy for the conduct of the league."

MUST POSSESS THREE FUNCTIONS.

Hence we see that in two cases of past wars the proposed league would not have been able to meet the situation and could not have brought about as good a result as the wars did for lack of sufficient power granted by its constitution, and we run into an obstacle which we might have reasoned, a priori, that we would encounter in endeavoring to fit the league into history.

The league, of course, is an attempt at federation of the world to the extent necessary to avoid war and must have the functions which all federations, to be effective, must possess, viz, legislative, executive, and judicial. That is, the body of delegates must, with reference to all subjects which might bring about war, be a superlegislature, able not only to codify but to enact, and hence to change the rules under which the constituent nations are living together.

And this is in accordance with experience, in that the only method which has been found of suppressing wars is to federate the warring elements under a common government, as individuals have been federated in municipalities and small political divisions have been federated in larger ones; examples being the union of dukedoms in the Kingdom of France, and of England and Scotland in Great Britain, in each of which a whole series of wars was brought to an end.

LEGISLATIVE POWER ESSENTIAL.

If we are not willing to endow the league with these legislative powers it is scarcely worth while forming it on the lines proposed, for history shows that without these powers there would be many important cases of international dispute which it would be unable to meet.

Now, federation can not be effected without the surrender of sovereignty. A federation for a limited purpose might entail only a limited surrender; but the surrender would be comprehensive enough to include all those subjects which are likely to lead nations into war, and the member nations would be under engagement not only to submit to all decisions of the court of international justice and the administrative body, but to accept such new rules and laws as the international legislature might consider it necessary to enact. The power which such a league would have to exercise, in order to be effective, would therefore be very great, and the decision to create it and to endow it with such power would be a momentous one.

Mr. Taft admits the surrender of sovereignty, but maintains that there is nothing new in that, since everybody and every nation surrenders sovereignty and independence every time it enters into any kind of engagement.

The argument, however, is not against the surrender of sovereignty as a principle, but against a greater surrender than is warranted by the advantages to be expected and the assurance that the advantages will be realized.

FEDERATION IN UNITED STATES.

The States of this country are federated into a union to which the surrender of sovereignty is very great; but the surrender is made under circumstances of high confidence in the central government, as being one in which the powers are exercised by a legislature and an administration composed of representatives of a homogeneous people, speaking the same language, looking back on the same history, and animated by the same ideals, and by courts which are guided by principles acceptable to Anglo-Saxons.

With all these safeguards a considerable number of the States found themselves, at a juncture, without confidence in the Union in regard to a matter which they considered of vital importance to them and made a herculean effort to free themselves from the federation; which shows the difficulty of satisfactory federation, even under favorable conditions.

DISCUSS INTERNATIONAL COURT.

Probably the least risky element of the proposed league is the court of international justice. It is the one which the nations 20 years ago reached the point of providing for and recommending resort to. But it would be taking a great deal for granted to assume that an international court would be the same kind of a judicial body that we are accustomed to in the United States. We know that the continental European conception of a court is different from that which we have inherited, and a court comprising on its bench Asiatics, Africans, and South Americans might be so different in the ideals and principles by which it would be guided from our own courts as to constitute a really, to us, unknown kind of tribunal.

There would be a real risk, therefore, in agreeing in advance to submit all cases to it.

The question revolves itself into one of the degree of confidence which we can have in the proposed league, the power of which over matters of the most serious relations between nations would be very great. Contests and other risks of individuals and communities have been considered so undesirable that human beings have consented to associate themselves for their avoidance, clear up to this point of the association of nations, where they have stopped.

JOINS HETEROGENEOUS ELEMENTS.

The components joining themselves together in the unions have had confidence enough in their associates to take the risks of federation and the restriction of independence entailed for the advantages to be gained. But in the step which is now before us we are asked to trust to a combination of more heterogeneous elements than we have heretofore had experience with and in regard to matters whose importance is not transcended by that of anything with which we have to deal. It is worth while to look very hard for a shorter step and for a way to at least approach our final aim more gradually.

I share fully the feeling that it would be not only deplorable but would constitute an arraignment of our intelligence if the united wisdom of the allies could not lead us, after the terrible experience which the world has been through, to a position of security against its repetition in the least degree advanced beyond that which the world was occupying at the beginning of the great war; but has anything occurred since the peace conference of 1899 to justify us in going so far beyond what was unsuccessfully attempted at that time as to unreservedly agree to submit all differences, however important to us and of whatever kind, either to an international court or an international council, and to abide by the result if our opponent does?

NATIONS REFUSED IN 1899.

The principal nations refused in 1899 to bind themselves to submit even limited classes of cases to arbitration. The best that could be done was to provide for a court and then to agree to advise disputants to resort to it; but we have seen above one case in which nobody thought it worth while to follow this agreement, and other cases could be cited.

Such cases show the frequent inadequacy of the judicial process and illustrate in consequence the enormous power which must be exercised by the executive council or the body of delegates in order to meet these cases, or the failure of provision to meet them if the league is not to be endowed with such power.

The most dramatic international events which have occurred since 1899 have been the Russo-Japanese War, the Balkan wars, and the great war now still unended. Has the conduct of the parties which brought these wars about been such as to greatly increase the confidence in the fairness, consideration, and judicial quality of all the nations concerned in them, which in 1899 was not sufficient to induce the signatory powers of the convention for the peaceful settlement of international disputes to impose upon themselves any restrictions of discretion in the handling of future disputes?

WORLD REASON AND PROGRESS.

It would require considerable condonation to admit that the world has demonstrated such progress in sweet reasonableness as to call for a trustful submission of our destinies to other hands which 20 years ago we refused to consider.

But as to something less radical, a very useful step is taken in article 11 of the constitution, which provides that "any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations." This engagement would place the member nations in a very different attitude toward a controversy threatening to become acute from that which they have hitherto occupied.

A promise to take cognizance is not an agreement to take action, but it is an admission that the promising nation has a duty and a responsibility in the premises and would require a reason for standing aside and allowing the controversy to go on instead of calling, as at present, for a justification for stepping in and helping to prevent its continuance, and endeavoring, with insistence, to settle it peacefully.

MIGHT MAKE LANGUAGE STRONGER.

The language might be made somewhat stronger, so as to require the member nations to promise that they would make the matter their own and use their resources for coercion, unless they should find at the time and declare that the interests of their people and their duty compelled them to abstain.

If we had been under such engagement Col. Roosevelt could not have written, in the autumn of 1914, speaking of the violation of Belgium: "We have not the smallest responsibility for what has befallen her, and I am sure the sympathy of this country for the suffering of the men, women, and children of Belgium is very real.

"Nevertheless the sympathy is compatible with full acknowledgment of the unwisdom of our uttering a single word of official protest unless we are prepared to make that protest effective; and only the clearest and most urgent national duty would ever justify us in deviating from our rule of neutrality and noninterference." And Mr. Wilson could not, later in the same year, have spoken of the European conflict as "a war with which we have nothing to do, whose causes can not touch us."

WOULD OBLIGATE NATIONS.

Article 11, even if reinforced as suggested, would involve no infringement of sovereignty or of ultimate discretion, but it would put upon each member nation an obligation of conscience to intervene effectively, upon occasion, in aid of the suppression of an aggressor, or to justify its abstention by a declaration which it would be willing to submit to the public opinion of mankind, and subsequently to face itself upon its own record with self-respect. The adoption of such an article would have been impossible in 1899.

Another material step which could not have been taken in 1899, and just as certainly not in 1907, would be an engagement on the part of the signatory powers of any convention to take cognizance in concert of the violation of any of the terms of the convention, whether they should themselves be the parties injured by the violation or not. As in the previous suggestion the engagement need not be any more specific, since it is hardly conceivable that, having assumed such a duty, great nations would shirk effective action, and since, also, it can be admitted that the sense of national duty and of high obligation would be as keen in the presence of a crisis as at the time of signing the convention.

URGES COLLECTIVE RESPONSIBILITY.

The important thing is to secure a collective assumption of responsibility for the enforcement of what might be called an international statute; after that, the means and method of enforcement might be left to the judgment and the conscience of the signatory powers, as informed by the circumstances of the occasion demanding enforcement. This, again, would involve a minimum of surrender of freedom of action.

If such an engagement had been in force at the outbreak of the present war the violation of the neutrality of Belgium, in contravention of the laws and customs of war on land, as adopted at The Hague conference of 1899 and modified in 1907, could not have taken place without either action by the neutral signatory powers or a declaration, which would have been very hard to make, that the circumstances did not call for action.

I am using these illustrations in the belief that any kind of association of nations ought to be such as, if it had been in existence in the summer of 1914, and all the facts now demonstrated had been known, would have led the whole association into coercion of the central European powers from their course.

LEAGUE'S FUTURE PROSPECTS.

We can sum up, then, by saying that the league of nations, under its proposed constitution, would not have been able to deal effectively with certain familiar crises in the past, and would not be able to deal with those which are sure to arise in the future, because of the failure of the grant of legislative power.

This failure leaves the league without power to meet a situation in which, through the progress of the world, the previous precedent and practice—that is, the law—have become an anachronism, and need change, but change is resisted by a nation whose interest is bound up with the old order.

But to confer this legislative power would be an enormous grant, and would call for a degree of confidence far exceeding that which the nations refused to exhibit at the peace conference of 1899, when they declined to bind themselves in advance to resort even to judicial process.

CHANGES ARE SUGGESTED.

We are not, however, left without a program because of the dangers attending the one which has been proposed. A league might be constituted about as sketched in the first seven articles of the proposed constitution, which prescribe its general form, amended in detail so as to meet the views of the lawyers; and, without erecting it into a supergovernment within its sphere, the member nations might engage, as in article 11, to concern themselves as a league with any threat to the peace of the world, and to take any steps which at the time of the threat they should judge to be called for.

Article 19, concerning mandatories, might be modified so as to make it the duty of the league to consider the case of any backward country, unable to govern itself in the interest of its own people, and to determine what steps, if any, might be called for to insure therein the necessary conditions of humanity and order.

Articles 8 and 9, relating to armaments and the manufacture of munitions of war, might better be omitted, as covering subjects with reference to which nations would be reluctant to commit themselves until after some experience with the operation of the league.

OPPOSE THREE ARTICLES.

Article 10, guaranteeing territorial integrity, is unwise and might bind the league to perpetuation of a distinctly undesirable condition. Articles 12 and 13, containing promises as to arbitration and refraining from war, are unsafe, in that they involve a long step forward from the state of confidence which has hitherto obtained. Article 15 prescribes a meritorious effort to bring into actual existence the court of international justice which the peace conference of 1907 provided for, but upon the plan of whose formation the nations have been unable to get together. The effort should be continued.

Articles 15 and 16 are in the same category as articles 12 and 13. Article 17, relating to the application of articles 12, 13, 15, and 16 to nations not members of the league, would be unnecessary without these articles, and might be considered as sufficiently covered by article 11, in which it is agreed to take cognizance of any threatening condition.

The articles relating to trade and commerce, to labor, to the control of existing international bureaus, to the registration of treaties, to the revision of obsolete treaties, to the supersedure of obligations inconsistent with the league's constitution and to amendments to the Constitution, though important, are not essential in a general discussion of the fundamental scheme.

POSSIBILITIES OF LEAGUE.

A league under such a constitution would be provided with machinery for considering any kind of case that the proposed league is intended to deal with and for reaching a conclusion as to what should be done, and it would maintain the machinery in existence. It would not be a government with legislative, executive, and judicial powers and with forces at its disposal for carrying its conclusions into effect, and it would not have sovereignty over the member nations, who would retain their own essentially unimpaired.

In an emergency calling for action by the league the member nations would be under no binding engagement to follow the right course, but they would be under binding engagement to ascertain it by the best agents whom they could appoint to the task. Thereafter their action would be governed by their sense of national duty and obligation, as viewed in the light of the facts developed by their representatives.

In the case of an acute international dispute, threatening war, they could not say, as did the President of the present war, "With its causes and its objects we are not concerned." They would have a distinct and assumed duty in any grave crisis or threatened crisis and an intense incentive to take a proper course.

RESULTS TO LEAGUE MEMBERS.

A binding engagement in advance to follow a given course in assumed circumstances could have no other effect on a nation facing an important emergency as a member of a league and pledged to take

cognizance of it than to force it to a kind of action which it might otherwise deem inappropriate at the time.

Under this less radical constitution the nations associated in the war against the central European powers could proceed with the settlement of all the terms of peace, including the formation of the new nations, with just as good assurance that their arrangements would be permanently cared for as could be had from the constitution proposed. Or they could proceed without forming any league, feeling certain that, after a settlement of peace terms, there would be no difficulty in securing the serious attention of all nations to a plan of association which, while less dangerous than the one to which they have been asked to commit themselves, would call upon all to acknowledge a burden of responsibility with reference to the well-being of the world.

JAPAN OUT OF LEAGUE—RACE DISCRIMINATION BAR TO HER JOINING, WARNING OF ISHII—COOLIE IMMIGRATION AN ISSUE—FUTURE MIGHT SEE JAPAN, RUSSIA, AND GERMANY IN ALLIANCE—SECRET TREATIES BETWEEN TOKYO AND PEKING CONCEDE NIPPON PREDOMINANCE IN CHINA—LANSING RECOGNIZES RIGHTS IN PACTS WITH ISHII—ACCEPTANCE OF LEAGUE CONSTITUTION WOULD ABROGATE TREATIES.

(BY GEORGE ROTHWELL BROWN.)

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Japan has given notice that she will not join the league of nations as it is now framed.

The compact must be radically amended if Japan is to become a member, and those amendments would bring the league into direct conflict with the principles of Americanism to the preservation of which a sufficient number of Senators to defeat the adoption of the league have pledged themselves.

If Japan should not join the league the only great nations outside of the league would be Germany, Russia, and Japan, and all of them would be in the position of outcasts. This reflection gives rise to the fear that if Japan should be driven into this position the logical consequence would be an alliance between Japan, Russia, and Germany.

CHINA WOULD BE FORCED IN.

It would be an alliance of unbroken geographical extent stretching from the Pacific Ocean to the Baltic and the North Sea. At either end would be powerfully organized peoples accustomed to the discipline of despotism, and, from the point of view of efficiency, among the foremost in the world. In between would lie a vast country, rich in natural resources and without a government. To this alliance China would be bound politically and geographically. In material wealth, in population, and in location, this alliance would be potentially of equal power with the league of nations.

One of the considerations which renders it impossible for Japan to enter the league of nations touches a point of vital economic and political concern to the United States.

IMMIGRATION QUESTION RISES.

The amendments demanded by Japan are that an article be inserted in the league constitution specifically declaring that there shall be no race discrimination between nations of the league. This would open the way for a demand by Japan that its people shall be admitted to all other countries on terms of equality. The immigration restrictions against Japanese coolies would have to be removed.

Under the league constitution Japan could force an inquiry by the executive council, and if its recommendations should be adverse to the United States this country would be compelled to remove all barriers against Japanese immigration.

The United States could not object to such a recommendation of the executive council without coming under article 16, which declares that any nation disregarding its covenant "shall thereby ipso facto be deemed to have committed an act of war against all the other members of the league."

WARNING BY VISCOUNT ISHII.

The Japanese ambassador, Viscount Ishii, in a speech in New York last night of great international and diplomatic significance, confirmed the warnings uttered by Count Okuma, last of the genro or "elder statesmen," that Japan would demand removal of race discrimination as a condition of her joining the league of nations. In the face of such a plain and unmistakable intimation of Japan's determination to insist upon this point, the assertion by advocates of the league that immigration is a domestic question falls to the ground.

It is necessary to read between the lines of Ambassador Ishii's speech, which is couched in the most conservative language, to see the deep significance of his words.

"The constitution for a league of nations," he says, "for which the eminent representatives of international justice and peace are now working in Paris with their untiring energy, would not be worthy of the great world conference if it omitted the necessary provision for the remedy of this conspicuous injustice arising out of the race prejudice."

LEAGUE ABROGATES OLD TREATIES.

But the league of nations must be examined in the light of two secret treaties between Japan and China, herewith published for the first time, and in the light of the Lansing-Ishii agreement, between the United States and Japan dated November 6, 1917.

In that agreement the United States recognizes what is in effect a "Monroe doctrine" for Japan in the Orient, the United States by its terms recognizing "that Japan has special interests in China, particularly in the part to which her possessions are contiguous."

Article 25 of the proposed constitution of the league of nations reads:

"The high contracting parties severally agree that the present covenant is accepted as abrogating all obligations inter se which are inconsistent with the terms thereof, and solemnly engage that they will not hereafter enter into any engagements inconsistent with the terms thereof."

CONCEDE JAPAN'S INTERESTS.

The Lansing-Ishii agreement most certainly does concede to Japan our recognition of Japan's special interest in a particular part of the world. The league of nations recognizes no such special interests, and therefore the Lansing-Ishii agreement must be considered as "inconsistent with the terms thereof."

The entrance into the league of nations by this Government would place us in the position of consenting to the abrogation of a solemn agreement reached between the United States and another power. This agreement being Japan's "Monroe doctrine," which differs from the American Monroe doctrine in that it rests upon a written agreement and not upon the expressed will of a people, Japan can not surrender that policy for membership in a world league.

YIELD PREDOMINANCE IN CHINA.

The secret treaties between Japan and China give to the former Government that position of predominance in China which is recognized by the United States in the Lansing-Ishii agreement. These secret treaties antedate the Lansing-Ishii agreement by more than two years. They are exceedingly significant in the light of yesterday's cable from Paris stating that the supreme council of the peace conference has virtually decided to include in the preliminary treaty of peace a requirement that Germany shall relinquish her leasehold of Tsingtao and all other holds on the Shantung Peninsula.

In entering the war and taking over the German positions referred to, Japan did so with the understanding that she was taking them for China, under the conditions under which they had been held by Germany—that is, under a 99-year lease.

CONFIRMS JAPANESE RIGHTS.

One treaty specifically pledges China "to recognize all matters that may be agreed upon between Japan and Germany respecting the disposition of all the rights, interests, and concessions which Germany possesses vis-a-vis China in Shantung." China thus recognizes Japan's right to these leases for 99 years.

Here is a confirmation by China of all Japanese rights acquired, or that may be acquired, from Germany. These rights, supported by American recognition of Japanese "special interests in China" under the Lansing-Ishii agreement, are of such vast importance to Japan that their surrender forms another barrier to the acceptance by Japan of the league of nations, in addition to that of racial discrimination.

SEEDS OF CONFLICT SEEN.

Article 24 of the league constitution is also worthy of analysis in this connection. This article makes it the "right of the body of delegates from time to time to advise the reconsideration by State members of the league of treaties which have become inapplicable, and of international conditions of which the continuance may endanger the peace of the world."

This article would make it possible at any time for the delegate from Timbuctoo to propose an investigation of the relations between Japan and China, which relations are already guaranteed to the supposed satisfaction of Japan by treaties with China, an agreement with the United States, and the actual physical possession of the Shantung Peninsula.

In view of the position of Japan toward the league of nations, these treaties and Ambassador Ishii's speech last night are of great interest.

TREATIES CONCLUDED MAY 25, 1915.

There are two treaties concluded between Japan and China on May 25, 1915. The one is respecting the Province of Shantung and the other is in respect of south Manchuria and eastern inner Mongolia. Thirteen notes exchanged on the same date are attached to the treaties.

The engagements made by Japan and China and concessions granted by China under these treaties and exchanged notes are as follows:

"1. Engagement by China to recognize all matters that may be agreed upon between Japan and Germany respecting the disposition of all the rights, interests, and concessions which Germany possesses vis-à-vis China in Shantung.

"2. In case China undertakes the construction of a railway connecting Chefoo or Lungkow with the Kiaochow-Tsinan Railway she shall, in the event of Germany's surrendering her right of providing capital for the Chefoo Weisien Railway line, enter into negotiations with Japanese capitalists for the purpose of financing the said undertaking.

"3. Opening, of China's own accord, as nearly as possible, suitable cities and towns in Shantung for the residence and trade of foreigners.

"4. Inalienability of any territory within or along the coast of Shantung.

"5. Extension of the lease terms of Port Arthur and Dalren and the terms relating to the South Manchurian Railway and the Antung-Moukden Railway to a period of 99 years, respectively.

RIGHTS OF INNER MONGOLIA.

"6. Permission to Japanese in Manchuria to lease land necessary either for erecting buildings for commercial and industrial uses or for agricultural purposes.

"7. Right of Japanese subjects to enter, travel, and reside in south Manchuria and to carry on business of various kinds—commercial, industrial, and otherwise.

"8. Permission of joint undertakings in inner Mongolia of Japanese and Chinese peoples in agriculture and industries auxiliary thereto.

"9. Opening, of China's own accord, of suitable cities and towns in eastern inner Mongolia for the residence and trade of foreigners.

"10. If, in future, China grants to foreign capitalists, in matters relating to railway loans, more advantageous terms than those in the existing agreements, the Kirin-Changchun Railway loan agreemeent shall be further revised.

"11. Permission to Japanese subjects of certain mines in south Manchuria.

PRIORITY OF JAPANESE CAPITAL.

"12. Priority of Japanese capital, when foreign capital is required, to build railways in south Manchuria and eastern inner Mongolia; and also priority of Japanese capital when China proposes to raise foreign loan on the security of the taxes of the above-mentioned regions (excluding salt gabelle and customs duties which are already made securities for the loans of the central government).

"13. If in future China desires to employ foreign advisers and instructors on political, financial, military, and police affairs in south Manchuria preference will be given to Japanese.

EXCLUDING FOREIGN CAPITAL.

"14. Chinese engagement not to confiscate or nationalize the Han-Yeh-Ping Co. with which Japanese capitalists have very close relations. Further engagement by China to approve the agreement that may be concluded between the company and Japanese capitalists for its joint undertaking, and not to permit the company to contract any foreign loan other than Japanese.

"15. China will in no case permit a foreign power to build a shipyard, military coaling station, naval station, or any other military establishment, nor to build the above-mentioned establishments with foreign capital.

PROVISION FOR KIAOCHOW.

"16. Japan declares to return to China the leased territory of Kiaochow Bay, if upon the conclusion of the present war the Japanese Government should be given an absolutely free disposal of the said territory, subject to the following conditions:

"(1) Opening of the whole of Kiaochow as commercial port.

"(2) Establishment of a Japanese settlement in the locality to be designated by the Japanese Government.

"(3) Establishment, if desired by the powers, of an international settlement.

"(4) Arrangements to be made before the return of the territory is effected, between Japan and China, with respect to the disposal of German public establishments and properties, and with regard to the other conditions and procedures."

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RACE PREJUDICE UNREMEDIED IN CONSTITUTION OF LEAGUE—WARNING OF VISCOUNT ISHII.

NEW YORK, *March 14*.

Warning that the peace conference must take action to eliminate race prejudice was sounded by Viscount Ishii, Japanese Ambassador to the United States, in a speech before the Japan Society here last night.

Elimilation of this issue, the Ambassador asserted, would effectively contribute to the foundation of permanent peace. He pleaded for application of a proper remedy to remove a fruitful cause of international discord. Viscount Ishii's address follows:

"The race prejudice has been a fruitful source of discontent and uneasiness among nations in the past, and promises to be an increasingly disturbing element for the peace of the future, unless a proper remedy be brought upon the matter at this opportune moment.

"If the foremost object of the great conference now sitting in Paris is to establish a solid and permanent peace on earth, nothing would more effectively contribute to the attainment of this object than the timely elimination of this cause of international discord. In this world war the Asiatics have fought side by side with the Anglo-Saxons, Latins, and Slavs against the common foe, the Teutons, Turks, and Bulgars. The single and unmingled object of the war was the maintenance of international justice and the establishment of durable peace.

RACE ISSUE ALONE UNSETTLED.

"No consideration of racial feeling entered in the supreme decision for the sacrifices of blood and treasure on the part of any of the allied or associated powers. And now when this war for international justice is about to come to its happy termination, and when the world league for permanent peace is being contrived, why this question of race prejudice, race discrimination, and race humiliation should alone be left unremedied?

"When restriction or prohibition of discriminatory treatment against chattels and commodities are being adequately provided for, why should this unjust and unjustifiable discrimination against persons be allowed to remain untouched? An idea, however good, loses most of its value if only half executed.

QUESTION OF SELF-RESPECT.

"The constitution for a league of nations, for which the eminent representatives of international justice and peace are now working in Paris with their untiring energy, would not be worthy of the great world conference if it omitted the necessary provision for the remedy of this conspicuous injustice arising out of the race prejudice.

"It may be added, in order to avoid possible misunderstanding, that this question of straightening out the existing injustice of racial discrimination should be considered independently of the question of labor or immigration. The one is principally economical in its nature, while the other is essentially a question of sentiment, of legitimate pride and self-respect.

"If anyone is afraid that a stipulation introduced in the league covenant for the prohibition of any discriminate treatment on account of racial differences will necessarily bring about labor difficulties or economic troubles, that man has singularly overlooked the actual facts of international intercourse. The existing treaty between Japan and the United States guarantees to the people of Japan the right of freely entering and residing in this country. In spite of this express treaty stipulation, my Government invariably sticks to its policy of strict restriction upon the emigration of its countrymen into the United States. Why? The Japanese Government and people understand that the labor question in America constitutes an exceptional circumstance which even a solemn treaty can not stipulate away in a sweeping manner.

OBSERVE GENTLEMEN'S AGREEMENT.

"While, therefore, they must not be expected to be contented with the situation, you can depend upon the wise patience of the Japanese nation, which calmly though anxiously waits the time when, by gradual process of evolution, this difficult matter will be finally cured and settled to the mutual satisfaction of the two countries. In the meantime Japan, in her faithful adherence to the spirit of what is called gentlemen's agreement, will continue in her policy of strict and self-imposed restriction in this delicate matter of labor emigration, notwithstanding her treaty right.

"This fixed policy of Japan, as abundantly attested by her past record, will, I hope, disarm any alarmistic and unwarranted view pointing to the probability of Japan's taking advantage of the coveted article in the league constitution against racial discrimination, with the consequent relaxation in her policy of emigration restriction.

ALL UNITED FOR CIVILIZATION.

"I have no hesitation in stating that nothing will be further from Japan's thought than to hastily force the issue of the labor question in event of the league covenant being modified in accordance with her desire, i. e., upon a new article being inserted in the covenant against racial discrimination.

"In the course of the last 25 centuries we have passed through various stages of wars—the wars between tribes, the wars between races, the wars of religion, the wars of interest and ambition. The present world war has been the first instance in the history of mankind in which men and women of different nationalities, creed, and races have combined for a noble principle and lofty ideals, i. e., for the maintenance of liberty and humanity and for the promotion of justice and civilization.

DIFFERENCES SHOULD MERGE.

"This world war has done away—forever, let us hope—with the wars of domination and oppression, and the only wars we may yet have to fight in future will be the wars of antisocialism, of antibolshevism. In this forthcoming struggle people of every nationality and of every race should act in unison against the common foe, and all consideration of different creed or of different races should merge for all time and in all countries."

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENDERSON (for Mr. PHELAN):

A bill (S. 5674) for the relief of Capt. Sven Christenson, Quartermaster Corps, United States Army; and

A bill (S. 5675) for the relief of Lieut. Commander Edward E. Wilson, Pay Corps, United States Navy; to the Committee on Claims.

A bill (S. 5676) authorizing the Secretary of War to donate to each of the cities of Salinas, Monterey, and San Luis Obispo, in the State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WATSON:

A bill (S. 5677) to provide for the regulation of transportation systems after the termination of Federal control, to enlarge the powers of the Interstate Commerce Commission, and for other purposes; to the Committee on Interstate Commerce.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. FLETCHER submitted an amendment proposing to appropriate $5,000,000 for the operation of ships herein or heretofore authorized or in any way acquired by the United States, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

THE REVENUE.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. SHERMAN. I yield.

Mr. SIMMONS. I wish to ask the Senator from Illinois if he will yield to me in order that a short joint resolution, which has come over from the House, may be laid before the Senate and referred to the Finance Committee?

Mr. SHERMAN. Certainly, I yield.

Mr. SIMMONS. I ask that House joint resolution 439 be laid before the Senate and referred to the Committee on Finance.

The joint resolution (H. J. Res. 439) to repeal section 904 of the revenue act of 1918, approved February 24, 1919, was read twice by its title and referred to the Committee on Finance.

Mr. SIMMONS. On behalf of the Finance Committee I present a favorable report, with an amendment, on House joint resolution 439.

Mr. SMOOT. Mr. President, this is the first time I have heard of a meeting of the committee.

Mr. SIMMONS. There has been no meeting of the committee.

Mr. SMOOT. The Senator from North Carolina tells me that there has been no meeting of the committee, but that it has been polled. If this joint resolution is to be passed, I shall insist that at least one other amendment be made to it.

Mr. SIMMONS. I am not now asking for the passage of the joint resolution. I wish to state to the Senator from Utah that I have polled the committee and have a list of the members of the committee who, I understand, have agreed to it. I did not see the Senator from Utah myself, but the Senator from Missouri [Mr. SPENCER] advised me that he had spoken to the Senator from Utah about it, and that it was satisfactory to him. So I put his name down on the list for that reason.

Mr. SMOOT. The Senator from Missouri asked me if I had any objection to an amendment with reference to the tax on furs, and whether that amendment could be included in the joint resolution. I do not know what the amendment is to the House joint resolution as reported by the committee.

Mr. SIMMONS. Only that, that is all.

Mr. SMOOT. The Senator from North Carolina tells me that is the only amendment; but I wish to have an assurance that the joint resolution will be amended in another particular, covering a feature of the revenue bill as it was reported to the Senate. I am not now going to take the time of the Senate to call attention to that particular amendment, but I think the Senator from North Carolina knows what it is. However, with that understanding, I have no objection to the report being presented.

Mr. SIMMONS. I desire to say—and I would not say it except that the statement of the Senator from Utah makes it proper, I think, that I should make it—that I have seen the members of the committee personally with respect to this matter, with the exception of the Senator from Utah [Mr. SMOOT], the Senator from Massachusetts [Mr. LODGE], and the Senator from Pennsylvania [Mr. PENROSE], but I have put their names down, because I was assured by the Senator from Missouri [Mr. SPENCER] that he had already spoken to them about the matter,

Mr. SHAFROTH. Mr. President, would the Senator object to having the joint resolution read? We are in the dark here concerning it.

Mr. SIMMONS. It has been read, referred to the committee, and reported from the committee.

The PRESIDING OFFICER. Without objection, the report will be received and placed on the calendar.

DISCHARGED SICK AND DISABLED SOLDIERS—CONFERENCE REPORT.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Georgia?

Mr. SHERMAN. I yield.

Mr. HARDWICK. If the Senator from Illinois will permit me, I wish to submit an uncontested conference report on the hospital measure, which is absolutely vital, if we are to provide for our soldiers, and which ought to be acted upon without any delay.

Mr. MARTIN of Virginia. Mr. President, the general deficiency appropriation bill is before the Senate, and I do not want anything to transpire that will lead to argument or displace that measure. I will yield temporarily for the purpose indicated by the Senator from Georgia.

Mr. HARDWICK. I do not think there will be any debate about it; if there is, I will withdraw it for the moment.

Mr. MARTIN of Virginia. With that arrangement, I have no objection.

Mr. HARDWICK. I present the conference report on House bill 13026, the hospital bill, and ask for its adoption.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged sick and disabled soldiers, sailors, and marines, Army and Navy nurses (male and female), patients of the War Risk Insurance Bureau, and the following persons only: Merchant-marine seamen, seamen on boats of the Mississippi River Commission, officers and enlisted men of the United States Coast Guard, officers and employees of the Public Health Service, certain keepers and assistant keepers of the United States Lighthouse Service, seamen of the Engineer Corps of the United States Army, officers and enlisted men of the United States Coast and Geodetic Survey, civilian employees entitled to treatment under the United States employees' compensation act, and employees on Army transports not officers or enlisted men of the Army, now entitled by law to treatment by the Public Health Service.

"SEC. 2. There are hereby permanently transferred to the Treasury Department for the use of the Public Health Service for hospital or sanatoria or other uses the following properties, with their present equipment, including sites and leases, or so much thereof as may be required by the Public Health Service, including mechanical equipment in connection therewith, and approaches thereto, with authority to lease or purchase sites not owned by the Government, as follows: Hospitals, with such other buildings and land as may be required, at Camp Cody, N. Mex.; Camp Hancock, Ga.; Camp Joseph E. Johnston, Fla.; Camp Beauregard, La.; Camp Logan, Tex.; Camp Fremont, Cal.; and nitrate plant, Perryville, Md.; and such hospitals, with other necessary buildings, hereafter vacated by the War Department, as may be required and found suitable for the needs of the Public Health Service for hospital or sanatoria purposes. And for the purpose of such remodeling of or additions to the above-named plants as may be required to adapt them to the needs and uses of the Public Health Service, the sum of $750,000 is hereby authorized.

"SEC. 3. The Secretary of War is hereby authorized and directed to transfer, without charge, to the Secretary of the Treasury for the use of the Public Health Service such hospital furniture and equipment, including hospital and medical supplies, motor trucks, and other motor-driven vehicles, in good condition, not required by the War Department, as may be required by the Public Health Service for its hospitals, and the President is authorized to direct the transfer to the Treasury Department of the use of such lands or parts of lands, buildings, fixtures, appliances, furnishings, or furniture under the control of any other department of the Government not required for the purposes of such department, and suitable for the uses of the Public Health Service.

"SEC. 4. So much of the Battle Mountain Sanatorium at Hot Springs, S. Dak., the National Home for Disabled Volunteer Soldiers, with its present equipment, as is not required for the purposes for which these facilities were provided, is hereby made available for the use of the Public Health Service for a period of five years from the approval of this act, unless sooner released by the Surgeon General of the Public Health Service.

"SEC. 5. The Secretary of the Treasury is hereby authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for immediate use, in whole or in part, of their present facilities, so as to provide bed capacity and facilities for not exceeding 1,000 patients, and for such purposes the sum of $300,000 is hereby authorized.

"SEC. 6. The Secretary of the Treasury is hereby authorized, if in his judgment the same will be for the best interests of the Government from the standpoint of cost, location, and of the emergency needs of the Public Health Service, to purchase the site, buildings, and hospital facilities and appurtenances at Corpus Christi, Tex., known as General Hospital No. 15, and for such purpose the sum of $150,000 is hereby authorized.

"The sum of $1,500,000 is hereby authorized to be held as an emergency fund for the purchase of land and buildings suitable for hospital and sanatoria purposes, which the Secretary of the Treasury is hereby authorized to select and locate, and to make additions and improvements suitable to adapt them to the uses of the United States Public Health Service, if in his judgment the emergency requires it.

"SEC. 7. By the construction of new hospitals and sanatoria, to include the necessary buildings with their appropriate mechanical and other equipment and approach work, including roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, vehicles, and live stock on sites now owned by the Government, or on new sites to be acquired by purchase or otherwise, at the places hereinafter named: *Provided*, That if the Secretary of the Treasury shall make a finding that any hospital project hereinafter specifically authorized is not to the best interest of the Government from the standpoint of cost, location, and of the emergency needs of the Public Health Service, he is hereby authorized to reject such project or projects and to locate, construct, or acquire hospitals at such other locations as would best subserve the interest of the Government and the emergency needs of the Public Health Service within the limits of cost of such authorization.

"a. At Cook County, Ill., by taking over the land and executing the contract for the construction thereon of hospital buildings specified therein of a certain proposed contract executed by the Shank Co., August 31, 1918, and in accordance with such contract and the plans and specifications identified in connection therewith August 31, 1918, by the signature and initials of Brig. Gen. R. C. Marshall, jr., Construction Division, Quartermaster Department, United States Army, by Lieut. Col. C. C. Wright, and the Shank Co., by George H. Shank, president, at the cost stated therein, namely $2,500,000, with such changes in said plans and specifications as may be required by the Secretary of the Treasury to adapt said specified buildings to the needs and purposes of the Public Health Service, at a total limit of cost not to exceed $3,000,000.

"b. In carrying the foregoing authorization into effect, the Secretary of the Treasury is authorized to execute the contract with the Shank Co. hereinbefore specified, with such verbal changes as are made necessary by a change in the contracting officers, and to assume all obligations in said contract contained, and to purchase materials and labor in the open market, or otherwise, and to employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of cost herein authorized.

"c. At Dawson Springs, Ky., on land to be acquired by gift, the necessary buildings for a sanatorium having a capacity of not less than 500 beds. The sum of $1,500,000 is hereby authorized for the construction of such sanatorium.

"d. The sum of $900,000 is hereby authorized for the construction, including site, of a hospital plant complete at Norfolk, Va.

"e. The sum of $550,000 is hereby authorized for the construction, on land owned by the Government, on a site to be selected by the Secretary of the Treasury with the approval of the President, of a hospital plant complete in the District of Columbia or vicinity.

"f. The sum of $190,000 is hereby authorized for additional hospital accommodations, including such minor alteration in and

remodeling of existing and authorized buildings as may be necessary to economically adapt them to the additional accommodations herein authorized for the marine hospital at Stapleton, Staten Island, N. Y., the sum appropriated for additions to the said hospital by the act approved March 28, 1918, is authorized to be expended in full without the construction of psychiatric units.

"SEC. 8. In carrying the foregoing authorization into effect, all new construction work herein authorized shall, as far as feasible, be of fire-resisting character, and the Secretary of the Treasury is authorized to enter into contracts for the construction, equipment, etc., of such buildings on Government-owned lands, or lands acquired for such purpose, to purchase materials and labor in the open market, or otherwise, and to employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of cost herein authorized.

"SEC. 9. For the purpose of carrying the foregoing authorization into effect there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be immediately available and remain available until expended, the sum of $8,840,000, and for furniture and equipment not otherwise provided for the sum of $210,000; in all, $9,050,000.

"SEC. 10. And the Secretary of the Treasury is hereby authorized, in his discretion, to employ, for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereby authorized and appropriated for construction purposes, at customary rates of compensation, such additional technical and clerical services as may be necessary exclusively to aid in the preparation of the drawings and specifications for the above-named objects and supervision of the execution thereof, for traveling expenses, and printing incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding $210,000 of the above-named limit of cost. All of the above-mentioned work shall be under the direction and supervision of the Surgeon General of the Public Health Service, subject to the approval of the Secretary of the Treasury.

"SEC. 11. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for necessary personnel, including regular and reserve commissioned officers of the Public Health Service and clerical help in the District of Columbia and elsewhere, and maintenance, hospital supplies and equipment, leases, fuel, lights, and water, and freight, transportation, and travel, and reasonable burial expenses (not exceeding $100 for any patient dying in hospital), $785,333 for the fiscal year ending June 30, 1920."

And the Senate agree to the same.

THOS. W. HARDWICK,
J. C. W. BECKHAM,
I. L. LENROOT,
Managers on the part of the Senate.
FRANK CLARK,
ANTHONY J. GRIFFIN,
R. W. AUSTIN,
JNO. W. LANGLEY,
Managers on the part of the House.

Mr. WADSWORTH. Mr. President, just one moment. May we understand what is in the report?

Mr. HARDWICK. I will be glad to explain it to the Senator if it will not interfere with the Senator from Illinois. It is a conference report on House bill 13026, to provide hospital facilities for discharged and disabled soldiers, sailors, and marines of the United States, and for other people entitled to hospital treatment under the Public Health Service laws. The House proposed to appropriate $12,000,000; the Senate proposed to appropriate $7,000,000; the conferees have reluctantly yielded and agreed to appropriate $9,000,000, instead of the $12,000,000 proposed by the House and the $7,000,000 proposition of the Senate. We added a million and a half for emergency use for this service, if in the discretion of the Secretary of the Treasury it should be required. That is the major part of this increase allowed by the conferees.

Mr. SHAFROTH. I should like to ask the Senator a question. Is there any part of this appropriation that has been agreed to that is available for the selection of hospitals at the discretion of the Surgeon General?

Mr. HARDWICK. Yes; there is one and a half million dollars.

Mr. SHAFROTH. That is not apportioned out to any particular locality?

Mr. HARDWICK. No; that if left to his discretion.

Mr. SMOOT. It is in relation to that particular matter that I wish to make a very brief statement.

The Senator having the conference report in charge notified me a short time ago that there had been provided a million and a half dollars for the erection of hospitals in what may be termed the intermountain section of the country. I really am a little surprised, Mr. President, because there has already been an appropriation provided through the War Department for building a hospital at Fort Douglas, Utah, with accommodations for 1,100 beds. The other day the War Department issued an order to cease work altogether upon that hospital. I inquired as to how many beds the hospital would accommodate as it had been finished prior to that order and was told 400 beds.

Mr. President, the reason given for the order was that there had been so few of our soldiers wounded in France and returning to this country that they already found out that the hospital accommodations already ordered were more than were actually needed, and, instead of building a hospital of 1,100 beds, they now want to build a hospital with facilities for only 400 beds. I do not see, if that is the case, why there should be any appropriation, unless it be specifically stated where it is to be and what the money is to be expended for.

I am not going to object to this report, but I sincerely hope that there has not been any understanding that out of that million and a half dollars some hospital shall be located at some particular stated point.

Mr. HARDWICK. There is not. I can assure the Senator on that point.

Mr. SMOOT. It is for that reason that all other work ordered by the War Department should cease.

Mr. HARDWICK. There has been no such understanding; on the contrary, the Senate conferees put the language in the conference report that it should not be used at all, unless it was essential as an emergency proposition, in addition to what we provide.

Mr. SMOOT. The position taken by the War Department now in relation to the hospital accommodations at Fort Douglas is that for the intermountain section of the country 400 beds are all that are necessary. Of course, there would not be an expenditure of the money if that is so.

Mr. HARDWICK. Let me say to the Senator that probably there will be a greater number than that needed, because the discharged soldiers are handled by this legislation.

The PRESIDING OFFICER. The question is on the adoption of the conference report.

The report was agreed to.

THE TRUE STORY OF HOG ISLAND.

Mr. VARDAMAN. Mr. President, it has been my purpose for some months to prepare for the RECORD a story of the Hog Island infamy, about which so much has been said in this Chamber and in the public press, but I have been so very busy with other matters that I have been unable to execute that purpose. It is my very great desire to perpetuate the memory of that notorious transaction. It is one of the monumental enterprises of this period of our national history.

It was conceived in the greed for gain, brought forth in a gush of mock patriotism, and swaddled in the American flag. It is my desire that the American people shall remember it. I wish them to see it naked, in all of its details, all of its phases, its good and its bad sides.

I find published in the current number of Pearson's Magazine a fairly accurate story of this notorious organization. I think I can say that probably 99 per cent of the story is accurate. There may be 1 per cent inaccurate; but taking it all in all, I am quite sure it is about as correct an account of the Hog Island enterprise as the average human intellect could get up. The report does not bring its history up to date. For instance, it states that the cost of the plant at Hog Island was $63,000,000, when, as a matter of fact, it cost more than $66,000,000.

It will be contended by the apologists for Hog Island that the abuses complained of in the beginning of the enterprise have been corrected. I admit that some of them have been corrected, but there has been no restitution of the money improperly expended and other forms of petty graft. The Federal Treasury has been plundered and the taxpayers robbed and somebody has made way with the swag.

I believe the man who is now at the head of this company, a Mr. Brush, is an earnest, honest, capable, straightforward young fellow, and in so far as it is within his power will improve the condition of these things there.

I hope the Congress may look further into this matter, Mr. President, and that the enormous fees that were contracted to be paid to the plutocratic citizens who compose the corporation

with which the Government made the contract may be withheld. Mr. Vanderlip and his associates have not earned a penny of the $8,000,000 or $14,000,000 which under the terms of the contract they are to receive for the "know how." They have not rendered one dollar's worth of service. The payment of this money to these men will be an unwarranted prodigality of public funds. The President of the United States, who has the authority to do it, should have ordered the contracts canceled a year ago for failure to comply with the terms of the contracts.

I am going to ask unanimous consent to have this article published in the RECORD without reading.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

"HOW UNCLE SAM IS SWINDLED: THE TRUE STORY OF HOG ISLAND.

"Before giving the facts about Hog Island, the public should know the difference between the *American International Corporation*, generally supposed to be the contractor or agent, and the *American International Shipbuilding Corporation*, the actual contractor or agent.

"The *American International Corporation*, which, contrary to the general belief, is not the contractor, is a real concern with financial responsibility and substantial working capital. The *American International Shipbuilding Corporation*, the actual contractor or agent, is a nominal corporation with a total capital stock (nominal) of only $2,000, without financial responsibility or working capital, incorporated in Delaware, September 27, 1917, by the *American International Corporation*, which owns without liability to itself all its capital stock of $2,000. *This corporation was formed by the American International Corporation, the supposed contractor, to completely divest itself and its assets of responsibility and liability and yet assure to itself all the profits to be made.*

"This method of incorporating nominal stock companies opens a broad way to every sort of fraud. The *American International Shipbuilding Corporation*, the real contractor, can enter into contracts involving millions, as it did in this case, pay great dividends, and then dissolve or go bankrupt, without liability except as to its nominal capitalization and assets, and without being subject to prosecution for fraud.

"It has been, in fact, loudly acclaimed by the officers of the *American International Corporation*, the supposed contractor, that nothing criminal has been done. This has been confirmed by Attorney General Gregory in his report; but when the facts are known, not many persons will agree with the ex-Attorney General.

"This dummy corporation is the old Wall Street method of keeping within the limits of the law under the advice of shrewd Wall Street lawyers, who, as one person has tersely remarked, have, with their clients, a complement of crooked ways, but no shipbuilding ways.

"The *American International Corporation*, the supposed contractor, according to its last published statement in Moody's Manual of Industrials, 1918, page 1951, had capital stock, assets, working capital, and officers and directors as follows:

"Capital stock: Common, $49,000,000; preferred, $1,000,000. Assets, $37,106,015; net working capital, $4,798,588.

"Its officers and directors are as follows:

"*Officers: F. A. Vanderlip, chairman of board; C. A. Stone, president; G. J. Baldwin, senior vice president; H. D. H. Connick, Philip W. Henry, Robert F. Herrick, Frederick Holbrook, William S. Kies, R. B. Sheridan, R. P. Tinsley, vice presidents; Cecil Page, secretary; T. W. Streeter, treasurer, New York.*"

These are men of great wealth, who wrapped themselves in the American flag during the war and denounced everybody who did not rush to America's sublimest patriots for pelf.

"*Executive committee: F. A. Vanderlip, C. A. Stone, O. H. Kahn, P. A. Rockefeller, T. N. Vail, Beekman Winthrop, William Woodward.*

"Directors—J. Ogden Armour, G. J. Baldwin, C. A. Coffin, W. E. Corey, Robert Dollar, Pierre S. du Pont, Philip A. S. Franklin, J. P. Grace, R. F. Herrick, Otto H. Kahn, H. S. Pritchett, Percy A. Rockefeller, John D. Ryan, W. L. Saunders, J. A. Stillman, C. A. Stone, T. N. Vail, F. A. Vanderlip, E. S. Webster, A. H. Wiggin, Beekman Winthrop, William Woodward.

"The *American International Shipbuilding Corporation*, the *real contractor*, whose capital stock is owned without liability for its acts by the above, according to its certificate of incorporation had capital stock, assets, working capital, and officers and directors as follows:

"Date and place of incorporation, September 27, 1917, Delaware.

"Incorporators—Stafford Smith, New York City, 16 shares; James E. Manter, Portland, Me., 2 shares; Clement M. Egner, Elkton, Md., 2 shares. Total shares, 20. Par value, $100 each. Capital stock, $2,000; assets (common stock), $2,000; working capital, none.

"(Note the capital stock is owned without liability by the *American International Corporation*, the supposed contractor.)

"Its officers and directors (*American International Shipbuilding Corporation*), according to its certificate of incorporation, are as follows:

"Chairman, George J. Baldwin; president, M. C. Brush, and six vice presidents plus secretary and assistant secretary-treasurer, and three assistants.

"Directors—George J. Baldwin, M. C. Brush, H. D. H. Connick, P. O. Knight, G. O. Muhlfeld, M. A. Neeland, A. R. Patterson, and F. W. Wood.

"It will be noted that for a corporation with a total capital stock of only $2,000 and no other assets and no working capital it has a very extensive stage setting or array of officers—a chairman of the board, a president, six vice presidents, a general counsel, a secretary and assistant secretary, and a treasurer and assistant treasurer. Verily it was considered either a very valuable or a very risky $2,000.

"So much for the identity of the two corporations—the supposed contractor, the *American International Corporation*, and the *American International Shipbuilding Corporation*, the real contractor. Now for the contract given to it by Chairman Hurley and executed by him on behalf of the Emergency Fleet Corporation.

"According to the statement given by the *American International Corporation, the supposed contractor*, as the owner without liability of the capital stock of the *American International Shipbuilding Corporation*, the nominal company and real contractor, on page 1950, Moody's Manual of Industrials for 1918, the *American International Shipbuilding Corporation* was organized in 1917 (Sept. 27, 1917, by certificate of incorporation) to carry out the terms of a contract for the construction of a large ship-assembling plant at Hog Island, on the Delaware River, and build a fleet of cargo vessels, of standard design, of 7,500 dead-weight tons each, for the United States Shipping Board Emergency Fleet Corporation.

"This, the original contract, dated September 13, 1917, two weeks before the incorporation of the *American International Shipbuilding Corporation*, calls for a yard of 50 ways and the completion of 50 of such vessels at the earliest possible date. In October, 1917, the month *following, before the work had fairly started and before it was possible to tell what the outcome of this contract would be, Mr. Hurley—Mr. Piez was then advising him sub rosa—awarded the corporation an additional contract for the construction of 70 cargo and transport ships, each to be of 8,000 tons dead-weight. In April, 1918, when it was certain that the delivery of any ships would be much later than planned, and when it was clearly obvious that a successful outcome of this experiment in shipbuilding was exceedingly doubtful or impossible, Mr. Hurley and Mr. Piez awarded the corporation a further contract for 60 cargo vessels of 7,500 dead-weight tons each, making a total of 180 ships awarded it, with a total tonnage of 1,385,000 dead-weight tons. The first ships under the contract were to be delivered in October, 1918, and the balance in 1919.*

"The contract is of the 'cost-plus fixed fee' type, providing that the Emergency Fleet Corporation, as owner, shall control and pay all expenses of the work, including cost of land, buildings, ways, machinery, tools, labor, and vessels. The fee to be paid the contractor was agreed to be 5 per cent on an estimated and agreed basis of cost of the ships themselves, which was estimated for that purpose only to be $236,500,000.

"The amount of the fee agreed upon to be paid the contractor by the Emergency Fleet Corporation, as agreed to on its behalf by Mr. Hurley, was therefore $11,825,000; that is, on a total risk *by the contractor of only $2,000.* The contractor, the *American International Shipbuilding Corporation*, under the terms of the contract granted to it on behalf of the Emergency Fleet Corporation is to receive therefore a profit of 5,912 per cent on every dollar risked, and upon the completion of the contract the Government holds the bag in the cost of the land and yard, which has now reached the sum of $63,000,000.

"The contractor graciously waived the 5 per cent fee on the cost of the land and yard, but no charge is made for its use under the contract given to it by the Emergency Fleet Corporation. A minimum charge for such use would be 5 per cent per annum on the cost of the same for interest on the investment and 5 per cent per annum for depreciation, or a total of 10 per cent per annum on the cost of $63,000,000.

"Waiving this charge or rental is equivalent, therefore, to presenting the contractor with an added profit of $6,300,000 per annum, or, say, for two years, within which time the contract was promised to be performed, and within which time the contract called for completion, with a total additional profit of $12,600,000, or an additional 6,300 per cent on the contractor's total risk of $2,000.

"The total profit provided for the contractor on its risk of $2,000 under the terms of the contract given to it by the Emergency Fleet Corporation practically amounts, therefore, to the following:

Fee 5 per cent of $236,500,000	$11, 825, 000
Rental and depreciation 10 per cent of cost of plant per annum $6,300,000, or for 2 years	12, 600, 000
Total profit	24, 425, 000

"This amounts to 12,212 per cent on the contractor's risk, namely, $2,000. Evidently working for Uncle Sam, if you are rich already, beats all the El Dorados yet discovered in the world!

"As to the progress of the contract, one ship only of the 180 to be built has been completed. This was launched last summer, when only 65 per cent of its rivets had been driven.

"*The cost of the entertainment attending this launching, according to the testimony of Director General Piez before the Senate committee, January 2 last, was $38,000. This, under the contract, was an item of cost, and the contractor receives 5 per cent on the same, or a profit on this item alone of $1,900, a sum lacking only $100 of the total amount of the capital stock and assets of the contractor, namely, the American International Shipbuilding Corporation, and the total sum risked by it.*

"*What a delightful business bankers do! They give entertainments at the expense of the Government and receive a commission on the cost of the same equal to the total risk they have taken. No wonder Balzac called bankers the brigands of to-day!*

"The entire plan of fabricated ships, to be turned out like tin cans, was experimental. The design was experimental, as well as the method by which it was proposed to construct them. Messrs. Hurley and Piez, by committing the greater part of the shipbuilding program and our cause to this scheme, which has netted only four ships from all such yards to date, according to Director General Piez's recent testimony before the Senate, astounded the real shipbuilders of experience and every practical engineer.

A FURTHER EXPOSURE.

(By J. L. Spivak.)

"Even before the contract was signed by the United States and the American International Shipbuilding Co. for the shipyard on Hog Island a good deal of money was squandered. So many suspicious facts came out during the investigation of the Hog Island shipbuilding yard by the Senate committee that President Wilson ordered the Department of Justice to investigate and to hold criminally responsible those who were found guilty of misusing the people's money. This order was given in February, 1918. Near the end of December, 1918, the Department of Justice report was ordered published.

"Six weeks have since elapsed and the report has not yet been published. But we all know that the Department of Justice found nothing wrong at the Hog Island shipyard, and though the Christian Science Monitor declares that whoever publishes the facts that have been revealed in the Hog Island investigation by the Senate committee will risk accusations of pro-Germanism, let us see what happened at Hog Island.

"The marsh land known as Hog Island was assessed and taxes paid on a base value of about $100 per acre. The International Shipbuilding Co. bought the land for $2,000 an acre and rented it to the Government at the price of 6 per cent upon $2,000. 'Mr. Black, who sold the land to this shipbuilding company for $2,000 an acre, had agreed to sell it the year before and had an option outstanding for $1,000 an acre. As a reward for his getting $2,000 an acre he has been taken out of civil life and is now a lieutenant colonel in the Ordnance Department of the Government.' [Senator NELSON.]

"The land was worth, at its assessed value of $100 per acre, $85,300. The company paid for the land $1,706,000. The Government, however, has an option on the land, if they wish to buy it, at the price of $1,706,000.

"George J. Baldwin, chairman of the board of the American International Shipbuilding Corporation, said to the Senate committee that 'In May, 1917, the United States Government, through the Shipping Board, invited the American International Corporation to undertake the construction of a shipyard to contain 50 ways and to build therein a fleet of 200 cargo vessels of an aggregate tonnage of 1,500,000.' The contract that resulted from this invitation was officially awarded on September 13, 1917, and the American International Shipbuilding Corporation was instructed to proceed. It was estimated that it would cost $21,000,000 to complete the plant. But, only three months after the contract was officially awarded and more than a month before the first keel was laid, the expenditure amounted to over $23,000,000.

"When $23,000,000 is spent within three months after a contract is awarded, and hardly any accomplishment is shown, it becomes interesting to see where the money went.

"LABOR.

"An average of 26,000 men were employed upon Hog Island. Since there were no housing facilities and the food was of the poorest quality, men did not stay long on the job. There was always an army of men leaving the island because they were dissatisfied. To insure the average of 26,000 workmen it was necessary to have about 35,000 workmen on the spot. Hence, there was an endless hiring and firing on the island. The new applicants usually wasted the first half of the day before they were hired and assigned to their jobs. Their pay started from the time they set foot upon the island. Once the men were hired they were assigned to different gangs, under the supervision of foremen.

"Col. S. M. Felton, president of the Chicago Great Western Railroad, who had given his services as an engineer to the War Department, after a visit to Hog Island, testified as follows: 'I should estimate that possibly between 5 and 10 men out of every gang of 100 congregated about the plant were busy. I never saw such idleness in all my life. Half the men we saw there, if properly organized, would have done more work than all the men we saw.'

"These thousands of laborers who did little or no work received weekly pay envelopes ranging like this: $48, $30, $49, $48, $49, $46, etc. In addition to the thousands of laborers there were, of course, the high-salaried officials. 'Contracts were made to pay double salaries for expert services. The cost of the construction, it is now conceded, will be three to four times the Government's original estimate. This single hold-up of the Government will probably cost it not less than $30,000,000.'

"*In addition to nonlaboring laborers and fat-salaried officials a little paper was started (the Government paying the editors' salaries) with the express intention of creating interest in the job among the employees. The editorial salaries were as follows: R. N. Hunt, publicity assistant, $666.66 per month; D. T. Pierce, publicity manager, $833.33 per month; Thomas B. Reed, publicity assistant, $500 a month. Senator Vardaman aptly remarks, 'Did they really accomplish anything other than furnishing a pretty good story for some very excellent gentlemen?'*

"But enough about the item 'labor.' Let us now consider the

"MATERIAL.

"Cranes are essential to a shipyard. The price of an ordinary crane is seven to eight thousand dollars. This is the price even in war time; but suppose one allows a *$3,000* increase *because* of war conditions, one would expect to pay about $10,000 for a crane. Yet, 'Mr. Towle testified that in the gathering of machinery, for instance, an ordinary crane that you should buy for from *seven* to *eight* thousand dollars cost the Government *from twenty to twenty-five thousand dollars.*' [Senator MCCUMBER.]

"This one instance will serve as an example.

"MANAGEMENT: HIGH-SALARIED OFFICIALS.

"Testimony was given that about 75 men were ordered to unload *three* frozen cars of cinders—25 men to each car—the cost being approximately $70 a carload. In the summer time these same cars could be unloaded by ordinary business men at a cost of from $2 to $3.

"Senator MCCUMBER. Freight cars were allowed to pile up and remain unloaded until 1,300 cars stood for long periods of time without being unloaded, while the country was freezing because cars could not be obtained to haul coal.

"Mr. JONES of Washington. The Senator may not have observed that in that connection it was also shown that there were 3,000 cars on the way that had to be held up.

"The CHAIRMAN. How about the owners of the trucks? Did they receive as much as $25 or $30 a day?

"Commander REED. Yes, sir.

"The CHAIRMAN. Were high-priced automobiles hired and placed at the disposal of executives for their use in going to and from the island and elsewhere and charged to the Government?

"Commander REED. 'A large number of automobiles and trucks of all kinds were hired every day; it was customary for the officials of the company to go to Hog Island and return in these automobiles; yes, sir.'

"The high prices of material aroused suspicions as to whether some men were not pocketing huge sums while the American people were giving their blood and their dollars for the war. This was indignantly denied.

"Mr. BALDWIN. 'I have got a boy over there. * * * We are not doing this for money.'

"Senator JOHNSON. 'You are not doing it for money, but you have some $6,000,000 or $7,000,000 coming to you out of this contract. How do you explain that if you are not doing it for money?'

"Mr. BALDWIN. 'Because you can not keep a corporation alive on patriotism. You can keep the individual going on that basis, but you can not keep a corporation going on it.'

"The average monthly expenditure by the United States upon the Panama Canal was $2,500,000; the average monthly expenditure upon Hog Island was $10,000,000. The exact expenditures upon Hog Island up to August 5, is, I believe, not now obtainable. However, figuring upon the admitted average monthly expenditures from the time the contract was signed up to August, I calculate that about $100,000,000 were spent. Let us, for mercy's sake, cut this figure in half, and we get $50,000,000. After this $50,000,000 were spent came the glorious day to Hog Island. The first ship was to be launched!

"There was much bustle and excitement. And, if so many millions had already been spent, a few thousands to celebrate fittingly the event was obviously necessary; so $38,000 (of the taxpayers' money) was spent upon August 5, the day the *Quistconck* was launched. *The "Quistconck," however, was prematurely launched, and later had to be towed to a station for repairs!*

"*In other words, the American people paid at least $50,000,000 for one 7,500-ton badly constructed ship!*

"It is hardly necessary to continue. The administration at Hog Island changed hands several times, and the Department of Justice says there is nothing which should be prosecuted. We are faced, just the same, with the disconcerting knowledge that a job originally estimated to cost $21,000,000 has cost three times as much. We are faced, in other words, with a bill in which appears an item of $30,000,000 extra, and evidently the only thing we can do is to grin and pay. But who got the $30,000,000? How was it divided?"

Mr. VARDAMAN. Mr. President, I wish to ask that the italics that I have marked be reproduced just as I have prepared the article for the RECORD, together with other annotations that I may have made.

The PRESIDING OFFICER. Is there any objection to the request? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to a concurrent resolution authorizing the clerk in the enrollment of the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, to strike out the word "twenty" where it appears in the last line of section 11 of the bill as agreed upon in conference, and insert in lieu thereof the word "nineteen," in which it requested the concurrence of the Senate.

The message also anounced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The message further transmitted to the Senate resolutions on the life, character, and public services of Hon. WILLIAM P. BORLAND, late a Representative from the State of Missouri.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 5236. An act to amend sections 7, 10, and 11 of the Federal reserve act and section 5172, Revised Statutes of the United States;

H. R. 9897. An act to authorize the contesting and cancellation of certain homestead entries, and for other purposes;

H. R. 11984. An act to provide for the Fourteenth and subsequent decennial censuses;

H. R. 15979. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes; and

H. R. 16136. An act to amend the liberty bond acts and the War Finance Corporation act, and for other purposes.

DISCHARGED SICK AND DISABLED SOLDIERS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House, which was read, considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 13026) entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," the Clerk be, and he is hereby, authorized and directed to strike out the word "twenty," where it appears in the last line of section eleven of the bill as agreed upon in conference, and insert in lieu thereof the word "nineteen."

LANDS FOR RETURNED SOLDIERS AND SAILORS.

Mr. MYERS. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 5652) providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes. This is the bill to enact into legislation Secretary Lane's project to reclaim lands for homes for returned soldiers and sailors.

I suppose this motion will not be pleasing to the members of the Committee on Appropriations, but, nevertheless, I feel it my duty to make and press the motion.

Mr. MARTIN of Virginia. Mr. President, I understand that the motion is not debatable.

Mr. MYERS. I claim it is debatable. The Senate recessed from yesterday until to-day. This is not the morning hour. There is no morning hour to-day.

Mr. MARTIN of Virginia. I was mistaken; it is debatable. It is debatable after 2 o'clock on the legislative day.

Mr. MYERS. If not debatable, I would not want to proceed; but there can be no doubt that it is debatable.

Mr. MARTIN of Virginia. I withdraw my objection. It is debatable.

Mr. MYERS. I shall then take a few minutes to state the reasons why I make this motion and think it should be adopted. It may not be agreeable to the members of the Committee on Appropriations, but I feel it my duty nevertheless to bring the matter before the Senate. I promised Secretary Lane that I would make an effort to get the bill before the Senate and secure its passage at this session, and I intend to be loyal to him and to my promise. I earnestly favor this bill and want to see it enacted at this session of Congress. I can see no opportunity for making this motion or making an effort to get the bill before the Senate at this session other than right now. This is the last chance. This session must soon end.

I feel sure that appropriation bills will claim the right of way before the Senate from now until to-morrow at 12 o'clock, and will occupy all the remaining time unless the Senate will take up this bill, the bill I have moved to take up, and dispose of it right now.

Mr. McCUMBER. Will the Senator briefly state what is the bill proposed?

Mr. MYERS. I will in a few seconds, and I will be brief about it. I do not believe it would take the Senate over half an hour to dispose of the bill. This is a bill of tremendous importance. It means a great deal to our returning soldiers and sailors, men to whom we owe so much, to whom we owe more than we will ever be able to pay. This bill has been carefully framed. It is the result of much thought and deep study. It is more important than many appropriation bills, important as they are to the Government. The object of the bill is to put to work thousands of returned soldiers and sailors, now unemployed, and to enable them to make farm homes for themselves on land now useless and unproductive.

It was favorably reported by the Senate Committee on Public Lands by a unanimous vote of all members present, and there was a good attendance at the meeting. I believe every member of the Public Lands Committee of the Senate is in favor of the bill. I believe a large majority of the Members of the Senate are in favor of the bill, and if given an opportunity I believe a large majority of them would vote for it. I know many of them think favorably of it. It has pretty generally been brought to their attention, and I believe is generally understood.

We can not possibly pass all the appropriation bills at this session. It is apparent some must fail of passage. I think it is certain that we shall have to have a special session of Congress in June, before the expiration of the fiscal year, to make appropriations for some departments of the Government. The appropriations can wait until July, but this matter can not wait, if we are to do justice to our returned soldiers and sailors.

Mr. GRONNA. Mr. President, will the Senator yield.

Mr. MYERS. I yield with pleasure.

Mr. GRONNA. Of course, I am not going to take the time of the Senate to discuss the provisions of the bill, but the Senator made the statement that it will not take over half an hour. I assure the Senator that it will take a good many hours before the bill can be passed. The Senator, of course, says that this is done in the interest of the soldiers. I am going to take issue with the Senator on that question, and I think the Senator will find that a number of Senators will take issue with him on that. It is not in the interest of soldiers as much as it is for those who want to reclaim the dismal swamps of the country.

Mr. SHAFROTH. Does not the Senator recognize that it is opening up a great quantity of land upon which soldiers can settle and giving them a particular privilege under the bill?

Mr. GRONNA. The Senator recognizes that I would be the last man who would want to see my boy made a pauper, sent out on that waste, and then have the Government advance him a few thousand dollars, when he would be without horses, without machinery, without anything to go on with his farming operations. If I want my boy to farm, I will say to the Senator, I will send him to the New England States and have him buy an abandoned farm, where there is a hope for him to establish a home for himself, rather than make a pauper out of him for all time to come.

Mr. SHAFROTH. I am sure the Senator does not understand this bill.

Mr. GRONNA. The Senator does understand it.

Mr. SHAFROTH. The appropriation is for the very purpose of lending money to the soldier to be used by him in purchasing machinery for the farm and giving him other advantages. It is proposed to give him the very best quality of land by redeeming the land from the condition of swamp land or for the purposes of irrigation. By reason of that a quantity of land will be given to the soldiers, and they will be given special advantages—the very opposite of the conditions which the Senator from North Dakota [Mr. GRONNA] has stated.

Mr. GRONNA. Ah, Mr. President, we have had too much of that. We have been passing bills here all the time in support of which it has been claimed that they were in the interest of the soldier. It has become the custom to claim that everything is in the interest of the soldier, if only the Treasury can be looted. We are deceiving ourselves if we think that the public is going to be satisfied.

Mr. McCUMBER. Mr. President——

Mr. GRONNA. The Senator will not be able to get this bill passed, I will say to him, in the course of 1 hour or 2 hours or 10 hours.

Mr. MYERS. Mr. President, I decline to yield further. I want to proceed. If the Senator from North Dakota [Mr. McCUMBER], however, wishes to ask me a question, I will yield for a question only.

Mr. McCUMBER. Yes; I want to ask a question. The question is a simple one. Is it not a fact that on the land now under cultivation in the United States we produce a surplus of everything that the farmer raises? Is it not also a fact that producing that surplus even now we are attempting to hold up the production of some of the farm products in order that the farmer may receive a living price for them? Now, I want to ask the Senator from Montana, under those conditions, whereas there is not a surplus of clothing and there is a surplus of farm products, why we should not advance the soldiers money to start more clothing stores in order that we may cheapen the price of clothing to the American public?

Mr. MYERS. Mr. President, there is not a surplus of farm products in the world to-day. There will be more wheat needed in Europe, we are informed by official authority, than was needed last year. For several years the United States will have to feed a large part of Europe.

Now, I decline to yield further. I want to keep my statement to the Senator from Virginia [Mr. MARTIN] that I would be brief. I am anxious to get this matter before the Senate and let the Senate vote on it. Then I shall, of course, abide by whatever the Senate may do and try to be satisfied with whatever its decision may be. I promised to make the effort, and I am going to make it. Now is my only chance. I would be very glad to see the bill taken up and disposed of now, without delay, and hope it may be. I appeal to the Senate to let this bill be voted on.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. MYERS. I yield.

Mr. GORE. I want to ask the Senator from Colorado [Mr. SHAFROTH] a question. I desire to ask the Senator from Colorado if this bill appropriates only money to make farmers out of the soldiers? Is it limited to that alone, or will it also appropriate money to build banks, start the soldiers in the banking business, and appropriate money for that, and appropriate money to construct manufactories and to put soldiers into the manufacturing business, and also appropriate money to build stores and to provide them with stocks of goods, and put them into the mercantile business? Is the bill to be limited to farming alone?

The VICE PRESIDENT. Let us have some order about this matter. If we start into the discussion in this way at 10 o'clock, there will be a riot by midnight.

Mr. SHAFROTH. In answer to the question of the Senator from Oklahoma——

The VICE PRESIDENT. The Senator from Oklahoma has not yet asked the Senator from Colorado a question.

Mr. GORE. Yes; I asked the Senator from Colorado a question.

The VICE PRESIDENT. In the confusion the Chair was unable to hear it.

Mr. MYERS. I will yield to the Senator from Colorado for a brief answer, and then I shall decline to yield further to any other Senator, until I get through.

Mr. SHAFROTH. Mr. President, in answer to the Senator from Oklahoma [Mr. GORE], I will say that the Government has a vast quantity of land which it owns, and by reason of that fact it is being put into a condition in which it can be irrigated, which will make it the most excellent and the most valuable of all lands in the United States. It prescribes a limited quantity of land, not as much as 160 acres, to be taken up by the soldier who will go upon the land. It also provides for a loan by which the soldiers can get enough money to be secured upon their property, and secured upon the property which they buy, with which they can start upon this desert land, to which the Senator from North Dakota has referred.

It seems to me, if we are going to give an opportunity to these men who come back from Europe, we shall have to do it on this bill. It will be worth an infinite amount of money and be of great value to the men themselves.

Mr. MYERS. Mr. President, I decline to yield any further.

Mr. GORE. I should like to be allowed to ask one further question, but I will not trespass.

Mr. MYERS. I decline to yield any further. The Senator may take the floor in his own right and in his own time.

Mr. President, this bill, as has been partly explained by the Senator from Colorado [Mr. SHAFROTH], makes an appropriation of a revolving fund with which to reclaim arid, cut-over, and swamp lands, so as to provide farms and homes thereon for returning soldiers and sailors, to give them employment in reclaiming such lands, to prepare the lands for settlement; then giving the soldiers and sailors opportunity to purchase the lands from the Government on easy terms, making long-time payments, and providing them with money with which to buy live stock, machinery, and implements for the purpose of starting into the business of farming.

The latest official estimates indicate that there are about 1,000,000 unemployed men in the United States. That number will be augmented. Unemployment on a large scale will not exist in this country without serious trouble. People are not going to go hungry and without employment when they want honest labor without making trouble. Our returning soldiers and sailors, who offered their lives and limbs in defense of our country and liberty, are not going to return here and go hungry and without employment without making trouble.

Here is an opportunity to give employment to a large proportion of the unemployed people in this country in a beneficial work and most commendable undertaking and doing it in a wise way. The plan has met with the approval of committees both of the House and of the Senate and is strongly recommended by the Secretary of the Interior and the President of the United States. The President has urged Congress to enact the legislation at this session.

Unless this measure is enacted at this session, it may be too late to do any good. By July there will be probably a million more of our troops who will have returned to this country. Already more than 1,000,000 have returned. By July it will probably be too late to get these people together and get them interested in this plan and get the plan into operation. In my opinion it must be done now, if done at all.

The appropriation bills can wait until July; the fiscal year does not expire until the 1st of July, and I think we will undoubtedly have a special session of Congress in June. Then the appropriation bills can be taken care of. With this bill it is different. I should very much like to see this bill given a chance for enactment at this session of Congress—right now, to-day. There has been no program for the remainder of this session formulated, so far as I know, by a caucus or the steer-

ing committee of the majority party of the Senate. Therefore it is the privilege of any Senator to make a motion to take up any bill for consideration. I feel that this bill can be enacted within a reasonable time. I would not want more than a reasonable time spent on it. Then, I feel sure the Senate will have plenty of time to enact the pending appropriation bill and any other that may be absolutely necessary. We all know that there are some appropriation bills that will go over. Without further argument, I submit the matter to the Senate and ask for a vote on my motion.

SENATOR FROM MICHIGAN.

Mr. SMITH of Michigan. Mr. President, I desire to present the credentials of my successor, the Senator elect from Michigan, Hon. TRUMAN H. NEWBERRY, and I ask that they be filed in the usual and customary way.

Mr. KENYON. I suggest to the Senator to ask that the credentials be read.

Mr. SMITH of Michigan. Let the Secretary read them. I should like to have them read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

STATE OF MICHIGAN,
EXECUTIVE OFFICE,
Lansing.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, TRUMAN H. NEWBERRY was duly chosen by the qualified electors of the State of Michigan a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1919.

Witness his excellency our governor, Albert E. Sleeper, and our seal hereto affixed at Lansing, this 26th day of November, A. D. 1918.

ALBERT E. SLEEPER,
Governor.

By the governor:
[SEAL.]
COLEMAN C. VAUGHAN,
Secretary of State.

Mr. KENYON. Mr. President, I do not rise in any way to object to the credentials; they should be filed; there is no question, legally, about that; but I do rise to inquire of the chairman of the Committee on Privileges and Elections what has become of the resolution unanimously adopted, I think, by that committee looking to the preservation of the evidence and of the ballots in the Michigan senatorial election contest?

Mr. POMERENE. Mr. President, with the permission of the Senator from Iowa [Mr. KENYON], I desire to give very briefly the history of this subject as it appears of record in the Senate.

Shortly after the primary election in Michigan the committee having charge of the campaign for Mr. Newberry presented a report, under the Michigan statute, showing collections of $178,000 and disbursements of $176,000 in that campaign. Certain information came to the committee to the effect that these expenditures were made with the knowledge and consent of Mr. Newberry. The situation was such that I believed I was justified in presenting a resolution asking for an investigation to ascertain whether or not expenditures had been made in violation of law, both Federal and State, and what, if any, additional legislation might be necessary to meet this serious evil.

The committee was of the opinion that that investigation could not be had prior to the election, and it was adjourned over until, I think, November 15, on which date a meeting of the committee was called. There were several meetings had, and more attempts to get meetings of the committee, but we failed to secure quorums on different occasions.

Later, prior to the holidays, a memorial was presented by some one, whose name I have now forgotten, but who was the chairman or an official of the Ford nonpartisan campaign committee. Still later Mr. Ford presented a memorial insisting that there should be a recount and charging violations of the law in connection with the primaries. As a result of these two memorials, on the calendar day of January 17 I presented a resolution looking to an investigation. On January 27, 1919, a favorable report was ordered by the committee, all of the Democrats and one Republican joining in it. Certain other Republicans refused to vote upon the question, because they said the meeting of the committee was illegally held in that the vote was taken while the Senate was in session. Apparently they had overlooked the fact that there was a general resolution authorizing the committee to sit while the Senate was in session.

As a result of the debate on the floor of the Senate a compromise resolution was presented. That resolution represented the unanimous vote of all Senators belonging to that committee, save one Democrat, who was not in the city, and one Republican, who was not able to be here. I felt that that resolution ought to be passed. The resolution provided for the taking possession of the ballots in order that they might be preserved; also for taking possession of certain other documentary evidence which it was feared might be lost or dissipated, and for taking such oral testimony as the committee upon showing might feel it was necessary to take.

At no time during the history of this case did any member of the committee contend that this Senate should pass upon the merits of the case. Most of us were of the opinion that a very serious issue had been joined, and that the sooner the evidence could be taken the better for all parties concerned.

I had every reason to believe that when this unanimous report of the Committee on Privileges and Elections was presented it would not meet with any opposition whatsoever, and, in my humble judgment, there ought not to have been any opposition to it. My feeling is that when the right of any Senator to a seat is challenged that Senator ought to be the very first one to insist upon an investigation, and, instead of trying to block an investigation, if he had a proper appreciation of his relations to his colleagues, he would be the one who would insist upon an investigation. But objections were made, and in the closing days of the Congress it looked as if a filibuster would be inaugurated.

The Senate has witnessed the repeated efforts I have made to bring this matter to a conclusion on the floor of the Senate, but what I did on the floor of the Senate by no means measures the efforts which I have made in conferences with Senators on both sides of the Chamber to have all opposition withdrawn, so that the resolution might be passed. However, I have not succeeded in those efforts.

The day after this matter was up and discussed before the Senate, possibly the second day, I intended to bring it up again, but because of very unfortunate illness in the family of the junior Senator from Michigan [Mr. TOWNSEND], he could not be here, and requested that the matter should not be brought up. It is out of deference to that request that I have not since that time made an effort to bring the matter to a conclusion. Suffice it to say that I am very much disappointed that there should be any opposition to the gathering of this testimony now in order that it might be before the Senate for its consideration at the next session.

Mr. McCUMBER obtained the floor.

Mr. KENYON. Mr. President——

Mr. McCUMBER. I yield to the Senator from Iowa.

Mr. KENYON. Mr. President, I want to say just a word. I join in the opinion of the Senator from Ohio [Mr. POMERENE]. I think it is unfortunate that this resolution has been blocked, if that is the proper word to use concerning it. I think there was a general understanding that this resolution would pass and that the evidence was to be preserved. I hope, when the Republicans come into control, that there will be a full and complete investigation of the Michigan election on both sides. I am inclined to believe that the friends of Mr. Ford have spent fully as much money as the friends of Mr. Newberry, but I do not believe that any party or any group of men can stand in the way of a complete investigation under such facts as have been presented to the Senate, and I believe there is no intention of so doing on this side of the Chamber. I hope there is none.

Mr. POMERENE. Mr. President, if the Senator will permit me to say a word in addition, before this substitute resolution was agreed to I suggested, informally, in the presence of such Senators as were in the committee room, Republicans and Democrats alike, that if an investigation were to be made by a subcommittee that subcommittee should be composed of equal numbers of Republicans and Democrats, so that it could not be said that any attempt was made to do any injustice to anyone. I am not concerned about the final result of this matter. I am concerned that the Senate shall know what the facts are.

Mr. SMITH of Michigan. Mr. President, I want to say that before presenting these credentials I conferred with the Senator from Ohio [Mr. POMERENE], the Senator from Arizona [Mr. ASHURST], the senior Senator from Missouri [Mr. REED], and the Senator from Iowa [Mr. KENYON.] This is the customary manner of disposing of credentials—to receive them and file them.

Mr. POMERENE. Mr. President, I had intended to say, but overlooked it when on my feet before, that I am not making any objection to the filing of these credentials. I did at one time ask that they be referred to the committee. I felt at that time that the committee should consider them, not with a view to excluding them, but with a view to determining on a course of action. My own judgment is that under the circumstances these credentials should be filed, and that on the present state of the case Mr. Newberry should be qualified at the beginning of the next session, and the Senate can then take such action as under all the circumstances may seem proper.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. SMITH of Michigan. Certainly.

Mr. ASHURST. Inasmuch as my name has been mentioned, I wish to be heard a moment.

It is true that the distinguished senior Senator from Michigan [Mr. SMITH] asked me—and I appreciate his courtesy—if I intended to object to the presentation of the credentials of Mr. Newberry. I apprehend that I was asked that question for a twofold reason: First, because I objected some months ago when the credentials were presented; secondly, because I happen to be an humble, a very humble, member of the Committee on Privileges and Elections. It is true that I objected upon a former occasion; and I regret that the Senator's colleague [Mr. TOWNSEND] can not be here now so that he may hear my confession of error in regard to my position at that time.

I have examined all the precedents of the Senate, and have examined the rules, and I am going to read a part of Rule VI, in regard to the presentation of credentials:

> The presentation of the credentials of Senators elect and other questions of privilege shall always be in order, except during the reading and correction of the Journal, while a question of order or a motion to adjourn is pending, or while the Senate is dividing; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed of.

My attitude in trying to bring about an investigation of the alleged unlawful expenditures of money in the Truman H. Newberry case has aroused considerable unfavorable criticism from one or two newspapers. I do not resent criticism. The only injustice the newspapers in the United States have ever done me was overpraise me—to give me credit where I was not entitled to credit.

I have never met Mr. Newberry. I have never had the pleasure of greeting him. I have no doubt that in public life and in private life he is a most estimable gentleman. I could not be and have not been actuated by the smallest consideration of prejudice or of partisan bias in this case. My activity in this matter has been prompted solely and only by the desire to assist the Senate in maintaining its ancient and historic standards—a true Senate. I want to see a Senate to which a rich man may be chosen or a poor man may be chosen upon merit and attainment only. I desire to see men chosen as Senators without regard to their wealth or their poverty. I felt that the evidence submitted to the committee disclosed that huge sums of money had been poured into the Michigan election; and in vindication of myself and my attitude I have nothing to retract. I stand on my original ground and again assert that the Senate should conduct an investigation, that we should spring at once to our duty and be active in the matter of investigating—no matter who may be the man who presents credentials—where it is alleged by responsible persons that large sums of money have been spent in bringing about an election. In a free Republic, where the ballot is in every hand, if men with large sums of money can go about and corrupt voters and spend large sums in influencing the elections, the free Republic will not exist very much longer. In saying this I do not assert that Mr. Newberry has violated any law: I simply say that evidence has been adduced before the Committee on Elections tending to show that large sums of money were spent in Mr. Newberry's behalf in the Michigan election. The Senate will be false to itself and false to the American people if it fails carefully and patiently, and without any bias, to investigate the matter; and if Mr. Ford's agents have spent any money illegally I would be just as active to pass a resolution of investigation.

Mr. President, in presenting these credentials the senior Senator from Michigan [Mr. SMITH] has done the proper thing. He has presented the credentials of Mr. Newberry, Senator elect. They are regular on their face. They give the Senator elect, Mr. Newberry, the right to participate in the organization of the Senate of the Sixty-sixth Congress. His credentials on their face are as regular as the credentials of myself or any other Senator here, and I am glad to say that I have no objection whatever to their presentation. At a later time the question of investigation can be discussed, and a resolution can be presented and passed. These credentials are presented by the distinguished senior Senator from Michigan [Mr. SMITH]. He is within his rights. He is doing what is proper under the Senate rules.

The senior Senator from Michigan, Mr. WILLIAM ALDEN SMITH, in 25 hours more will no longer be a Senator of the United States. He leaves us, much to our regret. He leaves the public service after 25 years of work as devoted to our institutions of civil liberty as has been known in the history of any public servant. No tainted breath, no suspicion of scandal, has ever dimmed the bright mirror of his character and reputation; and in these closing hours, precious as time is, let me say that when the great contest for statehood for Arizona was on—statehood for Arizona and New Mexico—here stood my learned and beloved friend, the Senator from Oklahoma [Mr. OWEN], battling for the right of Arizona to be admitted; there was my learned and beloved friend, the senior Senator from Michigan [Mr. SMITH], chairman of the Committee on the Territories, asserting that a vote must be had, and the rights of these Territories must be considered. So I may be pardoned when I say that I have deep affection and much respect for the Senator from Michigan, who so soon will leave us. He served term after term in the House, and two terms in the Senate. About his elections there was never a suspicion of anything improper. He is a partisan Republican—I think too partisan a Republican, one of the most relentless Republicans we have here—but he has at all times been an American. The public service will lose an able and conscientious Senator when he retires, and I embrace this opportunity to say it to him now, while he is alive, rather than say it in the long future, perhaps when he may be dead. I wish him happiness and length of days.

Mr. OWEN. Mr. President, for six years the Senate committees have had under consideration a corrupt-practices prevention act. I want to place in the RECORD the fact that from time to time I have done everything in my power to promote it and to bring it into statute form. It is too late now to hope for its enactment by this Congress; but I do hope that when the new Congress comes into being the Republicans will take the responsibility of putting on the statute books provisions which will make it impossible to corrupt the electorate of this country by the use of money; and certainly I hope, and I expect, that from this side of the Chamber they will receive the cooperation of those who appreciate the importance of this reform.

Mr. McCUMBER. Mr. President, I rise to a point of order. I desire to know what question is now before the Senate. Is it a motion to take up the reclamation bill?

The VICE PRESIDENT. There seems to be no objection to the reception of the credentials of Truman H. Newberry as a Senator from the State of Michigan.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri object?

Mr. REED. I want to say a word before they are received, and it is on that point that I desire to address the Senate. Just a word.

Mr. President, perhaps this question has been stated with sufficient fullness. Nevertheless, I want to put into the RECORD, before these credentials are received, a statement of my position.

There was an attempt made to investigate the expenditures in the Michigan election before the election in November. It seems that the question then brought forward was the expenditures alleged to have been made in the primary election. When that question was advanced, I took the position that the Senate ought not to investigate at that time, because, while it had the right, it seemed to me that to investigate would have too much the appearance of seeking to influence the result at the November election, and that an investigation called and in process would amount in a sense to a challenge of the conduct of one of the candidates. After the election was held the question came forward whether there should then be an investigation and also the question whether the credentials of a man elected to the Senate could be received pending a challenge. I took the position then that if the credentials were in proper order they must be received, and the person holding them would be entitled to his seat and to keep his seat until ousted by proper proceedings. Later, when the matter was again pressed, I took the position that it was within the privilege of the Senate, of this present body, to investigate into all the facts and circumstances relating to the election, and to preserve and keep the evidence for action by the Senate as it would be constituted after the 4th of March.

I thought we had the right to make that investigation under our general power to investigate anything relating to the elections of men who would sit as Members of the Congress. I thought we had a right to do it under the general power so often exercised, but I believed in addition to that it was a right inherent in this body to take and preserve the evidence relating to any election, but that it would be unfair for the present Senate to pass upon the question as to the right to a seat, that being a matter to be determined after the 4th of March.

Now, Mr. President, the regrettable thing is that there has been a consistent and a determined effort to prevent the taking and the preserving of evidence. It is absolutely useless to deny the fact that almost every device conceivable has been employed to prevent the taking and the preserving of this evidence. Upon what ground can gentlemen object? It was even proposed that the subcommittee appointed to gather the evidence should be composed of two Republicans and two Democrats, so that there would not be a political majority upon either hand. Do these gentlemen claim that because the majority of the Senate is at

the present moment Democratic it implies a dishonest investigation and a dishonest gathering of the evidence? If such a claim as that is advanced then unless somebody can demonstrate that Republicans are inherently more virtuous than Democrats the Democrats might well say there could be no honest investigation after the 4th of March. No one who is a Member of this body would make that charge as against either the Republicans or the Democrats, and it is not true as to either of them. That men may naturally have an inclination for a member of their own party may be true, but that that inclination would interfere with an honest gathering and preservation of this evidence no Member of this body will assert.

When a man seeking a seat in this body through his attorneys and through his representatives undertakes to prevent such an investigation and such a preservation of evidence he places himself in a very unenviable position. He, in fact, challenges the honesty and integrity of the body of Senators who will gather the evidence or he confesses his fear of an honest investigation. I have had some experience in the courts, and it is very seldom that I have ever seen an honest man with a good case refuse to have evidence taken and refuse to allow the full light to be turned upon the situation.

I regret that this condition of affairs has developed. When I see the attorneys for a prospective Senator standing in the corridors of this building and protesting against steps being taken to preserve evidence or to take testimony it impresses me too much as conduct similar to that which sometimes transpires when you find interested parties haunting the doors of a grand jury room.

Personally, I do not care a whit from the political standpoint between these two men who ran for office. Mr. Ford has publicly stated that he is not a Democrat. I believe he has added that he is not a Republican, and, personally, I always prefer a Republican to a nondescript. I am a little bit like the Scriptural expression, which perhaps I can quote, which was said of a certain church, "I would that ye were either cold or hot. Because ye are neither cold nor hot, therefore will I spew you out of my mouth." I like to have a man either a Democrat or a Republican or something else. I simply say that now, not to criticize Mr. Ford, but to emphasize the fact that I have not any political preference as between these men, or if I do have, it is for the Republican, because he has taken his position and we know where to find him.

Mr. President, the fact that Mr. Newberry sends his attorneys here to prevent the taking of testimony is very significant. It is utterly useless to hide behind the old dodge that every lawyer has worked, saying, "Put your finger on the paper you want, and we will perhaps produce that paper. Tell us the particular set of books you want to investigate and we will perhaps produce the books." Every man who has tried lawsuits knows that in cases like this, that in all cases where fraud is charged or where there are many ramifications of corruptions charged, you have to start perhaps with a small fact, and tracing that fact through its various connections you develop other facts, and finally you are able to expose the whole warp and woof of an enormous fraud and a widespread conspiracy. It is the only way cases of this kind can be developed. If all the evidence was known in advance nobody would need an investigation.

The thing that would be done if this investigation was allowed to proceed is this: The members of the committee who conducted the campaign of Mr. Newberry and also the members of the committee who conducted the campaign of Mr. Ford, would be put under oath. They would be put upon the witness stand. They would be inquired of as to their organization and the members of it. They would be asked to produce their books of accounts. They would be asked in what bank they kept their money. They would be asked who were their agents in various counties and various precincts. Having produced that sort of a basis and acquired that kind of knowledge, the investigation would proceed to the banks, to the check books, to the agents, to the correspondence, to all the letters and everything that had passed between them, and when you got through you would know something about it.

Now, for an attorney to stand around on his hind legs and say, "Tell us in advance what we have been doing," when everything has been done in secret, is simply for that attorney to certify to the people and to the country and to everybody else who knows the facts that he wants concealment.

I have reached a point in this matter where my patience is exhausted. The junior Senator from Michigan [Mr. TOWNSEND] is not here. He is kept away because of a very serious family bereavement or trouble, in which he has my utmost sympathy, and in his absence, notwithstanding the great public importance of this question, I would not insist upon calling up the resolution for action, unless he himself would give his consent.

I suppose this resolution will not pass. I say now that whoever comes here with a credential and at the same time with an attempt to prevent an investigation files a credential that, in my opinion, is tainted. That opinion I will retain until the gentleman presenting it shall lay his books and lay his correspondence and lay his facts—and all the facts—before a committee of this body.

Mr. SHERMAN. Mr. President, I understand, practically, it is not controverted that the credential as presented will be filed. The disposition of the resolution of the Senator from Ohio will be attended to either at this session or hereafter. The question of the filing of the credentials I do not understand to be seriously controverted. What the question is before the Senate at this time I am not fully advised. There is no motion to file. It is not required on the presentation of the credentials of a Senator. I make the parliamentary inquiry if the motion of the Senator from Montana [Mr. MYERS] is pending?

The VICE PRESIDENT. The Chair has been trying to find out for 25 minutes whether anyone was going to object to the filing of the credentials of the Senator elect from Michigan or to move anything with reference thereto. There is discussion of the question, but there seems to be nothing doing. Therefore, if no one wants to raise any question, the credentials will be received and filed with the Secretary, and the pending question is the motion of the Senator from Montana to proceed to the consideration of the alleged rehabilitation of farms bill.

Mr. SHERMAN. On that I will take the floor, and, in pursuance of the immemorial custom, I will proceed to talk about something else.

Mr. POMERENE. Will the Senator yield just a moment?

Mr. SHERMAN. If it will not lose me the floor, I will yield.

Mr. POMERENE. No. I simply want to say, in view of what was said a moment ago by the Senator from Illinois, if the resolution asking for this investigation in its modified form is not passed—and I do not see any possibility of passing it under the circumstances—the very first day the Senate meets in the next Congress I shall file another motion asking for the investigation of the subject both as it relates to the contestant and the contestee.

ADDRESS BY JUSTICE STAFFORD ON LEAGUE OF NATIONS.

Mr. THOMAS. Will the Senator from Illinois yield to me for a moment?

Mr. SHERMAN. If it will not lose me the floor.

Mr. THOMAS. Certainly not.

Mr. SHERMAN. I yield.

Mr. THOMAS. There appeared in yesterday morning's Post from Mr. Justice Wendell Phillips Stafford a legal discussion of the treaty-making power of the United States in connection with the proposed league of nations. It is one of the ablest and most exhaustive discussions of a legal proposition that it has been my pleasure to read for a long time, and inasmuch as it bears upon the very important subject soon to occupy the attention of the Senate officially, I ask unanimous consent for the printing of this address in the CONGESSIONAL RECORD.

The VICE PRESIDENT. Without objection it is so ordered.

Mr. THOMAS. I thank the Senator from Illinois.

The address referred to is as follows:

AN ADDRESS BEFORE THE VERMONT STATE BAR ASSOCIATION JANUARY 7, 1919, BY WENDELL PHILLIPS STAFFORD, JUSTICE OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

"May the United States join the proposed league of nations by an exercise of the treaty-making power?

"The precise question to which I invite your attention is this: What limitations, if any, are to be found in the Constitution of the United States touching the power of this Government to join a so-called league of nations?

"Before approaching the question itself it may be useful to lay down a few definitions in the language of accepted authorities.

"Sovereignty, as applied to a nation, imports the supreme, absolute, uncontrollable power by which it is governed. A nation is sovereign when this power resides within itself.

"The American Constitution is that written instrument agreed upon by the people of the Union as the absolute rule of action and decision for all departments and officers of the Government, in respect to all the points covered by it, which must control until it shall be changed by the authority which established it, and in opposition to which any act or regulation of any such department or officer, or even of the people themselves, will be altogether void. The will of the people as declared in the Constitution is the final law; and the will of the legislature is law only when it is in harmony with, or at least is not opposed to, that controlling instrument.

"The foregoing definitions are taken from Cooley's introductory chapter to his 'Constitutional Limitations,' with some condensation for the present purpose.

"'The Government of the United States,' said Chief Justice Marshall, 'can claim no powers which are not granted to it by the Constitution, and the powers granted must be such as are expressly given or given by necessary implication.' (1 Wheat., 304, 326.)

"By the tenth amendment 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.'

"A few other provisions of the Constitution itself should be noted.

"Article I, section 1: 'All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.' This provision, however, must be read in connection with Article II, section 2: 'He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur'; and with Article VI: 'This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.'

"Article I, section 10: 'No State shall enter into any treaty, alliance, or confederation * * * nor enter into any agreement or compact with another State or with a foreign power, or engage in war unless actually invaded, or in such imminent danger as will not admit of delay.'

"Article I, section 8: 'The Congress shall have power (inter alia)—

"'To regulate commerce with foreign nations;

"'To constitute tribunals inferior to the Supreme Court;

"'To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

"'To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

"'To raise and support armies;

"'To provide and maintain a navy;

"'To make rules for the government and regulation of the land and naval forces * * * and

"'To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.'

"Article II, section 1: 'The executive power shall be vested in a President of the United States of America.'

"Section 2. 'The President shall be Commander in Chief of the Army and Navy of the United States.'

"Article III, section 1: 'The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish.'

"Section 2: 'The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority.'

"Next, I invite your attention to a few decisions of the Supreme Court of the United States touching the treaty-making power, from which, I think, it will appear—

"1. That, generally speaking, a treaty is a contract between independent sovereignties and not properly a law.

"2. That by virtue of the constitutional provision already quoted a treaty made by the United States is not only a contract but is also, in some instances, a law.

"3. That, so far as it rests in the promise of something to be done by our Government, it is a contract only, to be fulfilled or not as the political departments of the Government may decide and is not to be interfered with by the courts.

"4. That, so far as it is by its terms operative without the aid of legislation, and in so far as it affects personal or property rights, it is a law and to be dealt with as such by the courts.

"5. That, as a law, it stands on the same footing with an act of Congress and is, equally with an act of Congress, subject to be modified or repealed by a later act of Congress as well as by a later treaty.

"6. That, as a law, it is, equally with an act of Congress, vulnerable to constitutional objection—with the qualification that that may be done by a treaty which can not be done by an act of Congress—and if it is inconsistent with the Constitution is consequently null and void; in other words, that it can not be made the means of working an amendment of the Constitution.

"7. That, even when operating as a contract only and not as a law within the meaning just given, it must still be consistent with the Constitution, as all departments of the Government are bound to observe and obey the fundamental law.

"8. That the treaty power, if it keeps clear of constitutional objections, is in its scope unlimited and may deal with any situation or question which may properly be the subject of negotiation and contract between independent powers.

"Turning now to the cases—

"In Foster *v.* Neilson (2 Pet., 253) it was held that a treaty which declared that certain titles should be ratified and confirmed was ineffectual to confirm the titles, but that it was for Congress, if and when it saw fit, to fulfill the promise of the treaty by appropriate legislation, as in certain instances Congress, in pursuance of the treaty, had already done, but not in the instance then before the court. Chief Justice Marshall there said, at page 314: 'A treaty is, in its nature, a contract between two nations, not a legislative act. It does not generally effect, of itself, the object to be accomplished, especially so far as its operation is infraterritorial; but it is carried into execution by the sovereign power of the respective parties to the instrument. In the United States a different principle is established. Our Constitution declares a treaty to be the law of the land. It is, consequently, to be regarded in courts of justice as equivalent to an act of the legislature whenever it operates of itself, without the aid of any legislative provision. But when the terms of the stipulation import a contract, when either of the parties engages to perform a particular act, the treaty addresses itself to the political, not the judicial, department; and the legislature must execute the contract before it can become a rule for the court.'

"Whitney *v.* Robertson (124 U. S., 190) was an action against the collector of customs at the port of New York to recover back duties that had been collected under an act of Congress which was alleged to be in conflict with a treaty between the United States and the country from which the goods had been imported. It was held that even if the act was in conflict with the treaty, yet, being a later expression of the sovereign will, it was binding on the courts. 'By the Constitution,' said Mr. Justice Field, 'a treaty is placed on the same footing and made of like obligation with an act of legislation. Both are declared by that instrument to be supreme law of the land, and no superior efficacy is given to either over the other; * * * if the two are inconsistent, the one last in date will control the other, provided the stipulation of the treaty upon the subject is self-executing.' If not self-executing, he says, as Chief Justice Marshall had already said in Foster *v.* Neilson, the courts can not treat it as law, but only as a promise of the political departments, to be fulfilled, if at all, by them. In closing the opinion of the court Mr. Justice Field says: 'It follows, therefore, that when a law is clear in its provisions its validity can not be assailed before the courts for want of conformity to stipulations of a previous treaty not already executed. Considerations of that character belong to another department of the Government. The duty of the courts is to construe and give effect to the latest expression of the sovereign will.' Mr. Justice Field continues: 'In Head Money cases (112 U. S., 580) it was objected to an act of Congress that it violated provisions contained in treaties with foreign nations; but the court replied that so far as the provisions of the act were in conflict with any treaty they must prevail in all the courts of the country; and after a full and elaborate consideration of the subject it was held that "so far as a treaty made by the United States with any foreign nation can be the subject of judicial cognizance in the courts of this country, it is subject to such acts as Congress may pass for its enforcement, modification, or repeal."'

"In the Head Money cases thus referred to with approval, Mr. Justice Miller had expressed the opinion of the court in the following language: 'A treaty is a law of the land, as an act of Congress is, whenever its provisions prescribe a rule by which the rights of the private citizen or subject may be determined. But even in this aspect of the cases there is nothing in this law (the treaty) which makes it irrepealable or unchangeable. The Constitution gives it no superiority over an act of Congress in this respect, which may be repealed or modified by an act of a later date. Nor is there anything in its essential character, or in the branches of the Government by which the treaty is made, which gives it this superior sanctity. A treaty is made by the President and the Senate. Statutes are made by the President, the Senate, and the House of Representatives. The addition of the latter body to the other two in making a law certainly does not render it less entitled to respect in the matter of its repeal or modification than a treaty made by the other two. If there be any differences in this regard, it would

seem to be in favor of an act in which all three of the bodies participate. And such is in fact the case in a declaration of war, which must be made by Congress and which when made usually suspends or destroys existing treaties between the nations thus at war.'

"It would be strange reasoning, indeed, to say that a treaty could not be unconstitutional and therefore void, although it could be repealed by act of Congress, while acts themselves are subject to objection on the ground of being unconstitutional.

"That the treaty-making power is incompetent to part with any portion of the sovereignty of the Nation under the Constitution is the basis of the decision in Fong Yue Ting *v.* United States (149 U. S., 698), in which it was held that the right to exclude or expel aliens in war or peace is 'an inherent and inalienable right of every sovereign and independent nation,' and consequently that the hands of Congress were not tied by a treaty giving to Chinamen the right to remain here; and that Chinamen who had come and remainded here for many years under the provisions of such a treaty had acquired no vested right to remain. Said the court, through Mr. Justice Gray: 'Jurisdiction over its own territory to that extent is an incident of every independent nation. It is a part of its independence. If it could not exclude aliens, it would be to that extent subject to the control of another power.' In further illustration of powers conferred upon Congress and not to be curtailed by the treaty-making power, the learned justice refers to 'the power to regulate commerce with foreign nations, including the entrance of ships, the importation of goods, and the bringing of persons into the ports of the United States; to establish a uniform rule of naturalization; to define and punish piracies and felonies committed on the high seas and offenses against the law of nations; to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water; to raise and support armies, to provide and maintain a navy, and to make rules for the government and regulation of the land and naval forces; and to make all laws necessary and proper for carrying into execution these powers and all other powers vested by the Constitution in the Government of the United States or in any department or officer thereof.' Whatever treaty, then, may be made in reference to any of these matters must be subject to the power of Congress to alter or repeal at its pleasure; for, as he continues, 'In our jurisprudence, it is well settled that the provisions of an act of Congress, passed in the exercise of its constitutional authority, on this as on any other subject, if clear and explicit, must be upheld by the courts, even in contravention of express stipulations in an earlier treaty.' Quoting from Chae Chan Ping's case, One hundred and thirtieth United States, page 581, he makes this weighty observation: 'The powers of government are delegated in trust to the United States and are incapable of transfer to any other parties. They can not be abandoned or surrendered. * * * The execution of these public trusts is not the subject of barter or contract.'

"The obligation of the treaty-making power to keep within the limits of the Constitution and the otherwise unlimited field it may occupy have been clearly recognized in various opinions of the same court. Thus, by Field, J., in Geoffrey *v.* Rigg (133 U. S., 258, 266): 'The treaty power as expressed in the Constitution is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the nature of the Government or in that of one of the States, or a cession of any portion of the territory of the latter without its consent. (Fort Leavenworth Railroad Co. *v.* Lowe, 114 U. S., 525, 541.) But, with these exceptions, it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country. (Ware *v.* Hylton, 3 Dall., 199; Chirac *v.* Chirac, 2 Wheat., 259; Houenstein *v.* Lynhan, 100 U. S., 433.)'

"It should never be forgotten that the question of constitutionality as applied to a treaty, or any other act of governmental power, is not the same thing with the question whether the constitutionality could ever be brought before a judicial tribunal for decision. The executive and the legislative departments are bound, equally with the judicial department, to obey the fundamental law. Their oaths to support and defend the Constitution are equally sacred and binding whether their acts can or can not be drawn in question in a court of justice.

"When the President and the Senate have concluded a treaty calling for the appropriation of money, a bill for which can originate only in the House of Representatives, it has generally been considered a political and moral duty on the part of the House to make the appropriation, since otherwise the good faith of the Nation would be broken. Yet, even in that contingency, it has been maintained by eminent leaders of the House that appropriations would be justifiably refused if the treaty were incompatible 'with the fundamental principles, purposes, or interests of the Constitution.' (Report of the Committee on Foreign Affairs of the House of Representatives in regard to the purchase of Alaska. See Devlin on Treaty Power, sec. 83.)

"The House has undoubted power to refuse to appropriate the funds required for the fulfillment of treaty obligations, just as the legislative branch as a whole has power to abolish all courts of the United States inferior to the Supreme Court. But the right to do either is an altogether different question.

"Out of abundant caution and to make sure of the cooperation of the House in the passage of necessary legislation, our treaties have sometimes provided that they should not become effective until approved by act of Congress. But even if this were done, it would not remove the question of constitutionality if the treaty should amount to an overthrow of the Constitution itself. (See Treaty with Cuba, referred to in Devlin on Treaty Power, secs. 88 to 90.)

"When the question of the ratification of our present Constitution was pending it was objected on the part of its opponents that by its terms the treaty power was unlimited. In reply Mr. Madison said: 'In the existing Confederacy, Congress is authorized indefinitely to make treaties. * * * Does it follow because the power is given to Congress that it is absolute and unlimited? I do not believe that power is given to the President and Senate to dismember the empire or to alienate any great essential right. I do not think the whole legislative authority have this power. The exercise of the power must be consistent with the object of the delegation.' And he proceeded to show that as it would be impossible to enumerate all the cases in which the power might be exercised, it was safest to leave the grant in general terms.

"Duer, in his lectures on Constitutional Jurisprudence, takes the same ground, and adds: 'In order to ascertain whether the execution of the treaty-making power can be supported in any given case, those principles of the Constitution from which the power proceeds should be carefully applied to it. The power must indeed be construed in subordination to the Constitution; and however in its operation it may qualify, it can not supersede or interfere with any other of its fundamental provisions, nor can it ever be so interpreted as to destroy other powers granted by that instrument. A treaty to change the organization of the Government, or annihilate its sovereignty, or overthrow the republican form, or to deprive it of any of its constitutional powers would be void, because it would defeat the will of the people, which it was designed to fulfill.' (2d ed., p. 228.)

"The treatment of the question by John C. Calhoun (2 Works, 132, 135), quoted at length in Devlin's work, is marked by the iron logic of the great reasoner. In its reference to the power of a treaty to change State boundaries or cede any portion of the territory of a State we note his inflexible adherence to the doctrine of State rights and find him in conflict with Chancellor Kent, but otherwise his exposition agrees with that of the jurists and statesmen already cited. I quote a part: 'It—the treaty power—is limited by all the provisions of the Constitution which inhibit certain acts from being done by the Government or any of its departments, of which description there are many. It is also limited by such provisions of the Constitution as direct acts to be done in a particular way and which prohibit the contrary, of which a striking example is to be found in that which declares that "no money shall be drawn from the Treasury but in consequence of appropriations to be made by law." This not only imposes an important restriction on the powers, but it gives to Congress as the lawmaking power, and to the House of Representatives as a portion of the Congress, the right to withhold the appropriations, and thereby an important control over the treaty-making power whenever money is required to carry a treaty into effect, which is usually the case, especially in regard to those of much importance. There still remains another and more important limitation, but of a more general and indefinite character. It can enter into no stipulation calculated to change the character of the Government or to do that which can only be done by the constitution-making power, or which is inconsistent with the nature and structure of the Government or the objects for which it was formed.'

"Cooley, in his Constitutional Limitations, has little to say upon our subject, for that work deals strictly with the limitations upon the powers of the States; but in his Constitutional Law he sums up the matter with characteristic comprehensiveness and brevity, as follows: 'The Constitution imposes no re-

striction upon this power, but it is subject to the implied restriction that nothing can be done under it which changes the Constitution of the country or robs a department of the Government or any of the States of its constitutional authority.' (3d ed., p. 177.)

"That a treaty may be unconstitutional and void as violating the fundamental principles and the distribution of powers in that instrument has been affirmed also in opinions delivered by Jay, Story, Taney, Clifford, Daniel, Swayne, MacLean, and White, as well as in solemn declarations by Hamilton, Jefferson, Clay, Tucker, Rawle, Pomeroy, Wharton, Root. See Tucker's work, 'Limitations on the Treaty-Making Power,' chapters 1 and 2.

"In favor of an unlimited treaty power under the Constitution an argument has been drawn from the fact that the Constitution, while it declares that acts of Congress shall be the supreme law of the land when made 'pursuant to the Constitution,' uses, in conferring the treaty power, no such language, but uses instead this language: 'Treaties made or which shall be made under the authority of the United States.' But the answer is obvious. A sufficient reason for this difference is to be found in the fact that treaties made before this Constitution, as well as those which should be made after its adoption, are declared to be the supreme law of the land. For example, the treaty of peace with Great Britain, made in 1783, was by this clause made the law of the land as much as if it had been signed after the Constitution had been adopted. (Ware *v.* Hylton, 3 Dall., 199.)

"Equally important with an observance of constitutional limitations upon the treaty power is the absolute freedom of that power within such limitations. Nothing should ever be done or said or written to cast doubt upon it. This consideration has led some writers to declare the treaty power to be absolutely or practically unlimited, but such, as we have seen, it can hardly be held to be. The weakness and insufficiency of the treaty power under the Continental Congress and the old Articles of Confederation were, as we all know, one of the moving causes to the forming of a more perfect union in the Constitution of 1787. The free and unhampered exercise of this august power may be all that can save us in time of national peril, in grave crises which no man can foresee. To preserve the life of the Nation in time of war it may be necessary to surrender, and surrender instantly, what in ordinary times we might think should never be surrendered. As Butler observes in his elaborate and able work on the treaty-making power of the United States, when such an emergency arises the burning question will not be one of legal power to cede territory, but of physical power to retain it. (Sec. 400.) All that we have a right to ask is that those who are intrusted with power under the Constitution should look to the Constitution itself for the limit of power, and should not attempt to pass to others the trusts that are reposed solely and explicitly in them.

"Let us consider now in the light of these principles and authorities what kind of a league might be joined by the United States consistently with the Constitution.

"By Article III, section 2, the judicial power of the United States, vested in the Supreme Court and in such inferior courts as Congress may from time to time ordain and establish, is declared to extend, among other things, to all cases in law and equity arising under the Constitution, the laws of the United States, and treaties made, or which shall be made, under the authority of the United States. This power is definitely lodged. Can it be delegated to any other judicial power, with the result that a court of the nations shall have jurisdiction and authority finally to determine for the United States the construction and meaning of the very treaty by which the international court itself has been created, to determine the duty and obligation of the people of the United States under that treaty, and to render a judgment enforcable by the power of the league against the United States or its citizens?

"By Article II, section 2, clause 2, the President is given power to nominate, and by and with the advice and consent of the Senate, to appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointment is not therein otherwise provided for, and which shall be established by law, although the Congress may by law vest the appointment of such inferior officers, as they may think proper, in the President alone, in the courts of law, or in the heads of departments. The duty, as well as the power, of appointing to all offices, from the highest to the lowest, is thus carefully and explicitly prescribed and bestowed. How can that duty be disregarded, or that power delegated, in favor of any other body, with the result that officers exercising authority over the people of the United States or wielding its power can be appointed by a league or combination of foreign powers, even though the United States is represented in that league?

"The power to declare war is vested exclusively in the Congress. Can a treaty vest it in a league of nations? Can the Congress itself delegate this power? Can it leave to a league of nations to determine when we shall be at war with our neighbors?

"Apparently it would be competent for the United States to become a party to a league that should have a council of conciliation, and to agree that any controversies between this country and other members of the league should be submitted to such a council for its review and recommendation before any hostile action should be taken. Such an arrangement could last only during the life of the treaty creating the league, which, of course, might be ended at any time if the emergency justified such action in the conscience of the withdrawing nation. But to provide that the nation could not withdraw would be to take away the sovereignty of the nation and vest it in the league itself.

"Apparently there could be no constitutional objection to this country entering a league of nations which should agree, as our States did under the old confederation, that during the life of the treaty no two or more of them should enter into any treaty or alliance whatever between them without the consent of the other members of the league. They might enter into an agreement concerning their commercial relations with each other, concerning their respective armaments, and concerning the means that should be taken to defend their common interests and meet any new menace to free institutions, as well as to unite in assistance to the newly arisen free states which are to stand as a bulwark against German aggression toward the east. But for the continuance of such an agreement it may be necessary to rely upon a continuance of the present determination among free peoples to stand together, rather than upon a hard and fast authority vested in a central body to enforce obedience against the parties to the agreement. If we are to have the latter, is it not reasonably certain that we must get it by direct grant from the people themselves in the manner prescribed by the Constitution for its own amendment, and not by the action of officers or departments whose authority is limited by the purposes for which our present Constitution was framed?

"We must not forget the teachings of our own history. If we do form a league of nations which is at all analogous to the loose leagues that preceded our own Constitution we must expect to meet the same questions that the fathers met. There will be found to be the same weakness in a central body that can not enforce its mandates, but can only make requests. There will arise the same confusion touching the interpretation of the league's organic law, requiring a supreme court of the nations to interpret the meaning of the instrument for all; and eventually the same necessity will be found to exist for an executive power to carry out the decisions that are reached. If we enter upon that road, history shows us plainly that it must either end abruptly or else run onward toward something on a world scale comparable to the national Republic under which we live. Whether the nations of the earth, or any sufficient number of them, have yet reached a point where they hold in common the ideals of government, of liberty, of morals, and of law that are necessary to form the cement of any real and lasting union is a question for the statesman, not for the lawyer as such. Upon that subject you would not expect me to enter here. The pertinency of these observations lies in the fact that if under our present Constitution such a union as would eventually be found necessary can be formed by the exercise of the treaty power, then it follows that by the treaty power the United States may be brought to occupy in a world league such a position as one of its States now occupies in this Union. Can such an end be reached through the treaty power? Does the Constitution of the United States authorize its officers or departments, either by one treaty or by a succession of treaties, to make this Nation a state in a world union as one of its own States is now a member of its own Union? If that is to be done, must it not be done by the exercise of the power which by the tenth amendment is still reserved to the people?

"You will understand, of course, that in this effort to outline the constitutional limitations upon the treaty power in respect to the formation of a league of nations I am speaking as a lawyer and am confining myself to the question proposed. I am not discussing the question of the desirability of a league of nations either as a condition to the present peace settlement or as a step to be taken at a later time. There can be no doubt, it seems to me, that certain limitations do exist, and must be recognized now or later; and certainly if they do exist, the sooner they are recognized the better. Even for a peace treaty

formed with the best intentions in the endeavor to safeguard free institutions and secure the peace of the world we should be paying a price too dear if we should find that we had involved ourselves in an unconstitutional situation by attempting that which the delegation of powers from the people had never contemplated or authorized, and consequently that our labor had been wasted. It may be that nothing of this character will be attempted or proposed in the treaty to be formulated at the present conference, but the wide range the discussion has taken in deliberative assemblies and in the public press, the large and vague language that has sometimes been used, and the general confusion of thought that continues to exist even after all that we have been told upon the subject, no less than the recent definite proposal of the league for peace, to which I am soon to call your attention, has seemed to justify an examination of the question at this time.

"Before giving our attention to this definite proposal, let us summarize briefly, even at the expense of some repetition. Lord Bacon said that no time was ever wasted that was spent in stating the question with clearness and precision.

"A treaty is a contract between nations. For us, a treaty is a contract between the United States and a foreign nation or nations. So far as it is an engagement on the part of the United States to do certain things, it is a contract only, and with it the courts have nothing to do. So far as it is self-executing it is a law. As a law it is of the same force as an act of Congress. As a law it is subject to alteration or repeal by an act of Congress. As a law it must, equally with an act of Congress, be consistent with the Constitution. Neither as a law nor as a contract can it work an amendment to the Constitution; although, if it operate only as a contract, the question of its constitutionality might possibly never be the subject of judicial consideration. Yet he would be a bold man who should say, under any treaty, that no question of personal or property rights could by any possibility become the subject of litigation. But whether the treaty be the subject of judicial cognizance or not, the President and the Senate are, equally with the courts, bound to act only within the limits of the Constitution, and if they should overpass the limits the House would be under no obligation to carry it into execution by legislation.

"The Constitution vests the executive power of the United States in the President; and this power can not be delegated to a foreign nation, body, or officer. The Constitution vests the legislative power of the United States in the Congress. Neither a treaty nor an act of Congress can delegate this power to a foreign nation, body, or officer. Consequently the United States can not under its present Constitution, either by treaty or by act of Congress, make itself a party to a league of nations in such wise that the league shall exercise either the executive or the legislative power of the United States. Neither of the three departments of our Government can trespass upon the domain of either of the other two as fixed by the Constitution, or delegate any of its powers to either. How much less can any or all delegate any of their powers to a foreign body. The people of the United States have never consented to live under the authority of a league of nations or of any foreign power, and they have never delegated to any officer or department of their Government the power to subject them to the executive and legislative acts of any foreign power or combination of powers.

"What shall be said of the judicial power of the United States? That does not extend to the determination of controversies between the United States and foreign nations, although it does extend to the interpretation of treaties for the people of the United States. Each foreign nation is, equally with the United States, sovereign and independent, and such controversies must be settled by agreement, by arbitration, or by force. Any question or controversy which might constitutionally be made the subject of a treaty would seem to be equally a question or controversy which might be submitted to arbitration.

"If the decision might deprive the United States of its independence or essentially impair its sovereignty, it would probably not be the proper subject of a constitutional provision in a treaty. Whether the President and the Senate may constitutionally bind the United States by a treaty to submit to arbitrators thereafter to be chosen or to an already established international tribunal all questions or all questions of a given character that may arise, or whether, on the other hand, the President and the Senate must deal with such cases as and when they arise, is a subject that has been much discussed in former years in the Senate and elsewhere, and may be left aside. It does, however, fall within the scope of our inquiry to consider whether it would be consistent with the Constitution to make a treaty by which the United States would bind itself to submit to a permanent international court all controversies that should or could arise between itself and any other party or parties to the league if the judgments of such a court are to be enforcible by the physical power of the league. We are not considering at this moment whether the American people might be willing to bind themselves so to submit all their controversies, but whether by the Constitution they have already empowered the President and Senate to do so. That, it seems to me, presents a question of a very grave character. And the wider the class of questions proposed to be submitted the graver the question. Have the people of the United States ever yet consented to abide by the judgment of a foreign tribunal touching all the questions that can possibly arise between their Government and foreign Governments? Have they by the Constitution authorized any department or officer to subject them to such authority and judgment?

"We have heard and read much of a proposed league of nations which is to have a world police force—that is to say, an army and a navy of its own. That implies, does it not, the exercise of the executive power for and on behalf of each member of the league in the interest of the whole? Can the President and the Senate—can the President, the Senate, and the House make the United States a party to such a league without attempting to vest therein a portion, and a not inconsiderable portion, of the executive power of this Government, which by the Constitution is vested solely in the President? It is proposed by some that the German colonies be disposed of by passing them over to the league. If that be done, will not the league become thereby a separate territorial sovereignty? And if so, must it not have the necessary powers of government—executive, legislative, and judicial? And is that sovereignty to be made up in part by a cession of sovereignty from the United States, to wit, a portion of its power to make and execute laws? Is the proposed league to have the usual powers of government—legislative, executive, and judicial—or is it to have only the power to recommend and request action on the part of its members? This question is answered by the distinct and definite proposal of the head of the League to Enforce Peace, in an article appearing in the newspapers under date of January 3, 1919, as follows:

"'The functions of the league may conveniently be divided into the legislative, the judicial, the mediating, and the executive. The congress of all the world powers, great and small, will consider and determine general principles of international law and policy for the guidance of the judicial and executive branches. It may well codify international law and give it that definite legislative sanction the absence of which has led some jurists to deny that it is law at all. * * * The judicial branch or court of the league should not be a representative body at all. It should be a tribunal made up of great international jurists. * * * They should be permanent judges, made independent in tenure and compensation. Citizenship in countries party to the controversy should disqualify members of the court in a particular case. They should have jurisdiction to hear only pure questions of law and fact. No political question should come before them. They should interpret treaties and declare and apply the international law as now established or as qualified and enacted by the congress of the powers. * * * In its practical workings the great powers will furnish the police force of the league and their representatives should exercise the executive function. The safety and security of the lesser nations, who can not be expected to share the burden of military contribution, will be found in the judgment of the impartial international court, in the recommendation of the commission of conciliation, and in the principles of international justice ordained in a congress of the world nations.'

"The question naturally arises whether those who join this league will be at liberty to withdraw from it at pleasure. That question was put to Mr. Taft by a woman in a New York audience not long ago, and he is reported to have answered with a laugh: 'Well, you know what happened here in the Civil War.' The proposal is, then, on the part of a considerable body of opinion, to form a union analogous to our own federation, from which the members can not withdraw except by fighting their way out. The question I submit is this:

"Is there any power under our Constitution, vested in any or all of the departments of this Government, to make the United States a party to a league of that character? If that is to be done, must it not be done by a submission of the plan to the people themselves, and was a more solemn and momentous question ever proposed for the deliberation and action of men?"

Mr. CHAMBERLAIN. May I interrupt the Senator from Illinois for a moment about the consent which has just been given? This address of Judge Stafford was delivered to the

Vermont Bar Association, and I presented it to the Senate on Saturday, asking that it be referred to the Committee on Printing, with the request that they report it out to be printed as a public document. I also presented with it another address of Judge Stafford, which was also referred to the committee. I hope the committee will act on the matter and report out a resolution for printing the addresses as a public document.

THE LEAGUE OF NATIONS.

Mr. SHERMAN. Mr. President, the President and his appointees on the peace conference have no instructions from the American people to bind them in a perpetual alliance with the several nations of the earth. The Senate has no popular mandate to ratify such a proposed treaty. Neither the President nor the Senate nor both jointly has power to abrogate the Constitution that created them or transfer the sovereignty of the United States nor any of its essential attributes to any other human authority exercising or attempting to exercise that sovereignty over our Government or our citizens.

The qualified voters of this country and the indestructible States are the source of sovereignty. From them sprang the Federal Government, dual in nature and national in character. This mechanism so framed operates by the power transmitted through frequent elections and regulated by constitutional grants and limitations. Nowhere is the Government, its Congress, its Executive, or its courts given authority to surrender or transfer its powers to any alien creation. They may exercise those powers but they can not abdicate and vest them elsewhere. That can be done only by the creative sovereign that gave them political life. Our lives and resources to the last man and dollar are given by this amazing document into the keeping of a few men. Wise and patriotic they may be, but our ancestors refused to risk such an agency with our public rights and private security.

This peace conference will be a body of men from many nations, languages, customs, standards of conduct, races, habits, and religions. Their hopes, purposes, and national ideals develop under widely varying impulses. They may or may not excel ours and surpass us in the several fields of human achievement.

That is not the issue. What must be steadily seen is committing our country and our lives and our posterity irrevocably to an invisible and unknown power. If we cut the cables of constitutional government here we are caught in the irresistible tides that sweep us into the maelstrom of the Old World's bloody currents flowing from every shore. The feuds and spoliations of a thousand years become our daily chart of action. It is not do they threaten or menace us. All we can know is a few men in some hidden chamber, known as the executive council, wield over us powers of life and death.

An oligarchy is the worst possible form of government. The executive council is the worst possible form of an oligarchy. It orders Congress to-day to send half a million of our young men into central Asia to be hacked to pieces on the plateau of Tibet. To-morrow Egypt is assailed by desert hordes and more levies are sent to slaughter in a struggle that does not remotely concern our peace.

We are not colonizers. We have not sought to sound our morning drumbeats around the world. From the day the first settler landed on the James River in the Old Dominion and the Pilgrim's prayer rose in the primeval forest of the old Bay State we have been content to cultivate and develop this our portion of the continent, and point the way for the industrious God-fearing immigrant to make a new home from across the sea. The great labor-saving machines, the communication of thought, the secrets of nature's processes seized and adapted to human use, the greatest of world discoveries have been our contribution to mankind.

While nations fought for supremacy and territory around the globe, we labored with what we had to make the most of our blessings. They desolated the earth for glory and for gold. We tilled the earth and sailed the seas in peace. In turn the Dane, the Spaniard, the Briton, the Frank, and the Hun has stripped the confines of every land of its gold. The American has dug it from the mine and washed it from the sands. We created it from our fertile soil and inexhaustible resources. From commerce the calm pulse of nations showed no poison of ignoble conquest in our veins, no stains to sully an honorable ambition for bloodless gain.

While Europe, Asia, and Africa robbed and murdered, we farmed and manufactured, built railroads, and annexed nobody's territory. The Old World simply harvested the destruction she sowed. Her heritage has been war and ours peace. We are asked to abandon our own and adopt another's.

Now, having helped put the German where he belongs, and being willing in like circumstances to help do so again, we are asked to lend our lives and treasures to every feud that blazes out in three continents, whether it concerns or menaces our interests or safety or not. We are invited to become the knight-errant of the world. A nation's first duty is to its own people. Its government is for them.

Nearly four months ago the belligerent nations signed the armistice that saved Germany from a destructive atonement for her crimes. In that time the responsible agents of the United States of America have not occupied themselves in ending the war and writing terms of peace upon which Germany shall pay the penalty of acknowledged defeat in her attempts against civilized mankind. They have busied themselves with an effort to create a superstate above the governments and peoples of nations to exercise supersovereignty over both nations and their individual citizens and subjects.

Advantage is taken of a wish for universal and permanent peace to present this device as a certain instrumentality to that desired end. Much grievous misunderstanding and some self-deception result from misleading labels that assure the public the contents are of a designated character. A certain number of people habitually assume things are actually what they are said to be in the descriptive words attached, because it is always easier to accept names than examine facts. Many good men have parted with valuable possessions owing to this disposition, receiving in exchange something of indifferent worth.

The constitution of the league of nations must be submitted to that scrutiny which will assay its service as a charter prescribing a rule of conduct among nations and whether obedience can be secured. It must be tested by the peoples grouped under sovereign governments to ascertain how it will affect them and what burdens are likely to be assumed; what measure of relief is practicable. Does this document give it, or if not, what can be written reasonably calculated to accomplish that measure of relief? These are inquiries which merit the highest effort of which this Senate and the American Nation are capable. Such a momentous issue seldom challenges free people for decision.

The nations now occupying the earth came from a remote past. Whatever others may think of history, I am compelled at times to have recourse to the history of the various governments and nations that have occupied the earth in order to obtain light on the present. Their governments descended from ancient thrones, sprang from revolution, or are the heritage of development and accumulated experience. Their customs, usages, and laws vary. They comprise many religions and ethics and standards of morals. Their ethnology embraces the entire human family with their several languages. History is the philosophic chain that binds the past with the living present and its deep, pulsating currents of action.

All nations with organic government sufficient to be dealt with as responsible powers can be assembled by their voluntary act under a code of international law. Twenty-six nations so obligated themselves in 1899 in the first Hague convention. Forty-four nations were signatory in 1907 to the second Hague convention. When the armistice was signed November 11, 1918, all the warring nations were contracting parties agreeing in 1907 to arbitrate differences as a substitute for war. Every outrage perpetrated by Germany she had bound herself not to commit. Her deliberate policy of frightfulness she had solemnly covenanted should never be pursued. The indispensable end to be sought, therefore, is not to multiply international agreements, but to discover means of compelling or persuading nations to keep them when made.

I am skeptical on moral suasion as a coercive agency on some governments. It is idle to appeal to the people ruled by such governments for an improved or higher sense of right or wrong. Independent nations having their own governments generally have as good ones as they are capable of operating. Not as good as they desire often, but as good as they can get and keep in the long run. It is a considerable journey from despotism to free government. It is a ceaseless task to prevent free government from degenerating into a dissolution of just restraints. At one extreme is arbitrary power in a king; at the other, arbitrary power in a class or multitude, and there is no difference in the intrinsic evils of either.

What Germany or Russia may develop lies in the realm of conjecture. What their established relations may be with the rest of the world is uncharted diplomacy. Who knows whether they will emerge from their civil chaos and bloody tumults with a sense of national honor and obligation that will make them keep their faith when pledged or be merely predatory freebooters, to be restrained only by armies and navies?

Europe contains many independent sovereign nations. Some submerged nationalities, overwhelmed by wars reaching back

some centuries, will undoubtedly rise to reassumed sovereignty. With the latter we may be concerned. They might be converted into warlike forces against us if subject to a dominant government, our enemy. Much European bloodshed has had its origin in commercial rivalry resulting in territorial aggression. It may be repeated. Most wars of modern times have begun in Europe. Kings have fought to gain thrones for their kin and subordinates. Ancient feuds of reigning families have sent armies into many a disastrous field. Ambitious men have risen to shake continents with their struggles for power.

That is all to end, however, because we now hear that kings are no more and the people will administer all future governments. We fervently pray it may be so. Yet some of the people we are asked by this league to invest with sovereign power over us may well engage our concern.

Russia is the fountainhead of bloody chaos and the attempted dissolution of every civil and domestic tie dear to the Anglo-Saxon race. Germany may be passing from despotic rule to class government founded on Marxian socialism.

The restless elements of Europe, inured to violence and disliking the monotony of private industry, are always explosive material: Erecting them into states does not insure tranquillity. To all such people, if they have not wisdom and virtue, self-restraint and justice to the minority, liberty is the greatest of all possible evils, not only to them but to the world.

If we ratify this league in its present form, we invest such people with equal power over us. Their vices and misfortunes react upon us. Their follies and crimes become in turn a menace, because we have given them an equal vote in the league with our own country. It may become not a means of removing a menace but of creating one beyond our power either to abate or to remove.

The constitution of the league of nations is a Pandora's box of evil to empty upon the American people the aggregated calamities of the world, and only time is the infallible test even of our own institutions.

What is our internal strength, and what burdens can we safely carry from the Old World? Are we the governmental Ajax upon whose shoulders rest the calamities and the burdens of the earth? This document assumes it. It was this wholesome solicitude that woke the wise counsels of those who hewed with sturdy stroke and laid deep and strong the great foundation stones of civil liberty and self-government.

Not doctrinaires nor dreamers floating serenely in the cloudlands of speculative philosophy were the men who wrote our charters and forged the mighty instruments of freedom in the Western Hemisphere. They were not novices. They had fought battles. They had felt the depression of defeat. Victory had not relaxed their unceasing vigilance. With peace they returned to their homes and families and the cares of private life. They assumed the task of framing a Government to save in peace what they had gained in war. We are asked to ratify and create something that will lose in peace what we won in war. They did not find it necessary to become Bolshevists and murder all who were suspected of having any sense in order to divide their property. They left names that shine with an undimmed luster in the infancy of nations. When they fought England, the shadow of the scaffold ever fell across the way of the unsuccessful rebel against the mother country's authority, for England then punished rebellion without mercy. Behind the ermined judge of the English courts ever stood the executioner with the headsman's ax.

The great adopted son of Massachusetts in the old Senate Chamber near us portrayed the power of their ancestors' enemy in unrivaled eloquence:

> They raised their flag against a power to which, for purposes of foreign conquest and subjugation, Rome in the height of her glory is not to be compared; a power which has dotted over the whole globe with her possessions and military posts, and whose morning drumbeats following the sun and, keeping company with the hours, circle the earth with one continuous and unbroken strain of the martial airs of England.

Our forefathers warred with such a power with their lives and fortunes at stake. They left us the heritage of their sacrifice and their solemn admonitions summed up in the Farewell Address read annually in this Chamber. Against their wisdom and experience now rise the dreamer and the bookman, the Socialist, and the mere haberdasher in phrases which intoxicate and mislead; sincere men some whose zeal for the millenium made by human hands blinds them to mere human faults and limitations. Many, too, are abroad of whom Paul wrote to Timothy:

> From which some having swerved have turned aside unto jangling; desiring to be teachers of the law, understanding neither what they say nor whereof they affirm.

The founders of this Government had a working knowledge of the great headlands of civil liberty. They had known the elemental struggles to safeguard human rights, to curb the great and raise the low. They knew Europe, its quicksands, its bloody pitfalls in which their ancestors had died for a thousand years. They hated its kings, its nobles, its mobs, its revolutions, its heartless caste, its cruelty, and its crimes. They left their solemn warning to posterity to let Europe settle her own quarrels, and they wrote in our great charter that no gifts, no titles of nobility, no blazing stars or brilliant ribbons should be granted by any of the elements from which we had severed ourselves, unless by consent of Congress. Still, two carloads of them have come to this Capital. We are drifting, only God in His omniscience knows where.

With all this there is but little concern here. We are deluged with advice from many sources to ratify what has been returned to us and not to lay profane and sacrilegious hands upon it. Let us remember the warnings of some of the men who at least had as much at stake as any who ever fought or risked their all on the field. With those admonitions we must have concern. God grant that they may blaze from the heights of the continent until it kindles a responsive sentiment in every American heart. Why shall we forget their caution and bind ourselves to spill our blood and pay taxes in every quarrel on the three continents and seas of the Old World? Shall academic conjecture yield to demonstrated experience?

This proposed constitution becomes international law to its members at least. Laws are successful only when they conform to the sentiments and practices of men familiar and charged with the actual responsibilities and methods of successful performance. Such men devise the means to face emergencies and insure safety.

This document is sought to be made the constitution of nations and the Senate in due time will be asked to ratify or approve it. It can not become more than a treaty pledging the Nation's faith for its performance. It merely gathers into one document what might be deemed wise rules to regulate the conduct of nations. If it be valuable, it is because it has knit into a positive declaration of international law whatever it contains of worth. If this attempt succeed as a remedy for the evils in view, it is prudent to follow human experience in devising that remedy.

When the United States by joint resolution of Congress entered the war April 6, 1917, we signed no pact with the Governments arrayed against the central powers. The American felt in his heart Germany was a menace to the free governments of the world. There was an instinctive horror at Germany's methods of making war and her avowed policy of frightfulness. It was known she aimed at world dominion. Those in authority at this Capitol knew we must fight the danger alone or jointly with the allies.

We chose to make common cause against a common danger. To do so we abdicated no sovereign power. We bound ourselves in no perpetual alliance to draw the sword whenever and so long as a majority of European governments voted it upon us. Our practical expression in this crisis was to reserve for ourselves the power to decide when and how long a controversy between two or more nations in some quarter of the globe was of such magnitude as to warrant our interference even to the extremity of war.

A working status was in fact established between our Government and the allies. Under it the war was fought successfully to the armistice of November 11, 1918. No nation surrendered its sovereignty. They voluntarily combined their strength against the common peril. It was a union of equals, and each was in an equally common self-defense bound to give all it had if the struggle demanded it. This is the key to any league of nations that will survive the ephemeral theories and impossible yearnings of the alleged friends of humanity who are more fertile in phrase making than successful in the practical affairs of men.

The junior Senator from Pennsylvania [Mr. KNOX], December 18, 1918, in a compact and impressive address to the Senate announced the way of safety, both foreign and domestic. He stated:

> If a situation should arise in which any power or combination of powers should directly or indirectly menace the freedom and peace of Europe the United States would regard such situation with grave concern as a menace to its own freedom and peace, and would consult with other powers affected with a view to concerted action for the removal of such menace.

The Senator continued:

> If this had been the avowed and understood policy of the United States before July, 1914, it is, in my judgment, very improbable the war would have occurred.

The actual working alliance between our Government and Germany's European enemies was and is now one founded on this principle, recognized and stated by the Senator from Pennsylvania. It is evolved from conditions. It implies no loss of sov-

creignty and no violence to national sentiment. It is a cooperative expression of the law of self-defense, an American doctrine on which every patriot can join his fellow man. It impairs no constitutional power of Congress. It invades no executive domain, and it leaves our Government the responsible instrumentality to direct the will of our people. We escape the perils of surrendering our country to the mandates of a majority of the Governments of the Old World by this course.

The same public opinion in a free government that would unite our people under the proposed league would lead to concerted action under a treaty whose obligation rests in good faith. If public opinion does not support the league, it can not send armies into the field. America will not sacrifice her lives and her treasure unless her heart is in the war. No mere language written on parchment can in practice make any compact between sovereign nations more binding than a treaty unless some supersovereign force be contemplated as a coercive agent upon the American Government and its people. Force converts such a league into a tyranny and international oppressor. Such a compact becomes the source of universal war, not the means of permanent peace.

Interests purely American or general articles to arbitrate any controversy must not be permitted. Questions vital to the honor, integrity, or independence of our country can not be bargained away under the illusory hope of peace. A league so guarded can be approved by this country. It will, however, be a treaty, and its performance will rest in good faith, not in the creation over us of a sovereign coercive, compulsive power.

Remarking on the constitution of the league of nations, President Wilson said, explaining that parchment produced at the Paris conference:

> The simplicity of the document seems to me to be one of its chief virtues.

With this anodyne to lull us into confiding acceptance, we approach the aforesaid document feeling that any wayfarer, even though he be a Senator, may, like Eliphaz, the Temanite, in the days of Job, assay to commune with it.

It creates in article 1 a body of delegates representing member nations, each of which has one vote, without regard to its population, development, area, race, standards of conduct, or other evidences of civilization. It is provided in article 3 that the body of delegates shall select as they think fit the four other States to be with the five named the permanent executive council.

Article 4 declares all matters of procedure at meetings of the body of delegates may be decided by a majority of the States represented at the meeting. In practice what would it do? Holland and Montenegro would outvote the United States. Denmark, Sweden, Switzerland, Roumania, and Montenegro would outvote Great Britain, France, Italy, and the United States.

Article 7 requires two-thirds of the States represented in the body of delegates to assent to the admission of new States into the league, which shall be limited to fully self-governing countries, including dominions and colonies.

Article 15 provides unarbitrated disputes likely to lead to rupture between States, members of the league, shall be referred to the executive council, which may in any case refer it to the body of delegates, and shall do so on request of either party to the dispute. This, therefore, permits such a majority vote to rule.

Article 24 gives the body of delegates the right to advise States being members of the league to reconsider obsolete treaties and conditions the continuance of which may endanger the world. If the State advised ignores it, nothing remains but to give it more advice.

Article 26 requires a three-fourths vote of the body of delegates to amend the league constitution. With these duties the body of delegates as a visible instrument of the constituent nations disappears from view. It is difficult to resist the impression that it is lugged in to give the document an appearance of simplicity. It is the bulk or gross body to give lodgment and habitation to the mind and craft that really dominate. The brains of this simple document lie in the dim chambers of the executive council, far removed from pitiless publicity.

Article 3 creates the executive council and names the United States, the British Empire, France, Italy, and Japan, five of the nine nations to be the permanent council, the remaining four to be named by the body of delegates. The executive council, when completed, is permanent. No method of changing its membership or power is possible to any human agency save by article 26 by amendatory process. It possesses plenary power over any matter in the league's sphere of action or any matter affecting the peace of the world, a tolerably comprehensive jurisdiction.

Authority is given the executive council to invite any nation to appear before it when matters affecting its interest are to be discussed. The invitation is a species of international process or summons to bring any nation before a meeting of the executive council. When so cited, it is covertly assumed jurisdiction is acquired by providing "no decision taken at any meeting will be binding on such powers unless so invited."

Articles 5 and 6 authorize the executive council to choose the secretary general, who in turn appoints all the other staff of secretaries, clerks, messengers, spies, and eyes and ears of the executive council to reach in every nook and corner of private or public life and give such officers or agents of the league diplomatic privileges and make them immune from process in many cases.

The executive council is given in article 8 power to formulate plans to reduce national armaments to the lowest point consistent with national safety. It shall also determine for the consideration and action of the several Governments what is a reasonable armament. Such limits when adopted shall not be exceeded unless by permission of the council.

The powers given are vague. Plans may be formulated by the executive council, but it can not compel obedience. It may determine what is a reasonable armament for a nation but has no power of itself save to propose it for the consideration and action of the Government concerned. If that Government refuses to heed the council, an impasse results. The manufacture of war munitions and the status of industries capable of warlike purposes are merely matters of advice by the council, whose responsibility is mitigated by delegating it to a commission that is to be created under article 9 to take all of article 8 in hand. No method of creating this commission is outlined. I shall assume the executive council will attend to this.

In article 10 the members of the league bind themselves to preserve each other, and the executive council is required to advise upon the means by which all the league members shall be protected against external aggression which will impair their territorial integrity and political independence. If this article avails anything it binds our Government, its Army, its Navy, its people, and its Treasury to defend Great Britain's colonial dependencies any place in the world. A like obligation attends us for France, Italy, and every other league member. England's territorial possessions are in every part of the globe. Russia is a vast area with 180,000,000 people, and Germany with 70,000,000. The United Kingdom of Great Britain has in Europe fewer than 50,000,000 population. More than 300,000,000 souls acknowledge the supremacy of England's flag in Asia. Great Britain feels, as seldom before, the need of help to maintain her territorial integrity.

As the Britain, so are many nations of Europe. I recognize the issues, and I accept the joining of those issues in an appeal to the American people. I decline to vote to bind the American people to maintain the boundary lines and political independence of every nation that may be a league member. It ought to be done only when the question menaces our peace and safety. It must be a treaty uniting our associated nations in the mutual and common bonds of self-defense. It becomes, then a league of sovereigns acting with the common purpose of self-preservation. The law of nations is like the law of individuals. Self-defense is the first law and is justified before every tribunal known to civilized man.

Article 11 declares any war or threat of war, whether immediately affecting league members or not, is made a matter of concern, and action such as may be deemed wise and effectual to safeguard the peace of nations shall be taken. This, considered with article 16, subjecting any league member violating its covenants to have thereby committed an act of war and making it liable to economic pressure and ultimate war in effect involves the United States in war by the mere fact of our membership in the league. An ex-President of the United States wishes to have pointed out what powers in the league conflict with or impair, if effective, our Constitution. His curiosity can be gratified.

Article 10 obliges our Government to protect any or all league members against territorial aggression from external powers. The language is the "contracting parties undertake to preserve as against external aggression the territorial integrity and political independence of all States members of the league." This is a positive covenant. We agree to defend the political independence, for instance, of Portugal if attacked by Spain, or Denmark by Sweden. By what instrument are these positive obligations imposed, the Constitution of the United States or the constitution of the league of nations?

Article 16 denounces a breach of the league's covenants by a member State as ipso facto an act of war against all the other members. What declares an act of war, the constitution of the league of nations or the Constitution of the United States? The

United States Government binds itself on such ipso facto act of war immediately to sever all trade or financial relations, to prohibit all intercourse, financial or commercial, with the offending power.

Under what is this embargo laid, the constitution of the league or the Constitution of this Republic? What authority now regulates foreign commerce? The Congress of the United States. Congress lays an embargo or suspends commercial relations, stops credits and remittances; Congress denies nationals intercourse, suspends immigration and travel. If the Executive exercise such power, it is a delegated one, not an original constitutional grant. In either case it is a power derived from and exercised by virtue of our Constitution, not the league of nations. Territory or independence can not be preserved for league members against external aggression save by war.

Article 16 expressly stipulates the executive council shall recommend what military and naval forces we shall contribute to be used to defend the league. Defend it against what? Loss of territory in article 10, war declared in article 16, and we undertake there not merely on the recommendation of the executive council but in the document positively bind ourselves unconditionally to preserve another nation's territory and its political independence.

That covenant, coupled with the ipso facto act of war in article 16, calls our Army and Navy into action without a declaration of war by Congress.

The constitutional power of Congress is abrogated in the essential sovereign acts named or those powers of the league's constitution are of no binding force. Such articles must be stricken from the instrument or amended and made merely precatory in terms to Congress. Again, territory can not be defended without waging war.

The President says, "Armed force is in the background in this program."

We are bound positively in this document to contribute armed forces that remain in the background. There is much in this document that remains in the background, and it is a part of the essential publicity attending this discussion that it all be blazoned to the world and understood by the sovereign authority of this country.

War is inseparable from tax levies and bond issues. An unconditional covenant to defend territory of a league member is in necessary effect a covenant to lay taxes and contract debts. These are constitutional powers, vested solely in the House of Representatives.

No President and no peace league, no conference, no treaty, and no act of ratification in this Senate can impair or abrogate this constitutional power of the House of Representatives, which lies at the foundation of free government in all English-speaking races in the world. I quote:

> We are unalterably opposed to seizing distant islands, to be governed outside the Constitution and whose people can never become citizens.

How far has our beloved President departed from a paramount creed of his party! The Democratic platform of 1900 sounds like a voice in the wilderness of the unattainable.

Have we forgotten John Locke's Grand Model? Locke was the wisest man of his century. His essay on the Human Understanding is read with instruction and pleasure by this generation. He framed a charter for the government of South Carolina. The Grand Model, of which I have an original edition, was the last word in intellectual, scientific wisdom. It makes Col. House's various schemes to regenerate the world look like nursery tales. It provided in one article it should last forever. It did not last at all. It is a mere politico-literary curiosity. Somehow its buoyant certainty, its solution of every disputed question, and its monopoly of eternity remind me of the constitution of the league of nations. Both settled everything, and both were written by Englishmen.

Article 19 unloads the guardianship of Great Britain's far-flung empire upon the United States. This article smells loudly of the professors. It sounds like a lecture on ethnology, blended with an appeal to subscribe liberally for foreign missions. Great Britain and other European powers find increasing need for concentrating their forces near home. Additional territory in a distant part of the world is an undesirable burden at this time.

From President Wilson before he returned to the jurisdiction of his own country not long ago came a message for $750,000,000 to expand our Navy. He says in cryptic generalities, like all his demands for delegated powers, he will be embarrassed in his negotiations so he will hardly know what to do if he be denied. We can not be the trustee of every territory and people and spill our blood and scatter our treasure in every mad crusade even to relieve him or promote fresh documents like the one before us.

We are to be a mandatory Nation to relieve Europe of caring for "peoples not yet able to stand by themselves under the strenous conditions of the modern world." We are a trustee of modern civilization. In executing that alleged trust this tremendous addition to our Navy becomes indispensable. Our battleships must police East Africa, our American boys die of jungle fever in the interior of the Dark Continent. Others must wear out their lives and perish in the snows of northern Russia or in garrison duty in Asia.

An appropriation of $750,000,000 for the Navy is the first visible result of article 19.

This league, Mr. President, sends the angel of death to every American home. In every voice to ratify it we can hear the beating of his wing. There will be none to help; no decrees from omniscience will direct us to sprinkle with blood the lintel of every American home. If this supersovereignty be created, conscription will take from all, and we will bear the white man's burden in every quarter of the world.

On this issue I challenge the President and his administration and the sympathizers with this constitution to appeal to the great jury of the American people. I will be content with no less, whatever the Senate may do. I am willing to take that responsibility. I invite the President to remove the limitations upon a censored press and censored free speech that we may combat with him in an open forum and on equal terms. If he is not a political and governmental coward, he will give us that right. An honorable antagonist would do no less, and if he has the fighting blood he boasts, he will do even more.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Illinois yield to the Senator from Maryland?

Mr. SHERMAN. I yield.

Mr. FRANCE. I desire to remind the Senator from Illinois that the Members of this body who accept the policies suggested to them by the administration will not accept the challenge, because, as I stated the other evening, they have even refused to give us the privilege of voting to repeal the act which makes possible that censorship both of the press and of free speech. They do not dare to let the American people discuss this subject or to know the facts concerning it.

Mr. SHERMAN. That is why there will be no removal of the censorship under the espionage law either concerning free speech or a free press. That is why there will be no Senate and no House in session during the formative period of public opinion on the constitution of the league of nations. It is that there may be no authority permitted to have open free speech save that of the Executive. That is why I believed it the duty of the Senate and of the House so to have arranged the legislative program as to have compelled a session now or to have reduced the Government by lack of funds into that position.

I have no apology to make for, and I will accept responsibility for my belief. I challenge those who hold the contrary to appeal to the American people for their verdict, for I intend to do so. If I can not find that freedom, if I can not find that concentrated opinion of my fellow men inside of my own party, I will go some place else where I can find it, for this question will not be bound upon me by the mere chains of party discipline or formal party creed.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Maryland?

Mr. SHERMAN. I do.

Mr. FRANCE. I suggest to the Senator from Illinois that, if he finds no support in the Democratic Party and if he finds no support in the Republican Party for the reestablishment in this Republic of free speech, he will find ample support among all the millions of people in this country, who will have free speech even though the United States Senate, through its committee, refuses to allow the Senate to have a vote "yes" or "no" upon the question as to whether free speech shall or shall not be reestablished in this country.

Mr. SHERMAN. Mr. President, in that event—although in his lifetime we often did not agree, for I thought sometimes he hardly did me justice in my smaller activity—I now invoke on this great issue the spirit of Theodore Roosevelt, that yet abides on this earth, though his mortal dust be in its final resting place. For on this vital issue, which called from his lips some of his last words on public questions, we agreed.

Under article 19 we are invested with potential duties of grave consequence in administering foreign territory.

None of this territory comes to us as a result of military operations. It is seized under this league. It is administered under civil powers, if any such exist. Our Constitution gives no authority to take such burdens unless as an act of war and administer them as a part of the civil government of the country under the limitations imposed.

Does not this explain why the President wishes this league ratified before the treaty of peace is concluded? We are still in war, and whatever the war powers of the President may be, he has them now; whatever the war powers of the Government may be, the Government has them now; and it is indispensable in this program that this constitution be ratified while the vast mass of undefined war powers are in existence. If the treaty of peace were concluded, we would instantly fall into a civil status, and only the enumerated powers of the Constitution or those that are fairly to be implied could attach to any of the great governmental departments.

We supply the men and money only to obey the orders of the executive council. Our degree of authority is subject to the directions of that council. Congress and the Executive have no discretion. Obedience to the executive council's decrees make our Government a mere passive trustee in actual control and an active one only in contributing the necessary service and expense.

This can not be justified nor authorized by any enumerated power in the Constitution that created the Government. If not granted, it is denied. No such tremendous power can be implied either in peace or in war. It is imposed by the superstate sought to be set above our country and exercise its authority over the American people as a government heretofore unknown, whose dominant power is in the Old World, and whose interests are not always allied with our own.

This step once taken can not be retraced. Nothing but the sword can ever cut its bonds if once we are entangled in its fatal meshes. We deliver future generations, bound hand, foot, and voice to the nations of Europe members of the league. The ties burst by revolution, the independence won on the field, and preserved by the genius of self-government are the idle reminiscence of yesterday. We are swept into endless feuds and ambitions of the Old World, whether they concern us or not. We condemn the young men of future years to pay the penalty of our alliance with the struggles of every nation everywhere. It lowers our flag and floats above it the symbol of an alien power.

Professing peace, eternal peace, it is the signal fire of perpetual war to this Republic. In the name of international law and the security of our country it passes us under the yoke of foreign decrees, and in the name of international justice it destroys the free government of the United States.

It is the death knell of the American Republic; its ideals, traditions, laws, and usages yield to a fantastic idealism, a polyglot philanthropy as vain in the realms of world philosophy and morals as it is impossible in peaceable execution. As the road to hell is paved with good intentions, so the way to national ruin is smoothed and lighted by this false pretense of perpetual peace.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Colorado?

Mr. SHERMAN. I shall be through in a short time.

Mr. SHAFROTH. Just a question.

Mr. SHERMAN. I can not yield now, but if the Senator from Colorado, after I am through, wishes to ask me any question I shall be glad to say whatever I am able to in response.

Sincere men may have deceived themselves in their great hope for a perfect world, but no delusion, however sincere, will excuse this Senate from its duty to interpose its power against this universal Utopia promised by the President. It is the fabled apple of a great hope but to turn to ashes on a trusting people's lips.

I know the course of campaigns. I am prepared to see men's adherents fall away in their opposition to this league. Certain portions of the press will support it. Even now organizations are formed and are sending out their multitudinous literature. A crusade has been begun for it. It is named "universal peace." The crusaders, some of them, will be sincere, and as fiery in their zeal as were the multitudes who followed Peter the Hermit and Walter the Penniless when they journeyed into Asia many centuries ago. Their practical results will be as disastrous to the crusaders and to our common country as to the multitudes who suffered and died to accomplish their ideals.

The Senate never faced a greater task nor a nobler duty. It was created to stay the tide of excitement, to examine in deliberation, and to decide in reason. Against the challenge of Executives it has raised its senatorial powers and prerogatives to restore and maintain the well-ordered columns of constitutional government. It will do so again. It will execute the powers of a joint treaty-making authority. It will not ratify an emotion nor translate an impossible idealism into a weapon of national suicide.

Some men can change their minds about a principle but can never change their minds about a name. Without their misguided activities the coroner's office would lose much of its excitement and life insurance would cost less. They are constantly drinking out of the wrong bottle and are the predestined and chronic victims of misbranded goods. To them death is preferable to a loss of faith in the label.

Others suffer from the autointoxication of excess in phrase making. The world to them is yet a grammar school. Alliteration's seductions baffle their senses and lead them astray. Their orbit is described about a movable center of attraction. Charts projected from a fixed subject of belief show the last variety of men have occupied nearly the whole political firmament in their diversified revolutions during the perihelion and aphelion of public elections.

I have in mind a prominent example of each variety, but I forbear to depart from the text by commenting on that subject specifically. They are both in life and action, both following the same impulses, and are both destined to do the same irreparable injury to this Republic and unless met and checked in their headlong course, to plunge it into the same gulf of destruction. As for them, let them go. All I wish to do is to guard the public against their misguided activities. Others will examine this question in due time.

Busy tongues hasten to call it the peace league, not merely the league of nations, thereby seeking to appropriate the name, because many will accept the name that is suggested rather than examine the quality of the league lying behind that name. War has taken its toll from the American home. The empty chair cries to the heart. Peace fell like a benediction from heaven. The wish rises father to the thought that the scourge of war may never sweep again the sons of men in its withering blast.

Three short years ago neutrality was enjoined as the first great duty of the Nation. Neutrality was the stepping-stone to continued peace. Peace was declared the momentous issue poised in the balance of a great national struggle. The murder of our people and the destruction of our property must be endured. A military despotism threw its sinister shadow across the Atlantic and the Executive bid us be unmoved. He sang the song of peace. He appealed to the mothers and drew graphic portraits of grim-visaged war—the maimed and the living, the aftermath of war—and counted the unreturning dead that the testimony of their blood might sink deep into our understanding and turn us to peace.

The outrages of the German continued after November, 1916. They were as atrocious before November, 1916, as they were after November, 1916. Before that date we were asked to keep the peace and stand it all. After it we heard the Executive's war cry to arms. Two million men were conscripted and sent to camp or field. The created debt will endure to remote generations.

To a blood-washed, war-wearied Nation the President now displays his vision and promise of universal and permanent peace. He adroitly maneuvers himself into the spot light as the fountain of peace perpetual and the guardian of mankind. As he kept us out of war in 1916, so he will keep us out of impending war conjured up to serve the issues of 1920 and keep us at peace forever if we but accept him again. With him as the drum major of civilization, eternal peace belting the earth and brooding like a gentle spirit o'er a still and credulous world proclaims the millenium is here.

Splendid panorama! threatening fateful silence; how soon may we see it broken again by the death grapple of nations and cries of the innocent caught by the pitiless squadrons of destruction? In 3,000 years of recorded authenticated history but 60 years of universal peace have blessed the erring sons of men.

The President returns to us not with a peace treaty but a contrivance he assures us will make peace treaties useless. It is, he reiterates, a very simple document, and in nothing is it so simple as in the instrumentalities by which it achieves its marvelous results. We bind ourselves to fight the battles of every nation and every war in the world. They may none of them affect or menace our welfare in any degree, but yet we bind ourselves to bear the burden. This is as simple as the unction the son of the slain Polonius bought of a mountebank, as described by the dramatist:

> So mortal that, but dip a knife in it,
> Where it draws blood no cataplasm so rare,
> Collected from all simples that have virtue
> Under the moon, can save the thing from death
> That is but scratch'd withal.

Like his neutrality device that was a prelude itself to unprepared war, his peace league engages us not in one war but, in an overwhelming sweep of authority, in all wars that scourge the earth. It is simple but deadly. Apparently an open covenant of peace, it is a masked charter of unceasing war; the voice of Mars, but the hand of Woodrow.

I am a citizen of the United States first. My allegiance is to my own country, the Republic founded by my ancestors and defended by their successors to the present day. Its flag represents to me my highest duty to any human authority. I am an American. I am not an internationalist. I will obey the Government of the United States, not an aggregation of nations of the Old World.

I will not obey an aggregation of nations endowed with the supersovereignty of the whole world. I owe them no allegiance. Whether this treaty is ratified by the Senate or not, I will approach it in a spirit of challenge and revolution.

I believe the Constitution of this Republic imposes on our people and on me obligations which are paramount to any document ever written by human hands. It is superior in its jurisdiction to anything emanating from the Paris peace conference, even if it be ratified by two-thirds of the Senate.

I recognize no right and no authority in any officer of this Government to create or attempt to create an international power to sit in judgment upon my country. What supersovereign shall assume to become the lawgiver of our people?

We may recognize a treaty that rests in good faith and honor, but we can not impose a sovereignty upon those from whom we derive our authority in this Chamber.

We recognize a new and larger patriotism born of the battle fields of the great war. It reaches from every grave and hospital in Europe to the homes and hearts of this continent. It will find apt expression here in due time. The spirit of the American people has not been transplanted to alien lands, whatever its temporary agents may say or do. It still lives on its native soil and is present in the Nation's Senate. It has neither been expatriated nor denatured by other nations nor extinguished by misguided men who have erred both in interpreting their powers and their understanding.

The new patriotism will take form in America, and it will be a treaty reserving our rights vital to our integrity and independence, not a new sovereignty set up to rule over us. It will rest in honor and conscience. Its binding obligation will and must be the Nation's faith pledged to its scrupulous performance.

The creation of a nameless thing to sit in star-chamber judgment and decree implicit obedience to its mandates can not be borne by a race of free men. By a ukase it will embargo our commerce, close our exchanges, destroy our credits, leave our merchandise rotting on the piers, shut the Isthmian Canal, order Congress to declare war, levy taxes, appropriate money, raise and support armies and navies, and dispatch our men to any quarter of the globe to fight and die because an alien executive council has so willed. The executive council is the brains of this unhallowed creation. What it decides in the mysterious depths of the silent unrevealed caverns of European intrigue will dominate the body of delegates.

Who authorized the President to rear above the Republic an autocratic power? Is it another plunge in the bottomless abyss of undefined implied war powers? Search the Executive powers enumerated in the only instrument that gives him official being. Scan the Constitution's every line in peace, and no warrant vests in him such a wide reach of power. What war authority as Commander in Chief does he wield to join with foreign governments to make this Republic the servant of alien and distant powers? Is the authority to erect over us and our Government a dominant rule of assembled nations to be implied from the sword?

If the power is not found in our Federal Constitution the President's acts are usurpation. If it depend alone upon his will and sword as Commander in Chief it is revolution. He is a usurper in one case and a dictator in the other.

Indeed, shall we not ask, with the great dramatist, "Now, in the names of all the gods at once, upon what meat does this our Cæsar feed that he has grown so great"?

It is a rule of practice followed by every prudent lawyer, when two contracting parties sit in the council room of his office to draft a contract, that it is first reduced to a tentative form, and read to the parties whose signatures are to be attached. It is an equally binding rule of every prudent lawyer, if, on being read, the parties who are to sign immediately begin a controversy upon what the draft of the contract means, to waste basket the contract and write it over again until at least, when the parties are trying to have a meeting of their minds, they understand what the contract as drafted contains and agree upon the interpretation and meaning of its various parts. That is the rule in private business; and, if so, it is found to be an equally good rule in public business.

I have heard on both sides of this Chamber arguments concerning the Monroe doctrine. Some say, with great energy and conviction, that it is not impaired. Some who favor the adoption or ratification of the proposed constitution of the league say that is only extends and vivifies and re-creates this necessary doctrine of the Western Hemisphere. Others say that it is abrogated, or that as a policy we are compelled to abandon it. Why not, if there be on the floor of this Chamber a difference of opnion on this vital creed of the American people, write it into the constitution of the league; and why did not the conference write it in before they sent by our Executive the draft to this country for our consideration?

This is not the first peace league humanity has seen. In the first Hague convention the United States Senate added, before they gave their consent by the necessary two-thirds vote, the following:

> Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign State; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions.

That, like the action of the prudent lawyer in private practice, was written in in order not only that the American people and the authorities might understand it but that all the signatory nations to this league, 26 in number, might understand it as we understood it.

Then, again, after eight years had passed, the representatives of the various nations interested in the same problem met again at The Hague, almost on the street where once resounded the footsteps of the great Grotius, the father of international law. Not far from where his pulseless clay still sleeps as a place of pilgrimage by all the civilized nations of the earth, this great league, with its beneficent purposes for the betterment of the world, again met. It framed again a convention. It was brought to this country. It was placed before this body for ratification. Again the question arose, as will be found by recurrence to the debates of that period, found in the CONGRESSIONAL RECORD, whether it interfered with the traditional policy of this country known as the Monroe doctrine. Again, out of an abundance of caution, following the same prudent rules as any private lawyer, rather than leave it to argument, we wrote in the ratification a reservation that put it beyond the peradventure of a doubt. I read from that action of April 2, 1908, ratifying The Hague Convention of 1907:

> *Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of a convention signed by the delegates of the United States to the Second International Peace Conference held at The Hague from June 16 to October 18, 1907, for the pacific settlement of international disputes, subject to the declaration made by the delegates of the United States before signing said convention, namely:
>
> "Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in any of the political questions of policy or internal administration of any foreign State, nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions."

Here, then, it was kept beyond question by an express reservation not only by the delegates in the convention, but in the action taken by the Senate.

This constitution of the league of nations has been pronounced by precise thinkers as obscure in its meaning, as loose in its wording, as indefinite in its relation of parts, as being improperly constructed and knit together; and Senators on the floor of this Chamber in whose professional character I have the greatest of confidence, who have been known among the courts and their brother lawyers as men of abounding ability, also make the same criticism. Therefore, with it in that condition, with the question as to what it means, why shall we be called upon by the Executive to ratify it without amendment and to declare that his handiwork as placed before us is perfect and that we shall forthwith ratify it?

GILA RIVER FLOOD CONTROL (S. DOC. 436).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a report made by Frank H. Olmsted on the flood control of the Gila River in Graham County, Ariz., made pursuant to the act of Congress approved May 16, 1916, which, with the accompanying document, was referred to the Committee on Printing.

Mr. SMITH of Arizona. Mr. President, in connection with the communication from the Secretary of the Interior just laid before the Senate, I report from the Committee on Printing an original resolution, which I send to the desk, with the statement that this is merely a report transmitted under an act of Congress, and I am asking that the usual number of copies be printed. I ask for the present consideration of the resolution.

The PRESIDING OFFICER. The Secretary will read.

The resolution (S. Res. 487) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the report on the Gila River flood control in Graham County, Ariz, by Frank H. Olmsted, transmitted by the Secretary of the Interior March 3, 1919, pursuant to an act of Congress approved May 18, 1916, be printed as a Senate document, with illustrations.

Mr. McCUMBER obtained the floor.

Mr. HITCHCOCK. Mr. President, will the Senator yield to me for a moment?

Mr. McCUMBER. I yield to the Senator from Nebraska.

LEAGUE OF NATIONS.

Mr. HITCHCOCK. Mr. President, I ask to have printed as a Senate document a portion of a very able address delivered by Senator LODGE, of Massachusetts, as the honorary chancellor of Union College, Schenectady, N. Y., in 1915.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered.

LEAGUE TO ENFORCE PEACE.

Mr. WALSH. Mr. President——

Mr. McCUMBER. I yield to the Senator from Montana.

Mr. WALSH. Mr. President, I ask unanimous consent for the printing in the RECORD of a short address by the Senator from California [Mr. PHELAN] at the convention of the League to Enforce Peace, San Francisco, Cal. The Senator from California has been unable to be present and express himself with regard to it.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

ADDRESS OF SENATOR JAMES D. PHELAN AT THE CONVENTION OF THE LEAGUE TO ENFORCE PEACE, SAN FRANCISCO, FEBRUARY 20, 1919.

"Mr. TAFT. Ladies and gentlemen, my friend Mr. Moore says he has been making apologies for me, and I thank him. He perhaps may have made a better case, without knowing the facts, than he would if I had prompted him. But your life here is so rapid that my pulse is not adapted to the number of engagements that have to be compressed into two days, and therefore I ask your leniency in the sentence that you pronounce upon me.

"We are met here to-night to consider the question of labor's demand for a league. And we have what seems important in this issue, and exactly what we are shooting at—we have a real, live United States Senator here, and a Senator who is right on this subject. [Applause.] It gives me, therefore, the greatest pleasure, because he has one vote—we need 64 of them, but that reduces our efforts to 63. I have the honor and the great pleasure of introducing your Senator, Senator PHELAN. [Applause.]"

ADDRESS OF SENATOR JAMES D. PHELAN.

"Mr. President and fellow citizens, I was very courteously invited by the committee of the League to Enforce Peace to be on the program, but I declined, because I did not expect to be here to-night. My visit to California was unexpected, and I had intended to speedily return, but was unavoidably detained.

"I have observed that our worthy former President Taft has cast his shafts against the Senate of the United States. What he really intended was to direct his persuasive argument against a few Members of the Senate.

"To-day I received a letter from Palo Alto, saying, 'You had better declare yourself on this subject. It has been observed that you have been in San Francisco and have remained silent.' I suppose that is the common fate of all men in public life, that they are neither heard nor even understood. When Senator REED, three months ago or more, made an assault in the Senate upon the principle of the league of nations, a position to which he still adheres, I had the opportunity then to express myself, and introduced a resolution committing my colleagues to the support of the principle of the league of peace, for the purpose of averting war. [Applause.]

"Now, I should think that all men of good will would support the principle of the league of nations. We may differ as to the details of the power which might be granted to the league. But as to the essential principle, to organize to avert the horrors of war, if possible, in this world, there can be no question. Of course, we are going to get a compromise. We can not all get what we want. You have heard that story of the negro who, in the olden days, was invited by his master to indulge in a little liquid refreshment known in the South as Bourbon whisky, and when the master said to him, 'Rastus, what do you think of it?' he said 'It is jes right.' 'Well, what do you mean by saying it is just right?' 'I mean,' he said, 'that if it were better you would not have given it to me, and if it were worse, boss, I could not have drank it.' [Laughter.]

"The President has come back—is on the way—with the skeleton of a league of nations; and while it does not in whole satisfy, perhaps, the League to Enforce Peace nor the gentlemen in the Senate who are loud in opposition, yet it is manifestly a working scheme, and the great thing at this time is to make a beginning. [Applause.]

"My very learned and distinguished colleague, Senator BORAH, of Idaho, has seen fit to decline the invitation of the President to meet at the White House conference. That is the very spirit which the league seeks to mitigate—a refusal to confer. He said that he was so committed to the opposition that he could learn nothing from the President, and, on the other hand, he believed that the President was so committed to the league that he would not consider the objections of his opponents. There is no palliation for that. He was invited to a conference for the purpose not of taking dictation, but of exchanging views. And he was invited by the man who is the best informed on the subject in the world to-day. [Applause.] So my learned colleague has shown an intolerant spirit. No man should refuse to confer. No man should, under the circumstances, decline the invitation of the President.

"There is no partisanship involved in this. As President Taft said the other day, 'In matters international, Woodrow Wilson and myself stand together.' [Applause.] And the gentlemen who are so fond these days of quoting George Washington must have forgotten that in the Farewell Address there is a condemnation of partisan spirit. It was one of the things against which he warned his countrymen. And now they are suffering the partisan spirit to influence their sober judgment.

"Woodrow Wilson declared long ago that the object of this war—and, I remember, he declared it at the tomb of Washington at Mount Vernon—was to establish 'a reign of law with the consent of the governed and sustained by the organized opinion of mankind.' [Applause.] The organized opinion of mankind means nothing less than a league of nations, because it is only through the nations, unless you are ready to destroy all international barriers, that the opinion of mankind can be organized. And he has been busy ever since in making good his word.

"But those Senators—and you see I am not in accord with their utterances, and they represent, I am glad to assure the league, a very small minority, I believe, of that body [applause]—are fond of quoting Washington, who warned us also against international entanglements. That sounds very good. But Washington also said in a letter to one of his contemporaries that we can not participate in European affairs for at least 20 years, because we have not the power to treat with them on terms of equality, and we might endanger our hard-won independence. But 120 years have passed, and the United States is the most powerful Nation in the world. [Applause.] So what Washington said at that time, modified by his own words in private correspondence, certainly does not apply to the United States to-day. And, as the object of this war was to give democracy to the small nations, and to the large ones as well, and to destroy autocracy and tyranny, George Washington, undoubtedly, if consulted, would say, "Those are the very purposes to which I have dedicated my word and my sword," and he would speed us on that road.

"If we were acting contrary to the principles of Washington and the Fathers, it might be well to call a halt and say that we are traveling upon forbidden ground. But we have gone to Europe, and our boys have given the decisive blow to autocracy [applause], and this is merely a question in the organization of a league, of something to sustain them in their work. And I feel that there should be as much enthusiasm in this cause as there was in that other cause when we believed that our national rights at home and abroad, aye, our national existence, perhaps, was involved in the issue of the conflict; because we can not sit down now and serenely regard Europe. On the contrary, the situation is full of misgivings. I will not enlarge upon the argument, which has been so elaborately set forth by our worthy President. But he has told you again and again that a large number of small countries have been set up and given democrary, and if they be abandoned to their fate we will have, within a very short time, the most horrible war in history in its ferocity, outclassing and distancing the conflict through which we have just passed. Because racial animosities would be aroused, and the old order, often sleeping but never dying, in clashes like this will reassert itself, and the little countries will make a futile resistance and be again amalgamated in the great nations over which tyrants will rule.

"So, unless this league is established, there is absolutely no hope for democratic Europe; there will be no hope for the men, women, and children; there will be no hope for the workers, because their protection is in the establishment and in the maintenance of democracy, in which their voices are so tremendously potent. They are rudely expressing themselves in some of the

countries to-day. But looking back upon history, we must not be alarmed, because it is only through revolution that order comes. That is the world's history. That must not discourage us. But when they return to reason and know that in this world there must be responsible government, without which there will be neither labor nor wages, then and in that event they will, I am convinced, yield to the arguments which have been advanced in their interests.

"It has been said that a league of nations is impossible. When the American Engineers went to Europe, and when we shipped over two millions of men, with all the accessories of war, and built railroads and built great warehouses and provided the food not only for our own men but for the men of other lands, it was an achievement of great magnitude. And somebody said, and I believe it has clung as a sentiment to the American Engineers, 'It can not be done, but here it is!' A league can not be formed, but here it is. [Applause.] The President is on the ocean bearing the first draft, adopted unanimously, under pressure which I believe he exerted, as the one thing that he desired of all others to bring back to his countrymen as the reward of the war—not captives, not lands and territory, but peace for all the world. What greater ideal could there be? What greater achievement could he have won? And that is a thing accomplished by unanimous vote. The nations in conference have approved of the idea of the league, and their committee has drafted this measure, which will very soon, probably, be presented in an authoritative way by the President himself to the American people. And then he will go back, having consulted public sentiment—and, by the way, that is the work we are doing here, creating a public sentiment, without which there can be no government, and without which the President unsustained would be a mere pawn upon the European chessboard. He must have it, and he knows it, because his democracy is pure. He knows that without the people he can not succeed, and he always appeals over the heads of Senators and editors, even, to the great body of the people. [Applause.]

"And I think, Mr. President, that it is more important for the audiences which you address throughout the land to respond to this call than it is for individual Senators, because the Senators, I must say in their defense, feel that after all they are representatives of the people. It is not the body that it was in the olden time—now your Senators come from the people, elected by popular vote, and not puppets set up by legislatures to serve private interests. They are amenable to your demands. They respond to your call. And I am glad to see here an audience so great to-night, because every man and woman of you must feel that you are rendering a substantial aid in the settlement of this question. If you show apathy, your representatives will show apathy. If you show interest, they will show interest. If you are for it, they are for it. [Applause.]

"One word more, Mr. President. I suppose the argument has often been made; but it seems to me that in its simplest form a league of nations bears a close analogy to civil society. Democracy is a league of men, banded together for mutual protection. And they yield certain of their natural rights for the purpose of establishing this democracy as ordered government. In a league of nations the nations must necessarily yield some of the exclusive rights which they now hold for the same purpose—their mutual protection. Is there anything wrong with that? Is the right of the individual more sacred than the right of the nation? But grant for the moment that it is. It is yielded willingly in the interest of organized government, organized democracies, where all have a voice and where all thrive; it is their self-determination, freely given, and all abide by the result of the expression of that voice, and the minorities are given protection. They are not destroyed, as in the old days of the Crusaders. And you may recall in this connection the story of the Crusader, who was told on his deathbed that he had to repent and forgive his enemies, and he naïvely responded, 'Why, I have no enemies; I have killed them all.' But a democracy respects the minority which does not quite agree with the majority government, and that is a little sacrifice they must make in order to preserve the peace of society.

"Now, the United States, going into a compact of this kind will, let us concede to the objecting Senators, yield a part of what they regard as their exclusive rights about which they are very tender. But is not the prize worth the game? Is not the peace of the world worth the sacrifice? [Applause.] Is there anything more terrible than unleashed human beings destroying each other under circumstances of greatest cruelty? War, we are told, burdens a people with debt to go down from one generation to another, like the curse of original sin. It wipes the people from the earth as though Heaven had repented the making of man. Its evils can not be written, even in human blood. And our campaign is against war. And in that campaign every man is enlisted as a patriot, just as much as every man was enlisted in our recent campaign, where his loyalty was never questioned, to carry the Stars and Stripes, standing for equal rights and justice throughout the benighted countries of Europe and bringing hope and succor to those who for centuries have been the victims of oppression.

"But we are disloyal to our ideals if we refuse to let our country enlist in this cause. We are all, by sacrifice and concession, working for a perfect State at home. The league is working for a more perfect world. And, my friends, just as the organization of society has abolished violence in the settlement of disputes and set up legislatures and courts, so this league of nations, if it carries its purpose through to the finish by creating international tribunals, will abolish war, which is only violence on a broader scale. Let us not dismiss this question by saying it belongs only to the sentimental. Sentiment is the best thing in the world, and the difficulty is in living up to it. Human nature is the meanest thing about us, and we are always trying to keep it down. That is the function of society; it is as well the function of the league. So these United States, young, measured by the lives of nations, should take to themselves that sentiment and forecast of the poet:

> "Oh, young men, dream bravely and well,
> And your dreams shall be prophets."

"[Applause.]"

SPEECHES ON LEAGUE OF NATIONS.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I yield to the Senator from Oklahoma.

Mr. GORE. Mr. President, I wish to offer a Senate resolution similar to the one offered by the Senator from Nebraska, and I ask its immediate consideration, adding at the end, just before the speech of President Wilson, the names of the Senator from Illinois [Mr. SHERMAN] and the Senator from North Dakota [Mr. McCUMBER]. I should like to reserve the right, if the resolution is agreed to, to add any other speeches to this compilation.

The PRESIDING OFFICER. The Senator from Oklahoma offers a resolution, which will be read.

The resolution (S. Res. 486) was read, as follows:

Resolved, That the following be printed as one public document and that as large a number be printed as the Senate is authorized to order under existing law:

The constitution of the league of nations.

The address of President Wilson at Boston.

The article by Theodore Roosevelt in the Metropolitan Magazine of February, 1917, entitled "The league to enforce peace."

The speech of W. H. Taft before the National Geographic Society.

Recent speeches on the subject by Senators BORAH, HITCHCOCK, REED, LEWIS, LODGE, KNOX, OWEN, SHERMAN, and McCUMBER.

The speeches of Senators POINDEXTER, CUMMINS, LENROOT, FRELINGHUYSEN, and HARDWICK.

The speech of the President to be delivered at New York on March 4.

Mr. McCUMBER. Mr. President, I, for one, object at the present time to the consideration of that resolution.

The PRESIDING OFFICER. Objection is raised, and the resolution goes over under the rule.

THE MILK INDUSTRY.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I do.

Mr. JONES of Washington. I do not wish to take the Senator from North Dakota off the floor, but I have a resolution on the table directing the Federal Trade Commission to make an investigation and report the facts to the Senate with reference to the milk industry, especially the condensed-milk industry. I would like to ask unanimous consent for its consideration and passage at this time.

Mr. McCUMBER. If there will be no debate on the resolution, I certainly shall not object.

Mr. POMERENE. Mr. President, I was unable to hear the request of the Senator from Washington.

Mr. JONES of Washington. On January 31 I offered a resolution, Senate resolution 431, and it was ordered to lie on the table. It directed the Federal Trade Commission to investigate the milk industry, especially the condensed-milk industry, and to report the facts to the Senate. I wanted to ask for its present consideration.

The PRESIDING OFFICER. Is there any objection?

Mr. POMERENE. I hope the Senate will adopt the resolution.

The PRESIDING OFFICER. The Chair hears no objection to the consideration of the resolution.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, directed, under the authority of the act entitled "An act to create a Federal Trade Commission, to define its purposes and duties, and for other purposes," approved September 26, 1914, to investigate, ascertain, and report to the Senate the facts relating to the production, manufacture, profits upon, and sale of milk products in the United States since January 1, 1914, with particular reference to the condensed-milk industry, its methods, practices, profits, and interlocking interests, and submit its recommendations to the Senate for the prevention of fraudulent and discriminatory practices and unreasonable profits connected therewith, and also to investigate and report to the Senate to what extent the Food Administration fixed the price of milk and milk products, the fairness of such prices to the producers of the milk and to the consumers of the finished products, and what effect the prices fixed or the action taken by the Food Administration had upon the producers of the milk and the prices paid by the consumer for the manufactured products; and what relation to or interest in any particular line of the industry was held by any and all of the officials of the Food Administration who had to do with the price fixing of milk or milk products.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Kansas?

Mr. McCUMBER. Mr. President, there are a number of Senators who wish to present various matters which will take but a short time. I appreciate that this is the lunch hour, and they would like to get in some of these resolutions, and so forth, just at this time; and, as I have no objection whatever to their taking advantage of this moment, when it is the lunch hour, I consent to yield; but then I wish to go on for a short time and discuss the subject that has been so ably discussed by the Senator from Illinois [Mr. SHERMAN].

EXPORTATION OF WHEAT TO BELGIUM.

Mr. CALDER. Mr. President——

Mr. McCUMBER. I yield to the Senator from New York.

Mr. CALDER. Mr. President, a few days ago I submitted a Senate resolution, which went over under the rule, providing for an investigation of certain charges regarding the export of wheat to Belgium. I ask unanimous consent that it may be considered at this time.

Mr. MARTIN of Virginia. Mr. President, I want to inform the Senator that the general deficiency appropriation bill is now before the Senate, and it is vitally important that it should be passed.

Mr. CALDER. If the consideration of this resolution takes more than two or three minutes, I shall not ask that it be considered at this time.

Mr. MARTIN of Virginia. I yield, with that understanding.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Senate resolution 480.

Whereas in sworn testimony taken before Chief City Magistrate McAdoo, in New York County, State of New York, in a John Doe inquiry on February 13, 1919, it was stated as facts:

First. That a large quantity of moldy, musty, and immature American wheat was shipped from the United States to Belgium in 1917 for the purpose of Belgian relief, and that this wheat was milled into flour and distributed among the Belgian sufferers, causing the death of more than a thousand of such persons;

Second. That one George W. Moench, of Logan, Utah, admitted that he "sold a large quantity of rotten wheat, some 240,000 bushels, at a pretty good price to the buyers, who shipped to the Belgian relief," and that he sold "17,000 bushels of that wheat, getting a good price for it, although it was not fit for poultry food;

Third. That certain St. Louis mills had ground a quantity of rotten wheat and sent the flour to Belgium direct, which was distributed among the Belgian sufferers with disastrous results;

Whereas these sworn statements and charges have been printed repeatedly in the public press, and have not been officially denied; and

Whereas if the statements and charges above made are true they constitute a reflection on the United States Government and make it appear possible that wholesale quantities of food unfit for human consumption was dumped into Belgium and there given to sufferers who had no choice but to eat or perish: Therefore be it

Resolved, That the Committee on Agriculture and Forestry or any subcommittee thereof is hereby authorized and directed to investigate the said charges, to ascertain whether unwholesome food was shipped to Belgium; and if so, by whom and the profits made by each and every shipper of moldy wheat or flour made from moldy wheat; and to investigate any other charges and allegations made concerning the Commission for Relief in Belgium, and to make a report of the result of such investigation to the Senate.

POST FIELD, FORT SILL, OKLA.

Mr. GORE. Mr. President——

Mr. McCUMBER. I yield to the Senator from Oklahoma.

Mr. GORE. I wish to offer a Senate resolution, and I ask for its immediate consideration. I am sure there will be no objection to it.

The resolution (S. Res. 485) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of War be directed to furnish to the Senate copies of the quotations, proposals, contracts, and awards made through the Secretary of War, Purchase and Storage Branch, Raw Materials Division of the War Department, for the furnishing of aviation naphtha, motor gasoline, and fuel oil upon Government requirements to and for use at Post Field, Fort Sill, Okla., for the second quarter—October, November, and December, 1918—by the Lawton Refining Co., of Lawton, Okla., together with copies of any and all records, letters, or telegrams relating to any extension of such contracts and awards.

That the Secretary of War be also directed to furnish to the Senate copies of all quotations, proposals, contracts, and awards for the furnishing of the same commodities upon Government requirements to and for use at Post Field, Fort Sill, Okla., for the third quarter, during January, February, and March, 1919, by whomsoever furnished or contracted to be furnished.

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Mexico?

Mr. McCUMBER. I yield to the Senator.

Mr. JONES of New Mexico. I ask leave to present a report from a committee, and ask that the joint resolution go on the calendar.

Mr. WEEKS. Mr. President, I want to know what the report is before I consent.

Mr. JONES of New Mexico. It is the woman-suffrage resolution.

Mr. WEEKS. I object.

The PRESIDING OFFICER. Objection is raised.

Mr. LEWIS. Mr. President, will the Senator from North Dakota pardon me a moment?

Mr. McCUMBER. I yield to the Senator from Illinois.

Mr. LEWIS. The Senator does not ask to have the joint resolution considered at this time?

Mr. JONES of New Mexico. No; I ask that it may go on the calendar. I have not asked for the present consideration of the resolution.

Mr. LEWIS. May I ask the Senator from Massachusetts if he objects to that course?

Mr. WEEKS. I object to the report going upon the calendar.

The PRESIDING OFFICER. Objection has been raised.

Mr. JONES of New Mexico. I withdraw the report for the present.

The PRESIDING OFFICER. The report is withdrawn.

LEAGUE OF NATIONS.

Mr. McCUMBER. Mr. President, it had been my intention to discuss at some length the proposed league of nations. It was my intention to do so because I feared that the country, after reading the arguments that have been made upon this side of the Chamber against any league of nations, might be misled into the belief that the Republicans of the United States as a party were opposed to any character of a league or agreement between nations to maintain the peace of the world.

Mr. President, notwithstanding the arguments and criticisms that have been made upon this side of the Chamber, I think it but fair to say that there are a large number of Republicans who favor a league of nations to maintain the peace of the world. I recognize the fact that there are some on this side of the Chamber who would never vote for any kind of an agreement to maintain the peace of the world; that there are those who take the position that inasmuch as we are big enough to take care of ourselves, we do not need to enter into any contract or agreement with any nation or number of nations to assist in maintaining world peace.

Mr. President, as I look over four years of devastation, of brutality, of savagery which at one time I believed had almost been eliminated from human nature; as I look upon the bloody fields of Europe, where more than seven million brave boys, the flower of the world, have gone down to death; as I look upon the maimed and the destroyed, the blind and the helpless, numbering altogether in casualties about 27,000,000 people; as I recall during four years, in the heat of the contest, how from three to ten brave vessels went down to the bottom of the ocean daily; as I beheld the struggle of the brave sailor boys in the clasp of the relentless waves; as I saw mothers clasping their innocent babes to their breasts, and praying to God to save their little ones; as I looked upon the murder of helpless infants, the bayoneting of women and children, the clubbing to death of old men, the outrage committed upon thousands and thousands of pure young girls; as I thought of the right of every one of these young boys born into the world to live, to breathe the air and joy in the sunlight of life, the right to be husband and father; as I saw the blighted ambitions of 27,000,000 boys of our own race, and of our own blood, who have been deprived of this God-given right; as I look upon 27,000,000 young girls, created to reign queen of the home, deprived of the right of husband, compelled to walk down life's struggling road in a land devasted by war, without the stronger arm of man to support, or the gentle hand of child to caress when the night of age comes on; as I look upon all of these damnable atrocities committed against man, woman, and child, I can not, as an American citizen, representing the heart and

conscience of the American people, say, in the phrase of a great financier, "Oh, let the world be damned. We can take care of ourselves, and we are going to do it; and we will decide, when the time comes, what steps we may take in any war or threat of war."

Ah, Mr. President, we lost 56,000 boys in this great war, France lost about one and one-half millions of her sons, Great Britain about one million of her sons, and, Mr. President, as I recall how her brave sailor lads went down in the struggling waves, and as I recall how those who were rescued responded to the next call to man the ships in their death voyages across the Atlantic, I can not but feel that there is some obligation resting upon the American people to extend the helping hand in any just and honorable compact to maintain the peace of the world. Let us remember it was not those of alien blood who suffered most in this war. This war took as its toll the best men of the best nations of all the world, and in some portions of the world it seems to have preserved the worst.

Mr. President, as an American I believe we can look beyond the confines of our own country and determine whether or not there is any obligation resting upon the United States to help maintain the peace of the world. The nations that have suffered most, the nations who have been bankrupted by this awful slaughter, reach their hands to the United States, the greatest, the most powerful nation of the world, and say to the United States, "We know that you are not bound to help us; we know that you can stand aloof and say there is no obligation upon you to assist us, but we appeal to you in the name of manhood, we appeal to you in the name of womanhood, we appeal to you in the name of humanity. Will you not extend the helping hand to us that we, acting jointly, may prevent another such calamity overtaking the world?" Senators stand here and claim that we should fold our strong arms and with unmoved and austere countenance declare that there is no obligation upon us to assist in the prevention of war in Europe.

Mr. President, I listened to the Senator from Washington [Mr. POINDEXTER] here at my right, as he proclaimed as a good doctrine for nations and for individuals the injunction, "Mind your own business'; that this should be proclaimed as a proper American doctrine. I could picture the Senator from Washington following this injunction, as he would behold some giant beating to death a 10-year-old child. I could picture him folding his arms and saying, "That is no concern of mine. Of course it is brutal, but there is no reason why I should join in it. It is not my child." I dare say, if the Senator from Washington would behold an act of that kind, he would be the very first one to respond to the call, and he would be the last one to announce that a policy of "mind your own business" is always a good policy both for the individual and for the Nation.

Mr. President, we all admit that there is no obligation legally upon the United States to enter into this compact. We can declare that it is no concern of ours, that we will meet any situation when that situation arises. The Senator from Pennsylvania [Mr. KNOX] the other day, in the strongest language, so highly complimented by the Senator from Illinois [Mr SHERMAN], declared that the United States entered this war for the protection of civilization, and whenever the occasion should arise again the United States could be depended upon to reenter another war for the same purpose. The facts do not bear out that statement.

I am free to say that I want to put the United States in a position in which she can stand upon her agreement with the nations of the world to prevent another such holocaust of blood and murder. We all know that we did not enter the war in defense of civilization. We all know that we entered the war in defense of the American right to sail the seas without any further molestation of our citizens and our commerce than the necessities of war demanded, and while we agreed that Germany had the right to hold up our ships, we denied that she had the right to sink them without notice and without proper care of the crew and the passengers upon the ships. And because Germany would not accede to our contention, but declared that she would continue her relentless U-boat campaign, is what we went to war for. Suppose when we put up to Germany the alternative of withdrawing her submarine policy or adding another nation to her enemies she would have said to us, "Very well, I will no longer carry on the undersea destruction of passenger ships as I have in the past, I will not sink them until I have taken care of the passengers and the crew, and I will take the questionable cases into a prize court to determine whether or not the goods carried are contraband."

If Germany had said that and lived up to such a declaration, is there anyone here who will claim that we would have gone to war with Germany? We would not have declared war against Germany. We would have said, "There is now no real cause for war, and we will allow Germany and the central powers to inflict upon Belgium, upon France, upon Britain, whatever they have the power to inflict." Suppose Germany had been successful, and suppose she had committed no overt act against our commerce or the lives of our people, we would not have gotten into the war, and all this talk we are now making about our fighting this war for world civilization would have to be postponed.

I repeat, Mr. President, I want to put this country in a position by which she can, when a case of that kind arises in the future, say, "Here is my agreement." This country now has no authority to defend Belgium if attacked by Germany, but if she signs the bond of agreement that she will defend Belgium or France against an aggression by Germany or any other greater power in the world which seeks to destroy her and rob her of her territory, then I have no fear but that we will make good our contract and will assist in maintaining the peace of the world.

Mr. President, I would have been highly gratified if any one of the Senators who have so vigorously criticized the constitution of the league of nations would have placed into the RECORD something to take its place. It is useless for any Senator merely to say, "I am in favor of a league of nations to maintain the peace of the world, but I am opposed to this particular kind." If a Senator is in favor of a league of nations to maintain the peace of the world, then I insist it is his moral duty to place upon the record what he believes should be the proper steps to be taken to accomplish that end.

The Senator from Massachusetts [Mr. LODGE] did that, and the Senator from Pennsylvania [Mr. KNOX] also stated what he believed to be the proper kind of a league of nations, of course without going into details; but others have simply attacked without giving the President, without giving our conferees in Europe, the slightest idea of what should be done in order to maintain the peace of the world.

Mr. President, I must say that to me some of these criticisms are very far-fetched. I do not think we have the best league of nations proposition before us. I am absolutely certain that when our delegates in France receive and read the arguments that have been lodged against it they will reconsider some of the matters, make clear that which is now indefinite, and make it certain that no nation by entering into this compact surrenders its individual sovereignty or, so far as the United States is concerned, surrenders our Monroe doctrine.

I have listened, Mr. President, to the orations that have been made against this proposed league of nations. I think the Senator from Illinois [Mr. SHERMAN] is altogether too modest when he accuses the President of the United States of being the greatest phrase maker upon the face of the earth. I think if the Senate were allowed to pass its judgment upon who is the greatest phrase maker to-day in the United States the Senator from Illinois would receive the unanimous verdict of his colleagues on the floor of the Senate.

But much of this oratory with all its beauty and brilliancy mystifies me a trifle. Therefore I want to read this constitution of the league of nations and as a plain American citizen I want to present to the other plain reading American public just exactly what it reads and that it does not mean what has been read into it by those who are overzealous lest we might surrender some of our inherent national powers.

I wish to call the attention of the people of the United States to the preamble of this constitution of the league of nations. I know we often declare that we do not care very much about preambles, that we must look to the body of the instrument itself to get its purport. But, Mr. President, the preamble of an instrument is the soul of the instrument that is to guide us in our construction of every article which follows it.

Let us see what this preamble is. It reads:

> In order to promote international cooperation and to secure international peace and security by the acceptance of obligations not to resort to war—

Is there any objection to that? Is there any objection to a declaration just after the close of the bloodiest war in the whole world that these nations should attempt to get together and secure peace by the acceptance of obligations not to go to war? What else?

> By the prescription of open, just, and honorable relations between nations—

Can there be any possible objection to this? Again:

> By the firm establishment of the understandings of international law as the actual rule of conduct among governments, and by the maintenance of justice—

Is there objection to our entering into an agreement with the other nations of the world for the maintenance of justice throughout the world? Again:

> and a scrupulous respect for all treaty obligations in the dealings of organized people with one another.

Mr. President, these are the purposes of the league. Every article in this constitution must be construed in the light of the declaration of its purposes.

From article 1 up to article 9, inclusive, we deal mostly with the matters of organization, and, therefore, I come immediately to article 10, that article which has received more condemnation than all the others in the instrument. That article is the very foundation stone in the structure of a world agreement for peace. Let us see whether it is open to the criticism that has been urged against it. It reads:

The high contracting parties undertake to respect and preserve, as against external aggression, the territorial integrity and existing political independence of all States members of the league.

What is the meaning of that? We are to enter into an agreement to preserve peace. I should like to have any Senator give me a clearer and more concise declaration of how we are to enter into it than the agreement that we will not go to war for an unlawful purpose. What does it read again?

The high contracting parties undertake to respect and preserve as against external aggression—

Not internal but external aggression. In other words, the very object and the very purpose and the only purpose of the proposed league of nations is to prevent one great powerful nation from making a war of aggression, a war to seize territory, or to annex another nation.

Mr. President, if we can not have that kind of an agreement, of course we can not have any agreement to insure peace. If we do not agree that we will not make a war of aggression against another nation, then what is all this peace talk about? Again, the agreement is to protect "the territorial integrity and existing political independence." What does "political independence" mean? It simply means the sovereignty, the absolute sovereign power of the nation to conduct itself politically as a complete, independent entity. That is all. If we protect the territory of a nation from aggression, we must necessarily protect its independence, its political sovereignty, and that is the whole purpose of this compact. Every war of aggression is a war to acquire territory that does not belong to you, and all we agree to in article 10 is that the principle "Thou shalt not steal; thou shalt not murder," should be applicable to States as well as to individuals, that it should be just as applicable to 100,000,000 individuals constituting a State as it is applicable to individuals in their relations with each other.

Again:

In case of any such aggression—

What kind of aggression?

We have been led to believe by the arguments that have been made upon the floor of the Senate that this pertains to any kind of a complaint. It is not true. It says:

In case of any such aggression—

That is, an external aggression against any other nation, a party to the league—

Or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled.

Every argument that has been made upon the floor of the Senate so far would indicate to the American people that the council would have the right to determine when we should go to war and when we should not go to war. The council does nothing but advise upon the means by which the obligation not to make a war of aggression shall be enforced. It goes right back to the nations themselves for the enforcing power. It puts us just exactly in the same position that we would have been placed in had we agreed before this world war that we would prevent Germany from destroying France and annexing her territory; nothing more, nothing less.

I come now to article 11:

Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league.

Does anyone disagree with that declaration?

Can there be a war to-day in the world that does not concern every nation of the world? That is all it is. It is our concern, although the parties to it are not parties to the league. Why? Because it affects our commerce, because the flame of war lighted in the Balkan States may extend to the great powers of Europe and finally take in, as it has taken in, the United States and Japan and all the world within its conflagration. Certainly it is a matter of concern to the league of nations and to the high contracting parties. Then, what do the high contracting parties do in a case where this is made their concern?

The high contracting parties reserve the right—

We do not have to go to war if we do not wish to. They reserve the right—

To take any action that may be deemed wise and effectual to safeguard the peace of nations.

This is not to be done by the council. The high contracting parties, the individual nations, must take the action.

They may use force; they may secure peace by an agreement entered into between the contending nations. But in each instance it is determined not by the council but by the individual countries acting within their own sovereign authority.

I come to the second paragraph of article 11, which is criticized. It simply provides that—

It is hereby also declared and agreed to be the friendly right of each of the high contracting parties to draw the attention of the body of delegates or of the executive council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends.

Which threaten to disturb the peace of the world. Certainly no one can object to our using our influence for that purpose. I think we can all remember that the United States joined the other nations of the world in an agreement at Algeciras whereby we were to revive and protect Morocco. No one said we were surrendering our constitutional rights by acting in harmony with the other nations of the world on that occasion.

No one has stated that we strained our constitutional rights when we served notice upon the world that Liberia, over in Africa, because of its peculiar relation to the United States, was so situated that we could not look with unconcern upon the attempts of any nation to destroy it or to seize its territory.

Again, Mr. President, article 12:

The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the question and matters involved—

Not necessarily to arbitration—

either to arbitration or to inquiry—

This is criticized, on the assumption that we are compelled to submit internal relations, our domestic affairs, to every nation in the world which questions the propriety or the justice of any regulation which we may make in reference to such affairs.

Ah, Mr. President, one must be led far afield, indeed, by his prejudices to draw a conclusion of that character. Let us see:

They will in no case resort to war without previously submitting the question and matters involved either to arbitration or to inquiry by the executive council and until three months after the award by the arbitrators or a recommendation by the executive council; and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators.

Not as against those who refuse to arbitrate but against those who simply submit the question to inquiry. Let us remember that there are two methods here to deal with those international disputes. If the complaint is such that it involves our own domestic affairs, of course we will not submit it to arbitration, and there is nothing in the whole range of this agreement that compels us to submit one single domestic matter to arbitration; there is not a sentence that will bear such a construction.

Let us turn now to article 13:

The high contracting parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which can not be satisfactorily settled by diplomacy they will submit the whole matter to arbitration.

I have listened to arguments by the hour on the floor of the Senate to establish the proposition that under the provisions of this instrument we are compelled to submit everything to arbitration, including our own domestic affairs. What we agree to do is one of two things—that we will submit to arbitration those things which we agree can properly be submitted to arbitration. Is there any nation upon the face of the earth capable of self-government or sufficiently intelligent to be entitled to exist as a self-government that would ever submit its purely local affairs to the arbitration of any number of powers?

Has it ever been done in the past? Not once. Will it ever be done in the future? Never, so long as we are dealing with intelligent nations.

The Senator from Montana [Mr. MYERS] has just introduced a bill the purpose of which is to open swamp lands up to settlement by drainage. Is that an external question? Could Japan come before the league and say, "The United States is about to open up a lot more of her agricultural acres, upon which she can produce rice, and that will destroy the value of Japanese rice; and, therefore, I propose to make a complaint and to lodge that complaint with this council of the league of nations"? Why, she would be a laughingstock of every nation if she should do a thing of that kind. No one would seriously contend that any nation in the world would propose such a thing; and yet she would have just as much

right to complain against us because we opened swamp land in Florida for the purpose of the production of rice as she would have because we determine that Japanese goods shall not come into this country or that Japanese citizens shall not be eligible to citizenship in the United States.

Why, Mr. President, so far in the history of the world no one has ever claimed that any independent nation ought not to have the sovereign right to protect the blood and character of its citizenship.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I yield.

Mr. JONES of Washington. We have a concrete case that I think might well be used for illustration, and I should like to have the Senator's opinion upon it. I ask, in view of what he has said, that as we have already passed legislation prohibiting the employment of Asiatics, or, we might as well say, Japanese labor, upon certain public works—for instance, on reclamation work—could Japan make any issue out of that under this compact?

Mr. McCUMBER. Certainly she could not. We have provided by law that a certain percentage of our sailors upon the American merchant ships shall be citizens of the United States. Would China have a right to say that we ought to change that provision and allow three-fifths of our ship personnel to be Chinese? Has any nation in the world ever claimed a legal right to interfere with the purely domestic affairs of another nation?

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota further yield to the Senator from Washington?

Mr. McCUMBER. I do.

Mr. JONES of Washington. I think probably I am anticipating as to another article, but I merely want to ask the Senator whether, under the proposition of inquiry, any question could be submitted with reference to that? We are required to submit questions to inquiry under the next article.

Mr. McCUMBER. I think any nation could submit any question to inquiry under the article. An inquiry for what? Not for arbitration, but merely a matter of inquiry into its merits. It is very difficult to always point out what is justiciable and what is not justiciable; it is impossible to make the statement clear and definite in an instrument; yet every one of us fully understands what national sovereignty means and what goes with national sovereignty. We have the whole history of the world, all of the diplomacy of all the ages, to guide us in determining what are domestic rights and what are international rights. Nowhere can we ever find any authority that would question the right of any nation to determine its purely domestic affairs. Of course, we may have a treaty whereby we hold in abeyance our sovereign powers during the existence of that treaty, whereby we may withhold some of our national rights; but we have not surrendered them in the sense that we have permanently surrendered our sovereignty.

Mr. JONES of Washington. I want the Senator to explain—and I am not asking these questions in any controversial spirit or in any spirit of opposition to his suggestion, but I am asking them simply to get his opinion with reference to them—in his opinion is there any question that could be forced to an inquiry under the terms of this instrument?

Mr. McCUMBER. I suppose, Mr. President, as I have stated before, that a nation has under this instrument the possible power, the possible right, to present any question, no matter how unfounded or how foolish it may be, just the same as though five individuals should come together and agree that they should settle their differences without resort to clubs or guns, or that they would present their differences to a committee of three or four. Each one might present a claim against the other that would be worse than foolish; each one might claim that he would have the right to enslave the other or to take from him his individual property; but the others would not listen to such a claim; and I do not think that any civilized nation to-day would, under any theory or possibility, present a matter so idiotic as to bring into question the well-recognized sovereign rights of any other nation of the world.

Mr. President, I want again to call attention to article 13. Instead of submitting everything to arbitration, on which Senators have based their argument that we would be outvoted, there is not a word for the submission of purely domestic questions to be arbitrated about, but only those which each individual nation recognizes to be suitable for submission to arbitration; and no nation, as I have stated, will submit nonjusticiable questions to arbitration.

But suppose they do arbitrate—and they can only arbitrate disputes that do not affect their vital or national integrity—suppose they submit to arbitration some of these other questions, such as the fisheries, such as the seal disputes, such as the question of whether a certain portion of the sea is closed or whether it is the open sea—those they can submit to arbitration. When they do submit them, then what is the binding obligation under the provisions of this proposed treaty? It is this:

> In the event of any failure to carry out the award—

That does not mean in the event of any failure to disregard advice, but the award means a case where a question has been submitted to arbitration. When once a nation submits a question to arbitration, the executive council shall do what? They can not even enforce it. They simply shall propose what steps can best be taken to give effect to it. They advise the steps that may be taken—what they think ought to be done—in order to compel a nation which has submitted a proposition to arbitration to comply with the award.

Let us suppose that we had had this in force just after the close of our Civil War and we had submitted to the Geneva Council the question of the damages by the *Alabama*, the claims growing out of a violation of international law, and that the council had given their award of some $8,000,000 against the British Government, and the British Government had said, "That is a wrong award, and I will not conform to it." In a case like that we could have called upon the other nations of the world who were parties to the compact to join with us to compel Great Britain to conform to that award. We would not even have to go to war. We could find other means, such as a commercial boycott, if we saw fit, which would injure Great Britain probably more than any war would injure her.

Mr. JONES of Washington. I think one can get the impression from what the Senator says that there are certain questions which, under the terms of this compact, could not be submitted to arbitration. I understand that any question can be submitted to arbitration that the nations agree to arbitrate.

Mr. McCUMBER. It is the sovereign right of a nation to agree to submit any question.

Mr. JONES of Washington. That is what I thought.

Mr. McCUMBER. We could agree to submit to arbitration whether we shall continue to be an American nation or whether we shall be under the suzerainty of Japan.

Mr. JONES of Washington. That is what I thought.

Mr. McCUMBER. We can do it if we want to; but we can do it without this compact as well as we can with it.

Mr. JONES of Washington. There is not anything with reference to arbitration in the compact that we can not now submit just as well as after the compact is made, as I understand?

Mr. McCUMBER. I see that the Senator agrees with me. There is nothing that takes from us our sovereign power to submit or not to submit to arbitration any question which we may see fit; but, of course, we would not submit to arbitration our sovereignty.

Mr. JONES of Washington. I have had no question about that with reference to this compact, and I have not construed the arguments which I have heard—and I have heard a great many of them—as contending that we would be required to submit any of these questions to arbitration, because it has seemed to me that, if this instrument is clear in any one thing, it is clear with reference to the matter of arbitration.

Mr. McCUMBER. It is for us to decide what we may submit to arbitration and what we may decline to submit to arbitration.

Mr. JONES of Washington. It rests entirely with ourselves.

Mr. McCUMBER. What we should in honor be bound to submit to inquiry would rest with us. I consider the question of submitting to inquiry one of the most valuable propositions in the whole text of this agreement.

Now, let us follow further. Article 15 provides:

> If there should arise between States, members of the league, any dispute likely to lead to rupture, which is not submitted to arbitration as above—

Not that "which is submitted," but that "which is not submitted to arbitration as above"—

> the high contracting parties agree that they will refer the matter to the executive council.

That answers the question whether it is our duty to refer almost any complaint to the executive council. I think that it is strong enough. It compels us to submit it for inquiry and there is no reason why we should not. But that is all we do. We submit it so that all the nations of the world, and especially the two nations that are vitally concerned, may understand the attitude and the claim of the other nation. If it is a foolish claim, it would be ruled out of court.

Mr. JONES of Washington. Mr. President, I think probably the Senator has already answered this question; but, as I understand, under that article any question can be put into a state of inquiry, it does not make any difference what it is?

Mr. McCUMBER. Yes.

Mr. JONES of Washington. Whether the question be domestic or otherwise, it can be put into inquiry?

Mr. McCUMBER. Yes; they agree, if it is one that tends to create such trouble as will bring on war; that is, if it is liable to bring on war, they will submit to this council their claims and the claims of the complainant, in order that publicity may be given, not for decision but for publicity.

Now, let us follow the same article——

Mr. JONES of Washington. Will the Senator let me ask him another question right there, to get his opinion?

Mr. McCUMBER. Certainly.

Mr. JONES of Washington. Who will determine whether this or that question is liable to lead to war?

Mr. McCUMBER. There is just one way of determining it. That must be determined by the individual nations themselves. There is nothing compelling the council to pass judgment upon what particular things are liable to tend to war. The nation itself agrees, and it binds its honor that if an occasion arises that threatens the peace of the world, even though it be a nonjusticiable question, it will nevertheless submit it to inquiry. It does that in order to maintain the peace of the world.

Now, following on—

For this purpose the parties agree to communicate to the secretary general, as promptly as possible, statements of their case with all the relevant facts and papers, and the executive council may forthwith direct the publication thereof.

That is what is done. They present their cases to this council for the purpose of having publicity given to their claims. The people of the world are sufficiently intelligent in this age that if they thoroughly understand a question and the injustice of a proposed war they will not back the war. I do not believe for a single moment that Germany would have gone to war if the Germans had understood that it was to be a war of aggression only and for the purpose of robbing France of a portion of her territory. Perhaps I am mistaken; but certainly it would have been a mighty check upon German military morale, and it would have taken the heart out of the German soldiery had they thought that they were fighting a war of aggression and injustice and not fighting a battle to defend their fatherland as they had been led to believe they were doing. Again:

Where the efforts of the council lead to the settlement of the dispute, a statement shall be published indicating the nature of the dispute and the terms of settlement, together with such explanations as may be appropriate.

The whole of that portion of this article is for the purpose of enlightening the people of the contesting nations.

If the dispute has not been settled, a report by the council shall be published, setting forth, with all necessary facts and explanations, the recommendation which the council thinks just and proper for the settlement of the dispute. If the report is unanimously agreed to by the members of the council other than the parties to the dispute, the high contracting parties agree that they will not go to war with any party which complies with the recommendations, and that if any party shall refuse so to comply the council shall propose measures necessary to give effect to the reason.

We have heard that construed to mean that a nation can not defend itself. All this instrument does is to declare and to present the means necessary to prevent one nation from making a war of aggression against another. There is not a syllable in it that prevents a nation against which war has been made from defending itself then and there; and it not only allows the nation against which war has been made to defend itself, but in honor it requires all the other nations to come to its defense. How, then, can it be argued that this compact renders us helpless when it calls to our assistance every nation of the world if we are attacked from an outside source for an unjust purpose? I will speak later of the provision relating to armaments.

If no such unanimous report can be made, it shall be the duty of the majority and the privilege of the minority to issue statements indicating what they believe to be the facts and containing the reasons which they consider to be just and proper.

All of that is published, so that the nationals of each government will fully comprehend what the nationals of the other government claim, and they will be able to pass judgment upon the justice or injustice of each proposition.

Now I return to article 10——

Mr. JONES of Washington. Before the Senator leaves the subject he has been discussing, will he permit me to interrupt him again?

Mr. McCUMBER. I yield.

Mr. JONES of Washington. I wish to ask the Senator a question based upon a concrete proposition under that article. Suppose that a controversy with reference to immigration should arise between this country and Japan and should be taken before the council, or, under the provisions of the document, should be taken before the body of delegates, and suppose that body should be unanimous against our contention—that may be, and I think probably is, a violent assumption, but it is possible under this compact—what would be the effect? What would we be required to do, and how could we be compelled to do it, or what obligation really—and this is what I want to get at—what obligation would rest upon us under this compact?

Mr. McCUMBER. In the first place, I will answer that we never would submit such a question to arbitration; we could not submit it to arbitration——

Mr. JONES of Washington. I know that.

Mr. McCUMBER. Any more than we could surrender the entire United States to another power.

Mr. JONES of Washington. I know that. I am making no question now with regard to the arbitration features.

Mr. McCUMBER. I am going to follow it out.

Mr. JONES of Washington. It is the inquiry provision that I have in mind, although it has seemed to me that the Senator puts some in an attitude with reference to arbitration that they really do not assume.

Mr. McCUMBER. I think I understand the force of the Senator's inquiry, and I will try to answer it.

Mr. JONES of Washington. I can see nothing that is uncertain about the matter of arbitration. I do not believe that we are compelled under this compact to submit any question of any kind or character to arbitration.

Mr. McCUMBER. No; we are not so compelled.

Mr. JONES of Washington. But we can submit any question to arbitration if we want to do so, but in regard to submitting questions to inquiry the Senator agrees with me that under the terms of the instrument any question can be forced to an inquiry. Now, suppose the immigration matter should go to inquiry, the body of delegates—suppose it is taken to the body of delegates, as this document provides—the body of delegates outside of those of Japan and ourselves may be unanimous against us. In that event what would be the obligation upon us by this compact, and what steps could be taken to compel us to do what the other nations thought we ought to do?

Mr. McCUMBER. The Senator is proposing what to me is an inconceivable case; nevertheless I will answer it, and I will answer it in this way: Suppose that the Senator from Washington, the Senator from Minnesota, and myself should agree that we would submit to each other, or to the agents of each other, questions that would affect our friendly relations, and that one of us would, under that pretext, submit the question whether or not two of the parties to the agreement should take the life of the third party.

That is exactly as conceivable to my mind as the proposition which the Senator suggests on which to base my answer. I would reply: "That is my life; I will never agree to submit my life and my liberty to you; I never authorized you, and could not authorize you under my agreement with you, to consider the question of the right of either one of you to destroy me. On the contrary, the only agreement that I have made with you is that you will respect my life, independence, and liberty, and, therefore, instead of making an agreement to slaughter me, instead of making an agreement to take away my life and my liberty, I can call upon you to defend me, not only as against yourselves but against anyone else." Everything in this instrument is based upon that which I have read in the preamble and article 16, namely, to protect the territorial and political integrity of each nation; and, therefore, if all of them should unite in deciding such a question, if that were possible, we would refuse to abide by the decision, because every one of them that united against us would have grossly violated the agreement, and that violation would relieve us.

Mr. JONES of Washington. Mr. President, I do not believe I can look at it quite as the Senator does. It seems to me, when we enter into this compact, we agree by that very act to permit every question to be submitted to inquiry, and we also agree that if, upon that inquiry, the body of delegates, outside of the two contesting parties, is unanimous in the decision upon the inquiry against one of the parties——

Mr. McCUMBER. I understand the position of the Senator, and I will answer it.

Mr. JONES of Washington. That the executive council "shall propose measures necessary to give effect to the reason." It seems to me that we are in honor bound to abide by the decision reached and that we consent that the other nations can

take whatever action they deem proper and best to enforce their decision.

Mr. McCUMBER. Mr. President, the Senator has taken merely part of the clause and is construing it as though there were nothing else left in the instrument. Every part of the instrument must be given force and effect; we must construe its provisions together; and we must construe them as intended to carry out the main purpose enunciated.

Mr. JONES of Washington. Mr. President——

Mr. McCUMBER. Just a moment; let me make that clear to the Senator. We get right back to article 10, which provides that—

> The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league.

That is the gist of the whole proposition, namely, to protect political independence—and that means the sovereign independence—and territorial integrity. If you should give it a construction that any number of the nations could agree to destroy the political and territorial integrity of another nation, you would give it a construction that is opposed to the basic proposition of the whole scheme.

Mr. JONES of Washington. I want to say to the Senator that in construing this instrument I want to take everything into consideration, and I want to consider it in a spirit of hoping and attempting to reach some conclusion that will give us some organization or body that will keep the world at peace and prevent war. I think I am approaching this compact in about the same spirit as the Senator from North Dakota is approaching it, and I merely wish to get his views with reference to these matters. Does not the Senator think that it would be in the interest of peace and in the interest of avoiding controversy if we would expressly provide that domestic questions shall be excluded not necessarily from arbitration, for they are already excluded from that, but excluded from inquiry?

Mr. McCUMBER. I would not only put that in, but, in order to take it out of the realm of cavil and senseless objections, I would also put in the declaration that this shall not be construed to interfere with the policy of the United States, as heretofore enunciated, under the Monroe doctrine. I would have both of them in.

Mr. JONES of Washington. All right. I will not bother the Senator with any more questions on that subject.

Mr. McCUMBER. The point I am making is that there is nothing in it that is inconsistent; but, in order to prevent useless cavil, I would have those provisions inserted in the instrument itself.

Mr. JONES of Washington. Mr. President, I think the Senator agrees with the contention that this instrument, important as it is, perpetual as it seems to be, should be made clear, definite, and certain?

Mr. McCUMBER. Yes; and I agree that in some respects it is not as clear and not as definite and not as lucid and certain as it could be made. What I am contending is that it is not subject to the criticism that has been urged against it and the construction that has been given to it.

Mr. SMITH of Michigan. Mr. President, will the Senator allow an interruption?

Mr. McCUMBER. Certainly.

Mr. SMITH of Michigan. I gather from the reply of the Senator from North Dakota to the Senator from Washington that he has a strong faith and belief in the efficacy of the Monroe doctrine.

Mr. McCUMBER. As I construe the Monroe doctrine; yes.

Mr. SMITH of Michigan. Well, the Senator of course must construe it to mean that attempted interference by European powers with the affairs of the Western Hemisphere would not be looked upon with favor.

Mr. McCUMBER. I am going to comment upon the Monroe doctrine, so at this time I will not attempt to go into just what it means.

Mr. SMITH of Michigan. All right. I will leave this suggestion with the Senator: How can the Senator hope to maintain the efficacy of the Monroe doctrine when controversies between States of the Western Hemisphere may be referred to this council of the nations? There may come a time when the attempt to interfere would provoke the withdrawal of the United States from the league of nations; but the United States might withdraw from the league of nations and leave the States of South America with a controversy for the solution of which they might depend absolutely upon the league of nations. Now, certainly if the United States of America is out of the league, and the States of Brazil and the Argentine and Mexico are a part of it, ready to submit their controversies to it, we have not only lost our power to control affairs in this hemisphere, but we have arrayed every State of the Western Hemisphere, perhaps—at least, every State that is a member of the league—against us in our attempt to do it.

Mr. McCUMBER. Why, Mr. President, if we are out of the league we are bound by nothing that is provided in the league constitution.

Mr. SMITH of Michigan. No; but we have lost our allies. Heretofore we have said that European States must keep their hands off the States of this hemisphere; and yet we are opening the way for them to make alliances with the European States against ourselves.

Mr. McCUMBER. Not at all, Mr. President. On the contrary, every nation that agrees to this compact says that not only shall the Monroe doctrine of "Keep your hands off" apply to each South American State, but it shall apply to the whole world. "Keep your hands off" will become a universal doctrine, and not a doctrine that is enforced only by the United States; but I want to say to the Senator that I shall reach the Monroe doctrine in a moment.

Mr. SMITH of Michigan. Take the case of Mexico, with which the Senator is very familiar. I do not want to impose myself upon him against his will; but every other first-class country, every other country signatory to this league of nations, recognized the government of Huerta as a constitutional government, while ours did not. Suppose we had been members of the league of nations and the question of the bona fides of Huerta's title and his acts as the head of a neighboring State had been taken before that European tribunal. I should like to ask the Senator what would have been the likely attitude of those States, when every one of them had recognized the Huerta government and was in favor of impressing that recognition upon the world?

Mr. McCUMBER. I will answer the Senator. The recognition of any government by any other government does not impose upon the latter the necessity of maintaining the former.

Mr. SMITH of Michigan. No; but——

Mr. McCUMBER. It has nothing to do with it. It does not make any difference whom we recognize as being President. Every European power under this compact must say, "We will keep hands off of Mexico." Now, that is all that it agrees to do, and then we say that we have got to keep our hands off.

Mr. SMITH of Michigan. If that is true, then it opens up the way for war by our Government upon Mexico, does it not?

Mr. McCUMBER. Opens up the way?

Mr. SMITH of Michigan. Yes.

Mr. McCUMBER. I can not understand the Senator.

Mr. SMITH of Michigan. If we have any controversy there, and the world has no controversy with us about it, then, if our controversy is of such a character that it can not be settled by peaceable means it will be settled by war. Now, the Senator knows as well as I do that we have had serious differences with Mexico. We even went to war with Mexico. Our fleet was sent to Vera Cruz—sent there by the President without the consent of Congress, because the fleet was on its way before Congress was invited to take part. Suppose that question had been taken to this high court and had gone into cold storage with our American rights for at least three months. During all that time the bandits who caused the differences between us could have roamed at will over the American border and no one could have raised a hand against it. If that kind of a situation is to exist, it means misunderstanding instead of understanding.

Mr. McCUMBER. The Senator raises two questions, and I will answer them both.

Mr. SMITH of Michigan. I should like to have the Senator do so, because I know he is familiar with them, and I know he is frank and honest and fair and able and patriotic.

Mr. McCUMBER. I propose to answer both of them.

The first question is whether or not we bind ourselves not to make an aggressive war against Mexico. I am perfectly candid in saying that we bind ourselves by just what the other nations bind themselves by.

Mr. SMITH of Michigan. But they have not a grievance.

Mr. McCUMBER. Just a minute; I am speaking of this agreement. This agreement says that no nation shall conduct a war of aggression against another nation. This agreement says that each nation must respect the territorial and political integrity of every other nation that is a party to the league. I am not sure that it does bind us, even with reference to Mexico, unless Mexico becomes a party to the league; but I will assume that she is a party to the league. Then it binds us to let Mexico alone, if Mexico lets us alone.

Mr. SMITH of Michigan. All right, but——

Mr. McCUMBER. Just a minute; but it does not bind us not to conduct a war of self-defense. When Villa, commanding

or having charge of a large portion of Mexico, invaded the United States, Mexico, or that portion of Mexico, committed an act of war against the United States. Then, when another nation makes war against us, and when they commit an act of war, we have a right to "call their hand" immediately.

Mr. SMITH of Michigan. But——

Mr. McCUMBER. A mere dispute, a mere breaking over of a little gang, and perhaps murdering some American citizens, would not be necessarily a cause of war.

Mr. SMITH of Michigan. It would depend upon who was President of the United States.

Mr. McCUMBER. Certainly, it would depend upon the President of the United States, together with the Congress of the United States. We can defend ourselves. Any nation against whom war is made can defend itself. It only agrees not to make a war of aggression, a war of conquest, against another nation. Now, I might admit that it would be very nice for us if we could enter into an agreement with all of the great nations of the world that they should not make an unjust war against any other nation, but that we should have that privilege. But, of course, we can not make any such agreement, and we ought not to make any exception in our favor.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from North Dakota yield to the Senator from Montana?

Mr. WALSH. Will the Senator permit an inquiry concerning the article under consideration?

Mr. McCUMBER. Yes.

Mr. WALSH. In the case of a controversy such as would fall under the provisions of article 15, if it should be submitted to the council, no action would be taken unless the decision of the council were unanimous.

Mr. McCUMBER. That is true.

Mr. WALSH. If it were not unanimous, the respective contentions of the parties would be placed before the world. Any party to the controversy, however, may demand that the matter be determined by the league as a whole under a subsequent clause:

The executive council may in any case under this article——

Mr. McCUMBER. Will the Senator inform me from what portion he is reading, so that I may turn to it and understand it?

Mr. WALSH. I am reading from the last paragraph of article 15:

The executive council may in any case under this article refer the dispute to the body of delegates. The dispute shall be so referred at the request of either party to the dispute, provided that such request must be made within 14 days after the submission of the dispute.

What I want to inquire of the Senator is, If a dispute should thus be referred—a dispute which would ordinarily come before the council for determination, but which is referred to the league upon the demand of either party to the dispute—would it require a unanimous decision by the league in order to have any action, as unanimous decision is required by the members of the council, or would the majority of the league be sufficient to make a determination that would be enforced as provided in the article?

Mr. McCUMBER. I understand that if the report is unanimously agreed to by the members of the council other than the parties to the dispute, the high contracting parties agree that they will not go to war with any party which complies with the recommendation, and that if any such parties shall refuse so to comply the council shall propose measures necessary to give effect to the decision; and if no such unanimous report can be made it shall be the duty of the majority and the privilege of the minority to issue statements—well, I think that that, of course, is a majority and the minority of the council—to issue statements indicating what they believe to be the facts and containing the reasons which they consider to be just and proper.

Mr. WALSH. Exactly. If there is a unanimous decision, and one of the parties does not comply with the decision, then the council considers and proposes measures for the enforcement of the decision. If it is not unanimous, then they do not propose any measures for enforcement at all, but the majority states its views and the minority states its views. But, now, under the succeeding section either party to the dispute may ask a determination of the controversy by the league itself instead of by the council, the Senator will observe.

The Japanese immigration question has been suggested. Let us assume, for the purpose of the discussion, that this is a matter which may come under consideration by the league. It is submitted, we will say, by Japan, and it would come under this clause. If there were a unanimous decision, and either party declined to observe the decision, then the council would propose measures for the enforcement of the decision; but we will say that we ask, under the last paragraph of article 15, that the controversy or the dispute be determined not by the council but by the league itself; that is, by the body of delegates. What kind of a vote in the body of delegates would determine it? In order to get action at all there must be a unanimous vote in the council; but we take it away from the council, and we leave it now to the league.

Mr. McCUMBER. I should think, Mr. President, that with the league itself probably they would require the same unanimous consent, and I take it from the reading of the whole instrument itself; but, as I have stated before, there are sections that are not clear, not as definite as they should be made.

I am not contending that we have here a perfect instrument. I admit that it is loosely drawn in some respects, and that it is not clear and as definite as it should be made. The only contention I am making is that much of the criticism, and most of it, is without foundation under the terms of the agreement.

Mr. WALSH. Mr. President, I merely desire to add that there is some obvious obscurity there. I rather agree with the intimation of the Senator that it is presumable, at least, that unanimous decision would be required from the members of the league in a case of that kind as a prerequisite to action, inasmuch as unanimous agreement on the part of the council is necessary. If that is the case, then action would never be taken against us on the immigration problem so long as one nation agreed with our contention.

Mr. McCUMBER. I go further than that and say that no action will ever be taken against us upon an immigration question, because that is a part of the political integrity of this Nation to govern its own domestic affairs, and that is protected by the declarations of article 10 and can never be questioned.

Now, Mr. President, I want to consider article 16, which has been so violently criticized on the ground that it forces us into a war whether Congress declares war or not. Let us see if that is its meaning.

Article 16 reads:

Should any of the high contracting parties break or disregard its covenants under article 12, it shall thereby ipso facto be deemed to have committed an act of war against all the other members of the league.

Now, what is article 12, whose abrogation would make the nation guilty of abrogating it subject to war by the other contracting parties? You turn right back to article 12, and it is simply this:

The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy they will in no case resort to war without previously submitting the question and matters involved either to arbitration or to inquiry.

Of course, if one country immediately begins a war without offering to submit to arbitration or without offering to submit even to inquiry the question in difference between it and another country, it has broken the obligations of its contract; and having entered into a war contrary to its agreement, of course it has put itself in an attitude of war against all the others, and they may unite or they may not unite in order to prevent the accomplishment of its purpose.

But even then you do not have to go to war. Let us see what follows:

And that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council.

This is a case where the award has been made. If you once submit the question to arbitration and the arbitrators declare that you should pay, say, a given sum, and the other nation says that the arbitrators have not awarded a sufficient sum, nevertheless it will not go to war against the other nation if that nation offers to pay the award allowed. Now, that is just what every nation which submits a controversy to arbitration ought always to do, namely, be satisfied with the decision.

Coming again to article 16—

The high contracting parties agree further that they will mutually support one another in the financial and economic measures which may be taken under this article in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will afford passage through their territory to the forces of any of the high contracting parties who are cooperating to protect the covenants of the league.

Well, that is nothing more than what our present agreement is. We divided the responsibility, we assisted our cobelligerents of this war financially and in many other ways. We agree under this compact that we will do just what we did in this war. If we once enter into war we will proportion the obligations; but it does not allow the council to determine that question. It puts it back, after all, to the nation making the

war to do its just part in bringing to a successful termination the war into which it enters.

Mr. President, I do not care to read any more of these particular articles, but I want to just refer to two or three objections that have been made to-day and at other times in the discussion of this compact.

Great complaint has been made because they say that we would be outvoted in this league. Then nine Senators never could safely agree to submit their individual differences to the combination of all of them, because eight of them might be against a single one. Therefore, you never can make any kind of an international agreement that will take in more than your nation and one other nation, because if you take in three nations, of course, two will be a majority. Therefore, inasmuch as you are placed in the position whereby you may be outvoted, you never should enter into an agreement with more than one nation, in order that you might have an equal vote. Well, Mr. President, if that is our attitude, if our attitude is that we must always have the controlling vote or an equal vote as against all the world, then, for Heaven's sake, let us rid ourselves of this proposition and not spend time on it, for we could not seriously ask other nations to submit themselves to be outvoted, while we decline to submit ourselves to the same condition. Outvoted? Of course we are outvoted in all our relations with each other. Every State that entered the Union entered with but two votes in the Senate. Therefore, it might be outvoted by the other 47 States, and, therefore, it ought never to have gone into the Union, because it subjects itself to such a dangerous situation.

Mr. President, when we entered into the obligation which created us a Nation, the States were jealous of each other, They were fearful that the big States might obtain an advantage over the little States. Therefore, they provided that at least in one branch of the Government the vote of each State should be equal to the vote of any other one State. Had we not agreed to that proposition we never would have had any Union, we never would have had the United States. If we enter into a combination with Greece as one of the component nations of the compact, certainly we have to give Greece a vote the same as the United States; we have to give France, which is only one-half as large in population as the United States, an equal vote; and we have to give Britain and we have to give every other self-governing nation an equal right. If we are so everlastingly suspicious, so fearful in this great State, which is ten times more powerful than the average State in the world, that some of the others will get the advantage of us, why, of course, we do not want to enter into any compact.

Mr. SMITH of Michigan. Let me ask the Senator how many votes we have in the executive council? We have one vote in the council?

Mr. McCUMBER. Yes.

Mr. SMITH of Michigan. How many do we have in the league? I mean, now, in the general legislative body of the league? One.

Mr. McCUMBER. Each has one vote.

Mr. SMITH of Michigan. How many votes has Great Britain?

Mr. McCUMBER. Great Britain has one vote. Canada would have a vote as an independent, self-governing power. Greece would have a vote——

Mr. SMITH of Michigan. But let us finish up with England.

Mr. McCUMBER. Greece would have a vote although she has not half the importance of Canada. Serbia might have a vote, although she would not be half as important as some other dominion.

Mr. SMITH of Michigan. How many votes has Great Britain in the general body?

Mr. McCUMBER. Great Britain and Ireland and Scotland and Wales have one vote. The separate dominions would have another vote apiece.

Mr. SMITH of Michigan. They have five votes in the final analysis, do they not?

Mr. McCUMBER. All right, go ahead.

Mr. SMITH of Michigan. I should like to have the Senator admit it or deny it.

Mr. McCUMBER. I have stated that each one of those Dominions has a vote. Then why does the Senator from Michigan ask me again to admit it or deny it?

Mr. SMITH of Michigan. I asked for this reason——

Mr. McCUMBER. Have I not made myself clear?

Mr. SMITH of Michigan. It is a well-known fact that while Canada, with an empire as large as our own, has practically an independent autonomy, it has no independence when it comes to foreign affairs. Canada can not ratify a treaty with the United States. If we were to pass a treaty here this afternoon, we would pass it with Britain concerning Canada, and Canada would not even necessarily be consulted about it. The King on his throne in England can exchange ratifications without a word from the Canadian Parliament. Then I say in the final analysis they have five votes to our one.

But I want to go one step further. If Japan seeks to have a review of the controversy with this country over any question, that moment the United States has no vote. Is that an advantage or a disadvantage? We give to the great Empire of Britain 5 votes, and on that theory any controversy with Britain would only deprive her of 1 vote. She would still have 4 votes in the council. She would still have from her self-governing colonies earnest and active representation there. But with us, whether the controversy be with our neighbor at the north or with our neighbor at the south, or whether it be with the dominant power of the Far East, we are absolutely deprived of a voice.

I have always had my view that when the Senate of the United States was created and made a part of the treaty-making power of the Government every State in the Federal Union was protected by its representation upon this floor, and to enter a union of nations and empires where you must submit controversies without a vote is to submit this people to a very strange form of government which may become tyrannical and oppressive and harmful to our people.

I do not want to engage with the Senator. I know he is a patient man, but I can not help feeling a sense of the highest admiration for the skilled diplomacy of Great Britain, which for hundreds of years has followed with perfect continuity each retiring administration of its foreign affairs until they have the most perfect diplomacy in the world.

A controversy over the Panama Canal or the Nicaragua Canal, a controversy over the Hay-Pauncefote treaty, a controversy over the Rush-Bagot arrangement could be instituted upon any excuse, and instantly our mouths would be closed and we must leave to strangers the question of the protection of our rights. I think that is going far afield of the purposes of the founders of this Republic. If we have reached such a stage, we are much more impotent than it was ever intended we should be, because in our controversies with foreign States it has always been the pleasure of the President to initiate proceedings, and it has always been the duty of the Senators of every State in the Union to pass upon the merits of any controversy involving our relations with others.

I look with intensest apprehension upon farming out our rights, and I think the Senator from North Dakota is not quite as easy in his mind as he would like to be. I think if he were to have his way there is scarcely an article in this constitution of internationalism that he would not like to see a little more specific and plain. He is going to be here when this instrument arrives all wrapped up in tin foil and tied with a blue ribbon, perhaps having received the approval of Britain and France and Italy and these other States. He is going to be here, and I hope that his virile Americanism, which has asserted itself upon every occasion hitherto, will assert itself in favor of the maintenance of our sovereignty and our independence and our right to exist, notwithstanding the whims or the ipse dixits of other nations.

Mr. McCUMBER. Mr. President, I have heard the Senator from Michigan express himself so often and so forcibly against this country every entering into any kind of a treaty with any other nation upon the face of the earth to provide means to maintain the peace of the world that I know, while the Senator and I may agree upon what constitutes true Americanism, we do not agree upon what constitutes the attitude of the United States to the rest of the world.

The Senator from Michigan would have this country always on this side of the ocean, living in its splendid isolation, so that we could not interfere with what is being done across the ocean, and they could not interfere with us in respect to American question. I think that the world has been advancing. It has been advancing in the last 100 years, and it has been advancing more rapidly in the last 100 years than it advanced during the previous century, when Washington and Adams and others broke loose from the mother country and declared certain principles applicable to our relation to European countries. They took an advanced step. They took a step that was in conformity with their ideas at that time; but all progress did not die with that period of the earth's history.

We had at that time, Mr. President, no telegraph wires, we had no telephones, we did not even have a steamship upon the ocean; we had no way of communicating with any other country except through the slow ships that took from three to nine months to cross the ocean. To-day neighbor talks with neighbor from San Francisco to New York. To-day nation talks to

nation across the ocean. To-day we know everything that was going on in the world yesterday. To-day our ships sail to every section on the face of the earth. To-day we cross the ocean in from five to six days. To-day Great Britain and France and Belgium are far nearer to us than was Yucatan or any South American State during the days of Washington.

Principles have not changed, but all I claim is that conditions have changed and in such a manner and to such an extent that we ought to adapt our American policies to the world as it now exists. We suffered little when there was a war between Spain and Great Britain, or between Great Britain and France, or between Prussia and Austria a hundred years ago; but to-day we suffer whenever there is a war between any of the great nations of the world. It is our concern. Above all humanity, humanity is the concern of the American people. I deny the application of that splendid isolation theory of which the Senator talks when it takes us from out the family of nations. I deny that we have no interest in the bloody conflicts that are destroying peoples who are just as noble as we are, people of our own blood and kin.

All my ancestors were from Britain; they were from Scotland and England and Ireland. I do not think we have so changed our nature that we can now claim that we are so superior to the nations from which we sprang. They have the same ideals, they have the same impulses. The mothers love their boys whom they send to the cannon's mouth as much in Britain and France and Belgium as do mothers in the United States.

If war is necessary for the world's progress, if it is necessary to murder 20,000,000 people of the globe in order that the world may progress, Senators who hold that view ought to vote against any means to prevent a repetition of this war. I do not believe war is necessary for the world's progress or happiness, and therefore I want to do what I can to stop it.

Mr. SMITH of Michigan. Mr. President, if I do not interrupt the Senator, I wish simply to say to him that I am not out of accord with the Senator about a desire to prevent war. I am not at all out of accord with the Senator in my desire to be friendly with other people. I glory in the advancement and progress of civilization. I simply object to an international marriage by Columbia with four or five European States, with irreconcilable differences, aims, and tendencies, unless such antinuptial agreement is made assuring our domestic freedom, at least. I simply object to our marrying France and England and Italy and Japan all at one time. I do not believe it is necessary for us to make common cause with them for all time and under all circumstances. We have a strong, powerful influence in the world, and to pledge the balance of power which we hold in advance of every controversy that may arise between the nations of the earth is going too far; to pledge this balance of power in advance to every controversy that may arise anywhere on the surface of the earth is too much for us to undertake.

The German Emperor once said to me in his palace that America held the balance of power in the world. It made my heart beat with pride; it made me happy in the thought that in every just controversy concerning our people we were able to take care of ourselves. We have proven to the world that we hold the balance of power, and we should hold it unpledged.

Mr. McCUMBER. Mr. President, the Kaiser was just tickling the vanity of the Senator along that line.

Mr. SMITH of Michigan. The Kaiser was not tickling my vanity, but I think the King of England is tickling the Senator's vanity and the vanity of the American peace delegates.

Mr. McCUMBER. The Kaiser never thought that we were a greater power than he was. He has always taken the position that he was the great and only thing on the face of the earth.

Mr. SMITH of Michigan. Well, Mr. President, he has been disabused of that error.

Mr. McCUMBER. If the Senator wants to draw any pleasure from the Kaiser's little statement in the palace that this was a great country——

Mr. SMITH of Michigan. Well, Mr. President, I will withdraw that, as it is of little importance now.

Mr. McCUMBER. I am perfectly willing that the Senator shall get such pleasure as he sees fit out of it.

Mr. SMITH of Michigan. Events have proven his statement to have been true.

Mr. McCUMBER. I want to continue with this argument.

Mr. SMITH of Michigan. I want the Senator to continue.

Mr. McCUMBER. As you know, we have to adjourn to-morrow at noon.

Mr. SMITH of Michigan. I want the Senator to continue, of course; I am not going to interrupt him any more. I hope he will extract all the pleasure he can out of the intimate personal friendship which the ruling powers of the world have for the United States at the present time. He is welcome to all that. If it does not concern our welfare to scrutinize each act of the Paris conference, then I mistake the function of the American Senate.

Mr. McCUMBER. Ah, Mr. President, we want to scrutinize each act, but the Senator is not in favor of any kind of treaty, as he has suggested time and time again, to maintain the peace of the world.

Mr. SMITH of Michigan. The Senator does me wrong.

Mr. McCUMBER. Mr. President, when we listened to the cry of Cuba in 1898, and went to the relief of Cuba, we did not marry the Cubans.

Mr. SMITH of Michigan. No; we did not; neither did we marry Spain.

Mr. McCUMBER. When we freed 3,000,000 slaves we did not marry the slaves, but we did an act of justice toward an enslaved people.

Mr. SMITH of Michigan. When we went to war with Spain on the Cuban situation we did listen to the cry of humanity and we went to their relief, and I was one of the men who voted in favor of it. I helped send this Government to the relief of the starving people of Cuba; I have always rejoiced in it; but it was not necessary that we should remove our Capital from Washington to Habana in order to accomplish any good for those people.

Mr. McCUMBER. Let the Senator take that up with the President about removing the Capital. I am neither defending nor am I in any way approving of the action of the President. I am simply giving my own views of the construction of this article which is being discussed.

Mr. BANKHEAD rose.

Mr. McCUMBER. I yield to the Senator for a question, though I want to get through.

Mr. BANKHEAD. I did not want to ask the Senator a question, but I desire to notify the Senator that, under the rule, if he yields for any more Senators to indulge in debate I shall invoke the rule, and he will lose the floor.

Mr. McCUMBER. I hope Senators will take notice of the statement of the Senator from Alabama.

Mr. President, this instrument has been criticized because it provides for a reduction of armaments, and Senators declare that we are not only surrendering our sovereignty, but are depriving ourselves of our means of defense when we shall be attacked by the entire world. Mr. President, everyone on this floor has expressed himself in favor of devising some possible means to stop this insane determination of each nation of the world to outdo the other in armaments. We have seen the nations for years groaning under the mighty load of armaments and the taxation which is necessary to sustain them, and we have been asking ourselves where will it all end? There was but one answer.

The biggest nation, the richest nation, the most populous nation will in the end bankrupt every other nation. Then that nation, of course, will be supreme. In the Western Hemisphere, probably the United States; in the Eastern Hemisphere, if Great Britain could not keep ahead of Germany—and Germany was rapidly approaching her—it would be Germany.

But we have thought that there ought to be some means to lessen these armaments. Every Senator knows that instead of armaments being security for peace they are the surest incentive for war. Of course, if there are two nations adjoining, and one of them has an eye upon the territory of the other and creates a great army and a great navy the neighboring nations will have to do the same to defend itself. In that respect these armaments may prevent war until one nation gets so supremely greater than the other that it feels certain that with its army and its navy it can crush the other nation.

Great Britain has been listening for years to the philosophy of German orators, German scholars, and German military men that the duty of Germany was first to crush France, seize French territory, get control of Belgium, and then strike at Great Britain. Naturally, Great Britain said, "Germany has double the population of England; therefore I can not put an army in the field that will equal Germany's."

Germany can live within her own territory and upon her internal resources. We can not do that. We must draw sustenance for the support of our people from all over the world. Therefore when Germany builds one warship our very life depends upon our building at least two, for we must meet any combination of nations in the world against us. Now, if Germany had had no warships, Great Britain would not have needed to have built any. If the United States had none and none of these other great nations had any warships, none of them would need to build a warship to defend itself against the other.

We all believe that we should have a sufficient military establishment to protect ourselves against possible emergencies, but we all believe that there ought to be some means adopted to reduce these armaments. I want to ask any Senator how on earth are we going to do it? We can not leave it, as it is said, to the two nations. If you left it to Great Britain and Germany, they would never agree upon which should have the bigger army or the bigger navy. If you left it to the United States and Great Britain, we never would agree. We would say, "We might get into war with you at some time, and therefore it is necessary that we have a navy at least as big as yours." Great Britain would answer, "Inasmuch as you can throw the soldiery from 100,000,000 people across the line, my only safety will be in having a bigger navy than you have." Thus we never would arrive at any agreement.

Now, it is easy, Mr. President, for Senators to criticize, but some one besides the two nations or the three nations involved must determine that question. Therefore, they say in this instrument we will leave it to this council to determine what it thinks a fair balance of power in armaments. The council decision does not bind us. Each nation takes back to its own people the question whether it shall agree to the suggestion of the council. If it agrees, of course it binds itself not to increase its armaments without the consent of all the other Governments, whose interests are also to be taken into consideration.

Mr. President, we talk about this being in defiance of our Constitution. Senators say that by this provision we are running in conflict with the Constitution of the United States, which provides that the Congress shall declare war and raise armies and navies. Oh, Mr. President, it seems to me that that is almost a childish construction of our Constitution. Of course Congress would have to raise the Army; of course Congress would have to determine what the size of the Navy should be. All this does is to suggest to Congress what it should do in the premises.

A few years ago we entered into an agreement with Great Britain whereby we agreed to take our warships off the Great Lakes, and Great Britain agreed to take her warships off the Great Lakes. We entered into an agreement whereby Great Britain agreed to have no forts and no cannons on the Canadian border pointing toward the United States, and we agreed that we would have no fortifications with mighty guns pointing toward Canada. We knew and the Canadians knew that if each of us had warships upon the Great Lakes we would be looking as suspiciously and as angrily toward each other as a couple of bulldogs, each eager to test its fighting prowess. We knew that if we had artillerymen manning cannon on this side of the line and we were facing cannon that were pointing to us from the other side, the chances were that instead of being instrumentalities of peace they would be instrumentalities of war.

We all know that every organ seeks always to perform its function. The natural function of any army is to fight; and therefore, if you create an army, if you organize artillerymen and place in their hands a cannon, their natural inclination is to want an opportunity to fire it. That is human nature. You take away the chance of war when you take away the means of making war.

Ah, Mr. President, if Germany had not had a navy and if Germany had not had an army all equipped there would have been no great European war. I want to see armaments reduced to such an extent that we can utilize the energies of the people of the world toward making the world more beautiful and a better place in which to live. Across the Capitol grounds is a beautiful monument, the Congressional Library, good for 2,000 years. That building did not cost more than one-third as much as one ugly battleship that would not last longer than five or 10 years and 50 of which might be sent to the bottom of the ocean in a single day. I am in favor of a sufficient number of warships; but I am in favor also of a reduction of armaments in order that the energies of the world may be directed toward upbuilding the world and giving the people of the world comforts that ought to be within the reach of all the people.

When we entered into the agreement to take the warships off the Great Lakes we thereby reduced our armament. No one ever claimed that we exceeded our authority. We limited our armament and Great Britain limited hers, and that has tended as much as any one thing to maintain peace between the English-speaking people. We did not override the Constitution in making that partial reduction of armaments and we would not wreck the Constitution in extending the same principle to include all nations.

Mr. President, I feel that I ought to say a word about a little discussion that took place at the White House the other evening. I would not mention it were it not for the fact that wrongful statements in regard to it have already been published. I think I am as good a Republican and stand as firmly on Republican principles as any Member of the Senate; but I do not feel that I am every justified in misstating the position of a Democrat, whether he be in the Senate of the United States or whether he be the President of the United States; and I wish to say as a Republican, because heretofore the statement has only come from the Democratic side, that when the Committee on Foreign Affairs of the House and the Committee on Foreign Affairs of the Senate dined with the President the other evening nothing could have been more fair than his presentation of the case. He subjected himself to every inquiry that might be made and answered every inquiry fairly and justly and in a spirit of conciliation, with a desire to make all matters perfectly clear.

The assault which has been made upon him by Senators, if they made it—and I doubt if they made it as it has been published—seems to me to be entirely unfounded. It has been stated that he proclaimed that if Ireland should rebel against Great Britain the American people would be required to take up arms to subjugate Ireland. Mr. President, no such statement was made. In discussing whether or not the instrument bound this country to interfere in case India or Canada or Ireland should seek to separate itself from Great Britain, he answered, "No; that is a domestic question, and we only agree to protect nations from a war of aggression waged by another nation." Everyone must agree with that construction. The instrument itself makes it absolutely clear that that is the intent, and no other intent was expressed by the President in that discussion. I say this simply because I feel that, inasmuch as the committees were treated with absolute fairness, we ought to treat our host with the same fairness as to what took place, if we are to mention it at all.

Mr. President, the Senator from Michigan [Mr. SMITH] presented to me the question whether I would agree that Canada should have a vote in the executive council. He assumes that Canada is simply a portion of Great Britain. Possibly I would not have drawn this instrument in the form which the delegates drew it; no one of us would have produced exactly the same instrument.

As a matter of fact, I have already placed before the Senate what I believe to be the things to which we should agree and the things to which we should not agree; and I shall not attempt in any way to reiterate them; but the President had to deal with other nations. Other American representatives were with the President. I do not agree with all of them, perhaps, but I have considerable confidence in the patriotism of Mr. White. I know that he is a good Republican. I know that when he accepted his position there he would not willingly surrender any important right of the American people. But, Mr. President, Canada is a self-governing people, and the Senator is mistaken when he says that Canada could not govern her own internal affairs. Canada makes her own tariff rates. Canada can not even be compelled, under the present policy of the British Government, to support Great Britain in a war. Great Britain has never attempted to compel any one of her colonies to respond and take up arms in her behalf. She has allowed them to decide those questions for themselves.

On the outbreak of the war the Canadian Parliament immediately met and said, "We are not compelled to go into this war; but it is our war; it is a battle for civilization, and we will fight the battle." We finally agreed that it was a battle for civilization, and we fought for the same grand cause.

I am not afraid of the Canadian people. We have had a great many arbitration settlements with Great Britain. Have we ever had occasion to say that she has not always fully responded to the arbitration agreements and has not made good any claim against her? In the Geneva award she not only submitted to the award, but we found great difficulty in finding a place to apply all the money she paid to us. Did the award look like a combination of European States against us? Again, we settled the boundary question between the United States and Canada. Great Britain selected the lord chief justice of England as one of her representatives, and that lord chief justice of England agreed with the American contention on every important proposition. We got what we wanted; and, even though the Canadians opposed it, the British representative agreed that the American claims were right, and granted practically all of the American claims, and, I think, very much more than we expected to get.

We have never had an arbitration, in my opinion, when we got the worst of it, whether it was with Great Britain or any other country.

I know that when we submitted the question of the Bering Sea, as to whether it was a closed sea or not, the world nations held that it was a part of the ocean. I think they were right.

I think that we were wrong in contending that it was a closed sea. That is the only case that I know of in which the decision was particularly against the United States.

Mr. President, all I think we ought to do is to be absolutely honest with ourselves. If we do not want any kind of an agreement to maintain the peace of the world, in Heaven's name let us say so and be done with it. If we do believe that we are in honor or in duty bound, if we do believe that there is any moral obligation resting upon this great Nation to assist in maintaining the peace of the world, then let us at least do what we can to assist other nations in making an agreement that we can all stand by.

I do not want to surrender the Monroe doctrine, and I do not think that we do surrender it. I am going to call attention to what the Monroe doctrine really is and see, then, whether or not, as a matter of fact, this league, as I have read it, does destroy that doctrine.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Massachusetts?

Mr. McCUMBER. I yield for a question.

Mr. WEEKS. I was going to ask the Senator what effect on the peace of the world he thought it would have had if we had made peace with Germany and insisted on the destruction of all arms, all men-of-war, and all munition factories in that country?

Mr. McCUMBER. I think, Mr. President, if we had carried it to all countries it would have had an excellent effect; but, of course, if one great nation is armed to the teeth, all other great nations must be likewise armed to protect themselves. I have covered that subject.

Mr. President, what was the Monroe doctrine? There is one clause in the Monroe doctrine that Senators have omitted in their discussion, and I want to read it. First, I want to read the principal declaration made by President Monroe in his message to Congress in December of 1823. He says:

> We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any part of this hemisphere as dangerous to our peace and safety.

That is only one of the clauses.

> With the existing colonies or dependencies of any European power we have not interfered and shall not interfere; but with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

Mr. President, the Monroe doctrine does not stop there; and here is the vital declaration in that, because it not only fixes the relation of other governments toward these governments of South America, but it fixes our own. Senators are arguing that we have no obligations incumbent upon ourselves under this doctrine; that our conduct is in no way limited. I insist that we have obligations that bind us under the Monroe doctrine. The closing declaration is this:

> It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

Now, there is the Monroe doctrine. Put down in simple words it is, "Keep your hands off, and we propose to keep our hands off of the independent nations in the Western Hemisphere." I know we have not followed that obligation at all times, but it is as much a part of the Monroe doctrine as any other declaration.

Mr. President, the Monroe doctrine does put us in the position of being big brother to all of these South American Republics, but I deny that it puts us in the position of being big tyrant to all of these southern republics. They can exercise whatever sovereign power we can exercise, with one exception. We say: "For your safety and our safety, you must not allow any other European nation to seize your territory or destroy your independence."

The United States says that no other nation shall lay its hands upon an American nation for the purpose of destroying its sovereignty or seizing its territory. This compact says that no nation in the world shall lay hands upon a South American nation for the purpose of destroying its sovereignty or to take possession of its territory. In the sense, Mr. President, that all the nations in the world agree to make the principles of the Monroe doctrine universally applicable, it may be said that the Monroe doctrine is merged in a world doctrine, but it is not destroyed in any respect.

Mr. COLT. Mr. President, may I ask the Senator a question?

Mr. McCUMBER. Yes.

Mr. COLT. Does not the Monroe doctrine go further, and forbid any Central or South American Republic from ceding any of its dominions or sovereignty to any European or non-American power?

Mr. McCUMBER. No; that is not going further. That is included in the statement I have made that the Monroe doctrine says to all European nations, and to all nations, "Hands off. It does not make any difference whether the territory is offered to you or whether it is taken by force. You must not take it."

Mr. COLT. Through the Monroe doctrine, in assuming that a South American Republic can not cede its territory, do we not virtually assume sovereignty over this hemisphere?

Mr. McCUMBER. No; Mr. President, we do not assume sovereignty over this hemisphere. We say, as a policy, that we will not allow any European nation to seize upon or take possession of the territory of any South American or any Republic in the Western Hemisphere, and we will not allow anyone of those nations to surrender its sovereignty to any European nation.

Mr. COLT. Supposing Brazil should say that the United States could not cede a naval base to Great Britain on her northern coast. Would not that be an exercise of sovereignty by Brazil over the United States?

Mr. McCUMBER. No.

Mr. COLT. And when the United States said, in the case of Yucatan, "You can not part with your sovereignty to Great Britain," and when it was said, in the Magdalena Bay resolution to Mexico, "You can not cede a naval base to Japan," that, in substance and effect, is, to my mind, the exercise of a superior sovereignty or overlordship by the United States over the Central and South American Republics.

Mr. McCUMBER. Mr. President, ceding a naval base to a European power is ceding the territory on which that base is located, and we, by our Monroe doctrine, declare that no nation of Europe shall obtain any of the territory. Therefore, of course, it would cover the cession of a naval base.

Mr. WADSWORTH. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from New York?

Mr. McCUMBER. I yield.

Mr. WADSWORTH. Does the Senator see anything in the proposed constitution of the league of nations which would forbid one nation ceding territory willingly to another?

Mr. McCUMBER. Mr. President, we discussed that the other day.

Mr. WADSWORTH. I should like to have the Senator's discussion.

Mr. McCUMBER. My opinion is that there is nothing in this instrument that in any way destroys the Monroe doctrine. There is nothing that allows one nation to seize the territory of another, and nothing is said upon the right of one nation to sell its territory to another. All that this agreement does is to say that no nation shall make war against any other nation for the purpose of aggression, seizing its territory, or destroying its political integrity. This instrument does not cover every possibility. I stated that before; and I have further stated that I think it ought to be amended so as to declare specifically that it is not an interference with the Monroe doctrine. I have stated that thrice, I think.

Mr. WADSWORTH. I was wondering why the Senator thought it ought to be amended to specifically take care of the Monroe doctrine, because he has just stated that it does not interfere with the Monroe doctrine.

Mr. McCUMBER. I do say that it does not interfere with the Monroe doctrine. I have stated, however, in order to meet any claim that it interferes, that it ought to be made certain and definite.

Mr. President, I want, just before closing, to discuss another feature of this matter. The Senate has before it Senate resolution 411. That resolution seeks to record the Senate in favor of the withdrawal of the soldiers of the United States from Russia and the abandonment of that country to its fate. While the resolution inserts the words "as soon as practicable," the intendment is that it is the duty of the United States—and that, of course, includes the concurrent duty of our allies—to abandon Russia to the mercy of Bolshevist savagery. Every speech made in support of that resolution is a speech which challenges our right of interference with the domestic affairs of Russia and binds us to abandon Russia to the robbing, murdering band of Bolshevists who, having seized all the resources of the Russian Government—its industries, its banks, its treasuries, and its transportation facilities, and having thereby gained such a mastery over the peasants and all others who believe in the rule of law and morality as to render their opposition impotent—are perpetrating atrocities unequaled in the world's long history.

"As soon as practicable," therefore, means, according to the idea of the proponents of the resolution, as soon as we can remove our troops from that country.

I am not surprised that those who are earnestly supporting this policy of retreat take occasion to declare that their position must not be construed as an expression of friendship or sympathy for the Bolshevists of Russia.

They do not want the American people, who listen to the purr of this accursed tiger under their soft caress, to get the idea that they are intentionally giving pleasure to the beast.

Their apprehension, Mr. President, that it might be so accepted is well founded. I was one of the three Members on this side of the Chamber who voted against that resolution. I did not vote against it because I felt that there was any real danger in the resolution itself, because practically it might be construed to mean almost anything you wish. I voted against it because I knew that its adoption by the Senate would give great aid and comfort to Lenine and Trotsky and their gang of brigands, murderers, and rapists. I voted against it because I knew that poor stricken Russia, looking with hopeful eyes to this Government to relieve it from its present awful condition of anarchy, would hear but the one note, abandonment to their fate. I voted against it because I knew that Lenine and Trotsky would hear nothing of the personal condemnation of their conduct, but only the record vote of the Senate of the United States approving their damnable reign of terror.

I can not but be somewhat surprised when I find these great orators condemning the President of the United States for his inaction in Mexico, condemning his administration in a thousand other ways, now most heartily supporting him in his purpose to exert no action in behalf of the oppressed Russian people—innocent people who are being murdered by the hundreds of thousands. I think the President should have intervened in Mexico to protect American lives and American rights. I believe that when the Mexican bandits under Villa invaded United States territory and murdered its citizens we should not have given up the chase of that bandit; that we should have followed him to the utmost confines of Mexico and captured him and his band, brought them back to the United States, and put them on trial for murder.

And if I believe that should have been our course in Mexico, by a thousandfold greater reason I believe that in a mighty world war, and in the reconstruction that must be had to maintain the peace of the world in the future, we should continue to fight our enemies in Russia just so long as those enemies fight us or our allies in Russia.

We are building up a cordon of little nations around a portion of Germany for the purpose of protecting the peoples east of that Empire from being annihilated to satisfy the ambition of the two great central European powers. And yet we are leaving an opening for aggression, wider than the territory occupied by this cordon of nations. There is not a Senator here so ignorant of the Russian situation that he does not know that this Bolshevist government can not last, that it will continue only until it has looted every Russian Province within its grasp. And then what? Let a single year's history of this war answer that question.

It was Lenine and Trotzky and their following who sold out the entire Russian Army to the central powers. It will be Lenine and Trotzky who will surrender Russia to German control and domination. The honest people of Russia want peace. They would accept anything on earth, any control, even though it should be the return of an autocratic Czar, or German control to protect them in their rights of life, liberty, and property. There are hundreds of thousands of Germans living in Russia. They speak the Russian language. They have been colonized there for hundreds of years. They are German in sentiment and in thought. They understand the weakness of the whole Slavic race. And they will control Russian finance and Russian commerce. They will develop the mighty undeveloped resources of Russia.

The world frustrated the Germanic scheme of a Mitteleuropa, a great interior empire that would reach from the Baltic to the Caspian, from the Caspian to Bagdad, but at what awful costs? With a casualty list of at least 27,000,000 and with a destruction beyond computation. It is now proposed to allow her, the defeated country, the control of a country ten times greater in area than that which measured her ambitions when she launched this war.

No matter what the careful wording of this resolution is, I ask myself this question: Would an affirmative vote by me give aid and comfort to Lenine and Trotsky? Would it please the Bolshevists throughout the United States? Would it aid and strengthen their cause? The answer must be that it would so do. The American Bolshevists all agree that we have no right to battle against their brothers in crime across the ocean. We are to-day deporting these criminals because they favor bolshevism in this country. At the same time we are purposing in the resolution to subserve Bolshevist rule in Russia. I fail to see the consistency. Senators declare that it is none of our business what the Russian people do toward each other. That was not what we said when we intervened in Cuba and made war on Spain. I think we and our allies have shamefully treated the real Russian patriots. We have failed to give them the support which by every principle of honor as well as of military strategy we should have given them. We have painted in glowing terms on the floor of this Senate the fidelity of that band of Czecho-Slovaks who, after Lenine and Trotsky had surrendered the Russian Army to Germany, refused to abide by that surrender and began their perilous march across the mighty continent to join our force in France. They were betrayed by the Bolshevist authorities. They were told that if they would surrender their arms they would be given free transportation to the Siberian coast.

They surrendered their arms and then without arms they fought and won a battle in order to reinvest themselves with that element of self-defense and of war. They fought without guns and maintained their organization. They are somewhere up in central Russia to-day. Senators probably would abandon this little band of friends. I would not. We have a little Army—a few thousand men—protecting American property from these bandits. Senators would not increase that force to such an extent that it could take the offensive.

In making this statement, Mr. President, I do not wish it to be understood that that is the position of the proponent of this resolution. If I understand him correctly, his position is that we either ought to bring them out, or we ought to support them with a sufficient number to protect them. I want to leave the alternative out of the question and declare that it is our business to put sufficient soldiers in Russia to support them and make good our agreement with the Russian people.

I would increase our force to a hundred thousand or five hundred thousand, if necessary. I would save Russia. I would stay the hands of the robber and the murderer until the law-abiding, the decent people of Russia, could hold an election and establish a government. It is argued on the floor by Senators that we have no right to be there because we have not recognized any government. To my mind that is one great reason why we should be there, to see that there is a government organized, for no man acquainted with the situation could call the Bolshevist control a government.

Mr. President, we are in war. The Russian Bolshevists are our enemies. By their action they inflicted a greater damage on us at a most critical period in the history of the war than was ever inflicted by the whole German armies when they centered their force against the armies of Haig in a drive to the sea. Lenine and Trotsky made it possible to make that drive. They are in exactly the same position that a regiment or a division of our Army would have been in had they deserted our country and joined the ranks of our enemies. Would Senators say that we should not have fought them because they were Americans or because we had not recognized them as an enemy division?

Not only this, Mr. President, but there is a moral obligation resting upon this country to sustain the real Russian people, our friends, as against the Bolshevists, our enemies. Let us see if there is any foundation for that moral duty. In the war address of President Wilson, made before the two branches of Congress on April 2, 1917, speaking of Russia, he uses this language:

> The autocracy that crowned the summit of her political structure, long as it had stood and terrible as was the reality of its power, was not in fact Russian in origin, character, or purpose; now it has been shaken off and the great, generous Russian people have been added in all their naive majesty and might to the forces that are fighting for freedom in the world, for justice, and for peace. Here is a fit partner for a league of honor.

To whom did the President refer at that time? Was he referring as a fit partner for a league of honor to the Bolshevists of Russia? Could he have had in mind Lenine and Trotsky, with their Bolshevist following? No, Mr. President; he spoke of the real Russian people, weak as they were, uninformed as they were—the easy prey of the demagogue and the extremist, but nevertheless sound of heart and honest of purpose. Which one of these two classes of people is the President about to take into the partnership of nations?

Again, article 6 of the 14 conditions of peace declared by the President in his address before the two Houses of Congress on January 8, 1918, reads:

> 6. The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unbiased opportunity for the independent determination of

her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing—

Mark that, "under institutions of her own choosing"—

and more than welcome assistance of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will and of their comprehension of the needs, as distinguished from their own interests, and of their intelligent and unselfish sympathy.

Are we obtaining for her an unhampered and unbiased opportunity for the independent determination of her own political develpoment and national policy? Are we not purposing by the withdrawal of our armies to desert her while her people are being murdered and starved to death by hundreds of thousands by the criminals in control of her territory and resources? In what way are we assuring her of a sincere welcome into the society of free nations under institutions of her own choosing? She chose a legislature. That legislature and all legislative form of government was destroyed by the Bolshevists. In what respect are her institutions to-day of her own choosing? If the treatment which is being accorded Russia by her sister nations is the acid test of our good will, then God forgive our infidelity.

Mr. President, it has been asserted on the floor of the Senate that no faction of the people of Russia desire our interference. I can not believe it. It is impossible of belief. It is impossible that the majority of the people in Russia are content to have their best citizens murdered, their property looted, their daughters assaulted in the shameful manner disclosed from every reliable source in all the investigation upon the subject. Testimony has been taken from a reliable source, from people who have been living in Russia for years, bearing upon the Russian situation.

I wish here to have read into the RECORD an address by a lady who is described as the mother or grandmother of the Russian revolution. I take that method of designation because it is more clear than to attempt to pronounce her name. I wish to have the Secretary read that short address which she gives to the American people. This address was given a few days ago in New York.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

AN APPEAL TO THE AMERICAN PEOPLE.

[By Catherine Breshkovskaya, at a mass meeting at Carnegie Hall, Monday evening, Feb. 10, 1919.]

There are two reasons why I am speaking aloud and openly about the affairs of Russia, about the conditions our country is living through in this critical hour of her history, and what are her greatest needs in this hour.

The first reason is that Russia, although the most backward in her culture, has rendered such great services to Europe, and therefore to the whole world, that she deserves the full attention of all her friends and allies. For many centuries Russia served, and still serves, as a barrier, defending Europe against the raiding forces of Asia. By a great price, the price of her own blood and progress, Russia guarded the might and the culture of the European peoples. She withstood with her own back the incessant shocks of wild invaders, and for centuries was obliged to concentrate her forces only for self-defense, for the preservation of her independence and safety. Russia had hardly the time to fortify her position in the East before Europe itself began to hit her, and blow after blow fell on her shoulders again and again. Twelve different nations sent their forces, under the leadership of Napoleon the First, to destroy and conquer Russia. Our large country saw her cities ruined, her villages burned, her treasuries robbed.

A century passed. Russia rose up and entered the family of peoples who struggled toward freedom and light. But it was not fated that our people should rest, should be left to work for themselves. A treacherous, merciless war, the work of her neighbor, waited Russia, and during five years Germany has tyrannized our country in concert with her allies, the treacherous Bolsheviki. Material poison, moral, spiritual poison—all the diabolical machinery was put into action to bring our beautiful country to the ground. The very heart of Russia, her very mind, is injured by the venom brought across her boundaries by her enemies. Cooperating with Lenine and Trotzky, the Government of Germany strove to poison the very conscience of the Russian people. But she, my motherland, bore up agaist even this trial. The mind and conscience of a great people will never die! They already awaken to a new and better life. The enlightened Russian people will come to freedom and democracy.

Russia has rendered great services to humanity by carrying on her shoulders the defense of Europe from Asia. She took those burdens from the shoulders of other European peoples and gave them the opportunity to continue in safety their progress, remaining herself for centuries the sentinel of civilization. Now, when these historical services, and even the recent enormous Russian sacrifices in the war with Germany, are forgotten, Russia has the right to present her account to mankind.

This is the first reason for making my appeal to the American people. And if you ask me who it is that has authorized me to make it, I answer that it is my 75 years of life among my people and my 50 years of struggle for the freedom, the honor, and the welfare of my motherland. I am authorized by my infinite love for Russia, by my anxiety to see her happy, by my fear to see her future endangered. And, proud of that love, proud of the confidence of my people, I appeal to you, citizens of America, and remind you that there, far away, lives a true and honest democracy, ready to pursue her way side by side with you if you desire it.

Do you ask me why I especially address my woes and sorrows to you? It is because we Russians regard you as a people that have always cherished their liberty; that have always held high the standards of democracy; that have never stood for despotism and oppression. And also because many times have we heard from you words of friendship, words that give us Russians the hope to see in you faithful brothers, always ready to aid us in the hour of our hardships.

This hour has come. And I, the old nurse of my beloved suffering child, I come to tell you, friends, about its sufferings. Great are these sufferings, and undeserved. It would be a great sin to leave Russia alone, her bleeding wounds unattended. While we lived through all the horrors of war, paying 10,000,000 in casualties, of whom 3,000,000 are dead, and as many disabled for life, your sufferings in this war were comparatively small. Never did the enemy tramp your soil, never destroy your towns, never burn your villages, never cut down your forests and gardens, never violate your daughters, never shoot thousands of your innocent citizens, never force on you a civil war with blood, robbery, and slaughter.

The United States does not count her war orphans by the millions, and she is happy in that she is sure of her future. Her children are growing up without witnessing atrocities and degradation. May the security and the happiness of the American people be blessed forever! My friends, he who has much must give much. From the very beginning of the history of this country we see her people possessed of a high degree of culture and spiritual enlightenment; we see in them fighters for liberty, defenders of human dignity. We see in the people of this country the eldest brethren of the Russian people, and we hope that they will stretch forth their hands to us without pride, unselfishly, bringing moral and material aid.

Of what nature should this aid be? What are the immediate needs of the Russian people? Our greatest, deepest, most immediate need is the creation of conditions under which the Russian people will be able to convoke an all-Russian constituent assembly. Russia will never be quiet and satisfied until her representatives, freely chosen by the entire population, will establish a constitution for the State, will lay the foundation for a stable, democratic government, insuring laws that accord with the will and desires of the Russian people. The demand for a constituent assembly was one of the main aspirations of the Russian revolution. It was on the eve of its realization when the Bolshevist revolt, in November, 1917, tore out of the hands of the people the beautiful possibility to make laws for themselves, to trace the path for their future, to construct a new life in accordance with the interests of the masses, to strengthen peace and insure the common welfare. The constituent assembly, elected by the entire Russian people on the basis of universal, direct, equal, and secret suffrage was dispersed by the Bolsheviki with bayonets.

A year ago our allies, together with the devoted and proven friends of the Russian people, could have created the conditions necessary for the convocation of a constituent assembly. The opportunity was lost, and our masses, simple-minded, naive, and credulous, tired out by their past misfortunes, became a prey to the base and rapacious instincts of selfish, ambitious, and merciless people. Under the circumstances, Russia faces a long and cruel struggle with all the evil which has entered her life. She has to suffer all the pains inevitable in the conditions of a people clearing its way to a better future. Many opposing forces bar this way; they check the normal course of events and make the people suffer and suffer more in their struggle to get the right issue out of the insurmountable chaos.

The world is curious to see the outcome of this deadlock, the issue of this conflict of passions, theories, and aspirations, the conflict between the people striving for a brighter life, and the hideous treachery handicapping the great people.

There is no doubt that Russia will be able to find the right path, but her pains, her bloody sufferings will be known only to the millions of Russian mothers and the millions of our other innocent martyrs, our orphans. Flooded with tears and blood, Russia moans and cries out to the world. She is a living body, and her tortures can not be looked upon cold-bloodedly as an extraordinary, never-before witnessed experiment in social evolution. She is alive, and every pore of her body is shedding blood. The illness that was not stopped in time, I fear, may be prolonged for years. Only through insistent and incessant work and efforts can Russia be brought to the normal conditions, to the position in which she found herself two years ago, after the glorious revolution of March, 1917. In those days there was real freedom in Russia, and it seems that our young country had every possibility for peaceful evolution and the free building of her future. I may assert, without boasting, that the March revolution, perhaps the most beautiful and the most rational revolution in the world, was brought about, among other factors, through the efforts of the party of Socialists-revolutionists, whose program for more than one-half century presents a basis for settlement which will satisfy the demands and aspirations of the overwhelming majority of the Russian people.

But, unfortunately, our people, young and inexperienced, could not at once find the true path, and, if abandoned by their friends, they may not find it for a long time. It is your duty, good friends, to aid them by your sympathy and your deeds. Especially by deeds, for our people, long deceived in their hopes, will give credit only to those who really and practically give them proof of their sympathy, to those who aid them to elevate and educate the new Russian generations, the millions of Russian orphans deprived of shelter and the most elementary means of education.

Russia is exhausted through the war and the terrible civil strife. Her industries are disorganized, her means of transportation are destroyed, her educational system is at a standstill. Without industry, means of transportation, and education, Russia faces conditions the horror of which can not be expressed.

I undertook it as my task to present to the American people the tragedy of the people of Russia in order that the American democracy might render us the immediate help necessary for reestablishing democratic order for convocation of the Constituent Assembly and creating conditions whereby peaceful progress may be possible in Russia. Recalling with gratitude the true friendship which the people of this country have shown me during my exile in Siberia I appeal to the people of the United States to help my suffering people, the people of Russia.

CATHERINE BRESHKOVSKAYA.

FEBRUARY 11, 1919, *New York*.

Mr. McCUMBER. Mr. President, I feel a little guilty perhaps for having had read at this time such a long excerpt from an address, but it so clearly and simply gives the situation in Russia that I felt it was due that the American people should know the conditions from a Russian standpoint.

Mr. President, I wish that some member of the Judiciary Committee had presented some of the testimony which has been taken before that committee upon the Russian situation. I wish it could be published to the American people before the peace treaty shall have been signed, so that the people, once realizing the awful condition there, would insist that we should sign no peace pact until the declarations made by the President of the United States to protect Russia until she could establish a government of the people, until she could elect a representative assembly, should have been carried out.

The only information I get is from excerpts published in the press. These excerpts, I am informed, evidence but a fraction of the horrible condition disclosed by the entire testimony. I read an excerpt from the testimony of Rev. Dr. George L. Simons, superintendent since 1907 of the Methodist Episcopal Church in Russia and Finland, who left Petrograd the middle of last October. Let me quote a few sentences as to whether the Bolshevists are allies or enemies:

Q. Can you tell us the real attitude of the Bolsheviki so far as it regards the two groups of belligerents in the war?—A. Lenine and Trotsky were always saying bitter things against the allies—

was the answer—

They scattered posters in which they described the allies as the blood drinking and flesh eating allies. They named France and England, but as I recollect did not specify the United States, the reason, in the opinion of the leading diplomatic representatives, being what may be described as a sort of strategical trick. They figured out that in the event that Bolshevism failed, as they knew it might, they would need a land of refuge, and they wanted the United States to be their asylum.

The real Bolsheviki are avowedly antially, and I have no hesitation in saying that they have a real affection for Germany. This fact has been proved time and time again.

That they are enemies of the United States, that they are friends of the enemy is demonstrated in every possible way. Nothing could be more brutal, insulting, and defiant than their published articles against the United States.

I should like to have the thinking American people, at least, read the message that was received by the President of the United States from the Russian Soviet some months ago. It was so insulting to the President, so brutal, so low, that I feel that I would not be justified in having it printed in any American record.

Dr. Simons told of witnessing the murder of two young men in front of his office in Petrograd, the killing taking place a few minutes before Ambassador Francis, who was his dinner guest that night, arrived at his home.

Asked to estimate the number of persons who had been murdered by the Bolshevists, Dr. Simons replied that it was in the thousands, but that no man could at this time even approximate the number of the victims.

"The Bolsheviki never investigate. They kill on the spot, as a rule," he added.

Dr. Simons cited the case of two brothers. One was wanted by the Bolsheviki to answer a certain charge. They were unable to find the brother sought, so they killed the one against whom there was no charge or suspicion.

Blackmail and graft were everywhere recognized, said Dr. Simons. If a person could get the money, he said, it was generally possible to buy even one's life from the present régime. However, few had the money, and the killings went on.

"What about the criminal element in the present régime?" Senator KING asked.

"There is a large criminal element in the Bolshevist régime," was the answer. "The fact that the criminal has a big part in the movement is proved by the destruction in public bonfire of court records, the destruction of prisons, and the liberation of all criminals who are sympathetic with the cause. We know it to be a fact that some of the worst criminal characters in all Russia hold positions under the Bolshevist government, while others are helping as agitators; while under the damnable system they call nationalization the criminal is actively cooperating." (New York Times, Feb. 13, 1919.)

"What of the treatment of women and girls?" Senator KING asked.

"That is a terrible question to answer. I might cite case after case in answer to it. Let me cite one of the worst:

"A few days before I left Petrograd, in October last, a woman of the highest culture, a woman more than 50 years of age, and a teacher for years in a famous imperial institute for the education of young girls, called on me. She was in hysterics. 'Why have I lived to see all this!' she sobbed.

"Then she told the story. The institute in which she taught is one of the finest buildings in Petrograd. She said that the Bolshevist authorities had barracked hundreds of the Red Guard in one wing of the building, and in doing so issued orders that all girls of and between the ages of 16 and 18 years were to remain in the building.

"'I wish,' the poor woman exclaimed, as she tried to tell the rest of the horrible story, 'that I had died before this thing happened.'

"And that," asked Senator WOLCOTT, "was the result not of the act of irresponsible guards but of the Bolshevist authorities?"

"Yes."

"In other words," said Senator KING, "these poor little girls were the victims of the lust of these unspeakable creatures?"

"Yes; of the dirtiest pigs the world has ever seen. So vile no words can describe them."

Senators, have we so lost our sense of repugnance for atrocities of this character that while this war is continuing, while these people are our enemies and are fighting our soldiers, we propose to withdraw our troops and submit the poor innocent victims and the good people of Russia to such brutal attacks?

Mr. FRANCE. Mr. President——

Mr. McCUMBER. I yield.

Mr. FRANCE. Do I understand that the Senator is in favor of maintaining war against the Russian people?

Mr. McCUMBER. I am in favor of maintaining war against Lenine and Trotzky, and I am in favor of fighting the battles of the poor innocent Russian people, who are in the grasp of these damnable beasts.

Mr. FRANCE. Do I understand that for the purpose——

Mr. McCUMBER. The Senator understands my position, I think.

Mr. FRANCE. I regret that I do not understand, Senator.

Mr. McCUMBER. I am sorry.

Mr. FRANCE. But perhaps it is my own fault.

Mr. McCUMBER. It is undoubtedly mine.

Mr. FRANCE. It seems to me that the Constitution of our country very clearly provides that the carrying on war against a foreign people should only be after a declaration of war by the Congress; and does not the Senator realize——

Mr. WALSH. Mr. President——

Mr. McCUMBER. The Senator from Maryland has not finished his question.

Mr. WALSH. I rise, Mr. President, to remind the Senator from North Dakota that he was warned by the Senator from Alabama [Mr. BANKHEAD] some time ago that he would invoke the rule if the Senator from North Dakota yielded further, and that the Senator would thereby lose the floor.

Mr. McCUMBER. I recognize that; and I hope the Senator from Maryland will not ask the question.

Mr. FRANCE. I did not know that there was a rule in the Senate to that effect.

Mr. McCUMBER. There is such a rule, but it is provided that simply the asking of a question is not subject to the rule, as I understand; and I understood the Senator simply wanted to ask a question. Heretofore Senators have gone on and expressed their own convictions on the subject and not confined themselves to questions.

Mr. FRANCE. I think it is very important that the document be made perfectly clear. The Senator has my question, however, and I do not care to elaborate on it. I think he understands what is in my mind.

Mr. McCUMBER. Of course I understand. Mr. President, we declared war against Germany, and when Lenine and Trotzky sold out the Russian army to Germany and when Lenine and his following supported the German régime in every possible way, then we were in war against every one who supported our enemies. Lenine and Trotzky did support our enemy, and surrendered our allies to that enemy. I have already made myself clear in a declaration that we are exactly in the same position as though Italy an alley had surrendered her armies and used them to support Germany. We would then be fighting Italy or fighting that portion of Italy that was supporting Germany. If we fight these beasts we are fighting our enemies, worse enemies than the Germans, because the Germans were our open enemies, while the others parading as our allies betrayed us.

Now, Mr. President, I will go on with these questions.

In another instance I was told of a group of young girls who were approached and advised to go out into the Novsky Prospect and "do as the prostitutes are doing."

"Do the Red Guards," Senator KING asked, "rape, ravish, and despoil women at will?"

"They certainly do."

I have no hesitation at all in saying that I am willing to put this country in war against those beasts.

Again says Mr. Simons:

I am strongly convinced that in all main essentials the aims of the Bolsheviks and of the I. W. W. are identical. Minister of Posts and Telegraphs Zorin, who lived eight years in the East Side, told me once that they expected to get Germany after Russia, and after Germany they would tackle the United States.

We are passing laws against the I. W. W. in the United States. We are deporting them; we are sending them out of the country; but we must not lay our hands upon these brutes in Russia. I disagree with the contention of anyone who would not have us make war. I would make war until we redeem the promise that we made to Russia.

And again:

"Can you tell us anything of the treatment accorded the so-called bourgeoisie, or middle classes?" Senator NELSON asked.

"Thousands upon thousands of them have been starved to death," Dr. Simons answered. "I have seen the walking shadows of these dying human beings in the streets of Petrograd. Thousands have dropped dead in their tracks. I have seen them myself. I have seen some of the finest men of the old days standing starving in the streets, and with outstretched hands begging a few kopecks. I have been in the homes of the best people of Petrograd, in which there has been no

bread for weeks. When I say the better class I mean the people who believe in a clean handkerchief and a white shirt."

"What of the Red army; what is it?

"It is a mass of Letts, Chinese, Germans, Austrians, Hungarians, and unfortunate Russians who have been forced to serve. But for these outsiders there never would have been a nucleus for a Red army."

I again quote something from the testimony of Madam Breshkovskaya, known as "The Grandmother of the Revolution":

Q. Madam, can you give us any fair estimate as to the number of people who have been killed by the Bolsheviki?

And I want Senators to listen to this answer:

"Well," replied Madam Breshkovskaya, "in the little more than one year of Bolshevist rule, there have been twice as many Russians—men women, and children—killed as there were soldiers killed in the front during the almost three years that Russia was actively in the war."

And it is estimated that there were 3,000,000 Russians killed in battle. That means, if her statement is true, that 6,000,000 poor Russian people have been murdered since the President made his declaration that the United States would assist Russia in establishing a constitutional government.

"For instance, there were 2,000 officers in one prison who were killed at one time. Every man, woman, or child who opposes bolshevism in any way risks his life."

Shall we do nothing because Russia is on the other side of the ocean? Why, eastern Russia is only 30 miles from us across the Bering Strait; but here is an atrocity a hundred thousand times greater than the atrocities committed against our Cuban people, for which we made war on Spain.

Again, she says:

Two years ago when the Czar was overthrown we were happy. We expected and had reason to expect excellent laws; we expected political peace and social freedom. None of these things has been realized. We thought we were going to get a national assembly and a constitution, and we got neither.

Now, we promised that we would help them get both. That was one of our agreements, that we would not make peace with Germany until we had assured both a constitutional and a national assembly.

For six months we were free, and then came these German-dominated Bolsheviki.

Again:

So it was that Russia fell into the hands of these two ambitious creatures, Lenine and Trotsky. There are some who think that after Bolsheviki will come another Czar, and then the freedom that we thought we had will be but a legend. To-day Russia is in ruins.

And I want Senators to mark this:

If you had given us 50,000 good soldiers there would have been no bolshevism. The peasants are against the Bolsheviki, but they have no arms.

Mr. President, that statement that 50,000 soldiers would have saved poor Russia is given again and again by other witnesses, prominent men in the United States, and those who understand the Russian situation.

Again:

There is robbery everywhere. The brigands control and everybody has been robbed. All Russia is physically and morally depressed, and bolshevism is spreading around us. All the best men in Russia, the professors, the literateurs, all the rest, they have gone. We do not want another Czar, yet if bolshevism rules many years more, Russia will be dead.

Oh, Mr. President, think of a people who pass a resolution that intelligence is a crime, and that people who intellectually are above the lowest class of criminals must be killed in order that the world may be propagated by the lower class! We are asked to league ourselves with that class of people, to take them into a league of nations!

Mr. President, here is another question:

Q. Do you really believe that Trotzky and Lenine are the tools of Germany?

A. "I do not believe it; I know it," the old woman answered, as she banged her hand on the table.

Q. "Isn't it a fact that the Russian people would prefer a Czar to the Bolsheviki?" Senator NELSON asked.

A. Certainly they would prefer a Czar to Lenine and Trotzky; but we do not want a Czar again.

Q. What proportion of the peasants are against the Bolsheviki?

A. Practically all of them. In some places they are fighting them with sticks now.

Q. "Do you think that we should withdraw our troops, and by 'we' I mean the allies?" Senator STERLING asked.

A. If they will fight with us against the Bolsheviki; no. The Czecho-Slovaks are standing all alone, and they are far too few in numbers. There are only a few thousand of French, British, Americans, and Italians with them.

Q. Do you think we should treat or deal in any way with the Bolsheviki?

A. Certainly not. They have destroyed all the honest and intellectual life of Russia. All honest people are their enemies.

Mr. President, I want to present a little article here from one of their declarations of principles. It reads:

Another phase of bolshevism and one not hitherto referred to at this hearing is what the Bolsheviki call the "Leveling of Intelligence." This forms one of the most ghastly effects of the system. Persons, under the regulation, who are considered to have more intelligence than is considered healthy for the cause of Lenine and Trotzky are arrested, thrown into prison, and I am certain in great numbers of instances put to death simply because they were considered of higher intelligence than the leaders approve of. This one phase should indicate to any thinking man or woman in America what bolshevism is and what its spread means to the civilized world.

"What can you tell us of the policy that is known as the nationalization of women," Mr. Simons was asked.

Mr. President, I am going to put into the RECORD, without reading, the principles that are enunciated by the Bolshevist government for the nationalization of women. I shall not ask the Secretary to read it. It is not fit to be read in a mixed audience. It is so filthy, so brutal, that I am surprised that whole country does not awaken in indignation and declare that the civilization of the world demands the extermination of such beasts. I will ask, Mr. President, that it be printed in the RECORD, and then all who desire to read it in privacy may do so.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

DECREE OF SARATOV SOVIET.

The first decree read by Mr. Simons was dated March 15, 1918, and was issued by the anarchist Soviet, which was charged by Lenine and Trotzky with the government of the city of Saratov. The official translation of the decree reads:

This decree is proclaimed by the Free Association of Anarchists in the town of Saratov. In compliance with the decision of the Soviet of Peasants and Soldiers and Workmen's Deputies of Kranstadt, the abolition of the private possession of women.

MOTIVES.

Social inequalities and legitimate marriage having been a condition in the past which served as an instrument in the hands of the bourgeoisie, thanks to which all the best species of all the beautiful women have been the property of the bourgeoisie, have prevented the proper continuation of the human race. Such ponderous arguments have induced the present organization to edict the following decree:

1. From March 1 the right to possess women having reached the ages 17 to 32 is abolished.

2. The age of women shall be determined by birth certificate or passports or by the testimony of witnesses, and on failure to produce documents their age shall be determined by the Black Committee, who shall judge them according to appearance.

3. This decree does not affect women having five children.

4. The former owners may retain the right of using their wife without awaiting their turn.

5. In case of resistance of the husband he shall forfeit the right of the former paragraph.

6. All women according to this decree are exempted from private ownership and are proclaimed the property of the whole nation.

7. The distribution and management of the appropriated women in compliance with the decision of the above said organization are transferred to the Anarchist Saratov Club. In three days from the publication of this decree all women given by it to the use of the nation are obliged to present themselves to the given address and give the required information.

8. Before the Black Committee is formed for the realization of this decree the citizens themselves shall be charged with such control. Remarks: Each citizen knowing a woman not submitting herself to the address under this decree is obliged to let it be known to the Anarchist Club, giving the full address, full name, and father's name of the offending woman.

9. Male citizens have the right to use one woman not oftener than three times a week, for three hours, observing the rules specified below.

10. Each man wishing to use a piece of public property should be a bearer of certificate from the Factories Committee, professional union, or Workmen's, Soldiers', and Peasants' Council, certifying that he belongs to the working family class.

11. Every working member is obliged to discount 2 per cent from his earnings to the fund of general public action. Remarks: This committee in charge will put these discounting funds with the specifications of the names and lists into the State banks and other institutions handing down these funds to the popular generation.

12. Male citizens not belonging to the working class in order to have the right equally with the proletariat are obliged to pay 100 roubles monthly into the public funds.

13. The local branch of the State bank is obliged to begin to reserve the payments to the national generation funds.

14. All women proclaimed by this decree to be the national property will receive from the funds an allowance of 238 roubles a month.

15. All women who are pregnant are released of the direct State duties for four months, up to three months before and one month after childbirth.

16. The children born are given to an institution for training after they are 1 month old, where they are trained and educated until they are 17 years of age, at the cost of the public funds.

17. In case of a birth of twins the mother is to receive a prize of 200 roubles.

18. All citizens, men and women, are obliged to watch carefully their health and to make each week an examination of urine and blood. Remark: The examinations are to be made daily at the laboratories of the Popular Generation Health.

19. Those who are guilty of spreading venereal disease will be held responsible and severely punished.

20. Women having lost their health may apply to the Soviet for a pension.

21. The Chief of Anarchists will be in charge of perfecting the temporary arrangements and technical measures concerning the realization of this decree.

22. All those refusing to recognize and support this decree will be proclaimed sabotage, enemies of the people and counter anarchists, and will be held to the severest responsibilities.

(Signed) COUNCIL OF THE CITY OF SARATOV, RUSSIA.

Any girl having reached her eighteenth year and not having married is obliged, subject to the most severe penalty, to register at the Bureau of Free Love of the Commissariat of Surveillance.

Having registered at the Bureau of Free Love, she has the right to choose from among the men between the ages of 10 and 50 a cohabitant husband.

Remarks—(1) The consent of the man in the said choice is unnecessary. (2) The man on whom such a choice falls has no right to make any protest whatsoever against the infringement.

The right to choose from a number of girls who have reached their eighteenth year is also given to men.

The opportunity to choose a husband or wife is to be presented once a month.

The bureau of free love is autonomous.

Men between the ages of 19 and 50 have the right to choose from among the registered women, even without the consent of the latter, in the interests of the State.

Children who are the issue of these unions are to become the property of the State.

The decree states further that it has been based on the "excellent example of similar decrees already issued at Luga, Kolpino, etc."

A similar "project of provisional rights in connection with the socialization of women in the city of Hvelinsk and vicinity" has been published in the Local Gazette of the Workers' and Soldiers' Deputies, Mr. Simons said.

"Gentlemen," added Mr. Simons, as he finished reading the Vladimir decree, "these documents speak for themselves. God and morality are unknown to the Bolsheviki, and everything that makes life decent and worth living is in jeopardy if this thing is permitted to go ahead."

Mr. McCUMBER. Now, Mr. President, I want to ask that there be inserted and printed in the RECORD as a part of my address an article printed in the press a short time ago—I think it was the Post—by Archibald Hopkins, pertaining to the Russian situation; a very strong article, in which he demonstrates beyond any question that we could restore order with the use of not more than 100,000 troops, including the United States and our allies.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

WOULD WAR IN RUSSIA—SEND ADEQUATE AMERICAN ARMY, URGES ARCHIBALD HOPKINS—BOLSHEVIKI RISING MENACE—STATE OF WAR NOW EXISTS BETWEEN UNITED STATES AND FORCES OF DISORDER BOTH HERE AND IN RUSSIA—DUTY OF AMERICA TO EXTEND AID TO HELPLESS PEOPLE AND PROTECT OWN LAND.

[By Archibald Hopkins.]

The objection to keeping American troops in Russia is being loudly and persistently made in the Senate on the ground that we are not at war with the Bolsheviki. Such is not the case. Not only are we openly engaged in fighting them, but they are just as openly at war with us in the field in Russia and in our cities and towns all over the United States.

They have plainly and repeatedly declared it to be their purpose to destroy this Government and to substitute for it the beneficent rule of a single minority class which they are exercising in Russia. Consequently we are bound to fight them wherever we can do it most effectively. If a man found rattlesnakes crawling onto his premises every day from the same direction, he would not wait till they had spread and bred all over his farm but would trace them to their den and exterminate the whole brood.

STRIKE AT SOURCE ONLY WAY.

And that is the only way to deal effectually with the Bolsheviki. Put them down at the source and their poison will cease to spread. In doing that we should be acting strictly in self-defense. We are in more danger from their infamous propaganda than we ever were from German militarism.

President Wilson refused to treat with the government that stood behind that, and said there must be force and still force, until it was overthrown. He further declared in one of his propositions that there could be no peace while arbitrary power is anywhere exercised. Now he is negotiating for peace with men far more arbitrary, oppressive, and cruel than czar or kaiser, men who in shameless, bloody atrocity and robbery have surpassed the Huns, who have abolished God and religion and made women common property, done away with the home and family ties, and who aim to cover the whole earth with their deadly, miasmatic control.

BOLSHEVIKI TOOLS OF GERMANY.

What do Americans think of their representative sitting down at a table to make peace with them? And what do they think of the selection to represent them of a man in full sympathy with Bolsheviki principles and in daily accord with some of their most revolting practices? What does it mean? Why is not the same rule of force applied to them which overthrew the Kaiser and his Government?

Another thing we should think of. If we and the allies recognize the Bolsheviki, as we must, if we come to terms with them, the result will be that, incapable as they are of forming an effective government and ignorant and helpless as are the majority of the Russian people, they will inevitably come completely under the control of Germany, whose paid tools and agents, Lenine and Trotzky, have been proven to be, and Germany, nominally defeated, will in 10 years have accomplished all she set out to do.

She will have dominion over the vastest and richest undeveloped territory on earth, with a man power which, with German training and an undying desire for revenge, could defy and overrun a world in arms.

ONE HUNDRED THOUSAND MEN CAN RESTORE ORDER.

A year ago Kerensky's secretary of war said 40,000 men could have put an end to Bolshevism. The best Russian authorities say 100,000 can go easily to Petrograd now, restore order, reconvene the constituent assembly and stay by it till an all-Russian Government is established. The people—all but the Bolsheviki—would gladly welcome such a force.

Do not we and the allies owe that much to Russia? Had it not been for her wonderful fighting at the beginning of the war, which, at a sacrifice of over 6,000,000 men, held the entire Austrian Army and a large German contingent in the east, France would certainly have been overrun, the allies beaten, and we, wholly unprepared as we were, left at the mercy of the Huns. That the Russians were drawn back and demoralized and fell out of the conflict was no fault of theirs. They were cut off from supplies through the Black Sea, were almost deprived of arms, clothing, and food, and, being ignorant, became easy prey to German and Bolshevik propaganda and corruption.

SPANISH WAR SAVED CUBA.

They could no longer fight. One of the most creditable chapters in our history points the way to what we should do for Russia. Why did we go to war with Spain? Not that we had any casus belli with her, not that we were under any obligation to Cuba, but because, having the power to stop it, we were unwilling to stand by and see her cruelly oppressed and denied the right of self-government. We declared war and rescued her, established a government of justice, and as soon as she was ready we turned over the island to her own control, under which peace and prosperity have continued to reign.

There are much stronger reasons why we should help to drive the Bolsheviki out of Russia than there were to drive Spain out of Cuba. The Russians have always been our friends and have fought our battles.

SUFFERINGS WORSE THAN CUBANS.

Their sufferings are a thousand times greater than were the Cubans. They are even more helpless, and they are looking to us for rescue. In helping them we shall be protecting ourselves.

Let me repeat what I have already said, for one father and mother. We have an only son who has been wounded in France, and is now on the Atlantic on his way home. Far rather would we have him turn back, if need be, though not with a handful of men, which an indecisive, ineffective, worse than useless policy has sent to Russia, but with an adequate, well-equipped force, able to do with the help of our allies what we did for Cuba.

I do not believe that the fathers and mothers and sons of America, having put their hands to the plow, wish to turn back and leave their great task unfinished.

Lloyd George has stated that it is wholly due to America's unwillingness to act that nothing is done. Has America made any such declaration? Has anyone been authorized to make it for her?

God forbid that such a record shall become a page in our honorable history. God forbid that the allies and ourselves stand by supine till all that is best in Russian life is exterminated, and the process is completed by which it can be said of her "they make a solitude and call it peace."

CRIES OF HELPLESS ASCEND.

In that process our Teuton enemies are cooperating in order that Russia may become a German asset. Shall we by our acquiescence join in the work? Shall we with such a spectacle of misery and despair as presents itself in Russia, hopeless without some such succor as we have ample power to furnish, as the cries of starving infants assail our ears, and the appealing, outstretched hands of bleeding victims of assassins meet our gaze, saying coldly, "It is no concern of ours; the day of self-determination has come; you must yourselves determine what to do and carry your own conclusions into effect," pass by on the other side? Is Russia less our neighbor than Cuba because she is farther away? No matter what covenants Mr. Wilson is bringing home, there can be no real or lasting peace till there is peace in Russia. Shall it be a peace with a future of hope and the beginning of good government or shall it be the peace of death? It is for us to say.

Mr. McCUMBER. I have here, also, Mr. President, a number of letters, one of them written by a man who was a major of Cavalry, who has been in Russia for some time, strongly supporting the views that I have given, giving many reasons, and, possibly, in very much better language than I have been able to express my own views. I will ask, also, that it may be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

INVERFIRS, LAKEWOOD, N. J.,
February 20, 1919.

MY DEAR SENATOR MCCUMBER: I notice in the paper that you have introduced a bill declaring it to be the duty of the United States to send a sufficient number of troops to Russia to defeat the Bolsheviki in Russia itself. While we are all debating the subject of restricting the menace of this accursed creed in America, few seem to realize the necessity of crushing it in the place of its inception. I earnestly hope that your bill may be favorably reported and a chance given for debating it in the United States Senate.

There has been an extraordinary amount of misinformation presented in the form of evidence before various committees in Washington to the effect that it would take from one to three million men a generation to restore order in Russia. That such statements are absurd I feel confident in stating without reservation, whether the statements come from military or civil authorities. They certainly come from people who have no understanding whatever as to the strength and fighting capacity of the Bolsheviki in Russia. It is my opinion that in 1917 a sotnia of Cossacks could have crushed this movement in its inception. I was in Petrograd at the time, but Kerensky failed to give the order. In the early spring of this year 40,000 allied troops properly distributed and instructed to fight and not demonstrate would have done the job. I feel equally certain in stating now that 100,000 allied troops attacking from Odessa and from the north would put the armies of the Bolsheviki out of business and the party of Lenine into the scrap heap in six months.

That I am qualified to speak with some knowledge of the situation, I may state that I was in Russia during the campaigns of 1914, 1915, and 1916 as military observer of the London Times, and during that period covered the Russian front from the Baltic to the Danube and for that paper reported more than 80 battles in which the Russians took part. I was again in Russia in 1917 with the Root diplomatic mission. My evidence is not, therefore, mere hearsay but from direct observation. Either French, British, or American troops, properly supported by heavy guns and material, with plenty of aeroplanes, can always defeat from five to ten times their numbers of the mercenary troops composed of 57 varieties of adventurers which now constitute the so-called powerful army of Trotzky. I have watched the Russian Army year in and year out, both in victory and defeat, and know both its strength and its weakness and am willing to state without reservation that in the Bolshevik Army there is no strength and a hundred weaknesses which would melt before any definite allied policy, in all probability even before actual military contact were ever established.

The fact that the Bolsheviki army with its alleged hundreds of thousands of troops is defeated by a fraction of its own numbers every time

it meets an army in any strength is significant enough as to its fundamental weakness.

If you ever get your bill in shape for discussion in committee, I would only be too glad to come to Washington and present concrete evidence to supplement the statements made above.

I was both speaking and writing along lines of supporting Russia up to December, 1917, when my efforts were summarily crushed by orders from the War Department. As I have been in the Army since May, 1917, I therefore was obliged to discontinue my efforts. I was discharged January 25 and am no longer under any such restrictions, and if I can serve with such information as I have in the fight against Bolshevism, both at home and abroad, I shall only be too happy. I am in Lakewood, N. J., for the winter.

Very truly, yours,

STANLEY WASHBURN,
Major of Cavalry, United States Army (retired).

Mr. McCUMBER. Then, Mr. President, I have also two other letters in support of the same proposition, each giving additional thoughts upon the subject, which I also ask may be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

4533 PINE STREET,
Philadelphia, February 20, 1919.

Hon. P. J. MCCUMBER,
Washington, D. C.

DEAR SIR: I congratulate you on your resolution calling for the reenforcement of our little Army in northern Russia, which is almost the first evidence of courage and decision in the handling of this serious problem. Having sent 5,000 men up into the Arctic wilderness to do the work of 50,000, having encouraged our Russian and Czecho-Slovak allies to resist the Bolsheviki, having urged the Poles to defend their territory, we are now apparently about to scuttle out in abject surrender, leaving our allies to the tender mercies of the demoniac Bolsheviks. It is the most disgraceful episode of our whole connection with the great war, and I can think of nothing in our history which approaches it in ignominy.

There is something humiliating and unaccountable in the frantic haste of Congress to hurry our troops back home, regardless of our responsibilities to the world. Why did we ever enter the war if we were unwilling to bear our share of its certain consequences? Can we not see the danger of losing the victory even now? The Germans already are urging their leaders to refuse to sign the treaty on the ground that the allies will not dare order their armies to invade Germany. Shall we play into their hands through panic fear of the Socialist vote, or the unreasoning demands of relatives of the soldiers? Never was there greater need for courage in Congress than now.

I hope you will press your resolution, and wish you entire success.

Respectfully, yours,

CHAS. E. MACKEAN.

1826 MASSACHUSETTS AVENUE,
Washington, February 20.

DEAR SENATOR: I am rejoiced to see the stand you have taken in regard to Russia, and venture to inclose something I have written on the subject. I am receiving letters showing great interest and approval and urging that it be given wide publicity, which I do not know how to compass. Would it be possible to get it into the RECORD? I feel very sure that if the allies would announce their intention of sending an adequate force and make its purpose known in Russia the Bolsheviki would scatter.

* * * * * * *

Yours, very truly,

ARCHIBALD HOPKINS.

SENATOR MCCUMBER.

Mr. McCUMBER. I must admit that I have some letters here on the other side of the question. I have had a few letters that were written in very poor English and worse spelling, with black hands imprinted on them and skull and cross-bones attached, informing me what awful calamity would befall me if I dared to bring up this proposition in the Senate of the United States. Of course I understand that people who send those things out are of the Bolshevist type, who are always cowardly and would not dare to put their names to such letters, and no one needs pay any attention to them. I simply mention the fact as indicating that the Bolshevists of this country are bitterly opposed to our warring against their cocriminals on the other side of the Atlantic.

Mr. President, I have taken up more time than I intended to in the discussion of this question, but I felt that it ought to go out to the American people before we closed this Congress that some of us on this side of the Chamber are in favor of continuing our war in Russia until we have enabled the people of that country to establish a Government, and I felt also that it ought to be known that while all of us may disagree in some respects with this particular kind of a league-of-nations proposition, there are some Republicans who are strongly in favor of this great country joining hands with the other great nations of the world and devising some kind of a scheme to protect the innocent people of the world from another such cataclysm.

ADDITIONAL PAY FOR SOLDIERS AND SAILORS.

Mr. GRONNA. Mr. President, I shall take only a minute or two of the time of the Senate. I understand there is a disposition among some Senators and also among some of the high officials of the country to take out of the Treasury of the United States billions of dollars for the improvement of desert lands and dismal swamps and place our returning heroes upon those lands whether they want to go there or not.

Of course, Mr. President, I shall not oppose any measure which in my judgment will be helpful to these brave men, I care not what it costs our Government. But in accordance with my best judgment I believe it would be a mistake, because many of these boys are not farmers and they do not desire to go out on a farm. Certainly any man who knows anything about that struggling industry must admit that it is the least profitable one among all the industries of our great land.

Mr. President, I have prepared a bill which would grant additional pay—one year's pay—to officers and enlisted men and others serving in the Army, Navy, Marine Corps, and Coast Guard. I know it is too late to pass that bill at this time. The question might be asked, Why do you introduce it? Let me say for the information of the Senate that no bill is pending before this body or the House which, in my judgment, includes more than one-third or possibly one-half of those who served in the Army. I know it will be impossible to pass this bill at this session, but I shall again introduce it at the next session, and I shall, with all the vigor I possess, urge passage of this bill at the earliest opportunity.

I ask out of order that the title of this bill may be read and that the bill may be printed in the RECORD. It is very brief.

The PRESIDING OFFICER. Without objection, the request is granted. The Secretary will read.

The bill (S. 5678) granting additional pay to officers, enlisted men, and others serving in the Army, Navy, Marine Corps, and Coast Guard was read twice by its title and referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

A bill (S. 5678) granting additional pay to officers, enlisted men, and others serving in the Army, Navy, Marine Corps, and Coast Guard.

Be it enacted, etc., That officers, enlisted men, and others in the Army of the United States, naval service, Marine Corps, and Coast Guard, including Army field clerks, contract surgeons, members of the Army or Navy Nurse Corps (female), and members of the Naval Reserve Force, who have served the United States during any time between April 6, 1917, and November 11, 1918, shall be allowed, in addition to all pay and allowances otherwise due, an amount equal to one year's pay at the rate provided for the highest temporary or permanent grade, rank, or rating held by them during their service between April 6, 1917, and November 11, 1918: *Provided*, That the above provision shall not apply to any person whose base pay exceeds $2,400 per annum; to any person who was assigned to noncombatant duty on account of being a conscientious objector; to persons discharged from the Army, naval service, Marine Corps, and Coast Guard as aliens; to any officer who has been dismissed from the Army, naval service, Marine Corps, and Coast Guard in accordance with sentence of court-martial; to any enlisted persons in the Army, naval service, Marine Corps, and Coast Guard who have been sentenced by court-martial to be confined in prison or to be dishonorably discharged from the service; or to any other persons of the services above enumerated whose services were not honorable: *Provided further*, That the payment of the one year's additional pay authorized herein shall be paid to all officers and men of the Army, naval service, Marine Corps, and Coast Guard whose base pay does not exceed $2,400 per annum, who are not members of the permanent organizations at the time of their discharge from the service or relief from active duty; and all officers, enlisted men, and others in the Regular Army, Navy, Marine Corps, and Coast Guard, whose base pay does not exceed $2,400 per annum, who are on the active or retired list, shall be entitled to credit for the additional pay herein provided immediately upon the passage of this act; and all persons entitled to the benefits of this act whose active service was terminated prior to its enactment shall be paid the additional pay immediately upon the passage of this act.

CALLING OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The Senator from Kansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Nelson	Smith, Ga.
Baird	Hardwick	New	Smith, Mich.
Bankhead	Johnson, Cal.	Norris	Smith, S. C.
Brandegee	Jones, N. Mex.	Nugent	Smoot.
Calder	Jones, Wash.	Overman	Spencer
Chamberlain	Kellogg	Page	Sterling
Colt	King	Penrose	Sutherland
Culberson	Kirby	Pittman	Swanson
Cummins	Knox	Poindexter	Thomas
Curtis	Lewis	Pollock	Thompson
Fernald	Lodge	Pomerene	Trammell
Fletcher	McCumber	Ransdell	Underwood
France	McKellar	Reed	Vardaman
Frelinghuysen	McNary	Robinson	Walsh
Gay	Martin, Ky.	Shafroth	Warren
Gore	Martin, Va.	Sheppard	Weeks
Gronna	Moses	Simmons	Wolcott
Hale	Myers	Smith, Ariz.	

Mr. PITTMAN. I wish to announce that the Senator from Rhode Island [Mr. GERRY] is detained on official business.

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. A quorum is present.

LEAGUE OF NATIONS.

Mr. SPENCER. Mr. President, I wish to call the attention of the Senate to a matter which seems to be of some importance. I shall take but a moment.

When the time of the Senate is not so engrossed as it is at present I shall ask the attention of the Senate to some discussion of the inevitable relationship between a league of nations and our Monroe doctrine. At this time I merely want to read a single sentence or two from the columns of the Yorkshire Post, published at Leeds, England, February 1, 1919.

Those of us who hope that some league of nations at the peace conference may be arranged that shall lessen the chances of future wars, and who believe that such a league is entirely feasible without any serious disregard of our traditional attitude as a Nation toward the questions which are purely American and without material derogation of our national sovereignty, are particularly concerned that there should be no uncertainty or misunderstanding about the actual supremacy of the United States concerning questions which are essentally American. I do not say that the extract which I now read correctly represents the position of the President. I hope it is entirely mistaken. However, it certainly is direct testimony tending to show how the people of England are looking at our Monroe doctrine as it appears to them through the glass of the proposed league of nations. Here is the extract:

There is a side of the present situation which has not attracted the attention it deserves. Possibly it was not intended that it should attract attention. It is not yet known to what extent the Republican Party of the United States are in agreement with Mr. Wilson in an important matter. Mr. Wilson has definitely abandoned the Monroe doctrine, and it is generally believed here that he will find on his return to the United States an organized body of Republican opposition which will make his persistence in this policy extremely difficult. It is even expected that the Democrats also will betray a considerable discontent. Yet it is admitted that unless the Monroe doctrine is definitely abandoned by the United States the formation of a league of nations is impossible. It would be ridiculous to attempt it.

One thing, Mr. President, ought to be clearly recognized, and that is the necessity, not by mere inference or by interlineary interpretation but by a declaration—clear, positive, and unmistakable—in the draft of any constitution of the league of nations to which the United States is a party, that nothing therein implies any relinquishment by the United States of its traditional attitude toward purely American questions, nor does anything in the constitution of the league of nations in any sense limit the power conferred by the Constitution of the United States upon the Congress. If the people of England feel in any sense as is indicated by the article which I have just read, nothing can better lay the foundation of good faith in our dealing with them than some clear, positive, ringing declaration about the traditional and constitutional principles that are dear to us, and in the preservation of which, I venture to say, the Members of this body on both sides stand together.

Mr. PENROSE. Mr. President, I should like to ask the Senator from what paper he was quoting?

Mr. SPENCER. Let me give the name of the paper and the date, though I thought I had done so. The quotation is from the Yorkshire Post of February 1, 1919, published at Leeds, England.

Mr. MYERS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Montana?

Mr. MYERS. I thought the Senator had concluded. I was going to ask for a vote upon my motion.

Mr. CHAMBERLAIN and others rose.

Mr. CHAMBERLAIN. Who is recognized?

The VICE PRESIDENT. The Senator from Missouri [Mr. SPENCER] was on the floor. The Senator from Montana [Mr. MYERS] rose first, and then the Senator from Oregon. The Chair will ask the Senator from Missouri whether he yields to either?

Mr. SPENCER. I had concluded, Mr. President.

Mr. CHAMBERLAIN. It is unimportant to me whether I am recognized now.

The VICE PRESIDENT. The Senator from Oregon is recognized.

DEFERRED APPROPRIATION BILLS, ETC.

Mr. CHAMBERLAIN. Mr. President, I ask unanimous consent that at the hour of 11 o'clock this evening the Senate shall vote on the Army appropriation bill.

Mr. PENROSE. I object, Mr. President.

Mr. GORE. Mr. President, I should like to see if the Agricultural appropriation bill will fare better or whether time is material. Therefore I ask unanimous consent for a vote upon the Agricultural appropriation bill at 10 o'clock this evening.

Mr. PENROSE. I object. There has not been sufficient opportunity to give this important measure due consideration.

Mr. SWANSON. Mr. President, possibly the naval appropriation bill will be recognized as of paramount importance at the present time. I therefore ask unanimous consent that at 12 o'clock to-night we vote upon the naval appropriation bill and all amendments thereto.

Mr. PENROSE. I know the Senator from Virginia does not make the request seriously. There is about a month's debate on the naval bill. It contains in its present form several very vicious features which I know the Senator from Virginia does not expect to be passed upon before the 4th of March.

Mr. SWANSON. I had hoped it would be, though from what has proceeded here during the last three weeks I did not have much expectation.

Mr. PENROSE. I object, Mr. President.

The VICE PRESIDENT. Then that is out of the way now.

Mr. SIMMONS. Mr. President, I desire to ask unanimous consent that at 11 o'clock to-night we proceed to vote upon the House joint resolution repealing the semiluxury taxes in the revenue law.

Mr. CURTIS. I object, Mr. President.

The VICE PRESIDENT. That is out of the way now.

Mr. PENROSE. Mr. President, if Senators had displayed this same zeal earlier in the session, all these bills might have been passed. It is true that inability to dispatch public business earlier in the term has reduced the session to this lamentable situation.

Mr. JONES of Washington obtained the floor.

Mr. THOMAS. Mr. President——

Mr. JONES of Washington. Mr. President, I am unwilling to yield the floor——

Mr. THOMAS. Will the Senator yield for a question?

Mr. JONES of Washington. On the notice that has been given here, I yield to the Senator to ask a question, but not for any other purpose.

Mr. THOMAS. I will ask a question. Would it be more pleasing——

Mr. JONES of Washington. I am surprised at this tumultuous energy on the part of our Democratic friends to get these measures passed just now.

Mr. PENROSE. Will the Senator permit me to say that if they had displayed the same energy earlier in the session all these bills might have been passed?

Mr. JONES of Washington. That is what I wanted to get at.

Mr. PENROSE. The utter inability to dispatch business promptly exists now that existed then. It is a lamentable situation.

Mr. THOMAS. Will the Senator yield to me?

Mr. JONES of Washington. If I may yield to the Senator to ask a question, I will do so, but I could not yield for any other purpose.

Mr. THOMAS. I will ask a question.

Mr. JONES of Washington. If it is the disposition to cut off debate here, so that Senators can not with safety yield to a colleague, we ought to know it. I shall be glad to yield to the Senator from Colorado for a question or statement so far as I can do so without losing the floor.

Mr. THOMAS. So far as I know I have never taken or attempted to take any such advantage, and I hope I never will.

Mr. JONES of Washington. I know the Senator has not done that.

Mr. THOMAS. I was merely going to suggest, in view of the stand the other side takes regarding our apparent haste and anxiety now to take up something, that perhaps it will suit them better if I should move that we vote upon the league of nations at 11 o'clock.

Mr. JONES of Washington. The Senator from Oregon asked unanimous consent to vote on the Army bill at 11 o'clock to-night, but the Army bill is not before the Senate and has not been before the Senate and has not had any consideration whatever. It is simply on the calendar. The Senator from Oklahoma asked for a vote upon the Agricultural bill at 10 o'clock. That bill is not before the Senate. It has not been before the Senate and has not had a bit of consideration by the Senate.

Mr. GORE. Mr. President——

Mr. JONES of Washington. A great many important amendments are proposed by the committee that have had no consideration whatever by the Senate, and no Senator knows what they are except possibly those who are members of the committee and others who may be personally interested in some particular amendment. Yet the Senator asked that the Senate agree to vote on that bill at 10 o'clock to-night. I yield to the Senator from Oklahoma for a question.

Mr. GORE. I was not certain whether the Senator meant to imply at first that the Agricultural appropriation bill was not on the calendar.

Mr. JONES of Washington. No.

Mr. GORE. I judge from his later remarks he did not mean to convey that implication.

Mr. JONES of Washington. No; the bill is on the calendar.

Mr. GORE. I will ask the Senator if he does not think if the speeches had been made at an earlier stage of the session, it might have been possible to secure consideration for those bills?

Mr. JONES of Washington. The speeches could not have been made very much earlier, because we did not have this compact that has been discussed until a short time ago. The President has not been here very long. The compact had not been presented, and the President asked that it be not discussed, and out of deference to that request I have no doubt many Senators withheld their speeches until after the date set by him. So that has caused delay in the presentation of those figures.

Mr. CHAMBERLAIN rose.

Mr. JONES of Washington. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. Mr. President, I desire to suggest to the Senator from Washington, in all sincerity, that the request I made was made in perfect good faith, and for this reason: There is no legislation that fixes the status of the National Guard, and there are 30 States whose legislatures are now holding sessions; and unless something is done the status of the National Guard will not be understood.

Further than that, there is no legislation that establishes the size of the Army. The Army appropriation bill fixes that; and unless there is some legislation that will be undetermined.

Mr. JONES of Washington. I agree with the Senator from Oregon. It is really a shame that that legislation can not be enacted. It ought to be enacted, and it ought to have been considered before this time at this session. If it does not get through at this session, it ought to be considered immediately afterwards. If there were nothing else to justify the calling of an extra session of this Congress, it would be the status which will exist in reference to the Army. If such legislation is not passed, we ought to be called back here immediately to consider the Army appropriation bill to which the Senator has referred. There are other facts that ought to be brought out with reference to the result that will follow if this legislation is not enacted at the present session.

Mr. President, the Senator from Virginia [Mr. SWANSON] hastily, enthusiastically, and energetically asked us to pass the naval bill at 12 o'clock to-night. That bill is not before the Senate; it has not been before the Senate. It is on the calendar, having been reported by the Committee on Naval Affairs. It carries several billion dollars and has propositions in it of tremendous importance; and yet the Senator asks us to set the time to vote upon it at 12 o'clock to-night by unanimous consent.

Mr. FLETCHER rose.

Mr. SWANSON. Will the Senator from Washington permit me to interrupt him?

Mr. JONES of Washington. The three bills that have been brought up involve the expenditure of nearly $3,000,000,000 and the taxation of the people of the United States to that extent.

Mr. FLETCHER. May I ask the Senator from Washington a question?

Mr. JONES of Washington. The Senator from Florida first rose, and I yield to him.

Mr. FLETCHER. I desire to ask the Senator from Washington if he does not think we could have made considerable headway if we had spent the three and a half hours this morning in discussing matters that are before the Senate, rather than matter that are not before the Senate?

Mr. JONES of Washington. I am not criticizing the Senators who have been taking time to-day. I think they have done splendid work; I think they have discussed their subjects well; they have given us much information, and have given the country much information upon a question that the country is very much interested in.

Mr. SWANSON. Will the Senator from Washington yield to me for a moment?

Mr. JONES of Washington. I yield to the Senator from Virginia.

Mr. SWANSON. I simply want to show that delay in reporting and passing these bills is not unusual at a short session.

Mr. JONES of Washington. Oh, I understand.

Mr. SWANSON. Mr. President, in 1911——

Mr. BORAH. May I make a suggestion before the Senator from Virginia proceeds?

Mr. SWANSON. In 1911 the naval bill was reported on March 1 and passed on March 3. This bill was reported five or six days earlier than that. In 1913 it was reported on the 28th day of February and passed on the 28th.

Mr. JONES of Washington. I want to ask the Senator a question. I ask how much money has been appropriated for the Navy in the last 50 years?

Mr. SWANSON. I have not the amount.

Mr. JONES of Washington. It is not anything like the amount appropriated in this bill, is it?

Mr. SWANSON. Oh, yes.

Mr. JONES of Washington. Oh, no; I venture to say it is not.

Mr. SWANSON. The naval bill has been greatly reduced over the expenditure of last year.

Mr. JONES of Washington. I doubt that very much, with the big program, but, Mr. President, that has nothing to do with the present situation.

Anyway, the Senator refers to 1911, to bills that were passed. They were enacted when other bills were not in the way to prevent action upon them. There was not the jam and congestion that we now have, caused by what I may take time later to discuss a little more fully.

I did not intend to speak about these things, and would not have done so at this time, had not these Senators gotten such a movement upon them to ask for the expediting of the public business.

However, I did rise to say a word or two on the motion that is pending before the Senate. The motion, as I understand it, is the motion of the Senator from Montana [Mr. MYERS] to take up the bill (S. 5652) providing for cooperation between the United States and State governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes.

Mr. President, we have had millions of acres of land in this country that have been idle for many years, which probably, unless some governmental action of some kind is taken, will continue to lie idle for many years more. I hope that some legislation may be passed, if necessary, on the part of Congress to inaugurate this work, to carry it on to completion, so that these lands may be reclaimed and homes may be built thereon. I myself introduced a bill a couple of years ago that I believe would, if passed, have aided and encouraged very materially the reclamation of swamp and arid lands. That bill proposed to place the Government behind the bonds of the districts that might be formed, to raise revenue by taxation in order to encourage private capital to go into these great enterprises. I believe, if that bill had been passed, we should have had development going on with reference to these lands.

That bill, however, did not seem to be satisfactory to the department, and the department prepared a bill, which was introduced in the Senate by the Senator from Oregon [Mr. CHAMBERLAIN]. It was referred, and it was reported to the Senate on the 16th day of February, 1918, over a year ago, with a unanimous report from the Committee on Irrigation and Reclamation of Arid Lands with certain amendments. That bill has come up from time to time on the calendar and has been objected to and gone over. There has not seemed to be any very serious effort to get it passed. Even when the need for reclaimed land for our soldiers became apparent there was no special activity to get action upon it.

We have seen now for several weeks glowing accounts of the proposal of the Secretary of the Interior to make lands available for our soldiers and sailors. I think that he wrote one of the most inspiring articles with reference to this work that I have ever read. I believe that we are going to have to do something along the lines that he has suggested in the way of aiding people, not only in the way of reclaiming land but in the way of aiding people in establishing homes on those lands and maintaining themselves for a few years until they get a start. Other countries are doing this. Canada is doing it; Australia is doing it to a wonderful extent, and is accomplishing great things. We shall probably have to do it. So the Secretary, instead of taking these propositions that we already had on the calendar, has suggested a new proposition. A great deal of publicity, a great deal of notice, a great deal of notoriety, have been given to this plan, and many questions have been asked about it. I am getting numerous letters with reference to it. Some of the soldiers seem to think that it is almost on the way to completion, and they are seeking knowledge and information as to where they can get a farm, where they can get lands upon which they can settle.

Here we have a motion to take up this bill to-day, the day before the close of the session. How long has it been pending? How earnestly has it been pressed in the United States Senate? Why, Mr. President, this great measure of transcendent importance was not introduced in the Senate until February 22, just a

little over a week ago, and it was not reported from the committee until when? Until February 27, just two or three days ago. It appropriates $100,000,000 outright and proposes to place it in the hands of the Secretary of the Interior to carry on this work, and it is admitted by all those who urge it and those who realize its importance that it will ultimately cost a billion or two billion or possibly three or four billion dollars——

Mr. PENROSE. Four billion.

Mr. JONES of Washington. To carry it out to completion. Yet we are asked in the closing hours of this session to take up this measure and try to pass it without discussion, without consideration, because there can not be discussion upon it and there can not be consideration given to it.

Mr. PENROSE. Mr. President, will the Senator permit me to interrupt him?

Mr. JONES of Washington. I yield to the Senator for a question.

Mr. PENROSE. I desire to call attention to page 4 of the report, from which the Senator will see that it contemplates the expenditure of $4,000,000,000.

Mr. JONES of Washington. Mr. President, I have not had an opportunity to examine carefully the provisions of the bill. They may be all right; they may be such as will amply safeguard the expenditure of the public money; they may be sufficient to direct the activities of the bureaus of the Department of the Interior in the proper way to carry out this great and desirable and laudable object and purpose; yet it seems to me there has not been the activity and the energy displayed in pushing this bill that its importance deserves.

I have no doubt as to the good faith of my friend from Montana. I am sure that he is earnestly in favor of this measure, for he knows what it means; he knows what is necessary to get the arid lands of the West reclaimed; he knows what it means to a man to go out on those lands and try to build a home; he knows that very few men can do it without help, without aid, and assistance; and that that aid and assistance can best come from the Government.

He knows also, I am satisfied—or, at any rate, he feels entirely confident—that this money will ultimately come back to the Treasury; that it will be repaid to the Government by those who are aided and assisted in the matter. I feel so, too. I should like this measure, or something like it, passed if it is properly safeguarded; but, as I have said, I have not had time to examine its terms. I am simply expressing my views with reference to the general purpose, the general object that it is hoped to accomplish by legislation of this kind; but I do not think the suggestion ought to go to the country that when this measure was brought up or a motion was made to take it up the Senate rejected it. The Senate will not reject it upon its merits; it will not reject it because it has had it under consideration, but if this motion is defeated it will be simply because the Senate feels that it is impossible at this late day of the session to give this measure the consideration that it ought to have; that the business before the Senate is considered of more pressing, immediate, and urgent importance for action than the measure brought forward now by the Senator from Montana.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from North Dakota?

Mr. JONES of Washington. I yield to the Senator from North Dakota.

Mr. GRONNA. The Senator from Washington comes from a section of the country where irrigation is necessary in many places, and I wish to ask him this question: Does the Senator believe that we ought to treat the soldiers like we treated the Indians in the early days, setting aside certain areas for them to live upon? And may I call the attention of the Senator to the fact that under the bill referred to we would not treat them as well as we treated the Indians, because he knows that the irrigation of some of these lands will cost from fifty to a hundred dollars an acre, and the soldiers would have to repay that amount to the Government?

Mr. JONES of Washington. I will frankly state that I do not see any special benefit to come to the soldiers and sailors from this legislation. It will take years to get the projects moving, under this legislation, to a sufficient extent to do anybody any good.

Mr. LODGE. Mr. President, will the Senator from Washington allow me for a moment?

Mr. JONES of Washington. I yield.

Mr. LODGE. Soldiers would be gray-headed men before they could get an acre of it, would they not?

Mr. JONES of Washington. I hardly would say that; but, at least, it will take a long time, judging from the time it has taken the public authorities to get similar projects in motion heretofore.

Mr. NELSON. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. NELSON. In order to make this scheme a success, will it not be necessary to support the soldiers on these lands for at least two years, to furnish them seed, tools, machinery, and everything else; and does the bill provide for furnishing them food and other supplies?

Mr. JONES of Washington. As I have said, I have not had time to examine the terms of the bill, but the Senator from Minnesota is just about right with reference to the necessities of the people who will go on these lands. When I said that I thought something of this kind ought to be done, I was referring to that as a general policy, looking to the future development of the country. From my knowledge and my experience in connection with the reclamation of arid lands, I feel that it would be years before there would be any land actually available for settlement by homesteaders or soldiers under this proposed legislation. Why, Mr. President, it takes time to get desert land in shape for farming; it takes time to get logged-off lands in shape for cultivation; it takes time to get swamp lands reclaimed. You have got to go through all the process of getting the districts formed, and all that sort of thing; you have got to get your plans; you have got to get your estimates; you have got to make surveys, and everything of that kind; so that when I say I am in favor of something along this line it is as a general permanent policy, and not that it will bring any special benefit to the soldiers and sailors of the country.

We can get relief and help for them sooner by appropriating about $50,000,000 to carry on reclamation projects that have actually been begun but have had to stop during this war; on projects for which plans and estimates are already completed but the work upon which is being withheld because no money is available. There would be some relief if we would follow a course like that. We could furnish employment to men who want to go into that sort of work, and we could put them to work immediately.

In Yakima County, Wash., in connection with a great irrigation project, a reservoir was being constructed; the buildings for the housing of 500 or 600 or a thousand men were constructed; men were actually at work in building this reservoir; but they had to stop; all those houses are now vacant, and the work is not going on.

It could be started to-morrow if there were money available to do it, and it ought to be done. No plans would have to be prepared; no estimates would have to be worked out; no expense would have to be incurred to start this work. The Government houses are idle; the Government work is deteriorating; its machinery is deteriorating. That is not the only irrigation project that is in the same condition. So, Mr. President, if we want to help the soldiers to employment, if we want to make additional lands available so that they will get some benefit out of the lands, let us appropriate money for work that should be actually under way and that could be put under way next week if we would make the money available.

The principle of this proposed legislation as a permanent policy for the future development and growth of this country is a good thing; it is a great scheme; its possibilities, when they are thought over, awaken the imagination and create dreams of wonderful growth and development in various sections of the country. These dreams could even be surpassed in the years to come in the actual development that would take place; but, Mr. President, this bill is called up on the next to the last day of the session, having been introduced in the Senate only a week ago and reported to the Senate only on the 27th day of February. The country will understand that, even if this motion is voted down, it is not in condemnation of the proposition of the Senator from Montana, but merely because of the condition of the calendar and because of the delay that has taken place in the presentation of the measure to the Senate for consideration, for which delay the Senate is not to blame. The Senator from Montana no doubt introduced it just as soon as it was submitted to him. The committee acted with wonderful promptness upon a proposition of that kind. They only had it under consideration for a week and then reported it to the Senate.

Mr. SHAFROTH. Mr. President, will the Senator yield for a question?

Mr. JONES of Washington. I yield to the Senator.

Mr. SHAFROTH. I have listened to the Senator's speech, and it shows a good deal of comment favorable and a good deal of comment unfavorable. I want to ask the Senator whether, if this vote is taken now, he will vote in favor of the measure?

Mr. JONES of Washington. I will, Mr. President.

Mr. WADSWORTH. Mr. President——

The VICE PRESIDENT. The Senator from New York.

Mr. WADSWORTH. I am prompted to make a few observations at this time by reason of the request made by the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. MYERS. Mr. President, will the Senator yield to me for a simple announcement—just a second?

Mr. WADSWORTH. If I do not lose the floor.

Mr. MYERS. I do not think the Senator will lose the floor. Mr. President, I withdraw my motion.

Mr. JONES of Washington. I object.

Mr. PENROSE. I object to it.

Mr. MYERS. I have a right to withdraw the motion.

Mr. PENROSE. I want an opportunity to point out the absolute absurdity of this proposition.

Mr. WADSWORTH. Mr. President, I must insist upon holding the floor.

Mr. MYERS. I care nothing for the so-called absurdity. It is not as absurd, in any event, as the Senator from Pennsylvania makes himself; and I withdraw my motion.

Mr. PENROSE. I object.

Mr. MYERS. I do not have to ask anybody's permission to withdraw it. I have that right.

Mr. FRANCE. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. FRANCE. I wish to call attention to the recent remark of the Senator from Montana, and ask if that is in order.

Mr. MYERS. I will enlighten the Senator. I think it is. [Laughter.]

The VICE PRESIDENT. Well, we will see what a Senator may say about another, according to the rules:

No Senator in debate shall, directly or indirectly, by any form of words, impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

The Chair does not know whether this comes within the rule or not. The Chair does not believe the Senator from Pennsylvania cares.

Mr. PENROSE. I do not care, Mr. President. It is a matter of utter indifference to me. Let the RECORD be ornamented for all time by the emanations of the Senator from Montana.

Mr. MYERS. I have withdrawn my motion, Mr. President. What I have said will ornament the RECORD a great deal more than the Senator from Pennsylvania ornaments it.

The VICE PRESIDENT. That is enough.

Mr. WADSWORTH. Mr. President——

The VICE PRESIDENT. The Senator from Montana has withdrawn his motion, as he had a right to do; so the unfinished business, the general deficiency bill, is before the Senate, and the Senator from New York has the floor.

NEEDS OF THE MILITARY ESTABLISHMENT.

Mr. WADSWORTH. Mr President, a few moments ago the Senator from Oregon [Mr. CHAMBERLAIN] asked unanimous consent that the military appropriation bill be voted upon at 11 o'clock to-night. It is a request which failed of obtaining unanimous consent. The incident prompts me to make a few observations on the situation connected with the military appropriation bill.

Even were the Senate to pass the military appropriation bill to-night at 11 o'clock, there is scarcely a chance on earth that it could pass the other House in the form that it would pass the Senate, if the Senate follows the suggestions of the Committee on Military Affairs. So I think no one should be confused or disturbed about any action which the Senate may take or any Senator may take upon this occasion being responsible for the failure of this bill to become a law at this session.

The Senate Committee on Military Affairs has seen fit to add a large number of amendments to this bill, some of which, in fact, many of which, must inevitably give rise to extensive debate, not only in this Chamber, but in the House of Representatives. Many of those amendments are on topics and are of a nature which have already been rejected once by the House of Representatives; and anyone who supposes that this measure could pass both Houses of Congress before March 4 at 12 o'clock, is very much mistaken.

It is physically impossible for the Congress in the remaining hours to pass this measure, and the only way in which it can become law in time to carry out the purposes sought for between its two covers, is in an extra session of Congress called at the earliest possible moment; and I am going to call the attention of the Senate to two or three features of this measure, two or three matters relating to the Army of the United States, which to my mind are exceedingly important and should be settled without any delay whatsoever, if such a thing is possible.

Senators will remember that the national defense act of June 3, 1916, provides for this year an Army of 175,000 men.

The law as it is to-day will result in the Regular Army being reduced to 175,000. When this present emergency is over, and it is so declared by a proclamation of the President, the men who have been drafted into the military service must be discharged, all of them, within four months thereafter, under the terms of the selective-draft law. I assume that the proclamation of the President declaring the emergency terminated will be coincident with the signing of the terms of peace with Germany. No one can tell when that declaration will be issued. But, in any event, when it is issued the entire military forces of the United States will be reduced to 175,000.

We are confronted with this situation: This great Republic of ours will be unable to carry out even small obligations which will be imposed upon us in the terms of peace. For with a total Army of 175,000 men, a great portion of which will be necessary for the garrisoning of the Philippines and Hawaii and Panama, and another great portion of which will be needed to man our seacoast defenses to even take reasonable care of the armament of those defenses, and another great portion of which will be needed to take care of the military property in the Army posts and cantonments which will then still be standing in the United States, we will be stripped of all power to carry out our obligations.

Mr. SHAFROTH. Mr. President, will the Senator yield?

Mr. WADSWORTH. I yield.

Mr. SHAFROTH. The Senator knows that the bill that is before the Senate now is the general deficiency bill. If that is passed in the next hour or two hours, every Member upon this side of the Chamber will then be willing to take up the Army bill, and for that reason it seems to me that the Senator ought to aid and assist in the passage of the general deficiency bill. Surely the Senator has no objection to that bill.

Mr. WADSWORTH. Mr. President, I can not be diverted from my purpose by the interruption of the Senator from Colorado. I am going to point out to the Senate a condition which I regard as serious, and I am going to put the blame where it belongs.

Mr. SHAFROTH. If the Senator will simply either cease or consent to the general deficiency bill going through, he can within an hour get his Army bill up by the consent of every Member on this side of the Chamber.

Mr. WADSWORTH. I am entirely willing that the general deficiency bill shall go through, and I assume it will go through; and, furthermore, the Senator will not cease.

Now, Mr. President, the program of the War Department, as laid out in this bill reported from the Military Affairs Committee, provides for recruiting a Regular Army to an aggregate number of 509,000 men and 28,000 officers. It is calculated that that number can be recruited under a volunteering system in time to enable this Government to undertake whatever responsibilities may fall upon it later in this year. If that is not done, and done very, very soon under authority of Congress, then that number of drafted men will have to be kept in the Army of the United States, and the bulk of them will have to be kept in France.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. WADSWORTH. I yield for a question.

Mr. McKELLAR. As I understand the Senator, he is in favor of and has agreed to the bill that is reported out by the Military Affairs Committee?

Mr. WADSWORTH. I am.

Mr. McKELLAR. Then, why not let us pass it?

Mr. WADSWORTH. The Senator could not have been in the Chamber a moment ago when I said it was physically impossible to pass this bill before final adjournment.

Mr. McKELLAR. I understood——

Mr. WADSWORTH. Just a moment. I decline to be interrupted except for a question. If the President of the United States would call an extra session of Congress shortly after we adjourn to-morrow, as he should do, this bill could be passed, and passed within a reasonably short period. It is impossible to pass it between now and to-morrow at 12 o'clock.

Mr. McKELLAR. May I ask the Senator to yield again?

Mr. WADSWORTH. I yield for a question if I am not deprived of the floor.

Mr. McKELLAR. I will ask the Senator this question, and then I will not interrupt him again: Does not the Senator think that if he and other Senators on that side of the Chamber would quit filibustering and let us pass this bill in the usual way at the short session, we would get along very much better?

Mr. WADSWORTH. Mr. President, I am not going to take up very much of the time of the Senate, nor am I disturbed by the insinuation made by the Senator from Tennessee. This is

a matter of grave importance to the country. I am begging that an extra session of Congress be called, and as a Member of this body I have a right to make that request and to urge that action upon the President of the United States.

The plans of the War Department include, if this bill should pass, the bringing home from France by July 1 of 915,000 men. We now have in France approximately 1,500,000 men. The War Department desires to open up to volunteer recruiting the Regular Army to a total aggregate strength of 500,000, composed of men who are willing either to stay in France or to go there and take the places of the men who desire to retire from the service and return to their homes and their former occupations.

This bill can not pass in this session. It should be taken up in an extra session, immediately upon the adjournment of this Congress, in justice to these men who desire to be brought home, and to whom the Government owes a moral obligation to bring them home. But the Government can not bring them home if it has no force with which to replace them.

Now, that is the situation. We are told that there will be no extra session before June 1. Three months will go by, approximately—March, April, and May. With the failure of the Congress in this session, or the next Congress in an extra session called immediately upon the adjournment of this Congress, to grant any relief during those three months, it will be impossible for the War Department to recruit by volunteering an Army to take the places of the men who want to return; and I contend that it is the duty of the President, in view of this situation, to call an extra session of Congress.

We can not, as a nation, afford to be stripped of our military defense; and so, therefore, the War Department must hold these men in service. They can not be reduced in number below a certain figure in France for some time to come. We can not abandon garrisoning the Philippines, or Hawaii, or the Panama Canal; nor can we abandon the care which should be taken of our seacoast fortifications and our military property here in the United States; and yet, without this measure passed in an extra session of the Congress called very soon, there is no authority lodged in the law under which the War Department can recruit an army to exceed 175,000 men; and that is absolutely inadequate, and is admitted to be inadequate by the Chief of Staff and the Secretary of War. We are face to face with that situation. The Chief of Staff and the Secretary of War have told the Military Affairs Committee exactly what the situation is. I want the Senate to know it; I want the public to know it; and I want the Senate and the public to know where the responsibility will lie if three months go by, and probably four months, before we can get a bill through the session of the new Congress called some time around June 1, or thereafter.

It is a serious situation, Mr. President; and it should be thoroughly understood that the one item alone to which I have referred is ample justification for an extra session of Congress. There are other things that must be taken care of, and taken care of at the earliest possible moment, or we are in even greater difficulty.

Senators must all remember that under the bill which enacted the so-called selective draft law, the National Guard of the United States was drafted into the service. The Judge Advocate General of the Army has ruled that by that act all the enlisted men of the National Guard have been separated completely and entirely from their National Guard organizations as they existed prior to the time that we went into the war. In other words, we have no National Guard in the United States to-day worthy of the name.

Mr. President, thousands of these former National Guardsmen, after being drafted in the Army of the United States, went to France, became an exceedingly important part of the American Expeditionary Force, fought with great valor and with great success, with every evidence of discipline and efficiency, and are now about to return to the United States, trained veteran soldiers of tremendous potential value to their country in the event of any trouble overtaking us at home or abroad. The War Department wants to encourage these veterans, some of whom are on the water now, to reenlist in the National Guard, to go back into that service and thereby render themselves available to meet any emergency which may arise. A provision has been drafted and inserted in this bill to make that possible, to encourage these men to come in, rating them and their officers as veterans, urging them to renew their terms of enlistment in the National Guard. If that is not done within the next three or four months, we are going to lose thousands and thousands of our best soldiers. If it is done promptly, we have every reason to believe that many of these famous units will continue in existence in the several States under Federal control and subject to the call of the Federal Government.

There is another matter that ought to be decided, and it ought to be decided in an extra session of the Congress, just as soon as the new Congress can be gotten together, and the responsibility lies upon the President of the United States. Senators have heard a good deal during the last year about the grave delay in the payment of soldiers. Many, many months have gone by in thousands of cases where soldiers in the Army have been compelled to go without their pay owing to the intricacies and complications of so-called Army paper work. We would like to get that straightened out.

We do not want to wait four months and have this condition of affairs continue during all that period. The War Department has a remedy and has proposed it to the Military Committee, and it is in this bill. Must these men of ours wait four months more before this system can be corrected? Must this intolerable situation continue indefinitely? Is it not important for the contentment of these thousands and thousands of men, is it not important for the success of the future military policy of the United States, that these things be corrected, that we may get an Army by volunteering, if necessary, at the earliest possible time, that we may reestablish the National Guard and see that the men are paid?

I have felt very deeply on this question since the bill first came over from the House. The House sent a bill over to us which, in many respects, was exceedingly difficult to deal with, and instantly upon the call of the chairman of the Military Affairs Committee a subcommittee of the Military Affairs Committee endeavored to put the bill in shape. It was a terrific task. I have never been confronted with a such a difficult one, and I think my colleagues on that committee will say the same thing. We knew at the time we received it that so great were the questions involved in the amendments which were proposed, and so important were they and so open to contention that it would be almost impossible to pass it through the Senate and get the consent of the House to these more important matters before 12 o'clock on March 4. I am not entitled to speak for the majority of the committee, but many of us believe that this bill alone represents ample justification for the calling of an extra session, so that the matters to which I have referred, and many others can be taken up and straightened out at the earliest possible moment.

But instead of that, Senators, we are given to understand that the new Congress will not be called in session until June 1 or thereabouts, and for the months of March, April, and May the President is to be in Paris and there is to be no Congress at Washington.

It is an unusual situation, Mr. President. I find it difficult for me to describe my feelings as I confront the possibilities of the next three months with the Chief Executive in Paris and no Congress at Washington; for this is not the only matter that may come up of great importance to the country. We can not tell what may happen during the next three months which will make it absolutely essential for some remedial legislation to be passed or quick action taken by the Congress; and yet there seems to be no hope that there shall be enough left of the Government of the United States to take care of an emergency. The country must drift for three months.

One may only speak one's opinions upon the floor of the Senate and express one's apprehensions, and that is all I am endeavoring to do. I wanted the Senate to know how I feel about it, and I wanted the country to know some of the questions that confront it in the maintenance of an adequate armed force to carry out the obligations of the United States.

DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. MARTIN of Virginia. Mr. President, the general deficiency bill has theoretically been before the Senate since 10 o'clock this morning, although not one single word has been addressed to any subject mentioned in it, and I think I may safely say not a particle of thought or consideration has been given to it. I feel it to be my duty to call the attention of the Senate to the fact that the bill is now in jeopardy. Unless there is cooperation with a view to its early passage, it will fail, and when it fails $842,000,000, which is needed now, will be denied those to whom it is due.

Frequent allusion has been made to the appropriations. General appropriation bills carry money which will not be needed

and can not be used until the 1st day of July. Nearly every dollar of this $842,000,000 is needed right now and will be paid out by the Government in the next 30 or 60 days to meet obligations which rest upon the Government, and which it in honor should meet.

I feel it to be my duty to call the attention of Senators to this situation. This is a deficiency bill. It is to provide moneys that are now needed, with very few and small exceptions. It will take about two hours for the clerks to get this bill ready for the conference after the Senate finally passes it. All we are to do must be done before 12 o'clock to-morrow. This bill is in danger, it is in imminent danger, of defeat. If Senators want to deny this money, of course it is in their power to do it, but I appeal to Senators not to deny moneys that are absolutely necessary to meet present obligations of the Government, obligations the denial of which, in my judgment, will bring on a financial panic if not paid.

I say, if money is not supplied to meet these demands of the Government, I believe it will bring on a financial panic. I feel it my duty to call these matters to the attention of the Senate and to appeal to Senators to cooperate with each other and with me in passing this very vital and important and necessary legislation to meet the demands on the Government of the United States.

Mr. President, having explained the matter briefly, I ask unanimous consent that the formal reading of the bill may be dispensed with; that the bill be read for amendment; and that the committee amendments may first be considered.

The VICE PRESIDENT. Is there objection?

Mr. FRANCE. I object, Mr. President.

Mr. MARTIN of Virginia. I suppose it will not do any good, but still I appeal to the Senator not to embarrass the country and not to bring a panic upon the country.

Mr. SMOOT. Will the Senator from Maryland yield to me for just a moment? I understand the Senator from Virginia is only asking that formal reading of the bill be dispensed with. The bill itself will be read at the time the amendments are taken up. The Senator from Maryland does not want to have the bill read through twice? He simply wants to have the bill read once, I understand.

Mr. FRANCE. I wish to have the whole bill read.

Mr. SMOOT. It will be read when we are acting upon the amendments of the committee.

Mr. MARTIN of Virginia. Mr. President, I do not want the bill read twice, and unless the Senator from Maryland means to filibuster against this bill and defeat it, I can conceive of no reason why we should sit here and hear it read twice.

Mr. FRANCE. I do not object if the whole bill is read and carefully considered, with all the amendments thereto.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. MARTIN of Virginia. Certainly.

Mr. LENROOT. I ask the Senator if this bill should fail, and its failure would probably bring on a panic, would not the President immediately call Congress into special session for the purpose of taking care of these obligations?

Mr. MARTIN of Virginia. I am not authorized to speak for the President. I can only say he told me in two conversations, in the plainest possible English, that he had made up his mind, and it was final, that no extra session of Congress will be called under any circumstances until his return from France.

Mr. LENROOT. If the Senator will yield further, does he think the President of the United States would be willing to bring a panic upon the country rather than change his mind and save it?

Mr. MARTIN of Virginia. The President would not be bringing the panic; but these Senators who sit here and filibuster against these appropriation bills and fail and refuse to support the Government of the United States are the men who will bring on the panic.

Mr. PENROSE. Mr. President, I desire to renew the objection made by the Senator from Maryland and to have the bill read with due formality and according to orderly procedure.

Mr. MARTIN of Virginia. Certainly the Senator from Pennsylvania does not want to have it read twice?

Mr. PENROSE. Yes, sir.

Mr. MARTIN of Virginia. Very well; the Senator has it in his power to filibuster against the bill by insisting upon that course if he sees fit.

Mr. PENROSE. How much does the bill carry?

Mr. MARTIN of Virginia. Eight hundred and forty-two million dollars.

Mr. PENROSE. That is a considerable sum of money, and the bill ought to be considered deliberately. There has been too much——

Mr. MARTIN of Virginia. If the Senator can not understand it when it is read once, he will be unable, in my judgment, to understand it when it is read twice.

Mr. PENROSE. I do not think so. I should like to ask the chairman of the committee—because it may influence my views—whether he intends to offer as an amendment to the bill the proposition to appropriate $5,000,000 for the further expenses of the Paris trip?

Mr. MARTIN of Virginia. The Senator from Pennsylvania knows before he asks that question exactly what my position is. I am opposed to putting that amendment on this bill. I not only will not offer it as an amendment, but I am opposed to delaying and hindering the measure by bringing up any such proposition.

Mr. PENROSE. I am astonished, Mr. President. Has not the President of the United States made a special request to have this appropriation made?

Mr. MARTIN of Virginia. He has not communicated with me in any way with respect to it.

Mr. PENROSE. The newspapers say he has communicated with the Senator.

Mr. MARTIN of Virginia. If the newspapers so stated, they stated what was false. I have not received any communication from the President with respect to it. It has been sent as an estimate to Congress, but I have had no communication from the President in regard to it.

Mr. PENROSE. The Senator knows that such a communication was transmitted to the Speaker of the House of Representatives?

Mr. MARTIN of Virginia. That may be. I am speaking for myself and in respect of my own duties, and not in reference to the Speaker of the House.

Mr. PENROSE. If I should offer the amendment to the bill, will the Senator accept it?

Mr. MARTIN of Virginia. An amendment to appropriate $5,000,000 for that purpose?

Mr. PENROSE. Yes.

Mr. MARTIN of Virginia. I will not accept it. I am opposed to its going on this bill. As the Senator knows, he is as much opposed to it as I am, and he has no idea of offering the amendment. Such ad captandum suggestions to me are absolutely futile.

Mr. PENROSE. The Senator seems pretty firm against it. I should like to read the President's communication.

Mr. MARTIN of Virginia. I hope the Senator from Pennsylvania will forego anything like a filibuster against this bill. He knows the vital importance of it.

The VICE PRESIDENT. The question before the Senate is the unanimous-consent request. Is there objection?

Mr. PENROSE. Certainly a little moderate debate——

The VICE PRESIDENT. The Chair is going to take a hand. There must be objection, or there is none.

Mr. PENROSE. I have made my objection.

The VICE PRESIDENT. Very well; the Secretary will proceed with the reading of the bill. That is the thing in order.

Mr. MYERS. Mr. President——

The VICE PRESIDENT. There is nothing in order except the reading of the bill.

Mr. MYERS. I rise to present a conference report——

Mr. PENROSE. I object.

Mr. MYERS. I do not care for the Senator's objection. I have a right to make a conference report, if the Chair will recognize me. Am I recognized?

The VICE PRESIDENT. Certainly, for that purpose.

Mr. MYERS. I rise to present a report of the conferees on Senate bill 3797, and I ask that the conference report be read. It is very short.

Mr. PENROSE. I am glad we are permitted to hear the report, and not have to pass upon it without reading.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, and it was thereupon signed by the Vice President.

PUBLIC LAND ENTRIES.

Mr. MYERS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32.

That the House recede from its amendment numbered 19, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 1 and agree to the same with an amendment, as follows: In lieu of the matter proposed by the House amendment insert the following:

"*Provided*, That the issuance of patent shall not release the Milwaukee Lumber Co. from its obligations to pay the value of the timber cut from this land, with a reservation in the Government of the United States of an easement across said land for roadway or other purposes which the interests of the United States may require."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized to allow George E. Windecker to make homestead application for the east half, section 21, township 34 north, range 14 east, Montana meridian, in the State of Montana, subject to reconveyance of the said land to the United States by said George E. Windecker."

And the House agree to the same.

H. L. MYERS,
JOSEPH E. RANSDELL,
REED SMOOT,
Managers on the part of the Senate.
SCOTT FERRIS,
EDWARD T. TAYLOR,
WILLIAM L. LA FOLLETTE,
Managers on the part of the House.

The report was agreed to.

MILITARY ACADEMY APPROPRIATIONS.

Mr. CHAMBERLAIN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2 and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, and 7, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "$780,000: *Provided*, That the pay of cadets for the fiscal year ending June 30, 1920, shall be fixed at $780 per annum and one ration per day or commutation therefor at the rate of 68 cents per ration, to be paid from the appropriation for the subsistence of the Army"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"For cadet hospital and nurses' quarters, $390,000."

And the Senate agree to the same.

GEORGE E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.
S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

The report was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. OVERMAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 16, 18, 19, 20, 22, 25, 26, and 30.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15, 17, 23, 27, 28, and 29, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "including such loss on bills of exchange to officers of the United States Court for China"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "$50,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Not exceeding $50,000 of the"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"INTERNATIONAL COMMISSION ON PUBLIC AND PRIVATE INTERNATIONAL LAW.

"The unexpended balance of the appropriation of $15,000 for the payment of compensation to and the necessary expenses of the representative or representatives of the United States on the International Commission of Jurists, organized under the convention signed at the Third International American Conference August 23, 1906, approved by the Senate February 3, 1908, and ratified by the President February 8, 1908, for the purpose of preparing drafts of codes of public and private international law, and for the payment of the quota of the United States of the expenses incident to the preparation of such drafts, including the compensation of experts, under article 4 of the convention, made in the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, is hereby made available for the fiscal year 1920."

And the Senate agree to the same.

LEE S. OVERMAN,
JOHN F. SHAFROTH,
CHARLES CURTIS,
Managers on the part of the Senate.
H. D. FLOOD,
J. CHARLES LINTHICUM,
HENRY ALLEN COOPER,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. SAULSBURY. Mr. President, there is an amendment which is stated as agreed to in the conference report which I do not quite understand from the reading of the report. I should like to ask the chairman of the conference on the part of the Senate what amendment was made with respect to the officers of the United States Court in China?

Mr. OVERMAN. It was retained in the bill substantially as it passed the Senate with a slight change of language, the clause being transferred to another place in the bill.

Mr. SAULSBURY. Then there is no material change of the language, but merely a slight change of phraseology and a transposition to another place in the bill?

Mr. OVERMAN. The provision is practically the same as that adopted by the Senate, but it was transferred to another place in the bill, as it was thought it ought to be.

Mr. SAULSBURY. So that the provision remains practically as it was when agreed upon by the Senate?

Mr. OVERMAN. Yes.

Mr. SAULSBURY. Then I have no objection to the report.

The VICE PRESIDENT. The question is on the adoption of the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by J. C. South, its Chief Clerk, announced that the House agrees to the amendments of the Senate to the bill (H. R. 10891) to amend and reenact an act for the establishment of a probation system for the District of Columbia.

The message also announced that the House recedes from its disagreement to the amendments of the Senate to the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, still in disagreement between the two Houses, and agrees to the same.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3797. An act validating certain applications for and entries of public lands, and for other purposes;

S. 5554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 14894. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 15706. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

GENERAL DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The Secretary proceeded to read the bill, and read to the committee amendment on line 11, page 8.

The PRESIDENT pro tempore. The Chair desires to know if the committee amendments are to be considered as the bill is read?

Mr. SMOOT. No; Mr. President; not under the objection of the Senator from Pennsylvania (Mr. PENROSE).

The PRESIDENT pro tempore. The Secretary will resume the formal reading of the bill.

The Secretary resumed the reading of the bill.

Mr. PENROSE. Mr. President, I think the bill could be followed in a better and more consecutive way if the amendments were read.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Chair is informed that at the time the request was made that the bill be read it was not to include amendments, but simply the text of the bill as it passed the House.

Mr. PENROSE. I made the request, and I simply objected to dispensing with the formal reading of the bill. When I asked for the reading of the bill I certainly had in mind the whole bill and not a garbled part of it. I do not ask the Secretary to go back. He has been skipping a good deal—I do not mean skipping the House bill, but the Senate amendments—but I will ask him, from now on, to read the bill as it is printed.

The PRESIDING OFFICER. The bill has been read as printed, except the Senate amendments.

Mr. PENROSE. I should like hereafter to have the amendments read.

The PRESIDING OFFICER. Very well. The Secretary will read the amendments.

The Secretary resumed the reading of the bill, including the Senate amendments, and read to line 13, on page 15, the last Senate amendment read being as follows:

EMERGENCY SHIPPING FUND.

For purchasing, requisitioning, or otherwise acquiring plants, material, charters, or ships now constructed or in course of construction, and the expediting of construction of ships thus under construction, authorized by the deficiency appropriation acts approved June 15 and October 6, respectively, 1917, $50,000,000, to continue available during the fiscal year 1920.

For recruiting, instructing, and training officers, engineers, and crews for American vessels, and for all expenditures incidental thereto, $3,750,000.

Mr. KING. Mr. President, I should like to ask the Senator from Alabama, having this bill in charge, to explain the necessity for this appropriation. We have given to the Shipping Board and the Emergency Fleet Corporation not millions, not tens of millions, not hundreds of millions of dollars, but billions of dollars. I do not think the record of that organization is of such a character as to commend itself to this body. Speaking for myself, without further information, I am unwilling to appropriate another dollar for that organization or for either of those organizations to expend. Their work has been so grossly extravagant, so inefficient, that it calls for investigation rather than for indorsement and for additional appropriations. If the Senator has any explanation he can offer, I shall be glad to have it.

Mr. UNDERWOOD. Mr. President, I will say to the Senator from Utah that I am not in charge of the bill. I am merely a member of the committee. The Senator in charge of the bill had to be out for a few moments; but under the rules the Senator from Pennsylvania [Mr. PENROSE] has invoked the first reading of this bill, and nothing is in order now until the Secretary finishes the reading of the bill. When we reach it, if the Senator desires to bring the matter up, no doubt the Senator in charge of the bill will give him the information. I have no doubt he will be here at that time.

Mr. KING. Then I should like to ask the Senator, with his permission, that no vote be taken upon this amendment now.

Mr. UNDERWOOD. As I understand, the bill must be read before the amendments can be voted on.

The PRESIDING OFFICER. This is the first reading of the bill, and there will be no vote taken until after that reading is completed.

The Secretary resumed and continued the reading to line 18 on page 30.

INDIAN APPROPRIATIONS—CONFERENCE REPORT.

Mr. ASHURST. Mr. President, if I may be permitted to obtain the floor for a moment, I am just advised privately and by the announcement officially that the conference report on the Indian appropriation bill has passed the House and is now before the Senate on the Secretary's desk. I wish to say that, although I was not a member of the conference committee, it was a full agreement, signed by the three conferees on the part of the Senate—Messrs. OWEN, JONES of New Mexico, and GRONNA—and signed by the three conferees on the part of the House. There was no disagreement. I should like to ask leave, if the Senator from Pennsylvania [Mr. PENROSE] will permit, to present the conference report and raise the question of its immediate consideration.

Mr. PENROSE. Will the Senator from Arizona be good enough to call it up a little later on? I wish to confer with two or three Senators about it.

Mr. ASHURST. Certainly; I think that is a very reasonable request.

Mr. PENROSE. I have no objection, but I want to confer with other Senators about it. I have no doubt this bill is no worse than some of the other bills that have been passed.

Mr. ASHURST. I am glad to comply with the Senator's suggestion.

DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 16187) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The Secretary continued the reading of the bill.

Mr. PENROSE. Mr. President, we can not hear the Secretary over here.

Mr. TRAMMELL. I do not think it makes much difference. There are only four or five Senators in the Chamber anyway.

Mr. PENROSE. Then, on that statement, I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Nelson	Simmons
Baird	Jones, N. Mex.	New	Smith, Mich.
Bankhead	Jones, Wash.	Norris	Smith, S. C.
Borah	Kendrick	Nugent	Spencer
Calder	Kenyon	Overman	Sterling
Cummins	King	Page	Thomas
Curtis	Knox	Penrose	Trammell
Fernald	La Follette	Pittman	Underwood
Fletcher	Lodge	Poindexter	Vardaman
France	McCumber	Pomerene	Wadsworth
Gay	McKellar	Ransdell	Warren
Gronna	McLean	Robinson	Watson
Hale	Martin, Ky.	Sheppard	Weeks
Harding	Martin, Va.	Sherman	Wolcott
Henderson	Moses	Shields	

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. A quorum is present. The Secretary will proceed with the reading of the bill.

The Secretary continued the reading of the bill to line 6, on page 58.

Mr. SWANSON. Mr. President, I ask unanimous consent that the further reading of the bill be dispensed with.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Is there any objection?

Mr. FRANCE. I object.

The PRESIDING OFFICER. There being objection, the Secretary will proceed with the reading of the bill.

The Secretary resumed and concluded the reading of the bill.

The PRESIDING OFFICER. The Secretary will now read the bill for amendment.

Mr. JONES of Washington. Mr. President, several Senators are absent who wanted to be present when the reading of the bill began for amendment, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kellogg	New	Smith, Ariz.
Baird	Kenyon	Norris	Smith, Ga.
Bankhead	King	Nugent	Smith, Mich.
Borah	Kirby	Overman	Smith, S. C.
Calder	Knox	Owen	Smoot
Cummins	La Follette	Page	Spencer
Curtis	Lenroot	Penrose	Swanson
Fletcher	Lewis	Pittman	Thomas
Gay	Lodge	Poindexter	Trammell
Gerry	McCumber	Pollock	Underwood
Gore	McKellar	Ransdell	Vardaman
Gronna	McLean	Robinson	Wadsworth
Harding	Martin, Ky.	Saulsbury	Warren
Henderson	Martin, Va.	Shafroth	Watson
Johnson, Cal.	Moses	Sheppard	Weeks
Jones, N. Mex.	Myers	Sherman	Wolcott
Jones, Wash.	Nelson	Simmons	

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum of the Senate is present. The question is on agreeing to the first amendment proposed by the committee.

Mr. JONES of Washington. Let us have the amendment read, Mr. President.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. Under the head of "District of Columbia," subhead "Streets," on page 8, after line 11, the committee propose to insert:

Bathing beach: For amount required to reimburse the life guards, clerks, laborers, and help at the bathing-beach pool after July 16, 1918, who received during the period of their employment only 50 cents per day, fiscal year 1919, $1,330.46.

Mr. JONES of Washington. A parliamentary inquiry, Mr. President. Was not the bill now to be read for committee amendments?

The PRESIDING OFFICER. That is the proper proceeding. The bill is now to be read for amendment.

Mr. JONES of Washington. We do not want to start on page 8 of the bill. The reading should begin on the first page of the bill.

The PRESIDING OFFICER. That is for the Senate to determine. The Chair can not determine that. The Chair can only direct that the usual parliamentary procedure be complied with, that the bill be read for amendment. Does the Senator from Washington insist upon that? He is within his right if he does.

Mr. JONES of Washington. Yes.

The PRESIDING OFFICER. The Secretary, then, will proceed to read the bill.

The Secretary proceeded to read the bill.

Mr. WALSH. Mr. President, I inquire what reading of the bill is this?

The PRESIDING OFFICER. It is the second reading.

Mr. WALSH. The second paragraph of Rule XIV provides that—

The * * * second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

I inquire of the Chair whether the Senate has otherwise ordered?

The PRESIDING OFFICER. Will the Senator please again read the rule?

Mr. WALSH. The rule provides:

The first or second reading of each bill——

The PRESIDING OFFICER. From what rule is the Senator reading, please?

Mr. WALSH. From Rule XIV, paragraph 2.

Mr. SMITH of Arizona. What page of the Manual?

Mr. WALSH. On page 18 of the rules. The entire paragraph of the rule reads as follows:

2. Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

The PRESIDING OFFICER. Does the Senator from Montana make the point of order?

Mr. WALSH. I make the point of order that the bill should be read by title only on the second reading, unless the Senate otherwise directs. If the Senate has not otherwise directed, the reading of the title completes the reading of the bill.

Mr. SMOOT. Mr. President, I am interested only in the rules. I do not care whether the bill is read or not; but I desire to call the attention of the Chair to the fact that the rule provides that "the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order." That means, in my opinion, that, unless the Senate otherwise orders—that is, takes affirmative action—the bill, upon objection, must be first read—that is, the formal reading of the bill—and, then, second, for amendment. Of course, it has been the practice of the Senate to do that unless it has been otherwise ordered by the Senate.

Mr. SWANSON. This bill was read twice before it was referred to the committee.

Mr. SMOOT. I will say to the Senator that this is the first reading since it has been on the calendar and taken from the calendar.

Mr. SWANSON. The bill is read the first and second time and read the third time on its passage. In Committee of the Whole it has been customary to read the bill once, and after it has been read once, it has been open for amendment. I concur with the Senator from Montana [Mr. WALSH], that it has been customary to simply read a bill once as in Committee of the Whole; and this bill has been read once.

Mr. WALSH. I invite the attention of the Presiding Officer to subdivision 3 of the same rule, which reads:

No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

This bill, as I understand, has been referred to the committee and has been reported by the committee; and so, presumably, it has already been twice read.

The PRESIDING OFFICER. The Chair is of the opinion that the bill, under the rule, could not have been referred to the committee unless it had been twice read. It may be read twice by title, if the Senate so consents.

Mr. LODGE. This bill has had its first and second readings, has it not?

The PRESIDING OFFICER. The Chair will be glad to hear the Senator from Massachusetts.

Mr. LODGE. I was going to say that the bill had taken its first and second reading before it went to committee.

The PRESIDING OFFICER. The Chair is of the opinion that it must be presumed to have had two readings, or it could not have gone to the committee.

Mr. WALSH. My understanding is that the bill has been read once here to-night.

The PRESIDING OFFICER. It has been read in extenso.

Mr. LODGE. The bill is now open to amendment at any point.

The PRESIDING OFFICER. The Chair is of the opinion that unless the Senate by an affirmative majority vote orders otherwise, the further reading of the entire bill will be dispensed with, it having been already read three times. There has been no unanimous consent requiring that committee amendments be first acted on; so that all amendments are in order, whether from the committee or from the floor of the Senate.

Mr. WALSH. I should think that the usual procedure should be followed.

The PRESIDING OFFICER. The Chair was not aware that there was unanimous consent granted that committee amendments should be first disposed of.

Mr. SMOOT. I thought that request was coupled with the request that the formal reading of the bill be dispensed with and that committee amendments be first considered.

The PRESIDING OFFICER. The present occupant of the chair was not occupying the chair at that time, and can only be bound by what the record shows.

Mr. SMOOT. If the record shows that, and, as I remember, that was the request——

Mr. LODGE. The usual request was made that the formal reading of the bill be dispensed with and that the bill be read for committee amendments, committee amendments to be first considered. The bill has been read, and therefore is open to amendment. Of course, the whole request for unanimous consent fell when objected to.

The PRESIDING OFFICER. The Chair will hold that the bill is open to amendment for committee amendments or otherwise. The question is on agreeing to the amendment just read by the Secretary, on page 8, after line 11.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the head of "Courts," on page 11, after line 3, to insert:

Court of Appeals Building, District of Columbia: For fitting up the top story and basement of the Court of Appeals Building of the District of Columbia suitable for occupancy by the office of the recorder of deeds, including expenses of moving said office, and material and labor, and for each and every item incident thereto, to be immediately available, $19,800, said work and the expenditures authorized hereunder to be under the direction and supervision of the Superintendent of the Capitol Building and Grounds.

The amendment was agreed to.

The next amendment was, on page 15, after line 2, to insert:

EMERGENCY SHIPPING FUND.

For purchasing, requisitioning, or otherwise acquiring plants, material, charters, or ships now constructed or in course of construction, and the expediting of construction of ships thus under construction, authorized by the deficiency appropriation acts approved June 15 and October 6, respectively, 1917, $50,000,000, to continue available during the fiscal year 1920.

Mr. KING obtained the floor.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. KING. I yield to the Senator from New York.

Mr. CALDER. I submit an amendment to the amendment just read.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment on page 15, at the end of the paragraph, it is proposed to insert the following:

Provided, That no part of this sum shall be used for the purchase of the International Mercantile Marine.

Mr. CALDER. Mr. President, the International Mercantile Marine is a shipping corporation owning a number of vessels that are operated under the English flag. During the past fall and winter I have observed many times in the newspapers that the Shipping Board contemplated the purchase of this line of vessels. I am not willing that this money shall be used for that purpose.

Mr. MARTIN of Virginia. Mr. President, as I heard the amendment I am perfectly sure that it is not contemplated to use one dollar of this money for the purpose indicated. There is absolutely no possibility of it, and no desire to do it. So the amendment is needless and harmless. I see no objection to its adoption if the Senate wants to adopt it. I do not think it does any harm, because nothing of that sort is contemplated.

Mr. CALDER. If the chairman of the committee will accept the amendment, I will not discuss it at length; but I was going to say that the difficulty with the purchase of this line of ships during the past few months is the fact that we have heard constant rumors from Washington, apparently emanating from the Shipping Board, that this fleet would be purchased. On the day of the signing of the armistice the preferred stock of this corporation was quoted at $90 per share. It has gone from $90 to $124 and back three or four times since that period, depending upon rumors from Washington or statements of members of the Shipping Board that this fleet would or would not be purchased. It seems to me we ought not to purchase it. We are going to have many more ships than we can operate profitably when the fleet now under construction is completed; and I am not willing, so far as I am concerned, that we shall invest any money in a fleet of this character under the circumstances.

Mr. JONES of Washington. Mr. President, will the Senator state from what source these rumors came that seem to affect the market value of the stocks of this company? Did they come from the Shipping Board or some other department of the Government?

Mr. CALDER. I know the chairman of the Shipping Board has several times referred to the fact that this fleet was to be purchased. I have in my hand a letter from which I will quote. The writer says:

I will cite an instance. Last month, February 10, the stock quotation of the International Mercantile Marine on the New York Stock Exchange ranged between 92 and 93¾. All at once a rumor was started, which gave Mr. Hurley, chairman of the Shipping Board, as the author of the statement, that our Government intended to purchase the International Mercantile Marine fleet, and promptly the stock moved two or three points up. The following day a similar report appeared in several papers, and these reports are persistent in their continuation, with the result that International Mercantile Marine preferred stock has enjoyed a rise of 10 points in one week, and now stands at 103.

This stock, as I said a moment ago, Mr. President, has gone from 90 to 124 several times, back and forward, since the armistice was signed. I think it is just as well that we write into the law now that no part of this fund shall be used for purchasing this line of vessels.

Mr. JONES of Washington. Does not the Senator think that we really ought to do that? If rumors from the Shipping Board have that effect upon the stock, should we not by a statute take away any possible power of the Shipping Board to raise the stock or lower it from day to day?

Mr. CALDER. Does the Senator believe that we should buy the ships?

Mr. JONES of Washington. I mean prohibit their purchase by the Shipping Board, so that any statement given out by the Shipping Board would have no influence.

Mr. CALDER. I thank the Senator for his statement in the matter and am glad that he agrees with me.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New York to the amendment of the committee.

Mr. FLETCHER. Mr. President, I am not going to take the time of the Senate to discuss the amendment, but I hope the chairman of the committee will not accept the amendment, and that it will not be agreed to, not that I have any idea about the purchase of these ships now, although at one time I think it was contemplated, but I have not any notion that it is now contemplated. At the same time, I do not see any use of putting restrictions on the Shipping Board. If it is possible to obtain these ships, or some of these ships, at $90 a ton, whereas now similar ships are costing us nearly $200 a ton, I fail to see why it would not be a good business proposition for the Government to purchase them. I do not know whether that can be done or not; I have not inquired into that; but the price considered at one time was something like $100 a ton for a magnificent fleet of ships. That is about half of what similar ships are costing; and if the Government has the opportunity of acquiring valuable ships such as they need for a particular service at much less than they can be built for to-day, I do not see why the board should not be allowed to acquire them. That is all I am going to say about it. It is utterly immaterial to me one way or the other, but I do not see any use in tying the hands of the Government in a matter of this sort. The mere fact that the stock is speculated in is no argument one way or the other.

Mr. SMOOT. Mr. President, if there is no intention whatever on the part of the Shipping Board to purchase this fleet, there can be no harm in specifically stating that no part of this appropriation shall be used for that purpose.

Mr. MARTIN of Virginia. Mr. President, will the Senator yield to me for a moment?

Mr. SMOOT. Certainly.

Mr. MARTIN of Virginia. If the Senator refers to my remarks on the subject, I will state that I did not say that these ships will not be purchased from this appropriation; but I said that there is no intention, as I understand, of using this money for that purpose. It is not half enough for them to make the purchase, even if they wanted to do it. I do not think there is any intention of using this money for this purpose, and I do not think there is any intention now of acquiring that fleet. I know there was some negotiation about it at one time.

Mr. SMOOT. I was unaware that the Senator had made any statement with relation to it.

Mr. MARTIN of Virginia. Yes. I thought the Senator was speaking of what I said.

Mr. SMOOT. No; I did not hear the Senator make the statement. My remarks were called out by the statement made by the Senator from Florida [Mr. FLETCHER], in which he said that there was no intention of purchasing this fleet.

Mr. MARTIN of Virginia. I do not believe there is, but there was some negotiation at one time.

Mr. SMOOT. Then if it is a proper policy to follow, and an expression of the Senate is necessary by adopting this amendment to prevent stock gambling upon this stock, daily and weekly, and to prevent these gamblers making $10 and $20 and sometimes $30 a share upon it, I think an amendment of this sort ought to be adopted.

The Senator speaks of purchasing this fleet at $100 per ton. It is true that shipping has cost during the war from $200 to $225 a ton, but it is also true that before the war shipping did not cost $100 a ton; and with the great amount of tonnage that has been constructed and that is under way now by the Government there will be a day when the cost per ton of shipping will be normal again. If this company is going to offer these boats for $100 a ton, it is simply because its officials are fearful of the future, and they think the first loss will be the best loss; and if they are going to sell them for $100 a ton, you can depend upon it that they are looking to the future and have come to the conclusion that it will not be long before $100 a ton will be more than the boats are worth.

As it has been generally understood, Mr. President, and as the papers of the country are being utilized by stock gamblers who deal in this stock, and as it is not necessary for the Government of the United States to have this line of ships, the safest way, I think, is to adopt the amendment offered by the Senator from New York.

Mr. HARDING. Mr. President, I should like to ask the Senator in charge of the bill for a statement as to the reason of this appropriation. In view of the fact that we are slowing up on our shipbuilding program, and the further fact that the emergency for the construction of shipping is past, and in view of the further fact that we are not establishing any new shipyards, what is the reason for this extraordinary appropriation?

I only speak as one member of the Committee on Commerce, which has to deal with the shipping problem; and I am frank to say that I never heard of any reason or excuse for this appropriation.

Mr. MARTIN of Virginia. Mr. President, I will read, for the information of the Senate, a letter received by me from Mr. Hurley, of date the 28th of February. He says:

> Information has come to me that the sundry civil bill may fail of passage at this session, and it has been suggested to us that the deficiencies of the United States Shipping Board and of the Emergency Fleet Corporation for the fiscal year ending June 30, 1919, may have to be cared for under the pending general deficiency bill.
>
> Chairman SHERLEY indicated in his speech of two days ago that this course might prove to be necessary, and I understand that he has informally brought this particular matter to your attention.
>
> Referring to the bill printed as being on Union Calendar No. 399, H. R. 16187, and Report No. 1148, I therefore ask the Appropriations Committee of the Senate to make the following insertion in the pending general deficiencies bill, at page 12, after line 19:

Then follows the language used in this bill, with the exception that the amount asked for was $100,000,000 instead of $50,000,000. The Senate Committee on Appropriations reduced it one-half. We thought we would see if they could not get along with $50,000,000 instead of $100,000,000, so we cut in two the appropriation which they asked and gave them one-half of what they asked.

Then he says:

> For recruiting, instructing, and training officers, engineers, and crews for American vessels, and for all expenditures incidental thereto, $3,750,000.

That is an additional item. That, I think, is all on this subject.

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. MARTIN of Virginia. I will.

Mr. KING. I should like to ask the Senator if it is the purpose of Mr. Hurley or the board to purchase additional vessels, or to requisition additional ships?

Mr. MARTIN of Virginia. That language was used in previous legislation, and it is adopted here. As I understand, there are no additional purchases contemplated; and this is for an actual deficiency. This is to meet deficiencies that have been incurred by the Shipping Board.

Mr. LENROOT. No; it is to be made available for 1920.

Mr. SMOOT. I will say to the Senator that this is a direct appropriation of $50,000,000; and not only is it available for 1919 but it is specifically available for the year 1920.

Mr. MARTIN of Virginia. That is intended to meet the obligations that have already been incurred. That is my understanding of it. Mr. Hurley asked for $100,000,000, and the committee cut him down to $50,000,000.

Mr. FLETCHER. Mr. President, I think that it is true that it is to carry out contracts or commitments actually made.

Mr. MARTIN of Virginia. That is my understanding of it.

Mr. FLETCHER. Unless this appropriation is made, some of those contracts and some of those commitments will fail.

Mr. SMOOT. If that is the case, then we never ought to have put in the words "to continue available during the fiscal year 1920."

Mr. FLETCHER. Yes; because some of the contracts will not be performed until the fiscal year 1920.

Mr. SMOOT. Congress is going to meet twice before the end of that year.

Mr. FLETCHER. I know; but here are contracts made for ships that are not paid for. It takes some time to build a steel ship, and particularly steel ships of such a class. You can not build them in a few months now. Some of these contracts will not be completed until the end of the year 1920.

Mr. SMOOT. If the Senator's argument holds good, then they ought to have $100,000,000 instead of $50,000,000——

Mr. FLETCHER. I think they ought.

Mr. SMOOT. Because Mr. Hurley asked for $100,000,000.

Mr. FLETCHER. I think they ought.

Mr. HARDING. Mr. President, I have no objection to the appropriation for the training and recruiting of shipping crews. I think that is a very desirable appropriation.

If it is in order, I move to amend the committee amendment by striking out everything contained in lines 4 to 10, inclusive.

The PRESIDING OFFICER. There is another amendment pending.

Mr. FLETCHER. The question will arise on whether the committee amendment should be adopted. The whole question is presented on the motion to adopt the committee amendment.

The PRESIDING OFFICER. But the Senator from New York has the right to perfect the amendment before it is voted on. The question is on the amendment of the Senator from New York.

Mr. LENROOT. Mr. President, I am in favor of the amendment of the Senator from New York, and I shall also support the amendment of the Senator from Ohio.

Mr. President, we have this situation before us: A deficiency appropriation is asked for, and the chairman has just read a letter upon which the request is based, and not one single detail is given either to the Committee on Appropriations or to the Senate as to what this appropriation is for or the use to which it is to be put. It is only $50,000,000, Mr. President. Of course, that is a very small sum; but it seems to me that now, when the war is over, even for deficiency appropriations, the different departments of the Government, before a request should be granted, should furnish detailed information as to what this money is to be used for.

Under the language of this amendment the Shipping Board is not confined to using this sum for deficiencies at all. Under the language of this amendment, Mr. President, the Shipping Board may go out the next day and purchase ships, purchase plants, purchase materials, and pay for expediting the construction of ships that are now under way, for it will be observed that this amendment has nothing to do with the construction of ships; it is for the purchase of ships, the requisitioning of ships, or otherwise acquiring plants, material, charters, or ships now constructed or in the course of construction, and expediting the construction of ships and those under construction.

Not a dollar of this fund can be used for the construction of ships by the Emergency Fleet Corporation or the Shipping Board. Every dollar of it may be used for the purchase of ships, plants, and materials; and with the need of expedition gone, and with the condition that the Treasury is in at the present time, an appropriation ought not to be made of this character in this way. The committee, at least, ought to have information as to the particular need of the money and the purposes for which it is to be used.

Mr. President, this is only a sample of other amendments, with one exception, that are found in this bill, a bill carrying $842,000,000; and I was interested this afternoon, Mr. President, to ascertain, if I could, what investigations had been given by the Committee on Appropriations to this deficiency bill, to what extent they had gone into the question of the needs of the Government for the money that is appropriated by this bill. I sent for the hearings of the Committee on Appropriations of the Senate. I have them here. They constitute 35 pages, every word of which is upon one single amendment, namely, the $750,000,000 appropriation to the Railroad Administration.

Apparently the Committee on Appropriations made no investigation of any of these other items. No testimony was taken as to this item of $50,000,000; and the $50,000,000 carried in this amendment was granted by the committee solely upon a letter which the chairman has read from the Shipping Board, saying "We need the money."

Mr. President, I sometimes wish that the next liberty loan campaign had been on during this winter. I think if it had possibly Congress would have been a little more careful in making these millions and billions of dollars of appropriations. I know that the chairman of the committee and the members of the committee are anxious for economy; but it seems to me that the time has come when Congress ought not to make any appropriation without the fullest information from the different departments of the Government as to the need of the appropriation and the purposes to which it is intended to be put. We ought not any longer to grant appropriations by the hundreds of millions of dollars upon a letter from a department saying, "We want the money."

Mr. President, this amendment can well go out of the bill, and certainly the portion of the amendment that it should be available for the year 1920 ought to go out, because when the Shipping Board made the request for the amendment in that form it showed upon its face that it was not to take care of present deficiencies. It shows upon its face that they desire this money for the purpose of making some new purchases—possibly the International Mercantile Marine; possibly something else—but the Shipping Board ought not to have further authority and we ought not to make further appropriations for making new purchases under the circumstances which we now find the Treasury to be in without full, detailed information. The chairman of the Committee on Commerce, the Senator from Florida [Mr. FLETCHER], a few moments ago said of the International Mercantile Marine that if we could get a good bargain we ought to take it, because we need the ships. The greatest problem that the Committee on Commerce now has before it, and which will later come before the Senate—the committee of which the Senator from Florida is chairman—is, what are we going to do with the ships that we now have? As far as the United States Government is concerned, we do not need any more ships. So far as the condition of the Treasury is concerned, we ought not to buy any more ships. So far as the condition of the Treasury is concerned, we ought not to begin the construction of any new ships except where material to such an extent has already been ordered that it would be cheaper for the Government to go on and finish the construction and sell the ships than it would be to cancel the contracts.

Mr. KING. Mr. President, will the Senator yield?

Mr. LENROOT. I yield.

Mr. KING. I should like to ask the Senator from Wisconsin whether the Committee on Commerce has formulated any plan for submission to the Senate looking to the disposition to be made of the ships, and a plan for determining whether the Government is to continue the construction and operation of the ships, or whether it is to be remitted to the hands of private parties?

Mr. LENROOT. The Committee on Commerce has not formulated any plan whatever. There have been a number of informal discussions between members of the committee and members of the Shipping Board, but I do not think either the committee or the Shipping Board have any plan unless it has been within the last two or three days, when we were told by the newspapers that Mr. Hurley has a plan. What the plan is we do not know.

But, Mr. President, next to the railroad question the question of our merchant marine is probably the most important before the country so far as any permanent policies are concerned.

Mr. KING. Will the Senator yield for another question?

Mr. LENROOT. I yield.

Mr. KING. Does not the Senator think that a plan ought to be formulated and adopted by Congress at a very early date determining what course shall be pursued with respect to this important question?

Mr. LENROOT. The Senator from Wisconsin does so think, and the Senator from Wisconsin thinks that Congress ought to be called in special session next week for the purpose of beginning the formulation of these very important policies.

Mr. KING. Will the Senator yield for another question?

Mr. LENROOT. Yes.

Mr. KING. Does the Senator think, when the Emergency Fleet Corporation was authorized in the stress of war to engage in the construction of vessels, that now the war is over it ought to continue in the building of new vessels? I do not refer in my question to the completion of vessels now in course of construction.

Mr. LENROOT. I do not think that we have a very considerable number of contracts where the keels have not yet been laid, but the material has been ordered and fabricated in very large part, and I believe in that respect the policy of the Shipping Board is, stated not accurately but in a general way, that where the cost to the Government by way of cancellation of a contract would equal or exceed 25 per cent of the contract price, or the estimated cost, the Emergency Fleet Corporation believe it will be cheaper for the Government to go on and complete the ship and sell it at a loss rather than to cancel the contract. Generally speaking, I believe that is a wise policy on the part of the Shipping Board, but of course the Shipping Board ought not to be authorized to enter upon any new construction where the material has not been ordered. It ought not to be given a dollar for buying ships.

Mr. President, if this amendment is defeated it may cause some embarrassment to the Shipping Board, but the Shipping Board ought to have given the Senate Committee on Appropriations detailed information as to the need for this money and the uses to which it is to be put.

Mr. WEEKS and Mr. NELSON addressed the Chair.

The VICE PRESIDENT. Does the Senator yield, and if so, to whom?

Mr. LENROOT. I yield first to the Senator from Massachusetts.

Mr. WEEKS. I should like to call the attention of the Senator from Wisconsin to the fact that this amendment belongs in the sundry civil bill. Hearings were given by the House Committee on Appropriations on that bill upon this particular subject, covering some 300 pages. The Senator must remember that this bill was not reported to the House until last Thursday. It did not come over to the Senate until Friday, and it was only on Saturday that the Senate committee had jurisdiction over it. It was impossible at that time to give hearings upon it. I personally took the trouble to talk to the chairman of the Committee on Appropriations and get his ideas of the necessity for this appropriation, and as a result of the amendment, which I offered myself in the committee at that time, it was cut from $100,000,000 to $50,000,000. But I find in reading the hearings in the House it was estimated there were $65,000,000 due shipowners for requisitioned ships, and that there were $8,000,000 of salvage and perhaps $2,000,000 to be paid to complete payments that were due to finish the construction of wooden ships in the yards. That in itself would make $73,000,000 that must be paid. I have no doubt if Congress were called and this matter were further considered, very accurate detailed information could be obtained. It does seem to me that at least $50,000,000 is due and should be paid as soon as it reasonably can.

Mr. LENROOT. I should like to ask the Senator from Massachusetts a question, then. If this $50,000,000 is necessary for obligations or indebtedness already incurred, why was not the amendment framed so as not to permit the Shipping Board to use any portion of the $50,000,000 for the purchase of ships?

Mr. ROBINSON. Mr. President, will the Senator yield to me upon that suggestion?

Mr. LENROOT. Certainly.

Mr. ROBINSON. The amendment in the urgent deficiency bill now under consideration is in almost the exact language of the existing law approved October 6, 1917. It is the way in which all the appropriations have been made. Under the head of "Emergency shipping fund" in the act to which I have just referred I find this language:

> The cost of purchasing, requisitioning, or otherwise acquiring plants, material, charters, or ships now constructed or in the course of construction, and the expediting of construction of ships thus under construction, authorized by the urgent deficiency appropriation act approved June 15, 1917, is increased from $250,000,000 to $515,000,000, and there is appropriated for this purpose the sum of $200,000,000.

So the authorization for the appropriation carried in this general deficiency bill is found in the language that I have just read from the act of October 6, 1917.

Mr. LENROOT. I was not making any point at all about the authorization. This might have been made a clear deficiency, and the authorization would have been found in the act which the Senator from Arkansas has now quoted. But under the language of the pending amendment it authorizes the Shipping Board to use any portion of the $50,000,000, not for a deficiency, not to pay for indebtedness already incurred, but to go out in the market and purchase ships. That is what I am complaining of. If there be $50,000,000 of obligations already incurred, I would have no objection if the appropriation were limited to the payment of that indebtedness; but the Shipping Board is not compelled to pay a dollar of this $50,000,000 for the payment of those obligations.

Were it not for the amendment of the Senator from New York [Mr. CALDER], with this $50,000,000 the Shipping Board can go out and buy the International Mercantile Marine. Senators say that negotiations have been pending. I did not know those negotiations had been broken off. Perhaps the Senator does. I did know they had been suspended. So far as I know

they are still suspended, but I have no information that those negotiations have come to an end or have been broken off.

Mr. President, with reference to the defeat of this amendment possibly causing some embarrassment, perhaps it may; but even if it should, Mr. President, this is one of the many appropriations which we have no information about, and if it does cause embarrassment there is a way, and a very easy way, to remedy that embarrassment, and that is for the President to call Congress into special session immediately, which it is very obviously the duty of the President to do.

Mr. President, not more than three hours ago there was a motion made by the Senator from Montana [Mr. MYERS] to take up the $100,000,000 soldiers' land settlement bill. It can not be taken up now. That is very clear to everyone. It was stated this evening by the chairman of the Committee on Appropriations that the President had stated that he would not call Congress in special session before the 1st of June. That means that the soldiers must wait three months before we begin considering legislation giving them the relief which that bill proposes to give to them.

The Senator from New York [Mr. WADSWORTH] this afternoon very clearly pointed out that unless the Army appropriation bill should pass before the 1st of June a great many of our boys over in France to-day will be compelled to stay there against their will because of the failure to pass that bill. Mr. President, if Congress is not called into special session before the 1st of June the responsibility for holding our boys in France against their will after the 1st of July will rest upon the President of the United States.

What reason is there, what reason has been given by anyone with these pressing questions before the country, for waiting until the 1st of June before Congress shall be called into special session? No reason has been stated, but I think it is entirely obvious to everyone upon both sides of the Chamber and to the country. The very obvious reason is that the President of the United States, notwithstanding the importance of these questions, does not desire Congress to be in session during the proceedings of the peace conference because the President does not desire that this shall be a forum for debate on the proposed constitution of the league of nations.

If Congress were in special session that matter would be debated upon both sides, ably debated upon the Democratic side as well as upon this side. The people of the country would then have an opportunity to carefully study the arguments for and against the approval of that constitution in the form in which it is now proposed. Why is it that the President of the United States is unwilling that the country should have that opportunity to form a deliberate judgment upon full discussion in this forum and at the other end of the Capitol? Is it because the President of the United States is uncertain of the judgment the American people will ultimately form if they have before them all the facts? Is it because he would rather have the American people determine this question not upon the real issue but upon generalities without information as to the details of the proposed constitution?

Mr. President, I have nothing further to say except that I shall have no hesitation in voting to strike this amendment out of the bill. I shall have no hesitation in voting against other of the amendments in the bill concerning which we have no information, knowing that there is a remedy—that Congress can be called into immediate session for the proper and deliberate consideration of all these important questions.

Mr. JONES of Washington. Mr. President, may I ask the Senator a question?

Mr. LENROOT. Certainly.

Mr. JONES of Washington. Does not the Senator anticipate that the treaty of peace will come in about the 1st of July, and that then we will be urged to ratify it immediately, in order that the boys may be brought back from Europe, and that that will be the pressure and the strong argument that will be presented to us for an early ratification?

Mr. LENROOT. Unquestionably, Mr. President. I have not seen the slightest desire for the judgment of the Senate or the American people upon the merits of this proposition, but evidently it is hoped and expected that the Senate may be forced into doing that which it might not do if it had the present proposed constitution of the league of nations before it as an independent proposition.

Mr. SHAFROTH. Mr. President, the Constitution provides that the President of the United States may, on extraordinary occasions, convene both Houses or either of them. We have had as much time at this session to consider the general appropriation bills as at any session I have ever known. I have seen passed in this body as many as six appropriation bills in one day. You have time now to pass two or three of them before 12 o'clock to-morrow. It is said to be——

Mr. POINDEXTER. Will the Senator from Colorado tell us if that is the reason why you have to issue $7,000,000,000 of bonds?

Mr. SHAFROTH. Mr. President, I can not see that that question has any connection whatever with what I am discussing. The Senator from Wisconsin [Mr. LENROOT] is attempting to blame the President if an extra session is not called. Nearly every one of the appropriation bills on the calendar, except the one which is before the Senate now, are bills that do not take effect until the 1st day of next July, and consequently if the President gets back to the United States and calls a session by that date it will be in ample time for the measures to take effect and there will not be a filibuster at that time.

Mr. President, I want to say that this situation is caused by the people who are opposed to the President and who are attempting in every way to hamper him. The Senator from Wisconsin well knows what would be done upon the other side of the Chamber when the President is in Europe and the Senate is in session. No matter what the President does, you will say it is wrong. No matter what is done in a department here, you will say it is wrong. If a letter fails to reach a soldier over in Europe, then there is going to be criticism of that. If the pay does not come in exactly within a minute of the time it is due, then there is criticism of that. There has been continual unfair harping and criticism against every one of the departments of the Government. Mr. President, it is these things that have delayed the consideration of the appropriation bills.

In the last three or four days speeches have been made, one of them six hours long and another three and a half hours in length, and for what purpose? They were not on the bill at that time under consideration, but they were purely and solely for the purpose of creating the situation which you desire shall arise in order to compel the President of the United States to call an extra session.

Who creates the emergency?

You had in the first instance the opportunity to pass the bills, but you did not do so. You have delayed the matter. The discussion to-day, every minute of it almost, has been upon the league of nations, which is not before the Senate at all. Four or five hours of time have been spent upon that subject.

Mr. POINDEXTER. Mr. President——

Mr. SHAFROTH. Here are pressing measures—here is a measure where almost the repudiation of debts will take place unless the bill is passed, and yet you are consuming the time of the Senate for the very purpose of defeating these measures. Talk about the responsibility of the President! The responsibility is here, and made by you.

I yield to the Senator from Washington.

Mr. POINDEXTER. Why does not the Senator from Colorado sit down and let us pass the bill?

Mr. SHAFROTH. I remember the Senator from Washington the other day took three hours to discuss the league of nations when there was no such measure before the Senate, and I am taking five minutes now for the purpose of reminding the Senator of that fact.

Mr. POINDEXTER. Why does not the Senator from Colorado say that the league of nations is not before the Senate?

Mr. SHAFROTH. It is not before the Senate.

Mr. POINDEXTER. It is before the Senate and before the country. There is no question about that.

Mr. SHAFROTH. Everybody knows in parliamentary procedure the measure before the Senate is the exact bill or treaty that is in the hands of the Secretary, and no such treaty is here now. Consequently every speech that is made upon that subject is made practically out of order and would be so ruled in any other body in the world except the Senate of the United States. You can not, by abusing the privilege of debate, create the necessity for an extra session of Congress and then blame the President for not calling an extra session of Congress to remedy the situation which you deliberately caused.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

The message also announced that the House had passed the bill (S. 5554) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

INDIAN APPROPRIATIONS—CONFERENCE REPORT.

Mr. OWEN. Mr. President, I present a conference report on House bill No. 14746, the Indian appropriation bill, and I ask for its present consideration.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	Moses	Simmons
Baird	Hitchcock	Nelson	Smith, Ariz.
Bankhead	Johnson, Cal.	New	Smith, Ga.
Beckham	Jones, N. Mex.	Norris	Smith, Mich.
Borah	Jones, Wash.	Nugent	Smith, S. C.
Brandegee	Kellogg	Overman	Smoot
Calder	Kendrick	Owen	Spencer
Chamberlain	Kenyon	Page	Sterling
Colt	King	Penrose	Sutherland
Cummins	Kirby	Pittman	Swanson
Curtis	Knox	Poindexter	Trammell
Fernald	Lenroot	Pollock	Underwood
Fletcher	Lewis	Pomerene	Vardaman
France	Lodge	Ransdell	Wadsworth
Gay	McCumber	Reed	Walsh
Gerry	McKellar	Robinson	Warren
Gore	McLean	Saulsbury	Watson
Gronna	McNary	Shafroth	Weeks
Hale	Martin, Ky.	Sheppard	Wolcott
Harding	Martin, Va.	Sherman	

Mr. WADSWORTH. Mr. President, may we have order?

The VICE PRESIDENT. Whenever the Senate will stand by the Chair, order will be enforced in the galleries. Until it does, no effort will be made to keep the galleries in order.

Seventy-nine Senators have answered to the roll call. There is a quorum present.

Mr. KNOX. I offer the amendment to the pending bill, which I send to the desk.

The VICE PRESIDENT. There is an amendment pending. In addition to that, a conference report has been submitted, and is to be read. It has the right of way.

Mr. KNOX. I will offer my amendment subsequently.

Mr. UNDERWOOD. Mr. President——

The VICE PRESIDENT. Is there objection to reading the conference report?

Mr. UNDERWOOD. I can not hear what is being said by the Chair.

The VICE PRESIDENT. The Senator from Oklahoma [Mr. OWEN] has presented a conference report and has asked that it be read. He was about to request its immediate consideration when a suggestion of the absence of a quorum was made. The roll has been called, a quorum has been disclosed, and the Chair thinks that the next business is for the Secretary to finish reading the report, unless there be an objection to it.

Mr. UNDERWOOD. I desire to say that the Senator in charge of the pending bill happens to be off the floor just for a moment, and in his absence I represent him. I know that it is his urgent desire that this bill shall be passed. If this bill is not passed it endangers the finances of the Government, for it carries the deficiencies for this year. Of course, the Senator from Oklahoma has the right and the privilege to move the immediate consideration of his conference report, and if the Senate desires to displace this bill, either temporarily or permanently, for the consideration of any conference report, that is for the Senate to determine; but being at present in charge of the bill, I can not consent to anything interfering with its consideration until it is disposed of, unless the Senate otherwise orders. Therefore, representing the Senator from Virginia [Mr. MARTIN], I must object.

Mr. OWEN. Upon the representation of the Senator from Alabama, I will say——

The VICE PRESIDENT. A conference report must be read when presented. Then, if there is objection to unanimous consent to proceed to its consideration, the Chair must put the question whether the Senate will proceed to the consideration of the report. The Secretary will read the report.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 16, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 39, 43, 44, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57 61, 64, 65, 66, 67, 71, 72, 75, 76, 77, 78, 79, 81, 86, 89, 94, 96, 97, 106, 110, 117, 118, 119, 122, 127, 130, and 131.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 8, 9, 10, 11, 13, 14, 17, 18, 19, 21, 26, 33, 34, 35, 36, 37, 38, 41, 42, 48, 56, 58, 59, 60, 62, 63, 73, 74, 80, 82, 83, 84, 85, 87, 88, 91, 92, 93, 95, 98, 99, 100, 102, 104, 105, 107, 108, 109, 111, 112, 113, 114, 115, 116, 121, 123, 124, 125, and 129, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by the Senate amendment insert: "$3,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by the Senate amendment insert: "$36,700"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by the Senate amendment insert: $253,750"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert: "$375,000, of which $10,000 shall be used to care for old and indigent Indians in western Washington, and of which sum $25,000 shall be immediately available," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert: "$135,000: *Provided*, That $5,000 of this amount shall be immediately available:" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "$153,800: *Provided*, That not to exceed $20,000 may be expended from Indian moneys, proceeds of labor, Sherman Institute, for the purchase of land and water rights, the title to which is to be held in the United States"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: Restore the House provision, but in line 25, page 26 of the engrossed bill, strike out "$50,000" and insert "$10,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "three hundred and fifty," and on page 33, line 23, of the engrossed bill, strike out the word: "hundred"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$75,750"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed by the

Senate amendment insert: "$88,750"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$30,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: On page 19, line 5, of the engrossed amendments, strike out "$25,000" and insert "$10,000"; also, in line 10, on page 19 of the engrossed amendments, strike out the words "of Congress" and insert: "entitled 'An act to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations, and for other purposes'"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

": *Provided*, That this provision shall not prohibit other sales as provided by existing law, except that such tracts of coal and asphalt deposits shall not again be offered for sale until after the expiration of six months from November 15, 1919."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: On page 23, line 4, of the engrossed amendments, strike out "$100,000" and insert "$15,000," and on page 24, line 1, strike out the words "and to remain available until expended"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment, as follows: On page 27 of the engrossed amendments strike out lines 1, 2, and 3 and the words "of Indian Affairs in" on line 4 of said amendments and insert: "For" and in line 12, page 27 of the engrossed amendments, after the word "session" insert: "$1,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert:

"For the construction of a road from the village of Odanah, in the Bad River Reservation, to the south line of said reservation, to be expended under the direction of the Secretary of the Interior, said sum to be reimbursable from any funds now or hereafter placed in the Treasury to the credit of the Indians on the Bad River Reservation, to remain a charge and lien upon the lands and funds of said Indians until paid: *Provided*, That the Secretary of the Interior may cooperate with the State of Wisconsin in the construction of said road: *Provided further*, That no part of the money herein appropriated shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of Wisconsin satisfactory guaranties of the payment by the said State of at least one-half of the cost of the construction of said road."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$151,000," and, on page 57, line 24, of the engrossed bill strike out "$2,325,000" and insert "$2,175,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows:

On page 30, line 22, of the engrossed amendments strike out the figures "27" and insert "26";

On page 31, line 3, of said amendments strike out the word "act" and insert "section";

On page 32, line 3, of said amendments strike out the word "act" and insert "section";

On page 32, line 11, of said amendments strike out the word "act" and insert "section";

On page 32, line 17, of said amendments strike out the word "act" and insert "section";

On page 32, line 18, of said amendments strike out the word "act" and insert "section";

On page 32, line 18, of said amendments strike out the word "thirty" and insert "twenty";

On page 33, line 4, of said amendments strike out the word "act" and insert "section";

On page 33, line 10, strike out the word "act" and insert "section";

On page 33, line 10, after the word "lease," insert the following: "subject to the payment of an annual rental of not less than $1 per acre";

On page 33, line 12, strike out the word "act" and insert "section"

On page 33, line 21, strike out the word "act" and insert "section"

On page 33, line 23, strike out the word "approval" and insert "lease"

On page 34, line 1, of said amendments, strike out the word "act" and insert "section"

On page 34, line 3, strike out the word "act" and insert "section"

On page 34, line 8, strike out the word "act" and insert "section"

On page 34, line 18, after the word "of," insert "not less than"

On page 34, line 19, after the word "thereafter;" insert "not less than"

On page 34, line 20, after the word "and," where it occurs the second time, insert "not less than"

On page 35, line 22, strike out the word "act" and insert "section"

On page 36, line 8, strike out the word "act" and insert "section"

On page 36, line 11, of said amendments, strike out the word "act" and insert "section"

On page 36, line 13, of said amendment, strike out the word "State" and insert "States."

On page 36, line 17, strike out the word "Act" and insert "section."

On page 36, line 23, strike out the word "Act" and insert "section."

On page 37, line 1, strike out the word "Act" and insert "section."

And the Senate agree to the same.

R. L. OWEN,
A. A. JONES,
A. J. GRONNA,
Managers on the part of the Senate.

CHARLES D. CARTER,
CARL HAYDEN,
D. S. CHURCH,
PHILIP P. CAMPBELL,
H. P. SNYDER,
Managers on the part of the House.

The VICE PRESIDENT. The Senator from Oklahoma has asked unanimous consent for the present consideration of the report. Is there objection?

Mr. UNDERWOOD. Mr. President, for the reason I stated a few moments ago, I am compelled to object.

Mr. OWEN. Then, I move that the Senate proceed to the consideration of the report.

The VICE PRESIDENT. The question is, Will the Senate proceed to the consideration of the report of the committee of conference? [Putting the question.] The noes seem to have it. The noes have it.

DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The VICE PRESIDENT. The question is on the amendment of the Senator from New York [Mr. CALDER] to the amendment of the committee.

Mr. HARDING. Mr. President——

Mr. UNDERWOOD. If the Senator from Ohio desires to offer an amendment, I will yield to him.

Mr. HARDING. With the consent of the Senator from New York [Mr. CALDER], I send to the desk a substitute for the committee amendment and the proposed amendment of the Senator from New York, which I think will make the committee amendment satisfactory and permit the Emergency Fleet Corporation to meet all of its obligations. I therefore offer the substitute, which I send to the desk.

The VICE PRESIDENT. The Chair will have to suggest the point of order, and sustain it himself. The amendment offered by the Senator from Ohio is not in order, being an amendment in the third degree. The parliamentary procedure will be, if we are not satisfied, to defeat the committee amendment, and then for the Senator from Ohio to offer his amendment. The committee amendment is in the first degree and the amendment of the Senator from New York is in the second degree; conse-

quently the amendment offered by the Senator from Ohio must be in the third degree.

Mr. HARDING. Is it in order to have the amendment read, Mr. President?

The VICE PRESIDENT. Yes.

Mr. HARDING. I ask that the amendment be read.

The VICE PRESIDENT. The amendment offered by the Senator from Ohio will be read.

The SECRETARY. In lieu of the amendment of the committee it is proposed by Mr. HARDING to insert the following:

For payment of obligations heretofore incurred in purchase or requisition or charter of ships, materials, or plants authorized by the deficiency appropriation acts approved June 15 and October 6, 1917, $50,000,000.

Mr. UNDERWOOD. Mr. President, I will say that I think the language that is used in the bill is general language. It is universally carried in bills for this class of appropriations. I am satisfied from the hearings that there is no desire to use this money for the purchase of the ships which have been referred to in debate. I think the language offered by the Senator from Ohio [Mr. HARDING] fully covers the item for which this money is required; and, in order to obviate any further discussion, on behalf of the chairman of the committee, who is temporarily absent and with whom I have consulted, I am prepared to so accept the amendment.

Before doing so I wish to say this: The debate here would indicate that this item had not been properly considered by the committee. The Senate must bear in mind that this bill reached the Appropriations Committee on March 1, and almost a continuous session of the Senate has intervened. To-day is the 3d of March. Of course, the Committee on Appropriations did not have the opportunity to have elaborate hearings and to give the consideration to this bill that it would if it had come from the House a week or 10 days sooner; but, as this bill must pass in order to supply deficiencies to take care of the Government between now and the 1st of July, action was required by the committee.

I think this entire appropriation of $50,000,000 is a deficit. The Shipping Board originally asked for $111,000,000—I am using round numbers. The House Committee on Appropriations in the sundry civil bill provided an authorization of $100,000,000. The hearing before the House Committee on Appropriations is published, and covers 233 pages of testimony of the various officers of the Shipping Board. Of course it is impossible for me at this time to bring to the attention of the Senate all of the various items that are covered by this hearing, but on page 217 of the hearings is a letter by Mr. Hurley, chairman of the Shipping Board, to Representative SWAGAR SHERLEY, chairman of the Committee on Appropriations of the House of Representatives, in which he defines what this money is used for, and to make it clear I ask that the letter be published in full, though I will not take up the time of the Senate to read it. He says in that letter that "$34,000,000" of his request for $111,000,000 "represents payments which will be due to builders who are completing ships which on August 3, 1917, were requisitioned while under construction."

The Senate well recalls that when the Shipping Board was created it was authorized to requisition certain ships on the docks, which was done; and $34,000,000 of the $111,000,000 is due for that purpose and to meet those payments.

Six million five hundred and twelve thousand one hundred and sixty-four dollars represents payments which are now or will be due before July 1, 1919, to builders who are working upon vessels which, in October, 1917, were requisitioned complete and are now in course of being fitted for ocean service.

In other words, we have taken these people's ships already; they are in our possession, and we have not paid for them.

Sixty million dollars represents payments which it is estimated will become due and payable before July 1, 1919, to former owners of ships requisitioned on August 3, 1917, while under construction. * * * Eleven million dollars represents payments which it is estimated will become due and payable before July 1, 1919, to former owners of completed ships requisitioned in October, 1917.

So that, according to Mr. Hurley's letter, practically every bit of this money is needed for ships that we have requisitioned and for which we owe other people.

As a matter of fact, the committee, if it went to the full extent of this request, ought to report $100,000,000; but in view of the fact that the sundry civil bill has failed and will not become a law, and it was originally proposed to place this appropriation in the sundry civil bill, the committee consented to cut down the appropriation by half and allow the balance of the money to be taken up in the sundry civil bill at the extra session of Congress, whenever it is called.

Mr. President, I ask that there may be printed in the RECORD the letter I have referred to, following my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

UNITED STATES SHIPPING BOARD,
Washington, February 19, 1919.

Re: Sundry civil appropriation bill—1920 deficiencies.

Hon. SWAGAR SHERLEY,
Chairman of the Appropriations Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: The balance of the emergency shipping fund, under the items directly involved in the estimates which are now before you, and their respective status with reference to deficiency through the present fiscal year, are as follows:

CONSTRUCTION OF SHIPS FUND.

(See pp. 8, 24.)

In the fund "for the construction of ships" there is a balance sufficient to carry the Fleet Corporation through the present fiscal year and to enable it to enter the fiscal year 1919–20 with a substantial balance.

REQUISITIONING FUND.

(See pp. 45, 50, 216.)

In the fund "for purchasing, requisitioning, or otherwise acquiring plants, materials, charters, or ships now constructed or in the course of construction, and the expediting of construction of ships thus under construction" there is no balance available. The deficiency for the present fiscal year is $111,512,164, based upon the following figures:

Thirty-four million dollars represents payments which will be due to builders who are completing ships which, on August 3, 1917, were requisitioned while under construction.

Six million five hundred and twelve thousand one hundred and sixty-four dollars represents payments which are now or will be due before July 1, 1919, to builders who are working upon vessels which, in October, 1917, were requisitioned complete and are now in the course of being fitted for ocean service.

Sixty million dollars represents payments which it is estimated will become due and payable before July 1, 1919, to former owners of ships requisitioned on August 3, 1917, while under construction. This amounts to 75 per cent of the total estimate on account of such claims which was placed in the record, the remaining 25 per cent being safely assignable, in our opinion, to the next fiscal year on account of expected delays in settlement.

Eleven million dollars represents payments which it is estimated will become due and payable before July 1, 1919, to former owners of completed ships requisitioned in October, 1917. The figure originally allowed under this item was $3,902,975, because of the fact that until a day or two ago it was expected that the War Department would indemnify the Fleet Corporation against these claims to the extent of about $11,000,000. It has just developed, however, that the Auditor of the War Department has ruled that the statute does not require the War Department to indemnify the Fleet Corporation in connection with these claims. For this reason the Fleet Corporatian finds itself suddenly confronted with having to meet the entire amount of these claims without any assured protection from the War Department. The total estimated sum which will have to be paid to this class of former owners is $14,902,975, but about $4,000,000 of this sum has been charged over to the fiscal year 1920, on the theory that a very few of the settlements may be delayed until that time; hence the figure of $11,000,000 on this account.

It must be said that the Government stands in the position at this time of being remiss in making just compensation to former owners and that it will be placed in an extremely embarrassing position if funds are not made available in the emergency shipping fund at this time for making payments in accordance with the statute.

RECRUITING AND TRAINING FUND.

(See p. 111.)

In the fund "for recruiting, instructing, and training officers, engineers, and crews for American vessels, and for all expenditures incidental thereto," the available balance is approximately $456,000. The deficiency in this item is as originally estimated, $4,661,302.

You will note that the deficiency stated above of $111,512,164 is $11,512,164 in excess of the original estimate of deficiencies on account of purchasing, requisitioning, or otherwise acquiring plants, materials, charters, or ships, etc., which came to your committee from the Secretary of the Treasury on February 4 as Document No. 1770.

It is probable that the Fleet Corporation will apply to the Secretary of the Treasury for a supplementary estimate to cover these new developments.

Very truly, yours,

EDWARD N. HURLEY, *Chairman.*

Mr. LENROOT. Mr. President, I am not in favor of the substitute proposed by the Senator from Ohio, which the Senator from Alabama now accepts; and I want to say just one additional word.

It appears from the letter that the Senator from Alabama has now read that this is a true deficiency appropriation. This afternoon I sent for the hearings before the House committee upon this bill, which comprise a volume of over 500 pages. I also sent for the hearings before the Senate Committee on Appropriations, and, as I have stated, that is a pamphlet of 35 pages. In neither of these hearings was there one single word on this subject.

Mr. UNDERWOOD. I will state to the Senator that he merely got the wrong hearing. This was a separate hearing.

Mr. LENROOT. I have the hearing on the third deficiency appropriation bill, and I find nothing in it on this subject.

Mr. UNDERWOOD. It was a separate hearing on the sundry civil bill.

Mr. LENROOT. Oh, yes; I am coming to that in just a moment. Is the practice and procedure of this body to be such that in order to find information about a deficiency appropriation one must seek through all the hearings upon appropriation

bills for appropriations beginning on the 1st of the next July? Who would dream of looking in hearings upon the sundry civil bill for information respecting a deficiency bill, the appropriations for which begin July next?

Mr. UNDERWOOD. I am sure the Senator will agree with what the committee did. There was a hearing. We had only a day in which to report the bill.

Mr. LENROOT. I am not criticizing the committee at all. Of course the Senate committee had no opportunity to do otherwise with the bill coming over so late as it did.

What I am now criticizing is the practice, too often followed, of putting what is really a deficiency upon a regular appropriation bill and making the appropriation immediately available. Deficiencies should appear in the deficiency bill, so that Senators, in going through a deficiency bill, may look at the hearings upon both bills and find the necessary information there. I am not criticizing the Senate Committee on Appropriations in the least, because it was not its fault.

The VICE PRESIDENT. The question is on the amendment of the Senator from New York.

Mr. CALDER. Mr. President, in offering this amendment I was anxious that some action be taken by the Senate, or at least that the fact should be called to the attention of the Senate that stock jobbing was going on on the Stock Exchange of New York in the stock of the International Mercantile Marine Corporation.

I said when I proposed the amendment that this stock had gone from $90 a share to $122 a share two or three times. I offered the amendment to prevent the use of this money for that purpose and to give notice, so far as I was concerned, that I would oppose the purchase of this stock.

The amendment proposed by the Senator from Ohio is satisfactory to me. It accomplishes in another way the purpose that I sought to accomplish; and I know, too, that this money is needed for many shipbuilders in New York and other parts of the country who are coming to Washington—some of them have come to see me, and told me that their bills are due, but are not paid—and this, of course, will take care of their interests.

I withdraw my amendment.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

Mr. JONES of Washington. Mr. President, I wish the Senator would not withdraw his amendment. If these stocks can be manipulated, raised and lowered by mere rumors coming from Washington that this or that is going to be done, we ought to put something in the bill as an intimation, at any rate, that the Senate is opposed to such a proposition. I do not charge, nor do I think for one minute, that these suggestions or rumors or statements are given out by the Shipping Board with the intention of influencing the stock market; but it simply shows the effect upon stocks of any suggestion that comes from a public official who may be connected with the operations of the Government.

Mr. President, a word or two about another matter that has been suggested. The way this bill has been handled illustrates a condition that confronts the Congress, and it illustrates the reckless way in which we seem to deal with the people's money. The Senator from Colorado a short time ago suggested that this bill ought to be passed in an hour. He seemed to think that that was the wise way for us to legislate. This bill carries, in effect, $1,671,472,208.69. This bill alone carries almost as much money as any Congress before this has appropriated, with all of its appropriations throughout the whole two years almost $2,000,000,000; and the Senator from Colorado says the Senate ought to pass a measure like that in one hour!

Mr. SHAFROTH. Mr. President, does not the Senator recognize the fact that in less than 14 hours we are bound to adjourn? And has he not enough confidence in the administration and in the officers who are to expend this money to believe that they are not going to expend the money unless it is on a valid obligation of the Government? Have we not that check upon the expenditures that might be made?

Mr. JONES of Washington. Mr. President, if we are to follow that argument, we ought not to consider this bill for a minute. We ought simply to say to these people: "Go on and spend whatever you need, and, of course, it will be all right." That is not my idea of the way in which the Congress should handle the people's money or make appropriations for officers of the Government to use that money.

Mr. SHAFROTH. Mr. President, ordinarily when the Senate and House have time to consider these matters it is all right to carefully consider them; but in the closing hours of a Congress, when almost repudiation will occur if this bill is not passed, it seems to me that we ought to hurry matters.

Mr. JONES of Washington. Mr. President, this bill ought not to have been brought here in the closing hours of the session. It ought to have been brought here long before this.

Mr. President, this Congress has passed but very few important measures. We knew when the session began that the main thing we would have to do would be to pass the appropriation bills, and those appropriation bills should have been the first things brought out and should have been considered. I know, Mr. President, that the Senate is not responsible for the delay. Probably it would be improper for me to say who is responsible for the delay, or what body is responsible for the delay; but I am going to call attention to the fact that the Senator from Alabama referred to, that this bill passed the House of Representatives February 28. That is not very long ago.

It is the practice—and some contend that it must be followed—for the House to originate the appropriation bills; that they must come over here from the House first; and so we did not have this bill; it did not get here until the 28th of February. Why it did not get here I am not prepared to say. I have my ideas about it. I have my views of it.

I want to say this: There are no politics in connection with this bill, but our Democratic friends are in control of both the House and the Senate. They are responsible for what is done and what is not done.

Mr. SHAFROTH. Mr. President, does the Senator think that we ought to be held responsible when we can not prevent people getting up here and speaking from two hours to five hours about something that is not before the Senate?

Mr. JONES of Washington. Mr. President, I do. [Laughter.] Of course, our Democratic friends are responsible. They are in control of the organization. They should have had these bills over here. They should have had this bill over here a week or two weeks ago. It came over here on the 28th of February. It went to the Committee on Appropriations. We considered it one day, being called in session in the afternoon on Saturday. We did not have any opportunity to bring in before us the men who will administer this fund and spend it to ask them about the items of this bill.

We first prepared this amendment for $100,000,000; and, Mr. President, if they need the $50,000,000, according to the showing that they presented to us, they need the $100,000,000. If it is repudiation not to appropriate this money it is repudiation not to appropriate half of what they say they have to have. They wanted over $100,000,000, to be made immediately available. We cut it down to $50,000,000—upon any testimony from the administrative officers? No; but simply because we thought it ought to be done. We had some information from some Members elsewhere who thought that probably they could get along with that. It is a guess. Mr. President, that is not the way to determine upon appropriations to run the people's business.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Iowa?

Mr. JONES of Washington. I yield to the Senator.

Mr. KENYON. I should like to ask the Senator why it is that all of these appropriation bills, or practically all of them, come over near the close of the session, with practically no time for the Senate committees or the Senate to investigate them, outside of any question of long speeches, which, I assume, do not affect the House?

Mr. JONES of Washington. The Senator from Colorado seems to think that because we have four or five or six hour speeches they can not get the bills through the other body and get them over here.

Mr. SHAFROTH. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Colorado?

Mr. JONES of Washington. I yield to the Senator.

Mr. SHAFROTH. The Senator knows that in the closing of the session of Congress every year, without fail, appropriation bills come over in the late hours, as to which we do not have more than two or three or four hours for consideration. This is not extraordinary in that respect; but the situation is extraordinary when in the closing hours of this Congress we have a filibuster on these bills.

Mr. JONES of Washington. Mr. President, it has been the custom during the last four or five years that whenever a measure comes toward the close of the session, and anybody wants to get any information about the terms of it, or wants to discuss the terms of it, the cry comes from that side that we are filibustering; it is a filibuster to try to get any information

with reference to any of these bills. The Senator from Colorado may think it is a filibuster, but, Mr. President, the country will *not think* so. The country would like to have these measures scrutinized a little bit more closely than they are, because the people of the country are going to have to pay these bills.

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. JONES of Washington. I yield to the Senator.

Mr. LENROOT. I will ask the Senator whether it is not a fact that, as a result of the discussion upon this amendment, the chairman himself has accepted a substitute for the amendment?

Mr. JONES of Washington. That is a fact.

Mr. SHAFROTH. Then what is the Senator talking about?

Mr. JONES of Washington. Maybe I can get another substitute accepted.

Mr. SHAFROTH. Does not the Senator know that these continuous speeches of from three to six hours on the league of nations do in effect produce a filibuster?

Mr. JONES of Washington. Mr. President, the Senator can not shake his gory locks at me. I have not consumed any three or four hours on the league of nations.

Mr. SHAFROTH. But the Senator knows that that has been the principal theme for the last month before the Senate.

Mr. JONES of Washington. Oh, no.

Mr. POINDEXTER. Mr. President, I should like to ask the Senator from Colorado how long he thinks persons ought to speak on the league of nations?

Mr. SHAFROTH. Mr. President, it depends entirely on what is the subject for discussion. The Senator's talk of three hours the other day in any other legislative body on earth would have been stopped, because the Senator was not discussing anything that was upon the table of the Vice President. But, Mr. President, under the idiotic rules that we have in this body you find that a man can talk about the moon being made of green cheese when any subject, no matter what it is, is before the Senate, and the league of nations has been a favorite theme by which there has been more delay than anything else. I want to say, Mr. President, that when the people get at the facts of these attempts to thwart a league of nations, when it is given serious consideration by those whose boys have been over on the other side and whose desire is to stop war, you will find, Mr. President, that there will be a serious condemnation of such obstructive measures.

Mr. POINDEXTER. Mr. President——

Mr. JONES of Washington. I yield to my colleague.

The VICE PRESIDENT. The Chair wants to warn the Senator from Washington that he is going to lose the floor if he yields promiscuously.

Mr. JONES of Washington. With all due respect to the Chair, I wish to suggest that the rule relating to interruptions is a rule that is to be applied by the Senators, and if no Senator raises the point of order I respectfully submit that the Chair has hardly the right to do it; but I am willing to accept the suggestion of the Chair in the interest of time.

I want to say to the Senator from Colorado with reference to his last suggestion, that if we are interested in getting the boys home from France and want to get them home, we will impose our peace terms upon Germany and bring them home and then work out this league of nations proposition in a way that will promote the peace of the world.

Mr. SHAFROTH rose.

Mr. JONES of Washington. Mr. President, I can not yield to the Senator because he takes too much time.

Mr. SHAFROTH. Very well.

Mr. JONES of Washington. Mr. President, that is the way to get the boys home from France. In my judgment, that is what the people of this country would like to have done. I want to see a league of nations or something else, I do not care what you call it, some organization or some association of the nations of the world worked out that will prevent war, that will maintain peace throughout the world; but I do not believe we ought to use the presence of the boys in France to compel us to take whatever may be brought over here. I want to say that that consideration will not influence me in the least when the time comes to pass upon the treaty that may be presented to us. I shall determine my vote with reference to it with which I conceive to be for the best interests of the American people and the American Nation and then for the peace of the world. I want our boys home. I think they ought to get home. We ought to bring them home, and the best way to get them home in the quickest possible time is to determine what terms we are going to impose upon our enemies in the war, and then we can bring them home, and then we will have time to give this momentous subject the consideration it ought to have.

Mr. President, we do not want to have to consider this league of nations treaty as we must consider these appropriation bills. Congress ought not to be asked along about the 1st of July to ratify a treaty in order that the boys may be brought home. We ought to have most of them home before the 1st of July. We ought not to have a single one over there whom it is not necessary to have there in order to enforce whatever terms of peace we propose to impose upon Germany, and what we propose to impose upon Germany does not depend upon the compact for a league of nations.

Mr. SHAFROTH. Mr. President, does not the Senator recognize that the soldiers are being brought home just as fast as our ships or any ships which we can hire can bring them?

Mr. JONES of Washington. Why does the Senator suggest, then, that long speeches here are keeping them from being brought over?

Mr. SHAFROTH. That is not the fact. They are delayed because we have not the bottoms to bring them over in.

Mr. JONES of Washington. We will never get them this way.

Mr. SHAFROTH. You will not get them by denying this $50,000,000 for the very purpose of paying for the ships to bring them home in.

Mr. JONES of Washington. Does the Senator think that we have to wait until this $50,000,000 is appropriated to bring them over?

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Montana?

Mr. JONES of Washington. It will be a long time before they are brought over if we have to wait for that.

Mr. WALSH. Mr. President, a parliamentary inquiry. I merely wish to inquire of the Chair if the Senator from Washington has not spoken twice on this subject?

The VICE PRESIDENT. The Chair has not been keeping any record of it. But the Chair will state——

Mr. JONES of Washington. I am through Mr. President.

The VICE PRESIDENT. The question is on the amendment of the Senator from Ohio [Mr. HARDING] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 15, after line 10, to insert:

For recruiting, instructing, and training officers, engineers, and crews for American vessels, and for all expenditures incidental thereto, $3,750,000.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," subhead "Bureau of Engraving and Printing," on page 20, after line 3, to insert:

The Secretary of the Treasury is hereby authorized, during the emergency growing out of the war with Germany, to have all bonds, notes, checks, or other printed papers now or hereafter authorized to be executed by the Bureau of Engraving and Printing of the Treasury Department printed in such manner and by whatever plate-printing process and on any style of plate-printing presses that he may consider suitable for the issue of such securities and other papers in the form that will properly safeguard the interests of the Government, and that such presses as are used in printing from intaglio plates shall be operated by plate printers except on such work as is now being done by other processes and any similar work that may be necessary hereafter: *Provided*, That in the execution of such work only such part of it shall be transferred from the present method of executing it as will permit of the retention in the service of such permanent plate printers as are now engaged in the execution of such work, or such temporary plate printers similarly employed and who can qualify under civil-service regulations for permanent appointments; and all acts or parts of acts heretofore enacted relative to the use of power and hand presses in the printing of securities of the Government are hereby suspended and declared not in effect until that time, and at the termination of said emergency such acts or parts of acts shall be in effect and force as prior to the act of October 6, 1917.

The amendment was agreed to.

The next amendment was, on page 22, after line 8, to insert:

REFUND OF INTERNAL-REVENUE COLLECTIONS.

To enable the Secretary of the Treasury to refund money covered into the Treasury as internal-revenue collections under the provisions of the act approved May 27, 1908, $75,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 13, to insert:

BONDS OF CREW OF U. S. S. "SAN DIEGO."

Any liberty loan bonds belonging to an officer or member of the crew of the U. S. S. *San Diego* and which were in possession of the owner on board said vessel on the 19th day of July, 1918, when such vessel was sunk off the coast of Long Island, N. Y., and which shall be shown to have been at that time lost beyond recovery, are hereby declared to have been wholly destroyed and the Secretary of the Treasury is hereby authorized and directed to issue duplicates of such bonds in conformity with the provisions of the Revised Statutes.

The amendment was agreed to.

The next amendment was, under the head of "War Department," subhead "River and harbor work," on page 23, after line 12, to insert:

Cape Cod Canal: Whenever the Secretary of War, in pursuance of authority heretofore conferred on him by law, shall cause proceedings to be instituted for acquiring by condemnation the Cape Cod Canal and all the franchises, property, and rights of property appurtenant thereto, the United States, upon the filing of the petition in such proceedings, shall have the right to take immediate possession of said canal and appurtenances and maintain and operate the same in accordance with the provisions of section 6 of the river and harbor act of March 3, 1909, which are hereby made applicable to said works. The sum of $10,000,000 is hereby appropriated for the improvement of this waterway, with the view to maintaining a depth of 25 feet at mean low water, with suitable channel widths, out of which sum may be paid any awards which may be made under the aforesaid condemnation proceedings: *Provided,* That the total amount to be paid under such awards shall not exceed $10,000,000.

Mr. LENROOT. I should like to have some explanation of why this amendment is inserted in the bill. Is it a deficiency?

Mr. WEEKS rose.

Mr. LENROOT. The Senator from Massachusetts will explain it.

Mr. WEEKS. Mr. President, at the last session of Congress authorization was made for an examination and survey and a purchase of the Cape Cod Canal. The Secretaries of War, Navy, and Commerce were appointed a commission to make the purchase, provided the report of the engineers was favorable. The usual examination was made by the Corps of Engineers, the report was favorable, and the three Secretaries referred to have proceeded to complete the purchase. In the meantime the Railway Administration took over the operation of the Cape Cod Canal and expended on it about $450,000 to widen it and deepen it. The Railroad Administration now proposes to turn the Cape Cod Canal back either to its owners or to the War Department. The War Department wishes to take over the canal and complete the transaction. An offer has been made to the owners of the canal which has not been satisfactory. In other words, they have been unable to reach terms which are satisfactory to the Government and to the owners of the canal; and as provided in the act of last summer, condemnation proceedings have been undertaken and are now proceeding.

This particular amendment, included in the appropriation bill now under consideration, comes from the Secretary of War, with the request that action be taken. The other day when bills on the calendar were being considered this bill passed the Senate unanimously. Undoubtedly, before the extra session of Congress is called, if reports are true about the time of its calling, proceedings which have been undertaken will have been completed and the turning over of the canal will then be made, even if it has not been done at this time. The appropriation is put in this particular bill because of the desire of the Railroad Administration to turn the canal back, and of the War Department to take it over, and particularly to secure the four hundred and fifty odd thousand dollars which have already been expended by the Railway Administration on the canal, which would revert to the owners if the purchase is not completed.

That, in substance, is the explanation.

Mr. LENROOT. I wish to ask whether this amendment is identical in form with the bill passed the other day?

Mr. WEEKS. Exactly so.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 24, line 14, after the numerals "1735," to strike out "part 2" and insert "parts 2 and 3," and in line 15, after the word "session," to strike out "$714,813.58" and insert "$852,106.49," so as to make the clause read:

Ordnance Department: For the payment of the claims for damage to and loss of private property occasioned by the explosions and fire at the plant of T. A. Gillespie Co., at Morgan, N. J., which have been agreed upon by the War Department and the claimant, and in amounts not exceeding those which are enumerated and scheduled in House Document No. 1735, parts 2 and 3, of the present session, $852,106.49.

Mr. LENROOT. I should like to ask what is the reason for this increase of $150,000 over the House figures?

Mr. MARTIN of Virginia. It is a change in the judgments certified to since that time.

The amendment was agreed to.

Mr. KNOX. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The Secretary will read the amendment offered by the Senator from Pennsylvania.

The SECRETARY. On page 21, after line 5, insert:

The Secretary of the Treasury is authorized to purchase the land at the corner of Seventh Avenue and the proposed extension of Grand Street, in the city of Pittsburgh, Pa., on which the United States holds an option until May 10, 1919, from the proceeds from the sale of the old site, amounting to $950,000, as a site for a new post-office building in said city, and such sum or so much thereof as may be necessary is hereby appropriated.

Mr. KNOX. This amendment is subject to a point of order, I realize, but I hope when I explain the situation the point of order will not be made and the amendment will be passed.

The facts are these: About 13 years ago the Government purchased in the city of Pittsburgh a site for a new post-office building, paying therefor about $1,000,000. They held it since that time without improvement. I am stating these facts from a letter of Secretary Glass to the House committee which reported this amendment as a bill favorably. They then sold it, and in the act of Congress passed in 1913, authorizing the sale of this property, it was provided that the proceeds should be reinvested in another site for the same purpose, but unfortunately the money was not specifically appropriated at that time for that purpose. There has been an option taken on a very desirable property which can be bought for the proceeds of the sale of the old property, which option expires on the 10th day of May of this year. As the option was taken at a very reasonable price for the property, the department is very anxious to have this money available in order that they may close the deal.

The VICE PRESIDENT. The question is on the amendment of the Senator from Pennsylvania.

The amendment was agreed to.

Mr. WADSWORTH. Mr. President, do I understand amendments are in order on the bill at this time?

The VICE PRESIDENT. Of course; it will promote the consideration of the bill if they are presented as we go along.

Mr. WADSWORTH. Then I desire to offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed by the Senator from New York [Mr. WADSWORTH] to amend on page 24, after line 22, by adding a new paragraph, as follows:

SALE OR EXCHANGE OF PROPERTY.

The President is hereby authorized, through the head of any executive department, upon terms and conditions considered advisable by him or such head of department, to sell, exchange, lease, or otherwise dispose of real property or any interest therein or appurtenant thereto acquired by the United States of America since April 6, 1917, for storage purposes for the use of the Army, which, in the judgment of the President, or the head of such department, is no longer needed for use by the United States of America, and to execute and deliver, in the name of the United States and in its behalf, any and all contracts, conveyances, or other instruments necessary to effectuate any such sale, exchange, lease, or other disposal; that all moneys received by the United States as the proceeds of any such sale or exchange shall be deposited in the Treasury of the United States to the credit of the appropriation from which the funds to purchase or acquire the said property were allotted, and a full report on the same submitted annually to Congress.

Mr. MARTIN of Virginia. Mr. President, I am compelled to make a point of order against that amendment.

Mr. WADSWORTH. I hope the Senator will withhold his point of order just a moment until I can explain what it is. It will save the Government about a million dollars.

Mr. MARTIN of Virginia. I have withheld so many points of order that we are having altogether too many amendments.

Mr. WADSWORTH. Will the Senator permit me to explain the matter before he makes his point of order?

Mr. MARTIN of Virginia. Yes; I will do that.

Mr. WADSWORTH. Of course, I imagine the Chair will hold the point of order well taken. This is the situation as to this amendment which I have offered: It is an amendment I clipped from the military appropriation bill, which it is stated can not pass. It was inserted in the military appropriation bill at the earnest request of Gen. Goethals, who has been at the head of the Purchase, Transportation, and Storage Bureau in his capacity of Assistant Chief of Staff of the Army.

The situation with respect to this amendment is that the Division of Purchase, Transportation and Storage, as Senators know, acquired or built a very large amount of storage for Army supplies during the war. They have contracted for enormous buildings in which to store Army material, both at the ports of embarkation and at the principal depots in the interior of the country. In one particular instance, in the city of Chicago, the Division of Purchase, Transportation and Storage entered into a contract for the erection of a tremendous building to be used as a freezer for meats to be placed in storage for the use of the troops at home and abroad. The building had almost reached completion when the armistice was signed on November 11. The information which came to the Committee on Military Affairs was to the effect that the department endeavored to cease the construction of this building, which was a very expensive one, but a legal opinion was given to the effect that the department would have to stand by its contract and

the building must be finished—finished, mind you—and delivered to the Government after the time had gone by when it would be of the slightest use to the Government. The building is just about to be finished now.

The Division of Purchase, Transportation and Storage has made arrangements for the exchange of that building with some concerns in Chicago for another building which is not a freezer plant and which the Government can use. If this amendment goes through, the Government can get rid of the freezer plant, which is utterly useless to it now, and get a building which will be of some use, because Senators will see that the amendment authorizes the exchange as well as other actions taken with the storage building which the Government has put up. If the building has to be retained by the Government we shall find ourselves in possession when the option has expired which the Government now has for this exchange or possession of a building that will be of no use to us at all; but, by reason of this exchange, Gen. Goethals told the Military Affairs Committee that something like a million dollars, as I remember, would be saved to the Government of the United States. There are other instances of similar character. I think there is one at New Orleans, where there is an opportunity for the Government to immediately sell, lease, or exchange some of its surplus storage and get rid of it now on a good market, thereby saving a good deal of money. The Senator from New Jersey, were he here, would remember that there are tremendous storage plants also in New Jersey, and there is an opportunity for the Government to exchange some of those or to lease them or to sell them. If it is done quickly, we can get some of our money back. That is the object of this amendment.

I know that the point of order will be held good if it is made against the amendment, but I hope it will not be raised because the adoption of this amendment and its passage through Congress will actually save the Treasury of the United States millions of dollars. That is the testimony that has come before our committee. I am trying to save something out of the wreck of the military appropriation bill.

The VICE PRESIDENT. The question is on the amendment.

Mr. MARTIN of Virginia. I am very much embarrassed by this amendment. It looks to me to be a meritorious amendment, but it is plainly subject to the point of order. I am making points of order against amendments, feeling that it is the only way to save this bill because a large number of Senators have in view amendments that would certainly wreck the bill. It is a very difficult thing for me to determine what is absolutely right in the premises. I am in sympathy with the Senator's amendment.

The VICE PRESIDENT. Then the Chair will overrule the point of order.

Mr. MARTIN of Virginia. That settles it.

The VICE PRESIDENT. The question is on the amendment.

The amendment was agreed to.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 3, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our Heavenly Father, we lift up our hearts in gratitude to Thee for all the blessings of life, especially for our Republic, its great institutions and vast opportunities for advancement; for our homes, dear to our hearts; for our religion, which makes for righteousness in the soul. Be with us now and always, that through all the changing scenes of life we may be loyal to our country, loyal to our homes, and loyal to our religion. And, O Lord, if this shall be the last prayer of the Sixty-fifth Congress, may it ascend on high in behalf of all the Members of this House, its officers and employees. Go with them to their homes, give them rest and comfort, that those who come back may be strengthened for the work ahead of them and those remaining may be strong to take up the duties of life wherever they may find them. Bless all their families. Guide and keep us close to Thee. In the spirit of the Lord Christ. Amen.

The Journal of the proceedings of Saturday was read and approved.

COMMISSION TO ADJUST SALARIES.

The SPEAKER. It seems that the Speaker was premature the other day in appointing Messrs. HAMLIN, KEATING, and COOPER of Wisconsin upon this adjustment-of-salary business, because the bill had not been signed. The Chair thought the bill had been signed, because it had been presented to him by the Clerk for signature and he signed it, but it turned out the President had not. So the Chair reappoints them.

MINORITY VIEWS, NATIONAL SECURITY LEAGUE.

Mr. WALSH. Mr. Speaker, I ask unanimous consent to file before the expiration of the session individual views upon the investigation of the National Security League, being a member of that committee.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to be permitted to file before the expiration of the session his individual views on the investigation of the National Security League. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. HARRISON of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the National Security League.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none.

Mr. SHALLENBERGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of Army courts-martial.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska? [After a pause.] The Chair hears none.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the league of nations.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act and section 5172, Revised Statutes of the United States.

The message also announced that the Senate had agreed to the amendment of the Senate numbered 24 to the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, and had further insisted upon the residue of the Senate amendments still in disagreement.

The message also announced that the Senate had passed without amendment the bill (H. R. 16136) to amend the liberty bond acts and the war finance corporation act, and for other purposes.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. JAMES H. DAVIDSON, late a Representative from the State of Wisconsin, in pursuance of an order heretofore made, in order that fitting tribute may be paid to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Representative from Wisconsin.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate stand in recess until 10 o'clock a. m. Monday, March 3, 1919.

Also the following resolutions:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. PAUL O. HUSTING, late a Senator from the State of Wisconsin, in pursuance of an order heretofore made to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Wisconsin.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate stand in recess until 10 o'clock a. m. Monday, March 3, 1919.

Also the following resolutions:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. DANIEL W. COMSTOCK, late a Representative from the State of Indiana, in pursuance of an order heretofore made in order that fitting tribute may be paid to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Representative from Indiana.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the family of the deceased the Senate stand in recess until 10 o'clock a. m. Monday, March 3, 1919.

QUESTION OF PERSONAL PRIVILEGE.

Mr. McFADDEN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. McFADDEN. On a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. McFADDEN. The Comptroller of the Currency, John Skelton Williams, issued a public statement which was given to the Members and the country in regard to me as a citizen, as a banker, and as a Member of Congress, and I desire to make a statement in connection with it.

The SPEAKER. What did he say that determines whether the gentleman has any question of privilege or not?

Mr. LONGWORTH. He said enough.

Mr. McFADDEN. I think he said enough.

The SPEAKER. But the Chair does not know what he said.

Mr. McFADDEN. I will send to the Speaker's desk the official document and ask the Clerk to read the statement which I have sent to the Clerk's desk.

The SPEAKER. Will the gentleman just indicate the point on which he bases his question of privilege?

Mr. McFADDEN. I think in connection with that I will have to read the whole statement.

The SPEAKER. But there must be something in it——

Mr. McFADDEN. The last paragraph I think would be sufficient. I will read it.

These facts stated briefly as possible explain definitely why Representative McFADDEN would like to see the comptroller's office abolished. The whole record shows that you acted in exact accord with your career as a banker when as a representative of the people you used your privilege to avail yourself of your immunity to circulate the libels for which you produced no author and which you do not dare present when challenged, defied, and invited where they could be placed and exposed as absolutely unfounded and basely and viciously false.

The SPEAKER. The Chair thinks the gentleman has a question of privilege.

Mr. SNELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. SNELL. Mr. Speaker, I make the point of order there is no quorum present.

Mr. WINGO. Mr. Speaker, before that I want to make a point of order, and wish to be heard, that the gentleman has not stated anything that raises the point of order.

The SPEAKER. The question of the point of no quorum has been made. The Chair will count. [After counting.] A hundred and twenty-seven gentlemen are present, not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to respond to their names:

Anthony	Estopinal	Knutson	Shackleford
Baer	Fairchild, G. W.	Larsen	Shouse
Beakes	Ferris	Lea, Cal.	Slemp
Birch	Flynn	Lunn	Smith, Mich.
Booher	Frear	McCulloch	Smith, C. B.
Brodbeck	Garland	McKeown	Snyder
Brumbaugh	Gillett	McKinley	Steele
Buchanan	Goodall	Nelson, J. M.	Swift
Caldwell	Gray, N. J.	Nichols, Mich.	Taylor, Ark.
Carter, Mass.	Gregg	Overmyer	Tinkham
Cary	Hamill	Park	Voigt
Chandler, N. Y.	Hamilton, N. Y.	Porter	Wason
Costello	Heintz	Price	Webb
Cox	Helm	Ragsdale	Wilson, Ill.
Curry, Cal.	Hicks	Reavis	Wood, Ind.
Denison	Johnson, S. Dak.	Roberts	Woods, Iowa
Eagle	Jones	Robinson	Woodyard
Elston	Kahn	Rowland	
Emerson	Kearns	Russell	

The SPEAKER. On this roll call 352 Members have answered to their names, a quorum. The Doorkeeper will open the doors.

Mr. WALSH. Mr. Speaker, I move to dispense with further proceedings under the call.

POST OFFICE COMMISSION.

The SPEAKER. The Post Office bill requires the Speaker to appoint a commission of five members of the committee, and he appoints Mr. MOON, Mr. BELL, Mr. ROUSE, Mr. STEENERSON, and Mr. MADDEN.

LEAVE OF ABSENCE.

Mr. McKENZIE. Mr. Speaker, I ask that my colleague [Mr. DENISON] be excused for to-day on account of illness.

The SPEAKER. The gentleman from Illinois asks that his colleague Mr. DENISON be excused for to-day on account of illness. Is there objection? [After a pause.] The Chair hears none.

QUESTION OF PERSONAL PRIVILEGE.

The SPEAKER. The gentleman from Pennsylvania [Mr. McFADDEN] is recognized.

Mr. McFADDEN. Mr. Speaker, on the 15th of February I introduced a resolution in this House calling for an investigation of John Skelton Williams, Comptroller of the Currency, director of finances of the Railroad Administration, director of the War Finance Corporation, and so forth, and so forth. Last Saturday night at about 8 o'clock the Comptroller of the Currency, John S. Williams, released a statement for the press which I desire the Clerk to read, and in connection with this he attempts to make out that I am lone-handed in my accusations of him and his actions—that I was inspired by selfish motives—and in the few remarks I make this morning I want to disprove that, or at least attempt to do so, and to show that there is a universal mistrust in regard to this officer, and ask and insist upon an investigation of this gentleman and his public functions.

I would also like to have the Clerk read my reply to this statement, and also a statement from the governor of the Federal Reserve Board, which came within half an hour of the time that the letter of the Comptroller of the Currency was delivered to me on Saturday evening. I would also like to revise and extend my remarks.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. WINGO. Reserving the right to object——

Mr. MONTAGUE. May I ask the gentleman a question?

Mr. McFADDEN. I prefer to wait until the letters are read.

Mr. MONTAGUE. That is what I wanted to ask about. I understood you to say you would put in the RECORD a statement appearing in the papers.

Mr. McFADDEN. Yes, sir.

Mr. MONTAGUE. Did you receive a letter from Mr. Williams Saturday afternoon about 4.50?

Mr. McFADDEN. I did.

Mr. MONTAGUE. Will you also put that in the RECORD?

Mr. McFADDEN. I will decide about that later.

Mr. MONTAGUE. Unless the gentleman will put into the RECORD the letter which he received on Saturday afternoon, which is an elaboration of the article that appeared in the papers, I shall object to extension and revision of remarks and to the reading of the letters.

Mr. McFADDEN. Mr. Speaker——

Mr. MONTAGUE. I do not wish to be at all discourteous to the gentleman, but I desire, if this matter is gone into, that there shall not be, at least, only one side of it.

Mr. WINGO. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WINGO. The gentleman from Virginia has covered the point. Reserving the right to object, I want to suggest this to the gentleman from Pennsylvania, that in order to have the whole controversy and all the facts in the RECORD here, should he not, in all fairness, put the whole letter in the RECORD?

Mr. McFADDEN. If the gentleman will wait a moment—and I refuse to yield further—I am charging the Comptroller of the Currency in this public statement with giving out information in regard to a financial institution which he should not have given out.

Mr. WINGO. Mr. Speaker, a point of order. The Chair was stating to the House that the gentleman would proceed. I want the unanimous consent stated which the Chair submits to the House.

Mr. BRITTEN. The gentleman from Virginia [Mr. MONTAGUE] objects to the unanimous-consent request of the gentleman.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Was the gentleman given permission to extend and revise his remarks?

The SPEAKER. He was not. The gentleman from Virginia [Mr. MONTAGUE] intervened and practically objected—of course, under conditions.

Mr. McFADDEN. Mr. Speaker, I withdraw the request.

The SPEAKER. The gentleman withdraws the request.

Mr. McFADDEN. I ask that the Clerk read the letter.

Mr. WINGO. Mr. Speaker, I object to the reading of the letter. I am perfectly willing he should read the comptroller's letter——

The SPEAKER. The point of order is sustained. The gentleman from Pennsylvania will proceed.

Mr. McFADDEN. Mr. Speaker, I desire now to read a statement which was given out by the Comptroller of the Currency to the press, dated Washington, March 1.

Mr. ANDERSON. Mr. Speaker, I want to make a parliamentary inquiry. Is it not in order to read from the Clerk's desk the letter which constitutes the matter of personal privilege?

The SPEAKER. It is, if nobody objects.

Mr. WINGO. I am perfectly willing to allow the letter to be read.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Is it not the privilege of the gentleman to read that portion of the letter that constitutes his base of the personal privilege without reading the entire letter as objected to by the gentleman from Arkansas?

The SPEAKER. Yes.

Mr. WINGO. Does the Speaker rule that a gentleman having the floor can read anything if there is objection on the part of any Member?

The SPEAKER. He can read that upon which he bases his question of privilege.

Mr. WINGO. He has already done that and the Speaker has ruled it gives him a ground of privilege. Now, he proposes to read another article.

Mr. McFADDEN. No; the same article.

The SPEAKER. He read a little piece of a letter which the Chair thought was a sufficient basis.

Mr. WINGO. No, Mr. Speaker; he read a newspaper article, but he has not read the comptroller's letter.

The SPEAKER. That is what he wants to do.

Mr. WINGO. He does not propose to do that. That is what he is trying to read.

SEVERAL MEMBERS. Regular order!

The SPEAKER. The House will please be in order. The Chair thinks the gentleman has the right to read the Williams letter and to read the reply to it, if he wants to.

Mr. WINGO. Well, I have no objection to that, but——

The SPEAKER. What is it that the gentleman objects to?

Mr. WINGO. I object to his reading a newspaper article, which he says is an extract from a letter, which is not the letter of John Skelton Williams or his reply to it. I am perfectly willing that he shall read to the House the letter of John Skelton Williams and his reply, but I do object to his reading some articles here on which he bases his question of personal privilege.

The SPEAKER. That is what he is basing it on.

Mr. WINGO. He is not reading but one.

The SPEAKER. The Chair knows; he can not read both of them at once. [Laughter.]

Mr. WINGO. I have not suggested that he read both of them at once.

The SPEAKER. The present occupant of the chair has always been liberal in construing the question of personal privilege. If a man states in a letter things that he would not dare to say to a man's face, or I suppose he would not, the Chair holds that that constitutes the basis of a question of personal privilege.

Mr. WINGO. Well, Mr. Speaker, the orderly procedure of the House is very clear as to what may be read and what may not be read. I am not trying to prevent the gentleman from having an opportunity to defend himself against any charge that he claims is made against him, but when he comes to the House and appeals to the House for the judgment of the House he ought to read the entire letter and the answer thereto.

The SPEAKER. The Chair does not have to express an opinion, but the Chair would say that he ought to read both letters entire, although that is an obiter dictum.

Mr. MANN. Mr. Speaker, the Chair will remember that the gentleman's time is not unlimited. He may have other matters that he wants to present to the House.

The SPEAKER. He has a right to yield if he chooses.

Mr. WINGO. Mr. Speaker, will the gentleman——

Mr. McFADDEN. I can not yield.

Mr. PHELAN. Mr. Speaker, will the gentleman yield?

Mr. WINGO. One moment. I would like to read the rule, which plainly states what the procedure is. I read:

> When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any Member, it shall be determined without debate by a vote of the House.

Mr. MADDEN. Mr. Speaker, is the gentleman's time running while this discussion is going on?

The SPEAKER. It ought not to be taken out of his time.

Mr. PHELAN. Mr. Speaker, will the gentleman yield a minute? I am not trying to bother the gentleman in any way.

Mr. McFADDEN. I yield.

Mr. PHELAN. I can assure the gentleman that I am asking simply for information to keep the RECORD clear. Are the newspaper reports accredited to the comptroller a verbatim reproduction of what is in his letter, so far as they go?

Mr. McFADDEN. This is a correct copy from the comptroller under his frank, which came to me this morning. It is an exact duplicate of the press notice sent out Saturday night.

Mr. PHELAN. So far as they go, they are exactly alike?

Mr. McFADDEN. Yes, sir.

Mr. LONGWORTH. The press notice came before the gentleman received the letter?

Mr. McFADDEN. No; afterwards. This is the article:

Comptroller of the Currency, John Skelton Williams——

Mr. WINGO. Mr. Speaker, I make the point of order that the gentleman is reading that to which an objection was made, and to which I have a right to object.

The SPEAKER. How otherwise can the House ever get at this question, which is really a question of veracity?

Mr. WINGO. The House can get at it under the rules. The rule says he can not read a paper that is objected to without the consent of the House.

Mr. MANN. Mr. Speaker, where a man rises to a question of personal privilege which is based on a written article, he has the right to read it.

The SPEAKER. That is what the Chair thinks, and has so ruled two or three times.

Mr. McFADDEN. I read:

(Immediate release.)

STATEMENT FOR THE PRESS.

OFFICE COMPTROLLER OF THE CURRENCY,
Washington, March 1, 1919.

Comptroller of the Currency John Skelton Williams has written to Representative McFADDEN, of Pennsylvania, a reply to a speech delivered in the House by Mr. McFADDEN on February 15 attacking the comptroller's office as unnecessary and suggesting investigation of the present comptroller's administration and conduct. Mr. Williams says he published in the newspapers the day the speech appeared a challenge to hasten the proposed investigation and to trace to their sources alleged rumors, recited by Mr. McFADDEN, of misuse of the powers of the office. He continues:

"After your receipt of this but three days of the present session will remain. In 11 working days of the House you have failed to present evidence in support of your injurious accusations or innuendos against me or to press your suggestion of investigation. You knew on February 15 that my reappointment to be Comptroller of the Currency had just been sent to the Senate for action. You knew, from wide publication in the newspapers, that the Senate Banking and Currency Committee was conducting hearings on my fitness or unfitness to be comptroller and hearing evidence on charges that might be presented before it against me. You knew that here was an investigation ready to your hand in active progress. You knew that the Senate committee, with full power to compel attendance of witnesses and production of papers, offered opportunity to anybody in the United States with a grievance or accusation against my official conduct or personal character to present it. Because you had, directly and by indirection, deliberately and publicly made statements seriously accusing another man, personal honor demanded that you at least attempt to prove the truth of your assertions or retract them. You have done neither. Both as a public official and a citizen, your oath and bounden duty required that if you knew of reasons why a man holding a public position of large importance was unfit you should present or have presented those reasons before the body engaged in deciding the confirmation or rejection of that man. You have stood mute and inactive until now, when the close of the session is near.

"You have done nothing to vindicate your own assertions and insinuations declared publicly to be untrue or to prevent the Senate from confirming the appointee whose fitness you said you had reason to doubt. You are in the position of having taken a shot at me from safe ambush and skulking away too hastily to know what injury you had done or to allow the object of your aim opportunity for defense, redress, or reply."

Mr. Williams then asserts that Mr. McFADDEN, as cashier and president of a bank in Pennsylvania, has been under rebuke and criticism of the Treasury Department for over 20 years and through five comptrollerships and by 15 different bank examiners, and that only the constant interference of the comptroller's office has preserved the institution safe.

The comptroller calls attention to the fact that the capital of the bank in Pennsylvania, of which Representative McFADDEN has been continuously cashier or president, shows no change in the past 10 years, but has remained at $100,000, while its surplus and undivided profits have shrunk approximately 25 per cent, while the surplus and profits of all other national banks in the country have increased 62 per cent. Its deposits show virtually no improvement in the past five years, while deposits of all other national banks have about doubled in the same period.

Since 1908 the bank's dividends have been twice reduced. The losses which have already been charged off in this period have amounted to more than half of the bank's present capital; and although Mr. McFADDEN only appears to own 37 shares of the bank's capital stock, the money which the last report shows the bank to be lending to himself, his family, and his allied interests and enterprises amounts to more than the bank's entire capital and surplus.

After the examination of the bank in the spring of 1918 the Deputy Comptroller of the Currency, in a letter to the board of directors, used the following language in determined effort to preserve and protect the interests of the bank and its depositors:

"The bank continues to violate the law; and this feature together with other unsatisfactory conditions seems largely due to lack of proper management. The examiner is of the opinion that the bank will not observe the law or regulations of this office as long as President McFADDEN is the managing director, because the other directors seem to take no personal and active interest in the bank, and permit President McFADDEN to use the bank for his personal interest without due regard for safe and sound banking.

"This condition will not be permitted longer to continue. All of the directors, and not alone the president, should give their attention to the affairs of the bank, which the law and their oaths require, and if President McFADDEN is not inclined to observe the instructions of this office and the law he should be required to resign and the board should elect some one else as president who will."

Comptroller Williams argues that, as he has been unjustly assailed, he has the right to show what he believes to be the causes and motives underlying the attack, and concludes:

"These facts, stated briefly as possible, explain perfectly why Representative McFADDEN would like to see the Comptroller's Office abolished. The whole record shows that you acted in exact accord with your career as banker when, as a Representative of the people, you used your privilege and availed yourself of your immunity to circulate libels for which you produce no author and which you did not dare present, when challenged, defied, and invited, where they could be faced and exposed as absolutely unfounded and basely and viciously false."

That statement was handed to me by a newspaper man at 10 o'clock Saturday night. I very hurriedly made this reply:

MR. M'FADDEN REPLIES TO COMPTROLLER.

Late to-night Mr. McFadden issued the following statement:

"The statement of John Skelton Williams has just been shown me. A hurried reading of the statement, I assert, proves the truth of my assertion that John Skelton Williams is an unfit public officer, and this is only a continuance of the persecution which he has carried on toward me since I suggested four years ago that the office of the Comptroller of the Currency should be abolished.

"The statement which he makes is false, and I would call attention to the fact that his attack upon me in this public manner only seeks to cloud the real issue, which is—and I reiterate it—that John Skelton Williams is an unfit public officer, and that he is on trial and not I.

"I have repeatedly called the attention of Congress to my resolution of investigation, and have twice been refused a hearing by the chairman of the Rules Committee."

Shortly after the letter was delivered to me from the comptroller on Saturday I received the following letter:

FEDERAL RESERVE BOARD,
Washington, March 1, 1919.

Hon. LOUIS T. McFADDEN,
House of Representatives.

DEAR CONGRESSMAN McFADDEN: The Federal Reserve Board has sent a letter to Chairman PHELAN expressing its appreciation of the interest which the Committee on Banking and Currency has taken in the Federal Reserve System, and it desires to let you know as a member of the committee of its feeling of obligation for the uniform courtesy the committee has shown the board in considering the recommendations made by it, as well as for your effective work in securing legislation needed to enable the Federal reserve banks to perform not only the functions for which they were designed but to discharge the duties and meet the extraordinary demands imposed upon them by reason of the war.

The board feels that the work of the Banking and Currency Committee has been of the greatest value to the country, and that the members of the committee have every reason to be proud of their record.

Sincerely, yours,

W. P. G. HARDING, *Governor.*

I am a member of the Banking and Currency Committee of the House. Now, in addition to that I want to put into the RECORD, and I ask unanimous consent to do so, a resolution which was passed by bankers from southern New York and northern Pennsylvania at a meeting held on February 22, which meeting I addressed on the subject of the Comptroller of the Currency. This is a resolution passed by bankers of seven or eight of the counties adjoining my own home, and that is the reason I ask to have the resolution placed in the RECORD.

The SPEAKER. The gentleman asks to put these resolutions in the RECORD.

Mr. WINGO. Mr. Speaker, I object.

SEVERAL MEMBERS. Read the resolution.

The SPEAKER. Is there objection?

Mr. WINGO. I object; and I raise the point of order that under a question of privilege personal to the gentleman from Pennsylvania he can not lug in an attack on the Comptroller of the Currency, made at a private meeting in Pennsylvania that had listened to the gentleman on his controversy with the Comptroller of the Currency. That is not proper matter to bring in here under a question of privilege. If the gentleman has been unjustly charged by the Comptroller of the Currency, of course he has the right to answer that charge and to make any statement that will prove either its falsity or show circumstances which indicate that the comptroller has improperly attacked him, but to bring in resolutions adopted by a bankers' meeting up here in Pennsylvania attacking the Comptroller of the Currency is improper.

Mr. MADDEN. Regular order, Mr. Speaker. If the gentleman from Arkansas wants to object, let him object.

Mr. WINGO. I do not have to get permission of the gentleman from Illinois to make a point of order. I can state my point of order.

The SPEAKER. Does the gentleman object to these resolutions?

Mr. WINGO. Yes; and further, I was making a point of order when interrupted by the gentleman from Illinois.

Mr. MADDEN. I object to the gentleman making a speech——

Mr. WINGO. I know the gentleman objects.

The SPEAKER. The Chair sustains the point of order made by the gentleman from Arkansas. [Applause.]

Mr. POU. Mr. Speaker, I would like to have the gentleman yield.

Mr. McFADDEN. I yield for a question.

Mr. POU. I understood the gentleman to say that he had been refused a hearing by the chairman of the Committee on Rules.

A MEMBER. Twice, he said.

Mr. POU. I have no recollection of the gentleman ever asking for a hearing, and I want to say that during the two years I have been chairman of that committee I never have refused any of my colleagues a hearing. I remember the gentleman asking me about the resolution, but I have no recollection or record of the gentleman asking that he be heard by the committee.

Mr. McFADDEN. The gentleman, I think, misunderstood what I said. I asked for consideration of my resolution on two different occasions.

Mr. POU. That is very true.

Mr. McFADDEN. Once here, and once in the rotunda of the Capitol; and the gentleman said he could not give me any assurances in regard to the resolution, and the fact is that there has been no action taken. In addition to that fact I pressed that matter with two of my Republican colleagues on the committee, Messrs. CAMPBELL and SNELL, and they advised me that the matter was presented to the committee and no definite action was taken.

Mr. POU. Now, that is quite a different matter from being refused a hearing. The gentleman did insist on consideration of his resolution.

Mr. McFADDEN. That was what I referred to.

Mr. POU. I do not think the gentleman himself, in all fairness, should state that he has been refused a hearing, because, I repeat, that has never been refused to anyone, and none of my colleagues on this committee——

Mr. McFADDEN. I did not mean to assert that I asked for a hearing. I asked for consideration of my resolution.

The SPEAKER. The gentleman will proceed.

Mr. McFADDEN. Now, Mr. Speaker, at a meeting of the bankers in northern Pennsylvania, of the counties surrounding my home in northern Pennsylvania and southern New York, I addressed a meeting on February 22. There were present at that meeting among other people the deputy governor of the Federal reserve bank of New York. After I left that meeting, without any consultation whatever with me, the following resolution was passed by that body without my knowledge, and the first intimation that I had of it was the press notice containing that resolution.

Mr. WINGO. Mr. Speaker, I make the point of order——

The SPEAKER. The point of order is sustained.

Mr. NORTON. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NORTON. On a question of personal privilege, if a Member is charged with falsely making a statement, in this case the statement that the Comptroller of the Currency is an unfit person to hold the office that he occupies, and the Comptroller of the Currency charges the Member has made the charge from personal spite and malice and that he has no one to support him in his contentions or charges, has not the Member a right to show that that is not a true statement?

The SPEAKER. The Member has not any right to lug in all the resolutions that might be passed about himself and John Skelton Williams. Every crowd that meets in the United States might pass resolutions about them.

Mr. NORTON. The resolution proposed to be read I infer from what the gentleman from Pennsylvania [Mr. McFADDEN] has stated supports his charges against Mr. Williams, whatever they may have been. I have only an interest in the parliamentary questions that have been raised.

The SPEAKER. The essence of this controversy is a question of veracity between the gentleman from Pennsylvania and the Comptroller of the Currency. Now, any statement that throws light on that——

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. As I understand it, the Comptroller of the Currency has indicated that only the gentleman from Pennsylvania is interested in this matter. The gentleman from Pennsylvania was about to read resolutions showing that other bankers were interested in this matter, had consulted about it, and expressed their views. Now, is it not proper for him to introduce resolutions of the other bankers, since the comptroller asserts that only this particular banker, who happens to be a Member of Congress, is interested?

The SPEAKER. There are about 8,000 of these bankers, and we would not get through here until the end of the next session.

Mr. MOORE of Pennsylvania. The only point is whether the gentleman from Pennsylvania has the right to introduce supporting evidence.

The SPEAKER. He has not. None of these resolutions will be let in on either side.

Mr. NORTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NORTON. Do I understand the gentleman to hold that if Mr. Williams charges that a statement made concerning him by Mr. MCFADDEN is based on Mr. MCFADDEN's personal views, and that there is no one supporting him, that he has not a right to come in here and show that he is supported by a great many others?

The SPEAKER. That can not be made the basis of a question of personal privilege even if he has said it. There is nothing in that that reflects on the man's character; it may be the truth and it may be a lie.

Mr. NORTON. He implies it by further showing or attempting to show the charges made against him——

The SPEAKER. The essence of this controversy, as the Chair has said a half a dozen times, is a quasi question of veracity between the gentleman from Pennsylvania as to certain charges that he made against the comptroller and certain charges the comptroller made in reply.

Mr. NORTON. Just so; and the comptroller charges in reply that the statements made by the gentleman from Pennsylvania [Mr. MCFADDEN] had no support at all.

The SPEAKER. We can not possibly go into that question. The Chair rules out all resolutions on both sides.

Mr. MCFADDEN. Mr. Speaker, I am attempting to show, in answer to this statement by the Comptroller of the Currency, that the bankers of the United States are opposed to the continuance of Mr. Williams as a public servant. I am attempting to prove also from evidence that he has been using his office for private gain and profit.

Mr. WINGO. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Assuming that that be true, it is not a question of personal privilege to the gentleman from Pennsylvania.

The SPEAKER. That is the very question on which the whole controversy started.

Mr. WINGO. If the comptroller has made a charge against him that reflects on his character and veracity, the question of whether or not the Comptroller of the Currency is not discharging his official duties properly goes neither to the credit or the discredit of the gentleman from Pennsylvania, his character and standing, or his reputation. The gentleman's reputation does not depend on the official acts of the Comptroller of the Currency.

Mr. MANN. Will the gentleman yield for a question?

Mr. WINGO. If the gentleman from Pennsylvania will permit.

Mr. MCFADDEN. I will permit it.

Mr. MANN. Why this fear on the part of the friends of Mr. Williams against telling the truth?

Mr. WINGO. I am not; I am trying to get the whole letter in. If the gentleman from Pennsylvania will read the whole letter I am willing to give him two hours.

Mr. MANN. The gentleman is objecting to the facts coming out.

Mr. WINGO. I am not; I am demanding all the facts, and if he will put in the whole letter I will ask for him to have another hour.

The SPEAKER. The Chair will object to that.

Mr. MANN. If you will not let him put the facts in now, we will see that they are put in later.

Mr. WINGO. If the gentleman will let the whole thing come in upon which this is based, he may talk until doomsday if he wants to. Will the gentleman from Pennsylvania yield for me to ask unanimous consent to let all the facts in the letter come in as stated by the comptroller?

Mr. MCFADDEN. I refuse to yield further. Mr. Speaker, I have been attempting to show the motive back of this proposition. It seems the defenders of John Skelton Williams are here proposing to keep out the evidence that I am trying to submit. One of the great objections that comes to me against the Comptroller of the Currency is the extent to which he is playing favorites, the aid he is giving to the Commercial National Bank of Washington.

Mr. PHELAN. Mr. Speaker, I rise to a point of order.

Mr. MILLER of Washington. Mr. Speaker, I would like to submit an observation.

The SPEAKER. If the gentleman from Pennsylvania yields.

Mr. MCFADDEN. I yield.

Mr. MILLER of Minnesota. The contention of the gentleman from Arkansas and somewhat indorsed by the Speaker that the question of personal privilege is narrowed down to a question of veracity seems to me is not true.

The SPEAKER. That has been decided.

Mr. MILLER of Minnesota. The question of personal privilege is this: The gentleman from Pennsylvania as a Member of the House set forth as he understood it his views, and acting on his responsibility as a Member, against a certain public official. That public official replies and gives to the press of the country that the reason this Member has taken that action is not because the public official is unworthy of the trust, but because the gentleman himself has been guilty of improper conduct with relation to his bank and has been subject to disciplinary measures by that public official. Therefore, the question of privilege embraces two things: First, did the gentleman from Pennsylvania [Mr. MCFADDEN] make his accusation solely because irritated against the public official on account of matters growing out of his conduct of the bank, or did he make it because impelled to do so by conscientious consideration of his duties as a Member of the House, knowing that the bankers of the country were of the opinion that the administration of the present comptroller was injurious to the country? Therefore I submit the gentleman from Pennsylvania has the full right to show that the conduct of the present Comptroller of the Currency has not been right. [Applause.]

The gentleman from Pennsylvania has the right to show that he is right, both as a banker and as a Member of Congress. This involves his right to show his charges sprung from a belief that the comptroller has acted as a public official, and any attempt that is being made to prevent such statement by the gentleman from Pennsylvania can certainly be considered nothing but an attempt to keep the true facts from being presented to the House. [Applause.]

Mr. WINGO. The devotion of the gentleman from Minnesota to the truth is so notorious that I shall not reply.

Mr. TOWNER rose.

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. MANN. Mr. Speaker, I demand that the words of the gentleman from Arkansas be taken down.

Mr. BUTLER. Mr. Speaker, I demand that the words be taken down.

The SPEAKER. It is demanded that the words of the gentleman from Arkansas be taken down.

Mr. WINGO. Of what does he complain? I said his devotion to the truth is so notorious that I should not reply. If that is unparliamentary I withdraw it, so as to save time.

The SPEAKER. The gentleman demands that the words of the gentleman from Arkansas be taken down.

Mr. BLANTON. Mr. Speaker, the gentleman withdrew his words.

The SPEAKER. The Chair never heard him withdraw them.

Mr. BLANTON. I heard him withdraw them.

Mr. WINGO. Mr. Speaker, I am willing to withdraw the words in order to save time——

Mr. DYER. Mr. Speaker, I object.

The SPEAKER. The gentleman from Missouri objects.

Mr. WINGO. Mr. Speaker, I meant no reflection by my facetious remark. I do not want to be put in the wrong attitude. Whenever I want to make a statement that is a reflection I am going to make it straight from the shoulder; and frankness demands that I state I intended that as a facetious remark.

Mr. WALSH. This whole explanation is out of order.

Mr. MANN. Mr. Speaker, I think the gentleman from Minnesota can accept the apology of the gentleman from Arkansas.

Mr. WINGO. Oh, well, if the gentleman puts it that way, I will not withdraw. I made no apology, and none is due.

Mr. BLANTON. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Where a gentleman withdraws his remark, is there anything before the House?

The SPEAKER. No. The gentleman from Arkansas withdraws his remark.

Mr. MANN. Well, I withdraw the demand that the words be taken down.

The SPEAKER. The gentleman withdraws the demand that the words be taken down.

Mr. WINGO. Mr. Speaker, in view of the statement of the gentleman from Illinois [Mr. MANN], coupled with his withdrawal of the demand that the words be taken down, I desire to say that I am not going to withdraw my words under apparent compulsion.

The SPEAKER. But the gentleman from Illinois withdrew his demand.

Mr. WINGO. But the statement that the gentleman made carried with it an imputation that I shall not rest under. I shall stand on the words.

The SPEAKER. The Clerk will read the words.

The Clerk read as follows:

The devotion of the gentleman from Minnesota to the truth is so notorious that I shall not reply.

Mr. MOORE of Pennsylvania. Mr. Speaker, I move that those words be stricken from the record.

Mr. WINGO. Mr. Speaker, I wish to be heard on that. Those words are parliamentary.

Mr. WALSH. But the gentleman can not be heard.

Mr. WINGO. To make a point of order?

The SPEAKER. No; this is a summary proceeding.

Mr. WINGO. But I make the point of order that the words are not out of order.

Mr. WALSH. Mr. Speaker, the gentleman should take his seat under the demand that the words be taken down.

The SPEAKER. The gentleman from Arkansas will please be seated.

Mr. WINGO. But I wish to make a point of order.

Mr. CAMPBELL of Kansas. Mr. Speaker, the gentleman from Arkansas should be declared out of order immediately by the Speaker and should not be permitted to rise and address the Chair until this matter is disposed of.

The SPEAKER. The only thing to do about it is to put the vote.

Mr. WINGO. I make the point of order.

The SPEAKER. What point of order?

Mr. CAMPBELL of Kansas. But the gentleman can not be recognized to make a point of order.

The SPEAKER. Why not?

Mr. MOORE of Pennsylvania. The rules forbid it.

Mr. CAMPBELL of Kansas. He has lost his right to the floor.

The SPEAKER. But this is a free country.

Mr. CAMPBELL of Kansas. He lost his right to the floor when he uttered the words taken down by the Clerk.

The SPEAKER. The question is, Shall these words be stricken from the RECORD?

Mr. GARRETT of Tennessee. Mr. Speaker, I ask that the words may be again reported.

The SPEAKER. The Clerk will again report the words.

The Clerk again reported the words.

Mr. GARRETT of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Tennessee. In voting upon the—and that is the question, if I understand?

The SPEAKER. Yes.

Mr. GARRETT of Tennessee. Whether or not the words shall be taken down?

The SPEAKER. Yes.

Mr. GARRETT of Tennessee. The meaning is that if we vote to strike them out we question the devotion of the gentleman from Minnesota to the truth. [Cries of "No!" "No!"]

Mr. MANN. The gentleman better not start that sort of thing if he does not want this Congress to break up in a row. The gentleman better not start in that sort of tactics.

The SPEAKER. Has anyone moved to strike out the words?

Mr. MOORE of Pennsylvania. Yes, Mr. Speaker; I made the motion.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the words be stricken out.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. MOORE of Pennsylvania. Mr. Speaker, I demand a division.

Mr. WALSH and Mr. MCARTHUR and several other Members demanded the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is, Shall the words of the gentleman from Arkansas be stricken from the RECORD?

The question was taken; and there were—yeas 237, nays 80, answered "present" 16, not voting 96, as follows:

YEAS—237.

Alexander	Browning	Connelly, Kans.	Doremus
Anderson	Burroughs	Cooper, Ohio	Dowell
Austin	Butler	Cooper, W. Va.	Drukker
Bacharach	Campbell, Kans.	Copley	Dunn
Baer	Campbell, Pa.	Crago	Dupré
Benson	Cannon	Cramton	Dyer
Beshlin	Carter, Mass.	Currie, Mich.	Eagan
Birch	Chandler, Okla.	Dale	Edmonds
Bland, Ind.	Church	Dallinger	Elliott
Bland, Va.	Clark, Pa.	Darrow	Ellsworth
Blanton	Classon	Davey	Elston
Bowers	Cleary	Dempsey	Esch
Britt	Coady	Dewalt	Essen
Britten	Collier	Dickinson	Evans
Browne	Connally, Tex.	Dillon	Fairchild, B. L.
Fairfield	Johnson, S. Dak.	Nelson, A. P.	Stedman
Farr	Johnson, Wash.	Nolan	Steenerson
Fess	Jones	Norton	Stephens, Miss.
Flood	Juul	Oliver, Ala.	Stiness
Focht	Kearns	Oliver, N. Y.	Strong
Fordney	Kelley, Mich.	Olney	Sullivan
Foss	Kelly, Pa.	Osborne	Sumners
Francis	Kennedy, Iowa	O'Shaunessy	Sweet
Freeman	Kennedy, R. I.	Paige	Switzer
French	Key, Ohio	Parker, N. J.	Tague
Fuller, Ill.	Kiess, Pa.	Parker, N. Y.	Temple
Fuller, Mass.	Kinkaid	Peters	Templeton
Garland	Knutson	Platt	Thompson
Garrett, Tex.	Kraus	Porter	Timberlake
Gillett	Kreider	Powers	Towner
Glynn	La Follette	Purnell	Treadway
Good	Lampert	Quin	Van Dyke
Gould	Langley	Ramsey	Vare
Graham, Ill.	Larsen	Ramseyer	Vestal
Graham, Pa.	Lea, Cal.	Rankin	Vinson
Green, Iowa	Lehlbach	Rayburn	Voigt
Greene, Mass.	Longworth	Reed	Volstead
Griest	Lufkin	Rodenberg	Waldow
Griffin	Lundeen	Rogers	Walsh
Hadley	McArthur	Rose	Walton
Hamilton, Mich.	McCormick	Rowe	Ward
Hardy	McCulloch	Rubey	Wason
Harrison, Miss.	McFadden	Sabath	Watkins
Harrison, Va.	McKenzie	Sanders, Ind.	Watson, Pa.
Haskell	McLaughlin, Mich.	Sanders, N. Y.	Watson, Va.
Haugen	McLaughlin, Pa.	Sanford	Webb
Hawley	Madden	Saunders, Va.	Wheeler
Hayes	Magee	Schall	White, Me.
Hersey	Maher	Scott, Iowa	Williams
Hicks	Mann	Scott, Mich.	Wilson, La.
Holland	Mansfield	Scully	Wilson, Tex.
Hollingsworth	Mapes	Sells	Winslow
Hood	Mason	Siegel	Wood, Ind.
Huddleston	Merritt	Sinnott	Woods, Va.
Humphreys	Miller, Wash.	Small	Young, N. Dak.
Husted	Moore, Pa.	Smith, Idaho	Young, Tex.
Hutchinson	Moores, Ind.	Snell	Zihlman
Igoe	Morgan	Snook	
Ireland	Morin	Snyder	
James	Mudd	Stafford	

NAYS—80

Almon	Crisp	Hayden	Rainey, J. W.
Ashbrook	Crosser	Heflin	Raker
Aswell	Delaney	Hensley	Romjue
Bankhead	Denton	Hilliard	Rouse
Barkley	Dominick	Jacoway	Sanders, La.
Beakes	Dooling	Keating	Sears
Bell	Doughton	Kehoe	Shallenberger
Blackmon	Drane	Kincheloe	Sherwood
Brand	Ferris	Lazaro	Shouse
Buchanan	Fisher	Lee, Ga.	Sisson
Burnett	Gandy	Lever	Smith, T. F.
Byrnes, S. C.	Gard	Linthicum	Steagall
Byrns, Tenn.	Garner	Littlepage	Stevenson
Candler, Miss.	Garrett, Tenn.	Lobeck	Thomas
Cantrill	Godwin, N. C.	McClintic	Tillman
Caraway	Goodwin, Ark.	Mays	Walker
Carew	Gordon	Moon	Welling
Carter, Okla.	Gray, Ala.	Nicholls, S. C.	Welty
Clark, Fla.	Hamlin	Oldfield	Whaley
Claypool	Hastings	Phelan	Wright

ANSWERED "PRESENT"—16.

Barnhart	Gallivan	Montague	Polk
Davis	Houston	Neely	Pou
Dixon	Kitchin	Nelson, J. M.	Taylor, Colo.
Gallagher	Lonergan	Overstreet	Wingo

NOT VOTING—96.

Anthony	Fairchild, G. W.	Little	Rowland
Ayres	Fields	London	Rucker
Black	Flynn	Lunn	Russell
Booher	Foster	McAndrews	Shackleford
Brodbeck	Frear	McKeown	Sherley
Brumbaugh	Goodall	McKinley	Sims
Caldwell	Gray, N. J.	McLemore	Slayden
Carlin	Greene, Vt.	Martin	Slemp
Cary	Gregg	Miller, Minn.	Sloan
Chandler, N. Y.	Hamill	Mondell	Smith, Mich.
Cooper, Wis.	Hamilton, N. Y.	Mott	Smith, C. B.
Costello	Heaton	Nichols, Mich.	Steele
Cox	Heintz	Overmyer	Stephens, Nebr.
Curry, Cal.	Helm	Padgett	Sterling
Decker	Helvering	Park	Swift
Denison	Howard	Pratt	Taylor, Ark.
Dent	Hull, Iowa	Price	Tilson
Dies	Hull, Tenn.	Ragsdale	Tinkham
Dill	Johnson, Ky.	Rainey, H. T.	Venable
Donovan	Kahn	Randall	White, Ohio
Doolittle	Kettner	Reavis	Wilson, Ill.
Eagle	King	Riordan	Wise
Emerson	LaGuardia	Roberts	Woods, Iowa
Estopinal	Lesher	Robinson	Woodyard

During the calling of the roll the following occurred:

Mr. GOOD. Mr. Speaker, I make the point of order that the record clerk should be allowed to proceed without interference by Members of the House.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The Chair was not aware of the fact——

Mr. WINGO. I was standing near the record clerk. The gentleman does not charge me with interfering, does he?

Mr. GOOD. I do not.

So the motion to strike out was agreed to.

The Clerk announced the following pairs:
Mr. GALLAGHER with Mr. HEATON.
Mr. GALLIVAN with Mr. HAMILTON of New York.
Mr. BRUMBAUGH with Mr. DENISON.
Mr. CALDWELL with Mr. GOODALL.
Mr. CARLIN with Mr. GREENE of Vermont.
Mr. DENT with Mr. KAHN.
Mr. DILL with Mr. HULL of Iowa.
Mr. DOOLITTLE with Mr. HEINTZ.
Mr. EAGLE with Mr. KING.
Mr. FIELDS with Mr. LAGUARDIA.
Mr. FOSTER with Mr. MILLER of Minnesota.
Mr. CHARLES B. SMITH with Mr. MONDELL.
Mr. HAMILL with Mr. MOTT.
Mr. HELVERING with Mr. NICHOLS of Michigan.
Mr. HOWARD with Mr. PRATT.
Mr. HULL of Tennessee with Mr. REAVIS.
Mr. KETTNER with Mr. ROBERTS.
Mr. LESHER with Mr. ROWLAND.
Mr. LUNN with Mr. SLEMP.
Mr. MCANDREWS with Mr. MCKINLEY.
Mr. PARK with Mr. SWIFT.
Mr. PADGETT with Mr. TILSON.
Mr. RAGSDALE with Mr. TINKHAM.
Mr. RIORDAN with Mr. WILSON of Illinois.
Mr. SIMS with Mr. WOODYARD.
Mr. SLAYDEN with Mr. GRAY of New Jersey.
Mr. STEPHENS of Nebraska with Mr. WOODS of Iowa.
Mr. ESTOPINAL with Mr. EMERSON.
Mr. ROBINSON with Mr. LITTLE (commencing Mar. 1, 1919; ending Mar. 5).
Mr. NEELY with Mr. SLOAN.
Mr. STEELE with Mr. FREAR.
Mr. AYRES with Mr. ANTHONY.
Mr. BLACK with Mr. COOPER of Wisconsin.
Mr. BOOHER with Mr. COSTELLO.

Mr. REAVIS. Mr. Speaker——

The SPEAKER. Was the gentleman in the Hall, listening, and failed to hear his name when it was called?

Mr. REAVIS. I was in the Hall, but I was talking.

The SPEAKER. The gentleman does not bring himself within the rule.

The name of Mr. REAVIS was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, and the Doorkeeper will unlock the doors.

Mr. GARLAND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GARLAND. To ask unanimous consent to address the House for two minutes.

The SPEAKER. But the gentleman from Pennsylvania [Mr. MCFADDEN] has the floor.

Mr. GARLAND. He says he will yield to me.

The SPEAKER. He can not yield.

Mr. ROGERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROGERS. If the gentleman from Pennsylvania [Mr. MCFADDEN] should again seek to read papers to which the gentleman from Arkansas should again object, would it not be competent for the gentleman from Pennsylvania to have the judgment of the House as to whether or not the papers should be read?

Mr. MANN. The gentleman before made the point of order; he did not object.

The SPEAKER. We will cross that bridge when we come to it.

Mr. RUBEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUBEY. I rise to ask that the words of the gentleman from Iowa be taken down and reported to the House which occurred during the roll call in which he accused, as I understood him, the gentleman from Arkansas with interfering with the roll call.

The SPEAKER. The Chair thinks it is too late after the business that has occurred.

Mr. RUBEY. The roll was being called, and this is the only time in which they could be taken down.

Mr. GARRETT of Tennessee. I hope the gentleman will not do that.

Mr. RUBEY. I insist. He accused the gentleman from Arkansas with interfering with the count, interrupted the roll call which was being had, and I ask that those words be taken down and reported to the House.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. If the words were not taken down by the stenographer, how can they be reported?

Mr. RUBEY. They were taken down.

Mr. GARRETT of Tennessee. In reference to the demand, I hope the gentleman from Missouri will not insist upon that. I happened to be temporarily occupying the chair. Of course, the gentleman from Iowa had no right to interrupt the roll call to propound an inquiry, but the gentleman interrupted to make a point of order, and there are conditions under which that is in order. The occupant of the chair at that time did not understand him to say that the gentleman from Arkansas was interfering with the roll call. The point of order which the gentleman made was that the record clerk ought to be permitted to proceed without being interrupted, and I am frank to say I did not know what that meant, but he did not charge that the gentleman from Arkansas was interfering with the roll call.

Mr. RUBEY. If the gentleman will yield, the gentleman from Arkansas was within several feet of the desk and was the nearest man to the clerk.

Mr. MANN. I do not believe he singled out the gentleman from Arkansas, and gentlemen ought to know that the rules forbid Members going to the tally clerk while a roll is being called or to be at the desk at all.

Mr. GARRETT of Tennessee. Let me say that the then occupant of the chair did not observe the gentleman from Arkansas at either the desk of the tally clerk or that of the reading clerk.

Mr. NOLAN. Mr. Speaker, I ask for the regular order.

The SPEAKER. This is the regular order.

Mr. NOLAN. It is not the regular order.

The SPEAKER. The House will be in order. Gentlemen will take their seats. The gentleman from Tennessee [Mr. GARRETT] is recognized.

Mr. GARRETT of Tennessee. I understood the gentleman from Arkansas [Mr. WINGO] to ask the gentleman from Iowa [Mr. GOOD] if he meant to charge him with interfering with the roll call, and I understood the gentleman from Iowa to say that he did not. I may have misunderstood it.

Mr. RUBEY. Mr. Speaker, in view of this statement, I withdraw my request to have the words taken down, and in the interest of the business of the House.

The SPEAKER. The gentleman from Illinois [Mr. MANN] stated the correct rule a while ago. These gentlemen ought to keep away entirely, everybody, from these clerks when the roll is being called. I remember at one time I raised a row here about Mr. Dalzell being inside the railing here, and I took it for granted—I was not in very good humor, anyway——

Mr. GARRETT of Tennessee. In view of that statement, I think it ought to be stated that the gentleman from Arkansas was not inside the railing.

Mr. MANN. The gentleman from Arkansas was inside the reporters' desk.

The SPEAKER. I found, after running Mr. Dalzell out of the place where he was, that all he was doing was trying to get a copy of the resolution which was pending.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. To propound a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. If the roll was being called and the point was made that the roll call was being interrupted and a colloquy occurred between the Chair and Members or between Members of the House, does the language properly belong in the RECORD?

The SPEAKER. Why, I think it would; yes—in recording the proceedings.

Mr. MANN. The way it would occur in the RECORD would be that "During the roll call so and so happened."

The SPEAKER. Of course, once in a while, in a long time, some one undertakes to interrupt the roll call. Why, they do it——

Mr. GOOD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GOOD. Simply to make a statement.

Mr. BANKHEAD. Mr. Speaker, I ask for the regular order.

Mr. GOOD. Referring to the question as to what I said when I made the point of order, I desire to say that the gentleman from New York [Mr. SANFORD] called my attention to the fact that the gentleman from Arkansas [Mr. WINGO] was standing right in front of the tally clerks. He was looking over their record. Whether he was speaking to them or not we could not tell; but under the rules he had no right to be there. It looked

to us like he was interfering with the work of the tally clerks. I therefore, under that state of affairs, made the point of order, and by the time I got the attention of the Chair the gentleman from Arkansas was walking away from the place where he had been standing. Those are the facts.

The SPEAKER. The anxiety to hear the call makes them do that.

The gentleman from Pennsylvania [Mr. McFADDEN] is recognized.

Mr. McFADDEN. Mr. Speaker, I should like to inquire whether this is taken out of my time, and how much time I have left?

The SPEAKER. It is not taken out of your time. When the storm broke you had proceeded for 30 minutes.

Mr. McFADDEN. Mr. Speaker, it seems to me from what has taken place here, that we have uncovered a skeleton in the closet of the Democratic administration.

Mr. WINGO. Mr. Speaker, I rise to a point of order.

The SPEAKER. For what purpose does the gentleman rise?

Mr. WINGO. The gentleman's statement is not responsive to a question of privilege.

The SPEAKER. What is it?

Mr. WINGO. His statement was that he had discovered a skeleton in the Democratic closet. [Laughter.]

The SPEAKER. The statement of the gentleman is improper.

Mr. KNUTSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KNUTSON. Did the gentleman state that in the singular or in the plural?

The SPEAKER. I do not know and do not care. It is improper, anyway.

Mr. McFADDEN. Mr. Speaker, this is not a trivial affair. It is a serious matter, and I want to make just this one point: That I am endeavoring to put into the RECORD here and into the minds of Members of Congress here my side of this situation. It seems I am to be deprived from that, and I want to state to the House in connection with the matter that the Comptroller of the Currency is spending Government money to maintain a private press bureau to try his case in the papers.

Mr. WINGO. Mr. Speaker, I rise to a point of order.

The SPEAKER. What is the point of order?

Mr. WINGO. He is not addressing himself to the question of privilege. He is submitting charges against the Comptroller of the Currency for official misconduct.

The SPEAKER. I wish the gentleman from Pennsylvania would leave out all extraneous matter.

Mr. McFADDEN. I do not believe, Mr. Speaker, that is extraneous matter.

The SPEAKER. That might be a matter for the grand jury, or it might be a matter for the House to pass censure on, but it is not a part of this question of privilege.

Mr. McFADDEN. I would like to ask some one in charge of that side of the House, then, a question. I see the Representative from North Carolina [Mr. POU], the chairman of the Rules Committee, here. I would like to ask the gentleman whether or not he is ready to take up the consideration of my resolution to investigate John Skelton Williams?

Mr. POU. I will say to the gentleman that, as this session of Congress is about to come to an end, there is little chance to consider his resolution now; and I want to say to the gentleman that the only thing that he has ever done to secure consideration of his resolution, as I recollect, was to stop me once, back of the Speaker's desk there, and ask when it was going to be considered. His statement that he had been refused a hearing twice was absolutely inaccurate. So far as I am concerned, I will say that I have been ready at all times to give the gentleman a fair and respectful hearing before the Committee on Rules. I believe every other member of the Rules Committee has been ready to do this, but for some reason the gentleman contented himself with simply asking, on one occasion, and possibly two, when his resolution was going to be considered. He has never presented any material, and never brought any pressure in behalf of his resolution on the committee, and never asked for a hearing, so far as I can understand, and all this fuss is without reasonable cause. [Applause.]

Mr. McFADDEN. Mr. Speaker, I refuse to yield further.

The SPEAKER. The gentleman declines to yield.

Mr. McFADDEN. I stated a few moments ago, Mr. Speaker, during my question propounded to the chairman of the Rules Committee, that I had asked for consideration of the resolution. I asked the chairman of the Committee on Rules twice, and got no satisfactory answer. I reiterate again that I talked to Republican members of that committee and asked for the consideration of my resolution, and they informed me that they presented it to the committee and they got no consideration.

Mr. GARRETT of Tennessee. Where did they present that? That is where I get a little bit interested. I never heard of it before. Will the gentleman yield?

Mr. McFADDEN. No; I can not yield.

The SPEAKER. The gentleman declines to yield.

Mr. McFADDEN. Well, I will yield to the gentleman.

The SPEAKER. The gentleman declines to yield.

Mr. McFADDEN. I have reconsidered that.

Mr. GARRETT of Tennessee. I understood the gentleman to say just now that he had talked to the Republican members of the Committee on Rules, and that they had presented it to the committee, and that they had failed to receive any satisfaction. Now, Mr. Speaker, I am a member of the Committee on Rules. I do not care to be involved in this, but I do not feel that, as a member of the Rules Committee, I can sit silent and permit that statement to go unchallenged. I say that neither the Republican members nor any member ever did suggest in committee consideration of the gentleman's resolution. [Applause.]

Mr. McFADDEN. Mr. Speaker, will the gentleman answer a question?

Mr. GARRETT of Tennessee. I will if I can.

Mr. McFADDEN. The Comptroller of the Currency has said that he was insisting on an investigation. He knew this resolution was in the Rules Committee. Will the gentleman answer whether or not he ever asked for consideration by the Rules Committee?

Mr. GARRETT of Tennessee. I never heard of it, any more than I ever heard of the other.

Mr. PHELAN. Mr. Speaker, will the gentleman yield for a moment, for the sake of the RECORD?

Mr. McFADDEN. I can not yield further.

The SPEAKER. The gentleman declines to yield.

Mr. KNUTSON. He will get him. [Laughter.]

Mr. FLOOD. No; you will never get him. [Applause.]

Mr. POU. Mr. Speaker, I will not interrupt the gentleman any more if he will yield one minute.

Mr. McFADDEN. I will.

Mr. POU. Let us get this matter straight, once for all. I want to be perfectly fair. The only thing the gentleman has ever done was to introduce his resolution and on two occasions ask me privately when it was going to be considered. If anything more has taken place, either in or out of the committee, I do not know of it.

Mr. KNUTSON. Mr. Speaker, does the chairman of the Rules Committee expect the gentleman from Pennsylvania to hang to his coat tails? [Laughter.]

The SPEAKER. I do not know. [Laughter.] The gentleman from Pennsylvania will proceed.

Mr. JUUL. Mr. Speaker, will the gentleman——

The SPEAKER. The gentleman from Pennsylvania has the floor.

Mr. JUUL. I realize that. I am asking the Speaker to permit me to ask the gentleman a question, if he will.

Mr. McFADDEN. I will yield for one question.

Mr. JUUL. Very well. The gentleman says he yields for a question.

Mr. SABATH. What is this private conference?

Mr. JUUL. There is no private conference.

The SPEAKER. Does the gentleman from Pennsylvania yield?

Mr. McFADDEN. Yes.

Mr. JUUL. I want to ask the gentleman from Pennsylvania when and how often did the chairman of the Rules Committee notify him to appear before them and prove his charges? Was any opportunity ever given him?

Mr. McFADDEN. He never notified me, and no opportunity was given to me to appear before the Rules Committee.

Mr. SABATH. Did you ever appear before the Rules Committee?

The SPEAKER. If the gentleman from Pennsylvania does not want to keep on yielding, the Chair will keep everybody off of him. [Laughter.]

Mr. McFADDEN. In further answer to the gentleman from North Carolina [Mr. POU], I want to make this statement, that twice I called his attention to my resolution, and twice on the floor of the House I have called the attention of the House to the resolution and have set forth statements in here which it seems to me would demand consideration of that resolution. I have now asked the gentleman from Tennessee [Mr. GARRETT], a member of the Rules Committee, whether or not the Comptroller of the Currency, who says that he has been pressing the administration for the facts and the consideration of this reso-

lution, whether he asked the Rules Committee for consideration, and he says he never has. So I think that quite completes the controversy and answers the accusation of the Comptroller of the Currency in this respect—that I have been dilatory.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield again?

Mr. McFADDEN. I dislike to be discourteous, but I have only a few moments left, and I want to complete my statement.

Mr. GARRETT of Tennessee. Well, I have a little pride, as a member of the Committee on Rules, in being entirely fair.

Mr. McFADDEN. I will yield to the gentleman. I know the gentleman is fair.

Mr. GARRETT of Tennessee. The gentleman did not ask me if Mr. Williams had requested an investigation under his resolution. The gentleman asked me simply if Mr. Williams had requested an investigation. I stated that, so far as I know personally, Mr. Williams made no request, either for an investigation under his resolution or for any other investigation. I saw in the papers what was stated, but, so far as I know, he made no more requests of the individual members than did the gentleman from Pennsylvania under his rule, and he made none.

The SPEAKER. The gentleman from Pennsylvania will proceed.

Mr. McFADDEN. Except that I did twice speak to the chairman of the Rules Committee.

Now, Mr. Speaker, I entered the employ of the First National Bank, of which I am now president, at the age of 16 as an office boy, janitor, and watchman.

For two years I slept in the bank at night, and received for the first two years a salary of $15 per month. In 1896 I was elected assistant cashier of that bank, drawing a salary of $40 a month. In 1899 I was elected cashier at a salary of $100 a month. The deposits of the bank at that time were $150,000, the capital was $50,000. In 1916 I was unanimously elected president of that institution. The capital stock of the bank at the present time is $100,000, the surplus $40,000, and its deposits are in excess of $950,000. [Applause.] At the last annual meeting of the stockholders and directors of that institution I was elected president of it without a dissenting vote. During the period of my connection as cashier and president the bank has paid an average dividend of 8 per cent on the capital stock. Ten years ago when the capital was increased from $50,000 to $100,000 a cash dividend of 50 per cent was declared.

In 1906 I was honored by the bankers of Pennsylvania by being elected treasurer of that association. In 1914 I was elected president of the Pennsylvania Bankers' Association, the highest honor the bankers of my State could confer upon one of their number. [Applause.] The same year I was elected to Congress, and have served two terms, and last fall by an increased majority I was reelected to serve in the Sixty-sixth Congress. [Applause.] So far as my record is concerned as a citizen, a banker, and a Member of Congress, it is an open book, and I do not propose to trouble this House with a long denial of the statements that I have already denied, and which denial I do here reiterate; but I do point to the fact that the present Comptroller of the Currency, John Skelton Williams, is an unfit public officer, and from information which he has given to the public in this statement he has furnished ample proof of this fact.

Mr. PHELAN. Will the gentleman yield right there?

Mr. McFADDEN. I can not yield further. Now, a word in regard to the letter which the gentleman from Arkansas [Mr. WINGO], apparently representing the administration, is pressing. I want to say to this House that that letter contains vituperation and charges which if made public by me might destroy and ruin a financial institution in the United States. Evidently the Comptroller of the Currency is forcing my hand to publish that letter, and I want the gentleman to understand that I refuse positively to make that letter public. If the Comptroller of the Currency wants to do it, let him assume the full responsibility. [Applause.]

Mr. DEWALT. Will the gentleman from Pennsylvania yield for a question?

Mr. McFADDEN. Yes; I yield to the gentleman.

Mr. DEWALT. I think the gentleman from Pennsylvania, and my colleague, whom I have known for many years, owes it to himself and to his bank to explain the charge that he and his family and his allied interests have borrowed more than the amount allowed by law and that the capital of the bank has been depleted thereby.

Mr. McFADDEN. I deny that statement in toto. [Applause.] I never have borrowed from that institution without giving collateral security, and I do not remember ever exceeding my legal rights in that connection. As a business man, I am connected with business enterprises, and from time to time those enterprises borrow money. I am guilty of borrowing money. I owe money at this time. I have been hounded by the Comptroller of the Currency and his examiners during the last two years until it has been almost unbearable. His examiners have called my loans from banks that were friendly, and I have been greatly embarrassed by this situation. I do not deny that fact; but as an American citizen I think I have the right to borrow money, and I disclaim the right of the Comptroller of the Currency to discredit me and destroy my credit among my friends, and I assert that he has done this, and I have furnished the proof to the Comptroller of the Currency that a bank examiner did that; and in less than two months after I made that assertion the bank examiner was discharged [applause], or at least he left the employ of the Treasury Department.

Mr. PHELAN. Which was it? Was he discharged or did he leave? There is a big difference.

Mr. McFADDEN. I could not tell you as to that. The office of the comptroller probably could tell you.

Mr. KNUTSON. Why does not the gentleman from Massachusetts go down and find out?

Mr. McFADDEN. The fact that he is no longer connected with the department is evidence that there was some criticism, or something of that sort.

At the proper time and place, before an investigating committee, I will lay before the committee such facts as will substantiate fully my reasons for the introduction of the resolution to investigate John Skelton Williams. I am a Member of the House of Representatives, and I have this resolution pending, covering the investigation of this Federal officer, and I resent his suggestion that I should voluntarily go before a committee of another body having under consideration a resolution to abolish the office of the Comptroller of the Currency, because I also had introduced in the House of Representatives a resolution for a similar purpose, and I now reiterate that I am not on trial, but I am discharging the duties of my office as a Representative in Congress to the best of my ability, and propose to continue in that same capacity for at least another two years, during which time it will be my aim and purpose, so far as lies within my power, to see that the Federal officers of this administration and Government administer their offices with fidelity to their trust. It is interesting to note in this connection, however, that there is pending before another body of this Congress, unacted upon by that body, the question of the reappointment of John Skelton Williams as Comptroller of the Currency. Notwithstanding that the partisan Democratic majority of the Banking and Currency Committee have held hearings at which the comptroller was present and testified, the Senate has failed to confirm or take any action whatever on his nomination; and this outburst from the gentleman given to the press on Saturday evening at 8 o'clock, just in time to catch the Sunday morning editions, ought to be convincing proof to anyone that this gentleman realizes that his confirmation is not to be had at this session of Congress; and owing to the fact that he is a part of the present administration, I believe he fully realizes that the next Congress is controlled by the Republicans, and I desire to give notice here and now that if this present Congress refuses to consider my resolution——

Mr. WINGO. I rise to a point of order. The gentleman is not addressing himself to the question of privilege. He is delivering a diatribe against a public official, who is absent and can not answer, and whose letter giving the facts the gentleman and his friends will not permit to be read.

The SPEAKER. The point of order is sustained.

Mr. FESS. Mr. Speaker, will the gentleman yield for a question?

Mr. McFADDEN. I will.

Mr. FESS. The question of privilege has given ground for certain statements that most of us are greatly interested in. This officer is subject to impeachment. Has the gentleman considered at any time the question of asking for the passage of a resolution proposing an investigation with a view to charges for impeachment?

Mr. McFADDEN. I have; yes.

Mr. WINGO. Mr. Speaker, I make the point of order again that that has nothing to do with the question of privilege.

The SPEAKER. The Chair just ruled in your favor.

Mr. WINGO. Yes; but they are still keeping up the disorderly performance.

The SPEAKER. The gentleman asked a question. The Chair can not shape the question or the answer.

Mr. McFADDEN. It seems to me Congress should investigate that for itself, and the country should also be informed as to whether or not the claims I have set up in my resolution for investigation have any foundation or merit. This Congress and

the country should know whether one of its Federal officers has been using his office——

Mr. WINGO. Mr. Speaker, a point of order. Certainly a gentleman rising to a question of privilege can be required to confine himself to that question.

The SPEAKER. That is exactly what the Chair has been trying to do now for something like two hours.

Mr. WINGO. I am trying to help the Chair by calling the attention of the Chair to the fact that the gentleman is discussing a resolution directed at a public official, that has nothing to do with the attack on the character of the gentleman and his bank.

Mr. MANN. Oh, well, Mr. Speaker, after all the resolution introduced by the gentleman from Pennsylvania [Mr. McFADDEN] was the basis of the attack made upon him by the comptroller.

Mr. WINGO. Oh, no.

Mr. PHELAN. Will the gentleman yield just a minute? I will call the attention of the gentleman from Pennsylvania to the fact that in the opening part of the letter which Mr. Williams wrote to Mr. McFADDEN——

Mr. MANN. I am not yielding for the gentleman to read.

Mr. PHELAN. Mr. Speaker, I make the point of order that the gentleman from Illinois has not got the floor, but the gentleman from Arkansas has the floor, and I will ask him to yield.

Mr. MANN. I am discussing the point of order, and the gentleman from Massachusetts perhaps will learn sometime something about parliamentary law.

Mr. PHELAN. I hope that I shall not learn too much, as has the gentleman from Illinois, as recent events have demonstrated.

The SPEAKER. The gentleman from Pennsylvania has the floor, and the gentleman will please confine himself to his text.

Mr. McFADDEN. Mr. Speaker, I feel if I am permitted to have consideration of this resolution before the Rules Committee——

Mr. WINGO. Mr. Speaker, I object to the gentleman proceeding further in the discussion of matters that have nothing to do with the question of privilege.

The SPEAKER. Did not the original resolution furnish the basis for this question of personal privilege?

Mr. WINGO. No; the gentleman read from a newspaper clipping as to the gentleman making an attack on the floor, and his defense goes, as the Chair has stated on one occasion, to the question of veracity between them; but I think the Chair is in error. The real question is, Has the comptroller attacked the man wrongfully? Has Mr. Williams attacked the gentleman from Pennsylvania in his official capacity wrongfully and charged him, as the president of a bank, with making certain loans to himself unlawfully?

The SPEAKER. Oh, no; the real basis of this whole controversy is the resolution which the gentleman from Pennsylvania introduced into the House.

Mr. WINGO. How can that be a question of personal privilege?

The SPEAKER. It is not a question of personal privilege by itself, but the comptroller comes back and makes some very unpleasant remarks about the gentleman from Pennsylvania growing out of this resolution.

Mr. WINGO. The gentleman from Pennsylvania has not brought in the resolution; he is predicating his statement on what he read from the newspaper.

The SPEAKER. Partly.

Mr. WINGO. What else?

The SPEAKER. On the Williams letter.

Mr. WINGO. But he has declined to read that.

The SPEAKER. He read a part of it, but would not read the rest of it, and gave his reasons why he would not read it.

Mr. WINGO. He did not read it——

The SPEAKER. The gentleman from Arkansas can not force the gentleman from Pennsylvania to put in a letter on a question of personal privilege that he does not wish to.

Mr. WINGO. And the gentleman from Pennsylvania can not force the House to listen to charges against a public official under the guise of a question of personal privilege and refuse to permit the letter making the charges to be read.

The SPEAKER. That is true; but he has an absolute right to answer the Comptroller of the Currency.

Mr. WINGO. I am perfectly willing, and I think he has the right, and I was glad to have him answer the charges against him in the matter of personal privilege, but he can not answer it by charging misconduct against a public official. That does not justify the gentleman from Pennsylvania if he is guilty of the matter the comptroller charges against him. Mr. Williams might be an unfaithful public official, which he is not, but that would not determine the truthfulness or falsity of the charge he has brought against the gentleman from Pennsylvania.

The SPEAKER. That is perfectly true.

Mr. PHELAN. Will the gentleman yield to me?

The SPEAKER. The gentleman from Pennsylvania has the floor, and the gentleman will proceed in order.

Mr. McFADDEN. There is a law on the statute books of nearly every State in the Union making it a penalty for any person to make a statement respecting a bank which would tend to cause a run by depositors on it. But the Comptroller of the Currency, the supposed guardian of the depositors of the national banks, has shown by his misconduct on his part that he has neither respect for the law nor the depositors of a bank. And what inspires this action on his part? The public good or betterment of the banking system? No, no; he was actuated solely but by one motive, and that was to try and destroy a man who dared to introduce a resolution in this body to vacate his office. He is trying to destroy me, just as he tried to destroy the Riggs National Bank a few years ago because one of its officers was his business enemy.

The SPEAKER. The gentleman will leave out of his speech the controversy about the Riggs National Bank.

Mr. McFADDEN. There is but one statement of fact contained in this tirade of abuse which the comptroller gives out to the press which is worthy of attention, and that reads as follows:

> The comptroller calls attention to the fact that the capital of the bank in Pennsylvania, of which Representative McFADDEN has been continuously cashier and president, shows no change in the past 10 years, but has remained at $100,000, while its surplus and undivided profits have shrunk approximately 25 per cent, while the surplus and profits of all other national banks in the country have increased 62 per cent.

Mr. GARRETT of Tennessee. Mr. Speaker, I am very reluctant to do it, but I must make a point of order, and I wish I could appeal to the gentleman from Pennsylvania. That which presents a question of personal privilege is anything that reflects upon him in his individual capacity as a Representative in Congress. This deals with his business relations.

Mr. KREIDER. He has charged him with a criminal violation of the laws of the State.

The SPEAKER. The gentleman is out of order.

Mr. GARRETT of Tennessee. It seems to me the question of personal privilege is confined to that which reflects on the Member in his official capacity.

The SPEAKER. That is true.

Mr. McFADDEN. And I make the point, Mr. Speaker, that the article I have read by the Comptroller of the Currency attacks me as a legislator.

Mr. GARRETT of Tennessee. In so far as the gentleman confines his reply to that part of it there will be no objection whatever. Whatever the comptroller has said concerning him as a legislator he is certainly entitled to discuss.

Mr. PHELAN. Mr. Speaker, will the gentleman yield for just a minute?

Mr. Speaker, the gentleman from Tennessee has stated the case correctly. We have a way of whipping the devil around the stump here, however, about things like this by giving unanimous consent to make some remarks. Anybody might charge any Member of the House with being a liar or a horse thief, or anything of that sort, but if he does not attack him in his official capacity it does not become a question of privilege. That difficulty is gotten around frequently, as all Members who have been here any length of time know, by asking permission to address the House on a personal matter for a certain length of time.

Mr. MANN. Mr. Speaker, before the Speaker rules on the point of order let me call his attention to this situation: The charge has been made, in effect, so far as I can get it, by the Comptroller of the Currency that the gentleman from Pennsylvania [Mr. McFADDEN] has been actuated in his official capacity by the proceeding of the comptroller relating to the bank of which the gentleman from Pennsylvania is an official. If that be the case, certainly the gentleman from Pennsylvania has a right to make a statement replying to such a suggestion by the comptroller in regard to that bank as a part of this controversy. As far as I can get, the gentleman from Pennsylvania may perhaps claim—and I do not know whether he does or not—that he has been persecuted by the Comptroller of the Currency because of his activities in this matter. The Comptroller of the Currency claims that the gentleman from Pennsylvania has been actuated in his official capacity by actions of the comptroller respecting the banks and the borrowing of the gentleman from Pennsylvania there or elsewhere. It seems to me that permits the gentleman from Pennsylvania to make a statement at least in reference to his bank and his connection with the bank.

The SPEAKER. The Chair permitted him to make a full statement in respect to that.

Mr. MANN. But the gentleman had just started upon his statement when he was interrupted by the gentleman from Tennessee [Mr. GARRETT.]

The SPEAKER. The Chair thinks the gentleman from Illinois must be wrong, because the gentleman from Pennsylvania gave facts about the formation of the bank, how long he was there, what salary he received, the capital stock of it, that that capital stock had been increased, that he had been elected the cashier, that he had been elected the president, that he had been elected the president of the Pennsylvania Bankers' Association, and it seems to the Chair that pretty much exhausts the subject, though the Chair may be mistaken.

Mr. MANN. The gentleman from Pennsylvania was just stating that the charge was made by the comptroller that the capital stock of the bank had not been increased, but that its surplus had been reduced in the period of a number of years, when all other banks were either increasing their surplus or capital stock, as a reason actuating the official conduct of the gentleman from Pennsylvania in introducing this resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, may I ask the gentleman from Illinois what that possibly has to do with the gentleman's activities as a Member of Congress?

Mr. MANN. I do not know whether it has anything to do with it or not, but that is the insinuation of the charge of the comptroller.

Mr. GARRETT of Tennessee. Mr. Speaker, in ordinary times I would not object to the gentleman from Pennsylvania having unanimous consent to say whatever he pleased to say, in order under the rules of the House, but here it is now in the closing hours of the session of Congress, and the gentleman has risen to a question of personal privilege. It does seem to me that the gentleman should at this stage of the game confine himself to the question of personal privilege. The gentleman understands the rule, as do many gentlemen on the Republican side understand the rule, who are—well——

Mr. MANN. Mr. Speaker, the gentleman understands, as well as I do, that while this matter has taken two hours, it could have been disposed of in an hour under the rules of the House, if gentlemen on the Democratic side of the House had not been constantly interrupting the gentleman from Pennsylvania.

Mr. GARRETT of Tennessee. But the gentleman from Pennsylvania was speaking under the guise of a question of personal privilege—I mean he was presenting a matter of personal privilege—but was violating the rules of the House; and I submit that gentlemen on the Republican side and gentlemen on the Democratic side are entitled to preserve the integrity of the rule touching personal privilege. This is the last day of the session. Ordinarily I should have no objection to the gentleman's having unanimous consent, and I would not now, if the gentleman would confine himself to 15 minutes, in which time he may say whatever he pleases about Mr. Williams.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MANN. While the gentleman and myself have been discussing the point of order and using his time?

The SPEAKER. The time had already run 10 minutes over.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MCFADDEN] be given 15 minutes in which to conclude his remarks. During which time he shall not be interrupted.

The SPEAKER. Is there objection?

Mr. FLOOD. Mr. Speaker, I object.

Mr. GARRETT of Tennessee. Before that is done, let us understand whether it is to be on the matter of personal privilege.

The SPEAKER. The time of the gentleman from Pennsylvania has expired, and the gentleman from Virginia objects.

Mr. CRAMTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask the gentleman to withhold that for a moment, so that I may renew the request that unanimous consent be given to the gentleman from Pennsylvania to proceed for 15 minutes, during which time he shall not be interrupted, and at the end of which time he shall conclude his remarks.

The SPEAKER. Does the gentleman from Michigan withhold his point of order?

Mr. CRAMTON. Yes.

Mr. PHELAN. Mr. Speaker, reserving the right to object——

Mr. FLOOD. Mr. Speaker, I object.

Mr. PHELAN. Mr. Speaker, I hope the gentleman will withhold that for a moment.

Mr. FLOOD. Mr. Speaker, I withhold the objection for a moment.

Mr. PHELAN. I hope no one will object to hearing the gentleman for 10 minutes. He has been interrupted and interrupted time and time again, and I ask that he be given 10 minutes.

Mr. LARSEN. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Georgia [Mr. LARSEN] demands the regular order.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Pennsylvania makes the point of order there is no quorum present. The Chair will count.

Mr. KITCHIN. Will the gentleman withhold that for one minute?

Mr. MOORE of Pennsylvania. I withhold it for a minute.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent, since the gentleman has been interrupted so much, that the gentleman have 10 minutes more.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the gentleman from Pennsylvania may proceed for 10 minutes.

SEVERAL MEMBERS. In order.

The SPEAKER. Is there objection?

Mr. MANN. I shall not object, but I shall then insist that we go ahead with the other business.

Mr. WINGO. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Arkansas rise?

Mr. WINGO. Mr. Speaker, reserving the right to object, I ask if there would be objection——

Mr. FLOOD. Mr. Speaker, in view of the notice served on us by the gentleman from Illinois, I object to the request made by the gentleman from North Carolina.

The SPEAKER. Is there objection?

Mr. WINGO. Mr. Speaker, I would like to ask if there would be objection to my having five minutes. I have been charged here with trying to suppress facts, and I want to present the facts. I ask that I may have five minutes after the gentleman concludes with his 10 minutes, so as to give the facts which some gentlemen seem to want shut out.

Mr. KITCHIN. Mr. Speaker, I ask that the gentleman have five minutes after the gentleman from Pennsylvania concludes his 10 minutes.

The SPEAKER. The gentleman asks that the gentleman from Arkansas shall have five minutes after the gentleman from Pennsylvania closes. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, it is now a quarter of 2 o'clock on the last day of the session of Congress, with a very large amount of public business pending.

Mr. WINGO. I will withdraw my request and let the gentleman have his 10 minutes. I have no desire to obstruct business in any way, notwithstanding the charge made that I have been trying to suppress facts, when I have tried to get the facts by reading the letter complained of.

The SPEAKER. The gentleman from Pennsylvania will proceed.

Mr. MCFADDEN. Mr. Speaker, there has been no desire on my part to interfere with the rules of the House, but the Comptroller of the Currency in this statement which he put out accuses me of dilatory tactics and delay. I have been trying to present the facts in every conceivable way to show up this case. What has transpired here to-day I should think ought to prove to any man that the majority side of the House are opposed to considering the facts in this case. This is a serious matter, and I want to say here now in connection with that that I did introduce this resolution to investigate, and because I introduced that resolution the Comptroller of the Currency comes out and tries his case before the public by putting out a public statement in regard to a financial institution of this country which has nothing whatever to do with this investigation. I have attempted, and would if I were permitted here to do it, to show that from all over this country there is a demand and a suspicion in regard to this officer and a desire for his removal. It seems I am to be deprived of the right to put my testimony here before the American Congress, but I want to say to you Members here present to-day if, as the result of the great publicity which has been given to this debate to-day, any stress or financial difficulties come to the institution which is under discussion here to-day, that this has been brought about by John Skelton Williams, the Comptroller of the Currency, to avoid the real issue, I make that statement. [Applause.]

Mr. MONTAGUE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Virginia rise?

Mr. MONTAGUE. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MONTAGUE. The gentleman from Pennsylvania [Mr. McFADDEN], when asked to put in the RECORD a letter which referred particularly to the question under consideration, used this language——

Mr. MANN. Mr. Speaker——

Mr. MONTAGUE (reading):

The letter which the gentleman from Virginia [Mr. MONTAGUE], who seems to be the personal representative of the comptroller, refers to.

Which is what I wish to bring to the attention of this House.

Mr. MANN. I submit, Mr. Speaker, that a matter spoken on the floor of the House does not present a question of personal privilege. Gentlemen can answer in debate, if they please.

Mr. MONTAGUE. I submit this inquiry to the Speaker: Does not a charge made by a Member of this House that a Member upon this floor in taking an official action is acting personally and not in his official capacity present a question of personal privilege?

Mr. MANN. Oh, well, if the man on the floor in debate says something that is unparliamentary it can be answered——

Mr. MONTAGUE. If the gentleman on the floor has no time——

Mr. MANN. He can be called to order. The mere fact that two gentlemen in the House do not agree upon a proposition does not permit one to raise the question of personal privilege.

Mr. MONTAGUE. It is not a question of agreeing; it is a question of imputing to a Representative that he does not appear in his representative capacity but as the personal representative of John Skelton Williams, Comptroller of the Currency. I personally represent no interest, and no person on this floor——

Mr. MANN. It does not present a question of personal privilege; but I will say to the gentleman from Virginia there is no one in this House who would for a moment question the integrity of the gentleman from Virginia [Mr. MONTAGUE].

Mr. MONTAGUE. I am not so much concerned about that as I am about the RECORD.

The SPEAKER. The Chair does not believe that presents a question of personal privilege.

Mr. CLARK of Florida. Mr. Speaker, I ask that the gentleman from Virginia may be permitted to speak for 10 minutes.

The SPEAKER. The gentleman from Florida asks unanimous consent that the gentleman from Virginia be permitted to speak for 10 minutes. Is there objection?

Mr. McFADDEN. Mr. Speaker, I had no intention of offending the gentleman from Virginia. I may have misspoken myself, and I desire to withdraw those remarks. I certainly would be the last Member of this House to make such a remark.

Mr. MONTAGUE. That is acceptable to me.

Mr. Speaker, may I be indulged for one minute?

The SPEAKER. The gentleman from Virginia asks unanimous consent for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. MONTAGUE. In view of the fact that the statement has been withdrawn, for which I desire to make acknowledgment, I wish to say I appear here to represent Mr. Williams as I would any other honest and honorable constituent of my district. He is a resident of my own city. I have known him for 25 years. I ask unanimous consent that the letter which was written and delivered to the gentleman from Pennsylvania [Mr. McFADDEN] may be made a part of the RECORD and that my remarks may be extended by embracing that letter.

Mr. MANN. Mr. Speaker, I object.

Mr. MONTAGUE. Then it is apparent to the House who desires all the facts of the case.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines.

THE CENSUS—CONFERENCE REPORT (NO. 1023).

The SPEAKER. The gentleman from Tennessee [Mr. HOUSTON] is recognized.

Mr. HOUSTON. Mr. Speaker, I call up the conference report on the bill H. R. 11984.

The SPEAKER. The gentleman calls up the conference report on a bill which the Clerk will report.

The Clerk read as follows:

Conference report on H. R. 11984, to provide for the Fourteenth and subsequent decennial censuses.

Mr. HOUSTON. Mr. Speaker, I ask that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

Mr. MANN. I object, Mr. Speaker.

The SPEAKER. The gentleman from Illinois objects. The Clerk will read the report.

The conference report was read.

[For conference report and statement see House proceedings, pages 2523 to 2525, of February 1, 1919.]

Mr. HOUSTON. Mr. Speaker, the bill as reported by this conference report is substantially the bill that was passed by the House after a lengthy discussion here running through a number of days. There were one or two questions upon which an issue was made in the House when the conference report heretofore was before the House. One of them was in regard to the employees in the office force of the Census Bureau. The objection was that it was not quite clear enough that they would be under the civil-service rules and regulations. The amendment has been agreed to which clears that up and puts the clerical force, or office force, entirely within the classified rules.

Another question was made in this House and an amendment was offered and voted upon by the House in regard to preference being given to soldiers and sailors and widows of soldiers and sailors in employment, not only of those who would be employed in this department but in other departments. That amendment was voted upon in the House and overwhelmingly carried. It was agreed to in conference by the Senate conferees and subsequent to that adopted and agreed to by the Senate.

Now, the amendments that were put on this bill by the Senate are considerable in number, but a very few of them vital. They are matters of small import, such as striking out of commas and changing the spelling of words and changing the singular to the plural, and things like that. There were some items providing for taking a more extended census than was provided for in the House bill, but all of those are stricken out, and by that a saving of $15,000,000 or $20,000,000 in the taking of this census was effected. Expenses consequent upon the office force were increased by the Senate $3,500. In conference that increase was reduced to $1,300; that is, it was cut down until it was only $1,300 more than it was in the bill as passed by the House.

Now, Mr. Speaker, I suppose it is not necessary to continue longer in the discussion of this bill. We have discussed this bill, we have discussed the issues thoroughly, and the chief matters in disagreement are those to which I have alluded and which have been passed upon.

Mr. MANN. I would like to have five minutes.

Mr. HOUSTON. I yield five minutes to the gentleman.

Mr. MANN. Mr. Speaker, I heard part of the statement of the gentleman from Tennessee, but not all of it. This bill went to conference a good while ago. In fact, I hold a conference report on this bill in my hand which I got at the Doorkeeper's desk this morning, dated February 1. I suppose that is the conference report they have. That is the one they are giving out to Members who come there for the conference report on this bill. I understand that is the one that is pending, is it?

Mr. HOUSTON. February 1 is the date of the report, No. 1023.

Mr. MANN. Yes. Then, why has not this bill been called up when there was time to consider it? Here is a conference report, which I assume is the one that was rejected in the House. Here is a conference report now called up on the last day of the session at 2 o'clock in the afternoon, with a very large amount of pressing business, and a great deal more that is not pressing, still pending; I will not say a great deal more that is not being pressed.

Mr. CRISP. Will my friend yield?

Mr. MANN. In just a second.

Now, I do not understand—and I am glad to yield to the gentleman from Georgia to tell us—why the conference report, over a month old, should wait to be called up in the very last hours of Congress.

Mr. CRISP. I will be delighted to answer my friend. It is not often that he is not thoroughly familiar with all of the proceedings of both branches of Congress.

This conference report was agreed to on the 1st of February. The Senate had the papers. The Senate had to act on the con-

ference report first. The Senate agreed to it only last Saturday night. That is why it is called up to-day.

Mr. MANN. That is not a very good explanation.

Mr. CRISP. I think it is the best explanation for the House. We could not act until the Senate sent it over here, and it came last Saturday night.

Mr. MANN. It is perfectly safe to say that is the general rule—and I will not say that it is the case in this instance, because I do not suppose it is—but, as a general rule, when a conference report is reported to the House by the conferees, and in one body it is held back purposely, where there is no apparent fight over the general proposition, there is a "nigger in the woodpile" somewhere, and they are afraid it will be exposed if people have a chance at it.

Mr. HOUSTON. Will the gentleman yield to me right there?

Mr. MANN. Certainly, I yield.

Mr. HOUSTON. I want to say this, that this report came to the House about three days ago. There was no opportunity to get the report up under the order of business that was proceeding. I made the effort to get it up the very first opportunity after it was acted on by the Senate.

Mr. MANN. I will say to the gentleman from Tennessee I know he has been trying to get this conference report up for several days.

Mr. HOUSTON. I tried to get it up on Saturday. Let me say further that it was knocked out by another conference report which was taken up first, and this one was held up for that.

Mr. MANN. Well, after all, here is the situation: I am not going to criticize the gentleman from Tennessee, because I do not think he is subject to criticism, but here is the situation: This conference report was agreed to early in the winter, so far as the conferees were concerned. The conference report was reported to the House. Through a misunderstanding about an agreement that had been made, the House rejected the conference report and sent it back to conference. There was nothing really in dispute at that time. It was all settled then. The only question then over which there was a controversy was the reinstatement of soldiers. That was settled then. I do not criticize the gentleman from Tennessee. I have no doubt he has done the best he could, but it is mighty poor practice in the House. The conferees were appointed months ago, and there is no real controversy apparent between the House and the Senate conferees. To allow conference reports on matters that certainly ought to be disposed of, such as a census matter, to wait on the table for more than a month in order to bring them before the House within a few hours of the final adjournment is no way to legislate. No wonder a Senator of the United States has complained about the power of conferees and the power wielded through conference reports.

If I had known what was in this conference report, as doubtless I did when it was reported to the House—I had read that—I would have had plenty of time in which to forget it. It is more than a month since it was submitted to the House. I do not believe there is a Member here, outside of the gentleman from Tennessee, in charge, who knows what is in this conference report now. It is not anything fresh. It is an old matter, and it ought to have been disposed of when it was fresh.

Mr. HOUSTON. Now, Mr. Speaker, I want to add, in addition to what I said in regard to this conference report when it was agreed upon by the conferees, that it went to the Senate, where the papers belonged, and had to be acted upon there first. It was held up in the Senate by the action of a distinguished Republican Senator, who had a number of amendments pending and who insisted on speaking, and under the rules of that body—and it is no purpose of mine to criticize them here, and I think that it is not right to criticize them here—it was held up, and he spoke at two different times between two and four hours each, and as soon as he got through speaking the bill came over, and at once an effort was made to get it before the House, and there has been no delay here on the matter.

Now, Mr. Speaker, I move the previous question on the adoption of the conference report.

The SPEAKER. The gentleman from Tennessee moves the previous question.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. DYER. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from Missouri asks for a division.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for two or three minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for two or three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I shall make no official announcement. I suppose that will be made later. The gentleman from Tennessee [Mr. HOUSTON] has charge of this conference report. The gentleman who had charge of this bill in the House when it was before the House was that able, genial, earnest, honest, brave, and noble son of Kentucky, HARVEY HELM. [Applause.] We can all shed a tear for his going, and remember his pleasing qualities, his earnest manner, and bright smile with some solace for our hearts. Another one who has gone to the reward beyond! [Applause.]

The SPEAKER. The gentleman from Missouri [Mr. DYER] demands a division.

Mr. DYER. Mr. Speaker, I withdraw the request.

The SPEAKER. The ayes have it, and the previous question is ordered. The question is on the adoption of the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. HOUSTON, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

NATIONAL SECURITY LEAGUE.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask for recognition for the purpose of making a privileged report on a resolution.

The SPEAKER. The gentleman will send up his report.

Mr. JOHNSON of Kentucky. It is on House resolution 469, providing for the appointment of a committee to investigate as to the officers, and so forth, of the National Security League, a corporation of New York.

Mr. BRITTEN rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. BRITTEN. I would like to ask the gentleman from Kentucky if this report applies to the investigation of the National Security League?

Mr. JOHNSON of Kentucky. It does.

Mr. BRITTEN. There are a great many Members of the House who want to hear it, and who ought to be here to hear it, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. BRITTEN. Mr. Speaker, I will withhold my point of order for the present.

The SPEAKER. The gentleman from Illinois withholds his point of order, and the gentleman from Kentucky [Mr. JOHNSON] will proceed.

HOSPITALS FOR DISCHARGED SOLDIERS.

Mr. CLARK of Florida. Mr. Speaker, the gentleman from Kentucky [Mr. JOHNSON] tells me that he will withhold and yield to me for a moment.

The SPEAKER. The gentleman from Kentucky yields to the gentleman from Florida for a moment.

Mr. CLARK of Florida. I submit a resolution, Mr. Speaker.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 13026) entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged and disabled soldiers, sailors, and marines" the Clerk be, and he is hereby, authorized and directed to strike out the word "twenty," where it appears in the last line of section 11 of the bill as agreed upon in conference, and to insert in lieu thereof the word "nineteen."

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

CALL OF THE HOUSE.

Mr. BRITTEN. Mr. Speaker, I now question the presence of a quorum.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fifty-seven gentlemen are present—not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Booher	Estopinal	Lunn	Shallenberger
Brumbaugh	Fairchild, G. W.	McCormick	Shouse
Caldwell	Flynn	Mason	Slayden
Campbell, Pa.	Focht	Miller, Minn.	Slemp
Carlin	Frear	Mott	Small
Carter, Mass.	Freeman	Mudd	Smith, Mich.
Cary	Glynn	Nelson, J. M.	Steele
Chandler, N. Y.	Goodall	Park	Stephens, Miss.
Church	Gray, N. J.	Powers	Stephens, Nebr.
Collier	Gregg	Price	Stevenson
Cooper, Ohio	Hamill	Ragsdale	Swift
Copley	Hamilton, N. Y.	Rainey, H. T.	Taylor, Ark.
Costello	Harrison, Va.	Riordan	Templeton
Cox	Hayes	Roberts	Van Dyke
Crago	Heaton	Robinson	Venable
Dale	Heintz	Rouse	Voigt
Decker	Helvering	Rowland	Welling
Denison	Howard	Russell	White, Ohio
Dill	Kennedy, R. I.	Sanders, N. Y.	Williams
Emerson	Lobeck	Shackleford	

The SPEAKER pro tempore (Mr. TAYLOR of Colorado). On this roll call 349 Members, a quorum, have answered to their names.

Mr. FOSTER. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER resumed the chair.

Mr. JOHNSON of Kentucky. Your committee present the following report:

[House Report 1173, Sixty-fifth Congress, third session.]

Your committee, authorized and directed under House resolution 469 of the Sixty-fifth Congress, third session, to investigate and make report as to the articles of incorporation, the officers, agents, and employees; membership, financial support, and names of contributors; expenditures, general character, activities, and purposes of the National Security League, a corporation of New York; and of any associated organizations connected therewith, whose activities were directly or indirectly connected with the nomination, election, or defeat of Representatives in Congress during the year 1918; and which committee was further authorized and directed to investigate and make report with reference to certain charges made by the said National Security League affecting the loyalty of Representatives in Congress; and whether or not said Security League had complied with the provisions of the law requiring the filing of expense accounts, make the following report:

Your committee has been actively engaged in the work assigned to it since the 19th of December last. The great length of time which this investigation has taken has been due largely to the evasiveness and lack of candor on the part of some of the active officers of the National Security League when they appeared as witnesses before the committee. The volume of testimony would have been reduced greatly had these witnesses shown more disposition to fully and frankly disclose their knowledge of the activities of the league. These witnesses seemed to take a pride in not being frank and in being evasive.

The testimony discloses that Mr. S. Stanwood Menken is the one who conceived the idea of forming the National Security League. This was done, he says, while listening to certain debates in the House of Commons in England on August 5, 1914.

In the light of other developments brought out in the testimony, it may be well here to note that Mr. Menken testified that he is a member of the law firm of Beekman, Menken & Griscom, and that his firm represents several corporations in New York, and also corporations in New Orleans, La.; Knoxville, Tenn.; Houston, Tex.; Buffalo, N. Y.; Lockport, N. Y.; Bloomington, Ill., and other corporations in Colorado. It is interesting also to state that the testimony shows that Mr. Menken's firm acts as counsel for a corporation known as the "American Cities." When asked in what that corporation engaged, Mr. Menken replied, "In controlling railway and public utility corporations."

Further along in Mr. Menken's testimony this question was put to him (p. 260):

"Mr. JOHNSON. Name some more corporations represented by your firm.

"Mr. MENKEN. Well, our work with corporations is usually in connection with the work of the local bankers and finance companies, and in that way we are brought in contact with them. For instance, take the Gulf & Ship Island Railroad, the Mississippi Central, Southern Lumber, the Woolworth Co., the Louisiana & Arkansas road, the Houston Gas Co.—these different companies, we come in contact with them and act in counsel with them."

Again Mr. Menken states in his testimony (p. 260):

"We represent also the Liverpool, London and Globe insurance corporations, * * *."

He also testified that his firm represents "some sugar companies," and also the "Penn-Seaboard Steel Co."

Mr. Menken further testified in regard to the Liverpool, London and Globe (p. 261):

"Mr. JOHNSON. Do you know what their holdings are in the way of securities?

"Mr. MENKEN. No; all we do is to attend to their property interests in New York City.

"Mr. JOHNSON. You have neither knowledge nor information concerning its assets?

"Mr. MENKEN. No; nor have I ever been consulted about that. That is attended to by the finance board.

"Mr. JOHNSON. Go ahead about some others—about other estates.

"Mr. MENKEN. I represent the executors of the Cutter estate, which is a large estate here.

"Mr. JOHNSON. Do you know of what that estate consists, in the main?

"Mr. MENKEN. Yes; it consists of bonds and stocks and a good deal of real estate.

"Mr. JOHNSON. Do you know of what corporations the stocks and bonds are?

"Mr. MENKEN. No; I do not. Of course, my clerks would know that. That comes up in connection with the inheritance taxes. Technically I ought to know, but I really don't pay any attention to that. I have a man that attends to that specially. We are never consulted about the investments in these estates, because we don't have anything to do with investments. We are lawyers, not bankers.

"Mr. JOHNSON (after a pause). Go ahead with the naming of the concerns that you represent.

"Mr. MENKEN. We represent some sugar companies.

"Mr. JOHNSON. What sugar companies?

"Mr. MENKEN. Really, I couldn't tell you the names of them particularly. I know the clients when they come in. We represent the Penn-Seaboard Steel Co.

"Mr. JOHNSON. Have you gotten away from sugar entirely now?

"Mr. MENKEN. Yes. There are a couple of important sugar companies. If you want a list, I can give you a list.

"Mr. JOHNSON. Yes; let us not leave sugar so quickly. Do you know the names of the representatives of any of these sugar clients?

"Mr. MENKEN. Yes; this was a company formed by Bertron Griscom & Co., also clients of ours—a banking house.

"Mr. JOHNSON. In what way—are they sugar merchants?

"Mr. MENKEN. They raise sugar in Cuba.

"Mr. JOHNSON. They are Cuban sugar raisers?

"Mr. MENKEN. Yes, sir. I have a tobacco client——

"Mr. JOHNSON (interposing). Do they refine at all?

"Mr. MENKEN. I think not.

"Mr. JOHNSON. How is their sugar brought to the United States?

"Mr. MENKEN. By steamer.

"Mr. JOHNSON. Yes; but I meant in what form—crude?

"Mr. MENKEN. Yes; crude sugar.

"Mr. JOHNSON. To whom is it delivered here? Do you know?

"Mr. MENKEN. I have no idea. I have never been consulted about it.

"Mr. JOHNSON. What is the name of that sugar company to which you have just referred?

"Mr. MENKEN. I think it is called the Cuban Sugar Mills, if I am not mistaken. I will be very glad to submit a list of my clientele, if you want it, and you can make it part of the record.

"Mr. JOHNSON. We will be glad to have it to look over.

"Mr. MENKEN. I will be very glad to submit it.

"Mr. JOHNSON. Do you know who any of the stockholders in this country are, of that concern?

"Mr. MENKEN. Yes.

"Mr. JOHNSON. Who are some of them, please?

"Mr. MENKEN. Mellett, Rowe & Hagan.

"Mr JOHNSON. Where is that concern?

"Mr. MENKEN. In New York City, 52 William Street.

"Mr. JOHNSON. And another?

"Mr. MENKEN. J. G. White, Exchange Place.

"Mr. JOHNSON. Another?

"Mr. MENKEN. I don't like to mention the names of clients, for I fear I might make an error. People would object to it, and I will be very glad to furnish you the details."

The above quotations from Mr. Menken's testimony are made for the purpose of showing at least the possible motive which may first have aroused in him the interest which culminated in the formation of the National Security League. Notwithstanding the fact that Mr. Menken is a member of a firm of lawyers which represents so many large corporations in this country and abroad, during his stay in London he published a newspaper; for what purpose your committee does not know, but it is hardly reasonable to think it was for a direct profit from the publication itself. Shortly after his return to the United States he set about the organization of the league. One of those with whom he first talked relative to the matter was Mr. Frederic R. Coudert, a prominent lawyer in New York, in regard to whom Mr. Menken testified as follows (p. 268):

"Mr. JOHNSON. Do you know what class of clients he has—what particular interests?

"Mr. MENKEN. He happens to represent a great many foreign interests. He is a specialist on maritime law. He has had the honor of representing foreign governments in controversies.

"Mr. JOHNSON. Do you know what governments?

"Mr. MENKEN. I have heard he represents Great Britain, France, and Russia in international matters.

* * * * * * *

"Mr. JOHNSON. You have just spoken of this gentleman representing some British clients, or the Government itself. Which is it?

"Mr. MENKEN. I think Mr. Coudert is counsel for the British ambassador.

"Mr. JOHNSON. And was at the breaking out of the war in 1914?

"Mr. MENKEN. I don't know about that.

"Mr. JOHNSON. Do you know when his employment as counsel for the British ambassador began?

"Mr. MENKEN. I really couldn't say. I know little of his private affairs. Henry L. Stimson was another man I talked to.

"Mr. JOHNSON. Do you know whether or not he represents, either directly or indirectly, any other Government, or whether he has or not since the outbreak of the war any foreign government?

"Mr. MENKEN. Why, Mr. Coudert has a very big international practice. I have heard of him representing South American countries and French and Russian, and I think perhaps Italian interests."

It will be impracticable in a report of the length to which of necessity this must be confined to take up all of the "foreign entanglements" of the originators of the National Security League. However, sight must not be lost of the fact that it was conceived in London by an attorney representing sugar, steel, and other large interests both in this country and abroad, and that at its very inception in New York others representing like interests are found among those who became the most active in its organization; and, next, when the organization had thrown aside its pretense of being engaged only in "preparedness," and had reached the real purpose of its undertaking, Mr. Charles D. Orth was selected to take charge of its real activities, which unquestionably were political in nature, as will be shown later in this report.

The testimony shows that Mr. Orth is a member of a New York firm dealing in sisal, from which the farmer's binding twine is made, and who, according to his own statement before a Senate investigating committee, had been engaged in trying to form a combination to increase the price of this product.

Mr. Orth's firm not only has an office in New York, but it has one in London; and Mr. Orth himself admitted that he traveled all over Europe in the interest of his sisal business. Is it not a singular coincidence that the National Security League was conceived in London, nursed to strength and power in New York by foreign interests, and later used in the elections by the same interests?

The principal meeting looking to the organization of the league was held at the Bankers' Club, 120 Broadway, New York City (p. 20 of the record). Mr. Menken was made the first president of the league, but it seems he gave out a newspaper interview which was not entirely

satisfactory to the rest of the league, and he resigned, and Mr. Charles E. Lydecker became president in his stead.

Coincident with the organization of the league the thought of properly financing it commenced, and of coupling it with names in which the people of the country would have confidence. Hon. Joseph H. Choate, whom Mr. Menken described as "first citizen of New York and ambassador to Great Britain," was made honorary president. Upon his death Hon. Elihu Root was selected in his stead as honorary president.

Judge Alton B. Parker, prominent throughout the country, was selected as honorary vice president.

No doubt these two gentlemen were selected for several reasons. One reason was to give the league the appearance of being nonpartisan in politics, Mr. Root being a Republican and Judge Parker a Democrat. No doubt another reason was that the league desired the use of their names for the purpose of conjuring up money with which to carry on its contemplated activities.

Among the large subscriptions made to the National Security League is one of $150,000 made by the Carnegie Corporation, to be paid in three equal installments of $50,000 each. At the time testimony concerning it was taken, two of the subscriptions, amounting to $100,000, had been paid; another is that of Mr. John D. Rockefeller, having large interests both here and abroad; another is Mr. J. Pierpont Morgan, whose large interests are not confined to this side of the Atlantic.

Among the large contributors to the league are:

Nicholas F. Brady, 54 Wall Street, director in 50 large corporations, many of them making excessive profits on account of the war. Example: Director United States Rubber Co., excess war profits, $5,494,531	$4,500
William P. Clyde, 61 Broadway, New York, director in many railroads and other large corporations	1,250
Arthur Curtis James, director in 42 corporations, many of them manufacturing war munitions; vice president and director of Phelps, Dodge Co.—excessive profits over prewar profits, $14,531,864	29,750
Ridley Watts, 44 Leonard Street, director in many large corporations	15,000
Joseph H. Choate, deceased, 52 Wall Street, formerly ambassador to England, trustee New York Life Insurance Co	4,750
Mortimer L. and Jacob H. Schiff, 52 William Street, New York, of the firm of Kuhn, Loeb & Co.; connection well known. Director in the Wells Fargo Co., Western Union Telegraph Co., Union Pacific R. R. Co., and many other railroad and navigation companies	3,250
Emerson McQuillan, 40 Wall Street, director in 14 large corporations	4,250
George W. Perkins, 71 Broadway, New York, director in United States Steel Co., International Harvester Co., International Mercantile Marine Co., New York Trust Co., and eight other large corporations, including the Erie Railroad and other railroads	750
H. H. Rogers, 26 Broadway, New York, director in the Standard Oil Co., Amalgamated Copper Co., United Metals Co., and many other large corporations making excessive profits during the war	1,000
W. K. Vanderbilt, Grand Central Terminal, New York, director of 38 large corporations and with his brother director of more railroads than any other capitalist	250
P. W. Vanderbilt, New York, director with his brother in 38 large corporations	750
Clarence H. Mackey, 253 Broadway, director of Postal Telegraph & Cable Co., president of Commercial Cable Co., the North American Telegraph Co., and many other large corporations	1,000
Eversley Childs and William Hamlin Childs, 17 Battery Place, New York, director United States Leather Co., Union Tannery Co., Central Leather Co., Argentine Central Leather Co., and many other large corporations. The Central Leather Co. alone making excessive profits over normal profits of $12,016,397	7,500
B. M. Baruch, whose former financial connections are well known	6,500
James B. Ford, 1770 Broadway, director in 14 large corporations; director in the United States Rubber Co., whose excessive profits over normal profits were over five and one-half million dollars in a single year. Director in the United States Tire Co. and many war-profiting corporations	1,000
Simon, Murray, and Daniel Guggenheim, 120 Broadway, New York, directors and controllers in American Smelting Securities Co., American Smelting & Refining Co., Chile Copper Co., and many other large corporations making excessive profits from the war. Directors in American Smelting & Refining Co., whose excessive profits over normal profits amounted to $12,258,082, or more than double	3,750
T. Coleman Du Pont, 120 Broadway, in "Who's Who," written by himself, president of E. I. du Pont de Nemours Powder Co., 1902–1905, president of Central Coal & Iron Co., McHenry Coal Co., Union National Bank, National Surety Co., Empire Trust Co., and many other large corporations	9,000
Charles Deering (Chicago, Ill.), director in the International Harvester Co. and many other large corporations	1,550
J. P. Morgan, 23 Wall Street, New York, director in the United States Steel Corporation, whose net profits in 1917 were $478,204,343 as against $46,520,467 in 1914; also, director of many railroad companies and insurance companies	2,300
American Exporters' & Importers' Association, New York	2,000
John D. Rockefeller, 26 Broadway; Mr. Rockefeller's large financial connections are too well known to enumerate	35,000
Carnegie Corporation: Andrew Carnegie, president; Elihu Root, vice president; holdings in United States Steel Corporation; income over $6,000,000 per year	100,000
Anna B., William H., and Mrs. William H. Bliss	2,500
Henry C. Frick, director of United States Steel Corporation, Chicago & North Western Ry. Co., Atchison, Topeka & Santa Fe R. R., Mellon National Bank, and many other large corporations	3,500
James Stokes, multimillionaire and director in a number of large corporations	1,500
Charles Hayden, 25 Broadway, New York, director of 26 large corporations, among them copper companies that made exorbitant war profits; director in Utah Copper Co., prewar profits, $8,678,491; war profits, $32,005,240; also director in Chino Copper Co., prewar profits, $1,772,421; war profits, $12,527,948	2,500
R. B. Price, United States Rubber Co	$700
J. G. White, 43 Exchange Place, New York; Municipal & General Securities Co., London, England; Cardenas American Sugar Co.; Philippine Ry. Co	2,000

The officers of the league and their connections with large corporations are as significant as that of the large contributors to the National Security League.

"S. Stanwood Menken, representative of large corporations and for many years attorney for the London Globe Insurance Co., London, England.

"Alexander J. Hemphill, 140 Broadway, New York, chairman of the finance committee, director in over 20 large corporations, among them the Guaranty Trust Co., Adams Express Co., American Security Co., California Railroad & Power Co., Fidelity & Casualty Co., the Electric Bond & Share Co., Hudson Manhattan Railroad Co., United States Gas & Electric Corporation, Utah Security Co., and many other corporations.

"Franklin Q. Brown, director of National Security League, 33 Pine Street, New York; director in American Beet Sugar Co., American Light & Traction Co., Augusta-Aiken Railway & Electric Co., Columbia Railway, Gas & Electric Corporation; also director in Electric Properties Corporation, Lima Locomotive Works, and Pierre-Marquette Railway Co.

"Robert Bacon, member of executive committee of the National Security League, one of the directors of the United States Steel Corporation, whose war profits are over $400,000,000 more than they were in the year 1914.

"H. B. Harris, director in the National Security League, New York; director of the American Russian Chamber of Commerce, director in the Haitian American Corporation, and many others.

"Frederick H. Coudert, New York, member of the executive committee of the National Security League; vice president of the Chapultepec Land Improvement Co., the Equitable Trust Co., Federation of the French Alliances in the United States, National Surety Co. of New York, Pennsylvania and Delaware Oil Co.

"Franklin Remington, 233 Broadway, New York, secretary of the National Security League until recently; director of the Great Western Chemical Co., the Western Power Corporation, Employees Mutual Insurance Co., and many other large corporations."

The name of the league and the military title of its president seem not to be the result of accident, but rather of design; as later both were used to deceive the public. Plate matter—frequently called "boiler plate"—was sent by the league to 1,700 or 1,800 newspapers scattered throughout the land. All of this plate-matter literature bore the name of "Colonel" Lydecker, and he was referred to constantly throughout the literature as "colonel." This "colonel" never smelled gunpowder. His title of "colonel" is an empty one, having been bestowed by the mere ipse dixit of the governor of New York State. When this league was in the midst of its activities the United States Government had formed many boards and commissions for the purpose of promoting war activities. Each of these boards and commissions was given a name that would show to the public that it was a creature of Congress, charged with the performance of certain public governmental functions. It is not unreasonable to conclude that the word "national" was put into the name of this league for the purpose of having at least some part of the public believe that the league was a Government organization.

The league, in so far as it shows on the surface, is made up of Mr. Lydecker, Mr. West, Mr. Orth, and Mr. Harvey, the publicity agent. Let us see who these four men are.

Lydecker is a practicing lawyer in New York. When asked to state who his clients are, he declined to answer further than by stating that his clientele was a "private" one.

Harry L. West, the executive secretary, immediately prior to his becoming such, was a well-known lobbyist around the Senate and House of Representatives.

Mr. Charles D. Orth is an importer of sisal, from which the farmers' binder twine is made.

Mr. E. L. Harvey, the publicity agent, has been described in these hearings as being a young newspaper man without a job.

It must be taken as a matter of course that the people throughout the country would not subscribe money for the purpose of carrying on the activities of a league whose principal officers were a lawyer with a "private" clientele, a professional lobbyist, a sisal importer directly interested in the price of binder twine, and an everyday newspaper reporter, whose mission finally came to be that of critic of the patriotism of such men as ROYAL C. JOHNSON, who left a seat in Congress, volunteered in the Army as a private, went to France, leaving a wife and two small children behind; was severely wounded in the Battle of the Argonne Forest; while he, Mr. Harvey, a much younger man than Mr. JOHNSON, with a wife, but no children, remained safely stowed away on the sixth floor of a large building at 19 West Forty-fourth Street, New York City.

It became necessary, in order to successfully deceive the public, in more ways than one to have the use of the good names of Mr. Root and Mr. Parker.

Upon entering the league's offices in New York one would see only Mr. West, the lobbyist; Mr. Orth, the sisal importer, and Mr. Harvey, the "newspaper reporter without a job." But if the curtain were only pulled back, in addition to the interests heretofore enumerated, the hands of Rockefeller, of Vanderbilt, of Morgan, of Remington, of Dupont, and of Guggenheim would be seen, suggesting steel, oil, money bags, Russian bonds, rifles, powder, and railroads.

No sooner had the league thrown off the mask of "preparedness" and was out actively in the political campaign than it made one great jump, and that was from New York to Chicago. At this time Mr. Orth to it added the harvester and packing interests, street railroad and other public-service corporations, some of which were the clients of the founder of the league.

Immediately the National Security League had found its way to Chicago it was taken into camp by a faction of one of the big political parties at that place, and was used by that faction to further the election of its own candidates for office and to defeat other candidates who did not belong to that particular faction. Some of these candidates were denounced by the Chicago branch of the league in most vigorous terms. They were charged, without reservation or restriction, as being disloyal to the United States; yet after some of these who had been so charged had been nominated in the primary elections their defamers became their supporters.

But the Chicago branch of the league was used for a purpose other than the one just mentioned. Representative KING, of Illinois, who was a candidate for reelection to Congress at the last November election, was called before a committee of the Chicago branch of the league, and when there was tauntingly confronted with a speech which he had made in Congress attacking the methods of the packers. At the same time he was asked by one of the committee, a Mr.

Moses, why he had used the name of J. Pierpont Morgan in his speech. The ostensible purpose of calling Mr. KING before that committee was to ask explanations of him concerning his votes upon certain matters which had been before Congress. However, the real object was disclosed when he was asked by the spokesman of that committee how he stood on the question of Government ownership of railroads.

Representative NIELS JUUL, also a Member of Congress from the State of Illinois, was a candidate for reelection. He, too, was summoned before this committee of the Chicago branch of the league. For a number of years Mr. JUUL had been a member of the Illinois State Senate, and, while such, opposed the greed of the corporations which were represented by men in the Chicago branch of the league. They sought the defeat of Mr. JUUL for reelection to Congress. Therefore Mr. Orth, who was in charge of the league's political bureau, had issued a chart wherein eight matters which had been before Congress were set out, and upon which chart the vote of each and every Member of Congress was shown. Those who had voted as Mr. Orth, the sisal importer, and Mr. West, the lobbyist, felt they should have voted, were marked as having voted "right," whereas, upon the other hand, those who had voted contrary to the views of Mr. Orth and Mr. West were marked upon the chart as having voted "wrong." The chart had no "wrong" votes charged up to Mr. JUUL; but, as it was apprehended that Mr. JUUL might not be a tool in the hands of those who desired to elect a Congress willing to do their bidding, and, as the opposition to him could not be based upon the votes in the chart, they got up another set of questions for him. Of course they must have previously looked through the CONGRESSIONAL RECORD to see how Mr. JUUL had voted, in order to prepare a new set of questions, and upon those questions, according to their notions, he had voted wrong. For that reason, and the fact that he belonged to an opposing political faction, he was opposed.

It seems quite conclusive, from a study of the whole situation, that the chart which was gotten up by Mr. Orth and by Mr. West was most adroitly and cunningly done. One of the big items to come in the days of reconstruction following the war—and with which the next Congress must deal—is the income tax. Out of the 435 Members of the House of Representatives Mr. Orth's chart gave credit for full patriotism to only 47 Members. Out of the 47, 45 represented congressional districts along the Atlantic seaboard, where the income tax gathers the largest revenue.

Mr. Menken, who sat in the House of Commons in England and conceived the idea of forming the National Security League in America, stated in his testimony before the committee that he wished to see the income tax lessened at the upper end and enlarged at the lower end. He even went so far as to say that he thought an income tax should be imposed upon every man's income, even down to the one who worked for a dollar a day.

The league's "congressional chart" was made up of eight measures which had been before Congress. The first related to the McLemore resolution; the second to the Kahn amendment to the Hay Army bill; the third to the Brandegee amendment to the Hay-Chamberlain Army bill; the fourth to section 56, providing for a volunteer reserve army wholly under Federal control; the fifth to a motion to recommit the naval appropriation bill; the sixth to the Cooper amendment; the seventh to the declaration of war against Germany; and the eighth to the Kahn amendment to the conscription act.

As already stated, that chart was gotten up principally by Mr. Orth. Prior to that time he had never been called upon to construe legislation, nor had he ever been connected with parliamentary or legislative procedure in any way. Mr. Orth was permitted by the league to select such legislative matters which had been before Congress as, in his judgment, would best serve the purposes of the league; to place his construction upon both the legal and practical effects of such legislation; to pass his opinion on the votes of Members of Congress thereon as to whether such votes were "right" or "wrong"; and to prepare a chart showing: First, the legislative matters; second, the construction of the laws incorporated in the chart; third, the vote of all Congressmen on the same; and fourth, his expression of opinion as to whether or not such votes were "right" or "wrong." This chart was used as the basis of a contest by the National Security League for and against the reelection of Members of Congress.

Immediately following the issuance of the chart there was issued by the National Security League certain matters for the press, which they called a "digest" of the chart, which stated, in substance, that the chart was issued for the purpose of securing the election of "loyal" men to Congress.

So far as the testimony discloses the only persons who saw this chart before it was given to the public were Orth, West, and Lydecker. Hon. Elihu Root, honorary president of the National Security League, and who stated that he was not connected with the activities of the league, testified that he had no knowledge of the issuance of the chart, nor of the fact that it was contemplated, until he received a copy of it through the mail. He further said that in some respects the chart was misleading and was incorrect, and had done injustice to Members of Congress, and that, had he known such a chart was contemplated, it would not have met with his approval.

Hon. Alton B. Parker, honorary vice president of the league, testified that he had not actively concerned himself with the activities of the league; that he knew nothing of the contemplated action of the league in issuing the chart until after it had been given to the public; that immediately upon it being called to his attention he protested that it was unfair and unjust and demanded that it be corrected. He was unable to secure a correction of it, but his efforts were productive of vital changes being made in a similar chart sent out regarding the votes of Senators, which was issued subsequently.

Your committee reports that Mr. Orth, to whom the duty of preparing and distributing this chart was assigned, was utterly unqualified for such work; that the eight measures which he selected in the chart as vital tests were in many instances measures which reflected party policies rather than national issues of patriotic import; that six of the eight measures antedated our entrance into the war, in some instances more than a year. But little concern, if any, was given to the records of Congressmen made after the United States became a party to the war. This chart was distributed by the National Security League to individuals, newspapers, and political committees.

Mr. Orth testified that the league selected 169 congressional districts in the United States in which to be "active," and 47 districts in which to be "intensely active"; yet each and every one of the officers of the league swore positively and repeatedly that the league did not enter politics. They qualified that statement, however, by saying that they were not in "partisan" politics. If their real and ulterior motives have been ascertained, they were not in "partisan" politics in the common acceptation of the word. In other words, they were neither for nor against a candidate because he was a Democrat; neither were they for or against a man because he was a Republican. As a matter of fact, the league cared nothing whatever for a candidate's party affiliation. What chiefly concerned them was how his attitude would affect certain interests that would be the subject of legislation by Congress during the reconstruction period. The active agencies in the league was not concerned about the politics of the party in power so long as they felt "the interests" would be protected. What they wanted is disclosed both by the "questionnaire" which they sent out to candidates for Congress and by the business interests of those who furnished the money with which they operated.

By the "questionnaire" the league assumed to itself the right to pass upon a candidate's ability and other qualifications for a seat in Congress, leaving nothing to the people themselves. Particularly were they anxious to know his attitude in the past, as well as for the future, concerning the reconstruction matters to which reference has just been made. They sought either to elect or defeat candidates for Congress from the Atlantic to the Pacific. Mr. Orth, the importer of sisal, from which the farmer's binder twine is made, with an office in New York and another in London; and Mr. West, the lobbyist, sat down in New York and selected eight questions which were to determine the fitness of a member for reelection. Those eight questions, as already stated, were really not selected for that purpose. Those eight measures were selected out of one hundred and twenty odd war measures, because those eight better served their purposes than did any of the remaining ones of equal or greater importance.

Mr. Orth, as a sisal importer, from which the farmer's binder twine is made, laid much stress upon the McLemore resolution and the Cooper amendment. Both of these propositions related to shipping; and Mr. Orth, the sisal importer, was directly interested in shipping.

Mr. Menken, who sat in the House of Commons in England and conceived the idea of forming the National Security League in America, is attorney for Cuban sugar interests and for large steel-manufacturing interests. Consequently he, too, was interested in shipping. It is not difficult to see how Mr. Orth, the importer of sisal, from which the farmer's binder twine is made, and Mr. Menken, whose clients are sugar importers and steel exporters, should be interested in those two shipping propositions and should desire to incorporate them in the chart. As illustrating Mr. Orth's unfitness to prepare a chart which passed on the loyalty and judgment of Members of Congress, attention is called to the fact that Senator Root and Judge Parker, honorary officers of the league, testified that the construction placed upon some of the legislation comprehended in the chart was unjustified and misleading, and resulted in injustice to Members of Congress and to the public, which is entitled to true conditions in determining the fitness of public servants.

As hereinbefore indicated, the real purpose of the league was to elect a Congress the majority of which would entertain their views on the great questions of reconstruction which follow the war, and that conclusion is not too far-fetched when the whole record has been read. The interests herein referred to sought to supersede the people themselves throughout the country and tell them who should and who should not be elected to Congress.

The league had to have money with which to operate. The parent institution at New York collected $619,165.28 prior to September 30, 1918. The branch at Chicago collected about $57,000. It is known that the Philadelphia branch collected a large amount, and so did other branches throughout the country; but of the $619,165.28 collected by the parent house in New York with which to finance the activities of the league $95.40 out of every $100 was collected in New York. The league called that its "general fund." When Mr. Orth commenced his political activities as chairman of the congressional committee of the league another fund was collected for that particular activity. Just here the question may be asked, If the league is not in politics, why was a special fund collected and put into the hands of Mr. Orth as chairman of the congressional committee of the league? It is interesting to note, however, that out of all the money collected by Mr. Orth for this particular activity all of it was collected in New York except $38.

The following statement of disbursements by the National Security League is inserted in this report for the purpose of showing how the expenditures increased until the last of September preceding election and how they decreased immediately following the time after it was too late for them to be advantageously used in election contests. These expenditures commenced to increase as the election approached; but when the 1st of October arrived and the fight had virtually been made by the league the expenses then commenced to decrease.

The expenditures of the parent institution of the National Security League at New York between July 8, 1915, at which time the active work of the league appears to have begun, and December 31, 1915, were $38,181.59.

The amount expended from January 1, 1916, to December 31, 1916, was $94,840.43.

The amount expended from January 1, 1917, to December 31, 1917, was $111,324.59.

The amount expended from January 1, 1918, to December 31, 1918, embracing what was spent by Mr. Orth from his congressional campaign fund, amounted to $235,667.56.

The expenditures of 1916 increased over the expenditures of 1915, considering time and amount, by 12 per cent; the expenditures of 1917 increased over the expenditures of 1916 by about 12 per cent; the expenditures of 1918, the year of the election, increased over the expenditures of 1917 by 112 per cent; the expenditures of 1918 increased over the expenditures of 1916 by 148 per cent; and the expenditures of 1918 increased over the expenditures of 1915, considering time and amount, by 194 per cent.

Both their greatest activity and their greatest expenditures were shortly prior to the elections of 1918. Would it not appear that the league engaged in politics, when at the time their activities were greatest and their expenditures were largest, "preparedness," which was their avowed purpose, was no longer a live question in this country? At that time Congress had appropriated billions of dollars for the work of "preparedness"; cantonments had been built in the various sections of the country; great quantities of food supplies had been gathered together; millions of tons of shipping had been built; all of our coast defenses had been strengthened; and nearly 2,000,000 American soldiers were in France.

It is therefore unbelievable that in view of all these facts that the aim of the National Security League was "preparedness" rather than political? It is just as conclusive for what purpose the league was in politics. The congressional committee of the National Security League, of which Mr. Orth was the head, was not formed until June, 1918, which was only six months before the recent congressional elections. If "preparedness" was the purpose of the league, why was the

congressional committee of the league formed so late as June, 1918, when everything that human endeavor and money could do had been done along the line of "preparedness"? It is obvious that Congress at that time had done everything possible in the way of preparedness, yet at that time we find Mr. Orth collecting money for a "special fund" to be used by himself as chairman of the congressional committee of the league.

Among the papers of Mr. Orth was found a most interesting one. That paper had the States listed in alphabetical order. Attention to that list is invited. It is to be found on page 2066, part 30, of the hearings, February 20, 1919. The first State treated in that paper was Alabama. Opposite the names of some of the candidates the word "fight" was written. There was no such notation opposite the names of other candidates. Does not that clearly and conclusively show that some were to be fought by the league and that others were not?

The next State on that list was Arizona. Opposite the name of one of the candidates the word "fight" is written. Nothing stands opposite the name of the other.

Arkansas is the next State on Mr. Orth's alleged nonpolitical list. Immediately under the name "Arkansas" in brackets is the following notation: "(No Republican nominees, 1918.)" That is significantly meaningless if the National Security League was not in politics.

Colorado is the next State on the list. By the use of the word "fight," it is shown that some of the candidates were to be fought. Opposite the name of another, instead of the word "fight," was the notation "no fight." Still they were not in politics.

California is the next State on Mr. Orth's list. In that State we find the notation "no fight" used six times opposite the names of candidates. Also opposite some of the names in California are found the two letters "N. M." Mr. Orth explains that those two letters should not be "N. M.," but should be "N. N.," meaning "no nomination." Still they were not in politics.

In California the word "fight" is used opposite the names of two candidates.

In Montana the word "fight" is opposite the name of one candidate, while the words "no fight" are opposite the name of another.

In North Dakota the words "no fight" are opposite the names of two candidates. In two districts the words "N. M." are used, meaning, as heretofore explained, "no nomination." Still they were not in politics.

In South Dakota two men had the word "fight" written opposite their names. One of these was ROYAL C. JOHNSON, who at the time was at the battle front in France.

In Nevada one was marked "no fight." There were no notations opposite the names of any of the others in that State.

In Illinois the notation "fight" appears opposite the names of 11 of the candidates. The words "no fight" appear opposite the names of 9. Still they were not in politics.

In Indiana the notation "no fight" appears opposite the names of nine, while the word "fight" appears opposite the names of four.

The entire list of States is treated just as those above set forth. Still they were not in politics. If the league had certain men designated which they were to "fight," and others which they were "not to fight," can they truthfully insist that they were not in politics? Yet all active officials of the league except one who went upon the stand testified that they were not in politics. Mr. Orth's explanation of the words "fight" and "no fight" and "no nomination" is ridiculous in the light of the testimony before the committee. His explanation is found on page 2065 of the hearings, part 30, and reads as follows:

NATIONAL SECURITY LEAGUE (INC.),
CONGRESSIONAL COMMITTEE,
New York, February 12, 1919.

Hon. BEN JOHNSON, *Chairman,*
House Office Building, Washington, D. C.

DEAR SIR: With respect to the evidence from our records which Congressman SAUNDERS asked us to file (p. 732, lower part), I believe that there is an error in the record. My recollection is that what Congressman SAUNDERS really asked for and what he wanted was a copy of the brown sheets from which I was reading at the time. These are inclosed herewith.

Explanation of the various notations follows:

"Fight" was a key word, indicating that an intensive educational campaign was indicated by the record.

"No fight" was a key word, indicating that no intensive educational campaign was indicated by the record, or because the candidate whose record was bad had not been renominated, or for such other reasons as the tabulation itself makes obvious.

"N. M." indicates "No nomination"—a slip of the pen in using "N. M." instead of "N. N."

"No contest" indicates the same as "No nomination."

"Any opponent?" (Missouri sheet only) was intended to question the correctness of our information to the effect that there had been "No nomination" in the districts in question.

"(?)" indicated further inquiry necessary.

Very truly, yours.
CHAS. D. ORTH.

It is interesting to note here that when the word "fight" was being used by Mr. Orth in his alleged nonpolitical records, the expenditures of the league had increased 194 per cent over the expenditures of 1915, and that the amount of money spent by the league during that year had grown from $38,181.59 in 1915, when "preparedness" was really up, to $235,667.56. The smaller expenditure was made when, at least for appearance' sake, they were adhering to their preparedness avowals, while at the time of the larger expenditures they had thrown those avowals to the winds and were actually in politics, notwithstanding all these denials.

As soon as Mr. Lydecker saw that the testimony disclosed that the league was in politics, he undertook to prejudice the public mind against the anticipated report of your committee by sending a telegram to the chairman of the committee, reading as follows:

NEW YORK, *February 5, 1919.*

Hon. BEN JOHNSON,
Room 377, House Office Building, Washington, D. C.:

Please register distinct protest of the National Security League at the failure and refusal to give notice of the resumption of sessions of the committee of the House of Representatives of which you are chairman, and the taking of testimony without opportunity given to the league to cross-examine witnesses. The league requests that opportunity be given to rebut any testimony which has been given or may be given in the absence of a representative of the National Security League. In view of the attempt to distort a great patriotic movement on the part of the thousand constituting the National Security League into a selfish organization, the officers of the league are obliged to take official notice and action. CHARLES LYDECKER, *President.*

The chairman of the committee answered that telegram as follows:

FEBRUARY 6, 1919.

Col. CHARLES LYDECKER,
President National Security League.

Your telegram is one of complaint at the committee for not giving you notice of the resumption of its hearings, and also for refusing to permit you to cross-examine witnesses. When your telegram was sent, no witnesses had been introduced except officers of your league. I can not possibly see why you can complain that you did not have an opportunity to cross-examine yourself and the other officers of your league who have testified. You, yourself, were on the witness stand several days, and so were several of the officers of your league. If you had any desire to cross-examine yourselves, you had ample opportunity to do so. The committee is not giving formal notice of its hearings to anybody, taking it for granted that everybody who may be interested will exhibit enough interest to ascertain when the hearings will be held. You know of your own knowledge that the hearings have been conducted from day to day when it was at all practicable to do so. You, as president of the league, and Mr. West, as executive secretary of the league, were present at the hearing in Chicago, which was the last one preceding the day on which your telegram was sent. Your telegram indicates that you had knowledge of the fact that a hearing was to be had on the day when your telegram was sent. You are within a few hours' ride from Washington and easily could have gotten here for the afternoon session of the committee on the day your telegram was sent.

The investigation is continuing to-day. The honorable chairman of your league, Hon. Elihu Root, is testifying to-day. Your telegram implies that you would like to be present for the purpose of cross-examining him. I think I can safely say for the committee that it was not anticipated that the league contemplated cross-examining themselves.

Very truly, yours,
BEN JOHNSON, *Chairman.*

There was no doubt in the minds of your committee that Lydecker entertained the hope that in that telegram he could make a statement that would go unchallenged by the committee; and that he would then, through Harvey, circulate it to the public with the view of having it believed that the representatives of the league were really "prevented" from being present at the hearings. The conclusion to that effect, which was reached by the committee immediately upon the receipt of the telegram, turned out to be correct, for Lydecker was subpœnaed to return from New York to Washington and testify concerning it. By the time he appeared before the committee the committee had some of the facts in hand, and Mr. Lydecker was compelled to admit that he dictated the telegram in his office, and that Mr. West, the executive secretary of the league, immediately telephoned it over to the office of the league on Forty-fourth Street, and that instantly a copy of the telegram was gotten by Mr. Harvey and by him sent to the press, even before the telegram itself had been delivered to the telegraph company in New York to be transmitted to the chairman of your committee, for whom it was only pretendedly intended.

With the same purpose in mind, Mr. Lydecker, on the 11th day of February, 1919, wrote a letter to the chairman of the committee in which he reiterated and enlarged upon the false statements contained in the telegram, not knowing that the committee then possessed some information as to how the telegram had been handled. The letter reads as follows:

OFFICE OF THE PRESIDENT,
19 West Forty-fourth Street, New York, February 11, 1919.

Hon. BEN JOHNSON,
Chairman Committee on Investigation of the National Security League, House of Representatives, Washington, D. C.

DEAR SIR: Understanding that at hearings when, without notice, it was beyond the power of the National Security League to attend, testimony has been taken, as I am informed, of Messrs. MCCULLOCH, SHERWOOD, COOPER, FREAR, MASON, BRITTEN, KING, and JUUL, the league again enters its protest against the fact that the committee has prevented the presence of the league at such hearings, and now requests that the league have the opportunity to read the testimony given by these witnesses, and if any charge has been made of any participation by any person connected with the National Security League in any one of the sections represented by any of these gentlemen and by the name of the field secretary has been brought in in connection therewith under any such charge, that the opportunity be given to give testimony in rebuttal thereof.

Very truly, yours,
CHARLES E. LYDECKER, *President.*

Thereupon the chairman of the committee answered that letter, as follows:

COMMITTEE ON THE DISTRICT OF COLUMBIA,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 12, 1919.

Col. CHARLES E. LYDECKER,
President National Security League, New York.

DEAR SIR: I am just in receipt of your letter of yesterday addressed to me as chairman of the congressional committee which is investigating the National Security League, wherein you state that the committee has prevented the presence of the league at its hearings. The committee has directed me to say in reply that all the hearings have been conducted publicly, and that your gratuitous statement that the league has been prevented by the committee from being present at any of the hearings is wholly and unqualifiedly false, and known by you to be so when you made the statement. On the 5th instant you sent a telegram to me, as chairman of the committee, asserting that the committee had refused to notify the league that the hearings had been resumed, thereby falsely stating by implication that the league did not know that the hearings were not still being conducted; while, as a matter of fact, on the day before you sent the telegram the Sergeant at Arms of the House of Representatives served a subpœna on Hon. Elihu Root, the honorary president of the league, summoning him to appear before the committee in Washington for the purpose of testifying, and that the next day thereafter, which was the very day on which you sent the telegram, Mr. Root left New York and came to Washington, and that the next day—the 6th instant—he testified before the committee.

Further, on the day before you sent the telegram saying, in substance, that the league was without knowledge that the hearings were going on the Sergeant at Arms of the House of Representatives served a subpœna on Hon. Alton B. Parker, the vice president of your league, summoning him from New York to Washington, to which summons he responded and testified yesterday, which happens to be the very date of your letter containing the false statement that the committee has prevented the presence of the league at the hearings. The appearance before the committee, at the hereinbeforestated times, of the honorary president and

the honorary vice president of the league not only refutes the statement that the league did not know that the committee was still conducting hearings but it shows beyond dispute that you knew when you made it that the statement was a falsehood out of whole cloth.

The committee will resume its hearings next Friday morning at 10 o'clock in room 377 of the House Office Building, Washington, D. C., at which hearing, or at an adjourned meeting thereof, any officer of the league may testify, and you, the president of the league, are directed to appear before the committee for further examination at the time and place herein indicated.

Yours, truly, BEN JOHNSON, *Chairman.*

The admissions of Mr. Lydecker were not made until Mr. Harvey had appeared upon the witness stand, and, in answer to questions put by Mr. REAVIS, had told how the telegram and letter had been handled by him. It developed in the testimony that the letter of February 11 was written very late in the afternoon, and that Mr. Harvey did not see it until the next morning, but that immediately he did see it he endeavored to get it into the afternoon papers of New York on that day.

It is high time that the people throughout the country who have contributed their dimes, their quarters, and their dollars to this league should know the uses to which these contributions are being put, and the character of the men conducting the activities of this organization. Very many of the small contributions to the league have been made by people full of patriotism, little suspecting that their contributed earnings would be used to thwart and defeat the very principles of government for which they stand.

There were many of these, but the representation publicly made by the officers of the league as to the number were always greatly exaggerated.

In a letter addressed by the National Security League to the Carnegie Corporation, asking for the subscription of $150,000, the statement was made that there were 185,000 members of the league. From the testimony given by Mr. West, who keeps the books, it appears that that representation was nearly 100,000 too many.

Reverting to the congressional chart: About 125 laws were enacted by Congress that related intimately to the war or to the preparation for war. Mr. Charles D. Orth, who selected the eight measures out of this vast number as tests of loyalty, was not even remotely familiar with the legislative conduct of Congress on these measures, many of which he had never heard of, and of none of which did he have more than a superficial knowledge. He selected, most arbitrarily, those eight measures, making them the test of loyalty of those who acted officially upon them, and then construed those eight measures in his chart in a misleading manner, justifying such conduct in his testimony with the unjust statement that if he had wronged anybody the one wronged could make any defense he desired. When the attention of the league was called to the manifest injustice of the chart, that it had wronged a number of men and had put them in a false light, no effort was made by the league to make any corrections; but, on the contrary, the league continued to send out the chart on its own motion, as well as wherever request was made for it.

The New York organization was responsible for most of this injustice.

To follow the effects of the political activities of this league into all the channels which they entered would be impossible. The false and misleading chart issued by the league was sent broadcast to individuals, to newspapers, and in some instances to political campaign committees, and its subject matter was utilized freely by them. The greatest injustice has been done to many loyal, patriotic men who have given the Nation the benefit of commanding ability, unquestioned courage and unalloyed patriotism, by men seeking partisan ends, and undertaking to hide their self-interest beneath the cloak of public service and national good.

The National Security League and like organizations in their political activities constitute a serious menace to representative Government. Ordinarily their real purpose is concealed and their appeal is made to the public on some principle in harmony with dominant sentiment. Usually, as in this instance, they have access to almost unlimited wealth, and borrow respectability by the use, in honorary positions, of the names of men of national prominence. If their real purpose were apparent, the danger would be relieved.

Men in public life are given by them to understand that they must be subservient to the demands of such institutions and, upon their failure to do so, they will be held up to public scorn and humiliation by false accusations. Under such circumstances the best-intentioned candidate for office realizes that he has one of two alternatives: He must be either subservient to the demands of these camouflaged organizations, or be put on the defensive by false charges. Such activities on the part of organizations similar to the National Security League have a tendency to compel obedience to the wishes of special interests, rather than obedience to a real concern for the welfare of the people. This condition is not at all fanciful, since its baneful effects have been fully demonstrated by the activities of the National Security League.

The "fight" made by the National Security League upon the loyalty of men of the highest patriotism was so glaringly unjust, and so patently false that it failed of its purpose; but the failure was due to an error of judgment on the part of the league, and not because of the lack of vicious purpose. In times of war, organizations avowing patriotism, such as the National Security League did, will receive many adherents, and for that reason the league secured a membership of nearly 90,000 people throughout the United States. It was the duty of the league, therefore, to exercise the greatest care and caution in its publicity matter, where the good names of men were involved.

Section 1 of the Federal act, generally known as the "corrupt-practices act," approved June 25, 1910, is as follows:

The term "political committee," under the provisions of the act, shall include national committees of all political parties, the national congressional campaign committees of all political parties, and all committees, associations, or organizations which shall in two or more States influence the result or attempt to influence the result of an election at which Representatives in Congress are to be elected.

Sections 5 and 6 of the act, as amended by an act approved August 19, 1911, require that such political committees as are defined in section 1 shall file with the Clerk of the House of Representatives, at Washington, D. C., certain itemized statements which shall be verified by oath.

In the judgment of your committee the National Security League has violated the provisions of that act; the penalty for which is a fine of not more than $1,000 or imprisonment not longer than one year, or both.

BEN JOHNSON.
PAT HARRISON.
E. W. SAUNDERS.
T. H. CARAWAY.
C. F. REAVIS.
E. E. BROWNE.

Mr. WALSH. Mr. Speaker, I desire to present a report on the matter now before the House.

The SPEAKER. The gentleman will proceed to do so.

Mr. BROWNE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BROWNE. I rise to a question of information. When these reports are presented, how long a time will be allowed for discussion—one hour?

Mr. WALSH. There is no recommendation in the report.

The SPEAKER. If any motion is made, the gentleman who makes the motion will be entitled to an hour under the rules of the House.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is it in order now to move to proceed to call up a conference report? And if a conference report should be called up now and disposed of, would the gentleman from Massachusetts at the end of the conference report be entitled to the floor on this matter?

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH], it seems to the Chair, is clearly entitled to read his report.

Mr. MANN. I am not raising that question. The rules provide that a conference report can take a man off his feet in debate. I think a conference report could have taken the gentleman from Kentucky off his feet while he was reading the report; but I make the parliamentary inquiry.

The SPEAKER. The Chair thinks that construing the rule strictly that would be the case.

Mr. MANN. If a conference report should be taken up now, after it is disposed of will the gentleman from Massachusetts [Mr. WALSH] then have the right to the floor on this matter?

The SPEAKER. The Chair will recognize him; yes.

Mr. MANN. If the gentleman from Massachusetts [Mr. WALSH] will yield to me, I should like to make this suggestion——

Mr. WALSH. I will yield to the gentleman from Illinois.

Mr. MANN. Under the ruling of the Chair the gentleman from Massachusetts will be entitled to the floor after the disposition of conference reports. Now it is 4 o'clock in the afternoon. Bills have to be enrolled. We have conference reports pending on the Military Academy bill, the Diplomatic and Consular bill, the Indian appropriation bill, and after these reports are disposed of there is the wheat bill. There are a couple of House private pension bills with Senate amendments and Senate private pension bills, and after all of these things we still have the general deficiency bill to dispose of.

Mr. GARNER. Let me suggest to the gentleman that there are two or three little resolutions from the Committee on Accounts that ought to be acted upon. For instance, there is one reimbursing the gentleman from Louisiana [Mr. LAZARO], who paid money out of his own pocket, that ought to be passed before we adjourn.

Mr. MANN. Those will be taken care of, undoubtedly.

Mr. GARNER. I hope the gentleman will keep that in mind, so these things will not be clogged up.

Mr. MANN. I am trying to prevent their being clogged up. It seems to me we ought to dispose of these conference reports that are ready. That will not deprive the gentleman of his opportunity, and perhaps he will yield until something else is disposed of without losing his rights.

Mr. FERRIS. Mr. Speaker, a parliamentary inquiry. Here are these long reports, pages and pages, taking hours to read and making no recommendation. Why could not those reports be printed in the RECORD without reading?

The SPEAKER. Because the resolution appointing that committee had a peculiar tail to it, and that was that it could report at any time, and the report from the floor carries with it the right to read the report.

Mr. HEFLIN. Mr. Speaker, I make a point of order. The gentleman from Massachusetts as an individual offered a minority report. How did he get the floor?

The SPEAKER. The gentleman from Massachusetts has as much right to read his report as the gentleman from Kentucky had to read his report. [Applause.]

Mr. FLOOD. Mr. Speaker, I understand that the gentleman from Massachusetts is willing to yield for the purpose of taking up conference reports.

Mr. MANN. The gentleman can take the gentleman from Massachusetts off the floor for a conference report.

Mr. WALSH. Mr. Speaker, I am willing to yield until all these conference reports are disposed of, with the understanding that when they are disposed of I am entitled to recognition. But if I am to give way, I want the Speaker to recognize some one who has a conference report.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL—CONFERENCE REPORT (NO. 1165).

Mr. FLOOD. Mr. Speaker, I call up conference report on the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

Mr. DENT. Mr. Speaker, reserving the right to object, I understood that the Speaker would recognize me to call up the conference report on the Military Academy bill.

The SPEAKER. The gentleman from Virginia has called up the Diplomatic and Consular appropriation bill, and the Chair will recognize the gentleman from Alabama in plenty of time to get his conference report through.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 16, 18, 19, 20, 22, 25, 26, and 30.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15, 17, 23, 27, 28, and 29, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "including such loss on bills of exchange to officers of the United States Court for China"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$50,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "not exceeding $50,000 of the"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"INTERNATIONAL COMMISSION ON PUBLIC AND PRIVATE INTERNATIONAL LAW.

"The unexpended balance of the appropriation of $15,000 for the payment of compensation to and the necessary expenses of the representative or representatives of the United States on the International Commission of Jurists, organized under the convention signed at the Third International American Conference August 23, 1906, approved by the Senate February 3, 1908, and ratified by the President February 8, 1908, for the purpose of preparing drafts of codes of public and private international law; and for the payment of the quota of the United States of the expenses incident to the preparation of such drafts, including the compensation of experts under article 4 of the convention, made in the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, is hereby made available for the fiscal year 1920."

And the Senate agree to the same.

H. D. FLOOD,
J. CHAS. LINTHICUM,
HENRY ALLEN COOPER,
Managers on the part of the House.

LEE S. OVERMAN,
JOHN F. SHAFROTH,
CHARLES CURTIS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On amendments Nos. 1, 2, 5, and 6: Appropriate $17,500 per annum for the ambassador to Peru, as proposed by the Senate, instead of $10,000, as proposed by the House.

On amendment No. 3: Provides an envoy extraordinary and minister plenipotentiary at $12,000 per annum each from March 1, 1919, to June 30, 1920, both dates inclusive, for Czecho-Slovakia and Poland, as proposed by the Senate.

On amendment No. 4: Provides an envoy extraordinary and minister plenipotentiary at $10,000 each from March 1, 1919, to June 30, 1919, both dates inclusive, for Bulgaria and Serbia, as proposed by the Senate.

On amendment No. 7: Make a total correspond to the preceding change.

On amendment No. 8: Appropriates $289,458.33 for salaries of secretaries in the Diplomatic Service, as proposed by the Senate, instead of $269,125, as proposed by the House.

On amendment No. 9: Corrects a total according to a previous change in the bill.

On amendment No. 10: Authorizes certain persons formerly connected with the American Embassy at Berlin to accept pieces of plate presented to them by the British Government.

On amendment No. 11: Authorizes the officers of the United States Court for China to share in the appropriations for loss on bills of exchange to and from embassies and legations, as proposed by the Senate.

On amendment No. 12: Appropriates $1,310,000, of which sum $10,000 shall be immediately available, for contingent expenses of foreign missions, as proposed by the Senate, instead of $1,300,000, as proposed by the House.

On amendment No. 13: Appropriates $700,000 for emergencies arising in the Diplomatic and Consular Service, as proposed by the House, instead of $600,000, as proposed by the Senate.

On amendment No. 14: Appropriates $50,000 for the International Boundary Commission, United States and Mexico, instead of $62,700, as proposed by the House, and $20,000, as proposed by the Senate.

On amendment No. 15: Strikes out the appropriation for the International Prison Commission, as proposed by the Senate.

On amendment No. 16: Restores to the bill the appropriation for the International Commission on Annual Tables of Constants, etc., proposed to be stricken out by the Senate.

On amendment No. 17: Strikes out the appropriation for the Bureau of Interparliamentary Union for Promotion of International Arbitration, as proposed by the Senate.

On amendments Nos. 18 and 19: Restore to the bill certain appropriations for International Institute of Agriculture proposed to be stricken out by the Senate.

On amendment No. 20: Restores to the bill the appropriation of $25,000 for the International High Commission proposed to be stricken out by the Senate.

On amendment No. 21: Makes $50,000 of a former appropriation available for the fifth international conference of American States instead of $25,000, as proposed by the Senate.

On amendment No. 22: Restores to the bill the appropriation of $1,500 for the International Geodetic Association for the measurement of the earth proposed to be stricken out by the Senate.

On amendment No. 23: Strikes out of the bill the provision making certain unexpended balances available for the fiscal year 1920 for the nineteenth conference Interparliamentary Union, as proposed by the Senate.

On amendment No. 24: Restores to the bill, with certain verbal changes, the provision for the International Commission on Public and Private International Law, making certain unexpended balances available for the fiscal year 1920, proposed to be striken out by the Senate.

On amendments Nos. 25 and 26: Appropriates $1,974,500 for salaries of the Consular Service, as proposed by the House, instead of $1,849,500, as proposed by the Senate.

On amendment No. 27: Appropriates $5,500 to Mrs. Natalie Summers, widow of Madden Summers, late consul general to Moscow, said sum being one year's salary of her husband, who died at his post of duty.

On amendment No. 28: Strikes out of the bill a certain limitation on the appropriation for post allowances to consular and diplomatic officers, as proposed by the Senate.

On amendment No. 29: Appropriates $600,000 for post allowances to consular and diplomatic officers, as proposed by the Senate, instead of $700,000, as proposed by the House.

On amendment No. 30: Appropriates $1,200,000, as proposed by the House, for allowance for clerk hire at United

States consulates, instead of $1,000,000, as proposed by the Senate.

H. D. FLOOD,
J. CHAS. LINTHICUM,
HENRY ALLEN COOPER,
Managers on the part of the House.

Mr. FLOOD. Mr. Speaker, I send to the Clerk's desk a letter from the Acting Secretary of State in reference to questions asked in the House about Mr. Hale, American minister to Costa Rica, not being at his post of duty, but being in this country.

The Clerk read as follows:

FEBRUARY 21, 1919.

Hon. HENRY D. FLOOD,
House of Representatives.

MY DEAR MR. FLOOD: In response to your request for a statement in explanation of the reasons for the presence in the United States, under salary, of Mr. E. J. Hale, our minister to Costa Rica, I take pleasure in communicating to you the facts as follows:

Mr. Hale reported in December, 1916, that inasmuch as during his three years and a half of service he had been absent from his post in Costa Rica but 70 days, 10 days of which absence was on account of illness, he felt the need of a vacation and asked for leave of absence of 60 days. His request was immediately granted, but he was not able to leave until April, 1917, because of having to await the arrival of a secretary of legation to relieve him. He arrived in the United States on April 27, 1917.

In January, 1917, before Mr. Hale's departure, Gen. Federico Tinoco, who was then the minister of war of Costa Rica, obtained for himself the support of the army of Costa Rica, and at a time when there was still about a year and a half for the term of the President of Costa Rica to run, he forced the President to leave the country through a treasonable coup d'état. The Government established by a revolt and by force in place of the constitutional government could not be recognized by the United States, and it was felt that the return of Mr. Hale to his post at the expiration of his leave of absence would indicate an intention on the part of the United States to recognize the Tinoco government. On the other hand, it was not known how long the Tinoco government would continue or when a government might be established which could be considered by the United States as entitled to recognition, but it was thought that this possibility might develop at any time. In any event the post of minister to Costa Rica could not well be vacated without carrying the implication that the United States had severed all friendly relations with the people of Costa Rica, whose confidence and good will it was most important to retain. Hence it seemed obvious that the course to pursue was to detain Mr. Hale in the United States temporarily and utilize his services in an advisory and consultative capacity from time to time in relation to the developments of affairs in Costa Rica. Therefore, on June 19, 1917, the Secretary of State instructed Mr. Hale as follows:

"By authority of the President you are hereby ordered to remain in the United States until otherwise directed for the purpose of conferring with the department on matters pertaining to your official mission."

The elections for President as provided by the constitution of Costa Rica, which was in existence at the time of the coup d'état, have never been held. Acting through the control which he exercised over the agencies of government and through the army, Tinoco placed his brother in office as secretary of war in charge of the army and called a general election to adopt a new constitution, under which a so-called election was held, by which he now claims title to the office of President. In this election it is understood that Tinoco did not see fit to allow anyone else to stand as a candidate but himself. Therefore, it has not yet been feasible for the United States to recognize a government in Costa Rica and to direct the minister to resume his residence in San Jose.

Besides serving, by his absence from his post, the diplomatic purpose described, Mr. Hale has been in Washington on a number of occasions, and at various times has been in correspondence with the department in regard to the situation in Costa Rica. It should also not be overlooked that Mr. Hale during the period of his enforced absence from his post has been required to hold himself in readiness to return to Costa Rica at any time, and therefore has not been free to engage in any other pursuit.

In regard to the legality of the payment of salary to Mr. Hale during his absence from Costa Rica, under orders, it may be said that there is no law which forbids the President to order a diplomatic representative abroad to come to the United States for conference or to absent himself from his post for purposes connected with his official duty, and it has long been the practice of the Government to pay the salary of officials when so absent from their posts. On various occasions it has been held by the Comptroller of the Treasury that the payment of salary of officials absent from their posts under orders and in the performance of their duty should be continued and, in a decision of May 18, 1908, after referring to section 1742, to the effect that no diplomatic or consular officer should receive salary for the time during which he may be absent from his post, by leave or otherwise, beyond the term of 60 days in any one year, stated that—

"It is not clear that Congress intended thereby to deprive a consul of his salary in case he is ordered by the Secretary of State, acting for the President, to transact some important and necessary consular duties at a place which required his physical absence from his post. * * * The right of a consular officer to be absent from his post on official business, under orders from the Secretary of State, is recognized impliedly by Congress in the act of February 22, 1907, where provision is made to meet the cost of transportation of 'consular officers in going to and returning from their posts, or when traveling under the orders of the Secretary of State.' * * * I am of the opinion that in case a consular officer is ordered to come to this country, under proper authority of the Department of State, to perform duties in connection with his office for a limited period, and in pursuance to such orders actually performs and discharges duties for which he is appointed, though physically absent from his post, is still holding such office, and while so discharging the duties thereof is entitled to receive the salary provided by law." (14 Comp. Dec. 791.)

This decision is applicable both to diplomatic and consular officers.

It is considered that, so far as relates to payment of salary, the absence of Mr. Hale from his post was an absence within the meaning of the law as construed by this decision of the Comptroller, and that Mr. Hale's absence and receipt of salary during that absence differed in no way from many similar cases except in the length of his stay in this country, which, as has been explained, was due to conditions in Costa Rica of a delicate as well as unique character, calling for the exercise of the utmost discretion and courage for the purpose of retaining friendly relations with the people of the country and yet making it manifest to the world that the United States is not in sympathy with governments imposed upon people by force.

Hoping that you may find in the foregoing a satisfactory explanation of the incident described, I am, my dear Mr. FLOOD,

Very sincerely, yours,

(Signed) FRANK L. POLK,
Acting Secretary of State.

Mr. FLOOD. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr ROGERS. Mr. Speaker, in the latter part of January I charged in this House that Mr. Hale, our minister to Costa Rica, had come to the United States in April, 1917; that he had remained at his home in North Carolina from April, 1917, until the present moment; that he had been drawing his salary at the rate of $10,000 a year during the intervening period of almost two years; and that he had performed no diplomatic functions at any time during those two years.

I have listened with interest to the letter of the Acting Secretary of State. I think it may be well to read to the House also the statute which is referred to in the letter of the Acting Secretary, and which reads in part as follows:

Revised Statutes, section 1742. No diplomatic or consular officer shall receive salary for the time during which he may be absent from his post by leave or otherwise beyond the term of 60 days in any one year.

For the time during which he may be absent from his post by leave or otherwise.

The only way by which the Comptroller of the Treasury is able to say that this man has been within the terms of the law so as to make it proper to pay him during these two years is by saying that he has been performing diplomatic functions during the period. That is a question of fact, and on that the letter of the Secretary of State and the statement of the Comptroller of the Treasury do not help us at all. I will give you the facts. I challenge the gentleman from Virginia, I challenge any member of the North Carolina delegation, who rushed to the defense of this gentleman when I was making my observations the other day, to say what diplomatic function of any kind, large or small, Minister Hale has performed during the past two years. The man is still on the pay roll. If the condition exists which is dealt with in Secretary Polk's letter he is likely to continue on the pay roll for two years more to come, or until Tinoco is recognized, which may be far in the future. If there should be a Democratic President in the White House for four years after that he would be likely to continue on the pay roll for six years to come.

Is there no end to this practice of paying a minister $10,000 a year for doing absolutely nothing? Because, gentlemen, I assert with confidence that this man has discharged no duty whatever. He may have been in Washington once or twice or more; he may have had a letter or two on diplomatic matters while at his home in North Carolina, and have replied; but he has done nothing; he has performed no real services, for which he is being compensated. I assert this not on my own authority, but on the authority of Assistant Secretary of State Phillips, who told me within a week that as far as he knew this man had performed no actual service during the period of his sojourn, with pay and without work, in North Carolina.

Mr. LONGWORTH. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. LONGWORTH. As a matter of fact, as construed by the department, the law is absolutely a dead letter.

Mr. ROGERS. Absolutely a dead letter, and if something is not done by Congress the practice is likely to continue indefinitely. If the practice is permitted in this case, it will be used as a precedent by an ambassador who wants to take a long vacation in the United States. Or a minister will come home from Persia, Belgium, or Holland who wants a little longer rest cure at home. The State Department will write him a letter or two from time to time asking his advice; he will reply, "Yours of such an instant received, and I would say," and so forth; and he will be paid $10,000 or $12,000 or $17,500 a year for doing that and no more. This is a most dangerous precedent. Now is the time to give it its quietus.

The SPEAKER. The time of the gentleman has expired.

Mr. GORDON. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. GORDON. How long has the gentleman known about this man drawing his pay and performing no service?

Mr. ROGERS. The first time I heard of it was about Christmas, 1918.

Mr. GORDON. Why did not the gentleman impeach him?

Mr. ROGERS. The gentleman surely does not ask that question seriously, does he?

Mr. GORDON. I do.

Mr. ROGERS. I brought the matter to the attention of the House in January at the first moment at which I had opportunity. I laid it very fully before the House; yet six weeks have elapsed since that time, and this man is still on the pay roll. His presence on the salary list is even condoned by the Secretary of State. It is scarcely the duty of a Republican Representative to suggest to a Democratic administration what the remedy should be for a violation of law.

Mr. GORDON. What action did the gentleman suggest that the House take in the premises?

Mr. ROGERS. I suggest the exact action that the chairman of the committee, Mr. FLOOD, suggested should be taken. I brought this question to the attention of the House on January 22. Mr. LONGWORTH said in the course of the debate, after reciting what he had just learned at the Department of State—

That disposes of the question of fact, and if the law is as stated by the gentleman from Virginia [Mr. FLOOD]—

Who had recited the provisions of section 1742 of the Revised Statutes, which I have read—

that the salary would not continue for more than 60 days after the minister or diplomatic officer absents himself from the position, then it is a clear violation of the law.

Mr. FLOOD. Absolutely, and the gentlemen who are responsible for it should be exposed and proceeded against.

Mr. Speaker, I welcomed that statement from the gentleman from Virginia, although I had not at that time myself cared to make the positive assertion that there had been a violation of the law.

I think the House assumed, and I think we had the right to assume, that the condition would instantly be corrected by the Department of State. Yet within a day or two—five or six weeks have elapsed since that time—a letter comes from the State Department, which has just been read from the Clerk's desk, in which an attempt is made to say that the law has been complied with. As I say, the man is still on the pay roll of the United States. I question whether any man, after listening to the reading of the statute and of that letter, would say that there was a fair and aboveboard compliance with the intent of Congress as expressed in the clear and unequivocal words of the statute.

I should like to go into the question concerning the recognition of the Tinoco government. I should like to call the attention of the House to the fact that within a few days a subcommittee of the Senate Committee on Foreign Relations, made up of a majority of Democrats, has reported to the full committee that, in its judgment, Tinoco ought to be recognized; but that is beside the point. It is an important point, I think, but it is not the point that I sought to make. My single, sole, narrow point, which I want to emphasize to the House, is the shocking revelation admitted by the State Department that a minister of the United States can be paid two full years' salary without doing, I charge, a stroke of work. Mr. Speaker, that may be Democratic economy, but it savors very much to me of looting from the Treasury. I hope that as a result of this discussion to-day some action may be taken which will clear the State Department of this infamy. [Applause.]

Mr. FLOOD. Mr. Speaker, I do not think the gentleman from Massachusetts [Mr. ROGERS] contemplates that any action will be taken as the result of this discussion, because he has proposed none. The statement of facts that he has made would not justify any action if he did propose it. The case of Minister Hale does not come within the purview of section 1742 of the Revised Statutes, and it was so held by the Comptroller of the Treasury during President Roosevelt's last administration. Mr. Hale was kept in this country by order of the President to perform duties in connection with his office, and has actually been discharging those duties. But the gentleman from Massachusetts [Mr. ROGERS] says he has not performed any of his official duties since he has been in this country. This seems to be the whole of the issue between us. The gentleman [Mr. ROGERS] says that the Assistant Secretary of State, Mr. Phillips, stated to him that Maj. Hale has done no work during these two years. Against the statement of the Assistant Secretary of State I place the statement of the Acting Secretary of State, who I should think on a matter of this kind had more accurate information than his assistant, and who has sent to this House over his signature a statement that Maj. Hale had been rendering to the State Department services in connection with his office and with the Costa Rican situation. He has been in Washington to confer with the President and the State Department whenever he was needed. He has been in communication with and advised the State Department in reference to the situation in Costa Rica whenever advice was sought or wanted. He was performing the duties of minister to Costa Rica in the way the President desired him to perform them, and I place the statement of the highest official we have in the State Department against the statement of his assistant as to the duties performed by Maj. Hale.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. LONGWORTH. I think it is true, as I understood the reading of the letter, that he has rendered service, but there is no statement that he is rendering it now or has been within the past year.

Mr. FLOOD. He is rendering it now just as he has within the past year.

Mr. LONGWORTH. Where and how?

Mr. FLOOD. He is at present at his home in North Carolina. He has a home in Costa Rica and is paying rent for it. He has it furnished, and he has his servants there keeping it ready for his return. He is kept in North Carolina by the order of the President, ready to go to Costa Rica on a day's notice, and certainly no one can criticize him for performing the duties of his office where the President orders him to perform them and for accepting the salary which he is entitled to for the discharge of those duties.

Mr. STAFFORD. As I understand the situation in Costa Rica, diplomatically, so far as our Government is concerned, since Mr. Hale has come to this country our interests there have been represented by a chargé d'affaires. Is that the fact?

Mr. FLOOD. I do not think by a chargé d'affaires. We have no such officer there.

Mr. ROGERS. There was until a few months ago, but there is none now.

Mr. FLOOD. He left there some time ago.

Mr. STAFFORD. If our Government maintains relations by having a chargé d'affaires look after its diplomatic relations, why was not Mr. Hale sent there as principal to look after those relations?

Mr. FLOOD. The President has refused to recognize the revolutionary government in Costa Rica, and after Maj. Hale came back on leave of absence the Government thought it would be a recognition of the revolutionary government to send a minister to Costa Rica back at that time.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. MADDEN. If we have refused to recognize the Government of Costa Rica, how can we have diplomatic relations with it and what do we need with a minister?

Mr. FLOOD. We will send the minister back there as soon as relations are such that we can recognize the government. The gentleman knows that that has been the policy of this administration. He knows that Mr. Fletcher, our ambassador to Mexico, was kept here for months and months under similar circumstances to those under which Maj. Hale is kept here, the only difference being that Maj. Hale is a Democrat and Mr. Fletcher happened to be a Republican.

Mr. ROGERS. The difference was that Mr. Fletcher was actually in the State Department performing diplomatic services.

Mr. FLOOD. He performed the same service to the State Department in reference to Mexico that Maj. Hale has performed in reference to Costa Rica. He preferred to live in Washington, as he was a bachelor, to going home, whereas Maj. Hale went home to be called upon when his services were needed.

Mr. LONGWORTH. Does the gentleman assert that Mr. Fletcher is a bachelor?

Mr. FLOOD. When the State Department wanted information in reference to Costa Rica, Maj. Hale would come to Washington and give that information. If occasion arose, and the State Department needed information in regard to Mexico, Mr. Fletcher gave it, but he preferred to be in Washington and Maj. Hale preferred to wait in North Carolina.

Mr. LONGWORTH. Does the gentleman assert that Mr. Fletcher is a bachelor?

Mr. FLOOD. That was my understanding.

Mr. LONGWORTH. Well, I happen to know Mrs. Fletcher, and she is a very charming lady.

Mr. FLOOD. Well, on a subject of that kind I yield to the superior knowledge of the gentleman from Ohio. At any rate he preferred to live in Washington.

Mr. MADDEN. Mr. Speaker, I wish the gentleman would yield to me to ask him a question.

Mr. FLOOD. I yield to the gentleman.

Mr. MADDEN. Now, I wish to ask the gentleman from Virginia, if we have no diplomatic relations with the Government of Costa Rica, what diplomatic function can a minister to Costa Rica living in America perform?

Mr. FLOOD. The President has not recognized the existing Government of Costa Rica. Our minister happened to be in this country, and the President preferred that he should not go back to Costa Rica, believing that would constitute a recognition of the Tinoco government. He has never recognized that government, but our relations with the people of Costa Rica are mostly friendly, and the minister is now here as an American minister to Costa Rica to go back there as soon as the conditions are such that we can recognize the Government of Costa Rica. At the present time we have no diplomatic relations with Costa Rica because our minister is here, and we are not recognizing the existing government in Costa Rica. But the minister is advising the executive department of the country as to affairs in Costa Rica, which he is capable of doing, because he has been there for some time and is an experienced diplomat and is familiar with the conditions.

Mr. ROGERS. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. ROGERS. I simply want to ask the gentleman whether there is still a minister from Costa Rica accredited to the United States but lingering in Costa Rica?

Mr. FLOOD. I do not know whether he is in Costa Rica or not.

Mr. ROGERS. For a long time there has been no representative of Costa Rica in Washington. I wanted to ask whether there was a representative to the United States from Costa Rica now in Costa Rica?

Mr. FLOOD. I do not know.

Mr. ROGERS. The fact is that there is not, so that I think the point of the gentleman would scarcely be well taken.

Mr. FLOOD. We are not controlled or influenced by what the Tinoco government in Costa Rica does, but our Government has taken this position in relation to revolutionary governments in Central and South America. We had exactly the same case in Mexico. When we did not recognize the Carranza government in Mexico, Mr. Fletcher stayed here in this country and drew his salary, just as Maj. Hale is drawing his now. I want to say that Maj. Hale—I do not know him; the North Carolina gentlemen know him well—has been at great expense by reason of having to keep up a home in Costa Rica and a home here. He was ordered to stay here by the President. The order reads:

By authority of the President, you are hereby ordered to remain in the United States until otherwise directed for the purpose of conferring with the department on matters pertaining to your official mission.

He has been here all of that time under that order, conferring with the department about matters pertaining to his mission whenever there was any necessity for the department getting information in reference to Costa Rican affairs. Surely he should be free from criticism. [Applause.]

Mr. POU. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. POU. I know it to be a fact that Major Hale has kept himself in readiness to go to Costa Rica at any moment it became necessary to do so, and that he has not undertaken any other business because of that uncertainty. I have a statement from him to that effect.

Mr. ROGERS. The fact that he is 80 years old, perhaps, makes him less unwilling to refrain from entering business.

Mr. POU. I do not think it is becoming to the gentleman to allude to that fact; I do not think that is becoming to the gentleman to allude to that fact, when this gentleman is hale and hearty and able to attend to his duties, to have it thrown in his face that he is 80 years old, if he is able to attend to his duties, as he is. He is as vigorous, I will say, as the gentleman from Massachusetts.

Mr. STAFFORD. Then he is a wonder.

Mr. FLOOD. It seems to me, Mr. Speaker, that certainly acquits Maj. Hale of any act that could justly be criticized, and it certainly relieves him of any criticism which these gentlemen seek to make upon him.

Now, as to the right of the executive department to pay these diplomatic and consular officers after the 60 days have expired in violation, as the gentleman from Massachusetts says, of section 1742 of the Revised Statutes, I thought, as the gentleman did, until I learned that Minister Hale had rendered services to the State Department, and, until I learned that, that very matter had been considered and passed upon by the Comptroller of the Treasury as the gentleman thought. But that ruling has been made and followed ever since. So that when a diplomatic or consular officer has been in this country rendering service in connection with his mission or consulate, section 1742 does not apply, and the official is entitled to his salary. And by reason of that ruling of the Comptroller of the Treasury in the Roosevelt administration, the Acting Secretary of State says in this letter that there is no law preventing Maj. Hale from receiving his salary.

So it seems to me, Mr. Speaker, that there is no ground for criticism of the administration or of the State Department. Precedent has been followed and no law violated. The gentleman may have one view with reference to the Tonico government, and the administration another. As for me, I am going to stand by the administration with reference to that government and every other revolutionary government that is set up in Central or South America. [Applause.]

Mr. McKINLEY. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. McKINLEY. Is it not a fact that Minister Hale recommended to this administration that it recognize Tonico?

Mr. FLOOD. I am not prepared to answer that question.

Mr. MANN. Mr. Speaker, will the gentleman yield to me 5 or 10 minutes?

Mr. FLOOD. Yes.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 10 minutes.

Mr. MANN. Mr. Speaker, the law already quoted by the gentleman from Massachusetts [Mr. ROGERS] reads as follows:

No diplomatic or consular officer shall receive salary for the time during which he may be absent from his post by leave or otherwise beyond the term of 60 days in any one year, but a time equal to that usually occupied in going to or from the United States in case of return on leave of such diplomatic officer to the United States may be allowed in addition to such 60 days.

Where is the post of a diplomatic officer? This diplomatic officer is an envoy extraordinary and minister plenipotentiary to Costa Rica, provided for along with a list of others. The statute says that he may be allowed his salary while absent for 60 days in a year and for an additional absence equal to the time necessary to go from the United States to his post, or, if he has leave, to come from his post to the United States. It is just as plain as black ink is on white paper, and if the Comptroller of the Treasury or the Secretary of State or any other official has construed that language to mean that when a man is appointed as a diplomatic officer he can draw his pay anywhere he pleases to stay, regardless of his going to the place to which he is appointed, the man who made such a ruling ought to be discharged from any official duties under the Government.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. MANN. I will for a very brief one.

Mr. BLANTON. Where diplomatic relations are withdrawn between the United States and a foreign country because of war or trouble and the diplomatic representative is commanded by this Government to remain in a certain place and give certain information to the Government, does not that command place him at a post of duty wherever the Government commands him to stay?

Mr. MANN. Certainly not.

Mr. BLANTON. Then his post of duty ceases?

Mr. MANN. I am not talking about his post of duty. I am talking about his post. That is a location. It is expressly so provided by the statute. It may be that we ought to pay the man. I do not undertake to say that. But the law says he shall not be paid. It is just an utter disregard of the law, such as very frequently happens with administrative officers.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. FLOOD. The gentleman is aware of the fact that 11 years ago the Comptroller of the Treasury decided in a similar case that the officer was entitled to his pay.

Mr. MANN. I was not aware of it, but I take the gentleman's statement.

Mr. FLOOD. I have it here.

Mr. MANN. I take the gentleman's statement. That is the reason why I said that the comptroller who made such a decision ought not to occupy any place with the Government. It is another violation of the words of the statute and the letter and the meaning of the statute.

Mr. LONGWORTH. I call the gentleman's attention to the fact that that only provided in the cases of consuls who were temporarily absent from their posts abroad, and that even under the decision, as the gentleman read it, it might be valuable to the department that they be temporarily absent from their posts abroad, not in this country at all.

Mr. MANN. The fact is, Mr. Speaker, they have got, up in these administrative offices, so in the habit of disregarding the law and acting as they wish of their own will that they do not know what the statutes are and care less. [Applause.] And I do not think it is confined wholly to the Democratic administration, either.

Mr. FLOOD. No. That was under a Republican administration, and the gentleman from Ohio is in error in saying that they were officers in this country.

Mr. LONGWORTH. I may be.

Mr. MANN. However, Mr. Speaker, I rose to discuss another matter. I do not know whether I have time enough left or not.

Mr. FLOOD. I will yield to the gentleman more time.

Mr. MANN. One of the items in this bill as it passed the House was "Bureau of Interparliamentary Union for Promotion of International Arbitration."

That is the heading, and it reads:

For the contribution of the United States toward the maintenance of the Interparliamentary Union for the Promotion of International Arbitration at Brussels, Belgium, $2,000.

The Senate struck out the item and the conferees have left it out.

Mr. Speaker, in passing I want to make a remark. I have not read carefully, and I do not desire to express any opinion as to the terms in the proposed league of nations' treaty, if that is what it is. I want to say this: There seems to me to be quite a tendency on the part of many of my fellow Republicans not only to criticize severely the President of the United States for his part in reference to a league of nations, but to criticize the idea that the United States shall enter into any arrangement which may tend to prevent war in the future.

We come out of this war owing many billions of dollars. We will leave that heritage to our children, very likely to our children's children and perhaps a generation further on. If the only heritage which this generation gives to those who come after it is an indebtedness of billions of dollars for them to pay at least the interest on, and part of the principal, without at the end of the war doing something to prevent future wars, we will not in the future receive the blessing of mankind, but its condemnation. [Applause.]

Mr. BAER. The gentleman confines his criticism to the Republicans; but I want to say that among the Members in another body and in this body I hear as much criticism by one side of the House as the other.

Mr. MANN. I am not undertaking to criticize any gentleman who has spoken upon this subject. I am only saying that in my judgment it is desirable, and I think essential, that something shall come out of the war which may tend to prevent future wars, and not merely leave us as the result of the war almost hopelessly in debt. [Applause.]

Mr. FLOOD. I move the previous question on the adoption of the conference report.

The previous question was ordered.

The conference report was agreed to.

On motion of Mr. FLOOD, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

ENTRIES OF PUBLIC LANDS.

Mr. TAYLOR of Colorado. Mr. Speaker, I submit a conference report on the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes; and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman presents a conference report on S. 3797 and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. MANN. Reserving the right to object, how long is the report?

Mr. TAYLOR of Colorado. The report is very short.

Mr. STAFFORD. Under the reservation of the objection, may I inquire if there are any new claims added to the bill as it passed the House?

Mr. TAYLOR of Colorado. No.

Mr. STAFFORD. The conference report merely passes upon House amendments to the Senate bill.

Mr. TAYLOR of Colorado. There are only two amendments, one of them very unimportant, and the other to one item.

Mr. MADDEN. I insist on the report being read.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report, as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32.

That the House recede from its amendment numbered 19, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"*Provided*, That the issuance of patent shall not release the Milwaukee Lumber Co. from its obligations to pay the value of the timber cut from this land, with a reservation in the Government of the United States of an easement across said land for roadway or other purposes which the interests of the United States may require."

And the House agree to the same.

Amendment numbered 12: That the Senate recede from its disagreement to the amendment of the House numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized to allow George E. Windecker to make homestead application for the east half, section 21, township 34 north, range 14 east, Montana meridian, in the State of Montana, subject to reconveyance of the said land to the United States by said George E. Windecker."

And the House agree to the same.

SCOTT FERRIS,
EDWARD T. TAYLOR,
WILLIAM L. LA FOLLETTE,
Managers on the part of the House.

H. L. MYERS,
JOSEPH E. RANSDELL,
REED SMOOT,
Managers on the part of the Senate.

Mr. KELLY of Pennsylvania. Mr. Speaker, this conference report should be defeated. Its passage will mean that Congress proposes to barter away the property of the people of the United States.

I maintain that the people should keep and develop this property themselves instead of turning it over to rapacious private interests to be used in further exploitation of the public.

There are billions of dollars represented in these vast deposits of oil, gas, coal, potassium, and other valuable products covered in this bill. The Government of the United States owns the land and has the finances and the facilities to develop the agricultural lands, the forest lands, the water power, and all the wealth underground.

Is it possible that Congress shall now say to the people of this country, pinched by high prices for fuel, power, and so forth, "We intend to take the public domain, with all its coal and gas and oil, and distribute it among the interests which will raise the prices still higher"?

Mr. Speaker, there are vitally important uses to which these public lands may be put to-day which did not obtain a few years ago. The victorious veterans of the world's war are returning from Europe, after deeds which outshone those of the period when knighthood was in flower.

Many thousands of them, after months spent in the great outdoors, are anxious to secure homes and farm lands and opportunities for life in the open. I have received many letters from city-bred youths who say that they will never go back to the shops and mills again. They want to become producers from the earth, working under the open sky.

Are we to meet their worthy desire with the statement that after a 10 years' fight to prevent the alienation of public property we at last surrendered just as the boys in khaki were coming to claim their own?

Some time ago I introduced a measure providing for a public construction service which should offer opportunities to the soldiers, sailors, and marines and workers in war industries to secure immediate constructive employment upon the public domain. My plan was to organize bodies of workers who should prepare these lands for the establishment of agricultural, forest, and mining communities. They would receive wages while doing the work and would then have a chance to secure permanent homes on the very lands they had prepared.

The organization of these communities would mean possession of all those advantages the lack of which has caused the ceaseless drift from country to city. The plan would include the advancement, on long-time loans, of sufficient funds to assure success, and would thus offer an opportunity to everyone who desired it, whether he had money in large amount or not.

Hearings were held on this bill before the House Committee on Labor. Assistant Secretary of Labor Post appeared in behalf of it and strongly urged favorable action. Representatives

of farm organizations and the American Federation of Labor expressed themselves most favorably upon its principles.

Patriotic Americans everywhere have urged that some such action be taken at once. The "farms for soldiers" movement is gaining strength everywhere as the steps taken by other nations are understood.

Canada proposes to give a farm to every soldier who desires it, and if there are not enough Government lands to expropriate idle private lands and turn them over to the soldiers and sailors, to be paid for on an amortization plan. For the working of these farms $1,500 is provided for stock and equipment, with no interest for the first two years and 5 per cent thereafter.

New Zealand, England, France, Italy, and other allies of ours in the great war are busy planning such opportunities for the returned soldiers.

Now, in the face of this splendid possibility to extend opportunities for permanent homes to those who carried the Stars and Stripes in the fighting line, we are confronted with this conference report on a so-called leasing bill, which in reality means new privileges to great combinations of capital.

For instance, E. J. Justice, special assistant to the Attorney General, said in a memorandum to the Attorney General dated April 18, 1916:

> From 66⅔ to 75 per cent of all the lands referred to above as having been reported on adversely are controlled by a few large interests. Among them are the Chanslor-Canfield Midway Oil Co., the operating company of the Sante Fe Railroad Co., and the Standard Oil.

The Attorney General, writing to the chairman of the House Committee on Public Lands, January 15, 1916, said:

> Many powerful oil companies are interested in the multitude of claims set up to withdraw land.

The Secretary of the Navy, in a letter dated January 16, 1916, to the chairman of the Senate Committee on Naval Affairs, said:

> The following are the companies operating in the naval petroleum reserves who will be benefited:
>
> | | |
> |---|---|
> | Associated Oil Co., capital stock | $40,000,000 |
> | General Petroleum Co., capital stock | 50,000,000 |
> | Standard Oil Co., capital stock | 100,000,000 |
> | Union Oil Co., capital stock | 50,000,000 |
>
> And nine other companies of large capitalization.

Mr. Speaker, in view of the fact that in time of war we were forced to authorize the President to seize and operate private wells and mines, thus condemning the inefficiency of uncontrolled private ownership and operation, I do not believe we should now turn over the public resources to the companies named above and others like them.

The evils of absolute private ownership of mineral fuels, sources of power, and so forth, have been proved beyond question.

It is well known that the labor situation in the mining industry is becoming constantly more serious. No one knows this better than the mine operators themselves. One of the biggest operators in the United States, Mr. Francis S. Peabody, of Illinois, chairman of the committee on coal production of the Council of National Defense, in testifying regarding this bill before the Senate Public Lands Committee, June 13, 1917, spoke about labor and other conditions in the coal-mining industry as follows:

> * * * We have the cheapest production of coal in the world * * * and have had for years and years, and have used it like drunken men. We have wasted our substance by taking the nearest coal because we could produce it cheapest. We have had no thought of conservation of life. We kill three men in this country for every one man killed on the other side, with more dangerous mining conditions on the other side * * * on account of having not one thought of either the conservation of life or the mineral resources that are in the ground or of the capital invested. There is no industry that needs so much general national laws as the coal industry. There are no two States in the United States which have similar laws in regard to mining. Instead of taking out 90 per cent of the coal in the ground, we are taking out hardly 60 per cent, leaving the rest to be wasted, and no future generation can get it, while it would be just as economical and cheaper to take out the 90 per cent. But we have got to wait four or five years for a return on our investment, and we want to get the dollars back the moment we put the dollars in. * * * I can see this waste to-day. We are taking only 60 per cent of coal out of the ground; then, after that, the consumer wastes over 50 per cent of that. We are not getting 20 per cent of the heat units that are in the ground into use. * * * I do not like Government paternalism, but I think we need it to preserve what we have got in the ground that God put there, that we did not have anything to do with putting there, and which is needed for the use of all the people.

Mr. Speaker, there are masterful, able men in this country who have urged the passage of this legislation. But they are blind men, who can not see in the determined purpose of the American people more than a "momentary gust of popular passion."

They are the unconscious, blind breeders of violence and hatred and destructive revolution. They can not see that such ravaging of the people's resources is not only hurtful to the people, but if continued guarantees destruction of their own fortunes and power.

To-day this question faces us: Shall the national resources, including coal, oil, and other miner deposits, forests, and water-power sites be given to capitalists for private development or retained in the possession and under the control of the Federal Government to be developed for the benefit of all the people?

Let us not follow the sightlessness of the policy embodied in this conference report. Rather, let us see what fills the air around us—a clear, determined desire of the American citizenship that, having made democracy safe round the world, we shall make democracy sure at home by making certain that these God-given products of sun and ocean, winds, and mountains shall be secured to all the people and not to a few of the privileged.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. KELLY of Pennsylvania. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request.

There was no objection.

Mr. STAFFORD. Will the gentleman yield for one question?

Mr. TAYLOR of Colorado. Yes.

Mr. STAFFORD. Did the Senate agree to all the additions that were made on the floor of the House?

Mr. TAYLOR of Colorado. Yes; they agreed to all those, and we have receded from our amendment striking out the claim of Laura Graves, because, as was stated when the bill passed the House, the facts were not all obtained, but since that time and before the conference committee there has been a very full and complete showing that this woman is entitled to that land. So we restored that item. The other two amendments are trivial. One of them is to protect the Government more. In fact, both of them protect the Government better than the bill in the form in which it passed the House.

If no other gentleman desires to ask any questions I will move the adoption of the conference report.

The conference report was agreed to.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

MILITARY ACADEMY APPROPRIATIONS—CONFERENCE REPORT (NO. 1145).

Mr. DENT. Mr. Speaker, I call up the conference report on H. R. 15462, making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2 and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, and 7 and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "$780,000: *Provided*, That the pay of cadets for the fiscal year ending June 30, 1920, shall be fixed at $780 per annum and one ration per day or commutation therefor at the rate of 68 cents per ration, to be paid from the appropriation for the subsistence of the Army." And the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "For cadet hospital and nurses' quarters, $390,000." And the Senate agree to the same.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The House yielded to the Senate provision increasing the pay of cadets from $600 to $780 per year. The Senate yielded as to the pay of chief engineer, on page 12, line 14, making the amount $2,700, as fixed by the House, instead of $2,400, as fixed by the Senate. The House yielded, on page 29, lines 5, 6, and 7, to the Senate amendment providing $400,000 for the construction of hospital and nurses' quarters with an amendment reducing the amount to $390,000. This reduction was made on account of the item immediately preceding providing $10,000 for an elevator. The House receded, on page 34, relative to the provision retiring George R. Rogers as a second lieutenant on account of injury received while serving as a cadet in the academy. On page 34 the House also receded relative to the retirement of Col. S. E. Tillman, the present superintendent, with the rank of brigadier general. On page 34, line 18, the Senate receded. This is a provision authorizing private parties or corporations to erect a hotel on the academy grounds. The House also receded, on page 35, as to the provision authorizing the retirement of Col. Maus as a brigadier general. This bill has been favorably reported by the Military Committee of the House.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MANN. What was done with the three amendments placing men on the retired list—amendments 4, 5, and 7?

Mr. DENT. The House receded from its disagreement to those amendments.

Mr. MANN. Were any of those amendments for men who were overseas in the war?

Mr. DENT. They were not.

Mr. MANN. What was done with Senate amendment No. 6 about the hotel?

Mr. DENT. The Senate receded and yielded to the House on that proposition.

Mr. KAHN. Mr. Speaker, I will say to the gentleman from Illinois that that particular item in the bill will probably result in a great improvement in the hotel accommodations at West Point.

Mr. DENT. As I understand, the gentleman inquires what was done. The Senate receded and yielded to the House.

Mr. KAHN. Exactly.

Mr. MANN. If the gentleman will recall, I did what I could to have that put in the bill.

Mr. Speaker, on the whole, the Government is rather liberal about retiring Army officers. What the exceptional cases may be to which I shall refer I can not state as to the facts, except in one case.

Here are three Senate amendments, one authorizing the appointment of George R. Rogers to go upon the retired list with the pay of a retired second lieutenant in the Cavalry; one to promote Col. S. E. Tillman and put him on the retired list with the rank of a brigadier general, and one to put Col. L. Mervin Maus on the retired list with the grade of a brigadier general, which I suppose means the same as rank. In one place they say "rank" and in the other "grade."

I heartily disapprove of this method of special Senate legislation. It is unfortunately true that, as a rule, on the consideration of an appropriation bill in the Senate it seems very easy to add an amendment granting to some individual a personal favor. I do not think the House would agree to these propositions. I do not think the House is in favor, as a general thing, of picking out somebody's friend, somebody who is a pet, and putting him on the retired list of the Army, where he is not entitled to it under the law. Of course, it is a very agreeable sensation to receive a gift of that kind. There are a good many gentlemen going out of this House who have served the country well, faithfully, intelligently, and all the other adjectives you can apply, but they will not go on any retired list with pay.

The man that is entitled under the law to go on the retired list with pay ought to congratulate himself that he is entitled to it, and not to try to be a hog and want to get higher pay than the law allows him, when other people who are entitled to it do not get any.

I think it is a shame that these things are constantly occurring. I know the House conferees ran up against a stiff proposition. I have known a distinguished Senator of the United States to say in conference that if he could not have his own way about some little item on the bill it would be defeated. But my own experience is that they have always backed down from that bluff before we got through, and I think they always would if the conferees would tell them so. [Applause.]

Mr. LITTLE. Will the gentleman yield?

Mr. DENT. Yes.

Mr. LITTLE. From what department in the Army was this gentleman?

Mr. DENT. Which gentleman?

Mr. LITTLE. All of them.

Mr. DENT. One case is that of a young cadet who was thrown from his horse, resulting in paralysis. That was young Rogers, of California. He was paralyzed from being thrown from a horse. He stood up near the head of his class, and had he remained a few months longer he would have been graduated as a second lieutenant. There is precedent for that proposition. Another is the case of Col. Tillman, who has been superintendent of the academy for the last four years. He was called back from retirement for position as superintendent several years ago after serving in the academy in various positions as professor of science.

Mr. LITTLE. Cavalry or Artillery?

Mr. DENT. He was in the Artillery, I think. The third man was in the Medical Department. I do not think that had any business on the Military Academy bill, but in order to get the bill in the eleventh hour the conferees yielded.

Mr. LITTLE. Is he able to make a living as a doctor?

Mr. DENT. He has been 45 years in the service, been retired, and when the war broke out he tendered his services and has been in the service during the war.

Mr. GARRETT of Tennessee. Has the conference report been adopted by the Senate?

Mr. DENT. It has not.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. DENT. Yes.

Mr. MILLER of Washington. Was the cadet the gentleman refers to under military training at the time of the accident?

Mr. DENT. He was. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question now is on the conference report.

Mr. SNELL. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER pro tempore (Mr. SAUNDERS of Virginia). Evidently there is no quorum present.

Mr. DENT. I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Alexander	Eagle	Kelley, Mich.	Shackleford
Barnhart	Emerson	London	Sherley
Blackmon	Estopinal	Lufkin	Slayden
Booher	Fairchild, G. W.	Lunn	Slemp
Britten	Fairfield	Mann	Smith, Mich.
Brumbaugh	Flynn	Miller, Minn.	Smith, C. B.
Butler	Frear	Mondell	Stedman
Caldwell	Gandy	Mott	Steele
Carter, Mass.	Garner	Neely	Stephens, Miss.
Cary	Godwin, N. C.	Nelson, J. M.	Stephens, Nebr.
Chandler, N. Y.	Gould	Overmyer	Stiness
Church	Gray, N. J.	Park	Swift
Collier	Gregg	Pou	Taylor, Ark.
Cooper, Ohio	Hamill	Price	Towner
Copley	Hamilton, N. Y.	Ragsdale	Van Dyke
Costello	Hardy	Rankin	Voigt
Cox	Heintz	Roberts	Walsh
Crago	Hollingsworth	Robinson	Webb
Decker	Hood	Rowland	Winslow
Denison	Houston	Russell	Zihlman
Dies	Howard	Sanders, N. Y.	
Drukker	Johnson, Ky.	Scully	

The SPEAKER pro tempore. Three hundred and forty-two Members have answered to their names, a quorum.

Mr. DENT. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. DENT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

APPROPRIATIONS, EXPENDITURES, ETC., DEPARTMENT OF STATE (H. DOC. NO. 1842).

The SPEAKER laid before the House the following message from the President of the United States, which was read, and with the accompanying papers referred to the Committee on Expenditures in the State Department and ordered printed.

To the House of Representatives:

I transmit here a statement by the Acting Secretary of State, with accompanying papers, of appropriaitons, expenditures, and balances of appropriations under the Department of State for the fiscal year ended June 30, 1918.

(Signed) WOODROW WILSON.

THE WHITE HOUSE, *28 February, 1919.*

OVERMAN ACT (H. DOC. NO. 1841).

The SPEAKER also laid before the House the following message from the President of the United States, which was read, and with the accompanying papers referred to the Committee on the Judiciary and ordered printed:

To the House of Representatives:

In response to the request contained in the resolution of the House of Representatives of January 28, 1919, requesting the President "to inform the House of Representatives of the result, in detail, of his administration of the provisions of the so-called Overman Act, approved May 20, 1918, entitled, 'An act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government,'" I transmit herewith reports from the heads of the executive departments, independent Government establishments, boards, bureaus, and commissions, showing the action taken under the provisons of said act in regard to the executive departments and other establishments.

(Signed) WOODROW WILSON.

THE WHITE HOUSE, *3 March, 1919.*

Mr. GOOD. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GOOD. The report has not been read.

The SPEAKER pro tempore. What report?

Mr. GOOD. The report referred to in the message of the President.

The SPEAKER pro tempore. The gentleman surely does not want that read.

Mr. GOOD. Under the rules of the House it must be read. The Clerk has read only a portion of the report. The House is entitled to know what is in the message.

Mr. SABATH. Mr. Speaker, it has already been referred to the committee.

The SPEAKER pro tempore. Under the rules the report was referred to the Committee on the Judiciary.

INDIAN APPROPRIATION BILL—CONFERENCE REPORT (NO. 1187).

Mr. CARTER of Oklahoma. Mr. Speaker, I call up the conference report on the bill (H. R. 14746) making appropriations for the current contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

The SPEAKER. The gentleman from Oklahoma calls up a conference report, which the Clerk will report.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 16, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 39, 43, 44, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 61, 64, 65, 66, 67, 71, 72, 75, 76, 77, 78, 79, 81, 86, 89, 94, 96, 97, 106, 110, 117, 118, 119, 122, 127, 130, and 131.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 8, 9, 10, 11, 13, 14, 17, 18, 19, 21, 26, 33, 34, 35, 36, 37, 38, 41, 42, 48, 56, 58, 59, 60, 62, 63, 73, 74, 80, 82, 83, 84, 85, 87, 88, 91, 92, 93, 95, 98, 99, 100, 102, 104, 105, 107, 108, 109, 111, 112, 113, 114, 115, 116, 121, 123, 124, 125, and 129, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$3,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$36,700"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$253,750"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "$375,000, of which $10,000 shall be used to care for old and indigent Indians in western Washington, and of which sum $25,000 shall be immediately available"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "$135,000: *Provided*, That $5,000 of this amount shall be immediately available"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "$153,000: *Provided*, That not to exceed $20,000 may be expended from Indian moneys, proceeds of labor, Sherman Institute, for the purchase of land and water rights, the title to which is to be held in the United States"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment restore the House provision, but in line 25, page 26, of the engrossed bill strike out "$50,000" and insert "$10,000"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "three hundred and fifty," and on page 33, line 23, of the engrossed bill strike out the word "hundred"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$75,750"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$98,750"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$30,000"; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: On page 19, line 5, of the engrossed amendments, strike out "$25,000" and insert "$10,000"; also, in line 10, on page 19, of the engrossed amendments, strike out the words "of Congress" and insert: "entitled 'An act to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations, and for other purposes'"; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert a colon and the following: "*Provided*, That this provision shall not prohibit other sales as provided by existing law, except that such tracts of coal and asphalt deposits shall not again be offered for sale until after the expiration of six months from November 15, 1919"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: On page 23, line 4, of the engrossed amendments, strike out "$100," and insert "$75,000"; and on page 24, line 1, strike out the words "and to remain available until expended"; and the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: On page 27 of

the engrossed amendments strike out lines 1, 2, and 3 and the words "of Indian Affairs in," on line 4 of said amendments and insert "For"; and in line 12, page 27, of the engrossed amendments, after the word "session," insert "$1,000"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"For the construction of a road from the village of Odanah, in the Bad River Reservation, to the south line of said reservation, to be expended under the direction of the Secretary of the Interior, said sum to be reimbursable from any funds now or hereafter placed in the Treasury to the credit of the Indians on the Bad River Reservation, to remain a charge and lien upon the lands and funds of said Indians until paid: *Provided*, That the Secretary of the Interior may cooperate with the State of Wisconsin in the construction of said road: *Provided further*, That no part of the money herein appropriated shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of Wisconsin satisfactory guaranties of the payment by the said State of at least one-half of the cost of the construction of said road."

And the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$151,000," and on page 57, line 24, of the engrossed bill strike out "$2,325,000" and insert "$2,175,000"; and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: On page 30, line 22, of the engrossed amendments, strike out the figures "27" and insert "26"; on page 31, line 3, of said amendments, strike out the word "act" and insert "section"; on page 32, line 3, of said amendments, strike out the word "act" and insert "section"; on page 32, line 11, of said amendments, strike out the word "act" and insert "section"; on page 32, line 17, of said amendments, strike out the word "act" and insert "section"; on page 32, line 18, of said amendments, strike out the word "act" and insert "section"; on page 32, line 18, of said amendments, strike out the word "thirty" and insert "twenty"; on page 33, line 4, of said amendments, strike out the word "act" and insert "section"; on page 33, line 10, strike out the word "act" and insert "section"; on page 33, line 10, after the word "lease," insert a comma and the following: "subject to the payment of an annual rental of not less than $1 per acre"; on page 33, line 12, strike out the word "act" and insert "section"; on page 33, line 21, strike out the word "act" and insert "section"; on page 33, line 23, strike out the word "approval" and insert "lease"; on page 34, line 1, of said amendments strike out the word "act" and insert "section"; on page 34, line 3, strike out the word "act" and insert "section"; on page 34, line 8, strike out the word "act" and insert "section"; on page 34, line 18, after the word "of," insert "not less than"; on page 34, line 19, after the word "thereafter," insert "not less than"; on page 34, line 20, after the word "and" where it occurs the second time, insert "not less than"; on page 35, line 22, strike out the word "act" and insert "section"; on page 36, line 8, strike out the word "act" and insert "section"; on page 36, line 11, of said amendments strike out the word "act" and insert "section"; on page 36, line 13, of said amendments strike out the word "State" and insert "States"; on page 36, line 17, strike out the word "act" and insert "section"; on page 36, line 23, strike out the word "act" and insert "section"; on page 37, line 1, strike out the word "act" and insert "section"; and the Senate agree to the same.

C. D. CARTER,
CARL HAYDEN,
DENVER S. CHURCH,
P. P. CAMPBELL,
HOMER P. SNYDER,
Managers on the part of the House.
ROBERT L. OWEN,
A. A. JONES,
A. J. GRONNA,
Managers on the part of the Senate.

STATEMENT.

The bill as passed by the Senate increased gratuity appropriations over the amount allowed by the House by $422,726. This Senate increase was decreased in conference by $376,200, leaving, as carried in this report, a net increase over appropriations as originally made by the House of $76,526.

On amendment No. 1: Your conferees accepted the Senate amendment, as it reduces the appropriation $1,000.

On amendment No. 2: This is a change in total only.

On amendment No. 3: The House appropriated $6,000, and the Senate reduced the amount to $1,000, but your conferees compromised and made the appropriation $3,000.

On amendment No. 4: The Senate struck out the provision for the Papago pumping plants in Arizona, $5,000, and your conferees accepted the same.

On amendment No. 5: Your conferees accepted the Senate amendment, which reduced the appropriation $1,500.

On amendment No. 6: The House provision was restored.

On amendment No. 7: Corrects the total to $36,700.

On amendment No. 8: Your conferees accepted the Senate amendment, as it reduced the appropriation $2,000.

On amendment No. 9: This item reduced the appropriation $1,000, and your conferees accepted it.

On amendment No. 10: The House appropriated $20,000, and the Senate reduced this item to $18,200, which your conferees accepted.

On amendment No. 11: This item is a change in total only.

On amendment No. 12: This amendment changes the final total only.

On amendment No. 13: This item is a reduction of $25,000.

On amendment No. 14: Your conferees accepted the Senate amendment, which provides that the prohibition of the sale of intoxicating liquors to the Nez Perce Indians of Idaho shall be extended for the period of 10 years.

On amendment No. 15: Your conferees restored the House appropriation and accepted the Senate amendment, which allows $10,000 to care for old and indigent Indians in western Washington, and makes $25,000 of the total appropriation for the relief and care of destitute Indians immediately available.

On amendment No. 16: The Senate recedes.

On amendment No. 17: Your conferees recede, as it reduces the appropriation $15,000.

On amendment No. 18: Your conferees accepted the Senate amendment, which changes the method of determining the number of pupils entitled to per capita allowance.

On amendment No. 19: Your conferees accepted the Senate amendment, which increases the appropriation for telegraph and telephone messages for the Bureau of Indian Affairs at Washington $2,000.

On amendment No. 20: Your conferees restored the House provision and accepted the Senate proviso, which allows $5,000 to be immediately available.

On amendment No. 21: This is simply the addition of the word "further" after a proviso.

On amendment No. 22: The Senate recedes and restores the House provision.

On amendment No. 23: The Senate recedes and restores the House provision, which reduces the appropriation $150,000.

On amendments Nos. 24 and 25: The Senate recedes.

On amendment No. 26: The House recedes so as to include the Menominee Indians of Wisconsin.

On amendments Nos. 27, 28, 29, 30, 31, and 32: Senate recedes.

On amendments Nos. 33, 34, and 35: The House recedes, as it reduces the appropriation in these items $5,000 and changes the total.

On amendment No. 36: Your conferees recede, as it reduces the appropriation $21,000.

On amendment No. 37: The amendment changes the total and makes the appropriation immediately available.

On amendment No. 38: Your conferees accepted the Senate amendment because it made the appropriation reimbursable by the Indians benefited only.

On amendment No. 39: The Senate recedes.

On amendment No. 40: This amendment restores the House appropriation and adds a proviso so that $20,000 may be expended for the purchase of land and water rights for the Sherman Institute.

On amendment No. 41: The House recedes and accepts the Senate amendment because it allows the purchase of land and water rights at Greenville Indian School, Calif.

On amendment No. 42: The House recedes.

On amendments Nos. 43, 44, 45, 46, and 47: The Senate recedes.

On amendment No. 48: Your conferees accepted the Senate amendment, which provides for the support and education of 80 Indian pupils at the Indian School, Kickapoo Reservation, Kans.

On amendments Nos. 49, 50, and 51: The Senate recedes.

On amendment No. 52: The House provision is restored, but reduces the appropriation to $10,000.

On amendments Nos. 53, 54, and 55: The Senate recedes.

On amendment No. 56: Your conferees accepted the Senate amendment, which allows the expenses of legislative committees to include the present session of Congress.

On amendment No. 57: The Senate recedes.

On amendment No. 58: Your conferees accepted the Senate amendment, which appropriates $2,000, or so much thereof as may be necessary, for the completion of the enrollment of the allottees within the White Earth Reservation, Minn.

On amendment No. 59: Your conferees accepted the Senate amendment, which provides for retaining the mineral rights on ceded lands for the Chippewa Indians of Minnesota.

On amendment No. 60: Your conferees accepted the Senate amendment, which provides for the erection of homes in the State of Minnesota which were destroyed by fire during the year 1918.

On amendment No. 61: The Senate recedes.

On amendment No. 62: Your conferees accepted the Senate amendment, which appropriates $20,000 of the tribal funds of the Chippewa Indians of Minnesota for the construction and repair of roads on their reservation.

On amendment No. 63: Your conferees accepted the Senate amendment, which authorizes the Secretary of the Interior to pay the amounts assessed against tribal and allotted lands of the Indian reservations of Minnesota on account of benefits accruing to said lands by reason of the construction of a drainage ditch or ditches under the laws of the State.

On amendments Nos. 64, 65, 66, and 67: The Senate recedes.

On amendment No. 68: Your conferees compromised this item by providing for the support and education of 350 Indian pupils at the Indian School at Carson City, Nev., instead of 400, as proposed by the Senate.

On amendment No. 69: Your conferees changed the appropriation so as to conform to the foregoing statement.

On amendment No. 70: Change in total only.

On amendments Nos. 71 and 72: The Senate recedes.

On amendment No. 73: Your conferees accepted the Senate provision for the pay of one special attorney for the Pueblo Indians of New Mexico.

On amendment No. 74: This amendment appropriates $4,226.14 to pay for the completion of the construction of a bridge across San Juan River at Shiprock, N. Mex.

On amendments Nos. 75, 76, 77, 78, and 79: The Senate recedes.

On amendment No. 80: Your conferees accepted this amendment appropriating $8,000 for the construction of a bridge across the Ocona Lufty River, in North Carolina, which was authorized by law.

On amendment No. 81: The Senate recedes.

On amendment No. 82: This amendment provides for a shop building at Wahpeton, N. Dak.

On amendment No. 83: Change in total only.

On amendment No. 84: This amendment authorizes the sale of 2 acres of land for school purposes in certain townships in the State of North Dakota to the public-school district in which the land is situated at not less than the appraised valuation.

On amendment No. 85: This amendment appropriates $676 to reimburse Benson County, N. Dak., for moneys actually expended for the care of three insane Indians, and your conferees accepted the same.

On amendment No. 86: The Senate recedes.

On amendment No. 87: This amendment authorizes the improvement of the water and engineering system at a cost of $20,000 for the Indian school at Chilocco, Okla., and your conferees accepted the same.

On amendment No. 88: Change in total only.

On amendment No. 89: Senate recedes.

On amendment No. 90: Your conferees compromised the appropriation for necessary expenditures of the Osage Tribe of Indians in Oklahoma by making the amount $30,000 instead of $35,000.

On amendment No. 91: Your conferees accepted the Senate amendment, which provides that not exceeding $35,000 of the unexpended Osage tribal funds may be used in the construction of a fireproof building.

On amendment No. 92: Your conferees accepted the Senate item, which authorizes the payment to Victor M. Locke the sum of $1,290.26, due him for salary and expenses as principal chief of the Choctaw Nation.

On amendment No. 93: Your conferees accepted the Senate amendment, which provides for the payment of interest upon certain interest-bearing trust funds belonging to the Cherokee Nation.

On amendment No. 94: Senate recedes.

On amendment No. 95: Your conferees accepted this amendment, which increases the appropriation for the expenses of the administration of the Five Civilized Tribes, Oklahoma, $20,000, and makes the same immediately available.

On amendments Nos. 96 and 97: Senate recedes.

On amendment No. 98: Your conferees accepted the Senate amendment, which authorizes the Secretary of the Interior to investigate a claim of John Calvin Gray, which is not to exceed $200, and if it is found to be valid the Secretary may apply the amount found due to the payment of a fee due Henry W. Blair.

On amendments Nos. 99 and 100: This is a change in phraseology only.

On amendment No. 101: Your conferees accept the Senate amendment but authorize only $10,000 to be used for the payment of salaries of employees and other expenses in connection with the further sales of tribal lands belonging to the Five Civilized Tribes.

On amendment No. 102: Your conferees accept this amendment, which authorizes the payment of $7,000 due Stuart, Lewis, Gordon, and Rutherford in full settlement of a claim against the said Creek Nation.

On amendment No. 103: Your conferees accepted the language used in the law with reference to not prohibiting the sale of land now provided for by law.

On amendment No. 104: This amendment reimburses William R. McIntosh in the sum of $1,666.65 for services rendered as coal and asphalt mining trustee for the Choctaw Nation, which your conferees accepted.

On amendment No. 105: Your conferees accepted the Senate amendment reimbursing Jacob B. Moore $392.60 for probate expenses incurred by him as attorney for the Chickasaws, as per contract entered into between him and the governor of the Chickasaw Nation, which was approved by the President of the United States.

On amendment No. 106: Senate recedes.

On amendment No. 107: Your conferees accepted this amendment, as it reduces the appropriation $1,000.

On amendment No. 108: This amendment provides for the investigation of the claim of Charles S. Hood.

On amendment No. 109: Your conferees accepted this amendment, which confers discretionary power on the part of the Secretary of the Interior regarding allotments in the Klamath Reservation, Oreg.

On amendment No. 110: Senate recedes.

On amendment No. 111: This amendment authorizes an increase of $2,000 for general repairs and improvements at the Indian school at Flandreau, S. Dak., which your conferees accepted.

On amendment No. 112: This is a change of total only.

On amendment No. 113: This amendment authorizes the appropriation of $10,000 for an artesian well at the Indian school at Pierre, S. Dak., which your conferees accepted.

On amendment No. 114: This is change in total only.

On amendment No. 115: Your conferees accepted the Senate provision, which reduces the pay for subsistence of the Yankton Sioux Indians of South Dakota.

On amendment No. 116: Your conferees accepted the Senate amendment, which allows the withdrawal of $140,000 from the tribal funds of the Rosebud Sioux Indians for the purpose of making a $25 per capita payment to the Indians entitled thereto.

On amendments Nos. 117, 118, and 119: The Senate recedes.

On amendment No. 120: The Senate amendment appropriates $100,000, to remain available until expended, for the beginning of the construction of diversion dams and canal systems for irrigating certain lands on the Yakima Indian Reservation, at a total cost not to exceed $150,000. Your conferees allow only $75,000 to be immediately available, and do not allow this sum to remain available until expended.

On amendment No. 121: This amendment authorizes the Secretary of War and the Secretary of the Interior to report to Congress the advisability of returning to the dispossessed Indians several tracts of land taken from the Nisqually Indians by the War Department.

On amendment No. 122: The Senate recedes.

On amendment No. 123: Your conferees accepted the Senate amendment, which allows $2,500 for the drainage of school lands at the Indian school at Tomah, Wash.

On amendment No. 124: Change in total only.

On amendment No. 125: This amendment is a change in phraseology from the House text relating to the Wisconsin Band of Pottawatomie Indians in the States of Wisconsin and Michigan.

On amendment No. 126: This amendment authorizes the appropriation of $1,000 to relieve cases of actual distress and suffering among needy St. Croix Indians of Wisconsin.

On amendment No. 127: The Senate recedes.

On amendment No. 128: This amendment authorizes the construction of a road from the village of Odanah, in the Bad River Reservation, at a cost of $20,000, which your conferees accept, with the customary provision that no part of this money shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of Wisconsin satisfactory guaranties of the payment by the State of at least one-half of the construction of said road.

On amendment No. 129: This amendment validates the relinquishment by John Stone of certain lands in the State of Wisconsin.

On amendments Nos. 130 and 131: The Senate recedes.

On amendment No. 132: This amendment reduces the appropriation for the equalization of allotments on the Crow Reservation in Montana $150,000, as the item was provided for elsewhere in the bill.

On amendment No. 133: This is an amendment providing for the mining for metalliferous minerals on Indian reservations. Your conferees provided that the rentals should not be less than $1 per acre, that the period of leases should be reduced to 20 years, and made certain changes that were necessary in the phraseology.

C. D. CARTER,
CARL HAYDEN,
DENVER S. CHURCH,
P. P. CAMPBELL,
HOMER P. SNYDER,
Managers on the part of the House.

Mr. CARTER of Oklahoma. Mr. Speaker, I yield one minute to the gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the National Board of Vocational Education.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Speaker, I yield one minute to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the question of Zionism.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD upon the subject of Zionism. Is there objection?

Mr. WALSH. Are they the gentleman's own remarks?

Mr. SABATH. No; it is a proclamation that was issued yesterday.

Mr. WALSH. By whom?

Mr. SABATH. By a special committee in session.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Speaker, I now yield to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the bill H. R. 16213, which I introduced. I will state that they are my own remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CROSSER. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes out of order.

The SPEAKER. The gentleman from Ohio asks unanimous consent to proceed for 10 minutes out of order. It there objection?

Mr. WALSH. Mr. Speaker, we had better find out what this proceeding out of order is. Everybody's mind is in a rather woolly condition.

Mr. CROSSER. I am just going to talk about matters which are more or less of a personal nature. This is my last day.

The SPEAKER. Is there objection?

There was no objection.

Mr. CROSSER. Mr. Speaker, lest I should not have time at the close of my remarks, I desire to refer, briefly now, to a matter of a personal nature.

I retire from Congress on the 4th of March and return to the practice of law in Cleveland. The Members of Congress have been so insistent, so irresistible, in their appeals to me to return to the practice of law, so that they might employ me to help them out of the troubles which the laws passed by Congress have brought upon them, that to accommodate them I have opened a law office in the Garfield Building, at the corner of East Sixth Street and Euclid Avenue, Cleveland, America's best city. Remembering how enthusiastically Members have complimented me as a man and as a lawyer, I know how eagerly they will seek my services, and therefore caution them not to jam the doorway as they rush into my office.

Pleasantry aside, however, I wish to assure you that I shall be genuinely pleased to welcome you to Cleveland whenever you find it possible to go there.

Mr. Chairman, we hear lately much prating about democracy, in the broad sense of the word. Many of those who always have been and are opposed to genuine popular government are now pretending to favor control of the Government and parties by the people. If, however, you suggest to these people that the way to accomplish this would be to provide the initiative and the referendum, so that the people might procure measures which they want, and reject those which they do not want, and that laws be passed assuring free expression by the people in nominating and electing public officials, they immediately take panic and will have none of it.

They then inform you that the people are too ignorant to decide what laws they should have. These are the men who are endeavoring to procure the repeal of the direct primary laws of the States, while insisting at the same time that they want the will of the people to be law, and that they be enabled to make their own selection of public officials. As a matter of fact, they oppose the direct primary because it hampers the special advantage seekers and their agents, the political bosses, in their effort to dictate absolutely who should or should not be placed in public office. The excitement caused by the war has prevented the public from watching the tactics of these men, and the people must now prepare to oppose them. It will, however, be no answer and no remedy to apply offensive names to men whose ideas of government are so clearly intended to benefit those seeking special advantage by law. Those who have made the science of government a special study should not allow the abuse of ignorantly selfish men to cause them to call names. They should expose the selfishness of such men rather than imitate their bigotry and indecency.

Everyone, of course, who has given any serious study to questions of government realizes that it is only because of the tendency of men to serve their own interests, regardless of the equal rights of others, that government is necessary. We must, therefore, always strive to devise laws to prevent, as far as possible, one individual or class from trampling upon what, according to the best conception of justice, are the rights of others.

With this object in mind, the founders of our Government, and particularly such men as Thomas Jefferson, insisted strongly upon the principle that what the majority of the people should favor as a rule of human conduct, should be made law. History had taught Jefferson and his associates that the absolute monarch, who was but human, would, with his unlimited power, serve his own interests to the detriment of the rest of the people. In like manner, it had taught them that in an oligarchy—which means government by the few—the few would do just as the absolute monarch had done; that is, serve primarily their own self-interests. It seemed, therefore, common sense to require as far as possible the consent of a majority of all the people to any law, and thus make as certain as possible the binding force of the will of most of the people.

This plan is sure, of course, to dissatisfy the few who believe that their views should be forced upon the majority, but it is nevertheless a plan which gives all of the people more nearly what they want.

Under monarchies, oligarchies, and like systems the more powerful and clever members of society generally obtained the special advantage which they wanted under the law by securing the favor of the monarch or oligarchy by flattery or by corrupt means. When the new theory of government called "democracy" was established such men were, as usual, resourceful, and began planning how they would retain their advantage.

The question, then, was how to get from the people what they had originally procured from the monarch, or the few. It was easy to see that the first thing necessary was to have public opinion favorable to themselves. To accomplish this they had to control the agencies most influential in forming public opinion. It was evident that the control of publications, in which governmental policies were discussed, was most necessary in or-

der to have public opinion favor those seeking such special privilege as the monarchs and oligarchies had granted before. The assistance of publishers was sought in the same way that the favor of the monarchs and oligarchies had been sought, in accordance with the laws of human nature—by appealing to their self-interest.

In like manner the public speaker and men, who for any reason had influence with their fellow men, were sought and offered inducements to have them use that influence in favor of the man or men seeking special advantage. All this retarded the success of what was called "popular government," and led to such phrases as "democracy is a failure" and "too much democracy is dangerous." The very opposite of such statements is true. It is the lack of means by which to give effective expression to their wishes which has prevented popular government from being a greater success.

In order to have the best public opinion we must encourage sincere discussion; we must assure every individual of the greatest possible freedom in the expression of his ideas. We can not, of course, compel all men to be sincere and honest in the expression of their opinions. Everyone knows that many men, believing it to be to their advantage, advocate what they do not believe rather than what they believe to be justice, although the desire for justice shows, after all, enlightened self-interest.

We can, however, guarantee to everyone the right to advocate what he believes to be justice, and what he believes to be better laws; and we can also, to a great extent, prevent the use of methods and influences which induce men to advocate what they know to be wrong and inimical to the public welfare. It is far more important, of course, to guarantee to every individual the right to advocate what he believes to be right and oppose what he considers wrong. The enjoyment of this right is one of the essentials of democracy, and the denial of this right is the distinguishing characteristic of autocracy. Under autocracies the people are prevented from expressing their views to each other unless they should be the views of the autocrats. This prevents material, mental, and moral progress, for if the human mind is prevented from expressing itself it fails to develop.

The material progress of any people depends, of course, on their mental progress; and while it is unfortunate that men suffer so much injustice in the distribution of wealth it is a still greater wrong that the mind is prevented from attaining that higher development, from striving toward that high ideal which is the ultimate goal of the human race.

The greatest difference between the people who have been reared under an autocracy and those who have lived under a government approximating a democracy is that the people of a democracy have more independence of spirit, greater initiative, and are more resourceful than those who have been compelled to live under an autocratic government.

We have heard much lately about the great value of European military systems in developing men. Although people who have lived under an autocracy may, perhaps, perform routine duties accurately and obey orders willingly, they do not progress well without orders. They are more the creatures of habit than men of free minds. We should, therefore, do everything possible to encourage the best possible expression of the individual. Unfortunately, however, we seem to have taken the opposite course. The expression of any opinion or ideal contrary to that held by the powerful and special privilege-seeking few has been hampered, not by the use of arguments, for the right to argue even for special privilege must be conceded by the advocates of democracy and tolerance, but rather by coercion and terrorism. When dealing with those who do not know their rights, this class of men simply threaten and intimidate.

When confronted by men who know their legal rights and how to present views opposed to special privilege, the special-privilege seekers resort to verbal abuse and social ostracism. Their only arguments are epithets. If you suggest that the basis of democracy is the interchange of opinion between man and man, their only attempt at argument is the use of such terms as "anarchist," "socialist," "bolshevist," or some other term, the meaning of which they ordinarily do not understand. These attacks are generally directed against men in public life. They reached the depths of indecency in the recent onslaught against Members of Congress who held views opposed to the opinions of men of autocratic tendencies. Every effort was made to stir up hatred in the minds of the people against Members who did not agree with those who seek and enjoy special privilege, and offensive names were applied to them. All this was for the purpose of destroying Members who dared defy the special-advantage seekers. Men, in the belief that they were serving the best interests of their country, which, after all, is the meaning of "patriotism," and who knowingly opened themselves to abuse by those who are greedy for wealth and grasping for excess profits, were denounced as disloyal, unpatriotic, and so forth.

Abuse in the public prints was not, of course, the only method adopted. Men who honestly approved public officials who had angered the special interests were intimidated and threatened by the agents of the special interests if they should express approval of the man or men whom the interests were opposing. The election machinery was interfered with, election laws were violated, men were threatened with the destruction of their business, and all of this was winked at by publishers who were determined, at all costs, to have their own views accepted and the men, whom they selected, placed in power. In more than one instance men were counted out after having received a majority of the votes of the people, but the election laws provided no remedy.

The lack of proper election laws is one of the most serious obstacles to clean elections. In some States, including Ohio, no provision is made for a recount in primary elections for Congress. If the States refuse to safeguard elections to Congress, then Congress must do so.

Men must, however, be willing to suffer this sort of thing for the privilege of upholding what they believe to be right, because if the evils referred to are not combated our system of government will be in danger. It has been truly said that intellectual alertness and agility are not hard to find, but moral fiber, moral courage, is a rare gem.

For the want of something more sensational during the lull in the world of news since the war ended, we find newspapers howling about the shortcomings of city and county officials throughout the country, their lack of moral backbone to uphold the right, to enforce the law, and so forth; and yet, considering the methods and tactics they have pursued, should these publishers be surprised at this "moral breakdown," as they call it? If public officials can be forced, by misrepresentation and abuse, to obey the commands of newspaper publishers whom they believe to be wrong on any subject, however right the publishers may believe themselves to be, how can we expect such officials to resist the demands or temptations of other political agencies? Men who will sacrifice their principles to gain or retain the support of one influential man or class of men will, in like manner, sacrifice what is right to gain or hold the support of others. Thus it is that we find the political parrot in office, yielding to this influence or that, and so making justice a mockery. The wonder is, not that we have spineless men in office, but, rather, that we have so many men of strong character in public office.

Like other private citizens, before I entered public life I had read much about the alleged trickery practiced in Congress, but one of the greatest pleasures I have derived from my service here is to be able to say sincerely that with very, very few exceptions the men with whom I have served are as far above temptation and as free from deceit as it is possible for men to be. The statements of 99 per cent of the men in Congress, as to official matters, are as good as their bonds. I shall always cherish as one of the finest experiences of my life my association with the Members of the House, practically all of whom are men of great ability, and who, almost without exception, are men of real character and fine impulse. While, like most men who have served here, I leave in financial circumstances no better, if, indeed, as good as when I came here, my association with the membership of the House I value more than words can express. The kindness and good fellowship which have been invariably shown me I shall treasure during the remainder of my life, and I appreciate, more than I can tell, the expressions of esteem. [Applause.]

Mr. GARLAND. Mr. Speaker, I ask unanimous consent to proceed out of order for 1 minute and 59 seconds.

The SPEAKER. The gentleman from Oklahoma has the floor.

Mr. CARTER of Oklahoma. Mr. Speaker, I yield three minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, the conference report now under consideration has to do with the support of the Indian Service for the ensuing year. It is a conference report that has been agreed to with greater ease with the Senate than any conference report that has been brought in from this committee for many years. There are very few things in it that are objectionable. The matter to which I wish to direct especial attention is the fact that this bill, in charge of the gentleman from Oklahoma [Mr. CARTER], is probably the last of its kind that he will have charge of on the floor of this House as chairman of the Committee on Indian Affairs.

I do not expect that he will be here when the Democratic Party gets back into power again. [Applause.] He is showing some signs of age——

Mr. STAFFORD. We hope that he will, no matter how distant that may be in the future.

Mr. CAMPBELL of Kansas. Of course, if he lives to be a hundred, he will probably be here. CHARLEY CARTER, chairman of the Committee on Indian Affairs, took to the chairmanship of that committee a genuine love for the Indians and an interest in Indian affairs that has characterized his services on that committee from the time he became a member of it until this very hour. [Applause.] And whether he is chairman of the committee or not, I am sure that he is interested in the Indians and the Indian Service and will continue to be of service on the Committee on Indian Affairs. He has rendered great service to the Indians and to the country. He is interested that the service should be for the benefit of the Indians. Unfortunately for the Indians and for the country, there are a good many who have the impression that the Indian Service is for the benefit of the white man who is rendering the service to the Indian. Unfortunately, there is more to be said upon that subject than I can say in three minutes, but I congratulate the gentleman from Oklahoma [Mr. CARTER] upon the splendid service that he has rendered to the original American, the American Indian, of whom he is one, during his service on the Committee on Indian Affairs and during the time he has been chairman of that great committee. [Applause.]

Mr. STAFFORD. Mr. Speaker, I assume the gentleman is going to make some explanation of the amendments agreed to in conference, as this bill was taken from the Speaker's table before the Senate amendments had been printed and without any opportunity on the part of Members to study the various amendments. I am quite interested in amendments 96 and 97, which were strongly contested in the House, which authorized the superintendent of the Five Civilized Tribes to pass final judgment on oil and coal leases.

Mr. CARTER of Oklahoma. Gas, not coal.

Mr. STAFFORD. I have been advised unofficially that it is the understanding among the conferees that this amendment is provisionally adopted with the understanding that if this work is not satisfactory during the coming fiscal year that it will be open to further consideration when the next annual Indian appropriation bill is considered. Is there any basis for that understanding?

Mr. CARTER of Oklahoma. I will say to the gentleman that question was raised in the conference on the bill and the gentleman will note that this amendment only applies for the current year and it was so held last year by the chairman then presiding over the Committee of the Whole House on the state of the Union. It is not permanent law. It simply obtains for the coming year and the House still has the right to avail itself of such action as it sees fit at the next session of Congress. If this appears to be bad administration to the Indian and the service, then the House has it all before it again.

Mr. STAFFORD. Was there any understanding that this arrangement was merely provisional?

Mr. CARTER of Oklahoma. That point was raised. There was no hard and fast understanding about it. The law itself only carries this provision for the next fiscal year so it would not be necessary to have any understanding. The law speaks plainer than an understanding among the conferees could speak.

Mr. STAFFORD. I wished to bring that out in the RECORD so that if this new rule is not satisfactory, it will be easy to show that it was not agreed to for all time to come.

Mr. CARTER of Oklahoma. The gentleman knows from the reading of the language that can be done very easily at the next session of Congress.

Mr. HASTINGS. Mr. Speaker, I want to make one additional statement which I do not believe has ever been emphasized in this House. Now, as well as our distinguished chairman, I am a member of the Cherokee Tribe, as is our colleague here [Mr. CHANDLER]. We are deeply interested in the Five Civilized Tribes. Now, everybody knows down in Oklahoma that it is in the interest of the Indian to have the uncontested leases approved down there, for the reason the delays in sending them to Washington makes the departmental leases of less value and sell for less than commercial leases. Now, my friend and colleague [Mr. CHANDLER] knows that is true, and I ask him if that is not true?

Mr. STAFFORD. We have had that question up on the floor of the House here at different times of taking from the Bureau of Indian Affairs this authority. The Indian Rights Association——

Mr. HASTINGS. But the Bureau of Indian Affairs never wants to give up any jurisdiction. They want to concentrate all of its power here and never want to give any jurisdiction to any local authority. In reference to this amendment, it only applies to the uncontested leases. You have a superintendent for the Five Civilized Tribes, with 250 civil-service employees there with a splendid oil bureau and all the information can be gotten there and no additional information comes here to Washington, except the report of the superintendent.

And the delay in sending these leases to Washington makes the leases less valuable to the Indian, and the Indian is the loser instead of the gainer by departmental approval of leases, and every oil man in our country knows that is true. I do not believe I have ever had an opportunity to emphasize before that this amendment is in the interest of the Indians of that country. And let me say to you while I am on my feet now that there is not a single solitary Indian, let him be lawyer, banker, laborer, farmer, or whatever he may be, in Oklahoma that is not in favor of this legislation. There is not a white man in Oklahoma that is not in favor of this legislation, and all the members of the Oklahoma delegation favor it.

Let me say to the gentleman from Wisconsin if the two and one-quarter million of people in Oklahoma, if all the Indians in Oklahoma, if all the white men in Oklahoma, if all the editors and lawyers, all of them, favor this legislation, certainly it can not be very wrong.

Mr. STAFFORD. Will the gentleman permit me right there?

Mr. SNYDER. Mr. Speaker, I would like to say that during the four years on the committee I have listened to this argument many times, and I am convinced that since the Indian Office maintains in Oklahoma a bureau with all the powers that exist in the bureau here in Washington, it is absolutely unnecessary to pass upon a purely business proposition the second time.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. SNYDER. Therefore I favor this proposition.

Mr. STAFFORD. What is the motive that causes the contesting of this proposition on the part of the Indian Rights Association, which is purely a voluntary association and existing for the protection of the Indians?

Mr. SNYDER. The only answer I can give to that is that there might be a case out of a thousand that ought to come on here, and that might not get here if this proposition is conceded and becomes a law. But at the very worst it can only be for one year, and I can say to the gentleman that the conference committee assumes, and it was practically agreed, that this could be readily taken up within the next year in case there were objections filed against it.

Mr. STAFFORD. I wish to direct further attention to the Wisconsin item, amendment No. 26, on page 17, in which you except the Menominee Indians from being privileged to having new permanent rolls and the receiving of allotments based on such rolls.

Mr. CARTER of Oklahoma. What amendment is that?

Mr. STAFFORD. No. 26.

Mr. CARTER of Oklahoma. On that amendment the House receded and accepted the Senate plan.

Mr. STAFFORD. I am now seeking information as to why the House conferees saw fit to except the Menominee Indian Reservation so that their affairs can not be settled.

Mr. HAYDEN. The Senator from Wisconsin asked that that amendment be made by the Senate, because the Menominee rolls were completed, and they did not want to duplicate the rolls. The rolls as now made are satisfactory, and we did not want to do the work over again.

Mr. CARTER of Oklahoma. Not only have they been made, but they are judicially authenticated. A decision has been handed down by the court saying which Indian is of Indian blood and which is not. So, it is a question of res adjudicata, which we did not wish to disturb.

Mr. STAFFORD. Now, I wish to inquire about amendment No. 93, as found on page 51. That is the payment of interest on certain trust funds of the Cherokee Indians, and which has been reported in a bill from the Committee on Indians Affairs and has been up for your consideration in this House under unanimous consent, and objection to which was raised to that part which authorized the payment to the attorney of the tribe. The Secretary of the Interior objected to the bill as reported from the Committee on Indian Affairs, because they provided payment of this interest fund to the agent appointed by the Cherokee Nation. As I recall the letter of the Secretary of the Interior, it was provided that this fund should be paid to members of the nation. Am I in error as to that position?

Mr. CARTER of Oklahoma. Well, I can not say as to that. I do not recall. The bill was reported some time ago from the committee, and while the Committee on Indian Affairs, like other committees of the House, is always glad to have any

information and any recommendation the Secretary of the Interior may give, we do not always feel impelled to follow those recommendations. As a rule we do, but sometimes we disagree with the Secretary, and in that case we usually go contrary to his recommendation.

Now, for the specific information the gentleman wants, I refer him to the gentleman from Oklahoma [Mr. HASTINGS], who proposed the bill.

Mr. HASTINGS. As the gentleman knows, there were four items in this judgment of the Court of Claims which was affirmed by the Supreme Court of the United States. Now, as to items 1 and 4, the Secretary of the Interior agreed that they ought to be paid, and he recommended that they be paid. And this amendment is in the same language as the bill that was introduced in the Senate and favorably reported by the Senate committee, and is in the same language as the bill introduced in the House and reported by the House committee.

Mr. STAFFORD. And when it was presented for consideration on the floor on the Unanimous Consent Calendar——

Mr. HASTINGS. It could not be considered because the gentleman from Wisconsin [Mr. STAFFORD] would not permit it to be considered.

Mr. STAFFORD. It did receive some consideration on the Unanimous Consent Calendar.

Mr. HASTINGS. The gentleman would not allow it to be considered. I tried every time to get it, and, as the gentleman knows, I sat in my seat here every unanimous-consent day and tried to get it up, and I had no objection from anybody else in the House except my genial friend from Wisconsin.

Mr. STAFFORD. My objection, I will state to the gentleman, was only to that part which authorized the payment of the interest on this fund to the agent, because the Secretary of the Interior had protested against it.

Mr. HASTINGS. We follow the Secretary of the Interior in a great many instances, but do not always follow him.

Mr. STAFFORD. Will the gentleman state some reason why the interest on these trust funds should be paid over to an individual of the Cherokee Nation and not, as recommended by the Secretary of the Interior, paid to the Cherokee Nation as a tribe?

Mr. HASTINGS. In the first place, it does not make any difference to the United States, if it is paying its honest obligations, what is the name of the agent for the Cherokee Nation it pays it to. In the second place, it is quite a long story. If the gentleman will give me enough time, I will give him an explanation that will be entirely satisfactory, I think. It is satisfactory to my mind, at least, and I think it would be to the gentleman's mind if the gentleman knew the facts about that tribal fund. The trouble is the gentleman gets up and asks me a question on the floor of the House involving a long answer and expects me to answer it in a single sentence. This claim grew out of the treaty of 1835.

Mr. STAFFORD. If the gentleman will permit, I only wish to have information as to why you are paying it to the attorney rather than, as the Secretary recommends, to the Nation itself.

Mr. HASTINGS. I can give it to you. It grows out of the treaty of 1835. Part of it was paid in 1852 by an appropriation by Congress. Finally, when we provided for the opening of the Cherokee strip the accounting officers appointed under the agreement found that the amount due was something over $4,000,000, which, with the interest, finally became approximately $4,800,000. The Government would not pay it. The attorneys of the Cherokee Nation remained here about 8 or 10 years, and gentlemen objected to it, and finally the case was sent to the Court of Claims. One representative of the Cherokee Tribe was here, and hung about the halls of Congress, and haunted the committee rooms, and worked in behalf of this claim, to my certain knowledge, for 20 or 25 years. It finally got to the Court of Claims. That court rendered an opinion in our favor in 1905, and on appeal the case went to the Supreme Court in 1906, and was there affirmed.

This man was not the attorney of record, and when the appeal was allowed he was not paid as other attorneys, under the decision of the Court of Claims, because he was not technically an attorney of record. Now, he has been here for 14 years contending that that judgment was erroneously paid. He contends it was not paid in full. He has been in conference with the Interior Department and with the Committees on Indian Affairs of the House and Senate and other committees of Congress trying to get relief in the matter for the past 10 or 15 years. Now he is going into the courts on items 2 and 3, and this is a small amount that is going to be received by him. In the final accounting, when the final judgment is rendered, he will have to account for it. In the other bill sending this matter to the Court of Claims we provide that he shall not have more pay than is allowed by the Court of Claims and approved by the Secretary of the Interior, so that the Secretary of the Interior will have the final approval of the matter of his compensation in the end.

Mr. STAFFORD. Will the gentleman inform the House what is the total amount under the interest charge that will be paid to him under the bill?

Mr. HASTINGS. I have not figured it up. The interest continues to increase the amount, and I have not figured it up.

Mr. STAFFORD. According to the report on the House bill, the amount on item No. 1 will be $2,195.

Mr. HASTINGS. That is not paid to him according to my recollection of his agreement filed with the report.

Mr. STAFFORD. This amendment in the bill provides for interest on item No. 1 and interest on item No. 4.

Mr. HASTINGS. He will not get it all under his contract. Anyway, that is the explanation. It is a long story.

Mr. STAFFORD. The gentleman's colleague [Mr. CHANDLER] tells me it does not apply to item No. 1. But let me call the attention of the gentleman to the item on line 20.

Mr. HASTINGS. I am sure that he does not get that under the contract that has been filed before the department.

Mr. STAFFORD. Under item 4 the interest is $20,000.

Mr. HASTINGS. It is an increasing amount as time goes on.

Mr. STAFFORD. In addition to that, the interest on these sums that accrued since then has been added. Is the gentleman going to get all this money and the Cherokee Nation get nothing?

Mr. HASTINGS. Oh, no. I have tried to explain it to the gentleman. We sent those other items 2 and 3 to the court.

Mr. STAFFORD. I am not talking about items 2 and 3. I am talking about items 1 and 4.

Mr. HASTINGS. I have been trying to explain to the gentleman that that part of it, items 2 and 3, goes to the Court, and in the final settlement and the allowance for the whole work done that has to be approved by the Court of Claims and the Secretary of the Interior. The matter can then be adjusted.

Mr. STAFFORD. I am calling the gentleman's attention to items 1 and 4 in this provision, and the minimum amount is something like $25,000. You propose to pay that to a man who has been hanging around the corridors of Congress——

Mr. HASTINGS. For twenty-odd years he fought for this claim, and for the last 12 or 14 years fought it alone and single handed, and he deserves the credit.

Mr. STAFFORD. Like the colored messenger represented in Hoyt's "Texas Steer," the Ambassador to Dahomey, who hung around.

I think the gentleman in fairness to the House should allow the gentleman from Arizona [Mr. HAYDEN] to refer to a very important item which was agreed to. I think there should be a little explanation, to call the attention of the House to the fact that the conferees agreed to an important amendment, the last amendment in the bill.

Mr. HAYDEN. Mr. Speaker, the last amendment in the bill, Senate amendment No. 133, consists of the language of S. 385, an act to authorize mining for metalliferous minerals on Indian reservations, as reported to the House on July 1, 1918, the several amendments to that act recommended by the House Committee on Indian Affairs being included. This is practically the same bill which passed the House in the Sixty-fourth Congress, and meets with the approval of the Bureau of Indian Affairs, the Board of Indian Commissioners, the Indian Rights Association, and other friends of the Indians. On February 3 of the present year S. 385 was considered in the House on a motion which I made to suspend the rules and pass it. But 12 votes were lacking of the required two-thirds majority, the result of the roll call being yeas 168, nays 90.

This legislation as originally introduced by me was derived from applicable sections of the coal, oil, and gas leasing bill, which has passed this House in three successive Congresses. A few days ago the House adopted the conference report on that general measure, and no one objected to its leasing provisions. All of the controversy was over the sale of certain areas of coal lands. Now, under the terms of the Senate amendment No. 133 not an acre of Indian land can be sold. Provision is made for leasing unallotted lands the title to which remains in the Indian tribes.

Inasmuch as the House had so recently approved the conference report on the coal, oil, and gas leasing bill, your conferees compared this Senate amendment with that report and changed it in several particulars to conform thereto. Coal leases are for 20 years, so the leasing period has been reduced from 30 to 20 years.

Mr. STAFFORD. Is the provision substantially like that of the House leasing bill as it passed, not as it was changed in conference?

Mr. HAYDEN. The leasing provisions of the coal, oil, and gas bill were not changed in conference at all.

Mr. STAFFORD. The conference report on the oil leasing bill provided for allowing one-fourth of the claim in fee to the person who prospected.

Mr. HAYDEN. No fee title is provided for in this bill. The title to all leased lands remains in the United States in trust for the Indians. The provision of this amendment which authorizes the Secretary of the Interior to grant to the lessee the right to use a tract of land for camp sites, milling, smelting, or refining works, and so forth, was further amended at the request of the House conferees to require the payment of an annual rental of not less than $1 per acre. The rental to be paid on the land covered by the lease was also made not less than 25 cents, 50 cents, and $1 per acre a year. With these changes all rentals and royalties are now mere minimums, thus conforming to the general leasing bill, and the Secretary of the Interior has full authority to charge the lessee as much as he pleases for the privilege of mining ore from any claim on any Indian reservation. Anyone who is at all familiar with the business methods of the Indian Office knows that the officials of that bureau will be sure to charge all if not more than is warranted. They never overlook an opportunity to show that they have fully protected the interests of the Indians.

There is nothing to prevent the Secretary of the Interior from providing in the lease that the royalties shall be based upon the value of the total metallic content of the ore as mined, payable on a sliding scale, so that the rate of royalty will automatically increase if a rich pocket should be struck and will decline if leaner ores are encountered. The railroads vary their transportation charges according to the value of the ore as shown by the smelter returns, and through an arrangement with the smelters the freight payments are deducted from the producer's net returns. It would be very easy for the Secretary of the Interior to make an arrangement with the smelters for deductions of royalties on a similar sliding scale. If the plan just suggested is not adopted the Secretary has the undoubted right to inquire as to the richness of the ores, the quantity in sight, the nearness to transportation, and every other factor entering into the value of the mining claim before he makes any such lease.

Gentlemen say that there is no hurry about this matter, that this legislation can wait, that the minerals on Indian reservations will not deteriorate in the ground, and that they should be conserved for the benefit of future generations. I do not wonder that such gentlemen are sometimes called reactionary, for a more unprogressive argument was never advanced. The Indians need the money from royalties and rentals to provide them with schools, with more sanitary homes, and for their general advancement in civilization. Every dollar that is received from this source will relieve the Treasury by just that much, because Congress does not make gratuity appropriations where tribal funds are available.

The 30,000,000 acres of unallotted Indian lands in the States of Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Washington, and Wyoming affected by this amendment, are by no means all mineral bearing, probably not a tenth of it would be looked at twice by a prospector. But where valuable minerals that can be mined do exist, the deposits should be made available as provided in this legislation. Not an acre of that land can now be taxed to support the State and county governments. The people of those States, Indian and white alike, have a right to ask that these resources be developed, and when a carefully considered plan of operations is presented to Congress, a plan approved by every friend of the Indians, it is our duty to act favorably upon it. To do otherwise is to deny that there shall be advancement by either the red man or the white man in the West.

Suppose, for example, that what is now Cook County had been set aside in the early days as a reservation for the Indians of Illinois and those who claim to be guardians of the Indians had insisted that it remain a primeval wilderness for their use and enjoyment in accordance with their savage customs, does anyone doubt for a moment that instead of the great city of Chicago there would be an Indian agent in charge at Fort Dearborn and the site of the Auditorium Building would still be a frog pond? If another reservation had been established a little farther north for the Indians of Wisconsin, I can assure the gentleman who so ably represent that State and city in this House that Milwaukee would never have had an opportunity to become famous.

Some gentlemen may prefer to see the Indians living amid disease and squalor in their wickiups and hogans, because such barbaric surroundings are always considered picturesque. Those who have really studied the Indian problem know that we should adopt another policy. The resources of the reservations must be developed and, paying their own way, the Indians can thus be advanced in civilization until they become fitted for citizenship.

Mr. CARTER of Oklahoma. I yield 10 minutes to the gentleman from North Dakota [Mr. NORTON].

Mr. NORTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD, and that I may speak out of order.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to revise and extend his remarks in the RECORD, and also that he may speak out of order. Is there objection?

There was no objection.

Mr. NORTON. Mr. Speaker and gentlemen of the House, since my return from Europe last week I had hoped that I might be able to secure in the House time to give in detail some of the experiences that I had and some of the observations I was able to make while visiting the battle fronts in France, Belgium, and Germany. With the congestion of legislative work before us I realized that time can not be spared for any long address now before the close of the session, so in the time that has been so generously given me I wish briefly to call your attention to one of the most important problems now confronting the allied nations for solution.

The center of the greatest interest in Europe during the past two months has been at the beautiful building of the French foreign office, on the Quai d'Orsay, in Paris, where is being held the peace conferences.

Of all the subjects of the conference the one that seems in the minds of the people of Europe to overshadow in importance all others is the proposed league of nations. The people of Europe are weary and tired of war. The experience that they have lived through during the last four years has burned deep in their souls the unspeakable horrors, cruelties, and sufferings of war. Their hearts cry out more for some organization or power that will lessen the future possibility of war than for a mere peace pact between the allied and central European powers, drawing down the curtain on the great war, in the fiery cauldron of which they and theirs have suffered indescribably. It was my very great privilege to be able to visit during the last two months in Paris and London and throughout the war-torn regions of France, Belgium, England, and Germany, including in the latter country the territory now occupied by the allied armies. My eyes have seen the devastation and ruin that the war has wrought in Belgium, in France, and in England and in Germany. My ears have heard the pitiful, heart-rending tales of those who have suffered and who are suffering from the fierce, hot, blighting breath of war, which has so terribly scarred and defaced the fairest lands and the most beautiful structures that the will of God and the genius of man have produced in all the centuries of time in the Old World. Having seen and heard what they have endured and what they have suffered, the great cry from the souls of the masses against future wars did not come to me with any surprise.

Seated at one end of the three great tables around which the seventy-odd members of the peace conference were gathered in the clock room of the French foreign office in Paris, I had full opportunity to note the profound and reverent attention each member of the conference gave to every argument or discussion which dealt with the question of the formation of the league of nations to promote international cooperation and to secure peace and the maintenance of justice between the nations of the earth. Their attitude and their attention toward the subject reflected the ardent hope and desire of the hundreds of millions of people whom they represented, for a new and better era of world relationship and for a reign of lasting peace between all nations and all peoples. While the rank and file of the people of the allied nations in Europe are united in their hopes and desires for a league of nations, not all the politicians and statesmen in Europe are in favor of this great movement. Personal selfishness and desire for personal preferment and gain seems to impel a considerable number who now hold the scepters of power in Europe to oppose the formation of a league of nations, the underlying principles of which are altruism, justice, and humanity.

The leadership in the fight for a league of nations has been accorded by common consent of all its supporters at the peace conference to President Wilson, on account of his wide and thorough knowledge of world history, his unswerving fidelity to the underlying principles and purposes of the league of nations, his thoughtful tact in dealing with opposition, and his outstanding and unequaled ability to present in forceful and convincing language the reasons and arguments in favor of the league. [Applause.] It is generally recognized in France that the great victory won in securing from the special committee

of the peace conference which had been assigned the work of considering and preparing a draft for a constitution for the organization of the league of nations unanimous recommendation to the peace conference in favor of the adoption of a definite covenant for the league of nations, which covenant, with the report of the special committee, President Wilson presented to the peace conference in full session on Friday, March 14, was not only a memorable victory for the honest and sincere advocates throughout the world of a league of nations, but was the highest compliment that could be paid to the matchless arguments of President Wilson in behalf of the league. [Applause.] None of the sponsors at Paris for the draft of the constitution of the league of nations considers it letter perfect or without need of some changes. It does, however, represent the most significant collective achievement for the prevention of war yet attempted by civilized nations. Its submission to the court of public opinion of mankind before adoption by the delegates of the various nations represented at the peace conference shows that old-time secret diplomacy is being discarded and that a new era of fair and just covenants openly arrived at is to take its place. [Applause.]

I want to impress upon you that to-day the eyes of the people of Europe and Asia are turned toward this great Nation. Without the cooperation and assistance of this Nation there can at this time be no effective league of nations. The peace that is soon to be made, ending the great war, is to set up a great number of new nations. Anyone who has made any careful study of conditions in Europe knows that unless some organization is formed at the same time that the peace terms are signed, to protect and guide these new nations, Europe will be in a turmoil of war again within a very few years. That is why those who have carried on the war, that is why those who have offered up supreme sacrifices in the war during the past four years, feel more deeply on the subject of the league of nations than they do on that of the mere ending of the war.

I had the privilege and good fortune to be present at the opening of the general meeting of the peace conference at the French foreign office in Paris on Tuesday, February 14. This memorable meeting was called to order by the quick, sharp words of the distinguished chairman of the meeting, the most commanding French statesman of the hour, the most powerful citizen in all France that the war has produced, M. Georges Clemenceau. Almost immediately after M. Clemenceau had called the conference to order President Wilson began his address, including the reading of the covenant for a league of nations, which it had been unanimously agreed upon by the committee appointed to the work of drafting a constitution for the formation of a league of nations should be reported to the full conference, with the recommendation that the covenant be adopted by the full conference. The fact that the report was signed by 14 of the powers represented at the conference seemed to make almost certain that the covenant will finally be ratified and become an integral part of the terms of peace to be signed at Versailles. Following President Wilson, Lord Robert Cecil, for England, sounded a clear note in support of the league and its principles. Then, Mr. Orlando, for Italy, and M. Leon Bourgeois, for France, and Baron Makino, for Japan, voiced the approval of the millions of people they represented for the proposed league of nations. These speeches were followed by short speeches by Mr. Barnes, of England, representing organized labor in England, and by Mr. Venizelos, for Greece, who, it was generally considered, made the most effective address at the great meeting of the conference, excepting the address of President Wilson, which was unanimously considered to have been far superior in thought and in force to any of the others. The conference, which began at 3.30, was brought to a close at 6.55, following an interrogatory by Mr. Hughes, of Australia, who wanted to know when time would be given to debate particular items of the covenant and offer amendments thereto.

M. Clemenceau replied at length to Mr. Hughes, stating that the covenant would be laid on the table during the absence of President Wilson in the United States and would be taken up again on the President's return.

No one who witnessed the scene of that great gathering at the French foreign office on the afternoon of the 14th of February and heard the earnest words spoken from the very hearts of the greatest and most distinguished statesmen of our time, spoken with the fullest knowledge and thought of the responsibilities they owed to more than seven hundred millions of people throughout the world whom they represented, could entertain any doubt as to the tremendous need and importance to the future peace of the world of a league of nations, or as to the present timeliness and practicability of the formation of such a league. While the awful din and roar of the great war has been stilled in western Europe, since the armistice became effective on November 11, a number of wars have been continued and are still going on in eastern Europe and in the Balkan Peninsula. These minor struggles in themselves would in ordinary times greatly engage the attention of the world, as the loss of life and the destruction of property is large. Following so soon the greatest of wars, we seem not to be able to properly comprehend their importance or to measure their effect. This warring condition between the different nationalities over boundaries and commercial relations will continue in the future as it has in all past centuries unless some tribunal is provided by the leading nations of the world where all nations, both great and small, may have their differences and claims against other nations passed upon and settled in fairness and justice. That is what the covenant for the league of nations provides for.

The working organization of the league, as provided by the covenant or proposed constitution, is to consist, first, of a body of delegates representing the nations that are members of the league. These delegates are to assemble in meeting at specified times, and are to carry out the purpose of the league of nations, which, as stated in its preamble, are "to promote international cooperation and to secure international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just, and honorable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among governments, and by the maintenance of justice and scrupulous respect for all treaty obligations in the dealings of organized peoples with one another."

The body of delegates are empowered to choose an executive council consisting of representatives of the United States, the British Empire, France, Italy, and Japan, together with representatives of four other States, members of the league. The executive council is to meet at frequent intervals and it is given power to consider and to act upon any matter within the sphere of action of the league affecting the people of the world. A permanent secretariat is to be established at the seat of the league and a secretary general is provided, whose duty it is to preside at the meetings of the body of delegates and also at the meetings of the executive council.

A study of the preamble and the 26 articles of the covenant, which I shall place in the RECORD, makes clear that the purpose of the league is chiefly twofold:

1. To prevent war, and
2. To remove the cause of war.

Viewing the causes and circumstances that have led up to most of the wars of the world, it is well understood that war can generally be prevented by a full and free discussion of the questions involved by the parties interested and by full and open consideration of the consequences of war to those to be affected by it. It is now generally conceded that if even a short consideration of the issues involved and the probable consequences of the great war which began in August, 1914, had been given by representatives of Germany, France, England, and Russia before an open tribunal at the time of the threatened beginning of this war, the war would never have occurred. Such consideration before an open tribunal would have disclosed to Germany and to the world that England would resist to the fullest extent of her power and of her resources any attempt by Germany to overthrow and destroy the Republic of France and extend over France, Belgium, and other European nations her monarchal and military form of government. In the light of this disclosure, the Imperial German Government and her people would not have ventured on the easy conquest of France that her war lords thought they saw before them in 1914.

Article 12 of the covenant recognizes the power of open inquiry and arbitration to avoid war and offers one of the most potent means that could be devised or suggested for the prevention of war. The article is in the following terms:

ART. 12. The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the questions and matters involved either to arbitration or to inquiry by the executive council and until three months after the award by the arbitrators or a recommendation by the executive council; and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council.

In any case under this article the award of the arbitrators shall be made within a reasonable time, and the recommendation of the executive council shall be made within six months after the submission of the dispute.

No nation in the future will be likely to go to war if it knows that the public opinion of the large part of the world is against

its action and if it further knows that a severance of all its trade and financial relations with a large number of States and members of the league will be made.

The terms of article 16 of the agreement places a tremendous moral and economic force back of the league, by means of which wars may be prevented without resort to any use of naval or military forces. If the influence of social, financial, and economic forces fail to stop an outlaw nation from waging war upon another nation, the league has, as a gun behind the door, the combined military and naval forces which may be contributed by its members.

Article 16 provides:

Should any of the high contracting parties break or disregard its covenants under article 12, it shall thereby ipso facto be deemed to have committed an act of war against all the other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

It shall be the duty of the executive council in such case to recommend what effective military or naval force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

The high contracting parties agree, further, that they will mutually support one another in the financial and economic measures which are taken under this article in order to minimize the loss and inconvenience resulting from the above measures and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State and that they will afford passage through their territory to the forces of any of the high contracting parties who are cooperating to protect the covenants of the league.

It was seen early in the consideration of the work of the formation of the league of nations that it would not be sufficient that the scope of the league be confined to that of a vigilance committee or jailer. It would not be sufficient that the scope of the work of the league of nations should be confined to dealing with disputes after they had arisen. Peace, it was recognized, will be lasting only when nations unite in so dealing with the causes of war that disputes will not arise. This brings us to the second of the two objects for which the league of nations is to be founded and for which the covenant provides, and that is to remove the cause of war.

The crux of the whole problem of reconstruction and lasting peace is to reduce to the minimum the friction of social, economic, and political relations between the nations, which are among the well-known chief causes of war. Unless the administration of raw materials, markets, shipping facilities, trade relations, backward regions, and investments in these regions are carried on so as to administer equitably to the necessities and to the welfare of all nations they will be certain to continue to give rise to trouble. The league of nations as proposed is clothed with authority to deal with these problems and to adjust them so that all avoidable feelings of unfairness and injustice may be removed.

One of the main objections that at present is being sounded in this country to the United States becoming a member of the league of nations is that the league of nations would break down the Monroe doctrine. I can not see that there is any real grounds for such opposition. Instead of breaking down the Monroe doctrine the league of nations, as proposed, will strengthen it and will in its operation, both in spirit and in letter, prevent the setting up of any autocratic governments on this Western Hemisphere. The whole underlying spirit of the league is opposed to autocratic governments everywhere. The Monroe doctrine announces opposition to the acquiring of any part of this continent by any foreign State. The league of nations is opposed to and is designed to prevent the taking of territory by force or by intrigue to the injury or disadvantage of any other nation. The entire spirit and purpose which animates the formation of a league of nations tends to strengthen and perpetuate the Monroe doctrine rather than to weaken or destroy it. All of the nations, I am sure, that are to be charter members of the league of nations would readily agree to a specific acceptance and approval of the Monroe doctrine if any such specific acceptance and approval were deemed to be needed in addition to the general terms of the covenant proposed.

Another criticism that is made to the United States joining the league of nations is that the league will limit the sovereignty of our Nation. As a matter of fact, the covenant for the league does not diminish our sovereignty to any greater degree than it is now limited by outstanding treaties. It nowhere proposes to take away from Congress the power to declare war or to do anything else that Congress now has power to do. In joining the league this Nation would agree to certain things contained in the constitution of the league. It would then be for our Nation to carry out these agreements through its constitutional power or to disregard them and break the treaty if it so chose. The covenant would not limit our legal freedom of action, but it would diminish our moral freedom of action, as does every treaty. All treaties are in a measure moral limitations on the sovereign freedom of States. There is no treaty which any State has made which, in so far as it establishes obligations to another State, is not a limitation to the sovereignty of that State. If after the war there should be no league of nations and we should make treaties as we should need to, separately, with every single State, we would thereby accumulate a collection of individual limitations upon our national sovereignty. These would, in all probability, be a confused collection, parts of which would be in conflict with others, so that our obligations to one State might on the basis of a treaty easily interfere with the obligations to another, and we then might find ourselves in more troubles instead of fewer in carrying out separate treaties with separate States. Incomparably better and safer for our own peace and for the peace of the world it will be if a league of nations is agreed upon, which in itself will be a great, free, openly-made treaty of justice and good will between all nations, which will put an end for all time to diplomatic intrigues and secret treaties between nations.

The present demand and need for a league of nations is not revolutionary, but rather evolutionary. A few years ago the United States was to a great extent isolated from Europe by both distance and comity of interests. To-day that condition no longer exists. The steamship, the submarine, the aeroplane, the cable, the telephone, the wireless telegraph, and a hundred other marvelous modern inventions have bridged the distance between Europe and America so that any disarrangement or disorganization of the social and economic conditions of the people of Europe quickly affects the welfare of our people in this country. We can not longer, if we would, isolate ourselves from Europe, as we were so fortunately able to do in the days of Washington and Jefferson and down almost to the present time. Nearly two years ago we went into the great war courageously and cheerfully, with a singular elevation of purpose, for the preservation of chivalry, for the expansion of democracy, and for the undergirding of the future security of the world. Our American boys, with a glory unparalleled in the history of the world, carried our starry emblem to victory at Cantigny, at Chateau-Thierry, and in the Argonne Forest. In these victories they broke the throttling grasp of monarchy from the throat of democracy. In these victories, as history will record, they won the great war for chivalry and for democracy. Let no part of the great victories they won be lost. Let us in the same broad, generous, and patriotic spirit with which we gave our support and encouragement to our brave boys in their wonderful work on the long, hard battle line from Flanders to Switzerland give our loyal support and encouragement to the five admirable American citizens who represent our beloved Nation at the great peace conference in Paris, that they may be victorious in all their efforts for humanity, that they may be successful in securing in the peace negotiations an agreement for a league of nations that will redound for all time to the glory of the democracy of the United States and prove to be the most potent instrument the world has ever had for the maintenance of peace and good will among all nations and all peoples. [Applause.]

THE LEAGUE OF NATIONS COVENANT.

The epochal draft of the proposed covenant of the league of nations, formulated by the special commission which was authorized by the peace conference on January 25, unanimously adopted by representatives of 14 nations on the commission, reported to the full conference on February 14, 1919, by President Wilson, and now submitted to the public opinion of the world before final action shall be taken on it by the peace conference:

COVENANT.

PREAMBLE. In order to promote internal cooperation and to secure international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just, and honorable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among governments, and by the maintenance of justice and scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, the powers signatory to the covenant adopt this constitution of the league of nations:

ARTICLE 1. The action of the high contracting parties under the terms of this covenant shall be effected through the instrumentality of a meeting of a body of delegates representing the high contracting parties, of meetings at more frequent intervals of an executive council, and of a permanent international secretariat to be established at the seat of the league.

ART. 2. Meetings of the body of delegates shall be held at stated intervals and from time to time as occasion may require for the purpose of dealing with matters within the sphere of action of the league. Meetings of the body of delegates shall be held at the seat of the league or at such other places as may be found convenient and shall consist of representatives of the high contracting parties. Each of the high contracting parties shall have one vote, but may have not more than three representatives.

ART. 3. The executive council shall consist of representatives of the United States of America, the British Empire, France, Italy, and Japan, together with representatives of four other States, members of the league. The selection of these four States shall be made by the body of delegates on such principles and in such manner as they think fit. Pending the appointment of these representatives of other States representatives of (blank left for names) shall be members of the executive council.

Meetings of the council shall be held from time to time as occasion may be required and at least once a year at whatever place may be decided on, or, failing any such decision, at the seat of the league, and any matter within the sphere of action of the league or affecting the peace of the world may be dealt with at such meetings.

Invitations shall be sent to any power to attend a meeting of the council at which such matters directly affecting its interests are to be discussed, and no decision taken at any meeting will be binding on such powers unless so invited.

ART. 4. All matters of procedure at meetings of the body of delegates or the executive council, including the appointment of committees to investigate particular matters, shall be regulated by the body of delegates or the executive council and may be decided by a majority of the States represented at the meeting.

The first meeting of the body of delegates and of the executive council shall be summoned by the President of the United States of America.

ART. 5. The permanent secretariat of the league shall be established at ———, which shall constitute the seat of the league. The secretariat shall comprise such secretaries and staff as may be required under the general direction and control of the secretary general of the league, who shall be chosen by the executive council; the secretariat shall be appointed by the secretary general subject to confirmation by the executive council.

The secretary general shall act in that capacity at all meetings of the body of delegates or of the executive council.

The expenses of the secretariat shall be borne by the States members of the league in accordance with the apportionment of the expenses of the international bureau of the Universal Postal Union.

ART. 6. Representatives of the high contracting parties and officials of the league when engaged in the business of the league shall enjoy diplomatic privileges and immunities and the buildings occupied by the league or its officials or by representatives attending its meetings shall enjoy the benefits of extraterritoriality.

ART. 7. Admission to the league of States not signatories to the covenant and not named in the protocol hereto as States to be invited to adhere to the covenant requires the assent of not less than two-thirds of the States represented in the body of delegates and shall be limited to fully self-governing countries, including dominions and colonies.

No State shall be admitted to the league unless it is able to give effective guaranties of its sincere intention to observe its international obligations and unless it shall conform to such principles as may be prescribed by the league in regard to its naval and military forces and armaments.

ART. 8. The high contracting parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State, and the executive council shall formulate plans for effecting such reduction.

The executive council shall also determine for the consideration and action of the several governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament, and these limits, when adopted, shall not be exceeded without the permission of the executive council.

The high contracting parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections and direct the executive council to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those countries which are not able to manufacture for themselves the munitions and implements of war necessary for their safety.

The high contracting parties undertake in no way to conceal from each other the conditions of such of their industries as are capable of being adapted to warlike purposes or the scale of their armaments and agree that there shall be full and frank interchange of information as to their military and naval programs.

ART. 9. A permanent commission shall be constituted to advise the league on the execution of the provisions of article 8, and on military and naval questions generally.

ART. 10. The high contracting parties shall undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league. In case of any such aggression or in case of any threat or danger of such aggression the executive council shall advise upon the means by which the obligation shall be fulfilled.

ART. 11. Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations.

It is hereby also declared and agreed to be the friendly right of each of the high contracting parties to draw the attention of the body of delegates or of the executive council to any circumstance affecting international intercourse which threatens to disturb international peace or the good understanding between nations upon which peace depends.

ART. 12. The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy they will in no case resort to war without previously submitting the questions and matters involved either to arbitration or to inquiry by the executive council and until three months after the award by the arbitrators, or a recommendation by the executive council, and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council.

In any case under this article the award of the arbitrators shall be made within a reasonable time, and the recommendation of the executive council shall be made within six months after the submission of the dispute.

ART. 13. The high contracting parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which can not be satisfactorily settled by diplomacy, they will submit the whole matter to arbitration. For this purpose the court of arbitration to which the case is referred shall be the court agreed on by the parties or stipulated in any convention existing between them. The high contracting parties agree that they will carry out in full good faith any award that may be rendered. In the event of any failure to carry out the award the executive council shall propose what steps can best be taken to give effect thereto.

ART. 14. The executive council shall formulate plans for the establishment of a permanent court of international justice, and this court shall, when established, be competent to hear and determine any matter which the parties recognize as suitable for submission to it for arbitration under the foregoing article.

ART. 15. If there should arise between States members of the league any dispute likely to lead to rupture which is not submitted to arbitration as above, the high contracting parties agree that they will refer the matter to the executive council; either party to the dispute may give notice of the existence of the dispute to the secretary general, who will make all necessary arrangements for a full investigation and consideration thereof. For this purpose the parties agree to communicate to the secretary general as promptly as possible statements of their case, with all the relevant facts and papers, and the executive council may forthwith direct the publication thereof. Where the efforts of the council lead to the settlement of the dispute a statement shall be published indicating the nature of the dispute and that of settlement, together with such explanations as may be appropriate.

If the dispute has not been settled, a report by the council shall be published setting forth with all necessary facts and explanations the recommendation which the council thinks just and proper for the settlement of the dispute. If the report is unanimously agreed to by the members of the council other than the parties to the dispute the high contracting parties agree that they will not go to war with any party which complies with the recommendations, and that if any party shall refuse so to comply, the council shall propose measures necessary to give effect to the recommendations.

If no such unanimous report can be made, it shall be the duty of the majority and the privilege of the minority to issue statements indicating what they believe to be the facts and containing the reasons which they consider to be just and proper.

The executive council may in any case under this article refer the dispute to the body of delegates. The dispute shall be so referred at the request of either party to the dispute, provided that such request must be made within 14 days after the submission of the dispute. In a case referred to the body of delegates all the provisions of this article and of article 12 relating to the action and powers of the executive council shall apply to the action and powers of the body of delegates.

ART. 16. Should any of the high contracting parties break or disregard its covenants under article 12 it shall thereby ipso facto be deemed to have committed an act of war against all the other members of the league, which hereby undertakes immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

It shall be the duty of the executive council in such case to recommend what effective military or naval force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

The high contracting parties agree further that they will mutually support one another in the financial and economic measures which may be taken under this article in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will afford passage through their territory to the forces of any of the high contracting parties who are cooperating to protect the covenants of the league.

ART. 17. In the event of disputes between one State member of the league and another State which is not a member of the league, or between States not members of the league, the high contracting parties agree that the State or States not members of the league shall be invited to accept the obligations of membership in the league for the purposes of such dispute upon such conditions as the executive council may deem just, and upon acceptance of any such invitation the above provisions shall be applied with such modifications as may be deemed necessary by the league.

Upon such invitation being given the executive council shall immediately institute an inquiry into the circumstances and merits of the dispute and recommend such action as may seem best and most effectual in the circumstances.

In the event of a power so invited refusing to accept the obligations of membership in the league for the purposes of the league which in the case of a State member of the league would constitute a breach of article 12, the provisions of article 16 shall be applicable as against the State taking such action.

If both parties to the dispute when so invited refuse to accept the obligations of membership in the league for the purpose of such dispute, the executive council may take such action and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

ART. 18. The high contracting parties agree that the league shall be intrusted with general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest.

ART. 19. To those colonies and territories which, as a consequence of the late war, have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization, and that securities for the performance of this trust should be embodied in the constitution of the league.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be intrusted to advanced nations who by reason of their resources, their experience, or their geographical position can best undertake this responsibility, and that this tutelage should be exercised by them as mandatories on behalf of the league.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions, and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached the stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory power.

Other peoples, especially those of central Africa, are at such a stage that the mandatory must be responsible for the administration of the territory subject to conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic, and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the league.

There are territories such as southwest Africa and certain of the South Pacific isles which, owing to the sparseness of their populations or their small size or their remoteness from the centers of civilization or their geographical contiguity to the mandatory State, and other circumstances, can be best administered under the laws of the mandatory State as integral portions thereof, subject to the safeguards above mentioned in the interests of the indigenous population.

In every case of mandate the mandatory State shall render to the league an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the mandatory State shall, if not previously agreed upon by the high contracting parties in each case, be explicitly defined by the executive council in a special act or charter.

The high contracting parties further agree to establish at the seat of the league a mandatory commission to receive and examine the annual reports of the mandatory powers and to assist the league in insuring the observance of the terms of all mandates.

ART. 20. The high contracting parties will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children both in their own countries and in all countries to which their commercial and industrial relations extend, and to that end agree to establish as part of the organization of the league a permanent bureau of labor.

ART. 21. The high contracting parties agree that provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all States, members of the league, having in mind, among other things, special arrangements with regard to the necessities of the regions devastated during the war of 1914–1918.

ART. 22. The high contracting parties agree to place under the control of the league all international bureaus already established by general treaties if the parties to such treaties consent. Furthermore, they agree that all such international bureaus to be constituted in future shall be placed under control of the league.

ART. 23. The high contracting parties agree that every treaty or international engagement entered into hereafter by any State, member of the league, shall be forthwith registered with the secretary general and as soon as possible published by him, and that no such treaty or international engagement shall be binding until so registered.

ART. 24. It shall be the right of the body of delegates from time to time to advise the reconsideration by States, members of the league, of treaties which have become inapplicable, and of international conditions, of which the continuance may endanger the peace of the world.

ART. 25. The high contracting parties severally agree that the present covenant is accepted as abrogating all obligations inter se which are inconsistent with the terms thereof, and solemnly engage that they will not hereafter enter into any engagements inconsistent with the terms thereof. In case any of the powers signatory hereto or subsequently admitted to the league shall, before becoming a party to this covenant, have undertaken any obligations which are inconsistent with the terms of this covenant, it shall be the duty of such power to take immediate steps to procure its release from such obligations.

ART. 26. Amendments to this covenant will take effect when ratified by the States whose representatives compose the executive council and by three-fourths of the States whose representatives compose the body of delegates.

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PRESIDENT WILSON'S FOURTEEN POINTS.

THE "FOURTEEN POINTS" OF JANUARY 8.

1. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

2. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

[The allied governments reserved to themselves complete freedom on this point, November 5, and stated their understanding that the word "restored" in the paragraph below dealing with invaded countries means compensation by Germany for damage to civilian population of the allies and their property. To the latter point President Wilson formally assented.]

3. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

4. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

5. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.

6. The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy, and assure her of a sincere welcome into the society of free nations under institutions of her own choosing, and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

7. Belgium, the whole world will agree, must be evacuated and restored, without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of international law is forever impaired.

8. All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly 50 years, should be righted, in order that peace may once more be made secure in the interest of all.

9. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

10. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

[On October 19 the President notified the Austro-Hungarian Government which had requested an armistice that certain conditions had changed since January 6. Quoting point 10, Secretary Lansing's note said: "Since that sentence was written and uttered to the Congress of the United States, the Government of the United States has recognized that a state of belligerency exists between the Czecho-Slovaks and the German and Austro-Hungarian Empires and that the Czecho-Slovak National Council is a de facto belligerent government clothed with proper authority to direct the military and political affairs of the Czecho-Slovaks. It has also recognized in the fullest manner the justice of the nationalistic aspirations of the Jugo-Slavs for freedom. The President is therefore no longer at liberty to accept the mere "autonomy" of these peoples as a basis of peace, but is obliged to insist that they, and not he, shall be the judges of what action on the part of the Austro-Hungarian Government will satisfy their aspirations and their conception of their rights and destiny as members of the family of nations."]

11. Roumania, Serbia, and Montenegro should be evacuated, occupied territories restored, Serbia accorded free and secure access to the sea, and the relations of the several Balkan States to one another determined by friendly counsel along historical established lines of allegiance and nationality, and international guarantees of the political and economic independence and territorial integrity of the several Balkan States should be entered into.

12. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantees.

13. An independent Polish State should be erected, which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

14. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small States alike.

THE "FOUR POINTS" OF FEBRUARY 11.

[Address to Congress.]

First. That each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent.

Second. That peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game, even the great game, now forever discredited, of the balance of power; but that—

Third. Every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims among rival States; and

Fourth. That all well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe, and consequently of the world.

FOUR POINTS IN ONE, JULY 4.

[Address at Mount Vernon.]

There can be but one issue. The settlement must be final. There can be no compromise. No halfway decision would be tolerable. No halfway decision is conceivable. These are the ends for which the associated peoples of the world are fighting and which must be conceded them before there can be peace:

1. The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world; or, if it can not be presently destroyed, at the least its reduction to virtual impotence.

2. The settlement of every question, whether of territory, or sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

3. The consent of all nations to be governed in their conduct toward each other by the same principles of honor and of respect for the common law of civilized society that govern the individual citizens of all modern States in their relations with one another; to the end that all promises and covenants may be sacredly observed, no private plots or conspiracies hatched, no selfish injuries wrought with impunity, and a mutual trust established upon the handsome foundation of a mutual respect for right.

4. The establishment of an organization of peace which shall make it certain that the combined power of free nations will check every invasion of right and serve to make peace and justice the more secure by affording a definite tribunal of opinion to which all must submit and by which every international readjustment that can not be amicably agreed upon by the peoples directly concerned shall be sanctioned.

These great objects can be put into a single sentence. What we seek is the reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind.

THE FIVE POINTS OF SEPTEMBER 27.

[Address at Metropolitan Opera House, New York.]

As I see it, the constitution of that league of nations and the clear definition of its objects must be a part, is in a sense the most essential part, of the peace settlement itself. * * * It is necessary to guarantee the peace, and the peace can not be guaranteed as an afterthought.

First, the impartial justice meted out must involve no discrimination between those to whom we wish to be just and those to whom we do not wish to be just. It must be a justice that plays no favorites and knows no standard but equal rights of the several peoples concerned.

Second, no special or separate interest of any single nation or any group of nations can be made the basis of any part of the settlement which is not consistent with the common interest of all.

Third, there can be no leagues or alliances or special covenants and understandings within the general and common family of the league of nations.

Fourth, and more specifically, there can be no special, selfish economic combinations within the league and no employment of any form of economic boycott or exclusion except as the power of economic penalty by exclusion from the markets of the world may be vested in the league of nations itself as a means of discipline and control.

Fifth, all international agreements and treaties of every kind must be made known in their entirety to the rest of the world.

Mr. CARTER of Oklahoma. I yield nine minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker and gentlemen of the House, a friend of mine recently asked me, knowing that I was going out of Congress, when I should sing my swan song. I told him there would be no swan song, so far as I was concerned. I leave this House absolutely voluntarily, and I desire at this time to say something to the membership of the House. I might say as a man said at one time—

Farewell my friends, farewell my foes;
My love with these, my peace with those.

But I can not say that, because there are none of "those"; they are all "these," my friends. [Applause.]

I would like to say something about the new subject, the league of nations, but I shall only refer to it; and what I want to do more than anything else is to talk against a swan song by any Member of this House, coming in, being here, or going out. The swan may be a fitting emblem for the loose confederacy that men expect to organize on this earth in place of the American Republic; but if we want an emblem and a song we do not want a swan song; let it be the song of the American eagle. [Applause.]

Most of us are in favor of closing this war as it should be closed now. Some of us have suffered in this war most sadly. We are all in favor of gathering the legitimate fruits of this war; but I trust our sons who lie beyond yonder sea did not make their sacrifice for the purpose of surrendering American sovereignty as we find it in the pact produced. [Applause.] We are in favor of a league of nations, but not necessarily the league of nations concerning which the public talks.

Swan song! No. Fancy our great Speaker, as he retires from yonder chair, singing a swan song. Think, if you can, of him drifting down the turgid river in the current and finding a place on some sand bar to deposit his political remains.

No, my friends, if a song were to be sung and ornithology should be the inspiration, it should come not from Cygnus but from Aquila. It would be the song of the American eagle and not a swan song. Let me tell you, fellow Republicans, in the next four years, as he guards that side of the House, beware. Do not expect him to be coming up from the reeds and rushes of the river, as described by the international poet, Tennyson. You will find him swooping down upon you from the crests of the lofty trees and the peaks of mountains, to your undoing. [Applause.]

Fancy, if you can, our matchless minority leader, MANN, singing a swan song! Why, not long since there was a distinct clamor going up here and throughout this country for a swan song from him. They got the song, but it did not come from turgid waters—

From creeping mosses and clambering weeds
And waving swells of the soughing reeds.

It came from that pure upper and lonely air. It came in the clear and magic notes, inspired and strengthened by the rich upper air, where the eagle sweeps on tireless pinion, while unblanched eye looks into the face of the sun. Where his friends expected a tragedy he wrought a distinguished triumph. [Applause.]

When I was a boy I read in an old book of a general in the old time leading his forces against the enemy. Outnumbered, overpowered, still retreating, amid threatened demoralization and almost panic, in the critical moment he rushed across the line of combat, seized the standard of the opposing general, and led not only his own forces, but those he had been opposing, to a substantial victory. [Applause.]

I do not need to make the application. You have already done so.

Fancy that man singing a swan song! No; he would better sing the song of the American eagle. I will read it:

SONG OF THE AMERICAN EAGLE.

I build my nest on the mountain's crest,
Where the wild winds rock my eaglets to rest;
Where the lightnings flash, and the thunders crash,
And the roaring torrents foam and dash;
For my spirit free henceforth shall be
A type of the sons of liberty.

Aloft I fly from my aerie high,
Through the vaulted dome of the azure sky;
On a sunbeam bright take my airy flight,
And float in a flood of liquid light;
For I love to play in the noontide ray,
And bask in a blaze from the throne of day.

Away I spring with a tireless wing,
On a feathery cloud I poise and swing;
I dart down the steep where the lightnings leap,
And the clear blue canopy swiftly sweep;
For dear to me is the revelry
Of a free and fearless liberty.

I love the land where the mountains stand,
Like the watchtowers high of a patriot band;
For I may not bide in my glory and pride,
Though the land be never so fair and wide,
Where luxury reigns o'er voluptuous plains,
And fetters the free-born soul in chains.

Then give to me in my flights to see
The land of the pilgrims ever free!
And I never will rove from the haunts I love:
But watch, from my sentinel track above,
Your banner free, o'er land and sea,
And exult in your glorious liberty.

O, guard ye well the land where I dwell,
Lest to future times the tale I tell,
When slow expires in smoldering fires
The goodly heritage of your sires—
How freedom's light rose clear and bright
O'er fair Columbia's beacon height,
Till ye quenched the flame in a starless night.

Then will I tear from your pennon fair
The stars ye have set in triumph there;
My olive branch on the blast I'll launch;
The fluttering stripes from the flagstaff wrench;
And away I'll flee, for I scorn to see
A craven race in the land of the free!

[Applause.]

My friends, to my mind our elder statesmen did their patriotic duty and did it well when they refused to stand lip locked at this hour and proceeded to discuss the great pact that clashes with our Constitution, regardless of the prohibition of the sponsor of that pact. What matter if there is autocratic gnashing of teeth and intemperate language used because they have torn to tenuous tatters the newly presented constitution. Let those rave and rage who will. This Republic was brought to its proud place at too great expense to surrender its sovereignty, independence, and treasure at the bidding of man or men, American or European.

When Xerxes invaded Greece with a bridge of boats across the Dardanelles, called the Hellespont, and a storm destroyed the boats and scattered his ships, he caused them to be lashed and fetters placed upon them in his mad fury. This is what the poet says about it.

'Tis said that Persia's baffled King,
In mad, tyrannic pride,
Cast fetters on the Hellespont
To curb its swelling tide.

But freedom's own true spirit heaves
The bosom of the main;
It tossed those fetters to the skies
And bounded on again.

The scorn of each succeeding age
On Xerxes' head was hurled,
And o'er that foolish deed has pealed
The long laugh of a world.

Thus, thus, defeat and scorn and shame
Is his who strives to bind
The restless, leaping waves of thought,
The free tide of the mind.

[Applause.]

In closing let me say apart that after eight years of the most interesting portion of my life, I, like the other boys in the service who are permitted to come home, go back to the old job. Mine is farming in the morning and the evening and the law office between 8 and 6, and my spare time for diversion and other toil. [Applause.]

Mr. CARTER of Oklahoma. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the conference report.

The conference report was agreed to.

On motion of Mr. CARTER of Oklahoma, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

OMNIBUS PENSION BILL.

Mr. ASHBROOK. Mr. Speaker, with the understanding that it will not interfere with the rights of the gentleman from Massachusetts, I ask to take from the Speaker's table H. R. 14894, an omnibus pension bill.

Mr. MANN. A House bill with Senate amendments?

Mr. ASHBROOK. Yes; and I intend to move to concur in the Senate amendments. I ask to take it from the Speaker's table and concur in the Senate amendments.

Mr. QUIN. Mr. Speaker, I think we ought to have a quorum here to consider this bill.

The SPEAKER. The gentleman from Mississippi makes the point of no quorum. The Chair will count. [After counting.] One hundred and twenty-seven Members present; not a quorum.

Mr. GARRETT of Tennessee. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Estopinal	Kiess, Pa.	Rowe
Anthony	Fairchild, G.W.	Kincheloe	Russell
Barkley	Farr	La Follette	Sanders, Ind.
Benson	Flynn	Lampert	Saunders, Va.
Birch	Focht	Langley	Scott, Iowa
Black	Foss	Lazaro	Sells
Booher	Frear	Linthicum	Shackleford
Britten	Fuller, Mass.	Little	Sherley
Brodbeck	Gard	Lunn	Sherwood
Brumbaugh	Glynn	McAndrews	Shouse
Buchanan	Godwin, N. C.	McArthur	Slayden
Caldwell	Goodall	McCormick	Smith, Mich.
Cary	Gould	McKinley	Smith, C. B.
Chandler, N. Y.	Gray, N. J.	Magee	Snell
Church	Gregg	Martin	Stafford
Clark, Fla.	Griest	Mason	Steele
Cleary	Griffin	Mays	Steenerson
Collier	Hamill	Merritt	Stephens, Nebr.
Connelly, Kans.	Hamilton, Mich.	Moon	Sumners
Copley	Hamilton, N. Y.	Nelson, J. M.	Swift
Costello	Harrison, Miss.	Nolan	Taylor, Ark.
Cox	Heaton	Norton	Temple
Crago	Heintz	Oliver, Ala.	Tilson
Crosser	Helm	Osborne	Towner
Curry, Cal.	Hilliard	O'Shaunessy	Treadway
Dale	Hood	Padgett	Van Dyke
Decker	Houston	Paige	Walker
Denison	Howard	Park	Ward
Dent	Hull, Iowa	Parker, N. Y.	Watson, Pa.
Dickinson	Humphreys	Peters	Webb
Dill	Husted	Porter	Whaley
Donovan	Jacoway	Pou	White, Ohio
Doolittle	Johnson, S. Dak.	Pratt	Wilson, Ill.
Drane	Jones	Price	Winslow
Drukker	Kahn	Rainey, H. T.	Wise
Dunn	Kearns	Ramseyer	Wood, Ind.
Ellsworth	Keating	Roberts	Woods, Iowa
Emerson	Kelley, Mich.	Robinson	Woodyard

The SPEAKER. On this roll 276 Members have answered to their names, a quorum.

Mr. ASHBROOK. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. ASHBROOK. Mr. Speaker, I renew my request to take from the Speaker's table the bill H. R.——

Mr. WALSH. Mr. Speaker, it is understood that the gentleman from Ohio predicated his request upon the understanding that it does not displace me from my right to the floor.

The SPEAKER. It will not displace the gentleman.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, with Senate amendments thereto, and agree to the Senate amendments.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table the bill H. R. 14894, an omnibus pension bill, with Senate amendments thereto. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate amendments.

Te Senate amendments were read.

Mr. ASHBROOK. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

On motion of Mr. ASHBROOK, a motion to reconsider the vote by which the Senate amendments were concurred in was laid on the table.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5554, H. Rept. 1181) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of a pension bill. Is there objection?

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. To save time, if several of these matters come up now and go through, by unanimous consent or otherwise, that will not interfere with the right of the gentleman from Massachusetts to recognition?

The SPEAKER. Not at all. The Chair will keep the place warm for the gentleman from Massachusetts.

Mr. MANN. I knew the Chair would, but I wanted the House to so understand.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Jonathan M. Ragner, late of Company B, Twenty-seventh Regiment Missouri Volunteer Mounted Infantry, and pay him a pension at the rate of $21 per month in lieu of that he is now receiving.

The name of Peter L. Leuszler, late of Company H, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of R. W. Duncan (colored), known as Pack Duncan, late guide, Second Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mary E. Williams, widow of William H. H. Williams, late of Company G, Seventh Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary Alcinda Wingert, helpless and dependent daughter of Martin B. Wingert, late first lieutenant Company A, One hundred and sixty-fifth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $12 per month.

The name of Leonora V. Lunt, widow of George H. Lunt, late of Company F, Thirty-first Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William H. Makee, late of Company D, Twenty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles E. Haskell, late unassigned, Maine Volunteers, and unassigned, Twenty-ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $21 per month.

The name of Sarah Van Doozer, widow of William N. Van Doozer, late of Company A, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Anna F. Baugh, widow of Jacob L. Baugh, late of Company A, One hundred and fourteenth Regiment, and Company E, One hundred and ninetieth Regiment, Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Esther U. McKelvey, former widow of James Ling, late of Company B, Eighth Regiment, and Company D, Sixteenth Regiment, Pennsylvania Volunteer Cavalry, and widow of Henry E. McKelvey, late of Company K, Sixty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary Snow, widow of Dennis T. Snow, late of Company G, Thirty-first Regiment Iowa Volunteer Infantry, and Company I, Tenth Regiment Veteran Reserve Corps, and former widow of John A. Smith, late of Company M, Second Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Martha A. Tucker, former widow of Jesse T. Breedlove, late of Company A, Eighth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary M. Ayer, former widow of James Stanley, late of Company A, First Battalion Sharpshooters, Maine Volunteer Infantry, and Company A, Twentieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Frederick Deppe, late of Company B, Fifteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eliza E. Herman, former widow of Robert H. Herman, alias Robert Harmond, late of Company H, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George N. Morse, late of Company K, Forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Hulda Johnson, widow of James M. Johnson, late of Company B, Fifty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sarah F. Steele, former widow of John S. Steele, late of Company D, Thirteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Josiah McKnight, late of Company I, Forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sylvester H. Gaskill, late of Company G, Fourth Regiment United States Veteran Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jennie Magee, widow of Samuel H. Magee, late acting second assistant engineer, United States Navy, and pay her a pension at the rate of $25 per month.

The name of Henrietta Buswell Brown, widow of Henry E. Brown, late of Company A, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Joseph Masden, late of Company E, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary L. Colnay, former widow of William Graham, late of Company I, Sixth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Cora W. Merryman, widow of David C. Merryman, late of Company B, Fifteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Alexander D. Tanyer, late captain Company H, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of W. Lafayette League, late of Company F, Thirteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Herrman, former widow of Jacob Schlosstein, late of Company B, Third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Clara Stillman, widow of Willett D. Stillman, late of Company C, Forty-fourth Regiment New York Volunteer Infantry, and former widow of Oscar L. Myers, alias Henry Myers, late of Company K, One hundred and thirty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary Rumbold, widow of Charles H. Rumbold, late of Company B, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Nancy J. Bower, widow of John Bower, late of Company D, Eighty-second Regiment Ohio Volunteer Infantry, and former widow of Levi Shaul, late of Company A, Fifty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William H. Henkle, late of Company G, Ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Camm T. Sanders, late of Company B, Tenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John T. Showalter, late of Company B, Ninth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Cora C. O'Neill, widow of Arthur O'Neill, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $20 per month.

The name of Anna C. Seaman, former widow of Joseph Robinson, late of Company A, Sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Davis Parsons, late of Company H, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frances L. Haha, widow of Frederick Haha, late of Company G, Sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Abbie B. Garrett, widow of John M. Garrett, late of Company H, Thirty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Susan E. Guyn, former widow of Joseph T. Marshall, late of Company I, Fifty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William McDonald, late of Company F, Fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John W. Huffman, late of Company D, One hundred and sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Boman R. Butcher, late of Company H, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry H. Niles, late of U. S. S. *Moose*, United States Navy, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles F. Perry, late of Company H, Ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James Hanners, late of Company G, Fifth Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $21 per month in lieu of that he is now receiving.

The name of Catherine A. Brownlee, widow of William H. Brownlee, late of Company A, Fifty-fourth Regiment Illinois Volunteer Infantry, and former widow of Levi Remick, late of Company I, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ida B. Willison, widow of John C. Willison, late of Company L, Fourth Regiment United States Cavalry, and pay her a pension at the rate of $25 per month and $2 per month additional on account of the minor child of said John C. Willison until she reaches the age of 16 years, all such pension to be in lieu of that now being paid under minor's certificate No. 810234 on account of said minor child.

The name of George Graham, late of Company E, Thirteenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Albert F. Nelson, late of Company C, Tenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lewis Newman, late of Company H, Ninth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John W. Combs, late of Company D, Third Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Hagadorn, widow of Henry J. Hagadorn, late of Company H, Seventh Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ida V. Haskins, widow of Hiram S. Haskins, late of Company K, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Clara E. Buckland, former widow of Jason I. Noland, late of Companies F and C, First Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Henry M. Chase, late of Company A, Coast Guards, Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William T. Potts, late of Company E, Tenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louisa Jones, former widow of Rudolph Blum, late of Companies K and B, Ninth Regiment Wisconsin Volunteer Infantry, and widow of Abraham Jones, late of Company G, Twentieth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Andrew J. Moody, late of Company H, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William F. Blanchard, late of Company B, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William B. Douglas, late of Company A, Second Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Emeline C. Starr, helpless and dependent daughter of George Starr, late of Company E, Eleventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Samuel Lockwood, late of Company H, One hundred and eleventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ella A. Mead, widow of James A. Mead, late of Company B, One hundred and forty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Isaac D. Hamilton, late of Company A, Sixth Regiment, and Company F, Seventh Regiment, Delaware Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles Wiley, late of Company L, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Newell Strout, late captain Company K, Third Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lucy A. Schriver, former widow of Nelson M. Tenney, late of Company I, Forty-third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jesse W. Bowdle, late of Companies F and A, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month, without deduction or rebate on account of former alleged erroneous payments of pension.

The name of Sarah M. Geiger, former widow of Henry H. Geiger, late of Company A, Eighty-fifth Regiment, and Company G, One hundred and thirty-third Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Isabell Cunningham, widow of Washington Cunningham, late of Company K, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Cunningham, helpless and dependent son of said Washington Cunningham, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Isabell Cunningham, the name of said John Cunningham shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month, from and after the date of death of said Isabell Cunningham.

The name of James H. Cornell, late of Company I, Sixth Regiment Minnesota Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lucina E. Smith, former widow of Ira G. Christian, late of Company F, Thirty-second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of James C. Daly, late of Company A, Battalion Volunteer Cavalry, Mississippi Marine Brigade, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jennie L. Barrows, helpless and dependent daughter of Benjamin G. Barrows, late of Captain Cobb's company, State Guards, Maine Militia Infantry, and pay her a pension at the rate of $12 per month.

The name of Mary M. Hood, widow of Robert Hood, late of Company B, Thirteenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Amos L. Hood, late of Company D, One hundred and seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $32 per month in lieu of that he is now receiving, the same to be paid to him without deduction for any alleged former erroneous payments of pension.

The name of Henry H. Hering, late captain of Company E, Seventy-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Blitz, late of Company C, Sixty-seventh Regiment New York National Guard Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Maranda E. McHaffie, widow of Oscar F. McHaffie, late of Capt. A. J. Lee's company, attached to Fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George F. Griffith, alias Frank W. Morton, late of Troop D, First Regiment United States Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Carrie E. Hewett, former widow of Hollis Smart, late of Company A, Maine Coast Guard Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Robert B. Patrick, late of Company D, Seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George F. Hood, late of Company E, Eleventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Stewart Orr, late of Company C, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Effie E. Milton, widow of John C. Milton, late of Companies F and C, Eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Hermann Hoffmeister, late of Company C, Second Regiment Missouri Volunteer Infantry, and Company H, Eighth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alonzo R. Cole, late captain Company E, One hundred and twentieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah F. Robinson, former widow of Samuel W. Blethen, late of Company F, Ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George Forker, late of Company L, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Georgia M. Hodgsdon, widow of Daniel B. Hodgsdon, late first lieutenant U. S. S. *Reliance*, United States Revenue-Cutter Service, Civil War, and captain U. S. S. *McCulloch*, United States Revenue-Cutter Service, War with Spain, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Milton W. Burnham, late of Company K, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah C. Vaughan, former widow of Augustus Vaughan, late of Company A, Seventeenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James H. Johnston, late of Company C, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John F. Lichty, helpless and dependent son of Jacob P. Lichty, late of Company H, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Rouser Mettler, late of Company K, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Arabella Roberts, widow of George J. S. Roberts, alias James S. Roberts, late of the United States ships *Grampus*, *Eastport*, and *Red Rover*, United States Navy, and pay her a pension at the rate of $25 per month.

The name of Alonzo J. Finch, late of Company G, Forty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Levi M. Starne, late of Company B, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Catharine Derstine, permanently helpless and dependent daughter of John F. Derstine, late of Company G, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Horton Mosher, late of Company G, First Regiment United States Lancers, Michigan Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of Alexander Faries, late of Company A, Sixth Regiment, and Company F, Seventh Regiment, Delaware Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jacob R. Stillwagon, late of Company D, Ninth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Franklin Bryan, late of Company F, Thirty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $46 per month in lieu of that he is now receiving.

The name of William Dugent, late of Company B, Thirteenth Regiment Maryland Volunteer Infantry, and Company D, Fourth Regiment United States Infantry, and pay him a pension at the rate of $30 per month.

The name of Benjamin A. Sturtevant, late sergeant major and first lieutenant Company B, Twenty-third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William E. Hughes, late of Captain Foxwell's company (Henderson Guards), Second Battalion, District of Columbia Militia Infantry, and pay him a pension at the rate of $20 per month.

The name of James Rowland, late of Company K, Sixty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward D. Hamilton, late of Company G, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William J. Vanhoose, late of Company C, Forty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Daniel C. Darlington, late of Company F, Purnell Legion, Maryland Volunteer Infantry, and Company F, First Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary A. Lake, former widow of Amby M. Welch, late of Company I, Forty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Isaac N. White, late of Company B, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The foregoing bill is a substitute for the following Senate bills referred to said committee:

S. 1053. Jonathan M. Ragner.
S. 1314. Peter L. Leuszler.
S. 1346. R. W. Duncan, alias "Pack" Duncan.
S. 1717. Mary E. Williams.
S. 1718. Mary Alcinda Wingert.
S. 1841. Leonora V. Lunt.
S. 2226. William H. Makee.
S. 2556. Charles E. Haskell.
S. 2699. Sarah Van Doozer.
S. 2819. Anna F. Baugh.
S. 2880. Esther U. McKelvey.
S. 2892. Mary Snow.
S. 2971. Martha A. Tucker.
S. 3014. Mary M. Ayer.
S. 3042. Frederick Deppe.
S. 3044. Eliza E. Herman.
S. 3048. George N. Morse.
S. 3145. Hulda Johnson.
S. 3279. Sarah F. Steele.
S. 3281. Josiah McKnight.
S. 3282. Sylvester H. Gaskill.
S. 3292. Jennie Magee.
S. 3345. Henrietta Buswell Brown.
S. 3377. Joseph Masden.
S. 3423. Mary L. Colnay.
S. 3466. Cora W. Merryman.
S. 3623. Alexander D. Tanyer.
S. 3628. W. Lafayette League.
S. 3650. Mary Hermann.
S. 3651. Clara Stillman.
S. 3712. Mary Rumbold.
S. 3850. Nancy J. Bower.
S. 3854. William H. Henkle.
S. 3855. Camm T. Sanders.
S. 4050. John T. Showalter.
S. 4173. Cora C. O'Neill.
S. 4377. Anna C. Seaman.
S. 4384. Davis Parsons.
S. 4386. Frances L. Haha.
S. 4461. Abbie B. Garrett.
S. 4577. Susan E. Guyn.
S. 4582. William McDonald.
S. 4585. John W. Huffman.
S. 4589. Boman R. Butcher.
S. 4615. Henry H. Niles.
S. 4680. Charles F. Perry.
S. 4695. James Hanners.
S. 4704. Catherine A. Brownlee.
S. 4705. Ida B. Willison.
S. 4718. George Graham.
S. 4751. Albert F. Nelson.
S. 4757. Lewis Newman.
S. 4764. John W. Combs.
S. 4788. Elizabeth Hagadorn.
S. 4797. Ida V. Haskins.
S. 4804. Clara E. Buckland.
S. 4809. Henry M. Chase.
S. 4834. William T. Potts.
S. 4847. Louisa Jones.
S. 4853. Andrew J. Moody.
S. 4869. William F. Blanchard.
S. 4896. William B. Douglas.
S. 4898. Emeline C. Starr.
S. 4903. Samuel Lockwood.
S. 4905. Ella A. Mead.
S. 4920. Isaac D. Hamilton.
S. 4926. Charles Wiley.
S. 4927. Newell Strout.
S. 4933. Lucy A. Schriver.
S. 4943. Jesse W. Bowdle.
S. 4981. Sarah M. Geiger.
S. 5012. Isabell Cunningham.
S. 5021. James H. Cornell.
S. 5031. Lucina E. Smith.
S. 5078. James C. Daly.
S. 5091. Jennie L. Barrows.
S. 5103. Mary M. Hood.
S. 5106. Amos L. Hood.
S. 5107. Henry H. Hering.
S. 5118. Charles Blitz.
S. 5131. Maranda E. McHaffie.
S. 5142. George F. Griffith, alias Frank W. Morton.
S. 5145. Carrie E. Hewett.
S. 5164. Robert B. Patrick.
S. 5165. George F. Hood.
S. 5166. Stewart Orr.
S. 5184. Effie E. Milton.
S. 5204. Hermann Hoffmeister.
S. 5218. Alonzo R. Cole.
S. 5225. Sarah F. Robinson.
S. 5241. George Forker.
S. 5242. Georgia M. Hodgsdon.
S. 5253. Milton W. Burnhan.
S. 5268. Sarah C. Vaughan.
S. 5272. James H. Johnston.
S. 5276. John F. Lichty.
S. 5324. Rouser Mettler.
S. 5383. Arabella Roberts.
S. 5387. Alonzo J. Finch.
S. 5407. Levi M. Starne.
S. 5411. Catharine Derstine.
S. 5418. Horton Mosher.
S. 5425. Alexander Faries.
S. 5427. Jacob R. Stillwagon.
S. 5455. Franklin Bryan.
S. 5466. William Dugent.
S. 5468. Benjamin A. Sturtevant.
S. 5481. William E. Hughes.
S. 5483. James Roland.
S. 5501. Edward D. Hamilton.
S. 5509. William J. Vanhoose.
S. 5519. Daniel C. Darlington.
S. 5520. Mary A. Lake.
S. 5524. Isaac N. White.

Mr. LAGUARDIA. Mr. Speaker, I move to strike out the last word. In considering military pension bills it is quite natural that we think of the greatest topic of the day, and that is the question of permanent peace. There has been quite a lot of discussion the last few days around the Capitol. There are various differences of opinion, there are many proposed plans, and a great deal of conflict, but, gentlemen, if you will consult the 2,000,000 American men who fought overseas, you will find no difference of opinion among them. They are all absolutely for an arrangement—I do not care what you call it, a league of nations or anything else—which will make impossible another world war. [Applause.] You talk to-day about the formation of a league of nations. Mr. Speaker, the league of nations exists already. There is a league existing between the English and the French and the Belgians and the Italians and the Brazilians and Serbians and the Montenegrians and the Cubans and the Japanese and the Portuguese—all men who fought together. They stood loyally together in war—they are determined to stick together in peace.

If it was possible to keep these men in a united allied army to fight for a just cause, it is much easier to keep them united to maintain peace. We told our boys before they went across that we were fighting for an ideal—we were also fighting for the vindication of American rights. We told them that our safety was threatened. We told them that it was necessary to destroy an enormous military machine which was menacing the peace of the world. We went out and we did destroy that military machine, and we won a complete and glorious victory. Now, we have a right to demand that out of all this gigantic struggle and for the millions of lives sacrificed we shall come to an understanding among the nations that a sudden declaration of war will be impossible. Provide the machinery that will delay a declaration of war or that will retard the commencement of hostilities, and war will be impossible. The people of the world do not want another world war. You can not get the people of the world to engage in another.

You talk about difficulties of an international force. There is fear of a surrender of our sovereignty. I ask you who commanded our armies in France? Were not our armies submitted to the command of the commander in chief, Gen. Foch? When our convoy neared England we were met out at sea by a fleet of destroyers and cruisers which escorted this convoy of troop ships into port. There were American cruisers and English cruisers and French cruisers. The flagship was at the head of this formation. The flagship would signal directions and the whole fleet would change its course. You did not see an American cruiser flashing back, saying, "Wait; I can not take your command; I must refer it to the Senate Committee on Foreign Relations to see if it is constitutional." [Applause.]

It worked all right. The fleet in the Mediterranean was composed of Italian ships, British ships, French ships, Japanese ships, and Brazilian ships, under one command, and it worked out all right. There was no conflict and no one on this side worried about losing our sovereignty, or command of our own forces. That is the league that exists.

Now, the idea of a league of nations is nothing new. You passed a resolution in this House on the 20th of June, 1910, authorizing the President to appoint commissioners to study the question of a league to enforce peace, and the same resolution was reported favorably in the Senate and passed four days later. This is not a political question. It is a world question. This is a question which has back of it the American people. Mr. Speaker, in the war the great cry was to stand

back of the President and win the war. We want to stand back of him and put through an arrangement that will prevent another war. [Applause.]

That is the main thing to bear in mind. Its purpose, as far as we are concerned, is to safeguard us from another war. Of course, it will also be beneficial to the nations of Europe, but the first point we are to consider is that if it keeps Europe out of war we, too, will enjoy the continued blessings of peace. We thought in 1914 that we could not be involved in the terrible conflict. The submarines, but a few months later, made it plain that sooner or later we would be required to fight for our rights and national honors.

I want to take this opportunity to point out that the people of Europe are as anxious to avoid war as we are. That being so, I see the realization of the great hope.

Only last night I had the opportunity of meeting four most interesting gentlemen who arrived in this country that same day. These gentlemen are the representatives from various redeemed Italian Provinces of the Adriatic: Mr. Georgio Pitacco, Mr. Roberto Gliglanovich, of Zara, Dalmatia, and Mr. Gino Antoni, of Fiume. Each one of these gentlemen was the Member of Parliament from his district to the hated Reichsrath of Vienna. To-day they are the representatives of a liberated, happy people. Let us hope that this freedom may continue; let us hope that they may remain united to their mother country—Italy.

All these people ask—the people of Trieste, Trento, Fiume, Zara, Istria—is a fair chance and fair play. They are quite satisfied that point 9 of President Wilson's 14-point peace message be carried out, namely, "The confines of Italy to be readjusted according to easily recognizable lines of nationality." These people are Italians socially, in temperament, language, habit, thought, and spirit. They have suffered long under the Hapsburg yoke. Given their liberty, they, too, will help to maintain world peace; and they will keep peace in the Adriatic, once that question is solved. [Applause.]

Mr. GARLAND. Mr. Speaker, I move to strike out the last two words. Mr. Speaker, I want to have read in my time here an editorial from the Washington Post of this morning.

The SPEAKER. The gentleman asks leave to have read an article from the Washington Post. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

THE IRISH SITUATION.

The demand by a portion of the Irish people that President Wilson shall bring the Irish question before the peace conference is an example of the embarrassments that await the league of nations, if it should be created.

The Irish people are divided on the question of home rule and independence. But even if they were united, even if Ulster and Cork flapped their wings in unison, there would still be the question of inducing or compelling the British Empire to relinquish its control of Ireland. President Wilson is said to have remarked at the league dinner last week that the Irish question was an internal matter, to be settled by the parties concerned. Certainly if any portion of the United States or its possessions should demand relief, the United States would not thank Great Britain for interfering.

But what would be the duty of the United States toward Ireland under a league of nations? Would the status of the United States be changed from one of sympathy for the aspirations of all peoples who wish to be free and independent? As the constitution of the league stands, the United States would be compelled to assist Great Britain in case a third power should attempt to aid the Irish to win their independence. Perhaps the United States should do that and perhaps it should not; but many Americans would hate to be compelled to go to war against Ireland.

If the league of nations had been in existence in 1776, France could not have helped George Washington to fight for American independence. All nations in the league would have been required to join England in beating down France and holding the American colonies under the rule of George III. There would not have been any United States of America.

Mr. GARLAND. Mr. Speaker, I yield back any time I may have.

The SPEAKER. The gentleman did not have any time to yield back.

Mr. TAGUE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. TAGUE. To speak against the pro forma amendment.

The SPEAKER. The Chair will recognize the gentleman.

Mr. TAGUE. Mr. Speaker, I realize that the time of the House is very valuable and would not take up one moment but for the fact that I believe, in justice to my colleagues, I should call to their attention a certain condition that has arisen which I do no believe has been called to the attention of the House or to the membership of the House at any time. I do not want to appear as bringing before the House anything of a personal nature, but I want to do something that might help other candidates for Congress who in future Congresses may find themselves confronted with the same difficulty which confronts me at this time. We have what is known as a contested-election law, which gives the necessary information as to how a contestant must proceed to prove his case in a contest where the election has been held and where he believes that he can prove his right to the seat in Congress. I am to-day engaged in one of those contests, and it is for that reason I wish to call the attention of the House to an evasion of a law which Members of Congress have thought for years would stand any test.

A willful violation of the authority of the United States marshal to summon witnesses to appear before a magistrate representing the Congress in obtaining evidence bearing upon alleged fraud committed in a congressional election requires that Congress should at once enact a law that will make certain that bold political leaders can not defy Congress.

Congress owes a duty to itself to at once order an investigation into the defiance of its right to have the United States marshal require witnesses to obey summonses, which has been flagrantly instanced at Boston during the past three weeks.

More than 400 witnesses whose evidence would show fraud and corrupt election practices refused to respond to summonses that the United States marshal personally served on witnesses. Furthermore, when the United States district attorney publicly warned these defiant witnesses they were violating the Federal law his warning was scorned. Lawyers have apparently advised these witnesses that there are no teeth in the present law, and the witnesses, backed by powerful political influences, laugh at the law which Congress has always believed was clear enough to require unquestioned obedience.

This law has stood for many years and has never been questioned until now, when it is being defied for the purpose of protecting a man who because of these frauds temporarily appears to have been elected to a seat in the Sixty-sixth Congress.

In the section of the contested-election law there is a provision as follows:

Any person who, having been summoned in the manner above directed, refuses or neglects to attend and testify, unless prevented by sickness or unavoidable necessity, shall forfeit the sum of $20, to be recovered, with costs of suit, by the party at whose instance the subpœna was issued, and for its use, by an action of debt in any court of the United States, and shall be liable to an indictment for a misdemeanor and punished by a fine and imprisonment.

To make the matter plain, I want to explain to the membership of this House what the conditions really are. In the contest I am waging at the present time I have charged fraud and corruption; and I believe that when my case is brought before the committee made up from the membership of this House that they will agree with me that I am entitled to a seat in the next Congress.

During this Congress the Members have been called upon to vote on many questions of the most vital importance. There were many questions affecting our country and the part we took in the great war; and it was because of the part I took in doing my duty as a Member of the American Congress in voting to uphold the rights of the American people that I brought down the wrath of men who would have had me to be a traitor to my people. So, Mr. Speaker, I was opposed in my nomination by a man as a candidate who does not live in my district and who was declared the nominee at the primaries after he had received the votes of those hundreds of illegal voters and after the names of soldiers and sailors who were serving the country across the sea had been voted on.

With all of this, and after throwing out 200 votes which should have been counted for me, he has been declared the nominee by 50 votes.

On account of an amendment to our voting laws, which was passed to allow the soldiers and sailors to vote, the law was changed so that it compels any person who wishes to be a candidate at the polls to file his intention five days prior to the primaries, which action would mean absolute defeat.

I was, therefore, compelled to again appeal to the voters by asking them to vote for me by using a sticker, as I had no other way of getting on the ballot.

Mr. Speaker, in one section of my district, in ward 5, we have proven conclusively that there is a colonization of voters who have no right, legally, to vote in the district. They do not live in the district; therefore they have no right to vote in the district; and they have violated the laws of Congress by so voting. We have summoned into court before a magistrate under this law 400 of these illegal voters as witnesses, who have refused to answer the summonses of the court, and we find upon application to the district attorney that he has no authority in the law to compel them to come into court, as there is no fine or imprisonment that can be inflicted upon them. This tends, Mr. Speaker, to destroy the spirit and intent of this law. It violates the intent and purpose of the law and takes from any

contesting Member the right to summon witnesses and make them testify before a magistrate appointed to receive testimony in behalf of Congress.

Mr. CRISP. Will my friend yield?

Mr. TAGUE. I will be glad to do so.

Mr. CRISP. You state there is no penalty against their failing to report. Do they refuse to testify? You did not state whether they refused to appear and testify or not.

Mr. TAGUE. These witnesses have not only refused to attend but they have also refused to testify, which ties the hands of any aspirant in a contest where he is trying to prove his case. I have no hesitation, Mr. Speaker, in saying that the action of these witnesses will have little effect upon the contest I am making in the next Congress, because I have evidence enough without this to prove my case conclusively before any jury in the land.

I made the contest in my district without my name upon the ballot. I was obliged to make a contest with what are known as "stickers" or "pasters," and my opponent, with all these thousands of illegal votes to call upon, was unable to secure more votes upon the ballot than I did. I have been credited with 7,000; he has been credited with 7,200, and there are 400 ballots still in question that I am confident the membership of any committee of this House will count for me. So, while this may appear in a measure a personal matter, I believe it is one for the Congress to take up in order that they may protect the interest of any contestant in the future.

Mr. SINNOTT. Will the gentleman yield?

Mr. TAGUE. I will.

Mr. SINNOTT. Did I understand the gentleman to read that the failure to answer to the subpœna subjected those failing to answer to an indictment for a misdemeanor?

Mr. TAGUE. The law, Mr. Speaker, is inoperative, because there is no fine or imprisonment provided in the law. They could bring them in on indictment but could not punish them, and the United States district attorney has rendered a decision that he has no power to punish any witness who refuses to come and testify in a case of this kind.

For that reason, Mr. Speaker, yesterday I introduced a resolution in this House, which I am informed by the Committee on Rules can not be reported because we are so close to the end of the session at this time, to investigate these conditions in my own district in order that some law may be enacted that will protect the interests of any other contestant, no matter who he may be, in his rights. [Applause.]

House resolution 619.

Whereas it appears that in the congressional election held in the tenth congressional district of Massachusetts on the 5th day of November, A. D. 1918, several hundred votes were cast in ward 5, in the city of Boston, in said congressional district, by nonresidents of said ward or district, who were not entitled to vote therein, but who, by so voting, deprived the legal voters of said congressional district of their choice in the selection of a Member of Congress; and

Whereas in consequence of said illegal voting a contest has been instituted to determine the person entitled to represent said congressional district in the Sixty-sixth Congress, said contest being carried on under the provisions of section 107 of the Revised Statutes of the United States; and

Whereas in the hearings now being conducted in said city of Boston before a magistrate selected by law to obtain evidence bearing upon alleged fraud practiced in said congressional election, the authority of the United States marshal to summon witnesses to appear and give testimony before said magistrate has been openly defied, said witnesses, though legally summoned, having refused to respond to said summonses on the ground that the law provides no punishment for said refusal; and

Whereas the voting lists in said ward 5 of said tenth congressional district contain the names of hundreds of persons who have no right to vote in said ward, but who, nevertheless, have voted at said election on November 5, A. D. 1918: Therefore be it

Resolved, That the Speaker appoint a select committee of five Members of the House, and that such committee be instructed to inquire into the illegal voting in said election, the voting lists used, and all things appertaining thereto, and for such purposes it shall have power to send for persons and papers and administer oaths, and shall have the right to report at any time.

I want to say that it is my intention when Congress convenes to have this resolution, which I have introduced, again placed before Congress, and will then ask the committee having charge of the contest of which I now speak to begin an immediate investigation in the voting conditions of ward 5, in the tenth Massachusetts district. I will also furnish them with the list of the witnesses who have thus defied the law, and I am certain that the committee will find a way to compel their attendance. [Applause.]

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ASHBROOK, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I call up the bill H. R. 14945, and ask to concur in the Senate amendments.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table the bill which the Clerk will report, and agree to the Senate amendments. Is there objection?

Mr. WALSH. Is it a pension bill, Mr. Speaker?

The SPEAKER. Yes. [After a pause.] The Chair hears no objection. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The Senate amendments were read.

The SPEAKER. The question is on agreeing to the Senate amendments.

The amendments were agreed to.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote by which the Senate amendments were agreed to was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I ask for a similar order on H. R. 15706.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table the bill H. R. 15706, and agree to the Senate amendments. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The Senate amendments were read.

The SPEAKER. The question is on agreeing to the Senate amendments.

The amendments were agreed to.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote by which the Senate amendments were agreed to was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to call up the bill S. 5553.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object——

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 5553) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole.

The SPEAKER. We have not the right to consider it at all yet. Is there objection to the consideration of the bill?

Mr. MOORE of Pennsylvania. Will the gentleman from Ohio [Mr. KEY] allow me 15 minutes?

Mr. HARRISON of Mississippi. Mr. Speaker, reserving the right to object, I do not know what the parliamentary status is. Is there a motion for unanimous consent?

The SPEAKER. There was; and the gentleman from Pennsylvania [Mr. MOORE] reserved the right to object.

Mr. MOORE of Pennsylvania. I desire to see if I can not get 15 minutes from the gentleman from Ohio.

Mr. SELLS. Mr. Speaker, I object

The SPEAKER. Object to what?

Mr. SELLS. To the consideration of the Senate bill

QUESTION OF PERSONAL PRIVILEGE.

Mr. MCARTHUR rose.

The SPEAKER. For what purpose does the gentleman from Oregon rise?

Mr. MCARTHUR. To submit a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MCARTHUR. Mr. Speaker, the Daily News, a newspaper of Portland, Oreg., a few weeks ago published in its columns the following interview from Postmaster Frank S. Myers, of Portland:

MYERS TAKES SWAT AT NEWS.

"The reason the News and Congressman McArthur and others are fighting Burleson is plain," said Postmaster Frank S. Myers Saturday. "McArthur went to Burleson with a crooked scheme when he was in Washington. McArthur is a liar, so the Postmaster General rebuked him and sent him away. Now they are all trying to get even."

The SPEAKER. The Speaker is inclined to think that the gentleman has a question of personal privilege. [Laughter.]

Mr. McARTHUR. Mr. Speaker, while I realize the truth of the old adage that "It is a waste of soap to lather an ass," I believe I owe it to my family and to my friends to make a statement in reply to this attack.

This interview was given out by Postmaster Myers shortly after I had issued a public criticism of Postmaster General Burleson for his action in ordering an increase in the telephone rates in Oregon.

The statement that I went to Postmaster General Burleson with a crooked scheme and that he rebuked me and sent me away is false in every particular. I have never called upon Postmaster General Burleson; have never been in his office; have never even met him. During my two terms in Congress I have been at the Post Office Department only once, on a matter relative to the location of a substation in Portland. Upon that occasion I was treated with the utmost courtesy by the official in charge of the matter. I have taken up numerous matters with the Post Office Department by correspondence, and there is a complete record of all these transactions in my office. There was nothing improper about any of them, and I have never been rebuked by the Postmaster General or any official of the Post Office Department. On the contrary, I have been treated with the utmost courtesy.

If Postmaster Myers can prove that I have ever been in the office of Postmaster General Burleson or have ever gone to him with a crooked scheme of any character or have ever spoken a word to the Postmaster General, I will resign my seat in the Sixty-sixth Congress. In view of the facts as I have stated them, it is Postmaster Myers and not I who is the liar. [Applause.]

This is the same Postmaster Myers who seeks to set himself up as the political boss of Oregon. One of the candidates for Congress whom he has favored with his support has been indicted by the Multnomah County grand jury for contributing to the delinquency of a 14-year-old girl and has fled the State.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. McARTHUR. Yes.

Mr. MOORE of Pennsylvania. I gather from the gentleman's statement that Postmaster Myers is evidently dabbling in politics?

Mr. McARTHUR. I should judge so.

Mr. MOORE of Pennsylvania. To what extent is he interfering with the sitting Congressman?

Mr. McARTHUR. To the extent of making my majority larger each time. [Laughter and applause.]

Mr. MOORE of Pennsylvania. Will the gentleman tell who Postmaster Myers is for?

Mr. McARTHUR. I decline to state the name. [Applause.]

Mr. WALSH. Mr. Speaker——

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. CRAMTON rose.

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. CRAMTON. To make a unanimous-consent request, without displacing the gentleman from Massachusetts, and with the understanding that it will not take over five minutes.

Mr. GARRETT of Tennessee. I object to that.

The SPEAKER. The gentleman from Massachusetts is entitled to the floor.

ADDITIONAL CLERKS TO COMMITTEE ON ENROLLED BILLS.

Mr. HASTINGS. Mr. Speaker, will the gentleman from Massachusetts yield to me to make a privileged report from the Committee on Accounts without losing his place?

Mr. WALSH. I did not understand that that was included in the program earlier in the evening, but if the gentleman has a resolution from the Committee on Accounts I would gladly yield to him without losing my rights.

The SPEAKER. The gentleman shall not lose his rights.

Mr. WALSH. I know that so long as the Speaker is in the chair. [Applause.]

Mr. HASTINGS. Mr. Speaker, I present House resolution 605. (H. Rept. No. 1180.)

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 605.

Resolved, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to employ such additional assistant clerks as may be necessary during the remainder of the Sixty-fifth Congress, the payment for services not to exceed $250, to be paid out of the contingent fund of the House.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MAYME O. PEAK—FRANK WALTON.

Mr. HASTINGS. Mr. Speaker, I present another privileged report (No. 1179) from the Committee on Accounts and ask its immediate consideration.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 614.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Mayme O. Peak, clerk to WILLIAM P. BORLAND, a Representative from the State of Missouri at the time of his death, the sum of $166.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

With the following amendment:

Amend by adding at the end of line 5 as follows:

"Frank Walton, clerk to HARVEY HELM, a Representative from the State of Kentucky at the time of his death, the sum of $166.66."

RECESS FROM 8.30 TO 9.30 O'CLOCK.

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, upon the merits, I ask unanimous consent that the House may stand in recess from 8.30 o'clock p. m. to 9.30.

The SPEAKER. It is only five minutes after 8 o'clock now. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

MAYME O. PEAK—FRANK WALTON.

Mr. HASTINGS. Mr. Speaker, did the Chair put the question on the last resolution?

The SPEAKER. No; the Chair will put it now. The question is on agreeing to the amendment.

Mr. MANN. We could not hear what it was.

The SPEAKER. It was to give a month's salary——

Mr. HASTINGS. To the clerks of the late Representative BORLAND and the late Representative HELM.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

THE SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

SARAH GRAYSON ADAMS.

Mr. HASTINGS. Mr. Speaker, I present another privileged resolution. (H. Rept. No. 1177.)

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 612.

Resolved, That the Clerk be, and he is hereby, authorized to pay, out of the contingent fund of the House, to Sarah Grayson Adams, sister of S. Monroe Grayson, late an employee on the roll of the House, a sum equal to six months' compensation as a guard in the House Office Building, and an additional amount, not exceeding $250, to defray the funeral expenses of said S. Monroe Grayson.

THE SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ALLISON C. JENKINS.

Mr. HASTINGS. Mr. Speaker, I present another privileged resolution. (H. Rept. No. 1178.)

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 555.

Resolved, That the Clerk of the House be, and he is hereby, authorized to pay Allison C. Jenkins, brother of Laura A. Blincoe, late an employee on the rolls of the House of Representatives, a sum equivalent to six months' salary at the rate she was drawing at the time of her death, and an additional sum, not exceeding $250, to defray funeral expenses.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

NORMAN E. IVES.

Mr. HASTINGS. Mr. Speaker, I present another privileged report (No. 1182) from the Committee on Accounts, and ask its immediate consideration.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 528.

Resolved, That there be paid out of the contingent fund of the House $1,200 to Norman E. Ives for extra and expert services to the Committee on Invalid Pensions during the third session of the Sixty-fifth Congress, as assistant clerk to said committee, by detail from the Bureau of Pensions, pursuant to law.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. I will.

Mr. MANN. Is this the usual extra compensation which is paid to the assistant clerk?

Mr. HASTINGS. I am advised by the clerk of the Committee on Accounts—and that was the testimony before the committee—that this is the usual resolution that has been passed each year allowing this additional compensation to this clerk to this committee, assigned, as I understand, from the Pension Office as a special examiner.

Mr. MANN. Is this extra compensation for one session of Congress or for the entire Congress?

Mr. HASTINGS. I think it is for the entire Congress.

Mr. MANN. I should like to know.

Mr. HASTINGS. The report indicates it.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

The Committee on Accounts, to whom was referred House resolution No. 528, have had the same under consideration and recommend its adoption. This resolution conforms to the practice of the House with reference to the payment for services rendered the Committee on Invalid Pensions by the special examiner detailed from the Bureau of Pensions.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

WILLIAM M'KINLEY COBB.

Mr. HASTINGS. Mr. Speaker, I present another privileged report (No. 1176) from the Committee on Accounts.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 513.

Resolved, That there shall be paid out of the contingent fund of the House $1,200 to William McKinley Cobb for extra and expert services rendered to the Committee on Pensions during the second and third sessions of the Sixty-fifth Congress as assistant clerk to said committee by detail from the Bureau of Pensions pursuant to law.

Mr. HASTINGS. I will say in behalf of that resolution that it is the usual resolution that has been passed, and this is the examiner detailed from the Pension Office to the other Pension Committee.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

W. H. MILLER.

Mr. HASTINGS. I present another privileged report (No. 1175) from the Committee on Accounts, and ask for its consideration.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 558.

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided for by law, to W. H. Miller, janitor and messenger in the rooms of the Official Reporters of Debates, additional compensation at the rate of $260 per annum, payable monthly.

Mr. HASTINGS. I want to say in behalf of this resolution that this is the messenger and janitor to the Official Reporters. The testimony before the Committee on Accounts was to the effect that he receives $720 a year, or only $60 a month, that he is very efficient, and the Committee on Accounts unanimously agreed to increase this amount, to give him $260 extra, making his compensation $980 a year.

Mr. MANN. This is not a usual resolution.

Mr. HASTINGS. This is not a usual resolution, and it is for that reason I have made this explanation. We thought $60 a month was too small for the services rendered by this man.

Mr. MANN. I am not disposed to carp about that. I think most of the so-called janitors, who are really messengers, get $60 a month. I will not complain about this, because long ago the Committee on Accounts raised the salary of my janitor or messenger to $1,000 a year, and he is worth it.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSENGERS TO HOUSE POST OFFICE.

Mr. HASTINGS. Mr. Speaker, I present another privileged report (No. 1174) from the Committee on Accounts.

The SPEAKER. How many more of these resolutions has the gentleman?

Mr. HASTINGS. Not many more.

Mr. MANN. Enough to run until 8.30.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 568.

Resolved, That nine messengers in the post office of the House of Representatives now authorized to be employed during the session may continue to be employed from April 1, 1919, during the adjournment of Congress, and be paid out of the contingent fund of the House at the rate of $100 per month.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. I will be glad to yield to the gentleman.

Mr. MANN. This is an old matter of controversy. I presume these employees are very efficient. I never come in contact with them, because I have to send for my mail. The Government does not deliver it. They are political employees. Nine chances to one they will not be holding these jobs six months from now. During the vacation they have nothing to do to speak of. The House may have need for them while Congress is in session and the Members of Congress are here and having their mail delivered to them several times a day; that is, all the Members of Congress with the exception of four or five of us who have to send for our own mail. But these employees will not be needed, so far as I can learn, during the vacation, and this practically amounts to giving a bonus to these particular men of $200 or $300, in order that they may have a little pocket money with which to go home.

As far as I am personally concerned, I believe that the old practice, which was followed before our Democratic friends became the majority eight years ago, of voting to employees of the House an extra month's salary, in effect in lieu of the mileage which Members draw, was a good practice. I have no doubt there are a good many employees of the House here now who will soon be hunting their way home over the railroad ties, because Congress is too stingy to pay them an extra month's pay in order that they may get away from the Capital to their homes, while we travel home on a substantial mileage. I think it is desirable that the employees of the House should be brought from the various parts of the country, even from the most distant, and that they should not all be permanent residents of Washington. I think when we provide, as we do, rather meager salaries for them that we ought at the end of a Congress to provide them a little extra compensation so that they may go home, because I do not think many of them living in Washington in the last few years have been able to build up large bank accounts. [Laughter.] But here is a proposition to pay nine men for April, May, and June—well, $200 a piece, anyhow. Maybe they will stay here a few days after the 1st of June. It is not likely that their services will be required a great deal longer than that, because, judging from the complaints I have frequently heard about the mail service, they have not become such expert deliverers of mail as to demand their retention in the interest of the service.

There are some members among the employees of this House whom I would like to see retained by a Republican House, and afterwards by a Democratic House, if we should ever have one again, so that they would become practically permanent expert guides in some of the directions where we require expert officials.

Mr. HASTINGS. Mr. Speaker, this is the usual resolution and it is the unanimous report by the Committee on Accounts. It is well known that whether the Members are here or away their offices are kept open and the secretaries are in charge. During the recess of Congress the secretaries will be here and the mail will be delivered. I call for a vote.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

ARTHUR LUCAS.

Mr. HASTINGS. Mr. Speaker, I present another privileged report from the Committee on Accounts.

The Clerk read as follows:

House resolution 616.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, $30 to Arthur Lucas for special janitor services rendered during the third session of the Sixty-fifth Congress.

Mr. STAFFORD. Mr. Speaker, I understand that Mr. Lucas is one of the minority employees in the cloakroom, who performs service for ex-Speaker CANNON.

Mr. HASTINGS. That is true.

Mr. STAFFORD. We passed a resolution providing for his payment. How long did that continue?

Mr. HASTINGS. This is subsequent to that time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

G. D. ELLIS.

Mr. HASTINGS. Mr. Speaker, I present another privileged resolution from the Committee on Accounts. (H. Rept. N. 1183.)

The Clerk read as follows:

House resolution 548.

Resolved, That there shall be paid out of the contingent fund of the House $1,200 to G. D. Ellis for extra and expert services rendered in the office of the Clerk of the House of Representatives during the Sixty-fifth Congress as employee detailed from the Government Printing Office.

Mr. HASTINGS. Mr. Speaker, I ask that the report that accompanies the resolution be read.

The Clerk read the report, as follows:

The Committee on Accounts, to whom was referred House resolution 548, have had the same under consideration, and recommend its adoption. This resolution provides for the payment to G. D. Ellis, an expert printer detailed from the Government Printing Office to prepare for publication of all reports, records, directories, and so forth, authorized by the office of the Clerk of the House of Representatives, a sum of $1,200 for expert and extra services rendered during the Sixty-fifth Congress. This work has not only been performed during the sessions of the Congress but also during the recesses as well.

This resolution conforms to the practice of the House with reference to the payment for such services during past Congresses.

Mr. MANN. Mr. Speaker, when Mr. Palmer—I do not know whether he has been confirmed as Attorney General or not, and if he has I should say General Palmer—was in the House in the Sixty-second Congress the Democrats came in with a majority, and the Democratic caucus, on the suggestion of Mr. Palmer, abolished a number of offices which had theretofore been in existence in the House. Among those was a printing clerk. In the old days we had a clerk whose business it was to supervise printing. I am willing to absolve most of the Democratic Members, because I think they were inadvertently misled by the utter inexperience at that time of Mr. Palmer in the affairs of the House. They made great glee about it. They abolished a number of offices, nearly all of which have been restored—offices like the assistant journal clerk. We now have one. What was the result? Before that we paid a man an ordinary salary as printing clerk of the House. Now we are asked to pay another man two salaries to do the work.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. In just a moment.

Mr. FLOOD. Will the gentleman yield?

Mr. MANN. In a moment. He gets a salary as an employee of the Printing Office, and very likely higher than most of the employees of the House get, and now it is proposed to pay him another salary out of the contingent fund of the House. I do not say that he has not earned it; I do not know; but I do know that the economy, like a good many others, has been rather costly to the Treasury. Now, I will yield to the gentleman from Virginia.

Mr. FLOOD. I would like to ask the gentleman if he is aware of the fact that the Palmer resolution reduced the expenses of this House by $90,000 a month?

Mr. MANN. I am aware that the Palmer resolution reduced the expenses of the House, but nowhere near $90,000 a month; but it has all been restored before now, and a good deal besides. [Applause on the Republican side.]

Mr. FLOOD. The gentleman is entirely mistaken about that. The Palmer resolution saved $90,000 a month for these eight years, and the gentleman can see that it amounts to a good many hundred thousand dollars.

Mr. MANN. Yes; $90,000 a month would amount to so large a sum that it shows how absurd the gentleman's statement is.

Mr. FLOOD. The figures are not absurd. I speak from the information of the gentleman who has kept the figures. It shows how reckless the gentleman's statement is.

Mr. MANN. The gentleman does not know what the expenses of Congress are.

Mr. GARNER. Can the gentleman from Illinois suggest some reform to keep down the expenses of the House?

Mr. MANN. Mr. Speaker, the gentleman from Texas asks me if I can suggest any reform to keep down the expenses of the House. After a long experience in this House and very close attention to the business of the House [applause], my judgment is that every good employee of the House whose services are dispensed with costs this Government thousands of dollars. [Applause.] The best thing this House can have is plenty of good and efficient service. [Applause.]

A committee of this House which has expert employees and clerks will do twice as much good business in the House as one which has not. We have in this House now one of the best enrolling clerks who ever has wielded a pen. [Applause.] And there are many expert employees who ought to be kept here. The House ought never in a spirit of niggardly economy to dispense with needed employees in the House, and that is what we did when we passed the Palmer resolution.

Mr. GARNER. Mr. Speaker, will the gentleman tell us whether we have any assurance that we will keep this very good enrolling clerk?

Mr. MANN. I could have told the gentleman, probably, if we had had a different result the other night. [Laughter.]

Mr. AUSTIN. Mr. Speaker, I offer the following amendment, which I send to the desk.

RECESS.

The SPEAKER. By unanimous-consent order of the House, the House stands in recess from now until 9.30 o'clock p. m.

Accordingly (at 8 o'clock and 30 minutes p. m.) the House stood in recess until 9 o'clock and 30 minutes p. m.

DURING THE RECESS.

Mr. GARRETT of Tennessee assumed the chair, and said:

The assembly will come to order, and with its permission I ask the gentleman from Illinois [Mr. CANNON] to act as its chairman.

Mr. CANNON assumed the chair.

Mr. MANN. Mr. Chairman, I have served in this House under four Speakers who have made notable history—that wonderful genius and man of courage, Thomas B. Reed [applause]; that gallant soldier and genial statesman, David B. Henderson [applause]; that grim old political warrior who has just been called so fitly to the chair, a place which he occupied for so many years with such distinction to himself and benefit to the country, my beloved colleague, Uncle JOE. [Prolonged applause.] I learned to love him, and when he passed the gavel I learned to love, admire, respect, and almost to adore another great Speaker, CHAMP CLARK. [Prolonged applause.]

In the bitterness of politics, in the controversies of statecraft, there comes the human side of kindly interest and great affection, and between men who fight each other with intensity as to policies there exists a brotherly love seldom found outside of these political circles. We have had great Speakers. We have never had a Speaker whom we loved more, all of us, than we do CHAMP CLARK. And, Mr. Speaker, we not only love you—we love the whole family. We love that sweet wife of yours, Mrs. Clark; we love your son who used to be with us in the House and who has fought so nobly for his country [applause]; we love your daughter, and we love young Champ Clark Thompson.

As a token of our love, as a token of our regard, as an expression of our appreciation of your fairness, your justice, your genial smile in the chair, of your actions as Speaker, we want to give you—a lemonade bowl [prolonged laughter], made of silver and shaped in the form of an Indian canoe, and along with it, so that you may have something besides lemonade to drink, we present also a tea and coffee set complete, with platter and all that goes with it; and I know that you and Mrs. Clark, while you may be glad to receive this silver set, will enjoy more knowing the hearts and the feelings of the Members of this House, who take this opportunity to express to you in this feeble way their undying admiration and affection. [Prolonged applause.]

Mr. CLARK of Missouri. Mr. Chairman, I have heard Brother MANN make a great many fine speeches, but this was the best one he ever made, I think. Lord Bacon said that a man in high place must take the opinions of his friends in order to be happy. My wife has always been wanting a punch bowl, but I was never able to give her one; and now, when we get one, the use for a punch bowl is a thing of the past. [Applause and laughter.]

This is a day of miracles. Brother MANN very properly under the prevailing conditions, conditions that are probably to become permanent, called this a lemonade bowl, which is a very happy designation. Perhaps in the coming time lemonade will be taboo—especially with a stick in it. They have started out now to run a crusade against tobacco. If the lemonade privileges go, then we may take to the English custom of tea, and if that goes by the board we shall come back to Adam's ale.

I have been here 24 years, and that is a long time. I have been every sort of a Congressman. I was a new Congressman; I was an ex-Congressman; I came back, and am now an old Congressman. I was minority leader, and I have been Speaker eight years, so that I have had every experience in this House that is best worth having, except that of majority leader. I have said time and again, and I say it now, that the House of Representatives is the most generous conglomeration of mankind. We fight each other intensely. You Members who have been here during only the last four years do not know anything about it, but my dear old friend now in the chair [Mr. CANNON] and myself and Mr. MANN and a handful of us remember the old days when pitched battle or battle royal was the common occurrence in this House. How long this era of good feeling and perfect peace is going to prevail in the House—to say nothing of the world—I do not know, but the men who fight each other the hardest in the House come to be the best of friends. Once in a while something so bitter is said that it is not forgiven, but that is very rarely the case. The longer I know this House the better I like it. You learn the virtues of men as well as their failings.

The presentation of this silver service until about a week ago was very much unknown to me, but of the many things that the House has done for me—and it has done a great many—I prize this very highly, not only on behalf of myself but of my wife also. It will be a constant reminder of the kind hearts in this House. The beauty of the material, the elegance of the work-

manship, will be constant reminders of friends when we have quit this political scene.

Gentlemen, the secret of success in this House is good humor, good manners, and industry in fulfilling the duties that happen to be assigned to you. Men complain frequently because they do not get the committee assignments they desire. In my first Congress my committee assignments were bad. The man who does his duty faithfully in the place he is put when he first comes here is as certain to rise in this House as the sparks are to fly upward, and no human power can keep him down. Sometimes on the smallest committee a great opportunity comes to a Member. For instance, one of the most potent men who have appeared in this House in a third of a century was Joseph C. S. Blackburn, of Kentucky.

He was better suited to this stormy and turbulent body than he was for the Senate. When he came here he was put on the Committee on Expenditures in the War Department, not a very great assignment, and yet by reason of the fact that somebody tipped him off about certain transactions of Secretary Belknap he made reputation enough on that committee to come within two votes of defeating Speaker Randall for renomination, and it sent him to the Senate for 18 years. I give you that as an encouragement. I am very glad, indeed, to have this appreciation.

With honest pride the gift I take,
And prize it for the giver's sake.

Now, having rendered my thanks for the silver service, it is my pleasant duty, on behalf of his loving friends in this House, to present my good friend, Mr. MANN, with a silver service. [Applause.]

It is the most pleasant stunt I have performed in the House. He has served in this House 22 years. The three men in the House most in evidence in its transactions are the Speaker, the majority leader, and the minority leader, all three important places.

Mr. MANN has been minority leader in the House for eight years. He will go down in history as one of the greatest minority leaders this House has ever had. [Applause.] The first minority leader whom I ever saw was Thomas B. Reed, a masterfully great man. I used to think I was the most industrious man in the world. After I got acquainted with Col. Theodore Roosevelt I had some doubts on that subject. When I got thoroughly acquainted with Mr. MANN I knew that he outranked me and Roosevelt both in industry. The records of the Congress will show that he knows more about the business of the Congress than any other living human being. [Applause.] The statutes of the country will show that he has amended more bills than any man who ever served in the House of Representatives. His is a marvelous record, especially on unanimous-consent days. [Laughter and applause.] With anywhere from 25 to 100 bills on the calendar he marches in here with every one of them under his arm, with every one of them annotated with a short history of the legislation on that subject, and with his amendments all typewritten. When you gentlemen rise to get up a bill considered by unanimous consent he will play with you like a fisherman does to get his big fish. He asks you all sorts of questions, and finally suggests, after he has reduced you to a state of terror, that if you will accept certain amendments he will agree to let you through. Mr. Speaker CANNON once declared that MANN was the most useful legislator in Congress. I agree to that proposition.

The other day, or the other night, rather, after he had been nominated for Speaker, Mr. GILLETT issued a statement in which he said he had reached the goal of his ambition. If he has, he is a happy man. The next day Mr. MANN appeared here and received as magnificent an ovation as any man in the House of Representatives, Speaker or what not, ever received. [Applause.] It was genuine. It came from the hearts of the Members. It was not a partisan performance. I never tried to stop it; the truth is, I joined in it. [Applause.] It is the only time since I have been Speaker that I have clapped my hands and applauded anybody about anything. [Applause.] While that great uproar was going on I thought of a tale I heard about an Irishman who went into a jewelry store to buy a clock, and the clerk was praising a certain clock because it ran eight days without being wound up. The Irishman said, "Bejabers, how long would it run if it was wound up?" [Laughter and applause.] When I saw that great ovation going on to a man who had just been defeated for nomination for Speaker, I wondered how long it would go on if he had been nominated. This is a handsome present which the Members of the House are making him and will be a reminder of the men with whom he has associated so long and so ably.

As far as I am individually concerned, I have a profound affection for JAMES R. MANN. He has done so many kindnesses to me and mine that I love him. [Applause.]

These closing nights of the sessions are awfully hard on all of us, and yet there is a good deal of pleasure to be gotten out of them. It is a sinking and disappearing of differences. What little affronts we have had from one another are forgotten and we leave here in a good frame of mind. I hope, from the bottom of my heart, that every time Mr. MANN and Mrs. Mann see these presents we have made them that they will recall his great triumphs here and the admiration that the Members of this House on both sides of the aisle have for him.

I hope he will live many years and be a Member of Congress, unless he is promoted to some higher place, during the entire remnant of his life, which I hope will be a very long one. [Applause.] And I am certain I speak the sentiment of the Members of the House when I say that and when I say, "God bless him forever." [Loud applause, the Members rising.]

The SPEAKER then took the chair and was greeted with loud and long-continued applause.

The SPEAKER. The gentleman from Michigan [Mr. FORDNEY], an old war horse of the Republicans, is recognized [Loud applause.]

Mr. FORDNEY. Mr. Speaker and gentlemen, happy is the man to whom comes great opportunity. Thrice happy is he who is equal to the task that he is called upon to perform.

The chairmanship of the Committee on Ways and Means has always been a great office. I doubt if we realize how its duties and responsibilities have grown within a few years. When William McKinley was chairman of that committee, 28 years ago, he made a campaign speech up in my State of Michigan. He was an impressive speaker, solemn and magnificent as a cathedral. With a deliberation that gave weight to his words he began: "My fellow citizens, this is the greatest country in the world. It costs a million dollars every working day to run the Government of the United States. Of course, a sum so vast could never be collected from the people by direct taxation." [Laughter.] And then he went on and made a great tariff speech.

On almost the same day that Mr. McKinley made that speech in Michigan, in September, 1890, a pink-cheeked young man just out of college was admitted to the practice of the law in Scotland Neck, N. C. [Loud applause.] The judge who signed his certificate said afterwards that the most memorable thing about this young man was his bright and expanding smile. [Laughter.] Since then that smile has become celebrated in song and story. The immortal Dickens prophesied it when he wrote of one of his characters as "one vast substantial smile." One of our best-known poets has described its owner in the lines—

The man worth while
Is the man who can smile
When everything goes wrong.

Ah, my colleagues, how often have we been hypnotized by that smile! [Laughter.] How often have we seen the angry winds of debate subside, how often have the storm clouds vanished beneath the sunshine of that smile! There are gentlemen with incomes, gentlemen from New York and elsewhere, who have come here like roaring lions, but have departed like shorn lambs [laughter] after appearing before the Committee on Ways and Means and coming under the transforming power of that angelic smile. [Laughter.] I sincerely trust that the martyred President McKinley can not hear what I am saying to-day, for if he could know that within a generation the expenses of the United States have increased to more than fifty times what they were in his day, and that most of the money is collected directly in the form of income taxes, I am sure he would turn over in his grave. Now, some of these gentlemen with incomes believe in the reincarnation of those who lived long ago. They have expressed the opinion that the chairman of the Ways and Means Committee is the living embodiment of Capt. Kidd [laughter], though some have said he is the original of the leader of the Forty Thieves in the famous story in the Arabian Nights. [Laughter.] But I assure them that this is not the fact. He is the original Aladdin, who, by rubbing his lamp, has unfolded to the eyes of the American people a wealth of resources and a plentitude of power beyond their fondest dreams. [Applause.]

Mr. Speaker, we are all proud, proud beyond words, of the valor of our sons. That story will be told and sung as long as men are brave and civilization is beautiful. But the thing to which historians will refer with wonder, the thing of which America will always be equally proud, will be the story of how we poured out our treasure along with the blood of our boys who fell. The wonder will be where it came from, how it could have been produced so quickly. Without money, mountains and rivers of money, all the patriotism of our sons would have been in vain.

Without new millions of dollars every hour of the day and night the giant hands we stretched across the sea would have been paralyzed. All the proud achievements of all the ages look small beside what we the people of the United States have done

during the lifetime of this short Congress. A year and a half ago we had not guns or ammunition or training camps or ships. We saw factories rise like magic overnight, we saw cantonments as big as cities, we saw a bridge of ships stretch clear across the sea. How was it done? Mr. Speaker, I know the size of a dollar bill, for once I worked for a dollar and a half a day. [Applause.] I have got from the clerk of the Committee on Appropriations an idea of the money that this Congress has appropriated, and it is the simple truth that if you could make a street 60 feet wide and cover it with dollar bills, the money that we have voted to pay our own country's expenses and that we have loaned to our allies in the life of this Congress would pave a road 60 feet wide and 25,000 miles long. It would make a street two-thirds as wide as this room and long enough to encircle this great round world—every inch of it covered with dollar bills. That has been the task of the Committee on Ways and Means; that has been the work in charge of the smiling boy from Scotland Neck. [Applause.] The Kaiser said we could never get our boys across. They went across on a bridge of dollar bills. [Laughter.] Cyrus the Great and Alexander the Great and Imperial Cæsar all had their trusted ministers who gathered their revenues and imposed their taxes on conquered and unwilling peoples. In a country where all Americans are free and willing, the chairman of our Committee on Ways and Means has made the despots of the past look like a lot of tin-horn pikers. [Laughter.]

Mr. Speaker, this Congress draws to a close. We are proud of the history of our country. We have helped to write a page that we know will forever shine with deathless light. Never did a body of men work together in greater unity of purpose for the accomplishment of so splendid an object. Men can not do these things without loving one another, and among the many men whom we love, our colleague who has so worthily done his great work stands brightly conspicuous. [Applause.] We wish to convey to him, in a durable testimonial, in some slight degree, an inkling of the affection in which we hold him. [Applause.] The gentleman from North Carolina [Mr. KITCHIN] will please rise and stand until he is counted.

The gentleman is one year older than I am, but he carries his age well. [Laughter.] He was married in his twentieth year; so was I. His wife was one year younger than he; so was mine. [Laughter.] His wife is a handsome lady; so is mine. [Applause.] He has six daughters and three sons; so have I. [Applause.] He belongs to the Baptist Church; so do I. [Laughter.] He belongs to the Democratic Party; neither do I. [Applause and laughter.]

To you, our dear colleague, we present this silver tea service, to be a reminder to you, your children, and your children's children that we, in your presence and in the presence of each other, on a day when politics was adjourned, expressed the unanimous voice of the Members of the House of Representatives in commendation of the personal affection we feel for you and for the patriotic manner in which you have performed the great work entrusted to your hands. [Applause.]

My dear friend, this token of affection is presented to you by your colleagues, who ask you to accept it in the same spirit in which it is given, the spirit of brotherly love.

Brother KITCHIN, your colleagues in the Sixty-fifth Congress love you and wish you well; and the happiest wish that we can make for you is that you may be the proud father of six more girls and three more boys. [Laughter and applause, the Members rising.]

Mr. KITCHIN. Mr. Speaker, I wish it were possible that I could take from my bosom my heart and lay it bare before you, so that you could see, without expression from me, how very, very full it is of the emotions of gratitude and appreciation and thankfulness for this generous manifestation of your regard. [Applause.] This and other memories of your constant kindness and consideration during my four years of majority leadership will ever be invoked to cheer and comfort me in all the years that are to come. In the reminiscences of my older age your friendship and comradeship will be my happiest reflections.

I wish here to acknowledge my profound thanks and grateful appreciation of the whole-hearted support and cooperation which both sides of this Chamber have given me during the two critical years just passed. [Applause.]

The Swedish philosopher—whose name for the moment I can not recall—said, "When one's school days are over the days for making genuine friends are also over. Thereafter all friendships are selfish." My association with you compels me to reject that philosophy. I cherish the thought that here, on both sides of the aisle, many are the friendships made from which nothing, even amid the conflicts of rival ambitions, which so often and so unfortunately at times divide men into parties and into factions, can ever separate me.

My friends, if you doubt the sincerity of the utterances already made, in conclusion I beg you to believe me sincere when I express the hope that two years from this night I will be given the opportunity to enjoy the privilege and the happiness of joining in ceremonies like this to the retiring chairman of the Ways and Means Committee and the retiring Speaker of the Sixty-sixth Congress. [Laughter.] With all my heart I thank you again and again. [Loud applause, the Members rising.]

The SPEAKER. The gentleman from Massachusetts [Mr. GILLETT] is recognized. [Loud applause.]

Mr. GILLETT. Mr. Speaker, I have been asked to be the medium through which the Members of this House may transmit the title to certain articles to Mr. SHERLEY, of Kentucky. [Loud applause.]

When a man is defeated for election to this House it always causes personal regret, and not on any one side of the House. The bonds of friendship which are formed here cross and recross this center aisle without taking any heed of it. So that when any man is defeated there is sure to be personal regret on both sides.

But in the present instance we have added to that personal regret the consciousness that the country is suffering a severe loss. [Applause.] I have served for 12 years with Mr. SHERLEY on the Appropriations Committee. That committee, as much, at least, as any committee of the House, requires close application, laborious industry, distatesful and protracted drudgery, that brings no recognition or reward, but which is imperative for the performance of the functions of this House. Mr. SHERLEY for 12 years has done his full duty on that committee. He has shown there not only the unflagging industry which is requisite, but he has shown there also a keenness of mind, a power of cross-examination, a sound judgment, and an impartial fairness which have won for him the confidence and esteem of all his colleagues there. And when, during the last year, he has been its chairman, at a time when the appropriations of that committee rose to figures which staggered all our arithmetical knowledge, he rose to the emergency and proved himself adequate to the prodigious task of mobilizing both the forces of war and the forces of industry. [Applause.]

You know as well as I his qualities on this floor, although his duties on the committee have largely restrained him from their exercise. He certainly is one of the most brilliant debaters of the House. His strong, acute, rapid-acting intellect is served by a fluency of speech, a ready and biting wit, and on occasions a fervid and infectious eloquence which have made him not only a useful Member of this House but also one of its most brilliant ornaments. [Applause.]

And so, I am sure, it is with our unanimous regret that he leaves us. I am commissioned to tender to you, Mr. SHERLEY, as a permanent evidence of that regret and of our friendship, an order for a set of the United States Reports [applause] and an Encyclopedia of United States Law, and also the more personal memento of this handsome watch and chain, with the hope that it will often bring back to your mind pleasant memories and friendships which you formed here, and with our very best wishes and the hope that the day of your defeat was really a fortunate day for you and was the opening to a happy and prosperous business career. [Prolonged applause.]

The SPEAKER. The gentleman from Kentucky.

Mr. SHERLEY. My friends, I do not know how I may express to you my very great appreciation of your consideration and your thought of me to-night.

Sixteen years ago I came to Congress a young, inexperienced man, without ever having held office. As I look back now over those 16 years there crowd to my mind many, many memories of kindness, courtesy, and consideration. The old King of Israel said, "Let not him that girdeth on his harness boast himself as he that putteth it off." And yet to-night, at the end of that service, I am far from feeling in a boastful mood, but rather with a deep humility as I look back upon the tasks that have been set us all in these years and my poor part in their performance.

The Speaker of the House spoke of membership here and committee assignments. I was appointed when I first came to Congress on a committee that had one meeting, and that was called to tell us that there would not be another. [Laughter.] And I remember when the then Speaker of the House, my very dear friend Mr. CANNON, met me and I expressed my disappointment at the assignment that had been made to me, he said, "Why, young man, you are a member of the greatest committee of the House," and I marveled what he might have meant, knowing that this committee was a very minor one; and then he added, "You are a member of the Committee of the Whole House." And now, after 16 years, I fully realize how very

true and how very wise that statement of the then Speaker was, because, after all, committee assignment is somewhat accidental and the work, important or not, is seldom the way to advancement. But here is the forum always for him who has a message for his colleagues and for the people. Here is where are fought out the great issues that divide men and on the correct solution of which rests the happiness of so many millions of people. Here it is that the strife takes place, and here it is, too, that in spite of that strife the friendships spring up and grow and endure, without regard to political differences.

The House is entitled to a much higher place in the respect of the country than it always receives. Its faults are easily seen; many of its virtues lie deep beneath the surface. It is usually judged by what its Members say, rather than what it, as a body, does. The public's judgment often is based on some extreme statement of some individual Member, while we know its action nearly always reflects the sober judgment of its full membership. Here is a real democracy, where a man's place is what he makes it. Previous reputation counts for naught, and by what he gives in help to the House in the solution of its problems is his status fixed.

The years spent here have but deepened my respect for it. In its keeping, in very truth, lie the liberties of the people, and no greater wrong can be done than by thoughtless criticism to weaken their faith in the intelligence and patriotism of its Members.

This Congress has faced great tasks. Never a Congress has faced greater. Plunged suddenly into a world war, all previous conceptions of finance, of expenditure disappeared, and it was for us to follow new paths, to learn new ways, without a guide and without the help of experience. There have been sad days, days when our hearts were very heavy. None of us will ever forget the seriousness, the solemnity of the day when we voted to plunge our country into war. None of us, who knew that we were sending men off to the supreme sacrifice when we might not go, but what felt the terrible responsibility of that hour; and it has been to me, and I am sure it has been to you, in the dark troublesome days that followed, when our load seemed heavy and our road dark, a spur and inspiration to know that no matter what we gave, we could give but little compared with the devotion and the heroism of those who carried our flag to victory. [Applause.]

This has been the sustaining thought and hope to us, and has enabled us to do our part as best we could.

And now it is all over, and the country faces new and different problems, and men wonder, as they always wonder when something new comes, what the outcome may be. As we grow older in life new things are repugnant to us. Few of us like new ideas, we are fearful of them, and so are fearful of what is in store for our country. And yet I am sure that that mission which has ever been hers will continue to be hers. I am sure she will ever lead the way in paths of enlightenment and peace, and the fact that she now must spread out beyond her own territory, out into the world, to take a bigger and a greater part may bring its problems, but should not bring its dismay.

I have an abiding faith in the destiny of my country. I believe that with the need will come the strength. As I think of these problems I am sure that they who come after us will be as equal to them as we have been to ours, and that their solution will be the right one.

Men come and men go. Most of us have our names "writ in water." We play our little part and pass off the stage. The individual is not important in a republic. The great capacity of the American people for self-government makes them independent of individuals. For 16 years I have been the recipient of the generosity of a very splendid constituency. They have given me the fullest freedom of action and leniently dealt with my failings. I have tried to merit their approval by service to my country, and trust I may say, "I have done the State some service." It is to me a comfort to know as I go out that he who succeeds me brings to his task ability, character, and patriotism. [Applause.] And so I pass out, not regretting half so much the public office as I do the severance of the ties of friendship that have been formed here. [Applause.]

The things we feel the deepest it is hardest for us to express. I have been conscious of a very great kindness recently on the part of my friends on both sides of the House. Since my defeat they have shown me a consideration and an affection that I shall never forget. At all times during my whole career they have tendered to me their confidence and their regard.

The Committee on Appropriations has great tasks. Never had it greater than in the immediate past, and some of its tasks are very disagreeable ones. It is particularly the duty of the chairman of that committee to steel his heart against the personal appeals of men for individual things that they desire, because he, of all men in the House, must stand opposed to expenditure. And so it has fallen to my lot frequently to say no when I should have been so glad to say yes, and I have had to do the disagreeable thing, but yet the thing that had to be done.

And so as I bid you good-by to-night I hope you will pardon the spoken word for the unspoken thought; that you will feel and know that as I leave you I leave you with only the memory of great kindnesses, of true friendships, and that the time will never come when I shall cease to remember your consideration, and particularly this evidence of your friendship. To my two sons shall be bequeathed as priceless heritages these gifts. And so good-by and farewell. [Applause and cheers, the Members rising.]

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the addresses made during the recess may be printed in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the addresses delivered during the recess be printed in the RECORD. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, on my personal responsibility, and without consulting anyone else, I ask unanimous consent that the House may stand in recess for 10 minutes, in order that the gentleman from Illinois [Mr. MANN] may be recognized. [Applause.]

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the House stand in recess for 10 minutes. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized. [Prolonged applause, the Members rising.]

Mr. MANN. Mr. Speaker, if there is anything on earth that I hate to do it is to make a speech. [Laughter.] While I desire to express my appreciation of the beautiful gift which you have so generously presented to Mrs. Mann, and of the affectionate regard you have shown for both of us, still I do not want to make a speech.

I have been a Member of this House for 22 years. At times I have been cursed very roundly, denounced with a good deal of bitterness by Members who were momentarily angry, and long ago I trained my mind and my heart so that whatever might come to me in the House I should never repine over defeat. [Applause.] That I should never sulk because I did not have my way. And though in a way I have been discredited, I come up smiling, with sincere thanks for the many kindnesses this House and its Members have shown to me, and with the deepest appreciation of the affectionate regard which I know the Members of the House entertain for me. [Applause.]

I love the House of Representatives. I worked here until there was danger that I might be overcome physically. I left here nearly two years ago—a year and a half ago, anyhow—to recover my health. I do not know what the future may have in store as to my health, but I can say truthfully that at this time, in a short session of Congress heretofore, I never felt half as good as I do right now. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, is it agreeable to the gentleman to yield to me for a statement?

Mr. MANN. Certainly.

Mr. GARRETT of Tennessee. This side of the House occasionally hates the gentleman. [Laughter.]

Mr. MANN. I hope so. [Laughter.]

Mr. GARRETT of Tennessee. It often loves the gentleman. [Applause.]

Mr. MANN. I am glad of it.

Mr. GARRETT of Tennessee. It always admires the gentleman. [Applause.]

Mr. MANN. I think I may take the time to say one thing to the House. I do not know whether my time is up. ["Oh, no."] I have trained myself in talking to make a 5-minute speech or a 10-minute speech or a 15-minute speech and to stop within 10 seconds of the time without having the gavel fall, but I am not trying to do that now. ["Go on."] One thing I have determined upon, gentlemen. I do not know whether I ought to say it or not. ["Sure, say it."] Because my experience is that it is never very wise to tell in advance what you think you are going to do, for you may change your mind. But I have determined upon one thing. In the future I am going to spend more time in my garden and less in the House of Representatives than I have in the past. [Laughter.] I am not going to work so hard, though I hope I may still occasionally be of some assistance to the House or the Members of the House,

I expect that there may be some stormy times in the next House, with such gallant and able warriors on the Democratic side on the floor as CHAMP CLARK and CLAUDE KITCHIN and

FINIS J. GARRETT, and others, when I shall have the privilege and the opportunity of doing my share toward coming to the aid and the help of the next Speaker of the House, Mr. GILLETT. [Applause.] I shall do it willingly and ungrudgingly. I have known and admired Mr. GILLETT for many years. [Applause.] And no bitterness of a contest shall be allowed to linger in my heart. [Applause.]

We are about to separate, some of us not to come back here. This is the greatest family gathering in the United States or in the world. There is no other parliamentary body like it. There is no other parliamentary body in the world where the members come so nearly standing on an equal footing as in our own House of Representatives, where these affections are born. [Applause.] As we separate we remember each other, and these boys who go out will still have lingering in their memory their achievements here and the recollections of what has been done here, the fond friendships which they have formed here, and they all take with them our blessing and our Godspeed.

I again express to you all my deepest appreciation of this kindest remembrance which you have given, for Mrs. Mann and me to carry with us to the end of our lives. [Prolonged applause.]

AFTER THE RECESS.

The recess having expired, the House resumed its session.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent that the remarks just made by the gentleman from Illinois be inserted in the RECORD.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the remarks just made by the gentleman from Illinois be inserted in the RECORD. They will be printed with the other speeches delivered during the recess.

The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Add the following: "That there shall also be paid out of the contingent fund of the House to the officers and employees of the House of Representatives borne on the annual and session rolls on the 1st day of February, 1919, including the Capitol police and W. A. Smith, CONGRESSIONAL RECORD clerk, for extra services during the Sixty-fifth Congress, a sum equal to one month's pay at the compensation then paid them by law."

Mr. WALSH. Mr. Speaker, I reserve a point of order to that.

Mr. HASTINGS. I make the point of order on the amendment.

Mr. WALSH. I withdraw my reservation of the point of order.

The SPEAKER. The gentleman from Oklahoma makes the point of order against the amendment, and the point of order is sustained. The rule is, and has been for a long time, that if only one person is provided for in the resolution an amendment adding another is not in order. If there had been more than one in the first proposition, you could add others. The question is on the resolution.

The question was taken, and the resolution was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages in writing from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

On March 2, 1919:

H. R. 5999. An act for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise;

H. R. 13274. An act to provide relief in cases of contracts connected with the prosecution of the war and for other purposes; and

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

On March 3, 1919:

H. J. Res. 358. Joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties;

H. R. 15495. An act to amend an act to provide for the appointment of a commission to standardize screw threads;

H. R. 12211. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

S. 4723. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Young, one of its Clerks, announced that the Senate had agreed to the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 14516. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920; and

H. R. 15462. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes.

WILLIS J. DAVIS.

Mr. HASTINGS. Mr. Speaker, I offer the following privileged resolution from the Committee on Accounts. (H. Rept. No. 1184.)

The Clerk read as follows:

House resolution 606.

Resolved, That the Clerk of the House is hereby directed to pay out of the contingent fund of the House, until otherwise provided for, extra compensation to Willis J. Davis for extra work performed as clerk to the Committee on Water Power, at the rate of $150 per month from and after January 21, 1918, the date when he began the discharge of such work.

With the following committee amendment:

Amend the resolution to read as follows:

"*Resolved*, That the Clerk of the House is hereby directed to pay out of the contingent fund of the House $1,000 to Willis J. Davis for services performed as clerk to the Committee on Water Power from January 21, 1918, the date when he began the discharge of such work."

Mr. HASTINGS. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. SANFORD].

Mr. SANFORD. Mr. Speaker, this is another one of those cases where one is compelled reluctantly to say no where one would be glad to say yes. I have made up my mind that in this last effort I make on the Accounts Committee I shall content myself with stating the facts concerning this resolution, and if the House, with the facts before it, is willing to take the responsibility, even in so small a matter as this, I am not.

The circumstances of this resolution are these: It provides for the extra payment to the amount of $1,000 for the services, well performed, by Mr. Davis for the Committee on Water Power since January 21, 1918.

I desire to inform the House, first, that Mr. Davis is a competent, intelligent employee and has rendered this service, I am told, in a very efficient and intelligent fashion. But you should bear in mind that the extra compensation provided to be given is given to a man who since October, 1917, has had compensation as clerk at the rate of $300 per month for services supposed to have been rendered for the Joint Committee on Interstate and Foreign Commerce. The Committee on Accounts asked him if he has had any duties to perform in return for the $300 a month, and he stated to the committee that last year there were no duties to perform, and he resigned his office.

But the Joint Committee on Interstate and Foreign Commerce persuaded him to remain as clerk, in spite of the fact that he has no duties to perform. That is the whole story. Is the House of Representatives going to give to a man who is clerk at $300 per month, added or extra compensation of $1,000 because he is asked to perform, and is willing to perform, some duties for another committee? To be sure when we created the Water Power Committee we authorized that committee to hire a clerk, which they never did; exercising their own judgment, they took a clerk already on the rolls with nothing to do at $300 per month. The argument now is that because he did something he did not have to do he should get something for it. My answer is that because he was getting money for doing nothing, he should not be paid extra money for doing something—and this in spite of the fact that the things he did he did well.

Mr. BLANTON. Mr. Speaker, is it in order to move to table this motion?

Mr. HASTINGS. Mr. Speaker, I do not yield. This resolution is reported from the Committee on Accounts. As has already been stated by the gentleman from New York [Mr. SANFORD], Mr. Davis is acknowledged to be one of the best and most expert men along this line that is to be had. More than a year ago this joint committee was formed, consisting of five men from the Interstate and Foreign Commerce Committee and five from the Public Lands Committee and five from the Agricul-

tural Committee. It is true that Mr. Davis was clerk of some other committee, but a resolution was introduced and referred to the Committee on Accounts which authorized the employment of a clerk to this committee at the rate of $2,500 per annum, favorably reported, and passed the House. Mr. Davis was an expert along this line. He was employed by this committee, and he rendered splendid services. Every member of that committee testified to that fact. No better clerk could have been gotten, and every member of the joint committee so testifies. He worked at night; he worked extra hours; he worked on Sundays; and he performed the additional services required of him as a clerk of this committee to the entire satisfaction of the members of the committee. If he had been paid what was authorized to be paid to him under the original resolution, he would have received now about $2,900. The committee did not think, in view of his other employment, that he ought to receive that much.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. Directly. Our committee did not think he should be paid that much, but the majority of the committee thought that $1,000 would be fair compensation for the extra hours he put in as clerk to the committee, when he did not have to do it, for the nights he put in and worked for this committee. For that reason the Committee on Accounts recommended that he be given $1,000 in lieu of $2,900 which he would have received otherwise.

We have passed a number of other resolutions here to-night paying extra compensation. We passed a resolution giving extra compensation to employees of the Pension Office who have performed services for the Committee on Invalid Pensions. We passed a resolution to-night giving extra compensation to an examiner from the Pension Office assigned to the Pension Committee. We have passed a number of other resolutions here giving extra compensation to various employees for the extra services which they have rendered, and every member, as I stated a few moments ago, of this joint committee testifies to the great work and great ability and industry of Mr. Davis in serving this committee for the past 14 months.

Let me say that Mr. Davis explains, and it is not controverted, that for a long time prior to his employment he did extra work, and for that reason the committee he was clerk of gave him a little additional compensation during this length of time. It is hardly fair for the gentleman from New York [Mr. SANFORD] to state that during all this time he did not have anything to do as clerk of this other committee. He was fair enough to state before the Committee on Accounts that the work has grown less during the last 2 months, but not during the entire 14 months that he served the joint committee.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. Yes.

Mr. BLANTON. Was the statement made by the gentleman from New York that this gentleman, Mr. Davis, has been drawing $300 per month correct?

Mr. HASTINGS. I will state that that is correct, but he drew that as clerk of some other committee, and he has never drawn a single, solitary penny for services, extra services, services he was not required to perform, services he would not have been required to perform, in serving this committee, as I said, extra hours, nights, and on Sundays.

Mr. BLANTON. Mr. Speaker, will the gentleman yield further?

Mr. HASTINGS. Yes.

Mr. BLANTON. Is there any other clerk of any other committee in the House drawing more than $300 a month?

Mr. HASTINGS. I am not familiar with what all of the other clerks are receiving.

Mr. BLANTON. Does the gentleman know of any other clerk to a committee who is drawing more than that?

Mr. HASTINGS. I am not on the Committee on Appropriations, and it is not my duty to investigate what other clerks get. That is a matter which has not come before the Committee on Accounts.

The Committee on Accounts does not have to look into that, but here is what the committee thought, that inasmuch as this man performed this service, and he performed it well—to the entire satisfaction of the joint committee for 14 months—when he could have been paid $2,900, that $1,000 was poor compensation for his services.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield for a question?

Mr. HASTINGS. Yes.

Mr. STAFFORD. Does the gentleman think it is fair to reward one clerk of a committee, when the Committee on Accounts has not rewarded the clerks of the Committee on Appropriations, who have been performing additional work day and night in the reporting of $19,000,000,000 worth of appropriations?

Mr. HASTINGS. That question was not up before the Committee on Accounts. The Committee on Accounts does not deal with that.

Mr. Speaker, my colleague from Oklahoma [Mr. FERRIS] is a member of the committee and he understands the work that has been done. I yield to him such time as he desires.

Mr. BLANTON. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Is it in order at this time to move to table this resolution?

The SPEAKER. It is not; the gentleman from Oklahoma [Mr. HASTINGS] has the floor.

Mr. FERRIS. Mr. Speaker, on January 21, 1918, 15 months ago, the Congress created, or rather the House created, the Water Power Committee. That committee has never had any clerk, Mr. Speaker, except Mr. Willis Davis. It never has had a messenger, it never has had an assistant clerk, it has never had any employee except the man mentioned in this resolution. Mr. Willis Davis is the clerk of another committee. The Water Power Committee required the service of somebody who knew something about the technical service in connection with water power. The rule that created this committee provided for a clerk. The gentleman from New York [Mr. SANFORD], I think very properly, made a point of order that the Committee on Rules had no right to create clerks or clerkships, and it went out on a point of order. Then the Committee on Accounts themselves created a clerk for this Committee on Water Power at $2,500 per year.

The Committee on Water Power, of which I am a humble member, never availed itself of that authority which both the Committee on Rules and the Committee on Accounts gave; but we did, instead of that, ask Mr. Davis and one of the clerks of my Committee on the Public Lands, of which I am chairman, to act as the two clerks of that committee. My clerk has never performed any service and does not ask anything. The clerks on my committee were worked almost to death, and I could not spare them one minute for this Water Power Committee work. Willis Davis did the work; he did it well; he did all of it. Now, I am sorry as I can be, and, although I appreciate the desire of the gentleman from New York to save money, I do not believe down in his own conscience he wants Willis Davis to serve the Water Power Committee for 15 months and not pay him a single cent for it. So technical, gentlemen of the House, was this service that while your Committee on Water Power was engaged in conference we had to take Mr. Davis over there to the Senate conference and use him all through the conference. It was a long-drawn-out affair. The subject of water power is a technical one, as Members of the House know. We could not go out and hire a new man, a man who had no familiarity with the subject. Willis Davis for many years was the clerk of the distinguished gentleman from Georgia, Mr. Adamson. He later was the clerk of the gentleman from Tennessee [Mr. SIMS], the present chairman of the Committee on Interstate and Foreign Commerce. He is also clerk of a joint committee. He has been clerk of that committee for 15 months. He has not been paid a cent for that work. We ask no other service; we ask no other payment of a penny to anybody, and I think the Congress and the House would do pretty well to have the clerk of that committee serving for 15 months and only pay him $1,000.

The work was exceedingly well done. He is being exceedingly slimly paid if we give him $1,000. I introduced a resolution for $150 a month, and I thought he ought to have been paid that [applause], but the Committee on Accounts, I think on the motion of the gentleman from New York [Mr. SANFORD], who probably at that time did not know just what the salary of the other committee was. I think he did not; I did not know myself just what the compensation was on the other committee. That to me is not important so long as he served in full capacity.

Mr. NORTON. Will the gentleman yield?

Mr. FERRIS. Let me finish the sentence and then I will be glad to yield. What I was saying is, the Government does not want to require 15 months' faithful service of this young man and not pay him anything for it for acting as clerk for the Water Power Committee——

Mr. NORTON. Will the gentleman yield?

Mr. FERRIS. In a moment.

Mr. NORTON. Let me ask the gentleman who controls the time [Mr. HASTINGS] if I may have a few minutes?

Mr. FERRIS. Wait a minute.

Mr. HASTINGS. We will see how much time has been consumed.

Mr. BURNETT. Will the gentleman yield? Does the gentleman controvert the statement of the gentleman from New York [Mr. SANFORD] that the gentleman did no service whatever for the $300 a month?

Mr. FERRIS. I am not a member of the joint committee so I do not know.

Mr. BURNETT. That is important to know because if he did not then he ought not to have this.

Mr. FERRIS. I can say to the gentleman from Alabama and the House that while I am not a member of the joint committee and I do not know what he did on that committee, I do know Willis Davis did his duty and did every bit of work they assigned to him in all cases. He is a generous, capable man and has earned this and more. It has been economy for the Government and the committee to have it.

Mr. BLANTON. Will the gentleman yield to me?

Mr. FERRIS. I yield to the gentleman from Texas.

Mr. BLANTON. Then, if the statement of the gentleman from New York [Mr. SANFORD] is correct, in these 15 months this gentleman has drawn from the Government of the United States $4,500?

Mr. FERRIS. That does not scare me or make me flinch at all. My answer to that is that if a man renders $4,500 worth of work or $4,600 worth we should pay him. I do not care who he is. Willis Davis worked nights and Sundays. He did two men's work, and you are getting the clerkship of the Water Power Committee paid for at a very reasonable rate. If Judge SIMS, of Tennessee, and myself and Mr. LEVER and the ranking Republicans on the committee had gone before the Committee on Accounts for the Water Power Committee I expect you would have created three places—a clerkship, an assistant clerkship, and a messenger. We ask no such thing. We ask $1,000 for full payment for 15 months' work of a young man that did faithfully and well all the duties imposed upon him. It ought to be paid. It will be an injustice if it is not paid. He does not live in my State. I have no more interest than the rest. It is due him. He has earned it. It should be paid now.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. What is the point of order?

Mr. BLANTON. I wanted to know if the gag rule was in force here so that a man could not be recognized to oppose this resolution.

Mr. HASTINGS. Mr. Speaker, I yield five minutes to the gentleman from North Dakota [Mr. NORTON].

Mr. BLANTON. The chairman of the committee refuses to give time to those who oppose the resolution.

The SPEAKER. He can grant time as he desires.

Mr. BLANTON. Will the Speaker grant me time to oppose this resolution?

The SPEAKER. That is owing to circumstances. The gentleman from Oklahoma has an hour. During that hour he can move the previous question if he wants to do so. If he takes his seat at the end of the hour and yields the floor, somebody else would have an hour.

Mr. BLANTON. I oppose the resolution.

The SPEAKER. The gentleman can do as he pleases. [Laughter.]

Mr. BLANTON. That is what he is going to do. I wanted to know if the gag rule is in force here.

The SPEAKER. Yes; the gag rule is in order. [Laughter.]

Mr. HASTINGS. Mr. Speaker, I yield five minutes to the gentleman from North Dakota [Mr. NORTON].

Mr. BLANTON. Mr. Speaker, I make the point of no quorum. I think we ought to have a quorum here when the gag rule is in force.

The SPEAKER. The Chair will count. [After counting.] Two hundred and forty-seven Members are present—a quorum.

Mr. NORTON. Mr. Speaker, I have no two better friends in the House than the gentleman from Oklahoma [Mr. HASTINGS] and the other gentleman from Oklahoma [Mr. FERRIS]. I have a very profound respect for their opinion and for their fairness. From the statements concerning this case I regret that I can not agree with their conclusions. It seems to me that in doing this thing that is proposed the House is establishing a very bad precedent.

As I understand the case, the gentleman, Willis J. Davis, was during this time, from January 21, 1918, up to the present time, clerk of the Committee on Interstate and Foreign Commerce at a salary of $3,000 a year.

Mr. BLANTON. Thirty-six hundred dollars a year; $300 a month.

Mr. RAYBURN. He has not been clerk of the Interstate and Foreign Commerce any of that time, although he has done all the work. He has not drawn any salary as clerk of that committee.

Mr. BLANTON. Has he drawn $300 a month?

Mr. RAYBURN. I do not know about that.

Mr. BLANTON. The gentleman says he has.

The SPEAKER. Does the gentleman yield?

Mr. NORTON. No; I do not yield. He is the clerk of a Joint Committee on Interstate and Foreign Commerce, at——

Mr. RAYBURN. Not of the Interstate and Foreign Commerce Committee; of the Newlands committee.

Mr. NORTON. I am glad to be corrected.

Mr. BLANTON. Will the gentleman yield?

Mr. NORTON. No; pardon me. And during that time drawing a salary of $300 a month. On the Newlands committee the facts, as stated to the House, say he did no work. I was under the impression that his chief on that committee was his chief on the Water Power Committee. It seems to me that it should have occurred to the members of the Newlands committee that this man should be given a leave of absence during the time that he served upon the Water Power Committee, and then he should have been given the salary on the Water Power Committee that a clerk of that committee was entitled to.

I think it is a very bad precedent that the members of the Water Power Committee, who are also members of the committee on which this clerk is serving and drawing a salary of $300 a month, should use their influence, as undoubtedly was done, to have him placed upon the Water Power Committee with the likely understanding that he was to receive an additional salary which was not provided by law.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. NORTON. Yes.

Mr. GORDON. The difficulty was perfectly obvious. They only had authority to allow their clerk $2,500 a year, and this man was given $3,600 in his old position. Why not take the old one rather than the new one without an increase of salary?

Mr. NORTON. It seems to me that if the interest of the House was to be considered at all it was proper for the members of the Newlands committee serving upon the Water Power Committee, who were chiefs of this clerk on the Newlands committee, to order his transfer to the Water Power Committee, and that was virtually done. He has not done work for this House on these two committees. The evidence before the House was that he only devoted his service, his actual service, to the Water Power Committee.

Gentlemen of the House, I want to call your attention to the fact that if you establish a precedent like this you will have many cases where clerks are serving upon committees at a fixed salary and where their chiefs, being appointed on some special committee, will transfer them to that committee and come to this House asking for an additional salary. I believe that the resolution should be voted down.

The SPEAKER. The time of the gentleman from North Dakota has expired.

Mr. BLANTON. Mr. Speaker, I rise to the point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. I raise the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and fifty-two gentlemen are present—a quorum.

Mr. HASTINGS. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. RAYBURN].

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. RAYBURN. Mr. Speaker, since I came to Congress, in 1913, I have known the subject of this resolution. Willis Davis was the clerk to the Committee on Interstate and Foreign Commerce for the first five years of that service. In the meantime, also, he was appointed as a clerk of the Newlands committee, made up of membership from the House Committee on Interstate and Foreign Commerce and the Senate Committee on Interstate Commerce, for the general investigation of the railroad question. The Newlands committee is still alive. The clerkship to the Newlands committee carries a salary of $3,600 per annum. Nobody in this House will argue that if Willis Davis had not done one particle of work on the Water Power Committee he would have received every dollar of the $3,600 as clerk of the Newlands committee. Yet he has stayed in Washington for these 15 months, away from a business at home, which is a good business that he could go back to at any time and make much more than he has been making in either one of these positions, because it has been insisted upon by the members of the Newlands committee that he should remain in that position. The Newlands committee, it is true, has not been called together for some time, but the Newlands committee is

still alive, and this man has stayed here, ready at all times to perform any work that he was called upon to perform.

Furthermore, since the Newlands committee ceased to have meetings he has compiled all of the hearings and gotten them together in pamphlet form and in bound volumes. But, more than that—and I do not reflect or intend to reflect on the clerk to the Committee on Interstate and Foreign Commerce since the incumbency of Judge SIMS—since that time he has not only been the clerk to the Newlands committee, but he has performed much of the services for the Committee on Interstate and Foreign Commerce, for which he has not received one dollar of pay.

In the meantime the Committee on Water Power was formed in this House. They were looking about for a competent and able clerk, and they seized upon this young man, who, to my mind, is one of the most capable, one of the most honest, and one of the most industrious clerks that ever came to any committee of this Congress. I think that in view of the extra work done, which he was called upon to do, this Committee on Water Power would have been empowered to pay him the full salary that they were allowed to pay a clerk.

Mr. HASTINGS. That was $2,500 a year.

Mr. RAYBURN. Yes; $2,500 a year.

Mr. NORTON. Will the gentleman yield?

Mr. RAYBURN. I do.

Mr. NORTON. I have been informed by a member of the Committee on Interstate and Foreign Commerce that this gentleman, Mr. Davis, in addition to holding the position of clerk upon the Joint Committee on Interstate and Foreign Commerce and doing the work of the clerk on the Water Power Committee, also does practically all of the work of the Committee on Interstate and Foreign Commerce, for which work some one else is paid. Is the gentleman asking any pay for the work that he also does, if he does it—and I am asking for information—on the Committee on Interstate and Foreign Commerce?

Mr. RAYBURN. I am not, sir.

Mr. NORTON. Does the gentleman know that Mr. Davis, in addition to doing this Water Power Committee work, does also the work of the Committee on Interstate and Foreign Commerce?

Mr. RAYBURN. I do.

Mr. NORTON. Are you on the Committee on Interstate and Foreign Commerce?

Mr. RAYBURN. I am. I say he does a great deal of the work of the Committee on Interstate and Foreign Commerce and receives no salary for it.

Mr. SANFORD. Mr. Speaker, will the gentleman yield to me?

Mr. RAYBURN. I do.

Mr. SANFORD. Does the gentleman mean to tell the House that in addition to serving as clerk of the Joint Committee on Interstate and Foreign Commerce at $300 a month, this gentleman has also performed the service for some man who holds the position of clerk to the Committee on Interstate and Foreign Commerce?

Mr. RAYBURN. The other clerk has been there and has worked, but Mr. Davis has done a great deal of the work.

Mr. SANFORD. That is what I wanted to know. I want the gentleman to yield me five minutes, if he will.

Mr. RAYBURN. I do think that with these three very important employments that Mr. Davis has filled for this House and its committees it is a very small thing for gentlemen to get up here, when this resolution calls for the payment of only $1,000, when the committee was authorized to pay $2,500, and object to this resolution.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. NORTON. Does the gentleman think it a good precedent to have clerks serving on more than one committee?

Mr. RAYBURN. Yes; I do, if he does the work.

Mr. SANFORD. Mr. Speaker, will the gentleman yield to me some time?

Mr. HASTINGS. Yes.

Mr. SANFORD. Mr. Speaker and gentlemen, the statement that the last gentleman has just made simply serves to increase the confusion. I have never yet been able to understand the process of reasoning of men who stand here on this floor and in public contend for the kind of proposition that this one is. The gentlemen who contend for it here fail to recognize that the money with which they deal so freely is not their money but the people's money. [Applause.] To be sure, there is not much money involved here, but this same proposition that you see in this case is characteristic, or was characteristic a year or so ago, of almost every committee in this House.

Now, what is the proposition here? If one of these gentlemen hired a gardener to cut his lawn, and paid him a hundred dollars a month, and decided not to cut the lawn, would he pay that gardener an extra hundred dollars a month if he asked him to polish the door knobs? These gentlemen fail to recognize and refuse to admit that the common employer is the Government of the United States. The Government is the only employer for whom Mr. Davis worked. He worked for the Government and did nothing, absolutely nothing for over a year, and drew $300 a month, on his own testimony. Yet because for about four months only he did some work for another committee, the proposal here is to pay him a bonus of $1,000. The proposition is indefensible. No man can stand up for it when he once recognizes what the truth of the proposition is. The man for whom you propose to do this thing is honest. Would you corrupt him by giving him a thousand dollars? He is absolutely honest and efficient. He tells these things that I tell you. He probably is smiling now, that you are so simple and so confused that you will contend for a thing that he himself would refuse to ask for. Leave the question to his judgment, and he would not take the money. I tried to get him to say that he wanted it. He said, "No; it is not my proposition." Is the Democratic Party to-day so bold and fearless and so confident of its standing among the people that it dare unite again on one of these little, foolish, insignificant, dishonest propositions? If it is, go on record for it; but I have felt that when I stated these facts, you would not vote this money. [Applause.]

Mr. HASTINGS. Mr. Speaker, as I have previously stated with reference to this resolution, I have no possible interest whatever in it. I am a member of the Committee on Accounts.

Mr. BLANTON. Mr. Speaker, I rise to a point of order, that there is no quorum present.

Mr. HASTINGS. I do not yield.

Mr. BLANTON. If the gentleman will not allow me to speak, I will not let him speak for a while.

Mr. HASTINGS. I do not yield, Mr. Speaker.

The SPEAKER. The gentleman from Oklahoma has the floor.

Mr. BLANTON. A point of order, Mr. Speaker.

Mr. HASTINGS. I do not yield.

Mr. BLANTON. The gentleman does not have to yield for a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BLANTON. I make the point or order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and ninety Members present, a quorum.

Mr. HASTINGS. Mr. Speaker, I think the House is familiar with the facts. All the interest I have in it is to bring these facts here before the House as the representative of the Committee on Accounts. As I stated a moment ago, the examiner who came down here from the Pension Office for the Committee on Pensions was paid additional compensation, and the examiner who came for the Invalid Pensions Committee was paid additional compensation. The printer who came here and did some expert service was put on the roll, and we passed a resolution giving him some extra compensation. A great many of these resolutions that we have passed here to-night are to give extra compensation for extra work performed. Every man upon this committee says this man Davis has done this work well, to the entire satisfaction of the committee; that he is an expert along that line; that he did extra service at night; that he worked Sundays, and they came before our committee and recommended that he be paid some extra compensation. As I told the House, the resolution provided that he could get $2,500 a year, and if you had employed an extra clerk he would have been paid $2,900 a year for this that the committee recommended he be paid $1,000.

Now, Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. MILLER of Minnesota. Mr. Chairman, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLER of Minnesota. As I understood, the resolution which was presented carried with it a committee amendment?

The SPEAKER. Yes.

Mr. MILLER of Minnesota. Has the amendment been acted upon?

Mr. STAFFORD. No action has been taken on the amendment.

The SPEAKER. The Chair has not put the amendment.

Mr. MILLER of Minnesota. Should not the amendment be acted upon before the vote is taken on the resolution?

The SPEAKER. Yes.

The amendment was agreed to.

The SPEAKER. The question now is on the passage of the resolution.

Mr. BLANTON. On that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 178, nays 135, answered "present" 2, not voting 114, as follows:

YEAS—178.

Alexander	Eagan	Kitchin	Rodenberg
Almon	Eagle	La Follette	Romjue
Aswell	Esch	Lampert	Rouse
Austin	Evans	Larsen	Rubey
Ayres	Farr	Lazaro	Rucker
Barkley	Ferris	Lea, Cal.	Sabath
Barnhart	Fisher	Lee, Ga.	Sanders, La.
Beakes	Focht	Lesher	Schall
Bell	Foster	Lever	Scully
Benson	Freeman	Littlepage	Sherwood
Black	Gallagher	Lobeck	Sims
Blackmon	Gallivan	London	Sinnott
Brand	Gard	Lonergan	Sisson
Brodbeck	Garner	McAndrews	Small
Browne	Garrett, Tenn.	McArthur	Smith, T. F.
Byrnes, S. C.	Garrett, Tex.	McClintic	Snook
Campbell, Pa.	Godwin, N. C.	McCulloch	Stephens, Miss.
Candler, Miss.	Goodwin, Ark.	McKeown	Stephens, Nebr.
Cantrill	Gould	McLaughlin, Mich.	Sterling
Caraway	Graham, Pa.	McLaughlin, Pa.	Stiness
Carew	Gray, Ala.	McLemore	Sullivan
Carlin	Griest	Maher	Sweet
Carter, Okla.	Hardy	Mann	Tague
Clark, Fla.	Harrison, Miss.	Mansfield	Taylor, Colo.
Collier	Harrison, Va.	Miller, Minn.	Tillman
Connally, Tex.	Hastings	Montague	Timberlake
Crisp	Haugen	Moon	Vare
Crosser	Hayden	Morin	Vinson
Curry, Cal.	Heflin	Nelson, A. P.	Voigt
Davey	Helvering	Oliver, N. Y.	Walton
Decker	Hensley	Olney	Watkins
Delaney	Hilliard	Osborne	Watson, Va.
Denison	Holland	O'Shaunessy	Welling
Dent	Houston	Parker, N. J.	Whaley
Denton	Hull, Tenn.	Parker, N. Y.	Wheeler
Dewalt	Humphreys	Phelan	Wilson, La.
Dickinson	Igoe	Platt	Wilson, Tex.
Dill	Ireland	Polk	Wingo
Dillon	Jacoway	Quin	Winslow
Dixon	Johnson, Ky.	Rainey, H. T.	Woods, Iowa
Donovan	Kelley, Mich.	Rainey, J. W.	Woods, Va.
Dooling	Kennedy, R. I.	Raker	Wright
Doremus	Kiess, Pa.	Randall	Young, Tex.
Drane	Kincheloe	Rayburn	
Dupré	King	Riordan	

NAYS—135.

Anderson	Dyer	Kelly, Pa.	Reed
Ashbrook	Edmonds	Kennedy, Iowa	Rose
Bacharach	Elliott	Kinkaid	Rowe
Baer	Ellsworth	Kraus	Sanders, N. Y.
Beshlin	Elston	Kreider	Sanford
Birch	Essen	Lehlbach	Scott, Mich.
Bland, Ind.	Fairchild, B. L.	Linthicum	Sells
Bland, Va.	Fairfield	Longworth	Shallenberger
Blanton	Fess	Lufkin	Siegel
Bowers	Fordney	Lundeen	Slemp
Britt	Foss	McFadden	Smith, Idaho
Britten	Francis	McKenzie	Snell
Browning	French	McKinley	Stafford
Burnett	Gillett	Madden	Stedman
Burroughs	Good	Mapes	Steenerson
Butler	Gordon	Martin	Strong
Byrns, Tenn.	Graham, Ill.	Mason	Switzer
Campbell, Kans.	Green, Iowa	Merritt	Temple
Carter, Mass.	Greene, Vt.	Miller, Wash.	Templeton
Clark, Pa.	Hadley	Moore, Pa.	Thompson
Classon	Haskell	Moores, Ind.	Tilson
Cleary	Hawley	Morgan	Tinkham
Cooper, W. Va.	Hayes	Nichols, Mich.	Treadway
Crago	Heaton	Nolan	Vestal
Cramton	Hersey	Norton	Volstead
Currie, Mich.	Hicks	Oliver, Ala.	Walsh
Dale	Hollingsworth	Padgett	Ward
Dallinger	Huddleston	Paige	Wason
Darrow	Hull, Iowa	Peters	Watson, Pa.
Dempsey	Husted	Purnell	Welty
Dominick	Hutchinson	Ragsdale	White, Me.
Doughton	James	Ramsey	Wood, Ind.
Dowell	Johnson, Wash.	Ramseyer	Young, N. Dak.
Dunn	Juul	Rankin	

ANSWERED "PRESENT"—2.

Bankhead	Little

NOT VOTING—114.

Anthony	Emerson	Helm	Nelson, J. M.
Booher	Estopinal	Hood	Nicholls, S. C.
Brumbaugh	Fairchild, G. W.	Howard	Oldfield
Buchanan	Fields	Johnson, S. Dak.	Overmyer
Caldwell	Flood	Jones	Overstreet
Cannon	Flynn	Kahn	Park
Cary	Frear	Kearns	Porter
Chandler, N. Y.	Fuller, Ill.	Keating	Pou
Chandler, Okla.	Fuller, Mass.	Kehoe	Powers
Church	Gandy	Kettner	Pratt
Claypool	Garland	Key, Ohio	Price
Coady	Glynn	Knutson	Reavis
Connelly, Kans.	Goodall	LaGuardia	Roberts
Cooper, Ohio	Gray, N. J.	Langley	Robinson
Cooper, Wis.	Greene, Mass.	Lunn	Rogers
Copley	Gregg	McCormick	Rowland
Costello	Griffin	Magee	Russell
Cox	Hamill	Mays	Sanders, Ind.
Davis	Hamilton, Mich.	Mondell	Saunders, Va.
Dies	Hamilton, N. Y.	Mott	Scott, Iowa
Doolittle	Hamlin	Mudd	Sears
Drukker	Heintz	Neely	Shackleford
Sherley	Steagall	Towner	Williams
Shouse	Steele	Van Dyke	Wilson, Ill.
Slayden	Stevenson	Venable	Wise
Sloan	Sumners	Waldow	Woodyard
Smith, Mich.	Swift	Walker	Zihlman
Smith, C. B.	Taylor, Ark.	Webb	
Snyder	Thomas	White, Ohio	

So the resolution was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. GANDY with Mr. JOHNSON of South Dakota.

Mr. BRUMBAUGH with Mr. ANTHONY.

Mr. LUNN with Mr. HAMILTON of New York.

Mr. COADY with Mr. COOPER of Wisconsin.

Mr. CONNELLY of Kansas with Mr. KAHN.

Mr. FLOOD with Mr. REAVIS.

Mr. FLYNN with ———

Mr. GRIFFIN with Mr. ROWLAND.

Mr. HAMLIN with Mr. SMITH of Michigan.

Mr. HOWARD with Mr. WILSON of Illinois.

Mr. HOOD with Mr. WOODYARD.

Mr. JONES with Mr. CANNON.

Mr. KEHOE with Mr. COPLEY.

Mr. KEY of Ohio with Mr. GEORGE W. FAIRCHILD.

Mr. MAYS with Mr. FULLER of Illinois.

Mr. NICHOLLS of South Carolina with Mr. FULLER of Massachusetts.

Mr. OVERMYER with Mr. GARLAND.

Mr. OVERSTREET with Mr. GLYNN.

Mr. POU with Mr. GREENE of Massachusetts.

Mr. OLDFIELD with Mr. HAMILTON of Michigan.

Mr. RUSSELL with Mr. KEARNS.

Mr. SAUNDERS of Virginia with Mr. KNUTSON.

Mr. SEARS with Mr. LANGLEY.

Mr. KEATING with Mr. MAGEE.

Mr. STEAGALL with Mr. MOTT.

Mr. SUMNERS with Mr. MUDD.

Mr. TAYLOR of Arkansas with Mr. PORTER.

Mr. THOMAS with Mr. ROGERS.

Mr. VAN DYKE with Mr. SANDERS of Indiana.

Mr. VENABLE with Mr. SNYDER.

Mr. WALKER with Mr. TOWNER.

Mr. WEBB with Mr. COOPER of Ohio.

Mr. WHITE of Ohio with Mr. CHANDLER of Oklahoma.

Mr. WISE with Mr. MCCORMICK.

The result was announced as above recorded.

On motion of Mr. HASTINGS, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

PROBATION SYSTEM FOR THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask to take from the Speaker's table the bill H. R. 10891, an act to amend and reenact an act for the establishment of a probation system for the District of Columbia, and I move to agree to the Senate amendments.

The Senate amendments were read.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the Senate amendments were agreed to was laid on the table.

GUARANTIES TO PRODUCERS OF WHEAT.

Mr. LEVER. Mr. Speaker, I ask the Chair to lay before the House the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder.

The Clerk reported the title of the bill.

Mr. LEVER. I move that the House recede from its disagreement to the Senate amendments and agree to the same.

Mr. HAUGEN. To all the Senate amendments?

Mr. LEVER. Yes.

Mr. HAUGEN. I object; I never heard of such a procedure.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. It is some time since I received assurance from the Chair that my status quo is still preserved.

The SPEAKER. It is. The gentleman from South Carolina asks to take this bill from the Speaker's table, recede from its disagreement to Senate amendments, and agree to the same.

Mr. MANN. Mr. Speaker, the gentleman from South Carolina made a privileged motion. He did not ask unanimous consent.

Mr. DUPRÉ. Oh, yes; he did.

Mr. MANN. He asked the Chair to lay the bill before the House, it being in a privileged condition, and then moved to recede and concur. These amendments have been acted on by the House once.

Mr. HAUGEN. Oh, I beg to differ with the gentleman from Illinois. These amendments have not been agreed to.

Mr. MANN. They have been disagreed to, have they not?

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. What was the message which the Senate ushered over to the House in connection with the conference requested by the House on these various amendments?

The SPEAKER. The Chair does not know.

Mr. LEVER. Mr. Speaker, as I recall hearing the message it was to the effect that the Senate had agreed to the House amendment to the Senate amendment No. 24, and insisted further on their own amendment and did not ask for a conference.

Mr. MOORE of Pennsylvania. Does that include amendment No. 9?

Mr. LEVER. All amendments, including amendment No. 9.

Mr. MOORE of Pennsylvania. And the Senate insists upon that amendment?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. Did the conferees take action on it?

Mr. LEVER. The Senate did not appoint conferees.

Mr. DUPRÉ. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DUPRÉ. The gentleman from South Carolina says that he did not make the motion that has been put in his mouth by the late lamented leader of the minority side——

Mr. MANN. Not late lamented yet. Wait until to-morrow at least. [Laughter.]

Mr. LEVER. I should like to ask if the gentleman from South Carolina has the right to make this motion?

The SPEAKER. The gentleman from South Carolina moves——

Mr. DUPRÉ. The gentleman from South Carolina did not move at all. That word was put into his mouth by the gentleman from Illinois. The gentleman from South Carolina asked, and I would like to know what is before the House.

The SPEAKER. The motion of the gentleman from South Carolina.

Mr. DUPRÉ. Which, as I understand it, was never made by him until transposed by the Chair. I have reason to ask about this matter, and I would like to have this thing stated.

The SPEAKER. The gentleman from South Carolina will please state his motion again.

Mr. LEVER. Mr. Speaker, I move that the House recede from its disagreement to all Senate amendments and agree to the same, except Senate amendment No. 24, which has already been disposed of.

Mr. HAUGEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAUGEN. Is it in order to move to concur in all of the Senate amendments en grosse? Is not the House entitled to take a separate vote on each amendment? Is it possible that we have a rule that the House must either swallow or reject 27 amendments?

The SPEAKER. The Chair puts the motion as it is made.

Mr. DUPRÉ. The Chair will not put the motion until I reserve the right to object, I trust.

The SPEAKER. No; if the gentleman desires to object.

Mr. DUPRÉ. I do.

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. Are these amendments divisible?

Mr. DUPRÉ. Mr. Speaker, I have understood that this bill has been all arranged through the way of transposition from one body to another, and that it has all been fixed up before it has ever been put to the House. I object.

The SPEAKER. The gentleman from South Carolina moves to recede and concur in all Senate amendments except amendment No. 24.

Mr. HAUGEN. Mr. Speaker, I object. I demand a separate vote on each amendment.

Mr. HEFLIN. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from Iowa demands a separate vote on each amendment. The Clerk will report the first one.

The Clerk read as follows:

Page 2, line 11, strike out the words "create an."

Mr. LEVER. Mr. Speaker, I move the previous question on that amendment.

The previous question was ordered.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 11, after the word "any," insert the word "existing."

Mr. LEVER. Mr. Speaker, I move the previous question on the amendment.

Mr. DUPRÉ. Mr. Speaker, I ask for recognition.

The SPEAKER. The gentleman from South Carolina moves the previous question.

The previous question was ordered.

The question was taken and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 8——

Mr. LEVER. Mr. Speaker, I move the previous question on all Senate amendments.

Mr. MOORE of Pennsylvania. Mr. Speaker, I think there ought to be some explanation of amendment numbered 9.

Mr. LEVER. Mr. Speaker, I move the previous question on amendment numbered 3.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 8, after the word "necessary", insert "to carry out the purposes of this act and to enable the people of the United States to purchase wheat products at a reasonable price."

Mr. LEVER. Mr. Speaker, I move the previous question on the amendment.

Mr. STAFFORD. Will not the gentleman allow a member of the committee a little time on that question? The gentleman from New Jersey [Mr. HUTCHINSON] desires some time.

Mr. LEVER. I yield the gentleman five minutes.

Mr. DUPRÉ. I would like to know whether the gentleman from South Carolina is going to yield me any time.

Mr. HUTCHINSON. Mr. Speaker, amendment No. 3 is put in here for the purpose of controlling everything. It controls all wheat products, the very purpose the committee has been trying to avoid. This controls crackers, everything that is made out of wheat, and makes a lot of work for the agency which has been created. The intention of the bill was for the purpose of guaranteeing wheat, and the object of this bill is to carry out that guarantee. Now we are going to have control of everything that the grocery store handles.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. HUTCHINSON. I will.

Mr. MOORE of Pennsylvania. I would like the gentleman to tell us, if he can, what the conferees had in mind in accepting this suggestion. The conferees apparently have not agreed upon the price fixing of crackers.

Mr. LEVER. There has not been any conference at all.

Mr. MOORE of Pennsylvania. Let me ask the gentleman a question for my information about this matter. I have been trying to get information from the chairman. What excuse was there for giving this power to fix the price of products of wheat, including crackers, pretzels, and things of that kind, when the foreign price is lower than the American price?

Mr. HUTCHINSON. There is no reason whatever. That is the very object I have been trying to fight.

Mr. MOORE of Pennsylvania. The products of wheat include crackers, the products of wheat include bread, the products of wheat include pretzels, and you can buy them cheaper abroad than you can buy them here. The purpose of this is to keep the American price up, I understand, and I ask the gentleman about that——

Mr. HUTCHINSON. That is the effect of this amendment.

Mr. STAFFORD. There will be no demand for pretzels after the 1st of July next.

Mr. MOORE of Pennsylvania. The gentleman may be humorous in the closing hours of the session, but the effect upon the American people is very serious. Is it not a fact that the adoption of this would be that the American price would be kept up while the world price might be much lower?

Mr. HUTCHINSON. That is the very object.

Mr. BAER. If the gentleman will permit, I think the object of this is to keep the price down on food products made out of wheat.

Mr. MOORE of Pennsylvania. The effect of it would be that the American consumer pays much more than it will be sold for abroad.

Mr. BAER. When we fixed the price of wheat flour you paid $7 less a barrel for it than when the price was not fixed.

Mr. MOORE of Pennsylvania. They were buying it abroad at that price when we were paying twice that in the United States.

Mr. McLAUGHLIN of Michigan. Will you tell me where you find the authority given to this agency to control wheat products other than the wheat itself? Do you claim to find it in amendment No. 3?

Mr. HUTCHINSON. No. 3 amendment is for that purpose.

Mr. McLAUGHLIN of Michigan. It is nothing of the kind.

Mr. HUTCHINSON. What is the purpose of putting it in, then?

Mr. McLAUGHLIN of Michigan. It is for carrying out this act; and the effect of carrying it out may be to reduce the price of food products to the people. It is not giving authority to control these things. It is to carry out this act just as it was written, with the effect to make cheaper food products. It gives no authority over any of the other food products.

Mr. HUTCHINSON. Under this amendment they can fix the price of anything they want.

Mr. McLAUGHLIN of Michigan. I beg the gentleman's pardon. His construction of it is wrong.

Mr. HUTCHINSON. Every manufacturer of food products has to keep a record. I trust this amendment will not be carried out. It is absolutely against the idea of the bill. Mr. Speaker, my idea of this is that if we put this amendment in, with this agency, under the license system every man that manufactures any kind of products from wheat has got to keep a record and keep an account of it, and the work is a great deal more than anything else. When they say this agency will not control that concern I can not see any reason for that provision in this amendment. There is no question with some of us who have had experience with the agency but that we know just what they will do and what they have done in the past, and it seems to me if we are going to control wheat and wheat flour it ought to stop at that point and not go any further, because the trouble, as I said before, is to make a lot of work and to regulate the prices of every man that manufactures anything from wheat. I trust this amendment will not prevail.

Mr. LEVER. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Speaker, under the proclamation of the President of the United States, by virtue of an act of Congress the farmers were guaranteed $2.26 for their No. 1 wheat delivered at Chicago. So far we are all agreed. Nobody wants to repudiate that contract. But here, gentlemen, is a proposition that, in order to make that contract good we have to take on additional burdens. First, we guarantee the miller, the wholesale dealer, and the baker against loss. Now it is proposed to include bran and shorts under this license system, so that the miller may take his $36 bran, mix it with water, mix it with sand, mix it with corncobs, mix it with any inferior substitute, and sell it for a higher price.

The dairy people are now buying the bran for $36 to $40, and if you pass this amendment they will pay from $50 to $60 for the corncobs and the sand and the water mixed with it. That is what took place under this license system in the past. They want the very same proposition. As to proof of that I refer you to the hearing on the feed bill.

If so, they may say to a farmer, "Mr. Farmer, walk up and pay $50 to $60 for a ton of feed, inferior to bran which they knew could be bought for less—for $36 per ton. In fixing the price on wheat of the farmer who had 1,000 bushels of wheat to sell he lost at least $2 a bushel, or $2,000. If under this bill he has to buy 50 tons of feed he is taxed another $1,250.

In this bill will be found the cotton-future proposition. According to the statement of the gentleman from Alabama [Mr. HEFLIN] the cotton growers to-day are, I believe, robbed of $50 a bale. This bill, although a short step, is one step in the right direction.

According to the information furnished the committee the statement of the gentleman from South Carolina [Mr. LEVER] 10 per cent of the undesirable cotton is to be eliminated. Why eliminate 10 per cent only? If the cotton growers are now being robbed of $50 a bale, if 10 per cent is eliminated they will still be robbed of $45 a bale. I repeat, in order to keep the guaranty solemnly made by the President, by virtue of a law of Congress, it is proposed to add additional burdens.

Now, Mr. Speaker, I appreciate that no man wants to repudiate a contract. This bill makes that contract good, but in order to make it good we have to vote for these additional burdens that are to be tacked onto this bill. Rather than to repudiate a contract I am willing to submit to the tax because I want to make Uncle Sam's word good.

Mr. LEVER. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. RUBEY].

Mr. RUBEY. Mr. Speaker, I want to call the attention of the House to the parliamentary situation which confronts us. This bill has been passed through the House and the Senate. We disagreed to all the Senate amendments except one. We agreed to Senate amendment No. 24 with an amendment and sent it back to the Senate, and they agreed to our amendment to their amendment.

The bill now comes back to us for action. In the closing hours of this session, unless we to-night agree to these Senate amendments, this bill will be defeated. It will be impossible to pass it. If there were any real objection to any of these amendments, I would not be in favor of agreeing to them; but there is no objection, no valid objection, to a single, solitary amendment.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. RUBEY. Yes.

Mr. MOORE of Pennsylvania. I want some information about two amendments. If the gentleman will give it I shall be satisfied if the information is satisfactory. I would like to know if amendment No. 3, inserted by the Senate, is a price-fixing amendment in regard to the price of wheat?

Mr. RUBEY. Amendment No. 3 is not a price-fixing amendment, and in my opinion, without casting any reflections on anybody, it does not amount to anything.

Mr. MOORE of Pennsylvania. Then the gentleman differs from the gentleman from New Jersey [Mr. HUTCHINSON], who has made a statement in regard to it?

Mr. RUBEY. I disagree with him entirely.

Mr. MOORE of Pennsylvania. Then the gentleman does not think that we are giving any unusual power to Mr. Hoover if he is to be the actuary under this provision?

Mr. RUBEY. I do not.

Mr. MOORE of Pennsylvania. Now, I want to ask about amendment No. 9, which is a peculiar amendment. I will read it:

> The President shall take seasonable steps to provide for and to permit the establishment of a free and open market for the purchase, sale, and handling of wheat and wheat products upon the expiration of this act.

That is to say, if this, after this, act expires he shall do certain things. Is that a free trade or reciprocal arrangement with Canada or any other country?

Mr. RUBEY. I think it is a very courteous statement made by the Senate that does not mean anything at all. This bill will expire on the first day of June, 1920. The guarantee expires at that time, and I do not believe that under this language the President will take any steps at all.

Mr. MOORE of Pennsylvania. The suspicion is—and I have heard it stated here on this side—that this is a reciprocal arrangement, looking to Canadian trade, that shall come into the United States free, in competition with the wheat growers of our northern tier of States.

Mr. RUBEY. I think perhaps when the Senate passed that amendment they thought possibly that by some method of legislation they could get the country back quickly to a normal condition. I think that is all they intended to accomplish by that amendment, but I do not think it amounts to anything.

Mr. MOORE of Pennsylvania. What does "a free and open market" mean?

Mr. RUBEY. In my opinion "a free and open market" is the kind of market we had before the war.

Mr. MOORE of Pennsylvania. Not an international market?

Mr. RUBEY. Certainly not.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. RUBEY. Yes.

Mr. GOOD. If the gentleman from New Jersey [Mr. HUTCHINSON] is wrong in his contention, then what does that language adopted by the Senate mean?

Mr. RUBEY. As I said a moment ago, I do not think it means anything.

Mr. GOOD. I do not think we can put that construction on it. I do not think we can say that the Senate did a senseless and foolish thing. Somebody must have had something in their minds when they put that in the bill.

Mr. RUBEY. I do not want to be discourteous; but, as I stated a moment ago, I do not think there is anything in the amendment.

I hope, Mr. Speaker, that these amendments will all be agreed to. [Applause.]

Mr. LEVER. Mr. Speaker, I move the previous question on the amendment.

Mr. MANN. Mr. Speaker, will the gentleman yield to me three minutes?

Mr. LEVER. Yes. I yield to the gentleman from Illinois three minutes.

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. MANN. Mr. Speaker, I have examined all the Senate amendments to this bill, perhaps not as carefully as some other Members have. I can not see any objection to any of them. I do not think they change the sense of the bill or the meaning of the bill in any respect whatever, except where they add bran or semolina or something of that sort to the provisions of the bill.

Now, here it is within 12 hours of the end of the legislative day of March 3. This bill has to have amendments disposed of. It has to be enrolled and signed by the Speaker of the House, by the President of the Senate, and by the President of the United States before the final adjournment of Congress at 12 o'clock to-morrow on the calendar day.

There may be things that we would not write in the way that they are here. That is no novelty. I never saw a bill come back from the Senate that was in the form in which we would write it here. It may be that some of the amendments inserted by the Senate are not necessary. Most of them mean the same thing, whether they are in or out, as far as the bill is concerned. But if we are going to carry out the guaranty of the Government—and we ought not to hesitate about that—there is only one thing to do, and that is to agree to these Senate amendments now and send this bill up, so that it can be enrolled and signed by the presiding officers of the two bodies and by the President of the United States. It is child's play if we do not do it.

Mr. HAUGEN. Will the gentleman yield?

Mr. MANN. I am not criticizing anybody.

Mr. HAUGEN. I know, but speaking about child's play, there is a regular way of doing things, and that is to vote on these amendments separately. Now, shall we swallow 27 amendments *without* a separate vote?

Mr. MANN. I shall swallow the 27 amendments, if there are that many, either with or without a separate vote, in whichever way the question comes, because I had rather vote for these Senate amendments than have the Government of the United States repudiate its guaranties. [Applause.]

Mr. PARKER of New Jersey. Will the gentleman permit a question?

Mr. MANN. Certainly.

Mr. PARKER of New Jersey. The next amendment in the same section provides not only for the protection but the indemnification of millers.

Mr. MANN. I know, and that is what the bill provides for without the amendment.

Mr. PARKER of New Jersey. We did not ever agree before to pay them money.

Mr. MANN. We agreed to protect them, and it was stated on the floor of the House when the bill was under discussion that that was exactly what the language of the bill meant.

Mr. PARKER of New Jersey. The protection was to be only by regulating the price of wheat. I do not understand that we intended to pay them any money.

Mr. MANN. The gentleman heard the discussion. That was stated on the floor of the House to be the purpose of the language in the bill. The Senate has made it more explicit. It has not changed the proposition; but if it had, I am not willing to repudiate the promise that the Government made, and I am *not willing*, by haggling over the terms of this bill, to prevent its becoming a law by 12 o'clock to-morrow. [Applause.]

Mr. LEVER. Mr. Speaker——

Mr. GRAHAM of Illinois. Will the gentleman yield for a minute?

Mr. LEVER. I move the previous question on all of these amendments. It is evident that this House is in favor of them.

The SPEAKER. The gentleman moves the previous question on all these amendments.

The previous question was ordered.

The SPEAKER. The question is on the adoption of Senate amendment numbered 3.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 15, after the word "protection," insert the words "or indemnification."

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 19, after the word "crops," insert the words "due to the action of the Government."

The amendment was agreed to.

The Clerk reported the next amendment, as follows:

Page 5, line 17, after the word "who," insert the words "intentionally and."

The amendment was agreed to.

The Clerk reported the next amendment, as follows:

Page 5, line 21, after the word "who," insert the words "intentionally and."

The amendment was agreed to.

The Clerk reported the next amendment, as follows:

Page 5, line 23, strike out all after "exceeding" down to and including "both," in line 24, and insert "$1,000."

The amendment was agreed to.

The Clerk reported the next amendment, as follows:

Page 5, line 24, after "both" insert "The President shall take seasonable steps to provide for and to permit the establishment of a free and open market for the purchase, sale, and handling of wheat and wheat products upon the expiration of this act."

The amendment was agreed to.

The Clerk read as follows:

Page 6, line 5, strike out the word "no" and insert "*Provided*, That as between the two articles mentioned preference shall be given to the exportation of flour except when the public interest would, in the judgment of the President, be injuriously affected thereby, no."

The amendment was agreed to.

The Clerk read as follows:

Page 6, line 19, strike out the word "or" where it occurs the third time, and insert a comma.

The amendment was agreed to.

The Clerk read as follows:

Page 6, line 19, after the word "flour" insert the words "bran and shorts."

The amendment was agreed to.

The Clerk read as follows:

Page 7, line 10, after the word "wheat," insert the word "semolina."

The amendment was agreed to.

The Clerk read as follows:

Page 7, line 13, after the word "him," insert the words "intentionally and."

The amendment was agreed to.

The Clerk read as follows:

Page 7, line 15, after the word "or," insert the words "intentionally and."

The amendment was agreed to.

The Clerk read as follows:

Page 7, line 19, after the word "or," insert the words "intentionally and."

The amendment was agreed to.

The Clerk read as follows:

Page 7, lines 22 and 23, strike out the figures and words "$5,000 or by imprisonment for not more than two years or both" and insert "$1,000."

The amendment was agreed to.

Page 8, line 10, after the word "wheat," where it occurs the first time, insert a comma and the word "semolina."

The amendment was agreed to.

The Clerk read as follows:

Page 8, line 18, after the word "wheat," where it occurs the first time, insert a comma and the word "semolina."

The amendment was agreed to.

The Clerk read as follows:

Page 8, after the figures "$1,000," strike out "or by imprisonment for not more than two years, or both."

The amendment was agreed to.

The Clerk read as follows:

Page 8, line 24, after the word "wheat," insert a comma and the words "semolina or wheat flour."

The amendment was agreed to.

The Clerk read as follows:

Page 9, line 4, after the word "wheat," insert a comma and the words "semolina or wheat flour."

The amendment was agreed to.

The Clerk read as follows:

Page 9, line 9, after the word "wheat," insert a comma and the words "semolina or wheat flour."

The amendment was agreed to.

The Clerk read as follows:

Page 9, line 12, after the word "wheat," insert "semolina or wheat flour."

The amendment was agreed to.

The Clerk read as follows:

Page 9, line 14, after the word "who," insert "intentionally and."

The amendment was agreed to.

The Clerk read as follows:

Page 10, line 1, after the word "who," insert "intentionally and."

The amendment was agreed to.

The Clerk read as follows:

Page 10, line 2, strike out the words "or order."

The amendment was agreed to.

The Clerk read as follows:

Page 10, lines 5 and 6, strike out "$5,000, or by imprisonment for not more than one year or both," and insert "$1,000."

The amendment was agreed to.

Mr. LEVER. Mr. Speaker, I move to reconsider the votes whereby these amendments have been agreed to and lay that motion on the table.

The motion was agreed to.

ENTRY OF CERTAIN DISTILLED SPIRITS.

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent to consider in the House as in the Committee of the Whole joint resolution 438, to permit entry of distilled spirits shipped to the United States prior to September 9, 1917, and wines and other nonspirituous alcoholic beverages so shipped prior to January 1, 1919.

The SPEAKER. The gentleman from Illinois asks unanimous consent to consider House joint resolution 438 in the House as in Committee of the Whole. Is there objection?

Mr. HARRISON of Mississippi. Mr. Speaker, is the gentleman asking unanimous consent for the consideration of the resolution?

Mr. HENRY T. RAINEY. No; it is a privileged resolution. I ask to consider the resolution in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

Mr. DUPRÉ. Mr. Speaker, I object.

Mr. HENRY T. RAINEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House joint resolution 438, to permit entry of distilled spirits shipped to the United States prior to September 9, 1917, and wines and other nonspirituous alcoholic beverages so shipped prior to January 1, 1919.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the House joint resolution 438, with Mr. SUMNERS in the chair.

The CHAIRMAN. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Treasury is hereby authorized to admit to entry any distilled spirits shipped to the United States from a foreign country prior to September 9, 1917, and any wines and other nonspirituous alcoholic beverages so shipped prior to January 1, 1919, upon the payment of the duties and other taxes to which the same are subject by existing law.

Mr. HENRY T. RAINEY. Mr. Speaker, this resolution is presented by direction of the Committee on Ways and Means under a unanimous report, and is recommended by the Treasury Department. The resolution simply permits the entry of certain Chartreuse and wines, the entry of which is now prevented by the food-control act and by the food-stimulation act. The shipments were delayed on account of the exigencies of the war. They were made in good faith, and some American importers will be ruined if we do not pass this resolution.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. BLANTON. If we do pass the resolution, is it not possible for a lot of American boys to be ruined?

Mr. HENRY T. RAINEY. If we do pass the resolution they can not sell it after the 1st day of July, and the sale of wines and liquors of all kinds will be permitted until that date. The stocks of liquors now in this country will not be exhausted on the 1st day of July—there will be some hundreds of thousands of gallons of whisky left in the country when war-time prohibition commences. There is nothing in the gentleman's position. We are likely to be on a whisky basis before war-time prohibition commences. The gentleman will agree, I am sure, that these light French wines will do less damage than the very large supply of American whisky on hand will do—and if the boys must drink they will be better off if they substitute these wines for the more dangerous American whisky, which can be had in such enormous quantities.

Mr. BLANTON. I would rather see the importers ruined than the boys of the country.

Mr. HENRY T. RAINEY. Mr. Chairman, no matter what the gentleman thinks about prohibition, good faith requires that we permit these wines to come in now. I reserve the balance of my time.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting a cable message from Brig. Gen. Blatchford, in command of the Panama Canal Department, urging that everything possible be done to expedite the legislation contained in S. 5224, which passed the Senate February 25, 1919 (H. Doc. No. 1840), was taken from the Speaker's table, referred to the Committee on Military Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CARTER of Oklahoma, from the special committee appointed to investigate conditions in the Indian Service under the act approved March 2, 1917, submitted a report (No. 1168) thereon.

Mr. CHARLES B. SMITH, from the Committee on Patents, to which was referred the bill (H. R. 14944) authorizing the Federal Trade Commission to accept and administer, for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes, reported the same without amendment, accompanied by a report (No. 1169), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SIMS, from the Joint Subcommittee on Interstate and Foreign Commerce, submitted a report (No. 1170), under authority of public resolution No. 25, Sixty-fourth Congress, providing for a report on the operation of the railroads.

Mr. LINTHICUM, from the Committee on Disposition of Useless Papers in the Executive Departments, submitted a report (No. 1171) that the files and papers described in the report of the Department of the Interior in House Document No. 1754, Sixty-fifth Congress, third session, dated February 1, 1919; in the report of the Department of Commerce in House Document No. 1693, Sixty-fifth Congress, third session, dated January 14, 1919; and in the report of the Postmaster General in House Document No. 1795, Sixty-fifth Congress, third session, dated February 14, 1919, are not needed in the transaction of the current business of such departments and bureaus and have no permanent value or historical interest; which report was ordered to be printed.

He also, from the same committee, submitted a report (No. 1172) that the files and papers described in the report of the Treasury Department in House Document No. 1666, Sixty-fifth Congress, third session, dated January 4, 1919, are not needed in the transaction of the current business of such departments and bureaus and have no permanent value or historical interest; which report was ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LUNDEEN: A bill (H. R. 16218) to provide for a referendum vote of the people of the United States on all proposed declarations of war by the Government of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 16219) to provide for a referendum vote of the people of the United States on the proposed league of nations; to the Committee on the Judiciary.

By Mr. BESHLIN: A bill (H. R. 16220) authorizing the Secretary of War to donate to the town of Farrell, Pa., four German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 16221) authorizing the Secretary of War to donate to the town of Wheatland, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16222) authorizing the Secretary of War to donate to the town of Warren, Pa., four German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 16223) authorizing the Secretary of War to donate to the village of Ada, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 16224) to authorize the Secretary of Agriculture to establish standards of classification of commercial feed, to regulate the sale and shipment thereof in interstate and foreign commerce, to prevent deception with reference thereto, and for other purposes; to the Committee on Agriculture.

By Mr. McLEMORE: A bill (H. R. 16225) to prevent the removal of pneumatic-tube properties in post offices and Federal buildings in certain cities prior to July 1, 1920; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: A bill (H. R. 16226) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the village of Loudonville, Ohio; to the Committee on Military Affairs.

By Mr. RAMSEY: A bill (H. R. 16230) authorizing the Secretary of War to donate to the township of Hohokus, in the county of Bergen, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 16231) authorizing the Secretary of War to donate to the town of Port Austin, Mich., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. MASON: A bill (H. R. 16232) to provide for the purchase and operation of pneumatic-tube mail service in the cities of New York, N. Y.; Brooklyn, N. Y.; Philadelphia, Pa.; Chicago, Ill.; Boston, Mass.; and St. Louis, Mo.; to the Committee on the Post Office and Post Roads.

By Mr. DONOVAN: A bill (H. R. 16233) authorizing the Secretary of War to donate to the Twenty-second Regiment of Engineers, of the city of New York, N. Y.; one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FESS (by request): A bill (H. R. 16234) to provide for the purchase and operation of pneumatic-tube mail service in the cities of New York, N. Y.; Brooklyn, N. Y.; Philadelphia, Pa.; Chicago, Ill.; Boston, Mass.; and St. Louis, Mo.; to the Committee on the Post Office and Post Roads.

By Mr. BESHLIN: A bill (H. R. 16235) for the purchase of a site for and the erection of a post-office building at Warren, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 16236) for the purchase of a site for and the erection of a post-office building at Greenville, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. LUNDEEN: Joint resolution (H. J. Res. 442) to repeal section 906 of the revenue act of 1918, approved February 24, 1919; to the Committee on Ways and Means.

By Mr. EMERSON: Joint resolution (H. J. Res. 443) proposing an amendment to the Constitution authorizing Congress to enact legislation to prevent lynching; to the Committee on the Judiciary.

By Mr. DILL: Joint resolution (H. J. Res. 444) requesting the delegates representing the United States at the peace conference at Paris to offer certain amendments to the proposed plan for establishing a league of nations; to the Committee on Foreign Affairs.

By Mr. MOORE of Pennsylvania: Resolution (H. Res. 622) directing the Secretary of War to furnish to the House of Representatives certain information; to the Committee on Military Affairs.

By the SPEAKER: Memorial from the Legislature of the State of Oregon, urging the Congress of the United States to pass Senate bill 2470; to the Committee on Roads.

Also, memorial from the Legislature of the State of Oregon, favoring the return of the public utilities to the owners; to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Wisconsin: Memorial of the Legislature of the State of Wisconsin relating to the establishment of a league of nations; to the Committee on Foreign Affairs.

By Mr. TAGUE: Memorial from the Legislature of the State of Massachusetts urging Congress to provide additional pay for soldiers and sailors discharged from the service of the United States; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLARK of Missouri: A bill (H. R. 16227) granting an increase of pension to Wilhelmine Gaebler; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 16228) granting a pension to Mary M. Hancock; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 16229) granting a pension to Joseph Bauer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of the Milwaukee Hotel Association, International Molders' Local No. 125, and Brewery Workers' Joint Local, all of Milwaukee, Wis., concerning appropriation for United States Employment Service; to the Committee on Labor.

By Mr. COOPER of Wisconsin: Petition of the Trades and Labor Council, Racine, Wis., asking that the Government purchase and control certain public utilities; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Trades and Labor Council, Racine, Wis., asking that no further troops be sent to Russia; to the Committee on Military Affairs.

Also, petition of the Manufacturers' Association, Catholic Woman's Club, board of education, and sundry citizens, all of Kenosha, Wis., in favor of Senate bill 4987; to the Committee on Education.

Also, petition of the Woman's Club, Kenosha, Wis., favoring Senate bill 4987, providing for national department of education; to the Committee on Education.

Also, petition of the Kewane's Club, Kenosha, Wis., favoring Senate bill 4987, creating a national department of education; to the Committee on Education.

Also, petition of citizens of Wisconsin, urging H. R. 10550, providing for national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Petition of the Mobilized Women's Army, of Berkeley, Cal., on behalf of a league of nations; to the Committee on Foreign Affairs.

By Mr. FULLER of Massachusetts: Petition of Patrick Lynch, of Somerville, Mass., and 319 others, in favor of the adoption by Congress of the Gallagher resolution, so called, expressing the earnest hope that the peace conference now sitting in Paris, in passing upon the rights of various peoples, will favorably consider the claims of Ireland to the right of self-determination; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Petition of J. C. Pushee & Sons, Aubert Dabney, Robt. H. Swan, H. West Leonard, Seth Taylor, John M. Lamb, E. M. Deering, and H. E. Truman, all of Boston, Mass., urging against repeal of daylight-saving law; to the Committee on Agriculture.

Also, petition of N. Sallinger, Boston Wholesale Grocers' Association, Kenneth F. Hentoine, Henry R. Comley (florist), Ralph S. Clark, and Lamson Co., all of Boston, Mass., and the American Association of Woolen and Worsted Manufacturers, New York, favoring the daylight-saving law; to the Committee on Agriculture.

Also, petition of J. Linfield Damon, jr., proprietor of Hotel Thorndike, Boston, Mass., favoring daylight-saving law; to the Committee on Agriculture.

By Mr. GORDON: Letters of William D. Soper and 98 others, men and women of Cleveland, Ohio, and vicinity, petitioning for the release from imprisonment in the United States Penitentiary at Atlanta, Ga., of J. F. Rutherford, president of the International Bible Students' Association, and W. E. Van Amburg, A. H. McMillan, R. J. Martin, F. H. Robison, C. J. Woodworth, George H. Fisher, and G. De Cecca, leading members of said association, confined therein since June of 1918, and other political prisoners convicted during the war for written or verbal opinions expressed by them, upon the grounds that said convictions and imprisonments were and are in violation of the first amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GRIFFIN: Petitions favoring H. R. 12352 and S. 4637, McKellar-Keating retirement bill, from Robert L. Alston, 556 West One hundred and twenty-sixth Street; Walter H. Balzer, 527 East One hundred and thirty-eighth Street; W. A. Breitenbach, 747 Melrose Avenue; Dominick Carboni, 339 East One hundred and twenty-fourth Street; John Denny, 1991 Bathgate Avenue; Placido C. Chaibrero, 3632 Holland Avenue; A. Kohnle, 1167 Clay Avenue; George Marson, 1378 College Avenue; Thomas Mara, 645 Eagle Avenue; Daniel J. Peterson, 300 East One hundred and fortieth Street; Harry Rottenhausen, 321 East Sixty-ninth Street; Herman Schaefer, 1368 Boston Road; Frank Schaely, 521 East One hundred and fifty-seventh Street; Stanley W. Smith, 440 East One hundred and forty-third Street; Sigmund Senz, 903 Tinton Avenue; and Charles Zanoni, 303 East One hundred and fifty-second Street; to the Committee on Interstate and Foreign Commerce.

By Mr. HILLIARD: Petition of the Parent-Teachers' Association of the City and County of Denver, Colo., urging the formation of a league of nations; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania: Petition of the Chamber of Commerce of Pittsburgh, Pa., favoring daylight saving; to the Committee on Agriculture.

By Mr. RAKER: Petition of the State committee of readjustment, San Francisco, Cal., urging that all discharged soldiers be given transportation to their homes; to the Committee on Military Affairs.

Also, petition of the State committee of readjustment, San Francisco, Cal., recommending an amendment to Senate bill 5022; to the Committee on Military Affairs.

Also, petition of Local No. 1172, Stockton, Cal., urging Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Wholesale Grocers' Association of California, against the repeal of daylight-saving law; to the Committee on Agriculture.

Also, petition of N. Bieber, of San Francisco, against tax on candy; to the Committee on Ways and Means.

By Mr. ROMJUE: Petition of citizens of Hannibal, Mo., urging Government ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: Petition of Local 510, Brotherhood of Boilermakers, Iron-ship Builders, and Helpers of America, urging Government ownership of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. TAGUE: Letters and telegrams advocating adoption of H. R. 14893, from the Boston Clothing Association, Howes Bros. Co., and the United States Column Co., all of Boston, Mass.; to the Committee on Public Buildings and Grounds.

Also, telegram advocating passage of H. R. 13274 from the Bowker Insectide Co., of Boston, Mass.; to the Committee on Military Affairs.

Also, telegram advocating passage of the McKellar-Keating bill from the Federal Employees' Association, Woods Hole, Mass.; to the Committee on Interstate and Foreign Commerce.

Also, letters advocating passage of the Lewis-Raker bill to commission Army nurses from Mrs. Oakes Ames and Mrs. David J. Coolidge, 303 Berkeley Street, Boston; to the Committee on Military Affairs.

Also, telegram from Jordan, Marsh & Co., of Boston, and a letter from the American Association of Woolen and Worsted Manufacturers protesting against the repeal of the daylight-savings law; to the Committee on Agriculture.

Also, letters favoring passage of H. R. 15625, from the Massachusetts Board of Education and J. J. Prindiville Co., Framingham, Mass.; to the Committee on Military Affairs.

By Mr. WARD: Petition of Palmer Canfield, jr., mayor of the city of Kingston, N. Y., and prominent citizens of Kingston in favor of appropriating funds for continuation of the United States Employment Service; to the Committee on Appropriations.

By Mr. WELLING: Petition of the Box Elder Commercial Club, Brigham City, Utah, urging continuance of Government control for reasonable period of telephones and telegraphs; to the Committee on Interstate and Foreign Commerce.

SENATE.

Continuation of the proceedings of Monday, March 3 (legislative day of Saturday, March 1), 1919.

DEFICIENCY APPROPRIATIONS.

At 10.30 p. m., Monday, March 3,

The Senate had under consideration the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The VICE PRESIDENT. The next amendment of the committee will be stated.

The SECRETARY. The next amendment of the committee is on page 33——

Mr. CUMMINS. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CUMMINS. I am about to make a motion to suspend the rules for the purpose of offering an amendment which might otherwise not be in order. Is such a motion debatable?

The VICE PRESIDENT. Has the Senator given notice of his intention to move to suspend the rules for the purpose of offering the amendment?

Mr. CUMMINS. I have given notice of my intention, but I understand that the Senator from Virginia [Mr. MARTIN] thinks the notice is not sufficient. However, I will discuss that matter with him when the question is raised. I am assuming that he will not raise the point, for I think the notice has been properly given.

The VICE PRESIDENT. The Chair is of opinion that if the notice has been given in time, and a motion is made to suspend the rules, that it is debatable.

Mr. CUMMINS. Mr. President——

Mr. MARTIN of Virginia. Mr. President, not referring to the question of whether the motion is debatable or not, I make the point of order that the Senator has not given one day's notice, which the rules require, as there has not been an adjournment since the notice was given.

Mr. CUMMINS. I think the Senator from Virginia can not make that point until I make my motion.

Mr. MARTIN of Virginia. I was perhaps a little premature, but I thought the Senator was about to make the motion.

The VICE PRESIDENT. Was the notice of the Senator from Iowa given on this calendar day?

Mr. CUMMINS. I desire, first, to make the motion. Then, if the Senator from Virginia desires to make the point of order which he has just suggested, he will be at liberty to do so.

I move that the third paragraph of Rule XVI be suspended so as to make in order the amendment named in the notice which I gave on Saturday and which I ask the Secretary to read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

The Senator from Iowa [Mr. CUMMINS] hereby gives notice that on Monday, March 3, 1919, or when the above bill is under consideration, he will move to suspend the third paragraph of Rule XVI for the purpose of making it in order to offer as an amendment to section 7 of the bill H. R. 16187, the general deficiency appropriation bill, the matter hereto attached and made a part hereof:

Amend section 7 by adding thereto the following:

"That section 10 of an act entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' approved March 21, 1918, is hereby amended so as to read as follows:

"'SEC. 10. That carriers, while under Federal control, shall be subject to all laws and liabilities as common carriers, whether arising under State or Federal laws, or at common law, except in so far as may be inconsistent with the provisions of this act, or any other act applicable to such Federal control. Actions at law or suits in equity may be brought by and against such carriers and judgments rendered as now provided by law; and in any action at law or suit in equity against the carrier, no defense shall be made thereto upon the ground that the carrier is an instrumentality or agency of the Federal Government. All final judgments for a plaintiff or plaintiffs rendered in actions for personal injuries or for loss of or damage to property shall be promptly paid by the Director General of Railroads either from the operating revenue of the defendant or defendants or the revolving fund herein created. Nor shall any such carrier be entitled to have transferred to a Federal court any action heretofore or hereafter instituted by or against it which action was not so transferable prior to the Federal control of such carrier; and any action which has heretofore been so transferred because of such Federal control, or of any act of Congress, or official order or proclamation relating thereto, shall upon motion of either party, be transferred to the court in which it was originally instituted. But no process, mesne or final, shall be levied against any property under such Federal control.

"'That during the period of Federal control the right to initiate or change rates, fares, charges, classifications, regulations, and practices exercised by the carriers now under Federal control, prior to the 29th day of December, 1917, shall hereafter be exercised by the President, or by the Director General of Railroads, but such right shall be exercised under all the limitations and conditions which were imposed upon it by the act to regulate commerce, approved February 4, 1887, as amended; and the Interstate Commerce Commission shall have as full and complete authority and jurisdiction to set aside, change, modify, suspend, or otherwise review all such rates, fares, charges, classifications, and regulations as though the Government had not assumed the possession and control of said transportation systems. To that end the said act to regulate commerce, as amended, is hereby declared to be in full force and effect with respect to rates, fares, charges, classifications, practices, and regulations, anything in the act approved March 21, 1918, to the contrary notwithstanding. The procedure before the Interstate Commerce Commission shall be the same as formerly, except that the Director General of Railroads shall stand in the stead of the carriers, and all notices theretofore required to be given to or served upon carriers shall be given to or served on said Director General. All orders or findings of the commission shall bind the Director General to the same extent as they formerly bound the carriers.

"'In determining any question concerning any such rates, fares, charges, classifications, practices, or regulations, or any changes or proposed changes in the same, the reasonableness thereof or any discrimination therein, the rule to be applied shall be the same as existed under the said act to regulate commerce, as amended, and under the general law of the subject as it was prior to the Government's possession and control.'"

Mr. MARTIN of Virginia. Mr. President, I make the point of order that the day's notice required by the rules has not been given.

The VICE PRESIDENT. Has there been an adjournment of the Senate since the notice was given?

Mr. MARTIN of Virginia. There has not been.

Mr. JONES of Washington. Mr. President, I want to appeal to the Senator from Virginia not to make the point of order, and for this reason: When the Senate recessed on yesterday—Sunday—morning, the understanding was amongst those Senators who were here and the Senator in charge of the bill that we should recess until 1 o'clock, when the eulogies were to come on, and then that there would be an adjournment until this morning. The Senator from Virginia probably did not know that.

Mr. MARTIN or Virginia. I never heard of it, I was not a party to it, and I am not bound by it. Two or three Senators can not get together and make an agreement and bind the Senate.

Mr. JONES of Washington. No; they were not two or three Senators. It was done here by Senators who stayed here all Saturday night.

Mr. MARTIN of Virginia. How many were there—five or six?

Mr. JONES of Washington. That was the understanding; and the Senator asked that a motion to take a recess on yesterday be made. I suppose that he did it, of course, not knowing of that understanding.

Mr. MARTIN of Virginia. I did not know of any such understanding and never heard of it.

Mr. JONES of Washington. It was a general understanding on the part of those who were here, and I appeal to the Senator from Virginia not to invoke the point of order under those circumstances. I do not think it would be just the right thing or in accordance with the customs of the Senate; and I know the Senator does not intend to do anything of that kind.

Mr. CUMMINS. Mr. President, I wish to say a word in regard to the interpretation of the rule. The rule under which I have given the notice provides:

RULE XL.

SUSPENSION AND AMENDMENT OF THE RULES.

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

I have not examined the authorities or the precedents upon the question; I do not know whether or not there are any; but I do know what "one day" means in the common, ordinary acceptance of that term. "One day" means a calendar day, and unless it is otherwise expressed somewhere in the rules of the Senate, the word "day" ought to be given its usual signification.

I do not charge the Senator from Virginia with any bad faith at all, but it was the understanding, as expressed by the Senator from Washington [Mr. JONES], that there should be an adjournment on Sunday. Moreover, the section of the pending bill to which I have offered my amendment originated in the House of Representatives as an independent measure and passed that body in that form, appropriating $750,000,000 for the Railroad Administration; and I am not opposing the appropriation. It came over here and we had some controversy in regard to the amendment which I have offered, which, although it seems formidable, changes the existing law in but three respects, which are easily understood. In order to prevent the amendment which I have offered, or propose to offer, the House bill was disregarded, thrown into the waste basket, and the substance of the House bill was inserted in the deficiency bill in order that it might become a part of a general appropriation bill. I recognize the right of the Appropriations Committee to take that course if it desired to do it, but it nevertheless savors of an advantage which the committee, in my judgment, ought not to have taken of the situation. Thereupon I gave the notice; I gave it almost at the very moment this appropriation bill was presented to the Senate; it had barely been printed till I gave the notice that on Monday, which was the one day after the bill was reported, I would move to suspend the rules. I know that I am under great disadvantage in that I must get two-thirds of the Senators to vote in favor of the suspension before I can offer the amendment at all.

I submit to the Senator from Virginia, although I understand the embarrassments which surround him, that he ought not to make this point of order, and I submit to the Chair that when the rules of the Senate declare that one day only is necessary between the giving of the notice and the submission of the motion that those who framed the rules said what we all mean when we say "one day." We have distinctly to separate those two meanings when we desire to make them clear in our proceedings in the Senate—the difference between a legislative day and a calendar day.

The VICE PRESIDENT. Does the Senator from Virginia raise the point of order?

Mr. MARTIN of Virginia. Mr. President, I feel compelled to do so. This is a very important bill; there are a number of other amendments, and if I waive any rights in one instance I will have to waive them in another. I know nothing in the world about this agreement; I did not participate in it; I did not authorize anybody to bind me; I was never consulted about it; I had nothing to do with it; and I do not feel, when the Senate has taken a recess and did not adjourn, that I ought to refuse to take the benefit of that decision.

The VICE PRESIDENT. The question has never been decided by the Senate, so far as the Chair can ascertain, but it has been decided in the House, and it has been ruled in the House that where the rules provide for "a day" it is a legislative day; it is not a calendar day.

Mr. ROBINSON. Mr. President, if the Chair has finished his ruling, I desire to say that I think the decision of the Chair is correct. Upon the other point, the statement made by the Senator from Washington [Mr. JONES], that an element of bad faith is involved in the action of the committee in raising the point of order, I myself was here Saturday night all night, and I suppose was as much a party to the agreement for a recess as any other Senator; and, so far as I know, there never was any suggestion that an adjournment should be taken after the meeting of the Senate at 1 o'clock on Sunday. I never heard of it, and I do not think there was any such understanding. Unquestionably the construction of the rule in the House of Representatives sustains the position of the Chair, but, so far as I know, there is no precedent exactly in point in the Senate.

Mr. SMOOT. Mr. President, the junior Senator from Virginia has entered the Chamber now, and I am sure he will announce that there was an agreement that a recess should be taken Saturday night or Sunday morning about 7 o'clock until 1 o'clock on Sunday, and that at the close of the memorial services on Sunday the Senator from Wisconsin [Mr. LA FOLLETTE] would move an adjournment of the Senate. The Senator from Virginia is here now, and I will allow him to make the announcement.

Mr. SWANSON. Mr. President, the question of whether there would be an adjournment or a recess was not discussed, but my impression was that it was understood that there would be an adjournment. Such agreement as there was was left to the Senator from Wisconsin [Mr. LA FOLLETTE]. I could not be here on Sunday. I overslept myself. It was understood that the Senator from Wisconsin would have charge of the exercises in connection with his colleague's services, and that no business would be done on Sunday. That was the important point.

My impression was that the word "adjournment" was used. If I had been here, I would have asked for an adjournment, but I had been up two or three nights before and was not able to be here. The Senator from Wisconsin was to carry out the understanding in connection with the exercises and see that there was no business done. If he had an understanding that there was to be an adjournment, he certainly had the power to enforce it, for the simple reason that there was no quorum present, and the Senate could not take a recess without a quorum.

The senior Senator from Virginia was not notified as to what the proceeding was; neither was any other Senator. It was simply an agreement, so far as I and three or four other Senators were concerned—the Senator from North Dakota [Mr. GRONNA], the Senator from Nebraska [Mr. NORRIS], and three or four others. We had an agreement to get through about 5 or 6 o'clock in the morning. I did not know when the Senator from Iowa [Mr. CUMMINS] introduced his resolution; consequently I am satisfied there was no purpose to interfere with his resolution and no agreement. No question was made on that point, except that I thought we would adjourn, because we all realized that unless a quorum was here at the exercises there could be nothing but an adjournment of the Senate without unanimous consent.

Mr. JONES of Washington. Mr. President, I was here yesterday, and I will say to the Senate that the Senator from Wisconsin insisted strenuously, when the motion to take a recess was made, that there should be an adjournment, and he moved an adjournment, but it was voted down and a recess was taken.

Mr. SWANSON. If I had been here, I would have moved an adjournment.

Mr. JONES of Washington. Let me say, while I am on my feet, that I did not intend to impute any improper motive to the senior Senator from Virginia [Mr. MARTIN]. I know him too well to harbor for a moment the thought that he would try to take advantage of anyone in this way. I simply assumed that he did not know of the understanding. I thought that when it

was called to his attention he would recognize the situation, because of his long service here in the Senate and his knowledge of how these informal agreements have been made and entered into and carried out.

Mr. SWANSON. The Senator from North Carolina [Mr. SIMMONS] was in the conference as much as myself; but if I had been here, and had not overslept myself, I would have moved an adjournment.

Mr. SMOOT. I want to say that after consultation with the Senator from Virginia I notified the Senator from Wisconsin of the tentative agreement, and requested the Senator from Wisconsin, at the request of the Senator from Virginia, at the close of the exercises to move that the Senate adjourn.

Mr. CUMMINS. Mr. President, I do not intend to appeal from the decision of the Chair, although I think the Chair is in error; but I can not allow the moment to pass without saying to the Senator from Virginia that I shall feel constrained to discuss the amendment which I desire to offer in connection with the proposed appropriation of $750,000,000, and, in my opinion, the privilege of offering the amendment, or at least offering my motion to suspend the rules in order to make the amendment in order, will not prolong the discussion upon the bill. I feel it my bounden duty to tell the Senate and the country something of what has been done in the administration of our railroads and the necessity—aye, the imperative necessity—for the adoption of the amendment which I propose. I do not believe there is a Senator in this Chamber who is opposed to the amendment. If there is one, I do not know who he is. I doubt whether there are a score of the Members in the House who are opposed to the amendment; and I only say to the Senator that the amendment is one which the people of this country want more than they want anything else from this Congress.

I realize that taking a recess instead of taking an adjournment may have deprived me of the opportunity which I supposed I would have. I was not here on Sunday, and therefore can only depend, and do depend entirely, upon what others say with regard to the understanding; but we are bound to discuss this question in connection with a $750,000,000 appropriation.

Mr. MARTIN of Virginia. Mr. President, I am put in a very embarrassing position. Before I say what I will do about it I want to give notice now that no human being in the Senate can bind me except myself, and if it is attempted again I will repudiate it with absolute impunity.

I am now held up here to adhere to an agreement that I never heard of. I never authorized anybody to make it for me. I do not approve of it at all, and yet it goes out from a number of Senators here that I would be subject to an imputation of bad faith if I did not keep an agreement that was made without my knowledge and without my authority—an absolutely nefarious practice, subversive of the rights of Senators and subversive of orderly business in this body.

Still, as some Senators have made suggestions of that sort, I am not willing to be put in the position of being considered by any Senator as having exercised bad faith; but in yielding, therefore, and not insisting on the point, I give this notice, which I give deliberately, unconditionally, and absolutely, that no Senator can bind me. I bind myself, and nobody else shall bind me. I will repudiate any arrangement made by any other Senator to control my vote.

Still, the Senator from Iowa and several others have suggested that I was bound in honor to adhere to this agreement, made by some one without authority and without my knowledge and consent. I will therefore sacrifice my conviction and sacrifice my rights rather than have them entertain the opinion that I am exercising bad faith in this matter, accompanying it, however, with the statement that I will never again be bound by an arrangement to which I am not a party.

Mr. SWANSON. Mr. President, I did not bind the Senator from Virginia, and had no desire to do so.

Mr. MARTIN of Virginia. The Senator need not be saying that. I have not said he did.

Mr. SWANSON. I think the Senator did. I am a party to this agreement. I want to say that I simply bound myself, as far as I could, by any agreement I made. I assumed no authority to bind any Senator and had no purpose of binding them. Any Senator could have objected here on Sunday on the ground that there was no quorum. It was evident that there would be no quorum here at these exercises that were adjourned to 1 o'clock. The Senator from Wisconsin was authorized to carry out the agreement in connection with those exercises. He had power to do it. All he had to do was to move an adjournment. There had to be a quorum not to do it. The Senator from North Carolina was here. He was in it. I did not try to bind anybody, except that I desired to do what I could, and the matter was turned over to the Senator from Wisconsin to take charge of those exercises on Sunday. We adjourned about 7 o'clock. I had been up two or three nights, and I could not be here, and told him I could not be here.

Mr. MARTIN of Virginia. Mr. President, it seems that the Senator from Virginia [Mr. SWANSON] did not undertake to bind me. Who did? If I am bound at all, who bound me? The Senator from Virginia disclaims it, and I insist on the point of order.

The VICE PRESIDENT. The Chair has heretofore sustained it.

Mr. SHERMAN. Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

Mr. JONES of Washington. Mr. President, will the Senator allow me to interrupt him just a moment?

Mr. SHERMAN. Yes, sir.

Mr. JONES of Washington. I want to say to the junior Senator from Virginia, in reference to his suggestion that the point of no quorum could have been made, that that is true; and yet here was the situation: There were eulogies set in commemoration of three Members of Congress. Before they were over the Senator from Montana rose in his place and moved that when the Senate cease its deliberations it take a recess. The Senator from Wisconsin [Mr. LA FOLLETTE] moved that when the eulogies were over the Senate adjourn. That came up in the middle of the exercises. Had the point of no quorum been made, of course we could not have gotten a quorum. We had only a half dozen here, and that would have simply broken up the proceedings, which certainly would have been very unfortunate.

Mr. SWANSON. There was an understanding about those exercises that the Senator from Wisconsin was to have charge of them.

Mr. JONES of Washington. The Senator from Montana took charge. I know that the senior Senator from Virginia was not bound. I know that. I know that the junior Senator from Virginia did not attempt to bind the senior Senator. It was just an informal understanding, such as we often have in the Senate. As I say, I know that the senior Senator from Virginia was not acting in bad faith, and is not acting to-night in bad faith at all; but that was the situation. I thought about making the point of no quorum.

Mr. SWANSON. If I had been here I would have moved an adjournment and required a quorum before they could have taken a recess.

Mr. JONES of Washington. The Senator from Wisconsin did all he could without raising the point of no quorum and cutting out the eulogies.

Mr. SWANSON. It would not have been necessary to do it. When the question of an adjournment or a recess was made, we could not take a recess without a quorum being present.

Mr. JONES of Washington. I know; but if we had made the point of no quorum, the Senator can appreciate the situation the Senate would have been in, with a day set for eulogies, and we not able to hold them. We would have had to adjourn without holding them.

Mr. LA FOLLETTE. Mr. President, since I have been referred to a good many times in this discussion which has been proceeding, perhaps I ought to say that the unanimous-consent agreement entered into by the Senate for the commemorative exercises yesterday included exercises in commemoration of the character and services of the late Senator Husting and the late Representative Davidson, of Wisconsin. That covered all that was included within the unanimous-consent agreement. Shortly before the exercises were held, I think the day before, the Senator from Indiana came to me and inquired whether it would be agreeable to allow addresses to be made for the late Representative Comstock, of Indiana, and for whom it would not be possible, probably, at any other time during this session, to hold memorial exercises. I said that I could see no reason why such addresses might not be made.

Mr. President, within the terms of the unanimous-consent agreement there was nothing said about an adjournment. The unanimous-consent agreement simply provided that the Senate should convene on Sunday, the 2d day of March, at 1 o'clock, at which time exercises would be conducted here commemorative of the services and in memory of the life and character of the late Senator Husting and Representative Davidson. Saturday night, very late—I think it was just about the time we adjourned—the Senator from North Carolina [Mr. SIMMONS], either later or just before, and the Senator from Virginia [Mr. SWANSON], both accosted me. I did not say anything to them about adjournment. I had supposed that, as a matter of course, as is usual, as I understand it, in such cases, at the

conclusion of the exercises a motion would be made that the Senate adjourn as a mark of further respect to the deceased subjects of the memorial exercises. But each of those Senators in turn, as we were about to conclude the business of the Senate—it was a very late hour, I think nearly 2 o'clock in the morning—said to me, "Senator LA FOLLETTE, you will, of course, at the conclusion of the exercises to-morrow move to adjourn." I said I would, of course. I had supposed that that would be the usual proceeding. That is all there was of it.

We met at 1 o'clock Sunday. At the conclusion of the exercises as to Senator Husting I was very much surprised to have the exercises interrupted by the senior Senator from Indiana coming upon the floor and saying that at the conclusion of the exercises he had agreed with the senior Senator from Virginia to have a recess taken instead of an adjournment. It seemed to me that that was somewhat diminishing the measure of respect that the Senate should show on such an occasion; and I rose in my place here and said that that was not in accordance with the arrangements, or with the usual practice, and that at the conclusion of the exercises a motion would be made for an adjournment.

But the Senator from Indiana was persistent. The Presiding Officer, the Vice President being in the chair, suggested what I felt on such an occasion as that that anything approaching a controversy was unseemly and that the matter should not be discussed. I made, I think, but an observation or two after that. I did feel somewhat aggrieved that the arrangement was not to be carried out. I did not know anything about a motion pending here bearing on legislation. I did not know that the Senator from Iowa had a motion pending to suspend the rules. I absolutely had no thought of the effect of that motion upon the business of this session. I just had one thing in my mind, and that was that a decent regard for the services in memory of the dead whom we had met that day to memorialize called for the usual form of adjournment of the Senate. That was all there was to it. But the Senator from Indiana, I will say, I felt to be more or less of an interloper, because he had gotten into the exercises by courtesy. The unanimous consent of the Senate was for exercises memorializing the services of the deceased Senator and the deceased Representative from Wisconsin. He had gone into some corner here with the Senator from Virginia and arranged to make a motion to recess. I do not know whether the Senator from Virginia or anybody else has authority to bind the action of this Senate. We are all of us here upon a plane of equality representing States. So far as I know, nobody is boss of the Senate and no one ought to be. This is a democracy. I add another regret to the regrets that I had yesterday when this matter came up for discussion. I think we ought to be permitted to bury the dead Members of this Senate without any squabble over politics.

That is all I have to say.

Mr. MARTIN of Virginia. Mr. President, I dislike to be vascillating, but I may say, relative to any suggestion of bad faith, that I withdraw the point of order on the motion of the Senator from Iowa. I do it under duress. I do not think it is exactly fair treatment to put me in that position, but I am placed in that position and I will not make the point of order.

Mr. SIMMONS. I am very glad the Senator from Virginia has withdrawn his point of order. While I have not assumed to make any agreement in the matter, the understanding was that when the memorial exercises were concluded there was to be an adjournment. I do not claim any right to bind the Senator from Virginia. I did not make the agreement, but I understood that was the agreement, and whenever I spoke, I spoke about it as an understanding that we were to adjourn, as the Senator from Wisconsin has stated.

Mr. CUMMINS. Mr. President, if the Senate will give me its attention for a brief time I will explain as clearly as I can the purpose of the amendment which I propose.

My motion is to suspend the rules to make in order the amendment of which I shall speak. I realize that I must have two-thirds of the Senators voting in order to accomplish the purpose I have in view.

Mr. NELSON. If the Senator will yield to me for a minute, I understood the Senator from Virginia had withdrawn the point of order.

Mr. MARTIN of Virginia. That is right. The Senator from Iowa understands that. I do not make the point of order that he has not given one day's notice.

Mr. CUMMINS. Has the Senator from Virginia withdrawn the point of order against the amendment?

Mr. MARTIN of Virginia. No; I simply agree that your notice is sufficient.

Mr. CUMMINS. I will say to the Senator from Minnesota that the Senator from Virginia withdraws only the point of order against the notice which I gave.

Mr. MARTIN of Virginia. That is correct.

Mr. CUMMINS. Not against the amendment itself.

Mr. MARTIN of Virginia. That is right.

Mr. CUMMINS. Now, Mr. President, I hope I may have order.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Senators will kindly resume their seats and cease conversation.

Mr. CUMMINS. Allow me to repeat what I said just before I was interrupted. I recognize that I must have two-thirds of the Senators voting favorably for the motion to suspend the rules, and because I must have that proportion of the Senators I direct their attention to the question I am about to submit.

I must be allowed first to say a word with regard to the appropriation itself, for the amendment which I have proposed is intimately related to the amendment which asks Congress for an appropriation of $850,000,000 to enable the Railroad Administration to carry forward the work in which it is now engaged.

Mr. President, the people of the United States paid for their transportation furnished by what is known as class 1 roads—that is, the roads which have a gross revenue of more than $1,000,000 for the year 1918. You will remember that the Government took possession of the railway properties of the country on the 1st day of January, 1918. The people paid for the transportation which the Government furnished them during the year—and I will use round numbers—$4,900,000,000, an amount nearly $1,000,000,000 in excess of the sum paid for transportation from the same roads in 1917. Bear that comparison in mind. We paid for transportation upon these roads in the possession of the Government $1,000,000,000, practically, in excess of the year preceding the Government administration.

Notwithstanding the operating revenues of these properties, which, as I have said before, aggregated $4,900,000,000, the net operating income of these properties in 1918 in the aggregate was $706,064,000, whereas in 1917 the net operating income of the properties was $929,786,000. That is to say, in order that it may be fully grasped, notwithstanding the fact that the Government collected from the people $800,000,000 more for transportation than was collected in the previous year, the net operating income of the properties was more than $200,000,000 less than in the year 1917.

That means, further, that inasmuch as we have guaranteed compensation to these properties of more than $900,000,000 the Government has lost, as compared with this guaranty, more than $200,000,000 in one year. It goes without saying that the Government must pay that loss, and there is but one way in which it can be paid. That is through an appropriation from the Treasury of the United States. It is to make good the difference between the sum we have promised to pay in compensation, and which we must pay, of course, and the net operating income, that $210,000,000 out of the $750,000,000 is required.

Moreover, the Government has made advances—and I am not criticizing the Government at all; I will do that at some future time. I expect to review in rather a careful way the history of the Railroad Administration for the last year at some future time, but I do not do so now because I do not desire to delay the consideration and the disposition of this bill.

In addition to the loss of more than $200,000,000 for the year, as compared with our agreement of compensation, the administration has advanced to the railroad companies of the United States a sum in various forms—and I will not recapitulate either the amount or describe the forms—of $800,000,000; or it has become obligated for something like that sum. It is evident that the railroads have been utterly unable to finance themselves. Whatever money they secured to invest in a capital way necessarily they secured from the Government, because the moment the Government took possession of the properties and began to operate them the railroad companies could not issue their bonds and their stocks, and in that way put themselves in possession of funds necessary to make permanent betterments or extensions or any other improvements, the cost of which goes naturally to capital account.

I will not review these things. I have rather an intimate knowledge of them; I have some familiarity with what has been done, and I have no doubt that unless the United States is willing to deny to the railroad companies the privilege of paying any dividends on their stocks, or even the interest upon their bonds for the year, we must make an appropriation of substantially the amount proposed in the bill.

I have thought that to deny the railroads the opportunity or the privilege or the right to make these dividends would be a direct, or almost direct, repudiation of the agreement which we have made with them. With the spirit of the agreement I am sure it would be in sharp conflict, and I do not want to do it.

I stood here a year ago begging Congress not to pass this bill agreeing to give the railroads $920,000,000 as an annual com-

pensation. I thought then and I know now that the compensation which we authorized for these railroad companies is $225,000,000 more than it ought to be; but when the United States enters into an arrangement it must keep it in good faith. It ought to be more scrupulous in the performance of its promises than the private individual or person.

That is just a bird's-eye view of a very great situation and one that will tax the best thought and the energies and the patriotism of the Congress of the United States when it comes to finally dispose of the railroad problem. I come now to my amendment.

I think it was in May, 1918, that the Railroad Administration, without notice, without any considerable examination on the part of those who had theretofore been charged with the duty of examining the reasonableness of rates, in that month the Director General increased the rates that were to be charged thereafter by the railroad companies, so that taking a year under those rates the aggregate advance or increase in the rate would be about $1,100,000,000. I will say in passing that those rates went into effect, a part of them, in the early part of June and a part of them a little later in June; so that the revenues of the year reflect the increases or advances for substantially six or seven months.

Mr. WATSON. May I inquire, does that include both freight and passenger rates?

Mr. CUMMINS. Both freight and passenger. I am not complaining of the absolute increase, but these rates were raised in a manner that brought the utmost confusion into the business of the country and inflicted in many instances great injustice upon the manufacturing, industrial, and the mercantile enterprises of the country. They were advanced so that in some instances they were 10 per cent, in some instances 15 per cent, in some instances 50 per cent, in some instances 100 per cent, in some instances 300 per cent, and I know of instances in which the increase was 600 per cent.

I can not severely criticize members of the railroad administration because they, or those who had the matter in charge, were attempting to do a thing which they were not qualified to do. They knew that in view of the increase in wages and the increase in the cost of supplies they had to have more money, and I do not doubt that they had to have more money, but they did not know how to get the money with the least disturbance of the business of the country. They did it in the only way that seemed to be open to them, by a sort of horizontal increase, a performance that is always wrong.

There have been I think two increases since that time and there is now proposed another increase through a change in classification that will bear very harshly upon the part of the country in which I live, and its burden will be felt equally in all parts of the western country. I am not saying that they ought not to raise the rates again; I will not enter that question; I may be willing to grant that the revenues of the railroad companies must be increased again; but I insist that the increases already made, and the increases yet to be made, shall be so adjusted by skilled and competent persons as that the business of the country may proceed without the disturbances which we witnessed a few months ago.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield.

Mr. POMERENE. If the Senator will yield for a question, I think I agree with the Senator that it is necessary to provide the $750,000,000 for the railroads. I also agree with the Senator that it is necessary to have this rate-making power returned to and lodged with the Interstate Commerce Commission as before Government control began. But there is one matter which distresses me somewhat, and that is, will the attempt to add the amendment of the Senator to this bill jeopardize the chances for the final enactment of the bill into law? I feel myself that I would rather provide for the $750,000,000 to take care of the requirements of the railroads while under Federal control than to attempt to add this amendment and possibly defeat both. I am not clear in my own mind as to what my duty should be at this particular moment.

Mr. CUMMINS. I sincerely hope the Senator from Ohio upon reflection will see his way clear to vote for the motion I have made. I do not think it will defeat the bill. I think from some things I have heard that it will have a tendency to promote and speed the passage of the bill.

Mr. FLETCHER. May I ask the Senator one question in that connection? Is it not the Senator's view that if his amendment is put on the bill any other amendment that may be germane to his amendment will be admissible? That might load the bill down with amendments and I fear very much would jeopardize the passage of the bill, if further amendments, not only germane to the bill but germane to that amendment, would be admissible.

Mr. CUMMINS. If the Senator from Florida feels as deeply as I do the necessity for the amendment which I have proposed I am sure he will not allow the apprehension which he has just expressed to control his vote. I regard it as vastly more important to add this amendment than I regard it as necessary to pass the appropriation bill itself, because this amendment is in the interest of the business of the United States—those unfortunate people who have to pay, not those who receive.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield?

Mr. CUMMINS. I yield for a question.

Mr. SMITH of Georgia. I wish to state to the Senator from Iowa that I sympathize very thoroughly in his request for a suspension of the rule and for the passage of his amendment. I hope to vote for both. I regard the amendment as essential to the transaction of business in the country. I want to ask the Senator this question. I believe there were some who feared if we should suspend this rule and adopt the amendment, and there should be trouble in the House, the House not accepting the amendment, and the bill came back here with such action, there would be an effort to prevent any action at all upon the bill by extensive delay, or, to use plain language, perhaps a filibuster then might be brought forward. I can not think that is so, but I am asking the question of the Senator because I believe a statement from him on that subject would bring votes both for the suspension of the rule and the adoption of the amendment itself.

Mr. CUMMINS. Mr. President, I do not expect any such result, and I will tell the Senator from Georgia why. Substantially every commercial organization in the United States has passed resolutions in favor of this amendment. Every shipping organization with which I am familiar has taken action in favor of the amendment. Every other organization which is interested in those who have to pay as distinguished from those who receive have in some way or other indicated their desire that this amendment shall become the law. I venture to say there is not a Senator here who has not received many resolutions and letters referring to this subject, all of them being in favor of a modification of the law such as I am proposing.

Mr. POMERENE. Will the Senator yield? I want to ask the Senator another question in order to get a little light as to what my own course ought to be in this matter. I have been informed that if this amendment is added to the bill it will be impossible to pass it through the House; that it will invite other amendments seriously jeopardizing any relief provided for in the deficiency bill.

At the same time I realize that if this amendment is adopted the Senate conferees will feel under serious obligations to carry out the wishes of the Senate. Would the Senator from Iowa, under these circumstances, be willing to say to the conferees on the part of the Senate that they ought to recede if this amendment is added to the bill and they discover that it is likely to jeopardize the $750,000,000 which we are voting in the bill for the railroads?

Mr. CUMMINS. No, Mr. President; I would not care to speak on the matter at all or to take up the time of the Senate if the action of the Senate were accompanied with a statement of that sort. If we put this amendment upon the bill I hope, and I expect, that the conferees on the part of the Senate will stand for it. I know that three-fourths of the Members of the House are for it. I know that for the reason that the same petitions and the same letters and the same representations have been made to them. If Mr. Hines, from whom we take some authority in the amendment I have proposed, will say to the House committee that this amendment ought to be accepted there will be, in my judgment, no opposition whatever to it in the House or in the House committee.

Mr. POMERENE. Mr. President, I am thoroughly convinced in my own mind that the rate-making power ought to be restored to the Interstate Commerce Commission; and, with all due respect to the gentlemen composing the railroad directorship, their attempt to administer the rate question has been a miserable failure.

Mr. CUMMINS. I am very much obliged to the Senator from Ohio, for he but confirms my own conviction, and I do not know of any man who is more familiar with this subject than is the Senator from Ohio. We have been conducting hearings in the Interstate Commerce Committee for more than six weeks, and a large part—I will not say the greater part, but a very large part—of that testimony has been devoted to the wrongs which the shippers have suffered by reason of the manner in which the law has been administered in making and changing rates.

Mr. POMERENE. Well, Mr. President, I do not want to be misunderstood, and I do not want to mislead anyone; but I am entirely willing to say in this presence that had I been in charge of the administration of the railroads and was indicted for maladministering them in certain particulars, which at a more opportune time I shall discuss, I would plead guilty and throw myself on the mercy of the court. At the same time this situation presents itself: I feel, and I feel intensely, that it is absolutely necessary that this Congress shall provide the $750,000,000. I do not think there is any room for difference of opinion on that subject between men who have studied the question. Above everything else I want that relief for the railroads, and I feel that if that relief is not afforded it may bring on a panic. I want to avoid that.

Mr. CUMMINS. Then, if the Senator from Ohio will just help me put this amendment on, I am sure that he will be satisfied.

Mr. POMERENE. I will say to the Senator from Iowa that if this rate-making power is not restored to the Interstate Commerce Commission at this session I will help him to restore it at the next session.

Mr. CUMMINS. Mr. President, there is an old maxim that runs something like this, "hope deferred maketh the heart sick"; and I sincerely trust that the Senator from Ohio will not postpone relief to the people of this country for 12 months, unless he has the most positive assurance that some higher and greater object can be accomplished by the defeat of the amendment.

Mr. POMERENE. Mr. President, if it were within my power to do it——

Mr. CUMMINS. Well, let us try it anyway.

Mr. POMERENE. Well, I do not want because of any action we may take here to-night to be defeated in the two objects which both of us seem to have in mind, namely, the financial relief to the railroads and the restoration of the rate-making power to the Interstate Commerce Commission. Let us be sure of the first rather than by attempting too much in the dying hours of the Congress defeat both objects.

Mr. CUMMINS. While I am not carrying on my argument upon the basis that we ought to have an extra session, for I believe in allowing every tub to stand on its own bottom, and in considering every measure on its own merits, yet I may suggest to the Senator from Ohio that if this amendment is a worthy one, if it ought to become the law now, I think he ought not to permit this possible fear that he has in his mind to control his action, for it is always in the power of the President to convene Congress and enable it to enact the legislation which we ought to enact now. But I am not putting it upon that ground; I am simply saying there is an anchor to windward, which the President may use at any time that he pleases.

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I withdraw what I said about the President, so that the Senator from Ohio will not have to answer it.

Mr. POMERENE. I am quite willing to answer it.

Mr. SMITH of South Carolina. Will the Senator allow me just a minute?

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. CUMMINS. I yield; certainly.

Mr. SMITH of South Carolina. I think it was developed in the hearings that the present status of the rates as they now exist would not be disturbed were the amendment of the Senator from Iowa to be adopted. The Interstate Commerce Commission do pass upon rates, and, even now under the present law, they have a right to review and to correct any discrimination or any rate that they think is not the proper rate. So that the relief that would come from the Senator's amendment would be to prohibit the Director General from inaugurating any further rates and putting them into effect, and then leaving it to the Interstate Commerce Commission to adjust them.

It seems to me, from the hearings we had, that the present Director General and those associated with him believe that the rates now are more than ample to take care of the running expenses of the roads, and I join with the Senator from Ohio [Mr. POMERENE] in the supposition that the status quo now would not be disturbed. The shippers now have a right under the present law to have any injustice from which they may be suffering adjudicated and righted by the Interstate Commerce Commission. The only good that can possibly come by the adoption of the Senator's amendment at this time is to prohibit the Director General of Railroads from exercising the privilege of increasing rates in the marvelous manner that his predecessor did, when there was a flat increase in rates of 25 per cent.

Mr. CUMMINS. Mr. President, of course the Senator from South Carolina can easily find a reason for voting against the amendment, although I understood that he rather favored it in committee.

Mr. SMITH of South Carolina. Mr. President, I do not want the Senator from Iowa to misunderstand me. I am speaking about the emergency that is now on us, and of the necessity for this legislation. I am heartily in favor of the Interstate Commerce Commission having, as it has had, the rate-making power. I was simply questioning the discretion at this time, under the status that the Senator is familiar with, and that I am familiar with, and that every member of the committee is familiar with, that it is not likely to be disturbed, and any hardship from which the shipper is suffering to-day he can, under the present law, since the rates have been put into effect, go and have them adjudicated.

Mr. CUMMINS. If that is true, then there is no need for any change of the law at any time, because the shipper has the right now to go before the Interstate Commerce Commission and complain. That furnishes him no remedy whatever—that is, no effective remedy. But, Mr. President, allow me——

Mr. SMITH of South Carolina. If the Senator will allow me there, he does not intend to say that the present law does not give the Interstate Commerce Commission the right to pass upon rates instituted by the Director General. It has that power now. We did not take away from the Interstate Commerce Commission the right to pass upon that question. The only change in the law was giving the Director General the power to initiate rates and put them in operation.

Mr. CUMMINS. I am quite familiar with the law of which the Senator speaks.

Mr. SMITH of South Carolina. Certainly; but I did not want to have it construed that they did not have the power now to get redress, and I was only questioning the expediency of the proposed amendment.

Mr. CUMMINS. If that be true, if the position of the Senator from South Carolina is sound, then there is no need for any change in the law at any time, if that is an effective, fair, substantial remedy.

Mr. SMITH of South Carolina. No; I say this: The complaint that I have of this is the giving of any amount of power to initiate rates and to put them into effect and do the harm before the shipper has a right to go and have them adjudicated.

Mr. CUMMINS. Mr. President, evidently, then, the position of the Senator from South Carolina is that there is no danger that that will be done in the future.

Mr. SMITH of South Carolina. I supposed that that was the only thing that would call for this amendment.

Mr. CUMMINS. That is the only reason why I have offered the amendment.

Mr. SMITH of South Carolina. Precisely; but I said the testimony that was developed before the committee showed that the present rate of wages was amply able to take care of the situation in the extraordinary circumstances in which we found ourselves, and that for the time that intervened—the 21 months—there was hardly a probability that there would be any more of the general blanket raising of rates.

Mr. CUMMINS. Mr. President, I must disagree from the conclusion of the Senator from South Carolina. There was no such testimony before the committee, no testimony which impressed me as establishing any such conclusion; and I know that there are proposals for increases in rates pending at this time. I was furnished a letter, no longer ago than Saturday, showing a proposal of increases in rates in the western country; and it is idle for the Senator from South Carolina at least to try to convince me that these rates will not be increased in the future. I know they will. I believe that the present year will show a loss of more than $200,000,000, as compared with the guaranty that we have given to the railroads. I know that Mr. McAdoo thought otherwise; but the experience of the month of January and the month of December shows conclusively that instead of an appropriation of $750,000,000 we will be compelled to appropriate, before this year is out, $200,000,000 more, and very probably $400,000,000 more, in order to make good the guaranty which we have given to these railroad companies. That is said without any criticism upon Mr. Hines. I think he is one of the ablest railroad men that ever assumed a vast responsibility of this sort; but if the business of this country is of the volume which I believe it will be, another increase of rates will be absolutely necessary, even if we do no more than to earn the guaranty which we have made.

Mr. SMITH of South Carolina. I want to ask the Senator from Iowa a question. You say you have such confidence in Mr. Hines, and with my limited knowledge of him and from the testimony he gave before the committee I am impressed with the man's ability, his straightforwardness, and his sincerity. He

testified before us, when the question was asked pertaining to the earnings of the railroads, that he believed that from now on there would be a gradual increase in the returns of the railroads. The Senator spoke of the $250,000,000. He knows, and the committee knows, that this tremendous deficit that has rolled up here——

Mr. CUMMINS. Mr. President, I can only yield for a question——

Mr. SMITH of South Carolina. I just ask for a moment more.

Mr. CUMMINS. Because I may be taken from the floor.

Mr. SMITH of South Carolina. I just wanted to make this observation——

Mr. CUMMINS. I thought the Senator wanted to make a speech.

Mr. SMITH of South Carolina. I did not want to make a speech; I just wanted to call the attention of the Senator to the fact that from July to January there was retroactive pay to the railroad employees for work they had done amounting to $500,000,000.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I yield; but I hope not for a general argument.

Mr. SMITH of Georgia. I wish to say that I have on my desk now appeals from the largest shipping organizations in my section to support their protest against a change and an increase of their rates pending now, which they regard as unfair and ruinous.

Mr. CUMMINS. The Senator from South Carolina knows perfectly well that these proposals are everywhere throughout the country, of various kinds; and while he may believe, or while he may accept, the view of the Director General that the operation of the roads during the present year will be profitable, that is only his opinion. It is an honest opinion, undoubtedly. Mr. McAdoo came before us when we first began these hearings and said that the loss for the year 1918 would not exceed $136,000,000, and he adhered to it with the greatest pertinacity and with the utmost emphasis; whereas within less than a month after that time he had to come to us and say that the loss would be $155,000,000, and a little while afterwards Mr. Hines appeared, and from his testimony it was shown that the loss was $200,000,000.

I know that they give their views with good faith, but they are attempting to support a situation, and you can not accuse men of bad faith because they are more optimistic with regard to the outcome of the situation than many of the rest of us are. We have lost $200,000,000 this year, as compared with our guaranty, and I predict—mark my words—that as time rolls on, in 1919 we will lose $200,000,000, as compared with our guaranty. I will ask you, if I should not be here, to test the accuracy of my prediction, as compared with the accuracy of the prediction of the Director General.

I come now to the amendment, because we have foreshadowed what was in it, and it looks rather formidable; but it is simply a rewriting of section 10 of the Federal-control act, and it changes section 10 in just three respects. I will read the first part of section 10 only:

> Carriers, while under Federal control, shall be subject to all losses and liabilities as common carriers, whether arising under State or Federal laws or at common law, except so far as may be inconsistent with the provisions of this act or any other act applicable to such Federal control.

So far I make no change whatever. Then come these words, which I beg Senators to notice:

> Or with any order of the President.

In this language we gave the President the power to set aside any Federal law upon the subject, any State law upon the subject, that may relate to the subject, and substitute his own pleasure with regard to the operation of the roads. I objected to that at the time. I do not intend to dwell upon the objections which may be made to that clause; but, however wise it may have been when we passed the law, we were then in the midst of war, and we were willing to give the President every power that the Constitution would enable us to give him in order to successfully prosecute the war. We are not in war now, and there is not a man in the country, intelligent and civilized, who would be willing to give to any Executive in these times the power that is contained in this short clause; and in the rewriting of section 10 I have omitted that clause.

The next change that is made in section 10 is to provide that the Director General shall pay final judgments which are rendered against the railroad companies or against the Director General for loss or damage to property or persons being transported.

Mr. President, I do not want to harrow the feelings of anybody connected with the Railroad Administration; but one of the crying evils disclosed to us in the hearings—which we have not yet completed—is that the Railroad Administration does not pay the claims that are justly chargeable against it for loss or damage to property. Not only has the Director General attempted to declare the jurisdiction of courts and the venue of proceedings for the recovery of damages, but final judgments counted for very little with the Railroad Administration—I speak of it in the past, for I hope it will be better in the future, and I have some reason to think it may be better in the future—final judgments in the past have counted for little with the Federal administration of railroads. I have seen a letter, and I think it was introduced in the hearings before the Interstate Commerce Committee, in which it is said, substantially, that the Director General will pay only those judgments which have been rendered against the railroad in accordance with this law, or against him in accordance with his own orders substituting himself as defendant for all the railroads, such judgments as he thought were fair and right and which had been rendered in the absence of passion or prejudice. It is an astonishing thing. You would not believe it if you had not confidence in me, but I think you are willing to accept what I say with regard to the disclosures in the testimony. I want the law so amended that when a plaintiff recovers a judgment in a court of competent jurisdiction, when it is a final judgment, the Director General shall pay it, precisely as any honest man would pay a judgment rendered against him and from which there is no appeal.

That is the second point of difference. There is but one more; and I will not read the amendment, but I will ask you to take my word for that, and it will not be controverted, I am sure. The only other change made in the Federal-control act is that the former jurisdiction of the Interstate Commerce Commission is restored. That is to say, the Director General may, just as the railroads did before, initiate rates; but we took away from the Interstate Commerce Commission, at the time the law was passed, the authority to suspend those rates or to examine them before they went into effect, and in my amendment I am returning that authority. I want to avoid, if possible, the disturbances in business, the loss that necessarily ensues, when inconsiderate action is taken by persons who, however well disposed toward the public good, neither have the opportunity nor the skill to adjust the railroad rates of the United States. You all know how small a change, how little a discrimination as between kinds of business or between communities, will affect the prosperity of the individual or the community.

I do not know of a man in all this broad country who questions the propriety of an amendment of this character. Mr. President, I submit it with all the confidence I can command, knowing the appeal which has been lodged with you for the restoration of the law as it was before the Federal-control act was passed. I appeal to you to do justice to the people of your country, the millions who have to deal with these railroads every day in the year. Give them some protection. Think of them as well as of the men who are to receive the dividends which are provided for in the appropriation of $750,000,000.

Think of them as well as the bondholders who are to receive the interest from the appropriation we are about to make. They have equal demands upon your consideration. It is no more difficult for stockholders and bondholders to wait than it is for shippers to wait. They are all entitled to calm, careful consideration, and to such relief as the circumstances seem to require.

For these reasons, Mr. President, I submit the motion to suspend the rules so that the amendment which I have submitted to you may be offered as against a point of order.

Mr. KING. Will the Senator yield for a question?

Mr. CUMMINS. I yield.

Mr. KING. Does the Senator know whether the Railroad Administration has evinced any hostility toward curbing their power and reinvesting the Interstate Commerce Commission with the authority which heretofore they have exercised?

Mr. CUMMINS. I can not speak for the present Director General. I interrogated the former Director General upon that very point when he was before the committee. He indicated the greatest reluctance toward parting with any portion of the power which had been conferred upon him in the act of 1918.

Mr. KING. May I ask the Senator another question? Was it not elaborated repeatedly when the Railroad Administration bill was before Congress that it was not intended by any of its provisions and in its administration to deprive the Interstate Commerce Commission of any power it then exercised?

Mr. CUMMINS. Mr. President, it was said constantly that the Railroad Administration and the Interstate Commerce Com-

mission would be part of one happy, harmonious family; that everything which was necessary to be done in order to bring about the utmost justice would be done, in cooperation with the Interstate Commerce Commission. It happened—and this was stated to us by one of the members of that commission—that when they came to make the raise of rates of which I have spoken the administration did not find it convenient to submit the matter to the supervision or review of the Interstate Commerce Commission. I do not say that that was done because of any desire to make rates which were not just; but no man shares his authority with another unless he is compelled to do it.

Mr. KIRBY. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Arkansas?

Mr. CUMMINS. I yield.

Mr. KIRBY. I am in accord with most of the things the Senator favors; but if we are charging higher rates for both passenger and freight and giving poorer service in the transportation of both passenger and freight than we were under other conditions, if we are losing $20,000,000 a month under these circumstances, and if we are not paying the judgments rendered against the roads by the courts until absolutely compelled to do so, does that not argue that we are paying too much dividends to owners of the railroads?

Mr. CUMMINS. The Senator from Arkansas must remember my position with regard to that matter while the bill was under consideration. I thought we agreed to pay $200,000,000 per year more than we should, but we agreed to do it.

Mr. KIRBY. If we adopt this amendment and it results in a reduction of rates and the loss of more money, where are we going to come out?

Mr. CUMMINS. We will come out "at the little end of the horn," to use a familiar expression. But, Mr. President, that is really not before the Senate and is not involved in my motion.

PEACE TERMS WITH GERMANY BEFORE LEAGUE OF NATIONS.

Mr. LODGE. Mr. President, I desire to take only a moment of the time of the Senate. I wish to offer the resolution which I hold in my hand, a very brief one:

Whereas under the Constitution it is a function of the Senate to advise and consent to, or dissent from, the ratification of any treaty of the United States, and no such treaty can become operative without the consent of the Senate expressed by the affirmative vote of two-thirds of the Senators present; and

Whereas owing to the victory of the arms of the United States and of the nations with whom it is associated, a peace conference was convened and is now in session at Paris for the purpose of settling the terms of peace; and

Whereas a committee of the conference has proposed a constitution for a league of nations and the proposal is now before the peace conference for its consideration: Now, therefore, be it

Resolved by the Senate of the United States in the discharge of its constitutional duty of advice in regard to treaties, That it is the sense of the Senate that while it is their sincere desire that the nations of the world should unite to promote peace and general disarmament, the constitution of the league of nations in the form now proposed to the peace conference should not be accepted by the United States; and be it

Resolved further, That it is the sense of the Senate that the negotiations on the part of the United States should immediately be directed to the utmost expedition of the urgent business of negotiating peace terms with Germany satisfactory to the United States and the nations with whom the United States is associated in the war against the German Government, and that the proposal for a league of nations to insure the permanent peace of the world should be then taken up for careful and serious consideration.

I ask unanimous consent for the present consideration of this resolution.

Mr. SWANSON. I object to the introduction of the resolution.

Mr. LODGE. Objection being made, of course I recognize the objection. I merely wish to add, by way of explanation, the following:

The undersigned Senators of the United States, Members and Members elect of the Sixty-sixth Congress, hereby declare that, if they had had the opportunity, they would have voted for the foregoing resolution:

HENRY CABOT LODGE.
PHILANDER C. KNOX.
LAWRENCE Y. SHERMAN.
HARRY S. NEW.
GEORGE H. MOSES.
J. W. WADSWORTH, Jr.
BERT M. FERNALD.
ALBERT B. CUMMINS.
F. E. WARREN.
JAMES E. WATSON.
THOMAS STERLING.
J. S. FRELINGHUYSEN.
W. G. HARDING.
FREDERICK HALE.
WILLIAM E. BORAH.
WALTER E. EDGE.
REED SMOOT.
ASLE J. GRONNA.
FRANK B. BRANDEGEE.
WILLIAM M. CALDER.
HENRY W. KEYES.
BOIES PENROSE.
CARROLL S. PAGE.
GEORGE P. MCLEAN.
JOSEPH IRWIN FRANCE.
MEDILL MCCORMICK.
CHARLES CURTIS.
LAWRENCE C. PHIPPS.
SELDEN P. SPENCER.
HIRAM W. JOHNSON.
CHARLES E. TOWNSEND.
WILLIAM P. DILLINGHAM.
I. L. LENROOT.
MILES POINDEXTER.
HOWARD SUTHERLAND.
TRUMAN H. NEWBERRY.
L. HEISLER BALL.

I ought to say in justice to three or four Senators who are absent at great distances from the city that we were not able to reach them; but we expect to hear from them to-morrow, and if, as we expect, their answers are favorable their names will be added to the list.

DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

Mr. TRAMMELL. Mr. President, when the question arose with reference to taking from the Interstate Commerce Commission the power to make rates and to place that authority in the hands of the Railroad Administration, it was urged at that time as a war measure and as a war measure pure and simple. I believed at that time that a very large majority of the Senate and the House of Representatives were unalterably opposed to the idea of taking this authority from the Interstate Commerce Commission and placing it within the control of the Railroad Administration except for the purpose of caring for the necessities brought about by the war. I felt even at that time that the necessities of the occasion did not justify the legislative branch of the Government in taking from the Interstate Commerce Commission this authority and placing the right to initiate rates in the hands of the Railroad Administration.

As was then anticipated and forecasted, that the general public would not have an opportunity of a hearing or the consideration before rates were initiated and even put into force, has come true. Different orders have been made, rates have been applied, not upon a scientific basis ascertained after a careful investigation, and we have seen a raise of 25 per cent as a general increase made throughout the country regardless of a consideration of the conditions in different localities and the conditions surrounding different commodities which were affected by those rates.

In my State the shippers, the boards of trade, and the chambers of commerce have been time and time again disturbed and worried on account of an order going out with reference to rates to be effective in some 10 or 15 days without any opportunity for a hearing. The policy very largely has been to place the rate in force and then let the public have its hearing. Under the old plan and law the Interstate Commerce Commission, when it contemplated any increase of rates, gave the shippers due opportunity to be heard as to the equity and the justice of the increase.

Mr. President, the urgency of the war has now passed. The necessity for centralizing this power so as to allow one man at one fell stroke of his pen to increase the rates 25 per cent or possibly to some other arbitrary rate has, in my opinion, ceased. I believe we should again restore the authority to the Interstate Commerce Commission to initiate rates. I believe that once again the shippers of the country should have an opportunity to be heard when a rate increase is contemplated.

For that reason, Mr. President, and feeling that the rates will then be advanced, if they have to be advanced at all, upon a more scientific investigation after the shippers have had ample opportunity to be fully heard, I trust and hope that the amendment offered by the Senator from Iowa will be adopted.

The general policy upon the part of the Railroad Administration has been to soar upward and upward in the advancement of rates. We have heard of no adjustment downward of the scale. Very recently the Armour Packing Co., desiring to keep up with the order of the day, asked for the privilege of advancing the rates for refrigerator cars. They proposed to advance the rate from $55 to $76, as an illustration, those being approximately the figures. That matter was brought to the attention of the Railroad Administration. The administration said that on account of an investigation made some 12 years ago they contemplated authorizing this advance upon refrigerator cars. The administration was almost in the act of authorizing the increase, when there came a hue and cry from different sections of the country that such an increase for refrigerator cars was not justified.

I had occasion to make some inquiry as to the proposed advance. The demand was made as to the items constituting the advance. I found that this advance was made to cover, for instance, among other items, $5 a trip for repairs to bunkers. I do not know very much about railroad cars, I do not know very much about refrigeration, but I know that in all reason and common sense refrigerator car bunkers do not suffer $5 damage or anything approximating that amount on one trip. Yet that was one of the items which constituted the total of the increase of about twenty-odd dollars. There were items included in that proposed raise which the Railroad Administration could not explain,

and yet the increase was about to be authorized without the shippers having time for a hearing. Upon protest, however, a hearing was granted.

I claim, Mr. President, that the people who are paying the freight are entitled to have a tribunal in which they may go and present their side of the question upon all proposed advances in freight rates. We can only have this course and this remedy extended to the shippers by extending to the Interstate Commerce Commission the right to initiate rates.

Mr. President, I do not say there has been a disposition to show bad faith in the handling of the railroads on the part of the Railroad Administration, but I do say, and it is beyond contradiction, that the railroads since they have been placed in the hands of the Railroad Administration have been managed very largely by the former railroad officials of the country. They have been transformed from presidents of railroads or general managers of railroads to directors of the freight and passenger traffic and the various branches of the Railroad Administration. It can not be disputed that the management of the railroads has continued very largely to be in the hands of former railroad officials. They have continued to be very largely in control of men who by their environment, by their previous employment, and sometimes possibly on account of their pecuniary interest in the success of the railroads of this country, are naturally interested in raising rates, are naturally interested in building up the profits of the railroads. Why? So that if the railroads are again turned back into the hands of private ownership they will have advanced to a standard of rates which will give them a greater income and which it will be easier for them to maintain in the future, because they will be able to take refuge behind the argument and the contention that these advances were made while they were under Government control, and therefore they must be just and equitable, upon the theory, of course, that the Government would not do an injustice or inflict any wrong upon the citizens of the country.

I believe we should restore this rate-making authority to the Interstate Commerce Commission, a commission composed of men who are entirely disinterested, men who will hold the scales of justice in even balance both to the shippers and to the railroad interests of the country. I do not say, of course, that the managers of the railroads have not done this; but it is my contention that by environment, by previous employment, and by interest the natural tendency of the railroad officials to-day managing the railroads of this country is to advance rates as much as possible. That question of the increase in the Armour refrigerator-car rates is just an illustration.

I hope that the amendment of the Senator from Iowa will be adopted. Being fully impressed that the shippers of the country, the people who are really paying the freight, will be in a better position to have their claims for rate reduction or their claims upon all those rate increases fairly and without prejudice considered, I believe we should restore the authority to the Interstate Commerce Commission to initiate rates. This does not involve the question of Government control in a general way. It pertains only to the policy as to whether or not the right to initiate rates, now that the war is over, shall be lodged in the Railroad Administrator or the Interstate Commerce Commission.

Mr. OWEN. Mr. President, I merely want to affirm what was said by the Senator from Florida [Mr. TRAMMELL] and the Senator from Ohio [Mr. POMERENE]. I think that this rate-making authority ought to go back to the jurisdiction of the Interstate Commerce Commission. I think the amendment is well drawn. I shall support it.

Mr. ROBINSON. Mr. President, the most important purpose that should be had in mind now is a speedy disposition of the pending bill. It must pass the Senate very shortly if it is to become a law during the present session. Senators have already stated the necessity for the passage of the measure. I feel it my duty to say that I am opposed to the motion to suspend the rule to make the amendment offered by the Senator from Iowa in order, and I am not in favor of putting the amendment on this bill. It would be impossible for me in the time that I feel warranted in taking to present this subject in detail, and I must ask my colleagues to follow me carefully for just a few minutes while I attempt to explain what this amendment means and the effect which it will have upon the operation of the railroads by the Government.

When the United States took over the control and operation of the railroads a state of congestion existed, particularly in the eastern part of the United States, which threatened the efficient conduct of the war. The task that the Government assumed to clear that congestion and transfer rapidly to the seacoast men and munitions necessary to win the war involved many difficulties and delays in the shipments of products which, under private control, would have interfered with the shipment of munitions and troops. I shall not for lack of time attempt to justify the Railroad Administration in all important particulars, but I do want to declare that it has accomplished the one big thing which Congress had in view in providing for Federal control, and it has done that with amazing and gratifying rapidity and efficiency. It is easy to criticize; it is easy to find in the many transactions that have occurred mistakes; but no control that could have been devised, in my judgment, could have enabled our people to escape many of those mistakes.

The effect of the amendment of the Senator from Iowa is to impose on the National Government while it is administering the railroads all the limitations and restrictions contained in the act to regulate commerce. I have not time to outline all of those limitations and restrictions, but will refer to some of them.

In the first place, the amendment would require that all proposals to increase rates submitted by the Government should first be approved by the Interstate Commerce Commission. Under the Federal-control act the Railroad Administration can initiate rates and put them into effect, and they remain in effect until changed by the commission. The commission now has complete power of review; but if this amendment is adopted, before any increase of rates can go into effect they must first be approved by the commission, which, of course, involves great delay.

Concerning the increases of rates which have been made, permit me to say that, in my judgment, those increases were unavoidable. When you take into consideration the greatly increased cost of material which it was necessary for the Government to purchase in the maintenance and extension of the railroads and in the making of railroad improvements which were considered indispensable to their proper operation and the enormous increase in wages which has been made, you will find that it was absolutely necessary to increase rates.

Much has been said in implied criticism of the increase of wages that has been made, but an investigation of the subject by the Committee on Interstate Commerce of the Senate convinced us all that those increases were, in the main, necessary, and that the Government could not reasonably have avoided them.

Mr. CUMMINS. Mr. President——

Mr. ROBINSON. Mr. President, I yield to the Senator from Iowa.

Mr. CUMMINS. I hope the Senator from Arkansas has not understood from anything I have said that, in my judgment, there should not have been an increase in rates. I know that an increase of rates was absolutely necessary.

Mr. ROBINSON. I have not quoted the Senator from Iowa at all. I have merely referred to the criticisms that have been made by other authorities. I heard what the Senator from Iowa said, and I think the Senator from Iowa will agree with me——

Mr. CUMMINS. I thought the Senator from Arkansas implied that I had said something of that kind.

Mr. ROBINSON. Oh, no.

Mr. CUMMINS. I am just as conscious that some increase of rates was necessary as is the Senator from Arkansas.

Mr. ROBINSON. I am satisfied that the Senator from Iowa also agrees with me that an increase in wages was necessary; in fact, that it was unavoidable.

Mr. CUMMINS. Certainly. I have no doubt about that. I have no doubt that that increase was unavoidable, but I think it was very wise and just.

While I am on my feet I want to correct the statement of the Senator from Arkansas, and I am sure he will agree about it.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Arkansas yield to the Senator from Iowa?

Mr. ROBINSON. Yes; I yield.

Mr. CUMMINS. The amendment that I have proposed does not subject the United States to all the provisions of the interstate-commerce law.

Mr. ROBINSON. No. Here is the language of the amendment itself, and it is very plain. It provides:

> That during the period of Federal control the right to initiate or change rates, fares, charges, classifications, regulations, and practices exercised by the carriers now under Federal control, prior to the 29th day of December, 1917, shall hereafter be exercised by the President or by the Director General of Railroads, but such right shall be exercised under all the limitations and conditions which were imposed upon it by the act to regulate commerce, approved February 4, 1887, as amended; and the Interstate Commerce Commission shall have as full and complete authority and jurisdiction to set aside, change, modify, suspend, or otherwise review all such rates, fares, charges, classifications, and regulations as though the Government had not assumed the possession and control of said transportation systems.

I have already said that one of the conditions of the act to regulate commerce referred to was to provide that increase in rates should not become effective until approved by the Inter-

state Commerce Commission. There is another provision to the effect that the Interstate Commerce Commission may suspend tariffs. There is another limitation in the act to regulate commerce which, in my judgment, becomes effective under the language of the Senator's amendment which I have just read, there being nothing that I can see in the amendment to negative this assumption. The act to regulate commerce provides, among other things, that—

At any hearing involving a rate increased after January 1, 1910, or of a rate sought to be increased after the passage of this act, the burden of proof to show that the increased rate or the proposed increased rate is just and reasonable shall be upon the common carrier, and the commission shall give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible.

The effect of this amendment, as I have said, is to restore that limitation, among others, so that certainly as to rates hereafter put into effect, and probably as to increases in rates made since Federal control was adopted, the presumption of unreasonableness attaches, and the burden is thrown upon the Government to prove in a hearing when the rate is questioned the reasonableness of the rate, instead of shifting the burden to those who are assailing it. In my judgment, Mr. President, that is a very material matter, and it will devolve upon the Interstate Commerce Commission a very arduous task and throw the whole subject of rates into confusion. I believe that those Senators who have studied this question think that the rates, in so far as they have been initiated, should remain in effect until changed by the commission. The commission has the power to change them now when they are shown to be unreasonable, but the burden of proof is now upon those who are attacking the rates heretofore established. If this amendment is adopted, the burden of proof would be upon the Government not only to show the reasonableness of the rates hereafter prescribed but also the reasonableness of the rates heretofore put into effect and that have been in operation for some time.

Mr. President, there is another limitation in the act to regulate commerce which would be restored by this amendment, and it ought not to be adopted, for the reason that under the act to regulate commerce as to interstate shipments the shipper has the right to route his freight, and intrastate shipments are governed, as I understand, by State laws. Under the Federal control act, without the amendment of the Senator from Iowa, the Railroad Administration has been able to relieve congestion by the routing of freight; but if this condition is restored it will not have that power. In the Federal control act is contained a provision in the following language——

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON. Certainly.

Mr. SMITH of Georgia. Have the Federal Railroad Administration not also, in connection with their power to control routing, withdrawn substantially all the freight from the shipping lines along the Atlantic coast and carried it over their railroads, although the complaint was made that the railroads were suffering from congestion?

Mr. ROBINSON. I do not understand the import of the Senator's question; but I do know that through the right to route shipping, freight that would have gone, for instance, to the port of New York, has been diverted over railway lines to New Orleans; but my opinion is that, in the main, those transactions were necessary to relieve congestion.

Mr. SMITH of Georgia. What I meant to suggest was that instead of relieving congestion by their control they had taken transportation away from the coastwise vessels to the interior.

Mr. ROBINSON. Mr. President, I do not think that the implication contained in the Senator's question is justified. I think that, upon the whole, the privilege in the Federal Railroad Administration to route freight has been a very valuable one, and has been exercised to the benefit of the public generally. I believe that an investigation of the subject would show that to be true, but I have not the time to go into it in great detail.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. ROBINSON. I yield to the Senator.

Mr. SMITH of South Carolina. What the Senator from Georgia had reference to was that the Federal control act gave the Railroad Administration the right to route freight, which otherwise would have gone by water, over the railroads and created a differential in price in order that the coastwise vessels might be relieved from the coastwise trade, in order that they might be engaged in overseas carriage wherever they were competent to do that work. That differential has not yet been taken off, but is subject to the will of the administration, if they so desire.

Mr. ROBINSON. I think that is true, and I think the policy justified.

Mr. SMITH of Georgia. If the Senator will allow me, the Senator from South Carolina suggests that that was for the purpose of using the coastwise vessels in trans-Atlantic transportation. They did not limit them to that at all. I have one system in view that has been practically wrecked by this interference with their normal business, and yet the vessels continued to be used along the coast.

Mr. ROBINSON. Nevertheless, Mr. President, the statement made by the Senator from South Carolina, in my judgment, is accurate, and he correctly defines the purpose of the Railroad Administration in making that class of diversion.

I shall not take time to discuss in detail the effect of this amendment with respect to intrastate rates and shipments, further than to say that it clearly repeals any power in the President, if that power exists, to regulate intrastate shipments or to route shipments of intrastate freight, and that is a very important consideration. It will result in very great confusion, and in a material diminution of the earnings of the railroads.

There is another provision in the Federal control act, which I think is of great importance, which will be eliminated or nullified, in my judgment, by the amendment of the Senator from Iowa.

Under section 10 of the Federal control act it is provided that the President is authorized to—

find and certify to the Interstate Commerce Commission that in order to defray the expenses of Federal control and operation, fairly chargeable to railway operating expenses, and also to pay railway tax accruals, other than war taxes, net rents for joint facilities and equipment, and compensation to the carriers, operating as a unit, it is necessary to increase the railway operating revenues.

And requires that—

the Interstate Commerce Commission in determining the justness and reasonableness of any rate, fare, charge, classification, regulation or practice shall take into consideration said finding and certificate by the President, together with such recommendations as he may make.

The last paragraph in the pending amendment is as follows:

In determining any question concerning any such rates, fares, charges, classifications, practices, or regulations, or any changes or proposed changes in the same, the reasonableness thereof, or any discrimination therein, the rule to be applied shall be the same as existed under the said act to regulate commerce, as amended, and under the general law of the subject as it was prior to the Government's possession and control.

That simply means that the rule of evidence which we wrote into the statute for Federal control is repealed by the language which I have just read; and, Mr. President, the rule is a just and proper one. Everyone who had a clear view of the situation when the Government took over the railroads realized that the expenses of railway operations would be very materially increased.

Mr. President, I think it is proper to require that the increased expenses of operation shall be taken into consideration in determining the reasonableness of rates. I do not mean that the Interstate Commerce Commission has not the power now to take them into consideration, but I do mean that the express repeal, or the implied repeal, of that provision might make it questionable whether the commission would feel warranted in doing it.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Iowa?

Mr. ROBINSON. I yield.

Mr. CUMMINS. Mr. President, I want to acquaint the mind of the Senator from Arkansas with the fact that in 1916, I think, the Interstate Commerce Commission explicitly raised the rates in a certain part of the United States solely on account of the increased cost of operation, and everybody agreed that a reasonable rate must provide for increased cost of operation. So I think the last point made by the Senator from Arkansas is hardly tenable.

Mr. ROBINSON. I have not made the point or attempted to make the point that the commission could not or would not take into consideration increased expenses of operation as a justification for increased rates. I simply said that the Senator's amendment would repeal the provision of the law authorizing the President to certify the necessity for an increase in rates on that ground and requiring the commission to take it into consideration.

In other words, the commission now has no well-defined rule. I do not want to go into this subject in great detail. The Senator from Iowa, of course, fully understands why. That in itself might consume an entire day. But the commission now can find a reasonable rate upon any evidence that it believes to be just and competent, and it might or it might not take that into

consideration, though it probably would do so upon a proper showing.

Mr. CUMMINS. I want the Senator from Arkansas to understand that, so far as the certificate of the President or the Director General is concerned, I intend that that shall be repealed. I intend that the Interstate Commerce Commission shall decide the reasonableness of a rate upon the same law and under the same rules that prevailed before the war.

Mr. ROBINSON. That was the way in which I construed the Senator's amendment.

Mr. CUMMINS. The Senator is quite right about that.

Mr. ROBINSON. The Senator justifies my construction of it by his statement. I think it would be erroneous and dangerous at this time to repeal that provision.

There is no use, Mr. President, in dodging the issue. Shippers do not pay high freight rates or increases in freight rates with any more pleasure than citizens pay increases in taxes. That is undoubtedly true, and if you left it to a vote of any number of shippers whether freight rates should be increased or diminished it is not difficult to determine how they would vote. They would vote for the diminution in the rates, of course, and it is not to be expected that they would vote for a system that would increase their rates. Nevertheless, in my judgment the condition that existed when the Federal Government took over these railroads not only justified but it made absolutely imperative a large increase in freight rates. If rates had not been increased an astounding deficit would now exist. All here concede that the appropriation for the use of the Railroad Administration should be made. I will not, therefore, waste time to argue that.

Mr. President, I believe that the adoption of this amendment, which undoubtedly is one of great importance, would have the result of tying up this legislation and in all probability of defeating the general deficiency bill, and I shall therefore vote against the motion to suspend the rule.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa.

Mr. CUMMINS. Mr. President, I ask for the yeas and nays upon the motion.

Mr. ROBINSON. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from Arkansas will state his parliamentary inquiry.

Mr. ROBINSON. The question arises now on the motion of the Senator from Iowa to suspend the rules?

The PRESIDING OFFICER. That is the question. Is the request for the yeas and nays seconded?

The yeas and nays were ordered.

Mr. POINDEXTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Washington suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Owen	Smith, Ga.
Beckham	Jones, N. Mex.	Page	Smith, S. C.
Brandegee	Kendrick	Penrose	Smoot
Calder	King	Pittman	Spencer
Chamberlain	Kirby	Poindexter	Sutherland
Cummins	La Follette	Pollock	Swanson
Curtis	Lenroot	Pomerene	Thomas
Fletcher	Lewis	Ransdell	Thompson
Frelinghuysen	McKellar	Reed	Trammell
Gay	Martin, Ky.	Robinson	Underwood
Gerry	Martin, Va.	Saulsbury	Vardaman
Gore	Moses	Shafroth	Wadsworth
Gronna	Myers	Sheppard	Warren
Hale	New	Sherman	Watson
Harding	Norris	Shields	Weeks
Henderson	Nugent	Simmons	Wolcott
Hitchcock	Overman	Smith, Ariz.	

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. There is a quorum present.

Mr. SHERMAN. Mr. President, last Friday there was assembled in the city of Washington a notable authority, known as the Democratic national committee. Following the ancient and approved precedents, a banquet was held. I am speaking to the motion of the senior Senator from Iowa [Mr. CUMMINS] to suspend the rules in order to make his amendment possible to the pending bill. Considerable light will be shed on the motion by the proceedings I shall comment on. At this banquet the Chief Executive attended and delivered an address. The address is not accessible in its unexpurgated form. I shall not, therefore, much to my regret, be able to give it in full. I hope later to have a verbatim report, and at some future session of the Senate I will insert it at length in the CONGRESSIONAL RECORD for the benefit of posterity. However, we have from the vigilant members of the press, who usually obtain these things by a sort of second sight or the instinct known only to reporters and womankind, some faint muttering of the proceedings at this banquet.

It appears, Mr. President, that the Chief Executive was in fine fettle. The remarks that percolated beyond the banquet hall and which were accessible to the members of the press appear to have been of a highly fervid and picturesque character. Nothing has leaked out of the Paris peace conference through the censor that has been so applicable to the war situation as the threats made by the Chief Executive.

I now read such information as is obtainable. It is found in the Washington Post of March 2, 1919:

> Nothing serves to emphasize so strikingly the bitter feeling that has been engendered on both sides of the controversy over the league of nations as the address which was made by President Wilson to the members of the Democratic national committee at a luncheon—

I was mistaken. I said it was a banquet, and I stand corrected—

> at a luncheon at the White House Friday.
>
> Not until yesterday did the news begin to leak out that the President used violent language in speaking of the opponents of the league. When members of the committee were asked about the President's remarks they at first declined to enter into particulars, several of them saying the President had used language which they did not think he would like to have repeated.
>
> In substance, the President is reported by these informants as declaring that he despised the character of those who are fighting the league of nations, and that he "loathed their pigmy minds." He is reported as having added that he would have to consult a dictionary to adequately express his opinion of these Senators.
>
> In a final outburst of indignation the President is reported as having said that the heads of those who are opposing the league were only fit to serve as "knots to prevent their bodies from unraveling," and that if he had his way he would hang them on a gibbet as high as heaven, but that the gibbet would not be erected in the direction of heaven.
>
> In the same speech the President urged the Democratic national committeemen to hurry back to their States and call meetings of their State committees for the purpose of getting indorsements of the league. He asked them also to do everything in their power to persuade Republican State committees to join them in nonpartisan indorsements.

We have been favored upon many occasions with the nonpartisan indorsements that have been the method by which much legislation should be secured. Therefore, last fall we had it during the greater part of the campaign; and until a late day, say, along in October, the nonpartisan campaign proceeded merrily. On that day it was discovered that there were no persons fit for political salvation save those on the Democratic ticket; whereby hangeth a tale. It slaughtered many of the faithful who were running in doubtful States. I know that my beloved colleague had told many of my constituents, and they were disposed to believe it, that it was a nonpartisan election. The State was 100,000 to 150,000 Republican; but many patriotic partisans thought that it was truly time, in view of the momentous issues presented, to drop their partisanship; and so it seemed to me for a time that the Senate would be favored with another term of my distinguished colleague.

But on the 25th day of October a proclamation went abroad that none but the faithful on the Democratic ticket should be elected. Immediately, Mr. President, a roar of indignation went up from the gentlemen who thought of dropping their partisanship and scratching their ticket. With much profanity and considerable regret for the time they had lost when they did not dwell in the tents of the faithful, they lost no further hours in retracing their steps; and the result in every doubtful or Republican State was a partisan calamity for the administration.

So they are now urged to leave the White House luncheon and return to their respective States and pass resolutions of their own committee, which is proper, but, in addition to that, to proselyte among Republicans. He desired to forage on the enemy. To that I object. I am, I fear, one of the enemy. I do not desire to be a subject of forage myself. I invite the gentlemen to keep inside of their own committees in my own State.

So the nonpartisan scheme to obtain a nonpartisan indorsement of a nonpartisan league of nations, prepared by a nonpartisan conference membership representing this Government, presented and sponsored by a nonpartisan administration, defended by nonpartisans in appointive offices in all the great departments of the Government, supported by a nonpartisan majority in the Senate on the other side of the Chamber, by the nonpartisan majority in the House, at present in control of that organization, and a highly nonpartisan Democratic national committee, all of them believe in a nonpartisan indorsement of this highly necessary document to preserve the peace of the world.

I notice many nonpartisan editorials in newspapers, reaching all the way from Jacksonville, Fla., to El Paso, Tex., and thence onward to the coast, very largely, however, in what is commonly known as the cotton belt. All these editorials are highly nonpartisan. Many of them empty harsh language upon your humble servant without stint. I am, however, Mr. President, so accustomed to it that it does not produce the desired result. I

have persevered in my sinful ways and have exhibited but few signs meet for repentance. But it is nonpartisan.

In addition to that, I notice he says that the cerebral cavities of Senators who do not agree with him on the league of nations are nothing but knots to keep their bodies from raveling out. This language is classic. I have no doubt the alumni of Princeton will shriek out with admiration and fall speechless with joy when they read it. He has added another matchless phrase to the many that have enriched our political literature. No doubt it has been cabled to London by this time and the English are going about on Picadilly saying, "What does it mean?" "Don'cher know, it's quite beyond me." I have no objection to be classified that way. I will take my chances on raveling out.

What I regret is that one who has heretofore written many books, who has given us a history of the United States, a philosophic political work known as The State, Congressional Government, The New Freedom, and many others found in the libraries, has used such a raw vernacular about United States Senators. I fear it will not promote that harmony of intercourse between coordinate branches of the Government that ought to prevail. As for the Member of the Senate who now has the floor it will make no difference. I will entertain for him the same sentiment I have for some time. I have no doubt it will be reciprocal.

He intimates that all who differ from him have pigmy minds. Let it be so. It is one of the indications of mental superiority to always regard your antagonists as being deficient in gray matter and reasoning faculties. I remember one time being in a hospital for the demented, and there was not one of them who did not insist that everybody outside was insane and that they were the only sane people there were in the world. One who was a neurotic, suffering from nervous trouble, was walking constantly up and down the hall, and another one sitting at the end of the hall said, "If I was as crazy as that thing I would get out of here." It is a most staggering argument to initiating those who differ from you are lacking in mental capacity.

Pigmy minds? It may be. But we were all elected, who even differed from him, and how we deceived our constituents I can not understand. It is sad to relate that in this year of our Lord, and the few preceding years, many of us escaped and were able to deceive our constituents in November, 1918, and other years, because some of the hardened miscreants designated by the Executive in such terms have been here for some years.

Again, here is his bosom companion. I might regard them as the two Dromios of this especial situation. This is dated San Francisco, February 20, 1919:

SAN FRANCISCO, *February 20.*

Characterizing as "small Americans" Members of the United States Senate who are opposing the covenant for a league of nations, former President William H. Taft made an especial appeal to-day to the women of the Pacific coast to bring their influence to bear on the Senate in behalf of ratification of the league. Mr. Taft spoke at a luncheon given him by the San Francisco Center, a woman's organization.

Somehow I notice that these distinguished gentlemen are always the heroes at some luncheon. They never go upon the platform above a beer hall in some metropolitan center and expound theories of Government, but it is either at a pink tea or at a luncheon. These luncheon statesmen, Mr. President, will after a while be in a distinct class by themselves. They will probably be known as the male luncheonettes.

Day before yesterday, Mr. President, I had a letter from a constituent living at Glencoe, Ill. Glencoe is a suburb of Chicago. It is filled largely with commuters, gentlemen who chase their gay lives away getting through the gates in the morning and catching the train at night. He was very indignant at my behavior. I receive the usual number of letters of that character. I am somewhat hardened, as I have been criticized for 20 or 25 years both by Chicago newspapers and by the down country press some of the time and by some of my constituents all the time. But this one was particularly indignant, and said that I was headed for destruction, and that my time, indeed, was short, not more than a few days after I reached home; in fact, I would be waited on by many indignant delegations that would in some way cause me to see the error of my ways, even if violence were needed as a moral agent to effect a reform in my understanding. He signed his name as H. E. Nutt. I rarely answer such letters, but in this instance I acknowledged it—the opportunity might never come again—thanking him for his information and saying, "You appear to have the right name." His letter indicated he was a "he-nut" to the most casual observer. The language of the other two gentlemen will enable the public to classify them:

"Certain small Americans on the floor of the United States Senate profess to see dire danger and eventual disaster to the country if we enter the league of nations agreed upon at the Paris peace table," said Mr. Taft.

"I do not use the term 'small Americans' in an invidious sense, but to imply that these gentlemen have a small view of America; the provincial, selfish view that the highest duty of America is to preserve a safe, comfortable, luxurious prosperity for our own people, beyond which we have no other responsibility toward the rest of the world.

"While the statesmen and peoples of the entire world are unanimous in the certain belief that unless the machinery of such a league is set in motion war more terrible and far-reaching than the one which we have just endured will sweep the world in 10 or 20 years, the only discord in the concert is heard in the voice of 'small America' from certain small-visioned men, who have been elevated to the United States Senate."

I consign the ex-President referred to to the kindly ministrations of my friend, Richard Ashkum, at Swan Creek, Ill., who wrote me a letter, which I incorporated a few days ago in the CONGRESSIONAL RECORD. I regret more than I can express with my limited power of expression the indignation that is aroused on the part of certain Senators. I would not wound their delicate sensibilities for anything in the world. But I did want the philosophy of my friend Ashkum preserved in some permanent form. An apology, or explanation, I believe, was incorporated in the RECORD by the senior Senator from Colorado [Mr. THOMAS] in which the ex-President took occasion to deny the original report attributed to him by the newspaper accounts and gave an explanation. I read the explanation. I have meditated on it. I have arrived at the deliberate conclusion that the explanation is worse than the original charge. So I will adhere to the CONGRESSIONAL RECORD and will not ask to have the letter stricken from the RECORD.

The ex-President of the United States was a very learned, a very good judge. He was the head of a department or two in his time. He had considerable departmental experience. His decrees and judgments in both the chancery and the law side of the courts wherein he presided indicate a judicial mind and an exceedingly clear understanding of the issues presented. But in a fatal moment he left the bench to engage in the hurly-burly of politics. He was nominated in 1908 by his friend—I say advisedly his friend, not by his friends—but by his friend. He served one term which he got. He ran for another he did not get. While serving as President he demonstrated that he knew no more of practical politics and Government in the Executive office or in congressional matters than the veriest tyro in this country. He left his party in ruins. To him more than any other man in the United States is attributed the disaster of 1912. No wonder this correspondent of mine said he preferred not to take his political advice. I do not. I can not think of anybody whose advice I would not take on a matter of politics quicker than his. I would take the advice of any honest Democrat, and that includes every one of them in the Senate. I would go to him privately and ask his judgment on a political question of my own party affairs, and I would rather have his judgment than Taft's. I would rather take the judgment of one of these pages who has been about here for a while on practical affairs relating to political controversies or issues. Still he is telling us what to do. I decline to be governed by his suggestions.

Why on earth should I take the advice of an ex-President when I will not take the advice of a real one?

I understand that there will be no special session called, regardless of what we do. So I feel entirely absolved from responsibility. There will be a vacation, whatever we do with these bills. I know there is a difference of opinion on both sides as to what we ought to do. I respect the opinions of both majority and minority Senators who may differ from me, but so long as there will be no special session, anyway, let us save the money. There never was a time when we needed to do so any worse. It is a small sum comparatively—only two or three billion dollars—let us save it, anyway. The interest on that is worth while. If I had two or three billion dollars and was out fishing and I had it with me, I would always want to be in the end of the boat that sank last, so that I might get the interest on it just ahead of the other fellow. It would amount to a good deal, even in a short time.

Therefore, Mr. President, I am not taking very seriously the great calamities that are supposed to be wrapped up in what we do or do not do between the hour of 1.20 to-night and 12 o'clock of to-day.

If I felt there were any grave questions involved and bankruptcy, war, famine, pestilence, and various other pests, I would not be addressing the Senate in this mood. The court jester, the King's fool, 4,000 years ago was asked by the King one bright spring morning up the Nile what made him take up the profession of jester. "You make people laugh and rather develop the giddy side of their nature." He said, "I much prefer to make people laugh than to make them cry. Gloom depresses and laughter exhilarates them." We are in that mood to-night. Let us be the King's fool a while, because while the King has certainly come home again, his stay is brief, and,

indeed, Mr. President, we make holiday to-night "to see Cæsar and rejoice in his triumph." If we can not cure our troubles, let us minimize them by laughing at them. Very long ago I would have been in my grave could I not have seen the ridiculous side of things and laughed once in a while. I have laughed the way through cloudy times and some very lowering disasters that come to all of us after we live about so long.

I therefore, Mr. President, to-night, whatever may be passed between now and 12 o'clock to-day, refuse to take a very serious view of the questions or of the situation. A few days ago we were told that if the bond issue or certificate bill was not passed every bank in the country would be bankrupted. To-day we are told that the railroads will be bankrupted if we do not pass this bill containing the $750,000,000. If the session lasts until noon, as I anticipate it will, there will be some fresh calamity discovered to horrify our sensibilities, disasters swarm on every hand. I presume it will be the great life insurance companies and the fire insurance companies that will next be represented as having many securities liable to depreciation locked up in their strong boxes, and if we do not pass this or some other bill bankruptcy will be their certain portion.

Everything requires an appropriation. Everybody nearly is in the same frame of mind as the old soldier of the Civil War was in when he was running for coroner in my county at one time. He had but one speech, and it was this: "I am always in favor of the Old Flag and of liberal appropriations." That goes, of course; that is our platform here. Everybody is shouting "Old Glory" and billions piled upon billions.

Pay days will come some of these times, and they will come rapidly. There is not anything that speeds up the passage of old Father Time like having a debt falling due. When I sign a note at the bank payable six months after date—if they will trust me that long—it is amazing to see how the sands in the glass run down. In a very little while the six months are gone. A dun comes promptly, and one is surprised to think how time flies when it is headed toward pay day.

We have literally billions waiting for pay day; and pay day will arrive with proportionately lightning speed. When pay day does come, we may rest assured—we of the pigmy minds, we whose cerebral cavities, in the classic language coming from the hallowed shades of Princeton, are nothing but knots to keep us from raveling out—we can console ourselves by knowing that the Executive in this press report said we would be hanged, and in the direction which the orthodox Universalists says, there is no such place. So when pay day does come possibly we of the kind described will be no more. The execution will have taken place, because by midsummer he hopes to be back, and the punishment will be forthcoming.

Mr. President, the other day I referred, and so did the junior Senator from Maryland [Mr. FRANCE], to the condition under which this discussion was carried on; that the espionage law was in force; that criticisms to the average person were full of hazard. A state of war still exists. No man can utter a criticism as he candidly believes it outside of this Chamber or of the other House without danger of being charged with a violation of that law. Petty officials are racing about over the country burning with restless zeal to arrest somebody.

There are two items in this bill which possibly ought to be increased. They are for the transportation and expenses of conducting prisoners to Fort Leavenworth, the Federal Penitentiary. They ought to be increased or the espionage law ought to be repealed.

There is no freedom of speech among the general public. The press publishes its news with great circumspection. Free speech and a free press are almost unknown in this country at the present time.

You remember the very pointed denials made last December when the peace conference and the newspaper men took passage for France. It was said that there was no contemplated censorship of the press; that there would be an open report of news, of everything that connected itself with the transactions of the conference. Here are a few paragraphs, Mr. President, of an article by Henry M. Hyde, under date line of London, February 26, 1918. Mr. Hyde is a well-known newspaper man in this country. He was sent abroad on this mission. He is known to most Senators here. He is my neighbor in Chicago. In these paragraphs he says:

The Paris dispatch to which the editorial refers says:

"It has more than once been pointed out that, owing to the strict censorship exercised over the news from America at the President's request, we have been insufficiently informed as to the trend of public opinion in the United States.

"This lack of news undoubtedly has had the effect of facilitating the acceptance of the league proposals as presented here by the American delegation. But the time has come when the course of opinion on the other side of the Atlantic must be taken into consideration in view of the imminent meeting of the newly constituted Congress, and the arrival of responsible men in Paris who are intimately acquainted with the actual political position in the United States has thrown a new light upon the situation.

MAY REFUSE A MANDATE.

"It is not seriously questioned that the principle of the league of nations commends itself to America, but between that and a mandate empowering President Wilson to commit the United States to the full submission to the league is a long step.

"But the more important matter is that the United States—and this is a question on which there is likely to be as much Democratic as Republican opposition—will certainly not give a mandate to President Wilson involving not merely the alteration of the Constitution but also American consent to act on the instructions of a league of nations without knowing the exact extent to which she might thereby be committed to a policy distasteful to her judgment and even affecting her sovereignty.

"Now, it is clear that the President is not and can not for a long time be in a position to define the new responsibilities incurred by the United States equally with every other member of the league of nations. Until such definite information has been received and considered no mandate empowering President Wilson to incorporate America in a league can or will be given. Briefly stated that is the position."

This is the editorial expression of a French newspaper published at the capital of that country. It indicates from first-hand information evidently that the President has in fact ordered a censorship of news coming from the conference to this country. It can be seen well enough why it is that both the cables and the telegraphs were sought to be put under Government control and kept there without a shadow of pretext that they were needed for war purposes.

While we are interested in appropriations of this character connected with the railroads, it might be well, in the short time which I devote to this motion to suspend the rules, to refer to a difficulty which we may face with our British cousins before we have fully settled all the details of the league. Here is the annual publication of the London Stock Exchange containing a statement of the loans repudiated by various States of the Union. I do not know why the sturdy Briton does this; at best it is a painful reminiscence; but probably following the habit that when we put any money in anything we cling to the notion that at some time we shall get that money out of the same place it went in. I have the 1916 list. It includes the States of Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, and West Virginia. In each instance the amount ranges from $6,000,000 to $15,000,000. The total of the repudiated loans and listed bonds in the annual report of 1916 is about $75,000,000 in round figures.

That of West Virginia was incident to the readjustment and the State formative period. Whether they have been settled since 1916, I do not know. Those of the other States named are incident to the reconstruction period, or what my friends sometimes call the carpetbag era, in their respective States.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from West Virginia?

Mr. SHERMAN. I yield.

Mr. SUTHERLAND. I should like to call the Senator's attention to the fact that there has been no repudiation in West Virginia. There has been a question of debt there on certain bonds. That question is now being settled; and a resolution has been passed by the legislature providing that this debt shall be paid according to the judgment of the Supreme Court.

Mr. SHERMAN. I suspected, Mr. President, that this series of bonds were those referred to in a late decision of the Supreme Court, and that, as I said, they grow out of the readjustment period, relating to the time when West Virginia was created into a State during the Civil War period.

Mr. SUTHERLAND. That is correct.

Mr. SHERMAN. The time these bonds went without matured interest being paid was when a controversy existed that had not been settled up to the time of the decision referred to on the liability of West Virginia for a share of the interest to be apportioned or adjusted, part of it going to the old State and part of it to the new. The others were incident to periods of improvement, so called, during the carpetbag eras, in which the money, it is claimed, was largely misspent or squandered.

I know that some authorities will say that there was no repudiation; that these bonds fell into the hands of purchasers at a reduced price. Morally, I am not undertaking either to affirm or to deny. I am only stating that in the London Stock Exchange annual list these bonds appear listed as unpaid, and they are commonly known in England as being repudiated obligations.

These securities were issued all the way from 40 to 60 years ago. Principal and interest are unpaid. I am going to make a suggestion. It may be offensive, but I shall be compelled to take whatever criticism comes, even at the risk of being threatened with various forms of corporal or capital punishment. Many of my fellow Senators here are in the same catalogue; and so we will be a merry lot of rogues and enjoy ourselves

while we can. But I respectfully suggest that before the peace league negotiations are over we attach an amendment to the constitution of the league, in whatever form it finally assumes, something as follows. I do this in view of the fact that the Constitution and all of its amendments are of but little concern; that their powers are being gradually dissolved; that the Constitution has become an obsolete document by construction; that by the operation of war profits in the hands of other departments of the Government its great powers are being gradually dissolved and forgotten. I think the following section ought to be added to the constitution of the peace league before it is ratified by this body, whether it is the present peace league or some substitute for it:

Provided, That no part of the public revenues of the United States provided for herein, or by any existing or future law, shall ever be appropriated or used in any manner directly or indirectly to pay either principal or interest of any obligation, security, or promise of the Confederate States of America, or any of the States thereof, issued or created in aid of the War of the Rebellion, held or owned by any foreign government, or held or owned by any citizen or subject of such foreign government, nor shall any such obligation, security, or promise ever be deducted, allowed or set off against any war loan made by the Government of the United States to any such foreign government or governments.

There is a large issue of those bonds held by our British neighbors. They are locked up in various strong boxes in England. The securities cost them, possibly not face, but some good currency or gold. They have never wholly given over the idea that some time, in the mutations of government, in the rise and fall of political parties, in the kaleidoscope of human affairs, there will come the time when these securities will be paid. Now is the universal era of human brotherhood, when everything will be forgotten, when the glad hand will be extended from nation to nation, and especially with our allies, when the few paltry billions that we have loaned them will be a mere circumstance; and when pay day comes for them it will be respectfully suggested that these securities, which were the result of political controversy—unfortunately resulting in war, it is true—ought to be, in promotion of this universal brotherhood, set off and allowed against the loans that we have advanced them in the late struggle.

Mr. President, I have addressed my remarks exclusively to the motion made by the Senator from Iowa [Mr. CUMMINS] to suspend the rules on his amendment. When section 7, on the $750,000,000 appropriation for the relief of the railways, is reached in the reading, I have some very pertinent comments which I desire to submit on that subject. I will yield the floor at the present time, deferring my remarks on that matter until the section is reached.

Mr. LA FOLLETTE. Mr. President, the pending bill——

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Wisconsin yield to the Senator from West Virginia?

Mr. SUTHERLAND. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	New	Smith, Ariz.
Bankhead	Jones, N. Mex.	Norris	Smith, Ga.
Beckham	Jones, Wash.	Nugent	Smith, S. C.
Brandegee	Kellogg	Overman	Spencer
Calder	Kendrick	Owen	Sterling
Chamberlain	Kenyon	Page	Sutherland
Cummins	King	Penrose	Swanson
Curtis	Kirby	Pittman	Thomas
Fletcher	Knox	Poindexter	Thompson
France	La Follette	Pollock	Trammell
Frelinghuysen	Lenroot	Pomerene	Underwood
Gay	Lewis	Reed	Vardaman
Gerry	McCumber	Robinson	Wadsworth
Gore	McKellar	Saulsbury	Warren
Gronna	McNary	Shafroth	Watson
Hale	Martin, Ky.	Sheppard	Weeks
Harding	Martin, Va.	Sherman	Wolcott
Henderson	Moses	Shields	
Hitchcock	Myers	Simmons	

The PRESIDING OFFICER. Seventy-four Senators have answered to their names. There is a quorum present.

Mr. THOMAS. Mr. President, the Senate met in session this morning at 10 o'clock. It is now 2 o'clock of the morning of the 4th of March. We have been in session for 14 long hours, valuable hours, precious hours. We have accomplished nothing except to discuss matters which are not before the Senate.

Mr. LA FOLLETTE. Mr. President, I suggest that the announcement of the roll call be made.

Mr. THOMAS. I understood that it had been made.

Mr. LA FOLLETTE. If it has been made, I have the floor, I believe.

The PRESIDING OFFICER. The Chair will state to the Senator from Colorado that he thought the Senator from Wisconsin had yielded the floor to him.

Mr. THOMAS. I was not aware that he had the floor.

Mr. LA FOLLETTE. I know my friend from Colorado was unaware of it. I propose to speak on this bill, I will say to the Senator.

The PRESIDING OFFICER. The Senator from Wisconsin is entitled to the floor.

Mr. THOMAS. Of course, I do not wish to interfere with the Senator if he has the floor, but I want to say something upon the general subject as soon as I can get the floor.

Mr. LA FOLLETTE. Mr. President, the pending bill carries an appropriation of $842,000,000.

It was first brought before the Senate for consideration about 5 o'clock last evening.

It is now 2 o'clock in the morning. The life of this Congress expires under the Constitution at 12 o'clock noon this 4th day of March.

What, sir, is the condition of the legislative business of this Congress?

Eight great appropriation bills, aggregating $3,627,000,761 of appropriations, are awaiting the action of this body.

Back of these appropriation bills are conference reports on the coal and oil bill and the water-power bill. Wrapped up within the carefully drawn provisions of those two measures there will be found the means to achieve the private control and ultimately the private ownership of the coal and oil and phosphate and other mineral lands now belonging to the people, and likewise the water powers remaining upon the public domain.

And upon the calendars and in the hands of committees are hundreds of measures of great importance to the well-being and happiness of the American people, and it may be that some of these neglected and delayed measures are even necessary to the peace and good order of society.

TIME FOR CONGRESS TO REBEL AGAINST ATTEMPTS TO COERCE IT.

Yet for some mysterious reason known only to the President and to the congressional "steering committees" the vital business of the session has been held back until the closing hours of the Congress, when intelligent consideration of these important bills is impossible. And it is proposed to jam these great measures through immediately because there is no time for questions and explanations, for analysis and argument. No opportunity is allowed to examine the bills with any care. If amendments are offered, the merits are not even considered for a moment, but these proposed changes, no matter how desirable, are met with the statement that a Senate amendment requiring the return of a bill to the other House for its consideration would so delay the measure that it must fail. Hence no amendments can now be entertained, and bills must be forced through regardless of right or wrong.

And certain Senators, assuming to speak with the authority of masters, arrogantly criticize their peers upon this floor because they refuse to approve this system of legislation which in recent years has come to disgrace the close of every Congress.

Sir, it is high time for Senators to rebel against any power, whether it comes directly from the Executive or from a congressional "steering committee," which attempts to coerce Senators into playing the shameful part of automatons and blindly voting measures through, imposing hundreds of millions of taxes upon the people without the opportunity to consider, discuss, and amend such measures, or to know, in fact, the true meaning and significance of their provisions.

But a few hours ago we passed a bond bill authorizing an indebtedness of $7,000,000,000. Never before was a bill passed providing for borrowing money by selling the obligations of this Government in which Congress did not by the terms of the bill fix the rate of interest and determine whether the bonds or other securities should be taxed in the hands of the holders or freed in whole or in part from taxation.

SENATORS ARE NOT FRIGHTENED BY CRY OF "PANIC."

But this $7,000,000,000 bond bill delegates or assumes to delegate to a department official the authority of Congress to say what rate of interest the securities issued shall draw and to determine whether they shall be taxed or go tax free.

And when Senators protest that such legislation is of doubtful constitutionality; that it is an unheard-of proposition, wholly without precedent; that it is wrong in principle and dangerous in practice to delegate such vast power to any department official not elected by and not directly responsible to the people for his acts—when Senators suggest that we should amend the bill to make it conform strictly to the terms of the Constitution and all the legislative precedents, and protest against giving to

any department official power to make interest rates and tax-free provisions on bonds or other Government securities to suit the selfish demands of the bankers—then we are told that it is too late to amend this bill; that to amend it now would so delay it that it could not be passed before the hour fixed by the Constitution when this Congress expires.

And then with long-drawn faces Senators solemnly warn us that unless we swallow our scruples and pass billion dollar bond bills and billion dollar appropriation bills just as they are framed up and handed to us at the eleventh hour of the session, we must take the awful responsibility of causing a "panic with all the disaster and suffering which will follow in its wake."

There may be places where such talk would alarm and mislead but it is stale and serves no good purpose here.

There are some Senators on this floor who will no longer submit to being bullied either by the Executive or his "congressional steering committee."

You can neither frighten Senators nor befool the American people with your cry of panic, panic!

You say in effect: Accept these bills, however bad you believe them, pass them just as we place them before you, or upon you shall rest the responsibility for their failure, at high noon March 4, and you shall be held to answer for the business ruin that will follow their defeat.

RESPONSIBILITY IS ON THE PRESIDENT.

I answer: You shall no longer hold back measures of such importance till the last hours of the session and then demand their passage without such consideration as their importance justifies and without the time necessary to amend and perfect them. When you venture on that course, upon you rests the responsibility if they fail to pass.

I answer further: If any measure of vital importance fails because it can not be properly considered and wisely perfected before this Congress adjourns, then by a stroke of the pen President Wilson can convene the new Congress to meet one minute after the life of this Congress expires at 12 o'clock noon on this the 4th day of March.

Bad measures betraying the interests of the American people, and badly drawn bills dealing with necessary subjects of legislation are, neither the one nor the other, to be jammed through at the last minute, carrying with them a brood of evil consequences.

And, Senators, I for one, at least, will not be silenced in my opposition to such measures and such practices under the threat that I will have to bear the responsibility in whole or in part for the "frightful panic" that will follow because such bills fail.

The threat is idle and foolish. It presumes upon the ignorance of the people. They well understand that if any legislation fails which is necessary to the stability of business, then it is within the power and it is the duty of the President to reconvene Congress at once, when it can have time to properly consider, perfect, and pass all needful measures.

Our Constitution wisely provides for calling Congress to meet in extra session whenever there is important work for the Congress to do.

NEED FOR AN EXTRA SESSION IMMEDIATELY.

Every schoolboy in America knows that the present is a most serious time in the life of this Nation.

We are just emerging from a great war, which imposes upon us problems and responsibilities the most momentous in human experience.

It is no time for shrinking or shirking. Every man must meet his responsibilities. This war has smashed the calendar, played havoc with economic theories and the measured processes of evolution. The slow-moving Old World, in the agony and violence of war, has brought forth new issues a century before they might otherwise have been born in the fullness of time.

These issues, these problems demand an answer now. They press for solution with increasing weight every hour. This is doubly so because men and women are everywhere idle in increasing numbers.

What answer are we to make to these great questions in this great hour?

Upon the wise and just solution of these grave problems may hang the peace and prosperity and happiness of the American people for a generation of time.

Mr. President, there is work for us to do, and the Congress is ready and anxious to remain here and do that work. But the life of this Congress expires at noon on this day. The President has the power to convene the new Congress.

The parliaments—the congresses of every important nation on the face of this earth—are at work and will continue at work upon the problems which the war thrust upon them. They are taking care of unemployment. They are effecting industrial reorganization. They are legislating upon social issues. They are meeting the responsibilities that go with and follow demobilization. They are pushing, planning, and legislating to gather in the trade of the world.

Again, sir, I say that the American Congress should be convened in extra session immediately following adjournment at 12 o'clock to-day.

The condition of our country calls for an immediate session of our Congress. The events now transpiring in the world urge it upon us as a necessity.

Hence I maintain that at this very hour there is presented—within the meaning, the precise meaning, of the Constitution—an "occasion," an "extraordinary occasion," calling for the convening of both Houses of Congress by the President of the United States.

The language of the Constitution is clear. It reads:

> The President * * * may on extraordinary occasions convene both Houses or either of them.

The mandate of the Constitution is clear and unmistakable. As plain as language can do it the duty is laid upon the President of convening both Houses or either House of the Congress in session upon any extraordinary occasion when the public interest requires it.

Will anyone dispute, sir, that the "extraordinary occasion" contemplated by the Constitution exists at this very moment? What, sir, is the condition of the country to-day? It is a condition the most extraordinary, the most disquieting, the most dangerous to the welfare and peace of the people, that has existed since the Civil War. It is a time for every official to be at his post of duty in this country, and to be vigilantly discharging those duties.

SENATE MUST ADVISE IN MAKING TREATIES.

In the first place we are technically at war, since no treaty of peace has been concluded with our enemy, but in reality we are not at war with any of the powers against whom we declared war. Our enemy has surrendered. Our heel is upon his neck. He is at our mercy. Our troops march freely through his land without opposition. The armies of the countries against whom we declared war have laid down their arms.

Their navies have surrendered. Their former rulers are fugitives and in exile. In short, there is not one act which a victorious country may inflict upon a vanquished nation that we may not inflict upon our late enemies in this war. Under these circumstances, sir, the most immediate concern of this country is the making of a treaty of peace.

What, sir, has the Senate to do with making a treaty of peace? Does the Constitution lodge with this body any power in *making* a treaty? Has it any duty to perform other than to consent to, or refuse to consent to, a treaty after it shall have been submitted to it by the President?

The Constitution provides:

> That the President * * * shall have power, by and with the *advice* and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

Note well the language of the Constitution. The President can only make the treaty with the "consent" of the Senate, but that is not all. He can only negotiate a treaty; that is, conduct the preliminary negotiations which lead up to putting the treaty in final form "by and with the advice of the Senate." No language can be plainer than that. It is idle to say that the Constitution means that the Senate should advise with the President after the treaty had been put in the final form for signatures.

That is not the meaning of the language of the Constitution. Its plain terms deny any such construction. If that was the meaning of the Constitution, then the "by and with the advice of the Senate" would have been left out, and it would have simply stood that the President could make a treaty with the consent of the Senate. Even that language would have been sufficient to require a cautious President who desired to consult the country's welfare, and not merely his own will, to confer with the Senate during the negotiation of a treaty, lest the Senate at the last moment might withhold its consent from a treaty which it had no part in framing.

But the framers of the Constitution wisely did not leave the matter there. It makes the "advice" of the Senate just as much a necessary part of the preparation of the treaty as it makes the "consent" of the Senate necessary to its final execution. No language could be plainer.

SENATE MUST BE IN SESSION TO ADVISE.

Sir, it is a matter of common knowledge that in a few days the President will leave for Europe to take up in behalf of the United States the making of the most important treaty ever

negotiated in this world, a treaty which transcends infinitely in importance any other to which this great Nation was ever party. I say, sir, that if the President of the United States should so far forget his duties under the Constitution, should so far forget his oath of office which the Constitution itself prescribes, and in which he swore to "preserve, protect, and defend the Constitution," and go to Europe and conduct the negotiations there leading up to the consummation of the peace treaty without "the advice of the Senate," it would be a violation of the Constitution. The only way that the spirit and letter of the Constitution can be carried out is by immediately convening the Senate in session, so that it may from time to time give the President the advice contemplated by the Constitution as the peace negotiations go forward.

I wish to suggest to Senators on the other side that pursuing any other course may ultimately put this country and the President into a very serious and embarrassing situation.

Consider with me another provision in the section of the Constitution from which I have just read.

The Constitution provides that not only shall the Senate *consent* to any treaty before it becomes effective, not only that it shall *advise* the President through the negotiations leading up to the completion of the draft of the treaty, but so careful is the Constitution of the Senate's powers in the premises that it provides that "two-thirds of the Senators present shall concur" in the treaty.

FACING A SERIOUS SITUATION.

There are very few acts of the Senate which the Constitution requires shall be by a vote of two-thirds of the Members present. It requires a two-thirds vote of the Members present to convict on trials for impeachment, but the cases are very rare where anything more than a majority vote is required in the Senate, so that the language I have just read requiring two-thirds of the Senators present to concur in a treaty is doubly significant.

Think, sir, for a moment the position this country would be in if the President should go to Europe, cut himself off from the advice of the Senate, and negotiate a treaty which, upon being submitted to the Senate and subjected to debate, should prove wholly unacceptable to two-thirds of the Senators. We know the treaty which is going to be made will involve many nations. It is going to involve questions which vitally affect practically every portion of the civilized globe, if we may judge by the expressions of the President upon the subject. If the Senate refuses to ratify the treaty, which it will do if two-thirds of its Members do not concur in it, the state of war will continue for months. Our troops will doubtless remain abroad, our industries and our civil life continue to be unsettled at home for many additional months, while the negotiations for a treaty are all taken up anew.

I am assuming now that two-thirds of the Senate do not consent to the treaty as reported by the President. Sir, except for some of our experiences with the present Executive, it would be unthinkable that any President would be guilty of so offending against the Constitution as to shut himself off from the advice of the Senate while the negotiations for the treaty are going forward. Sir, what would be said of a President who, while in Europe conducting negotiations for this treaty, deliberately refused, if the Senate were in session, to receive communication and advice from the Senate concerning those negotiations? Would there be any doubt in anyone's mind that there was only one answer to make to such an abuse of power by the Executive? Yet, sir, how would such conduct differ in effect from that by which the Executive just as effectively stops his ears and closes his mind to the advice of the Senate by refusing to convene that body in session while a treaty is in the making?

WOODROW WILSON'S VIEW OF PRESIDENT'S POWER.

Mr. President, prior to his becoming a candidate for Governor of New Jersey, Woodrow Wilson was known among those who were at all familiar with anything he had written as a pronounced reactionary. However, a short time before he essayed to enter politics he announced a radical change in views and became a very ardent advocate of liberal, progressive democracy.

But President Wilson in 1918 is no longer the "forward-looking" progressive he appeared to be as Governor of New Jersey and in his first years as President. That interesting period seems to have been mainly a rhetorical excursion, in which the highest achievements are recorded in "The New Freedom" and his essays on "Making the world safe for democracy."

As he has progressed backward in these later years he presents what might be called a typical case of atavistic reversion.

For example, as to the treaty-making power President Wilson now reverts to the uniquely autocratic views of Woodrow Wilson of 1908. His opinions upon those powers as set forth in 1908 have no counterpart, in so far as I am informed, in all the literature on that important provision of the Constitution.

He is the first of all our Presidents to question the constitutional duty of the President to advise and counsel with the Senate in the making of a treaty. Nay, more than that, he asserts that the President has the autocratic power to *coerce* the Senate into concurring in a treaty to which it may even *be opposed*.

From his book on "Constitutional Government in the United States," first published in 1908 and reprinted as late as December, 1917, I quote the following:

> One of the greatest of the President's powers I have not yet spoken of at all—his control, which is very absolute, of the foreign relations of the Nation. The initiative in foreign affairs, which the President possesses without any restriction whatever, is virtually the power to control them absolutely. The President can not conclude a treaty with a foreign power without the consent of the Senate, but he may guide every step of diplomacy, and to guide diplomacy is to determine what treaties must be made if the faith and prestige of the Government are to be maintained. He need disclose no step of negotiation until it is complete, and when in any critical manner it is completed the Government is virtually committed. Whatever its disinclination, the Senate may feel itself committed also.

This statement was of little importance at the time it first appeared in a small edition of classroom lectures to his college students. Its author, Mr. Wilson, was a gentleman who had failed as a lawyer and had become a college professor of "jurisprudence and politics." His views upon this subject at that time (1908) would not specially have concerned anyone except for the artful, circumventing standards of political ethics, which this quotation evidences.

It is quite another matter now. By the accident of political fortune Mr. Wilson, the author of the foregoing paragraph quoted, is now President Wilson.

We are now undertaking to make the most important treaty ever negotiated in this world. It transcends infinitely in importance any other to which this Nation was a party.

And President Wilson, having properly taken the initiative in opening communications with the representatives of other nations, and thus being rightfully in control of the situation up to that point, can now, by the Machiavelian method suggested by Woodrow Wilson in 1908, usurp sole and exclusive power and, as he says, "so guide every step of diplomacy" as to himself decide and "*determine* what *treaty must be made* if the faith and prestige of the *Government* are to be *maintained*."

But this is not enough. He carries it to the monstrous conclusion that the President "need disclose no step of negotiation until it is completed, and, when in any critical matter it is completed, the Government is virtually committed. Whatever its disinclination, the Senate may feel itself committed also."

And that is exactly what he is doing.

In so doing, President Wilson is guilty of a willful disregard of his constitutional obligations and the honorable precedents of other Presidents.

Mr. PENROSE. Mr. President, will the Senator from Wisconsin permit an inquiry?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Pennsylvania?

Mr. LA FOLLETTE. I do.

Mr. PENROSE. In view of that very peculiar expression as to the function of the Senate, what does the Senate's jurisdiction amount to, according to the President's view?

Mr. LA FOLLETTE. It is plainly wiped out and utterly destroyed; it is absolutely worth nothing. Mr. Wilson's autocratic view of Executive power asserted in this paragraph simply means that the President could so conduct the negotiations that the Senate, by the time it received the completed treaty, would be so absolutely committed to its terms that it can not, without dishonor to the Nation, do other than accept them, however obnoxious those terms may be to it; or, to use Mr. Wilson's words, "whatever its disinclination."

Mr. PENROSE. If the Senate were to accept anything presented to it, it would seem that its power is nothing, according to the President's view.

Mr. LA FOLLETTE. That view of the Constitution is an absolute nullification; it is a denial of the provision that a treaty shall be "made by and with the advice" and consummated with the consent of the Senate. That is the declaration of Woodrow Wilson as late as 1917.

Mr. MOSES. Will the Senator from Wisconsin yield to me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. MOSES. I should like to call the attention of the Senator from Wisconsin to the fact that the President has changed his mind many times since 1917.

Mr. LA FOLLETTE. Does the Senator from New Hampshire find in the present attitude of the President of the United States with respect to the extra session while he is negotiating treaties abroad anything to warrant the view that he has changed his mind with respect to this paragraph which I have just read from his work on constitutional government?

Mr. MOSES. Oh, no. I will say to the Senator that the President has probably by this time completed the circle and is back where he started from.

Mr. PENROSE. If the Senator from Wisconsin will permit me, I think the President will discover when he presents the instrument, or treaty, to the Senate that there is a strong, patriotic, and virile Senate here that intends to assert its prerogatives under the Constitution.

Mr. LA FOLLETTE. If this constitutional government is to live, if we are to preserve a democracy in this country, if we are to prevent the building up of an autocracy, where one man is to rule and have dominion over the destinies of 100,000,000 people, then it is time for the people of the United States and for Senators of the United States, representing the people of the United States, to assert themselves and, if possible, to preserve the Government just at is was builded for us in the beginning.

The Congress of the United States was designed to be a coordinate branch of the Government, to exercise the powers assigned to it by the Constitution, coequal and coextensive with those of the Executive. If we have fallen upon times where the Congress of the United States, subservient and slavish, surrenders the authority and the responsibility committed to it by the Constitution, it is the beginning of the end of that government designed for us by our fathers.

Again, in the same book, on page 74, Woodrow Wilson in 1911 set down in cold type his conception of the office of President of the United States in the following language:

> The framers of the Constitution made in our President a more powerful, because a more isolated, king than the one they were imitating—

To wit, the English King.

I do not accept these expressions as a correct interpretation of the Constitution. I do not believe that the framers of our Constitution made our President an imitation of the King of England, whose exercise of power at that time was notorious and was the primary cause which led to the American Revolution. The language of the treaty-making powers of the President is equally important as an interpretation of the Constitution.

The President, of course, is not a practical lawyer. He is a sort of academic lawyer, I take it. I believe he studied law and received a degree. I think he practiced a little while and gave it up as a failure. But, sir, in the grave business in which he is now engaged let us hope he will follow the plain language of the Constitution, which requires him to conduct the negotiations leading up to a treaty by and with the advice of the Senate, at every step in those negotiations. That is what the Constitution means, if it means anything.

WHAT THE AUTOCRATS OF EUROPE DID.

If President Wilson, in view of the extraordinary occasion which exists, should refuse to call an extra session of Congress, he would be placing himself in the position of those European autocrats who throughout the war used their power of prorogation to prevent any measure of real parliamentary government in their countries.

The Emperor Francis Joseph prorogued the Austrian Reichsrath at the beginning of the war and never called it in session again.

I undertake to say that the bolshevism that to-day threatens to submerge the old governments of Europe has been promoted by the refusal in Austria-Hungary, Russia, and Germany to permit the legislatures to play any proper part in the development of policies and crystallization of public opinion. That is particularly true of Russia, where the Duma was deprived of all of its too limited powers of usefulness, as well as in Austria-Hungary.

The Bolshevik sentiment was greatly stimulated and advanced because of the people's conviction that they were being exploited and used as instruments for accomplishing the imperialistic purposes of their leagued rulers.

To-day Congress is begging the privilege of working for the country from now until the regular session convenes in December.

A thousand things need to be done to fit the country to meet the problems of the new time.

The world's deficit is fairly being dumped on the shoulders of the United States.

Our own deficit is huge, and we begin vaguely to realize that it is going to be a long-continuing one.

Every other country has been organizing its measures for handling the new problems; every country except our own.

OTHER COUNTRIES BUSY WITH RECONSTRUCTION WORK.

Every other country engaged in this war has a program of reconstruction, and it has begun to legislate upon that program and has it well developed, and in that program of reconstruction an important element is that of looking after the world's trade. What are we doing in that regard? Are we to stop work and go upon a vacation because the President of the United States is in Europe, and be beaten in the struggle for the world's trade that is to follow the war, to say nothing about meeting the grave responsibilities that rest upon us with regard to conditions in our own country?

I repeat that every country that has been involved in this war, or has been touched by this war, excepting our own country, has already inaugurated and has already legislated with regard to a program of reconstruction to meet the new conditions, a program with respect to pushing world trade into the new field, changed somewhat by the conditions of war.

Last December, when he addressed Congress, the President said nothing on this subject; he was too engrossed with getting to Europe for his league of nations effort. Of specific proposals he referred to one subject—the railroads—but he said he did not know what ought to be done with regard to that important subject. He said he hoped Congress would try to find out what ought to be done.

Congress started to investigate; and before it had fairly started the President changed his mind and announced through his Director of Railroads that he wanted a five-year plan of continued Government control adopted, and that unless it were adopted he would return the roads to their corporate owners.

Congress started to investigate his five-year proposal. The public demanded to be heard. The railroad employees demanded to be heard. The railroad owners demanded a hearing. The President changed his mind again, and before the hearing was completed we are told that the roads will not be returned at once. Thus no progress is made, no program is definite or permanent; nobody knows in what confusion the next move or change of Executive mind may involve us. So far as I now remember that is the only domestic problem about which His Excellency has found time to express himself.

I do not complain of that. The President is a busy man—a very busy man. The fact is he insists upon taking everything into his own hands.

CONGRESS DESIRES TO FUNCTION—PRESIDENT WILL NOT PERMIT.

Throughout the war he insisted on Congress legislating in blank and en bloc, to the end that everything should be done upon Executive orders. His war activities are somewhat curtailed and he seems very restive under the change. There is work enough for the President if he performs the duties assigned to the Executive under the Constitution. There is an abundance of hard work awaiting Congress.

Congress wants to perform the service it owes the country. The country is pressing for relief legislation. The President, it is said, will not permit Congress to meet on the 5th day of March and begin work on these great problems. If that be true, I think it presents a situation that demands consideration of an amendment to our Constitution that will enable Congress to convene itself in extra session.

The Austrian Emperor prorogued Parliament, refused to reconvene it, and thereby committed a tragic blunder; but the need for parliamentary government in this country is far greater than it was in Austria, or Germany, or Russia, because our institutions provide no alternative. We must have orderly government, through the laws of Congress, or we shall have stagnation and chaos, so far as concerns the complication of great problems that reorganization and industrial and commercial reconstruction imperatively demand.

Mr. President, from time to time during the consideration of this bill we have been subjected to the threat that unless certain bills embraced in the formal legislative program of this session are passed there will be a panic. But that formal program is not all the country needs. The country needs the devoted, earnest services of the Congress continuously at this time, and ought not to be deprived of them. It is entitled to know, to understand that the contest here is not merely over the program of this session; it is a contest between the President and the Parliament, wherein the Parliament is employing the only means it possesses to force an autocratic ruler to give it a chance to work for the country, to do work vitally necessary.

Not to do that work, not to have it done because autocracy reigns to-day in this country, as during the war it reigned at Vienna and Petrograd and Berlin, is to invite the same calamity that overcame the autocratic government of Europe.

OPPORTUNITY AND RESPONSIBILITY OF THE PRESIDENT.

The country must be made to know the truth. If that truth is that the President is the one autocrat left in the world, who insists on ruling without a Parliament, the sooner we know it the better. Even the Japanese Government has in the last few months been modified to provide the beginnings of a system of parliamentary responsibility. Here in America we have an administration yet in power which has been specifically repudiated at the polls. There is nothing like it on the side that fought with us in this war. Our repudiated administration refuses to permit our Parliament—that is, our Congress—to serve with it. The result is that while our ruler is busy with international ambitions and plans, the business of the people is neglected. It stands still, and that business is so urgent that it threatens national calamity to leave it undone.

Just think, sir, how easily the President can solve all the troubles which confront us by immediately issuing a call for an extra session of Congress to meet to-morrow, March 5—

(1) He will thereby insure a complete and thoroughgoing consideration of all these waiting appropriation bills and their speedy enactment into law within the next few weeks. Then, too, this old panic scare can be thrown into the dust heap of useless and discarded things.

(2) He will thereby insure the continued sessions of the Senate and its continued discussion of the league of nations and the terms of the treaty while they are being negotiated; thus will he happily secure from day to day the "advice" of the Senate on the proposed covenants of the treaty. This will help to a better mutual understanding and tend to make more certain the ratification of the treaty by the Senate.

(3) He will thereby insure the prompt meeting of the various committees of Congress upon whom will fall the responsibility of originating and perfecting the new legislation demanded by the country as the direct and indirect result of the war.

Mr. President and Senators, it becomes at once apparent that the President is confronted with a great opportunity and a great responsibility. It all rests with the President.

There is lodged in the hands of the President of the United States the power to convene the Congress of the United States to take up this legislation. Even on the 4th of March, one hour, one minute after the life of this Congress expires, he can merge the work of a new Congress into this Congress, to be convened by his orders under the Constitution. There need to be no moment of a hiatus. It lies with him to say whether there shall be a panic, to say whether there shall come upon the people of this country even the menace of any disaster by the failure of legislation enacted at this session. Are we to be coerced in our judgment into accepting measures, carrying billions upon billions of taxation to the people, when those measures are presented to us, with the currents of legislation gorged to overflowing banks?

INDEPENDENT CONGRESSIONAL ACTION DEMANDED.

If there was ever a time when independence of action was demanded on the part of men upon both sides of this aisle in which I now stand it is when legislation is held back by those in control, legislation of the greatest importance to the taxpayers of the country, to the destinies of this Government, all dumped upon us at a time when it can not receive any consideration whatever in an intelligent, deliberative, thoughtful way.

And yet, Mr. President, this experience through which we are passing now is but a repetition of what we had two years ago. The great legislative appropriation bills at that period were held back then just as they have been at this session, brought in here by those in control of the committees, and handed out to us, and we are told to take them and pass them, and pass them quick, or we will be held responsible for the failure of the supply bills of the Government.

Mr. President, I say that it is time for Senators who have regard for the rights of their States and for the Constitution to rise up in their might and strike down the power that destroys representative government by a legislative program such as we have been forced to grapple with for the past two or three weeks and such as we were required to deal with at the close of the last Congress two years ago. When those Senators who are responsible for the great legislative bills of every Congress choose to hold them back until there are only three or four days in which to consider such a list of appropriation bills as I will presently bring to your attention, still on the calendar and not acted upon, I say it is time for men who have any regard at all for constitutional government to serve notice upon the committees of Congress that there is to be an end of this reprehensible system that makes a mockery of responsible legislative action.

CONSTITUTIONAL V. STEAM-ROLLER LEGISLATION.

What is constitutional government? It is the right of every State to be represented here and of every representative to be heard upon the legislation which concerns his State and the country. What opportunity has anybody to be heard fairly upon these belated bills? Is there any just excuse to be given for holding them back till the last hour? Is it not time to inaugurate a change? It does not involve appropriation bills only, but many other measures of vast importance dealing with great public interests are thrust in here when they can receive no proper consideration and the attempt made to drive them through in the midst of the confusion and chaos, such as we have witnessed in the Senate for the last week.

Mr. President, I hope to have an opportunity before this Congress closes to complete the speech which I began the other day on the oil and coal bill. It was my purpose in the course of my argument to make a complete analysis of that bill. If the conference report on the bill is again presented at this session I shall satisfy the Senate and the country that the bill ought to be beaten, and beaten so badly that it will never again be offered in its present form.

What is true of the coal and oil bill is equally true of the water-power bill, the conference report upon which, with its right-of-way privilege, is also in readiness to be brought immediately before the Senate whenever a favorable opening is offered. If, sir, it does make its appearance here, I shall undertake to show with a certainty, amounting to demonstration, that it would be against the public interest to permit that bill to be enacted into law.

Mr. President, this steam-roller system of legislation is a reproach to the American Congress. It confirms a growing belief in the public mind that the Government is no longer representative of the people.

In these disturbed times Congress, the President, his Cabinet, and the Federal judges—one and all from the Supreme Court down—should so enact, administer, and interpret the laws as to strengthen and not further weaken public confidence in our Government.

WHO CONTROLS OUR GOVERNMENT?

Am I going too far when I say that representative democracy has been undermined, and that great and powerful interests have already secured control of this Government? I will quote you some pretty good Democratic authority in support of that statement.

I hold in my hand Woodrow Wilson's book entitled "The New Freedom."

I suppose he was sincere when he wrote it. At least, I do not apprehend that anyone across the aisle will rise up to accuse him of being a hypocrite or pharisee or of wanting to fool the people.

Here is just a sentence from it. Let it sink into your hearts. Take it home with you. Wake up and listen to it! Now, mark you, it was not so long ago. The copyright of this book is 1913 and the edition which I hold in my hand is 1918, and I take it that the author would not have permitted it to go to press with anything in it that he did not believe to be true even at the present time, under his own administration. Listen:

> All over the Union people are coming to feel that they have no control over the course of affairs.

I take it that the author means that the people feel that they have no control over their Government. Well, who is it, then, that does control the people's Government? Let Mr. Woodrow Wilson answer. I read from his book again, as follows:

> Suppose you go to Washington to try to get at your Government. You will always find, while you are politely listened to, the men really consulted are the men who have the biggest stake—the big bankers, the big manufacturers, the big masters of commerce, the heads of railroad corporations and of steamship corporations.

I said a few moments ago that representative democracy had been undermined in this country. I mean, sir, that the vital thing in it—the soul of it—has been destroyed. We have the form of democracy, but this is no longer a Government by the people for the benefit of the people. It is a Government dominated in every department by wealth, primarily to increase the profits of wealth. The Government grows less and less considerate of human rights, more and more regardful of property rights.

True, the citizen has the ballot. But what does that signify? He votes in a national election once in four years. The average life of a man is 33 years, and between the time he becomes 21 and casts his first ballot and the time when he is summoned

to judgment he has cast, at the outside, we will say, three presidential ballots. The only time he ever touches his Government, the only time he gets within speaking distance of it, is when he casts his ballot. That is his only part in government. And of what avail is his ballot to the average man? He manages to live on in much the same way whichever party is in power.

Mr. President, our country is wonderfully rich in soil, coal, iron, copper—indeed, all of the gifts of nature are ours in abundance.

But, sir, poverty is increasing. The most learned and impartial authorities establish the alarming fact that "two-thirds of our people are poor." They are so poor that "they have little or no property except their clothes and some cheap furniture, and their average income is less than $200 per capita."

Let me ask you, in God's name, what has the ballot given in the last 20 years of the life of this Republic—what has the ballot given to the poor man, to the voter who typifies the "two-thirds of our people who are poor"? Has it given him representative government? Has it given him representation in the laws as made and administered? I deny it. The laws have been dictated by privilege, administered by privilege, and too often interpreted through our courts by privilege. Special interests have been allowed to control and to dictate.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. Yes; I yield.

Mr. REED. Surely the Senator would not say that the law we passed some months back, giving the right to the American exporters to combine and fix and control the prices on goods shipped abroad, was dictated by the interests? Surely he would not say that?

Mr. LA FOLLETTE. Of course, the Senator is speaking ironically. He knows as we all know that the interests did dictate that legislation. After they had been allowed to fix prices in violation of the Sherman Antitrust Act, and fleece our own people here in this country, they had the audacity to ask Congress to give them the right to go abroad and fix prices in combination upon the unfortunate people of foreign countries. And Congress bowed to their will and passed the law.

Mr. REED. Yes; but, Mr. President, if a man can fix prices for the people of foreign countries or a combination can do so, how can they do that unless they control the American trade abroad, for if it is allowed to go in and compete their combination to fix prices would not amount to much. So does it not amount to this, that the combination that fixes the prices in Europe can only be effective because they are able to fix prices upon all of the surplus products in which they are interested in America?

Mr. LA FOLLETTE. Why, of course, that is true. Oh, Mr. President, what a mockery the whole thing is! Everybody knows just what has happened in this country, if we would be honest with ourselves.

Mr. REED. I should like to ask the Senator another question. Does he know of any trust prosecution that has drawn any blood since we organized the Federal Trade Commission?

Mr. LA FOLLETTE. No; I do not, Mr. President; but I do recall that one of the most prominent planks of the Democratic platform of 1912 declared for "the vigorous enforcement of the criminal as well as the civil law against trusts and trust officials."

I recall further that another plank in that platform demanded "the enactment of such additional legislation as may be necessary to make it impossible for private monopoly to exist in the United States."

But, Mr. President, the platforms of both political parties have regularly, every four years, promised the voters to suppress trusts and combinations and destroy monopolies. Both parties have cheated the voters and broken their promises regularly every four years. Both parties have been about equally subservient to the power represented by the concentrated wealth of the country.

Mr. REED. Mr. President, if it would not interrupt the Senator, I should like to ask him another question.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. Certainly. Nothing will interrupt me. It just gives me a new start.

Mr. REED. I should like to ask the Senator how he reconciles the doctrine that we should permit our merchants to combine to fix prices in European markets, so that the European will have to pay the monopoly prices fixed—how he reconciles that with the doctrine of universal brotherhood and leagues of nations and fraternity and eternal love and disinterestedness, which we are now hearing so much of?

Mr. LA FOLLETTE. Well, I am willing to do almost any humanly possible thing to oblige my friend, the Senator from Missouri, but I would prefer not to undertake the task of harmonizing the views and policies of this administration. It is too big a job.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. With pleasure.

Mr. THOMAS. While the Senator is discussing a great many general things, I should like to ask him what he thinks of that form of legislation which prohibits the sale of intoxicants in the United States but provides that intoxicants may be sold abroad without limit?

Mr. LA FOLLETTE. I will say that I think it is taking an unfair advantage of the folks at home. [Laughter.] I have always voted against prohibition, because I am opposed to the principle upon which it is based. My views upon that subject have not changed. I was never able to change my opinions regarding the principle involved in a measure because it seemed to be winning, and to be, as some advocates of prohibition are, in favor of prohibition for everybody else and in favor of unlimited——

Mr. REED. Irrigation.

Mr. LA FOLLETTE. Irrigation for themselves. [Laughter.]

And so, Mr. President, after this brief digression, in the pleasant company of my two friends, the Senator from Missouri [Mr. REED] and the Senator from Colorado [Mr. THOMAS], I turn back to pursue my way along the line I was following.

I find in this interesting book entitled "The New Freedom" confirmation as strong as Holy Writ in support of my assertion that the people have lost control of their Government.

BIG BANKERS DEMANDED PASSAGE OF BOND BILL.

Of course, this book was written by Mr. Woodrow Wilson two years before he became President. But I am sure that every unbiased individual in the country will agree that the great combinations and trusts—the United States Steel Co., the coal, copper, oil, the meat packers, and, indeed, all of the great monopolies that controlled two years before Mr. Wilson became President—are in stronger positions of power over the lives of our people and over their Government to-day than they were when Mr. Wilson wrote his New Freedom.

In the paragraph which I read to the Senate from the New Freedom, Mr. Wilson says:

> Suppose you go to Washington and try to get at your Government; you will always find that while you are politely listened to, the men really consulted are the men who have the biggest stake—the big bankers, the big manufacturers, the big masters of commerce, the heads of railroad corporations and of steamship corporations.

You will observe that he names the "big bankers" first in the list of those who are "always"—not just occasionally, but always—"the men really consulted."

Now, the "big bankers" have not been in the spotlight since the passage of the Federal reserve act. That law is believed by some innocent souls to have worked a miracle upon the "big bankers."

They are supposed to have been born again and purged of all their swinish sins of greed and selfishness through the sanctifying offices of the reserve board. The Federal Reserve Board manages the "big bankers"—or is managed by them. And if at any time you should want to communicate with the "big bankers," the reserve board could doubtless locate them for you.

Well, it was pretty generally understood among Republican Senators that the administration bond bill was a bad bill, and that it must not be permitted to pass.

When this became known on Saturday last there was a commotion in the field of high finance. The "big bankers," who have for some time been enjoying a quiet time in the money melon patch, let out a squeal that was distinctly heard in some parts of the Senate Chamber.

The "big bankers" demanded the passage of the administration bond bill. They liked its provisions. It was just what they wanted in their business.

They were sure of the administration Democrats in the Senate. But it was important to the "big bankers" to destroy the effectiveness of the Republican opposition to the bond bill in the Senate. Hence from somewhere—nobody seems to know or choose to tell just where—there came a hurried call for a Republican senatorial conference.

The Senate recessed Saturday evening for an hour and a half to facilitate the holding of that conference.

It was held, and a majority of the Republican Senators present decided that organized Republican opposition to the bond bill should cease.

And so we have fresh confirmation of Mr. Wilson's statement in the New Freedom that—

> The men really consulted are the men who have the biggest stake—the "big bankers."

You Democrats never could have passed your bond bill yesterday if the "big bankers" of this country had not demanded it. Their voice was heard in the Republican senatorial conference and was more potent than the appeal made there for the defeat of the bill in the public interest.

Mr. President, I think few measures have passed the Senate in my time the provisions of which were so fraught with evil as the bond bill, which was voted through this body in the gray of the morning between darkness and daylight, when all the country was wrapped in peaceful sleep, early last Sunday. That is, everybody in the country seemed to be asleep, except the "big bankers." They were awake—wide awake—very.

I desire the RECORD to show that I would have gladly aided in the defeat of the bond bill. I could not accomplish its defeat unsupported and alone. I did what I could.

For the first time in the history of our Government you have turned over to the Secretary of the Treasury the sale of billions of Government securities, which are certain to be largely bought by the "big bankers," and the Secretary of the Treasury in conference with those bankers will fix the rate of interest and the terms of exemption of the securities from taxation. It was as plain as a pikestaff from the beginning that that is what is going to happen. It is the rounding out and the consummation of the heartless, the cruel, policy—inaugurated when we entered the war—of financing it solely in the interests of the wealth of this country. You have capped it, you have topped it off, by authorizing the sale of the seven billions of obligations of our Government, and you have in effect given legislative sanction for the Secretary of the Treasury and the bankers to get together and agree what the rate of interest will be and what tax exemptions the bankers, who will furnish the bulk of the money, shall be permitted to enjoy.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Connecticut?

Mr. LA FOLLETTE. I do.

Mr. BRANDEGEE. Does not the Senator know that the Republican members of the Finance Committee were opposed to that bond bill?

Mr. LA FOLLETTE. I know that they were opposed to it; at least, that is the record in the committee; but I know that when the bill came before the Senate Saturday evening, notwithstanding all the brave talk about defeating the measure which had been so general upon this side for some time, opposition to the measure suddenly ceased, when, as I have strong reason to believe, word from the "big bankers" was received.

Mr. BRANDEGEE. Does not the Senator understand that it was the program of the other side of the Chamber to lay on the table every amendment that was offered?

Mr. LA FOLLETTE. Ah, but suppose it was?

Mr. BRANDEGEE. I agree with the Senator that we ought to have filibustered against that bill.

Mr. LA FOLLETTE. We should have. If there is a legitimate weapon to lay hold of against an iniquitous piece of legislation which, if passed, will work a serious injury to the people of this country, I hold that it is our duty to use that parliamentary weapon to defeat it.

Mr. BRANDEGEE. I think it was, myself, I will say to the Senator; but the Democratic Party framed and passed that bill, did they not?

Mr. LA FOLLETTE. The Democratic Party framed it, and they put it on its passage, and the Republicans for a time opposed it, and then they went into conference and surrendered to the Democratic side of this Senate. That is what happened.

Mr. BRANDEGEE. Whether they did or not, I do not say. The Senator has his opinions about that, and I have mine.

Mr. LA FOLLETTE. And I think they agree.

Mr. BRANDEGEE. I think we should have filibustered against that bill, even if it beat every other bill that was before the Senate. I agree with the Senator about that. Nevertheless, it was the product of the Democratic Committee on Finance, and recommended by the Democratic President and the Democratic Secretary of the Treasury. It is their bill; and if the Republicans simply failed to filibuster against it—and the filibuster is not a very popular weapon, perhaps—the Democratic Party is responsible for it if it is a bad bill. They control all three branches of this Government.

Mr. LA FOLLETTE. I agree with you that the Democratic Party begot the measure; and then I assert that, after denouncing it as illegitimate, and agreeing that the best interests of the country demanded that it be killed, a majority of Republican Senators agreed in conference to adopt and support the thing.

Mr. BRANDEGEE. If the Senator will yield to me for a question——

Mr. LA FOLLETTE. I will.

Mr. BRANDEGEE. I do not want the Senator to yield the floor.

Mr. LA FOLLETTE. Oh, no; just for a question.

Mr. BRANDEGEE. The Senator will agree that the only weapon the Republican Party had in their power with which to defeat that bill, if the Senator thinks it was iniquitous—and I think it was a bad bill—was by a filibuster. Is not that so?

Mr. LA FOLLETTE. Yes.

Mr. BRANDEGEE. Very well. We could not have beaten it except by a filibuster, which meant, inasmuch as the Democratic Party had made that bill the order of the day and given it precedence of all other bills, that every other bill would have been defeated. That was the position of the Republicans.

Mr. LA FOLLETTE. But in filibustering you would have been within your parliamentary rights.

Mr. BRANDEGEE. Absolutely.

Mr. LA FOLLETTE. And I think it was as much your duty to exercise your parliamentary rights to stop a measure that you knew was bad for the people of this country as though you had not had to filibuster to defeat it.

Mr. BRANDEGEE. I agree with the Senator; and I was in favor of that filibuster.

Mr. LA FOLLETTE. I know the Senator was.

Mr. BRANDEGEE. And I would have beaten every bill, including the bond bill, and advocated doing that; but, I say, we did not have a majority in the Republican conference. Nevertheless, that does not absolve the Democratic Party, which controlled the situation, from responsibility.

Mr. LA FOLLETTE. It does not absolve the Democratic Party from bringing the bill in, and putting it upon its passage, and insisting upon its passage; neither does it absolve the Republican Party, which could have stopped its passage by the exercise of its legitimate power here under the rules of the Senate. That is where the thing stands, and we have got to take that much of the burden on our own shoulders. I am sorry for it, but that is exact truth, and let the record show it.

A FOSTER CHILD OF SPECIAL PRIVILEGE.

But I come back to this great question which a mass of people are raising in these unsettled times: "*Who owns and controls our Government?*"

Here is another choice passage from President Wilson, with regard to the sort of government that we had in this country at the time he published this book, the revised edition of which was printed in 1918. Listen to it:

> The Government of the United States at present is a foster child of the special interests—

What do you think of that [laughter]—1918!—

> It is not allowed to have a will of its own.

We people down here in Congress have been thinking that, too. Our part of the Government has not been allowed to have any will of its own. As the late Senator from Missouri, Mr. Stone, now sleeping his last sleep, said in one of the speeches that he made on this floor: "You have to go down to the White House, and humbly"—I am not quoting him exactly, but I am getting the meat out of it—"and humbly, with your hat in your hand, say, with bated breath: 'Mr. President, please tell me what I think.'" [Laughter.]

But let me give this quotation from Mr. Wilson in its entirety:

> The Government of the United States at present is a foster child of the special interests. It is not allowed to have a will of its own. It is told at every move: "Don't do that; you will interfere with our prosperity." And when we ask, "Where is our prosperity lodged?" a certain group of gentlemen say, "With us." The Government of the United States in recent years has not been administered by the common people of the United States.

Have I been stating the facts too strongly about the undermining of democracy?

Here is another quotation from the New Freedom that I intend to read when I finish my speech on the coal and oil bill. I will put it in now because it will bear two readings:

> Then there is the question of conservation. What is our fear about conservation? The hands that are being stretched out to monopolize our forests, to prevent or preempt the use of our great power-producing streams, the hands that are being stretched into the bowels of the earth to take possession of the great riches that lie hidden in Alaska and in the incomparable domain of the United States, are in the hands of monopoly. Are these men to continue to stand at the elbow of government and tell us how we are to save ourselves from themselves?

If you will closely examine the measures lying in wait just behind the pending deficiency bill—measures dealing with coal, oil, phosphates, and water powers—you will agree with Mr. Wilson that we can not safely trust the counsel of "these men" who "tell us how we are to save ourselves from themselves."

Mr. BRANDEGEE. May I ask the Senator from what revolutionary book he is reading? It is colored red. It looks very rosy to me.

Mr. LA FOLLETTE. I am reading from the New Freedom.

Mr. BRANDEGEE. Oh!

Mr. LA FOLLETTE. "A call for the emancipation of the generous energies of a people."

Mr. BRANDEGEE. A new day has dawned.

Mr. GRONNA. By whom was the book written?

Mr. LA FOLLETTE. Woodrow Wilson, published in New York and Garden City, Doubleday, Page & Co., 1918.

NOT A GOVERNMENT BY FREE OPINION AND CONVICTION.

I am now going to read you another particularly strong quotation from Mr. Wilson:

> We have come to be one of the worst ruled, one of the most completely controlled and dominated governments in the civilized world—no longer a government by free opinion, no longer a government by conviction and the vote of the majority, but a government by the opinion and duress of a small group of dominant men.

Mr. President, there are many millions of men in this country, native Americans, who believe that our Government to-day is just as bad as Mr. Wilson in the New Freedom, from which I have been quoting, so liberally states it to have been when he wrote his book.

These American citizens are intelligent, loyal, courageous men and women. They have the same right to discuss political conditions, and criticize the acts and policies of government that Mr. Wilson has.

I maintain that instead of inventing and devising new measures for repressing free speech and suppressing criticism of the glaring evils in government which Woodrow Wilson so well describes, it is our duty to do everything in our power to insure an extra and an immediate session of the Congress, to the end that we may at once address ourselves to the task of correcting the abuses and remedying the crying evils which Mr. Wilson says and which I think all must agree do exist.

He says this is—

> No longer a government by the conviction and vote of the majority, but a government by the opinion and duress of a small group of dominant men.

I believe that to be true. And so believing, I am opposed to our leaving Washington and going off on a vacation.

I am in favor of staying right on the job and doing our best to reform this Government.

If we want to check bolshevism, we can do it once and for all if we will make this Government serve the people. And that is only another way of saying that we should make it such a Government as Lincoln believed in.

That is our great and never-ending task—to make and keep this Government a democracy.

And Congress has other work to do.

There should be an extra session immediately, in order that the Senate have opportunity to advise with the President on the terms of the treaty while it is in the making.

There should be an extra session of Congress immediately to investigate and construct a comprehensive legislative program of industrial reorganization.

There should be an extra session of Congress immediately to reexamine, rewrite, and pass upon the long list of appropriation bills now on the calendar, but which were reported so late as to make it impossible to give them any consideration whatever at this session.

Mr. President, I am not going to take up the time of the Senate at this hour with a detailed discussion of the program for legislation which has been urged upon Congress and which would require the uninterrupted work both of the Senate and House of Representatives for many months to come, if any regard is to be paid to the interest of the people of this country.

But I feel that I should be derelict in my duty if I permitted this session to close without calling the attention of the Senate, and as far as I am able the attention of the President and the country, to the crying need for immediate and carefully constructed legislation. And in doing this I shall not go beyond the field of legislation which has been suggested for the consideration of the Congress, either in the form of bills demanding immediate attention or in the form of a definite program proposed by Senators which should be immediately crystallized into legislation if we are to escape a real business panic and labor upheaval of the character which is now convulsing many of the countries of Europe.

I again refer to the bond bill, rushed through the Senate in the early dawn last Sunday morning, when Senators were too weary, after a continuous day and night session, to give it further attention, and which carried with it the obligation of the American people to raise $7,000,000,000 in the next few months upon terms, in effect, to be agreed upon by the Secretary of the Treasury and the bankers of the country. In that bill Congress abjectly accepted the dictation that came from the administration and sought to divest itself of its responsibility by an attempted delegation of legislative authority to a department official, authority given to it under the Constitution "to borrow money on the credit of the United States."

HUMILIATING AND DANGEROUS INTERFERENCE WITH CONGRESS.

Why was it, Mr. President, that the framers of the Constitution lodged power to borrow money in the hands of the Congress? It was because the Congress, elected directly by the people, would be directly responsible to them for the money that should be borrowed. That means responsible not only for the amount borrowed but for the terms and conditions under which it should be borrowed.

Mr. President, a few years of unconditional surrender to the imperious will of the Executive has weakened the will of Congress and destroyed its character, its fiber of independence, its constitutional authority. You have come to accept treatment from the Executive as if you were schoolboys with a schoolmaster over you. We are greatly in need of something that shall awaken us to a realization of the changes that are being wrought in the very foundation structure of our Government. It is time for us to endeavor to restore the solid and well-balanced Government which the makers of the Constitution designed that we should have—an independent legislative body, an independent Executive, an independent judiciary.

Since that emblem behind you, Mr. President, was given to the free air of America, since men wrote their names to the great charter of our liberties, I think that one of the most humiliating and one of the most dangerous practices that has grown up under this administration is the presence of the Executive, sitting at the very door of this Chamber and dictating what legislation shall be enacted by this body.

The cablegram that came across the Atlantic from the President presuming even to suggest that the American Senate should not discuss the constitution of the so-called league of nations until he should first speak shows how far we have gone in five short years toward the destruction of constitutional government. If this body had in its membership to-day such men as Allen G. Thurman; George F. Edmunds; John Sherman, of Ohio; Vest, of Missouri, men who jealously maintained the constitutional independence of the American Congress, there would have been such an answer returned to the Executive as would have admonished him not to attempt further to interfere with the Senate in the exercise of a constitutional right or the discharge of a consitutional duty.

Mr. OWEN. Mr. President, without meaning to take the Senator from the floor, and with the understanding that that would not be the effect, I should like to say that I am one who is prepared to stand for the Senate advising and refusing to consent unless that advice is previously given.

Mr. LA FOLLETTE. God bless you. I tell you, when a man on that side of the aisle has the courage to assert his right as the representative of a great State in these times, following the swift decline we have experienced in senatorial independence and responsible congressional Government, it foretells the birth of a new day and promises the restoration of representative democracy.

We do not owe our places here to the President of the United States. We have our responsibility under the Constitution to the people of this country and the States that send us here, and we should rebuke in terms that would never require repetition the first attempt on the part of the Executive to encroach upon the constitutional rights of the representatives of the people. When we fail to do that we are unworthy to be here. God will that other men shall soon declare their emancipation, and that we may again have a Government of the people such as Lincoln bespoke for us at Gettysburg.

BILLIONS OF APPROPRIATIONS REPORTED IN LAST DAYS OF SESSION.

But, Mr. President, I come back to a further discussion of the deplorable condition of our legislative calendar, and the urgent and imperative demand for an extra session to follow immediately upon the close of Congress at 12 o'clock to-day.

A mere list of the appropriation bills that have not yet been reached for consideration shows conclusively that they would require at least a month for proper examination and discussion,

The following appropriation bills are on the calendar awaiting first consideration by the Senate:

Third deficiency bill	$842,096,913
Agricultural bill	31,673,022
Indian bill (conference report)	15,430,000
Diplomatic and Consular	9,373,844
Fortifications	14,599,291
Naval	625,798,321
Army	1,238,282,000
Sundry civil	850,513,210
Total	3,627,766,561

In this connection I desire to call attention to an editorial that I wrote and published in La Follette's Magazine in March, 1917, dealing with the closing days of the Sixty-fourth Congress. I then wrote:

The Sixty-fourth Congress was to expire by limitation at 12 o'clock noon on the 4th day of March.

The next regular Congress would not meet until December 3, a period of eight months.

If Congress was to complete its work by March 4, it was absolutely necessary to report from committee the appropriation bills supplying the money necessary for the several departments of Government and to report the bills in time to give them fair consideration. This was the more necessary because of the wanton and reckless extravagance in appropriations last year and the enormous increases urged upon this Congress by the executive departments, imposing upon every Senator regardful of the interests of taxpayers already overburdened the obligation to scrutinize these measures with the greatest possible care.

But the appropriation bills were held back for some reason, until it became a matter of comment among Senators and Representatives that the bills were to be "jammed through" in a rush at the end of the session.

As the committees of Congress are organized, a few of the majority party leaders control the business and expedite it or otherwise at will.

For some unexplained reason six bills carrying an aggregate appropriation of more than $500,000,000 were so delayed by those having them in charge that they were not even placed before the Senate for consideration or attempted to be passed at all.

Six other great appropriation bills carrying an aggregate of nearly a billion dollars were so held back by those responsible for them that they were not passed and finally disposed of by the Senate until the last 48 hours of the session, while another measure had the right of way and was the all-absorbing subject for consideration.

What was the real underlying significance of such a proceeding?

Was it to create a situation where a number of the bills might escape thorough investigation and debate? For example, the naval appropriation bill will cost the people the enormous sum of $523,000,000 *for the coming* year. Such a bill ought to be carefully considered and thoroughly discussed. So, too, with the Army appropriation bill, carrying $278,000,000, besides a provision to force military training upon the American people. Think of attempting to drive that proposition through without opportunity for deliberation and debate!

Whatever may have been the reason for the condition of legislation described—it had been brought about. It existed and presented a situation most favorable for bringing forward a measure such as the armed ship bill.

The closing days of a Congress are always a time of tremendous pressure and severe tension.

It is one time when a measure of debatable right that has not been thoroughly considered should be kept out.

It is the one time of all others when a matter of great and momentous import to the peace of the Nation should not be thrust into the gorged and swollen flood of legislation.

Mr. President, I thought at the time I wrote that editorial that the shameful procedure I there described would never be repeated by this administration or any other. But, sir, not only is the administration pursuing the same policy to-day, but the appropriations proposed to be rushed through in the closing hours of this session are more than double those which were rushed through in the closing hours of the Sixty-fourth Congress. At that time you will observe I stated that appropriation bills carrying in the aggregate nearly a billion dollars were rushed through in the closing hours of that Congress. The bills before us now carry in appropriation nearly $4,000,000,000. For example, the naval appropriation bill then carried $523,000,000, the present bill carries nearly $700,000,000. Then the administration knew that we were entering upon a war, now it knows that we are emerging from a war, and asserts moreover that it is about to conclude a treaty of peace which would make a large Navy, not only unnecessary, but contrary to the very terms of the peace treaty it proposes to negotiate. Then the Army appropriation bill carried $278,000,000, now it carries $1,238,000,000, and the administration claims that it is about to negotiate a treaty which will make a large Army unnecessary and will moreover outlaw excessive armaments.

CONGRESS SHOULD PROVIDE FOR THE ARMY OF UNEMPLOYED.

At the time the appropriation bills were up in 1917 in the closing days of the Sixty-fourth Congress we were a Nation practically free from debt. Our industries were running at full capacity, and it could be fairly said that large as the appropriations were at that time the people could assume the responsibility without serious difficulty. To-day all this is changed. Our Nation in the short space of two years has become indebted to the unheard of sum of nearly $25,000,000,000, and the Treasury Department admits that many more billions will be added to that amount. Industry is disorganized, labor is restless and resentful. The high cost of living has brought the pinch of poverty home to millions of our people who previously lived in comfort. The 65 per cent of our people who were close to the line of actual want then, are closer still, and many millions more have passed beyond it. An army of men almost equal to the one that we sent to Europe is now out of employment and clamoring for work, and the army of the unemployed is increasing by thousands every week. Sir, if anything can make the present administration pause in its mad career, can turn its attention from affairs abroad to conditions at home, the facts and figures which I have given should produce that result.

But, sir, the appropriation bills which are awaiting action here are only part of a mass of important legislation demanding immediate attention. A number of Senators have recently presented here, in the form of bills or suggestions for debate, measures upon which the best statesmanship of the Congress ought to be engaged at this moment. I will take time only to refer to a few of them.

The Senator from Iowa [Mr. KENYON] has recently presented his suggestions in the form of three bills which should be immediately considered. I only notice them briefly, and they are as follows:

First. Bill for board of public works.

Necessary public works are held up. This applies only to work already authorized, and its purpose is to help in the situation as to unemployment.

Statistics of 153 cities show unemployment this week of about 364,000, indicating over million men out of employment.

This was some time ago.

Second. Bill for commission to present plans of Government assistance in home building for people of moderate means.

Third. Bill for industrial trade commission.

To report plan for arbitration (voluntary), court of mediation and conciliation. Industrial accident pensions. Old-age insurance. Other industrial problems.

Last September the Senator from Massachusetts [Mr. WEEKS] presented to the Senate a resolution which ought to have found favor with the administration of President Wilson at once. The necessity for such legislation is now imperative. At the time the resolution was presented the war was not over, although it was obvious to thoughtful men that the resistance of the enemy had been broken and that peace would soon be at hand, with the problems which it involved. That resolution was as follows:

JOINT CONGRESSIONAL COMMITTEE ON RECONSTRUCTION.

Mr. WEEKS. Mr. President, I send a concurrent resolution to the desk, which I ask to have read.

The concurrent resolution (S. Con. Res. 21) was read, as follows:

"*Resolved by the Senate (the House of Representatives concurring)*, That there is hereby created a committee to be known as the Joint Congressional Committee on Reconstruction, composed of six Senators and six Representatives in Congress. The members of said committee shall be selected as follows: Three Senators by the Democratic senatorial caucus, three Senators by the Republican senatorial conference, three Representatives in Congress by the Democratic House caucus, and three Representatives in Congress by the Republican House conference: *Provided*, That only Senators and Representatives in Congress who have been elected to serve in the Sixty-sixth Congress shall be eligible for membership on said committee. Such membership shall terminate with the service in Congress of the Member, and vacancies shall be filled in the same manner as the original selections were made, respectively.

"That said committee shall make an investigation of the following subjects and report to Congress from time to time with such recommendations as to additional legislation or otherwise as it may deem advisable:

"1. Problems affecting labor, including—

"(a) Unemployment which may follow war.

"(b) Utilization of discharged soldiers and sailors in civil employments.

"(c) Conciliation and arbitration of labor disputes.

"(d) The relation of men and women in similar employments.

"(e) Substitution of female employees for male and vice versa.

"(f) Feasibility of organizing permanent employment agencies.

"(g) Requirements for labor after the war, both in agricultural and industrial occupations.

"(h) Distribution of labor.

"(i) Employment of surplus labor on public works of which the construction or completion has been suspended due to the war.

"2. Problems affecting capital and credit, including—

"(a) All matters relating to trusts and combinations.

"(b) Federal loans to private enterprises.

"(c) Federal supervision of capital issues.

"3. Problems affecting public utilities, including—

"(a) The establishment of a railroad policy after the war and the relation of the Interstate Commerce Commission to the railroads.

"(b) All questions relating to communication by wire.

"4. Problems resulting from the demobilization of our industrial and military war resources, including—

"(a) The disposal of surplus Government properties and supplies in this country and abroad.

"(b) The conversion of munition industries into those of peace.

"(c) The demobilization of the war strength of the Army and Navy and the disposition of the men who have been in the service.

"(d) The demobilization of civil war workers.

"5. Problems affecting our foreign trade, including—

"(a) The development of new markets.

"(b) Combinations for the purpose of increasing our selling facilities.
"(c) Changes in our banking facilities necessary to cooperate with such trade.
"6. Problems affecting the continuance of existing industries and the establishment of new industries, including—
"(a) The supply and control of raw materials.
"(b) The encouragement of the production in the United States of articles that have not been made in this country heretofore.
"(c) The encouragement of private enterprise in the development of the resources of the public domain.
"(d) The utilization of a tariff on imports as a means to protect and encourage home industries.
"7. Problems relating to agriculture, including—
"(a) The advisability of continuing after the war price fixing of food products.
"(b) Federal loans to farmers.
"(c) Distribution of food products.
"(d) The allotment of lands to returned soldiers and sailors and their establishment in new homes on the public domain.
"8. Problems affecting the adequate production and effective distribution of coal, gasoline, and other fuels.
"9. Problems relating to shipping, including shipyards, and especially in regard to the sale, continuance of ownership, or leasing of both yards and ships.
"10. Housing conditions and the disposition of houses constructed by the Government during the war.
"11. War legislation now on the statute books, with reference to its repeal, extension, or amendment.
"12. And in general all matters necessarily arising during the change from the activities of war to the pursuits of peace, including those that may be referred to it by the Senate or House of Representatives.
"That the committee is authorized to employ such clerical assistance as it may deem necessary, including the services of experts, and may, by subcommittee or otherwise, send for persons or papers, administer oaths, and employ stenographers, at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject before it; that the committee may sit during the sessions or recesses of the Senate and House of Representatives; and that expenses contracted hereunder shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House upon the presentation of vouchers approved by the chairman of said committee, until otherwise provided by law."

It is a well-thought-out and elaborate program of reconstruction. There is good brain work behind it. There is a foresight and real statesmanship in it.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. I yield to the Senator.

Mr. OWEN. I will say to the Senator that England has 83 committees dealing with the reconstruction problem, chosen from the very best men in the Empire, looking to the restoration of her industries, the furnishing of raw materials, the solving of transportation problems on land and sea, the financing of these problems, the employment of labor, the conservation of the health of labor, and many other things, all of which think in terms of human life, and not merely in terms of acquisition.

Mr. LA FOLLETTE. That is very interesting. I had seen something suggestive of the work going forward there, but nothing that bespoke the detailed thought that is reflected in the Senator's description of what he has had an opportunity to see on his recent visit abroad. And it does seem to me to be so shortsighted and so almost wickedly improvident for us to be denied the opportunity to complete the unfinished work of this session in an extra session—to be immediately convened—and then to grapple seriously with this great reconstruction problem. Usually in a short session of Congress we have about enough to do to handle the big appropriations and get through with them; and we ought to do it more promptly and in a more orderly way than that in which we have been attempting to do it in recent years.

REAL DANGER IN DEFERRING ACTION.

But, Mr. President, with the modifications of existing law which the change from war to peace brought on us, and with the unfolding of the new problems that peace has presented, how anybody could think that Congress should not be called at once to meet and grapple at once with these great issues is more than I can understand. We ought to be in session here to-morrow at 1 o'clock as a new Congress. We ought not to be permitted to forget for a moment our unfinished tasks; but, bidden by the Executive—who surely should take the same broad outlook upon the needs of this country that the statesmanship of Great Britain has so promptly recognized—we should be called here to do our work at once, without laying down the tools of our business.

It is shocking. It is unthinkable that Congress should not be employed in this great field that is calling us to service. Can it be possible that we are to wait, that the country is to wait until the President returns from Europe?

And when His Excellency returns with the treaty completed, what then? Why, then the Senate will be permitted to see the document in its entirety, and they will, of course, be at once plunged into a study and discussion of its terms.

The treaty and the appropriation bills which must go over to another session will then keep the Senate closely occupied for many weeks—it may be months.

So that we shall be fortunate indeed if the program for reconstructive legislation is not postponed, in so far as the Senate's labors upon it are concerned, until next winter.

Senators, there is a real danger in deferring action upon the problems of unemployment and industrial readjustment until the winter is upon us. That is the season when there is a serious menace in lockouts and strikes and bread lines.

If such a situation should break upon this country, it might be very dangerous, even though the great mass of the people had no real cause for complaint against the Government.

But when they have just cause to feel that the Government is not their Government, or, in the words of Mr. Woodrow Wilson, again quoting from The New Freedom, where he squarely charges that—

Our Government has been for the past few years under the control of heads of great allied corporations with special interests.

When the people can arraign their Government on such a charge of rank betrayal into the hands of special privilege—and then industrial depression and labor troubles sweep over the country—you have the basis for riots and bloodshed too horrible to contemplate.

No, no, Mr. President; there should not be a day lost. Congress should be called to meet in extra session to-morrow at 12 o'clock.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. I do.

RECONSTRUCTION PROBLEMS SHOULD BE TAKEN UP AT ONCE.

Mr. OWEN. I wanted to say, as to the reports of these various committees in Great Britain, that many of them have been finished already and are in print, and they are available for our own people here; so that this experience of Great Britain is immediately available in large part, and it affords a very valuable and instructive matter. After all, bills that are drawn are generally drawn by one man, or two or three men, perhaps, working together. There is a big enough field in this progressive reconstructive program which Great Britain has carried on, and which is facing us here, to employ the best activities of the best brains of this country. There is plenty of room for everybody to get in on it, and still there will be something left.

I merely wanted to suggest that as these days come they need not be quite neglected. The opportunity of studying this experience of Great Britain, and what she has done, lies before you. It is available; it is in print; and I think it is worth while to study it, because we do really need the very best brains of this country on both sides of this Chamber.

As far as I am concerned, I am extremely anxious to cooperate, as far as I may, and I will cooperate in a spirit of sincere helpfulness, as far as I can, with the party that comes into power in this Chamber; but these problems ought not to be delayed any further than is possibly avoidable, and I think those who are desirous of constructive work ought to get at it now as quickly as possible.

If I had my way, Mr. President, I would have the Congress of the United States meet on the 1st of December—the new Congress. I would never allow a Congress going out of power, a Congress which no longer represents the constituency of the United States to meet or to legislate. In 1911 I remember taking rather an active part in a filibuster on Arizona and New Mexico on this floor. I said at that time what I thought in my heart—that that Congress was not charged with the particular duty of legislating further for the people of the United States, and I was not greatly concerned whether they did or not. I do not mean by that that I approved the policy of filibustering, because I do not. I think it is much better, with all the mistakes which the majority may make—and they will make some mistakes—to charge the majority with the responsibility which the country puts on them, and to let them take that responsibility and be responsible to the country, where they may be rebuked if they do not respond to the reasonable expectations of the people.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SMOOT. The Senator from Oklahoma says we ought to begin this reconstruction work now. My opinion is that we ought to have begun it on the 7th day of April, 1917, the day following the declaration of war.

Mr. OWEN. I agree with the Senator there.

Mr. SMOOT. On the 11th of April of last year I made a speech in the city of Chicago, calling attention to this very

subject and then expressed the opinion that Congress should not adjourn until this work was accomplished.

Mr. President, I have volume after volume of not only the testimony, but the recommendations of the numerous committees appointed by England. I also have the reports showing what has been done in Germany, and in France, and even in Italy; and a complete constructive program in all of these countries has been worked out.

Why, when the armistice was signed I do not believe that 24 hours had passed until England had her construction program under way. It was not a week until England knew just where she was going to send her ships that were not destroyed during the war for the purpose of bringing raw materials to her factories. Why, millions of dollars had been spent in the reconstruction of munition plants in order that they might be ready to manufacture goods for the commerce of the world just as soon as it became necessary to discontinue the manufacture of munitions. You can go into England to-day and you can find plants there with machinery standing alongside of machinery that is still used for the making of guns and munitions, and all that is necessary at the proper time is to change the employees from one class of work to the other. I say now that there has been no such preparation in America to take care of the laboring people who will be changed from one class of work to the other, not one thing done here to take into consideration the changed conditions of the commerce of the world; and we have been drifting along year after year with no program in view.

THE ADMINISTRATION'S ATTITUDE.

Mr. POINDEXTER. Mr. President, I should like just to make a suggestion to the Senator from Utah.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. LA FOLLETTE. If I may properly do so.

Mr. POINDEXTER. The elaborate program that the Senator from Wisconsin has read was very carefully prepared, and was presented to the Committee on the Judiciary. The acting chairman of the Committee on the Judiciary, representing the majority of that committee, informed the minority members of the subcommittee which had presented this program and had worked it out—it was worked out by the minority members under the Weeks resolution—that no action would be taken, no action would be necessary to be taken, because the President of the United States was vested with the power to do these things under the so-called Overman Act. That was the attitude taken by the majority; and then the President of the United States was not able to look out for this essential interest of the people at home at the present time, because he was engaged in Europe in formulating the terms of a league for the future peace of the world!

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. Yes; if I may do so.

Mr. OWEN. I think it is true that the members of the Cabinet to a certain extent have been engaged in trying to work out some of the plans of employing labor, and also the proposition to arrange for the lands for soldiers, and things of that sort; but I think the duty of Congress is very obvious in the matter and that Congress ought to give the brains of the representatives sent by the people to this body and to the other part of Congress, so that a legislative program should be worked out that would have the cordial sympathy and support of the representatives of the people on the floor of Congress. I think that is essential to the real success of the plan.

CONSTITUTION SHOULD BE AMENDED.

Mr. LA FOLLETTE. I quite agree with the Senator; and I will say that the peculiar dilemma in which Congress and the country find themselves has suggested to me the importance of an amendment to our Constitution that should broaden the convening power. I would leave it with the President to convene Congress in extraordinary session as he does now, but I believe that there ought to be a change in the Constitution that would enable Congress to convene itself. There may come a time when the very existence of the Government itself will depend upon the exercise of that power, under authority conferred by the Constitution upon Congress itself. The Congress is coordinate in its power, coequal with and independent of the Executive under the Constitution. Why, then, should it be dependent upon the will of one man as to whether it may be called here to do vital work in the way of legislation? True, its legislation is in a measure dependent upon and subject to the Executive will, through the veto power; but it still has the power to pass its will over the head of the Executive by a two-thirds vote, and in any important and critical matter there would be no question but that the vote necessary to protect the country in an hour of dire peril would be forthcoming to override the Executive.

Mr. OWEN. Mr. President, I think the Senator is well within the truth to say that Congress is at least equal with the Executive. The fact is that Congress can remove the Executive and the Executive can not remove Congress, and that need not be entirely overlooked. The great powers of the country are in Congress, and the Executive discharges his duty when he performs the legislative will of Congress as expressed in the laws of the country.

Mr. LA FOLLETTE. That is the theory of our Government.

Mr. OWEN. That is the theory of government, and that is the principle upon which this Government was founded.

Mr. LA FOLLETTE. That is true.

Mr. OWEN. This is a democracy, and the power comes from the people to the Congress and comes from the people to the Executive as well, but the people also have put in the hands of Congress the control of the law-making power, to regulate its affairs year by year and season by season, and to change the laws as the Congress finds judicious. Of course, that carries with it the consent of the Executive, but even that consent may be overruled by the Congress. So far as the relative powers are concerned the greater power will be found in the Congress.

I think that the representatives of the people, whether executive or legislative, should sympathetically cooperate with each other in a spirit of cordiality and in a spirit of common counsel, and that is what I meant to say when I said I was prepared to refuse consent where advice was not permitted between the legislative and Executive, because I think the dignity and the honor of Congress require it to assert its functions and not to permit itself to be denied the rights which were vested in it by the Constitution of the United States.

I think there is a very easy way for the advice of the Senate to be communicated to the Executive, and that is through the organization of the Senate and through its chosen committees. I think that the Executive should advise with the Senate, and the Senate should advise with the Executive. I think there ought to be a spirit of sincere and true cooperation between the two. I think that is the best way to serve the people of the United States, and that is the policy which I think ought to be followed.

SOLUTION PROPOSED—GIVE MORE POWER TO THE PRESIDENT.

Mr. LA FOLLETTE. I quite agree with the Senator. I think, however, we have fallen away in more recent years from that practice. That was the earlier practice. I think it is a historical fact that President Washington sometimes came on the floor here to confer with Members of the Senate about legislative matters, not in a spirit of dictation but of comity and of accommodation, to arrive at an understanding.

But, not to prolong this discussion, to which the views of the Senator from Oklahoma have added interest, for I know he has been a close student of democracy—of real democracy—and has done a great deal to advance in an educational way progressive democratic ideas throughout the country, I shall proceed.

I remember now that when this discussion regarding the constitutional powers of the different departments of the Government turned me aside from my line of thought, I had been touching upon the program for constructive legislation which had been presented by the Senator from Iowa [Mr. KENYON] and in a resolution by the junior Senator from Massachusetts [Mr. WEEKS], which I had supposed originated with him, but which we are now advised by the Senator from Washington [Mr. POINDEXTER] was the work of a committee that spent some time upon the subject.

It bears upon the face of it the impress of close, constructive thinking. It was such a program as should, it seems to me, have found ready and sympathetic response from the Senate and from the Executive; but instead, I regret to say that it was treated in a partisan spirit that destroyed all possibility of accomplishing anything for the time being.

What, sir, was the answer of the administration to that proposal? If I recall correctly, it was merely, in effect, to refer the whole matter to the President. Such a substitute resolution was presented by one of the administration Senators. As it proposed to refer the whole program of reconstruction to the President, the plan, of course, originated with the Executive.

Other Senators, sir, have presented resolutions or suggestions for a comprehensive program of legislation to meet the new demands of the time, showing that Members of the Senate were keenly alive to the situation even if the administration was not; but up to this hour nothing has been done. Instead, sir, we have the spectacle of the President calling together governors

and mayors and local officials for a conference upon national problems which can only be dealt with by Congress, and which the Congress has shown itself not only willing to deal with, but ready and anxious to take up in any comprehensive way.

Mr. POINDEXTER. Will the Senator permit me to clear up what might possibly be a misunderstanding? I might have conveyed the impression that this schedule or program for reconstruction was framed by a subcommittee of the Judiciary Committee. If I said that, it is not exactly correct. It was framed by three Republican Members of the Senate, who were designated through the Republican conference. Two of the members of the three were members of the Judiciary Committee, and they were put upon a subcommittee of the Judiciary Committee to deal with that same general subject, and then they presented to the Judiciary Committee this program, with the result which I have already stated.

Mr. LA FOLLETTE. I thank the Senator for the information upon that subject. It is of interest. I found the resolution in the RECORD and was led to believe that it originated with the Senator from Massachusetts [Mr. WEEKS].

Mr. POINDEXTER. The Senator from Massachusetts is entitled to the credit of taking the initiative. It was upon his resolution that this work was done.

Mr. LA FOLLETTE. Sir, I can not conceive that any President, however alluring to his ambitions may be the opportunity of playing a great part in the affairs of other countries, can close his eyes to the dangers that are threatening his own land by depriving the people of the right given them under the Constitution to have all the help which the Congress can give them in this their greatest hour of stress and danger.

I sincerely hope the President will be persuaded to convene Congress in extraordinary session within the next 48 hours. There is a great work for Congress to do. I trust it may be called by the Executive to perform that great public service.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 5566) for the relief of claimants of certain unsurveyed lands in Mississippi County, Ark.

The message also announced that the House had agreed to a concurrent resolution stating that it is the earnest hope of the Congress of the United States of America that the peace conference now sitting in Paris, in passing upon the rights of various peoples, will favorably consider the claims of Ireland to the right of self-determination, in which it requested the concurrence of the Senate.

The message further communicated to the Senate the intelligence of the death of Hon. HARVEY HELM, late a Representative from the State of Kentucky, and transmitted resolutions of the House thereon.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 5566. An act for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.;

H. R. 10891. An act to amend and reenact an act for the establishment of a probation system for the District of Columbia;

H. R. 14516. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920;

H. R. 15796. An act to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder;

H. R. 14945. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 15462. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.

APPROPRIATIONS FOR THE ARMY AND NAVY.

Mr. WEEKS. Mr. President, I should like to put in the RECORD the Army and Navy appropriations which have been made by Congress since the year 1900, including the appropriations which have been prepared and are now on the Senate Calendar, to show the increase in the proposed appropriations above those of preceding years at a time when we are supposed to be entering into a period of universal peace.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Without objection, it is so ordered.

Mr. PENROSE. That, of course, does not include the elaborate naval program which has not been reached at this session.

Mr. WEEKS. It includes this year's naval appropriations.

The table referred to is as follows:

APPROPRIATIONS FOR THE ARMY.

1900	$80,430,204.06
1901	114,220,095.55
1902	115,734,049.10
1903	91,730,136.41
1904	77,888,752.83
1905	77,070,300.88
1906	70,396,631.64
1907	71,817,165.08
1908	78,634,582.75
1909	95,382,247.61
1910	101,195,883.34
1911	95,440,567.55
1912	93,374,755.97
1913	90,958,712.98
1914	94,266,145.51
1915	101,019,212.50
1916	101,974,195.87
1917	267,596,530.10
1918	273,046,322.50
1919	824,708,521.88

APPROPRIATIONS FOR THE NAVY.

1900	$48,099,969.58
1901	65,140,916.67
1902	78,101,791.00
1903	78,856,363.13
1904	81,876,791.43
1905	97,505,140.94
1906	100,336,679.94
1907	102,091,670.27
1908	98,958,507.50
1909	122,663,885.47
1910	136,935,199.05
1911	131,350,854.38
1912	126,478,338.24
1913	123,225,007.76
1914	140,800,643.53
1915	144,868,716.61
1916	149,661,864.88
1917	313,300,555.84
1918	[1] 517,273,802.08
1919	[2] 1,238,282,968.56

PROPOSED RAILROAD LEGISLATION.

Mr. UNDERWOOD. Mr. President, I wish to detain the Senate for only a moment.

One of the most important questions to come before the Senate at the next session of Congress is a modification of the railroad law. The Committee on Interstate Commerce have already had extended hearings. Among others who appeared before the Interstate Commerce Committee was a committee representing the security holders of the railroads, known as The National Association of Owners of Railroad Securities. They had their hearing, and they have prepared a bill which expresses their views as to what action should be taken. They have requested me to introduce the bill for them, not with any expectation of its being acted on at this session of Congress, but with the idea that if it were introduced it could be circulated to show what their position is in reference to the matter.

The owners of railroad securities of this country number over 50,000,000, nearly one-half of our population. Thirty-three million of our people are holders of life insurance policies. The policies of insurance which they carry upon their lives for the benefit of those who are to come after them are secured by investments, one-quarter of which are bonds and other securities of the railroads. The savings banks have as their investments great amounts of railroad securities. Trust estates have large amounts, individuals, colleges, and fiduciary institutions generally own them, so in the aggregate a vast proportion of our population are greatly concerned in whatever affects the railroads that have issued at one time or another the seventeen to twenty billion dollars of securities that are thus owned.

These securities are very largely represented by the organization known as The National Association of Owners of Railroad Securities. This association, through its president, has presented to the Senate Committee on Interstate Commerce a plan, known as the "Warfield plan," for the return and regulation of the railroads. This plan is embodied in the bill I now offer, to be referred to the Senate Committee on Interstate Commerce. This bill may be subject to alterations. My purpose in now offering it is that it may be printed so that the Members of Congress and the public may be informed on this all-important question, in view of its great importance to the country.

I therefore ask unanimous consent to introduce the bill at this time.

[1] 1918. The estimates of the Navy Department for 1918 amounted to $379,151,701.67, the Senate appropriated $535,637,802.08, and the law for that year carried a total appropriation of $517,273,802.08.

[2] 1919. In the estimates of the Secretary of the Navy for 1919, which were sent to the Congress on October 15, 1918, when the United States was still at war, the department asked for appropriations amounting to $2,644,307,046.05. Since the signing of the armistice the Secretary has revised his former estimates, and is now asking an appropriation of $975,903,621.28, which includes $200,000,000 for the construction of battleships, etc., being the first appropriation in a proposed three-year shipbuilding program, costing $600,000,000.

The bill (S. 5679) to supplement and amend existing laws relating to the regulation of commerce; to provide for the return of railroads under Federal control to their owners; for their subsequent regulation; to incorporate National Railways Association and to define its powers and duties; and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

A bill (S. 5679) to supplement and amend existing laws relating to the regulation of commerce; to provide for the return of railroads under Federal control to their owners; for their subsequent regulation; to incorporate National Railways Association, and to define its powers and duties; and for other purposes.

Be it enacted, etc., That the first paragraph of section 1 of the act to regulate commerce approved February 4, 1887, as amended June 29, 1906; April 13, 1908; June 18, 1910; February 17, 1917; March 2, 1917; May 29, 1917; and August 10, 1917, is hereby amended by adding the words "or through" immediately following the word "to" where the same appears before the words "any other State or Territory of the United States or the District of Columbia," so that the same will read "to or through any other State or Territory of the United States or the District of Columbia."

SEC. 2. That section 1 of said act to regulate commerce is hereby further amended by adding to that certain provision thereof, reading as follows: "*Provided, however*, That the provisions of this act shall not apply to the transportation of passengers or property or to the receiving, delivering, storage, or handling of property wholly within one State and not shipped to or from a foreign country from or to any State or Territory as aforesaid, nor shall they apply to the transmission of messages by telephone, telegraph, or cable wholly within one State and not transmitted to or from a foreign country or to any State or Territory as aforesaid," the following provision: "except to the extent provided herein or reasonably necessary or incidental to the purposes hereof."

SEC. 3. That said section 1 of said act to regulate commerce as amended (40 Stats. L., p. 272) is hereby further amended by striking out the words "during the war in which the United States is now engaged," following immediately after the words "that on and after the approval of this act any person or persons who shall" where the same occur in said amendment, and also by inserting immediately after the words "or aid in obstructing or retarding the orderly conduct or movement in the United States of interstate or foreign commerce, or the orderly make-up or movement or disposition of any train, or the movement or disposition of any locomotive, car, or other vehicle on any railroad or elsewhere in the United States engaged in interstate or foreign commerce," where the same appear in said section 1 as amended as aforesaid, the following additional clause: "or who, with intent to injure, interfere with, obstruct, or destroy any property, agency, or instrumentality employed or held for use in interstate commerce, shall injure or destroy or obstruct the use of same without lawful cause or excuse."

SEC. 4. That said section 1 of said act to regulate commerce as last amended is hereby amended by striking out all that certain paragraph relating to the authority of the President to direct that, during the continuance of the war, certain traffic be given preference in transportation, beginning with the clause: "That during the continuance of the war in which the United States is now engaged the President is authorized, if he finds it necessary for the national defense and security, to direct that such traffic or shipments of commodities as, in his judgment, may be essential to the national defense and security shall have preference or priority in transportation," and ending with the clause: "and if the transportation be for the Government of the United States, it shall be paid for currently or monthly by the Secretary of the Treasury out of any funds not otherwise appropriated," and by inserting in lieu thereof the following: "That in time of war or of congestion of traffic, car shortage, or other emergency or public necessity, local or general, the Interstate Commerce Commission shall be authorized to put in force and maintain embargoes, license or permit systems; to order the rerouting or diversion of traffic or to control or regulate traffic at its source, or otherwise, with such exemptions or priorities as the needs of the communities and of the carriers and the public welfare may demand; and this function may in whole or in part be performed by such agents or agencies as may be appointed for that purpose by and under the control and direction of the commission. It shall be the duty of all carriers subject to this act, and their officers, agents, or employees, to obey strictly and conform promptly to such orders, and failure knowingly and willfully to comply therewith, or to do or perform whatever is necessary to the prompt execution of such orders, shall render such carriers and their officers, agents, or employees responsible therefor guilty of a misdemeanor, punishable on conviction by a fine of not more than $1,000, or by imprisonment of not more than one year, or both, in the discretion of the court.

SEC. 5. That said section 1 of said act to regulate commerce as amended is hereby further amended by adding immediately after the clause: "*And provided further*, That nothing in this act shall be construed to prevent telephone, telegraph, and cable companies from entering into contracts with common carriers, for the exchange of services," the following provision: "*And provided further*, That nothing in this act shall be construed to prevent the commission from establishing or approving or changing such levels or bases of rates or charges, or such rates or charges as may be necessary to give effect to the full purposes of all of the provisions of this act."

SEC. 6. That said section 1 of said act as amended is hereby further amended by the insertion immediately after that provision of said act as amended to the effect that classifications, regulations, and practices must be just and reasonable, and immediately following the words "and every such unjust and unreasonable classification, regulation, and practice with reference to commerce between the States and with foreign countries is prohibited and declared to be unlawful," the following provisions: "And it is further made the duty of all common carriers subject to the provisions of this act to agree upon, establish, and observe, subject to the jurisdiction of the commission, just and reasonable divisions of rates with other carriers or such divisions as may be found by the commission to be reasonable and in the public interest under the principles defined by this act, and just and reasonable routings and practices in the conduct of their business as a carrier."

SEC. 7. That the provisions of section 1 of said act to regulate commerce relating to the giving of free passes and free transportation is hereby amended by inserting immediately after the words "except to its employees and their families, its officers, agents, surgeons, physicians, and attorneys at law," the following words: "to members of the Interstate Commerce Commission or its employees, officers, or agents, or the trustees, officers, members, employees, or agents of National Railways Association and regional commerce commissions created by this act, when such employees, officers, or agents are certified as eligible to receive transportation by the respective commissions or association, and while engaged in their official or public business."

SEC. 8. That section 3 of said act prohibiting undue or unreasonable preferences or advantages is hereby amended by the addition of the following provisions: "Or to initiate or observe within any State or States intrastate rates or charges, or any general level or bases of intrastate rates or charges appreciably or substantially below the rates or charges or level or bases of interstate rates or charges lawfully observed by such carrier for like and contemporaneous or comparable service in transportation in interstate commerce or a like kind of traffic under substantially similar circumstances and conditions. All such lower intrastate rates or bases of rates, with the exceptions hereinafter authorized, are hereby declared to discriminate against and unlawfully burden interstate commerce by reason of such relation without reference to the reasonableness per se of the respective rates or levels of rates, or any question of specific discrimination as against interstate points, localities, or individuals. All carriers subject to the provisions of this act are hereby required to remove such discrimination by adjustment of the interstate rates involved or by application to the commission, if necessary, for leave to adjust the intrastate rates working the discrimination. The commission shall have jurisdiction to require and shall be under the duty to require such burden upon interstate rates or charges, or levels of rates or charges, to be removed in all cases coming before it on application, petition, or review, or upon its own motion in which such burden shall be shown to exist. The commission may, if upon investigation it finds that the facts warrant such action, require the burden or discrimination upon interstate commerce to be removed by requiring any necessary basic or horizontal or percentage increases in intrastate rates or charges, applicable to all or any specific intrastate tariffs within the area involved, or by such specific or class or commodity or other rate increases as it may find necessary; or may order such general or specific adjustment as the commission may find necessary, to be carried into effect either by direct act of the carrier or carriers involved or by any board, commission, or authority, if any, having jurisdiction over the regulation of intrastate rates within the State where such burden or discrimination exists, subject to the approval of the commission: *Provided*, That nothing herein contained shall prevent the commission, in cases proper for its consideration and action, from permitting the observance of specific commodity or commuters' rates or fares or specific class or commodity or other special rates, fares, or charges which may be lower than the general level of interstate rates or charges under like or comparable conditions, particularly where directly beneficial to the public, such as in case of public roads materials or like commodities, or where reasonably necessary to the development or to avoid radical readjustment of rate fabrics or hardships that would tend to be destructive of the business or welfare of any region or community: *Provided further*, That in any such case the proposed special rates or the special rates under inquiry are not found by the commission to be unreasonably discriminatory as against specific localities, traffic, or individuals in respect to interstate commerce, and provided that the general level of intrastate rates in such State is found equivalent to or greater than the level of interstate rates applicable under substantially similar or comparable conditions, it being the intention of this proviso to leave to the several States jurisdiction, subject to the general supervision of the Interstate Commerce Commission, over the adjustment of intrastate rates within their respective jurisdictions, provided that the general level of intrastate rates therein is equivalent to or greater than the level of interstate rates applicable under substantially similar or comparable conditions and where the specific rates are reasonable per se under all of the circumstances, or consented to by the carrier, and are not found unduly discriminatory as against interstate commerce or as against localities, individuals, or particular descriptions of traffic in respect to the interstate rates and charges applicable thereto and not otherwise burdensome to commerce or the carriers engaged therein.

SEC. 9. That section 3 of said act to regulate commerce is hereby further amended by the addition, immediately after the words "but this shall not be construed as requiring any such common carrier to give the use of its tracks or terminal facilities to another carrier engaged in like business," of the words: "unless required by the commission as provided by this act."

SEC. 10. That section 4 of said act as amended by act approved June 18, 1910, is hereby amended by the addition at the end of said section after the words "unless after hearing by the Interstate Commerce Commission it shall be found that such proposed increase rests upon changed conditions other than the elimination of water competition," of the additional words "or is compatible with the public interest as defined in this act or otherwise."

SEC. 11. That section 5 of said act as amended by an act approved August 24, 1912, is hereby amended by inserting immediately before the first paragraph prohibiting the pooling of freight and division of earnings, and also immediately before the second paragraph thereof, prohibiting railroads from owning competing water carriers in certain cases, the following words: "except as otherwise provided or authorized in this act"; also by inserting the same provision immediately before the last paragraph of said section 5, as amended, prohibiting operations in coastwise or foreign trade under certain circumstances; also by striking out of said section 5, as amended, all of those certain second and third paragraphs, providing that the Interstate Commerce Commission shall determine questions of fact as to competition and make orders therefor and permit certain operations by water lines where the service is in the interest of the public and is of advantage to the convenience and commerce of the people, and by substituting in lieu thereof the following provisions: "Jurisdiction is hereby conferred upon the commission, on application of any carrier or party in interest, to determine, after hearing, questions of facts as to the competition or possibility of competition between carriers by rail or water, or both, and whether or not such actual or potential competition as may be found to exist tends to further or obstruct the public interest in the matter of assured and adequate service at just and reasonable rates and whether such public interest would be subserved or hindered by acts prohibited in this section or by other statutes to prevent combinations in restraint of trade or by the common law. Application may be filed for the purpose of having the question determined

whether any existing or proposed service, act, or practice is incompatible with the public interest. The commission may upon its own motion or upon application of any carrier or shipper, or of any State, or of the United States, institute proceedings to inquire into any contract, agreement, combination, act, or practice of any carrier subject to the provisions of this act or into the operation of any vessel in use by any railroad or other carrier which has not applied to the commission and had the questions of fact determined as herein provided. In determining that the contract, agreement, combination, act, or practice under investigation is in the interest of the public and is of advantage to the convenience and commerce of the people the commission may limit its findings or subject its conclusion to such conditions as the facts warrant.

"When any carrier subject to the provisions of this act, conceiving that the same is compatible with the public interest, shall desire to enter upon any contract, combination, agreement, or consolidation, or to purchase, sell, or lease any property to be employed in whole or in part in interstate commerce, or relating to or in aid of its business as a carrier in such commerce under circumstances prohibited by the terms of the act of Congress approved July 2, 1890, entitled 'An act to protect trade and commerce against unlawful restraints and monopolies,' or by the provisions of sections 73 to 77, both inclusive, of an act approved August 27, 1894, entitled 'An act to reduce taxation, to provide revenue for the Government, and for other purposes,' or by the act approved October 15, 1914, entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' or by the provisions of any other acts of Congress amending or supplementing the said acts or sections or prohibited by the general law enforced in the courts of the United States or by the laws or decisions of the courts of any State, such carrier may file its application with the commission for a hearing and determination of the question whether, and the terms and conditions, if any, upon which said proposed contract, combination, agreement, consolidation, purchase, sale, or lease is or may be in the interest of the public and of advantage to the convenience and commerce of the people. And any such inquiry may be instituted by the commission on its own motion or on the application of the United States or of any subordinate or other agency acting under authority of the United States, or of any State, or by any person interested.

"The commission shall give due notice of any hearing provided by this section to the immediate parties in interest, and also to the governor or attorney general or presiding officer or secretary of the board or commission, if any, having jurisdiction over regulation of railway rates in each State in which such proposed contract, combination, agreement, or consolidation shall be directly effective or in which all or any part of the property (if real estate, franchises, right of way, or right of trackage or leasehold) is situated, and to the Attorney General of the United States and to such other persons interested, to be given by publication or otherwise as the commission may prescribe by rules of practice or specific order; but the failure to give such notice shall not oust the commission of jurisdiction to determine the question if it shall be made to appear that full hearing or investigation was had upon the matter.

"If the commission shall, after such hearing or investigation, determine that such proposed act, practice, contract, combination, agreement, consolidation, purchase, or sale is compatible with the public interest within the meaning of this act and of this section, it shall render its finding to that effect and define the time, terms, or conditions, if any, upon which its finding is based or limited. Such finding shall be subject to suspension or review as other judgments of the commission; but if the same shall not be suspended, annulled, or restrained by a court having jurisdiction, the proposed act, practice, contract, combination, agreement, consolidation, purchase, sale, or lease, to the extent and upon the conditions found by the commission to be compatible with the public interest, shall not be unlawful, punishable, or actionable if entered into, done, or held by the parties contemplated by such finding, either as to such parties, or their privies, or their respective successors, any statute, law, or decision of any State or of the United States to the contrary notwithstanding.

"The several acts of Congress and sections of acts hereinabove referred to (approved July 2, 1890; Aug. 27, 1894; and Oct. 15, 1914, respectively), and all other acts amending or supplementing said acts and sections, are hereby amended so that the same shall not apply to or make unlawful, punishable, or actionable any act which may be found to be compatible with the public interest as herein contemplated. Any carrier subject to the provisions of this act which is or may be otherwise lawfully authorized under the laws of the United States and of the several States in which it does business is hereby authorized and empowered to enter into, perform, and hold any act, practice, contract, combination, agreement, consolidation, purchase, sale, lease, or property which would be unlawful but for the finding and approval of the Interstate Commerce Commission when and as contemplated by this section, and shall not be ousted or penalized by reason of such act.

"The fact that by reason of an adverse decision by the commission or its failure to act upon the questions, any act, practice, contract, combination, agreement, consolidation, purchase, sale, or lease proposed or entered into by any carrier subject to the provisions of this act shall not by the commission be found compatible with the public interest or shall be pronounced incompatible with the public interest, shall not have the effect of an adjudication conclusive in any civil or criminal proceeding that the same is or will be unlawful or in violation of any of the acts of Congress above mentioned in this section or of any other law, except in so far as such finding may constitute a valid order affirmatively binding upon the parties to whom it may be directed by virtue of some other section of this act."

SEC. 12. That section 15 of said act to regulate commerce, as amended by act approved June 29, 1906, June 18, 1910, and August 9, 1917, is hereby amended by striking out the words "the commission shall be of the opinion that any individual or joint rates or charges whatsoever" and by substituting in lieu thereof the following: "The commission shall be of opinion that any individual or joint rates or charges or divisions of rates, or any level or bases of rates or charges or class of rates whatsoever"; also by adding immediately after the words "or unjust or unduly preferential or prejudicial, or otherwise in violation of the provisions of this act," the words "or is not compatible with the public interest or with the reasonable support and regulation of the commerce of the United States or is insufficient to assure adequate and continuous transportation service and facilities to the public, the commission is hereby authorized, empowered, and required to determine and prescribe what will be just, reasonable, and adequate individual or joint rate or rates, charge or charges, or levels or bases of rates or classes of rates, or divisions, to be thereafter observed in such case as the maximum or minimum or fixed or proportionate rates, charges, or divisions to be charged, and what individual or joint classification regulation or practice is just, fair, and reasonable to be thereafter followed, and to make and order that the carrier or carriers shall cease and desist from any violation of this act or any practice found unjust, unfair, unreasonable, or not in the interest of the public and of the commerce of the United States, to the extent to which the commission finds the same to exist and to be incompatible with the public interest; and shall not thereafter publish, demand, or collect any rate or charge for such transportation or transmission other than the rate or level of rates or charges so prescribed or permitted, or in excess of the maximum or less than the minimum so prescribed, as the case may be.

SEC. 13. That said section 15 of said act is further amended so that that provision of said section 15, which reads as follows: "the commission is hereby authorized and empowered to determine and prescribe what will be the just and reasonable individual or joint rate or rates, or charges, to be thereafter observed in such case as the maximum to be charged," shall be amended so as to read as follows: "the commission is hereby authorized and empowered to determine and prescribe what will be the just and reasonable individual or joint rate or rates, charge or charges, or divisions, or levels, or bases of rates, or class of rates to be thereafter observed," and by striking out the word "maximum" where the same appears in said provision of said section 15 hereinabove amended or elsewhere in the same paragraph, and by adding immediately after the end of said paragraph of said section 15 hereinabove amended, immediately following the provision authorizing the commission to make orders prescribing just and reasonable proportions or divisions in the absence of agreement between the carriers, the following provision: "and the commission may after hearing at any time make an order changing or prescribing the just and reasonable proportion of such rate to be received by such carrier party thereto, even in cases where the carriers may have agreed on the matter, if the commission finds that the division agreed upon is not fair or reasonable and for the public interest or that a change of the proportion agreed on is proper or necessary to carry out any of the purposes of this act and is conformable to law."

SEC. 14. That it is hereby declared to be reasonably necessary to the relinquishment of Federal control of railroads under the Federal control act approved March 21, 1918, without destructive effect upon the railroads and the commerce of the United States or without forcing radical reduction in wages, that rates and charges observed by carriers subject to this act and in effect at the beginning of Federal control, whether interstate or intrastate, should not be automatically restored or become effective as a result of the relinquishment of Federal control without due hearing and consideration of their relation to the rates or general level of rates necessary to sustain and avoid burdening the commerce of the United States, and to their effect upon the carriers subject to this act, in view of the inadequacy of normal legal remedies and procedure. To prevent such result it is hereby required that on or before the relinquishment of the railroads from Federal control and operation to their respective owners under and within the period provided by the act known as the Federal control act approved March 21, 1918, or as may be provided by any other act of Congress, the President through the Director General of Railroads or other agency employed by him in the operation of said railroads shall see that the rates and charges determined, established, and observed during Federal control, both interstate and intrastate, in effect at the time of the relinquishment of Federal control shall be on file with the Interstate Commerce Commission, and, in the cases of changes made in the intrastate rates or tariffs in effect at the beginning of Federal control, that notice thereof shall be filed or lodged with or tendered to the commissions or other authorities of the respective States having ordinary jurisdiction over intrastate rates, if any; and the rates and charges in effect immediately before the time of such relinquishment shall, subject to such changes as may from time to time be made by or with the approval of the commission, constitute the lawful rates and charges to be observed by the carriers subject to this act, any State or local statute, rule, or regulation to the contrary notwithstanding, for not less than one year after the relinquishment of Federal control and until the Interstate Commerce Commission shall on its own motion or on application by any State authority or other persons interested find and declare that it is incompatible with the successful and orderly operations of the carriers in interstate commerce and is in the interest of the public for the resumption of normal processes in the making and taking effect of rates.

Pending such determination by the commission the several States may, after relinquishment of Federal control and before the declaration by the commission hereby authorized, declare or propose changes in such intrastate rates or charges effective at the termination of Federal control, or may proceed with hearings as to the same and make findings and orders as in ordinary cases, subject to the right of any carrier subject to this act and affected thereby to object thereto, if lower than the rates hereby declared lawful, by filing application for suspension with the commission within 30 days from the effective date of any statute, order, or ruling of such State reducing any rate or change in effect at the time of the relinquishment of Federal control, whereupon the same shall be and remain suspended until heard and determined by the commission or until the remission to the States of their normal authority, subject to this act, over intrastate rates and charges; but any statute, order, or ruling of any State in effect at the time of the relinquishment of Federal control fixing or establishing any rate of charge lower than or inconsistent with the intrastate rates or charges scheduled and charged or observed by the Director General of Railroads as to carriers subject to this act immediately before the termination of Federal control are hereby declared null and void to the extent of their conflict with this act.

The Interstate Commerce Commission shall, as promptly as possible, and not later than one year after relinquishment of Federal control, put into effect the general adjustments of interstate rates and relations between interstate and intrastate rates contemplated by this act, and by order declare when the national emergency and when the welfare of the interstate commerce of the United States justifies the remission to the several States of their normal jurisdiction, initiative, and effect, in the matter of intrastate rates of carriers subject to the provisions of this act, and may accompany or supplement such declaration with and must from time to time thereafter promulgate such specific findings, orders, rulings, or regulations as it may, on investigation or hearing, find necessary to preserve a just relation between the level of interstate and intrastate fares, rates, and charges applicable under substantially similar or comparable conditions or necessary to protect interstate commerce and localities, individuals, and particular classes of traffic from specific unjust discriminations or burdens in respect to interstate commerce.

SEC. 15. That that provision of section 15 of said act to regulate commerce as amended, providing that the commission may establish through routes and joint rates and classifications, and reading as follows: "The commission may also, after hearing, on a complaint or upon its own initiative without complaint, establish through routes and joint classifications, and may establish joint rates as the maximum to be charged, and may prescribe the division of such rates as herein above provided and the terms and conditions under which such through routes shall be operated, whenever the carriers themselves shall have refused or neglected to establish voluntarily such through routes or joint classifications or joint rates," is hereby amended so as to read as follows: "The commission may also, after hearing, on a complaint or upon its own initiative without complaint, establish through routes and joint classifications, and may establish joint rates as the maximum or minimum fixed rate to be charged, and may prescribe the division of such rates as herein above provided and the terms and conditions under which such through routes shall be operated whenever such action may be found in the public interest."

SEC. 16. That said section 15 of said act is hereby further amended by the addition immediately after the words "unless to do so would make such through route unreasonably long as compared with another practicable through route which could otherwise be established," where the same appears in the paragraph limiting the power of the commission to prescribe through routes, the following additional provision: "or unless otherwise desirable in the public interest, as where a choice of routes is available and revenue from the longer haul is not required by the carrier involved to enable it to earn a fair and reasonable return upon its property investment, but additional revenue is desirable for the other railroad involved to enable it to earn a fair and reasonable return, or otherwise in the public interest."

That said section 15 is hereby further amended by striking out the proviso thereto to the effect that in case where there exist two or more through routes the shippers shall have the right to select the route were competing lines of railroads constitute portions of all routes, and by substituting in lieu thereof the following: *Provided, however*, That whenever the routing specified in a bill of lading or other shipping instruction is changed in accordance with the preceding provision, the rates, rules, and privileges applying at the time of shipment via the route lawfully chosen by the shipper shall be protected via the route over which such shipment may actually move."

SEC. 17. That said act to regulate commerce as amended is hereby further amended by the addition of the following section:

"SEC. 15a. That the commission shall, for the purpose of establishing rates that will more certainly sustain the transportation systems of the United States and enable them to render adequate service and pay reasonable wages, divide continental United States into rate-making districts, which it may change from time to time as may be found necessary, and shall be governed by the principles laid down in this act in the exercise of its jurisdiction.

"The commission may allocate the different railroads or systems to any one of the districts in which they may be situated or divide them or their equipment among one or more districts, or make such other adjustments as may be found desirable to accomplish the result intended by this act.

"In anticipation of the return of the railroads now under Federal control to their owners, or as soon after such return as practicable, the commission shall establish and shall thereafter maintain in effect, as nearly as may be, such rates for freight and passengers or such levels or bases of rates as will produce a reasonably assured rate of return upon the property investments of the several carriers subject to this act, as provided herein, making such orders as may be necessary to require the intrastate rates or levels or bases of rates in effect within the several States to conform to the level or bases of interstate rates most nearly comparable and to bear their just proportion in sustaining the commerce of the United States.

"The commission shall, as nearly as may be, establish and maintain freight and passenger rates, or levels of rates or charges in each rate-making district that will enable the carriers as a whole in each district and subject to this act, to earn an annual net railway operating income equal to not less than 6 per cent on the combined property investment account, determined in accordance with the accounting regulations of the commission, or such greater rate of return thereon as the commission may find to be reasonable or necessary in the public interest.

"It being impracticable to establish a level of uniform rates and charges within competitive areas which will sustain sundry carriers indispensable to the communities served by them, without enabling more favorably situated carriers to receive revenue from such rates, negligibly as to each service, but in the aggregate substantially and unreasonably in excess of the aggregate over a fair return upon its property, unless regulated in the interest of the commerce of the United States as a whole, it is hereby provided that, subject to the exceptions and conditions of this act, no carrier subject to the provisions of this act shall be authorized to receive and retain for the transportation services rendered such proportion of the rates and charges collected by it as may yield in the aggregate more than a reasonable return upon its property investment.

"The rate of 6 per cent per annum is hereby fixed as the maximum reasonable rate of return upon property employed in the public use by railroad carriers subject to this act, subject to the adjustments and the allowances in addition to 6 per cent herein provided, and subject to the right of any carrier to have recourse to the commission and the courts in proper cases within their respective jurisdictions in the assertion of the right to receive a greater rate of return or to retain a greater percentage of its earnings than herein stipulated.

"Nothing in this act contained shall be construed as requiring the commission to establish rates or levels of rates which will enable all carriers subject to the act to earn 6 per cent per annum on their respective property investments or as asserting that any carrier is entitled to more than a reasonable rate of return for each service performed notwithstanding that the aggegate of such returns may not produce operating income equivalent to 6 per cent on the property investment; but the commission is hereby directed to establish and maintain from time to time rate structures in the several regions that will enable the railroad carriers in each region, as a whole, to earn an aggregate net operating income equal to not less than 6 per cent upon their combined property investment, such aggregate rate of return being hereby declared the minimum required by the carriers, as a whole, to sustain their credit and service.

"The provisions of this section shall not be construed as depriving shippers of their right to reparation in case of overcharges, unlawfully excessive or discriminatory rates, or rates excessive in their relation to other comparable rates, but no shipper shall be entitled to recover upon the ground that or to the extent that particular rates may reflect a proportion of exeess earnings produced and to be recaptured in the public interest under the provisions of this act.

"The commission shall prescribe reasonable rules and regulations for the recapture and application in the public interest of the earnings of the respective carriers subject to this act in excess of the allowance to be permitted under the conditions provided herein, added to 6 per cent per annum upon the property investment account, or of such greater return as may in particular cases be found necessary to allow a reasonable return on the property investment. To that end the commission may define fiscal years, require such security or accountings, or prescribe such reasonable conditions as it may find necessary.

"Whenever two or more carriers are united or owned in one interest through the ownership by one of 90 per cent or more of the stock of the other or others, or are otherwise combined, they shall be considered and treated as one carrier in applying the provision of this section as to excess earnings and their accounts combined if they report separately to the commission.

"The process of recapture is hereinafter referred to as excess-earnings reduction. The fund so produced is referred to as the excess-earnings fund. The rate of reasonable return upon property investment account, whether 6 per cent per annum, as fixed by this act, or whether established at a greater rate after hearing at the instance of any particular carrier, will be referred to in this act as the standard return.

"Any carrier earning more than the standard return in any fiscal year shall be permitted to retain for such lawful use or disposition as it may determine one-third of such excess.

"In addition to such one-third carriers receiving excess earnings may be permitted, under the direction of and in accordance with regulations to be prescribed by the commission and when and to the extent found desirable in the public interest, to set up and maintain on their books, before the excess-earnings reduction shall apply, such corporate reserves as a margin of safety for the protection of their credit, or for working capital or otherwise in the public interest, as may be found desirable by the commission.

"And the commission may, in its discretion and when deemed desirable in the public interest, cause to be set up out of operating income, either upon the books of the railroads or by payment into and administration of the excess-earnings fund, a reserve as a margin of safety against carrier losses due to acts of God or other extraordinary contingencies wherever occurring in the United States, to be used for no other purpose and to be set up, not out of the revenue to which the carrier is entitled as of right to retain, but only to the extent that additional provision and allowance may have been made by the commission for that purpose in establishing the base rates necessary to produce the minimum return on the property investment of carriers in the several regions. Where the reserves thus produced shall exceed the amounts found necessary from time to time, the base rate may be adjusted accordingly or the excess may be required to be paid generally into the excess-earnings fund.

"The excess earnings over the standard return and such allowances in addition thereto as may be authorized pursuant to this act shall be paid over by each carrier earning the same into the excess-earnings fund, under the regulations to be prescribed by the commission, to be employed or expended under its direction in the public interest as herein authorized.

"The excess-earnings fund shall, to the extent of not exceeding one-half thereof, be employed, invested, or expended so as to secure to meritorious or faithful employees of the carriers within the several and respective regional districts from which such excess earnings may be paid into the fund, or their actual dependents, the benefits of profit sharing, pensions, or insurance, whether life, accident, sickness, or other form, as may be found most practicable and beneficial; and the commission is authorized to prescribe such conditions, restrictions, and regulations for the application of said fund for the purposes authorized by this paragraph and to employ such agencies in administering the same as it may find reasonable and proper and as the size or condition thereof from time to time may warrant; all expenses thereof to be paid out of the portion of the fund applicable to such use, and not otherwise.

"The remainder of such excess-earnings fund and the usufruct therefrom and accumulations thereof shall constitute a revolving fund, the special property of the United States, to be employed, invested, loaned, or expended by or under the direction and subject to the control of the commission in furtherance of the public interest and of the railway commerce of the United States either by way of loans to carriers subject to this act or by way of purchase, lease, or rental of motive power, cars, or necessary facilities or equipment or otherwise, upon such terms as may be found desirable to avoid congestion, interruptions, or hindrances to the railway service of the United States by carriers subject to the act to regulate commerce or to further the public service thereof.

"In the administration of such fund the commission may make use of such agencies as it may deem proper and may delegate so much of its ministerial functions relating thereto as it may find expedient, subject to the supervision and direction of the commission and to such regulations as it may prescribe in the premises; but during the existence of the National Railways Association created by this act the latter shall have the administration of said fund as provided herein. Any misappropriation of said fund or any part thereof or of any property into which the same may be converted, and any wrong, destruction, or hindrance done to any property in which it may be invested or the use thereof shall constitute an offense of the same character and be punishable under the same circumstances and to the same extent as in the case of other moneys or properties constituting general property of the United States.

"The Interstate Commerce Commission is hereby vested with plenary authority and power, to the full extent of the power of Congress to authorize or delegate the same, to make such extraordinary or horizontal rate adjustments of general application or such adjustment applicable to any class or commodity within any State, area, or district which may be ascertained and defined by the commission, or otherwise as it may find necessary, reasonable, and proper to sustain without interruption or disorganization the railway commerce of the United States during the period of transition following the relinquishment of Federal control or to meet any emergency which may thereafter arise, or in any emergency endangering the public interest or convenience or any national emergency; maintaining as far as compatible with the public interest the general relations of rates contemplated by this act; and, for the purposes stated, it may, with the consent of any carrier involved, assist, direct, or conduct its operations and properties in whole or in part, but without any liability, responsibility, or obligation upon the commission or the United States, other than as a charge against the operation, and may exercise such powers either directly or

through any proper agency, under the direction of the commission, as it may determine or as may otherwise be provided by law.

"The commission shall, as promptly after the passage of this act as practicable and in anticipation of the relinquishment of Federal control, prepare for the adjustment of rates on the general basis directed by this act, and shall inaugurate the same as promptly after Federal control as the conditions warrant. The commission is affirmatively charged with responsibility to see to it that the carriers subject to this act shall be accorded rates or general levels of rates in the different rate-making districts to enable them as a whole to earn a rate of return not less in any event in the aggregate than the standard rate of return as defined in this section.

"If it should prove, upon investigation or hearing by the commission, that the rates and charges or levels of rates and charges in effect from time to time do not provide or more than provide for the reasonable minimum return on the consolidated property investment accounts of the carriers as contemplated by this act, such rates and charges or levels of rates and charges shall be adjusted accordingly; but if the commission shall find that it is to the public interest that a larger excess-earnings fund should be realized than is provided under the level of rates existing at any time, the commission shall be empowered to adjust the level accordingly."

SEC. 18. That in order to obtain new money for capital expenditures or for refunding the commission shall have authority, where such expenditure or refunding has a direct relation to interstate commerce, to consent to the sale of stock and other securities of any carrier at such discount and at such rates of dividends or interest as may be found necessary and in the public interest. If the commission shall find such procedure reasonably necessary in order to enable any carrier to secure the funds for such purpose, it may set up on the property account of the carrier, but for the sole purpose of making rates and determining excess-earnings reduction under this act such amount as the commission may find necessary or desirable in the public interest.

SEC. 19. That the commission shall also prescribe and promulgate such reasonable restrictions upon additions, betterments, extensions, new construction, or purchases, additional stations or service by carriers subject to the provisions of this act as it may find necessary in order to prevent undue burdens, duplication, or wasteful competition from being imposed upon interstate operations, and may require such reasonable notice of proposed extensions as it may prescribe; and may order the same suspended pending investigation or where incompatible with the public interest as involving the unnecessary duplication of facilities in interstate commerce or likely to result in no benefit to the public or to the carrier reasonably commensurate with the cost thereof, or unduly interfering with or inflating the interstate rate basis defined by this act; and, in like manner, the commission shall have the authority to prescribe, promulgate, and enforce compliance with reasonable rules and regulations to prevent the issue, by carriers subject to the act to regulate commerce, of securities or obligations, secured or unsecured, on terms that are unreasonably wasteful or improvident or for purposes incompatible with the public interest as above defined.

Upon compliance with the provisions of this section, and with any order of the commission in the particular case, or with any lawful act of Congress relating to the issue of securities by carriers subject to the act to regulate commerce, which may hereafter be enacted, any carrier railroad corporation subject to the act to regulate commerce shall be authorized to issue and dispose of any stocks or bonds or other evidence of interest in and indebtedness of such carrier or assume any obligation or to execute any lien upon its properties then owned or thereafter acquired and to expend the proceeds of any securities as aforesaid, if otherwise conformable to law without further findings as to compatability with the public interest.

Any carrier subject to the provisions of this act shall have full power and authority to enter into, execute, and perform any agreement, contract, act, combination, consolidation, sale, or lease, or to acquire or construct any addition, betterment, extension, improvement, or to issue or acquire or sell any security or incur any obligation and to use and employ the same or the proceeds thereof in the course of its business as a carrier, without incurring any penalty or being held to violate any statute or rule of decision of any State or of the United States on the grounds that competition may thereby be lessened or eliminated, commerce be restrained, or monopoly be created; where the same shall after hearing have been found by the commission to be affirmatively in the public interest to facilitate interstate commerce, to prevent unnecessary additions to property investment of carriers, or to avoid unnecessary duplication of facilities.

SEC. 20. That the commission may, subject to such reasonable rules and regulations as it may prescribe, delegate the preliminary hearing or investigation or the taking of testimony or the original determination of any matters intrusted to it under this act to subordinate or supplementary Federal commissions, tribunals, or agencies which may be vested with authority to act in such matters or to the commissions or authorities having jurisdiction over rates or similar matters under the laws of the several States interested in any question before or under inquiry by the commission or arising under this act; and shall, if found practicable and in the interest of harmonizing and coordinating the work and jurisdiction of the State and Federal authorities by orders in specific cases, or by general rules and regulations, provide for initial hearing or for the taking or perpetuation of testimony or for recommendations and findings by such State commissions or other State authorities or members thereof, sitting alone or in conjunction with the Interstate Commerce Commission or any Federal regional commission or members thereof, and the commission is hereby required to introduce such procedure as it may find practicable to coordinate the work, service, and jurisdiction of State and Federal authorities in furtherance of their common service in the public interest and to the end that matters of local or limited or regional interest falling within the jurisdiction of the commission or matters involving possible controversies between Federal or State authorities or matters deemed capable of solution by such procedure may be determined or reconciled upon a single record; but in any such case there shall exist a right in any person or party who would have the right under this act to be heard if the matter were heard originally or exclusively by the commission, to review the same by application to the commission within a reasonable time, not less than 30 days, to be fixed by the commission.

In the absence of any review before the commission within the time fixed or of suspension by decree, interlocutory or otherwise, of any court having jurisdiction, the finding and determination at such preliminary hearing shall be lawful and effective to all intents and purposes as if made by the commission, and shall be subject to review or suspension only to the extent and under the same circumstances as like orders or judgments of the commission; and all such commissions or other authorities qualified to act in such general matters within such State under the State laws are hereby vested with authority to act under the supervision of and subject to review by the commission to the extent that authority may be delegated by the commission and in accordance with this act.

But nothing herein contained shall be construed as restricting any lawful right of the commission, in order to expedite the performance of its duties, to perform any ministerial or other delegable act required of it by law through employees, examiners, subordinate Federal commissions, State authorities, or otherwise, as it may find expedient and consistent with the purpose of this act.

SEC. 21. That when, under license or revocable or other temporary or terminable right or agreement, any carrier subject to the provisions of this act shall have constructed, established, or maintained a facility or service in interstate commerce essentially permanent in its nature or of such character as to give rise to a reasonable public necessity for the continuation thereof, such carrier or any State or person interested may, before or after the termination of the temporary right or easement or before or after the termination or threatened termination of the service or proposed or threatened withdrawal from its public uses of the property or facilities involved, apply to the commission for an order, and the commission shall have authority to make an order requiring or authorizing the carrier whose service has been or is to be discontinued to continue the same upon such terms and conditions and for such compensation, payable or secured, as the commission after notice and hearing to such carrier and to the owner or proprietor of the property or easement to be subjected to the continuation of such use or service may determine; or the commission may, after defining the nature and extent of the easement and the service or joint or concurrent use to be extended and in the absence of agreement between the carrier and the owner or proprietor of the property to be subjected to the easement, authorize, or require such carrier to proceed by condemnation, in which event such carrier shall forthwith institute and prosecute condemnation proceedings either pursuant to the laws of the State or States having jurisdiction in the premises or in the district courts of the United States under the direct authority of this act, and shall pending the determination thereof be entitled to an injunction, on ordinary equitable principles, if necessary to restrain interferences with the public service, and on such terms as the court may prescribe. On securing an order of condemnation the same shall be complied with and the service continued unless the commission shall find the award or awards unreasonable or not justified in the public interest and relieve such carrier from proceeding with the same.

SEC. 22. That whenever the commission, upon investigation on its own motion or upon complaint, shall find that the joint use by any carriers of any facilities of transportation is necessary or desirable in the public interest to facilitate commerce, the commission shall be, and is hereby, authorized and empowered by order to require the carriers to enter into such joint use upon such terms as may be agreed between them, and upon failure of the carriers so to agree within the time specified in such order, the commission may enter an order fixing the measure of service or use to be granted by the owner of the facilities and the just compensation to be paid for such service or use. Such joint use may be through union depot or terminal or other companies, approved by the commission as affording the best means of utilizing the properties of two or more carriers to facilitate commerce; and in such case the commission may, by order, fix the fair relative interest and representation of each carrier in the subsidiary company upon failure of the carriers to agree. If the compensation fixed by the commission shall not be acquiesced in by either party in interest the commission shall be authorized to require the carrier required to inaugurate or join in the proposed service to proceed by condemnation to secure the easement, conditioned or limited as fixed by the commission, in the appropriate district court of the United States, under direct authority of the act, to acquire such easement or have the just compensation determined. On securing an order of condemnation the same shall be complied with and the service inaugurated and continued unless the commission shall find the award or awards unreasonable or not justified and in the public intrest grant relief from its order.

In all cases covered by the last foregoing section or by this section the commission shall have authority from time to time to make and enforce all such orders, rules, and regulations as may be reasonable and in the interest of the interstate commerce of the United States.

REGIONAL COMMERCE COMMISSIONS.

SEC. 23. That the Interstate Commerce Commission shall define and shall have authority to change from time to time, as may be found by it desirable in the public interest, not less than six regulatory areas or districts which shall be known as regional districts, which need not necessarily conincide with the rate-making districts above referred to in section 15 of this act. Until more definitely defined or changed by the commission the United States shall be divided into the following regional districts:

Trunk line and New England: Being the territory east of a line drawn through Buffalo and Pittsburgh and north of the Potomac River. (This territory might be divided into two districts.)

Central freight: Being the territory west of a line drawn through Buffalo and Pittsburgh and north of the Ohio River and east of the Mississippi River and south of the Illinois-Wisconsin line, including the southern peninsula of Michigan.

Southern: Being the territory south of the Ohio and Potomac Rivers and east of the Mississippi.

Western trunk line: Being the territory north of a line drawn from St. Louis through Kansas City to the Rocky Mountains and east of a north and south line to the Canadian boundary.

Southwestern: Being the territory west of the Mississippi River and south of a line drawn from St. Louis through Kansas City to the Rocky Mountains, and thence south to the Mexican boundary.

Pacific-Intermountain: Being the territory west of a north and south line through Denver, Colo.

SEC. 24. That there is hereby created and established for each regional district a commission to be known as the Regional Commerce Commission, preceded by the geographical term descriptive of each region, to be determined by the Interstate Commerce Commission, the regional commerce commissions being referred to herein as the regional commissions and the Interstate Commerce Commission as the commission. Each regional commission shall be composed of three members, who shall be native citizens of the United States and shall be appointed by the President, by and with the advice and consent of the Senate, from among the residents of such district, not more than two of whom shall be appointed from the same political party, and provided that not more than nine of the members of all of the regional commissions shall be appointed from the same political party. The regional commissioners first appointed under this act shall con-

tinue in office for the term of two, four, and six years, respectively, from the 1st day of January, 1919, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he shall succeed. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. No person in the employ of or holding any official relation to any common carrier subject to the act to regulate commerce, approved February 4, 1887, and the acts amendatory thereof, or owning stocks or bonds thereof, or who is in any way pecuniarily interested therein, shall enter upon the duties of or hold such office. Said regional commissioners shall not engage in any other business, vocation, or employment. No vacancy in any regional commission shall impair the right of the remaining commissioners to exercise all the powers of such regional commission. Each regional commissioner shall receive $7,500 compensation per annum, payable monthly. Each regional commission shall have a secretary, who shall receive $3,500 per annum, payable monthly.

SEC. 25. That the regional commissions shall have authority to exercise within their respective regional districts concurrent jurisdiction with the Interstate Commerce Commission over questions wholly or partly within such districts subject to such rules and regulations as may and are hereby authorized to be prescribed by the Interstate Commerce Commission, and to the extent that the same may be delegated or assigned to such regional commission by the Interstate Commerce Commission for hearing, investigation, report, or other action, by general or specific order or regulation, but subject to review by the Interstate Commerce Commission on petition or application by any party in interest or on motion of the Interstate Commerce Commission.

The regional commissions shall also have original jurisdiction, concurrently with the Interstate Commerce Commission, and subject to review at all times by the latter and to such reasonable rules and regulations as the latter may prescribe to prevent and avoid or reconcile duplication of effort and conflicts, over the initiation, change, and adjustment of specific rates, fares, charges, service, routing, or practices of the carriers subject to the act to regulate commerce within their respective regions, where the matter involved is effective wholly or to the greater extent within such region or, in cases where two or more regions are equally or generally involved, where the matter has been especially referred for investigation, determination, or other action by the commission. In the case of matters involving possible conflicts or contemporaneous hearings of the same questions, any party in interest or the regional commission may apply or suggest to the commission that the hearings should be consolidated or the one or the other suspended or the whole matter or any features thereof taken up directly and originally by the commission or withdrawn from further consideration by or referred exclusively to either regional commission or for joint hearing by all or any of the regional commissions. The commission shall have full authority to enter orders or make orders, rules, and regulations in all such matters to avoid conflict or duplication of effort or unnecessary expense or inconvenience to the carriers or the public.

SEC. 26. That all questions or causes referred to the regional commissions for investigation and decision or action shall be heard and determined or acted upon as promptly as may be, and the findings of the regional commissioner in such cases and all final orders in all cases in which they have original jurisdiction shall be filed immediately with the Interstate Commerce Commission. Such findings shall be subject to review by the Interstate Commerce Commission at the instance of any party who appeared before the regional commission or who may be permitted to intervene for the purpose of exception and appeal, either by the regional commission or Interstate Commerce Commission, at any time within 30 days, or within such extended time as may be allowed by the Interstate Commerce Commission by order in such cause, by filing notice to that effect, either with the regional commission or with the Interstate Commerce Commission, whereupon the entire record and testimony taken before the regional commission shall be transmitted to the Interstate Commerce Commission and the finding and order of the regional commission shall be reviewed and the question or matter determined by the Interstate Commerce Commission.

The commission shall prescribe such reasonable rules and procedure as it may find necessary for prompt and orderly hearing and proceedings before the regional commissions and commissioners and for notifying and bringing in necessary or desirable parties, permitting intervention.

On review by the commission the matter may be heard or reviewed on the record and testimony before the regional commission, but for good cause shown, on motion of any party in interest or on motion of the commission, additional testimony may be heard or ordered to be taken or the whole matter heard de novo.

Where no appeal is taken from the order or finding or decision of the regional commission the same shall be effective to all intents and purposes as an order, finding, or decision of the commission.

SEC. 27. That each regional commission shall have an office, and shall be authorized to employ such clerical or other assistance as it finds necessary. It shall make its permanent headquarters and keep its records in such city in the regional district as the regional commission and the Interstate Commerce Commission may prescribe, but may also hold its hearings at different points to serve the convenience of the public or parties in interest. The regional commissions may conduct hearings or assemble evidence through examiners or agents or assistants as it may find necessary and as may be within the procedure or rules of the commission. All of the expenses of the regional commissions, including all necessary expenses for transportation incurred by the regional commissioners, or by their employees under their order, in making any official investigation or upon official business in any other places than in the city of their residence, shall be allowed and paid on the presentation of itemized vouchers therefor, approved by the chairman of the regional commission.

SEC. 28. That the regional commission and the regional commissioners shall, subject to review by the commission, and to all lawful limitations upon the commission, have the same general powers, authority, and prerogatives in all matters and hearings before them or subject to inquiry, investigation, determination, or report by them or by any member thereof as are enjoyed by the Interstate Commerce Commission or its members, including the right to institute and prosecute proceedings in court, to compel the attendance and testimony of witnesses, the production of books, papers, records, and accounts, the taking of testimony, the institution of contempt proceedings, and the like; and the same principles as to immunity of witnesses from prosecution shall obtain, provided that no regional commission shall permit such immunity to be secured except pursuant to general or specific orders of the commission. The regional commissions must conform in all respects to the rules and principles for action prescribed for the Interstate Commerce Commission.

SEC. 29. That the regional commissions shall have an official seal, which shall be judicially noticed, and may sue and be sued. Any member of the regional commissions may administer oaths and affirmations and sign subpœnas. A majority of the commission shall constitute a quorum for the decision of questions requiring the action of the regional commission, but no commissioner shall participate in any hearing or proceeding in which he has any pecuniary interest. The Interstate Commerce Commission shall make and amend from time to time uniform reasonable rules or orders for the order and regulation of such proceedings before the regional commissions it may deem requisite, but each regional commission may adopt its own reasonable rules and regulations for procedure or as to its hearings, not inconsistent with any orders or rules prescribed by the commission or with this act.

Any party may appear before such regional commission or member thereof conducting any investigation and be heard in person or by attorney.

SEC. 30. That all conflicts between the decisions or proceedings of the several regional commissions shall be reconciled or corrected by the Interstate Commerce Commission, which shall have plenary authority to that end.

The regional commissions may, of their own motion, docket causes with the Interstate Commerce Commission, which may be referred to the regional commission most appropriate for the consideration of the matter or to a joint hearing by two or more regional commissions, where more than one region is affected.

The regional commission shall make such reports as may be required by the Interstate Commerce Commission, may initiate or propose to the commission changes in rates, charges, routes, practices, or make recommendations in relation to any matter within the jurisdiction of the Interstate Commerce Commission; shall carry into effect such general or horizontal or other adjustments, under the orders and directions of the commission, as may be necessary to put into effect rates or levels or bases of rates necessary to sustain the carriers subject to the act to regulate and on the general principles prescribed by this act.

SEC. 31. That the commission may appoint rate committees from each region to be made up of employees of railroads and shippers or their respective representatives and to exercise such functions and authority in relation to the initiation or tentative approval of proposed specific changes in rates and charges as the commission may find practicable and desirable.

The commission shall likewise prescribe the general procedure for the initiation of changes in rates, fares, and charges by normal processes not amounting to or as a result of a formal complaint or application for hearing filed by carrier or shipper or other party, and shall prescribe such general procedure as will, to the extent that same may be practicable and consistent with the avoidance of friction or conflict, refer the general initiation of changes, the conditions precedent to filing of changes in rates and charges and of new rates, the effective dates of such rates and all questions of suspension of proposed rates to the several regional commissions for investigation and hearing in all cases not covered by outstanding orders or decrees or other requirements of law.

Every vote and official act of such commissions shall be entered of record and a duly certified copy thereof filed with the Interstate Commerce Commission; and their proceedings shall be public upon the request of any party interested.

The Interstate Commerce Commission shall prescribe suitable regulations to coordinate the work of the regional commissions with that of the State railroad or public service commissions, with the consent of the latter, in matters of possible conflict and in other cases where practicable and desirable, and shall have authority to authorize regional commissioners to sit temporarily in regional districts and with regional commissions other than that of their appointment where any vacancy or disqualification exists, or in any case in which the Interstate Commerce Commission shall certify that it is to the public interest that one or more regional commissions shall sit or shall conduct a joint hearing upon a single record; and in such cases the judgment or decision of the regional commissions, if any, shall be the judgment of a majority of the commissioners sitting.

SEC. 32. That, subject to the right of review by the commission on application of any party in interest within 10 days after the finding of the regional commission, the regional commission for any region in which 5 per cent (being not less than 50 workmen) of the employees concerned reside shall have authority to act as a board of conciliation or arbitration in all controversies between any carrier or between the carriers as a whole in any region and the employees or any general class of employees of such carrier or carriers in such region or between any carrier or carriers and any organization directly representing not less than 5 per cent (being not less than 50 workmen) of the employees of such carriers in any region or between the employees of National Railways Association hereby created, whether affecting wages, terms, or conditions of payment or employment, wage, or occupational differences of any kind, grievances, whether of the employees in question or of other employees of the same or different employer, whenever such difference tends or is likely to interfere with, hinder, obstruct, interrupt, or burden interstate commerce or any agency thereof, temporarily or permanently, or interrupt the transit of the mails or troops or property or communications of the United States. The commission is expressly authorized to promulgate rules, regulations, reports, and procedure for the submission of all such questions and controversies to arbitration or conciliation by and before the several regional commissions or the regional commission of any region in which the requisite number of employees concerned reside. Such rules, regulations, and procedure shall provide, inter alia, that there shall be no strike, lockout, or like final action such as a horizontal reduction in wages or radical general change in the terms or conditions of employment without reasonable notice to the carrier or to the employees or class of employees to be affected, and, in the case of protest by the carrier or by not less than 5 per cent (being in excess of 50 workmen) of the employees to be affected joining in such protest, individually or through any union or organization representing not less than 5 per cent (being in excess of 50 workmen) of the employees to be affected, there shall be no such action without submission of the question to conciliation or arbitration before the regional commission for the region in which the greater number of employees concerned reside and according to such rules and regulations as the commission may prescribe, nor until the regional commission and, if reviewed, the commission shall announce its finding or award or its inability to reach a determination, which shall be as promptly as may be, and, unless extended by representatives of the majority of the carrier or carriers or of the employees affected,

or their representatives, shall be within 90 days from the filing of an application for conciliation or arbitration or within 150 days, if reviewed. Any carrier, person, or persons violating or attempting or inducing another to violate this section or any lawful rule or regulation of the commission relating thereto shall be guilty of a misdemeanor, and shall, on conviction, be punished as provided in section 10 of this act as amended.

If at any time before a finding or award is made any of the respective opposite parties agree that the finding or award shall be conclusive and compulsory, the final finding or award therein shall be conclusive, valid, and binding to the extent that such finding or award is timely and responsive to the submission and agreement. In matters submitted for conciliation rather than arbitration to the regional commission or the commission, in case of appeal, it shall be unlawful and constitute a misdemeanor punishable as hereinabove provided for any carrier subject to this act, its officer, or employee to take, join, or induce any final action, strike, or lockout contrary to such award of conciliation within 30 days from the date thereof.

The commission shall be authorized to adopt suitable rules, regulation, and procedure and cause any such question or difference arising within the several regions to be submitted to primary hearing and determination before arbitrators selected equally by the respective regional commissions from among the carriers affected and by the employees concerned and the odd arbitrator by those thus selected respective parties or, on their failure to agree, by the appointment of a disinterested arbitrator by the Interstate Commerce Commission. The finding or award so arrived at shall be filed forthwith with the appropriate regional commission and be subject to review by such commission on the application, to be filed with such commission within 10 days after notice of the award, by any carrier or employee claiming to be adversely affected; but if no application for review is made the same shall be valid to all intents and purposes as if such arbitration or conciliation and award had been before and by the regional commission and shall be effective accordingly under penalty as above provided.

SEC. 33. That any member of the commission or of any regional commission who, by reason of his existing or former relationship to any party or question involved in any matter or controversy pending before such commission for hearing, determination, conciliation, or arbitration, or for any other good reason, shall determine that it is proper for him not to sit in determination upon the question, may cause his reasons to be entered upon the minutes of the commission and recuse himself from participation in the hearing, award, or finding. If necessary to a decision the remaining members shall call upon the President of the United States, or, in his absence or inability to act, upon the Chief Justice of the United States, who shall thereupon designate a disinterested party, otherwise eligible for appointment as commissioner, to sit in lieu of the commissioner thus recused, and the vote and decision of such person, after taking the oath of office, shall be effective as if it were the vote and decision of the commissioner for whom he was substituted.

NATIONAL RAILWAYS ASSOCIATION.

SEC. 34. That the members of the Interstate Commerce Commission, and such additional members as may hereafter constitute the Interstate Commerce Commission and their successors, together with eight others to be designated as herein provided by carriers, subject to the acts to regulate commerce as amended, and their successors, be, and they are hereby, created a body corporate and politic of the United States by the name, title, and style of National Railways Association, and by that name shall have perpetual succession, and it shall be lawful for the said corporation to have a corporate seal, to sue and be sued, to plead and be impleaded, and to have and exercise all necessary and incidental rights, privileges, and immunities for the purposes of the corporation hereby created and hereinafter defined.

SEC. 35. That said National Railways Association shall be an agency of the United States, to be operated in the interest of the commerce of the people of the United States conducted by carriers under private ownership and operation. It shall not be operated primarily for profit, and no person, firm, or corporation shall have a direct pecuniary interest in its earnings or profits, except as creditor or holder of its securities or under privity of contract or as beneficiary of its functions.

The specific objects and purposes for which said corporation, hereinafter referred to as the association, is created and the general powers and functions which it may exercise and discharge are as follows:

To provide an agency to assist in the orderly return to their owners of transportation systems subject to the act to regulate commerce and acts amendatory thereof.

To provide an administrative management and agency, coordinating with the Interstate Commerce Commission, for the purchase, ownership, control, leasing, direction, or operation of engines, cars, equipment, facilities, or other agencies used or proposed to be used in interstate commerce; to afford a skilled, trained, and efficient body of men experienced in railway management, operation, and finance to assist the Interstate Commerce Commission and the carriers of the United States in the performance of their respective duties and obligations; to act as an agency to perpetuate certain advantages and practices found to result from unified control or operation; to advise the Interstate Commerce Commission in relation to operations, car service, car repairs, car supply, interchange, routing, standards or methods of operation, safety measures, efficiency standards, the unification of service, joint use of facilities, terminals, or other agencies of interstate commerce, the combination or consolidation of railroads, trackage agreements between railroads, the pooling of freight or other like arrangements or relations between carriers compatible with or essential to the public interest; and, generally, to act as a consulting advisory, visitorial, and executive or administrative agency of the Interstate Commerce Commission and of the Government of the United States, and of the carriers who shall make or be lawfully required to make use of same, in general furtherance of the commerce of the United States.

The association shall have corporate power and authority to perform any duty, act, or service lawfully delegated to it by the Interstate Commerce Commission or by any carrier subject to the act to regulate commerce.

It shall have power to receive or borrow money from the United States or from any other public or private source, to enter into conditional or limited obligations, or obligations chargeable against or dischargeable only out of the proceeds, usufruct, or avails or operation of specific chattels or properties without thereby creating any general liability against the corporation; to issue its obligations, certificates, debentures, or other evidences of interest or debt, secured or unsecured, as it may decide.

It shall have power to purchase from the United States all such equipment, cars, engines, or other railway property as may have been purchased or contracted for by the United States, acting through the President or his agencies and hereinafter generally referred to as the Railroad Administration, and not allocated to or paid for by any carrier, and to enter into agreements with the Railroad Administration as to the fair and reasonable value thereof at the time of surrender or transfer by the Railroad Administration. The association and the Railroad Administration shall have the power to agree upon such value, which may be less than the original cost thereof; and the Railroad Administration is hereby authorized to sell and transfer any such equipment to the association or to others upon fair and reasonable terms. The association shall have power to act as the agency of the President in the exercise of Federal operation pending the relinquishment thereof to any extent which may be authorized by the President or by the Railroad Administration; to hold, manage, lease, or otherwise dispose of any equipment or other property in trust or as agent for the use or benefit of the United States or any other owner or owners; or aid the Railroad Administration in any lawful way in the transition of the railroads from Federal operation; and, in general, to occupy any contract relationship to any carrier engaged in interstate or foreign commerce or any property owned or operated by any carrier engaged in such commerce.

In times of war the association may, with the consent of the owners, take over the property and operations of any carrier or carriers, or any part thereof or to any extent, and operate same for such carrier under such terms and conditions for their timely return to the owners as may be agreed on or as Congress may by law provide.

As an incident to its general function of assisting in the commerce of the United States under private ownership and operation and not for the purpose of furthering Government ownership or proprietary operation of common carriers, and of providing or assisting in the matter of joint facilities, joint terminals, or in the matter of equipment for joint or several use or like function in furtherance of the service of the privately owned transportation systems of the United States, the association may engage in interstate, intrastate, or foreign commerce; may transport for hire passengers, express, or the mails; may construct, acquire, own, lease, operate, sell, or otherwise dispose of cars, engines, shops, stations, vessels, docks, terminals, yards, highways, ways, telephones, telegraph and cable lines, and any and all devices, agencies, and facilities of transportation, commerce, or communication incident to such general purpose; and may exercise all or any of the functions and powers authorized by this act alone or under agreement or in partnership or other relation with others.

The association shall have the further power for the general purpose above stated—

To accept, acquire, use, transfer, or otherwise dispose of grants, licenses, and franchises; to hold, own, or dispose of real estate and personal property; to issue, purchase, hold, reissue, or sell its own debentures, bonds, or other forms of indebtedness or certificate of interest or participation; to acquire, by purchase, original subscription, underwriting, or otherwise, and to hold, hypothecate, or dispose of stocks, bonds, mortgages, or other securities of any carrier in furtherance of the general purposes above stated or temporarily to protect a debt or obligation due it.

To indorse, guarantee, become surety upon, or in anywise contract with reference to, the bonds, debentures, contracts, or other obligations relating to property used or intended to be employed in interstate or foreign commerce or incidental or accessorial thereto where reasonably incidental to the general purposes and powers conferred upon the association.

To borrow and lend money, with or without security, and to mortgage, pledge, or hypothecate any property or interest the association may own; but none of the powers granted to the association by this act shall be construed as authorizing it to acquire and hold in a proprietary capacity any integral line mileage or general road haul railway property, directly or through stock or other ownership or control, other than in case of terminal, belt, or switching properties or companies or other like properties or companies, accessorial to the service of, or to be used in common or otherwise by or for the benefit of the service of carriers subject to this act other than the association itself.

SEC. 36. That the sum of $500,000, or so much thereof as may be necessary, is hereby appropriated as a loan to the association to enable it to organize and finance its operations, in part, until revenue from the excess earnings funds shall begin to be available as provided in this act; said loan shall bear such rate of interest on the moneys advanced and be payable as may be agreed between the association and the Secretary of the Treasury. No obligation of the association shall be or become binding upon the United States as an obligation expressed or implied except as specifically authorized or provided by law. For the performance of its functions, involving obligations or expenditures in excess of the foregoing appropriation, the association and persons dealing with it must look to other revenue or security.

The appropriation hereby made shall, to the extent same may be necessary, be available on vouchers duly verified and approved by the chairman or other trustee designated by the trustees for that purpose, only for the payment of the salaries of the trustees of the association; a general manager, who may be one of the trustees; a secretary; and such subordinate employees as may be found necessary; for traveling or other expenses of the employees of the association while engaged in the performance of their duties; for the compensation and expenses of engineers; counsel or other assistance in the discharge of the business of the association; and for rent and upkeep of offices and records; and for supplies and facilities.

For all expenses incurred by the association or its agents at the direct instance and as an agency of the commission payment or reimbursement therefor shall be made as other authorized expenses of the commission or its employees on approval by the proper officer of the commission and shall not be chargeable against the appropriation hereby made as a loan to the association.

For their services as trustees of the association the members of the Interstate Commerce Commission shall receive the sum of $5,000 per annum, payable monthly by the association, in addition to their compensation as members of the commission; the other trustees shall not receive compensation from the association other than their traveling expenses, as otherwise provided herein, except the general manager, whose salary shall be $25,000 per annum, and the secretary, who shall receive $6,000 per annum, all payable monthly by the association.

The principal office and legal domicile of the association shall be in Washington, in the District of Columbia, but the association may have office or agents and transact its business among and within the several States and in the District of Columbia, free from any license, franchise,

or privilege taxes, and free from any taxes upon its income, property, or business; but this provision shall not exempt any carrier, or its income, property, or business from lawful taxation by the several States or by the United States when held or operated by the association as the agent or trustee for any such carrier.

The funds, credits, and properties belonging to the association shall not be subject to attachment, garnishment, or sequestration; nor shall property or funds in the custody of the association or credit due by it to carriers be subject to attachment, garnishment, or sequestration for the payment of debt.

The Interstate Commerce Commission shall provide suitable offices for the association in Washington.

SEC. 37. That the association shall issue no shares of stock, but the trustees may, for any lawful corporate purpose, issue notes, bonds, debentures, certificates, or other instruments, singly or in classes or series, secured or unsecured, without interest or with interest at such rate and with such maturities as the trustees may find necessary.

Whenever the commission shall find it reasonably necessary in the public interest and to the proper discharge by any carrier subject to this act of the obligations assumed by it as a carrier in interstate commerce, that such carrier should acquire any facility or property or perform or discharge any service or duty in which the association is authorized to assist, the association may proceed to that end under any contract or agreement with such carrier which may be approved by the commission, and in pursuance thereof may issue its bonds or other obligations; and in all such cases such carrier shall have plenary power and authority to guarantee any or all such obligations and perform and discharge such contract, guaranty, lien, or other obligation as it may assume in connection therewith under the direct authority of this act.

SEC. 38. That in taking over any equipment purchased by the Railroad Administration or any part thereof, or in purchasing, leasing, storing, holding, or selling other engines, cars, equipment, or property, or incurring like or other expenses in relation to property within its power to acquire, the association may execute its own direct obligations or may lend its credit or guaranty to any carrier and may in the course of its business give or take or retain a lien, trust indenture, mortgage, conditions sale, or other agreement, and such lien, trust indenture, mortgage, conditional sale, or other agreement shall be valid and effective according to its tenor and purport and shall be received in evidence and given effect in all courts, whether filed or recorded or any tax paid thereon according to State laws or not. But an original counterpart of such instrument shall be filed with the Interstate Commerce Commission, and a copy thereof certified by the secretary of the commission under its seal shall be received in evidence in all courts, prima facie, in all respects as an original counterpart, executed and delivered according to its tenor and purport.

SEC. 39. That the issue of securities by the association from time to time shall not, nor shall the association in respect of its organization, powers, authority, books, records, or accounts, be subject to the jurisdiction of any State, except as herein otherwise provided.

SEC. 40. That the eight trustees of the association to be elected by carriers subject to the act to regulate commerce as amended, shall be elected by the board of directors of the class 1 railroad corporations (those showing according to the latest reports published by the Interstate Commerce Commission a gross operating revenue of $1,000,000 or more) allocated by the commission to the respective regions, which shall cause their respective selections to be certified to the secretary of the Interstate Commerce Commission within 60 days after the approval of this act (and, thereafter, in cases of expiration of term of office subsequently occurring, within such time and after such notice of such termination as the by-laws of the association may prescribe).

The trustees of the association other than the members of the commission may be officers, directors, or otherwise connected with or interested in carriers subject to this act, it being a purpose hereof that such trustees shall be representative of active railway management and finance.

Each directorate shall vote for one trustee from its region and for as many as required at large. The votes shall be canvassed by the commission and the nominees receiving the highest plurality in their respective regions (if not less than one-third of the directorates voting) of the votes of the several directorates voting shall be trustees selected. If no person shall receive such plurality in the case of any vacancy to be filled, the trustees elected shall by majority vote fill the vacancy by selecting one of the nominees voted as by the directorates to fill such vacancy, and in the event of their failure to act or elect, the vacancy shall be filled by the commission from such nominees. The trustees of the association shall hold their first meeting on call of the chairman of the Interstate Commerce Commission as promptly as convenient and shall forthwith organize the association for business, elect a chairman, who shall not be chairman of the commission, one or more vice chairmen, a secretary, establish an office, adopt a corporate seal and by-laws for the government of the association, and, as soon thereafter as convenient or necessary, a general manager, and also employ such other officers or agents as may be necessary.

The trustees shall, by resolution or by by-laws, prescribe the authority of the officers or other agents.

The carrier trustees first elected shall be eligible to hold office as follows: Four for two years and four for four years, the length of their respective terms to be determined by lot or agreement at the first meeting of the trustees. Thereafter, at the expiration of their respective terms, trustees shall be elected by the boards of directors of the class 1 railroads of the respective district in which vacancies occur (or at large) or by the remaining trustees or upon their failure to elect by the commission as hereinbefore provided, their terms to be for two years, so that four carrier trustees will be elected every two years. There shall not be more than one carrier trustee from any one district, except that one of the trustees at large may be a resident of a district represented by another trustee. No carrier shall be entitled to vote in selecting a trustee from more than one district (except for trustees at large) and must be allocated for such purpose to that district in which the major portion of its mileage lies. Each carrier entitled to participate shall be entitled to cast one vote. Vacancies in the office of carrier trustee shall be filled for the remainder of the unexpired term, by election by the remaining trustees elected by the carriers.

Trustees may be removed from office by the President for misconduct or inability or failure to attend to the duties of the office.

The trustees may elect from their number an executive committee of not less than five members, of whom not less than two must be trustees elected by the railroads, which shall be authorized to exercise the duty and authority of the trustees when the trustees are not in session, subject to the by-laws and the direction of the trustees.

No trustee shall vote or alone represent the association in respect to any matter or contract in which he or any carrier with which he is connected or interested has a direct pecuniary interest except contracts or relations generally applicable to all railroads.

SEC. 41. That it shall be the duty of the association to invite and encourage the use of the association by all carriers as their common agency in all matters of general interest, such as the clearing and interchange of cars, reciprocal service, the clearing of accounts, the settlement and allocation of loss and damage claims, the arbitration of differences, and in all matters in which a common agency would be desirable; to act as a bureau of complaints to which the public may apply at any time for prompt assistance in securing attention to just grievances; to keep constantly informed as to the traffic and operating conditions of the railroads, and to anticipate and make provision for car supply and distribution; to investigate and report to the commission and to the carriers interested plans or suggestions for advancement of the commerce of the United States, for unification of service where beneficial, for joint use of terminals or facilities, for the construction of additional facilities, and in respect to all matters as to which the commission has authority to act; to make studies of traffic conditions, the capacity of the various ports, and to coordinate the rail, water, and highway transportation facilities of the United States; to suggest economies and sound principles of operation; to act as an agency to assist, direct, or enforce any order or direction of the Interstate Commerce Commission; and to provide at all times an efficient organization available for any national or regional emergency affecting interstate commerce.

SEC. 42. That the association shall have the right and authority to acquire, condemn, or subordinate private property, easements, or franchises to the public uses served or proposed to be served by the corporation in such cases and to the extent of such easement and so conditioned and qualified as may have been authorized by the Interstate Commerce Commission as compatible with the interest of the public and of the commerce of the Nation and consistent with the purposes of the association; and may proceed for the enforcement of such right in any State court having jurisdiction of the property or defendants and jurisdiction of such matters or in any Federal district court having jurisdiction of the property or of the adverse interests of any one of them under direct authority of this act; and may act or be employed as the agency, by and with the approval or direction of the Interstate Commerce Commission, to acquire such rights or easements reasonably essential to the interests of the public and the commerce of the Nation, or to any carrier subject to the commerce acts of the United States, for the use of or to be transferred to, leased, or used by any such carrier in cases where the latter may be disenabled or impeded by want of corporate authority or other statutory or other impediment to exercise the right in the manner most compatible with the public interest in interstate commerce or where the same should, in such public interest, be acquired, held, operated, or owned subject to joint use of carriers.

For the purposes of the association as hereinabove defined, the association may transact its business as an ordinary private corporation on such terms as it may find reasonable or necessary in the public interest, but the charges, rents, practices, agreements, and transactions of the association shall be subject to supervision, approval, disapproval, and regulation by the commission, except that the association may enter into fixed and binding contracts in all cases where the same shall be declared to be compatible with the public interest by the Interstate Commerce Commission by specific or general order applicable thereto; and the ordinary contracts and transactions of the association which work as transfer, lien, or withdrawal, to endure for a period of more than three years, of or upon lands, terminals, rights of way, easements, licenses, or real property owned or held by the association in a proprietary capacity and devoted to public use, shall not be subject to disaffirmance by the Interstate Commerce Commission.

In and about its business and operations for the general purposes stated the association shall have the right to engage in such incidental business and to exercise such accessorial powers and functions, whether local or interstate, as may assist and further the exercise of any of the powers expressly granted or be of benefit to any property held or owned by the association in a proprietary capacity, and without the payment by the association or by its agents, employees, or licenses of any State or municipal license, privilege, occupation, or franchise tax therefor or with reference thereto, except where held or operated in a representative or fiduciary capacity for some person, firm, or corporation which is or would be subject to such tax, and in such case only to the extent and in such amounts as the latter would be taxable in respect of local transactions.

The association may require any carrier or carriers at whose instance or for whose benefit it may act or acquire, or hold, operate, or manage property, to enter into contracts of guaranty or indemnity or to give security; and any such carrier is hereby authorized to comply with such requirement.

SEC. 43. That whenever the association shall, in pursuance of its general purposes above defined, condemn or acquire property, easements, rights, or licenses in pursuance or furtherance of interstate commerce, the association and its licensees, privies, and assigns, being carriers subject to the act to regulate commerce, may as an incident to such license, easement, interest, or estate acquired therein from the association engage in local transactions not constituting interstate commerce per se where the same are reasonably necessary to sustain the interstate agency or service, or are ordinarily incident thereto, whether because of competitive or other conditions or by reason of the fact that the interstate use or functions thereof are practically inseparable from its local use or functions, and without the payment of any tax for the privilege or franchise, or in respect of the property employed therein, except in the case of carriers other than the association, such as is ordinarily payable by citizens of the State for the transaction of local business or in respect to property devoted to such local service or use.

SEC. 44. That the association shall in the exercise of its powers and in the administration of functions delegated to it by the Interstate Commerce Commission, in respect to leases of equipment, loans of funds, acquisition or control of terminals or other facilities, use of joint facilities, pooling, embargoes, permits, diversion of traffic, divisions, or otherwise and in its recommendations to the commission have due regard for the principle that its chief function is to foster interstate commerce among the carriers subject to the act to regulate commerce, as a whole, and to assist in sustaining and stabilizing the agencies thereof to the maximum extent compatible with the public interest, and that it may, and the Interstate Commerce Commission may likewise, make due allowance for the differing requirements of the respective carriers involved and the communities which they serve, whether resulting from subnormal revenue, adverse operating conditions, or otherwise—wide discretion being vested in the association and in the commission in such matters,

SEC. 45. That the association shall have the power and be under the duty to receive, recover, and administer any funds paid or payable to it for any of its purposes or objects, and particularly such money due or paid out of the excess earnings of railroads subject to the act to regulate commerce as now or hereafter amended or as may be in accordance to law. The portions of such funds required or exacted for expenditures generally in the public interest (as distinguished from the funds held for the benefit of employees) shall be available for use in furtherance of any or all of the object powers or functions of the association, and subject to expenditure by or under authority of the trustees as in the case of ordinary private corporations.

The association shall alone be entitled to maintain civil proceedings to recover excess earnings reduction from carriers required to pay the same, and to that end shall be subrogated to any lien or security which may have been taken to secure the same, as well as to a lien upon any property, improvement, or betterment which may have been acquired by the carrier or expended upon its property and upon any debt, lien, or mortgage of the delinquent carrier to the extent to which the funds properly payable to the association may have been employed on the purchase of such property, improvement, or betterment, or in the liquidation of such debt, lien, or mortgage, but nothing in this section contained shall be construed as preventing the commission from proceeding against any carrier for the enforcement of its valid orders or to enjoin violation thereof in respect to such fund, as in other cases.

In administering such funds the association will be governed by the principles laid down by Congress in respect thereto and by any lawful rules and regulations prescribed by the commission.

SEC. 46. That such portions of such funds as are or may be required to be used in the interest of employees of a particular carrier or carriers shall be administered for that purpose in accordance with such rules, regulations, and procedure as may from time to time be prescribed or approved by the commission or, upon the failure of the commission to act, by the association. No employee of any carrier shall be held to have a beneficial interest or equity in or any cause of action or right to accounting against any carrier or against the commission or the association or any coemployee or employees of any other carrier for a recovery or accounting or contribution to secure any sum or benefit or claim against the fund as such, except as against the association alone to establish a contention that such employee or dependent is in fact a beneficiary entitled to benefits under the specific rules and regulations in force from time to time and applicable to funds which reached and are or were available and payable to the claimant.

SEC. 47. That for any misuse of the funds or injury, misuse, or depredation to the property of the association or of property in its custody, or for interference with its transactions, any person, firm, or corporation shall be guilty of an offense against the laws of the United States of the character and degree and punishable as if the funds or property involved belonged directly to or as if such interference hindered the direct action of the United States. Employees having access to funds belonging to or in custody of the association shall be bonded.

SEC. 48. That employees of the association shall not be considered as employees of the United States within the meaning of the civil-service acts or workmen's compensation acts relating to direct employees of the United States, but in all such respects the relative rights and responsibilities of the association and its employees shall be as if the association were, in respect of the matter in question, a carrier engaged in a local transaction or in interstate or intrastate commerce, as the case may be.

SEC. 49. That the acts and transactions of the association and its agreements and relations shall not constitute violation of the provisions of the act of Congress approved July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies"; or the provisions of sections 73 to 77, both inclusive, of an act approved August 27, 1894, entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," or the provisions of an act approved October 15, 1914, entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes"; or the provisions of acts amendatory thereof; or of any similar statute or ordinance of any State or municipality, by the association, or its privies or associates, or the directors, trustees, officers, agents, representatives, or employees of the association, or of its privies, in respect of or arising out of such act, transaction, agreement, or relation, or the subsequent and consistent use or enjoyment of rights or property acquired thereby; and, in any case, a finding by the Interstate Commerce Commission that the purchase, lease, or sale of any agreement as to the joint use of property, rights, franchise, or easements, the transfer of which is within the provision of this act, already or theretofore devoted to public use in interstate commerce with the express or implied consent of any State or municipality, is compatible with or desirable in the interest of the public and of the interstate commerce of the United States, shall constitute due corporate authority or power on the part of the proposed purchaser to acquire and use, and of the proposed vendor or the owner to sell or enter into agreements concerning, pursuant to the finding and approval of the commission, any common law or statutory or other legislation or limitation of any State or municipality to the contrary notwithstanding.

SEC. 50. That the provisions of section 17 and those provisions relating to the direct application of the excess-earnings funds realized thereunder shall apply only to carriers by railroad or their employees.

SEC. 51. That if any section or provision of this act should be declared to be unconstitutional or invalid for any reason the remainder of the act shall be unaffected thereby and shall be and remain in full force and effect.

SEC. 52. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 53. That this act shall be subject to repeal, alteration, or amendment at any time.

INDIAN APPROPRIATIONS—CONFERENCE REPORT.

Mr. OWEN. I ask unanimous consent to temporarily lay the pending bill aside for the purpose of considering the conference report on the Indian appropriation bill.

The PRESIDING OFFICER (Mr. KIRBY in the chair). Is there objection?

Mr. LA FOLLETTE. I object.

The PRESIDING OFFICER. Objection is made.

Mr. UNDERWOOD. What was the request?

Mr. OWEN. I asked unanimous consent to lay the pending measure aside for the purpose of considering the conference report on the Indian appropriation bill.

Mr. LA FOLLETTE. I am obliged to object to that, owing to changes made in the bill by the conferees.

The PRESIDING OFFICER. Objection is made.

DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

Mr. FRANCE. Mr. President, I do not care at great length to discuss the pending motion to suspend the rules. This language of section 7 of the bill is an interesting commentary upon the administration by the Government of the railroads, since it informs us that under the Railroad Administration Board there has been incurred a very grave deficit, which calls for a huge outlay by the Federal Government of many millions of dollars. I have not personally verified the figures, but a very competent expert has estimated that the increase in freight and passenger rates under the new regulations established by the Federal Railroad Administrator would amount to the vast sum of $1,000,000,000 a year, which $1,000,000,000 a year represents an additional tax upon the producers of this country, and which $1,000,000,000 a year represents 5 per cent on a sum $300,000,000 more than the par value of all of the stocks and bonds of all of the railroads of the United States. Of course, even the superficial student of railway securities knows that a very large amount of these securities outstanding are selling far below par, representing in many instances mere water injected into the capital stock by the various sleight-of-hand performances of high finance.

There is a widespread propaganda throughout the country in favor of permanent Government ownership or operation of the railroads. Already the shippers and those who travel upon the railroads are beginning to feel the tremendous burden of these increased rates. Already the great increase in the freight rates is operating to reduce the production in this country of the necessities of life.

For example, many of the eastern farms, particularly Maryland farms, require lime, and the farmers can not even afford to buy the lime to-day, because the freight rate is so high on the lime that it is not possible to buy and transport it and apply it profitably to the land. In countless ways this great tax of $1,000,000,000, in the shape of additional freight rates and passenger tariffs, is depressing the productive industry of the country.

While it is true that temporarily many of the railroad employees are getting a higher money wage, yet it is to be anticipated that very shortly there will be an agitation started upon the part of the shippers for a drastic reduction in rates, which will ultimately result in a reduction in the wages of the railroad operatives of all classes.

I say I have not personally verified these figures of the experts in railway rates whom I have quoted, but I believe that the figures are substantially correct. It is an unfortunate fact, but a fact to be reckoned with, as we look forward to the great reconstruction problems, that governmental operations generally are attended by a greater inefficiency than that which attends similar operations carried on under individual or private initiative and control. I feel that it is very important that all of those who look forward toward a greater cooperation in governmental affairs, even those who have faith that we are gradually moving toward the time when there shall exist a cooperative state, as the result of the gradual elimination of competitive motives, shall realize that it would be fatal to attempt to adopt the cooperative form until there be developed a more unselfish cooperative spirit, until Government has become more efficient in all of its legitimate undertakings.

All observant and thinking men are now fully aware of the danger of putting the Federal Government permanently into business until, through a businesslike performance of the legitimate governmental functions, the officials of the Government have more fully developed cooperative capacity and the cooperative spirit.

I say this by way of introduction to what I really wish to discuss, the subject which I merely touched upon the other evening—the subject of national reconstruction.

I addressed myself particularly the other evening to the resolution which I read, which, without the preamble, simply provides that "it be the sense and judgment of the Senate that the situation is such in this country as to make it seem desirable and advisable that an extra session of the Congress

should be called for the 5th of March, 1919, and that a copy of the action be sent to the President."

I stated when I was discussing at some length the various subjects to which I referred that I was most anxious to see some favorable action, either positive and affirmative or merely negative, in the direction of securing an extra session of Congress. I believe it is of the utmost importance that Congress should be in session during the coming months. I find myself in agreement with the suggestion made a short time ago, that there should be a provision by which Congress could assemble itself, in case of an emergency, without awaiting the call of the Executive. I think a constitutional amendment is not necessary in order to make that possible, for I believe the Constitution very clearly provides, the language of the Constitution being—

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day—

that the date of the meeting may be determined by the Congress.

It seems perfectly clear that Congress could pass a statute, if it saw fit, providing that the Congress shall assemble at some other date than the first Monday of December.

When I closed my remarks the other evening I was referring to certain causes which we have given the people of this country for unrest and discontent. I think that all of the Members of Congress realize that there is a profound unrest and discontent in the country, and I started to discuss some of the causes for that discontent and for that unrest, some of the causes for the apparent disintegration of the national spirit, resulting in such violent conflict of opinion between the various classes of the people after what I believed to be the most harmonious and unified condition, immediately after the declaration of war, that ever existed in this country.

I said the other evening that I believed that in spite of all of the differences of opinion that existed before the war as to the wisdom of declaring war, after the war was actually declared the country was united in a great spirit of patriotism. I believe that if we had wisely handled the situation, if we had used the proper judgment in the enactment of statutes, and if there had not been made many mistakes, some of them perhaps unavoidable, by the executive and legislative departments, the country to-day would be united as never before and we would be in a condition to approach the reconstruction problems in that spirit of cooperation which would enable us to solve these problems as we solved the great problems which confronted us immediately after the declaration of war.

I referred to prosecutions under the espionage act as making for misunderstanding and disintegration. I believe altogether that several hundred people were prosecuted, convicted, or imprisoned under that portion of the espionage act referring to the right to express an opinion, which is known as the free-speech and free-press clause.

If we remember that every single individual prosecuted under this law had friends who resented that prosecution we will see how each one of those prosecutions tended to cause a center of unrest and discontent; and when we recall that some of those who were prosecuted under this statute were persons of very great prominence, with a great following, some of them representing important political parties, it is very easy to see how widespread resentment might be caused.

I know that perhaps I am in the minority in this view which I entertain, that the passage of the espionage law resulted in harm rather than in good. Take the case of the minister up in one of the New England States who preached an overenthusiastic sermon to his parishioners, which was interpreted, and probably very properly interpreted, as being an effort on his part to keep men from enlisting. It was a deplorable thing that he should have made that mistake, but when he was sentenced to the penitentiary for 20 years, so severe a sentence created, of course, a revulsion of feeling, a sense of injustice.

I referred the other evening to Alexander Hamilton's prediction as to what would happen if the alien and sedition act passed, and I referred to the fact that I had quoted that language at the time the espionage law was before the Senate and predicted that the result would be the same as that following the old alien and sedition law and, of course, the result has been the same. After all, these questions are not matters of guesswork. There are certain fundamental psychological and social laws which are as inevitable in their operation as are the physical laws. There really is no excuse for making such grave legislative blunders if we carefully observe the social and psychological laws. One of the ancient historic writers has said that "history is philosophy teaching by example," and if we want to understand the true philosophy of any proposed legislation, if we will take the trouble to turn back to history we can generally find an example which will meet the case.

In this connection I desire to read into the RECORD—and then I shall pass from the subject, because I realize that it is a debatable one and that many disagree with me entirely in my conclusions—certain language from Cooley's Constitutional Limitations, where he discusses libels upon the Government. He refers to the history of the sedition law, and says:

The sedition law was passed during the administration of the elder Adams, when the fabric of government was still new and untried, and when many men seemed to think that the breath of heated party discussions might tumble it about their heads.

There was some excuse, Mr. President, in those days for such a mistake. The fathers themselves did not realize the wonderful strength of the fabric of government which they, I believe in an hour of inspiration, had created. It is not strange that they should have feared that criticism might rend or destroy that fabric of government. But there was less excuse for us. We had seen the Government formulated by the fathers withstand the shock of war, the perils of sedition, the danger of destructive civil strife, and still remain, and there was less excuse for us when we did not have faith in the strength of our governmental structure.

Continuing the quotation:

Its constitutionality was always disputed by a large party, and its impolicy was beyond question. It had a direct tendency to produce the very state of things it sought to repress; the prosecutions under it were instrumental, among other things, in the final overthrow and destruction of the party by which it was adopted, and it is impossible to conceive, at the present time, of any such state of things as would be likely to bring about its reenactment or the passage of any similar repressive statute.

When it is among the fundamental principles of the Government that the people frame their own Constitution, and that in doing so they reserve to themselves the power to amend it from time to time, as the public sentiment may change, it is difficult to conceive of any sound principle on which prosecutions for libels on the system of government can be based, except when they are made in furtherance of conspiracy with the evident intent and purpose to excite rebellion and civil war. It is very easy to lay down a rule for the discussion of constitutional questions; that they are privileged, if conducted with calmness and temperance, and that they are not indictable unless they go beyond the bounds of fair discussion. But what is calmness and temperance, and what is fair in the discussion of supposed evils in the Government? And if something is to be allowed "for a little feeling in men's minds," how great shall be the allowance? The heat of the discussion will generally be in proportion to the magnitude of the evil as it appears to the party discussing it; must the question whether he has exceeded due bounds or not be tried by judge and jury, who may sit under different circumstances from those under which he has spoken, or at least after the heat of the occasion has passed away, and who, feeling none of the excitement themselves, may think it unreasonable that anyone else should ever have felt it? The dangerous character of such prosecutions would be the more glaring if aimed at those classes who, not being admitted to a share in the Government, attacked the Constitution in the point which excluded them. Sharp criticism, ridicule, and the exhibition of such feeling as a sense of injustice engenders, are to be expected from any discussion in these cases; but when the very classes who have established the exclusion as proper and reasonable are to try as judges and jurors the assaults made upon it, they will be very likely to enter upon the examination with a preconceived notion that such assaults upon their reasonable regulations must necessarily be unreasonable. If any such principle of repression should ever be recognized in the common law of America, it might reasonably be anticipated that in times of high party excitement it would lead to prosecutions by the party in power, to bolster up wrongs and sustain abuses and oppressions by crushing adverse criticism and discussion. The evil, indeed, could not be of long continuance; for, judging from experience, the reaction would be speedy, thorough, and effectual; but it would be no less a serious evil while it lasted, the direct tendency of which would be to excite discontent and to breed a rebellious spirit. Repression of full and free discussion is dangerous in any government resting upon the will of the people. The people can not fail to believe that they are deprived of rights, and will be certain to become discontented when their discussion of public measures is sought to be circumscribed by the judgment of others upon their temperance or fairness. They must be left at liberty to speak with the freedom which the magnitude of the supposed wrongs appears in their minds to demand; and if they exceed all the proper bounds of moderation, the consolation must be that the evil likely to spring from the violent discussion will probably be less, and its correction by public sentiment more speedy, than if the terrors of the law were brought to bear to prevent the discussion.

When we remember that this espionage statute is so worded that its language, according to the Attorney General's report, is so broad as to give rise to many differing and "conflicting interpretations" by United States attorneys and United States commissioners—quoting the language of the Attorney General—when we remember that that language is so broad that undoubtedly many people were prosecuted for words which they spoke, believing themselves to be within their constitutional rights, we can readily understand that its enforcement must have been in many instances a source of discontent and irritation. It is important to remember in this connection that there is of course a large number in this country who believe they should be permitted to urge certain amendments to the Constitution, and this is justifiable, because it is the very nature of our Constitution that it is amendable, and that amendability of the Constitution affords a peaceful and lawful remedy for any legitimate cause of discontent which my arise as a result of the Constitution not being perhaps in some of its provisions entirely adequate to meet the present needs, which, of course, is a possibility, although I

do not share that view myself. I believe that a fair and proper interpretation of the Constitution will permit the Federal Government to perform in an efficient manner all of its proper and legitimate functions.

Another cause for discontent, which I shall not go into at any great length, is the court-martial as it has been carried on in our Army. Every soldier subjected to an unjust court-martial becomes the center from which there are irradiations of discontent; and the more severe and the more unjust the sentence the more widespread the dissatisfaction and discontent as a result. The delay of the soldiers' mail, the failure on the part of the Government to pay allotments promptly, the payment of allotments where they should not have been paid, as happened in many instances—all these are additional causes of unrest. I have been informed of numerous instances where allotments were paid to women in humble circumstances, to families in a state bordering on destitution, paid when for some technical reason they should not have been paid, and after their payment United States marshals were sent to these humble homes, and the poor mothers, without funds, were dragged into the United States court, and restitution was demanded by the court of the money which had been paid in error, restitution then, of course, being impossible, as the money had already been expended.

I am not discussing these matters in any partisan spirit at all. I think that in approaching the question of this discontent which exists throughout the country we ought to consider it in an entirely nonpartisan spirit, and we ought to deal with it in that spirit. Many of these mistakes were inevitable. It really is not strange that when a million or more payments of allotments had to be made the machinery should at first be inadequate for the payment of the allotments, unfortunate as it is that it was so.

Of course, the long delay in the peace settlement is a source of great unrest in the country. The inevitable increasing unemployment, which is the result of the readjustments in industry, of the discharge of many persons from the munition factories, and of the release of the soldiers from the Army, is a great and a growing cause for unrest and discontent in the country. The high cost of living, the fundamental cause of which is the long-continued underproduction of food in this country, is a very grave cause for discontent, and a cause which might be removed by a proper legislative program.

I shall not at this time burden the RECORD with figures, but the figures on the production of foodstuffs extending over a number of years furnish conclusive evidence that the production of foodstuffs in this country has not kept pace with the rapid increase in our population. I do not care to discuss that question now, as I have alluded to it on previous occasions and as I am merely making a summary of certain causes of unrest which I believe exist and which I believe should be met by legislation which should be enacted at the extra session of Congress, which I am at this time advocating.

Of course, our past failures to provide adequate educational facilities for the education of our aliens and for the education of our American children and adults have resulted in a condition very grave and menacing; for, after all, an investigation of those who are responsible for the disturbances will disclose either that they are aliens who have been permitted to come here without the proper education to imbue them with the spirit of our institutions or they are native illiterates, or if not illiterates, native uneducated persons, who readily fall victims to the wiles of the agitator, the agitator promising, of course, great benefits as a result of riot and revolution.

There are many other causes for this national restlessness. I think the manner in which the railroads have been handled under the Railroad Administration has tended to cause great discontent. The shippers have found themselves confronted with very high freight rates. Every traveling man who has to pay a very greatly increased price for his ticket becomes a complainer; and I myself have observed, and I think all of us who have traveled have observed, the discontent on the part of the traveling public generally with the high costs of travel and the inconveniences at the same time—the inconveniences which, I believe, have been increased under the operation of the roads by the Government.

I have scarcely touched upon the various causes for discontent, but I think if we make a careful survey we shall find there are very many of them.

Mr. President, certainly I would not presume to trespass upon the time of the Senate in this way except that I feel it to be my duty to do so at this time, because I believe it would be perilous for us not to have an extra session of Congress, for if we do not all of the operations of the two great coordinate branches of the Federal Government will be suspended and in the most critical period of the Republic's history there will be no part of the Federal Government functioning during the coming months except the judiciary, qualifying that statement in certain particulars. Of course the subordinate officers in the executive departments will still be carrying on the routine work.

There are periods in the world's history when government seems almost unnecessary. There are happy years when men seem to be able to dwell together in harmony and in happiness without the Government functioning to any great degree. There are times when all the cementing social forces seem to be in the ascendancy and when discord among men seems almost to have disappeared. We have had many such periods in the history of the world. Such a time was the Golden Age of Greece, the reign of Augustus in Rome, the days of Charlemagne after he had conquered his foes and had founded the western Roman Empire.

But while this is true, Mr. President, there are also times when it seems as though government would utterly fail to meet the human needs, when it appears almost impossible to hold men together under any governmental form, when all human governmental institutions seem to be threatened with destruction and dissolution. This is peculiarly true of the present day. We discuss plans to unite all the sons of men in one great brotherhood. We talk about the new internationalism. We talk of international cooperation. But, Mr. President, before we consider the great problems of international cooperation it would be well for us to address ourselves to the task of holding firmly together the present fabric of government.

Mr. President, I think it is important for us to try to see things as they are and not as we would desire to have them. We have said this was a world war, but some of us have not realized what that term means. It truly has been a world war, and sometimes it looks as though the war had not yet ended. If we look abroad over the world and behold things as they really are and not as we want them to be, what do we see? We see in Europe more than 300,000,000 of the sons of men without responsible government, and as we look over the remainder of the world we see countries, with populations in the aggregate of 800,000,000 souls, which are stirred to their very depths with a profound and bitter discontent; and I am not counting, as I summarize those populations, of course, the allied countries, nor do I care at the moment to discuss the conditions which exist in England and in France, nor at any greater length the conditions as they exist in the United States. But leaving the allied countries out of the question, and taking the other countries, aside from Russia and aside from the central powers, where there is a great menacing unrest, the populations of those other countries amount in the aggregate to about 800,000,000 of people.

Yes; it is a victory without peace. This is not peace. This is the aftermath, and who can say what the final harvest shall be?

I do not wish to discuss at any length the international question, as that really is not before us. We hear much intelligent and some unintelligible discussion of the so-called league of nations. But I think too few are asking the question, What kind of nations? What kind of nations are to be built into this federation? Democracies? Let me tell you that you can not form any international compact between democracies disorderly, disordered, unorganized, unintelligent, gelatinous, and changeable in their forms. Any lasting international compact must be one between stable governments, I believe; between republics, between governments organized, integrated, ordinated, as with bone and sinew, standing firm and erect, guided by an emancipated public mind and an enlightened common conscience.

The first step in world reconstruction is the establishment of stable government in places where stable government does not to-day exist. I am not very hopeful that a permanent international compact can be made between governments of totally different forms performing their functions in entirely different ways.

An international compact to be permanent and rational should be a compact between nations which have reached a certain stage of development, which conform to a certain character, and which operate in a certain definite and orderly manner. You can not form a world federation out of disintegrating, crumbling empires. The component nations must approach closely a certain norm of structure, stability, and function. The first step toward forming an international league is to found one single government which shall be permanent and stable because established deep upon the principles of justice applied and secured to every individual in it. I think before we attempt to build it is well for us to examine the nature of the units which are to compose the structure.

It is my view that the first step toward international reconstruction is the making of peace with the enemy, a just

peace, compelling the enemy to accept terms which we consider to be just to ourselves and to them. This would result in a quick release of all those in the Army and all those engaged in the nonproductive industries to productive occupations.

The next step would, I believe, be legitimate in international effort on the part of this Republic to help those peoples who have recently been liberated to establish for themselves republics approaching in form our Republic, which we have proved; and I am referring now particularly to Russia. The Russian situation has not been handled constructively. We should not have sent soldiers to Russia; they needed plows; and if we had sent the Russian people the implements and commodities which they needed at the time, it would not have been necessary, in my judgment, for us to have carried on military operations against them. The conditions there are readily understandable. It is not strange that when those people who for so many centuries had dwelt in darkness were liberated they were dazzled and intoxicated as the sunlight of freedom burst suddenly upon them. If their crude experimental form of government is carefully examined, it is not so inherently irrational in itself. It has been the motive which has animated some of the leaders and the methods which they have followed which have caused the difficulty. Of course, the essence of bolshevism, as we call it, is the will and continued attempt on the part of one to compel the other fellow by force to think as he does. That is the essence of it.

The man who has the spirit and will to compel the other fellow to agree with him, even if he has to oppress or crush him to make him do it, is a Bolshevist, whether he dwell in Washington or Moscow. If we had gone to Russia at the proper moment to work constructively there by propaganda, by educational campaign, by the distribution in some proper way of the necessities, implements, and commodities which the Russian peasants demanded, I believe we could have helped the Russian people to establish a free republic for themselves.

At the close of the great Russian campaign against Germany an American officer who had been following the Russian troops throughout the war was talking with a Russian general. This was after some disorder had manifested itself among the Russian troops. This American officer was discussing the situation with the Russian general, and the Russian general said, "Well, in time Russia will be a great Government. There will be established here a great republic. Our people are illiterate, restless; they have not found themselves, but they have three qualities with which a great nation can be founded. They have simplicity, fortitude, and faith, and, possessing those qualities, I believe that my people sometime will create a free and just republic."

After the Russian peasants were allotted their land, after the great estates were divided—and, of course, that division of the estates was nothing socialistic at all; they had to be divided, otherwise the peasants would still of necessity have remained serfs—the peasants were in an unfortunate condition because they had not the implements with which to till the land.

One close and accurate student of Russian affairs has reported that for a long time during the war in Russia 250 farmers had been obliged to work with 18 plows, and that they used these plows continuously night and day; but even with the plows constantly in use the peasants could not properly till the soil with such an inadequate supply of these and other implements.

We should, I say, make a vigorous, affirmative effort toward assisting the newly liberated peoples of the world to form republics. Then we should do here what we are not doing—we should give every possible encouragement to the free expression of purposeful and constructive liberalism. Instead of persecuting people who have new ideas as to what should be done in government, instead of trying to crush out the spirit of the radical, we ought to persuade them to cooperate; we ought to be seeking to organize this liberal and radical spirit so that, instead of following destructive, it would work along constructive lines.

After the various governments have been stabilized there should be started a movement toward international cooperative effort, not for peace alone. Peace in itself is no legitimate ultimate purpose. This is not a pacifist country; it is a progressive country. Any league of nations should not have peace alone for its objective. It should have for its purpose change and progress and advancement throughout the world.

Mr. President, this world does not want now any international league which shall be only a new and perilous balance of power worked out to suit the fancy of a group of European political reactionaries whose very breath, too sweet and dulcet, deadly and poisonous, like that of Rappacini's daughter, withers, blights, and destroys the tender leaves and fragrant buds of human hope.

Mr. President, I do not know the personnel of all of the delegates who sit around that council table, but from what I do know of them I fear that they are men who want a league to preserve the present conditions in the world. If that is the case, every scheme which they formulate must fail. Things can not remain as they are. Combinations and armed coalitions opposed to progress must all inevitably be broken. Such a league of nations is not a new invention. I am not opposing true international friendship and cooperation. I want to see international effort; I want to see international cooperation not for peace only but for world advancement. Let peace be an important incident only in a larger and affirmative plan. Let us have peace, if we can have it with justice, but not otherwise. I am not decrying international cooperative effort, which has change and progress and advance for its purpose, but I am very suspicious of any plan which puts peace first and world progress and human justice second.

I read with profound and sympathetic interest the speech of the President of January 22, 1917, in which he first proposed the league of nations. It was a great address, and with its general principles no man of liberal thought could find the slightest fault. I have listened with very great interest to the more recent debates upon this subject of a league of nations, not, however, because the subject is a new one, for the dream of some form of a league of nations is as old as the recorded thoughts, aspirations, and ambitions of mankind. Some have dreamed of international associations, as they have hoped for permanent peace, while others have advocated them because they were consumed with a hot ambition for universal power.

Phœnicia, at the very dawn of history, 1,300 years before the Christian era, had almost achieved a league when her dominion reached to all parts of the then known world and her ships controlled the traffic of the seas.

Darius the First dreamed of it when he marched his conquering hosts down into the valley of the Indus and then westward into Europe, making Thrace and Macedonia pay tribute as he pressed on beyond the Danube, venturing the fastnesses of Russia and many perils to at last receive his answer upon the plains of Marathon.

The Greeks dreamed of it when they formed the Amphictyonic councils and agreed to worship at and to defend their common shrine.

Alexander the Great dreamed of it when, after creating the Panhellenic League, he led his small but very victorious army of Macedonians and disciplined Greeks against the millions of the Persian Empire, sweeping on through Asia Minor to Egypt, where he who was subjugating the world went into the loneliness of the desert, making a pilgrimage to the shrine of Jupiter-Ammon for authoritative evidence that he was descended from the gods.

The Roman Emperors dreamed of it until beneath the scepter and within the mighty sweep and clutch of the Empire there were arraigned in restless and rebellious ranks the nations of the earth.

The Saracens dreamed of it as they marched across the hot sands of northern Africa to enter Spain, but they awakened when they crossed the Pyrenees to meet, at Tours, Charles Martel with his courageous and invincible Franks.

Charlemagne dreamed of it when he builded his western Roman Empire, and Napoleon the First when he marched his resistless legions up and down the Continent of Europe.

Who will say that William the Second did not dream of it when he launched the mightiest military machine of time and plunged through the weak and helpless lines of the heroic Belgians?

As we contemplate the ruin wrought by four years of such destructive war, it is truly a seductive dream that now, at last, by the swift stroke of a score of pens on parchment, in the magnificent throne room of Louis XVI, in the palace of Versailles, the very marbles of which are, in a sense, cemented together by the lifeblood wrung from the hearts of the peasants of France, without further disorder, without discord, with no future shedding of blood, without more teaching and enlightenment, without further labor and penetration of missionary into the dark places of the earth, with no more sacrifice by saint and martyr and seer, all the teeming millions of the sons of men of every race, tribe, and condition, and nation are to be united into a universal brotherhood, which henceforth and forever shall be ruled by charity, by love, by unimpassioned and impartial justice, by the two great golden commandments of God, and that from now on every passage of the seas and all of the paths of the turbulent oceans shall be absolutely and always free to all, and that throughout the widest confines of earth's domain the eternal word of the Spirit shall be the accepted law of mankind.

Even the authors of the plan have admitted a few slight difficulties. I shall not now be so unkind as to speak of the frailties of our nature, for we might trust that some of these might be submerged in these rising tides of New World idealism. I shall not ask you to discuss with me how those forms of human avarice and hypertrophied ambitions which have their origin in the elemental instincts and hungers of the predatory beasts who with blood-red tooth and dripping claw roam restlessly the jungle wilds shall at once by the signing of this miraculous parchment be extracted from the souls of men. I shall not now detain you for the consideration of what some would no doubt call the wholly insignificant problem of the high and low pressure areas of population in the world—the oppressive, stifling, overcrowding of some nations, the underpopulation of others, resulting in a fierce, hot, relentless competition between the populous industrial countries for the trade, the raw products, and, in some not too rare instances, the exploitation of the less populous ones. I shall not at this time refer to those very slight problems which must be solved, possibly, in order that the plan may be made sound and successful, such as the deep differences in race, systems of education, culture, and ideals which cause such remarkable antipathies and such bitter antagonisms. If only all of the nations of the earth could be formed into a liberal and progressive federation whose object should be not universal pacifism, for peace in itself may be, I say, a miserable end, but for justice and equal opportunity for advancement between nations, each so organized as to secure absolute equality of opportunity and social justice for each individual within the nation; then indeed would the dream of the centuries come true.

But to form a league of less than all the nations, a league founded on material considerations, a league to carry on war after the war, a league not of purpose and of progress, but merely a league of passivity to preserve the status quo, a league designed and dominated by the reactionary ministers who have sought to suppress the expression of and hence do not represent the truly liberal thought of their respective countries, this would be but to repeat the crime which was committed a century ago at the disgraceful congress of Vienna.

So far as I am concerned, and I believe I can speak with some confidence for many of the liberal and progressive thinkers of this and some of the other countries in this matter, I believe the formation of a league worked out in accordance with the conceptions of such reactionary ministers would be only to establish a new and perilous balance of power, which would invite fresh and perhaps final world disaster. Certain it is that so far as the liberals of America are concerned, they are looking with profound suspicion upon the proposal to establish such a league of nations as that to which the reactionaries of this country seem to be now so thoroughly committed. So far as I am concerned, I am willing to enter upon the reconstruction program which looks to the ultimate establishment of an international cooperation of purpose and of progress, provided we can enter upon such reconstruction program at the proper time. No thoughtful, practical, competent statesman would have the temerity to suggest that we can now achieve a federation of the world in a spirit of vengeance and hatred, while European nations are breaking up and anarchy and turmoil under blood-red banners are spreading devastation into not only all but a small portion of that great continent, but over a large area of Asia as well. Under any other circumstance it would be elementary to say that you can not form a federation of the world out of disintegrating nations and crumbling empires. I do not hesitate to say that however exalted may be his purposes, the views of any statesman are unworthy of even passing consideration who would at this time seek to bring about a better international order until we have first attempted to establish national stability and integrity.

My views upon this subject are expressed in a resolution which was introduced early in January, which resolution called for an immediate peace with the enemy; then for a Pan American conference looking to the establishment of a Pan American league; and then later for an intercontinental conference, if I may call it that, between the nations of the Western Continent and those upon the European Continent, to see whether some plan could be worked out for the progress and advancement of the world, and particularly for the advancement of the people who have lived for centuries under conditions that in their essentials have remained practically unchanged.

How shall the governments meet their responsibilities to the people of Africa, for example?

If the international agreements are not to be merely for the preservation of present world conditions, but constructive and progressive in their purpose, then at Paris there must be formulated policies for the advancement, through cooperation, of the backward peoples of the world. How shall the problem of Africa be solved?

The African problem is a stupendous one, in which are involved many great questions affecting the future history of the world. Africa represents about one-fourth of the earth's land surface. Take Europe with its 3,795,788 square miles, India with its 1,766,642 square miles, China with its 1,532,420 square miles, the United States with its 3,092,679 square miles, and lay them down on Africa and there will still be room to spare. Add Ireland, 32,360 square miles; Scotland, 30,405 square miles; Wales, 7,446 square miles; and still the area of Africa will not be covered. There, on that continent, is every resource—coal, mineral, and water power. There we find every climate—the hot, dry air of the desert; the cold, invigorating atmosphere of plateau and mountain; the damp and deadly miasmas of swamp and jungle, many of which only await the engineering and constructive skill of man to be redeemed. It has been estimated that one-eighth of the world's population lives on the Dark Continent—for we must still call it the Dark Continent—many of its inhabitants living under conditions of heathenism and savagery substantially the same as those which prevailed in the unknown Hinterland when the Pyramids were new and the great Rameses ruled in Egypt. Shall this great problem of Africa be solved by new partitions, balanced rivalries, and competitions, all for exploitation, or shall there be cooperation for exploration, constructive development, with an education and an elevation of the inhabitants, with due consideration for their environmental and mental needs? The German colonies in Africa occupied an area almost one-third of that of the United States. How shall these colonies be used and disposed of in harmony with such a constructive and cooperative policy as is so sorely needed?

The civilized countries of the world owe a duty to Africa which has not been met. What are we to do about it? Are we to form a league to preserve world conditions as they are? This can not be done. There must be change and progress and advancement. The whitening bones and rusting manacles which strew the paths from central Africa to the Portuguese slave colonies on the west will plead to Heaven in protest until this African problem is solved in some constructive and humanitarian way.

I am urging an extra session of the Congress of the United States because it is my duty to do so. I do not think, in the face of such a world condition, that it is tolerable that the legislative branches of this great Republic should be dissolved when there are great national and world problems demanding such immediate solution.

These problems will not wait. If the legislative bodies which are presumed to represent the people in whom there has been awakened a great, new, liberal spirit do not solve them, the people must solve them for themselves. The old world is passing and we must face the new, meeting all exigencies with courage and with constructive legislative measures.

Oh, yes; we have some problems here in our own country—problems we have never solved, and, to our shame be it said, problems which we have never really with determination and intelligence and persistence tried to solve; problems which we have been trying to gloss over and minimize.

I have referred to this question of unemployment. Now, this problem of unemployment is not any transient one. It is here all the time. It is not a war problem. It is a problem we have with us constantly. Unemployment means poverty, and the poor we have always with us. There is only one reason for poverty in this country. That reason is governmental incompetence.

We have here a country capable of supporting in comfort and luxury 500,000,000 people. And, if we could support upon our soil five times our present population, there is something radically wrong with the machinery of our Government when 14 per cent of our people live in penury and want. There is something radically wrong when there are 10,000,000 people in the United States living in what is called primary poverty, which means a condition of poverty where the individual has not enough to eat and to wear, and not such suitable accommodations as would keep him in fair physical condition. There is something radically wrong when we have 3,000,000 paupers who must live upon the charity doled out to them by their more fortunate brothers.

I have already several times referred to the subject of unemployment and to the necessity of organizing efficient agencies for the dealing with this problem which is so fundamental, for out of unemployment, I say, grows that poverty which is the mother of so many human ills. I have already alluded to the fact that the census, as now conducted, and that the employment agencies, as now operated, do not and can not furnish

us with any adequate statistics of unemployment. It is not generally realized in this country how widespread and persistent is this great evil of unemployment.

In 1900 it was estimated by the Census Bureau that 23,753,836 males of 10 years of age and over were engaged in gainful occupations, and that of this number 5,227,472, or approximately 22 per cent, were unemployed at some time during the year, and that of 5,319,397 females, 10 years of age and over, who were engaged in gainful occupations, 1,241,492, or approximately 23.3 per cent, were unemployed. Or, out of a total of 29,073,233 of all of those employed thus, 6,468,964, or 22.3 per cent, were unemployed at some time during the year. These figures, which I have quoted as they are given, are, of course, only approximately accurate, but probably they are most conservative estimates.

That is a serious problem. When you find that over one-fifth of all the working people are out of work because they can not find work to do in a country like this, you can make up your mind that something is wrong. As unemployment is the mother of poverty, so poverty is the mother of countless human ills—ill health, illiteracy, child labor, disease, malnutrition. But why call the roll of all the grisly train that marches after poverty, the daughter of unemployment?

The United States Bureau of Labor, in one of its bulletins, states:

> To the frequent question as to the amount of unemployment in this country, the reply must be that the statistics do not make possible any estimate of the number of unemployed persons in the United States at any time.

It is quite probable that the figures given before indicate those who are unemployed from necessity, and that we have no knowledge whatever of those who are unemployed from choice, either because of an indisposition to work or because of an inability to find to them attractive employment. It is to be remembered, of course, that much voluntary unemployment is the result of a maladjustment of the individual to his environment because of his training and education, which may have been defective or unsuitable. In connection with this subject of unemployment I shall not discuss the seasonal unemployment which, of course, contributes to these figures of unemployment which are so startling, and the periodical variations which cause unemployment during times of industrial depression following eras of prosperity.

Not only is this subject of unemployment practically important in connection with measures looking to the amelioration of the condition of those who desire work and can not find it, but it is most important to know what proportion of the population is ordinarily engaged in gainful or productive activities, in order that we may estimate what reserve of productive capacity there may be which can be drawn upon to meet sudden emergencies, such as war particularly, demanding the utmost possible of our productive power. Probably in ordinary times the proportion of workers to the rest of the population, taking the average of a long number of years and disregarding seasonal and periodic unemployment, does not vary greatly. In 1890, for example, the total number of employed was 22,735,661 out of a population, of those 10 years of age and over, of 47,413,559, or 48 per cent of the population over 10 years of age and 36.3 per cent of the total population. In other words, it is probable that in ordinary times approximately one-third of the population supports by its labor the remaining two-thirds. While it is an important fact that the wealth of the country and the prosperity of its citizens must in a general way depend upon the proportion of its productive capacity which is generally employed, I shall not discuss this large question at this time. The practical problem which confronts us is the finding of employment for those who habitually work and who desire to work but who are unable to find suitable employment.

Our statistics, while because of the method of their gathering they are only approximately accurate, are nevertheless abundant and convincing on this subject of the unemployment of those desiring work. The American Labor Legislation Review, Volume V, No. 2, gives a very valuable summary of this subject, in which it gives the figures gathered by the Metropolitan Life Insurance Co. and other agencies on the large number of the unemployed in New York in 1914 and 1915, to which figures I have heretofore alluded, and the census figures, showing that approximately one-quarter of all workers are at certain periods of the year unemployed; that out of 24,400,402 working-class families in 33 States 12,154 heads of families had been unemployed for an average of 9.43 weeks during the year, and that in New York State the reports of the Department of Labor indicated an average of unemployment of 18.1 per cent, and that the Federal census of manufacturers of 1905 shows that in one month 7,017,138 wage earners were employed, while in another month there were only 4,599,091, leaving a difference of 2,418,047, or practically two and one-half million workers who were either unemployed or compelled to seek new employment during the year.

While of course some of the unemployment is due to physical incapacity, yet a study made at a municipal lodging house in 1914, where 2,000 men were examined, showed that 62 per cent of the total were considered physically able to do hard manual labor, 18 per cent medium hard work, and 9 per cent light work only, while only 10 per cent were considered to be physically incapacitated.

There are figures to indicate that while the proportion of those habitually employed to the total population does not ordinarily, under normal conditions, vary widely over a period of years, yet there has been a gradual increase in this proportion of those so habitually employed. During the extraordinary conditions of war no doubt a much larger proportion than one-third of the population was productively employed. The English statistics, showing the large increase in the number of women in industry, clearly indicate that England drew heavily, of necessity, upon her reserve productive capacity by utilizing more workers; but our statistics on this subject are deficient. Nevertheless it is certain that a much larger number than ordinarily were employed in productive industry, and that these having learned to labor productively will desire to continue in gainful occupations. It is quite possible that as high a proportion as 50 per cent of our population was at work, including those in military establishments, during the war, and if this be true we may anticipate a greater unemployment problem than we have ever had before. For a long time a readjustment has been in progress in the direction of an increase in the proportion of those engaged in industry to the total population and toward an increase in the average age of those employed by the abolishment of child labor and the prolongation of the period of school life. When I discuss the subject of illiteracy and the improper training of our youth, I shall again call attention to the fact that approximately 76.1 per cent of those of school age are under 15 years of age, and that only one in five continues his education after the age of 15. A further readjustment, such as that to which I have referred, by abolishing child labor and by the prolongation of the period of training would result in great good in many directions.

I desire to call particular attention at this time, when the problem of surplus unemployed labor is so pressing, to the supreme importance of abolishing child labor and of the placing in schools for further training at Government expense of all those in need of further education, for by doing this we would go far in the direction of taking up what may be called the labor slack. I need not enlarge upon what I have already said concerning the dealing with the child-labor problem by the placing of all children in school.

As I stated the other evening, I am one of those peculiar individuals who believe you can not solve problems until you see them. We can not work out these problems until we know all the factors involved in them. For the same amount of money we are expending at present we could have, by a proper reorganization of the agencies, a rational census, which would inform us exactly what the condition of the country was with reference to such problems at any particular time.

We have some very serious international problems. I know that many of you hate the Russians. I know that the term Bolshevist has become a term of reproach, and I know that it is human that in our hearts there should be a hatred of the Germans. But let me warn you against the serious consideration of any international policy which would force together the Germans and the Russians. The Germans are the greatest organizers in the world, and all huge Russia needs is a better national organization. Let me raise a voice of warning against any international policy which would tend, as our adopted and announced policy is tending, to place those nations together, for if by chance Germany and Russia should be welded together in the fires of the hatred of the allied nations, and if they should then make appeal to the smoldering antagonisms on the part of some of the oriental peoples toward the western—China, for example, or India—I tell you, Senators, there would then be created another combination or armed coalition against the one now proposed under this so-called league, to hold which in check would require all the power of our western civilization. It would be fatal to allow Germany and Russia to cooperate in organizing and arraying the eastern against the western powers.

Senators, beware of the proposed coalition which would tend to divide the world into two mighty armed camps. A Senator upon this floor recently described the former alliance of Russia,

France, and England as a league of nations, and so it was. But let us have no new leagues worked out on such a plan. We must deal constructively with this Russian problem. There is no room for emotionalism in international politics. Reason must prevail. There must be foresight and cool calculation. We must make an effort to curb this hatred for and abuse of the Russian people and swiftly formulate a policy toward Russia which would bind that Nation to us in the perpetual bonds of friendship and in a peace not to be broken. A most thoughtful student of this problem has said that Russia, being agricultural, continental, and now liberated, is our most natural ally in Europe. If for no other purpose, the Senate should remain in session to formulate plans for the winning again of the friendship of this mighty Russian Nation by helping its people to solve their serious economic and governmental problems.

I have collected quite a large number of facts here with reference to the unemployment problem in this country and with reference to some of the other pressing problems which must be dealt with during the reconstruction period and in an entirely new and radical manner. We have already recognized the fact that the conduct of employment bureaus is a legitimate function of the Federal Government, because we already have them. There is no question as to the constitutionality of our having Federal employment bureaus. The argument now seems to be that it is constitutional to have inefficient Federal employment bureaus but it would be unconstitutional to have efficient ones.

We have Federal public-health bureaus, but they are not functioning properly; they are not organized effectively. When I interrupted the Senator from Wisconsin [Mr. LA FOLLETTE] in his very able argument—and I would say, in passing, that it is a source of regret to me that more could not have been in the Chamber during his most masterly address this morning on the subject of reconstruction—I asked him this question, whether he thought that poverty and misery in this country would be increased as a result of the expenditures for the war. We were, it is true, as I said to him then, a fairly wealthy country when the war broke out. Our national wealth, according to the Census Bureau, was estimated in 1912 at something over $187,739,000,000—not a niggardly estimate but a good, big, generous American estimate, when we consider that the assessed valuation of all of the property in the United States in that year amounted to about $69,500,000,000.

A recent debate disclosed the fact that we had spent about $33,000,000,000 on this war, or between one-sixth and one-fifth of our total national wealth as estimated by the census, or well toward one-half our national wealth as disclosed by the assessed valuation of our property as given above. I asked the Senator from Wisconsin if he thought that the expenditure of a sum one-half the amount of our assessed valuation of wealth would in the end result in greater misery and poverty among our people in the absence of some constructive policy which would result in a quick recovery from these fearful drains of war, and the Senator was sure that unfortunate conditions would probably by such expenditures be aggravated.

Mr. President, we wondered why the Germans fought on against what seemed to be such hopeless odds; but this may be the answer: Among the German people there are some of the shrewdest political economists in all the world, and they calculated that if they could keep us spending $30,000,000,000 a year for two or three years, we and the allies would become financially embarrassed, and that they might then at last overcome the world. No nation in all the world could have long withstood an enemy while spending money as we were spending it. War is not a matter of arms alone. It is no longer a matter of battles, a series of such brilliant charges as Napoleon led across Europe with a few hundred thousand men. It is nation standing against nation, resource against resource, dollar against dollar, reserve power against reserve power, and in the end the nation is sure to win that can save the most men and money while securing the greatest possible power in actual conflict.

We were bleeding money at every pore, and we had built up such a spirit of intolerance here that for one to ask whether a particular expenditure was justified or not was almost considered to be treason. The treason, if treason there was, must have been on the part of those who refused to consider the need for economy, for in the end, if he could have held out, they would have proven themselves to be the true friends of the Kaiser. I can not verify it, but I believe that out of every dollar expended for the war 40 cents were utterly wasted, thrown away because of the spirit of intolerance which would persecute a man for asking why this extravagant expenditure and why that, when true patriotism consisted in hoarding every resource to provide men, ammunition, and ordnance with which to crush the enemy. If we merely drift on now with our hundred-year-old machinery and go back to our old-fashioned way of conducting the public business, this country will be a poverty-oppressed Nation for a century to come as a result of all of this useless and wicked waste, for it was that, even if it was incidental to a noble and heroic undertaking.

With our growing population and our depleted resources it has now become a necessity for us to organize the Nation upon a rational basis, like one great industry, in which every possible producer who will shall have a place to work to assist in the creation of that new national wealth which must not only offset these fearful losses but meet the constantly growing and pressing national needs.

Mr. President, the liberty for which our heroes fought on the banks of the Marne must be battled for even yet again on platform and in forum and in the legislative halls of the Republic if those who have been liberated from the menace of governmental bondage are to be more truly liberated from the bondage of the oppression of unfavored and unfair circumstances, those narrow and confining circumstances which prevent that higher development and enlightenment of the individual without which there can be no life of abundant freedom.

[At this point a message from the House of Representatives was received announcing the passage by the House of a resolution relative to the rights of Ireland.]

Mr. FRANCE. There is the voice of Ireland. If it is anything for Ireland, I shall ask unanimous consent for its consideration.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Is there objection?

Mr. FRANCE. I do not yield the floor, Mr. President.

Mr. FRELINGHUYSEN. Mr. President, a parliamentary inquiry.

Mr. FRANCE. Mr. President, I have not yielded the floor.

Mr. FRELINGHUYSEN. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Chair understood the Senator from Maryland to ask unanimous consent to consider the resolution just received affecting Ireland.

Mr. FRANCE. I presumed it could be done without my yielding the floor.

Mr. SMITH of Georgia. Mr. President, I think this resolution should go to the Committee on Foreign Relations. At any rate, I do not think a resolution of that character should be called up at this hour, when there are only a half dozen Senators on the floor.

Mr. FRANCE. I think that is a perfectly proper suggestion on the part of the Senator from Georgia.

Mr. President, I have not really touched upon what I wished to say with reference to the census, and I have scarcely touched upon the subject of national reconstruction, of which the census question is but one phase.

I was saying that the international questions are very interesting, but, after all, we must remember that our destiny lies on this side of the ocean, and that it is by what we do here that the fate of the world shall be determined. It is for us to build here a Government so strong, so free, so just to every other nation and to every citizen within it and in every other nation that not alone by the balance of world power, which we do now and must forever hold, but by the resistless persuasiveness of our own exalted purposes, wrought into the fabric of a beneficent and efficient government, we may lead all the nations on toward that better, more perfect, permanently peaceful civilization under which not only every nation but every man of all these millions of the sons of men who, under present world conditions, dwell in ignorance and degradation may be lifted up to a place in the sun, up to the level of the higher life, growth, happiness; up to the level of a larger opportunity; up to some vision of those eternal truths which a man must see, of which he must have some comprehension, if he is to live a life of abundant freedom.

Mr. President, these are but informal remarks. I have not reached the body of what I had intended to say, but, in view of the increasing daylight, I feel disposed to yield the floor.

I shall not ask for the immediate consideration of my resolution, which would have advised the President that it is the sense of the Senate that there should be an extra session of Congress. I trust that the friends of the President in his own party, for the sake of that party and for the sake of the great Republic, the problems of which can not wait until next December to be solved, will go to the President and plead with him in order that the legislative bodies of the Republic may continue after to-day's midday sun.

I know it is wearing; I know there are many men in this Chamber who are worn, weak, and weary with the burdens which they have borne; but I know that there is not one of them who is not willing to go on working, who is not willing to stay here, if need be, until he gives up his life in the cause of the Republic, a faithful servant of the Republic, firm in the faith that if he shall fall in her service some other, perhaps better, braver man will seize from his weakened arm and trembling hands her glorious banner and bear it yet ever forward in the van of the vast procession of mankind, whose faces, eastward looking, shine now with the first radiance caught from the glancing rays of a glorious sun rising in splendor on a better age.

Mr. SHERMAN addressed the Senate. After having spoken for some time,

INTERSTATE AND FOREIGN COMMERCE.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. SHERMAN. I yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. With the permission of the Senator, I desire to take advantage of this opportunity to make the final report of the joint subcommittee of the Committee on Interstate Commerce of the Senate and Interstate and Foreign Commerce of the House of Representatives. The subcommittee makes its final report and recommends that the committee be discontinued. I wish to file the report at this time as the law requires.

The PRESIDING OFFICER. Does the Senator desire any other action taken other than the filing of the report?

Mr. SMITH of South Carolina. I am rather of the opinion that the report ought to be agreed to, because the committee asks to be discontinued. It is a unanimous report from the committee, and, if there is no objection, I should like to have that done.

Mr. SHERMAN. I can not yield the floor for the purpose of taking up and discussing the report.

Mr. SMITH of South Carolina. It is not to be discussed. In any case, the report itself would carry with it the discontinuance of the committee.

Mr. SHERMAN. Will it provoke any controversy?

Mr. SMITH of South Carolina. No; it is unanimously signed by all the members of the joint committee.

Mr. POINDEXTER. Mr. President, a parliamentary inquiry. Will the Senator from Illinois lose the floor by virtue of the consideration of the request of the Senator from South Carolina?

Mr. SHERMAN. If I am to lose the floor, I will not yield.

Mr. SMITH of South Carolina. I did not so understand.

Mr. SHERMAN. As much as I dislike to, I feel that I must object to the matter being considered. I can not yield more than for the presentation of the report. I think the parliamentary ruling will be that if I yield for the consideration of the report that I had yielded the floor. If the Chair will announce and the Senate will agree unanimously that I will not lose the floor, then I will consent.

Mr. SMITH of South Carolina. I had no intention of taking the Senator off the floor.

The PRESIDING OFFICER. The report presented by the Senator from South Carolina will be received and printed in the RECORD.

The report is as follows:

IN THE SENATE OF THE UNITED STATES.

Report of the joint subcommittee of the Committees on Interstate Commerce of the Senate and Interstate and Foreign Commerce of the House of Representatives, created under joint resolution No. 25 of the Sixty-fourth Congress.

The above-named committee begs leave to report as follows:

The joint subcommittee, created by public resolution No. 25 of the the Sixty-fourth Congress, made its report to Congress on January 9, 1917, and recommended therein that the time for making a complete report be extended to the first Monday in December following. Congress approved the recommendation, and in public resolution No. 44, Sixty-fourth Congress, approved January 15, 1917, so provided.

It was the purpose of the joint subcommittee to enter upon this investigation actively upon the adjournment of Congress on March 4 of that year. However, war with Germany was declared in April of the same year, and conditions became so abnormal that no investigation conducted would elicit information affording a safe basis for a comprehensive revision of existing laws and methods of railroad operation believed to be susceptible of material improvement under normal conditions. Recognizing the difficulties and importance of the task, Congress, in an act approved October 6, 1917, extended the time for the making of this report until the first Monday in December, 1918.

Notwithstanding the work incident to the war, your committee has taken a large amount of testimony and devoted much time to the study of the questions covered by the resolution. Since the creation of the joint subcommittee the Government has taken over the railroads and operated them as a war necessity.

In view of the fact that the appropriate committees of the Senate and of the House of Representatives, respectively, have the whole subject under consideration—the Interstate Commerce Committee of the Senate having just concluded, for the time being at least, exhaustive hearings—it is deemed inadvisable that the said joint subcommittee resume its activities, and it is so recommended.

Respectfully submitted.

E. D. SMITH.
O. W. UNDERWOOD.
JOE T. ROBINSON.
CHARLES E. TOWNSEND.
ALBERT B. CUMMINS.
T. W. SIMS.
FRANK E. DOREMUS.
DAN V. STEPHENS.
JOHN J. ESCH.
E. L. HAMILTON.

Mr. SHERMAN addressed the Senate. After having spoken for some time,

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. REED. I wish to make an inquiry.

Mr. SHERMAN. For what purpose does the Senator desire me to yield?

Mr. REED. I am not trying to take the Senator from the floor. I am addressing the Chair.

Mr. SHERMAN. I do not think anyone would do that; but the Chair is the presiding officer of this body, and I am subject to his opinion.

Mr. REED. I wanted to make a parliamentary inquiry of the Chair.

Mr. SHERMAN. That is always in order, of course.

Mr. REED. I think it is in the nature of it. I wanted to ask the Chair if formal reports of committees could not be handed in, put in the basket, and be printed in that way.

The VICE PRESIDENT. There is no morning hour. An objection by a single Senator to the report of the committee would prevent it from being presented. The Chair has no idea whether any Senator will raise the question as to the Senator from Illinois losing the floor by yielding to the Senator from Missouri for the purpose of making a report. The Chair does not raise the question himself, but it has been the uniform decision of the Presiding Officer of this body that if some one does raise the question the Senator will lose the floor.

Mr. REED. I was not asking about that, but I was asking if a report could not be put in the basket like we do bills?

The VICE PRESIDENT. Any Senator could raise an objection to the Senator from Illinois yielding for that purpose.

Mr. SHERMAN. I would really like to accommodate the Senator.

Mr. REED. I understand.

Mr. SHERMAN. But I fear that I would lose my right to the floor.

Mr. REED. Very well.

Mr. SHERMAN resumed his speech. After having spoken for a few minutes,

Mr. JONES of New Mexico. I should like to inquire of the Senator from Illinois if he will yield to me to render a report from the Woman Suffrage Committee. I understand the Senator from Illinois is in favor of woman suffrage, and I should like to ask the Senator to yield for that purpose.

Mr. SHERMAN. For what purpose?

The VICE PRESIDENT. To make a report.

Mr. SHERMAN. Mr. President, I must decline to yield. I would greatly like to show the courtesy to the Senator, but the time is so short in which I can give this information to the public that it might be stopped if I yield to merely parliamentary formalties.

Mr. President, this is the only occasion for the present session that I shall have an opportunity to place in the CONGRESSIONAL RECORD something that has been overlooked, but is of considerable significance. It is a belated report on the "Four Minute Men." Seeing that the bond bill has gone through and that next month there will be a campaign on for the sale of Government securities, in which the same organization will be used, it becomes important to give this information, so that this machinery may be availed of in like manner for the coming campaign.

The author of this is now abroad in the service of his country. Mr. Creel was the author of this delectable document. It is headed, "(4) Minute Men (4) Copyright 1917." The figure "4" is inclosed in a circle on both the right and the left, and the words "Minute Men" between the two. Below is the expression "Report on speaker." Here is the way the matter is classified, this is the method of presenting the subject: "Name of speaker"; "date of speech"; "subject of speech"; "spoke for — minutes"; "speech was —— good." Then, after the word "good," is a square similar to that on the selective primary

ballot in some States, in which the intelligent voter can mark his choice. "Speech was —— good"; then a square for marking; then the word "Fair"; then another square for marking; then follows "Bad," with another square. Therefore one is limited to the same space in expressing his sentiments by marking an "X."

Below are the plans and specifications. On the left hand of each notation is a square, so that the person making the report can mark it up. First, "Not loud enough." Not many Senators would be checked up improperly on this specification; second, "Not forceful"; third, "Did not know subject"; fourth, "Bad language"; fifth, "Remarks offensive." These are the demerit classifications in which it steadily goes from bad to worse.

On the other side are merit specifications, with a square before each for marking: "Put it across"; "Well received"; "Good applause"; "Made big hit"; "Did not appear." This appears to be the crowning calamity as well as the high flood of good fortune of the entire collection. "Please put 'X' in square or squares which are most applicable to speech. Please criticize frankly and freely. * * * Until further notice, speaker should report at ——— o'clock. Sign name and theater."

"Signed ———, manager."

This was the blank sent out to all of the moving-picture shows and theaters in the United States where the Four Minute Men appeared for the manager to report the kind of performer the Four Minute Man was.

I can imagine that under the head "Put it across" there are many optimistic reports made. I can well understand "Received raptures of applause of the audience."

"Made a big hit." I can imagine that many times that was reported favorably. Generally speaking, the Four Minute Men were a very useful collection. I intended at the time I made some remarks some months ago on this subject to include this, but unfortunately I had mislaid it and could not incorporate it at that time in the body of my remarks. So now I embrace the opportunity to perfect the comments I submitted at that time on this question. It would have been unfair to have left out this, because it is one of Mr. Creel's masterpieces and ought to be preserved in the gallery among other national celebrities.

I have next, Mr. President, a subject which I do not enter upon with any great satisfaction, but because it is necessary; but before taking that up as a sort of addendum to the former report, I have one that is copyrighted by Roger W. Babson, the statistician of one of the departments.

Mr. Babson is not only a statistician of note, but he is a magazine writer of considerable repute. Mr. Babson has dealt with statistics in many ways. He can produce some of the most marvelous as well as the most stupefying results when he is running at large among a large quantity of statistics of anybody I know of.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Illinois yield to the Senator from Oregon?

Mr. SHERMAN. I yield for an inquiry.

Mr. CHAMBERLAIN. I wonder if the Senator would permit us to go into executive session to confirm some nominations?

Mr. SHERMAN. I should very much like to if the emergencies permitted, but they do not. I regret that a number of very deserving gentlemen ought to have their appointments and nominations confirmed, but I shall be obliged to forego that luxury.

Mr. THOMAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. THOMAS. I should like to know just what the question is that is now before the Senate. The Senator has addressed the Senate upon this bill once, if my recollection serves me.

Mr. SHERMAN. The Senator from Colorado is in error. I addressed myself to the motion of the Senator from Iowa [Mr. CUMMINS] to suspend the rules. I am now addressing myself to the $750,000,000 appropriation, section 7 of the bill.

Mr. THOMAS. It would require, of course, some statement of that kind to convey to me the notion that the Senator is discussing the merits of the bill. If my inquiry can only be answered in such a way as that the Senator can keep the floor, of course I am helpless.

Mr. SMITH of Georgia. Mr. President, the question before the Senate is clearly the motion of the Senator from Iowa [Mr. CUMMINS] to suspend the rules. That is the question that is before the Senate.

Mr. SMOOT. Even then, I will say to the Senator, the Senator from Illinois has the right to speak twice on that subject.

Mr. SMITH of Georgia. I did not say he could not speak twice under the rules, but I said that was the motion before the Senate.

Mr. THOMAS. Well, proceed.

Mr. MYERS. Mr. President, I desire to ask the Senator a question.

Mr. SHERMAN. No; I can not yield.

Mr. MYERS. Just a question.

Mr. SHERMAN. I have the floor, and the time is so short that I fear I can not complete my remarks.

Mr. MYERS. This is only a question. It could not take the Senator from the floor. May I ask a question?

The PRESIDING OFFICER. Does the Senator from Illinois yield for a question?

Mr. SHERMAN. If it will not interfere with my possession of the floor.

Mr. MYERS. It could not—just a question. I will undertake to answer for that. What I want to ask is this: If the Senate would give unanimous consent to go into executive session, and would give unanimous consent that upon the ending of the executive session the Senator from Illinois should have the floor and resume his speech, would he consent to that?

Mr. SHERMAN. Mr. President, much as I would like to go into executive session, as far as I am concerned, I know that it would interrupt the continuity of my remarks. I have a carefully prepared address and I do not wish to have it marred by interruptions, even of executive sessions and the confirmation of a great number of deserving patriots.

I was about to remark on Mr. Babson's production. It is headed "Velvet, or the Rag-bag."

This may seem to be remotely connected with the $750,000,000 appropriation, but it will connect itself by a very logical sequence in a short time.

> Velvet, or the rag bag. Excess wages are so much velvet. Hang on to that velvet. Velvet now, or rag bags later.
> United States Department of Labor.
> W. B. Wilson, Secretary of Labor.
> For extra copies address Roger W. Babson, Director General, Information and Education Service, Department of Labor, 1706 G Street NW., Washington, D. C.

Anybody who is not director general or something now is of small account. He is a mere subordinate. These imposing documents are sent out for the purpose of directing the public in economizing. I suppose that is a handmaid of the local savings bank in every community, advising them to keep what remains above the high cost of living and add it to their accumulations.

The matter to which I referred a moment ago, that was temporarily interrupted by this explanation, is one part of the press report on the Executive's comments on certain Members of this body. I did not wish at that time to pursue this branch of the inquiry. It was early in the evening, Mr. President. I felt somewhat buoyant, full of superabundant vitality, and perhaps I was more prone to levity and displayed a lack of being impressed with my solemn surroundings; but I thought it best not to pursue the matter into any serious inquiry at all, so I did not take up the branch of this press report which seemed at the time to possess serious consequences, but I now do so.

The press report continues that—

> If he—
>
> The Executive—
>
> had his way, he would hang them—
>
> The Senators opposing him—
>
> upon a gibbet as high as heaven, but that the gibbet would not be erected in the direction of heaven.

I take this subject to any corrections that may be made. I trust it may be so corrected that even the truth of this statement will be disputed and that the Executive did not indulge in such remarks.

I say in a spirit of seriousness, Mr. President, that if this report is false, the newspaper or the reporter writing such news in a newspaper published in the Capital and circulating it before the general public ought to be investigated, to the end that it be not repeated. If the report is correct, in substance at least, an investigation is equally necessary. Men are in the Leavenworth Penitentiary for saying less than this about officers of the United States Government. It is a felony if it is anything. If any person outside were to make a statement that if the President favored the peace league and fought Senators who were opposed to it, the President ought to be hanged as high as heaven, a Senator making that statement outside of this body ought to be indicted and sent to prison. If he made it inside of this body, he ought to be dealt with under the parliamentary situation and rules so as to discipline him for such a statement. It passes the rules either of criticism or of argument. Merely because certain Senators differ from the President on matters which will soon be pending here is no occasion for the severity of the remarks, assuming them to be true. If not, the fault is upon the newspaper and the person writing them. If they are true, the

fault is upon the Executive for making such a statement. If he made the remarks he would require this morning 45 individual gibbets to be erected in Washington. There would be 45 executions. Assuming this press report to be true, he must have absorbed while in Europe strange ideas of free government. The President has committed an act which is a crime if committed by others. Is he beyond the laws? This sounds like the language of kings. They have executioners. It sounds like the king who ordered Mordecai in the scriptural days to be suspended from the gibbet. If sojourn abroad leads to such language, let us pray that few of our population will make the trip; that they will remain on their native soil and keep intact the ideals of free government and the use of proper language.

The President, assuming that he will leave to-morrow according to schedule, will have a souvenir of the fray to take with him to Paris. The resolution presented by the Senator from Massachusetts, with the signatures of a number of the Members on this side of the Chamber, will be for the Parisian information on what public sentiment is and what the views of the Senators are on this question. It may look somewhat to them like there is a sentiment against the league, and that it would be more popular in this country to devote the energies of the peace conference to drafting a treaty of peace, in order that it might be seasonably concluded.

Section 7 of the bill H. R. 16187 reads as follows:

To supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, $750,000,000, which shall be in addition to the appropriation of $500,000,000 made in section 6 of said act, and shall be subject in all respects to the same authority for, and restriction of, expenditure as the said $500,000,000.

Let me recur now to the $500,000,000 revolving fund provided in the act of March 21, 1918. The $500,000,000 revolving fund has, like all other revolving funds, revolved with such rapidity it has vanished. It is no longer a resource for the relief of the railways. The $750,000,000 added makes $1,250,000,000 required to be appropriated from the Public Treasury for the relief of the steam railways of the country. This $1,250,000,000 is the first price we pay for the Government operation of the railways. Concede that it be a war measure; concede that it would not be fair at all to say that it is an incident of Government ownership. I shall not argue exclusively upon that ground, because, in fairness to those who believe otherwise, it will hardly be a just comparison to make. However, it does demonstrate one thing—that in spite of an increase in the earnings of the railways, it does not enable us to pay the operating expenses of the roads.

We are entirely familiar with the—about 40 per cent—increase in freight rates and passenger fares and the war tax upon traffic. We are familiar with the extra charges levied for a time on traveling in other than merely day coaches. All of them together made a very large increase in income.

The Interstate Commerce Commission reporting for 1918 for eight months beginning with January and ending in August—I have not the last one, but the average kept up fairly well for eight months—showed the operating revenues were $3,051,828,939, as compared with 1917 of like operating revenues of $2,611,121,387.

Quoting from memory, not having before me the report for the full 12 months from the commission, I state, in round figures, that the increase in railway operating revenues for the 12 months of 1918 were something like $4,000,000,000, compared with 1917 of something over $3,000,000,000. As the Senator from Iowa [Mr. CUMMINS] stated early this morning or late last night, the increase in the operating revenues of the railways whose incomes are above one billion showed an increase of one billion for 1918. We would expect by such vast increases, notwithstanding some increases in operating expenses, to have shown at least a small net revenue. We realize that the cost of material has increased, that there are certain improvements that must be made, that there are some of the maintenance charges that are indispensable to the safe operation of the roads. These cost more than in ordinary times. Some increases have been made in the pay rolls and wage scale. We were all entirely familiar when we heard the demand for the eight-hour day from the railway trainmen's union what it meant. We knew that it did not mean a shortening of their actual hours of service down to eight hours. We knew that it meant an increase of wages and nothing else. I was prepared for that result, because I am myself sufficiently familiar with the issue to know that that was what would happen, and it did happen. The men were not complaining about working over eight hours. What they wished was overtime pay, and that it what they got.

Altogether the operating expenses in 1918 increased so greatly over the operating expenses of 1917 as to show no net revenue for the roads of the class named—those with operating revenues of one billion or more. This does not take into account the smaller lines with less than $1,000,000 operating revenues per annum.

Not only was there no net revenues, but when the 12 months were figured up by the accountants, when a report was made, it showed that under Government control there was a deficit of more than $200,000,000. It was first reported at $250,000,000, but that was an estimated figure. Subsequently it was reduced to a trifle over $200,000,000. This means, Mr. President, that all the income of the railways of the class named was paid out, and not only that, but after paying the charges against the roads and their operating expenses, more than $200,000,000 of deficit occurred. Possibly some of this $500,000,000 revolving fund was devoted to taking care of this deficit. It is characteristic, however, of all Government undertakings that if there is anything in the Treasury properly devoted to that undertaking the cash disappears, but the undertaking still goes on. However much the income may be, however much the public may be taxed in railway fares and in freight rates, in every instance the increased operating revenue disappears and a deficit results; any appropriation made of the public funds is in addition to that set aside to pay this deficit, and the deficit continues from year to year. I do not know of any Government undertaking that ever showed a net revenue or surplus. Invariably they spend all they can get their hands on and then rush into the Treasury and get anything more that may be accessible. This is following the general rule on such subjects.

Therefore, when we remember that the railways are owned by private parties, the difficulty immediately suggests itself. The shares are held by a great variety of people, some wealthy, but many of them of small means. The securities, in the form of bonds, trust, or equipment certificates, are held by a more general distribution. Some of them are securities proper for the investment of trust funds. Savings banks take them. Various forms of trust having long-time maturity are invested in the stocks of some of these bonds and certificates.

There are certain railways that never have been speculative enterprises. I can name a score of them. I know a great many persons in private life about whom the world knows but little, comparatively small investors who have bought not only the shares of those nonspeculative roads, but they have bought the bonds and equipment certificates as well. Illustrations are the Chicago Northwestern Road has not been a speculative one; the Illinois Central has not; the Chicago, Burlington & Quincy has not been a speculative road. In the shares representing the capital stock of these companies there is no water. The shares are in fact boiled down. The actual capital invested, represented by surplus and by property, both of which are actually employed in the operating of the road, exceed, many at least once, some 50 per cent, some 30 per cent the capitalized shares that represent the nominal value only of the property.

There is no reason apparent why the Government should not out of the earnings of the roads have had a fund to pay the standard return prescribed in the act under which they were taken over by the Government. What has the Government done with all the revenues collected last year? It will soon be 12 months since the steam railways were taken by the Government. The first immediate result reaching the public in tangible form was the increase of rates both for freight and for passenger travel. I say nothing of the inconvenience caused during a portion of the war period. We expected to be inconvenienced. Nobody could live as we were accustomed to in normal times. They have, however, an inconvenient habit of collecting charges several times.

I had occasion to pay railway fare from the Rocky Mountains to Chicago last September. A through one-way ticket was purchased at a Rocky Mountain point, paid for, and the war tax paid at the same time. At Kansas City, immediately on leaving, the passengers were by the conductor compelled to pay another war tax. Shortly before reaching Moberly, Mo., another conductor having come on to take the train through to Hannibal, Mo., yet another war tax was collected, which with the one paid at the Rocky Mountain point made three war taxes, at least, in addition to the regular fare and the charge for the Pullman reservation. They are all of them patriotic and are willing to pay once, but they do not understand why they are called on to pay from two to three times.

The process is in course of laborious investigation. Some of the papers come back occasionally. There are the usual blanks, a growing heap of documents, until it looks like a report in the old days of the claim agent for some property owner against a railroad for killing at a railway crossing an especially valuable cow. I have settled many of those claims in my time,

and there never yet was a scrub cow killed by a steam railroad in the territory where I operated. They were all of the highest pedigree. Their offspring's potentialities in the future were of fabulous value. The quantities of milk they gave were astounding. With a lactometer test the average of butter fat was enough to keep an entire family, even if there was no race suicide.

But it always piles up a great many papers. We always investigated carefully the character of the cow before we paid, and the claim agent's papers would come in. I went through laboriously, reading each report and item, and then I arrived at some conclusion of what I thought was necessary to pay for this departed pet of the family. I always was careful to explain that there could be no money compensation for lacerated affections; that mere nervous shock consequent upon the loss of this bovine was not a matter of pecuniary compensation; and that it was limited to the cost, as if the cow were an entire stranger in the community.

But a few of these claims that came back reminded me of the old days. They are investigating, and in only one case yet have I received any money since last fall. That was in a matter with an express company. I think the manager lived here in Washington. I do not know what the motive was, but I take it that he is a business man and knew something about the express business before he entered the Government service; possibly he was an expressman before he was called on to Uncle Sam's pay roll and has yet the active habits that belong to private business. That creeping paralysis which belongs to departmental life has not yet smitten his frame, and so he has a mistaken notion that a thing ought to be closed up some time this side of eternity, and he, in a businesslike way, recommended payment, and I got a check back as a refund.

But in spite of all this money that is an overcharge, and the legitimate increase in rates, there has been no net operating revenue to the roads. So when it came to pay the standard returns, Mr. President, there was nothing in the Treasury with which to pay it. Hence section 7 of this bill.

I met between 1.30 and 2 o'clock this morning, at the entrance to the marble room, a very intelligent looking gentleman. I would take it by the cut of his clothes that they were made by a tailor in New York City. He had an alert look. If I were to guess him off just on a cursory inspection of his person and air, I would say he was "familiar with the Street," as it is called in the city. I would not classify him as a lamb in stock operations. He might be one who sometimes shears the lambs and might occasionally in some catastrophe have been sheared himself, but it would be an accident; it would not be any established conspiracy. He wanted to know what the chances were for this $750,000,000. I said, "I can give you the facts and you can draw your own conclusion. You are a stranger to me." He said, "Will it pass?" I said, "My friend, I do not want you to talk to me. I am going to state the facts. I can not tell you whether it will pass or not." I said, "Unless the Chair makes an arbitrary ruling, and I very much doubt, whoever occupies the chair, that that will be done, because the majority here may be converted soon into a minority, and they want the same rule they are using now to defend themselves some time; besides it is an old rule here in the Senate. I doubt very much whether any of us will be taken off our feet." I said, "In that event, if I get the floor and do not drop dead, the appropriation will not pass." I did not say it quite that loud. I did not whisper it. It was in an ordinary conversational tone. He said, "Thank you," and the last I saw of him his coattails were disappearing around the corner as he broke for the elevator. I imagine he was going to the long distance telephone.

In all probability a number of gentlemen are selling "short." I can not keep them from it. If I told him with equal assurance it would pass, he would have been "long" on the market instead of "short." You can not keep them from investing. Let them go. That is not a matter of concern to me.

What I am concerned about is that this $750,000,000 is to be supplied to fill the failure of the Government to conserve its income and its capital. In due time on an examination—there have been no hearings which are worthy of the name—if on due examination the $750,000,000 are required they will be forthcoming.

I know we are told that there will be a very great slump in value, and some, as I intimated last night, thought it would create receiverships for the roads. The Governmnt is running these roads, and it will not repudiate this obligation to pay the standard return. This credit ought to be good. In proper season the appropriation will be made, when the bill is brought into this body as it ought to be.

I sympathize with the criticism made by the Senator from Wisconsin [Mr. LA FOLLETTE] when he says that this is not the way to pass bills, much less bills of such magnitude as the one in question. There will be no repudiation of this obligation, and everybody knows it. If on the market chances are taken that is not the concern of the Senate or of the Government having charge of the property.

It occurs to me that in the management of the railways the Government has not acted with prudence. It has used all of the income, making no provision for the payment of the standard returns which are known inevitably to fall due. All of the income having been paid out there is but one recourse to the Government—that is, to come to Congress and ask for $750,000,000 taxes to supply the revenue that has been lost.

This leads me, Mr. President, to inquire generally what the outgo amounts to and to what is it devoted? For instance, in the dollar of railway operating revenue, when paid out by the very slender margin under private ownership and management, the dollar which was paid out on operating expenses showed 43.71 cents out of the dollar for labor; it showed 10.52 cents for fuel and locomotive supplies; it showed 14.60 cents for material, way, equipment supplies, and other expenses; it showed 1.92 cents for loss and damage; it showed 5.41 cents for taxes; it showed 8.53 cents devoted to dividends, reserves, and surplus; it showed 1.47 cents for betterments; 3.27 cents for rent and lease of roads; it showed 10.58 cents interest on funded and unfunded debts.

This completed the whole hundred cents for each dollar paid out on operating expenses. It showed the largest proportion of the dollar of expenditure was devoted to labor—43.71 cents out of 100 cents of expenditure. Labor was in 1917 receiving the largest portion of the expenditure, and that has increased very materially; quoting from memory alone, I believe about 52 cents out of the dollar in 1918 were devoted to the labor account.

This necessarily means a subtraction from some of the other accounts. There can not be a diminution in the interest on funded and unfunded debts; that is a fixed charge. There can be no such change in that to correspond with the increases in other items of expenditure, because that is a contractual relation and can not be diminished, however much that may be desired.

The supplies necessary for operation, the materials for repairs and maintenance, show in 1918 very large increases, consequently there is only one place where a reduction could be made.

A share of stock promises to the holder nothing. It is simply an evidence of an interest in the business. It shows that a portion of what is left after expenses are paid from the earnings, if anything, will be distributed in the form of dividends, but the share promises to pay nothing. The other forms of securities do. They promise to pay a definite amount for interest purposes. Therefore in the dividends on shares is where it is more likely to show a reduction. This can be avoided only by an appropriation to provide the standard return. The operating revenues having provided nothing for these payments, that is the only recourse left, and the taxpayer of the country must understand that in Government operation in that way he must be called upon to equalize the difference as one of the necessary results of Government operation, making a proper allowance from the fact that this operating period was in war times.

The railways, however, are not the only Government undertaking of the control of utilities. The telegraphs, telephones, and cables under an act of Congress, claimed to be necessary as a war measure, were taken over by the Government. The cables were the last seized. There was no apparent reason why that should be done; there has been no reason apparently since given for taking the telephones and telegraphs. It was merely done not for a war purpose but for the purpose of testing out an economic theory of the Government undertaking to do something. It had no relation to war, but it was an experiment in civil life, and the conduct of those having charge of them since that time, including the head of the department, confirms the statement.

All of these utilities, of course, must be operated by some kind of a commission, by a bureau or department or some commission or coterie of men who have charge and who become like any other commission. It may start with some show of difference at the beginning, but eventually the new broom becomes an old one and it no longer sweeps any better than the average.

Here is a warning against Government commissions issued by President Wilson in 1908, which, of course, was some four years prior to his election:

> Governmental commissions can not be said to understand business better than those who conduct it. Their regulative interference with business will only complete the confusion and embarrassments into

which we are so rapidly stumbling. The old processes of law are the more difficult, but the more effective. We must discover just what transactions we want to put an end to; we must have once more the reign of law rather than the reign of Government officials.

This is the general criticism that belongs to all commissions. I know of none that do not in time fall into that condition. Keeping this in mind as the inevitable result of commissions, we are brought face to face with the telephones, the telegraph, and the marine cables administered practically by a board. They are not administered by a department head, although nominally that is true; those affairs are administered by several men, one of whom is the chief of the bureau, others are his subordinates. He works under the President, but in reality he works on his own initiative. The Government undertaking in the control of these three utilities must, in the very nature of things, work out as other commission enterprises do; they must result as the management of the railroads, which, in spite of the large increase in rates, has resulted in a deficit and a call upon the Public Treasury for taxes to make good that deficit. Therefore it becomes material in this inquiry as to section 7 of the pending bill to examine the course we are traveling.

It is proper for us to undertake to say whether we will continue that course in order that appropriations may in turn, session after session, be supplied in the same way. The steam railways have been under Government control longer than the others, but it is only a question of time when the telephones and telegraphs and the cables will return a like deficit, to be made up by appropriations of Congress.

There was no reason for taking over the cables and the telegraphs and the telephones other than as an experiment of an economic theory and to make a test as to whether the Government could successfully operate them. It has been claimed for a long time that the Government can operate these enterprises cheaper than can private owners. It is said further that they can give the public better service at a lower price. So they have undertaken by this experiment to demonstrate whether that is so. The war was a more convenient pretext, but these utilities were not taken over for the purpose of rendering them more of an instrumentality to manage the war; it was for the purpose of testing the theory to which I have alluded.

Therefore under the power delegated by an act of Congress by a proclamation of the President the Postmaster General seized the telephones and telegraphs. He gave a statement why following the proclamation of the President. In addition to that, sometime afterwards a letter appeared, or a communication, addressed by Theodore N. Vail, the president of the American Telephone & Telegraph Co., to Mr. Burleson, saying that he believed the Government ought to take all of the wires and put them under one head, and recommending that it be done. It was done accordingly. There were certain conditions attending the various companies operating the telegraphs and telephones of the country, as well as the cable service. Mr. Vail is probably the best authority or as good an authority as there is in the country on telephones. Back in 1870 sometime Mr. Bell, now living in this city, began to investigate the transmission of sound by wire. It resulted in the knowledge, practically applied, that sound could be transmitted through a wire charged with an electric current with a very greatly increased audibility. Its transmission was assured for certain distances. Others were investigating along the same lines. Mr. Gray had some investigations pending, and it took somewhat extended litigation over the question of the priority in the patents. It was adjudged finally that the honor as well as the exclusive right of being declared the original investigator or discoverer of this method of transmitting sound belonged to Mr. Alexander Graham Bell.

Following that a company was organized. Soon several companies were organized in various States of the Union. Farseeing men, with imagination and with courage and with knowledge of the invention began to see that it was a great business possibility; so the companies multiplied. The principal company finally became a merger of many of the smaller companies. Mr. Sabin some years ago was the president of the first large company; and he was succeeded later in the management by others who, with their associates, formed what is now the American Telephone & Telegraph Co. Mr. Vail is its head. It is a rather large business enterprise. This Telephone & Telegraph Co. is the holding company for the Bell Telephone Co. It has their patents, their plants, all of their visible tangible property, as well as their good will and intangible assets.

I turn now to page 288 of Poor's Manual of Public Utilities for the year 1917. It is headed:

THE BELL SYSTEM.

American Telephone & Telegraph Co.: Incorporated March 3, 1885, in New York. It is the parent company of the so-called "Bell System" operating in the United States and Canada. The "parent" company directly operates the long distance lines; "the associated companies," in which parent company usually owns the majority of all the stocks, do the exchange and toll business under license received from parent company. For early history, see Manual for 1910, page 1007. The entire capital stock of the American Telephone & Telegraph Co. was formerly owned by the American Bell Telephone Co. The last-named company, in March 1910, transferred all of the stocks and all of the bonds of the licensees to the American Telephone & Telegraph Co., receiving therefor payment in stock of the latter, and two shares of the stock of the American Telephone & Telegraph Co. were given for each share of the American Bell Telephone Co., calling for $51,772,600 American Telephone & Telegraph Co. stock. The long-distance lines (for development of which, see Manual for 1910, p. 1008) extend from the important cities on the Atlantic seaboard throughout the country, to St. Paul, Minn., Omaha, Denver, San Francisco, Kansas City, Little Rock, and New Orleans, forming main lines over which telephone communications between practically all the exchange stations within the territorial limits above defined may be established. The company early in 1911 placed in operation a long-distance line between New York and Denver. The formal opening of the transcontinental telephone line extending from Boston and New York, on the Atlantic seaboard, to San Francisco, on the Pacific, on January 25, 1915, has been followed by the extension of "extreme distance" transmission into all of the States of the Union by applying new improvements to the plant of the Bell System. It is now possible to talk from points in any one State to some points in every other State of the Union, while over a large part of the territory covered by the Bell System it is possible for any subscriber to talk to any other subscriber regardless of distance.

Aside from long-distance lines, the Bell instruments, which are leased to operating companies, and its real estate, substantially all of the assets of the American Telephone & Telegraph Co. consist of securities of local telephone companies operating throughout the United States and Canada (see list in Manual for 1910). The American Telephone & Telegraph Co. furnishes each of these companies in the United States all needed telephones, replaces them with others when required, grants the rights to use all patents owned or controlled by it, performs central administration, and does engineering, accounting, legal, and other services. The consideration therefor paid by the associated companies amounts to 4½ per cent of their gross telephone receipts. In addition to its interests in the associated telephone companies the American Telephone & Telegraph Co. owns over 95 per cent of the capital stock (over 50 per cent was owned from organizations and 20 per cent acquired in 1908 by exchange for convertible bonds; remainder acquired since) of the Western Electric Co. (Inc.), a large manufacturer of telephone and other electrical apparatus and instruments. The Western Electric Co. (Inc.) sells telephonic apparatus to all associated companies.

I wish to stop here long enough to say that this company was not content with its holdings as referred to here, but it has been constantly reaching out to control other wire systems. A large number of local telephone companies exist in the country. They run all the way from the farmers' mutual, with no capital stock, with a charge to the shareholder or member covering merely the cost of service and maintenance, to that of the company capitalized for a considerable amount, paid for and operating like any other business enterprise. So these mergers and acquisitions have increased from time to time. Not only that, but it became the ambition of Mr. Vail to control the telegraph and cable companies. He acquired, or his company did, shares of stock. It appears on page 1382 of the same volume from which I have heretofore read, under the head of "Western Union Telegraph Co.," that—

On December 15, 1909, a contract was made between the Western Union and the American Telephone & Telegraph Co., providing for the joint occupancy and use of existing and future plant facilities which will, when fully worked out, add greatly to the efficiency of the service and economical operation of both companies.

It has not in the past been possible for the Western Union to keep a large proportion of its offices open both day and night, Sundays and holidays, but under arrangements which are now in operation in some sections of the country it is expected to be able to maintain continuous telegraph and cable service 24 hours a day and every night in the year.

Lease of the Anglo-American Telegraph Co. and Direct United States Cable Co.: On October 11, 1911, stockholders of the Western Union Telegraph Co. ratified the leases of the lines and ocean cables of these companies for 99 years from April 1, 1911; dividends on the £7,000,000 Anglo-American Co. stock being guaranteed at the rate of 6 per cent on the preferred stock, 1½ per cent on the deferred ordinary, and 3¾ per cent on the ordinary stock. The rental of the Direct United States Cable Co. is £58,568 per annum. Dividends on its £1,214,200 capital stock not to exceed 5 per cent, without permission of the Western Union Telegraph Co. On April 1, 1912, the operation of these lines and cables was consolidated under the direct management of the Western Union Telegraph Co. in combination with its own lines and Atlantic cables, thus giving it eight trans-Atlantic cables.

A system of cable letters and deferred cable messages at reduced rates was inaugurated on January 1, 1912.

This, in substance, relating to the Western Union, is the initial point of the acquisition of the shares of stock by the American Telephone & Telegraph Co. in the Western Union. If I remember now, speaking from memory—I will read this later—nearly $30,000,000 par value of shares of the Western Union were acquired by the American Telephone & Telegraph Co. This secured the favorable contract referred to in Poor's Manual, which I have just read. It was a part of Mr. Vail's ambition for a merger of all the wire enterprises, both telephonic and telegraphic.

However, along in 1914 it seems that the Department of Justice became inquisitive, or before that time they had started the investigation. They looked into the transaction. They placed their ban upon it. They did not then favor the activities of Mr. Vail in such mergers; so there was some effort by the Department of Justice to undo this merger, with the result indi-

cated in the report. This is referred to in the following language:

Sale of $30,000,000 stock held by American Telephone & Telegraph Co. It was announced on February 16, 1914, that in accordance with the agreement entered into with the Department of Justice the American Telephone & Telegraph Co. had sold its entire holdings of about $30,000,000 stock of the Western Union Telegraph Co. to a syndicate formed by Kuhn, Loeb & Co. under an arrangement by which the privilege was reserved to stockholders of the Western Union Telegraph Co. to subscribe for the same, pro rata, at $63 per share on or before March 24, 1914, to an amount equal to 40 per cent of their holdings as of record on February 28, 1914.

It seems that the Department of Justice frowned upon this transaction; so, in order to "unscramble" the combination that had been made, a banking and bond house became the trustees of the shares that had been held by the American Telegraph & Telephone Co. This preserved the property rights but it was supposed broke the community of management between the two companies. As a matter of fact, while the possession was changed, the ownership remained substantially as it was before. The operation of the two companies was about the same. I never had any criticism to make of that feature of the transaction. It was a public convenience. It enabled information to be transmitted more promptly and even at less expense than it was before. However, Mr. Vail's activities were not dampened by this unfriendly sentiment of the authorities. He had before that time undertaken on several occasions—at least two—to acquire the Postal Cable stock, a majority of it at least, so as to control that company. His ambition, and a very laudable one from a private viewpoint, was that all methods of wire communication should be brought under one head.

In pursuance of that plan his activities can be explained. He had the largest telephone company in the country. It controlled in turn the Western Electric, manufacturing telephonic supplies. He had acquired control of the Western Union. It was but natural that he felt the world was not yet conquered with wire, and he must reach out for the Postal Cable. Accordingly in private negotiations he attempted to secure a majority of the shares of the Postal Cable.

I now wish to examine the formation of the Postal Cable Co. in order to show the magnitude of the undertaking which the American Telephone & Telegraph Co. undertook to absorb. It was no small concern. These men were possessed of large conception. They were not dealing in small enterprises.

The Mackay Co. is a volunteer association, formed in Massachusetts under a trust deed of December 19, 1903, to consolidate the holdings of the stockholders interested in the submarine cable system known as the Commercial Cable, a telegraph system known as the Postal Telegraph, and to acquire an interest in and finance other telegraph cable and telephone companies:

Managed by 10 trustees elected annually. The Mackay companies owned the entire capital stock of the Commercial Cable Co. ($25,000,000) and the various companies constituting the land-line system, known as the Postal Telegraph-Cable Co. and also the whole or part of the capital stock of other cable and telegraph companies in the United States, Canada, and Europe. The income of the subordinate companies of the Mackay companies is greater than is required to pay the dividends of the Mackay companies, but its policy is to obtain from those companies only enough money to meet those dividends.

The Commercial Cable Co. was incorporated December 12, 1883, in New York, capital stock, authorized and issued, $25,000,000 (shares $100), all owned by the Mackay companies. In connection with the acquisitions as of January 1, 1897, of the properties of the Postal Telegraph-Cable Co., the above $20,000,000 4 per cent bonds were issued. Reserves at January 1, 1914 (latest rendered), $8,058,449 (1910, $7,494,957).

The Commercial Cable Co. has paid regular quarterly dividends since 1889. Owns five submarine cables running from Europe to America, cables from Ireland to England and France, and cables along the North American coast, giving the company such diversified routes across the Atlantic as to render almost impossible the disruption of all the cables at the same time. The company completed during 1907 its underground cables from Bristol to London. During 1910 a new additional submarine cable was laid from Waterville, Ireland, to Weston, England, with underground connection to London. During 1911 the company completed the removal and enlargement of its terminal facilities in London, England, and now has 12 offices in London, besides direct wires to and offices in all the principal cities of Great Britain. During 1912 another cable was extended from Newfoundland to New York, involving the laying of 892 miles of cable; the Far Rockaway-New York improvement which entailed the construction of new underground lines for 22 miles was completed. During 1913 the company renewed parts of the oldest of its three cables between Waterville, Ireland, and Weston-super-Mare, England. The Comercial Cable Co. in 1915 completed a fireproof building in St. Johns, Newfoundland, from which the two trans-Atlantic and the two New York cables landing at Newfoundland are being operated. Two and one-half miles of underground lines were constructed to make the improved connection.

The Postal Telegraph-Cable Co. owns a telegraph system throughout the United States. During the year 1908 additional wires were strung on one of the transcontinental land lines, and the service of the Postal Telegraph-Cable Co. was extended to Tonopah and the mining regions of that district in the western part of the United States. During 1909 a new pole line on a new route was constructed from Sacramento, Cal., to Reno, Nev., which, by the completion of a line from Reno, Nev., to Salt Lake City, Utah, and from Seattle to Spokane, Wash., gives the company an entirely new transcontinental route from the East to the Pacific coast. The company formerly had a contract for exchange of business with the Independent Texas Telegraph Co. The latter recently passed into the control of the American Telephone & Telegraph Co., leaving the Postal Telegraph-Cable Co. without access to Texas and adjoining States; as a result the company during 1911 extended its system from Wichita, Kans., down through the States of Oklahoma and Texas to Galveston, nearly 1,000 miles; another line was built from Baton Rouge, La., to Houston, Tex., and still another from a point opposite Memphis, Tenn., through Arkansas and Texas to Dallas. The year 1912 witnessed the extension of the company's lines throughout Texas, Arkansas, Oklahoma, and Louisiana. During 1913 the company extended its system into parts of Missouri and North Dakota not heretofore reached, and strung many additional wires on its poles throughout the country. In 1914 substantial extensions were made to new cities and towns. In addition to the stringing of numerous wires a new pole line was constructed from Cheyenne to Laramie, Wyo., and from Fort Steele, Wyo., across the State of Wyoming to Salt Lake City, Utah, via Ogden, a distance of 412 miles.

The decision in favor of the Postal Co. in the suit against the Western Union and Southern Pacific companies to prevent the Western Union Co. from keeping the Postal Co. off the right of way of the Southern Pacific Railway was affirmed by the United States Circuit Court of Appeals, thus ending that litigation.

By the use of what is known as the composite circuit device, by which there is obtained both a telephone and a telegraph use of two wires at the same time without either service interfering with the other, the Postal Co. is furnishing long-distance telephone service in various States in the Union and the financial results are said to be very satisfactory. Extensions of this long-distance telephone service are constantly being made.

I read this, Mr. President, in order to show the activities of the Postal Cable Co., that it is an aggressive, going company. From its original organization it has carried on its business; it has enlarged the territory covered by its wires; it has laid additional cables across the ocean and has increased its business and extended constantly its facilities for rendering service to the public.

Mr. Vail saw this rival in the field. He failed to obtain control through acquiring a majority of the shares of stock. Matters remained that way until he wrote his letter to Mr. Burleson. The war had given to Congress the occasion for delegating very extensive powers to the President and to the executive department. Among them was the power referred to awhile ago to take the wires of the country if necessary as a war measure.

That joint resolution, approved July 16, 1918, provides:

That the President during the continuance of the present war is authorized and empowered, whenever he shall deem it necessary for the national security or defense, to supervise or to take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, which supervision, possession, control, or operation shall not extend beyond the date of the proclamation by the President of the exchange of ratifications of the treaty of peace: *Provided*, That just compensation shall be made for such supervision, possession, control, or operation, to be determined by the President; and if the amount thereof, so determined by the President, is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145, of the Judicial Code: *Provided further*, That nothing in this act shall be construed to amend, repeal, impair, or affect existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transmission of Government communications, or the issue of stocks and bonds by such system or systems.

This joint resolution, Mr. President, it will be observed, does not authorize the taking of wire companies for the trying out of economic theories. It is expressly stated by the resolution, and that is the measure of authority in the hands of the Executive, that the President, in his discretion, may take these utilities when he deems it necessary for the national security or defense. Under that resolution the President did act, and Mr. Burleson's department became the one placed in charge.

With matters in this condition, and with this delegated power to the Executive, after all these precedent activities by the American Telephone & Telegraph Co. to acquire rival and competitive enterprises, Mr. Vail, the head of the company, wrote the communication to Postmaster General Burleson advising the taking of the lines by the Government.

There is nothing in the communication, which I will place in the CONGRESSIONAL RECORD after a while, to show that the national security or defense required the taking of these utilities by the Government. There is some theoretical allusion, but no facts are stated to justify such conduct.

Shortly after the President's proclamation Mr. Burleson was in conference with Mr. Vail. Mr. Vail became the Postmaster General's adviser on all wire matters.

Mr. President, hereby hangeth a tale. I regret that I must expose to an unfeeling public what I believe to be true. I think I will vote as long and as hard to prevent anybody from having his property confiscated as any Senator on this side of the Chamber, at least, but I do not wish the heads of large enterprises to take advantage of these powers in order to impose upon the Government unwise experiments or undertakings.

The American Telephone & Telegraph Co. had become a very large enterprise. The capital stock of the company affords no

indication of the actual resources of the different concerns. Many subordinate companies had their stock issued and held by the American Telephone & Telegraph Co. The truth is, Mr. President, a number of men at the head of large concerns have come to the conclusion that they would just as lieve the Government would take over these enterprises as not. They have, and I think I violate no confidence in saying so, on divers occasions said that this agitation for Government ownership possessed no terrors for them. If the Government wanted to take their property, it could do so. It could only take the property, however, by paying what it was worth. These various gentlemen were of the opinion that, if the Government could furnish more evidence of the value of the property than they could, it was welcome to it. Probably nobody in the United States knows more of the value of telephone properties than the American Telephone & Telegraph people and their associates. If anybody can furnish more evidence in a condemnation suit than they can, his name or their names have not yet appeared.

I believe that the head of the American Telephone & Telegraph Co., his associates, and all who are connected with the investments concerned are very ready to unload their property upon the United States Government, taking either cash or Government securities, in whole or in part, in payment. In other words, Mr. President, Mr. Vail, of the American Telephone & Telegraph Co., having failed in private enterprise to take the Postal Cable Co. and to acquire the smaller telephone companies, having failed to monopolize the wire world in the United States as well as the cable companies across the ocean, took this method of approaching Mr. Burleson and those in authority for the purpose of accomplishing through the delegated power under war purposes what he failed to accomplish by economic processes and by the instrumentalities of private business. Therefore we find the Postmaster General, acting with Mr. Vail, taking possession of the rival company which Mr. Vail and his associates had tried to take in private life by the purchase of a majority of the shares of the stock and had failed. The Government, in other words, is made the instrument to accomplish by the abuse of delegated governmental power what Mr. Vail had failed to accomplish in his efforts to put his rivals out of business and to merge all of the wire companies of the United States under his control.

The Postmaster General, having been for a long time a convert to Government ownership, saw here a chance to test out his theory. He and Mr. Vail, with widely different motives, became associated in the joint enterprise. The Postal Cable properties were seized, their officers were ejected from the management of their properties; their contract for compensation was made, I think—and the proof, I believe, shows it—on the suggestion of Mr. Vail himself.

The Postal Cable Co. has no watered stock. Its stock, if anything, is concentrated in value. Therefore, when it came to fixing compensation, as the report here shows, the Western Union was given compensation on its stock issue and so was the Postal Cable; but the Postal Cable having concentrated stock and the Western Union a very liberally issued stock, the compensation is out of all proportion as to one and unjust in its figure as to the other.

This, of course, makes no difference to the American Telephone & Telegraph Co.; it makes no difference whether they ever have their property returned to them or not. They are secure; they can prove the value of their property; they can easily ascertain how much will be required by the Government to be paid. They can take the compensation and retire from the telephone business and be gainers by the operation.

The joint resolution authorizing the President to take over the wire communication of the country was passed on July 16, 1918. No emergency existed at that time. The only reason then given for the passage of the joint resolution was that Congress was about to take a recess, and it was advisable that the President should have the power to take control of the wires in case an emergency arose. Well, we are about to take another recess; whether Congress desires it or not, it appears to be imminent. That recess is fraught with more danger than the former, because, as I suggested the other day, not only will Congress be absent but the President also will be absent. The Nation will be headless. There is nothing left in the country to perform its official functions but the courts.

I now quote from the junior Senator from Alabama [Mr. UNDERWOOD] on the occasion of the pendency of the joint resolution of July 16, 1918. In that debate on that measure he said:

> The committee does not present this bill to the Senate with a viewpoint that there is any necessity in this hour confronting the country as a reason why these lines should be taken over.

My esteemed colleague from Illinois [Mr. LEWIS] said in the same debate:

> The power to him granted by the joint resolution is never to be exercised until, subsequently to its passage, there are circumstances manifest to him from evidence incontrovertible, proved, and evident that for the national security or for the defense of the country he should step in and assume that control.

There was no emergency existing at the time that the resolution was passed. On July 21, 1918, however, the President signed a proclamation taking over the telegraphs and telephones. There was no change in the telegraph situation in those five days between the passage of the joint resolution and the signing of the proclamation. No claim was made at any time that the telegraph and telephone service was not highly efficient. The President designated the Postmaster General, Mr. Burleson, to take over the control of the telephones and telegraphs. Mr. Burleson appointed a committee to direct the telephones and telegraphs, consisting of Mr. John C. Koons, First Assistant Postmaster General; William H. Lamar, Solicitor of the Post Office Department; and David J. Lewis, a member of the Tariff Commission. Neither of these men had any experience or knowledge of the telegraph business. Burleson and Lewis both were avowed Government-ownership men, and, as is well known to everybody, have been for many years.

Mr. Burleson assumed control of the telegraphs and telephones on August 4, 1918. From that day to this he has not taken a single step to change in any way the operation of the telegraphs and telephones of the country. He has suggested no improvements; he has made no changes; he has done nothing in any way to transform the service from what it was when the Government took it. If there had been any change to indicate that a necessity for ever taking them, it would furnish corroborative evidence of that necessity, but not a thing has been done, except in some instances to impair the service and increase the charge.

I think Members of the Senate and their constituents will all remember the schedule of charges made not long ago in connection with the installation of telephones. If a telephone was moved from one side of a man's office to another or in a private room, an installation charge of $2 was made against the private user. If there were a new telephone installed, there was an installation charge of $5 if it were for a private house, and if it were for a business or professional house the installation charge was $10. Yet under private management there was no installation charge by the company; the telephone company put in your phone, and there was no charge made for that service.

They moved it for you from one place to another without charge. This ornamental addition to the revenues of the companies since the Government took them is in keeping with the increase of cost in the steam railways. There have been no improvements, but there have been increases in the charges. That is the history of every Government controlled utility in the world. As soon as the Government takes charge additional costs are found. It was found, for instance, in England, where the telegraph service has been in the hands of the Government, under the postal department for some years, that no sooner did the Government take it than additional charges crept in from time to time. In England when you send a telegram you are charged for the telegram blank, you are charged for the address—the longer the address, the more the charge—a charge is made for the body of the telegram, and a charge is made for the signature, and your number, or address, or hotel where you can be found in case an answer is required. You pay extra in each instance both for the address of the receiver and of the sender. These charges are like the installation charge on the telephone. They are additions all the time to the cost of the service, and the general public pays the price.

The principal occupation of the Post Office Department has been in increasing all telephone rates. A long schedule of rates has gone up. These increases in most instances are in the interest of the Bell Telephone Co. The award of compensation in the case of the Bell and Western Union companies were very liberal, but in the case of the Postal Telegraph Co. were confiscatory. Burleson has done everything in his power, in my judgment, to break up the morale of the Postal Telegraph staff; he has removed its vice president and general manager and one of its general superintendents. He it is who is the directing agency of the Post Office Department having charge of the wire system. He has placed the telephones and telegraphs under the domination of the Bell system and the Western Union officials, and, in a manner to which I will refer subsequently, has threatened to consolidate the Postal Telegraph offices with the Western Union offices, and has only been curbed from doing this by the great public outcry which has been made against any act on his part to eliminate the competition between the Postal Telegraph Cable Co. and the other one.

The question now before Congress is as to setting a time for the return of these properties. They ought not to be kept under

present conditions. While there is only an armistice we know quite well that the war is over. I find that these gentlemen—the Postmaster General, the president of the American Telephone & Telegraph Co., and Mr. Carlton, of the Western Union—are all in favor of extending that control from two to five years. The excuse is made that many of the independent telephone companies would face bankruptcy if returned at this time. None of these independent telephone companies wished to be taken over when they were taken, and if their threatened bankruptcy had been given as a reason for taking control when the joint resolution of July 16, 1918, was under discussion, that joint resolution would have been rejected by Congress.

None of these private telephone companies complained of conditions of threatened bankruptcy at the time this joint resolution was pending or before it. If they were not bankrupt then, what has occurred since that time to make them bankrupt unless it is the management of the Government and the unwise interference of the Postal Department in their management?

I can understand, for instance, why some of them are becoming bankrupt. Let me take one local subordinate company. A long-distance toll of $25 was collected, using the wires of the Bell Telephone or the American Telephone & Telegraph connection outside, and the local subordinate company—not a hostile company, but a subordinate company of the Bell. It was the initiative point. The point with which the talking was done was New York City. The total time required a payment of $25 toll. The local telephone company, the subordinate company of the Bell Telephone Co., got 20 cents out of the $25, and the American Telephone & Telegraph Co. got $24.80 out of the $25. The local company or district company is in the hands of a receiver. Of course, it is threatened with bankruptcy. Nobody would expect anything else. It does not make any difference how much business it does; the more business it does, the poorer it gets. It is like operating one of these American steamships. Much talk about our merchant marine and about sending our commerce around the world is heard, and we can talk in swelling tones about getting the markets of the earth with our great merchant shipping; but you could not give a business man the best steamship built and make him operate it under present conditions and the present laws if it were a gift and he had to run the boat, because eventually he would be bankrupt. He would meet the competition of other shipping companies, and no American steamship can meet the competition of the steamship companies of the world and remain solvent unless it has the Government Treasury back of it to make up its deficit, just as the Government railways here want this $750,000,000 to make them even. It is no surprise the telephone companies are becoming bankrupt. It is because under Government ownership they could not well become anything else.

The truth of the matter is that, except in a few instances, these independent telephone companies are in good financial condition; and the real reason behind the proposed extension is that the officials of the American Telephone & Telegraph Co. and of the Western Union wish to have the Government tide their companies over these days of high costs and help them to maintain their dividends and to increase rates for those companies, and in the meantime to carry out the long-cherished ambition of gathering into a single fold all the wire communications of this country.

After that has been done, if the wire companies are returned to their owners it will be one owner, and by indirection there will have been accomplished what Mr. Vail was unable to accomplish by private enterprise, the Government having been used as an agency to accomplish this purpose.

I think an examination of the annual reports made since 1910 will show, in substance, that the officials of the American Telephone & Telegraph Co. have advocated the gathering of all wire companies under one head. Mr. Burleson, in his testimony before the House Committee on Post Offices and Post Roads, very frankly stated, a very short time ago, that "competition should be eliminated; that the period for competition is past." Mr. Burleson is carrying out the plan that has been in the minds of the American Telephone & Telegraph Co. and the Western Union for a long time. Every day that this Government control is extended means either making a surer Government ownership possible, or the crushing of the competition of the Postal Telegraph and all the independent telephone companies. I believe no reason exists for longer holding and operation of the wire companies by the Government. The telegraph companies are in no need of any pecuniary help from the Government, and even the Postmaster General does not claim in any of his reports that they are. He confines his reasons for continued control entirely to the weak condition of the telephone companies.

Why, then, keep the telegraph companies? The telegraph companies could be returned to their owners at midnight tonight without causing the slightest disturbance to business or to the companies themselves. Mr. Burleson, in his control of the telegraphs, is deteriorating the service and breaking up the morale of the men.

Another possible reason which occurs for holding on to them is to increase telegraph rates, as proposed by the Western Union to the Postal Co., but which the latter declined to agree to, and will not do unless forced by the Postmaster General. It would be no violent act, because railroad charges have been increased. The general public do not use telegraph facilities as they do transportation, and it will probably cause less objection than the increase in railway rates. Mr. Burleson has had nothing to do with the actual operation of the companies. He has left that to subordinates or to others who know accurately the condition of the business. Neither has he done anything to change their operation for war purposes or for any other purposes; but his further control does seriously endanger the future status of the Postal Telegraph-Cable Co., because of the avowed purpose to put that company out of business by combining it with its rivals. The best way to enable that to be done is to extend and continue the control through governmental agencies.

The Postal Cable officials are out and gone. They have been ejected from their offices. Their papers and property have been taken away from them in the name of a pretended war necessity. The power given to the President under the joint resolution of Congress to take over the cables was not exercised until November 2. This proclamation of the President taking over the cables was suppressed until November 16, five days after the armistice was signed. Here, too, Mr. Burleson has done absolutely nothing regarding the operation of the cables, and they are being operated just in the way they were before he took them over. He has removed, however, from the cable company its officers. Mr. Mackay has been removed; George G. Ward, vice president and general manager, has been removed; William W. Cook, the general counsel of the Commercial Cable Co., has been removed, and there has been placed as director of these cables instead Mr. Carlton, the president of the Western Union Telegraph Co., the rival of the Commercial Cable Co.

I have a map of the marine cables showing how much of the cables in question are controlled by the Commercial Cable Co.'s cables. The seizure of these lines by the President, through Mr. Burleson, shows that this control is very limited. The part of the cable lines under the control of the Post Office Department is limited to the marginal waters, or the 3-mile limit through which the cables extend. Beyond that, when it reaches the high seas, the department has no control whatever over the lines. Beyond that, the original company controls the wires; and when it reaches the European shores or territory, there the British companies control. These are matters of private contract. Even under this proclamation nothing can be done beyond the 3-mile limit in this country. The cables ought, not only in justice to the private owners, but in justice to the Senate itself, to be returned to their owners.

The first evidence of the spirit of the employees of the telephone systems held by the Government is manifested in the press reports of this morning. I do not think the Postmaster General is a judicious or a wise head of a department to deal with the employees in the service. I have had my criticisms to make of unions and unionized service. It was only, however, where their members interfered with the laws of the country, or by the rules of some union they undertook to say that a man could not run his business without their permission, or that no man could earn a living unless he joined the union. On those grounds I have criticized them and fought them, in their own territory and mine. On everything else, they can get as much on my vote as on that of any other Senator in this body; but they can not obtain from me apologies for their lawless conduct, now or hereafter, and they never have been able to do so.

Mr. Burleson, however, I think is a very injudicious man to deal with either union or nonunion men. His conduct is arbitrary, and I think he lacks a sympathetic understanding of the man who works in the service. I believe he is somewhat oblivious to the rights of union employees. They have the right to organize and have the equal protection of the law, just as much as anybody else has. I would not see them discriminated against any more than I would see them discriminate against somebody else.

The organized telephone operators of the United States have voted to strike in protest against the administration of Director General Burleson. Returns from the strike vote, received yesterday at the

headquarters of the International Brotherhood of Electrical Workers at the A. F. of L. Building in this city, from Miss Julia O'Connor, president of the Telephone Operators' Department of the Brotherhood, show an overwhelming majority in favor of the strike. In New England, the only section from which the tabulated vote has so far been received in Washington, the figures are 7,444 for the strike to 20 against, according to John J. Purcell, international representative of the brotherhood. On the Pacific Coast 95 per cent of the operators voted in favor of the strike.

That is a very striking figure for Mr. Burleson. If he is only able to count 20 votes on a popular referendum, it is time for him to indulge in a searching self-analysis in his closet and find out whether there is not something he ought to do himself.

The date of the strike will be fixed by the executive board of the International Brotherhood, which meantime is taking a referendum as to the amount of per capita tax to be levied upon its 135,000 members to support the strike. It is expected that a fund of more than $600,000 will be raised immediately.

If the telegraph operators vote to strike, as is expected, there will be a simultaneous stoppage of wire communication the country over.

Mr. Burleson, however—this is not generally a matter of public information—on the cables has run up against unexpected opposition from the British Government, which resents Mr. Burleson's attempt to control the operations of cable companies in British territory, just as we would resent any attempt of the British postmaster general to conduct the operations of cables landing on American shores. This has nullified Mr. Burleson's attempted control over the cables and makes his control merely nominal. For this reason, if for no other, the cables should be returned immediately, as Mr. Burleson's control is of no effect. There was never any necessity for his taking over the cables, as during the four years of the European war they transacted the heavy cable business due to the war as efficiently as it could possibly be transacted, and to take them over after the armistice was signed was a high-handed outrage.

Mr. President, Mr. Burleson, the Postmaster General, has stated that he took the cables over on the advice of Mr. Vail, of the American Telephone & Telegraph Co. It seems as if the two connect their advice and conduct, that one is accomplishing what the other desires. Mr. Vail, in 1909, secured, as I have read from the 1917 Poor's Manual, a controlling interest in the Western Union Telegraph Co. in his march toward a nation-wide wire monopoly. In 1911, in furtherance of this plan, he secured a lease of the Anglo-American and Direct United States cables, British corporations—six cables in all—but in order to get these leases he had to pay a considerable price, the annual rental amounting to about $1,600,000. They also pay an annual rental of $700,000 for two cables leased many years ago, making a total annual rental of $2,300,000, and now that four out of these eight leased cables are disrupted and are not doing any business, it is not surprising that the Western Union wishes the Government to carry the load of these rentals. This annual rental has proven a heavy burden to the Western Union Telegraph Co., and it is very natural and not surprising that the Western Union wishes the Government to take over the cables in order that the Western Union might shift this load from its shoulders over to that of the United States Government.

These leases were made for a term of 99 years, and the President of the American Telephone & Telegraph Co., realizing that he had led the Western Union into a bad bargain that might prove unsatisfactory, would like to help that company out with the assistance of the Government or of the Postmaster General.

Mr. Burleson's control of the cables is limited, as indicated by the map which I have shown here, as stated to the 3-mile limit of the United States. He does not even control the main sections of the cables which run from Canada to Europe. His control is not a control, but only a nominal control of the lines.

It might be well to point out here that in order to justify the cable seizure it has been stated that America is backward in the way of cable communication and that the cable companies are not in a position to finance future extensions. I have heard that criticism made several times and have seen it printed in the press.

The Commercial Cable Co. is ready and able to take care of any and all the cable extensions, and the fact that the Pacific cable was laid from San Francisco to the Philippines, China, and Japan in 1902, without Government assistance, when the Western Union and allied interests were appealing to Congress for a subsidy to lay such a cable, shows that the Commercial Cable Co. does not hesitate to lay necessary cables.

The Central and South American Telegraph Co., also an American Cable Co., operates an extensive system of cables to Cuba, Panama, down the west coast of South America to Chile and across the Andes to Buenos Aires, and is now making contracts for the manufacture of cables to be laid to Brazil, and up to Cuba and the United States, completing the circuit of the entire South American Continent. It will in due time spread this line through all the points in the Caribbean Basin so as to cover not only Central and South America, but everything in the West Indies and the Caribbean Sea.

The intimation has also been made that direct cables should be laid from the United States to Europe, without touching Canada. But this is only made to appeal to American prejudice and to help Mr. Vail's schemes. This is only made, I think, to arouse American sentiment and to help out this plan of consolidation. I have not seen anything lately that would indicate that we were extremely hostile to England, not in the league of nations where we undertake as a mandatory nation to finance and furnish Army, Navy, men, life, and money to protect England's possessions around the world, however, a still small voice rises from the Post Office Department complaining because a cable line from this country goes to Canada instead of running straight across the Atlantic from our own shores. We are going to have a $750,000,000 Navy, and if the Canadians grow querulous we can protect our cable line in Newfoundland. I have no fear that any rights will be lost. The fact of the matter is that a direct cable from the United States to any part of the British Isles or the European Continent is not feasible, because the distance is too great for the electric current through a continuous length of cable, and it could not be successfully operated. It must be relayed. The line must go to Canada and then from Canada across, which is a shorter stretch of cable. There must be something else discovered in the way of utilizing electricity before it can be conducted that distance. Mr. Vail must evolve a more economical process so that an electric current will carry farther over a submarine cable than it does now.

I remember when the limit some years ago in electrical development for the conveying of electricity was about 70 miles. After that the lines leased reduced it to a point where commercially it was no longer profitable. One could build a plant to generate the electricity new cheaper than you could carry it from that particular point. Along came the hydroelectric plant, and if that were to be made profitable some better method of longer transmission was to be discovered. All electrical processes, as we are aware, are only in the infancy of development, but we might discover a way of carrying electricity much farther. From 70 miles I do not know how far they conduct the current at the present time. I am a year or two behind the latest information, but I know that electrical energy is carried from the Cooper Dam in the Mississippi rapids at Keokuk, Iowa, to St. Louis, Mo., 100,000 horsepower being transmitted over the wire and landed in St. Louis at a profitable figure. The street cars, the power, and the electric lights in part are furnished by the energy generated at the Cooper Dam. So a method of improved transmission had to be discovered. It was done by relaying the electricity. It was carried a given distance, put into coils, and then relayed again and started over a new line.

The cable companies would welcome any means of laying direct cables because that would cut out the expense of relay stations in Canada, but, as stated before, it is electrically and commercially inexpedient and would only result in vastly greater investment and much delay to service. There is only one direct cable from the United States to Europe, and that is the cable of the French Cable Co. from Cape Cod, Mass., to Brest, France. That cable was laid in 1879 and has never been a success and has deterred the cable companies from laying further direct cables.

This is original information that has not been given to the press yet. I think it is of great importance that Senators assimilate this. The chance will not come this way again this session.

A continuation of Mr. Burleson's control over the cables can not improve the service one iota, and the only effect is to weaken the morale of the staff and help the Western Union pay its heavy losses to the British cable companies. Like everything else the Government gets its hands on, the rates go up and the service goes down.

I have become, Mr. President, almost a perpetual critic since the Government has taken over these utilities, and I have been dependent upon the Government telephone service. I spend a large part of my idle hours in controversy. One can engage in that safely over a wire. However, it does not develop the more lovable tendencies of one's character, and I fear that the result may be permanent in time upon me if I do not have more equable surroundings.

Returning, however, to larger subjects, the British Empire is practically linked up entirely by cables owned by British private interests, and the British Government has always encouraged

and preferred private cable companies, and the only few instances where the British Government owns any cables is where private enterprise would not lay cables because of the certainty of a loss in operation.

Mr. George D. Ward, the vice president and general manager of the Commercial Cable Co., summed up the cable situation in a recent interview as follows, which I have taken the pains to preserve:

If the cables were all taken over by governments Great Britain would have a decided advantage over the United States. That country would be entirely independent of the United States for transoceanic communication, because both ends of the main Atlantic cable sections land on British territory. The United States would be in no such position. There is only one cable running direct from the United States to Europe, and for economic reasons, efficiency, and maintenance it is not very likely there will be another. The distance is too great and such a lengthy cable is of very much less practical value than cables of shorter lengths. All the other cables from the United States form only parts of the trans-Atlantic system. They run from points in the United States to points in Nova Scotia or Newfoundland or the French island of St. Pierre and thence traverse the Atlantic to Great Britain or France. Consequently the vital sections of the cables, namely, the main Atlantic Ocean portions, are completely under the jurisdiction of the British or French Governments. I can hardly conceive that even in the event of dual Government ownership of the cables the British and Canadian Governments would consider any other government but their own having control over the operations of the cables between Canada and Great Britain. Under these circumstances the United States would be left merely with a control over the American ends of the cables between American territory and Canada or Newfoundland.

It is true that certain short channel cables connecting Great Britain with continental Europe are owned jointly by the British and continental countries where they land, but in such cases each government controls one end of the cable and either government can suspend the operation at will. The British Government, notwithstanding that it owns its telegraph system in Great Britain, has always encouraged, fostered, and subsidized private cable enterprises, and the Eastern Co.'s cable system, a British-owned enterprise, is the largest cable system in the world, running from England to Africa, South America, Asia, and Australia. Even the German Government, as paternalistic as it was, never owned any long-distance cables, but all their cables to America and in the Pacific were owned by private enterprise. As stated above, however, the United States Government could acquire only one end of the cable line from the United States to Canada or Newfoundland, and therefore the most essential part of the control, namely, the main Atlantic section, would remain in foreign hands and communication with North America maintained independent of the United States Government. This might affect American business interests and be a source of international complications, and I do not think that the American Government should, or that the American public would, care to embark on any such project.

All governments allow a foreign corporation to make landings on their shores because foreign corporations may be controlled by the governments without disturbing the relations between governments, but if the cables were owned by the government differences and disputes might arise from time to time and cause diplomatic embarrassment. The European governments have fostered the development of private cable enterprises where the cables land on foreign territory because they have recognized the impracticability of such cables being owned by the governments.

I do not see on what ground the Postmaster General can feel that unless he takes over the control of the cables some difficulty may arise to interrupt continuous communication within the next few months. For over four years of the war our cables have been operated to their utmost capacity. Notwithstanding the constant menace by enemy submarines our repair ship has been engaged for months at a time in the middle of the Atlantic restoring cable communication. The British Government has expressed high appreciation of the work that has been done in this respect. We have managed to keep our cables intact in spite of all of the difficulties and dangers incident to the war. Nothing has been left undone to provide a continuous service to meet the exceptional demands of the war emergency.

The United States Government has had a special representative, in addition to the censorship staff (and censorship in Europe), to watch the operations of the cables and I feel sure he will certify that the companies have bent every effort to meet the Government and public needs. What we have been unable to do the Government could not have done.

With all due respect to the Postmaster General it is unfair to use the recent temporary conditions as an argument for Government possession. Both the Western Union and ourselves suffered severely from staff shortage owing to the influenza epidemic. Our cable system was intact, theirs was partially interrupted.

In Great Britain our concessions gave the Government the right to take over the control of our cables during war if they see fit, but that Government has made no attempt whatever to use this power, because they have undoubtedly realized that the companies were doing everything that it was possible to do to render the best possible service. Furthermore, even if the British Government should at any time exercise that right, it is very properly provided in the concession that such right shall only apply to that portion of the company's property within British territory.

I am unable to understand the reasons given by the Postmaster General for taking over the cables. Just what he means by his statement concerning continuous transmission being bounded neither by continents nor oceans, etc., is difficult to comprehend. There is absolutely no restriction or limitation of continuous transmission under present conditions.

The present situation with regard to the relations between land-line and cable companies is very clear and practical, and I am sure is the most desirable to the users of cables. It provides a choice of cable routes which many users of the cables both here and in Europe consider important.

Just how the American Postmaster General's control will be applied to the cables in foreign countries I can not see. Foreign Governments have always been jealous of their right to maintain jurisdiction over the operation of cables in their own countries, and stipulations to that effect are contained in the concessions granted by foreign Governments to private companies. The British, French, and Portuguese concessions under which this company's cables are landed in Europe forbid the transfer of any of the rights or powers conferred upon the company by such concessions. As stated above, in all of the cable systems crossing the Atlantic, excepting the French company's, the main sections begin and terminate on British territory. A very large number of messages are exchanged between Canada and Great Britain without ever touching the United States. It is difficult to imagine that the British or Canadian authorities would yield the right to the United States Postmaster General to control the business between Great Britain and Canada. I foresee the possibility of international difficulties in the proposal which are likely to terminate to the disadvantage of American interests.

American enterprise controls and operates 13 trans-Atlantic cables. In addition, a French company owns two. Under the principle of reciprocity, American cable companies have secured concessions in foreign countries to land and operate their cables. The United States has allowed British and French companies to land cables in the United States, in return for which Great Britain and France have allowed American companies to land cables in those countries.

To sum up the whole situation, any further extension of Mr. Burleson's control over the telephones, telegraphs, and cables can only result in the following:

1. To increase telephone and telegraph rates in the interest of the Bell Telephone Co. and Western Union Telegraph Co. He has already increased telephone rates and threatens to increase telegraph rates, and he very frankly stated before the House committee that if the Government operation showed a loss he would have to increase rates to make it up. The expert of the Massachusetts Public Service Commission has stated that more than $1,000,000 a year, and perhaps twice that amount, will be added to the receipts of the Bell Co. operating in New England through the operations of the new phone rates ordered by Mr. Burleson.

2. To help out the Bell and Western Union companies to tide over this period of high costs. This does not mean that if the lines were turned back the Bell and Western Union would go into bankruptcy, because the Western Union now has investments in its reserve funds, consisting of railroad and other outside bonds, of $15,000,000, but if that company's lines were turned back now to that company by the Government they would not earn as much for the next two or three years as they would under the compensation awards made by Mr. Burleson. The Bell Co. would also earn less if released, but would be far from bankruptcy.

3. To help the Bell and Western Union gather in all competing companies, including the Postal Telegraph-Cable Co., Mr. Burleson stated before the House committee that "competition should be eliminated."

I stated in the Senate a few weeks ago:

I wish to take time by the forelock now and say that Theodore N. Vail, who is Mr. Burleson's assistant, is more interested in unloading the American Telegraph & Telephone Co. upon the United States than he is in the ultimate effect it will have upon the morale of the American people after it is done. He is interested in and has been interested in this scheme for several years, and Mr. Burleson knows it. He is a Bolshevist in the telephone, telegraph, and cable world in disguise. He ought not to sail in Washington under false colors. His views are generally known. He believes in Government ownership for the American Telegraph & Telephone Co. because it is the best prospect of unloading that he sees in the immediate future. The public have not taken very kindly to telephone stock concerned in that investment, and so he sees a possible purchaser in the Government. That is the reason why he and Mr. Burleson have found themselves to be kindred spirits and are engaged in a common enterprise, though from entirely different motives. Mr. Vail undertook to gather in all forms of wire communication on land and sea into his company. He failed. He now, with Burleson, is trying the same thing in the name of the Government.

And every day Government control is continued means that the taxpayers are being assessed to make up the losses which Mr. Burleson is incurring under his compensation awards.

Section 7 of this bill, calling for an appropriation of $750,000,000 for the purpose of paying compensation to the railways, in addition to the $500,000,000 in the revolving fund in the original bill, is only the payment for this Government enterprise, and if the experiment is continued for a given time it will produce other deficits to be made up by annual appropriations.

I now come to the question of compensation. It is a regular story by itself, and I am obliged because of lack of time to condense and to omit many interesting features. I have put it in small compass in order that within the allotted time I may present the salient facts to Senators for their information. If they do not have the time to look into the detailed report, I have provided a summary, which I have presented here. I do this in order to save the time of everybody interested in this question.

The compensation awarded by Mr. Burleson to the American Telephone & Telegraph Co. was announced on October 7 and that to the Western Union Telegraph Co. on October 10. Evidently both compensations were worked on simultaneously with that of the American Telephone & Telegraph Co.

This compensation provided for the payment by the Government of the annual interest and existing amortization charges on all outstanding securities or obligations of the Bell system in the hands of the public; also of dividends at the existing rate of 8 per cent per annum upon the share capital of the American Telephone & Telegraph Co., and also at the existing rate in the case of the share capital of the subsidiary companies held by the public.

This is of especial importance in view of section 7, because these dividends are guaranteed by contract with the Government. The dividends must either be earned after all operating expenses are paid, or, if they are not forthcoming, appropriations have got to be made, as in the case of this $750,000,000 appropriation. Our limitation here will be reached after a while.

We can not go on levying taxes forever. The pay day, of which I spoke last night, will come at some time.

Also all charges for interest and dividends and other costs of securing necessary additional capital; and also all charges for interest and dividends on new securities or share capital issued for the discharge, conversion, renewal, or extension of present obligations. In addition to this, Mr. Burleson also agreed to make provision for depreciation and obsolescence relatively equal to that of the past—an average of 5.72 per cent annually on the book value of the depreciable property, including additions; Mr. Burleson also agreed to continue the existing license and rental contracts between the American Telephone & Telegraph Co. and its subsidiary companies.

One of the greatest abuses which presumably have been perpetuated in these contracts between Mr. Burleson and the Bell Telephone companies is the arrangement by which the American Telephone & Telegraph Co. exacts an unconscionable proportion of the long-distance tolls from its subsidiary companies, which is merely a means of keeping down the profits of the subsidiary companies, and thus heading off demands for reductions in rates. When a subsidiary of this large company, like the one running from Indianapolis, Ind., out to central Illinois, is in the hands of receivers, there will be no possible chance for reducing rates; there would be a very much better chance of increasing rates in order to make it a profitable going concern.

In a sworn affidavit, in a suit in Chicago, by the minority stockholders of the Central Union Telegraph Co.—a subsidiary Bell company controlled by the American Telephone & Telegraph Co.—against the American Telephone & Telegraph Co., it was stated that on a message originated by the Central Union Co. at Springfield, Ill., to New York, occupying a period of 15 or 20 minutes, the total charge for which would be in the neighborhood of $25, the Central Union Co. would receive 20 cents and the American Telephone & Telegraph Co. $24.80.

This condition presented itself in a suit by the minority stockholders. The condition served two purposes: First, it secures against a reduction of the rate; it furnishes a foundation for an increase even, in order that the company may survive and do a profitable business. That is one of the foundations. The other would be where a receivership is had in order to freeze out the minority stockholders of the district company. That is a familiar process; it used to be quite a fashionable thing for railways to do this; nearly every one of the old steam railways has gone through the processes of organization and reorganization, in which the fortune of the small investor has disappeared.

This is the case I referred to briefly awhile ago. In this suit it was also testified that the American Telephone & Telegraph Co. took 95 per cent of the long-distance tolls from the local Bell Co. in Missouri. When it is considered that the local company actually does all the work in connection with this long-distance business, besides originating it and maintaining the local plant at its own expense, establishes the exchanges, secures the subscribers, does the advertising, makes out the charges, and collects the entire toll, it will be seen that when the local company gets any such miserable proportions on the long-distance telephone business as are mentioned above, it is a clear case of the American Telephone & Telegraph Co. taking practically all of the tolls to keep down the profits of the local company. In addition to this abuse, Mr. Burleson, by his agreement with the American Telephone & Telegraph Co., has also perpetuated the abuse by which the American Telephone & Telegraph Co. exacts 4½ per cent of the gross receipts of the local telephone companies from local calls. This has been denounced by many public-service commissions. The perpetuation of these abuses by Mr. Burleson indicates a close relationship between himself and Mr. Vail.

To show further the favoritism practiced by Mr. Burleson toward the American Telephone & Telegraph Co., I will cite the case of the Central Union Telephone Co., which is a subsidiary of the American Telephone & Telegraph Co., the majority of the stock being held by that company. The minority stockholders are, however, suing the American Telephone & Telegraph Co. for an accounting, charging that the profits of the Commercial Union were illegally diverted to the American Telephone & Telegraph Co. The Commercial Union is in the hands of a receiver. Under its contract for compensation with the Postmaster General the American Telephone & Telegraph Co. awarded $2,000,000 to the Commercial Union as its share of the compensation from the Postmaster General. The receivers of the Commercial Union objected to being treated as a constituent company of the American Telephone & Telegraph Co., and demanded that they be allowed to negotiate a separate contract for compensation with the Postmaster General. When the receivers attempted to do so, they were met by the proposition by the Postmaster General that he would pay the receivers if they were treated as independent of the American Telephone & Telegraph Co., only $1,000,000, but if they allowed themselves to become a part of the contract between the American Telephone & Telegraph Co. and the Postmaster General, the Central Union would be paid $2,000,000.

I think this incident speaks for itself, Mr. President. It shows the close communication between the unfair conditions existing between a subordinate company, the majority of whose stock is held by the American Telephone & Telegraph Co., and the action of the Postmaster General in perpetuating a practice which is not only unfair but is reprehensible.

As to whether or not the Postmaster General is losing money on his award of compensation to the Bell Telephone Co., only a statement from him would show, and even that statement would have to be examined, in all probability, very closely. We are familiar with the bookkeeping practiced in certain departments. It is one of those things that are not what they appear to be. A person must have faith in things unseen, and have the ability to penetrate far beyond the figures in mere columns, and have technical and accurate knowledge of bookkeeping, before he can interpret some of the methods presented by Government reports.

We do know that last year (1917), according to the annual report of the American (Bell) Telephone & Telegraph Co., it only earned 8.83 per cent on its capital stock while it was paying an 8 per cent dividend. We know also that due to its enormous payments for the purpose of either buying out or crushing out independent telephone companies during the last seven or eight years and also due to its general extravagant methods its expenses have been gradually cutting into its profits, and each succeeding year shows a smaller margin of profit over its dividend, in 1917 it being only 0.83 per cent.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Montana?

Mr. SHERMAN. For what purpose?

Mr. WALSH. I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Montana rises to a parliamentary inquiry. He has the right to make that.

Mr. WALSH. The Senator has now been reading from a document for a period of a half hour or more. I invite attention to Rule XI of the Senate Rules, as follows:

When the reading of a paper is called for and objected to, it shall be determined by a vote of the Senate without debate.

I appreciate that heretofore that rule has had this construction—that when a Senator asks for the reading of a paper at the desk he is not entitled to have it read if objection is made except by the order of the Senate, and it has not been applied to prevent the reading of the paper by the Senator himself. But, Mr. President, I am not aware that since my time, at least, the question which I now desire to raise has been raised. The reason for the rule is as forceful when the paper is read by the Senator himself as it is when the request is made that it be read from the desk.

I read from section 32 of Jefferson's Manual, in illustration of the rule, as follows:

When papers are laid before the House or referred to a committee every Member has a right to have them once read at the table before he can be compelled to vote on them; but it is a great though common error to suppose that he has a right, toties quoties, to have acts, journals, accounts, or papers on the table read independently of the will of the House.

The delay and interruption which this might be made to produce evince the impossibility of the existence of such a right.

There is, indeed, so manifest a propriety of permitting every Member to have as much information as possible on every question on which he is to vote that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question if no one objects; but if objected to a question must be put.

It is equally an error to suppose that any Member has a right, without a question put, to lay a book or paper on the table and have it read, on suggesting that it contains matter infringing on the privileges of the House.

For the same reason, a Member has not a right to read a paper in his place, if it be objected to, without leave of the House, but this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A Member has not a right even to read his own speech, committed to writing, without leave. This also is to prevent an abuse of time, and therefore is not refused but where that is intended.

Mr. President, the rules to which I have adverted exist because, as said by Mr. Jefferson in his Manual:

The delay and interruption which this might be made to produce evince the impossibility of the existence of such a right.

There is, indeed, so manifest a propriety of permitting every Member to have as much information as possible on every question on which he is to vote that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question, if no one objects; but if objected to a question must be put.

I inquire, Mr. President, if I now object to the further reading of the paper from which the Senator has been reading for the past half hour, whether it would be found objectionable under the rule?

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. The Senate makes and construes its own rules. This is a new proposition with reference to the construction of the rules of the Senate. If the point of order is made, the Chair will refer it to the decision of the Senate.

Mr. SMOOT. Mr. President, may I say just a word? I just stepped to the Senator's desk and asked him if this was a paper prepared by anyone else but himself. He said no, that every word of it was prepared by himself, and it was his speech. If the point of order is made and sustained against this, no Senator could prepare a speech and read it from his desk; and I do not think the Senate desires to make any such ruling.

Mr. WALSH. Mr. President, if this is a speech which the Senator has prepared to present to the Senate at this time——

Mr. SMOOT. It is.

Mr. WALSH. But I understand that he is reading from a document quite apart from his speech.

Mr. SMOOT. I will say to the Senator from Montana that the Senator from Illinois has stated within two minutes that every word he has written himself and prepared for a speech.

Mr. WALSH. Well, that is not the question.

Mr. SMOOT. No; I know it is not the question.

Mr. WALSH. If the Senator has prepared a speech and is making a speech here on the floor with respect to something that is before the Senate, I am not going to make the point of order.

Mr. SHERMAN. Mr. President——

Mr. SMOOT. This is on the railroad item of the bill.

Mr. SHERMAN. Before the question could be referred to the Senate, unless it be a matter of proof, which would take an investigating committee to hear evidence, I can make the statement that everything that is in this paper—the greater part of which is memoranda—is found in Poor's Manual of 1917 and other investment data, or in the advance information that will be in the Manual of 1918. This matter has been taken by me and incorporated in a paper. I have it in various forms, referring to various public utilities. It is the analysis and the knitting together of the facts contained in these reports. Some of them are taken from the reports published in financial journals. This is not a paper any more than the addresses read by Senators here on the floor in a prepared typewritten or printed speech of their own. This is my own production. If the Senate wishes to establish a precedent of that kind, I can not help it.

Mr. WALSH. Mr. President, I accept the statement of the Senator that it is his own work.

The VICE PRESIDENT. The Senator from Montana has withdrawn his point of order.

Mr. LEWIS. Mr. President, will the Senator allow me to interrupt his address for the purpose of tendering an amendment just to have the amendment read, and then he may proceed with his address?

Mr. SHERMAN. If the Chair does not think it would result in my losing the floor, I will do so.

Mr. LEWIS. I wish it not to take the Senator off the floor.

Mr. SHERMAN. My colleague and myself could not control the ruling of the Chair.

Mr. LEWIS. I not only have no desire to do that, but I should feel pained if any action of mine unconsciously did it. If I sought to take the Senator off the floor, I would do it openly.

Then, Mr. President, a parliamentary inquiry: If the Senator now holding the floor should yield to me to tender an amendment to the pending bill and to have the amendment read, would that tend to take the Senator from the floor or at all affect his rights?

The VICE PRESIDENT. If any Senator should raise the parliamentary question, it would.

Mr. SHERMAN. I can not yield unless the Chair would feel at liberty to assure me that it would not interfere with my possession of the floor.

Mr. LEWIS. I may say to my colleague that the Chair informs me that it might imperil the Senator, and for that reason I shall not ask him to yield to me.

Mr. SHERMAN. I should be very glad to do so for my colleague, if possible.

Mr. LEWIS. I thank my colleague.

Mr. SHERMAN. Mr. President, the condition in which these various companies are found is outlined in Poor's Manual of Public Utilities, which is an established authority, and in a variety of reports made and published in financial journals. The New York Journal of Commerce and the Wall Street Journal are some of the current publications from which we draw those matters that are not yet reduced to book form. All of them are found in the files in the Congressional Library and are sent over by the Research Department to the office of any Senator or Representative desiring them.

The conditions shown by these reports in every instance indicate that with the subordinate company, with the American Telephone & Telegraph Co., a minority series of the shareholders own a majority in the subordinate or subsidiary companies in every instance in which I have made an examination. As to the practice objected to by the minority stockholders of the subsidiary companies, however unjust it may be, however unprofitable, and however unfair, whether the subordinate company is in receivership or not, that condition has been approved and continued in the Post Office Department. That is generally true. I have found no exception to this statement. Whether it is done in all cases or not, I am not able to say, because I have not, with the limited time at my command, been able to examine the reports of the numerous companies which are subordinate to the holding company headed by Mr. Vail. If there are any in which this is not true, I will gladly accept the correction by those who have detailed practical knowledge that I do not have.

It appears, then, that the Postmaster General awarded to the Bell Co. an 8 per cent dividend on its shares of capital stock. This left a margin of only eighty-three one-hundredths of one cent on the dollar of the surplus available for dividend purposes in the treasury of the company. This is known to be a very narrow margin. It reaches the point of danger. No going concern subject to heavy contingent charges can survive upon such a margin. The telephone and the telegraph business, like the railroad business, is subject to very great hazards in its operation. To-day a storm some place prostrates 25 or 30 miles of poles. A fire some place else burns up a central office. A strike in some distant part of the United States suspends service. The earnings are suspended at the same time. The natural result is that a heavy surplus must be carried to meet the emergencies of the business. This is no more than a prudent course of conduct followed by every large business in the country. A bank carries a surplus. If it is distributed down to eighty-three one-hundredths of a cent on the dollar of all its surplus and only has that small margin left to meet expenses, it would not be a prudent banking business. It would be an absorption of its earned surplus and dividends to an alarming extent. Still, this is what is done under Government guaranty and contract with companies favored by Mr. Burleson.

It appears from the reports which I have gathered that there is but little doubt that Mr. Burleson, on behalf of the Government, is losing money on the contract he has made with the American Telephone & Telegraph Co. This is virtually admitted by the Solicitor of the Post Office Department in his testimony before the House Committee on the Post Office and Post Roads on January 14, 1919. I do not want to commit this to memory. I wish to quote it from the paper. If I were to quote it from my memory somebody would say that I was fabricating out of the prolific recesses of my desire to criticize somebody. A paper not long ago said I had "degenerated into a mere knocker" anyhow. So, to escape that, I want to quote from the official hearings made by the Congress. I think I might remedy this unjust suspicion that I am caviling or acting in a captious spirit. I do not use those classic phrases myself. I abjured the slang many years ago. It is sometimes very expressive, but it shocks some fastidious ears, and I would very much prefer to adhere to the King's English of established form.

But this is what the testimony says:

That the Bell Co. had been having a surplus of from $10,000,000 to $15,000,000 a year, but that the increased cost of labor has more than wiped out that preceding surplus of the Bell Telephone Co..

If this means anything at all, Mr. President, it is that the Bell telephone lines are not earning for Mr. Burleson the amount of compensation under the contract which he has awarded to it.

During 1917 the stock of the American Telephone & Telegraph Co. sold as high as 128¼. There are a good many fluctuations in stocks that are incapable of explanation. I followed the stock market at different times, not as an interested party having investments of my own, but for the purpose of accommodating certain clients in former years. It is a very peculiar thing. Prices are certainly depressed, and from no known cause that you can ascertain. They shoot up to the zenith for the same reason. It is outside the knowledge of anybody except the agency that causes it, and sometimes that remains a hidden source forever. Some of them we penetrate in legal investigations where the parties were put under oath and have been able to find why these fluctuations occurred.

But here was stock in 1917 at 128¼. That was a fair price. There are two ways of buying securities or shares on the mar-

ket or handling them. The one is to accumulate and go long on the market, and the other is to sell with the falling market what you do not have and go short. You sell short, in other words. That 128½ high price with somebody holding securities in large volume is a good time to unload. Let the public digest the securities.

This stock gradually at 128½ began slipping, and in March, 1918, its annual report for the year 1917 was published, and it showed only an earning of 8.3 per cent on its stock, out of which was paid an 8 per cent dividend. By August, 1918, this telephone stock had slid from 128½ down to 90⅝, quoted on the New York Stock Exchange. Where did it come from—all these shares of stocks handled in that time?

When the price was 128½ the gentlemen who had an abundant supply of that stock let loose of it and fed it out to the absorbing public. They digested it at 128½. After they had disposed of it at 128½ in August, 1918, after the dear public had accumulated a long line of it, after the lambs had been well sheared, then the price fell to 90⅝, and this is one of the concerns the manager of which the Government is, hand in glove, effecting a great moral reform.

This, of course, I have taken the pains to prepare and put on paper. I can not be accused, however, of borrowing this language from the report. That is not found in Poor's Manual or in Moody's Investor.

This can only be learned by interviewing brokers, and there are gentlemen from Illinois who have gone out to New York and taken up their habitation there. Some of them are old clients of mine; some old neighbors. They are still engaged on the Street in New York, just as they were down on La Salle Street in Chicago. The field is a little greater; the operations are a little more strenuous if anything, but they are coming along. They follow all these things, and they give me, without the liberty of using their names, any information I ask for except their own operations. I do not ask to become their father confessor on those things. I only want to know what the general drift of things has been where they operate.

There were rumors in the financial district. They started a steady rise, and on October 5, two days before Mr. Burleson's compensation contract with the Bell Telephone Co. was made public, the stock was selling at 104½. The patient was convalescent.

That reminds me of the time the standard return for the steam railways was agreed upon the hill. There was much expectation in financial circles at that time. Telegrams were coming and going quick and fast. Codes of all kinds were employed. A considerable sum of money changed hands on the fluctuations in the market. That was a buying speculation, because when the compensation contract became known prices immediately stiffened on railway shares.

The query always comes up, Did some one have advance information as to the very liberal compensation provided for the telephone company? On October 9, two days afterwards only, was this great increase noticed from ninety and a fraction up to 104, and four days afterwards the price rose to 109½. I get these figures from the Wall Street Journal, showing the sales made on the exchange that day. This indicated that the people concerned and who knew, having advance information, that the Post Office Department treatment of the American Telephone & Telegraph Co. and its affiliated concerns was regarded as very satisfactory to the company. Is it not possible that these men connected with the company mentioned and having close affiliations through its head of the principal company with the Post Office Department, knew what the contract was, and that the leak occurred beginning at the head? There were no mistakes made. They knew what they were doing.

[At this point Mr. SHERMAN yielded that Mr. UNDERWOOD might call up House joint resolution 436, which occupied the attention of the Senate until the hour arrived for final adjournment.]

SENATOR FROM NEW MEXICO.

During the delivery of Mr. SHERMAN's speech,

Mr. JONES of New Mexico. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from New Mexico?

Mr. JONES of New Mexico. I desire to present——

Mr. SHERMAN. I can not yield, I understand.

Mr. JONES of New Mexico. I think I have a privileged matter to present. I hope the Senator will not decline to yield.

The VICE PRESIDENT. The Senator from New Mexico rises to a question of privilege, which he has a right to raise.

Mr. JONES of New Mexico. I desire to present credentials showing the reelection of my colleague, Senator FALL, of New Mexico.

The VICE PRESIDENT. The Chair thinks the Senator from New Mexico has a right to present the credentials of his colleague. The Secretary will read the credentials.

The credentials were read and ordered to be filed, as follows:

THE CANVASSING BOARD OF THE STATE OF NEW MEXICO.

To all to whom these presents shall come, greeting:

This is to certify that ALBERT BACON FALL was duly and regularly elected in accordance with law to the office of United States Senator at the general election held in said State of New Mexico on the 5th day of November, in the year 1918, as shown by the returns of said election on file in the office of the secretary of state and as declared and determined by the State canvassing board, consisting of the governor, the secretary of state, and the chief justice of the State of New Mexico.

In testimony whereof we have hereunto set our hands and caused to be affixed the great seal of the State of New Mexico this 5th day of December, A. D. 1918, and of the independence of the United States the one hundred and forty-third.

W. E. LINDSEY,
Governor of New Mexico.
[SEAL.]
ANTONIO LUCERO,
Secretary of State.
RICHARD H. HANNA,
Chief Justice of New Mexico.

PUBLIC BUILDINGS COMMISSION.

The VICE PRESIDENT. The Chair announces as the senatorial members of the Public Buildings Commission, a commission provided for in the act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1920, with a view of controlling and allotting space in owned or leased Government buildings in the District of Columbia, the Senator from Virginia [Mr. SWANSON] and the Senator from Utah [Mr. SMOOT].

GOVERNMENT EMPLOYEES (S. DOC. NO. 444).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General transmitting, in response to a resolution of December 15, 1918, a list of civil employees in the Department of Justice on March 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

TRANSPORTATION OF THE MAIL (H. DOC. NO. 1843).

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General transmitting, pursuant to law, information relative to the readjustment of compensation to be paid to railroad companies for the transportation of mails, etc., which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

PNEUMATIC-TUBE SYSTEM.

Mr. CALDER introduced a bill (S. 5680) to provide for the purchase and operation of pneumatic-tube mail service in the cities of New York, N. Y.; Brooklyn, N. Y.; Philadelphia, Pa.; Chicago, Ill.; Boston, Mass.; and St. Louis, Mo., which was read twice by its title and referred to the Committee on Post Offices and Post Roads.

TREATMENT OF INFLUENZA.

Mr. SHEPPARD submitted an amendment proposing to appropriate $500,000 to discover the virus of influenza, etc., intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 436) providing for the appointment by each Member of the House of Representatives of one secretary and one clerk, whose names shall be placed on the rolls and paid in monthly installments, in which it requested the concurrence of the Senate.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On March 3:

S. 4723. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 5236. An act to amend sections 7, 10, and 11 of the Federal reserve act and section 5172, Revised Statutes of the United States.

On March 4:

S. 3797. An act validating applications for and entries of public lands, and for other purposes;

S. 5554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 5566. An act for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.

CLERICAL ASSISTANTS OF REPRESENTATIVES IN CONGRESS.

Mr. UNDERWOOD. Mr. President, I desire to make a parliamentary inquiry. A joint resolution has just come from the House which is a House matter. If I may have the attention of the Senator from Illinois, I am directing a parliamentary inquiry. The joint resolution is a matter relating to House business in reference to their clerks; and I desire to make the parliamentary inquiry if it be in order to ask unanimous consent for the consideration of the joint resolution of the House. It is purely a House matter; and I ask if it can not be done by unanimous consent without taking the Senator from Illinois off of the floor or displacing the bill now before the Senate?

The VICE PRESIDENT. There is no doubt about that.

Mr. UNDERWOOD. Then I ask unanimous consent that the joint resolution which has just come from the House in relation to their own matter may be considered without taking the Senator from Illinois off the floor or displacing the pending bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the joint resolution (H. J. Res. 436) providing for the appointment by each Member of the House of Representatives of one secretary and one clerk, whose names shall be placed on the rolls and paid in monthly installments, was read twice by its title and considered as in Committee of the Whole. It provides that hereafter each Member, Delegate, and Resident Commissioner of the House of Representatives shall have for clerical assistance necessarily employed by him in the discharge of his official and representative duties, one secretary at $2,000 per annum and one clerk at $1,200 per annum, whose names shall be placed on the rolls and who shall be paid in monthly installments by the Clerk of the House of Representatives. Such secretary and clerk shall be appointed by the Member, Delegate, or Resident Commissioner and certified to the Clerk of the House of Representatives at the beginning of his term of office, and shall be subject to removal at any time by such Member, Delegate, or Resident Commissioner, with or without cause; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled to the benefits of this provision.

Section 2 provides that this act shall take effect July 1, 1919, and that the appropriation for clerical assistance for the fiscal year 1920, carried in the act "making appropriations for the legislative, executive, and judicial expenses of the Government, for the fiscal year ending June 30, 1920, and for other purposes," shall be applied during said fiscal year in the manner above set forth.

Mr. GORE. Mr. President, I offer an amendment to the joint resolution.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add a new section at the end of the joint resolution, as follows:

SEC. 3. It shall be the duty of the Secretary of War within 30 days after the approval of this act to demobilize and muster out of the military service of the United States all drafted and volunteer soldiers within the United States who make application for discharge, except the Regular Army and except soldiers under medical treatment, and those being detained for trial by courts-martial or punished in pursuance of a court-martial sentence.

Mr. UNDERWOOD. Mr. President, I hope the Senator from Oklahoma will not press his amendment to this House measure. It is purely a matter of the House, and the amendment which the Senator offers involves general legislation. It is customary for each House to take care of its own domestic affairs. I do not think that we are showing proper courtesy to the House in attempting to interfere with the passage of their resolution.

Mr. GORE. Mr. President, in offering this amendment I certainly intend no discourtesy to the House, and I dislike not to accede to the request of the Senator from Alabama. I had intended to offer this amendment to the pending bill—the general deficiency bill. In my judgment, it is a great deal more important to have our soldier boys mustered out of the camps and returned to their homes than it is to provide Members of the House with additonal clerks. I do not object to providing Members of the other House with sufficient clerical force to discharge the business devolving upon them, but I think it is unfortunate—I think a much stronger term could be used to describe the action of this Congress in adjourning without enacting legislation requiring and compelling the demobilization of the Armies in the United States.

This amendment relates exclusively to soldiers within the United States. The Secretary of War has announced that he could demobilize 30,000 soldiers a day. In 30 days he could demobilize 900,000. According to a recent published statement there are 799,000 troops encamped in America. This does not call for an impossibility. The amendment does not relate to soldiers who are now in Europe. Much as I would like to hasten their demobilization, I do not undertake to meddle with that situation. International affairs are complicated, and I would not undertake upon such short notice precipitately to interfere with the control of the Army in Europe by the Commander in Chief. I speak thus provisionally of the troops in Europe because I do not have sufficient information upon which to base a judgment. I do not wish either to sacrifice our interest or to neglect our duty. I am, however, strong in the conviction that our troops should be withdrawn from Europe as rapidly as the military situation and the public interest will permit. To keep them in Europe away from their country, away from their homes, away from their families one day longer than necessity demands would be an act of the highest injustice, an act of deepest ingratitude. Not only duty, gratitude, and justice plead for their early return but sound public policy dictates their early return. The return to normal conditions, the economic readjustment of the country, must wait upon their coming home. This is true of every class of our soldiers without reference to their business or occupation. This is especially true of those engaged in agriculture. The springtime is at hand. The seedtime is here. To lose 30 days or to lose 60 days now is in many respects equivalent to the loss of the year. Their achievements in France have earned for them the right to a speedy return to the land that gave them birth. Next to their brilliant behavior upon the field one of the chiefest glories of our soldiers is the fact that when our country called the citizen became a soldier almost upon the instant, "ready to do or die." It is equally to their glory that as soon as the war was ended the soldiers desired to become citizens, desired to exchange the pursuits of war for the pursuits of peace. This is the mightiest bulwark of our free institutions and the best assurance of their perpetuity. America claims them. Speed their return.

There ought not to be a single vote in the Senate against the adoption of this amendment. I offer it to this House joint resolution because it is the only vehicle which promises any hope of success. I do not doubt that the House of Representatives would rejoice to afford the opportunity for enacting this legislation. I can not withdraw the amendment. The Senate must take the responsibility of its defeat.

Mr. SHAFROTH. Mr. President, if the Senator from Oklahoma will yield to me, I should like to say to him that, in my judgment, his amendment, even if it were adopted, ought to be amended so as to exclude soldiers who are necessary to guard the cantonments, which can not be left vacant and entirely uncared for. For that purpose quite a large force may be necessary. There ought to be in the Senator's amendment a provision excluding such force as may be necessary to preserve and to guard the cantonments after demobilization takes place.

Mr. GORE. Let the Government hire caretakers to take care of these encampments. We did not draft our soldiers to do service of that sort. Soldiers were drawn into the military service to fight for the honor and in defense of their country. They were not drafted, they were not taken from their homes and their families in order to become mere caretakers to drive birds and bats out of these institutions.

Mr. UNDERWOOD. Mr. President, the Senate knows that in the half hour remaining, if this amendment is adopted, the legislation can not pass the House. We shall be doing something that is a distinct discourtesy to the House, without accomplishing anything. For that reason I hope that the amendment will be defeated and that the joint resolution may be passed.

Mr. GORE. I can only reply that I certainly intend no discourtesy to the House; but if I am driven to the point where I must choose between being discourteous to the House of Representatives and being unjust to these soldier boys, I shall take my choice without hesitation, and shall not be unjust to the soldiers. I want the Senate to take its choice.

Mr. UNDERWOOD. The Senator and the Senate can accomplish nothing if they put this amendment on. It will merely defeat the joint resolution and involve a failure to act in a courteous way to the House.

Mr. GORE. This joint resolution can be messaged to the House in five minutes and would be concurred in by the House, and I have no doubt that the House would rejoice to do it.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Oklahoma.

Mr. LEWIS. Mr. President, I tender an amendment to the amendment of the Senator from Oklahoma to the joint resolution. I ask that my amendment be read as a separate section.

Mr. SMOOT. Mr. President, a parliamentary inquiry. Has unanimous consent been given for the consideration of this resolution?

The VICE PRESIDENT. There was unanimous consent given. That is the only way the Chair would consent to invade the rights of the Senator from Illinois. When this joint resolution shall have been disposed of he will still hold the floor, or the Chair would feel that the Senate had not dealt fairly with the Chair.

Mr. SMOOT. I desire to ask another question. A Senator has a right to object at any time during the consideration of the joint resolution, has he not?

The VICE PRESIDENT. The Chair thinks that is true.

Mr. SMOOT. I think a Senator has that right. That is what I desired to know.

Mr. LEWIS. If the Senator will let my amendment be read, after that he can raise the question.

Mr. UNDERWOOD. Mr. President, I desire to make this point of order against the pending amendment. I asked unanimous consent for the consideration of the House joint resolution, not to displace the pending business or to take the Senator from Illinois off the floor, and I make the point of order that under the unanimous consent given for this particular joint resolution to be considered it is not subject to amendment.

Mr. LEWIS. To which I reply——

Mr. GORE. Mr. President——

Mr. LEWIS. I yield to the Senator from Oklahoma.

Mr. GORE. A point of order of that sort, I believe, has no precedent, and not only has no such point of order ever been sustained, but, in my judgment, it has never been made during the history of the United States Senate. To say that when unanimous consent was given to take up this resolution, that it comes before the Senate—a legislative body, a deliberative body—like the laws of the Medes and Persians, not to be changed, not to be amended, but to be taken as it is written, the suggestion, Mr. President, is preposterous.

The VICE PRESIDENT. The Chair overrules the point of order of the Senator from Alabama.

Mr. SMOOT. I should like——

Mr. LEWIS. I ask to have my amendment read.

Mr. SMOOT. Will the Senator yield to me for just a moment?

Mr. LEWIS. Yes; I yield, if I do not lose my place.

Mr. SMOOT. I should like to ask the Chair a parliamentary question. At any time during the consideration of the joint resolution, it having been taken up by unanimous consent, an objection to it would defeat its further consideration, would it not?

The VICE PRESIDENT. Where is the rule?

Mr. SMOOT. I have not had time to look up the rule; but I know that that has been the practice in taking up the calendar under Rule VIII. In that connection it has always been held that an objection could be made at any time.

The VICE PRESIDENT. Yes; but this is entirely a different case.

Mr. SMOOT. Yes; I am aware of that.

Mr. PITTMAN. I move to lay on the table the amendment of the Senator from Oklahoma.

Mr. LEWIS. I ask that my amendment be read.

Mr. GORE. I ask for the yeas and nays on the motion of the Senator from Nevada.

Mr. LEWIS. I ask that my amendment be read.

The VICE PRESIDENT. The Chair is informed that it is not an amendment to the amendment of the Senator from Oklahoma, but is an entirely new amendment.

Mr. LEWIS. It has not been changed to make it conform to the amendment of the Senator from Oklahoma. I should like to have it designated as an amendment to that amendment, it having been sent to the desk without having been made to conform.

The VICE PRESIDENT. It is impossible to designate things in that way. The proposal of the Senator from Illinois has nothing to do with the amendment of the Senator from Oklahoma.

Mr. PITTMAN. I call for the regular order.

Mr. GORE. I ask for the yeas and nays on the motion of the Senator from Nevada.

Mr. LEWIS. The question of germaneness has not been raised. If it were raised, I would have a right to be heard on that issue. I ask to have my amendment read, and then its germaneness may be passed upon by the Senate.

The VICE PRESIDENT. The Secretary will read the proposed amendment.

The Secretary read as follows:

Whereas the Senate notes with interest that the President of the United States returns at once to resume his labors for the peace of the world and the adjustment of the terms of the obligations on Germany as a just penalty for the war it waged: Now therefore be it

Resolved, That the Senate expresses by this resolution its wish for the safe journey of the President, the safe return to his own country, and for every success in any undertaking that makes for the welfare of the United States and its people and the betterment of the world; be it further

Resolved, That the Senate earnestly approves all proper efforts of the President to effect a league of peace that can bring an arrangement guaranteeing the tranquillity of nations and the mutual friendships of the world.

Mr. SHERMAN. I should like to be heard on the proposed amendment.

The VICE PRESIDENT. The Chair would be very glad to vote for that resolution.

Mr. LEWIS. And so would the Senate if it had the chance, I am sure.

The VICE PRESIDENT. That has nothing to do with the question as to whether it is an amendment to the pending amendment. It is not an amendment to the amendment of the Senator from Oklahoma.

Mr. LEWIS. I asked to tender it as such, sir.

The VICE PRESIDENT. The Chair understands the Senator did, but that does not make any difference.

Mr. LEWIS. The point has not been made from any source that it is not within parliamentary rules.

The VICE PRESIDENT. The Chair has to rule upon the question as to whether the amendment is an amendment or not, in the first place.

Mr. LEWIS. Then I tender it as a substitute, sir.

Mr. GRONNA. I make the point of order against the amendment proposed by the Senator from Illinois that there is an amendment pending to the joint resolution.

The VICE PRESIDENT. That is all the Chair is trying to do, namely, to dispose, first, of the amendment of the Senator from Oklahoma. He is observing the rule.

Mr. LEWIS. I may be pardoned for saying that it was impossible for me to understand quite the point the Chair was making, because the amendment not having been stated, I was not given the opportunity to make issue, but I did not know on what ground the honorable Vice President ruled it out of order, or under what rule.

The VICE PRESIDENT. Upon the ground that two amendments can not be pending at the same time. That certainly is clear.

Mr. LEWIS. Then I understand it is not on the ground that the amendment is not germane or that it is not——

Mr. PITTMAN. I call for the regular order.

Mr. ROBINSON. The Senator from Nevada [Mr. PITTMAN] has moved to lay the amendment of the Senator from Oklahoma [Mr. GORE] on the table. That question is pending, and it is not debatable.

The VICE PRESIDENT. The question is on the motion of the Senator from Nevada to lay on the table the amendment of the Senator from Oklahoma.

Mr. SHERMAN. I should like to be heard.

The VICE PRESIDENT. The motion is not debatable. [Putting the question.] By the sound the ayes seem to have it.

Mr. GORE. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. OVERMAN. Is it too late to have the amendment read?

The VICE PRESIDENT. The vote is now being taken on the motion to table the amendment offered by the Senator from Oklahoma. The yeas and nays have been ordered. Let the roll call proceed.

The Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I am compelled to withhold my vote, as I have a general pair with the senior Senator from Maryland [Mr. SMITH], who is absent.

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], which I transfer to the senior Senator from California [Mr. PHELAN], and vote "yea."

The roll call was concluded.

Mr. FERNALD (after having voted in the negative). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. As he is not present I transfer that pair to the junior Senator from Michigan [Mr. TOWNSEND] and will let my vote stand.

Mr. OWEN (after having voted in the negative). I find that I am paired, and I withdraw my vote.

The result was announced—yeas 38, nays 47, as follows:

YEAS—38.

Bankhead	Gay	Kendrick	Martin, Va.
Beckham	Gerry	King	Myers
Chamberlain	Henderson	Kirby	Nelson
Culberson	Hitchcock	Lewis	Overman
Fletcher	Jones, N. Mex.	Martin, Ky.	Pittman

Pollock	Shafroth	Smith, S. C.	Underwood
Pomerene	Sheppard	Swanson	Walsh
Ransdell	Shields	Thomas	Williams
Robinson	Simmons	Thompson	
Saulsbury	Smith, Ga.	Trammell	

NAYS—47.

Baird	Hale	McKellar	Smith, Mich.
Borah	Harding	McLean	Smoot
Brandegee	Hardwick	McNary	Spencer
Calder	Johnson, Cal.	Moses	Sterling
Colt	Jones, Wash.	New	Sutherland
Cummins	Kellogg	Norris	Vardaman
Curtis	Kenyon	Nugent	Wadsworth
Fernald	Knox	Page	Warren
France	La Follette	Penrose	Watson
Frelinghuysen	Lenroot	Poindexter	Weeks
Gore	Lodge	Reed	Wolcott
Gronna	McCumber	Sherman	

NOT VOTING—11

Ashurst	Goff	Owen	Smith, Md.
Dillingham	Hollis	Phelan	Townsend
Fall	Johnson, S. Dak.	Smith, Ariz.	

So the motion to lay on the table was rejected.

Mr. TRAMMELL. Mr. President, I desire to offer an amendment to the amendment so as to make it provide that the soldiers shall be demobilized within 60 days.

I think that the demobilization has been entirely too much retarded. I believe that a great many of our soldiers who have been drafted into the service are yet in the camps when by all right and sense of justice they ought to be at home carrying on their own private business affairs. At the same time I believe that to restrict the demobilization within a period of 30 days would possibly not allow sufficient time. For that reason I offer an amendment to make it 60 days.

I do not believe that our soldiers should be retained for the purpose of performing chores around the camps. I do not believe that they should be retained for the purpose of acting as the man Friday or the lackey for some officers who may desire to keep them around at different camps throughout the country. I do not believe that they should be retained for the purpose of acting as chauffeurs and lackeys for officers in other localities for running their cars. They were not drafted into the service for this purpose. A great many of those that are retained are being used there for other purposes than military purposes. Therefore I offer this amendment and hope it will be adopted.

Mr. CHAMBERLAIN. Mr. President, I think it would be very unfortunate for the Senate of the United States to express its assent to this proposition. The Army appropriation bill has not passed. The amendments which were made to the Army appropriation bill fixed the number of men of the enlisted and commissioned personnel. That bill has not passed, and has not been acted on at all, although I have tried to have it taken up. In the meantime, to undertake now to demobilize the Army within 30 or 60 days, it seems to me, would be a very great mistake.

I am thoroughly in accord with the Senator from Florida with reference to the improper uses that have been made of the enlisted personnel of the Army; but, notwithstanding that, there is a high duty that the United States has to perform in the emergency which confronts us. Until the Army has been reorganized on the basis of a force appropriate to insist upon the rights of the United States, and until the Senate and the Congress have had an opportunity to act upon the whole subject, there ought not to be any change in present conditions.

I therefore express the hope that the amendment of the Senator may not be adopted, but that the whole subject may be deferred until the Army has been reorganized either upon the plan suggested in the Army appropriation bill or upon some other basis yet to be agreed upon.

Mr. GORE. Mr. President, I should like to ask the Senator a question. He understands that this amendment does not relate to the troops that are in Europe but is confined to the troops that are in the United States? It seems to me that the contingency which he describes could be met by the troops returning from Europe.

Mr. CHAMBERLAIN. I am not so sure that that is true. The entire Army is a whole; and in order to make it coordinate and fit with the troops abroad, it ought to remain in its present state until the whole subject has been disposed of.

Mr. GORE. Mr. President, I ask to perfect the amendment by inserting the word "now" before the words "within the United States," so as to meet that situation, although, as I have said before, I favor the early and the speedy demobilization of all the troops in the United States and as many of the troops in Europe as is consistent with the public interest. This is a high and solemn duty.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The question is on the amendment of the Senator from Florida [Mr. TRAMMELL] to the amendment.

Mr. SMOOT. I move that the amendment of the Senator from Florida be laid on the table; and upon that I ask for the yeas and nays.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. This is a motion to lay on the table and is not debatable. The yeas and nays are requested. Is the request seconded?

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. CHAMBERLAIN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CHAMBERLAIN. If this amendment is laid on the table, does that carry the whole proposition with it?

The VICE PRESIDENT. It does not. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I again announce my pair with the senior Senator from Maryland [Mr. SMITH], and withhold my vote.

Mr. FERNALD (when his name was called). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I make the same transfer as before, and vote "yea."

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I desire the RECORD to show that my colleague [Mr. TOWNSEND] is unavoidably detained from the Senate on account of serious illness in his family.

The roll call resulted—yeas 44, nays 42, as follows:

YEAS—44.

Baird	Hale	McNary	Shields
Borah	Harding	Martin, Va.	Smith, Mich.
Brandegee	Hardwick	Moses	Smoot
Calder	Johnson, Cal.	Nelson	Spencer
Colt	Jones, Wash.	New	Sutherland
Curtis	Kellogg	Norris	Underwood
Fernald	Kenyon	Page	Vardaman
France	Knox	Penrose	Warren
Frelinghuysen	La Follette	Poindexter	Watson
Gore	Lenroot	Reed	Weeks
Gronna	Lodge	Sherman	Williams

NAYS—42.

Bankhead	Kendrick	Pittman	Smith, S. C.
Beckham	King	Pollock	Sterling
Chamberlain	Kirby	Pomerene	Swanson
Culberson	Lewis	Ransdell	Thomas
Cummins	McCumber	Robinson	Thompson
Fletcher	McKellar	Saulsbury	Trammell
Gay	McLean	Shafroth	Wadsworth
Gerry	Martin, Ky.	Sheppard	Walsh
Henderson	Myers	Simmons	Wolcott
Hitchcock	Nugent	Smith, Ariz.	
Jones, N. Mex.	Overman	Smith, Ga.	

NOT VOTING—10.

Ashurst	Goff	Owen	Townsend
Dillingham	Hollis	Phelan	
Fall	Johnson, S. Dak.	Smith, Md.	

So the amendment to the amendment was laid on the table.

FINAL ADJOURNMENT.

The VICE PRESIDENT. The hour of 12 o'clock of this the 4th day of March, in the year of our Lord 1919, having arrived, and by virtue of the Constitution and laws of the United States the Sixty-fifth Congress of the United States having expired, by virtue of the authority vested in me as the Presiding Officer of the Senate I declare the Senate now adjourned sine die.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 4, 1919.*

(*Continuation of proceedings of Monday, March 3, 1919.*)

Mr. MOORE of Pennsylvania. Mr. Chairman, this resolution is, as the gentleman from Illinois [Mr. HENRY T. RAINEY] has said, one of some importance. It has the unanimous approval of the Committee on Ways and Means, and I trust will be adopted, to relieve the situation which has been described.

Since this bill comes from the Ways and Means Committee I want to make some reference to the fact that certain members of that committee are about to pass out with this Congress. The pleasant exercises that characterized the earlier part of the evening, including the presentation to the chairman of the Ways and Means [Mr. KITCHIN] of a testimonial of the regard of the House, induces me to say that the committee is obliged to sever association with five of its members, who will retire temporarily to private life to-morrow.

Mr. LINCOLN DIXON, of Indiana, is one of these. He was the third member in rank on the Democratic side, and by virtue of his rank had been a conferee on all the important revenue bills prepared by the Committee on Ways and Means during this

session of Congress. I think perhaps no higher honor has come to any legislator during this critical period of American and world history than to have been in conference on the great revenue bills that were prepared by this body to furnish ways and means for the conduct of the great war.

Two other members of the committee on the Democratic side will also retire from Congress to-morrow. One of them is GUY T. HELVERING, of Kansas, an active, energetic, useful Member, who took a highly intelligent interest in all of the affairs of the committee. Our co-Member, GEORGE F. O'SHAUNESSY, of Rhode Island, also goes out.

He was chosen to make the fight for Senator in his State and has accepted the fortunes of war in good grace. All we can do now is to bid him an affectionate farewell. Two Republicans, members of the committee, go out with this Congress. One of them is our distinguished colleague from Nebraska, Mr. CHARLES H. SLOAN. I do not know any member of the committee who worked more industriously nor with more patriotic fervor throughout the whole of his membership than did the gentleman from Nebraska. Upon the Republican side of the House, where his services were noted and where his patriotic efforts were appreciated, I am sure his departure will be very much regretted. He had many friends upon the other side. If I might be permitted to say outside of the committee that he had the warm and cordial friendship of all the members of the committee I would very cheerfully make that statement, because it is a fact. Mr. GEORGE W. FAIRCHILD, of New York, was another Republican member of the committee who of his own volition severed his connection with the House. Mr. FAIRCHILD was a man of large means and large business experience, whose career was marked by success from the beginning. He was what might be called a self-made man, whose advice in the committee was of great value, especially during the war period, when the assistance of such men was needed.

Now, Mr. Chairman, having said this much about some of my colleagues upon the Ways and Means Committee, I desire to say a few words on the subject of aviation.

Mr. SNYDER. Mr. Speaker, I make the point of order there is no quorum present. I think a quorum ought to be here to hear this speech.

Mr. MOORE of Pennsylvania. I hope the gentleman will not; I think we have a quorum here.

Mr. SNYDER. I will withdraw the point.

Mr. MOORE of Pennsylvania. It will be very difficult now, as Congress is about to adjourn, and the voice of the people as expressed by its representatives will be temporarily hushed, to obtain much information about possible malfeasance in any department. While Congress is in session Members are privileged to say what they please about great generals or little lieutenants [laughter] who may offend against public taste. It is possible to criticize the head of a department who might be overreaching himself or who might be grasping for power. While Congress is in session it is possible for the representatives of the people to listen to complaints as they come up from various districts from every section of the country and to give them vent. While Congress is in session it is possible even to discuss the league of nations when the President is abroad, or even when he is on a temporary visit to Washington.

All these things may be considered when Congress is in session, and I say to you, gentlemen, my colleagues upon both sides of the House, though there are some privileges vouchsafed to a Member of Congress as a representative of the people while Congress is in session, when Congress closes the congressional privileges close with it and our lips are sealed to a certain extent, except as we may go abroad and cautiously inform the people of some of the things we know. I think there are many matters coming up from all the departments about which we should inform the people. I regret that we can not get them all in the CONGRESSIONAL RECORD, and, by the same token, I regret that the CONGRESSIONAL RECORD does not have a larger and wider circulation, in order that everything that is done here may be conveyed through that medium to the vast population of the country.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Maryland.

Mr. LINTHICUM. Can the gentleman give us a few remarks about the intracoastal canal?

Mr. MOORE of Pennsylvania. Well, if the gentleman from Maryland, who is so well posted and who believes in that project, will take a little time after I am through, he can get an hour in his own right, just as I have done, and he may discuss the question fully. When the gentleman from Maryland is posted as to the rules of the House and knows how to do it, he can get time to discuss the intracoastal canal.

Mr. DECKER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to my outgoing friend from Missouri, the eloquent and fiery gentleman from Missouri, who, if I had noticed him before, would have received a tribute at my hands. [Applause and laughter.]

Mr. DECKER. Thank you for the tribute. I wondered if you would give me 10 minutes of that hour in which to make a speech.

Mr. MOORE of Pennsylvania. After I get through, if the gentleman will get recognition, he can have an hour, and if he can beat the carpet and the air with his accustomed eloquence we shall all be pleased. [Laughter.]

Mr. CANNON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Illinois.

Mr. CANNON. Are we now in recess? [Laughter.]

Mr. MOORE of Pennsylvania. We are now discussing the Rainey bill, which I favor.

Mr. CANNON. If we are in recess——

Mr. MOORE of Pennsylvania. This is the last opportunity to discuss wet goods this session or any other.

Mr. CANNON. If we are in recess, I want to say to the gentleman, first, that he is making a good speech, and ask him, second, whether he has quoted to our colleagues and friends this evening that original couplet:

Peace and righteousness have kissed each other?

Mr. MOORE of Pennsylvania. I have not said that in so many words, nor have I the faculty of quoting so well as the gentleman from Illinois; but I have seen the lion and the lamb lie down together; to-night I have seen the Democrats and the Republicans fraternize; I have heard them compliment each other and pass gifts to each other, and I feel as though—

This is a day we long have sought
And mourned because we found it not.

[Applause.]

Mr. DECKER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. To the gentleman from Missouri, who is to leave us, I would say that I think if he did remain he would insist on a duty on zinc, a proposition I am inclined to approve

Mr. DECKER. Will the gentleman yield to me for a question now?

Mr. MOORE of Pennsylvania. I will.

Mr. DECKER. I just wondered how the gentleman got that hour's time if he is in opposition to the bill?

Mr. MOORE of Pennsylvania. I got it on merit. [Laughter.] And I am not in opposition to the bill. When my distinguished friend and colleague on the Ways and Means Committee rose and presented his bill as a matter of privilege, coming, as it did, from the highest committee in this House, I, being a member of the committee, desired to fortify the argument he had made. I rose in my place, addressed the Chair, said "Mr. Speaker," and, upon obtaining recognition, proceeded with my speech. And now I have arrived at the aviation stage. [Laughter.] Having arrived there I hope the gentleman will not go up in the air.

Mr. DECKER. I will not do it under any circumstances.

Mr. MOORE of Pennsylvania. I can not yield to any more interruptions.

Mr. DECKER. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. DECKER. It is this: Being about to leave you, and not being a good parliamentarian, there is a question that I wish to propound to the Chairman. There is an important bill before the House, and the gentleman from Illinois [Mr. HENRY T. RAINEY] spoke in favor of it, and the gentleman from Pennsylvania also speaks an hour in favor it. He claims he has an hour. I ask the parliamentary question——

Mr. MOORE of Pennsylvania. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. The gentleman is referring to me as "he," which is out of order. [Laughter.]

The CHAIRMAN. The gentleman is employing unparliamentary language. [Laughter.]

Mr. DECKER. The gentleman from Pennsylvania and the gentleman from Illinois, both of whom are in favor of the bill, are demanding an hour on each side. I want to know when Members who are opposed to this bill will have time to speak?

Mr. MOORE of Pennsylvania. After I get through.

Mr. MANN. To-morrow afternoon. [Laughter.]

The CHAIRMAN. At the expiration of the time of the gentleman, if the previous question is not ordered.

Mr. STAFFORD. The previous question has nothing to do with the Committee of the Whole. We are proceeding under general debate.

Mr. MOORE of Pennsylvania. Mr. Chairman, I wish to proceed with this speech, if I may. If the gentleman from Missouri [Mr. DECKER], who apparently did not hear the gentleman from Illinois [Mr. HENRY T. RAINEY] who presented this bill, will listen to me carefully, I think there will be no opposition to the bill. There will be no occasion for his opposing it.

Mr. Chairman, I believe in exercising the prerogatives of the House. It seems to me that sometimes they are invaded by another body. That accounts for some of us objecting to some of the amendments that come in on conference reports. They are thrown at us without an opportunity to fairly discuss them or analyze them or find out what they mean. I believe the House ought to discuss these questions.

Mr. MADDEN. What questions?

Mr. MOORE of Pennsylvania. Questions that come back in conference reports, questions that affect the integrity of the departments, questions that relate to the expenditure of public moneys. Why, during this administration we have poured millions and billions of dollars into the hands of small bureau chiefs, as well as great department heads, and those millions and billions have been expended lavishly, and yet we have had no accounting. The public believes that these moneys have been well spent, and yet in the matter of aviation it developed, after we had promptly appropriated $640,000,000 to establish aircraft production in the United States, that though the money was spent we had not produced a single fighting airplane that could be used in France.

These are things that we ought to tell the people. If we can not get them into the CONGRESSIONAL RECORD, and if the CONGRESSIONAL RECORD has not sufficient circulation to enable the people to learn these things about which Congress has information——

Mr. MADDEN. Then let us start a paper of our own——

Mr. MOORE of Pennsylvania. Then it might be well for the Members of Congress, good Democrats and good Republicans alike, after this session is over, to go about their districts and tell the people the truth. Let us show that Congress is not responsible for waste and extravagance, although the Congress has assumed the responsibility of aiding the President in the prosecution of the war.

I refer to aircraft, because to-day I introduced a certain resolution asking for certain papers and information from the War Department, from the Secretary of War, about certain reports concerning extravagance and alleged malfeasance, which seem to have been suppressed. I think the Congress ought to have this kind of information.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. LAGUARDIA. The gentleman has referred to the difficulty experienced in bringing this information to the public. Here is the reason: In every big newspaper in the United States the Packard Co. has a full-page advertisement, talking about the forerunner of the Liberty engine and what it accomplished in the air. That is why we can not get the information before the people.

Mr. MOORE of Pennsylvania. That may account for the expenditure of a large part of $640,000,000, which did not get us a single fighting plane in France. Now, I will ask the gentleman from New York, who is a well-informed and accomplished aviator, if the Packard Co. is the company that patriotically gave up the manufacture of all its automobiles in order to make Liberty motors?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. BLANTON. Can the gentleman give us any idea as to the storage capacity of the cellars of Philadelphia to hold all the liquor that he is trying to get in this country?

Mr. MOORE of Pennsylvania. Why, the gentleman is talking like an intoxicated man. [Laughter.] He knows more about the cellars of Philadelphia than I do. I believe if the people of Texas ever got onto the fact that the gentleman has been going over there, and that he knows about these cellars of Philadelphia, he would have a hard time getting back to Congress. Texas is a very dry State. [Laughter.]

But I was talking about aviation. What I wanted to do was to lay a few facts before the House before we adjourn, so that the Members may go back to their districts and tell the people something about aviation.

Mr. TILSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Connecticut.

Mr. TILSON. I know the gentleman wishes to be accurate in his statements, and usually he is very accurate. The gentleman has repeated two or three times the statement that we spent $640,000,000 for aeroplanes. Does not the gentleman know that that does not cover the entire bill? Our total appropriations for that purpose amounted to about a billion and a half dollars. Under the Sherley bill, covering a portion of that huge sum back into the Treasury, there was something like $487,000,000 covered back into the Treasury, so that as a matter of fact instead of $640,000,000 there was a little more than $1,000,000,000 expended.

Mr. MOORE of Pennsylvania. That is the kind of information we ought to let out. The gentleman is doing just what I wanted to have done. I started with $640,000,000, mostly wasted in this aircraft business without any accounting, and nobody court-martialed, although a court-martial was recommended for some of them, and the gentleman from Connecticut [Mr. TILSON], who is a member of the Military Affairs Committee and who knows about these things, stands up like a man and tells us the amount is over a billion dollars. The people ought to know about it.

Mr. KNUTSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Ought not the Committee on Public Information to let the people know these things?

Mr. MOORE of Pennsylvania. Yes; but about the time the Committee on Public Information and Mr. Creel were getting ready to tell the people about it, they were put out of business.

Mr. KNUTSON. Does the gentleman mean to say that Mr. Creel has stopped creeling?

Mr. MOORE of Pennsylvania. He has not ceased to put them on the reel, even the Secretary of War.

With these few prefatory words I shall read a letter that was forwarded to the Acting Director of the Bureau of Aircraft Production by Capt. H. L. Scaife, a lawyer and mining engineer, who lives at Clinton, S. C. This man was selected by President Wilson to be one of the Naval Advisory Board and assisted Mr. Secretary Daniels in preparing the Navy for the war. He came up from South Carolina, put on the shoulder straps of a captain, and was assigned to the Aircraft Production Service. When this gentleman told me his story and laid his letter before me, I said, "That is the kind of information the people of South Carolina ought to have."

Mr. MADDEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Illinois.

Mr. MADDEN. Did he not go out to California to induce people there to raise castor beans?

Mr. MOORE of Pennsylvania. I believe he was sent West; but the gentleman referred to as having been sent to California was another officer of the same service, who made certain reports which were suppressed. After those reports had been made he was transferred from his field of activity in Washington and given a remote position in California. Our colleague [Mr. JOHNSON of Washington] introduced a resolution the other day to obtain those reports, and it was up before the House, but we have not yet got the details. I rather think we ought to get them, and for that reason I want to read this letter, addressed by Capt. Scaife, of South Carolina, to the Acting Director of the Bureau of Aircraft Production. If gentlemen will listen to this, they will learn something. Here is an ex-officer of the Aircraft Production Service. He has gone out of the service now, and therefore is free to speak. While he was in the service he could not.

Now, let us see what he says:

WASHINGTON, D. C., *February 24, 1919.*

Col. JAMES A. MARS,
Acting Director Bureau of Aircraft Production,
Washington, D. C.

DEAR SIR: I personally placed in your hands a communication, dated January 23, 1919, definitely and precisely informing you of concrete facts of maladministration in connection with the castor-bean-growing section of the Bureau of Aircraft Production, and that you would be sure to have personal knowledge of the details and evidence of the shameful conditions your attention was called to three specific reports which were officially filed by me in the proper office of the bureau, dated, respectively, March 21, 1918, May 25, 1918, and a memorandum directed to Mr. Potter, prepared for the signature of Mr. Edmund Leigh, on or about October 1, 1918.

These reports were prepared by me in pursuance of my duty as an inspecting officer, and they give in detail the history of the castor-bean undertaking and the acts and doings of the castor-bean growing section from the time of its organization until it had become a stench in the nostrils of people who are familiar with its policy——

Mr. LONGWORTH. Will the gentleman yield? I hope it will not divert the gentleman in his argument, for I do not desire to embarrass him.

Mr. MOORE of Pennsylvania. I am reading now.

Mr. LONGWORTH. I think it would be pertinent to inquire of the gentleman, as he is an eminent tariff expert, what is the present duty on castor beans?

Mr. MOORE of Pennsylvania. In the Committee on Ways and Means I will say that the gentleman from Ohio is considered as the castor-bean expert, and I refer that question to him. [Laughter.]

Mr. BURNETT. Did the gentleman say castor beans or castor oil? [Laughter.]

Mr. MOORE of Pennsylvania. The gentleman from Alabama is the expert on castor oil. [Laughter.]

Mr. BURNETT. The gentleman from Cincinnati knows more about castor oil.

Mr. MOORE of Pennsylvania (reading)—

The first report sets forth the facts that were necessary to be known to prevent a disastrous ending of the enterprise. The second report was filed when the undertaking was beginning to fall down, and it called for the immediate application of remedies to avert the disaster which has since happened. The memorandum directed to Mr. Potter, prepared by me for the signature of Mr. Leigh, presented the evidence necessary to fix the responsibility and prevent the escape of guilty persons——

Mr. AYRES. Mr. Chairman, I ask for order. This is a very interesting letter.

Mr. MADDEN. I didn't know they raised castor beans in Kansas.

Mr. MOORE of Pennsylvania. The farmers who undertook to raise castor beans apparently were deceived.

Mr. MADDEN. Was not the seed any good?

Mr. LONGWORTH. I would like to know whether there is a protective tariff on castor beans such as there is on peanuts?

Mr. MOORE of Pennsylvania. I will come to that in due course. I read:

The castor-bean undertaking was laid out as a vital part of the program for the winning of the war, and its signal failure, with the squandering of an enormous sum of money, together with willfully false reports transmitted to higher authorities and unconscionable representations made to farmers, are a few of the things for which responsibility must sooner or later be fixed. My reports will show that the Castor Oil Board, which was charged with the supervision of the undertaking, was not consulted, and that it held no meetings for over a year; that the amount of production which might be expected was willfully misrepresented to the farmers, and, for fear that they might be discouraged from planting if they knew the truth, the original bulletin showing an average yield of about 10 bushels per acre was altered so as to indicate that a production of from 20 to 40 bushels per acre might be expected under favorable conditions——

Mr. QUIN. Will the gentleman yield right there?

Mr. MOORE of Pennsylvania. Yes.

Mr. QUIN. The truth is the yield is only 4½ bushels per acre down in my district.

Mr. MOORE of Pennsylvania. That is all explained in the letter, and the gentleman verifies it—

that the seed distributed by the Government were represented to be of a certain variety which promised the best yield when it was well known that they consisted of a mixture of inferior and unacclimated seed, which experts and former growers advised would result in a failure the first year; that opportunities to obtain acclimated Bombay seed were neglected; that recommendations were made to plant the beans in sections of the country and in soil where previous attempts at cultivation had been a failure, while contracts were refused in the sections of the Middle West where the castor bean had been most successfully grown; that, regardless of repeated warnings as to the necessity, no adequate efforts were made to procure an efficient hulling machine until the crop was getting ripe for harvest, and, after an efficient hulling machine was finally discovered, a machine which had been demonstrated as worthless was recommended——

Mr. WALSH. Mr. Chairman, I make a point of order. Several gentlemen are listening to the gentleman from Pennsylvania, while those that are not listening are equally disturbed in their deliberations by the speech of the gentleman from Pennsylvania. I think the whole assemblage should be in order.

Mr. MOORE of Pennsylvania. I thank the gentleman for the interruption. If gentlemen will interrupt me at the end of a paragraph instead of the middle of a sentence, I would appreciate it—

protests from the county agents of the Department of Agriculture were ignored; and recommendations unanimously adopted by a joint conference of the field men of the Department of Agriculture and the field men of the Signal Corps were ignored.

The part which has been performed by the castor-bean growing section is now history; and in the State where the bulk of the acreage was planted, instead of 30 to 40 bushels per acre, the average yield is about 1 bushel per acre, and in many sections the amount of seed planted will not be recovered, aside from the loss in time, labor, and fertilizer. The farmers were advised to soak the seed in hot water before planting, which in many instances resulted in poor stands. Notwithstanding the literature then available to the contrary, they were advised that castor beans were singularly free from diseases and pests, and it is now history that in this enterprise thousands of acres of castor-bean plants were destroyed by cut worms, blights, fungus, and various kinds of diseases——

Mr. LINTHICUM. Has the gentleman come to the end of a paragraph?

Mr. MOORE of Pennsylvania. No.

Mr. LINTHICUM. I wish the gentleman would hold up his thumb when he comes to the end of a paragraph. [Laughter.]

Mr. MOORE of Pennsylvania. It is late and the gentleman is tired, but I read:

But for the vigilance of a person not connected with the Bureau of Aircraft Production, a barge of seed which had been sunk in salt water would have been sent to the farmers to plant.

The growers are now clamoring for recompense. A contract is a contract, and the only theory on which they may now be given an award is on the ground that they suffered loss because of fraudulent misrepresentations. To adjust the losses of from 15,000 to 25,000 growers will require an investigation ab initio——

Mr. CANDLER of Mississippi. What does that mean?

Mr. MOORE of Pennsylvania. From the beginning. The gentleman is lawyer enough to know that. I read—

since a record and history of the individual growings have not been kept, and when I prepared the blanks for such a record in consultation with representatives of the Department of Agriculture the use of such blanks were forbidden. My reports and the innumerable letters and telegrams of complaint from every section of the country where the castor beans were being planted were ignored and suppressed and official memorandums of the most optimistic tint were transmitted to the higher authorities and to our allies long after any reasonable person might easily deduct that the castor-bean section had hopelessly fallen down and would result in chaos——

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. BAER. I have been unable to get the cost of production of any product that is gambled or speculated in on the market, and I want to know if the gentleman can give us any information on the cost of the production of castor beans.

Mr. MOORE of Pennsylvania. If the resolution on the castor bean that I have offered is passed, I have an idea that the aviation section will give the gentleman that information. [Reading:]

The innocent have suffered and the fate of the Government's success in the prosecution of the war was jeopardized by a fiasco which is an insult to the most commonplace intelligence, and there should be no further temporizing in placing the responsibility. Early in the season I telegraphed to the head of the castor-bean growing section that such conditions as were then being discovered could not have just happened. Whether the chaotic conditions resulted from flagitious scheming undertaken with crafty pretense and cool impudence by arch traitors or whether they resulted from stupid inefficiency and criminal negligence, the results are the same and public decency demands that the guilty should be called by a voice sufficiently powerful to administer a rebuke that will deter others for years to come——

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I do not believe they raise castor beans in the gentleman's district.

Mr. SABATH. No.

Mr. MOORE of Pennsylvania. They may raise them on the fire escapes or the back window sills, but they are not farmers.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. SABATH. What I desire to ask the gentleman is whether he is reading this long letter for the purpose of defeating the Irish resolution, because I know there is a great deal of interest on the Republican side——

Mr. MOORE of Pennsylvania. Does the gentleman ask me that question?

Mr. SABATH. Yes.

Mr. MOORE of Pennsylvania. No; I am for the Irish resolution.

Mr. SABATH. Then the gentleman ought not to be taking up one hour with this nonsense.

Mr. MOORE of Pennsylvania. The gentleman from Illinois is the last man on earth who should interfere with the exposure of graft under this administration. He stands there deliberately endeavoring to suppress free speech.

Mr. SABATH. I know the gentleman is an expert on beans.

Mr. MOORE of Pennsylvania. I want to get this information before the public. Does the gentleman want to suppress it?

Mr. SABATH. The gentleman has the right to print. I ask unanimous consent that the letter might be printed, so as to save time.

Mr. MOORE of Pennsylvania. That is satisfactory to me. Mr. Chairman, I ask unanimous consent that this letter be extended in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by inserting the letter referred to. Is there objection?

There was objection; but subsequently Mr. MOORE of Pennsylvania obtained permission to extend his remarks by inserting the remainder of the letter of Capt. Scaife, as follows:

The handing out of several millions of dollars to the farmers from the Public Treasury to stifle their criticisms and complaint without sufficient investigation into the merits of their claims would be a finale which would be in keeping with the acts and doings which sooner or later will shock the conscience of the American people. So complete has been the failure of those responsible for this outrageous debacle that the Government does not even know who planted castor beans, where they were planted, and it has no other definite records from which to estimate losses or make adjustments even if such adjustments are

allowed by law. To allow the guilty to escape under such conditions, where thousands of citizens, some of them poor and needy, are financially injured, would be a travesty without parallel in public annals. If the whole scheme had been definitely planned for turning the farmers of the country into Bolsheviki it is hard to conceive how affairs could have been more effectively conducted. When you have carefully considered the evidence the question will inevitably arise: Is all this chaos the result of incompetency and inefficiency or was the outcome skillfully planned by some archtraitor?

In justice to the reputations and good names of the officers who are innocent of wrongdoing, common justice demands immediate investigation and the fixing of the responsibility. This is a case where the "buck" must be passed upward as far as necessary and not downward to some "buck private." The reports which have been suppressed not only detail the facts but cite documentary evidence and name the witnesses necessary to sustain charges before a court-martial or in criminal courts. Before the Government is asked to pay out millions of dollars as a gratuity to those who have suffered, it is a pertinent question to ask, Who is responsible?

In response to Bulletin No. 30, from The Adjutant General of the Army, calling upon the officers of the Bureau of Aircraft Production to volunteer for the fighting line, I have the distinction of being one of the seven out of the 350 officers in the bureau who responded to the call and on October 4, 1918, I was transferred to the Infantry. The fact that some one else is charged with protecting the interests of the Government in the premises and however much I would care to be relieved from the presentation of facts which have already been disclosed to officials in authority will not deter me, as an American citizen, from guarding the Government's interests and honor until some responsible official has acted.

In my private professional life it has been a fixed policy that, when mala fides is discovered, to leave no stone unturned until the truth had been brought to light. In this case, where a high officer of the Army who was informed of the truth attempted to hold over me the fear of a court-martial because of my efforts in the line of duty and in keeping with my oath of office, and where an officer of the military intelligence branch attached to the bureau attempted intimidation, my determination to stay with the proposition until some one in authority has acted in behalf of the Government will not be diminished.

If the men charged with the handling of the funds to be used in this enterprise had been turned into the Treasury with shovels and had been ordered to throw away the taxpayers' money, the waste would not have been greater than was actually squandered, to say nothing of the fraud and deceit which were practiced on the contractors and farmers. Almost from the time the undertaking was launched letters and telegrams of warning and protests were received by the castor-bean section. Complaints were received from every section where the castor beans were being planted. Protests from the field forces of the Department of Agriculture and the recommendations unanimously adopted at a joint conference of the field men of the Department of Agriculture and the field men of the Signal Corps were ignored. Bitter controversies arose with the heads of the college-extension branch of the Department of Agriculture in different States where the beans were being planted, and a serious four-sided controversy arose in California between the castor-bean section, the Department of Agriculture, the University of California, and the contractors, until patriotic citizens of that State responded and planted a larger acreage than was requested, regardless of financial consequences.

As already pointed out, the bulk of the acreage was planted in a State where reports showed experiments in the cultivation of castor beans had proven a failure, and contracts in Oklahoma and the Middle West, where castor beans had been successfully raised, were refused; and it was only after frequent protests and late in the season that small acreages were assigned to this section. The shipment of seed to one of the contractors in Texas was delayed for weeks after tracers had been wired, and, in spite of warnings that such might happen, these seed were not delivered until the season for successful planting had passed. "Blue-sky" literature, instead of the conservative information in hand, was circulated in official bulletins and authorized interviews. Although it was patent that the enterprise would result in a failure which would prove disastrous to the growers and to the Government, regardless of advice that a detailed record of the growings was necessary as economic history and for the protection of the Government in the event claims should later be filed against it by the growers, inspectors in the field were directed not to make a detailed report of the growings they inspected, with the result that the physical evidence to support the claims now being filed by the growers is lost.

The complete failure of the enterprise is evidenced by the fact that the growers are now filing claims against the Government, and, although the cost of the crop to the Government is already fabulous, the Treasury will be called upon to contribute to losses which were not only preventable but to guard against which there was timely warning. The conditions were such as would not have been tolerated in private business by the laws of the land, and surely there is ample law to protect the Government, and every responsible officer who was familiar with the conditions or whose duty it was to be familiar with them is guilty of neglect of duty and criminal negligence and should be called to account.

Finding that my reports were being suppressed and that false and misleading reports were being transmitted to higher authorities and to our allies, even to the extent of reporting large acreages planted where the ground had not been broken or the seed distributed, I complied with the conditions prescribed by the one hundred and twenty-first article of war, a law of the land which gives an officer or an enlisted man the inviolable right of appeal to the commanding general. On or about July 1, 1918, I sent a telegram to Mr. John D. Ryan, director of the Bureau of Aircraft Production, setting forth my compliance with the one hundred and twenty-first article of war and requesting that the reports and telegrams I had sent to the castor-bean section be investigated. I was promptly ordered to report to Washington and transferred to another department of the bureau, and, although I held the rank of captain, I was placed under the command of a lieutenant of the military intelligence section and formerly a police officer. An executive officer of the bureau, formerly a captain and now a lieutenant colonel, informed me that an attempt to go around a superior officer, no matter what was happening, would not be tolerated even to the extent of allowing me a hearing, and that I could get nowhere under the one hundred and twenty-first article of war in the bureau; that he had been in the Army six years, and that he had never heard of an officer attempting to take advantage of it. However, this officer was furnished with sufficient facts to remedy the conditions if he had so desired.

This officer of the military intelligence branch informed me that the Hughes investigation would accomplish nothing, and about the same time an order was issued in the Bureau of Aircraft Production which would forbid officers from giving information to the Hughes committee except through military channels, one of the executive officers of the bureau being named as the liaison officer. I was told by the military intelligence officer that conditions in the Bureau of Aircraft Production could not be remedied; that Borglum had tried and he had failed; that President Wilson had been appealed to, and he could not correct them; that Judge Hughes would accomplish nothing; and that I was "batty" if I attempted to go any further about the castor-bean situation.

However, my nominal attachment to the military intelligence branch afforded me a military channel, and I prepared a résumé of the situation for the signature of Mr. Edmund Leigh, chief of the plant-protection section, military intelligence branch, and directed to Mr. W. C. Potter, acting director, and to this letter documentary evidence was attached and in the letter witnesses were named. The military intelligence officer to whom I have referred, and who had full charge of military intelligence work in the Bureau of Aircraft Production, attempted various methods of intimidation to prevent this report from being made, and, although I was his superior officer, he directed that no communication prepared by me would be sent out without his signature. Having been placed under the orders of a junior officer by the executive authorities of the bureau, I placed the report in a sealed envelope, marked "Confidential," and directed to Mr. Edmund Leigh, whom I personally informed as to the nature and contents of the report and where it would be found. Whether or not the telegram I have mentioned ever reached the hands of Mr. Ryan and whether or not my report intended for Mr. Potter finally reached him I have no means of knowing.

As a result of my activities to prevent disaster to the Government and the castor-bean growers and to our Army and to our allies, who were depending on the castor-bean section for castor oil had the war lasted, which disaster was forecasted in my reports, and which disaster has happened so far as the castor-bean section is concerned, my rating as an officer was marked down from 75 per cent to 70 per cent and the annotation made on my military record: "This officer lacks vision." And while it may have been merely incidental, and while I do not state it as a fact, my final rating when I left the service was not made by my commanding officer, as prescribed, but I was informed that this rating was made by an officer who was at one time an officer in the Prussian Army and who had been turned back from France after he had gotten that far in command of American troops. This rating card is now on file in the office of The Adjutant General of the Army and the facts may be investigated and the results of the inquiry may speak for themselves.

In matters that affect the very life of the Nation the personal equation is of small moment and is cited only for the purpose of showing the difficulties which conscientious men sometimes encounter. I was 45 years old when the war started, and my services, therefore, were purely voluntary. The statement has been frequently made that officers in the Bureau of Aircraft Production deplored the fact that young officers who had been in training camps could not get to the firing line. As I have already stated, when the public was criticizing the situation Bulletin No. 30, dated August 16, 1918, was issued by The Adjutant General of the Army and promulgated in the Bureau of Aircraft Production, formally and officially offering all officers the privilege of making application for transfer to the Infantry. I make no criticism of any man who did not take advantage of the opportunity of placing himself on record by filing an application, but in justification of my military record, if it needs any justification, I will say that the record in that particular is made up, and it is a historical fact that I was one of the seven of some three hundred and fifty officers in the bureau who accepted the transfer.

Aside from the high-handed use of power to smother and stifle the truth, there is a specific case cited in my reports, where the names and witnesses are mentioned, in which the castor-bean-growing section procured the arrest of a Mississippi farmer who refused further entry upon his lands on the heinous charge of violating the espionage laws. This was the first and only time that the acts and doings of the castor-bean-growing section have stood before the bar of justice, and there the indictment against this helpless farmer, with the power of the Government in the hands of the castor-bean-growing section arrayed against him, was quashed, and before the same court the men acting under the direction of the castor-bean-growing section were themselves arrested, tried, convicted, and fined.

The oath of an Army officer is to defend the Constitution and laws of the United States, and it is not a question for argument that the Articles of War are laws enacted by Congress for the guidance of the Army. The one hundred and twenty-first article of war provides a method for direct appeal to the commanding general by an enlisted man or officer when military channels fail to function, and if officers of the Army can with impunity take upon themselves the authority to abrogate the laws of the Nation and treat the acts of Congress with contempt, those in power who fail to correct the evil will be defending in Washington a militarism which the overseas men gave their lives to destroy, and unless such a spirit and such a system have been destroyed in the American Army the world war will have been fought in vain.

I offer no apology for the length of this letter, since formal reports, with cold facts and burning statistics, are seemingly pigeonholed. The allegations contained in my reports are facts, and if they are questioned in any particular I am prepared to cite documentary evidence or name witnesses. My first report was filed March 21, 1918, and other reports have been filed as often as necessary. They have been in the Bureau of Aircraft Production to prove that some one has been guilty of neglect of duty in not questioning them, if they could be questioned. For the honor of the Government and for the sake of the reputations of men who are innocent, I insist that these reports be acted upon; and while I have no objection to anything I have written being shown to any person, nothing can be accomplished by referring the matter to those whose conduct is involved, unless it be for a reply by indorsement.

Things that concern the Government concern every American citizen, and the truth must be brought out. Are the enemies of truth so strongly entrenched as to allow to go unchallenged the statement of a military intelligence officer that conditions in the Bureau of Aircraft Production can not be remedied, that Borglum had tried and he had failed, that President Wilson had been appealed to and he could not correct them, that Judge Hughes could accomplish nothing?

I will say further that if the truth about the Bureau of Aircraft Production is desired, when an investigation is on rescind the order appointing a high military official of the bureau as liaison officer between the bureau and the investigating body and send a questionnaire to each member of the present and past personnel of the bureau, assuring them of immunity and inviting them to give information.

With the end in view of finding some one to whom incompetency, stupid inefficiency, willful misrepresentations, suppression of the truth, and Prussian methods are hateful, I brought the situation to your attention in my letter of the 23d ultimo, and I again request that action be taken.

Very respectfully,

H. L. SCAIFE.

Mr. WINGO and Mr. HENRY T. RAINEY addressed the Chair.

Mr. WINGO. Mr. Chairman, I am entitled to the floor, am I not?

Mr. HENRY T. RAINEY. Mr. Chairman, I reserved the balance of my time.

The CHAIRMAN. The Chair will state that the gentleman from Illinois reserved the balance of his time.

Mr. WINGO. Yes; but I addressed the Chair and was recognized, and under the rules I am entitled to the floor.

The CHAIRMAN. The Chair did not recognize the gentleman; the Chair recognized him for the purpose of inquiring for what purpose he was addressing the Chair. The time of the gentleman from Illinois is reserved.

Mr. WINGO. I did not hear the Chair put any limitation on my recognition.

The CHAIRMAN. The Chair recognized the gentleman for the purpose of inquiring his purpose.

Mr. HENRY T. RAINEY. Mr. Chairman, how much time have I left?

Mr. GREEN of Iowa. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GREEN of Iowa. The gentleman from Illinois having yielded the floor when no time is allotted, is not the gentleman from Arkansas entitled to the floor?

Mr. HENRY T. RAINEY. I reserved the balance of my time.

Mr. GREEN of Iowa. What difference does that make? The time was not allotted under any agreement.

Mr. GARRETT of Tennessee. A motion to rise at any time is in order.

Mr. HENRY T. RAINEY. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Illinois moves that the committee do now rise.

The question was taken, and the Chairman stated that he was in doubt.

The committee divided; and there were—98 ayes and 114 noes.

Mr. HARRISON of Mississippi demanded tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. HENRY T. RAINEY and Mr. MOORE of Pennsylvania.

The committee again divided; and the tellers reported that there were 96 ayes and 98 noes.

So the committee refused to rise.

Mr. GALLIVAN. Mr. Chairman, I ask unanimous consent to address the House for five minutes.

Mr. MANN. Mr. Chairman, I ask to be recognized.

The CHAIRMAN. The gentleman from Illinois.

Mr. MANN. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. GALLIVAN] three minutes.

Mr. GALLIVAN. Mr. Chairman, I was quite sure that my distinguished friend from Illinois would never take part in the filibuster in the House at this hour which is seeking to prevent consideration by the American Congress of a most important resolution that has been reported favorably by two committees of Congress and for which 90 per cent of the membership of this House has been waiting all day long to vote. I refer to the so-called Irish resolution. I here and now desire to advise the political party which is attempting to throttle that resolution that the party, mayhap, is fooling with dynamite. Shame on the men who would juggle with liberty and justice for Ireland! I appeal to this House to stop its nonsense on the last day of the session, get down to business, and consider the resolution in favor of freedom for a people that has suffered for seven centuries [applause], and let the word go forth to the world that the American Congress believed in its President when he said we entered the war to make the small nations free.

Remember, sir, that the whole country is awaiting the action of Congress on this resolution, and that the long suffering, liberty loving sons of the Gael, whether they still abide in the land of their birth or are here in our own America enjoying the privileges of citizenship and breathing the air of freedom, are in prayer even at this hour that Ireland may be released from British thraldom. [Applause.]

I ask you, sir, why can not Ireland, as well as other maltreated lands, have a fair hearing and fair play at Paris? I am glad to raise my voice here in the Congress of the United States in emphatic protest against ruthless and unceremonious discrimination toward Ireland's appeal. Let us get busy now and pass the resolution.

Mr. MANN. Mr. Chairman, I yield three minutes to my colleague from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I can not quite understand the statement of the gentleman from Massachusetts [Mr. GALLIVAN] when he seeks to place upon this side of the Chamber the responsibility for the delay in voting on what we have hoped to vote upon for the last year, the resolution known as the Irish resolution.

Mr. GALLIVAN. Mr. Chairman, will the gentleman yield?

Mr. MASON. I have only three minutes.

Mr. GALLIVAN. I never mentioned which party I had in mind.

Mr. KNUTSON. He did not mean the Republican Party.

Mr. MASON. All I want to say is that that resolution has been pending before the House for a year, ever since the President announced his 14 points and ever since he spoke in favor of self-determination. I had the honor of introducing one of the resolutions. The gentleman's own party has control of the committee that has slept and slept. We were informed through grapevine sources that as soon as the President paid his social visit to the United States [laughter] that possibly we would be permitted to vote upon this question. It has slumbered not in a Republican committee, and I now ask unanimous consent to take that resolution from the Committee on Rules and put it on its passage, and let the man object who wants to.

Mr. MANN. I did not yield to the gentleman for that purpose, but if I had it would not do any good, for we are in Committee of the Whole and can not in committee take things from other committees.

Mr. MASON. The people are ready to vote on the question. It does not reflect upon the honor or the integrity of our ally. It is merely an expression of opinion of one branch of Congress, such as has been indulged in for a hundred years, and it has never been a cause of war. It has not been a suggestion of unfriendliness. It was used years ago as an expression in the interest of Greece. It has been used eight or ten times as an expression of hope of independence for South Africa, for the different States of South America, as they came out from under the yoke of Spain. All I want to say is that I thought from the gesture that the gentleman made he was looking upon this side of the Chamber, and I simply ask him to put his own house in order before he dusts the front chamber in mine.

Mr. KNUTSON. He was looking over here for assistance.

Mr. MASON. I will give it to him if he can get up the resolution.

Mr. SABATH. Will not the gentleman ask his colleague [Mr. MANN] for unanimous consent to make a motion that the committee rise so that we can get into the House, so that we can take the resolution up in the House?

Mr. MASON. The gentleman from Illinois [Mr. SABATH], my friend and colleague, a Democrat, and I a Republican, if he had been anxious to get this up, being in the majority, should have been able to do it. Why has he not procured from his committee some action?

Mr. SABATH. I have secured the action from the committee.

Mr. MASON. I have just now asked unanimous consent——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Chairman, will not the gentleman from Illinois [Mr. MANN] yield to me?

Mr. MANN. Wait until I make a suggestion. I yield three minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Chairman, I want to ask purely for the purpose of information when the program was shifted?

Mr. GALLIVAN. Mr. Chairman, will the gentleman please state when the program was arranged?

Mr. GARRETT of Tennessee. That I do not know. The gentleman understands that I am for this resolution.

Mr. GALLIVAN. Will the gentleman yield? He is speaking about a program. What program? Is there some secret program that the House is not aware of?

Mr. GARRETT of Tennessee. Not that I know of, except what was published in the newspapers. I understood that the first resolution that was to be called up, as a report from the Committee on Rules, was the bill making in order the Lane land bill.

Mr. RIORDAN. Who has charge of that bill in committee?

Mr. GARRETT of Tennessee. The chairman of the committee, of course.

Mr. HARRISON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. HARRISON of Mississippi. The gentleman and I are both members of that committee and I am sure we have the

same impression as to the program, that the soldiers' land bill was the first to come up, that the second was the retirement bill, and the third was the Irish resolution.

Mr. GARRETT of Tennessee. No; the third was the deportation bill.

Mr. HARRISON of Mississippi. I will say the chairman of the committee was taken sick in the early hours of the night and left, requesting me to present two of these resolutions. The gentleman from New York has the rule on the Irish resolution. I have been trying to get recognition and will continue throughout the night to try to get recognition for these other two rules in the order named. The soldiers' land bill first——

Mr. FLOOD. The gentleman talks about a program. I will say that I went to the Speaker and asked for recognition to suspend the rules when the time arrived at which that could be done, and the Speaker agreed to recognize me to move to suspend the rules and take up a measure and move its passage, and I determined to make the motion to suspend the rules and take up the Irish resolution that we have been here all evening trying to bring before the House, and to urge this House to suspend the rules. We have been kept from doing it by a foolish filibuster that has been going on over on the Republican side for the last two or three hours.

Mr. MANN. I do not know about that.

Mr. MASON. Has the filibuster kept you for a year?

Mr. FLOOD. This measure could be passed now. If the Republican side wants this to pass it can pass to-night.

Mr. BAER. We want some time to discuss it.

Mr. FLOOD. You have 40 minutes to discuss it.

Mr. MASON. It does not need discussion.

Mr. GARRETT of Tennessee. My own personal attitude toward this resolution is that I am favorable to it. The gentleman says he will move to suspend the rules. The Committee on Rules has nothing to do with that, but I do not wish after a program has been arranged by the Committee on Rules and after an agreement has been entered into as to which resolution shall be presented first, although the first two rules that are to be presented are rules to which I am opposed——

Mr. RIORDAN. Will the gentleman yield to me? I am in control of the rule for the Irish question, and I have kept my agreement to the letter. I do not think some of the other gentlemen who have been parties to the agreement have been on the square with the agreement. I have kept my agreement to the letter, as I keep every agreement I make. [Applause.]

Mr. GARRETT of Tennessee. I do not believe that the gentleman from New York ever violated an agreement in his life, knowing him as I do.

Mr. RIORDAN. No; he is trying to hold to this one, and I will hold to it up to the breaking point, but it is pretty close to that point now.

Mr. GARRETT of Tennessee. What does the gentleman mean by that?

Mr. RIORDAN. Just precisely what I say, that this question has not been treated fairly. Every subterfuge has been used here to-night for the purpose of keeping this rule out of a position where it could be considered. This and the retirement rule have been kept out by a subterfuge. There is no question, as it is fairly apparent to everybody.

Mr. GARRETT of Tennessee. I am not a party.

Mr. FLOOD. Of course the gentleman from Tennessee is not a party to it. All we have to do is to have an opportunity to move to suspend the rules and take this Irish resolution up under suspension of the rules and pass it.

Mr. GARRETT of Tennessee. With that the Committee on Rules has absolutely nothing to do.

Mr. FLOOD. If you will vote that this committee rise it can be done inside of 45 minutes.

Mr. MANN. The gentleman is mistaken about that.

Mr. GARRETT of Tennessee. If the gentleman will yield me further time.

Mr. MANN. How much time did I yield the gentleman?

The CHAIRMAN. Three minutes.

Mr. MANN. I yield him three minutes more.

Mr. FESS. Mr. Chairman, I want the gentleman from Tennessee to remind the membership here that the first rule to be taken up is the Lane reclamation bill, upon which there was three hours of general debate.

Mr. HARRISON of Mississippi. There is no doubt about that; everybody agrees to that.

Mr. GALLIVAN. The House has often overturned the Committee on Rules.

Mr. GARRETT of Tennessee. I will say to the gentleman from Massachusetts that the Committee on Rules is peculiarly the servant of the House, and the House may certainly, if it desires, overturn and very properly disregard the program arranged by it and pass this Irish resolution. But I do not like to be deceived about the program. I told those gentlemen who have talked to me the order in which the rules were to be called up. I have told them the rules to which I was opposed.

Mr. GALLIVAN. The gentleman never told me about any program.

Mr. GARRETT of Tennessee. I told the gentleman about the Irish resolution. I told the gentleman fully about the order the Committee on Rules had arranged.

Mr. LAGUARDIA. If it was the program to take up the reclamation bill and the civil-service retirement bill, what chance has the Irish resolution for going through this session?

Mr. RIORDAN. It was done orderly through the committee.

Mr. FLOOD. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. FLOOD. I want to say to the members of the committee that the gentleman from Illinois [Mr. HENRY T. RAINEY] is going to once more move that the committee rise. Those who are in favor of the Irish resolution will vote to rise. Those who are opposed to it will vote that the committee stay in session. We are willing to put it to that test.

Mr. GARRETT of Tennessee. Let me ask the gentleman——

Mr. HENRY T. RAINEY. Mr. Chairman——

Mr. GARRETT of Tennessee. There is no doubt about my going on record, but I would like to ask, after this is over, what is coming up next?

Mr. SULLIVAN. We will take a chance on that.

Mr. GARRETT of Tennessee. That is all right, but I would like to be able to give somebody some information when I am asked as to what is coming up next.

Mr. LITTLEPAGE. Mr. Chairman——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MANN. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania, the noble old warrior, Mr. MCLAUGHLIN.

Mr. McLAUGHLIN of Pennsylvania. Mr. Chairman, I have no desire to blame either side of this House——

Mr. LITTLEPAGE. Will the gentleman yield?

Mr. McLAUGHLIN of Pennsylvania. I do not yield. I have not started yet. I do not desire to yield until I start, at least.

The CHAIRMAN. The gentleman declines to yield.

Mr. McLAUGHLIN of Pennsylvania. Indeed, I do.

Mr. Chairman, I have been very much interested in this Irish question since July 25, 1917. I introduced a resolution then. It was not all that I would like to have for Ireland, but it was asking for the same measure of justice for Ireland that Canada, Australia, and South Africa had then and now have. It was introduced as a war measure and not as a final settlement of the Irish question. I believe that Ireland would reap great and immediate advantages from it, and that these advantages would be reflected in greatly increased enthusiasm by Ireland's sons in the cause for which we went to war, for the right of weak peoples and small nations. I would like to ask if Ireland is not one of the small nations that has been persecuted for 700 years? [Applause.] The party in power is in a great hurry now. I have been in the same kind of a hurry that they are trying to manifest now for over a year. This resolution was reported out of committee sometime about four weeks ago.

I asked to-night for one minute of whatever time was allowed on the Irish resolution, and I could not get it. The chairman of the Committee on Foreign Affairs said it was all gone. Such an important question as that will, to my mind, make for the peace of the world, because there will be no peace if Ireland is not included in this agreement with other countries. [Applause.] Therefore, gentlemen, I trust that this resolution will have the unanimous vote of the American Congress, which speaks for all free people. And I trust also that Ireland will get what the other small countries have succeeded in getting by the sword. We have paid our debt to France; let us now pay our debt to Ireland [applause], for Ireland has done so much for America.

Mr. Speaker, at this turning of the tide in human affairs this House can make no decision more vital to the happiness of millions—even of millions yet unborn—than a favorable decision on the right of Ireland to inclusion among those nations now granted, through the power of the sword, the right of self-determination.

The right of Ireland to liberty does not rest upon the power of the sword. Through 800 years of defeat and slander, through wars and famines, through the long blight of illiteracy enforced by statutes, through the darkness of an exile which scattered its children as are the leaves of the forest and dispersed them as that other race was dispersed which fled from

the task of making bricks without straw, the Irish have followed the ark of their liberties through the wilderness of denial and have clung fast to their faith that one day their Zion of freedom, too, would be restored to their keeping.

THE CLAIM OF IRELAND THE OLDEST.

The claim of Ireland to self-determination is not of yesterday. Its right reaches back beyond the dawn of history. It is written in the annals of every nation in northern and western Europe that from the seventh to the ninth centuries the schools of Ireland sent forth missionaries, teachers, lawyers, physicians, philosophers. Alfred the Great was educated in an Irish school, and the foremost names in European scholarship in those dark ages were Irish names.

The Anglo-Normans came to Ireland upon the invitation of an Irish prince, upon the pretense of establishing his right to the throne, and until the reign of Elizabeth all relations between Ireland and the English Government were justified by treaties between independent princes, or Irish kings, and English ambassadors or agents. The nationality of Ireland was recognized during the sixteenth and seventeenth centuries by both the French and Spanish Governments. A treaty was made by the Spanish Government with the Irish Government, established in Kilkenny in 1641, and as late as the opening of the nineteenth century Napoleon treated with the agents of the Irish people as with an independent nation.

In fact, I can find no record of any nation acknowledging the overlordship of England in any question linking Irish affairs with foreign policy. During our own Revolution communications were exchanged between the representatives of the Irish people and the Continental Congress. Congress, through Benjamin Franklin, officially thanked the people of Ireland for their sympathy, and the foremost leaders of the Irish people on the floor of the Irish Parliament boldly declared that the heart of Ireland was with the Colonies in their fight for self-determination.

The existence of an Irish Parliament until 1801 is in itself an irrefutable constitutional and statutory acknowledgment by England of the distinct national entity of Ireland.

The Republic of Poland—now formed—has had no legislative assembly to keep distinct its national form since its partition from Russia, Prussia, and Austria. The Republic of Bohemia—now shaping itself as a result of the war—has been submerged, without a semblance of representative symbols, for more than two centuries. The Jugo-Slavs—arising like a Phœnix from the ashes of destruction, only emerging from the rule of the Turk within the lifetime of men still living—have yet to lift their nation from its cradle. The Jews—whose dream of returning to the ancient land as sovereign citizens, whose aspirations have been deemed mystical—have been given the promise of the great nations—even the pledged word of Great Britain—that they shall be restored to the promised land and be granted, too, the right of self-determination.

Shall Ireland, the oldest of the small nations, be denied this right? For Ireland is not only the oldest of the small nations, she is the largest geographically, and, excepting Belgium, the largest in population. Ireland pays more taxes than either Norway, Denmark, Switzerland, or Greece. Her influence on the course of civilization has been more powerful than that of any of the small nations except Greece, and her power to-day, socially, intellectually, industrially, and spiritually—even though deprived of her political sovereignty—is without parallel in the history of nations, large or small.

THE IRISH QUESTION AN AMERICAN ISSUE.

Great Britain has habitually, consistently, and often vigorously offered her suggestions to other nations regarding their internal administration. It would accord with the policy of all great States were America to offer friendly counsel in the endeavor to secure self-determination for Ireland. For the Irish question is now a world question, as it has been for generations an American question.

The maladies that have afflicted the world are about to be remedied in a great council of statesmen—physicians of the body politic. It is a truth of all curative statesmanship, as well as of all remedial science, that the affliction of pain in the remotest part affects the health of the whole structure. America can be neither healthy nor happy until Ireland is restored to full vigor of national health, because the blood of millions in America is Irish blood; myriad hearts that beat faithfully and strongly in every hour of our national peril were Irish hearts, and the very soul of countless deeds in our history were reflections or inspirations of an Irish soul.

It is needless to dwell on the commingling of the Irish race with the other elements of American citizenship; on the early Irish emigrants; on the Irish soldiers in our Revolution, in our Civil War; on the man-made Irish famine, which saw nearly the whole population of Ireland turned into toilers; and it was these toilers who built our railroads across the continent, peopled our waste places, and gave brains and brawn to that vast industrial system which made America wealthy, and which has prompted her to extend her freedom to the oppressed peoples of the world.

There is a deep meaning in this exhibition of Irish character in the creation of America's power and in the formation and administration of America's institutions. Can any just mind deny that a race which has done so much for its adopted country could do less for its cradle land?

The public opinion of America has agreed with that of many of the wisest Englishmen, such as Lord Byron, Rev. Sydney Smith, Charles James Fox, and Mr. Gladstone, that the union of Ireland and England is that of the "shark with his prey." This opinion has been officially recognized in state papers of American statesmen, in the platforms of our national parties, and on the floor of Congress, Charles Stewart Parnell in 1879, receiving an official tribute to the justice of the cause of his country.

It has been written by investigators who derive their conclusions from the census figures, that every fourth person in the United States can trace the source of his origin, either direct or remote, to Ireland. It is incontestably true that the majority of the Irish race are Americans, with no divided allegiance, but with an imperishable loyalty to that freedom for which their fathers have toiled, and hoped, and died. Here they have received the citizenship they have been denied there. The broken promises—the bitter misfortunes—which have closed the door of hope just as their feet have trod the threshold—have fixed the conviction of the Irish people, in whatever country they may dwell, that only the hand of America can unlock the gates of Irish liberty.

The sentiment of the American Republic is entitled to find expression, not only on the floor of this Congress, but wherever the laws of justice are broken and the rules of humanity are defied. The continued binding of the chains of servitude upon the spirit of Irish freedom would outrage the public opinion of the world, and would perpetuate that animosity which must ever exist where any race or any nation persists in trampling upon the rights of another.

No leader of public opinion, no member of any legislative body, no thinking American, can ignore the effect that the settlement of the Irish question would have, not only upon the relations between England and America, but upon the tranquillity and confidence which must exist within any nation which desires to preserve friendship with another.

OUR DEBT TO IRELAND.

We have paid our debt to France. Our soldiers and our fleets have steadied the wavering lines of England in the most perilous hour in her history. Indeed, it is declared by some that we have saved the British Empire.

Let us now pay our debt to Ireland. What is that debt? It is too vast to comprehend, for wherever the eye may look, wherever the thought may wander, wherever the foot may tread or the hand touch in America, wherever the imagination may take its flight—there will be present something to show that an Irishman lived or an Irishman died.

There are material and physical reasons why our debt to Ireland is so vast. But the reasons that should guide the course of America are those of an immortal similarity of sentiment, which has bound the spirit, the intellect, and the aspirations of the two countries in kindly friendship.

The debt that we owe to the political thinkers of Ireland would justify every sacrifice we could make for its payment. Did not Jefferson receive from Molyneaux, an Irishman, the ideas, the principles, the very words, of the Declaration of Independence?

Did not Burke, an Irishman, thunder against the taxing of the Colonies? What we call English literature blazes with the fire of Irish genius. Have not the people which inhabit all the nations speaking our language been called the Anglo-Celtic race, because of the immense admixture of Irish elements? Does not every legislative assembly owe a debt to the dauntless championship of just laws, to the eloquent enlightenment of Irish leadership, and to the ideas and progressive boldness which characterize the Irish vision? Does not every battle field of America speak with silent appeal for gratitude to Irish valor? Does not the contribution in this war, the instant and loyal eagerness of the Irish in America to die for the Republic, merit this token of appreciation?

But above all it is the duty of America to lift up fallen freedom wherever it may be prostrate in the world.

Mr. Chairman, I will conclude with the same request I made in my talk before the Committee on Foreign Affairs. I appeal for your favorable action on this resolution—appeal to your high sense of justice and real Americanism—that the call of Ireland may be answered—that she may enjoy the realization of a deathless ideal—Ireland a nation!

Mr. MANN. Mr. Chairman, my friend from Virginia [Mr. FLOOD], who reported the Irish resolution sometime ago, never said anything about it on the floor of the House. So far as I know, no one else over there had said anything about it until I took the floor and gave them the opportunity. [Applause.] They have had the power but lacked the nerve to even talk on the subject until to-night.

Mr. JOHNSON of Washington. Will the gentleman yield to a question?

Mr. MANN. And then I yielded them the time. Yes; I yield to the gentleman from Washington.

Mr. JOHNSON of Washington. I ask the gentleman if he knows whether anything was said about this question at the White House dinner the other evening?

Mr. MANN. I was not there. I only know what I have been told, and I never repeat a private conversation under any circumstances.

Now, the program for the evening was, first, to take care of some conference reports and the wheat bill, and two or three private omnibus pension bills of the House with Senate amendments. I have been in this House a good while and never have seen and never propose to see, if I can prevent it, in the last 24 hours of a session an occasion when the opposite side, if they are in a majority, shall bring up what they please without any consultation with the minority side of the House. [Applause.] People wait, and wait, and wait all during a session of Congress, and then they think, perhaps, they can arrange a program and put it through as they please. They can not do it in the last 24 hours of a session unless the minority is taken into their confidence and made a part of the program.

Now, I was told through the newspapers that the Committee on Rules had agreed to report four rules, in the following order: First, on the reclamation bill, with three hours' general debate, and unlimited debate under the five-minute rule, and under a rule which would throw the House into Committee of the Whole House on the state of the Union on anybody's demand for the regular order. If that rule had been adopted or should be adopted I do not think you could even make a motion to suspend the rules.

It is a rule that the House shall automatically resolve itself into Committee of the Whole, and it is a long-enough bill to take a long time on under the five-minute rule after you use up three hours in general debate, and I question very much whether there could be three hours' general debate on that with a quorum present between now and to-morrow at 12 o'clock. This is the legislative day of the 3d of March, and 12 o'clock to-morrow is 12 o'clock on the 4th, when the 3d ends legislatively.

I have seen so often, both when the Republicans and when the Democrats have been in the majority, a buffer bill introduced to become the regular order, with no expectation or intention to pass it, but solely for the purpose of keeping the House from considering anything else. I remember once——

Mr. GARRETT of Tennessee. Will the gentleman mention the other bills?

Mr. MANN. Well, another bill was the retirement bill, and another was the alien-deportation bill, and the fourth in order was the Irish bill. I am not sure, but that is my recollection.

Mr. GARRETT of Tennessee. With an hour and a half on the retirement bill, I think. I want to say to the gentleman——

Mr. MANN. It would not make any difference how much time was allowed on any except the first, because the first would still be pending when the gavel comes down and the Speaker declares that the Congress is adjourned sine die.

Mr. GARRETT of Tennessee. Will the gentleman yield to me?

Mr. MANN. Certainly.

Mr. GARRETT of Tennessee. The gentleman says that he had his information from the newspapers. I want to say to the gentleman that I am surprised at the accuracy of the information given the gentleman.

Mr. MANN. Well, evidently the Committee on Rules——

Mr. GARRETT of Tennessee. It is absolutely correct.

Mr. MANN. Evidently the Committee on Rules furnished the information directly to the newspapers, although I had not heard anyone in the House say anything to me which contradicted the idea that I gathered from the newspapers.

Mr. CHARLES B. SMITH. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. CHARLES B. SMITH. I want to ask the gentleman if the minority members of the committee could not have notified the leader of the minority concerning the program?

Mr. MANN. Well, they usually notify me of what takes place. I do not think that in this case they notified me of the order, because I already knew it from the newspapers before I had a chance to see the minority members of the Committee on Rules. The minority members of the Committee on Rules usually undertake to keep the minority leader acquainted with what takes place in the Committee on Rules. I knew enough from long experience here to know that if that rule was adopted you could write over the door—

Abandon hope, all ye who enter here—

and I am frank to say that under such circumstances I have not endeavored to expedite the unusual business of the House until I knew what was going to come up.

What is the situation now? What we are really waiting for here is the general deficiency bill. It ought to be passed. I do not know whether it is going to pass the Senate or not. So far as I can learn, nobody else knows. If it does not pass the Senate pretty soon, it probably will not pass and become a law.

Now, gentlemen, I think we have a little time while we are waiting. There are two or three men in this House who are going out, whom I am very anxious to hear from. There are some as to whom I am not so particular whether I hear from them, although they all have my good wishes. How much time have I remaining?

The CHAIRMAN. The gentleman has 35 minutes remaining.

Mr. MANN. I yield 10 minutes to our fine, splendid Member from Missouri [Mr. DECKER].

Mr. DECKER. Mr. Chairman, I want to thank the distinguished gentleman from Illinois, the leader of the Republican Party both in title and in fact, for his kindness in yielding me some time. It is true that I am going out of Congress, and I am not like some of those who would have people believe that they are going out without regret.

Since my entrance into this great body it has been my desire to be of service. It is my desire to-night to be of service. The gentleman from Pennsylvania [Mr. MOORE] took up an hour of the time of this body to-night in talking about castor beans and about the mistakes made in the great war for human liberty that has been triumphantly won. While he was consuming that hour in finding fault about matters not concerned with the measure before the House, which was the bill called up by the gentleman from Illinois [Mr. RAINEY], I did ask for 10 minutes to speak against that bill.

But I have learned, what everybody knows, that the gentleman from Pennsylvania was not consuming an hour of the time of this House for the purpose of throwing light upon the bill which the gentleman from Illinois [Mr. RAINEY] had called up, but for some other purpose which I did not then understand. Until the gavel falls to-day at noon I have the desire to be of service to my country, and in an humble way to be of service to my fellow citizens and to the people of this world, and I would be derelict in my duty if I consumed a moment's time at this hour of the night and prevented, as other gentlemen are trying to prevent, the consideration of the great question of human liberty involved in the Irish resolution. [Applause.] Whatever rule has been adopted or whatever the program is, the representatives of a free people still have the power here to-night to change the rule and to talk upon the Irish resolution here and now, and then if we have any time left we should consider the great question involved in the bill fathered by the great Secretary of the Interior, Secretary Lane.

You may not agree with it, you may not believe in its provisions, but you can not deny that the purpose of the bill is noble, for it is to do something for the brave boys who bade good-by to home and native land and crossed the rolling sea to fight for humanity, for human liberty, for the self-determination of little peoples in this world. These boys are coming back. They are coming back to find themselves without employment. We may not have time to pass the bill, but for my part what I have to say between now and the time when the gavel falls will be on the Irish resolution and the Lane bill for the American soldiers who fought for human liberty. [Applause.]

I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back four minutes.

Mr. MANN. Mr. Chairman, I yield 10 minutes to the distinguished soldier, the distinguished gentleman from Ohio [Mr. HEINTZ]. [Applause.]

Mr. HEINTZ. Mr. Chairman, I wish to say a few words about America. [Applause.]

Upon my return from the battle line in France it was expected by many that I should make a long speech and by others it was hoped that I would make a sensational one. Not only have I no desire to do either, but the inarticulate language of the trenches does not particularly qualify one for speech making. What is more, the problems that I have in mind must be settled by the next Congress, and it would be but an extravagant waste of valuable time for me to lay them fully before this House. There are too many unfinished matters already pending before this session.

But having been in the Army 18 months and in France over 6 months, and in some of the most difficult fighting over there, I think it my duty to offer at least a few of the observations I have made. I wish to say at the start that all the officers with whom I have spoken have agreed to lay aside any personal disappointments and grievances as well as feelings that injustice has been done them, wherever such feelings existed, and, striving for the good of the Nation as a whole, to see that valuable permanent lessons are learned from our very expensive experience; and, indeed, the experience was most costly—more so than most of us think. Later on, when the full realization of the tremendous cost comes upon our citizens, there will be a great clamoring for explanations and investigations, but I fear it will then be too late.

The time to investigate is now, and those who do the investigating should not be members of the Regular Army nor members of this House. They should be civilian soldiers who have had wide experience in business and other affairs of life, who have been in touch with the war situation from its beginning, through the fighting in France and right up to the present time. And if I were called upon for suggestions, I would name three men who, were they able to give sufficient time to it, could investigate the whole war business, both in munitions, in preparation, and in the field, and give an unbiased report that would be of incalculable permanent value to the Nation. Those three men are Col. Frederick Galbraith, of Cincinnati, Lieut. Col. John Greenway, of Arizona, and Maj. David Goodrich, of New York.

Each of these men had a far wider experience with men and affairs than any officer in the Regular Army, with the possible exception of one, and certainly than the Secretary of War. They entered the Army with open minds, have learned more about modern warfare than the vast majority of Regular Army officers, have dealt with and commanded men all their lives, have earning capacities many times greater than that of any officer in the Regular Army or the Secretary of War, and know business and business methods thoroughly. All of them were exempt from the draft, and all of them, at great personal sacrifice, entered the Army at the outbreak of the war.

The various complaints that we hear from officers and soldiers that are voiced on the floor of this House and in the press are not only a waste of time but do a decided harm. There should be one investigation, and one only, and it should be without limit or sympathy. The investigators should be given all the time, money, and resources necessary to glean from the vast mass of chaos the indisputable facts which we must perpetuate as a duty not only to posterity but to those whom we buried in a foreign land and those who come back home broken and shattered.

But there are a few things so patent that no investigation is necessary to prove them, and the one most outstanding is the failure of the Regular Army. It has been repeatedly said that only about 30 per cent of the Regular Army officers were in the zone of the advance. Those who were not, have learned practically nothing of modern warfare. Of those who were in the zone of advance, a great many of them have learned nothing and never will. Their minds too long ago, by reason of years of freedom from competition, indolence, and inactivity, became closed to new ideas. When a civilian officer at the front failed to make good, he was sent to the rear and will go out of the service. What is to happen to the Regular Army officer who failed to make good and to those who never reached the zone of the advance?

Of course I know there are capable men among them, but they are the exception. They should be retained in the service. But is this vast percentage of officers, absolutely unschooled in modern warfare and entirely lacking in front-line experience, to be retained in the Army as the teaching nucleus for our future forces and as the leaders of our future divisions in the field? The very thought is outrageous! [Applause.] Many bright young civilian officers who have made good at the front and who desire to remain in the Regular Army will be denied because of lack of vacancies. The places that they would otherwise be called upon to fill are now occupied by the 70 per cent of Regular Army officers, most of whom have proved to be "duds."

A particularly progressive brigadier general of the Regular Army told me that when the war broke out there was not a single officer in the American Army, "not one," he said, "who was equal to his job." Now, is it not apparent that if another war should break out to-morrow there would be about 70 per cent of our Regular Army officers about whom the same criticism would apply right now? And the officers themselves are not so much responsible for this condition as many others. Probably nobody is so much to blame as the Members of Congress, unless it be the "peace at any price," "too proud to fight," "peace without victory" elements, that effectively prevented our officers from learning the methods of modern warfare before it was thrust upon them.

There is only one solution, and that is universal service [applause], not only military service but vocational training as well. Our first purpose should be not to develop a nation in arms, but to develop our citizenship. The physical condition of many of the enlisted men that came to us was simply appalling. Worse still, they did not know what their physical condition was. These men have been practically made over and will come back strong in body, healthy in mind, with their productivity and usefulness increased many per cent. One of the greatest compensations that we will have obtained from the war will be the improved citizenship of the returned soldiers.

But many of the returned soldiers have been square pegs in round holes in civilian life, and some will continue to be. It is because they never have had a fair chance. Most young men's life vocations are chosen purely by circumstances or by accident. They have no opportunity to know whether they are fitted for their life's work or whether they will like it, and many of them go through life dissatisfied, disgruntled men, for whom their daily vocations are irksome and compulsory drudgery. The plan of universal service which I shall advocate before the next Congress will be one in which every man, both rich and poor, will be subject to a course of universal service for possibly one year, during which time he will not only be made physically strong and confident and be given a proper amount of military training, but he will learn the work he is best suited for and the work he likes, and will go away with a love of that which he has chosen for his life's work and with the desire to learn more about it. [Applause.]

Officers of the Regular Army will be chosen from this class, just like other vocations are adopted, by reason of aptitude and competition and not by reason of congressional appointment. I am not sure whether the failure of Regular Army officers is due to the method by which they are originally chosen or by the fact that promotions come, and come surely, by reason of seniority instead of by competitive tests. Most of our present brigadier generals in the Regular Army never commanded more than 65 men before the war broke out and never were in a battle. In peace there was no particular need of their studying or working to keep abreast of the times, because they were not subject to competition. Their promotions were assured. Suddenly they had to learn a new business. A major general, for instance, was placed at the head of a business that practically represented over a hundred million dollars in cash, outside the unmeasurable personal value of human life. How could he, who probably never had commanded more than several hundred men at a time, be expected to succeed in this new business except after tremendous and needless loss and sacrifice?

I would like to go into details here, but I cannot. It is a subject that can be properly thrashed out only before the Military Committee of the next Congress, or preferably before an investigating board such as I have suggested. Nothing can be gained by now going into it piecemeal and by citing particular cases. It is not my purpose to blast reputations, however cheap and unworthy a great many of them may prove to be. All we can hope to do now is to arouse public interest in the situation to a sufficient degree that it will demand and be given a thorough investigation of the whole subject, with the idea of bringing about lasting results.

We accomplished a great work. There is no doubt of that, and it was accomplished almost solely by the great fighting spirit of our enlisted man, in spite of the tremendous handicap and unnecessary burdens that he bore. Now, are we going to let this slide and leave in responsible places this 70 per cent of officers who can not possibly render the service that will be required of them in any war that may follow?

In the first place, they will not have the confidence of the men, and that is one thing that was woefully lacking in this war. I think that Gen. Pershing did have their confidence and that he did splendid work. But the men were deprived of the leadership

of one other who enjoyed their confidence and devotion to a remarkable degree, a general whom I have never met and, indeed, have never seen, but in whom I have the utmost confidence. It means at least 50 per cent of the battle—Napoleon says more—that the men have the feeling that they are being led by an able, courageous, red-blooded, fighting commander. After talking with many officers and men, I am convinced that those qualities existed in a superlative degree in one commanding general of our Regular Army, and yet we were denied his leadership. Just who was responsible for the men being cheated of their strongest weapon and the reasons for it should be one of the most important subjects for the investigation that I propose.

Naturally all the fighting men wanted Roosevelt in the field. [Applause.] On that whole front, both British, French, and American, there was not a single eye that would not have brightened nor a pulse that would not have quickened had they been told "T. R. is out here with us." [Applause.] The reasons for our having been deprived of him are, of course, patent. There can be nothing, to my mind, so selfish, so mean, and so unworthy, as politics being allowed to deprive fighting men of the comfort, support, and inspiration they so hungered for while out on the front fighting for their country.

Because Roosevelt was a magnetic leader and an inspiration to fighting men, because he could make the rank and file understand what they were fighting for and that he was fighting with them, was possibly no more to his credit than it is to the discredit of those who have not the same genius. But the fact remains that Roosevelt had it, just the same as Napoleon, Wellington, and Stonewall Jackson had it. It was the one great thing our men yearned for and Congress had granted it to them; yet it was coldly snatched from them and they were given "14 points" and making "the world safe for democracy" instead. Had they only been able to realize that they were fighting with Roosevelt for America, it would have added a new and priceless spirit to their enthusiasm and hitting ability and to their desire to go to the very gates of Berlin.

So I say that I do not endeavor to go into details as to the Army, although many details are available. And the time is all too short; but I beseech every mother, every father, and every relative and friend of our fighting men to help us see to it that if he is ever again sent out to fight for his country, he will not only know what he is fighting for but will have the strength of every weapon that can be furnished him, whether it be material or moral, and that he will not again be left to carry through on his own grit and gameness and upon his own fighting spirit alone. [Applause.]

Mr. MANN. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 16 minutes.

Mr. MANN. I yield 10 minutes to a gentleman whom we all love to hear, the gentleman from Texas [Mr. DIES]. [Applause.]

Mr. DIES. Mr. Chairman and gentlemen, I will be as brief as I can in 10 minutes, because I know you have been kept already too long. I am indeed very thankful to the gentleman from Illinois [Mr. MANN] for this great privilege, and to you, gentlemen, for your courtesy.

I am just about to become a farmer again. You know, Mr. Chairman, I was raised on a farm, and all my life, whether as a newspaper printer's devil or a country editor or a struggling young lawyer or an officeholder, my dream has been that I might amass a competency and go back to the country and follow the plow, feed the pigs, pick up the fresh eggs, and live in the fresh air of the open country in which I was born. [Applause.]

You know my recent experience as a Member of Congress has more nearly endeared me to that country I love than ever before. Now I am positively homesick for Turkey Creek. Now I want to go back, Mr. Chairman and gentlemen of the Congress, more than I ever did before. That wonderfully beautiful stream winds through my pasture its limpid waters to the Gulf, and along its banks are the wonderful woods of that native forest—the beech, the birch, the elm, the oak, the pine, and the dogwood. I want to go back there. I had dreams that some day I might become a Member of Congress and stand where Clay and Randolph stood, that I might serve my country by so doing. But, you know, I never had much ambition to be a rubber stamp. [Laughter and applause.]

Departing, my friends, in these brief moments from pleasant things, and these are pleasant to me, you know nothing in this world will ever give me so much pride as to have served in the Congress of the United States for 10 years. I have met many brainy men here, many lovable characters I have known here, and something tugs at my heartstrings with the thought that to-morrow I take my leave.

But I can not talk 10 minutes without saying some serious words, because there are serious times ahead for this great Republic.

Just now men are clamoring for the consideration of the Irish question, as though the Republic of the United States had not enough to do without the Irish question. Men are clamoring to have the country entangle itself with what? With the integrity of the British Empire. We have no more right to consider the Irish question than the Irish have to consider the American question, or the British have to consider the Philippine question, or Japan has to consider the question of Lower California.

Well, Mr. Chairman, as I have said often on this floor, so often that I am almost ashamed to say it again, this wonderful Republic, with this magnificent territory of America with its millions of hopeful, prosperous sons, God has placed us apart from the enemies that might assault us, with the ocean rolling between us and the wars of destruction in Europe, that we might live here, and our children after us for ages yet unborn, in happiness, peace, and liberty on this hemisphere. We are wonderfully anxious now to mix up with Europe, Asia, and Africa; we are wonderfully anxious to entangle ourselves in the hopes and destiny, with the broils, distractions, and feuds of the animosities of Europe.

You know, as God shall judge me when I stand before Him, and I believe He lives, the best hope of this great Government, the best hope of this great people, and the children yet to be born from the loins of men and the wombs of women, is to live on this hemisphere and attend to our own business, and not mix up in European politics. [Applause.]

When Washington wrote his farewell address he spoke of the feuds and broils of Europe. They are a million times more accentuated to-day than then. How soon will the Frenchman forget his despoiled villages and ruined cathedrals, overrun by the brutal foe? How soon will the Serbians forget the ravages of the Bulgarians? How soon will the rankling hatred in Europe cease? Yet we sit here to-day anxious that we may embroil ourselves in the affairs of Europe!

They say this is provincialism. In my judgment, when the history of this world shall be written in the years yet to come, it may be said truly, as it is said now, that the best example of free Government the world has ever known was between the signing of the Constitution of the United States and the good year 1912. A hundred years, two hundred, and history will write it down that this Republic, these United States, afforded the best opportunity to mankind for liberty, for hope, opened widest the door of opportunity, of any Government that ever existed in the world from the day the Constitution was made to the fateful days of the present.

The future is not given to mortal man to know. That we are departing rapidly from all of the spirit and traditions of this Republic is apparent to every man with an iota of sense. The very proposition here to-night, for the Congress of the United States to take up the Irish question, is no less meddlesome on the part of this Republic than for the Diet of Japan to take up the question of the war between the States, or for the British Empire to take up the question as to whether Japan should release Korea. I only wish, Mr. Chairman and gentlemen of the Congress, that we might have a return to the spirit of democracy and republicanism. I only wish that the truly great men who have lived on this earth might send their spirits to guide us now. He is a great man who is content to abide the law, who is not so concerned with his own egotism and self-importance that he wants to change the law in order that he may make the change. Washington, Jefferson, Lincoln, Cleveland, Taft, were willing to live under the Constitution and bow in obedience to its mandates and its precepts. A wonderfully good thing it would be for this country, a wonderfully good thing it would be for the parties on both sides of the aisle if they might learn to respect the ancient landmarks which our fathers have set.

Gentlemen, these are my sentiments. They are as deep in my heart as the very blood that flows through it. I love this Republic. I love it because I am familiar with the history of other governments in this world. It is the best that ever existed. I believe yet the old ship of state will right herself, but these be big times in this world, these be times when men ought to be brave. I am almost tempted to say something now that will displease you. You will send your boys out to fight for the flag, you will send your boys to die in France for the flag of your country, and they will die for the flag of their country on the fields of France, but you Congressmen, will you die politically for your convictions? [Applause.] What sort of courage is it in this America, what is the article of men's courage who will send their sons to the trenches to have their bodies mangled with shells of the enemy, and yet who are not

willing to vote their honest convictions as Members of Congress? That is what is the matter with the Congress of the United States to-day. It is not that you are not intelligent, for you are; it is not that you do not love your country, for you do. The great bane of this body to-day is the want of that courage to take your political lives in your hands and do your duty as God Almighty gives you the vision to see it. [Applause.]

Mr. MANN. Mr. Chairman, I yield one minute to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Chairman, in a speech delivered in the House on February 27, 1919, attacking the present court-martial system of the Army, I stated that the commander in chief of the Expeditionary Forces in France was ignoring and refusing to follow General Order No. 84, issued by his military superior, directing him to refer the records of general courts-martial originating in the Expeditionary Forces to the Acting Judge Advocate General in France, who shall review such records and return to the proper commanding officer such as are incomplete, and to report any defect or irregularity which renders the finding or sentence illegal or void, in whole or in part; to suspend the execution of all sentences involving both dismissal or dishonorable discharge pending such review; to disapprove, modify, or set aside in accordance with the recommendation of the Acting Judge Advocate General any sentence or part thereof found by him to be illegal, defective, or void in whole or in part.

I further stated that he had not complied with a recent order to the same effect. This has evoked a denial from the Secretary of War.

In the report of my speech my remarks concerning these two orders were confused. I admit it. General Order No. 84 was issued September 11, 1918, following Gen. Pershing's refusal in a number of cases to refer the records of courts-martial to the Acting Judge Advocate General in France for review upon the ground that he, as the military commander, had the power to carry the sentences into execution without and regardless of any review by the law officers of the Army. The general order in effect commanded him to carry the sentences of court-martial into execution only after the record of those cases had been received by the law officers and findings modified in accordance with the latter's recommendation. This general order was issued by the military superior of Gen. Pershing, and it was his duty to obey the same without question or delay. But in a number of cases he has refused either to refer the record of cases to the law officer or to follow the latter's recommendation, or to suspend the execution of sentences pending review. His position was shown in the recent case of Corpl. Ivy, which involved a death penalty, where the law officer recommended to him that the record be referred to the President, as Commander in Chief, under Article of War 51, which provided that cases imposing sentences of death must be confirmed by the President before the finding is executed. His attitude in refusing to forward the record of this case led to a recent specific order, cabled by the Secretary of War to him, directing that the record be sent to the President. This was the recent order to which I referred.

To show that the commander in chief and his subordinate military commander are not following in other cases General Order No. 84, I cite—

1. The case of Frederick Huff: The law officer advised the commander in chief to disapprove a finding and sentence because they were illegal, which advice he refused to follow. In this case the law officer held that the accused charged with and tried for the violation of one article of war can not be convicted of the violation of another and wholly different article of war.

2. The case of Pvt. E. J. Mullen: The law officer advised one of the subordinate military commanders that the finding and sentence were illegal because the facts did not show a violation of the article of war under which the man was tried.

In other words, the attitude of the military commanders in France is one of defiance to their military superiors and one of apparent disregard of military justice. They refuse to follow a general order which, in effect, is an order from the President, the Commander in Chief, and they are determined to sentence men regardless of whether the men were legally or justly tried and without appeal.

I have no desire to accuse Gen. Pershing of insubordination, and I do not do so. He is too good a soldier to disobey an order, and he has a right to stand up for his own views, whether right or wrong, and ask for an interpretation of any order.

You will be told, as everybody else will be told, that General Order No. 7 was a remedy for the great wrongs of court-martial injustice. General Order No. 7 is a makeshift. It simply stayed a few sentences until the Judge Advocate General could "advise" with the officer appointing the court-martial in an effort to induce him to preserve the legal rights of an accused. It is predicated upon the theory that the commanding officer is the sole judge of what is and what is not legal error in the trial of a case before a court-martial. This is the sole contention in Europe right now. Gen. Pershing and the other commanding generals over there contend that they are by law the final authority to determine whether a soldier gets his rights on trial or not, and they contend that it is not even within the power of the President to say that the Judge Advocate General of the Army shall decide such a question.

General Order No. 7 at the time it was adopted was known to be not a remedy but a makeshift and a palliative. This order was drafted by Gen. Crowder, and his own words will best show what he thought of it and why he adopted it. You will find what he thought of it and why he adopted it expressed in paragraph K of Gen. Ansell's letter to Congressman BURNETT, (CONGRESSIONAL RECORD, Feb. 19, 1919, p. 3810). He said it was necessary to adopt this order to head off a "threatened congressional investigation," which was about to come because of agitation and the concurrent happening of the hanging of those negroes in Texas, without review of any kind whatsoever. He said it was "to silence criticism" and also "to prevent talk about the establishment of courts of appeal," and, further, to make it "apparent that an accused did get some kind of revision of his proceedings other than the revision at field headquarters."

In God's name, could a man who could so describe his motive and purpose in getting out such an order believe in the order itself, or believe that anybody would get justice under it?

The question of veracity should never come up between real men, and I hope that in my capacity as a Member of Congress it will never again have to be met, even inferentially. Heretofore in the infrequent cases where anyone has accused me of direct untruth, the statement has brought forth direct action, and I have followed the motto of the marines, "Treat 'em rough."

Every latitude of expression is given on the floor of this House in cases where the veracity of Members has been questioned, but as I do not yet feel that there is any direct issue between the Secretary of War and Gen. Crowder and myself, I shall content myself with a statement of the facts as I believe them to exist. I have hoped that we could be done with wars, arrive at a common foundation of justice, and feel yet that we can achieve that goal. If we can not, the war has given us little vision and little knowledge, and I refuse to accept a challenge which I do not believe has been given, because the question of human rights is involved, and the personal fortunes of any of us should be little considered. This attitude is taken because I have watched the Secretary of War when he was fighting the battle of human rights. He was courageous and I hope will continue to be so.

In the closing days of this Congress, where there is much politics, in which by inclination and choice I shall take little part, I hope the Secretary of War will not be blinded and will not believe that the questions which we have been discussing are political or personal. That can be demonstrated by the fact that the gentleman from Nebraska [Mr. SHALLENBERGER], the gentleman from Alabama [Mr. BURNETT], and many others on the Democratic side of the House have joined with the gentlemen from New York [Messrs. GOULD and SIEGEL] and the gentleman from Illinois [Mr. MANN] and other Republicans in a fight for correction of the law.

If the Secretary of War should be blinded to the rights involved, I would say that the life of one of his intimate friends has been wasted and lived in vain. At heart the Secretary of War and I agree, and there is no reason that we should become involved in a controversy affecting the inherent rights of men.

It is not a question which concerns the league of nations, the matter of revenue, and will not be made a party question unless it is made so by the Secretary of War and his advisers. "May I," as heretofore somebody has said, express the hope that there will be no hand grenades thrown, no rifle grenades fired, no extra supply of ammunition used, no S. I. W.'s brought into the controversy either at home or abroad. The Secretary of War will, in my opinion, live up to his heritage, his traditions, and his environment and do the fair and just thing. I say that because I hope to assist him in the choice he is now making. His advisers wish him to demote Gen. Ansell to the rank of lieutenant colonel and degrade him. The Secretary in his heart wishes to put him at the head of his department, because he knows Ansell is right in his contention. I have been informed by newspaper men that demotion has been decided upon. Otherwise I should not now be discussing the question. What will occur if the Secretary of War will not be his own man, a man's man, and a "he" man will be the recall of some officer from France who will outrank Ansell. The plan will be proposed by those who advocated the demotion of Ansell. He is either right

or wrong. If wrong, court-martial him. If right, give him his rights. I can only say that if he is demoted or outranked or court-martialed, he has our respect. If when his children go to school to-morrow they are slurred, because of the demotion of their father, they should know that it took greater courage to fight the moral fight than the physical; more nerve to fight for the rights of humanity than to fight against the bullets of the Hun. And will they always remember that there is no American soldier who wears on his breast the Victoria Cross, the Croix de Guerre, or the Distinguished Service Cross who would not willingly surrender it for merit and courage to their father. [Applause.]

Mr. MANN. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. JOHN W. RAINEY].

Mr. JOHN W. RAINEY. Mr. Chairman, this world's history is a chainlike succession of ages descriptive of man's tendencies, activities, and progress at various times.

We have since 1914 witnessed and we have since 1917 gone through a war whose importance and magnitude, to me, are not measured so much by the flagrant atrocities which have been committed in its name, not so much by the number of lives which have been mercilessly sacrificed, not so much by the number of men who have become infirm and crippled thereby, not so much by the injustices which have been perpetrated on womanhood and tender youth, not so much by the extensive and intensive advancement in the machinery of war and in the engines of destruction; no, though all these may be most lamentable, for wars prior to that of the world's war have been atrocious, calamitous, cruel, and wasteful, both of life and property, just as the last, but the vastness, the stupendousness, the immensity, I might say, of the world's war is to be measured by its result to generations, both present and to come, by the force with which it has shaken the world's pillars and undermined the world's foundations.

Useless it is for me to review or depict for you a mental picture or outline the panorama of the past war, because it has been related, painted, and brought out in the boldest of relief, time and time again and by tongues more eloquent and knowing than mine; but what I would draw your attention to is the present period or age, already and properly termed the "age of reconstruction." I will refrain from a discussion of the material, industrial, economic, or commercial reconstruction and will dwell solely on that of political reconstruction—a part of the plan of the drama that is being played at the peace conference table to-day.

By that I mean to identify the phrase "political reconstruction" with the phrase "making the world safe for democracy." I wish to impress upon you the import of the idea of "giving equal opportunities and liberty to all nations, great and small"; I wish to draw conclusions from the principles found in the word "self-determination."

During recent months these terms have been bandied about so much that they seem to have become trite and their meaning has been dimmed by a gossamer web of international sophistries and racial prejudices—or is it by that diplomacy which we have been condemning? But remember, gentlemen of this House, that our stand as a Nation, our position in this war, our pledge to our people and to those of all the world, our status at the conference table—all these rest on those principles enunciated by our Chief Executive, to which we all have given assent, which we all have approved, and of which we have demanded of our enemies, the central powers, recognition of the right of small nations to independent existence as a basis for a lasting peace. These are and have been our principles and with them we stand or fall as a Nation before the eyes of the world in their practical application. They must not become in their application, if not a "scrap of paper," a subterfuge for hypocrisy and high-flung rhetorical statements and embellishments. I say this fearlessly, because I have the firm belief that those principles are well founded in point of history, humanity, right, and justice, and I have the utmost confidence that he who had the stamina to stand forth before the self-destroying world to enunciate those principles as the only basis upon which peace could be considered by the friends of democracy, will also have the honesty of conviction, the firmness of will to see that they are properly applied at Versailles; but a duty half performed is ill performed, a principle which can not be universal in its application is vicious or those applying the same are unjust. Jutice and honesty must have both hands turned palms up and outward.

It has been for me food for thought to notice the little activity toward applying these principles of equality, liberty, self-determination, and free democracy in reference to certain peoples and, on the other hand, the enthusiasm and untiring activity toward other peoples. I am not speaking with the hate of centuries in my heart; I am speaking according to the existing facts and the present conditions of the world. I am not blind or prejudiced in this matter, for I am first and above all and entirely an American, with American thoughts and feelings, but I am willing to be guided and to see the light if I am groping in darkness. I have tried to explain the situation to myself and I have been attempting to solve in my own mind and to reason out the procedure of the ruling nations of to-day in reference to the application of those principles already mentioned. Could the answer be as follows? Is it because certain peoples are or were either with or against us during the past conflict? Is our silence and inactivity toward the application of the principle of self-determination and self-government regarding nations heretofore allied either with England or France or Italy so explained by the fact that they are our friends, that therefore we have no reason to fear them, and that, further, they can wait for another day? And is our enthusiasm and hurried perseverance in applying those principles to other peoples explained by the fact that said peoples were at one time part and parcel of the central powers, that due to the enunciation and propaganda of our principles of democracy as an antidote to those of kultur these nations arose and overthrew the imperialists who lorded it over them? And is it that we feel that it is our sense of justice, righteousness, fair play, and squareness to these people to make our word good with them which makes the allies direct their first efforts to secure for such peoples the freedom, the liberty, and the well-being that we had showed them from afar? If so, good and well. We are all anxious to see Poland rule itself and to see that nation again occupy the place it is entitled to in the sun of nations. Indeed, we long for the day when the Czecho-Slovaks and the Jugo-Slovaks shall be reunited under their respective banners. Indeed, it would be a blessing to the world to see the races of the Balkans united and living peacefully under their respective rightful colors. Indeed, we owe these peoples a debt of gratitude for the loyalty they have manifested by adhering to the principles and laws of humanity and for having been such very effective forces—if not military, at least moral and political—in the overthrow of the régime of the alleged God State, advocating the dastard principles of imperialism.

But notwithstanding all this and approving both the procedure and the measures, why such slackness, such silence, such fearfulness in advocating the same principles toward peoples who have always been friendly to right government, and who also are entitled to liberty, self-government, and self-determination, and who are entitled by every right, justice, and law to be free and to strive to attain the realization of their natural and national idealism? I have in mind the land to which the consideration of the present resolution refers, the land to which we owe much, the land which has always considered America its second home, even from its island habitation. I refer to the land of "poets and saints"—Ireland. Ireland—is this word a national euphemism? There is no ire natural to that land and there is no reason why ire should come from it. There may be ire in the Irishman's breast, but ire never came from Ireland; it was placed there by foreign hands.

In 1917 we spoke and we enthused our people with the idea of repaying a national honor debt to a sister Republic in her hour of trial, a debt which we acknowledged and which we, thank God, have repaid a thousandfold when our marvelous and spirited boys at Chateau-Thierry, at the Marne, in the Argonne Forest anointed with their blood the land first to see the light of democracy in Europe. Washington and Lafayette in reverence and admiration bowed as the paling lines of horizon blue and khaki brown advanced steadily against the hordes of hell's kultur. If our desire of gratitude to France was so intense and so unreservedly repaid, what ought we not to do to encourage and to assist that land to recover its freedom, that land which sent us her most valiant sons at all times to help us found and establish our democratic institutions? If France deserved well of us for assisting us in 1776, what do we not owe to that land from whose bosom came those to whom France came with assistance? Read the annals of American history; its pages are filled with Irish names. Read the names of the signers of the Declaration of Independence, and you will find names that would make you think that a new Ireland was to be founded on Columbia's shore. I say it is only right, just, and worthy of American honor to at least voice our sentiments in behalf of Erin's freedom and to pass this resolution, so that the people of the world may know that we stand unreservedly and impartially behind the principles of democracy to which we have recently reconsecrated ourselves in the last war.

Is it necessary for me to advance arguments to prove to you that Ireland is entitled to self-government? Is it necessary for

me to show that there is nothing preventing or barring her appeal for liberty and that her perennial cry for freedom is only just, right, lawful, and honest? Historically, geographically, and politically Ireland is entitled to self-government. Historically Ireland has always been a nation, sui generis, has always held to its racial differences, its national life, customs, and usages, and Ireland has never consented to be bartered, to be subjected, has never been submissive under the rule of her sister island. By what right has one of these islands the power to lord it over the other one? History fails to show. There is no intrinsic reason why Ireland should not govern her sister island, as the latter has from time immemorial. If oppression, cruelty, and injustice confer rights and authority, yes; but if otherwise, never.

From the day that Hugh O'Neill, the Earl of Tyrone, in 1594, rebelled against unwarranted and unlawful oppression, through all succeeding ages Ireland has asserted her right to self-government and has repudiated the rule of England. Follow the long corridor of time and see that continually such has been the stand of Ireland. She has never given up her right to govern herself. And pray where does the right to rule arise? Must I repeat age-old laws to make clear that Ireland's fight is just? Is society simply a conglomeration of beings held together by force and might, or is it a well-ordained union of rational beings trying to make the most of life and attain their life's goal? And, therefore, if authority there must be in society, as the word "well-ordained" presupposes, where does this authority come from? We draw away from the idea of the divine right of kings, but where does this power to rule peoples come from? This power to rule, to administer the law, is of the essence of society, and if of the essence of society it comes from the Almighty. But does Providence confer this power to rule, does He vest authority in whomsoever subjects his neighbor by force, might, oppression, cruelty, dishonesty, and secret diplomacy? God forbid! In whom, then, does this power to rule vest? There is no other alternative—it is vested in him or them whom the people themselves have signified or determined by a free selection and by a choice of their own. Then, I ask, is Ireland's right to govern itself unrighteous and is her present subjection just? Not if there is a God in heaven, not if men live as they were ordained to live. Where in history do you find the Irish people have signified their assent to be ruled by England? Was it during the days of James I, in 1610, the days termed the Plantation of Ulster, the attempt to Anglicize and Protestantize Ireland? Was it during the Irish rebellion of 1641, a result of the acts of James I?

Was it during 1649 to 1652, when England warred upon Ireland, during which period there was attempted the "Cromwellian settlement," now called the "Curse of Cromwell"? Was it under William's reign in 1690, when the Irish again manifested their detestation of England's rule and when was fought the now famous battle of the Boyne? Was it in 1782, during our war for independence, when England, fearful of an Irish upheaval, again showed her guilty hand of unlawful tenure by granting Ireland a pseudo legislative independence which was afterwards handily recalled? Was it in 1869 when England enacted the disestablishment of the Irish Church, which in itself might be overlooked, but which act forced the Irish to maintain the Anglican Church against their wishes, against their right to adore their God according to their free volition? Finally, and particularly, was it in 1800, "when Napoleon coming to the head of affairs in France, there was apprehension on the part of English statesmen lest he should utilize Irish discontent to secure a foothold in the islands, and they resolved to get rid of the Irish Parliament," established in 1782, which resulted in the act of the union, under which England to-day claims the right to rule Ireland? But does not history record the fact that it was only by wholesale bribery that the members of the Irish Parliament were induced to pass a sort of self-denying ordinance whereby the parliament was abolished or rather merged with that of Great Britain? Is this act of the union the Irish people's will? Did they exercise their right of self-determination? I have recited history, permit me to explain, for no other purpose than to prove my contention. "England, of course, has her faults and Ireland has her good points, but reconciliation will never come between two races through writings of a George Bernard Shaw" and certain other writers "when such writings are steeped deep in the hatred of centuries." The application refers as well to English as to Irish writers and enthusiasts. If narrow-minded ideas are going to rule the thoughts of those higher up, what can they expect from those in the ordinary walks of life? I bear no one malice, but I believe in excoriating injustice and unwarranted oppression wheresoever it may be found. But the fact remains that Ireland has demonstrated to the world at all times her desire to govern itself, and at no time did she ever consent to barter her state rights to England.

Geographically Ireland, lashed by the wild waves on the north and kissed by the Gulf Stream on the south, presents no objection as to territorial boundaries, as to rival claims of neighboring peoples. Her boundaries are by God and nature fixed and not contrived by man's ingenuity. She stands alone in the ocean's blue, as she should stand alone in the world's nations.

Politically the times are ripe. The war has brought it about, and there is no use denying it. The principles we have been advancing of late have simply emphasized Ireland's life-long cry for freedom. Objections which heretofore might have been offered in reference to Ireland's political and religious complexion are a matter of the past. Some have attempted to say that the Irish question is not a religious or political one, but rather an economic question. At one time it was, I say, threefold—religious, political, and economic; that in time the religious phase has been wiped out, the economic one is fast dwindling, and now the political only remains to be settled. And in this regard I would ask you but one question and let it rest at that. If in 1776 the colonies were justified in declaring their independence and fighting for it, where does the iniquity arise for Irishmen to do the same, especially now that by their last election they have manifested their desire in that direction by electing representatives who stand openly for self-government?

I understand that mandatories are necessary to rule the southwest Africans, the Hottentots, the Fiji Islanders, until they have reached that rung in the ladder of civilization which will warrant the nations of the world to grant them self-control. But if the Slavs, the Poles, the Balkan peoples are capable to rule themselves, why can not the Irish? The question may appear puerile; but, believe me, it is to the point. And if certain Anglophiles will kindly peruse the world of letters, art, science, philosophy, commerce, and industries they will come across an Irish name just as often as they do that of any other nationality. Summing it all up, there is nothing plainer than this: If any subject European nation has the right to be free, Ireland has the right.

Therefore the Irish people have manifested, in conformity with the principles heretofore propounded, their desire to govern themselves, "which derives its power from the consent of the governed." Otherwise our own independence is simply words and no more, and our national tenets are simply pretensions. I might go on and ask by what sophistry do we deny the central powers and Russia the right to oppress and rule the Poles, the Czechs, the Finns, and admit the same right regarding England toward the Irish? If the reasoning is sound, then right is not might, as we would have had the world believe, but rather might is right, and the world should have been made safe not for democracy but for despotism and imperialism. But the conclusions drawn are untenable; therefore the premises must fall, and Ireland should be free. Heretofore certain arguments were advanced which the league of nations plan will now render futile.

Remember, my position is not that of asking mercy or craving your support toward an oppressed nation, for the fact that a nation is oppressed does not ipso facto right her cause. I speak to you from a standpoint of what is right, just, and lawful. It is the question of the Irish being governed by the English, not to the betterment of the Irish but to further England's purposes. It is that kind of government which we have never approved, which Washington objected to and against which he rebelled, and which Lincoln denounced, and against which America has just recently victoriously fought. Will the fruit of our work be nil? Did not Lincoln state "the world can not live in peace half slave and half free"? Will we, gentlemen of the House, who more closely than any other body of men have witnessed the great effort of America during the past two years, who more than any other American body can realize what it has cost the Nation to be able to stand on the mountain top and say and then to go into the valley of death and die "that democracy must be safe in this world"? Will we suffer the shame that must be our Nation's if we do not assert our firm conviction in the universal and impartial application of that principle? What will generations to come say, after reading the casualty lists and realizing the sacrifice to win this war which it had cost their ancestors, to know that what they fought for was squandered, was bartered? God forbid that such shame should be our country's! Let us stand firm upon the ground we have taken; let us stand firm in the face of cupidity, diplomacy, and false friendship; let us assert our firm convictions, as our boys did on blood-soaked French soil. We have gone over the top as the beacon light of civilization to all oppressed nations; let us not permit any kind of kultur, no matter what its name may be, to dim our light.

Like the boys in Flanders fields, like the boys on the ocean's crest, like the boys in Thierry, like the boys in the Argonne, let us say we know not what retreat or surrender means, either on the fields of battle or in the parliaments of the world. [Applause.]

Mr. MANN. Mr. Chairman, this Irish resolution may come to a vote before very long because I took the floor on the pending proposition; at least I smoked them out. But, after all, what is it? The House of Representatives can pass a resolution in reference to the freedom of Ireland and transmit it to the President of the United States as an official expression of opinion of the Representatives elect of the American people. But is that the proposition? Oh, not at all. There was a joint resolution introduced which would have required to be passed by the House and Senate and signed by the President. The Committee on Foreign Affairs, however, did not report a joint resolution, I suppose evidently intending to let the President out from signing it. But what did they do? They reported not the House resolution, which the House could pass and officially transmit to the President, but they reported a concurrent resolution which, when it passes this House, is so much waste paper until it has passed the Senate. It has as much chance of passing the Senate now as a snowflake has in hell. [Laughter.] If there is a sincere purpose on the part of the Members of this House or the gentlemen who propose to move to suspend the rules to take any action by the House for the purpose of having it brought to the attention of the President, there is no sense in passing a concurrent resolution such as has been reported without any intention that it should ever pass both bodies. The thing to do is either to pass the House resolution——

Mr. McLAUGHLIN of Pennsylvania. Will the gentleman yield?

Mr. MANN. No; I can not. I would like to do so.

Mr. McLAUGHLIN of Pennsylvania. Just for one question.

Mr. MANN. I would like to do so, but I have not the time. I am trying to force these fellows here to do something. [Cries of "Ah!"]

Mr. MANN. You may say "ah" all you please, but I have got you now where you can not refuse to move to suspend the rules and pass something. [Applause.] You have been delaying it as long as you could. You have had all sorts of schemes cooked up to prevent consideration of the question at all, and now what you have in mind is to pass something which never can get to the President. If you mean business, pass a resolution of the House and send it to the President as an expression of the wishes of the American people shown through their Representatives elect. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENRY T. RAINEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration House joint resolution 438 had come to no resolution thereon.

RELIEF OF CLAIMANTS, MISSISSIPPI COUNTY, ARK.

Mr. CARAWAY. Mr. Speaker, I ask unanimous consent to discharge the Committee on Public Lands from the further consideration of the bill S. 5566, and ask for its immediate consideration by the House.

The SPEAKER. The gentleman from Arkansas moves to discharge the Committee on Public Lands from the further consideration of the bill S. 5566, and asks for the immediate consideration thereof. Is there objection?

Mr. MANN. Let us have the bill reported.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

An act (S. 5566) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CARAWAY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Whereas in the Government survey made in February, 1846, and approved December 23, 1846, an area in sections 19, 20, 29, and 30, in township 11 north, range 10 east, in Mississippi County, Ark., containing 602.45 acres, was erroneously meandered and designated as a lake on the official plat of the survey, which area is known locally as Round Lake; and

Whereas the United States is now asserting title to said area as public land; and

Whereas many years ago the riparian proprietors, R. E. Lee Wilson and J. W. Rhodes, in good faith, believing themselves to be the owners of said area, drained and reclaimed the same by the construction of ditches and canals and cleared every acre of said land, and the same is now in a high state of cultivation; and

Whereas the said claimants are in the actual possession of said area, and tilling and cultivating the same, and are entitled to some equity by reason of such labor, expenses, and improvements, and the great value which they have added to the land: Now, therefore,

Be it enacted, etc., That said claimants shall have a preference right at any time within one year from the filing of the official plat of corrected survey in the United States land office at Little Rock, Ark., to purchase from the United States the lands within the meander lines of Round Lake, in sections 19, 20, 29, and 30, in township 11 north, range 10 east, Mississippi County, Ark., at the rate of $12.35 per acre: *Provided*, That nothing in this act shall be so construed as to grant to any person a title to any part of said land which is shown to be within the limits of land previously surveyed and disposed of by the Government: *Provided further*, That the Secretary of the Interior is hereby authorized and empowered to make such rules and regulations as may be necessary to carry out the purposes of this act.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CARAWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent a House bill of similar tenor was laid on the table.

The SPEAKER. The gentleman from Virginia.

Mr. FLOOD. Mr. Speaker, I move to suspend the rules——

Mr. WALSH. Mr. Speaker, I desire to submit to the House the report for which I have previously had permission and which I have from time to time deferred and now desire recognition to present.

Mr. FLOOD. Mr. Speaker, I have been recognized.

Mr. WALSH. I have received assurance from the Speaker that when these unanimous-consent matters were taken out of the way I would receive recognition.

Mr. CRAMTON. Mr. Speaker, I have a unanimous-consent request.

The SPEAKER. What the gentleman from Massachusetts [Mr. WALSH] says is true.

Mr. WALSH. If that is true, I ask for recognition.

Mr. FLOOD. I had already received recognition.

The SPEAKER. I know, but the Chair has put the gentleman from Massachusetts off a dozen times to-day to let people in with these other bills.

Mr. TAYLOR of Colorado. Will the gentleman from Massachusetts yield for a question?

Mr. CRAMTON. Will the gentleman from Massachusetts yield to me?

The SPEAKER. And the Chair will recognize the gentleman from Massachusetts as soon as he gets through with the report of the Committee on Enrolled Bills.

Mr. FOSTER. This is a filibuster.

Mr. WALSH. It is not a filibuster. I have been waiting all the afternoon.

The SPEAKER. The other day the Chair appointed Mr. McCLINTIC to the Committee on Printing. It ought to have been to the Joint Committee on Printing.

Mr. WALSH. Mr. Speaker, I desire to serve notice that I shall ask for order during my time.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] is recognized.

Mr. WALSH. Mr. Speaker, while not disagreeing in toto with the findings of the special committee, because of the omission of important matters and because of certain conclusions drawn, I beg leave to submit the following as individual views:

The undersigned, a member of the special committee appointed under the provisions of House resolution No. 469, hereby submits the following views and conclusions upon the matters referred to said committee. House resolution No. 469 reads as follows:

House resolution 469.

Resolved, That a committee of seven Members be appointed by the Speaker of the House to investigate and make report as to the articles of incorporation, the officers, agents, and employees, membership, financial support and names of contributors, expenditures, general character, activities, and purposes of the National Security League, a corporation of New York, and of any associated organization, that purport to be organized or engaged in or have been directly or indirectly engaged in the nomination, election, or defeat of Representatives in Congress during the year of 1918.

Said committee shall also inquire and ascertain whether charges affecting the loyalty of Representatives in Congress have been made by said organizations; and if so, by whom, and upon what information, testimony, or record; and it shall ascertain whether said organizations have complied with the provisions of law in the filing of expense accounts; and for such purposes it shall have power to send for persons and papers and enforce their appearance before said committee and to administer oaths; and the said committee or any subcommittee thereof shall have the right to sit at such times and places, in or out of the city of Washington, as the committee may deem advisable, and shall have the right to report at any time.

Pursuant to the authority conferred, the committee has held numerous hearings in Washington, New York City, and Chicago, Ill., and has taken the evidence and testimony of very many witnesses, including the officers of the National Security League of New York, and of the officials of its branch organizations in New York, Illinois, and Wisconsin, as well as Members of the Sixty-fifth Congress.

The National Security League (Inc.) on January 7, 1915, received a certificate of incorporation from the State of New York, which certificate or charter is as follows:

CERTIFICATE OF INCORPORATION OF NATIONAL SECURITY LEAGUE (INC.).

We, the undersigned, all being of full age and citizens of the United States, and at least one of us being a resident of the State of New York, and being desirous of associating ourselves together for the purpose of forming a membership corporation as hereinafter more particularly described, pursuant to and in conformity with an act of the Legislature of the State of New York, entitled "An act relating to membership corporations," being chapter 40 of the Laws of 1909 of the State of New York, constituting chapter 25 of the Consolidated Laws of the State of New York and the several acts of the State legislature amendatory thereof and supplemental thereto, do hereby make, sign, and acknowledge this certificate for that purpose, as follows:

1. The proposed corporation is not organized nor to be conducted for profit.

2. The name of the proposed corporation is National Security League (Inc.).

3. The territory in which its operations are to be principally conducted is the United States of America, its Territories and dependencies.

4. The particular objects for which the corporation is to be formed are to secure, through effective investigation, authoritative and complete information in regard to the condition, organization, and methods of administration of our national defenses, naval and military; to ascertain what defects exist therein, and what changes, improvements, and additions thereto are desirable, together with the probable cost thereof; to bring to the attention of the Government and of the people the facts so ascertained, with such recommendations as may seem proper; to bring about such organization of citizens throughout the Nation as may make practicable an intelligent expression of public opinion upon the matters presented; and generally to do all things that lawfully and properly may be done to provide for the United States adequate and efficient defenses by land and sea, and thereby a reasonable assurance against war. Also to aid in research of problems affecting the development, welfare, and economic growth of the United States, and in disseminating the results of investigations, whether made by public bodies or private citizens.

Mr. TREADWAY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts [Mr. TREADWAY] makes the point of order there is no quorum present. Evidently there is no quorum present.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from North Carolina moves a call of the House.

The motion was agreed to.

The roll was called, and the following Members failed to answer to their names:

Alexander	Doughton	Kahn	Sanford
Anthony	Drane	Kehoe	Sears
Ashbrook	Drukker	Kennedy, Iowa	Sells
Barnhart	Dupré	Kettner	Shackleford
Blackmon	Eagle	Key, Ohio	Shallenberger
Booher	Elston	Kiess, Pa.	Sherley
Britt	Emerson	Kinkaid	Sherwood
Browning	Essen	Kraus	Shouse
Brumbaugh	Estopinal	Langley	Slayden
Buchanan	Evans	Lazaro	Slemp
Burroughs	Fairchild, G. W.	Lee, Ga	Sloan
Caldwell	Ferris	Lever	Small
Candler, Miss.	Flynn	Little	Smith, Mich.
Cannon	Fordney	Longworth	Stafford
Cantrill	Foss	Lunn	Steele
Carlin	Frear	McCormick	Steenerson
Carter, Mass.	Freeman	McKenzie	Stephens, Nebr.
Cary	Fuller, Ill.	McKinley	Stevenson
Chandler, N. Y.	Fuller, Mass.	McLaughlin, Mich.	Sumners
Church	Gard	Magee	Swift
Clark, Fla.	Garland	Mondell	Taylor, Ark.
Clark, Pa.	Garner	Moon	Temple
Classon	Gillett	Nelson, J. M.	Templeton
Claypool	Godwin, N. C.	Nicholls, S. C.	Thomas
Cleary	Goodall	Osborne	Tilson
Coady	Gordon	Overmyer	Towner
Connelly, Kans.	Graham, Pa.	Paige	Van Dyke
Cooper, Ohio.	Gray, N. J.	Park	Vare
Cooper, Wis.	Gregg	Peters	Venable
Copley	Griest	Platt	Voigt
Costello	Hamilton, Mich.	Porter	Walker
Cox	Hamilton, N. Y.	Pou	Ward
Crago	Hamlin	Powers	Wason
Curry, Cal.	Hardy	Pratt	Webb
Davis	Hayes	Price	White, Ohio
Dempsey	Heintz	Purnell	Williams
Denison	Hensley	Reavis	Wilson, Ill.
Dent	Hood	Roberts	Wilson, Tex.
Denton	Houston	Robinson	Winslow
Dewalt	Howard	Rowland	Wise
Dickinson	Huddleston	Rucker	Woodyard
Dill	Hull, Iowa	Russell	
Doolittle	Jones	Sanders, Ind.	

The SPEAKER. On this vote 258 Members have responded to their names—a quorum. The Doorkeeper will open the doors.

Mr. RUBEY. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. WALSH. Mr. Speaker, I was reading the charter of the organization when interrupted by the point of order, and now I will proceed from there:

5. The principal office of the corporation is to be located in the Borough of Manhattan, city, county, and State of New York.

6. The number of its directors shall be nine.

7. The names and places of residence of the persons to be its directors until the first annual meeting of the members of the corporation are as follows:

S. Stanwool Menken, No. 54 West Fifty-second Street, New York City.
Herbert Barry, Llewellyn Park, West Orange, N. J.
Edward H. Clark, Hotel Netherland, New York City.
Franklin Q. Brown, No. 34 East Thirty-eighth Street, New York City.
J. Bernard Walker, No. 22 Pierrepont Street, Brooklyn, N. Y.
Lawrence F. Abbott, Cornwall, N. Y.
Charles E. Lydecker, No. 11 East Eighty-first Street, New York City.
Frederick H. Allen, Pelham Manor, N. Y.
William T. Hornaday, No. 2186 Loring Place, Bronx, New York City.

They issued a call for a meeting, to be held December 1, 1914, at the Hotel Belmont, New York City, copy of which call is as follows:

52 WILLIAM STREET, NEW YORK.

You are invited to attend a meeting, to be held on Tuesday, December 1, 1914, at the Hotel Belmont, at 5 o'clock p. m., for the purpose of forming a committee to advocate an inquiry, under congressional authority, as to the condition of our Army and Navy and national defenses, to the end that the people of the United States may know the exact facts relative thereto and form with knowledge an opinion as to what should be the proper national policy.

S. STANWOOD MENKEN.
HERBERT BARRY.
GEORGE HAVEN PUTNAM.
LAWRENCE F. ABBOTT.
J. MAYHEW WAINWRIGHT.
CHARLES E. LYDECKER.
FRANKLIN Q. BROWN.

Reply may be sent to Mr. Menken at above address.

This meeting, it will be noticed, was to discuss a resolution which had been introduced by Representative Gardner, calling for an investigation of our national defenses.

The meeting was held, and attended by some 150 men of prominence in various business activities in the city of New York, and a voluntary association was formed, which later was incorporated as the National Security League.

Mr. Menken was the first president of the league and the late Joseph H. Choate was the first honorary president.

Later Robert Bacon, former Cabinet Member, was president, to be succeeded by Mr. Menken, until June 26, 1918, when Charles E. Lydecker was elected president, which office he now holds.

Hon. Elihu Root succeeded Mr. Choate as honorary president on the decease of the latter.

At the time of its incorporation or some period thereafter the organization adopted the following by-laws:

BY-LAWS OF THE NATIONAL SECURITY LEAGUE (INC.).

I. NAME.

This corporation shall be called the National Security League (Inc.).

II. OBJECT.

The league is established to promote patriotic education and national sentiment and service among the people of the United States, and to promote recognition of the fact that the obligation of universal military service requires universal military training, as more at large set forth in its certificate of incorporation.

III. MEMBERSHIP AND DUES.

(a) All those who were enrolled as members of the league prior to its incorporation on January 7, 1915, and have continued in good standing up to the date of adoption of this by-law; and those who shall have been enrolled and remain in good standing in the league or any of its branches heretofore organized are members of this corporation. On and after April 2, 1916, any citizen of the United States may become a member of the league upon election by the executive committee of the league or by any branch and the payment of the dues prescribed for the class of members in which he or she enrolls.

(b) Regular members shall pay annual dues of $1; regular contributing members shall pay annual dues of $5; life members shall pay a fee of $25; and founder members shall pay a fee of $100, and both shall forever be exempt from annual dues; associate and service members shall pay annual dues in such amount, not less than 10 cents in any branch, as the executive committee of such branch may prescribe.

(c) Branches shall be created and organized by and with the authority of the executive committee. The form of organization, the by-laws, and all proceedings shall be subject to approval of the executive committee. The executive committee shall arrange for the organization of divisions, which shall include the branches in a State or States or other convenient geographical division for the purpose of representation and such other use as such divisions may find to be in the interest of the league, under such names as the branches may give to their divisions. Pending action by the executive committee the branches in each State shall constitute a division.

IV. GOVERNMENT AND ORGANIZATION.

(a) Directors: The directors shall be chosen at the annual meeting of the league by the votes of the delegates at such meeting as herein provided.

The directors shall meet on call of the president, or three or more members of the board may require a meeting to be called by the secretary.

The directors, in addition to their functions as members of the executive committee and elsewhere provided for in these by-laws, shall have the power, by resolution adopted by a majority vote of all their number, to require any decision or action of the executive committee to be submitted to a meeting of the league for approval or disapproval, and in such event no further proceedings shall be had, pursuant to such decision or action of the executive committee, until approved by resolution passed at a meeting of members so to be held.

(b) Officers: The national officers of the league shall be a president, not more than seven vice presidents, a secretary, and a treasurer, all of whom must be members of the league but need not be directors thereof.

At the annual meeting the league may elect an honorary president and one or more honorary vice presidents.

The national officers shall be elected at the annual meeting of the league by the votes of the delegates at such meeting as provided for the election of directors. Officers shall hold office for one year and until their successors are elected and qualify. An executive secretary shall be appointed by and may be removed at any time by the executive committee.

The president may from time to time, with the consent of the executive committee, appoint one or more assistants to the secretary and treasurer, who may respectively perform any part of the duties of the office in the place of said secretary and treasurer. The respective officers shall have such powers and shall perform such duties as are prescribed by law for their respective offices, and in addition they shall perform such other duties as may from time to time be prescribed by the executive committee.

(c) Executive committee: The executive committee of the league shall consist of the president, vice president, secretary and treasurer ex officio, the directors of the league, the members of the executive committee elected by the divisions, and 15 members at large, to be chosen from the league at the annual meeting by the votes of the delegates of the branches as provided by Article V, and one member of each division of the league to be chosen by the branches thereof as provided in Article VI.

A quorum of the executive committee shall consist of seven members thereof.

Pending the appointment of the members at large and the members accredited to the several divisions, the executive committee shall consist of directors and officers above specified.

The executive committee shall generally have power to determine and direct the action to be taken by the league and to do all acts incident to such general powers, subject to any restrictions imposed by law or by the by-laws. A majority of the committee voting for that purpose in person or by proxy shall have power of removal of any officer of the league or of any branch and like power to terminate any membership.

The activities of the league shall be conducted under the immediate direction and responsibility of the executive committee, who shall lay down the lines of organization and appoint the necessary personnel and executives with power to transact the business of the league in compliance with the regulations and general instructions given from time to time by the executive committee: *Provided, however,* That no contracts shall be executed committing the league to expenditure beyond the amount held at the time in the treasury, and provided that all payments, except disbursements out of petty cash, shall be made by check, and that signature and countersignature of two duly appointed officers of the league shall be required on each check. It is further provided that a special committee of the executive committee shall make quarterly audits of the receipts and disbursements of the league and that no officer having the right to sign checks shall act upon said committee.

(d) Other standing committees: There shall be the following standing committees in addition to the executive committee, to wit: A finance committee, a committee on the navy, a committee on the army, a committee on the militia, a committee on transportation, a committee on supplies, a committee on legislation, a committee on extension and branches, a publicity committee, a committee on membership, a committee on receipts and expenditures, and a committee on management, and the executive committee may from time to time create such other standing committees as it may deem advisable and may also terminate the same. Each of the standing commmittees other than the executive committee shall be appointed by the president, with the advice and consent of the executive committee, and shall consist of as many members as may be so appointed. Each standing committee shall adopt its own rules for the conduct of business not inconsistent with the charter and by-laws of the league. The functions of the respective committees shall be those heretofore authorized and exercised, subject to such modification and direction as the executive committee shall have power at any time to discharge any committee and to appoint other members thereto.

V. MEETINGS.

There shall be an annual meeting of the league on the Wednesday following the 1st day of May in each year and such special meetings as may be called by the directors of the league or the executive committee. Such meetings shall be held on notice of not less than 15 days, sent in writing to each division and branch of the league. The meetings of the National Security League (Inc.) shall be meetings of officers and delegates, and such delegates and their representations shall be as follows: Each division as herein provided shall be entitled to two delegates for each branch in said division and shall be entitled to vote as many votes as there are regular and life members in all the branches in said division, and in case of divided vote the delegates of each branch may vote the votes of their branch, if the delegates of a branch divide each voting half their total vote.

The officers who shall each ex officio be delegates to all meetings of the league shall be the national officers of the league, chairman of the executive committee, and the chairman of the advisory council.

At all meetings of the league all delegates may vote in person or by proxy.

VI. BRANCHES.

(a) Organization: The local constituted bodies of the league shall be known as branches and may, under the direction of the executive committee, be organized in any State, Territory, or dependency of the United States or among American citizens living abroad. Each branch shall represent its particular locality and shall bear the name of such locality: *Provided, however,* That the executive committee may define or limit in its own discretion the membership and extent of any branch or in any other manner it sees fit.

When chartered by the executive committee the branch shall at once organize, adopt by-laws, elect an executive committee of not less than seven, and elect officers as prescribed.

In any State where the members of the league have already effected an organization upon a plan of branches differing from that hereby provided they may continue such form of organization, if desired, and shall be entitled to representation at the annual and other meetings of the league in proportion to the number of their members through such delegates as they shall appoint pursuant to their respective methods of organization, provided in other respects they conform to the aims, objects, and general provisions of this organization and its by-laws.

When more than one branch has been organized in any State or other convenient geographical division as designated by the executive committee it shall be the duty of the chairmen of the several branches therein to meet together at the call of the president of the league and annually in the month of April thereafter to choose a State or division committee of not less than seven persons to represent all the branches of such State or division, which committee shall be known as the division committee, taking the name of the appropriate State, Territory, or geographical unit it represents. In voting for such division committee the chairman of each branch therein shall be entitled to vote as many votes as there are regular and life members in his branch.

The division committee shall likewise choose officers for the division in the prescribed manner who shall supervise and control the work of the league among the several branches of such division. It shall be the duty of each division committee to create new branches in its division wherever possible and encourage and carry forward the purposes of the league. Such committee shall at all times be subject to the control of the executive committee of the whole league.

Each division committee is entitled to name one member of the executive committee of the whole league to represent the branches of such division in the executive committee, and it shall be the duty of the division committee when organized and annually in the month of April thereafter to choose such members forthwith.

The provisions of Article III, section c, shall be deemed modified in conformity with this provision as to the organization in such States.

(b) Branch officers: The authorized officers of the branches of the league shall be the same as herein prescribed for the national officers, except that the chief officers of branches shall be called chairman and vice chairman instead of president and vice president. They shall be chosen by the executive committee of their respective branches in the prescribed manner. The duties and powers of branch officers shall correspond within their respective jurisdiction with those prescribed for national officers within the whole league.

(c) Apportionment of annual dues: The proper officer of each branch shall pay each month one-fourth its annual, contributing, and life-membership fees when collected to the treasurer of the league for the general purposes of the league, with power to the executive committee to remit dues under their discretion for any period.

VII. ADVISORY COUNCIL.

An advisory council of the league, not to exceed 100 members of the league, may be chosen by the executive committee immediately after the annual meeting of the league. The council shall elect its own officers. Twenty members shall constitute a quorum. The duty of the council shall be to aid the executive committee on matters of policy and to encourage and carry forward the purposes of the league. The executive committee shall have power to make such changes in the advisory council from time to time as they think proper.

VIII. AMENDMENTS.

These by-laws may be amended by the executive committee of the league by a vote of a majority of a total membership thereof voting in person or by proxy or at any annual or special meeting of the league by a vote of two-thirds of those present, provided that in either case seven days' notice in writing of the proposed amendment shall have been given to the members of the executive committee and to all branches of the league. On consideration of any proposed amendment amendments germane thereto may be offered and voted upon at the meeting.

Many committees were selected to conduct its activities, the membership of which embraced men and women of prominence from all parts of the country, but the majority of which were from in or about New York City.

The executive committee was made up of over 40 members, yet many policies were adopted and plans of action approved at meetings of the committee at which only from 5 to 12 members were present.

After its organization and incorporation the National Security League held various meetings in New York, Chicago, Washington, and elsewhere, passed resolutions on many subjects, and engaged in a publicity campaign for the purpose of stimulating public thought on matter of preparedness for war. Literature in the form of circular letters, speeches, pamphlets, and bulletins were distributed throughout the country, and material in the form of news items was furnished to some 1,200 newspapers throughout the land. A list of literature printed and distributed was furnished the committee, and is as follows:

LIST OF PAMPHLETS ISSUED DURING THE LAST TWO YEARS, 1917–18.

America and the Great War. Arthur E. Bestor.
America at War. Albert Bushnell Hart.
America's Present Needs (address). Elihu Root.
Americanization Service.
Americanism and the Americanization Problem. A. S. Somers.
Autocracy *v.* Democracy, Speakers' Bureau Leaflet.
Before the War, During the War, After the War.
Christianity in International Relations. Herbert Barry.
Concept of National Service. S. Stanwood Menken.
Congress of National Service, Delegates.
Conscientious Objector, The. Dr. George Herbert Mead.
Converted and Secret Americans. Alfred M. Brooks.
Correspondence Course in Patriotism.
Crack in Germany's Armor, The. W. H. Hobbs.

Concurrent resolution submitted to the Senate of the United States. ROBERT L. OWEN.
Defense Not Offense, The Guard at the Door. Form 10B.
Defense Not Offense, The Guard at the Door. Form 10F–G.
Defense of the Republic, The. George Haven Putnam.
Declaration of Principles of the National Security League.
Declaration of Principles adopted by the Congress of National Service.
Declaration of Independence and the World War, Relation Between. T. J. O'Donnell.
Democracy and Compulsory Service. G. G. Coulton.
Democracy and World Politics. Shailer Mathews.
Democracy's Educational Problem. C. H. Van Tyne.
English-French Handbook.
Espionage, Some Suggestions of the Perils of. John B. Stanchfield.
Educational Work, Annual Report upon the.
Food Administration, The. Frederic C. Woodward.
Future of the Republic, The (card). Thomas R. Marshall (2d).
Fight the Next War Now! Dr. Theodore G. Soares.
Fighting the Dragon. Samuel Harden Church.
Fifteen Little War Stories. Herbert Myrick.
Fourth of July Oration. Hon. George W. Wickersham.
German Tragedy. Dr. Henry W. Farnam.
Getting Your Audience. Rev. Dr. Sartell Prentice.
Gibbons for Training, Cardinal.
Great Emergency, The. J. Bernard Walker.
Gompers v. Arthur Henderson, Samuel. E. S. Van Zile.
Gompers, Address by Samuel.
Germany Self-convicted (from "Out of Their Own Mouths").
Germany's Guilt Established. Prince Karl Lichnowsky.
How the War Was Made in Germany. Albert G. Meier.
How to Pronounce War Names.
How the German Empire Has Menaced Democracy. Talcott Williams.
How to Work for Physical Reserve.
Hurry Up, America! Pomeroy Burton.
Handbook of the War.
Handbook, Suggestions for Use of. Hart & Lovejoy.
Ideals of Our War, The. R. M. McElroy.
Jewish Pamphlets (Why We Are at War).
Knowledge by the People True Basis of National Security. S. Stanwood Menken.
Lawrence Plan for Education in Citizenship; a Statement of Aims and Principles.
League and the Teacher, The. Col. C. E. Lydecker.
Menken, Remarks of S. Stanwood.
Menken, Address of S. Stanwood.
Mitchel, Address of John Purroy.
Make America Safe. Mrs. Linden W. Bates.
Money, Munitions, and Ships (address). Frederic R. Coudert.
Naval Policy. Bradley A. Fiske.
Naval Preparedness, What is Adequate. J. Bernard Walker, 2d.
Naval Inferiority, Our (address). Charles G. Curtis.
Navy and the War, The. Franklin D. Roosevelt.
National Solidarity and International Unity. Oscar S. Straus.
National Military Training, the Basis for. Henry L. Stimson.
National Security League, Report of the Army Committee.
National Security League, Annual Report of President of Committee, May 3. 1916.
Annual Report of the President, May 8, 1918.
National Security League (card). O. T. Keep.
National Security League, National Headquarters of (card).
National Security League (address). Elihu Root.
National Security League, Report of Director of Branches, Annual Meeting, May 3, 1916.
National Security League Roster.
National Security League, Report of the Militia Committee.
National Security League, Which of the Following Things, etc. (card).
National Security League, What It Is and Why, etc.
National Security League Bulletin (February, April, June, September, and November, 1918).
National Security League, To the Members of the. Col. C. E. Lydecker.
National Security League, By-laws of the, May 15, 1916.
National Security League, Constitution and By-Laws for Branches of, March 30, 1916.
National Security League, How to Form a Branch and What to Do.
National Security as It Involves the Preparation and Use of the Citizenry. H. K. Love (2).
National Security Congress, Washington, January 20–22, 1916, Proceedings of (2 vols.).
Our Job. E. K. Hubbard.
Outlook for Democracy. Dr. William H. Hobbs.
Pacifism, The Failure of. Francis J. Oppenheimer.
Policy and Armaments. Frederick Scott Oliver.
Preparedness, The Necessity of. Rev. William Carter.
Preparedness, The Spirit of (posters). Edwin H. Blashfield.
Program, Congress of Constructive Patriotism, January 25, 26, 27, 1917.
Proposed Bill for Physical and Military Training to be Submitted to State Legislature.
Preliminary Plan for a High School Patriotic Legion. Breasted.
Perils of Autocracy, The. Talcott Williams.
Pan-Germany Attained To-day (map). The Outlook.
Pan-Germanism. E. E. Sperry.
Principles of the Declaration of Independence. W. M. Wiley.
Physical Exercise, A Manual of.
Posters: The Meaning of America—Awake and Safeguard America—Belgian Children.
Price of Victory. Dr. Henry W. Farnam.
President's War Message. Woodrow Wilson.
Rouse Ye, Freemen! (card). J. A. Browning.
Root, Address by Elihu, September 14, 1917.
Representative Idea, The. R. M. McElroy.
Reamaekers, A Mainspring of Armed Force. S. S. Menken.
Relation Between Declaration of Independence and the World War. T. J. O'Donnell.
Straus, Address of Oscar, February 20, 1916.
Stimson, Remarks of Henry L., January 20–22, 1916.
Some Neglected Aspects of Public Speaking. Prof. Solomon H. Clark.
Songs for Patriotic Meetings.
Song of the Marchers, The, June 14, 1917.
Speakers' Training Camp, Reasons for and Objects of.
Suggestions for the Organization of a State for Patriotic Education. M. F. Libby.
Stop Malicious Rumors—Help Win the War. National Committee of Patriotic Societies.
Suggestions for Pro-American Propaganda. E. V. Leighton.
Suggestions for Speakers on the United States and the World War. Richard T. Ely.
School Liberty Loan Campaigns, 1918.
Spanish Pamphlet. E. V. Leighton.
Second-Line Trench. E. V. Leighton.
Teaching of Patriotism in Home and School. Mrs. A. J. George.
Ten Fundamental War Principles. Dr. Thomas F. Moran.
Tentacles of the German Octopus in America. E. E. Sperry.
Teacher and the War, The. Dr. F. L. Patton.
This Will Win the War (poem). R. Kipling.
Teachers' Patriotic Leaflets, volume 1, 1–6. E. V. Leighton.
United States and the World War. Richard T. Ely.
Universal Military Training, Now Let's Have (leaflets).
Universal Selective Training, Plan of.
Universal Obligatory Military Training and Service. George R. Conroy.
Universal Military Training. H. L. West.
Vote by States in the Senate and House on Preparedness Measures.
War Points for Americans. M. F. Libby.
Why We Are at War, Why You Must Help, etc.
What Doest Thou Here, America? Sartell Prentice.
War, Issues of the. Henry L. Stimson.
War, the Cause and Meaning of This. F. W. Henshaw.
What Our Country Asks of Its Young Women. Mrs. Percy V. Pennybacker.
What Rutherford Has Done.
Whitnes Articles, The Casper.
What Fight Ye For? Rev. J. R. Cassidy.
Why American Labor Is Back of the War. George W. Perkins.
War, The. Clarence Darrow.
Why British Labor Supports the War. J. S. Seddon.
Woman's Place in Our Cities. Susanna Crocroft.
Why the U. S. Is at War. Dr. Shailer Mathews.
Why Do We Fight Germany? Hon. Franklin K. Lane.
Why We Are at War. Josephine Daskam Bacon.
Wisconsin Resolution, May 17, 1918.
Wake Up, Teachers of America. E. V. Leighton.
What Universal Military Training Can Do (leaflet).
What the Kaiser Says.
Why We Are at War with Germany. Charles Robinson Smith.
Work of the National Security League. Henry L. West.
You Will Win the War. George Horace Lorimer.
Your Fellow Citizens Ask You to Do Your Duty (circular).

Its officers solicited funds to carry on the work, and its appropriate committees assisted in the formation of branch organizations in a great many States of the Union. It was particularly interested in the question of military training, and it sent requests of the attitude of Members of the Congress upon the question of universal military training and service. It invited Members of Congress to become members of the league, and many Senators and Representatives joined, and many Members of Congress replied to the questions relative to universal military training and service, a majority of the replies received being favorable to some plan which would provide for this. Branch organizations were established in many States under the auspices of the corporation at New York. The league caused to be printed many thousands of patriotic circulars and pamphlets which were sent throughout the Nation, upon various patriotic topics, and it organized various meetings at which addresses were delivered by many men prominent in the public service and of eminent distinction. Through its committee on patriotism and service it developed a plan of Americanization which was executed on a tremendous scale in many States.

No characterization of the votes was made, nor were any Members charged directly or indirectly with lack of ability, want of patriotism, or loyalty in the 1916 election campaign.

The activity at this time seems to have been inspired by moderation and a desire to be accurate and fair.

Supplementing the issuance and distribution of this circular the National Security League printed and circulated several thousand placards in October, 1916, just before the election, as follows:

> Vote for the candidate in Congress in your district, irrespective of party, who believes in these principles of preparedness: Universal obligatory military training, an adequate Army, Navy second in strength, governmental efficiency, industrial preparedness, country above party, patriotism through education, unified national spirit.

Which text was also printed and sent to all members of the organization. This particular activity during the 1916 elections was not conducted along partisan lines, nor was it augmented by any other activity. The records of Members of Congress were compiled from the CONGRESSIONAL RECORD by the executive secretary and Mr. Charles E. Lydecker, the latter at that time being a member of the executive committee of the league. The organization continued its work along its lines of patriotic endeavor to arouse sentiment favorable to increasing of military and naval defenses, and upon the declaration of war in April, 1917, it enlarged its work by seeking, through the medium of addresses, publication of articles, and various other activities for the purpose of stimulating a win-the-war spirit among the people.

During the summer of 1918 one Charles D. Orth, who described himself to be a member of the firm of Hansen & Orth, importers and sellers of rope and binder twine, suggested to certain officers of the league that he desired to offer his services to the organization, and that he had formulated a plan to conduct certain activities in connection with the approaching congressional elections which he thought of importance. After some slight consideration, with no investigation as to the requirement of State or Federal statutes as bearing on activity by the organization in a campaign such as was proposed, and with practically no attention to the question of Mr. Orth's qualifications to conduct such an activity, he was appointed chairman of the league's congressional committee. Shortly thereafter the troubles of the National Security League began. As a result of his management of the congressional activities, differences arose in the executive committee and among members of the league. Mr. Orth was a business man, who had never participated in any particular political activity, and had only followed political matters in the usual manner of a busy citizen engaged in the conduct of a business requiring expert knowledge. He had never made any particular study or investigation of the manner of conducting a campaign of politics or education. He had been a reader of the CONGRESSIONAL RECORD for some few years, but with no special object in view other than to secure general information upon the work of Congress. He relied principally upon newspaper accounts for the results of congressional deliberation, and was not informed upon the method or the effect of enactment of resolutions or acts by either branch of Congress.

He apparently was not required to prove any adaptability of the plan he proposed to put into execution, but was selected to do the work, and was given a free hand. He caused to be prepared a chart, which was circulated widely, bearing the caption, "Congressional chart on preparedness." This set forth the votes of Members of the House upon eight matters acted upon in the House of Representatives, and was known as the "acid-test" chart.

It tabulated the votes as "wrong" or "right."

It did not set forth the measures voted upon.

It did not accurately set forth the substance of the measures in three instances.

It did not explain what the vote cast was, nor did it supplement the vote shown with subsequent votes upon the same question.

It set forth an interpretation of the measures under consideration by the House which was not warranted and which was unjust.

It did set forth the votes of Members, but it did not explain accurately the effect of the vote cast.

In witness whereof we have made, signed, and acknowledged this certificate in duplicate.

Dated January 7, 1915.

STANWOOD MENKEN.
HERBERT BARRY.
EDWARD H. CLARK.
FRANKLIN Q. BROWN.
J. BERNARD WALKER.
JOHN H. ISELIN.

The idea of organizing the league was first conceived by Mr. S. Stanwood Menken, of 34 West Fifty-second Street, New York City, an attorney whose law firm represents many large business interests.

Mr. Menken testified that the idea first came to him while he was in the gallery of the House of Commons of the British Parliament, listening to a debate in which was discussed the condition of the British nation respecting preparedness for war, early in August, 1914.

Mr. Menken upon his return to the United States communicated with the late Augustus P. Gardner, Representative from Massachusetts, on the subject of forming an organization for the purpose of arousing public sentiment with relation to the actual state of unpreparedness in the United States. He discussed the matter with several of his acquaintances, and late in November, 1914, he, together with Messrs. Herbert Barry, George Haven Putnam, Lawrence F. Abbott, J. Mayhew Wainwright, Charles E. Lydecker, and Franklin Q. Brown——

Mr. RAKER. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman yield?

Mr. WALSH. No; not at this time.

Mr. OVERSTREET. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. OVERSTREET. Mr. Speaker, how much time has the gentleman got?

The SPEAKER. Enough to read the report in.

Mr. OVERSTREET. I want to know how much time he has.

The SPEAKER. The Chair can not tell how much time he has, but he has time enough to read his report.

Mr. OVERSTREET. But it is getting late. We ought to transact business. [Laughter.]

The SPEAKER. The House will be in order.

Mr. WALSH. Mr. Speaker, to continue, on the restoration of order in the House——

Mr. KNUTSON. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. WALSH. I do not yield to any parliamentary inquiry.

The SPEAKER. The gentleman declines to yield.

Mr. WALSH. It sought in various ways to arouse public sentiment on the question of preparedness, and in 1916 it issued a tabulated statement of the votes of Members of Congress upon four measures which the league, through a committee, had decided were important preparedness measures.

This table was not in the form of a chart, but in a pamphlet, and it set forth the votes of each Member on the measures indicated as being for or against the pending legislation under consideration. The four measures were as follows:

VOTE IN CONGRESS, BY STATES, ON PREPAREDNESS MEASURES.

House of Representatives: Kahn amendment to the Hay Army bill. Vote by States, March 23, 1916.

United States Senate: Brandegee amendment to the Hay-Chamberlain Army bill; vote by States, April 18, 1916. House of Representatives: Senate's proposal to fix size of Regular Army at 250,000; vote by States in House, May 18, 1916.

United States Senate: Proposition to strike out section 56 of the Chamberlain (Senate) substitute which provided for a Volunteer Reserve Army wholly under Federal control; vote by States, April 18, 1916. House of Representatives: Section 56, Chamberlain (Senate) substitute; vote in House to retain the section, May 8, 1916.

House of Representatives: Vote on motion to recommit naval appropriation bill with instructions for increase, June 2, 1916.

Mr. CHANDLER of Oklahoma. Mr. Speaker, this is a very important matter, and I think we should have a quorum present.

Mr. KNUTSON. I think the gentleman should withdraw that suggestion. The gentleman from Massachusetts ought to be allowed to present his side of the case, notwithstanding the fact that he refused to yield to me. I suggest to the gentleman from Oklahoma to withdraw his point of no quorum.

The SPEAKER. Does the gentleman withdraw his point of no quorum?

Mr. CHANDLER of Oklahoma. I do not, Mr. Speaker.

The SPEAKER. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. RUBEY. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Missouri moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Doughton	Huddleston	Rucker
Ashbrook	Drane	Hull, Iowa	Russell
Barnhart	Drukker	Husted	Sanders, Ind.
Birch	Dupré	Jones	Sanders, N. Y.
Blackmon	Eagle	Kahn	Sears
Booher	Elston	Kehoe	Sells
Bowers	Emerson	Kelley, Mich.	Shackleford
Britt	Essen	Kennedy, Iowa	Shallenberger
Browning	Estopinal	Kettner	Sherley
Brumbaugh	Evans	Key, Ohio	Sherwood
Buchanan	Fairchild, G. W.	Kiess, Pa.	Shouse
Caldwell	Ferris	Kinkaid	Slayden
Cantrill	Flynn	Langley	Slemp
Carew	Fordney	Lee, Ga.	Small
Carlin	Foss	Lever	Smith, Mich.
Carter, Mass.	Frear	Little	Stafford
Cary	Freeman	Lunn	Steele
Chandler, N. Y.	Fuller, Ill.	McKinley	Steenerson
Church	Fuller, Mass.	Magee	Stephens, Nebr.
Clark, Fla.	Gard	Mays	Sterling
Clark, Pa.	Garland	Miller, Wash.	Stevenson
Classon	Garner	Mondell	Swift
Claypool	Gillett	Moon	Taylor, Ark.
Cleary	Godwin, N. C.	Mott	Temple
Coady	Goodall	Nelson, John M.	Thomas
Connelly, Kans.	Gordon	Nicholls, S. C.	Towner
Cooper, Ohio	Graham, Pa.	Oldfield	Van Dyke
Cooper, Wis.	Gray, N. J.	Osborne	Vare
Copley	Gregg	Overmyer	Venable
Costello	Hamill	Paige	Voigt
Cox	Hamilton, Mich.	Park	Waldow
Crago	Hamilton, N. Y.	Peters	Walker
Curry, Cal.	Hamlin	Platt	Webb
Davis	Hardy	Porter	Wheeler
Denison	Haugen	Pou	White, Ohio
Dent	Hayes	Powers	Williams
Denton	Heintz	Pratt	Wilson, Ill.
Dewalt	Helvering	Price	Wise
Dickinson	Hensley	Purnell	Woodyard
Dies	Holland	Reavis	Young, Tex.
Dill	Hood	Roberts	Zihlman
Dooling	Houston	Robinson	
Doolittle	Howard	Rowland	

The SPEAKER. On this roll call 259 Members, a quorum, have answered to their names.

Mr. RUBEY. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Missouri moves to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] is entitled to the floor.

Mr. KNUTSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KNUTSON. How long is it going to take to whitewash this National Security League?

The SPEAKER. I do not think it is going to be whitewashed if this House knows its own opinion. [Applause.]

Mr. BRITTEN. Mr. Speaker, with the consent of the gentleman from Massachusetts [Mr. WALSH], I ask unanimous consent to extend my remarks in the RECORD on the National Security League.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks on the National Security League. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend the remarks previously made by me by including a portion of a letter that was not read.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FISHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. WELLING. I ask unanimous consent to extend my remarks by printing a memorial passed by the legislature of my State.

Mr. KEARNS. On what subject?

Mr. WELLING. On the subject of establishing a national monument in my State.

Mr. KEARNS. I think that ought to be done.

The SPEAKER. The gentleman from Utah asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. WELLING. Mr. Speaker, I avail myself of the leave granted me to extend my remarks by inserting in the RECORD a memorial to the Congress asking for the establishment in Garfield County, in the State of Utah, of a national monument to be known as the "Temple of the Gods."

This region, known locally as Bryce's Canyon, is one of majestic beauty. The grandeur of its mountain scenery can not be excelled in any spot in America, and those of us who know the region and love it are anxious that it should be set apart as a national park before the land passes into the ownership of private interests.

I include with the memorial a letter of indorsement from Gov. Bamberger, of my State, in transmitting the document to the Congress.

STATE OF UTAH, EXECUTIVE OFFICE,
Salt Lake City, February 27, 1919.

Hon. MILTON H. WELLING,
House of Representatives, Washington, D. C.

MY DEAR MR. WELLING: I am sending you herewith for your information a copy of a memorial introduced to-day in the lower house of our State legislature asking that Bryce's Canyon be set aside as "The Temple of the Gods National Monument."

Last summer it was my pleasure to visit this scenic wonder, and I concur most heartily in the appeal that it be protected and preserved for the enjoyment of our people. In my estimation it is one of the most remarkable scenic attractions in our entire western country. I am very anxious that such action be taken as will make it a national monument before it has the opportunity to pass into private control.

With kind personal regards, I am,

Sincerely, yours,
SIMON BAMBERGER,
Governor.

A memorial to the Congress of the United States to create the Temple of the Gods National Monument.

To the Senate and House of Representatives of the Congress of the United States:

Your memorialists, the governor and the Legislature of the State of Utah, respectfully represent:

On the public domain within the boundaries of the Sevier National Forest, in the Pink Mountain region, near Tropic, Garfield County, Utah, there is a canyon popularly referred to as Bryce's Canyon, which has become famed for its wonderful natural beauty. Inasmuch as the State and Federal Governments have indicated a desire that the natural attractions of our State and our country be protected and preserved for the enjoyment of posterity, therefore your memorialists respectfully urge that the Congress of the United States set aside for the use and enjoyment of the people a suitable area embracing Bryce's Canyon as a national monument under the name of "The Temple of the Gods National Monument."

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the use of the mails for the promotion of fraudulent enterprises under the guise of war charities and patriotic organizations.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. CHANDLER of Oklahoma. Mr. Speaker, I ask unanimous consent that the Clerk read a telegram which I have received.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to have a telegram read. Is there objection?

Mr. BRITTEN. What is the telegram about?

Mr. CHANDLER of Oklahoma. The Irish question.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to have read a telegram on the Irish question. Is there objection?

There was no objection.

The Clerk read as follows:

TULSA, OKLA., *March 3, 1919.*

Congressman CHANDLER,
Washington, D. C.:

At a banquet of the Knights of Columbus and their friends in the city to-night the following resolutions were adopted, with instructions that copies be telegraphed to you:

"Whereas the supreme board of directors of the Knights of Columbus, at a meeting held in New York January 4, adopted resolutions setting forth that Ireland has a right to self-determination 'which can not be denied,' and asking President Wilson to use his great influence at the peace conference in this behalf; and

"Whereas the National Convention of the Friends of Irish Freedom, representing some millions of our citizens and held in Philadelphia recently, urged the claims of the Irish people to self-determination in the name of justice, because 'all governments derive their just power from the consent of the governed'; in the name of America, because no other people have contributed more than those of Irish blood to the creation, upbuilding, development, preservation, and defense of our great country; in the name of Ireland, because she has struggled for freedom for centuries and in the last few months her people have declared by an overwhelming majority their dissatisfaction with their present Government and their determination to be free and independent of any outside power or influence; in the name of humanity and peace and order, because war can not be brought to an end and a just and permanent peace established except by the application of the doctrine of self-determination to Ireland as well as to all the other small nations of the earth; and

"Whereas the mayor and city commissioners of the city of Tulsa, at a recent meeting adopted resolutions in agreement with the same sentiments, and declaring further that the people of Ireland are and have a right to be free and independent, and the delegates of the Irish Constituent Assembly, Count Plunkett Edward Devalera and Arthur Griffith, should be seated at the peace conference; and that this Government should recognize the Irish republic; and

"Whereas we, the members of the Knights of Columbus and their friends of the city of Tulsa, believe that the majority of the people of this community sympathize with the aspirations and demands of the Irish people as set forth in the resolutions above referred to: Now, therefore, be it

"*Resolved*, That we hereby indorse and approve the resolutions of the board of national directors, the friends of Irish freedom, and the mayor and city commissioners of the city of Tulsa; and be it further

"*Resolved*, That we extend to President Wilson our best wishes for a safe and speedy voyage to Paris, with the hope that his labors for peace be crowned with success, and, to quote his own words when making the motion for the appointment of the league of nations committee, that the peace conference 'will not dare to compromise on this principle, that they are the masters of no people, but are there to see that every people in the world shall choose its own masters and govern its own destinies.'"

A. A. DAVIDSON, *Toastmaster.*

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] has the floor.

Mr. WALSH. I ask for order, Mr. Speaker.

Mr. HEFLIN. I was just going to ask unanimous consent to extend my remarks in the RECORD on the subject of cotton.

Mr. WALSH. I do not yield, Mr. Speaker.

The SPEAKER. Gentlemen will all take their seats. There will be plenty of time. The gentleman from Massachusetts will proceed.

Mr. WALSH. Mr. Speaker, to continue, I was speaking about the pamphlet which was circulated by this organization during the elections of 1916 and had enumerated the four measures which were contained in that pamphlet, the vote for and against which had been set forth in the pamphlet by the committee having the matter in charge. The votes were set forth without characterization and without comment, except that those who voted for the measures indicated their preference for preparedness and those voting against the measures were voting against measures which would provide more effectual defense.

Mr. CURRIE of Michigan. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Michigan makes the point that no quorum is present, and evidently there is none.

Mr. SAUNDERS of Virginia. Mr. Speaker, I move a call of the House.

The question was taken; and on a division (demanded by Mr. SABATH) there were 71 ayes and 1 no.

So the motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Doughton	Hull, Iowa	Russell
Ashbrook	Drane	Johnson, Wash.	Sanders, Ind.
Austin	Drukker	Jones	Saunders, Va.
Barnhart	Dupré	Kahn	Sears
Blackmon	Eagle	Kearns	Sells
Booher	Elston	Kennedy, Iowa	Shackleford
Bowers	Emerson	Kettner	Shallenberger
Brand	Essen	Key, Ohio	Sherley
Britt	Estopinal	Kiess, Pa.	Sherwood
Britten	Evans	Kinkaid	Shouse
Browning	Fairchild, G. W.	Kreider	Slayden
Brumbaugh	Ferris	La Follette	Slemp
Buchanan	Flynn	Lampert	Small
Byrnes, S. C.	Focht	Langley	Smith, Mich.
Caldwell	Fordney	Lee, Ga.	Stafford
Cantrill	Foss	Lever	Steele
Carlin	Frear	Little	Steenerson
Carter, Mass.	Freeman	Lunn	Stephens, Nebr.
Cary	Fuller, Ill.	McKenzie	Sterling
Chandler, N. Y.	Fuller, Mass.	McKinley	Stevenson
Church	Gard	Madden	Swift
Clark, Fla.	Garland	Magee	Taylor, Ark.
Clark, Pa.	Garner	Mays	Taylor, Colo.
Classon	Gillett	Mondell	Temple
Claypool	Godwin, N. C.	Moon	Templeton
Cleary	Good	Mott	Thomas
Coady	Goodall	Nelson, J. M.	Tilson
Connelly, Kans.	Gordon	Nicholls, S. C.	Tinkham
Cooper, Ohio.	Gould	Norton	Towner
Cooper, W. Va.	Graham, Pa.	Oliver, Ala.	Van Dyke
Cooper, Wis.	Gray, Ala.	Osborne	Vare
Copley	Gray, N. J.	Overmyer	Venable
Costello	Gregg	Paige	Vinson
Cox	Hamilton, Mich.	Park	Voigt
Crago	Hamilton, N. Y.	Parker, N. J.	Walker
Crisp	Hamlin	Peters	Wason
Crosser	Hardy	Platt	Webb
Curry, Cal.	Haugen	Porter	Wheeler
Davis	Hayes	Pou	White, Ohio
Dempsey	Heaton	Powers	Wilson, Ill.
Denison	Heintz	Pratt	Wise
Dent	Helvering	Price	Wood, Ind.
Denton	Hensley	Purnell	Woodyard
Dewalt	Hersey	Reavis	Wright
Dickinson	Hood	Roberts	Young, Tex.
Dies	Houston	Robinson	
Dill	Howard	Rowland	
Doolittle	Huddleston	Rucker	

The SPEAKER. On this roll call 238 Members have answered to their names—a quorum.

Mr. RAKER. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. WALSH. Mr. Speaker, to continue from the point where I was interrupted: In addition to the preparation and circulation of the chart, the league, at his suggestion and with his participation in their preparation, sent out news items, bulletins, and publicity matter, the plain intent of which was to impugn the loyalty of Members of Congress who had been tabulated as voting wrong on the eight test votes or any of them. It compiled a roll of honor consisting of 47 Members of the House of Representatives who had voted right, in the estimation of the league, upon all of the eight measures, and tabulated Members who had voted wrong as not 100 per cent American.

In addition to the chart circulated by the league, Mr. Orth prepared a questionnaire, which was sent to Members of the House asking them to bind themselves to vote in a certain way upon certain measures, and submitting inquiries in such a way that to have answered in any manner except as the league plainly desired would have been to bring down the condemnation of the organization, with attacks upon the Members' loyalty.

It was the purpose of Mr. Orth, according to his testimony, in sending out the questionnaire to furnish to the Members of the House of the Sixty-fifth Congress who might have been candidates for reelection an opportunity to correct any error in the chart or any injustice done them by the chart; and it was Mr. Orth's intention to circulate the replies to the questionnaire and to correct any unfairness "in the closing hours of the campaign."

In one or two instances where an explanation was attempted by Representatives of their vote or of their being recorded as not voting, Mr. Orth immediately engaged in a controversy, seeking to justify his action, and failed or neglected to correct the unfairness and manifest injustice done.

The committee of which Mr. Orth was chairman failed to consider, and he apparently did not appreciate, the many measures of vital importance passed by record votes subsequent to our entry into the war, and no credit was accorded the Members for the votes or work for the enactment of these many vital war measures.

The officials of the league, with three notable exceptions, strenuously contended that the activity of the organization as conducted by Mr. Orth was not engaging in a political activity, the three exceptions being the honorary president, Elihu Root; the honorary vice president, Alton B. Parker; and the executive secretary, Henry L. West, these gentlemen agreeing that such activity was political but not partisan.

While the literature of the league generally proclaimed that its work, as conducted by the congressional committee, was simply a campaign of education, its work was in no wise under the jurisdiction of its educational director, and in several instances its effort was directed against particular candidates in an attempt to defeat them at the election.

Now, Mr. Speaker, before presenting my conclusion on all the testimony, and because of the language of the resolution adopted by this House calling for an investigation, I desire to present to the Members present the by-laws of this organization and to ask your careful attention to the language incorporated in these by-laws. But before doing that, Mr. Speaker, I desire here and now to say that my presentation of this report is in no way——

Mr. BLAND of Indiana. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. SABATH. Mr. Speaker, no business has been conducted since a quorum was found to be present a short while ago.

The SPEAKER. Oh, yes; the Chair thinks there has been. The Chair will count.

Mr. RIORDAN (interrupting the count). Can the Chair pay attention to Members who are going out of the Hall now? There are many Members leaving the Hall.

The SPEAKER. There is no way of keeping them here if they want to leave. [After counting.] One hundred and fifty-seven Members are present, not a quorum.

Mr. CANDLER of Mississippi. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Dempsey	Hamilton, Mich.	Merritt
Anthony	Denison	Hamilton, N. Y.	Mondell
Ashbrook	Dent	Hamlin	Moon
Austin	Denton	Hardy	Mott
Bacharach	Dewalt	Haugen	Neely
Barnhart	Dickinson	Hayes	Nelson, J. M.
Blackmon	Dies	Heintz	Nicholls, S. C.
Bland, Ind.	Dill	Helm	Oldfield
Booher	Doolittle	Helvering	Olney
Bowers	Doughton	Hensley	Osborne
Brand	Drane	Hicks	Overmyer
Britt	Drukker	Holland	Paige
Britten	Dupré	Hood	Park
Browning	Eagle	Houston	Peters
Brumbaugh	Elliott	Howard	Platt
Buchanan	Elston	Huddleston	Porter
Byrnes, S. C.	Emerson	Hull, Iowa	Pou
Caldwell	Estopinal	Johnson, Wash.	Powers
Cannon	Evans	Jones	Pratt
Cantrill	Fairchild, G. W.	Kahn	Price
Carlin	Ferris	Kelley, Mich.	Purnell
Carter, Mass.	Flynn	Kennedy, Iowa	Reavis
Cary	Fordney	Kettner	Roberts
Chandler, N. Y.	Foss	Key, Ohio	Robinson
Church	Frear	Kiess, Pa.	Rowland
Clark, Fla.	Freeman	Kinkaid	Rucker
Clark, Pa.	Fuller, Ill.	Kreider	Russell
Classon	Fuller, Mass.	La Follette	Sanders, Ind.
Claypool	Gard	Langley	Sanders, N. Y.
Cleary	Garland	Lee, Ga.	Sanford
Coady	Garner	Lesher	Scott, Iowa
Connelly, Kans.	Garrett, Tex.	Lever	Sears
Cooper, Ohio	Gillett	Little	Sells
Cooper, W. Va.	Glynn	Longworth	Shackleford
Cooper, Wis.	Godwin, N. C.	Lunn	Shallenberger
Copley	Goodall	McFadden	Sherley
Costello	Gordon	McKenzie	Sherwood
Cox	Graham, Pa.	McKinley	Shouse
Crago	Gray, Ala.	McLaughlin, Mich.	Slayden
Crisp	Gray, N. J.	Madden	Slemp
Curry, Cal.	Gregg	Magee	Small
Davis	Griest	Mays	Smith, Mich.

Snell	Stevenson	Towner	Williams
Snook	Swift	Vare	Wilson, Ill.
Stafford	Taylor, Ark.	Venable	Wise
Steele	Taylor, Colo.	Voigt	Wood, Ind.
Steenerson	Temple	Waldow	Woods, Va.
Stephens, Miss.	Templeton	Walker	Woodyard
Stephens, Nebr.	Thomas	Webb	Wright
Sterling	Tilson	White, Ohio	Young, Tex.

The SPEAKER. On this roll call 228 gentlemen answered to their names, a quorum.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD——

Mr. KNUTSON. Mr. Speaker, reserving the right to object——

The SPEAKER. The gentleman can not do anything until we get rid of this call.

Mr. RUBEY. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. WALSH. Mr. Speaker——

Mr. NORTON. Will the gentleman yield?

Mr. WALSH. Not now.

The SPEAKER. The gentleman from Massachusetts.

Mr. WALSH. Mr. Speaker, to continue, I desire to read the by-laws of the National Security League.

Mr. PLATT. Mr. Speaker, the gentleman is reading so fast we can not understand it.

The SPEAKER. The gentleman has a right to read as fast as he pleases.

Mr. WALSH. These articles and the by-laws are all that I shall direct attention to in order to present now the conclusions which I desire to submit. From all the testimony the following conclusions are, in my opinion, fully justified: That the National Security League from its foundation contributed in a large measure to the work of arousing patriotic sentiment in the country, both before and after our entry into the war. Its campaign of patriotism through education was a commendable work. Its funds were secured chiefly from men engaged or interested in business enterprises of vast importance, although the membership fees from its eighty-odd thousand members were no insignificant amount. Its officials were, for the most part, inspired by patriotic purposes, but were in some instances not disposed to be frank in their testimony, and at least one of its officers has not hesitated to express sentiments hardly to be expected from persons directing an organization seeking to inculcate patriotism and love for our Government.

Mr. QUIN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. QUIN. I think the conclusions the gentleman has reached are important, and I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Mississippi makes the point of order there is no quorum present.

Mr. BANKHEAD. Mr. Speaker, I make the point of order that a quorum has just been ascertained to be present only a moment ago and that this is a dilatory motion.

The SPEAKER. The point of order is not well taken.

Mr. QUIN. Mr. Speaker, I will withdraw the point of order.

The SPEAKER. The gentleman withdraws the point of order.

Mr. WALSH. Mr. Speaker——

Mr. COLLIER. Will the gentleman from Massachusetts yield?

Mr. WALSH. I prefer not to yield.

Mr. COLLIER. Then I shall not interrupt the gentleman.

Mr. WALSH. Mr. Speaker, to continue. Its congressional committee engaged in political activity, and in at least three instances sought directly to defeat a sitting Member of the Sixty-fifth Congress.

It circulated literature that carried the insinuation that Members who had voted upon measures selected by the league, and whose votes had been by it denominated as wrong votes, were not loyal.

It has filed no return or account of the expenditures made by the league in carrying on its activity, and while it is claimed that only $5,900 or thereabouts was expended in its congressional activity, this does not include salaries of those engaged, nor the cost of printing and circulation of literature other than the chart and questionnaire. This sum expended in the congressional campaign was collected particularly for the purpose, and some $8,000 was received for this fund.

Its activity through the congressional committee furnished information in such form as to invite most unfavorable and unjust criticism of the records of Members of the House of Representatives, and failed to lay all the facts before the people, whom, it is alleged, an effort was being made to educate. It is not contended that any evidence of malice in any particular instance is shown.

Its honorary officers were not cognizant of the detailed activities of the congressional committee, but freely expressed to your committee their disapproval of certain things done or sought to be accomplished. The honorary vice president expressed emphatically his disapproval of the congressional activity as conducted by Mr. Orth at a meeting of the executive committee.

The branch organizations at Chicago and Milwaukee operated independent of the parent organization at New York.

The Chicago branch sought directly to defeat FRED A. BRITTEN for nomination in the primaries in September, 1918.

The Wisconsin branch did not participate in either the primary or election campaign in Wisconsin.

The Federal statute requiring the filing of expenditures apparently includes within its scope an organization such as the National Security League when it engages in activity such as was conducted by its congressional committee during the national congressional elections in 1918——

Mr. SNELL. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. WALSH. Mr. Speaker, I suggest that the gentleman withdraw the point; I have only two more sentences to read.

Mr. SNELL. I will withdraw the point of order.

The SPEAKER. The point of order is withdrawn.

Mr. WALSH. The work conducted by the league through its congressional committee was not such as was contemplated or permitted under the charter granted by the State of New York. The above conclusions are respectfully submitted without recommendation. [Applause.]

Mr. BROWNE. Mr. Speaker, I move the adoption of the majority report, and upon that motion I move the previous question.

Mr. FLOOD. Mr. Speaker, I understood I was to have recognition.

The SPEAKER. Of course, the gentleman is to be recognized as soon as we get through with this thing. The gentleman from Wisconsin moves the adoption of the majority report, and on that motion he moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Wisconsin.

The question was taken, and the report was agreed to.

On motion of Mr. BROWNE, a motion to reconsider the vote by which the report was agreed to was laid on the table.

INDEPENDENCE OF IRELAND.

Mr. FLOOD. Mr. Speaker, I move to suspend the rules and pass H. J. Res. 357, the Irish resolution.

The SPEAKER. The gentleman moves to suspend the rules and pass the resolution, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 357) requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said canference the right of Ireland to freedom, independence, and self-determination.

The SPEAKER. Is a second demanded?

Mr. CONNALLY of Texas. Mr. Speaker, I demand a second.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois is entitled to 20 minutes and the gentleman from Texas is entitled to 20 minutes.

Mr. FLOOD. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. GALLAGHER]. [Applause.]

Mr. GALLAGHER. Mr. Speaker——

Mr. MOORE of Pennsylvania. Mr. Speaker, before the gentleman from Illinois proceeds, may we have the resolution read?

The SPEAKER. Without objection, the resolution will be read.

The Clerk read as follows:

Resolved, etc., That the commissioners plenipotentiary of the United States of America representing the United States at the international peace conference soon to assemble at Versailles be, and are hereby, requested to present to and to urge upon the said international peace conference the right to freedom, independence, and self-determination of Ireland, predicated upon the principle laid down by the President in his plea for an international league, that "all governments derive their just powers from the consent of the governed."

The Clerk read the committee amendment, as follows:

Page 1, strike out lines 1 to 9, inclusive, and page 2, lines 1 and 2, inclusive, and insert:

"Resolved by the House of Representatives (the Senate concurring), That it is the earnest hope of the Congress of the United States of America that the peace conference, now sitting in Paris, in passing upon the rights of various peoples, will favorably consider the claims of Ireland to the right of self-determination."

And amend the title.

The SPEAKER. The gentleman from Illinois [Mr. GALLAGHER] is recognized.

Mr. PARKER of New Jersey. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PARKER of New Jersey. Which resolution is offered, the original or the amendment? We can not amend on a motion to suspend the rules.

The SPEAKER. The one that is read is the one.

Mr. MANN. He read both. Instead of the original joint resolution the committee reported by striking out and reporting the concurrent resolution. Now, the Clerk read both. I suppose we do not want to pass both.

Mr. FLOOD. We want to pass the substitute for the joint resolution.

The SPEAKER. The Clerk will read the substitute again.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the earnest hope of the Congress of the United States of America that the peace conference, now sitting in Paris, in passing upon the rights of various peoples, will favorably consider the claims of Ireland to the right of self-determination.

Amend the title so as to read: "Concurrent resolution expressing the earnest hope of the Congress of the United States that the peace conference will favorably consider self-determination for Ireland."

Mr. GALLAGHER. Mr. Speaker, this is not a party question. It is a matter that has been brought to the attention of this House by more resolutions than have ever been introduced on any subject we have had to deal with in this House since the breaking out of the war. It is a question that millions of people in America are interested in and a question that liberty-loving people all over the world are anxious to have settled and settled right if we expect to have peace in the world.

We have been given hope by the declarations of our President that the rights of small nations would be considered if we met with success at the termination of the war. Hope, it is true, so far as Ireland is concerned, has been long deferred, but we have been encouraged in the new and widespread movement for the freedom of small nations to believe that Ireland's claims will at last be given consideration.

In his great message to Congress asking for a declaration of war on Germany on April 2, 1917, President Wilson said:

It is a fearful thing to lead this great, peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance.

But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free.

It would seem strange, indeed, in view of these facts, if the people of Ireland and men of Irish blood in America did not feel that it was but just to demand for Ireland the same rights as those to be accorded all the other small nations. We have a right to feel, and we do feel, that this Government at least is in honor bound to apply these principles without reservation to Ireland, as well as all the other small nations, demanding liberty, freedom, and independence.

We ask consideration of the resolution that has been favorably reported from the Committee on Foreign Affairs, expressing the earnest hope of the Congress of the United States that the peace conference will take up the question of self-determination for Ireland.

I introduced in the House some two years ago a resolution quite similar to the one we are called upon to consider, and when the peace commissioners were appointed I changed the resolution:

Requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of Ireland to freedom, independence, and self-determination.

The Committee on Foreign Affairs, after considering my resolution, reported the same to the House with this substituted, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the earnest hope of the Congress of the United States of America that the peace conference, now sitting in Paris, in passing upon the rights of various peoples, will favorably consider the claims of Ireland to the right of self-determination.

And the resolution is now before this House for action.

I am sure that this Congress will go down in history as perhaps the greatest Congress in the history of the Republic; it will be known as the war Congress; and by passing this resolution giving hope to the suffering people of Ireland, who have been oppressed for centuries, it will only be a fitting finish to our labors here if we pass it. [Applause.] What we who have labored in the cause of freedom and liberty for Ireland want is an expression from this House; we are anxious to have the resolution passed. It has been said that if we do pass the resolution it will have no influence at the peace conference. Well, it may; I am willing to take the chance. I am satisfied, if we pass it, that we may get action by the Senate before the Senate adjourns. If we do not, it will be an expression by this House that I am sure will cause our commissioners to at least bring our request to the attention of the peace conference in Paris. [Applause.]

Poland has at last been made free; the Czecho-Slovaks are free; and I am sure we all congratulate the people of those countries. Shall we allow it to be said that the people of Ireland must still remain in bondage? I am unwilling to believe it. If the peace conference does not arrange for a permanent peace in the world, then the peace conference will have been a failure.

Only a week ago I attended a convention of the Irish race in America, assembled at Philadelphia, with over 5,000 delegates in attendance from all parts of the United States. They adopted resolutions calling upon the President and Congress of these United States of America to urge the peace conference now in session at Paris to apply to Ireland the great doctrine of national self-determination, and to recognize the right of the people of Ireland to select for themselves, without interference from any other people, the form of government under which in future they shall live, and I want to read to you the last paragraph of those resolutions:

Upon the shoulders of our President and Congress rests, in the last analysis, the responsibility of the peace that shall be made. We urge them to act in accordance with the doctrines laid down on our behalf when we entered the war, and in accordance with the resolution recently adopted, almost unanimously, by the Foreign Affairs Committee of the House of Representatives, to the end that autocracy and militarism may be forever destroyed, and that the right of self-determination shall be given to all the people of the earth.

Let me give you a few reasons why we make the claim for freedom and self-determination for the Emerald Isle. I am indebted to the Irish National Bureau, Washington, D. C., for many of these facts and figures.

Ireland is a nation widely different from the English in race, tongue, traditions, and native culture.

In December, 1918, the Irish nation expressed itself in self-determination for an Irish Republic by over two-thirds majority vote of the electorate.

The Irish people gave this striking proof of unanimity—one that challenges the world to duplicate—notwithstanding the presence of a foreign army of over 200,000 men, with all but two of the leaders of the new national party in jail in England without charge or trial, with over 200 election workers and 3 successive campaign directors in jail without charge or trial.

Ireland gave over 275,000 of her sons to the British Army in this war, which was 6½ per cent of her whole population and about 40 per cent of her entire man power of military age (from 18 to 50).

What will the new leaders of Ireland do with the Ulster question?

They might well do as Washington did with his Ulster question in 1776, when 50,000 "loyalist" Americans fought with England against American independence. He ignored it. But the Irish Republicans mean to win over such of their Ulster countrymen as still remain opposed to the idea of an independent Ireland.

Hobson, Blythe, Morrow, and others of the Ulster Protestant leaders of Sinn Fein have every confidence that their neighbors will soon stand where their fathers did in 1783—for a free Ireland.

The Irish election of December last was made on one issue only: "Shall Ireland be independent of Great Britain?"

Over two-thirds of the members returned were of the Sinn Fein or Independence Party.

As their election posters stated: "The supreme and paramount issue is, 'To destroy the last link that keeps Ireland bound to England' (Parnell, Cincinnati, 1880)."

The election returns were:

Sinn Fein, of which one is from University	73
Unionists, of which three are from University	25
Devlin followers who may sit in Dublin Parliament as an opposition party (their platform was self-determination for Ireland)	7
	105

Before the December elections the Unionists had only 16 seats in Ulster. They have now made three gains owing to three-cornered contests against Republican and Dillon party candidates.

In addition to this, the Unionists have the five new seats that were in 1918 given to Ulster at the expense of southern counties.

This clever piece of gerrymandering enacted last year so added to the seats in Antrim County, of which Belfast is the county seat, that it alone has 14 members and the other 8 counties of Ulster have only 24 between them all.

Over two-thirds of the electoral districts have returned Sinn Fein Republican candidates.

Population of all Ireland is three-fourths Catholic and one-fourth Protestant, of which over one-fifth are Nationalists opposed to English rule.

In other words, over four-fifths of Ireland's population are already opposed to English rule in Ireland.

Ulster is, as a whole, 56 per cent Protestant.

Ulster is 44 per cent Catholic.

In five Ulster counties the Catholics predominate, being 81 per cent, 78 per cent, 74 per cent, 56 per cent, 55 per cent.

In four Ulster counties Protestants predominate, being 80 per cent, 69 per cent, 55 per cent, 55 per cent.

To advocates of the English scheme to cut out Ulster from the rest of Ireland I submit: If an Ulster minority in all Ireland—885,000 in the total for all Ireland of 4,390,000—has the right to demand a separate government, what about the rights of the Catholics of Ulster—695,000 out of the Ulster total of 1,570,000?

I will now cite a few of the reasons that demonstrate there is no impropriety in Congress intervening in favor of Irish freedom:

The precedent-making stand taken by the American Government in refusing to continue a treaty with Russia because of Russia's treatment of the Jews, purely an internal question.

American intervention against her historical friend and associate in the great war, illustrated by President Wilson's opposition to the secret treaties, which has caused their cancellation, notwithstanding the fact that the powerful French party, then and now dominated by Premier Clemenceau, was committed to the policy of annexing the left bank of the Rhine, as arranged by secret treaty with England, Russia, and Italy during the war.

The American Government's declaration of sympathy in favor of Greece during her struggle for independence, and American intervention which secured Cuban independence.

GENTLEMEN OF THE CONGRESS, WILL YOU NOT REDEEM THE PLEDGE OF THE CONGRESS OF 1778?

Ireland appeals to-day to the world, and particularly to America, to support her claim for self-determination.

Americans of Irish and Scotch blood, and millions of Americans besides, trust the Congress of to-day will redeem the pledge of the Congress of 1778.

"I am charged to assure you that means will be found to establish your freedom in the fullest and amplest measure," said Franklin in his address to the Irish people on October 4, 1778, writing out of the fullness of the powers delegated to him by Congress.

We appeal to you to pass the resolution unanimously that Ireland may be freed and that it may be forever recorded in history to the lasting honor of America and of you, gentlemen of the Congress.

Ireland has the most ancient continuous nationhood of all the countries of western Europe.

Yet the Irish people to-day are the only Caucasian people held subject by an alien people against their will.

In every generation since 1172 the sons of Ireland have sacrificed their lives for Irish freedom. In every generation they have repeated the protest of Donenail O'Niall, high king of Ireland in 1258, who denounced the invaders and declared that until the day of Ireland's freedom dawned the Irish people would unceasingly struggle "to recover our independence, which is our national right."

A roll of nations will shortly be called in the world-molding conference at Paris.

"America!" "England!" "France!" "Belgium!" and on through the list of peoples, free and being freed.

"Finland!" "Esthonia!" "Ukrainia!" and the rest. Each of these can answer "Here!"

When Ireland's turn has come, who will reply to the call?

Gentlemen of the House, America's support to-day to the Irish nation, so valiantly enduring, will redeem the pledge of Congress in 1778 and help to free America's first friend and ally.

Were Congress to refuse this support it would not alone break faith with all that is highest in American traditions and with the definite obligations laid upon this country by George Washington, Benjamin Franklin, and their glorious associates, but it would break faith with some more near, with the heroes who sleep in Flanders fields, and who now say:

I gave my life for freedom; this I know,
For ye who sent me told me so.

"Lafayette, we are here!" said Pershing at the French hero's tomb, with the thought of America's debt in his mind. * * *

"Ireland, we're standing by, and we'll see you through!"

Can America say anything less now to Ireland in the throes of her final struggle?

IRISH RELIEF FOR AMERICA.

The first trans-Atlantic Hurleys and Hoovers were Dublin men.

In 1675 "King Philip's War" laid New England waste. The only country in the world that sent relief to America then was Ireland.

An Irish relief ship sailed from Dublin for Boston on July 28, 1676, with a generous cargo which gave relief in 500 settlements.

Dublin Corporation sent three commissioners with the ship to attend to the distribution of what is known in New England annals as "the Irish donation."

IRISH MONEY FOR AMERICAN REVOLUTION.

America's Rebellion was prompted by the eternal spirit of Sinn Fein in the hearts of the people, and when the rebels were enduring indescribable hardships and Congress was unable to raise the money it was a group of Philadelphia gentlemen who subscribed the money to supply the Army with provisions and clothing. Of the total amount subscribed, £315,000, close to one-half was subscribed by Philadelphia Sons of St. Patrick and Hibernians.

Much has been said in history of Robert Morris as "financier of the Revolution" and how he later occupied a debtor's prison because of advances made to the Government, but we never hear of Oliver Pollock, a native of Ireland, who settled in Carlisle, Pa., in 1760, who made advances to the sum of $300,000, over $100,000 of which had not been returned to him at the time of his death; nor of Edward Fox, a native of Dublin, who was ruined by the large advances made to Robert Morris and associates. In 1797 these gentlemen still owed him $900,000. (Supreme Court Pa., 2; Norris Repts., 512.) Thomas Fitzsimmons also lent large sums to Morris to finance the revolution.

IRISHMEN IN WASHINGTON'S ARMY.

"Gen. Lee informed me that he believel fully one-half of the rebel army was composed of Irish."—Maj. Gen. Robertson to English committee of inquiry, 1779.

"The names and places of their nativity being taken down, I can answer the question with precision. There were scarcely one-fourth natives of America; one-half were Irish, the other fourth English and Scotch."—Ex-Speaker Galloway, of Pennsylvania, testifying before the same committee. (Royal Gazette, Oct. 27, 1779.)

The first troops to sail from France to America's aid were four regiments (all Irish) of the Irish Brigade, under command of Count Dillon.

Irish emigration increased as talk of American independence grew. After Franklin's mission to Ireland emigration leaped to 18,500 yearly, mostly men of every class, whose direct purpose was to bear arms in the Revolution.

While Burke and Barre pleaded in England for America an anti-recruiting society, known as the "White Boys," was organized in Ireland for the purpose of preventing enlistments in the regiments selected for the American campaign, and American privateers were welcomed in Irish ports, where they were supplied with provisions and information as to the whereabouts of the enemy war vessels.

"The most conclusive evidence of the prominence of the Irish race in the accomplishment of America's independence is to be found in the abundance of Irish names in the lists of soldiers of the Revolution."—Maginnis.

George Washington recognized the aid of the Irish in the American Revolution:

I accept with singular pleasure the ensign of so worthy a fraternity as that of the Friendly Sons of St. Patrick, a society distinguished for the firm adherence of its members to the glorious cause in which we are embarked. (December, 1781, when elected an honorary member of the Friendly Sons of St. Patrick, of Philadelphia.)

Again, in 1790:

I hope ever to see America amongst the foremost nations in examples of justice and liberality, and I presume that your fellow citizens will not forget the patriotic part which you took in the accomplishment of their revolution and in the establishment of their Government.

George Washington Parke Custis, adopted son of Washington, said in 1828, in an address upon an appeal for aid from Ireland:

And why is this imposing appeal made to our sympathies?

It is an appeal from that very Ireland whose generous sons, alike in the day of gloom and of our glory, shared in our misfortunes and joined in our success; who, with undaunted courage, breasted the storm which, once threatening to overwhelm us, howled with fearful and desolating fury through this now happy land; who, with aspirations deep and fervent for our cause, whether under the walls of the Castle of Dublin, in the shock of our liberty's battles, or in the feeble, expiring accents of famine and misery amidst the horrors of the prison ships, cried from their hearts, "God save America."

Tell me not of the aid which we received from another European nation in the struggle for independence; that aid was most, nay, all, essential to our ultimate success, but remember, years of conflict had rolled away. Of the operatives in war—I mean the soldier—up to the coming of the French, Ireland had furnished in the ratio of 100 for 1 of any foreign nation whatever. Then honored be the old good service of the sons of Erin in the War of Independence. Let the shamrock be entwined with the laurels of the Revolution, and truth and justice guiding the pen of history inscribe upon the tablets of American remembrance "eternal gratitude to Irishmen."

The Marquis de Chastellusi, a major general in Rochambeau's army, wrote in his "Travels" (Paris, 1786):

An Irishman, the instant he sets foot on American ground, becomes, ipso facto, an American. This was uniformly the case during the whole of the late war.

* * * Indeed, their conduct during the late Revolution amply justified this favorable opinion, for whilst the Irish emigrant was fighting the battles of America by sea and land the Irish merchants, particularly at Charleston, Baltimore, and Philadelphia, labored with indefatigable zeal and at all hazards to promote the spirit of enterprise, to increase the wealth and maintain the credit of the country.

Their purses were always open and their persons devoted to the common cause. On more than one imminent occasion Congress owed their existence, and America probably her preservation, to the fidelity and firmness of the Irish.

IRISH FRIENDS OF AMERICAN FREEDOM.

Commodore Jack Barry, the dashing sailor hero, who was the founder of the American Navy, was a native of Wexford, Ireland, a Gael of the finest type, keen, resourceful, audacious, and ardent.

The first naval engagement of the American Revolution was off Maine, fought and won under the direction of five sons of Maurice O'Brien, of Cork. The only naval battle on inland waters, in 1812, was won by Commodore Thomas MacDonough, son of an Irishman.

The first American officer to raise the American flag over a fortress in the Old World was Lieut. O'Bannon, of the United States Marines, in the Tripolitan War of 1805.

Gen. Anthony Wayne—Gen. Henry Lee, in his Memoirs (1808) writes of the Irishry of "Mad Anthony Wayne" and "the native temper of the troops he commanded. They were known by the designation of the line of Pennsylvania, whereas they might have with more propriety been called the line of Ireland. Bold and daring, * * * the general and his soldiers were singularly fitted for close and stubborn action, hand to hand, in the center of the Army."

Patrick Henry—Shall Ireland alone of all the civilized nations of the world remain in subjection to a foreign power?

"The thought is tragic—in the light of Ireland's long unceasing struggle for liberty, in the story of Easter, 1916, and in the ardent hopes of 20,000,000 of Irish blood overseas. For in the hearts of each of these is an echo of the ringing call of Patrick Henry, whose Irish blood prompted the cry that was Virginia's tocsin to revolution in 1776: 'As for me, give me liberty or give me death.'"

Nineteen generals in the Revolutionary Army were of Irish origin—11 of these born in Ireland—Sullivan, Lewis, Wayne, Montgomery, Conway, Noylan, Thompson, Maxwell, Irvine, Hand, Butler, Stewart, Knox, Clinton, Moore, Reed, Nixon, Cochran, Armstrong.

Ten signers of the Declaration of Independence were of Irish blood—Carroll, McKean, Rutledge, Hart, Thornton, Smith, Taylor, Reed, Paine, and Lynch.

Seven States had as their first governors men of Irish blood—Sullivan, in Massachusetts; Boyle, in Illinois; Clinton, in New York; Houston, in Georgia; Bryan, in Pennsylvania; McKinley, in Delaware; Denver, in Kansas; while Sir William Johnson, first governor of the Indians, was properly a MacShane, a sept of the O'Neill family.

The great majority of the first American teachers were Irish, because the penal laws forbade them teaching in Ireland. Approximately the names of 1,000 of them have been taken from authentic American records. Between 1775 and 1784 few of these teachers were at their desks. They were fighting for American freedom.

John Hancock's first teacher was Peter McLeuth, of Maynooth, Ireland. Daniel Webster's was William Evans, of Sligo, and John Dickinson, of Maryland, "The Penman of the Revolution," owes his forceful style to his Irish teacher, William Killen, who came to America in 1737 as a redemptioner.

Another Irish teacher, John Sullivan, of Limerick, was the father of two governors, one judge, an attorney general, a major general, and four officers in Washington' army.

Charles Thompson, who made the first copy of the Declaration, and John Dunlap, who first printed it, were born in Ireland. Gen. John Nixon, who first publicly read the Declaration, was a son of an Irishman.

Gen. Andrew Lewis was the son of John Lewis, of County Donegal, who killed his landlord in resisting an illegal attempt to eject him from his home, and with three sons he came to Virginia in 1732, being the first white settler in Bellefont, Va.

At a meeting of American citizens held in the City Hall, Washington, D. C., on June 20, 1826, for the purpose of transmitting a consolatory address to the people of Ireland, George Washington Parke Custis, Esq., of Arlington, Washington's adopted son, was invited to the chair, and John Boyle, of Washington, appointed secretary to the meeting, according to the United States Catholic Miscellany, Charlestown, Saturday, August 12, 1826. As soon as the meeting was organized, the following letter from the Rev. J. W. Fairlough, of Alexandria, was presented by Mr. Charles Murray, and read from the chair. The sentiments contained in the letter were favorably received by the audience:

ALEXANDRIA, *June 20, 1826.*

To the chairman of the meeting of the friends of civil and religious liberty, in the City Hall, Washington.

SIR: Sorry I am that my manifold occupations prevent me from attending your meeting this evening. I hope the address to the people of Ireland, emanating from the metropolis of the free United States of America, will be consoling to, will be sympathizing with, our suffering brethren in persecuted Erin; will speak in streng, intelligible, and dignified terms, becoming the free citizens of a free country, the fellow kindred feelings which glow in the heart of every exile, of every free-born American. You can not express your feelings too strongly. Ireland demands your sympathy. Sympathize, then, with her as children who love their parents. Let it be known in Erin that Irishmen in America have not forgotten the land of their nativity; that the descendants of Irish emigrants have Irish blood still flowing in their veins; that they are still blessed with Irish feelings. Let Ireland know, from one extremity to the other, that the free citizens of America would be delighted to see the bonds of her slavery broken asunder, and rejoice to see her (in the language of her Curran) disenthralled from the domination of despotism by an act of unqualified, unconditional emancipation. I am, sir, an Englishman by birth, and I boast of having, both in England and America (as far as my poor abilities and opportunities afforded), been the steady advocate of persecuted Ireland. Let our sentiments, our feelings, be known throughout the whole British Empire. Let England feel ashamed of her conduct when she sees the whole world arrayed against her, deprecating her unnatural conduct toward her sister Ireland. I hope your meeting will be numerous and respectable. Present, Mr. Chairman, my most cordial concurrence with the wishes and object of the meeting.

J. W. FAIRLOUGH.

I can not conclude my remarks with any utterance more American than the speech of George Washington Parke Custis, chairman of the meeting:

I COME HERE AS AN AMERICAN.

In the address, which it is your pleasure that I should make from the chair, should I fail in producing that impression which I could hope to produce, and you might perhaps expect, let a failure be attributed to a state of broken health and spirits rather than to any want of zeal for the cause of civil and religious liberty, or want of sympathy for the cause of Ireland.

It is supposed that he, who has now the honor of addressing you, is connected by remote ancestral lineage with the family of Dillon. It may be so, or it may not be so, it is no matter; still, if there be a single drop in the current of my existence which flows from an Irish source it will ever be warm in my heart, while that heart itself is warm.

I came here as an American, I feel as an American, I shall speak as an American; it is not Irishmen alone that have congregated to this interesting bidding, not Catholics alone, for there are many here who worship at other than the Apostolic shrine. 'Tis a millennium of feeling where various tribes of men have assembled in love of one another to express their hatred of oppression and their sympathy for the oppressed.

Thanks to the good feeling which is abroad—and far may it spread—we have a most numerous and respectable assembly; but why are we content with this most spacious hall, why have we not to seek a wider arena? Because, forsooth, there are those who doubt the propriety of interference in the concerns of other people, potentates, or powers. I ask these skeptics, "Quid timetis," do you fear the old lion's growl? From our eagle's eyry, I "laugh to scorn" his rage. But, perhaps, there are Protestants who have scruples of conscience, and decline to interfere, even in opinion, with papal matters. If these are Americans, let me say: When you felt the full force of the lion's merciless fangs, who first gave you the aid, not of words, but deeds? There was a time when Americans were not sticklers in doctrinal matters; it was when to our wasted, war-worn ranks we were glad to receive the religionists of any creed, and found, to our comfort and to our independence, too, that a Catholic arm could drive a bayonet on the foe, and a Catholic heart beat high for the liberties of our country.

When our friendless standard was first unfurled for resistence, who were the strangers that first mustered round its staff, and when it reeled in the fight, who more bravely sustained it than Erin's generous sons? Who led the assault of Quebec and shed that early luster on our arms in the dawn of the Revolution? He who will live in everlasting memory and who rests in heaven—Montgomery. Who led the right wing of liberty's forlorn hope at the passage of the Delaware? An Irishman. Who felt the privations of the camp, the fate of battle, or the horrors of the prison ship more keenly than Irishmen? Look on this picture, Americans, which, though feebly, is faithfully drawn; then talk of interference, and I blush for my country.

Or will you seek further their merits to disclose? I cap the climax of their worth when I say Washington loved them, for they were the companions of his toils, his perils, his glories, in the deliverance of his country.

Nor was the feeling for our cause confined to this hemisphere. In Erin, and in the darkest days of our destiny, whenever it was told that we bore ourselves bravely in the field, though pressed by misfortune, and that liberty's pennon still flew, though shattered by the gale, a thousand—aye, a hundred thousand—times did the poor Irishman take off his hat and cry from his heart, "God save great Washington and the cause of America." And this, Americans, in the very Hon's jaws.

And with such revelations as these, can you, will you, dare you, Americans, talk of interference and withhold your voice from a general acclaim, which should thunder in this land till its echoes reach the Emerald Isle, in a prayer for her deliverance? If there is an American who does not feel for the wrongs of that country, which so nobly contributed to the establishment of our rights, I pronounce him recreant to the feelings of virtue, honor, and gratitude. And my country's self, if she decline to give only her poor opinions of the miseries of those

who gave their toil and blood that she might be great, free, and happy when misfortunes next assail her, may she not find the friend she once found in Ireland.

This token will convey our greetings to Erin's distant sons, and when it arrives there they will exclaim, "There is yet a people who remember poor Ireland, and who, rejoicing in their own rights, can feel for the wrongs of others!" Let our scroll be inscribed, "From the land of liberty to the land of Montgomery."

IRELAND MUST NOT LOSE HOPE.

But let not Ireland despair. There is a tide in the affairs of nations, like that of men, which, taken at the flood, leads on to glory. The spring source arises in our happy empire, but see, its mighty current already flows to the peaks of the Andes, and, like the blessed Nile, fertilizes and renders plenteous all the regions within its reach. 'Tis the sacred, though restless, stream of liberty. It flows to the land of Leonidas, bearing on its bosom the corpses of her inhuman oppressors.

Behold the genius of Greece, as she towers above the shattered walls of immortal Missologhi; in the one hand she grasps the standard of the cross, the symbol of salvation to man, with the other she wields the avenging sword of her deliverance, bloodstained to the hilt, and cries to her oppressors:

"Now welcome fate,
And, if I perish, I will perish great;
Yet in a mighty deed, I will expire,
Let future ages hear it and admire."

Illustrious Greece, worthy of thine ancient renown, go on in thy proud career, till not a turbaned tyrant remains to pollute thy classic soil. Then, why should Ireland despair? The tree of liberty grows nowhere in a day. Though the soil be genial, its roots must long be moistened with the blood of heroes and of patriots ere its rise to grandeur, and shade and shelter the land.

Has Ireland no qualities to fit her for a better fate? Go to the senate and the bar; go where you will, you'll know her genius by the luster that it sheds around it—or will you rather to the fields of fame? When did Albion entwine a victor's laurel that Erin did not contribute full many a leaf from the plains of Abraham to the plains of Waterloo, from Wolfe to Wellington? And now that England will erect a trophy for the greatest of her triumphs, let it not be of unmeaning iron, let her search well that memorable field, and she will find enough of Irishmen's bones to raise a cenotaph as high as Pompey's pillar.

Permit me to conclude with the Invocation to Ireland, as uttered by the child of Mount Vernon on the day of independence, and under the venerable pretorium of the Revolution:

"Health and success to the Emerald Isle! My country's friend in my country's utmost need. May she soon be relieved from the Lion's grasp, for the Lion is of a kind that fondles ere it kills, whose blandishments lure but to destroy, while the Eagle suffers the smallest bird to wing his wonted way and to warble his hymns of praise in the pure melody of nature, the song of the soul. And when Ireland shall strike her harp to the wild notes of Erin and liberty the ocean breeze will bear to her shores the prayers of Americans, to cheer her in her glorious struggle and hail her regenerate in the rights of mankind.

"Ireland, thou friend of my country, in my country's most friendless days, much injured, much enduring land, accept this poor tribute from one who esteems thy worth and mourns thy desolation. May the God of heaven, in His justice and mercy, grant thee more prosperous fortunes, and in His own good time cause the sun of freedom to shed its benign radiance on the Emerald Isle!

"'Erin and liberty, Erin go bragh.'"

Mr. MANN. A parliamentary inquiry, Mr. Speaker. This resolution is reported as a substitute with change of title. The number is still "House joint resolution 357." Now, the gentleman from Virginia [Mr. FLOOD] did report from the Committee on Foreign Affairs House concurrent resolution 68, which is the same thing. I think it would look a little better to pass the House concurrent resolution under title of "House concurrent resolution" than to pass it under the title of "House joint resolution."

Mr. FLOOD. The way I happened to introduce it——

Mr. MANN. I do not think anybody would object if the gentleman would do that.

Mr. FLOOD. It was just this——

Mr. MANN. I understand how it occurred.

Mr. FLOOD. The gentleman from Illinois [Mr. GALLAGHER] had been working on this resolution for some years and had done a great deal of work on it, and it was the desire of this committee to report his resolution, a concurrent resolution, not a joint resolution, and so we agreed on the concurrent resolution as a substitute for a joint resolution. And then we had some question as to what the parliamentary status would be when it got in the House, and while that matter was being considered by the parliamentary clerk, I introduced this other resolution as a joint resolution. But after consultation it was decided that it was in perfect parliamentary form to report a concurrent resolution as a substitute for the joint resolution. Therefore we reported it.

Mr. MANN. The gentleman wants it passed under the title of "House joint resolution 357," although it is a concurrent resolution?

Mr. FLOOD. Yes; but we amend the title.

Mr. MANN. But you do not amend the number, and you can not.

Mr. FLOOD. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. THOMAS F. SMITH].

The SPEAKER. The gentleman from New York is recognized for three minutes.

Mr. THOMAS F. SMITH. To my mind the Irish question, like that of the world war, is a question of humanity, and the only way to settle it is justice.

When we review our own history and our own struggle for independence, when we consider the principles of liberty that brought forth this Republic and made it great and glorious, and when we proudly remember our time-honored, unchanging attitude as the friend and advocate of liberty-seeking peoples, how can this House think of disregarding an appeal of this kind?

When we study the history of the Emerald Isle and her seven-century struggle for freedom, when we reflect that we went into the war to defend liberty and civilization, to help to establish governments based on democracy and justice, and that we have emerged a potential factor in the readjustment of the world's problems, who in this House fails to hear the voices of consistency and justice urging us to support this resolution.

Now, what is it the Irish people ask Congress to do? Merely to express the hope that when the peace conference is passing upon the claims of the various peoples it will favorably consider the right of Ireland to self-government. Simply that and nothing more.

In considering this resolution let us not forget that 143 years ago our forefathers formed a little group of Colonies and declared them free and independent States and proclaimed these self-evident truths:

That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends it is the right of the people to alter or to abolish it and to institute new government, laying its foundation on such principles and organizing its power in such form as to them shall seem most likely to effect their safety and happiness.

When the fathers of the Republic proclaimed these truths they spoke not only for themselves and for their time but for all men and for all time.

And let us likewise remember that the Continental Congress forwarded an address to the people of Ireland setting forth its motives and objects and asking their sympathy and good will for the American cause, and that the Irish promptly responded and fought shoulder to shoulder with the Revolutionary patriots and poured out their blood as a free offering to American independence. This the Irish have always done whenever and wherever human freedom has been the issue.

And now it comes to pass that nearly a century and a half later, the spirit of 1919 being identical with the spirit of 1776, the Irish people appeal to the American Congress to do that for Ireland which Ireland gladly and willingly did for America when she, too, was struggling to free herself from the yoke of alien rule.

The people of Ireland and millions of men and women of Irish blood all over the world, ever faithful and devoted to the principles and patriotic aspiration of their race, join in the prayer that America will save the Emerald Isle from being excluded from consideration in a league founded on nationhood, at a time when liberty is to be accorded to nations great and small.

In the name of justice, consistency, and humanity how can we Americans disregard so reasonable, so meritorious an appeal? To ignore it at this time would be utterly repugnant to our traditions, to our ideals. And more than that, it would be a stain on our national honor.

Should any country be so unjust and unfair as to deny Ireland's claim to freedom at this time; should any country be willing to thus brand itself as a fraud and a hypocrite, let it not be said that the United States was a party to the perfidy by declining to do for Ireland that which the American heart, American instincts and justice admonished her to do.

Among us, I know, are those who question the prudence and propriety of bringing up this matter to the peace table just now. To my timid brethren let me say that it is among her proudest distinctions that America has always stood out conspicuously in the family of nations as the friend and sympathizer of the downtrodden; that her concern and compassion over and over again have found expression in deeds as well as in words, and that no consideration has deterred her in taking action when the rights and happiness of several million people are involved, like the case of Ireland.

Washington said to the French minister: "Having devoted the best years of my life to the maintenance of liberty, I rejoice whenever in any country I see a nation unfold the banner of freedom."

And from Washington down to Wilson these glorious sentiments have pervaded this land to the advantage of oppressed peoples.

Nearly a century ago our hearts went out to the South American republics when they were trying, like Ireland, to throw off an alien yoke. Nor was our sympathy limited to the New World. When the holy alliance included Prussia, Russia, Austria, and England, who united to protect all European governments no matter how tyrannical they were to the people they were ruling, and the Greeks rose against the Turks to free from Ottoman rule their land of countless beauties and associations, America did not hesitate to manifest her sympathy for the Greeks. So, too, when the French people rose against the Bourbons, the Poles against the Russians, and the Hungarians against the Austrians, the United States, as always, stood with the oppressed.

And, furthermore, let me remind you that neither our friendly relations with Austria nor her might as a powerful nation checked our country from extending our earnest sympathy and well wishes to the great Hungarian leader Kossuth, and heartily welcoming him when he visited the United States and addressed this House.

May I not remind you that when the Austrian envoy protested against the interest we were showing the Hungarian patriots he intimated that if it continued retaliatory measures, commercial or otherwise, might ensue, and that thereupon Daniel Webster, then Secretary of State, sent his immortal reply, which will always remain as a sound declaration of American policy. It seems particularly fitting to refer to it just now.

Webster said, in substance, that America was the friend and sympathizer of every people fighting for freedom. That this Nation was founded on the rights of men, the equality of all men before the law, the denial of kingly authority, and government of the people and by the people. He said further:

That any people of any power who were trying by every effort and at every sacrifice to enlarge their liberties would always command the earnest and enthusiastic sympathy of the United States.

And, again, neither fear of her mailed hand nor our friendly relations with England restrained us in 1878 from enthusiastically greeting the distinguished Irish leader Charles Stewart Parnell and inviting him to address our Congress on his plans for restoring self-government to Ireland. If I mistake not, the House expressed the hope that Parnell would succeed and home rule be granted to the Irish people.

Many other similar instances could be submitted, but time will not permit me to multiply them.

It was my pleasure to support this resolution in the Committee on Foreign Affairs as it is my gratification to uphold it here.

I support it not because I am of Irish parentage, proud as I am of that, but because I am an American and believe that this is a time when one should not only think and speak like an American, but act like an American.

It is unthinkable that at a time like the present, when liberty seems to be everywhere and freedom is to be accorded nations great and small, that any red-blooded American can find it in his heart to ignore Ireland's plea not to be made the solitary exception in the whole world to the beneficent influence of peace.

Mr. FLOOD. Mr. Speaker, will the gentleman from Texas consume some of his time?

Mr. CONNALLY of Texas. Mr. Speaker and gentlemen of the House, I have no desire uselessly to consume the time of this House, but I opposed this resolution in the committee, and I feel that I should at least give to the House some of the views of the minority on the committee while this resolution is being considered.

For the Irish and their cause I have the most sincere sympathy. But, gentlemen, I take it that the internal affairs of the British Empire are of no official concern to the people of the United States, especially at this time when at Paris the peace conference is assembled and around the table are gathered our allies, one of which is Great Britain.

The resolution reads:

Resolved by the House of Representatives (the Senate concurring), That it is the earnest hope of the Congress of the United States of America that the peace conference, now sitting in Paris, in passing upon the rights of various peoples, will favorably consider the claims of Ireland to the right of self-determination.

In the first place, Mr. Speaker and gentlemen of the House, the peace conference at Paris will not entertain any such proposition as is contained in this resolution; and, in the second place, it has no jurisdiction whatever over it, because Ireland is a component part of the United Kingdom, and that Empire is represented around the peace table by Mr. Lloyd George and Mr. Balfour, just as our delegates represent all parts of the United States. The peace conference would have neither power nor jurisdiction to take up the claims of Ireland for self-determination, since the relations of Ireland to Great Britain are not involved in the settlement of peace among the nations at war.

Gentlemen of the Congress, my forbears came from Ireland, but I am not an Irish-American; I am an American [applause]; and I place my country's interests and my country's welfare before the welfare of any other country on the face of this globe, and I am not willing to imperil the success of the peace negotiations at Paris in bringing to a conclusion the most stupendous struggle that ever staggered the world and in which we poured out on the fields of Flanders and France our best blood and billions of dollars of our money, for the sake of gratifying the promptings of a sentiment; no, not even for Ireland.

Gentlemen of the House, all of you do know that whatever action this House may in its wisdom decide to take, it will avail nothing. Nobody on this floor believes that in response to this resolution the peace conference will halt its labors one moment.

Nobody believes or entertains a glimmer of hope that the body sitting in the other end of this Capitol will pass this resolution. So why make ourselves ridiculous in the eyes of the world simply to gratify a sentiment that all of us do entertain—that the Irish may in their own way and through their own efforts within the law attain independence and self-government?

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CONNALLY of Texas. I will be glad to yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Is there anything more in this resolution than the expression of a desire for the right of petition?

Mr. CONNALLY of Texas. Oh, I take it that there is.

Mr. MOORE of Pennsylvania. In reading the proceedings of the peace conference it appears that certain of the small countries have asked for certain things. I have read this resolution very carefully, and have reached the conclusion that there is nothing in it except an expression of the right of petition. I want the gentleman's interpretation of that.

Mr. CONNALLY of Texas. I will say to the gentleman from Pennsylvania that the gentlemen on that side of the Chamber seem to have come to the conclusion, rather tardily, after filibustering here a good portion of the night—they have, for some cause, suddenly become converted to the Irish cause.

Mr. MOORE of Pennsylvania. If the gentleman will permit, I for one stated that I was in favor of this resolution.

Mr. CONNALLY of Texas. To be sure. I do recall that the gentleman from Pennsylvania did make such a statement.

Mr. MOORE of Pennsylvania. So that I was not one of those who attempted to filibuster against it.

Mr. DYER. Nobody has filibustered.

Mr. MOORE of Pennsylvania. I question whether the gentleman from Texas is accurate in his statement that anybody has filibustered. I have read the resolution. I repeat, it seems to me to be merely the expression of a desire for consideration on behalf of a small nation asking for justice. That is the way it impresses me.

Mr. CONNALLY of Texas. I will say in answer to the gentleman from Pennsylvania that the small countries that are having the question of self-determination applied to them are countries which prior to this war were under the dominion of our enemies. Austria-Hungary fell to pieces, and the German Empire is being broken up, and it is with those peoples that the peace conference is dealing.

So far as I have been advised, the peace conference is not considering, nor will it be called upon to consider, the political separation from Great Britain, Italy, France, the United States, or any other of the allies of any colony, dominion, or dependency of the respective nations.

Mr. GALLAGHER. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman from Illinois.

Mr. GALLAGHER. Is it not a fact that they have agreed to take part of Poland away from Russia?

Mr. CONNALLY of Texas. I do not understand they have agreed to anything yet; and as far as Russia is concerned it may be observed that she long ago ceased to be an active participant with the allies in the prosecution of the war and, for all practical purposes, became an ally of the central powers.

Mr. KEATING. Will the gentleman yield for a question?

Mr. CONNALLY of Texas. If you gentlemen will come at me singly, I will answer first one and then another, if I can.

Mr. KEATING. I am sure the gentleman can answer this.

Mr. CONNALLY of Texas. I will if I can.

Mr. KEATING. Does the gentleman mean by the statement he has just made that when we sent our boys to help to fight for self-determination we meant self-determination only for those

nations that were under German rule, and not for all the small nations of the earth?

Mr. CONNALLY of Texas. The gentleman from Colorado did not vote for war in order to enable small nations to have self-determination, and I did not vote for it for that purpose, and the resolution for a declaration of war would never have passed this House but for the fact that Germany had violated American rights and had sunk American ships and had taken American lives upon the high seas. [Applause.]

Of course, it was gratifying to me, as it doubtless was to others, that in fighting primarily for American rights we could also fight the battles of the world and civilization and that having triumphed we can impose conditions of peace that will liberate peoples long oppressed and misruled by our enemies and their allies.

Mr. PHELAN. Will the gentleman yield to me?

Mr. CONNALLY of Texas. I will yield to the gentleman from Massachusetts.

Mr. PHELAN. Does the gentleman mean to assert that America ought to uphold the just cause of a liberty-seeking people against our enemies and not uphold the just cause of a liberty-seeking people simply because they have been under the rule of one of our cobelligerents in this war?

Mr. CONNALLY of Texas. I will answer the gentleman's question by asking him one. If I am to take the sentiment implied by his question as being true, the gentleman from Massachusetts would be willing to-morrow to vote for a resolution to declare war against Great Britain in order to establish the independence of Ireland?

Mr. PHELAN. The gentleman has no such proposition here.

Mr. CONNALLY of Texas. You have this one here, and that is the one I am talking about.

Mr. PHELAN. But I do say that the American people ought to have the courage to express the hope that a people seeking liberty in any part of the world may get that liberty. [Applause.]

Mr. CONNALLY of Texas. The gentleman's zeal is very admirable, and I applaud him for it.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman from New Jersey.

Mr. PARKER of New Jersey. Will the gentleman tell me whether, in his opinion, there will be anything left of the peace conference or the peace table if this resolution passes?

Mr. CONNALLY of Texas. I do not know that I caught the exact meaning of the gentleman's question.

Mr. PARKER of New Jersey. Will it break up the peace conference for us to pass this resolution?

Mr. CONNALLY of Texas. I do not think it would make a big dent in the peace conference whether we passed it or not.

Mr. DYER. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman from Missouri.

Mr. DYER. The gentleman will admit that if the United States had not intervened in the war it is likely that the allies would have lost.

Mr. CONNALLY of Texas. I am not going afield into a lot of speculation; I am talking about this resolution.

Mr. DYER. The gentleman admits that unless the United States does exert its influence there is not much opportunity for the peace-loving people of Ireland to get independence.

Mr. CONNALLY of Texas. I do not admit that. If the reverse was true, I would take it that when the resolution passed and was signed by the Speaker the Irish would immediately realize their ambition.

Mr. HAMILL. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman from New Jersey.

Mr. HAMILL. When the gentleman says that this resolution would have a negligible effect on the peace conference at Paris, does he want us to believe that the peace conference holds this House of Representatives in such contempt as to pay no attention to anything it approved?

Mr. CONNALLY of Texas. I do not think the peace conference would regard this body as ridiculous except as it makes itself so.

Mr. MOORE of Pennsylvania. The gentleman recalls that the House took action on behalf of the Jews, looking to the abrogation of the treaty with Russia?

Mr. CONNALLY of Texas. We had a treaty with Russia.

Mr. MOORE of Pennsylvania. Does the gentleman recall the fact that we asked relief for the Roumanian Jews as affected by the Berlin treaty?

Mr. CONNALLY of Texas. I do not remember the details. I was not a Member of the House at that time.

Mr. MOORE of Pennsylvania. Is there anything in this except the statement by the House of Representatives——

Mr. CONNALLY of Texas. This is a concurrent resolution, and if it is sincerely presented you hope for action by the Senate.

Mr. MOORE of Pennsylvania. Well, a request by Congress that the peace conference give careful consideration to the claims of the Irish——

Mr. CONNALLY of Texas. If the gentleman's contention is true it means nothing.

Mr. MOORE of Pennsylvania. It could not embarrass the peace conference. They can approve of the suggestion of the House of Representatives or disapprove of it.

Mr. CONNALLY of Texas. Of course, it can. The gentleman's suggestion but emphasizes my view that it is not properly our concern.

Mr. HAMILL. Will the gentleman yield for one further question?

Mr. CONNALLY of Texas. I again yield to the gentleman from New Jersey.

Mr. HAMILL. Does the gentleman think that the House of Representatives would render itself ridiculous by asking the peace conference to consider favorably the right of a distinct nation to come under the rule that they be given the right of self-determination?

Mr. CONNALLY of Texas. In reply to the gentleman from New Jersey, I will say that I have never had any information that there is any Irish question pending before the peace conference, and so I think it would be ridiculous to ask them to take up something that was not before them and which does not directly affect our national interests.

Mr. HAMILL. One more question.

Mr. CONNALLY of Texas. I can not yield any more, because my time is limited.

Mr. HAMILL. Is it not a fact that there are even submerged nationalities in Russia which will very likely be taken up by the peace conference, although there has been no declaration in regard to it?

Mr. CONNALLY of Texas. I do not know of any, and my declarations already made regarding Russia still apply.

Mr. HAMILL. Will the gentleman answer yes or no?

Mr. CONNALLY of Texas. I have yielded to the gentleman several times, but I decline to be cross-examined or badgered in police-court style. I will yield to courteous questions.

Mr. HAMILL. My question is—the gentleman states that the peace conference would not consider any claims that were not published in the program. I say that is not so; that they will very likely take up questions of nations that have been submerged——

Mr. CONNALLY of Texas. Have they taken up Ireland yet?

Mr. HAMILL. I do not know. I think there would be no more impropriety in Congress passing this resolution than the declaration of the President in the Senate before we entered the war for a free and united people.

Mr. CONNALLY of Texas. I am not passing on the President's position or what he has said. I am speaking on my own authority and nobody else's. I am responsible to no one but my constituents and my country. I want to say that if the English Parliament to-morrow should pass a resolution suggesting that it would be very much pleased if the United States should relinquish the Philippine Islands or give them independence I, as an American citizen, would bitterly resent any such action on the part of the British Parliament. [Applause.]

Mr. DECKER. Mr. Speaker, will the gentleman yield?

Mr. CONNALLY of Texas. And on the other hand, if the British Parliament or any other parliament should suggest to the United States that it would view with a great deal of pleasure our setting up an independent Government in Porto Rico, I would resent it from the bottom of my feet to the crown of my head, and so would every other man on the floor of this House. Yet we feel called upon by solemn act of this Congress to suggest to Great Britain that we think we might be able to run her affairs a little better than she is running them herself.

Mr. DECKER. Mr. Speaker, will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman from Missouri.

Mr. DECKER. What sentiment does the gentleman entertain relative to a man, an Englishman, who once said, "If I were an American, as I am an Englishman, I would never lay down my arms"?

Mr. CONNALLY of Texas. I think the sentiments expressed by the great Pitt during our war for independence, quoted by the gentleman from Missouri, would have made him a much better American than Britisher.

Mr. DECKER. But would it not make him a better man?

Mr. MASON. Mr. Speaker, will the gentleman yield to me for a minute?

Mr. CONNALLY of Texas. Is the gentleman opposed to the resolution?

Mr. MASON. I am for it.

Mr. CONNALLY of Texas. I will give the gentleman a minute if I have the time.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, I am inclined to agree with the gentleman from Texas, that under ordinary circumstances it might be deemed a piece of impertinence for us to pass a resolution regarding what would be considered a domestic question from Great Britain, just exactly as we would consider it a piece of impertinence for them to pass a resolution in their Parliament regarding the Philippines; but I ask the gentleman whether under the circumstances when, with the cooperation, if not the initiative, of great Britain we are considering a league of nations, in which we are asked to guarantee territorial integrity of the nations to become a party to the league, that does not open the door and give us the right to express our opinions as to what shall be the territorial boundaries we are supposed to guarantee?

Mr. CONNALLY of Texas. In the first place, the initiation of questions that affect the foreign relations are no business of the House of Representatives. The negotiation of our foreign affairs, by the Constitution, is placed within the hands of the Executive, except when required to be ratified by the Senate. In reply to the gentleman from New York [Mr. BENJAMIN L. FAIRCHILD] I would say that instead of agreeing to his contention, it seems to me that now would be a most unpropitious time to select for such action. We have now in Paris commissioners seated around the peace table. Around that table are gathered our allies, with whom we fought side by side, and whose blood was mingled with ours, whose treasure was poured out with ours. Yet we say to our commissioners, "We need the cooperation of these allies in order to bring about a satisfactory treaty of peace, we need their assistance in order to maintain and carry out any league of nations, or any other international agreement which we may enter, but the first thing you do when you get there, you must insult our most powerful, our most influential, and our greatest ally by suggesting to her that she permit us to suggest how she shall run her internal affairs."

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman from Illinois.

Mr. MASON. I desire to call the gentleman's attention in the one minute I have to the difference between the situation that seems to be in his mind and the situation as it is in mine. Six months ago our allies were in trouble. Six months ago the President of the United States, when we were at war and when the world was suffering, made a splendid suggestion as terms of peace. Among those terms was one that the little peoples of the world should not be moved from one nationality to another, governed by force, and without their consent. Great Britain and all of her allies and our enemies finally accepted these terms. Great Britain never raised the question. She can not now do it. She consented to those terms when she was in trouble, when she was broken in health, broken in money, broken from every military standpoint. When we made the suggestions through our great President that these were the terms of peace it was to me as sacred as if the men had got around the table and signed them. As the gentleman says, it was sealed with the blood of our boys. Great Britain agreed to that doctrine of self-determination, and she certainly can not complain of it now, after the sacrifice we have made in men and money. We ask her to keep the treaty she made when we asked them to agree to self-determination for the little peoples of the world.

Mr. CONNALLY of Texas. Mr. Speaker, the gentleman from Illinois is always interesting and he is always brilliant. I remember sometime ago listening to him here with rapt attention as he repudiated the doctrine that the United States should enter or fight in any war to settle real estate titles in Europe or anywhere else. [Applause and laughter.] Oh, it seems——

Mr. MASON. We did enter into the war and we agreed to settle real estate titles when the war was settled. Let us keep our agreement.

Mr. CONNALLY of Texas. I will say to the gentleman from Illinois that the doctrine of self-determination of small countries would apply with equal force to Porto Rico, and I know the gentleman too well to believe that he would view with complacency a resolution by the British Parliament suggesting to Uncle Sam what our course should be with regard to that dependency of this Republic. And I know his sentiments too well to believe that he would look with satisfaction upon a resolution by the British Parliament as to our course with reference to Mexico in North America or the Republics of South America.

Mr. Speaker, I am neither insensible nor indifferent to the aspirations of any people for independence and self-government—from whatever quarter it may come my heart is always deeply sympathetic to any call of a people or nation for liberty and political autonomy, and I fervently hope that the Irish problem may soon be settled in such a manner as to insure the contentment and happiness of that unhappy and distressed island.

But, Mr. Speaker, the issues at stake at Paris are so vital and of so much consequence to the United States, we have so much involved that depends upon the complete harmony of action by our representatives and those of our allies, that I am unwilling to do anything, however slight, that may improperly and needlessly offend an ally or alienate from our President the cordial cooperation and support of an ally.

Mr. Speaker, thousands of our brave soldiers died on foreign battle fields, many others will return maimed and crippled, millions more were under arms ready and willing to fight and die, if need be, and our citizens at home poured out their money freely and lavishly at the country's call—all of these sacrifices have been made in order that a just, a durable, an honorable and righteous peace may be secured to the United States and her citizens, now and hereafter. To that noble ambition America dedicated her resources and her very life. I am unwilling to jeopardize the realization of that accomplishment. I am unwilling, even for a moment, to participate in action that may embarrass or hamper the President of the United States, our great leader at the peace conference, as he struggles with the seasoned diplomats of the Old World, in his labors to bring peace to a distracted and distressed world, weary and worn with war and its hideous horrors.

Mr. Speaker, I am for America first. I can not vote for a resolution that I believe to be inimical to the interests, safety, and peace of my country.

The SPEAKER. The time of the gentleman has expired.

Mr. WILSON of Texas. I ask unanimous consent that the gentleman's time be extended for one minute to permit me to ask him a question.

Mr. NOLAN. Mr. Speaker, I object. It is 20 minutes to a side and I can not get any time at all.

The SPEAKER. The time of the gentleman has expired.

Mr. FLOOD. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. STEDMAN]. [Applause.]

Mr. STEDMAN. Mr. Speaker, for many years I have been interested in the future of the people of Ireland.

I have been attracted to them by their love of liberty, by their attachment to their homes, by their appeals for justice to this Republic, whose friend they have ever been and whose theory of government, whose traditions, and whose declarations forbid the exercise of sovereignty over a weaker nation against their will by armed force.

Gibbon, in reviewing the incidents of ancient times, their effect upon the fortunes of mankind for good or evil and the mighty convulsions which once shook the universe, lamented that the world would never again witness events so fraught with importance to the destiny of the human race.

The tragedy, which during the last few years has had practically the entire world for its theater—events the culmination of which in their importance have had no parallel—show how manifest was his error and mistaken his belief.

There is no era in the world's history which will compare with the present either in interest or importance. It has been signalized by events which will be characterized by future ages as among the most splendid achievements of mankind.

Chief amongst these will be the blessings of liberty vouchsafed to weaker nations long oppressed, filling their homes with a new, a happy, and joyous life.

Among these nations, none—no, not one—will appeal more strongly to the hearts of all mankind than Ireland.

The resolution now being considered expresses the earnest hope of the Congress of the United States of America, that the peace conference at Versailles in adjusting the rights of various peoples will favorably consider the claims of Ireland to self-determination.

I esteem it a high privilege to vote for the resolution, and it is to me a very great pleasure to do so. In the brief space of time to which I must restrict myself it would be impossible for me to give fully the reasons for my cordial support.

Where can be found in this broad Republic an American citizen who will dispute the doctrine that government shall exist only by consent of the governed?

Will some one furnish an argument which has for its basis the inalienable rights of man why Ireland alone should be excepted from this rule?

If gratitude be deemed a virtue among nations as well as individuals, what think you would be the estimate of the civilized world of a Republic which forgets that the blessings of freedom enjoyed by its citizens were won by the aid of a people whose appeal to them for right and justice should prove to be all in vain?

Have we so soon forgotten the unfailing friendship of Ireland for America?

The first decisive victory of the Revolutionary War for the American cause was won at Moore's Creek Bridge, not far from Wilmington, N. C., in February, 1776, when a band of Tories surrendered to Gen. James Moore, a descendant of Roger O'Moore, a leader of the Irish rebellion of 1641. Some of his descendants still live in Wilmington, N. C. Col. Roger Moore, one of them, died there only a few years ago.

The first general officer killed on the American side was Gen. Richard Montgomery, who gloriously fell in front of his men at Quebec, December 31, 1775.

Gen. Montgomery was born in Ireland and settled in the State of New York in 1775.

The first commodore of the American Navy was an Irishman—John Barry, born in County Wexford in 1745.

That the Irish people assisted largely in the formation of this Republic is known to all men conversant with the history of its struggle for independence.

Read, if you will, the names of those who signed the Declaration of Independence. Amongst them will be found John Hancock (President of the Congress), Matthew Thornton, John Hart, James Smith, George Taylor, George Reed, Thomas McKean, Charles Carroll, Edward Rutledge, Thomas Lynch, Robert Treat Paine, names which will never be forgotten; nor should we forget that each one and every one of them was born in Ireland or was of Irish descent.

It is difficult to find a reason or a pretext why we should hesitate to adopt this resolution. It has been suggested that England fought by our side in the war with Germany. Admit that England is the sincere friend of this Republic; the more earnest should be our desire that she should adopt the true and just course toward Ireland, for thereby she will add to the happiness and prosperity of her own people, and embellish with a new and unfading luster the glory of the British Empire.

The unselfish, unchanging, and heroic conduct of the Irish race in behalf of America can never be obliterated from its traditions or history. Their appeal for the right of self-determination should find a cordial welcome in the hearts of American Representatives, and both prompt and decisive action by them without delay.

The adoption of this resolution is demanded by a principle of government recognized wherever freedom dwells and liberty has a home.

It will gratify the people of every land who admire chivalric courage and enduring fortitude.

It is not always the power of the conqueror which exercises a controlling influence upon the destinies of mankind. It is often the heroism of the vanquished which impresses upon the minds of men lessons which never fade.

The glories of the British Empire may be forgotten, but the patriotic heroism of the Irish race through a struggle for liberty of over 700 years will gild the pages of history through all the ages to come and attract the admiration of the brave in every civilized land. [Applause.]

Mr. FLOOD. Mr. Speaker, I yield one minute to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Speaker, I, too, speak at this moment as an American Congressman, and I would be ashamed of the blood that is in me if I kept silent when an opportunity is afforded to speak a few words for liberty and justice for the land where my father and my mother first saw the light of day.

Mr. Speaker, if there be any man in this House who maintains that this question is not one of international concern, that man does not know the story of Ireland's seven centuries of suffering. The Irish people and their sons and daughters in America and in other lands are filled with hostility to Great Britain wherever they are found because of the cruel treatment their suffering kinsmen have ever received. This hostility has disturbed, and will continue to disturb, the tranquillity of nations wherever the Irish have settled and their influence is felt. Unless Ireland is given self-determination as a result of this war, it will be the only nation in Europe after the war held in a condition of subjection and England will be the only tyrant.

Ireland's case an internal one? Ireland's case unlike that of Poland or Serbia? Ireland not a nation? Let me remind my friend that Ireland has never ceased to be a nation. Let me remind this House that away back in the ages even, in the days of the decline and fall of the Roman Empire, when all in Greece but her sun had set, when education had become a patent of nobility, and learning the almost invaluable possession of the sifted few, the lamp of learning still burned as brightly in Ireland as ever burned the sanctuary lamp for centuries before the shrine of St. Bridget in Kildare. The arts and sciences fled to her for refuge and found warm welcome and cordial entertainment; poetry found in her a home; the arts of war were not neglected; religion marked the activities of her people; and, withal, in the tenth century, the Irishman is acknowledged to have been the most complete, the best rounded product of nature to be found among the children of men.

To us to-day the Irishman is known as an immigrant; he is popularly supposed to be restless, to be dissatisfied with his present situation; to be content to fight for the liberties of any land but his own. Nothing can be further from the truth. Read the history of Ireland anew and be convinced. Come with me and tell over again the story of Brian Boru, of Clontarf, and the Boyne Water, and then ask yourselves if Irishmen have no love for the soil, no yearning for an abiding city. But this little island could no more contain the enthusiasm for liberty among her people than Macedon confined the ambition of Alexander the Great. Her mission was truly apostolic, and the histories of France and Spain and Chile and Peru are made richer far by the names and deeds of MacMahon, Prendergast, O'Higgins, O'Donnell, and Gen. Lynch.

Irishmen do love their native soil; they left it because her free air had become vitiated by oppression; but as Napoleon, no matter where he might be, whether in the craggy Alps, facing the pyramids in Egypt, with their 40 centuries looking down upon him, bravely enduring the snows of Russia, or sadly peering out from the pitiless rock St. Helena over the more pitiless Atlantic, always kept one eye on the city of Paris, so the Irish immigrant, whether enjoying the rich civilization of America, to which he has made such important contribution, or threading the pathless forests of remote Australia, or endeavoring to wrest from Nature the secret of the North Pole and an open sea, always keeps an eye on his motherland and prays for her deliverance and her restoration to the sisterhood of nations.

You, sir, have read, and read carefully, the history of Ireland and her sons. You have melted into tears at the story of Patrick Sarsfield, and you have had your pride roused, aye, even to the bursting point, where, as you saw him lying, bleeding and dying, at the battle of Lannes in France he took a handful of his heart's blood, threw it toward heaven, and cried, "Would that I had another life to lose for poor Ireland!" This, then, is the spirit of the Irish immigrant; love and loyalty for the land of his adoption; love, loyalty, consecration for the land of his birth, the land where his fathers died.

Mr. Speaker, during the decades of England's misrule Ireland has mourned the departure of millions of her children as she bade them go forth to enrich other nations, leaving herself poor, indeed. Her misery broke the heart of Charles Stewart Parnell, and then she broke her own over his grave. But out of the heart and oppression, out of the heartbreak, the death, the contradictions, the trials, the tribulations, and the woes, there appears on the horizon the dawn of a new day for Ireland. I see the Ireland of my fathers join hands with my mother America in gratitude for all this Republic has done to create a better sentiment and, I hope, arouse the conscience of Englishmen. I see her bless the name of Washington so dear to-day to Americans, and place it by the side of those of Brian Boru, Sarsfield, Grattan, Wolf Tone, Emmet, O'Connell, and Parnell; and I hail the fulfillment of the prophecy of the great English Cardinal Newman: "I look toward a land both old and young—old in its Christianity, young in its promise of the future; a nation which received grace before the Saxon came to Britain and which has never questioned it; a church which comprehends in its history the rise and fall of Canterbury and York, which Augustine and Paulinus found and Pole and Fisher left behind them. I contemplate a people which has had a long night and will have an inevitable day! I am turning my eyes toward a hundred years to come, and I dimly see the Ireland I am gazing on become the road of passage and union between the two hemispheres and the center of the world. I see its inhabitants rival Belgium in populousness, France in vigor, and Spain in enthusiasm."

Mr. Speaker, with God's help and the continued and convincing efforts of this Republic, I hope for self-determination for this little isle.

Let us tax, torture, and torment invention to find a language rich enough for epitaph for Robert Emmet; burrow into the very bowels of the earth to find a gem of purest ray serene upon which to engrave the story of his life. For the prayer of the

young martyr of the rebellion of 1798 is about to be answered and is to take her place among the nations of the earth.

Mr. FLOOD. Mr. Speaker, I yield three minutes to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Speaker, on the 4th day of March, 1778, just 141 years ago to-day that archetypal son of liberty—Robert Emmet—was born; and while his eyes were first opening upon the light of Old Erin, the American troops from Maine to the Carolinas, fighting for American independence, were actually bristling with Irishmen. What a coincidence that on the anniversary of that Irish patriot the American Congress is considering a resolution in behalf of self-determination for Ireland—the very principle for which Emmet fought and died! [Applause.]

Mr. Speaker, one of the brightest ornaments of his age and Nation was Henry Clay, the first and ablest Speaker of this House. No greater champion of the liberties of mankind ever lived upon this earth. In the course of a speech delivered by him in the Senate of the United States on February 2, 1832, is found this remarkable passage concerning Ireland:

> In some of the visions which have passed through my imagination I have supposed that Ireland was originally part and parcel of this (American) continent, and that by some extraordinary convulsion of nature it was torn from America and, drifting across the ocean, was placed in the unfortunate vicinity of Great Britain.

Thirty-two years after Henry Clay had made that statement John Bright, a well-known English statesman, while speaking in the British House of Commons against coercion in Ireland, said:

> I believe that if to-morrow the people of Ireland had their will they would, had they the power to do so, unmoor that island from its fastenings in the deep, and would moor it at least 2,000 miles to the west of its present position.

It is this unfortunate vicinity to Great Britain which has been the obstacle to Ireland's political and commercial advancement during all the course of her history. In the present state of world affairs I venture to say that if Ireland were to-day a subject nationality upon the Continent of Europe, there would be no need of the pending resolution in this House. Her name would long since have been found on the list of the smaller nationalities whose rights are to be settled upon the principle for which young America fought and won the great war.

Mr. Speaker, the resolution we are now considering embodies a fundamental principle, based, as it is, upon the doctrine that governments derive their just powers from the consent of the governed. Upon this side of the Atlantic, at least, that doctrine has for a century and a half been an accepted article of political faith. It was hoped that the developments of the recent war would give it a wider and more universal application. Indeed, the doctrine must be universally applied if the civilization of the earth is to be preserved.

A well-known English writer, Gilbert K. Chesterton, recently said:

> Civilization will never have saved its soul alive until the hope of Kosciusko is realized and the epitaph of Emmet written.

The hope of Kosciusko was the freedom of his native Poland, and that hope is now being realized, for it is universally conceded that the erection of Poland into a free and independent State will be one of the developments of the peace conference.

But what of the epitaph of Emmet? Will Ireland, too, take her place among the nations of the earth as one of the consequences of the war? That is precisely the question which inspires the pending resolution. Ireland is the only one of the subject nationalities which participated in the war that has been left unmentioned in the catalogue of those already singled out for self-determination.

When America entered the great world war the President of the United States in a single sentence summed up the great principles for which we would participate in the struggle. In the early days of April, 1917, he addressed his memorable war message to the joint session of Congress, during the course of which he said:

> We are glad to fight thus for the ultimate peace of the world and for the liberties of its peoples—the German peoples included; for the rights of nations, great and small, and the privilege of men everywhere to choose their way of life and of obedience.

The utterance of this remarkable sentence brought new hope to the struggling races of the world, for they thought they saw in it the dawn of a new day—the day of their final deliverance. Among the most prominent of them was the Irish race, which for seven and a half centuries has been fighting to regain the liberties they anciently possessed. Their contribution to the success of the struggle is well known and admitted in every quarter of the world. [Applause.]

Now the war is over, the victory is won, and the representatives of the various nations are in conference on the soil of France, there to formulate the terms upon which the peace of the world is to be settled. While mention has repeatedly been made of the various smaller nationalities whose rights will be determined at the peace conference, thus far, at least, we have not heard that a single word has been uttered by any voice of authority concerning the rights of the Irish people. For this reason millions of advocates of Irish freedom are requesting Congress, the mouthpiece of the American people, to speak, now that freedom and liberty are everywhere in the air, and make known to the world, but particularly to the representatives at the peace table, the hopes and expectations of the American people respecting the case of Ireland.

Mr. Speaker, the resolution now before us will be the expression of America's voice. It is based upon a time-tested American doctrine; it is purely American in spirit; and the principle it seeks to apply is the one in defense of which, we are told, American blood was freely shed on the battle fronts of the Old World. Our young men fought not for any selfish consideration. They had none. "They fought," says the President of the United States, "for the privilege of men everywhere to choose their way of life and of obedience," and they believed that when the fight was done that privilege would be everywhere extended. But now in the day of our triumph there seems to be one exception to the privilege: Ireland's case will be side-stepped, notwithstanding the lofty declarations of purpose for which the war has been waged.

But, sir, whatever course others may see fit to take—whether they be Presidents or Parliaments—let this House at least stand upon its high ground of equity and justice and press the program it accepted in April, 1917, so that Ireland, too, may be treated in the liberative spirit of the hour.

For centuries Ireland has been fighting for the exercise of her fundamental right of self-government; and if exception is made of her case in the coming universal reckoning, does anyone believe that the peace of the world will be settled? Anyone who thinks that liberty can be crushed in Ireland has yet to learn the history of that race. Her sons have fought for liberty on a thousand battle fields and they will still fight on until foreign rule forever retires from the soil which covers the ashes of their fathers.

No one, of course, will have the hardihood to maintain that Congress is not acting within its rights in passing the pending resolution. Some, perhaps, may doubt the propriety of this procedure, holding that this resolution concerns the domestic affairs of another nation. If such a position be tenable, then the same line of reasoning must apply to the smaller nationalities on the Continent of Europe unless, forsooth, the rule of action be that a conquering nation may dictate to the enemy it has whipped but must be painfully silent concerning the unjustifiable practices of a cobelligerent. If such is to be the guiding rule of the peace conference, then Kaiserism has not alone taken the count. The avowed ideals in defense of which the war was successfully prosecuted will have suffered mightily in the hour of the final reckoning. The claim is made that the Irish question is a domestic problem; yet British statesmen themselves concede their inability to solve it. You may think as you like and justify your conclusion upon any premise you desire, but you can not deny that the people of Ireland are forced to live under a sovereignty under which they do not wish to live, a thing which the President, our leading figure at the peace conference, said—and we applauded him when he said it—no people should be forced to submit to. It was the President himself who made the issue, and the doctrine he proclaims takes Ireland's case out of the pale of England's domestic concerns and lifts it to a higher level for international consideration. If it is not considered at the peace conference, it will be because righteousness can not be enforced against the stubborn objections of a dominant power.

Self-government, Mr. Speaker, is the natural government of man. This may not be the belief of kings or kaisers or so-called statesmen who offer the claims of minority politics as the rightful solution of the Irish question. But self-government, nevertheless, has always been the post upon which patriots have planted themselves wherever men have been known to strive for political freedom. In this so-called period of universal emancipation Great Britain has her chance to concede to Ireland what she is anxious to bestow upon the smaller nationalities of Europe. Let her release her grasp upon Ireland, for the rightful aspirations of Irishmen to freedom can never be successfully stifled. If England fails to grasp this, her supreme opportunity, it will be the monstrous blunder of the peace conference, and, like the ghost of Banquo, it will come back again to plague her in the future.

Why should not Ireland be given the right of self-determination? Ireland was a nation when England was but a Roman

colony; and, apart from the right of self-government, which for centuries it has not possessed, it is in all other respects substantially a nation to-day. Ireland still has her national traditions, her national culture, her national customs, her national literature, her national poetry, her national eloquence, her national spirit and patriotism; and what is of the highest importance, she has always had the national self-consciousness to preserve them. These are the essence of nationality, but Ireland has even still more; it has a unique position in the physical world—a geographical entity that needs no ethnological experts to circumscribe it. The ocean alone forms its boundary.

Though subdued for centuries, Ireland still breathes forth a national character which she has preserved through all the days of her subjection. She lacks but one element of sovereign nationhood—the right to govern herself. Give her that right, and let her, too, inhale the free air of liberty. Her station in the Atlantic between the Old World and the new makes her the entrepôt of both, where long since her people would have grown powerful and prosperous if the vigilant jealousy of England had not rendered her natural resources and natural advantages nugatory. Her ideas of expansion were never military. They were always moral and intellectual. She is a nation whose sons can say of her:

> We have wronged no race, we have robbed no land,
> We have never oppressed the weak,
> And this, in the face of heaven, is the nobler thing to speak.

[Applause.]

Mr. Speaker, the contribution of Irishmen to American independence and the gratitude of early American patriots toward Ireland are shown in the following letters of Rev. Michael Earls, S. J., a fellow student of mine in the early nineties at Holy Cross College, Worcester, Mass., where he is now the professor of language and literature:

[From the Worcester Gazette.]

AMERICA'S DEBT TO IRISH WILL NOT BE FORGOTTEN NOW, SAYS FATHER EARLS—QUOTES FROM REVOLUTIONARY DOCUMENTS TO PROVE THAT HALF OF THE AMERICAN ARMY WHICH WON INDEPENDENCE FOR COLONIES WAS MADE UP OF MEN FROM IRELAND AND SAYS HE IS CONFIDENT THAT SERVICE WILL BE REPAID NOW.

To the EDITOR OF THE GAZETTE:

SIR: In a letter to the Irish-American Historical Society (Nov. 12, 1896), Senator Hoar, whose name honors our country as well as our city, wrote: "The facts in regard to this most important contribution to our national life ought to be collected and preserved. * * * The Irish race has done a great service to America." And it is in the spirit of this recommendation that I send as a supplement to my last letter a few more facts about Ireland's contribution to our country in the dark days of the Revolution. Gratitude is one of the prime marks of American culture. We kept our eyes on France during the early years of the war, and our hearts beat high with sympathy for her when the Hun set upon her in 1914. We had not forgotten France, nor her hand to us in the years of our great war for freedom. And likewise American gratitude manifests itself to-day when Ireland, calmly announcing her declaration of independence, looks to the great Republic in the West. France is witness to our abiding spirit of gratitude; Ireland does not expect us to fail. For Ireland remembers that the scion of Mount Vernon, Washington's adopted son, said with deep sincerity: "The shamrock should be entwined with the laurels of the Revolution. The rank grass had grown over the grave of many a poor Irishman who had died for America ere the flag of the Lillies floated in the field by the Star-Spangled Banner."

Turning then to the facts, which, in the words of Senator Hoar, "ought to be collected and preserved," I wish to recall the first statement made in the previous letter: Our special ambassador, Franklin, and our Continental Congress looked to Ireland for sympathy and help in the Revolution; and, secondly, before we note the extent and worth of this Irish contribution, let us bear in mind, without further insistence on the point, that it was a labor of supreme difficulty for Ireland and her sons to carry into effect the earnest will and heart they had for America's freedom. Here, then, is a partial list of some of the leading names and the testimony of some notable authorities with regard to the efficiency of the Irish assistance. Again, I string in plain line these statistics and facts without any effort at the embellishments of rhetoric.

First. The testimony taken only from Franklin's correspondence, now in the possession of the American Philosophical Society. Glance at a few excerpts from 100 Irish letters to Franklin:

James Shanley, writing from Paris, May 28, 1777, says that "he had left Ireland about seven weeks before to offer his services to the American cause," and "there are many staunch friends of that cause in Ireland, but they dare not declare themselves." A Franco-Irish officer, O'Meara, May 14, 1777, expressed "great desire to serve the American cause." Count O'Donnell, a colonel in a Polish regiment; Baron O'Cahill, commandant of French troops; and Capt. O'Heguerty, from Nancy, wrote similarly to Franklin in that same year. In 1779 Robert O'Connell wrote from Paris offering to "take care of American consular interests at any of the Spanish ports." Capt. McCarthy More wrote from Boulogne, July 4, 1781, "to enter the service of the United States." Chevalier O'Gorman recommended Dr. John O'Connor, who "desired to serve America either in the Army or in the hospitals." And in the same year Henry O'Neil applied to Franklin for a commission in the American Army. A commission, too, was asked for Capt. James Byrnes, commander of a merchant vessel; and the Black Prince was given to the command of Capt. Patrick Dowlin; and Capt. Luke Ryan wrote Franklin from Dunkirk that "he expects to have a large cutter completed soon, and if his abilities deserve Franklin's protection, begs for a rank in the American Navy, since he regards the American cause as his own."

These are but a few facts gathered from 100 letters of Franklin's Irish sympathizers.

Second. Some notable "firsts" in the American Army and Navy:

Practically the first blow in the Revolution was struck by the son of a Limerick schoolmaster, John Sullivan, who captured the Fort of William and Mary, December 13, 1774. First stroke at British sea power, made by Jeremiah O'Brien off Machias, on the coast of Maine, May, 1775. Montgomery—every American schoolboy knows of his heroism; see what, in the British Parliament, Lord North said of him: "He was brave, he was able, he was humane, he was generous; but still he was only a brave, able, humane, generous rebel. Curse on his virtues; they've undone England." That was Montgomery of Raphoe. Andrew Brown, of Ulster, was mustermaster general in the American Army; Stephen Moylan, brother of the Bishop of Cork, was aid-de-camp to Washington; John Barry, of Wexford, was founder of the American Navy; and the famous Pennsylvania line, the bulwark of American defense, was called "the line of Ireland."

Third. The numerical strength of the Irish in the American forces.

From the Pennsylvania Gazette, August 11, 1773, we learn that upwards of 18,000 people left Dublin to settle in various parts of America in the first months of that year. The most exacting and conservative estimates made by recent-day research state that between the years 1763 and 1774 the arrivals from Ulster numbered 33,600 and from other parts of Ireland 88,400. It is well to note these figures because of a prevalent platitude that used to have place in certain pages of so-called American history, namely, that these Irish are to be known as "Scotch-Irish," a designation that does not speak true of either end of the hyphen. Now, to these numerous emigrants who joined loyally to the American cause (not "Loyalists" of the kind that sailed out of Dorchester Bay St. Patrick's Day, 1777) must be added the numbers who came as soldiers to the American forces. To name but one, in 1779 Count Arthur Dillon addressed a petition to the French war office on behalf of all the Irish soldiers in France, and he sailed from Brest—Brest, so Americanized during the past year—with 2,300 troops. From the Carolinas to the coast of Maine the American troops "bristled with Irishmen," a clause used in the report about the New Jersey line. Even in Massachusetts our State archives give the names of 147 Irishmen among the minutemen at Lexington, 258 at Bunker Hill, and 78 in the company at the siege of Boston.

AMERICAN ARMY HALF IRISH.

Four. The testimony of the foe about the Irish numbers.

In the course of a debate in the Irish House of Commons, April 2, 1784, the Hon. Luke Gardiner stated: "I am assured from the best authority that the major portion of the American Army was composed of Irish, and that the Irish language was as commonly spoken in the American ranks as English. I am also informed that it was their valor determined the contest, so that England had America detached from her by force of Irish emigrants." At an investigation into the causes of the defeat held in the British House of Commons (see British House of Commons Report, vol. xiii, p. 303) Maj. Gen. Robertson, who had served 24 years in America, was asked: "How are the provincial corps composed—mostly of native Americans or of emigrants from various nations of Europe?" He answered, "Some of the corps were mostly natives. I remember Gen. Lee telling me that he believed half the rebel army were from Ireland." Joseph Galloway, who, though a native of Pennsylvania, became a violent Tory in 1778, replied when asked by members of the British House of Commons (ibid., p. 431) about the constituents of the American Army, "The names and places of their nativity being taken down, I can answer the question with precision. There was scarcely one-fourth natives of America, about one-half Irish, the other fourth English and Scotch."

To this testimony from English sources let us add the clear American statement of George Washington Parke Custis, spoken from Mount Vernon: "Of the operations of the war, I mean the soldiers, up to the coming of the French, Ireland had furnished in the ratio of 100 for 1 of any other nation."

Here, then, are some of the facts which "ought to be collected and preserved." They show that America's great petition to Ireland, as manifested by her ambassador, Franklin, and by the Continental Congress, received a generous response. And America, grateful to France, will prove the abiding spirit of her gratitude toward Ireland. It is not men or money that Ireland looks for in this great hour of her declaration of independence; she has reason to expect the voice of America, speaking in her behalf at the peace conference. Justice to small nations was our profession in arms; our gratitude accentuates our profession of justice.

Thanking you again, dear editor,
Sincerely,
FATHER EARLS, S. J.

[From the Worcester Gazette, Jan. 23, 1919.]

FATHER EARLS SHOWS HOW EARLY AMERICAN PATRIOTS FELT TOWARD IRELAND—QUOTES FROM HISTORICAL DOCUMENTS THAT WHEN AMERICA ASSERTED ITS CLAIM FOR SELF-DETERMINATION CONGRESSES, AMBASSADORS, AND PEOPLE LOOKED TO IRELAND FOR SUPPORT OF GREAT PRINCIPLE EMBODIED IN DECLARATION OF INDEPENDENCE.

To the EDITOR OF THE GAZETTE.

SIR: In this day of geographical and historical reconstructions, it is no surprise to find verified the old truism that history repeats itself. A long list of these verifying instances is a matter of easy information for any reader of current journals. I wish to mention only one of these historical coincidences, one which, while it is a point of international interest, is especially arresting the attention of our country during these days of high anticipations. I mean the Irish question—the right of Ireland, as of any other nation, small or great, to self-determination. This right in general has been asserted by England in her manifest proclamations during the years of the war, and is the very heart of President Wilson's appeal to the country at our entrance into the war; and in particular, the exercise of this right in Ireland's case is the solemn avowal of vast congresses of men meeting in free assemblies in Australia, Canada, and in every one of these United States. Ireland's case has received an affirmative vote, almost unanimous, throughout the world, and if it does not receive a similar vote at the peace conference millions of America's most devoted sons will feel that the war was in vain—the solemn pledges of unselfish, magnanimous America remaining unfulfilled.

But it is not upon this point that I direct your attention; we can await the issues of the peace conference with American confidence, knowing, as a great orator said the other night in Newport, that "God will preside over the destinies of nations, and President Wilson is on the American job." I wish merely to show you a coincidence of history in the present American interest and sympathy toward Ireland. We are aware. I trust, the vast assemblies in the United States have voiced forceful and dignified petitions to President Wilson in Ireland's behalf; petitions that had the strength of the Rocky Mountains in the

West; that caught up the unanimous voices of the South, rippled along the Great Lakes and became a sonorous voice like Niagara's; and had the four-square support of the Atlantic seaboard. In this great chorus from America, Massachusetts played her part; of our State in this regard we can repeat Webster's proud words, "Massachusetts needs no encomium." Our Congress, in both Houses, put the matter deep into consideration for fuller and more determined consideration upon a later day.

Now, this is the page which repeats history. For looking back to our colonial days, when America asserted and won its claim for self-determination, our Congresses and our ambassadors and our people looked to Ireland for support of the great principle embodied in our Declaration of Independence. I shall do no more than string together in a straight line the documented proofs of this assertion, and I can the more easily do this since I have just now received the proof pages of a new book, "A Hidden Phase of American History," done by the historiographer of the American Historical Society, a book soon to be on the shelves of every American library.

First. Benjamin Franklin, diplomatic agent of the United States, twice visited Ireland and was cordially received everywhere by the people, in 1769 and 1771. He wrote:

"All Ireland is strongly in favor of the American cause. * * * I send you four pamphlets written in Ireland by Irish gentlemen here, in which you will find some excellent well-said things." (Letter to Dr. Samuel Cooper, of Boston, dated London, Apr. 27, 1769.)

"In Ireland among the patriots I dined with Dr. Lucas. They are all friends of America, in which I said everything I could to confirm them." (Letter, London, Jan. 13, 1772.)

"I found them (the Irish) disposed to be friends of America, in which I endeavored to confirm them, with the expectation that our growing weight might in time be thrown into their scale, and by joining our interest with theirs, might be obtained for them, as for us, a more equitable treatment from this nation (England). There are many brave spirits among them. The gentry are a very sensible, polite, friendly, and handsome people. Their parliament makes a most respectable figure, with a number of very good speakers in both parties, and able men of business." Franklin goes on to mention the courtesy of the parliament toward himself. (Letter to Thomas Cushing, Delegate to the Continental Congress.)

These citations, out of a large list that might be given, are sufficient to show that report was made to America by our special envoy. America looked to Ireland for help and sympathy, as Ireland now looks to America in this great hour of her declaration of independence. One liberty-loving people called to another: America summoned the Irish Parliament and the Irish people to the cause of American liberty; Ireland repeats the summons for the cause not merely of Irish liberty but of human rights—the cause for which America went to war.

Second. The address to the people of Ireland, adopted at a meeting of the Continental Congress at Philadelphia, July 28, 1775. Only the following excerpt need be given to show the mutual sympathy existing between the two countries:

"You have ever been friendly to the rights of mankind; and we acknowledge with pleasure and gratitude that your nation has produced patriots who have nobly distinguished themselves in the cause of humanity and America. * * * We sympathize with you in your distress * * * In the rich pastures of Ireland many hungry parricides have fed and grown strong to labor in its destruction. * * * God grant that the iniquitous schemes of extirpating liberty by the British Empire may soon be defeated."

Again, on October 2, 1775, in a resolution introduced by the Committee on Trade and passed unanimously by the Continental Congress, Ireland is mentioned as "a people who have always manifested a noble regard to the rights of mankind and have been friendly to these much-injured Colonies."

Third. The testimony of a leading American after the Revolution. The adopted son of Washington, George Washington Parke Custis, speaking for the cause of Ireland in City Hall, Washington, D. C., July 20, 1826, said in the course of his notable speech:

"In Erin, and in the darkest days of our destiny, whenever it was told that we bore ourselves bravely in the field though pressed by misfortune, a thousand, aye, a hundred thousand times did the poor Irishman take off his hat and cry his heart, 'God bless great Washington and the cause of America.' And this, Americans, in the very lion's jaws."

Mr. Custis enumerates some of the distinguished sons of Ireland who served under the American command, and then adds:

"Permit me to conclude with the invocation to Ireland as uttered by the child of Mount Vernon on the day of independence, and under the venerable praetorium of the Revolution: 'Health and success to the Emerald Isle! My country's friend in my country's utmost need. May she soon be relieved from the lion's grasp, for the lion is of a kind that fondles ere it kills, while the eagle suffers the smallest bird to wing its wonted way to warble its hymns of praise in the pure melody of nature, the song of the soul. Ireland, thou friend of my country in my country's most friendless days, much injured, much enduring land, accept this poor tribute from one who esteems thy worth and mourns thy desolation. May the God of heaven in His justice cause the sun of freedom to shed its benign radiance on the Emerald Isle.'"

Franklin, the Continental Congress, Mount Vernon, and Washington's son—surely these are a goodly company for Americans of this day who ask for Ireland that boon of liberty which America once asked Ireland to labor for in America's urgent need.

Thanking you, dear editor, for the space given to this letter,

Sincerely,

FATHER EARLS, S. J.

Mr. FLOOD. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. LONERGAN].

Mr. LONERGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LONERGAN. Mr. Speaker, the session of the Sixty-fifth Congress, which will be remembered as the war Congress, is drawing to a close. The Members of the Congress, who will never forget the memorable night when they declared through their vote that the state of war thrust upon the United States by the Imperial German Government be formally declared, will also carry away with them the great feeling that within the life of the Congress this war has been ended in peace with victory.

The United States fought for its rights as a Nation; also, the United States voiced the truth that all nations and peoples should of themselves have the right to determine their government.

The principles for which we fought have been secured. Their application should be general, not partial, else they lose their force. The right of Ireland to self-determination is no less pronounced than the right of Poland, of Jugo-Slavonia, of Czecho-Slovakia.

President Wilson, after laying down his 14 conditions of peace, concluded with these words:

An evident principle runs through the whole program I have outlined. It is the principle of justice to all peoples and nationalities, and their right to live on equal terms of liberty and safety with one another, whether they be strong or weak.

Previously, at Arlington, Va., Mr. Wilson had stated:

One of the principles which America held dear was that small and weak States had as much right to their sovereignty and independence as large and strong States.

On February 11, 1918, speaking before Congress, the President said:

National aspirations must be respected; peoples may now be dominated and governed only by their consent. "Self-determination" is not a mere phrase.

President Wilson recently set sail to return to the United States from the peace conference, leaving from the port of Brest, the same port from which Count Arthur Dillon sailed in the Revolutionary War to bring military help to the American Colonies in their fight for independence. On being greeted at Boston, President Wilson told his hearers that the world looked to America with hope, because of the disinterestedness of our purposes and our aims.

The Committee on Foreign Affairs of the House of Representatives has favorably reported out joint resolution 357—

That it is the earnest hope of the Congress of the United States of America that the peace conference now sitting in Paris, in passing upon the rights of various peoples, will favorably consider the claims of Ireland to the right of self-determination.

Neither the chairman of the Foreign Affairs Committee nor any man on the committee, according to the RECORD, has expressed any doubt of the committee's jurisdiction in the premises. This body, which has the power to declare war and fight it through to a successful conclusion, has the power to suggest to our commissioners.

Whatever the sentiment in the United States at large regarding the Irish question in the past, I think it is patent today that the opinion of the United States is, "Why should Ireland be omitted in the application of the principle of self-determination?"

The very history of Ireland is her greatest eulogy. The dying hands of her every generation have thrown to her living children the torch of liberty to be borne sometimes in adversity and travail, at other times in triumph, but always onward and onward. When, in the homeland, oppression became persecution, there went from Ireland to the four corners of the world her emigrants, carrying to America, to Canada, to Australia, to continental Europe the dream of a free country. Irishmen have fought under every flag for liberty. Are they to be denied liberty under their own?

Ireland's flickering lamp of hope is brightened by the prospect of action on her long-deferred claim for self-government at the peace conference. Resolutions have already been adopted by several States, through all of which runs the evident feeling that self-determination should be applied to friend and foe. The British people and the liberal British press favor self-determination for Ireland.

In every democracy majority rule obtains. The majority in Ireland has already expressed itself, and emphatically, for self-determination. The Irish have an aptitude for political government if any people have. With them law and order are paramount. Anarchy finds among them no disciples. Class hatred is foreign to their nature. They have no part in bolshevism. They yield to no race in patriotism and citizenship.

The Irish question has attracted the attention of the world, and those who would pass it by at times do so by stating it is a purely domestic question. If it is a domestic question, it is domestic for Ireland alone. For the rest of the world it is a question of the application to one people of principles recognized by all nations to be just. If it is other than a domestic question, it is an international problem, and therefore the world is concerned. The peace conference will be occupied in the adjustment of world differences.

To America Ireland's cause should appeal more than to any land. In 1776, when our Republic was established; in 1812,

when it was saved from destruction; in 1861, when the Union was threatened, Irishmen in large numbers responded to the call to arms and wrote for themselves undying fame in history. In 1914, when chaos seemed the fate of European civilization, it was the Irish who led Britain's vanguard across the channel and died in large numbers among the first 100,000 in the retreat from the Belgian border, while the French and the rest of the British came up. In 1917, when America threw her weight into the scale of justice, sons of Irishmen, proud to be called American citizens, were among the first to volunteer, and formed no inconsiderable part of the American Expeditionary Force and the United States Navy. These men wrote as indelibly in blood on the fields of France a declaration of independence for the world as did their ancestors in former wars sustain with their blood the Declaration of Independence of the American Colonies.

To an Irishman may be attributed popular form of government in the Colonies, and men of Irish blood were among the framers of the Declaration of Independence and the Constitution of the United States.

America is the champion of oppressed peoples. Whether we find the rôle a delicate one to perform or not, it is our position in the world to-day.

As such we ask that Ireland be not overlooked in the settlement of the world's problems, but rather specifically included. The question should be presented to the peace conference. The Irish nation is one of the oldest in Europe. Ireland had her own code of laws and her own language. Her vast contribution to the education and civilization of continental Europe long centuries before the English invasion is a historical fact. Ireland never surrendered her national rights. She has fought against forced rule in every century since 1172. The so-called act of union, passed in 1800 by a Parliament in which four-fifths of the Irish people had no representation and to which only a small portion of the 300 members were elected, has been described by Gladstone himself in words that will always condemn it, when he said:

> I know of no blacker or fouler transaction in the history of man.

Geographical location or claims to govern should be no barrier to her demands for consideration—with the other dependencies knocking at the door of the peace conference. If when the names of the dependencies are called at the conference no delegate is there to respond for Ireland, then should not the United States request that she be heard, that the principle of justice to all peoples and nationalities may be applied? Such a principle to carry force should be universal in its application. A race, like an individual, is entitled to a day in court and a just verdict.

Arabia, Palestine, Mesopotamia, Syria, Armenia have claims for liberty from Turkish domination; Bukowina, Transylvania, and Bessarabia desire again to be associated with Roumania; the Jugo-Slavs are coming into their own; Albania wants its freedom; the Italian Irredenta, Triest, and Trentino find their dreams for consolidation with Rome on the eve of realization; Bohemia, Moravia, and Slovakia will soon be the Czecho-Slovakian nation; the free government of Poland has already been recognized; Finland desires to set her own house in order; Lithuania yearns for recognition.

Ireland has lived on hopes and promises and visions long enough. It is time for her to take her place among the free nations of the world.

Mr. NOLAN. Mr. Speaker, the gentleman from Texas [Mr. CONNALLY] seems to think that the British Parliament and the British foreign office at this late day would consider it an insult if the House of Representatives passed this resolution which expresses the sentiment of not alone the Congress of the United States but also the sentiment of an overwhelming majority of the people of this country in favor of Irish freedom, and the right of the people of Ireland to determine the form of government under which they shall live.

The President of the United States a year ago last February stood on this rostrum, and the British Government and the British people, and all of our allies, were willing to stand behind his declaration at that time to the effect that the United States of America and her allies were fighting for democracy, and the right of the people of the world to govern themselves, and pledging this Nation and its allies to secure for the small nations the right of self-determination. The President of the United States did not state that this principle applied only to the people of the central empires, but made a positive declaration that it was intended to apply to the people of the world.

If England wanted to object to the application of this principle to her dependencies and colonies that was the time for her statesmen to make known their position, but in the language of one of her generals she had her back to the wall then fighting and victory was not even in sight. England never protested officially or otherwise against President Wilson's declaration, laying before the world the 14 points as a basis of peace, the right of self-determination of small nations being one of the principal points in that declaration.

Is this Congress and the people of this country going to hold off now and refuse to Ireland the same consideration that we all agree should be given to the Serbs, the Poles, the Czecho-Slovaks, the Belgians, and the Jews?

Why, only the other day the President of the United States received a delegation of the leading Jews of the country, who called to present the claims of the Jews of the world for the establishment of an independent Jewish state in Palestine. The President, without reservation, and rightly so, told them of his sympathy with this movement and offered his assistance as head of our delegation to the peace conference to see that this independent state was established. Because one of our allies in this war might see fit to contend that the Irish question is a domestic question, are we as a Nation to stand idly by and not lift our voice in protest and let it appear to the people of the world that the only people upon which we shall impose our ideals are those nations that we conquer? And are we going to take the position that we will deny to the people in our own dominions, as well as in the dominions of our allies, the fundamental principle of the right to choose their own form of government?

I am in favor at home and abroad, wherever people differ racially and in their national feelings and aspirations, of giving them the right to determine the form of government under which they shall live, and we could find no better time than right now, in the closing hours of the Sixty-fifth Congress, to express ourselves unanimously on the Gallagher resolution, which will give courage to the people of Ireland in their effort to choose their own form of government after a struggle of over 700 years.

Mr. FLOOD. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. MCLAUGHLIN].

Mr. MCLAUGHLIN of Pennsylvania. Mr. Speaker, I would not get started in half a minute, and the only thing I know to do is to ask leave to revise and extend my remarks in the RECORD on self-determination for Ireland.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. MCLAUGHLIN of Pennsylvania. I do not intend to continue. I might get warm. [Laughter.]

Mr. FLOOD. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. PHELAN].

Mr. PHELAN. Mr. Speaker, I rejoice at this opportunity to give my unqualified support to the resolutions relative to the consideration by the peace conference of the claims of Ireland for self-determination. Quite contrary to the assertion on this floor that this matter is no concern of us, I assert that a liberty-loving American people, who themselves enjoy the blessings of freedom and independence, are always concerned in the struggle of any people seeking their own independence. Moreover, it is not only proper but also imperative for a people who under free institutions have enjoyed a measure of prosperity and happiness beyond that granted any other people in history to express the hope—and this resolution is thus moderate—that the rights of Ireland shall at least be considered at the peace table. What claim has Poland or Bohemia or any other small nation that Ireland has not? If Ireland had been under the domination of one of our enemies—Germany or Austria, for example—there would be no need for resolutions in this House; her independence would have been promised and guaranteed even before the peace conference gathered together. With all the justice of their righteous claims, shall the Irish people alone be denied even their demand for consideration at the conference simply because they are under the sovereignty of one of our cobelligerents in this war? Was this war fought that democracy be bestowed on those nations hitherto ruled over by our enemies, but denied one small nation ruled over by one of our cobelligerents, herself proclaiming the war—a war for democracy?

I am confident that these questions will be answered by us this morning with an emphatic and unequivocal declaration for universal democracy. When I spoke some weeks ago before the Committee on Foreign Relations of the House upon the Gallagher resolution I was confident of the favorable action of the committee. This morning I am again confident of favorable action on this resolution by this House. I am profoundly gratified that as one of the last legislative actions of this House before the control of the House passes from us the Democratic Party shall have the honor of putting through this body the

resolution declaring our sympathetic support in behalf of the long-suffering but virtuous and noble people in their struggle for independence. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. DECKER. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. SANDERS].

The SPEAKER. The gentleman from Louisiana is recognized for one minute.

Mr. SANDERS of Louisiana. Mr. Speaker, I am interested in the liberty and the happiness and the peace of the Letts and the Finns and the Ukrainians, but I am much more interested in the liberty and the peace and the happiness of the beautiful Emerald Isle, and I feel that I can say to those people across the seas to-night, "We be of one blood, you and I." And it does seem to me that the least that this great Nation of ours can do, offending no one, is simply to express our opinion that around the table in Paris the claims of Ireland to govern herself shall be considered. [Applause.]

The SPEAKER. The time of the gentleman from Louisiana has expired.

Mr. FLOOD. Mr. Speaker, I yield one minute to the gentleman from Rhode Island [Mr. O'SHAUNESSY].

The SPEAKER. The gentleman from Rhode Island is recognized for one minute.

Mr. O'SHAUNESSY. Mr. Speaker and gentlemen of the House, I congratulate the Committee on Foreign Relations of the Sixty-fifth Congress on favorably reporting the Gallagher resolution as amended. I congratulate the Rules Committee on bringing in a rule to make this resolution in order. Let it be known to all men that under a Democratic administration, headed by Woodrow Wilson, who gave those talismanic words to the world, "the right of nations to self-determination," this Congress, by virtue of the action of two Democratic committees, is privileged to raise its voice in behalf of that gallant nation across the sea, which has never given up its nationality, and to express the hope that the peace conference will favorably consider the right of Ireland, the "Poland of the Seas," to self-determination.

I am reminded as I speak that to-morrow will be the one hundred and forty-first anniversary of the birth of Robert Emmet, the youthful Protestant patriot, who gave his life ungrudgingly for the cause of liberty and his country. He expressed the wish that his epitaph should not be written until his native land had taken her place among the nations of the world. And it was a southern statesman, Robert L. Taylor, who eulogized Emmet in these glowing sentences of poetic words:

If I were a sculptor, I would chisel from the marble my ideal of a hero. I would make it the figure of an Irishman sacrificing his hopes and his life on the altar of his country, and I would carve on its pedestal the name of Robert Emmet.

If I were a painter, I would make the canvas eloquent with the deeds of the bravest people who ever lived, whose proud spirit no power can ever conquer, and whose loyalty and devotion to the hopes of free government no tyrant can ever crush. And I would write under the picture "Ireland."

If I were a poet, I would melt the world to tears with the pathos of my song. I would touch the heart of humanity with the mournful threnody of Ireland's wrongs and Erin's woes. I would weave the shamrock and the rose into garlands of glory for the Emerald Isle, the land of martyrs and memories, the cradle of heroes, the nursery of liberty.

Tortured in dungeons and murdered on scaffolds, robbed of the fruits of their sweat and toil, scourged by famine and plundered by the avarice of heartless power, driven like the leaves of autumn before the keen winter winds, this sturdy race of Erin's sons and daughters have been scattered over the face of the earth, homeless only in the land of their nativity, but princes and lords in every other land where merit is the measure of the man.

America entered the great world war after great deliberation. She went into it to maintain her rights, and in making the world safe for democracy to help destroy the power of any nation on earth to jeopardize the peace of the world again. In seeking to bind the world in peace, America is resolved that justice shall be done to the great and powerful and the small and weak alike. When the treaty of peace is signed, America wants no discontent or grumbling. What a mockery it would be to apply the principle of self-determination to one nation and refuse it to another. And so this great House of Representatives to-day will gladly, I am sure, raise its powerful voice in behalf of one of the oldest nations in the world—Ireland. [Applause.]

England must take notice of her own liberal thought, her liberal press, and the powerful expression of labor in Great Britain all crying out in unison for justice to Ireland. To the liberty-loving men and women of Great Britain America adds her voice to-day asking England to proclaim by her action at the peace conference that the era of evasion and broken promise is passed, and that Ireland shall take her place among the nations of the world with her aid and consent.

We are about to put the peoples of the world in charge of their Governments. We are about to discard forms and to seek that substance containing the eternal verities. We are about to right ancient wrongs and by our actions give proof and promise of a better future for all the world. Alsace and Lorraine is to be given back to France. Poland is to be reestablished, and bitter memories are to be softened in the knowledge that once again that land of valor and chivalry will be a nation. The dreams of the Czecho-Slovaks for a national status are to be realized. The boundaries of nations are to be made to conform to racial alignment, and the seeds of antipathy among peoples are to be destroyed.

Let America's voice then, both here and abroad, be lifted up for a nation whose claims to liberty and justice are founded on absolute right and strengthened by the ready sacrifice which her sons and daughters have made in every land when freedom needed champions. Justice to Ireland by the peace conference will prove the reality of earnestness and good faith, and denial of justice will make a laughing stock of the allies' professed sentiments for democracy. [Applause.]

The SPEAKER. The time of the gentleman from Rhode Island has expired.

Mr. O'SHAUNESSY. Mr. Speaker, I ask leave to revise and extend my remarks.

The SPEAKER. The gentleman from Rhode Island asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I wish to say that there are as many Republicans desiring to vote for this resolution as there are Democrats. This is not a partisan proposition.

Mr. DYER. Reserving the right to object, Mr. Speaker——

SEVERAL MEMBERS. Regular order!

The SPEAKER. Is there objection to the gentleman from Rhode Island extending his remarks?

Mr. LOBECK. Mr. Speaker, reserving the right to object, I have heard a good deal of Irish-American talk here to-night. There is no Irish blood in me, but I am for this resolution. [Applause.]

The SPEAKER. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. SABATH].

The SPEAKER. The gentleman from Illinois is recognized for two minutes.

Mr. SABATH. Mr. Speaker and gentlemen, I fully agree with my colleague from California [Mr. NOLAN] that not only the Irish but also the Jews are entitled to their freedom and independence. [Applause.] I hope that both of these for centuries oppressed and persecuted peoples will secure it. [Applause.]

Mr. Speaker, knowing what oppression means I have at all times advocated and aided in its elimination wherever possible. It was for this reason that I was impelled to work to secure freedom and independence for the Czecho-Slovak, Jugo-Slav, and Polish peoples, and it is for the same reason that I am in favor of freedom, justice, liberty, and self-determination for Ireland.

Mr. CONNALLY of Texas. Mr. Speaker, will the gentleman yield?

Mr. SABATH. No; I regret that I have not the time.

The people of this nationality have demonstrated their fitness for self-government as well and have proven that they are deserving of our sympathy. To them, in a large measure, credit is due for our great and glorious victory. Mr. Speaker, I am satisfied that the American people sympathize with the aims and aspirations of the oppressed people of Ireland. We have a right to request, yes, to demand, that Ireland shall be accorded the right of self-determination. We are not appealing to the enemy, but are appealing to one of our allies, our friends, whom we have saved from defeat and destruction, for whom we have made such sacrifices. Have we sacrificed our blood and all to make Great Britain so strong that she could refuse with impunity to consider the pleas of oppressed nations and peoples? There should be no hesitancy on the part of this House to make the request that due consideration be given to the aspirations

of Ireland for self-determination, and I feel that it, as well as all other small nations, are of right entitled to their freedom and liberty. It is for that reason that I have advocated and worked for the passage of this resolution, which I am satisfied, notwithstanding a well-planned filibuster on the part of certain gentlemen on this side, and a still larger number on the other side, will pass. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Speaker, owing to the way the time was divided, I could not get time. I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, after all, this resolution is not butting into the affairs of Great Britain. It is not seeking to intervene with Great Britain in its domestic affairs. This resolution only expresses the earnest hope of the Congress of the United States that the peace conference may favorably consider the claims of Ireland. That is a hope which we have the right to express, without interfering with Great Britain. [Applause.] I think we ought to express the hope that is in the hearts of Americans and in the heart of America, that Ireland shall have her show at the peace conference and that the peace conference may so work out the terms of peace that when the final terms shall be agreed upon Ireland will be given independence. [Applause.] What is the harm in expressing a hope like that? We are undertaking to do much more than that with the other nations—the little nations now dependent upon the allies. Certainly no harm can come from our putting in concrete form the soulful spirit of America, which swells and rises high on the tide in favor of giving all nations independence, if possible, and expressing the hope that Ireland will achieve her right to govern herself when she now governs the rest of the world. [Applause.]

Mr. LONDON. Mr. Speaker, I ask unanimous consent to address the House for two minutes on the subject of the resolution.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes.

Mr. GREEN of Iowa. I object.

Mr. DECKER. I rise to move that the gentleman from New York [Mr. LONDON] have five minutes to address this body.

The SPEAKER. That motion is out of order.

Mr. DYER. I ask unanimous consent that the gentleman may have three minutes.

The SPEAKER. The gentleman asks unanimous consent that the gentleman from New York have three minutes. Is there objection?

Mr. GREEN of Iowa. I object.

Mr. LAGUARDIA. I ask unanimous consent to speak for three minutes.

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. Had not the gentleman from New York obtained two minutes in his own right when the gentleman from Missouri [Mr. DYER] asked three minutes for him?

The SPEAKER. No.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York may have the opportunity now to speak for three minutes. He will soon be away from us——

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from New York have the opportunity to address the House for three minutes.

Mr. DYER. Does the gentleman from Iowa object?

The SPEAKER. It is the business of the Chair to put that question. Is there objection?

There was no objection.

Mr. LONDON. Mr. Speaker, I have lost entirely too much energy in fighting for the chance to speak for three minutes. Still I am grateful, as others have had only one minute each.

Nearly two years ago, during a dreadful and agonizing night, a night which we will never forget, this Congress voted for war by an overwhelming majority. We began our service in the Sixty-fifth Congress by the first act in a tragedy, a declaration of war, and it is a glorious thing that the war Congress ends with a message of love, which will promote the peace of the world. [Applause.] For there can be no peace when a whole people feels aggrieved.

When you deal with nationality you deal with a thing that does not lend itself to rational analysis, a thing that is not subject to the laws of reason, but which is powerful because of that very fact. When you deal with the feeling of nationality you deal with sentiment, with emotion, with a passion which defies the laws of logic.

The Irishman who wants to be an Irishman and not an Englishman or a Frenchman has a right to live an Irishman as against the rest of the world. [Applause.]

This resolution merely asks for the Irish people the right of self-disposal, the right of self-government. The form of self-government and the extent to which the Irish people will cooperate with the rest of the peoples of the world will depend upon the method of cooperation that will be worked out by the statesmanship of mankind, by the new wisdom of the world in a peace conference. I hope that when Ireland is free she will not use her freedom for hatred and revenge, but that she will be a star added to a constellation of free commonwealths, shedding a kindly and cheering light for the whole of humanity. [Applause.]

Mr. HAMILL. Mr. Speaker, I ask unanimous consent to extend in the RECORD some remarks that I have written on this resolution.

Mr. FLOOD. Mr. Speaker, I request that all Members who desire to extend their remarks in the RECORD on this resolution may have leave to do so.

The SPEAKER. The gentleman from Virginia asks unanimous consent that all who wish to print remarks on this resolution may do so. Is there objection?

Mr. HEFLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of cotton.

Mr. GOULD. I object.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. FLOOD]?

Mr. HEFLIN. I object.

The SPEAKER. Does the gentleman——

Mr. HEFLIN. Mr. Speaker, I withdraw my objection.

Mr. MOORE of Pennsylvania. Reserving the right to object, I want to ask the gentleman from Virginia whether his request to extend remarks on granting the Irish freedom would confine it to the Democratic side of the House?

Mr. FLOOD. I do not think the gentleman so understood my request.

Mr. MOORE of Pennsylvania. There are a number of Republicans in favor of this resolution and there are many good Irishmen in my district. [Cries of "Regular order!"] I reserved the right to object—and I do not object, but I wanted to have it understood that this is not a partisan proposition.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FLOOD. Mr. Speaker, there is ample precedent for the action of Congress in the passage of such a resolution as this. For a hundred years we have enacted laws that would be a precedent for this resolution.

I am for this resolution, because it propounds a sound principle and because it is an entirely proper resolution for Congress to pass.

It expresses the hope that the peace conference will tender its friendly advice to England in reference to the Irish problem—a problem which must be settled before we can be assured of an enduring peace; a problem which must be settled before the world will believe that our victory for democracy was complete. [Applause.]

The propriety of Congress to pass such a resolution as this has been questioned. I have thought of this phase of the question very carefully and have reached the conclusion that there is no impropriety in Congress taking the action outlined in this resolution, but that, on the contrary, it is entirely proper and right for Congress to act in this matter. [Applause.]

We went into the great war to protect our rights and to defend our honor, but after we became belligerent the spirit of America broadened the scope of the war, and we not only fought for our country and its rights but we also fought for the future of humanity—for those universal sanctities that mark us as higher than the beasts; for honor, truth, justice, and an enduring peace, and for the principles that will assure such a peace. [Applause.]

The principle of this resolution is redolent with those ideas, full of the spirit which animated our soldiers who did the fighting and who whipped the German armies to their knees.

The Irish people constitute the only distinct branch of the Caucasian race so situated that it could be erected into an independent nation, and asking to have its rights considered, whose liberty or whose right of self-determination is not being considered by the peace conference; and I might add that in point of antiquity, in point of culture, in point of courage, in point of love of liberty, it stands as high as any branch of the Caucasian race and is superior to many of its branches. [Applause.]

While the peace conference is providing for the independence of Poland and Czecho-Slovakia and of other nationalities, let us ask it not to forget the rights of the brave and liberty-loving people of Ireland. [Applause.]

It has been urged as an argument against this resolution that the Irish in Ireland threatened to resist the conscription law. Let me say that out of 750,000 men of military age in Ireland, 275,000 of them volunteered in this war. This was nearly 40 per cent of the men of military age in that country, and the proportion of those who went into the war compares favorably with Scotland, Canada, the United States, and most countries that were engaged in this fight for human rights.

And I am told that after Parliament had passed a conscription act an investigation by the British authorities showed that so many men had volunteered in Ireland that the enforcement of conscription would have added but a few thousand men to the army, and therefore the British Government decided to abandon the enforcement of that law.

Such a showing entitles the splendid people of Ireland to the consideration of the friends of democracy and the right of self-determination everywhere. [Applause.]

Not only do the character and genius of the Irish people appeal to our consideration, but the manner in which they have been misgoverned and oppressed demands our sympathy.

The statement of one fact will demonstrate the misrule of England in Ireland. The population of Ireland 75 years ago was nearly 9,000,000; to-day it is less than four and a half million. Then Ireland was the fifth country in Europe in population; to-day it is not among the first 15. In that period every other country in Europe has increased its population. England's population has increased 150 per cent, while that of Ireland has been cut in half. In that time the decrease of Ireland's population has wiped out one-third of the Episcopalians, one-third of the Presbyterians, and more than one-half of the Catholics.

Despite the large birth rate in Irish families, every section in that country has suffered an amazing depopulation, due to the unhappy economical conditions, the decay of industries, and the unsettled state of the country brought about by English misrule.

Could a stronger argument be advanced by the people of Ireland for discontinuance of English rule? In this great hour, when governments are being reformed and when people long oppressed by tyranny are emerging into the sunlight of liberty, let us urge England to unselfishly and voluntarily discontinue the misrule of Ireland.

It is my profound conviction that the Irish people should constitute a nation with all the attributes, interests, and rights of nationality, and I hope and believe that this House will concur in that conviction.

A willingness on the part of the Government of Great Britain to permit the ascertainment of the will of the Irish people would be a decisive and honorable precedent for governments similarly situated in the future, and would do as much to insure the peace of the world as anything that any nation or group of nations could possible contribute to this splendid purpose. [Applause.]

The Irish people, whose kindred are woven into the warp and woof of our national life, and who have contributed materially to the downfall of the autocracy of the world, declare, and have long declared, that they are misruled, and have asked for, insisted upon, and fought for the right to determine for themselves their government and its form.

I believe in Ireland's right of self-determination. The Committee on Foreign Affairs believe in it. The Committee on Rules believe in it. And therefore we are here to-day to plead the cause of Ireland's sons and daughters that they may stand erect, redeemed, regenerated, and disenthralled on her own sacred soil. [Applause.]

Mr. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks on the battle fronts of Europe and the peace conference.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. DYER. Mr. Speaker, I ask to address the House for one minute on this resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DYER. Mr. Speaker, I am heartily in favor of this resolution. Ireland has struggled long for its independence. Out of the great world war there should surely come to the people of Ireland the right of self-determination. I hope the peace commission will recognize this just and rightful claim of Ireland. We in the United States have every reason to give due consideration to this important question. In every war in which this country has fought those of Irish descent have been faithful and true. It is said that one-half of the Continental Army were from Ireland; that not less than 40 per cent of the enlisted men in the Union Army were of Irish blood. In the present war it is said that one-third of the Army and over 40 per cent of the Navy are of Irish blood. In view of this splendid record of our own citizens who hail either themselves or their ancestors from Ireland, I feel that it is just and right for this great country to lend its moral influence in asking that the peace commissioners allow the people of Ireland to form the kind of government that they wish. Let us hope that one of the results of this great war will be the republic of Ireland. [Applause.]

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUNDEEN. Mr. Speaker, I ask unanimous consent to address the House for one minute on this resolution.

Mr. AYRES. Mr. Speaker, I object to any further remarks.

Mr. SWEET. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the peace conference.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on suspending the rules and passing the resolution.

Mr. PARKER of New Jersey. Mr. Speaker, before that is put I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PARKER of New Jersey. Was general leave to print granted on this resolution?

The SPEAKER. Yes.

Mr. MANN. I think not.

The SPEAKER. The recollection of the Chair is that on the request of the gentleman from Virginia [Mr. FLOOD] all gentlemen were permitted to extend their remarks upon this resolution. The Chair does not think he can be mistaken about that.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection?

Mr. RUBEY. Mr. Speaker, I object.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question was taken; and the Chair announced that in the opinion of the Chair two-thirds had voted in favor thereof and that the resolution was passed.

Mr. DYER. Mr. Speaker, I demand a division.

Mr. CONNALLY of Texas. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count.

Mr. MASON (interrupting the count). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MASON. I understood the Chair to announce the result that in the opinion of the Chair two-thirds had voted for the resolution and that it had passed.

Mr. DYER. Mr. Speaker, I withdraw my demand for a division.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and thirty-seven Members present—a quorum. So the resolution is agreed to.

Mr. GORDON. But a division was demanded.

The SPEAKER. The gentleman from Missouri withdrew his demand for a division, but the Chair will put the division. Those in favor of passing the resolution will rise and stand until counted.

Mr. GARRETT of Texas. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. All those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Twenty-five Members—not a sufficient number.

Mr. RAYBURN. Mr. Speaker, was not a division pending?

The SPEAKER. The Chair thinks that the demand for the yeas and nays superseded the demand for the division.

Mr. MANN. While in a way it does and while the yeas and nays can not now be ordered, having been refused by the House, it seems to me that the Speaker ought to count.

The SPEAKER. In order to establish beyond all question, the Chair will take the division.

The House divided; and there was ayes 216, noes 45.

So, two-thirds having voted in favor thereof, the rules were suspended and the resolution was passed.

Mr. HARRISON of Mississippi. Mr. Speaker, I ask unanimous consent to make a statement for one minute.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object——

Mr. HARRISON of Mississippi. Mr. Speaker, I withdraw the request.

Mr. IGOE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 10851, with a Senate amendment, and agree to the Senate amendment.

The SPEAKER. The Chair will recognize the gentleman for that in a moment.

CLERKS TO MEMBERS.

Mr. HUMPHREYS. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 436, providing for the appointment by each Member of the House of Representatives of one secretary and one clerk, whose names shall be placed on the rolls and paid in monthly installments, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That hereafter each Member, Delegate, and Resident Commissioner of the House of Representatives shall have for clerical assistance necessarily employed by him in the discharge of his official and representative duties one secretary at $2,000 per annum and one clerk at $1,200 per annum, whose names shall be placed on the rolls and who shall be paid in monthly installments by the Clerk of the House of Representatives. Such secretary and clerk shall be appointed by the Member, Delegate, or Resident Commissioner and certified to the Clerk of the House of Representatives at the beginning of his term of office, and shall be subject to removal at any time by such Member, Delegate, or Resident Commissioner, with or without cause; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled to the benefits of this provision.

SEC. 2. That this act shall take effect July 1, 1919, and that the appropriation for clerical assistance for the fiscal year 1920, carried in the act "making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes" shall be applied during said fiscal year in the manner above set forth.

The SPEAKER. Is there objection?

Mr. SISSON. Mr. Speaker, I object.

Mr. HUMPHREYS. Mr. Speaker, I move to suspend the rules and pass the resolution.

The SPEAKER. The gentleman moves to suspend the rules and pass the resolution. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second.

Mr. HUMPHREYS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Speaker, I wish it to be understood I am not opposed to the resolution, but I would like to have some time——

Mr. MANN. We would like to understand what the resolution is.

Mr. CAREW. Mr. Speaker, I want to ask the gentleman from Mississippi if in drawing his bill he has considered the effect of the language which he will find in volume 31 of the United States Statutes at Large on page 968, where it says:

It shall not be lawful to appoint or employ in any position under the House of Representatives more than one person at any one time, or to require, or permit any such person to divide with another any portion of his salary or compensaiton while so employed.

Does not the gentleman think that that would forbid a Member from having three persons to do the work of his office? And does it not require to have just two, and no more and no less?

Mr. HUMPHREYS. No more, but not less. He can appoint one secretary at $2,000 a year, and let it go at that.

Mr. CAREW. Then he will have a vacancy in the case of a clerk at $1,200 a year?

Mr. HUMPHREYS. Yes.

Mr. CAREW. Now, a great many of us have often employed more help at one season of the year than at another. I know that I have had half a dozen girls working in my office at certain seasons of the year, and only had my secretary working at other seasons of the year. Does not the gentleman think that I will be embarrassed if I want to continue that practice if the measure he proposes is enacted?

Mr. HUMPHREYS. I think so.

Mr. MOORE of Pennsylvania. Would it not relieve the situation if the gentleman put before "$2,000" and "$1,200" the words "at the rate of"?

Mr. HUMPHREYS. What does the gentleman mean?

Mr. MOORE of Pennsylvania. One secretary "at the rate of."

Mr. HUMPHREYS. I do not think so.

Mr. MOORE of Pennsylvania. Would not that enable a Member, if he wanted to shift a secretary and take another, to do so?

He might want to employ two clerks instead of one, and use the money for two clerks instead of for one. That is one of the complications in my office.

Mr. DOUGHTON. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREYS. Yes.

Mr. DOUGHTON. I want to ask the gentleman having the bill in charge whether the $240 that has been allowed additional to the help here in the Government would go to the secretary and the stenographer?

Mr. HUMPHREYS. Yes.

Mr. DOUGHTON. Mr. Speaker, I make the point of no quorum.

DEATH OF REPRESENTATIVE HELM, OF KENTUCKY.

Mr. KITCHIN. Mr. Speaker, I ask the gentleman from North Carolina to withdraw that for a special purpose. The gentleman from Kentucky [Mr. SHERLEY] desires to ask for a recess as a mark of respect to the memory of his late colleague, Mr. HELM.

Mr. DOUGHTON. I will withdraw it.

The SPEAKER. The gentleman from North Carolina withdraws the point of no quorum.

Mr. SHERLEY. Mr. Speaker, I deeply regret to have to announce to the House the death of my colleague, Hon. HARVEY HELM, of Kentucky, who died at Columbus, Miss., on Monday. I send to the Clerk's desk the following resolution, which I ask to have adopted.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 623.

Resolved, That the House has heard with profound sorrow of the death of Hon. HARVEY HELM, a Representative from the State of Kentucky.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. SHERLEY. Mr. Speaker, before putting the last part of the resolution, I desire to state that it was the request of Mr. HELM that there be no committee of the Congress appointed to attend his funeral, and in obedience to that wish no request is made.

Mr. Speaker, some of us who served with our friend, and who will not be Members of the next Congress, when there can properly and fittingly be paid tribute to his memory and to his public services, would like the privilege of printing in the RECORD remarks in connection with his life and character. I ask unanimous consent that those of his colleagues who desire to do so may have that privilege.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that Members may have the privilege of printing in the RECORD remarks touching the life and character of Mr. HELM. Is there objection?

There was no objection.

RECESS.

Mr. SHERLEY. Mr. Speaker, I offer the following additional resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now stand in recess until 9 a. m.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was unanimously agreed to; accordingly (at 7 o'clock and 18 minutes a. m.) the House stood in recess until 9 o'clock a. m.

AFTER THE RECESS.

The recess having expired, the House (at 9 o'clock a. m., Tuesday, March 4, 1919) resumed its session.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 9.30 a. m.

The SPEAKER pro tempore (Mr. FOSTER). The gentleman from North Carolina asks unanimous consent that the House stand in recess until 9.30 a. m. Is there objection?

Mr. SUMNERS. Mr. Speaker, reserving the right to object, I should like to suggest to the gentleman that there is pending upon the Suspension Calendar a bill that came over from the Senate, which has been reported out by the House Judiciary Committee, extending the time of the going into effect of section 10 of the Clayton amendment to the antitrust act. The purpose of this bill is to give the short-line railroads of this country a better chance to live through the conditions which now obtain. It will take but a few minutes for the House to dispose of it one way or the other. I hope the gentleman will not

insist upon his request, but will give us a chance, at least, to submit this matter to the judgment of the House.

Mr. MANN. Let us see if we can reach an understanding about anything of this sort. It is now 9 o'clock. Probably there will not be a quorum here before——

Mr. KITCHIN. Not before 10 o'clock, anyway.

Mr. MANN. That is, there will not be a full attendance. I will not say that there will not be a quorum. I will assume that there is a quorum here now. There will not be a full attendance before half past 10. There are some things that have to be done at the end of a session of Congress. It is not desirable to get tied up on something. As far as I am concerned, I am perfectly willing to sit here and let gentlemen ask unanimous consent to pass bills if they will agree not to row about it if they do not get unanimous consent.

Mr. RAKER. Will the gentleman from North Carolina yield?

Mr. KITCHIN. I yield.

Mr. RAKER. There is a little bill here that has passed the Senate, to which I want to call the attention of the gentleman from Illinois, as well as the attention of the gentleman from North Carolina, providing for an additional judicial district in northern California. I do not think there will be any objection to it, and we can consider it while we are waiting. It has passed the Senate.

Mr. MANN. I do not know that there will be any objection to anything; but I am not going to help the House get into a condition where we may get into a row and then have to call the roll, and then probably get along to the point where we can not even offer a resolution, which I want to offer before the session expires, in regard to the Speaker.

Mr. RAKER. I think the suggestion is a wise one; and if we can take up these matters by unanimous consent, then if there is any objection we will not try to argue or make any points of order.

Mr. PARKER of New Jersey. I do not think there are enough people here so that we ought to bring up any bills, even by unanimous consent.

Mr. RAKER. We recessed until 9 o'clock, and Members are all supposed to be here. Let us try it and see what we can do.

Mr. SUMNERS. I do not understand that the gentleman from North Carolina objects.

Mr. KITCHIN. I suggested a recess until 9.30.

Mr. STAFFORD. I think there is a better chance of bringing this matter up after 9.30, if the gentleman does not object to a recess now.

Mr. SUMNERS. Of course I know what that means, and I have no intention of running up against the situation——

Mr. MANN. There is some chicken feed here that might properly be disposed of—probably nothing of great importance.

Mr. HUMPHREYS. We have got this clerk bill, that we might just as well put through while we are waiting.

The SPEAKER pro tempore. Is there objection?

Mr. RAKER. Reserving the right to object——

Mr. SUMNERS. I will reserve the right to object just a minute longer.

Mr. RAKER. Here is a matter to which there is no possible objection.

Mr. SUMNERS. If I may have the attention of the gentlemen present for just about a minute additional, I wish to say a word about this resolution dealing with the situation which confronts the short-line railroads, and to put the responsibility upon the House.

Mr. MANN. Do not put the responsibility on me. I refuse to assume it, because I tried my best to beat that proposition when it went into the law.

Mr. SUMNERS. Excepting the gentleman from Illinois. There are about 35,000 miles of these short-line roads. Let me make this informal statement——

Mr. KITCHIN. Go ahead and make your statement.

Mr. SUMNERS. Mr. Speaker, there are about two and a half million dollars tied up in these short lines, of which there are some 800. The big roads are free from the effect of section 10 of the Clayton Act and are being taken care of financially by the Government, while the little roads have to depend largely upon local support, and in order to get necessary local credit it was shown before the Judiciary Committee these short lines must permit the creditor some voice in their management.

Mr. PARKER of New Jersey. The matter of the short-line roads has been for weeks and months before the Interstate Commerce Commission and considered in every aspect, and I think the gentleman from Tennessee [Mr. SIMS] or the gentleman from Wisconsin [Mr. ESCH] ought to be here when that matter comes up.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to take up Senate bill 2910, providing for an additional judge in the northern district of California.

Mr. MANN. That will not go through.

Mr. HUMPHREYS. There is a matter of unanimous consent now pending.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

Mr. WALSH. I object.

Mr. ROGERS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROGERS. The situation when the House recessed about 7 o'clock was that we were actually considering a bill presented by the gentleman from Mississippi [Mr. HUMPHREYS]; I would like to inquire whether that should not automatically come before the House at this moment, to the exclusion of other matters.

Mr. RAKER. That was temporarily laid aside by unanimous consent.

Mr. KITCHIN. Mr. Speaker, since the gentleman desires to take up the bill of the gentleman from Mississippi [Mr. HUMPHREYS], which never will pass the Senate, and use the time in that way, I will withdraw my request.

Mr. HUMPHREYS. Mr. Speaker, I move to suspend the rules and pass this joint resolution.

Mr. STAFFORD. The gentleman has already moved to suspend the rules and pass a bill some hours ago, and I had some time on it.

The SPEAKER pro tempore. The gentleman from Mississippi has eight minutes remaining.

Mr. HUMPHREYS. I reserve the balance of my time.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, it is unfortunate that the Reading Clerk, or some one, made a slight mistake in the legislative appropriation bill about the clerk hire item. As the amendment that is in the bill was first agreed to in the House it read like this:

> For clerk hire of each Member, Delegate, and Resident Commissioner, for clerk hire necessarily employed by him in the discharge of his official and representative duties, $3,200 per annum.

I asked unanimous consent to strike out the word "hire" where it appeared the second time, after the amendment was agreed to. That unanimous consent was granted. But the clerk, whoever it was, inadvertently struck out the word "hire" where it first appeared. So that it is now the law reading like this:

> For clerk of each Member, Delegate, and Resident Commissioner, for clerk hire necessarily employed by him in the discharge of his official and representative duties—
>
> And so forth.

It should read:

> For clerk hire of each Member, Delegate, and Resident Commissioner, for clerk necessarily employed by him in the discharge of his official and representative duties—
>
> And so forth.

That would still be in the singular, "clerk necessarily employed by him." But the statute provides that where the singular is used the plural shall be considered as imputed, if it is a reasonable conclusion or if it be considered necessary.

I think that language of that provision as it was intended to be passed, and probably as it is passed, will be construed to mean that each Member is entitled to $3,200 in payment of clerk or clerks employed by him. Then the question arises how that is to be paid.

Well, we have a number of items in this bill. The paragraph just above this provides for four stenographers to committees. The paragraph just above that provides for six official reporters of the proceedings and debates of the House without saying anything at all about who shall pay them, and they are not listed under anybody who does pay them. These items come in under a list heading above the official reporters, office of Postmaster, to which they do not relate. My construction of that is—and I think it is the only construction that can be made—that the Clerk of the House will pay these clerks to Members, and that each Member will have the right to certify to the Clerk the name of one clerk, or a dozen clerks if he chooses to, with salaries the total of which will not exceed $3,200. It seems to me that is the proper and only construction that can be made of the statute.

It is not to be assumed that Congress has made an appropriation here which can not be expended.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. COLLIER. If the gentleman's construction be true, what is the necessity for a change?

Mr. MANN. If that construction be true, there is no necessity for change, save in this one respect, and that probably will not arrive. The provision of the statute is not inactive and, of course, does not take effect until the 1st of July next. It

does not apply to Members elect. The provision of the statute which is now in force as to this fiscal year, which makes the appropriation up to the 1st of July, provides for the payment of clerk hire to Members elect. We are all Members elect, or will be in less than three hours. We will then be no longer Members of Congress. Under the law we are Members elect. If there were not to be a special session of Congress before the 1st of July, a resolution like this would be quite essential.

Mr. COLLIER. That is, like the Humphreys resolution.

Mr. MANN. Yes; to obtain clerk hire at all after the 1st of July—but as it is perfectly certain, owing to the failure of a number of the appropriation bills, in support of the Government, after the 1st of July, that there will be a special session before the 1st of July—Members of Congress will have the same opportunity when the special session is called to provide in reference to this.

Mr. HUMPHREYS. There is this other thought that the gentleman has not yet stated——

Mr. MANN. I have not quite finished.

Mr. HUMPHREYS. About its being permanent law.

Mr. MANN. There is this thought. I may not be correct about the construction of the statute. While I think inevitably that will be the construction of the statute, still I have learned through some experience that it is pretty hard to tell what either an auditor or a comptroller will find about the statute, and probably the Clerk of the House would not feel warranted in paying out the money without consultation with the auditor or the comptroller.

Mr. WELLING. Mr. Speaker, will the gentleman yield for a question?

Mr. MANN. Just for a question. I do not know that I will have the time.

Mr. HUMPHREYS. I will give the gentleman what time he wants.

Mr. MANN. The Humphreys resolution provides directly for a salary of $2,000 and $1,200, making a total of $3,200. It would not give to any Member the right to have one clerk at $2,200 and another at $1,000. It would not provide for three clerks at $1,000 each for two and $1,200 for the third. I yield to the gentleman.

Mr. WELLING. I have not had an opportunity of hearing all of the gentleman's statement, which is always clear, but I understand there is no difference in the Humphreys provision, which has been presented to the House and the legislation already enacted, so far as the amount of compensation is concerned.

Mr. MANN. There is no difference so far as the total amount is concerned, if it can be drawn.

Mr. LUNDEEN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. LUNDEEN. Mr. Speaker and gentlemen of the House, I hesitate at this late hour to take any of your time with a question of personal privilege.

Mr. MANN. What time does the gentleman think he would want?

Mr. LUNDEEN. Oh, four or five minutes.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman may have five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUNDEEN. I understand that I have the right to proceed for one hour without unanimous consent, but I thank the gentleman from Illinois, nevertheless. In September last the papers here in Washington and elsewhere all over the United States published articles in which I was termed a Hun. It was stated that I should be sent back to the Kaiser. The reason for this was that I had voted against the war resolution. It was stated that I was voting against the appropriations for prosecuting the war. I voted for all the bills to prosecute the war. I favored volunteers, having once served during the Spanish-American War as a volunteer myself. I volunteered to go with the Roosevelt volunteer divisions, but the President refused our services.

I have no desire to go into this question at length now. You have heard these questions of personal privilege repeatedly on the floor of this House, but I want to answer these charges, and I ask that I may have the privilege of revising and extending my remarks in the RECORD upon the subject of loyalty.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUNDEEN. I want to say that no man ever questioned my loyalty to my face, nor will he ever do that. I received letters questioning my loyalty and abusing me. I replied and said that I would meet the writers on the platform or elsewhere, but that I did not desire them to question my loyalty in my presence, because it would not be well for them to do so.

This disloyalty business has been carried entirely too far by some people throughout the country. The Nonpartisan League has been termed disloyal. The Socialist Party has been called disloyal; all labor unions have been termed disloyal. The German-American Alliance, 2,000,000 members, all called disloyal. The labor people called business men disloyal profiteers. We have gone too far with this thing. As a matter of fact, the American people are all loyal; the whole people were loyal. There may have been a few men with criminal intent. Those men were punished; but the American people as a whole were loyal and they stood by their country, and I am proud of the fact that the boys from the Northwest, from Minnesota and Wisconsin and Michigan, men who were accused of disloyalty, were the very men who stood the brunt of battle at Chateau-Thierry, a battle where these regiments met the enemy, men of their own flesh and blood, and beat them back. They were true, genuine Americans.

ALL MEMBERS OF CONGRESS FROM MINNESOTA BUT ONE, CALLED DISLOYAL.

The great State of Minnesota has 10 Representatives and 2 Senators in the Congress of the United States. These men, in the exercise of their honest judgment as loyal and patriotic citizens and faithful representatives of the people of their State, cast their votes in Congress to warn Americans against sailing on vessels of foreign belligerents through the war zone.

Because of their vote 11 were denounced as Kaiserites by that large part of the press which was more active in promoting the interests of certain foreign nations than they were in protecting the lives of American citizens. Only one, Senator NELSON, was called a patriotic American, while men whose distinguished service to their State, lasting through many years, like Senator Moses E. Clapp, Representatives Sydney Anderson, Franklin F. Ellsworth, Charles Russell Davis, Carl C. Van Dyke, George R. Smith, Charles A. Lindbergh, Andrew J. Volstead, Clarence B. Miller, Halvor Steenerson, and Thomas D. Schall, equally patriotic, were branded as disloyal and unpatriotic.

As for myself, during the world war, I have voted and will vote all the money and all the supplies necessary for our brave soldiers wherever they may be. They must be loyally supported. Let this be so; nevertheless, we can not and will not yield our right to discuss the conduct of the war, our right to demand terms of an honorable peace, our right of petition, and our right of assembly. Neither will we spare tender-skinned officials from scathing denunciation as to their official acts whenever we feel that they are yielding ground to foreigners and abandoning the sacred and time-honored principles of patriotism established by our forefathers. Autocracy which masquerades in the garments of democracy is as obnoxious to a free people as the variety which openly wears a crown.

THEY WANTED TO INTERN ROOSEVELT.

Men lost their heads in a whirlwind of false accusations. So bitter was the feeling aroused that a large number of people circulated a petition in Oklahoma, if we may believe the daily press, asking that Col. Theodore Roosevelt, world-famous citizen and former President of the United States, be interned during the period of the war because of his criticism of Wilson and the administration. Yet Roosevelt freely denounced many of his fellow citizens as disloyalists and Huns.

The Irish-Americans were, of course, termed disloyal because they sought self-determination for Ireland. There is a man, I believe by the name of McGee, from Minneapolis, autocrat and member of the Public Safety Commission of Minnesota, who appeared before the Senate committee and slandered the patriotism and loyalty of the people of Minnesota. This man talked like some kings of old of jails and of firing squads because men had dared to exercise their constitutional right of free speech; he questioned the loyalty of the Swedish-Americans of the great Northwest whose ancestors discovered America 500 years before Columbus set sail to our shores, forgetting that John Hanson, whose statue was placed in Statuary Hall by the State of Maryland, was the first "President of the United States in Congress" during the Revolutionary War; unmindful of the fact that Swedish emigrants always lay aside their foreign allegiance at once, and become industrious and patriotic citizens. They fought in every war—the Revolutionary War, the War of 1812, the Mexican War, the Civil War, the Spanish-American, and the World War. They have never been found wanting. The Swedish people first of all the nations in the world recognized American independence. No punishment is too severe for this character assassin who so traduces and slanders our very best citizens.

388 MEMBERS OF CONGRESS CALLED DISLOYAL.

When the President of the United States before the election enjoined us to be neutral in thought as well as act he was

denounced as a pacifist and disloyal. The now infamous National Security League, later investigated and denounced by Congress, and whose immense contributions, running into millions, came wholly from Wall Street—with the exception of $38—accused as disloyal 388 Members of Congress, including Mr. CLARK, Speaker of the House; Majority Leader KITCHIN; Minority Leader MANN; and other distinguished and famous statesmen were blacklisted by this crowd of political slanderers. This crowd of pretended patriots were found, upon investigation, to be nothing but scheming profiteers. My friends, those who coin gold out of patriotism must be eliminated from our national life.

Mr. Bryan and Mr. Ford and many other distinguished and patriotic citizens were denounced in the most scathing terms. Many of our most prominent citizens were even threatened with death. I myself have been in receipt of the vilest possible letters, breathing threats of insult, injury, and death. During the first months of the special session there came to my office many threats of death; and I want the world to know, and my record shows it, that I could neither be bullied nor threatened into any vote or act contrary to the right as God gave me to see the right.

Many leading college professors, educators, and ministers of the gospel throughout the country were likewise hounded. Unheard-of and cruel punishments were pronounced by the courts. Men and women were sentenced to 20, 30, and even 40 years of imprisonment. In this land of the free the methods of the Spanish inquisition were revived.

The chairman of the Committee of Public Information, Mr. George Creel, now issues a statement to the press: "Never was a country so contraespionaged." He cites a multitude of cases where foreign-born citizens and others were frightfully abused and hounded, though they did all in their power for Uncle Sam, both in men and money. They were continually trailed by secret-service men, and permit me to add that the Government offered them no protection. The war-mad press says Mr. Creel refused to publish the truth about these good citizens, and instead invoked mob law upon their heads. An army of 250,000 officious volunteer sleuths, in addition to all the regular State and city secret-service men, combed the country, and permit me again to say that they committed outrageous invasions upon the liberties of the people.

MEMBERS OF CONGRESS SPIED UPON AND HOUNDED.

Every Member of Congress who spoke in favor of the McLemore resolution warning citizens to keep off the munition ships entering the war zone was denounced as a traitor to his country. Many famous Senators were branded as disloyal and pro-German. Cartoons were common in which the iron cross was hung on our leaders. Chairman of the Foreign Relations Committee, Mr. Stone, of Missouri; Senator ROBERT M. LA FOLLETTE, of Wisconsin (three times candidate for the nomination of President); Senator NORRIS; Senator VARDAMAN; and Senator GRONNA, all these branded as disloyal. Senator Lane, of Oregon, was hounded to his grave. Senators on the floor declared that Senator Lane was a martyr to his political convictions, his heart and constitution being broken down by the vicious assaults of his merciless critics.

THE NATIONAL SECURITY LEAGUE HIRED CHARACTER ASSASSINS.

The National Security League blacklisted me as undesirable for reelection and sent Col. Theodore Roosevelt, world famous citizen and ex-President of the United States, to Minneapolis to denounce me as a Hun who ought to be sent back to the Kaiser.

I do not believe that Roosevelt fully comprehended the pack he was training with. The colonel was very impulsive and very quick spoken. These men knew this and took advantage of it and whispered in his ear words of slander, which he loudly trumpeted abroad. It is enough to know that the now infamous National Security League sent him to Minneapolis to denounce me.

The National Security League has just been investigated by Congress, and in the hearings in part 5, page 398, we find these words by Mr. Menken, president of the organization:

Mr. Roosevelt went twice to Chicago to speak at those meetings. I had the honor of going with him. On another occasion Mr. Roosevelt went across the continent for us.

On page 411 we find that one Emerson McMillan, head of the American Light & Traction Co., with office at 40 Wall Street, New York—

Gave for special purposes always. He wanted the distinction and privilege of meeting the outlay of the league in connection with Mr. Roosevelt's trips, and he always insisted upon paying whatever money we were out of pocket for those trips, and he did it on two occasions. He gave $4,250.

So that the now infamous National Security League was sending the colonel about the country to denounce LA FOLLETTE, GRONNA, and myself, as well as others, as Huns and disloyal. It was this organization that accused 388 out of 435 Members of Congress as being disloyal. This was so brazen that Congress investigated these self-anointed and self-appointed patriots and found them to be a pack of profiteers, vultures preying upon patriotism, the very last men qualified to preach patriotism and loyalty to our citizens.

CORRESPONDENCE BETWEEN COL. ROOSEVELT AND CONGRESSMAN ERNEST LUNDEEN.

(Copy of wire of Oct. 2.)

Hon. THEODORE ROOSEVELT,
Oyster Bay, N. Y.:

The newspapers have it that you term me a shadow Hun and that you wish to present me as a free gift to the Kaiser. The malicious prevaricators who have assailed my record have no foundation whatever for their accusations, and I am astounded that without hearing from me you should have denounced me as you did.

As you well know, I am a Spanish War Veteran; have served as private, corporal, sergeant, first sergeant, color sergeant, lieutenant, and captain in the Minnesota National Guard for 10 years; shot on a national championship rifle team in 1909; offered a regiment to protect our border in our recent Mexican trouble.

Further, my record in Congress is as follows: Voted against the war resolution, voted for volunteers, voted against conscription for foreign service. I voted for the Roosevelt volunteer divisions and have no apologies to offer for having done so, unless I should ascertain that you are not the advocate of the square deal that I supposed you were. I voted for national food control, for $20,000,000,000 in appropriations for war, the largest the world has ever known. I voted for every war measure asked for by the administration, except the war resolution and conscription for foreign service.

I have always advocated an adequate, a sane and sensible program of preparedness in State and Nation, and have so voted. Further, I offered my services in this war and stand ready to join the volunteer divisions which are authorized by Congress.

Do you still question my citizenship? Am I still in your mind a "shadow Hun"? In the belief that my enemies have misled you with twisted and distorted statements, uttering falsehoods to you in my absence, I wire these facts for your further information.

ERNEST LUNDEEN,
Member of Congress.

On October 4 Col. Roosevelt wrote me as follows:

I would be glad to see you and go over the matter in person.

I wired him that my record will stand daylight anywhere; and on October 12 the colonel wired me from Stamford, Conn., making an appointment for the following Sunday afternoon at 2.30 p. m.

On October 14 I met Col. Roosevelt at Stamford, and in the hour I spent with him there he carefully reviewed my record.

UNITED STATES HOUSE OF REPRESENTATIVES,
Washington, D. C., November 1, 1917.

Hon. THEODORE ROOSEVELT,
Metropolitan, New York City.

DEAR COLONEL: In the campaign of 1916 Woodrow Wilson went before the people on a plea for peace. His followers everywhere gave out the slogan, "He kept us out of war." It was openly charged that the Republicans would plunge us into the world war. It was loudly proclaimed that Wilson would keep us out of war. This was the Democratic campaign cry in Minneapolis. The President carried our city by a very large majority. Colonel, I considered this a mandate from the people—a command I could not disobey.

An advisory referendum resulted in a heavy majority against war. This referendum was mailed to my district from Washington March 30, seven days before war was declared, and if the postal authorities failed to deliver a portion of those letters until after the declaration of war, that was no fault of mine. Further, you will remember that the President suddenly shifted the date of the special session of Congres from April 16 to April 2, cutting short our time by two weeks. My enemies have stated to you that I conducted a referendum after war was declared. That I brand as an unqualified falsehood.

I stand foursquare for volunteers for foreign service. I believe that the President made one of the greatest mistakes of his life when he refused to accept the tender of your services to America in the world war. Had he done so, a much-needed wave of enthusiasm and support would certainly have swept the country. Should the President change his mind and finally accept your volunteer divisions, already authorized by Congress, I hope to be honored with a place in your command. I am as ready as any man to stand by my country. I can not say that I always stand by the President; he never stands still long enough.

In the summer of 1914, before the world war began, I delivered a chautauqua lecture at Fort Dodge, Iowa, in which I advocated a special session of Congress to bring about an immediate and adequate, a sane and sensible, program of preparedness. This is exactly the policy you set forth in The Foes of Our Own Household: "Had we prepared in advance we could have put a couple of million troops in the field last April and the war would have been over now. As it is, we have so far done nothing." From boyhood I have stood strong for preparedness against that evil day when America would be at war. On page 31 of your book you say: "For the last three years our foremost duty, to ourselves and to the world, has been to prepare." During the last three years I have constantly urged my fellow citizens to prepare.

My wire to you of October 2 gives my record as a soldier and veteran and Member of Congress. I carried the slogan "America first" on my campaign literature, and when my term is completed and my record is made up it will show America placed first in every vote given. I can not, however, and will not, yield my right to discuss the conduct of the war. I will enter my protest whenever inefficiency and incompetency lifts its head to trouble the people.

The above is, in substance, the statement I made to you at Stamford, Conn., Sunday, October 14, at which time we discussed my record.

For the future, it is my purpose to advocate preparedness, which you have advocated, single handed and bravely, against those timid and deceitful men who know only the desire for office and render mere "lip service" to their country.

You stand for a square deal, and I know, Colonel, that my record is such that America's greatest citizen will never question my citizenship. Whatever I am able to do for my country will be whole-heartedly given to the end of the road.

Sincerely and respectfully, yours, ERNEST LUNDEEN.

NOVEMBER 7, 1917.

MY DEAR MR. LUNDEEN: I thank you for your frank and manly letter. I understand now, as I did not before, the reasons that influenced you in your vote against the war, and while I can not agree with you, I appreciate your point of view, and I do not question your loyalty. In effect, you say that President Wilson won his campaign last year on a plea for peace, on the cry that "he kept us out of war," the charge being that the Republicans would plunge us into the world war; you say that this was the Democratic campaign cry in Minneapolis; that the President carried your city by a very large majority; and that you regarded yourself as bound by a mandate by the people. While, as I have said, I do not agree with you as to your action, I do entirely sympathize with the bewilderment of an honest man under such conditions. As you point out, the election was won under false pretenses, and a very great part of the difficulty that now confronts this Nation in arousing a proper war spirit is due to the fact that for two and a half years preceding our entry into the war our governmental leaders dulled the moral conscience of the people by arguments against our so entering it; arguments which were just as untrue and unjustifiable then as they are now. Naturally, it takes time to get people who have been misled back to the right course, the very course which they have for two and a half years been told was the wrong course.

Of course, you are absolutely within your rights in discussing the conduct of the war. It is exactly as important that there should be truthful criticism of official acts that are wrong as that there should not be untruthful attacks upon acts that are right, and you render a service to the public when you censure the gross unpreparedness of this Nation and point out where the responsibility lies and do all you can to remedy all that is inefficient and incompetent in the handling of the war. The criticism must be truthful and must not be made in a captious spirit; but I believe that in this country during the last three years even more harm has been done by the foolish persons who have protested against truthful criticism of the administration when it was wrong than by the men who have supported it when it went wrong and have opposed it only when it went right.

As for the future, our duty—your duty, my duty, the duty of all good Americans—is clear. Every measure that the administration takes for the efficient prosecution of the war we shall heartily support. We must send our troops to fight beside our allies abroad, because if we do not do so, then some time or other we shall have to fight without any allies at home. We ought to introduce at once as our permanent national policy the principle of universal obligatory military training and military service for all our young men. We must back up the liberty loans. We must fearlessly insist upon the utmost efficiency in the handling of the war. We must fearlessly criticize whatever is wrong. Above all, we must insist that there shall be no inconclusive peace; no peace that is not based upon complete and overwhelming victory. We are in this war, and we must put it through. Then we must continue our preparedness, so that never again shall we be put in a position so humiliating as that in which we have been during the last nine months. Never again must we be caught so unprepared as to be obliged to trust to the strength of others and not to our own trained strength for our safety.

Very sincerely, yours,

THEODORE ROOSEVELT.

Hon. ERNEST LUNDEEN,
House of Representatives, Washington, D. C.

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[From the Chicago Tribune.]

FALSE PRETENSE ELECTED WILSON, ROOSEVELT SAYS—"KEPT US OUT OF WAR" STAND REASON, T. R. TELLS CONGRESSMAN.

(By a staff correspondent. Special.)

WASHINGTON, *December 18.*

The lack of a "proper war spirit" in the United States to-day is attributed by Col. Roosevelt to the "kept-us-out-of-war" propaganda which won President Wilson's reelection.

Col. Roosevelt no longer regards Congressman LUNDEEN, of Minnesota, as a "shadow Hun" because he voted against the resolution declaring war with Germany. Moreover, Mr. Roosevelt, now that he understands how it all happened, sympathizes with Mr. LUNDEEN, who explains that the people of Minneapolis in large numbers had voted for Mr. Wilson in the belief that he would keep them out of war. Mr. LUNDEEN considered their action a "mandate he was bound to obey."

TELLS OF SERVICE TO UNITED STATES.

Roused by what he considered an unjust attack, Mr. LUNDEEN spent an hour with Col. Roosevelt last October and set forth his position in detail. The substance of the interview is contained in letters given out by him to-night, including the fact that he is a Spanish War veteran, has served for 10 years in the Minnesota National Guard, offered a regiment to protect the border in the recent Mexican troubles, voted for every war measure, except the war resolution and conscription for foreign service, has always been an advocate of preparedness, and offered his services in the present war. Mr. LUNDEEN further remarks that he is as ready as any man to stand by his country.

"I can not say," he admits, "that I always stand by the President; he never stands still long enough."

NOW UNDERSTANDS POSITION.

"I thank you for your frank and manly letter," Mr. Roosevelt wrote in reply. "I understand now as I did not before the reasons that influenced you in your vote against the war, and while I can not agree with you, I can appreciate your point of view, and I do not question your loyalty. In effect you say that President Wilson won his campaign last year on a plea for peace on the cry that 'he kept us out of war,' the charge being that the Republicans would plunge us into the world war; you say this was the Democratic campaign cry in Minneapolis; that the President carried your city by a very large majority; and that you regarded ourself as bound by a mandate of the people.

SYMPATHIZES WITH HIM.

"While, as I have said, I do not agree with you as to your action, I do entirely sympathize with the bewilderment of an honest man under such conditions. As you point out, the election was won under false pretenses, and a very great part of the difficulty that now confronts this Nation in arousing a proper war spirit is due to the fact that for the two and a half years preceding our entry into the war our governmental leaders dulled the moral conscience of the people by arguments against our so entering it, arguments which were just as untrue and unjustifiable then as they are now."

Later, when I voted against war with Austria, the colonel suffered another outburst which was also widely published. In this he did not question my loyalty but severely attacked my vote.

I did vote against war with Austria. The Austro-Italian boundary dispute was no affair of ours. I am not interested in the real estate titles of Europe.

One organization petitioned Congress to bring about my expulsion. I was expelled from a number of organizations, one in particular because I said that I would rather follow in the footsteps of Washington and Jefferson and the giants of the Republic than follow in the footsteps of the two-by-fours who are now leading us into European entanglements.

The following verses from my brother, Corpl. David Lundeen, now serving with the American Expeditionary Forces in France, were received January 2, 1919:

HIS VOTE.

Bright shone the sun upon the hopes of his to-morrow,
Which surely power and fame to him would bring,
And all seemed destined in the course of time to augur
For him the best that gods could give or man could sing,
Then came that hour of awful crisis,
When souls were tried, and all that man holds dear
Was in the scale.
What was the right?
What was the wrong?
No man could tell,
Except by that clear guide
That God has placed in minds of men,
That each may know and feel.

For years we stood upon the brink of war.
Some said that it must be,
While others argued long, and won,
That we must stay at peace, and free
To bind the wounds of a warring world.
The people's voice, the voice of God,
Had chosen men who promised on their faith
To strive and keep the beast of war away.
And so the chief was placed where he had been,
The leader for another day.

Among the leaders of the day was he,
Who wished his Nation well,
Who lived in firm belief the people's will should rule,
And in the school of life
His faith had grown in that belief.
The passions of the hour raged strong,
And brave, indeed, was he
Who dared, in that great hour,
To stand among the few
Who listened not in quiet
To men who whispered;
But bravely asked the common man—the sovereign man—
What was his will.
But such a man was he;
And in that great and dawning hour
He stood among the leaders of his time
And made his maiden speech.
Bravely he spoke, quite unafraid.
The verdict of his people,
The verdict of his heart,
And who shall say, when passion's hour is gone,
He did not play by far the nobler part?

Let not the men to whom we do intrust
The power to act forget
The men who placed them where they are.
We must be fair, and either say
That man is generally not qualified,
Not fit to rule, or, sovereign
In his state and life,
And fit to choose the peace or strife.
No man or group of men must cast the fatal vote,
And place, without the people's choice,
The fatal coat of war
Upon the Nation.
No braver deed was ever done
By any man than he performed
When facing all the scorn and hate
Of selfish, keen, but small-souled men.
He faced them unafraid
And spoke his people's will.

To my big, brave brother, who dared, in the greatest crisis in history, to live true to the pure principles of democracy, and who told those of his colleagues who tried to cow him into deserting his principles and his people that he would see them in hell first.

DAV.

SENATOR DENOUNCES ENTIRE REPUBLICAN PARTY AS DISLOYAL.

During a special election in 1918, held in New Hampshire, Senator J. HAMILTON LEWIS, spokesman for the Wilson administration, made a speech which consigned the entire Republican Party to the traitor class.

He said that if the voters wanted to stand by the President and be loyal they must vote for the Democratic candidate for Congress, and that if they voted for the Republican candidate they would be standing by the Kaiser.

The voters paid slight attention to this appeal, however, and elected the Republican candidate to Congress, no doubt greatly to the consternation of the Senator from Illinois.

It is only one more illustration of the vile tactics adopted by the Wilson administration to bully the public and maintain control; and to boot, the Senator from Illinois himself, in the regular election in 1918, lost his seat in the Senate, and I presume now feels that the entire State of Illinois, the third largest in the Union, is supporting the Kaiser.

Behind much of the professed patriotic loyalty activities of individuals and organizations is an element of selfishness and profiteering. Men who were most vociferous in proclaiming their own patriotism and denouncing an alleged lack of it in others have been proven by the record of the war to have profited from the war to such an enormous extent that their motives can not escape being open to suspicion by all fair-minded people.

THE PHARISEES OF PATRIOTISM.

Loyalty to the United States of America is not a matter of mere lip service. There are Pharisees of patriotism as well as Pharisees of religion, men who praise our Government without stint in public while secretly they plan raids on the National Treasury through profiteering schemes.

The stakes for which war profiteers play are so huge that they can afford to spend, and do spend, enormous sums of money to control and influence every possible instrumentality for shaping public opinion favorably to their ends and purposes.

Their favorite means of molding people's opinion are the press, the pulpit, and the politician. Heavy contributions to the campaign funds of the political parties, liberal donations to church and charities, accompanied by the largest publicity, financial help for friendly newspapers without any publicity at all, are among the most approved methods used by those large financial interests who make the most profits out of war and preparation for war.

THE INDEPENDENCE OF THE PRESS.

John Swinton, former editor of the New York Herald and New York Sun, in responding to a toast on the "Independence of the Press" at a meeting of newspaper editors and writers in New York said that there was no such thing as independence of the press, that editorial writers sold themselves to the highest bidder; that they were merely mental prostitutes; that everyone present knew that newspaper writers were not hired to tell the truth, but were on the staff to write according to instructions.

THE PURCHASED PRESS.

Representative MCLEMORE, in a speech in the House on August 3, 1917, said:

A distinguished Member of the United States Senate, in discussing this highly interesting news item on the floor of the Senate a few days ago, expressed himself as follows:

"This statement is being sent out by Mr. Hoover about himself, in order that he may thereby glorify himself by having it printed in all the papers of the country. It is, I assume, sent out at Government expense."

And no doubt the papers printed it, and which recalls a very interesting item concerning many newspapers published in this country. The item referred to is taken from pages 3320 and 3321 of the CONGRESSIONAL RECORD of the Sixty-fourth Congress, second session, and is as follows:

"Mr. CALLAWAY. Mr. Chairman, under unanimous consent, I insert in the RECORD at this point a statement showing the newspaper combination, which explains their activity in this war matter, just discussed by the gentleman from Pennsylvania [Mr. MOORE]:

"'In March, 1915, the J. P. Morgan interests, the steel, shipbuilding, and powder interests, and their subsidiary organizations, got together 12 men high up in the newspaper world and employed them to select the most influential newspapers in the United States and sufficient number of them to control generally the policy of the daily press of the United States.

"'These 12 men worked the problem out by selecting 179 newspapers, and then began, by an elimination process, to retain only those necessary for the purpose of controlling the general policy of the daily press throughout the country. They found it was only necessary to purchase the control of 25 of the greatest papers. The 25 papers were agreed upon; emissaries were sent to purchase the policy, national and international, of these papers; an agreement was reached; the policy of the papers was bought, to be paid for by the month; an editor was furnished for each paper to properly supervise and edit information regarding the questions of preparedness, militarism, financial policies, and other things of national and international nature considered vital to the interests of the purchasers.

"'This contract is in existence at the present time, and it accounts for the news columns of the daily press of the country being filled with all sorts of preparedness arguments and misrepresentations as to the present condition of the United States Army and Navy and the possibility and probability of the United States being attacked by foreign foes.

"'This policy also included the suppression of everything in opposition to the wishes of the interests served. The effectiveness of this scheme has been conclusively demonstrated by the character of stuff carried in the daily press throughout the country since March, 1915. They have resorted to anything necessary to commercialize public sentiment and sandbag the National Congress into making extravagant and wasteful appropriations for the Army and Navy under the false pretense that it was necessary. Their stock argument is that it is "patriotism." They are playing on every prejudice and passion of the American people.'"

From the manner in which the papers are eternally advertising, without charge, the game of Mr. Herbert C. Hoover, of Red House, Hornton Street, London, England, and publishing daily boosts of the "Miracle man" written in his own office, they—the newspapers—are evidently doing their best to stand squarely by the contract of the 25 papers alluded to in the item extended to the RECORD by Mr. Callaway and quoted above.

When we have, as at present, an income-tax law which provides for absolute secrecy of the income-tax returns of the men who profit by war, it is not easy to know just who is behind the financing of the vast stream of publicity which fills all the avenues for reaching and influencing the minds of the people favorably toward the policies most profitable to the mighty financial powers who move behind the scenes.

THE TRUE MEANING OF LOYALTY.

Loyalty to one's country means loyalty to the truest and best interests of that country. What, then, are the best and truest interests of our country? "Salus populi suprema est lex." The safety and welfare, the health and deliverance of the people is the supreme law. Safety from what? Safety from all the dangers that menace them, domestic as well as foreign. Their welfare, that all may be well with them; that peace, prosperity, and happiness may be their general condition. Their health, moral and intellectual, as well as physical, and their deliverance from all bondage to old tyrannies, ignorance, and oppression.

What will it profit the people of the United States if we are victorious in our wars against foreign foes and find ourselves an easy prey to the power of the money kings at home?

One of the wisest Americans of the nineteenth century warned us that the gravest dangers to the Republic come not from without but from within.

The United States of America has always been victorious in her wars with other nations. Her people pay no tribute extorted by the arms of any foreign conquerer, yet millions of our soldiers, invincible on the battle fields, own not a foot of their country's soil, for which they have offered their lives and shed their blood.

A hundred million people, one of whose favorite maxims of foreign policy is "Millions for defense, but not one cent for tribute," are every year meekly surrendering in enforced contribution to the monopolistic trusts and parasites more than one-half of all the wealth their toil produces.

THE ARISTOCRACY OF WEALTH.

By force and cunning this American autocracy of money levies tribute on every pound of food we eat, on every yard of cloth we wear, on every roof that shelters our heads, on every ton of fuel that warms our homes, from the milk that feeds our babes to the shroud that wraps our dead, everything must pay tribute to monopoly. They have seized the great bulk of the machinery of production. They are fast monopolizing our natural resources. These private monopolists have seized the public highways. The railroads, telegraphs, telephones, pipe lines are instruments of their power wherewith to oppress the people. They have profaned the temple of liberty; they seek to corrupt courts, control Congresses, and purchase Presidencies in order that they may give a color of sanction and legality to the most gigantic system of national robbery in the whole record of time, and in so doing have sought to make the people's Government founded solely to protect the public welfare an instrument for oppressing the people.

"That the organization of industry and commerce has come to be the principal factor in modern countries, that political power lies in the control of that organization, and that this control has, in the United States, fallen into the hands of groups of financiers who do not even pretend to use it for the advancement of the public welfare," is a most dangerous situation for any nation to be in.

The greatest curse of the world to-day is the evil alliance of private greed and corrupt government. "The children of this unholy wedlock are war, red ruin, and the breaking up of laws."

Loyalty to the United States requires that a citizen should not only fight for his country, but he should think and speak and write and work and vote for his country as well. Our Government must not only be powerful abroad, it must be just at home. In the very day and hour when the armies of the Roman Republic had conquered every country in the known world, the Government at home fell a prey to a corrupt oligarchy of wealth, and the great Roman historian Pliny mournfully records that—

It was great estates that ruined Italy.

We can not be too watchful lest America may meet a similar fate while we are engaged by the glamour of our present vast adventures in foreign war and secret diplomacy.

FREEDOM OF SPEECH AND FREEDOM OF THE PRESS.

War should be the very last resort for the adjustment of disputes. For from the moment that nations engage in war they

begin to destroy liberty, not only the liberty of their foes but the liberty of their own people at home. It was well said by a wise New York lawyer at the beginning of the present war—

The first casualties of the war are free speech, free press, and the right to peaceably assemble. Yet article 1 of amendment to the United States Constitution reads: "Congress shall make no law * * * abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." (Harry Weinberger in the New York Evening Post.)

"Liberty is the mother of order, not the daughter." If America and the other nations are to have the blessing of order, peace, and prosperity they must have liberty first. Under the urgency of pretended war necessity we deprived our people of many of their dearest liberties. We apparently adopted the heresy born in the brains of the monarchists and militarists of the Old World, that a free people is not as valiant in war as are the subjects of autocratic rulers.

But all history belies this false doctrine. Everywhere in the records of the human race "the freer nation stands forth like Saul among his brethren, taller and fairer," mightier in arms as well as in arts, and so to-day, as in other days, we may safely follow the principles laid down by the champions of liberty in all ages of the world.

Says Wendell Phillips:

If there is anything that can not bear free thought, let it crack.

Blackstone, the great author of the Commentaries, says:

Every freeman has an undoubted right to lay what sentiments he believes before the public; to forbid this is to destroy the freedom of the press.

Oliver Cromwell said:

No good government has anything to fear from paper shot.

In the famous Virginia Bill of Rights, unanimously adopted June 22, 1776, is this clause:

The freedom of the press is one of the bulwarks of liberty, and can never be restrained but by despotic government.

Cooley, in his Constitutional Limitations (seventh edition, p. 604), said:

The liberty of the press might be rendered a mockery and a delusion and the phrase itself a byword if, while every man was at liberty to publish what he believes, the public authorities might nevertheless punish him for publications. * * * Their purpose has evidently been to protect parties in the free publication of matter of public events and public measures, and to enable every citizen at any time to bring the Government and any person in authority to the bar of public opinion by any just criticism upon their conduct in the exercise of the authority which the people have conferred upon them. * * * The evils to be prevented were not the censorship of the press merely, but any action of the Government by means of which it might prevent such free and general discussion of public matters as seem absolutely essential to prepare the people for an intelligent exercise of their rights as citizens.

Paris Figaro says:

In Madrid I learned that there was complete freedom of the press; that, provided I did not speak about the power of the Government, religion, politics, morals, high officials, or other notables, operas, plays, or anything having to do with anything else, I was perfectly free to print whatever two or three censors nosed through.

The great crime is repression of honest thought. James Russell Lowell expressed well the spirit of the makers of our Government when he said:

Let liars fear,
Let traitors turn away;
Whatever we have dared to think,
That dare we also say.

Milton well said:

Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties.

Ye shall know the truth and the truth shall make you free. (Bible.)

Let the people know the truth and the country is safe—

said Lincoln.

Having faith in these eternal principles of liberty and right proclaimed by the founders and preservers of the Republic, and by the friends of freedom everywhere, I voted against the espionage-censorship bill, and at this session I introduced a bill to repeal it.

What constitutes a State?
Not high-raised battlements or labored mound,
Thick wall or moated gate,
Nor cities proud with spires and turrets crowned;
Not bays and broad, armed ports,
Where, laughing at the storm, rich navies ride;
Not starred and spangled courts,
Where low-browed baseness wafts perfume to pride.
No! Men, high-minded men,
With powers as far above dull brutes endowed,
In forest, brake, or den,
As beasts excel cold rocks and brambles rude;
Men who their duties know,
But know their rights and, knowing, dare maintain,
Prevent the long-aimed blow,
And crush the tyrant while they rend the chain.
These constitute a State.

IF YOU CONSCRIPT MEN CONSCRIPT WEALTH.

The following letter from former United States Senator Pettigrew, of South Dakota, lays down a principle which is a great improvement on the present plan, both of financing and fighting future wars:

AUGUST 24, 1917.

Hon. ERNEST LUNDEEN,
Washington, D. C.

MY DEAR SIR: Last February, while I was at Washington and before war was declared on the part of the United States, I published an article in one of the single-tax papers advocating that in case we went to war with Germany we should hire the men to do the fighting and draft the money, instead of drafting the men and hiring the money. This statement attracted considerable attention, and the Socialist papers have been advocating this plan ever since.

The report of the Treasury Department for the fiscal year ending June 30, 1917, has been received and shows that 357,000 persons receive an income of $1,200,000,000—that is, they paid taxes upon that amount. Of course, that does not include those who did not make a report or swore their income through at less than it was; nor does it include artificial persons, and therefore the income of these 357,000 people was probably nearer $2,000,000,000 than $1,200,000,000. The ones who receive this amount of income only include incomes exceeding $3,000 per year. In other words, from all incomes are deducted $3,000, leaving a balance of $1,200,000,000 for 357,000 persons.

Now that the conscription bill has been passed and the Government has conscripted 1,000,000 men to do the fighting, I propose that Congress pass a law conscripting this $1,200,000,000 a year and pay it to the million men who are conscripted to lay down their lives in order that these people may continue, from year to year, to gather these incomes. This would give each soldier $100 per month and enable him to decently support his family, if he has one, or send it to his parents who have paid the expense of rearing him and giving him an education.

If we are going to "make the world safe for democracy," wouldn't it be a good idea to commence in the United States and, having drafted a million of our boys to do the fighting, let us draft $1,200,000,000 from our millionaires? It was the laborers of this country who produced all of this wealth. These 357,000 produced none of it. They exploited the laboring people out of it by cunning, by manipulation, with the assistance of the laws and the lawyers and the courts and the machinery of legislation and the Government.

Why not, then, during the war, appropriate this excess profit and pay the men that do the fighting? Why should we violate the Constitution and issue bonds in order to get money to pay the men who sacrifice their lives? Congress is in session and if the administration has any interest in making the world "safe for democracy" they could order their "rubber stamps" at the Capitol, the House and Senate, to pass this law conscripting wealth and it would go through at once.

I have carefully read some of the legislation that Congress has enacted recently, and, while I do not advise anyone to violate the provisions of the law, I advise everyone who has any interest in democratic institutions to urge the repeal of the law with regard to conscription and the law suppressing freedom of assembly, freedom of speech, and freedom of the press. In my opinion these laws and the law declaring war violate the Declaration of Independence, the Constitution of the United States, and the Ten Commandments, and everyone of those laws should be immediately repealed if we have any interest in the maintenance of democratic institutions.

(Signed) R. F. PETTIGREW.

AMERICA FIRST.

With the thought of "America first" ever before me, I am convinced that while we are supposed to be fighting to establish democracy abroad, we must be on the alert to see that the democracy of our great, free Republic at home is preserved inviolate. The ever-growing tendency since our entry into the war has been, and now is, to more and more abridge the constitutional rights of our own people. Concentration of authority in time of war may be a military necessity.

Responsibility for the successful prosecution of the war should be undivided so far as such singleness of responsibility is consistently possible. But this should not and does not mean that the free people of our great Republic are called upon to renounce, either temporarily or permanently, every constitutional right guaranteed to them by our form of government. It does not mean that the Constitution of the United States is to be regarded as an obsolete scrap of paper.

Many and strenuous efforts have been made in Congress and out to prevent the discussion of our war activities. I for one can not and will not yield my right to discuss the conduct of the war. I shall never vote to abridge the right of my constituents to discuss the conduct of the war. I shall enter my protest by word and vote whenever I see that incompetency and inefficiency are lifting their heads to hinder and trouble the people.

The President's avowed purpose in entering the war was "to make the world safe for democracy." It is inconsistent with our professed aims and not in conformity with our history, our Constitution, our traditions, or our American spirit to allow our rights as a free people to be insidiously curtailed. Our time-honored institutions of a free press and free speech must be maintained. No republic can long endure which does not safeguard these rights.

The abolition of slavery was one of the objects for which the Civil War was fought to a victorious conclusion. The American people must not bow their heads to the yoke of a moral serfdom more degrading in its effects than any chains of physical bondage.

Such slavery is enforced when the people of a free nation are denied the right of assembly and the privilege of discussing freely and frankly the conduct of the war, its objects, and the terms on which an early and an honorable peace may be accepted. Honest constructive criticism is no less helpful than sincere commendation. The right of the people to express either must be maintained. Otherwise our avowed intention to make the world safe for democracy will prove a hollow mockery.

Less than three years ago, on July 10, 1916, Mr. Wilson said in a speech at Detroit, Mich.:

I am one of those who believes, absolutely believes, the Virginia bill of rights, which was the model of the old Bill of Rights, which says that a people has a right to do anything they please with their own country and their own government. I am old-fashioned enough to believe that, and I am going to stand by that belief. (Page 1481, Appendix, 64th Cong., 1st sess.)

These words of President Wilson express in a nutshell the doctrine of self-determination. We must not depart from that doctrine, though Mr. Wilson sidesteps this principle in the case of Ireland. We must not renounce the right of a free people to rule their own country and government.

RUBBER-STAMP CONGRESSMEN.

In my work in Congress I have had ever before me the interests of my constituents and the high ideals for which our Nation stands. I have never voted for any measure opposed to those interests and those ideals, even though it bore the stamp of approval from the party in power. The people of Minnesota are not a "rubber-stamp" people. They want no "rubber-stamp" Congressman to represent them.

I never make the mistake of confounding blind obedience to presidential dictates with patriotism. Servility to any man, however great, is not patriotic service to the Nation. In the future, as in the past, in private or public life, my slogan remains "America first."

"Keep your mouths shut!" That is the command to-day. I challenge that command. We who are Americans will not long permit any one man to seal our lips. When we lose free speech and a free press our liberties are gone. The leaders here have lost their heads—what other conclusion can we draw. The people, and the people alone, can bring them to their senses. The 1918 election has helped in that respect, and there will be more elections in the near future. Congressmen are representatives of the people. The President is their hired man. They have a right to free speech. We are a law-abiding people. The minority are constantly yielding to the laws of the majority; but we have a right to seek their repeal, to strike them from our statute books. These critics will give their lives for our country if need be. They insist on free speech on the conduct of reconstruction. They feel that they are entitled to their opinions and that they should be consulted. And who shall say that they are wrong? The voice of the people is still the voice of God.

La Follette's Magazine says:

In times of peace the war party insists on making preparation for war. As soon as prepared for war, it insists on making war. If there is no sufficient reason for war, the war party will make war on one pretext, then invent another, possibly more effective pretext after war is on.

Before war is declared the war party assumes the divine right to denounce and silence all opposition to war as unpatriotic and cowardly.

After Congress has been bullied into a declaration of war, the politicians, the press, and the mercenaries of the war parties assume authority to deny the right of American citizens to discuss the necessity for the war or the ultimate object and purpose of the declaration of war.

To-day secret service men, United States district attorneys, United States marshals, United States court commissioners, and other Federal officials are rankly abusing their authority on every hand. People are being unlawfully arrested, thrown into jail, denied the right to employ counsel, or to communicate with their friends, or even to inform their families of their whereabouts; subjected to unlawful search; threatened, intimidated, examined and cross-examined, the most sacred constitutional rights guaranteed to every American citizen are violated in the name of democracy.

It appears to be the purpose of those conducting this procedure to throw the country into a state of terror, to coerce public opinion, stifle criticism, suppress discussion of the issues of the war, and put a quietus on all opposition.

As a climax to all this, President Wilson, in his address at Washington, June 14, gave utterance to this threat:

"Woe be to the man or group of men that seek to stand in our way. * * *"

It is time—

Says La Follette's—

for the American people to assert and maintain their rights.

An American citizen has the right to discuss the issues of this war; one citizen may believe it inevitable, another may think it regrettable; each has the same right to express his opinion. An American citizen may state his opinion that we are not justified in prosecuting this war for the purpose of dictating the form of government which shall be maintained by our enemy—or our ally—and not be subject to punishment at law. He may denounce the policy of sending our boys to die on European battle fields for annexation of territory or the payment of war indemnities or the carrying out of trade agreements, and be within his legal rights. He may express the hope that an early peace may be secured on the terms set forth by the new Russia and by President Wilson in his speech of January 22, and he can not be lawfully sent to jail for the expression of this conviction.

THEY LOWER THE AMERICAN FLAG.

For many months I have observed a United States delivery car in the court of the House Office Building carrying a British flag without any American colors. During the recent parade in Washington, while with a party of friends, we observed people carrying British flags along the line of parade. On the same day, in front of the Congress Hall Hotel, a United States Government car marked "For official use only" was flying a large British flag at the head of hood, and below, on either side, two small American flags. My secretary repeatedly took photographs, which are now in my possession, of instances of citizen's subordinating their own flag to flags of other nations, a most unhealthy sentiment in American life.

But what can you expect with a President eating from gold plate in the Buckingham Palace with the King of England and the Emperor of India, sleeping in the many-roomed palace of Prince Murat, and occupying the royal suite of Kaiser Wilhelm the Second on the *George Washington*, formerly a German liner. Evidently some of us have departed from plain democracy. I doubt, however, whether this man who so indulges himself will ever measure up to the great Democrat Thomas Jefferson, who rode horseback to the Capitol in the long ago. There are enough Americans who love their own flag and place it above all others, and who will in the near future sweep all foreign sentiment from America, including foreign officers on our pay rolls. We have large numbers of foreigners on our pay rolls at this very time, when everyone knows there is nothing under the sun that man can do which can not be accomplished by our own business men and officers.

I am in favor of turning these foreigners loose, cutting them off our pay rolls, and showing them the nearest way home.

During the 1916 campaign "America first and absolute neutrality" was my sole and only platform. At this time the Wilson administration was loudly shouting that if the Republicans were elected they would throw the country into war; that if they were elected we would have peace. It will be a long time before the people again put their faith and trust in the leaders who betrayed us. The truth is not in them. If the Republican Party now misuses its opportunity, surrendering the trust of the people to the great monopolies, beware of a third party electing many officials in future elections.

BRING OUR BOYS BACK HOME.

It is now time to bring our boys back home. We have a right to discuss legislation for their welfare.

"There were surely some rough spots in this war for the poor 'doughboy,' and he will never forget them. I can not help but realize that there are but two royal families in the world who never suffered nor appeared in the casualty lists. One was the royal family of Germany and the other the 'royal and reigning' families of the United States. If I am wrong, I wish some one will stop me and set me right." (Congressman (Captain) ROYAL C. JOHNSON, of South Dakota.)

As a matter of fact, the reports show that the German royal family did suffer one casualty in the war. But our own "royal and reigning" families held forth far in the rear of all battle lines. There were more generals who lost their lives during the Battle of Franklin in the Civil War than lost their lives in the entire world war. I have this on authority of the famous soldier and statesman, Gen. SHERWOOD, for many years the oldest Member of Congress. This shows that it is safer to be a general in the world war than a Member of Congress, since we lost one Member through an automobile accident.

It all goes to show that in war the only man who risks his life for his country is the doughboy on the firing line and his immediate superiors. This may have something to do with the fact that so few generals have come out of the war with any great popularity.

PRESIDENT WANTS MEMBERS OF CONGRESS HUNG.

The Washington Post of March 2, 1919, published the following news item:

Nothing serves to emphasize so strikingly the bitter feeling that has been engendered on both sides of the controversy over the league of nations as the address which was made by President Wilson to the members of the Democratic national committee at a luncheon at the White House Friday.

Not until yesterday did the news begin to leak out that the President used violent language in speaking of the opponents of the league. When members of the committee were asked about the President's remarks they at first declined to enter into particulars, several of them saying the President had used language which they did not think he would like to have repeated.

In substance, the President is reported by these informants as declaring that he despised the character of those who are fighting the league of nations, and that he "loathed their pigmy minds." He is reported as having added that he would have to consult a dictionary to adequately express his opinion of these Senators.

In a final outburst of indignation the President is reported as having said that the heads of those who are opposing the league were only fit to serve as "knots to prevent their bodies from unraveling," and

that if he had his way he would hang them on a gibbet as high as heaven, but that the gibbet would not be erected in the direction of heaven.

In the same speech the President urged the Democratic national committeemen to hurry back to their States and call meetings of their State committees for the purpose of getting indorsements of the league. He asked them also to do everything in their power to persuade Republican State committees to join them in nonpartisan indorsements.

This is the most unusual piece of news concerning high officials in both the legislative and executive branches of the United States Government that has been published in many a year. No denial has been made.

Senator SHERMAN on March 10 ably replied, stating that these words constitute a felony, and that men are now in the penitentiary at Leavenworth for saying less than this of officers of the United States Government.

When a President of the United States at a secret conference of the national executive leaders of his faction in the Government declares that if he had his way he would "hang" the Members of Congress who oppose him "on gibbets as high as heaven, but pointing in the opposite direction," it is time for all good citizens to take note of whither this Government is drifting. Not only to take note but to discipline this stiff-necked autocrat.

IMPEACHMENT AND REMOVAL FROM OFFICE.

Members of Congress are gradually reaching the conclusion that the welfare and safety of the country will be best served by the impeachment and removal from office of an autocrat who recognizes neither Congress nor the law; neither Constitution nor the traditions of the Republic.

Gentlemen, I thank you for your attention. [Applause.]

APPENDIX.

Gilbert E. Roe, a learned and able member of the New York bar, has contributed the following interesting and instructive analysis of the espionage law, which I believe it would be greatly to the interest of every citizen in the United States to read and study:

REPEAL THE ESPIONAGE LAW.

(An address delivered before the Civic Club of New York, Dec. 3, 1918.)

The President told us yesterday that the moment the armistice was signed he took the harness off from business, but he did not say anything about taking the halter off from free speech. Industry, he tells us, is unshackled; but the embargo on ideas remains, and we may as well acknowledge that it will remain unless the people themselves take whatever steps are necessary to remove it. I venture the opinion that for more than a year past there has not been a member of this club who has dared to say what he or she thought about the most vital policies of the Government of this country in those particulars most intimately affecting the lives of all the people. The President spoke eloquently yesterday concerning the wrongs of the unfortunate people of Belgium and France, but I did not observe that he said anything about the wrongs of our own people. When the President arrives in Europe let us hope that he will learn that political prisoners have been freed over there, and this may perhaps remind him of hundreds of his fellow countrymen who are deprived of their liberty here for political offenses. He may perhaps even learn that, of all the warring countries, this is the only one that treats political offenders like common criminals—except that it treats them more harshly.

But you have asked me to speak on the espionage law. I have the law here—both the act of June 15, 1917, and the amendment of May 16, 1918. But its enumeration of the things you can not say or do or write is so long that if I took time to read the whole law I should not have time to say anything else. So I am just going to read section 3 of Title I, the section under which most, although not all, the prosecutions have been conducted, and the section which, in conjunction with Title XII, is relied upon to give the Post Office Department the right to censor your mail and suppress radical publications.

Section 3 of Title I is as follows:

"Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies, and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, shall be punished by a fine of not more than $10,000 or imprisonment for not more than 20 years, or both."

Now, that is rather a harmless sounding law. But the way it works is this: Some pacifist says he does not believe in war; that all war is murder. Immediately a Federal district attorney is directed to take the case of this malefactor before a grand jury and have him indicted. The indictment is returned almost as a matter of course upon the demand of the law officer of the Government. Then this enemy of the people is haled before the trial jury, and right here is where you become aware of how smoothly the system works. The mind of the jury has been carefully prepared for months in advance by a controlled press to find the defendant guilty. The mails have been closed to radical and independent publications which might suggest that one had the right to opinions even in war time. The vigilante committees have terrorized the community from which the jury is drawn. The officers of the Intelligence Service, so called, of the Army and Navy have raided the homes of citizens, seizing their papers and their effects, and even their persons, without a warrant and without the least legal authority, and have thereby demonstrated that they are above the law. The patriotic organizations and the Creel bureau have flooded the country, at the expense of the people, with fantastic tales calculated to excite the passions and inflame the imagination of the ordinary citizen, until impartial judgment has become impossible on questions relating to the war.

Finally, and not the least important, a Federal judge, who holds his job by appointment of the President, often charges the jury on the law, and sometimes on the facts as well, in such way that conviction is practically certain When the humble and unsophisticated citizen, whose only offense was that he hated war and abhorred its bloodshed and its cruelties, comes out of the hurly-burly of the trial and has time to catch his breath, he finds himself duly branded as a criminal and sentenced to a punishment more severe than is often inflicted for robbery, rape, or murder.

Again, some Socialist, dreaming of the brotherhood of man, the federation of the world, when the war drums shall throb no longer, ventures to say that he sees no good in the workers of one country killing those of another. Forthwith he is apprehended as a German propagandist, as an agent of the Kaiser, and a tool of autocracy. And he gets very short shrift in the courts, if for no other reason than that he is a Socialist. I will take time here to call your attention to the case of just one Socialist, of which I speak from personal knowledge. Last summer I defended a young man before a court-martial at Camp Dix who was charged with violating the ninety-sixth article of war. The charge was as follows:

"Charge I: Violation of the ninety-sixth article of war.

"Specification 1: In that Americo V. Alexander (No. 1773144), private, Medical Detachment, base hospital, Camp Dix, N. J., did, at New York City, N. Y., on or about the 28th day of May, 1918, with intent to interfere with the successful operation of the military forces of the United States, make the following statements in the presence and hearing of various persons: 'You can get out of active service when drafted by refusing to do any military duty on ground of conscientious scruples. Your failure to register as such on questionnaire would not prevent your now asserting your rights. You might be put in the guardhouse and even court-martialed and sentenced to 20 years, but you would never be forced to serve. You might expect pretty rough treatment, but if you were a true objector and stuck they would do nothing to you. One objector at Camp Dix had been beaten, gagged, kicked, and gassed while in the guardhouse, but, having stuck, he was all right now; this matter was being kept very secret. He got a job in the base hospital, and the Army was very glad to get him to do anything, as the other objectors did not work and were only an expense,' or words to that effect.

"Specification 2: In that Americo V. Alexander (No. 1773144), private, Medical Detachment, base hospital, Camp Dix, N. J., while holding himself out to be a conscientious objector, was at New York City, N. Y., on or about the 28th day of May, 1918, active in propaganda to the prejudice of the successful operations of the military forces of the United States in that he advised, counseled, and attempted to persuade various persons to state that they were conscientious objectors when the said persons would be inducted into the military service of the United States under the provisions of the selective-service act."

This, you see, in military language, charged a violation of the espionage law. We took about a week to try the case, and substantially the entire contest centered about the truth or falsity of those charges. There were some minor charges involving the young man's temporary refusal to work while seeking advice from superior officers immediately following his arrest, thinking that it might interfere with his rights as a conscientious objector. But when reassured upon this point he promptly abandoned that position and thereafter was a model prisoner. I will say also that he accepted noncombatant service upon his induction into the service as a conscientious objector. He had managed the supply department of the base hospital at Camp Dix so effectively as to be complimented by officials at Washington and had been suggested for a commission by his commanding officer, which he had refused because he was a conscientious objector.

Now, the singular, and, so far as I know, unprecedented thing about this trial was that the court-martial found the young man "not guilty" of the charge I have just read to you, and the record which I hold in my hand so shows. But when the record came to me after it had gone to Washington and passed through the hands of a reviewing officer, it showed that the finding of the court-martial in this respect had been reversed. As the members of the court-martial, which consisted of eight officers, heard all the testimony and were the only officers who ever did hear the testimony or any portion of it, I was curious to know who it was that had decided that he could render a better decision on the facts without hearing the testimony than the members of the court-martial could who did hear it. And so I went to Washington, and after a day's inquiry from department to department I was able to locate the record in one of the innumerable offices of the War Department and was allowed even to look at it, although told that it was a private record, and that I could not take a copy of it. I did, however, examine it sufficiently under the eye of the officer, who kept both the record and myself in sight, to find out that the person who discovered that the court-martial had been all wrong in its findings was a first lieutenant named William J. Martin. I have not the remotest idea who Mr. Martin is in private life, but he seems to have signed himself "Judge Advocate" at Camp Dix, although I know he had absolutely nothing to do with the trial of the case, for I know well Capt. Lilly, of the New York bar, the judge advocate who will try it, and who tried it most ably for the prosecution. But this Lieut. Martin wrote the opinion—indorsed by the general, who, like himself, had never heard any of the testimony—which reversed the findings of "not guilty" by the court-martial; and the point of my calling your attention to this is the reason assigned for the reversal. I quote two sentences which I was able to copy from the opinion of Lieut. Martin. They are as follows:

"In view of the fact that this man is a Socialist, and, as such, opposed to all law and order, I can not see how he could have been classed as a conscientious objector. * * * The testimony shows that he is not opposed to war as a conscientious objector but is opposed for the same reason that the Russian government is opposed to it and belongs to an organization that is opposed to all forms of order and systems of government."

The word "organization" has a line lightly drawn through it, done apparently after the opinion had been filed, and the words "radical element" written above. Read either way, the statement is wholly false.

And the finding of "not guilty" of the court-martial on the charge I have read was reversed, and Mr. Alexander, whose crime appears to have been that he is a Socialist, is undergoing 20 years' imprisonment. I wonder how many other men and women are undergoing punishment in this country to-day because they are Socialists. Why, if this had occurred in Belgium during the German occupation and had been perpetrated by a German court-martial, we should dramatize it, and put it in the movies as an illustration of German atrocities. If the Supreme Court of the United States, composed of nine great judges, presumed to reverse the finding of a jury in a criminal case on conflicting testimony, it would be a ground for impeaching the members of that court.

But suppose the worst of all—assume that some citizen, misguided, if you please, had a doubt about this war's being altogether a war for democracy, or even had a suspicion that trade rivalries and ambitions between European nations were at the bottom of the war, and that, perhaps, it might have been just as well if we had kept out of it, and having such doubt or suspicion, had expressed it in a speech or in a publication—you know what would have happened to such a person without my reciting it. Such a one were lucky if he only went to prison for 10 or 20 years. Just to contrast the condition into which we have allowed ourselves to sink with conditions where at least some freedom of speech exists, I am going to read you a few sentences from Prof. Shapiro's Modern and Contemporary European History (Houghton Mifflin; $3.50). It has been off the press only a few weeks. Prof. Shapiro is known to many of you. He is an associate professor of history in the College of the City of New York and one of the foremost historians of the world. At page 338 he says:

"The Boer War was fought during the Salisbury ministry. The war was opposed by the Liberals, but was enthusiastically supported by the overwhelming majority of the English people, and in the general election of 1900 the Conservatives were returned to power on the war issue with a majority of 134."

It is fair to say that the Boer War, in the opinion of many Englishmen, involved the fate of the Empire, for if Great Britain had shown herself unable to crush the Boers it would have been a signal for every colony she had in the world to throw off her rule. But of the opposition to the war by the Liberals, of which Lloyd George was the leader, the author reports:

"They denounced it as an act of aggression against the inoffensive Boers in the interest of South African capitalists."

Think of that, a capitalistic war. I quote again:

"Large mass meetings of pro-Boers were held all over England, at which the conservative ministry was severely criticized for being the tool of interested financiers."

And nobody was prosecuted for sedition. But the author also tells us the result of this freedom of discussion, for he says, referring to a period of two or three years later:

"There was great disgust in England with the Conservative Party because of its conduct of the Boer War, and in the election of 1906 the Liberals were overwhelmingly successful."

If I should read you even a portion of what Lloyd George said about his Government during that war I suppose I might be arrested in this country to-day for slandering Great Britain.

Here is the point I wish to make very clear: The espionage law can just as well be applied in peace as in war, and just as good reasons can be given for its application in peace as in war. Practically we are not at war now, but who of the administration suggests the repeal of the espionage law? Who, when exercising arbitrary power, ever proposes to repeal the law which silences criticism of the manner in which such power is exercised? I am not concerned about the right of the soapbox orator to make a speech because he feels good while he is doing it and feels better after he has done it, although I think that is rather wholesome; but if a people are capable of self-government they must be capable of contributing some ideas of value to the Government if they are allowed free expression. If a people have self-government they must have freedom of expression respecting it, or theirs will become the worst government in the world. Far better take away the vote than take away free speech and a free press; and far better take away free speech and a free press than allow freedom to discuss only one side of a subject.

President Wilson is going abroad to-day discredited—that is, without the support of the Congress—in my opinion, because of the espionage law. Whatever could have been said for his 14 points, in behalf of their making for peace and progress, remained unsaid because of the ruthless suppression by means of the espionage law of all discussion of the causes of the war and of our objects and aims in the war. The Republicans, taking advantage of the suppression of all discussion which could be classed as antiwar, cleverly whipped to frenzy the war sentiment, and by announcing more drastic war aims than the President himself they attracted the support of the war extremists throughout the country, while the hundreds of thousands of citizens whose votes had elected President Wilson because "he kept us out of war" no longer trusted him for any purpose, and voted the Socialist or some other ticket, or did not vote at all. If it is a misfortune that the President stands to-day repudiated by the voters of the country at the recent election, it is a misfortune that has been brought about by the suppression of all discussion of the war, except that which was intended to excite and inflame the people to go to any length in its prosecution.

But, some one says, civil liberties were invaded during the time of our great Civil War and were later recovered. The comparison is entirely fallacious. Civil liberty, so far as it was denied during the Civil War, was not denied because of any espionage law. The Post Office Department never claimed or exercised the power to suppress publications during the Civil War. Indeed, the men in control of the country during that war had taken the position that the exercise of any such power by the Post Office Department would be unconstitutional. The slave-holding States had sought to invoke such power to protect themselves against a flood of antislave literature, and it had been ably argued and held by the leaders of the North that any such law would be unconstitutional. Every arrest made without warrant during the Civil War was an arrest by the military authorities. Every paper that was suppressed was suppressed by the military authorities, and in most cases President Lincoln immediately ordered the restoration of mailing privileges to such a paper. Every suppression of civil liberty during that war came from the military arm of the Government, and it had to disappear as soon as the army was disbanded. The great Milligan case, following upon the heels of the war, in which the Supreme Court decided that the military arrests had been unlawful, promptly restored the people once more to the full enjoyment of the liberties which the Constitution had been held to guarantee. But now all this is changed. The espionage law is not going to be repealed unless the people resolutely take the matter in hand; instead, it will be skillfully extended to suppress discussion which may be said to be an incitement of war, or to disturbance, or to violence. The Post Office Department will, unless the people are aroused, continue to exercise a censorship more arbitrary and irresponsible than ever existed, either in war or in peace, in any country which made a pretense of being free.

There is just one thing, in my opinion, for the citizens to do who believe in liberty and desire to preserve at least some measure of freedom; that is to organize for the repeal of this obnoxious law, and never to disband their organization or cease their agitation until the law has been discredited and repealed, and until every person convicted under it, and not shown to be guilty of some act in aid of the enemy, has been pardoned, and every fine collected under it repaid by the Government.

GILBERT E. ROE.

THE ESPIONAGE LAW.

If, on the 15th day of June, 1917, some foreign government had passed a law which provided that from and after that date the people of this country should not, for the period of the war, discuss those matters of political policy, the most vital to their welfare and to the welfare of their Government, I suppose such a law would have been opposed by the almost unanimous action of the people of this country. Yet, how do the facts differ from those I have just supposed? On the 15th day of June, 1917, the espionage law was passed. As that law has been used by the Postmaster General and interpreted and applied by the courts in this country it has prevented discussion of political policies, the most vital to the welfare of the Government and the people of this country. The effect of that law has been even worse than I have stated. It has prevented political discussion of one side of political questions, the most vital to the welfare of the people and the Government. As a result of its application falsehoods have run rampant in the press and been preached from platforms and pulpits with no one to contradict them. Half truths, which are far more dangerous than outright falsehoods, have made up the bulk of most of the information the people have been allowed to receive on subjects connected with the war. And the espionage law was passed and has been enforced by a government, as I shall attempt to show, without a shadow of right or authority so to do. It has been an act of despotism.

As a result of the successful rebellion against Great Britain which occurred in this country something more than a century and a quarter ago thirteen independent nations came into existence. Their location and certain interests that they had in common led them to establish a federation by which, for certain purposes, they were to act in concert. As a result of a protracted conference by the representatives of these different nations they finally came together in an agreement and took the name of the United States of America, and the document in which were specified the powers which these different nations delegated to the General Government was called the Constitution of the United States of America. These thirteen independent nations, however, were very jealous of their respective rights and of the rights of their people, and the powers which they gave to the General Government thus created were not very numerous and were only such as they believed necessary to be exercised by the Federal or Federated Government rather than by the several nations independently. Among the rights given to the Federal Government were those of borrowing money, regulating commerce with foreign nations, coining money, establishing post offices and post roads, declaring war, raising and supporting armies, but no appropriation for this last purpose could be made for a longer term than two years. It is readily seen that these powers and a few others which were delegated to the Federal Government were necessary to any federation of these original thirteen States which was to be permanent and effective.

In order to make it perfectly clear, however, that the Federal Government was one of strictly limited powers, powers so limited that they could never be used as an excuse or pretense for interfering with the rights of the States, or with the liberties of the people of the States, the Constitution provided (Article X of the amendments):

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people."

So that, whenever the Congress of the United States passes any law in order that that law shall be binding upon anyone and shall have any authority as law, it must be possible to turn to the Constitution of the United States and find in it the specific provision which authorizes the particular law. Now, there was a way by which the men who framed the Constitution feared that the powers of the Federal Government might be extended at some time or other so as to interfere with the liberties of the people. The people had just fought a long and hard war to establish their liberties and they did not propose to give up to one government those rights which they had fought so hard to win from another government.

Thomas Jefferson and many other patriots of his day foresaw the danger of an extension of the powers of the Federal Government on the theory that it would be implied that the Federal Government was to have the powers necessary to carry out the express powers delegated to it by the Constitution. That principle of construction was shortly after the adoption of the Constitution put in force by Chief Justice Marshall in McCullough *v.* Maryland (4 Wheaton, 415, 430), where he said:

"Let the end be legitimate; let it be within the scope of the Constitution, and all means which are appropriate, which are adapted to that end, and which are not prohibited, but which consist with the letter and spirit of the Constitution, are constitutional."

Now, there were some rights so fundamental, so dear to the hearts of the people, who had just won their independence from the tyrannical Government of Great Britain, that it was determined they should never be drawn within the jurisdiction of the Federal Government at all on the theory of implied powers or any other theory.

The most important of those rights, in the estimation of the people at that time, were freedom of speech and of the press, and freedom of religion. So it came about that before the people would accept the Constitution, which their representatives in the Constitutional Convention had framed, it was found necessary to adopt the first amendment to the Constitution. That amendment reads as follows:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Now, nothing could be plainer than that, or, at least, so it appeared to the people at the time it was adopted. They had given to this Government that they were forming, this federation, the power to borrow money. Well and good. But the method by which the money was to be borrowed, the person from whom it was to be borrowed, the terms upon which it was to be borrowed, and everything about it, in fact, was open to discussion by the people, from their platforms, in their homes, and in the public press, and the same thing is true of every one of the express powers which were given to the Federal Government.

Now, Congress might find it very convenient, perhaps almost necessary in a particular case, in order to borrow money, that public discussion on the subject should be suppressed, but right there is where the people showed their wisdom in demanding and getting the first amendment to the Constitution. The effect of that amendment was to say to the Federal Government: "You have the power to borrow money. You have the power to do that which is reasonably necessary and appropriate for that purpose, but you have not the power, by any device whatsoever, to limit the public in its discussion and condemnation of your plan to borrow money." Now, that is the limitation which attaches absolutely, irrevocably, and for all time under the Constitution to every express power that the Federal Government has or may attempt to exercise.

The Federal Government can raise and support armies, but it can not, by any device or means whatsoever, suppress public discussion of everything connected with the raising and supporting of armies. That means the right to condemn as well as to praise. It means the right to oppose as well as support. It means the right to ridicule as well as to eulogize. It means, in short, what free speech and free press meant at the time the first amendment was adopted. Free speech and free press at the time the first amendment was adopted included this: "The right of every individual to speak or publish his sentiments on all measures of Government without restraint, control, or fear of punishment for so doing."

That is the definition of free speech and of a free press as stated by Madison and by Jefferson, as found in the address of the Continental Congress in 1774, in the Virginia resolution of toleration of 1784, in the resolution of the Virginia convention of 1788, and as found in practically all the well considered discussion of that time. I refer here practically to Prof. Tucker's discussion of the subject as found in the notes to the first edition of Blackstone's Commentaries published in this country in 1804. But that is not all.

The old sedition law of 1798 was less obnoxious to free discussion than the present espionage law. We all know that the passage of that law was the death of the Federalist Party which fathered it, and drove out of power the administration held responsible for it, and when Mr. Jefferson became President, largely upon the issue of the sedition law, he pardoned every man convicted under it. The Congress of the United States from time to time passed measures returning the fines which had been collected under that law to the victims of it, and returned them for the declared reason that the law "was unconstitutional, null, and void." This was the attitude of Congress continuously down to 1850, at least, when the last fine previously collected under the law from Dr. Cooper was paid to his heirs, as a result of the adoption of a report presented by the Judiciary Committee of the House on January 29, 1850, by James Thompson of that committee, which provided that, in the opinion of the committee, the sedition law, "was unconstitutional, null, and void, and passed under the exercise of undelegated power by Congress; that the fine so levied ought to be refunded to the heirs and legal representatives of said Dr. Cooper, with interest thereon until paid."

The resolution passed the House March 15, 1850, the Senate July 18, 1850, and was approved. (See House Journal, 1st sess., 31st Cong., 1849–50, p. 1141; also House Journal, 1st sess., 31st Cong., p. 675.)

So it is established that any interference by the Federal Government of the United States with the people's right to publish their sentiments on measures of government without control or fear of punishment, is as unwarranted and arbitrary and as contrary to the Constitution as though it were an act done by some king or emperor from his throne in a foreign country.

I insist upon freedom of speech and of free press not merely because it is a constitutional right, but because it is a necessity under our form of government. To-day the President of the United States and our other representatives in the peace conference are assuming to act for the people of this country without knowing what the sentiment of the country is upon the most vital matters to be decided at the conference. The result of suppressing, not alone hostile criticism of the administration policies, but even of critical comment concerning them, has not only left political leaders uninformed as to public sentiment, but has prevented the formation of any well defined public opinion concerning the after-the-war problems. The country is just realizing that we have no policy about anything related to the war.

Our soldiers are daily engaged in bloody battles in the far north of Russia with the armies of that country, although we are not at war with Russia. No one seems to be able to explain why our troops are daily killing Russians and being killed by them. Ordinarily, the unlawful and outrageous policy of the administration in maintaining a hostile army in the midst of a country with which we are at peace could not stand for a day against the storm of protest which our people would raise against it. But for a year and a half, now, the people of this country have learned in the hard school of experience that it is a crime to express opinions which run counter to the administration's purpose, and so they look on silently while this shameful thing in Russia goes on.

The President and Secretary of State are over at the peace conference advocating a league of nations which shall prevent all future wars, while our Secretary of War and Secretary of the Navy are at home demanding of Congress increases in the Army and Navy which are utterly inexcusable unless it is believed we are speedily to engage in another war, as appalling as the one from which we are just emerging.

For months we have been told that "freedom of the seas" was one result which would follow from this war, whereby we and all justice-loving nations would benefit. To-day we are informed that the peace conference is not going to question Great Britain's right to dominate the seas precisely as she did before the present war.

"Secret treaties," which it was a crime to discuss, as the espionage law was construed, are now being blandly carried out by the peace conference.

And over all the proceedings of the conference hangs a shroud of mystery which makes the phrase, "open covenants," "openly arrived at," a mockery and a farce.

Our conditions at home are as unhappy as those abroad. Any one who wishes to discuss the proper financing of the present war runs a risk of being prosecuted for violation of the espionage law, since his argument may possibly discourage the purchase of liberty bonds.

The present high prices of the necessaries of life, as well as present conditions of unemployment, are largely due to the system of forcing billions and still more billions of bonds upon the public and thus withdrawing money from other enterprises and inflating the currency until normal business and normal employment have become impossible. Yet any man who dares point out the result of this system of bond sales and the manner in which wealth and war profits have been relieved from taxation, is liable to prosecution under the espionage law, as that law has been construed.

The one overshadowing fact emerging from the political and industrial disorganization at the present moment is that, while an empire or a kingdom may operate successfully under a censorship on sedition law, a representative or democratic government can not do so. After all, public opinion is looked to in this country to shape political policies, and without a well-defined public opinion political policies represent only the views of those who happen to be in office at the time. None of the men who have been shaping the political policy of this country were elected upon any issue which involved the war, except that President Wilson was undoubtedly reelected in 1916 on the issue that he had kept us out of the war. There was every reason therefore to allow the freest and fullest discussion of every matter connected with the war in order that the real will and purpose of the people might be made manifest. This course would undoubtedly have led to some confusion and disorder, but the result would have been that the hundred million people of this country would not to-day be acting the part of mere dummies, or detached spectators, while their destinies for all time are being determined by representatives who have had no opportunity to learn the popular will and who were not elected to office on the issues which they are now deciding.

As a result of the espionage law, representative government has broken down in this country. We are now reaping the first bitter fruits of the policy which has suppressed free speech and free discussion of war issues.

GILBERT E. ROE.

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[From La Follette's Magazine, June, 1917.]

THE RIGHT OF THE CITIZEN TO OPPOSE WAR AND THE RIGHT OF CONGRESS TO SHAPE THE WAR POLICY.

I.

In these days whenever an American citizen presumes to question the justification, either in law or morals, of our participation in the European war, he is at once denounced by the war party and the war press as disloyal to the country.

The war party in the United States seeks to justify our entrance into the bloody conflict on the ground that it is in the interest of democracy. But every man and every woman knows that there is a struggle going on to-day in every civilized nation between democracy and autocracy.

Every nation has its war party. It is not the party of democracy. It is the party of autocracy. It seeks to dominate absolutely. It is commercial, imperialistic, ruthless. It tolerates no opposition. It is just as arrogant, just as despotic in London or in Washington as in Berlin. The American Jingo is twin to the German Junker.

In times of peace the war party insists on making preparation for war. As soon as prepared for war it insists on making war. If there is no sufficient reason for war, the war party will make war on one pretext, then invent another, possibly more effective pretext after war is on.

Before war is declared the war party assumes the divine right to denounce and silence all opposition to war as unpatriotic and cowardly.

After Congress has been bullied into a declaration of war, the politicians, the press, and the mercenaries of the war party assume authority to deny the right of American citizens to discuss the necessity for the war, or the ultimate object and purpose of the declaration of war.

To-day Secret Service men, United States district attorneys, United States marshals, United States court commissioners, and other Federal officials are rankly abusing their authority on every hand. People are being unlawfully arrested, thrown into jail, denied the right to employ counsel, or to communicate with their friends, or even to inform their families of their whereabouts; subjected to unlawful search, threatened, intimidated, examined, and cross-examined, the most sacred constitutional rights guaranteed to every American citizen are violated in the name of democracy.

It appears to be the purpose of those conducting this procedure to throw the country into a state of terror, to coerce public opinion, stifle criticism, suppress discussion of the issues of the war, and put a quietus on all opposition.

As a climax to all this, President Wilson, in his address at Washington, June 14, gave utterance to this threat:

"Woe be to the man or group of men that seek to stand in our way * * *."

It is time for the American people to assert and maintain their rights.

An American citizen has the right to discuss the issues of this war; one citizen may believe it inevitable, another may think it regrettable; each has the same right to express his opinion. An American citizen may state his opinion that we are not justified in prosecuting this war for the purpose of dictating the form of government which shall be maintained by our enemy—or our ally—and not be subject to punishment at law. He may denounce the policy of sending our boys to die on European battle fields for annexation of territory or the payment of war indemnities or the carrying out of trade agreements and be within his legal rights. He may express the hope that an early peace may be secured on the terms set forth by the new Russia and by President Wilson in his speech of January 22, and he can not be lawfully sent to jail for the expression of his convictions.

II.

It is the citizen's duty to obey the law until it is repealed or declared unconstitutional. But he has the inalienable right to fight what he deems an obnoxious law or a wrongful public policy in the courts and at the ballot box.

The citizen who believes the draft law unconstitutional may have the question tried out in the courts, or if he thinks it undemocratic and un-American he may start a campaign to-morrow for its repeal. He may work with his fellow citizens in petitioning Congress to abolish the draft system and in asking that hereafter the war shall be conducted on the volunteer plan. The citizen should begin to work now for the election of Congressmen who represent his views on the war issue. If he would preserve his liberties, his freedom of thought and speech and action, he should not be intimidated by the jeers of the jingoes and the gibes of the newspapers.

It is the suppressed emotion of the masses that causes revolution.

If, as I have sound reasons for believing, the great masses of the American people are opposed to fighting an enormously burdensome war, for an indefinite time and indefinite ends, then they must assert themselves and, keeping within their constitutional rights, voice their protests in a way that will show the character and power of their inner convictions and give momentum and overwhelming strength to the movement for real democracy.

III.

If the American people are to carry on a foreign war, on foreign soil, for foreign ends, they should work for an expression of public opinion that shall influence and compel Congress to exercise its right and discharge its duty in stating the object and defining the policy of the United States in this war.

Congress, as well as the people of the United States, entered the war in great confusion of mind and under feverish excitement. The President's leadership was followed blindly in the belief that he had some big, unrevealed plan by which peace, with glory that would exalt him before all the world, would be soon achieved.

Gradually, reluctantly, Congress and the country are beginning to perceive that a long and weary and bloody road has been laid out for us.

The sober-minded American citizen was dumbfounded when the President, in his Red Cross speech, in which he admitted that we had no special grievance of our own, announced his belief that the American people hardly yet realized the sacrifices and sufferings before them;

that in comparison with the struggle into which we have now entered the Civil War seemed almost insignificant in its proportions and in its expenditure of treasure and blood.

Then Mr. Hoover was reported as saying in an address on an important occasion that this country faced a war that would probably last from two to five years, and only by the most careful measures could the United States give the allies enough foodstuffs to keep them in war with the force demanded to bring victory.

Secretary of War Baker said at this same meeting that every resource of the allies was near exhaustion when the United States entered the war. There is no way to establish permanent peace, he declared, except through exercise of the superior power of the United States.

IV.

Little by little it has been brought home to the American people that we are in this terrific world conflict not to right our wrongs, not as an aid to the allies, not to share its awful death toll and its fearful tax burden, but to bear the brunt of the war, for which we have no special grievance of our own! And this we are to do—as it now develops and is being disclosed—not for a "peace without victory" but for a "peace with victory"; that is, we are to fight for peace terms satisfactory to the allies.

Lord Derby said the war will not end until America gets into it as though she were fighting alone and that it was likely to last three years yet. And this was the opinion emphatically expressed by the French mission.

Mr. Arthur Balfour, the British foreign secretary, was in this country, it is said, longer than any previous person holding that position has been away from London since the Napoleonic wars. He is an accomplished diplomat. He concluded his important and difficult mission with the utmost smoothness and tact. The only impression he left upon the American public, other than that of an agreeable man of culture, was that he was relying on the United States to prosecute a long, hard war. "Five million men! Fight, fight, fight," were the slogans he left for us.

V.

On his departure Mr. Balfour was said to have realized the dream of his life—that of "a closer sympathy between the two great branches of the English-speaking public."

I have no inside information, but in a work entitled "War and Democracy," published in 1917 by Doubleday, Page & Co., Mr. Balfour says:

"If there is to be any effective sanction behind the desire of the English-speaking peoples to preserve the world's peace and free development of the nations, that sanction must consist largely in the potential use of sea power.

"To me it seems the lesson to be drawn from history by those who love peace, freedom, and security is not that Britain and America should be deprived, or should deprive themselves, of the maritime powers they now possess, but that if possible those powers should be organized in the interests of an ideal common to the two States, an ideal upon whose progressive realization the happiness and peace of the world must largely depend."

From which diplomatic language it may be fairly inferred that it is Mr. Balfour's best judgment that while heretofore Great Britain has ruled the seas and controlled trade as her own special privilege and prerogative, that now when that supremacy is threatened it would be well to enter into an agreement according to which, from now on, Great Britain and the United States should rule the seas together.

The question is, Are we to sacrifice millions of our young men—the very promise of the land—and spend billions and more billions, and pile up the cost of living to the point of starvation, and "fight, fight, fight"—without any special grievance of our own—for objects such as the English foreign secretary seems to have in mind and such as the Paris trade conference appears carefully to have considered?

Shall the already fearfully overburdened people of the United States conduct a war for any objects not openly stated and defined?

VI.

The world would not be at war to-day except for the survival of the despotism and tyranny which permits governments to conduct foreign affairs in secret and leaves the determination of war and of foreign policies generally to diplomacy.

The usurpation on the part of the Executive of the conduct of foreign relations, which results in Congress blindly and ignorantly following the course dictated by the President, instead of itself declaring the war policy, which the best expounders of the Constitution have held that Congress had the right to do, is fundamentally the cause of our being in this war to prolong it, instead of exercising our great power to bring about a just settlement which the people of the United States and of the world are longing for, and have the right to expect.

And so I say if we are not to be dragged through years of war to maintain imperialism and exploitation, the people must unite in a campaign along constitutional lines for the conclusion of the war on a just basis.

VII.

And it is time to end the vague and shifting declaration of our plans and purposes, which under President Wilson ranges from resentment to interference with our trade on the high seas, one day to prescribing the form of government for our enemy the next, and finally vaguely extended to making every part of "the world safe for democracy"—excepting our own country.

In the grave matter of determining whether we shall have a drafted or a volunteer Army, the contradictory plans of the administration have created the greatest confusion in the minds of the millions of young men directly involved, leaving them uncertain as to their future and muddled as to their obligations and duty. The entire Nation has been plunged into a needless state of unrest from which it can be extricated only by a clear and definite declaration of war policy.

Our national situation to-day is like it was in 1848, when Lincoln, then a Member of the House of Representatives, speaking in opposition to the Mexican War then in progress, described President Polk's state of mind as follows:

"All this shows that the President is in no wise satisfied with his own positions. First he takes up one, and in an attempt to argue us into it he argues himself out of it, then seizes another and goes through the same process, and then, confused at being able to think of nothing new, he snatches up the old again, which he has some time before cast off. His mind, taxed beyond its power, is running hither and thither, like some tortured creature on a burning surface, finding no position on which it can settle down and be at ease."

In this same speech Lincoln criticizes President Polk because he does not state in his message when he expects the war to terminate. He said:

"At its beginning Gen. Scott was by this same President driven into disfavor, if not disgrace, for intimating that peace could not be conquered in less than three or four months. But now, at the end of 20 months * * * this same President gives a long message, without showing us that as to the end he himself has even an imaginary conception. As I have said, he knows not where he is. He is a bewildered, confounded, and miserably perplexed man. God grant he may be able to show there is not something about his conscience more painful than his mental perplexity."

Writing to a friend who had objected to his opposition to Polk in relation to this power of the President in war, Lincoln said:

"The provision of the Constitution giving the war-making power to Congress was dictated, as I understand it, by the following reasons: Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This our convention understood to be the most oppressive of all kingly oppressions, and they resolved to so frame the Constitution that no man should hold the power of bringing this oppression upon us. But your view destroys the whole matter, and places our President where kings have always stood."

VIII.

Lincoln is not the only high example of American statesmen who opposed their Government in war and who consistently continued their opposition after war was declared, denouncing it until it was ended.

On the 6th of November, 1846, at Faneuil Hall, Boston, Daniel Webster denounced the Mexican War. It had been in progress since April 9, 1846, when the first blood was shed, followed by a declaration by Congress that a state of war existed, which passed on the 11th day of May, 1846.

Many battles had been fought and won and our victorious armies were then in the field on foreign soil.

We had not then fallen upon times when the new freedom, as interpreted by Woodrow Wilson, made it an act of treason for an American citizen to declare his convictions upon the acts and policies of a Federal administration in bringing on and prosecuting a war, after that war had been declared and while it was in progress.

Free speech had not then been suppressed. The right of the people to assemble and state their grievances was still an attribute of American freedom.

The war was on, but Daniel Webster did not hesitate to denounce it. He said:

"The Mexican War is universally odious throughout the United States, and we have yet to find any Sempronius who raises his voice for it."

Webster did not regard it as treasonable, after war had been declared, and while our troops were fighting their way toward the Mexican capital, to raise the question as to whether the war was either just or necessary.

He said:

"It is not the habit of the American people, nor natural to their character, to consider the expense of a war which they deem just or necessary; but it is their habit, and belongs to their character, to inquire into the justice and the necessity of a war in which it is proposed to involve them."

Mr. Webster discussed the Mexican War at Springfield, Mass., September 29, 1847, and again while the war was in progress he did not hesitate to express his disapproval in plain language.

"We are," he said, "in my opinion, in a most unnecessary, and therefore a most unjustifiable war. I hope we are nearing the close of it. I attend carefully and anxiously to every rumor and every breeze that brings to us any report that the effusion of blood, caused, in my judgment, by a rash and unjustifiable proceeding on the part of the Government, may cease."

In the course of this address Webster stated that the law of nations required "that the war should not be waged except from necessity and for just and important rights of the country.

"But war does now exist and what is our duty?" asked Webster. Replying to his own question at length he said he hoped the majority in the next House of Representatives would be opposed to war and that while a high and delicate regard must, of course, be had for the honor and credit of the Nation, that "if the war should become odious to the people, if they shall disapprove the objects for which it appears to be prosecuted, then it will be the bounden duty of their Representatives in Congress to demand of the President a full statement of his objects and purposes, and if those purposes shall appear to them not to be founded in the public good, or not consistent with the honor and character of the country, then it shall be their duty to put an end to it, by the exercise of their constitutional authority."

"If Congress," said Webster in the course of this illuminating address, "in whom the war-making power is expressly made to reside, is to have no voice in the declaration or continuance of war, if it is not to judge of the beginning or carrying it on—then we depart at once from the Constitution."

IX.

Henry Clay came from his voluntary retirement in the seventy-first year of his age to proclaim to the American public his disapproval of the Mexican War. Before a great concourse of people assembled at Lexington, Ky., on the 13th of November, 1847, he characterized it as "an unnatural war."

Every utterance of his noble address is applicable to our national situation in 1917. "Must we blindly continue the conflict," he asked, "without any visible object, or any prospect of a definite termination?" In the course of his argument that Congress must necessarily possess the authority, at any time, to declare for what purposes war shall be further prosecuted, he said:

"If it be contended that war having been once commenced, the President of the United States may direct it to the accomplishment of any object he pleases, without consulting and without any regard to the will of Congress, the convention will have utterly failed in guarding the Nation against the abuses and ambition of a single individual. Either Congress or the President must have the right of determining upon the objects for which a war shall be prosecuted. There is no other alternative. If the President possess it and may prosecute it and may prosecute it for the objects against the will of Congress, where is the difference between our free Government and that of any other nation which may be governed by an absolute czar, emperor, or king?"

Note one other statement by Clay in this address so applicable to our own time:

"Here, fellow citizens, I might pause, having indicated a mode by which the Nation, through its accredited and legitimate Representatives in Congress, can account for what purposes and objects this war shall be longer prosecuted, and can thus let the whole people of the United States know for what end their blood is to be further shed, and their treasure further expended, instead of the knowledge of it

being locked up and concealed in the bosom of one man. We should no longer perceive the objects of the war varying from time to time, according to the changing opinion of the Chief Magistrate charged with its prosecution. But I do not think it right to stop here. It is the privilege of the people in their primary assemblies, and of every private man, however humble, to express an opinion in regard to the purposes for which the war should be continued, and such an expression will receive just so much consideration and consequence as it is entitled to, and no more."

Charles Sumner also opposed the Mexican War with his power and eloquence, and appealed to his fellow countrymen to work for its early conclusion.

X.

Lincoln, Webster, Clay, Sumner—what a galaxy of names in American history! They all believed and asserted and advocated in the midst of war that it was the right, the constitutional right, and the patriotic duty of American citizens after the declaration of war, as well as before the declaration of war, and while the war was in progress, to discuss the issues of the war and to criticize the policies employed in its prosecution and to work for the election of Representatives opposed to prolonging war.

The right of Lincoln, Webster, Clay, Sumner to oppose the Mexican War, criticize its conduct, advocate its conclusion, is exactly the same right and privilege as that possessed by each and every American citizen in our land to-day in respect to the war in which we are now engaged. Their arguments as to the power of Congress to shape the war policy and their opposition to the usurpation of power on the part of the Executive are potent so long as the Constitution remains the law of the land.

English history offers no less illustrious examples of opposition to war in which the country is engaged. John Bright consistently fought the Crimean War with all the power of his great personality and noble mind. Lloyd George won fame for his aggressive stand against the Boer War. Every American schoolboy knows how Pitt and Fox and Burke opposed the war against the American Colonies.

XI.

The Duke of Grafton, in the House of Lords, October 26, 1775, speaking against voting thanks to British officers and soldiers, after the battles of Lexington and Bunker Hill, declared:

"I pledge myself to your lordships and my country that if necessity should require it, and my health otherwise permit it, I mean to come down to this House in a litter, in order to express my full and hearty disapproval of the measures now pursued and as I understand from the noble lords in office, meant to be pursued."

On this same occasion Mr. Fox said:

"I could not consent to the bloody consequences of so silly a contest, about so silly an object, conducted in the silliest manner that history or observation had ever furnished an instance of, and from which we are likely to derive poverty, misery, disgrace, defeat, and ruin."

Lord Chatham, November 18, 1777, spoke as follows regarding the war between England and the American Colonies:

"I would sell my shirt off my back to assist in proper measures, properly and wisely conducted; but I would not part with a single shilling to the present ministers. Their plans are founded in destruction and disgrace. It is, my lords, a ruinous and destructive war; it is full of danger; it teems with disgrace, and must end in ruin. * * * If I were an American as I am an Englishman, while a foreign troop was landed in my country I never would lay down my arms! Never! Never! Never!"

XII.

These are but a few of the many statesmen and eminent publicists whose strong declarations I shall later cite as examples and precedents of the right of free American citizens freely to express their opposition to war and of the right and duty of the lawmaking body to shape the war policy.

In conclusion, let me repeat what I have already suggested that American citizens have the right to begin a campaign to-morrow to elect United States Senators and Members of the House of Representatives who will represent them in securing the repeal of obnoxious laws, in declaring the definite objects for which this war is prosecuted and the conditions upon which it can be terminated at an early hour with honor and credit to the Nation.

God reigns and constitutional rights will be maintained. This is still the Government of the people.

ROBERT M. LA FOLLETTE.

IS THE DRAFT LAW CONSTITUTIONAL?—USE OF NATIONAL GUARD ON FOREIGN SOIL RAISES THE ISSUE.

(By Hannis Taylor in an Address to the Congress of the United States.)

[Mr. Hannis Taylor, the author of the address that follows, was formerly United States minister to Spain and served as counsel of United States Government before Spanish Treaty Claims Commission and before Alaskan Boundary Commission. He is the author of works on the "Origin and Growth of the English and American Constitutions" and of a number of works on jurisprudence. He is a recognized authority on international questions. The editor of this magazine differs with the writer's views as to the necessity of the war, but he regards his able discussion of the constitutionality of the draft for the conduct of a foreign war, of very great importance.]

GENTLEMEN: At this critical juncture it is the patriotic duty of every American citizen to do all in his power to promote the success of the registration to take place on June 5, 1917, under the provisions of the wise and constitutional act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the military establishment of the United States."

Despite the fact that that act—whose avowed purpose is "to draft into the military service of the United States, organize, and officer the unorganized militia" of the United States—was passed under that provision of section 8, article 1 of the Constitution, which declares that "the Congress shall have power * * * to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," certain ill-informed and ill-disposed persons are circulating the report that the National Militia when so organized for national defense is to be sent out of the country for service abroad, in defiance to the express mandate of the Constitution to the contrary. That report, to which the terms of the act in question give neither color nor countenance, is creating an alarm that will surely reduce the registration unless the erroneous impression is corrected in advance of it. On the other hand, such false impression is doing a great injustice to our allies, who are looking for military aid to a source from which it can not possibly come under our Constitution as it now stands.

Certainly, every citizen of this country should know, first, that under our Constitution no American soldiers can be sent abroad even by the authority of Congress, except those composing the "Regular Army"; second, that the ranks of the "Regular Army" can only be swelled "by voluntary enlistment." As I have devoted the best years of my life to the study of such questions, I deem it my duty to restate, in a narrow compass and in an humble spirit, the basic constitutional principles underlying our system of military organization, as those principles have been settled for at least 90 years.

ENGLISH MILITARY SYSTEM REPRODUCED BY THE FEDERAL CONVENTION OF 1787.

That convention did all in its power to incorporate into our Federal Constitution the English military system which, in 1787, consisted, first, of a regular or "nonconstitutional force" made up of a standing Army and Navy; second, of an emergency or "constitutional force" called the militia, a force for national defense that had existed for a thousand years. In the words of the Encyclopedia Britannica (ninth edition): "The Militia of the United Kingdom consists of a number of officers and men maintained for the purpose of augmenting the military strength of the country in case of imminent national danger or great emergency. In such a contingency the whole or any part of the militia is liable, by proclamation of the sovereign, to be embodied, that is to say, placed in active service within the confines of the United Kingdom." The county military system, known as the militia, survived the Norman conquest unimpaired. (Stubbs, Select Charters, pp. 153–4.) By the great statute of I Edw., Edw. III, chapter 5, it was provided that the militia should only be used at home for national defense, "as has been used in times past for the defense of the realm." In 1786, the year before the Federal convention met, was passed the statute of 26 Geo. III, chapter 107, section 95, concerning the militia, in which it was specially provided that "neither the whole or any part, shall be ordered out of Great Britain." Mr. Dicey, one of the most eminent of modern English commentators, says: "The militia is the constitutional force existing under the law of the land for the defense of the country. * * * Embodiment, indeed, converts the militia for the time being into a regular army, though an army, which can not be required to serve abroad." (The Law of the Constitution, pp. 287–8.)

REGULAR OR STANDING ARMIES IN ENGLAND AND AMERICA.

England never had a military force that could be sent abroad until William the Conqueror brought such a force with him in the feudal host of professional soldiers who accompanied him. It was the duty of that host, which simply supplemented the ancient constitutional force known as the militia, "to attend the King in war, within and without the realm, mounted and armed during the regular term of service." But as that regular term of service only lasted for 40 days, it led to the device of shield money, which produced a fund with which the Crown could employ mercenary and professional soldiers who could be kept abroad so long as needed. Out of that purely voluntary system of paid military service was evolved the standing army of England as it existed at the date of the American Revolution; and upon the same general basis vested the standing and professional naval force of England at that time. In order to enable this Republic to maintain a standing army and navy like that of England the convention of 1787, after giving to Congress the power "to declare war," provided that "the Congress shall have power * * * to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces." Those three provisions, grouped together as a connected whole, relate solely and exclusively to one subject matter—the creation, maintenance, and government of the Regular Army and Navy of the United States, which has always been maintained "by voluntary enlistment."

THE NATIONAL MILITIA AS DEFINED BY CONGRESS AND THE SUPREME COURT OF THE UNITED STATES.

It is simply impossible to confuse "the Regular Army" of the United States with that force called by the Supreme Court "the reserved military force or reserve militia of the United States." (Presser *v.* Illinois, 116 U. S., 252.) In order to enable Congress to create such a force for national purposes it was provided that "The Congress shall have power * * * to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions; to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the State, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress." Article II of the amendments provides: "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." These three closely interlinked clauses, all relating to a single subject matter, have been luminously expounded by the Supreme Court in U. S. *v.* Bevans, 3 Wheat., 336; Houston *v.* Moore, 5 Wheat., 1; Martin *v.* Mott, 12 Wheat., 19; Luther *v.* Borden, 7, How., 1; Dynes *v.* Hoover, 20 How., 65; Crandall *v.* Nevada, 6 Wall., 35; Texas *v.* White, 7 Wall., 700; Presser *v.* Illinois, 116 U. S., 252. The term "militia," a technical term, a term of art with a history, is used four times in the Constitution and always in the same sense. When in the trial of Burr it became necessary for Chief Justice Marshall to define the meaning of the term "levying war" as used in Article III, section 3, he said: "But the term is not for the first time applied to treason by the Constitution of the United States. It is a technical term. It is used in a very old statute of that country whose language is our language, and whose laws form the substratum of our laws. It is scarcely conceivable that the term was not employed by the framers of our Constitution in the sense which had been affixed to it by those from whom we borrowed it." See to the same effect Rhode Island *v.* Mass., 12 Pet., 657; Income Tax cases, 157 U. S., 429; U. S. *v.* Wong Kim Ark, 169 U. S., 279. Therefore when the framers took from the English constitution the technical term, the term of art, "militia," they took it with its thousand years of history behind it, attesting the fact that it is a force for national defense that can never be "taken out of the realm" for service in a foreign country. In that sense the term "militia," four times repeated, was embodied in our Federal Constitution. And in order to put it forever beyond the power of Congress to impair the ancient constitutional exemption from service abroad the convention, employing the masterful pen of Gouverneur Morris, provided that the new Government, with strictly limited powers, could only organize the national militia for three purposes: "To execute the laws of the Union, sup-

press insurrections, and repel invasions." By those limitations all other uses were expressly excluded with all the force that language can impart. The moment the exemption of the militia from service abroad was thus embodied in the Constitution, Congress was forever deprived of all power over the subject. It is hardly necessary to add here that the fact that the omnipotent Parliament of Great Britain, which changes her constitution every time it passes an act, can take away such an exemption from the militia in that country, has no relevancy whatever to conditions in our own.

In Presser v. Illinois (116 U. S., 252) the court went to the heart of the whole matter when, in defining "the reserved military force or reserve militia of the United States," it said: "It is undoubtedly true that all citizens capable of bearing arms constitute the reserved military force or reserve militia of the United States as well as of the States; and, in view of this prerogative of the General Government, as well as of its general powers, the States can not, even laying the constitutional provision in question out of view, prohibit the people from keeping and bearing arms, so as to deprive the United States of their rightful resources for maintaining the public security, and disable the people from performing their duty to the General Government." Thus it has been settled by the Supreme Court that under the clause in question, the "General Government" of the United States, possesses, entirely apart from the States, "the reserved military force or reserve militia of the United States," consisting of "all citizens capable of bearing arms," whose right to bear arms can not be impaired by any law of any State.

The definition of the National Militia given in Presser v. Illinois, is closely followed in the national defense act of June 3, 1916, whose section 57 reads as follows:

"Composition of the militia: The militia of the United States shall consist of all able-bodied male citizens of the United States and all other able-bodied males who have or shall have declared their intention to become citizens of the United States, who shall be more than 18 years of age and, except as hereinafter provided, not more than 45 years of age, and said militia shall be divided into three classes—the National Guard, the Naval Militia, and the Unorganized Militia."

The act of May 18, 1917, which is simply a supplement or extension of the act of June 3, 1916, amplifies in its section 2 the foregoing definition of the National Militia in this form: "Such draft as herein provided shall be based upon liability to military service of all male citizens or male persons not alien enemies who have declared their intention to become citizens, between the ages of 21 and 30 years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act. Quotas from the several States, Territories, and the District of Columbia, or subdivisions thereof, shall be determined in proportion to the population thereof, and credit shall be given to any State, Territory, District, or subdivision thereof, for the number of men who were in the military service of the United States as members of the National Guard on April 1, 1917, or who have since said date entered the military service of the United States from any such State, Territory, District, or subdivision, either as members of the Regular Army or the National Guard." The act of May 18, 1917, takes all possible pains to proclaim, first, that all soldiers drafted and organized under it are absolutely separate and distinct from "the Regular Army" of the United States; that they are in the strictest sense of the term National Militia raised in an emergency for national defense.

THE POWER OF CONGRESS TO DRAFT OR CONSCRIPT THE NATIONAL MILITIA FOR NATIONAL DEFENSE.

When in the great case of Martin v. Mott (12 Wheat., 19) a unanimous court, speaking through Mr. Justice Story, was called upon to construe the act of 1795, which first organized the National Militia for national defense, it was said, "For the more clear and exact consideration of the subject it may be necessary to refer to the Constitution of the United States and some of the provisions of the act of 1795. The Constitution declares that Congress shall have power 'to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections, and repel invasions'; and also 'to provide for organizing, arming, and disciplining the militia and for governing such part of them as may be employed in the service of the United States.' In pursuance of this authority the act of 1795 has provided 'that whenever the United States shall be invaded or be in imminent danger of invasion from any foreign nation or Indian tribe it shall be lawful for the President of the United States to call forth such number of the militia of the State or States most convenient to the place of danger or scene of action as he may judge necessary to repel such invasion, and to issue his order for that purpose to such officer or officers of the militia as he shall think proper.' And like provisions are made for the other cases stated in the Constitution." After giving in that way all possible emphasis to the fact that the National Militia can never be used except for the specific purposes stated in the Constitution, the court said that "the power to provide for repelling invasions includes the power to provide against the attempt and danger of invasion, as the necessary and proper means to effectuate that object. One of the best means to repel invasion is to provide the requisite force for action before the invader himself has reached the soil." When near the close of the War of 1812 the Secretary of War proposed to compel the service of the National Militia by conscription, there was a strong protest from certain quarters upon the ground that such a procedure would be unconstitutional. See Dwight's History of the Hartford Convention, page 359. But when during the Civil War such a measure was again proposed it was acted on and the result accepted without protest as constitutional, as it undoubtedly was.

EXEMPTION OF NATIONAL MILITIA FROM SERVICE ABROAD ABSOLUTE AND INCONTESTABLE.

From what has now been said, it clearly appears that the reserved force of the United States, four times described in the Constitution as the "militia," can be called forth and organized by Congress either upon the volunteer plan or by forcible conscription. But it is equally clear that when so called forth and organized the militia can only be used for one of the three purposes rigidly defined by the Constitution, to wit: "To execute the laws of the Union, suppress insurrections, and repel invasions." Its application to any other purpose—notably service abroad—would be too obviously unconstitutional to justify discussion. The exemption of the National Militia to be drafted under the act in question from service abroad is self-evident and undebatable. If either the President or Congress, one or both, should attempt to ignore such constitutional exemption, any member of the militia threatened with transportation abroad could be immediately discharged from such service by any judge on habeas corpus. And more, any executive magistrate who might dare to ignore the constitutional exemption in question would be quickly admonished by the House of Representatives that it is ready with that "two-handed engine at the door that smites once and smites no more."

SHALL OUR HANDFUL IN FRANCE FROM THE REGULAR ARMY BE ABANDONED OR STRENGTHENED?

This is not the time for self-deception. We have no right to mislead either our allies or ourselves. The incontestable facts staring us in the face are these: First, that only the Regular Army can be sent abroad; second, that the Regular Army can be augmented only "by voluntary enlistment." The only possible chance of obtaining additional soldiers for service abroad under the draft act of May 18, 1917, is through that part of it which provides that "the President is further authorized to raise and maintain by voluntary enlistment, to organize, and equip not to exceed four Infantry divisions, the officers of which shall be selected in the manner provided by paragraph 3 of section 1 of this act: *Provided*, That the organization of said force shall be the same as that of the corresponding organization of the Regular Army: *And provided further*, That there shall be no enlistments in said force of men under 25 years of age at the time of enlisting: *And provided further*, That no such volunteer force shall be accepted in any unit smaller than a division."

With all possible respect, I earnestly contend that the Congress should not commit that grave subject to the Executive. It is the constitutional function of Congress not only "to declare war," but to direct and control all of its graver operations. No part even of the Regular Army should ever be sent abroad except by its mandate. The Congress should assume the entire responsibility and determine whether the handful of Regular troops now on the way to France should be augmented or practically abandoned. That is the question of questions that should not be delayed for a moment longer. It involves no less than moral dignity the good faith of this Nation.

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DARROW MAKES PLEA FOR GENERAL AMNESTY.

(By Clarence S. Darrow.)

The prosecution of the war called forth a large amount of legislation. In the main, these laws were such as are usually passed in times of war. The rules for war are not the same as the rules of peace, and neither with or without the war is the conduct of people the same.

It is perfectly obvious that laws that are meant for the prosecution of war may be the most mischievous in times of peace. This country was formed on the idea of broad religious and political tolerance and a wide freedom of speech and the press. A large part of our progress and welfare in the past is due to this freedom and toleration. If laws passed during the war are to be applied to times of peace, the governing power will be able to make freedom of speech a mockery.

Nothing is perfect, and no thinking person would claim that our Constitution, our laws, or our institutions should not be changed and modified as time goes on. It is of the first importance to progress that there shall be free discussion of all political and social schemes that might result in change. To say that we should take institutions as they are, put on the lid, and refuse to open discussion, would, of course, mean that the present is good enough and the future should be no better. If it were wise to do it now, it would have been equally wise in the Middle Ages or any period of the world's history. Persecution and witchcraft and despotism would then be as common as in the Dark Ages.

When peace is finally declared, the first and most important act of Congress should be to take off the lid, remove the restriction of free speech and a free press.

The policy of organized labor has always been to allow the widest freedom of debate. Organized labor is always looking toward the future. Its effort is to improve the conditions of those who need it most, change laws and institutions wherever needful that the common lot may be easier. This can not be done except by free debate. Of all the people in the world the trade-unions are the last ones that can permit any permanent abridgment of the freedom of speech and the press. Organized labor has always made itself clearly understood upon this issue, which is of the first importance to the development of individuals.

Our present laws, if enforced against labor organizations and those who desire social change, would result either in sending most of the leaders to jail or in revolution. Of course, they were never meant for any such purpose. They were meant for the war and the war only, and the danger is that people may forget their purpose and let them linger to obstruct the world after the need is gone.

If under free open discussion the majority of the people in this country want something, they ought to have it. If the world can not stand up against bolshevism and meet it by free speech and a free press, then bolshevism has the right to rule. It would then be time to try it out and see if it can succeed.

To smother any opinion is at once a confession that it may be true and that it can not be met by open discussion and fair argument. Our institutions have cost too much to permit them to be destroyed on account of the war. It will not do to make a war fought for democracy result in autocracy. There can be no danger from this if the question is understood and the people act promptly to repeal war legislation when the war is done.

If it is right to repeal war legislation, it is also equally just and pressing that a general amnesty should be given to all of those who are now suffering under this sort of legislation. Everyone knows that large numbers of these men are conscientious, and it is intolerable to think that men are in jail on account of their conscience when there is no longer need that they should stay.

The labor unions did their part in this war. Without them it would not have been possible to bring the United States Government that solid support that made victory possible. As they were patriotic in times of war, it is equally certain they will be patriotic in times of peace, and from the nature of things they are the ones who first of all should demand the repeal of this legislation and that amnesty be given to all these prisoners. This does not mean that the laws were wrong or that it was not necessary to send conscientious men to prison during the war, but it does mean that the purpose of the war has been served, and there was no thought or feeling of vengeance in any of these prosecutions, but only the purpose to protect the country when danger threatened it from a foreign foe.

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TREASURY DEPARTMENT,
Washington, April 11, 1918.

Hon. ERNEST LUNDEEN,
House of Representatives.

MY DEAR MR. LUNDEEN: The Civil Service Commission has certified to this bureau the list of eligibles attached hereto for income-tax deputy collectors, inspectors, and agents.

In order that the department may have all information it may properly consider under civil-service rules and regulations in connection with appointments made from this register, I would thank you to give me the benefit of any information in your possession as to the character, fitness, and loyalty of the persons named on this list.

Your early advice will be appreciated.

Sincerely, yours,

DANIEL C. ROPER,
Commissioner.

APRIL 12, 1918.

DANIEL C. ROPER,
Commissioner Treasury Department, Washington, D. C.

DEAR MR. ROPER: Your letter of April 11, concerning the list of eligibles for income tax deputy collectors, inspectors, and agents has received my careful attention.

I notice you inquire as to the character, fitness, and loyalty of the persons named. You have underscored the word loyalty with red ink. The people of Minneapolis are all loyal, and I deeply resent any person or department questioning the loyalty of any person or voter in my district. If it has come to pass that a native-born American citizen must pass in review and be scrutinized by department heads to establish his loyalty, then we have certainly come to a sad pass in this country.

As far as I know each one of these men stand well in the community, and are fitted for the position, and I want it strictly understood that the loyalty of every Minneapolis man is unquestioned, at least no one dares to question their loyalty in person.

Yours, very truly,

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TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, April 15, 1918.

Hon. ERNEST LUNDEEN,
House of Representatives.

MY DEAR MR. LUNDEEN: I have your letter of the 12th in reply to mine of the 11th concerning the civil-service list of eligibles for income-tax agents, inspectors, and deputy collectors.

I had hoped that my inquiry of you and other Members would not be received as a reflection on the loyalty of citizens in any community, but would enlist assistance in safeguarding the governmental service against any persons whose views might not make for solidarity in this crucial period of our country's history.

I am sure I can depend upon you to cooperate with me in this regard, and hope that you will promptly transmit to me any information which may come to you reflecting upon officers or employees already in the service or who may be properly considered by me in connection with prospective appointments.

Sincerely, yours,

DANIEL C. ROPER, *Commissioner.*

APRIL 17, 1918.

Mr. DANIEL C. ROPER,
Treasury Department, Washington, D. C.

DEAR MR. ROPER: Your letter of April 15 in reply to mine of April 12 received.

We all are willing to safeguard the Government. We are all granting unheard-of powers to Government departments. We are all voting unheard-of sums of money to prosecute this war. But many of us are getting exceedingly tired of 50 per cent of the people calling the other 50 per cent traitors, or looking upon everybody with suspicion until proved innocent, and unless they shouted loudly for war before our entry into the great conflict.

The people in our various districts are loyal to the core, and let no man question their loyalty. Every citizen, as well as every official, will feel it his duty to report any real disloyalty anywhere, but, my dear sir, constructive criticism of the Government is not disloyalty; if so, then easily one-half of the congressional seats will be vacant.

The American people have been very patient with our many shortcomings here at Washington, and the least we can do is to honor them all as true American patriots. I think we understand each other fully now.

Sincerely, yours, ——— ———

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. SISSON.]

Mr. SISSON. Mr. Speaker, I want to call your attention to what this resolution does. In the first place, the bonus of $240 carried by the legislative bill, if you change that clerk hire from $3,200 clerk hire to each Member and adopt this resolution, then every clerk and every stenographer provided for in that bill will get $240 additional pay, making $480 to each Congressman over and above the $1,200 which has just been carried. That is not all. It is proposed in the next Congress to pay to every employee of the House and Senate whose names appear upon the roll an extra month's pay. I have always opposed this, because it is unjust and unfair. There is no more reason why this should be done for the House employees than for other employees of the Federal Government. There is no reason why our employees who serve the Congress should be made special pets of, but if the names of these secretaries and stenographers of Congressmen go upon the roll, and the next Congress should go back to the old rule of paying an extra month's pay, under this resolution putting these two employees of each Congressman on the roll would add to each one of these employees one-twelfth of their annual salary. The stenographer would get an extra $100 and the clerk or secretary would get an extra $166.66⅔.

If we could get a roll call on this proposition, I do not believe that Congress will pass this resolution. If we do not get a roll call, so that the Congressmen do not have to go on the record, it will unquestionably pass.

This matter was fully discussed in the legislative, executive, and judiciary bill just a few weeks ago, and then the Congress, after that discussion, gave to each Congressman this extra stenographer at $1,200. Now, before the ink is dry and within a few days after the bill had been passed and signed by the President, here comes another proposition that will add enormously to the expense of the House and the cost to the people of their Congressmen. In other words, to state the proposition concretely, under the proposed resolution the secretary gets $2,000, and if placed upon the roll, as proposed in the resolution, the secretary will be paid a bonus of $240, making the secretary's salary $2,240. The stenographer's salary is fixed at $1,200 in this resolution, and if the stenographer goes on the roll you then add $240 additional, making $1,440; that is to say, every Congressman in the House will get for his own office clerk services costing the Government $3,680. Just think, Mr. Speaker, that immediately prior to this present Congress each Congressman received $1,500 for clerk hire. At the first session of this Congress there was added $500 to this. Before this session closed we added $1,200 more for a stenographer. Now comes the final chapter within a few hours before the close of this session, when but little debate, thought, and discussion can be had upon any bill, however important. This resolution proposes to add in addition to the $500 and the $1,200 to each and every Congressman $480 more for his office. This can not be justified in good conscience, and especially when you take into consideration the fact that our Republican friends, who control the next House, say that they are going to give to each of their employees an extra month's pay, which means in addition to the $3,680 for each Congressman an additional sum of $266.66⅔, which makes every Congressman get for clerk hire $3,940.66⅔. In other words, it makes one Congress add over 150 per cent to each and every Congressman for his own office and for his own convenience.

Now, $480 for 440 Members of Congress, Delegates, and Resident Commissioners will require $211,200, and an extra month's pay will require $117,330, or a total of $228,530 carried in this simple, innocent resolution in the dying moments of Congress, which nowhere appears on the face of the innocent-looking thing that is going to cost as much more as the present law now appropriates.

Now, I do not believe that Congressmen realized that when this resolution came up, and it shows you the danger of so legislating in the closing hours of the Congress. Now, gentlemen of the House, I do not believe that you can justify your own conscience in voting to give $440 more to each one of us, and in addition to that $166⅔, plus $100, making $266⅔ and add that to the $480, making $750 clerk hire by the passage of this resolution.

Now, we debated this at some length on the legislative bill, and that bill has barely been signed by the President of the United States; and yet in the same session of Congress, within less than a week from the time the President signed the bill giving to each of you an additional clerk with a $1,200 salary, here you are coming now and asking for about $750 before that becomes a law. Did you gentlemen know that when this legislation first came up, and yet that is exactly what will happen. Now, that is not all. There are many Members of Congress who would like to get a clerk and pay that clerk $3,200, but under this resolution it can not be done. If you should want to divide your clerk hire so at a certain season of the year you can use more of it than in others, you can not do it because you have to get one at $2,000 and another at $1,200, whereas if you had $3,200 you could distribute it to suit yourself. Now, I have no patience on earth with any intimation that Members of Congress will vote this money and not use it as the law directs, and yet that is the reason urged by these men to place these employees upon the roll.

Mr. Speaker, of course this is not the real reason why they want these names to go on the roll. If a Congressman is worthy to have a seat in this body, he is certainly to be trusted with the clerk hire. When a Congressman got $1,500 for clerk hire, he could divide it as he saw fit and proper. When he got $2,000 he could divide it as he saw fit and proper. The present law grants $3,200 as clerk hire. The Congressman can divide this sum as he sees proper. Under the guise of putting the secretary and stenographer upon the roll, without one word being said about it until I called the attention of the Members on the floor to it, without the bill on its face showing it, there is silently taken out of the Treasury $480 additional for each Congressman under this resolution by their going on the rolls. If they had not intended that this should be done, why was it called up under suspension of rules when the resolution can not be amended? The only way in which you could amend that resolution would be by unanimous consent. Do not you know there is no chance on earth to get that resolution amended by unanimous consent to prevent the Congressmen getting $3,200 plus the $480? Of course not. The real thing accomplished by the resolution is to give the $480 by putting their names upon the roll. If the Republicans give to each employee an extra month's pay, it will give each Congressman

$266⅔ more for their clerk. Mr. Speaker and gentlemen of the House, this is my reason for opposing this resolution at this time, because I am not willing that this $1,077,530 should be added to the already heavy burden of the taxpayers.

It might be well for me to state to the Members of Congress, so that the people who sent them here may know what you are doing for yourselves and for your own benefit, by stating in money what you have done for yourselves already and what you propose to do now. Up until the last year each Congressman got only $1,500 for clerk hire, and there are 440 Congressmen, delegates, and resident commissioners, so this item cost the American people only $660,000. Last session you raised the clerk hire from $1,500 to $2,000, which caused this to cost an increase of $220,000 or $880,000. Not satisfied with this, this Congress in the legislative bill which has just passed a few days ago added $528,000 to this $880,000, making a total increase prior to this resolution in one Congress of $748,000. Now, if this resolution passes, the 440 Congressmen, Delegates, and Resident Commissioners will get $211,200 more, making $960,000 added by this Congress to their clerk hire; and then if they get the extra month's pay under the next Republican House, as the leaders say they are going to get, this adds $117,330 additional, or a total gross increase to the people of the United States for clerk hire to Congressmen of $1,077,530 in one session of Congress. Mr. Speaker and gentlemen of the House, do you not think this is going too far? Just think, two years ago the total expense was only $660,000. In two short Congresses we will have added $1,077,530, so that the American people in the next Congress will be paying to Congressmen for clerk hire $1,737,530 if an extra month's pay is added by the Republicans.

The SPEAKER. The time of the gentleman has expired.

Mr. HUMPHREYS. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, when the subject of the increase for clerk hire came up on the legislative bill it will be recalled that I opposed the increase, but this House by a good majority voted the increase for clerk hire, and the fact remains that during the fiscal year 1920 there will be $3,200 provided for clerk hire for each Member, Resident Commissioner, and Delegate. The gentleman from Mississippi [Mr. SISSON]——

Mr. BLACK rose.

Mr. BYRNS of Tennessee. Just a minute—makes the point that if the resolution of the gentleman from Mississippi [Mr. HUMPHREYS] is adopted it will provide for a $240 bonus. It seems certain, gentlemen, that if the gentleman from Illinois [Mr. MANN] be correct, that the $240 will be paid anyway.

And the reason I say that is this: The legislative bill provides for $3,200 to be appropriated for each Member, Resident Commissioner, and Delegate for clerk hire, for necessary clerical purposes, and so forth, and it further provides that no part of said sum shall be paid to any Member, Resident Commissioner, or Delegate. Now, that, to all intents and purposes, puts your secretary or your clerks upon the roll; and, if so, then they will get the bonus under the law. The money is not paid to the Member; it is paid to the clerk by the Clerk of the House of Representatives, if the gentleman from Illinois be correct in his statement or in his construction that the clerk will have the power to do it under this ambiguous provision in the legislative bill. Now, what I want to see done is to see that law made plain, so that the country and so that the Clerk of the House of Representatives, the Comptroller of the Treasury, and the auditors may know just what Congress intended to do.

Mr. DOUGHTON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. DOUGHTON. Does not the gentleman think if the language is ambiguous, and that he, an old Member of this House and a member of the Committee on Appropriations, can not clearly understand its meaning, it is a matter of too much importance to consider here at the closing hours of this session?

Mr. BYRNS of Tennessee. I will say that the gentleman voted for propositions last night and yesterday much more important than this and meaning much more to the country without objection and with less consideration than this will have in the 40 minutes allowed to consider this short resolution.

The gentleman from Mississippi [Mr. SISSON] complains because the clerks of the Members will get $240 bonus. I have just said that, in my judgment, they will get it, anyway. But the gentleman and no other Member of this House objected to the Senators increasing the salaries of their secretaries from $2,200 to $2,500, with a bonus, making $2,740 that their secretaries will get the next fiscal year. In addition to that, the Senators increased another one of their clerks from $1,440 to $1,600, with a bonus of $240, making $1,840. Their other clerks were advanced from $1,200 to $1,500, making $1,740 for those clerks. Then they provide, in addition, for an entirely new clerk at $1,200, who will get the bonus also, making the salary $1,440 for their new clerk. Nobody on the floor of this House raised an objection to that when that proposition came before the House. I have not favored large appropriations in this House, as you all know. I have done all that I could to keep down appropriations. But I say, in all fairness, gentlemen, if it is right for the four clerks to Senators to receive $240 each as a bonus, then by the same rule of procedure the clerks of the Members of the House ought to receive a similar amount and similar treatment. [Applause.]

In addition to that, gentlemen, I have fought for eight years upon this floor to put the clerks to Members, Delegates, and Resident Commissioners upon the roll. I have not done that because, as the gentleman from Mississippi [Mr. SISSON] intimates, of any want of confidence in a single Member, Resident Commissioner, or Delegate in this House. But I have believed it was right. I believe our clerks ought to be on the rolls just as the clerks to Senators are upon the roll. For that reason I have consistently done all that I possibly could to put these clerks on the roll, and that is just what the resolution of the gentleman from Mississippi [Mr. HUMPHREYS] will clearly do if adopted, and that is the reason I favor it. I do not want this question left in doubt. [Applause.]

This resolution does not increase the appropriation for clerk hire one cent. It carries no appropriation whatever, but simply determines just how the amount of money heretofore appropriated shall be expended during the next fiscal year. As I have stated, when the question was up in the House I opposed the proposition to increase the amount for clerk hire, but those who favored it contended that it should be increased in order to allow each Member an additional clerk, and the House adopted it with that idea in view. This resolution simply proposes to carry out the wishes of the House which were expressed at the time. It was not contended by anyone that the secretary to a Member should receive more than $2,000, nor was the increase allowed for the purpose of increasing the salary of the secretary to any Member, but simply to provide him with an additional clerk. In view of the understanding of the House, I do not think it right that the clerk to any Member should receive more than $2,000, and I want to see this resolution pass in order to make that certain. Members who favored the increase insisted that an additional clerk was needed for the benefit of their constituents, and a majority of the House voted it with that understanding. What possible objection can there be, therefore, to passing this resolution so as to provide by law for two clerks, especially since it does not cost the Government one single dollar more than the amount which has already been appropriated. If a Member does not need two clerks, then he will not have to appoint them, and the money provided for one of his clerks may remain in the Treasury. In such a case the passage of this resolution will prevent his single clerk demanding the full amount appropriated and thus will save money to the Treasury.

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON. Mr. Speaker and gentlemen of the House, the gentleman from Tennessee [Mr. BYRNS], who has just addressed the House, bases his support of this legislation largely upon the contention that another body has increased the allowance for the clerical help of that body, and that consequently, as a matter of justice, we should go and do likewise.

Now, my friends, it has always been understood here that the other body—the Senate—has never interfered with what arrangements we saw fit to make relating to the amount we paid ourselves or allowed for clerk hire or help in our own offices. And that is the reason I have always heard was why we did not interfere with the amount they allow. Now, if that be true, they have their own matters to attend to so far as the help in their offices and for their work is concerned, and we have the same privilege.

Now, gentlemen of the House, it is only a short time, perhaps a little over a year, when we allowed but $1,500 per year for clerk hire. Now, in 12 months' time we have increased that by something like 150 per cent, at a time when the Treasury is empty and when the taxpayers of the country are burdened down with necessary taxes. You all know that this increase was granted largely because of the increased duties relating to the war. The war is over. The armistice is signed. Peace will soon be here. Our work before the departments and the work in our offices will shortly diminish, and the excuse for this large increase will have passed away. And, my friends, if we have any regard whatever for the taxpayers of the country, if we have any regard for economy, if we have any regard for those who are already heavily burdened with heavy taxes to pay

necessary expenses, and pay the interest on the national debt, and to defray the expenses of the Government, we will not for our own convenience make this appropriation here in the closing hours of this Congress, when, as we all know, it has not had the consideration it should have had.

Only a few days ago we voted to make this amount $3,200 a year, and now, without consideration, the proposition is to increase it to $3,500 or $3,600 a year. My colleagues, you can not justify it. It is a small item; of course, relatively, but, still, the eyes of the people of the country are upon us, and certainly we can not justify an appropriation of this kind under the prevailing conditions of the country. [Applause.]

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. GRAHAM].

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. GRAHAM of Illinois. Mr. Speaker and gentlemen of the House, as I understand the legislative bill, it may be interpreted to mean that we are to receive $3,200 per year, which we can pay out as we like to one or more clerks whom we may employ, and as we need them. That is all we will get under that bill, in my judgment.

Under this bill, if it becomes a law, however, we will get $3,200, and, in addition, in my judgment, we will get at least $480 as a bonus or bonuses. I believe that is too much. I do not believe that that burden should be placed on the Treasury at this time.

Besides that, I have another objection to this bill as it is drawn which, I think, is equally important. This resolution provides that you can hire a secretary for $2,000 and a stenographer or clerk for $1,200. I want to call attention to the fact that it is very hard now to employ a competent secretary at $2,000. So far as I am concerned, I know that I have a secretary whose wage I had hoped to increase under the legislative bill, so that he could stay here and keep his family here and live under the existing high prices.

Mr. BYRNS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. BYRNS of Tennessee. Was it not argued by everyone who favored the $3,200 proposition to have two clerks, one at $2,000 and the other at $1,200? Was not that the theory upon which this House voted?

Mr. GRAHAM of Illinois. I do not think so. So far as I was concerned, I did not vote for the raise of wage at all. As I understand it, that is not the meaning of it, and I do not think that is what the law is. I think a man has the right to have one or two or three clerks in the rush session if he wants them, and certify for their payment to the Clerk. He should be allowed to use this $3,200 as he desires. For instance, a man may want to go to his home town and hire a stenographer out of this fund. Under this resolution he can do nothing of the kind. I do not believe this resolution ought to pass.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. STAFFORD. Mr. Speaker, I believe I have four minutes remaining.

The SPEAKER. Yes.

Mr. STAFFORD. Mr. Speaker, when this proposition was originally before the House it was my best judgment that we should retain the $2,000 secretary position and provide also for a session clerk. The judgment of the House, however, was that there should be two annual clerks, one receiving $2,000 and the other $1,200. The language adopted by the House is somewhat ambiguous, which in its present form, as pointed out by the gentleman from Illinois [Mr. MANN], will enable a Member to appoint one clerk or any number of clerks and have them placed on the roll of the House of Representatives. If they are placed on the roll of the House of Representatives, then they will receive the bonus allowance which comes to all civilian employees of the Government who receive less than $2,500. That is, $240 to each.

The claim made by the gentleman from Mississippi [Mr. SISSON] that this is adding a burden of several hundred thousand dollars to the Treasury is not well taken, because only if there is one clerk to receive this $3,200 the bonus of $240 will not be paid; but if there is more than one and none receive more than $2,500, then each clerk will receive the $240 bonus.

Mr. DOWELL. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. DOWELL. Under the plan provided in the bill, how is this fund to be divided?

Mr. STAFFORD. Under the plan contained in the legislative bill it is left to the discretion of the Member to appoint as many clerks as he sees fit at the salaries he sees fit, provided they do not exceed an aggregate of $3,200.

It was my hope, and the hope of other conferees on the part of the House on the legislative, executive, and judicial appropriation bill that this matter would be thrown into conference so that the conferees might submit to the House a well-considered proposition. But the Senate did not in any wise modify it, so that the House could consider it, and now we have before us a definite proposition to carry out virtually the original intendment of the House when the House agreed to increase the clerk hire from $2,000 to $3,200, one to receive $2,000 and the other $1,200.

Mr. FERRIS. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. FERRIS. Is it true that the $3,200 now provided for clerk hire has to be paid to one clerk, and then by him in turn paid out to another?

Mr. STAFFORD. Oh, no.

Mr. FERRIS. It has been so asserted here.

Mr. STAFFORD. When the gentleman from Illinois made his argument I thought it was convincing that under this provision a Member may either appoint one clerk, to receive $3,200, or any number of clerks, to receive a total of $3,200, all the clerks to be placed on the roll of the House and to be paid by the Clerk of the House.

Mr. HUMPHREYS. And each one to receive $240 bonus?

Mr. STAFFORD. Yes; each one to receive $240 bonus, provided none of them received more than $2,500.

Mr. FERRIS. What is the object of this resolution?

Mr. STAFFORD. The object of this is to carry out virtually the intendment of the House, so as to have one secretary to receive $2,000 and a clerk to receive $1,200.

Mr. FERRIS. The second ought to receive $1,500.

Mr. STAFFORD. The second will receive $1,440 when you include the bonus.

Now, let me call your attention to what the Senate has done in this legislative bill, which has heretofore been called to the attention of the House by the chairman of the legislative committee, the gentleman from Tennessee [Mr. BYRNS]. They provide four clerks for each Senator, granting to some Senators one additional clerk. The salary for the principal clerk will be $2,500 and the next $1,600 and the next $1,500 and the lowest-paid clerk $1,200. They all will receive the $240 bonus. It is true that the conferees on the part of the House protested strongly against the increases the Senate made in their clerks from $1,440 to $1,600, and from $1,200 to $1,500, and so on, but the administration of the Senate rests exclusively in their judgment and discretion, and naturally we had to surrender.

The pending resolution seeks to allow each Member two clerks and to have them placed on the roll and made employees of the House. It makes certain the clerical assistance each Member will have.

Mr. HUMPHREYS. That, however, is subject to a point of order. That point of order is always made, so that every time we have the legislative bill up here we have this wrangle about our clerks. No other place in the Government is in this situation. Senators have their clerks, who are put on the roll. The departments have clerks, who are put on the roll; but some gentlemen here insist that they must have the $3,200, and scatter it out, paying it to 1 clerk or 6 or 7 clerks or 15 clerks, to suit their convenience. Now, there can be no sort of justification for that. When this appropriation was increased to $3,200 the whole argument to the House was that we had the $2,000 for one clerk and that we needed another clerk at $1,200.

Now, as to the bonus of $240, if every other Government clerk is going to get $240, why should not the clerks to Congressmen get the $240 bonus? Why make any distinction against them? I think we ought to pass it and make it permanent law and cease this wrangle every time we meet here. I hope that the joint resolution will pass.

Mr. TAYLOR of Colorado. Will the gentleman yield for a question?

Mr. HUMPHREYS. Yes.

Mr. TAYLOR of Colorado. Have not a great many of the clerks got the idea that they are going to get the whole $3,200 to be paid to one clerk?

Mr. HUMPHREYS. Yes; and they are going to insist on it. I ask for a vote.

Mr. RANDALL. The suggestion has been made here that a clerk when put on the roll can not be removed. Is it not a fact that a Member can put a clerk on the roll at the beginning of his term and may remove him within three months if he wishes to do so, and then reappoint him again?

Mr. HUMPHREYS. Oh, yes; there is no doubt about that. Mr. Speaker, I ask for a vote.

Mr. SISSON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. HUMPHREYS. Let us vote on this first.

Mr. JOHNSON of Kentucky. At the request of the gentleman from North Carolina [Mr. KITCHIN] I will ask the gentleman from Mississippi to withhold that point, and ask him to move for a recess until 10 o'clock. He requested me to ask that no point of order be made before 10 o'clock. The gentleman from North Carolina has gone over to the Senate to see what arrangements could be made over there.

Mr. SISSON. Mr. Speaker, I have no objection to this being deferred, but I want a quorum here before we begin the roll call on this joint resolution. So I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fifty-seven Members present, not a quorum.

Mr. FOSTER. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Illinois moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant of Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Baer	Flood	Kraus	Scully
Bland, Ind.	Flynn	Langley	Shackleford
Booher	Foss	Lehlbach	Sherley
Britten	Frear	Longworth	Slayden
Brumbaugh	Freeman	Lunn	Small
Butler	Gallivan	McCulloch	Smith, Mich.
Caldwell	Gard	Miller, Minn.	Smith, C B.
Carew	Garland	Mondell	Smith, T. F.
Carter, Mass.	Gillett	Mudd	Snell
Carter, Okla.	Goodall	Nelson, J. M.	Steele
Cary	Gordon	Nichols, Mich.	Steenerson
Chandler, N. Y.	Gould	Oldfield	Stephens, Miss.
Chandler, Okla.	Gray, N. J.	Overmyer	Sullivan
Clark, Fla.	Greene, Mass.	Overstreet	Swift
Classon	Gregg	Park	Taylor, Ark.
Costello	Griffin	Parker, N. Y.	Thomas
Cox	Hamill	Peters	Tinkham
Crago	Hamilton, N. Y.	Platt	Treadway
Crisp	Heintz	Pratt	Vare
Curry, Cal.	Hood	Price	Voigt
Davey	Howard	Ramsey	Waldow
Davis	Husted	Riordan	Walker
Dent	Kahn	Roberts	Walton
Dominick	Kearns	Robinson	Wason
Dooling	Kelly, Pa.	Rodenberg	White, Ohio
Eagle	Kennedy, R. I.	Rowland	Williams
Ellsworth	Kiess, Pa.	Rucker	Wilson, Ill.
Emerson	Kincheloe	Russell	Woodyard
Estopinal	King	Sanders, Ind.	
Fairchild, G. W.	Knutson	Sanford	

The SPEAKER. On this call 307 Members answered to their names, a quorum.

Mr. HUMPHREYS. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to extend my remarks upon the resolution relating to clerk hire.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILSON of Texas. Mr. Speaker, I make the same request upon the work of this Congress.

The SPEAKER. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks on the Humphreys resolution.

The SPEAKER. Is there objection?

There was no objection.

Mr. WALSH. Mr. Speaker, as I understood it general consent was given this morning to Members to extend their remarks in the RECORD. Am I correct?

The SPEAKER. That was on the Irish question.

Mr. WALSH. Was it confined to the Irish question?

The SPEAKER. Yes.

Mr. SISSON. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the Humphreys resolution.

The SPEAKER. Is there objection?

There was no objection.

Mr. DILL. Mr. Speaker, I ask unanimous consent to extend my remarks on the league of nations.

The SPEAKER. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I make the same request upon the bill H. R. 15993, the reclamation of lands for soldiers, sailors, and marines.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Idaho. Mr. Speaker, I make the same request upon the same bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. HEFLIN. Mr. Speaker, I ask unanimous consent to extend my remarks upon cotton.

The SPEAKER. Is there objection?

There was no objection.

Mr. OLIVER of Alabama. Mr. Speaker, I make the same request upon the river and harbor bill and on the work of the present Congress.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAPES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein an address delivered by my colleague, Mr. CRAMTON, at the Odd Fellows' Grand Lodge meeting at Grand Rapids, Mich.

The SPEAKER. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to extend my remarks upon the Military Academy bill and the Army and Navy appropriation bills, and also on the newspaper discussion of them.

The SPEAKER. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the deficiency appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUNDEEN. Mr. Speaker, I ask unanimous consent to extend my remarks upon the presidential primary.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLLIER. Mr. Speaker, I notice that several gentlemen are on their feet with the purpose of making similar requests to extend their remarks in the RECORD upon various subjects. The hour of 12 o'clock is fast approaching, and I ask unanimous consent that all Members be permitted to extend their remarks in the RECORD upon any legislative subject.

The SPEAKER. Is there objection?

Mr. MANN. Let us give that permission if it is confined to their own remarks and is within five calendar days.

Mr. COLLIER. Confined to their own remarks, within five calendar days.

The SPEAKER. Is there objection?

Mr. MONTAGUE. Reserving the right to object—is that all legislative subjects?

Mr. COLLIER. Yes.

Mr. MONTAGUE. The gentleman means on pending bills.

Mr. COLLIER. Yes.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection?

There was no objection.

PAY OF MEMBERS WHO SERVED IN THE ARMY.

Mr. MANN. Mr. Speaker, I hope I may have the attention of the House, and I want to be perfectly frank with the House about a matter that I shall suggest. When we declared war several Members of the House were members of the National Guard and thought they might go into the Army. At their request, or the request of some of them, I introduced a resolution in the House directing the Committee on the Judiciary to report whether a Member accepting a commission in the Army would lose his seat in the House, or what the effect would be. The Committee on the Judiciary reported to the House that the acceptance of an office in the Army would, in effect, be a vacation of the seat of the Member.

There were still some very patriotic young men and older men in the House who wanted to go into the Army. I conferred with some of the gentlemen on the Democratic side of the House and reached an understanding, so far as I was concerned and so far as they were concerned, individually at least, that if any of the Members of the House on my side of the House went into the Army they would say nothing about it, and if any Democratic Members went into the Army, I would

keep any Republican from mentioning it adversely, as far as the membership was concerned.

The Members on both sides went into the Army. When the armistice was signed and afterwards they came back into the House. Of course, if they had forfeited their seats, they were not entitled to come back and resume them. The question was raised as to their pay. We passed a resolution in the House providing that they would be paid from the time they returned to the House. Of course, if they had lost their seats, they could not regain them by such a resolution, but we could pay them the money and say nothing about whether they had lost their seats or not.

The matter was discussed with the noble gentleman who presides over us, and he was willing to sign the certificate for the time the boys were absent from the House, in order that they might draw their pay. Some of us, in order to give him some protection, signed a request that he should do this. I suppose he is still willing to do it. The Sergeant at Arms, who pays the salaries of Members, is under bond, a bond which runs for a number of years. I think quite properly he hesitated to pay the money which somebody thereafter might charge him with having paid illegally without the direction of the House.

When the deficiency bill was before the House the other day there was an amendment offered which was subject to a point of order, but the point of order was not made, providing for the payment to these Members of the amounts of salary and clerk hire which would be due to them for the time they were in the Army, their clerks having been paid meanwhile by them. The deficiency bill has failed. There are several of these Members who really need the money, who have had no Army pay, who have borrowed the money, and I wondered whether the Speaker would recognize me, and if he did, whether anyone would object to the passage of the following resolution, which, while not a matter of legality, would, I understand, be a sort of protection to the Sergeant at Arms, which he and also the Clerk of the House would be willing to accept:

House resolution 624.

Resolved, That the Sergeant at Arms of the House of Representatives is hereby authorized and directed to immediately pay all arrears of salaries and clerk allowances to Members of the House of Representatives in the Sixty-fifth Congress who have not received their monthly salary and allowances, owing to their absence from the House while in the military service of the United States during the war.

I do not think this would settle the legal question, but I do think it would be proper to pay these boys the money. What do you say? [Applause.]

Mr. Speaker, will the Chair recognize me for the immediate consideration of that resolution?

Mr. MONTAGUE. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MONTAGUE. Did not your amendment in the deficiency bill deduct from the salaries of the men the amounts they had received as officers in the Army?

Mr. MANN. Yes.

Mr. MONTAGUE. Does this so deduct it? There is a difference?

Mr. MANN. There is a difference, but I understand the deduction would be made. I think it only exists in one case.

Mr. MONTAGUE. Will the gentleman indulge me for a statement?

Mr. MANN. I will.

Mr. MONTAGUE. I will not interpose any objection to paying the salary if I can have one moment to express myself. I do not wish by my silence, which I shall keep after this in respect to this measure, by putting myself in a position of approving the recognition by this House of the legality of the status of these gentlemen, highly as I respect them and regard their services, because I have sworn to support the Constitution of the United States and I do not believe they are constitutional Representatives of the House.

Mr. MANN. I will say to the gentleman from Virginia, on the whole, I agree with him. I do not desire to have the legal question settled in this way. If this House could settle it, which I do not think it can, it already has been settled, because the House has already passed a joint resolution, or a concurrent resolution, which was passed by the Senate and, I suppose, signed by the President, recognizing him from the time he came back. I do not think, however, that either one determines the legal question, but it is frequently the case that we do not raise legal questions as we frequently do not raise points of order.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. MANN. I do.

Mr. OLIVER of Alabama. I understand similar questions were raised during the Spanish-American War. I recall the proposition raised in the case of Gen. Wheeler, of Alabama. Is the gentleman familiar with what action the House took in that case?

Mr. MANN. My recollection is that Gen. Wheeler, who left the House to become a general, was paid a salary up to the time, but he never came back to the House at all.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. MANN. I will.

Mr. PARKER of New Jersey. I was on the committee at that time and who disagreed from other members of the committee. I thought while they were away on a temporary service they were not Members of the House, but when they came back they were; but I arose for the purpose, with the gentleman's permission, of asking unanimous consent to extend my remarks by printing the reports, which are in the RECORD on the matter and perhaps some few remarks in addition as to what took place at the time.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LITTLEPAGE. Mr. Speaker, will the gentleman yield to me for a minute?

Mr. MANN. Before consent is granted? I will yield to the gentleman any time. I would like, however, before the House——

Mr. LITTLEPAGE. Mr. Speaker, I am one Member of this House who has seldom craved its attention. I, too, took that oath to support the Constitution of my Government. I have tried to adhere to it. Since I came here my Government has gotten into trouble, and serious trouble. Thousands of our boys are buried in a foreign land. There is a Member of this House, Hon. ROYAL C. JOHNSON, of Aberdeen, S. Dak., who is one of our best Members, a man having great love of country, and in fact a man of destiny, who went to France. He is over on the Republican side of this House, too. He enlisted as a private and worked his way up to the rank of first lieutenant. Though he has said nothing about it to his friends, he, with his men, got in the course of enemy shell fire. A shell burst over his head and tore off nearly 3 pounds of flesh on his shoulder. Men were killed all around him on the battle field. A shell struck one soldier near JOHNSON, and his comrades never found even a piece of his clothing; he was blown to atoms. JOHNSON offered his life upon the altar of his country, but God was with him and saved him for future usefulness to his country. He was as brave as a lion. He said to me before he left, "Adam, I can not stand it; our Government is in trouble, and I am going if I never see my country again." He is an honor to his district, State, and Nation. He was willing, if we so required, to give up his salary here of $7,500 and went to answer his country's call; and if it is the last vote, as it likely will be, I shall ever cast in the House of Representatives, by the eternal gods, I want to show my appreciation of the men who stood by the Government when it was in serious, awful trouble. [Applause.] And, gentlemen, I almost lost a boy in this trouble. The situation has gotten close to me. The young men who went into this war and who have come home are destined to rule this Republic, if they will but hold their heads up, if after the war is over the War Department will ever let them out so they can get home. I think it is ridiculous that they are held in the camps of this country. [Applause.] And I pray and petition the consciences of men to give these boys their money. They have earned it. They were in hell on earth while we were here doing the best we could. Let us pay the debt the Government owes. Those are my individual sentiments. [Applause.]

The SPEAKER. The gentleman from Illinois asks unanimous consent for consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

House resolution to authorize the payment of salaries to Members of the House of Representatives withheld during their absence in the military service of the United States.

Resolved, That the Sergeant at Arms and Clerk of the House of Representatives are hereby authorized and directed to immediately pay all arrears of salary and clerk allowance to Members of the House of Representatives of the Sixty-fifth Congress who have not received their monthly salary and allowance owing to their absence from the House while in the military service of the United States during the war.

The SPEAKER. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. I understand this item was included in the deficiency appropriation bill which is being killed by a filibuster being carried on by the Republicans of the Senate.

Mr. MANN. I do not know who carried it on; I am sorry indeed that it is.

Mr. McCLINTIC. It is a fact?

Mr. MANN. I do not know whether it is a fact or not. The gentleman may be able to give me some information.

Mr. McCLINTIC. I had some information leading up to this question.

Mr. MANN. It is in the deficiency bill which, I understand, will not be passed, and I am very sorry it will not be passed.

Mr. McCLINTIC. That is the information that I get. If the bill is not passed at this session of Congress, will it be possible to have it passed at the next session of Congress making it retroactive so as to take care of those to whom this money should be paid?

Mr. MANN. It would be a claim to be acted upon as such, I suppose.

The SPEAKER. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, reserving the right to object, I am opposed to this resolution on constitutional grounds and also upon grounds of public policy, and I can not allow it to be passed when my silence is accepted as an approval.

There is a way by which it can be brought before the House regularly, by a motion to suspend the rules, and in view of that fact I am compelled to object to its consideration.

Mr. MANN. Will not the gentleman wait a second? I have not asked the Speaker for recognition to suspend the rules, and I do not know whether he would be warranted in granting it or not.

Mr. HUMPHREYS. He can not do it right now.

Mr. MANN. Yes; he could. Will not the gentleman be content to have it laid before the House, so that gentlemen can make their statement in opposition to it?

Mr. HUDDLESTON. I am not content. I do not want to make any statement, and I want to be recorded against it. When this was before the House the other day, a great many Members voted against it, and those men would undoubtedly be recorded against it now. It is not solely for my own benefit I make this objection, but there are a great many Members in the same situation that I am. It is unpleasant for me to make it, but there are men more sensitive and who do not hold to this opinion, and so I am going to stand over them for good policy and for the Constitution of the United States, and therefore am going to do this unpleasant thing and make objections.

Mr. ALMON. Mr. Speaker, as I understand there was something said concerning the record of Gen. Joe Wheeler while he was in the service. The records will show that his salary was not paid to him or to anyone else for him while in the military service.

Mr. MANN. I think that is true. He received the salary of a major general, which was larger.

Mr. ALMON. And he was appointed by a Republican President.

Mr. MANN. I have no criticism of that.

The SPEAKER. As soon as we get through with the Humphreys resolution the Chair will recognize the gentleman from Illinois [Mr. MANN] to suspend the rules. [Applause.]

The question now is on suspending the rules on the Humphreys resolution.

CLERK HIRE FOR MEMBERS.

Mr. STAFFORD. Mr. Speaker, may we have it again reported, inasmuch as there were many Members not present when it was before the House?

The SPEAKER. The Clerk will report the Humphreys resolution.

EXTENSION OF REMARKS.

Mr. WINGO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD expressing some patriotic sentiments.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD to express some patriotic sentiments.

Mr. CRISP. Mr. Speaker, I ask to insert in the RECORD a short codification of the decisions rendered by Judge SAUNDERS as Chairman of the Committee of the Whole.

Mr. HUMPHREYS. Mr. Speaker, I will object for a moment, until we get through with this thing.

The SPEAKER. The gentleman objects to this request. Without objection, the Clerk will report this resolution.

CLERK HIRE FOR MEMBERS.

The resolution (H. J. Res. 436) was again reported.

Mr. HUMPHREYS. Question, Mr. Speaker.

The SPEAKER. The question is on suspending the rules and passing the Humphreys resolution.

The question was taken; and the Speaker stated that in the judgment of the Chair two-thirds had voted in the affirmative.

Mr. BLACK. Mr. Speaker, I demand a division.

Mr. HUDDLESTON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Alabama demands the yeas and nays. Those in favor of taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Forty-one gentleman have arisen; not a sufficient number.

Mr. HUDDLESTON. I ask for the other side, Mr. Speaker.

The SPEAKER. The gentleman demands the other side. Those who are opposed will rise and stand until counted. [After counting.] Two hundred and thirty-eight Members have risen in the negative. Forty-one is not a sufficient number.

Mr. SISSON. Mr. Speaker, I demand tellers.

The SPEAKER. The gentleman from Mississippi demands tellers. [After counting.] Twenty-seven gentlemen have risen; not a sufficient number.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

Mr. MANN. After we get through with this.

The SPEAKER. Two-thirds having voted in the affirmative, the joint resolution is passed.

On motion of Mr. HUMPHREYS, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. WINGO. Mr. Speaker, I renew my request to extend my remarks by printing some patriotic sentiments.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend his remarks by printing some patriotic expressions. Is there objection? [After a pause.] The Chair hears none.

Mr. CRISP. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. RAYBURN. I object.

The SPEAKER. The gentleman from Texas objects. The gentleman from Illinois [Mr. MANN] moves to suspend the rules and pass the resolution which the Clerk will report.

PAY OF MEMBERS WHO SERVED IN ARMY.

Mr. MANN. Mr. Speaker, I move to suspend the rules and pass the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 624.

House resolution to authorize the payment of salaries to Members of the House of Representatives withheld during their absence in the military service of the United States.

Resolved, That the Sergeant at Arms and Clerk of the House of Representatives are hereby authorized and directed to immediately pay all arrears of salary and clerk allowance to Members of the House of Representatives of the Sixty-fifth Congress who have not received their monthly salary and allowance owing to their absence from the House while in the military service of the United States during the war: *Provided*, That there shall be deducted from such amounts for salary, respectively, any money received by any of the above-named as compensation for service in the Army during the present emergency, and the affidavits of the above-named persons shall be accepted as proof as to whether or not any such payment has been received by them.

The SPEAKER. Is a second demanded? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question was taken.

The SPEAKER. In the opinion of the Chair, two-thirds having voted in the affirmative, the rules are suspended and the resolution is passed.

Mr. HUDDLESTON. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from Alabama asks for a division. Those in favor of suspending the rules and passing this resolution will rise and stand until they are counted. [After counting.] Two hundred and twenty-eight gentlemen have risen in the affirmative.

Mr. HUDDLESTON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Alabama demands the yeas and nays. Those in favor of taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Thirty-five gentlemen have risen for the yeas and nays—not a sufficient number. Those opposed to suspending the rules and passing this resolution will rise and stand until they are counted. [After counting.] Forty-nine gentlemen have risen in the negative. On this vote the yeas are 228 and the nays are 49.

Mr. CLARK of Florida. Mr. Speaker, I demand tellers.

The SPEAKER. The gentleman from Florida demands tellers. As many as favor taking this vote by tellers will rise and stand

until they are counted. [After counting.] Thirty-five gentlemen have risen, and it takes 44. Two-thirds having voted in the affirmative the rules are suspended and the resolution is passed.

WAR-RISK INSURANCE.

Mr. RAYBURN. Mr. Speaker, I move to suspend the rules and pass the Senate bill 5555.

Mr. MANN. That can not be finished in an hour.

Mr. PARKER of New Jersey. Mr. Speaker, I demand a second on that.

Mr. RAYBURN. I ask unanimous consent, Mr. Speaker, to take up at this time Senate bill 5555.

Mr. PARKER of New Jersey. I object, Mr. Speaker.

Mr. SCHALL. Mr. Speaker——

The SPEAKER. The Chair will recognize the gentleman from Minnesota in a minute.

Mr. RAYBURN. Mr. Speaker, I move to suspend the rules.

Mr. PARKER of New Jersey. Mr. Speaker, on that I demand a second.

The SPEAKER. Well, you will have plenty of time to get it.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

Mr. BLANTON. Mr. Speaker, may we have the bill reported?

The SPEAKER. The Clerk will report it.

Mr. MANN. I will object to that, because within the hour I want to offer a resolution of thanks to the Speaker, the ordinary resolution. If you suspend the rules we shall not finish by 12 o'clock. I am not opposed to it on its merits.

Mr. RAYBURN. The whole conversion of the war-risk insurance from war-time insurance to peace-time insurance depends absolutely on the passage of this bill.

Mr. PARKER of New Jersey. That is not essential.

Mr. MADDEN. Is it essential that that action be taken now?

Mr. RAYBURN. It is, because the Attorney General has held that this insurance is convertible at this time.

Mr. MADDEN. Yes; I know that.

Mr. PARKER of New Jersey. Will the gentleman allow me to say that it does not stop the conversion of it. All it does is to change the form of conversion and order a whole lot of things to be done that are unnecessary.

Mr. MADDEN. They do not have to begin to convert for five years, do they?

Mr. RAYBURN. No; they have to convert this insurance within five years.

Mr. MADDEN. Yes.

Mr. RAYBURN. But the necessity for this bill at this time is that these men will not keep up the payment of their premiums even for one year where they have to pay a premium every month.

Mr. MADDEN. I presume in many cases that will be true.

Mr. RAYBURN. And then we will be left with all the bad risks on our hands and none of the good risks.

Mr. MADDEN. I should have been very glad to assist the gentleman in the consideration of this bill earlier in the session, when there was time to consider it properly.

Mr. ESCH. If the gentleman will allow me to make the suggestion, the sooner the insurance is converted into old-line insurance the lower the premiums will be, and that will be an inducement for them to convert their term insurance into the old-line insurance.

Mr. RAYBURN. Five years from now the premiums on a converted policy will cost from 10 to 20 per cent more than if converted now.

Mr. ALEXANDER. If a soldier has a policy for $10,000, he may convert that into a policy for two or three or four or five thousand dollars of insurance, which will make the burden much less on him and will fix the premium.

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That section 402 of the war-risk insurance act is hereby amended to read as follows:

"SEC. 402. That the director, subject to the general direction of the Secretary of the Treasury, shall promptly determine upon and publish the full and exact terms and conditions of such contract of insurance. The insurance until converted shall be payable only to a spouse, child, grandchild, parent, brother, or sister, and also during total and permanent disability to the injured person, or to any or all of them: *Provided*, That in the case of converted insurance, the permitted class of beneficiaries shall include in addition to the foregoing an uncle, aunt, nephew, or niece. The insurance shall be payable in 240 equal monthly installments. Provisions for maturity at certain ages, for continuous installments during the life of the insured, or beneficiaries, or both, for cash, loan, paid-up, and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries, but only within the classes herein provided. If no beneficiary within the permitted class be designated by the insured, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, the insurance shall be payable to such person or persons within the permitted class of beneficiaries as would under the laws of the State of the residence of the insured be entitled to his personal property in case of intestacy. In the case of converted insurance, if no person within the permitted class survive the insured, there shall be paid to the estate of the insured an amount equal to the commuted value of the installments remaining unpaid, calculated at the rate of 3½ per cent interest; but if one or more such persons shall survive the insured and shall have died before receiving all of the installments payable there shall be paid to the estate of the last surviving person within the permitted class an amount equal to the commuted value of the installments remaining unpaid, calculated at the rate of 3½ per cent interest."

SEC. 2. That a new section is hereby added to Article IV of such act, to be known as section 405, and to read as follows:

"SEC. 405. That the Bureau of War Risk Insurance is hereby directed to set aside out of the premiums collected on the insurance converted under this article such a reserve fund, calculated on the basis of 3½ per cent interest, as may be required, under accepted actuarial principles, to meet all liabilities under such insurance; and the Secretary of the Treasury is hereby authorized to invest the said reserve fund, or any part thereof, in farm-loan bonds issued by the Federal land banks or in interest-bearing securities of the United States."

The SPEAKER. Is a second demanded?

Mr. PARKER of New Jersey. I demand a second.

Mr. RAYBURN. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. PARKER of New Jersey. I object.

The SPEAKER. The gentleman from New Jersey demands a second. The Chair appoints as tellers the gentleman from Texas [Mr. RAYBURN] and the gentleman from New Jersey [Mr. PARKER]. All those in favor of ordering a second will pass between the tellers and be counted.

The House divided; and the tellers reported—ayes 116, noes 83.

Accordingly a second was ordered.

The SPEAKER. The gentleman from Texas has 20 minutes and the gentleman from New Jersey has 20 minutes.

Mr. RAYBURN. I intend to take up the time only long enough to ask that a letter of the Secretary of the Treasury be read in my time, which I think will explain the necessity for this.

The Clerk proceeded to read the letter, which is as follows:

TREASURY DEPARTMENT,
Washington, February 7, 1919.

MY DEAR SENATOR: I am inclosing herewith a tentative draft of a bill amending the war-risk insurance act. It provides for the enlargement of the permitted class of beneficiaries of converted insurance and directs the setting aside of a reserve fund for such insurance.

In my opinion, the early passage by the Congress of a bill similar in effect to that inclosed is of such vital importance to the success of the bureau in administering the provisions of the war-risk insurance act authorizing the conversion of insurance heretofore granted that I earnestly request that you give it the earliest possible attention. The reasons for requesting the legislation proposed may be thus briefly stated:

1. The setting aside of an insurance reserve: Section 402 of the act authorizes the inclusion in the insurance contract of provisions for "dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable." This and other provisions of the act make it clear that Congress expected that the contracts of converted insurance to be issued should make provisions for dividends substantially similar to those usually found in life insurance policies issued by private companies. It is also reasonable to infer that Congress expected that the gains and savings out of which these dividends were to be paid should, as in the case of private insurance companies, be realized from interest on reserve and savings in mortality. Hence, the Secretary of the Treasury should invest the reserve fund obtained from premiums on converted insurance in such a manner as to realize interest in excess of the basic rate of 3½ per cent upon which the reserve is calculated. This action could probably be taken by the Secretary without receiving additional authority from the Congress, but the importance of the proposed action is so great, affecting as it must the work of the bureau through half a century, and the sums involved are so large that it would be unwise to proceed without receiving the express direction of the Congress. I am advised that the success of the plan to continue the insurance of our soldiers in converted form depends largely upon the step proposed to be taken.

The considerations which lead me to think that the Congress should direct the establishment and maintenance of such a reserve fund may be set forth more specifically as follows:

(a) In receiving level-rate premiums for converted insurance from the soldier in the earlier years of the insured's life the Government takes from him more money than necessary to cover the cost of the protection granted to him during those years. This excess or reserve morally and equitably belongs to the insured and is held by the Government for his benefit. It is in a sense a trust fund, which the Government should use not for its own expenses but for the benefit of the insured. Moral obligation, as well as sound insurance practice, requires the Government to invest this reserve fund in such a way as to secure the highest interest obtainable consistent with safety.

(b) By using such a reserve fund for the purchase of farm-loan bonds issued by the Federal land bank an interest return substantially equal to 4½ per cent could be secured with perfect safety. At the same time one of the Government's most admirable economic agencies would be aided.

(c) The history of fraternal insurance organizations which failed to provide in early years a reserve fund shows what would be the effect of a failure on the part of the Government to set aside a reserve to support the converted insurance granted under the war-risk insurance act. If premium receipts should be applied in payment of current claims under matured insurance, with no setting aside of a reserve, the amount of the appropriations that would be required of Congress would at first, relatively speaking, be misleadingly small and would later become inordinately large, in short, sound economic theory, as well as the considerations of simple justice mentioned in (a) above, require the maintenance of a reserve.

2. Enlargement of permitted class of beneficiaries: Section 402 provides that in case the permitted beneficiaries of the insured die before the insured, or before they have received all of the 240 installments payable after his death, the installments remaining unpaid shall be forfeited to the Government, only the reserve value, if any, being payable to the estate of the insured. This was a wise and fair provision in the case of war-time term insurance. As the Government was giving to the insured the extra cost of insurance due to war hazards, there was no unfairness in declaring that it would not pay if the soldier's immediate dependents should have failed, but the same considerations do not apply to the converted insurance carried by the soldier under peace-time conditions, and for which he pays in full. It is only reasonable that the soldier who pays in full for his insurance should be given a wider selection of beneficiaries among his relatives, and it is but simple justice that he should receive in full the insurance he pays for without fear of forfeiture in case no person within the permitted class survives him. The proposed bill attached hereto enlarges the class of permitted beneficiaries so as to include uncles, aunts, nephews, and nieces of the insured. It further provides that if no such person within the enlarged class of beneficiaries survives the insured, the commuted value of the installments remaining unpaid shall become a part of the estate of the insured, but if the surviving beneficiaries within that class die before receiving all of the installments payable, then the commuted value of the unpaid installments shall become payable to the estate of the last surviving member of the permitted class. It is to be noted that the amount payable in such cases to the estate of the insured or of the last surviving beneficiary is the commuted value of the unpaid installments, and not merely the reserve of the policy, which alone is payable under the existing provisions of the act.

I am satisfied that the legislation proposed is entirely consistent with the purpose of the act and essential to the successful administration of those provisions requiring the conversion of the annual term insurance into other forms of insurance suitable to the peace-time needs of insured soldiers and sailors. This opinion is supported by the advice of the best insurance experts in this country, who, after careful study during many weeks of all the problems involved, and having special regard for the best interests of the men in the military and naval service, have incorporated some of the provisions of the proposed legislation in the recently completed policy forms for converted insurance. If these policies are to be issued as drawn and the work of conversion thereunder to begin, it is necessary for the Congress to pass the legislation proposed, and it is respectfully requested that this be done at the earliest possible day.

Sincerely, yours, CARTER GLASS,
Secretary.

Hon. F. M. SIMMONS,
Chairman Committee on Finance,
United States Senate.

Mr. RAYBURN. Mr. Speaker, I think the Clerk has read far enough to cover the contested points in the bill, and I ask unanimous consent that the remainder of the letter may be printed in the RECORD.

Some Members have said that this bill has no chance of becoming a law. I am informed that the bill is already enrolled, and that as soon as it is passed it is ready to go to the press. This bill is vitally important to the carrying on the work of the war-risk insurance. It is up to the House whether it will pass it.

Mr. MANN. Is there to be no explanation of the bill at all?

Mr. PARKER of New Jersey. I will explain it.

Mr. RAYBURN. The letter which has been read is a very full statement of the reasons for the passage of the bill. It is presented just as it was written at the War Risk Insurance Bureau for the signature of the Secretary of the Treasury.

Mr. MANN. The gentleman asks to have the letter printed in the RECORD with only a part of it having been read.

Mr. RAYBURN. I stated that the controverted parts of the bill, as I understood, had been read in the letter, and I ask that the remainder may be printed in the RECORD.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, which I do not intend to do, I want to call attention to the fact that in the debate on the Diplomatic and Consular bill yesterday I addressed the House and asked leave to revise and extend my remarks. These facts do not appear in the RECORD this morning. There is no reference to my remarks. The statement that I addressed the House and that my remarks would appear hereafter, which should have been included in the RECORD, was omitted. I ask that that correction be made.

The SPEAKER. Without objection, the correction will be made.

Is there objection to the request of the gentleman from Texas to print the remainder of the letter?

There was no objection.

Mr. PARKER of New Jersey. Mr. Speaker, the courtesies of the day and its purpose have demanded that before beginning on the bill, in which I have great interest, I should have the pleasure of yielding four minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, the Congress now closing will be written in history as the most notable in the annals of the Republic thus far. Its opening witnessed the declaration which threw the deciding strength of the Republic into the greatest war of all times. That act saved civilization. The progress of the Congress witnessed the most far-reaching grants of Executive war authority ever given by a free people, the most stupendous appropriations, the greatest tax levies in all history. These were the major and dominating notes of the symphony of the Sixty-fifth Congress, through which ran the chords of harmonious and patriotic cooperation. Who shall say that the softening of the note of insistent contention, the substitution of patriotism for partisanship, was not in some measure due to the fact that this Congress was honored and favored above all the Congresses that preceded it by the gracious influence of womanhood in its membership. [Applause.] It was inevitable in the development of a broader and truer democracy that eventually the Congress should number women among its Members. It was remarkable that this demonstration of a truer democracy should occur in the fateful days of this Congress. How fortunate for the country and for womanhood that the first of her sex to occupy a seat in this great legislative body, to become conspicuous in the eyes of the country and the world as a woman legislator, was one so thoroughly womanly, so richly endowed with the charms of feminine grace and modesty, so reasonable, and yet so capable and courageous as the lady from Montana. [Applause.] The lady from Montana leaves the House on her own motion and of her own accord—a proper and ladylike manner of departure—and she leaves it better for her influence. [Applause.] She has performed conspicuous service to her country in proving the wisdom of that broadening of the democracy of representative government which her presence here represents. She has rendered a great and lasting service to her sex in proving that womanly grace is not incompatible with public service. [Applause.] She has made us all her debtor by her gracious influence here. The House parts with its woman Member with sincere regret and unites in best wishes for the future success, health, and happiness of our colleague, the lady from Montana. [Applause.]

Mr. PARKER of New Jersey. Mr. Speaker, after this very pleasant episode I come to this bill.

Mr. RAYBURN. Will the gentleman yield me five minutes? I want to yield to the gentleman from Colorado, and he will yield to the lady from Montana.

Mr. PARKER of New Jersey. Yes.

Mr. RAYBURN. I yield five minutes to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the lady from Montana be recognized for the five minutes yielded to me. [Applause.]

Miss RANKIN. Mr. Speaker and fellow colleagues, two years ago you greeted me very cordially, and my thought at that time was the hope that you might feel kindly when I left; that my conduct would be such that you would be glad I was here. No woman has ever received the kindly and gentle treatment that the men in this House have given to me. You have made every step as easy as it was possible for you to make it, so that every moment has been one of pleasure, an opportunity, and, I hope, development.

I am sorry to leave you before the women of this Nation are enfranchised, but I leave to you, the Members of the Sixty-fifth Congress who will be Members of the Sixty-sixth Congress, the great trust of enfranchising the women of this country. I want you to know that I love you, the Sixty-fifth Congress, and I shall never forget you. I thank you. [Applause.]

Mr. PARKER of New Jersey. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 16 minutes.

Mr. PARKER of New Jersey. Mr. Speaker, there are two sections in this bill. The first is absolutely unnecessary and wrong and the second one very grievously wrong.

Th war-risk insurance act had provided very carefully by section 404 that the soldiers' term insurance, that is only good for a year at a time, can be converted not before the termination of the war and not later than five years thereafter into ordinary insurance, for life, 20 years, and so forth. This first section of this bill provides a modification of section 402 but changes it in very few respects. It adds the words "uncle, aunt, nephew, or niece" to the list of beneficiaries that can be named in case of converted insurance. If the soldier dies leaving no beneficiaries, the old law provided that his estate should get the value of the policy of insurance, whereas this bill provides that all remaining payments shall be commuted and paid to that estate. This is an enlargement of the contracts of war-

risk insurance, which run into thirty or forty billion dollars and is a real drain on the Government.

This is proposed upon the suggestion that the converted insurance will be paid for in full as it would be paid to an insurance company. I do not know how the Secretary of the Treasury came to sign some clerk's certificate that said that, because the Government does not get full payment for this insurance. It does the whole insurance business free of all charge for expenses, which generally amounts to 10 per cent of the annual outgo. It also, besides that, takes the insurance not only at rates below what an insurance company would take, but it insures the life of a man who may have come out of the war broken down in health, and it gives him his insurance without a medical examination. If he outlives the 240 payments it goes on paying him for life without making any calculations on these extra payments.

This contract of insurance is largely a gift, and there is no reason why this gift should be enlarged without necessity. There is no new plan, as the gentleman from Texas [Mr. RAYBURN] suggests, in this section needed to make it workable. The old section is exactly the same as the new, except adding the uncle, the aunt, or the niece, and also the substitution of the commutation of unpaid allotments for the value of the insurance, which value of the insurance, as they say, is what is always paid by any insurance company. This bill adds to the losses to be paid out, although the soldier had not paid for the original provision. There is no reason for section 1.

Section 2, on the other hand, will work a great and grievous wrong on the United States. By section 402, as above, the United States agrees to a calculation of interest on all premiums and to account for them with 3½ per cent, which is the usual interest allowed by any insurance company. There may be "dividends from gains and savings"; that is to say, if the death rate happens to be smaller than in the tables of mortality there will be a profit in the hands of the Government, which can be divided. The Secretary of the Treasury forgets this, and says that gains and savings could only be made if the Government invests a reserve fund and gets higher interest than 3½ per cent.

That is not true. There can be a profit without keeping a reserve fund. The calculation is entirely independent of the funds on hand, and if the mortality proves less there is a gain. He also says that a reserve fund is necessary, because friendly companies have failed for want of one. But the Government needs no reserve fund to back it up. The Government can pay death losses when they come. When we need taxes as much as we do for other purposes, it is idle to pile up a fund and invest it in farm-loan bonds or in Government securities. Such reserve is absolutely unnecessary and is absolutely oppressive to the taxpayer, and I protest against this system.

The gentleman from Michigan [Mr. FORDNEY] wants to speak on this subject, but I want to say to the House that this bill does not at all aid the war-insurance act. It only changes the beneficiaries to whom the amount may be paid and the amount to be so paid. The changes put more charge on the United States and are absolutely unnecessary, and to order a reserve fund to be accumulated by the Government is absolutely unjust.

I append a memorandum of the changes made by this bill in the section—matter struck out in parentheses and new matter in italic:

SEC. 402. That the director, subject to the general direction of the Secretary of the Treasury, shall promptly determine upon and publish the full and exact terms and conditions of such contract of insurance. The insurance (shall not be assignable and shall not be subject to the claims of creditors of the insured or of the beneficiary. It) *until converted* shall be payable only to a spouse, child, grandchild, parent, brother, or sister, and also during total and permanent disability to the injured person, or to any or all of them: *Provided, That in the case of converted insurance, the permitted class of beneficiaries shall include in addition to the foregoing an uncle, aunt, nephew, or niece.* The insurance shall be payable in 240 equal monthly installments. Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for cash, loan, paid-up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent (per annum), except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries, but only within the classes herein provided. If no beneficiary within the permitted class be designated by the insured, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, the insurance shall be payable to such person or persons within the permitted class of beneficiaries as would under the laws of the State of the residence of the insured be entitled to his personal property in case of intestacy. (If) *In the case of converted insurance, if* no (such) person *within the permitted class* survive the insured, (then) there shall be paid to the estate of the insured an amount equal to the (reserve) *commuted* value (if any of the insurance at the time of his death, calculated on the basis of the American Experience Table of Mortality and 3½ per cent interest in full of all obligation under the contract of insurance.) *of the installments remaining unpaid, calculated at the rate of 3½ per cent interest; but, if one or more such persons shall survive the insured and shall have died before receiving all of the installments payable, there shall be paid to the estate of the last surviving person within the permitted class an amount equal to the commuted value of the installments remaining unpaid, calculated at the rate of 3½ per cent interest.*

I yield the remainder of my time to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker, how much time is remaining?

The SPEAKER. The gentleman has eight minutes.

Mr. FORDNEY. Mr. Speaker, I yield half a minute to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, I thank the gentleman for this opportunity to call the attention of the House to the death of a former Member of this House, David Henry Mercer. When a Member of this body dies in the service appropriate resolutions are passed and an adjournment of the day's proceedings is taken out of respect for the distinguished dead. Later a day is set apart when his more intimate colleagues gather and in formal speech recite the history of his life, outstanding elements of his character, and give generous estimate of his reputation left behind.

To those who were called by their people to grace this Chamber with their presence and participate in the deliberations and contentions of this the greatest legislative body on earth, and who survive their service, formal proceedings are not had in their memories and would under the nature of things be impracticable. But when a Member who has served long and with distinction and is called from that private life to the one beyond, I deem it not inappropriate to call attention to the fact of the passing of that one who was once a factor here. These considerations prompt me at this hour in this Congress, soon to expire, to remind my colleagues that Hon. David Henry Mercer, Congressman in the Fifty-third, Fifty-fourth, Fifty-fifth, and Fifty-sixth Congresses—1893 to 1903—from the second district of Nebraska, departed this life in the city of Omaha on the 7th of January, 1919.

Former Congressman Mercer was born at Benton City, Iowa, July 9, 1857. He was a son of Capt. J. J. Mercer, a veteran of the Civil War, and one of Nebraska's prominent Masons. Capt. Mercer brought his family to Brownsville, Nebr., in 1866, where David attended and graduated at the public schools.

He was one of the early students of the Nebraska State University, graduating therefrom in 1880. That great institution has kept pace with the progress of its early graduates. It has now thousands of students where there were then less than hundreds.

He later took a law course at Ann Arbor. He did not long practice law, but, moving to Omaha, the State metropolis, he continued the political activity started by his election when at Brownsville to the secretaryship of the Republican State central committee, of which organization he was twice chairman. He held under President Harrison the assistant United States marshalship and special master in chancery.

His office-holding career really began in 1892, when as the Republican candidate he was elected from the then now second congressional district. Three times he was triumphantly reelected. In 1902 he was defeated by Hon. GILBERT M. HITCHCOCK, now senior Senator from Nebraska.

Nebraska, as has been the case with most young and developing States, has not favored long incumbency of office. At the time of his retirement his incumbency of this House represented the high tide for Nebraska. It has never been exceeded since except once, and that by the eminent jurist and illustrious and faithful statesman, Hon. M. P. KINKAID, who has represented the sixth district for 16 years and has a reelection to his credit.

Omaha was then, as now, the large factor of the second district, an ambitious, growing city. Governmental activities, always desirable to great cities, were of course in request. Mercer was practical in his representation of a district which demanded practical results. Omaha and other western communities fared well under his chairmanship of the Public Buildings Committee.

He was of those who believed that in every important community of the country there should be a suitable building for the housing of the Government's post office, land office, customhouse, and courts. He believed that the exhibition of the American flag over them was a daily lesson of patriotism, which the youth and others of the land needed. There is less criticism of this principle than we have heretofore heard and properly so.

The Omaha Bee, of January 11, 1919, said, among other things: "While in Congress he obtained recognition and an appropriation for the Trans-Mississippi Exposition at Omaha and was active in furthering the interests of his district. He introduced the first postal savings bill in Congress."

In and out of office, Mercer emphasized the personal factor in the equation of politics and legislation. His personality was always pleasing, conversation whole hearted, and always engaging. He bound friends and colleagues to him so that when friends were needed they were soon in evidence. In this way he did much for his district and State.

After his retirement from Congress, he made Washington his home until a short time before his death. In the summer of 1918 he became an unsuccessful candidate for the Republican nomination for United States Senator.

He leaves one child, a daughter, who with his many friends in Nebraska and throughout the Nation mourn the death of one who in his time was a factor in the large affairs of his State and Nation.

Mr. FORDNEY. Mr. Speaker and gentlemen, this bill should be amended or it should fail. So far as the war-risk insurance feature of the bill is concerned, I have no objection to it whatever, but here is a provision in section 405 that these reserve funds must be invested in Federal farm-loan bonds.

I object to this part of section 405, "and the Secretary of the Treasury is hereby authorized to invest the said reserve fund, or any part thereof, in farm-loan bonds issued by the Federal land banks." That Federal farm-loan act is a farce and has so proven to be. It is the greatest blue-sky scheme ever promoted by a national government.

Congress appropriated about $9,000,000 to start with to establish the banks, and we appropriated a quarter of a million dollars a short time ago to pay running expenses.

The loans made by the Federal farm-loan banks are such loans generally as prudent bankers and money lenders will not make. The Federal farm-loan banks are only getting such loans as no wise, prudent money lender will take.

Last year Congress appropriated $200,000,000 from the Treasury of the United States, largely the money obtained from the sale of Liberty bonds, to keep these banks running. The Secretary of the Treasury was authorized then to buy these farm-loan bonds because the public did not buy them.

They have gone into the Treasury of the United States and taken $200,000,000 of money contrary to law, in my opinion, to place in those banks—money that was raised under the pretense of carrying on this war. It was taken contrary to law, I say, from the purpose for which it was raised and diverted to these banks.

The Government does not guarantee the payment of 1 cent of the farm-loan bonds. An attempt was made to amend the $200,000,000 bill in January, 1918, to make the Government guarantee the payment of farm-loan bonds, but it was voted down. The promoters of the Federal farm-loan act are now trying to whip the devil around the stump in another way. They can not induce Congress to guarantee the bonds, so they want to require the Government to buy these unguaranteed bonds. When losses occur, the Government then being the owner of bonds, would be compelled to stand the loss just as much as if it had guaranteed them. I denounce such methods as unbusinesslike. Congress ought not to authorize investment of public money in bonds which it had refused to guarantee.

Mr. NORTON. Will the gentleman yield?

Mr. FORDNEY. I have only a few minutes. I would like to yield, but I can not. I say, gentlemen, this provision of this law is for the sole purpose of aiding the Federal farm-loan banks to dispose of their bonds which the law says are not guaranteed by the Government, although the brokers of the country are to-day sending out notices offering those bonds for sale with circulars which say that the bonds are guaranteed by the Government. That is not true. That provision of section 405 should be stricken out or the resolution should fail or the Federal farm-loan act repealed. It is a fraud on the taxpayers of this country——

Mr. NORTON. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. NORTON. Does not the gentleman know that the directors of the Federal Farm Loan Board claim that they would have no trouble at all in selling bonds if the Secretary of the Treasury would permit them to offer them for sale in open market competition with Liberty bonds?

Mr. FORDNEY. The directors of the Federal farm-loan banks say more than their prayers when they make that statement.

Mr. NORTON. They state that the Secretary of the Treasury has directed them not to offer these bonds for sale in competition with Liberty loan bonds, and that is the real reason why the farm-loan bonds have not been sold.

Mr. FORDNEY. I do not care what the Secretary of the Treasury or the directors of the Federal Farm Loan Board say about this system. I know that they are offering them for sale and that they have at numerous times offered them for sale within the last month. They do not advertise them in the newspapers, but they send large four-page circulars to investors by mail describing the bonds as "instrumentalities of the Government" and soliciting business. These circulars state that the bonds may be obtained at the Federal land banks. These bonds offered for sale are Federal land bank bonds. I have been particular and specific to show conclusively that the gentleman has been misinformed with regard to the activities of the Farm Loan Board and its attempts to sell bonds. I know that they have loaned money on farms in the country at much above the value of the property, and the Government will never get the money back. It is a fraud. I know a piece of land that sold for $3 an acre, and the Federal farm-loan bank loaned $15 an acre on it, and it would not sell to-day for $5 an acre, and that is the kind of loans they are getting sometimes. I tell you this bill should be defeated. It should not be permitted to be enacted into law with this included.

Mr. RAYBURN. Mr. Speaker, I ask for a vote.

Mr. FORDNEY. Has my time expired?

The SPEAKER. No; the Chair thought the gentleman had quit. The gentleman has four minutes.

Mr. DENISON. Will the gentleman yield?

Mr. FORDNEY. I will yield.

Mr. DENISON. Under the rule can we offer an amendment to this bill?

Mr. FORDNEY. No, sir; you can not. This prohibition has been prearranged.

Mr. DENISON. We can not offer any amendment?

Mr. FORDNEY. No; you can not. If it were subject to amendment, and an amendment were offered, the gentleman who presents this well knows that provision would go out of the bill. If the facts can be presented to the Members of this House this bill will fail.

Mr. CANDLER of Mississippi. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. CANDLER of Mississippi. The objection the gentleman has to the bill is the direction to invest the funds in the farm-loan bonds?

Mr. FORDNEY. Yes, sir; and the only objection I have to the bill is that it directs the Government to invest in these Federal farm-loan bonds; that is, the insurance reserve funds. It should be free, absolutely, from any such direction.

Mr. PARKER of New Jersey. Why the Government should keep a reserve for its own security I do not see.

Mr. FORDNEY. The purpose is to invest this reserve fund and receive some interest upon that money while it is lying there to be used, but there are many other good securities in the country in which that money could be invested and not in a fake proposition.

Mr. PARKER of New Jersey. And the Government does not need to keep a single dollar of it.

Mr. FORDNEY. No; it is for the sole purpose of continuing in existence this Federal farm-loan law.

Thoughtful and careful people everywhere counsel economy in living and caution about investment in this time of high taxes and inflated prices. The Treasury Department urges us all to save our money to buy thrift stamps and help pay the war debt. The Federal Farm Loan Board takes exactly the opposite course. They urge people to borrow money to place mortgages on their farms. With the aid of traveling lecturers, Chautauqua speakers, special newspaper writers, and others, farmers are told that Federal farm-loan bank mortgages never have to be paid or that they pay themselves off. Many are led into borrowing money for land speculation or to invest in automobiles and nonproductive improvements. One of the popular phrases of these mortgage promoters is "the farmer is learning that the dollar is something to be spent and not a thing to be hoarded."

Mr. Speaker, a period of depression followed the Civil War, when farmers found it a hardship to pay debts incurred during the war period of high prices. It may be that debts contracted when wheat is $2.26 a bushel will be hard to pay after the prices drop. I think the Federal Farm Loan Board could do a greater service to the country by urging people to refrain from going into debt rather than by inviting reckless borrowing.

There is an endless chain of schemes for reaching the Treasury to keep the farm-loan system going. In addition to the large appropriations made to pay its expenses, a bill was messaged over from the Senate Saturday appropriating $50,000,000 for a revolving fund to be used at any and all times to buy farm-loan bonds. This section 405 in the war-risk insurance bill is another sample of the activity of the promoters of the system.

The tax exemption of the bonds causes a loss to the National Treasury and it has injured the credit of the country, because farm-loan bonds bear higher rates of interest than Liberty bonds and enjoy greater exemption from taxation. This final attempt at the eve of adjournment to turn over the soldiers' insurance funds to bolster up this impractical plan ought to be defeated by a unanimous vote.

Mr. MANN. Mr. Speaker, I ask for order, and not to be taken out of the time of the gentleman from Michigan, and there will be no clock turning back, either.

Mr. FORDNEY. Gentlemen, the money that I have mentioned, appropriated by Congress and taken out of the Treasury without authorization——

Mr. MANN. If there is an attempt to turn back the clock there will be trouble.

Mr. RAYBURN. Mr. Speaker——

Mr. MANN. I do not propose to have the clock turned back to pass a bill. I stopped that once when we wanted to pass a bill.

Mr. FORDNEY. Mr. Speaker, what I wished to say when I was interrupted——

Mr. RAYBURN. Mr. Speaker, I presume the gentleman is talking for one purpose only, and that is to talk this bill to death. It is a rather long eight minutes, anyhow. Of course, if the gentleman wants to kill this bill——

Mr. FORDNEY. Does the gentleman wish to withdraw the bill? I am told the gentleman wishes to withdraw the bill, is that so?

Mr. RAYBURN. I desire to make a statement. I say it looks——

Mr. FORDNEY. No; not in my time; I do not yield.

Mr. MANN. There is no chance to pass the bill in 15 minutes.

Mr. RAYBURN. The gentlemen on that side have filibustered against it. Mr. Speaker, I ask unanimous consent to withdraw the bill.

Mr. FORDNEY. If the gentleman wishes to withdraw the bill——

Mr. RAYBURN. I have.

Mr. MANN. It does not require unanimous consent.

Mr. FORDNEY. I yield to the gentleman time enough for that.

Mr. WELTY. He has already done it.

Mr. RAYBURN. I have withdrawn it about three times.

Mr. WALSH. The Speaker had not announced it.

THANKS TO THE SPEAKER.

Mr. MANN. Mr. Speaker, I ask that the Speaker call to the chair the former Speaker of this House, Mr. JOSEPH G. CANNON.

The SPEAKER. Mr. CANNON will please come forward.

Mr. CANNON took the chair amidst loud applause, the Members rising.

Mr. MANN. Mr. Speaker, I rise to offer a highly privileged resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 625.

Resolved, That the cordial thanks of this House are presented to the Hon. CHAMP CLARK, its honored and distinguished Speaker, for the able, impartial, courteous, and dignified manner in which he has presided over its deliberations and performed the arduous and important duties of the Speakership during the present term of the Congress now about to end.

Mr. MANN. Mr. Speaker, at this late hour there is no time for me to make any remarks, and I ask for a vote on the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken, and the resolution was unanimously agreed to by a rising vote.

Speaker CLARK resumed the chair amid great applause, the Members rising.

The SPEAKER. Members of the House of Representatives, this is four times in succession, at intervals of two years, that Mr. MANN has offered a resolution similar to this one. Four times I have thanked the House for these final resolutions, and three or four times for occasional resolutions of the same sort.

I take infinite pride in the fact that I have been Speaker of this House for eight years. Mr. Speaker CANNON and myself have served longer consecutively than any other two Speakers. [Applause.] Henry Clay was elected six times, resigned twice, and served 10 years and 245 days, but he did not serve as many consecutive years at any one time as Mr. Speaker CANNON and myself. It is a strange historic fact that every day that Henry Clay ever served in the House he was Speaker of it.

I take great pride especially in this Sixty-fifth Congress. No difference what critics say, it has done more important work than any other two Congresses put together that ever served the United States. I heard Mr. SHERLEY say not long ago that, as chairman of the Committee on Appropriations for one year, he had been instrumental in appropriating more money than had been appropriated before since the foundation of the Government. That is a remarkable record.

And I want to say, and I want the news to go forth, that in this Congress, with such tremendous burdens to bear, the Republicans acted as patriotically and as faithfully as the Democrats. [Applause.]

The duties of the Speaker are very largely judicial. No man can afford to be unfair in the Speaker's chair. No Speaker can afford to make a ruling for a temporary emergency that he is not willing to stick to and stick by on all similar occasions.

I have not words to express my gratitude for the very handsome, friendly, and pleasant way in which this House has treated me. I hope my successor will have as pleasant a time in the Speaker's chair as I have had for the two years ensuing.

The pendulum swings first one way and then the other. The first House of which I was Speaker had 65 majority; the next one had such a majority that we hardly ever counted it; the third one had 35 majority; and this one had none. [Laughter.]

In separating, as we will in a minute or two, I wish every Member of this House prosperity, happiness, and length of days. And, in the language of Tiny Tim, God bless us everyone. [Applause.]

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles, when the Speaker signed the same:

H. R. 15979. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 9897. An act to authorize the contesting and cancellation of certain homestead entries, and for other purposes;

H. R. 16136. An act to amend the liberty-bond acts and the War Finance Corporation act, and for other purposes;

H. R. 11984. An act to provide for the Fourteenth and subsequent decennial censuses;

H. R. 13026. An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines;

H. R. 15706. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 14894. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 14945. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 15462. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 15796. An act to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder;

H. R. 14516. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920; and

H. R. 10891. An act to amend and reenact an act for the establishment of a probation system for the District of Columbia.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5236. An act to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States;

S. 3797. An act validating certain applications for and entries of public lands, and for other purposes;

S. 5554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 5566. An act for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 9897. An act to authorize the contesting and cancellation of certain homestead entries, and for other purposes;

H. R. 16136. An act to amend the liberty-bond acts and the War Finance Corporation act, and for other purposes;

H. R. 15979. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 11984. An act to provide for the Fourteenth and subsequent decennial censuses;

H. R. 13482. An act creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes;

H. R. 357. An act conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States;

H. R. 12860. An act granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female), Army field clerks, field clerks, Quartermaster Corps, and civil employees of the Army pay and allowances during any period of involuntary captivity by the enemy of the United States;

H. R. 11219. An act providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes;

H. R. 13026. An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines;

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.;

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act;

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.;

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 10394. An act to add certain lands to the Minam National Forest, Oreg.;

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 2012. An act for the relief of Mrs. W. E. Crawford;

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes;

H. J. Res. 358. Joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties;

H. R. 15495. An act to amend an act to provide for the appointment of a commission to standardize screw threads;

H. R. 11368. An act to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain-described tract of land;

H. R. 14894. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 15706. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 14516. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920;

H. R. 15462. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 15796. An act to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder;

H. R. 10891. An act to amend and reenact an act for the establishment of a probation system for the District of Columbia; and

H. R. 14945. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Young, one of its clerks, announced that the Vice President, under the requirements of section 9 of the legislative, executive, and judicial appropriation act approved March 1, 1919, authorizing the appointment of a joint commission on reclassification of salaries, had appointed Mr. JONES, of New Mexico; Mr. HENDERSON, of Nevada; and Mr. SPENCER, of Missouri, as members of the commission on the part of the Senate.

The message also announced that the Vice President, in pursuance of the resolution of the Senate of February 25, 1919, had appointed Mr. REED, of Missouri; Mr. SPENCER, of Missouri; Mr. GORE, of Oklahoma; Mr. HITCHCOCK, of Nebraska; Mr. KENYON, of Iowa, Mr. THOMAS, of Colorado; Mr. SHERMAN, of Illinois; Mr. CURTIS, of Kansas; Mr. KIRBY, of Arkansas; and Mr. NUGENT, of Idaho, as the committee on the part of the Senate to attend the funeral of the Hon. WILLIAM P. BORLAND, late a Representative from the State of Missouri.

The message also announced that the Vice President, under the requirements of section 3 of the Post Office appropriation act approved February 28, 1919, authorizing the appointment of a joint commission to investigate the salaries of postmasters and employees of the Postal Service with a view to reclassification and readjustment of said salaries on an equitable basis, appointed Mr. BANKHEAD, of Alabama; Mr. MCKELLAR, of Tennessee; Mr. GAY, of Louisiana; Mr. STERLING, of South Dakota; and Mr. MCLEAN, of Connecticut, as the members of the commission on the part of the Senate.

The message also announced that the Vice President, under the requirements of the legislative, executive, and judicial appropriation act approved March 1, 1919, appointed Mr. SWANSON, of Virginia, and Mr. SMOOT, of Utah, members of the Public Buildings Commission on the part of the Senate.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5607. An act to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public-park purposes; to the Committee on the Public Lands.

S. 3063. An act for the repair, preservation, care, and future maintenance of the restored historical naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

S. 4068. An act for the relief of Ella Oliver Richardson and Edmund Richardson, of New Orleans, La.; to the Committee on the Public Lands.

S. 83. An act to confer jurisdiction on the Court of Claims; to the Committee on the Judiciary.

S. 130. An act to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes; to the Committee on Military Affairs.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On March 3, 1919:

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes;

H. R. 357. An act conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States;

H. R. 2012. An act for the relief of Mrs. W. E. Crawford;

H. R. 4610. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 9897. An act to authorize the contesting and cancellation of certain homestead entries, and for other purposes.

H. R. 10394. An act to add certain lands to the Minam National Forest, Oreg.;

H. R. 11219. An act providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes;

H. R. 11368. An act to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain-described tract of land;

H. R. 11984. An act to provide for the Fourteenth and subsequent decennial censuses;

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.;

H. R. 12860. An act granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female), Army field clerks, field clerks, Quartermaster Corps, and civil employees of the Army pay and allowances during any period of involuntary captivity by the enemy of the United States;

H. R. 13026. An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines;

H. R. 13034. An act to validate and confirm certain erroneously allowed entries in the State of Minnesota;

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act;

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.;

H. R. 13482. An act creating a commission for the maintenance, control, care, and so forth, of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes;

H. R. 15979. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 16136. An act to amend the liberty-bond acts and the War Finance Corporation act, and for other purposes; and

S. 5236. An act to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States.

On March 4, 1919:

H. R. 14516. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920;

H. R. 15462. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 10891. An act to amend and reenact an act for the establishment of a probation system for the District of Columbia;

H. R. 14894. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 15706. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 14945. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 15796. An act to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder;

H. R. 10225. An act striking from the pension roll the name of Jennie M. Heath;

S. 3797. An act validating certain applications for and entries of public lands, and for other purposes; and

S. 5554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

DISTRIBUTION OF HOUSING FACILITIES.

The SPEAKER. The Chair appoints Mr. CLARK of Florida and Mr. LANGLEY on the commission to parcel out the rooms in the new houses that have been built on the Station Plaza and elsewhere.

BOARD OF VISITORS TO THE NAVAL ACADEMY.

The SPEAKER. To fill vacancies, the Chair appoints Mr. RIORDAN and Mr. CRISP on the Board of Visitors to the Naval Academy, at Annapolis.

LEAVE OF ABSENCE.

Mr. GREENE of Massachusetts, by unanimous consent, was granted leave of absence, for the remainder of the session, on account of illness in his family.

FINAL ADJOURNMENT.

The SPEAKER. The hour of 12 o'clock noon having arrived. at which this Congress comes to an end, the Sixty-fifth Congress is declared adjourned without day. [Prolonged applause.]

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Postmaster General, transmitting report of special contract with the Alaskan Engineering Commission, for carrying the mails from Seward to Anchorage, Alaska (H. Doc. No. 1843), was taken from the Speaker's table, referred to the Committee on the Post Office and Post Roads, and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Smiths Creek, Pamlico County, N. C. (H. Doc. No. 1848), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HARRISON of Virginia, from the Committee on Military Affairs, to which was referred the bill (H. R. 14850) for the relief of John Healy, reported the same without amendment, accompanied by a report (No. 1185), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 11560) for the relief of Warren V. Howard, reported the same without amendment, accompanied by a report (No. 1186), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BAER: A bill (H. R. 16237) granting additional pay to officers, enlisted men, and others serving in the Army, Navy, Marine Corps, and Coast Guard; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 16238) directing the Secretary of War to grant an honorable discharge to Daniel B. Stannard; to the Committee on Military Affairs.

Also, a bill (H. R. 16239) directing the Secretary of War to grant an honorable discharge to Edson L. Stannard; to the Committee on Military Affairs.

By Mr. GOULD: A joint resolution (H. J. Res. 445) expressing the necessity for an extra session to deal with the railroad problem, declaring for the principle of private ownership and operation, urging a generous policy of improvement and betterment by the Railroad Administration, and declaring a principle of operative control; to the Committee on Interstate and Foreign Commerce.

By Mr. GARNER: Memorial from the Legislature of the State of Texas, urging the continuation of the United States Employment Service; to the Committee on Appropriations.

By Mr. MONDELL: Memorial of the Legislature of the State of Wyoming, requesting Congress to provide for the immediate construction of a system of Federal highways; to the Committee on Roads.

Also, memorial of the Legislature of the State of Wyoming, urging Congress to extend the boundaries of the Yellowstone National Park; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Wyoming, urging Congress to appropriate funds to be used with the State of Wyoming in establishing, equipping, and maintaining a war-veterans' memorial in the State of Wyoming; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Wyoming, urging Congress to set aside 2,000,000 acres of public lands in

the State of Wyoming, to be known and designated as State lands, to be selected, appraised, and sold or leased by the State and the proceeds to be used in the construction of State highways; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DARROW: Petition of Burt Bros., Philadelphia, Pa., opposing the repeal of the daylight-saving law; to the Committee on Agriculture.

Also, protest of the Chestnut Hill Horticultural Association, of Philadelphia, Pa., against the plant-prohibition act, known as quarantine No. 37; to the Committee on Agriculture.

By Mr. DILL: Petition of Mr. G. H. McNeel and other residents of Wenatchee and Waterville, Wash., urging the immediate release of prisoners now confined for their political, industrial, and religious views; to the Committee on Military Affairs.

Also, petition of R. Hannah, of Hillyard, Wash., and other residents of Hillyard and Spokane, Wash., urging the continued operation of the railroads by the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of Mr. Arthur Miller and other residents of Hillyard, Wash., urging national ownership and Government operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petition of Evanston Commercial Association, favoring Federal control of public utilities; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFIN: Petition of Marks Arnheim Co., 30 East Forty-second Street; James J. Alexander, 697 Dawson Street; Aitken Sons & Co., 417 Fifth Avenue; American Cyanamid Co.; the Barrett Co.; the Bon Ami Co., 17 Battery Place; A. L. Brown, 68 Nassau Street; Alfred Beyrodt, 759 Hewitt Place; Abraham I. Bluestein, 771 Beck Street; the Brooklyn Trust Co.; the Bronx Board of Trade; Sidney Blumenthal, 395 Fourth Avenue; the Columbia Metal Box Co.; Central Federated Union; the Crockery Board; the Campbell Metzger & Jacobson Co.; M. Cisne, M. D.; the Crowell-Lehnhardt Co.; the Donegal Motor Rug Co.; the E. A. Caldwell Co.; the A. P. Dienst Co.; the Expanded Metal Engineering Co.; the Felt & Tarrant Manufacturing Co.; the Arthur Franstein Co.; the G. B. G. Manufacturing Co.; Rev. J. S. Greenbaum, 764 Beck Street; the Goldwater Co.; B. Hirscherhorn, 749 Beck Street; Robert L. Hooks, 26 East One hundred and twenty-sixth Street; William Hahn; Louis Hemmendinger, 760 Beck Street; C. H. Joyce, 712 Beck Street; Morris Klemberger, 721 Beck Street; the Knickerbocker Ice Co.; I. Kaminsky; the Kohler Industries; Myer Lippmann, 753 Beck Street; B. A. Lee, 753 Beck Street; B. A. Lee, 762 Beck Street; Jacob Leitner, Prospect and Westchester Avenues; Julius Lunn, 750 Beck Street; the Luckenback Steamship Co.; all of New York City; to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Merchants' Association; Mrs. Marie MacLean; Max Michaelis; the Metropolitan Tobacco Co.; the H. Muhlstein Co.; Max Mayer Co.; the Northern Assurance Co.; the New York Business Publishers' Association; the Amsterdam Casualty Co.; the Oil Seeds Co.; the Gardner Binding Co.; B. J. O'Rourke, 76 Lafayette Street; Rodney C. Peterson, 637 East One hundred and seventy-fifth Street; the Periodical Publishers' Association; the Remington Arms Co.; the United States Smelting, Refining & Mining Co.; the Gas Engine Power Co.; the Charles L. Seabury Co.; the Sweet-Orr Co.; the Smith-Kaufmen Co.; Fred C. Schmidt; the Sargent Co.; the Salant & Salant Co.; the A. Sulka Co.; Olin J. Stephens, One hundred and thirty-sixth Street and Mott Haven Canal; the Tremont Tennis Courts; the United States Casualty Co.; Vought & Williams; E. P. Walker & Co.; West Disinfecting Co., all of New York City; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Downey Shipbuilding Corporation; Babcock & Wilcox Co.; Cowperthwait & Sons; Peter Ferester; the Gas Engine & Power Co.; Capt. W. G. Hawes, 258 Broadway; McKesson & Robbins Co.; Marcus M. Marks, president National Daylight Saving Association; Thomas J. Quinn; S. G. Rosebaum National Cloak & Suit Co.; the Roessler & Hasslacher Chemical Co.; Smith & Kaufman, 19 East Twenty-sixth Street; the Samstag & Hilder Bros.; Mrs. Francis McNeil Bacon, chairman National Civic Federation; A. Duncan Reid; Paul Prager, general secretary the Merchant Ladies' Garment Association; the American Cyanide Co.; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Resolutions of St. Mary's Total Abstinence and Benevolent Society, of Pawtucket, R. I., urging self-determination for Ireland; to the Committee on Foreign Affairs.

Also, resolution of Catholic Women's Benevolent Legion of Rhode Island, urging self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. KIESS of Pennsylvania: Petition of citizens of Renovo, Pa., favoring Government ownership and operation of all railroads within the United States and its possessions; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORES of Indiana: Petition of Bert Warren and four other citizens of Indiana, urging permanent Government ownership of all railways, telegraph, and telephone facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Pennsylvania: Petition of American citizens of Epirotic extraction, urging consideration of claims of people of northern Epirus; to the Committee on Foreign Affairs.

By Mr. MORIN: Petition of Three Brothers Lodge, No. 235, Brotherhood of Locomotive Engineers, of Pittsburgh, Pa., urging an extension of Government control of railroads of the United States for a period of five years; to the Committee on Interstate and Foreign Commerce.

By Mr. NICHOLS of Michigan: Petition of Detroit, Mich., Republican Club, favoring increase of pay for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. SANDERS of Indiana: Petition of Mr. L. L. Ross and 86 other citizens of the State of Indiana, favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

APPENDIX.

APPENDIX.

SENATE.

SUNDAY, *February 2, 1919.*

Omitted from the Record of Sunday, February 2 (legislative day of Friday, January 31), 1919.

Memorial Addresses on the Late Senators Stone and James.

The Senate met at 11 o'clock a. m., on the expiration of the recess.

MEMORIAL ADDRESSES ON THE LATE SENATOR STONE.

Mr. REED. Mr. President, I present the following resolutions and ask for their adoption.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 433) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. WILLIAM JOEL STONE, late a Senator from the State of Missouri, in pursuance of an order heretofore made, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Missouri.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. REED. Mr. President, I desire at this point to yield the floor to my colleague [Mr. SPENCER].

Mr. SPENCER. Mr. President, in the infallible record of the Holy Scriptures it is written: "There are three things that are never satisfied, yea, four things—say not, It is enough." The first of these is the grave, always demanding, constantly receiving, ever insatiable.

Again its awful power has been felt in this Chamber and ruthlessly it has summoned from service and association and cooperation WILLIAM JOEL STONE.

In the sad hush of death and in the calm reflection that follows thereafter, many things are forgotten which perhaps ought never to have been remembered, and many things are remembered which certainly ought never to have been forgotten.

After death the big things commendable and worthy of emulation in the character and speech and action of him who is gone appear like gold from the refiner's fire, and the dross of human imperfections so common to us all become alike valueless and discarded.

Great in mind, great in speech, great in accomplishment, as was the distinguished Senator from Missouri in whose memory we are this day assembled, he was conspicuously great in his loyalty and fidelity to his friends.

Ingratitude in public life is doubly regrettable and despicable. The small man when he finds himself in the possession of the place or the power for which he craved is apt to forget the help and self-sacrifice and encouragement of those by whose efforts his ambitions were gratified, and he yields easily to the suggestion of indifference or neglect in anything that concerns their interests and does not directly advance his own.

No one ever accused Senator STONE of either disloyalty to his friends, personal or political, or of indifference to the things in which they were interested. He was a friend, tried and true, faithful and loyal and in every county of Missouri there are multitudes of those who have followed his political career in the county, in the House of Representatives, as governor of his State, and as a Member of this body, and who constantly believed in him, trusted him, loved him, and revere his memory.

One of the repeated events of the political campaign last fall which I shall always remember was the loving devotion of this great number of people, most of them well advanced in years, who could not speak of Senator STONE without a tear, and whose affection and admiration, which represented the accumulated growth of a generation, nothing could either shake or destroy. He was the dominating power in the councils of his party for 30 years. When danger threatened, when differences of opinion became acute, it was to his wise council and unquestioned party loyalty that all factions turned in confident willingness to abide by his decision, certain alike of its fairness and its wisdom.

He had the courage of his convictions. He won his political battles even when the odds seemed largely against him. He was one of the great men of his party in his State and in the Nation.

The eloquent words which he himself used in his great eulogy of James N. Burnes, of Missouri, in the House of Representatives 30 years ago this month, may with fitting propriety and with peculiar appropriateness be used of Senator STONE:

> He had iron in his blood. He was a dangerous man to wrong. He knew how to remember, how to resent, how to revenge. A fallen foe or a repentant one he was ready always to forgive. Accessible at all times to honorable reconciliation, an open foe did well to guard with caution and watch with apprehension. He was fruitful of resource, adroit in attack, masterful in defense, relentless in pursuit. His enemies, whether those who had done him a positive wrong or those who had stood as obstacles in the way of his great purposes, had never any reason to doubt that soonor or later an opportunity would come to test his mettle. He fought as occasion required, but honorably. Some who stood against him, in their most promising periods of apparent safety, have suddenly felt their foundations sinking and seen the fabric of their strength falling about them without comprehending the cause of disaster. Others he has confronted and sprung upon with the roar and crush of a lion, impatient of restraint, and swept them away at once. While his enemy stood upon his feet to strike and defy, he had in his blood the merciless instinct of battle and in his brain the inspiration of the warrior. But when the sun went down upon a battle finished, there came back to his heart the gentleness of a woman and a longing to forgive and be forgiven.

As an orator Senator STONE was magnetic, forceful, eloquent in diction and in manner, thrilled and thrilling in the earnestness with which he felt and proclaimed his sentiments. Personal gain had for him neither temptation nor attraction. The best years of his life he gave to the service of those whom he represented. Efficient and painstaking, alert and resourceful, sympathetic and intelligent, he was ever engaged in the duties of his public life and had neither the ability nor the time to acquire anything for himself. He died a poor man in the things of this world.

Sorrow and joy are mingled together in this memorial service. Sorrow because of the vacant place, the vanished touch, the silent tongue, the lost companionship; joy in the reflection of the great things and good things which abound in his long life of great public importance. We bow our heads in sorrow, but in the very midst of grief there springs up with ever-increasing frequency both gratitude and love for the good things that abide and forgetfulness of the mistakes and errors that are forgotten. The things that have been wrongly done and the failures incident to every life, let us write them in the dew of the morning that the rising sun may destroy forever the record. The things in which we rejoice and which we emulate let us carve upon marble that it may with the increasing years survive forever.

"If a man die, shall he live again?"

It is the agonizing question in the hearts of those who remain. It is the problem that demands solution by every open grave. It is the unspoken thought of every mind.

Of the life beyond the grave Senator STONE had no doubt. Years ago he said:

> This I do know that there is in me, as in you, a feeling which is independent of mere desire, a strange conciousness that is not connected with any sense of fear or hope, that there is something in us that is not "of the earth earthy"; that is not of this mortality, mortal. I take hold of this.

In the last hours of his life he sent a message to Sims, the veteran barber of the Senate, whose love for the word of God and its teaching is known to many Senators upon this floor, and from whom Senator STONE had more than once heard the simple story of the cross. He died on the very day when he had expected to again hear this aged negro preach, and the message which he sent is characteristic of what was running in his mind at the last, for he said, "Tell Sims to continue to preach the gospel."

Other things assume their proper place of insignificance in the shadow of eternity. Pomp and power and wealth and strength are empty baubles when death comes into view. It is so compellingly invincible. Its very silence speaks infallibly of its overwhelming power. Whether it comes without expectation or in the course of waiting, it is alike the manifestation of the absolute helplessness of man and of the power of God.

Once after traveling for hours over the plains and looking upon the distant hills and valleys and admiring now more and now less the changing scenes of ordinary things about me, I came—almost without warning—to the very brink of the Grand Canyon of the Colorado that stretched out as far as the eye could see in a continued picture of indescribable grandeur.

Mountains of varied colors were piled upon mountains of changing hues, and in spite of their mammoth size seemed almost lost because of the far greater immensity of the gulf in which they lay—a gulf which the ceaseless river, looking like a slender band of silver at the distant bottom of the canyon, had cut through the centuries out of rock and earth.

I gasped for breath at the wonder of it. Man was impotent either to create it or to imitate it or to prevent it. It was like the rising of the sun by day or the queenly luster of the moon by night—the mighty work of Omnipotent God.

So in this hour we stand in solemn awe before death, impotent to delay or prevent. Kings and paupers are alike subject to its imperial decree. It is God at such a time with whom we have to do. He "who hath measured the waters in the hollow of His hand, and meted out heaven with the span, and comprehended the dust of the earth in a measure, and weighed the mountains in scales, and the hills in a balance."

Money and rank and earthly achievement like the froth of the boiling cauldron, which for the moment is most conspicuous, soon disappear and fade away. The enduring things, fidelity, loyalty, sympathy, integrity, bravery, gentleness, are the characteristics that abide, and above them all that simple faith which, like a little child, accepts the things which God has promised and the words which He has spoken.

I never stand above a bier and see
The seal of death on some well-loved face
But that I think one more to welcome me
When I shall cross the intervening space
Between this land and that one over there—
One more to make the strange beyond seem fair.
And so for me there nothing is in death,
And so the grave has lost its victory;
It is but crossing with abated breath
And white set face a little strip of sea,
To find the loved ones waiting on the shore,
More beautiful, more precious than before.

Mr. HITCHCOCK. Mr. President, we have gathered here to-day in memory of one who was in public life, with certain intermissions, for nearly 45 years, a record of public service and personal sacrifice rarely equaled even in the United States.

WILLIAM JOEL STONE had the force of character, ability, and education which equipped him for great success and a prosperous career in his chosen profession. Had he followed that profession he would have attained all the luxuries and indulgences which success in it brings. Yet he listened to the call of public service and at the age of 24 years took up the burdens of public life, which he carried with few intermissions until the age of 70, when he died in harness.

I have coupled with this public service a suggestion of personal sacrifice, and that was characteristic preeminently of this great Senator from Missouri, for practically all his life he lived, as he died, a poor man, content with the rather meager salaries which attach to public office. There was a quiet dignity, as well as a suggestion of pathos, in Senator STONE'S attitude toward the world in which he labored so long, so ably, and so patiently for such modest recompense, when he might, like others of his ability, have commanded so much. I feel justified, therefore, in speaking of him as one who made a personal sacrifice in serving the public.

Mr. President, before a man reaches the Senate of the United States he has as a rule gone through a number of severe struggles which have on more than one occasion tried his mettle. I doubt, however, whether any Member of this body ever passed through a more tempestuous career of political struggle in his own State than did Senator STONE. He not only went through those struggles for himself but he went through those struggles for his party, to which he was deeply attached, and he went through them for his friends, for whom he was ready to make all sacrifices. He was a seasoned veteran when he came here.

He delighted in combat. He combined a wonderful degree of courage with a very unusual sagacity, and at all times he exhibited that fidelity to his convictions and to his friends to which the Senator from Missouri [Mr. SPENCER] has already referred. In all these contests he showed himself to be a foe to be feared and a friend to be trusted.

When he entered the broader field of national politics he took naturally and of right a high position of leadership. I remember particularly in the great Bryan campaigns, which began with the mighty revolutionary contest of 1896, WILLIAM JOEL STONE was one of the few old honored leaders who did not desert the standard of his party but who came forward with all his resources to carry out the party decree that had been rendered at the Chicago convention. Later, when his party was triumphant and Wilson was elected President of the United States with a Democratic Congress, Senator STONE gave to the great constructive measures, which distinguished particularly the first term of President Wilson, all the ability and all the energy and all the enthusiasm which he possessed. He struggled to bring about that party solidarity and party discipline which were absolutely necessary to carry these great national measures into effect.

Senator STONE had been a tower of strength in the days of struggling Democracy, and he became one of the active forces which made effective the great measures that were undertaken.

Mr. President, let us not forget to consider the great, final sacrifice of Senator STONE'S life. I have said he lived a life of public service and sacrifice. I fully believe that in the decision he reached, under which he felt compelled to separate himself from the dominant will of the country, under which he felt compelled to vote against the war which the country had decided on, he made that final sacrifice which only a strong and courageous man is willing to make in adhering to his personal convictions. I do not know with whom Senator STONE consulted. I doubt whether he consulted with anyone. I knew something of his decision before he made it public. I endeavored to dissuade him from it, but I found he was adamant in his conviction that he was right. He felt that he could not change his position without sacrificing his self-respect and doing violence to his conscience. He could easily foresee the storm of criticism which he invited, but he was willing to make that final sacrifice. He was ready to bear the criticism of the world and the opprobrium which enemies visited upon him; he was willing to encounter all that for the sake of adhering to what he believed to be right.

Senator STONE, as I have said, was a fighter. He was a man who had won his way into public life by adherence to his convictions and by devotion to his party. He was the "stormy petrel" of politics. The greater the storm the higher he rose above it. He was not willing when the great crisis came to yield his convictions. He was against war and so recorded himself. But when the country had made its decision and war was declared we all remember how Senator STONE took up actively and energetically the fullest and most complete support of all the measures proposed to make that war a success.

Mr. SAULSBURY. Mr. President, my acquaintance with Senator STONE covered a period of more than 20 years. Sometimes it had been of a close and intimate character, sometimes it had resembled that of a casual acquaintance, but from the beginning of the period until Senator STONE'S death I admired him for his courage, for his ability and fearlessness, for his disregard personally of the character of the opposition he aroused or encountered. I believe he as unhesitatingly expressed his views, his likes and dislikes, as any man I ever knew.

A good many of us recall how once a presidential candidate of our party characterized the section of the country from which I come as "the enemy's country." We all probably remember the scream of opposition and antagonism in the public press when that expression was used. A political campaign had to be conducted in my section of the country as well as elsewhere, and WILLIAM J. STONE was asked to take charge of and manage that Democratic campaign. He knew as well as any man what effort was involved, how unfriendly for the most part would be the attitude of the potential forces, and yet, as a duty he felt he owed to his party and his country, he accepted the work and conducted that campaign so far as it could be conducted in a masterly manner, taking advantage of every opportunity to further the interests of his party and its then candidate with great tact and consummate skill. Apologizing to none, currying favor nowhere, but maintaining the integrity of the principles of his party in the contest in every way, he overlooked no opportunity of which a brilliant intellect and tireless energy could avail itself.

It was a great pleasure to me to be associated with Senator STONE whenever our relations were of such a character that they could approach semi-intimacy. He was a very charming man in his personal relations with his friends, and I had the privilege of occupying that position from time to time, broken

sometimes by periods of absence and now and then by occasions when we had somewhat violently disagreed on public matters or on questions of policy. Any man who lived with Senator STONE, in my opinion, had such periods. So far as I was concerned, at least, while courtesy might control him in small differences, when anything approached a fundamental difference it was well to be prepared for any condition of antagonism that might arise.

Senator STONE was a strong man and fought hard. When he felt strongly, personal consideration and personal friendship did not control his thoughts, speech, or action. He was undoubtedly a wise, able, and sometimes an intense advocate, and on such occasions personal considerations and personal relations, so far as my observation went, had little weight with him. He was a great believer in the efficacy of party regularity and party organization, and impatient of the actions of anyone unwilling or unable on ordinary occasions to subordinate his views to the opinions of his colleagues when those opinions were expressed clearly by the majority, and he never hesitated, so far as I know, to express to his colleagues, whether of his own party or the opposition, his opinion of their acts or position, and used no honeyed words to soften the asperities which might be engendered.

For his own part, there were very few occasions when he could not bring his own action into accord with what he knew to be the considered conclusion reached by his party associates. A man of this kind, Mr. President, is a useful legislator. My judgment is that either branch of Congress is better off the more men of this type are found among its Members. Life sometimes is not so pleasant, personal relations are often not so agreeable, but no man who respects strength and vigor and ability and the frank expression of views held by his colleagues can fail to appreciate the life and character of WILLIAM JOEL STONE. No one despised more than he a "carpet knight" in politics. He was a leader of men, and lead them as commander of the fighting forces.

There have been occasions when mistakenly, as I think, he assumed positions on public questions not held by a majority of us. His attitude was almost invariably misconstrued and commented upon in an unfriendly way by many enemies, most of whom he despised; but, in my opinion, no one could ever properly accuse Senator STONE of being un-American, or unpatriotic, for no man more consistently than he, after we entered into the great war, more loyally supported measures intended to strengthen our country, to uphold her power, and to bring her forces to efficiency and victory.

Senator STONE was a brilliant man; he was a clever man; he was an eloquent man; and he gave to his country the best that was in him. He has been a distinct loss to this body and those of us who knew him best, even when cordial relations were sometimes interrupted, but whose appreciation of him survived monentary differences, know well that Senator STONE was a strong, able, conscientious American patriot, a great man, and a good friend.

Mr. WEEKS. Mr. President, the Senate has assembled to-day to honor the memory of one of our late and distinguished colleagues, Senator WILLIAM JOEL STONE, of Missouri. While I did not have the pleasure of the close personal relationship with Senator STONE, either in committee association or long service enjoyed by some Senators, yet our association on the floor of the Senate and in other ways compelled my admiration of him and his tireless and efficient attention to the duties of his office.

Missouri is one of the very great States of the Union—important in natural resources, in its location, in its principal cities, and, more than in other ways, in the character of its people. When I came to the House of Representatives in 1904, as a result of the Republican landslide of that year, the political complexion of the delegation from Missouri had changed to some degree. I found there, however, firmly entrenched in the confidence of their constituents several strong Representatives, and notably among the leaders in that body two men who had even then made their impress on the House of Representatives and on the country—David A. De Armond, who at that time was a member of the powerful Committee on Rules and one of the deservedly leading debaters and Members of the House, who came to an untimely end in attempting to rescue his grandson from a burning building; and the other, the present Speaker of the House of Representatives, CHAMP CLARK, who, with great credit to himself and his State, is completing a term of service in that position as long as that great office has been held by any man in the history of our Government.

Being a new Member, with a maximum of time and a minimum of responsibilities, I had opportunity to study political conditions. Quite naturally my attention was called to a State which retained and promoted men of such ability and qualities, and my interest led me to look into the past and the then present senatorial representation of Missouri, only to find that the characteristics and qualities which had caused the selection of such Members of the House of Representatives had been equally evidenced in the selection of Members of the Senate from the earliest days of the State. Mr. Benton was an important figure in a Senate led by some of the greatest men in our political history, and his prominence and usefulness served as a standard which has been maintained throughout the life of the State down to our own time in the selection of men of great capacity to represent Missouri in the Senate.

As a recent example of this custom, Missouri was represented in the Senate during the last years of the nineteenth century by two of the most conspicuous men who have served in this body—the silver-tongued Vest and that sterling militant figure, Francis Marion Cockrell, who only recently ended his service in connection with the National Government.

Notwithstanding the great qualities of these men and others to whom I have not time to make special reference, they were succeeded by one who, in my opinion, excelled them all in political wisdom and leadership. Senator STONE was for many years a leading figure in this body. While I had never heard him speak when engaged in the practice of law, he was undoubtedly a most effective advocate in civil life. He at least brought that quality to the Senate and became the skillful advocate of the interests of the people he represented and of his political party. That he performed that service with great effectiveness is known to every man with whom he served. Those who have heard him will never forget his ingenious pleas for any cause in the interests of his constituents or the Democratic Party, although the soundness of some of the policies he advocated was sometimes questioned by his political opponents and even by his political friends. I have never heard any stronger arguments in such matters than he has made in this Chamber, and his loss to his State and to his party in this body is as nearly irreparable as can be the loss of any one man.

I had kindly and friendly relations with him. While an extreme partisan, he was on most cordial terms with many of those not aligned with him politically, and I shall never forget one incident in my political life which will always make me recall his friendly tendencies toward his associates. Soon after I entered the Senate I made a trip to the West, which was largely political in its character. This was well known to Senator STONE, and my errand was not one which in any way obligated him to give any attention to my visit to his State. Yet when I arrived in Missouri he was one of the first men to call on me at my hotel and welcome me to his State. He not only did that, but he took particular pains to express his friendly views about me and my mission to those of my political party, with whom he was on close intimate personal terms. While I did not learn this from him personally, I had ample evidence of its truth in many instances, and it showed a most unusual kindliness and friendly disposition toward a political opponent.

Few men have had a longer or more varied political service. Senator STONE served six years in the House of Representatives more than 30 years ago, was governor of his State for a term of 4 years, and served in the Senate for 15 years, undoubtedly having a life lease on the latter office. While he had reached an age when men might naturally be expected to retire or, at least, modify their activities, he continued strong and vigorous to the end, and if he had been spared I am confident he would have continued for many years to have been an important figure in senatorial life and in the leadership of his party.

Senator STONE was a consistent party man. He had a sincere belief and faith in the wisdom of the principles and policies of the Democratic Party, and to the day of his death he never tired or relaxed in his efforts to advance his party's cause. While I could very seldom agree with him on matters of political policy, I never questioned the sincerity of his faith in the doctrines he championed and the vigor and sincerity with which he advocated them compelled my respect and admiration. I feel that I am expressing the sentiments of my colleagues when I say that his passing is deeply regretted among his old associates in this body, and in his death the citizens of Missouri have lost a representative whose first thought was of them, their welfare, and who was a most jealous guardian of their interests.

Mr. KING. Mr. President, the eloquent eulogies to which we have just listened leave but little for me to say, but the occasion and my loyalty to the memory of one whom I was proud to call friend bid me speak. We pay tribute to-day to one who was a great American, a tried and proven statesman, a sincere and

uncompromising Democrat, a superb and intrepid leader, a strong, independent, genuine man, who in a long and illustrious career established himself in his State and in the Nation.

During the memorable political campaign of 1896 I first met Senator STONE, though his name and achievements were known to me prior to that time. During the campaign just alluded to his qualities of leadership were conspicuously demonstrated. Thereafter and until his death he was one of the greatest political leaders in his party. Later, and when I had opportunity to become intimately acquainted with this great man, my admiration for his ability, sagacity, chivalry, and all those elements of leadership developed in so preeminent degree in him was increased. When he was called from our midst I felt—paraphrasing the words of Burke—like saying, "The age of political chivalry is done, and the glory of political leadership has departed." But, like all men who strive mightily, with undaunted courage, and who contend for the triumph of the principles in which they sincerely believe, he provoked animosities and encountered fierce opposition. The path of the strong men, of the bold and uncompromising men, always has and always will be beset with difficulties. This is true in every field of human endeavor. It is conspicuously true in the political arena and in all those fields relating to governments and questions affecting the State. Leadership results from contests, from the conflicts which ever will exist among a progressive and virile people.

Senator STONE was deeply versed in the psychology of the people; he knew well the lessons taught in humanity's volume and had no illusions concerning the fierce and continuous struggles awaiting this and all other peoples. He was no visionary, and deduced his line of conduct from the experiences of the past and his rational and comprehensive studies of his day. Some men become leaders because they are opportunists. They seize upon some passing whim or seize the banner carried by a hysterical crowd. Such leadership is false and deadly. It brings humiliation to the erstwhile leader and defeat and disaster to his followers. Senator STONE was profoundly impressed with the view that there is an underlying immutable law which manifests itself in what we call evolution in the inanimate world, and which finds expression in the social progress we behold in the human race.

While he regarded society as dynamic and not static, he believed it to be subject to unseen but nevertheless irrepealable laws. Cause and effect had application in human affairs and in the world's development and activities. Believing thus, he sought to understand the evolutionary processes finding manifestation in the world, and to conform his conduct, and so far as possible the conduct of others, to these unseen yet controlling influences to which all are subject. He sought to ascertain the motives and purposes of individuals, communities, and nations, the conflicting currents which bore humanity, the causes and effects of individual, community, and State action and conduct. These questions he studied, and studied thoroughly. In his active and analytical mind these great forces and questions were weighed and balanced. Such study and effort gave him wisdom and qualified him for safe and brilliant leadership.

His keen and discriminating mind enabled him to divine the dangers to State or party as well as to anticipate the plans and purposes of his adversaries. One of the distinguishing characteristics of Senator STONE was his devotion to his political principles and the political party with which he was identfied during his entire life. This devotion did not result from a desire for place or power, but rather from his supreme love of country, the form of government under which we live and the principles for which the Democratic Party stands. He recognized that political parties were essential under our form of government, but he believed that political parties should exist not for the gratification of the ambitions or desires of any person but for the preservation of the Republic and the liberties of the people. Believing that the mission of the Democratic Party was to preserve the Constitution of the United States and maintain the sovereignty of the States and the rights reserved by them as well as by the people, he earnestly devoted himself to that party. Merely to be successful was not what he sought; he sincerely and earnestly desired his country's welfare. Autocracy or imperialism in any form was obnoxious to him. His political philosophy found expression in the undying teachings of Jefferson.

Senator STONE always trusted the people. He was vigilant to oppose power and any movement which sought to deprive the people of the States of the rights, liberties, and prerogatives which, under our dual form of Government, they have reserved to themselves. In his view, this great party was charged with the sacred and holy task of defending the Constitution of the United States and the individual liberty of the American people. He was profoundly impressed with the view that eternal vigilance is the price of liberty, and that there is no promise of immortality even to a Republic which recognizes that all just powers are derived from the consent of the governed. Accordingly he viewed with apprehension any movement looking toward a deprivation of the States of reserved rights, and the assumption of power and authority by the Federal Government not delegated to it.

By many he was regarded as a strong partizan. Strong men become strong partizans. Principles which they believe in become a part of the fiber of their being; they are ready to fight for them; they gladly die for them. But, I repeat, his devotion to party was superinduced by his love of country. If I were asked to name the chief characteristic of WILLIAM J. STONE, I think I should unhesitatingly say it was love of his country. He believed in this Republic, in its destiny; he regarded it as a rich benefaction from an overruling Providence, a patrimony not to be squandered but to be sacredly protected; a light which in the darkness of the world was to shine to illuminate the pathway of the oppressed and downtrodden throughout all the world. I think he exemplified in his loyalty to country the words of a great writer, who said:

> Holy is my hearth;
> Holy will be to Thee my house.

His country was his hearthstone; it was his sacred house which was not to be defiled or destroyed. To him it was always holy; he desired that to all others it should be holy. When I think of Senator STONE, I remember the words of another, who said:

> I do love my country's good with a respect more tender,
> More holy and profound than my own life.

As stated, he believed in party organization, not for party victory or party achievement or success but to defeat what he regarded as un-American principles and to preserve the Nation. He knew that in a pure democracy or in a representative government—and, indeed, in all political structures—there are contending forces, those seeking liberty, freedom, progress; others fighting for stagnant or retrogressive conditions. He realized that any party too long in power, free from opposition or criticism, will become stagnant, and finally reactionary and oppressive. Therefore he welcomed a strong and vigorous opposition party, and believed that under our form of government the principles of liberty could be best preserved through the instrumentality of virile, puissant, political parties contending in the public arena for supremacy. However, believing political parties as the instrumentality to bring about good government he regarded it as their sacred duty that they should stand for moral principles and for freedom and righteousness, accepting the view that the Constitution of these United States is a visible manifestation of God's providence to the world. He felt that political parties were corrupt and immoral if they sought mere party advantage or their course tended to the undermining of our Government.

Mr. President, I am profoundly convinced of the fact that this great man did not regard the Republic as a phantom or a passing dream, but he believed that it would endure for the ages. He therefore consecrated his life to the preservation of the Republic and the principles of liberty for which it stands. He had a profound reverence for the fathers and the founders of the Republic and regarded political truths as sacred and immortal. He belonged to the school of political thought which believes that there are certain fundamental principles of truth and righteousness which may constitute the fabric and foundations of governments, the same as there are immortal truths that are the basis of religion and of the spiritual life. He believed with Hamilton that "the sacred rights of man are not to be searched for in old documents and musty records. They are written as with the sunbeam in the whole volume of human nature by the hand of divinity itself and can never be erased by mortal power."

Possessing these views, he sought the faith and teachings of the founders of the Republic and of his party for wisdom to guide him in his tempestuous, heroic, and intrepid career.

Mr. President, another striking characteristic of this great man was his sincerity. Carlyle, who philosophizes and teaches, declares that sincerity is the chief fact about a man. Sincere men, of course, are often wrong; but a sincere one, when right, is the safest of leaders. The Senator from Nebraska [Mr. HITCHCOCK] has just alluded to the strong convictions which Senator STONE possessed and to the fact that when, after serious meditation and study, he had reached a conclusion, he was adamant. He followed his convictions to the end, regardless of consequences, and knowing at times full well that such a course would result in denunciation and the most violent opposition. The truth of this statement is exemplified in his attitude toward the war with Germany. Senator STONE believed that our Nation could avoid war with the central empires with-

out detracting from its honor. Doubtless there were many reasons which combined to lead him to not support the resolution which was the equivalent of a declaration of war against Germany. Perhaps his sympathy for the people—the wives and mothers who would lose husbands and sons—strongly influenced his determination to oppose entering the war. The daily reports of the sanguinary conflicts upon the fields of France and Belgium brought to him inexpressible sorrow. He grieved at the sufferings and sorrows that were overwhelming Europe and other parts of the world. He hoped that this Nation could avoid entering the bloody conflict, and that its position as the leading neutral nation of the world would give it a moral power which could be exercised to pacify and heal the contending nations. He knew the horrors of war, the sorrows and the trials and the broken hearts and destroyed homes which it brings. "Unseen by the corporal eyes, but too clearly visible to the mind's eye, he could see the great army of the dead, the abandoned, the forgotten; the army of cruel tortures and prolonged infirmities, which pursues its fatal march behind what men so often call glory."

But, Mr. President, Senator STONE, as much as any living man, comprehended the aftermath of the war. He realized the stupendous problems which would arise when peace was declared. He could foresee the unrest and disorder, the unloosing of our social, religious, and other bonds, and the madness and chaos of the people. He looked with dread upon what the tide of war would bring to our own land and what its consequences would be with respect to our own institutions and our social structure. With prophetic eye he saw the picture which in part we now behold, and he dreaded the evils which now threaten the world. He felt that if we entered the war it might lead to an abandonment of the policies announced by Washington and Jefferson and Monroe, and the fathers who gave us the Republic. Perhaps some may say he was provincial, but he believed that this was the greatest Government of the world and that it should not be drawn into entangling alliances or into the great maelstrom of European nations. He wanted an American character; a great, powerful American Nation, independent of other nations, not chained or bound or limited by the political structures of other lands and climes. I remember speaking with him shortly before the declaration of war upon the part of this Government. He stated, in effect, that he was afraid of the future and the effects of the great tragedy being enacted in Europe; and then he added, "I want to keep this Republic as it was handed to us by the fathers." I remember that he referred to Washington and his position with respect to entangling alliances, and expressed the belief that if we entered war it would result in a departure from what he regarded to be the sound and safe policy for our country to pursue. He referred to several statements made by Washington, and one of them was a letter written by Washington to Patrick Henry. This morning I found the letter, and from it copied the following extract:

> My ardent desire and my aim has been * * * to comply strictly with all our engagements, foreign and domestic, and to keep the United States free from political connection with every other country, to see them independent of all, and under the influence of none. In a word, I want an American character that the powers of Europe may be convinced that we act for ourselves and not for others. This, in my judgment, is the only way to be respected abroad and happy at home, and not by becoming partisans of Great Britain or France, create dissension, disturb the public tranquillity, and destroy, perhaps forever, the cement which binds the Union.

There can be no question, Mr. President, upon the part of those who knew Senator STONE but that his opposition to war was in part based upon his sincere conviction that war would bring sorrow and suffering to the American people and likewise jeopardize the Republic and endanger the welfare and prosperity of the American people. He was preeminently American. He loved his country and he idealized his State. His affection for the State of Missouri was really pathetic. He spoke the name "Missouri" with a love and an affection found in the voice of a mother for her child.

The Senator from Nebraska [Mr. HITCHCOCK] has just referred to Senator STONE'S position on the war. Many of us differed from Senator STONE in his position taken upon this important question. We believed that the honor of our Nation, the defense of our Government and our people demanded that the United States should accept the condition of war which Germany had created, and that we should cast our fortunes with Great Britain and France and their gallant allies in hurling back the advancing hosts of the central powers, who sought the conquest of Europe, if not the world. But to Senator STONE war seemed a great and unnecessary tragedy. He visualized its horrors and with prophetic eye comprehended the evils which would follow when peace came. But when we had decided for war no one more vigorously supported the Nation, the President, and the cause than did he. Senators will remember the tense and dramatic situation when the resolution recognizing a state of war was under consideration in this body. Standing in the aisle of this Chamber, Senator STONE, with deep feeling and unexampled earnestness, gave expression to his sentiments and voiced his view that if we entered into the war it would be "a colossal blunder." Then, in simple and eloquent terms, he stated his position as follows:

> But if the constituted powers of my Government, the powers constitutionally authorized to speak for the people on this momentous issue, shall decide for war, and we go into war, then I shall cast all doubts and forebodings to the winds, and my eyes thenceforth will be blind to everything but the flag of my country, borne by American boys through the storm of war, and my ears deaf to every call save that of my country in its hour of peril. If Congress unfurls the battle flag, however profound my sorrow, I will at once stand in salute to that flag, dutifully willing and ready to perform any service, to make any sacrifice necessary to bring the cause we espouse to a successful issue.

When the Nation spoke he saluted the flag and followed it and the brave and gallant American soldiers with a solicitude and devotion unsurpassed by anyone.

He cared but little for nonessentials, but was firm and unyielding when principles which he regarded as fundamental were involved. Criticism from enemies did not affect him, but the criticism of friends grieved him to the heart; but neither criticism nor opposition from friend or from foe swerved him from the path which he conceived to be the path of duty. In thinking of him I am reminded of the words of Channing, when he said:

> I call that mind free which protects itself against the usurpations of society, which does not cower to human opinion, which feels itself accountable to a higher tribunal than man's, which respects a higher law than fashion, which respects itself too much to be the slave or tool of the many or the few.

While not in agreement with him upon all views which he expressed or positions by him taken, I nevertheless respected his intellectual honesty, his mental integrity, and the motives and purposes by which he was guided.

Senator STONE was solicitous for the welfare of the people. He desired this Republic to lead the world, and the American people, by reason of their ideals, their achievements, their devotion to the cause of freedom, to be the evangels of a strong and enduring political faith. I recall his interest in all efforts to unify the polyglot population within the United States. Frequently he talked with me concerning the separatist movements which had prevented the amalgamation and absorption of the aliens who had come to this land. He was anxious for the adoption of some plan that would Americanize the alien in our midst and enable him to comprehend our form of government and the institutions under which we live. Deeply sympathetic with the masses who had sought industrial and political freedom under this flag, he regarded it as the duty of the States and the Nation to afford them full opportunity to enjoy the bounties of this land of opportunity, not only material bounties, but those finer spiritual and ethical ones which have blossomed, even if they have not come to fruition, under our institutions.

I repeat, Mr. President, his thoughts were always for the people, for their welfare, for their prosperity, for his State and its progress and development, and for this Republic and its perpetuity. But his political views recognized that the prosperity of a nation depends upon the development of individual character and an adherence to those virtues which are the product of rational conception of the relations of the individual to the State. I think it can be stated of Senator STONE that his conceptions of what was essential to a vigorous and prosperous Commonwealth were in harmony with the words of Lecky when he declares that a nation is prosperous when and as long as—

> its foundation is laid in pure domestic life, in commercial integrity, in a high standard of moral worth and of public spirit, in simple habits, in courage, uprightness, and a certain soundness and moderation of judgment which springs quite as much from character as from intellect. If you would form a wise judgment of the future of a nation, observe carefully whether these qualities are increasing or decaying. Observe especially what qualities count for most in public life. Is character becoming of greater or less importance? Are the men who obtain the highest posts in the Nation men of whom in private life and irrespective of party competent judges speak with genuine respect? Are they of sincere convictions, consistent lives, indisputable integrity? * * * It is by observing this moral current that you can best cast the horoscope of a nation.

Mr. President, with other Senators I went to the State which our departed friend represented in this Chamber. I attended the simple but inspiring funeral services, where loving friends from far and near gathered to pay their final tribute of love and affection to one whom they had followed for so many years. A deep and profound religious fervor rested upon all, and the services portrayed the faith, that simple yet mystic and undying faith, which Senator STONE had in the life beyond and in the merciful eternal Father who guides men and nations.

Perhaps he would have experienced some difficulty in his lifetime in defining his creed. He was not dogmatic, nor, indeed, could it be said of him that he was orthodox, and yet if we accept Kant's definition of religion it may truthfully be said that he was a religious man and exemplified his faith in his life. The philosopher says—

That religion consists in recognizing all our duties as divine commands.

Perhaps his religious creed might be summed up in these words:

Religion is a belief in an everlasting God; that is, a divine mind and will, ruling the universe and holding moral relations with mankind.

Religion was not with him a metaphysical abstraction nor, indeed, a scientific formula. He did not concern himself as to whether it was susceptible of scientific administration, but it was to him nevertheless something which was real and indispensable to man's welfare and social progress. It may sound paradoxical, yet I think it is true that even men of the greatest intellect and who demand the application of the strictest rules of logic and who accept many of the teachings of science, deny the application of such principles when they come to deal with the spiritual forces and the religious faith which form so important a part in the life of men and which so powerfully determine the character and nature of human conduct. And thus it is that men have felt that "no form of belief is capable of functioning as a religion in the evolution of society which does not provide an ultrarational sanction for social conduct in the individual."

By some it is regarded as a phenomenon that with the remarkable utilitarian developments of the age and the marvelous results derived from applied science there should be profound faith in an Omnipotent and Omniscient Being to whom man is accountable and from whom it is contended springs spiritual and moral forces for man's advancement. And the astonishment becomes greater upon the part of the extreme materialist when he witnesses the great number who accept the evolutionary principles preached with such fervor and enthusiasm by Darwin, Haackle, and Wallace, who gave the contributions of their mighty genius to the world. But no hypothesis or alleged demonstrable scientific truth, no rationalistic creed or comprehended or incomprehended system of philosophy has driven from the human heart the longings for immortality, the faith in the power and the mercy and the goodness and the justice of an Everlasting and Eternal Father. This faith or belief, whatever it may be denominated, is not so much concerned as to whether it is logical or rational or conformable to scientific formulæ. Even if conceded to be ultrarational and incapable of being defended by acknowledged canons governing the intellectual and scientific mind, it insists, however, that the great motive power which has propelled humanity forward has been the ineradicable faith in an Eternal and Merciful Father, which, in all ages, has glorified the human soul.

He believed in God, the Eternal Father; he believed in Christ, the Saviour of mankind. His faith was perhaps not the result of intellectual effort or the analytical processes of his mind. I do not think he attempted to defend it upon the ground that it had a rational sanction, but, nevertheless, it was a living, vital thing, commanding obedience to the laws of righteousness, devotion to the everlasting Father, and sacrifice and service—the true expression of the Christian life. I think he would have said of himself, as was written by another:

What am I? Naught!
Nothing! yet the effluence of Thy light divine,
Pervading worlds, hath reached my bosom, too;
Yes, in my spirit doth Thy spirit shine,
As shines the sunbeam in a drop of dew;
Naught! but I live, and on hope's pinions fly
Eager toward Thy presence, for in Thee
I live, and breathe, and dwell, aspiring high,
Even to the throne of Thy divinity.

Mr. President, we regret the loss of our departed friend; the Nation needed him, his State needed him, his party needed and still needs him. In this hour with the stupendous problems confronting not only this Nation but the world; problems made and forced upon us by the devastating war through which the world has just passed, his services would have been of inestimable value, and his loss becomes more apparent. God bless his memory. May we profit by the illustrious example which he has left for our guidance.

Mr. FLETCHER. Mr. President, within the borders of Kentucky there have been born into the world many individuals who have lived exemplary and useful lives; many who have served their fellow men in marked degree and their country heroically, as a whole; many who have met the responsibilities of citizenship and have discharged faithfully the duties of public office; many who have traveled the road to fame and at its end passed to the other life respected, loved, and honored. Among these distinguished sons, whose labors and services were performed in large part beyond the boundaries of their native State, Kentucky can proudly claim WILLIAM JOEL STONE, who was born in Madison County, May 7, 1848. He was educated at Missouri University, which later conferred upon him the degree of LL. D.

When he was 21 years of age he was admitted to the bar and four years thereafter he was elected prosecuting attorney for Vernon County, Mo.

His mental capacity and physical energy pushed him into wider fields. He had a taste for politics and became a student of public affairs. His rare tact, genial dispositon, clear vision, sound judgment, and patriotic impulses made him a genius in the sphere of political activities.

He was elected to the Forty-ninth, Fiftieth, and Fifty-first Congresses. In 1893 he became governor of Missouri and gave the State four years of signal service as its executive.

As a member of the Democratic National Committee, 1896–1904, and as its vice chairman in 1900–1904, his wise counsel, untiring zeal, and devotion to the cause were felt and appreciated. He displayed throughout his career extraordinary ability as an organizer and his skill and tact were equally effective in management. He was elected to the United States Senate to succeed Hon. George Graham Vest for the term beginning March 4, 1903, reelected in 1909, and by popular vote in 1914 for the term beginning March 4, 1915. On April 14, 1918, he departed this life.

He had a trained mind of unusual capacity and strength. He possessed a gentle disposition, which drew men to him in bonds of attachment, lasting and strong.

He was patient, and at the same time aggressive and courageous in dealing with great questions and in debate.

He possessed in eminent degree the elements of leadership. His public service extended along two lines—executive and legislative. He was equally well equipped and efficient in both. The qualities of mind and heart manifested in these functions, reinforced by broad reading and study and thought, found expression in the field of statesmanship.

On the great committees of the Senate he was vigilant and untiring. In debate, on this floor, he was equal to any undertaking, and with a grace and an eloquence and power unsurpassed, he handled his subjects in the fashion of a master.

Particularly on Finance and Foreign Relations, the chairmanship of which latter committee he graced, his services were most effective. His manner and characteristics were original and peculiar to himself. An attractive personality, a wholesome sense of humor, and dignity of bearing, combined with expressive eyes and features that beamed with intelligence, assured him a warm greeting in any assembly, whether it meant social intercourse or a relentless encounter with opposing forces in some momentous struggle. He exemplified Edwin Markham's "Preparedness:"

For all of your days prepare
And meet them all alike;
When you are the anvil, bear—
When you are the hammer, strike.

Felicity of expression, wealth of information, charm of delivery, and fine presence made us recognize in him the magnetic, skillful orator.

He seemed to treasure no animosities. He was generous in his consideration of others, patient and forbearing toward those who opposed him, gentle and kind toward his associates, and unstinted in his love of those who had claims upon his affections.

Times came when he had to decide upon a definite course and the road ahead was not plain and clear. So far as I know, he seldom advised with others or consulted his closest friends, but he stepped aside with his own conscience and judgment and adopted the course they dictated.

I may illustrate this best by quoting his own words. In the course of debate, February 3, 1915, on the shipping bill, which he strongly supported, he said:

I have found out that whenever a man is opposed to a measure he becomes very sure that the people are against it; or, if he is for it, he is bold to assert that the people are for it; but I do not think that men who assume so much know anything more about the wishes of the people than I do.

The only way I have of knowing what the people want is to make up my mind as to what is best for the country, feeling confident the people will approve if I am not mistaken.

He ardently hoped his country would not become involved in the catastrophe which shook the world in 1914. He saw clearly what war meant—the loss of young men, a kind of loss which any nation can ill afford to suffer at any time; the destruction of property; the burdens of taxation upon the people loomed with all their terrors before him. He hoped there might be

some honorable way of avoiding the calamities and suffering which war involved, even when it was plain that the war lord and military clique of Germany had deliberately proceeded to "Pour the sweet milk of concord into hell; uproar the universal peace, and confound all unity on earth."

But when the decision was reached that there was no escape for his country, and its duty was to rally its defenders of liberty and champions of civilization, and there was no choice but to meet force with force to the limit, he patriotically joined in the effort and supported with his great ability and unflagging energy and wise counsel every measure and step intended to make victory certain.

He stated his position with his usual frankness and sincerity on July 14, 1917, during the debate on the flood-control bill, H. R. 4961, as follows:

> You know, Mr. President, as every Senator and the country knows, I was absolutely opposed to plunging this country into this foreign, far-away European war. * * * I warned you and the country then that if we insisted upon this course we would open a Pandora's box, the multiplying evils of which no man was wise enough to forecast. * * * But from the beginning I have stated over and over again that while I looked with horror upon the proposal to involve this country in this foreign war, I would nevertheless loyally accept the joint judgment of the Congress and the President if they should, acting together, declare for war; and from that day forth I have stood steadfastly in support of the dominating forces of the Government which declared that war was necessary. That is the position I took at the start, and I shall abide by it. * * * I shall support the President and the Government in organizing our national resources and in using them to the utmost of our strength.

It was a sad day last April when we realized that he would be with us here no more. A personal affliction had fallen upon each of us; a real deprivation of the help we needed; a misfortune to the country he loved.

Until our friends go, never to return, we fail to realize how dear they are to us. We are left, however, with the consolation that memory keeps them ever with us, and in the quiet hours we can almost feel "the touch of the vanished hand" and hear "the sound of the voice that is still."

I believe I would not misjudge him if I made the estimate I venture to condense. He conceived true liberty to mean the privilege of doing "unmolested what the law allows."

And that real democracy means "organized self-control."

And that his conviction was that "out of the heart are the issues of life."

A deep and abiding love of country and a steadfast Americanism were the very lifeblood of his strong character.

Hear him from his conspicuous place on this floor, February 8, 1915:

> I am for America—our America—above all the world. The kind of men we need now and always need are men who stand uncompromisingly for America and American rights. * * * I care little for the opinions of American citizens who are not first and always really, truly, bravely American.

In the public service for nearly 50 years to his country and his country's cause he gave himself—justifying the application of Paul's tribute to the Macedonian church: "They first gave themselves."

The words of Addison's Cato can well be applied to our friend:

> 'Tis not in mortals to command success;
> But we'll do more, Sempronious—we'll deserve it.

And by his character and life he established such a relation between the soul and the Soul Maker he was prepared when the summons came to pass into the undiscovered future without dread.

Mr. MYERS. Mr. President, it was my good fortune the greater part of my life to know Hon. WILLIAM JOEL STONE, and during all of my life, from childhood, I heard and knew very much of him and about him. It was my good fortune to be born and to grow to manhood in the State to which Senator STONE rendered unusual service and brought signal distinction, the State of Missouri. We had very close mutual ties. There were those who were related to me who were among his lifelong supporters, ardent admirers, and close associates, and who were ever very loyal to him and who actively and earnestly supported him in every political contest in which he ever engaged which involved more territory than the county of his residence; effectively supported him in every political contest after he had ably filled the office of prosecuting attorney of his county and had branched out into a larger field of political activity. For years the name of Senator STONE was a household word in my father's family. As boy and young man in Missouri, I often heard him on the stump and delighted to hear him expound democracy. His fearlessness and earnestness charmed me.

I remember when, as a young man, he was first nominated for and elected to Congress, I being then a boy. When he was first nominated for Representative in Congress I heard it said that he had a brilliant future, and that he would make his mark as one of the ablest public men Missouri had ever possessed. He was then in the prime of vigorous young manhood and had already attracted to himself and drawn in his train an ardent and enthusiastic band of loyal, devoted personal and political followers who never abandoned him but who stayed with him, faithful and true through every political contest of his life. When first nominated for Representative in Congress he had acquired a reputation as an orator, student, and statesman which bespoke for him a brilliant career. He was then the pride of those who followed his plume in the arena of political combat.

When Senator STONE was a candidate for the Democratic nomination for Governor of Missouri, I was a voter and resident of that State, and I supported him for the nomination and at the election. I voted for him in the primary and at the general election. He was my choice. By that time I knew him personally and was an ardent admirer of him, as man and statesman; admired his ability, fearlessness, democracy, devotion to principle and leadership; and admired him for all those qualities which made him a renowned leader of men and valued champion of democracy.

In those days and for many years Senator STONE was the idol of Missouri Democrats. He had their admiration, love, and adoration. They trusted in him and looked up to him. They looked to him for leadership. The mantle of the renowned and departed Hon. George G. Vest, as leader of the Democrats of Missouri, fell upon Senator STONE. He was almost worshiped by his followers.

Senator STONE had the remarkable faculty of drawing to him great numbers of enthusiastic, devoted followers and of grappling to him with hooks of steel a great many very devoted and unswerving personal and political friends. He was a man of magnetic personality. As a rule, his friends stayed with him. In that respect he was signally marked as a leader of men.

When I entered the United States Senate, Senator STONE had been a distinguished Member of this body for quite a number of years and had a national reputation. I was received by him with the greatest kindness. He welcomed my entrance into the Senate with marked warmth and cordiality, and when I was new here he showed me many acts of kindness and consideration. He did very much to make it pleasant and agreeable for me here. Our personal relations were always of the most cordial and agreeable character. During my service here, until the demise of Senator STONE, I was fortunate in seeing a good deal of him and enjoyed personal association with him to a considerable degree. I often consulted him. Our relations were fairly intimate, and I enjoyed my association with him. At times I very sharply differed from him about matters of public policy and national welfare, but that never disturbed our uniformly pleasant relations nor my friendly regard for him.

I always admired Senator STONE'S intense devotion to his political party and its principles. Politically he was an intense partisan, and I always admired him for it. He was a Democrat because he believed with great intensity and fervor in the principles of the Democratic Party, and he adhered to them, championed them, and supported them on all occasions with an earnestness, enthusiasm, and devotion which drew my strongest admiration. He believed implicitly in the virtue of his party and never hesitated to array himself on its side as a devoted partisan. His intense fidelity to party principle was, to my mind, most admirable. He was more partisan, I admit, than I, but I esteemed him for it.

Senator STONE was a hard fighter. He never slackened or wavered in fighting for what he believed to be right. He was an incessant fighter for the principles of his party, believing them to be the true principles of government for a self-governing people. Believing the success of his party meant the good and welfare of all the people, he fought for the success of his party in season and out of season. There was never any doubt about where to place him in party matters. This I considered a most commendable trait, for he stood for that which he firmly believed to be right and best.

Senator STONE was one of the bravest men whom I ever knew; brave mentally, morally, and physically. Absolutely, he did not seem to know what fear was in any sense of the word. He would defy anything or anybody if he thought he was in the right. His fearlessness was one of his distinguishing traits all of his life, and it had much to do with drawing to him that devoted band of followers and supporters, always back of him and standing with him, ever faithful and loyal.

Senator STONE rendered distinguished service to his State and Nation. He was one of Missouri's foremost characters, one of the Nation's great men. He accomplished much and leaves much good work behind him. To his family he leaves a splendid heritage, to his host of devoted friends a fond memory, to

his State a career of usefulness, to his country nation-wide fame. He had some great qualities. As statesman, student, scholar, publicist he had real ability and great accomplishments.

Senator STONE was an outspoken man. He never hesitated to speak out what was in him. It was a matter of comfort to many of his friends, of whom I counted myself one, that in his last illness he professed faith in and reliance upon the saving grace of his Redeemer and looked forward to eternal life with his Maker. Farewell to him, but not to his memory. I take this occasion to discharge a sad duty, to exercise an estimable privilege in paying an humble tribute to his worth and testifying to the pleasant relations that always existed between us. May it be well with his soul.

Mr. SMITH of Georgia. Mr. President, all who knew Senator STONE will appreciate the splendid tributes that have been paid here to-day to his worth, because they will realize that the tributes were deserved.

The entire Nation recognized his great ability. The Senate realized his power upon the floor of this Chamber, his brilliancy and his logic.

Those who served with him in committees found him there tireless, painstaking, and wise. For nearly six years I served with him on the Finance Committee, the detailed labors of which are great. No item of revenue bills escaped his scrutiny, and at all times it was his earnest desire to let the tax burdens fall where they could be borne with the least trial; at all times it was his thought to see how the less fortunate in life might have their burdens lightened rather than increased.

I had the privilege for several years of rooming just across the hall from him in the Senate Office Building, and I frequently saw him. If I were asked from my personal association with him to name his two most controlling characteristics I would say, in addition to his mental power, that they were his courage and his love. I do not believe Senator STONE knew what fear was; he was unconscious of physical fear, and he had no fear of consequences to himself as a result of his conduct. He was moved always with the earnest purpose of determining what he ought to do, controlled by his judgment, led by his love. If ever swayed from his mental judgment it was by his love.

He loved Missouri and he loved all the people of Missouri. He loved his country and he loved the people of his country. He loved his immediate family with a tenderness and gentleness that would have adorned the character of a woman. He was checked at times in his mental action by his love and by his unwillingness to cause sorrow or distress to those whom he loved.

Senator STONE was honest to an extreme degree. The Senator from Nebraska [Mr. HITCHCOCK] has referred to the fact that he made sacrifices for his public service. He could have been a man with great income at the bar, but he gave his time to the public service rather than to the accumulation of worldly goods for himself; and in all of his long career in the public service never a time did he think of a place where he might make something financially for himself. The subject of financial gain for himself never touched his life.

Mr. President, I feel excused for mentioning a little incident that touched me very much, which occurred when I was riding out home with him within about 12 months of his death. We lived in the same section of this city, and frequently he rode out with me in my machine or I rode out with him in his. One evening, as we were riding home, with a glow of delight all over his face, he pulled a little piece of paper out of his pocket and said, "This is a receipt for the premium on my life insurance policy." He put it back in his pocket and called the name of his wife, whom he loved so tenderly, and said, "The reason I am so pleased that I have paid it is that it makes me know she will have this sum if I am called away. While I am here I can provide for her, but this gives her something if I am called." The amount was not very large, but it was pathetic to hear this man of powerful intellect, who could have done so much for himself in a financial way and for his family, if he had turned his thoughts and talents in such a direction, filled with joy that this conservative-sized policy was to guarantee to the partner of his trials and his joys some little comfort when he was gone.

I saw Senator STONE a number of times when he was taking the course which was perhaps the greatest trial of his life. I had known for 12 months before that period how earnestly he desired that his country might escape from embroilment in the European slaughterhouse. When the time came that most of us felt we could remain out of the war no longer, when the overwhelming sentiment of the country justified the action that brought us into the war with the German Empire, I talked freely with Senator STONE and urged him to vote with us. I pressed it on him; I tried to show him that it was his duty to himself and to his associates. I know perfectly what controlled him. He talked with freedom about it. Up to the last I plead with him. He simply said, "I see what it means—billions of debts burdened upon the people whom I love; and, worse than that, perhaps millions of our boys lost in France. We can not go into this war without really going into it." He continued, "If I could give my life and have the sacrifice end there, I would not hesitate a moment; but it is all these sons of mothers throughout the land. I can not but feel that something can be done to save these mothers' sons."

It was his love for his people. If he could have laid down his own life he would have done so without a moment's hesitation, but it was the lives of others and the sorrow that was to be produced that caused him to take the position which he did. But the moment the decision was made and the war was begun, on every possible occasion he stood in his place in the Senate and supported his country in every possible way. Others cast the die; it had to be; then all that he could do to help to whip the enemy and win the war he gave with entire freedom and thoroughness. That he should have been criticized was natural; that he would be criticized he knew; none understood it better than he; but it never moved him a particle. That vote was controlled by his intense love for his people, whom he would have spared, if he could, the trials of war.

He was a great man; a great intellect; but, again I say, the two controling powers of his life were his courage and his love.

Mr. BANKHEAD. Mr. President, when I came to Washington as a Member of the Fiftieth Congress, one of my first acquaintances was WILLIAM JOEL STONE, who had served in the Forty-ninth Congress. This acquaintanceship ripened quickly into a friendship of such enduring qualities as to weather and overcome the vicissitudes of a long life.

When Mr. STONE resigned his seat in the House of Representatives to accept the governorship of the great State of Missouri I was enabled, through a continuous correspondence, to keep in the most intimate touch with him. When, as the successor of the great George Vest, Gov. STONE returned to Washington and took his place in the Senate our daily personal relationship, after an interregnum of only a few years, was resumed. Later, as successor to John Tyler Morgan, whom all Alabamians are wont to call "our greatest," and who with dignity and rare wisdom for so many years graced this Chamber, I entered upon a service in the Senate. From that moment until death placed its icy fingers on his heart I was in closest, most intimate association with the man of whom to-day we speak.

As a result of this long and unvarying friendship I can qualify as a witness who knew him well; and as such it is not so much my function to recite the biographical and chronological events and incidents of what was truly a great career as to bespeak very briefly and very generally the real merits of a mind and soul which so incontrovertibly affected the destiny of our country.

It is my conclusion, expressed not with the temperamental consideration with which one regards the dead, but in solemn, stern sincerity, that STONE was one of those mortals in whom the elements so mixed as to produce a great man. His gift for adroit leadership came of a keen and discriminating intellect, radiating in his speech and action the resiliency of a remarkable mind, and of a deep-seated, ever-abiding vision which gave him uncanny prescience of how the operations of to-day would affect the destiny of to-morrow. And thus it has happened that less ably equipped men have declared in one instant that STONE by a speech or a subtle move on the political checkerboard had wrecked the entire fabric of things; in the next, with the full light of successful issue glowing, they have acclaimed him a strategist of the most excellent talent.

As a rival manager of a presidential aspirant in the Baltimore convention of 1912 I was constantly aware of the subtle genius of Senator STONE—a genius which but for unexpected and unparalleled defection in his own ranks would have carved out a notable victory. But when one weighs the relative merits of mind and heart, that genius can not be compared to that fidelity to trust, that allegiance to duty, which prompted him to submerge and subdue his own great disappointment and assume the post of confidential leadership in the victor's administration. For four years, with unvarying faith, he piloted the President's legislation through this body, and at the end of that time he was found preparing a platform of such appealing parts that the people of the Nation, won by the spirit of humanity it breathed, were happily induced to give the President a second term.

Senator STONE, being a man of purpose, was necessarily a man of opinion. As such at certain intervals he found it necessary to think and act for himself. Nothing so aptly indicates the

sincerity of a man as when, driven by honest purpose, he leaves the primrose path of least resistance and, bereft of former friends, trudges the rocky road of conviction. And yet such is perverse nature that it is against this very type of man that the world, forgetful of past service and the certainty of honest differences, turns and inveighs with scorn and contumely.

Senator STONE in the very twilight of his long service shared this common fate. When he declined to lead the fight for the so-called "armed neutrality" bill he was made the target for the darts of learned critics bursting with the force of their own erudition—innumerable darts tipped with the venom of ridicule, abuse, and slander. And yet, while the storm raged, we who knew STONE and who differed with him knew also that according to his conviction he was right, and that, irrespective of the fate prepared, he could have pursued no other course with honor to himself.

For my part, I know that he had reached his conclusion after long contemplation; that he took the unpopular side when on the other great prestige might easily have been gained only because of honest and sincere conviction that the unpopular side was in that emergency the side of right and justice. And, Mr. President, permit me in this day, when the passion of that day has subsided, solemnly to express the opinion that much of that bitter criticism directed at Senator STONE was unjust, unkind, and even cruel. And from knowledge of the man I bring testimony that that serenity of countenance—misinterpreted as indifference—which distinguished him in that trying moment was nothing more or less than a manifestation of a resignation which perfectly concealed an inward and permanent hurt.

He was as some grim stone of the sea on whose surface a raging tempest made impress, but whose base it could not cause to tremble or its parts to disintegrate.

Mr. President, I am very grateful to a Providence which has made it possible for me thus to speak of my friend, who has gone into that peace which surpasses understanding.

Mr. THOMAS. Mr. President, for five and twenty years my relations with WILLIAM JOEL STONE were close and cordial. We were intimate and affectionate friends. He was governor of the great State of Missouri when I first met him. Grover Cleveland had just entered upon his second presidential term. Economic and financial conditions were sinister, and the atmosphere was heavy with portents of an approaching financial earthquake. And the President's well-known disapproval of his party's sentiments, emphasized by his aloofness from the influence and cooperation of its leaders and statesmen, justified their apprehension of an impending political cataclysm.

The crisis came in June with the closure of the Indian mints to the coinage of the silver rupee. Within a very few days thereafter Gov. STONE delivered a masterly address upon the situation. It clearly analyzed the causes and foretold the consequences of the panic should these causes be ignored or misunderstood, and the remedies they plainly outlined be rejected. His message to the people was that of a clear-visioned, farseeing statesman. They hailed it as the voice of a skilled navigator to the pilot, counseling a course that would rob the storm of its perils and lay the Nation to its ancient ways. But the hopes of the people were turned to ashes of disappointment, and the voice of STONE became as that of one crying in the wilderness. The storm descended; the commander pursued his stubborn, unyielding course, and overwhelmed his country in measureless disaster.

I met Gov. STONE very shortly after this incident, and hastened to express my gratitude for what I conceived to be an incalculable service to the public. He was then seriously concerned for the immediate future, a concern that was for the country. I early discovered what many of his countrymen questioned in after years, that Gov. STONE was a patriot in the highest and best sense of that much-abused and frequently misunderstood term. He was a radical and uncompromising partisan, but his country, her welfare, her interests, as he understood them, was the influence which above all others commanded his affection and inspired his conduct. His view of service, of her policy, her interest, and her duty might subject him to reproach and obloquy, but they were the fruit of his anxious and deliberate reflective judgment. They might be wrong, but they were his, and he maintained them with all the vigor of courageous conviction. Abuse and misunderstanding might subject him to the denunciation of popular clamor and the rebuke of statesmen, cajolery and persuasion might join with threat and vituperation to force his reluctant hand, but he would bear them all with serene fortitude and with the confidence of certain, though tardy, approval. Failing that, he could go his way unto the end, though he might travel barefooted and alone.

I shall not review the long record of Senator STONE's public service. Others have done that and done it well. It was a full and an honorable one—not perfect, for that is never humanly possible. He made mistakes, and they were broad ones, in keeping with his nature and breadth of vision. They were not the result of impulse, but of earnest and continued reflection.

His view of America's attitude toward the great war was in the first half of its bloody course unquestionably that of the overwhelming majority of his countrymen, who shrank from the ordeal of a world conflict with all the intensity of an enlightened peace-loving people. Nothing save Germany's insensate disregard for neutrals and neutral rights, exemplified many times in acts of appalling horror and unmindful of repeated warnings, could have involved us.

The crisis finally came with her resumption of indiscriminate submarine warfare, followed by the President's request for authority to arm our merchant ships for defense against this deadly form of national piracy. Senator STONE was opposed to granting the desired authority. He felt that the allies had transgressed our rights as a neutral power quite as frequently and as flagrantly as had Germany, and that the proposed measure would precipitate a war which might yet be avoided without dishonor. No request for additional authority to deal with the allied invasions of our sovereignty had been made, and none should be granted in the pending instance. He therefore protested and spoke against the joint resolution clothing the Executive with the desired power. The two situations were, to my mind, fundamentally different. He did not think so, and he gave his reasons at length to the Senate at a time when the Congress was rapidly nearing its close. For this he was unsparingly denounced by a vigorous and vindictive chorus of disapproval, whose echoes had not ceased when he passed away. He was accused of filibustering against the resolution. The fact that he spoke against it for nearly three hours, and that the Congress expired before a vote could be reached, gave strong color to the charge. Yet, knowing Senator STONE so well, I feel justified in saying, as I said many times while he was living, that he had no such purpose. He felt bound to give his reasons for his position, and as he always did on occasions of unusual importance, he prepared himself thoroughly and in writing. He was very deliberate in speech, at times painfully so. Except on rare occasions of great excitement, he never hurried. Such a man always requires time for delivery. And Senator STONE, without a thought of the fleeting moments and the rapid approach of the fateful 4th of March, pursued his usual way. It was unfortunate, since the public condemnation was somewhat justified, and, protests to the contrary, unavailing.

But he made no protest. He bore the consequences and met the storm without flinching. Consistently with his view, he cast his vote in the following April against the declaration of a state of war with Germany. The friends who knew him well deplored the fact, while expecting nothing else from a man who seldom changed his convictions once they were fully formed. While I regretted the Senator's dissenting vote, I could, from my own experiences of the Civil War, understand his point of view.

During that conflict we were both boys living in the South, and face to face with all its seamy sides. We knew what war meant. We had been made rudely and daily familiar with its carnage, its waste, its terror, and its destruction. We could recall the long lists of casualties; the endless processions of the dead; the hordes of armless, legless, blind, and mutilated survivors of the battle fields; the black badge of universal mourning; the agony of widowed hearts and the tears of orphaned children. We could visualize the returning skeletons of want and hunger, the destruction of cities, the laying waste of the country and the pillage of the harvests, the hordes of refugees fleeing from the pathway of advancing armies, the thunder of the guns, and the shouting. I knew that he shrank with horror from the reinfliction of war's curse upon his country, and I would have given my life willingly on that fateful 6th of April, did the sacrifice avail, to spare the Nation the agony of another war. But it had to come. We could neither stay nor avoid it. The progress of the world had garnered its seeds within her bosom. They were to germinate, to ripen, and be harvested, even as others now dimly perceived shall grow and be garnered in the fullness of time.

War having been declared, Senator STONE accepted the cast of the die and gave the Government his constant and unfailing support. He voted supplies and men, contributed of his modest substance to war loans, and devoted all his energies while he lived to its vigorous and successful prosecution. He died when the great German offensive of last spring had reached its farthest advance, when Paris laid almost at the Kaiser's feet, and Haig's indomitable Britons, with their backs to the wall, were slowly

yielding to his terrific onset for the Channel ports. The allied reverses of the month preceding his death wrung his heart and filled his mind with anxious forebodings. Doubtless the strain they imposed upon his weakened energies was a contributing cause to his sudden death.

Senator STONE was one of the most powerful intellects of his generation, one of the strongest men who ever occupied a seat in this body. His slow and deliberate speech was in direct contrast to the rapidity of his mental processes. He saw all sides of every problem, and, with rare powers of analysis, would quickly resolve it into its most prominent elements. He was a competent judge of men. He was a born political strategist, a debater of the highest order, and one of the most eloquent of men. His voice was clear and penetrating, his words well chosen, his diction perfect. But he was at his best only when absorbed by the ardor of conflict. His talent for controversial discussion needed the stimulus of active, if not extreme, opposition. When thoroughly aroused all his faculties were enlisted, and well he knew how and where to direct them. It was no surprise to those who knew him well that as a candidate soliciting the support of his people he never had been beaten.

The convention of 1896 blazed a new pathway for the Democratic Party. Rightly or wrongly, it wrote a declaration of principles whose advocacy meant aggression. It was no longer defensive or apologetic. That it would rend the party asunder was inevitable. That it would be immediately successful was only possible. That it committed the party to a new and radical propaganda, which it must thereafter acknowledge whether it would or not, was beyond question.

Gov. STONE was the chairman of the Missouri delegation to that convention, charged with the duty of securing the nomination of the Hon. Richard P. Bland for the Presidency. He did not accomplish that, for the unexpected happened; but he did more to shape the course and mold the proceedings of that great convention than any other member of it. If Bryan was its apotheosis, STONE was its soul incarnate. His influence was in the very atmosphere of the committees through which its course was directed. Yet there was no assumption of leadership, no assertion of authority, no contentious wrangling for position. Quietly, constantly, persuasively, and effectively he moved past obstacles, overcame difficulties, compromised differences, and suppressed resentments. It was a turbulent assemblage where passion flamed high and opposition countered hard upon every subject involved in its deliberations, where crimination and recrimination thrust and parried from its commencement to its close. Through the maze of its bitter contentions and animosities the hand of Gov. STONE guided the majority safely and steadily to its goal of ultimate accomplishment. As one of his modest aids on that historic occasion, I here pay my tribute to his consummate powers of leadership and organization. A noted public man before, he now became a national figure, and so remained until his death.

Had he devoted himself to his profession Senator STONE would have been a great lawyer. A mind lured by the attractions of material success would have chosen the bar instead of the forum. But he was indifferent to the enticements of fortune. He died a poor man. That was once the signal distinction of a public official. It is still a most honorable one when the official began his career without fortune. He lived well and modestly, content with the companionship of wife and children, whom he loved and who loved him in turn. His domestic life was singularly felicitous. Within the charmed circle of his home, companioned by a wife the gentleness and refinement of whose character shone through her countenance with the soft radiance of a spiritual beauty which time's effacing fingers can never destroy, and blessed with the affection of their children, he found all the joys that a resentful world would have denied him. His heart, his affections, his hopes, and his fears were centered at his hearthstone. He has gone, but the record of what he did and what he was remains. By that he will be judged, and judged correctly, when the excitements of a world conflict shall have subsided and passion no longer warps or obscures the opinions, when men, clear-visioned and deliberate, can with impartial justice review events and careers in the far perspective of receding years.

Mr. GORE. Mr. President, it is not my intention to discuss the life or to detail the public services of our distinguished and lamented colleague. That labor of love has been done by those who knew him longer than it was either my privilege or my pleasure to know him.

I desire to pay a word of tribute to one or two of his most distinguishing virtues and to call attention to one or two of the most distinguishing traits of his character. In what I shall say I do not mean to institute any comparison between physical and moral courage. Each has its value, but they have such different standards of value that no true comparison can be drawn. Physical courage is the more common and may therefore be regarded as the more elemental. Moral courage is the less common, but it can not be regarded as the less admirable virtue.

Physical courage is all but universal in the kingdom of animal life. It is one of the commonest traits that flesh is heir to. We can almost discern traces of physical bravery in the protoplasm, in the stuff that life is made of. We can mark it alike in the cell as well as in the conquering hero. The microscope reveals deeds of desperate daring even among the denizens of the dewdrop. Physical courage is exhibited among the embattled ants. It is exhibited by the tigress of the jungle as she prowls for prey. It is displayed by the timorous bird as she defends her nestlings with her life. It was exhibited by the dragons of the prime as they tore each other in their slime. The lion of the desert may be as indifferent to danger and as insensible to fear as a Richard of the Lion Heart.

Physical bravery springs from instinct rather than reason. Indeed, it comes from elemental instinct. It is the essence out of which comes the first law of nature. To our finite vision it does not seem to be at all times scrupulous as to the character of its cause.

We love to believe that "he is thrice armed who hath his quarrel just," and yet by our standard no quarrel is so unjust that may not find champions and defenders willing to sacrifice their lives. This was ever so. We find the savage of the forest quite as willing to die in battle as the phalanx of Greece or the legions of Rome.

Upon the battle field of Chalons the Europeans and the Asiatics joined issue as to which race should control the destinies of western Europe. The Hun and the European died with equal desperation. Upon the bloody field of Tours, the Christian and the Mohammedan submitted their issue to the wager of battle. There they determined which religion should prevail over the future destinies of western Europe; the followers of the Cross and the followers of the Crescent fought and fell with equal devotion.

In the wilderness of this western world men of English blood laid down their lives to vindicate the self-evident truths of the Declaration of Independence. On the other hand, men of English blood laid down their lives to prevent the establishment of this free, this self-governing, Republic.

I say this to prove that every cause may find its champions. I repeat that the despot has been able to find followers who would sacrifice their lives to perpetuate their own chains.

In vindicating the principles of freedom our fathers laid down their lives in the noblest cause that can challenge the sacrifices of human nature. The principles typified by the Stars and Stripes have never called in vain for champions or defenders. Those principles will never call in vain for champions or defenders so long as valor is esteemed a virtue and so long as heroism is honored among the sons of men. In defense of these principles the undying dead have sought for death as the bridegroom seeks his bride, and yet with equal alacrity have the followers and the minions of tyranny gone to their graves to establish or to perpetuate the reign of the tyrant, the sway of the despot, and the dominion of the autocrat. This is not strange. This is no mystery.

I repeat that physical bravery springs out of elemental instinct. It is one of the conditions of existence. It is the condition of survival. All existing generations of every existing species are the survival of long uncounted centuries of strife and struggle. These are the survivors. They are those who have passed through the crucible of unmitigated strife. In the supreme test the weakling, the coward, the parasite, as a rule, has perished by the wayside. This is the law of the Yukon, that only the strong shall thrive, that surely the weak shall perish, and only the fit survive. This at least was the law of the earlier ages of strife and of combat.

This law may have been in some measure modified by the improving principles of humanity and of civilization, and yet its reminiscences are seen repeated in the history of the race.

Moral courage is one of the rarest, one of the finest, I may say one of the divinest, attributes of God's image upon earth. Physical courage characterizes both "man and bird and beast." In its earlier stages it obeys necessity or responds to desire. It does not always, even in its later stages, distinguish between "the worse and the better cause." Moral courage characterizes rational beings alone, but, unfortunately, even among these it is not universal. It distinguishes between right and wrong and never wittingly prefers the worse to the better cause. Moral courage obeys the still small voice of conscience for conscience' sake. Moral courage obeys the behest of duty for

duty's sake. Moral courage is alike indifferent to the hiss of the rabble and the applause of the multitude.

Physical courage may find reinforcement in the psychology of the crowd, in the psychology of the mob, but moral courage would rather be right than popular. Moral courage will not consent to be wrong in order to purchase a cheap and transient popularity. Moral courage is indifferent alike to the hisses of the mob and to the threats and the frowns of the mighty. Moral courage is indifferent to the temptations and to the blandishments of power. Moral courage never seeks the line of no resistance; moral courage never seeks the line of least resistance. Moral courage goes where the voice of duty commands.

Whatever be your faith, let me cite a crucial and historic instance. Peter denied his Master once, twice, and thrice before the crowing of the cock. He denied his Master rather than submit himself to the jeers of the accusing crowd. He declared that he never knew the Man. On the other hand, his Master accepted without complaint the agonies alike of Gethsemane and of Calvary. History has pronounced judgment upon these exhibitions of moral courage. It must always be the temper and must often be the fate of moral courage to drink the hemlock and to wear the crown of thorns. Indeed, sir, I do not know but that the crown of thorns is the official diadem of moral heroism.

There were many ties which bound me to our late and lamented friend and which bind me to cherish his memory. I use the word "friend" in the highest sense of that most sacred term. He knew both the art and the philosophy of friendship, which was to prove himself a friend. His followers loved him for his undoubted and undeviating fidelity. His antagonists honored him for his undaunted and undeviating chivalry.

I admired his talents, and I honored his public services. He was a practical man; he was a practical statesman. He never lost sight of the elementary needs of men, yet he never forgot the elementary rights of freemen. To preserve and perpetuate those rights he was equal to the supremest sacrifice, even to the transient sacrifice of his fair name among those who for the moment misunderstood.

"Without turning," he always stood for freedom of thought. He always stood for freedom of speech. He always stood for the freedom of the press—a freedom which was used, which was abused, by some to misrepresent if not to slay him.

I honored him for his moral heroism when occasion called for the exhibition of moral courage. Most of all, I honored him because he was among the few men who dare to speak truth to the people in the presence of the king, and dare to speak truth to the king in the presence of the people.

Mr. REED. Mr. President, I request permission, on my own behalf, because of the lateness of the hour, to print as a part of my remarks a brief sketch of the public life of Senator STONE. In particular I am omitting that part of my address because these ceremonies have been prolonged by the great number of Senators who have desired to pay tribute to Senator STONE, and because, especially, the Senate is assembled also to-day to pay its last mark of respect to another distinguished Senator.

Mr. President, not often in the flight of years will the Senate on the same day meet to pay reverence to the memories of two such great men as WILLIAM JOEL STONE, of Missouri, and OLLIE M. JAMES, of Kentucky.

I ask the privilege of printing as a part of the ceremonies in honor of Senator JAMES some remarks I made about him in the Senate during his life. The observations have for certain reasons been thus far withheld from the RECORD. They were, however, the expressions of my estimate of Senator JAMES while he was living; they will serve as my tribute of regard now that he is dead.

The PRESIDING OFFICER (Mr. KING in the chair). In the absence of objection, the request of the Senator from Missouri will be granted. The Chair hears none.

Mr. REED. Mr. President, I can add nothing to what has been said of Senator STONE, so eloquently, so tenderly, and so sincerely said, for I know well that all who have spoken voiced the sentiments of their hearts.

This man was my friend, the dearest friend I ever had. I have tested his mettle. I have looked into his heart. I have seen his soul. He was as tender a husband, as loving a father, as sincere a friend, as chivalric a gentleman, as you will ever meet. He was as wise a man as I ever knew; he was as brave a man as I ever knew; he was as patriotic a man as ever lived and walked this earth.

All his life he gave to his country. He was not an office seeker, selfishly striving to gain the power or emoluments of position. He was a soldier who on the battle field of the world enlisted for life in the service of mankind.

Broadly speaking, there are two kinds of public servants, perhaps I should say of officeholders. There is a class who climb to public position by any ladder that their feet can touch and who, once seated in a place of power, seek only to maintain it for their selfish profit. These men, having gained position, put ear to ground that they may catch each rumble of popular opinion. They study not the safety of the State. They think alone of how they may keep safe the place they hold.

What an easy, lazy, selfish task to sit serenely and to never ask, "What is the right?" "What does my country need?" but "What is best for me, that I, forsooth, may cling to power, gathering the loaves and fishes of the place I have?"

Such men as I am now discussing frequently secure the very acme of public praise. Forever drifting with the stream, their course is without opposition, and they enjoy the tranquillity of uselessness. We find them basking in the sun. They, therefore, never feel the chill of adverse winds. As they are but the echo of the crowd, its generous applause rings constant in their ears. Such a course requires neither courage nor talent. A fair ability to guess what may for the brief hour be popular is all that is required. They do not serve the State, humanity, or God; they serve themselves alone.

But there are others, sir, and happily many, who place the call of duty above all selfish ends. We find them everywhere. The faithful servitor in private life who thinks more of his master's welfare than of the dollars he is paid. Such service is beyond a money price. The faithful officer of the country who makes its interest paramount and to it gives the best energies of his life. Such men are guardians of the portals of the State. There also is the man who, filling a great post of public trust, thinks only of what his duty is, who does not pause to count the cost to his poor self, but, keeping mind and eye fixed on the stars of justice and of truth, steers the straight course of honor. Such a man is statesman, friend of country and humanity, and such alone do serve their country well.

It has been well said here to-day how absolutely Senator STONE devoted his life to public service. Notwithstanding the fact that his conspicuous abilities as a lawyer rendered his career at the bar one certain of the most brilliant achievements, he early abandoned that lucrative profession to serve his country in the Congress. I shall in the sketch of his life later to be presented call attention to his activities in the House of Representatives. I characterize them now by one statement: His every vote as a Member of the House of Representatives may be examined, his every speech may be read, and there is not one vote that was not cast, there is not one speech that was not made, in defense of the plain, common people of this land, in support of our country's rights, in vindication of those great fundamental principles of democracy and of republicanism that have made this country the land of freedom, progress, and happiness.

From his fight to recover for our Government the lands that thieves had stolen by the hundreds of thousands of acres, on through his career in the House, his every act, his every vote, his every thought was upon the side of the people of the United States. No menacing power of wealth, no sinister influence, no consideration of self ever caused him to swerve a hair's breadth from the plain, straight path of duty to his country.

He became governor of the State of Missouri. Here I want to give to my associates a chapter out of his life which will show how long he suffered under unjust charges, under villainous criticism, and the causes for it.

With shame I say that my great State, like many other States of the Union, had in its legislative branch come too much within the influence of a corrupt railroad lobby. It was at that period when railroad officials conceived it to be their duty, or at least their interest, to seek to prevent legislation, however wholesome, by employing devious practices upon legislative bodies. Passes were handed out in great bales to legislators and their families. The railroad lobbyist was looked for by certain classes almost as the pay car by the regular employees of the railroad. It was under such conditions Senator STONE dared to demand that the Missouri Legislature should pass a fellow-servant bill which would abrogate the ancient and brutal common-law rule that an employee could not recover for injuries if they had been inflicted through the carelessness of a fellow servant. The defense that had been made in hundreds of thousands of lawsuits had left many a brave man's widow without a dollar to live upon. It had turned into the street as paupers thousands of orphans whose fathers, in the effort to save the

passengers drawn by their engines, heroically died at their posts of duty.

Seeing their ancient legal fortress impaired, the railroad lobby rallied. The struggle was intense, bitter, and relentless. In the end the lobby was powerful enough to defeat the bill. In a message sternly demanding that the lobby should not be permitted to influence legislative action Senator STONE again demanded the enactment of the bill. So bitter was his castigation of the methods employed that he incurred the personal enmity of the members of the lobby and all of its numerous and powerful allies.

It was because of this service for humanity and the State that he became the victim of their slander and their abuse, which ran to such supreme heights and was carried on with such illimitable vindictiveness that many men were led to believe the foul slanders that were coined in the hearts of the criminals against whom our revered friend had sought to protect the State he loved and served.

Most of the actors in that drama are dead and gone. I shall not further dwell upon the theme. In Missouri, where the real truth is known, the people understand that there is not a blot or stain upon the honorable and pure career of WILLIAM JOEL STONE. From his labors at last came the statute that gave relief against the hardships of the old common-law rule. By his sturdy blows the lobby and the corrupt elements that had infested our capitol were given their first great defeat, a defeat which ultimately resulted in their extermination. When Gov. STONE engaged in that conflict he knew the cost; but then, as at all other times, he stood square fronted to the storm and did not for a moment flinch.

When he left the office of governor this man with these superb talents, who could have sold his time at any price, was in debt thousands of dollars, without, I believe, a hundred dollars' worth of property of any kind.

He engaged for two or three years in the practice of law, and in that short period was able to pay off all the debts he owed and lay by what might almost have been a competence to some men. When he again entered the public service his little fortune melted away like snow before the sun. He served until the end of his life in this body and died so poor that substantially all he left to the family he loved was a little life insurance policy.

Briefly let me refer to his labors as a Senator.

Men of the Senate, you have seen him toil unremittingly by day. You know how he labored in committees far into the night. When, some three years ago, the great finance bill was pressing, he undoubtedly broke his health by the tremendous labor he underwent. At that time he survived a sick spell that threatened to bring the end. He never was strong again; and yet he came to this body when he was so feeble that he could scarcely walk. He sat with his committees. He toiled and wrought unceasingly. Not a detail of duty was allowed to escape his vigilance and industry. And so, worn out and troubled, this old soldier serving a life enlistment in the army of patriotism came to answer the question that has been so often referred to to-day, "Is it my duty to vote to plunge my country into the great European war or is it my duty to seek to hold her back"?

I know his heart on that. I talked with him. I said to him:

It is the decree of fate; war will be declared. A vote against it will mean your political ruin. You are old and you have no property.

I wish—great God of justice, how I wish!—all the people of his State could have looked into his eyes as I was looking then and could have seen his soul as I saw it revealed and could have heard his voice, tremulous with emotion, as he answered:

I know what it means to me. I know this war is coming. I know the people are aflame with the spirit of battle. I know that it is inevitable; but would you have me consider my personal welfare in a case that involves the lives of millions of men, the heartaches of countless mothers, the breaking up of homes? I can not vote to send our boys into this conflict, to involve our country in this struggle, the end of which we can not see, and the results of which to our country and our civilization we can not prophesy. I can not so vote until further efforts have been made to avert the fearful sacrifices.

And so he cast his vote against the declaration of war.

Was it not a brave thing to do? Had he voted for war, he would not have been voting to send himself to war or into any danger. He would have been acclaimed a great leader. When he voted against war, he voted his own crucifixion for months, perhaps forever. Had he voted for war, he would not have voted to send his own son, for he was a distinguished Federal judge, beyond the age to be sent to war.

He would not have voted to send a single close personal relative, so far as I know. He was not thinking of himself. He was thinking of the sons of other fathers, the grown-up "babies" of other mothers, the husbands of wives, the fathers of children who would die on distant battle fields. He was looking at the orphans that were to be, the army of cripples that would soon march across our land. He was thinking of our country and the dangers that lurked after the war as well as in the war.

So he endured the torture of attack, the obliquy of slander, the shafts of abuse, and stood up bravely and without shrinking. But as the war went on each day he gave his thought, his heart, his energy to the success of the American Army. I say here what has already been, in substance, said: It was the grim advance of Germany's hosts that did much to break him down and to hasten the inevitable end. Day after day I was in his office, calling generally in the morning and finding him there almost invariably pacing the floor, in his hand a newspaper describing how the French were being driven back and back and how the gallant English were being forced to retreat, telling of assaults with poison gas and deadly shells that broke the heroic ranks of our allies and carpeted the ground with thousands of their gallant dead.

I saw him then and know how his soul agonized. I know how his body quivered with excitement and sympathy for our friends and for our cause. It was not hard then to discover that the old patriot and lover of his country could not longer withstand the agony. At last the strain became too great, the vital cord snapped. In the fullness of his intellectual power, at the zenith of his greatness, he halted. His work for country and for humanity had ceased.

There is no speech or tongue that can quite do justice to a life like his. Faithful to friends and true to every trust, through life's long battle he fronted every foe. His arm was never lowered in the strife. He never struck an unkind or ungenerous blow. He folded the mantle of honor about him and laid down upon life's battle field and sank into that peaceful slumber death brings the brave. There is no stain or taint upon his life, and at its end his friends and all the world can write, "Well done, thou good and faithful servant."

I present a brief sketch of the public service of Senator WILLIAM JOEL STONE:

CONGRESS.

Senator STONE was a member of the Forty-ninth, Fiftieth, and Fifty-first Congresses, his term beginning March 4, 1885, and closing March 4, 1891.

COMMITTEES.

During his term in the House he was a member of the Public Lands Committee, of the Selective Committee on Reform in the Civil Service, and a selective committee appointed to investigate the labor troubles in Pennsylvania in 1888.

PRINCIPAL MEASURES.

His work in Congress was principally identified with (1) public lands; (2) reformation of the civil service; (3) amendments to the Judicial Code, having in mind the restriction of jurisdiction of the then United States circuit court; (4) opposition to fraudulent pensions; (5) river and harbor improvement; (6) repeal of silver-purchase law; (7) tariff reduction; (8) opposition to the force bill.

(1) Public lands: His services in respect to public lands were in connection with two great measures. One of these measures, which was not introduced by him but in which he took a very prominent part, was the repeal of the then existing laws respecting the acquirement of public lands. At this particular time a vast amount of the land being preempted or taken under the different land laws was being fraudulently acquired. It was estimated by Land Office officials that all the way from 70 to 95 per cent of the entries were fraudulent. A large amount, literally hundreds of thousands of acres of valuable mineral, grazing, and timber lands were being thus accumulated by speculators in utter defiance of the wording and spirit of the land laws, and, of course, to the detriment of the bona fide settler and entryman. The law in question, if adopted, would have had the double effect of protecting past frauds and making future fraudulent acts easy and safe. Against this proposition he fought during the entire three terms. His speeches upon this subject may be found in the RECORD for the Forty-ninth Congress, first session, page 7161; Forty-ninth Congress, second session, page 2023; Fiftieth Congress, first session, pages 5561, 5568, 5573, 5596, and 5606. They were models of research, logic, and forensic ability of the highest type.

The second measure affecting the public lands with which he was identified, and, in fact, the author, was a bill providing for the forfeiture by various railroads of land granted by the Government in aid of railway construction under certain conditions, which conditions had not been complied with by the railway companies—in other words, the return to the Government of donated land which had not been earned in accordance with the terms of the donation. These forfeiture bills involved something like 60,000,000 acres of land. After a fight which he led, lasting five years, the most of these laws were passed in sub-

stance, and there were returned to the public domain approximately 60,000,000 acres for settlement, thus affording homes and farms for 375,000 settlers.

His speeches upon this matter may be found in the RECORD of the Fiftieth Congress, first session, pages 5436, 5439, 5440, and 7039–7044; Fiftieth Congress, second session, pages 2674–2676; Fifty-first Congress, first session, pages 7002–7012.

Changes in the land laws affecting Oklahoma public lands, which would have made speculation and fraud easy: Fifty-first Congress, first session, pages 2210–13, 2216, 2218.

These speeches show the ability of a great lawyer, a profound reasoner, and give conclusive evidence of Senator STONE'S hatred of everything tainted with unfairness or dishonesty. They brought him into national prominence.

(2) Restriction of United States courts: He had been very much impressed by the injustice of the imprisonment of county judges in Missouri who had refused to vote tax levies to pay the old fraudulent railway bonds. Two of the counties involved—Cass and St. Clair—were in his congressional district. He was impressed deeply with the conviction that the United States courts, in issuing writs controlling the acts of State officials in their duties under State laws, were exceeding their constitutional powers and were breaking down the sovereignty of the State as guaranteed under the Constitution. He regarded it as of paramount importance to the welfare of the country that neither the National Government nor the States should be deprived of any of the powers granted in the Constitution. He believed that the tendency in the courts was toward a centralization of power and a crippling in an unwarranted and unconstitutional manner of the powers of the State. This he found exemplified in the change of the attitude by the Supreme Court of the United States in the matter of following the State court interpretation and construction of State laws and constitutions and in the writs issued to State officers as above. The latter evil had been brought, as I have said, vividly to his mind through the imprisonment of these county judges, who under the existing law were not only powerless to issue the orders levying the taxes in accordance with the judgment of the United States court, but would have made themselves liable to heavy penalties had they done so. He therefore introduced a bill providing that "the jurisdiction of the district and circuit courts of the United States shall not be deemed to extend to any judicial or other officer elected or appointed under the laws of any State to compel by mandamus or other writ the performance by such officer of any official act arising under or authorized to be done by the laws of such State." Upon the 5th of January, 1886, he for the first time introduced bills. One of these was the above, affecting United States courts. In every session thereafter he introduced this same measure and fought for its adoption. The speeches made in support of it are powerful and seemingly unanswerable constitutional arguments. They may be found in the RECORD of the Forty-ninth Congress, second session, page 1459, and the Fiftieth Congress, first session.

It may be of interest in this connection to say that, although unsuccessful in having this law adopted, he continued the fight during his term as governor, sending to the legislature a special message requesting the memorialization of Congress touching the matter and the passage of a law which would permit the governor, in any case where the county judge was inacapacitated, by imprisonment or otherwise, to act, to appoint a commissioner to do any and only such specified acts as the governor might designate and who should remain in office only until those acts were performed. This recommendation passed the house of representatives, but was killed in the State senate by what was denominated in the newspapers at that time as the "bondholders' friends."

(3) Fraudulent pensions: At the time he was serving in the House of Representatives a vast number of bills pensioning named persons were passed. This was done to such an extent that Friday night of each week was set aside and devoted to that purpose. Early in the first session of the Fifty-first Congress he began to oppose such of these bills as he regarded as fraudulent and unworthy. This opposition was unusual, startling, and daring, since it in a way challenged the opposition of the old-soldier vote, of which vote he had a very large number in his district. The position he took in regard to these bills was that each claim should be carefully considered upon its merits, the worthy claims allowed and the unworthy disallowed. He undertook the enormous task of investigating the great number of these claims in detail, and so effective was his exposure of the fraudulent character of many of them that during that term, which was his last in the House, the evil was effectually abated. His position on these matters attracted wide attention all over the country, and except from selfish or partisan sources met with universal approval. Some of his remarks upon these matters may be found in the RECORD of the Fifty-first Congress, first session, pages 2502–2509, 2763, 2254–2259, 2773, 3012, 3516.

(4) River and harbor improvement: Beginning with his first session in Congress and extending through the time he was in the House of Representatives he vigorously opposed provisions in the river and harbor bill appropriating money for the improvement of inconsequential streams. His position upon such improvements was expressed in the following sentence:

I would improve nothing by national legislation except important harbors and the important rivers of the country. (49th Cong., 2d sess., p. 921.)

His speeches upon this subject may be found in the RECORD, Forty-ninth Congress, first session, page 4246; Forty-ninth Congress, second session, page 920; Fiftieth Congress, first session, pages 3208, 3255, 3259–3261. The final part of the first speech made upon this subject, found in the RECORD, Forty-ninth Congress, first session, page 4246, is rich with rare humor, and is well worthy to stand beside Proctor Knott's famous Duluth speech.

(5) Repeal of silver-purchase law: At this time the United States Government purchased so much silver annually. During the terms he served in the House there was a violent fight over the repeal of this law, which would have resulted in the total demonetization of silver. Upon this question he took a strong stand against the repeal of the purchase clause. The first speech he ever made in Congress was in opposition. The first sentence, so far as the RECORD shows, which he uttered in Congress was the beginning of this speech, as follows:

Mr. Speaker, I take it that statesmanship is never directed to better purpose than when it aspires to make the great masses of people contented and happy. (49th Cong., 1st sess., p. 2603.)

His speeches upon this matter are found in the RECORD of the Forty-ninth Congress, first session, page 2603; Fifty-first Congress, first session, page 5807.

It was undoubtedly STONE'S great influence which tipped the balance of Democratic opinion in favor of the ticket of free and unlimited coinage of silver. STONE was an ardent advocate of the nomination of Mr. Bland for President at the 1896 convention. Whatever may be the opinion as to the wisdom of the free and unlimited coinage of silver at the ratio of 16 to 1, it is now practically admitted that the interests of the country demanded an increased volume of money. It is not too much to say that whether or not free and unlimited coinage of silver was a correct principle, it was a sounder doctrine than that the currency should remain stationary and contracted. This battle waged on behalf of the people undoubtedly brought good fruit in later years, and did much toward the final currency and banking reform under which the Nation now prospers.

(6) Tariff reduction: He was at all times strongly in favor of a reduction of the tariff to a strictly revenue basis. His views upon that matter may be found in the RECORD, Fiftieth Congress, first session, pages 3856, 4869.

(7) Force bill: Thomas B. Reed, of Maine, was Speaker of the Fifty-first Congress, and it was during that Congress the Republicans introduced and attempted to pass the infamous force bill, which contemplated the complete control of elections by Federal officials—military, if necessary. This bill was aimed to perpetuate in power the Republican Party by giving over the control of the South. No congressional measure in my memory has engendered the bitterness in congressional debate which this bill aroused. In both sessions of this Congress he made speeches against the bill. In the last of these speeches he did much to compass the defeat of the bill. Lovers of forensic eloquence would do well to read that speech. It is found in the RECORD, Fifty-first Congress, second session, page 1211. The other speech is found in the RECORD, Fifty-first Congress, first session, page 6848.

MISCELLANEOUS.

Other matters of importance upon which he expressed himself were as follows:

(a) In connection with a bill providing for arbitration between interstate carriers and their employees he indorsed labor organization and advocated the ownership by the Government of railways and telegraphs. (RECORD, 49th Cong., 1st sess., Appendix, p. 54.)

(b) He favored the irrigation of arid areas. (RECORD, 49th Cong., 2d sess., p. 8480.)

(c) He bitterly attacked "Czar" Reed's abuse of powers as Speaker of the House. (51st Cong., 1st sess., Appendix, p. 45.)

(d) He voted for and advocated an act prohibiting the importation and sale of convict-labor-made articles.

(e) The report, partially prepared by him, made by the selective committee on existing labor troubles in Pennsylvania in 1888 was such a thorough exposure of the unparalleled conditions of labor in that State that it attracted national attention and comment.

The distinguished services rendered by Mr. STONE as a member of Congress made him the logical Democratic nominee for governor. He filled that important position from 1893 to 1897.

AS GOVERNOR.

His entire administration was stormy and eventful. This was due partly from conditions affecting Missouri along with the entire country and partly from conditions peculiar to Missouri at that time. Among the former may be noted the financial stringency and panic and widespread labor disturbances on a great scale, including the American Railway Union strike and miners' strike. Among the latter conditions may be noted the marked reduction in the State revenues, the powerful railroad lobby which had control of the legislature, and frauds in elections in the big cities of the State.

The effect of the general nation-wide financial situation needs no comment.

There was widespread industrial discontent at the time, which included not only the railway and mine strikes noted above but the famous Coxey movement. The result of these disturbances was that the military arm of the State was called out in many States of the Union, including the three Missouri boundary States—Kansas, Iowa, and Illinois. Although Missouri was a great railroad and a great mining State, and these disturbances were as powerful there as in other States, the situation was so controlled that disturbances were reduced to the minimum, and at no time was it necessary to declare martial law at any point or to call out the State troops. This was the result, of course, of his firm but rational handling of the situation.

The reduction of the State revenue began about the first of his administration. Under the State constitution the rate of taxation for State purposes automatically changed from 20 to 15 mills when the assessed valuation reached $900,000,000. Up to the beginning of his administration the assessed valuation had been a few millions under $900,000,000, thus affording the maximum revenue. About the beginning of his administration it passed to a few million beyond the $900,000,000 mark, resulting in a loss of one-fourth of the tax rate, with no compensating increase in the assessed valuation. Also, in 1892, just before the beginning of his term, the main building of the State University had burned, and during his administration the normal buildings at one of the normal schools had also been destroyed by fire. In the face of this financial condition the affairs of the State were so handled that not only were all State needs met, repairs and additions to the eleemosynary and educational institutions made, including the present main building at the State University, but the State bonded debt was very materially decreased. At the beginning of his term this bonded debt amounted to $6,680,000, consisting of $1,380,000 at 6 per cent and $5,300,000 at 3½ per cent.

During this administration all of the 6 per cent bonds were paid off and $300,000 of the 3½ per cent bonds, thus reducing the bonded debt by $1,680,000, disposing of all of the higher per cent bonds, and reducing the annual interest demand by almost $100,000. As important items in connection with this subject, it may be said that the reduction of the annual revenue through the change of rate of taxation was about $500,000, and that during this time nearly $800,000 was expended in connection with additions and repairs at educational and eleemosynary institutions.

For years the railroad lobby had exercised a potential influence over the State legislature. The fight with this lobby began shortly after his induction into office through his attempt to have enacted a railway fellow-servants' law. The fight became bitter and personal, with the result that for the first time in many years the lobby was driven from power; and although they prevented the enaction of the fellow-servants' law during his administration, his work had been so effective that it was forced through by the first legislature after he left office.

There had been prior to and during his term of office notorious election frauds in the large cities of the State. He urged and secured the passage of fair-election laws which tended to minimize this evil.

He proved himself the friend of the public-school system of the State and a champion of the university, sending to the legislature a special message upon the latter subject in which he favored the establishment of a substantial endowment fund.

As stated in the discussion of his record in the House of Representatives, he sought to relieve the situation brought about in St. Clair and other counties by the imprisonment of the county judges, sending a special message to the legislature in that regard, advocating a memorial to Congress upon the subject, and a law empowering the Government to appoint a commissioner with special powers to carry on such parts of the duties of the county court as might be designated by the governor and which were necessary to prevent the paralysis of the affairs of the counties.

POLITICAL.

During his term as governor he took a very prominent part in State and national politics. Among the subjects in question to which he devoted himself was the silver question, with which you are familiar. Others were as follows:

During his term the American Protective Association reached the zenith of power. This was an organization whose sole purpose was to oppose the holding of public office by any Catholic. It introduced into politics the religious issue, and seems unquestionably, at least in Missouri, to have been allied with the Republican Party. It became very formidable and public men were careful in opposing it. He, however, declared vigorously against it, denouncing it in unmeasured terms as un-American and fighting it so effectively that the Democratic convention of 1894 adopted as a plank in its platform a denunciation of the organization. The fact that he was bitterly denounced for this action and received a great number of letters threatening his life had the, with him, natural result of increasing his opposition.

Out of all his speeches I am sure he would have me select for preservation here these words which he uttered in the Missouri campaign of 1894. He would desire to have them preserved because he spoke them out of the fullness of his heart, because they mirrored his broad, generous soul and his true Americanism:

Thomas Jefferson was the father of the Democratic Party. On his tomb is an inscription which he had written for himself, "The author of the statute of religious freedom of the State of Virginia."

There are men within the hearing of my voice now, I doubt not, who recollect how the so-called Know-nothing Party rose up and became a political potentiality in the forties. Its objects were twofold—to deny the ballot to citizens born outside the United States and to Catholics the right to hold an office. And the first Democratic national convention, after this organization arose, denounced it as un-American, wrong in principle, as an attack upon the liberty of the individual and the integrity of our institutions. The Republican Party shortly afterwards nominated a President and Vice President and formulated a platform. But it said not one word in denunciation of that Know-nothing movement. It dodged the issue and said nothing. It has been prone to this policy ever since. Fellow citizens, that political party is not worth your vote or mine that hesitates to do right no matter what comes of it.

I denounce this present Know-nothing movement, this A. P. A., as our party has denounced it, because it is un-Democratic, un-American, and un-Christian. It is un-Democratic because it is inequitable and unjust. It is un-American because it is contrary to the provisions of the Constitution of the United States, which provides that no religious test shall ever be required to the holding of public office. And a similar provision is written in the fundamental law of our own Commonwealth. Finally, I leave it with you all if it is not un-Christian. I do not speak to-night from the standpoint of a Catholic. I am not a Catholic. By birth, by marriage, by conviction I am a Protestant. I speak from the standpoint of an American citizen, a Democrat, and a man.

He championed the rights of the States and of local government.

He also advocated the construction of a deep waterway from the Lakes to the Gulf, with improvement of the Mississippi and Missouri Rivers.

In September, 1894, in a speech at Carthage, he strongly advocated the popular election of United States Senators.

At the annual banquet of the New York Board of Trade and Transportation at Delmonico's in April, 1894, as guest of honor, he responded to the toast of "The Western Point of View." His speech was a eulogy of the greatness of the West, which he loved, and of the political and patriotic necessity of a combination of the West and South against the East to secure fair national treatment, unless the East would recognize the situation and accord it. This speech attracted national attention and placed him among the presidential possibilities widely discussed.

Senator STONE's career is fresh in the minds of those who meet to-day to pay respect to his memory. Nevertheless, for the sake of history, I shall very briefly review some of his principal acts in the Senate during the years he sat here in this Chamber exercising a potential influence upon public events.

WILLIAM J. STONE entered the Senate March 4, 1903, succeeding George Graham Vest, Missouri's renowned "Senator of two Republics," whose service in the United States Senate covered an eventful period of 18 years. It is well known in the political history of Missouri that Mr. STONE could have been elected to the Senate in 1897, upon his retirement from the governorship. It is known that he declined the overtures made by Democratic leaders in the legislature because of his profound respect for the towering abilities of Senator Vest, and because he considered the distinguished services of Vest merited continued tenure in the Senate. It was not until Mr. Vest announced his forthcoming retirement that Gov. STONE consented to become a candi-

date for senatorial honors. He was elected by the legislature in January, 1903, following a caucus nomination of his own party, without opposition, his only opponent having withdrawn upon the eve of the ballot.

His senatorial career began with the special session of the Senate in the Fifty-eighth Congress, called in March, 1903, to consider the Cuban reciprocity treaty. His first entry into senatorial debate was on January 26, 1904, with an address upon the Panama Canal treaty concluded with the new-fledged Republic of Panama by the Roosevelt administration. The debates upon this treaty were largely conducted in the open Senate through the medium of resolutions touching the controversy presented by various Senators. Senator STONE drew the attention of his new colleagues by a clear, incisive discussion of the somewhat unusual features of the revolution out of which the new government had sprung. He supported the treaty, accepting the opportunity to advance the great canal project, of such great concern to Americans, but condemned the methods he believed to have preceded the separation of Panama from Colombia, urging a more liberal policy in dealing with the Latin-American nations. His words upon this occasion were prophetic, suggestive of a new policy in our relations with Central and South American States, a policy now generally approved and accepted as both wise and just. Among other things, he said:

> The true policy of this Government with reference to the Republics south of us would lead us on different and higher lines. We should so comport ourselves as to inspire the confidence of our neighbors. They should not stand in dread of our power, but rely upon it as a shield for their protection. We should link them by bonds of mutual amity and interest. What boots the Monroe doctrine to them if it stands only to guard them against European aggression, while the door is open for us to invade at pleasure?
>
> If I could be potent in shaping our policy in this behalf, I would be governed by one supreme consideration—that of attracting the southern Republics to us by a course instinct with the spirit of candor, justice, and fair play. I would enter into such compacts with them as would promote our commercial relations and make them for all practical purposes, offensive and defensive, a part of us. I would strive to inaugurate great republican policies of government—monetary, commercial, and political—common to all America, and these I would oppose, if need be, to the monarchical policies of the Old World.

Senator STONE received exceptionally good committee assignments, including places on the Commerce, Indian Affairs, Philippines, Public Buildings, and Education and Labor Committees, all active, important bodies. At that time, with the Indian problem in an acute stage, prior to statehood for Oklahoma and the Indian Territory, his assignment to the Indian Affairs Committee, of which he afterwards became chairman, was particularly important. Many thousands of Missourians were residents of the two Territories named, and these people naturally regarded Mr. STONE as their representative. Accordingly he took an active interest in all legislation dealing with the settlement of the affairs of the Five Civilized Tribes, sponsoring and advocating many constructive measures vital to the people of the Southwest. Among these were bills looking to the removal of restrictions upon the alienation of the surplus lands of full-fledged citizens; the control of the sale and leasing of mineral lands in the territory so as to protect the Indian, prevent unscrupulous exploitation, and at the same time promote the legitimate development of a region of marvelous growth and prospect. He exposed and thwarted many designs of speculators and lobyists who sought to profit at the expense of the Indian and this new country. Statehood was then the vital issue in the Territories, and, though not a member of the Territories Committee, he consistently advocated and voted for statehood, preferring separate statehood, but finally supporting the only possible measure that could be passed, under which Oklahoma was admitted into the Union. In connection with his consideration of the Indian problem, he strongly supported the established policy of Congress and the Government in suppressing the liquor traffic among the Indian tribes, and was the author of the self-enforcing prohibitory provision afterwards incorporated into the Oklahoma constitution, known as the Gallinger-Stone amendment to the statehood enabling act.

Through his fight with the railroad lobby in Missouri he had become familiar with the evil effects of corporation activity in politics. He had succeeded in securing the adoption of a party declaration upon the subject by the Democratic national convention in 1900, which he wrote and championed. This declaration reads:

> Corporations should be protected in all their rights, and their legitimate interests ought to be respected, but any attempt to interfere with public affairs of the people or to control the sovereign which creates them ought to be forbidden under such penalties as will make such attempts impossible.

During the last days of the Fifty-eighth Congress he delivered in the Senate a remarkable address upon the subject of campaign contributions by corporations, and was one of the first to advocate stringent penalties for future offenses of this character. It has since been provided by law in practically every State, and by Federal statute, that no corporation can make contributions to committees or candidates. STONE was among the pioneers in urging such legislation.

He succeeded Senator Vest on the Commerce Committee, then, as now, dealing with waterway transportation projects of great consequence to the States touching the Missouri and the Mississippi Rivers. During the early period of his service on this committee the policy of Congress respecting the upper Mississippi and the Missouri was distinctly unfavorable. Senator STONE began a long and for many years an apparently hopeless fight for a systematic improvement plan, adequately financed by congressional appropriations, covering both waterways. This was before commercial bodies in the Mississippi Valley had undertaken extensive educational propaganda directed toward the development of public sentiment in sympathy with these projects. Many of the appropriations which maintained these two waterways upon even the most temporary basis during these years of determined opposition by potent factors in legislation in both Houses of Congress were due to the persistent and persuasive efforts of the Missouri Senator. Dealing with the haphazard method of river appropriations, he said in the Senate on February 27, 1907:

> Yet we wonder why the commerce on the river goes down, and why the capitalists of St. Louis do not invest in boats and barges for river navigation. There is neither justice nor reason in such a condition. A policy such as we are following creates uncertainty, destroys confidence, and retards the development of that immense commerce that would almost certainly follow if more assuring conditions prevailed.

He had the privilege of subsequently aiding in framing the provision of legislation which established permanent annual appropriations for the Missouri River and increased allotments to the upper Mississippi. At all times he was an ardent advocate of the project known as the Lakes-to-the-Gulf waterway.

In his service upon the Commerce Committee he became a close student of the national shipping problem and was always a staunch advocate of liberal treatment of American shipping. More thn once he advocated in the Senate repeal of the restrictive navigation laws, which he argued were responsible for the decline of the American merchant fleet. He had always been one of the foremost advocates of progressive merchant-marine legislation. Practically every public utterance of his, upon the stump and elsewhere, dealing with general national issues had contained strong appeals for merchant-marine legislation upon broad lines. He had opposed subsidies upon all occasions, owing to his pronounced conviction that the repeal of the navigation laws would alone promote the growth of a national fleet under American registry. Years afterwards, in the Sixty-fourth Congress, when as an administration leader, with his own party in power in the Senate, he was one of the foremost Senators contending for the passage of the shipping bill, which afterwards became law in a modified form, resulting in the establishment of the present Shipping Board and the Emergency Fleet. His activities in this behalf are well known. His strong advocacy of an adequate naval program was inseparably connected with his ardor for a great merchant fleet. Speaking on this subject in the Senate, April 27, 1908, he said:

> For many years, both in and out of Congress, I have been an ardent advocate of an increased Navy and also policies looking to the restoration of our merchant marine. The two things are so related that I can not think of the one without thinking of the other. The decadence of our maritime prestige and power constitutes one of the most discreditable and humiliating facts in our history. * * * No man is more solicitous than I to see our merchant ships swarming all over the world, and I doubt if any is more keenly alive to the wisdom and necessity of constructing a war Navy adequate to subserve the needs of our country.

During the long session of the Fifty-ninth Congress the railroad-rate legislation pressed by President Roosevelt was the acute issue. The bill finally presented to the Senate empowered the Interstate Commerce Commission to fix rates upon prescribed standards. Debate in the Senate was extended, finally turning upon the question of judicial review of the commission's acts. Many great speeches were made upon the various phases of the legislation proposed. Senator STONE delivered during this session one of the most carefully prepared addresses of his legislative career, in which he discussed these problems with rare clearness of thought, taking advanced ground upon both the legal questions presented and the general policy of rate fixing. In this speech, delivered April 5, 1906, he opposed enlargement of the power of the judiciary to suspend the orders of the commission, and strongly advocated the policy of allowing the commission to initiate and fix rates. He favored the regulation by statute of the practice of courts in dealing with the decrees of the commission, saying:

> A law of this kind to be effective, and orders of this kind by a commission of this kind to be of value, must be promptly enforced. The courts should be open to every suitor, but the privilege of resorting to them should not be turned into an abuse. While guarding the right of everyone to seek a judicial remedy for private wrong, the exercise of that right should be so regulated as to prevent it eventuating in a public wrong.

The original interstate-commerce act, which placed a ban upon rebating, contained a clause punishing violations of the anti-rebate section by imprisonment. In the Fifty-seventh Congress the imprisonment penalties were abolished by act of Congress. In his speech of April 5, 1906, Senator STONE advocated the restoration of these penalties, being the first Senator to speak upon the subject. Later he offered an amendment to the pending bill which restored the penalty clauses of the original act. This amendment was adopted and the bill as finally passed contained the provision.

In 1907 he made an extended tour of the Philippine Islands and the Orient, and upon his return to the Senate he prepared and afterwards presented a constructive program for the treatment of the islands. He proposed to restore them to their own people 15 years after the date of the treaty of Paris, with a provision for the neutralization of the territory, retaining naval bases for the United States. This measure was widely commented upon and received the practically solid support of those who favored Filipino independence. The Democratic national platform of 1908 contained a plank indorsing this policy, expressed in language almost identical with the terms of Senator STONE'S joint resolution.

Throughout the entire discussion of tariff legislation dealing with the Philippines, Senator STONE opposed free trade with the islands. In a notable speech delivered April 20, 1909, he set forth in a strong argument his reasons for his position, based upon constitutional grounds and considerations of sound policy. He contended that if the doctrine which accepted the Philippines as a part of the United States was well founded no customs barriers of any kind should be raised against them, but that, if the Nation proposed to return the islands to their own people, it would be unwise to create such commercial relations as would make it difficult to accomplish our national purpose, adding that we were under no such obligations to the Filipinos "as to make it our duty to support their government or to build up their industry at the expense of our own."

Probably his most active work in the Senate, covering a period of over seven years, was in the great Finance Committee, of which he was appointed a member on December 8, 1910. Even before his service upon the committee began he took an active part in tariff legislation and tariff discussions. He participated extensively in the debates on the Payne-Aldrich bill, the Canadian reciprocity measure, the schedule-by-schedule revision attempted in the Sixty-second Congress, and on the Underwood-Simmons bill—the present law. In the celebrated contest over the Payne-Aldrich bill, during which the majority party of the Senate divided into sharply defined factions, Senator STONE, still a minority Member of the Senate, was conspicuous. Though not a member of the Finance Committee at that time, he availed himself of the counsel of experts, conducted an independent research into the various schedules, and carried on a vigorous fight in the open Senate for lower duties. Many of his exchanges with Mr. Aldrich, of Rhode Island, then the chairman of the Finance Committee, attracted national attention. Senator STONE may justly be termed one of the leaders in the fight against the bill, which probably aroused more intensity of feeling among the respective factions than any other tariff bill in our history, stimulating a greater variance of opinion with men of all parties. It was largely due to his fight on the Payne-Aldrich bill that his appointment to the first vacancy on the Finance Committee was made.

During the last session of the Sixty-first Congress a heated contest developed in the Senate over the charges against William Lorimer, then a Senator from Illinois. Possibly none more bitter, and few more intense, involving a personal issue, ever appeared in the Senate. Senator STONE was not a member of the committee which investigated the charges, but after the evidence had all been presented and Mr. Lorimer himself had addressed the Senate in his own behalf, Senator STONE, on February 28, 1911, in an extended speech attacked Mr. Lorimer's position and declared his intention to vote to oust the Illinoisan upon the facts submitted. This speech was remarkably dispassionate, displaying in the most striking way the Senator's great powers of analysis and judgment. It was regarded by many as one of the best efforts of his senatorial service, and was undoubtedly of great weight in the final determination of the question. He dwelt strongly upon the ultimate responsibility of Mr. Lorimer for admitted irregularities in the legislature and challenged the correctness of Lorimer's interpretation of his relations to his lieutenants, particularly a member of the Illinois lower house named Browne. Senator STONE said:

> Does it seem probable that Browne would discuss money considerations with his followers, make promises and afterwards keep them, with utter ignorance on Lorimer's part as to what was being done? Lorimer was in command, and he was to be beneficiary of the contest. Can Lorimer's lieutenants be guilty of these crimes and yet Lorimer himself, the beneficiary, be wholly innocent?

This address is cited as one of the most powerful evidences of Mr. STONE'S abhorrence of corrupt practices in politics. The question involved in this case was not partisan—party lines were wiped out in considering the facts. Senator STONE weighed the evidence, and declined to compromise with what he considered a vicious thing. He believed the Illinoisan guilty of culpability in this connection, so declared and so voted, and his view finally prevailed.

In 1910 a political upheaval resulted in the election of the first Democratic House of Representatives since 1892. In the new Congress Senator STONE, as a member of the Finance Committee, took a prominent part in support of the Canadian reciprocity treaty presented by President Taft. He was one of the most constant attendants upon the sessions of the committee, which were largely occupied for a time in extended hearings. It developed that many of the President's party associates in the Senate were opposed to the measure, so that a very considerable portion of its advocacy fell upon the shoulders of Senator STONE and his party colleagues. He was frequently called into consultation by the President, and worked faithfully and assidiously for the passage of the treaty. He was one of those who were keenly disappointed when the measure was rejected, owing to the fall of the Laurier government in Canada through the elections in 1911 and the accompanying reversal of the policy of the Dominion.

During this Congress the Democratic House, under a pledge to revise the tariff, passed several bills revising separate schedules of the tariff law, including the free list, cotton, and woolen manufactures, and so forth. These measures had a stormy passage through the Senate, but all of them were supported and in large measure sponsored by Senator STONE in committee and upon the floor. Such of the bills as were passed by the Senate, through the cooperation of progressive Republican Senators with the Democrats, were vetoed by the President.

In the Democratic Senate of the Sixty-third Congress Senator STONE was the second ranking member of the Finance Committee, and as such participated in the framing of the tariff bill passed in 1913. He was the chairman of a subcommittee considering several of the most important schedules. His responsibilities in this connection were very great and his labors arduous. His colleagues on the Finance Committee have already testified to the continuous and painstaking devotion of Senator STONE to the exacting duties of his position. He worked many weeks upon the schedules assigned to him. Anyone familiar with the details of tariff legislation can well testify to the demands upon the legislator who deals with these matters in a conscientious way. It involved many tedious hours of listening to experts, manufacturers and consumers, importers and exporters, with many patient days and weeks of laborious research and discussion.

Senator STONE applied himself to this vast undertaking with his usual thoroughness during consideration in committee, upon the floor, and elsewhere. At the same time he contributed to the debates in the Senate many illuminating and striking utterances in support of the measure. A tariff bill, under the legislative system then prevailing, is a greater tax upon the legislator than almost any other. The Underwood-Simmons Act became a law in October, 1913, and about a month later Senator STONE was taken critically ill, largely through overwork during the long period of the consideration of the tariff measure. His illness continued for nearly five months, developing a complication which indirectly contributed to the cause of his death.

During his convalescence in the spring of 1914 Senator Bacon, of Georgia, chairman of the Committee on Foreign Relations, died, and Mr. STONE, the ranking majority member, was appointed to succeed him. He had served on this committee since April 23, 1908. He continued at the head of the committee until his death in April, 1918, covering a period of 10 years of service on the committee. When he returned to the Senate after his illness, having scarcely recovered, the relations of the United States with Mexico had become strained to the point of breaking and Congress had passed the joint resolution justifying the course of the Executive in using the armed forces of the United States against Huerta. Senator STONE strongly supported throughout the measures of the Government in dealing with the usurper.

During his service at the head of the Foreign Relations Committee he piloted through the Senate many important treaties, including arbitration treaties, the so-called Bryan treaties for the advancement of peace, the convention providing for the purchase of Danish West Indies, the Nicaraguan convention, and many others of minor importance.

MEMORIAL ADDRESSES ON THE LATE SENATOR JAMES.

Mr. BECKHAM. Mr. President, I offer the following resolutions, which I ask may be read, and I move their adoption.

The PRESIDING OFFICER (Mr. KING in the chair). The Secretary will read the resolutions.

The resolutions (S. Res. 434) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. OLLIE M. JAMES, late a Senator from the State of Kentucky, in pursuance of an order heretofore made, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Kentucky.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. BECKHAM. Mr. President, it is a sad and solemn occasion whenever we are gathered here to pay tributes of respect and regard to the memory of one of our departed comrades in the membership of this body.

In the strenuous and feverish times of the last few years, engaged as we have been in the most arduous and important work, and going out of one session of Congress into another without rest or relaxation, we have frequently, far too frequently it seems to us, been reminded of how slight is our hold upon this life, and have been called upon to pause in our work and contemplate in grief and sorrow the earthly separation from us of one of our coworkers in the Senate. Death, which has been in these recent years more unsparing and rapacious than ever before throughout the world, has not overlooked the Members of the Senate in its world-wide harvest, and we have severely felt its heavy hand many times upon some of our most useful and conspicuous associates here.

Since I entered the Senate, Mr. President, a little over three years ago, of the 96 Members at that time 15 have passed away, and I have no doubt that this unusual and excessive mortality is in a large measure due to the extraordinary and tremendous amount of work that has fallen upon the Members of Congress in these troublous and eventful years of sorrow and death.

When I came here in December, 1915, my late colleague from Kentucky, OLLIE M. JAMES, who had been a Member of the Senate since March 4, 1913, was one of the most striking and popular figures in Congress. Of giant physique, big of body as well as of mind, in the very flush and prime of a useful and distinguished life, full of zeal and enthusiasm in the public service, for which he was so well equipped, he seemed to be the very picture of vigorous and robust health; and one who saw him in those days could well believe that the ravages of time and old age alone could conquer such a specimen of manhood, and that there stretched before his ambitious and patriotic vision the promise of many more years of valuable service to his country. His strength and vitality seemed to be irrepressible; he loved life and his fellow men with boyish enthusiasm; and it never occurred to one who saw him then that the scythe of the Great Reaper could be so near him.

But, alas, Mr. President, death is still as it ever has been, cruel and remorseless in the victims it selects. It still loves a shining mark. It spares neither the young nor the old, the weak nor the strong; it strikes down without concern either the exalted or the lowly. The door of the greatest deliberative and most dignified body on earth can not any more bar its entrance than can the door of the humblest cottage in the land. And now we find that our friend, in the flower of his manhood, like a strong young oak in the forest singled out by the fierce storm in its destructive course, laid low in his earthly career; and we are assembled here to-day as his colleagues to render to his memory in some degree the testimonials of our respect, our admiration, and our affection for his many generous and noble qualities of heart and mind.

As one who knew him intimately and well almost since his boyhood days, I feel that it is impossible to express in the necessarily limited time of this occasion all that might be said of him and of his remarkably successful and brilliant career in the public affairs of his State and of his country. However, I may be permitted to give briefly some of the leading and important events in his biography.

OLLIE M. JAMES was born in Crittenden County, Ky., July 27, 1871. His father, Judge L. H. James, a leading lawyer and a highly respected citizen of that county, still lives at a venerable and honorable old age, and bears in his heart with Christian fortitude and patience the deep sorrow of the untimely end of his distinguished son, in whose remarkable and creditable success he took so much pardonable pride and joy. Senator JAMES's good mother, to whom he was so devoted, preceded him to the grave less than a year, and was spared the grief which came to the surviving members of his family when he joined her on the other side.

He was educated in the public schools of his county, and, although he was never a profound student, he early manifested that quickness of intellect and breadth of mind which made up to a large extent what he lacked in the opportunities of collegiate training and higher education. In 1887 he was a page in the Kentucky House of Representatives, and it was there that he probably acquired that intense interest in political questions which was the guiding factor in his life afterwards.

He studied law with his father and was admitted to the bar in 1891. Although his practice of the profession was frequently interrupted by his activity in campaigns and his participation in political affairs, he demonstrated a broad and keen comprehension of the fundamental principles of the law, and with his natural gift and love of oratory he became a most effective and successful advocate before juries.

In 1896 he was a delegate to the Democratic national convention in Chicago, and became an ardent and eloquent champion of the nominee of that convention, Hon. W. J. Bryan, and of the principles for which he stood. In 1904 and each succeeding four years thereafter he was a delegate from the State at large to the Democratic national conventions, where he always attracted considerable attention, and at the convention in Baltimore in 1912 and the one in St. Louis in 1916, he was selected as permanent chairman. He therefore enjoyed the distinction of presiding over the two conventions that nominated Woodrow Wilson for the Presidency; and it is well known with what a high degree of confidence and esteem he was held by President Wilson. His relations with the White House were so close and cordial that he was often regarded as a spokesman of the President, and he never faltered in his loyalty to him nor to the policies for which the President stood.

His ambition as a boy and as a young man was always directed to a seat in Congress. He never sought nor held any other office, and in 1902 he was elected to Congress from his district, beginning his service in the Fifty-eighth Congress March 4, 1903. He served in the House with credit and distinction for 10 years, leaving it March 4, 1913, to enter the Senate, to which he had been elected by the General Assembly of Kentucky. His term, therefore, will expire on next March 4. But less than a month before his death last summer he had been renominated in the State Democratic primary, and had he lived would undoubtedly have been reelected in the November election for another term.

Senator JAMES was one of the most popular and vigorous speakers of his day. He possessed natural talents as an orator. His striking appearance, his splendid voice, and his great skill in clothing his ideas in forceful words and sentences gave him a wonderful hold upon his audiences; and in the later years of his life no political speaker in the country had more demands upon his time for speaking appointments than he had. Upon the stump, the platform, in convention halls, and upon the floors of Congress he always commanded the most attentive hearing. He was never tiresome and always exhibited the happy and rare faculty of knowing when to quit. He had an instinctive knowledge of the psychology of audiences. He seemed to know when to speak, what to say, and the proper time to close.

I recall in a national convention some years ago where he demonstrated this unusual power over an assemblage. The convention had been in session nearly a week. Upon this occasion it was very late in the night and the convention was impatient in its long waiting for the report of the committee on resolutions. The delegates and the many thousands of visitors were exceedingly weary and restless. Many speakers, some of them of first-class oratorical attainments and reputations, made numerous and futile efforts to entertain them; but the tired crowd would not hear the speakers, and with jocular and good-natured interruptions drove them from the platform. Finally OLLIE JAMES was induced to try. It was a dangerous experiment for a speaker with a crowd in such a humor. But as soon as he stood upon the platform before them they became at once quiet and attentive. His massive form, the stirring tones of his great voice, and his well-rounded sentences soon captured the audience and they listened and cheered him repeatedly. He made an appropriate speech for the occasion and did not sacrifice his triumph by speaking too long.

He was very skillful and successful in joint debates, and even in early days before he came to Congress he dared sometimes to challenge and meet in debate some of the veterans of the hustings, and frequently bore off the honors of the encounters. He proved himself a ready and forceful debater in Congress, and in party controversies he was always regarded by

his party associates as one of their most effective pieces of artillery.

He was a Democrat of the strict and regular school, believing with profound faith in the principles of his party; and although he was a partisan he always fought fairly and chivalrously and was esteemed and admired by his Republican associates as well as by his Democratic friends. He was absolutely loyal to the principles in which he believed, and never failed in his championship of them. His ideas and views upon public questions were essentially democratic, and all his sympathies were entirely with the masses of the people, and throughout his public career he never failed in his support of those measures which he believed would bring the greatest good to the largest number of the people.

In his five years' service here in the Senate he won many friends, and the sincerity and fearlessness of his views were recognized by all. He rarely spoke on the floor of the Senate, but when he did he was sure of the most respectful and considerate attention. His last speech in the Senate was made just about one year ago, and it was a strong and ringing defense of the war policies of the administration. He had about reached the zenith of his power and manhood. He was still a young man, with a future before him full of hope and promise. He sought to serve his constituents to the fullest extent, and I believe, Mr. President, that his earnest efforts to serve his people in the great multitude of demands made upon his time and energies under war conditions had much to do with the breaking down of his health. Senators are familiar with the vast increase of work upon us since our country entered the war, and how difficult, if not impossible, it has been to meet every request or demand upon our time. The burden has been very heavy, and my late colleague in his conscientious efforts to meet his part of it, even with his strong constitution, sacrificed his health and his life.

Not only in his public life was he successful but also in his private life, and in his home he was most contented and happy. Married in 1903 to Miss Ruth Thomas, of Kentucky, a most lovely and admirable young lady, he had enshrined her as the idol of his heart, and had gallantly laid at her feet the triumphs and victories which he had achieved. In the sorrow and bereavement which have come upon her the hearts of all who knew this happy couple have been deeply touched. With so much to live for, it is difficult for us, with our limited and finite knowledge, to understand the ways of Providence in striking him down at such a time.

When he last spoke in the Senate on the occasion to which I have referred, he acquitted himself well and ably, but those who sat near him could see that the stalwart frame was not what it had been and that serious illness was upon him. After that day he was never able again to take part in the work of the Senate. He was soon confined to his bed, and all that medical science and the tender ministrations of his devoted wife and of friends could do was done to relieve and restore him. He lingered for some months, bearing his sufferings patiently and heroically, until at last on August 28, 1918, in the hospital at Baltimore, he breathed his last and gave up his spirit to his God.

He was only 47 years of age, but in that brief span he had made a name for himself, a name associated with an honorable and brilliant public service, and a name cherished and loved by the people of his native State and by many thousand of others who had come to know and admire him. Kentucky, Mr. President, was proud of OLLIE JAMES, and in the years to come our people will continue to honor his memory and to count him among that bright galaxy of statesmen that our State has given to the Nation. They will always remember him as a brave and eloquent leader, as a faithful and conscientious public servant, and as a man who never failed through fear or favor to do what he considered his duty. To his sorrow-stricken widow and to the other members of his good family who have been so grievously afflicted we shall always bear the deepest and most heartfelt sympathy.

Mr. WEEKS. Mr. President, certainly not within recent years, if ever, has the Senate met to pay its tribute of respect to the memory of two such distinguished men as Senator STONE and Senator JAMES. When I listened a few moments ago to the eloquent and just tribute which the senior Senator from Missouri [Mr. REED] paid to his late colleague I could not help thinking how justly practically everything he said would apply to that other great Democrat in whose memory we have met. I am gratified to have the opportunity to say a brief word relating to his service, for I am proud to think that I was included among his personal friends.

Senator JAMES entered the House of Representatives at the beginning of the Fifty-eighth Congress, one term before I became a Member of that body, and thereafter until his death we served together continuously in the House and later in the Senate, so that I came to know him and his policies very well. He was one of the most consistent party men I have ever known, a fact I mention because it is not altogether usual in modern times and is one which has my general approval. A government conducted by two great political parties, in my opinion, has a more stable structure and produces more beneficial results to its citizens than any other method which may be followed. A failure to govern by parties in the final analysis means personal government, which may be good or bad; but it is quite certain to lack regularity and stability. Good government or good business can only result by following a well-defined policy. An illustration of Senator JAMES's views on this question and his recognition of it happened in a conversation he had with me shortly after we became Members of the Senate. He approached me with a proposition that we pair on all matters of legislation. I assented, and then asked him why he had made that proposal to me. His reply, I think, was characteristic. He replied:

> You are a consistent Republican on party measures and I am a consistent Democrat. Therefore it is a fair arrangement.

Of all the men I have known in Congress I can not think of one who had a more dominating personality. His record as a party man in the councils of his party clearly justifies this statement. Kentucky has been represented by a large number of men of national importance, many gifted orators, and, considering its population, has had an almost unequaled number of men prominent in national politics. This fact makes it all the more remarkabe that Senator JAMES was the chairman of his State delegation at a national convention when he was but 25 years of age, and from that time—1896—to the last national convention of the Democratic Party no man in his party occupied a more prominent or influential position than did he.

I never had the pleasure of hearing him in a political campaign, but the testimony from his State is universal—and that might be extended to include the entire country—that no man in his day—and this is extreme praise when you think of the gifted men who have been active in Kentucky during the last 25 years—exerted a larger influence on the stump than he. His very presence was one of authority and dominating influence. Not only was this true in his State and in national party councils, but it was true in the Senate. His ability was recognized on both sides of the Chamber. Although very partisan in his activities, he never failed to be fair in his relations with his political opponents. Indeed, he may be described as a square man in his dealings with friend and foe alike. He struck hard, but never below the belt.

His passing at the early age of 47 has removed from the stage of national affairs a man who would have been a leading figure in this country in some capacity for a generation. If my information is correct, he was impregnable in his political position in Kentucky; and his return to the Senate—in fact, his continued returns—would have added more and more to his influence and importance as a political leader.

The country can ill afford to spare any man who has aptitude for public service, well-defined conviction, and a courage to stand by them. It would much better have among its public servants men who are wrong in many of their conclusions than to have in their place timeservers who base their actions on passing whims and whose main purpose is to maintain and augment their own political importance.

I assume from its past history that Kentucky will continue to be brilliantly represented in the Senate, but I am confident that it will be many days before that State will send to Washington a man who will exert a more important influence than did Senator JAMES or a man who will be more jealous of the interests of the people of his State. To secure his interest and his effective aid, it was only necessary to be a resident of Kentucky or even to have been by birth a Kentuckian. This undoubtedly was a characteristic which had much to do with the strong hold he had and maintained over the people of his State.

I pay Senator JAMES this brief tribute with great pleasure, and notwithstanding the fact that we were antagonistic in our views on many important public questions, I most sincerely regret that the career of this remarkable man has ended.

Mr. ROBINSON. Mr. President, formerly the membership of the Senate was composed largely of elderly men. During recent years that rule seems to have been modified and many comparatively young men have entered this body. Notwithstanding this fact, the death rate among Senators appears to be increasing.

Since March 4, 1913, if my memory is accurate, 25 Senators and ex-Senators have died, 9 of them having returned to private life.

The roll of Senators who have died within this period of less than six years is not confined to the feeble and the aged; it embraces also many who have been stricken in the prime and vigor of manhood. The high death rate among Senators may be accounted for in part by the fact that many have entered the Senate at advanced ages, and after arduous labors elsewhere have reduced their vitality. This does not account for the increasing mortality in our membership. Congressional duties have multiplied in number and increased in importance during the last decade. The outbreak of the war and its progress brought many new problems of vital importance to the Nation and to the world, and also created new labors of a quasi-official nature sufficient in number to overwhelm the most vigorous Congressman. The physical and mental strain incident to labors in Congress during the war now closing accounts for the loss of some of our ablest and most influential members.

The Senator from New Hampshire, Mr. Gallinger, passed away at the ripe age of 81 years, retaining his mental vigor and comprehensive grasp of public questions until the end.

Senator STONE died at an advanced age after long public service. Senator JAMES died in the prime of life, at the high noon of his usefulness and influence. Prolonged service in the House of Representatives familiarized him with the details of national legislative procedure and afforded him accurate knowledge of the many difficult problems connected with the progress of our country. When Senator JAMES began his career in this Chamber he enjoyed, in addition to this knowledge of legislative problems and procedure, an intimate friendship with many Members in both Houses of Congress which contributed to his influence here.

It may be said that some of the most striking characteristics of his public service are epitomized in the phrases "Party loyalty" and "Responsiveness to the will of the people."

Senator JAMES was a partisan; passionately, but not blindly, attached to the Democratic Party. His partisanship was frank and aggressive. He was recognized throughout the Nation during the present administration as a powerful factor in its councils.

He believed that virile political organizations are indispensable to the proper administration of government under our Constitution. He supported the platforms and nominees of his political party with unhesitating fidelity. During 15 years of intimate association with him in the House of Representatives and in the Senate, I never knew him to expressly or impliedly repudiate a platform declaration to which he was committed or to fail to champion, when occasion arose, the administration or organization with which he was allied. Senators present will recall his eloquence and impetuosity in debate. His striking personality, forceful manners, and fluency of speech gave him a degree of power on the platform equal to that of any speaker who has appeared during this generation. He was, perhaps, with the exception of Mr. Bryan and the late former President Roosevelt, the most popular campaign orator of his day.

Notwithstanding the marked attachment which Mr. JAMES always manifested to the Democratic Party, his attitude on public questions was marked by a responsiveness to the will of the people rarely evinced by men in public life. He was not ashamed to avow his readiness to effectuate the public desire in legislation. He believed that the people are the source of all political power under our form of government, and that they can be safely trusted to govern. In political debates, both here and when speaking from the stump, he frequently appealed to public opinion as the supreme political tribunal. This practice was not the outgrowth of demagogy, or of political cowardice. It was the natural development of an abiding faith in the integrity and intelligence of the people.

In spite of partisan views and utterances, Senator JAMES enjoyed many intimate friendships—friendships of the enduring kind, not to be accounted for by the simple rules alleged to govern human relationship, but having their origin and growth in the indefinable but nevertheless powerful laws of human nature. One of the most valuable compensations of service in Congress is the associations members enjoy with one another and the lasting friendships thus formed. Neither politics, religion, nor similarity of habits form a standard by which our friendships are established or mantained. This fact, unimportant as it may appear when first suggested, is of tremendous importance in giving elasticity to our social and political institutions. It enables us to witness the passing of political control from one party to another, with calm assurance that the fundamentals underlying our civilization will be preserved and safeguarded, because we know that the patriotic purposes of American citizenship are not monopolized by any one political party.

Mr. President, it is a pathetic fact that we are so busy here with present and prospective duties that when a Senator dies his prominence is quickly forgotten, indeed rarely recalled.

When a leader in the Senate falls another advances almost unnoticed to take his place. Our proneness to forget Members who have passed beyond is due in no part to lack of appreciation for their virtues. It is occasioned by the responsibilities of public duty—constantly changing; always pressing.

The memory of OLLIE JAMES will be perpetuated here, where he toiled so effectively for the preservation of the people's liberties. He will not be forgotten. The Nation will remember him for his unhesitating loyalty when it summoned American manhood to the defense of civilization.

Kentucky will gratefully preserve his name and fame. Kentuckians honored him while he lived—honored and loved him. They love his memory. That love is as tender as the starlight of a Kentucky night, yet as warm as the sunlight of a summer day upon Kentucky fields and hills.

Mr. KENYON. Mr. President, out of the affection which I bore for OLLIE JAMES I could pay tribute at considerable length to his splendid qualities as a man, as a citizen, and as a legislator, but the hour is growing late, and I shall abbreviate considerably the remarks I had intended to make upon this occasion.

Taking the oath of office by a Senator is always an interesting event. I can well remember—it seems but a few weeks ago, though, in fact, it was nearly six years—a powerful physical giant coming down the center aisle, standing at the Vice President's desk and taking the oath as the new Senator from the State of Kentucky.

I had known of him and of his career, but had no personal acquaintance. He impressed me at that time as a thoughtful, earnest, determined, courageous man, and a fine specimen of American manhood. I came to know him well and intimately during his term, and the impression made on that day became more fixed.

While we differed in our adherence to political parties, I have seldom found myself out of harmony with his views on any question that related to the average everyday folks, and the news of his death brought to me the shock of a great personal bereavement. Such a man, as the Senator from Massachusetts [Mr. WEEKS] has said, the country could ill afford to lose, especially in these troublous times.

Kentucky has given many eminent men to the Nation. It has been a land where oratory has flourished. The intense struggles of the Civil War produced in its subsequent history a rugged kind of character; a self-confidence and determination to stand for the right; a noble type of honor and chivalry. A wonderful history is that of Kentucky, not only subsequent to but before the Civil War.

From a log cabin of Kentucky came the greatest of all Americans, Abraham Lincoln; likewise from that State came the President of the Confederacy, Jefferson Davis. To-day there presides over the House of Representatives one of the most brilliant sons of the Nation, proud of old Kentucky as his birthplace, CHAMP CLARK. Henry Clay was a son of Kentucky, and likewise our departed and beloved OLLIE JAMES.

He had a liking and an aptitude for politics. Starting as a page in the Legislature of Kentucky his rise was rapid, until at last his ambition for a seat in this body was gratified; and who can tell, had he lived, but that higher honors would have awaited him? Certainly he would have been one of the most prominent candidates for President before the next Democratic National Convention.

Probably no more interesting event ever occurred in his life than the reception given him by his home folks after his election in 1912; for, after all, it is the opinion of the folks at home, who know a man in his everyday life, who see him as he walks among them and communes with them that really counts.

It is not always true that the prophet is not without honor save in his own country and among his own people. At least, if that may be true of prophets, it is not true of men with red corpuscles in their veins. It was not true of OLLIE JAMES. I have copies of some telegrams that were sent to Senator elect JAMES at that time and read at that banquet. One, from CHAMP CLARK, reads as follows:

WASHINGTON, D. C., *January 19, 1912.*

OLLIE M. JAMES, *Marion, Ky.:*

The noblest Roman of them all, hearty greetings. Next to an ex-Kentuckian, whom I will not mention for the sake of modesty, I would rather you, another Kentuckian, were shown the straight and narrow path to the White House. If, later on, I am shown that path, I in turn would be happy to have 100,000 Missourians shown that majority for

OLLIE JAMES; that would be about the right figure. Your fellow townsmen no doubt will drink to this sentiment with their ayes at the banquet to be tendered you to-night.

CHAMP CLARK.

Another message on the same occasion:

WASHINGTON, D. C., *January 19, 1912.*

Hon. OLLIE M. JAMES,
Senator elect, Marion, Ky.:

If your home folks think as well of you as we Standpat Republicans do, it is jug-full and then some. Wish I could gaze upon your big, broad, good-natured face to-night and drink to your health and happiness. As I chew the end of my Pantello, and imagine wreaths of smoke curling upward, I can not help meditating on the fact that the Democratic Party is more obnoxious to me than ever; for you are a shining light of that party and it does not deserve such good fortune.

JOSEPH G. CANNON.

And another:

LINCOLN, NEBR., *January 19, 1912.*

Senator Elect OLLIE M. JAMES,
Marion, Ky.:

Remember 1916. If you are not the standardbearer of our party that year I will be greatly disappointed, for Democracy needs just such men as you to succeed the Democratic nominee we intend to elect next November, one term being enough for any good Democrat, even if he is defeated after two times in the running like some I know of.

My congratulations on the enthusiastic reception I feel reasonably certain your own townsmen are according to you to-night.

WILLIAM J. BRYAN.

Mr. President, in order to be a leader one must inspire men. Ollie James did that. He was a master of great assemblies. Probably never in the history of the Nation has one man, save Bryan, exerted more influence in the various national conventions of his party than he. In 1912 and 1916 he was permanent chairman of the Democratic national convention. It will be difficult, I think, to find, though it may be possible, that the same man has twice in succession presided over a national convention of either party. His speech as permanent chairman of the St. Louis convention in 1916 is one of the masterpieces of political oratory. He had been a great lover and follower of Bryan; also of CHAMP CLARK, whom he earnestly desired to see nominated in 1912. When Woodrow Wilson succeeded, and became President, he became his staunch defender; and no man ever had a better one. His speech, hereinbefore referred to, at the Democratic national convention, was a wonderful tribute to the President, and it came from the depths of his heart.

His ability as an orator would be conceded by all who ever heard him. The old-fashioned, flowery sentences seemed to flow naturally from his lips. The pathos of his soul gripped the heartstrings of his hearers. Tested by the ability to move and convince people, OLLIE JAMES was one of America's great orators, and certainly stood among the leaders as a political campaigner.

He was true to the common folks. He loved them, not for politics' sake, but because he had known them, and been raised in the hard school of adversity. He was a true representative of the everyday, average citizen of the Nation, and he was willing to fight in legislation and everywhere else for anyone whom he thought was the under dog in the fight. And OLLIE JAMES was a real fighter in the cause he espoused.

No one would claim that he was not an intense political partisan, but he was fair. I think it would be difficult to have convinced him that the Democratic Party ever made a mistake; but at the same time he could see good in the opposition. Members of this body will not forget his contest with Senator Camden on the floor. The ship-purchase bill was under discussion. I shall always remember with what dramatic power he hurled these closing words of his very remarkable speech:

But, Mr. President, above everything, if this bill must go down, if this great constructive measure must fail, if this must be the first defeat for the greatest President who has occupied that chair in 50 years, if he must fall and above his body the wild shouts of a triumphant Republican Party shall rise, I do pray God that I may be spared the humiliation of reaching down to pull from his body a dagger bearing the impress of the hand of a Kentucky Senator.

I have seen him sway great audiences and arouse them to fighting mood. He could rally his own party forces. His very appearance inspired confidence. They knew he could always take care of himself—in repartee, in humor, or in sledge-hammer blows. Intense partisans want their champion to flay the other fellow. They were sure not to be disappointed when this son of Kentucky got into full action.

He was always anxious in his legislative work to represent the people of his State, although OLLIE JAMES realized that a United States Senator, while accredited to a State, should represent the entire Nation; and he was a big, broad American, hemmed in by no local influences. I have talked with him frequently on the prohibition question. We differed radically; but when things commenced to be going dry pretty fast in the country he said to me one day that while he did not believe in prohibition, if the people of Kentucky got around to where they wanted it, he should be for it. He believed in the people, and the people believed in him. That was the secret of his strength, and that made him the idol of Kentucky Democracy.

The night of the discussion over the war, some of us talked with him and urged him to make a speech. We had had speeches through the day—not much fire in them—and some of us wanted him to make a speech that would stir up enthusiasm. He did, in a speech glowing with patriotism and fiery invective against the enemies of America. His father had been a Union soldier, and OLLIE JAMES loved this country as a man loves his mother.

I never dreamed but that OLLIE JAMES had many years of service left to his country. His splendid physique seemed to insure him long life; but the reaper, death, so busy in this body, had marked him for its own. It had not seemed possible that OLLIE JAMES could die. His physical power seemed proof against death, but the cord of life snaps so easily. Truly—

The leaves of the oak and the willow shall fade,
Be scattered around, and together be laid;
And the old and the young, and the low and the high,
Shall moulder to dust, and together shall lie.

Thus it has ever been; thus it will ever be. And so the great soul winged its flight to those mysterious, unknown realms. It was as if the strong oak of the forest had fallen before its time, and with its fall fell the hopes and aspirations of his friends for yet greater honors for him. For OLLIE JAMES bound to him friends with hoops of steel—not merely everyday friends but the kind who will go through stress and trouble and fight for him.

It was not so much as a politician and statesman that one was drawn to OLLIE JAMES, but it was that something about him that made one feel he was an unusual kind of friend; that he was a brother man, a heart man. He needed a large body to hold his great heart. No one was ever turned from him when needing help, no poor soul without encouragement.

Brave, generous, noble-hearted OLLIE JAMES! We will not see your like again. Sad to us that you should be called to leave this Senate before the full fruition of your life work; and yet such spirits as yours live on in the hearts of those they have befriended. The best epitaph that can be written of any man is that men and women and children are a little happier because he has lived; that the world is a little better for his life. That could truly be written above the grave of OLLIE JAMES. That is enough to say of anyone.

As Sunday after Sunday we are meeting here to pay our humble tribute to those who have preceded us on "the long, long trail a-winding," may we not gather a better inspiration for our own lives; a firmer resolve so to live and to act toward one another that we shall be of those who are missed by humanity when the great summons shall come? It is not far away for any of us.

'Tis the wink of an eye, 'tis the draught of a breath,
From the blossom of health to the paleness of death,
From the gilded saloon to the bier and the shroud—
O why should the spirit of mortal be proud?

Mr. THOMAS. Mr. President, I first met OLLIE JAMES at the Chicago convention of 1896. He was a large, ungainly giant of a young man, ill-attired and very self-conscious. The Kentucky delegation occupied seats directly in front of that to which I belonged. Mr. JAMES had been chosen chairman of the delegation; a notable distinction for a young and inexperienced leader. It had been instructed to vote as a unit, the majority at all times to determine what that vote should be. The delegation was a very turbulent one. Free coinage of silver was the issue. It had enthusiastic friends and a few determined enemies in Kentucky, and both sides were represented in the delegation, with silver in the majority. The minority, led by the redoubtable Col. Halderman, never failed to assert itself as occasion required—protesting, denouncing, and defiant. But the chairman, always self-controlled, polled his delegation, announced the rule, and cast the vote, unperturbed by the outcries of his outraged but helpless colleagues. Our acquaintance, beginning amid such dramatic environment, soon ripened into a close friendship, which continued without interruption to the end. I visited Washington frequently during Senator JAMES's career as a Member of the House, when he always made me welcome. He entered the Senate very shortly after I did, and from that time onward our relations were very close indeed.

Senator JAMES was an old-fashioned, uncompromising Democrat. His party faith was to him a sort of religion. Democracy was the only true gospel, and Jefferson and Jackson its great apostles. What his party did was right; what others did was wrong. Party disloyalty was high treason. The candidate having been chosen and the platform announced, every man should fall into line and obey the orders of the high command. To do otherwise at any time or under any circumstances was to him unthinkable. Honest, straightforward, and courageous

himself, he could neither understand nor forgive in any man the offense of repudiating his party platform or opposing his party nominees, whatever the reasons. To him these were anathema.

But such things mattered not at all in his daily intercourse with men. His friends were many and were of all political creeds. These he bound to him with hooks of steel. And he was a welcome guest and companion everywhere, for he was kindly, lovable, brilliant, and entertaining.

Senator JAMES was gifted beyond most men of his generation with the great power of persuasive eloquence. He was a man of fine attainments. Nature had endowed him with a commanding presence, a great voice, rich in tones of harmony, and a marvelous faculty of expression. He was not a student, yet one of the best educated men of his time. He possessed fine intellectual faculties. His active mind easily absorbed and always retained information. His knowledge of men and of events, of political history, and of current affairs was remarkable for one who apparently devoted so little time to their contemplation.

When I returned to Washington a year ago after a somewhat extended illness, one of the first of my colleagues to welcome me was Senator JAMES. He was apparently in perfect health. I congratulated him upon his immunity from the ills and humors to which less rugged mortals were subject. To my great surprise he replied that he was far from well, and had for some time been in the care of his physician. It was difficult to believe him. But shortly afterwards his very dear friend, the late Senator Hughes, passed away. From the shock of this great grief he never fully recovered, and I have no doubt that it hastened the development of his malady. A few days afterwards he addressed the Senate upon the conduct of the war by way of reply to a speech of the senior Senator from Oregon upon the same subject. This address was characterized by all the earnestness and eloquence of the man. No listener could have suspected the speaker of illness, nor yet of waning physical or mental vigor. But he sustained himself to the close of his speech only by the most painful and prodigious effort, and retired to the cloakroom completely exhausted. He appeared in the Senate Chamber only two or three times thereafter.

He died at a critical moment in public affairs. The allied advance was in full swing, but the German power was as yet unimpaired. New armies were gathering in America, and the Nation was preparing for its mightiest effort. His services and his influence were needed as they never had been.

The grim summons could not have come more inopportunely for him nor for his country. But matters like these lie beyond the power of human regulation and must be borne because they can not be avoided. And since man is ordained to die, the life of no single individual, however exalted, is indispensable to the welfare of the race. Society adjusts itself to the inevitable, and the inexorable processes of time are seemingly undisturbed by the tragedies of life or the needs of statecraft.

He was a typical son of Kentucky. There he was born and there he always lived. For him there was no other landscape so green, no skies nor sunshine so winsome, no people so lovable. His was the one country of the earth, and Kentucky the fairest jewel in her crown of Commonwealths. He loved her with the same passionate devotion which the Frenchman lavishes upon the land of the tricolor and the lilies. And she returned his affection by crowning him with her highest honors. He served her well, added his name to the long and shining list of her illustrious sons, and sleeps peacefully in the sheltering embrace of her generous bosom. May the grass upon his grave be green while time endures.

Mr. LEWIS. Mr. President, what an interesting exception we have lately made, sir, when the Members of this body and our colleagues of the House adopted the holy Sabbath as the day when men shall assemble in Congress to speak there the feelings of the heart as to one who is dead. And yet, sir, if there is anything that can suggest to the mind that there is no death, it must be tributes such as we have heard falling from the lips of those who speak only as the heart feeleth. For if there were death in the sense we are sometimes taught to appreciate that word, men could not live in the souls of those who love them like some inspired spirit breathing its own incense of beauty and their fragrance of life—aye, to the last moment of memory. That we should on the Sabbath turn our worship a little while to those who personified in their existence that which is meant by religion is a beauteous adoption on the part of these, sir, who represent this assembly.

Yet, sir, our meeting here speaks the fact that great men, great as has been described by these eminent orators in merit of mind, in character of life, in virtue of public integrity have died. Truly, sir—

> The boast of heraldry, the pomp of power,
> And all that beauty, all that wealth, e'er gave,
> Await alike the inevitable hour.
> The paths of glory lead but to the grave.

I heard the Senator from Iowa [Mr. KENYON] Republican so called in the political division, the eminent Senator the colleague of Senator JAMES, Senator BECKHAM, Democrat, each pour out his tribute to the splendid State that gave birth to these two great men whose characteristics we commemorate this day, Senator STONE, of Missouri, and Senator JAMES, of Kentucky. Sometimes, sir, I am moved to the fact that as there is a certain soil which may produce a celestial bloom in floral growth and others that impart massive strength to forest tree, so, too, sir, there are certain places in regions of earth that produce men in different flavor and varying standards from that which cometh up from other soil.

Kentucky. Her every mountain preaches strength, and presents something of a titanic aspect. Her hills huddle themselves together in something of glory, the furze of autumn and the flowers of spring sparkle in original beauty. In Kentucky every stream ripples through a sacred soil, while the shimmering light falling on her grasses makes radiant that which the world apostrophizes as the bluegrass of Kentucky.

Natural, indeed, that from such a State there should come forth such spirits that embody within themselves characteristics something apart, indeed wholly different, from that which may be possessed by men elsewhere. Though we will not say of all that they were in all superior in their primal endowments, yet, sir, by comparison they were never failing in their virtues. Kentucky! There was Clay, Crittenden, Marshall, Beck, and now James. How their names loom before us and rise as something ascending on the mountain steps and presenting to us truly the visages of greatness.

What a startling partiality this great State presents, where there seems to come nothing from her but that which shall be called wonderful!

Mr. President, I am not a qualified witness to the virtues of the noble dead we celebrate. My contribution can not be regarded impartial. I can not speak of the statesman OLLIE M. JAMES in the abstract analysis that these distinguished gentlemen have shaped, framed, and clothed him. I knew him intimately as a close, dear, personal friend; as such I loved him. In the House the distinguished Member from Alabama, Hon. THOMAS HEFLIN, was probably the closest, apart from members of the delegation of Kentucky, of any of his colleagues in that branch. The eminent Senator from Colorado, Mr. THOMAS, in his epic contribution but a moment past referred to the closeness that Senator JAMES bore to Senator Hughes of New Jersey. Pardon me if I add, sir, that early conditions of acquaintance drew me within that circle as one of the few to whom I think Senator JAMES ofttimes came with those little personal matters which mark the man as human, apart from the official and the statesman. I therefore knew him, sir, as a man, as did many of you who sit about me on this sacred occasion. He learned through the vicissitudes of life and the arduous struggles of one who had to combat all obstacles from men to feel that only within himself was there the true resource of conquest and victory. He had not the aspirations to acquire riches with which he might purchase immunity from the world's struggles and exemptions from its burdens or its miseries. He sought not that social exclusiveness that might look down with disdain upon his fellow men in lesser spheres of life. Nor, sir, did he strive for heights of renown in that thing which we call statesmanhip in office that he might glorify himself in something of flashing radiance above his fellows.

To him ever was the single object in whatever avenue he thought and whatever path he walked that all his efforts might lead to the aid of his fellow men. He recognized that all to be done and achieved was within himself. His creed was that of Henley:

> It matters not how strait the gate,
> How charged with punishment the scroll;
> I am the master of my fate,
> I am the captain of my soul.

This text, sir, guided him. This it may have been that charmed and allured him to toil and undertaking, and by that standard he achieved. That standard, sir, he applied to all those about him. He ever felt that men should be natural and true to themselves as men. That men should look within themselves to find their standards and from such behold what should be the guide of their conduct. There was not a man he knew, however humble, to whom he would not extend his

hand. There was not one in distress who could not look to him for refuge. He did not know how not to be a friend.

Can we forget instances here in this body, when an humble Armenian whom no one knew, who seemed to have been friendless in the invention that he thought he had conceived that could contribute something of welfare to our Nation? There were few who had confidence in the invention; but Senator JAMES, as chairman then of the Committee on Patents, though smirked at and smiled at by those of his beloved friends who understood his credulity and how easily he was impressed with any cry of distress from any quarter, nevertheless, sir, was found here pressing the claim of that obscure man for a hearing. This man was so situated that he could contribute to Senator JAMES nothing personally or politically. Senator JAMES did not know whether his petitioner could contribute anything of material benefit to the Government, but the advocacy by Senator JAMES was an evidence, sir, of a nature so boundless in all its generosity, so large in all its sacrifices, so gentle in its mercies that he could turn his great office and solicit at the hands of his legislative comrades the highest service to be given to any mankind. This he would have done anywhere for anyone, however high or low the pleading mortal who asked for a hearing. I saw nothing in all his life to me so significant of the generous soul that beat through all his life as this exhibition he gave us of his solicitude in behalf of a helpless man, without means and without influence.

Mr. President, it was as a statesman that these his colleagues could well turn their attention and address their tribute. They have done so with beauty and power. Kentucky, sir, was a State which was cradled in all the swinging flame that flashed to and fro in the awful strife between the States of this Union.

There was not a village within her sacred precinct that was not accursed with the differences by which brothers oftentimes faced each other with frowns, and not infrequently with swords, on the battle field. Kentucky was removed in a great degree from many of the extended questions and widening problems that agitated and agonized the great general land—particularly in the great West, in which I live. Yet it is interesting to observe that when Mr. JAMES came into public life from Kentucky he extended his mind into the broad area of the needs of all humankind. He declined to be narrowed to the mere demands of his dear hills and sweet valleys, and while as the distinguished Senators who have just addressed us have imparted to him the attribute of faithful party affiliation, he was a Democrat who aspired only that he might represent the principles of the great democracy of man as he understood it. Yet, Mr. President, let justice be done to him, and that is to say that it was ever the great breadth and sweep of his whole country that engaged his attention and solicited his services and to which he dedicated his daily life.

There was never a grievance in any part of America that was not his. There was not a wrong done in a State that he did not feel. There was not a suffering of humankind in the circle of this whole Republic that it was not his trust to remedy. There was not suffering about him even of the humblest of mankind that did not beat against his heart and surge in every vein of his existence. For the removing of all this he was a statesman. It was to remedy the wrongs of his country; it was to do justice to his fellow men he spoke, he served, he lived.

Sir, it is said he was an orator. Yes; and truly Senators may refer to the conventions in which he exhibited such marvelous skill and the display of such talent, readily to be envied by any mortal. But I beseech you for a second to dwell on one passing thought. Senator JAMES was truly the follower and supporter of Hon. CHAMP CLARK, of Missouri, for the Presidency. He presided over the convention at Baltimore city with all the solicitude that a friend could have. Yet so impartial and so just was he there that he commended himself to the followers of the successful rival, Mr. Wilson; and four years thereafter he was seen to be the chairman of the convention that was known to be for the then successful President, Woodrow Wilson. So just was he in all his rulings, so impartial in all his career, so manifestly true to all, that there was no one to lift a voice against his elevation to the same authority, because it was not to men as persons he rendered his devotion but to principle, and whoever carried the colors of that principle of right and justice it was under that he marched and for that he drew his sword and blew his golden trumpet.

Thus it was he became such an orator. He spoke from his heart. He echoed from his soul. He cried out to mankind, and, sir, he suffered the wrongs he abjured and condemned when suffered by others. He felt hurt in the pains wounding others, and he lived the hopes that he prayed for in behalf of his neighbors and his fellow citizens. Sir, thus it was he was the manner of man we have listened to, 47 years of age, hardly, sir, at the threshold of what begins a public career of greatness to other men, when he was summoned to celestial service. Truly, as Byron described Sheridan:

> Fruits of a genial morn and glorious noon,
> The deathless part of him who died too soon.

But, Mr. President, I decline to bear that solemn sadness that pervades many of my friends who have spoken so beautifully of the departed one. I have seen a candle burn down to its socket. I have seen its light go out. I have seen a little remnant of oil that marked where once a living flame burned and glowed, and I was saddened.

I have seen men come to public life akin to that candle and burn their lives out so long and so low that none could see the reflection of the flame where once it flashed, nor could behold the beauty which was woven by the threads of silken sweetness.

Here is a man who through his gifts and by the permission of Heaven was allowed to climb the mountains of greatness as high as men can usually ascend, and just at the pinnacle—indeed, at the top—with the glowing sun of success radiating about his head, he is beckoned to and ascends heavenward, carrying with him, sir, the aureole of his reputation, the love of every friend, the admiration of man, and added to these the fresh memory of his splendid achievements to praise before the world as the pride of Kentucky and the glory of the United States Senate. As such he becomes the idol of his State and the example to ambition to emulate as a standard of a Christian and a famous man. What could Heaven give man greater than this to pass on to his family, to transmit to his generation, and to establish in praise and in commemoration in ages that shall remember him?

Sir, that I mourn my friend it is true; that I deplore his loss, yes; because I saw the sweet and gentle life which he lived among those who loved him; but, sir, I can not but say that as death must come and as there must be the end of the journey to us all, I would to heaven that those I love could have so sweet a fate, that when they go out they could go in such a golden glow as gleamed upon his existence and lighted his way to heaven. Truly of him we may say: "A great tree has fallen in the forest, and with its crash the gates of heaven opened and angels came forth proclaiming to the Master, 'There cometh one to us whom we now receive for that we loved him long and dearly.'"

Mr. MARTIN of Kentucky. Mr. President, the associates and colleagues in this body of him whose memory we have here gathered to honor have so feelingly paid him tribute, and have with rare and choice expression so accurately portrayed those well-known, outstanding traits, attainments, and characteristics which gave to OLLIE M. JAMES his fame and endeared him to his friends, that I feel as impotent to add anything to their eulogies as I am powerless to do justice to the life and character of this most remarkable man.

Yet I avail myself of the privilege on this memorial occasion of recalling to the Senate some incidents of his career showing what manner of man he was and of laying upon his grave as my own, and the tribute of a grieving, true-hearted Kentucky constituency, a wreath of kindly memories which he so well deserved.

From the beginning of his political history until its close by death at Johns Hopkins Hospital on the 28th day of August last, Senator OLLIE M. JAMES was constantly and conspicuously in the public eye—first in his congressional district, then in his native State, and finally as a figure of national renown.

For 15 years he was the undisputed, unquestioned, recognized leader of his State's Democracy. His leadership was founded upon his own power, his unique personality, his unparalleled popularity. He ignored machine politicians and the methods of machine politics and was never embroiled in the factional differences which so often divided his party in the State. He was indifferent as to whether the party organization was under the control of friend or foe. With the consciousness of his power and of his predominating influence with the masses, who recognized in him an aggressive exponent of the principles in which they inherently believed, he was content to trust his political fate and fortunes to their keeping.

Early in his career politicians found that he was too strong to be stayed; aspiring ones knew that when he wanted place he got it. They dared not oppose him, and practically without interference he was returned time after time to the National House of Representatives, then elected to the Senate by the general assembly, and again, while in the very throes of death, he was chosen, with the certainty of election, as the nominee of his party for the term beginning March 4 next. During his first term in Congress, when in his thirty-second year, he took a commanding place; he was well informed on principles of gov-

ernment as well as those of his party, whose tenets and faith he advocated and defended valorously on all occasions.

In legislative action he was guided by and strictly adhered to what he considered the limitations of the Constitution and always stoutly defended his conception of the Democratic doctrine of State rights. Consistently with his belief he opposed vigorously Federal legislation on both the liquor question and woman suffrage. He regarded such action as an invasion of State sovereignty. Despite the entreaties and persuasions of close political and personal friends, steadfastly and courageously he maintained his convictions on these subjects. While he revered and defended the mandates of the Constitution, he was not reactionary, and had no patience with those who shielded such tendencies behind abstruse technicalities of constitutional construction.

This is shown by a speech he made in the Sixty-first Congress, defending a bill restricting gambling on cotton futures, in which he said:

I have been here a number of years now and during that time I have seen many a knight of the Constitution come galloping into the lists gallantly, bearing himself with skill and ease, but I have during my service here seen not one of these knights of the Constitution, with visor down and lance at rest, come into the lists to do battle for the man who sows the grain or reaps the harvest or digs the ditch.

Mr. President, there are preserved in the records of the House and Senate as a monument to his talent and genius, as evidence of his patriotic solicitude for the welfare of his native land, numberless utterances, profound in thought, striking in style, eloquent in appeal. The last of these was made on this floor one year ago in this month, when, sensing the hideous magnitude of the war's meaning to the United States, and quickly realizing the burden that was to rest upon the shoulders of the President, he plead for support of his policies and decried criticism, then so prevalent, of the conduct of the war; he reminded the country that there were in the days of the American Revolution men who tried to displace George Washington, though he afterwards waved in triumph the conquered sword of Cornwallis; that there were critics in Lincoln's time whose policies, if adopted, would have ended in disruption of the Union instead of a triumphal march of the American Army down Pennsylvania Avenue. With confidence that Woodrow Wilson, if unheckled and unannoyed, would measure up to his great task, he predicted in that speech that—

The time will come in the providence of God when our victorious Army, with America back of it, will come back home in triumph and march down this same great Avenue, panoplied with the flowers and love and tears and pride of all America in review before Woodrow Wilson, the man whom not only America but all the civilized world trusts. Liberty will be safe and Americanism will be secure.

His judgment was justified, his prediction has come true. Before the snows of a single winter had fallen on his new-made grave the armistice was signed; peace had come. "The war drum throbs no longer; the battle flags are furled." That victorious Army is coming back home, and before this month shall have passed will march triumphantly down this Avenue in review before the President of this great Republic, whom, in the eventful and crucial days of preparation for war, when he was beset by pacifists, pro-Germans, and critics, OLLIE M. JAMES, with unsurpassed patriotism, supported, defended, upheld, and encouraged.

Mr. President, no tribute to OLLIE M. JAMES would be complete, no history of him could do his memory justice without reference to his honor, his honesty, and his intensely keen sense of the obligation of a Senator and public servant.

During the last years of his life his services were sought in two important legal cases which would have paid him a fabulous sum—much more than lawyers of acknowledged ability could earn in a lifetime. Yet he refused to accept employment in either of them, for he believed that it was not his legal ability which the litigants sought, but that they were seeking his services because of his political prominence. In the summer of 1917 he had a contract with the Northwestern Chautauqua Association, by the terms of which he was to receive the sum of $10,000 as a platform speaker for that association during the summer of that year. Conceiving that his duty required his attendance upon the extra session of Congress which was called, he canceled the engagement and gave his time to his congressional duties.

His intellect, Mr. President, was one of marvelous native power; his lack of collegiate education was largely compensated by the opportunities which he had and embraced of acquiring knowledge from the school of experience. He was most noted for his gift of oratory; but he did not owe his triumphs so much to this as he did to an extraordinary mind, to steady work, and the impression he made on others that he was a man of ability. He was wonderfully adept in his power to engage and hold the attention of great throngs, and to this was due largely his great success in presiding over and controlling two great turbulent Democratic national conventions. His oratory was not the construction of phraseology into the "business" style, but as a speechmaker he was distinctly southern, a master of flowery language, with the taste and tact not to employ it beyond effective limits. Old-fashioned it may be, but in the case of OLLIE M. JAMES no man can say that he ever listened to one of his speeches all the way through and never got a single thrill out of it.

Mr. President, OLLIE JAMES was a brave fighter, who never lost a battle and never surrendered except to the malevolent final foe; he was, above all, a man and a gentleman, in whose soul burned brightly the light of chivalric courtesy and heartfelt consideration for others.

These qualities to Kentuckians, who hate a coward and to whom it means something precious and sacred to be a gentleman, appealed with such compelling force as to make of him the idol of his people, the most popular and admired man of his day.

The late distinguished Senator from Kentucky, Mr. President, has yielded the floor, never again to be heard in this Chamber. Kentucky is proud of his record here; the Nation will never forget him. We who knew him personally will always hold his memory in sacred and deep affection.

As a part of my remarks, Mr. President, I desire to read into the RECORD the resolutions adopted by the Democratic State central and executive committees of Kentucky, which met to select a nominee to succeed Senator JAMES in this body:

In the death of Senator OLLIE M. JAMES democracy has lost a great and gifted champion, the Senate an acknowledged leader of approved skill, the President of the United States a chosen champion and sponsor, and the people of Kentucky an idol son, whom she regarded, not without cause, with pride and affection.

Stricken in the meridian of his splendid manhood, his short life was crowded with splendid achievement. For 20 years a representative of the State in every national convention, twice he was chosen to preside over deliberations called to select his party's champion for the highest office in the civilized world. For five successive terms, without opposition, he represented his district in the Federal Congress, and upon his voluntary retirement from that post of honor he accepted a higher and more coveted position. From the hour of his appearance in the Senate of the United States he served with that distinction for which his ripened experience and brilliant talents so well fitted him.

His death at this hour is regretted not by a party alone, but by a Commonwealth and by a Nation.

Loyal, ardent, patriotic, brilliant orator, accomplished statesman, "though dead he still speaketh." His memory will be enshrined in the hearts of Kentuckians long after monuments of bronze or marble erected above his ashes shall have ceased to defy "the wasting tooth of time."

Mr. President, as a further mark of respect to the memory of the late distinguished Senator from Missouri and to the memory of the late distinguished Senator from Kentucky, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Monday, February 3, 1919, at 12 o'clock meridian.

Welcome and Leave-Taking of Members of Congress as They Come and Go in the Highest Legislative Body in the World.

EXTENSION OF REMARKS

OF

HON. DAVID A. HOLLINGSWORTH,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 10, 1918.

Mr. HOLLINGSWORTH. Mr. Speaker, I have not been much impressed with the congressional leave-taking usually incident to the retirement of Members as they come and go in this the greatest popular legislative body in the world. The lure and fascination of congressional life added to its honors and the opportunities it affords for great usefulness are generally sufficient to induce Members to wish to prolong their term of service. Few Members, indeed, whether they be distinctive leaders or of the average type, retire without some qualms of regret, unless it be to cross over, as many do, to the other end of the Capitol or possibly, as at least three Members from my own State, now called the Modern Mother of Presidents, have done in recent years, gone to the great white mansion at the other end of Pennsylvania Avenue. I should not expect full credence if I claimed otherwise or pretended to be indifferent, but, nevertheless, my constituents know and I trust my friends here may believe that my retirement to private life is of my own free will and accord. Early in my present term I announced my purpose to follow a

well-established third-term rule in my district, and adherence to this purpose has been to me quite a source of satisfaction. Security leagues, of which we have recently heard much and, I think, just complaint on the floor of the House, have not had any terrors for me. If critical of my official acts, they have not been offensive and have not even brought to my attention their self-conceived patriotic classification of the membership of the House. I have never seen or, if I did, never read one of their intended-to-be fear-inspiring documents of this kind.

Self-sufficient individuals known as lobbyists have also been considerate, have uniformly treated me with respectful courtesy, assuming, evidently and very properly, that not being a candidate for reelection I was immune from the blandishment, abuse, and other questionable influences to which public men are too often subjected. I have been permitted in a quiet way to do my own thinking. My votes have not been viséed by any influence other than my own desire to be right.

Even when my own party has been in the majority I have not been of the rubber-stamp variety.

Orthodox in my Republicanism, I have not always been lamblike in my following of would-be party leaders.

Cherishing to an extent my own individuality, I have recognized the same right in others and have not sought to unduly influence my fellow Members to my way of thinking.

During two of my terms in Congress my party has been in the minority, as it is now, and yet I have been assigned congenial committee work sufficient to occupy my time. A crumb or two of voluntary nonpartisan official patronage also came my way, one of my best known Republican constituents having been appointed recently to an important post-office inspectorship in a distant State. In fact, I have had but little cause of complaint, and it has been difficult for me not to believe in the good faith and good intentions of the membership of both parties as I have met and associated with them in this House. I have tried on my part to avoid unjust criticism or faultfinding. Especially is this true of the present Congress, in which both parties, so far as I know, although at times differing in nonessentials, have in all real war-winning measures acted as one, so that, now that victory has come, all may claim to share in the credit and devoutly thank God and the American Army that there is glory enough for all. If any man, big or little, gets more than his share of the limelight glory of the present, he may be sure corresponding darker days of shadow will follow. Time is sure to thwart pretense and is a great leveler of human ambitions. And if any Members have faltered in patriotic purpose, as charged by the Security League, or any have attempted to exploit their own importance by self-wrapping themselves in the American flag and vainly imagining themselves better than their fellow Members, it is a good time to forget them, leave them to their own vanity and individual folly. They are harmless.

I trust, therefore, in retiring to private life, returning to my law office, where I have pleasurably, if not profitably, spent much of my life, I may take with me the conscious good will and respect of every Member of the House on either side of the Chamber, and in return I give assurance of my own profound regard and appreciation of all. I have felt honored in being permitted to associate with such a splendid body of representatives of the people, fearless as they have been in judgment, honest in conviction, and true as the stars to duty and the best interests of our common country.

It is an inspiring thought and gives one an individual distinction likely to be cherished to the end of time.

I count myself fortunate—honored, I may say, beyond my deserts—in having had a part, however humble, in the deliberations of this body, in the consideration and solution of the great, overwhelming problems which have come to the Sixty-fifth Congress and caused it to be known, as it will be in history, as the war Congress of the ages.

Without any touch of vanity or reflection on other districts, I claim to represent one of more than ordinary interest and historic fame, certainly one of the foremost in the great State of Ohio.

In early days it was called the "reservoir of genius," noted far and near for the fame of its public men and its private citizenship.

Let me briefly call the roll of my own little home town of Cadiz, with less than 2,000 population by the last Federal census:

Edwin M. Stanton, the great war Secretary of Lincoln's Cabinet, commenced the practice of law here and was elected and served as county prosecuting attorney before going to his larger fields of acknowledged leadership.

The far-famed Bishop Simpson, of the Methodist Episcopal Church, known throughout the world as a most wonderful orator, said by Lincoln to have been unexcelled in history, was born here and partially educated by private tutors of the town. Afterwards, when the whole Nation was in mourning, he officiated at the Lincoln obsequies in Springfield.

John A. Bingham, our most conspicuous citizen, distinguished as the "silver-tongued orator" in Congress during the Civil War, a veritable pillar of Lincoln's administration, judge advocate at the trial of the conspirators who planned his assassination, chairman of the Judiciary Committee of the House on the impeachment of President Johnson, and in charge of his trial before the United States Senate, where he delivered the final plea for loyalty to American institutions, and afterwards appointed minister plenipotentiary and ambassador extraordinary to Japan, where he did much to open up that land of the morning to the sunlight of modern civilization.

Maj. Gen. George Armstrong Custer, Grant's dashing cavalry leader and personal attendant at the final scenes at Appomattox, and whose tragic death in 1876 at the Custer massacre startled the whole civilized world, was an appointee of Mr. Bingham to the Military Academy at West Point.

Other names of almost equal prominence might be mentioned, but an extended list might seem like vanity to those not acquainted with the good little town where most of my life has been spent and where I expect to end my days.

Go into Belmont County and the same high-class citizenship appears:

Benjamin Lundy, of St. Clairsville, early organizer of the abolition movement. He knew every station and conductor on the underground railroad in slavery days. He was a sort of McAdoo director general of the line.

Charles Hammond, lawyer, editorial writer of national fame, and statesman.

Wilson Shannon, twice governor of Ohio, minister to Mexico, Territorial governor of Kansas, Congressman, able lawyer, born and long a resident in the county.

William Windom, a native, Secretary of the Treasury and twice United States Senator from a Western State.

Benjamin Ruggles, United States Senator.

J. M. Thoburn, bishop of the Methodist Episcopal Church.

William Dean Howell, native and to the manner born, known to the world perhaps best as America's leading writer of fiction.

Congressmen, judges, and high officials galore, "too numerous to mention," but readily recalled as prominent members of the early families of Danfords, Kennons, Cowens, Carrolls, and many others of possibly greater eminence.

The county was for a time the center of civilization for the Northwest Territory, the town of St. Clairsville being named for Gov. St. Clair, and being the headquarters of pioneer life and activity.

In Carroll County they point with just pride to the old Dan McCook homestead, where he and his sturdy sons wrought and gave character to public thought before they became known to fame during the Civil War as the "tribe of Dan of the Fighting McCooks." The county is small in area and was late in organization, yet it counts among its early residents such citizens as Gov. Potts; Mr. Archbold, of Standard Oil Co. fame; Maj. Gen. William Crozier; Gen. and Congressman Ephraim R. Eckley; and others of like distinction.

From Columbiana County came another branch of the "Fighting McCooks," the "Tribe of John." Together this noted family of a dozen or more high officials gave to the district a most enviable military reputation, supplementing, seemingly in a local way, the great labors of Secretary of War Stanton, and leaving an example of heroism which young men in the present day have not been slow to follow. Headed by a McCook, a direct descendant, who has since made the supreme sacrifice on the fields of France, they began rushing to the colors as volunteers as soon as war was declared, without waiting for the slow-moving and, in the minds of some, doubtful processes of the selective-draft system.

And in this connection it ought also to be said that the McCooks were not alone soldiers of distinction, but they occupied high civic positions and were by nature and training high-toned gentlemen, educated, refined, and quite capable, as they did, of giving caste and dignity to their local surroundings.

Columbiana County was also rich in other respects, adding much to the fame and distinction of this so-called "reservoir of genius." The head and front of organized abolitionism centered at Salem, and to this day its citizens point with a degree of pride to a monument erected at the grave of an early enthusiast, Edwin Cappoct, who, leaving Salem, joined John Brown at Harpers Ferry and went with him to the scaffold at Charleston, a martyr to conscience and love of his fellow men.

The old town hall of Salem, still standing, was as famous in the days of antislavery agitation as Faneuil Hall at Boston in Revolutionary times. On its plain, wide platform eloquent and touching appeals on behalf of the slave were made by William

Lloyd Garrison, Wendell Phillips, Abby Kelly Foster, Parker Pillsbury, Horace Mann, Fred Douglass, Elizabeth Cady Stanton, Lucretia Mott, Oliver Lovejoy, Joshua R. Giddings, Salmon P. Chase, Ralph Waldo Emerson, Benjamin F. Wade, James A. Garfield, and many others, magnificent men and women, whose souls burned with a desire to free the bondman. It was the beginning, the torch of liberty, starting a conflagration in the world destined in after years to end in the universal freedom of mankind, such as is now presaged by the great victory just won over autocracy and imperialism.

Columbiana County is also famous in other respects. It was the high-water mark of the Southern Confederacy, John Morgan's raid having ended in his surrender within its borders and his troopers being sent to the Ohio Penitentiary.

Its citizenship in early days and now was and is of a very high order, impossible of detailed mention in reasonable limits without obvious omissions.

I mention but one, feeling sure no other citizen at this day will object to not being associated with him in name. His old homestead is one of the show places in Lisbon, and the prejudice once existing against him, especially among his neighbors and those who knew him personally, has long since oozed out of local minds. Brilliant, honest, determined even when wrong, Clement L. Vallandigham certainly added to the notoriety if not the fame of this so-called "reservoir of genius."

Lincoln, wiser, it may be thought, than some recent war officials, commuted a prison sentence against him for disloyalty to banishment among his friends, but this did not deter a great political party from nominating him for governor in the darkest hours of the war for the Union. The contrast between that day and this, between the action of the minority party then and now, is worthy of profound thought and study.

Coming to Jefferson County, the only remaining county in the district and the home of my successor to be—a most worthy business man, for whom I bespeak merited consideration at the hands of the Sixty-sixth Congress—I find the same difficulty as in Columbiana in naming, on account of their numbers, its conspicuously worthy citizens.

Besides the Wilsons, father and grandfather of the President, Edwin M. Stanton, born in Steubenville; United States Senator Tappan; the "Fighting McCooks"; Lieut. Gov. Richards; and Congressmen Updegraff and Gill, who have given the county much distinction, there are really many other names of substantial and able citizens, too many for classification, who have been or are now shedding renown upon the county and giving to it unusual importance as a business and social center. The city of Steubenville, the largest in the district, has been made attractive to home seekers, and men and families of wealth, culture, and business attainments have moved from other sections and by their association and refining influences have enriched its citizenship, already of a high order.

No city in the district has done more to justify and vindicate the sobriquet "reservoir of genius" than Steubenville, picturesque gem, it may be said, of the upper Ohio Valley.

This picture, Mr. Speaker and fellow Members, is not overdrawn.

I would not, however, have it understood that the importance of this section of Ohio has decreased in recent years. On the contrary, it has moved forward along all the lines of human progress and development. Education has become more general, good citizenship among the masses is held in higher esteem, and the rights of the individual man are more sacredly regarded.

Freedom and liberty of conscience have given to the people, the whole people, an uplift and dignity in marked contrast with earlier days when the Republic was young.

Industrial activity has advanced with marvelous rapidity, making of the district a veritable center of business life and progress.

It is the ceramic center of the universe, producing more pottery than any other like area in the world. In manufacture, mining, agriculture, grazing, and other business pursuits it claims unsurpassed distinction.

Intellectually, socially, and religiously its citizenship yields the palm to none. If occasion required, the district could, no doubt, easily furnish on short notice a full complement of well-equipped Congressmen, judges, governors, Cabinet officers, and even Presidents of the type of Hayes, Garfield, McKinley, and Taft.

Is it any wonder, therefore, that I am proud of my constituency? Is it any wonder that I am grateful for the opportunity I have had of representing them in this great war Congress? I ask no higher honor.

In taking leave of such a constituency and of the pleasant associations formed here in Congress I confess that as the time approaches regrets arise unbidden, but as the war is ended and permanent peace in sight I fully realize that my going or staying can not have any appreciable effect on the great upward and onward movements of mankind already forecasted and sure to follow the peace deliberations at Versailles.

The future of the American Republic, yea, of the whole world, is to me roseate with hope. Earth's millennial glory may dawn upon the world as suddenly as the war came and thus end for at least a thousand years the misery and wretchedness of mankind.

It is due, however, in parting that I make brief report of my stewardship to those at home whom I have tried to serve and to those in official life with whom I have had pleasant relations during my service in Congress.

Before the United States entered the conflict there was much and sharp controversy on the so-called subject of preparedness. Alarmists on the floor of the House and among the people expressed fears of an attack from one or the other of the belligerent powers, whichever one might be victor at the close of the war.

Serious-minded advocates divided on the subject.

Defining my own position on February 12, 1916, over a year before the United States was forced by German aggression to enter the war, in a public address at the Union League, in Philadelphia, printed in the CONGRESSIONAL RECORD on February 23, I used this language:

"A Nation of 100,000,000 of freemen, with unlimited resources, situated between two ocean barriers, and these barriers equipped as they are, or should be, with adequate coast fortifications, mines, submarines and submarine destroyers, aircraft, good roads, as in Germany, connecting such ocean barriers and thus furnishing ready means of transportation for an army from one point of danger to another on inside lines, need not, in a just cause, fear a combined world in arms, even if our Nation does not have a Navy 'the strongest and most powerful in the world,' as suggested by an eminent but somewhat belated militarist.

"We are not an aggressive people; our real permanent defense must always be in the justice, sincerity, and fair dealing of our Government with all the world.

"A patriotic, God-fearing, level-headed, just citizenship is needed at this hour in America in both official and private life. The teachings of history, instead of hysteria, should guide the Nation, uniformly successful as it has been in all its wars, two with Great Britain, one with Spain, and another with Mexico.

"Meantime the United States and its citizens, at peace among themselves and with all nations, owe duties to the world, to the belligerents, and to mankind—duties as positive and imperative and as delicate as those which confronted Abraham Lincoln in 1861, when Fort Sumter was fired upon and the smoldering fires of rebellion broke forth in all their fury. The warning of Washington against foreign entanglements must not be forgotten. Absolute neutrality with honor must be the American watchword. American citizenship at home or on the high seas, or anywhere else on earth where they have a right to live, must be respected. International rights and the broad claims of humanity must not be jeopardized or brushed aside lightly by any of the belligerent powers, and the Washington Government, in contending for these safeguards, must be backed to the limit so long as it in good faith tries to deal fairly, justly, and impartially with all the warring nations. Political scheming in an hour like this, in high or low places, is little less than treason to the Republic.

"A just and brave people can never be permanently conquered in this world, and, in my judgment, those who from timid fear or from honest judgment, or, worse, a contractor's ugly greed, seek in advance to turn this country into a vast continental military camp and our harbors into mere ports of entry for big battleships, on the theory only of preparing for war possibilities, are making a mistake.

"A nation situated as we are, inland between two great oceans, with limitless resources and a patriotic, God-fearing, just citizenship, composite mixture of the best races of mankind, can in defensive warfare defy the world in arms.

"If there is real danger of attack from any of the great powers, and those in high authority have secret information of the fact, as might be inferred from public acts and speeches, why does not the Government instantly commandeer and seize, as it should, the ammunition plants and factories of the country and keep their products at home safely stored for the emergency? Why the shipment of immense quantities of arms and ammunition to Canada and out of the country by every outgoing steamer? Such an embargo would at least attest the sincerity of the extreme preparedists. It is not craven or unpatriotic, as suggested by some fierce advocates of militarism, for a Nation of 100,000,000 free-born citizens, 10,000,000 of whom are sub-

ject to military duty in emergency, to feel secure against foreign invasion without keeping itself constantly on a war footing in time of peace.

"Such a nation is invincible unless it becomes the aggressor, and who is there among us, big or little, willing to admit such contingency? It was war-mad preparedness, without reason or sense, that plunged Europe into the frightful struggle of to-day. A match carelessly dropped into a tinder box may cause instant explosion, but a dozen such lighted and thrown into cold storage only cause a little spluttering, a fizz, a flare-up, and then gradual burning out without harm. The suggested war parallel is perfect. Calm thought and coolness are of more value than hasty action.

"Encroachments on the liberties of a free people come from military, not from civic, leaders. The man on horseback is always well groomed, booted, and spurred. He comes as Napoleon came, after the people have grown weary and exhausted from the maintenance of big standing armies in time of peace.

"I do not believe in Bryan's peace-at-any-price patriotism, nor do I believe in the blood-and-thunder, chip-on-your-shoulder attitude of a few very big men in this country, some of whom were old enough to have taken part in the Civil War, but were at that time strangely docile. Eventualities are uncertain, and it may be the ungodly forces of European malice or the so-called yellow peril shall unexpectedly break loose upon our fair land, notwithstanding its justice and absolute neutrality, but if so it will be an instant call to arms, and soon the war cry of the sixties, 'We are coming, Father Abraham,' changed only to apply to the present Executive, will be heard in stern resolve throughout the length and breadth of the Republic, and the quick response will be an army so overwhelming in numbers as to crush and destroy any possible invading force. It is a misnomer to call such intelligent citizenship a mob, as has been done by some self-opinionated military critics. The undrilled riflemen of Lexington and Concord were effective against trained British redcoats, and later, at New Orleans, a small force of irregular raw recruits, hastily called together under Gen. Jackson, were more than a 10-to-1 match for the trained veterans of England. So it has ever been and ever will be with the American volunteer when nerved to duty by an intelligent conviction of the righteousness of his cause.

"The 'common people,' as Lincoln loved to call them, still rule in this country, and they can not be deceived or cajoled into leaving the plain beaten paths of the Republic; they prefer the safe landmarks of the fathers."

The contest, intensified by organizations among the people, pro and con, on the subject of militarism, grew in force and interest as the presidential election of 1916 approached. The election centered largely upon this point.

The people were for peace. Whether, with or without reason, I do not undertake to say, they believed in the claims made by the friends of the President that he had kept us out of war, and, reasoning from this, they believed he intended to and would keep us out of threatening European complications.

They hailed him as a second George Washington warning his countrymen against foreign entanglements. Those who had watched his diplomacy in Mexico, and studied or knew of the secret John Lind hunt for Huerta's scalp, were incredulous, but they were not strong enough to turn the tide which had set in for the reelection of a "peace President."

Expecting myself to stand for reelection, as I did, and not wishing to be misquoted or misjudged, I sought opportunity to place of record my own views on the subject of militarism in general.

Accordingly, on the 23d of March, 1916, during the consideration of what was known as the Hay bill, to increase the Military Establishment, I submitted the following:

"Mr. Speaker—

"Four score and seven years ago—

"Said Abraham Lincoln on the historic field of Gettysburg—

"our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal.

"Hitherto militarism in varying degrees had ruled the world and the power and influence of the nations had been reckoned by the number and strength of their standing armies. From feudal lords to kaiser and king the course of empire had been marked by blood and iron. The army was a distinct class and often overthrew the Government and humiliated the civic classes of the people. In early times the rank and file were quartered in private homes. It was the dominant force, a permanent military establishment, and ordinary citizenship seldom rose above the rank of serfdom. King and army were the government.

"But it was different with the new Nation, thus brought forth on the American Continent. Its basic principle rested with the people. Its power and strength in peace was to depend upon the justice and fair dealing of its citizenship and those who might be temporarily selected to exercise the functions of government. In war its reliance was to be upon a volunteer army, called temporarily from the walks of civil life, and to be disbanded and again become an integral part of the citizenship on the passing of the exigencies of war.

"A big standing army in peace, eating up the substance of industry, was not to be thought of. It was a reproach in the eyes of the men of 1776.

"Thus was liberty and republican government established in the New World. The new Nation, thus constituted, flourished and waxed strong. And at Yorktown, where the world's militarism received its first great shock in the surrender of British regulars and hired Hessians to the volunteer forces under Washington, its form of government and citizen soldiery were vindicated.

"Again and again, in the War of 1812, and in the Mexican War, this basic principle of free government was attacked and repeatedly vindicated.

"But the supreme test did not come until civil war shook to its foundation this new form of government, and caused President Lincoln, in this same speech at Gettysburg, to exclaim in sorrow:

"Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated can long endure.

"It stood the test. 'A new birth of freedom' came to the Nation at Appomattox. The lessons of that hour and the example of Grant and Lee, great leaders of volunteer armies, in at once disbanding their forces and retiring with them to the peaceful pursuits of civil life ought for all time to be a warning against militarism in every form.

"For a half century it seemed as if such warning would be world-wide and effective. The leaven of American liberty gradually worked itself upward and outward around the world. Absolute governments became constitutional, and in some notable instances, like that of France, purely democratic in form. The Russian Duma and the Republic of China may be extreme and to some extent doubtful experiments, but they show the clear tendency of modern thought away from the militarism of the past.

"But in an evil hour, seizing upon the unhappy war conditions in Europe, a new propaganda of militarism, under the specious name of 'preparedness,' made its appearance in the land of Washington and Lincoln, of Grant and Lee. I shall not stop to discuss the cause. Be it hysteria or sense, it is here in such force as to dominate the executive and legislative branches of the Government; and, very naturally, the favored few who have been retained in the military service, or at least on the pay roll, during the years of peace, assume to possess all wisdom and knowledge on this subject. The ideas and example of Grant and Lee are forgotten in the words and seerlike suggestions of those who see conflagrations and 'spark flying' everywhere.

"But details are unimportant. As Members of Congress, in the consideration of the pending bill (H. R. 12766—Hay bill) we are up against a condition. The splendid response of Congress and the country to the recommendations of the President, now that actual war exists in Mexico, and the fact that Congress has already, by a practically unanimous vote, provided for a further enlistment of 20,000 volunteer citizen soldiers, and indicated its willingness by like unanimity to back the Executive to the limit with additional volunteers, now that American lives are in actual peril and Old Glory has been wantonly insulted, does not seem to abate or modify the zeal of these propagandists of militarism.

"Their grip upon Congress and public sentiment seems to tighten.

"Leaders on both sides in Congress, in this wild movement to revolutionize our form of government, change and alter the basic principles of the new Nation brought forth by the fathers in 1776, have grown excited, dictatorial, and arrogant, and even the President, on the theory of preparing for unknown possibilities, is understood to have demanded that all the business of the country in Congress be suspended until a huge Army and Navy of royal and monarchical size can be provided for as a permanent, voracious, tax-eating substitute for the volunteer citizen soldiery of the Republic, who have heretofore successfully defended our country when assailed by both foreign and domestic foes.

"We are asked to abandon the beacon lights of experience. We are asked to return to the iron age.

"Nine-tenths of the present American Congress, in my judgment, are ready to stand by the President and follow any so-called preparedness plans he and his advisers may submit, even though some of them may doubt his disinterested motives. They are not disposed to be critical or stop to inquire the cause of undesirable facts. Congress is moving rapidly, and, although much time is wasted in volunteer speech making intended for use only in the districts, the time has come for every Member to take his position and do his duty as he sees it. If he acts conscientiously, without personal or political considerations, looking only to the practical welfare of his country, he may, even if mistaken, calmly face the future conscious of his own integrity and without fear of those at home who may be hoping to see him submerged politically by a U-boat or mine set for the unwary.

"Under such conditions what is the duty of a patriotic citizenship, what the duty of their Representatives in Congress?

"Answering for myself, with due deference to those who are older than I am in service in Congress and those at home who may not agree with me in sentiment, I believe it to be my duty to so vote and act as to get the best results possible for my country out of existing conditions, and keep the old ship of state, now rocked in angry seas, as far as possible away from the dangerous reefs and swift-moving currents of the present and as near as possible to the safe headlands and courses charted by the fathers.

"Accordingly, I shall vote against any and all amendments to the pending bill calculated to increase its tendency toward militarism and in favor of every one calculated to modify or minimize such tendency. Some amendments, like the Kahn proposition to more than double the present authorized strength of our standing Army, have already been voted down by substantial majorities, thus giving hopeful promise of the future. The bill itself, as unanimously—in form, at least—recommended by the committee, is not a radical measure. It increases the peace footing of the Army by only about 40,000 above the number at present allowed by law, and this increase is to be gradual. Other details, already fully discussed, might be referred to by me, but it would only be a waste of time. Suffice it to say that the bill as now amended and ready to be voted upon is, in my judgment, in the best possible form that antimilitarists can hope to have it. My fear is that, although on the floor of the House it has been repeatedly called the 'President's bill' by Chairman HAY, when it goes to the Senate the extreme militarists, self-styled preparedists, may be able to induce the Executive to look upon it from a different angle and demand that radical, almost revolutionary, changes be made."

My reelection followed in due course with an increased majority. A few voters of my own party with self-exploited patriotic ardor, but whose warlike desires seemed to cool off when questionnaire day came and the hunt for exemption or deferred military classification began, called me a pacifist, but their votes were not missed or regretted by me on election day.

During the canvass, although, like other Members, I remained on duty here, I had opportunity to speak on patriotic subjects.

Once, when the question was up of sending an army into Mexico to rescue the imperiled forces under Gen. Pershing, sent across the border in search of the bandit Villa, I said:

"Mr. Speaker, a grave blunder has been made in Mexico by the present administration as inexcusable, in my judgment, as that at Balaklava, when the 'Light Brigade' was ordered to useless slaughter. Its 'watchful waiting' and its 'in-again-and-out-again' policy have shown a total want of any definite, well-considered purpose, and has been fruitful only of unhappy results.

"It is regrettable from any patriotic or dignified viewpoint. It is explicable only on the theory of seeking partisan advantage.

"But actual war exists, call it what we may, and this, with patriots, should silence party differences and political scheming. At such a time, like it was with the troopers of the Light Brigade when ordered to advance, it is not for American patriots now 'to reason why.' 'Forward' is the order of the President, and this, to my mind, fixes the duty of citizenship. American blood has been drawn; American soldiers have been ambushed and shot; the American flag has been insulted and American citizenship has been outraged beyond endurance or decency. An inadequate American force is to-day in peril, if not already annihilated, on foreign soil, and the Commander in Chief of the Army, made so by the Constitution and the suffrages of the people, asks of Congress authority to call our State reserves to the colors. It is not a time for partisan thought or accusation.

"There is no middle ground for patriotism either at the White House or among the people.

"I am emphatically a man of peace. War is abhorrent. Although only a private soldier in the Civil War, I saw enough of its horrors to know that Gen. Sherman was right when in his blunt speech he said it was hell.

"But peace may be purchased too dearly. Loss of honor and self-respect in a nation or individual is the beginning of the end, and I shall not knowingly be a party to such a beginning.

"As for myself, I have no apologies to make for my support of this resolution. The tocsin of war has sounded for my country, and this is a signal to me to sink party differences, and figuratively speaking at least, join the colors. What boots it if we have a Democratic administration? What boots it if he has made serious mistakes in his past Mexican policy? What boots it if his partisan followers are seeking to coin political advantage out of the discharge of simple, plain, patriotic duties? What boots it to whom the honors of success shall fall when Old Glory returns in honor from Mexican soil? We are all Americans, and patriotism should not have any dividing party lines. Only the selfish and self-seeking think otherwise."

Again, May 1, 1916, when a determined effort was made in the House to fix a time for the withdrawal of American influences in the Philippines and haul down Old Glory in the Orient, I protested as follows:

"Humanity, national honor, and the solemn trust assumed by our Government at the close of the Spanish-American War forbid the abandonment of the Philippines at least until the Nation shall have discharged its full duty to the native islanders as pointed out by President McKinley in his last message to Congress, in which he called the Philppines the 'wards of the Nation,' and further explained that—

"Our obligation as guardian was not lightly assumed. It must not be otherwise than honestly fulfilled, aiming first of all to benefit those who have come under our fostering care. It is our duty so to treat them that our flag may be no less beloved in the mountains of Luzon and the fertile zones of Mindanao and Negros than it is at home, and that there as here it shall be the revered symbol of liberty, enlightenment, and progress in every avenue of development.

"With Old Glory thus raised in the Orient, we are asked to-day—almost commanded by the Executive—to order it hauled down, furled, and laid away, as was the first American flag raised in Hawaii and afterwards taken down by order of a former Chief Executive of the same party faith, only to be again raised in honor when the Republican Party came into power. Gem of the Pacific, no American to-day with an ounce of red blood in his veins thinks of abandoning this island.

"I can not with my convictions of duty aid in the sacrifice of national honor proposed by this bill. The American flag, once raised in honor, shall never be lowered in dishonor by my vote while I remain a Member of the American Congress. I would rather resign at once and let some one of easy conscience take my place who can substitute expediency and sycophancy for national honor and duty.

"I propose in my vote to-day to stand by the administration of President McKinley in its settlement of the Spanish-American War; stand by his soul, heart, and conscience, as I knew and understood them from intimate personal association with the man, and by the wise councilors of state whose advice he sought, and by the Congress of the people to whom, in a constitutional way, he made recommendations, but never sought to dominate or control."

As election day approached and signs of Republican success began to multiply, Democratic leaders grew apprehensive and, throwing civil-service rules to the wind, rushed the campaign with reckless energy.

As illustrating conditions in my own district, I quote from a speech in the RECORD of September 7, 1916:

"Mr. Speaker, the leading Democratic newspaper of my district, published by a corporation whose president is postmaster in its principal city, recently attacked my vote against the Senate amendment to the House naval bill, which, according to the statements of this paper, provided for the construction of 157 new American war vessels, suggesting further that the President, who not long ago said we already have an efficient Navy, had his heart in the measure and used his influence to bring about its passage, adding with usual partisan zeal that I would be 'called to explain' my vote, and that I 'would have to step aside and let a younger man take my place,' indicating that such younger man was to be my present Democratic opponent.

"Believing it the right, in fact duty, of every good citizen, whether friendly or otherwise, in or out of the Government service, to call upon his Congressman for an explanation of any of his votes, if desired, I promptly acted on the suggestion and sent to the paper my explanation, expecting naturally it would be given the same publicity as the attack on my vote, although in this expectation I was disappointed.

"It follows substantially:

"'Whether or not the President is in favor of this colossal increase in naval expenditures, greater in amount than ever before proposed in any Government on earth in war or peace, is not and can not be known until the bill reaches him for Executive action.

"'The Army bill, just vetoed, was in like manner put forward by his friends in the House as one of his pet measures without any thought of a veto. Democratic leaders seemed to speak for him with authority, and, being a conservative measure, it met with little opposition on either side of the Chamber, or elsewhere until the Senate largely increased it, followed by a presidential veto.'"

"'Anyone reading the details of this bill, with the added Senate amendments, must realize that by it a new and distinct un-American class, independent of the people, is formed in this country with a provision for its continuance years after the hoped-for change of administration shall take place by the inauguration of President Hughes in March of next year.

"'A shade of doubt is also cast upon the sincerity of the President, if he really does favor this great and increasing naval expenditure, by the fact that the keels of a number of war ships, long ago authorized by Congress, have not been laid or begun by this administration, and the certainty that this program can not be completed until 1920. Facing this condition, and with this knowledge, with signs of peace on every hand, as stated by the President, how should I have voted? Of course, I could have dodged or not voted as did other Members according to the RECORD, some doubtless for fear of just such newspaper attacks as have been made upon me. But I never dodged a duty in my life and am too old to begin. I admit mistakes, but no fair-minded man or woman ever charged me with evasion. The only choice, therefore, left to me was to follow my own convictions and vote as I did with the minority, including Mr. KITCHIN, majority leader, and such sturdy Republican leaders as CAMPBELL, of Kansas, and LENROOT, of Wisconsin, instead of with the majority, certain as it was of success, and exultant under the leaderhip of the Democratic chairman of the Naval Committee and the Republican minority leader. I am on record as a conservative and in favor of honest neutrality, but have supported every war measure asked for by the President without a thought of partisan advantage accruing to him, except the present proposition, if he be in fact in favor of it.'"

Election day came. The Republican slump in Ohio and California resulted disastrously to the party, but I was reelected in my district, plucked from the burning, so to speak, much to the chagrin of local Democrats and the few voters I have referred to of my own party who claimed I was too slow stepping for their warlike souls. German atrocities continued. Sparks from the European battle fields began to fly in every direction. The militant spirit of America was aroused as the Germans added horror to horror. The *Lusitania* was sunk. U-boat warfare was extended ruthlessly to noncombatants, women, and children. Honor, self-respect, and manly chivalry left but one course to pursue. The President followed that course and a very large majority of this Congress followed him. The result is glorious history.

That no one, friend or foe, in my district might longer pretend to be in doubt as to my views, I rose in the House April 5, 1917, when the declaration of war was under consideration, and in a brief speech explained the impossibility as I saw it of America attempting longer to play the rôle of neutrality. Further dalliance seemed like inviting attack; seemed like an admission that "we were too proud to fight."

I quote substantially in full:

"Mr. Speaker, I shall vote for this resolution as a patriotic duty; I shall vote for it in the same spirit with which over a half century ago I offered my young manhood to my country on a similar call from President Lincoln.

"I shall vote for it because our present duly elected Chief Magistrate has said to us in effect that he has exhausted all proper means of avoiding war with a nation which happily heretofore has been at peace with us during all our national life. As the President has well said, 'It is a most fearful thing to lead this great peaceful people into war'; but his is the responsibility; our duty in a sense is of lesser degree—that common to all official and patriotic citizenship.

"I represent a district in which there are many so-called pacifists, sturdy, rugged, conscientious believers in the peaceful doctrines of William Penn; nonresistants, if you please, and yet men and women of the type of martyrs, unafraid in any human presence. I honor them. Family traditions and teaching point me in the same direction, and yet, as in the lurid days of the Civil War, placing country above family ties or personal considerations, I must respond to duty as I understand it—answer the call of the President and stand by him in matters of immediate concern, such as the resolution we are now considering, reserving only matters of conscience and the future exercise of deliberation and judgment on doubtful governmental policies which may or may not arise after the exigencies of the hour shall have passed.

"With me it is not a matter of excitement or hysteria caused by war propagandists or aroused by the more serious and burning words of the President. I do not agree in sentiment with all he has said. I have felt that absolute neutrality, even to the extent of an embargo on the shipment of arms and ammunition to belligerents, was the duty of this great Republic, and I am loath to waver in judgment in this respect. But I fear we are approaching a condition where not to stand by the President—elected for four years by the people and the only one we have or can have in the present emergency—would be like attempting to tie the hands and embarrass the executive branch of the Government, a thing which I feel no Member of Congress ought to be expected to do in such an hour of national peril.

"This does not mean that all Members of Congress should follow him in extreme ideas for the future, such as the construction of big battleships in large numbers which can not possibly be put in commission until after present dangers are past, or in big standing armies for the future formed by compulsory military training; in other words, abandoning the ideals of the Republic for the reactionary ideals of monarchy. My hope has been that permanent peace and disarmament might come together."

The declaration was full and complete. It solemnly pledged to the winning of the war all the resources, men and money, of the most powerful Nation on earth, leaving details and methods of execution to the future action of the President and Congress.

Presumably the traditions of the Republic were to be preserved; they had stood the crucial tests of five successful wars.

The volunteer system of organizing armies was not an experiment with free, patriotic, self-governing peoples. It had been tried and not found wanting. It was based upon man as a responsible, thinking being, while the opposite or conscript system reckons with him more as a physical force.

The inherent right of a free citizen to volunteer and fight in defense of his country had never before been questioned. It seemed as well recognized and as sacred as the right to defend one's person or family when attacked.

But new light and wisdom were professedly said to have come to the President and his advisers from "experts on both sides of the water," as they were aptly termed by the President himself, and thereupon the traditions of the Republic and the experience of its founders and defenders in past wars were ignored.

Congressional action was necessary to give sanction to this innovation, and a sharp controversy arose. It raged for days with rare earnestness in the House, backed by the administration, but finally the policy of conscription, sugar-coated as selection, won, and the volunteer system was discredited for the first time in the history of the Republic.

The new system, selective drafting, has proven a success, judged by the only standard permissible in war—success itself. It is not now a subject of discussion; believers in the old traditions of the fathers and the volunteer system are silenced.

But what it may lead to in the hazy realms of the future can not now be told. Whether or not it means the entering upon a broader, more liberal, and more genuinely republican policy than that of Washington and Lincoln, leading eventually to the consummation of the higher ideals of a free world, must for the present remain a matter of conjecture. He who rules and must reign, on earth as in heaven, alone can tell. My hope and prayer is for its success, although admitting a fear that some time in the years to come, in an unguarded moment, some imperialistic believer in big standing armies and big military establishments, like Napoleon or Caesar, may appear on horseback and seek to lead a confiding people backward and wrench from them the fair fruits of liberty won by our armies of to-day at such fearful sacrifice.

Having, as stated, honestly and in good faith as a Representative in Congress contended for the volunteer system, I deem it only proper on this occasion to let the printed RECORD fully explain. I have no apologies to make for my votes, nor desire to conceal my beliefs on this or any other public question.

On April 25, 1917, a few days after war was declared, the House having under consideration the bill (H. R. 3545) to authorize the President to increase temporarily the Military Establishment by volunteer enlistments, which had been reported with a favorable recommendation by the Military Committee, a motion was made to strike out this volunteer feature

and substitute in its place one authorizing conscription or compulsory military service, I said:

"Mr. Chairman, I can not vote for this bill if its volunteering features are stricken out as proposed. I will vote for it if such features are retained, out of deference to the judgment of the President, assuming that his wishes are correctly reported to us by the war journals and by those of our House leaders who are supposed to speak for him, although some of its other provisions, its colossal magnitude, its suggestions of close foreign cooperation and possible future entanglements, contrary to American ideals and contrary to the thought of many Members of the House when they voted for the declaration of war believing, as they did at the time, it was to be an American war, waged by American volunteer soldiers in defense of American rights ruthlessly invaded by the German Kaiser, as set forth in the President's address. Members of Congress of all parties were willing to trust the management of such a war to the President and his official advisers under American plans, not expecting them to resort to royal ways or royal advice.

"Consideration of my own duty, therefore, in regard to the measure has been largely confined to the question of conscription without first giving the citizen, able and willing to serve his country, an opportunity to volunteer in its defense whenever or however it may be attacked. Conscription, without such opportunity, is, in my judgment, unrepublican and un-American. It is a stigma upon patriotism. Its advocates are fundamentally wrong in their basic conceptions. They declaim loudly about universal military service being the duty of every citizen of the State, but they strangely omit to mention the fact that in a Republic the people are the State and that therefore the duty they proclaim is but the ordinary reciprocal obligations of good citizenship, universal and binding alike upon all who would enjoy the blessings of a republican form of government. It is a proud privilege, a freeman's heritage, a most sacredly guarded right of the citizen to voluntarily join his copatriots in defense of their common country when assailed without being conscripted or unjustly classed with the unwilling or unworthy. Conscription implies involuntary servitude by force, a stigma not to be put upon the patriotic citizenship of a Republic excepting only when the volunteer system fails to produce satisfactory results.

"This has been the rule of the Republic ever since its foundation. It has brought victory and never defeat to the Stars and Stripes. Its virtue has never heretofore been questioned. But it is now said a great emergency has arisen and that there is no time to study the historic lessons of our own Republic, founded by George Washington and his compeers, and that, therefore, American traditions and ideals must be abandoned and the old, old lights of the world invoked for our own immediate guidance.

"A great English general, hero of nine wars and first British officer to meet the German line, according to reports in our war journals, tells us that the volunteer system is a failure. But his viewpoint is from that of a monarchy; he speaks for the citizenship of a kingdom, not of a republic. A study of some of the great battles of our Civil War, fought by volunteer soldiers, Federals and Confederates, might tell a different story.

"The wheels of progress and thought are to be turned backward toward militarism, backward toward a condition which our modern Secretary of War, in his letter to Chairman DENT, calls a 'philosophy.' So be it. This bill with its elastic volunteering feature provides for just such supposed contingency, but it places the responsibility where it justly belongs—with the President. The House committee has wisely provided that—

"In the event the President decides that such additional force or forces shall not have been effectually raised under the call for volunteers as herein provided the President be, and he is hereby, authorized to raise by draft as herein provided, organize, and equip an additional force of 500,000 enlisted men, or such part or parts thereof as he may at any time deem necessary.

"No limitation as to time is put upon this power of the President. If in his judgment conditions exist warranting it, he has power to so order at any time after volunteering begins. It is left discretionary with him; he is the sole judge, and the bill does not seek to restrain this exercise of Executive power.

"Early after the election of the President last fall, induced largely by the cry that 'he kept us out of war,' I resolved, as a matter of patriotic duty, to stand by his administration in so far as conscience would permit. I resolved in my humble way, waiving all conditions not vital to conscience, to follow his leadership. I have tried in this respect to be true to my country's best interest according to the light God has given me.

"In this spirit I voted approval of the ill-starred expeditions into Mexico, although not entirely convinced that the Taft policy was wrong in declaring an embargo on the shipment of arms and ammunition across the Rio Grande and keeping the American Army encamped on the north bank ready to protect and defend American life and property from any and all assailants.

"I voted without question for the President's modest recommendations, as originally made, for increasing our Army, relying, like a majority of American voters, upon his campaign promises.

"I voted to sustain him in his German diplomatic letter writing, believing it to be in line with a well-considered policy of avoiding actual rupture with a great nation with which we had been at peace all our national life.

"I voted approval of his severance of diplomatic relations, although I felt some hesitation, thinking possibly the necessity might have been avoided by a little stricter adherence to our announced policy of neutrality and the exercise of more real diplomacy in dealing with the German Embassy at Washington.

"I voted for the authority asked by the President and his advisers to arm American merchant vessels to defend against German submarines, which now on all hands seems to have been a useless waste of patriotism.

"I voted, with confessed misgivings as to where it might lead us, but in accordance with my desire to patriotically stand by the President, for the $7,000,000,000 appropriation asked to carry on the war, the immensity of which is staggering and has no parallel in history.

"I have expressed my willingness to vote for this bill giving, as it does, to the President an absolute war power greater than that ever conferred upon king or potentate, saving only that over the life and death of the subject, if only the ideals of the Republic and its founders can be preserved in a land where now none but free men live.

"I can not follow the President in this.

"I criticize no one who differs with me.

"I answer only to my conscience, to my ideas of an overruling Providence, feeling that I am immune from the embittered charge of political self-seeking hurled against Members of the House, not expecting again to be a candidate for Congress and having no ambition except to do my duty as God gives me to see it during this Congress, the most important parliamentary body ever assembled in the history of the world. I shall hope, however, if I live until March 4, 1919, to take home to my constituents a clear conscience and a pair of clean hands. [Applause.]"

A few days afterwards when it became apparent that the motion to amend the bill would carry, April 28, the RECORD shows I made this further suggestion:

"As this discussion draws to a close it has become apparent that the American volunteer system, successful heretofore in all our wars, is to be stricken down. The conscription system is to be substituted in its place as the future military policy of the Republic by influences powerful enough in this House to override the earnest pleadings of our honored Speaker, former Speaker CANNON, the chairman of both the Military and Naval Committees, the majority leader, Mr. KITCHIN, Dr. FESS, Mr. MONDELL, Mr. CAMPBELL of Kansas, and many other leaders of experience and conscience.

"I desire to say a last word on this subject to fellow Members of this House, whose good opinions I value, and to my constituents. If a law favoring conscription and leading to permanent militarism be enacted, I shall stand ready to vote full power to the President to exhaust, if necessary, all the resources of a brave, free people, all the resources of the Government in men and money, to bring the war to a successful conclusion."

The roll was called, the vote taken, and the record made up.

I stand by it, and, since then, following my expressed purpose, have conscientiously given support to the big Army supply bills and other war measures asked for by the President. Some of them have been colossal and startling, staggering, in fact, to plain people like myself; but, like Stephen Decatur of old, I have tried to be for my country, right or wrong. His, however, in large measure has been the responsibility, and now that victory has come, is it remarkable that a corresponding feeling of personal triumph should affect the President himself, who after all is much like the rest of us, merely human? He is welcome, so far as I am concerned, to break all previous presidential records for absence from the country and sit for a time, if he wishes, at the head of the most wonderful peace conference the world has ever known or will know again. His friends may well claim for him this honor and this distinction.

Perish, therefore, any thought that he goes abroad seeking on foreign soil only the plaudits and limelight glory of a world now wholly freed from bondage and not for the expressed object of finally achieving for mankind his high hopes and ideals.

Let us be just to the Executive head of the Nation even though we do not agree with him in politics or in matters of taste and official detail in the office he temporarily holds.

The decisions of this peace conference are likely to be just and be final for all time. It will no doubt seek to render to Cæsar the things which are Cæsar's, and may God in his wisdom be with America in her efforts to return to normal conditions. She did not enter the war for conquest; her public men are not now exploiting, as the newspapers report some of the representatives of the allied powers, the billions expected to be exacted as their separate indemnity from the German people, nor are we proclaiming in advance of the meeting of the peace conference that America will insist upon or accept any particular world privilege such as reported of England by King George's premier to the effect that her ancient claim of right will be revived and unalterably insisted upon to maintain in peace or war a fleet powerful enough to dominate the world. Shades of Valley Forge, Yorktown, and New Orleans! Can not such disquieting thoughts remain in the shadows where they belong and where they have been since 1812? It is an unhappy time to revive memories of the past. All questions between the allies or with America should be held in abeyance, at least until they can be discussed in friendly conference. The Talleyrand diplomacy of Vienna must not be repeated at Versailles. It might be fatal to the future peace of the world.

The pathway of America from temporary autocracy, from absolute war power temporarily lodged in the Executive, back to plain republican simplicity is fraught with dangers seen and unseen; it is a long and rugged road, but in the final destiny of the world its success or failure must be the real test of human liberty. It will reveal the final strength or weakness of American institutions. We have reached the crossroads of destiny.

Partisan scheming for or selfish criticism of the President in an hour like this is little short of treason to American ideals.

Mr. Speaker, I have little further to add to the report of my stewardship. I have not, as you and my fellow Members of Congress know, sought the limelight or had special hobbies to exploit on the floor of the House or in the public press. My individual acquaintance in the press gallery is almost negligible, although duly appreciative of this powerful third house of Congress. I have not sought notoriety in any way; my time has been fully occupied by the plain duties of a Congressman.

Besides necessary attention to the local requirements of a district of great and varied industrial interests, my general committee work has been sufficient to keep me busy, except when the House has been in session for business. My record of attendance on the daily sessions is good. I have been a willing, patient listener, but as a speaker I have been somewhat modest and unobtrusive—a rare combination, I may say, without intending offense in this House.

My committee work, although important and wholly selected by others for me, has not been of the kind conducive to floor prominence. The iron-bound rule of seniority in service, not in experience or years, has kept me off the only committee—the Judiciary—in harmony with my whole life work, but personally I can not say that I regret it. It may have been for the best in my case, certainly has been for many of my constituents, comrades of the old and comrades of the new Army, for whom I have been able to labor with greater diligence; but I express the hope that in the Sixty-sixth Congress it will, like the autocracy of the Kaiser, be utterly destroyed. It has no place in a free, open forum of the people. It is a relic of the old absolutism of the Speaker, happily and timely snuffed out in the Sixty-first Congress.

In this age cards must be played face upward on the table.

Modesty, Mr. Speaker, is said somewhere to bespeak one's merit; and if this be so, then I claim title to a certificate of merit from this House. Speech making merely for the sake of being heard has not been my rôle. By my acts and my votes I am willing to be judged by my constituents. My votes are of record; I have never dodged unless absent on account of sickness or other sufficient cause.

Outside of my support of war and patriotic measures, my votes will show that I have stood for the general uplift and encouragement of my fellow men, stood for moral righteousness and reform whenever or however presented.

Modestly I have tried to remember the unselfish dream of the poet:

> Honor and shame from no condition rise;
> Act well your part, there all the honor lies.

Telegraphs and Telephones.

EXTENSION OF REMARKS
OF
HON. JOHN A. MOON,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 7, 1919.

Mr. MOON. Mr. Speaker, under the leave granted to me, I insert the following letter and synopsis by Theodore N. Vail, discussing the telegraph and telephone systems and the wisdom of the union of the two, and Government ownership of the same:

NEW YORK, *January 3, 1919.*

Hon. JOHN A. MOON,
Chairman Committee on the
Post Offices and Post Roads, Washington, D. C.

MY DEAR SIR: Inclosed please find corrected proof sheets of my communication of December 30, and also a condensation of the contents.

Sincerely, yours, THEODORE N. VAIL.

DECEMBER 30, 1918.

Hon. JOHN A. MOON, *Chairman*
Committee on the Post Office and Post Roads,
Washington, D. C.

MY DEAR SIR: Your letter, inclosing House bill 368 and letter of the Postmaster General relating thereto requesting my views, is received.

It is my assumption that the request covers my views upon the broad question of a proper solution of the problems of the electrical transmission of intelligence by any means and under such an organization or such policy as will bring about the greatest possible extending and broadening of its usefulness under the present state of the art and also insure the greatest possible future development.

It is admitted that the great utilities of interchange and intercommunication, which have been so largely instrumental in the great development of the economic and social world and upon which the progress and continuity of such development depends, are suffering from the application and interpretation of existing laws concerning control and regulation, and as the proposed bill calls for some plan of organization it is also my assumption that my views should also cover some suggestions as to the underlying features of a curative solution of the question of control and regulation.

It is not my understanding that this bill is a Government ownership and operating measure, but its purpose is to give sufficient time to prepare and present to Congress a specific proposition for the reorganization on some basis which will work for efficiency and economy of all the international and intranational wire systems operated and controlled from the United States. There would seem to be no question as to the wisdom of such an attempt.

A thoroughly considered, well-thought-out solution can not be prepared under pressure or in a short time.

We know the "don'ts" in unmodified government operation, and the "don'ts" in unrestricted private operation, and the "don'ts" in our present uncorrelated, uncoordinated control and regulation, and these should be the guides.

The solution involves new economic practices of which there is little or no direct experience.

It is recognized that in the interests of the public advantage the utilities should not be returned to the owners without some correction of the existing deficiencies in regulation and control.

Under the present status of Government operation and control little can be done toward the ultimate solution which must take place which will not have to be undone when the period of control ends and the systems are again subjected to the present interpretation and application of existing laws.

It would seem as very desirable for the country that time should be given for such a solution. It would also seem, in simple justice to the owners of the existing systems, that during that period whatever is done by and with the consent of the companies interested and of the public authorities toward partial unification of the wire systems should be exempted from the application of existing laws.

My position upon Government ownership and operation has been repeatedly and unmistakably expressed.

Unmodified Government ownership and operation is no solution because of the absence of essential factors to efficient

operation, such as continuity of administration and consequent lack of opportunity for the full fruition of incentive and initiative, lack of rewards both in large opportunity for promotion and such compensation as will retain those of the organization who have developed qualifications and accomplishment against the rewards afforded in private industry.

Neither is unregulated or uncontrolled private ownership and operation a solution because of the opportunity for selfish exploitation.

Between these extremes there must be found a solution.

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The great difficulty will be to settle upon a solution which will not leave opportunity for, and perpetuate in some other form the same evils which now exist in, the multiplicity of uncorrelated, irresponsible, complex, contradictory, and overlapping forms of control or regulation, or leave opportunity for unjudicial and biased action or selfish aggression.

There is, however, in my opinion, a possibility of a simple, complete, and satisfactory solution.

There is without doubt an opportunity for a great piece of beneficial and constructive work by combining and coordinating all the various existing utility services, or those that are complementary and supplementary, into one or more well-balanced systems, the extent of which should be determined by the nature of the service, by the extent of the service rendered, and by commercial, geographic, economic reasons; and by combining in a direct manner, and as far as possible divorced from political or partisan or class influence, the requisite power and authority of the Federal Government expressed in a mandate to equilibrate revenue, operating costs, and capital charges, with an operating organization adapted to the requirements of the service, and based on the methods which experience, enterprise, and operation in the industrial world have shown to be effective, efficient, and economical.

Government control and regulation and restrictions need the same cure that our utilities do—combination, coordination, cooperation—"one system" interdependent and interrelating, with a single or coordinated responsible control over all similar utilities, and over all the factors that make for operation, for continuity, for permanence, for efficiency and success, and above all there must be recognition of the fact that neither labor, management, nor capital is independent of the others, and that neither can permanently get any benefit at the sacrifice of the others, and that permanent maintenance of operating organization depends upon reasonable rewards for the actual contribution of each to the work.

ELECTRICAL TRANSMISSION OF INTELLIGENCE.

Facilities for interchange of intelligence or ideas by electrical transmission are substantially different from facilities for other interchange, in that nothing tangible is transmitted or transported; the transmission is a series of electric vibrations or interruptions, totally dissimilar to transportation of goods, letters, passengers, in which the actually tangible thing is carried in bulk or in quantity and can be handled or transferred; and the vehicle or the train of vehicles in which it is carried is the nearest to a unit of transportation.

All utilities of transportation can be divided up into systems of greater or less extent. In through passenger or freight service there is a limit to direct continuous transit due to the methods and machinery and facilities of transportation. In telegraphy the more direct and continuous the transmission the more perfect the service, but in the telephone service direct and continuous transmission is essential to any service. In all other utilities of intercommunication the transmission or transportation must be from one point to some other point and need not be continuous, direct, or necessarily over the same system. Telephone transmission, however, must be direct and continuous; it is an actual conversation between two parties. The connection must be continuous, direct, and over the same system. This introduces an essential prerequisite to service in telephony which does not exist in any other public service.

The transmitting currents of the telegraph and telephone are similar in many of their features, but the telegraph transmits vibrations or interruptions of current which are translated into letters and written words, while the telephone transmits vibrations or partial interruptions of the current which in themselves form the spoken word.

It has developed early in the evolution of the telephone service that while there were common features in the technique, the service rendered was entirely distinct, each having its own particular field, not competitive but complementary. Long before the common use of the wire plant for both purposes was developed the advantage of a combined system of telegraph and telephone under one control was recognized.

The ideal of one wire system, universal (national), interdependent, intercommunicating, under one control, has been consistently pursued by the Bell system, against the cry of monopoly and usurpation and charges of aggression and so-called competition. This ideal has been completely vindicated in that one system is now recognized as the only method for comprehensive telephone service, and is now being urged on opposing systems instead of being opposed.

The combination of the telephone and telegraph systems, which was undertaken by the Bell system but set aside under the interpretation and the application of existing laws, demonstrated in the short time of its existence the advantages.

In 1909 it was thought that a great public benefit could be obtained from the union of the telephone and telegraph and that by gradually utilizing all wires for both purposes, and by making one plant serve for both purposes, the maintenance, the organization, and above all the depreciation, which is very large in open-wire systems, of one plant could be saved. While the immediate utilization of one plant for both purposes would require reconstruction and rearrangement of facilities which would be too costly and make too much disturbance, the ultimate utilization would be made in the ordinary course of maintenance and reconstruction in the course of a few years with little cost and no disturbance. It was, however, immediately possible to make every one of the 10,000,000 telephone stations day and night telegraph stations and thus reduce the number of telegraph offices which were maintained at a loss, and to expedite and cheapen delivery of messages beyond the delivery districts or in the country; and it was also possible to introduce some new forms of cheap deferred service.

The wire system of the future will be one nation-wide system, under single control, by or over which direct connection can be established between any two places for the electrical transmission of any communication or of the spoken word; and every individual place will be the center of the system for transmission in any direction to the limit of transmission.

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The science of industrial application of electricity is almost as new as the telephone. The whole telephone art had to be created; it did not exist, nor was there, as is usual in new enterprises, anything analogous to it upon which to base action and policy. It was necessary from the very beginning of the telephone development by the Bell system to maintain a research investigation experimental department. At first small and inconspicuous, but extremely alert and wide awake, it has grown into one of the largest laboratories of the application of science to industrial development in the world, and engages the services of a large number of the most eminent scientists, who are devoting themselves to the unfolding of natural laws and phenomena and their application to the art of electrical transmission of intelligence. To this branch or department is due the fact that this country leads the world in that art, and its work has made possible a continuous reduction in the average charges per unit of service through the savings in cost of operation, equipment, construction, etc. It is estimated that the present savings over methods prevailing not many years ago in operation and construction amount to at least $50,000,000 a year.

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The marked development which justified the early belief in the common factors of telephonic and telegraphic evolution was the superimposing on the telephone wires simultaneous telegraph transmission—now so developed that all toll lines of any length are being or can be used for the dual purpose. Among the multitude of other improvements was the twisted pair wire circuit which neutralized extraneous noises induced by high-voltage electric power or light transmission and by static currents which are so deadly and so limit the usefulness of wireless transmission; and the multiple switchboard, which made immediate connections possible in exchange service; these two have contributed more than any other two things to make exchange and long-line service popular and practicable.

The development of the utilization of plant and the search for new uses both for telephone and telegraph were continuous.

The multiplexing of the telegraph side of the telephone wire, the phantom telephone circuit by which a third telephonic circuit could be superimposed on every two telephone circuits, were two very important results. The studies and observations on applied telephone practice may be said to have greatly cheapened, and to have revolutionized apparatus and operating methods, each few years. The distance of transmission through aerial and underground cables was extended from a few miles to 500 miles, and now it is certain of being extended to 1,000 miles or more. This will ultimately be productive of great economy on leads carrying a large number of wires and of great

efficiency in bridging districts where there is frequent occurrence of destructive sleet and wind storms. The reduction of the size of the wire and the weight of copper required in the transmission circuits not only greatly reduced the cost of material but made it possible to use in the underground conduits cables with as high as thirty times the number of circuits for which they were originally intended. When we consider that there are over 20,000,000 miles of copper wire in use and the reduction in weight to one-half or even one-quarter of what was formerly needed, the saving can be appreciated. When we realize that the underground conduits for the telephone cables have cost over $100,000,000, some idea of the saving in construction through increased capacity can be formed. Open-wire transmission was developed from a somewhat indifferent transmission from New York to Chicago requiring special terminals in exchanges to commercial transmission across the continent from any exchange terminal, and at the same time it was made possible to run the long-distance circuits through the underground exchange systems and not around them, as was the practice.

Early in 1915, after several years of experimenting, research, and investigation, wireless or radio telephoning was made a practical demonstrated success. Through the courtesy and assistance of our Navy Department in giving us the use of the Arlington wireless station and the cooperation of naval officials the voice was transmitted by radio from Arlington, Va., to Paris and Hawaii by radio transmission, where were stationed members of the research department of the Bell system. The Secretary of the Navy from his office talked by wire and wireless to the commander of a war vessel off Hatteras, as did also the commandant from Mare Island, Cal., by transcontinental wire and radio. This radio has been most useful in our late war. Through the cooperation of officers of the Signal Corps and the experts of the Bell system it has been adapted to communication between aeroplanes in the air and between them and ground stations, and it was used with great effect in locating hidden guns, in communicating the aero observations of the effect of bombardments, and so forth. It was also of great service in the submarine warfare. It is now possible to establish, and had it not been for the interruption caused by the war there would have been in operation, a combination of aero and wire transmission between the land exchanges and vessels off the coast.

A method of multiplex typewriter transmission has been developed which many times augments the telegraphic capacity of the wires, and only recently the practical application of a method of multiplex telephony, the result of the work of years, has been made, by which four or more telephone circuits can be superimposed on the regular telephone circuit; and, curiously enough, the transmission over the superimposed circuits is superior to that over the regular circuit. It is not a valuable but an interesting scientific feature that it is possible for two people at one end of the circuit to talk to each other via a distant point over the same circuit.

These great developments of the utilization of plant for simultaneous and greatly increased service are the latest practical applications of the work of the technical department of the Bell system. With less than half the weight of copper that was formerly used to transmit one conversation, it is now possible to transmit over one wire circuit at the same time at least five and one-half telephonic messages and a large multiple of the number of telegraph messages formerly possible.

While these new uses require the most delicate balancing and adjusting and close attention, they are simple in operation. To introduce them, however, requires so much rearrangement of circuits and instruments that immediate utilization is too costly, and it must be done—as it can be at small cost—in the process of reconstruction over a course of years.

It can be safely said that with the same weight of copper which was formerly required for one telegraph or one telephone circuit, ten or twelve times the telephone and telegraph use is now possible at any one time, and when we consider the total capacity which in the telephone system is unutilized at certain hours, many new services, in addition, which would be of great benefit to our commercial and economic and social organizations can be introduced. Distant accomplishment is usually foreshadowed by present evidence, and, judging from the past, there is abundant evidence that the future accomplishments will be greater than any that have gone before.

While these results are the work of and were possible only because of this technical scientific department of the system, much has been done and much will be done by individuals working along more or less the same general lines of investigation. Such work has been contributory. Almost without exception, improvements in apparatus or operation which are considered integral or complete in themselves are really the coordinated combined results of many individuals working upon many ideas in connection with experimentation and practical application and to obtain certain results. In fact the art has reached a point in development where it is impossible to differentiate research and experimentation as between the separate methods of transmission, and all laboratory and experimental work in all lines must be coordinated and carried on in connection with the practical operation over a system corresponding in extent with the system upon which it is intended to be used. The work of investigation, research, and experimentation is at best expensive, but is indispensable in a new art and the cost if spread over a large system is relatively small.

Whatever the status of a wire system, Government owned or private owned, it is and must be a virtual monopoly, combining both telegraph and telephone. Competition in the telephone service in its real sense can not exist. If there are two systems in any place, the choice of the system is controlled by the list of subscribers connected on one or the other of the systems; beyond a small percentage, there would be no duplications. Opposition telephone service means two payments to get complete service. Each system, where there are two or more, offers an entirely different service in that the great majority of subscribers are not the same.

Competition in the telegraph business in the true sense of the word has not existed for years. It is true that there has been competition for, or a division of, the profitable business at less than one-fifth of the public telegraph offices, serving about one-half the population in this country. There is no competition at the other four-fifths of the offices, which are maintained at a loss for the purpose of giving a public and necessary service to about 50 per cent of the population; and one of the competing companies frankly states in its published reports that it has no intention of competing for unprofitable business. If this is to be the rule, a large part of the public could not be given the essential facilities for everyday life.

In every public service the revenue comes from uniform charges based on average costs. Some service must be rendered at a loss; the average profit must carry the business as a whole. When competition divides the profitable business the average charge must be not only sufficient to carry the unprofitable business but also to pay the fixed charges and operation of a duplicate and unnecessary plant.

The public pays for competition either in cost of maintaining duplicate systems or in lack of quality or quantity and extent of service.

In 1917 the Bell system of toll lines alone embraced over 350,000 miles of pole lines and 3,500,000 miles of wire, of which 1,000,000 miles were underground, while the combined telegraph systems embraced less than 250,000 miles of pole line and 2,000,000 miles of wire.

These telegraph facilities represent an investment of at least $200,000,000 in poles and wires alone, without equipment. Depreciation and destruction of open wires and their maintenance calls for at least 10 per cent a year, while interest charges are 6 per cent, totaling $32,000,000 a year additional cost for the maintenance of a separate system, a sum equal to the gross telegraph revenue only a few years ago.

While the economy of the combined system could not be brought about immediately, as the cost of the reconstruction and rearrangement for that purpose would be very great and disturbing, it could all be brought about with small increased cost in a few years as maintenance and destruction and depreciation call for reconstruction, and substantially all existing plant can be utilized for necessary expansion.

While much of this may at first seem to be immaterial to the question under consideration, it is most pertinent. In these accomplished results and developed experience are the potent factors which must control the final determination of the solution of the problem. Based on experience of the past and foreshadowed evolution of the future, the evolution of the economic and practical operation of electrical transmission in all its forms, is indisputably toward one common system embracing all methods of transmission of intelligence.

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The measure of the extent and comprehensiveness of the future wire system is and always will be the telephone system.

Upon the interconnecting system of wires necessary for telephone purposes every other possible form of electrical wire transmission of intelligence or exchange of ideas can be superimposed, with abundant room for a great expansion of new and cheaper services.

In all this development we claim for the Bell system a respect and regard for public service which has not been destroyed or handicapped by private selfish interests. The shareholders of the American Telephone & Telegraph Co. have been content with a return on their investment which in good seasons as well as bad has been sufficient, but not more than sufficient, to enable them to raise the large sums necessary to meet the public demands for enlarged public service. This return has not been materially increased, nor have any extra dividends or "plums" been divided for at least 30 years; all surplus has been put back into plant and the public have had the use of it.

There is no "water" in the securities, as there has been paid in premiums to the treasury of the American Telephone & Telegraph Co. considerably more than the par value of the stock outstanding.

The amount paid out as dividends and interest in 1917 was 4.74 per cent on the actual book value of the plant, and the aggregate book value exceeds the aggregate of all official appraisements that have been made. Average charges per unit of service have been continuously reduced; a very large majority get the service at much less than the average charges, and some class of service has been placed within the reach of all.

In order that there should be a nation-wide system, large cities and extensive areas, in fact whole States, have been operated at an actual loss by the Bell system. The service and plant have been maintained at a uniform standard that transmission over the whole country might be had in every direction and between all points. Otherwise, it would be impossible to give dependable local service except in certain and restricted areas, and long distance service only between the principal places and there not through the regular exchange service. This has only been possible because from the beginning all the surplus earnings over and above the regular charges have been invested in plant of which the public has had the use directly and indirectly without any capital charge.

Notwithstanding the great increases in wages and material, which have more than doubled costs, only in places where glaring inequalities existed, has any increase in charges been made on this account, and it is expected that not more than an average of 10 per cent increase will be necessary to meet the abnormal increases in costs.

This constitutes what is in fact a reduction of at least 50 per cent in the charges for telephone service, as compared with the increased charges for every other class of service and as compared with relative ability to pay.

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CABLES.

Should the United States become the center of a cable system commensurate with and sufficient to fully protect its political and economic position?

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Substantially all the developments of electrical transmission by open wire have reflected on submarine cable and aero electrical transmission. It is impossible at this advanced state in the art of electrical transmission to differentiate experimentation or investigation between the different methods, and many of the new devices and principles which have been developed are most far-reaching in their applicability to all systems of transmission. Submarine-cable capacity for transmission has already been greatly increased, and the prospects of still greater increase are promising.

Over land lines, submarine cables, and radio it is within limits to say that electric signals can be transmitted any distance, even around the world; over land lines and aero the same may be said of the transmission of speech, but as yet the transmission of speech over submarine cables of any length has not been possible.

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Submarine-cable plant is the most costly plant for electrical transmission of intelligence. The coordinated operation of all cables giving more or less similar service is essential if the most effective cable service is to be had at the lowest possible cost. A certain percentage of cables are out of commission all the time and a large percentage most of the time. These interruptions of individual cables extend over long periods—at times a year or more. This makes competition wasteful and necessitates high prices for service.

If operation is coordinated, the total capacity is greater than the total capacity of the systems operated separately, and other but less direct routes can be used to cover periods of emergency.

There is on any cable system a variable load, determined largely by the difference in time and the overlapping business hours in the various countries between which the transmission takes place. This results in a large percentage of unused facilities which under unified operation could be used for circuitous transmission in an emergency or in competition with direct service, or for deferred services at cheaper rates where a little delay is immaterial.

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INTERNATIONAL INTERCOMMUNICATION.

Commerce depends on facilities of intercommunication and intercourse. Without them it is impossible. With poor facilities it is speculative, uncertain, because of the time and risk involved. Quick communication reduces the capital needed and makes frequent "turnover" possible.

If the purchaser and seller at distant points can get into quick communication, business can be done on small margin. If days, weeks, or months are necessary to complete the purchase and sale, the margin must be relatively large at the expense of the producer.

Quick, cheap, abundant, dependable facilities of intercourse and transportation are necessary in the development of regular commerce. We are building the ships, and ships can be transferred from one port to another as commerce demands. To keep our ships and our mercantile agents in touch with home ports and home offices, we are now dependent on facilities centering on the other side of the ocean.

My efforts toward an intranational and international electric communication system are of long standing. The whole development of the Bell telephone system from the beginning was based on comprehensive intercommunicating system by wire. When the American Telephone & Telegraph Co. bought the Western Union its first attempt was to secure trans-Atlantic cables by laying one and leasing several. Some new and beneficial services were inaugurated, more were contemplated. It was our intention to develop this system and ultimately bring the United States into focus with the great arterial cable systems throughout the world. The combination was not then countenanced by the Government.

If the United States is to maintain commercial supremacy or even equality there must be established the great trade forerunners, which in these days of intense activity is a comprehensive cable system. If American commerce is to be developed it must have better means of communication at a cost which will not handicap a large volume of business at a small profit. The days of small business and of large profits passed with the clipper ships and indifferent mail communication.

Mail communication is by far too slow for commercial development in these days. Wireless communication is yet far from perfect, and while it has its place and an important one, it is not probable that it will ever be dependable. The only existing method of quick communication is by the wire and cable. These facilities take time and enterprise to establish. Cable construction and laying take time, and cables can not be readily moved from an original location except by reconstruction.

Where abundant facilities exist, however, if under one control, they can oftentime be readily and quickly rearranged and connected to suit changing conditions.

The world's system of international electric communication, largely cable, while comprehensive, abundant, and efficient, has been built up primarily on the basis of connecting the commercial world with the Old World centers; focusing these world facilities, as it were, on the Old World's centers of finance, commerce, and industry. National prestige, local interests, competitive enterprise have influenced location, extension, and combinations so that these facilities are not in all cases arranged to be productive of the maximum possibilities of either broad efficiency or the greatest economy.

The United States is connected with this world system, but on one side as a contributing field to be reached and exploited and not primarily as a center. This must be changed and the United States put into its relative world position, put into the focus of a world system of electrical intercommunication, as one of the most, if not the most, important center of commerce, industry, and finance that full advantage may be taken of its position and the opportunities now existing.

We must give our commerce what it needs and what the commerce of the old countries already has. Our international wire service has become a "utility of necessity" and must be treated accordingly.

From the United States to the greater part of the world electrical intercommunication is expensive and roundabout.

While we have communication with South America, our South American electrical communication now goes through several intermediate countries and the interchange between the eastern coasts of North America and South America has to cross either

two continents or two oceans. While we have one cable between the Pacific coast of America and the Pacific coast of Asia, one cable for such a distance and such an extent must necessarily be uncertain and more or less indirect. The east coast of South America must have a direct cable to the United States entirely under control of American interests and not a foreign connection. There must be a North Pacific cable connecting the United States wire system with the Asiatic wire and cable system, and an alternate route to Europe across the Eastern Continent. Where our communication must necessarily pass through other countries we should have alternate routes passing through different countries.

By utilizing and unifying the operations of the existing and abundant transatlantic cable facilities, direct connection can be established with every country in Europe through some immediate rearrangement, and as soon as possible some relaying, relocating, some extension of the old and the laying of some new cables.

While private property must be respected, proprietary rights should not be allowed to obstruct this solution, any more than proprietary rights of any utility should prevent regulated or controlled operation. The constitutional rights in each case are identical.

While our national wire systems are wasteful in superfluous plant, our international wire systems are correspondingly as deficient, especially in the location and arrangement of plant.

To meet our national requirements we must have a combined intra and inter national electric transmission service which will place all of our great centers in quick and close and available communication with the great centers of every country with which we have developed or potential business.

The United States must be brought into the center of a world system of electrical intercommunication. Its ships and merchants must not depend upon the gracious courtesy of any other country to get direct home wire communication. If there is not, there should be an international comity which will allow this. If done thoroughly, this must be done under the ægis of governmental authority, through specially shaped legislation. Much can be done by the present cable systems combining and operating in close connection with the land systems. To do a thorough piece of work, however, there must be considerable expenditure of capital on relocation, extension, etc., and if we are to have an independent international cable system we must be independent of foreign cable manufacture. For our extensions and repairs we must not be dependent upon any other nation. In an international system there would be sufficient demand to warrant the establishment of a cable-manufacturing plant in the United States.

The most immediate part of the program, the part that will bring the quickest results, is the unifying and coordinating of the existing cable systems, followed as quickly as possible by such relocating as can be done at once, and by laying as soon as possible the east coast cable.

This country is spending thousands of millions of dollars to build ships to compete for foreign commerce, and yet leaves the very "essential" to the building up of foreign commerce—quick, reliable intercommunication—entirely to private initiative and to foreign enterprise. With as many tens of millions and the cooperation of the existing cable companies controlled in the United States, a system could be built up which would put the business of the United States, as it were, at the front door of every business house of the world; and while it would need Government aid at the start and until established, it will be indirectly profitable from the start, and without doubt will be profitable in time.

I do not think there is any question about the wisdom of the policy, one grand system reaching to all countries with which we have relations, extending as rapidly as possible to all other countries in which potentialities exist, fostered by the Government at the start. It is to be regretted that the questions of Government ownership and of superior foreign rights have been brought into this cable question to handicap the solution of this big and most important problem, which must be settled from an American standpoint by some coordinated, correlated combination of Government authority and private operation or operation founded on the best traditions of private operation free from political interference and combined in a federalized corporation.

When all this is done, working in close connection with or under the close supervision of the land system, the United States would have the most complete, comprehensive system of world intercourse and intercommunication in existence.

This can not be done directly by the Government, although some Government encouragement and aid at the start will be needed. There are many points of an agreement to be reached between alien individuals and corporations, there will be much dealing with the respective Governments which would be confined to the interests and questions involved if conducted by private individuals, but which might become international questions, although purely local, if the Government were directly involved.

If, however, all the advantages of the Government prestige, together with the admitted advantages of private operation under Government control could be obtained, it could be done by some new organization or by one of the old organizations as a nucleus about which to create the system—this corporation to be federalized and under Government auspices and regulation.

The attempt recently made to make an international question or raise a question as to the right of the United States Government to direct the operation of cables, owned and controlled and terminating in the United States, so as to obtain the greatest efficiency in a time of abnormal demands, emphasizes the fact that the United States should have at least equal facilities to those of other countries and at least equal control over the facilities terminating in the United States.

There must be no question as to the right or the necessity of the United States to build up a commercial international wire system, of which the United States is the center, instead of remaining at one side of an international system which centers in the English Channel. Nor should there be any such a spectacle as an American-owned company obstructing the creation of an all-American cable system.

For what is the United States spending thousands of millions of dollars on means of transportation of American commerce if it is to have no abundant available facilities for the agents who spread that commerce and if the ships that carry it can not have a ready communication without the consent of any foreign nation?

Under the comity of nations in times of peace, citizens, mail carriers, ships, etc., have, subject to reasonable regulation, the right to land, and to cross or pass in transit to other countries. The mails are communications of intelligence. The cable is a facility of intercourse and intercommunication—a carrier of intelligence. There should be—subject to reasonable and necessary regulations and restrictions, such as a sovereign country has the right to, and must prescribe for its own protection—the same rights as to the electrical transmission of intelligence.

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In making this reply it has been my desire to present the actual conditions and salient features of electric communication and the possibilities of the future.

While some suggestions are made in this communication as to the requisite features of the future organization of these systems, no attempt has been made to set out the details of such a plan. If so requested, it would give me great pleasure to furnish your committee with more detailed suggestions as to what would in my opinion be the most practical solution.

Respectfully submitted.

THEO. N. VAIL.

The following is a summary of the contents of a letter written to Hon. JOHN A. MOON, chairman Committee on the Post Office and Post Roads, House of Representatives, Washington, D. C., upon his request by Theodore N. Vail, of the American Telephone & Telegraph Co. The letter refers to House bill 368.

It is admitted that the great utilities of interchange and intercommunication, which have been so largely instrumental in the development of the economic and social world, and upon which the progress and continuity of such development depends, are suffering from the application and interpretation of existing laws concerning control and regulation, and the proposed bill calls for time to enable some plan of organization to be perfected.

There is, without doubt, an opportunity for a great piece of beneficial and constructive work by combining and coordinating all the various existing utility services, or those that are complementary and supplementary, into one or more well-balanced systems, the extent of which should be determined by the nature of the service, by the extent of the service rendered, and by commercial, geographic, economic reasons, and by combining in a direct manner, and as far as possible divorced from political or partisan or class influence, the requisite power and authority of the Federal Government expressed in a mandate to equilibrate revenue, operating costs, and capital charges, with an operating organization adapted to the requirements of the service and based on the methods which experience, enterprise, and operation in the industrial world have shown to be effective, efficient, and economical.

It is not my understanding that this bill is a Government ownership and operating measure, but rather a definite purpose to give sufficient time to prepare and present to Congress a specific proposition for reorganization which will work for

efficiency and economy of the international and intranational wire systems operated and controlled from the United States. There would seem to be no question as to the wisdom of such program.

A thoroughly considered, well thought-out solution can not be prepared under pressure or in a short time.

It is recognized that in the interests of the public, the utilities should not be returned to the owners without some correction of the existing deficiencies in regulation and control, hence it would seem highly desirable for the country and for the proprietors that time should be given for such a solution.

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The principal problem will be to find a plan which will not leave opportunity for, and perpetuate in some other form, the same evils which now exist in the multiplicity of uncorrelated, irresponsible, complex, contradictory, and overlapping forms of control or regulation, or leave opportunity for unjudicial and biased action or selfish aggression.

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ELECTRICAL TRANSMISSION OF INTELLIGENCE.

It has developed early in the evolution of the telephone service that while there were common features in the technique, the service rendered was entirely distinct from the telegraph, each having its own particular field, not competitive but complementary. Long before the common use of the wire plant for both purposes was developed the advantage of a combined system of telegraph and telephone under one control was recognized.

The science of industrial application of electricity is almost as new as the telephone. The whole telephone art had to be created. It did not exist, nor was there, as is usual in new enterprises, anything analogous to it upon which to base action and policy. On pages 2, 3, and 4 of the letter (proof) will be found a more or less detailed account of the evolution of the art of electrical transmission of intelligence, and the inevitable conclusion to be drawn from that experience, which is the wire system of the future, will be one nation-wide system, under single control, by or over which direct connection can be established between any two places for the electrical transmission of any communication or of the spoken word, and every individual place will be the center of the system for transmission in any direction to the limit of transmission.

With less than half the weight of copper that was formerly used to transmit one conversation it is now possible to transmit over one wire circuit at the same time at least five and one-half telephonic messages and a large multiple of the number of telegraph messages formerly possible.

It can be safely said that with the same weight of copper which was formerly required for one telegraph or one telephone circuit, ten or twelve times the telephone and telegraph use is now possible at any one time, and when we consider the total capacity which in the telephone system is unutilized at certain hours, many new services in addition which would be of great benefit to our commercial and economic and social organizations can be introduced. Distant accomplishment is usually foreshadowed by present evidence, and, judging from the past, there is abundant evidence that the future accomplishments will be greater than any that have gone before.

The measure of the extent and comprehensiveness of the future wire system is and always will be the telephone system.

Upon the interconnecting system of wires necessary for telephone purposes, every other possible form of electrical wire transmission of intelligence or exchange of ideas can be superimposed with abundant room for a great expansion of new and cheaper services.

On pages 3 and 4 of the letter (proof) will be found some interesting features of the Bell system.

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CABLES.

Should the United States become the center of a cable system commensurate with and sufficient to fully protect its political and economic position?

Submarine cable plant is the most costly plant for electrical transmission of intelligence. The coordinated operation of all cables giving more or less similar service is essential if the most effective cable service is to be had at the lowest possible cost. A certain percentage of cables are out of commission more or less of the time. These interruptions of individual cables extend over long periods, at times a year or more.

If operation is coordinated, the total capacity is greater than the total capacity of the systems operated separately, and other but less direct routes can be used to cover periods of emergency.

There is on any cable system a variable load, determined largely by the difference in time and the overlapping business hours in the various countries between which the transmission takes place. This results in a large percentage of unused facilities, which under unified operation could be used for circuitous transmission in an emergency or in competition with direct service or for deferred services at cheaper rates where a little delay is immaterial.

Quick, cheap, abundant, dependable facilities of intercourse and transportation are necessary in the development of regular commerce. If the United States is to maintain commercial supremacy or even equality, there must be established the great trade forerunners, which in these days of intense activity is a comprehensive cable system. If American commerce is to be developed, it must have better means of communication at a cost which will not handicap a large volume of business at a small profit. The days of small business and of large profits passed with the clipper ships and indifferent mail communication.

Cable construction and laying take time, and cables can not be readily removed from an original location except by reconstruction.

The world's system of international electric communication has been built up primarily on the basis of connecting the commercial world with the old centers; focusing these world facilities, as it were, on the Old World's centers of finance, commerce, and industry. National prestige, local interests, competitive enterprise have influenced location, extension, and combinations so that these facilities are not in all cases arranged to be productive of the maximum possibilities of either broad efficiency or the greatest economy.

The United States is connected with this world system, but on one side as a contributing field to be reached and exploited and not primarily as a center.

We must give our commerce what it needs and what the commerce of the old countries already has. Our international wire service has become a "utility of necessity" and must be treated accordingly.

From the United States to the greater part of the world electrical intercommunication is expensive and roundabout.

By utilizing and unifying the operations of the existing and abundant trans-Atlantic cable facilities direct connection can be established with every country in Europe through some immediate rearrangement, and as soon as possible some relaying, relocating, some extension of the old, and the laying of some new cables.

While private property must be respected, proprietary rights should not be allowed to obstruct this solution any more than proprietary rights of any utility should prevent regulated or controlled operation. The constitutional rights in each case are identical.

The United States must be brought into the center of a world system of electrical intercommunication. Its ships and merchants must not depend upon the gracious courtesy of any other country to get direct home wire communication.

This country is spending thousands of millions of dollars to build ships to compete for foreign commerce and yet leaves the very "essential" to the building up of foreign commerce—quick, reliable intercommunication—entirely to private initiative and to foreign enterprise. With as many tens of millions and the cooperation of the existing cable companies controlled in the United States a system could be built up which would put the business of the United States, as it were, at the front door of every business house of the world.

Of what use will be the expenditure of money and effort in behalf of American commerce if there are to be no abundant available facilities of communication for the agents who spread that commerce and if the ships that carry it can not have a ready communication without the consent of any foreign nation?

It is to be regretted that the questions of Government ownership and of superior foreign rights have been brought into this cable question to handicap the solution of this big and most important problem, which must be settled from an American standpoint by some coordinated and correlated combination of Government authority and private operation or operation founded on the best traditions of private operation free from political interference and combined in a federalized corporation.

There must be no question as to the right or the necessity of the United States to build up a commercial international wire system of which the United States is the center instead of remaining at one side of an international system which centers in the English Channel. Nor should there be any such a spectacle as an American-owned company obstructing the creation of an all-American cable system.

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In making this reply it has been my desire to present the actual conditions and salient features of electric communication and the possibilities of the future.

Post Office Appropriation Bill.

EXTENSION OF REMARKS

OF

HON. WILLIAM W. GRIEST,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 17, 1918.

Mr. GRIEST. Mr. Speaker, for the information of the Congress I will place in the RECORD a compilation showing how the village delivery service, an appropriation for which is included on page 23 of the pending Post Office appropriation bill, has grown from one experimental office, established in the ninth congressional district of Pennsylvania in 1912, to 552 offices which now enjoy the benefits of this service under permanent law. The offices are well distributed throughout the Union, being in operation in 228 congressional districts in 43 States. The reports are so uniformly favorable as to the success of this method of mail delivery that the department has withdrawn former opposition and, in addition, urges its establishment "in communities adjacent to cities having city delivery." In view of the great growth of the village delivery and the demand for its extension both in towns of less than 10,000 population and in communities adjacent to cities, the House Post Office Committee increased the appropriation from $720,000, the amount carried in the last Post Office bill, to $1,250,000. This is a conservative increase, is fully warranted, and I trust will become law.

A tabulated statement of village delivery offices follows:

State.	Office.	Population.	In congressional district of—
Alabama	Florala	2,439	Hon. S. Hubert Dent, jr.
	Hartsells	1,374	Hon. Edward B. Almon.
	Tuscumbia	3,324	Do.
	Montevallo	923	Hon. Fred L. Blackmon.
	Piedmont	2,226	Do.
	Sylacauga	1,456	Do.
	Roanoke	2,034	Hon. J. Thomas Heflin.
	Russellville	2,400	Hon. William B. Bankhead.
	Union Springs	4,055	Hon. Henry B. Steagall.
Arizona	Tempe	1,800	Hon. Carl Hayden.
Arkansas	Atkins		Hon. Henderson M. Jacoway.
	Clarksville	1,700	Do.
	Dardanelle	1,757	Do.
	Morrillton	2,900	Do.
	Ozark	1,146	Do.
	Benton	2,400	Hon. Samuel M. Taylor.
	Malvern	2,778	Do.
	McGehee	1,157	Do.
	Booneville	1,631	Hon. Otis Wingo.
	De Queen	2,018	Do.
	Nashville	2,374	Do.
	Van Buren	4,500	Do.
	Crossett	2,038	Hon. William S. Goodwin.
	Dermott	1,662	Do.
	Magnolia	2,046	Do.
	Stamps	2,316	Do.
	Wynne	2,353	Hon. Thaddeus H. Caraway.
	Monticello	2,274	Hon. Samuel M. Taylor.
California	Azusa	1,477	Hon. Charles H. Randall.
	Covina	1,652	Do.
	Glendora		Do.
	San Dimas		Do.
	San Fernando		Do.
	Sierra Madre	1,303	Do.
	Gridley	987	Hon. Clarence F. Lea.
	Willits	2,000	Do.
	Huntington Beach	815	Hon. William Kettner.
	La Jolla		Do.
Colorado	Fowler	925	Hon. Edward Keating.
	Littleton	1,600	Hon. Charles B. Timberlake.
Connecticut	Collinsville		Hon. Augustine Lonergan.
	Farmington	3,478	Do.
	Forrestville		Do.
	Glastonbury	4,796	Do.
	Kensington		Do.
	Plantsville		Do.
	Suffield	3,841	Do.
	Unionville		Do.
	Windsor	4,178	Do.
	Guilford	1,475	Hon. John Q. Tilson.
Delaware	Delmar	530	Hon. Albert F. Polk.
	Harrington	1,500	Do.
	Lewes	2,158	Do.
	Middletown	1,399	Do.
	New Castle	3,351	Do.
	Smyrna	1,834	Do.
Florida	Apalachicola	3,065	Hon. Walter Kehoe.
	Chipley	1,099	Do.
	DeFuniak Springs	2,017	Do.
	Marianna	1,915	Do.
	Milton	831	Do.
	Panama City	422	Do.
	Monticello	2,000	Hon. Frank Clark.
	Tarpon Springs		Hon. Herbert J. Drane.
Georgia	Ashburn	2,214	Hon. Charles R. Crisp.
	Cuthbert	3,210	Do.
	Montezuma	1,030	Do.
	Richland	1,250	Do.
	Vienna	1,564	Do.
	Blakely	1,838	Hon. Frank Park.
	Cairo	1,505	Do.
	Camilla	1,827	Do.
	Pelham	1,880	Do.
	Sylvester	1,447	Do.
	Buford	1,683	Hon. Theodore M. Bell.
	Commerce	2,238	Do.
	Lawrenceville	1,581	Do.
	Winder	2,443	Do.
	Calhoun	1,850	Hon. Gordon Lee.
	La Fayette	1,590	Do.
	Rock Mart	1,034	Do.
	Rossville	1,059	Do.
	Cochran	1,638	Hon. William W. Larsen.
	Eastman	2,358	Do.
	Hawkinsville	4,200	Do.
	McRae	1,160	Do.
	Vidalia	1,776	Do.
	Wrightsville	1,389	Do.
	Conyers	1,919	Hon. William Schley Howard.
	Decatur	3,000	Do.
	Douglasville	1,462	Do.
	Forsyth	2,500	Hon. James W. Wise.
	Jackson	1,862	Do.
	Monticello	1,508	Do.
	Thomaston	1,645	Do.
	Hartwell	2,007	Hon. Charles H. Brand.
	Monroe	3,029	Do.
	Louisville	1,039	Hon Carl Vinson.
	Sandersville	2,641	Do.
	Sparta	1,715	Do.
	Tennille	1,022	Do.
	Thomson	2,151	Do.
	Warrenton	1,368	Do.
	Millen	2,030	Hon. James W. Overstreet.
	Sylvania	1,500	Do.
	Waynesboro	2,720	Do.
	Manchester	922	Hon. William C. Wright.
Illinois	Altamount	1,328	Hon. Martin D. Foster.
	Carlyle	1,932	Do.
	Oblong	1,482	Do.
	Sumner	1,413	Do.
	Arlington Heights	1,943	Hon. Niels Juul.
	Assumption	1,918	Hon. Loren E. Wheeler.
	Staunton	5,048	Do.
	Carrollton	2,323	Hon. Henry T. Rainey.
	Carterville	3,100	Hon. Edward E. Denison.
	Chester	2,747	Do.
	Christopher	1,825	Do.
	Pinckneyville	2,800	Do.
	Casey	2,157	Hon. Joseph G. Cannon.
	Chrisman	1,193	Do.
	Georgetown	3,000	Do.
	Milford	1,316	Do.
	Westville	2,607	Do.
	Chillicothe	1,851	Hon. Clifford Ireland.
	Downers Grove	2,601	Hon. Ira C. Copley.
	Lockport	2,555	Do.
	West Chicago	2,378	Do.
	Eldorado	3,366	Hon. Thomas S. Williams.
	Homer	1,130	Hon. William B. McKinley.
	Winsor	987	Do.
	Knoxville	1,818	Hon. Edward J. King.
	Lanark	1,175	Hon. John C. McKenzie.
	Leroy	1,702	Hon. John A. Sterling.
	New Athens	1,200	Hon. William A. Rodenberg.
	Warsaw	2,254	Hon. William J. Graham.
Indiana	Albion	1,213	Hon. Louis W. Fairfield.
	Butler	1,818	Do.
	Lagrange	1,772	Do.
	Argos	1,089	Hon. Henry A. Barnhart.
	Knox	1,544	Do.
	Batesville	2,151	Hon. Lincoln Dixon.
	Edinburg	2,040	Do.
	Greenwood	1,608	Do.
	Vevay	1,256	Do.
	Hope	1,400	Do.
	Bicknell	2,794	Hon. Oscar E. Bland.
	Jasonville	3,269	Do.
	Loogootee	2,154	Do.
	Mooresville	1,608	Do.
	Worthington	1,732	Do.
	Boonville	3,934	Hon. George K. Denton.
	Oakland City	2,370	Do.
	Petersburg	2,170	Do.
	Rockport	3,000	Do.
	Cambridge City	2,237	Hon. Richard N. Elliott.
	Brookeville	2,169	Do.
	Knightstown	2,008	Do.
	Liberty	1,338	Do.
	Cannelton	2,130	Hon. William E. Cox.
	Corydon	1,703	Do.
	Huntingburg	2,464	Do.
	Jasper	2,196	Do.
	Mitchell	3,434	Do.
	Salem	2,283	Do.
	Tell City	3,369	Do.
	Clay City	1,213	Hon. Everett Sanders.
	Danville	1,640	Do.
	Rockville	1,943	Do.
	West Terre Haute	3,083	Do.
	Dunkirk	3,031	Hon. Albert H. Vestal.
	Sheridan	1,768	Hon. Fred S. Purnell.

State.	Office.	Population.	In congressional district of—
Iowa	Belmond	1,350	Hon. Burton E. Sweet.
	Columbus Junction	1,185	Hon. Charles A. Kennedy.
	New London	1,144	Do.
	Wapello	1,326	Do.
	Coon Rapids	1,200	Hon. Frank P. Woods.
	Guthrie Center	1,600	Hon. William R. Green.
	Lenox	1,274	Hon. Horace M. Towner.
	Seymour	2,290	Do.
	Mapleton	1,100	Hon. George C. Scott.
	Marengo	1,768	Hon. Harry E. Hull.
	West Liberty	1,666	Do.
Kansas	Bonner Springs	1,462	Hon. Edward C. Little.
	Garnett	2,334	Do.
	Burlingame	1,422	Hon. Dudley Doolittle.
	Burlington	2,180	Do.
	Eureka	2,333	Do.
	Marion	1,841	Do.
	Peabody	1,416	Do.
	St. Marys	1,397	Do.
	Yates Center	2,024	Do.
	Wamego	1,900	Do.
	Goodland	1,994	Hon. John R. Connelly.
	Lincoln	1,508	Do.
	Mankato	1,155	Do.
	Osborne	1,566	Do.
	Halstead	1,004	Hon. William A. Ayres.
	Lindsborg	1,939	Do.
	Sabetha	1,768	Do.
	Harper	1,638	Hon. Jouett Shouse.
	Hoisington	1,975	Do.
	Meade	664	Do.
	Medicine Lodge	1,229	Do.
	St. John	1,800	Do.
	Stafford	1,927	Do.
	Ness City	712	Do.
	Minneapolis	1,925	Hon. Guy T. Helvering.
	Washington	1,547	Do.
Kentucky	Carlisle	1,433	Hon. William J. Fields.
	Carrollton	3,000	Hon. Arthur B. Rouse.
	Williamstown	800	Do.
	Falmouth	1,180	Do.
	Clinton	1,497	Hon. Alben W. Barkley.
	Murray	2,089	Do.
	Princeton	3,015	Do.
	Hickman	2,736	Do.
	Dawsonsprings	1,350	Hon. David H. Kincheloe.
	Morganfield	2,725	Do.
	Providence	2,084	Do.
	Sturgis	1,467	Do.
	Eminence	1,274	Hon. James C. Cantrill.
	La Grange	1,152	Do.
	Franklin	3,063	Hon. Robert Y. Thomas, jr.
	Russellville	3,300	Do.
	Lawrenceville	1,723	Hon. Harvey Helm.
	Stanford	1,700	Do.
	Pikeville	1,280	Hon. John W. Langley.
Louisiana	Jeanerette	2,206	Hon. Whitmell P. Martin.
	Mansfield	2,600	Hon. John T. Watkins.
Maine	Boothbay Harbor	2,021	Hon. Wallace H. White, jr.
	Mechanic Falls		Do.
	Richmond	1,888	Do.
	Thomaston	2,205	Do.
	Bridgton	1,474	Hon. Louis B. Goodall.
	Kennebunk	2,300	Do.
	Old Orchard	961	Do.
	Springvale		Do.
	York Beach		Do.
	Fairfield	2,801	Hon. John A. Peters.
	Lubec	3,363	Do.
	Machias	2,089	Do.
	Oakland	2,257	Do.
	Winthrop	1,114	Do.
	Fort Fairfield	1,620	Hon. Ira G. Hersey.
	Orono	3,555	Do.
Maryland	Lonaconing	1,553	Hon. Frederick N. Zihlman.
	Princess Anne	1,009	Hon. Jesse D. Price.
	Snow Hill	1,844	Do.
Massachusetts	Baldwinsville	2,000	Hon. Calvin D. Paige.
	Indian Orchard	6,000	Hon. Frederick H. Gillett.
	North Easton		Hon. Richard Olney.
	Randolph	4,301	Do.
	Yarmouth Port	800	Hon. Joseph Walsh.
Michigan	Bangor	1,158	Hon Edward L. Hamilton.
	Hartford	1,268	Do.
	Plainwell	1,600	Do.
	Birmingham	1,607	Hon. Patrick H. Kelley.
	Royal Oak	1,071	Do.
	Blissfield	1,474	Hon. Samuel W. Beakes.
	Bronson	1,020	Do.
	Morenci	1,700	Do.
	Clare	1,350	Hon. Gilbert A. Currie.
	Durand	2,315	Hon. Joseph W. Fordney.
	Fremont	2,000	Hon. James C. McLaughlin.
	Harbor Beach	1,556	Hon. Louis C. Cramton.
	Quincy	1,347	Hon. John M. C. Smith.
	Vicksburg	1,624	Do.
	Reed City	1,690	Hon. Frank D. Scott.
Minnesota	Ada	1,432	Hon. Halvor Steenerson.
	Zumbrota	1,200	Hon. Charles R. Davis.
	North St. Paul	1,404	Hon. Carl C. Van Dyke.
	White Bear Lake	1,565	Do.
Mississippi	Booneville	1,378	Hon. Ezekiel S. Candler.
	Starkville	2,693	Do.
	Ittabena	1,800	Hon. Benjamin G. Humphreys.
	Sardis (effective Jan. 1, 1919).	1,406	Hon. Hubert D. Stephens.
Missouri	Appleton City	1,018	Hon. Clement C. Dickinson.
	Eldorado Springs	2,503	Do.
Missouri (contd.)	Harrisonville	1,947	Hon. Clement C. Dickinson.
	Holden	2,007	Do.
	Pleasant Hill	2,065	Do.
	Rich Hill	2,755	Do.
	Bethany	1,931	Hon. Joshua W. Alexander.
	Gallatin	1,825	Do.
	Plattsburg	1,990	Do.
	Princeton	1,335	Do.
	Bolivar	1,975	Hon. Courtney W Hamlin.
	Higginsville	2,628	Do.
	Odessa	1,531	Do.
	Slater		Do.
	Brunswick	1,606	Hon. William W. Rucker.
	Huntsville	2,247	Do.
	Keytesville	963	Do.
	Marceline	3,920	Do.
	Milan	2,191	Do.
	Monroe City	1,949	Do.
	Paris	1,474	Do
	Norborne	1,341	Do.
	Salisbury	1,334	Do.
	Canton	2,218	Hon. Milton A. Romjue.
	Edina	1,562	Do.
	Kahoka	1,758	Do.
	Memphis	1,984	Do.
	Shelbina	2,174	Do.
	Unionville	2,000	Do.
	Carterville	4,539	Hon. Perl D Decker.
	Pierce City	2,000	Do.
	Festus	2,556	Hon. Walter L. Hensley.
	Perryville	1,708	Do.
	Ste. Genevieve	1,967	Do.
	Lebanon	2,500	Hon. Thomas L. Rubey.
	Marshfield	1,193	Do.
	Jackson	2,300	Hon. Joseph J. Russell.
	Savannah	1,860	Hon. Charles F. Booher.
	Tarkio	1,966	Do.
	Washington	3,670	Hon. Champ Clark.
Nebraska	Franklin	949	Hon. Ashton C. Shallenberger.
	Minden	1,559	Do.
	Pierce	1,500	Hon. Dan V. Stephens.
	Wymore	2,613	Hon. Charles H. Sloan.
New Hampshire	Bristol		Hon. Edward H. Wason.
	Whitefield		Do.
	Woodsville	2,200	Do.
New Jersey	Allenhurst	306	Hon. Thomas J. Scully.
	Bradley Beach	1,807	Do.
	Keansburg		Do.
	Leonia	2,200	Hon. John R. Ramsey.
	Pleasantville	2,500	Hon. Isaac Bacharach.
New York	Baldwin		Hon. Frederick C. Hicks.
	Manhasset		Do.
	Dundee	1,227	Hon. Norman J. Gould.
	East Syracuse	2,374	Hon. Walter W. Magee.
	Falconer	2,141	Hon. Charles M. Hamilton.
	Franklinville	1,568	Do.
	Mayville	1,200	Do.
	Hamburg	2,134	Hon. William F. Waldow.
	Middleport	1,530	Hon. S. Wallace Dempsey.
	Norwood	2,000	Hon. Bertrand H. Snell.
	Painted Post	1,400	Hon. Harry H. Pratt.
	Schuylerville	1,014	Hon. James S. Parker.
	Union	1,544	Hon. George W. Fairchild.
	Whitesboro	2,375	Hon. Homer P. Snyder.
North Carolina	Albemarle	2,116	Hon. Robert L. Doughton.
	Mooresville	3,400	Do.
	Kannapolis (effective Jan. 1, 1919).		Do.
	Canton	1,393	Hon. Zebulon Weaver.
	Morehead City	2,039	Hon. George E. Hood.
	Mount Olive	1,071	Do.
	Newton	3,000	Hon. Edwin Y. Webb.
	Smithfield	1,347	Hon. Edward W. Pou.
	Williamstown	1,574	Hon. John H. Small.
North Dakota	Crosby	206	Hon. Patrick D. Norton.
	Enderlin	1,540	Hon. John M. Baer.
Ohio	Amherst	2,106	Hon. Benjamin F. Welty.
	Bluffton	1,953	Do.
	Coldwater	890	Do.
	Covington	1,848	Do.
	Versailles	1,580	Do.
	Byesville	3,156	Hon. George White.
	Camden	899	Hon. Warren Gard.
	Germantown	1,778	Do.
	West Carrollton	1,285	Do.
	Cardington	1,349	Hon. John A. Key.
	Carey	2,255	Do.
	Dunkirk	1,109	Do.
	Forest	1,285	Do.
	Chardon		Hon. Henry I. Emerson.
	Gibsonburg	1,864	Hon. Arthur W. Overmyer.
	North Baltimore	2,503	Do.
	Perrysburg	1,913	Do.
	Willard	1,542	Do.
	Jeffersonville	628	Hon. Simeon D. Fess.
	Richwood	1,729	Do.
	Loudonville	1,800	Hon. William A. Ashbrook.
	Plymouth	1,314	Do.
	Montpelier	2,759	Hon. John S. Snook.
	Swanton	1,200	Do.
	Paulding	2,500	Do.
Oklahoma	Checotah	1,683	Hon. William W. Hastings.
	Eufaula	1,307	Do.
	Sallisaw	2,479	Do.
	Stigler	1,583	Do.
	Tallequah	2,891	Do.
	Cordell	1,950	Hon. James V. McClintic.
	Snyder	1,122	Do.
	Dewey	2,400	Hon. Thomas A. Chandler.

State.	Office.	Population.	In congressional district of—
Oklahoma (contd.).	Edmond	2,090	Hon. Joseph B. Thompson.
	Wynne Wood	2,002	Do.
	Poteau	1,830	Hon. Charles D. Carter.
	Sulphur	3,225	Hon. Joseph B. Thompson.
Oregon	Cottage Grove	1,834	Hon. Willis C. Hawley.
	Lebanon	1,820	Do.
	Enterprise	1,242	Hon. Nicholas J. Sinnott.
	Prineville	1,042	Do.
Pennsylvania	Annville		Hon. Aaron S. Kreider.
	Hummelstown	2,128	Do.
	Williamstown	2,904	Do.
	Bellwood	2,277	Hon. John M. Rose.
	Everett	1,725	Do.
	Gallitzin	3,504	Do.
	Portage	2,954	Do.
	Roaring Spring	1,903	Do.
	South Fork	4,592	Do.
	Berlin	1,336	Hon. Bruce F. Sterling.
	Dunbar	1,970	Do.
	Fairchance	1,760	Do.
	Masostown	890	Do.
	Point Marion	1,389	Do.
	South Brownsville	3,945	Do.
	Bridgeport	3,860	Hon. Henry W. Watson.
	Perkasie	2,779	Do.
	Bridgeville	1,983	Hon. Guy E. Campbell.
	Clairton	3,326	Do.
	Catawissa	1,930	Hon. John V. Lesher.
	Northumberland	3,517	Do.
	Watsontown	1,950	Do.
	Curwensville	2,549	Hon. Charles H. Rowland.
	Elizabeth	2,311	Hon. M. Clyde Kelly.
	Glassport	5,540	Do.
	Ephrata	3,300	Hon. William W. Griest.
	Manheim	2,202	Do.
	Marietta	2,079	Do.
	Mount Joy	2,166	Do.
	Ford City	4,850	Hon. Nathan L. Strong.
	Freeland	7,300	Hon. Thomas W. Templeton.
	Shickshinny	1,917	Do.
	White Haven	1,500	Do.
	Girardville	4,396	Hon. Robert D. Heaton.
	Orwigsburg	1,801	Do.
	Pine Grove	1,352	Do.
	St. Clair	6,455	Do.
	Greencastle	1,919	Hon. Benjamin K. Focht.
	Mifflinburg	1,559	Do.
	Mifflintown	954	Do.
	Selinsgrove	1,473	Do.
	Newport	1,009	Do.
	Hawley	2,018	Hon. Louis T. McFadden.
	Troy	1,288	Do.
	Milford	872	Hon. Henry J. Steele.
	Weatherly	2,501	Do.
	Mount Pocono		Do.
	Natrona		Hon. Stephen G. Porter.
	Parkesburg	2,522	Hon. Thomas S. Butler.
	Spring City	3,000	Do.
	Red Lion	2,092	Hon. Andrew R. Brodbeck.
	Wrightsville	2,025	Do.
	Sharpsville	3,634	Hon. Earl H. Beshlin.
	Tidioute	1,324	Do.
	Peckville	4,000	Hon. John R. Farr.
	Burgettstown	1,268	Hon. Henry W. Temple.
Rhode Island	Pascoag	2,500	Hon. Ambrose Kennedy.
South Carolina	Allendale	1,453	Hon. James F. Byrnes.
	Bamberg	1,937	Do.
	Barnwell	1,324	Do.
	Beaufort	2,486	Do.
	Blackville	2,400	Do.
	Edgefield	1,771	Do.
	Johnston	943	Do.
	Batesburg	1,955	Hon. Asbury F. Lever.
	Bishopville	1,659	Do.
	Branchville	2,500	Do.
	St. Matthews	1,377	Do.
	Belton	1,650	Hon. Fred H. Dominick.
	Easley	2,983	Do.
	Seneca	1,313	Do.
	Walhalla	1,595	Do.
	Westminster	1,576	Do.
	Cheraw	2,873	Hon. William F. Stevenson.
	Lancaster	2,200	Do.
	York	2,326	Do.
	Winnsboro	2,000	Do.
	Conway	1,228	Hon. J. Willard Ragsdale.
	Dillon	2,000	Do.
	Kingstree	1,372	Do.
	Lake City	1,074	Do.
	Mullins	1,832	Do.
	Timmonsville	1,708	Do.
	Greer	1,673	Hon. Samuel J. Nicholls.
	Woodruff	1,880	Do.
	Manning	1,854	Hon. Richard S. Whaley.
	Walterboro	1,677	Do.
South Dakota	Chamberlain	1,275	Hon. Charles H. Dillon.
	Clark	1,220	Hon. Royal C. Johnson.
	Miller	1,202	Do.
	Gregory	1,142	Hon. Harry L. Gandy.
	Winner		Do.
Tennessee	Cookeville	1,848	Hon. Cordell Hull.
	Dayton	1,991	Do.
	Gallatin	3,000	Do.
	Elizabethton	2,478	Hon. Sam R. Sells.
	Newport	2,003	Do.
	Etowah	1,685	Hon. John A. Moon.
	McMinnville	2,399	Do.
	South Pittsburg	2,106	Do.
	Sparta	1,409	Do.

State.	Office.	Population.	In congressional district of—
Tennessee (contd.).	Sweetwater	1,850	Hon. John A. Moore.
	Huntingdon	1,112	Hon. Thetus W. Sims.
	Lexington	1,497	Do.
	McKenzie	2,000	Do.
	Kenton	1,200	Hon. Finis J. Garrett.
	Milan	1,605	Do.
	Ripley	2,011	Do.
	Lawrenceburg	1,637	Hon. Lemuel P. Padgett.
	Mount Pleasant	1,973	Do.
	Lenoir City	3,392	Hon. Richard W. Austin.
	Rockwood	3,660	Do.
	Lewisburg	1,830	Hon. William C. Houston.
Texas	Atlanta	1,604	Hon. Eugene Black.
	Cooper	1,513	Do.
	Caldwell	1,600	Hon. James P. Buchanan.
	Elgin	2,000	Do.
	Gilmer	1,484	Hon. James Young.
	Hallettsville	1,379	Hon. Joseph J. Mansfield.
	Whitesboro	1,500	Hon. Sam Rayburn.
	Itasca		Hon. Hatton W. Sumners.
Utah	American Fork	2,797	Hon. James H. Mays.
	Garfield		Do.
	Lehi	2,964	Do.
	Spanish Fork	3,464	Do.
Vermont	Ludlow	1,700	Hon. Porter H. Dale.
	Richford	2,907	Hon. Frank L. Greene.
Virginia	Ashland	1,324	Hon. Andrew J. Montague.
	Berryville	1,150	Hon. Thomas W. Harrison.
	Luray	1,218	Do.
	Marion	3,000	Hon. C. Bascom Slemp.
	Tazewell	1,230	Do.
	Onancock	1,001	Hon. Schuyler O. Bland.
	Phoebus	2,200	Do.
	Chincoteague Island	1,419	Do.
Washington	Kent	2,400	Hon. John F. Miller.
West Virginia	Chester	2,184	Hon. M. M. Neely.
	Marlinton	1,045	Hon. Adam B. Littlepage.
	Ronceverte	2,157	Do.
	St. Marys	1,358	Hon. Harry C. Woodyard.
	Spencer	1,224	Do.
	Terra Alta	1,126	Hon. George M. Bowers.
Wisconsin	Arcadia		Hon. James A. Frear.
	Durand	1,503	Do.
	Black River Falls		Hon. John J. Esch.
	New Lisbon	1,074	Do.
	Viroqua	2,059	Do.
	Cedarburg	1,777	Hon. Edward Voigt.
	Horicon	1,881	Do.
	Juneau	1,003	Do.
	Kilbourn	1,170	Do.
	Lake Mills	1,672	Do.
	Lodi	1,004	Do.
	Waterloo	1,220	Do.
	Dodgeville	2,500	Hon. John M. Nelson.
	Kewaunee	2,000	Hon. David G. Classon.
	North Milwaukee	1,860	Hon. William H. Stafford.

EXTENSION OF REMARKS

OF

HON. CHARLES O. LOBECK,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 17, 1918.

Mr. LOBECK. Mr. Speaker, I take personal pleasure in presenting to the Congress an article prepared and written for the Forum, published in November, 1918, by the Hon. John Skelton Williams, Comptroller of the Currency and Director of the Division of Finance, United States Railroad Administration, on the subject of "Usury and the banks." Believing this subject of national importance and of much interest to the Nation and to Congress, I respectfully ask that it may be printed in the CONGRESSIONAL RECORD.

The matter referred to is as follows:

[From the Forum for November, 1918.]

USURY AND THE BANKS—FLEECING THE SMALL BORROWER BEING STOPPED BY THE GOVERNMENT.

(By Hon. John Skelton Williams, Comptroller of the Currency and Director of the Division of Finance, United States Railroad Administration.)

Thoughtful and conservative bankers—the men who really lead the banking sentiment of the country—in numbers steadily and rapidly increasing, are now setting their faces and giving their influence against an evil that for years had not only impeded the growth but was threatening the commercial life of important sections of our country, because oppressive and continuing usury inevitably means poverty and failure; and poverty and failure breed discontent, which strikes blindly to destroy and tear down. Despair hates the conditions which have produced it and is ready to go to war against society and governments, regardless of means and reckless of consequences.

The business man, the laborer, the farmer, driven to ruin by what he believes to be unjust exactions, sanctioned or permitted by law, becomes an anarchist at heart, carries within himself a sullen resentment ready to be touched to volcanic outburst by the first approach of opportunity. He has no hope but vengeance. His fury when he may give it vent is directed against the conditions under which he has been oppressed.

The vice, or evil, or peril of usury—it is all three—is no new thing under the sun and was not peculiar to this country. It was spreading among us, however, with rapidity no casual observer would suppose, and in different communities was silently and secretly sapping the life and eating away the foundations of commercial and social life to an unsuspected extent. I do not wish to talk politics or to discuss socialism. I have had opportunity, however, to notice that States and communities in which literature presenting the most violent, dangerous, and incendiary forms of perverted socialism was most eagerly read and accepted were precisely those in which my reports showed the interest charges to small borrowers were most extortionate.

The sin is one of the oldest known to humanity, and is believed to have been indirectly aimed at in the tenth commandment. The Hebrew word for usury signifies "cruel biting." Probably it began to bite along with the saber-tooth tiger. Its derivation may have suggested to a great English judge of five centuries ago his attempt to distinguish between what he called "biting usury," meaning exorbitant rates, and "toothless usury," or reasonable interest charges.

By divine ordinance the Israelites of old were forbidden to demand usury of the poor and needy, and in Deuteronomy we are told, "Thou shalt not lend upon usury to thy brother; usury of money, usury of victuals, usury of anything that is lent upon usury." But by another law they are permitted to lend to strangers—which banks, these days, are not accustomed to do. Loans to the Canaanites and other heathen on usury were, in fact, rather encouraged, the implication being that they might be conquered and overcome more readily this way than by the sword.

In ancient days, when men lived to be 300 to 400 to nearly 1,000 years old, he who began to lend money at the age of 25 or 30 must have accumulated quite a comfortable estate when gathered to his fathers, especially if the interest was compounded. Think of what Methuselah would have done! In this connection the thought occurs that if Noah had out any considerable amount of paper on terms similar to those which are being charged in some of our States, he may not have regarded the flood as an unmitigated disaster.

THE USURER UNPOPULAR IN KING SOLOMON'S DAYS.

The Israelites during the early years of their race maintained consistently their opposition to usury, although the Jews have figured so conspicuously since the Christian era as such prominent exponents. Five hundred years after Moses, King David and King Solomon had things to say against usury, and the usurer seems to have been a most unpopular character in those days. King David describes the holy and just man, he who was entitled to enter into the courts of the Lord, as one "who hath not given his money upon usury." The Jewish Talmud speaks of usury as a practice expressly forbidden.

The subject of usury was specifically dealt with in the ancient codes of most nations. Under the Code of Manu, in India, interest was regarded as of doubtful propriety, and money lending was prohibited altogether to the superior castes, the Brahmins and Kshattriyas, and even for the other two grades a sum lent to a person in distress may not give rise to any interest, because then the interest would be extortionate. The limits fixed by the code were 1¼ per cent per month with security and 1½ per cent per month without.

Among the Mohammedans the charging of usury was expressly prohibited. Money lending in Turkey until recent years was almost exclusively in the hands of Greeks and other foreigners.

The Law of the Twelve Tables among the ancient Romans authorized interest at the equivalent of 10 per cent per annum, subsequently increased toward the close of the Republic to 12 per cent. It was then called "usuria centissima," because in 100 months it doubled the capital, but this law was subsequently abolished and interest laid under a total interdict.

Julius Cæsar enacted severe laws against usurers, and Cato is said to have banished the usurers from Sicily.

Later on Tacitus tells us that the evil of usury greatly increased in Rome and the laws forbidding it were continually eluded. Some historians tell us that from this period, when usury so flourished, Rome dates the beginning of her decay. Trade languished and became disreputable and fell under the control of the worst elements in the community, preparing the way for the calamitous events which preceded Rome's final downfall.

Later, in the time of Justinian, the Government undertook to control interest rates, which were fixed at one-third of 1 per cent a month, or 4 per cent per annum, though higher rates were allowed to be taken by merchants where a greater risk was involved. During most of the periods of Roman history and before its decline and fall, usury was treated as an aggravated species of theft and punished with great severity. Whereas the punishment for theft was only a forfeiture of double the value of the thing stolen, in usury the criminal was punished by condemnation and forfeiture of four times the value of the usury taken. This severe penalty, it is said, was grounded on sound governmental reasons, for it was seen in those days that usury was one of the most frequent causes of sedition and discord among the people.

M'ADOO EMULATED TIBERIUS CÆSAR.

Secretary McAdoo in depositing, as he did on several occasions, many millions of dollars in the banks to alleviate the strain and bring down heavy interest rates which were being demanded in certain parts of the country, found a precedent for so doing in the acts of Tiberius Cæsar, who, the ancient historian tells us, deposited a "marvelous sum of money in the banks of Rome," the amount being estimated at £500,000, or about two and a half million dollars, for the purpose of breaking rates charged by usurers in those days, and this money was offered freely to those debtors who were able to give bond and security to double the value of the money borrowed. Secretary McAdoo's terms were more liberal.

"The canker of usury," says Tacitus, "is an old venomous foe and is the chief head of rebellion and variance in countries, and it was therefore banished in the old times."

In England as early as the reign of Alfred the Great laws were enacted against usury, usurers forfeited to the King their chattels, while their lands escheated to the lords of the fee, and it was further provided that usurers should not be buried in the sanctuary. In the reign of Edward the Confessor, 150 years later, the laws provided that the usurer should forfeit all his substance, be outlawed, and his heir disinherited. Other punishments were added by William the Conqueror, such as whipping, exposure on the pillory, and perpetual banishment.

In the Magna Charta, in 1215, attempts were made to regulate or restrain usury, the provision inserted showing clearly how general the evil was and how oppressive.

These laws were modified and changed from time to time in the twelfth century. According to Glanville, the usurer was not liable to be convicted during his lifetime, but forfeited his goods and chattels after death.

In 1487 two acts were passed in England to restrain usury and to meet the various devices which had become common. This law provided that offenders should be placed in the pillory, put to open shame, be imprisoned half a year, and pay £20 sterling.

In the reign of Queen Elizabeth the legal rate was fixed at 10 per cent. This rate was reduced to 8 per cent under the reign of James I. All contracts for more than 8 per cent were void, but the act contained a clause that "no words in this law shall be construed or expounded to allow the practice of usury in point of religion or conscience," inserted in the law to satisfy the bishops, who would not pass the bill without it.

USURY CONTRIBUTED TO THE DECLINE OF ROME.

In the reign of Charles II the legal interest was further reduced to 6 per cent, which had then become customary, and it is interesting to compare the conditions set forth in the preamble of this act, which shows the beneficent influences of favorable money rates, with the corruption and declining conditions in Rome, when usury flourished most in the Eternal City. The preamble to this act says:

"Forasmuch as the abatement of interest from 10 per cent in former times has been found by notable experience beneficial to the advancement of trade and the improvement of lands by good husbandry, with many other considerable advantages to this nation, especially the reducing of it to a nearer proportion with foreign States with whom we transact, and whereas in the fresh memory the like fall from 8 to 6 per cent by late constant practice hath then the like success to the general contentment of this nation as is visible by several improvements, and whereas it is the endeavor of some at present to reduce it back again in practice to the allowance of the statute still in force, to 8 per cent, to the great discouragement of ingenuity and industry in the husbandry, trade, and commerce of this nation."

The rate of interest in England was reduced to 5 per cent in the reign of Queen Anne, the preamble of the law stating that—

"It has become absolutely necessary to reduce the high rate of interest of 6 per cent to a nearer proportion with interest allowed in foreign States."

The various acts passed in the reigns of Charles II, William III, and George II, George III, and George IV, provided that all securities given on a usurious consideration or upon a gaming transaction were absolutely void.

In this country the Colonies first and the States later undertook to fix and regulate the rates of interest and to define and prohibit usury. Massachusetts fixed the legal rate at 8 per cent in 1641 and reduced it to 6 per cent three years later. Some of the older States, however, refused to adopt usury laws until within recent years. In many of our States usury statutes have been and are ignored, and where the transgressions against the usury law have been most marked and where usury has flourished most, unmolested, we find enterprise hampered and many unhealthy conditions engendered; which reminds one of a saying credited to Diogenes, that "where neither laws have force nor water hath course, there no wise man seeks to dwell."

To the substantial business man, accustomed to reasonable accommodations from banks, there is a kind of ghastly humor in some of the revelations resulting from an investigation into the subject of usury conducted some months ago by the comptroller's office.

USURY AIMS AT AMERICAN BANKS.

It was ascertained at that time that 1,247 national banks out of a total of 7,600 were openly charging rates of interest forbidden by the laws of their respective States and by the national bank act, and that despite the easy money conditions, 2,743 banks were charging on some of their loans interest of 10 per cent or more per annum.

One bank admitted under oath that it was charging an average of 25 per cent per annum on all of its loans; another an average of 36 per cent; and a third an average of 40 per cent per annum on all loans.

The alarming part of all this is that wherever such a case of oppression occurred the agitators, the chronic trouble makers, and the demagogues of the neighborhood or the county made it the text for incitement of rage against the capital and the commercial methods of the entire country.

I will not tire you with figures, but will mention just a few actual loans made by national banks and reported under oath to the comptroller's office, which may serve as illustration.

Here is a loan of $1,000 for a month and a half at 77 per cent, a loan of $2,067 for a month at 65 per cent, $553 for two months at 85 per cent, $491 for 80 days at 50 per cent, $200 for three months at 50 per cent.

A visitor to my office from a certain State not long ago, who held a high public office in that State, told me of a loan for $90 made to a farmer to help him to raise his crops, the loan being for less than a year. He said that the bank had charged this farmer, in addition to a large rate of interest, an extra sum of $50 for the trouble of going out to look at the land and for a few preliminaries to the loan.

The practice of making a deduction for expense, in addition to the rate of interest, seems also to have been an ancient one, and to have been resorted to hundreds of years ago. It has prevailed to an inexcusable extent up to a very recent date in certain of our States.

I am sincerely gratified to be able to report, after all this looking at the dark side of the picture, that in the past year or so there has been a vast improvement in the matter of interest rates throughout the country. The evil has been greatly mitigated, but it is not yet entirely eliminated. Hundreds of banks have made perpendicular drops from the excessive rates which they formerly charged. Many that had been charging on some of their loans as much as 50 per cent reduced to 12 per cent, and in thousands of cases they have come within the legal rates of their respective States.

NOW THE BANKS ARE REDUCING RATES.

In other instances, where only 12 per cent to 15 per cent rates had prevailed, borrowers are now accommodated at 6 per cent and 8 per cent. Some banks have adopted a conservative course and apparently have been afraid to reduce their rates too suddenly, but they are moving in the right direction. One bank testifies under oath that it has succeeded in reducing its maximum rate from 360 per cent to 109 per cent. Another in the same State reports that it has already brought its maximum rate down from 300 to 30 per cent; others report that they have brought their average rates of 18 per cent and 22 per cent down to the legal rate of 10 per cent.

I am very glad to be able to say that these sensational and inexcusable rates are steadily disappearing from the sections where they have formerly prevailed, and people of every part of this country are at this moment securing money for all purposes, whether it be for commercial business, farming, or industrial purposes, on more favorable terms than ever before in the history of our country.

In divers instances national banks which have been called on to reduce their rates of interest to those permitted by law have not only complied but have advised my office that they were conducting their business on a plane which is proving not only more satisfactory to their customers but, all things considered, more satisfactory to the banks themselves, as their business is showing a healthy expansion in response to more liberal treatment.

For example, the cashier of a national bank in the interior of Texas, which has in the past been charging excessive interest rates, in a letter to the Comptroller of the Currency said:

"While it has been rather hard for us to get down to the legal rate, I realize that you are absolutely correct, and I am sure that the cheaper rate of interest will bring, and is already bringing, this bank a large increase of business. Your stand in this matter is entirely commendable, and we will do our best to uphold you in it."

Many farmers who had never known what it was to borrow money below 12 per cent, even on cotton, through the operations of the Federal Reserve System are now enabled to borrow from their local banks at 6 per cent, and the small local banks are able to borrow in their turn from the Federal reserve banks at 3 to 4½ per cent, and the business men throughout the country, I am sure, are prepared to testify that in the past 12 months, despite the very active condition of business, which usually brings tight money, that in all our important cities merchants and manufacturers have been able to place their commercial paper at lower rates than you have ever known before.

To overcome the whole trouble and rid the farmer and the small merchants in the rural districts of the exactions which have often crippled and sometimes destroyed them, a bill has been introduced in Congress, requiring all national banks to keep a record showing the rate of interest charged on each and every loan, and authorizing and directing the Department of Justice to bring suit against usurers, upon information secured by the department from the Comptroller of the Currency, or from other sources. If this becomes a law, it will be possible to eradicate entirely usury from national banks. It would be difficult to overestimate the blessings which will come to many thousands of borrowers in all parts of the country if the maximum rate of interest throughout the States should be reduced from 100 per cent and more, which has been charged in the recent past in many banks, to a maximum of 6 or 8 or even 10 per cent, according to the legal rate in the respective States.

The subject of usury has been discussed, as I have shown you, through thousands of years and by countless learned men. After the Hebrew prophets and lawgivers, Cæsar and Cato and later Justinian in Rome and the Greek philosophers debated on it; prelates, kings, and great judges of great courts have studied and expounded it; parliaments, congresses, legislatures have turned it inside up and outside down; discourses on it in such bodies, in the pulpit, from the bench, have been innumerable in numbers, infinite in extent.

Yet in some parts of this country we found we were in worse condition in this respect than were the people of 50 centuries ago, and men and women in the United States, in the twentieth century were bitten more deeply than were the ancient Hebrews; were destroyed and enslaved more grievously than were the Canaanites, declared enemies of God's chosen people. There is no organized ecclesiastical protest against it, and the executive officers of the law stood inert and apparently powerless. In some of the newest and freshest parts of our land American citizens were practically in the position of the poor of Rome under the oppressions of usurers of distinguished families—

"No fire when Tiber freezes,
No air in summer's heat,
But stores of rods for freeborn backs,
And stocks for freedom feet."

Let us earnestly hope that the conscience of the country and the protest of the self-respecting and forward-looking bankers may be truly aroused to renew the old, old fight against the old, old instinct of tyranny and oppression, so cruelly contrary to all the teachings of Christianity, the lessons and purposes of civilization, and all the trend of modern thought—

"The good old rule, the simple plan,
That he shall take who has the power
And he shall keep who can."

No country can live, much less prosper, no people can keep their strength and maintain that unity of thought and purpose that makes nations conquerors, where wealth accumulates and men decay.

Pay of Wounded Soldiers.

EXTENSION OF REMARKS
OF
HON. SWAGAR SHERLEY,
OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 12, 1918.

Mr. SHERLEY. Mr. Speaker, under the leave granted I print in the RECORD the following letter from Brig. Gen. Lord on the subject of the pay of wounded soldiers:

WAR DEPARTMENT,
Washington, December 12, 1918.

HON. SWAGAR SHERLEY,
House of Representatives.

MY DEAR MR. SHERLEY: With reference to the remarks which were made on the floor of the House yesterday, and at your personal suggestion, I am submitting the remarks which follow in connection with the complaints concerning the delay in making payments to the enlisted patients who have been returned from their overseas stations for treatment in hospitals in the United States.

With but few exceptions, the enlisted men who have been returned from France have arrived in this country without service records and without any other papers which contained a statement of their accounts, thereby making it impossible to determine what pay, if any, was due them. The delay in payments to enlisted men resulting from the separation of the soldier from his service record was made the subject of instructions issued by the War Department February 18, 1918, in Bulletin 8, which provided that emergency service records should be executed by the organization commanders of enlisted men from such data as was available, so as to enable the soldiers to be paid. Under date of April 30, 1918, Special Regulations 58a, War Department, was issued, which provides that all soldiers separated from their command be provided with a pay card which would take the place of a service record. This pay card is kept with the soldier in his personal possession and enables him to secure his pay independent of the fact that his service record may not be available at the place where he is serving or located. These two provisions entirely eliminated the trouble which was being experienced in the United States in making payments to soldiers who were separated from their commands, but did not seem to effect the conditions overseas, although both the bulletin and special regulations had application there as well as in this country.

I mention this so as to show that adequate instructions and forms were developed by the War Department to permit of the soldiers who were being returned from overseas stations to bring with them proper records to permit of their prompt payment in full upon arrival in this country.

At the Walter Reed General Hospital, District of Columbia, on the recommendation of this office, enlisted men arriving from their overseas stations without service records or pay cards were paid some stated amount per month, and this same plan was carried out in other hospitals in this country. With respect to the men at the Walter Reed General Hospital it was found on investigation that some of them had not been paid for many months, and in September of this year these men were taken up on a pay roll which was executed in this office and certified to by the writer of this letter, and payment made on that certification for the entire amount due the soldiers, based on their own statements as to the date to which they had been last paid and such other information as could be obtained in Washington with respect to their allotments and war-risk insurance. Since this payment there have been additional arrivals at the hospital, nearly all of whom were without the papers necessary to determine the status of their accounts with respect to pay, and the same procedure has been followed in their cases and payments made in full. It is admitted that there is no authority of law for the action taken in these cases; but the men were in arrears with respect to their pay; they were returned from France without any papers of any kind indicating what amounts were due them; and the only way in which they could be paid was to accept their own statements as to the dates to which they were last paid and, subject to such information as could be obtained with respect to their allotment and insurance status, paid on the strength of their own statements.

In the other hospitals located in the United States to which the enlisted patients are being returned from overseas, payments are being made of a stated amount each month so that the men will not be totally without funds, and this office has devoted its energies toward attempting to obtain information as to the exact status of their accounts so as to enable these patients to be paid their pay in full.

On September 20, 1918, the disbursing officer at each general hospital was informed as follows with respect to the payment of overseas casuals, viz:

"* * * War Department expects all men to be paid in full where sufficient data is available, such data, if necessary, to include the statement of soldier if in the opinion of the personnel adjutant his statements are correct.

"If there be sufficient information available to pay in full for the current month or a stated period, but not sufficient to pay from date of last payment, soldier should receive pay for such period without deductions for partial payments made to cover the period for which data is not available. In cases such as the above the partial payment should not be entered on pay roll until soldier is paid for the period for which he received the partial payments. Remark to be as follows: 'Due soldier pay for ———, $—— partial payment to be deducted.'

"If data be not available and there is cause for doubt as to the correctness of soldier's statement, payment should not be made in full, but his name transferred to a partial-payment roll, or War Department Form 369, and soldier paid as outlined in paragraphs 3 and 4, Special Regulations, No. 58a.

"Under no circumstances should enlisted men be allowed to go without pay on account of lack of records, as partial payments are authorized until such time as service records can be obtained as provided in instructions 9, Service Record, Form No. 29, A. G. O."

Realizing the seriousness of the situation, and with a view to keeping in close contact with the pay status of the enlisted patients arriving from overseas, this office, on December 7, 1918, made recommendation for semimonthly reports as to the condition of the accounts of these men. A copy of this recommendation is attached herewith.

There has been no lack of effort on the part of the War Department or this office to effect payment, at least in part, to the patients returning from overseas, but it is apparent from what is said herein that full payment can be made to these men only by accepting their own statements as to the date to which they were last paid. This has been done with respect to the men at the Walter Reed General Hospital, upon the personal certification of the undersigned, who assumes full responsibility for his action.

At the other hospitals partial payments are being made to the men, so that they are not without funds, and recommendation is this date being made that the action taken with respect to the men at the Walter Reed General Hospital be taken in the cases of men at the other hospitals. There is no sanction of law for this action, but it is felt that the situation demands remedy, and the only remedy is to accept the personal statement of the men themselves, as with but few exceptions no papers have been received from France which show the statement of their accounts with respect to the date to which they were last paid there.

It is clear that had the men who are being returned from France been furnished with a pay card or other papers showing the condition of their accounts, there would have been no delay whatever in effecting a full statement with them when they arrived at the several hospitals in this country, but it is assumed that the conditions existing in France, where the entire energies were being devoted to the winning of the war, made it impossible to accomplish service records or pay cards for these men, so as to have the official papers available when they arrived in this country.

The policy of this office has been to detail an officer to make a personal investigation at any hospital from which a report was received that the overseas patients were not being paid at least partial pay, and

in accordance with this policy instructions have been given to have an officer proceed to West Baden, Ind., for the purpose of investigating the pay conditions of the overseas patients at that hospital, this being the specific place mentioned in the remarks made on the floor of the House yesterday.

Respectfully,

H. M. LORD,
Brigadier General, Assistant to Director of Purchase, Storage, and Traffic, Director of Finance.

HML/R
1 inclosure, copy letter, The Adjutant General, Dec. 7, 1918.

DECEMBER 7, 1918.

Director of Finance.
The Adjutant General of the Army.
Data as to payment of patients in various hospitals.

1. Information has reached this office that hundreds of sick and wounded soldiers are being returned from overseas without service records, making it impossible to effect payment in full to soldiers. This condition emphasizes the necessity for a complete record of the pay status of these patients, such record to include partial payments made on pay cards, or pay record books, through the medium of temporary service records; also report of action taken with respect to obtaining their original service records. It is therefore recommended that a circular letter be sent to commanding officers of all general hospitals and other hospitals to which patients from overseas are being admitted, same to read substantially as follows:

"On the 1st and 15th of each month, beginning with December 1, 1918, commanding officers of United States Army general hospitals and all other hospitals to which patients from overseas are being admitted will render the following report to the Director of Finance, War Department, Washington, D. C.:

Number of patients on hand, date of last report ——— (Date.)			No. ———
Received since last report:			
With original service records	No. ———		
With temporary service records	No. ———		
With pay cards	No. ———		
With pay record books	No. ———		
Without pay records of any kind	No. ———		No. ———
Discharged since date of last report:			
On original service records	No. ———	No.	
On temporary service records	No. ———	No. ———	
Other losses:			
Transferred	No. ———		
Deaths	No. ———	No. ———	
On hand, date of this report			No. ———
As follows:			
Present in hospital		No. ———	
On furlough		No. ———	
Absent without leave		No. ———	No. ———
Number of patients paid since last report:			
On original service records			No. ———
On temporary service records			No. ———
Number of payments made to each patient per month			No. ———
Number of requests made for original service records			No. ———
Patients in arrears of full pay:			
Nine months			No. ———
Eight months			No. ———
Seven months			No. ———
Six months			No. ———
Five months			No. ———
Four months			No. ———
Three months			No. ———
Two months			No. ———
One month			No. ———

"This report will be rendered promptly on dates named by personnel adjutant or similar officer of each hospital concerned."

By authority of the Director of Purchase, Storage and Traffic.

H. M. LORD,
Brigadier General, Assistant to Director of Purchase, Storage and Traffic, Director of Finance.

A Demand for Relief from the Serious Situation Created by the Failure or Neglect of Government Agencies to Make Payment of Allotments and Allowances to Soldiers' Dependents.

EXTENSION OF REMARKS

OF

HON. WILLIAM S. VARE,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 12, 1918.

Mr. VARE. Mr. Speaker, the growing seriousness of the distressing situation created by the obvious failure of the War Risk Insurance Bureau and other Government agencies to provide increasing thousands of dependents of American soldiers with money to which they are entitled can not be questioned by anyone familiar with that situation.

Reports of the pitiable suffering, of the actual want and privation of increasing numbers of the mothers and wives and children of those American boys who fought so heroically overseas are accumulating daily—aye, hourly—in all sections of the country.

And why? Because of the long delay, and, in many instances, the utter failure or neglect of the Government agencies intrusted with so vitally important a task to remit to the families and dependents of our soldiers the allotments and allowances to whch they are entitled by an act of Congress.

During the horrible world war that has so fortunately terminated I consistently supported the administration in its efforts to prosecute America's share in it successfully. I refrained from criticism of the administration even when I was doubtful as to the wisdom of the course it was pursuing, because I felt it was the duty of every American to give the fullest support to the United States Government when it was face to face with so great a crisis.

Even now I am not criticizing the administration or the Government because I am of a different political faith from that which controls at present in Washington. I am not speaking as a Republican. I am speaking as an American who possesses indisputable evidence that American mothers and wives and children are facing the direst poverty—yes; and with Christmas not far away.

A merry Christmas, forsooth, it will be for these unfortunate mothers and wives and children of our heroic soldiers who find themselves penniless or in want, confronted by poverty or dependent upon charity. I am not exaggerating. Permit me to quote from the public press, in which are appearing daily the most distressing and circumstantial descriptions of the horrors—yes, actual horrors—which either failure or neglect on the part of agencies of the United States Government have made possible.

I have here the Philadelphia Public Ledger of December 11, 1918—of Wednesday of this week, mark you—in which appears the following startling revelation of the acute suffering, the wretched want, due to the inability of a father and mother to secure one cent of the allotment their soldier son made to them. Permit me to quote from this newspaper:

DIRE WANT FACING MANY DEPENDENTS—CHEERLESS CHRISTMAS LOOMS WITH DADDY OVER THERE.

With no coal in their home, living on bread and potatoes, and compelled to remain in bed to keep warm, Mr. and Mrs. Hyman Pearlstein, of 617 Segel Street, said yesterday they had not received a cent of the allotment from their soldier son, David, since last September. Mr. Pearlstein is 74 years old and his wife is 69. Both are unable to speak English, but, through an interpreter, related their distress and privation since the boy, who was their sole support, went away to war.

While the plight of the Pearlsteins was found to be most poignant among the kin of the men in the service whose allotments have failed to arrive, other mothers and wives said yesterday that unless the check reached here within the next 15 days Christmas would be a dismal and cheerless holiday in many a soldier home here.

Let me say to the House that this is not mere "newspaper talk," as some may be inclined to assert. In my own district in Philadelphia, in which the Pearlsteins live, many cases have been brought to my personal attention of the actual privation of mothers and fathers and wives and children of soldier boys who, whether in the Army or the Navy, left their homes and their dear ones behind them that they might answer the call of their country for fighting men.

I have here correspondence I have had with officials of both the Navy Department and the War Risk Insurance Bureau regarding but one case that has occupied my personal attention. As a Member of Congress I was finally able to secure relief for the mother of a seaman in the Navy, but what of the increasing thousands of similar cases involving those who do not personally know a Congressman to whom they can appeal for assistance in unraveling the great mass of governmental red tape in which the allotments and allowances of our soldiers are manifestly and, apparently hopelessly, entangled?

The particular case to which I refer is that of an apprentice seaman in the Navy who, although he made an allotment to his mother, who lives in my district in Philadelphia, on February 12, 1918, she did not receive it until about May 7, 1918, or nearly four months later.

Since that time she has not received another cent from the Government, although her son, upon whom she was dependent for support, continued in active service, until, under date of December 10, 1918, or seven months after she received her first and only allotment, I received a communication from the naval allotment officer that a check covering the arrearages due her, arrearages amounting to $175, would be mailed to her by the War Risk Insurance Bureau.

I could cite other cases similar to this one, but I will merely call the attention of the House to what has been appearing in the public press of my city—Philadelphia—regarding the most distressing conditions, which I am informed and believe prevail in other American cities to-day, and which, in my judgment, threaten to become a national scandal.

In my opinion Congress should take immediate steps to correct such a deplorable situation.

What will be the answer our soldier boys will receive when—as many of them are doing now—they return from overseas and ask why their mothers and fathers and wives and children were permitted to live in want or on charity while they were facing death, while they were being maimed or "gassed" and their comrades were being killed in battle? Gentlemen of the House, they will have a right to demand an answer to that question, and I would not like to be in the shoes of any man whom they can hold responsible for the suffering and privation of their loved ones, of their helpless wives and mothers and children.

Shall those wives and mothers and children be permitted to hunger, shall they be permitted to suffer from cold because the War Risk Insurance Bureau or some other incompetent or inadequate Government agency is responsible for their not receiving money with which to buy bread and coal and clothing? It is a shameful situation that confronts us, and it is high time that Congress gives the most earnest and thoughtful attention to it.

Here is what the Philadelphia Inquirer said editorially on this subject only recently:

FAIR PLAY FOR SOLDIERS' DEPENDENTS.

Some one in official life in Washington should stir up the War-Risk Insurance Bureau. Not long ago it was admitted that this organization was behind in its work to the extent of 80,000 checks for allotments to the dependents of men in the service. The situation has been partially relieved since that time, but only partially. In this city there are many cases, hundreds of them, where wives and mothers have not received any pay for three, five, and seven months. Scores of instances have been discovered where the dependents have been in actual want. Even in such cases the sufferers are not asking for charity, but only for that to which they are entitled by law.

This is all wrong. It is a condition which requires immediate attention. The very least we can do for the men who have been willing to make the great sacrifice is to keep the promise which has been made to look after their dependents. The Federal Government has the money, and surely in an emergency of this character it should be possible to cut the red tape and break down the barriers of delay.

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"PARENTS SHIVER AS UNITED STATES HOLDS UP SOLDIER'S PAY—COUPLE COMPELLED TO STAY IN BED TO KEEP WARM WHILE THEIR SOLE SUPPORT IS MARCHING WITH PERSHING OVERSEAS—YULETIDE DREAMS OF MANY IN THIS CITY MOCKERY; KIDDIES' STOCKINGS TO BE EMPTY—DELAY IN ALLOWANCES ATTRIBUTED TO CONFLICT OF AUTHORITY; BUREAU IS CHARACTERIZED AS THE MOST INEFFICIENT AND OUTRAGEOUSLY EXTRAVAGANT BODY IN CAPITAL.

"Parents of a Philadelphia soldier are compelled to stay in bed to keep warm because they have not received any money through the Government from their soldier son.

"Christmas will be cheerless for mothers, wives, and children of soldiers, for many families are in dire want now, due to delay in allotments.

"War-Risk Insurance Bureau, six months behind in mailing allowances to dependents, permit clerks of an entire division to pose a long time for photograph.

"Delay in payments ascribed to conflict of authority between the Treasury Department and the bureau, and because officials, it is said, fail to grasp the enormity of their task.

"The bureau 'is the most inefficient, outrageously extravagant institution ever organized under the Government,' asserts Representative MADDEN.

"CLERKS IN LONG POSE WHILE FAMILIES WAIT—CONFLICT OF AUTHORITY ADDS TO DELAY IN PAY.

"WASHINGTON, *December 10.*

"Despite the fact that the Bureau of War-Risk Insurance is approximately six months behind in the mailing of allowances to the wives, children, and aged parents of American soldiers, the clerks of one entire division of the bureau passed considerable time this afternoon on the steps of the District Building posing for a photograph.

"Efforts to ascertain the fundamental causes for the present conditions in the War-Risk Bureau developed the view that responsibility is due primarily to:

"Lack of the proper organization at the outset.

"Failure of the officials in charge to grasp the enormity of their task and to prepare to meet it.

"Conflict of authority between the Treasury Department and the War-Risk Bureau in the matter of making payments.

"Members of Congress and other officials who have investigated the bureau generally are agreed the trouble is due primarily to organization; to an incapacity to employ the 14,000 clerks now at work in the bureau in the most efficient manner."

It is contended none of the officials selected to handle this big task had a proper grasp of its scope in the beginning and failed to lay the framework for a sufficiently elastic organization to keep pace with the growth of the military forces.

Much of the responsibility for this is said to have been due to the fact that the bureau was made a part of the Treasury Department instead of being established as a distinct department of the Government. Secretary of the Treasury McAdoo, it is held, could have put the bureau on an efficient basis had not he been restricted in his attention to it by numerous other duties. The point is made that proper executive authority could have so organized the bureau as to have overcome these difficulties months ago.

When the War-Risk Bureau was under fire in Congress recently Representative SHERLEY said:

"I have personally undertaken, not once, but a great many times, to bring to the attention of the War-Risk Insurance Bureau the need of simplifying and arranging this matter so that there would not be delay. After all, the remedy is in the efficiency of the men at the head of the bureau."

Mr. SHERLEY explained that much of the trouble has been due to a change in the law, which has brought about a conflict in authority between the War-Risk Bureau and the War Department.

Under existing conditions a soldier is required to allot a certain amount of his pay to his dependents. The Government adds an equal amount, the aggregate of which is forwarded to the soldier's family through the War-Risk Bureau.

In addition to the compulsory allotment a soldier is permitted to make a voluntary allotment, and this money is taken from his salary by the Quartermaster Corps of the War Department and forwarded by that department to the beneficiary named.

The result has been that many soldiers making allotments through the War Department went to France believing they had done everything to provide for their dependents, whereas the signing of an entirely distinct set of papers was required.

Mr. SHERLEY has advocated congressional action to remedy this situation, but many Members of Congress see no need for additional legislation, declaring the President has power to coordinate the work under one organization.

Representative MADDEN, Republican, of Illinois, declares that investigation "has convinced him that the War-Risk Bureau is not being operated efficiently."

"The bureau had $3,591,000 appropriated for its maintenance just six months ago," he said, "and that to-day it comes in here for an additional appropriation as a deficiency of $7,580,000. They asked for $10,000,000, and the appropriation is for $7,580,000. That makes a total appropriation within the last six months of $11,171,000 to administer an institution that ought to be capable of functioning with 3,500 people. They have 14,000 people employed there now, and if this is an example of efficient administration of public affairs, I have not much respect for such knowledge of efficiency.

"It is the most inefficient, outrageously extravagant institution that was ever organized under the Government. The average number of hours they put in a week is one good day's work. There are thousands of men and women who are supposed to be employed making no kind of excuse for not performing the duty at all. Some clerks, supposed to be working at night, report for duty at 6 o'clock, immediately after making the report for duty go out to supper, and when the theater is open they go to the theater and never come back."

The Philadelphia Public Ledger, of the same date, says:

APPEAL SENT TO WASHINGTON.

Six days ago the disappointing prospect for Christmas in many soldier homes here actuated Mrs. M. L. Woodruff, in charge of the Personal Service Bureau, to write a letter to C. F. Nesbit, commissioner of the bureau at Washington. She wrote:

"I am inclosing herewith a list containing the names of the allottees who have not received their Government checks, and I take the liberty of asking if you will be so good as to direct that checks be sent to them.

"If the checks can be sent to them forthwith, it will insure a cheerful Christmas in many homes. Personally, I can ask nothing better for my own Christmas enjoyment than to feel that the people who have come to me in their troubles have received their money and will be sure of some of the creature comforts over the holidays."

Mrs. Woodruff said yesterday many reasons could be ascribed for the failure of the allotment checks to arrive in many cases. She said one of the most potent of these was the constant moving of families from one home to another without notifying the War Risk Bureau.

"Real estate," she added, "has been sold and bartered so frequently here and to such an extent that this enters into troubles of the dependents. We have cases where the home of a soldier's family has been sold three times, and in each case the family had to move in order to make room for the owner or somebody else.

"Naturally they forget to notify the bureau they have moved, and this holds up the arrival of the checks. In some instances the postmaster is notified to have the mail carriers see that the check arrives at the proper destination after the dependent has moved from the old address.

"Again, many of the boys overseas fail to fill out the blanks which certify the persons to whom the allotments are to be paid. This means the allotment blank is void and the folks back home receive no checks. It requires time, too, to look into all these things and take care of them."

Stories typical of many that are heard every day at City Hall were told yesterday by the dependents. One of these is the sick mother of Max Garr, who was a clothing cutter and lived at 2660 Napa Street before he went overseas with the Fifty-fourth Pioneer Infantry. Not only has the mother received but one allotment from her son, but she has not even received a word regarding his whereabouts since he arrived in France.

On December 10 the Philadelphia Public Ledger published the following:

WAR-RISK BUREAU DELAYS BRING DISTRESS TO DEPENDENT HOMES—PERSONAL SERVICE BUREAU AND CITY ACTIVITIES DEVOTE EFFORTS TO RELIEVING CASES OF PRIVATION.

Ten days ago the War-Risk Insurance Bureau was 80,000 checks behind on allotments to the dependents of men in the service of the country. This admission was made by officials at Washington in a letter to Mrs. M. L. Woodruff, in charge of the personal-service bureau here.

"At that time," she said, "the officials blamed the arrears on the epidemic of influenza among the clerks, and said as soon as this had abated the work would go right along."

Inquiries here disclosed that hundreds of dependents have failed to receive their allotments in time, and in many instances downright privation has followed this failure to receive Federal money. Fifty-five cases have been reported since December 6, it was said at Mrs. Woodruff's office, but others said that within the last few days checks have again started to come.

Typical cases in which actual want faces some of the dependents were recited yesterday. One of these is the mother of a private at Camp Johnston, Jacksonville, Fla., the quartermaster's training school. No check has been received by his mother, a complaint to Washington says, since last June. Another is a private in the Eleventh Regiment of Field Artillery. His wife, who lives on McKean Street near Fourth, has received no money since August and is in such distress that she has been cared for by Philadelphia Councils' relief committee.

Another soldier at the cooks' and bakers' school was the sole support of his parents before he went into service. They live on Siegel Street near Sixth, and the mother has written a plaintive letter, in which she says she has received no money since September and their situation is that of actual want.

Another woman, the wife of a soldier in Company H, of the Fifty-second Pioneer Infantry, now overseas, lives on Walnut Street near Thirty-seventh. She has received no allotment since early in the summer, and the personal-service bureau is paying her rent until the arrival of the check.

Mrs. Woodruff said similar cases could be cited, showing that unless there is a decided brace in caring for these dependents before the winter comes much suffering and privation will be found among the families of soldiers.

And on last Monday morning the Philadelphia Public Ledger printed the following, which speaks for itself:

SOLDIERS' MONEY FOR DEPENDENTS FAR IN ARREARS—HUNGER AND COLD MENACING MANY MOTHERS, WIVES, AND CHILDREN—INQUIRY BY CONGRESS SOON APPEARS CERTAIN—MCADOO REVEALS SHORTCOMINGS OF WAR-RISK BUREAU, BUT CLERKS ARE BLAMED.

WASHINGTON, *December 8.*

The Government's bureau for the payment of monthly dependency allotments to the families of soldiers, sailors, and marines is far behind in its work.

Many women and children dependent in a large measure on the Government checks are bordering on actual want as the cold weather looms. Money which might have been available for the expenditures incident to Christmas probably will not reach them until spring.

Despite all official denials it was learned to-day there are thousands of cases where dependents of soldiers have not received their allotment checks for from two to six months. An early congressional inquiry into the alleged inefficiency of the Bureau of War-Risk Insurance appears certain.

The Public Ledger has received definite information from the relatives of soldiers that this situation prevails. Some officials of the bureau deny the condition is quite so bad, but the clerks who mail the checks say privately most of the bureau's work is approximately six months in arrears.

There has been criticism due to the failure of soldiers to receive their pay, but this is a War Department task. There was much ground for such complaints early in the war, but a large majority of the soldiers are receiving their monthly pay on time, and that exceptions are comparatively few is due to the inability to prevent errors in so large a task.

PROMISES FAIL OF FULFILLMENT.

Criticism of the War-Risk Bureau is not a novelty in Washington and numerous attempts have been made to explain its shortcomings, always with assurances that better results would be forthcoming.

The chief argument was that the bureau was required to cover entirely new ground in its work and that it was hampered in a very material way by the unfamiliarity of most persons with their share of the duties necessary to obtain the allotments, and particularly by the failure of soldiers themselves to take the proper steps to insure allotments for their dependents.

It is not doubted there is considerable weight to this argument of the bureau chiefs, but, it is maintained, no such excuse can apply in the large number of cases where the soldiers have been alert in taking the proper steps to have a portion of their salary allotted to their mothers or wives.

The most frequent answer to criticisms of the War-Risk Bureau is that of "inefficient clerical forces" and the inability to obtain an adequate force to handle the work. This argument is advanced in the face of the fact that for many months idle clerks in many branches of the Government have been "stumbling over one another," and in many instances stenographers have not averaged 50 letters a week.

The point is that the bureau is making the same appeal for leniency that it made in the fall of 1917, and that slight progress seems to have been made to bring some order out of the chaos which then existed.

It is contended by many persons that the clerks in the bureau pass entirely too much time looking for "funny" grammatical errors and misstatements in the letters of poorly educated dependents of soldiers and for "spicy scandal" in the correspondence, especially of soldiers seeking to avoid payment to wives from whom they have separated either by divorce proceedings or abandonment.

M'ADOO EXPLAINS BUREAU'S DELAY.

Secretary of the Treasury McAdoo does not attempt to conceal the shortcomings of the bureau, but he has sought to explain them and to hold out a promise for better results in the future.

"The volume of work handled by the War-Risk Insurance Bureau in the first year of the military and naval divisions' existence has been very great," Secretary McAdoo said. "It has involved literally hundreds of millions of transactions. The achievements of the bureau are less likely, however, to attract public attention than are its deficiencies or errors.

"Beneficiaries of the bureau take what comes to them easily as a matter of course, but those whose needs have not received immediate attention are not inclined to consider the gigantic nature of the organization problem with which the officials of the bureau have been struggling as sufficient excuse for the delay in the settlement of their individual cases.

"Once the work of organization is complete, the problem of running the bureau, colossal as is its volume of work, should present no unusual difficulties. The most pressing problems have been in connection with the work of awarding allotments and allowances to the dependents of enlisted men. When men are no longer drafted, new applications for allotments and allowances will cease to come in. Changes in applications already entered may, however, be expected for some time. But when the war is over and the fighting forces have returned to their homes, the work of the section of allotments and allowances will gradually cease.

"Officials realize keenly that failure to act promptly and efficiently in the allotments and allowances section meant suffering for the dependents of men who had been called into the military or naval service.

PITIFUL CASES ARE NUMEROUS.

"Many pitiful cases of need came to the attention of the bureau. Every effort was bent toward the supreme end of getting checks to the dependents of soldiers and sailors as quickly as possible. Virtually the whole section, both officials and clerks, worked voluntarily at their tasks for 24 hours without stopping on several occasions to get the monthly checks out.

"A principal cause of delay in handling allotment cases has been the lack of trained and efficient help. The bureau has suffered very severely from the difficulties of establishing a new organization of the magnitude required under the conditions existing in Washington. At present no less than 4,000 typists are needed for routine work. While the total number of those now enrolled is only a little less than 13,000, the total number of those in training during the year was possibly nearer 20,000.

"Owing to unsatisfactory living conditions in Washington many young women who came here out of patriotic motives to do war work returned to their homes after a very brief experience. During September, indeed, one-twelfth of the clerical force resigned. About 90 per cent of the bureau's employees are women.

"The work of the bureau has been impeded by other causes than the insufficient numbers of the personnel. These include errors in the applications of enlisted men, such as errors in the spelling of names or addresses of allottees and the omission of information which is necessary for making an award; the failure of enlisted men to make allotments to persons dependent upon them for support, this failure being due sometimes to a desire to escape responsibility toward a dependent, sometimes to misunderstanding of the questions asked in the application blank; changes of addresses of allottees without proper notification to the bureau; failure of allottees to give sufficient information to identify the enlisted man referred to when the allottee writes to the bureau; Anglicized spelling of a proper name by enlisted men while the allottee adheres to foreign spelling; and, finally, the impossibility of identifying an enlisted man by name alone because of the great number of identical names in a list of 4,000,000.

"No one single administrative act since the war began has contributed to the simplification of the bureau's work so much as the order to give every soldier a serial number, although it entailed a stupendous task."

EXTENSION OF REMARKS

OF

HON. EDWARD E. ROBBINS,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 2, 1919.

Mr. ROBBINS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include a speech by Hon. WILLIAM S. VARE before the City Business Club at the Adelphia Hotel, Philadelphia, on December 9, 1918.

The speech is as follows:

SPEECH BY HON. WILLIAM S. VARE BEFORE THE CITY BUSINESS CLUB AT THE ADELPHIA HOTEL, PHILADELPHIA, DECEMBER 9, 1918.

Gentlemen, if I had longer time I might discuss my subject with particular profit not only to myself but possibly to some of you gentlemen.

I have been assigned, I understand, to discuss "The Inside History of the Political Game in the City of Philadelphia." Possibly in days gone by, in the olden times, there may have been cause for discussion, but not within the last 12 years, since the introduction of the direct primary system, which, as I recall it, was passed by the General Assembly in 1906.

As you all know, we have the direct primary system. It costs absolutely nothing for a person to file a petition to be nominated for office. It is open to all. It is a system of democracy in its broadest terms.

What is the inside history of the political game as now played in the city of Philadelphia?

It is absolutely founded on the same things that are the basis of every successful man's business; that is, first, truthfulness, and, second, quality of service. Now, those two great principles are naturally augmented by many things. Back of this system of truth and service is unlimited energy, perseverance, activity, and extreme close touch with the citizenship of our city.

For instance, the active party man becomes a candidate for membership of the ward executive committee in his election division, and under the party rules there are two members for each election district, who make a canvass of their respective voters, and if they have had a majority of the votes cast become members of the Republican ward executive committee. No one can contend for a more representative system. These gentlemen elected assemble at a time fixed by law and select a member to represent them in the Republican central campaign committee, who therefore becomes an indirect representative of the people. These men assemble at the party headquarters, one representative from each ward, and on a day fixed by law vote for a president, vice president, treasurer, and secretary of the Republican central campaign committee. Therefore your party organization is formed in accordance with the law under the most representative system of democracy that could be proposed by any body of men.

Now, these men are required to be industrious, truthful, are on the job, as it were. If they carry out the advice given them by men in responsible positions or men in high authority, they are in close touch at all times with the voters of their election district. So it is that before the election days roll around attention is paid to, first, the qualification of the voter; and, second, to seeing that he is assessed; and, third, that he is properly registered; and, this having been done, he is then kept well acquainted with the issues and topics of the day, so far as applies to the oncoming campaign. So it is there is a great compact body of intelligent, active Republicans working for the success of the party.

There are times when the policy of this great party organization may not appeal to the public press and they disagree. Certainly that is their right. But in Philadelphia the Republican Party, at times, has been successful without their support, and this does not apply to many other cities. The political system very often carries with it the ownership of great newspapers. That seems to apply in localities where there is not a well-defined party organization. For instance, we find in the great State of Illinois a recently successful Republican candidate for United States Senator, Mr. MEDILL MCCORMICK, who is the owner of a great Chicago newspaper. That is largely the medium by which he was enabled to have a system of publicity for his very many beneficial acts as a citizen and as an active progressive member of the lower House of Congress. I have the highest regard for him. He is one of the most distinguished Representatives. But I repeat again he did not have a compact political organization throughout the State of Illinois. Yet he had a substitute, as it were, to it in the ownership of a great newspaper.

I can look through that body of Representatives from different sections of the country, and in a great many instances the Members of the lower House of Congress are the owners of important newspapers, and it is their medium of imparting information to their constituents in their different campaigns.

Getting back to the success of the Republican Party in Philadelphia, persons will say, "Why is it that Philadelphia is the only large city in the country which gave Justice Charles E. Hughes such splendid Republican support?" He did not carry Boston, Chicago, or New York City, but he did carry Philadelphia by 100,000 majority. Why was it?

You went to a moving-picture show, which many of you men did in Philadelphia and Atlantic City. There would be President Wilson's portrait on the screen and one of Justice Hughes. On every occasion Mr. Wilson got the greatest applause, but when the votes were counted in Philadelphia, and there was not a single complaint in the city as to unfair or wrong conduct on the part of a single election officer, Mr. Hughes was returned with an overwhelming majority.

In the recent election for governor, notwithstanding that there were printed long articles in which some members of the Democratic Party complained of the method of holding elections in Philadelphia, before the election was held, none were made afterwards. I emphasize the fact that in nearly 1,400 election divisions of the city not a single complaint from any citizen throughout the entire city was received. I submit that is a wonderful record for a party organization in conducting a campaign for the high office of governor, for members of the lower House of Representatives, for members of the Senate of Pennsylvania, and for 41 members of the lower house at Harrisburg, and as the result of that election Philadelphia gave the Republican Party 100,000 majority, notwithstanding there was a great question brought in of "wet" or "dry," which seemed to confuse the voters in other large municipalities. This issue carried in New York City. It carried there by a quarter of a million votes and carried in every other large city. But in Philadelphia it had absolutely no effect on the electorate. The voters chose intelligently and wisely under the dissemination of information, as it were, by the active Republicans of the city through the channels of the Republican Party.

So it is that we find that the election, which resulted in giving the candidate for governor of the State 100,000 majority in round figures, and the election of all Congressmen, the election of an entire Republican delegation to the State Senate, and all of the 41 Republican members to the lower house of the General Assembly. Not a single complaint was made of disorder or a question raised as to the honesty and integrity of those men who made a great sacrifice, staying from their homes continuously for 20 hours to properly look after the election returns, and they only received $5 a day, clerks and inspectors, much less than they would have received for eight or nine hours' labor.

Thus in Philadelphia the party organization is conducted on the highest possible plane of efficiency.

Why is it some say that the Republican Party of Philadelphia retains the confidence of the voters, notwithstanding the opposition of every newspaper in the city? It is a condition not equaled in any city of the civilized world. Why is it? The answer is: The organization is based on truth, on integrity of purpose; its members carry out this policy in dealing with their fellow men. There is no equivocation or mental reservation. Every man who applies to the Republican city committee or any of the higher officials on any question receives a straightforward "yes" or "no." As it is, there is that degree of confidence which must necessarily follow when you are dealing with men frankly, openly, and aboveboard.

When you couple that with the industry of 365 days in the year there is that cohesion, that solidarity of party organization, which has been so extremely successful in the city of Philadelphia.

The people of Philadelphia are no different from the people of Pittsburgh; there is just as much interest in the Republican Party's policy of a protective tariff as in Philadelphia; but what do we find there as a result of unorganized politics—a Democratic Member in Congress is representing one of the greatest industrial districts of any part of this country.

I appeal to you, Does not organization of a correct character mean well for the interest of the business men rather than disorganization?

Then there is this to be said about the local party organization. It is the absolute direct representative form of government. It does not appeal to the owners of newspapers or to a class of men who like to see advertisements of their names from time to time printed in the newspapers, or to the so-called reform body. It does appeal, however, to the common sense of the thinking man of the city who is interested in having his taxes kept at a reasonable rate as they are in the city of Philadelphia.

I recall sometime ago when a large body of real estate men held a meeting at the Manufacturers' Club. I was in Washington at the time. Those gentlemen later came to see my brother, State Senator Edwin H. Vare. He said: "I am in entire sympathy with you. I do not have any vote in the councils of our city, but certainly I shall be glad to advise and cooperate with you and with the thought in mind, that there shall be no increase in taxes next year."

There was nothing particularly wrong about that, but there was not a single newspaper in Philadelphia that would tell that to the public as it happened. They rather made it appear that Senator Vare was sitting there as an autocrat, passing on the duties which belong to members of city councils, when, as a matter of fact, the only thing he agreed to do was to submit the request which this distinguished and representative body of real estate men had submitted, with the assurance that so far as he was able to do it he would consult with those who held the responsibility of fixing the taxes. The taxes have been fixed for our city during the next year, and notwithstanding the increase in the price of commodities there will be no increase of taxes in the city of Philadelphia during the next year. [Applause.]

There are some who would like to abolish the councilmanic representation.

Let me tell you how that would work out. At the present time you have a representative in select council for each ward, making 48 in all. You have also one for each 4,000 voters in each of the wards in common council. Some few well-meaning men would like to change that system and they received quite a lot of newspaper notoriety. The public press printed in great headlines, "What the committee is going to do."

They proposed this same thing two years ago. It was not done. The legislature met and it was not done. Did these distinguished gentlemen present this issue to the voters? Did these newspapers who are giving it such great headlines now present their issue to the people of the city when these senators and members were being elected? No. The election is over and the voters are not being consulted; these gentlemen—high-minded, some might say; others might question their motives—did not present any of these issues. They would have the city give up representative government at this time, in face of the fact that we have been fighting a great world-wide war for this very thing of representative democratic government.

For instance, let me take the gentlemen from Germantown. There now you have five men in the common council and one in select council.

Suppose you wanted some additional electric lights, highways better paved, and numerous things of public development. As it is now, you would go around to the home of your councilman and present your request to him. Under the so-called system of commission government, you would go down to the city hall to see one of the commissioners, and do you think you would find the commissioner? Do you think he would be sitting from 8 o'clock in the morning to 7 at night? You would not find the commissioner, but a clerk. You would probably look in the window and the clerk would take your complaint. No opportunity would be given you to present your views to one familiar with the subject.

I ask you, gentlemen, if this is representative government—whether you would not prefer to go to one of your esteemed neighbors who represent you in council and know your immediate needs? I ask that question of the man who lives in the central and south or western part of the city—if he would not rather go around the corner to your neighbor, who thinks about

you, and take up the proposed question of public development with the ward representative directly rather than with a clerk at the city hall? Do you not get better service and more representation?

That is the difference between the present system of representative government, as represented by the ward system in the city, and that which would be under the so-called small council or a commission government.

We very frequently have questions taken up by the public press from time to time, and some that seem to agitate the public greatly.

There are four great questions: First, water; second, lighting; third, street car transportation; and I might add a fourth, the greatest of all, education. Education has been separated, so that it is not now a part of the local life of the so-called political system.

The other day I had occasion to see my attorney over in Camden. I had a lawsuit on sometime ago. I got on the car at Fourth Street in Camden and rode to Market Street Wharf, about four blocks. I got on and had no change. I gave the conductor a dollar bill and he gave me my change. It cost me 7 cents to ride from Fourth Street to the wharf. I was in Wilmington and it cost me 6 cents to ride on the car. I was also in Atlantic City and had to pay 6 cents.

Gentlemen, I have not seen a single line in the Philadelphia newspapers telling the people of Philadelphia that you are getting 5-cent car fare and riding farther for 5 cents in Philadelphia than in any city in the world. I have never seen a single line of this in any newspaper. That is not a complaint on my part. I have absolutely no complaint to make of the Philadelphia newspapers. So far as I am personally concerned they treat me with the greatest respect, and I am on terms of intimacy with virtually all the owners of the papers.

I simply ask the question, Why does the public press of our city not point out to the entire people the many advantages, many virtues, of this splendid city of Philadelphia, in which we are rearing our families? That is simply the question I ask the press, and I ask you, Why do you not use your influence with the newspapers and point out to them the importance and what it means to you in your business life?

Do you suppose for a moment, for instance, that a woman living halfway between here and New York, when she leaves the house to do some shopping, that if she picks up the Philadelphia newspapers and finds great headlines attacking the mayor of the city, the governor of the Commonwealth, or the President of the United States she not only loses respect for these high officials but, when it applies to the mayor of our city, does it not cause the intended purchaser, who is about to do the Christmas shopping, to have a doubt in mind as to the wisdom of visiting Philadelphia and to send that business to New York?

I simply submit that as a query for you gentlemen to give consideration.

Now, Pennsylvania in some parts has a foreign-born people or people of foreign extraction of nearly 50 per cent of its population—in some small centers even greater than 50 per cent and in others not quite as much. I have in mind the southeastern part of our city, where there is a community comprising two wards. In these two wards there are approximately 10,000 voters out of a population of about 75,000 inhabitants. When the vote is counted in that great population (without a single complaint) there are only 200 Socialist votes.

In a similar population in New York City at the recent election, and in a district comprised of the same foreign extraction, there were 4,500 Socialist votes, and to such a great extent socialism existed that in four districts in order to keep Socialists out of Congress it was necessary for the Republican and Democratic parties to combine on the same men, so that in two districts the Republicans joined the Democrats, nominated and elected two Democrats, and in two districts in return two Republicans were nominated and elected. It took both parties together to keep down socialism, which had been making such great strides.

I ask you men if attacking the President of the United States or the governor of the Commonwealth or the mayor of the city does not have a tendency toward creating suspicion of them, thereby destroying confidence in public officials who have relations with the man of foreign birth who comes to our shores?

What system is best qualified and equipped to combat "isms" of that character?

Is it the system where 12 men—as they did a year ago—go into a back room—six of them not being residents of Philadelphia—and assume to select a ticket in opposition to that which had been selected by 157,000 voters at the direct primaries? Would men of the type of W. Freeland Kendrick, Esq., who sits in front of me here, who received the people's indorsement, be better qualified to meet the people on common ground, or would the man who never touches elbows with his fellows be as well qualified to meet the people and allay any suspicions there might be in their minds?

I submit to you whether a representative government represented by 157,000 votes under the direct primary system is after all not of the essence of democracy, rather than 12 men going into a back room, 6 of whom were not qualified and had not registered, and who presented the so-called reform "Town Party" ticket to the citizens of Philadelphia, containing one man who ran for the high office of receiver of taxes, who did not have a vote but who filed an affidavit before the registration commission stating under oath that he had been absent from the city the entire three registration days, but when the time came for him to appear and finish his enrollment he did not go. Why? This gentleman who stood out as an apostle of reform knew that the one affidavit already filed was false, and a second affidavit might have led him to places which were extremely undesirable, where free air and sunshine were not so easily secured as they are on the great highway of the city. [Laughter.]

Not to be too serious, but frank and truthful, the final success of the Republican Party in Philadelphia is, first, truthfulness; second, intelligent, efficient service; third, industry and perpetual activity; and above and beyond these and coupled with them are the anticipation of the needs of the community, anticipating the things which would be beneficial to the community, and the setting about to secure those things for the people.

There are three kinds of Republicanism throughout the country and as many kinds of leaders.

There is the man who has power, and says to his friends: "I am not going to bother with this excitement. That will all blow over. I am not going to pay attention to these things—these new ideas." That man who is "stand pat" absolutely, and would like to have his party run on the same lines that it was run 50 years ago, telling about the stories of the great men of the past.

There is the man who will rush wild every time he sees a great crowd assembling, preaching new doctrines.

But the Republican Party of Philadelphia, first, with its firm belief in the principles of the Republican Party, with its years of experience, coming in close contact with the common people of the city, having an extreme interest in the upbuilding of the public school system, being interested in a well-governed city, with a well-lighted, well-paved system of highways, seeking the best possible methods of transportation for its people, seeking light in every dark alley, seeking and anticipating the needs of all sections of the city, and using the power of the party organization in order that beneficial public development might be placed at the doors of the people, not as a result of an uprising, but in a cool, calm, deliberate manner, and obtaining for them the things that are sane and wise, conducive to make one's life (amid good surroundings) happy, of great prosperity, and contentment of mind. Having these things in mind, so far as I am concerned, as well as those who are associated with me in the conduct of or in the assistance in the party organization of the city, this great organized power shall be kept intact. With the sympathy and cooperation of the great masses of the people of our community this great power will be intelligently used for the advancement and development and best interests of the people of this splendid city in which I was born and in which I intend to spend the rest of my life.

I thank you. [Long applause.]

EXTENSION OF REMARKS

OF

HON. JOHN A. ELSTON,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 9, 1919.

Mr. ELSTON. Mr. Speaker, I am opposed to proposed amendments of the Dent bill (H. R. 13274) whereby a legislative committee or a new commission shall make the adjustments and settlements authorized by the terms of the bill. I am convinced that the machinery set up by the Secretary of War is far preferable, and I believe it will contribute to the RECORD and to this debate to incorporate here a very able discussion of the subject furnished me by Mr. Max Thelen, at present surveyor of contracts and assistant to the Director of Purchase, Storage and Traffic in the War Department. Up to last summer Mr.

Thelen had been for several years president of the State Railroad Commission of California, and he has also been honored with the presidency of the National Association of State Utility Commissioners. He resigned his position in California to serve the Government, and since June 14, 1918, he has performed unusual service in the supervision of the contract and purchasing policy of the War Department. I may say that he is a Republican in politics. In his memorandum Mr. Thelen says:

1. The adjustment commission is entirely unnecessary.

Adequate and efficient machinery to handle all claims has already been established and is now working in the War Department, and the proposed adjustment commission is entirely unnecessary.

By far the largest number of contracts and orders are outstanding in the Ordnance Department and in the Purchase and Storage Division (formerly the Quartermaster Corps).

The Ordnance Department already has in operation a central claims board in Washington and district claims boards in the following districts: Baltimore, Boston, Bridgeport, Chicago, Cincinnati, Cleveland, Detroit, New York, Philadelphia, Pittsburgh, Rochester, St. Louis.

The Purchase and Storage Division already has in operation a central board of contract review in Washington and zone boards of review in the following zones or districts: Atlanta, Baltimore, Boston, Chicago, Fort Sam Houston, Jeffersonville, Ind., New Orleans, New York, Omaha, Philadelphia, St. Louis, San Francisco.

The Bureau of Aircraft Production, Chemical Warfare Service, Construction Division, Corps of Engineers, and Signal Corps handle a smaller number of contracts, and each has a board of contract review stationed in Washington.

The decisions of the local boards are transmitted to Washington for final review.

Each of the foregoing boards, together with a large personnel of contracting officers and assistants, are now actively at work on the suspension, termination, and settlement of valid formal contracts and orders, to the end that contractors may receive promptly the payment of moneys which are fairly due to them.

These settlements are all made in accordance with principles promulgated by the War Department in Washington, and the action of the local boards is subject to careful supervision from Washington.

If agreement is reached as to the money due to the contractor, payment is promptly made on approval by the reviewing authority. If an agreement can not be reached, then under an arrangement approved by the Comptroller of the Treasury by letter dated November 25, 1918, the contractor may forthwith be paid up to 75 per cent of the amount conceded by the contracting officer to be due to him, and may then file with the Secretary of War his petition for a determination of the balance due to him.

For the purpose of handling such petitions, the Secretary of War, by General Order No. 103, established the board of contract adjustment, charged with the duty of hearing and deciding such cases, and consisting of the following three members: Lieut. Col. Christopher B. Garnett, formerly chairman of the Corporation Commission of Virginia; Lieut. Col. Herbert H. Lehman, member of the firm of Lehman Bros., bankers, of New York; Lieut. Col. Edward S. Malone, formerly assistant corporation counsel for the Borough of Queens, New York.

This board hears only such cases in which the contractors and officers of the Government have been unable to agree as to the amount due to the contractor.

The foregoing boards and officers, now at work on the suspension, termination, and settlement of valid contracts and orders, are ready, on the enactment of the legislation which the War Department has requested, to begin work immediately on the cases in which contracts were not made or signed as provided by law.

The War Department having already in operation a sufficient number of qualified boards and officers with ramifications all over the country well able to dispose promptly of the immense number of settlements with which the War Department is now confronted, it follows that the adjustment commission proposed by S. 5261 is entirely unnecessary.

2. The adjustment commission would cause great and serious delays.

Before the proposed adjustment commission could start work the following steps would be necessary:

(1) The bill must be enacted.
(2) The President must appoint the members.
(3) The Senate must confirm the members.
(4) The board must organize and gather together its office force.
(5) If regional boards of examiners are appointed, their membership must be selected and their machinery started.

When these steps have all been accomplished, the board will find itself confronted with an impossible task. There are over 6,000 instances of informal agreements which have not been followed by the necessary formal contracts. If to this number are added the cases in which formal contracts were executed but not properly signed in behalf of the Government and the further cases in which it is now necessary to terminate valid contracts which were legally made and signed, there will be a minimum of 20,000 to 25,000 contracts which will come before the proposed board and which under the bill must be decided by its three members within one year. The mere statement of this proposition shows the utter impossibility of its accomplishment.

On the other hand, the War Department, working through its 8 central boards of review in Washington, its 24 local or zone boards in the various sections of the country, and its thousands of contracting officers and assistants, all familiar with the work and already in operation, can make these settlements promptly and will do so if permitted so to do.

If contractors must wait until the proposed adjustment commission is organized and gets into its stride and reaches their particular cases among the more than 20,000 which are to be decided by this board, thousands of contractors will suffer undeserved loss and large numbers of them will be forced into bankruptcy.

It is most earnestly urged, in the name of the honor and good faith of the Government and fair play to the contractors that no such plan be adopted, but rather that the existing adequate and efficient machinery already established by the War Department be permitted to continue and complete its work.

As bearing on the personnel and the expenditures necessary in the determination of large numbers of cases, by prompt and informal methods, attention is invited to the following illustrations:

(1) The Interstate Commerce Commission consists of nine members. During the year ending October 31, 1917, the commission decided approximately 1,000 formal proceedings and 10,000 informal proceedings, with an organization of approximately 700 employees and an expenditure of $1,060,000 chargeable to this work. The Hitchcock bill proposes to have three men decide in one year at least twice as many cases on an appropriation less than one-twentieth as large.

(2) The Public Service Commission of New York, second district, a typical State public service commission, decided in 1917 approximately 450 formal proceedings and 1,350 informal proceedings, a total of 1,800 proceedings on an appropriation of approximately $400,000. The Hitchcock bill proposes to have the adjustment commission decide approximately twenty times as many cases with one-eighth the appropriation and personnel.

River and Harbor Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM W. GRIEST,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 11, 1919.

Mr. GRIEST. Mr. Speaker, that the Susquehanna River should be made navigable, if feasible, is so manifest that argument is not needed to convince those who have knowledge of the fact that it drains a larger area of territory and carries to the sea a greater volume of water than any other North American river that empties into the Atlantic Ocean, the St. Lawrence alone excepted. It traverses an agricultural region whose fertility is unsurpassed anywhere, more than one-half of its length from Harrisburg to Chesapeake Bay being embraced within the limits of Lancaster County, Pa., which is admitted to be the first agricultural county in the Union. It also touches at Harrisburg and elsewhere in the county of Dauphin, Pa., as well as in the counties of Lancaster and York, veritable beehives of industrial activity. It goes without saying that to open up this waterway is to cause many blades of grass to grow where but one grew before, and multiplying the productivity of the regions affected will increase and cheapen food and other supplies essential to the Nation's well-being.

The item relating to the Susquehanna River, on page 29 of the pending rivers and harbors appropriation bill, will, if enacted, make effective the measure—H. R. 13180—which I introduced in this session of the Congress. My bill provides for a survey, under direction of the Secretary of War, of the river between its mouth, in Maryland, and the city of Harrisburg, in Pennsylvania, in order to determine the feasibility of making the river navigable and to report to the Congress the cost thereof.

There can be no conceivable reason why the feasibility of this project should not now be ascertained. The Susquehanna is now a navigable stream for perhaps 5 miles of this distance—from Havre de Grace, at its mouth, to Port Deposit. Thence northward to Harrisburg is a distance of about 60 miles. So that the entire distance to be covered in the survey authorized in this bill is only 65 miles, approximately.

Whilst the Susquehanna River is rated by the War Department as "navigable" in the State of Maryland and "nonnavigable" in the State of Pennsylvania, yet I am glad to be able to state, on the authority of a former Secretary of War, Hon. Lindley M. Garrison, that there "is nothing in the ruling of the department" that can possibly interfere with the right of Congress "to pass legislation authorizing the improvement of the Susquehanna River over any greater portion of its length than is now navigable."

My correspondence with the War Department is as follows:

LETTER OF INQUIRY TO WAR DEPARTMENT.

MARCH 27, 1914.

Hon. LINDLEY M. GARRISON,
Secretary of War.

DEAR MR. SECRETARY: About the year 1904 an Executive order was issued declaring the Susquehanna River nonnavigable in the State of Pennsylvania. A Member of the House during the recent debate on the rivers and harbors appropriation bill stated that the action of the Government was "a very unusual proceeding," and that the people had been "denied the rights of navigation and supervision by the Government of the United States on their river and its tributaries."

Would you kindly cause me to be furnished with a copy of the Executive order and with such statement as the department can make concerning the reasons for the Government's action?

Appreciating such detailed information as can be supplied me, I have the honor to remain,

Yours, very truly,

W. W. GRIEST.

WAR DEPARTMENT,
Washington, April 7, 1914.

Hon. W. W. GRIEST,
United States House of Representatives.

SIR: Replying further to your letter of the 27th ultimo, regarding the Executive order which declared the Susquehanna River nonnavigable in the State of Pennsylvania, I have the honor to inclose herewith copy of a decision by the Hon. William H. Taft, Secretary of War, un-

der date of March 9, 1904, which it is believed is the decision to which reference is made.

Section 9 of the river and harbor act of March 3, 1899, provides that it shall not be lawful to construct any bridge over any navigable river or other navigable water of the United States until the consent of Congress shall have been obtained and until the plans shall have been approved by the Chief of Engineers and by the Secretary of War: *Provided*, That such structures may be built under authority of the legislature of a State across rivers and other waterways the navigable portions of which lie wholly within the limits of a single State, provided the location and plans thereof are submitted to and approved by the Chief of Engineers and by the Secretary of War before construction is commenced.

The decision which was rendered was in connection with the application of the Philadelphia, Baltimore & Washington Railroad Co. for approval of plans for the construction of a bridge across the Susquehanna River at Havre de Grace, Md., and simply related to the question as to whether it would be necessary for the company to obtain authority from Congress or not for the construction of the bridge. The Secretary of War, as you will see from the decision, decided that there was no interstate navigation such as was in the mind of Congress in making the distinction as to bridges for which authority was required by Congress and those for which it was not, and for this reason considered that the consent of the Secretary of War was sufficient and that the construction of the bridge could be allowed in accordance with the plans to be approved by the department. Such decisions are not at all uncommon, having been made in the case of the French Broad, the Allegheny, and the Cheat, among others.

Should Congress at any time desire to pass legislation authorizing the improvement of the Susquehanna River over any greater portion of its length than is now navigable, there is nothing in the ruling of the department that has been made that will have the least effect upon such action of Congress; and should the improvement be extended upstream into Pennsylvania, the practice which has heretofore been followed in the department of permitting bridges to be built across the river without the special authority from Congress in each case would, of course, be changed so as to correspond with the new conditions.

Very respectfully,

LINDLEY M. GARRISON,
Secretary of War.

—

COPY OF SECRETARY TAFT'S DECISION.

Copy of decision of Hon. William H. Taft, Secretary of War, March 9, 1904, defining the extent (geographically) of the navigability of the Susquehanna River. The decision was rendered in connection with application of the Philadelphia, Baltimore & Washington Railroad Co. for approval of plans for the construction of a bridge across the Susquehanna River at Havre de Grace, Md. (Copied from War Department record 6148.)

WAR DEPARTMENT,
Washington.

In the absence of Assistant Secretary Oliver, I have reexamined the question as to whether the Susquehanna River can be said to be a navigable river within the provisions of the act of Congress requiring that navigable rivers in two States shall not be crossed by bridges, except by authority of Congress, or should be considered as a navigable river within on(e) State, consent to cross which may be given by the legislature of the State with the approval of the Secretary of War.

My own judgment is that in the present condition of the Susquehanna River it is navigable only within one State. There is no interstate navigation such as was in the mind of Congress in making the distinction. For this reason the consent of the Secretary of War will be regarded as sufficient and the construction of the bridge allowed in accordance with plans to be approved by this department. This conclusion is reached on the assumption that the State of Maryland has already consented to the erection of the bridge.

WM. H. TAFT, *Secretary of War.*

The attitude of the War Department, which, as the dates of the above letters show, was made plain some years ago, is, I am given to understand, its attitude now, and removes all question of the propriety of enacting the legislation proposed in H. R. 13180 and favorably reported by the Committee on Rivers and Harbors on page 29 of the pending appropriation bill.

The House will do an injustice to the great States of Pennsylvania and Maryland and to the Nation at large should it fail to ascertain at an early date whether or not the navigability of this great river can be extended northward at least as far as the capital city of the Keystone State.

Eulogy of Theodore Roosevelt.

EXTENSION OF REMARKS

OF

HON. PHILIP P. CAMPBELL,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 7, 1919.

Mr. CAMPBELL of Kansas. Mr. Speaker, under the leave granted to me to extend remarks in the RECORD, I insert the following article from this morning's Washington Post:

[By William Howard Taft.]

A great man has gone from among us. A full decade of usefulness was before him had he survived the Psalmist's period. He leaves us in the full vigor of his intellect and with no visible failure of that bodily strength that was in full harmony with his mind. He found opportunity to develop his sympathetic interest in all sports which he retained through life. It was characteristic of him that he took no interest in golf, preferring the intenser contest of boxing and tennis and the greater consumption of energy in tree chopping.

After graduation at Harvard in the class of 1880 and a course of law in Columbia he at once entered politics. He served in the legislative chambers of New York as a youth. He was delegate at large to the national convention of 1884 and a prominent figure in it, though only four years out of college. Then followed his service as a national civil-service commissioner, police commissioner of New York, and Assistant Secretary of the Navy.

OVERCAME EVERY ORSTACLE.

When the Spanish War came on over every obstacle he rushed to a lieutenant colonel's command of the Rough Riders, and a conspicuous part of the war. He became governor of New York, Vice President of the United States, and, on the death of President McKinley, succeeded him and was elected to a second term.

From the close of his college days until the declination to run again in 1908 for the Presidency he was constantly in public service and most active in it. He impressed himself on every task and gave it the color of his personality.

He was original, he was progressive, he was courageous, he was practical. He could challenge public interest and summon public sympathy to his aid.

In spite of all this labor in the public vineyard, he found time to read and write much. History he studied with a love of heroes who struggled and did things. Whatever he wrote was interesting. His opinions were his own. His descriptions of historical characters were graphic and often pungent.

OPPONENTS EMBARRASSED.

When he did not like a man or a people or a faction, he said so. He hit hard. His political enemies found much with which they thought to prejudice the descendants of those he attacked. But, as he said himself, he had written so much that his political opponents were embarrassed by their riches that they never made successful use of them.

The greatest work of Theodore Roosevelt was in his successful fight against the corporate control of politics. There was a real danger from this when he took office. When he left the Presidency he had set the current which carried corporations out of political power and rid our body politic of a growing disease. He was the victorious crusader in this fight.

LEADERSHIP OF PROGRESSIVES.

In respect of Col. Roosevelt's organization and leadership of the Progressive Party, there have been much difference and discussion which it would not be appropriate now, if ever, to review. But certainly it may properly be referred to, to show the strength of his hold on the American people, that he could, on whatever ground, break up the great Republican Party and win over to the party of his sole creation a larger vote than that given the regular Republican nominee.

Circumstances doubtless aided him, but without his wonderful personality and leadership the result could not have been achieved.

Theodore Roosevelt, with his brilliant, quick, and intense nature, made mistakes. Who does not? It would be characteristic of him in the calm of a long subsequent period freely to admit them. Those whose training makes them regard the proper administration of justice as the highest function of the State, regarded his attack upon the courts and his proposed change in the finality of their judgments as one of those mistakes. Whether he changed his views or not, he ceased to press the subject.

Great leaders of men must have confidence in themselves and their powers. Such confidence leads to egoism if it is not itself that quality. Theodore Roosevelt was a leader of men, and had that quality. But it did not hide his good fellowship and redbloodedness, his teamwork loyalty to those who were helping the cause he was fighting.

He was a most delightful chief to serve under. He was not a great administrator in the sense of knowing how to organize and conduct any great department, but he had the executive talent to select the men who could do this, and to inspire his appointees to devotion to his official purposes that made for his great success. He hunted for the biggest men he could find to do the tasks to be allotted; he was too broad to be jealous of them. He appreciated their work. Indeed, he overpraised it. He was most amenable to reason and correction by any one of them whose loyalty he knew and whose ability and judgment he had tried.

NO FALSE PRIDE OF OPINION.

He had no false pride of opinion and would reverse himself and embarrass himself in so doing when a trusted adviser

pointed out his error. Mr. Roosevelt loved to fight. Controversy he enjoyed. Courage was his strongest trait; confidence in victory was constant with him to the end. He summoned all his energy and all his available weapons for the battle.

He said he liked to get close up to a man when he fought him. This absorption in a contest gave his every controversy a personal tone and aspect that commanded public attention but did not really add to the argumentative force of what he said.

It stimulated the enthusiasm and sympathies of his earnest and devoted followers but did not, perhaps, win over doubters. His tendency to the personal in controversy led him in the heat of the issue at times to criticisms of his adversaries which in after days he would sometimes qualify.

A REFORMER BY NATURE.

Mr. Roosevelt was a reformer and progressive by nature, but he was looking for real results. He was willing to compromise with conditions if he could make real headway. He had no patience with the reformer who was not willing to take a practical view and who, in his insistent demand for all he sought, would sacrifice real but less ambitious results.

He did much to further the cause of civil-service reform by enforcing the law as commissioner against the reluctance of national administrations. He tried to make things better by good appointments to office. He enlarged the classified service, but when he was in a political fight he was a most formidable antagonist.

MASTER IN CAMPAIGN.

He knew politics and politicians well, and he was a master in conducting a practical campaign. He knew the American voters. He could challenge their attention and win their support as few have done in the history of American politics.

He could invent a slogan which in a word or a phrase gave a full argument to his supporters that would win victory. He bound his followers to him with hooks of steel.

Neither Clay nor Blaine inspired more personal devotion. No one who ever came into personal contact with Theodore Roosevelt could ever forget the charm of his nature, responsive in the most sensitive degree to every advance of good will and good fellowship. He delighted in conversations, which he illuminated with flashes of wit and humor directed against himself or any other whom the topic suggested.

ENRICHED ASSOCIATIONS.

His wide reading, his strong literary taste, his world-wide experience with men and things enriched associations with him and left epigrammatic phrases and unique illustrations in the memory of those fortunate enough to enjoy it. Wit he had and enjoyed. He would characterize men and things with a humor which, by its fantastic color, would fix itself in the minds of those who heard it forever. He thus made words over, giving them a new meaning which the world accepted.

WAS A MAN'S MAN.

He was sweet, tender, and kind in his relations to women, but he was a man's man. He was a manly man. His sincere Christianity was masculine and affirmative. He feared the weakening effect upon men of an absence of the sacrifice, the physical courage, and the effort which war requires and stimulates.

He looked askance at any proposals for permanent peace which might involve national surrender of principle or self-respect. *Ultra pacificism* he condemned with almost the same emphasis which he visited upon treason, because he thought the results were the same. He made an inspiring hero for young men, and he has done much to help them to high ambitions and manly, courageous lives. He taught them the strenuous life and the need for effort and sacrifice in achievement for good for the world and happiness for self.

NEVER WITHOUT A BOOK.

Few men have had minds and bodies as intensely active. In all his work he was never without a book of literary merits which he would read in any interval of time which he might snatch in his busy office. He was a most voluminous correspondent.

A freedom of diction often tempted him into a statement of his views at length in many letters to his intimates. He was prompt in preparation. No sooner was an article or a speech to be prepared than he was at it. He would, if his time allowed, revise it, submit it to his friends for suggestions, and accept them. He loved strong and affirmative statements. He had little patience with indirection in style or thought.

RESEMBLANCE TO NAPOLEON.

Theodore Roosevelt was a genius in mental quality, something resembling Napoleon. His "2 o'clock" courage, his capacity for enormous labor, his lightning quickness of perception in complicated legal and technical matters, his promptness in action, his eye for what would strike the popular imagination, his facility in coining a stirring appeal in a word or a sentence, his power of attaching men to his cause, all suggest the great French leader.

Mr. Roosevelt earlier than any other public man saw the real issues in this war, and with characteristic courage demanded what the majority thought unwise, intervention by our Government. He urged with a prophetic vision adequate preparation for the struggle he saw about to be forced upon us. He suffered much in mind and soul as he saw things left undone by our Government which he deemed essential to national safety and the performance of national duty. For over or above everything, Theodore Roosevelt was a deeply patriotic American. He had so intensified his passionate love of his country that it was natural in him. By acquiring an intimate knowledge and a profound appreciation of the great sacrificial struggle needed to make her great, he left no doubt of his willingness himself to render the ultimate sacrifice in her behalf. His spirit of patriotic devotion was web and woof of his character.

DEEP PRIDE IN HIS SONS.

He sent his four boys forth to war with the pride of a Roman tribune. Through his father's tears for Quentin's death there shone the stern joy that a son of his had been given to die the death he would himself have sought on the field of battle in his country's cause.

Theodore Roosevelt's example of real sacrifice was of inestimable value to our country in this war. The Nation has lost the most commanding, the most original, the most interesting, and the most brilliant personality in American public life since Lincoln.

Theodore Roosevelt.

EXTENSION OF REMARKS

OF

HON. ISAAC SIEGEL,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 8, 1919.

Mr. SIEGEL. Mr. Speaker, to-day the whole world is paying homage to Theodore Roosevelt, the greatest American that this country has had in its midst since the passing away of Abraham Lincoln. He typified real Americanism in every word he uttered and in every deed he performed. Early in life he fought to live and as he grew older he fought for those things which he believed would better the world and those who are living in it. He was a New Yorker in every sense of the term. Born and bred in it, he knew its cosmopolitan population, not from mere observation or study of its people, but from actually sleeping and eating with them.

Few men will forget how he visited at night its sweatshops, first as police commissioner and later as governor and President. His courage at all times won for him a host of admirers, who will cherish his memory for all time. "Fear God and not man" was his advice to some young men who were just actively engaging in politics. He frequently expressed himself on every known subject before the country, and because he only expressed what he conscientiously believed was right, that his opponents were unable to find anything in his writings or speeches with which to confound him.

He never feared to take up the cudgels for the oppressed or the persecuted of the world. His emphatic protests against the pogroms in Russia and his bitter denunciation of the cruel treatment accorded to the Armenians demonstrated beyond words that he was a firm believer in justice for all men.

No American pictured the woes of Belgium or France with greater effect than he. Firm in the belief that we would have to go to war, he wielded his pen in favor of preparedness, and mainly through his efforts the Nation awoke from its lethargy.

He did not merely preach. He acted. He desired to fight as well as to talk. Prevented from going to Europe to help wage the war in person, he sent his sons. The supreme sacrifice made by Quentin Roosevelt undoubtedly hastened his end, but not a single word of grief escaped his lips in public, because he knew that others, too, were grieving.

When we were about to declare war against Germany in April, 1917, I ran across some of his sentiments, which greatly strengthened my views at the time. They are as follows:

We are the citizens of a mighty Republic consecrated to the service of God above, through the service of man on this earth. We are the heirs of a great heritage bequeathed to us by statesmen who saw with the eyes of the seer and the prophet. We must not prove false to the memories of the Nation's past. We must not prove false to the fathers from whose loins we sprang, and to their fathers, the stern men who dared greatly and risked all things that freedom should hold aloft an undimmed torch in this wide land. They held their worldly well-being as dust in the balance when weighted against their sense of high duty, their fealty to lofty ideals. Let us show ourselves worthy to be their sons. Let us care, as is right, for the things of the body; but let us show that we care even more for the things of the soul. Stout of heart and pledged to the valor of righteousness, let us stand four-square to the winds of destiny, from whatever corner of the world they blow. Let us keep untarnished, unstained, the honor of the flag our fathers bore aloft in the teeth of the wildest storm, the flag that shall float above the solid files of a united people, a people sworn to the great cause of liberty and of justice, for themselves, and for all the sons and daughters of men.

No greater tribute can we pay to Theodore Roosevelt than to ponder over his last plea in behalf of America, made on the eve of his passing away to the far beyond. Its words should act as an inspiration to every real American and make him realize that he must do his full duty by the Republic, both in times of peace and in war. It should be read by every citizen and would-be citizen. It should be explained and commented upon in every school and college in the United States. This is the message:

There must be no sagging back in the fight for Americanism, merely because the war is over. There are plenty of persons who have already made the assertion that they believe the American people have a short memory and that they intend to revive all the foreign associations which most directly interfere with the complete Americanization of our people.

Our principle in this matter should be absolutely simple. In the first place, we should insist that if the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with every one else, for it is an outrage to discriminate against any such man because of creed or birthplace or origin.

But this is predicated upon the man's becoming in fact an American and nothing but an American. If he tries to keep segregated with men of his own origin and separated from the rest of America, then he isn't doing his part as an American.

There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room for but one flag—the American flag—and this excludes the red flag, which symbolizes all wars against liberty and civilization, just as much as it excludes any foreign flag of a nation to which we are hostile.

We have room for but one language here, and that is the English language, for we intend to see that the crucible turns our people out as Americans, of American nationality, and not as dwellers in a polyglot boarding house; and we have room for but one soul loyalty, and that is loyalty to the American people.

EXTENSION OF REMARKS

OF

HON. HOMER P. SNYDER,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 9, 1919.

Mr. SNYDER. Mr. Speaker, under leave to extend my remarks in the RECORD, I insert the following correspondence:

INTERSTATE COMMERCE COMMISSION,
Washington, D. C., October 15, 1918.

Mr. FRANCIS H. SISSON,
Vice President, Guaranty Trust Co., New York, N. Y.

MY DEAR MR. SISSON: A few days ago I received by mail a copy of your address, on September 24, 1918, before the Savings Bank Section of The American Bankers' Association in convention at Chicago, Ill. I assume that the copy was sent me at your direction.

I have read your address with care. I quote the concluding paragraph:

"It is sincerely to be hoped that there may come a larger degree of appreciation of the meaning of transportation in the life of our people, and of the high importance of its fair and constructive treatment. The ambitions of politicians seeking an issue, the selfishness of shippers fighting to save dimes and losing dollars, the prejudices of theorists—the mistakes of the past, and the animosities of the present should not be allowed to interfere with the solution of the problem in the public interest. The public stake in this situation is greater even than that of the investor, and unless railroad investments are protected by the public the public itself will be the greatest sufferer. The need of the hour is sympathetic understanding. Upon that basis alone can a sound future be built for our railways and upon a sound transportaion system alone can we build a sound and prosperous economic life."

In this brief and succinct statement you have epitomized the situation as I see it. Men who, amidst the stress of business and professional cares stop now and then to look ahead, foresee problems of surpassing importance that will confront this Nation when millions of soldiers ground their arms and seek civil employment; and when other millions of workers now engaged in producing the necessities of war turn their attention to the production of the things needed in time of peace. The problem must be solved with as little jar as possible to the active operation of our economic and industrial forces. On the one hand we might have bolshevikism, which is no government, and on the other we might have autocratic power, which is all government. Neither extreme is conceivable as a possible solution of the matter. There is a middle ground where the just rights of the capitalist, the laborer, and the public may be preserved. It is of more importance to the capitalist just at this time to recognize his obligations to the workman and the public than at any other period in the world's history. In order to save to himself his just share of the prosperity that is to flow from the new conditions which the war will bring about he must stand shoulder to shoulder with his fellow man in a concerted effort to put an end to old abuses and wrongs. I think you realize this. You apparently are given to clear thinking, and for that reason I take this opportunity of calling your attention to unjust criticism of the Interstate Commerce Commission which you make in the address before me and which you have made in other addresses.

I can but think that you have adopted statements of others, and have made strictures upon a governmental agency which has for more than 30 years endeavored to consider transportation systems submitted to its regulatory authority with a view to the best interests of the whole public, which of course includes the railroads, the shippers and receivers, and the investors, without that careful consideration of the facts that is generally characteristic of your public utterances.

For example, you stated in your address on September 24 of this year the following:

"It may be flatly stated that the decline in the value of railway securities in the past has been chiefly due to the refusal of the Interstate Commerce Commission and other regulating bodies to permit the railways to charge adequate rates, and under private management of the roads the value of railway securities can not be maintained in the future unless the commission will allow the companies to charge adequate rates."

In April, 1918, you delivered another address in Chicago, in which you said:

"The railroads had not kept pace with the growth of the country and could not bear the added burdens of war. Lack of credit, born of governmental regulation, had wrought this finish. The decline of railroad credit followed the enactment of the Hepburn Act, and the amendment giving the Interstate Commerce Commission power to suspend rates was continued with deadly certainty. Rates moved ever downward, expenses piled ever upward, uneconomic laws and multiplied regulations consumed revenues. Banks and investors looked elsewhere, and the unremitting conflict of the public wrought its own undoing. * * * A lack of understanding and vision on the part of the Interstate Commerce Commission and a too ready yielding to political sentiment have rendered it not the constructive friend of transportation which it should be, but transportation's fearful, hectoring keeper."

In this connection I invite your attention to statements made by Mr. Julius Kruttschnitt, the chairman of the executive committee of the board of directors of the Southern Pacific System, while under cross-examination in a congressional hearing in the city of Washington in March, 1917:

"Q. Another thing that you have mentioned several times is the fact that the legislation has hampered the operation of the railroads and thereby affected their credit. Do you believe that the interstate-commerce law, even with its amendments, as a whole has been detrimental to the railroads of the country?—A. No; I do not.

"Q. It has been highly beneficial, has it not?—A. I think so. It has substituted regulation for freedom of action in a great many directions, but there has been compensation, and more than compensation, by the elimination of abuses."

Thus spoke a practical railroad man who has been in railroad service all the years since regulations by the Interstate Commerce Commission began in April, 1887.

From 1891 to date the operating revenue of the carriers has exhibited a marked increase for each three-year period. The figures are shown by the following table:

From 1891 to 1893, inclusive	$3,488,920,612
From 1894 to 1896, inclusive	3,298,902,635
From 1897 to 1899, inclusive	3,683,625,512
From 1900 to 1902, inclusive	4,801,951,118
From 1903 to 1905, inclusive	5,958,503,404
From 1906 to 1908, inclusive	7,355,509,577
From 1909 to 1911, inclusive	8,138,201,597
From 1912 to 1914, inclusive	9,210,930,125
From 1915 to 1917, inclusive	10,253,254,882

The results to carriers from operations are shown by their gross and net earnings. The following table gives the gross earnings, the net income after payment of operating expenses and taxes, and the net income per mile of line of the carriers of the country for each fiscal year from June 30, 1891, to June 30, 1917:

Year ended June 30—	Operating revenues.	Income from operation.	Average income per mile of line.
1891	$1,096,761,395	$331,593,407	$2,058
1892	1,171,407,343	356,355,822	2,104
1893	1,220,751,874	356,315,886	2,090
1894	1,073,361,797	303,822,201	1,729
1895	1,075,371,462	309,818,614	1,743
1896	1,150,169,376	337,209,541	1,833
1897	1,122,689,773	326,427,165	1,781
1898	1,247,325,621	385,524,121	2,088
1899	1,313,610,118	410,303,487	2,188
1900	1,487,044,814	477,284,030	2,479
1901	1,588,526,037	507,184,395	2,593
1902	1,726,380,267	555,666,088	2,776
1903	1,900,846,907	585,458,486	2,852
1904	1,973,174,091	574,581,484	2,707
1905	2,082,482,406	628,405,576	2,896
1906	2,325,765,167	714,102,281	3,212
1907	2,589,105,578	760,277,389	3,343
1908	2,440,638,832	645,681,895	2,841
1909	2,473,205,301	732,642,083	3,145
1910	2,812,141,575	826,466,756	3,487
1911	2,852,854,721	768,213,345	3,156
1912	2,906,415,869	751,266,806	3,044
1913	3,193,117,834	829,963,248	3,420
1914	3,111,396,422	704,683,079	2,869
1915	2,956,193,202	728,212,079	2,842
1916	3,742,641,941	1,043,839,822	4,053
1917	3,824,419,739	1,069,750,514	4,632

Previous to the year 1910 carriers originated their rates and filed schedules containing them with the commission. The latter had no power to reject or suspend such schedules except for matters of form. In July, 1910, Congress gave the commission authority to suspend the operation of tariffs for a period not exceeding 10 months.

The following table gives the average rate of dividends declared on dividend-yielding stock of the railroads of the country from June 30, 1892, to June 30, 1916, and for the calendar year 1917, the net operating income per mile of road, per cent of property investment as shown by the books of the railroads, per mile for the same period, and the corporate surplus accumulations for each year from 1910:

	Average dividend rate.	Ratio of income to cost.	Surplus accumulations.
1892	5.35	3.77	
1893	5.50	3.88	
1894	5.40	3.20	
1895	5.75	3.26	
1896	5.62	3.48	
1897	5.43	3.29	
1898	5.29	3.75	
1899	4.96	4.02	
1900	5.23	4.53	
1901	5.26	4.69	
1902	5.35	5.02	
1903	5.70	5.19	
1904	6.09	4.23	
1905	5.78	5.10	
1906	8.03	5.58	
1907	6.23	6.61	
1908	5.07	4.78	
1909	6.53	5.34	
1910	7.50	6.73	$1,371,107,759
1911	8.03	4.87	1,726,830,100
1912	7.17	6.62	1,789,824,875
1913	6.37	6.12	1,998,853,446
1914	7.07	4.19	1,942,559,481
1915	6.48	4.09	1,536,787,176
1916	6.48	6.82	1,935,019,191
1916[1]	6.73	6.17	2,159,768,716
1917[1]	6.78	5.27	2,628,638,922

[1] Calendar year.

It will be noted from the figures that at no time were earnings, either gross or net, as great as from July 30, 1910, to July 30, 1917. Considered from the viewpoint of dividend payments, net income to asserted cost, or surplus accumulations, the railroads were never in so prosperous a condition.

In addition to this, the record is that the commission granted increased rates on so-called blanket applications by carriers from July 1, 1910, to July 1, 1917, that augmented their annual revenues by more than $350,000,000. Increased rates were also granted on individual applications in a great majority of instances, the amount of which can not be estimated. Increased passenger fares were also granted by the commission on application by carriers.

I submit to you that there is not to be found from these figures any reason, considering net revenues and accumulations, why the well-located and well-managed railroads of the country should have suffered a decline of credit in recent years.

After the leading transportation systems of the country were taken over by the Government as a war-emergency measure on December 28, 1917, increased passenger and freight rates were put into effect in June, 1918, by the Director General of Railroads, under authority conferred by an act of Congress for the purpose, as stated by him at the time, of insuring their efficient operation under the "high cost conditions that the war has imposed." He referred to enormous increases in the cost of coal and supplies consumed by the railroads, the estimated $300,000,000 increase in wages recommended by the Wage Commission, and additional increases that would have to be granted to other classes of employees. He further stated that—

"On account of these extraordinary increases in operating costs, which have come about as a consequence of the war, it is estimated that for the same aggregate business as last year, and under the same conditions, except as to prices and wages, the operation expenses for the calendar year 1918 will be from $830,000,000 to $860,000,000 more than for the calendar year 1917."

The purpose of the increased rates granted was thus stated to be to meet the exigencies of increases in railroad operation due to war conditions and not on account of anything done by the Interstate Commerce Commission.

The fact was that at the time the carriers were taken over they were in receipt of the largest income ever known. The burdens of war conditions called for Federal operation. Nothing that had been done by the commission was responsible for the condition in which the railroads then found themselves.

You refer to the fact that the power to suspend rates given to the commission in 1910 was continued with deadly certainty. The facts are a complete refutation of such a statement. During the year ended December 1, 1917, there passed to the files of the commission 131,810 tariff publications, a large number of them including increases in rates or changes in regulations that produced increased charges; and comparable numbers have passed to the files each year since 1910. From the date of the passage of the act in 1910, giving the commission power to suspend schedules, to November 30, 1917, 2,578 protests against proposed increased rates were considered by the commission. Of this number (1,424 cases) the rates were allowed to go into effect as proposed. Up to said date 1,154 cases were docketed for formal hearing, of which 234 were dismissed because the railroads voluntarily withdrew the proposed schedules; in 283 cases the proposed rates were allowed after hearing; in 188 cases the increases were allowed in part; and in 300 cases the increases were disallowed. Of the total number, 29 protests were withdrawn by protestants, and the rates became effective, and 118 were undisposed of. Practically all the latter have resulted in the proposed increased rates becoming effective in other proceedings.

I note you refer in your address to the decline of ton-mile earnings of the carriers in this country during certain periods. Without entering into any lengthy discussion upon this point I merely suggest for your consideration the following:

Ton-mile earnings are but one indication of the volume of receipts of a carrier, and by no means a controlling one. Ton-mile earnings are affected directly by the quantity and grade of traffic handled and the distance of the haul. In some sections of this country to-day the average ton-mile earnings exceed 1 cent. This average amount of earnings by all carriers, however, is reduced by the earnings on what we may term "low-grade traffic," such as iron ore, iron and steel, lumber, coal, lime, cement, brick, and the like.

In recent years there has been a marked increase in the loading and in the size of cars. Much of these low-grade commodities move in trainloads, both loaded and empty, thus securing to the carrier the largest economies in operation. If you will make your computations base on car-mile or train-mile bases you will reach the conclusion, I think, that the decrease in ton-mile earnings to which you refer is not a true indication of receipts to carriers from business handled.

I invite your careful consideration of the facts here presented. The figures as to gross and net earnings are those supplied by the railroads and the others are taken from the records of the commission. Any institution is properly to be judged by the results of its operations and activities, and the Interstate Commerce Commission is not an exception. The only aim and purpose of the commission has been to carry out the law. In doing so it has, so far as lay in its power, fostered and promoted the free movement of commerce throughout the country and has always considered the interests of the railroads as well as the shipping and consuming public.

I trust you will consider this communication in the spirit in which I write it. I do not occupy the position of a captious critic of your public utterances. My aim is to give you the facts with respect to certain statements you have made, in the belief that they must have been inadvertent. All of this is done in that spirit so well stated in the last utterance of your address, in which you say: "The need of the hour is sympathetic understanding. Upon that basis alone can a sound future be built for our railways, and upon a sound transportation system alone can we build a sound and prosperous economic life."

Very truly, yours,

C. C. McCHORD.

—

GUARANTY TRUST CO. OF NEW YORK,
New York, October 24, 1918.

Mr. CHARLES C. McCHORD,
Commissioner Interstate Commerce Commission,
Washington, D. C.

MY DEAR MR. McCHORD: Your letter of the 15th reached me right in the midst of our liberty-loan drive here, which has been the all-engrossing interest and occupation of us bankers, as you may imagine. As a result, I have not had time to carefully read or digest your thoughtful letter, but I want to acknowledge its receipt and assure you that I shall study it with the greatest interest, and I believe open-mindedness.

In approaching this railroad question I have no thought but to see and develop the truth as the proper basis for solving the problem of the future, which we face in it.

Thanking you for writing so fully, I will hope to be able to write you further in the near future. I am,

Yours, sincerely,

F. H. SISSON,
Vice President.

—

GUARANTY TRUST CO. OF NEW YORK,
New York, November 13, 1918.

Mr. CHARLES C. McCHORD,
Commissioner, Interstate Commerce Commission,
Washington, D. C.

MY DEAR MR. McCHORD: Since writing acknowledging its receipt I have found opportunity to read carefully your letter of October 15, in which you take exception to the statement made in my recent address in Chicago that the decline in the value of railway securities in the past has been chiefly due to the refusal of the Interstate Commerce Commission and other regulating bodies to permit the railways to charge adequate rates.

I have studied your presentation of statistics as to the earnings of the railways, all of which finally sift down to the return upon property investment. Your argument necesesarily is that this return has been adequate. On this point, which is the crux of the whole question, we differ.

I do not wish to reopen the general argument for higher rates presented by the carriers to the commission in the rate cases of 1910, 1914, and 1917. It appears that the validity of the repeated pleas of the carriers for living rates has been fully substantiated in the action of the Government in advancing freight rates 25 per cent within a short time after the commission had advanced eastern rates by 15 per cent.

From the table on the sixth page of your letter I have taken the figures of net operating income from 1906 to 1917 and have had them shown on the accompanying chart. The rise in interest rates on capital is also shown, and note is made of the 5½ per cent average income of eastern carriers in the three years 1911–1913, which the commission in the Five Per Cent case characterized as below what was demanded in the public interest.

A study of this chart shows that in the decade before the war boom interest rates were steadily rising, but the tendency of railway income was unmistakably downward. During the same period, as was so well stated by Commissioner Daniels in the Five Per Cent case, commodity prices were rising. The railways were being driven into an economic impasse.

In these 10 years (1906–1915) the yield on the investment never reached 6 per cent, and after the 1906–7 boom it reached 5½ per cent in only one year (1910). In the last five years of the decade the average income was only 4.58 per cent, a figure certainly far below what was demanded in the public interest. Commissioner Harlan, in the Fifteen Per Cent case, said:

"So long as we look to private interests to furnish a transportation service for the country we must see to it that the rewards are sufficient to attract capital for its further development.

"Under present conditions this appears not to be the case."

In the last six years, before the Government took over the operation of the railroads, the total amount of new capital for American railroads raised by the sale of stock to the public was only $164,000,000, or an average of less than $28,000,000 a year, when the capital expenditures were averaging $400,000,000 a year.

The public market for new railroad stock vanished because of the alarming decline in net earnings, and the public put its savings into industries showing a larger margin of profit and a more certain future. A great deal of the capital invested in transportation in recent years failed to earn its cost, and this in spite of the fact that American railroad operation led the world in efficiency and economy.

The commission in 1910 very wisely said:

"It is not only a matter of justice, but in the truest public interest, that an adequate return should be allowed upon railway capital."

But the record of net operating income since that time shows (and it seems to me beyond argument) that the commission, while recognizing the necessity of an adequate return to attract new capital, failed to grant the rates needed to earn it. It was because of this that railway credit declined.

I certainly do not wish to criticize unjustly the course of the commission. I believe I have some realization of the complexity of the problems it has had to deal with and some appreciation of the earnest efforts it has made to adjust nicely the balance between the various interests involved; but, nevertheless, I would be concealing my honest convictions if I did not assert, as I have in public addresses, that the serious check to railroad development in the years preceding the war was largely due to the failure of the commission to deal boldly and courageously with this great economic question.

I know that the task of the commission has been greatly complicated by conflicting State regulation and inadequate legislation. Any form of regulation which simply gets on top of the railroads without getting under them also is so manifestly ill-balanced and unfair that it could not be expected to be adequate to the situation.

I have on numerous occasions had the opportunity to defend the Interstate Commerce Commission against unfair attacks, because of my sympathy with and, perhaps, greater understanding of the difficulties of their position. Nevertheless I feel that they, in common with the bankers, the railway executives, the shippers, politicians, and the general public have failed to grasp the factors in the equation with which they were dealing and must in some measure share the blame with the rest of us for permitting the railroad situation to drift on to the rocks of insufficient revenues, insufficient credit, and insufficient efficiency.

I very much appreciate your writing me so fully in regard to the matter, and hope that thoughtful men like yourself may be disposed to address themselves strictly to the working out of this transportation problem in the best interests of 100,000 000 people who are so dependent upon it, for, in the final analysis, that only will be in the interest of others which is in the common interest.

Yours, sincerely,

(Signed) F. H. SISSON.

INTERSTATE COMMERCE COMMISSION,
Washington, D. C., November 18, 1918.

Mr. FRANCIS H. SISSON,
Vice President Guaranty Trust Co. of New York,
New York, N. Y.

MY DEAR MR. SISSON: I am in receipt of your letter of November 13 in further response to my letter of October 15.

You say that you have studied my presentation of statistics as to the earnings of the railways, "all of which finally sift down to the return upon property investment." You state that my argument necessarily is that this return has been adequate, and then you say, "On this point, which is the crux of the whole question, we differ."

In the first place, whatever may be my views with respect to this, I did not say, nor do I think that it necessarily follows from anything I did say, that returns to all the railways of the country were adequate. What I endeavored to establish was that under regulation by the Interstate Commerce Commission there had been practically a steady, long-continued, upward tendency in the gross and net earnings of railways; that there was the same general upward trend in dividend rates on dividend-paying stock; and that the same was true of surplus accumulations. The figures I presented were not questioned by you, and could not well be questioned by anyone, because they were furnished by the railways.

I invite your attention to the following table, which gives the total railway capital stock outstanding, 1908–1916, excluding only switching and terminal companies, giving also the percentage ratio of net income to stock:

Year ended—	Stock.	Net income.	Ratio of net income to stock.
			Per cent.
June 30, 1908	$7,300,739,273	$443,986,915	6.08
June 30, 1909	7,612,411,226	441,062,743	5.79
June 30, 1910	8,010,730,010	583,191,124	7.28
June 30, 1911	8,363,275,892	547,280,771	6.54
June 30, 1912	8,552,447,276	453,125,324	5.30
June 30, 1913	8,599,992,854	544,201,074	6.33
June 30, 1914	8,654,215,242	395,631,642	4.57
June 30, 1915	8,635,319,368	354,786,729	4.11
June 30, 1916	8,743,106,639	671,398,243	7.68
Dec. 31, 1916	8,755,403,517	735,341,165	8.40

The following table gives the relation between the balance of net income, after the deduction of all dividends and sinking-fund charges charged to income of class 1 steam railroads, 1912–1917:

Year ended—	Net income above fixed charges.	Dividends and income applied to sinking and other reserve funds.	Balance.	Per cent.
June 30, 1912	$405,784,509	$345,125,171	$60,659,338	14.9
June 30, 1913	485,745,995	335,923,753	150,722,242	31.0
June 30, 1914	350,721,618	386,719,305	[1]35,997,687	.....
June 30, 1915	316,156,078	270,540,368	45,615,710	14.4
June 30, 1916	603,222,893	293,629,565	309,593,328	51.3
Dec. 31, 1916	646,880,673	321,294,292	325,586,381	50.3
Dec. 31, 1917	589,044,923	332,811,967	256,232,956	43.5

[1] Deficiency.

You will note that, except for the subnormal year 1914, there is the same tendency of increase in the percentages. These two tables, supplementing those given in my letter, further support my contention that regulation by the commission has not had a tendency, as stated by you, to reduce earnings.

If return on property investment is the crux of the whole question, as you suggest, I am inclined to think that with respect to that we do not occupy common ground. The actual investment of the railroads of the country is not known. What we have is the investment as shown by the books of the railroads. That showing, as you must know, is the maximum. Investigation has demonstrated that the actual investment is very much less than is shown by the books. As will appear later in this letter, the book investment of a number of railroads in this country is by no means a reliable basis from which to determine returns. If the book investment is to be decreased by material amounts, of course the returns will be likewise materially increased.

The following table gives the railway operating income compared with total railway capital and investment as shown by the books of class 1 railroads, 1908–1916:

Year ended—	Total railway capital.	Investment.	Railway operating income.	Return on investment.	Ratio of operating income to railway capital.
June 30, 1908	$16,198,731,489	$13,213,766,540	$645,681,895	4.89	3.99
June 30, 1909	16,992,530,340	13,609,183,515	732,642,083	5.38	4.31
June 30, 1910	17,774,426,871	14,557,816,099	826,466,756	5.68	4.65
June 30, 1911	18,437,820,946	15,612,378,845	768,213,345	4.92	4.17
June 30, 1912	18,989,345,476	16,004,744,966	751,266,806	4.69	3.96
June 30, 1913	19,028,535,973	16,588,603,109	831,343,282	5.01	4.37
June 30, 1914	19,401,083,881	17,153,785,568	705,883,489	4.12	3.64
June 30, 1915	19,719,893,944	17,437,666,690	728,212,079	4.18	3.69
June 30, 1916	19,681,193,092	17,684,736,585	1,043,839,822	5.90	5.38
Dec. 31, 1916	19,630,610,082	17,837,624,883	1,100,545,422	6.17	5.63

You will note the marked difference between capital and investment. Of course, it would be unprofitable for you and me to engage in a controversy, in which many good men have taken part, over the right of railroads to earn a return upon outstanding capital, as compared with investment. I wish, however, to again direct your attention to the continued upward tendency of the percentage of returns to support my contention that regulation by the Interstate Commerce Commission has not been productive of declining returns, as stated by you. I insist that figures furnished by the railroads themselves show exactly the opposite of your contention.

You further state in your letter:

"It appears that the validity of the repeated pleas of the carriers for living rates has been fully substantiated in the action by the Government in advancing freight rates 25 per cent, within a short time after the commission had advanced eastern rates by 15 per cent."

If you will refer to page 7 of my former letter you will note that the Director General gave reasons why it was necessary to increase freight rates, passenger fares, and baggage charges. Those reasons had not the remotest relation to anything the commission had failed to do. Conditions growing out of the war necessities were the mainspring of the action taken. I invite your attention to another statement made by the Director General when the notice of the proposed increase in rates was given to the public. It is as follows:

"In this connection it is important to make clear that no part of the increase in rates now initiated is on account of the making of additions and betterments or the purchase of new equipment or other expenditures chargeable to investment account. The increases initiated are solely on account of increased burdens tending to diminish railway operating income."

Is it not a significant fact that the leading railroads of the country are apparently perfectly willing to accept as compensation to them for their use during control by the Federal Government the average net operating income they had received under rates in effect for three years previous to July 1, 1917? Am I not fully justified if I take an appeal from your statements and deductions to the railroads themselves?

In your letter you make the following statement:

"In the last six years before the Government took over the operation of the railroads the total amount of new capital for American railroads raised by the sale of stock was only $164,000,000, or an average of about $28,000,000 a year, when capital expenditures were averaging $400,000,000 a year."

The authority for the figures you give is not stated. From reports to the commission by the carriers it is estimated that approximately $392,000,000 of new stock was issued for the five and one-half years from June 30, 1911, or about $71,000,000 a year. Our records show that approximately $400,000,000 a year was expended on capital account during the period. Of this amount approximately $190,000,000 a year was expended from earnings. A comparable amount has been expended from earnings for a great many years.

Turning now to property investment as the basis for returns, we face a very important controversy, about which I express no opinion, as to whether capital investment from earnings should be included when a return is to be calculated on the operation of a public utility. I leave the matter at this point with the suggestion that a determination of that controversy may have an important bearing on the question of the adequacy of the net returns to the carriers of the country.

You further state that:

"I would be concealing my honest convictions if I did not assert, as I have in public addresses, that the serious check to railroad development in the years preceding the war was largely due to the failure of the commission to deal boldly and courageously with this great economic question."

From this I understand that you still adhere to the severe condemnation of the commission you made in the public addresses to which I referred in my previous letter. You do state that on numerous occasions you had the opportunity to defend the Interstate Commerce Commission against unfair attacks, because of your "sympathy with and, perhaps, greater understanding of the difficulties of their position." It has never been my good fortune until now to hear of any such defense. What I do know is that you publicly held the commission largely responsible for the failure of the transportation systems of the country to stand the strain of war conditions, and that in your letter to me you attempt to substantiate statements you have made, and reannounce conviction of their truth.

I have a conviction that the decline of railroad credit in this country and abroad is due to other causes than regulation of freight rates, pas-

senger fares, and other charges by the commission. While it may make this letter somewhat long, I feel I am fully justified in referring to certain other facts which, to my mind, had a controlling influence on the decline of railway credit.

The figures I have given establish that if anything was the matter with the railroads from 1910 to 1917, so far as their credit was concerned, it is to be found from other causes than earnings.

I first call your attention to the situation in 1911, when the first rate-advance cases were decided by the commission. In Advances in Rates—Eastern Case (20 I. C. C., 243, 251), the commission said:

"We are told this increase in rates is necessary to maintain the credit of our railroads, and this claim has been made by high authority and with much insistence. It is said that our railroads owe at the present time large sums, which are being carried upon short-time paper, and which should be converted into funded indebtedness; that other large sums must be had in the immediate future for necessary extensions and improvements; that the money for these purposes should come largely from foreign investors, since the rate of interest in England and upon the Continent is lower than with us, but that at the present time there is, owing to the treatment of our railroads by the Nation and by the various States, a feeling of distrust which has impaired the selling qualities of their securities, and which should be removed by a decision of this case in their favor. * * * It must be conceded, therefore, that railway rates and the treatment of our railways should be such as will make the long-time railway bond, which bears a proper relation to the value of the security, a favorite with the investing public. This record does not disclose that railway credit has been impaired. * * * Comparisons that have been introduced between the selling price of the railroad bonds and municipal bonds would seem to demonstrate that the price of the railroad bond is better to-day, as measured by the price of the municipal bond, than it was 10 years ago, and this would indicate that in the last decade the credit of our railways had gained, not lost. * * *

"As to conditions abroad, no reliable information is before us. Whatever unfavorable impression prevails is due largely to the activities of the railroads themselves. Never before have the net earnings of the railroads equaled those for 1910, estimated on any basis. Never before has the gross amount paid in dividends been so large, nor the average dividend rate as high, as in the year 1910; and yet, in the face of this unparalleled prosperity, the press both at home and abroad has been filled, through railroad influences, with dire forebodings of coming disaster. If the credit of American railways is still sound, either here or in foreign money markets, it is not because of but in spite of declarations of railroad operators."

At that time there was no decline of railway earnings, nor was there any decline in prospect. It may have been a fact that there was somewhat of a decline in the demand for railway securities at home and abroad. Such decline, however, was caused by certain matters that had no relation whatever to earnings.

In 1906 the Congress passed an amendment to the act to regulate commerce which greatly enlarged the powers of the commission and increased penalties for disobedience of its orders. Soon after the passage of the act many of the leading railroads of the country came voluntarily to the commission and asked that the slate upon which was written their sins of omission and commission be washed clean, and they stated in that connection that in the future they would endeavor to obey the law in good faith.

In that year the commission instituted an investigation entitled "In the matter of consolidations and combinations of carriers, relations between such carriers, and community of interests therein, their rates, facilities, and practices." The first report was made July 11, 1907 (12 I. C. C., 277). The investigation conducted to that time related mainly to certain transactions of the Union Pacific Railroad Co., including the acquisition of control of the Southern Pacific Co., the purchase of large amounts of stock of various railroad companies, and other matters of kindred import. In the report a most astounding situation with respect to stock purchases and manipulation was disclosed. It is sufficient here to refer only to the Chicago & Alton Railway Co. In the report, at page 296, is the following in regard to that company:

"In about seven years, to June 30, 1906, the outstanding capital indebtedness of this company was expanded from $33,951,407 to $114,610,937, or an increase of about $80,660,000, and there was expended in actual improvements and additions to the property out of this capitalization only about $18,000,000, leaving an increase of its stock and liabilities, without one dollar of consideration, of about $62,660,000, or $66,190 per mile on the 946.66 miles of road owned by the company on June 30, 1906."

On May 6, 1912, an investigation of New England railroads was undertaken, and a report was made on June 20, 1912 (27 I. C. C., 560). The report refers largely to the New York, New Haven & Hartford and the Boston & Maine. It is not necessary here to refer to but one paragraph in the report, at page 578:

"June 30, 1903, the total capitalization of the New Haven Co. was approximately $93,000,000, of which $79,000,000 was stock and $14,000,000 bonds. The mileage then operated was 2,040 miles. On June 30, 1912, the capitalization, excluding stock premiums, was $417,000,000, an increase of $324,000,000, while the operated mileage was 2,090, an increase of 50 miles.

"The bonds and stock of the New Haven Co. had been during this period ordinarily issued at not less than par; the stock was sold at considerably above par. About $21,000,000 of the stock reported by the New Haven Co. as outstanding had been, in fact, issued to the New England Navigation Co., one of its subsidiary companies, by which it was held, so that this stock is still virtually in the treasury of the parent company. Disregarding this stock, treating its notes and bonds as issued at par, and including the premiums upon the capital stock which has actually gone into the hands of the public, the New Haven received during the nine years under consideration from the issue of stocks and securities about $340,000,000. While the New Haven operated 2,040 miles in 1903, it only owned of this operated mileage 438 miles. During the nine years this owned mileage was increased by about 800 miles, and the New Haven Co. expended approximately $40,000,000 in acquiring this additional-owned mileage. It expended during the nine years something over $96,000,000 upon its railroad for betterments and equipment, making a total of $136,000,000 devoted to its railroad property proper. This would leave the sum of $204,000,000 which in nine years had been expended outside its railroad sphere."

In response to a resolution of the Senate of the United States dated February 7, 1914, the commission entered upon a further investigation into the financial transactions of the New York, New Haven & Hartford Railroad Co. (Financial investigation of the New York, New Haven & Hartford Railroad Co., 31 I. C. C., 34.) In the report the commission gave in detail the disastrous results to the railroad from shameless financial operations.

Reports were made by the commission in the St. Louis & San Francisco investigation (29 I. C. C., 139), Chicago, Rock Island & Pacific (36 I. C. C., 43), Cincinnati, Hamilton & Dayton and Pere Marquette (44 I. C. C., 1), and Wabash Pittsburgh Terminal (48 I. C. C., 96).

In other proceedings such matters as the purchase of an interest in the Cincinnati, Hamilton & Dayton Railroad by the Baltimore & Ohio, and the distribution to stockholders of $20,000,000 by the Louisville & Nashville, as examples of many others of like character, were brought to public notice.

These reports disclosed indefensible financiering which resulted in the serious embarrassment of some fine railroad properties. It was shown that certain financial interests, when so minded, freely used carrier organizations for exploitation to any extent necessary to accomplish desired ends. Many of these matters were found by the commission when its accountants came to examine carriers' books under the power conferred by the amendment to the act of 1906.

Shortly after the passage of that amendment the commission recommended to Congress that its jurisdiction be extended to control over and supervision of railway capitalization. This recommendation has been repeated year after year, but Congress has not granted the extension of power.

The increased rates carriers asked for in 1910, 1915, and 1916 would not have had the effect of restoring public confidence in the financial management of the railroads of the country. Conservatively and honestly managed roads suffered with those that had been financially mismanaged. Those who had money to invest lost confidence in the railroad financial management. It came to be generally known that the men nominally in control of many of the roads, and who were capable of handling the properties so as to render the best service to enlarge terminals and to secure facilities for a rapidly growing business, could not act in a free-handed manner. Those who owned or controlled large blocks of stock or other securities were really running the roads. Surplus earnings were largely expended in accordance with their dictation. They knew nothing about, or at least were not specially interested in, transportation requirements of the public. When the time came, as it was bound to come, that the operation of the roads under such conditions failed to meet the demands of the expanding commerce of the country, they found it necessary to lay the blame somewhere, and singled out the Interstate Commerce Commission. As has been shown, that body was not even remotely responsible for any of the financial difficulties in which the transportation systems found themselves.

During the years when their earnings were at the highest point carriers' representatives were informing shippers who desired better service and more facilities that it was impossible for railroads to buy more engines and cars or to enlarge their terminal facilities because the commission refused to allow them to increase their rates. Newspapers took the matter up; magazine articles were inspired; speeches were made at business men's associations; and the propaganda was so general that many people came to believe what was said.

For example, the president of one of the leading banks of the country said in a speech in 1914:

"The most important entry we would make on the debit side of the business outlook would be in connection with the operation and financing of the railroads. In spite of an easy money market, many railroads find it impossible to refund their short-time obligations and continue to keep going—like a juggler playing with balls—by rapidly and dexterously throwing a new short-term obligation into the market to take the place of another short-term obligation maturing. Higher expenses, increased wages, taxes that have doubled in a decade, the burden of new terminals, and the demand for improved service have all had to be met by the railroads, while there has been withheld from them permission to increase their income. The investor now hesitates to consider a long-term railroad security as the safest form of investment for his fund."

On November 18, 1917, he also said:

"We have already conscripted the railroads and are paying them a rate they can not live on. The inevitable result is already apparent—they are inefficient, rendering unsatisfactory service to both Government and the public."

In many addresses made by yourself you took the same position, and you made the statements in 1918, to which I referred in my letter.

The president of one of the leading railroads said, in February, 1917: "* * * But here the heavy hand of regulation has been laid upon the railroads, and the utter lack of elasticity in rates makes it impossible for them to do as other business institutions do."

On January 9, 1912, the president of a great western railroad, in speaking of the decision of the commission in 1911, said:

"The hardest part of the ruling was not so much in what the advance in rates asked for meant to the railroads, as it was in the intimation the decision conveyed that the railroads were getting as high rates as they would be allowed to charge, and that it would be useless to ask for an advance in any line."

Another prominent railroad president in a hearing before the commission declared that he would not advise a friend of his to purchase railroad securities of any kind. Still another prominent railroad president in a like hearing stated that the railroads and railroad securities "had all gone to the d——l."

Other quotations from statements of bankers, brokers, financiers, and railroad officials, from editorials appearing in daily papers and magazines, of which our records are full, might be made to any length. The quotations made are sufficient to show the general trend of public announcement by those best circumstanced to know the facts.

The most discouraging statements as to the waning credit of the railroads from 1911 to the spring of 1917 have been made by their officials and those interested in them financially. Nothing the commission has ever said or done warranted such view of the situation. Is it any wonder the credit of the railroads was impaired? Under such circumstances the result could not have been otherwise.

It seems to me that in consideration of what you think the commission ought to have done you have lost sight of what that body could have done under the limitations prescribed in the regulatory statute. No member of the commission has ever taken the position that the railroads of the country are not entitled to adequate returns for service performed. The commission has endeavored to be just to all interests involved in the movement of traffic throughout the country. My object in writing you was to show you, if I could, that when you held the commission largely responsible for all the ills to which the railroads are now subject you were not justified under the facts.

The Nation faces stupendous problems of reconstruction in the immediate future. A burden of responsibility rests upon us all to see

to it that as a result of the world war there shall come a greater Nation and a happier people. Neither consummation can be attained unless all thoughtful men shall accept truth and justice as guides for action. I agree with you that recriminations of old mistakes and abuses, in such connection, can avail naught of good.

It is only with a long pull and a strong pull and a pull all together by men devoted to the country's best interests that a sound future can be assured. This includes as one of the main considerations the fair and just treatment of our transportation systems.

Very truly, yours,

C. C. McCHORD.

How Shall We Operate Our Merchant Marine and Railways?

EXTENSION OF REMARKS

OF

HON. SIMEON D. FESS,

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 11, 1919.

Mr. FESS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address I delivered before the Republican Club of New York City, January 4, 1919, on the railroad problem.

The address is as follows:

"Mr. President and gentlemen of the Republican Club, you have honored me by your invitation to participate in the discussion of a reconstruction program. In what I shall say it must be understood as my individual opinion and not as a party decision.

"There has been running through the press of the country criticism of the Republican Party for not announcing a reconstruction program. It will not be out of order for me to remind the members of this club that the Sixty-sixth Congress is not yet in existence. It has of itself no constitutional power of convention. The President can call it in session at any time after the 4th of March next. If he decides not to do so, it will be nonexistent until December, 1919. Until it can come together and organize, no official announcement, nor any step can be taken on a program of reconstruction. I have no way of knowing whether the President regards reconstruction as an executive or legislative function, or both executive and legislative.

"If, like Andrew Johnson, he regards it as executive, he will proceed on the one-man policy to solve the reconstruction questions, and of course we will be left to wait the constitutional date of meeting.

"Whatever be his views on this matter, I am quite clear in my own mind that the Legislature must be considered in the solution, and it should be in session at work on such as the merchant marine and railway problems, both of which are imminent.

"The present Congress has but two months left to provide for the stupendous appropriations which last year were not passed until late in August. It is simply impossible to do any creative constructive work, such as railway legislation, this session before the Democratic Congress dies. Of course, if we are to pass a mere resolution continuing Government operation for five years, in line with Mr. McAdoo's recommendation, it might be done. I give it to you as my sincere opinion that such a resolution can not be passed, even by this Democratic Congress. If the President wishes an early solution of this rail problem, the one thing that would seem necessary is to call the Sixty-sixth Congress in session, and the solution will be worked out without undue delay.

"Mr. Chairman, our first duty, as I see it, is to unshackle business enterprise by removing all unnecessary governmental hindrances inaugurated in the stress of war. Let the Government encourage rather than retard profitable employment of labor in established industries and in the development of new enterprises. Instead of the Government entering into competition with private enterprise by becoming the chief employer of labor, let it open wide the door of opportunity for profitable business in the investment of capital so as to insure the steady employment of labor on an American wage scale. Such a policy looks to both a domestic and a foreign field of commerce.

"It demands our position on the sea as a merchant-marine power. Heretofore we have neglected this vastly important national arm.

"The necessities of war compelled the construction of sea-carrying facilities to carry to Europe our ability to win the war, and which will serve as the basis for a great merchant marine. It is asserted we have available over 8,000,000 tonnage already. The one great question now is, How shall we operate this agency of commerce? All the world knows the problems of competition on the high seas with Governments which employ the pinnacle of subsidy and low scale of wages. I can not become enthusiastic over the claim that we can by our more efficient methods compete with Japan and other countries of low wages. Will we meet this competition by lowering our conditions of labor and scale of wages to theirs? I think not. The fundamental contention of the Republican Party with the Democratic Party is the protection of American labor against European and Asiatic labor.

"Can we induce them to come to our standards? Hardly. It is their method employed to insure the trade in foreign bottoms which will not be modified in the interest of American bottoms and at the expense of their own shipping.

"Can we compete with them by maintaining our higher costs of operation? I fear not. In the matter of operating ships mere skill can not make up the difference of standards of labor.

"I take it that the first thing for the Government to do is to decide upon a policy which will leave no doubt of our determination to stay on the sea and thus become an increasingly important factor in the carrying of our sea-borne trade. We will certainly refuse to return to the policy of employing our competitors to carry our goods.

"There are three ways open and, as I see it, only three: First, the Government may continue to own and operate the merchant marine as a Government institution. It could establish competitive rates so as to insure the trade carried in American bottoms and at the same time permit the cost of operation necessitated by the higher scale of wages, and charge up the difference in cost which would go to labor to the Treasury. Of course, this is a subsidy, although not so named. It becomes a direct charge on the Federal Treasury to maintain an American wage scale.

"Second, we can lease the ships to steam companies—not foreign, but American—on such terms as to permit if not require the maintenance of the higher standards of labor, such requirements guaranteed by the Government by an obligation to pay out of the Treasury the difference in cost of operation. This is also a subsidy, which, instead of going directly to labor from the Government as labor's employer, goes indirectly to labor through the ship companies, the Government's lessees operating the ships under Government contract.

"Third, we can sell the ships outright to American citizens or American companies upon such terms as can be agreed upon to be run under Government regulation providing for the maintenance of American standards, the difference in the cost of operation here as in the two former cases to be fixed and paid out of the National Treasury.

"The word 'subsidy' has an unsavory sound. It has become identified in the public mind with special and unnecessary favoritism on behalf of capital, and has not infrequently been looked upon as unfair to labor. This is an error. There would be no necessity for subsidy were it not to permit the maintenance of a higher scale of wages.

"We believe in American standards which argue for reasonable hours, sanitary conditions, good pay, and steady employment. To insure these labor advantages in competition with countries which do not employ them we must provide for this difference in cost—subsidize the industry.

"The first method mentioned is neither economical nor efficient. If the Government operates the ships, the cost will always be indefinite and the waste will be inexcusable, as is demonstrated upon every hand.

"The second method, that of the Government operating as the lessor, we still make the Government the responsible body as the title holder, and on whom the appeals will be made. However, I think the second plan is to be preferred to the first.

"But the third, where the Government places the responsibility upon the owner, who will have incentives to successfully operate his properties under such regulation of the Government as to insure the maintenance of American standards, is the most feasible plan. The sum to be paid as a subsidy will be fixed rather than indeterminate, as in the former case, and the real status of the outlay will always be known.

"Whether we choose first, second, or third plan it will be a subsidy. In the first place, it will be very much greater than in the last.

"Subsidies are unpopular, but we must face the alternative of providing this method or see our American bottoms driven from the seas. There is no surer result than this alternative. Believing it to be assured that we will stay on the sea, it remains to be decided which plan we shall adopt. In the interest of economy and efficiency, both of which the public will be willing to pay for, I hope we will adopt the latter.

"I will not now speak of a general program of reconstruction, but at this moment will deal with but one other of the great and imminent problems the war has brought, the railway problem.

"When the war came, notwithstanding the fact we had the finest railway system of all the world, operated on the least expense, giving the most efficient service, it was quite apparent the maximum utility of the rail facilities could not be realized. The one demand was the most complete mobilization of all our energy for a speedy winning of the war. Here was the greatest mileage of roads on the globe, so splendidly located as to answer the needs of transportation. The only item wanting was the authority to utilize the full capacity of the roads. This was lacking owing to the limitations of law best known under the Sherman Act and the interstate-commerce rulings.

"During the period of rail development prior to the nineties the railway management had been guilty of many practices growing out of competition, and later attempted to combine, and in many cases did combine, in their own interests and against public policy. The companies simply demonstrated the well-known industrial axiom, 'Where combination is possible competition is impossible.' On the one hand, combination in restraint of trade as was charged called forth the Sherman anti-trust law. On the other, competition which invited the rebate system called out the power of fixing rates and regulating securities by the Interstate Commerce Commission.

"The Sherman law designed to protect the public clearly prevents the maximum utilization of the roads, which can only be realized by regarding them as one system. When the war came and the most complete use of these facilities was necessary, the one thing demanded was forbidden by the law. To repeal the laws of limitation was impossible under the stress of public opinion, which was pronounced and against combination. The only thing we could do was to ignore the laws by taking over the roads to be operated by the Government. In other words, the Government in order to correct results of its own decrees had to become the operator so as to ignore the decrees.

"There is no doubt that had the Government repealed the law of limitation and permitted the owners to do what the Government had to do, much more successful results all around would have been realized; but since this could not have been done, it is useless speculation to urge that fact, and the contention adds nothing to the solution of the problem.

"So much in explanation of the action of the Government in taking over the roads.

"It will be recalled that Congress after a very heated debate fixed the time beyond which this ownership can not go, viz, 21 months after the signing of the treaty of peace. However, the President can, if he chooses, turn the roads back to the owners at any time. It will be noted the legal limitation is not in turning the roads back, but rather in continuing Government operation beyond a certain time. If Director General McAdoo's recommendation should be adopted, to continue Government operation five years, it will mean new legislation.

"Were it not for the statement of the President in his address to Congress before he left for Europe that he had no solution of the railway problem and would welcome counsel with Congress to reach one, the country would doubtless take the Director General's recommendation to be the President's; first, because it is given out that the recommendation meets the approval of the President, and, second, the President indicated in specific terms that unless Congress did find a solution he would exercise his authority to turn the roads back to their owners without undue delay, which must be interpreted that he would not await the 21 months' limitation, but would act soon.

"This situation immediately presents a serious phase. It is one thing to express an opinion but an entirely different thing to embody that opinion into law. The former is comparatively harmless, the latter is vitally important. As a legislator I am not so much concerned about the former, but deeply in earnest over the latter.

"What should be done with the roads? This question the legislator must answer by his vote.

"The two extremes are, first, absolute private ownership and operation, and, secondly, absolute Government ownership and operation.

"My own judgment fearlessly expressed is, the former is now impossible and the latter is unwise.

"The roads can not be turned back to their owners and operated successfully under the limitations of law as it now stands. The owners know that as well or better than anyone else. The Sherman law compels competition when every consideration of economy and efficiency argues concentration. This law prevents not only maximum service but entails such limitations as to forbid maximum economy as well as efficiency. In addition, laws like the Adamson bill of August, 1916, deny the owners the right of contract to fix the scale of wages they must pay for operation by passing over to Congress, a political body, that power without regard to the contract existing between employer and employee. This virtually takes from the responsible party to the contract the right to determine the cost of operation of his property. While this law was passed to prevent a strike, it was held to be constitutional, which in effect took from the contracting party the right to fix the amount of his obligation; in other words, the cost of operation.

"On the other hand, the Interstate Commerce Commission, exercising its power, denies the obligor to the contract the right to fix the rate of transportation, which is the only source of income out of which must be paid the expense of operation.

"In this way one governmental body, and a political body at that, fixes the outlay and another governmental body, quite readily responsive to political influence, fixes the income, and the owners are left to pay the bills as best they can. The properties must inevitably deteriorate under such handicap and securities must inevitably depreciate. Needed improvements must be necessarily deferred and repairs neglected. Hence, instead of the world's greatest railway system growing with the needs of the rapidly growing country we see depleted roadbeds, deteriorated rolling stock, disintegrated morale, indifferent service, and some phases of disorganization of transportation of such character as best expressed in a breakdown of a service which was once pronounced the most efficient in the world.

"The public mind can not be brought to a repeal of these restrictive laws unless some other safeguards are thrown about the operation on behalf of the public.

"I take it that the laws, hurtful as they are, must stand until superseded by others; hence it is folly to talk about turning the roads back to the owners, as before the war.

"Since they have been taken over the operating expenses have been increased amazingly, partly because the treasury which supplies the money is looked upon as inexhaustible, being the National Treasury, and partly to attempt to rectify inequalities of the Adamson law. Some of these expenses will most likely remain. They will probably be readjusted. The country witnesses the business spectacle of seeing the largest freight and passenger traffic in the history of transportation; the highest rates paid by the public for that traffic; in a word, the greatest income of the business, because of the increased cost to the public and the increased volume of business, with a deficit of at least $200,000,000 to be cared for out of the National Treasury.

"With these facts in plain view, it is absolutely nonsense to talk of private ownership under the existing legal limitations successfully operating the roads.

"What about Government ownership and operation? I am very frank to say I am not satisfied with this proposed remedy, and I will indicate my reasons. I do not oppose it on the ground that the Government has no right in the premises.

"The public has an interest in transportation, for which the roads exist. They can no longer be looked upon as property privately owned, to be operated purely for the profit of the owners without regard to the rights of the public. Hence the public has an inherent right to demand service. Its chief interest is service economically and efficiently rendered. By the first I mean freedom from waste or exorbitant charge through extravagance or other forms of waste. By the latter I mean accommodation, convenience of travel, courtesy in dealing, expedition in execution, accuracy, and security of service against losses, so as to become reliable to the extent that all transportation business can safely be dependable. These items are what the public pays for and has a right to demand. They serve as the basis for the right of public regulation or control, or both.

"As to economy, of course, no man of judgment will say the Government is ever economical. It is the most wasteful and slovenly extravagant in its business operations known to the business world.

"While Government work is usually done on a contract basis, no one pretends to hold the Government to the terms of its contracts, either in time of completion of the work or in the amount to be paid for it. If more time is needed, it is granted. If more money is required, Congress is appealed to and votes the increase without batting an eye.

"A private contract usually fixes the time with a forfeiture penalty, and always fixes the amount to be paid. But a Government contract may name the sum as a matter of form, and when it is exhausted and Congress is asked for an additional appropriation it is granted as a matter of course upon the ground that it is the Government doing its own work and should not be exacting in its demands.

"We hear it on every hand: 'Why not grant it; who will be hurt? Uncle Sam is paying the bills; he won't feel it.'

"This sense of an easy responsibility is displayed upon every hand, where the Government is a party to the contract. Just now, Members of Congress and the public are exercised over the report of the Hog Island investigation, which shows that the contract price, at first fixed at $21,000,000, then raised to $27,000,000, will reach $61,000,000. Here is a discrepancy of $34,000,000 or, expressed in per cent, an outlay which is 300 per cent over the contract price.

"The enormity is not in the fact of this discrepancy but in the ease with which the public will at once dismiss it with the excuse that it is for the Government and why complain. If the outlay was made, it put the money in circulation, we are told. This lack of the sense of economy which naturally and inevitably excuses wastefulness which under private contract would lead to immediate prosecution, is the one outstanding indictment against Government ownership and operation where it can be done through private enterprise. The present rail deficit, in spite of the unusual increase in freight and passenger rates, is only an item to be expected and, of course, repeated so long as the Government operates these utilities. Only recently the Postmaster General recommended $2,185,000 appropriation to purchase aeroplanes for mail service, at the time the country had numerous planes in its possession with no particular use for them. The only explanation forthcoming was: First, the planes already built were not so adaptable for mail purposes, and, secondly, it would cause some confusion between the War Department and the Post Office Department if the planes ordered by the Government for the War Department were used by the Post Office Department. While the House refused the appropriation, after Maj. LAGUARDIA refuted the first ground, it shows the ease with which departments ask for public funds, upon the basis our Treasury is inexhaustible. The significance lies not in the needs and possibilities of the air mail service but the lack of a sense of economy in Government work which would permit a department head to ask for over $2,000,000 for aeroplanes when the Government had hundreds of them already without other use for them and, according to a practical flier, well adapted for mail use. It is a suggestion of the economy we may expect in the various new utilities of telegraph, cable, and phone lines taken over by this department, which, bad as it is, doubtless is no worse than many other Government departments.

"Now, as to the efficiency of Government operation. It may be unfair, I am free to admit, to judge future efficiency by what the traveling and shipping public have had to experience since Government operation has been in vogue. It will not be disputed that the traveling public has never been so shabbily treated. Such qualities of service as accommodation, courteous treatment, expedition in sale of tickets, handling of baggage, and care of travel are lost arts. The present system is intolerable, with little hope of correction so long as Government operation continues. Whose fault it is is not the question. No one feels responsible. The absence of any personal responsibility is best displayed by the general attitude on all sides apparent and expressed in the statement, 'It is the Government that runs the roads, and we are the Government.' If a shipment is lost or articles are stolen, who is it that feels responsible for the loss and who will trace the goods? To inquiries the invariable answer comes, 'We do not know,' with an air that 'We do not care.' If the case is reported, to whom will the report be made, and what greater interest will be found when report is made?

"The air of 'the Government is doing it and we are the Government' is displayed on all hands. The readiness with which our Government avoids responsibility by shunting it to the employers increases this air of popular ownership and 'if you do not like it make the most of it' spirit so prevalent to-day.

"The servility of the Government in the railway brotherhood demand for 20 per cent increase in 1916 has not only increased this spirit of public disregard but has induced a pronounced sentiment for Government ownership among labor circles.

"That event clearly convinced labor leaders that politicians can be more easily dealt with than employers.

"This item introduces the greatest objection to Government ownership and operation. When applied to the railway business it makes possible a political influence the power of which can not be fully understood.

"The 2,000,000 employees represent at least 5,000,000 people; if we include all the people affiliated with the roads, they will reach at least 20,000,000 people, or about one-fifth of our total population. Such interests, if concentrated, could determine any policy they might set out to make. This danger is too apparent to need any comment.

"Take it all in all, I am hopeful we may find a way to retain the private initiative in industry, not only for the basis of rational progress but also for the public good through economy and efficiency, the real basis of prosperity.

"There is now and then heard a proposal of public ownership and private operation; that is, let the Government own the roads, but operate them through companies to whom the roads are leased upon contract. I am not able to indorse this plan as workable.

"My own opinion is that neither complete private ownership nor Government ownership is the wise way. Both of these methods have some virtues. We must find a way which will include the good of the two but avoid the dangers of both. This is the problem. Under Government operation the single-system idea, with common terminals, union ticket offices, employment of short hauls, no matter over which line the traffic goes, are all valuable changes inaugurated by Government operation, which in the interest of the public should be retained. These changes might have been made under private ownership had the laws permitted them.

"Consequently our legislation should permit the roads to pool their properties. This would necessitate amendment, if not repeal, of the Sherman law so far as it applies to the right of the railways to combine into one system under governmental control. The growing demands upon transportation with the tremendous growth of the country will demand new developments of rail facilities, which will entail great outlay of money. It is stated that these betterments demand billions of dollars. This will demand ready market for rail securities. This market will depend upon the prospect of the railway enterprise as a successful business. On the one hand, the properties must be secure for the sake of security holders, and, on the other hand, the public must be secured against fictitious values in watered stock. Hence the Government must be allowed to regulate the issuance of securities and at the same time permit such profit to security holders as to secure a ready market for the bonds. These are simple business principles. It has been suggested that under regulation the holder might be guaranteed a fixed profit of, say, 5 to 7 per cent on his securities. The regulatory feature necessitates Government supervision of some sort to guarantee needed improvements to meet the needs of transportation, without injury to the public either by fictitious values in watered stock or undue charges on the public in the rates of traffic.

"To do this there must be recognized a governmental regulatory function, but it must not reach strangulation, as in the case of some of the rulings of the Interstate Commerce Commission prior to the war. One principle is clear.

"There must be guaranteed by law that the power which fixes the expense of operation must also have authority to fix the income to insure that the two will have a definite business relation. Congress can not fix the outgo by determining the cost of operation and the Interstate Commerce Commission the income from rates. These matters must be left to the business administration, not to political bodies such as Congress or even a commission too responsive to the whims of politicians.

"The roads must not be made the football of politics. Where the roads broke down before was not because of private ownerships so much as through mistakes in Government regulation. On behalf of the public the matter of operating expenses became a political issue, in which contractual relations were not regarded. This must be avoided.

"The most feasible way to secure the importance of private ownership and also Government operation without embracing the dangers incident to both would be private ownership under Government control. This is the order of the day in the industrial world. It is frequently worded 'concentration and control.' The business trend is concentration, and it should be permitted if under proper control.

"This will permit the roads to be returned to the owners, to be operated under rigid governmental control.

"It would necessitate the right of combination of the systems into one or into regional systems, to be operated as a single system. This would demand the virtual repeal of the Sherman law so far as it refers to railways.

"It would also necessitate a national railway administration board, appointed by the President, by and with the advice and consent of the Senate, to have supervision over transportation in manner like the Federal Reserve Board has over the banking enterprise. The great extent of the American railway field and the wide diversity of interests will necessitate local or regional boards. These regional boards should be articulated with the national board, so as to insure the maximum service demanded by localities. The salary should be enough to invite the country's best talents in the railway world. The tenure

should prevent the possibility of the board becoming a partisan body.

"These regional divisions need not be geographical, but rather industrial, to follow the lines of traffic, which would be fairly well marked by the great trunk systems, which were built up on routes connecting great centers of industry.

"The function of the national administration board would supersede the Interstate Commerce Commission, which in that case can be abolished or absorbed without loss to the country of the body of information built up by this commission.

"This scheme would preserve to the system the assurance of economic and efficient service by the stimulus of a profitable enterprise conducted by the owner of the property whose every inducement would be the best and cheapest service and at the same time insure the public against a predatory interest by permitting Government control on behalf of the public against any undue advantage for private gain. It would also guarantee needed improvements and betterments by a ready market for securities of a system permitted under the law to operate on a safe profit. Security holders would have the best guaranty of safe investment of their earnings. The cost to the public would be determined by the cost of operation, both items of which are in the same authority under regulation of the Government. It would at once remove the business from partisan politics as far as a public utility can be divorced from its pernicious intermeddling.

"To make the scheme workable, the most specific way would be to require the roads to incorporate under the authority of the Nation. This would exempt them from State control in the degree that they were interstate in character. While this will provoke some opposition, there should be a way to meet the State objection. If the railway business is to be national, as it surely long ago became, the larger and general interests must prevail over the local and State interests.

"The owners must relinquish the claims that the roads are private property and as such will be run for the profit of the owner. That stage is long past.

"The brotherhoods, and those connected with them, must also relinquish the claim that the roads are run chiefly to employ men at good wages. Both of these parties must concede. Their interests must not be antagonistic; they must be cooperative.

"The roads, although privately owned, with profit as the chief incentive of the ownership from the employer's standpoint, and run by union labor with high wages as the chief incentive from the employee's standpoint, are and must be considered in the light of public interest. The public or third party in the deal must not only be considered, but will in the end become the chief factor in the determination of the policy. This feature alone gives Congress the right to pass rail legislation.

"This feature also justifies the Government in finding a way to adjust the differences between the employer and employee when they can not agree among themselves.

"While the Government may not wish to become a party to either side of the dispute, it must see to it that the roads shall continue to render service. Lockouts and strikes should be obviated. Compulsory arbitration is not a popular remedy; however, it is urged as a last resort rather than permit injury to the public.

"The conciliation method by a governmental board is growing in favor. If this is resorted to it should be made legal, and great care must be exercised in the composition of the board so as to insure the square deal for all parties.

"While the Government is concerned in maintaining the rights of property and should see to it that these rights are inviolable, and also concerned in the welfare of the man who toils and should see to it that his rights are inviolable, yet its larger function is to see to it that the rights of the public are respected. This is the real function of government. It should not engage as a competitor of business when it can be done by the citizens. It should have its chief concern in its ability to keep open to the citizen of the Republic an equal opportunity to make the most out of his talents, be he employer or employee.

"Open the way to the citizen. That means individual initiative, which spells progress. Avoid interference except where it is necessary to do so in order to keep open the door of opportunity or on behalf of the public. Regulation becomes necessary, but it must not be tantamount to strangulation.

"These conditions are based upon the assumption that we will continue our present system of representative democracy—a Republic.

"It is perfectly apparent that Government ownership of railroads is quite consistent with an autocracy like the former German system, where the State counts for everything and the people for nothing. Even in the case of German Government-owned roads, the service could not match in efficiency our system.

"On the other hand, if we are ready to accept the socialist program and thus eliminate private ownership and individual initiative in order to socialize all industry, Government ownership and operation of the roads is the normal thing to do. This policy is consistent with both autocracy and socialism.

"But if we mean to maintain our system of government we will respect the element of private ownership, individual initiative, and personal responsibility in the interest of progress and economic efficiency by permitting concentration, over which in the interest of the public at large we must exercise a rigid Government control. It seems to me the solution of the railway problem lies in this direction."

The $100,000,000 Food Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM J. GRAHAM,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 13, 1919.

Mr. GRAHAM of Illinois. Mr. Speaker, under the leave granted to me I desire to briefly state my views on House bill 13708, the bill to appropriate $100,000,000 to be expended for food for certain populations in Europe. I was ill and confined in a hospital at the time this bill was under consideration and was passed, and hence was not able to state my views upon the measure upon the floor or cast a vote upon the bill, as I had hoped to do.

The bill proposes to give to the President $100,000,000, which he may expend, as he sees fit, for the "transportation, distribution, and administration" of foodstuffs and other urgent supplies to such populations, outside of Germany, as he may select. It further provides that the Governments of the peoples to whom these funds are contributed shall reimburse it "so far as possible."

I have read the hearings and the arguments made in the House on this bill. Practically the only reason for the introduction of this measure and the only reason given for its passage is the communication of the President of the United States, sent by cablegram January 2, and incorporated into the hearings. In this message the President says, in effect, that investigation of the food situations in certain parts of Europe shows that starvation will occur there during the coming winter; he says that there are areas through Austria, Turkey, Poland, and Russia and elsewhere where the people must be fed and will require "our every assistance." He further states that the situation is one of extreme urgency and that he must have an appropriation of $100,000,000 within the next 15 or 30 days to relieve it, to be expended by him where he thinks it necessary.

There is no other reason given for this appropriation except the additional reason given by Mr. W. A. Glasgow, of the United States Food Administration, who stated, at the hearing:

> We also at this time, because of the stimulation of the production of hogs throughout the hog-producing sections of the country have accumulated in the hands of the packers, by reason of the run on hogs at this particular time of the year, a large surplus that we must work off as we can to Europe, and one of the purposes of Mr. Hoover has been, if possible, to provide a safe and regular drain of such edibles as fats, oils, and cereals that we have a surplus of to Europe, with due regard to protecting our own population, by holding control over the export of them.

In the debate on the bill the chairman of the committee was repeatedly asked whether any other nation was to contribute to this fund. It was stated that the other principal nations would do so and were doing so. However, no one knew—not even the chairman of the committee—how much or to what extent any other nation was to bear this burden, or any part of it. The President has not taken anyone into his confidence as to that matter. An amendment to make this contribution contingent on other nations bearing their part of the burden was rejected by the proponents and those favoring this bill, the argument being that the President could be safely trusted to expend the money judiciously. But the question in my mind is whether Congress is justified in delegating to the Chief Executive the duty of expending the funds in the Treasury of the country. If I am not mistaken that is the function of the legislative branch of the Government. The President, of course, will not expend the fund personally—that will be done by Mr. Hoover. Where he will spend it or how, the President does not inform us. Whether we shall pay more than our just proportion, or what

our just proportion is, the President does not tell us. He tells us nothing except that he thinks it is necessary. This is not sufficient to satisfy me that I should put my hand into the Treasury of the people and give this money to the President or to anyone else. It must be raised by taxation upon the people, and the people have a right to know, through their representatives, something more of the nature of its expenditure than we know here.

I have voted with the President on every measure he has advanced to make war and to carry it to a successful conclusion. I did not do it because I believed everything he did was right, but I did it because I was unwilling to leave undone any word or act of mine that might help the country in its struggle.

But now an armistice has been signed between the contesting powers and peace is practically at hand. The extraordinary methods of legislation of war times are not longer needed. As we turn to liquidate our debts and pay our bills we ought to scrutinize with care our expenditures. It is not only my right but my duty to know something about how and where the appropriations I vote for are to be expended.

So far as I now can learn, these funds may be expended in Russia, where the rule of the Bolsheviki obtains and chaos and disorder are everywhere; they may be spent, and probably will be, in Turkey and Bulgaria and Austria-Hungary, lately in arms against us and our allies; they may be expended in territories that will hereafter be colonial possessions of England or France or Greece or Italy. The point is, no one knows where they are to be spent except Mr. Hoover, and he does not tell. It evidently is not necessary for Congress to know this. It has been said that Congress has on many other occasions appropriated large sums for relief of suffering. Very true, but in all such cases there was a specific object for such charity. Whether we are to bear the greater part of this burden I do not know. I only know that it is said the other nations are also going to contribute. It is also evidently not necessary that Congress have this information. It also seems to me that it is not necessary to expend this vast sum of money in order to make a "safe and regular drain" for the products of the packers, as Mr. Glasgow says is so essential.

Surely the prices of packers' products are high enough in our country, so high, indeed, that meat has well-nigh vanished from the tables of the medium wage earner of the country. We have a wonderfully rich country, it is true. But let us not forget that in our country there is want and suffering, and that we should not be so lavish in our expenditures as to bring privation upon our own people.

Because I have not sufficient information upon which I might justify my conscience in voting for this measure and for my other reasons above assigned, I can not favor this bill in its present form.

Philadelphia—Second Port.

EXTENSION OF REMARKS

OF

HON. J. HAMPTON MOORE,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 10, 1919.

Mr. MOORE of Pennsylvania. Mr. Speaker, in view of the pleasantries introduced into the debate on the rivers and harbors bill by the gentleman from Maryland [Mr. LINTHICUM], who very naturally takes pride in the progress of the city of Baltimore, and because of his editorial friend who challenged the statement that Philadelphia held second place in the United States as a port, I take advantage of the privilege granted me to extend by remarks by inserting the annual report to the Secretary of the Treasury of the surveyor of customs of the port of Philadelphia, in which report the figures and returns speak for themselves.

I am sure the gentleman from Maryland will rejoice with me in the declaration that the contributions which the Government makes toward the development of such ports as Philadelphia and Baltimore assist in making these excellent financial returns possible. It is one of the features of waterway development which some of the opponents of river and harbor bills do not seem to understand, that the Government derives a splendid return upon the investment it makes in cases of this kind.

Before the war the port of Philadelphia turned over to the Treasury of the United States as high as $21,000,000 a year in customs duties. Last year, due to war and other conditions, there was a falling off of $14,000,000, which would seem to be a very good return upon the comparatively small amount appropriated for channel improvement. In order to make commerce productive we must keep the means of transportation available.

PHILADELPHIA'S SPLENDID SHOWING.

The report of the surveyor to which I have referred is as follows:

"OFFICE OF THE SURVEYOR OF CUSTOMS,
"PORT OF PHILADELPHIA.

"The Annual Report of the Secretary of the Treasury for the fiscal year ending June 30, 1918, was issued under date of December 2, 1918. From this report and that of the previous year, 1917, the following comparative statement of revenues collected by principal customs districts has been compiled:

Customs district.	Receipts.	Expenses.	Cost of collecting $1.	Number of employees.
New York:				
1917	$156,411,447	$4,208,815	$0.0269	2,961
1918	116,963,221	4,494,918	.0384	2,944
Increase (+) or decrease (−), 1918	−39,448,226	+286,103	+.0115	−17
Philadelphia:				
1917	15,487,681	494,498	.0320	371
1918	15,032,227	524,702	.0340	364
Increase (+) or decrease (−), 1918	−455,454	+29,724	+.0020	−7
Boston:				
1917	8,648,286	881,975	.1020	633
1918	7,370,974	895,889	.1210	611
Increase (+) or decrease (−), 1918	−1,277,312	+13,905	+.0190	−22
New Orleans:				
1917	9,166,214	312,807	.0340	220
1918	9,698,665	330,280	.0340	219
Increase (+) or decrease (−), 1918	+532,441	+17,473	.....	−1
San Francisco:				
1917	5,083,392	475,091	.0930	338
1918	4,201,805	510,230	.1210	343
Increase (+) or decrease (−), 1918	−881,587	+35,139	+.0280	+5
Baltimore:				
1917	1,856,923	262,456	.1410	185
1918	1,258,252	268,418	.2130	176
Increase (+) or decrease (−), 1918	−598,671	+5,962	+.0720	−9
Total, all ports:				
1918	184,851,356	9,848,388	0.0560	6,582
1917	228,147,659	9,253,980	.0428	6,622
Increase (+) or decrease (−), 1918	−43,296,303	+594,408	+.0132	−40

"The following is the value of exports for the above-mentioned districts for the fiscal year 1918 requiring customs supervision:

New York	$2,616,850,680
Boston	205,189,419
San Francisco	211,874,817
Philadelphia	446,612,168
New Orleans	381,428,110
Baltimore	336,356,608

"These totals show that Philadelphia handled one-sixth as much export trade as New York, which largely exceeds the exports of any of the other districts.

"New York district, where there is a great volume of imports in large units, collected 63 per cent of the $184,000,000 of revenue. While New York collects nearly eight times as much revenue as Philadelphia, nevertheless the cost of collecting $1 at Philadelphia is $0.0044 (almost one-half cent) less than at New York.

"Customs administration at Philadelphia was less expensive than in similar districts. To collect $1 the cost was: Philadelphia, $0.034; New York, $0.0384; Boston, $0.121; San Francisco, $0.121; Baltimore, $0.213; New Orleans, $0.034, same as Philadelphia.

"Philadelphia during the last fiscal year—1918—collected $7,661,253 more revenue than Boston and did it with 247 less employees and at $371,178 less expense. The cost of collection at San Francisco is almost four times greater than at Phila-

delphia, while Baltimore is over six times that of Philadelphia, and Philadelphia handled $110,000,000 more exports.

"Owing to few imports there was a decrease in the total customs receipts of $43,296,303. Various customs districts show following decreases: New York, $39,448,226; Philadelphia, $455,454; Boston, $1,277,312; San Francisco, $881,587; Baltimore, $598,671, which shows that Philadelphia had the smallest loss in revenue.

	Collected.	Expense.	Employees.
During 1918—			
Boston	$7,370,974	$895,880	611
San Francisco	4,201,805	510,230	343
Baltimore	1,258,252	268,418	176
Total	12,831,031	1,674,528	1,130
Philadelphia	15,032,227	524,702	364
	2,201,196	1,149,826	766

"These totals show that Philadelphia collected $2,201,196 more revenue during the last fiscal year than Boston, San Francisco, and Baltimore combined, and at $1,149,826 less expense, also with only one-third as many employees.

"CHAS. R. KUETZ, *Surveyor.*

"Philadelphia, December 16, 1918."

GREAT SHIPBUILDING DEVELOPMENT.

From a statement prepared by Elisha Webb, jr., of the Vessel Owners and Captains' Association of Philadelphia, I submit the following list of shipyards now in operation on the Delaware River:

American Bridge Co., Trenton.
Traylor Shipbuilding Co., Cornwells.
Merchants Shipbuilding Co., Bristol.
Clinton Shipbuilding Co., Philadelphia.
Wm. Cramp & Sons Ship & Engine Building Co., Philadelphia.
Kensington Shipyard, Philadelphia.
Noecker & Ake Shipbuilding Co., Camden.
J. H. Mathis & Co., Camden.
Camden Ship Repair Co., Camden.
Quigley & Dorp, Camden.
Delaware River Ship Repair Co., Camden.
New York Shipbuilding Corporation, Camden.
Pusey & Jones, Gloucester.
John Baizley Iron Works, Philadelphia.
Philadelphia Ship Repair Co., Philadelphia.
Philadelphia Navy Yard, Philadelphia.
International Shipbuilding Corporation, Hog Island.
Essington Shipbuilding Co., Essington.
Sun Shipbuilding Co., Chester.
Chester Shipbuilding Co., Ltd., Chester.
Harlan & Hollingsworth Corporation, Wilmington.
Pusey & Jones, Wilmington.
American Car & Foundry Co., Wilmington.
Wilmington Steamboat Co., Wilmington.
Abbotts Shipbuilding Co., Milford.
Vineyard Shipbuilding Co., Milford.
Greenwich Piers Marine Railway Co., Greenwich, N. J.

These plants employ approximately 80,000 men, exclusive of office force and drafting rooms.

The 80,000 men employed in these shipyards represent a population directly interested in ship construction of approximately 500,000. They dwell along the banks of the Delaware River in the vicinity of Philadelphia from Trenton, N. J., to below Wilmington, Del.

PHILADELPHIA'S PREEMINENCE IN DWELLINGS.

Another phase of port development roundabout Philadelphia is the preeminence of the city as a home-owning center. Statistics forwarded to me by the city statistician, before the Government began to erect houses for shipyard workers, are evidences of the substantial growth of the city.

Total number of dwellings in Philadelphia, 365,461.
Two-story brick houses, 217,589.
Three-story brick houses, 114,338.
Four-story brick houses, 4,434.
Two-story stone houses, 2,631.
Three-story stone houses, 8,606.
Four-story stone houses, 309.
Two-story frame houses, 7,954.
Three-story frame houses, 3,606.
Balance of total is made up of houses of various construction.

These homes are largely owned by the mechanic and workingman, who have acquired title to the ownership by years of toil and saving, either in building associations or saving funds.

EXTENSION OF REMARKS
OF
HON. MILTON H. WELLING,
OF UTAH,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 15, 1919.

Mr. WELLING. Mr. Speaker, the bill under consideration, H. R. 13708, is a bill providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President of the United States.

It provides for an appropriation of $100,000,000 to be used as a revolving fund to be expended as directed by the President. It is well known that the President has designated Mr. Hoover to act as his agent in administering the law.

I am in favor of the passage of the bill. No satisfactory reason has been assigned by those who oppose the measure why it should not pass. If passed at all, it should be passed now. Time is of the very essence of the matter.

Those opposed to the bill base their opposition upon two grounds chiefly, namely: First, it is contended that Congress is not in possession of the facts which will enable it to act intelligently in the matter; and, second, it is urged that we should do nothing until positive assurance is given that our allies will do their share.

The Congress is in possession of the facts. I call attention to the message already read by the gentleman from Kentucky [Mr. SHERLEY] from the President upon this subject. He states:

[Cablegram from the President, received Jan. 2, 1919.]

Extended investigation and consideration of the food situation in certain parts of Europe disclose that especially the urban populations in certain areas are not only faced with absolute starvation during the coming winter, but that many of these populations are unable to find immediate resources with which to purchase their food. These regions have been so subjected to destruction by war, not only of their foodstuffs but of their financial resources and their power of production and export, that they are utterly incapable of finding any resources that can be converted into international exchange for food purchases. While the Secretary of the Treasury can accept obligations of certain Governments and through these measures their situations can be cared for temporarily, there are still other areas through eastern and southern Europe where such arrangements can not be made. This applies more particularly to the liberated peoples of Austria, Turkey, Poland, and western Russia. In these countries freedom and government will slowly emerge from chaos and require our every assistance. The total shipments of foodstuffs from the United States to all parts of Europe during the next seven months will be likely to exceed one and one-half billion dollars, and from our abundance we can surely afford to offer succor to these countries destitute of resources or credit. The minimum sum upon which this work can be carried on for the next six months in the countries above mentioned will amount to at least $100,000,000 for such services and supplies as we can render, and even this sum contemplates the finding of resources by so much of the populations as can do so and much assistance as can be given by the allied Governments. The high mission of the American people to find a remedy for starvation and absolute anarchy renders it necessary that we should undertake the most liberal assistance to these destitute regions.

The situation is one of extreme urgency, for foodstuffs must be placed in certain localities within the next 15 to 30 days if human life and order are to be preserved. I therefore request that you should ask Congress to make available to me an immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies, for the transportation, distribution, and administration thereof to such populations in Europe, outside of Germany, as may be determined upon by me from time to time as necessary. I wish to appeal to the great sense of charity and good will of the American people toward the suffering and to place this act upon a primarily humanitarian basis of the first magnitude. While the sum of money is in itself large, it is so small compared to the expenditures we have undertaken in the hope of bettering the world that it becomes a mere pittance compared to the results that will be obtained from it and the lasting effect that will remain in the United States through an act of such broad humanity and statesmanlike influence.

Mr. Henry White, one of our peace commissioners, in a message addressed to a Member of the Senate, says:

I consider it, therefore, of utmost importance that President's request for one hundred million appropriation for relief be granted at once. Impossible to inaugurate peace conference under proper auspices without previous adequate provision to cope with situation.

Mr. Hoover, in presenting the matter, says:

I need not repeat that strong liberal relief is to-day the only hope of stemming the tide of bolshevism without the expenditure of lives and vast sums on military action. While it is urgently necessary to dispose of our surplus foods in order to relieve congestion and protect the producers from disaster and the consequent chaotic results, it is most fortunate for the saving of human lives that we have this surplus, and our country can not afford to fail to meet both emergencies.

Mr. Lansing, the Secretary of State, a member of our peace commission to Europe, also strongly indorses the appropriation. In doing so he transmits to Congress an estimate of the food products needed by these starving people during the next eight months, as follows:

In view of the famine in Lithuania, Silesia, and Lwow, in order to satisfy the minimum needs of the indigent population of all Poland, with Lithuania, Silesia, 60,000 tons of flour are needed immediately.

There is a need of 45,000 tons of flour per month in January and February and 30,000 tons of flour per month in March, April, May, June, and July, a total need of 300,000 tons of flour. The below-given indicated quantities must be comprised in the monthly needs. The duration of these monthly needs comprises eight months; that is, beginning with January until month of August, inclusively. Six thousand seven hundred and fifty tons of peas, kidney beans, and oatmeal; 5,625 tons of sugar; 1,875 tons of rice; 8,400 tons of preserved meat, above all, lard; 2,250 tons of fish and herring; 600 tons of condensed milk; 15 tons of cheese; 180 tons of butter; 600 tons of vegetable and animal fats; 375 tons of tea; 90 tons of cocoa; 30 tons of pepper; 15 tons of saltpeter. In view of complete exhaustion of all storage, there is a need of clothing, shoes, and underwear for 10,000 inhabitants, counting per person a pair of shoes, 3 meters of material for clothing, and 6 meters of linen. There is a need of medicines and bandages. We will communicate to you on occasion the great necessary quantity of same. For the transport of the above-mentioned cargoes of the ports of Gdansk, Krolewiec, and Libawa, 3,300 covered wagons and 110 locomotives are necessary.

I submit, Mr. Speaker, that it would be difficult to conceive of a situation where these representatives of the Government would make this unusual request unless the need was conclusive and imperative.

It is inconceivable to me that these gentlemen should have made such a request without having full details before them. It is entirely in keeping also with the peculiar circumstances of the present situation in Europe that it may be unwise at this time to give a fuller statement of the reason which impelled these distinguished gentlemen to ask for this relief.

When the armistice was signed, on the 11th of November, the American people were expending on the war a total sum of $40,000,000 each day. This appropriation represents, therefore, the cost of the war to America for two and one-half days. That is not an accurate statement. Two and one-half days of warfare costs us $100,000,000 in money, but it costs us much more than that. There were the precious lives of American soldiers being lost upon every battle field in France.

It is not difficult for us to realize how the war could have been prolonged. As a matter of fact it stopped with such startling suddenness that we could hardly believe the end had come. This appropriation lengthens the war in point of cost two and one-half days, but the money so expended is intended to save and not to destroy. We have for years watched with horror the god of war stalking like a mad specter through western Europe. I am glad the time has come, largely through the efforts of the President of this Republic, when we can hold out to our exhausted and suffering allies this evidence of our appreciation and support.

It is beyond controversy that the statesmanship of President Wilson shortened the war by many days and without doubt saved thousands of American lives. His action conserved the wealth of the Nation and saved the lives of our soldiers upon the battle fields. He has every right to-day, it seems to me, without question, to come to the Congress and ask that this $100,000,000, the price of less than three days of war, should be expended in the interests of peace.

I have absolutely no patience with gentlemen who pretend that this country is in a condition of want and starvation in any way comparable with the conditions that exist in the stricken regions of southern Europe and the Balkan Peninsula.

America was never more prosperous in the world than it is to-day. Four years ago we owed in Europe $4,000,000,000. To-day the nations of Europe owe America $8,500,000,000. We have in four years largely as a result of the war achieved a trade balance of $12,500,000,000 in favor of the United States of America.

There are no idle men. There are no idle workshops. Labor was never paid so liberally as it is paid to-day.

In view of these conditions, it seems to me to be particularly absurd to compare the conditions of America with the conditions that exist in these stricken countries in Europe.

Besides, Mr. Chairman, we are furnishing this money to buy food for wives and children of men who have died fighting side by side with American boys upon the battle field. These heroic people have contributed as much as any other human beings could contribute to the victory which has been achieved. In most cases their contribution in money and in men has exceeded our own.

It is true that the Government has provided an agency through which we may loan money to Italy and France and England and Belgium, but this money can only be loaned to those governments in Europe who can furnish security for its repayment into the Treasury of the United States.

This money is intended to aid those countries in southeastern Europe who can not be relieved by a loan to the government of the country direct. In Austria-Hungary and in southern Russia and in Roumania new governments have been established, which have broken away from the tyranny of the governments under which they have lived during the war.

These new governments are our allies, but they can not be recognized by the Secretary of the Treasury in advancing funds to European countries for the reason that they have no securities to offer in return. It is to assist these struggling people that the President is asking for this fund to-day.

Without this assistance, we are assured by those who have made a careful study of the situation upon the grounds, there will be anarchy and disorder in place of the orderly development of their national life.

We are told by the President and his advisers now on the ground that bolshevism is spreading westward from Russia through these countries. Bolshevism thrives upon starvation and famine. It seems to me that any thoughtful man will conclude that the very best way to conquer this menace is to turn over to these starving allies food to satisfy the temporary needs of these new nations until such time as they can organize themselves for their own protection and defense.

Gentlemen, there is another reason why this money should be appropriated freely and without question upon the request of the President of the United States. The President to-day stands in a most critical position before the world. Men at home have not hesitated to attack the propriety of his going abroad. His enemies have felt that it was an appropriate time to denounce him and the peace plan which he offers to the world.

Men have with great satisfaction, apparently to themselves, suddenly arrayed themselves against the peace program of the President. They have placed the most powerful weapon their ingenuity can forge in the hands of the reactionaries of Europe by insinuating that Wilson has not the respect and support of the American Congress.

To withhold from the President at this time the full measure of support which he asks would, it seems to me, indicate a lack of confidence in his entire mission abroad. Any political organization which is willing to assume the responsibility of discrediting the President in this crisis can not choose a more favorable opportunity than the present moment nor the present measure in which to bring it about.

I can not believe, Mr. Chairman, that any man would feel jstified in taking such a course. The President of the United States to-day represents America, not a political party. He represents all the people of this Republic, not one-half of them; and the American people, in my judgment, would not approve a partisan assault which threatened the success of his mission abroad and the proper support that should be given to his work for all the people of this Republic.

There should be no delay in making this appropriation. You can not argue with hunger and cold, and these elements added together demand that the millions who suffer should be fed at once. To delay would mean to defeat the very purposes for which the appropriation is to be made.

The bill should pass now. There is still time, in the judgment of the men who represent us in Europe, to assist in establishing peace and to relieve hunger among those who in many instances have offered their lives and the lives of their loved ones to assist us in winning the war.

EXTENSION OF REMARKS

OF

HON. EDWARD E. ROBBINS,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 13, 1919,

On the bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary.

Mr. ROBBINS. Mr. Speaker, I was unable to obtain time to express my views on the floor on this bill when under consideration, and I avail myself of the privilege of extending my remarks, in order that I may give my personal reasons for voting against this appropriation of $100,000,000.

On the 2d of January the President cabled from Europe making this request:

I therefore request that you should ask Congress to make available to me immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies for transportation, distribution, and administration thereof to such population in Europe, outside of Germany, as may be determined upon by me from time to time as necessary.

This is an appropriation to place in the hands of the President $100,000,000 to spend as he chooses, with such population as he chooses, outside of Germany, in Europe. No other information is given us.

While the war lasted I voted consistently for every appropriation of money asked by the President or the administration to prosecute the war. Up to this time the Government has not requested the appropriation of money for any purpose except the prosecution of the war, and although the American people on many occasions have liberally contributed for charity, especially on two occasions—once for one hundred million, and again one hundred and seventy million—both of which were freely given, to the Red Cross in the first instance and the Red Cross and allied charities in the second, we are now asked, for the first time, to embark the Federal Government in charitable contributions.

On the 2d of December the President, in a message to Congress, stated that "the war had come to an end on the 11th of November." Hence, this can not be regarded as a war measure. Nor are we furnished with any plan or scheme that indicates that this expenditure is to be made in conjunction with the other nations who are our allies in the war. I do not deny that there is want and misery in Europe, and especially in Asia Minor among the Armenians, which this bill does not reach, and in Siberia, where our troops are and where want and suffering are apparent on every hand; but I do contend that Congress has no right to appropriate money out of the Federal Treasury to be expended by the President wherever he may desire, or by any other individual, for the purpose of attempting to alleviate these conditions. There is no warrant of law for such action by Congress.

The American Red Cross is the greatest charitable organization in the world. It has only as yet expended a portion of the last $170,000,000 contributed for charitable purposes to relieve the suffering in Europe and Asia and Asia Minor. It should be placed in the entire control of this charitable relief work. This organization has agencies established all over the world. It is familiar with conditions. This organization is in existence and active. If further money is to be sent to Europe—and I would think there should be further aid—I think it ought to be distributed there through this organization. The President has quite enough to do to attend to the peace conference. He has now been in Europe since the 13th of December, and until the 12th of January the peace conference has held no meetings. The greatest service that the peace conference could perform is to promptly settle the matters that are dependent upon it for action and get the people of Europe back into normal conditions and allow them to establish stable governments of their own choosing. Long delay in the peace conference is bad. I can not see how the President can administer this great fund in a way that will contribute to the benefit of the peace conference or to the immediate relief of the peoples alleged to be in want.

It is impossible to send food supplies into Russia, because the Bolshevik and disorderly element generally are in control, and they would seize and confiscate these supplies. It is not the purpose to send any of it into Germany. We have under present conditions been able to take care of Belgium through the Red Cross and other charitable organizations. This is a charitable movement purely, and should be conducted upon a charitable basis by funds contributed for that purpose and distributed through the Red Cross, Knights of Columbus, Jewish Relief Society, the War Welfare Board, and the Salvation Army. These several charitable organizations not only understand the methods, but have the machinery and can distribute funds of this kind fairly and without any expense. They are the proper organizatons to handle all charitable contributions, whether of money or supplies.

I want the President to be relieved of any work or responsibility except that which belongs to the peace commission. It appears to be quite enough to occupy him and his fellow commissioners, and if successfully carried out will be of the greatest possible value to our country and to the world.

I do not believe that free food and free supplies given to the disorderly element of Europe and high-priced food sold to our own people would be conducive to either good order at home or the establishment of stable government abroad. Seventy-five cent bacon to our workmen in our home cities and free bacon to the Bolshevik in Russia or the disorderly peoples in Europe would not accomplish the ends suggested in the cablegram and would not be conducive to peace or quiet either at home or in Europe.

There is one phase of this discussion that has been overlooked, in my judgment. Recently the people of the entire United States have been afflicted with the scourge of influenza. The State of Pennsylvania has ordered a survey at the instance of the Council of National Defense to ascertain the number of orphan children of school age that must be cared for. This survey has been made in part in Westmoreland County, Pa., one of the counties I have the honor to represent on the floor of this House, and over 1,000 orphan children have been found of schoolable age whose parents have died and who must be supported by charity. These are dependent orphans, and must have immediate relief at the expense of the county. Dr. McClintock Hamill, of Philadelphia, who is conducting this survey with the aid of the county superintendent of schools and the teachers in the public schools, has already discovered this number in Westmoreland County, and half the work is not yet done. This will mean heavier taxes upon the taxpayers, and they must bear it, because these are the future citizens of our own country, and to neglect them would be an unheard-of act of cruelty fraught with far-reaching disaster to the Republic.

Recently I read that in New York City children were fainting from lack of food in the schools and that the teachers were giving breakfasts to the little ones under their care in order that they might have bodily strength to remain in school. In yesterday's papers the secretary of the Federation of Labor predicts bread lines before April in the United States. With these conditions at home, I believe that the money in the Federal Treasury should be devoted strictly to the support of the Government and that charities should be carried on, as all charities ought to be, by voluntary gifts of our citizens.

If the President wants $100,000,000 for Europe and gives the facts, I believe the people of the United States will contribute the money and it will be sent abroad as a charitable fund stamped with the love of human kindness and will bear the fruits and carry with it the blessings of all charity that is willingly bestowed.

Therefore, believing it to be our first duty to take care of our own poor and because we have a disorderly element now appearing in the United States which may require attention, I shall vote against this bill in its present form. It would be a different proposition if this fund were to be turned over to the Red Cross and commingled with other charitable funds and by it distributed, but we are without information either as to the facts or as to the purpose for which this money is to be expended or the people who are to be benefited by it or the method or means of its distribution. To vote to take this vast sum of money out of the Treasury of the United States when we have a deficiency in the Treasury at this time—and increasing daily—of over $10,000,000,000 and a liberty loan of six billion to be raised from the people on the 6th of April and a tax bill to collect $8,000,000,000 now in the conference committee, to be enacted by the present Congress, is placing an excessive burden on our people, when economy and care should be exercised, now that the war is over, in the expenditure of every dollar that is taken from the Public Treasury. I believe that the scriptural injunction should be followed in this instance:

But if any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.

EXTENSION OF REMARKS

OF

HON. HENRY A. CLARK,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 13, 1919,

On the bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary.

Mr. CLARK of Pennsylvania. Mr. Speaker, an opportunity to speak upon this bill was given to me. I intended to do this, but yielded my time to another. Subsequently, upon request, I received permission to extend my remarks, and I now avail myself of this privilege.

In the discussions it was stated that the enactment of this bill would check the growth of bolshevism; that this could only be done by bullets or bread.

Bolshevism has deluged Russia with the blood of her people; it is rampant in Germany; it is trying to spread its baleful influences into other countries; it has been encouraged by German propaganda, financed by German money. The proof is convincing that Trotsky and Lenine were the paid agents of the Imperial German Government, notably so in the treaty of Brest-Litovsk.

The Bolsheviki have been destroying the very foundations on which law and order rest; have looted without restriction; pillaged, burned, and killed without cause or justification; have committed all the offenses in the calendar of crimes. In their

atrocious deeds the fangs and claws of the jungle are disclosed; a dangerous species of rabies possesses them, and its origin does not have any racial limitation; it is not confined to the people of one nation, but flourishes in some of the nations with whom we were recently at war; it especially thrives in Germany and Russia.

The Bolsheviki in their sinister work beget destruction and breed anarchy.

How can they best be stopped, by bread or bullets?

I am not convinced that bread alone is the cure; the hand that feeds strengthens, and by so doing I fear that, figuratively speaking, we are warming the chilled snake that will turn and sting us.

Bolshevism will consume itself by its own excesses. It is already in large measure barred out from the smaller nations, and especially from those now seeking their independence, like the Czecho-Slovaks.

It is also urged that we now send food to countries on the eastern littoral of the Adriatic, and yet we read that at least two of these nations in this section are fighting each other; that one of them had a force of 20,000 armed men engaged in battle against the other. They must have had some subsistence to enable them to do this. Shall we encourage them by giving them food? It has been said that some of the entente nations have been sending supplies to these people. Shall we also contribute? Will it not aid them to strengthen their military activities and to cause a sacrifice of men instead of saving them? From the meager knowledge which each Member has he must decide which is the better under existing circumstances—to give or not to give—to save human life; which will produce numerically the greater result. Fighting among themselves should cease before aid is extended.

This clash of arms in these countries is not helpful to the deliberations at Versailles, to the solving of perplexing problems, to the establishment of a league of nations to enforce peace.

Somewhat similar conditions may be found in other sections for whose relief it is asserted this money is to be expended. It seems to some of us that by so doing we but add fuel to a flame.

There are other matters which demand consideration—our national finances, obligations incurred, and expenditures of the future.

A deficit of $10,000,000,000 presents itself to be raised by bonds and taxation.

The War Department estimates that there is due on orders or agreements lacking some contractual technicalities to companies in this country $1,750,000,000 and to foreign countries $1,883,000,000.

I am in receipt of complaints about unpaid allotments to dependent wives and parents, unpaid insurance risks to beneficiaries, unpaid wages due for months to sound men in service and maimed soldiers in the hospitals.

Of this latter class in one case the facts are that the soldier has been in the service more than a year, was overseas, was wounded in seven different places and had one rib taken away, and up to the last I heard of him, during the present month, had not received any pay since April. A hospital in New York City contains many wounded men who did not have a cent with which to pay postage on letters to their families at home, and have not had any for some time. Almost within the shadow of the Treasury Building are wounded men who have not received their small pay.

Could we not more profitably and patriotically spend our time in devising and putting into law some system by which all this could be quickly remedied, and also for the adjustment and settlement of our own obligations, rather than to wrangle over the proposed relief of the atrocious Bolsheviki?

Our national resources have been drawn on as never before, and we are rapidly approaching the limit of exhaustion.

There was one other feature which appears in the correspondence and discussions not very much referred to, and that was the stabilizing and maintaining of the high prices of food. For this I have little sympathy.

Why $55,000,000 worth of food should be upon the high seas in ships, which can not be used for purposes of relief unless this bill becomes an act, is beyond my understanding. Did this food leave this country without any contracts being made for where it was going and by whom it was to be used? There must have been some agreement or contract made in relation to the purchase of this food. Were these contracts canceled? Who did it? The information obtainable does not give much enlightenment.

An individual having trust funds in his possession is held to a strict accountability by his cestui que trust and by the courts; if he is to invest he must acquaint himself thoroughly with all the information he can obtain; if he is careless or negligent and loses either, he is personally liable or his bondsmen must answer in money.

We are trustees and it is our bounden duty to fully understand what we are doing in the appropriation of the people's money. True, we may not have that pecuniary personal liability that the individual has, but we are answerable to our consciences, our constituents, and the whole country.

The informaton as to how and for whom and the full purpose for which and whether in combination with the entente nations this money is to be used was too meager and not sufficient to bring it up to the standard which governs and is established for individual investment. I therefore did not feel that I could favor the bill and vote by proxy, as it were, for its passage.

I do not wish to be understood as opposed to aiding stricken Belgium or devastated France or some races like the Czecho-Slovaks and others who, though for generations have been subjugated and ground down under the heel of tyranny, have nevertheless held to their own ideals and are now seeking to regain their freedom, establish their own governments, that they may live in accordance with their own national and racial aspirations.

I do not know whither this money is going; I do know from whence it comes. The passage of this bill means in a sense that each Member asks every man, woman, and child in his district to contribute $1. The requests in the past have been urgent and numerous and have met with generous and patriotic response. Additional demands are to follow for the raising of more money. Is it not now a proper time to retrench and stop the contemplated expenditure for purposes of doubtful benefit? It seems so to many of us who are just as desirous for helpful legislation as those who favor this measure.

There are less than a billion and a half minutes from the present moment backward to the hour of the Nativity. It will probably be His second coming if we keep on appropriating billions before the taxpayers can pay the debt.

The Zone Postal Law.

By giving a flat postal rate to advertising matter the Government is assisting the publication of wide circulation to invade the field of the local newspaper and secure advertisements that would otherwise be given to the local paper. It is purely a commercial business transaction in which the public has no interest, and I maintain that it is wrong to tax the people for such purpose. In other fields of commercial enterprise the Government, by its antitrust law, seeks to protect the weak from the mighty. I am willing for all publications to have an equal opportunity in every zone when it is upon the basis of literary merit, but not so when it is upon a business or commercial basis.

EXTENSION OF REMARKS

OF

HON. JOSEPH J. MANSFIELD,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 15, 1919.

Mr. MANSFIELD. Mr. Speaker, in view of the fact that a preconcerted movement is now on foot by a combination of big publishers to stifle and destroy a most wholesome and salutary law recently put into operation for regulating the postal charges on second-class mail matter; and in view of the further fact that a great deal of propaganda is being circulated throughout the country with a view to deceiving the people and decoying them into a campaign for the perpetuation of the more than seventy million dollar annual subsidy those publishers have been receiving at the hands of the people, I desire to submit a few observations with respect thereto, for which I invite careful consideration.

Many tons of printed propaganda, consisting of editorials and copyrighted articles, as well as in circular and pamphlet form, all misrepresenting the facts, have been sent out to the people through the mails at a rate of postage averaging less than one-sixth the actual cost to the Government in handling such matter. In other words, propaganda for the purpose of deceiving the people into doing themselves an injury has actually been conveyed to them at their own expense, and the law compelled them to bear this burden. We have one notable parallel in sacred history. The Savior of mankind was compelled to bear the cross upon which he was to be crucified.

That thousands of people have been deceived by this propaganda can doubtless be verified by the files in the office of each Member of Congress. I have in my possession more than 100 copies of resolutions purporting to have been and doubtless were adopted by societies and organizations throughout the country condemning the "zone" postal rates. These resolutions were from every section of the country, from Maine to Texas and from Cape Hatteras to the Golden Gate. Upon comparison it will be found that the language employed is identical in every instance, even to the crossing of a "t" and the dotting of an "i," although they may have been adopted and mailed at points 2,000 miles apart. A strange coincidence is that one came from a civic society in the State of Missouri and by the same mail I received copy of resolutions adopted by the press association of that State highly indorsing the "zone" charges.

I have seen many propagandist statements to the effect that the "zone" law was hurriedly enacted and without giving it thorough consideration. I will say in reply that perhaps no other feature of the Postal Service has received as much consideration the past few years. Some six commissions have made the most exhaustive investigations and reports; four Postmasters General have called attention to the heavy losses to the Government on account of the second-class rates; three congressional committees have repeatedly held hearings upon it; the bill was duly considered by Congress; debate thereon was general and covered the whole field. I will simply close this feature of the case with a request to all Christian Americans to remember in their prayer these propagandists, or, rather, "propagan-ders," who stand so much in need of prayer.

I have also received many dozens of letters and petitions signed by hundreds of people asking for a repeal of the law, and deploring the fact that it will be "more burdensome for those far away from the place of publication, while near-by readers escape." The letters almost invariably ask why it is "that in Canada, with only 6,000,000 people, second-class postal rates are just one-quarter of what they are in the United States, and yet the Canadian post office department operates at a profit?" They also ask the question, "Is it not true that the Postal Department shows a surplus, even with the present rates on second-class matter?" The letters also invariably deplore the fact that the law was tacked onto a revenue bill instead of being adopted in a separate bill, and this is designated as an "unjust imposition." These questions having been asked I shall endeavor to answer them.

As to the "zone" postal law being discriminatory against the far-away subscriber, I will say that those who had apprehensions along these lines need have no further alarm. Magazines published in New York and Philadelphia sell at the same prices in Texas that they are sold for in Washington and Baltimore. To make sure of this statement a few days ago I wired to a responsible legal firm in Houston for verification on a few popular publications. I insert my telegram and reply received, which are as follows:

WASHINGTON, D. C., *January 9, 1919.*

GREEN & BOYD,
Chronicle Building, Houston, Tex.:

It is claimed zone postal charges on second-class mail are discriminatory against those far away from place of publication. For purpose of ascertaining the facts, I desire to know price at which a few leading publications are sold in Houston. Wire promptly, my expense, selling price of following: Review of Reviews, Outlook, Munsey's, Leslie's, Collier's, Cosmopolitan, Saturday Evening Post, and Ladies' Home Journal.

The following reply was received:

HOUSTON, TEX., *January 11, 1919.*

Congressman J. J. MANSFIELD,
House of Representatives, Washington, D. C.:

Review of Reviews, 25 cents; Outlook, 10 cents; Munsey's, 20 cents; Leslie's, 10 cents; Collier's, 5 cents; Cosmopolitan, 25 cents; Saturday Evening Post, 5 cents; Ladies' Home Journal, 15 cents.

GREEN & BOYD.

In this connection, Mr. Speaker, I will state that on the day that telegram was received the publications therein mentioned sold at the news stands in the city of Washington at the same prices at which they were sold in Houston, although one place was within the first zone and the other the seventh zone under this law. I will further say that the postal charges on reading matter to readers is still under a flat rate in the same manner as under the old law. The "zone" charges do not apply to the reading matter of any publication. Nothing but commercial advertisements have been placed under the "zone" system, and the price of advertising space in the magazines has already been raised to the advertisers sufficiently to cover this additional cost in postal charges, "and then some."

As to the Canadian postal system, it bears few points of similarity to ours in relation to second-class matter. In 1916 Canada handled but little more than 80,000,000 pounds of this class, while we handled more than 1,200,000,000 pounds. As we lost over $70,000,000 on ours, Canada at the same ratio would have lost less than $5,000,000 on her second class. We recouped our losses by an exorbitant charge of 2 cents on letters, when it cost the Government but 1 cent to handle those letters. Canada also recouped a portion of her losses by excessive charges on first-class mail; but still, having faced a deficit in 1915 of nearly $3,000,000, she levied a war-stamp tax which restored her postal system to a paying basis for that year.

The official report of the postmaster general of Canada for the year ending March 31, 1916, shows that the net revenue amounted to $18,858,409.93, while the expenditures were $16,009,138.77, leaving a surplus for the year of $2,849,271.16. The report also shows that for the year 1915 the department was operated at a loss of $2,914,541.90, the receipts for that year being $13,046,649.57 and the expenditures $15,961,191.47. The surplus for 1916 is explained on page 15 of the report, in which it is shown that the great increase in revenue in the department was due to a war-stamp tax which became effective April 15, 1915, and which increased the receipts to the extent of $6,672,127.62.

A tabular statement published in the report shows that the department was operated at a loss from 1869 to 1901, inclusive, a period of 33 years; and from 1902 to 1914 (the first year of the war) the receipts slighty exceeded the expenditures; but in 1915 the deficit was approximately $3,000,000, and was only restored by the heavy war-stamp tax put into effect on April 15, 1915, as stated.

On June 18 of last year Hon. John C. Koons, First Assistant Postmaster General, at my request, wired the postmaster general of Canada for a statement as to the volume of second-class mail handled in the Dominion the previous year. Some time later I received a letter from Mr. Koons, transmitting the reply, as follows:

JULY 5, 1918.

Hon. J. J. MANSFIELD,
House of Representatives.

MY DEAR MR. MANSFIELD: I am handing you herewith for your information copy of a letter recently received from the deputy postmaster general of Canada, in which he gives the amount of newspaper and other publications handled by their department during the year 1917.

Sincerely, yours,

J. C. KOONS,
First Assistant Postmaster General.

POST OFFICE DEPARTMENT, CANADA,
Ottawa, June 26, 1918.

SIR: With reference to your wire of the 18th instant, in which you ask to be advised as to the number of pounds of newspaper and other publications handled by this department as second-class matter during the year 1917, I have the honor to inform you that the approximate weight of newspapers and other periodicals transmitted by post in Canada during the year above mentioned is as follows:

	Pounds.
Daily papers	55,108,890
Weekly papers (free area)	5,400,000
Weekly papers (outside free area)	21,847,050
Monthly papers, etc	1,976,400
Total	84,332,340

I have the honor to be, sir,
Your obedient servant,

R. M. COULTER,
Deputy Postmaster General.

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C., U. S. A.

It will be observed from this statement that very few, if any, magazines are admitted to the second-class rates in Canada. The statement mentions "daily papers," "weekly papers (free area)," "weekly papers (outside free area)," and "monthly papers, etc." The "etc." in the last item contains the only possible magazines, and this item amounts to less than 2,000,000 pounds. If the entire item had consisted of magazines, and if the Canadian Government had carried them through the mails free of any postal charge whatever, its loss on account thereof would have amounted to but little more than $150,000. It bears no comparison whatever to our magazine mail, we having carried nearly 700,000,000 pounds an average distance of more than 1,000 miles and at a loss to the Government of approximately $40,000,000. In this connection it should be borne in mind that more than 50 per cent of the weight of these magazines consisted of advertising matter on which the publishers received a profit, and would have received a profit even though they had paid the entire cost of their transportation through the mails.

The Canadian Government exercises a rigid censorship over the mails by which her losses on second class are materially curtailed. We have no such censorship, nor would it be acceptable to the people of this country. On account of this censorship it is practically impossible to get magazines admitted to the second class in Canada, and totally impossible to do so in England, as the publishers have testified. The Curtis Co. has tried repeatedly to have the Ladies' Home Journal admitted to the second class in Canada, but without success. The same company, after much difficulty, finally succeeded in getting the Saturday Even-

ing Post admitted, but as the Canadian law forbids publications that carry double-page advertisements the Saturday Evening Post must of necessity pay a higher rate of postage on those issues containing advertisements of that size.

Canada also through her censorship, and under authority of law, places a heavier postal charge upon advertising than upon reading matter. For instance, newspaper supplements are not permitted to carry advertisements at all; in the United States supplements usually consist almost entirely of advertisements. In Canada a newspaper or periodical must "consist wholly or in great part of political, or other news or of articles relating thereto, or to other current topics." In the United States the average of advertisements is shown to be more than 50 per cent, and in many instances runs as high as 92 per cent. Such publications in Canada are placed in the third class and under a rate of 1 cent for every 2 ounces or fraction thereof.

Under the Canadian law subscriptions obtained by offering premiums or those obtained at a nominal price are not permitted to the second class, but pay at the rate of 1 cent for every 2 ounces or fraction thereof. In this country millions of pounds of literature are sent through the mails for a mere nominal subscription price, the big publishers using their large subscription lists as a leverage for obtaining advertisements at enormously profitable figures, and using our postal system as a means for distributing those advertisements for their individual profit. By this means they can place their publications in competition for advertising within the zone of circulation of every country newspaper, and keep the country editors' "nose to the grindstone." The country editor can not compete with the big publisher because his field of operation is necessarily within a limited zone.

I desire to insert in the RECORD a letter written by me to Charles Johnson Post, director of the Publishers' Advisory Board, from which it will appear from the evidence there quoted that the big publishers desire the flat-rate system so as to enable them to invade, at Government expense, the zone of every country newspaper. I desire to call attention, in this connection, to the testimony taken before the Ways and Means Committee on June 28, 1918, where the same design is disclosed. Also, to the letter of the Sanders Publishing Co. to the gentleman from Illinois [Mr. HENRY T. RAINEY], where this language is used:

> We do object, however, to this zone proposition, which discriminates all the time in favor of the local sheet as against papers of broad national character.

Mr. Speaker, the noble work done by the country newspapers during the great war certainly entitles them to our best consideration. While some of the publications "of broad national character" were whining about the war-revenue bill, the "local sheet" was publishing whole pages for the cause of the Red Cross, the sale of war savings stamps, and liberty bonds, as well as assisting the councils of national defense in helping to win the war, all of which was done patriotically and without charge. It is their cause, sir, that I would rise to advocate instead of cringing to that element of the press that during the war undertook to make the Nation's cause subservient to its own interests.

Mr. Speaker, Canada is beginning to realize the great imposition that has been heaped upon her by the nominal rate on her second-class mail, notwithstanding the fact she is protected from its effects largely by her censorship. Her burdens, though light as compared to ours, are, nevertheless, being felt. Mr. A. D. Smith, who was for many years undersecretary for the post-office department of Great Britain, in the work published by him in 1917, which is regarded, as I am informed, as the greatest authority on postal matters in Great Britain and Canada, in speaking of the Canadian newspaper rate, says:

> In well-informed quarters it is held that, in general, the leniency shown to newspapers is not due solely to the acceptance by Parliament of the arguments usually advanced in their favor, plausible and convincing as they are to many minds, but has also been dictated by fear of the political power wielded by them, or, what is the same thing, as a result of direct pressure at Ottawa by the newspaper proprietors, based on their influence with the electors, or the chiefs of parties, and exercised in their own interests.

From this it will be seen that the postal concession to the publishers in Canada was granted to them mainly on account of their political influence.

Mr. Speaker, because we have levied an exorbitant rate on letters in order to cover the losses to the Government on second-class mail, the publishers are taking advantage of it to show to the country that the department is now self-sustaining. I, for one, am opposed to taxing one branch of the Postal Service to pull another branch "out of the hole." Each branch should be as nearly self-sustaining as circumstances will reasonably permit, but no branch of the service should be required to pay more than is sufficient to cover its own cost. "Each tub should stand on its own bottom." I realize that some branches of the Postal Service can not be made self-sustaining, but the deficit in such cases should be raised in some other form of taxation and not by taxing one branch of the Postal Service for the benefit of another branch.

I was to-day informed from the Post Office Department that about one-third the volume of our mail consists of the second class, but that it produces only one-thirtieth of the revenue received. During the 10-year period ending with 1917 first-class mail in the United States produced revenue to the extent of $1,350,000,000 and cost only $750,000,000, leaving a clear profit to its credit of $600,000,000. During the same period second-class mail produced revenue to the extent of $85,000,000 and cost $800,000,000, leaving a clear loss to the Government of over $700,000,000. Even our great and growing parcel post, the volume of which was nearly 2,000,000,000 pounds the past year, produced a revenue of nearly $74,000,000, an amount sufficient to cover the cost to the Government of this most valuable branch of the service.

I respectfully submit, Mr. Speaker, that a postal rate on any class of mail that exceeds the cost of handling that class is contrary to the theory of postal service and can not be defended upon any ground other than as a necessary war measure. Under our postal rates from 1885 to 1918 a double rate was charged upon letters in order to obtain money to pay the cost of transporting and handling magazines for the big publishing companies, whose business would generally have been profitable even if they had been required to pay their own expenses.

I am inserting here a letter received a few days ago which is self-explanatory and to the point. It is as follows:

SHERMAN, TEX., *January 1, 1919.*

Hon. J. J. MANSFIELD, M. C.,
Washington, D. C.

DEAR SIR: Will you pardon the intrusion of a thought of a Texas taxpayer? We are not referring to the taxes levied by the county assessors nor the taxes collected by the Internal Revenue Department or any of the usual forms of proper taxes.

We refer to the discriminating tax of approximately a thousand dollars annually which I and my associates pay merely because we are free users of first-class postage.

We are not objecting, and do not regard the actual cost of handling these letters by the Post Office Department as a tax, but we are thoroughly convinced from the figures compiled and given out by the Post Office Department itself that the 3 cents on the envelope is approximately apportioned as follows:

1. One cent to cover cost of handling, which we gladly pay.
2. One cent for war tax, which we gladly pay, because the money has been spent for the benefit of humanity. We presume, however, that with the closing of the final peace treaties that this war tax via postage stamps will be reduced or removed.
3. One cent which we pay as a subsidy to publishers of second-class matter. They do not pay sufficient postage to cover cost of the service rendered by the Post Office Department to them. We object to this. It is no more right that my special business be taxed for the benefit of another's special business than that he should be taxed for my benefit. This brings me to the point: We hope in the pending legislature that at least the zone rates on advertising sections of second-class matter will be increased sufficient to cover the cost of the service.

Very truly, yours,

FERGUSON SEED FARMS.
By A. M. FERGUSON.

In 1885, when second-class mail was given the flat rate of 1 cent per pound, we handled but 60,000,000 pounds and only 5 per cent of it was advertising matter. Now we handle approximately twelve hundred and thirty million pounds, over 50 per cent of which is advertising matter. The volume has increased in compound proportion, and the cost to the Government has kept pace with it. The people have been paying the expense of handling thousands of tons of the most trashy literature imaginable, much of which ought never to have been printed.

It has been shown that on account of our flat postal rates on literature, a large majority of which is of a trashy character, we have descended to the bottom of the scale among civilized nations in the publication of good and useful books. Switzerland, Japan, Germany, France, England, and other countries have gone far ahead of us in this respect, Spain alone of the European nations being in our class.

As to the exception taken to the law because it was a part of the revenue bill instead of being a separate measure, I would like for the intelligent gentleman who embraced this in his propaganda to explain to the public wherein it makes any difference to them as to who introduced the bill or which committee reported it. Both the Ways and Means Committee and the Committee on Post Offices and Post Roads acquiesced in it. To the public it is immaterial; to the publisher it is simply a question as to whom he would prefer to have the privilege of "cussing," the gentleman from North Carolina [Mr. KITCHIN] or the gentleman from Tennessee [Mr. MOON.]

The publishers in their opposition to a legitimate raise in postal charges on second-class matter have not been consistent. In 1914, when the Committee on Post Offices and Post Roads was investigating the matter under the recommendation of the Hughes commission for an increase of 1 cent per pound flat rate,

the publishers protested against this increase and advocated a zone system. Now, since the zone system has been enacted, they are protesting against that and claiming that the flat rate should be applied. Again, when Maj. Stahlman, of the Nashville Banner, was before the Senate committee, he claimed that the charges provided in the zone law were excessive in the near-by zones, while in the remote zones they covered but a very small percentage of the cost of transportation. The magazine publishers claimed that the law did not affect the local newspapers, the charges being so slight in the near-by zones, while in the remote zones they were prohibitive. In my judgment, all were mistaken, the charges are not excessive or prohibitive in any zone, and one of the publishers was candid enough to admit that the raise was so small that the additional revenue derived therefrom would not be worth the trouble.

Again, Mr. Speaker, there has been much camouflaging about this matter, a notable example of which was exposed before the Ways and Means Committee last June by the gentleman from Illinois [Mr. HENRY T. RAINEY], a distinguished member of that committee. A paper known as the Woman's Farm Journal, published in St. Louis, for which it was claimed that it had a circulation of 100,000, had just ceased publication, claiming that the zone charges then about to be applied would be prohibitive. It published its farewell editorial, or "swan song," as follows:

This is the last edition of the Woman's Farm Journal. It has had a short life, and under ordinary circumstances would continue as a useful, educational, patriotic publication. But conditions are not ordinary. We are at war, and nearly every unavoidable condition operates against us. We could overcome all difficulties except one. That is a law which goes into effect July 1. The law is made up of provisions that we do not intend to attempt to comply with, and we could not comply with them if we earnestly tried to do so. In this particular instance we will not say what we think. We are at peace with all the world except the enemies of the country. We believe the law which we refer to will be found unworkable and that it will be modified. For the Woman's Farm Journal that will be too late. We prefer a sudden death to a lingering one. Therefore, we will simply say that the Woman's Farm Journal has been put out of business by act of Congress.

The gentleman from Illinois was ready for the occasion with a sample copy of the paper in his pocket, and with a full statement concerning it. From this statement it appeared that the paper was established after the zone law was enacted and went out of business before it went into effect. Only 620 pounds of the paper went through the mails in three months, the postal charges upon which, at the rate of 1 cent per pound, could not have exceeded $6.20 during that time even if every copy had gone beyond the limits of St. Louis County. The paper contained but one advertisement—that of the Conroy Piano Co.—for which it claimed to have received $40. As the zone law does not apply to any paper or magazine unless more than 5 per cent of it is devoted to advertising, this paper would not have been subject to this law at all. On account of this exposition made by the gentleman from Illinois [Mr. HENRY T. RAINEY] the "propaganders" have doubtless been deprived of making further use of this case. Doubtless a booklet would have been issued upon it but for his timely interference.

A copyrighted article published a few weeks ago makes the claim that, because of the campaign made by the publishers, 59 Members of the Sixty-fifth Congress who voted for the zone law failed of reelection. If this claim be true, it is but another reason why the tremendous political power of the recipients of this great subsidy should be curbed. Each State or district should have the right to select its own Representatives, who should not be required to submit their candidacies to a combine of persons perhaps 2,000 miles away who are interested in a share of a nearly $100,000,000 annual subsidy paid by the people.

Mr. Speaker, some of the great publishers have been proceeding upon the theory that with their "big stick" they can force Congress to do their bidding. Those who have stood out for the interests of the people have been maligned and misrepresented in every way possible. The gentleman from North Carolina [Mr. KITCHIN], "the latchet of whose shoes" his calumniators are "unworthy to stoop down and unloose," has been the especial object of their spite. Failing in their purpose, they have given the assurance that he should no longer suffer at their hands if he would only give his consent to a repeal or even postponement of the zone law. In fact, they were willing not only to quit maligning him but to boost him as no other man has ever been boosted, even to the extent of "making him the biggest man in America."

Although they set him upon a pinnacle and tempted him as, with one exception, perhaps, none other has ever been tempted, following an illustrious example he was callous to their blandishments, evidently "choosing rather to suffer affliction with the people of God than to enjoy the pleasures of sin for a season."

Mr. Speaker, we see much in the papers to the effect that the pending revenue bill as amended is an abandonment of the "zone" system. Such is not the case. It reduces the charges, but the "zone" feature is not only retained in the bill as it now stands but it is even extended to include reading matter as well as advertising matter. The "propaganders" who have written so many theses in opposition to the "zone" feature on advertising, claiming that a great principle was involved in it, are now giving their approval of the pending bill with the "zone" feature not only retained upon advertising matter but also extending to the literary portion. This simply shows their inconsistency. If the zone feature is wrong on advertising matter, it is doubly wrong if it is also applied to the reading matter.

As an illustration of the workings of the low flat rate on second-class mail under the act of 1885 I will call attention to the enormous growth of this class and the corresponding increase in the loss to the Government. When the flat rate went into effect we handled about 60,000,000 pounds.

In 1890 it was, in round numbers, 200,000,000 pounds; in 1900, 450,000,000 pounds; in 1910, 873,000,000 pounds; in 1917, 1,200,000,000 pounds; in 1918, 1,229,709,355 pounds.

The estimated loss to the Government in 1885 was $4,000,000; in 1890, $12,000,000; in 1900, $27,000,000; in 1910, $52,000,000; in 1917, $72,000,000; in 1918, $85,879,654.

The department estimates the total loss of the last six years at $500,438,224. Is it not time to begin to consider this question seriously? It is already a tax of nearly $1 per capita on every man, woman, and child in the country. But, Mr. Speaker, this tax is paid by those who send letters through the mails and is not levied as a per capita tax. Every time a letter has been mailed 1 cent of the cost of the postage stamp went to the publishers, and but for this letters would long ago have been subject to a charge of only 1 cent in postage.

LETTER TO CHARLES JOHNSON POST.

WASHINGTON, D. C., *September 17, 1918.*

Mr. CHARLES JOHNSON POST,
Director Publishers' Advisory Board, New York City.

DEAR SIR: Your letter of August 29 is before me and gives me my first information that my recent letter to Mrs. N. Goettmann, of Byers, Tex., had, at my request, been forwarded to you for reply.

I wrote Mrs. Goettmann in reply to a communication received from her in regard to the postal "zone" charges on second-class mail. I suggested in the letter that she had been made the innocent victim of a most "pernicious propaganda," sent out by a combination of big publishers, and requested that in the event she should desire to submit my letter to those who had sent her the propaganda that caused her to write me I would be pleased to be furnished with their reply. As you, without being accused, acknowledge to being the one so referred to, I will not take issue with you on that score.

I must admit that I was somewhat surprised at your letter, not only on account of this admission but also on account of other statements made, as well as from your manner and tone of expression. Having referred to the copy of my letter, I find nothing in it calculated to offend anyone. Then why you should have used two pages of vituperative and opprobrious language in reply can not be accounted for upon any other theory than that of a self-consciousness that your contention was not sustained by reason.

I stated in my letter to Mrs. Goettmann that Congress had not increased the postage on second-class mail from 50 to 900 per cent as stated in the printed "propaganda" sent her (and of which you now confess you were the author). A 900 per cent raise would be an increase of the postal receipts on that class of mail from $11,383,000 to $113,830,000, or a clear raise of more than $100,000,000 per annum. In speaking of it on the first page of your printed "propaganda" you said:

"This terrific increase means that in thousands of homes hundreds of readers will have to give up reading national periodicals owing to the enormous increase in cost."

You now modify your language in regard to this feature of the bill, which as expressed in your letter is as follows: "The postal 'zone' law does make increases in postage on periodicals of from 50 to 900 per cent." This language conveys a meaning entirely different from that used in your "propaganda." A bill that raises the postage on publications 900 per cent means a raise of more than $100,000,000, while a bill that makes raises of 900 per cent may provide a very small sum of money.

The experts of the Post Office Department estimate that the entire raises provided in the bill for the present year will amount to only $4,900,000, which is less than one-twentieth of a 900 per cent raise. No publisher has disputed these figures, but all have acquiesced and agreed to them. The bill provides for annual increases on advertising matter for a period of four years, but no expert of the department has estimated the ultimate raise to exceed $16,000,000, and the highest raise possible under this law will be less than one-sixth of a 900 per cent raise. You have never attempted to dispute these figures.

When you appeared before the Ways and Means Committee last June you were requested to name a publication that would have its postage raised from 50 to 900 per cent, but you were unable to do so. You did finally admit that the figures used in your propaganda applied to advertisements only. When questioned specifically as to the Ladies' Home Journal, your answer as recorded on page 1415 of the hearings is as follows:

"Nine hundred per cent does not apply to the Ladies' Home Journal, but I represent the trades publications as well, and they are publications that carry an enormous amount of advertising. That is their function, and those publications do carry such rates."

In this connection I will remind you that Iron Age, one of the trade journals embraced in the list which you claim to represent, and which is listed on the reverse side of the paper on which your letter was written, sold a few years ago for a bonus of $1,000,000, as shown in the evidence taken before the Committee on Post Offices and Post Roads in 1914. Another one, the Motor Age, which was capitalized at $30,000,

made a net profit in one year of $40,000, and then sold out for $1,000,000, as disclosed by the hearings before the same committee.

The advertisements in the two trades journals above referred to were carried in the mails at a loss of thousands of dollars to the people, while the publishers made millions out of those advertisements in a very short time. The publications consisted of approximately 80 per cent advertisements camouflaged with 20 per cent reading matter, and you now ask that such bundles of business advertisements be permitted to be carried through the mails at the rate of 1 cent per pound, when it costs the Government 9 cents per pound to handle them, and this special privilege is asked on the theory of their educational value.

You quote from my letter as follows: "The publishers testified here that it (the Saturday Evening Post) averages in weight a fraction less than one-half pound." Then, in commenting upon that you say: "This also is a misstatement, for nowhere have the publishers or publishers' representatives testified to any such thing, and your statement is out of whole cloth." You then further say: "As a matter of fact, the Saturday Evening Post averages slightly less than 1 pound per copy."

You are very positive as to the testimony of the publishers of the Saturday Evening Post, and evidently intentionally disrespectful. After reading the evidence possibly you may not be quite so certain. I quote from page 59 of the hearings before the Committee on Post Offices and Post Roads in the month of February, 1914, the following:

"Mr. SMITH. For instance, we pay 5 cents a copy for the Saturday Evening Post. Now, if we increase the rate 2 cents a pound, what would be the rate?

"Mr. CURTIS. I do not know—probably 6 cents. That is a very awkward and a very inconvenient sum.

"Mr. ROUSE. About what is the average weight?

"Mr. CURTIS. I think a half a pound.

"Mr. COLLINS. It is a trifle less than a half a pound."

Mr. Curtis mentioned in this record is president of the Curtis Publishing Co. and Mr. Collins is its circulating manager. The Saturday Evening Post is published by that company. If your statement is true and they are mistaken as to the weight of the Saturday Evening Post, then it is very evident that the Curtis Co. owes the Government a very large amount of back postage, as it appears that they have been paying on the basis of less than half a pound in weight.

The Curtis Co. publishes the Saturday Evening Post, Ladies' Home Journal, and Country Gentleman, as you as their representative well know. The same publishers testified that they paid the Government $600,000 a year as postage upon these three publications. They also stated that the Saturday Evening Post had a circulation of 2,125,000 and the Ladies' Home Journal of 1,670,000. You stated in your testimony before the Ways and Means Committee that the Ladies' Home Journal averaged 1 pound and 4 ounces in weight, and you state in your letter that the Saturday Evening Post "weighs slightly less than a pound." The weight and circulation of the Country Gentleman is not given.

According to the figures given by you, each monthly issue of the Ladies' Home Journal will weigh 2,087,500 pounds and each weekly issue of the Saturday Evening Post "slightly less" than 2,125,000 pounds. This will give us a total weight for the year of more than 25,000,000 pounds for the Ladies' Home Journal and approximately 110,000,000 pounds for the Saturday Evening Post, or a total of about 135,000,000 pounds a year for the two publications.

The postage at 1 cent per pound would have amounted to approximately $1,350,000 a year. As the Curtis Co. paid less than one-half that amount on all three of the publications—the Country Gentleman in this calculation being simply thrown in for good measure—it is very evident that if your statements are correct the company owes the Government many millions of dollars.

Under the old rate of 1 cent per pound it was in the interest of the Curtis Co. to have their publications admitted to the mails at as light an estimated weight as possible. For the purposes of your "propaganda" it serves your purpose better to have them appear as heavy as possible in order to make it appear that an enormous burden will be heaped upon them by the new law. This conflict in interest possibly accounts for the discrepancy in your statements.

Still, both of you may possibly be correct. Messrs. Curtis and Collins were speaking of the Saturday Evening Post in 1914, while you were speaking of it in 1918. It has doubtless grown considerably since 1914; but if it has, it is on account of increased advertising matter and not increased reading matter. No number, however, contains less than 50 per cent advertising matter. Mr. Curtis also testified that the standard for reading matter was 32 pages, and that when it ran up to 60, 80, or 90 pages it was due to increased advertising. I quote from his testimony on page 51 of the hearings in 1914 the following:

"And here is another thing about advertising—the amount of advertising. This has been brought out several times. Of course, you see it in the trade papers more than in our publications. We have a standard. The Saturday Evening Post standard is 32 pages for a nickel. We can not afford to give more than that, and you will find most of your numbers, you who buy the publication, that they are running from sixty to eighty-odd—84 and sometimes 90 pages. The way that is done, the advertising comes in that we can not accommodate in 32 pages; every 4 pages costs so much, and if there is advertising enough to cover the cost of 4 pages, we add 4 pages; and if there is enough to cover 8, we add 8, 16, and so on; so that we pass that on to the subscriber, who gets so much more for a nickel. But there is also given so much more reading matter. These people complain so much about the reading matter, and they are under the impression that a certain amount of reading matter has been taken away to make space for advertising, whereas, as a matter of fact, the advertising is simply added."

I merely used the Saturday Evening Post as an illustration. So far as my purpose was concerned, the weight was immaterial so long as the ratio of reading and advertising matter was the same. To consider it a pound would serve my purpose equally well.

The purpose of my illustration was to show that the literary portion of a magazine is now actually delivered to the reader at a less cost in postage than it was under the old law. Magazines average 50 per cent reading and 50 per cent advertising matter. Assuming that the Saturday Evening Post weighed half a pound and that the reading and advertising matter was 50–50, then the subscriber received but one-fourth of a pound of reading matter each week, but it required one-half cent to pay the postage on it, for the reason that there was attached to it and inseparably delivered with it one-fourth pound of advertising matter upon which there was no segregation of the postal charges, and in order to get the one he was required to pay the postage on both, assuming your statement to be correct that he pays the charges on it "from cover to cover."

Under the new law the rates on reading and advertising matter have been separated. The magazine publishers have already raised on the price of advertising space sufficiently to cover the increased postage on the advertising matter. Consequently the reader (or the public for him) has only to pay the postage on the reading matter. While the ultimate rate on the reading matter will be 50 per cent higher than it was under the old law, the volume he pays upon will be reduced 100 per cent, which, in effect, is equivalent to a 50 per cent reduction on the postage rates to each subscriber or reader of a magazine. Therefore, no magazine should increase its subscription price on account of the new postal rates; rather, it should be reduced.

You say that I am very bitter against advertising. You have misunderstood me. I am the friend of the advertiser, and believe that you should perform the service for which he pays you. It is for you to say whether or not you have been loyal to him. You admit that the 282 publications you represented before the Ways and Means Committee last summer were dependent almost exclusively upon advertising, yet you recommended that a heavy flat tax be placed upon advertising, in lieu of the lighter tax placed upon it by the "zone" postal rates.

It was not to the interest of advertisers for such a tax to be laid, and with a little thought it is not difficult to determine your purpose. The kind of a tax you recommended could not have been paid by the local newspapers and would have resulted in giving the publications with a national circulation a complete monopoly in the advertising field, although this monopoly would have been paid for by the advertisers and by the public.

The lowest rate for advertisements in the Saturday Evening Post before the recent raises was $4,500 per page for each issue, or $234,000 a year. A local paper would not get over $200 a year for running such an advertisement. The tax you recommended was to be applied alike upon all publications. A tax of $10 a week upon such an advertisement would be nothing to the Saturday Evening Post, but no local paper could afford to pay it. Then, with the cheap flat postal rate you recommended, the publication of a national circulation could be delivered in every community as cheaply as the local paper.

You insistently contended that the "zone" charges on advertising was a discrimination against your publications, which were of national circulation, and in favor of the papers of local circulation. I will give a few excerpts from your testimony. On page 1348 of the hearings for June 28, 1918, you are reported saying as follows:

"This postal 'zone' law is a slightly disguised discriminatory tax upon advertising. It discriminates against national periodicals and their advertising pages through postal charges and in favor of publications of local circulation, upon whom is laid not one penny of postal charge or advertising tax.

"The periodical publishers do not oppose an advertising tax, but they do demand that under the constitutional right of equal treatment through legislative enactment that if a tax upon advertising is laid it shall be laid equally upon all publications carrying advertising, and not single out, solely for advertising taxation, those periodicals of national circulation and favor those of local circulation by complete exemption."

Then, on page 1352 is the following:

"Mr. MOORE. I did understand you to suggest a tax on advertising?

"Mr. POST. We did suggest a tax on advertising—an equal tax on all advertising, bearing equally on all forms of advertising, and not discriminate against certain publishers.

"Mr. TREADWAY. Be a little more explicit.

"Mr. POST. I shall be glad to if I know what you have in mind.

"Mr. TREADWAY. You say bear equally on all. Do you mean large and small or the big publications of wide circulation?

"Mr. POST. The publications that carry advertising. All advertising carried in publications should be taxed evenly on the amount of advertising they carry—that is, according to the unit. And billboard advertising should be taxed.

"Mr. TREADWAY. Before you touch the billboard. On space or the wideness of the circulation?

"Mr. POST. On space. Well, I tell you it is absolutely immaterial, because the terms are interchangeable. If you lay it on space, I suppose it is more valuable in one way.

"Mr. HAWLEY. Why not gross receipts on advertising?

"Mr. POST. That is one way.

"Mr. TREADWAY. I want to understand what you mean by equal distribution to all.

"Mr. POST. That is what I want. Equal distribution is simply to have it paid equally by all.

"Mr. GARNER. You favor a flat rate instead of the zone rate?

"Mr. POST. Absolutely."

On page 1424 of the hearings for June 29, 1918, appears the following:

"The CHAIRMAN. You think that is a good answer from your standpoint?

"Mr. POST. It is not complete. Now, then, this law puts a tax, or whatever you choose to call it, on periodicals of national circulation and exempts periodicals of local or comparatively small circulation from any impost whatsoever on their advertising pages, and a discrimination comes in in this law in favor of the periodical having a local circulation. If it is attempted to raise the price on advertising, he can offer a given unit of circulation cheaper, and impost free, to advertisers in his publication than can a publication of general circulation if he attempts to pass that advertising charge on to his advertisers. That is the reason that it can not be done."

Near the bottom of the same page in reply to a question of the chairman you are reported as saying:

"Mr. POST. They can if you will tax all classes of advertising, all classes of publications, on the same basis, and not put a discriminatory tax on papers of large circulation in favor of papers of small circulation."

On pages 1897 and 1898 of the hearings of July 12, 1918, the record shows the following:

"Mr. LONGWORTH. Mr. Post, I do not know whether I got the statement correctly. I have just come in. Did you say that the New York Tribune was the only newspaper that advocated the zone system?

"Mr. POST. No; my recollection is that I said it was the only newspaper in New York. That was my statement.

"Mr. LONGWORTH. I did not know how broad your statement was.

"Mr. POST. Oh, no; because I can tell you that there are 15,000 papers of very local circulation which think that the postal-zone law is a grand thing, because it is going to give them discrimination for their own advertisements as against periodicals, and who state that with perfect, absolute frankness. I would like to read that, because it is perfectly naïve.

"Mr. GARNER. Just to be perfectly fair, all of these papers advocating the zone system do not advocate it on that ground.

"Mr. POST. I think that is a fair statement.

"Mr. GARNER. Many of them advocate it on the ground that in fair dealing and justice and equity with the American people no busi-

ness in this country ought to be subsidized; that no business ought to lean on the entire people for its prosperity; and you, by your argument, and these gentlemen this morning, have shown that you are leaning on the Government and the people, because if the Government should collect from you what it costs the Government to furnish these facilities for the transportaion of your publications, you would not be quite so prosperous as you are now."

Practically the whole of page 1899 is along this line, and then on page 1900 is the following:

"Mr. CRISP. I unfortunately did not hear all your former testimony, and you may have answered this question: Assuming that Congress feels like there should be some increase made in second-class postage rates, which would you prefer, a flat rate with a tax on all advertising, or a zone rate, as is now the law?

"Mr. POST. A flat tax of any kind. The objection to the zone rate is that it is a discriminatory rate against periodicals of national circulation, and their advertising pages or columns, in favor of periodicals, weeklies, or dailies of comparatively local circulation who, as this paper from which I have read very plainly indicates, will be able to make a less charge for their advertising or subscriptions for the periodicals they name."

Mr. Neal, the treasurer of your propaganda fund, and who was placed upon the witness stand by you on July 12, even opposed the free-in-county circulation given to the local papers. His language as recorded on page 1860 of the hearings of July 12, 1918, is as follows:

"Mr. NEAL. Of course, you know the Government does carry free county mail at the present time. I do not know the principles upon which that action is based. I assume that it is considered that the country newspapers are of sufficient value to the county residents to make it easy for him to get it in the county. But I have never favored that absolutely free rate, personally. I speak now only in my individual capacity. I believe that a nominal charge should be made, but I believe, also—and in this I am stating the position of my organization—that whatever charge is made should be on a flat-rate basis."

Mr. Neal follows this up on page 1861, and also on page 1871 of the hearings. Mr. Collins, of the Curtis Co., represented by you, also opposed giving the local papers free-in-county mailing privileges. I quote from his testimony before the Committee on Post Offices and Post Roads in February, 1914, on page 63, the following:

"The CHAIRMAN. Right there, while you are on that county-paper business. Do you think that ought not to be free?

"Mr. COLLINS. I think not; no, sir. Mr. Hughes, the chairman of the House committee, stated he did not think it ought to be free, and I think that is quite generally the opinion of the people who have looked into it.

"The CHAIRMAN. That it ought not to be free?

"Mr. COLLINS. That it ought not to be free."

Mr. Collins further criticized the free-in-county to the local papers in his testimony on pages 64 and 65 of the hearings.

This testimony proves conclusively that your real purpose is to put the local papers out of competition with yours in the advertising field, in order that you might fall heir to the whole of it. The periodicals you represent are carried through the mails an average distance of 1,200 miles, while newspapers are carried an average of 255 miles. As this average includes all the big dailies, the average of the country paper would probably be less than 100 miles. Still you demand the right to transport your advertisements from New York to Texas at Government expense for the same flat rate the local Texas papers would pay, in order that you might compete for business that of right should belong to those local papers. Under this system, your publications have been reaping millions, while the local papers are struggling for a bare existence. In this connection it should be borne in mind that those local papers are continually engaged in the upbuilding of their respective communities, and do advertising free of cost, that if carried in your publications would cost thousands of dollars. Your publications do nothing for the improvement of any particular community in which they circulate.

You state that my letter contains so many inaccuracies that it ought to be submitted to the Ways and Means Committee. In reply will say that the manner in which that committee handled your propaganda embraced in the little handbook entitled "Readers' Defense League" shows that its members are most competent to deal with such questions. As the incident seems to be fresh in your memory, it is evident that you have been impressed with the ability of that most important committee.

You are very much mistaken in assuming that Mr. KITCHIN admitted that the postage on the reading matter of magazines would be greater to the people of Texas than of New York and other eastern places. The hearings do not show anything of the kind. You know very well that the reading matter is under a flat rate in the new law, and is the same all over the United States.

Paragraph (4) of your letter contains the following:

"You state in conclusion and as an argument that the present postage charge on schoolbooks and Bibles—under post-office regulations and resulting from the laws passed by Congress itself—is excessive."

Permit me to say in reply that my letter contained no statement to that effect when it passed into your possession. I have not seen it since, and can only take your word as to its present contents. The carbon copy in my possession is silent upon that point. However, under the old law Bibles and schoolbooks were under the "zone" system and given a rate of $160 a ton from New York to San Francisco. At the same time many millions of pounds of advertising matter carried in the periodicals you represent, and consisting principally of such things as advertisements of talcum powder, swan down, tooth paste, cigarettes, and Pears soap, on account of their supposed superior educational value, were given a rate of only $20 per ton.

Not only were those advertisements given that low rate to San Francisco, but after reaching the Golden Gate they were taken for an 8,000-mile sea voyage without additional charge in order that they might take the place of schoolbooks in the education of the young Igorots and used instead of Bibles in the conversion of the inhabitants of the Sulu Archipelago. Under the new law, which you condemn (and for the defeat of which the undisputed evidence before the Ways and Means Committee shows that you expended more than $26,000 on your propaganda), the educational and civilizing value of schoolbooks and Bibles is recognized, and the ultimate rate upon them to the eighth zone will be less than that on advertising matter.

On pages 12 and 13 of the little booklet you sent out you give quotations from President Wilson at the time he was governor of New Jersey. You placed them under the heading: "What President Wilson Thought of the Vicious 'Zone' System." Yet, in all the language quoted, the "zone" system is not mentioned. I find that the principal postal legislation under consideration at the time was the proposed flat increase from 1 to 2 cents per pound, as recommended by the Hughes commission. By placing President Wilson's language under false headlines you doubtless deceived a great many people temporarily.

If President Wilson was opposed to the "zone" system, as you state in the headlines, there is certainly nothing to indicate it in the language quoted. In any event the present "zone" system was not in contemplation at that time. This law puts nothing under the "zone" system except that portion which has been commercialized, and in this respect is entirely different from any other "zone" law ever enacted, and not subject to the criticisms that have been heretofore made of putting reading matter under zone rates.

You stated in your propaganda that Lincoln abolished the "zone" system as applied to second-class mail in 1863. You also repeated this in your letter to me. In your testimony before the Ways and Means Committee last June you labored for half a day in your efforts to show that Washington, Lincoln, and President Wilson were all opposed to the "zone" system. You finally admitted that the only evidence you had as to Mr. Lincoln was the mere fact that he signed the bill abolishing it, which you said was sufficient evidence that he was opposed to it. You were then reminded that President Wilson signed the bill which reestablished it, but you contended that the rule would not work both ways.

Now, all this claim about Washington and Lincoln is really amusing to anyone who will go to the trouble to look up the history of the question. Washington is really the father of the "zone" system for second-class mail. It was established under his administration in 1792, when he signed the first act of Congress that placed magazines and newspapers under a "zone" system of postal charges, in which the then limited area served by mail was divided into two zones—one under, the other over 100 miles. In the act of May 8, 1794, he extended the system, creating a third zone for magazines as contradistinguished from newspapers. By this act he recognized that magazines were not entitled to the same mailing privileges that should be accorded to newspapers, a discrimination against the class of publications you represent, that is not made in the present law, of which you complain.

As to Mr. Lincoln, history fails to show that he ever had anything to do with the question of the "zone" system as applied to second-class mail. There is no record that he either advocated or condemned it, nor did he ever sign any law abolishing it, as claimed by you. The act of 1863, of which you speak, did nothing more with second-class mail than to slightly reduce the rates, that class having been taken out of the "zone" system nine years before Mr. Lincoln was inaugurated. The act of March 3, 1851, seems to be the last law regulating the rates by zones on second-class matter, and these zones were abolished by the act of August 30, 1852, when Mr. Fillmore was President.

Mr. Lincoln's administration was during a period when the most bitter sectional feeling prevailed, and whilst I am from the section where the feeling against him was the most bitter, yet, in behalf of his memory, I respectfully submit that he is not guilty of the act with which you charge him. I am,

Yours, very truly,

J. J. MANSFIELD.

Act of March 4, 1917, Granting Pensions to Certain Texas Volunteers Who Defended the Frontier of Texas.

EXTENSION OF REMARKS

OF

HON. THOMAS L. BLANTON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 20, 1919.

Mr. BLANTON. Mr. Speaker, the act of March 4, 1917, granting pensions, among others, to certain Texas volunteers and surviving widows of such volunteers who defended the frontier of Texas against certain Indian depredations, provides:

That when there is no record of service or payment for same in the War Department or Treasury Department the applicant may establish the service by satisfactory evidence from the muster rolls on file in the several State or Territorial archives.

Unfortunately for Texas, when the State capitol burned a number of years ago some of these particular muster rolls and evidence establishing this service were destroyed by fire. However, such rolls and evidence which survived the fire from time to time during the past eight months have been sent to the Pension Department here in Washington by the adjutant general of Texas for direct inspection.

Commissioner Saltzgaber lately appointed a special committee of experts out of the Pension Department to pass on this evidence, and such committee has filed its report, showing the particular organizations in Texas which come within the provisions of the act of March 4, 1917, and which do not, and the reasons therefor, as follows:

REPORT OF COMMITTEE TO HON. G. M. SALTZGABER, COMMISSIONER, BUREAU OF PENSIONS.

Mr. COMMISSIONER: In compliance with your request of the 31st ultimo, your committee has considered the pensionable status under the act of March 4, 1917, of the surviving officers and enlisted men of the Texas volunteers who served in defense of the frontier of that State against Indian depredations from January 1, 1859, to January 1, 1861, inclusive, and from 1866 to 1877, inclusive, conclusions being based upon examination of the different muster rolls, reports from the Auditor for the War Department, and historical facts gleaned from the old papers accompanying said muster rolls and the history of the State of Texas.

Following will be found a detailed statement of the service of the various organizations, classified by years, with the recommendation of your committee as to the status for pensionable purposes of each organization:

1859 (prior to November 15).

Rangers (four companies) and mounted volunteers (one company).

Capt. W. R. Henry's company rangers. Mustered in June 19, 1859. State not reimbursed by United States. Recommendation: Reject. The only muster roll on file in the State archives relating to this company fails to show the period of service rendered.

Lieut. William N. P. Marlin's company rangers. July 15, 1858, to April 4, 1859. State was not reimbursed by United States. Recommendation: Admit, provided service of 30 days in 1859 is shown.

Capt. John Williams's company rangers. November 2, 1858, to June 16, 1859. State not reimbursed by United States. Recommendation: Withhold action pending determination of character of service in 1859.

Capt. J. S. Ford's second company rangers. November 10, 1858, to May 10, 1859. State was reimbursed by United States. Recommendation: Admit, provided service of 30 days in 1859 is shown. (Pensionable under act of May 30, 1908, also.)

Capt. William G. Tobin's company mounted volunteers. October 18, 1859, to November 3, 1859. State not reimbursed by United States. Recommendation: Reject. Less than 30 days' service.

November, 1859–1860—Cortinas War.

Mounted volunteers (five companies) and rangers (four companies).

Capt. H. W. Berry's company mounted volunteers. November 10, 1859, to December 20, 1859.

First Sergt. A. C. Hill's detachment mounted volunteers. December 30, 1859, to February 1, 1860.

Capt. Andrew Herron's company mounted volunteers. November 18, 1859, to January 1, 1860.

Capt. G. J. Hampton's company mounted volunteers. November 26, 1859, to January 1, 1860.

Capt. Peter Tomlinson's company mounted volunteers. January 2, 1860, to ——.

Lieut. Joseph Walker's company rangers. November 30, 1859, to January 20, 1860.

Capt. Charles Lovenskiold's company rangers (Walker mounted rifles). November 22, 1859, to ——.

Capt. John Donelson's company rangers. November 5, 1859, to December 10, 1859.

Capt. John S. Ford's third company rangers. January 20, 1860, to May 17, 1860.

Recommendation: Reject. Service wholly against Mexican marauders. For history "Cortinas War," see Wooten's History of Texas, volume 2, page 351.

1860.

Minute men (11 companies) and mounted rangers (12 companies).

Lieut. Lon Price's company minute men. March 20, 1860, to June 19, 1860.

Lieut. James H. Brown's company minute men. April 5, 1860, to June 6, 1860.

Lieut. F. B. Gentry's detachment minute men. March 20, 1860, to June 20, 1860.

Lieut. Moses Hughes's company minute men. March 21, 1860, to June 24, 1860.

Lieut. Stephen F. Jones's detachment minute men. March 26, 1860, to August 29, 1860.

Lieut. F. W. Fauntleroy's detachment minute men. March 16, 1860, to —— (90 days' service).

Lieut. W. Charles Lewis's detachment minute men. April 4, 1860, to June 15, 1860.

Lieut. John Scanland's detachment minute men. April 7, 1860, to June 6, 1860. State not reimbursed by United States.

Recommendation: Admit. Rolls show service against Indians.

Lieut. Allison Nelson's company minute men. March 12, 1860, to ——. State not reimbursed by United States. Recommendation: Reject. Only muster roll relating to company on file in State archives fails to show period of service.

Lieut. W. Riley Wood's company minute men. March 5, 1860, to June 4, 1860.

Lieut. John H. Cochran's detachment minute men. March 27, 1860, to May 27, 1860. State not reimbursed by United States.

Recommendation: Withhold action pending determination of character of service.

Capt. Ed. Burleson's company mounted rangers. January 30, 1860, to September 7, 1860.

Capt. William M. Wood's company mounted rangers. April 10, 1860, to October 16, 1860.

Capt. Nicholas H. Darnell's company mounted rangers. April 14, 1860, to August 13, 1860.

Capt. T. J. Johnson's company mounted rangers. April 21, 1860, to November 10, 1860.

There is also a field and staff roll of Col. M. T. Johnson's regiment mounted rangers. March 17, 1860, to January 1, 1861.

State not reimbursed by United States.

Recommendation: Admit. Rolls show service against Indians.

Capt. W. C. Dalrymple's company mounted rangers. January 14, 1860, to October 13, 1860.

Lieut. Robert M. White's company mounted rangers. February 20, 1860, to June 29, 1860.

Capt. John H. Conner's company mounted rangers. January 20, 1860, to May 5, 1860.

Lieut. Robert Ballantyne's company mounted rangers. March 29, 1860, to July 3, 1860.

State not reimbursed by United States.

Recommendation: Withhold action pending determination of character of service.

Capt. L. S. Ross's company mounted rangers. October 17, 1860, to ——.

State not reimbursed by United States. Recommendation: Reject. The only muster roll relating to this company on file in State archives fails to show period of service.

Capt. John Salmon's detachment mounted rangers. April 12, 1860, to May 12, 1860.

Capt. G. S. Fitzhugh's company mounted rangers. 1860.

Lieut. Erasmus Frandtzen's detachment mounted rangers. March 24, 1860, to June 19, 1860.

State not reimbursed by United States.

Recommendation: Reject. No muster rolls relating to above companies on file in State archives.

1865–1866.

Minute men (2 companies).

Capt. L. L. Tackitt's first company minute men. October 20, 1865, to June 22, 1866. (Note.—Auditor reports Ind Sur. 13376, L. L. Tackitt (captain) last paid to include Jan. 23, 1866.)

Capt. John Teague's company minute men. October 13, 1865, to ——. (Note.—Auditor reports company paid for 25 days' service from Oct. 20, 1865, only.)

Recommendation: Reject. Actual service in 1866 for which State was reimbursed by United States was less than 30 days.

August, 1870, to June, 1871.

Frontier forces (14 companies).

Capt. Franklin Jones's Company A. August 25, 1870, to November 11, 1870.

Capt. A. H. Cox's Company B. September 8, 1870, to May 31, 1871.

Capt. John W. Sansom's Company C. August 25, 1870, to May 31, 1871.

Capt. John R. Kelso's Company D. September 10, 1870, to February 2, 1871.

Capt. H. J. Richarz's Company E. September 9, 1870, to June 15, 1871.

Capt. D. P. Baker's Company F. November 5, 1870, to June 15, 1871.

Capt. C. G. Falcon's Company G. October 8, 1870, to December 31, 1870 (Lieut. Heinemann commanding).

Capt. Bland Chamberlain's Company H. November 15, 1870, to February 28, 1871.

Capt. James M. Hunter's Company I (substitute Lieut. W. W. Jones's Company). September 12, 1870, to January 24, 1871.

Capt. Jacob M. Harrell's Company K. September 16, 1870, to February 20, 1871.

Capt. H. R. Von Biberstein's Company L (became Company G, Jan. 1, 1871). October 10, 1870, to May 31, 1871.

Capt. Gregorio Garcia's Company N (became Company D, Mar. 1, 1871). September 1, 1870, to June 15, 1871.

Capt. Peter Kleid's Company O (became Company H, Mar. 1, 1871). October 31, 1870, to May 31, 1871.

Capt. James M. Swisher's Company P. September 6, 1870, to February 6, 1871.

State was reimbursed by United States.

Recommendation: Admit. Force was raised for the protection of the frontier under act of State legislature approved June 13, 1870, "for the purpose of following and chastising any marauding bands of hostile Indians, or for the purpose of carrying out any other measures that may contribute to the better security of the frontier."

January, 1871.

State Guards (one company).

Capt. E. H. Napier's Company H. January 10, 1871, to January 24, 1871. Recommendation: Reject. Less than 30 days' service.

1871 (October and November).

Provisional State Troops (five companies).

Capt. Samuel J. Williams's Company A (detachment). October 9, 1871, to November 13, 1871.

Capt. John D. Wood's Company. October 9, 1871, to November 13, 1871.

Lieut. Joseph C. Fisher's Company C, Third Regiment. October 9, 1871, to November 18, 1871.

State not reimbursed by United States.

Recommendation: Withhold action in these three companies pending determination of character of services rendered.

Capt. James Snowball's Company. October 13, 1871, to October 20, 1871.

Col. A. B. Hall's detachment. October 13, 1871, to October 20, 1871.

State not reimbursed by United States.

Recommendation: Reject. Less than 30 days' service rendered by these two companies.

1872–1874.

Minute men (23 companies).

Company A, Blanco County. 1872–73.
Company B, Wise County. March 2, 1872–October 31, 1873.
Company B, Kendall County. 1872–1874.
Company D, Comanche County. 1872–1874.
Company E, Kerr County. 1872–1874.
Company F, Gillespie County. 1872–1874.
Company G, Brown County. 1872–1874.
Company I, Cooke County. 1872–73.
Company K, Bandera County. 1872–73.
Company L, Coleman County. 1872–1874.
Company M, Lampasas County. 1872–1874.
Company N, San Saba County. 1872–1874.
Company O, Burnet County. 1872–73.
Company P, Parker County. 1872–73.
Company Q, Llano County. 1872–1874.
Company R, Mason County. 1872–1874.
Company S, Jack County. 1872–73.
Company T, Palo Pinto County. 1872–73.
Company U, Montague County. 1872–73.
Company V, Medina County. 1872–73.
Company X, Maverick County. 1872–73.
Company Z, Erath County. 1872–1874.
Jones's company, No. 4, Callahan County. 1873–74.

State was reimbursed by United States.

Recommendation: Admit. Organized under act of State legislature of November 25, 1871, "for the protection of the frontier from the raids of Indians and other marauding parties." (Amended by act of June 2, 1873.)

Note: Nineteen rolls show service against Indians, and while rolls of the other four companies fail to show service against Indians, said companies were raised in counties adjoining those in which Indians shown active.

November, 1873–74.

Rangers (8 companies).

Capt. W. C. McAdams's company. Palo Pinto County Rangers. December 13, 1873, to April 13, 1874.

Capt. W. L. Hunter's company. Parker County Rangers. December 24, 1873, to March 29, 1874.

Capt. G. W. Campbell's company. Montague County Rangers. December 13, 1873, to February 13, 1874.
Capt. M. R. Green's company. Comanche County Rangers. January 17, 1874, to February 17, 1874.
Capt. J. G. Connell's Company C. Brown and San Saba County Rangers. January 6, 1874, to March 6, 1874.
Capt. A. C. Tackitt's company. Young County Rangers. January 6, 1874, to February 14, 1874.
Capt. S. W. Eastin's Company, Jack County Rangers. December 3, 1873, to April 3, 1874.
Capt. G. W. Stevens's Company, Wise County Rangers. November 26, 1873, to March 26, 1874.
State was reimbursed by United States.
Recommendation: Withhold action pending determination of character of service rendered.

September, 1874—(Indianola Expedition.)

Galveston County Troops (two companies).

Capt. Nicholas Weekes's Company Lone Star Rifles Militia. September 21, 1874, to September 27, 1874.
Lieut. J. M. Forshey's Company, Washington Guards. September 21, 1874, to September 27, 1874.
Recommendation: Reject. Service less than 30 days, and not in defense of the frontier against Indian depredations.
(Companies were acting as escort to one "Bill Taylor" to attend trial at Indianola, Tex.)

1874–1878.

Frontier Battalion (six companies).

Company A, May 25, 1874, to February 28, 1878. Commanding officers: Capt. J. R. Waller, May 25, 1874, to October 4, 1874; Lieut. J. W. Millican, October 5, 1874, to December 23, 1874; Lieut. J. T. Wilson, December 23, 1874, to April 30, 1875; Lieut. Ira Long, September 1, 1875, to August 31, 1876; Lieut. J. M. Denton, September 1, 1876, to November 30, 1876; Capt. Neal Coldwell, December 1, 1876, to February 28, 1878.
Company B, May 16, 1874, to February 28, 1878. Commanding officers: Capt. G. W. Stevens, May 16, 1874, to December 26, 1874; Lieut. Ira Long, December 26, 1874, to June 10, 1875; Lieut. G. W. Stevens, June 10, 1875, to September 1, 1875; Lieut. G. H. Hamilton, September 1, 1875, to September 30, 1876; Lieut. G. W. Campbell, October 1, 1876, to February 28, 1878.
Company S, May 5, 1874, to ———, 1878. Commanding officers: Capt. E. F. Ikard, May 5, 1874, to December 29, 1874; Lieut. L. P. Beavert, December 29, 1874, to March 31, 1875; Capt. J. C. Sparks, September 21, 1876, to November 30, 1877; Lieut. G. W. Arrington, November 30, 1877, to ———, 1878.
Company D, May 25, 1874, to February 28, 1878. Commanding officers: Capt. C. R. Perry, May 25, 1874, to December 9, 1874; Lieut. D. W. Roberts, December 9, 1874, to August 31, 1876; Lieut. F. M. Moore, September 1, 1876, to September 23, 1877; Capt. D. W. Roberts, September 29, 1877, to February 28, 1878.
Company E, May 5, 1874, to ——, 1878. Commanding officers: Capt. W. J. Maltby, May 5, 1874, to December 13, 1874; Lieut. B. S. Foster, December 13, 1874, to June 10, 1877; Lieut. N. O. Reynolds, September 1, 1877, to ——, 1878.
Company F, June 4, 1874, to February 28, 1878. Commanding officers: Capt. Neal Coldwell, June 4, 1874, to August 31, 1875; Lieut. Neal Coldwell, August 31, 1875, to August 31, 1876; Lieut. Pat Dolan, September 1, 1876, to ——, 1878.
State was reimbursed by United States.
Recommendation: Admit. Organized under act of State legislature approved June 10, 1874, "For the protection of the frontier of the State of Texas against the invasion of hostile Indians, Mexicans, or other marauding or thieving parties," and the State was reimbursed by the United States for the actual period of service rendered.
Counties in which these companies were organized were not on the Mexican border and, moreover, as a matter of history, were subjected to Indian raids from 1874 to 1877, inclusive. (See Wooten's History of Texas, vol. 1, pp. 739, 740, and 782; also vol. 2, pp. 357 to 359, inclusive.)

1874–1878.

Volunteer Militia, subsequently Special State Troops (two companies).

Capt. L. H. McNelly's Washington County Company Volunteer Militia. ——, 1874, to May 31, 1876. Became Capt. L. H. McNelly's Company Special State Troops July 26, 1876, to January 31, 1877. State was reimbursed by United States.
Recommendation: Reject. Entire service of McNelly's company was rendered against Mexican bandits, cattle thieves, and robbers, as shown by Wooten's History of Texas, volume 2, pages 350, 358, and 359; also by the statements of the following claimants: C. T. Allen, Ind. Sur. 11278; W. F. Alderson, Ind. Sur. 13775; C. M. Littleton, Ind. Sur. 14240.
Lieut. J. Lee Hall's Company Special State Troops. January, 1877, to ——, 1878. State not reimbursed by United States. Recommendation: Reject. Auditor reports State not reimbursed for service of this company, for reason "no evidence of active service in the field."

1877–1878.

El Paso trouble.

Lieut. J. B. Tays's detachment, Company C, Volunteer Battalion. November 10, 1877, to February, 1878. State not reimbursed by United States for service during above period. Recommendation: Reject. Service was not rendered in defense of the frontier against Indian depredations. (See Ex. Doc. 93, 45th Cong., 2d sess., for history of service of this company.)
Where the State has been reimbursed by the United States for the service rendered the period for which the individual was paid, as shown by the records of the office of the Auditor for the War Department, will be accepted as the period of his actual service.
Respectfully submitted.

A. J. WAGSTAFF.
S. A. CUDDY.
CALVIN NEILSON.
E. J. HOY.
E. QUACKENBUSH.

Mr. Speaker, it will be noted that the provisions of this act are not broad enough to include the mounted volunteers and rangers of 1859 and 1860 who served against Mexicans and not Indians; Tackitt's Company of Minute Men, who were paid for more than 30 days' service in 1865—a year not covered by the provisions of the act—but for less than 30 days in 1866; and McNelly's Washington County Company, which served against Mexican bandits, cattle thieves, and robbers, and not against Indians.

I sincerely hope that this Congress will so amend this act as to include the above, and also to permit of parol proof to establish service where the muster rolls have been destroyed by fire.

That portion of the act relating to Texas is as follows:

Be it enacted, etc., That the provisions, limitations, and benefits of an act entitled "An act granting pensions to survivors of the Indian wars"—

And so forth—

be, and the same are hereby, extended from the date of the passage of this act to the surviving officers and enlisted men of the Texas volunteers who served in defense of the frontier of that State against Indian depredations from January 1, 1859, to January 1, 1861, inclusive, and from the year 1866 to the year 1877, inclusive; * * * the campaign against the Kiowas, Comanches, and Cheyennes in Kansas, Colorado, Texas, Indian Territory, and New Mexico in 1874 and 1875; * * * and also to include the surviving widows of said officers and enlisted men who shall have married said survivor prior to the passage of this act: *Provided*, That such widows have not remarried: *Provided further*, That this act shall extend also to the surviving officers and enlisted men of the organization known as Tyler's Rangers, recruited at Black Hawk, Colo., 1864, for services against the Indians: *Provided further*, That if any certain one of the said campaigns did not cover a period of 30 days the provisions of this act shall apply to those who served during the entire period of said campaign: *Provided further*, That where there is no record of enlistment or muster into the service of the United States in any of the wars mentioned in this act, the record of pay by the United States shall be accepted as full and satisfactory proof of such enlistment and service: *And provided further*, That all contracts heretofore made between the beneficiaries under this act and pension attorneys and claim agents are hereby declared null and void.

SEC. 2. That the period of service performed by beneficiaries under this act shall be determined by reports from the records of the War Department, where there is such a record, and by the reports from the records of the Treasury Department showing payment by the United States where there is no record of regular enlistment or muster into the United States military service: *Provided*, That when there is no record of service or payment for same in the War Department or Treasury Department, the applicant may establish the service by satisfactory evidence from the muster rolls on file in the several State or Territorial archives: *And provided further*, That the want of a certificate of discharge shall not deprive any applicant of the benefits of this act.

Consular and Diplomatic Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. GEORGE EDMUND FOSS,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 22, 1919.

Mr. FOSS. Mr. Speaker, I greatly regret that the House did not see fit to adopt the rule making in order that provision in this bill which provides for the purchase or erection of suitable embassies and legation buildings in the principal capitals of the world and consular buildings at the principal ports of China.

Some years ago we entered upon the policy of building such buildings. The distinguished governor of my State, Gov. Lowden, when he was a Member of the House, introduced and was instrumental in securing the passage of an act known as the Lowden Act, which became a law on the 17th of February, 1911, during the short session of the Sixty-first Congress. This bill authorized the Secretary of State to acquire in foreign countries sites and buildings for the use of diplomatic and consular establishments of the United States and to alter, repair, and furnish such buildings. It provided that not to exceed $500,000 shall be expended for these purposes in any one year and that not to exceed $150,000 shall be expended in any one place. Now, this bill passed the House on the 17th day of February, 1911, under a suspension of the rules, which necessitates a two-thirds vote. The vote was more than this, however, the ayes being 141 and the noes 39. While there was a demand for the yeas and nays, yet there were not a sufficient number of Members opposed to it to secure such a vote.

All this clearly indicates that the House was exceedingly favorable at that time toward the establishment of diplomatic and consular buildings, and if it had an opportunity to vote at this time for this provision, after reasonable debate, when all the facts could be brought to the attention of the Members, I feel confident that the provision would carry, because it is a reasonable proposition and in continuation of work already begun. It simply provides that an appropriation of $3,000,000

be expended in the purchase and establishment of embassies in the most important capitals of Europe, with a limitation of $250,000 at each place, but in cities containing a million or more inhabitants the limit of cost shall be $500,000.

This, as it will be seen, modifies the Lowden Act so far as relates to this appropriation of $3,000,000 and allows the establishment of these buildings at an increased cost, inasmuch as it is impossible at a cost of $150,000 at each place to purchase or establish suitable embassies or legations in the principal capitals of Europe. This has been carefully investigated by the State Department, and real estate values have been found to be too high to come within the limitation, which will have to be raised if our country provides its own buildings in the foremost capitals.

Great Britain, France, Italy, Germany, Austria, Spain, and Russia own their embassies in almost all the principal capitals of Europe. Some of the foreign countries, as is well known, have very fine embassies here, and it is the duty of Congress to provide for our ambassadors and ministers in such a way as will comport with the rank and dignity of the country which they represent.

We have been too parsimonious in our appropriations for the Consular and Diplomatic Service. We do not pay our ambassadors enough. We have forced them to pay out most of their salaries in renting suitable residences, which ought to be provided by our own Government. It is safe to say that nearly every ambassador who has gone abroad in recent years has been obliged to spend a great deal more than his salary, and in many cases two or three times as much. It is a singular thing that the salaries of our ambassadors to the countries of Great Britain, France, Germany, and Russia were fixed by law at $17,500 44 years ago by the act of March 3, 1875—copy of which is hereby submitted in a letter addressed to me by the Director of the Consular Service—and has never yet been changed. We have increased the salaries of everybody else that I can recall since them—in some cases more than once. We have increased the salaries of Members of Congress, Federal judges, and Justices of the Supreme Court, the Vice President, and President, but the salaries of our ambassadors to these four great countries remain the same.

No one can afford to take these positions, whatever may be his ability, unless he is a millionaire or a man of large means.

Mr. William J. Bryan, speaking of this condition in our Diplomatic Service, said:

> It is not in harmony with our theory of government to have an important branch of the public service open to rich men only, and that is the case under the present system. No poor man can afford to accept an appointment as an American minister or ambassador to any of the principal countries of Europe, and as the years go by the expenses of the diplomatic residences will become greater as the value of urban property increases. * * * Our Government ought to be in a position to select from the whole citizen body those most competent for the work to be intrusted to them, and it goes without saying that efficiency in public service is not measured by the amount of money which an official has either inherited or accumulated.

Mr. Bryan further says:

> The standing of our Nation abroad demands that our ambassadors and ministers shall live in a style in keeping with our ideas, and extravagance is as offensive as parsimony. By owning its own embassy buildings our Government can regulate the standard of living and entertainment of those who represent it at foreign courts. There is no doubt that our Nation must ultimately come to this plan, and the sooner it adopts it the better.

Mr. Taft, while he was President, in an address which he delivered before the National Board of Trade in 1910, made this statement:

> We boast ourselves a democratic country. We say that there is no place within the gift of the people to which we may not select the most humble inhabitant, providing he be fit to discharge its duty, and yet we have an arrangement which makes it absolutely impossible for anyone but a millionaire to occupy the highest diplomatic posts.
>
> Now, I ask you whether that is consistency; whether it is not the purest kind of demagogy? By demagogy I mean the advancement of an argument which seems to be in favor of democracy, but which, when it actually works out, is in favor of plutocracy.

It should be the immediate duty of Congress to first provide its diplomats and ministers with suitable salaries; and, second, to provide for embassies and legation buildings and consular buildings at important posts.

Diplomacy is just now playing a great and important part in the settlement of the world's condition and advancement, more so than ever before in the history of the human race, and it is exceedingly important that our Government should be generous and liberal enough to maintain our reputation abroad in our Diplomatic and Consular Service upon such a high and dignified plane as will be commensurate with our great interests and our position and influence among the nations.

In conclusion, I desire to call attention to the letter of the Acting Secretary of State to the Secretary of the Treasury, which fully explains our situation:

STATE DEPARTMENT,
Washington, January 3, 1919.

The SECRETARY OF THE TREASURY.

SIR: I have the honor to request that you will transmit to Congress the following item of appropriation:

When the estimates for the appropriation for foreign intercourse for the next fiscal year were being prepared, it was not known how long the war would continue, and thus it did not appear to be of immediate importance to lay before Congress a recommendation in regard to the housing of American diplomatic representatives abroad. Now that an armistice has fortunately been signed and the end of the war is in sight it seems fitting that this subject should be taken up without further delay and consideration be given to the desirability of enhancing the prestige of our diplomatic missions and equipping them for the important work which they will henceforth have to do.

It is well known that for many years the American ambassadors and ministers have been at a wretched disadvantage. Not infrequently there have been no appropriately furnished apartments or houses available. In some capitals it has been impossible to find any apartments or houses, furnished or unfurnished, suitable for the residence of a diplomatic representative. Frequently, if suitable quarters have been found they have been situated in a part of the city remote from the residences of other diplomatic representatives, from the public offices, and from the people with whom close relations must be maintained. Moreover, the finding and fitting and furnishing of suitable quarters has been a great burden both in trouble and expense to the representatives and a great loss to the United States in time that should have been devoted to public duties and the cultivation of proper relations with the people of the countries to which the representatives were accredited. Furthermore, the fact that the diplomatic representatives of other nations have been paid larger salaries and enabled to live in dignified and even luxurious residences owned by their Governments has proved a serious embarrassment to the representatives of the United States who have been denied those advantages and have thus suffered in prestige and effectiveness.

In this relation it may be profitable to consider for a moment the manner in which foreign governments have provided for their representatives in this country not only in regard to houses but also in regard to salaries, for the two are closely related, and at the same time to note the contrast with the provision made by the United States for its representatives.

In addition to paying a salary of $50,000 a year, Great Britain very early acquired for her representative a house which has long been one of the landmarks of the National Capital. It is to be regretted that relatively few of the residents of the British capital would know where to find the American Embassy, so frequently has it been changed from house to house with each new ambassador, and yet one-twentieth of 1 per cent of the value of our exports to the United Kingdom for the year 1917 would enable the United States to acquire a most suitable home for its ambassador in London.

France, with a population of approximately 39,000,000, although she at present owns no home in Washington for her ambassador, pays the full rent of a suitable residence and makes an allowance for entertainment expenses and provides a salary of approximately $35,000 a year; but her sister Republic, the United States, notwithstanding its 110,000,000 of population, and enormous wealth, and exports of more than a billion dollars' worth of merchandise to France in 1917, has been unwilling to pay its ambassador to that Republic more than $17,500 a year and to provide a residence for him in the French capital.

Italy, with only 32,000,000 people, is much more generous than the United States, for she not only provides her ambassador in Washington with a residence but also with expenses for entertainment and a salary of $25,000 besides.

The Republics of Argentina and Chile, with populations of approximately 8,500,000 and 4,000,000, respectively, pay their ambassadors in Washington $22,000 a year and provide residences besides, that of the Argentine ambassador being owned by his Government. The American ambassador in none of the foregoing countries is furnished with a residence or entertainment allowances and the salary is only $17,500 a year. In Japan, however, the United States owns the embassy (as it does in Constantinople), but even there the ambassador, with his salary of $17,500, is not so well provided for as the Japanese ambassador in Washington, who receives in salary and allowances $24,000 a year and expenses of entertainment as well as a house. The population of Japan is 56,860,000.

It will be instructive also to compare the provision made by a few foreign Governments for their ministers in Washington with that made by the United States for its ministers abroad. China has long owned a handsome residence for her minister in this city. The United States also owns its legation building in Peking. But the Chinese minister receives a salary of $20,000 a year with allowances for entertainment while the American minister in Peking is paid only $12,000 a year.

Cuba, with a population of 2,600,000, pays her minister in Washington $21,600 a year and has recently erected a very handsome legation building. The United States now owns a legation in Habana, but it pays its minister only $12,000 a year, with no allowances for entertainment. Norway, Sweden, and Denmark all provide their ministers here with residences, although they are not owned by the Governments, and pay salaries of from $12,000 to $20,000 a year, while the United States makes no provision for residences for its ministers in those countries and pays salaries of only $10,000 per annum.

Thus it will be seen that in respect to salary and residence the American diplomatic representatives are, as a rule, at a serious disadvantage with their foreign colleagues. Not only do they suffer loss of time, effort, and money in procuring residences and offices, but they suffer the more serious loss of prestige and dignity through the lack of fixed residences, which results in frequent changes of location and occasionally in enforced residence in unsuitable places, a condition in sharp contrast with that affecting the representatives of other great nations, who have comfortable homes provided by their Governments.

Congress has long since acknowledged the wisdom of acquiring embassy, legation, and consulate buildings and has made occasional appropriations which have resulted in the acquisition of buildings for the embassy in Turkey, the legations in Cuba and Costa Rica, and also for the consulate general at Shanghai. The Lowden Act of February 17, 1911, authorizing the Secretary of State to acquire such sites and buildings as might be appropriated for by Congress, was intended to provide for the systematic acquisition of buildings for the majority of our missions and consulates, but, unfortunately, no progress has been made under the act, owing to the lack of necessary appropriations. The failure to make appropriations under that act

has in the main been due to the provision limiting the expenditure at any one place to $150,000, a sum under present conditions entirely inadequate for the purchase of embassy or legation or even consular premises at any except the small and relatively unimportant capitals. It would be most unwise to make purchases unless the property so acquired should compare well with that owned by other Governments. It can not be presumed, for example, that the people of this country would approve of the purchase of an American embassy building in Paris for $150,000, knowing at the time that the British Government owns there embassy property valued at $1,500,000; Germany, nearly $700,000; Austria-Hungary, perhaps, $1,000,000; and Italy nearly $400,000.

This subject has now become one of great urgency. The United States has emerged from the war with a new place among the nations, a prestige of which she must in the future be very jealous and a responsibility in international affairs to which she must be deeply sensitive. It is believed that no reasonable effort should be spared to advance the one and insure the wise discharge of the other. Indeed the future of this country and the success of its foreign commerce and shipping make it imperative that our prestige and the effectiveness of our diplomacy be kept at the highest possible standard. It must not be overlooked that where diplomacy is successful commerce grows; where diplomacy is inefficient, American commercial enterprises abroad suffer; that great prestige and diplomatic effectiveness go hand in hand, and that we can not have the one without inevitably acquiring the other.

In order to attain these ends, better acquaintance and understanding is fundamental, and the acquisition of suitable buildings for our embassies and legations would be an important step toward that closer acquaintance and understanding; one that would carry conviction to the people of foreign countries of the genuineness of our proffers of friendship. There could hardly be a more appropriate beginning to the work of reconstruction than the prompt adoption of a comprehensive plan for acquiring suitable residences and offices for the diplomatic and consular representatives of this Government abroad.

It is difficult to believe that the people of the United States wish their ambassador in Paris, for example, to be dependent upon his private fortune for a residence in which to represent them. Nor can one feel that the spirit of the United States will much longer be patient with a policy that makes private fortune more important than ability and culture as a primary qualification of American diplomatic representatives. It is believed that if the people of this country were to express their conviction upon this subject they would be found to be in favor of such appropriate and dignified and yet not lavish housing of their representatives everywhere abroad as would clearly place them upon an equality with their foreign colleagues. Nothing less than this would seem consistent with the aims of the people of this country or with the full protection of their material interests.

I strongly recommend, therefore, that during the present session of Congress there be adopted a definite program for the expenditure of a specified sum annually for the acquisition of embassy and legation buildings at the principal capitals of the world and consulate buildings at the principal ports of the Far East, and that the Secretary of State be given authority to acquire, as soon as may advantageously be done, suitable buildings or options upon appropriate sites not in excess of a total expenditure, during the next fiscal year, of $3,000,000. This amount would at least provide the United States with homes for its diplomatic representatives at the capitals of the principal nations with which it has been associated in the war, and would prove not only highly advantageous to American prestige in those capitals, but also a delicate compliment to the nations as well. The amount mentioned would also make possible the acquisition of buildings for the consulates at Canton and perhaps Hankow, China, which are most essential from the standpoint of our present and prospective commercial interests and which, if not procured very soon, will be impossible to obtain at any price. I venture further to suggest that the Lowden Act be so revised that the limitations upon the amount to be expended at any one place may be very considerably raised, or eliminated altogether, in order that the act may be adapted to existing conditions and made to serve the best interests of the country by making possible the acquisition of premises comparing favorably with those owned by other great nations.

I have the honor to be, sir,
Your obedient servant,

FRANK L. POLK,
Acting Secretary of State.

DEPARTMENT OF STATE,
THE DIRECTOR OF THE CONSULAR SERVICE,
Washington, January 21, 1919.

The Hon. GEORGE EDMUND FOSS,
House of Representatives.

MY DEAR MR. FOSS: If you will consult the Revised Statutes of the United States, second edition, 1878, page 293, you will find that section 1675, Revised Statutes, reads, in part, as follows:

"Ambassadors and envoys extraordinary and ministers plenipotentiary shall be entitled to compensation at the rates following, per annum, namely:

"Those to France, Germany, Great Britain, and Russia, each, $17,500.

"Those to Austria, Brazil, China, Italy, Japan, Mexico, and Spain, each, $12,000.

"Those to all other countries, unless where a different compensation is prescribed by law, each, $10,000. * * *."

This section was amended so as to read as above given by the act of March 3, 1875 (18 Stat. L., p. 483).

The Diplomatic and Consular appropriation act of March 1, 1893 (27 Stat L., p. 491), provided that "whenever the President shall be advised that any foreign government is represented, or is about to be represented, in the United States by an ambassador, envoy extraordinary, minister plenipotentiary, minister resident, special envoy, or chargé d'affaires, he is authorized, in his discretion, to direct that the representative of the United States to such government shall bear the same designation. This provision shall in no wise affect the duties, powers, or salary of such representative."

Thereafter, on March 30, 1893, Thomas F. Bayard was appointed ambassador to Great Britain. On April 8, 1893, James B. Eustis, then minister to France, was raised to the rank of ambassador. On September 14, 1893, Theodore Runyon, then minister to Germany, was raised to the rank of ambassador.

On February 11, 1898, our representative to Russia was raised to the rank of ambassador; the one to Mexico was raised to the rank of ambassador on December 8, 1898; the one to Austria-Hungary on May 27, 1902; the one to Italy on October 20, 1903; the one to Brazil on January 13, 1905; and the one to Japan on January 25, 1906.

The Diplomatic and Consular act of March 2, 1909, provides:

"And hereafter no new ambassadorship shall be created unless the same shall be provided for by an act of Congress" (35 Stat. L., p. 672).

Thereafter the act of September 4, 1913 (38 Stat. L., p. 110), authorized the appointment of an ambassador to Spain and fixed his compensation at $17,500. The appointment was made September 15, 1913.

The act of May 6, 1914 (38 Stat. L., p. 378), authorized the appointment of an ambassador to Argentina and Chile and fixed the compensation at $17,500 each.

Very sincerely, yours, WILBUR J. CARR.

EXTENSION OF REMARKS

OF

HON. JAMES A. GALLIVAN,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 25, 1919.

Mr. GALLIVAN. Mr. Speaker, if there be any fear in the minds of any Members that the proposal in this bill (H. R. 13879) granting a pension of $5,000 per annum to Edith Carow Roosevelt, widow of the late Col. Theodore Roosevelt, is unusual, may I say to the House that it is according to precedent? It has been the custom of Congress ever since the early days of the Republic to honor the memory of departed Presidents by according some substantial recognition to their widows. It is true that the precedents themselves have been singularly varied. Martha Washington lived some two years after the death of her husband, and it does not appear to be of record that a pension was voted in her behalf. However that may be, Congress granted her the privilege of sending her letters without the payment of postage, and that privilege was established in such a manner that succeeding widows have been granted it without question, whether a pension was added or not. It is not easy to glean from the records whether any of the widows ever asked a pension of Congress. It is to be presumed that they did not, but that friends did so in their behalf, whether or not with their knowledge and consent.

I desire to say to the House that the widow of Col. Roosevelt had no knowledge of the introduction of this bill until it appeared in the newspapers of the country. In presenting it I simply followed precedent, and I would like to place before Congress a short story of what has been done in other cases in bygone days.

Louise Catherine Adams, widow of John Quincy Adams, received no pension, but was granted the franking privilege, and the same is true of Dolly Madison, thus following the precedent established in the case of Martha Washington. In these cases the husband had left the Presidency before his death. But William H. Harrison died in office only 31 days after his inauguration, and Congress voted Mrs. Harrison $25,000, representing the President's salary for the current year. A straight pension to the widow was voted first for Mrs. Julia Gardner Tyler in the sum of $5,000, which sum has not been varied since, although not all Presidents' widows have received it. Margaret S., the widow of Zachary Taylor, received only the franking privilege, and then $5,000 was voted as a pension to Sarah Childress Polk, whose husband had succeeded John Tyler in the presidential office. Abraham Lincoln was assassinated while President, and his widow, Mary Todd Lincoln, was voted his year's salary of $25,000, as Mrs. Harrison had been, less any drafts made upon his salary by Mr. Lincoln before his death. In addition, Mrs. Lincoln was voted a pension of $5,000 a year and the franking privilege, the whole representing the largest sum voted to the widow of any President up to that time.

U. S. Grant lived many years after he left the Presidency, but upon his death Julia Dent Grant received $5,000 a year and the franking privilege, which now had come to be regarded as the established allowance for a President's widow. Between the time of Grant and the death of the next President in office the salary of the President had been increased to $50,000 a year, and when James A. Garfield was assassinated and died in 1882 Congress voted Mrs. Lucretia R. Garfield that sum in addition to the usual pension of $5,000 and the franking privilege. Ida S. McKinley, the widow of the third President assassinated in office, received only $5,000 a year and the franking privilege until her death, and she was entitled also to draw the balance of the President's salary from the death of Mr. McKinley in September, 1901, for the remainder of the fiscal year. Pension bills for Mrs. Benjamin Harrison and Mrs. Grover Cleveland were passed by the Senate, but objection to their passage was raised in the House, and, I understand, the bills were withdrawn,

but both widows were allowed free postage. The point was raised at one time that the marriage of Mrs. Cleveland to Prof. Preston in 1912 invalidated her franking privilege, but an examination of the law showed that she was entitled to it until the end of her natural life. The widows of two Vice Presidents also have received money grants from Congress. Mrs. Henry Wilson was voted the Vice President's salary of $10,000, her husband having died in office in 1875, and Mrs. Thomas A. Hendricks received a balance of $8,750 and mileage and stationery allowances to which her husband would have been entitled for one year.

I desire to call the attention of the House to the letter of Hon. Franklin K. Lane, Secretary of the Interior, to whom this bill was referred by the Committee on Pensions. Secretary Lane not only refers to the precedents in matters of this character, but gives excellent reasons why the House should pass this bill:

DEPARTMENT OF THE INTERIOR,
Washington, January 20, 1919.

MY DEAR MR. KEY: I have your letter of January 14, submitting for my consideration H. R. 13879, in which it is proposed to provide a pension of $5,000 per annum for Mrs. Edith Carow Roosevelt and asking that the committee be informed as to "what widows of ex-Presidents of the United States have been allowed pension by means of a special act of Congress and the amounts of the pension in each instance." I find that it has been the pleasure of Congress to provide a pension of $5,000 per year for—

Sarah Childress Polk, widow of James K. Polk.
Julia Gardner Tyler, widow of John Tyler.
Mary Lincoln, widow of Abraham Lincoln.
Julia Dent Grant, widow of U. S. Grant.
Lucretia R. Garfield, widow of James A. Garfield.
Ida S. McKinley, widow of William McKinley.

Your letter also suggests that I am at liberty to make other comment than a mere formal report upon the proposed bill. I would gladly avail myself of such an opportunity if I thought that any word that I could say would add to the strength of the sentiment that urges the passage of this measure. The impress that Theodore Roosevelt's personality has made upon the world does not, however, need emphasis. Whatever his fame as a statesman, it can never outrun his fame as a man. However widely men may differ from him in matters of national policy, this thing men in their hearts would all wish, that their sons might have within them the spirit, the will, the strength, the manliness, the Americanism of Roosevelt. He was made of that rugged and heroic stuff with which legend delights to play. The Idylls and the Sagas and the Iliads have been woven about men of his mold. We may surely expect to see developed a Roosevelt legend, a body of tales that will exalt the physical power and endurance of the man and the boldness of his spirit, his robust capacity for blunt speech, and his hearty comradeship, his live interest in all things living—these will make our boys for the long future proud that they are of his race and his country. And no surer fame than this can come to any man—to live in the hearts of the boys of his land as one whose doings and sayings they would wish to make their own.

Cordially, yours,

FRANKLIN K. LANE.

Hon. JOHN A. KEY,
Chairman Committee on Pensions, House of Representatives.

EXTENSION OF REMARKS
OF
HON. ANDREW J. MONTAGUE,
OF VIRGINIA,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, January 28, 1919.

Mr. MONTAGUE. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include a letter of Chief Justice Taney under date of February 16, 1863, known as his remonstrance against the imposition of an income tax upon judicial salaries, and also the opinion of Attorney General Hoar in relation to the same. I do this for the benefit of confrères of the House and the few lurking lovers of the Constitution throughout the country.

The matter referred to above is as follows:

[Supreme Court of the United States. Extract from the minutes of Tuesday, March 10, 1863.]

ORDER OF COURT.

Ordered, upon the request of the Chief Justice, that the following letter from him to the Secretary of the Treasury be entered on the records of the court:

WASHINGTON, *February 16, 1863.*

SIR: I find that the act of Congress of the last session (July 1, 1862) imposing a tax of 3 per cent on the salaries of all officers in the employment of the United States has been construed in your department to embrace judicial officers, and the amount of the tax has been deducted from the salaries of the judges.

The first section of the third article of the Constitution provides that "the judicial power of the United States shall be vested in one Supreme Court and such inferior courts as Congress may from time to time ordain and establish. The judges of both the Supreme and inferior courts shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office."

The act in question, as you interpret it, diminishes the compensation of every judge 3 per cent, and if it can be diminished to that extent by the name of a tax it may in the same way be reduced from time to time at the pleasure of the legislature.

The judiciary is one of the three great departments of the Government created and established by the Constitution. Its duties and powers are specifically set forth, and are of a character that requires it to be perfectly independent of the two other departments, and in order to place it beyond the reach and above even the suspicion of any such influence the power to reduce their compensation is expressly withheld from Congress and excepted from their powers of legislation.

Language could not be more plain than that used in the Constitution. It is, moreover, one of its most important and essential provisions. For the articles which limit the powers of the legislative and executive branches of the Government and those which provide safeguards for the protection of the citizen in his person and property would be of little value without a judiciary to uphold and maintain them which was free from every influence, direct or indirect, that might by possibility in times of political excitement warp their judgments.

Upon these grounds I regard an act of Congress retaining in the Treasury a portion of the compensation of the judges as unconstitutional and void; and I should not have troubled you with this letter if there was any mode by which the question could be decided in a judicial proceeding. But all of the judges of the courts of the United States have an interest in the question, and could not therefore with propriety undertake to hear and decide it.

I am, however, not willing to leave it to be inferred from my silence that I admit the right of the Legislature to diminish in this or in any other mode the compensation of the judges when once fixed by law; and my silence would naturally, perhaps necessarily, be looked upon as acquiescence on my part in the power claimed and exercised under this act of Congress, and would be regarded as a precedent, establishing the principle that the Legislature may at its pleasure regulate the salaries of the judges of the courts of the United States, and may reduce their compensation whenever Congress may think proper.

Having been honored with the highest judicial station under the Constitution, I feel it to be more especially my duty to uphold and maintain the constitutional rights of that department of the Government, and not by any act or word of mine leave it to be supposed that I acquiesce in a measure that displaces it from the independent position assigned to it by the statesmen who framed the Constitution, and in order to guard against any such inference, I present to you this respectful, but firm and decided remonstrance against the authority you have exercised under this act of Congress and request you to place this protest upon the public files of your office as the evidence that I have done everything in my power to preserve and maintain the judicial department in the position and rank in the Government which the Constitution has assigned to it.

I am, sir,
Very respectfully, yours, R. B. TANEY.

Hon. S. P. CHASE,
Secretary of the Treasury.

ATTORNEY GENERAL'S OFFICE,
October 23, 1869.

SIR: Your letter of September 30, 1869, has been received, asking my opinion upon the question "whether the law is constitutional which imposes a tax upon the salary of the President of the United States and upon the judges of the Supreme Court."

I find no law which in express terms imposes a tax upon the salary of either of those officers. But as several of the statutes which provide for the assessment and collection of internal revenue contain provision for taxing the salaries of all civil officers of the United States, and thus include in their literal application the salaries of the President and of the judges of the Supreme Court of the United States, the question may perhaps be stated in this form: Are those statutes to be construed as authorizing the imposition of a tax upon the salaries of the officers in question?

The first section of the second article of the Constitution of the United States contains this provision: "The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected." The first section of the third article contains the provision that "The judges both of the supreme and inferior courts shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office."

A specific tax by the United States upon the salary of an officer, to be deducted from the amount which otherwise would by law be payable as such salary, is, in my opinion, a diminution of the compensation to be paid to him, which, in the case of the President and the judges, would be prohibited by the Constitution of the United States, if the act of Congress levying the tax were passed during the official term of the President or of the judges, respectively, concerning whom the question should arise.

It was held in the case of Dobbins *v.* The Commissioners of Erie County (16 Pet., 435) that the compensation of an officer of the United States, fixed by a law of Congress, was not subject to taxation under State authority, because the effect of such a tax would be to diminish the compensation which the officer was by law entitled to receive. Such a tax was held to interfere with the provision made by the United States for the due execution of the powers and functions of the National Government by means of officers which it appointed and paid. In the case of The Pacific Insurance Company *v.* Soule (7 Wall., 434) it was decided that an income tax was an excise or duty imposed by a statute of the United States relating to internal revenue.

Congress, being prohibited by the Constitution from diminishing the salaries to be paid to the judges of the Supreme Court and the President during their respective terms of office, can no more do it by levying an excise or duty upon those salaries and deducting the amount thereof from them than could a State from that of an officer of the United States under the doctrine of the case in 16 Peters' Reports. The tax directly operates as a diminution of the compensation of the officer.

I am therefore of opinion that no income tax could be lawfully assessed and collected upon the salaries of the President or any of the judges who were in office at the time the statute imposing the tax was passed. In regard to the salary of a subsequent President, or judges subsequently appointed, the constitutional objection would not arise, if it were clearly the intention of the Legislature that the tax should be imposed upon these officers whenever, by new appointments or a new election, there would be no constitutional difficulty in the application of a previously existing law. But I am of opinion that this would not

be the safe and just rule of construction. Statutes imposing taxes are in their nature temporary, and subject to frequent modification and repeal. When Congress imposes a tax upon the salaries of all civil officers, the language, although general, must necessarily be construed to mean all civil officers except those whom Congress has not the constitutional power to subject to such a tax.

As the language of the statute could have no application to the President and judges holding their offices at the time it was passed, there would seem to be sufficient reason for holding that there was no intention that it should apply to those officers. If it were supposed applicable to the salary of the President, the singular result would follow in his case that, as the Constitution prohibits the increase as well as the diminution of his salary during his term of office, if at the time when his official term commenced his salary was subject to a deduction in the nature of a tax it would not be competent for Congress during his term of office, by any repeal or diminution of the tax, to increase the amount paid to him. So that if the law imposing an income tax were repealed, the President alone, of all the citizens of the country, would continue liable for its payment during the term for which it had been originally imposed, if his official term so long continued. And in the case of the judges, as the amount of income tax laid upon salary should be varied from time to time, one judge might be *liable only to* the amount of part of the income tax which the law imposed on salaries generally, and different members of the same court would be receiving different rates of compensation.

I think it a more reasonable view that the class of officers over which Congress has not this taxing power by the Constitution should not be held to be embraced within the general phrase, "all salaries of civil officers," and have therefore come to the conclusion that the just construction of the law does not require or permit any deduction of an income tax from the salaries of the President or the justices of the Supreme Court.

Very respectfully, your obedient servant,

E. R. HOAR.

Hon. GEO. S. BOUTWELL,
Secretary of the Treasury.

"Civil War Pension Laws in Their Enforcement are Unjust to Some, Just to Others, and, Possibly, too Liberal to a Few.
"They Should be Made to Harmonize and be Enforced Impartially."

EXTENSION OF REMARKS
OF
HON. DAVID A. HOLLINGSWORTH,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 25, 1919,

On the bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. HOLLINGSWORTH. Mr. Speaker, I have listened attentively to the remarks of the gentleman from Illinois [Mr. KING] relative to a rule of the Invalid Pensions Committee which he claims bars before the committee any member of a soldiers' or sailors' home from receiving relief through consideration by the committee of special bills. I do not think the rule quite as broad and arbitrary as he states, but as enforced it amounts to the same thing.

The illustration he gives, of a blind soldier in the soldiers' home at Quincy, Ill., with no friends, no home, nobody on earth to take care of him, and yet denied any special relief at the hands of this committee, seems harsh and unjust, and I quite approve of the gentleman's remarks.

I have myself in mind a somewhat similar case in the soldiers' home at Dayton, Ohio. A soldier constituent of mine, member of this home, sent me word that he longed for the unrestrained freedom of the outside, and that if I could procure him a special pension of $30 per month he would be glad to leave the home and could manage to subsist on this amount. I immediately introduced a bill, not thinking the rule mentioned quite as arbitrary as it seems to be, but, notwithstanding I am a member of the committee, that bill, introduced in January, 1917, still sleeps in the committee files awaiting, with hundreds of others not quite up to the committee standards, the usual biennial 4th of March burial of legislative hopes.

I am not disposed to complain of the committee in any way; they are all true friends of Civil War veterans; but the law itself is at fault in a number of respects, as I shall try to point out, with permission of the House.

I also listened, but with regret, to the remarkable statement of my colleague from Ohio [Mr. KEARNS] to the effect that a pension bill of $12 per month granted by Congress to a helpless child of a deceased soldier had been denied payment by the Commissioner of Pensions, alleging as the only reason that the child was in the county infirmary at the time the bill was finally passed.

My colleague's statement, although startling to me, is in such positive form that no room for doubt is left, and yet I sincerely hope that upon further inquiry and investigation he may himself discover some other reason for this blunt refusal of the Pension Commissioner to carry out a solemnly enacted law of Congress even if it be of minor importance in dollars and cents. It seems too cruel to contemplate.

I have known Commissioner Saltzgaber for many years, and my estimate of him has always been that of a high-toned, high-class gentleman in every respect, incapable of intentionally doing a wrong to anyone, much less to a helpless child of one of his comrades, for he himself was a worthy, brave, Union soldier.

I have known him intimately as an official, served with him in the Ohio Senate, and have had much business with his office here in Washington, and, although on opposite sides in politics, I have never had the slightest cause to complain of his official actions or doubt his official integrity. I may of course be mistaken, but I feel sure if the facts stated by my colleague be presented by him personally to the commissioner, and fully explained as they are here claimed to be, Mr. Saltzgaber will not hesitate for a moment to order payment of that helpless child's pension whether she be in or out of the county infirmary.

I regard the present pension laws in their enforcement as unjust to some, just perhaps to others, and possibly too liberal to a few, and as this may be the last pension bill of this character reported by this committee at this session of Congress now rapidly nearing its close, with big war problems, or rather peace problems, yet to be solved, I desire to submit during the consideration of this bill a few additional thoughts on the general subject of Civil War pensions. The pending bill, although intended by the committee, of which I am a member, to be a generous one, is not perfect; no one claims that it is. It does not provide adequate support even for the few needy survivors mentioned, their widows and orphans, as contemplated in the implied promise of the Government at the time of enlistment. The Government, in my judgment, occupies a contractual relation toward the soldiers of the Civil War and their dependents as binding as if entered into with all the legislative formalities of the war-risk insurance law for the protection and relief of the soldiers of the present war and their dependents; as binding in fact as the war bonds of the Government issued at the time.

Although heartily supporting this bill, as I have every pension bill or soldiers' relief measure reported from any of the House committees since I have been a Member of Congress, and have myself introduced and had passed scores of special bills, aggregating nearly 200, for the relief of those needing more help than can be obtained under the general pension laws, I can not say that I am in entire accord with the present laws on the subject or the present method of granting relief by special acts which are liable to give one soldier a preference over another of equal merit.

I also dissent wholly from the theory of charity in connection with relief bills for soldiers of the Civil War or for their dependents. Adequate support for them, at least enough to keep the wolf from their doors, is as much a business obligation of the Government as is its duty to make prompt payments on the insurance policies issued during the present war or on any other contract obligation of the Government.

Veiled suggestions of charity made on the floor of the House whenever pension legislation is up for consideration, and even by well-meaning citizens throughout the country who are of a later generation and can not personally realize Civil War conditions, are unwarranted except on the theory of almsgiving generosity the acceptance of which is objectionable to many sensitive minds. They overlook the fundamental pact of the Government with its volunteer soldiers.

I have no patience with those who undertake to differentiate between the word "compensation" for the unfortunate victims of the present war and the payment of "pensions" to like unfortunates of the Civil War.

It is a matter of tweedledee and tweedledum. Charity is not an element in either. Debt and credit are the only elements of accounting as between the Government and its citizen defenders in either war. Patriotic and sentimental considerations are not matters of accounting.

When the tocsin of civil war sounded in the sixties and the life of the Republic was seen to be in peril the Government at Washington hastily called for volunteers to defend it. Conscription, or selective drafting as it is now sugar-coatedly called, was not then thought of except as a last resort, if it should appear that American citizenship faltered or showed an unwillingness to voluntarily come forward in defense of home and country. It seemed then, as it does yet to some, contrary to republican ideals, foreign to our democratic form of government.

Accordingly recruiting officers duly accredited were sent out by the Government among the people calling for volunteers, and

by speech and through the press the promise was proclaimed deliberately and urged as an assurance of the Government to induce volunteering that any citizen thus entering the Army, and his widow and children in case of his death or misfortune, should always be objects of care and solicitude on the part of the Government, and come what might, either during or after the war, they should never be permitted to suffer the pangs of hunger or want. Poor and needy soldiers and their families to this extent were made contingent wards of the Republic by an implied contract as sacred and binding as any obligation ever entered into by human authority. Volunteers with this assurance and without other formality patriotically rushed to the colors, feeling that they and their families were protected against the uncertain contingencies and casualties of the future, not that they expected to be paid specific amounts, as provided in the insurance policies issued to the soldiers of the present war, but simply a solemn though unwritten guaranty on the part of the Government that they and their loved ones should never be permitted to suffer want.

Thus was the Union Army recruited and volunteer soldiers accepted by the Government. Over 2,000,000 of splendidly equipped young men, the flower of the northland, with no other assurance or guaranty, went forth to battle against foemen known, as they proved to be, worthy of their steel.

Victory finally crowned their efforts, after four years of terrific fighting. It was so complete that victor and vanquished at once accepted results, and the white flag at Appomattox proved a signal for speedy disbandment of both armies and their return to the peaceful avocations of civil life, without any need of peace conferences to settle terms or exploit leaders, as is now being done at Versailles.

The intervening years have healed all wounds and to-day we are a united, happy people, in spirit and in fact, welded together by tender ties and common interests found in the hearts of a brave, just people, and, as applied to the sovereign States of a glorious Union, welding them together more indestructibly than is possible by any of the theoretic, bayonet-pinning-together league projects for universal world peace now visualizing at Versailles. The debts and obligations of the Government growing out of the Civil War, even the high interest-bearing bonds discounted and sold to provide for war emergencies, have all been paid or canceled, saving only this one implied obligation of the Government to its needy volupteer soldiers and their dependents, making such special relief bills as we are now considering a necessity of governmental good faith. The general pension laws are admittedly inadequate to cover all cases. They are also so hedged about by technicalities, red tape, and unjust limitations like the requirement of 90 days' service, slight absences from duty without formal leaves, and other boyish delinquencies, trivial in their nature, but which have for over a half century barred many worthy soldiers from needed relief, from absolute rights which were guaranteed to them by this implied obligation of the Government they volunteered to serve.

Statistics are not at hand to show the exact number of unfortunate volunteer soldiers, their widows and orphans, thus barred by legislative limitations, but they certainly aggregate many thousands. Modest, needy heroes, some of them, like two whom I shall hereafter refer to as examples, with years of hard military service for the Government to their credit, compelled to struggle on in life against adversity, and, worst of all, against the stings of ingratitude and neglect shown them by the Government they served.

This ought not to be. It is rank repudiation, under the guise of law, of a solemn, though unwritten, obligation of the greatest and believed to be the most just and considerate Government on earth, and, worse yet, an obligation incurred in an hour of peril, when it was loudly calling for volunteers to defend its very existence.

The end approached. Soon this chapter of ingratitude will have been written and relief bills in Congress will be powerless to bring them even partial justice. An unsavory memory of discrimination, of mixed generosity for some and wrongful neglect and violated faith for others, will mar forever the fair perspective of the Republic unless Congress acts promptly while it can and removes the shadows of injustice now resting upon our national escutcheon. The memory of one unjust act by the Government toward one of its defenders can not be wiped out by a thousand generous deeds for others. It lingers and rankles in the minds of a just people and mars the pages of history after the victim is forgotten. Like truth, it can not be crushed; like Banquo's ghost, it rises continually to condemn.

I know it is said, and truthfully, that many well-to-do survivors of the Civil War are drawing pensions under the present law who can not properly be classed as needy. Charges of commercializing patriotism have frequently been made against them on the floor of the House during the consideration of pension bills for no other offense than accepting in good faith such benefits as the Government has voluntarily granted to them by solemn acts of Congress, with the passage of which they had nothing to do. Shafts of obloquy hurled against citizen soldiers who in the hour of their country's peril voluntarily went to its rescue are sure to react in the public mind and generally reveal under the searchlight rays of truth mere jealousy or envy of those who won distinction in defense of home and country. Such critics are growing fewer and fewer, vanishing like the number of old soldiers whom they would defame. They are unworthy the respect of law-respecting citizens. They are of the Bolsheviki type.

I have never felt any inclination to criticize or find fault with any citizen for obeying the laws of his country, duly enacted. If the Government awards him a pension, it is his right. At the worst its acceptance is a matter of taste.

Special pension bills, such as we now have under consideration, are different. A rigid rule of the committee bars the rich and well to do.

Rule 2 reads:

> The committee will not give consideration to any bill for pension or increase of pension unless the testimony and information submitted with the bill clearly shows that the claimant is now in such physical or mental condition as to be entirely unfitted for self-support and in destitute circumstances.

Everyone who is to receive a benefit under the pending bill has been shown by evidence to come within this rule. He has been shown to be needy and deserving; coming, in fact, under the implied contract the Government made with him at the time of enlistment.

Nor have I any criticism, Mr. Speaker, much less fault to find, with the few remaining survivers of that great Volunteer Army of the Union who still cling to and strictly act upon the original pension theory and implied promise of the Government under which they entered the service of their country in the dark days of the sixties, and which promise they understood to be a part of their contract of enlistment and which, stated briefly, was a simple guaranty to them that, come what might, they and those dependent upon them should never suffer want.

Fortunate, more or less, financially and in fair health, considering their ages, with honorable discharges showing them entitled to pensions if they desire under existing laws, the names of these patriotic, strict constructionists do not appear on the pension rolls. Apparently they prefer, so long as they are able, to eat their own bread in the sweat of their own brows. Perhaps it is more of a sentiment than otherwise, but still it gives luminous emphasis to the poet's inspiration about the "glorious privilege of being independent."

At any rate, it is their business, and their unselfish acts and modesty should, as it does, give them immunity from criticism.

I confess to a little tenderness myself along this same line, and am thankful that the wolf has not yet entered my doorway. But, Mr. Speaker, I fain would say a word for those, numbering thousands, who in dire distress are denied relief because of technical barriers unthought of and not provided for at the time this implied promise was made and volunteers were accepted by the Government. Such exceptions were not reserved in the original pact of enlistment.

What right has the Government, as it does, to say to an honorably discharged soldier who served faithfully for 89 days and now in need, "Step aside; you are not entitled to any consideration from the Government," and at the same time say to the one who served 90 days, perhaps in good health and well to do financially, "Step up to the counter; here is your pension," without regard to health, wealth, or need, at $30 per month and up? What right has it to treat the widows and orphans of the same soldiers in the same way?

It is a hideous discrimination, and yet it is the law of this blessed Republic. Again, a youthful soldier at home on sick leave recovers and instead of returning to the company he belongs to goes, with some of his chums perhaps, into another regiment and serves faithfully under this last enlistment until the end of the war and is honorably discharged with his regiment. From first to last he has been a faithful soldier; at the worst his changing regiments without red-tape approval was only a boyish indiscretion. The Government got the full benefit of his young manhood as a soldier, and yet, when pension day comes, his years of faithful service do not count; he is bruskly told to step aside because he neglected to get a discharge from his first and minor enlistment. But the 90-day boy has no worries about his pension, whether or not he did any of the fighting.

Is it right? Accidental overstaying of a furlough for a few days, or, possibly, caused by sickness unexplained because of his regiment being mustered out during his absence, has left against many really good soldiers the dark mark of desertion,

placed on the record by a careless sergeant or other subordinate of his company, who might easily at the time have learned and recorded the facts, a blot to remain forever more terrible to a true soldier than any possible loss of pension rating. It is worse than the "scarlet-letter" mark to a sensitive mind.

Is it right? No; and congressional committees can not, in my judgment, be too liberal in granting special relief measures.

Other instances of discrimination and wrong to worthy soldiers might be mentioned, but I forbear.

It is now, Mr. Speaker, over 50 years since Fort Sumter was fired upon; a jubilee year, with welcome for all those who fought on the other side, has long ago been signalized by this great, wealthy, and powerful Government; another war is upon us and billions of the Nation's wealth are being lavishly and properly expended for the comfort of our new armies in the field and those coming home since the signing of the armistice, and in making much-needed billion-dollar loans to the allied Governments, including a most remarkable gratuity of one hundred millions to a greedy lot of unidentified and unclassified non-English speaking foreigners, wholly without sympathy or appreciation for American ideals, and yet there are thousands in our own land who fought on the Union side in the long ago faithfully and well now in poverty and need, but denied any assistance by the Government and are thus compelled to eke out existence as best they can with the great Republic they served apparently indifferent. They are denied relief only because of such trivial technicalities as I have mentioned.

Is it right? Is their jubilee year never coming?

In my judgment every surviving Union soldier who, accepting the recruiting promises and assurances of recruiting officers, enlisted and served his Government and country, if now in actual need of assistance for the support of himself and family, should be granted a pension by the Government adequate to make good such promise, unless he has been dishonorably dismissed from the service or can be found guilty by regular court-martial proceedings of moral turpitude during the war or cowardice in battle.

It is not a charity; it is a contractual right due him under his contract of enlistment.

And on the trial of such question, especially at this late day, where there is doubt, the just legal maxim, old as the ages, should govern—that is, that it is better that many guilty escape rather than one innocent person be made to suffer.

But I promised to give concrete details of two cases illustrating the hapless condition of many worthy survivors whose actual military service was brave and heroic. I shall do this without indulging in any imaginary war stories. I quote only from official Army records and reports made to this House after full investigations by the Military Committee:

[House Report No. 537, Sixty-fifth Congress, second session.]

[To accompany H. R. 4818, requiring the Secretary of War to issue an honorable discharge to Benjamin R. Buffington.]

Mr. SHALLENBERGER, from the Committee on Military Affairs, submitted the following report:

The Committee on Military Affairs, to whom was referred the bill (H. R. 4818) requiring the Secretary of War to issue an honorable discharge to Benjamin R. Buffington, having considered the same, report thereon with a recommendation that it do pass.

The records of the War Department show that Benjamin R. Buffington was enrolled November 1, 1861, at Flushing, Ohio, and was mustered into service November 17, 1861, as a private of Company K, Fifteenth Ohio Infantry Volunteers, to serve three years; that he was captured at Murfreesboro, Tenn., December 31, 1862; paroled at City Point February 3, 1863; reported at Camp Parole, Md., February 5, 1863, and that he was honorably discharged the service February 24, 1863, in orders from this department, upon application of his father, on the ground that he was a minor.

The records also show that he enlisted October 27, 1863, at St. Clairville, Ohio, and was mustered into service December 1, 1863, and assigned as a private to the Twenty-fifth Ohio Infantry Volunteers, to serve three years. He served under this enlistment until April 8, 1865, when he was ordered transferred to Sherman's army. He was landed at Beaufort, N. C., and there not finding his command, which was then stationed in South Carolina, he returned to his home in Ohio.

The Adjutant General, in a letter February 5, 1913, to Hon. W. B. Francis, a Representative from the State of Ohio, states the case as follows:

"While, therefore, Buffington does not stand charged with desertion on the records, he is, according to his own statements, a constructive deserter, and, in any event, it is only on condition that he stands charged with desertion, either actively or constructively, that this department can take any action at all in his case looking to furnishing him with a discharge from the Twenty-fifth Ohio Infantry. In other words, the only authority of law under which this department can amend the official records in this case is the act of Congress approved March 2, 1889, which governs the subject of removal of charges of desertion and the issue of discharge certificates to soldiers who failed to receive them by reason of their absence at the time of the muster out of their commands. In order, however, to entitle Buffington to the benefits of this act, it is necessary that he should have served to May 1, 1865, as it is evident from his own statements that he was not prevented from completing his term of enlistment by reason of disability contracted in the line of duty, and it is therefore incumbent upon him to produce satisfactory evidence that he did not withdraw himself from military control prior to May 1, 1865."

It will be noted that this man's service, as shown by the records of the War Department, was only 24 days short of the time required under the act referred to to entitle him to an honorable discharge under it. The war was practically over, he had been landed in a different State from that in which his command was located, was therefore unable to find it, and walked home. His service covered a period of almost four years, and the committee therefore recommend he should be granted the relief asked for in the act.

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[House Report No. 724, Sixty-fifth Congress, second session.]

Mr. MCKENZIE, from the Committee on Military Affairs, submitted the following report to accompany H. R. 4814, a bill for the relief of Jonathan Milburn.

The Committee on Military Affairs, to whom was referred the bill (H. R. 4816) for the relief of Jonathan Milburn, having considered the same, report thereon with a recommendation that it do pass.

The evidence in this case shows that the soldier served three years and was honorably discharged and that he reenlisted in the same company and regiment.

It further shows that he was detailed with a wagon train under Wagon Master George Marshall. That while in such service the soldier was taken sick and when the train reached Martinsburg, W. Va., which is near the home of the soldier, he left the train and went to his mother's home where he suffered from an attack of typhoid fever, and never rejoined his regiment. In the opinion of the committee this soldier did not willfully desert and inasmuch as he had given long service to his country the relief should be granted.

For the information of the House a letter from Adjt. Gen. McCain and a number of affidavits are herewith included and made a part of this report.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, April 18, 1916.

Hon. D. A. HOLLINGSWORTH,
House of Representatives.

MY DEAR SIR: I have the honor to acknowledge receipt of your letter of yesterday, in which you state that after having presented to the Committee on Invalid Pensions special pension bills in the cases of Benjamin R. Buffington, Company K, Fifteenth Ohio Infantry, and Jonathan Milburn, Company D, First West Virginia Cavalry, it was suggested to you by the chairman of the committee that the cases of these two soldiers were apparently similar to the case of William H. Blair, in whose case this department had, at the instance of Hon. Mr. ASHBROOK, granted an honorable discharge, and that it would be well to ascertain whether this department would take similar action in the cases of Buffington and Milburn. In response to your request to be advised whether there has been any change in the practice of this department during recent years that would preclude a reinvestigation of these cases, I beg leave to inform you that there is nothing to prevent such a reinvestigation or the introduction of any new evidence in support of the original applications for an honorable discharge.

The law which governs this department in the consideration of cases such as these is the act of Congress approved March 2, 1889, which makes provision under certain conditions for the removal of charges of desertion and for the issue of honorable discharge certificates to soldiers who failed to receive them by reason of their unauthorized absence at the time of the muster out of their commands. The cases of Buffington and Milburn are similar to the case of Blair, in that each left his command prior to May 1, 1865, and in such cases the charge of desertion can be removed under the act of March 2, 1889, only on condition that it shall appear from satisfactory evidence that at the time of desertion the soldier was suffering from wounds, injuries, or disease incurred in the line of duty and was prevented from completing his term of enlistment by reason of such wounds, injuries, or disease. In the case of Blair, evidence was recently submitted by Hon. Mr. ASHBROOK, which was found sufficient to establish that that soldier was prevented from completing his term of enlistment by reason of disability incurred in the line of duty, and the charge of desertion was accordingly removed and an honorable discharge issued in the case.

I gather from your letter that you are in possession of the two communications addressed by this office to Mr. Francis, your predecessor, in regard to the case of Buffington.

It will be observed from those communications that, in the case of this soldier, it is not contended that he was suffering from any wounds, injuries, or disease when he finally withdrew himself from military control, some time in April, 1865, apparently, or that he was prevented from rejoining his regiment, the Twenty-fifth Ohio Infantry, which remained in service until June 18, 1866, and that relief could be afforded in his case under the existing law only on condition that it could be established by competent evidence that he did not withdraw himself from military control prior to May 1, 1865.

As to the case of Jonathan Milburn, which is similar to the case of Blair, not only in that both deserted prior to May 1, 1865, but also in the fact that in both cases it has been claimed that the soldier was unfit for military service at the time of desertion and unable to rejoin his command prior to its muster out of service, some testimony has been introduced in which it is alleged that some three months before the close of the war he was detailed with the wagon train; that he was sent back with the train to Martinsburg, W. Va., and, being sick at the time, he received permission from the wagon master to go to his home, which was near by; that upon arriving at home he was taken down with typhoid fever, and that his regiment was mustered out of service before he recovered from his sickness. In the absence, however, of any record evidence showing that Milburn contracted any disability while in the service or that he was suffering from such disability at the time of his desertion, the department has been constrained to deny the application for the desired relief. Any additional testimony, however, that may be submitted in the case will receive prompt consideration. Such testimony, if possible, should include that of former comrades as to Milburn's physical condition at the time when he withdrew himself from military control.

Very respectfully,
H. P. MCCAIN,
The Adjutant General.

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Statement of claim of Jonathan Milburn, of Bannock, Belmont County, Ohio, for correction of his war record and claim for a pension.

Jonathan Milburn enlisted in the First West Virginia Cavalry at Wheeling, W. Va., in 1861 and served his three years, being honorably discharged at end of enlistment. He immediately reenlisted in same regiment, serving a part of his second enlistment with his regiment, but a few months prior to the close of the war he was detailed with the wagon train under Wagon Master George Marshall. Shortly before the close of the war he had been sick with the wagon train, and the

latter being near Martinsburg, W. Va., while Milburn's mother lived but a few miles away—9 miles from Winchester—it was thought best to get him to his mother's, and, the war then being considered over, this was done. Wagon Master George Marshall personally took him to within 4 miles of his mother's. Upon his arrival there he took down with typhoid fever and laid for weeks. In the meantime the war closed, troops were mustered out, and the officers of his regiment, not knowing his whereabouts, marked his record as "deserted."

Upon his recovery he came back to Belmont County and has continually resided in the vicinity of Bannock from that time to this. He did not know for months afterwards that his record had been marked this way, and upon discovery of it did not realize the future necessity of having it corrected until after his old comrades had scattered and many of them who knew the circumstances had died. If Wagon Master George Marshall is still living his whereabouts is unknown to said Milburn or his friends.

An attempt was made to straighten this matter out when Hon. Lorenzo Danforth was Member of Congress from this district; his first honorable discharge, together with other papers was sent to Mr. Danforth, who took sick and died very shortly afterwards, and when his estate was settled these papers could not be found.

Jonathan Milburn is to-day not physically or financially able to support himself and wife.

JONATHAN (his x mark) MILBURN.

Sworn to and subscribed before me, a justice of the peace of Belmont County, Ohio, this 13th day of May, 1910.

J. M. STEWART, *Justice of the Peace.*

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BANNOCK, OHIO.

I have known Jonathan Milburn since before the war, and recall distinctly his visit home just before entering on his second enlistment. The facts as stated in his affidavit is what I have always heard regarding him. He has been a hard-working man among us, honest and truthful, and is deserving in every respect of having this matter adjusted.

P. B. CALDWELL.

Sworn to and subscribed before me this 14th day of May, 1910.

J. M. STEWART, *Justice of the Peace.*

—

BANNOCK, OHIO.

I was personally acquainted with Jonathan Milburn prior to his enlistment. I knew of the facts as set forth in his statement. I saw him at the time of his reenlistment upon his visit home, and have known him continually from the close of the war to the present date; as he has made his home in this vicinity ever since, and has worked for me a goodly portion of the time.

His physical condition is very poor; the majority of men in his condition would not attempt to do any work, but he is compelled to do so, as his financial circumstances are such that he has to work if his strength permits.

WILLIAM LODGE.

Sworn to and subscribed before me this 14th day of May, 1910.

J. M. STEWART, *Justice of the Peace.*

The Van Dyke Amendment.

EXTENSION OF REMARKS
OF
HON. WILLIAM GORDON,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 29, 1919.

Mr. GORDON. Mr. Speaker, this amendment reads as follows:

That hereafter in making appointments to clerical and other positions in executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, if they are qualified to hold such positions.

This condition imposed upon the authority to appoint to positions in the public service is clearly contrary to public policy, and the courts should hold it invalid upon that ground alone, and also upon the additional ground that it invades the constitutional function of the executive; but they are not likely to do so for the very reason which passed it through the House by an almost unanimous vote.

The courts should adjudge this restriction upon the appointive power null and void, because where two or more persons are candidates for the same position it may result in the appointment of the least qualified, while the public interests and welfare demand the appointment of the one best qualified.

It is no answer to say that this limitation does not compel the appointment of an incompetent man. "Qualified" is a relative term, and any legislation which will require the preference to be given in any case to the least qualified candidate is obviously vicious, because it tends to lower the standard of the public service, and is for that reason invalid, and should be so adjudged and declared, because it is the duty of the executive to appoint the best qualified applicant to public office.

Some Members have attempted to excuse their votes for this vicious restriction by contending that the appointing officer will construe the statute to mean that "everything else being equal, the preference shall be given to the ex-soldier"; but this construction would entirely vitiate and destroy the intent and purpose of the provision, because it would render it impossible to enforce the preference which it is the only object of the statute to create.

It would violate the terms of the statute itself and convert appointing officers into lawbreakers. This limitation is based upon the wholly false and unwarranted assumption that the qualifications of all persons who are "qualified" to perform the duties of these positions in the executive departments are equally so, which every person of intelligence knows is untrue.

This false and vicious theory closes the door of hope for promotion or advancement in the face of every industrious, conscientious, and efficient man and woman serving the Government in any executive position and reduces all to the same level, regardless of their merits, and will do incalculable harm to the public service.

The result of the enactment of this amendment will be to lead to its adoption by the States and their subdivisions and to displace in the public service thousands of experienced, competent, and well qualified public servants, and fill their places with those who lack these qualifications.

Because a man has enlisted or been drafted into the military or naval service and is "qualified to hold" an executive position does not justify his appointment or that of his widow over a man or woman who is better qualified for the place, and a law which compels such appointment is wholly bad and will inevitably tend to lower the standard of the public service.

If at the next election of Congressmen and Senators men who have enlisted in the military or naval service or who have been drafted shall offer themselves as candidates against the men now in Congress who have voted for this amendment, I would like to hear the arguments against their election in behalf of those who have voted for this amendment.

In Memoriam—Gen. Joseph Sewall Smith.

EXTENSION OF REMARKS
OF
HON. IRA G. HERSEY,
OF MAINE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 27, 1919.

Mr. HERSEY. Mr. Speaker, to-day Gen. Joseph Sewall Smith, late of Bangor, in my State, will be buried in the National Cemetery at Arlington with due military honors. His passing calls for a word from me in testimony of his distinguished public services as a citizen of my State and as one of the military heroes of this Nation.

Gen. Smith was born in Wiscasset, Me., November 27, 1836. When a boy he moved with his parents to Bath, Me., where he lived for a number of years. He had a distinct recollection as a boy of meeting frequently at Bath the first governor of Maine, Gov. William King, whose statue has been placed in the National Capitol as a representative of the great men of my State.

Gen. Smith was educated in the common schools and at Gorham Academy, and after his school days he moved to Bangor, Me., where he engaged in business as a manufacturer.

At the outbreak of the Civil War in 1861, at the age of 25, he enlisted as a private under Col. Oliver O. Howard. His courage and ability gave him quick promotion, and he rapidly rose from the ranks through the successive stages of corporal, sergeant, lieutenant, captain, and lieutenant colonel.

October 27, 1864, while serving on the staff of Gen. Hancock, he was brevetted colonel, United States Volunteers, to date from October 27, 1864, "for gallant and distinguished services at the Battle of Reams Station and Boydon Plank Road, Va.," and was brevetted brigadier general of Volunteers to date from July 11, 1865, "for faithful and meritorious service."

Gen. Hancock said of him—

He was brevetted for bravery in action. His conduct in the field was always marked for spirit and gallantry.

Gen. Humphrey wrote of him—

My estimate of him is a faithful and efficient officer, whose long experience in the field and sound judgment make him a most valuable officer. The spirited manner in which he served as aid in action shows him to be as soldierly as he is capable in administration.

Gen. O. O. Howard wrote of him—

Col. Smith came into the service as a private soldier in the Third Maine, at that time commanded by me. He served on my staff at the first Battle of Bull Run. While under my command his services were of a very meritorious character, and his subsequent record is equally good. I have considered him a capable, energetic, and efficient officer.

A congressional medal of honor was awarded him "for distinguished conduct in recapturing two pieces of artillery in the action at Hatchers Run, Va., October 27, 1864."

At the close of the war he returned to private life and business at Bangor, Me., where, under President Hayes, he was appointed collector of customs for the port of Bangor. Under President McKinley he was president of the Army of the Potomac organization.

He was later appointed governor of the National Home for Disabled Volunteer Soldiers at Togus, Me., where he served with great satisfaction for many years. From this home he was next chosen for governor and manager of the National Home at Hampton, Va., beautifully situated on Hampton Roads, where he served with great satisfaction and until a short time before his death.

Several years ago the Quartermaster General had set aside for him a beautiful lot at Arlington overlooking the Potomac and the city of Washington, and it was here some eight years ago that he laid to rest his beloved wife, the companion of his declining years. After her death he seemed to lose his interest in many things in life, and often spoke of the time when he, too, would share this resting place in the national cemetery with her.

A few months ago in my office he spoke of the days that were fast approaching when he would rest in beautiful Arlington, where many of his comrades that he loved were now sleeping and where he, too, would find sweet peace. Well might he say, as Stevenson said:

Under the wide and starry sky
Dig the grave and let me lie.
Glad did I live, and gladly die,
And laid me down with a will.

This be the verse you grave for me:
"Here he lies, where he longed to be;
Home is the sailor, home from the sea,
And the hunter home from the hill."

Americanism v. Zionism.

EXTENSION OF REMARKS

OF

HON. ROLLIN B. SANFORD,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 31, 1919.

Mr. SANFORD. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include a letter to me by Simon W. Rosendale, former attorney general of the State of New York.

The letter is as follows:

AMERICANISM V. ZIONISM.

[A letter to Congressman ROLLIN B. SANFORD, twenty-eighth district, New York, by Simon W. Rosendale, former attorney general of the State of New York.]

ALBANY, N. Y., *September 4, 1918.*

Hon. ROLLIN B. SANFORD,
Member of Congress, Twenty-eighth District, New York,
Washington, D. C.

DEAR CONGRESSMAN SANFORD: I understand that, with other Members of Congress, you have received circulars and documents with request for expression as to your views on a pretentious Jewish movement known as "Zionism." To make known the attitude of a large number of American Jews on this subject, I take the liberty of addressing you.

This matter, owing to war conditions, has recently taken prominence and is of deep interest to a great number of American citizens. It has been rendered especially prominent by reason of a recent letter of President Wilson referring to the declaration of the British Government, and apparently having his approval, in regard to the establishment in Palestine of a Jewish State, a national homeland, for the Jewish people, the claimed realization of the so-called "Zionistic" movement.

This project has not had and does not have the general sympathy or approval of that large religious organization of citizens known as Reform Jews of America, nor of a representative body in Great Britain known as the League of British Jews, headed by such prominent Englishmen as Claude Montefiore and others.

It should be stated at the outset that the great body of Reform Jews in this country maintain that they are Jews by religion only and Americans by nationality.

Their religion is concerned with the State only to the same extent to which all other denominations share the common aim of praying and working for the highest welfare of one's native or adopted country. But the implications of a Jewish Palestinian State include those distasteful, dangerous, and outworn doctrines of a combination of church and state, from the evils of which the world is being more and more saved; hence they neither participate in nor approve of the efforts to establish a Jewish Palestinian State.

If the Reform Jews have been comparatively silent as to their attitude, it is because they have hitherto regarded the controversy on this point among Jews in this country as largely academic. The subject, however, now brought into the limelight, discloses radical differences between Jews on the subject of nationalism. These variances are accentuated by recent occurrences and present conditions. It is no longer a matter wholly of rabbis or for theological discussion. It is a practical question whether we shall stand and be regarded as a separate national entity, or, asserting our Americanism, declare, as the fact is, that we are Jews in our religion only.

It goes without saying that any efforts to provide a place where oppressed or persecuted Jews may find a place to live in peace, as well as any movement toward educational or cultural advancement, must meet with universal approval.

Thus, if the British declaration had been for a free State, open for all with protection to all, no such question could be raised; but this is very different from and issue is taken on the proposition to establish Jewish nationality.

Some philanthropic American Jews seem to hesitate in opposing this movement. They apparently do so because they believe this proposed homeland will afford an asylum for the oppressed and persecuted. Its "asylum" possibilities are extremely limited, and it is doubtful whether Zionists would concede this as its object, and, besides, this does not meet the principal objection. The movement is not philanthropic. It is political. The effort is for the establishment of a State. A national flag has been adopted, and it is carried and displayed by its adherents even in this country. National songs are used, and at least the nucleus of a Jewish army is organized and in Palestine; this "legion" is, of course, not to be confounded with the hundred thousand and more of loyal American Jewish soldiers who are doing their duty, shoulder to shoulder, with their fellow citizens, and who with emphatic unanimity will disavow such dilution of loyalty to the flag of our Union.

This matter of Jewish nationality is not new. It is important to note that formal action was taken on this subject years ago at conferences of American rabbis, notably at Philadelphia in 1869, and 20 years later at Pittsburgh, Pa. Out of these grew the organization of Reform Judaism in America. They adopted as the corner stone the doctrine that the hope, expectation, or belief in the restoration of Palestinian nationalism had no place in American Judaism.

It was asserted that we are Jews by religion only; that in the spirit of our country's institutions no religious dogma or prayers were longer proper, which would express a hope or desire for a separate nationalism; that the basic principle of separation of church and state imposed a duty on American citizens to abandon all aspirations or propositions tending otherwise. This principle was so appreciated and approved that it was accepted in its furthermost and most radical application. Most important, then, was the discarding of the ancient ritualistic prayers and utterances of expectation or desire for Palestinian restoration, recited during the centuries of the "dispersion." It was held that such were out of place in this country; that even if the possibility of realization could be seriously contemplated, it would not be availed of. They were eliminated from the prayer book, as they no longer voiced their desires, but more especially and particularly as such thoughts and hopes were inconsistent with singleness of American nationality.

The men composing these conferences being largely, if not wholly, of foreign birth, command additional commendation for their courage in thus eliminating sentiments, of course, written and introduced after the dispersion 20 centuries before, and uttered and repeated by devout worshippers during all those years (as they still are preserved in orthodox rituals). It was bravely done to meet the spirit of this land of religious liberty which had received and adopted them, to which they had sworn allegiance and whose institutions in the correct view demanded the abandonment of such doctrines.

Out of this movement has grown the Union of American Hebrew Congregations, which embraces practically all of the Reform Jewish congregations of America, numbering over 200, located in all parts of the United States with many thousand members. It has established and maintains a college for rabbis at Cincinnati, which was the residence of the late Rabbi Isaac M. Wise, the leading spirit in this great American reform movement.

For many years this union embraced the greater body of American Jews who were generally connected with congregations belonging to the union. They were numerically in the majority in the country until the more recent great influx of Jews from eastern Europe—from Russia, Galicia, Roumania, etc.—who in numbers now far exceed them. These latter, perhaps naturally, have adhered to orthodoxy in observances, customs, and prayers which they brought with them and which their congestion in larger cities does not tend to change. A percentage of the younger generation, particularly in smaller communities, is affiliating with reform congregations, but the bulk of these newcomers, especially those creating huge communities in populous centers, retain their foreign languages and customs as well as their orthodoxy with the ancient ritual, which includes prayers for Palestinian national restoration. The great majority does not appear to realize, if they fully understand, their inconsistency in respect to citizenship in this country.

Among the more recent comers, too, there are found radicals of every shade, who assert that they are not Jews by religion, but by race and nationality. Some of the latter are among those who sneer at the worship and observances of their orthodox neighbors. In these congested communities are found, too, sectarian schools and other religious and semireligious social organizations and factors, besides some distinctly un-American bodies, such as Jewish partisan political clubs and Jewish workingmen's and other associations. The foregoing is referred to principally because in this mass is found the bulk of those who furnish membership in and compose the "Zionists" in this country and who contribute their voices and "shekels" toward that movement. It is true that in the Zionistic movement in this country there are several men of public position and prominence, as well as a small number of reform rabbis, who have lent themselves thereto. They must feel satisfied that their participation is not, to them, inconsistent with unalloyed Americanism. So, too, with the orthodox or conservatives who retain their ancient prayers and aspirations and insist on Jewish nationalism as a dogma. We are claiming no monopoly nor questioning the loyalty of any of these parties. We simply assert our position—that our nationality and religion are distinct and separate. This we conceive the true American national spirit. It would be unfortunate if it were generally or largely otherwise.

Among these laymen above referred to, there are those who, strangely enough, are, so to say, nonconformists; that is, they are not and some even prominent ones never have been connected with any congregation. These must be ranked with those who assert that they claim to be Jews by race and nationality alone. All these together form the Zionists in this country. It is this same element which a short time ago endeavored

to organize a most unjustifiable political Jewish separatism in this country by promoting an American-Jewish congress, a movement which is believed to be happily frustrated. They are the Sinn Feiners of American Judaism.

The situation, then, as it stands clearly presents the line of demarcation, and as stated sharply defines the attitude of, so to say, a separate sect, i. e., American Reform Jews who assert that they are Jews solely in and by religious belief. They agree with the declaration of the distinguished English scholar—Lucien Wolf—and the eminent Englishmen who compose the league of British Jews in denying that they are a separate race or nation and declaring they are simply a religious community of great antiquity.

As standard bearers of their faith through centuries of adversity do they chiefly revere the history of their people.

As American Reform Jews they assert that, without sacrificing any principle of religious faith, it is their duty to and they do conform to the country's customs and recognized institutions; they maintain that there should be no religio-politico organizations. In the congregation and its related bodies, such as the Sabbath school, the young people's associations, charitable, and perhaps fraternal institutions alone should sectarianism be expressed.

It is true that President Wilson in his letter refers to the fact that in the Balfour declaration it is the understanding that "nothing is to be done which would prejudice civic and religious rights of Jewish people now in Palestine or the rights and political status enjoyed by the Jews in other countries."

This latter reservation, important as it may be, does not affect the principle involved in the view of the Reform Jews of America who object and refuse to be hyphenated.

It will not answer for the American Zionist to say that the Palestinian nationalism is for the "other fellow." A Jewish nation means a nation of and for Jews. To divest oneself of nationality requires renunciation, which may or may not be recognized. The right of expatriation has not been universally acknowledged by governments.

A very practical objection to Zionism is that it does not tend to make its American members better Americans. On the contrary, it introduces an undesirable hyphenism predicated upon religious lines and based on religious sentiments. We are asked as 100 per cent Americans to obliterate and aid in obliterating all hyphenism in American nationality. Does it tend to such a desirable end to introduce a Palestinian national flag or to sing Palestinian national songs? The attention of our adopted Jewish citizens may well be called to their oath in forswearing allegiance to any king, potentate, or other nationality.

This war is calling attention to the fact that the oath of allegiance is not to be regarded as a "scrap of paper." To illustrate a proposition it is sometimes justifiable to present even extreme possibilities. What would be the attitude of "Zionists" in case of war between our country and their "national home land"?

Can the American Zionists think that their propaganda is conducive to better Americanism, especially for the more recent comers to our country—or will tend to make them thorough Americans? Will the cultivation of ideas or even ideals of a sentimental nature for Palestinian national restoration help to pure American citizenship? These are sterner times. Unhyphenated Americanism should be our objective.

It is said that the international policies of some of our allies favor the creation of a buffer state. The harm done by American Zionists, who are building worse than they think, in retarding if not preventing full and unalloyed American citizenship, more than counteracts any possible demands of loyalty to our allies. We are urging the abandonment of the "German-American," the "Irish-American," and so on. Shall there now be introduced the "Jewish" or "Palestinian" American? This would be the logical sequence of political Zionism.

We have but one national flag, the Stars and Stripes. We assert that there is no such thing as a Jewish flag. We do not recognize the Zionistic flag adopted by the Palestinian nationalists, nor countenance their national songs appealing for and glorifying their national homeland.

This subject in these times above all is a matter of Americanism—and there should be but little patience for these un-American Zionists. If they want a Palestinian Jewish State, let them get it if they can and go to it. It will not do for them to say it is or they want it for some other person than themselves.

We are Americans by nationality, and in our interpretation of Judaism there is neither doctrine nor dogma of Palestinian nationalism. If there were, we would reject it as inconsistent with untainted Americanism. We refuse to have any other nationalism thrust upon us. We will have no Palestinian nationality primarily or secondarily, directly or remotely. To paraphrase the language of a distinguished orator, we say to the Zionist, "You shall not press the (yellow?) badge of Palestinian hyphenism upon the Reform Jew in America."

With assurances of my highest personal esteem and regard, I remain,

Very sincerely, yours,

SIMON W. ROSENDALE.

MEMORIAL ADDRESS
OF
HON. FRED S. PURNELL,
OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 17, 1918.

The House had under consideration the following resolutions:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. DANIEL W. COMSTOCK, late a Member of the House from the State of Indiana.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the family of the deceased."

Mr. PURNELL. Mr. Speaker, for many years I have known of Judge COMSTOCK as a soldier of the Civil War, as a commander in that great struggle, as prosecuting attorney, as circuit judge, as appellate judge, as department commander of the Grand Army of the Republic, and as one of the leading citizens of the great State of Indiana.

I do not recall that I ever saw him or knew who he was until the 2d day of April, 1917, when we, as new Members elect, marched down this aisle together to take the oath of office as Members of this body. I was attracted to him then and have since learned to know and love him. His tall, stately form, his keen sense of humor, his ability as a lawyer and jurist, his record as a soldier, and the general big-heartedness of the man combined to make him distinctly fascinating. Another fact entered into our brief comradeship. He and I represented the two extremes in age of the Indiana delegation, he being the oldest Member and I the youngest. In fact, with two or three exceptions, we represented the same extremes in the entire House of Representatives. When I refer to his age I do not mean to suggest that he was old, except in years and experience. To do so would do a great injustice to his memory. He was exceptionally young in mind and actions. I have observed that many people live in the past proportionally as they advance in years. It was not so with him. Judge COMSTOCK was a student of modern questions. He referred to the past only that he might profit by the experience it gave him and thereby build the better for the future. He was intensely interested in the success and conduct of this war. His only regret, as expressed to me many times, was that he could not shake off the 50 years that have come and gone since he served on the field of battle and give again to his country the same service he rendered then.

I attended his funeral and observed the high and exalted place he held in the hearts of those who knew him best. His friends and neighbors loved and respected him. To my mind this is the real test of the man. I helped to carry his lifeless form to its last resting place. When we reached the hallowed spot I thought I had never seen a more wonderful setting. Between two stately trees on the crest of a sloping hill we laid him to rest, and here he sleeps in a cemetery covered with beautiful grass and foliage and shaded by majestic trees. It looked more like a natural park than a city of the dead. What a fitting end this was to a busy and successful life. To die in the harness, so to speak, in possession of all of one's faculties and at the end of a long and useful life should be the ambition of every man. Such a life can not end with death. Such was the life of our departed colleague. His State and Nation could ill afford to lose him. His services to both will long be remembered and appreciated by a grateful people. [Applause.]

The Hospital Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM J. GRAHAM,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 27, 1919.

Mr. GRAHAM of Illinois. Mr. Speaker, H. R. 13026, the bill now under consideration, is entitled "A bill to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors."

The title is in itself a misnomer, as will be seen by examination of the bill. It is a bill the purpose of which is to authorize the Secretary of the Treasury to expend $10,500,000 for additional hospital and sanatorium facilities for the treatment of discharged sick and disabled soldiers and sailors who are patients of the War Risk Insurance Bureau, and for any other persons who are entitled to treatment by the Public Health Service. On an amendment offered by the gentleman from Illinois [Mr. CANNON] the bill was restricted in its scope to the providing of additional hospital and sanatorium facilities for patients of the War Risk Insurance Bureau alone. As the bill was originally presented these additional hospitals for which the $10,500,000 were to be expended could be used not only for discharged soldiers and sailors but for a large number of other patients who may be from time to time treated by the Public Health Service, to wit: First, merchant seamen; second, Mississippi River Commission; third, the United States Coast Guard Service; fourth, the United States Lighthouse Service; fifth, the Engineer Corps of the United States Army; sixth, the United States Coast and Geodetic Survey; seventh, civilian employees injured under the workmen's compensation act; and, eighth, civilian employees injured

on Army transports. In addition to these classes, all of which are specified in the report of the majority of the committee filed with the bill, the law authorizing the Public Health Service to perform certain functions also gives to that service the right to receive into such hospitals persons from civil life who may be afflicted with diseases which the Public Health Service desires to study, and in cases of epidemics or cases where the public health demand it, a considerable number of other civilians afflicted with diseases for study and experimentation, and the like. In other words, the bill as originally drawn provided that the patients of the War Risk Insurance Bureau and the discharged soldiers, sailors, and marines might be placed in these hospitals, together with many other civilians afflicted with various types of diseases, or the hospitals themselves might be filled with such civilian sick, to the exclusion of the patients of the War Risk Insurance Bureau.

The United States declared war against the central European powers on the 6th day of April, 1917. The war-risk insurance act, so called, was approved on the 6th day of October, 1917. The act now referred to is the act under which certain discharged soldiers, sailors, and marines are entitled to hospital treatment by the Government. The authority to give such hospital treatment is found in paragraph 3 of section 302 of that act, which provides, in addition to the compensation provided for in the act:

The injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services * * * as the director may determine to be useful and reasonably necessary.

The War Department has known since the passage of that act that the Government was responsible for the treatment of all members of the Military Establishment of the Government who should become sick or in need of medical or hospital attention. Knowing this to be true, it was the part of wisdom, and to be expected, that the War Department or the War Risk Insurance Bureau or other responsible officer of the Government would make some adequate preparation to take care of such sick or diseased soldiers, sailors, and marines. So far as can be ascertained, no such proper arrangements have been made. While the Government of the United States was pledged to give to these defenders of the country the best medical and hospital care and attention that was possible, the Government has stumbled along without any preparedness in this matter, just as it stumbled into the war without preparedness.

The war practically ended on the 11th day of November, 1918, by the signing of the armistice. Almost three months have elapsed since that time, and to-day, after the war has been closed practically three months and when tens of thousands of men have become sick and disabled on account of the service they rendered the Government, neither the War Department nor the War Risk Insurance Bureau has brought forward any comprehensive plan toward the alleviation of the physical ailments these men have incurred. But three measures have been presented to this Congress for the relief of these discharged soldiers and sailors. One of them, called the Gandy bill—H. R. 13440—was presented to the House and was framed with the idea of removing some 400 veterans of the Civil and Spanish-American Wars from their hospital at Hot Springs, S. Dak., and removing them, in the dead of winter, across the country a thousand miles or more to some other hospital or institution and using the hospital thus emptied for the reception of sick and disabled soldiers of the present war. This bill was happily defeated; it would have been a tragedy to have done otherwise. If the bill had been to the effect that all vacant beds in that institution should be used for the accommodation of sick and disabled soldiers of the present war, not a vote would have been cast against it; but such was not the case.

Another bill—H. R. 12917—was presented, called the Dawson Springs Sanatorium bill. This bill appropriated $1,850,000 for the erection of a sanatorium at Dawson Springs, Ky., which hospital, the hearings showed, to be intended for the treatment of tuberculosis. This hospital was to be permanent and to have 500 beds. It was evident to the unprejudiced observer, from the hearings, that Dawson Springs was an unfit place for a tuberculosis sanatorium, and that even if the sanatorium were built there it would be approximately two years before it would be available, and then only for 500 patients.

Finally this bill, H. R. 13026, is presented, which is said to present a comprehensive scheme for taking care of the patients of the War Risk Insurance Bureau. It will be observed that no soldier, sailor, or marine, none of the wounded or sick soldiers who are being returned from Europe now and have not been discharged can be treated in the hospitals to be built under this bill, but that this bill only includes in its scope soldiers, sailors, and marines who have been already discharged. The hearings showed that the hospitals to be built under this bill are to be of wood, not fireproof, and to be single-story structures. So far as it appears, then, they are to be largely a repetition or a duplication of the dozens of cantonments and camps scattered over the country and are to be no different, in general, than the temporary barracks which have been built already all over the United States.

Mr. N. V. Perry, constructing engineer of the Public Health Service, stated that it was expected to build these hospitals at various places, and he named Boston, Mass.; Chicago, Ill.; Cleveland, Ohio; Detroit, Mich.; Evansville, Ind.; Louisville, Ky.; Norfolk, Va.; New Orleans, La.; San Francisco, Cal.; Seattle, Wash.; St. Louis, Mo.; Wilmington, N. C.; Fort Stanton, N. Mex.; and two sanatorias, one somewhere in the Berkshire Hills and one somewhere in North Carolina. This was the comprehensive scheme that has been mentioned by the majority of the committee when they proposed this bill to the House and for which $10,500,000 is to be expended. However, it does not seem to have been comprehensive enough, because on page 44 of volume 14 of the hearings I observe that after this list had been talked over by the committee and the various witnesses the chairman of the committee, Mr. CLARK of Florida, seems to have had the following colloquy with the witness, Perry:

The CHAIRMAN. I want to revise that tentative list and put one in Florida.

Mr. PERRY. I want to say in regard to this now, we are only dealing with one-third of this proposition. We have got to come back to you people and get the balance of this; but we didn't feel like loading our hands up under the present market conditions, trying to take 13,000 all at once. We felt that it would be better to divide this up. Dawson Springs would be one proposiion. These 5,000 here would be another. Then, after we get these going we can place the others around in Florida and Georgia and the Northwest, because there are 10,000 more. All I am concerned with now is the putting up of the buildings and getting ready to take care of these men now.

Therefore I presume we may confidently expect that we are to have further requests from the Public Health Service and that instead of $10,500,000 we shall expend at least the full $26,000,000 which Mr. Perry estimated the whole program would finally cost, and I assume that we are further justified in believing that the gentleman from Florida and the gentleman from Georgia and the gentleman from the Northwest—wherever that may be—will each get their share of hospital construction in the future. It will be remembered that these are to be frame buildings, temporary, and not fireproof.

The hearings showed that there were approximately 50,000 vacant beds in the United States that might be used for this purpose. These beds are in Army hospitals of various kinds, general and temporary. The officials from the office of the Surgeon General of the United States Army testified before the committee that if they had the authority they would take care of these war-risk insurance patients. When the Dawson Springs Hotel matter was being discussed on the floor of the House I placed in the RECORD a statement showing the vacant beds in these hospitals and this committee had this table in its hearings, and at that time knew this to be the situation. No move has been made by anyone on this committee or connected with the Government to try to propose legislation that would make these existing hospital facilities available for the use of the war-risk insurance patients. It could have been done by a brief act or resolution which would have been passed unanimously and might have been the law before this.

If this bill becomes the law we may expect the Public Health Service to at once proceed to the building of a large number of additional temporary hospitals over the country, although we already have scores of them. As soon as this bill becomes a law we may also expect the Public Health Service to greatly expand its personnel and to come to Congress for authority to do so. A great number of clerks and employees and stenographers and all the machinery to which we have become so used during this war will be built up, called an organization. It was admitted by the committee on the floor of the House that this would call for a great expansion of the department. Then at once buildings will be rented or constructed for the use of this new expanded Public Health Service of the Government. The next step will be to come to Congress for appropriations of millions to carry on the increased activities of this department; and before we know it we shall find that we have added to our financial burdens another greatly enlarged branch of our Government which will cost us millions to maintain. While we are doing this the Surgeon General of the United States Army has built up an immense organization under him, composed of the best physicians and surgeons in the country, a great force of whom are still in the service of the Army and under the Surgeon General, and which organization is now available to take care

of these patients of the War Risk Insurance Bureau. Why not use the existing force for that purpose? Why has not the committee suggested to the Congress some legislation to make available the existing force rather than to create a new force and an immense additional expenditure? In addition to this, the President had power, under the so-called Overman Act, approved May 20, 1918, "to make such redistribution of functions among executive agencies as he may deem necessary, including any functions, duties, and powers hitherto conferred by law upon any executive department, commission, bureau, agency, office, or officer, in such manner as in his judgment shall seem best fitted to carry out the purposes of this act." In other words, the President might cause the Surgeon General's Department to care for these patients of the War Risk Insurance Bureau by a mere Executive order; but it has not been done and will not be done.

I am forced to the conclusion that there is no desire on the part of anyone connected with the Public Health Service or the War Risk Insurance Bureau who is attempting to put into effect any measures for the economical administration of the war-risk insurance act. Rather it seems to be the effort of those who are responsible for this bill to create more positions, spend more money, and add greater burdens to the already taxation-burdened people of the country.

It goes without saying that those who have become wounded or sick and disabled through their service to the country in this emergency are entitled to the best treatment that a grateful people can give them. Surely, they are entitled to vastly better treatment than this bill proposes. The Government ought to have made adequate preparations and had ready for them the best of permanent fireproof hospitals and facilities for taking care of every one of them. Nothing of the kind has been done. This scheme intends nothing but to continue the present shiftless, purposeless, planless idea of spending money and creating new and expensive Federal organizations. But it is the only thing that is proposed. We now have but a month remaining of this Congress. Legislation to use the existing organizations of the Government to care for these patients would not be possible unless it was proposed by the majority party in this House and favored by the executive officers of the Government. This they do not propose to do. We must therefore accept such scanty measures for the relief of the patients of the War Risk Insurance Bureau as are offered us by those who are now responsible for the policies of the Government. It may be that the expenditure of the $10,500,000 will help some few who have borne the Nation's burdens in this time of trouble, and therefore, as it is the only thing that is or shall be presented, I shall vote for the bill.

Discharges for Soldiers.

EXTENSION OF REMARKS
OF
HON. JOHN Q. TILSON,
OF CONNECTICUT,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 1, 1919.

Mr. TILSON. Under leave to extend my remarks in the CONGRESSIONAL RECORD I insert here a few letters from soldiers and others. They are selected from an accumulation of almost 500 letters received by me within a few days after making some observations on the subject of good faith in granting discharges to soldiers.

My intention in presenting the matter originally was to call attention to the fact that in numerous cases officers had flagrantly violated the spirit of certain orders of the War Department, and by so doing were bringing discredit upon themselves and reproach upon the good name of the Army. At any rate, it served to bring out what was smoldering in many a soldier's breast, and I am sure that many of them will feel better for it. After eliminating all cases that smack of mere homesickness, laziness, or grouch, there remain a sufficiently large number of bone fide cases to demonstrate conclusively that officers, especially of the lower grades, in command of organizations made a mockery of Circular 77 of 1918 and openly disregarded Circular 6 of 1919.

The letters here printed were selected almost at random. They group themselves into about six general classes, though many of them overlap and cover a number of different points.

The first group relate to applications on the ground of dependents. As the selective draft law itself was liberal in this respect, this class of applications should have been granted easily and freely. Quite the reverse has been the case, as some of these letters show.

It is well worth while that these spontaneous outpourings from the hearts of some of our soldier boys who have endured the hardships of camp without any of the glory of foreign service be spread upon the record.

The letters are as follows:

CAMP UPTON, N. Y., *January 17, 1919.*

Hon. JOHN Q. TILSON,
Washington, D. C.

MY DEAR MR. TILSON: I am writing to you to explain the circumstances under which some of the men are being held in the Army.

I have already written to Mr. GLYNN, and he promises some action, and after reading in the morning paper the speech you made in the House, thought you would be able and willing to help also.

I am a married man and, due to a recent illness combined with chronic nervousness, my wife is absolutely dependent upon my work for support.

She writes me to-day that she has only $2 left, and this is the last of a fund of cash and liberty bonds that I left for her when I was drafted.

She can place no confidence in the Government allotment, as the War Risk Bureau is not concerned in making payments, but in drawing their own checks. In four months she has received $56, and even if she had received all the money due it would have been insufficient. It is absolutely impossible to feed, clothe, and keep any one person on $30 a month. The Government can't keep a man in the camps for that money. How can a woman live outside for less than the Army can keep me?

It is not only my case but that of many others in this camp—five in this one company—all married and have positions waiting, and we are held here to aid in the demobilization.

We all did our duty and objected not at all while our country needed our service; and though we did not get our chance at the Hun, we did our bit here. Our records are clean; the need of us is past; and we want to return to our natural positions with our wives. We were married. For that reason and before our Holy Father we pledge our support to the girl of our choice. Shall we not be allowed to return and take up that duty, now that we have fulfilled our obligations to the country?

We came here to support all that our flag stood for—liberty, justice, and democracy—and now that we enforce those principles on the Hun, why not get the same principles applied to ourselves?

We have the privilege of applying for discharge, but that is another case of the inefficiency of the Army administration. We are told that we must be held, as our services "can not be spared," and we discharge hundreds of men every day. Young men of 21 were discharged from Camp Jackson through this camp, and they were mostly clerks in civil life. Why could not these young men be held—the men who had no homes to support, no wives waiting, and no positions to go to? No reason—just thoughtless, inefficient administration and absolute injustice.

The conscientious objectors and draft dodgers are all discharged, and honorably discharged in the bargain. Is that justice?

If the men held here were paid the same wage as an officer, or even if the allotment was sufficient to help at home, they would not object.

I draw from the Army $33; $15 goes for allotment, $3.45 for insurance, and if I am lucky I can go home. This takes $10 for car fare. Then for smokes and amusements I can spend $4.55, and I have to write to my wife at least every other day.

The Republican Party is losing time by not taking this matter up. They are assured of a thousand boosters right in this camp that I know of if they do, and if they don't I'll place my loose change on Eugene Debs for next President.

We did our duty, Mr. TILSON, and ask now that our country do hers.

Our papers boast that our demobilization is far ahead of England. We are far behind. The Englishman who has a job and a home is going back to it. We who have those things are staying here to send others back to take our positions away.

Look at the New York American some morning and count the ads. from honorably discharged men. There is a big answer to our boast.

MEDICAL SUPPLY DEPOT,
Camp Merritt, N. J., January 22, 1919.

DEAR SIR: Learning of your interest in behalf of enlisted men who have urgent grounds for discharge and are unable to obtain satisfaction, I am prompted to present my case for your consideration. I am inclosing copies of my papers and holding originals, awaiting some new light.

On December 17, 1918, I made application to my detachment commander for discharge, at the same time presenting the inclosed doctor's certificate and letter from my local board. He in turn wrote to the Red Cross headquarters of Perth Amboy, N. J., requesting them to investigate my claim. They wrote back recommending my discharge, finding the evidence true and meriting an immediate discharge. The detachment commander then forwarded the papers to the office of the camp supply officer, whence they were returned with the second indorsement, "Not enough evidence."

Thereupon I submitted the inclosed affidavits of my father and one from the vice president of the Perth Amboy Trust Co., as per suggestion of my detachment commander. The papers went back to the office of the camp supply officer and were again returned with the third indorsement, stating that my discharge could not be approved at this time.

I am a private, first class, in the medical section of the purchase and storage division of the Quartermaster Corps, and outside of helping with the inventory, which was completed about a week ago, I have done nothing more than waste time. I am at a loss to understand why I am being kept, especially since it is so vital for me to be released at once.

My father's health is fast giving away. Both the business and he are suffering. Neither can he find the time to care for his health nor will his health permit him to take the proper care of the business.

I hope that you will give this matter your kind attention and advise me if you can help me. If you then desire the original papers, I shall forward them at once.

DETACHMENT SANITARY CORPS,
Camp A. A. Humphreys, Va., January 18, 1919.

DEAR SIR: Having read of your splendid appeal in our behalf, we will submit this case to your investigation, or anything that you may do to help us. We have for a commander Second Lieut. ———. Two-thirds of the men in this detachment have been in the service from 12 to 15 months, and nearly the same number of us have immediate de-

pendents—wives and children. We have filed requests for discharge to our commanding officer, and to date they are piled upon his desk entirely ignored. When asked about the requests, he answers, usually, "You're making more money than you ever made in your life. What do you want to get out of the Army for?" We worked night and day at the base hospital during the raging of the influenza, and we don't feel as if we were being treated fair. If there is anything you can do, sir, to help us, please do it and we will appreciate it surely, as the allotment and the allowance isn't sufficient to meet the needs of our families.

We are,
Respectfully, yours,
DETACHMENT SANITARY CORPS.

—

FORT HAMILTON, N. Y., *January 16, 1919.*

DEAR SIR: Am a married man, supporting three children, and have sent a letter through military channels, with three sworn affidavits before a notary public, to be discharged from the Army. Other men have put in same time and are discharged, but I can not hear from mine. It is impossible for me to support a wife and three children, and I would like to know if you can do anything for me.

Please let me know if you can, and how I should apply. Seems like it has been pigeonholed at Governors Island, Fort Jay, N. Y. Hoping a reply.

—

CAMP RARITAN, N. J.

DEAR SIR: There are over 4,000 men at Camp Raritan; many are from Connecticut. Hundreds of married men, enlisted and drafted, who have dependents have applied for a discharge, showing that they have a job waiting for them. Many of these applications are backed by the American Red Cross affidavit from their home towns, stating and confirming the fact that these men have dependents and are needed at home. Many of these men are working for $1 per day, as they have been doing for seven and eight months.

Many just applications for the discharge of married men have been in for two, three, and four weeks. Nothing is ever heard of them, showing that they are ignored and not being considered at all. The office is as far as they seem to get.

Many of these men have been in the service 10 and 12 months and are still being held, while others from other camps are being discharged who have seen but from 1 to 4 months.

The married men with dependents have had their applications for discharge in for two, three, and four weeks, backed by Red Cross affidavits, and showing that they have dependents and a position waiting for them. In spite of the above facts, they are being held in the service, while single men who have seen but two and three months' service are being discharged from other camps. Many of these married men with dependents are from your home State. Many are afraid of the guardhouse and the "unjust" court-martial. That is the reason they have never written to you stating facts concerning their troubles.

These men thank you for your good work you are doing in their interest.

Any private soldier who can be seen on the streets of New Brunswick any day or night will gladly tell you of the affairs herein referred to, which need competent readjustment. Any friends of yours from this vicinity are familiar with the facts and will gladly inform you of same. The married men with dependents should be given some consideration at this camp.

There are rumors that the officers are stockholders or interested in the company of Snare & Triest, contractors, now doing work at this camp; consequently married men with dependents are being held. Many are doing nothing, as a little investigation will show. If you will have some of your friends of this vicinity ask some of the soldiers from this camp their opinion, you will receive some information that will more than surprise you. Kindly consider this letter strictly confidential, because if we are found guilty of giving any true information we will be court-martialed.

Again thanking you for your kind interest in behalf of the worthy married men with dependents of this and other camps, I remain,
Respectfully,
———— ————.

—

HAMPTON, VA.,
DEBARKATION HOSPITAL NO. 51,
Barrack F, January 19, 1919.

DEAR SIR: After having read your article in the paper concerning discharges of men on application, I appeal to you to ask you if you can do anything in regard to my discharge. Having made application about the last week of November (1918), and having received no answer concerning it as yet, I feel your influence can help in getting it for me.

I am a married man. My wife having just given birth to a son on January 13, 1919, and she now, or was when I left her, in poor condition in St. Mary Hospital, at Waterbury, Conn., and is in need of my support, her father and mother both being in ill health, with three children under 16 to support. The Red Cross people, of Waterbury, Conn., where I live, will verify the above statement. I am now stationed at Hospital No. 51, Soldiers' Home, Hampton, Va. There are here about 90 men in the company known as the port utilities, and the majority of them are domestic-service men. I am safe in saying that two-thirds of the men are practically doing nothing. There are 30 men doing work that has always been taken care of by about 8 civilians before, and it is costing the Government about two-thirds more money now than before we were stationed here.

Trusting you will look into this matter, I beg to remain,
Yours, truly,
———— ————.

—

DEAR SIR: Reading of the great work you are doing in the House of Representatives for the boys that have carried the burden of this great war, I wish to say I will never forget your name at any time where I can use my voice. And for God's sake dear Senator do not stop until you have won for us what we have been told we were fighting for, and that is democracy.

I am also one of those boys that is hard hit by my commanding officer's narrow-minded way of working. I have been a sergeant carpenter in the Camp Utilities Detachment and have served 15 months, have a clear record, and certainly have done my bit while the war lasted, for we have worked as many as 7 days a week and 14 hours a day, but with a record as clear as mine I am still denied the right to go home to support my wife and child.

I have applied for my discharge about the 28th of November. On the 20th of December my supply sergeant returned my three blanks, which never reached the commander of Camp Upton. I have made three more of these blanks out on the 30th of December. I also had two affidavits of friends of mine, with a statement from a family doctor and a letter from one of my employers. This I done for my commanding officer. Lieut. Starin told me that this is the only way I could get discharged, and he also stated that he would let me go. This met with about the same as the first, for it was disapproved without any investigation of my home troubles. I have been asked to make out the third one on the 17th of January, and to-day, the 18th of January, I already have heard it has been disapproved and at the same time this Lieut. Starin has told me on the 17th of January that he will do all he can to let me go. Now, dear sir, can you tell me how it is that the commanding officer, Lieut. Starin, in charge of the carpenters, tells me this and the major disapproves my discharge? Is there no justice coming to the boys that have served their country as a faithful servant?

I am a married man; have a wife and child that is in need of my support, for this little boy of mine is only 4 months old and is a breast baby, which makes it impossible for my wife to help support herself. I also have a mother-in-law, who is a very sickly woman and can only work when her health allows her. But my family must suffer because I am a mechanic, and I am told I am indispensable.

Here is how I am indispensable. Last year this detachment numbered only about 350 men, and we have kept this big camp going, and at that time this camp holding about 50,000 men. To-day we have about 600 men in our detachment, and there is only about 15,000 men in this camp, and still we married men with children and I, being in debt for about $250, am now indispensable.

I am and have been working at things that do not amount to a pinch of snuff, such as building tables for garbage cans after doing without them for 15 months in our detachment. A dog house is a great thing to be compelled to build in the Army when I am needed at home for support. Taking down a mess counter and a center post in a mess kitchen in our barracks that has been only built and then be compelled to build a fighting ring, only to be torn down and rebuilt again by one of our other boys. This is only a little part of our exceedingly carpenter work we are doing.

I hope you will look in this matter, as I can not look upon this much longer without doing something, and there will have to be a dishonorable discharge, for I would much rather prefer that than to see my family in need of my support.

The burden of the next group of letters selected is that the men are being kept at great sacrifice to themselves, at great expense to the Government, and that they are not doing any substantial amount of useful work:

DEAR SIR: The men in the mustering office of Camp Dix, N. J., would like very much to voice their approval of the articles in yesterday's New York Herald, Sun, and World relative to your speech on the delay in mustering out men urgently needed at home on both business and dependency reasons.

It is an outrage the way we are being treated here. Do they think we are slaves, and must we tear this place apart before they will listen to the requests of our employers in civil life and that of our dependents?

In this mustering office are about 125 men, with some 7 officers, doing work, in the main, that is absolutely unnecessary, and work that could be done by any 10-year-old child. The work consists of looking over papers already finished for mistakes, and could be done by less than 30 men. This big force of men spend on an average of three-fourths of their time doing absolutely nothing but fool the time away. The officers in this camp (headquarters and personnel) are doing all they can to hang on to the men for no other reason than it gives them an excuse to hold on to their jobs, as we plainly see every day.

They were seen to read the newspaper articles of yesterday with sneers and sarcastic laughter, with the remarks that nobody had anything on them. We used to get our applications back, but no more, as they simply tell us now that we can't be spared. This is as big a lie as it is a farce, as the officers' pets, particularly in this office, have been discharged through the simple means of transferring them to some unit up for immediate discharge; otherwise, the men that have been discharged from this office have only done so by fighting tooth and nail over the heads of the officers here in camp or by practically having their dependents beg their release by groveling in the dust on bended knees.

The officers tell us that we are highly trained men—doing work that any child could do.

The investigating committees and the newspaper reporters that come down here and are received by the officers in charge have their ears pumped full of dope prepared in advance, and we are usually notified a few minutes in advance of their coming and forced to act extremely busy. If you ask any of the men any questions, they don't dare tell them the truth for fear of court-martial, which is a threat hanging over them at all times.

Why, in the name of heaven, don't they get Regular Army men for this work or some of those idle clerks in Washington that would be glad to do this kind of work?

There are a lot of men here that are having jobs held for them and which they will lose if they can't get out of the Army. Do they want us to swell the army of unemployed after we get out of here?

We most sincerely hope that your efforts will not be in vain and that good will come of it, as it certainly is an outrage the way we are being handled on the question of discharges.

Capt. ———— and Col. ———— are the men in charge of this office, and they work hand in glove with the rest of the officers in headquarters to hold as many men as possible.

The average man here doesn't dare say anything for fear of punishment.

THE MEN FROM THE MUSTERING OFFICE,
Camp Dix, N. J.

—

MOTOR TRANSPORT CORPS, CAMP JOHNSTON, FLA.

DEAR SIR: The boys in our company read with great relief that someone was awake to the undue delay in the discharge of men from idle units.

For weeks we have been practically idle, with no more and generally less than 10 repair jobs for a hundred and more men.

In the motorcycle repair park, in which I work, are 30 men, including the office force, and if we have five repair jobs going on at once we can consider ourselves extremely busy. There are hardly more than 50 machines on duty in camp, and surely it doesn't take 30 men to keep 50 machines in repair.

The motor-car and motor-truck shops are similarly affected, having sent by far the greater part of their machines to Camp Jessup, Ga.

There have been some men discharged from our unit with good dependency and business reasons, and some that we call "handshakers" that got out without good reasons. There are at present a great many men in our company that have presented excellent reasons for discharge and have been turned down.

The most irritating part of it is that there is so little for us to do but loaf, loaf, loaf.

If you can use some names of men and their particular cases, I will be glad to furnish them.

—

HONORABLE SIR: I was reading your speech in the paper this a. m. In regards to the officers holding us in the Army because they were getting higher salary than they ever got, it appealed to me very much. I have been in this Army nearly 18 months and I have been rejected five times for oversea service, and I was put in a labor company. I have been trying to get out on my profession. I am an embalmer. I have had license since 1st of September, 1910, and the firm I used to work for is very much in need of me. The influenza is very bad around my home, and he is the only licensed embalmer. Of Badger P. Wood, Petersburg, Va., I received letter after letter asking me to try and get out, and I have asked the captain about it several times, and he told me it was no use, because my discharge would not go through. Now, the war is over and I want to get out. We are doing nothing. They even send the men out of our company to do kitchen police for other companies and put some of them in the warehouses, and they are lying around doing nothing. We have three labor companies, all of them rejected men. We have 301, 302, 306, and you can judge the rest for yourself, and the remark has been made around here by one of the officers that he would hold us three years if he could. You are right in everything you said. We know, but we are afraid to say anything. You know what we will get—about six months in the guardhouse. The firm I worked for has written my company commander several letters, and he hasn't received any answer from either one of them. And if you can do anything to help me, it would be greatly appreciated, and for God's sake do not breathe what I have written you. If you do I will get about 12 months.

—

UTILITIES CONSTRUCTION DIVISION,
Upton, Long Island.

HONORED SIR: Your arraignment in the House on January 15, charging officers not acting in good faith in handling applications for discharges has come to our attention through the press, and we heartily indorse your opinion. You have struck the right point in your reasoning, that many Army officers are holding better jobs to-day than they ever did before. We are subjects of exactly same injustice in this organization, where our case needs to be investigated, as there seems to be no other way to be freed from the hands of our superior officers, who keep us here for their own benefit.

It is more than a clear fact that this organization, under the title of Utilities Detachment of Camp Upton, has been put on the ground of a permanent character, employing soldiers of various physical status, and especially limited and domestic service men, regardless of their immediate need at the head of their home.

During the time of war, when camp activities were at a height, this organization operated with 350 men, and had done considerable work during this period. Now, with the construction at a standstill, the head of this outfit has maneuvered so that he is now holding 720 men, part of which is absolutely in idle condition. For example, in the executive department there are 12 men, ranking as follows:

One lieutenant in charge; two sergeants; two corporals; seven privates.

Is it not surprising, when we consider that this same office had been managed in 1917 and 1918 with only three men in charge. This is a flagrant fact, and the rest of the offices as well as outside branches are in similar condition. It is an outrage.

Just another example: In time of war this organization had 17 plumbers, but at present they are holding 57.

Many of us, thinking we may profit from the privilege given to us by the War Department, have filed application for discharge, only to have them disapproved without the least investigation as to the true character of our claims. One fellow even was threatened to be sent to guardhouse for insisting to get application blanks from an inferior officer. We are unfortunately the victims of these capricious officers in charge of us, who want to keep us for reasons above our knowledge, when we have absolutely nothing to do and have to struggle in vain for our liberty, with broken spirit and naturally lack of patriotism.

We think we deserve consideration, and as we have no friends to defend our cause, we appeal to you, as your attitude seems to be a just one in this matter of holding men for unknown purposes to let their relatives suffer the consequences. We earnestly request you to be interpreter of our sad condition and try to obtain a favorable solution for which we are looking forward with still a little light of hope left in our hearts. We simply are begging you to save us from the cruelties of these superior men in cleverness exercising the power given to them with utmost severity. There is no prospect for us to be released of serving like slaves before the end of this year. Although it is surprising that same organization under different name has a force of 1,750 civilians who get $7 a day and work on the side of us soldiers.

In putting these facts before you we have the indorsement of our fellow soldiers and believe that in the name of humanity we will share equally all the rights which are given to us by laws and nature.

Respectfully,

A SERGEANT.
A PRIVATE.

P. S.—We did not dare to put our names in full, because we believe we are liable to be strictly pursued should this letter fall into the hands of some Army officials.

—

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL.

DEAR SIR: May I compliment you upon your speech of yesterday in regard to the discharge of enlisted men. Your sentiments meet with the hearty approval of the enlisted personnel of this department. Many of them, promising young lawyers with growing practices, barred by physical defects from more active service, in order to help their country sought voluntary induction into this department to act as law clerks—at least they were informed that they would be so used when they made application for induction.

Now that the great emergency has ceased they seek to return to their practices and to recoup their fortunes,—for theirs is a real sacrifice, the pay of an enlisted man being wholly insufficient to meet the exorbitant charges of this city. Their positions await them, there is need for them at home, two of the men will lose positions paying several thousand dollars a year unless they return soon, yet they are held here—for what reasons unless those set forth in your speech we are unable to determine.

There is little or no work to be done. It is a fact that some of the men average less than three hours of work a day. The work is of the lowest type—acting as messenger boys, as mimeograph operators, as typists; in short, as everything but law clerks. Nor is it as though civilians could not be obtained to perform these lowly duties; little or no attempt has been made to do so, for, as we have been informed, a military establishment is preferred.

It is therefore with relief and pleasure that we learn that Congress is turning its attention to these matters and that we may soon obtain that just treatment, untouched by personal ambitions, upon which the success of the draft principle vitally depends.

With best wishes for this new year, and sincere regards, I am,

Very truly, yours,

——— ———.

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CAMP UPTON, N. Y.

DEAR SIR: In yesterday morning's World there was reported a speech which you had made in the House of Representatives relative to the method of making Army discharges. During the course of your speech you mentioned that some Army officers had better jobs than at any period of their lives, and in order to make their own jobs good they were refusing discharges to soldiers who desired discharges. The foregoing statement is particularly applicable to the conditions at present existing in the office of the camp utilities at this camp. I happen to know, as I am employed in that particular office myself. "Did I say employed?" Pardon me; I was mistaken. I am not employed in the office, but I am only spending my time there, as I do not do any work, but simply put in my appearance in the morning. During the day I read such literature as is to be found in the office, and there is plenty of it here, the morning and evening papers, and such letters as need to be written. I receive $36 per month, but do not earn 36 cents. I am not the only one who is trying to kill time here. There are three men besides myself employed in what is called the service order section, making a total of four. One man could handle the whole business and still find time to read a book of 300 pages each day. Altogether in my department, the administration, there are 11 men employed, whereas 4 men could handle the work, and still find time hanging on their hands. The foregoing situation is typical of this office. There are about three times as many men employed as are necessary. I am a class C, limited-service man, and am hanging around this office doing absolutely nothing, yet am rated as an indispensable man. All the men who could be spared from this office are being held up on their discharges, being told they are indispensable. Why are they rated as indispensable? Neither you nor any other man can answer that question, except to say that these men are not indispensable. Don't you think that such a condition is pretty rotten? Four hundred and twenty-four dollars are paid in wages every month in the administration department, which expenditure is absolutely unnecessary. The facts which I have stated in this letter are absolutely true.

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MY DEAR CONGRESSMAN: Your wonderful speech, part of which was published in the New York World, relative to men being held in the Army because a few officers higher up desired to keep their organizations up to their full strength, was read by all of the members of the camp dental detachment, and my, what applause. It struck the nail right on the head. Every word of which I honestly say and can prove. I think perhaps if you knew these facts you might be able to do something for some of us boys who are absolutely wasting Government funds and ruining our futures. We idle away our time in the most disgraceful manner, and if you only knew the kind of work we do. In this camp there are three dental infirmaries, over 30 first lieutenants drawing salaries approximately at $200 per month, including allotments. There are approximately 100 privates, a great many sergeants, corporals, first-class privates, two captains, and a colonel. I am positive the pay roll of the staff, exclusive of the colonel's, is approximately $20,000 per month. Now, figure food rations, clothes, fuel, electricity, and dental supplies. Why, the figures are immense, and to cap the climax the men have almost nothing to do. A majority of the lieutenants are begging to be discharged, but the answer is always "no." I personally have a chance of my lifetime to resume my business, which I strove very hard to build, but on technicalities I am kept here, wasting the best days of my life, idling away my best days, and there are lots of others. Look at the record of work done. It is outrageous. Investigate these facts, and please, for God's sake, make the Military Committee break up such an exorbitant expenditure of moneys. The boys are all anxious to go home and resume their careers as civilians.

Picture this scene. I am almost going insane from worry, and because of men higher up, as you stated, I am held here. * * *

In time of war we had about 90,000 men in camp and no more than 25 dentists and 25 enlisted men. Now, in time of peace, with only about 20,000 men in camp, we have over 50 first lieutenants and almost 100 enlisted men and hardly any work. They have to go out and lasso patients. Very few come there voluntarily, and then when they get there the officers start to work on them and in a day or two they are discharged, work incomplete, and what is the result? They are not any better off. Please, Mr. Congressman, bring these facts to light and expose this organization and save the Government from any such wild expenditures and save the boys from becoming idlers and also from losing all of their ambition.

If you desire I will be only too happy to appear before the Military Committee in private, as I do not wish my name mentioned and am not seeking any notoriety.

Trusting you will investigate the truth of these assertions, I am,

Very respectfully,

——— ———.

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CAMP UPTON, N. Y., *January 16, 1919.*

HONORABLE SIR: Have read of your speech which was published in to-day's newspapers relative to men being held in the various camps throughout the country who have people dependent upon them for support, and also men who have business and positions waiting for them upon their release from the Army. You sure have been very well advised in this matter, and I wish to state that at this camp there are men who have filed applications under the rules and whose applications have been turned down. The commanding officers in many instances have refused to accept the soldier's application, and when they do accept them they forward them to the higher officers with a statement

that the soldier is doing very important work and can not be spared when, as a matter of fact, a 9-year-old schoolboy could do this so-called important work. The officers are very anxious to stay in the Army and keep as many as possible in with them, so as to make their positions very secure. I think that you should see that there is an investigation started to ascertain why the men are being held in the camps in this country, especially those men who have business and positions waiting for them. It is a very funny thing to look at the daily papers and see the number of men who are advertising for positions at clerical work who have been discharged from the Army. There sure should be some consideration given to a business man or a man with dependents who has immediate work to go to. In this camp there is a labor board established, which, from all appearance, is a sinecure for some who are in right. These men, I am informed, receive the sum of $9 per day for sitting around looking wise. They don't do anything all day themselves, as they have a detail of soldiers furnished them every day to do the work which they are supposed to do. That is one of the reasons why they are holding some soldier for "important work."

Trusting that you will continue the good work which you have started, and assuring you that it is greatly appreciated by a large number of soldiers in this and the many other camps throughout the country, I beg to remain,

———.

CAMP UPTON, N. Y., *January 16, 1919.*

SIR:

* * * * * * *

I am a resident of New York State, but as this matter is one which concerns all, and since you expressed yourself in your speech of yesterday on this matter, I take the liberty of addressing you. I am forwarding you an exact copy of my application, which was submitted as shown; but I am not forwarding this requesting action from you in my personal case, but to submit one of many, others even more deserving than mine, also showing the action taken here.

Since this application was submitted I have twice been transferred to different departments or sections of the personnel office of this camp, each time doing absolutely nothing, to speak in truth. At the present time I do for an average day:

Report for duty at 9 or thereabouts in the morning, wait for my personal mail, and if there is any answer those that require to be answered, but do not fail to watch the hour for mess, leaving at 11.15 a. m. and returning therefrom generally about 2 o'clock in the afternoon. Read the afternoon papers or such other literature as there is time for until the evening mess at 4.30 p. m. I have expressed myself in the matter: "The letter or two that I do write now and then certainly is not worth 10 cents of the dollar and a quarter that I receive daily, besides the other necessary allotments received by a soldier."

I have no objections whatsoever of your using my name in connection with this letter or the contents of any part thereof. The only object of this letter is to show that conditions really do exist as expressed by you, and that there are many officers who have declared that their jobs in the Army are the best that they have ever had, and a perusal of their qualification cards will show this.

The following letter was brought to me by a messenger who is a noncommissioned officer. It is signed by a number of sergeants, corporals, and privates, whose names are withheld for obvious reasons, as are the names in other cases:

PORT OF EMBARKATION,
Newport News, Va., January 21, 1919.

DEAR SIR: In a recent paper your address in regard to discharging of soldiers has come to our attention. The undersigned men wish to express their appreciation of your championship in this cause and state conditions as they are here.

Take the engineering and construction branch of the port utilities, for instance: During the war the work of this department, which included the engineering works concerned mainly in construction of cantonments, waterworks, sewers, etc., at Camps Stuart, Hill, and Alexander, was accomplished with expediency by attached officers, civilian employees, and enlisted personnel, as follows:

DURING THE WAR.

One captain.
Two lieutenants.
Two civilian engineers.
One civilian stenographer.
One civilian draftsman.
Eighteen enlisted men.

Although there is practically no new construction work at the present time, this branch has been increased in number of attached personnel by 3 captains, 2 lieutenants, 1 civilian employee, and 38 enlisted men, making

AT PRESENT

Four captains.
Four lieutenants.
Five civilians.
Fifty-six enlisted men.

In this branch work is slack and what there is of it is mostly useless duplication, yet men having excellent grounds for discharge meet every obstacle that their immediate higher officers can place in the way. These obstacles take the form of conditional recommendations with impossible conditions, return of papers several times for correction of minor mistakes, holding papers without action until repeated requests for action are made, and similar quibbles. Under these conditions the men are becoming discouraged and learning something different from the enthusiastic service once rendered. In one case of this kind cited above a man with dependents risked court-martial by going over the head of his company commander and making a personal appeal to the general in command of this port. His case was examined and he was discharged immediately. This would seem to show that these conditions are not caused by the higher officers but by the captains and lieutenants in command of detachments.

Aside from the matter of discharges, we desire to call your attention to the manner of recruiting the labor and utilities detachments at this port. After the signing of the armistice men who enlisted in combatant companies, with the understanding that the act of enlisting gave them their choice of service, were transferred to labor and utilities detachments, while their comrades were demobilized. A particularly flagrant case of this kind is at hand. A private, formerly of the Second Engineers and 16 months in France, a veteran of Chateau-Thierry, gassed, and wounded so that the hearing of one ear is lost, was transferred to the utilities detachment as a house painter two weeks after arriving in this port. This does not seem to be justice to the men who were sent away with cheers and promises as to the welcome that awaited them when they came home.

Respectfully.

[Signed by a number of sergeants and other enlisted men.]

Some of the men object very properly to being worked indefinitely alongside of civilians receiving high wages.

EDGEWOOD ARSENAL,
Edgewood, Md., January 16, 1919.

HONORABLE DEAR SIR: Having read with interest the article in today's New York World that deals with your activities in Congress as relating to the speedy discharge of soldiers, I am taking the liberty of writing you on this subject.

Permit me to acquaint you with a few facts concerning the attitude of the officers at Edgewood Arsenal in so far as the discharge of enlisted men is concerned:

Out of a personnel of some 7,500 men they have already discharged some 4,000 enlisted men and those officers who had signified their willingness to get back into civilian life. No one seems to know what method was pursued in discharging the men, but we do know that when they got rid of this amount they seemed perfectly satisfied, and we know now that when a soldier goes to the trouble of having papers and affidavits filled out requesting his discharge, and giving as the reasons dependency or the fact that he has a good job awaiting him, he is plainly told that his application for discharge will not be considered, because the whole outfit will be discharged in the course of a few weeks. We have been told this for a good many weeks past, and it seems that there is always a few weeks between the time one wishes to get out and the time they are going to discharge us all. Sometimes they take a soldier's papers, and they are either thrown into the wastebasket or pigeonholed.

To make you better acquainted with conditions here, it will be necessary for me to briefly outline what we have been doing here. Perhaps you already know that this is the one place that the United States Army depended upon for their supply of poisonous gases, in bulk, in shells, and in hand grenades. The plant was constructed at a cost of some $60,000,000, a good portion of which represents the pay roll of civilian laborers who have worked alongside of $30-per-month soldiers, while they were reaping a harvest with fat pay envelopes every week. You can imagine what dangers are to be met with in a plant of this kind, where the poisonous gases are ever ready to leak out and snatch away some one's life or to maim them for the rest of their days. The highly paid civilians did not have to face any of those dangers, for they worked only on new buildings or in places well out of the danger zone, while all hazardous work was done by the soldiers. No one complained because of this state of affairs, for we all rejoiced in the fact that we were helping the cause by doing the work that was required of us, at the same time lamenting the fact that we were denied the privilege of going overseas.

Now, after the armistice has been signed things have changed. Most of the civilians have been discharged, and the soldiers, who have suffered all sorts of hardships and who have been denied all the privileges for which our armies were fighting, are compelled to stay here and do the work that could very well be done by civilians.

As in all big plants there are different departments here, such as operating, maintenance, and construction, and they are in turn subdivided into different branches, such as carpenter, plumbing, chemical, electrical, etc. Most of this sort of work, as you know, requires highly skilled labor, so the men appointed to do this work were selected by carefully going over the questionnaires. As I have stated above, the men who were discharged were selected without regard to what work they were doing. It seems as though they were trying to get enough of them out of the way so as to hold the rest here without any criticism from the War Department, and then the officers, who have better jobs than most of them ever had before, could remain here in peace. This slipshod method of discharging has made a shortage of soldiers in some sections of the plant. To offset this they have in a good many cases transferred soldiers who are skilled mechanics to such jobs as firing the boilers, hauling ashes, policing up, or to any common laboring work.

Our point is this: If the Government could afford to pay high prices for civilian labor prior to November 11, it could well afford to have this work done now by civilians and discharge the soldiers, who have done their bit here. Most of the boys have good jobs waiting for them on the outside. If the plea is made that we are needed here, we would gladly stay as civilians, for then we would at least be getting enough salary to get at least the enjoyment out of life that the Lord intended.

It is very evident that something is wrong. Doesn't it look very much as though the officers here are afraid of losing their good jobs? You can easily understand the feeling among the boys at this post, and you can see why none of us are very anxious to remain here at common laboring work in the uniform of a United States soldier. We have been issued but one winter dress suit and one pair of leggins, and still we are expected to work in those clothes and at the same time try to look halfway decent when we go on pass.

This plant up to November 11 has been run continually on three eight-hour shifts, and in addition we had one and one-quarter hour Infantry drill each day and one and one-half hours' gas-mask drill three evenings each week. Sundays and holidays were an unknown quantity here. We have work day in and day out, receiving no credit and asking none. And all that we ask now is an immediate discharge, so that we can throw off the bonds of slavery or of conscripted labor, whichever you might call it. We appeal to you to champion our cause.

I might add that the officers are at a loss for enough work to keep all the soldiers busy, and many of us are told to hang around and be ready when wanted. With civilian labor and good management, this plant could be run with one-fourth the number of men that are now being used. When you consider that the Government has to clothe and feed a soldier as well as give him medical attention, it would be a saving over the present method.

Trusting that you will investigate this matter and offer what assistance you can to have us released, we feel that you will be rewarded by keeping the soldiers of Edgewood Arsenal good patriots of the country that they have served so nobly.

Respectfully, yours,

A SOLDIER OF EDGEWOOD,
Chemical Warfare Service, United States Army.

45 BROADWAY, NEW YORK CITY.

DEAR SIR: Seeing your name in this morning's World as advocating the release of men in the Army, allow me to congratulate you on your stand in this matter.

We enlisted men stationed at the above address in the Army railway traffic service are working with civilians, who, by the way, are in the majority here, who are receiving from $1,000 to $2,400 per year for doing the same work as we are. Now that the war is practically over, I can not see any reason why this service is not made a civilian organization, especially as we are now handling foodstuffs for civilian relief over in Europe. Why should we work for civilian relief over there when we only get $30 per month? Why can not we receive our discharge and then take us on as civilian employees and let us earn a livable salary? It seems to me as though some of our junior officers are "pulling" some of same stuff as you stated in the morning paper.

You would do us young fellows a great favor by looking into this and seeing that justice is done.

——— ———.

I beg pardon for not signing my name, but I am in the United States Army and afraid to open my mouth.

—

ABERDEEN PROVING GROUND,
Aberdeen, Md., January 22, 1919.

* * * * * * *

There are some 5,000 men here, and to date only about 5 per cent of these have been discharged. Men ordered discharged on December 3 last have been held until January 20, and claims made on industrial grounds are given no consideration whatever, in violation of War Department Circular No. 6, 1919.

During the entire period of the war the soldiers were employed on the construction work side by side with civilians drawing high wages for doing the same work. And all this while they did it cheerfully; but since the armistice has been signed this number has been increased by adding men who had formerly done work of a military character. We consider this a gross injustice. If the Government is so solicitous about taking care of discharged soldiers, why are they not discharged and put to work as civilians, or, at the least, given indefinite furloughs and made to work here at civilian wages?

Is it due to the fact that—we'll be lenient and call it the gross inefficiency of the commanders of this post—the construction work has been done at what is really a criminal waste of money, and they now wish to get some results without their appearing in the construction costs? We can see no other explanation for the way we are being treated.

For obvious reason it would be useless to give my name, but nevertheless I hope you may see fit to give this matter some attention with a view of getting a square deal for the men at Aberdeen.

Yours, very respectfully,

ONE OF THE FIVE THOUSAND.

While we are warned frequently that the number of unemployed is rapidly increasing in many places, many men who are the owners or managers of large enterprises, and if discharged would be able to give employment to others, are, nevertheless, held for menial service.

The writer of the next letter filed affidavits showing that he is the owner, proprietor, and manager of a large farming and stock-raising enterprise in Minnesota, but he is refused his discharge and held as an enlisted men in a supply train in an inland camp:

DEAR SIR: I fortunately secured an account of your speech of 15th instant in Congress, and would like to say that you covered matters almost identically as they stand in the division supply train to which I belong.

I have been endeavoring to secure release from service since early in December, and all efforts have been "frozen out" in some manner or other. I am inclosing you my original petition, which was recently disapproved, and certified copies of the affidavits I submitted indorsing my petition for discharge. I have been in communication with Hon. C. B. MILLER, Member of Congress, who knows of me as a resident in his district, and who has been advising me in my efforts for discharge.

I would refer you to him regarding my standing, and possibly you could cooperate with him in securing my release from service. I certainly believe that from my experience and training that I could be of more value to the country in agricultural production than as I am now being held, especially when a man could be trained to do the work I have been doing in less than a week. It is very urgent for me to get released immediately to get ready for the coming season's planting of crops, etc.

I certainly hope that you can do something in my behalf, as from your position on Committee on Military Affairs you seem to be our last place of appeal.

The writer of the next letter is the sole manager of a large business in New York City.

DEAR SIR: I read with considerable interest your speech regarding men being held in camps contrary to War Department orders.

I was ordered discharged on an industrial claim on January 1, and through a technicality was held up and finally my order for discharge was revoked.

Am inclosing copy of a letter which I have sent to the camp commander, which I have been told by disinterested parties is a very clear and legitimate case; but I have been informed by others in touch with these matters in camp that it will do no good.

This is an injustice, but an enlisted man has absolutely no redress in the Army and can do nothing to help himself.

Before entering the military service I was the sole manager of the above business, in which I am associated with my father. It has been a hardship on both him and my mother, who has tried to help him to the detriment of her health, during my absence; but they made this and other sacrifices willingly while the war was on.

It is torture to me, knowing that this condition could be very easily relieved, and I know it is the intention of the Government to remedy such conditions with the least possible delay.

However, instead of this system being followed, thousands of men have been discharged who are walking the streets unable to obtain employment, while most of the men being retained are of the caliber who can return to their old positions, which are generally above the average, as these men are being held because of their known superior ability.

Anything you can do to help me in this matter will be gratefully appreciated, and your speech has earned the respect of thousands of men in this camp who are being dealt with as outlined by you.

DEAR SIR: I am a farmer, as inclosed papers will show. Every day that I am away from home lessens my chance for a crop this year and goes that much closer toward the ruin of my enterprise.

I have sent the inclosed papers through military channels twice. Once after War Department Circular 77 went through, and my application was disapproved. Since the armistice was signed we have been of no use to the Government, as we have done nothing of value.

In the spring of last year I was told that the Government needed my crop better than my service; I prepared for a big crop. After I was through with spring work, my local board informed me that the Government had given orders not to exempt farmers any more, and told me to enlist, as I would be drafted in a few days.

I brought my horses home to my father's farm, sold two, and enlisted for the war.

I got a furlough for harvest, thrashed out 3,400 bushels of grain, and returned to the Army.

I write this in good faith, and kindly ask your advice as to what can be done.

Very sincerely, ——— ———

—

DEAR SIR: It is very urgent and imperative that I again resume my business for the reasons that my investments, especially in the ——— Co., of ———, is in jeopardy and in immiment danger of great loss to me as well as others interested in the above corporation. For some time prior to my induction into the service I was, and still am, treasurer of the above corporation and as such handle all the finances and participate in the general management of the business. It is quite a large concern, employing a great many hands, but since my induction into the service the capacity has been decreased to about 40 per cent, due to my inactivity.

* * * * * * *

I fear that unless I am immediately discharged that the business will result in complete and disastrous failure.

Maj. ——— ———, who is my commanding officer, claims that I am indispensable and can not be spared. As a matter of fact, I am doing ordinary clerical work which could readily be performed by a schoolboy of ordinary intelligence and though there are many other men in the same department with me doing the identical work that I am and who have not as good a claim for discharge as I have are being discharged. There is no question in my mind that I am being discriminated against, presumably because I am a good deal better off financially than others.

* * * * * * *

I am an employer of a great many men, and were I given an opportunity to resume business again I am sure that the capacity of my plant will run 100 per cent. Will you, therefore, be good enough to have my case investigated with a view to obtaining my immediate discharge?

Very respectfully,

———.

—

RECONSTRUCTION DIVISION, COMPANY E,
WALTER REED GENERAL HOSPITAL,
Washington, D. C., January 21, 1919.

DEAR SIR: Prior to my enlistment, April 24, 1918, was employed by the American Bank Note Co., New York City, as a steel bank note engraver, and am still under contract with said concern as such. There being only 85 men trained as such in the country, I feel it imperative that I hastily resume my activities with this company and live up to my contract. The company has written to the commanding officer of this post and to myself, trying to effect my discharge at an early date, but without success.

Have a partially dependent mother, who is not in the best of health, and who at all times is looking for my early return.

Was sent to this post in October as an instructor of engraving, but since that time have been used in the capacity of office boy and clerk; still, on requesting discharge, was told that I was an essential man and that my services were very necessary—this selfsame story being told to all men making application.

The following are selected from a large number of letters covering the entire subject of the refusal to grant discharges and some of the reasons:

SIR: Permit me to thank you in the name of the boys of this camp for your true statements which appeared in this morning's papers.

Your remark about the cause why some officers decline to approve claims for discharge is correct. * * *

I am going to give you a true case of the type of officers who are invested with the power of the life of their men. I say life, because in some cases where they refuse to recognize the claims of their men the life and death of some relatives are dependent on the decision of the commanding officer.

We have a lieutenant, named ——— ———, who is the head of this detachment; he is a shyster lawyer from Wilkes-Barre, Pa. He is married, has seven children, and yet maintains a home for another woman in Trenton, N. J. This is the type who has turned down almost every application made to him, no matter how important the case may be. You may investigate this case; it will provide you with food for thought; but do not use any method which may bring disgrace on his family. They should not be made to suffer.

I have given you a true case. Such a man should not be permitted to make hundreds of Americans—good Americans—unhappy.

I can not sign my name, but you will find my statements correct. Personally I have no grudge, nor ax to grind, but some of the men here have related to me their cases, which are truly heartbreaking. Please keep this letter to yourself.

A BLUE-BLOODED AMERICAN WHO HATES TO SEE THE GOOD NAME OF THE ARMY SUFFER BECAUSE OF A FEW MEN.

—

WALTER REED HOSPITAL,
Washington, D. C., January 16, 1919.

MY DEAR SIR: I have just read with pleasure your interesting article in this morning's paper pertaining to the discharge of men from the Army. You are to be congratulated when you say that the hold-up is due to the man higher up, fearing he would be demoted. If you or some reliable person would investigate matters here at the hospital, you would find what you say is correct.

1. First we were told to make application for discharge, which we did.
2. Those who had a little pull were discharged.
3. Tuesday night we were told that no discharge would be granted at the present time, and had our applications handed back. Why? Because our detachment commander is afraid of losing his "title"—

rank; being a drug user, and half the time you talk to him his mind is on something else.

An investigation would do a little good. Investigate the men and their applications; then investigate the officers.

I would sign my name and rank, but I am afraid this letter might go astray, and then I would be liable to court-martial; however, if you should investigate and run across me—which you would—I will then make myself known.

—

DEAR SIR: We were happy to read of your speech in a clipping that we received from New York.

You hit the nail on the head. If a man as fearless and just as you could only witness conditions at this hospital, we boys would get a square deal if it were in your power to grant it.

Here is our plight: We are a company of over 700 men, and the amount of patients total 100 less. Over half of us come from New York and Connecticut and other States up North. We were drafted and taken from the Infantry and transferred to the medical detachment. When we ask questions pertaining to discharge we are laughed at and told by officers that we are "out of luck" for being in the medical detachment. We are willing to do our duty, but when we are told we are out of luck for being in a branch of service that we never did want it makes a bitter and disgusted bunch of men. The truth is, Senator, that we are slaves disguised as soldiers. Your charge about officers ignoring requests for discharge is correct. We all realize the fact that we are being held in order that some parasite holds onto his commission. The southern fellows don't mind it so much, as most of them can go home and back on a 36-hour pass. We poor northerners, though, are stuck. They could easily send us to our homes, and we wouldn't mind staying in the Army a little longer if we could be transferred North. We do all kinds of dirty work—mopping, sweeping, oiling, dishwashing, and all the disagreeable work attached to the wards. They won't consider our applications; not even send them to camp headquarters; and they don't even let us know the reason for disapproval. And the Government's excuse for inducting us was that we must fight and defend the country. And now that we are in it we are driven like slaves. And away down here, a thousand miles away from home, a northern fellow gets it pretty rough. He can't get a furlough unless a member of his family dies, and even then they "red tape" him and he does not get home in time for the funeral.

Senator, all of this is the truth, and anyone of us will swear to these facts if protected. Our opinion of the Army is formed, and we have decided that it is slavery. Anything you can do to get justice to us northern boys, Senator, we will more than appreciate.

Respectfully,

NORTHERN BOYS OF THE MEDICAL DETACHMENT,
Base Hospital, Camp Gordon, Ga.

P. S.—We would sign our names, but fear it is mutiny to do so.

—

JANUARY 16, 1919.

DEAR SIR: Inclosed with this note is a clipping from the New York World, dated January 16, with heading of "Men held in Army to keep officers' jobs," and in this address to the House allow us to inform you that you have struck the nail squarely on the head, and have spoken the sentiments of some four or five thousand men of this post who are unable to express for themselves. Let us assure you, dear sir, that your message sounded the greatest revielle this camp has ever heard, and we, each and every one of us, thank our God that you have started the wheels turning in a very great and legitimate cause. So positive are we that your findings are correct and we pray the good move will "carry on."

This small camp contains hundreds of officers, generally juniors or lieutenants. Their purpose here is quite a mystery, but one that we have no reason to fathom, further than that which most directly concerns us. Since we have had the privilege of making application for discharge from military service, it is safe to say 75 per cent of the men at this post availed themselves, while the per cent actually discharged will record very law, indeed. While this is an arsenal containing some four or five thousand men, only a few hundred are employed in the handling of munitions, and, there being no exercise or drill, the monotony and discontent and ill feeling created here will truly picture this branch of the service a most undesirable one. Speaking in no way from a personal point of view, as it is very evident that thousands of men at this post are fairly begging to return to their families, to their places of business, to their positions, and to their employers where their time will not be spent in idleness and waste, and where their bills are now piling up against them every day. Sincerely, Mr. TILSON, we feel very gratified to you and your high office for the course you are pursuing, and assuring you the cooperation we are so feebly able to lend, and wishing you the success you have so deservedly earned, believe me,

Cordially, yours, ——— ———

—

HONORABLE SIR: I—and so have a great many other soldiers here at camp—have read of your fight against the Army officers holding the men in the Army longer than necessary.

So we thought it might be of interest to you to know of something that is being put over on the soldiers here in the machine-gun school. The commandant of the school, Col. H———, was approached the other day by Gen. E———, who has just returned from Washington. E——— is in command of the camp. He said to H———, "We'll have to get these drafted men out of the machine-gun school. Congressmen and Senators have made repeated complaints, and the War Department is after The Adjutant General, and he is raising hell with me. We don't want a scandal, you know. The men want to go home, and we couldn't under these circumstances get anything out of them anyway. They have been designated for discharge." The colonel replied, "Well, the men shouldn't be dissatisfied. There'll be men in France eight months longer, and we'll get them home in six months. The draft law says we can hold them four months after peace is signed." "I know," said the general, "but we've got to get them out." "Well, what's going to become of me then?" said the colonel. Now, this is not hearsay or an Army rumor, but the positive, thoroughbred, through and through truth. If Col. H———'s morals of holding these men to hold his job is any different from those of the Kaiser, who used men to sustain his ambitions, I can't see it. The men are red hot. It is an unnecessary expense. There is hardly a man in the machine-gun school who doesn't earn $35 to $50 a week in civil life. Many of them have been urged by their former employers to get released. Some will lose their old jobs if indefinitely detained. All will lose the familiarity with their professions and businesses that gets further away every day. Some are married; most of them have dependents. The company commanders have instructed the first sergeants not to send any man to them to talk about making application for discharge, because they will approve none whatever.

Now, Mr. TILSON, there is plenty of militarism in our Army, and some day the public will know it. We have censorship and military restraint now. However, some one should show up these Army officers who are making men make unnecessary sacrifices, who are forcing endless hours of unnecessary anxiety to our loyal wives and mothers. Something should be done to relieve or to punish these militarists. They are breeding bolshevism, anarchy, and socialism in the souls of men who were sterling patriots. Indeed, they are traitors to their countrymen. The demobilization at the outset should have been put in the hands of a civilian commission of able sociologists. It should be now. It is more of a social than a military problem. The Army officers—even the West Pointers—are an ignorant set outside of guns and drills. That is, I mean those that are trying to make the Army a business and jump from $20 a week income to reserve commission and then a regular commission. They are using their authority in a cowardly manner. Denying a soldier the right to make application for discharge is taking a right away from him by War Department Bulletin 77. It never was posted in the machine-gun school, but a few select ones were called in, told about it, and got out. Then things were closed up. The men that got out were most of them fellows they were afraid of—afraid they'd start something with a newspaper, etc.

Now, I am not a Connecticut boy, but we are all good Americans, and thought it might interest you to know what is going on to any American soldier even if it isn't one from your State.

Sincerely,

AN OUTRAGED SOLDIER.

P. S.—I have a $50 a week job being held open for me. I am the sole support of a sister who I am trying to educate. I have spent $200 more than I have earned trying to make ends meet since I've been in the Army.

I'd sign my name, but something might happen, and good gracious but we do hear a lot about Fort Leavenworth.

—

HOBOKEN, N. J.

DEAR SIR: This is just to let you know that the victims of the conditions laid bare by you before the House yesterday are with you. All that we ask is a square deal. We're not getting it.

You could not have stated the conditions prevailing in Hoboken with greater accuracy if you had investigated them. It would take no searching investigation to discover many holding better jobs than they ever held in their lives right here, and who are doing all they can to hold on to them as long as they can. Why, the writer knows of a case where one of these "patriots" gave one of the boys an awful bawling out for trying to secure his discharge, telling him that he was unpatriotic, and a lot of other stuff.

I do not think it is so much the fault of the War Department as it is of these "patriots." The department naturally has to rely, in many cases, on such men for information concerning conditions. They will not let anybody out here, except a chosen few, and yet the men know that 50 per cent could be let go and the machinery would go on, not only as it is but with greater efficiency. Too many cooks spoil the broth. Your criticisms are constructive. Go to it.

Respectfully, yours, A VICTIM.

Here are a few selections from a mass of letters received from dependents, friends, employers, and others outside of the military service:

NEW YORK, N. Y., *January 20, 1919.*

Hon. JOHN Q. TILSON,
House of Representatives, Washington, D. C.

SIR: I have read with a great deal of interest the article in the New York World on January 15 quoting from your speech of that date on the subject of men being detained in Army camps under unfair conditions.

As I am a frequent visitor of a camp where the conditions regarding the men's discharges are identical with those stated by you, I take the liberty of bringing it to your attention.

At Camp Kendrick, Lakehurst, N. J., a soldier whom I know personally has tried repeatedly to obtain his discharge, as he is actually needed at home, and his former position is open for him for a limited time. Although his application has been in for over a month they have taken no action on it whatever. However, they are discharging the men by lottery, and the few already discharged have been men with no dependents, no allotments, and men who have been in the guardhouse. Meanwhile, the great number of soldiers remaining in the camp are doing absolutely nothing.

This most certainly does not seem to be in accord with the orders of the War Department, and evidently there is something wrong somewhere.

If anything can be done to enable the men in this camp who, according to Government ruling, merit their discharges to obtain same, it would indeed be a valued favor and most deeply appreciated by all those affected by the prevailing conditions.

Yours, very respectfully,

EVA L. BARNETT.

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MY DEAR CONGRESSMAN: Permit me to congratulate you on your stand in Congress for the boys in khaki. They will never forget what you are endeavoring to do for them.

I have a son at Camp Dix, N. J., who is held there in the mustering office, and is therefore one of the victims which you have so aptly portrayed in your speeches in the National House.

There are at present detained at Camp Dix in the mustering office 120 soldiers, most of them high-salaried men when they were drafted in the United States Army, and the major part of them could be discharged immediately without hindrance or detriment to the work there in hand. Their jobs are open for them as soon as they secure their discharges. Their retention there seems to be for no other purpose than to keep the captain in a better job than he ever had before in his life.

The Regular Army men who are at the Jersey camp could readily be detailed to do all the clerical work and would be glad of the opportunity. Twenty men, from what I learn, could easily handle all of it,

for there is so little in hand most of the time that the staff practically sit in idleness most of the time. In fact, the staff, according to reports, has been instructed by the officers in charge that when visitors appear upon the scene at any time to pretend to be very busy, whether anything is doing or not. Such a mandate is repugnant to American ideals, and, to say the least, savors of instilling dishonesty among the soldiers.

Permit me to again congratulate you, and should you need a résumé of conditions at Camp Dix, I am at your command.

—

Hon. JOHN Q. TILSON, M. C.,
Washington, D. C.

MY DEAR MR. TILSON: I want to congratulate you on your manly speech made yesterday in the House of Representatives. You gave them concrete facts, and I can furnish you with evidence along the line you spoke.

One of your constituents, F. D. Layton, secretary of the National Fire Insurance Co., of Hartford, wrote a letter to Secretary of War Baker in regard to a soldier who was employed by them, and who was urgently needed by his company. After some delay the letter was answered by The Adjutant General, who stated that the soldier should make application through his commanding officer. This the soldier has done, but it never reached any further than his commanding captain.

The soldier I refer to is ——— ———, Third Transportation Battalion, One hundred and fifty-fourth Depot Brigade, Camp Meade, Md. I have some very interesting correspondence regarding this case, and if you could use it I would be pleased to forward same. This is one of the most beautiful cases of "passing the buck" from The Adjutant General to the commanding officer and from the commanding officer to The Adjutant General.

Keep up your fight for justice, and the people will not forget you.

Believe me to be,
Very truly, yours, ——— ———.

—

DEAR SIR: Having read an article on your speech, in the Daily World, I take this liberty of calling your attention to a few flagrant cases in Camp Morrison, Va. I am an ex-soldier and just visited some buddies of mine at that camp, and heard from them that they made application for discharge, affidavits attached, and that Gen. Ferguson approved them, stating that they had sufficient reason for discharge. The major at Camp Morrison claims he can not spare them, although there are many men idle. I believe there are 130 patients and 190 medical personnel (approximately). The cases I have reference to all have good reason to be home. All cases of dependency, with positions waiting, and one case who has a farm and dependent mother.

I am taking this liberty, as my buddy told me they had been warned not to write to any Congressman or Senator, and from your article I feel that you have the interest of the men who sacrificed all they had to do their bit, and fair play would keep them all better citizens.

Hoping you will overlook my forwardness in taking this matter in hand, and do what you can to help these boys,

Sincerely,
HERBERT BROWN,
One who did his bit and knows.

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WASHINGTON, D. C., *January 20, 1919.*

Hon. JOHN Q. TILSON, *Member of Congress,*
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: Please keep up the good work in connection with the Army subject. A thorough housecleaning is absolutely needed.

If opportunity serves, please don't neglect the United States Army automobile abuse here in Washington. This is obvious and scandalous. The Secretary of War evidently intends to permit his many aids to retain all the passenger cars, the same as war time. Every day on the streets one can see Army automobiles lettered "For official business only" or the like, obviously used otherwise. Well-dressed women are frequently ridden around; Army officers, even of ordinary rank, to the writer's knowledge, have United States Army cars, driven by enlisted men, call and wait for them to finish breakfast, then "tote" them to the office. Outside the big clubs, at the large theaters, etc., these cars can frequently be seen waiting, with their enlisted men chauffeurs. These Government cars are often seen on the streets on Sundays, obviously used for pleasure. Surely this is against all law. I am a taxpayer. If the Secretary will not stop the waste and abuse, Congress might properly take cognizance of it through restricting appropriations.

Very respectfully,
——— ———.

—

HOOPESTON, ILL., *January 20, 1919.*

Representative TILSON,
Washington, D. C.

DEAR SIR: My husband, Pvt. ———, of the Two hundred and seventy-first Aero Squadron, Aberdeen Proving Grounds, Md., has applied for discharge from the service, as I am wholly dependent upon him for support. I am recovering from a severe attack of the influenza, and this disease has left my physical condition greatly weakened so that I am unable to even partially support myself without permanently endangering my health. As I owe a doctor bill and a nurse bill which amounts to $5 per day for three weeks, and as my allotments just covers my board bill, it is very necessary that my husband be discharged at once. All these facts have been stated in the affidavits that my husband had made out. We have turned in an affidavit from my doctor telling the exact condition of my health; also two affidavits from relatives stating the extent of my dependency; also two affidavits from nonrelatives who know that we are married and know the extent of my dependency. My husband has given these documents, which have been duly signed and sworn to, together with a statement from his former employer that he has a position awaiting him on his return, and also a certificate of our marriage which we obtained from the county clerk in the county where we were married, to his commanding officer. Up to this time his commanding officer has ignored them, and my husband is powerless to help himself, for we understand that the commanding officer must sign them and send them to Washington before he will be given his release. In reading over this newspaper clipping I decided to write to you and acquaint you with the facts concerning our particular case in a vain hope that in some way you might be able to help us.

—

SIR: In looking over the evening paper of January 16, 1919, I saw the article in regards to "The neglect of discharged soldiers."

On December 14, 1917, my husband enlisted in the Ordnance Department of the United States Army for the duration of the war. We have been married since September 9, 1914, and previous to his enlistment he was my sole support.

It was impossible for me to get along on my allotment. As I was in poor health and had absolutely no means of support, I had to break up my home and store my furniture and go back to my mother's home.

Since the war has ended I have tried to build up my home again, thinking my husband would soon be out of service. He made application for immediate discharge, and I also wrote to his commanding officer some weeks ago, but up to the present his officer always tells him that he put the application through, but he doesn't know where it is held up.

Now, would you kindly advise me what steps to take, as I have tried to work, but my work is an awful strain on me and I will not be able to continue it much longer; but still it is impossible to get along on the allotment alone. My husband has been stationed at Raritan Arsenal since March, 1918. His present rank is ordnance sergeant.

—

JANUARY 16, 1919.

Hon. J. Q. TILSON,
House of Representatives, Washington, D. C.

MY DEAR SIR: I was very much interested in your remarks in the House yesterday respecting the retention of men in the service who have desirable situations open for them in civil life. I want to state a case that has come under my personal observation.

Mr. ———, who was my secretary, was drafted and reported at Camp Lee on the 2d of September. Notwithstanding the fact that he had a wife entirely dependent on him for support, he made no effort to be excused from the draft, but at once reported to his commanding officer. He was among a large number at Camp Lee selected for overseas duty, but prior to being ordered to some point of embarkation the armistice came.

As one of the trustees of the Columbia Hospital for Women, which, as you know, is a Government institution, and subsequent to the armistice I secured a place there as bookkeeper for this soldier at a salary of $1,800 a year, and so advised him; at the same time I wrote the commanding general at Camp Lee of this opportunity. The soldier also made application for discharge that he might accept this position. No action was taken and no reply was received, and we were compelled to fill this position at the hospital.

Later on, as president of the University Club, I offered Mr. —— a situation there at the salary of $1,600 a year. I again wrote the commanding officer at Camp Lee, setting forth that this soldier had been deprived of one $1,800 position and hoped that he would be permitted to accept this. I even ventured to say that to retain him in the service was a rank injustice and a violation of the spirit of orders that had been issued from the War Department to release men who were married or who could obtain positions.

It seems to me that some officer, puffed up over the importance of his position, thinks more of retaining the services of this man at $30 a month, who is an efficient stenographer and typist and who is detailed for duty in the office of the camp adjutant, than of sympathizing with a man who has a wife to support on a salary of $30 a month.

I made representations of these facts to The Adjutant General of the Army and was told by him that action in this case was entirely within the jurisdiction of the commanding general at Camp Lee.

I am taking the liberty of bringing this case to your attention for further evidence of the rank injustice that is being done soldiers now in service, who need employment outside and who have been refused an opportunity to accept positions offered them.

I have the honor to be,
Very truly, yours,
——— ———.

P. S.—My last application to the commanding officer at Camp Lee, like the first, elicited no reply.

—

NEW YORK, *January 16, 1919.*

HONORABLE SIR: Had the pleasure of reading to-day in the New York World your speech, made in the House of Representatives, and will state that we have had a man in our employ for several years. He is doing guard duty in Portsmouth, Va. We have been holding his position open for him, but we can not do it indefinitely. He wrote us yesterday that 12 of his officers signed his papers for release, and the commanding officer refused to sign it, and he is still carrying a gun around some T. N. T. plant.

If you can help us to secure the release of this man, so that he can fill the position that is open to him, it will be much appreciated.

——— ———.

—

JANUARY 16, 1919.

DEAR SIR: The Public Ledger, of Philadelphia, to-day contains a speech which you made in the House about keeping men uselessly in the Army here. I cry aloud, Amen! to what you say, having gone through it and just released recently from Camp Dix, after a life-and-death struggle to get out.

Circular No. 77 seems to be a big joke to the officers; at least, it would seem so. To add to the irony of the thing, along comes the War Department with Circular No. 6—I guess to add to the mental anguish of the men held in.

I know of lawyers, business men, and a dentist who are being held at Camp Dix to check and recheck the documents signed by captains, majors, and higher officers. In the meantime, who cares that their business, professions, and families are suffering? More power to you. Keep up the good work, and hundreds of men will rise and call you blessed.

Yours, respectfully,
R. R. GRAMER,
District Manager.

—

LESLIE'S ILLUSTRATED WEEKLY NEWSPAPER,
New York, January 16, 1919.

Hon. JOHN Q. TILSON, M. C.,
Washington, D. C.

DEAR MR. TILSON: I was delighted to read your plain-spoken criticism of the military authorities in Washington, enmeshed, as they are, in red tape. If you could see some of the letters that come to my editorial desk from soldiers in the service, you would feel justified in continuing your comments. The public stands behind you in this matter.

Sincerely, yours,
JOHN A. SLEICHER.

Casualties in the Pennsylvania National Guard.

EXTENSION OF REMARKS

OF

HON. WILLIAM S. VARE,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1919.

Mr. VARE. Mr. Speaker, under the leave granted by the House I print in the RECORD the following article from the Philadelphia Press of February 2, 1919, showing casualties in the Pennsylvania National Guard:

PENNSYLVANIANS WITH 3,890 LOSSES LEAD GUARDSMEN—2,389 CASUALTIES IN SEVENTY-NINTH—10,000 MEN STILL MISSING—SENT INTO ACTION JULY 16, TWENTY-EIGHTH WAS FOREMOST IN FIGHTING UNTIL ARMISTICE CAME—ASSISTED BY THE FORTY-SECOND—CROSSED OURCQ JULY 30 AND TOOK PART IN ARGONNE AND WOEVRE OFFENSIVES—GRAND TOTAL IS 59,592—17,434 OF MAJOR CASUALTIES ARE CLASSIFIED AS EITHER MISSING OR CAPTURED.

WASHINGTON, *February 1.*

Official tables of the major battle casualties of the American forces in France, made public to-day by Gen. March, Chief of Staff, show that approximately 10,000 men remain wholly unaccounted for nearly three months after the ending of hostilities.

The deaths, missing, and known prisoners are tabulated up to January 10 for each of the 30 combatant divisions of Gen. Pershing's army. The total is 56,592, of whom 17,434 are classified as missing or captured. An appended statement shows that only 29 American military prisoners were believed to be still in Germany on January 8, and that 4,800 prisoners had been checked up as returned, and 118 died in captivity.

Suffering 3,980 casualties, the Twenty-eighth Division, made up of Pennsylvania National Guardsmen, was harder hit than any other unit, with the exception of the Regulars, official figures show.

Trained at Camp Meade, the Seventy-ninth Division suffered the second highest number of casualties with 2,389, while the Seventy-eighth Division, made up of New Jersey, New York, and northern Pennsylvania draft men, had 1,825.

The heaviest loss in prisoners was also in the Twenty-eighth Division, 691 men being taken by the enemy. The Twenty-eighth Division was also second on the list in "missing in action," with 1,174, while the Seventy-ninth was third with 1,142.

The Twenty-eighth was ordered overseas about June 1, 1918, spent the fortnight of June 14 to July 1 in a training area, and then moved up to the front line, taking its position northeast of Parnay on July 16. From that date until the armistice was signed, with the exception of a brief rest period, the Pennsylvanians were in the forefront of the fighting.

The colorless files of the General Staff give the following brief details of the record of the Pennsylvania Guardsmen:

"July 28, crossed the Ourcq; July 30, joined Somme drive; July 31, in advance on the Vesle, with Forty-second on their left; August 6–9, moved to Vesle front, relieving Thirty-second; August 8–30, in advance to Vesle; September 4, advance elements crossed Vesle; September 5, crossed Vesle in force; September 6–7, in action; October 1, moved to Argonne, joined offensive; October 7, in Aire offensive, near Chatel Cheherry; October 29, moved to east of Woevre; November 2–11, advance in Woevre."

MOST OF 10,000 DEAD.

Some portion of the great body of missing men may be located as the return of the Army thins out the American force in France. Indications are, however, that the majority of the 10,000 finally will be added to the roll of honor shown in the tables of those killed or died of wounds, now recorded as 39,158 men.

To that figure, also, must be added 1,551 men of the Marine Brigade figures for which, not carried into the tables, were obtained from official sources. This brings the grand aggregate of deaths from battle up to 40,709 on returns estimated officially to be 95 per cent complete. As figures on missing and prisoners of the Marines are lacking, the number of unaccounted for which finally will be added to the roll of the dead can not be accurately estimated.

The Army tables, however, give a total of 14,649 men missing in action, and 2,785 known prisoners, making up the 17,434. The statement shows that the Army rolls record 4,918 American military prisoners accounted for. Admittedly, there are many possibilities of error, but the statement says it is anticipated that the indicated unaccounted-for list of 12,516 will be brought "down to less than "10,000."

The tables do not furnish any data as to the wounded or deaths other than those resulting directly from battle. A new estimate of the complete figures on American casualties is therefore not possible. It is significant, however, that up to to-night the War Department has published the names of 43,882 men killed or died of wounds, as against 39,158 shown in the 15 per cent tables. The difference is made up by additional returns since the tables were closed January 10.

ESTIMATE BY PERSHING.

On November 17 Gen. Pershing estimated that his total killed and died of wounds would be 40,455. Presumably publication of the lists of these known deaths and exclusive of the unaccounted for is nearly completed, having exceeded the estimate by more than 3,000, due in part to additional deaths from wounds and to the listing as dead of men formerly reported missing.

The names of 149,418 wounded had been published up to to-night compared with a November estimated total of 189,955. Of those missing in action 11,676 have been published against the estimated 14,260 total and compared with the 17,434 missing and prisoners shown in to-day's tables.

Examination of the losses by regiments shows clearly that the brunt of the fighting fell on the infantry. In every division which got into action losses were many times greater, even proportionately to the strength of the units, than those of the artillery, machine-gun battalions, trench mortar batteries, or engineers. A score of regiments lost fully one-third of the full strength of 3,700 men in killed, died of wounds, missing, and prisoners.

When figures on the wounded are available officers believe the total casualties in several regiments may equal the full strength.

SLIGHT LOSSES IN ARTILLERY.

The artillery regiments escaped with relatively light losses. In some cases machine-gun battalions suffered severely, and there are a number of the divisional engineer regiments that paid a heavy toll for their place in the front lines.

The records of the Twenty-sixth (New England National Guard), the Twenty-seventh, and Seventy-seventh, both New York divisions, the Thirty-second, the famous Forty-second (Rainbow), and the Seventy-ninth (Pennsylvania, Maryland, and District of Columbia troops), with more than 2,000 casualties each, tell of the work they did. These and every other National Guard or National Army division that was given an opportunity at the front won its ground despite losses in men. The totals for all divisions, exclusive of the two regiments of marines in the Second Division, are:

Killed in action	27,762
Died of wounds	11,396
Missing in action	14,649
Prisoners	2,785
Grand total of major casualties	56,592

The figures for each of the 30 combat divisions included show the following totals of major casualties:

First (Regulars), 5,248; Second (Regulars), 2,965; Third (Regulars), 3,617; Fourth (Regulars), 2,986; Fifth (Regulars), 2,504; Sixth (Regulars), 122; Seventh (Regulars), 326.

Twenty-sixth (New England National Guard), 2,864; Twenty-seventh (New York National Guard), 2,194; Twenty-eighth (Pennsylvania National Guard), 3,890; Twenty-ninth (New Jersey, Virginia, Maryland, Delaware, and District of Columbia National Guard), 1,117; Thirtieth (Tennessee, North Carolina, and South Carolina National Guard), 1,772; Thirty-second (Michigan and Wisconsin National Guard), 3,213; Thirty-third (Illinois National Guard), 1,171; Thirty-fifth (Missouri and Kansas National Guard), 1,733; Thirty-sixth Texas and Oklahoma National Guard), 896; Thirty-seventh (Ohio and West Virginia National Guard), 1,250; Forty-second (Rainbow), 2,950; Seventy-seventh (New York Metropolitan National Army), 2,692; Seventy-eighth (New York and northern Pennsylvania National Army), 1,825; Seventy-ninth (southern Pennsylvania National Army), 2,389.

1,355 CASUALTIES IN EIGHTIETH.

Eightieth (New Jersey, Virginia, Maryland, Delaware, and District of Columbia National Army), 1,355.

Eighty-first (Tennessee, North Carolina, and South Carolina National Army), 370.

Eighty-second (Georgia, Alabama, and Florida National Army), 1,592.

Eighty-eighth (Minnesota, Iowa, Nebraska, North Dakota, and South Dakota National Army), 66.

Eighty-ninth (Kansas, Missouri, and Colorado National Army), 1,525.

Ninetieth (Texas, Arizona, New Mexico and Oklahoma National Army), 1,585.

Ninety-first (Washington, Oregon, California, Nevada, Utah, Idaho, Montana, and Wyoming), 1,702.

Ninety-second (National Army, negroes), 211.

Ninety-third (National Army, negroes), 489.

In killed in action the First Regular division leads the list with 2,303. Other divisions with more than 1,000 men killed in action stand in the following order:

Third, 1,901; Forty-second, 1,702; Thirty-second, 1,694; Twenty-eighth, 1,544; Fourth, 1,500; Twenty-sixth, 1,388; Second, 1,383; Twenty-seventh, 1,302; Seventy-seventh, 1,275; and Thirtieth, 1,084.

The only division to lose more than 1,000 men died of wounds was the First, with 1,050. Only three divisions had more than 1,000 missing in action—the First, with 1,789; the Twenty-eighth, with 1,174; and the Seventy-ninth, with 1,142.

The heaviest loss in prisoners was in the Twenty-eighth Division, with 691 men taken by the enemy. The Twenty-sixth was second, with 354 taken prisoner, and the Seventy-seventh third, with 336.

Table showing loss by regiments place the four Infantry regiments of the First Division as heaviest sufferers, with from 1,150 to 1,264 major casualties each. These regiments are the Sixteenth, Eighteenth, Twenty-sixth, and Twenty-eighth Regulars. Figures for the Fifth and Sixth (marine) Regiments in this division are not given.

ONE HUNDRED AND TENTH INFANTRY HARD HIT.

Among the National Guard divisions the heaviest regimental losses recorded are for the One hundred and tenth Infantry, of the Twenty-eighth Division, 1,142 men, while the losses of the One hundred and ninth Infantry, of the same division, stand second, at 1,112. Next is the One hundred and second Infantry, of the Twenty-sixth Division, with a total of 988; and fourth is the One hundred and sixty-fifth Infantry, of the Forty-second, with 879.

In the National Army division the regimental losses of the Three hundred and sixteenth Infantry, Seventy-ninth Division, were the heaviest, totaling 800.

Two tables of prisoners taken by the enemy, one prepared by the American Red Cross and the other by The Adjutant General's office, were given out. Both show much larger totals than the announced list of known military prisoners, but the latter will be increased, and the number of missing in action correspondingly decreased by checking. The Red Cross total is 5,243, including 4,857 military prisoners. The Adjutant General reported 5,401, of which 4,916 were military prisoners.

The Adjutant General's records show 480 prisoners have been released and 118 died in captivity. Practically all prisoners now are out of Germany.

MARINE LOSSES.

Figures for the Marine Brigade of the Second Division, not carried in the War Department summary, complete to January 1, show killed and died of wounds, 56 officers and 1,507 men; missing in action, 2 officers, 695 men; severely wounded, 91 officers and 1,802 men; slightly wounded, 186 officers and 5,296 men; gassed, 31 officers and 1,854 men. Total casualties for all causes, 365 officers and 11,152 men.

The identification of the various divisions given is taken from the latest official list issued by the War Department, but since it was printed there have been made numerous changes. In the case of the Seventy-eighth Division there has been information to show that troops from western New York, New Jersey, and Delaware composed it, whereas the department's list gives New York and northern Pennsylvania troops.

Later information has indicated that the Eightieth Division had troops from Virginia, West Virginia, and western Pennsylvania, instead of New Jersey, Virginia, Maryland, Delaware, and the District of Columbia, as given in the official table.

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SOLDIERS TRAINED AT MEADE LOST MORE SINCE SEPTEMBER 26 THAN ANY OTHER DIVISION—1,174 MISSING IN ACTION—TWENTY-EIGHTH, WITH 641 TAKEN BY ENEMY, TOP CAPTIVE LIST—SEVENTY-EIGHTH IS HARD HIT—ONE HUNDRED AND NINTH INFANTRY CUT—RANKS OF REGIMENT COMPOSED MOSTLY OF PHILADELPHIANS DEPLETED IN BATTLE OF MARNE.

The Seventy-ninth Division, composed of selective-service men from eastern Pennsylvania and Maryland, who trained at Camp Meade, lost more men between September 26 and the end of the war than any other division in the American Army.

Ten American divisions have a larger number of major casualties than the Seventy-ninth, but every one of these 10 were fighting in France long before the boys from Camp Meade.

The Seventy-ninth never went into action until the morning of September 26, but it lost 2,389 men.

The other 10 divisions which exceeded it in losses and the dates they first went into action show how terrible the losses of the Seventy-ninth must have been in the drive on Montmaucon and northeast of Verdun to reach a total so high. Those divisions are:

First, 5,248; in action May 28.
Third, 3,617; in action June 1.
Second, 2,965; in action June 15.
Twenty-eighth, 3,890; in action July 15.
Forty-second, 2,950; in action July 15.
Fourth, 2,986; in action July 18.
Twenty-sixth, 2,864; in action July 18.
Thirty-second, 3,213; in action July 29.
Seventy-seventh, 2,629; in action August 1.
Fifth, 2,504; in action September 13.

The first nine of the above divisions participated in the fighting which swept the Huns from the Soissons-Rheims salient, and some of them later joined with the Fifth Division, which made its debut at St. Mihiel.

The First Division may be said to have been fighting constantly for more than five months. In that time its losses were 5,248, while the Seventy-ninth, fighting just exactly a month and one-half, lost almost half as many men.

The Seventy-seventh Division, the only National Army division to have greater losses than the Seventy-ninth, only exceeded the latter by about 300 losses, although it fought desperately at the Vesle in August, long before the great September offensive.

Likewise, the Fifth Division, which lost but 115 more men than the Seventy-ninth, participated in the reduction of the St. Mihiel salient before going to the Argonne.

Even a further indication of the terrific losses in the Seventh-ninth as compared to other divisions which swept northward on a 20-mile front on September 26, is the loss in the Three hundred and sixteenth Infantry. That unit, attached to the One hundred and fifty-eighth Infantry Brigade, of the Seventy-ninth, had major casualties totalling 800, which were the greatest of all the National Army Infantry regiments.

FOUGHT FOUR MONTHS.

In fact, the Three hundred and sixteenth's losses were within 342 of the losses of the One hundred and tenth Infantry of the Twenty-eighth Division, and that latter unit has the distinction of losing more men than any other regiment in the Army. The One hundred and tenth, however, fought from July 15 to the end of the war—practically four months—while the Three hundred and sixteenth fought a month and one-half.

The governor of Kansas has raised a vigorous complaint against what he termed the useless slaughter of the men of the Thirty-fifth Division in the Argonne drive. The total losses of the Thirty-fifth Division, however, were 1,733. That figure is 656 less than the losses of the Seventy-ninth for the same period, but there has been no complaint so far from Pennsylvania and Maryland.

The discovery of the huge size of the casualties in the Liberty Division overshadowed to-day the previously known fact that the Twenty-eighth Division (Pennsylvania's Iron Division of Guardsmen) suffered more severely than any other division except the First Regulars.

It could not help to overshadow it, in fact, when the length of time the two divisions were in action is considered.

Four companies of the Twenty-eighth Division fought the Huns on July 15 and on July 16 one of the division's regiments became engaged in a four-day battle. This latter was the One hundred and ninth. When the Huns fell back across the Marne the Twenty-eighth Division was hurled in pursuit and overtook the enemy on July 29. It was engaged practically continuously from that time until September 7, when it was withdrawn, only to be hurled in again in the Argonne on September 26. It fought clear through to October 4, when it was withdrawn and sent to the St. Mihiel front. Two days before the armistice it began a new offensive.

The Seventy-ninth, however, went in on September 26 and was relieved October 1. It returned to the offensive November 1 northeast of Verdun, but did not begin actual fighting until November 7. From then on it was engaged in a bitter struggle. Summarized, the results are these:

Twenty-eighth Division, days of fighting, 50; total major losses, 3,890.
Seventy-ninth Division, days of fighting, 15; total major losses, 2,389.

The comparison is not to detract from the magnificent work of the Twenty-eighth or any other division, but merely to demonstrate what two brief offensives cost the selective-service men from eastern Pennsylvania and Maryland.

The Three hundred and sixteenth Infantry, named by Gen. March as having lost 800 men, is composed largely of Pennsylvanians, with about 30 per cent coming from this city. It was badly cut up north of Montfaucon between September 28 and October 1, and lost heavily again on November 7, when it took the Bois de Corneuillers, northeast of Verdun.

The Seventy-ninth holds another sad distinction, a distinction shared by the Twenty-eighth. These two Pennsylvania divisions and the fighting First were the only divisions to have more than 1,000 men missing. While the First Division led in this respect, the Twenty-eighth and Seventy-ninth followed close behind with 1,174 and 1,142, respectively.

The Twenty-eighth Division holds numerous records. It lost more men prisoners than any other division, with a total of 691. Two of its Infantry regiments, the One hundred and ninth and One hundred and tenth, both composed 50 per cent of Philadelphians, had the greatest casualties in the entire Army. Its total major losses exceeded those of any National Guard or National Army division and were only exceeded by the First Division's losses. It stood fourth in the total number of men killed, with 1,544, being led by the Third, Forty-second (Rainbow), and Thirty-second (Michigan and Wisconsin National Guards) in that respect.

The catastrophe at the Marne on July 15 accounts for the manner in which the division exceeds in total losses in men missing and in prisoners. Four companies, two from the One hundred and ninth Infantry and two from the One hundred and tenth, were literally cut to pieces by the Germans on July 15. There were just about enough survivors from all four companies to form a single unit of 250 men when the action ended. This disaster also accounts for the preponderant losses of the two regiments, the One hundred and tenth with 1,142 and the One hundred and ninth with 1,112.

The bulk of the losses in the One hundred and tenth were sustained in four engagements—July 15, when two companies were almost wiped out; July 30, when the regiment took the Grimpette woods, along the Ourcq; in August, north of the Vesle; and in late September, in the attack on Apremont.

The losses of the One hundred and ninth were garnered on July 15 south of the Marne; in August, north of Fismette; in early September, south of the Aisne; and in late September, on the Argonne front, at Apremont.

The One hundred and ninth Infantry is composed of the old First Regiment, N. G. P., of this city, and the Thirteenth from the vicinity of Scranton.

The One hundred and tenth is made up of the old Third Regiment, of this city, and the Tenth, of western Pennsylvania.

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LOSSES BY DIVISIONS AND REGIMENTS.

WASHINGTON, *February 1.*

A summary of the casualty tables giving the classification of losses by divisions follows, figures for the field signal battalions and divisional train not being included:

Casualties by divisions.

Division No.	Killed.	Died.	Missing.	Prisoners.	Total.
1	2,303	1,050	1,789	106	5,248
2	1,383	696	813	73	2,965
3	1,901	589	873	254	3,617
4	1,500	618	817	51	2,985
5	970	505	969	60	2,504
6	49	67	3	3	122
7	175	98	50	3	326
26	1,388	660	462	354	2,864
27	1,302	404	330	158	2,194
28	1,544	553	1,174	619	3,890
29	597	220	267	33	1,117
30	1,084	415	251	22	1,772
32	1,694	708	768	43	3,213
33	632	261	249	29	1,171
35	596	217	808	112	1,733
36	358	116	393	2	869
37	658	289	303	None.	1,250
42	1,702	723	440	85	2,950
77	1,275	552	529	336	2,692
78	915	339	508	63	1,825
79	880	352	1,142	15	2,389
80	636	337	286	96	1,355
81	203	86	79	2	370
82	808	324	271	180	1,592
88	20	33	7	6	66
89	838	427	256	4	1,525
90	936	327	287	35	1,585

Following are the detailed divisional tables, showing casualties by regiments:

Casualties by regiments.

FIRST DIVISION.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Infantry regiments:					
16	475	224	350	29	1,159
18	512	253	442	57	1,264
26	429	213	525	6	1,173
28	517	204	421	14	1,156
Machine-gun battalions:					
1	46	16	0	0	62
2	83	36	23	0	142
Artillery regiments:					
5	26	18	0	0	44
6	33	22	5	0	60
7	57	22	4	0	83
Trench-mortar battery:					
1	7	2	0	0	9
Engineer regiment:					
1	71	25	11	0	107
Total	2,233	1,050	1,789	106	5,248

SECOND DIVISION.

Infantry:					
9	547	220	229	40	1,033
23[1]	509	275	480	27	1,291
Machine-gun battalions:					
4	20	10	6	2	38
5	64	29	28	2	123
Artillery:					
15	22	13	6	1	47
17	13	8	3	0	24
12	25	14	1	0	40

[1] Marine Brigade, Fifth and Sixth Regiments, not included.

Casualties by regiments—Continued.

SECOND DIVISION—continued.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Trench mortar:					
2	4	2	0	0	6
Engineers:					
2	122	51	43	0	216
Total	1,383	696	813	73	2,965
THIRD DIVISION.					
Infantry:					
4	356	128	216	12	712
7	452	135	153	27	768
30	355	107	268	97	827
38	440	113	162	104	819
Machine gun:					
7	12	7	5	0	24
8	41	11	10	0	62
9	33	15	16	5	69
Artillery:					
10	47	13	5	3	68
76	33	13	2	0	48
18	30	17	1	3	51
Trench mortar:					
3	3	3	0	3	9
Engineers:					
6	99	26	35	0	160
Total	1,091	589	873	254	3,617
FOURTH DIVISION.					
Infantry:					
39	319	117	136	8	580
47	324	141	231	7	703
58	345	100	275	30	750
59	352	164	139	6	662
Machine gun:					
10	16	6	1	0	23
11	24	23	20	0	67
12	25	16	7	0	48
Artillery:					
16	33	17	2	0	52
77	13	9	4	0	26
13	14	11	0	0	25
Trench mortar:					
4	0	0	0	0	0
Engineers:					
4	34	14	2	0	50
Total	1,500	618	817	51	2,986
91	934	275	470	23	1,702
92	109	50	47	5	211
93	372	105	8	4	489
Total	27,762	11,396	14,649	2,785	56,592
FIFTH DIVISION.					
Infantry:					
60	192	75	371	32	670
61	213	81	73	10	377
6	276	109	247	7	639
11	339	147	241	9	736
Machine gun:					
13	12	8	1	0	37
14	23	10	8	0	41
15	44	16	7	1	68
Artillery:					
19	15	21	1	0	37
20	10	2	0	0	12
21	8	6	1	0	15
Trench mortar:					
5	0	2	0	1	3
Engineers:					
7	38	28	19	0	85
Total	970	505	569	60	2,504
SIXTH DIVISION.					
Infantry:					
51	7	11	1	0	19
52	5	7	0	3	15
53	14	21	1	0	36
54	14	11	0	0	25
Machine gun:					
16	1	0	0	0	1
17	0	1	0	0	1
18	3	4	0	0	7
Artillery:					
3	1	4	0	0	5
78	0	1	0	0	1
11	4	5	1	0	10
Trench mortar:					
6	0	0	0	0	0
Engineers:					
318	0	2	0	0	2
Total	49	67	3	3	122

Casualties by regiments—Continued.

SEVENTH DIVISION.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Infantry:					
55	31	18	2	0	51
56	85	38	36	1	160
34	48	14	6	2	70
64	1	19	6	0	26
Machine gun:					
19	0	0	0	0	0
20	5	5	0	0	10
21	0	1	0	0	1
Artillery:					
79	0	1	0	0	1
80	0	0	0	0	0
8	2	0	0	0	2
Trench mortar:					
7	0	0	0	0	0
Engineers:					
5	3	2	0	0	5
Total	175	98	50	3	326
TWENTY-SIXTH DIVISION					
Infantry:					
101	255	140	118	27	540
102	394	153	189	252	988
103	308	135	52	16	511
104	263	112	72	17	464
Machine gun:					
101	10	9	1	0	20
102	42	20	11	22	95
103	21	8	6	2	37
Artillery:					
101	26	21	3	3	53
102	30	38	1	1	70
103	25	9	0	9	43
Trench mortar:					
101	1	1	0	0	2
Engineers:					
101	13	14	9	5	41
Total	1,388	660	462	354	2,864
TWENTY-SEVENTH DIVISION.					
Infantry:					
105	233	95	92	5	425
106	315	77	137	134	663
107	418	99	25	16	558
108	248	85	56	3	392
Machine gun:					
104	8	4	0	0	12
105	17	12	1	0	30
106	8	4	1	0	13
Artillery:					
104	11	8	0	0	19
105	4	3	1	0	8
106	3	0	0	0	3
Trench mortar:					
102	0	0	0	0	0
Engineers:					
102	37	17	17	0	71
Total	1,302	404	330	158	2,194
TWENTY-EIGHTH DIVISION.					
Infantry:					
109	349	136	376	251	1,112
110	436	134	373	199	1,142
111	362	114	214	24	714
112	272	93	153	143	661
Machine gun:					
107	4	3	1	0	8
108	22	21	7	1	51
109	0	0	0	0	0
Artillery:					
107	21	11	3	0	35
108	19	9	3	1	32
109	17	15	8	0	40
Trench mortar:					
103	5	0	1	0	6
Engineers:					
103	37	17	35	0	89
Total	1,544	553	1,174	619	3,890
TWENTY-NINTH DIVISION.					
Infantry:					
113	111	48	26	5	190
114	155	72	161	26	414
115	135	49	30	1	215
116	164	18	24	1	207
Machine gun:					
110	6	4	1	0	11
111	7	12	7	0	26
112	15	8	13	0	36

Casualties by regiments—Continued.

TWENTY-NINTH DIVISION—continued.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Artillery:					
110	1	1	1	0	3
111	0	1	0	0	1
112	1	2	1	0	4
Trench mortar:					
104	0	0	0	0	0
Engineers:					
104	2	5	3	0	10
Total	597	220	267	33	1,117

THIRTIETH DIVISION.

Infantry:					
117	247	80	61	0	388
118	179	97	52	0	328
119	283	91	57	22	453
120	311	98	66	0	475
Machine gun:					
113	9	3	0	0	12
114	14	14	0	0	28
115	4	11	1	0	16
Artillery:					
113	4	2	0	0	6
114	9	5	1	0	15
115	4	1	4	0	9
Trench mortar:					
105	0	0	0	0	0
Engineers:					
105	20	13	9	0	42
Total	1,084	415	251	22	1,772

THIRTY-SECOND DIVISION.

Infantry:					
125	459	131	197	0	787
126	339	159	138	0	636
127	397	181	173	43	794
128	402	158	220	0	780
Machine gun:					
119	4	0	2	0	6
120	20	14	8	0	41
121	20	15	15	0	47
Artillery:					
119	33	20	11	0	64
120	9	15	3	0	27
121	20	15	12	0	41
Trench mortar:					
107	0	1	0	0	1
Engineers:					
107	2	4	2	0	8
Total	1,694	708	768	43	3,213

THIRTY-THIRD DIVISION.

Infantry:					
129	98	53	39	0	190
130	90	49	22	0	161
131	109	61	147	0	377
132	205	68	36	24	333
Machine gun:					
122	2	1	1	0	4
123	14	2	1	0	17
124	16	3	2	5	26
Artillery:					
122	12	6	0	0	18
123	3	5	0	0	8
124	14	10	1	0	25
Trench mortar:					
108	1	2	0	0	3
Engineers:					
108	8	1	0	0	9
Total	632	261	249	29	1,171

THIRTY-FIFTH DIVISION.

Infantry:					
137	111	44	124	18	297
138	170	56	192	2	420
139	115	42	116	51	324
140	128	43	292	39	502
Machine gun:					
128	7	1	2	0	10
129	16	4	5	1	26
130	14	4	15	0	33
Artillery:					
128	10	6	3	0	19
129	10	8	0	0	18
130	1	7	0	0	8
Trench mortar:					
110	0	0	0	0	0
Engineers:					
110	14	2	59	1	76
Total	596	217	808	112	1,732

Casualties by regiments—Continued.

THIRTY-SIXTH DIVISION.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Infantry:					
141	123	40	123	0	295
142	154	40	80	0	274
143	27	12	119	0	158
144	41	14	53	0	108
Machine gun:					
131	0	1	0	0	1
132	9	6	6	1	22
133	1	0	2	0	3
Artillery:					
131	0	1	0	0	1
132	1	0	0	0	1
133	0	0	0	0	0
Trench mortar:					
111	0	0	0	0	0
Engineers:					
111	2	2	1	1	6
Total	358	116	393	2	869

THIRTY-SEVENTH DIVISION.

Infantry:					
145	167	81	107	0	355
146	117	34	63	0	214
147	119	48	58	0	225
148	201	98	71	0	370
Machine gun:					
134	2	0	0	0	2
135	24	7	2	0	33
136	22	16	1	0	39
Artillery:					
134	0	0	0	0	0
135	1	0	0	0	1
136	0	1	0	0	1
Trench mortar:					
112	0	0	0	0	0
Engineers:					
112	5	4	1	0	10
Total	658	289	303	0	1,205

FORTY-SECOND DIVISION.

Infantry:					
166	236	132	79	26	473
167	420	140	55	27	643
168	437	191	40	5	673
Machine gun:					
149	11	3	0	0	14
160	51	18	19	0	88
151	32	10	3	0	45
Artillery:					
149	14	4	3	0	21
150	22	10	1	0	33
151	14	16	0	0	30
Trench mortar:					
117	3	1	0	0	4
Engineers:					
117	27	10	10	0	47
Total	1,702	723	440	85	2,950

SEVENTY-SEVENTH DIVISION.

Infantry:					
305	262	150	119	0	531
306	203	91	173	155	622
307	320	132	85	71	608
308	343	105	125	109	682
Machine gun:					
304	2	3	0	0	5
305	22	9	5	0	36
306	42	9	1	1	53
Artillery:					
304	25	10	2	0	37
305	15	9	6	0	30
306	16	10	2	0	28
Trench mortar:					
302	0	0	0	0	0
Engineers:					
302	25	24	11	0	60
Total	1,275	552	529	336	2,692

SEVENTY-EIGHTH DIVISION.

Infantry:					
309	209	78	260	14	561
310	242	79	99	9	429
311	207	77	97	35	416
312	188	70	38	5	301
Machine gun:					
307	1	2	0	0	3
308	13	9	6	0	28
309	16	6	1	0	23
Artillery:					
307	8	5	4	0	17
308	20	4	2	0	26
309	1	4	0	0	5

Casualties by regiments—Continued.

SEVENTY-EIGHTH DIVISION—continued.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Trench mortar:					
303	0	0	0	0	0
Engineers:					
303	10	5	1	0	16
Total	915	339	508	63	1,825

SEVENTY-NINTH DIVISION.

Infantry:					
313	167	76	223	5	471
314	195	53	206	1	455
315	217	79	277	6	579
316	262	115	420	3	800
Machine gun:					
310	5	1	0	0	6
311	11	7	4	0	22
312	15	9	4	0	28
Artillery:					
310	1	1	0	0	2
311	1	0	1	0	2
312	0	1	0	0	1
Trench mortar:					
304	0	0	0	0	0
Engineers:					
304	6	10	7	0	23
Total	880	352	1,142	15	2,389

EIGHTIETH DIVISION.

Infantry:					
317	103	43	4	7	157
318	87	62	54	2	205
319	164	96	90	84	434
320	208	76	112	3	399
Machine gun:					
133	12	9	0	0	21
314	3	5	0	0	8
315	8	5	0	0	13
Artillery:					
313	2	2	0	0	4
314	22	20	3	0	45
315	13	8	9	0	30
Trench mortar:					
305	0	1	0	0	1
Engineers:					
305	14	10	14	0	38
Total	636	337	286	96	1,855

EIGHTY-FIRST DIVISION

Infantry:					
321	43	25	6	0	74
322	61	13	27	1	102
323	19	12	3	0	34
324	41	12	14	1	68
Machine gun:					
316	2	2	1	0	5
317	2	3	0	0	5
318	5	1	7	0	13
Artillery:					
316	28	13	18	0	59
317	0	2	0	0	2
318	0	2	0	0	2
Trench mortar:					
306	0	0	0	0	0
Engineers:					
306	2	1	3	0	6
Total	203	86	79	2	370

EIGHTY-SECOND DIVISION.

Infantry:					
325	221	85	76	19	401
326	140	75	20	8	243
327	217	67	81	129	494
328	182	74	81	33	370
Machine gun:					
319	4	5	4	0	13
320	15	0	0	0	15
321	17	5	1	0	23
Artillery:					
319	1	0	0	0	1
320	0	0	0	0	0
321	0	0	1	0	1
Trench mortar:					
307	0	0	0	0	0
Engineers:					
307	11	13	7	0	31
Total	808	324	271	189	1,592

Casualties by regiments—Continued.

EIGHTY-EIGHTH DIVISION.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Infantry:					
349	0	4	0	0	4
350	6	8	5	6	25
351	7	7	0	0	14
352	2	8	1	0	11
Machine gun:					
337	0	1	0	0	1
338	3	1	0	0	4
339	0	1	0	0	1
Artillery:					
337	0	1	1	0	2
338	0	0	0	0	0
339	0	0	0	0	0
Trench mortar:					
313	0	0	0	0	0
Engineers:					
313	2	2	0	0	4
Total	20	33	7	6	66

EIGHTY-NINTH DIVISION.

Infantry:					
353	221	96	67	1	385
354	221	95	38	1	356
355	161	123	98	0	382
356	166	61	41	2	270
Machine gun:					
340	5	5	0	0	10
341	24	12	6	0	42
342	18	15	3	0	36
Artillery:					
340	0	0	0	0	0
341	0	0	0	0	0
342	0	0	0	0	0
Trench mortar:					
314	0	0	0	0	0
Engineers:					
314	22	20	3	0	45
Total	838	427	256	4	1,525

NINETIETH DIVISION.

Infantry:					
357	201	78	45	3	327
358	247	84	43	6	380
359	215	57	108	22	400
360	233	79	77	4	393
Machine gun:					
343	6	3	2	0	11
344	11	5	2	0	18
345	12	13	1	0	26
Artillery:					
343	0	0	0	0	0
344	0	0	0	0	0
345	0	0	0	0	0
Trench mortar:					
315	0	0	0	0	0
Engineer:					
315	13	8	9	0	30
Total	936	327	287	35	1,585

NINETY-FIRST DIVISION.

Infantry:					
361	277	78	89	2	446
362	210	64	190	11	475
363	208	54	101	8	371
364	142	41	62	2	247
Machine gun:					
346	2	1	0	0	3
347	42	15	4	0	61
348	25	9	6	0	40
Artillery:					
346	0	0	0	0	0
347	0	0	0	0	0
348	0	0	0	0	0
Trench mortar:					
316	0	0	0	0	0
Engineer:					
316	28	13	18	0	59
Total	934	275	470	23	1,702

NINETY-SECOND DIVISION.

Infantry:					
365	26	17	32	2	77
366	30	13	7	2	52
367	6	5	0	0	11
368	44	13	8	1	66
Machine gun:					
349	0	0	0	0	0
350	3	0	0	0	3
351	0	0	0	0	0

Casualties by regiments—Continued.

NINETY-SECOND DIVISION—continued.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Artillery:					
349	0	0	0	0	0
350	0	0	0	0	0
351	0	0	0	0	0
Trench mortar:					
317	0	0	0	0	0
Engineers:					
317	0	2	0	0	2
Total	109	50	47	5	211

NINETY-THIRD DIVISION.

Infantry:					
369	123	45	3	1	172
370	80	15	3	2	100
371	100	23	1	0	124
372	69	22	1	1	93
Total	372	105	8	4	489

Perplexing Problems of the Paris Conference.

EXTENSION OF REMARKS

OF

HON. JOHN M. MORIN,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 31, 1919.

Mr. MORIN. Mr. Speaker, availing myself of the privilege granted by the unanimous consent of the House, I wish to include the address on the "Perplexing problems of the peace conference" delivered by my distinguished predecessor, Hon. James Francis Burke, general counsel of the Chamber of Commerce of Pittsburgh, before that body on January 30, 1919.

Of all the many documents read by me since the world leaders met at Versailles, Mr. Burke's address is the most complete analysis of the world's problems thus far delivered in this country. It is so forcible, so eloquent, and so impartial that every American who reads it will be benefited and enlightened. His speech is as follows:

No military conflict in history ever attracted wider attention or aroused a keener interest in its developments than the great battle for final peace now in progress at Versailles. The guns of yesterday are silent, the charges of troops halted, and the strategy of military geniuses in abeyance, while through the maze of imposing formalities and impressive courtesies the most skillful diplomats of the age maneuver for power and points of vantage in a conference called to perfect treaties and perpetuate the peace of the world.

Broadly speaking, the task before the conference is not only to transform the present temporary peace into permanent form but to obliterate, as far as human ingenuity can do so, all those racial, geographical, political, and economic sore spots whose existence in the past have at intermittent periods thrown the body politic into violent convulsions.

There are those who believe that the proposed soothing process of arbitration which its advocates have in mind will prove comparatively easy of application and entirely effective in preventing future wars, while others regard it as a fantastic vision entitled only to a place in the cloudland of dreams and idealities.

Popular interest centers in the discussion of the proposed league of nations, and the most pronounced diversity of opinion exists regarding the practicability of creating an international or supernational body which will possess not only the legal authority but the necessary armed force to compel nations to yield to its decrees when the peaceful process of arbitration fails.

THE WORLD'S CONFERENCE.

Peace conferences and a study of the temporary or enduring character of their results offer a wide and fascinating field for intellectual diversion. While good has come from many of them, no conference has ever been held that successfully guaranteed or was followed by a permanent peace.

Whether Versailles is to mark the birth of a new era of never-ending international harmony is a question for whose reply I had rather depend upon the historian of to-morrow than trust the prophet of to-day.

Most of us fervently pray that it may succeed. Every believer in Christ's gospel of "peace on earth and good will toward man" sincerely hopes for its realization, but no student of history or analyst of the ever-present elements of human selfishness and national ambitions will discount the dangers of discord in the days to come.

The term "peace conference" is a misnomer when applied to all the treaty-making bodies that have followed the cessation of hostilities. Those who believe that suspicions disappear, that ignoble aspirations cease, and that good will takes the place of all the baser impulses and ambitions of men the moment peace delegates are chosen are ignorant of the events of history.

Beginning with the famous league, known as the Truce of God, which medieval Christendom brought about over 900 years ago to put an end to feudal wars, and which was supported by solemn religious oaths and armed forces, down to the present day, peace conferences have been followed by wars of increasing area, atrocity, and destruction as time has passed and as civilization is presumed to have developed.

WESTPHALIA—1648.

The great conference that produced the treaty of Westphalia in 1648 came at the end of 30 years of bloodshed; but that the animosities and bitterness of actual warfare survived the hour when arms were stacked is evident from the fact that three full years elapsed before the delegates chosen to negotiate the real terms of peace could even agree upon a place of meeting. Furthermore, when they did it was at two different places, in two different diplomatic divisions, and 13 years elapsed before that memorable treaty was finally agreed to by all the parties in interest.

Inasmuch as religious prejudices inspired the division of European territory in that treaty it, of course, rested upon a foundation of sand and lasted about as long as such a compact could be expected to survive.

In that congress there was not even attempted the creation of a universal league of nations.

UTRECHT—1713.

The treaty of Utrecht was negotiated in 1713, when France, Great Britain, Holland, Prussia, Savoy, Portugal, and Spain ended the bitter war over Spanish succession, and placed the Bourbon, Philip, on the throne, the crowns of France and Spain never to be united, gave Newfoundland and Nova Scotia to Great Britain, and also gave her Gibraltar and Minorca, and conferred upon her the right to ship African slaves to America. While territorial traces of this convention survive to the present day, yet despite all the avowals of friendship that followed it, affecting millions of people of different colors, customs, and castes in Africa, Europe, and America, peace soon gave way to war and the rulers and boundaries changed again with the whims of succeeding periods.

PARIS—1763–1898.

During the conference at Paris between France on the one side and Great Britain, Russia, Austria, and Prussia on the other, in the winter of 1814, Napoleon, who previously had abdicated at Fontainebleau, hearing of the bitter controversies between the peace delegates, left Elba, landed at Cannes on March 1, and entered Paris on March 20. The troops sent out under Ney to resist him joined him, and afterwards fell with him at Waterloo. Thus the convening of that conference was not succeeded by any more international harmony than we have at present under the surface between Prussia and Poland, Greece and Turkey, Italy and Czecho-Slovakia, and other conflicting elements in Europe to-day. In fact, its own discordant deliberations had much to do with bringing about the "Hundred Days War."

At none of the peace conferences of Paris, beginning in 1763 and ending in 1898, was a league of nations evolved. Nor was it even suggested in the conference of 1783 between France, Spain, Great Britain, and the United States, when American independence was acknowledged and ratified in treaty form.

VIENNA—1815.

The notable Congress of Vienna, convened in September, 1814, in response to Austria's invitation to all her diplomatic visiting list, except France, proceeded to arrange and adjust all the powers and principalities disturbed by Napoleon. When it concluded its sessions, in June, 1815, it had formed "The Holy Roman Alliance"—said to have been neither holy nor Roman—and the first real dream of universal peace for the moment impressed the world with the prospect of its permanency.

This alliance was formed by the sovereigns of Russia, Austria, and Prussia, and afterwards was joined by all European sovereigns except Rome and England, although some dispute exists as to England's real attitude and relation to it.

It professed to unite all in a Christian brotherhood, while in reality it was designed for the sole selfish purpose of perpetuating its own group of dynasties.

And while it was the most pretentious of all the peace problems of history, its harvest of harmony ended within 15 years, when the French Revolution of 1830 and other local conflicts kindled new flames in Europe.

Nor was this plan a newly devised one any more than is the "league of nations" which is being so widely discussed to-day. In fact, the idea of a league of nations was originally outlined and published by Abbe St. Pierre in 1713 as a scheme for perpetual peace, and subsequently submitted by the Russian Emperor Alexander to Pitt in 1804, and was ultimately crystallized into the "holy alliance" of 1815. Incidentally, it is interesting and important to recall that it was in opposition to the ambitious schemes underlying this very "holy alliance" that President Monroe injected into his famous message of 1823 the admonition which laid the foundation of the Monroe doctrine and frustrated the imperial designs of Europe on the Western Hemisphere during the century that followed.

VERSAILLES.

By comparing it with all the great conferences preceding, it will be apparent that the body now in session at Versailles is confronted with problems greater in number, more vital in character, and more far-reaching in their consequences than any other in the world's history.

Hence every step in its construction and every chapter in its proceeding is of absorbing interest.

The place of meeting is governed by precedent and propriety. It is on the soil of a victor and at a point agreeable to all of the triumphant powers interested in its outcome.

The supreme allied council, or steering committee, consists of the United States, France, England, Italy, and Japan, by which general control over all preliminaries is exercised, developed, and acted by common consent and not in pursuance of any fixed inflexible rule of law or precedent.

The apportionment of representation is a matter temporarily within the discretion of the supreme council, but finally within the jurisdiction of the congress itself.

The right to preside is governed by well-defined rules of international courtesy and belongs by right to France, in which the congress is held. Hence, the election of Clemenceau.

Whether all the delegates shall participate in all the proceedings is within the discretion of the body itself.

In addition to the main delegates there are also secondary or technical delegates, who may speak when requested to do so regarding any of the subjects of which they have made a special study or upon which they are admitted to be recognized authorities.

Whether every nation that enters shall be held responsible for the future enforcement of peace among all the nations who may engage in disputes over alleged violations of conditions agreed to by this conference is for the conference itself to determine and the treaty or treaties to specify.

What language is to be the medium of expression in the conference is one question, while that used in the final written instrument is another. One language alone or several may be used during the conference, and the same rule applies to the treaty itself.

When the treaty is between two distinct tongues the custom is to run it in parallel columns in both languages and to sign in duplicate.

When the treaty includes covenants to be signed, say, by the United States, France, China, Japan, Greece, Italy, Germany, and Russia, speaking many distinct tongues, they may all sign a single document in French, which is "the language of the courts," or they may be in as many forms and languages as the signatories may agree upon.

SELECTION OF DELEGATES.

The manner of selecting delegates varies in different countries. In the United States it is wholly a presidential function, and, while controversy has waxed warm over the right as well as the propriety of the President to act directly rather than by delegating the duty to others, there is no doubt whatever but that he has the legal right himself to act as the only delegate, or as one of many delegates, if he deems it proper to do so. There is nothing in the Constitution which renders it impossible for the Chief Executive in this regard to do directly what he may do indirectly.

This does not mean, however, that there can not be a serious and an honest difference of opinion regarding the wisdom of the President's recent and present course.

Whether the dignity and the influence of the presidential office will be impaired or enhanced, whether the power and the prestige of the Nation itself will be added to or diminished, are questions upon which wise men will differ and over which partisans will indulge in controversy whose bitterness too frequently blinds the participants to the virtues of each other's attitude.

Whether the admitted intellectual force of the man himself and the unquestioned prestige with which the presidential office endows the individual wherever he may go, renders it imperative that Mr. Wilson in the capacity of Chief Executive impress his presence and his views upon the body whose decisions are fraught with such vital consequence to the American people and to the world or whether, in keeping with our loftiest traditions and in accord with the examples of our Presidents from the days of Washington, it were wiser for him to invoke the use of the brains and experience of some of the great men of our country for the immediate work of the peace congress, as all other nations are doing, and reserve to himself as the final arbiter the right to ratify or reject whatever agreement may be negotiated, will no doubt continue to be a seriously disputed question for many years to come.

A multitude of earnest and well-informed people believe that the President can not afford to deny the American people the full benefit of his superior intellectual attainments on the scene of action when so precious a price as the permanent peace of the world is at stake. Many others, equally well informed and patriotic, declare that he can not afford, directly or by implication, to lead the people of the world to believe that among the hundred million Americans there is no set of men of adequate experience or of sufficient intellectual force and capacity, without his aid and presence, capable of meeting and matching the wits of other nations, and faithfully and competently protecting the interests of this mighty Republic in any conference on any subject in any section of the world.

PRESIDENT OR DELEGATE?

Some suggest the fine-haired distinction that Mr. Wilson is acting as premier and not as President. If this be true, can the President legally or with propriety divest himself of his office, hang the presidential hat in the hall of the Trianon, and enter a chamber which chokes with the spirit of controversy and take his place as a delegate among the rank and file of the subordinates of other nations?

If he can, what becomes of the presidential office and who is our Chief Executive during the interim? This question recently brought from one of the most zealous senatorial champions of the President the suggestion that he was at Versailles not as President nor as premier but as the Commander in Chief of our armies.

Others quickly pointed out the inconsistency of this claim by suggesting that if he is there in a military capacity as our Army's chief commander he denied himself a great opportunity for service by waiting until the guns were stacked and the fighting ceased before he entered France. I believe the suggestion of his zealous champion does the President an injustice.

RIGHT TO RATIFY.

When we recall the processes by which treaties are perfected another serious question involving the President's direct participation presents itself. In England the delegates are named with full power to act, without reserving the right of parliamentary rejection or modification, and in other countries the procedure differs from ours, but no treaty can become binding upon the United States or a part of the supreme law of this Republic until certain well-defined steps are taken.

First, it is attested by the signatories at the conference, thence it goes through the Secretary of State to the President, and by the President it must be submitted to the Senate, not for ratification but for rejection or approval.

The Senate may pigeonhole it permanently, it may discuss it for any length of time, or it may adopt a resolution approving it without a single word of debate. Then comes the final act of ratification, which belongs to the President and not to the Senate, as popularly understood.

Can the President at this stage veto a treaty which his plenipotentiaries have negotiated and which he has invited the Senate to approve? He can, and he may do it by affirmative written declaration or by withholding his signature and consigning it to the wastebasket.

Here, however, arises another question. If while the Senate discussed the treaty new conditions arose or the President changed his mind, could the President veto or withhold his signature as President from a treaty which personally he had negotiated and signed as a delegate and which he had invited the Senate to approve? No doubt he could, but would not his presence as a delegate and his signature as such prove somewhat embarrassing, to say the least? On the other hand, is the probability of such a dilemma arising sufficiently strong to forbid his acting as a delegate in the first instance?

PROBLEMS OF THE CONFERENCE.

We come next to the problems of the conference itself. These are varied in character and many in number.

First. Shall the President's doctrine of "open covenants openly made" prevail? If so, what of the new controversies the publication of every bitter expression in debate might engender among the rank and file of people whose patience and poise might not equal that of trained diplomats who learn to give and take in discussion?

Second. The important questions to be settled between the central powers and the allies, including evacuation, restoration, and indemnities. This includes the disposition of Germany's colonies and the political interests of the millions of human beings affected; it also includes the determination of the economic and financial burden to be imposed upon Germany and Austria after they are stripped of the territory of which each is to be deprived in the readjustment, and also the question as to whether they shall pay in full all the damages their wicked destruction wrought upon nations. If the latter course meant their bankruptcy and ruin and meant defeat of the purpose itself by rendering them incapable of carrying it out, shall they be compelled to pay all they can bear within a period of 50 years; and if so, how shall the indemnities thus paid be divided among those who suffered losses?

Shall they be compelled to repudiate their home debt of billions of dollars, held by their own people, until all the obligations due all people of other countries are liquidated?

Third. The treatment to be applied to Russia in order to avert the further spread of bolshevism and anarchy.

Fourth. The settlement of 26 dangerous and irritating territorial disputes in Europe in addition to those in Asia and Africa.

Fifth. The definition of and an agreement regarding the so-called "freedom of the seas."

Sixth. The manner in which the economic barriers between nations shall be removed.

Seventh. The definite formation of a league of nations, with a clear and distinct understanding as to who shall compose it and what its powers and methods of procedure shall be.

Let us deal briefly with these problems in their order.

The first involves No. 1 of the President's 14 points: "Open covenants of peace openly arrived at," and a process by which "diplomacy shall always proceed openly and in the public view." This would mean not only the end of secret treaties and agreements, but also the end of all secret sessions and discussions attending their negotiation. One school advocates pitiless publication of every expression of every delegate regarding every question affecting all the nations involved in settling their disputes, on the theory that the light of day will prove a universal antidote for the evils of secret diplomacy.

The other school declares that such a course would add fuel to the flames already kindled, intensify the hatreds and animosities of races, and sow new seeds of discord among those who would not be inclined to display the moderation and exercise the self-control of which great intellectual leaders and trained diplomats are capable and to which they are accustomed in settling serious disputes.

Literally, this would mean that the executive sessions of the United States Senate, in which our most delicate and important affairs with foreign nations are discussed, are to be abolished, after continuing for 140 years without serious criticism.

Also it would mean that even the President's Cabinet, when it meets to discuss an important treaty with a foreign power, shall throw open the doors and invite the eager ears of foreign diplomats and spies to cable every word of dissension in our own councils across the seas to foreign offices.

But that this expression does not mean what the country first understood it to convey when the President used it in his speech of January 8, 1918, is apparent from his letter to Secretary Lansing on March 12, two months later, in which, in reply to a query regarding the Borah resolution to compel the Senate to conduct all treaty discussions in open session, the President said: "When I pronounced for open diplomacy, I meant not that there should be no private discussions of delicate matters, but that no secret agreement should be entered into, and that all international relations when fixed should be open, above board, and explicit."

Inasmuch as under our form of government it is impossible to have a secret treaty, and that no such treaty ever existed in the history of this Nation, the President's declaration for publicity after the fact is nothing new—in reality, it is more than 100 years old.

The second series of problems need only be named to reveal their difficulties, and as I have already mentioned them their repetition is unnecessary.

The importance of the third, involving the treatment of Russia, is heightened by the fact that her betrayal, which constitutes one of history's most shameful stories of bribery, bloodshed, and national disintegration, is being followed by a reckless disregard for law which not only imperils Europe, but threatens to fan into flame the smoldering embers of anarchy throughout the world.

The fourth problem includes a number of territorial disputes, several of which so seriously threatened a new outbreak of war that the peace congress a few days since was compelled to issue a warning to several of the smaller nations involved.

Let us glance over Mowrer's array of disputes and wonder how and when perpetual peace is going to dawn in Europe:

1. The Aaland Island, now held by Russia, apparently claimed by Sweden.

2. Helgoland, now held by Germany, probably claimed by England.

3. Denmark demands the return of Schleswig from the hands of the Germans.

4. Belgium seems to be preparing to demand from Holland the Province of Limburg, which stretches like a peninsula between Belgium and Germany and forms an awkward barrier.

LUXEMBURG'S ALTERNATIVE.

5. Luxemburg will be called upon to decide whether she prefers to be French, Belgian, or independent.

6. France desires to neutralize the left bank of the Rhine.

7. France wants to include the Sarre Basin in Lorraine.

8. Italy claims part of the Austrian Tyrol.

9. The Italians and Jugo-Slavs are engaged in bitter controversy over the Dalmatian coast, which both claim; they are intrenching opposite one another where the lines meet north of Fiume.

10. Northern Albania is claimed by the Jugo-Slavs, the Valona region by Italy, and southern Albania by Greece, while the Albanians themselves desire independence.

11. Greece claims all of Thrace, including Constantinople, from Bulgaria and Turkey.

12. Greeks, Serbs, and Bulgars all demand favorable frontier rectifications in Macedonia.

13. The Jugo-Slavs seem to claim the strip running from Graz to the Danube east of Vienna so as to give them a common frontier with the Czecho-Slovaks.

BITTER PROTEST BY HUNGARIANS.

14. The Hungarians protest bitterly against the newly declared southeastern frontier of Slovakia.

15. The Poles, Czechs, and Germans all claim Silesia.

16. The annexation of the banat of Temesvar has been proclaimed by both the Jugo-Slavs and the Roumanians, while the Hungarians are unwilling to relinquish it.
17. The Roumanians occupying Transylvania are driving out the Hungarians.
18. Roumanians and Ruthenians are fighting over Bukovina.
19. The Bulgarians want a favorable frontier rectification in the Dobroges.
20. Roumanians are occupying Bessarabia, which the Ukrainians also claim.
21. The Poles and Ruthenians are fighting over eastern Galicia.
22. The Germans and Poles are fighting over Posen.

CLAIMS BY POLAND.

23. The Poles claim the valley of the Vistula and Danzig from Prussia.
24. The Poles claim east Prussia.
25. The Poles claim Lithuania, which seems to prefer independence.
26. The Bolsheviki are invading the Baltic Provinces, which seem to desire independence.

The fifth problem of the Congress involves a definition and enforcement of the President's declaration for "freedom of the seas."

If this means the right of unmolested travel for all law-abiding people upon the great highways of the world beyond territorial waters, many assume that the enjoyment of such right was made certain the day the German fleet surrendered, the Prussian mine floater was discovered, and the hell-born submarine ended its mission of murder.

If it is designed to end England's undisputed sway as mistress of the seas, the present plan of our Navy Department to equal or surpass England's Navy in 1925 should set at rest the apprehension of those who are unwilling longer to intrust her with that power.

If it means the dismantling of the navies of England, France, and Japan, then, too, must it mean the end of Navy building in America and ultimately an unprotected American merchant marine seeking sales for its cargoes in the great markets of the world.

In fact, the list of things it might and might not mean is too formidable to repeat, and for this reason the world eagerly awaits its official definition and will welcome its enforcement if it proves just and practical.

The sixth problem involves the removal of all economic barriers between nations.

While the President, who is also the author of this suggestion, has not defined just what idea he intended to convey, many of his friends and political adherents declare that this does not mean, as some assert, the tearing down of customhouses and the repeal of all tariff and customs revenue laws. That what the President meant, as he said in his recent notes to the Senate, was that while all nations were to impose whatever customs tariffs they saw fit they must impose them against all countries alike.

Those who disagree with the President quickly point out that this would forbid the United States maintaining a reciprocity agreement with Cuba, which has proven so beneficial to both; that it would be an insurmountable barrier against our building up trade through reciprocity treaties with South America; that it would compel us to allow Germany and China and all other countries that saw fit, regardless of their labor conditions, to enter our markets on the same terms as any other nation with which we sought a businesslike reciprocal trade agreement.

Whatever it means, the peace conference will have no easy task in solving these economic problems to the entire satisfaction of the world.

THE LEAGUE OF NATIONS.

Lastly we come to the league of nations, the dream of the ages, a dream that its vast army of intelligent and well-meaning advocates declare and believe is soon and certain to be realized—realized, as one of its great advocates declared, because Jesus Christ, the Savior of Man dreamed of it; because David, the sweet singer of Israel, dreamed of it; because George Washington, the father of our Nation, dreamed of it; because the poet Tennyson dreamed of it; because Robert E Lee dreamed of it; and because millions of mothers in the broken homes of the world are dreaming of it to-day; and, finally, because the spirits of 10,000,000 dead men who but yesterday fell victims to the folly and criminal shortsightedness of man are whispering their supplications into the ears of a just God that national butchery shall end and war shall be no more.

And that is why, with the burning spirit of crusaders, the advocates of the league of nations believe in their cause.

That, my friends, is why their zeal is entitled to the respect of all, including the equally great body of well-informed people who realize that until humanity is itself stripped of its selfishness, until nations are divested of their ambitions, and all the prejudices of race, class, and creed and clime have disappeared from the earth, a binding league of nations possessing power to institute and perpetuate the peace of the world will continue for centuries to come, as it has for centuries in the past, a mere vision, a companion of the stars, beyond the reach of man.

The advocates of the league declare that as nations are as civilized as the people who compose them, there is no more justification for their adhering to war to adjust their disputes than for men themselves to repudiate courts and go back to the brutal process of the "wager of battle" which prevailed among the tribes of former days.

That, as a matter of fact, the frightful destruction of life and property involved should make it even a greater inducement for nations to submit their disputes to an international tribunal than the ordinary private losses involved would induce individuals to invoke the aid of the courts of law.

That if a league were formed compelling nations, before actually shedding blood in any justiciable cause, to submit the question to arbitration, and any nation should refuse, the scorn of mankind would be so strongly manifested and the moral force of the world would be so formidably asserted against it that no nation could survive its wicked disregard of international fair play.

Many of the league's advocates believe also that it is entirely practicable to create a world court (with rules written in advance by the powers creating it) with authority to decide all international questions and to enforce its decisions by ordering all the signatory nations to punish any offender by an economic boycott, thus making her at the same time a political outcast and a prisoner within her own borders, with all means of dealing or communicating with the outside world denied her, which, of course, would probably mean commercial ruin, industrial stagnation, and physical starvation.

Other league proponents go a step further and would equip this international or supernation body with an interallied army and navy, which it may order to attack any nation disputing its decrees.

The most distinct line of cleavage yet developed between those who differ regarding the practicability of such a league involves its right to use armed forces to render its decrees effective.

Advocates of the force theory declare such a joint military and naval force entirely practical, while the opponents irreverently designate it as a "foolish dream."

Let us dispassionately review some of the suggestions of the leaders in both groups. The last of President Wilson's 14 points reads as follows:

"A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike."

The President, in elaborating upon this, declared:

"My conception of a league of nations is just this: That it shall operate as the moral force of men throughout the world, and that whenever or wherever wrong and aggression are planned or contemplated this searchlight of conscience will be turned upon them, and men everywhere will ask 'What are the purposes that you hold in your heart against the fortunes of the world?'"

Dr. Nicholas Murray Butler says:

"Let these nations, assembled by their representatives at Versailles, declare themselves to be a league of nations organized for the precise purposes for which the war was fought and with which their several peoples are entirely familiar, namely, the definition and protection of standards of international right and justice, the sanctity of international obligations, and the right of the small and less numerous peoples to be free from attack or domination by their larger and more powerful neighbors. This will be sufficient to begin with."

Mr. Talcot Williams says:

"The league is inevitable. It exists for war. Why not for peace? It has suffered from too much definition. It would do its chief work in preventing war by the use of military force to prevent hostilities by action without the declaration of war, avoiding disturbance to trade, to international intercourse, and to credits."

Senator JOHN SHARP WILLIAMS:

"There are only two ways of keeping the peace of the world. One by an amphictyonic council of the civilized world which we are trying to secure; the other is by the domination by one great world power, such as the Prussian and the Germans attempted and failed."

Viscount Grey:

"The Versailles conference will be the vital beginning of such a league. All that is necessary is that it should not commit suicide but keep itself alive by recessing from time to time and maintaining a permanent organization. This is not all that is desirable but all that is essential. A beginning that has vitality is better than a more complete plan that has no life. One is a living thing and the other a piece of furniture."

Lord Parmoor:

"I approve of the principle of a league of nations and the constitution of a tribunal whose order shall be enforcible by an adequate sanction."

Lord Curzon: "The French commission seems to have pointed out that it would be out of the question to set up an international police, a state above all other states whose aims should be to substitute law for force in the settlement of these national disputes. In this I think we shall all concur."

The plan of Baron de Constant and Leon Bourgeois agrees with the American suggestions generally and differs with the French commission.

Lord Parker: "It is a very serious matter to ask great nations to agree beforehand to submit disputes of whatever nature to the arbitrament of a tribunal consisting of some two dozen or three dozen States, many of whom may be interested in casting their votes on this side or that."

The absence of French quotations is best explained by the following letter from Robert E. Olds, one of the best-informed Americans in France:

"I assume you are following closely the career of that ancient and honorable idea of a league of nations. One gains the distinct impression that the French regard the notion as chimerical and visionary."

OUR OFFICIAL ATTITUDE.

As compared with the report of the French commission, the American Government by the act of Congress of August 29, 1916, declared it to be "the policy of the United States to adjust and settle its international disputes through arbitration to the end that war may be honorably avoided, and the President is authorized and requested to invite at an appropriate time all the great Governments of the world to a conference which shall be charged with the duty of formulating a plan for a court of arbitration, etc., to appoint nine citizens of the United States as delegates, and to expend such portion of $200,000 as may be necessary to carry this act into effect."

Mr. Wilson signed this bill, but never acted upon the suggestion.

This act, you will observe, makes no reference to equipping the court with a joint army and navy to enforce its decree.

Perhaps the most thoughtful and elaborate of all expressions on the subject are those of Lord Bryce, in which he concludes:

"I think we may dismiss all these grandoise notions of what has been called a federation of the world and attempts to induce the great States to forego sovereignty and to submit to some superior authority and to constitute an international army. All these schemes must belong to a very distant future, and I do not think we ought to contemplate any further limitation of sovereignty. It is not to be denied that the difficulties in the way are very great. I do not think anyone can appreciate how great these perplexities are unless he confines himself to a close and long-continued study of the subject and to the various plans that have been advanced."

Lord Bryce suggests the following concrete essentials of the league of nations, upon which its advocates are to accord:

1. The prevention of war, one of the world's supreme necessities.
2. War can be obviated only by arbitration.
3. Arbitration can not succeed without force behind it.
4. Compulsive force can be secured only by international operation.
5. Every member of such a league must agree to accept arbitration.
6. The league shall defend any of its members who may be attacked by any other State refusing to support arbitration.
7. The league will require:

(a) A tribunal to arbitrate justiciable controversies;

(b) A council of conciliation to inquire into and apply mediation to nonjusticiable controversies;

(c) A conference to amend, regulate, and codify international laws; and

(d) An executive authority to decide on the time and methods of compelling States to submit to arbitration.

8. Enforcement may be either by economic pressure or armed force, or both.

The points upon which they do not agree are as follows:
1. What principal shall control the admission of States to the league?
2. Shall members, great and small, have equal powers?
3. How shall the judges or arbitrators in the council of conciliation be chosen?
4. Shall the executive authority consist of persons representing the nations who are its members, or how otherwise?
5. Shall the council have power to act when it sees danger without being requested by a disputant State?
6. Shall the league have a standing army and navy?
7. Shall its decisions require a unanimous vote or merely a majority of the governments represented?
8. Shall the league have power merely to force nations to arbitrate their differences or shall it also have power to force them to abide by the arbitration decree?
9. How are military and naval armaments to be reduced?
10. Can members of the league conduct secret diplomacy?
11. Can members of the league have separate treaties among themselves?
12. May members of the league have different tariff or reciprocity agreements with each other?

Senator LODGE has suggested another serious question as to whether or not there shall be any race exclusion or discrimination.

To this formidable array of obstacles the thoughtful American is compelled to ask by what constitutional authority any department or officer of this Government can confer upon any international or supernational body, beyond the control of the United States, the right to enforce its decree against the United States to attack any other power, or even to attack the United States itself, in order to enforce the decree of such foreign independent body? Can the United States by any arrangement afford to place its great instrumentalities of power in the hands of any foreign body which it does not itself control with the authority upon the part of such a foreign body to use American arms against nations with whom we have no direct disputes or grievance?

Can the power to declare war, which is vested in the American Congress alone, be delegated to an alien body in which we might possibly have a single representative? Would it be constitutional? Would it be prudent?

As a great many of the world's serious disturbances and injustices involve disputes between peoples and their own governments, is the league of nations to have any power to intervene between citizens and their own governments, between subject and sovereign, and thus control the internal affairs of other nations under the guise of averting civil war and preserving the world's peace? If so, are the Army and Navy of the United States to be used for that purpose without affirmative action by our Government?

WILL IT REDUCE ARMAMENTS?

But one of the most practical of all questions is whether the formation of the proposed league is to do away, to any extent, with armies and navies, and is the great tax burden of militarism to be lifted from the people who are to-day groaning under the load already imposed?

The most surprising answer to this is found in the proceedings of our own Congress within the past few months, when Secretary Daniels, before the Naval Committee, made the startling declaration that the present proposed expenditure of $600,000,000, as a consequence of which the United States in 1925 would have the greatest navy in the world, even outstripping England, was necessary in connection with the formation of the proposed league of nations.

Secretary Daniels amazed the committee when he said: "You can do nothing in the world which would so strengthen this country's position at the peace conference as to authorize this enlarged naval program." The following is also the New York Times' report of his testimony before the same committee:

"Secretary Daniels and the naval officials desire to have a navy which will be as large as that of any other country not only for our own purposes but for policing the world in case a league of nations to enforce peace is created at the Versailles conference."

Admiral Badger, before the same committee, declared navies must be the principal support of the league of nations, and the United States will be called upon to contribute a very large share of the international police force to render the league effective. The admiral was supporting the $600,000,000 program.

For these reasons it is well for those who are ardently urging a league on the theory of lightening the world's burdens to bear in mind that its creation is to be followed in our own case by the largest naval expenditure of any nation in the history of mankind.

In view of the foregoing list of problems to be solved and the obstacles to be surmounted by the men at Versailles, reasonable and thoughtful citizens of this Republic will understand why our former Secretary of State and present Senator, Mr. KNOX, suggested by resolution that the immediate problems of the war should first be disposed of in order that the people of all nations might resume a more normal, placid, and impartial state of mind and in order, too, that when that judicial atmosphere is established the world might take up and consider the wider and more fundamental problems involved in the establishment of a league of nations to avert discord and perpetuate the world's peace.

In conclusion, let us ask, whatever may be the present and future motives and ambitions of other nations, have the people of the United States not established in a greater degree than any other their devotion to the spirit of fair play and their freedom from many of the local and petty prejudices and selfish aspirations that still linger about other nations? If this be true, why not continue to build up and intensify our people's love for those ideals, and the love and respect of other peoples for our country, and keep as far and free as possible from unnecessary foreign entanglements and alliances?

Why not keep in mind, too, that in spite of all their unselfishness and sacrifices for mankind, the Italians crimsoned the snows among the clouds with their blood primarily because of their love for Italy; that the British fell in millions before Hindenburg's armies primarily because of their love of England; that the Blue Devils wrote the most heroic stories of sacrifices of the war in their own blood at Verdun because of their love and devotion to France; and that every soldier of this Republic who died in the St. Michel salient and fell face downward in his own blood in the Argonne Forest died not only for mankind but above all because he loved the land of Washington and Lincoln and its hundred million free people—and thus it will ever continue to be, men will be willing to live and die for their country, their kinsmen, and their homes, but will the day ever dawn when their devotion to their country can be literally wiped out or transferred to some distant, independent conglomeration of nations of which they are only an incidental part?

Let us approach the solution of these problems as we would a sanctuary, and if ever God's holy light revealed to man his duty, let it reveal it now, when the peace of to-morrow depends so much upon the prudence of to-day.

Theodore Roosevelt.

EXTENSION OF REMARKS
OF
HON. FREDERICK C. HICKS,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1919.

Mr. HICKS. Mr. Speaker, under leave to extend my remarks in the RECORD I insert the following:

[Memorial address delivered by Hon. FREDERICK C. HICKS, of Long Island, at the Sunday Tabernacle, Washington, Jan. 12, 1919.]

THEODORE ROOSEVELT, THE FOREMOST SOLDIER OF THE COMMON GOOD OF HIS GENERATION.

In the universe of God there are no accidents. From the fall of a sparrow to the fall of an empire or the sweep of a planet, all is according to Divine Providence whose laws are everlasting.

Roosevelt the man is no more; Roosevelt the example still lives. Mourn not his death, rejoice rather in the grandeur of his achievements. Be thankful that this man among men set his conceptions of life and his precepts of duty so high that the generations to follow will be guided by his example and inspired by his attainments.

Strong in body, vigorous in intellect, fearless in action, inflexible in determination, he molded public opinion in a higher envisagement of the obligations of citizenship, and by his indomitable purpose shaped the destinies of a nation. A virile Americanism was the characteristic of his soul, the guide of his life, constant as the eternal stars. His was the voice which sounded the warning of imminent national peril; his was the voice which roused the Nation from its lethargy of unpreparedness; his was the voice which summoned the American people, without prejudice and without preference, to unanimity of sentiment and unity of service in support of the national cause. In every act, in every utterance from the beginning to the end, his first, his only motive was "my country, ever my country."

The primal truths of the declaration of principles which gave our Nation birth, the ideals and the purposes which carried it forward in the full sweep of its power, were the tenets of his American creed, exemplified by his actions as a statesman, glorified by his deeds as a soldier. He breathed the lofty spirit of patriotism of the fathers of the Republic and ceaselessly transmitted it to his generation.

A wonderful individuality coupled with a magnetic personality endeared him to all, friend and opponent, critic and adherent alike. His deep sympathy and sincere interest in every phase of human activity drew to him the admiration, the affection, and the confidence of innumerable thousands, who looked to him as leader, counsellor, friend. Untiring in his efforts for the uplift of humanity, his days were all too short for the energies of his mind and the generosities of his heart. A fidelity of purpose and a profundity of moral rectitude guided him in private act and public service. He was the foremost soldier of the common good of his generation.

His superb courage was halted neither by the magnitude of the task before him nor the criticisms of those who differed with him. His splendid optimism, lofty patriotism, and unbounded faith in humanity never deserted him; they were with him in his college days, in his early manhood and maturer years, as statesman and soldier, in public and private life; they were with him, radiant and strong, when his spirit passed to the great beyond. They were the philosophy of his life, the touchstone of his thoughts, the mentor of his actions, fundamental principles, firmly welded into his very being.

His conception of duty can best be expressed by his own words:

I wish to preach not the doctrine of ignoble ease but the doctrine of the strenuous life, the life of toil and effort, of labor and strife, to preach that highest form of success, which comes not to the man who desires mere easy peace but to the man who does not shrink from danger, from hardships, or from bitter toil, and who out of these wins the splendid triumph.

As a man, justice, simplicity, frankness, determination, kindliness of heart, and unswerving loyalty to friends, all were met in him. Happy in life, his home was ideal and the family ties perfect and complete. Deeply imbued with divine teachings, incorruptible in purpose, with a course steadfast as the needle to the pole, his life moved forward to its fullness under the watchful guidance of an omnipotent Providence.

As a soldier, his signal ability as an organizer, tenacity as a fighter, and genius as a leader of men won for him renown in the War with Spain. When the call came in the great con-

flict he pleaded for the chance to vindicate on the battle fields of France—by the supreme sacrifice, if need be—the convictions of his soul. Rejected, he gave four sons to win distinguished honor in the service of their country.

As a statesman, his profound knowledge of human nature, marvelous insight into the motives and ambitions of men, and clear and unerring perception of right, awakened the conscience of the people and carried the Nation onward to higher planes of thought and action.

As a lover of nature he held communion with her various forms, rejoicing in the beauties of hill and forest and stream, of rolling sea, of boundless sky, of sweeping prairie. He delighted to study the habits of the great beasts of the jungle in their native haunts or listen to the song of the birds nestling in the trees about his Long Island home.

As a scholar, his wide and deep study unfolded the beauties of the literature of the ages; his accurate analysis of the underlying factors in the development and advancement of civilization, together with a keen perception of the essentials of history, gave to his pen a versatility of thought, a strength of expression, and a purity of diction entitling him to preeminence among the foremost men of letters of his generation.

His life was an answer to that noble sentiment:

"Bring me men to match my mountains,
Bring me men to match my plains;
Men with empires in their purpose
And new era in their brains;
Pioneers to clear thought's marshlands
And to cleanse old error's fen;
Bring me men to match my mountains—
Bring me men!"

He sleeps and the nations weep. He has gone, but the cherished memories of his life remain. Silent is the voice that was the clarion call of a Nation. Yet the grave speaketh a benediction upon a life nobly spent, and whispers a message of love to his grieving countrymen. He has departed, but his name survives; a name too grand for any State, too great for any nation, too noble for any generation; a name which through all the ages shall be the guiding star for all mankind. His tomb on the hilltop by the waters, radiant with the golden light of his home across the valley, in the land he loved the best, will be revered by the centuries, and for generations to come those who seek the noblest attributes of man will receive their inspiration at his shrine.

"Put None But Americans on Guard To-Night."

(President George Washington.)

[Address by Hon. W. FRANK JAMES, of Michigan, delivered at the Knickerbocker Theater on Memorial Day, May 30, 1918.]

EXTENSION OF REMARKS

OF

HON. PATRICK H. KELLEY,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 8, 1919.

Mr. KELLEY of Michigan. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include an address by Hon. W. FRANK JAMES, of Michigan, delivered at the Knickerbocker Theater on Memorial Day, May 30, 1918:

ADDRESS OF HON. W. FRANK JAMES, OF MICHIGAN.

Fellow Americans, our most important duty these days is to "Win the war" and "Beat the Hun," and, when I say beat the Hun, I not only mean the Hun over there, but the Hun over here. In fact, I have far more respect for the Hun over there than the Hun over here—those damnable traitors who want to live over here according to the American standard of living—I mean those modern Benedict Arnolds who want to work over here and be paid according to the American wage scale, but whose sympathies and hearts are over there. If I had my way about it, I would not put a single pro-German nor traitorous American in an internment camp, but I would put them so far under the ground that the smell of brimstone would remind them of their future homes.

We meet here to-day not only to pay a tribute to the heroes of '61 and '98, but also to the heroes of this war.

All over this broad land to-day there are millions of little flags, "service flags," to show that "a man from this house has gone to fight" and, if need be, die for his country.

I never see a service flag in a window but what it reminds me of that most beautiful poem, "The service flag," by Mr. William Herschell.

THE SERVICE FLAG.

[William Herschell.]

Dear little flag in the window there,
Hung with a tear and a woman's prayer;
Child of Old Glory, born with a star—
Oh, what a beautiful flag you are!

Blue is your star in its field of white,
Dipped in the red that was born of fight;
Born of the blood that our forbears shed
To raise your mother, The Flag, o'erhead.

And now you've come, in this frenzied day,
To speak from a window—to speak and say:
"I am the voice of a soldier-son
Gone to be gone till the victory's won.

"I am the flag of The Service, sir;
The flag of his mother—I speak for her
Who stands by my window and waits and fears
But hides from the others her unwept tears.

"I am the flag of the wives who wait
For the safe return of a martial mate,
A mate gone forth where the war god thrives
To save from sacrifice other men's wives.

"I am the flag of the sweethearts true;
The often unthought of—the sisters, too.
I am the flag of a mother's son
And won't come down till the victory's won."

Dear little flag in the window there,
Hung with a tear and a woman's prayer,
Child of Old Glory, born with a star—
Oh, what a wonderful flag you are!

Memorial Day means more to us to-day than ever it did before. We meet to-day to pay tribute to our heroes who died on land and on sea.

In talking at Arlington Cemetery at the *Maine* memorial a year ago, where we gathered to pay a memorial tribute, I used these words in part:

We have gathered here to-day to pay a memorial tribute to our brave comrades of '98 who went down in Habana Harbor in the *Maine*.

He has come back home, asleep,
With the flag above his face;
With the starry fold to keep
Guard above his resting place;
And beneath blue summer skies,
Where he dreams below the sod,
But a single rosebud lies
Now between his heart and God!

They have gone to join the heroes who fought at Bunker Hill.
They have gone to clasp the hands of those who suffered at Valley Forge.
They have gone to live with those who fell at Monterey.
They have gone to meet those who died at Gettysburg.

This is not a new bereavement, but one which time, the healer of even the most severe grief, has softened. These are not new-made graves we garland, for over them all nature has already spread the memorials of her love. They have received the benediction of her sunshine and her tears, and above them her vines and grasses have spread the mantle of immortality.

Of the nearly 3,000,000 soldiers who "tented on the old camp grounds" in 1861 there now remains but a corporal's guard. The ranks of the brave boys in blue of 1861 who fought so gloriously at Mission Ridge, at Chickamauga, at Gettysburg, and hundreds of other glorious battle fields are now being rapidly thinned by Father Time; 20,000 or more have passed over the Great Divide to answer the last "roll call" during the past year.

Their marching line is now thinned to color bearers and file bearers. It is now only a specter army of gray-haired men, who once a year on Memorial Day keep step to the shrill of the old fife and the taps of the muffled war drums. To-day the worn blue line closes up the gap made upon it by another year; again it is marching to the "bivouac of the dead" to pay tribute to their old comrades, and beside the worn line of blue marches the thin line of the gray.

Those in the robings of glory,
Those in the gloom of defeat,
All with the battle blood gory,
In the dusk of eternity meet.
Under the sod and the dew,
Waiting the judgment day,
Under the laurel the blue,
Under the willow the gray.

From the silence of sorrowful hours
The desolate mourners go,
Loving laden with flowers,
Alike for the friend and the foe.
Under the sod and the dew,
Waiting the judgment day,
Under the roses the blue,
Under the lilies the gray.

As we attend each successive Memorial Day exercises we see fewer of the old familiar faces, and it will only be the space of a few short years when we will be called upon to attend the last rites of the last hero of the Civil War and hear our chaplain

repeat these solemn words: "Earth to earth, ashes to ashes, and dust to dust."

When the last hero of 1861 has passed to his reward the veterans of 1898 will carry the good work onward until they, too, pass over the great divide; but until that time Memorial Day will be to us who were lucky or unlucky enough to have taken part in the Spanish-American War a sacred trust, bequeathed to us by the immortal heroes of the Civil War.

As I have said, in addition to honoring those who died on land and on sea in 1861 and 1898 we are to-day paying our memorial tribute to those who have died on land and on sea in this great war.

The first Americans to give their lives for their country were those who died on the *Tuscania*.

The boys who died when the *Maine* was blown up in Habana Harbor we honor as much as those who died at Gettysburg.

The boys who died on the *Tuscania* will be honored by us as much as if they died on the blood-stained fields of France.

These boys who died on the *Tuscania* died like Americans should die.

There was no panic. They stood at attention while the vessel sank deeper and deeper into the Atlantic singing "America" and "The Star Spangled Banner."

As has been well said: "America asks for the names of these lads—every one of them. Though the boys have perished, their names are not to die. Those names, humble or proud, will be inscribed upon no less august a page than the book of the history of human liberty; and the tears that fell upon the page will not be the tears of weakness.

"As surely as God reigns and keeps the flame of liberty burning in American hearts the murderers who ordered the death of these lads will be brought to justice. The lion looks after her whelps, and the tiger after her cubs; and the Eagle looks after her own."

Some day I hope to see a suitable monument erected to the memory of the brave boys who died on the *Tuscania* and hope that their bodies will lie at Arlington Cemetery near the bodies of the brave heroes of the *Maine*.

It took many years for the bodies of the *Maine* to be brought to Arlington Cemetery, and might still be in Habana Harbor were it not for the efforts of our hard-working comrade, Capt. J. Walter Mitchell, of this city.

Believing the boys ought to receive the same honors as those who died on the *Maine*, I have introduced a bill to give them equal honor, and hope sometime to see it a reality.

The Kaiser misunderstands the American people, the French people, and the British people. Acts of terrorism, like sinking hospital ships, drowning helpless men, women, and children, bombarding helpless women and children, did not drive nations into cries of peace at any price, but it did drive nations that might have remained neutral into the war on the side of the allies.

It took us a long time to "wake up," but the Eagle is thoroughly aroused now and will look after her own.

We did not start this fight; we were not looking for this fight; but we are going to finish it—and finish it right—and that is the absolute destruction of Prussian militarism.

FOOL'S PARADISE.

We have been living in a fool's paradise for many years.

We had an idea that because we wanted no trouble, that because we envied no other nation, because we had no desire for a quarrel with any other nation, and because we only asked that we be allowed to live our lives in our own way, that no nation would want to quarrel with us.

We thought because we wanted no fight that the other fellow would feel the same way.

We were further lulled into sleep by pacifists, most of them being paid to spread the doctrine of the Kaiser by so much per night, and by the statement that we could "raise a million men overnight, if necessary."

You can not make a farmer or a miner overnight; neither can you make a first-class fighting man by a mere call to arms.

I believe in peace; in fact, I want peace so much that I am willing to fight for it, if necessary.

My experience in life is that "turning the left cheek" when you get slapped on the right sounds all right, but it does not stop from having the blow repeated.

I never had much use for a pacifist, anyway; I have always agreed with the sentiment that "A pacifist was the first cousin to the ostrich." The one great difference between the ostrich and the pacifist is that when danger is nigh the ostrich knows enough to hide his head in the sand and keep his mouth shut.

The ostrich grows white and black feathers, while his relative grows only white feathers and has a yellowish streak running from the back collar button down the back to the base of the suspender. The pacifist idea of preparedness is to shuffle darning needles, drink weak tea, and eat prunes.

"Peace at any price" and "a soft answer turneth away wrath" is the pacifist yodel, but a mule does not give you a chance to whisper "peace" in his ear before he lets loose with a bushel of kicks. None of us want war, but, then, it does not hurt the other fellow, you know, when he is standing on your pet corn.

Well, to tell the truth—the real truth—about the average pacifist in case of war, my humble opinion is that you will generally find that he is the guy that gets shot in the back.

SO-CALLED PEACE SOCIETIES.

A few years ago this country was flooded with the so-called peace societies. Three years ago Memorial Day, at Ironwood and Bessemer, Mich., I said, in part:

Instead of spending time forming societies for the advancement of peace, we ought to spend our time for the advancement of patriotism as a primary ideal—yes; even ahead of peace. There is no use wasting time talking about the horrors of war; we all admit their horror. Why not spend some time in talking about the horrors of war which unpreparedness begets?

Yes; and if the Navy of Great Britain did not give us time to get an Army ready, we would be to-day experiencing all the horrors of unpreparedness for war.

I believe in peace; but we only want peace that means a permanent and lasting peace.

There is a vast difference between peace at any price and peace with honor.

It was the President of populous China and not the Emperor of tiny Japan who said:

Our rights in Manchuria have been grievously violated, but our weakness invited insult.

WENDELL PHILLIPS.

Wendell Phillips, of the Civil War times, believed in peace, but he believed in a peace that meant something.

He expressed the right kind of sentiment when he said:

In my view, the bloodiest war ever waged is infinitely better than the happiest slavery which ever fattened men into obedience. And yet I love peace; but it is a real peace that I love, not peace such as we have had; not peace that meant lynch law in the Carolinas and mob law in New York; not peace that meant chains around the Boston courthouse, a gag on the lips of statesmen, and the slave sobbing himself to sleep in curses. No more such peace for me; no peace that is not born of justice and does not recognize the right of every race and every man.

Not only was the country flooded with "peace" societies, but we were flooded with songs on the same lines as "I did not raise my boy to be a soldier," which really meant that you were raising your son to be a coward, and that in case you were attacked the son of some mother who raised her son to be a man—not a coward—will have to defend you.

It took a man whose own son died in France and lies in a grave there—but not a forgotten one—to give a suitable answer to that poem. The following verses were written by Dr. James D. Hughes, of Toronto, Canada:

God gave my son in trust to me;
Christ died for him, and he should be
A man for Christ. He is his own,
And God's and man's; not mine alone.
He was not mine to "give." He gave
Himself that he might help to save
All that a Christian should revere,
All that enlightened men hold dear.

"To feed the guns!" O torpid soul!
Awake, and see life as a whole!
When freedom, honor, justice, right,
Were threatened by the despot's might,
With heart aflame and soul alight,
He bravely went for God to fight
Against base savages, whose pride
The laws of God and man defied;
Who slew the mother and her child,
Who maidens pure and sweet defiled.
He did not go to "feed the guns";
He went to save from ruthless Huns
His home and country, and to be
A guardian of democracy.

"What if he does not come?" you say;
Ah, well! My sky would be more gray
But through the clouds would shine
And sacred memories be mine;
God's test of manhood is, I know,
Not "Will he come?" but "Did he go?"
My son well knew that he might die,
And yet he went with purpose high
To fight for peace and overthrow
The plans of Christ's relentless foe.

He dreaded not the battle field;
He went to make fierce vandals yield.
If he comes not again to me
I shall be sad; but not that he
Went like a man—a hero true—
His part unselfishly to do.
My heart will feel exultant pride
That for humanity he died.

"Forgotton grave!" This selfish plea
Awaked no deep response in me
For, though his grave I may not see,
My boy will ne'er forgotten be—
My real son can never die;
'Tis but his body that may lie
In foreign land, and I shall keep
Remembrance fond, forever, deep
Within my heart of my true son,
Because of triumphs that he won;
It matters not where anyone
May lie and sleep when work is done.

It matters not where some men live;
If my dear son his life must give
Hosannas I will sing for him,
E'en though my eyes with tears be dim.
And when the war is over, when
His gallant comrades come again,
I'll cheer them as they're marching by,
Rejoicing that they did not die;
And when his vacant place I see
My heart will fill with joy that he
Was mine so long—my fair young son—
And cheer for him whose work is done.

"PEACE" SOCIETIES.

As I said, we had all sorts of so-called "peace" societies—most of them being financed by the Kaiser.

They really wanted to keep us out of the war so that the allies would be defeated, and we receive our "licking" a little later—all this was done under the guise of "peace."

Every little while some new propaganda would start up, and those of us in Congress would be bombarded with hundreds and thousands of letters and telegram asking us to vote for "peace" and "keep us out of war," etc. They were more interested that we should do nothing to hurt the Kaiser than they were to keep us out of war.

Several times, so-called "peace" societies gave us to understand that if we did not vote "right" we would be defeated. Well, when I have to agree to vote against American rights in order to further the rights of some other country, I will not be in Congress.

"EMBARGO" RESOLUTION.

The first propaganda was what we called the "Embargo" matter. The "peace" societies claimed they were advocating it because they wanted the United States to remain "neutral" but when you examined the arguments—and some of the names—you wondered what the word "neutral" really meant, and if it (and the arguments) were not "made in Germany."

What it really meant was that every American port should be closed, our commerce would be absolutely destroyed, our goods would rot on our docks, our workmen would no longer work and our factories be closed, and why? Simply that the nations that had not brought on this war, who had not prepared, who had little or no ammunition or guns on hand should be at the absolute mercy of the nation which had been planning for many years to make itself the conqueror of the entire world.

But these "peace" societies said the "war would be over" if it was not for us. So it would, but I leave it to you, who would have won and if Germany had won—with the intense hatred of the Kaiser for us—where would we be, and what price would we pay for our unpreparedness?

M'LEMORE RESOLUTION.

Then came the McLemore resolution. We were to say "stay in America and we will protect you." "Go to any other country and we will forsake you."

We were to forbid our citizens to travel on vessels of commerce—in other words, we would become a hermit nation.

Personally, I have always approved of the sentiment, "wherever an American goes lawfully and observing the law, there the flag goes with him and there it must ever go. If the flag does not protect the citizen, when the time comes, the citizen will not protect the flag," and I was proud to vote against such an un-American resolution.

ARMED MERCHANT SHIPS.

The next propaganda was against a resolution to allow "American vessels under American registry," to be allowed to do what? "Arm for defensive purposes only"—against what—"unlawful attack"—and yet men in high places conducted a filibuster so that the bill did not reach a vote in the Senate although passing the House by a large majority.

Contrary to what many people believe, there was not a single French or British armed merchant ship that entered or left an American port until we entered the war; also contrary to what many believe there was not a single pound of ammunition carried on an American ship until we entered the war. True it is that we sold ammunition to the allies, but they either carried in on their own bottoms or on the bottoms of neutrals.

CONSCRIPTION BILL.

The next propaganda of the "peace" societies was against conscription—it was so un-American, you know. Well, we know the real reason was they were afraid it would be too effective in raising an army to defeat Prussian militarism that these "peace" societies so dearly loved.

We have had no propaganda lately, and I don't believe that I am violating any confidence when I say that we are getting so much "iron" in our blood day by day since our boys went to France that another propaganda by these "peace" societies will mean that the price of rope will be going up.

NO WAR MORE JUSTIFIED THAN THIS WAR.

No war—not even the Revolutionary War—was more justified than this war. In no war was there so much at stake. Our lives, the lives of our children, the lives and honor of our women, are all at stake to-day.

In 1776 we fought Great Britain because we were against "taxation without representation," but Great Britain had not cruelly and deliberately murdered our men, women, and children on the high seas.

In 1798, when France interfered with our rights on the seas, we sent our boats to sink, capture, or destroy every French boat on sight, and we kept this up until France agreed not to interfere with our rights; but France did not murder our citizens.

In 1812 we fought Great Britain a second time because she interfered with our rights on the seas, and this was by her claiming the right to take deserters from her boats off of ours. Great Britain had not murdered our citizens.

In 1861 we fought the South because she wanted to disrupt the Union; she had not murdered our innocent women and children.

In 1898 we believed that Spain was responsible for the sinking of the *Maine* and the murder of our citizens in Habana Harbor; we declared war against Spain; but Spain had not deliberately and repeatedly murdered our innocent women and children.

That remained for Germany—under the iron heel of the Kaiser—to do; and we would have been worse than cowards if we submitted to the disgrace.

Our boys have gone to France to fight for the freedom of America; but they are also fighting for the freedom of the entire world.

Not only are we fighting for liberty, but France and our allies are fighting for the same glorious cause.

As the patriotic Viviani so well expressed it:

Why do all these people fight? They fought to elevate all the world toward the ideal and toward liberty; they fought to make the world a place in which man could breathe freely, and they did not fail. I salute the hour of victory with the pious hope that the spirit of Washington will become your spirit. Lift your heads, citizens of America, lift them as high as your flag.

WASHINGTON—"ENTANGLING ALLIANCES."

Our pro-German friends state we have no right to be mixed up in this fight, and lay great stress on what Washington, the Father of our County, had to say about entangling alliances.

Well, let us see what he did say:

If we remain one people the time is not far off when belligerent nations will not lightly hazard the giving us provocation, when we may choose peace or war as our interest, guided by justice, shall counsel. It is our policy to steer clear of permanent alliances with any portion of the foreign world. Taking care always to place ourselves by suitable establishments in a respectable defensive posture, we may safely trust ourselves to temporary alliances for extraordinary emergencies. Nothing short of self-respect and that justice which is essential to a national character ought to involve us in war.

If defending ourselves against violation of our women and maiming of our children, drowning of innocent men, women, and children, defending ourselves against a nation violating every rule of honorable warfare and every law of civilization is not what Washington called "extraordinary emergencies," then will our peace-at-any-price men tell us what they would consider "extraordinary emergencies"?

WHO ARE OUR FRIENDS IN THIS FIGHT?

Who are our friends in this fight, and what do they represent?

For the first time in our history we are on the same side as Great Britain and our Canadian cousins. Can we read of the heroic deeds of the Canadians and the British without thanking God that our boys are fighting side by side with men who have shown their heroism on many a bloody battle field?

This is not the first time we have fought side by side with France—France the nation that sent us Rochambeau, De Grosse, and the immortal Lafayette. We have not forgotten that were it not for France there would be no United States. We ought to be, and we are, proud to fight in the same glorious cause as

heroic France—France, the land that they thought was dead and decayed; France that has astonished and received the admiration of the world by the bravery of her men and her women.

We are fighting on the same side as sunny Italy, the land of art and song; the land that sent us Christopher Columbus; Italy, the land of Garibaldi, Mazzini, and Cavour.

We are fighting side by side with the heroic soldiers of little Belgium, "bleeding Belgium," that little land that preferred to die rather than lose her honor. We are proud to fight on the same side as the gallant men of little Serbia, the brave; the men of desolate Poland; the men of gallant Greece; and the men of Montenegro and Portugal.

We all fight for a common cause—the liberty of the world. If the allies win, we win, and we will all be free men; if the allies lose, we lose, and with them we become slaves of the Kaiser.

If a man talks to-day against Italy, Serbia, Great Britain, France, or any of our allies, look out for him; he is a pro-German at heart and is just as much a traitor deep in his heart as if he talked against the United States.

If there is any doubt in the minds of anyone that the Kaiser and his tools are not more terrible than Attila and his Huns, let us bear the following facts in mind:

ATTILA, THE HUN, NEVER MADE WAR ON WOMEN, AS THE KAISER IS DOING.

Attila, the Hun, nor Nero, nor any other savage in the history of the world, ever made war on women, as the Kaiser has in this war.

Attila, the Hun, never imprisoned women in underground prisons, tethered for the use of their bodies by officers and men, and yet that is the fate of thousands of women in the occupied territory in northern France.

Attila, the Hun, never compelled women and men to salute their captors, and yet women in France are not only compelled to salute, but also to smile when saluting or go to jail.

Imagine if the Hun had come to this town, killed the fathers, brothers, and husbands, cut off the hands maybe of your son, and then every time that you met an officer your mothers, sisters, and wives, and daughters had not only to salute, but smile—and very graciously at that—or go to jail. But this is what is happening in France and Belgium every day.

That is not all. In captured towns where hunting was good and game plentiful but dogs scarce, girls have been used as hunting dogs, and when they refused have been imprisoned in cellars for each such refusal. Imagine our American women being used in place of hunting dogs; and yet why should our women receive any better treatment than women of France or Belgium?

Officers have not hesitated to horsewhip not only priests of 60 and over who did not salute, but have also used the horsewhip on women who refused to smile and salute. Imagine our American women being horsewhipped for refusing to smile and salute men responsible for the death of their dear ones.

Women in northern France have been compelled to work in the fields. That is not all. They have worked under the lash. When we fought the Civil War we thought we had abolished slavery for black men and black women, but to-day we find slavery for white men and white women.

When young you remember our hatred for the slave driver, Simon Legree, who used the lash on black men and women, but we never dreamed when men calling themselves civilized would make slaves out of white men and women and use the lash with even more ferocity than Simon Legree.

That is not all. These mothers, wives, and daughters are compelled to work close to the firing line; many times so close that their captors are afraid to stay with them.

More than that. Many a time when aeroplanes were sailing by, the keepers would run to cover, but the women, under penalty of punishment, were compelled to stay in danger.

Reputable witnesses have seen elderly women whose legs or arms have been broken by German officers.

Schoolboys have been taken out of school at St. Quentin and transformed into street sweepers.

In many places mothers have been torn from their children in arms and from sobbing and desperate little girls, who threw themselves upon their knees without avail, and sent far from home, to either work in the fields or be used for digging trenches.

If we want to see American women used as hunting dogs; if we want to see our mothers and daughters and wives working in the fields with German Simon Legrees lashing them with the whip; if we want to see American women kept in stockades for a punishment worse than death; if we want to see American women digging trenches; if we want to see our schoolboys used as street sweepers—then let us talk about peace on any terms; but if we want to see the old vicious Prussian military system wiped out—and its advocates with it—then let us resolve that there shall be no talk of peace until the allies and ourselves reach Berlin. We want our guns to do all the talking from now on.

This war can not be won by dropping peace messages on the foe—they do not understand that kind of language; dropping dynamite by the ton they will understand a little better; but the peace talk they will understand best of all is the soldiers of the allies and ourselves being quartered in the palaces of the Kaiser at Potsdam and Berlin.

WHAT WOULD HAPPEN IF THE WAR CAME TO AMERICA TO-DAY?

What would happen if the war came to America to-day? The war is not 3,000 miles away to-day, as some people think. In fact, if it was not for the British and French Navies it would be here to-day.

War came to Belgium not because Germany had any grievances against Belgium, but because Belgium refused to allow Germany to invade her territory for the purpose of attacking France from the rear.

Because Belgium was invaded, Great Britain entered the war, and Germany was surprised that Great Britain should enter a war because a treaty—a "mere scrap of paper," as Germany expressed it—had been violated.

Belgium has paid a heavy price for the defense of her honor—the Kaiser has taken possession of nearly all of her territory and subjected her people to the yoke of his brutal soldiers.

What would happen if this war reached our shores to-day?

Our people would be slaves of brutal officers and men.

They would extort vast sums from our peaceful villages and cities.

Many of our towns and cities would be burned, and many of our churches burned or destroyed by shell.

Our factories would be stripped of their machinery. Our raw material and machinery would be shipped to Germany.

American workmen by the thousands would be used as slaves, and our women as worse than slaves. Thousands of noncombatants—regardless of age or infancy or of womanhood—would be slain.

All of these things have happened in France, Poland, Serbia, and Italy and Belgium—what reason have we for thinking that we Americans would receive any special consideration? In all of these countries women have been violated by the tens of thousands, but has anyone heard of a German or Austrian soldier being punished for rape, or robbery, or murder?

If the war was in America to-day—in your city, for instance—you would see your mayor, your common council, and a hundred or so of your leading citizens as hostages.

You would see the women of Washington working in the trenches; you would see your sons used as street sweepers and diggers of trenches.

You would see your homes robbed of everything of value; your family driven into the street.

If some one fired a shot—your mayor, council, ministers, and many of your women would be shot or hanged.

Thousands I have said are the things that happened in Belgium, France, Italy, and Serbia, and are the things that will happen here. We must get all over the idea of this war being 3,000 miles away and look upon everything as if the war had reached the shores of America. Every one of us must do everything in our power to-day, because if we do not all these things and worse will take place in the peaceful villages and cities of America, as well as they have taken place in the peaceful villages of sunny France.

"OUT OF THEIR OWN MOUTHS"—THE TRIUMPH OF GERMANY REAL CAUSE OF WAR.

We claim that the only cause for the present war is the fact that Germany—not her poor sister, Austria—wants to dominate all Europe.

To prove that fact, I will only call one witness—the one man who knows—the Kaiser himself. In a proclamation in June, 1915, he used these words:

The triumph of the greater Germany, which some day must dominate all Europe, is the single end for which we are fighting.

Does anyone want any better evidence?

KAISER RESPONSIBLE FOR ALL OUTRAGES.

We claim that the Kaiser is responsible for all the outrages committed by his troops, and that all these outrages are according to a policy advocated by him many years ago.

We quote, to prove our case, his speech to his Chinese Expeditionary Force, July 27, 1900:

If you come to grips with him, quarter will not be given, no prisoners will be taken. Use your weapons in such a way that for a thousand years no Chinese shall dare to look upon a German askance. Be as terrible as Attila's Huns.

History proves that in China, as well as in this war, the Kaiser's soldiers were more terrible than the Huns of the terrible Attila.

INVASION OF BELGIUM VIOLATION OF INTERNATIONAL LAW.

We claim that the invasion of Belgium was a violation of treaty between Germany and Belgium, and as our star witness we quote Chancellor von Bethmann-Hollweg, in a speech to the Reichstag, August 14, 1914:

Our troops have occupied Luxemburg, and perhaps have entered Belgium territory. Gentlemen, that is a breach of international law. The wrong—I speak openly—the wrong we thereby commit we will try to make good as soon as our military aims have been attained.

GERMANY HAD NO GRIEVANCES AGAINST BELGIUM.

We claim that Germany had no grievance against Belgium, and we call as our witness the German minister of foreign affairs:

Germany has nothing with which to reproach Belgium, whose attitude has always been correct.

GERMANY'S SOLDIERS TAUGHT TO BE HARD AND CRUEL.

We claim that Germany's soldiers are taught to be hard and cruel.

Gen. von der Goltz says:

It is better to let a hundred women and children belonging to the enemy die of hunger than to let a single German soldier die.

Another witness, Gen. von Hindenburg, states:

The more merciless, the kinder it really is; because it will end so much the quicker.

We claim that noncombatants, innocent men and women, were used as hostages and shot without evidence or trial.

In a proclamation of Gen. von Bülow, Namur, Belgium, on August 25, 1914, he said, in part:

Every street will be occupied by a German patrol, who will take 10 hostages for the street. If an assault takes place in a street, the 10 hostages will be shot.

In other words, if a drunken soldier attempts to break into a house, or anything of this kind, then 10 innocent people will be killed without trial.

We claim that orders have been issued by German generals that no prisoners must be taken in the approaching battle. Was not Attila, the Hun, a piker?

I now present as witness Gen. Stenger, commander of the Fifty-eighth Brigade, who, in the order of the day to his men on August 26, 1914, used these words:

Beginning with to-day, no more prisoners are to be taken. All prisoners are to be put to death. The wounded, whether armed or not, are to be put to death. Prisoners, even where they are organized in large units, are to be put to death. No living man is to remain behind us.

This order was carried out to the letter in that battle. Examination of German prisoners showed by the blood on their rifles that many wounded Frenchmen had been clubbed to death by rifle butts.

We claim that their soldiers have carried out, in many cases, the orders "take no prisoners," made by Gen. Stenger and others like him.

A diary found on Under Officer Klemt stated in part:

A weird noise near me comes from blows that a soldier of the One hundred and fifty-fourth is raining upon the bald head of a Frenchman with a clubbed rifle. Very wisely he has appropriated for this piece of work the Frenchman's gun, for fear of breaking his own. Very soft-hearted men put the French wounded out of their misery with bullets; the others hew and stab whenever they can, but whether they are slightly or mortally wounded, our brave musketeers save the Fatherland the costly care of numerous enemies.

Under Officer Göttsche, Eighty-fifth Infantry Regiment, Ninth Army Corps, wrote in his diary:

The captain called us about him and said: "In the fort that is to be taken there are, in all probability, Englishmen. I do not wish to see a single English prisoner in the hands of the company."

And then Göttsche add:

A general shout of assent was the response.

In a letter to his wife to be, March 16, 1915, Johann Wanger said in part:

I have also bayoneted a good number of women. During the battle of Budenwiller I did away with four women and seven young girls in five minutes. The captain had told me to shoot these French sows, but I preferred to run my bayonet through them.

Another said in part:

Where before were peaceful people and a flourishing village is now a heap of ruins. Far indeed did the destructive fury of the Two hundred and thirtieth extend, and we can scarcely be looked upon as soldiers. When we are up at the front it is as if we were the greatest criminals. Thus it is we do our work of destruction in France. Picture to yourself how we live now, not like men, but like beasts. Far and wide there are no trenches, only bare fields and stumps of trees growing where once man plowed his field and worked for wife and child. That is our retirement and our part in it. My mind can not dispel the thought that I shall not return.

TAUGHT THAT "TERRORISM" IS RIGHT.

We claim that they state that any act committed by the recruit for the purpose of discouraging, defeating, and destroying the enemy is fully justified.

We quote Maj. Gen. von Disfurth:

No object whatever can be served by taking notice of the accusations of barbarity leveled against Germany by her foreign critics. We owe no explanation to anyone. Whatever act is committed by our troops for the purpose of discouraging, defeating, and destroying the enemy is a brave act and fully justified. Germany stands as the supreme arbiter of her own methods. War is war.

They call us barbarians. What of it? We scorn them and their abuse. For my part, I hope that in this war we have merited the title of "barbarians." Let neutral nations and our enemies cease their empty chatter, which may well be compared to the twitter of birds. Our troops must achieve victory. What else matters?

KING OF PRUSSIA UNRESTRAINED BY ANY LAW OR CONSTITUTION.

We claim that the King of Prussia is unrestrained by any constitution or law. The following proves our case: Several years ago one Kuepper, postmaster in the Prussian town of Wirmelkirchen, was charged with embezzling $7,000. Kuepper died in this country, and under the laws of Germany the King sued Kuepper's administrator in the State of Missouri.

The opening declaration reads as follows:

The plaintiff states that he is absolute monarch of the Kingdom of Prussia, and as King thereof is the sole government of that country; that he is unrestrained by any constitution or law; and that his will, expressed in due form, is the only legal power there known to exist as law.

KAISER CLAIMS TO BE INSTRUMENT OF GOD.

We claim that the Kaiser believes that he is the instrument of the Almighty God.

We quote the language that William II used on December 19, 1914:

Remember that you are the chosen people. I am the instrument of the Almighty. I am His sword—His agent. Woe and death to all those who oppose my will! Woe and death to all those who do not believe in my mission! Woe and death to the cowards!

KAISER DREAMED OF BEING EMPEROR OF THE WORLD.

We claim that for many years the Kaiser has had a dream of being ruler of the entire world.

We quote the language used by him sometime ago:

All my life I have been under the influence of five men—Julius Cæsar, Alexander the Great, Theodoric the Second, Frederick the Great, and Napoleon. These five men had their dream of world empire. They failed. I, too, have a dream of world empire. I shall succeed. When this war is over I will stand for no nonsense from the United States.

GERMANY CONTEMPLATED THIS WAR FOR MANY YEARS.

We claim that Germany has contemplated this war of conquest for more than 20 years.

As witness we call Admiral Von Goetzen, who said to Admiral Dewey in 1898 at Manila:

About 15 years from now my country will start a great war. She will be in Paris after the commencement of hostilities. Her move on Paris will be but a step to her real object—the crushing of England.

GERMANY DISLIKED THIS COUNTRY FOR YEARS.

We claim that Germany has hated this country for many years and intended to put our country "in its place."

We use the same witness, Admiral Von Goetzen, who also said to Admiral Dewey:

Some months after we finish our work in England we will take New York, and probably Washington, and hold them for some time. We will put your country in its place regarding Germany. We do not propose to take any of your territory, but we do intend to take a billion or so of your dollars from New York and other places.

OPPOSED TO THE MONROE DOCTRINE FOR MANY YEARS.

We claim that Germany has been opposed to the Monroe doctrine for many years.

We call the same witness, who said to Admiral Dewey:

The Monroe doctrine will be taken care of by us, and we will dispose of South America as we wish. Don't forget this about 15 years from now.

PRUSSIAN MILITARISM MEANS CLASS RULE.

We claim that Prussian militarism means class rule, and that private soldiers are treated like beasts of burden instead of men.

Contrary to the Swiss system and the Australian system, which means the training of free men to be able to fight as free men for the rights and liberties of a free land, the Prussian system means the absolute rule of the few.

We will prove this by the testimony of German soldiers.

In a trial in 1914, which was postponed on account of the war, many vicious acts by officers—noncommissioned as well as commissioned—were disclosed.

One witness stated that—

Recruits were made to sweep the rooms with toothbrushes, climb on wardrobes, slide under beds on their stomachs; were beaten with whips, particularly at night.

Another soldier stated:

Boxing of ears, blows, even with the sword and the riding whip, were daily occurrences.

Another soldier stated:

Lieut. Schmitt boxed a soldier's ears, then ordered all men to leave the room, and one heard only groaning and curses. The recruit was injured in such a manner that he had to be discharged, and received a pension for injury in the service.

A private testified:

Recruits were compelled to sweep the rooms of the noncommissioned officers from 9 to 11 at night with toothbrushes.

Another stated:

Noncommissioned officers compelled soldiers to lie in dirty ice water and dung water.

Still another testified:

In the Fourth Squadron of the Regiment Garde du Corps recruits were maltreated in the most brutal manner with ropes, snaffles, horse brushes, the sword, etc.

In the Queen Augusta Guard Regiment, No. 4, Sergt. Waske ordered a grenadier to lie down before a cuspidor and then called out, "Drink." The evidence at the trial showed that the grenadier did drink from the cuspidor quite obediently, which proves the fear the privates have of their officers.

The evidence showed that in the Guard Train Battalion "Noncommissioned Officer Hoffman ordered exercises which consisted in bending their knees, while the men had to hold a full manure box in their outstretched arms."

In the Fiftieth Infantry Noncommissioned Officer Poeselt, at inspection of their rooms, "ordered the recruits to take cuspidors in their hands, and he then threw the disgusting contents into their faces."

In the King's Grenadier No. 7, a recruit was also "ordered to drink the contents of a cuspidor."

If I had the time, I could relate many more incidents which were given at this trial by private soldiers.

MINISTERS TAKE OATH TO PREACH THE GOSPEL AS KAISER DICTATES.

We claim that ministers take an oath that they "will preach the word as his gracious majesty dictates."

In proof I offer the following:

When Rev. James D. Jeffery, of the Scovel Memorial Church, Detroit, Mich., said the following a few weeks ago, a peculiar quiet came over the crowded church:

PREACH AS THE KAISER DICTATES.

Let me read you the oath of fidelity which all who seek to enter the pulpit in Germany must take. It reads: "I will be submissive, faithful, and obedient to his royal majesty and his lawful successors in the government as my most gracious king and sovereign; promote his welfare according to my ability; prevent injury and detriment to him; and particularly endeavor carefully to cultivate in the minds of the people under my care a sense of reverence and fidelity toward the king, love for the fatherland, obedience to the laws, and all those virtues which in a Christian denote a good citizen, and I will not teach or act in a contrary spirit. I will preach the word as his gracious majesty dictates."

Does one need any additional evidence?

KAISER CLAIMED AMERICAN CITIZENS AS HIS SUBJECTS.

We claim that the Kaiser himself thought that the former Germans were still his subjects, and that he believed that they considered they owed first allegiance to him in preference to the United States.

In 1908 we find him decorating Herr Dr. Hexamer, then president of the German-American Alliance, decorating the distinguished "herr" and using these words:

If any man ever was worthy of decoration at my hands, it was Herr Dr. Hexamer, the president of the league, who may justly be termed by my grace the acting ruler of all the Germans in America in the United States.

Do you get that—"by my grace"? And while we were flattering ourselves that we were the freest of the free, Kaiser Bill was flattering himself that he had here, "by my grace," an "acting ruler of all Germans in the United States."

We claim that the Kaiser claims his soldiers are his, body and soul.

In support of our claim we quote his language to the Potsdam recruits:

Children of my guard, you are now my soldiers, body and soul. You have sworn to obey all my commands. From this day on you must know but one enemy, and that enemy is my enemy. And if I command you some day to fire upon your own relatives—your fathers and mothers, sisters and brothers, perhaps—remember your oath, and obey.

WHILE CLAIMING TO BE FRIENDLY CONSPIRING WITH MEXICO.

We claim that Germany while claiming to be friendly with us was trying to make a treaty with Mexico and Japan to invade our soil and take part of our territory.

We produce the note written by Undersecretary Zimmermann before we entered the war, written on January 19, 1917:

On the 1st day of February we intend to begin unrestricted submarine warfare. In spite of this, it is our intention to endeavor to keep the United States neutral.

If this attempt is not successful, we propose an alliance with Mexico on the following basis: That we shall make war together and together make peace. We shall give general financial support, and it is understood that Mexico is to reconquer the lost territory in New Mexico, Texas, and Arizona. The details are left to you for settlement.

The President of Mexico, according to note, was to offer to mediate between Germany and Japan.

It is hard for us living in America to believe that mothers and sisters and daughters and fathers do not raise up in rebellion at even an intimation that bodies of their loved ones are being "rendered down" to secure oil and other products; and yet if we believe what was said in the paper called Reality, it would seem as if this is happening. The article reads as follows:

THE GERMAN DEAD—AN ADMISSION.

The Germans are no longer taking pains to conceal the fact that their dead soldiers are being "rendered down" to secure oil and other products.

Herr Karl Rosner, the correspondent of the Berlin Lokalanzeiger on the western front, published on April 10 the first definite German admission. In a description of the battle field north of Rheims he wrote:

We pass through Evergnicourt. There is a dull smell in the air, as if lime were being burnt. We are passing the great corpse exploitation establishment (Kadaververwotungsanstalt) of this army group. The fat that is won here is turned into lubricating oils, and everything else is ground down in the bones mill into a powder for mixing with pigs' food and as manure.

Herr Rosner conveys this information with no comment but the remark that "nothing can be permitted to go to waste."

Here is confirmation of an article in the Paris Journal published on March 9. It quoted from the technical paper Chemische Zeitung (Chemical Gazette) of November 18 last this announcement:

Thermochemischer Verein Alcolsheim (Strassburg). On account of the departure of our manager, we require an engineer, free from military obligations, to direct, technically and commercially, our factory for the destruction of dead bodies.

The name of the factory (said the Journal) leaves no doubt respecting the nature of the work carried on in this thermochemical factory; that is to say, it is not solely destruction by heat, but it also comprises the chemical treatment and utilization of the bodies.

A statement on February 28 by the American consul who left Germany at the same time as Mr. Gerard is additional confirmation, if that were now needed.

"ON WHICH SIDE ARE YOU?"

Now that we are at war, we say to every man here, "On which side are you?"

To our adopted citizens we say, "Are you for the land that you were glad to leave or are you faithful to the oath you took when you renounced all other lands and all other rulers for this land?"

To our native born we say, "Are you going to be a patriot like Washington, and Lincoln, and Grant, and millions of others, or do you prefer to be remembered as another Benedict Arnold of unsavory fame and reputation? Choose ye this day whom ye will serve."

I know, judging from my own district, and thousands of others I have met, that the great majority of our people, adopted and native born, are for this country heart and soul.

I come from a district in which every man is either an immigrant or the son of an immigrant.

NO MORE BRITISH, IRISH, ETC., NOTHING BUT AMERICANS.

We used to talk of ourselves as Irish, Italians, Scandinavians, French, Cornish, and so forth, but when the war broke out we found that we were mistaken, that we were not Germans, Scandinavians, British, Finnish, Jews, and so forth, but Americans—100 per cent Americans at that—and that our pro-Germans were nearly nil.

I have had only one letter condemning my votes all through this trouble, and that was by a young fellow who seemed to think that working three months in a brewery made him more capable of looking after matters of state than the State Department.

Have had some letters from some other parts of the country, however. For instance, had a long letter from one Joe Smith, who underlined every word once, some twice, and some three times. About the mildest thing he said was, "I notice also that you have in Congress your wets and your drys, your proallies and your pro-Germans, your nuts and your peanuts, why not hire a jackass and make it complete?"

I wrote my friend, "Your application received and accepted. Come at once. Your country needs you."

MAJORITY OF AUSTRIANS AND GERMANS LOYAL.

Our Germans and Austrians volunteered the same as our other nationalities, and in fighting for this country they were but following the example of Washington, Hamilton, Nathaniel Greene, Israel Putnam, John Paul Jones, and thousands of other men of English blood or descent who proudly fought for this land against England, the land of their ancestors.

Washington expressed the sentiment of these English of seventy-six when he said:

Unhappy is it to reflect that a brother's sword has been sheathed in a brother's breast, and that the once happy and peaceful plains are either to be drenched with blood or inhabited with slaves. Sad alternative! But can a virtuous man hesitate in his choice?

The Germans and Austrians who are loyal to-day are following the advice of Washington, and the later advice of that loyal American of German birth, Franz Sigel, who said:

Politically I am an American and nothing else; but I am a German. I would consider myself less than a man were I to forget the tremendous sacrifices made by the immigrant Germans in defense of their new fatherland. Shall this blood have flowed in vain? Shall we now attack this America to which we gave all we had to give? This country is our country; our interests are its interests; here we are; here will our descendants be; here we shall stay; the Union, now and forever.

No American to-day is working harder for this country than the son of the man "he fought mit Sigel," than the son of old Franz Sigel—Franz Sigel, jr.

One of the best articles stating why Germans by adoption and ancestry should fight for this country was written by Bishop J. H. Darlington, bishop of Harrisburg, Pa. This was circulated among the Germans of Pennsylvania and adjoining States and had much to do with the change of sentiment there.

He expressed the sentiment of us all when he said:

Many in this country are joined by the strong ties of kindred and ancestral love to the German fatherland, but this should not blind them to the fact that right is right and that might is often the direct opposite of right. We should wish the right to win, so that peace may be soon and permanently "established upon the best and surest foundations." When the war party now in control in Germany and Austria is succeeded by the rational people taking their rightful leadership, there will be a lasting peace, which, pray God, may never be broken again in the world's history.

NO TIME TO PLAY "PETTY PARTY POLITICS."

My district is also a strong Republican district, but we believe up there that this is no time to play petty party politics.

The boys going to France are not Democratic soldiers or Republican soldiers; they are American soldiers. This war is not going to be won by the Republican Party or the Democratic Party; it will be won by a united American people.

No man being a Democrat should vote for a war measure for the sole reason that it is advocated by a Democratic administration; no man being a Republican should vote against any measure simply because it is being advocated by a Democratic administration. The only test should be, Is this the best bill of its kind that can be passed in order to help win the war?

The man in high position or low who attempts to play party politics these days is the best ally that the Kaiser and Von Hindenburg can have.

What has happened in my district is happening all over the country.

PATRIOTISM OF GREEKS, SERBS, AND CROATS.

I had the honor of talking at a mass meeting of several thousand Greeks at Pittsburgh some weeks ago on the ninety-seventh anniversary of the independence of Greece from the rule of the unspeakable Turk, and it was one of the most patriotic and American meetings I ever attended.

On April 21, at Detroit, and April 25, at Pittsburgh, I spoke at mass meetings of the Croats, Serbs, and Slovenes, on the two hundred and forty-seventh anniversary of the death of their national heroes, Peter Zrinski and Frankopan, and one could not see more patriotism or love of this country if oue had attended a meeting of Americans who boasted of their Pilgrim Father ancestry.

I found at all of those meetings that while proud of the lands of their birth they were far more proud of the land of their adoption and the fact that they were Americans.

NO MORE TALK ABOUT THE "SCUM OF SOUTHERN EUROPE."

By the way, we do not hear so much about the "scum of southern Europe," as they called the Greeks, Italians, Serbs, and Croats. We found when we entered the war what I have always claimed, "that they would fight for this country with the same devotion as the native born."

This war has taught us that the immigrant who recently landed—the poor "illiterate foreigner," as he was called—is as good an American and will fight as quickly and die as gladly as the men who boast that their forefathers came over in the *Mayflower* or the descendants of the early settlers in Virginia, Maryland, and the Carolinas.

To those few foreigners who are not loyal we say, "Do you think that the fathers of the Constitution ever intended that this land should be a haven of refuge for men to share our prosperity with us and not do their share in our days of adversity?"

We say, "Either fight for us or go back to the land you were glad to leave. We would rather have you over in the trenches shooting at us than here stabbing us in the back for the Kaiser you dearly love."

A traitorous American—adopted or native born—reminds me of a few other things. He reminds me of the flea, because the flea will bite the living or the dead. He reminds me of the fly, because a fly will blow corruption into anything with which he comes in contact. He reminds me of the magpie, because the magpie is always chattering and telling lies. He also reminds me of a side of bacon, because a traitorous American, like a side of bacon, can not be cured until hung.

KISSING THE FLAG WILL NOT MAKE A LOYAL AMERICAN.

I notice a growing tendency among some of our people to pollute our flag by making traitorous Americans and pro-Germans kiss it. I am against that. I would not defile the American flag by allowing traitorous Americans or pro-Germans to kiss it. If it is necessary for them to kiss something to prove their loyalty—disloyalty, rather—let them kiss the dirt in our streets.

I noticed out in Illinois the other day that they not only made a traitorous American kiss the American flag, but they put an American flag around his neck and told him to "keep it there." Well, I am against that, too. If it is necessary to put something around his neck, let us put something there legally, that he will not need to keep there so long.

SPIES.

When I read of spies going around this country doing all sorts of damnable deeds, and see that the only punishment is three square meals a day and sleep in a feather bed, safe from bullets and hunger, until the war is over, and then go back to Germany and be decorated by the Kaiser with the iron cross, and live on a pension from his grateful Government, I can not help but wish that we had a law here that would hang spies.

When old Israel Putnam found a spy, he wrote these words:

SIR: Nathan Palmer, a lieutenant in your King's service, was taken in my camp as a spy; he was tried as a spy; he was condemned as a spy; and he shall be hanged as a spy.

ISRAEL PUTNAM.

But even that did not suit a stern old patriot of the type of Putnam. He blotted that, went out and gave an order, saw that the order was executed, and came back and added these words:

P. S.—He is hanged.

One of our drafted men received 20 years for desertion; another who said in case he was sent to France he would not fight against Germany received 31 years; and the punishment should meet the crime.

One Franz Rintelen, however, who was guilty of treasonable crimes, conspiring to blow up ships with Americans on board, conspiring to blow up factories in which Americans were working, and conspiring to obtain passports to turn over to other spies, received about four years in jail and a fine of $2,000.

I was curious to know why he did not receive death, and found out that he was not tried as a spy, could not be given a sentence of death by being hanged or shot.

Wrote to the Attorney General and was advised by the Attorney General, Hon. T. W. Gregory, under date of March 8, 1918, that Franz Rintelen "was convicted in the United States District Court for the Southern District of New York and sentenced to imprisonment for one year and six months and a fine of $2,000 for a violation of section 235 of the United States Criminal Code." I was a little curious to know what this was, and found it was part of the interstate and foreign commerce act, "shipping of explosives and other dangerous articles without proper marking."

Franz Rintelen also received a year for violation of the Sherman Antitrust Act, and one year and three months under section 37, United States Criminal Code, in connection "with a false and fraudulent passport."

Well, if my spy bill goes through—though very short—they will have some law under which he can be tried. In a bill that I introduced March 11, 1918, as an amendment to Thirty-fifth Statutes, page 1089, it reads as follows:

SEC. 9. Any person, resident in the United States or any place subject to its jurisdiction, who acts as a spy for any government with which the United States is at war or any ally of such government, and who seeks information with the intention of communicating it to the enemy shall, upon conviction thereof, suffer death by hanging by the neck.

It is very short, but very "expressive."

Have many, many strong recommendations of the bill—many from mothers and fathers who have sons in the Army, many in France. Many have come from governors. Among those received was one from Hon. W. H. Hays, chairman Republican national committee:

It is a dandy.

There is nothing political about hanging spies. Among the letters received was one from Judge Wescott, of New Jersey, the man who twice nominated President Wilson for President. Under date of April 15, 1918, he said in part:

Put the bill through. Unless we effectively eliminate the pro-German we will never be united for war purposes, and without perfect unity of purpose and effort it is doubtful whether we can win the war. Partisanship must for the time being disappear.

Another man that recommended the bill, and whether you hate him or love him, you must admit that he is a fighting man through and through, wrote as follows:

That's fine. I congratulate you on what you have done.
THEODORE ROOSEVELT.

WHAT ONE FATHER THINKS SHOULD BE DONE WITH SPIES.

Mr. L. F. McConihe, Tacoma, Wash., who has two boys in France, does not mince words when it comes to stating what ought to be done with spies. He says in part:

Two good meals or three a day (for spies), no work, and a good warm place to sleep in, while the boys we send to the front lie in the mud and sleep anywhere in hell, that is made in Germany. The people are patriotic and will give their last dollar, their sons, and all, but they want the Hun spies lined up against a stone wall and shot, and left to lie there until they swell up and stink, like the boys in No Man's Zone, to show the rest of the Huns what is coming their way sure. I have two boys in France, like thousands of other good boys, and we should back them up here, regardless of the Hun vote this fall and two years from now.

Personally I would rather have the spy hanged, as I think that is the most appropriate death, but hanged or shot, so long as they do not have an opportunity to wear an "iron cross," I do not care.

The following is written by Capt. George Steunenberg, United State Army:

I wonder how long we'll continue to be a health resort for spies
And other industrious gentlemen that the people criticize?
The place for an agent of Kaiser Bill is six feet under the sod.
I want to hear some corporal yell, "Fall in, the firing squad!"

Do we get cold feet at the thought of blood? Have we lost our old-time grit?
If we haven't the nerve to kill a spy, we'd better lie down and quit.
Do you think you can tame these animals by the method of "spare the rod"?
Forget it! Come on with the corporal in command of a firing squad!

If we riddled a few incendiaries, the industry would decline;
If we plugged a couple of profiteers, the rest would stand in line,
And a lot of these devilish anarchists would get in and carry the hod,
If a few of their leaders went over the range to the tune of a firing squad.

"Discharged," "Interned," or "Out on bail," it's ever the same old song.
And we lay the paper aside to remark: "How long, O Lord, how long!"
We've seen enough devilment this past year to arouse the wrath of God,
Then what is it that we are waiting for—come on with the firing squad!

WE MUST INSTILL PATRIOTISM IN OUR CHILDREN.

We must not only be patriotic ourselves, we must instill the same patriotism in our children. Let us teach them that loving their country and their flag is essential as well as loving their God.

And for your country, boy, and that flag, never dream a dream but of serving her but as she bids you, e'en though that service leads through a thousand hells. And no matter what happens to you, boy, and no matter who flatters you or abuses you, never look upon another flag, and never let a night pass that you do not ask God to bless that flag. And remember, boy, that behind officers and Government and people, even, is the country herself, your country, and that you belong to her as you belong to your own mother. Stand by her, boy, as you would stand by your own mother.

FATHERS AND MOTHERS ARE HEROES ALSO.

I never see the boys marching down our streets but what I think of the fathers and mothers who stay at home and hope against hope, sometimes, that their boys will come back to them safe and sound.

Now that he ain't here no more
Ma and me just glance
Up at that old coat he wore
'Fore he went to France.
Nights when all the doors is shut,
'Fore I go upstairs,
Touch its sleeve and find it wet
Ma's been crying there—
Somethin's matter my eyes, too,
Have to wink 'em tight,
When I whisper "proud of you,"
"Good night, lad, good night."

I never see the little wife, trying hard to keep back the tears as she bids farewell to the man who goes to do the fighting, but I think that she is as much a patriot as the man who does the fighting.

For liberty you're going, man,
And honor—therefore go!
But oh, my man, come back, come back,
Because I need you so!

One man in ten must fall, they say;
Each hour my fervent prayer
Will seek its heavenward way to plead
That God may guard you there.

I know the horrors you will see;
I hear the bursting shell;
But, man o' mine, you'll do your part,
And do it more than well!

'Tis such as you they want, my man,
To stem the tyrant's greed;
But oh, my man, come back, come back—
My love, my strength, my need!

—Gertrude Stewart.

MOST CRITICAL TIME IN OUR HISTORY.

My friends, this is the most critical time in the history of the world.

To-day, as Gen. Haig stated a short time ago, we are "with our backs to the wall," but, like Napoleon's drummer boy, we do not know "how to beat a retreat."

It is said that only once in his life did Napoleon lose his courage. This was at the Battle of Wagram.

Believing the battle lost, he said to his drummer boy, "Beat a retreat." He replied:

Sir, Marshal Denny never taught me to beat a "retreat," but I can beat a "charge"; I can beat a "charge" that will bring the dead into line. I played it at the Pyramids, I played it at Lodi, and Austerlitz, and Marengo, and I can play it here.

Napoleon told him to beat a "charge," and he won one of his greatest victories.

So to-day, dark as things may seem, we know not the word "retreat," and right will in the long end defeat and crush might.

When the British Admiralty wanted to take Quebec, they said to the oldest general, "Will you take Quebec?" He replied, "It will be a difficult task." They said "Stand aside." One after another of the generals were called and each gave an evasive answer until the very youngest was reached, and they said, "Gen. Wolfe, will you take Quebec?" He replied, "I'll do it or die." He did both.

So to-day when Gen. Foch believes the time has come for a counterattack he will say to our men and the allies, "Will you march to Berlin?" and they will say, "We'll do it or die." And, like Wolfe of old, they will not fail.

HARMONY IS NECESSARY ON "OUR TEAM."

When I played baseball years ago I was taught that it was more essential that you have harmony and teamwork on your own nine than it was to create dissension on the opposing team.

JACK MAGYAR.

If the captain was to come around and say that his second cousin told him that his brother-in-law had told him that the left-handed pitcher for the Germantowns, Jack Magyar, was sulking, and with a little soft talk he might be gotten to throw the game, I would say that I did not take much stock in that kind of a pitcher, even if the story was true.

JIM AUSTRIA.

If he said he also heard that Jim Austria, the right-hander, was also sore on the management, I would tell him that I did not believe it, because the captain of the Germantowns and Jim Austria had been in too many dirty deals together to separate them.

I would further suggest that, knowing the captain of the Germantowns and Jim Austria as I did, I would rather think that all the talk was to make our team overconfident, so that they could win an easy victory.

TOM BULGAR.

As to Tom Bulgar, the first baseman, trying to get away from them and sign with us, I would state that Bulgar always was a disturber and was the man who broke up the Balkan League by his backbiting and dirty work.

"YOUNG" TURK.

Neither would I place much confidence in the report that Young Turk, their shortstop, was looking for a new berth. I would further suggest from what I have heard about Young Turk and his treatment of the young Syrians, Armenians, and Jews in his neighborhood that he was not the kind of man we would want on our team, anyway.

The score, to use a baseball expression, is about 3 to 1 in favor of Germany to-day.

PENNANT FLYING OVER THE HOME GROUNDS.

If we want to see the pennant fly over the home grounds with the word "Victory" on it, we will have to play the game so that there will be the utmost harmony on our side. Never mind about the talk of dissension on the side of the enemy.

We want to play this game so that Young America will be able to make a home run, with three men on bases, in the last inning, and win the game. That can be done by harmony and nothing else.

"LET US HAVE PEACE" CAN ONLY BE WON BY FIGHTING FOR IT.

"Let us have peace" can only be won by fighting for it. It can not be won by weeping; the other side is not playing that kind of a game.

When I am willing to admit that Judas Iscariot and not Jesus Christ was the Savior of the world, then I am willing to admit that there is a chance of Austria breaking away from Germany.

When I am willing to admit that Benedict Arnold and not Washington was the father of our country, then I am willing—but not until then—to admit that there is a likelihood of Bulgaria and Turkey wishing to conclude a separate peace.

ANY PEACE NOW "MADE IN GERMANY."

Any peace now will not only be "made in Germany" but also made by Germany.

Ask the women in Belgium and France and in northern Italy if they wish that kind of a peace.

Ask the parents of the boys of Belgium and France whose hands have been cut off by the enemy if they want that kind of a peace.

Ask the boys in the trenches, who have seen their comrades with their throats cut after a trench raid, what they think of that kind of a peace.

Any peace now means that we would receive the same ignoble terms as Russia and Roumania.

Any peace now means the same treatment of our women as the women of France and Belgium, and northern Italy and Serbia.

THE ONLY TERMS OF PEACE.

Yes, we want peace, but we want it on the terms of a lasting and a permanent peace.

When we have pushed the enemy foot by foot out of bleeding Belgium; when we have pushed them back foot by foot out of heroic France; when we have driven them out of northern Italy; when we have driven every Hun out of brave Serbia and Montenegro; when we have pushed them back on German soil; seen them burn and destroy their own fields as they have destroyed the fertile fields of France and Belgium; when the flag of Belgium, the tricolor of France, the Union Jack of Great Britain, the flag of Italy, the flag of little Serbia, and our own glorious Red, White, and Blue float proudly in the breezes as we march toward Potsdam; when the Kaiser is willing to expiate his sins on some desolate island; when the terms of peace will be "made in Germany," but made by men favoring a permanent peace, then we will talk peace, but by the Great Jehovah no red-blooded American wants any talk of peace until that glad day comes.

"Life and Character of Theodore Roosevelt"—Address Delivered at Clarksburg, W. Va., on February 9, 1919, by the Hon. William R. Wood, of Indiana.

EXTENSION OF REMARKS

OF

HON. STUART F. REED,

OF WEST VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. REED. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include an address of Hon. WILLIAM R. WOOD, of Indiana, delivered at Clarksburg, W. Va., on February 9, 1919.

The address is as follows:

ADDRESS BY HON. WILLIAM R. WOOD, OF INDIANA.

When the news was flashed throughout the country on the morning of January 6 that the greatest American of his time, and by far the world's greatest private citizen, was dead, every person who heard it was profoundly shocked.

While the immediate friends and relatives of ex-President Roosevelt knew that he was a sick man and had been in failing health for a long time, yet the public, so accustomed to seeing and reading in the public press almost daily some word of patriotic counsel or advice addressed to his countrymen by this wonderful genius, was not in the least prepared for this loss to the Nation.

We now know that ever since his return from his South American expedition he had been suffering from the insidious, deep-seated effects of the jungle poison that he there contracted, and no doubt it was this, with other causes, that brought about his untimely demise.

After his return from this South American trip, Col. Roosevelt was almost constantly in the care of a physician, but the public did not know this, and whenever by chance some notice was given of his ailment he sought to belittle it and to minimize it as being trifling and only temporary.

This attitude with reference to his bodily affliction was characteristic of the man; it was characteristic of his combative nature and his unwillingness to yield to the forces that opposed his desire to do things, and because of this characteristic he lived as he wished to live, always active, and he died as he wished to die, in the harness.

ROOSEVELT'S FAMILY.

The life of Theodore Roosevelt affords a paradox in the lives of American citizens.

How many families once prominent in the affairs of the Nation can you recall that continued prominent by reason of the acts or deeds of their descendants through three or more generations? They are very few, indeed. It is also lamentably true that we have had very few men—sons of rich parents—that have made an indelible impress on the affairs of our country.

To discuss the reasons for all this would be out of place. I refer to the fact only for the purpose of showing that the life of Col. Roosevelt is a wonderful exception to this rule.

The Roosevelt family was one of the first to make permanent settlement on Manhattan Island. The family on this continent was founded by Claes Martanzoon van Rosevelt as early as 1649. In the course of time the spelling of the family surname was changed by dropping the "van" and adding an extra "o."

Members of this family almost immediately became prominent in the affairs of the island, and remained so from that day to this, covering a period of 270 years.

A Roosevelt has filled almost every position of trust and honor in the Colony and in the State of New York from town alderman to State assemblyman, from Congressman to Supreme Court justice, and finally President of the United States.

Not only were Col. Roosevelt's ancestors prominent in the public affairs of the State, but they accumulated great wealth, and at the time of his death Theodore Roosevelt, sr., was rated a very rich man, but in this case the riches of the father did not prove the curse of the son.

It would have been a very easy matter for him to have lived a life of ease and luxurious idleness, had such been his choice. He could also, by reason of his family standing and connection, have been a prince in the social circle, had this been his desire, but none of these for him. He always looked upon life and its possibilities as most serious propositions, as assets that should not be wasted or frittered away in doing small things; so, from the beginning to the end, his was a life of devotion to work and accomplishment.

IMPORTANCE OF RECREATION.

However, he believed that recreation was not only essential to good health, but a healthy and active mind as well. He therefore devoted much time to recreation, but at this he worked also, and entered into it with all the zest of his being. This trait of his he very forcibly expressed on one occasion, when he said:

> Of course, what we have a right to expect of the American boy is that he was born to be a good American man. Now, the chances are strong that he won't be much of a man unless he is a good deal of a boy. He must not be a coward or a weakling, a bully, shirk, or a prig. He must work hard and play hard. He must be clean minded and clean lived and able to hold his own under all circumstances and against all enemies. It is only on these conditions that he will grow into a kind of a man of whom America can really be proud. In life, as in a football game, the principle to follow is: Hit the line hard—do not foul and do not shirk—but hit the line hard.

All the world knows that in his many-sided life he practiced what he preached.

To make of himself, however, an exemplar of this teaching a wonderful transformation had to be made, and he made it himself. As a boy he was a weakling, puny and sickly. In consequence there was born in him self-distrust and want of confidence. To be of any consequence in the world and its affairs he knew that these weaknesses must be overcome. With an indomitable will and determination he set about to overcome them, subjecting himself to severe hardship and privation in order to do it. So well did he succeed that when in his prime he was looked upon by those who came in contact with him on the hunt or in the athletic field as almost physically perfect.

With the perfection of his physical make-up came the courage and self-confidence that made him one of the most remarkable leaders of men that the world has ever produced.

In his autobiography Col. Roosevelt has told the story of his physical and mental reformation:

> When a boy I read a passage in one of Marryat's books which has always impressed me. In the passage the captain of some small British man-of-war is explaining to the hero how to acquire the quality of fearlessness. He says that at the outset almost every man is frightened when he goes into action, but that the course to follow is for the man to keep such a grip on himself that he can act just as if he was not frightened. After this is kept up long enough, it changes from pretense to reality, and the man does in very fact become fearless by sheer dint of practicing fearlessness when he does not feel it. (I am using my own language, not Marryat's.) This was the theory upon which I went. There were all kinds of things which I was afraid of first, ranging from grizzly bears to "mean" horses and gun fighters; but by acting as if I was not afraid, I gradually ceased to be afraid. Most men can have the same experience if they choose. They will first learn to bear themselves well in trials which they anticipate, and

school themselves in advance to meet them. After a while the habit will grow on them and they will behave well in sudden and unexpected emergencies which come upon them unawares.

What a splendid thing it would be if all the boys and young men in this country would emulate this example of Col. Roosevelt's!

GRADUATE OF HARVARD.

He was a graduate of Harvard University, graduating at the age of 20, and the number that he occupied in his class of 140 was 20. In some of his studies he excelled, in others he did not do well. It seems that he and arithmetic never got along well together, and it proved one of the very few obstacles encountered by him that he could not overcome.

He early developed a specialty for history—history of men and of animals and of inanimate things. His ambition was to become a naturalist. While he was yet a student he planned a trip to go to Greenland to study the fauna of that country. He also made preparation to go to India to hunt big game and to study natural history. These dreams of his student life became actual realities in after years.

LIFE ON A RANCH.

Soon after his graduation he went to the Northwest and lived for quite a period the life of a ranchman. When he arrived in that wild and woolly country he was the butt of many a joke and the subject of a great amount of ridicule by those who looked upon him as a fledgling tenderfoot fresh from an eastern society hothouse, but he was not long in convincing his new associates that he was made of sterner stuff. He asked for no favors and shirked no duty, no matter how laborious or menial. He took delight in helping to break the bucking mustang and never whimpered when he was catapulted from its back.

The western bully who thought he could overawe him by profanity and braggadocio soon found out to his sorrow that for this purpose it took more effective means. He never sought a personal encounter and he never ran away from one, and whenever occasion required it he made a good showing in the art of self-defense.

The experience that Col. Roosevelt had among the cowboys proved most valuable to him in after life. It was there that he learned how to judge men and to acquaint himself with their strength and their weakness of character. He was given an opportunity of close and intimate contact with human nature undisguised and unadorned, and the knowledge he there acquired stood him in good stead when it became his duty to act as a leader of men on the field of battle and as a dispenser of patronage as President of the United States.

If ever there was a natural-born politician, it was Theodore Roosevelt; and when I refer to him as a politician I wish to use that term in its highest and best sense—the sense of service to State and to country; to the betterment of conditions for the uplifting of man.

From the time he entered Harvard University down to his latest breath he was interested in this character of politics.

Within less than a year after his graduation he was elected a member of the New York State Legislature. So fast did he rise in the estimation of his fellow legislators, and so soon did they recognize his ability, that within less than two years he was the Republican leader in the lower house, and he succeeded in passing over bipartisan opposition a resolution forcing an investigation of the crooked machine government in the city of New York. He became chairman of the investigating committee himself, and when his report was made the abuses that he uncovered were so glaring that he compelled a recalcitrant legislature to pass wholesome laws reforming many of the abuses that had been practiced in municipal government of the city of New York for many years. He served three terms in the legislature.

He was a delegate to a national convention when he was 24, and was one of the leaders of the State of New York in the fight to prevent the nomination of James G. Blaine. Blaine was nominated in spite of this opposition. Roosevelt supported him at the election, refusing to join with George William Curtis, Carl Schurz, and their followers, who left the Republican Party for the purpose of defeating Blaine.

After this experience Roosevelt made up his mind to quit politics and to return to his first love, literature, and devote his life to natural research and to writing. Not long, however, was he permitted to remain with this determination. In 1886 he was nominated for mayor of New York while he was absent on his ranch. He returned, accepted the nomination in a rousing speech, setting forth in strong, terse language what his policies would be and what might be expected of him if he was elected. His platform of principles did not appeal to those who had been in the habit of conducting affairs of New York City for their own benefit, and Roosevelt was defeated. He received, however, more than 60,000 votes in a three-cornered fight.

When Gen. Harrison was elected President of the United States it was Roosevelt's desire to become Assistant Secretary of State, feeling that he was fitted for this position by reason of the study that he had been giving to our foreign relations during and since his college days. Blaine had been selected as Secretary of State, and it was still fresh in his mind how Roosevelt had opposed his nomination for the Presidency but a short time before. He knew that Roosevelt had a mind of his own and was fearful that he would not be content to stay well within the limitations of what is expected of an Assistant Secretary. Blaine opposed his appointment, and Harrison yielded to his opposition.

Roosevelt was, however appointed civil-service commissioner by this administration, and to him more than any other single individual may be attributed the success of this branch of our Government. I was told a few days ago by Secretary Doyle, who was secretary of the Civil Service Commission then and is now, that at the time Roosevelt became one of its commissioners they moved all the effects of the office at one load in a handcart. There were but a few thousand on the civil-service rolls at the time; but at the expiration of Roosevelt's term there were more than 40,000 on the list, and while the Civil Service Commission at its creation met with universal scorn of the so-called practical politicians, there are few now who have the temerity to contend that its service has not been a valuable acquisition in our machinery of Government.

From civil-service commissioner Col. Roosevelt was called to act as police commissioner of the great city of New York. This afforded him an opportunity that he had long been looking for. He was given a chance to enforce the laws that he had written upon the statute books while a member of the legislature.

It is generally admitted that he cleaned up the police department of this great metropolis as it never had been cleaned up before and as it has never been cleaned up since.

His next office was that of Assistant Secretary of the Navy. Here he was given opportunity to show his initiative and, to a certain degree, his breadth of practical vision. He had long been watching the attitude of Spain, and he looked with abhorrence upon the practice of that country, with reference to her dependent colonies. His sympathies naturally went out to Cuba, who had been suffering under the tyrannical yoke of the mother country for more than three centuries. He believed that this must come to an end and that the day was not far distant when the United States would have to be the instrument used to bring it to an end.

Our Navy was without a commander of consequence and our gunners were unpracticed in the art of shooting. In order to prepare for the fateful day so rapidly approaching, Roosevelt set out immediately to select a commander that he felt equal to the coming task. He also began without delay a system of target practice that would make efficient the gunners in our Navy when the time arrived for action.

The time came, and with it Dewey, the selection of Roosevelt, as the hero of Manila Bay, and the wiping out of the Spanish fleet through the efficiency of our sailor marksmen without the loss of a single man or any of our ships.

This battle was then, and will long remain, the marvel in the naval history of the world.

But this is not all the service that was rendered by Col. Roosevelt during the Spanish-American War. He was a man of action, and he soon grew restless sitting in a swivel chair in a bombproof position as Assistant Secretary of the Navy.

The Rough Rider Regiment was formed by him. He was the choice of the men for colonel, but he felt that he was not competent to fill the position, and, at his suggestion, his lifelong friend, Leonard Wood, in whom he had the greatest confidence, was selected in his stead. Most willingly did Roosevelt become the lieutenant colonel of this regiment and succeeded to the colonelcy in a very short time by Wood's promotion to the staff of the commanding general.

When all the other incidents of that brief war are forgotten, the memorable charge of Roosevelt over Kettle Hill and on to San Juan will still remain as an inspiration to all those who admire intrepidity and daring.

The popularity gained by this campaign made Roosevelt governor of New York. He entered upon the duties of this position with the full determination to bring about reforms throughout the State that he knew to be needed, and which had long been delayed through the inaction of his predecessors. It was his desire to succeed himself for the accomplishment of this purpose. On the other hand, it was the desire of those who wished to thwart his purpose to get him out of the way, and they determined the best way to do this was by seemingly pro-

moting him to the Vice Presidency. Roosevelt fought this attempt with all his might and beseeched his friends that they not permit him to be thus sacrificed, but so strong was the demand from the delegates of other States, who were sincere in their purpose, that he finally acquiesced, and he was nominated for Vice President at the Philadelphia convention in 1900 and subsequently elected.

It has often occurred to me that a peculiar fate attended Roosevelt's political career and ofttimes denied him desired place in order that he might be permitted to get higher positions, and ofttimes apparently sacrificing him to the desire of his political enemies only to give him opportunity for still higher honors.

By way of illustration, if he had been elected mayor of New York in 1886, in all probability he would have been a candidate for renomination and reelection, and, whether successful or defeated, he would not have been Civil Service Commissioner in 1889; if he had been appointed Assistant Secretary of State in 1889, as he wanted to be, instead of Civil Service Commissioner, he would have been so obscure and opportunity offered him of such little moment to do things that his service would have attracted but little public attention.

As Civil Service Commissioner, however, he was given a great opportunity to show his initiative and to do things on a large scale, and he did them.

When he was Assistant Secretary of the Navy, it was his desire to go into the Spanish-American War as a member on the staff of Gen. Fitzhugh Lee, but for some reason or other this was denied him. Had he gotten this position he never would have formed the Rough Riders, and in consequence would not have been given the opportunity to win the laurels that he did as the leader of this famous fighting force. Again, if he had had his way and had been permitted to run for a second term as governor of New York, in my opinion, he never would have been President of the United States.

In his election to the Vice Presidency this same peculiar hand of destiny seemed to be with him, and by the tragic ending of the life of the gentle McKinley Col. Roosevelt was elevated to the Chief Magistry of our country, serving out the remainder of McKinley's term, a period of more than three years, and was then reelected by the largest popular majority, up to that time, ever accorded to a presidential candidate.

President Roosevelt's administration was unique in many respects; its accomplishments were vast and important. The reforms in Government and governmental agencies were greater in number than during the administration of any of his predecessors or successors. Some of the most wholesome laws for the benefit of all the people were enacted during this period. I will not take the time to recount them.

There are three or four master strokes, however, that stand out boldly as accomplishments of this administration to which I wish briefly to refer.

It had been the dream of the ages that an interoceanic waterway would be built connecting the waters of the Atlantic and Pacific. England had tried to project a scheme for this purpose and failed. France attempted it and miserably failed. It remained for American genius to accomplish it, and was made possible in our generation, at least, by the quick and decisive act of President Roosevelt in recognizing the Republic of Panama.

I know that much criticism was heaped upon him by those who were ever ready to find fault with his administration, and even by some of his conservative friends. Many thought that there was a conspiracy entered into, to which our Government contributed, to bring about the revolution in Panama, but there was no warrant of truth for this belief. Roosevelt did not aid or encourage it. He had done everything in his power to bring about an amicable settlement between Colombia and Panama. Colombia had been offered the price agreed upon for a strip of land on which to construct the Panama Canal, but those who were controlling the affairs of this little country thought that by intrigue they could get a larger sum. President Roosevelt would not submit to blackmail himself and he would not submit to his country being blackmailed while he was presiding over her destinies. The people in Panama, realizing that their fondest hopes were again to be blasted if the Government of Colombia persisted in the course they were pursuing, knowing full well that President Roosevelt would not yield to their unreasonable demands, felt it the time to strike, and strike they did.

The revolution was a success. President Roosevelt simply took advantage of the opportunity as the instrument that came voluntarily to his hands to bring about the world desired result and the building of the Panama Canal was thus made possible, and the dream of the centuries became an accomplished fact, and we are all thankful that the man who made it possible for this thing to be lived to see it completed.

In 1902 occurred the great anthracite coal strike that lasted for months and months, and it appeared that there was but little chance of the contending forces settling their differences. Winter was fast approaching and Roosevelt knew that unless something was done to settle this controversy there would be untold suffering throughout the country. He took upon himself the task of being the peacemaker. He summoned the contending leaders to Washington. He was patient in hearing both sides of the case, and without attempting to decide who was right or who was wrong in the contention he presented the cause of the people whose representative he was, using all the power of his vigorous personality in impressing on the minds of these opposing forces what the effect on the country would be if they persisted in the course that they were pursuing.

The coal strike was declared off, and a way was soon found after this to settle the differences existing between the miners and the operators.

For President Roosevelt's prompt action in this case he received the grateful thanks of all the people of the United States.

Soon after his inauguration in 1905 he had the opportunity to perform what many of our statesmen believe to be the most important act of his career.

The peace commissioners of the Russo-Japanese War were sitting at Portsmouth endeavoring to agree upon a treaty of peace between these two nations. The differences between them were so great and the disposition of each power not to recede from its positions so pronounced that it seemed impossible for an agreement ever to be reached.

The welfare of the world, especially in trade relations, depended much upon the completion of this treaty. The convention was on the point of adjourning and its delegates returning to their homes when President Roosevelt volunteered his good offices as a mediator to the convention. The delegates agreed to hear his proposals, and here again the striking personality of the man and the absolute fairness of his suggestions proved to be the happy medium that ended the struggle between these contending forces, and the peace treaty was signed.

So great was this service considered to be that he was awarded the Nobel prize, which is given annually to some person who has done the most during the year to promote the peace of the world. This prize consisted of $40,000; but President Roosevelt personally never used a cent of it. He placed it in trust under a commission authorized by act of Congress, where it remained inactive until the present session of Congress, when a resolution was introduced showing that nothing had been done with it and it was serving no good purpose and authorizing that the same be returned to Col. Roosevelt that he might make such disposition of it as he saw fit. This bill passed the House and Senate without division. Roosevelt took the money and within less than a week he gave it away in various sums to the different charitable organizations of the country engaged in war work. He did this because he felt that this money was given to him on account of his service rendered for the peace of the world, and that it should be spent in this, the most trying hour of the world's history, for the same purpose.

There is another incident of President Roosevelt's administration which was fraught with more importance to the world and the world's peace at the time than our people generally appreciated.

You will remember when the United States fleet went around the world there was much speculation as to why this was being done. I dare say that the vast majority never did see any good reason for this expedition. Most of them looked upon it as purely spectacular and without any real practical purpose. The fact, however, is that the peace of our country was then in danger. Japan was in a great ferment because of the action of the authorities in California in excluding Japanese children from free participation in the public schools and also legislation concerning the right of Japanese to own the fee in real estate. President Roosevelt heard the rumbling of war, and it was for the purpose of averting this that he made this remarkable demonstration with our armed fleet.

At the same time our fleet was encircling the globe he sent a private representative to England, to France, to Germany, and to Russia, to see what the attitudes of those countries would be in the event of war between the United States and Japan. This fact is now an open secret in the Department of State, and the result of the mission is likewise an open secret. England gave our representative no satisfaction whatever as to what her attitude would be. Germany promised to remain neutral. France answered the query by saying, "We have no

treaty with Japan, but we have one with the United States and we will respect that treaty." That was a very sufficient answer. Russia, still smarting under her defeat at the hands of the Japanese, readily promised us her assistance in the event of war. But war with Japan, for the time being at least, was avoided, and in all probability its avoidance was due to the statesmanlike vision of Theodore Roosevelt and his prompt action in letting the belligerent party of Japan know that we were prepared and preparing for the fray.

The greatest and most crucial test of Col. Roosevelt's power among men and the hold that he had on the political party responsible for all of his political success came after he had left the White House and had retired, as he believed, to private life. It came with the presidential campaign of 1912. With the stirring events of that campaign we are all still familiar. It does not matter, however, whether we agree or disagree with his action in becoming a candidate before the Republican convention of that year; it does not matter whether we agree or disagree with his action in becoming an independent candidate for President after failing to get the Republican nomination; it does not matter whether we agree or disagree with the cause that prompted him in becoming an independent candidate, but, upon this fact, we can all agree that the campaign that ensued, with all its factional bitterness, with all its criminations and recriminations, was well calculated to destroy not only the Republican Party for the time being, and possibly forever, but also to completely destroy the political influence and prestige of the man who was primarily responsible for it.

I think that most people will also agree that there was no man living except Roosevelt who could have done what he then did and survived political oblivion. But, instead of this, he lived to see all the bitterness then engendered disappear; he lived to see the political party that he rent asunder reunited, purged of many of the things that he had fought bitterly. He lived to see the personal animosity which he had created for the most part wiped out and the reestablishment of a cordial friendship between the different factions and between himself and the man who then stood as spokesman for the things that he (Roosevelt) wished to destroy. He lived long enough to see himself rehabilitated as the generally accepted and unchallenged leader of that same political party. This could have been no mere accident and could not have been brought about by any stroke of chance. It was done by reason of the wonderful and abiding faith and belief that the American people, regardless of political affiliation, had in his honesty, in his sincerity, and in his integrity of purpose, and in his intense patriotism and love for his country.

President Roosevelt was the most democratic of all of our Presidents except Lincoln. The pomp of power and the glamour of place had no attractions for him. He brought the same simplicity to the White House that had characterized his private life. He recognized that he was temporarily called as the chief servant of the American people. He felt it his duty to be responsive to their wish, and in order to be responsive he realized that he must keep in close touch with the throbbing heart of the public. To do this he invited the high and the low, without distinction, to sit and give him counsel and advice, and his door was closed to no one who came to see him. A mistaken idea has been entertained by many with reference to President Roosevelt in this respect. Many have thought that it was his habit to ride roughshod over everyone who sought to oppose him or to oppose any of his proposals. On the contrary, he was a wonderfully patient listener and readily yielded his opinion when convinced that he was mistaken, and was free to acknowledge his mistake when so convinced.

"Uncle Joe" CANNON, who has served longer in the House than any man ever served and who has had direct contact with more Presidents than any man ever had, is a splendid witness to the truth of this assertion. Mr. CANNON was Speaker during the time Roosevelt was President, and in giving an estimate of the character and public service of Roosevelt Mr. CANNON stated a few days ago that in all his experience he never knew a President as approachable as Roosevelt was or who sought with open mind the advice of those whose advice he felt worth while as freely as Roosevelt sought it. That there was scarcely a week during all the time that Congress was in session but what he was consulted by the President, and that on many an occasion when the President was advised as to the true situation of pending legislation he immediately changed his mind and attitude with reference to the same.

We have had but few Presidents of which this may be truthfully said.

Roosevelt while President would often call temporary sojourners, whom he learned were in the city, to the White House in order that he might be informed first hand as to the opinion of the people in different sections of the country upon public measures.

I heard George Ade, the Indiana humorist, relate that on one occasion when he was in Washington on private business of his own he was called to the White House, and he could not understand what it was for. He did not even know that the President knew he was in the city; but it did not take him long to find out the purpose of the President after coming into his presence. There was some great public question pending, and the President wanted to know what the people of Indiana were thinking and saying about this particular question. By means of this character he was always seeking to get as close and remain as close to the people as he possibly could.

To my mind, one of the greatest evidences of President Roosevelt's character was his simplicity. This with him was inherent. It is a virtue hard to acquire and more difficult to assume. He practiced it naturally in private as well as in official life. He disliked veneers; he disliked pomp and abhorred ceremony. While he had plenty of money to supply himself with all the luxuries of life, he did not waste it in this way. He would rather spend it for books and things that were essential. His home was a home in fact, and was made such by the simplicity of its appointments and its furnishings, and everyone who crossed its threshold felt at home because of the homelike atmosphere therein. He loved the companionship of men and loved to commingle with them, touching shoulder to shoulder, and it did not matter to him whether their positions were high or low, just as long as he was discharging his duty as a man. He had as much respect for a section hand as he had for the president of the railroad, and gave him his proportionate consideration.

I witnessed a beautiful demonstration of this characteristic myself. During the campaign of 1900 Roosevelt was making a speaking tour throughout our country. He was on his way from Chicago to La Fayette, Ind., my home. A committee of our citizens accompanied him on this trip. We stopped at almost every station, and the whole surrounding country, it seemed, turned out to hear him. We did not remain at any one place but a few minutes, and opportunity was given him to make only a few remarks. Finally we reached the yard of the Monon Railroad, on the outskirts of the city of La Fayette. It was just 12 o'clock, and the employees in the railroad shops all came running down to where our train had stopped for the purpose of changing engines. We were there for 5 or 10 minutes; and, instead of making a speech, Roosevelt got down on the ground where this great crowd of workingmen were surging and commenced to shake hands with them right and left. The hands of most of these laboring men were covered with grime and grease, and they shrunk from giving their hand. I will never forget what he said to them:

Boys, never mind your hands if your hearts are all right. I would be ashamed to take your votes if I were ashamed to take your hands.

And he did not say this for political effect. It was his honest expression of feeling, direct from his heart, of sympathy for his fellow men.

There were many sides to Roosevelt's character, and his accomplishments are so diversified and in so many fields of endeavor that it is impossible in the short time that I have even to mention many of them.

I heard Speaker CLARK, of the House of Representatives, state, when I first entered Congress some years ago, and repeat it again when he heard of Roosevelt's death the other day, that he knew more about more subjects than any man living or dead.

Now that he is gone and only the things that he did are to live, we will begin to realize more and more that this estimate of Speaker CLARK'S is correct.

We all know that he was a success at everything he undertook, and that everything he undertook was benefited by reason of his efforts. His fame would have been secure had he never entered politics. It would have been pronounced had he confined himself to his first inclination—literature.

But few people realize the extent of his writings and the variety of subjects concerning which he has written, and those who do realize the extent of this work are amazed and wonder where he found the time, amid all his other activities, to do the subjects he has treated upon the justice with which he treated them. He was the author of books enough to make a very respectable library in themselves.

He commenced his literary pursuits before he was out of college, and gave to the country his first book soon after his graduation, "The Naval War of 1812." This work took rank immediately as an authority and has remained so ever since. His treatment of this subject was so eminently fair to both the nations immediately concerned that England asked him to write a chapter on this war to be inserted in the "Royal Navy."

He did this, and it has been accepted by the British students as being most accurate.

He was also the author of the following interesting and instructive volumes: "Hunting Trips of a Ranch Man," Biographies of "Thomas Hart Benton," "Gouveneur Morris," and "Oliver Cromwell," "Ranch Life," "On the Hunting Trail," "The Winning of the West," which is a wonderful history of the settlement of the Northwest Territory and all of our country west of the Mississippi River, "The Wilderness Hunter," "New York," "The Rough Riders," "American Ideals," and "The Strenuous Life." In addition to these he has written many essays on various subjects, political and otherwise, and has contributed to almost every first-class periodical and many of the first-class newspapers of the United States.

Some discussion has been had and no doubt will be had in the future with reference to the religious affiliation and belief of Col. Roosevelt, but there is no trouble in settling both of these questions. He joined the Dutch Reformed Church, to which his father and grandfather had belonged, when he was 16 years of age, and remained continuously a member of this church until he died. He was too broad and too liberal in mind to be circumvented by any creed or narrow dogma. Like St. Paul, he was "persuaded that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

Best is his faith declared in his own words with which he said:

The true Christian is the true citizen, lofty of purpose, resolute in endeavor, ready for a hero's deeds, but never looking down on his task because it is cast in the day of small things; scornful of baseness; awake to his own duties, as well as to his rights; following the higher law with reverence: and in this world doing all that in him lies, so that when death comes he may feel that mankind is in some degree better because he lived.

With this as the test, who can say that Theodore Roosevelt was not a Christian?

No man ever lived who was more completely obsessed with love of country than Col. Roosevelt. With him this was a living burning passion, actuating all that he did or said. Never was there a time, from the beginning of his public career to the end, when he would not have willingly effaced himself for what he believed to be for his country's good. He was ever willing to sacrifice reputation, health, yes, his life itself, for Americanism and anything that stood for its preservation or betterment.

It was this, and this alone, that caused him to enter, with all of his soul, the forum during the last three years of his life to arouse our people to a sense of their danger in the great world conflict which we all hope is now happily ended. Among the toll exacted by this war may be counted the life of Theodore Roosevelt, for had it not been for the superhuman effort he made for its final and victorious determination, there is no doubt in the world but what he would have been spared to us, and for us, for many years. He literally worked day and night, ever unmindful of his physical condition and in defiance of his medical advisers. He burned the candle at both ends until that fateful moment when he bade the servant to "put out the light, please," and this proved to be the signal for putting out the light of America's greatest defender.

When the storm cloud broke over Europe he was the first man in our country who had the vision to see that sparks were flying on our shores, and was the first to warn our people that we would, sooner or later, be included in the general conflagration.

In October, 1915, he said:

This war will be a stalemate at best for the allies unless America gets into it. I don't say that Germany can win the war, but I do say that the allies can not. They may, and probably will, check the Germans and hold them. I do not expect to see more. We will have to get into it or engage later on in what will be a far more serious contest for us. It is only a question whether we will go in now, when we can have allies, or try it alone in the near future.

Later in the same year he further said:

It may be that this country can not be made into a nation until it is shot over. That is the menace we invite by being indifferent now. We've got to face this situation as one people, with one determination, with one national viewpoint, and not with 48 viewpoints.

These were the convictions that prompted him in his endeavor to arouse the people of his country and the Congress of the United States of the necessity of preparing for the inevitable. Had we accepted and acted upon his good counsel then many American soldiers boys whose lifeblood was spilled on the soil of France and Flanders would have been saved to the Nation, and much of the sorrow that is spread broadcast throughout the land would have been obviated.

When at last our Government declared that a state of war existed between our country and the Imperial German Government Col. Roosevelt was among the first to unsheath his sword and volunteer his services on behalf of his country. He begged the War Department to permit him to raise a body of troops, and said:

In such event I and my four sons will go. I do not want to be put in the position of saying to my fellow countrymen, "Go to war." I want to be in the position of saying "Come to the war; I am going with you."

Most characteristic of this brave man.

This privilege was denied him, and no doubt it was the greatest disappointment ever suffered by him in his eventful life. But he did not permit this disappointment to turn him aside from the work at hand. He was not permitted to go himself, but he sent four of his sons and a son-in-law. Not into bomb-proof positions did they go, but into the very thick of the fray. Two of them received wounds which they will ever carry as badges of honor for the heroic parts they performed. Another gave the last full measure for the cause that he loved and that his father loved so well. His name is enshrined on two continents, in the hearts of all who love heroism.

Not until the day the armistice was signed did Col. Roosevelt cease to give all that was in him for the better prosecution of the war that it might be the more speedily and victoriously ended.

It has been suggested that it was a most fitting time for him to die; that he died in the fullness of honor and in deeds accomplished, but with this those who know what he had yet to perform, and felt it his duty to perform, can not agree.

Peace has its problems no less important than the problems of war. The United States has confronting her to-day the greatest problems in all her history, and the future weal or woe of this fair land depends upon the manner in which they are solved.

The goodly counsel and far-seeing vision of a Roosevelt is needed for their solution.

A short time before his death he said:

I am interested in awakening my fellow countrymen to the need of facing unpleasant facts. I am interested in the triumph of the great principles for which with all my heart and soul I have striven and shall continue to strive.

We need some one now to iterate and reiterate this sentiment. We need some one to preach in every town, village, and hamlet "Americanism." We need somebody to preach the value of liberty when protected by law. We need some one to preach the lesson George Washington left us in his Farewell Address. We need somebody to call our attention to the danger of foreign entanglements. We need somebody to check the socialistic tendency of the hour. We need somebody to stamp out the spirit of bolshevism, that is all too rapidly gaining a foothold in this country. Who have we among us that could do these things as Col. Roosevelt could do them? Who have we among us that could get the ear of the people like he could do it? Who is there in all the land to whom they would listen as they would listen to him in this crucial hour?

He did a wonderful work, and did it well, but his work was not finished. The work of such a man never is finished. It will be a long time before we find some one to take his place and complete it.

But let us hope that the Government for which he gave so much and the country that he loved so dearly will be protected against these insidious and evil influences that he would have plucked like thorns from the body politic, and that the old flag that he loved so well may continue unsullied and untarnished from within as it has thus far remained unsullied and untarnished from without. To him the flag meant all that Riley has had it say that it means:

By the driven snow white and the living blood red
Of my bars, and their heaven of stars overhead—
By the symbol conjoined of them all, skyward cast,
As I float from the steeple or flap at the mast,
Or droop o'er the sod where the long grasses nod—
My name is as old as the glory of God.

I can not refrain from quoting the thought that occurred to Henry L. Stoddard, who was one of the closest and most confidential friends of Col. Roosevelt, and which he expresses as follows:

As I watched the flag-draped coffin borne slowly down the aisle of the little church the words came to me irresistibly, "Dear old flag; you have lost something to-day. Your stars are all there and your stripes are all there, but a great spirit of patriotism has gone out and a brave defender has left you. You enfold him now, do it with the tenderness, the love he had for you."

In every mountain range there are a few lofty peaks that tower high above all other surrounding peaks. Since the beginning of the human race every age has produced a few characters with such transcendent genius in literature, statesmanship, art, or invention that their names will never be forgotten, and their influence will be as lasting as time.

In the history of this age, to be written in some after-day, when all the animosity of the time is forgotten and only the ideal is recorded, the fame of Theodore Roosevelt will appear like one of the lofty mountain peaks to which I have referred, and his name will be written among the first of the few immortals that will survive with the age in which he lived and wrought in so many ways for his fellow men. Monuments of stone and of bronze will be erected to perpetuate his memory, but after the last of these have crumbled into dust and rusted into decay the virtue of his deeds and the goodly influence of his life will remain imperishable as long as men love liberty and as long as the world remains devoted to the principles of patriotism.

Cease Wasting the People's Money Paying Unmeritorious Private Claims, Rapidly Depleting Treasury.

EXTENSION OF REMARKS

OF

HON. THOMAS L. BLANTON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. BLANTON. Mr. Speaker, I secured this indulgence of my colleagues for the purpose of vehemently protesting against the existing loose method of wasting the people's money in indiscriminately paying unmeritorious private claims out of a Treasury fast nearing depletion.

When placed upon the Committee on Claims at the beginning of this Congress I found the following situation existing: The committee was subdivided into six subcommittees of three members each, to which subdivisions a proportional one-sixth of the hundreds of private claims against this Government was submitted. Any member at will could submit to the full committee a favorable report on any bill referred to his subcommittee, and it seemed to be expected that the committee would adopt such member's report without question.

With over 20 years' active experience as a lawyer, 8 years being spent as a trial judge on the district bench, I learned that the allegations in a claimant's petition rarely ever stated the real facts, and that in many instances the testimony of the claimant's witnesses was absolutely destroyed by cross-examination or the rebuttal evidence offered by the party sued. In many cases I had heard one bunch of skillful physicians assert that the claimant was seriously injured permanently, and that such injuries were the proximate result of some tort or force occasioned by the negligence of the defendant, and then have heard another bunch of equally skillful doctor men testify, either that the claimant was not hurt at all but was merely simulating injury, or that his condition was not occasioned by the alleged act of the defendant but was the result of some disease from which the claimant had for years prior to such act been suffering. And then after collecting his judgment given by an overly sympathetic jury, I have seen the crutches thrown away and the enriched claimant resume his former activities and pleasures.

With such experience, I was astonished to learn that with the Committee on Claims the ex parte statements of claimants and their witnesses would be accepted as the absolute truth, without any investigation whatever of the real facts, with no cross-examination of such evidence, and without any attempt whatever to have the Government's side of the case presented. I therefore gave notice right in the beginning that I expected to make a personal investigation of each and every claim upon which there was sought to be made a favorable report before I gave my vote on the case. My colleagues contended that such action would be impossible, as I would never be able to give that much time to the work of this committee. Nevertheless I have carefully investigated each and every claim reported out of the committee, and in reaching a conclusion thereon, I have absolutely ignored friendship for the colleague who introduced same, the personnel and standing of the claimants, and every other matter except the one inquiry, Is the claim a just one, and should the Government, morally and in good conscience, pay it?

I have succeeded in convincing the committee of the injustice of certain claims concerning which prior to my investigation a favorable report had been suggested. Illustrating such claims, I call attention to my adverse report adopted by the committee on the following claim, to wit:

[House Report No. 1014, Sixty-fifth Congress, third session.]

P. J. CARLIN CONSTRUCTION CO.

Mr. BLANTON, from the Committee on Claims, submitted the following adverse report:

In the Sixty-fourth Congress bill H. R. 4537 was introduced to pay $16,712.44 to the P. J. Carlin Construction Co. This claim is now reduced to $12,612.44, but we respectfully submit that not $1 is justly due, and the entire claim should be disallowed.

On September 22, 1910, the Supervising Architect advertised for bids on drawings and specifications for the construction complete (except elevators) of the building to be occupied as a United States post office and courthouse at San Juan. That special excavation, with substantial pilings to be sunk, was deemed vitally necessary for a stable foundation is clearly shown in the following portions of the specifications, to wit:

"All work is to be executed in strict accordance with specifications * * *. The pilings are to be of local wood and have concrete cap. The piles shall be perfectly straight and free from defects and all bark shall be removed. The upper end shall have wrought-iron ring at least ½ by 2½ inches, and all piles must be provided with approved metal points. They shall be driven in the same manner as is required for concrete pile, using the following formula for ascertaining the safe carrying capacity: In which P equals a safe carrying capacity of 15 tons; w, the weight of the hammer in tons (which shall be between 2,000 and 3,500 pounds); h, the height of the fall of the hammer in feet; and S, the average penetration of the pile under the last five blows.

"Four permanent piles shall be tested to 25 tons during the progress of the work, the locations for such tests to be selected by the superintendent, who shall report settlements for each five tons loading. The settlements for the 15-ton and the 25-ton loads shall also be reported after having been allowed to stand for 24 hours.

"All excavations shall be kept practically free from water during the placing of the concrete and until after the concrete is set.

"The concrete footings or pile caps shall be composed of one volume of Portland cement, three of sand, and five of 2-inch stone or gravel aggregate, and it shall be reinforced by two thicknesses of metal fabric, etc."

On November 21, 1910, the claimant submitted a bid proposing to construct the work complete according to specifications for $374,000, which was accepted, and on December 12, 1910, the Government executed a written contract with claimant agreeing to pay the said $374,000 for the said construction complete. The contract provided that the building was to be completed by November 1, 1912, and—

"It is expressly covenanted and agreed by and between the parties hereto that time is and shall be considered as of the essence of the contract, and in the event that the contractor shall fail in the due performance of the entire work to be performed under this contract by and at the time herein mentioned, the said contractor shall pay unto the Government as and for liquidated damages the sum of $50 for each and every day the said contractor shall be in default,"

and the Government reserved the right to deduct said damages from the consideration price.

The Government did not propose any change in specifications, but it was the claimant which sought to substitute its judgment in the place of the contract specifications, and contended that the soil without piling would furnish a stable foundation, and proposed to eliminate the piling and to deduct $5,478 from the contract consideration, stating:

"It is respectfully pointed out that a saving of time in the driving of these piles could be effected from three to five months,"

and further stating:

"We believe, therefore, that it would be to the best interests of this work, both as to time and to cost, if piling can be eliminated."

Following this proposal, an incompetent representative of the Government, Mr. Stierle, wired claimant as follows:

"Your proposal May 13 accepted, to deduct $5,478 your contract San Juan post office for omission piling. Should changes in foundations be necessary hereafter they will be settled upon contract unit basis."

Upon such telegram claimant constructed the foundation upon native soil, without driving down the specified pilings, and after building several walls the structure began to sink and crack, and it was then ascertained that, after all, pilings would have to be sunk in order to get a stable foundation.

Contractor then proposed to remedy the evil by then doing what it should have done at first, make the foundation stable, but it demanded $36,000 extra pay. It will be remembered that for eliminating the pilings demanded by the contract the contractor deducted only $5,478 from its pay, but when forced to put the pilings in, instead of doing it for the $5,478 it had deducted it demanded $36,000 for doing its duty.

In its extremity the Government agreed to pay this $36,000 extra, and on May 14, 1912, the contractor, with his sureties, executed a written contract with the Government to satisfactorily construct said foundation and complete said building according to specifications for not to exceed $36,000 additional. In this the Government was more than liberal and considerate.

The report of Secretary McAdoo, of date February 18, 1916, shows:

"The contracting company was found to be responsible for seven months' delay, after making due allowance of time for the extra foundation work and for weather conditions."

The Government not only did not charge the contractor up with this 210 days' delay at the agreed liquidated damage of $50 per day, which would have amounted to $10,500, but it waived it all and paid to the contractor the full $374,000, and also paid it the full $36,000 additional, and then besides paid to it an additional $7,354.51 for extra good measure, as is shown by the attached letter from Assistant Secretary of the Treasury Hon. James H. Moyle, of date June 11, 1918, stating that the total amount paid by the Government to the P. J. Carlin Construction Co. on this contract is $417,354.51.

We must not go behind these contracts and dig deeper down into the Treasury of the United States by taking $12,612.44 more of the people's money and put it into the pockets of this contractor, which had to make two contracts before it would perform its agreement. Are we to say to the world that a Government contract means nothing—the contractor will be paid the $374,000 contracted for, and will also be paid $36,000 additional compensation demanded, and also will be paid $7,354.51 extra for good measure, and then Congress is asked to step in and set all contracts aside and eight years after the date of the original con-

tract make an entirely new contract for the claimant and the Government by paying the contractor a special reward of $12,612.44 extra for his bad judgment, which resulted in the Government getting an inferior building with a patched-up foundation?

We respectfully submit that it would be an outrage to allow one cent on this claim, and it is respectfully recommended that it be disallowed.

THOMAS L. BLANTON.

At our first meeting this year the gentleman from Kansas [Mr. LITTLE], though ready to make a favorable report on his bill H. R. 12018, kindly agreed to giving me time to investigate it. As this bill involved $66,736,387.60, I spent much time in carefully investigating the claim, and at our meeting on January 24, indicated my readiness to report on same, but the author of the bill being absent action was postponed. At our meeting on January 31 I reported verbally, giving my conclusions reached on the bill, but no final action was taken by the committee, as the author again was absent. After the committee met on February 7 all members present unanimously adopted my written adverse report as the report of the committee, as follows:

CLAIM OF THE ESTATE OF JOHN SEVIER AGAINST THE UNITED STATES.

Mr. BLANTON, from the Committee on Claims, submitted the following adverse report:

The Committee on Claims, to whom was referred the bill (H. R. 12018) for the relief of the estate of John Sevier, having considered the same report thereon with a recommendation that it do not pass.

This bill (H. R. 12018), if allowed, would pay to Emmetta Humphreys, as administratrix of the estates of John Sevier, sr., and John Sevier, jr., the enormous sum of $66,736,387.60, being principal sums aggregating $8,447,644, together with 6 per cent interest thereon for over 115 years.

There are really three claims embraced in the above amount, the first and principal one of which is for the value of 174,474 acres of land originally within the boundaries of the State of North Carolina, surveyed and granted to John Sevier, sr., in the years 1794 and 1795, under an act of the General Assembly of the State of North Carolina in 1783.

In 1785 the United States entered into the treaty of Hopewell with the Cherokee Indians by which certain described lands then in North Carolina were set apart to them for hunting grounds.

In February, 1790, the State of North Carolina ceded her western territory, embracing the lands allotted to the Cherokee Indians, to the United States with certain conditions expressed.

In 1791 the United States entered into the treaty of Holston, by which the boundary between the citizens of the United States and the Cherokee Indians was established.

The said surveys and grants of land to John Sevier were included within the boundaries of the said territory theretofore set apart to the Cherokee Indians, and were not made until 1794 and 1795, subsequent to the said treaties of Hopewell and Holston, and subsequent to the cession to the United States by North Carolina of these lands out of which the State of Tennessee was afterwards created.

By the act of February 18, 1841, the State of Tennessee was authorized to settle claims against said lands, but required that all land warrants should be satisfied, either by location of the land within one year or by their presentation for payment at a price of not less than 12½ cents per acre within two years, or the holders of such warrants should be forever barred of all further claim or right.

When this case was submitted to the Court of Claims for a determination of the facts, in the opinion of the court filed February 28, 1910, it found:

"There is no evidence to show whether the claimant's decedents, or their heirs or legal representatives, complied with the terms of the above act; presumably they did not."

And, further, the court found:

"Nor is there any evidence to show that John Sevier, sr., and John Sevier, jr., did not receive the benefit of said lands or the value thereof, as provided by the said act of February 18, 1841, nor does it appear that the United States ever received any benefit therefrom."

Claim No. 2 involved 50,000 acres of land deeded to John Sevier in 1797 by one Cox, attempting to act for the "Tennessee Company," out of lands granted by the State of Georgia to the "Tennessee Company," reciting a consideration paid by Sevier of $5,000, which, with other lands, afterwards became the "Mississippi Territory," out of which the States of Alabama and Mississippi were created.

On April 24, 1802, the State of Georgia ceded to the United States the said "Mississippi Territory," Georgia to be paid $1,250,000 out of the first sales, and, if a balance remained, reserving 5,000,000 acres to satisfy and compensate claims.

On March 3, 1803, Congress passed an act requiring all such land claimants to perform certain acts before March 1, 1804, on penalty of becoming forever barred for nonperformance, and further providing that all claims must be exhibited to the Secretary of State and recorded by January 1, 1804.

In passing upon this claim the Court of Claims, on February 28, 1910, held:

"Whether the claimant's decedent ever complied with the provisions of said act does not appear."

On March 31, 1914, Congress passed an act providing for commissioners to pass upon all claims based upon said "Tennessee Co." lands, to whom John Sevier submitted his deeds from Cox and executed releases to the United States, and said commissioners ruled against said claims, holding that Sevier had failed to show proof of any authority in said Cox to act for said company, and on February 28, 1910, the Court of Claims found:

"That it did not appear that the United States had received any benefit whatever from said land."

The third claim involved 5,000 acres of land granted August 14, 1786, to John Sevier by the General Assembly of the State of Georgia for acting as a commissioner appointed by said assembly, which land was afterwards located and patented to the heirs of John Sevier in 20 patents on June 12, 1828. Said heirs failed to take possession of same, but permitted individuals to hold possession of same adversely until they have lost their title by limitation. The United States is not to blame for such laches. The Court of Claims found:

"It is not shown that the United States at any time received any benefit therefrom."

John Sevier was the first governor of Tennessee, was a man of good judgment and strong political influence, and it is to be presumed that he received the benefit of the warrants involved in claims 1 and 2. When his estate was inventoried even the most insignificant articles of minutest value were itemized, yet no mention was made of such warrants.

There is no merit in this claim; hence it is disallowed.

THOMAS L. BLANTON.

After the committee had unanimously adopted the above report, the gentleman from Kansas [Mr. LITTLE] appeared, requesting the committee to rescind its action and give him, as author of the bill, further time to consider the case, which was done.

As this session of Congress is drawing to a close and in its last hours, it is always usual to have rules suspended and bills considered and passed out of their regular order. I am taking this method of apprising my colleagues in advance of the demerits of quite a number of bills against which I have filed minority reports, hoping to enlist their aid in assisting me to prevent their passage.

The following letters will indicate my conclusions reached on the Killeen and Wreidt cases:

SEPTEMBER 6, 1918.

Hon. CHAMP CLARK,
House of Representatives.

MY DEAR MR. SPEAKER: At your request I have carefully investigated the claim of Mr. George Killeen against the Government and regret to state that the record discloses very little merit.

Claimant contends that in 1896 and 1897, over 20 years ago, under a contract with one Carver, a private citizen having no connection with the Government, he was excavating dirt at the base of the hill in Georgetown from M to Prospect Street; that one Goslin, an employee, and whom he thinks was a draftsman and engineer or assistant engineer in connection with the Quartermaster's Department, verbally gave him directions to dump the dirt in making such fills, which he claims was a beneficial and necessary work for the Government, and asks that he be paid $35,000 for such work under the bill introduced by you for his remuneration.

Claimant does not contend that any official of this Government authorized to make such contracts induced him to perform such work. He is shown to have been at the time an experienced and active contractor in such line of work and is presumed to have known that he could not expect pay from the Government unless directed to do the work by an authorized official. Not until March, 1902, over five years after the completion of the work, did Mr. Killeen take any steps toward making a claim or procure any affidavits supporting same. The probative force and effect of all of these affidavits merely tends to show that affiants knew of Mr. Killeen dumping more or less dirt in making the fills at the Aqueduct Bridge, and that such fills were beneficial, and in their judgment they believed that Mr. Killeen should receive pay for same.

It is well known to every business man that in numerous instances in making required excavations the party moving the dirt is glad indeed to find a near-by dumping place for same and in many cases charges nothing whatever for the dirt but considers himself fortunate indeed to get rid of it.

Mr. Killeen has furnished no affidavit or statement of any kind whatever from this man Goslin.

In his petition to Congress for reimbursement, sworn to on November 23, 1912, 15 years after the completion of the work, Mr. Killeen states that he was verbally requested to dump this dirt by Col. Owen, and that after performing the work he had several conferences with Maj. C. F. Humphrey, depot quartermaster, relative to his pay, and was delayed in prosecuting his claim because of the absence of Maj. Humphrey from this country; but in the record is a copy of a letter from Mr. Killeen to Maj. Humphrey, of date March 17, 1902, wherein Mr. Killeen seeks to remind Maj. Humphrey of the said conferences and states emphatically that the person who told him to dump the dirt in said fills was a Mr. Goslin (who was an employee, or draftsman, or engineer, or an assistant engineer in the Quartermaster's Department), and he nowhere makes any reference to a Col. Owen.

Moreover, Mr. Killeen has attached to the record no statement whatever from Col. Owen or from Maj. Humphrey, or from any other person claiming to have had authority to bind the Government.

I regret very much, indeed, to report that under the record, in its present condition, I do not believe that there is any merit in Mr. Killeen's claim.

Very sincerely, yours,

THOMAS L. BLANTON.

APRIL 1, 1918.

Hon. S. D. FESS,
House Office Building.

MY DEAR COLLEAGUE: At your request I have carefully considered the claim of Mr. E. A. Wreidt for $102 and regret very much, indeed, on your account, that I can not approve same.

First. Mr. Wreidt put in a claim for $254 for Shirley Wootten, hired as a stenographer, covering following: One month's pay from April 29 to May 28, $150. From May 29 to June 1, 4 days, at $5 per day, $20. Also, 84 hours overtime during above period, at $1 per hour, $84, making in all the $254. Of the above the auditor allowed and paid Mr. Wreidt $249, and only disallowed $5, covering an imaginary extra day which the law does not recognize. After paying this stenographer $150 per month, and then paying him for 84 hours extra time at $1 per hour during said period, it does seem that the stenographer was exacting to contest for this $5 disallowed. (Sec. 6, act June 30, 1906.)

Second. Mr. Wreidt claimed $42.50 for Charles F. Warren, to cover 42½ hours work at $1 per hour. At this time Mr. Warren was a regular employee of the Government, drawing a regular salary fixed by law, from the Department of Labor, and the payment to him of any additional compensation for any services was specially prohibited by law. (See sec. 1765 R. S. and 20 Comp. 223.)

Third. Likewise for the same reason it was contrary to law to pay George M. Depue $29.50 for 29½ hours, at $1 per hour, as he was then a regular employee of the Government on salary.

Sincerely, your friend,

THOMAS L. BLANTON.

Of the number of claims against which I have filed minority views, where the committee favorably reported payment, the following will illustrate the kind, class, and variety of such claims, and the utter want of merit in them:

HUGH CAMERON (H. R. 5576).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

I respectfully submit that this is not a just claim against the Government, and that not a dollar should be paid to the claimant.

After carefully investigating the accident, the Quartermaster General on December 17, 1913, made the following unfavorable report, to wit:

"In view of the fact that it appears Mr. Cameron sustained injury on account of his own neglect, it is recommended that the bill be not favorably indorsed.

"HENRY G. SHARPE,
"Brigadier General, Quartermaster Corps,
"Acting Chief, Quartermaster Corps."

On December 20, 1913, the Judge Advocate General, after reviewing the case, gave an unfavorable report, to wit:

"Affidavits are submitted which show that the injury was slight and due to Cameron's negligence. * * * In view of the statement of the constructing quartermaster and the accompanying affidavits, to the effect that the injury was slight and due to Cameron's own negligence, the War Department should recommend that this bill be not favorably considered.

"E. H. CROWDER,
"Judge Advocate General."

On December 22, 1913, the War Department refused to approve this claim by the following unfavorable report, to wit:

"The department concurs in the opinion of the Judge Advocate General of the Army, expressed in the preceding indorsement.

"HENRY BRECKINRIDGE,
"Assistant Secretary of War."

I want to call special attention to the report made by the constructing quartermaster, under seal, together with the evidence he submitted, which he also sent under seal, to wit:

"CONSTRUCTING QUARTERMASTER'S OFFICE,
"UNITED STATES MILITARY PRISON,
"Fort Leavenworth, Kans., January 5, 1912.

"Hugh Cameron was employed as a stonemason on September 1, 1908, by the day at a daily compensation of $3.20. He was employed as a mason at the same rate of pay on December 1, 1908. He received pay only for the days on which he worked. He was employed under the provisions of paragraph 12 of section 1 of schedule A of the civil-service rules. All other mechanics that work on the new prison work are so employed; this for the reason that it is necessary from time to time to change the mechanics, due to the changes in the classes of work which are involved in the construction of the new prison. All these mechanics are paid from the appropriation for the new prison.

On August 8, 1911, Cameron was at work on the foundation of wing 3 of the new prison, putting in concrete. An eyebeam had been previously placed across the northwest tower of wing 3, as shown on blue print herewith, for the purpose of putting the end of a concrete board on it when putting in concrete in the tower. The concrete board had been moved to the position shown in full lines on the print as of date of August 8. The beam was lying across the tower foundation for no purpose. It appears that Cameron walked out on this beam for no purpose in connection with the construction work. He fell off the beam to a point about 6 or 7 feet below and injured his ankle. So far as this office is informed, the injury was slight.

The injury to Cameron was accidental and due to his own neglect. For this reason the injury was not reported to the Quartermaster General. Statements of First Sergt. Frederick W. Jackson, Second Prison Company, United States Military Prison Guard, and Foreman Carpenter Fred Hall are herewith inclosed.

Hugh Cameron was discharged on account of reduction of force and his position has not been filled. It is the intention of this office to make a further reduction in the force of skilled mechanics on this work.

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[SEAL.] THOMAS H. SLAVENS,
Lieutenant Colonel, Department Quartermaster General,
U. S. Army, Constructing Quartermaster.

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UNITED STATES MILITARY PRISON,
Fort Leavenworth, Kans., January 4, 1912.

On August 8, 1911, I was at work as foreman carpenter in charge of the mechanics in the construction of the new prison. About 4.15 p. m. I was informed by First Sergt. Jackson that Mr. Cameron had fallen in the ditch. I immediately went down there to the building and found Mr. Cameron sitting on the bank. He said he did not think he was very much hurt and would be up to work to-morrow. He had fallen from a 6-inch eyebeam, which had been laid across the northwest tower of wing 3 for the purpose of supporting a concrete board when concreting in the tower. The concrete board had previously been permanently removed from that place, and the eyebeam was there for no purpose in connection with the construction work. Mr. Cameron had fallen from the eyebeam down to the concrete footing below, a distance of about 7 feet. I had more than once cautioned Mr. Cameron about walking on such places, and told him to keep off of them. He had gone out on the eyebeam for no purpose in connection with the construction work on which he was employed. His fall was accidental and due to his own neglect.

[SEAL.] F. E. HALL,
Foreman Carpenter.

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UNITED STATES MILITARY PRISON,
Fort Leavenworth, Kans., January 12, 1912.

I was working on August 8, 1911, about 4.15 p. m., mixing concrete on the first wing on the west side. The concrete board was back toward the end of the building. An eyebeam was placed for the concrete board to rest on when the concrete board was working there. The concrete board was moved away from there, and the eyebeam was no longer used. I saw Mr. Cameron walk out on the eyebeam, pointing down at the prisoners in the ditch tamping concrete opposite the concrete board. He lost his balance and turned around and grabbed with his hands and caught the eyebeam, and seemed like his weight was too much for his arms and he let loose and fell on his feet. He limped over and sat down on one of the foundations, then a couple of men took his shoes off and put his feet in water. He limped, and it looked like his ankle was sprained. He sat around until the whistle blew and then walked out the gate with a stick.

[SEAL.] ANDERSON CORDRAY,
Military Convict No. 2799.

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UNITED STATES MILITARY PRISON,
Fort Leavenworth, Kans., January 12, 1912.

On August 8, 1911, about 4.15 p. m., I was working on a concrete board on cell wing No. 3. Mr. Hugh Cameron was the civilian mason. The concrete board had been supported while working on one of the towers by an eyebeam. The concrete board had been moved away and the eyebeam was still there, but of no use. I was at work, and I saw Mr. Cameron walk out on this eyebeam and motion with his hands and he fell off into the ditch below. It was a habit of Mr. Cameron to walk around that way, and he had been cautioned lots of times about doing it. There was no necessity for him to walk on the eyebeam. Mr. Cameron bathed his foot in a bucket of water and went home at quitting time. He did not seem to be much hurt; just a sprained ankle.

[SEAL.] WILLIAM E. TRUMPLER,
Military Convict No. 3362.

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UNITED STATES MILITARY PRISON,
Fort Leavenworth, Kans., January 4, 1912.

On August 8, 1911, I was in charge of the fourth gang on the new prison site. About 4.15 in the afternoon I was informed by a convict that Mr. Cameron had fallen in the ditch. As I was standing near by I went down the bank and saw Mr. Cameron, having his foot in a bucket of water. He told me at the time that he did not think he was hurt much. He had fallen off an eyebeam placed across the ditch of the northwest tower of wing 3. The eyebeam was used to support a concrete board when throwing concrete in the tower wall. The concrete board was not in use there that day and the eyebeam was not there for any use that day. As Mr. Cameron fell off the eyebeam he went out there for no purpose in connection with the construction work on which he was employed. His fall was accidental and due to his own neglect. I had heard Mr. Hall, the foreman in charge, several times caution Mr. Cameron to keep off of such places.

[SEAL.] FREDERICK W. JACKSON,
First Sergeant, Second Prison Company,
United States Military Prison Guard.

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Cameron was hurt on August 8, 1911, and did not consult a physician until August 9, 1911. All eyewitnesses state that after the accident Cameron stated that he was not hurt much, but would be back for work the next day, and if he hadn't been discharged the next day on account of reduction of force he probably would not have filed this claim. Both the constructing quartermaster, Thomas H. Slavens, and the foreman carpenter, F. E. Hall, state that the eyebeam out upon which Cameron walked and from which he fell was in disuse, and not used for any purpose about said work, and this Foreman Hall states:

"I had more than once cautioned Mr. Cameron about walking on such places and told him to keep off of them."

At the proper time I expect to offer an amendment to strike out the enacting clause of this bill, for I believe that such action should be taken.

THOMAS L. BLANTON.

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[House Report No. 464, Sixty-fifth Congress, second session.]

PAUL GUENTHER (H. R. 8509).

Mr. BLANTON submitted the following minority report:

I can not approve this claim, for the following reasons: The only evidence submitted to the committee is the unsworn statement submitted by claimant's attorney in the way of a brief, seven pages of which form the majority report. As above stated, this is neither signed nor sworn to, and, if untrue, would attach legal liability to no one.

According to claimant's own statement, the bookkeeper did not get sick until February 26, which was only three days before the report had to be filed, and claimant then waited until February 28 before addressing a letter to the collector at Newark, N. J., requesting additional time, he knowing full well at that time that the collector would not receive this letter in time to answer it until after the date for filing the report had expired. His action in thus waiting was both careless and negligent. This bookkeeper, Mr. Paquette, did not sign the report, and his signature was not necessary to either report.

It is highly important that all income and revenue-tax reports should be filed within the time specified by law, and where there is a careless failure to comply with the law it would vitiate its penal provisions for Congress to interfere. The language used by Deputy Commissioner Fletcher is based only on unsworn correspondence and is but a polite, conciliatory conclusion, courteously used in disallowing the claim. I submit that this claim should not be allowed.

THOMAS L. BLANTON.

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[House Report No. 465, Sixty-fifth Congress, second session.]

J. B. PATTERSON (H. R. 2013).

Mr. BLANTON submitted the following minority report:

I can not agree to the policy of approving claims of this character until conclusive evidence has been presented establishing both the justice and bona fides of same.

The only evidence in this case is the ex parte affidavit of the claimant, according to which, on February 26, 1914, thieves entered his post office at Lacon, Ala., and robbed him.

The Post Office Department shows that, according to the claimant's own statement, the stamps were taken from an unlocked drawer; that leaving such stamps in such an unprotected place was in direct violation of section 361 of the postal laws; that at the time said postmaster had a safe in his office, but claimed that it was full of books of account and money, and the Postmaster General sums up the case as follows:

"The postmaster's failure to keep the stamps which were stolen in a locked receptacle, as prescribed by the regulations, was considered negligence within the meaning of the act cited, and, following the established practice of the department in such cases, his claim was accordingly disallowed."

In view of the fact that hardly a month passes during which there is not a default by some postmaster somewhere in the United States, I submit that in a case of this character conclusive evidence should be submitted to the committee of the robbery, other than by the ex parte

affidavit of the claimant himself, before such claim is favorably considered. And I further submit that where inexcusable negligence, such as we find in this case, exists, we should not override and disturb the action of the Postmaster General in disallowing the claim.

THOMAS L. BLANTON.

[House Report No. 484, Sixty-fifth Congress, second session.]

ARTHUR WENDLE ENGLERT (H. R. 2207).

Mr. BLANTON submitted the following minority report:

The record shows that the claimant filed upon the 40 acres of land in question on August 1, 1911, and, after complying with formalities, on October 3, 1911, went upon the land and remained thereon in actual peaceable possession thereof, using, occupying, cultivating, and enjoying the same in open, notorious, and undisturbed possession thereof until March 27, 1916.

So far as the record discloses, no adverse claimant ever set up any claim to the land or made any demand for possession, but in February, 1916, claimant had an abstract of title made to the land, same then disclosing for the first time that the land had been patented to another on June 1, 1880, and that the claimant, without any demand being made upon him, on March 27, 1916, filed a relinquishment of his claim to the land with the Government and requested the return of the $62 he had paid out in fees.

I understand that under the laws of California, if an attempt had been made by the prior patentee to eject him, claimant could have recovered from the patentee the value of all of the improvements which in good faith he had placed upon said land, and in justice and good conscience said prior patentee should have paid for such improvements made in good faith, for in six more months the title of claimant to said land would have been perfected by the five-year statute of limitations existing in California.

But without any demand being made upon him by anybody, claimant voluntarily relinquished his title back to the Government and abandoned said land which he had occupied for four and one-half years, and left all of his improvements which he claims to have been valuable and made in good faith as a present and gift to an unknown prior patentee named Dallas, who, so far as the record shows, had never asserted any claim to the land after 1880. I do not think that he should be paid more than the said $62 by the Government.

THOMAS L. BLANTON.

[House Report No. 498, Sixty-fifth Congress, second session.]

YNCHAUSTI & CO. (H. R. 9018.)

Mr. BLANTON submitted the following minority report:

I can not agree to a favorable report of this claim. To make the United States Government liable for the torts of its employees would establish a precedent both unwise and dangerous.

The Court of Claims, composed of eminent jurists, after hearing all of the evidence in the case, rendered the following conclusion:

"Upon the foregoing findings of fact the court concludes that the claim herein is neither a legal nor an equitable one against the United States."

If we should pay for this tort, we would likewise have to settle for every other tort committed, grave or casual, serious or ridiculous. Should a janitor negligently leave some snow at the entrance of a public building, we would have to liquidate the damages of every pedestrian who may have unfortunately slipped down thereon. Every time any one of our numerous postal carriers happens to run over a calf, pig, or chicken, or should wound the feelings of some patron by answering them abruptly and insultingly, the Government would be called upon to pay the price. Should any one of the thousands of Government employees wrongfully engage in a fisticuff with some citizen and inflict upon him bodily injury, serious or otherwise, according to precedent we would have to pay. I am in favor of deciding this case according to law and equity, by not disturbing the judgment of the Court of Claims.

THOMAS L. BLANTON.

[House Report No. 520, Sixty-fifth Congress, second session.]

J. PH. BINZEL CO. (H. R. 7985).

Mr. BLANTON submitted the following minority report:

I can not approve this claim. When one has valuable merchandise sent him by ordinary mail, without being registered or insured, it is sent at his own risk. Notice was printed on each order for stamps that unless purchaser ordered same registered, insured, or sent by express, they would be transmitted by ordinary mail at the risk of the purchaser. And this was understood by all brewers.

Binzel Co. ordered the stamps sent by ordinary mail. By paying a small fee it could have had protection by registering, insuring, or expressing. It preferred to take chances. The collector promptly filled the order by properly addressing the stamps in an envelope 7 by 10½, sending by ordinary mail as ordered. This being done, the obligation of the Government ceased. To approve this claim would guarantee safe delivery of ordinary mail to Binzel Co., where no other citizen is so guaranteed. If Binzel Co. had ordered $311 worth of jewelry, or postage stamps, or bank notes, sent by ordinary mail, would it not be at his own risk? Would it ask the Government to make good such a loss?

Moreover, no court would permit R. P. Binzel to swear, as he has attempted to do in his affidavit, that no member or employee of Binzel Co. ever received the stamps. He could only swear that he didn't himself, and only what he knew himself, but couldn't swear what others did or didn't do in his absence. Then, again, Carrier Finch is what I would call a willing witness, when on February 4, 1918, he attempts to relate positively what occurred on November 3, 1916, when from time to time he had delivered other packages of stamps, and this particular piece of mail was an envelope 7 by 10½. We can not establish a precedent for making good every loss in the transmission of ordinary mail, neither registered nor insured.

THOMAS L. BLANTON.

I join in the foregoing minority report.

ALVAN T. FULLER.

[House Report No. 588, Sixty-fifth Congress, second session.]

WILLIAM WOOSTER (H. R. 914).

Mr. BLANTON submitted the following minority report:

This bill as introduced proposes to pay to William Wooster $7,442.39 additional to the amount he is entitled to and has received from the Government under the plain provisions of his contract. I can not approve of the habit we are fast acquiring of going behind every contract and granting the contractor additional compensation whenever he happens to sustain a loss, but at the same time letting the Government take its medicine in the thousands of contracts executed every year where compensation is paid out of all proportion to the services rendered. Hence I can not approve the favorable report made by my colleagues.

After making a successful competitive bid under advertisement, Wooster entered into a contract with the Government to haul freight between Holbrook, Ariz., and Fort Apache during the year commencing July 1, 1905, and ending June 30, 1906, for which he was to be paid 93 cents per 100 pounds, and was not required to make more than 9 miles per day, and should the Government require him to make 13 miles per day he would be paid $1.11 per 100 pounds, and his contract required him to receive and haul freight at any time during said 12 months upon having five days' notice of such delivery.

The record shows that during the preceding year, under contract with the Government, John R. Hulet delivered all such freight from July 1, 1904, to June 30, 1905, for only 80 cents per 100 pounds.

And the affidavit of Wooster shows that after executing his contract he hired freighters to haul this freight for him with their own wagons and teams for only 80 cents per hundred. And it is to be presumed that they were able to make a living at it. Wooster owned no wagons or teams, and after executing the contract acquired no equipment whatever. He was a merchant, and many people in the country were his debtors, and he expected to collect his store accounts by hiring the freighters who owed him to perform his contract by hauling the freight at 80 cents per hundred, and at the same time make a profit of 13 cents per hundred by collecting 93 cents from the Government for such service. The plan materialized without a hitch until unprecedently bad weather set in during December, and these debtor-freighters were not so anxious to pay their debts by hauling freights through snow and freezing mud for only 80 cents per hundred when their shrewd creditor was receiving 93 cents in yellow gold from the Government for such service, and they struck for higher pay. On December 18, Wooster having failed to furnish transportation facilities after proper notice, the Government was forced to pay a freighter $2 per hundred to haul 22,970 pounds, and again on December 26 (the day after Christmas festivities) the Government was again compelled to pay a freighter $2.50 per hundred for hauling 19,768 pounds. And this falling down on his contract, and the resulting emergency compensation the Government in its dire necessity was forced to pay, set a precedent, and has caused the Government each year since then to pay a higher price for this transportation.

Mr. Wooster contends that the Government should have delivered the freight to him in good weather and before the winter set in. He did not so contract. The written, explicit contract does not so provide. The very reasonable distance of only 9 miles per day he was required to make was a bad-weather schedule and not a good-weather one. In reporting on this matter Maj. H. S. Bishop, Fifth Cavalry, states:

"As to Mr. Wooster's claim, I have no remark to make, as not only he but all freight contractors in that part of Arizona know the conditions before making the bids to haul Government freight."

Without any equipment whatever and without putting one single dollar into the investment or business, Mr. Wooster entered into this contract with the Government, hoping to collect all of his bad debts due him by freighters and men who owned wagons and teams by getting them to haul at 80 cents per hundred, which price the former contractor had received from the Government during the preceding year, and that at the same time in addition he would make a clear net profit of 13 cents per hundred by being paid 93 cents per hundred by the Government. Bad weather, which he could have contemplated, spoiled his pipe dream, and now he asks the Congress to make for him a new contract and require the Government to make good his losses by taking the people's money out of the Treasury and put it into his pocket. In this particular kind of a case I believe that the old doctrine of "As a man binds himself so shall he remain bound," should apply, and at the proper time I shall offer an amendment to strike from the bill its enacting clause.

THOMAS L. BLANTON.

[House Report No. 589, Sixty-fifth Congress, second session.]

EUGENE FAZZI (H. R. 637).

Mr. BLANTON submitted the following minority report:

The bill as introduced proposes the payment of $5,000 to Fazzi for injury he received on March 8, 1916, within a few days after entering the employment of the United States. It is admitted that this claim is not covered by the compensation act of May 30, 1908, and to grant Fazzi compensation it would be necessary to make the act of September 7, 1916, retroactive. Were it not for establishing the dangerous precedent of making retroactive the provisions of this last-mentioned act, which Congress saw fit not to do when passing it, I would be in favor of allowing Fazzi one year's salary of $720. But there are probably thousands of such claims antedating the passage of the act of September 7, 1916, and if we allow compensation to Fazzi we shall be forced to treat all alike and make the provisions of said act retroactive by compensating all claims which may be raked up during the ages past. I therefore submit that no compensation should be allowed, but that the recommendation made by the Quartermaster General, to wit, "That Mr. Fazzi be appointed telephone operator, by Executive order, at $660 per annum, at the Philadelphia depot," be approved by this committee and that it shall recommend and insist that the above or some better position be given to Fazzi.

THOMAS L. BLANTON.

[House Report No. 618, Sixty-fifth Congress, second session.]

F. W. SCHULTZ. (H. R. 746.)

Mr. BLANTON submitted the following minority report:

I must protest against reporting this bill favorably. All of the evidence placed before our committee to establish it is contained in the printed report (No. 108) made to the Sixty-fourth Congress, and which the majority has adopted as its report, this report being the only evidence offered.

Postmaster F. W. Schultz was at the time of the alleged robbery cashier of the State Bank of Junius, and he left the entire management of the post office to his assistant, L. Q. Caldwell. He was charged with knowledge of the requirements of section 356, paragraph 4, Postal Laws and Regulations, which provides:

"Where stamps and funds are kept in iron safes with combination locks, such safes must be carefully and completely locked at night or when the office is left without occupants for any considerable length of time. The common practice of closing safes with what is termed a

'day lock' and 'day combination' affords no protection against experienced burglars, and in case of loss resulting therefrom no credit will be allowed."

Mr. Schultz was presumed to know that if his assistant, Caldwell, did not completely lock the safe at night he himself would sustain loss.

The safe was opened without any force whatever being applied to it, and such safe undoubtedly was not locked in accordance with postal requirements. This claim should not be allowed.

THOMAS L. BLANTON.

[House Report No. 619, Sixty-fifth Congress second session.]

GEORGE F. WEAVER. (H. R. 985.)

Mr. BLANTON submitted the following minority report:

I regret that I can not agree with my colleagues in favorably reporting this bill. I feel constrained again to call attention to the very meager and inclusive evidence upon which claims are allowed. I have made inquiry of the clerk of this committee whether there has been filed with the committee any evidence not contained in the regular jacket containing the papers of this claim, and he advised that there is no evidence filed with the committee other than the printed Report No. 1461 in the Sixty-fourth Congress, which was adopted by the majority as its favorable report.

Hence, so far as this committee is concerned—and it is its report upon which it is asked that Congress shall take money out of the Public Treasury and put it into the pocket of Mr. Weaver—no evidence of any probative weight and force whatever has been offered to establish the justness of the claim. Without such evidence I shall never agree to favorably report any claim.

According even to the unauthenticated allegations in this old report Weaver has not established a claim against the United States. He asks Congress to pay him $2,369 for alleged damages he claims to have sustained in efforts to purchase public lands, of which $1,260 is to cover loss of 14 months' wages, at $90 per month, $500 for clearing and maintenance of himself and family for one year, and the balance embracing items for alleged expense in going to and from Olympia, attorney's fees, etc.

Under the law Weaver was entitled to file on only 160 acres as a homestead entry. Simply because one Doelz had a superior claim to about 50 acres of the tract he filed on did not give Weaver the right to perfect his title to his 110 acres and then file on an additional tract of 118 acres, as he was entitled only to his complement, which, added to his 110 acres, would make his complete homestead entry of 160 acres. The Government did not owe him and his family a living while he was acquiring a home on public lands. His experience was similar to that of hundreds of other men attempting to acquire public lands both of the United States and of States. One file would infringe upon the file of another, and the senior file would prevail in taking the land in conflict.

Weaver did acquire title to 110 acres of what is known as the Montrose homestead, and simply because he lost the remaining 50 acres in conflict, which he had used and had the benefit of its occupancy for 14 months along with his own 110 acres, it was ridiculous for him to ask the Government to pay him $90 a month for the 14 months he used this land, simply because he had been drawing a salary of $90 per month as a baker when he decided to acquire a home on public land. Ignorance of the law excuses no man, and he should have known that the Government would not permit him to file on 118 acres additional.

I respectfully submit that this claim should be disallowed.

THOMAS L. BLANTON.

[House Report No. 620, Sixty-fifth Congress, second session.]

MARION BANTA (H. R. 11689).

Mr. BLANTON submitted the following minority report:

I can not approve of the action of my colleagues in favorably reporting H. R. 11689. There has not been one scintilla of evidence presented to the Committee on Claims even tending to establish the justness of this claim.

The report from Secretary McAdoo shows conclusively that Marion Banta made a bid on a Government contract, and that he voluntarily forfeited his earnest money rather than perform the contract. Simply because he made a lower bid than some one else and would have lost money in performing his contract is no good reason why he should be relieved of his contract. In making his bid he had the same opportunity for investigation as J. H. Kippling and the Grohne Decorating Co., for they all bid upon the same advertised specifications. Banta knew at the time he sent in his certified check to insure the performance of his contract that it would be forfeited to the Government if he did not perform the services required.

Secretary McAdoo states the following:

"On September 7, 1911, the representative of this department, who was directed to take charge of the work, reported that Mr. Banta, instead of commencing the work, had told the custodian that he would forfeit his contract, and had left with the custodian a written statement to that effect."

If we take money out of the Treasury to pay this claim, there will be no further use of any department of Government requiring a deposit or guaranty for the performance of contracts, for the precedent would be set, and Congress could not refuse to hold such guaranty void.

THOMAS L. BLANTON,

[House Report No. 624, Sixty-fifth Congress, second session.]

WILSON M. DENT (H. R. 744).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

I can not agree to a favorable report on H. R. 8093, which is a bill to pay to Wilson M. Dent the sum of $1,000 for castrating two colts running loose on the range.

Mr. John E. Daugherty, superintendent, certifies to the Commissioner of Indian Affairs under date January 9, 1913, the following:

"It is customary in these round-ups to castrate all young male stock of lessees along with the same stock belonging to the Indians, on the open range, which procedure is a proper and constructive measure."

On December 28, 1912, Mr. Van Kennedy made affidavit before a notary, in which he swears "that in the month of May, 1910, affiant was told by the superintendent of the reservation to inform the said Wilson M. Dent that there would be the beginning of a round-up of the Indian horses the next day, and if said Dent wanted to be there to come in person or to send a representative."

The claimant, Wilson M. Dent, swears "that he was informed by Van Kennedy, who on a Friday evening in May, 1910, called on me and stated that the Indian agent had that day requested him to see me and tell me that the general round-up would begin the following Monday, and that they were castrated the next day, Saturday, and that said stallions were full 2 years old when castrated."

The weight of the evidence indicates that Dent had notice of the round-up. He did not have a lawful right to permit 2-year-old stallions, old enough for range service, to run at large, especially when he knew of the general custom to castrate all of same in round-ups, as "a proper and conservative measure." It is awfully easy to get opinions expressed as to values and damages to benefit a neighbor, especially when it comes out of the Government.

THOMAS L. BLANTON.

[House Report No. 638, Sixty-fifth Congress, second session.]

FAXON, HORTON & GALLAGHER (H. R. 2958).

Mr. BLANTON submitted the following minority report:

I can not approve this bill (H. R. 2958) to pay Faxon, Horton & Gallagher, $888, Long Bros. Grocery Co. $197, A. Rieger $327, Rothenberg & Schloss $441, Riley, Wilson & Co. $466, and Van Noy News Co. $866, for alleged loss of internal-revenue stamps during high water.

After having this case submitted to it for determination, the Court of Claims reached the following—

"CONCLUSION.

"Upon the foregoing findings of fact the court concludes that these claimants named in the first finding have neither legal nor equitable claims against the United States, and any payment thereof rests in the bounty of Congress."

Suppose this loss had occurred by fire. The party whose property burned would have been unfortunate, but would Congress be expected to make his loss good? These revenue stamps were of value. It cost to engrave them. It cost to sell and distribute them. Suppose, again, the place of business had been burglarized and these stamps had been stolen, would Congress be expected to make good the loss?

The question of how many revenue stamps any given dealer has on a stock of tobacco and cigars, which suddenly is destroyed by fire, water, or burglary, is so very uncertain and indefinite that its total, after all, is largely an estimate and guess; and its sum is determined only by the party at interest. The Government has no means of offsetting such testimony. If we set a precedent in paying such claims of loss, it will open to many avenues of fraud against the Government, and fraud, too, which the Government has no way of circumventing.

I respectfully submit that, in accordance with the conclusion reached by the Court of Claims, this claim has not been legally or equitably established; that it be disallowed. I regret, however, to be forced to disagree with my colleagues who have favorably reported this bill.

THOMAS L. BLANTON.

[House Report No. 652, Sixty-fifth Congress, second session.]

CLARA KANE (H. R. 1623).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

This is a case where my colleagues on the committee, through the favorable majority report, seek to pay to claimant $69.12 more than she asks. Under the law she is entitled to nothing, and has no legal claim against the Government. Whether she is paid anything depends entirely upon the Government's bounty. She asks for only $480. The bill (H. R. 6406) was introduced in the Sixty-fourth Congress to pay her $480. In her letter dated February 28, 1916, addressed to Congressman WILLIAM S. VARE, she (Clara Kane) states:

"William Yenser, the deceased, contributed an average of a little over $10 per week, but I returned to him sufficient to buy his clothes, from the amount he contributed, leaving a net balance of $480 for the past year. As you will see, this shows that he spent about $50 or $60 for clothes, and I did not feel that I was entitled or should ask for that which he had spent on his clothes, and confined myself to the actual net amount received.

"Trusting this will be satisfactory, I am,

"Very truly, yours, MRS. CLARA KANE."

William Yenser received only $1.76 per day. If he spent $50 or $60 per year on clothes he could not have contributed even $480 net per year to Mrs. Kane, for he had to have food, and a year's food must have cost him or Mrs. Kane something.

But in the face of the above evidence the committee, with that liberality with which it is noted, recommends that Congress pay more than the claimant desires, and that she be given $549.12 instead of the $480. Mrs. Kane was related to William Yenser neither by affinity nor consanguinity. I respectfully submit that this allowance should be reduced to $480, the full amount asked for.

THOMAS L. BLANTON.

[House Report No. 653, Sixty-fifth Congress, second session.]

MRS. ANNIE M. LEPLEY (H. R. 1446).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

The favorable report of the committee on this claim, H. R. 1446, is to allow the postmaster at Plymouth, Cal., $2,055.83 as the alleged amount of stamps, money, and money orders lost by burglary on March 13, 1915. I must dissent from the action of my colleagues and protest against the allowance of this claim, for it is clearly against provisions of the law.

Section 361, Postal Laws and Regulations of 1913, provides in part, as follows:

"4. Where stamps and funds are kept in iron safes with 'combination locks,' such safes shall be carefully and completely locked at night or when the office is left without occupants. No credit will be allowed for losses from safes fastened only with what is termed a 'day lock' or 'day combination.'

"5. A postmaster upon taking charge of his office shall immediately change the combination on every safe therein; and where at any time a safe is procured, either new or secondhand, he shall immediately change the combination. Failure to make such change shall be considered as prima facie evidence of contributory negligence on the part of the postmaster in any case where claim is made for credit for money or other property stolen from such safes which have been opened without resort to violence."

The above sections 4 and 5 of said postal laws are both reasonable and just and protect the Government from fictitious and fraudulent claims of loss. In order to blow open a safe locked by combination the risk of attracting attention by the incident noise is taken, and the regulation requiring the combination to be changed when installed or upon assumption of office is to insure this very contingency, namely,

that when Government funds are taken from that safe it is after the noise of an explosion has occurred and a safe is left demolished, excluding the idea of a simulated burglary. These regulations are clear and explicit, are understood by all postmasters, and, for the protection of the Government, must be complied with. Where an honest postmaster negligently fails to comply with same it is better that he should suffer loss than to establish a precedent that would nullify important provisions of our postal regulations and open the avenue of fraud to the thousands of post offices throughout the country.

The Government has no way of denying the amount of loss claimed by a postmaster. He could say that he had a thousand dollars in his safe when he didn't have a dollar; hence before any claim is ever allowed the postmaster should show that he complied with the rules and that the alleged loss was not the result of his own negligence.

The report of the Postmaster General shows that the alleged funds were taken from the safe without the use of force; that both the postmaster and the postmaster's daughter admitted that the inner door of the safe had not been locked; and that the combination of the safe had not been changed since its purchase. His conclusion is:

"The postmaster's failure to completely lock the safe in which stamps and funds were left at night and to change the combination, as required by regulation, was considered negligence within the meaning of the above-cited statute, and, following the established practice of the department, this claim was disallowed."

I respectfully submit that we should not repeal this law by allowing this claim.

THOMAS L. BLANTON.

[House Report No. 718, Sixty-fifth Congress, second session.]

MARIAN B. PATTERSON (H. R. 6486).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

Although all of my colleagues on the committee have voted to favorably report H. R. 6486 and pay to Marian B. Patterson $20,963 out of the Public Treasury, I regret that my duty as I see it under my oath of office will not permit me to do otherwise than to protest their action, and at the proper time I shall move to strike from the bill its enacting clause. I sincerely believe that if any Member will give this case the same careful study and investigation which I have given to it he will inevitably reach the conclusion I have formed, that the Government is not due one single dollar on this claim, and that it would be a great injustice to the people of the United States to take their money out of the Treasury and put it into Mrs. Patterson's pocket.

I submit that no evidence whatever of probative force has been filed in this case showing that Gen. Patterson suffered any loss. He was entitled to a salary of $5,000 per annum. He served about nine years, to wit, from some time in May, 1897, until about July, 1906. During that time he had in his custody funds of the United States from fees collected to the amount of $62,048.46, and the statement of the Government auditor from the Treasury Department, which I have just procured and will incorporate hereafter, shows that out of said Government funds Gen. Patterson retained for his salary the sum of $42,423.22, and the record further shows that in the beginning of his service, while receiving instruction and in transit, he received for salary the further sum of $1,928.34, and that in addition thereto he drew a draft on the Government for $1,115.70 to cover salary while under instruction prior to January 1, 1898, making a grand total of $45,467.26 received by him as salary for the little over nine years' service. In addition to the above the auditor shows that Gen. Patterson further retained $6,956.80, as compensation due him on agency fees collected; hence altogether he received from the Government as compensation for a little over nine years' service the sum of $52,424.06. And the auditor shows that during this time in Calcutta, the purchasing value of the rupee, at its commercial exchange value, upon which basis Gen. Patterson collected the fees and retained his salary, was 100 cents on the dollar, the same as if he had retained his pay in gold dollars. The record further shows that during said time the Government allowed Gen. Patterson the sum of $21,044.76 for contingent expenses, clerk hire, and relief of seamen.

[House Report 905, part 2, Sixty-fifth Congress, third session.]

ESTATE OF MOSES M. BANE.

Mr. BLANTON, from the Committee on Claims, submitted the following minority views:

My colleagues on the Committee on Claims have favorably reported bill S. 2885, by which it is sought to pay out of the United States Treasury the sum of $1,080 to the heirs of Moses B. Bane, for money alleged to have been paid for office rent in Salt Lake City, Utah, during the years 1877–1879.

On January 11, 1882, the Commissioner of the General Land Office wrote to said Bane, among other things, the following:

"By reference to the records of this office it is found that no allowance has been made you for the office rent during the time specified, and your expenditures for that purpose were therefore unauthorized. Being unauthorized, you have no claim against the United States that this office can recognize, and I therefore have to decline to recommend the amount to Congress for appropriation as a claim for the fiscal years specified."

On February 4, 1882, the Secretary of the Interior rendered the following adverse decision against this claim:

DEPARTMENT OF THE INTERIOR,
Washington, February 4, 1882.

SIR: I have received your report of the 1st instant on the claim of M. M. Bane, Esq. (presented by James H. Mandeville, Esq., of this city, in his letter of the 25th ultimo), for office rent as receiver of public moneys at Salt Lake City, Utah Territory, amounting to $1,080.

It appears that there was no allowance made by your office for such rent, and in the absence of such allowance Mr. Bane had no reason to suppose that it would be paid. There is no fund out of which it could be paid, and the claim can not be entertained by the department. You will so inform Mr. Mandeville and return to him the papers transmitted herewith.

Very respectfully, S. J. KIRKWOOD, *Secretary.*

In giving the facts connected with this case on January 23, 1909, Hon. James R. Garfield, then Secretary of the Interior, stated the following:

"Moses M. Bane was receiver of public moneys at Salt Lake City, Utah, during the calendar years 1877, 1878, and the first quarter of the calendar year 1879. During said period no allowance was made to the register and receiver at Salt Lake City for office rent. The appropriation for contingent expenses of land offices for the years named was not sufficient to pay rent for all the land offices and meet other necessary expenses of clerk hire, furniture, etc. The practice appears to have been to apportion the appropriation to the several land offices, allowing clerk hire in offices in which the compensation paid to register and receiver amounted to the maximum allowance of $3,000 each per annum, and rent in offices in which the compensation did not exceed $2,000 for each officer."

Under the regulations at that time, office rent was allowed only where the compensation received did not exceed $2,000 per annum. Where the compensation amounted to $3,000 per annum, expenses of clerk hire were allowed, but no amount was allowed for office rent, and it was incumbent upon the receiver to furnish his own office.

The following letter from the Interior Department shows conclusively that during this time said receiver, Moses M. Bane, drew compensation of $3,000 per annum, and during 1877 was allowed $1,750 for clerk hire, and during 1878 was allowed $1,400 for clerk hire; hence, under the law, was not entitled to any allowance for office rent:

DEPARTMENT OF THE INTERIOR,
Washington, January 16, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives.

MY DEAR MR. BLANTON: Reference is had to your letter of January 6, relating to a bill pending before Congress to pay to the heirs of Moses M. Bane the sum of $1,080 to cover certain money he was alleged to have paid out of his private funds for office rent at Salt Lake City, Utah, during the years 1877 and 1878, while receiver of public moneys. You submit four questions for answer, and they will be answered in the order submitted.

1. The records of the General Land Office show that Mr. Bane received $3,000 as compensation for each of the years ended December 31, 1877, and December 31, 1878.

2. This $3,000 was the total amount received for each year, and it was made up of $500 as regular salary and $2,500 allowed as fees and commissions received at the office.

3 and 4. An amount of $1,750 was paid as clerk hire for the year ended December 31, 1877, and an amount of $1,400 was paid as clerk hire for the year ended December 31, 1878.

The records do not show how much of the amount paid for clerical services was paid for service to the receiver separately from that rendered to the register. The amount paid was for necessary services rendered at the land office.

Cordially, yours,

ALEXANDER T. VOGELSANG,
Acting Secretary.

Moreover, this case was submitted to the Court of Claims, which on July 11, 1884, rendered the following adverse opinion:

"The conclusion of the court is that the claimant has no legal claim on the Department of the Interior for reimbursement of the money paid by him for office rent; and it is ordered that a copy of the finding of fact and of this opinion be transmitted to that department for its guidance and action."

I respectfully submit that this claim is without merit, and that not a dollar should be paid thereon.

THOMAS L. BLANTON.

[House Report No. 1042, Sixty-fifth Congress, third session.]

F. M. BARFIELD (H. R. 7253).

Mr. BLANTON submitted the following minority report:

I can not agree with my colleagues on the committee in favorably reporting this bill. From the report of Hon. Otto Praeger, Acting Postmaster General, dated May 18, 1916, concerning the payment of this claim, I call attention to the following:

"The evidence shows that the outer door of the safe in said post office was opened without the use of force. * * * The postmaster stated to the inspector he believed that he had locked the safe on the night before the burglary, but was not positive enough to make affidavit to that effect. He recalled several occasions on which he had failed to lock the safe, from the fact that he had found it open in the morning when he arrived at the office. It appears further that the postmaster purchased this safe at second hand, and that he never changed the combination of the lock, as required by section 356 of the Postal Laws and Regulations of 1902, which reads in part as follows:

"5. A postmaster upon taking charge of his office shall immediately change the combination on every safe therein, and where at any time a safe is procured, either new or second hand, he shall immediately change the combination. Failure to make such change shall be considered as prima facie evidence of contributory negligence on the part of the postmaster in any case where claim is made for credit for money or other property stolen from such safes which have been opened without resort to violence.

"The postmaster's failure to change the combination of his safe was considered negligence within the meaning of the statute cited, and for that reason, together with his inability to certify definitely that the safe had been locked, his claim was disallowed under date of January 18, 1910."

On December 19, 1918, CONGRESSIONAL RECORD, bottom page 705, I made the following observation:

"I want to call the attention of the committee to the fact that during the past fiscal year there were 664 claims made in the Post Office Department by 664 different postmasters, aggregating $98,966.40, which were allowed by the Postmaster General and paid, not claims made and disallowed but claims made and allowed by the Postmaster General."

If during the past fiscal year the Post Office Department approved and paid off claims of this character aggregating $98,966.40 made by 664 different postmasters, we can understand that when the Postmaster General disapproves and refuses to pay a claim, he has a very good reason for it.

In this particular case the postmaster was clearly guilty of negligence in two respects: First, in not changing the combination after purchasing his secondhand safe; and, secondly, in not closing the outside door with combination such as it would have required force to open it.

If we establish the precedent of allowing this claim, we can not refuse to allow hundreds of other claims made by postmasters that the Post Office Department has turned down because of a noncompliance with rules.

THOMAS L. BLANTON.

I respectfully submit this is my only means of getting these minority reports before the attention of my colleagues. It is well known that on Private Calendar day practically all Mem-

bers leave the House, except the ones interested in some private bill and one who expects to get his bill passed hestitates to vote against another's bill, hence anyone who starts a fight against a bill on that day has his case tried by a stacked jury. On such bills only 200 copies of the report are printed, one-half going to the Senate, hence it is impossible to send a copy of a minority report to Members. By watchful attendance upon proceedings up to this time I have succeeded in preventing such bills from being taken up through unanimous consent and none of the bills against which I have filed minority reports has thus far passed.

I also desire to call attention to H. R. 4015 seeking to pay $1,000,000 to the McClintic-Marshall Construction Co. An attempt was made a year ago to favorably report this bill simply because it had been approved by Gen. Goethals.

Illustrating the fact that even great men may occasionally err in judgment, I call your attention to the bill H. R. 2913, which our great Secretary of the Interior had drawn and introduced April 13, 1917, as a war measure, asking Congress to give him $5,000,000 to farm with on behalf of the Government. Mine was the only dissenting vote in the Committee on Irrigation of Arid Lands against it, and since the bill is now dead and this $5.000,000 is saved no Member will now contend that it was a wise measure. I call attention to the following portion of my minority report against same:

[Report No. 107. July 14, 1917.]

VIEWS OF THE MINORITY.

Mr. BLANTON submitted the following minority views:

From the birth of this proposed legislation, I have fought in the committee a single-handed fight against certain of its features and provisions as being unwise, unnecessary, wasteful, extravagant, nonproductive of good, and wholly uncalled for even in the present war emergency.

To understand fully the merit of the objections to this bill it is necessary to review its history, and incidentally to remember that it is offered solely as an emergency war measure, and unless it is such it clearly has no standing.

In the form in which the original draft of this bill was first discussed in the office of the Secretary of the Interior it contained only two provisions for which an appropriation was deemed necessary; one to permit said Secretary to have cultivated all uncultivated public lands within reclamation projects, and the other to permit said Secretary to commandeer the private lands of individuals, forcibly take possession of same, where located within irrigation projects, and grub, clear, level, ditch, fence, improve, and cultivate the same on behalf of the Government, paying to the owners of such lands whatever compensation therefor as said Secretary should deem reasonable, and in the end charging the expense of all improvements to the owners, and holding their lands until the same was paid. For these purposes the original draft of the bill when first discussed in said Secretary's office provided for an appropriation of $2,000,000 to be reimbursed by the reclamation fund.

Before presenting the proposed measure to Chairman Taylor for introduction, however, Director Davis, of the Reclamation Service, without consulting the Secretary of the Interior or anyone else about it, on his own motion raised the proposed appropriation from $2,000,000 to $5,000,000, and thus the bill was introduced on April 13, 1917, as House bill 2913.

Director Davis considered the necessity for immediately enacting such provisions into law so urgent that on April 16, 1917, before the minority members of the committee had been officially named and the committee regularly organized, a few members of the committee were called together to give Director Davis a hearing on the bill before he left on a trip, and at this meeting it was agreed not to require the reclamation fund to reimburse the Treasury for said appropriation of $5,000,000.

Realizing the many obstacles that would certainly beset the Secretary of the Interior in any effort he might make to farm successfully at long range on behalf of the Government, from the beginning I obstinately fought these provisions of the bill.

* * * * * * *

I respectfully submit that this is no time for the Government of the United States to make such costly experiments or investments. * * *

I have heartily supported President Wilson in all of his war plans, and I intend to continue to heartily support him in all of his plans and policies for bringing about a successful termination of this war; but it can not be claimed that this is a plan or policy of the President, for up to the time this bill was reported out of the committee the President knew nothing of its provisions. It even can not be said that it is a plan or policy of the Secretary of the Interior, for, as above stated, all provisions requiring an appropriation were stricken out of said original bill, House bill 2913, and the sections now in the present bill requiring an appropriation were suggested by Dr. Mead as a means of expending the $5,000,000 appropriation left in the bill at the time said original idea of the Secretary was stricken out.

It is well recognized that the first and most substantial equity which a farmer of limited means obtains in raw land is the labor he expends in improving same—the grubbing, clearing, leveling, ditching, fencing, breaking—something he and members of his family in most instances accomplish by the sweat of their brow and without finances. * * *

Just now the United States is in debt. Each day it is growing deeper and deeper in debt. The people are soon to be taxed more heavily than ever dreamed of before in the history of our Nation. Thousands of people are now unable to make ends meet. For every five million here and five million there it will be necessary for us to add a greater burden upon the people who are patiently relying upon Congress to protect them. In such times it pays a Government, just as it does an individual or business establishment, to pause and ask the practical question, "Is it absolutely necessary?"

It must be kept in mind that the hearings before the committee developed the fact that from such lands practically no crop can be expected as a result of the first year's cultivation, that a very small crop may be expected the second year, and a still larger one the third year of cultivation.

* * * * * * *

By expending one-fifth of this proposed amount, in constructing the Red Bluff project on the Pecos River in New Mexico, several hundred thousand acres of fertile lands in the Pecos Valley of New Mexico and Texas would be made productive—not three years hence, but next year—and would be cultivated by willing farmers who are amply prepared to clear, cultivate, and improve the lands and harvest their crops without any special sugar coating on the part of the Government.

* * * * * * *

The people living in the Pecos Valley are prepared to demonstrate conclusively to the Reclamation Service that this proposed reservoir will hold like a jug, and that by constructing this dam and project it will redeem and reclaim several hundred thousand acres of fertile lands in the Pecos Valley in Texas and New Mexico which are now nonproductive merely for the want of water, and that during flood time ample water would be impounded to answer all requirements.

By using another one-fifth of this proposed appropriation in constructing a dam and project on the Colorado River in Mitchell, Coke, or Runnels County several hundred thousand acres more of fertile lands could be made productive, with ample labor, ready and willing, to cultivate and harvest bumper crops that would be certain with such water assured, and it would be wholly unnecessary for the Government to spend $5,000,000 such as is proposed by this bill.

If another one-fifth of this proposed appropriation were expended in constructing a dam and project on either the Concho, San Saba, or Llano River several hundred thousand more acres of fertile Texas lands could be made highly productive, with ample labor ready and willing to cultivate and harvest crops, and no $5,000,000 sugar coating by the Government would be necessary, as all on earth these good people ask is water. And we could then keep the remaining $2,000,000 in the Treasury.

Congress should see to it that during this war emergency at least all unnecessary waste of public money should stop. Our constituents have confidence in us and are relying upon us. They are going to demand an explanation from us next year.

THOMAS L. BLANTON.

I am indeed glad to note that Secretary Lane has expressed his approval of a plan to reclaim our semiarid lands by the erection of dams and irrigating systems and conserving the flood waters. It will mean much to western Texas.

Getting back to the McClintic-Marshall Construction Co. claim, after giving this case careful investigation I ascertained there was no merit in it. I requested a special hearing on it, and now quote a portion of the examination of one of the main representatives of the claimant from the printed committee hearings, to wit:

MCCLINTIC-MARSHALL CONSTRUCTION CO. CLAIM.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON CLAIMS,
Friday, May 3, 1918.

The committee met at 10 o'clock a. m., Hon. HUBERT D. STEPHENS (chairman) presiding.

The CHAIRMAN. We will now take up the McClintic-Marshall case.

Mr. BLANTON. Mr. Chairman, there are a few question I would like to ask.

The CHAIRMAN. Whom do you desire to interrogate first?

Mr. BLANTON. Mr. Sterrett.

ADDITIONAL STATEMENT OF MR. W. M. STERRETT.

Mr. BLANTON. Your company is not claiming anything more than the terms and provisions of this contract which they signed and executed would warrant, are they?

Mr. STERRETT. You mean claiming any more than was claimed before the committee?

Mr. BLANTON. Let us get our minds away from the committee and get back to the contract. Your company executed a contract with the commission to do certain work on Panama locks, did they not?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Under that contract you were paid all that your contract provided for, were you not?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Under the terms of the contract; and how much more were you paid by the Government?

Mr. STERRETT. I do not think any more.

Mr. BLANTON. Do you not know that your company was paid approximately $300,000 in cash more than the amount that the contract provided for by the Government?

Mr. STERRETT. No, sir.

Mr. BLANTON. Well, that is a fact. If you will investigate it, you will find that is a fact, as shown by the warrants which your company has received and which are now in the Treasurer's office. Then, you are asking for approximately $1,000,000 here, now, more or less. If what I have said is true, then you are asking for that much money more than you have now been paid under your contract. Is that the fact?

Mr. STERRETT. I can not answer your question. I do not think that is correct.

Mr. BLANTON. On investigation you will find it is correct.

Mr. STERRETT. What I might say is that the contract was on a weight-price basis. Certain weights were assumed at the start, and on the basis of those assumed weights a lump sum was worked out, but we were paid later on the actual weight.

Mr. BLANTON. Do you not know that the contract provides for a weight basis, and that any weight of parts over and above that basis is to be paid for at the same rate of compensation as provided for in the contract? Do you not know that to be a fact?

Mr. STERRETT. Yes; that is in the contract.

Mr. BLANTON. And do you not know that the contract further provides for a certain percentage of weight over the weight provided for in the contract for which there is to be no extra compensation—weight of the various parts? That is a fact, is it not?

Mr. STERRETT. There is a provision in the contract that we can not vary beyond a certain percentage.

Mr. BLANTON. And that up to a certain percentage there shall be no extra compensation?

Mr. STERRETT. That is true.

Mr. BLANTON. Is it not a fact that under the terms of that contract your company was to finish certain locks at a certain specified time? For instance, the Gatun Lock and the other two locks were to be finished at a certain specified time, were they not?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Is it not a fact that with respect to those locks and the time specified time was of the essence of that contract? You know what is meant by that legal term, do you not, essence of the contract?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Time is of the essence of the contract?

Mr. STERRETT. Yes.

Mr. BLANTON. Time was of the essence of that contract with respect to the completion of those certain locks; is not that the fact?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Do you not know it to be the fact, with respect to every single lock, that your company was behind to a considerable extent beyond the time specified in the contract? Was not that true in the case of every single one of them?

Mr. STERRETT. With the original contract that is correct.

Mr. BLANTON. So far as every contract is concerned, the original contract and every single supplemental contract, that is true, is it not?

Mr. STERRETT. No, sir.

Mr. BLANTON. It is not true?

Mr. STERRETT. No, sir.

Mr. BLANTON. Have you investigated that lately and looked through those matters?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Do you not know it to be a fact that this commission found that to be the fact?

Mr. STERRETT. No; it did not.

Mr. BLANTON. You say you did not?

Mr. STERRETT. I say they did not.

Mr. BLANTON. They did not?

Mr. STERRETT. They did not.

Mr. BLANTON. Of course, that is your opinion. Then, if, as a matter of fact, the commission did find that to be true, you are incorrect in your statement?

Mr. STERRETT. I suppose that I am.

Mr. BLANTON. That is a logical conclusion. Mr. Sterrett, is it not a fact that this Government, under its contract, acting through the Isthmian Commission, reserved the right to delay any single part or all of this work whenever it deemed it necessary?

Mr. STERRETT. I think there was a provision to that effect.

Mr. BLANTON. There was a specific provision with reference to that matter with only this reserving clause: That for whatever time the Government delayed any matter that time of delay was to be added to your time within which the work was to be completed?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Did not the contract provide that there should be no damages whatever claimed by your company for the delays on the part of the Government in making investigations?

Mr. STERRETT. I can not answer that.

Mr. BLANTON. Are you not sufficiently familiar with your contract to answer that question?

Mr. STERRETT. I do not remember.

Mr. BLANTON. Is it not a fact that this Government in this contract which you signed provided that it should have the right to make any change which its chief engineer deemed necessary at any time? Is it not a fact, and also that you should charge no extra compensation for any such change unless you at the very time that change was proposed, and before the work was done, should make a claim and have it understood and agreed upon by the Government at that time? Did not the contract provide for that?

Mr. STERRETT. That is correct.

Mr. BLANTON. And did not the contract further provide that unless you saw fit to exhaust your remedy provided for in the contract that you waived any claim for damages by reason of any change? Does not the contract specifically provide for that?

Mr. STERRETT. I do not know whether it says we waive it, but we are allowed no claim.

Mr. BLANTON. You make a claim here for certain material which you say is a better class of material than you were obligated to furnish. Is not that the fact?

Mr. STERRETT. No; there was no claim about the class of material. The claim was about the class of workmanship.

Mr. BLANTON. Are you sure that part of your claim does not embrace the charge that you furnished material of a better class than was provided for in the specifications?

Mr. STERRETT. No, sir.

Mr. BLANTON. But you do say that you furnished a better class of workmanship?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Do you not know it to be the fact, Mr. Sterrett, that this contract provides that this Government is to have everything about this transaction first class, of the very best quality possible?

Mr. STERRETT. They are to have first-class workmanship.

Mr. BLANTON. There are two different clauses in the contract which specifically provide for that, for the very best.

Mr. STERRETT. First-class workmanship.

Mr. BLANTON. Does not that mean the best?

Mr. STERRETT. If they agree to pay for that.

Mr. BLANTON. Does not the contract call for the best?

Mr. STERRETT. No, sir.

Mr. BLANTON. It does not?

Mr. STERRETT. No, sir.

Mr. BLANTON. I do not want you to feel that I am antagonistic to you or your company, because whatever in this investigation the facts show the company is entitled to I expect to vote to the very last dollar and cent. I am merely trying to get the facts, and I want you to feel I am not antagonistic to you or your company, but am doing it merely from a sense of duty, and do not want to be in an attitude of trying to confuse you in any way.

Mr. Sterrett, is it not a fact that all along through this work from month to month certain changes did occur that were required, and did not your company at that time make any claim for extra compensation and by supplemental agreements such compensation was agreed to then and there, and they received payment for them from time to time?

Mr. STERRETT. No, sir.

Mr. BLANTON. There was nothing like that occurred? There was never any agreement as to any change in that contract for which you claimed and did receive compensation?

Mr. STERRETT. I do not remember.

Mr. BLANTON. Then I want to ask you why it was the Government paid, and you received, $300,000 more than the contract called for?

Mr. STERRETT. I explained that to you.

Mr. BLANTON. How?

Mr. STERRETT. On account of the weight running more than the original estimates.

Mr. BLANTON. Then you claim, if I understand you correctly, that all of this $300,000 that your company received more than the contract price was for extra weight of material? Do you claim that?

Mr. STERRETT. That is my remembrance of it. Of course, this is a pretty big contract, and there may be some changes I do not remember about, but I do not remember of any change in the contract. I think that is correct.

Mr. BLANTON. If you will study it carefully, you will find that you were incorrect about that. I just merely state that for your benefit. Is it not a fact that on no item which is embraced in your claim under consideration at this time did you at the time claim extra compensation and have it thrashed out at that time? Is not that a fact?

Mr. STERRETT. No; I think that is not correct.

Mr. EDMONDS. Make your question different.

Mr. BLANTON. I understand you to say, Mr. Sterrett, that there are some weight estimates in your claim under consideration where at the time you did claim compensation then and there, for which you have received no compensation?

Mr. STERRETT. Yes, sir; there are.

Mr. BLANTON. Please state to this committee what they are; please enlighten us on that question.

Mr. STERRETT. The water stops.

Mr. BLANTON. You did take them up at the time with the engineer and have an agreement and understanding in accordance with the specifications?

Mr. STERRETT. You did not ask that; you asked whether we claimed——

Mr. BLANTON (interrupting). I mean whether you complied with the terms of the contract by thrashing it out and having it understood at that time. Are there any points embraced in your claim that that occurred in connection with?

Mr. STERRETT. I think not.

Mr. LITTLE. What is the crucial point?

Mr. BLANTON. The contract provides that this company, where it claims extra compensation for any change made, or for any matter in connection with the construction of these locks, before it shall be entitled to any compensation other than that provided in the contract, must at the very time make a charge for extra compensation and damages to the chief engineer and have it thrashed out and agreed upon at that time; otherwise it shall be waived.

Mr. LITTLE. And that is in the contract?

Mr. BLANTON. And that is in the contract.

Mr. LITTLE. Do you claim that he concedes that he let that moment go by?

Mr. BLANTON. He says none of these items were claimed at that time and thrashed out.

Mr. LITTLE. Was there not in their opening statement some explanation of why that was done; and if so, I would like to have him explain that?

Mr. BLANTON. This is a very voluminous contract, but I would like to read certain portions of it into the record, to be taken in connection with this interrogation. This is the main contract that was signed and executed. It provides:

"It is further understood, covenanted, and agreed that the commission may delay the commencement of the erection of any or all of the gates and fixed parts for the reason that it has not completed the masonry or the fixed ironwork, or for any other reason it may deem sufficient to justify such action; and, if at any time the commission shall deem it necessary so to do, it may suspend the work of erection on any or all of the gates and fixed parts covered by this contract, in which case the contractor shall, without expense to the commission, properly cover over, secure, and protect such of the work as may be liable to sustain injury from the weather or otherwise. The commission may also direct the order in which the different gates and fixed parts in a given lock shall be erected, and it may require that any gate and the fixed parts necessary for same in any twin flight of locks shall be completely erected on or before a date fixed herein for the erection of any other gate in such twin flight of locks, and in such case the provisions of this contract relative to liquidated damages for delay shall subsist, take effect, and be enforceable in the same manner and to the same extent as if the date thus fixed was originally specified herein."

In that connection, is it not a fact that your company agreed that, for every day's delay over and above the time specified in the contract on any of these locks, they should respond to this Government in liquidated damages, so much for each day's delay?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. It goes on:

"*Provided*, That in all such cases the contractor shall be granted an extension of time within which to complete the erection of any or all gates so delayed in erection, equal to the period of any delay caused by any such delays in the commencement of erection, suspension of work, or change of dates, but he shall not be entitled to any payment as additional compensation or as damages on account of any such suspension of work, delay in commencement of erection, or change in time or order of erection of gates."

The whole compensation was to be an extension of time in which he was to complete the work.

"ART. III. It is further understood, covenanted, and agreed that all materials and workmanship"—

Both materials and workmanship, mind you—

"used and applied under this contract, in details and finish, shall be first class and of the very best quality."

I want you to catch that, members of the committee, that everything, material, workmanship, everything shall be first class and of the very best quality.

Mr. MERRITT. What does it say right after that?

Mr. BLANTON. I will read all of it. It says:

"And that all materials, both in the form of raw materials, and at every stage of manufacture, and all workmanship shall, from the beginning to the end of the work, be subject to the inspection of the chief engineer of the commission, or his authorized representative, and

that the commission's inspectors shall have free access at all time to any works where any raw materials or manufactured parts covered by this contract are located for the purpose of examining such raw materials or manufactured parts, and for the purpose of witnessing any and all processes of manufacture, and they shall have free access at all times to any and all parts of the erecting plant and all other parts of the work on the Isthmus."

There is a whole lot about inspection that you do not care about.

"It is further understood, covenanted, and agreed that the commission's inspectors may at any time reject any or all work or material not in accordance with this contract, and the right to reject any and all defective work or material shall continue until final inspection and acceptance and payment for material and work herein provided for, regardless of any prior inspection, payment, or act of the commission, and such defective or unsatisfactory material or work shall be promptly removed, remedied, or replaced by the contractor without expense to the commission."

Then there is a penalty for the contractor refusing to do that.

"ART. IV. The contractor shall prepare and submit to the commission in duplicate all necessary working drawings"—

and so on. Then it says:

"The approval of such drawings shall be taken as certifying only to the general agreement of the working drawings with the contract plans as to arrangement and sizes of the principal members, but shall not relieve the contractor from full responsibility for the correctness of his shop drawings, for errors in details, such as rivet spacing, clearances, packing of plates, etc., which might interfere with either the strength or appearance of the finished work or with accurate and speedy erection.

"The contractor shall be solely responsible"—

and so on. There are two other clauses:

"The commission, however, reserves the right to make any minor changes it may see fit to make in the original contract drawings, the working plans, and specifications for material and workmanship prior to the final acceptance of any part of the finished material: *Provided, however,* That for any extra expense incurred by the contractor for material furnished or ordered, drawings made, or work executed prior to the time of receiving notice of such change, the contractor shall be reimbursed at reasonable rates to be fixed, in any case, by agreement between the contracting parties."

Notice particularly this clause:

"Any claim for such changes shall be made by the contractor at the time of the change or no allowance will be made or money paid on account of the same. The contractor shall also furnish the commission"—

and so on. That is brought forth in an additional article in this contract specifically:

"ART. X. The contractor agrees to make no claim for compensation for any work, labor, or materials over and above that specified or called for in the contract, specifications, and plans, unless same shall have been agreed upon in writing by the parties to the contract before such work shall have been commenced or the labor or materials furnished."

Mr. BLANTON. I want to give you an opportunity to get yourself right in the record, because I do not want to take advantage of you in your absence when we take the matter up. You stated in answer to my question that all of this $300,000 extra compensation was for extra weight in parts, and that at no time did you make extra claims, and that they have been adjudicated and agreed upon and you have received compensation for them. I want you to get right on that. I have here before me copies of supplemental agreements certified to Mr. J. L. Baity, who is Auditor for the War Department, which are probably familiar to you, and some of them are known as supplemental contract, dated June 15, 1911. This contract was dated June 21, 1910?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Here is a supplemental contract of June 15, 1911, a year after the original contract. Here is another of December 16, 1911, which is nearly a year and a half after the original contract. Here is a supplemental agreement of February 7, 1912; here is another of June 13, 1912; here is another of January 14, 1913; here is another one of May 20, 1913, nearly three years after the original contract. Do you still maintain before this committee that you did not raise claims and have supplemental agreements and receive certain extra compensation under those? Do you still maintain that before the committee, after I call your attention to these?

Mr. STERRETT. The best I can say is that I have answered as far as I know. I think Judge Harrah can answer that.

Mr. BLANTON. Judge Harrah is supposed to represent the Government, and I am asking you as one of the interested parties whose claim we have up before us for consideration. You are asking us to take a million dollars of the people's money in time of war out of the Treasury and pay you on the contract, and I am interrogating you about that claim.

Mr. STERRETT. All I can tell you with reference to those supplemental agreements is what I have answered.

Mr. BLANTON. I do not believe under the terms of this contract that this company is entitled to one single dollar. I think that when they were paid the $300,000 they were paid more than the contract price, and they were paid every cent that was due them.

The full contract compensation was $5,374,474.82, the compensation provided for in the contract, the amount certified to by J. L. Baity, Auditor for the War Department, who says:

"In compliance with your indorsement of the 23d instant, on letter of Hon. THOMAS L. BLANTON, M. C., of the Committee on Claims, dated April 22, 1918, received at 2 p. m., the 24th instant, and which is returned herewith, requesting statement of total amount paid the McClintic-Marshall Construction Co. by the Isthmian Canal Commission under contract dated June 21, 1910 (W. O. 23444), for constructing lock gates for the Panama Canal, and supplemental contracts thereto, and copies of the contracts and circular, I have the honor to report that the total amount paid the contracting company under said contracts as shown by vouchered payments in this office was $5,753,725.63, from which may be deducted for one shipment lost, which was refunded and later replaced, $77,538.66, leaving net amount paid on this contract of $5,676,186.97."

Now, taking the contract consideration of $5,374,474.82 from the net amount paid on this contract of $5,676,186.97, there is a balance of $301,712.15 over and above the contract consideration that was paid.

I shall endeavor to prevent any of the above claims being passed, and I will appreciate my colleagues giving same their careful consideration, so that they may vote intelligently upon such bills should they be called up for passage.

Omnibus War-Claim Bill.

EXTENSION OF REMARKS

OF

HON. WILLIAM GORDON,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. GORDON. Mr. Speaker, under the unanimous consent granted to me I print in the RECORD the following correspondence relative to the omnibus war-claims bill, and also the following decision of the Supreme Court of the United States, in relation to the same subject, found in Two hundred and sixteenth United States, page 494:

CLEVELAND, *February 6, 1919.*

Congressman WILLIAM GORDON,
Washington, D. C.

DEAR SIR: There will be introduced in Congress in the near future a bill affording relief to contractors who had contracts for the erection of Federal buildings in different parts of the country at the time war was declared against Germany. Because of war conditions work on these buildings was seriously interfered with by the Government, and they were completed, or are being completed, at a heavy financial loss to the contractors.

This work was considered nonessential; and as restrictions were placed upon all building materials by the War Industries Board for so-called nonessential work, progress on this work was impossible.

In addition to this, many of these buildings were adjacent to the large cantonments, nitrate plants, shipyards, etc., which was necessary construction brought on by war conditions, requiring all available labor.

The object of the bill is to reimburse these unfortunate contractors for actual increased costs occasioned by the activities of the Government during the war, and is not intended to allow them any profit that might have accrued under ordinary conditions.

The Government is receiving these buildings, even if the relief is granted, at a greatly reduced cost, and the relief may save many reputable contractors from bankruptcy.

We would ask that you, in the interest of all contractors and the construction industry as a whole, consider this bill most seriously. We believe that the extensions granted to contractors involved in this work are only fair and equitable. The contractors came to the support of the Government in the war emergency most loyally and handled the problem put to them in a way that excited the admiration of the entire country. Those who were not employed on Government work did not quibble because of their total inactivity, due to the total stoppage of all nonessential work by the Government.

The Government looks to the building industry first to secure a resumption of peace-time business. The efforts of every locality are now devoted to stimulate building construction.

The building industry always has been the thermometer of the condition of the country. An industry of such importance is worthy, we feel, of your support and assistance, required now because of the development of conditions absolutely unforeseen.

Very truly, yours,

THE CROWELL-LUNDOFF-LITTLE CO.
A. R. MCCREARY,
Vice President and General Manager.

FEBRUARY 9, 1919.

The CROWELL-LUNDOFF-LITTLE CO.,
Euclid Avenue at Fifty-seventh Street,
Cleveland, Ohio.

GENTLEMEN: I have your letter of the 6th instant, in which you say that a bill will be introduced affording relief to contractors on Government work who have been interfered with by the Government since war was declared against Germany.

The bill will receive my careful consideration, but I would not be entirely frank with you if I did not say that in my judgment no legislation on such a subject of the "omnibus" variety, that is, covering all Government contracts, ought to be enacted by Congress, and in my opinion each case of the kind referred to by you ought to be presented in a separate bill and the facts and circumstances surrounding it considered on their merits.

The principal reason, which will readily occur to those familiar with our form of Government, is that there is no legal basis for any such claims, and a law which would be just to the contractor and to the Government in one case might be wholly inappropriate and unjust in another; furthermore, blanket authority to settle and adjust such claims would involve the delegation by Congress to some executive department or to some commission or person a function which belongs only to Congress and might result in payment out of the Public Treasury of large sums in damages resulting from the exercise of unauthorized, arbitrary, or unlawful powers by executive officials and others assuming to act in their name or behalf.

Not all loss and damage resulting from war can properly be made the basis of a claim against the Public Treasury.

The House of Representatives recently rejected by a vote of more than 3 to 1 one of these omnibus bills authorizing one of the executive departments to settle, adjust, and pay alleged claims of some citizens who had engaged in the business of opening and operating mines for the production of certain minerals. It appeared that one of the departments, anticipating a shortage in these minerals, called a convention last summer of those owning or controlling lands upon which they could be found, and as a result of this conference legislation was recommended and enacted by Congress authorizing the President, upon a finding by him that a shortage actually existed in any of these minerals, to contract for the opening and operation of mines for their production, and authorized the appropriation of $50,000,000 for the purpose.

No shortage was ever found or proclaimed by the President to exist, and for that reason the legislation never became operative; but a large number of claims have been presented for producing, or attempting to produce, these minerals, and it was proposed to give blanket authority to one of the executive departments for the allowance and payment of these claims.

Some of them may be meritorious, and if they are the claimants may present them on their merits by separate bills, and they will no doubt be allowed and paid; but no general legislation ought to be enacted to permit the payment of claims of this character.

In the case of the United States against Behan (110 U. S., 338) the Supreme Court of the United States announced the correct and only safe policy of those who assert a contract with or claim against the Government in the following words:

> It is the duty of persons dealing with public officials to inform themselves of the power of such officials to bind the Government.

Last summer the War Department caused the arrest of many thousands of citizens in the United States in a general man hunt for persons who had evaded the draft law by failing to register. A few hundreds of them were found to have violated the law, but all were imprisoned and detained until they could prove their innocence.

These arrests were in direct violation of the Constitution of the United States, which prohibits the seizure and imprisonment of a citizen except upon warrant, supported by oath or affirmation to facts showing probable cause. Every person, with the possible exception of the soldiers used, connected with these unlawful arrests, including the officials who ordered, procured, or induced them to be made, is liable in damages on a suit for false imprisonment to these thousands of citizens so unlawfully arrested and imprisoned. Would anyone seriously contend that damages to these citizens, so unlawfully arrested and imprisoned, should be paid out of the Public Treasury because men holding public office ordered or were concerned in them?

The Government is not liable, either legally or morally, for the unlawful acts of public officials; and to condone such official misconduct by the payment of damages out of the Public Treasury to the persons injured would lend aid and encouragement to violence and public disorder on the part of public officials, and would be contrary to public policy.

The political party which will come into power in both branches of Congress on March 4 next has a very strong predilection for the creation of commissions. When men in public office desire to evade official responsibility for neglect or misconduct affecting the public interests they usually appoint a commission to absorb and divide the odium.

Resort to commissions is generally usual when it is desired to pay out public money on doubtful legal ground, and damage claims arising out of a state of war are the fruitful source of these commissions, and I am very much opposed to them and to the delegation of official authority generally.

For these reasons and others not enumerated I shall oppose any bill conferring authority on any commission or person to allow and pay war claims against the Government.

If necessary to ascertain the facts in a given case, it may be sent to the Court of Claims, created by Congress for that purpose.

Yours, truly,

WILLIAM GORDON.

[William Cramp and Sons Ship and Engine Building Company *v.* United States. Appeal from the Court of Claims. No. 92. Argued January 19, 20, 1910. Decided February 28, 1910.]

Executive officers are not authorized to entertain and settle claims for unliquidated damages.

The Secretary of the Navy had power under the acts of June 10, 1896, c. 361, 29 Stat., 378, authorizing the building of the *Alabama*, and of August 3, 1886, c. 849, 24 Stat., 215, to make a change in the terms of the contract requiring a final release to be given so that such release should not include claims arising under the contract which he did not have jurisdiction to entertain, and under a proviso in the release to that effect the contractors are not barred from prosecuting their claim before the Court of Claims for unliquidated damages.

In this case a provision in a Government contract having been treated by both parties as impracticable and therefore waived, the Secretary had power to change the terms of the release required by the contract, and leave the claims of the contractor to be presented to the Court of Claims. (Cramp & Sons *v.* United States, 206 U. S., 118, distinguished.)

Under the Tucker Act the Court of Claims has jurisdiction of a claim for unliquidated damages under a contract for building a war vessel, where a release had been given by the Secretary of the Navy with a proviso that it does not include claims arising under the contract other than those of which the Secretary has jurisdiction.

43 C. Cl. 202, reversed.

The facts are stated in the opinion.

Mr. James H. Hayden, with whom Mr. Robert C. Hayden was on the brief, for appellant.

The contract did not obligate the claimant to relinquish the claim in suit, or any other claims that might accrue to it for breach of the contract by the United States. The contract itself was not a release of such claims. The acceptance by the claimant of the last payment did not create a bar to the claimant's right of action for the breach committed by the United States.

Performance by the Government of its covenant to supply armor failing, the builder's agreement to release went with it. "If part of the consideration agreed on be not performed, the whole accord fails." (City of Memphis *v.* Brown, 20 Wall., 289; Bank *v.* Leech, 94 Fed. Rep., 310; 1 Smith's Leading Cases, 5th Am. ed., 445.)

The elaborate and tautological expressions contained in the fifth paragraph of the release do not overcome the particular words of limitation contained in the proviso, which limited the operation of the release to claims which the Secretary of the Navy had jurisdiction to entertain. (Texas &c. R. Co. *v.* Dashiell, 198 U. S., 521.)

The Secretary of the Navy and the Cramp Company were correct in the opinion expressed by the former and acquiesced in by the latter that the claim being one for unliquidated damages is of a kind the department has no authority under the law to entertain. By the saving clause which was finally included in the release they adopted apt words to carry out their purpose to leave the claim in suit open and unsettled. Executive officers of the Government can not entertain such claims, even when they grow out of contracts made by them. (Op. Atty. Gen., ed. 1841, 882. See also McKee *v.* United States, 12 C. Cl., 514, 555; Power *v.* United States, 18 C. Cl., 263, 275; McClure *v.* United States, 19 C. Cl., 18, 28; Brannen *v.* United States, 20 C. Cl., 219, 223; Pneumatic Gun Carriage Co. *v.* United States, 36 C. Cl., 627, 630.)

To give the release or the claimant's acceptance of the last payments the effect claimed for them by the Government and given them by the court below would be to use them in a way not justified by the terms of the release or intended by the parties and would allow the Government to commit a fraud. (Parmlee *v.* Lawrence, 44 Illinois, 405, 409; Fire Ins. Assn. *v.* Wickham, 141 U. S., 564, 576, 582.) If the terms of the release were obscure, which they are not, it would have to be interpreted in such a way as to carry out the intent of the parties, to be ascertained from the correspondence which passed between them. (United States *v.* Peck, 102 U. S., 64; Merriam *v.* United States, 107 U. S., 437, 441; United States *v.* Gibbons, 109 U. S., 200, 203; Chicago &c. R. Co. *v.* Denver &c. R. Co., 143 U. S., 596, 609; Nash *v.* Towne, 5 Wall., 689, 699.)

The Secretary had legislative authority to make a contract for the construction of the vessel in question, and while this was limited in some particulars, it was broad. He was as free to exercise his judgment in the modification of the contract as to the release as he was to make the contract in the beginning. (United States *v.* Barlow, 184 U. S., 123; Solomon *v.* United States, 19 Wall., 17; Redfield *v.* Windom, 137 U. S., 636.) This case is not governed by United States *v.* Wm. Cramp & Sons, 206 U. S., 118, known as the "Indiana" case.

It was the builder's right and obviously it was for the best interest of the United States, as well as its own, to proceed with the work as best it could, complete it, and sue for damages caused by the breach. (2 Parsons on Contracts, 679; Clark *v.* United States, 6 Wall., 543; United States *v.* Speed, 8 Wall., 77; United States *v.* Behan, 110 U. S., 338, 344; Figh *v.* United States, 8 C. Cl., 319; Myerle *v.* United States, 33 C. Cl., 1; Cornwall *v.* Henson, 2 Ch. (1900), 298, 300; Hudson on Building Contracts, 1907, 303, 524; Stubbings Co. *v.* Exposition Co., 110 Ill. App., 210; Nelson *v.* Pickwick Co., 30 Ill. App., 333; Del Genovese *v.* Third Ave. R. R. Co., 13 N. Y. App. Div., 412; S. C., 162 N. Y., 614.)

Mr. Assistant Attorney General John Q. Thompson and Mr. Franklin W. Collins for the United States:

The proviso is not sufficient to confer upon appellant right of recovery.

The failure of the delivery of the armor by the Government within the times and in the order required to carry on the work properly had been fully provided for in the contract in other ways and had nothing whatever to do either as consideration or otherwise with the release which was required by the contract. While the contract itself may not be a release of such claims as those in suit, it nevertheless provided for a release of all claims growing out of the contract. (Texas &c. R. Co. *v.* Dashiell, 198 U. S., 521.)

While the Secretary of the Navy may have power to direct the modification of a contract during the progress of the work, he has not after his discretionary powers have ceased and only a plain ministerial duty remains. The Secretary was clothed with authority to close the contract in a prescribed manner. He could not make the final payment until a full and final release of all claims was given by the contractor, neither could he modify or change the form of release required by the contract; but this does not conflict with the exercise of his discretionary powers in respect to changes and modifications while the work was in progress.

The courts will not assume to make a contract for the parties which they did not choose to make for themselves. (Morgan County *v.* Allen, 103 U. S., 515; Hudson Canal Co. *v.* Penna. Coal Co., 8 Wall., 276; Gavinzel *v.* Crump, 22 Wall., 308; Robbins *v.* Rollins, 127 U. S., 633; Culliford *v.* Gonillo, 128 U. S., 158); nor is the court at liberty either to disregard words used by the parties or to insert words which the parties have not made use of. (Harrison *v.* Fortlage, 161 U. S., 63; Calderon *v.* Atlas Steamship Co., 170 U. S., 280.)

Contracts are to be construed according to the intention of the parties as expressed therein, and the courts will disregard the motives, the purposes, or the expectations of a party thereto if these are not in harmony with the plain import of the words used. (See 54 Texas, 65; Clark *v.* Lillie, 34 Vermont, 405; Noyes *v.* Nichols, 28 Vermont, 159; Conn *v.* Lewis, 15 Kentucky, 66; Hildreth *v.* Forrest, 27 Kentucky, 217; Shultz *v.* Johnson, 44 Kentucky, 497; Salmon Falls Mfg. Co. *v.* Portsmouth Co., 46 N. H., 249.)

Mr. Justice Brewer delivered the opinion of the court.

On September 24, 1896, the appellant entered into a contract with the United States for the building of an ironclad, afterwards known as the *Alabama*. The contract was authorized by act of Congress of June 10, 1896, c. 399, 29 Stat., 361, 378. Under this act and that of August 3, 1886, c. 849, 24 Stat., 215, to which it refers, the Secretary of the Navy was charged with the duty of supervising the contract on behalf of the United States. After the completion of the vessel and the payment of the stipulated amount there was something asserted to be due to the building company as unliquidated damages on account of extra work caused by the United States, for which it brought suit in the Court of Claims. That court found the amount to be $49,792.66. Relying upon the decision of this court in a case between the same parties for also the building of an ironclad, the *Indiana* (United States *v.* Wm. Cramp & Sons Co., 206 U. S., 118), the Court of Claims rendered judgment for the defendant. The controversy in this, as in the prior case, turns upon the effect of a release. In that it was in this form:

"The William Cramp and Sons Ship and Engine Building Company, represented by me, Charles H. Cramp, president of said corporation, does hereby for itself and its successors and assigns, and its legal representatives, remise, release, and forever discharge the United States of and from all and all manner of debts, dues, sum and sums of money, accounts, reckonings, claims, and demands whatsoever, in law or in equity, for or by reason of, or on account of, the construction of said vessel under the contract aforesaid."

Here the same terms of release are used, but they are followed by this proviso:

"*Provided*, That this release shall not be taken to include claims arising under the said contract other than those which the Secretary of the Navy had jurisdiction to entertain."

That release was executed on May 18, 1896; this on April 19, 1901. We held that the former release settled all disputes between the parties as to claims "under or by virtue" of the contract. Evidently the proviso was incorporated with the purpose of accomplishing some change in the effect of the release. That purpose is disclosed by prior correspondence. On February 13, 1901, the Secretary of the Navy, answering a letter enclosing a claim for extra work of $66,973.23, writes:

"I have to state that while, from a casual consideration of the matter, it might seem proper that the papers should be referred to the bureaus concerned for examination and report, it appears, after a careful consideration of the subject, that the claim, being for unliquidated damages, is of a kind the department has no authority under the law to entertain."

To which the company replied, suggesting this proviso:

"*Provided*, That nothing herein shall operate as a waiver of this company's right to sue for and recover judgment in the Court of Claims for damages incurred or losses sustained by the company in the prosecution of the contract work which were occasioned by delays or defaults on the part of the United States"—

and adding, in response to the statement of the Secretary—

"that the claim being for unliquidated damages, is of a kind the department has no authority under the law to entertain"; that the act of March 3, 1887, c. 359, 24 Stat., 505, known as the Tucker Act, vests the Court of Claims with jurisdiction to hear and determine such claims. Some further correspondence followed between the parties, which culminated in a letter from the company, enclosing the release as finally executed, and saying:

"This (release) contains a clause which excepts from the operation of the release claims arising under the contract, which you, as Secretary of the Navy, had not jurisdiction to entertain."

It is well understood that executive officers are not authorized to entertain and settle claims for unliquidated damages. Opinion of Attorney General Taney, in which he says:

"If the Navy commissioners have refused to take the bread from Mr. Stiles, according to their contract, when he had prepared it of the quality called for by the agreement, it is not in the power of the executive branch of the Government to liquidate and pay the damages he may have sustained. If he has been damnified by the officers of the Government, Congress alone can redress the injury." (Opinions, ed. 1841, p. 882; McKee *v.* United States, 12 C. Cl., 504, 555–558.)

In Power *v.* United States (18 C. Cl., 263, 275), the court thus discussed the matter:

"The Secretary of the Interior concurred in the opinion that the claimant was equitably entitled to damages and that he should be invited to furnish proof of the extent of his injury, but did not agree that the damages could be adjusted in the department. He proposed to submit the case to Congress.

"In this conclusion that the department had no authority to settle such a claim the Secretary was right. The laws regulating the payment of money from the Treasury, in the current business of the Government, are reviewed at length by our brother Richardson in his opinion in McKee's Case (12 Ct. Cl. R., 555). He shows clearly that the laws provide only for the settlement and payment of accounts. An account is something which may be adjusted and liquidated by an arithmetical computation. One set of Treasury officers examine and audit the accounts. Another set is entrusted with the power of reviewing that examination, and with the further power of determining whether the laws authorize the payment of the account when liquidated. But no law authorizes Treasury officials to allow and pass in accounts a number not the result of arithmetical computation upon a subject within the operation of the mutual part of a contract.

"Claims for unliquidated damages require for their settlement the application of the qualities of judgment and discretion. They are frequently, perhaps generally, sustained by extraneous proof, having no relation to the subjects of the contract, which are common to both parties, as, for instance, proof concerning the number of horses and the number of wagons and the length of time that would have been required in performing a given amount of transportation. The results to be reached in such cases can in no just sense be called an account, and are not committed by law to the control and decision of Treasury accounting officers.

"As is well said by Judge Richardson, in the opinion already referred to (12 C. Cl., 556), this construction 'would exclude claims for unliquidated damages founded on neglect or breach of obligations or otherwise, and so, by the well-defined and accepted meaning of the word "account" and the sense in which the same and the words "accounting" and "accounting officers" appear to be used in the numerous sections of the numerous acts of Congress wherein they occur, it would seem that the accounting officers have no jurisdiction of such claims except in special and exceptional cases, in which it has been expressly conferred upon them by special or private acts. And such has been the opinion of five Attorneys General—all who have officially advised the executive officers on the subject. Attorney General Taney, in 1832, whose opinion is referred to by his successors in office; Attorney General Nelson, in 1844 (4 Opins., 327); Attorney General Clifford, in 1847 (4 Opins., 627); Attorney General Cushing, in 1854 (6 Opins., 524); and Attorney General Williams, in 1872 (14 Opins., 24). And the same views were expressed by this court in 1866 (Carmack et al. *v.* United States, 2 Ct. Cl. R., 126, 140).' (McClure *v.* United States, 19 Id., 28–29; Brannen *v.* United States, 20 Id., 219, 223–224; 4 Opin. Attorneys General, 327–328; Id., 626, 630.)"

But it is contended that the contract, independently of the release, provided for a settlement of all matters growing out of the delay in the completion of the vessel, although this is in apparent conflict with the opening statement of the Government in its brief, for there it says: "The issue here is whether the proviso in that release saves the contractor from the final and complete surrender of his right to recover on the claims set out in the petition." But this, although it indicates the views of the Government of the question at issue, does not preclude it from presenting other matters, and it insists that by the third clause in the contract the vessel, when completed without the armor, was to be subjected to a trial provided for in a subsequent clause of the contract, and a board of naval officers appointed by the Secretary of the Navy was to determine the deduction from the total price of the vessel under the contract if completed with armor. It further contends that by the ninth clause of the contract the matter of possible delay was recognized by the Secretary of the Navy, and his determination as to the effect thereof was to be conclusive. Now, it may be said that both the contractor and the Government had the right to insist upon the delivery of the vessel when it was completed without the armor and that the deduction in price should then be settled by the board of officers appointed by the Secretary. It may also be conceded that the Government could have insisted upon a release in the form specified in the contract, but neither the company nor the Government insisted on the delivery of the vessel at the time it was launched and before it was armored. The Government left the vessel with the company, waiting for armor to be put on—armor which it had not then been able to secure and tender to the company—and when the question arose as to a settlement it did not insist upon a release, as specified in the contract. This contract was plainly treated by both parties as impracticable, and therefore waived. Evidently from his letter of February 13, 1901, the Secretary was of the opinion that, equitably, there was something due to the company, and yet, realizing that that question was not one for his determination, in order that full justice might be done, he consented to a change in the terms of the release, and this he had power to do. (Salomon *v.* United States, 19 Wall., 17; United States ex rel. Redfield *v.* Windom, 137 U. S., 636; United States *v.* Barlow, 184 U. S., 123, 135.)

By the Tucker Act jurisdiction is conferred upon the Court of Claims "to hear and determine * * * all claims * * * for damages, liquidated or unliquidated, in cases not sounding in tort."

It results therefrom that a release executed in accordance with the terms of the contract would have extinguished all claims of the company against the United States growing out of the contract (206 U. S., 118); that the Secretary of the Navy had no power to pass upon and adjudicate claims for unliquidated damages; that he had power to accept a release such as was given, and that the proviso left for determination in the courts claims for unliquidated damages growing out of the contract; that under the Tucker Act the Court of Claims had jurisdiction to inquire into and determine claims for unliquidated damages, and that upon the facts found there is due to the company from the United States for extra work caused by the United States the sum of $49,792.66.

The judgment of the Court of Claims is reversed and the case remanded to that court with instructions to enter judgment for that amount (216 U. S., 494).

Cultivation of Clay Soils.

EXTENSION OF REMARKS
OF
HON. WILLIAM GORDON,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. GORDON. Mr. Speaker, under the leave granted to me I print the following correspondence relative to the cultivation of clay soil:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF SOILS.
Washington, D. C., February 3, 1919.

Hon. WILLIAM GORDON,
House of Representatives, Washington, D. C.

SIR: Your letter of January 9, requesting that information relative to the improvement of clay soils be sent to Mr. L. H. Reed, Cleveland, Ohio, was duly received. I inclose herewith a copy of our letter to your constituent.

Very truly, yours,

MILTON WHITNEY,
Chief of Bureau.

(Inclosure.)

FEBRUARY 3, 1919.

Mr. L. H. REED,
3315 West Ninety-seventh Street, Cleveland, Ohio.

DEAR SIR: Your Congressman, Hon. WILLIAM GORDON, has requested that you be given information regarding the improvement of clay soils. I regret that we have no publication dealing specifically with this subject, but in a general way I may say that while in many cases clay soils are extremely difficult to till and require more artificial drainage lines to the given area than the loams and sandy loams, they are among the most productive soils in the world when properly and intelligently handled. Clay soils are usually improved by the introduction into them of an abundance of organic matter, applied either in the form of stable manure or as green crops turned under. Such legumes as clover, field peas, vetch, or even rye, are used for green manuring. The application of 400 or 500 pounds of slaked burned lime to the acre is of advantage in connection with the plowing down of green matter, operating to hasten decomposition and at the same time to correct the acidity of the soil due to the effect of the green matter. When the soil is known to be previously acid, a ton of lime to the acre will in general not be too much. The presence of the vegetable matter not only furnishes plant food but serves to break up the dense structure of the soil and make it more loamy and porous.

Unless there is sufficient slope to the land to provide for adequate surface drainage it is especially essential that tile drains or open ditches be installed, as otherwise the subsoil soon becomes water-logged on account of the slowness with which the excess of water escapes through the relatively dense, impervious material. Even moderate rolling land oftentimes is benefited by tile drainage.

In the tillage of clay land the plowing should be fairly deep or the subsoil plow should be used to break up the deeper soil and subsoil material. The depth of plowing should not be increased more than about an inch at any one time, however, as raw subsoil is unfitted to sustain plant life. It requires to be weathered and mixed with organic matter and the necessary bacterial organisms allowed to develop before a normal state of fertility can be said to exist. Considerable care must be exercised in the tillage of clay soils so that they will work up in a fairly mellow condition without the formation of too many intractable clods. They should be worked when in a state of moisture between that when the material is wet enough to be greasy in character and so dry as to resist the pulverizing action of farm tools. The range in point of time when clay soils can be successfully worked is much narrower than in the case of loams and lighter textured soils.

Clay soils are most successfully used for the production of small grains, as wheat and barley, and for such hay grasses as timothy and red top. Among truck crops cabbage does well on heavy soils.

Very truly, yours,

———— ————,
Chief of Bureau.

EXTENSION OF REMARKS

OF

HON. JOHN JACOB ROGERS,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. ROGERS. Mr. Speaker, under leave granted me to extend my remarks in the RECORD, I desire to print a description written by my colleague, Hon. WILLIAM H. CARTER, of the journey to France and the battle fields of the war, from which he returned a fortnight ago. I believe that his observations and conclusions are most valuable and will be of great interest not only to the membership of this House but to the general public. They represent the views of one who had exceptional opportunities, and who brought to the opportunities the trained powers of a skilled observer.

TRIP OF HON. WILLIAM H. CARTER, OF MASSACHUSETTS.

[Principal points: Arrival of President Wilson at Paris; visit to the Twenty-sixth Division; visit to home of Joan of Arc; visit to St. Mihiel and Seichprey; visit to Verdun; trips around Paris; visit to Tours; salvage plant, Gievres, and aviation center; visit to Bordeaux, docks, warehouses, hospitals; visit to the embarkation camp at Bordeaux.]

In order to gain some first-hand information regarding the tremendous projects of the American Expeditionary Forces, I made the trip to France. I found upon my arrival that it was a physical impossibility to visit all of the activities of our Government abroad, and for that reason it was necessary for me to limit my trip to some of the largest projects. I was especially interested in going over the ground where the Twenty-sixth Division had fought. This division, made up of the National Guard from New England, of which hundreds of boys came from my own congressional district, has more than upheld the traditions of that section of the country. One of the highest tributes that can be paid this division is that the Germans considered it one of the two best divisions that it fought against, and the French have announced that it is one of our four best divisions in France. This was the first complete division to arrive in France.

I was accompanied on my trip after my arrival in Paris by my former secretary in Washington, Jack S. Connolly, a member of the Twenty-sixth Division, who volunteered and served with that division at St. Mihiel and Verdun, but who at the end of the war was sent to Bordeaux to do some special work for the War Department.

I was in Paris the day that President Wilson arrived and witnessed the welcome that was given him. Early in the morning the crowds began to gather in the city. A holiday had been proclaimed all over France, and everywhere the American flags were mingled with the tricolor of France, and huge signs of "Vive Wilson" were erected in all sections of the city. Swarms of Americans filled the boulevards and mingled with their brethren of the allied countries.

It is very hard to estimate the number of visitors who thronged into Paris to witness the President's arrival. They were gathered by tens of thousands along the streets leading from the station to his hotel. Groups of men and boys even climbed trees in order to get a view of our Chief Magistrate, and in windows along the route every available inch of space was taken up. From the moment the President's train arrived until he reached his hotel there was a continued firing of salutes from the big guns. Small American flags were worn on the coats of everybody.

One significant sight was at the Place de la Concorde, where the captured cannon had been placed. Young girls climbed on these guns, and waving American flags presented a scene not to be forgotten. As the President passed the crowd cheered and waved handkerchiefs and banners. Whistles were blown, bands played, and the President was given a welcome by the French people as only Paris can give.

All day long the people celebrated and enjoyed themselves. Probably the most interesting to an American were the sights on the boulevards that evening. Thousands of men, women, and children thronged the streets. Games were played, and the favorite stunt seemed to be for the women to kiss all Americans. They insisted on kissing them twice, once on each cheek. A staid old American colonel seemed to resent a number of French girls stopping him, and he was immediately pounced upon by 20 young ladies, and before he was through he was properly kissed. Scenes of this sort were common that night. Cannon were taken from the Concorde and pulled through the boulevards by the soldiers. On each gun were probably a half dozen pretty girls singing and shouting and waving banners. Every time a taxicab came in sight the crowd gathered around and insisted upon rocking it until the occupants were given a good shaking up or were forced to walk.

One of the things that I noticed especially was that, unlike the celebrations in our own country, our American men and officers behaved themselves and there was no drunkenness. Our soldiers have been permitted to buy light wines and beers during certain hours of the day in France, and it is an established fact that they have not taken advantage of this privilege.

The French celebrations are somewhat different from our own, in that they have no bands of music to keep cheering them up, but everyone enters into the carnival spirit of the occasion.

WITH THE BOYS OF THE TWENTY-SIXTH.

I left Paris the next day by train, and after a five-hour trip arrived at Chaumont, the headquarters of the American Expeditionary Forces. After spending a few hours in this city we started for Montrony-le-Roi, the headquarters of the Twenty-sixth Division. After considerable difficulty we located the division headquarters about dark and made arrangements for our visit the next day. We motored to Neufchateau, where we spent the night at the visitors' house. Neufchateau and vicinity was the training area of the Twenty-sixth Division when it arrived in France in September, 1917, and is well known to every member of the Yankee division.

The next morning we started early for the headquarters of the Twenty-sixth and arrived shortly before 11 o'clock. We visited the headquarters and had a very pleasant chat with Col. Stevens, the adjutant. We also met Chaplain O'Connor, as well as a number of the boys. Gen. Hale, the commanding general, was out, as was Col. Major, the chief of staff. We went down and visited the boys at the headquarters troops. They were commanded by Lieut. Mandell, of Boston, and I found a large number of old Battery A boys. We met Sergt. Thomas Daly, of Dorchester, the top sergeant, Sergt. Ronald Hersig, and many of the boys.

The men were situated in a valley, and the weather conditions were very bad. The mud was over one's ankles, and it rained very hard during my visit. The boys appeared to be in good spirits, but every single one wants to get back, now that the war is over. They all spoke very highly of Gen. Edwards, as well as Cols. Logan and Sherburne. In many of the barracks that I visited I found Gen. Edwards's pictures, as well as quotations from the Boston papers containing his speech in which he outlined the history of the division.

The boys are required to drill about four hours a day now that the armistice is signed. This they seemed to think was rather hard, on account of the weather, and especially after what they have been through.

I drove out to Aquiville and there met the old Company C boys from Newton. They all were anxious to learn the news from back home, and they gave me a real welcome. I was invited to speak to the company but had to proceed on to Forcey, where I met the Company L boys from Natick. I found Corpl. Hall, the company clerk, and in a few minutes he gathered about 40 boys from my district, to whom I made two short speeches, one inside the company office and another outside. They then produced a number of interesting souvenirs which they had captured from the Germans and showed them to me with much pride. We talked for nearly an hour, and at the finish they gave me three rousing cheers and said that they would see me on Main Street, Natick, very soon. They are all anxious to get back home.

I motored back to the headquarters troop, where I had dinner with the boys. I find that this outfit probably has the best "eats" in the division. They feed about 500 men at each meal, and the cooks certainly do themselves proud in the manner in which they prepare their food.

I found that there was considerable sickness among the boys, caused by the cold weather, but this, I found, was only natural under the climatic conditions.

I motored back to Neufchateau, where I spent the night. The next morning I started out to visit the Artillery organization, but found that they were moving. However, I located the headquarters of the One hundred and first and met Capt. Needham and some of the other company officers. For miles along the roads I passed the boys marching to trains on their way to join the rest of the division in the area that has been selected for them near Montrony-le-Roi.

I met quite a few of the boys from the One hundred and second. I also met small groups of boys from the One hundred and third and had a very pleasant chat with Capt. Franklin E. Allen, the personnel officer of that organization. The boys were very much excited over the fact that President Wilson had

promised to eat his dinner on Christmas Day with the Twenty-sixth; and, of course, this made them all happy. To be selected as the division to entertain the Commander in Chief was a great tribute to this organization.

I found upon my visit that the Twenty-sixth Division is noted throughout France for its wonderful work. Everywhere one goes one hears of the work done by these boys, the bravest and gamest lot of men that ever represented any division. The French are high in their praise for the Twenty-sixth.

I was able to gather some interesting statistics regarding this organization. I find that in all they captured 3,149 men and officers and more than 200 pieces of artillery. The losses in this division were especially heavy. The total casualties amount to 11,955 men up to December 9. Of this number we lost 100 officers and 3,524 men wounded seriously, 78 officers and 1,652 men killed outright, and 111 officers and 2,708 men wounded slightly. We had 113 officers and 3,250 men gassed and 10 officers and 273 men missing in action. We also lost 9 officers and 127 men by being taken prisoners by the Germans. During the Chateau-Thierry drive the Twenty-sixth Division advanced 17½ kilometers. At the St. Mihiel salient the division advanced 14 kilometers and at the Verdun sector advanced nearly 6 kilometers.

That night I spent at Neufchateau, and early the next morning I left for St. Mihiel. About 6 kilometers from Neufchateau we stopped at Domremy, the birthplace of Jeanne d'Arc. This is a little collection of houses, many tumbled down. The village is situated on the banks of the river Meuse, and in peace-time had only about 300 inhabitants and at present far less. Domremy has been visited by thousands of our American boys. When one enters the village they usually proceed to the little church where on the stained-glass windows they can read the history of the little French maid from the time that she received the inspiration as a shepherdess on the hills beyond until she was burned at the stake in Rouen. The little home where she was born in 1412 is still standing. There is a white statue of her that was sent from England in the front yard. One is permitted to enter the house and is shown into the little room with its double windows which was used by the maid. On the second floor is a collection of arms, pictures, and so forth, pertaining to the maid. Interesting as this is, there is, back in the hills, built on the very spot where she used to herd the cattle and hear the mysterious voices calling to her, the Basilisque crypt, built in her memory. Here are many beautiful statues and banners recalling the work of this young girl.

I continued on until I came to St. Mihiel, a city in peace times which boasted of 10,000 inhabitants and situated on the right bank of the River Meuse. Here I had my first look at a destroyed city. Practically every building in this city has been destroyed as the result of the great offensive drive of the allied troops in September which resulted so victoriously for us and which was one of the critical battles of the war. Riding along the road we could see the remains of both the German and allied trenches. Some of these trenches have been built four years, while others were just made last summer.

I have seen no end of dugouts and cottages that had been built by the Germans just north of St. Mihiel. They had believed that they were going to stay in these houses all winter, and did not expect to be moved. The houses had been built of boards, covered over with tar paper, and many of the rooms were prettily decorated with the latest wall paper. Electric lights had been installed, as well as up-to-date sanitary fixtures. Comfortable bunks had been erected, on which the Americans slept with much pleasure when the Germans were driven out. Around the houses small gardens had been built, and in one place I saw what was left of a German beer garden and bowling alley. Through the fields I saw miles and miles of barbed-wire entanglements. The difference between the German barbed wire and the French or American is that the Germans used spiked iron stakes, while the French usually used wooden stakes, except when it was necessary to drive the stakes in a hurry.

It is amusing to see some of the signs while driving along. Many of the signs had been erected by the Germans, while others had been erected by the French and many more by our own men. Piles of wood and painted cloth, which had been used as camouflage, are seen lying along the ground for miles. Many of the crossroads had screens, made by the Germans, of bamboo and poultry netting, woven with strips of canvas.

Just outside the city of St. Mihiel I visited a German cemetery. Here, much to my great surprise, I found very handsome tombstones which had been erected by the Germans, who believed that St. Mihiel would always belong to the Germans and little thought of being driven back from this city. For this reason they made the tombstones on a very elaborate scale. Many of them were carved out of rock and contained interesting inscriptions. On nearly every tombstone was a replica of the iron cross carved in the rock. I found in one end of the cemetery, in which apparently had been buried some poorer soldiers, only small markers. Each of these markers had contained an iron cross, but these have been entirely carried away as souvenirs by the Americans when they came through last September. The graves had been very carefully taken care of, and flowers had been planted. Some of the tombstones were built of rock containing phosphorus, and at night they lit up brightly.

There are practically no inhabitants now living in the city of St. Mihiel. Just beyond that city I stopped at Troyan, formerly the division headquarters of the Twenty-sixth Division. I visited the little French cemetery containing about 100 graves of our boys. Each American grave is carefully marked, and most of them were covered with flowers. The French people take much pride in taking good care of the graves of American boys. In looking over the names I found the name of Capt. Joseph McConnell, of the One hundred and first, the brave captain of a company, who lost his life in August.

A few miles beyond, in the woods, I visited some of the towns and woods where the Twenty-sixth went through. Here, on the 26th of September, the Twenty-sixth made an assault on the Hindenburg line, which was directly in front of them. The assault was so successful that it took five divisions of boches to stop the division, as they believed that the Twenty-sixth intended to break through and take Metz, which was to the right. From here I drove to Seicheprey. I passed through Ramschelle, which had been the headquarters of the One hundred and first, and saw the remains of the cellar of the church where Col. Logan and Chaplain O'Connor were forced to hide for five hours. I stood in the little square of Seicheprey where the boys from the Twenty-sixth stood and fought against the Germans and made such a gallant stand. Although we lost a number of men and had more than a hundred taken prisoners, it was at this little town that the Germans first got their idea of how a Yankee could fight. The boche had been punished severely in this scrap.

The next day I went to Verdun, probably the best-known fortress of Europe, and one which for four years had been attacked constantly by the Germans. This city is situated among high hills and its buildings have been practically all destroyed as the result of the continued shelling. One of the most interesting parts of this city is its immense citadel, which is built underground. There are accommodations for more than 50,000 soldiers in this underground citadel. During the recent fighting the Twenty-sixth Division headquarters were located here. Huge underground passages, wide enough for men in columns of four to march, extend for about 13 miles under the city. Throughout the fortress are little holes just large enough to contain the muzzle of a French 77-millimeter gun. There are also emplacements for hundreds of machine guns. Railroads run up to the fort, and in this manner the ammunition and supplies are brought up. This fortress was surrendered to the Germans in 1870 but later retaken by the French.

North of Verdun I saw a part of the huge forests which had been swept clean by the gunfire. As far as the naked eye could see everything has been swept down. Villages had been destroyed, until not a single wall remained more than 3 feet above the ground. Huge trees had been swept away, and there was hardly a foot of the ground that had not been at one time a shell hole. I saw the barbed-wire entanglements that our men had to go through, as well as the trenches on the side of the road. For miles this was a waste of land, and words can not give one a real idea of the damage done.

I went into Fort Vieux, which the Germans had captured in 1916 and had occupied for about six months. Here I found only about a dozen soldiers recovering from the four hard years of war. Out beyond the fort were two other forts, and here our boys were fighting as hard as at any time during the war when the armistice was signed on November 11.

I saw thousands of graves, many of them being American, on the side of the road. Each one had its little cross, containing the name and organization of the man. Here lay buried thousands of our boys, many of them in freshly made graves, having made the supreme sacrifice during the last few weeks of the war.

It is very hard for one to give an idea of the look of the front at this particular place. In northern France alone it has been estimated that more than 250,000 buildings have been destroyed and that more than 250,000 acres of land have been made useless; this is besides the huge forests which have been destroyed, as well as the bridges, roads, viaducts, and so forth. In the city of Rheims alone 12,000 homes out of 14,000 in the

city have been destroyed. Never will I forget the sight that I saw north of Verdun, and then I realized what it must have been like to our boys.

An idea of the losses of the French was recently made by the French Government. Regarding farming implements, it was found "that to replace the losses they would need about 51,000 side-hill plows, 33,000 other plows, 56,000 cultivators, 30,000 mowing machines, 115,000 farm wagons, 28,000 harrows, 50,000 rollers, 18,000 hoes, 36,000 seed drills, 13,000 fertilizers, 16,000 beet extractors, 21,000 winnowing machines, 18,000 horse rakes, 32,000 reapers and binders, 53,000 root cutters," and so forth.

With regard to the cattle lost, it is very hard to get at the exact figures, but in 10 Departments in 1913 there were 607,000 horses, whereas in 1915 there were only 242,000, or a loss of 60 per cent. Of cattle of all kinds there was a loss of 850,000, or 55 per cent; of pigs there was a loss of 380,000, or about 55 per cent.

The loss in wheat amounts to about 1,300,000 acres. The loss in hay amounts to about 850,000 acres.

The total damage to the soil, to live stock, to crops, to forests, tools, and so forth, is estimated at $2,000,000,000.

Before the war France used 59,407,000 tons of coal a year, with an addition of 9,166,000 tons more in coke equivalent. Of this, France produced about 40,844,000 tons and 5,357,000 tons of coke equivalent, the rest coming from abroad. Of this amount, 27,398,000 tons of coal came from the Valenciennes Basin. In all, something over 70 per cent of the total coal supply of France came from the invaded regions, and very much the best quality of coal at that. About 140,000 men were employed in those mines in the invaded regions out of 203,208 coal miners for all of France. This means, with their families, three-quarters of a million people were largely dependent on the coal mines. Over $200,000,000 of machinery has probably been destroyed.

Before the war the total production of iron ore in France was about 21,918,000 tons, of which 19,639,000 tons came from the Briey and Longwy Basins, in the Meurthe-et-Moselle; that is, 90 per cent of the total, of which 16,500,000 tons was in the hands of the Germans. The miners who were employed in these invaded mines, with their families, represented at least 150,000 people out of employment. It is interesting to know that just before the war the total of iron production of the Germans was 35,941,000 tons. In the United States it was 63,000,000 tons. Over half a billion dollars worth of machinery has been destroyed, including that of steel and iron mills.

The textile industry consisted before the war of about 7,530,000 cotton spindles throughout France, of which 4,500,000 were in the region invaded by Germany, and of which almost all were either destroyed or carried back into Germany and France. Out of 2,365,000 wool spindles, 2,000,000 were in the invaded districts. Out of 550,000 linen spindles, 500,000 were in the invaded regions and destroyed or removed. The same is true of looms, of which there were 140,000 in France, and over 81,000 of these were in the invaded districts. Over $120,000,000 of machinery has been destroyed.

Out of 210 sugar refineries in France, 140 have been destroyed by the Germans. Out of 3,000 brush factories, 2,000 have already been destroyed. Over $25,000 of machinery has been destroyed.

Electric power stations totaling 300,000 kilowatts have been destroyed, with an equipment loss of $50,000,000.

Breweries have had over $25,000,000 of machinery destroyed.

In machine shops $100,000,000 of machinery has been destroyed. In foundries, and so forth, $60,000,000 of machinery is gone.

None of these damages include land or buildings. Furthermore, almost all of this machinery costs three times as much to replace to-day, so that it can safely be said that $4,000,000,000 worth of machinery will be needed to replace that destroyed or carried away. This includes the stock and raw materials damaged and damage done to the mines.

Before the war France manufactured 3,000,000 tons of cement a year. In February, 1918, she was manufacturing only 400,000 tons, which amount has since increased and later diminished through the difficulty of securing coal; a good proportion of this was in the invaded Departments.

I returned to Paris and then motored out to Chateau-Thierry, which is about 45 miles away, and which is the point where the Germans were stopped last July in their advance toward Paris. I went into the Belleau Woods, where the marines had their terrific fight in which they lost so many men. I went over on the Soissons road, which the Twenty-sixth Division cut off from the Germans, and visited the railroad station in the center of the town, where the German machine guns were hidden, which caused so much destruction to our men. The casualties of the Twenty-sixth at this point were more than 4,100 men. I saw Hill 190, which the Twenty-sixth captured, and also went into the woods and gained an idea of the ground through which our boys had to advance. The Twenty-sixth Division made history at Chateau-Thierry and won the admiration of the French generals who had an opportunity to observe their work.

About 5 miles north of Chateau-Thierry I visited Bois de Chatelet, where one of the German big Berthas was located. The gun location was in the weeds and there was a railroad spur track running in from the main road. The gun itself has been taken back by the Germans, but the foundation remains. This is one of the guns which bombarded Paris, about 50 miles away. The gun carriage was about 44 feet in width and the ball bearings on which the pit turned were as big as one's head. The pit was more than 30 feet in depth, and there was a solid concrete wall 6 feet in height. In the woods adjoining were the dugouts which had been used by the German officers and the men. With the aid of a wrench borrowed from the chauffeur, I managed to unscrew several of the nuts from the base of the gun, which I have with me. I passed hundreds of little graves near here, many of which were American.

I returned to Paris and then went to visit the rooms of the Massachusetts Soldiers' and Sailors' Club. These rooms have been donated by Mrs. Louis Frothingham and are on the second floor of the Hotel Lotti. They are most attractive, and here one finds all of the late papers from the various Massachusetts cities. A large phonograph, with a number of late records, furnished amusement for the boys. The work of this department is most interesting. It is under the direction of Dr. Marten Price, of Boston, who is assisted by Charles K. Crane, a nephew of former Senator Winthrop Murray Crane, of Dalton. I found several women making tea and sandwiches for the boys, and they sure were a happy lot. I found that this bureau furnishes relatives and friends with information concerning the soldiers and sailors. Hundreds of requests are answered concerning missing boys and this organization is doing most valuable work. It takes good care of the Massachusetts boys. Mr. Crane has done much valuable work and has donated his automobile for the benefit of the organization. Four women spend much time going around to the hospitals in Paris and caring for the wants of Massachusetts boys. A number of secretaries are employed and this small expense is borne by the State.

I also inspected the headquarters of the American Red Cross in Paris and met many of the Washington newspaper men who had accompanied President Wilson and who were to cover the peace conference. Christmas afternoon I had dinner with Congressman ALVAN T. FULLER, of Massachusetts, and spent a delightful two hours with S. S. McClure, the publisher of McClure's Magazine.

After my visit to Paris I went to Tours, the headquarters of the services of supply. The achievements of the business end of the war has no parallel in the history of the world, and what has been done for the American Army in such a short time is marvelous. Docks were put up in record time; warehouses, the largest the world has ever known, were built by our engineers; railroads were built and hospitals were put up. Cities were built practically overnight in what was previously a French swamp. Cities complete, with their own theaters, fire departments, streets, stores, water supply, railroad terminals, and so forth, were erected.

One of the most gigantic tasks of the war was to prepare and handle the supplies for the men. With our limited tonnage and the fighting more than 3,000 miles away from our own shores the organization which completed this work has done marvels. You will remember that not only did we have to feed and clothe our own men and supply them with ammunition, but we also did a great deal to help feed the allied armies. When the big flood of American soldiers began to arrive in France it was necessary to find places for them to disembark. Our engineers set to work, dredged harbors, built huge dams, startled the French engineers, and have erected docks and warehouses that stand to-day as memorials to the work of the American engineer. Then, again, was the mighty task of moving the mountain of supplies to the men at the front. Railroads were built and American freight cars and engines were assembled. At one plant alone more than 15,000 American freight cars have been assembled.

The headquarters of all this work is at Tours, and the commanding general of the service of supplies is Maj. Gen. James G. Harbord. He is very ably assisted by Brig. Gen. William D. O'Connor as chief of staff. Through their courtesy I was able to visit some of the larger projects of the service of supplies.

SALVAGE.

The Quartermaster Corps has created many reforms in France which were unheard of in the United States. It has adopted

from the English and French Armies the system of saving, and it has practically eliminated all waste. This has been done by the creation of the salvage service and has already resulted in the saving of millions of dollars to the Government. Salvage crews follow the men at the front and pick up everything that has been cast off. Battered field ranges, old tin pans, and all articles of metal are picked up and shipped back to the nearest salvage plant. Even the horseshoe nails are picked up, straightened out, and reissued. Clothing is the biggest article that is salvaged, and shoes are another important item. A statement was made that in France everything is picked up that has been discarded except cigarette butts and put through salvage. Now, owing to the shortage of cigarettes, the little French boys go along and pick up the butts, so there is no waste at all.

Salvage plants have been established in various sections of the service of supplies. The largest of these plants is at Tours and is known as the American Salvage Depot No. 8. A trip through this plant is most interesting. The main building has a floor space of 100,000 square feet, with concrete floors and railroad tracks running through at several points. In addition to this building there is a smaller building containing 40,000 square feet. Besides these two buildings there are three smaller buildings 9,000 square feet each, the metal department building containing 25,000 square feet, as well as several other small buildings that are used as warehouses, and so forth.

Actual salvage started in January, 1918, and at that time there were 12 men and 5 officers working at the plant. To-day there are 5,300 French female civilians, 730 male French civilians, 745 enlisted men, and 26 officers.

The laundry, which is one of the largest in France, turns out about 75,000 pieces per day. This production includes woolen breeches, blouses, shirts, underwear, socks, bed sacks, shoes, rubber boots, blankets, and other goods. A woolen blouse first goes through a sterilizer which kills all vermin and eggs. It is then washed in warm water and soap, and then dried with warm air. The cotton garments are not sterilized but are boiled in washing machines. After this process the garments are ready to be repaired. Boots and shoes are washed with a weak solution of cresol and water.

CLOTHING.

The daily output of clothing is made up approximately of 25,000 garments of underwear, 10,000 olive-drab woolen breeches or blouses, and 5,000 blankets. Besides this, the salvage service utilizes every bit of material. For example, a pair of shoes are too old to repair. A part of the leather is used for repairing purposes, and what is left is made into shoe laces by a special machine for this purpose. Old campaign hats that can not be repaired are made into hospital slippers, and so forth.

After the garments come from the laundry they are inspected and marked for repair. From here they are sent to the various sections where the repairing is done. The room where this work is done resembles an immense factory in the United States. Hundreds of the latest sewing machines are being operated by French women repairing the old garments. Buttons were sewed on by machinery, and when it is not practicable to do this work by machinery it is done by hand. Garments are then inspected, sized, and pressed, and are then ready for shipment to the troops. The goods are arranged in three classes, according to quality. Class A goods are reissued to the troops at the front, class B goods are reissued to depot troops and labor battalions, and class C goods are dyed green and are used by the German prisoners of war.

SHOES.

Next in importance to clothing comes shoes. The total production is about 3,500 pairs of shoes a day. Shoes are first paired for length and width, as well as character. They are then washed and dried and repaired thoroughly. Two types of repairs are made, one for hospital attendants and patients, without hobnails, and the others for the boys at the front, containing hobnails. Latest shoe-repair machinery has been installed in this plant. A large rubber goods repair section has recently been started. This department handles rubber boots and arctics, slickers, ponchos, and shelter halves. It produces about 3,500 garments and 850 pairs of boots daily. This production is expected to be increased, as recently a large number of vulcanizing machines were installed, which will replace the old method of drying and repatching.

HARNESS AND LEATHER.

This branch repairs chiefly harness and saddles. The articles are first scrubbed with soap, a disinfecting agent, and are then repaired and oiled.

METAL BRANCH.

The metal department is located about a mile and a half from the main depot. Here are found all sorts of metal articles, from a German helmet down to a horseshoe nail. During the month of August the value of production at this plant was $3,246,588, and the total cost of this production was $331,885. The number of pieces salvaged in each of the large departments was: Clothing, 1,154,279; metal, 15,439; canvas and webbing, 172,924; harness and leather, 14,208; shoes, 110,953; rubber goods, 77,633; the number of pieces sterilized and washed by the laundry was 1,655,706. Not only does the salvage service make a saving of nearly $100,000 a day at this one depot alone to the Government, but it also saves a large volume of transport.

One of the most interesting as well as gigantic projects that I visited on my trip was the general intermediate storage depot at Gievres, 48 miles from Tours. It was originally planned that this project should carry supplies of all kinds on hand for a million men a month, but it long ago greatly exceeded this capacity. The length of this project from its extremity is about 7 miles and is 1½ miles in width. It is of diamond shape and the area is divided into five sections of warehouses. In general the warehouses are 50 by 500 feet, built in three individual buildings in a line. The buildings are built parallel to each other in order to greatly facilitate the loading and discharging of supplies. There are at present 185 warehouses, covering a space of 5,000,000 square feet, and the open storage space, which is used for storing property not affected by the weather, of 10,000,000 square feet.

The supplies on hand include engineer and chemical warfare, gasoline and oil, quartermaster, medical, ordnance, Signal Corps, Red Cross, Young Men's Christian Association, each in a respective part of the project. The engineer depot includes many branches. It has large metal and wood machine shops and foundries for brass and iron.

The regulating office is in constant communication with the front line. This depot supplies troops from Dunkirk to Italy, and telegraph and telephone requests come into this depot for supplies of clothing and food at all hours.

At the gasoline and oil depot four huge tanks have been erected, with a capacity of 500,000 gallons. There are hundreds of small tanks for use by individual organizations that are assembled at this park.

A huge remount station for supplying horses and mules to the troops in the front line is established at Gievres and at times the number of animals vary from 4,000 to 10,000. A large veterinary hospital is in operation to take care of these animals, as well as the sick animals that are shipped back from the front.

A trip through these huge yards is most interesting. One sees 1,000 steel buildings, piled up in separate parts, all ready to be shipped to any desired point. All kinds of road machinery, as well as road-repairing machinery, such as tractors, sweepers, and so forth, take up considerable ground. At the engineering depot huge piles of hardware and machinery are found, and one can see five large cranes unloading this material.

At the Signal Corps depot one sees piles of telegraph and telephone poles as well as thousands of miles of wire.

Next to the Signal Corps depot is the Young Men's Christian Association warehouses. Here are three large warehouses full of Young Men's Christian Association supplies, as this is the general depot for the Young Men's Christian Association, and shipments are made from here to the entire front. Next to the Young Men's Christian Association warehouses is the Red Cross depot, which is the last depot that has been established here. It is now receiving a large quantity of supplies from various places, and is already filling the wants of the Army all over France.

Passing on, we come to the medical supply depot, with its some 20 or more warehouses. Here we find piles of Army ranges, beds, and all kinds of medical supplies, too numerous to mention. Passing through the medical supply depot, we come to the main Tours-Nevers road. Turning to our left we observe the ordnance depot. At this depot all classes of ordnance are carried, excepting heavy artillery and heavy artillery ammunition. Next we come to a prison camp for American prisoners.

Crossing the track, we observe the large animal-drawn transportation park, filled with wagons and carts of all kinds and descriptions. Looking off to the right we see piles of parts for wagons. They are so arranged that a wagon is started at one end by assembling wheels on an axle and passing a little farther another pair of wheels on an axle, and when it leaves the last pile of parts the wagon is completed and rolled over on the loading platform ready for shipment to the front.

As we pass on down through the quartermaster section we find a great number of warehouses. Over 100 are in this section and used by the Quartermaster's Department. To our left are warehouses filled with baggage sent here from various commands, and from almost every part of France. This baggage is

sorted here, classified, and stored subject to the orders of its owners. Passing on through we see piles of rations, rope, stoves, and so forth.

Just as we approach the southern boundary of the project again we turn to the right and pass a railroad dump lying between two classification yards. Going a short distance we again turn to the right and recross the project. Here we find a clump of barracks, occupied by men working in this vicinity of the plant. To our left we find a corral where the animals and wagons used in this section are kept. Passing on through, great quantities of soup and other commissary supplies are observed.

We now are about to leave the quartermaster warehouses, and on looking to the right we observe again the refrigerating plant in the distance. Just this side of the refrigerating plant we find cars high in the air on top of piles of coal. At this point some 200,000 tons of coal is expected to be stored.

Passing now on through we cross the end of the largest classification yards. Here are 20 tracks, forming a group of classification tracks. Also to our left we observe the locomotive repair shops. Looking down in this direction one is struck by its great similarity to a big railroad yard in the States—locomotives moving in all directions, steam and smoke rising, similar to what would be found in a very busy yard in any part of the United States.

Going out on to the main road and turning to the left, we go down nearly to the extreme west of the project and cross back again on the project, we come to the main railroad hump. To the west are 15 receiving tracks that lead to the hump. The hump controls two classification yards, one of 20 tracks and the other of 15 tracks. It is here that cars are switched and classified.

Leaving this part of the plant we go direct to the cold-storage plant. The refrigerating part of the cold-storage plant consists of one building 970 feet long by 120 feet wide. This building has a maximum capacity of 8,000 tons of beef. Crossing the tracks, we go through and take a look at the machinery and the ice plant.

In entering this part of the building the first thing one finds are the big compressors that have come here from Milwaukee, Wis. Walking around to the boiler room, one observes the large, massive boilers that have come here from Chattanooga, Tenn.; then pass through the ice-making plant, where 500 tons of ice can be made daily.

We have now, in a general way, seen 140 miles of American railroad track, many machine shops, and the equivalent of 20 miles of warehouses 50 feet wide, and cars scattered throughout the yards. In riding through, one is not impressed with the number of these cars in the yards. However, if the cars found in the yards in a single day were made up in one train, that train would vary from 30 to 40 miles in length.

On our way back from the camp we stopped at Issoudun. This is the Third Aviation Instruction Center and is the largest flying center in the world. This school is an advanced training school primarily for the development of chassé or pursuit pilots, while facilities are provided for the training of pilots for bombardment, artillery observation, and reconnaissance machines. The general scheme of the school is devoted to the finishing of pilots for the small, swift type of combat planes. The course here is admitted by French and English aviators to be the stiffest in the allied armies, and it is of such a nature that when the individual pilot is graduated from this school to the front he can be depended upon to make good.

The Third Aviation Instruction Center is the finishing school for all American pilots who have received preliminary training in the States, France, Italy, or England; in fact, every American pilot, before finally going to the fighting front, is sent to Issoudun to receive final training. The school maintains a constant liaison with the front, and moniteurs are constantly going from this school to the front and returning in order that the pupils may receive the benefit of the very latest developments in aerial warfare.

Apart from being a finishing school, the Third Aviation Instruction Center is really the point in the pilot's training where his future is decided. Here it is determined whether the aviator is best suited for pursuit, bombardment, artillery observation, or reconnaissance work, or whether he is capable of flying any of these types of machines at the front. The disposition of his training is finally made here.

The aviation center is absolutely self-supporting, with its own electric-light system, sewers, waterworks, its own railroad, its own fire department, repair shops, supply department, machine shops, hospitals, target ranges, and so forth. It even publishes its own newspaper, which is edited and printed by soldiers. While its founders were busy laying out the modern city they did not overlook the streets, sidewalks, and macadam roads.

There are at present 16 independent flying fields at the school, and additional fields are in contemplation. Because of the existing conditions in France, the school is as nearly self-supporting as it is possible to be. To make this possible, the aero repair department and the machine shops are essential parts of the institution, incidentally saving millions of dollars annually to the United States Government.

The supply department is virtually a depot supplying all of the outlying fields. The depot is divided into seven different departments—Nieuport airplane parts, parts for all makes of airplanes, motors and motor parts, hardware, instruments, clothing, and the gasoline, oil, and grease department.

There are in use at this field 17 types of Nieuport airplanes. To keep these ships in the air it is necessary that a stock of approximately 15,000 parts be kept on hand. While at Tours I visited the headquarters of the Signal Corps and was shown the activities of this department. For practical purposes the work of the Signal Corps may be divided into two fields: First, the construction, operation, and maintenance of communication by telegraph, telephone, and radio, for the control and distribution of personnel and material of the Army from base ports through the zones of the S. O. S. up to the lines of combat; second, communication by every practicable means within and between the units of the fighting forces.

SIGNAL CORPS IN THE S. O. S.

The first of these requirements made necessary the provisions of a network of a line of communication between ports, depots, hospitals, aviation centers, and training camps; in short, a complete system on a large scale connecting all places where units or offices of the American Expeditionary Forces may be located. This calls for the construction, installation, and operation of telegraph, telephone, and radio equipment analogous in every way to that necessary in commercial systems like those of the United States.

The facilities which the French could place at the disposal of the Signal Corps were very early found to be inadequate, and Signal Corps lines built with American material by Signal Corps personnel have been constructed in steadily increasing amounts.

Since the Signal Corps commenced to function on June 24, 1917, there have been nearly 19,000,000 local telephone calls and upward of 1,000,000 long-distance telephone calls handled by its services. Since the Signal Corps telegraph system commenced to function, on August 9, 1917, there have been handled more than 5,500,000 telegraph messages. The long-distance telephone and telegraph system constructed by the Signal Corps is entirely maintained by Signal Corps personnel. In addition, 4,870 kilometers of leased wires are also maintained by Signal Corps personnel.

Although the main function of the Signal Corps is the provision of communication a large part of its activity in the S. O. S. has to do with its own supplies. In the United States Army each service has certain classes of material which it handles exclusively. Signal Corps supplies consist of all the implements and material for constructing lines of communication, including equipment and central stations and telegraph offices, as well as all the instruments and apparatus used for signaling in combat. Although of less relative importance from the point of view of personnel involved it should be said that the Signal Corps is charged with meteorological and photographic service to the entire Army, and supplies for these activities are also under the control of the Signal Corps.

Signal Corps supplies from America and, to a small extent, from England arriving at base ports are sent to supply depots in the S. O. S., where they are checked and inspected. From these depots they are sent as required to advance depots, where a further distribution takes them to Army parks. A special depot for photographic supplies is maintained at Paris.

THE SIGNAL CORPS IN COMBAT.

The second great field of activity of the Signal Corps is concerned with the provision of tactical units fully equipped and trained in the use of every practicable method of signaling promptly and despite enemy interference military information and communications with respect to the preparation for and conduct of active military operations at the front, as well as for the interception of enemy communications and the location of enemy radio stations, whether on the ground or on airplanes.

The interception of communications and the location of radio stations of the enemy is done by specially trained personnel working with special apparatus in cooperation with the intelligence section of the General Staff. By means of these services it is possible to learn the enemy's plans in advance and to gain

information on the character and distribution of his units in the battle line.

The provision of all possible means of communication has entailed a vast amount of study and instrument development, both in the laboratories of the Signal Corps in France and in the United States. The conditions of warfare are not those of time of peace, and it is an interesting fact that telephone communication, to mention only one instance, is in a more advanced state of development at the front than it is commercially in the United States.

Summary of telephone and telegraph system.

Telephones in operation:	
(a) Semipermanent Signal Corps system	9,268
(b) Combat Signal Corps system	3,064
(c) On systems other than Signal Corps but under supervision of Signal Corps	685
Total	13,017
Telephone exchanges:	
(a) Semipermanent Signal Corps system	273
(b) Combat Signal Corps system	123
Total	396
Wires in Signal Corps system:	Kilometers.
(a) Long-line system—	
(1) Wire on pole lines built by Signal Corps	45,000
(2) Wire strung by Signal Corps on French pole lines	5,200
(3) Wire leased from French and operated by Signal Corps	32,800
(b) Combat lines largely on Signal Corps pole lines and buried system	62,000
(c) Local lines and cable systems	57,000
Total	202,000

(About 126,000 miles.)

TECHNICAL SERVICES.

In addition to this general organization for supply, transportation, and signaling in combat, there are maintained in the office of the chief signal officer a number of special administrative and technical divisions. The supply division has supervision of the handling, storage, and issue of all Signal Corps supplies from the time they reach the base ports until they are turned over to the Army parks. The telephone and telegraph division supervises construction, maintenance, and operation of all telephone and telegraph lines in the services of supply. The engineering division makes surveys, prepares plans and estimates, and has technical control of construction of telegraph and telephone lines and installations in the zone of the services of supply and advises and assists the zone of the advance with respect to construction and installation in that zone.

The research and inspection division, the laboratories of which are in Paris, is charged with the development of apparatus to meet any requirements which may be presented and makes inspections at factories and depots, in order that supplies may reach the armies in a condition conforming to standard specifications. The radio division has charge of the radio service in general throughout the American Expeditionary Forces and also supervises Signal Corps radio intelligence service.

The photographic division is charged with the maintenance of a file of all negatives taken by the Signal Corps or other American services in France and with the keeping of a complete photographic record of the war, as well as with a supply of moving and still pictures for purposes of public information and propaganda.

The special service division supervises the meteorological service, signaling by means of pigeons, and visual signaling, which is done by flags, lamps, and panels.

Other divisions of the office of the chief signal officer comprise the personnel division, which keeps all necessary personnel records and prepares travel orders, and so forth.

From Tours I went to Bordeaux, one of the seacoast cities of France that has been used to a great extent by the Americans. We have been using nine ports for supplies in France: Brest, St. Nazaire, Rouen, La Pallice, Rochefort, Bordeaux, Nantes, Marseilles, and Havre. The largest docks are at St. Nazaire and Bordeaux, and Bordeaux is one of the three cities that has been chosen to debark our troops. I first went out to visit the Bassens docks.

Situated on the right bank of the Gironde in the direction of the ocean and about 10 kilometers from Bordeaux, these docks are composed of two sections. The first section, constructed by the French over a period of 10 years, has a capacity of seven berths at present and is about 1,220 meters long. The second section is composed of docks built by Army engineers, using some civilian labor. It has been completed since March, 1918, and this is very remarkable progress, in view of the fact that a great deal of difficulty had to be overcome because of a large amount of marshland. Extending along the entire length of this dock are three railroad tracks running parallel to each other. They are at present spanned by 20 traveling cranes of the most modern type, each having a lifting capacity of 10 tons; when fully equipped there will be 40 of these cranes. In most cases the supplies are taken from the ships by these cranes and loaded directly on the cars. However, in some instances it is necessary to place them in warehouses, which were constructed by American engineers, just back of the railroad tracks. These warehouses form an integral part of the general system and run almost the full length of this section of the dock. The dock is now completed and about 1,250 meters in length, having a capacity of 10 berths, and will handle 12,000 tons daily. A very modern fire apparatus is ready for instant need. Above the fire house is placed a lookout platform, which will be used for a systematic control of the arrangement of ships and also to announce any outbreak of fire quickly. Two men will be on constant duty at this lookout station. A comprehensive view of the whole project is seen from this platform. Small electric tow carts and gasoline tractors are used for the movement of small freight and the spotting of cars on the dock, respectively. The Army engineers have installed a complete electrical system, by which the docks are lighted. All apparatus, including the cranes, is operated by electricity. The electric tow carts are charged on the docks.

Another set of cranes, composed of units, each with a platform and a boom at each corner, and operated by a steam donkey engine on the platform, serves to handle the freight which is to be temporarily stored in the warehouses to the rear.

A very comprehensive trackage system has been constructed throughout the entire docks by which the loaded cars may be easily placed on a track and made into trains. From here the trains—American locomotives and largely American cars, operated by Americans—are taken to the immense distribution warehouse depot at St. Sulpice over American tracks. At present about 6,000 negro troops with white officers are used continuously on these docks in three shifts. No German prisoners are used on the docks. A high barbed-wire fence has been erected between the docks and the main road to facilitate guarding the project.

MOTOR RECEPTION PARK AND ASSEMBLING PARK.

Situated about 1.6 kilometers south and east of Bassens Docks. All automobiles that come into this port are taken directly to this park. They are here assembled, equipped, and prepared to be convoyed to the advanced distributing parks. About 150 cars of various types are sent out daily and often as high as a thousand cars leave per week. The park is now operating on a very efficient basis and construction is in progress for the necessary buildings so that the work may continue during the rainy periods. New standard Liberty motor trucks may be seen here in great numbers.

CAMP ANCONS.

Situated about 1 kilometer east of the docks. This camp is particularly interesting from a visitor's point of view on account of the very efficient way and unique methods by which the 6,000 negro troops are taken care of. These are the troops who perform the labor upon the docks. One of the most interesting features is the feeding of these men. The men pass through stiles in single parallel columns and receive the food from attendants at the rate of about 125 per minute. A kitchen, composed of about two dozen field ranges in a near-by building, cooks the food, and it is carried by the attendants to the men who do the serving. Hot food is taken from this kitchen for all meals and served to the troops who are on duty at the docks.

ST. SULPICE WAREHOUSES.

Situated about 25 kilometers northeast of Bordeaux. This is an immense system of warehouses, to which most of the supplies from the docks are taken, over an American railroad. This system of warehouses comprises three sections and when completed will have about 115 storage buildings, each with dimensions of 15.4 meters by 154 meters, making a total covered area of 2,583,392 square feet (240,000 square meters). A wonderful system of tracks around and between these warehouses makes it possible to charge or discharge them in the minimum of time. About 800 or 900 cars are being loaded or unloaded daily.

Each section is composed of many rows of warehouses, three in a line and placed diagonally with the sectional divisions. On each side of each line of warehouses are two tracks. The intervening space, 5,700,000 square feet between warehouses, is used for the storage of Engineer property and other material which is not affected by weather conditions.

It will be noted that both the warehouses and the intermediate space can be utilized at the same time from the two tracks. The camp is approximately 2 by 5 kilometers and

located adjoining the main Bordeaux-Paris railroad line. About 11,000 troops are at present used in this camp, including 1,800 German prisoners. These prisoners are formed into companies of 450 men each, and 85 class B American troops to guard each company. A prison camp of 900 men is located each side of the project. All the men, including the prisoners, work 10 hours a day and receive the best of army rations, including the 15 per cent additional allowed labor troops. The prisoners are doing very good work, but usually arrive in a poor state of health. From two to three weeks are required to bring them to full efficiency.

Owing to the size of this project, a unique system of gasoline "speeders" has been instituted for supervisional work. My observations of the camp were made from one of these "speeders." There is also an American prison camp here for men who have been sentenced from three to six months. They are also used on this work.

The project now has about 14½ kilometers of railway tracks completed, and will be increased to 240 kilometers. Switching facilities are arranged for on either end of the project to connect with the main line.

EMBARKATION CAMP.

The embarkation camp is situated about 5 kilometers northeast of Bordeaux. The day after the armistice was signed a soldier wrote his best girl: "For over a year I have had a burning ambition to go overseas, and, by gosh, I've still got it." Then he and all his fellows sat down and did a little figuring. Statistics seemed to prove that a long and sad wait lay before him. To make sure, he consulted his company commander and had his fears confirmed.

The company commander forgot that Uncle Sam learns by experience. He remembered how long it took to come over. He saw visions of trucks drawing up before company barracks at ports of embarkation not so very long ago loaded with shoes and overcoats and breeches and shirts, and, after a hectic two hours of sorting and trying, returning two-thirds laden for exchange with odd sizes that would not fit anybody. He saw company clerks toiling all night long over service records, passenger lists, and the hundreds of individual papers necessary to keep a quartermaster busy and contented. And on that basis he knew it would be a long, long time, even should the return movement start immediately, before the cow-haunted towns of sunny France would fade into memory.

But Uncle Sam has learned by experience. He has put 2,000,000 soldiers into France, and in the process he has acquired knowledge. The hundreds of thousands who passed through the replacement camps of St. Aignan-Noyers, of Le Mans in Brittany, of Blois, and of Nevers, soon showed him that some better methods had to be devised, and in his service were men frantically desirous of keeping their names out of print who had the sense to devise them. He cut out the trucks and got down to business.

The result was "The Mill." They tried to get a better name for it, but the dictionary did not contain one. For it is a mill. Into one end they feed soldiers—dirty and ragged and infested from the battle fields—and from the other they turn them out cleaned and reequipped and ready for home. Now that the soldier's ambition to go overseas is once more in a way to be gratified, he has acquired another. That is the way with ambitions. Now he wants to greet again his closest friends at home and get rid of his closest friends in France. I refer, in the latter case, to the cooties, or, in more dignified terms, the lice.

It is not a pretty animal, nor is it a pretty name, but both stick. The cootie has risen to the dignity of official command. I believe there is now an officer—I am not sure he is not a general officer—who rejoices in the proud title of chief delousing officer. Why not chief delicing officer I do not know. It was considered that the corps under him should be named the military delicers, somewhat like the military police, but the other M. D.'s objected. At any rate, he has built various combat strongholds, such as in the embarkation camp outside of Bordeaux, and there he obtains his victories.

Men going home are either casuals or organized units. The organized units come off the line and are sent into billets in villages scattered over a wide area. There they put up their own little portable delousing plants and draw their new equipment and generally tidy themselves up. When they think they are ready, they report the fact and are inspected; and if their opinion of themselves is correct they are, according to priority list, moved to Embarkation Camp No. 2, whence they go aboard ship.

The camp is a collection of typical American barracks, situated in a beautiful country about 4 miles out from Bordeaux. It is very complete and comfortable. The arrival, armed, it is hoped, with his service papers and travel orders, "blows in" laden with full equipment. He is shoveled into one end of the mill. From that moment his destinies are in other hands. Between long batteries of typewriters he files slowly. His vital statistics are taken. Where he is from, who is his nearest relative, to what unit he has belonged, the barracks to which he is assigned, and other items of the sort are entered on duplicate cards. From this room he proceeds to another, also full of clerks, who assign him to one of the eight great districts into which the United States is divided. The idea is to get him into a casual company with comrades from his own section of the country. Thus his return home in an orderly and military manner is assured. The casual companies number 150 men each and are officered by casual officers, also from the same neck of the woods. The information here obtained is collated at headquarters. The adjutant has always before him a morning report showing exactly the number of men and officers on hand from any part of America. He also knows that by the time the man leaves that second room his records, all his service records, his equipment slips, his allotments, his insurance, his qualification cards, and so forth, are cleared and in order.

The third room has two long benches, two long tables, and a row of ash cans. Hinged sides to the room make it possible to remove the ash cans from the outside. Here the soldier separates himself from all his personal belongings. Equipment and all that dread word comprehends falls from him, both ordnance and quartermaster, and he steps into the fourth room boasting earthly possession of only a towel and a piece of soap—both newly acquired. The ash can contains all the rest, and that spirited away by unseen hands disappears into unknown regions. What eventually becomes of its contents he knows not nor greatly cares. As a matter of fact, they are taken away and undergo treatment and reclamation.

And in the fifth room that soldier undergoes his five or six hundredth physical examination since entering the Army. When a medico has nothing else to do it is his delight to examine you physically. Medicos have nothing much to do.

If he is all right the soldier goes on into still another of the innumerable long steamy rooms. If he is all wrong he is shunted one side into the yawning infirmary wagon. This room is full of showers and steam and hot water and the smell of soap, all of which are supposed to be very bad for cooties. In fact this might be called the chamber of horrors for the cooties. When they have passed this test they are, if not dead, at least in an awful fright.

The cleaned, solitary, but naked soldier next steps into a storehouse. Here are arranged neatly on pigeon-holed shelves every last item that a soldier is supposed to own, and arranged according to the exact order in which he wears and carries them. That is, he gets his taps for identification tag and his undershirt first, and his ordnance last. Into the equipping and dressing room he comes as he came into the world, and out of it he steps a complete American soldier.

All but his haircut and shave. A mammoth barber shop of 50 chairs—count 'em; 50—still awaits him. He can now go to his assigned barracks to await the time when, a sufficient number of men from his section having gathered, he is pronounced a member of a full-strength casual company and is moved to the embarkation camp. From that moment his history is that of any soldier belonging to a unit.

Before the time of sailing perhaps some days or even weeks must elapse. He must be held in readiness, not permitted to stray. It is dull work. But here comes in those most excellent institutions, the Red Cross and the Y. M. C. A. Both camps are blessed with several huts under exceptionally able management. Pianos, phonographs, magazines, letter paper, canteens for the assuagement of the soldiers' strange and perpetual hunger for chocolates, chewing gum, and the cheaper brands of cigarettes are all there in abundance, and the personal touch also, without which these things amount to little. One American woman has, by dint of sheer personality and sympathy, so endeared herself to the thousands who have come in contact with her, that men on leave have actually taken their vacations in Embarkation Camp No. 2 instead of amid the white lights in order to renew their acquaintance with her. Think it over, it means something.

The best of all—to the friendless casual at least—he gets paid. All he has to do is to step to the desk. No waiting for the pay roll of his old company to be examined. You do not know what that means unless you have been there; but about 2,000,000 of our men have been there.

Even waiting must have an end. There comes a time when the Navy says to the personnel officer at the docks that it has a ship with such a capacity ready for home, and the latter refers to his priority list and his morning report and reports such and such units for embarkation. They shoulder their

packs and march to the docks in tow of special guides. There are guides everywhere to show each unit, each man, by prepared lists, just where he shall go. At the foot of the gangplank the embarkation camp bids him and his record farewell.

And to an Army man here is a beautiful arrangement, for in the Army a man and his record are presumed to be inseparable. If they ever drift apart, dreadful things happen. The man is adrift. He may even become a casual, and that, as I must have made clear, is a terrible fate. If the transport took him over at camp, for example, and if on the way to the docks he should break his wishbone or something and be sent back to a hospital, and his record should go right on without him. Do you not see? But embarkation will have none of that. It escorts him and his record "tout ensemble," as we say in our fluent French, to the edge of the water and wishes him a good trip.

At the mill, near Bordeaux, alone they can delouse or delice them at the rate of 6,000 a day, 18,000 a month. Bring on your ships!

ST. LOUBES.

Situated 12 kilometers northeast of Bordeaux. This project is situated on the south bank of the Dordogne River. Along the water front American engineers have constructed about 600 feet of wooden docks, where the ammunition barges are unloaded. Upon arriving the ammunition is loaded on these barges at a point down the river and towed up to this dock. From here it is taken by horse-drawn vehicles to sorting warehouses. From these sorting warehouses the supplies are distributed to 36 special storage warehouses, according to the clasification of shells. These special warehouses are distributed over a large area and connected with the distributing warehouses by railroad tracks. All possible precautions in the location of these warehouses have been taken in order to prevent the possibility of any general explosion.

This whole system is, of course, connected with the main French railroad lines.

HISTORY OF UNITED STATES ARMY BASE HOSPITAL NO. 6, AMERICAN EXPEDITIONARY FORCES.

Base Hospital No. 6, the first American hospital of any character in the immediate vicinity of Bordeaux, arrived at Bordeaux on July 28, 1917, with 29 medical officers, 64 nurses, 7 civilian secretaries and specialists, and 153 enlisted men of the Medical Department. The unit was organized in Boston, Mass., by Maj. (now Col.) Frederic A. Washburn, Medical Corps, administrator for the Massachusetts General Hospital. Nearly all of the medical personnel and nurses were graduates of the Massachusetts General Hospital.

The unit sailed from New York on the steamship *Auroria* on July 11, 1917. It was among the first six base-hospital units ordered to France. The unit arrived at Liverpool July 23, and proceeded without delay to France by way of Southampton.

The unit was the first American organization to enter Bordeaux or vicinity, and one of the first to be established in what is now known as base section No. 2, which at that time had not been conceived. The citizens of Bordeaux and Talence evinced much interest and pleasure in the advent of the first element of the American Army in this neighborhood.

Arrangements had been previously made for the unit to take over the Petit Lycee de Bordeaux at Talence, Gironde, which had been in use for three years by the French Service de Sante as a French hospital. The personnel of the unit was quartered in a few vacant wards until such time as the construction and the organization program should be carried out.

August 21, 1917, the first American patient was received.

At the time the unit arrived at Talence the French hospital had upward of 900 patients, whose evacuation was necessarily slow, and it was not until September 1 that the French hospital Complementaire No. 25 officially turned over its buildings to United States Army Base Hospital No. 6.

In the meantime plans for construction had been under way, and by September 5 the renovation and repair of the administration building had been completed to the point where it was ready for occupancy. Soon thereafter the construction of barracks was started. The original plans of construction received many additions as the American Expeditionary Forces grew in numbers.

On October 28, 1917, the hospital received its first visit from the commander in chief, Gen. Pershing. He made a thorough inspection.

The construction of the various groups of barracks progressed favorably, and by December 25 a Red Cross hut was completed for the use of personnel and patients.

On March 1, 1918, the base laboratory, base section No. 2, S. O. S., was established at the hospital.

March 1, 1918, the Chateau de Breuil was leased for the use of nurses.

March 13, Secretary of War Baker and Gen. Pershing visited the hospital.

March 15, 11 officers, 21 nurses, and 46 men, comprising Hospital Unit "O," reported at the hospital for duty. This unit had been formed in Charlotte, N. C., by Maj. Addison G. Brenizer, Medical Corps.

On April 3 the first convoy of patients from the front was received, numbering 326. On April 8, a convoy of French patients was received, an agreement having been made to care for 100 at a time as long as accommodations permitted.

On April 25 Maj. Washburn was relieved of the command and ordered to England to take charge of the hospitalization of American troops in England, and Maj. (now Col.) Warren L. Babcock, M. D., commanding officer of the American Red Cross Hospital No. 3, Paris, took charge of the hospital. On this date the hospital was taking care of 650 patients, and the construction had advanced to a capacity of 1,360.

May 13, 1918, the Chateau de Baychevelle, near Pauillac, was added to the hospital as a convalescent pavillion for convalescing American officers.

From this date until the present writing convoys of wounded were received at regular intervals from evacuation and advance hospitals, and the patients increased rapidly in number. On June 30, 1918, the number of patients was 1,385 and the capacity 2,200.

July 30 the hospital was again visited and inspected by Gen. Pershing.

On July 31 the number of patients in hospital was 2,332, and the number of beds 2,600.

The construction work was kept in advance of the demands for accommodation of wounded and completed in time to receive the great flood of patients following the Chateau-Thierry and Soissons battles. On completion of the construction, September 1, 1918, the capacity of the hospital was established at 2,750, and orders were issued immediately for the organization of an emergency capacity by the erection of tents and the use of many of the corridors of various buildings. An emergency capacity of 1,500 beds was thus provided in a few days.

The hospital furnished several surgical, gas, and shock teams of trained specialists for work in forward evacuation hospitals and at the time of the establishment of Headquarters Base Section No. 2 a number of its personnel were requisitioned as specialists for service in the office of the chief surgeon, Base Section No. 2.

On November 1, 1918, the Caserne Carayon-Latour, at Pessac near Talence, was taken for equipment and administration as a part of Base Hospital No. 6. It had a capacity of 1,200 beds, thereby increasing the capacity of Base Hospital No. 6 to 5,550. This Caserne was later designated as Base Hospital No. 220, and Capt. George A. Leland, jr., was appointed commanding officer.

On November 11, the day the armistice was signed, the hospital had 4,320 patients, its normal and emergency capacity both being fully occupied. On the basis of population it was the largest base hospital in France under a single administration as distinguished from hospital centers. At its maximum it has had a total personnel, nurses, soldiers, and civilians, of nearly 700, and up to present writing has cared for over 25,000 patients, the majority of whom were American wounded.

While at Bordeaux I was invited by Brig. Gen. Robert D. Walsh, the commanding general of Base Section No. 2, to accompany him out to Base Hospital No. 6, which is located in the outskirts of the city. This hospital was first started by the Massachusetts General Hospital unit, and at present contains a large staff of Massachusetts doctors. The work which has been done at this hospital is well known all over France. I was shown through the various wards and met a great many men from all sections of the country. The men were in a happy frame of mind because orders had been received that all men in the hospitals were to be sent back home. I was impressed with the comfortable portable buildings, with their warm stoves, and the good food that was given the men at this hospital. I talked to scores of them, and every single one was warm in his praise for the treatment received here. At times this hospital has had as high as 6,500 patients. I was very much interested at visiting some of the gardens that were taken care of by the convalescent patients. These gardens furnish all of the fresh vegetables that are used in the hospital as well as give useful and helpful occupation to the men.

The Red Cross has furnished huts as well as the Young Men's Christian Association, and they take good care of the boys. The

Knights of Columbus have men going through the hospitals at all times distributing free cigarettes and chocolate to the men.

I also visited the Beau Desert hospital center. Here four hospitals are in operation, and they have had as high as 14,000 patients at one time. This hospital center is a city in itself. I also visited the Wellesley College Unit Red Cross Hut, which is at this hospital center, and which is considered one of the most attractive in France.

While at Base Hospital No. 6 I made a short speech to the boys when one of their number was being decorated with the distinguished-service cross for bravery.

Everywhere that I went I found Massachusetts officers and men upholding the traditions of Massachusetts and doing the work that had been expected of them in a manner that made me proud of the fact that I came from Massachusetts. We will never be able to repay the men and officers who gave up their homes and friends and went over to France to fight for us. They suffered hardships that the world might be a better place to live in. Many of the poor lads made the supreme sacrifice, and as I noticed their graves, from the fighting regions north of Verdun to the small cemeteries outside the hospitals in Bordeaux, I then, in a small way, began to realize a little of what these men have been through.

So far as war relief work is concerned, I have heard nothing but the highest praise, from officers and men alike, for the Knights of Columbus and the Salvation Army. They have been with the boys always and everywhere, giving them little luxuries that helped greatly to stimulate morale.

Address Delivered by Hon. Royal C. Johnson at Norristown, Pa., on February 9, 1919, on the Life and Character of Theodore Roosevelt.

EXTENSION OF REMARKS

OF

HON. EVERETT SANDERS,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. SANDERS of Indiana. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address of Hon. ROYAL C. JOHNSON, delivered at Norristown, Pa., on February 9, 1919, on the life and character of Theodore Roosevelt.

The address is as follows:

ADDRESS OF HON. ROYAL C. JOHNSON, REPRESENTATIVE FROM SOUTH DAKOTA, DELIVERED AT NORRISTOWN, PA., FEBRUARY 9, 1919.

Theodore Roosevelt was our friend and, like 2,000,000 other Americans, I have returned to the land of my birth to find that our general and friend has "gone west"—"gone west" to the place where he may secure that peace that was never allotted him in life, and where neither the recollection of his power, nor service, nor kindness may enter his thoughts.

"Gone west" with a smile, secure in the knowledge that he satisfied himself that he performed his duty like a man, but that he may never again hear the tributes that men give to men.

"Gone west" with the love, affection, and confidence of his countrymen. Too few of us there will be who will be able to do likewise.

I dislike to eulogize him. It is easy to criticize the living or eulogize the dead, and I can not believe that he would desire either. All that he would wish of us is to let his life and his work and his example live for the inspiration it may give to future Americans. He had no other thought than America. With full knowledge of the world and its history, he was always an American, and history will record him as the greatest American citizen of his time.

I shall not try to talk of him as will the historian, coldly stating the facts of great achievements, but rather as I shall talk to my grandchildren, when they cluster around and ask me of Theodore Roosevelt, because his history will not be written in books, but will be engraved in the hearts and minds of those yet unborn who will follow him. It is of the memories of him that we wish to think, and not of what may be written.

When they ask me of him, I shall say, "No one can tell you of Roosevelt, his life, or his work—he accomplished so much in every realm of the world's activities that none of us may imitate him, but I can truthfully say that he was the greatest living force in the world for a score of years—not long as time is considered, but measured by the life of men, an eternity."

During that time he was legislator, statesman, soldier, father, and President, and there are none to-day who dare to say that he was not the best. As a legislator his record is an open book which the historians of the world will lay before you, and with which you are familiar. As a statesman he had the knowledge of the world's forces that few have had, and he used his knowledge for his country. As a soldier he was the idol of soldiers, and he faced death as a soldier should face it.

I have always felt that the secret of his strength and the underlying reason for his honesty was the fact that he had faced death so often and had no fear of it. The conquering of that fear had led him to the great philosophy that if he could but satisfy himself, he need have no fear of satisfying others, and with that great fund of knowledge, which he had so studiously earned, he satisfied himself and was usually right. Without that lack of fear he never could have performed the services to his country which he did perform, and you will find the dominant note of lack of fear of death or consequences running through all of his activities. His own creed, as given by him many years ago, expresses my thought better than I could express it, and I shall give it to you as he gave it:

> I preach to you, then, my countrymen, that our country calls not for the life of ease, but for the life of strenuous endeavor. The twentieth century looms before us big with the fate of many nations. If we stand idly by, if we seek merely swollen, slothful ease and ignoble peace, if we shrink from the hard contests where men must win at hazard of their lives and at the risk of all that they hold dear, then the bolder and stronger people will pass by us and will win for themselves the domination of the world.
>
> Let us therefore boldly face the life of strife, resolute to do our duty well and manfully; resolute to uphold righteousness by deed and by word; resolute to be both honest and brave, to serve high ideals, yet to use practical methods. Above all, let us not shrink from strife, moral or physical, within or without the Nation, provided we are certain the strife is justified, for it is only through strife, through hard and dangerous endeavor, that we shall ultimately win the goal of true national greatness.

If one could have asked Theodore Roosevelt, when he knew he was going to leave us, what he considered his greatest work, I believe that he would say that it was the fact that he had trained four sons and given them to his country; and it is as a father that we must most admire him. No one knew what war would cost as he knew it, and no one knew the toll of death that would be taken as he did, yet willingly and cheerfully he acquiesced in the desires of his sons when they went forth to the fighting line, ready and willing to accept that which was to be accorded them as did their father.

He knew the soldier's creed, and when his son had said, "If my time shall come, I wish to lie where I have fought and fallen," he knew the motive that called for that expression and cheerfully acquiesced. He knew that if the cause was worth fighting for and dying for, the place of death was the place for eternal rest.

Of his life and work as President we must let the historian speak, because every realm of human endeavor and activity entered into it. His one desire, if I may interpret his feeling, was that every man, woman, and child in his country might be given a place in the sun, with the right to happiness, justice, and freedom. He desired to "carry on" with that thought with a firm belief in a Divine Providence, and in the broad sense of the word, a Christian. He carried to the office of President the lessons that he learned from the Sermon on the Mount, and as he learned them he lived them. We see this if we take his creed, and he expressed it when he said: "If we read the Book—the Bible—aright, we read a Book that teaches us to go forth and do the work of the Lord in the world as we find it; to try to make things better in the world, even if only a little better, because we have lived in it. That kind of work can be done only by a man who is neither a weakling nor a coward; by the man who, in the fullest sense of the word, is a true Christian, like 'Greatheart,' Bunyan's hero."

But enough of eulogy; the devotion of my allotted time to the saying of the kindly, but true, things of Theodore Roosevelt would not satisfy him. If he were present, his mind would be upon the future, and he would wish to know what we were doing now to carry out his work that he had begun and for which he gave his life. He would ask us many searching questions, and questions that none but he could ask; he would ask concerning the future of our country and what we were doing to make it better. He would say, "Our boys have gone to make the world better, and what are we doing and what will we do for them when they come back?" I wish he were here to tell us, because no one understood the American soldier as he understood him, and if we could but have his counsel and advice at this period of the Nation's reconstruction it would be timely and wise.

I think he would ask us what comprehensive program we have undertaken for the sick, the wounded, and the well, and if we

have made provision for the new life to which every returning soldier aspires.

As we read his writings we know that he knew the problems; he knew that men whom the world called failures have fought the good fight and will come back regenerated, and he would ask us what provision we have made to keep them on this plane to which they have risen. He would say that each of them must live his own life, but that this coming back must mean that the respect for law and for the rights of civilization be kept before each man. He would say that these men must decide for themselves, but should be given every opportunity for advice in making a choice. In his great wisdom and charity he would know that men return with hopes and desires that life can never fulfill, and his practical mind would wish to reconcile that wish with that which they can receive. He would say that we must be governed both by the law and by the facts, and by the conditions and not by theories. He would know that every man must be returned to the place in life that he by merit and industry and application is entitled to occupy, and he would see to it that that place was kept or made for him. He would know that we must reconcile the thoughts and hopes and aspirations of both soldiers and civilians; he would teach the soldier that this war could never have been successfully terminated had it not been for the loyal support of the men, women, and children, who saved and slaved that the soldier might be heartened and equipped, and he would teach the civilian that he would have no country had it not been for the soldier.

His great mind would fathom the fatalism that permeates the thoughts of those who played with death and he would combat it with words that would bring home to the heart of every man the fact that not luck but tact and industry and perseverance will rule the world. He would teach the boys that in battle they lived not by merit or by luck, and that while "c'est l'guerre" was the motto of war, in the future they must learn that the world is not changed and their actions must be governed by adaptibility and judgment. He would know that his sons and your sons must be given time to pick up the habits of life which they left so long ago and which are now hard to assume, and he would outline the needful legislation. He would see that it is yet too soon to say just what we shall do or how we shall do it, because the youth of our country has not returned, has not been consulted, and any decision to which we come without the counsel of the men who fought that the people of our country might retain the right to choose their own destiny will be made ex parte and subject to reversal. This does not mean that pressing decisions should not be made. We live in the present and each day, and its problems must be met. It does mean, however, that we must maintain the Constitution as it is and the foundations of legislation as they are until all of the people of this country are given an opportunity to express themselves.

He would lay down some of the general principles that must govern us. One that is accepted by the bona fide citizens of this country and will be demonstrated upon the return of its troops is that we have a profound respect for its laws, its decisions, its uniform, and its flag.

Four million men fought or were ready to fight for its dedisions, in its uniform and under its flag, against an alien enemy, and those men will not hesitate to fight against an enemy, alien or domestic, who can not accept the decisions of a majority of the citizens of our country and respect its flag. He would say this in his charity and kindness for the benefit of those individuals who hold in allegiance the red flag, which has never been the symbol of organized society and government under whose laws sane and civilized people must live. These rules are plain to the understanding, and have been and must be observed by the overwhelming majority of the citizens of all countries.

He would say, and I would repeat after him, that the free men who wear or have worn the American uniform will fight any organization that seeks the destruction of Government or finds that it can not abide by the laws of this country, respect its flag, and uphold its hands. An enemy is an enemy, whether at home or abroad. A traitor is a traitor, no matter where he may live; and Theodore Roosevelt would say, and every soldier would repeat, that the cause of anarchy and of rebellion will be met with every soldier upholding the Government for which soldiers fought.

He would say, and every soldier would repeat, that no man can hold true allegiance to two gods, two countries, or two flags. One must be surrendered, and the country can not live and prosper that does not force the surrender of any allegiance which is inimical to national unity. He would make the statement, as he has time after time laid down the principle, that every American citizen is entitled to the protection of the American Government for his person and property at any place in the world where he may happen to be.

He knew, as none of us know, that no country can be great or maintain its self-respect if the rule is not complied with, and when a government does not assume that attitude neither it nor its citizens retain their self-respect.

Time is all too short to honor this great man, but I believe that so long as the Nation endures the thoughts of men will turn to him for inspiration, and I can only say that for him I have but one regret, and that is that he might have died at the head of the troops of his country, in the fight for the things which he knew were right. He would have then died as he wished to die and as he lived. Together with his son "gone west" in battle at the front. A soldier, God bless him.

Our Country is Not Large Enough to Shelter Any Citizen Not Truly American.

EXTENSION OF REMARKS

OF

HON. S. D. FESS,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. FESS. Mr. Speaker, under leave to extend my remarks in the RECORD I insert the following:

ADDRESS DELIVERED BY S. D. FESS AT THE CHAMBER OF COMMERCE OF PITTSBURGH, PA., FEBRUARY 8, 1919.

Mr. Chairman and members of the Pittsburgh Chamber of Commerce, I am here to speak on at least one phase of the reconstruction problem.

However great was the problem of winning the war, the proper solution of the problems of peace is greater. The war came after two and one-half years of warning, which gave the Nation abundance of time to think of the task. When we entered it it was a problem of men and money, mobilized to give the maximum war ability. This was done in the usual American way. While all must admit it was wasteful, and wickedly so, the answer to all claims for economy and all charges of extravagance was "we must win the war."

With the close of the war the problems of peace are imminent and acute.

Under the stress of war we ignored the principles of sound business and finance to embark upon emergency legislation. While this was done as temporary measures to enable the Government to utilize the maximum ability for Government purposes, to a total disregard for individual rights, it offered an administration astonishingly friendly to socialistic tenets the open door to try out these socialistic doctrines at the behest of Socialist advocates and propagandists. So we are not surprised to find presented to us to-day on the part of the administration a request, if not a threat, and on the part of classes of agitators a demand, that these temporary and emergent measures for war purposes be made permanent law for peace purposes.

FIRST PHASE OF PROBLEM.

This is the first phase of the reconstruction problems. Another phase more serious is the inevitable loosening of the ties of law and order, the giving way of the sheet anchor of peaceful government. This has permitted a phase of resistance to the organic laws of the land, which is reflected in numerous ways and divers places, not only in Europe and Asia but even here in America. The worst fruits of this disregard for order fully is found in Russia. The Bolshevist régime there can not be described to an American accustomed to respect for law. Here is a Government which but yesterday could stand out against the world. It was looked upon, and had been for many years past, as the greatest rival of the Anglo-Saxon. Many of our keenest students of world politics looked upon Russia as the one mighty rival of Great Britain. Students of political history predicted a conflict between the Slav and the Anglo-Saxon.

To-day, under the ban of a group of anarchists, whose fundamental theory of government is the abolition of private property, this mighty empire lies prostrate, with none so poor as to do her reverence. That doctrine with its poisonous virus breaking out all over Europe has shown its presence here in America, in more or less boldness since the war opened the door. Its fertile field is among the labor of our country, especially the ignorant foreign worker. It quite naturally feeds

upon the misfortunes and pains of a people. It seeks the times of distress to fatten and increase its ranks.

FOREIGN DOCTRINE INCREDIBLE.

To-day, when war's demands, which were unlimited, produced a standard of cost of living that is abnormal and fictitious it foresees a period of unemployment and consequent suffering, and immediately charges it all to our system of government. To this situation quite naturally they offer as a remedy a change of our system, the abolition of private property, and the inauguration of what they choose to call the new internationalism, in which by government feat they propose to make every man and woman equally happy, without regard to the real fundamental principles of sound success.

To the average American, for this is a foreign infusion, this doctrine is incredible. But I warn you men of business that it is taking a deeper hold upon our country than any of you perhaps conceive. It is rapidly spreading among the less well-to-do among us who are too prone to gather among themselves and turn a listening ear to the irresponsible agitator, who assures the aggrieved that their ills flow from their Government, which owes them a living upon terms of their own making. The toiler is told if he wants to work and must work he should work for himself or his Government, not any other employer. Recently a spokesman of the railway employees urged the roads should be run in the interest of the employees as against either the owners or the public. This is the Russian Soviet under which Russia is to-day prostrate. The toiler is told that the striking inequalities of our citizens as property holders is not due to individual differences but to a Government that wrongfully permits the inequalities. He is urged to demand in the name of equal possession that the Government be abolished and all denied any possessions. This doctrine refuses to admit of diversity of abilities and proposes to make all alike by leveling all to the plane of dispossession. It proposes to chop off the head of every citizen who, by his efforts and application, rises above the average standards.

WARNING IS ISSUED.

I warn the country against this frightful doctrine. No man can fail to see the food upon which it feeds, nor the growth it is bound to make unless met by a sound and well-organized campaign of education. All political parties ought to unite their agencies of information to dissipate by the light of education this nefarious and pernicious poison that is daily insinuating itself in our body politic.

I am now addressing a group of men who represent the business energy and success of this city. I am convinced if I should take a census to find how many have come to your present status by your own efforts and devoted application to principles of sound business, even starting with small beginnings and advancing wholly upon your own intelligent direction, I would find that the vast majority has come from almost nothing. In what you have done in your business career has not been limited to personal gain, but no doubt you have given employment to thousands of citizens, thereby making it possible for many of them to have their homes, to educate their children, to become active and useful factors in all good works in their immediate vicinities.

But if among you, through sloth or indolence, idleness, thriftlessness, wastefulness, or from whatever cause, there are those who prefer to sit on the proverbial store box and solve the problems of state, on which they are so busy that they have no time for work, his situation is not his own choosing or lack of choice, but the government or the system of laws under which he lives. The acuteness of this problem is commensurate with the number of this class of citizens among us.

MUST ABSORB ALL LABOR.

Unemployment which may result from demobilization will aggravate the question. Our concern should be to absorb all our labor as soon as possible. We should also endeavor to carry on a campaign of education to show the conditions necessary for steady employment of labor. Here business must be given a chance to employ labor.

Labor must be willing to take employment at a wage business can pay. The two must be cooperative. Indeed, the public must demand a policy of enterprise in which the employer must be concerned about the welfare of his labor as well as the profits of his industry. It was well expressed by some of your conventions that "If it is not for the common good it is not good for business." This should be the criterion not only for the employer but for the employee.

I believe that the American laborer is loyal to our spirit and institutions, and can not easily be turned against them, even in times of stress and storm induced by whatever cause so it is not such as may be avoided. But we can not overlook the importation of Old World principles and practices too often becoming insinuated into our labor circles from which are fomented outbreaks of lawlessness of various degrees. Within the past few weeks our Nation has witnessed outbreaks in many cities where were announced un-American doctrines and where the sight of the American uniform was hissed and our Government denounced.

DEPORTATION IS ADVOCATED.

This country is great in its boundaries and offers vast areas for occupations and residences, but it is not great enough for two allegiances. We must make it known to every comer that unless he can subscribe to the doctrines of a real Americanism this is no place for him. I vote now to forcibly deport every man and woman who hissed the appearance of an American boy in khaki. I am ready also to forcibly expel every man and woman who refuses to subscribe to a full and unqualified allegiance to this country.

We just now are contemplating the prevention of any further immigration for at least four years, a question of some serious import to business, out of which we may have to enact laws to meet certain conditions of labor.

Our chief concern is to insure a partnership between capital and labor, so that the interest of the one becomes the interest of the other. This is necessary to prevent labor from becoming a fertile field for the operation of the Bolsheviki.

It must come first by a clear conception of the problem, in which the rights of both are clearly discerned, and secondly by a fearless demand on the part of the Government for a recognition of the rights of both. This suggests the old problem of the conflict between liberty and authority.

MUST AVOID EXTREMES.

History of government seems to be an attempt to reconcile liberty and authority—both are absolutely essential. Some think the greatest boon to mankind is liberty. Others think it is law and order. Our country, happily, combined the two.

Jefferson was the greatest exponent of liberty. Hamilton was the greatest exponent of power.

While the world is set against autocracy we must avoid its extreme, bolshevism. Liberty under government, when the government is on behalf of liberty, is the solution.

This at once raises the question of our duty—now before us as a Nation just emerging from the world war, during which time in order to win the war we have made government everything and the individual nothing.

Liberty of industry is denied, and all business finds itself with the Government's strangle hold about its throat.

Our immediate duty, now that the war is over, is to get back from a war to a peace basis, which means to remove the Government's shackles on business.

When the real American doctrine is applied to present-day problems, people will demand the liberty of contract with the power of enforcement. Liberty without a corresponding responsibility is bolshevism. Enforcement of contract if no liberty was exercised in the making is autocracy. Both of these are un-American, and each is equally vicious.

Capital should be at liberty to invest, but in such a way as not to injure the public. Labor should be at liberty to discontinue a particular work, but not in violence to the injury of the public. The citizen should be at liberty to employ his talents, to apply his time to the best use of which he can make of his opportunities so long as not to interfere with or injure the public.

The function of the Government is to insure an equal opportunity to all its citizens in the rivalry of life.

CAN NOT MOLD CITIZENS.

Jefferson contended that that is the best government which governs least. That is, the best results are attained where the liberty of the citizen is least restrained in legitimate enterprise.

This is what capital wants. It is what labor asks for. It is what ambition rests upon, what aspiration consists of.

Government should not attempt to make all citizens of one mold, whether he be employer or employee. On the other hand, it should keep open wide the door of opportunity for every talent of every citizen. It should beckon to every citizen, whatever be his talent, his tendency, his tasks, so they be legitimate, to invite him to strive to excel, for this is the very essence of success of the individual and prosperity of a nation. The man who achieves should be commended. The man who fails should be stimulated to correct his mistakes in order to succeed, if possible. The Government should treat every man and woman as an independent, self-reliant, responsible citizen, not as a pensioner, not as a mere subject of paternalistic concern. Each citizen must be taught the fundamental doctrine of "sink or swim." That what he is is due to his efforts, not to paternalistic care; that he is the architect of his own fortune.

The door of opportunity must be left open. This is the real function of government. The success or failure of the citizen will therefore be his own, and the country must be made to recognize that fact in order to avoid producing on the one hand a nation of mollycoddles and on the other a nation of paternalistic dependents, both of which are equally bad.

If we fail to develop in the citizen this sense of self-reliance and responsibility, every misfortune growing out of indolence, idleness, or shiftlessness, to say nothing of waste and extravagance he will lay at the door of his government. This is the basis of anarchy and bolshevism.

DEMOBILIZATION PROBLEMS.

It is true that the Government in the case of the immediate problem of demobilization must employ every facility to prevent unemployment of labor. But this should be done not by fiat, but by providing ways for industry to prosper, so that capital may be invested profitably and labor be employed at a scale that, while it is in keeping with American standards, it will also enable the producer to market his product. Labor is justified in demanding the best conditions conducive to its employment, but it must not overlook the ability of his employer to market the finished product. Conditions of production which leave the producer without a market because of the high cost of production will prevent the industry from continuance. That means unemployment, which, of course, means loss of wages and a further interruption between the producer and consumer. The greatest demand in industry is measured by the consumer from the standpoint of labor. If labor, which makes up the great bulk of consumption, is deprived of wages from whatever cause, the producer will be injured to that degree. Business paralyzed by labor conditions will display its worst effects upon the laborer, who under the scale of high cost of living must be employed or suffer.

In that event we will have a situation where anarchy will lift its head and the slogan "kill and burn" will be heard. This is bolshevism in its worst form. It is a conflict between those who have and those who have not, in which those who have not undertake to seize what is possessed by those who have.

The first symptoms of these outbreaks are unemployment and consequent distress from want.

These conditions are seized upon by the leaders of anarchy to organize against government. Law and order are resisted and disregard for law, our only stay against crime and violence, is encouraged.

Liberty becomes license and government a sham.

DANGERS ALWAYS IMMINENT.

These dangers, always imminent in times of distress, breed out of ignorance of economic principles and feed upon undisciplined passion so freely displayed in times of crises. To-day we see the same spirit of antagonism to law and all legal restraints rapidly spreading over the world. Congress was asked to vote $100,000,000 to feed Europe upon the specific representation that it will prevent the spread of bolshevism. This representation comes from the highest source. While all of us stand ready to assist the suffering in Europe we doubt the remedy proposed for the antidote of a cult of the type of bolshevism, Mere appeal through the stomach is at best but temporary, but the real remedy is the assurance that the time is here when respect for law must be compelled.

I have a few suggestions to make as remedies for this disease.

Open wide the door of opportunity for capital to invest in the enlargement of existent industrials and also in the development of new industries.

So soon as possible unshackle industry by the removal of hindering regulations, so that the war essentials no longer needed for war purposes can be converted into peace industries, and the nonessentials, discontinued during the war as of no value for war purposes, may be stimulated for peace purposes.

Let the Government, so soon as possible, cease to be a competitor in production in all such industries as can be carried on by private enterprise, thereby encouraging those who have capital to embark into production on such scale as the demands for the article will warrant. In other words, maintain the principle of private ownership and operation wherever possible under the law of supply and demand.

Legislation should be enacted to permit the development of hydroelectric power by private contract under such regulation as to amply protect the public. This increase of power in industrial development will enhance prosperity by increasing the output of labor, thereby multiplying the conveniences of life and reducing the cost of living.

ENLISTED MEN'S RIGHTS.

The vast waste of power permitted in our streams by either refusal or neglect to permit the conversion of the water flow into power should be corrected.

In lines in which private enterprise can not fairly compete, such as road building or other public improvements, the Government may well embark upon a building program. This should be dictated by a policy of employment of labor in needed public works for the public benefit.

This activity should extend to the Reclamation Service to utilize waste swamp land and arid tracts throughout the country under such guidance as will insure not only employment of labor but an increase of acreage for production.

The labor situation, which may become acute by demobilization, should be relieved along national lines, with especial regard for the rights of the enlisted men, who must not be made to suffer for his sacrifice. Soldiers should not be discharged in the centers, but carried to the communities from whence they came and without unnecessary delay. They should be provided by such allowances as to reasonably assist them in replacement in industry, with a choice of resuming the places which they left to enter the service.

While demobilization should bear some relation to industry, the soldier should not be refused his discharge beyond the day his service is not needed by the military situation. The Government can not be justified in detaining the enlisted man in the service when no longer needed, for fear his discharge might embarrass the labor situation of those who were not in the service, but who were identified with war work in munition plants at abnormal wages. Such a policy will be and should be rebuked in unmeasured terms as a crime against patriotism.

While the abnormal cost of living is reflected in the high scale of wages, this scale can not be reduced to normal except as the cost of living is reduced.

This restoration to normal conditions involves a problem.

REASON FOR HIGH COSTS.

The cost of living is not an increase of value so much as an increase of price. This is largely reflected in not only an inflation of credit, due to the stupendous war borrowing which has suddenly increased our annual outlay from a billion to nearly $20,000,000,000, but also to an inflation of our currency.

Whereas our per capita circulation at the close of the Civil War was but $16, it has now reached the enormous sum of $55, or three and a half times as much.

Even in the famous silver campaign in 1896, where the advocates of the quantitative principle of finance demanded greater circulation, the per capita circulation was but $31.

The virtue of our Federal Reserve System lies in our ability to so expand our credit that we may avoid a financial crisis such as used to come every 20 years. But that very remedy contains the specific danger. We are now in the period of inflation. How will deflation or contraction be accomplished, if at all?

This increase of price without an increase of value may not seriously injure save in case of unemployment. In that case the problem of living becomes acute and the Government faces a most serious situation. This is an additional reason why capital and labor must avoid needless antagonism, but willingly cooperate in order to insure against unemployment.

If industry can not safely invest its capital to employ labor at this abnormal scale, so that the finished product may find a market, industry must stop. In that case labor will be unemployed, and while labor becomes the greatest sufferer, capital must suffer from lack of investment.

Our country can not permit an army of unemployed men to beg for bread. Herein lies the seeds of trouble which may become Bolshevik, the one most dangerous element in the world of to-day, because of its disregard for law, the very sheet anchor of our liberties and the foundation of our national prosperity.

FIND WORK FOR ALL.

And I leave off as I began, that the chief function of the Government is not to employ labor, but to keep open the door for the employment of labor so that every man who wants to work can find a place at a reasonable wage, and every dollar that he wishes to invest can find an investment at a reasonable profit.

The inevitable dispute between labor and capital should find an agency, either official or unofficial, by which the two sides can be fairly represented and adjudicated in the interest of the public as well as in obedience to the laws of equity in the case. The Government should be interested in this phase of the industrial problem.

Such a body can be selected for the purposes of conciliation. However, it should never be overlooked that good labor conditions can not result from mere Government fiat. They must come from a condition which permits industry to employ labor steadily and at good wages. The one supreme demand of the hour is, in my judgment, such legislation as will insure steady employment here. That means we must depend upon producing

here rather than elsewhere. Every article purchased from abroad that could have been produced here means displacement of that labor here by employing labor in the country from which we purchased the article.

Our people can not be unaware of the modern cosmopolitan philanthropy which is styled the new internationalism by which we scorn at the idea of our legislation on behalf of our own people. The campaign now on to lose the American aspiration in a maze of European interests, to remove all economic barriers and legislate for the world rather than for America sounds well, but carries with it too much European customs and conditions of economy to suit a country whose laws and privileges have for a century seen an exodus from Europe to America by a steady stream of immigration. The latest device for displacing a national policy based upon a real American spirit is the proposed constitution of the world, in which our national destiny is lost in international interests.

NATION HAS BEEN BLESSED.

This Nation has been wonderfully blessed by the character of her laws and institutions, her principles, policies, and business freedom. Her industrial achievements are the wonder of all ages. Her captains of industry are the foremost of the world. Her labor is the best skilled, most independent, and prosperous. This has been made possible by the cooperative spirit between the employer and employee under a policy of protection of American labor against the cheaper European competitor. To this policy the country has committed the advocacy and leadership of a great political party. Its greatest proponent was the splendid leader of the American policy of protection whose memory we have so recently honored.

In this presence and upon this occasion when our thoughts are turned to the stupendous problems of reconstruction as affecting the labor situation of the Nation, and as would be reflected in the life and services of our martyred McKinley, we reaffirm our devotion to this American policy to protect American labor against the cheaper labor of the Old World, and will refuse to exchange a national policy for the new free-trade cult in which we are asked to cease legislation for our own people, to enter upon an international program of legislation for all the world. The country will take its stand firmly for an American policy of protection to insure steady employment of labor on an American scale to preserve the American standard of life. If Europe wishes to come to our standard we will rejoice in her decision. But until that is reached we will continue to maintain our policy of taking care of our own household first without any undue entangling alliances with foreign countries.

EXTENSION OF REMARKS
OF
HON. FRANK CLARK,
OF FLORIDA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1919,

On amendment offered by him to the naval appropriation bill for water pipe line to Key West, Fla., at a cost of $2,000,000.

Mr. CLARK of Florida. This amendment is in harmony with the declared purpose of the bill as stated in the report of the Committee on Naval Affairs:

It has been the purpose of the committee in making recommendations to reduce all appropriations to the lowest possible figure consistent with the increased activities, efficiency, and proper administration of the service, and to that end the committee has labored by reducing appropriations in every instance where it was felt that no harm to the service would result.

Again—

Under "Public works, Bureau of Yards and Docks," the committee feels that it would be inadvisable at this time to recommend any appropriations for new projects, enlargements, or developments, and in this bill has recommended only appropriations which are considered necessary for the proper care, maintenance, and operation of existing properties.

The importance of Key West as a naval base has been too long recognized by high naval officers to need elaboration by me. I can do no better than quote from these sources.

In 1822 the Hon. Smith Thompson, Secretary of the Navy, in response to a resolution of the United States House of Representatives requesting the President to inform the House "what appropriations will be required to enable him to fortify Thompson's Island, usually called Key West, and whether a naval depot, established at that island, protected by fortifications, will not afford facilities in defending the commerce of the United States," said:

That the geographical situation of the island referred to in the resolution has for some time past attracted attention, and been considered peculiarly important both as a military position and in reference to the commerce of the United States.

These are some of the obvious benefits in time of peace, but its advantages in time of war with any European power having West Indian possessions are still more important, both as it respects the protection of our own commerce and the annoyance of our enemy. An enemy with a superior naval force occupying this position could completely intercept the whole trade between those parts of our country lying north and east of it, and those to the west, and seal up all our ports within the Gulf of Mexico.

Under date of May 11, 1823, when asking for an increased number of vessels and men, Commodore Porter wrote:

From the importance of the trade of Cuba and the Gulf of Mexico, the whole of which is protected from this place with a force not equal to one frigate, I presume my requests will not be considered extravagant. The arrivals and departures of the American vessels from the port of Habana alone average about 30 a week and those from Matanzas about 20. Not a day elapses but that great numbers of American vessels are to be met passing through the Gulf, and since our establishment here they daily in numbers pass in sight of us. I mention these facts to give you an idea of the importance of this station and to show the propriety of augmenting the force by the additions which I have asked.

In November, 1823, Commodore Rodgers, United States Navy, made a report containing this:

Nature had made it the advance post from which to watch and guard our commerce passing to and from the Mississippi, while at the same time its peculiar situation and the excellence of its harbor point it out as the most certain key to the commerce of Habana, to that of the whole Gulf of Mexico, and to the returning trade of Jamaica, and I venture to predict that the first important naval contest in which this country shall be engaged will be in the neighborhood of this very island.

Seventy-five years afterwards this prophecy was fulfilled, and with Key West as a base our fleet engaged in the most important naval contest ever fought in the Gulf, destroyed the Spanish fleet, and drove Spain from the Western Hemisphere.

In wars and rumors of wars has the importance of Key West as a naval base been demonstrated. During the Civil War more ships were stationed there than at any other port in the United States, and but for its occupancy by the northern forces as a naval base the result of the war might have been different. In 1873, when the capture of the *Virginius* threatened war with Spain, nearly every ship in the Navy was hurried to Key West, which was made the base of all operations. In 1898, on the breaking out of the War with Spain, every available naval vessel was again sent to Key West, and the *Oregon* and *Marietta* made their record run from California.

When we entered into the war against Germany the strategical importance of Key West was again recognized by the Navy Department.

Its position on the Straits of Florida—through which 5,000 vessels, aggregating from 20,000,000 to 25,000,000 tons pass annually—commands the protection of American commerce in any war. In all past history this position has been of the greatest importance, and no matter where on the Western Hemisphere the war may be, the American commerce in the Straits of Florida will have to be protected from Key West as a naval base.

A distinguished naval historian has said that some day the Government of the United States will recognize "the capacity of the Florida Reef as an advantageous naval station—a sort of Downs or St. Helens Roads in the West Indian Seas."

The military branches of the Government have recognized its importance, but it is the Congress of the United States that seems loath to do for Key West what the Navy Department recommends as of utmost importance.

On December 29, 1829, Commodore David Porter, United States Navy, made an extensive report on Key West, from which I cite the following:

SIR: In consequence of your application to me for my opinion of Thompsons Island, or Key West, I have to state that since the year 1823 I have from time to time been making myself acquainted with the Florida coast and keys—part of the time in command of the United States squadron, and subsequently in command of the Mexican force in that quarter; and perhaps there is no man living better qualified than myself to give an opinion on the subject, as my information is derived from actual observation and practical experience.

The harbor of Key West, in my opinion, is the best harbor within the limits of the United States or its territories to the south of the Chesapeake.

1. For its easy access and egress at all times and with all winds.

2. For the excellent anchorage and security it affords, both in the inner and outer harbor, for ships of the largest class. Leading to the harbor of Key West are several excellent channels, some affording water for the largest class of ships, the others suited to the vessel drawing 10 and 11 feet water.

The advantages which Key West affords in a commercial point of view are:

1. Its vicinity to the island of Cuba and port of Habana, having a ready market for all articles placed there in deposit or left by the wreckers, of whom this is the rendezvous of those on the coast.

2. It being a convenient touching place for all vessels bound to and from the Gulf of Mexico, Bay of Honduras, and the coasts of Louisiana and Florida.

As a naval station Key West has decidedly the advantage over all others I have ever known:

1. In its susceptibility of fortification.
2. The ease and number of its approaches with all winds.
3. The difficulty of blockade, as I have proved while in command of the Mexican squadron, it requiring a blockading force equal to three or four times the force to be blockaded to keep up an efficient blockade.
4. The ease with which supplies may be thrown in, despite the presence of an enemy.

* * * * * * *

In speaking of Key West as a naval station, I have reference only as to its being employed as a depot for stores and a rendezvous for our ships of war; but even as a place for the establishment of a navy yard it has most decidedly the advantage over every other place south of the Chesapeake.

* * * * * * *

These facts and opinions are stated after an experience of nearly seven years.

The advantages of its location as a military and naval station has no equal except Gibraltar.

1. It commands the outlet of all the trade between Jamaica, Caribbean Sea, the Bay of Honduras, and the Gulf of Mexico.
2. It protects the outlet and inlet of all the trade of the Gulf of Mexico, the whole western country of Louisiana and Florida.
3. It holds in subjection the trade of Cuba.
4. It is a check to the naval forces of whatever nation may possess Cuba. It is to Cuba what Gibraltar is to Ceuta.

It is to the Gulf of Mexico, etc., what Gibraltar is to the Mediterranean.

* * * * * * *

In making this statement respecting Key West I am actuated by no other feeling than the desire that my country should not, by the prejudices, partialities, interested views, and errors of others, be induced to lose sight of the great advantages it presents, whether looked at in a military or commercial point of view.

You may say that these opinions are ancient history; but less than a year ago Assistant Secretary of the Navy Franklin D. Roosevelt, in a joint letter to the Secretaries of War and the Navy, said:

Fortunately in the past the United States has not been forced to conduct a major campaign in defense of its shores. For this reason largely, and perhaps to an extent because Key West is a somewhat advanced and isolated position on our coast, its strategic and tactical importance has not been so much to the fore as other localities in the world. However, the Navy Department has always appreciated the military importance of this particular site as a base for naval operations in case we were forced to conduct operations on or near our own coast.

A radius of 1,100 miles swept from Key West as a center includes within the circumference of the circle nearly all the following positions: The entire Mexican, Central American, Canal Zone, and Colombian coasts, the islands of Curarao, Cuba, Haiti, Porto Rico, and St. Thomas, Bermuda, the Bahamas, and the coast of the United States to New York. All of the more important passages leading from Europe into the Gulf of Mexico are included within sweep. Its strategic importance as a base for naval operations is therefore clearly shown.

The present war may, before its close, find hostile submarines of the cruising type operating on this side of the ocean. All of the shipping from the Gulf of Mexico, including the tank steamers, carrying that most vital necessity—oil—must pass through the Yucatan Channel or the Straits of Florida. This shipping should be protected, when the necessity arises, by every means in our power. Except for Habana, which is small, and a few anchorages behind the reefs, there are no harbors where the above shipping may take refuge from the submarine except at Key West. As a base for offensive operations against submarines, Key West is ideal, and the Navy Department has taken advantage of this fact to mobilize certain of its forces there, and is taking steps to further expand the facilities of the port.

The Navy and War Departments have consistently sought to develop Key West in accordance with this view.

The present normal activities at Key West were thus described by Rear Admiral Fletcher, United States Navy, in 1918:

There is on the island of Key West, under the jurisdiction of the Navy Department, the naval station, the naval air station, the naval training camp, the new naval hospital, and the distance-control radio station.

The one drawback to Key West is the lack of a supply of fresh water, and to this fact can be attributed the failure to make of Key West the important naval station that its strategic position demands. The present sources of fresh water are: Rain water stored in cisterns, water shipped by rail from the mainland, and distilled water. With these combined sources there is annually a large deficiency, and from February to August the situation frequently becomes acute. For a time the Army and Navy depended upon the rainfall for their supply of fresh water, but with the development of Key West as a military and naval base this was so uncertain that both the Army and Navy maintain distilling plants, which are entirely inadequate to the present needs and preclude contemplated developments.

An appropriation of $2,500,000 has been made for a submarine base at Key West, and my amendment appropriating $2,000,000 to furnish fresh water to the naval station there is not a new project or the enlargement or development of existing conditions.

It is as futile to classify supplying fresh water to meet the necessities of the enlarged naval activities contemplated at Key West as "a new project" as it would be to classify an appropriation for food for the men as "a new project."

I am fully sustained by the Secretary of the Navy in my contention that this is not a new project, but one "necessary to carry on the building program or its auxiliary necessities." This he made very clear in his testimony before the House Committee on Naval Affairs, as will be seen from this colloquy:

Mr. KELLEY. We can pretty well afford to let new projects rest. We have gone through the war and the great stress is over, and can we not just about hold things in statu quo for a year or until we know what is going to happen? All these navy yards ask for extensive improvements which do not hinge in any way on existing facilities in the yards, but are entirely new projects.

Secretary DANIELS. I have recommended none except where they were necessary to carry on the building program or its auxiliary necessities.

Mr. KELLEY. And wherever we find, if you happen to have overlooked anything of that kind, an item which seems to us not to bear directly on the building program at these navy yards in the way of extensions or improvements we might very reasonably cut them out, might we not?

Secretary DANIELS. I think you will find they have been cut out.

The Secretary of the Navy submitted an estimate of $2,000,000 for this water-supply system, and my amendment is to give effect to his recommendation.

Testifying at an investigation in Key West on May 19, 1918, Admiral Fletcher said:

It was not believed that the activities of the Navy can be increased to any large extent without an increase in the present facilities for providing water. It is understood that the naval air station is to be increased very shortly.

An enlargement of the present naval station to accommodate a large force of submarines and such other light-draft vessels as will be needed in connection with the use of this place as an operating station, and with these increased facilities in the station it will be undoubtedly necessary to have an increased water supply.

The method proposed of providing the increased supply of water at Key West by a pipe line along the line of the Florida Coast Railway from the mainland. This has been brought to my attention since I arrived here, in January. As far as I can see, it seems to me to be the only feasible plan by which a proper and sufficient supply of water can be provided in the shortest possible time at a probably minimum expense.

At the hearing before the Naval Committee on December 6, 1918, the following occurred:

Mr. BROWNING. Of course, it is not within your province—it is one of the developments of the department—but do you think under the existing conditions of peace that we want a submarine base at Key West, and that this money ought to be spent there?

Admiral PARKS. I do. I think that is one of the most important points for a submarine base.

Mr. BROWNING. Where are our submarine bases at the present time? There is one at New London.

Admiral PARKS. New London is the largest submarine base.

Mr. BROWNING. What are the others?

Admiral PARKS. We are building one at Hampton Roads.

Mr. BUTLER. And one at Charleston?

The CHAIRMAN. That is not a regular base.

Mr. BUTLER. But they have accommodations there?

Admiral PARKS. Some. The important one south of Hampton Roads is on the Florida coast—Key West.

Mr. BROWNING. During the war; but why now?

Admiral PARKS. It is not necessary for immediate use, if the war is over; but the particular purpose of a submarine base at that point is to protect the transit line for oil; that is the principal thing.

Mr. BUTLER. The transit line for oil?

Admiral PARKS. Yes, sir.

The CHAIRMAN. Through the Gulf.

Mr. BROWNING. I can see, if we are in war, the importance of that base; but I can not see, with the war ended and with no chance of war for some years to come, and with this $2,500,000 that has not been obligated, why the project at this time should not be postponed until the Navy knows just what they expect to do, and tells us just what they expect to do. In my opinion, the item should be taken out and the $2,500,000 already appropriated should be permitted to revert to the Treasury.

It seems reasonable to suppose that the Naval Committee would not have omitted from the appropriation bill an item that the Secretary of the Navy considers so important if it had had time to fully investigate the proposition, in view of the very positive statement of the Secretary of the Navy that he had recommended no new projects and no improvements "except where they were necessary to carry on the building program or its auxiliary necessities."

I quote again from the testimony of the Secretary of the Navy on this subject:

Secretary DANIELS. We have undertaken to build a submarine base at Key West, which, of course, is the strategic point for the Gulf and Caribbean, and we have appropriated money to do that, in addition to the station we have there now. The purpose is to get fresh water. I think the only fresh water there is rain water.

The CHAIRMAN. And what they bring down in barges.

Secretary DANIELS. Yes; or by rail.

Mr. ESTOPINAL. Could we not get some place where we could find water?

Secretary DANIELS. You could do that if you had the strategic advantages. Key West juts out, and it is the only place possessing such advantages.

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Mr. ESTOPINAL. Let us get to a place with water. We do not want to bring water 130 miles. There are many places where we can get both land and water.

Secretary DANIELS. Not a strategic place for the Caribbean and the Gulf. In the Spanish-American War Key West was a very small sta-

tion, but we had to utilize it, and if there were any war involving the Panama Canal it would be important.

Mr. KELLEY. How many submarine stations have we?

Secretary DANIELS. We have a number, but the only two we have that are of the first importance on the Atlantic and the Gulf are at New London, Conn., and Key West. You might say we have an important one at San Diego. We have them at other places.

Mr. BRITTEN. Is there not land or harbors down there available just north of Key West that could be utilized so that this amount of money might be saved?

Secretary DANIELS. No; there is no place at all.

Mr. BRITTEN. How much has the Navy Department expended up to the present time on the submarine station at Key West?

Secretary DANIELS. You appropriated $1,025,000 to begin it.

Mr. BUTLER. That was a war appropriation?

Secretary DANIELS. That was an appropriation made in the last bill.

Mr. PETERS. How much of that has been spent?

Secretary DANIELS. Not very much. During the war we were not able to get work done.

Mr. HICKS. I think the Rivers and Harbors Committee has appropriated money in their bill for dredging there.

Secretary DANIELS. Yes.

Mr. BRITTEN. What is the population of Key West?

Secretary DANIELS. Twenty-five thousand, I think.

Mr. KELLEY. Could not Charleston be used as a submarine base?

Secretary DANIELS. That is too far away.

Mr. BROWNING. I do not think the population of Key West is 25,000.

Secretary DANIELS. Yes, it is; or I would guess that.

Mr. BRITTEN. Have you considered the establishment of a submarine base at the Virgin Islands?

Secretary DANIELS. You would have to spend more money there than at Key West, and it would not be so good for the purpose. We have a station at Key West, and expenditures have already been made there.

Mr. BRITTEN. We have only spent a small amount of money there in comparison with what is being suggested now. That appropriation of $1,025,000 made last year has not been expended.

Secretary DANIELS. We have spent several millions before that at Key West. Key West strategically is the place for this submarine base. It is the strategic point for the Caribbean Sea and the Gulf. I will say this, that when this matter was taken up we went into it very carefully, and so insistent was Admiral Benson that this was the ideal place and the only place that he very strongly urged that it was of such great importance that the President should provide for the water system out of his fund for national defense. It did not seem to me that it was a proper matter to bring before the President to be provided for out of that fund, but that it was a matter for Congress to pass upon. While it was greatly needed, I was not willing to ask the President to consider it, because it was a naval project, and we could not get it done immediately.

It costs the Army about $25,000. If this appropriation is made, it will furnish 4,000,000 gallons a day. The city of Key West will bond for $400,000 to establish a distributing system and pay the Government for the water used by the city, the cost of which is conservatively placed at $125,000. The East Coast Railway has agreed to take water from the Government, and its needs will amount to more than $120,000. It is also proposed to furnish water to the planters on the Keys, over which the pipe line will be laid, for irrigating purposes, thereby greatly increasing their productivity. From this source the Government would derive at first about $75,000 a year. The Government would, therefore, receive from sale of water $220,000 and save approximately $100,000 for water used by the Army and Navy and the cost of upkeep of distilling plants. Competent engineers have placed the cost of operation and maintenance and upkeep at $200,000 a year, leaving a net income to the Government from this investment of approximately 10 per cent a year.

I quote now from the testimony of Rear Admiral Parks before the House Naval Committee on December 6, 1918:

The CHAIRMAN. Please tell us about this submarine base, as a question of policy, and the water system, including the purchase of land and the necessary rights of way, $2,000,000. We should like to have a pretty full exposition of that.

Admiral PARKS. Key West is on a small key, not far from the main Florida coast, and has a small civil population—say, about 20,000 people. It is the terminus of the Florida East Coast Railroad, by which connection is made to Habana. It has certain Army fortifications and usually about 900 men and a naval station of small capacity, where vessels have been based for protection of the passage between the keys and Cuba. The passage is used by the oil ships coming from Mexico and the Texas coast. The whole water supply there is from rain water that is caught and water that is brought in tank cars from the mainland and that secured from condensers. The water from condensers costs $7 a thousand gallons at the present time, and for several months it has been impossible for the Navy Department to secure condenser tubes for short establishments, and all condensers put in have had to be jet condensers. Distillation is always an expensive method of securing fresh water; $7 a thousand gallons is a tremendous high rate to pay for water. The water brought down in tank cars costs approximately $3 a thousand gallons, and tank-car costs necessarily mean more or less congestion on that single railroad to transport those cars back and forth. It has not been found convenient to get and operate sufficient tank cars to give the people an ordinary amount of water, and it is estimated that the people have gotton along there up to last July with about 173,000 gallons a day. That is an entirely too small a quantity for ordinary purposes.

This proposition is unique in these respects:

1. That it is not asked for by the people of Key West as a means of distributing money in the community, but is recommended by the Navy Department for the proper maintenance of present conditions and developments in the naval activities at that place.

2. That it is probably the only project for which an appropriation has ever been asked for the development of the Navy which will afford a handsome financial return from the expenditure.

At the hearing at Key West, from which I have quoted Admiral Parks's testimony, it developed that the amount of water necessary for the improved and enlarged facilities of the naval station at Key West costs the Government about $75,000 a year.

Amendment to the Indian Appropriation Bill.

EXTENSION OF REMARKS

OF

HON. WILLIAM W. HASTINGS,

OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 25, 1919.

Mr. HASTINGS. Mr. Speaker, I want to discuss briefly the amendment proposed by me to strike out the parenthetical clauses excepting oil and gas leases in the proviso limiting the appropriation of $185,000, in section 18, for expense of administration of the affairs of the Five Civilized Tribes in Oklahoma, so that the amendment will read:

Provided further, That hereafter no part of said appropriation shall be used in forwarding the undisputed claims to be paid from individual moneys of restricted allottees or their heirs, or in forwarding uncontested agricultural and mineral leases made by individual restricted Indian allottees, or their heirs, to the Secretary of the Interior for approval, but all such undisputed claims or uncontested leases now required to be approved under existing law by the Secretary of the Interior shall be paid, approved, rejected, or disapproved by the Superintendent for the Five Civilized Tribes of Oklahoma: *Provided, however*, That any party aggrieved by any decision or order of the Superintendent for the Five Civilized Tribes of Oklahoma may appeal from the same to the Secretary of the Interior within 30 days from the date of said decision or order.

It will be seen that this amendment only provides that the undisputed claims or uncontested leases shall be paid, rejected, approved, or disapproved by the Superintendent for the Five Civilized Tribes, and that any aggrieved party has a right to appeal from the decision or order of the superintendent to the Secretary of the Interior within 30 days. There ought not to be any objection to this amendment.

In the first place, it will be noted that no supervision is taken away from any restricted Indian, but that supervision only in undisputed claims and uncontested leases is transferred from the Secretary of the Interior to the Superintendent for the Five Civilized Tribes.

Let us examine the amendment and see what is attempted to be accomplished by it and why it should be enacted, and if there could be any legitimate objection to it.

In the first place, the Superintendent for the Five Civilized Tribes is a Federal official, nominated by the President and confirmed by the Senate, and is on a par with the Commissioner of Indian Affairs. He is located at Muskogee, Okla., where all of the enrollment, allotment, and other records of the members of the Five Civilized Tribes are kept. He has approximately 250 civil-service employees under him. He has numerous field clerks and other employees, stationed in practically every county in eastern Oklahoma where restricted Indians reside. He can call upon them for any information with reference to any claim presented or lease submitted for approval. He has in his office a bureau headed by an expert oil man, who has under him assistants to ascertain all the facts necessary to arrive at a fair value for any lease on any tract of land allotted to a restricted member of the Five Civilized Tribes. These men are honest, experienced, and competent, and this amendment seeks only to confer upon the superintendent authority to approve undisputed claims and uncontested leases.

There were enrolled as members of the Five Civilized Tribes 101,506 persons. Of them 78,101 were citizens by blood and 37,167 were enrolled as restricted Indians, being of one-half or more Indian blood. The original rolls were made in 1902 and the newborn children were enrolled up to March 4, 1906. It is estimated that one-third of the enrolled members of these tribes are dead. Restrictions have been removed from many under existing law, and it is estimated that there are remaining 23,441 living restricted members of the Five Civilized Tribes. As before stated, the amendment does not take away any supervision over any restricted Indian, and it does not, as some assert, transfer the supervision to locally elected officers in Oklahoma, but to trusted, competent Federal officials, all of whom, save the superintendent, are under the civil service. There are about as many

employees under the superintendent at Muskogee as there are under the Commissioner of Indian Affairs in Washington, and it is contended that inasmuch as all the records are in Muskogee and that inasmuch as a large number of field clerks are scattered over the eastern part of Oklahoma, with whom the superintendent can communicate by letter, telephone, or telegraph, the office there is in a much better position with first-hand information to serve and protect the restricted Indians than Federal employees in Washington, 1,500 miles away.

The report of the Superintendent for the Five Civilized Tribes for the year ending June 30, 1918, at page 44, shows that 6,842 letters were received from the department for the fiscal year, or an average of about 22 daily; and the same report shows that 7,475 letters were mailed the department, or an average of about 25 daily.

When I came to Congress three years ago every agricultural lease had to be forwarded to Washington for approval, and every claim of every kind and character, payable out of restricted Indian money, had to be sent to Washington for approval, as well as all oil and gas leases. There were many vexatious delays. Instances were brought to my attention where claims were sent backward and forward; first through the local field clerk; then the superintendent at Muskogee; and then through the Commissioner of Indian Affairs at Washington to the Department of the Interior for approval. They were sent back for additional information and returned to Washington, so that oftentimes it took two or three years to get claims paid. Practically, no agricultural leases were sent the department for approval. The law was ignored because of these delays.

At that time an investigation disclosed that it took an average of three to six months to get oil leases approved. Last year Congress remedied this in part by providing that the undisputed claims might be paid and that all leases, other than oil and gas, might be approved by the superintendent. This present amendment only enlarges that supervision by giving the superintendent authority to approve all leases, including oil and gas, which are uncontested. When an oil lease is submitted for approval the enrollment and allotment records are looked up. The status of the allottee is examined. Information is secured through the oil bureau of the superintendent as to the bonus value of the land, the production, depth of the sand, and every other fact necessary to determine whether the lease should be approved. Under existing law a report has to be prepared by the superintendent and forwarded through the Commissioner of Indian Affairs to the Secretary of the Interior for approval.

These leases are all made on approved printed forms, and while it does not now take as long as it did three years ago, when threatened legislation expedited consideration of them, there are still many unnecessary delays in the forwarding for approval of oil and gas leases. The result is a loss to the restricted Indian, because it is well known in Oklahoma that a commercial lease is more valuable than a lease upon land owned by a restricted Indian. One of the reasons for the difference is the delay in forwarding the lease for approval to the department at Washington. There can be no excuse for it. No one assigns a good reason for it. No one asserts that there is any additional information in the Indian Office at Washington. All the information is submitted in the report of the Superintendent for the Five Civilized Tribes in each instance. It is a pro forma matter, purely perfunctory. It results in delays and is not helpful to the Indian.

When a lease is made the lessee has to make arrangements for money with which to drill the lease. He pays a premium upon the bond which he must give in each case. In times past the lessee, in order to secure prompt action from the department, either engaged a representative in Washington, wired or wrote his Congressman, or sent a representative here from Oklahoma to urge early action upon his lease.

Of course, this legislation is opposed by the department, as it opposes all legislation that may confer greater authority upon any officials in the field outside of the city of Washington. Every department opposes decentralization and every department will talk about "checks and balances," as if there were something magical about the term. Every member of the Oklahoma delegation favors this legislation and every Indian, restricted and unrestricted, without exception, who is not in the employ of the Government, and therefore, not under the influence of the department, favors this legislation. It would result in having quicker action upon the claims and leases submitted for approval and the rights of the restricted Indians would be preserved. In the event of anyone being dissatisfied with any action on the part of the superintendent, he would have the right of appeal to the Secretary of the Interior. The oil and gas leases upon the land of a restricted Indian will then be as valuable as if given upon the land of an unrestricted Indian.

This would not only be advantageous to the Indians but it would result in a great saving to the Government in that thousands of letters and reports would not have to be prepared and forwarded by the superintendent to the department. It would result in a reduction of the clerical force, not only in the office of the superintendent at Muskogee but in the department in Washington receiving these letters and reports, examining, passing upon, and returning them. The money thus appropriated for the Superintendent for the Five Civilized Tribes could be used, in my judgment, to a better advantage for the restricted members of the tribe, because more field men, more expert farmers, and more field matrons could be employed to go out among the Indians and assist them in a practical way to learn farming, gardening, stock raising, and how to care for their homes, which would greatly benefit them. It would certainly help them much more than if the money is spent for stenographers and clerks to prepare and forward reports on undisputed claims and uncontested leases. Remember always that civil-service employees of the Government in Oklahoma are charged with the duty and responsibility of carefully safeguarding the rights of the restricted Indians and that this amendment does not remove any of these safeguards.

I was reared in the Indian Territory and am a member of the Cherokee Tribe. I have represented the Cherokees all my life, before coming to Congress. As a member of the tribe, I assert that so far as I know, every other member of the Cherokee Tribe and every member of the other Five Civilized Tribes, not under the influence of the department, favors this legislation. It can not be harmful to the Indians themselves. They have suffered from the delays incident to this system too long. I have lived under long-distance government all of my life, and I hate it more than words can tell. These Indians for 100 years governed themselves. They had their own schools, their own courts, and their own legislature. They made their own laws, and the individual members made their own contracts. This amendment only asks that the restricted members may have the privilege of going before a representative of the Federal Government, see him in person, explain the matters involved, and get expeditious action upon it at home, with the right of appeal in the event anyone is aggrieved. I assert that the rights of the restricted Indians are protected by the amendment, and that the amendment as written in the bill should be retained therein.

The Naval Appropriation Bill.

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON.

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. HUDDLESTON. Mr. Speaker, the bill as presented carries an appropriation for the Navy for the fiscal year beginning July 1, 1919, and in addition to this legitimate purpose the bill commits the United States definitely to a policy of vast naval expansion. This policy to which our country is thus to be committed is to have the greatest Navy in the world; it is the policy of naval competition in which we express the purpose to allow no nation of the world to exceed us in naval armament.

We see that the bill has two purposes: First, to maintain our present Navy and to build ships authorized by previous Congresses, and, second, to definitely commit our country to this new policy of competition in armaments.

NO ADEQUATE PROVISION FOR DISCHARGE OF ENLISTED MEN.

I seriously object to the bill as an appropriation bill, for the reason that it makes no adequate provision for the discharge of men in the Navy who enlisted for the duration of the war. The war is over. These men now feel that they should be discharged. The bill does not provide for this. They may be retained in service within the number appropriated for until their places can be filled according to the leisurely methods of recruiting now being followed, unless perchance articles of peace should be signed and the President proclaim the end of the war before that time. It is very clear, as to the majority of the enlisted men now in the Navy, that they can not be discharged within the next four to six months.

I am dissatisfied with this aspect of the bill and would be reluctant to accept it even were it not loaded down with the objectionable provision committing us to a policy of navalism of an extreme and dangerous type. I think our boys who have enlisted in the Navy are entitled to their discharges. We owe it to them that they shall not be retained longer than absolutely necessary. Their families have need of them. They wish to go home and to engage in business and take up the normal course of their lives. I feel it is unjust that they should be retained in the Navy merely to keep in commission ships for which there is no present need.

A SPECIOUS ARGUMENT.

We are urged to commit our country at this time to a policy of competitive naval expansion with the argument that in some mysterious way the adoption of this measure will strengthen the President's hands and enable him to induce the nations to agree at the peace table upon a policy of disarmament. *We are urged to adopt a policy of armaments in order to get other nations to agree to disarm.* That is the argument that is now being used in behalf of this bill. This argument can have no validity unless it means that we are to use the threat of building a vast Navy as a means of bringing other nations to terms. We are to hold the big stick over other nations and to coerce by threats. The mere statement of the argument refutes it. It is childish and unworthy. It places our Nation upon the low and contemptible plane of the bully. It compromises the dignity of the Government of a great and free people. I will not place my country in such an unworthy position.

The excuse for entering upon this policy that it will help the President is a mere pretense; it is not based in sincerity. I remember that in October last the Secretary of the Navy brought forward this identical plan and policy. He then announced that it was to be presented to Congress and its approval asked. That was before the armistice had been proposed or signed. At that time the policy was a war measure. Everyone expected when the armistice was signed that the policy would be abandoned. It was most surprising to learn from the President's address to Congress when it assembled in December that he still approved the program. His address, by clear implication, urged it. We did not know then that Germany was utterly crushed, and many believed that the policy of vast naval expansion was being urged as a measure against Germany still as a war measure. The American people had fought to end all war and to make future peace secure. The war had been won and greater armaments seemed uncalled for. No one dreamed that the conference then about to be assembled in Paris would not agree on disarmament. No differences of opinion had then arisen.

The proceedings of the peace conference have proceeded along the lines contemplated. We have no information that differences on disarmament have arisen. For all we know the situation is the same as it was before the conference assembled, except that we now know that Germany is wholly crushed and can not be again for generations a threat to the peace of the world.

We find that the policy of competitive building of fleets was desired first as a war measure, next as a measure in contemplation of an uncrushed Germany, and now is desired either as a permanent peace measure or as a big stick, to coerce our late war associates into agreeing to a satisfactory peace. The situation is absurd. The reasons presented are specious. If there be any good reason for entering upon this policy at the present time it has not been given us. We are acting in the dark. Somehow I can not get myself to believe that the measure is in furtherance of any definite or well-considered purpose.

THIS IS NO TIME TO ADOPT A NAVAL POLICY.

Of all the times in our history for the adoption of a definite naval policy this is the least appropriate. No man can now definitely say just what such a policy should be. If the peace conference decides upon disarmament, then no program of naval expansion can be entered on. If the conference limits armaments, of course the United States must conform to the limits adopted. If we are to go back to the old system of each nation adopting its own policy in the matter of armaments it will be plenty of time for us to decide what we will do after the conference adjourns. We do not propose to begin the building of the ships which constitute the program until 1921. We can not get ready to begin until that time, for our yards and ways will be occupied with ships already authorized and contracted for. We can not begin on the new program until 1921. At least two sessions of Congress will be held before that time. The adoption of a naval policy should be left to these sessions—the next Congress. It must provide and appropriate the money for the program; why should not the adoption of the program be left to it?

Summing up on this point, we find that we are now being asked to adopt a naval policy now on the least timely occasion and when we can not know what policy we should adopt. And, further, we are asked to adopt this policy now, when there is no reason why its consideration should not be deferred until the next Congress. No time is gained by adopting the policy now. No advantage can be had over its consideration by the next Congress. Can it be possible that the pressure to adopt the policy now comes out of the fear that the next Congress will not be willing to adopt it? If such be the case, still, nothing is gained, for the next Congress must make the appropriation; and if it does not approve the policy it will not appropriate the money to carry it out. I stand in amaze, and in no way that I look can I see reasons which would lead Members of Congress, acting on their own judgment, to support this measure at this time.

A POLICY THAT WILL LEAD TO WAR.

I am unwilling to enter upon a policy of naval competition. It is a policy that will lead to war. The situation of our country and its foreign policy does not require that we shall have the most powerful navy. Other countries are more dangerously situated. They are more dependent upon fleets to defend their sources of supply and their colonial systems. We have no hazards of that kind. If other nations of the world act foolishly, we have no need to compete with them in their folly. Rather than do so and be led eventually into a war, I should prefer raising the big stick now and threatening the world; not that we will compete in fleets and armies, but that we will fight them if they do not accept the policy of small armaments. I had as lief fight now as a few years hence, especially if the interval is to be spent in preparation by all sides so as to make the war more bloody and disastrous.

EXTENSION OF REMARKS

OF

HON. HENRY I. EMERSON,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 17, 1919.

Mr. EMERSON. Mr. Speaker, under my leave to revise and extend my remarks I desire to have printed a few of the many letters received by me in favor of the Caldwell bill. Out of the many received I have selected a few from some of the leading and most highly respected citizens of Cleveland, Ohio, as follows:

CLEVELAND, *February 14, 1919.*

HENRY I. EMERSON, Esq.,
House of Representatives, Washington, D. C.

DEAR SIR: I have just been advised that Representative CALDWELL, of New York, has introduced a resolution in the House calling on the War Department to loan certain machine tools, which were purchased by the Government, to technical schools and universities for technical purposes.

As president of the board of trustees of the University School of Cleveland, I would like to call your attention to the work that school is doing and ask you to lend such assistance as you can to the passage of this resolution and to consider favorably the application of the University School for consideration in the distribution of this equipment.

This school was founded nearly 30 years ago in the interest of broader education of boys in Cleveland, and has had for its object the training of boys, from the time they are ready to go to school until they enter college, along very broad and comprehensive lines.

We try to give equal attention to the physical, manual, and mental development of our boys, and I believe this school was one of the very first to combine the manual training with regular scholastic instruction.

This school, which has borne a prominent part in Cleveland affairs for 30 years, is run for the benefit of the community and not for profit, and the accomplishments of our boys in national service in the last two years is a record of which the trustees are very proud.

Any assistance that you could give to the furtherance of the idea embodied in this resolution and securing for us an opportunity to obtain a proper share of this equipment would be very greatly appreciated.

I am taking the liberty of inclosing a pamphlet showing some of the war-time activities of the school, which is about six months old, since which further developments have added considerably to this good record.

Yours, respectfully,

HENRY S. PICKANDS.

CLEVELAND, OHIO, *February 14, 1919.*

HON. HENRY I. EMERSON,
House of Representatives, Washington, D. C.

MY DEAR MR. EMERSON: I am advised that Representative CALDWELL, of New York State, has recently introduced a bill reading as follows:

"To provide for further educational facilities by requiring the War Department to loan certain tools not used for Government purposes to trade and technical schools and universities, and for other purposes.

"Be it enacted, etc., That the Secretary of War shall loan to trade and technical schools and universities and other recognized educational institutions which in the discretion of the Secretary of War shall have such equipment the machine tools suitable for their use which are owned by the United States of America, which are under the control of the War Department, and which are not being used for Government purposes."

I am interested in the passage of this bill because I am a trustee of University School, which has a 30-year record of practical and successful manual training and would be materially benefited by receiving some of these tools to replace those that are worn out in their service.

Trusting that you may feel at liberty to vote in favor of this bill when it comes up for action, believe me, to remain,

Very truly, yours,

SAML. MATHER.

CLEVELAND, *February 14, 1919.*

Hon. HENRY I. EMERSON,
House of Representatives, Washington, D. C.

DEAR SIR: I understand that Representative CALDWELL, of New York, has recently introduced a bill, which will come up for action within a few days—

"To provide for further educational facilities by requiring the War Department to loan certain tools not in use for Government purposes to trade and technical schools and universities, and for other purposes."

As a trustee of the University School of Cleveland, Ohio, I hope that you will be able to give this bill your support, as I believe that the effect of same will be beneficial to the students of the University School.

I hope that you will find that you can consistently vote favorably on the bill.

Respectfully, yours,

E. S. BURKE, JR.

CLEVELAND, OHIO, *February 14, 1919.*

Hon. HENRY I. EMERSON,
Washington, D. C.

DEAR SIR: Representative CALDWELL, of New York, has introduced recently the following bill, which will come up for action within a few days:

"To provide for further educational facilities by requiring the Government to loan certain tools not in use for Government purposes to trade and technical schools and universities, and for other purposes."

The passage of this bill would solve the disposition of a lot of these tools from an industrial standpoint, and would increase the cause of education by enabling schools to have more modern tools.

I am interested in the passage of the bill, as I am a trustee of the University School of this city, and I am in hopes that it will have your approval and support.

Respectfully, yours,

E. V. HALE.

CLEVELAND, *February 14, 1919.*

Hon. HENRY I. EMERSON,
House of Representatives, Washington, D. C.

DEAR MR. EMERSON: Representative CALDWELL, of New York, has introduced recently the following bill, which will come up for action within a few days:

"To provide for further educational facilities by requiring the War Department to loan certain tools not in use for Government purposes to trade and technical schools and universities, and for other purposes.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War shall lend to trade and technical schools and universities and other recognized educational institutions which, in the discretion of the Secretary of War, should have such equipment the machine tools suitable for their use which are owned by the United States of America, which are under the control of the War Department, and which are not being used for Government purposes."

As trustee of the University School of Cleveland, I will appreciate it very much if you will lend your influence to the passage of this bill.

Yours, very truly,

G. A. COULTON.

Concurrent Resolution of Legislature of North Dakota Respecting the Wheat Price Guaranty.

EXTENSION OF REMARKS
OF
HON. GEORGE M. YOUNG,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, February 14, 1919,

On the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. YOUNG of North Dakota. Mr. Speaker, I believe it is pertinent to the discussion of this bill to consider the arguments found in the concurrent resolution of the Legislature of North Dakota in favor of legislation to enable the President to keep faith with the wheat growers and make good to them the guarantees contained in his proclamation of September 2, 1918. The war having come to an end suddenly, our Government must honorably discharge all just obligations, no matter how much it costs. This is a liquidation period. I think we can trust the Cabinet Secretaries to pay only the claims which are just. To do less than that would be dishonorable. I therefore vote "no" upon the motion to recommit for the purpose of striking out section 5. The concurrent resolution is in the following words:

Concurrent resolution relating to the fixing of the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago.

Whereas the President of the United States by his proclamation of September 2, 1918, fixed the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago; and

Whereas upon the faith of said proclamation the farmers of North Dakota and generally throughout the Northwest have gone to an enormous expense in the increase of acreage for wheat and for the purchase of horses, machinery, and other equipment for an increased wheat production and have incurred great obligations on that account; and

Whereas it appears that up to this time no agency of the United States has been created and charged with the duty of making effective the guaranteed price under the President's proclamation; and

Whereas the farmers of North Dakota, as well as all other wheat-raising districts of the United States, have acted in good faith upon the said proclamation of the President, and in case Congress fails to make the said proclamation of the President effective such failure will cause an enormous financial loss to the farmers of the State of North Dakota and other wheat-raising districts of the United States, as well as a great disappointment, and will tend to lessen the confidence of the people in the Federal Government: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we earnestly urge Congress to pass such measure as will make the said proclamation of the President effective; be it further

Resolved, That the secretary of state be instructed to send a copy of these resolutions to each of our Senators and Representatives in Congress and to the chairman of the Committee on Agriculture in both Houses of Congress.

Investigation of the National Security League.

EXTENSION OF REMARKS
OF
HON. EDWARD J. KING,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Monday, February 17, 1919.

Mr. KING. Mr. Speaker, under leave to extend my remarks in the RECORD I insert the following statement made on February 5, 1919, before the special committee of the House of Representatives on House resolution 469 and House resolution 476, to investigate and make report as to the officers, membership, financial support, expenditures, general character, activities, and purposes of the National Security League, a corporation of New York, and of any associated organizations.

The committee met at 2 p. m., Hon. BEN JOHNSON, chairman, presiding. Other members of the committee were Hon. C. F. REAVIS, Hon. JOSEPH WALSH, Hon. E. E. BROWNE, Hon. PAT HARRISON, Hon. E. W. SAUNDERS, and Hon. T. H. CARAWAY.

Mr. KING was asked to testify. His testimony was as follows, to wit:

Mr. JOHNSON. Give the stenographer your name.
Mr. KING. Edward J. King.
Mr. JOHNSON. You are a Member of Congress?
Mr. KING. I am.
Mr. JOHNSON. How long have you been a Member of Congress?
Mr. KING. It will be four years the 4th of March, 1919.
Mr. JOHNSON. Your residence is where?
Mr. KING. Galesburg, Ill.

Mr. JOHNSON. Mr. King, Mr. Menken, the first president of the National Security League, testified over and over again that the National Security League was at no time engaging in politics. Col. Leydecker, the present president of the league, over and over again has testified accordingly. Charles D. Orth, who was chairman of the congressional campaign committee of the National Security League, also stated under oath many, many times that the National Security League was in no way meddling with politics. If you have any knowledge to the contrary, the committee would be glad to hear you tell what it is. State it in your own way.

Mr. KING. Shall I just start at the beginning and give the committee a history of matters touching upon these statements made by Col. Leydecker and others, so far as I am concerned?

Mr. JOHNSON. Not only so far as Col. Leydecker is concerned, but in so far as the National Security League, as a league, is concerned.

Mr. KING. Yes, sir. Practically the first intimation which I had of the activities of the National Security League in the last congressional campaign was when I received a letter from Mr. Emil C. Wetten, of Chicago, which, some time ago, I turned over to Mr. Browne, and which I should like to have to refer to just a moment.

Mr. BROWNE. There is a copy of all these letters.

Mr. KING. Have you, Mr. Browne, a carbon copy of the letter which I turned over to you?

Mr. BROWNE. No; I handed you back all the papers there that you gave to me.

Mr. KING. I think, perhaps, that is true.

Mr. JOHNSON. You have the carbon copy; have you?

Mr. KING. I have in my hand the carbon copy of a letter I received. I received a carbon copy from Mr. Emil C. Wetten there, no doubt on account of the fact that he sent the original of the letter to Washington and sent this carbon copy to Galesburg. I will not read this, because I presume it is the same letter which has been heretofore introduced in evidence. If it is not, I will ask to have it inserted.

Mr. BROWNE. It has not been put in.

Mr. JOHNSON. As it has not been heretofore inserted in the record, it had better go in just here.

(The letter referred to is printed in full below:)

"AUGUST 23, 1918.

"DEAR CONGRESSMAN: The National Security League has appointed a special congressional committee to consider the candidacy of all those seeking nomination at the coming primary from Illinois, somewhat along the lines of the Legislative and Municipal Voters League. Some of the candidates have requested the privilege of appearing before the

committee. We have, therefore, concluded to give every one an opportunity to do so, if they so desire.

"What is your pleasure in the matter, and is there any possibility of your being in Chicago during the coming week. The committee would like to make its report Saturday, August 31—

The primaries took place September 11—

"A reply by wire will be very much appreciated.

"Yours, very truly,

"EMIL C. WETTEN, *Chairman.*

"Hon. EDWARD J. KING,

"House of Representatives, Washington, D. C."

(Carbon copy of this letter to Mr. KING at Galesburg, Ill.)

Mr. KING. I was, then, mistaken. This carbon copy was sent to Galesburg and the original to Washington. Upon receipt of this letter, there being no place at which the summons was returnable, I wired to the National Security League at New York City for the purpose of ascertaining at which point in Chicago I was summoned to appear. I got a wire from them that their office, the Chicago branch, was, I think, on Jackson Boulevard; the number I do not remember now, but it seems to me it was 51. It has been stated in the evidence here, in glancing over the evidence of Mr. Britten (Brundage), it was a very simple matter, and that Congressmen were given the privilege of siding with them, as he expressed it, if they so desired, and really he was under no obligations whatever to do so.

Mr. JOHNSON. The first telegram amounted to virtually a demand upon every Member to appear, did it not?

Mr. KING. In view of the fact that the Chicago papers, clipping of which I have here and will insert in the record, if the committee deems it material—I will refer to it occasionally—in view of the fact that in the Chicago papers had been published a few days before that an article, no doubt at the suggestion and with the connivance of this branch of the National League, or at least some of its individual members. This article appeared headed "Candidates face loyalty test of the Security League—Organized to fight those with antiwar records," and then it goes on to state that vigorous attack on disloyalty candidates will be launched soon by the Chicago branch of the National League, a patriotic, educational organization.

And the candidates it mentions, and so forth, and it mentions the fact that Roosevelt—and asked this question that Alton B. Parker has asked, and, if the committee will pardon the suggestion and without seeming to be prejudiced in the matter, I would respectfully suggest that both of these gentlemen have been probably requested to do so as a basis of the newspaper articles.

Mr. REAVIS. I will state to you, Mr. King, that both the letters of Roosevelt and Parker are in the record.

Mr. KING. Yes; I read them.

Mr. REAVIS. And they are not entirely in harmony with the newspaper account, either.

Mr. KING. This article goes on to state who the members of the inquisitorial committee are, naming them: Emil C. Wetten, H. H. Merrick, Edgar A. Bancroft, Homer J. Buckley, John F. Smulski, Peter S. Lambros, James A. Patton, Cyrus McCormick, Joseph W. Moses, Edward S. Gore, William B. Austin, and H. H. Latham. The first meeting of this committee will be held Friday afternoon in the office of the chairman, Mr. Wetten.

I am not certain of the date of this article, but it was very shortly before I was summoned to Chicago.

Mr. REAVIS. I think that clipping ought to go into the record, Mr. Chairman.

Mr. JOHNSON. You will turn that over to the stenographer to put the newspaper article in the record.

Mr. KING. I will be very glad to. I would like to refer to it.

Mr. JOHNSON. The stenographer will put it in at this point.

Mr. KING. Yes, sir.

(The newspaper article referred to is printed in full below:)

PLATFORM PLANKS OFFERED.

"A tentative patriotic plank for convention platforms was drawn up at the meetings. It will probably be urged upon all political parties and candidates for office. It follows:

"'We declare that it is the supreme task of the civilized world to crush the insolent attempt of German autocracy to substitute a military dictatorship for self-government and the right of independent thought.

"'The world must be made safe for democracy by the defeat of German militarism.

"'We want no peace without victory and we demand victory so complete and conclusive that military ambition will be forever silenced and a peace secured that will make an end of war.

FOR LEAGUE OF NATIONS.

"'The world must be made safe by the cooperation of the major force of mankind, and that force should be organized by a league of nations to keep peace after the war.

"'We favor the entrance of the United States, after the war, into such a league of nations as may be adequate to safeguard the peace that must be won by the joint military forces of the allied nations.'

"Merrick and Homer Buckley were reelected president and secretary of the league, respectively, at yesterday's session. The following were elected vice presidents: William Wrigly, jr., John J. Mitchell, James J. Patton, and Cyrus McCormick. Edgar A. Bancroft was elected chairman of the executive committee and John T. Stockton chairman of the general committee.

CANDIDATES FACE LOYALTY TEST OF SECURITY LEAGUE ORGANIZATION TO FIGHT THOSE WITH ANTIWAR RECORDS.

"A vigorous attack on disloyal and antiwar candidates for the Senate and House of Representatives will be launched soon by the Chicago branch of the National Security League, a patriotic educational organization.

"The candidates' records in public office, if they have held any, their opinions on the war, and their spoken comment will be rigorously examined by a committee of the league during the next two weeks.

"Those candidates who do not pass the acid test of loyalty will be assailed by pamphlets and letters to the voters describing their records, by public speakers, and by newspaper publicity. To remove any possible stigma of politics no loyal candidates will receive any active aid toward election.

ROOSEVELT ASKS ACTION.

"This was decided yesterday at a meeting of the executive and general committee of the league in response to letters asking for the election of loyal men only in war time, sent to the New York offices of the organization by ex-President Roosevelt and Alton B. Parker, former Democratic candidate for the Presidency.

"A committee of 12 officers and members of the league was appointed by H. H. Merrick, president of the local branch, to delve into the candidates' records. Those on the committee are the following: Emil C. Wetten, chairman; H. H. Merrick, Edgar Bancroft, Homer J. Buckley, John F. Smulski, Peter S. Lambros, James A. Patten, Cyrus McCormick, Joseph W. Moses, Edward S. Gore, William B. Austin, and H. H. Latham. The first meeting of this committee will be held Friday afternoon in the office of Chairman Wetten."

Mr. JOHNSON. Now, go ahead and comment on it.

Mr. KING. A tentative patriotic plank was drawn up, and so on, and some other forms, which was not material except as to give the cast of extreme patriotism over the article, and especially over the individual members of the National Security League or of the Chicago branch.

Now, this paper, whichever it was, and I can not tell from the article, circulates not only in the city of Chicago, but circulates through the northern half of Illinois very extensively, besides Wisconsin, Iowa, and other States. The committee understand that very thoroughly.

Mr. JOHNSON. There is a bell for roll call. I think we had better take a recess and come back after.

(Thereupon the committee took a recess and reconvened at 3.25 o'clock p. m.

AFTER RECESS.

Mr. JOHNSON. You may go on, Mr. King.

Mr. KING. Not only do these Chicago papers circulate very extensively through the States that I have mentioned, but they circulate through all the Congressional districts in Illinois, probably as far south as East St. Louis, and the farther south you go the more sparsely do they circulate. The fifteenth congressional district, which I have the honor of representing, is about 200 miles long, extending from Geneseo to Quincy, Ill., on the river. People read these papers, especially the morning papers, every morning, and while it is said they do not have much influence in the city of Chicago, they do have a good deal of influence in the country districts. After this article appears and after another one appears, copy of which I do not have, stating that Congressman Juul would be called before the committee, and probably that Congressman King, of the Fifteenth Illinois district, or from the Galesburg district, would be called on Friday or Saturday, giving the date. After this publicity had been given to the matter in the heat of quite a primary contest at which all kinds of false charges were being made, and people being very alert on matters of this kind, the mere mention of it that you were to be called before such a committee on the question of your loyalty was then and there practically an indictment against a man, and in the minds of many people he was then and there found guilty before being tried.

Mr. JOHNSON. Equivalent to saying that a woman was going to be called and questioned as to her virtue?

Mr. KING. Yes, sir. Had the people known who the individuals were and had studied the situation that there was back of the National Security League, as now disclosed by the evidence before this committee, and had the people of my district known that the members of the Chicago branch were certain individuals who were well known to the district in their activities with our national life, well known, they would have immediately said they cared nothing about it, and it would have added very materially to anybody's vote whom they had seen fit to attack. But it was designated the National Security League.

Mr. REAVIS. When you bring that indictment against these individuals, do you mean the members of this executive committee, the officers of the National Security League?

Mr. KING. I was referring when speaking of my section of the country to one particular member of the executive committee of the Chicago branch, whose name I intended to mention a little later on in the evidence.

Mr. REAVIS. I do not want to interrupt your line of thought, but I was curious to know whether that reflection was directed toward this so-called executive committee of the congressional committee or toward certain members not in the executive committee.

Mr. KING. I intended to include in that the fact that if the people had known in the district not only as to certain members of the executive committee, but had they known who was back of this institution in the city of New York as a national proposition, which has been brought out by this committee in its investigation, it would have made a whole lot of difference in the way people have made up their minds in the Middle West. But they didn't know it. What I am trying to get before the committee now is to show the effect that publications of this kind, which were given out presumably by Mr. Wetten or some other member of this Chicago branch. Mr. Merrick said, in testifying here, that there was a crowd of newspaper men around the outside door of the office every time they would have a meeting.

Members are perfectly familiar, and it might be put in the record, that these leagues or organizations are frequently organized for the purpose of getting publicity without being brought to trial in a personal damage suit for things they might say individually by organizing a branch, having an office, having the newspaper boys come over every morning and get statements to which nobody might care to put their individual names, they were able to attack the character of citizens and candidates with impunity. Now, they had that power over the press in Chicago and publicity given to everything they did and men attacked whom they sought to destroy in the State. I regarded the mere suggestion in the newspaper mentioning my name, and especially this letter from Mr. Wetten, of Chicago, inviting me to sit with them, as they said in Mr. Merrick's testimony——

Mr. JOHNSON. For the purpose of determining your loyalty.

Mr. KING. Yes; for the purpose of determining my loyalty. I regarded that as just as strong a summons as would come from any court in the land; in fact, stronger. I regarded that just as strong as though some guard in the Middle Ages had come with their halberds and torches and taken me out of bed in the middle of the night, and conducted me up into the city of Chicago for the purpose of appearing before practically an unknown committee.

Mr. JOHNSON. It is a direct challenge of your loyalty.

Mr. KING. Yes, sir; and certainly very few of them knew me personally. So, therefore, this so-called "invitation" of Mr. Merrick's, which was a proposition for the Members of Congress to "sit with" them, as he said was in effect a summons to come before that committee and talk it over with them.

Any man will run to the defense of his loyalty whenever it is attacked. Regarding this as a matter of importance as I did, I consulted with some friends at home. We went to Chicago the day before

the inquisition was set for. We asked a friend of ours if he would go down to the National Security headquarters, at 51 Jackson Boulevard, or whatever the place was. He did go down there and returned. He said he did not find anything there except the name, National Security League, on the door, and at the bottom of the glass, the door there, somebody had a law office in there. I went in and could not find anybody there representing the league but a young lady stenographer; said what was wanted, and she said, I believe there is something like that here, and she reached down there and pulled out the lower drawer of the desk and brought out a typewritten list and handed it to my friend, who, had he not been a perfect gentleman, would have retained it. Being a perfect gentleman, he gave it back to the lady. But he was a Chicago man and knew almost all of the names on that list and remembered a great many of them, whom he told me about. He mentioned all these names that were on this special congressional committee, and he said this remark: "They all live here in Chicago. They are all big business men, and every damned one of them is a profiteer." Those were the remarks he made to me. That is hearsay, but sometimes you can develop things by hearsay you can not any other way. The names he reported to me indicated the gentleman knew what he was talking about. Then we found out who was the committee who was to hear the case. It consisted of Emil C. Wetten, chairman; H. H. Merrick, Joseph N. Moses, W. B. Austin, Peter S. Lambros, H. H. Latham, James A. Patton, Cyrus McCormick, John F. Smulski, and Edgar A. Bancroft. The following were not present at the inquisition: Mr. James A. Patton, Mr. Cyrus A. McCormick, Mr. Joseph W. Moses, Mr. E. A. Bancroft. Mr. James A. Patton was very sick at the time. Mr. James A. Patton is the man who cornered the corn market a number of years ago, known as the Corn King.

Mr. REAVIS. He cornered the wheat market, known as the Wheat King.

Mr. KING. The Wheat King. Mr. Patton was the man who, just prior to the declaration of war, bought up millions and millions of bushels of wheat for the National Biscuit Co. and had it stored away out of the reach of the common masses. Mr. Cyrus A. McCormick is in the International Harvester Co. that manufactures all the harvester implements, farm implements, practically, for the country, known as the Harvester Trust.

Mr. JOHNSON. During the war the price did not go up more than two or three hundred per cent.

Mr. KING. I don't think it went up over 300 per cent, but it is very close to it. John F. Smulski is a Pole, connected with politics sometimes in the State of Illinois, and was at one time the State treasurer. I was informed and I have heard it before, and I state it practically here, as near being a fact as anyone can without seeing it, that he wears the decoration, and that he had presented to him, but whether he wore it during the war, I do not know, a decoration from the Austrian Emperor.

Mr. JOHNSON. To whom do you refer now?

Mr. KING. Mr. John F. Smulski.

Mr. JOHNSON. What nationality is he?

Mr. KING. He is a Pole. That is, he is a naturalized Pole, I think; born in Poland, probably educated in this country, a very bright, smart fellow, by the way, as far as that is concerned. Then Edgar A. Bancroft is the head and front of the Harvester Trust.

Mr. HARRISON. Of what trust?

Mr. KING. The Harvester Trust.

Mr. BROWN. Is he a lawyer?

Mr. KING. He is an attorney. He was very modest and gracious in his testimony before the committee, but there is the head and front of the whole business right there. The gentleman from Mississippi examined him and found him a very pleasant gentleman. At one time he lived in my town, as shown by the evidence of Mr. Lambrose, the editor of the Greek Star. He said, in effect, that Mr. Bancroft having lived in Mr. KING'S town, he left that section to Mr. Bancroft.

Mr. JOHNSON. The Mr. KING referred to is yourself.

Mr. KING. As soon as I got into Chicago and found his name there on the list I could account for many mysteries that had not been cleared up in my mind before. I will not go into the personal matters between Mr. Bancroft and myself, because it would not throw any particular light upon this, except that it showed that individuals for the purpose of private revenge could use, as occasion required, the influence of the National Security League to get scurrilous matters against former enemies, apparently, into the Chicago newspapers. The Chicago newspapers published, as I say, everything that was requested by the National Security League. The Chicago Post, the Chicago News, and the Chicago Journal each made vicious attacks upon myself and Mr. BRITTEN. Mr. Bancroft was in Mr. BRITTEN'S district and Mr. Bancroft was fighting Mr. BRITTEN, and in order to make the articles appear that they were not directed particularly against Mr. BRITTEN he thought about his former home and reaches down and gets hold of me and includes me in the article.

The articles could be produced, but I don't think it is necessary for this hearing. Of course, the articles said in plain words that we, BRITTEN and KING, were disloyal to the United States.

Mr. JOHNSON. Both you and Mr. BRITTEN?

Mr. KING. Yes, sir. Those articles, in order to help my opponent, were printed in a Chicago paper, and I wasn't running in Chicago, and probably for the benefit of somebody else in the district against me, because they were published in full-page advertising at advertising rates in every paper in the sixteenth congressional district. Now, Mr. Bancroft is the chief counsel for the International Harvester Co. It is not particularly on personal grounds—I perhaps ought not to say this, on personal grounds, because it is so many years ago, but I have found that in this campaign men whom I had excused from juries 30 years before; men whom I might have had some collection against, or a suit against, all rose up as one man, and they found that they couldn't vote for me on account of my war record. They never stated the real reason. Men whom I had supposed had been dead for 30 years—every enemy, almost, walked out of the graveyards to bring up some ancient grudge which they bore a fellow. Now, that is enough on that feature of it, but there is something else.

Bancroft used to lobby down at Springfield. I was a member of the Illinois State Legislature for eight years, and for four years of that time I was chairman of the committee on labor and industrial affairs. Of course, as chairman of that committee, I naturally had a great deal of labor legislation before me, and I always found Mr. Bancroft and his assistants vigorously opposed to anything along that line of such a nature as the workmen's compensation act, of which I had considerable charge.

Mr. JOHNSON. Which side of the question was he opposed to?

Mr. KING. He was opposed to anything that would change the present conditions with reference to labor as they stood at that time in the State of Illinois. I received many letters from him. Further than that, I introduced probably the first liability bill—I am not saying this boastfully at all—in the Illinois State Legislature, which was intended to remove what was known as the "death warrant" clause out of relief contracts. Railroad companies, especially the Burlington, organized a relief association which they required all the members to join, and in joining they had to sign an application, a clause of which said if they accepted any money from the company they waived all damages; and on the other hand if they sued the company they lost their insurance under the release. So the poor fellows got it coming and going. This was simply directed at that feature, but the International Harvester Co., with other organizations of that character, they maintaining a relief system for themselves among the men with a similar clause in it, fought that bill. I will not go into the history of that, while it ran along all one season and two other sessions in the Illinois Legislature, and I became somewhat marked by the gentlemen by my action in that matter. I am well satisfied, because the next year, the second year I was nominated by the Republican caucus for speaker of the house. Never before in the history of Illinois politics, legislative politics, had the Republican candidate that had been selected in the Republican caucus, which controlled a majority of the house, been defeated. It was taken for granted, but the next morning 25 Republicans, who had always lined up with these interests, joined with the Democrats—I am not blaming the Democrats a bit—and elected a speaker, a bipartisan speaker of the house, which house afterwards elected William Lorimer to the United States Senate.

I only mention that to show—and it was stated afterwards that if I had not been too friendly to certain labor interests I would have been elected speaker of the house, and there would have been no vote. Whether that was true or not I don't know. But I know that Bancroft led that fight, not in the open—he never comes into the open, and was not in the open in this matter, but always behind, always planning, always scheming, sitting up late at night, talking high moral propositions in daytime, but all the time working for his god, the International Harvester Co. of America and nobody else. For the last 10 years he has followed his clients as defendants in prosecutions brought by the Government. Whether he finally kept them out of the penitentiary or not I don't know, but he served them faithfully and served them long.

Furthermore, there was some political features that developed there in the district. He and some friends of his were disappointed in certain things. I am satisfied that that rankled him. He finally went to Chicago as attorney for the Santa Fe Railway Co., and finally became the attorney for the International Harvester Co. Now, he will deny that there is any animosity in his case, but why was my district left to Ed. Bancroft by this committee? Not only that, there is another man on the committee, Busby—you heard his name mentioned—he wasn't there along toward the last, but Busby is the head of all the street car interests in the city of Chicago. The last session I was down there they had a bill in there known as the Chicago street car men's bill. I don't remember just the points of it, but the fellows employed on the street car system wanted the bill, and Mr. Busby didn't want it. Well, we had a great fight. We had hearings going on there covering six or eight weeks. Mr. Busby asked me if I would appoint a subcommittee. I said, "Yes." "All right," he said——

Mr. JOHNSON (interposing). That was a subcommittee of the Committee on Labor?

Mr. KING. Yes, sir; to consider this bill, this street car men's bill. Later I was asked and solicited if I wouldn't put a certain particular member of that committee, whose name I don't remember now, upon that subcommittee, and upon that one point all the influence that could be brought to bear from the city of Chicago where the interests, the large business interests of the city of Chicago are, were brought to bear to get that one thing done. The Illinois Manufacturers' Association lobbyist was after me; all the different lobbyists that infested the capitol at that time, and I presume now, were after me on that proposition. Now, I don't claim any particular credit for not doing it, but didn't do it. I was satisfied I was blackballed for not being sufficiently friendly. I was blackballed for not being sufficiently friendly to the Chicago interests.

Again I was in a position in the legislature there where I was required to and did fight the best I could the proposition presented to the Illinois Legislature allowing Sam Insull to gather together and form into one trust all the independent lighting plants in the State of Illinois. He got that legislation through. I voted against it. I don't suppose he would even remember my name, but somewhere in his books—and they keep books—is a record that I was wrong upon that measure. He is another prominent member——

Mr. JOHNSON (interposing). Prominent in what way?

Mr. KING. Of the National Security League, the Chicago branch, whose name will be found, if it has not been given to the committee, upon this list of 50, if you can secure it. I found the name of Mr. Armour. Far be it from me to intimate for a moment that Mr. Armour knows me or will condescend to make my acquaintance, but his people up there know, just after I was elected in 1914, and before I came down here, we had an epidemic of foot-and-mouth disease in the State of Illinois.

Mr. JOHNSON. Among cattle?

Mr. KING. Yes; among cattle. And one county especially, the county of Henry, where there are a great many stockmen, was stricken, and the Bureau of Animal Industry here had adopted the scheme every time there was one case in any county in the State of Illinois, if it was down in the southeast corner 30 miles removed from the other corner, of putting that whole county under quarantine. I couldn't understand that when I was out there, until I read all the hearings on the foot-and-mouth investigation conducted by Senator Kenyon and others when I came here to Washington, and I found that the true explanation of that was that they had in Chicago a free area and also a restricted area, a quarantined area. Now, they bought cattle down State, or rather they came into the stockyards from there. They would say to the man, "Where do these cattle come from?" "They come from Henry County." "Well, that is a quarantined county." If they come from Knox County, the next county to Henry County, that is not a quarantined county. All the cattle that went from Henry County sold for from 25 to 30 per cent less to the packers, through their agents, than did the stock that came from the next county. That was due to the large area put in quarantine by the Bureau of Animal Industry here in the city of Washington.

Mr. JOHNSON. If they were unfit for use, they should not have been sold at all and put on the market.

Mr. KING. No; they were just as good cattle as those in Knox County, because in one instance the case was down in the southeast corner, within 2 miles of Knox County and within 3 miles of Stark County, but as it happened to be in Henry, they put all of Henry County in quarantine and prevented all the people in the northern part of Henry County from shipping cattle into Chicago, and if they did ship it in, just as good cattle as they shipped from Knox County, they sold for 25 per cent less.

Mr. REAVIS. That is quite an interesting statement. You mean by that that cattle that happened to be in Knox County, within 3 miles of the infected cattle, were in a free area?

Mr. KING. Yes, sir.

Mr. REAVIS. While the cattle that happened to be in Henry County, though they were 30 miles from the infection, were in a restricted territory?

Mr. KING. Yes. That enabled them to get all the good cattle for 30 per cent—25 to 30 per cent—less. So they made a million dollars off of the stock raisers of that one county alone.

Mr. REAVIS. Who made a million dollars? Who got the benefit of that regulation?

Mr. KING. Somebody in Chicago. Probably the packers eventually got the advantage of it, because they got the stuff.

Mr. REAVIS. They butchered and dressed the cattle that came from the restricted area?

Mr. KING. Yes, sir.

Mr. REAVIS. And sold it to the general public for the same price that they received for other meats, didn't they?

Mr. KING. Yes, sir.

Mr. REAVIS. Well, there isn't any doubt in your mind as to who profited by it?

Mr. KING. Absolutely not. I say so.

Mr. REAVIS. I just wanted the record to show that.

Mr. KING. Yes, sir. Now, then, when I came down here I made my maiden speech, and that is where I got in bad with the packers of Chicago. I took a good deal of time on that speech. It wasn't such a wonderful speech, but it had a lot of facts in it. I went through every bit of testimony that was given in those hearings on the foot-and-mouth disease, and I traced it and how it spread, and I showed how inspectors in Chicago were interested in serum factories there—foot-and-mouth serum factories—and I went into it pretty generally, and I showed how a fellow by the name of Fitzgerald or Ferguson, I forget his name, was the general agent there for Swift & Co., for, I think, Wilson Bros., and for Armour; and how he handled the shippers; how he invited them into Chicago to attend a general educational conference—that is a great thing nowadays in handling people—and how he banqueted them, took them out to vaudeville shows, and showed them a good time, and in that way kept them all perfectly satisfied. It showed conclusively that he was the fellow that shifted matters between the various packing companies in the city of Chicago and was their go-between, although he is presumably secretary of this educational society for the benefit of farmers and stock raisers. If this committee can get hold of that fellow and make him tell the truth, they can probably get at what they want.

Mr. JOHNSON. What is his name?

Mr. KING. His name is either Fitzgerald or Fitzpatrick or Fitzhenry.

Mr. REAVIS. We can get it from that speech of yours, can't we?

Mr. KING. Yes, sir.

Mr. JOHNSON. You will furnish the committee with that?

Mr. KING. Yes; I will furnish the committee with it.

Now, the connection between that and this present investigation is this, that I was called to account by one of the inspectors in Chicago—I don't know that anything came directly from the packers, but I know from certain actions on the floor of the House that that speech was distasteful for a new speech for a Congressman to make saying anything against the packing industry of the city of Chicago. In that manner I got my third or fourth or fifth black eye—I don't know what it was—with the Chicago interests. Now, I see Mr. Armour, the head of the packing interests, was a member of this Chicago branch of the National Security League.

Mr. CARAWAY. And a very heavy contributor?

Mr. KING. I didn't know that. I presume that was true. Now, from these few instances I have given you you can easily see that I was persona non grata with the Chicago interests, and the Chicago interests believe they are, and are almost, as a matter of fact, the State of Illinois. You can see that when Mr. Wetten in his testimony talked about the Brundage faction down State—a Chicago man never talks, either in politics or any other branch, except in the terms of Chicago, and he thought there was a Brundage faction down State. There is no Brundage faction down State, nor Deneen faction down State. We have our own factions. We don't have to have anything imported from the city of Chicago in our factions. But with that kind of men in this branch, urged on by the chairman of the executive committee, Mr. Bancroft, I can see very readily why I was lugged into the situation at all.

Now, to go on with the meeting; I have told you who was there. We first went down to Jackson Street—51. We found no one there. They said that the meeting would be held at Mr. Wetten's office. I have even forgotten the building that Mr. Wetten's office was in, but we went to another building and went up the elevator and went into Mr. Wetten's office. I had talked this matter over considerably before going up there. I admit I was not in a very good frame of mind—that is, I felt more or less humiliated that I should be called in before a crowd of strangers and questioned on a subject of that kind—was not even permitted to go before a committee of my neighbors, like the boys in the drafts were.

Mr. CARAWAY. Did you realize that you didn't even go before a committee of American-born citizens?

Mr. KING. When I got in there I noticed that, as I observed them—well, I thought this, that I would make an effort to get the names of the individuals who sought to try me, and for that reason I took along a friend of mine by the name of Custer, and I took along a young man who afterwards became my secretary and was helping me then in the campaign. I took him along. Now, I said, "We may have difficulty in getting in here, because I understand that these are clandestine meetings—that is, that they are secret meetings; that their witnesses are not permitted in here and nothing to be taken down, but we will try it, because I propose if these people attack me to find out who the individuals are that try me, and I propose to bring a lawsuit against each and every individual that makes these charges, irrespective of the cloak that they are hiding under—the National Security League."

We found Mr. Wetten presiding—sitting at the desk—and I will say for Mr. Wetten that I think he was a very fair man in the whole proceeding, considering the men that he had to deal with. Then, there was Mr. Merrick, who thinks he is the mayor of Chicago, head of the chamber of commerce; W. B. Austin, a lawyer. I remember Mr. Peter S. Lambros on account of his whiskers. He was editor of the Greek paper. He sat over to my left. Mr. Wetten sat at the desk in front of me. Mr. Custer sat beside me, and the young man who is my secretary took a seat at a table. Mr. Merrick, I think, sat against the wall, leaning his chair against the wall. Mr. E. C. Gore and Latham were there, as I understand it—I know they were, but I do not remember them. They were merely "and others," under that title. I saw they were rather confused when I went in, that I should bring in two witnesses with me, and I said, "Gentlemen, I am here to consult with you about this matter in pursuance to your letter." I introduced myself and introduced them to my two friends. The situation was such that they couldn't very well tell them to go out. I am satisfied they wanted to do that, and they acted like it, but I didn't propose to sit in there alone without witnesses. At one stage of the proceedings Mr. Schroeder, who had a pencil and a piece of paper, and who under my instructions was getting down all that he could at the time, was stopped by Mr. Wetten, who said, "Mr. King, what is your young man doing over there? Is he a shorthand writer?" I said, "No; he isn't a shorthand writer; he is an old newspaper man taking down a few notes." "Well," he says, "we don't allow anything here to be taken down in shorthand," and I said, "Well, he is taking a few notes as he goes along." But they expressed the desire that he shouldn't do that; that nothing was to be public about the proceeding whatever.

So far as I was concerned I was glad to have it public; I would have been glad to have it public; I would have been glad to have it taken down in shorthand, and requested that I might have a stenographer there, which they refused, so I could show the people of the district, if they found against me in their verdict, that it ought to be set aside. I could show them the evidence. But that was not to be. I can't give the committee all the details of the conversation, but I remember Mr. Wetten said, "Mr. KING, the main objection to your record is that you made a speech down there in Congress—and by the way," he says, "I want to say before we start in we have read it, and it is a damned good speech." I said, "I thank you for that." And then over to my right sat one Moses. Now, Moses was a regular cootie. Every time you got him off of you he would be at you again—one Moses, who is now dead. He sat at my right here, with double glasses. He had the speech—I might mention this to the committee, that in addition to having a speech printed, which was not in the type of the CONGRESSIONAL RECORD but had been set up especially by somebody, they had certain documents and statements which had been made by certain enemies of mine in the district—political enemies of mine in the district—lying upon their desk in full view. I could see them there, and was familiar with the documents, having seen them many times before, which led me to believe that somebody had given those to Mr. Bancroft, who had presented them to the committee upon which to interrogate me. Mr. Wetten didn't ask any questions, neither did many of the rest.

I spoke to them, and I was required to bare my very soul before those men. I had to go way back to the time of the Revolution and show that an ancestor of mine by the name of Ichabod was on Dorchester Heights and had fought the British the next day at Bunker Hill; and the record of Capt. Thaddeus King, and that there was an old King homestead on the Massachusetts and Connecticut line still standing, where some of them lived; and the record on my mother's side way back until they established it in some Englishman of some kind or character; and it was necessary for me to state what liberty-loan speeches I had made; how many bonds I had subscribed for; whether I had made liberty-loan speeches; whether I had contributed to the Red Cross and other war activities.

Mr. REAVIS. Mr. King, did you tell them that your only child was in the service as a volunteer in the aviation service?

Mr. KING. Yes; that sort of stuck them a little bit.

Mr. REAVIS. Were they kind enough to tell you whether any of their sons were likewise serving?

Mr. KING. Not one of them mentioned that fact, and I don't think they could prove it. Some of them have not brought any sons into the world, let alone being in the war.

Mr. CARAWAY. Well, the country is fortunate, then.

Mr. KING. Yes; I had to bring that up. Now, mind you, all this was most distasteful to me, to go into a committee largely consisting of foreign gentlemen and establish my record as an American citizen before them. Of course, somebody said: "You don't need to have gone," but I have explained to the committee why I had to go. That was all there was to it. You were forced into it. Yes; I told them that my son was in the Army. "Well, was he drafted or did he enlist?" was the first question. I had the honor of replying—whether it is an honor or not, I make no distinction between a drafted man and an enlisted man—that he did enlist, and that he was a second lieutenant and was expecting to go overseas before long.

Mr. REAVIS. And not in a bullet-proof job, either, was he?

Mr. KING. No; he was in no bullet-proof job. I picked out four or five of them, and on that list of 50 I'll bet you can find every one of their sons in bomb-proof positions.

Mr. REAVIS. Your son was in the aviation?

Mr. KING. Yes, sir; and this evidence in New York, where two or three of the witnesses kept harping upon "Now, Mr. So-and-so is a business man, and he has a son in the war, and So-and-so has a son in the war"—it would be most interesting to find just what service those sons were performing. My observation of it is that the whole gang of them ran down here to Washington and made safe on that proposition in the first instance. Well, that is beside the matter I was trying to get at.

Mr. JOHNSON. You started to say that Mr. Wetten turned to your speech.

Mr. KING. Yes.

Mr. JOHNSON. Then, were you questioned about your speech?

Mr. KING. Yes; I was questioned by Mr. Moses. Moses seemed to be the fellow.

Mr. CARAWAY. Is he the one with the big, bold glasses?

Mr. KING. No; he is dead. He died after that. Yes; he is referred to as the one—I referred to him as having double glasses, double magnifying glasses. He sat very close to me. Now, let me see where that speech is. He had a copy of it. Not this copy of it, however. He looked down very close to the paper, and he would always look at one place in the paper, and that is where the name of Morgan appeared.

Mr. JOHNSON. What Morgan is that?

Mr. KING. Well, I referred to him as Morgan, meaning J. Pierpont Morgan. I didn't give his full name in my speech.

Mr. JOHNSON. Of New York?

Mr. KING. But when that name was sounded before the committee there was a dead silence. Somebody had certainly committed blasphemy or lèse majesté, or something else, by lugging into the CONGRESSIONAL RECORD the name of Mr. Morgan before this committee. "Well, what did you mean here when you said this about Mr. Morgan?"

Mr. REAVIS. Who said that?

Mr. KING. Moses. The record shows here that Moses was given the CONGRESSIONAL RECORD to make a special study of it, he being former president of the Chicago Bar Association, composed almost wholly of corporation lawyers.

Mr. JOHNSON. That is usually the case, isn't it?

Mr. KING. I am not going to read what I said unless the committee wants what I said. It is not material in regard to Mr. Morgan, but I read it to him again, and I told him I thought it was very plain, what I said there and what I said about the loan, the original loan, not the one made by the United States, but made by Mr. Morgan.

Mr. JOHNSON. Loan to what—Russia?

Mr. KING. The loan that he made to the allies in the first instance, long before the war was declared.

Mr. CARAWAY. Those bonds that were palmed off onto the American people?

Mr. KING. Yes. That would perhaps be better. I can't remember all the different propositions he asked me to explain about this speech, but I thought it was very plain. Now, I said to them, "You talk about this speech as though this was a wonderful speech." I said, "This wasn't a wonderful speech. You would think that in my district and before this committee that this speech had more to do with injuring the morale, as you state, than any other speech that was delivered in Congress. The truth of it is it took 10 minutes to deliver the speech, and the only time it has attracted attention was in this campaign and before you gentlemen who are trying to lay the foundation of some attack." Now, Mr. Wetten said in his testimony here that I said I had made the speech in a fit of temper. Now, that is absolutely untrue. I said nothing of the kind. One of the Chicago papers, in reporting the evidence, pictured it a little bit worse by saying that I was sorry. They didn't ask me if I was sorry.

Mr. JOHNSON. That was a prepared speech, wasn't it?

Mr. KING. Yes.

Mr. JOHNSON. And it took you, perhaps, weeks to get up the data in it?

Mr. KING. Yes; it took me some time to get it up.

Mr. JOHNSON. Therefore, it couldn't have been a speech delivered in a fit of temper, could it?

Mr. KING. No; and I was never better natured in my life than at that time; and in saying that I was sorry, etc., Mr. Wetten is entirely mistaken with reference to that.

Mr. CARAWAY. That is not the word.

Mr. KING. That he used?

Mr. CARAWAY. No; that is not the word to describe what he did when he testified—"mistaken."

Mr. KING. Well, the committee can use their own word in their report, and I hope they will, and I will be for it.

Now, Mr. Bancroft said that this speech was a flagrant speech. Flagrant means, according to the dictionary, flaming, inflamed, glowing, burning, ardent. Its synonyms are meaning that this speech was glaring, notorious, nefarious, villainous, abandoned, hateful, odious, monstrous, wanton, violent, heinous, atrocious, and outrageous. That was the definition of Mr. Bancroft's description of the speech. Now, I don't expect any member of this committee to read the speech, or any other living human being; but I don't know what part especially was objectionable to Mr. Bancroft, unless it was where I quoted Thomas Jefferson, or perhaps that part where I quoted out of the last Farewell Address of George Washington, and such other matters of that kind. I was taking no part between the belligerents in this speech whatever, and I couldn't imagine just what part of it Mr. Bancroft had reference to in labeling it as he did.

Well, the meeting went on, and my friend Custer made a few remarks and told the committee a few things. I had to bring him along as a living witness that I was a reputable citizen in the city of Galesburg there, and had some friends, and the committee got somewhat sociable after a while—pretending to be, anyway. So we got into another conversation on other subjects. I didn't get into it; they brought it up themselves; but I could see very easily that they had more concern about that than they had about my patriotic attitude, which they were alleging that they were investigating. They wanted to know from me whether I believed in the labor unions running the country, and if the committee wants I can tell them what I said.

Mr. CARAWAY. I would be glad to have it.

Mr. KING. I said to them, "I have always supported the labor unions whenever I thought they were right. In the matter of wages, hours, and things of that kind, with which I am familiar, I always sympathized with them and have been for them; and I know I found when I was in Springfield that they were the only organization, the only definite, substantial organization in the city of Springfield that would stand for a reasonable, decent measure down there affecting other people besides themselves. They were always willing to help, and I had had a great respect for the labor lobby." I told them that I didn't believe in their running everything. I said: "I am an individualist; I believe that a man should rise by merit and get along in this country, and up until a few years ago a man was able to do that; but I believe there are crowds of people who have legislated against the opportunity of a man to rise through his own merits." Now, they said: "How do you feel on Government ownership of railroads?" Well, of course, I knew that that was a question——

Mr. REAVIS (interposing). Who asked you that?

Mr. KING. Mr. Merrick. I am pretty sure it was Mr. Merrick. It was the gentleman who leaned back against the wall. It might have been Austin, but I think it was Merrick. And I knew that it was the particular and crucial part of the hearing in that particular case. Of course, I hadn't made up my mind on that subject. I am like the President—keeping an open mind on the matter. I told them—I said, "I have an open mind upon that subject, but I want you to understand that I am an individualist, not a Socialist. That ought to be a sufficient answer to your question." They seemed pleased, and with a few other remarks the meeting was dismissed. You can draw your own conclusions on that.

Now, I have a number of other things here, but I think I have gone over most of the evidence, but if the committee will permit me to proceed for half a minute, I want to say I have given some little thought to this case and this testimony before the committee, and even have thought about it considerable.

This National Security League was nothing more than an organization designed to protect certain individuals from damage suits by being able to get out statements to the newspapers without being held personally responsible for the damaging statements so made.

Mr. JOHNSON. You do not mean to say, however, that they did not have interests to serve?

Mr. KING. No, sir; and I will also state that their main purpose, in my judgment, was to defeat many men who had had the temerity, even in a slight way, to stand for the rights of the common people. I believe they worked not only in New York, but throughout the country. They had many lesser organizations who believe what they say; who pass resolutions for them every time when the resolutions are sent out. They will pass them and send them in to us, who are influenced greatly by them—a sort of a Bourbon organization, a crowd of old-time Bourbons, like the old French Bourbons who never learned anything and never forgot anything.

Mr. CARAWAY. I think you are too hard on the Bourbons.

Mr. KING. A sort of general understanding over the country amongst themselves that every time the common people want anything or a chance for their white ally, to be sure to hit the proposition in the head, and all the time, night and day, without regard to religion, without regard to politics, without regard to art, sense, or anything else, they are always working on this one particular thing, and as soon as they are through with this they are on to another. To-night, I think it is to-night, I have an invitation from the Chicago Chamber of Commerce, signed by Mr. H. H. Merrick, the president——

Mr. JOHNSON (interposing). Of the National Security League?

Mr. KING. He is president here of the Chicago Association of Commerce.

Mr. JOHNSON. Is he not also the president of the Chicago branch of the National Security League?

Mr. KING. He is; yes, sir. The same gentleman and the same one who tried me in Chicago, one of my judges. I don't in any way want to compare myself to that Divine Person in the slightest degree who lived many thousand years ago, but I do have a right to draw the comparison between the judges that sat on my case and those that examined him for a while and rushed him in before Pontius Pilate.

"You are invited to be a guest at dinner of the Chicago Association of Commerce, Friday, February 7, at 7 o'clock, New Willard Hotel.

"This will be an informal meeting of the Senators and Congressmen from Illinois, with whom a delegation from the association desires to confer"—

He wants us to sit with him—

"regarding highly important aspects of the employment situation. It will afford, too, an opportunity to advise fully and informally with respect to other public issues of vital importance."

So they are no more through with one thing than another one begins. Now, you will have some other kind of a league, some other proposition coming along very soon. I have observed that all through my public life; I have always had to contend with it; others have had to contend with it; some have gone down trying to sustain themselves against it; many of them finally give way and go over and quit. The game is too expensive without being with them; you must go along with them if you care to go on in politics. That is the feeling of many.

I think that is all, gentlemen. I would like to have the committee examine me, though, on anything you want to.

Mr. REAVIS. Are you affiliated with any particular faction of the Republican Party in Illinois?

Mr. KING. No, sir; I am not.

Mr. REAVIS. That is all I wanted to know.

Mr. BROWNE. I would just like to ask Mr. King if that is the same Harry H. Merrick that on January 9, 1919, delivered an address before the association of commerce, or the Railway Business Association of Chicago, on organizing against governmental control of railroads?

Mr. KING. Yes.

Mr. BROWNE. I notice that is gotten out in pamphlet form and on the back of it says:

"Requests for copies of this letter will be welcomed from all desiring to place in the hands of their Representatives or friends. Copies furnished to lists upon applications.

"FRANK W. KNOTSON,
"Secretary Railway Business Association,
"30 Church Street, New York."

Mr. KING. Yes, sir; that is the same fellow.

Now, if there is anything that the committee thinks I have neglected, I will be very glad if they will call my attention to it. I had to get my testimony together rather hurriedly, and possibly some important propositions I may have neglected.

Mr. CARAWAY. Mr. King, you may have gone into this, and if so we will strike this question out of the record. You read Mr. Wetten's testimony?

Mr. KING. Yes, sir. That is, I read it hurriedly at the table a few minutes ago.

Mr. CARAWAY. You observe that you said you were apologizing for your votes and your speech? Did you do any such thing?

Mr. KING. I am glad the gentleman has called my attention to that. No, sir; I never made any apology. I didn't make any apology for my votes. According to their own standards, I was about 60 per cent patriotic according to their chart, and I called their attention to that and in conclusion I said, "Gentleman, look over this chart there. Instead of condemning me you ought to commend me for complying with the conditions of the chart." I never apologized anywhere for anything. I told them that since I had stated in the speech that I would support the war and the President if it was so carried, that I had done so, and that I had a personal letter from the President commending me for—and this was the thing that while it didn't bother this committee, it bothered one of their offshoots down State—I actually voted for the espionage bill. They called it "gagging" the press. The President wanted it. Webb stated on the floor that the President wanted it, and he needed it to help win the war, and I voted for that.

So all my record was in support of everything that was asked for in support of the war. They said, "You voted against conscription, didn't you"? I said, "Yes; I voted against conscription. That is, in other words, I voted for the volunteer system of raising an army." I said that was a matter upon which men had a right to differ. "All you men would not have agreed upon that if you had been there, and there was a great number of Members of the House, nearly 150 of them, who thought that plan should have been adopted. There was nothing unpatriotic about that; nothing that tended to show that a man wasn't going to support the war—the method by which he

thought the Army should be raised had nothing to do with the question."

That was about all that was said upon that subject, and I said I thought—I had an idea (perhaps I may have been wrong in that) that we could raise a volunteer army; that we could go out and make these talks to the boys in advance, instead of putting them in a camp and then going and talking to them afterwards.

Mr. CARAWAY. You read Wetten's testimony with reference to what occurred when you were examined?

Mr. KING. There is not a word of truth in his testimony, except that I was present.

Mr. CARAWAY. And he was present?

Mr. KING. Yes. And yet I will say this for Mr. Wetten, I think he was the fairest man on that committee, and I think that he had probably more to do with the result, so far as the final action of the committee is concerned, than anybody else had. I don't know.

Mr. CARAWAY. No; Juul's open letter was the thing that affected the final action of the committee. You read Merrick's testimony as to that?

Mr. KING. Yes, sir.

Mr. CARAWAY. Was anything true in it except that you and he were present?

Mr. KING. No, sir.

Mr. HARRISON. Mr. King, did this subcommittee that examined you express any opinion before you left as to whether or not they were going to take any part in your campaign?

Mr. KING. They did not. I presumed at the time that they were, on account of the literature which was scattered on the table there, and which I had access to, that they intended to take a part in it. They didn't take any part after that except to give out to the newspapers in the city of Chicago that I had been there that afternoon and had been up before the committee. And I said: "Gentlemen, if you have nothing against me, why don't you commend me and advise the voters of my district to vote for me?" They said: "We never do that. We just criticize."

Mr. HARRISON. Did they ask you to give nothing to the press touching that meeting?

Mr. KING. No; they didn't ask me—yes; I think they did.

Mr. HARRISON. But they did give to the press themselves that you were present?

Mr. KING. The press had it anyway. The press was around the door, outside, and the press, believe me, will get it when they want it.

Mr. HARRISON. Did you ask them not to take any part in your race?

Mr. KING. No.

Mr. HARRISON. Did you make any such request as that?

Mr. KING. No, sir.

Mr. HARRISON. Did you express to them that you were sorry for any votes that you had cast?

Mr. KING. I did not.

Mr. HARRISON. The reason why I asked is that one of the committee stated that you had made such an expression before the committee. Were any of the charts distributed in your district, do you know?

Mr. KING. I think they were.

Mr. HARRISON. By the Chicago branch?

Mr. KING. Yes, sir.

Mr. HARRISON. Do you know?

Mr. KING. I couldn't say. But I want to say this right in that connection: Some intimation is given that the National Security League took no part in the elections. That is not true, because I have got a letter right here from Mr. Orth, in which he asked me the name of my Democratic opponent and which I sent to him, and they sent to my Democratic opponent one of their questionnaires which he filled out, promising to do as they said under all circumstances and conditions that might arise from now till the end of the world, and he published it in the newspaper that he would do that, and I think that hurt him.

Mr. HARRISON. That is all I have.

Mr. REAVIS. Did you express any regret to them that you had circulated the speech through the district?

Mr. KING. I didn't say that. This is what I said. They said, "You are charged here"—this they got from the opposition—"with having circulated your speech all over the district after you delivered it." "Well, now," I says, "gentlemen, I will tell you the exact truth about that. I have about 1,500 friends that I have on a personal list, that I know personally in the district, and I sent to each one of them a copy of the speech. Those are all the speeches I sent out. There are 215,000 voters in the district, and I never sent them out to any of the voters whatever. I sent them out to about 1,500 friends in order that they might know what my position was at the time."

Mr. CARAWAY. May I call your attention—you said 215,000 voters. You don't mean that, do you?

Mr. KING. That is the population.

Mr. REAVIS. Now, the Congressmen that voted against war, a number of them made speeches explaining the reasons for their attitude; but when war was declared in the regular and constitutional way, for a Congressman to send a speech through his district that would justify his conduct or would be an attempt to justify his action on the war resolution, if it justified his action on the war resolution in voting against it, it would be in the nature of a criticism of the burden that the Government had taken on.

Mr. KING. Yes, sir.

Mr. REAVIS. With that idea in view, did it impel you to refrain from sending your speech generally through your district?

Mr. KING. Yes, sir, it did; and I so stated that to the committee of the National Security League in Mr. Wetten's office. That is probably where they got the impression that I was sorry for something. I said to them: "After sending those speeches out, which were probably a week or two or three after the declaration of war, while they were a great defense of my own attitude, as I thought, and my reasons for voting as I did, nevertheless, now that we are at war, perhaps there were some things in the speech that might be questioned, and I refrained from sending any more speeches out after sending the 1,500 out."

Mr. REAVIS. Well, don't you know, Mr. King, that many of the men who have been seriously criticized by this league, who voted against war, refrained from sending out anything that would justify or tend to justify their own conduct, preferring to incur the criticism than to do anything that might tend to militate against the common impulse in favor of their country after they had gotten into war?

Mr. KING. And by doing that they were making a great sacrifice, putting themselves in a position for an attack without any means of defending themselves.

Mr. REAVIS. And to an attack from which they could not defend themselves without criticizing the action of the Government?

Mr. KING. Yes, sir.

Mr. REAVIS. And for that reason they preferred to endure the attacks rather than to defend themselves?

Mr. KING. Yes, sir; and those men undoubtedly found in their districts many people asking them, "Why didn't you send me your speech, so I would know something about why you did this?" I am glad the gentleman from Nebraska brought that point up.

Mr. JOHNSON. The committee stands adjourned until to-morrow morning at 10 o'clock.

(Whereupon, at 4.35 o'clock p. m., the committee adjourned until 10 o'clock a. m., February 6, 1919.)

EXTENSION OF REMARKS

OF

HON. L. C. DYER,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 18, 1919.

Mr. DYER. Mr. Speaker, under leave to extend my remarks in the RECORD, I insert the following:

MEDALS OF HONOR.

[From Military Laws of the United States, 1915, with supplement to Mar 5, 1917.]

1013. President may cause to be issued: That the President cause to be struck, from the dies recently prepared at the United States mint for that purpose, "medals of honor" additional to those authorized by the act (resolution) of July 12, 1862, and present the same to such officers, noncommissioned officers, and privates as have most distinguished, or may hereafter most distinguish, themselves in action. (Sec. 6, act of Mar. 3, 1863, 12 Stat., 751.)

This provision was not embraced in the Revised Statutes. Medals of honor will be awarded by the President to officers and men who most distinguished themselves in action. (Pars. 182, 183, and 188, A. R., 1913; see also G. O. 42, A. G. O., 1897, and G. O. 135, A. G. O., 1899.)

As section 6 of the act of March 3, 1863 (12 Stat., 751), provides for the award of the medal of honor under certain conditions to officers, noncommissioned officers, and privates only, held, that it may not be awarded for distinguished services in action by a contract or acting assistant surgeon, who is no longer in the service. (Dig. Opin., J. A. G., 1b. 665, ed., 1912.)

See also Twentieth Opinions Attorney General, 421, in which advice was given not to grant the medal, as when the application was received, nearly 28 years after the gallant conduct, there was no official record on file in the War Department to substantiate the claim.

See Twenty-fourth Opinions Attorney General, 580, in which it is held that the fact that after the application or recommendation is made the applicant leaves the service does not prevent the President from making the award.

A medal of honor is a recognition of gallantry which is granted by authority of Congress to such officers or enlisted men "as have most distinguished themselves in action." When a medal is conferred there is included in the grant a conveyance of ownership of the medal, regarded as a chattel, which becomes the property of the grantee, and is subject to such disposition as he may see fit to make of it as a part of his personal estate, subject, however, to the qualification that it may be worn and used as a medal of honor only by the person upon whom it was originally conferred in recognition of his military services. (Id., 1c, 665.)

1014. May be awarded after separation from the service: For 3,000 medals of honor to be prepared, with suitable emblematic devices, upon the design of the medal of honor heretofore issued, or upon an improved design, together with appropriate rosettes or other insignia to be worn in lieu of the medal, and to be presented by direction of the President, and in the name of Congress, to such officers, noncommissioned officers, and privates as have most distinguished, or may hereafter most distinguish, themselves by their gallantry in action, $12,000: *Provided*, That the Secretary of War be, and he is hereby, authorized and directed to use so many of the medals and rosettes or other insignia provided for by this act as may be necessary to replace the medals that have been issued under the joint resolution of Congress approved July 12, 1862, and section 6 of the act of Congress approved March 3, 1863: *And provided further*, That whenever it shall appear from official records in the War Department that any officer or enlisted man of the Army so distinguished himself in action as to entitle him to the award of the congressional medal of honor under the provisions of the sixth section of the act of Congress approved March 3, 1863, entitled "An act making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1864, and for the year ending the 30th of June, 1863, and for other purposes," the fact that the person who so distinguished himself has since become separated from the military service, so that the award of the medal to him was not specifically recommended or applied for while he was in the said service, shall not be held to prevent the award and presentation of the medal to such person under the provisions of the law hereinbefore cited. Act of April 23, 1904 (33 Stat., 274).

The act of April 23, 1904 (33 Stat., 274), provides, "Whenever it shall appear from official records in the War Department that any officer or enlisted man of the Army so distinguished himself in action as to entitle him to the award" of the medal of honor under the then existing law, the award shall not be prevented by the fact that the person has since become separated from military service, or that it was not recommended or applied for while he was in the service. Held that the "official record" is one that must have been made by an officer of the Army pursuant to statute, regulation, orders, or custom. Held further that an oral recommendation was not an "official record," and therefore could not be the basis of the award of a medal. (Dig. Opin. J. A. G., A 2a, 665; see, also, Cir. 22, 1905, War Dept.)

The recommendation for a medal of honor was not made until more than a year had elapsed after the gallant conduct upon which it was based, l. c., July 1, 1863. Held that under the legislative rule fixed by the act of April 23, 1904 (33 Stat., 274), if it shall appear from the official records in the War Department that an officer or enlisted man has so distinguished himself in action as to entitle him to the award

under the act of March 3, 1863 (12 Stat., 751), the award may be made. (Id., 2d, 666.)

1015. May be replaced when lost or destroyed: That in any case where the President of the United States has heretofore, under any act or resolution of Congress, caused any medal to be made and presented to any officer or person in the United States on account of distinguished or meritorious services, on a proper showing made by such person to the satisfaction of the President that such medal has been lost or destroyed through no fault of the beneficiary, and that diligent search has been made therefor, the President is hereby authorized to cause to be prepared and delivered to such person a duplicate of such medal, the cost of which shall be paid out of any money in the Treasury not otherwise appropriated. Joint resolution No. 23 of April 15, 1904 (33 Stat., 588).

Held that the President has no authority under the act of April 23, 1904 (33 Stat., 274), to refuse to replace a medal that was awarded under the joint resolution of July 12, 1862 (12 Stat., 623), and the act of March 3, 1863 (12 Stat., 751), when the same is presented for that purpose by its owner. (Dig. Opin. J. A. G., 2b, 665.)

1016. Not required to surrender old when replaced by new: The holders of medals of honor under the act approved July 12, 1862, and section 6 of the act approved March 3, 1863, shall not be required to surrender such medals in case such medals are replaced in pursuance of the provisions of the act of Congress approved April 23, 1904; and that wherever the holders of such medals of honor have surrendered them, in order to receive the medals provided for by said act approved April 23, 1904, such medals shall be returned to them: *Provided*, That no recipient of both medals shall wear both medals at the same time. Joint resolution No. 17 of February 27, 1907 (34 Stat., 1422).

1017. Rosette, or knot, and ribbon to be worn in lieu of and with: The Secretary of War be, and he is hereby, authorized to issue to any person to whom a medal of honor has been awarded, or may hereafter be awarded, under the provisions of the joint resolution approved July 12, 1862, and the act approved March 3, 1863, a rosette or knot, to be worn in lieu of the medal, and a ribbon to be worn with the medal, said rosette or knot and ribbon to be each of a pattern to be prescribed and established by the President of the United States; and any appropriation that may hereafter be available for the contingent expenses of the War Department is hereby made available for the purposes of this act: *Provided*, That whenever a ribbon issued under the provisions of this act shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the person to whom it is issued, the Secretary of War shall cause a new ribbon to be issued to such person without charge therefor. Joint resolution No. 51, May 2, 1896 (29 Stat., 473).

[Regulations for the Army of the United States, 1913 (corrected to Apr. 15, 1917).]

ARTICLE XXV.

MEDALS OF HONOR AND CERTIFICATES OF MERIT.

182. Medals of honor authorized by Congress are awarded to officers and enlisted men in the name of the Congress for particular deeds of most distinguished gallantry in action.

1. In order that the medal of honor may be awarded, officers or enlisted men must perform in action deeds of most distinguished personal bravery or self-sacrifice above and beyond the call of duty so conspicuous as clearly to distinguish them for gallantry and intrepidity above their comrades, involving risk of life or the performance of more than ordinarily hazardous service, and the omission of which would not justly subject the person to censure as for shortcoming or failure in the performance of his duty. The recommendations for the medal will be judged by this standard of extraordinary merit and incontestable proof of the performance of the service will be exacted.

2. For most distinguished gallantry in action, a medal of honor can be awarded to a person, regardless of whether he is in the military service or not, provided he was at the time of the gallant act or acts an officer, noncommissioned officer, or private in the Army of the United States.

3. Consideration of cases will be confined to those in which a specific recommendation for the award of a medal of honor was made or shall be made at the time of the action or within one year thereafter. The testimony in support of such recommendation must, when practicable, embrace that of at least two eyewitnesses, and must be in the form of certificates from officers and affidavits from enlisted men and others, describing specifically the act or acts of gallantry performed.

4. Commanding officers will thoroughly investigate all cases of recommendation for medals of honor arising in their commands and indorse their opinion upon the papers, which will be forwarded to The Adjutant General of the Army through regular channels.

183. Announcement of the award of a medal of honor to an officer or enlisted man of the Army will be made in orders from the War Department at the time that the award is made. Upon receipt of copies of such an order commanding officers will publish the order at the first formation at which orders are published to their commands.

184. When any enlisted man of the Army shall have distinguished himself in the service the President may grant a certificate of merit to him on the recommendation of the commanding officer of the regiment or chief of the corps to which such man belongs.

1. A certificate of merit can be granted only upon condition that the proper recommendation therefor is made while the person to whom the grant of the certificate is recommended is in the military service of the United States.

2. Unless the commanding officer of the regiment or corps in which the enlisted man was serving at the time he distinguished himself specifically recommends the award of a certificate of merit to that man such certificate can not be granted to him upon the recommendation of any superior commander or of any other officer.

3. Consideration of cases will be confined to those in which the specific recommendation referred to in the preceding section was made or shall be made at the time of the act or within one year thereafter.

4. The word "corps," as used in this article, is construed to refer to any staff corps or department of the Army or any body of troops not forming part of a regiment.

185. Recommendations for a certificate of merit must be based upon the statement of an eyewitness, preferably the immediate commander. The act or acts by which the enlisted man distinguished himself must be specifically described, and when the recommendation is made by a commissioned officer who was an eyewitness it must be so stated. When a commissioned officer was not an eyewitness, the testimony, when practicable, of at least two eyewitnesses who so describe themselves must accompany the recommendation. Each case will be submitted separately and forwarded through the regular channels, with the views or recommendations of each commander indorsed thereon, including the commanding officer of the regiment or chief of the corps to which the enlisted man belongs.

186. Additional pay at the rate of $2 a month from the date of the distinguished service is allowed to each enlisted man to whom a certificate of merit is granted.

187. If the soldier be out of the service when the certificate is issued, it will be retained in the office of The Adjutant General of the Army until called for, when proof of the identity of the applicant will be required. Should he die before receiving his certificate, it will be deposited in the office of the Auditor for the War Department for delivery to those legally entitled to it.

188. Neither a medal of honor nor a certificate of merit will be awarded to any case when the service of the person recommended, subsequent to the time he distinguished himself, has not been honorable.

189. Any person in the military service who comes, except by legal transfer or bequest of the owner, into possession of a medal or badge that is indicative of military service or efficiency not authorized to be worn as a part of the uniform of the Army shall immediately report the fact of such possession to his commanding officer for report to The Adjutant General of the Army, with a view to its return to the proper owner.

[From U. S. Comp. Stat., 1916.]

MEDALS OF HONOR IN THE NAVY.

SEC. 2559 (R. S., sec. 1407). Promotion of seamen to warrant officers: Seamen distinguishing themselves in battle or by extraordinary heroism in the line of their profession may be promoted to forward warrant officers upon the recommendation of their commanding officer, approved by the flag officer and the Secretary of the Navy. And upon such recommendation they shall receive a gratuity of $100 and a medal of honor, to be prepared under the direction of the Navy Department. Act May 17, 1864, ch. 89, sec. 3 (13 Stat., 79).

SEC. 2713 (act Dec. 21, 1861, ch. 1, sec. 7). Medals of honor for distinguished services: That the Secretary of the Navy be, and is hereby, authorized to cause 200 "medals of honor" to be prepared, with suitable devices, which shall be bestowed upon such petty officers, seamen, landsmen, and marines as shall most distinguish themselves by their gallantry in action and other seamanlike qualities during the present war. (12 Stat., 330.)

Subsequent provisions for medals of honor to seamen, on their promotion to warrant officers, etc., for distinguished services, were made by act of July 16, 1862 (ch. 183, sec. 10, 12 Stat., 584), but were superseded by the similar provisions of act of May 17, 1864 (ch. 89, sec. 3, 13 Stat., 79), which were incorporated into Revised Statutes, section 1407, ante, section 2559.

This provision, as originally enacted, was temporary merely, but subsequent provisions referring thereto and providing a rosette, etc., to be worn in lieu of the medal, etc., of a more permanent nature were made by resolution of May 4, 1898, No. 30, post, section 2714.

The distribution of bronze medals, commemorative of the naval and other engagements in the waters of the West Indies and on the shores of Cuba during the War with Spain, to officers and men of the Navy and Marine Corps who participated in said engagements or who rendered specially meritorious service otherwise than in battle, was authorized in resolution of March 3, 1901, No. 18, 31 Statutes, 1465.

SEC. 2714 (resolution May 4, 1898, No. 30). Rosettes and ribbons to be issued to holders of medals of honor: That the Secretary of the Navy be, and he is hereby, authorized to issue to any person to whom a medal of honor has been awarded, or may hereafter be awarded, under the provisions of the acts approved December 21, 1862, and July 16, 1862, a rosette or knot to be worn in lieu of the medal and a ribbon to be worn with the medal, said rosette or knot and ribbon to be each of a pattern to be prescribed and established by the President of the United States, and any appropriation that may hereafter be available for the contingent expenses of the Navy Department is hereby made available for the purposes of this act: *Provided*, That whenever a ribbon issued under the provisions of this act shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the person to whom it was issued, the Secretary of the Navy shall cause a new ribbon to be issued to such person without charge therefor. (30 Stat., 741.)

SEC. 2715 (act Mar. 3, 1901, c. 850). Gratuities and medals of honor to enlisted men of Navy or Marine Corps for distinguished services: Any enlisted man of the Navy or Marine Corps who shall have distinguished himself in battle or displayed extraordinary heroism in the line of his profession shall, upon the recommendation of his commanding officer, approved by the flag officer and the Secretary of the Navy, receive a gratuity and medal of honor as provided for seamen in section 1407 of the Revised Statutes. (31 Stat., 1099.)

SEC. 2715a. (Act Mar. 3, 1915, c. 83.) Medals of honor to officers of Navy, Marine Corps, or Coast Guard: The President of the United States is hereby empowered to prepare a suitable medal of honor to be awarded to any officer of the Navy, Marine Corps, or Coast Guard who shall have distinguished himself in battle or displayed extraordinary heroism in the line of his profession. (38 Stat., 931.)

[Navy Regulations, 1913, chap. 33, sec. 9.]

3361. (4) Manner of presentation: The presentation of a medal of honor to any enlisted man in the naval service, as awarded by section 1407 of the Revised Statutes and the act of March 3, 1901, and also to officers whenever the same may be authorized by law, shall always be made with formal and impressive ceremonial. The recipient shall, when practicable, be ordered to Washington, D. C., and the presentation will be made by the President as Commander in Chief, or by such representative as the President may designate. When not practicable to have the presentation at Washington, the details of time, place, and ceremony will be prescribed by the Secretary of the Navy for each case. In time of war the presentation shall be made by the commander in chief of the fleet, or the division commander.

[Act of Apr. 27, 1916, ch. 88 (39 Stat., 53).]

ARMY AND NAVY MEDAL OF HONOR ROLL.

Chapter 88. An act to establish in the War Department and in the Navy Department, respectively, a roll designated as "the Army and Navy medal of honor roll," and for other purposes.

Be it enacted, etc., That there is hereby established in the War Department and Navy Department, respectively, a roll designated as "the Army and Navy medal of honor roll." Upon written application made to the Secretary of the proper department, and subject to the conditions and requirements hereinafter contained, the name of each surviving person who has served in the military or naval service of the United States in any war, who has attained or shall attain the age of 65 years, and who has been awarded a medal of honor for having in action involv-

ing actual conflict with an enemy distinguished himself conspicuously by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty, and who was honorably discharged from service by muster out, resignation, or otherwise, shall be, by the Secretary of the proper department, entered and recorded on said roll. Applications for entry on said roll shall be made in such form and under such regulations as shall be prescribed by the War Department and Navy Department, respectively, and proper blanks and instructions shall be, by the proper Secretary, furnished without charge upon request made by any person claiming the benefits of this act.

SEC. 2. That it shall be the duty of the Secretary of War and of the Secretary of the Navy to carry this act into effect and to decide whether each applicant, under this act, in his department is entitled to the benefit of this act. If the official award of the medal of honor to the applicant, or the official notice to him thereof, shall appear to show that the medal of honor was awarded to the applicant for such an act as is required by the provisions of this act, it shall be deemed sufficient to entitle the applicant to such special pension without further investigation. Otherwise all official correspondence, orders, reports, recommendations, requests, and other evidence now on file in any public office or department shall be considered. A certificate of service and of the act of heroism, gallantry, bravery, or intrepidity for which the medal of honor was awarded, and of enrollment under this act, and of the right of the special pensioner to be entitled to and to receive the special pension herein granted, shall be furnished each person whose name shall be so entered on said roll. The Secretary of War and the Secretary of the Navy shall deliver to the Commissioner of Pensions a certified copy of each of such of said certificates as he may issue, as aforesaid, and the same shall be full and sufficient authority to the Commissioner of Pensions for the payment by him to the beneficiary named in each such certificate the special pension herein provided for.

SEC. 3. That each such surviving person whose name shall have been entered on said roll in accordance with this act shall be entitled to and shall receive and be paid by the Commissioner of Pensions in the Department of the Interior, out of any moneys in the Treasury of the United States not otherwise appropriated, a special pension of $10 per month for life, payable quarter yearly. The Commissioner of Pensions shall make all necessary rules and regulations for making payment of such special pensions to the beneficiaries thereof.

Such special pension shall begin on the day that such person shall file his application for enrollment on said roll in the office of the Secretary of War or of the Secretary of the Navy after the passage and approval of this act, and shall continue during the life of the beneficiary.

Such special pension shall not deprive any such special pensioner of any other pension or of any benefit, right, or privilege to which he is or may hereafter be entitled under any existing or subsequent law, but shall be in addition thereto.

The special pension allowed under this act shall not be subject to any attachment, execution, levy, tax, lien, or detention under any process whatever.

SEC. 4. That in case any person has been awarded two or more medals of honor, he shall not be entitled to and shall not receive more than one such special pension.

Rank in the service shall not be considered in applications filed hereunder.

The Naval Appropriation Bill.

EXTENSION OF REMARKS

OF

HON. GILBERT A. CURRIE,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. CURRIE of Michigan. Mr. Speaker, I have already spoken somewhat at length upon this subject. Under the permission granted me to extend my remarks I shall briefly submit some further data showing the futility of now authorizing the President, at some future time and at his discretion, to enormously increase our Navy. We should withhold such authority and exercise our own judgment at the proper time. This is the constitutional duty and prerogative of Congress. Why, then, shirk this responsibility and direct that one man may, in the light of developments, decide our naval policy? Congress will be in session and it should decide the question, just as the framers of our Constitution intended.

The present bill carries an appropriation of over $720,000,000. It also provides an authorization for the so-called presidential program which will cost an additional half billion dollars to construct.

The act of 1916 provided for the construction of 10 first-class battleships, 6 battle cruisers, 10 scout cruisers, and a vast number of destroyers and smaller craft. That act contemplated an expenditure estimated at $815,000,000. Congress must yet appropriate, in round numbers, in addition to the amounts carried in the present bill, $400,000,000 to complete the 1916 program.

The battleship *Idaho*, authorized by Congress in 1914 and contracted for in the same year, is just now nearing completion. The battleship *Tennessee*, authorized by Congress in 1915, is but a trifle more than half completed. Construction is not yet started on 6 of the great battleships authorized by Congress in 1916. Not one of the 6 battle cruisers authorized by the same Congress is yet under course of construction. The remaining 4 great battleships authorized in 1916 are from 5 to 38 per cent complete.

We are building 73 submarines, and 9 more have already been authorized; 212 destroyers are in course of construction and 12 more authorized.

Secretary Daniels, testifying before the Committee on Naval Affairs, submitted a statement showing all vessels not completed but authorized prior to the act of August 29, 1916, and the progress of work on the vessels authorized in 1916 and subsequent acts. I insert that statement by the Secretary of the Navy, omitting therefrom the details concerning destroyers and any reference to smaller craft.

The statement referred to is as follows:

BATTLESHIPS, DECEMBER 1, 1918.

All of the 13 battleships under construction are building under regular naval appropriation acts, as indicated. The last 10 were authorized under the three-year building program of August 29, 1916. Appropriations were made for four of them under that act; three under the act of March 4, 1917; three under the act of July 1, 1918.

During the war work was practically suspended upon the battleships of the three-year program except the *Maryland* at Newport News and her sister vessel, the *West Virginia*. The *Mississippi* at Newport News and the *New Mexico* at the navy yard, New York, were completed during the war and work continued upon the *Idaho* at the New York Shipbuilding Co. and the *Tennessee* and *California* at the navy yards, New York and Mare Island. All battleship work will now proceed as fast as material and labor become available.

Number and name.	Authorized by Congress.	Date of appropriation.	Date ordered.	Builder.	Per cent completion.
42. Idaho	1914 June 30	1914 June 30	1914 Oct. 19	New York Shipbuilding Corporation.	98.1
43. Tennessee	1915 Mar. 3	1915 Mar. 3	1916 Aug. 30	New York Navy Yard.	51.1
44. California	do	do	do	Mare Island Navy Yard.	48.4
45. Colorado	1916 Aug. 29	1916 Aug. 29	Nov. 29	New York Shipbuilding Corporation.	6.8
46. Maryland	do	do	[1] Dec. 5	Newport News Shipbuilding Co.	38.2
47. Washington	do	do	Nov. 29	New York Shipbuilding Corporation.	4.3
48. West Virginia	do	do	[1] Dec. 5	Newport News Shipbuilding Co.	18.7
49. South Dakota	do	1917 Mar. 4	1918 July 2	New York Navy Yard.	[2]
50. North Carolina	do	do	do	Norfolk Navy Yard	[2]
51. Montana	do	do	do	Mare Island Navy Yard.	[2]
52. Indiana (new)	do	1918 July 1	do	New York Navy Yard.	[2]
53. Massachusetts (new).	do	do		Not yet placed	
54. Iowa (new)	do	do		do	

[1] Date of contract. [2] No progress yet made on actual construction.

BATTLE CRUISERS, DECEMBER 1, 1918.

The six battle cruisers listed are being built under regular appropriations for increase of the Navy. All six were authorized by the three-year building program of August 29, 1916. Appropriations were made for four of them under that bill, and one each under the bills of March 4, 1917, and July 1, 1918.

Work upon these vessels was suspended during the war. Advantage was taken of the delay to make various improvements in the plans believed advisable as a result of experience in the present war. The improved plans are now in the hands of the contractors and work will proceed as fast as material and labor are made available.

Name and number.	Authorized by Congress.	Date of appropriation.	Date ordered.	Builder.	Per cent completion or date of completion.
1. Lexington	1916. Aug. 29	1916. Aug. 29	1917. Mar 19	Fore River Shipbuilding Co.	[1]
2. Constellation	do	do	do	Newport News Shipbuilding Co.	[1]
3. Saratoga	do	do	do	New York Shipbuilding Co.	[1]
4. Ranger	do	do	do	Newport News Shipbuilding Co.	[1]
5. Constitution	do	1917. Mar. 4	do	Navy yard, Philadelphia, Pa.	[1]
6.	do	1918. July 1	1918. July 2	do	[1]

[1] No progress yet made on actual construction.

SCOUT CRUISERS, DECEMBER 1, 1918.

The 10 scout cruisers listed are all building under regular appropriations for increase of the Navy. All 10 were authorized by the three-year building program of August 29, 1916. Four of them were

appropriated for by that bill, three by the bill of March 4, 1917, and three by the bill of July 1, 1918.

Work upon these vessels was practically suspended during the war. In fact, the keel of *No. 4*, which had been laid at Seattle, was removed from the slip at the request of the Emergency Fleet Corporation to enable certain Shipping Board work to be pressed. The contractor for *Nos. 4, 5,* and *6* sold his Seattle yard where the construction of these vessels was originally contemplated and they will be built at a yard in Tacoma, Wash. Work upon all of these vessels will now go ahead as fast as material and labor are available.

No.	Authorized by Congress.	Date of appropriation.	Date ordered.	Builder.	Per cent completion or date of completion.
4....	Aug. 29, 1916	Aug. 29, 1916	Nov. 19, 1918[1]	Todd Shipyard Corporation.	32
5....	....do....	....do....	....do.[1]....	....do....	21.5
6....	....do....	....do....	....do.[1]....	....do....	17
7....	....do....	....do....	Mar. 19, 1917	Union Iron Works..	[2]
8....	....do....	Mar. 4, 1917	....do....	....do....	[2]
9....	....do....	....do....	....do....	Wm. Cramp & Sons Co.	9
10....	....do....	....do....	....do....	....do....	9
11....	....do....	July 1, 1918	Oct. 24, 1918	....do....	[2]
12....	....do....	....do....	....do....	....do....	[2]
13....	....do....	....do....	....do....	....do....	[2]

[1] Date of transfer of contract from original contractor, Seattle Construction & Drydock Co.

[2] No pregress yet made on actual construction.

DESTROYERS, DECEMBER 1, 1918.

Of the 286 destroyers covered by the table, one (the *Gwin*) is building under the naval appropriation act of March 3, 1915. Destroyers *Nos. 75* to *109*, inclusive, and destroyers *Nos. 345* to *359*, inclusive, are building under the three-year building program of August 29, 1916; 20 of these destroyers, *Nos. 75* to *94*, inclusive, were appropriated for in that act; 15 destroyers, *Nos. 95* to *109*, inclusive, were appropriated for March 4, 1917; 15 destroyers, *Nos. 345* to *359*, inclusive, were appropriated for July 1, 1918.

Seventy-six destroyers, *Nos. 110* to *185*, inclusive, are being built under the emergency fund in the act of March 4, 1917; 150 destroyers, *Nos. 186* to *335*, inclusive, are building under appropriation "Increase of the Navy, torpedo boat destroyers," in the naval deficiency bill of October 6, 1917; 9, *Nos. 336* to *344*, inclusive, are being built under the emergency funds of March 4, 1917, and October 6, 1917. Of the 15 destroyers appropriated for July 1, 1918, only 3 have yet been placed.

Of the destroyers above, 45 have been completed since April 6, 1917. Of destroyers previously authorized, not included in this table, 6 have been completed since April 6, 1917, making 51 in all since April 6, 1917. Recent destroyer completions have been as follows: July, 5; August, 3; September, 11; October, 5; November, 8.

SPEECH

OF

HON. CHARLES H. SLOAN,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 16, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. SLOAN. Mr. Chairman, I support this amendment, and I desire to present a few reasons. I should have been pleased if the superintendent of this institution had been granted an increase of salary, recognizing as I do his zeal and efficiency. This is an institution of which the Nation, and the Capital especially, might well be proud, but concerning which there seems little information and in which there is too little interest taken.

I was astonished this morning, while calling at the Congressional Library, at the limited bibliography there is relating to the Botanic Garden. Yet it is one of the most interesting institutions we have in the city of Washington. It is worthy of the fullest and most faithful record. Its varied phases are entitled to the tribute of speech and verse.

The first legend deemed worth mentioning was that when George Washington was projecting the city of his name the stubborn Scot called David Burns, who always opposed "the Mount Vernon surveyor," unsuccessfully endeavored to have the Botanic Garden near the White House rather than the Capitol. While Burns did not have his way, there was no Botanic Garden really provided for until 1820, during Monroe's administration. The President gave the Columbian Institute—the predecessor of the Smithsonian—permission to establish a botanic garden "just west of the Capitol."

Its location was on a tract called Rome—note the names—owned by one Pope, over which flowed the Tiber River—a river well known then but in these iconoclastic days may soon be referred to as was that Brazilian river explored by the late Theodore Roosevelt as the "River of Doubt."

Little was accomplished by the Columbian Institute before 1836 except to drain the site and plant some trees. The first appropriation was made for the garden by Congress, of $1,200, in 1843. I have no intention to burden the record with statistics, but I venture to recall that it was in 1854 we first read of William R. Smith, the old-time superintendent, who had charge until his death in 1912. The salary in 1854 was $50 per month; the helpers $1.50 and $1.25 per day, respectively. In 1856 there was public record of Oqui Adair, a Chinese laborer in the greenhouse, whose wages were fixed at $1 per day. In 1857 there was provision for employment of a boy as seed packer, at $12 per month. Salary and wages, meager then, are not liberal now. All Washingtonians and many Capital visitors knew Supt. Smith, who served his apprenticeship in the Kew Gardens of England.

The stories told of Smith would fill a book. He knew plants and he saw as many literary flowers in the works of Robert Burns as many a man could see real flowers in the Botanic Garden. He was an evangel of flowers, a champion of Robert Burns, and an uncompromising defender of the unsightly Botanic Garden wall. The congressional decree for the removal of the wall clashed with the old superintendent's will that it should remain, and Congress came off second best. And when he died the "wall," like the Star-Spangled Banner, was "still there."

It is told that one of the things Smith insisted upon as the doorway to his favor and the gift of flowers was that the recipient knew of Robert Burns and could quote his poetry. There was an occasion when a highly stationed official tried to obtain some flowers from the garden for some state event. Smith promised him the flowers. But to impress it upon Smith, the Senator said, "As Jimmy Burns said." "As Jimmy Burns said?" interjected Smith. "Why don't you talk about Tommy Alexander, Billy Bonaparte, or Charlie Christ. You get no flowers from this Botanic Garden." [Laughter.]

The visitor to our National Capital is always struck when he sees the eastern side of the Capitol by its low elevation. It is like the inhabitants of the Capital City, a decided objection to rising to meet the morning sun. While, when you come to the rear of this massive and historic building, standing as it does upon the crown of this commanding hill which nature seems to have placed for this particular purpose, and note the imposing landscape there, and the stately architecture of the building, again the people of Washington are typified in the fact that they extend the day as far as they possibly can to the last unit of time.

In the same way we, who have followed the course of empire some thousand miles farther than you of the East take it it as a tribute to the best and greatest part of the country that the western side of the Capitol is more imposing than the eastern. But marring that general effect there is an institution, not the institution itself but the barrier with which it is inclosed, to which I voice a criticism and protest.

A stranger coming down Pennsylvania Avenue from Union Station is struck, of course, with the position and appearance of the National Capitol which challenges the first attention of American and foreigner alike. Looking southward he sees a wall of old brick masonry surmounted by long spears of iron. It looks as if one of the phalanxes of Alexander had suddenly stacked and abandoned arms, leaving these spears planted in the masonry to prevent and punish a trespass. But we have, once we pass the wall, one of the most entertaining and instructive places in Washington.

It has been my custom during the eight years I have been a Member to take early morning walks, going wherever my fancy, time, opportunity, or suggestion of companion indicated. I frequently visit the Botanic Garden. I have been impressed with the lack of interest that Representatives and Senators, at least in the morning hour, show in this rare institution. It will enlarge your experience in Washington. If you forget the absolute traverse of space and overlook its measurements you can travel all the longitudes of the earth measured by its productions. You can travel from the lowest latitude to almost the highest. You can accomplish considerable altitude without wearied limb or shortened breath. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SLOAN. Not only may you have that experience, but you may have the delight of that institution in all the mani-

festations of nature when under culture and care. I know no other walk so interesting as the one which follows a line projecting directly from the mid Capitol down through the "avenue of palms" in the summer, which will transport you without a railroad ticket or steamboat passage to the farthest tropical regions. It will not take long, if you know the location down there, to find the petric mounds upon which you discern the plant life which prospers on mountain side, near mountain peak, or in the far northern latitude. You see all the flowers from all parts of the earth, from the modest violet and most delicate orchid up to the gorgeous American beauty and the resplendent flower of the sun. National flowers are there—the rose of Britain, the lily of France, the thistle of Scotland, and shamrock of Ireland. There are flowers which bloom only in daylight under the kiss of the sun, while there are those other strange creations which yield blush and smile only under the cover of night. There are plants which continue in bloom through the large part of their existence, while there is that patient, stately, living column which only once in a century's span displays its colors.

In this garden a century plant bloomed in 1917. Its life began about the close of the last American-British war, when the Capitol conflagration set by enemy hands was raging. It stood stately and tall in glorious bloom in 1917, when America and Britain fought together to defend their respective Capitals against a cruel and vandal foe. Then, too, there are plants whose fruits are sweet to the palate and nutritious to the being growing near those of deadliest poison.

While the general ensemble of the floral beauty prompts extravagant speech, there is one, were its substance to touch the human tongue, speech paralysis would result for nine days. This is called the mother-in-law plant, a too valuable tribute to that ancient humor which from time immemorial has wrought injustice to the often best of women. It has been suggested—by a Member of the House of course—that this plant be installed in one of the recently acquired French vases of the Senate, hoping to accomplish thereby what Members have failed to reach by rule—the terminals of debate. [Laughter.]

Throughout that garden there is every tree from every part of this great globe. We have there the coffee and tea, the tree of life, the crown of thorns, the Banian, the tall pine, many varieties of the sturdy oak, and the stately elm.

There are interesting legends of that institution concerning trees that are found there. Eminent men in the course of the history of this institution planted trees there.

Charles A. Dana, the great editor, carried an acorn from the grave of Confucius and planted it here. It stands in solemn grandeur, lifting each year its head higher in air as if to look to its far-off source of being.

You will find a beautiful acacia, "that plant of deep root," planted there by Gen. Grant. It will bloom not far from his tomb, that "future ages may know the right."

Two cedars of Lebanon, whose ancestors furnished timbers for King Solomon's temple, were planted and thrive there, placed by Senators Hoar and Evarts.

The peace oak, planted by Senator Crittenden, of Kentucky—who could more appropriately plant it than he? The friend of Clay, the "Pacificator"—from the State which gave birth in one year to Abraham Lincoln and Jefferson Davis.

Standing in triangular position are the "trees of the tragedians," Edwin Booth, Edwin Forrest, and John Wilkes Booth. Each selected the bald or water cypress for his planting. Those of the elder Booth and Forrest are tall and stately. The other, dwarfed and sickly, presents the spectacle of nature's rebuke to his infamy, while the others are tributes to the mastery of a great art.

Over in the eastern part of the garden is the famous hornbeam, the most umbrageous tree I ever saw, its compact foliage a perfect shield from sun and to a large degree protection from storm. It covers one-tenth of an acre of earth. Here the birds nest and sing. Their chorus of the morning and their subdued orchestra at vesper are worth your walk to the garden. This sound, protective tree was planted by Abraham Lincoln—suggestive of his memory, now safe, and the cardinal economic policy which he professed, because he was for all of the United States and all for the United States. He stood for nationalism against sectionalism. Many believe if he were living now he would have still stood for nationalism against internationalism. [Applause.]

In the midst of the garden, arising out of a mammoth pool, where water lilies bloom and fishes swim, towers the Bartholdi Fountain. That fountain stood and yielded its crystal tribute at Fairmount Park, Philadelphia, when America celebrated the centennial of our independence. As the sunlight falls upon its stream and spray, every garden visitor finds improvised his own particular rainbow. It was well said by a visitor last summer, "The old Bartholdi certainly manifests the spirit of '76." [Applause.]

But with such an institution as this it would appear to the ordinary passer-by to be perhaps a cloister where the devotees of a religion or some cult had been set apart from their fellow men. I heard a foreigner going by there, looking at it this year, say, "Is that the place where they intern the alien enemies of the Government?" The unsightly wall should be removed.

There is another fact down there not immediately connected with this amendment or this bill. That is the neglect of the monument to U. S. Grant. That monument with its bronze cavalry at one end and its artillery at the other, and its neglected features in the middle, will soon be an anachronism. The soldier of the future will not know what its symbols mean.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SLOAN. Just one more minute, please.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

Mr. SLOAN. Mr. Chairman, I prepared this speech this morning, and I am like Madame de Stäel, who wrote a letter to a friend and said, "I beg your pardon for the length of this letter, but I am so hurried I can not write a shorter one."

I desire to say that two things ought to occur. For one thing, the monument should be finished, and the other, the wall should see its finish. [Applause.]

Post Office Conference Report.

EXTENSION OF REMARKS
OF
HON. ALLEN T. TREADWAY.
OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 19, 1919.

Mr. TREADWAY. Mr. Speaker, the conference report on the Post Office appropriation bill contains an unconsidered amendment. That is the item that was inserted on the floor of the other branch without committee approval and has been agreed to by the House conferees. It appropriates $50,000,000 for the fiscal year ending June 30, 1919, $75,000,000 for the fiscal year ending June 30, 1920, and a like amount for the fiscal year ending June 30, 1921, a total of $200,000,000 to be added to the available funds heretofore appropriated under the so-called good-roads act.

As one of the Representatives from Massachusetts I was opposed to the original act and I am opposed to this further appropriation. Good roads is one of the greatest assets any State or community can have, largely for the benefit of its own population. Massachusetts was one of the first States to construct State highways, and the wisdom of the advanced legislation by that State has become more and more apparent as the years demonstrate its value. The Massachusetts statutes have been particularly favorable to rural communities, so that to-day there is probably not a town even of the smallest population that has not some State-improved road within its limits. Where local conditions permitted, the State highway commission has frequently required cooperation in the payment for the construction. The State has been greatly benefited by these roads, and particularly such rural communities as abound in the district I represent.

During the debate on the original bill, it was clearly demonstrated that the contribution of Massachusetts and her citizens to the appropriation carried in that bill would be several times the amount that would be returned to the State under its provisions for construction of roads within our State. The increase in tax rates since that time will very materially increase the percentage of the amount of the appropriation in this bill to be paid by Massachusetts. But it is the same old story. The power to put the burden on such a Commonwealth as Massachusetts has been very freely exercised by Congress during the past six years. The State has gladly cooperated when the needs were those of the prosecution of the war, but it seems to me the time has come to call a halt not only for the benefit of the citizens of the Commonwealth of Massachusetts but for the benefit of the Federal Treasury.

Let me for a moment call attention to the exact situation. The section has been added as a rider to the Post Office appropriation bill, which we to-day are asked within the limits of a

very brief discussion to concur in. No consideration of any kind has been given by the House either as to the merits of the proposition or the amount of money involved. We have grown so satiated with the ease of action on big appropriations and so accustomed to billions that anything involving only $200,000,000 looks like a fly speck on the financial horizon. We must stop this inordinate extravagance. If we do not, we can not blame the people for lacking interest in purchase of new issues of our national securities and a marked depreciation in the value of issues already made.

The gentleman from Wisconsin [Mr. BROWN] has made an eloquent argument that this money will be used in the employment of the returned soldiers. I want to say that the men who entered the service from my section were not those who handled the shovel and pick on the highway, and we do not intend to offer returning men that kind of occupation. These men were deserving of better employment before they left us, and those returning physically able will not be asked to accept poorer occupation than before they donned the khaki.

Further, the experiment of Federal construction to date does not seem to me to warrant an appropriation nearly three times as large as the original one. The gentleman from New York [Mr. SNELL] informs us that nearly $70,000,000 of the original appropriation is still available, and that there has been constructed in the past three years 45 miles of Federal cooperative road. Let us see something more tangible for our original appropriation than 45 miles of roadway before we embark on this $200,000,000 undigested and unconsidered appropriation.

Congressional extravagance and increased taxation invariably lead to additional discontent among the people.

Naval Bill—Dreadnaughts Not a Defense Against Modern Submarines and Similar Small Craft—Increase of Present Number a Menace to National Treasury.

EXTENSION OF REMARKS

OF

HON. DAVID A. HOLLINGSWORTH,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

On the bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

Mr. HOLLINGSWORTH. Mr. Speaker, I shall not try to get into my head or discuss at length the stupendous figures of this bill, aggregating, in appropriations and authorizations for the Naval Establishment for the year ending June 30, 1920, over $1,000,000,000. My mind staggers at the immensity of details, staggers at the tax burdens thus to be imposed upon the country in a time of assured peace.

When I came to Congress a few years ago, the term "billion-dollar Congress" was a party reproach to be avoided, but now officials of the Government and Members of Congress on both sides talk glibly of single billion-dollar expenditures with apparent unconcern.

The tax-ridden people are ignored.

I do not, as I say, care to discuss the details of this bill, which has already been done with great thoroughness by members of the committee and others in the confidence of the President, who is said to be asking for it. His reasons are given to members of the Naval Committee in confidence, and to which, perhaps, no objection should be made. But a number of other Members have stated openly in their remarks on the floor that they also have been shown in confidence the President's secret-code message from the emergency White House at Paris. Why? Is this House classified into Members who can be trusted and Members who can not be trusted with official secrets? Are we all blacklisted except a favored few? Is there a sort of secret political freemasonry in this open forum of the people, where the people's representatives are supposed to meet upon a level and act and part upon the square?

Barring the propriety of Members exploiting on the floor of the House their possession of secret confidences of the Executive in matters of public business, what inference does it furnish as to his estimate of other Members not thus honored; black sheep, so to speak? Are they expected to meekly assume the rôle of "me, too," a la Senator Platt in the old days?

For myself, it is a matter of indifference; I have never sought individual recognition at the White House, and am leaving Congress soon, presumably not to return, but I protest against this official favoritism and practical ignoring of nine-tenths of the membership of the House, each one of whom represents an equal unit of the American people.

The President told us before the war that we had an ample Navy, and I believed him, and still think he spoke the unvarnished truth, and the naval battles of the war have not been sufficiently numerous or destructive to cause in me a doubt of his prewar assurances. The British fleet easily kept the big German ships bottled up in the Kiel Canal before we entered the conflict, and this same condition seems to have continued to the end, and that is about all that can be said of our naval heroics during the war, outside of the activities of a few small craft, torpedo boats, submarines, and submarine destroyers.

The Paul Joneses and the Admiral Deweys of this war are easily counted. When the naval program of 1916 was under consideration I was unable to convince myself that we needed the 10 new dreadnaughts proposed in the bill; believed, and so stated at the time, that they could not be constructed in time to be of service in the war if America should be, as it subsequently was, forced to enter it; and, further, that the number of so-called sea monsters already in commission was sufficient for all practical purposes. I felt then, as I feel now, that the millions of the people's money proposed to be thus expended was a useless waste, and, right or wrong, I declined to give it my support.

I was subsequently reelected by a largely increased majority, although the friends of my Democratic opponent exploited him as a big Navy man and, if elected, he would have been expected in party fealty to follow the President's lead with lamblike faith. On the contrary, I felt that, in a sense, I was instructed otherwise by the electorate of the district I have the honor of representing. As a matter of fact, none of the huge leviathans of the sea thus provided for have yet been completed, although the greatest and most costly war of history has been fought and won, leaving their bulky unfinished parts, if ever put together in finished dreadnaught form, liable to rust out and be in junk long before we have another war with any naval power.

I stated then, as appears in the RECORD—and I give it now as my nonexpert opinion—that we do not need any great increase in our already efficient fleet of dreadnaughts and superdreadnaughts, unless we intend to sail into foreign waters in a defiant attitude and make of Uncle Sam a veritable jingo of the seas:

> A nation of 100,000,000 freemen, with unlimited resources, situate between two ocean barriers, and these barriers equipped, as they are or should be, with adequate coast fortifications, mines, submarines, and submarine destroyers, aircraft, good roads, as in Germany, connecting such ocean barriers and thus furnishing ready means of transportation of an army from one point of danger to another, on inside lines, need not in a just cause fear a combined world in arms, even if our Nation does not have a Navy "the strongest and most powerful in the world," as suggested by an eminent but somewhat belated militarist. We are not an aggressive people; our real permanent defense must always be in the justice, sincerity, and fair dealing of our Government with all the world.

Ever since the Civil War, Mr. Speaker, when the little ironclad *Monitor* knocked out its apparently invincible assailant in the open sea, and thereby instantly revolutionized the naval science of the world, I have been an advocate of the smaller type of seagoing vessels for naval use. From the day of the *Monitor's* victory, the fleets of wooden vessels all over the world went rapidly out of commission and were replaced by ironclads, just as may soon be possible by a recently hinted-at invention to be perfected by the electric wizard, Edison, and destined to render useless the ironclads of to-day.

The vicious little submarine of this war, undreamed of in Civil War days, may well be called the successor of the *Monitor*, and by reason of its disappearing qualities, showing its possible efficiency against electrical discoveries, may be looked forward to as replacing present ironclad naval armaments, except for coast or harbor defenses. The dreadnaughts of Germany lay idle in the Kiel Canal, while hundreds of small craft of the submarine type were sent out to prey for a time ruthlessly upon American and allied commerce, which they did disastrously until the small craft destroyers, neglected in early naval programs, could be built and brought into defensive action. The huge dreadnaughts of our Navy were a negligible quantity when it came to pursuing and destroying submarines. Like fabled leviathans they wabbled in their movements.

Small defense vessels, submarine destroyers, became a necessity in our naval defenses, and a want of them showed the worst possible lack of preparedness on the part of the Government; it was inexcusable negligence. Hundreds of them, enough to have policed all German water connections and neutralized her submarines could have been built at comparatively small cost, and thus millions of destroyed property and many precious lives would have been saved. But naval experts, in preparation

days, seem to have been too busy in constructing big dreadnaughts, palacelike and cumbersome, but luxuriously fitted up with up-to-date salons and fashionable society promenade decks.

It takes much space in inspired newspaper headlines to explain to the ordinary tax-paying citizen any practical usefulness of these huge sea monsters during the war. They persist in remembering, in their practical way of reasoning, that the British fleet, before our entrance into the war, kept the German Navy bottled up in the Kiel Canal, just the same and apparently just as easily as the combined fleets did afterwards. The massive floating palaces of both nations seem to have simply watched the open entrance to the canal where rode in safety the big German vessels, while German submarines played havoc in the open seas until checked by emergency built destroyers and other small craft.

And yet in this bill we are asked not only to complete the naval program of 1916, but to supplement it with another program carrying 10 new $21,000,000 first-class battleships and 8 scout cruisers of the $8,000,000 type, exclusive of armor and armament, and to be begun "as soon as practicable."

But at what cost? I hesitate to make any personal answer to my tax-paying constituents, whose backs must bend and bear their share of the burdens, and so I quote from a statement made on the floor in argument by a Member, with the expressed approval at the time of the chairman of the Naval Committee:

> Briefly stated, this naval bill seeks to appropriate $746,000,000 and to authorize over $415,000,000 additional, or over $1,160,000,000 in all, in times of peace.

A billion dollar Army bill also awaits action on the calendar. These are but samples of the huge demands being made from all sources upon this Government. Help, help, help, is the cry from all quarters of the globe, and the pity of it all is that an answering cry seems to have been started by high officials of give, give, give, in millions; and loan, loan, loan, in billions, until taxpayers in afright are helplessly asking Congress whither are we drifting? Washington's warning against foreign entanglements, sacred in America since his Farewell Address at the close of the Revolutionary War, has been literally torn in pieces as ruthless as the rape of the Belgian treaty.

The minority leader on the Ways and Means Committee, for whose judgment we all have great respect, has issued a warning in this tragic hour of financial intoxication, little less important in my judgment than that of Washington after the Revolutionary War.

It can not be quoted too often:

> The extraordinary appropriations of money that the Congress of the United States will be called upon to collect from the people in taxes in the next 12 months amount to $6,795,000,000. This does not include ordinary expenses of Government. * * * Let me call your attention to the fact that all the money there is in the United States is, in round numbers, about $6,000,000,000, and we are going to be called upon for $10,000,000,000, in round numbers, in the next 12 months. * * * I caution you who represent the people, we are going wild in Government expenditures.

Not only are we going wild in public expenditures, but the whole world seems to be in a turmoil and upheaval, socially, politically, economically, and in every other way tending to bring disaster and distress to the people, if not a return to prewar militaristic conditions.

Our plain duty, in my humble judgment, after the armistice was signed and victory with high honors had come to American armies in the field, was to get out of Europe as rapidly as possible with honor. The example set by Grant and Lee, at the close of the Civil War, in the prompt disbandment and return of their volunteer armies to civil pursuits was one entirely worthy of present-day imitation. It showed the inherent strength of American institutions.

And even when the assassination of President Lincoln and attempts upon the lives of individual members of his Cabinet had brought dismay and horror to the people, there was no demoralization or breaking up into fighting, fanatical, factional divisions, as in Russia, the Balkans, and certain small-fry countries overseas, never heard of by or at least little known to the American people.

I am old enough to remember that great crisis in our Nation's history, remember the blanched faces of the timid and the startling newspaper headlines on the day after the assassination telling of riots beginning in New York City and other congested centers, but above all the clamor and frenzy of the multitude there came in clear ringing tones, sinking deep into the hearts and minds of the people and expressive of the conservative common sense of the country, from one of Ohio's great statesmen, Gen. Garfield, afterwards President, then in New York City on a visit and attempting with other speakers to stem the rising tide of disorder, these noted words of heroic import:

> God reigns and the Government at Washington still lives.

They were effective in stilling the frenzied clamor of an incensed populace over the foul murder of a beloved President and tragic attempt to wreck the Government, and, now that peace is near in this greatest of all wars, I trust that some one of equal prominence at Washington, in this hour of world-encompassing history, may be able to send out to the country like satisfying assurances of speedy relief and a gradual reduction of the hideous burdens of taxation heaped upon a patient but patriotic people.

EXTENSION OF REMARKS

OF

HON. THETUS W. SIMS,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 20, 1919.

Mr. SIMS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address of Hon. C. A. Prouty on the railroad problem.

The address is as follows:

ADDRESS OF HON. C. A. PROUTY, DIRECTOR OF PUBLIC SERVICE AND ACCOUNTING, UNITED STATES RAILROAD ADMINISTRATION, AT THE ANNUAL MEETING OF THE ATLANTA FREIGHT BUREAU, THE PIEDMONT HOTEL, ATLANTA, GA., JANUARY 17, 1919.

Mr. Chairman and gentlemen of the freight bureau: I come from far-off New England. While the men of that frigid region have sometimes accomplished things, they have never been able to compete with you gentlemen of the South in the graces of oratory. I shall not upon this occasion attempt to reply to the things, gratifying if only true, which your chairman has so courteously vouchsafed in presenting me, but shall plunge in medias res.

For 22 years I have been associated with the Federal regulation of railroads, and never in all that time has the railroad problem been in such utter confusion as to-day. It is highly desirable and perhaps possible that out of the present uncertainty may come some permanent disposition of this question. To that end it is desirable that all phases of the subject shall be fairly presented and fairly considered.

I have never been an advocate of Government ownership or Government operation. I have, however, always realized that this was the only possible answer to many of the difficulties surrounding our so-called railroad problem. As I read the papers and observe what is transpiring before Congress, it rather seems to me that there is a disposition upon the part of unthinking persons, fostered with great skill by those interests which profit by private ownership, to eliminate the possibility of Government operation. It seems to be assumed that Government operation has been tried and failed and that no further consideration need be given to this subject.

A majority of the world's railways outside the United States of America are owned or operated, one or both, by the government. In recent years there has been a continual progress in favor of Government operation, and in no well-considered case has any nation ever gone from public to private ownership. England in the past has been unalterably opposed to every suggestion of public ownership, but I am told that, as a result of the war, public sentiment will insist upon the nationalization of railways. I feel that the question is one for serious consideration, and as an insignificant contribution to the discussion I desire to affirm three propositions:

1. Government operation in the United States under war conditions was not a failure, but a success.
2. There has been up to the present time no fair test of Government operation under peace conditions.
3. Advantage should be taken of the present situation to make such a test, and the public should suspend its judgment until the result of that test is known.

I.

The Government took over our railroads for two purposes. First, to stabilize the financial condition of the railroads.

The war produced a most serious and unfortunate effect upon all public utilities. As a rule, the rates of such utilities were fixed and could not be immediately increased. Their operating expenses enormously advanced. The result was to bring upon all financial disaster and to produce in many cases absolute bankruptcy. Electric lines, like the elevated in Massachusetts, performing the traction service for the city of Boston, the Brooklyn Rapid Transit Co., in New York, performing a like

service for a large portion of that metropolis, have gone into the hands of receivers. Hundreds of other corporations have been brought to the verge of ruin, although they have not yet actually collapsed. The three great express companies which were not taken over by the Government all operated for the first six months of the year under a heavy deficit. The Adams Co. lost in that brief period $6,0000,000, more than one-half the value of all its operative property.

The railroads alone were taken care of. Their security holders are being paid a sum equal to the largest earnings ever known in the history of these properties. Broadly speaking, interest has been paid upon every security and a dividend declared upon every stock which had been regularly paid for the last three years. The first purpose of Government control has been abundantly accomplished, and yet these railroad gentlemen are virtually saying to the country that the Government which has protected them from bankruptcy in the hour of their financial stress and is to-day paying them a most liberal return upon the value of their property is no better than a ravening wolf which is seeking to mutilate and destroy those properties.

The second purpose was of a different character. This Government was engaged in a deadly war. It must act speedily. As a part of that action certain transportation by rail was imperatively needed. Food must be taken from the point of production to the port of embarkation with which to feed our starving allies and maintain our own troops. Raw materials must be carried to the munition factory and the completed product transported to the port. Supplies for the erection of cantonments, troops to those cantonments and from those cantonments to the port, must be handled. The railroads under private ownership had broken down. They were not rendering and they could not render this service. To obtain that service by rail which must be had, the Government was compelled to take over these agencies of transportation.

Now, the Government did those things which must be done. I spend no time in detail, but I simply say that the things were done—the food was carried, the munitions were produced, the troops were handled—and all this never could have been done by railroads operated through private ownership. This is a fact which can not be disputed. The second purpose of Government operation was therefore accomplished.

It is clear that my first proposition is established. Government operation under war conditions and to meet war emergencies was a complete success.

II.

You say that the methods of the Government were autocratic. Of course they were. War is not a pastime. Every military operation to be effective must be autocratic, and the operation of these railroads for the time being was part of a military scheme. What had to be done under war conditions is no indication of what might be done under peace conditions.

There never has been, up to the present time, any fair test of Government control in times of peace. Immediately after the signing of the armistice the director general resigned. With that, the enthusiasm of his administration vanished. The director of operation, next in importance to the director general, also resigned. The director of capital expenditures and the director of inland waterways followed suit. There was a letting go all along the line at the top, and this permeated the whole administration. Under these conditions it is impossible, as everyone must know, to maintain morale or discipline or to secure effective operation. You must agree with me, therefore, that up to the present time there has been no fair test of the ability of the Government to render a satisfactory and an efficient service in times of peace and that my second proposition is well taken.

III.

This brings me to my third proposition, which is that before the public passes judgment upon this railroad problem there ought to be an actual test of Government operation under peace conditions, for the reason that the doubtful questions connected with Government operation can only be answered by an actual test. To make this plain, I must say a word as to Government operation itself.

And first of all I desire to impress it upon you—and it should never be forgotten in all these discussions—that the thing itself about which we are talking, the rendering of a transportation service by rail, is in essence a function of the Government. This has been so declared by the Supreme Court of the United States, and the principle is accepted in all our present-day treatment of the railroads. For that reason we determine whether a particular railroad shall be built and how it shall be built; we regulate the issues of stocks and bonds with which that property shall be financed; we fix the rates of transportation which it may charge; we determine the schedules upon which it shall operate its trains. There is no attribute of ownership or of operation which the Government is not to-day exercising in reference to its railroads. The natural, the necessary question arises at the very first step of our discussion: Why, if this is a Government function and if the Government finds it necessary in case of private operation to exercise this measure of supervision and control, should not the Government discharge that function itself?

Years ago governments employed private individuals to collect their taxes, and it was thought that this was the most economical, if not the necessary, way. Later the Government employed private capital to provide its highways and its bridges, and it allowed that capital to make a charge for the use of the turnpike and of the toll bridge. All that, for the most part, has disappeared, and it is now recognized that the Government function of collecting taxes and of providing highways and bridges is best discharged by the Government itself. Asking you to bear carefully in mind the public character of the thing which we are discussing, let me now call your attention to some of the questions which are involved in a solution of this railroad problem.

At the basis of this whole subject lies the matter of revenues. Every suggestion from the carriers or those professing to represent the carriers gives prominence to the importance of providing adequate revenues. Let us consider for a moment, from the Government and the private standpoint, this matter of revenue.

And, first, the Government. It would not be possible to-day, under present world conditions immediately following the conclusion of the war, to finance the railroads of this country upon a 4 per cent basis; but if the past is to be taken as any guide to the future, if our experiences even of the present are at all convincing, it would be possible for the Government in the immediate future to convert the securities of our railroads into a 4 per cent Government bond or a 4 per cent railroad bond guaranteed by the Government. The net revenue, therefore, which the Government requires, and the only revenue which it requires, is a sufficient income to pay 4 per cent upon the value of these properties.

Turn, now, to the private side and listen, as I have listened for many days, to the pleas of these railroad gentlemen for additional revenues. They will assure you that it is not possible to maintain their credit, to provide for the development of their properties, which must be done if the public is adequately served, without a return of substantially 9 per cent; and I am bound to admit that what they say is not without force.

The railroad finances of this country are not in satisfactory shape and they have been continually growing worse in recent years. But little money has been raised by the issue of stock. New money has been provided mainly by mortgage security. The margin between value and the amount of the mortgage has been continually shrinking. The time has already come when many of our railroad companies can no longer borrow additional funds, and the time will come sooner or later when nearly every company will find itself in that condition. Additional railroad facilities must be provided, and if those facilities are to be furnished by the railroads themselves, they must, in my opinion, either receive direct assistance from the Government or be granted the right to impose rates which will yield an income beyond a fair return upon the value of their property and beyond what they have been receiving in the past.

If it be assumed that 9 per cent is the correct figure, you have the difference between 4 per cent, which the Government must pay, and 9 per cent, which must be paid to the private owner, or 5 per cent. The value of our railroads upon the basis of prewar prices is somewhere between $15,000,000,000 and $20,000,000,000. Five per cent means, therefore, between $1,000,000,000 and $750,000,000 annually. The people of this country start out, therefore, by paying the private owners of this property that sum to discharge for them this public function.

I do not say that this may not be best. On the contrary, it may even be a good investment, but I desire to call your attention clearly to the fact that the Government could save upon the face of things annually by operating these properties itself this enormous sum.

It is true that the effect of this might be somewhat ameliorated in various ways as I have myself elsewhere pointed out, but I know of no way which does not involve the handing over to the private owner of many millions each year which the Government itself might save.

Another question which must be solved if these railroads are to be passed back to their owners is that presented by the short

line—the weak sister. All over this country, but perhaps especially in the Southeast, are railroads from 25 to 150 miles in length which are known ordinarily as short lines. They are independent properties, having no connection with any larger system. They connect with some trunk line, but there is no financial relation between the two.

In the past these lines have managed to eke out a precarious existence, but the recent increases in operating costs which they have shared along with larger systems have brought them to the pass where earnings are no longer sufficient to pay operating expenses. Almost every day there comes to my desk at Washington a suggestion that some one of these lines must go out of business. Its equipment is to be sold, its rails are to be taken up, for the reason that under the highest rates which can be applied revenues will not equal the cost of operation.

These lines are a vital part of the existence of the communities which they serve, and which can not normally exist without them. Some way must be devised by which their operation can be continued. I have always believed myself that the railroads of a given section, and perhaps of the entire country, must be considered as a whole. This little railroad transports the cotton grown along its line for but 50 miles, but that cotton is subsequently transported over other railroads 1,000 miles to the mill where it is consumed. The supplies which that mill uses, the cloths which it produces, are all the subject of transportation by rail. The articles which are consumed in the community served by this little railroad, the fertilizer, the boots and shoes, the groceries, everything, are only handled a few miles by that road, but they have all involved before they reach that road a great amount of transportation by rail. Now, it is not possible to shake this short line free from every other railroad in that section or in the country and say that the rates upon it should be sufficient to maintain the property. In essence your short line is a part of the railroad system of this Nation and must be taken care of as such.

What is true of the short line is true of many long lines in this sense, that owing to conditions of various kinds rates which are fair to one railroad system will bankrupt another and will yield an undue return to a third. There is no good reason why railroad A should make 20 per cent, railroad B 10 per cent, and railroad C nothing, as often happens, under a schedule of charges which must be the same for those three lines, since they are in essence competitive.

This question, which goes to the very heart of the railroad problem, which must be answered before you can properly serve the communities of this country, especially before you can provide for future railroad development, is susceptible of only one complete solution. The difficulty may be in a degree mitigated, but the only perfect answer which leaves nothing to be desired is that the Government operate these railroads as a whole, applying just and reasonable rates, and that every part of the transportation system of this country shall contribute properly to every other part.

Another matter which must be dealt with is this general question of unified operation. It has just dawned upon this country that competition is wasteful and ought to be restrained. People are beginning to realize that unnecessary trains have been operated, that freight has been carried by circuitous routes and in most extravagant ways without any real benefit to the public, and that for all this foolishness the public has been required to pay. It has become perfectly apparent both by reasoning and by actual demonstration that if the railroad facilities of this country could be used as a whole, if equipment and joint facilities could be employed to the best advantage, if all duplication of effort could be avoided, the same amount of transportation might be accomplished, the same service rendered to the public with a saving of millions of dollars annually. It is generally conceded, therefore, that when these roads go back the law ought in some way or other to permit of the restraint of competition.

While it has always been my own belief that competition between carriers might to some extent be eliminated without injury to the public, it is apparent that this can not be made effective to a high degree unless we are prepared not only to permit but to compel. This administration has provided in the city of Chicago an ideal joint ticket office. While our joint ticket offices are not in all cases perhaps satisfactory, that Chicago office is complete and meets the approval of everyone. I recently asked the traffic representative of one of the large lines using that facility whether it would be continued if Government control were to end. His reply was that the stronger lines would probably favor its continuance, but that the weaker lines would be likely to withdraw and establish offices for themselves and that this might lead to a disruption of the whole project. It has usually been the competition of the weak line which has disturbed the situation, and unless some way can be found to check that competition but little will be accomplished.

For my own part, I do not feel that it is at all certain that competition ought to be eliminated. The great objection in my mind to Government ownership has always been that competition would be and must be thereby destroyed. I have doubted whether the same service could be rendered without competition which was rendered under the competitive spur. If the Government can render a satisfactory service, then a great saving can be made by unified control and the only perfect unification is under the Government itself. Can the Government and will the Government render a satisfactory service?

I have already said to you that up to the present time there has been no trial of Government operation under peace conditions. Plainly stated the first purpose of the Railroad Administration hitherto has been to win the war, not to serve the public. As a result the service has not been satisfactory. The principal complaint of the public is that its wants are not properly respected and its complaints not properly heeded by the railroads. The off-line solicitor has been called in and there is no one to give the information and render the service which he formerly supplied. It is difficult to obtain information of any sort either as to the location of your freight or the movement of trains. Even the abounding time table of the past has largely disappeared and the public is left without means of self-information. These and many other things have created the impression in the minds of the public that the operators of these railroads who ought to be the servants of the public are entirely disregardful of the wishes of the public.

I can not deny that these allegations are true to an extent, but I do most earnestly insist that the conclusion ought not to be drawn that a proper and satisfactory service can not be rendered by the Government. That question can only be answered by an actual test. What the conditions of that test ought to be to make a satisfactory one will be considered later; what I desire to emphasize now is that this question—Can the Government render a service satisfactory to the public?—can not be answered except by actual experience. The public should suspend its judgment until the result of an actual test under fair, normal working conditions is known.

The most important factor in this whole discussion remains to be noticed, namely, labor. The total number of persons engaged in the operation of steam railroads reporting to the Interstate Commerce Commission was during the year 1917 approximately 1,750,000. During the year 1918 the director general has himself expended in the operation of the railroads under his control something in excess of $4,000,000,000. Of that enormous sum approximately 62 per cent was paid to labor.

The majority of these employees are voters to-day and the proportion will undoubtedly grow larger in the future. Railroad employees acting together can exercise a profound influence upon any political issue. Under all these circumstances, can the Government deal with labor?

There are two phases of this question: First, the fixing of the wages which shall be paid to the employee; second, the securing from that employee a proper return in service for the wage which he receives. These two things are entirely distinct and proceed upon different considerations.

The determination of the rate of compensation which the railroad employee shall receive is profoundly affected by the circumstance that this railroad is a public servant. This will readily appear from a comparison of the elements which control the wages of an industry served by the railroad as compared with the railroad itself.

Consider the cotton mill which the railroad serves. The owner of this mill buys his cotton and his other supplies at the market price. He hires his labor. He pays all the expenses of producing a finished product and he sells that product at the market price in the open market. So long as there is a margin of profit between the cost of producing the thing which he sells and the price which he can obtain for it, his business continues, but if the cost of production exceeds the selling price his business stops and he shuts down the mill. Ultimately, therefore, labor must accept from the proprietor of the cotton mill that figure which he can afford to pay and still produce his article at a profit. It may have been that in the past the manufacturer of cotton cloth has made an undue profit himself, that he has not given to labor a fair share of this profit, and labor may be able by various devices to extort from him a greater share, but it can never obtain what does not exist, and therefore there is of necessity an automatic regulation of wages.

With the railroad it is entirely different. The railroad has no commodity for sale. It used to be said a quarter of a century ago, when I first began to discuss these questions, that transportation was a commodity to be sold to the highest bid-

der, just as cotton cloth is a commodity, but that idea has long since disappeared. It is admitted on all hands to-day that transportation is a service the price of which may be fixed and must be regulated by the Government. The cotton mill can shut down, but the railroad must keep going. Its continued performance is necessary to the very existence of the public which it serves. It therefore follows that there is no automatic regulator of railroad wages. And it further follows, I think, that just as the Government determines the rate which the carrier shall charge for its transportation, so it must finally determine in some way the wages which it shall pay for its labor.

There will undoubtedly come to be a certain relation between the wages paid in the field and the factory and the counting house along the railroad and those paid to the railroad employee, but that relation is largely sentimental. The history of recent years shows that the private corporation is unable to deal with railroad labor. All thinking men have come to realize that laws of some sort must be devised to protect the public from the consequences of these disputes between the private operator of a public utility and his employee. The public can not permit a suspension of those services which are essential to its very existence, while railroad managers and railroad workers are debating railroad wages.

Looking therefore to the first phase of the wage question, the Government not only can deal with labor but it must deal with labor whether the railroad is under private or public operation.

The second phase presents an entirely different question. When once the wage at which the railroad employee is to render his service has been fixed, can the Government obtain from that employee a proper amount of service? Every employer of labor understands the importance of obtaining from his employee a proper amount of the proper kind of service. Every employer realizes that upon the attention and earnestness of the employee depends the quality and amount of the service rendered. It is earnestly insisted by the opponents of Government operation that the employee of the Government is indifferent and inefficient and will not render in the same number of hours the same amount or the same quality of service which would be rendered for the private operator, and in support of this much may be said.

Many years ago I had occasion to go frequently from my home in northern Vermont to Chicago, and usually made the trip by the way of Montreal, and over the Grand Trunk between Montreal and Chicago. In those days the Grand Trunk was not an up-to-date property. Its stations were ill kept, its cars were dirty, its conductors slouchy, its trains generally behind time. There came a day, however, when a change was noticeable. The stations were swept, the cars were cleaned, the employees held up their heads and moved with more alacrity, the trains were on time. We had not progressed a hundred miles before I felt that something had happened to the Grand Trunk, and I said to the brakeman, whom I happened to know, "Jim, you Canucks are beginning to know how to operate a railroad. What has happened to the Grand Trunk?" He answered, "We have a new manager." And that was exactly what had happened. There had come onto the Grand Trunk as its chief operating official a great railroad executive, Mr. Charles M. Hays, and the presence of Mr. Hays, although he had only been there a single month, was already felt in every operation of that extensive railroad system.

Somebody has said that the quality in which the American soldier excelled the German was the will to win. The will to accomplish at the top of a railroad system or of an operating division or of an individual office will pervade the entire organization beneath and may transform it from inefficiency to efficiency. Now, while it may happen that men will be found in the Government service possessing themselves the necessary enthusiasm and capable of inspiring their subordinates with the same spirit, still it has always been my own thought that this valuable quality was more likely to be recognized and retained under private than under Government ownership.

While, however, it has been my belief that Government operation would find it extremely difficult to secure the proper efficiency of labor, I have always realized that this conclusion was doubtful. My actual experience for the past few years has tended to increase this doubt. As the director of valuation I have had charge of some 1,500 Government employees. These men have all been hired through the civil service and have been employed under Government regulations. They have worked side by side and in direct comparison with railroad employees under private control. I am certain that my men have done more work, better work, and for less money than the corresponding railroad employees.

This, however, may have been due to the peculiar character of the employment. I was able to create in the prosecution of this work competitive conditions which do not and perhaps could not ordinarily exist. Certainly I feel that no body of men could be more loyal to any private employer than the members of the valuation force have been to its director.

Let it be distinctly understood, however, that I am not to-day advocating Government ownership or Government operation. I have been all my life a believer in private ownership. What a man does is usually the best evidence of his belief. What I recommended in case of the express companies shows best my own conviction.

Soon after coming onto the staff of the director general I was requested by him to give consideration to the express situation and make a recommendation. The natural thing to do was simply to take over the property of the express companies and operate the express business in exactly the way that the property of the railroads had been taken over. The express companies themselves desired that this course be pursued. After careful consideration, however, it seemed to me that there was no emergency which required the operation of the express service by the Government and that, on the whole, another plan ought to be adopted. I recommended the adoption of that plan, and this recommendation was accepted by the director general.

What was done with the express companies was this: A new company was organized, which took over the property of the old companies. The capital stock of the new company represents the depreciated value of the property of the old companies plus the amount of actual cash paid in by the new company. The total amount was $33,000,000.

It was agreed that this new company should transact the express business as the agent of the director general, and that it should receive as compensation for this service a certain per cent of the gross express revenue.

Out of this it was to pay the expenses of operation, including taxes and depreciation, as provided by the rules of the Interstate Commerce Commission. The remaining sum was to be disposed of as follows:

First should come a dividend upon this capital stock not exceeding 5 per cent. Any sum remaining over and above this dividend should be put into a guaranty fund for the payment of future dividends, which fund should not exceed 10 per cent upon the capital stock or a dividend for two years. After the payment of the dividend and the providing of the guaranty fund the next 2 per cent should be divided equally between the Government and the express company; the next 3 per cent should go 1 per cent to the company and 2 per cent to the Government; any additional earnings should be divided one-quarter to the express company and three-quarters to the Government.

This represents my idea of the proper basis on which a public service of this kind might well be performed by private capital:

First. The capital stock upon which dividends are to be paid represents actual money.

Second. The dividend payable by the corporation, while reasonably certain, never can be very excessive. The rate-making body would probably aim to establish rates which would permit the payment of a dividend of approximately 6 per cent, which at the present time is not an undue return upon actual investment; but if net earnings exceeded this amount for a time the sum going to the company would not be excessive.

Third. The guaranty fund secures the payment of dividends over periods of small or even of no net earnings, thus giving to the rate-making body opportunity for intelligent observation and action.

A contract of this kind holds out to the private capital an inducement to efficient operation. If you provide that the corporation may earn 6 per cent upon its capital stock or the value of its property, and no more, there is no incentive to go beyond the 6 per cent, but here there is a certain reward for all economical and efficient management. You have, therefore, all the advantages of private ownership while at the same time the public is adequately protected.

If it were possible, I would prefer to apply this same idea to the railroad operations of this country, and I have given a great deal of thought to the working out of some plan by which these principles might be applied. I am saying all this at undue length to give you a picture of my own mental state. After being with this problem for 22 years, I feel that whether Government ownership should be tried in this country of ours can only be determined by actual experiment. In the absence of that experiment, I would myself vote against it, but I do think that advantage should be taken of the present opportunity to make the test.

To-day the United States Government is in the operation of these railroads. Under the Federal-control act two courses were open to the director general. He might leave the operation of the properties largely in the hands of the owners under his control. That plan would not have involved in any proper sense Government operation. The railroad official would have continued to direct the operations of his road acting under the direction of the Government and accounting to the Government for the result.

Or the director general could affirmatively take over the operation of the properties and appoint his men, responsible to him alone and acting for him alone, to perform that operation. The latter course was adopted. It was, in my opinion, necessary to adopt it. So far as I can see, it would be impossible for the Government to more completely take over the operation of these properties than it has done.

Many things necessary to a unified control have been accomplished, often at considerable expense. Joint ticket offices have been established. In some cases freight offices have been consolidated. Methods of unified operation have been put into effect. From my viewpoint most of those which must be done in order to give Government operation a fair test have been done.

This being so, what additional is necessary to give Government operation a working test?

First, and principally, it is necessary to know the period during which these properties are to be retained by the Government. To-day it is uncertain whether this period is to be 6 months or 21 months or 5 years, and this uncertainty permeates and paralyzes the whole railroad operating force from top to bottom. The first thing which should be done in any view of the situation is to definitely fix the term of Government control.

Mr. McAdoo has stated that five years were needed for this purpose, and I understand that Mr. Hines will take the same position. I do not in anywise desire to set my own opinion up against theirs, but before Mr. McAdoo testified I had already expressed an opinion that three years would be about the proper time. The matter rested in my mind as follows:

It will take six months for the director general to formulate his plans and reorganize his forces. The point of view has entirely changed. In the past we have been operating these railroads to win the war, and public convenience has been largely sacrificed to that end. In the future they are to be operated to serve the public. This change in the point of view requires many operating changes. Trains must be restored, schedules must be revised, rules for the receipt, routing, and transportation of freight and passengers must be recast.

One of the most important things, from my viewpoint, is the working out of some cooperative arrangement with the State commissions. Many of my railroad friends have insisted that the State commission should be eliminated, but this opinion I have never shared. Assuming that it would be possible to establish any system of operation or control which ignored the State commission, it would be, in my opinion, most unwise. The local commission has a kind of knowledge and experience which can not be supplied by any Federal tribunal and which should be recognized and perpetuated in any solution of this railroad problem. It has been my belief, and still is, that it ought to be possible to work out under Government control some plan of cooperation which should demonstrate the possibility of obtaining results from proper collaboration between the Federal and the State authorities.

But all this takes time, and I have felt that it would be at least six months before the new director general could be fairly ready for action, before he could formulate his plans, organize his forces, and get his machine into working shape under peace conditions. The ensuing year should show whether the Government can render a service with which the people of this country will be satisfied and at a cost which they can afford to pay. This would bring us to July 1, 1920. By that time Congress would have accumulated and digested the necessary information from which to formulate legislation. If, as seems probable to-day, Government operation was not satisfactory, then a plan for private ownership could be worked out; but if by chance the experiment should disappoint the common expectation, Government operation might be continued under some proper plan. It will require from a year to a year and a half to get these properties back into the hands of their owners and properly arrange for the termination of Government control.

I also call your attention to the fact that by the 1st of July, 1920, the valuation work of the Interstate Commerce Commission will have gone far enough so that a definite idea of the general result can be had. No proper disposition of this railroad problem can be effected until we know what these properties are worth.

Who, then, opposes this suggestion for a test? Who is so fearful of Government operation as to be unwilling to even know what the facts are?

First and foremost stands Wall Street, the railroad financiers, those gentlemen who have accumulated enormous fortunes in the past from the manipulation of railroad securities and who hope to repeat, even though in lesser degree, that performance in the future.

The operations of these men in connection with railroad securities and railroad transactions are partly legitimate and partly illegitimate. To the extent that they are legitimate they are unproductive. Government ownership and operation entirely stops the performances of these people. They naturally oppose it, and their opposition will be exerted, as it always has been in the railroad world, with great skill, persistence, and energy. The influence of these interests upon railroad legislation is the most dangerous because most difficult to identify and combat.

Among the most active opponents of Government control are the group of men designated in the press as "railroad executives." These are the men who were operating the railroads when they were taken over by the Government and who hope and expect to operate them if they are given back. They are earnestly acclaiming against the efficiency of Government operation and are vigorously insisting that private operation should be resumed. While forced to admit that they were powerless when the emergency came and could not perform the task required of them, either physical or financial, they gravely assert that now, when the Government has weathered the storm and brought the ship once more into calm waters, they only are fit to hold the helm. They were powerless in the face of difficulty, but are alone capable when the difficulty has disappeared. It is somewhat doubtful whether this logic, however persuasive in certain quarters, will appeal to the general public which pays the rate and, incidentally, the enormous salaries which these gentlemen have received in the past and hope to again receive in the future.

The large shipper is against Government ownership. Competition is wasteful, but it gives frequently a superior service. It is almost always discriminatory, and that discrimination is usually in favor of the big man and against the little one. While in recent years the great industry, with its highly paid traffic men, has not been able to obtain the preferences which it enjoyed years ago, there never was a time under private ownership when those interests did not enjoy important advantages over the smaller shipper. Generally speaking, those preferences have disappeared under Government operation. There is no discrimination in the use of the post office; there ought to be none in the use of the railroads.

There is also an organization of security holders which professes to represent a great part of the bonds and perhaps some of the stocks of these railroad companies which is vociferously demanding that these properties be returned. It is easy to understand the attitude of Wall Street. We can see why the railroad executive wants back his $100,000 job; it is possible to appreciate the motive of the traffic representative who desires to bid off one railroad against another, but the attitude of these security holders passes comprehension. I have said to you that one purpose of taking over these railroads was to stabilize their securities and that this purpose had been fully accomplished. While every other public utility has seen its surplus melt away, its dividends disappear, the interest on its bonds in default, the bondholders and stockholders of the railroads of this country are to-day receiving more for the use of their properties than ever before in the history of this country, and yet these same gentlemen assert that the roads should be taken out of Government control to save their securities. My friends, the only thing which can save many of these railroad securities is Government ownership or Government operation. One great objection to taking over these railroads is that the Government would almost inevitably pay an extravagant price for many of them. The security holders of this country, instead of demanding the precipitate return of their properties, should rather demand that the Government give careful attention to the financial situation before the properties are surrendered.

Let me illustrate my meaning by a practical example chosen from my own section, New England. The New Haven Railroad is one of the great railroad properties of this country. It operates through one of the most densely populated and wealthy sections of this whole land, and it carries an enormous traffic, both of passengers and freight. A year ago the traffic on that system was very much congested and was handled under great difficulties; to-day those difficulties have for the most part disap-

peared. Unless you have actually stood and observed it you can have little conception of the rivers of humanity which flow through the Grand Central Terminal in New York City, especially at about the end of the year. For 22 years I have made the trip from Washington to Vermont at this season. Never have I seen so many people on the rail. While the service between Washington and New York was poor, never in my experience were the crowds upon the New Haven so well accommodated as this year, and yet for the month of December that magnificent property showed in round numbers earnings of $8,373,000, the largest December in its history, and operating expenses of $7,998,000. This did not include taxes nor its payment to the New York Central for the use of the Grand Central Terminal, which are really an operating charge. Adjusting taxes and joint facility rents there was an absolute deficit of $325,000. The owners of that magnificent property for the month of December would be obliged to put their hands into their pockets to the extent of $325,000 for the privilege of having operated it.

The showing of the Boston & Maine is even worse. As you know, the Interstate Commerce Commission is making a valuation of the railroads of this country, of which I have charge for the commission. It so happens that I have just received the reports from our engineering and land sections showing the cost of reproducing that property and the value of its lands. These reports show that the cost of reproducing these properties, less depreciation but including lands, would exceed their capitalization. The lands of the Boston & Maine system which are used for transportation purposes alone aggregate more than $45,000,000, and this value is not the result of some process of multiplication; it contains no severance damages; it is simply the acreage value of the lands used by that system as compared with similar adjoining or adjacent lands.

Now, this system during the month of December showed an income of $5,441,000 and an operating expense of $7,520,000. The actual disbursements in money for the operation of that property during the month of December were $2,000,000 in excess of its receipts, and in addition to that its taxes were estimated at $250,000.

I happened to be in Boston the day after this estimate had been telegraphed to me at Washington, and I conferred with our auditor in reference to it. He stated to me that operating expenses for the month of December contained $700,000 of back pay, but that there were also certain wage advances which did not appear and which, in his opinion, would nearly equal the back pay included. There is no theory upon which the absolute deficit of this company did not exceed $1,500,000 for this month.

It sometimes happens that weather conditions in that country almost paralyze operations during portions of the winter. That was true of December, 1917, but for this December operating conditions were ideal; not a snow plow left a shed, not an engine was frozen up; nothing can be charged against the weather.

The United States Government took the Boston & Maine Railroad. It has made large advances in the wages of its employees. It has advanced its rates of transportation also. It has to some extent changed its methods of operation and the flow of its traffic. Now, I insist, as a resident of New England, as the president of a savings bank in New England, that the Government has no right to pass this railroad back until it has investigated and amended that situation. The interest of the security holder and the interest of the community both demand this. The figures which I have given you are to some extent estimates, but they are substantially correct. It may be that the indications of this single month are entirely misleading, and that the results of a six months' period may be satisfactory. What I insist upon is that before these properties go back to private ownership the results of this war shall be known and adjusted. All this can hardly be done in less than a period of three years.

In conclusion permit me to vouchsafe a word of personal explanation. Under the Federal-control act the Director General of Railroads was authorized to appropriate the services, or a portion of the services, of any employee of the Interstate Commerce Commission, but without the payment of additional compensation. Under this provision I was drafted and have served as the director of public service and accounting for nearly a year, discharging at the same time my duties as director of valuation. While the war lasted, and under its inspiration, this double burden was not unbearable, but with the return of peace this load, together with the load of increasing years, seemed greater than I ought to undertake to carry. I concluded that I must lay down one work or the other. The commission felt that I ought to continue with my valuation work, and in this I concurred. I shall therefore give up in the near future my work as director of public service and accounting. If I remain with the Railroad Administration at all it will be merely in charge of its accounts. What I wish to do now is to make it perfectly plain that this action upon my part is not prompted by any feeling of dissatisfaction with the present administration. Upon the contrary, were it my privilege, as it is my inclination, to continue in the position which I have occupied, where it was my duty to demand for the public a just rate and an adequate service, I should expect to receive from the entire Railroad Administration, certainly from its head, sympathetic and earnest support. I believe that my successor will receive such support and that the public will be satisfied with its treatment. I bespeak for the administration your good wishes and cooperation.

These railroads, my friends, are your servants. You should insist that they render you a proper service and in a proper manner. But you must remember that the ability of the servant to serve depends upon his treatment by the master. Just in proportion as you mete out to these servants of the public fair and sympathetic treatment, to that extent should they have the disposition and the ability to render to you an adequate service. Cooperation should be the watchword upon both sides. If at the end of a long acquaintance with this subject I could address but one single sentence to the public and railroad, it would be "Get together."

EXTENSION OF REMARKS

OF

HON. WILLIAM E. MASON,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 20, 1919.

Mr. MASON. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit the following:

AN OPEN LETTER.

To the CHICAGO ASSOCIATION OF COMMERCE:

The visit of your committee has awakened an interest in the minds of some who did not seem to realize the importance of employment of labor, if necessary, by public improvements until the emergency of reconstruction is passed and normal conditions are reached. Will you pardon me if I presume to offer some suggestions to you, hoping through you to reach the people of Illinois, and through them my associates in Congress?

Added to the other embarrassments comes the embargo by Great Britain on American products, which affects every industry and every man, woman, and child in Illinois. Embargoes for and against the United States are as old as American history, and to handle the present situation intelligently we should know the cause and effect of that operation in the past. Partisanship in the past had much to do with the opinions expressed on both sides on the different occasions when the embargo question presented itself to the American people, and the opinions of historians as to the effect are not free from that bias. In the present threatened condition let us try, in the interest of our country, to free ourselves from partisanship. If I display any party spirit in this open letter it is because I verily believe true history compels it. Commercial retaliation under varying names has been approved and used by most of the Presidents from Washington to McKinley. Adams in 1828; Jackson in 1829, 1830, 1835, and 1836; Polk in 1847; Fillmore in 1858—all before the Republican Party was in power; and Lincoln in 1863; Johnson in 1866 and 1867; Grant in 1869, 1871, and 1872; Hayes in 1880; and Harrison under section 3 of the McKinley bill, called reciprocity, have all recommended, used, and approved this general plan to protect American commerce, manufactures, and farmers.

I deal now with one embargo laid by Great Britain. I am not complaining of Great Britain. She is exporting less than she is importing and buying more than she sells, and is facing the same question faced by all belligerents in the war. The question is whether we who are suffering must suffer more for fear some one will say we are not kind to our allies. Commercial protection does not mean war, but the use of common sense in our competition with the world for trade. Let me call your attention to the sweeping embargo that Great Britain puts on all manufactured goods, which includes American products. They will take our hides but not boots and shoes, the products of American labor.

Commodities which may not be imported into Great Britain after March 1 without special licenses range all the way from essentials to luxuries and include machine tools and machinery for working in both metal and wood, stoves, manufactures of aluminum, wearing apparel not waterproofed, baskets and basket ware, metal baths, cartridges, cement, fat, acids, fire extinguishers, guns, carbines and rifles, hats and bonnets, lawn mowers, linen yarns and manufactures thereof, mats, matting, mops, oilcloth, perfumery and toilet preparations, photographic apparatus, pictures, prints, engravings and photographs, plated and gilt wares, revolvers and pistols, salt, sewing machines, manufactures of skins and furs, soap, spectacles and eyeglasses not containing gold, time-recording instruments of all kinds and movements and parts thereof, wringers and mangles, weighing machines, scales and balances of all descriptions, and vacuum cleaners.

The fact that they exclude the same products from other nations removes any suspicion of unfriendliness toward us, but it hurts to the quick, and we should protect ourselves in the same spirit of friendliness to our competitor, and with due interest in labor and capital in our own country. Other friendly associates in the war will do the same, and if we are deadlocked between the Congress and the President for two years, we will be in a sorry and almost hopeless situation. A Washington newspaper announces that—

After thinking the thing over carefully, Republican leaders * * * conceded the right of England to make any regulations respecting imports she deems wise, so long as they apply impartially to all commercial nations.

Although this article is not written by Northcliff or other English writer, it suggests we get "busy" and we might pass a protective tariff law. The good faith is so apparent when we consider the strong protective (?) principles of the Executive, and the simple mathematics of making a majority of one in the Senate equal to two-thirds of 96, which would pass a bill over his veto. When we consider that the Executive has refused to increase the income from tariff even on luxuries, and hundreds of millions of dollars are being waived to aid foreign manufacturers, and direct taxes are levied on the people instead, we stand no possible chance for protection for two years more.

Some of your Members may remember our prosperity under the McKinley bill during the Harrison administration. Section 3 of that bill simply directed the President to lay an additional tax on tea, coffee, sugars, and hides on countries imposing "exactions" on products of American farms or shops. By reason of that section we made reciprocal treaties with 14 countries, which was worth hundreds of millions of dollars in trade to the United States.

Do you think we can pass any part of the McKinley bill in the next Congress? If we do, will the President sign it? Why not pass an old-fashioned American act, not in anger, but in earnest defense of America, which shall direct the President to order a tariff tax of 100 per cent ad valorem on every article exported to the United States from every country that imposes a prohibitive duty or "other exactions" on American products and direct him to withdraw that extra tariff when the nation discriminating against us removes its "exactions" as to our products?

The ultraconservatives will say, "That would be a delegation of legislative power to the President." The Supreme Court of the United States says no, it would be a direction to the President to do certain things on the happening of certain conditions. In 1809 Congress forbade the importation of goods from Great Britain and France and provided when those countries changed their policy on American goods the President should open the door by proclamation. In 1810 President Adams proclaimed that France had "modified her edicts," and trade was resumed.

Some may say this is radical. Something radical must be done. The workman will struggle to maintain his wage. Even when living comes down he wants a margin for the rainy day. Put yourselves in his place. The manufacturer, being deprived of any outlet for overproduction or normal production, can not live. The farmer's market is ruined. Labor and capital both staggering. If we submit to go on under our present low tariff and the embargoes laid upon our people by Great Britain, to be followed by others, idleness and starvation face us, and we will have the Congress, the President, and the business man to thank for our condition. You are business men. Look at the millions we have lost in six years of low tariff, and are still losing. Consider how the manufacturer had to fight to live before the war, and will have to now go back to the same conditions or worse. Consider that the broken manufacturer pauperizes the farmer, starves labor, and bankrupts the merchant. Consider that business men are being crippled by the present high taxes. Consider that we are appropriating billions more than the estimates. Remember, though the war is over the day of service and sacrifice is not passed, and if anyone can tell me how we can increase our revenue and employ our labor any better than by treating our commercial rivals no better than they treat us I shall be pleased to hear from him.

Respectfully, your obedient servant,

WM. E. MASON.

The Naval Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. BURTON L. FRENCH,
OF IDAHO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. FRENCH. Mr. Speaker, it is a matter of deep regret to me that I can not support the entire program recommended by the Naval Committee to the House and provided for in the Navy appropriation bill. I have consistently opposed a large standing Army for our country in time of peace, and, on the other hand, have felt that in a strong Navy was greatest wisdom. In fact, I was voting for what we then called a large Navy at a time when a good many here, and especially on the other side, were opposing such a program, men who to-day are contending for the pending measure.

Now, what are the facts as to the need for the present program?

The pending bill calls for an appropriation of $746,000,000 for the coming fiscal year to meet the expenses of the Navy, and in addition an authorization of a building program in the amount of $415,000,000, or a total authorized expenditure of $1,160,000,000. In the item of $746,000,000 is included $179,000,000 that is to be applied to the building program authorized in 1916.

Do we need to include the item of $415,000,000?

Let us see. What is the relative strength of the navies of the world? From the figures of the Navy Department for 1917 the relative strength was as follows:

	Navy craft (all kinds) in service.		Building and projected.	
	Number.	Tons.	Number.	Tons.
Great Britain	680	2,375,564	75	161,850
Germany	262	1,058,240	(1)	(1)
United States	153	860,017	82	500,058
France	270	642,386	41	248,450
Japan	127	550,756	22	157,437
Russia	192	462,351	16	185,270
Italy	168	396,738	65	168,051
Austria-Hungary	132	225,697	(1)	(1)

[1] Unknown.

NOTE.—The building and projected program columns are not definite.

From the foregoing, measured by tonnage and omitting Germany from the calculations, which we could not do in 1916, the United States is an easy second in rank among the world powers. More than that, when the building program I have indicated shall have been completed, the United States will be a strong second and the difference vast between her Navy and the navy of France or Japan or Italy.

While the armistice has been signed, technically we are still at war, and I shall say nothing as to any part of the bill except the part which provides an additional expenditure of money in the amount of $415,000,000 for a new building program to begin in June, 1920.

I am opposed to this program for the following reasons:

First. Our Navy is now larger than any other in the world except Great Britain's, and will be vastly larger than any other except Great Britain's when the present building program shall have been completed. It must be remembered that Germany's Navy has been taken from her.

Second. I am opposed to this program because the great powers of the world are staggering under enormous debts, have lost tremendously in man power, and by comparison with the United States are vastly weaker than they were five years ago.

Third. I am opposed to this program because our present program is not completed. We are in this bill appropriating $179,000,000 to carry it forward, and it can not be completed for several years. Numerous ships have not even been begun.

Fourth. I am opposed to this program because, if any reason shall develop why we need it, we can adopt it in the next Congress. This program is not to begin until June 1, 1920.

Fifth. I am opposed to this program because I hope that one of the by-products of the war will be an arrangement among nations for the reduction of armaments. Let us wait and see.

Sixth. I am opposed to this program because our people are under an enormous burden of taxation, and it is our solemn duty not to increase that burden if it can be avoided. Do you realize that to keep up the Navy alone, if this program shall be carried out, will cost the American people $550,000,000 every year? Mind you, this is just the upkeep.

I shall not trespass further except to include in my remarks a short editorial from the Moscow (Idaho) Daily Star-Mirror of February 6, 1919, that bears upon the matter of expenditures of public moneys:

GETTING WILDLY EXTRAVAGANT.

The American people are becoming wildly extravagant. They are "running amuck" in the matter of "frenzied finance," and it is time to call a halt. The war has awakened new ideals, and we have ceased to think or talk in terms of millions and use billions instead. If this continues, we will soon be using trillions as our measure of finances. No nation, even the United States, the richest on earth, can stand this pace.

EXTENSION OF REMARKS

OF

HON. JAMES A. FREAR,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 18, 1919.

Mr. FREAR. Mr. Speaker, we have reached the close of this $1,117,000,000 Army bill that is ten times as large as any of its predecessors in times of peace, and our country is now at peace.

We have just passed a gigantic naval bill five or six times the size of similar bills before the war, notwithstanding we have a Navy larger than any three world-power nations combined, outside of Great Britain, and these two war bills in time of peace levy an average tax of $20 on every man, woman, and child in the United States, in addition to our enormous $18,000,000,000 debt obligations, which are rapidly increasing.

This military bill has been shown to be wasteful in form and in fact, because lump-sum appropriations reaching hundreds of millions of dollars in one case are items in this bill covering different estimates and are a continual invitation to bureau chiefs to spend every dollar in some one of the different activities covered by the item. The temptation is too strong to resist, and Congress is a party to the waste when it approves this bill.

No Member will hamper the War Department in times of war, but in times of peace and enormous debt and tremendous tax levies it is legislative folly to blindly grant power and unlimited public funds which bureau chiefs in every department of Government are vociferously demanding.

Chairman DENT, of the Military Committee, has said in discussion that the estimates of committee allowances found in this bill are frequently "a matter of guess." This is certainly so, but let me illustrate how wild a guess becomes when bureau chiefs are allowed to make them without restriction. Last Saturday I moved to reduce an item for the construction of reclamation plants and other matters which carried $4,000,000. It was reduced on motion to $2,000,000. Committee members valiantly defended the item until my colleague Mr. STAFFORD read from the hearings that $300,000 would cover all necessary work in sight, and only $400,000 had been given for this item prior to the war. The amendment prevailed. Possibly the reduction ought to have been greater.

A few moments later I arose for recognition to move to cut an item for reserve officers of $3,000,000 down to $500,000, but Chairman DENT, of this Military Committee, was recognized, under the rule, and offered an amendment not clearly understood, and the colloquy in the RECORD is illuminating:

Mr. FREAR. What does that amendment carry?
Mr. DENT. That means that instead of $3,000,000 it is cut to $100. I hope that satisfies the gentleman.

It certainly did, and other reductions were made in the bill, but many others were refused. The illustrations offered show loose methods of appropriation in this $1,117,000,000 bill, for which the different bureaus and not the committee are directly responsible.

A far more important vice affecting the future of this Government was contained in the bill in its attempt to foist a standing Army of a half million men on this country in times of peace. That is what the Army staff wants, whether the committee admits it or not, and every thinking man knows that it would be impossible to secure a half million men by volunteering. One of two alternatives then remained, either to enforce conscription in times of peace to make up this large army or keep in the service those who are clamoring for their discharges and have a right to them, and we were asked to break faith with the citizen soldier. Under the rule brought into the House we have just reduced the 500,000-man Army contained in the bill to 179,000 men, the same sized Army we had before the war.

Congress determines our future policy. I do not believe our people want a military autocracy continued like that evidenced by 22,000 tragic courts-martial proceedings that have revealed a Prussianized system as bad as anything reported from Germany. The people know what happened to Germany and to the German system. They know what invites revolutions and wars, and after spending $30,000,000,000 and many thousands of lives to bring a lasting peace, they want that peace and a demobilized army. The Army has been reduced to reasonable size on paper, but we want over 2,000,000 men now in the Army demobilized, in fact, and brought home. I had amendments I intended to offer, but can not do so on this bill under the rule which has been adopted. They provided that all soldiers drafted or enlisted for the war emergency should be demobilized within 60 days in this country after the passage of this act, and within four months when abroad with full pay until they reached the post nearest place of enlistment, and no pay or allowances would be given any officer in charge of men who failed to put such order into effect within the time fixed by law.

In justification for offering these amendments Chairman DENT has advised the committee that it took three months to demobilize 175,000 men abroad, and at that rate it will take over two years more to demobilize the remaining 1,600,000 men in the expeditionary force. My amendment insisted on getting all men back in four months more; and if we could get them over at the rate of 250,000 men a month when the sea was infested with submarines, we can now commandeer every vessel in the country if need be, including 39 battleships and 41 cruisers, that are on the seas in service, and which can be put to no better use than getting our boys home. Even if crowded two in a hammock, it would be preferable to the horrors of Brest or the dreary monotony of camp life, and hundreds of thousands of dependents are equally concerned in the return of these soldiers. They were promised quick return home after the war, and Congress should insist that that promise be kept, sustained, as it is, by the news that the new armistice signed yesterday amounts to a peace agreement.

According to the gentleman from Virginia [Mr. HARRISON], the General Staff says it put forth a special effort in this country to get 194,000 men home the week before Christmas, but only 30,000 a week were sent in February, and it will take six months more at that rate, while some commanders are reported to have declared they will not demobilize until they get ready, and any soldier asking to go home will be "sent to the guardhouse." Responsibility for early demobilization rests with the administration, but if we cut off the pay of the officers who refuse to discharge the law it would be salutary in effect.

Any soldier writing to a Congressman is summarily dealt with by these martinets, we are informed, and the same petty officers who received their first appointments to West Point from Congressmen, whose interference is now challenged, although 2,000,000 men remain in service and have no one else to whom they can and do freely state their claims.

I know the Navy League and the Security League and their Wall Street backers, who were exposed in the recent congressional investigation, want the biggest Navy in the world and a great standing Army, but the people who write us by the hundreds do not want that, and these same people are the producers and consumers, who furnish the fighting men and who eventually pay the tax, and the Security League and other leagues do little more than lip service.

To show the soundness of my amendments to reduce items appearing in this bill, the estimates were made for an Army of 500,000 men, as amended by the General Staff, that wants a large standing Army. I questioned the committee whether the House would agree to an Army of that size, and now, at the conclusion of the bill, we have reduced the proposed Army to 179,000 officers and men, as it was before the war. We could not raise or maintain an Army of 500,000 men without con-

scription, and we will not adopt Germany's methods without inviting her defeat and the revolution that was sure to follow.

But this bill of $1,117,000,000 provided for an Army three times as large as we have agreed to, and while the Army now under arms must be cared for, this bill, which has been cut less than $50,000,000 on points of order and amendments, should have been cut hundreds of millions to meet the expenses of an Army only one-third the size of that first proposed in the bill. Army officers and bureau chiefs in every department ask for all they can get, but this bill should have been cut far deeper, and it would then have met every necessity and saved the people back home from unnecessary burdens of millions of dollars.

EXTENSION OF REMARKS

OF

HON. HENRY Z. OSBORNE,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 21, 1919.

Mr. OSBORNE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a speech delivered by the Hon. CHARLES H. SLOAN, of Nebraska, at the First Congregational Church of Washington, D. C., on February 12, 1919, before the Grand Army of the Republic, Department of the Potomac, and associated patriotic orders of that jurisdiction.

Mr. SLOAN said, in part, as follows:

"Mr. Chairman, it is good to meet here in this House of worship to-night, serving as a forum of citizenship, adorned with the stars of glory and the stripes of union; in this capital city which has become the world's cynosure. It is the capital of a nation most commanding and potent in commerce, finance, and martial power; yet, withal, passing through a crisis the outcome of which gives thoughtful Americans deep concern.

"The mariner emerging from a storm and anxious for his bearings, lest rock or shoal his craft would smash, looks not to floating wreckage, drifting iceberg, or shifting waves. He has recourse to sounding depths, the magnet, and the sun. Those are the guides that through the ages have never failed, while icebergs have melted, wreckage washed upon distant shores, and recurring waves left no trace. These are days when we should look to the ancient landmarks—Washington and Hamilton, Jefferson and Jackson, Lincoln and Cleveland, McKinley and Roosevelt. [Applause.]

"As a new Congressman, coming here eight years ago, one of the first objects to attract my attention was the mighty obelisk off toward the Potomac, the Washington Monument. I recognized the propriety of its existence, but Washington never seemed to so thoroughly deserve that lofty recognition as he does now. Money measures commercial value. It often measures sentiment. I read recently of a Gilbert Stuart Washington picture selling for $21,000 which three years ago had sold for $3,500. There is instinctively a groping and grasping mid rocking revolutions for that which has been tried, found good, strong, and enduring.

"So down nearer the Potomac is being finished a monument to Lincoln. While I voted with pride for its establishment, never did I deem it so nobly deserved by the martyr as now, when people freed from the frenzy of actual war look about, note the course we have followed, the waste of war, the entangled web in which we find the Republic, the problems we must solve, the heroic stands we must take, that the Republic, entangled in any embarrassing alliance, will assert its independence, present to other nations the highest example of free government for emulation and advancement, but not through our descent toward their present level. [Applause.]

"So it is fitting and proper that on this day, a century and decade removed from his nativity, there should be more speeches delivered with Lincoln as the theme than on any other day in that period of time.

"It is peculiarly fitting that Lincoln's Birthday should be celebrated under the auspices of the Grand Army of the Republic—that mighty Army with no predecessor, to have no successor and no recruit, now gallantly standing against the charge of the pale horse cavalry and battling without reserves.

"I can not hope to bring a new message of Lincoln to a Washington audience. [Applause.]

"It is to the credit of American intelligence that few men can say anything new of Lincoln. Young and old know the essential facts of his life, the qualities of his character, and the tragic details of his untimely taking off.

"When Lincoln was born our Constitution was only 20 years old. Fulton that year claimed his patent which freed water navigation from the slavery of the wind, and 35 years before Morse eliminated distance by the electric spark.

"On that day Darwin was born. In that year Mendelssohn saw the light.

"It was the natal year of Lord Alfred Tennyson, who wrote 'Better 50 years of Europe than a cycle of Cathay.' Had he lived till now he might revise his inspiring estimate. That year Gladstone, the greatest British statesman between William Pitt and Lloyd George, had his birth. Massachusetts produced Oliver Wendell Holmes and Virginia Edgar Allen Poe, the poets of sunshine and shadow. That year witnessed the birth of Cyrus McCormick, the American wizard of the harvest, whose improved mechanism in the crush of war enabled America to feed the world.

"Thomas Jefferson was closing his second administration.

"Napoleon had but recently weakened Europe and strengthened America by the sale of the Louisiana Territory. He was then walking upon the writhing forms of European kings. The sun of Austerlitz had risen, Jena and Friedland had been won, and Europe rocked at his feet while he stood at the zenith of his power, while kings became his subjects and emperors to no purpose were combining against him. There were yet to be the conflagration of Moscow, the snows of the north, Waterloo, St. Helena, and a rocky tomb.

"Such was the world setting of Lincoln's nativity. But the setting would not be complete were it not said that within a year, within a hundred miles in the same dark and bloody ground, Jefferson Davis first saw the light. Two companion snow drops, pure, clear, and crystalline, as they fall touch the loftiest peak of the mountain chain. They freeze into a mighty mass which yields to nothing but the wooing of the summer sun; and while they lie but a few inches apart, in their melting mass each moves down a different slope; each finds its river to the sea. One reaches the turbulent Atlantic, the other the peaceful Pacific. Davis moved southwestwardly to Mississippi, the then great cotton State, where slavery thrived. Lincoln found his way through Indiana to the prairies of Illinois, where labor was free.

"Lincoln believed in the Nation. In the matter of finance, commerce, and slavery he was a nationalist. He favored a national monetary system. He was a strong protectionist. He planned in good time to free the American slaves. As he favored American commerce above the interests of any other nation, so he spent no time or energy freeing slaves abroad while chains clanked at home. He saw American needs first, and was for America first concerned. [Applause.]

"In this he furnished a mighty example for the statesmanship of to-day.

"Estimates of Lincoln's greatness depend upon the standpoint from which they are viewed. Illinois was the great antebellum western State and Lincoln its primal character. It is wonderful how many people throughout the various communities of the great Northwest who sometime during Lincoln's career lived in Illinois and came in contact with Lincoln. If you were to ask an old resident of Illinois what was the great feature of his career he would say 'his debate with Douglas.' When we come to think about it, sweeping over the whole period of recorded history, no discussion was ever conducted by two greater characters, or has commanded anything like as much interest, as the Lincoln and Douglas debate. Douglas was known to be a profound lawyer, subtle logician, experienced statesman, and brilliant debater. Many of Lincoln's friends urged him to avoid the debate. But there we look through the modesty of the man to a recognition of conscious power. Then, as in after time, Lincoln, although never self-asserting, knew and trusted his own strength.

"An egotist is not unbearable if he does not too much advertise, and few men without a modicum of egotism become in the world's contest prize winners. While the immediate prize was the senatorship, both knew the ultimate prize was that seat higher than the throne of kingcraft and mightier than the seat of emperors—the American presidential chair. [Applause.]

"It was a titanic battle; a mental struggle of intellectual athletes. There was the keen thrust of wit, the studied stroke of reason, the ponderous blow of logic, the storm of invective, the persuasive and overcoming effect of inspired eloquence, man to man, brain to brain, each commended or criticized by friend or foe.

"I spoke some time ago to an old Member of the House of Representatives, now gone to his reward, who obtained the eastern view of Lincoln in his Cooper Institute speech. His friends had said, 'Do not go to New York. It is the home of

Seward. That speech made at Cooper Institute will defeat you.' Again he had confidence in himself and his cause. He went. He made that memorable speech. That speech made him the presidential nominee. He revealed new and strange powers of oratory to the East. It was not the florid, ornate utterance of the South. It was not the keen, classic analysis of the East. It was that direct and convincing expression proceeding from a clear brain prompted by a good heart that swayed the judgment and clinched conviction.

"Again, and multitudes there are who insist that Lincoln's position of supreme exaltation was upon the platform of glorious Gettysburg, where he worded a national epic in two paragraphs of prose and concentrated the philosophy of his country within a few sentences. Daniel Webster, who divides with Edmund Burke the oratorical honors of the English tongue, says true eloquence rests in the occasion, in the theme, and in the man. The occasion was the gathering of the Nation's greatest to commemorate the mightiest battle and victory of the great war. It was on that field of fearful carnage. The speech was by the central figure of the triumphant North. He stood the test. He spoke as man had not spoken since Paul addressed the Athenians on Mars Hill. Lincoln spoke with the boldness of Paul and the authority of the Nazarene. It was the third in point of time of the three great short speeches of earth—Hebrew, Greek, American—at Mount of Beatitudes, Mars Hill, and Gettysburg. The Nazarene spoke as man had never spoken, not as the scribe; Paul surpassed the oratorical conception of cultured Greek; and Lincoln eclipsed the effort of the classic Everett. [Applause.]

"I have read and heard the speeches of other orators who could gather and sway great multitudes. They leave you hating your neighbor and with class arrayed against class. Lincoln's speeches breathed charity and tolerance and steadily developed national sentiment. His listeners' thoughts were directed to unionism and not to sectionalism on the one hand, and country rather than world on the other. Under the witchery of his words our country looked larger; its mountain chains higher; its waters purer; its valleys greener; its Constitution stronger; and its flag fairer, until it developed all the beauties of God's arched promise painted on the cloud. [Applause.]

"Many there are watching the current of modern events and studying the life and career of this marvelous man; see as the chief evidence of his ability, tact, power, and courage in the selection of his great Cabinet. Places of responsibility were not filled by henchmen practically unknown to the country who had brought their quota of delegates to his support at convention.

"Nor yet was any commanding figure rewarded for defection of his friend and his coming over to Lincoln. But Lincoln, great lawyer that he was, great debater that he was, had that manly and profound respect for great and powerful adversary which could not be given to weak and fawning friend. So from the ranks of the mighty who opposed him in the great national convention he selected the learned, tactful, politic Seward; the profound, though ambitious, Chase, and the mighty Cameron. Lincoln knew that these men would not bow and scrape, 'that thrift might follow fawning,' but believed in their loyalty, knew of their ability, and feared not their ambitions. In form, his Cabinet seemed to dominate him. In fact, as history now settles, the Cabinet as a whole, as well as its individual members, bent and were guided by his will so that throughout the great struggle a superlative President was supported by a premier Cabinet. [Applause.]

"To my mind, however, the supreme evidence of Lincoln's greatness was his devotion to the great constitutional purpose of his office and the clear recognition of the three great departments of Government and their independence. Obedience to that oath requiring him to preserve, protect, and defend the Constitution, which meant preservation of the Union, he kept as the pole star of his course, though the slave power threatened, though abolitionists demanded emancipation, and though his own conscience bespoke his breaking the chains. He was a minority President. The people of the United States had not voted for emancipation, and Lincoln, true to his obligations to the situation and the people, refused to make a divided opposition the means of carrying out a doctrine favored by him but for the enforcement of which only a minority of the American people had apparently voted. So, above the curse of the slave power, the impatient demand of the abolitionist, and the pleading of our conscience, which for years has bidden him strike slavery a great blow, he kept the one purpose of union to the fore and never resorted to a blow against slavery until that blow appeared to be the one which while incidentally destroying slavery would serve the purpose of saving the Union.

"In a western city some years ago a Cabinet officer, speaking of his chief, the then President of the United States, said that the President had an absolute master, and that master was his conscience. The American people do not object to conscience activity of any man to whom they have given the highest grant of power, but a great many do object to the undue emphasis of that personal element over the constitutional one. Conscience represents that which is best in man, but the Constitution of the United States represents the composite, crystallized conscience of the fathers, approved and supported in all its pristine purity, strength, and force through 140 years of all the people. The founders of the Republic and the builders of the Constitution gave a rule and guide for their executive officers. The people's choice was not asked if he would be ruled by his individual conscience. He was required to submit to the collective will of the people as laid down in the Constitution and developed from time to time in the laws of the land. No man would say conscience might not counsel, but the Constitution commands, and the duly enacted, unrepealed law of the land directs the way. [Applause.]

"From the proclamation, to peace; from Antietam to Appomattox, down a path of gore and glory, the Union soldiery grandly moved, and American statecraft at Washington met the trials and perplexities of that momentous period. With each diplomatic contest, Lincoln broadened and strengthened. With each new victory in the field he endeared himself to the Army. Mothers were comforted at home and mercy prevailed in camp and Cabinet as had never been experienced in the riot of war. Soldiers on bed of pain died blessing him, or, inspired with his hopeful spirit, early convalesced, to return to their posts. [Applause.] The grave problems of finance were met with a genius that startled and astounded the financiers of Europe. And while Jefferson Davis was handicapping and removing his ablest generals to replace them with doubtful experiments, Lincoln was selecting his ablest leaders and aiding them to accomplish their well-planned victories.

"And so after the grim concord of Appomattox, Lincoln stood upon a pedestal above and beyond where statesman ever stood—the incarnation of Americanism—not only the leader of his country back to what it was, but he had led it further to what it should always have been and, please God, ever may be—a constitutional, perpetual Union, with every statement of the Declaration of Independence made a living, pregnant truth. [Applause.]

"Had the Civil War been planned as a great drama, there could have been selected no more fitting tragedy for its finale than the sad and awful ending of Lincoln's life. It shocked the moral sensibility of the world and filled many million hearts with hate for the assassin. But, after all, if we regard as the chief earthly end of man to be a commanding place in history, it may have been better for the historical Lincoln that at the zenith of his renown, standing on the Nebo of his national unification, he was not permitted to partake of the milk and honey of the promised land beyond. He was saved the unpleasant political conditions that followed the close of the war. He died at the summit of the world's good opinion, and upon that summit, among the primates of history, the ages can gaze and fairly judge. [Applause.]

"Booth's bullet had done its fatal work. The kindly eye had closed to look upon a fairer world than ours. The last slow pulsation of life had ceased. The great heart was forever stilled. The mighty form had taken on the final rigor of dissolution, when flashed the genius of Stanton, the great war secretary, who long had yielded a complaining though zealous and faithful obedience to his chief while living, inspired as philosopher and prophet, paid the never surpassed tribute to the dead, 'Now he belongs to the ages.' [Applause.]

"He is with us now. His great memory is pleading for Americanism. His mighty example is conjuring us to stand by the Constitution of the fathers as against a confederation of those whose republicanism has never been tried, or, if tried, might not exhibit devotion to American interests. [Applause.]

"We are closing up, I hope, the greatest war of all time. I would it might be the last. We who gave of our substance and that richer contribution of our sons are becoming impatient that three months have elapsed in debate which seems to show as its most striking result an impudent defiance in a February foe who in November knelt in supplication. I hope our wise commissioners will settle the grim terms of victory with our enemy before we convert our friends into active disputants.

"We ought soon to bring the living soldiers now over there home to waiting families and employment. They were raised to be American soldiers, but not policemen of Continental Europe. [Applause.]

"Our first-born man child lies in the last long sleep over yonder. I want all that remains of him brought to America, to rest under the flag of his country, which he loved and served. He was an American. He believed in protecting all American rights on land and sea. He believed in avenging American wrongs with all our power. But, like his father, he believed in America fighting our own battles and dictating our own terms of settlement, without involving this country in the perplexing problems of the Old World. [Applause.] I do not know what you think of it, but I do not believe in exchanging a controlling interest in a sound, solvent, vigorous Monroe doctrine for a minority interest in a league of nations, whose available assets were insufficient for charter fees and expense of organization, while the liabilities would be measured by the number of our sons and the amount of our national wealth. [Applause.]

"Monuments of marble, shafts of granite, and statues of bronze are and will be raised throughout the land to commemorate Lincoln's name and secure his fame. On these will be traced and carved purest sentiment of poet and the profoundest thought of the sage. But marble will wear and waste under the 'fretting tooth of time.' An earthquake may rend granite shaft and changing seasons may rust and obliterate the statue of bronze. To see Lincoln's final monument you must look past marble wall, granite shaft, and statue of bronze to the temple of our country's wealth, valor, and honor firmly set upon the eternal base of perpetual union and unqualified independence. [Applause.]"

Deficiency Appropriations for Transportation Systems.

EXTENSION OF REMARKS

OF

HON. RICHARD WAYNE PARKER,

OF NEW JERSEY.

IN THE SENATE OF THE UNITED STATES,

Friday, February 21, 1919.

On the bill (H. R. 16020) to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918.

Mr. PARKER of New Jersey. Mr. Speaker, this bill appropriates $750,000,000 in addition to the revolving fund of $500,000,000 provided by the act, altogether $1,250,000,000.

It is estimated that this appropriation will take care of the transportation systems until the end of this calendar year, December 31, 1919. During the year 1918 nearly $200,000,000 ($196,000,000) was spent in dividends that were not earned, but paid over to the railroads as part of the standard return. Nearly $100,000,000 ($91,952,135) is in the hands of various agents for carrying on the operation of the roads. Nearly $350,000,000 has been advanced to various railroads or invested in various equipment—loaned New York, New Haven & Hartford Railroad Co. $51,475,000; inland waterways, $4,361,486; additions and betterments $290,918,283—and at the end of the year there was nearly $250,000,000 ($247,100,000) cash on hand.

This sum is less than the ordinary cash payments of a single month, and it is thought necessary that it should be increased by about $100,000,000, and there are about $650,000,000 ($659,840,000) of necessary improvements and equipment which are expected to be spent during the year 1919.

The $750,000,000 appropriated is expected to be for this equipment and these improvements and to add $100,000,000 to the operating fund of cash.

The sum is stupendous but does not seem to be too large for the necessities of the case. High prices and wages have made railroad business cost so much that it is not sure that it can be done at a profit even with the present increase in rates, especially as the business has fallen off for a time after the stoppage of war activities and during the uncertainty which attends everything during an armistice.

I have voted for this bill. Under the railroad-administration act the railroads can be returned to their owners, as they should be so returned at the earliest possible moment. There is no insurmountable difficulty in doing so, so far as past advances are concerned, as immediate payment would not be required, and the United States under the law and the contracts has a lien for the amounts advanced. The case is different as to the necessary equipment and betterments which have already been ordered and which will be delivered during the year 1919, as well as the other large expenses on capital account expected to be made during that year. The railroads could not finance the payment of this $650,000,000. They have been given no notice so to do, and they must certainly be carried until the Government has issued what will be the last liberty loan in May next. It would break the market for our bonds if we did not do so. This appropriation will carry them to the end of December.

I am one of those who think that that date should terminate railroad operation by the United States. It is said that Congress ought first to pass proper legislation, but it is plain that no such legislation will be passed until the time for the return of the railroads has been definitely fixed. When that is done all parties—the railroads, the administration, the Interstate Commerce Commission, and the Congress—will be eager to settle all matters and adjust them on a proper basis.

This settlement is not so mysterious or difficult as many people would have us believe.

First. The advances which shall have been made for the United States to or for the account of any of the railroads will have to be ascertained and funded, and if no other security can be given the United States can retain the right to retake possession if interest and proper installments of principal are not paid. The whole equipment question will be settled through the medium of equipment trusts. Legislation seems to be already sufficient, as very large powers of adjusting claims are given in the railroad bill. If any other powers are necessary to be given to settle and adjust liens of the Government with the railroads, it can be done by a single clause.

Second. Rates will have to be raised above those which existed before the war, unless prices and wages shall fall to their former level, which is not likely at present. These rates can be and will have to be adjusted by the Interstate Commerce Commission. That commission was shy of any rash haste in raising rates, but now that the increase has been made and tried out by the Government administration of the railroads the commission will have no hesitation in doing what is right to secure proper income to the railroads, more especially as this is necessary for the protection of the Government itself and the return of its advances.

Even with the increased rates our freight business is the cheapest in the whole world.

Third. Water transportation should be allied with the railroads; it never can rival them, because points reached by navigation are not usually the terminal of travel, which must be taken to the door of the manufacturers by railroads. Our present statute which prevents railroads from operating boats is absurd. It might almost be added that the present unit of transportation is the carload. It is admitted that the only style of water navigation which has increased during the last 10 years by leaps and bounds is the car float and the lighter. It may be possible that we shall see whole fleets of car floats plying on the Mississippi and avoiding all cost of maintenance of way, while the cars can be delivered all along the river to the various railroads that wish them. The Cleary bill would provide for all this and is included in the pending river and harbor bill.

Fourth. All railroad terminals should be at the service of each and every railroad on proper tolls and under proper regulations. These can not be prescribed by statute but can be settled without difficulty by the Interstate Commerce Commission in such manner as that no injustice shall be done to the owners of the terminals if power to do so be granted.

Fifth. There is a strong outcry in some quarters for the abolishing of the Sherman Antitrust Law and the establishing of pools in railroad business. If any such measure is to be attempted it should be with deliberation and under the strictest regulations and can well be postponed until after the roads are returned.

Sixth. Federal incorporation of all railroads and Federal regulation not only of interstate commerce but that within the State has been greatly urged, but this also need hardly be made a condition of return of the railroads.

The Congress and the Nation feel that $1,250,000,000 is enough to advance in the experiment of railroad operation. The advance was necessary from causes which were possibly not the fault of railroad management, although much could have been saved for these necessary appropriations to freight service and terminals if there had not been so much lavish expenditure upon passenger service and terminals as well as in the recent wasteful process of scrapping all their old equipment and replacing it by cars which were so heavy as to require new roadbed and bridges and a maintenance which is much more costly than formerly. Men of experience in railroads have for years doubted the expediency of this wholesale change in the operation of the roads.

These changes have, however, now been made, with the aid of the General Government, and in the exigencies of the war they

have been paid for. The Government will be a lenient creditor, though it has not been a good railroad manager or economist, and it is to the advantage of the whole people that a date should be named when the roads shall go back into private hands. The date of peace is in the future, and 21 months after that peace is too far away and too uncertain. The amount that we have appropriated carries us only to December of this year. To wait even six months after that means more appropriations and fixing the time in the middle of a presidential campaign. Any untangling must be done after this Gordian knot has been cut by fixing the date at which the railroads shall be returned at the close of this calendar year, as proposed by an amendment to this bill, which ought to be adopted.

EXTENSION OF REMARKS
OF
HON. JOHN M. C. SMITH,
OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 24, 1919.

Mr. SMITH of Michigan. Mr. Speaker, under the leave granted me by the House I desire to extend my remarks by submitting for printing in the RECORD a speech delivered by Hon. J. W. FORDNEY before the Michigan Society of New York City at the Waldorf Astoria Hotel on Friday evening, February 21, 1919:

The address is as follows:

ADDRESS BY HON. JOSEPH W. FORDNEY.

I feel highly honored to be invited to speak on this occasion. I am always pleased to meet a gathering of Michigan people. I love my home State and I love her people.

The subject on which I wish to address you, "After the war legislation," permits a wide range and involves many important questions of vital interest to our people at this particular time, among the most important of which are Government finances, the railroad problem, the merchant marine, Government control over many industries, and the Army and Navy.

Generally I believe in "Government hands off of business." Government control means political interference and political pull; control, not by the great captains of industry, but by the policical office seeker—which does not spell industrial success.

When I speak of politicians I do not mean a man holding an elective office. I mean those seeking political appointment—soft snaps and good pay. On the contrary, I find men in Congress to be generally of the highest type of intelligence and character—honorable men.

Imagine a politician of the former type, selected by the President of the United States, directing the management of the United States Steel Co., or the Bethlehem Steel Co., or any other of the large and varied industries. Why, during the war the politicians failed and the President was forced to call upon experienced men to direct large affairs at a salary of $1 a year. The aircraft construction was a scandal until a practical business man was called to the helm. Ship construction lagged and bade fair to be a failure until a man of business experience was put in control.

Our merchant marine under Government control must and will prove a financial failure; it can not be otherwise, operated under existing marine laws.

The best evidence of this assertain may be proven by an examination of the recent Government control of the railroads and steamship transportation lines—a glaring and signal failure.

Government control threatens us with dangerous political machinery which would endanger the very foundation of our governmental institutions. Weak politicians would yield to the demands of socialism and anarchy, with the hope of gaining that vote. Already too much catering to those elements by office seekers has created a situation in our midst that is deplorable. The time has arrived when the strong and firm hand of the Government must be felt by the classes I. W. W. and anarchy.

The most gratifying news to the law-abiding citizens of the United States flashed over the wires for many weeks was that of recent date to the effect that 51 I. W. W.'s had arrived at Ellis Island from Seattle, Wash., for deportation. Let the good work go on, and we will soon have peace and happiness in our land. The English-speaking nations will not tolerate such unlawful organizations, and the red flag must have no place in this law-abiding Republic.

These are times when words from the wisest among us are needed; the careless word should not be spoken. More than ever before in my life I long for the power to speak words of wisdom.

The people throughout the entire world are giving more sober thought and consideration to the duties of citizenship than perhaps at any other period of the world's history. They are studying conditions in local, State, and National Government. Uppermost in their minds is the desire to better conditions throughout the world.

What can we do to better conditions? The power and the responsibility rest with the people. Their duty they should know; and knowing, they should act.

Public opinion creates free government and upholds it for good or for bad.

Public opinion, no matter how good, if indifferent, has but little force.

Public opinion, to obtain real reforms and maintain them, must not be spasmodic; it must be vigilant, vigorous, and constant—as sleepless in its activities as the enemy of justice and right is always known to be.

Execution of public affairs will generally follow public judgment. The public should select men of ability and character to public office; they are the people's servants, not dictators. They must obey the people's commands.

Lincoln, on his journey to Washington in 1861, speaking at Indianapolis, Ind., said:

> In all the trying places in which I may be placed—and doubtless I will be placed in many such—my reliance will be upon you, the people of the United States. I wish you to remember now and forever that it is your business, not mine alone.

As a public servant, did any man ever more clearly speak the truth?

Interest in public affairs, State and National, should ever be present in the minds of the people. It is their duty; it is honorable. No citizen is too great and none too humble to be exempt from such duties.

You can not hope to improve public affairs by withholding your own good offices. If you would purify our political atmosphere and political life, you must lend your own energy, virtue, intelligence, and honesty to do it.

The business men of this country have a great responsibility devolving upon them. It is no easy task at this time to keep the wheels of industry moving. Idle mills mean idle capital, and idle capital means idle men, and the poorest asset of a nation is an idle man.

In the whole world the thought that the employer is the enemy of the laborer has become too common. The agitator who would have the laborer believe his employer is his enemy is the friend of neither, but, on the contrary, is the enemy of both and deserves suppression.

One of the greatest favors that one man can extend to another is to furnish him with employment at remunerative wages that he may provide for himself and his dear ones a comfortable home.

Factories are always anxious to run. To close down means loss of money, depreciation of machinery and all property connected with the institution, followed by impoverishment to the owner, loss to the community in which the factory is located, and destitution to those who were employed. The owner is anxious to have the factory run; he wants his investment to earn him something. If he can not run at a profit, he is bound to close down.

Production means consumption. The capacity for consumption of an idle man is not so great as that of the man who is employed.

Consumption of American-made products means employment for American laboring men. The best market in the world for the products of the United States is with our own people.

Our annual sales abroad, during normal times, are less than 10 per cent of our total production. Therefore to throw down the bars and invite in the products of the cheap labor of the world, while we chase rainbows around the globe to find a dumping ground for a small percentage of our output, and at the same time neglect our best market, is, in my opinion, poor business judgment. We want a foreign market for our surplus, but we do not want it at the cost of the loss of our home market.

Think of the vast amount of capital invested in this country and the effort necessary to keep it going. Capital is entitled to fair treatment; when unfairly treated labor suffers most. When capital is idle, both capital and labor draw upon their own resources—each is unprofitable when the other is unemployed.

I am sure the people are surprised when they learn that our manufactured products exceed annually $20,000,000,000 in value

and our agricultural products $12,000,000,000—I speak of normal times and normal prices. In 1910 the wealth of this country was estimated to be $187,500,000,000, and it is estimated to be at the present time $265,000,000,000—equal to the combined wealth of Great Britain, Germany, France, and Russia.

If you will divide by 24 our population as shown by the census of 1910, you will have the population of 120 years prior to that time or that as shown by the census of 1790. If our population continues to increase at the rate it has in the last 120 years, 100 years hence we will have over 2,000,000,000 people. You may ask, Where will we put them? My answer is that we will not then have as dense population as did Belgium in 1915, prior to the war—652 persons per square mile. Our population now is about 30 people per square mile.

The matter of Government finances at present is one of much concern. Our expenditures for the past three years have been equal to our total expenditures from the establishment of the United States down to three years ago.

Our outstanding Government obligations—bonds, certificates of indebtedness, and war savings stamps—on January 1 were $21,000,000,000, and we are adding to that sum daily through our bonds authorized but not yet disposed of, of which there are over $5,000,000,000. The administration is asked for an additional authorization of $2,000,000,000 certificates of indebtedness and $7,000,000,000 noncirculatting Treasury notes, to run from one to five years. This request astounds the people.

If these bonds are disposed of our annual interest account will exceed $1,500,000,000.

The rate of interest future bonds are to bear demands the careful consideration of our wisest statesmen. To sell Government bonds now, bearing a higher rate of interest, would undoubtedly greatly depreciate the value of outstanding bonds and would be unjust to the present holders of bonds.

I believe a tax-free bond, bearing interest at 3½ per cent, would sell at par, while a taxable bond, bearing interest at 4¼ per cent, would not find ready purchasers. It appears to me it would be wise to give future purchasers the option as to a tax-free bond at a low rate of interest or a taxable bond at a higher rate. Of course, the small purchaser will choose the high-rate bonds, as holders of bonds to an amount not exceeding $5,000 are not taxed on their interest income.

There is one matter on which we are all agreed: We must not allow our credit to become tarnished.

The outflow of gold will not disturb us if the inflow is great enough. The outgo is not serious if the income exceeds it. We must preserve a balance of trade in our favor to insure an inflow of gold.

False theories can not long blind the eyes of the people in the face of cold facts.

Business experience is the best light to guide us in the future pathway of progress and prosperity.

We can not profit by quarreling over the past; we must look to the future. Whatever differences we may have had we must now agree that the situation is such as to require the highest sagacity in statesmanship. We must not permit the credit and the honesty of our Government to be questioned. We must and will provide, somehow, in some sensible way, the collection by taxation of a sum of money to meet the needs of the Government to pay our annual expenditures—that being done, we have done well.

Our Army and our Navy command our wisest counsels. I do not favor a large standing army. The expense would be very great on the taxpayers.

To demand the largest navy in the world, while in the same breath shouting for a league of nations solely for the purpose of the prevention of wars, is, in my judgment, the rankest inconsistency. It seems to me that we can not need both for the security of the Nation.

The demand for Government ownership of railroads comes from the thoughtless, the reckless, and the selfish classes of people. No effort of that kind has ever met with financial success by the people of any country in the world; on the contrary it has always proven to be a financial loss. I challenge successful contradiction.

Our freight rates per ton mile, prior to the war, were one-half those of any other nation in the world (Japan excepted), while our railroad wage scale was double that of any other nation in the world (Canada excepted), and Canada's railroad wage scale was below, and Japan's freight rates 25 per cent above ours. The taxpayers are now called upon to pay a loss for last year of over $755,000,000 for the folly of the Government of taking over the railroads, while, at the same time, they were compelled to pay extra passenger fare and extra freight to an amount exceeding that sum.

Does the wildest imagination of any reckless brain believe that one man, a director general, seated at Washington, D. C., inexperienced in railroading, no matter how competent he may be in other things, can as efficiently and economically manage the 750 railway systems in the United States as can the 750 well-trained, thoroughly experienced railroad managers who are quite familiar with all the needs of the people in their particular vicinities? I believe not.

Two million railroad employees under Government control. Oh, what a political machine! Unscrupulous politicians would try to organize, under Government ownership or Government control.

I appeal to you, gentlemen, to use your influence and exert your energy against such tendencies in our legislative bodies.

The present Congress has accomplished much in the past two years—most important matters have occupied its attention. A vast amount of war measures has been enacted, both political parties acting as one, no political lines being drawn in all war legislation. The United States Treasury has been provided with almost countless billions, the taxpayers making but little complaint. The people as a whole have come forward and purchased Government bonds with such freedom and patriotism that the like was never exhibited before by any people on earth.

In this war $180,000,000,000 of the world's wealth has been blown away. Suffering and bloodshed have been beyond comprehension, and more than 10,000,000 souls have perished. Oh, what a sacrifice and what a crime! God grant we do not lose by negotiation what we have won on the battle field.

EXTENSION OF REMARKS

OF

HON. ALLEN T. TREADWAY,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 24, 1919.

Mr. TREADWAY. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include an address delivered by my colleague the gentleman from Connecticut [Mr. TILSON] in Boston on Saturday, February 22, before the Ancient and Honorable Artillery Company of Massachusetts.

The address is as follows:

ADDRESS OF MR. TILSON.

Mr. TILSON. Mr. Toastmaster, your excellency Gov. Coolidge, and members of the Ancient and Honorable Artillery Company, every truly resourceful speaker, whether of the platform or after-dinner variety, ought to be able to connect himself either by affinity or consanguinity with the locality in which he speaks. I can only approximate it in this instance. Some 8 or 10 generations back one of my paternal ancestors lived down Cape Cod way, at a little place called Plympton. Two or three generations later my branch of the family wandered off south and, when I was born, lived in Tennessee. I started back toward Massachusetts, got as far as Connecticut, and stopped. This is as close as I can come to making a connection.

It has long been one of the ambitions of my life to attend a gala occasion of the Ancient and Honorable Artillery Company of Boston. That ambition has been whetted rather than dulled as I have observed through so many years how you have been "advertised by your loving friends," the funny papers, and the New York Sun. When I saw the country headed for prohibition and a perpetual drought decreed both by presidential order and constitutional amendment I had almost given up hope, when out of a clear sky came the invitation to be with you to-day. Imagine my appreciation. The very last chance before July 1. By reason of a four months' sojourn in Arizona—of course, the selection of the place was not voluntary; I was in the Army—I discovered that the rarest plants do not always thrive in arid soil. However, you are of hardy growth, and I hope to see you survive the drought of the coming years just as you have so staunchly withstood the flood of the years that are past.

In visiting you I confess to one surprise, and it was a pleasant one. I did not anticipate seeing a lot of immature boys, but you are an aggregation of even more mature young men than I had expected to find. It is delightful to see so fine a group of men carrying the exuberance of youth almost to middle life.

As an organization, continuous and self-perpetuating, you are older than the Nation itself. You were present at its birth, did notable service in bringing it into existence, attended it through its perilous youth, assisted manfully in bringing it through the period of adolescence, and through its entire life of almost a century and a half up to the present hour, in peace and in war, have played a worthy part in its proud history. I feel, therefore, that I can speak to you as the present embodiment of all the best traditions of your honored past. You stand buttressed by the accomplishments of the days that are gone, but with eyes straight ahead, ready, I fancy, to move forward to the attack of the serious problems just ahead of you. One of those problems is a permanent, adequate plan of national defense, that will not crush us by its own weight in peace time and yet reasonably insure us against being crushed in time of war. It is not an easy problem, but is one of the most important that must be met and solved by free peoples.

Just at present the topic uppermost in most minds is a "league of nations," although talk about it has been more or less restrained, because the teacher has stamped his pedagogic foot and said, "Silence." At the risk of being kept after school for talking out loud, I say that I am very much in favor of a league, or society, or whatever you may call it, of nations; in fact, of any sensible arrangement among nations that will cause them to pause long enough to visualize the consequences before plunging the world into the horrors of war. I say "a" league of nations, rather than "the" league of nations, for, until the President returns to interpret it, and take the padlock off our lips so that it may be discussed, we shall not know what "the" league is.

Of course, it must be understood that any league that we may enter will not and can not take away any of the attributes of our sovereignty as a Nation or confer upon any council the power to declare war for us, which by our Constitution is lodged in the Representatives of the people in Congress.

I confidently believe that some such league, possibly the very league now proposed, may become an instrument of great good. At any rate we shall be blameworthy if we do not avail ourselves of every means that will tend to lessen the danger of the recurrence of war. Instead of becoming an entangling alliance, such as Washington advised against, it should aid in preventing the necessity for such entanglement.

In spite, however, of any league that may be formed or any engagements that may be entered into, unless we would disregard the most obvious lessons of all human history, we must continue to face the problem of national defense. National defense is like individual self-defense. It is the plain duty and necessity of nations, as it is of individuals from the lowest to the highest order of creation. In the case of individuals it transforms what would otherwise be the darkest of crimes, murder, into a sacred duty. In the case of nations it makes even human slaughter righteous.

No nation is worthy the name that is not willing to defend itself against an aggressor, and no nation is wise that is not reasonably ready to defend itself. Belgium was ground under the heel of a military giant, but Belgium emerges with self-respect and the respect of the world, because she was willing to fight to the bitter end. Belgium was only partly prepared and suffered accordingly. Great Britain had neglected this primary duty as applied to her land forces, and in consequence sacrificed her so-called "contemptible army" of 160,000 men and almost lost the war.

In our country we have always been inadequately prepared. In the war just passing we have paid dearly in lives and treasure for our lack of reasonable foresight. No one will ever know how much unnecessary suffering was endured or how many unnecessary lives were lost in our first regular divisions to go overseas, and in our own Yankee division, the Twenty-sixth, and in other units, by reason of lack of preparation. I hope you will agree with me that never again in the annals of our Nation's history shall it be permitted to come to pass that our property, our lives, our liberty, and our very existence as a Nation shall be dependent upon the naval force of another nation for protection.

The fact can not be successfully denied that when we went into this war our condition was such that if the navies and merchant marine of Great Britain and France had been by the fortunes of war suddenly placed at the disposal of Germany, and the armies of those countries out of the way, Germany could have landed an army on American soil and marched it to Chicago without serious opposition. Untrained men without arms can not stand before an army properly armed and disciplined, nor can brave and well-disciplined men not adequately armed prevail against such an army. We have never had sufficient rifles, machine guns, cannon, and ammunition, nor the facilities for quickly providing them, to say nothing of the newer weapons of warfare, to repel an invasion by any power controlling the seas. I hope that never again will we lull ourselves to sleep in the false security provided by mere agreements, however binding in form, or under the protecting care of a foreign though friendly navy. Nothing short of reasonably adequate preparation to defend ourselves at all times should ever again be permitted.

Prophets and dreamers of all ages have foretold the time when war shall cease. Perhaps no passage in the entire Bible is better known than that in Isaiah, repeated in Micah, foretelling a day when men "shall beat their swords into plowshares and their spears into pruning hooks." Everybody remembers and quotes this beautiful Scripture.

Not so many recall that the Prophet Joel, whose commission as prophet is just as regular and signed by the same authority as that of Isaiah and Micah, brought in a minority report on the subject in which he says: "Prepare war. Wake up the mighty men. Beat your plowshares into swords and your pruning hooks into spears." I have never been able to understand why Isaiah's prophecy should pass at its face value, while Joel's words are scarcely remembered, unless it is because Isaiah's rank was a major of prophecy while Joel was probably only a lieutenant.

I shall leave the subject of prophecy with this one additional observation: If I remember my Bible history aright, Isaiah and Micah both lived in the time of Hezekiah, King of Judah. Their prophetic dream unfortunately became in effect the governmental policy of Judah. Captivity in Babylon was the result. Joel lived after the exile. Those who returned from the captivity were a sadder but wiser people. They were subjects of the Persian Empire and paid tribute to a foreign master. Gone was the glory of Israel; gone her name and place among the nations; gone the liberties of her people. In the light of all that had transpired, if Joel had preached the pacifist doctrine of Isaiah and Micah he would have been as popular in Judea as William Hohenzollern now is in the entente countries.

If I understand correctly the message of Joel, it should read something like this: "Fellow Israelites, you have seen what comes of having all plowshares and pruning hooks and no swords and spears. If Israel would become and remain an independent, self-reliant nation she must have more swords and spears, even if we have to go shy on agricultural implements."

You do well to celebrate the birthday of the immortal Washington. It is well for us to turn occasionally to the teachings of that staunch patriot for advice. The essence of the problem in Washington's day was much the same as it had been in the history of all preceding nations from the earliest recorded time, and his advice, so sound at the time it was given, is just as good to-day. In that remarkable document known as the Farewell Address he admonishes us to "take care always to keep ourselves by suitable establishments on a respectable defensive posture." In another connection he says, "avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it." Prophetic words! In a speech to Congress on January 8, 1790, he said:

> A free people not only ought to be armed but disciplined, and their safety and interests require that they should promote such manufactories as tend to render them independent of others for essential, especially military, supplies.

The central thought running through much of his advice is that peace is the best time to make preparations for war.

Unfortunately, we did not follow Washington's advice. No war that has occurred in our entire history has found us "in a reasonably defensive posture," and the unnecessary sacrifices in all these wars have been due to our lack of wisdom in not following his sage advice.

It is too well known that we were sadly lacking in preparation for our part in the great world conflict which, we hope, has ended. At first attention was directed almost exclusively to the question of training our man power. Under the wise provisions of the selective-service act it soon became apparent that there would be no difficulty in securing the necessary men. The training of the men was found to be a less difficult job than had been anticipated. By intensive training, three months were found to be sufficient to make creditable soldiers, and certainly six months would suffice to make excellent soldiers.

I believe that the lesson of this war, so far as man power is concerned, is that it is not wise to train only a few men as professional soldiers and leave all the remaining man power of the country entirely untrained. In my opinion the most obvious lesson to be drawn from the war as related to man power is that our entire young manhood ought to be trained in the rudiments of military discipline, and that this should be done under a system of universal military training. Such a

system will be highly beneficial physically, mentally, and morally, will teach a much-needed lesson of discipline and proper regard for authority, and tend to impress our young manhood with the proper sense of the obligations of citizenship.

The one thing that caused us the greatest trouble throughout the war was not the personnel of an army, but the matériel with which an army must fight. Our lack in this respect was a startling revelation. Few people knew how short we were of arms, ammunition, and military supplies generally until we were actually involved in the war. Scarcely anyone seemed to realize the difficulties in the way or the time required for producing these things. It was along this particular line that my principal work during the war lay.

Living in the midst of an industrial beehive, representing in Congress an industrial people, it was my duty, as it was my pleasure, to know something about production as applied to manufacturing. Being a practical student of military affairs, I applied myself long before we entered the war to a study of the problems of producing war materials. I perceived what would be our situation in case we ever became involved in war. I thought I saw the remedy and believed that it would meet the situation if vigorously applied in time of peace. I stood upon the housetop and proclaimed my message. Few heard it, and very little was done. The war came to us; we were not ready, and we have paid the price, at least we have paid in part and owe a huge balance.

I do not say it by way of criticizing anybody and do not intend to infer that anyone else could have done the job better, but the truth must be told, so that in future years we may not be misled and may not then act upon misinformation.

It is well known that we did not get a single American-made pursuit airplane to the fighting front. A few hundred De Haviland 4 day-bombing planes reached the war zone, and some of them actually went over the German lines. Our brave flyers fought in such French airplanes as we could get.

Our artillery ordnance program had scarcely begun to materialize when the war ended. We had almost none of our own heavy guns and only a few kinds of our own ammunition. We were practically without tanks, except as we procured them from our friends. Our machine gunners mostly used the French Hotchkiss and Chaucat guns, with French ammunition, until within two months of the end, and some of the divisions used them to the day of the armistice.

Our infantry carried rifles made in the United States of America, but more than half of them were the British Enfield modified and made with the tools, dies, gauges, and fixtures ordered by and made for the British Government.

In a nutshell, this is what the greatest manufacturing Nation on earth did toward military preparation during 19 months of actual war at an expense that is staggering, and will continue to stagger our children's children. This is what we were able to do to back up our brave men. No praise is too high for their heroic deeds done under the most discouraging conditions, but we should not forget the lessons their sacrifices have taught.

The fact that we played an honorable, even a decisive, part in ending victoriously the great struggle may serve to blind the unthinking or undiscriminating. I fear that we are in danger of permitting ourselves to return to the same old fool's paradise in which we have lived so long.

A man who permits himself to reason that because we went into a war unprepared and came out victorious, therefore we can safely dispense with all preparation, is on a par with that loyal Democrat whom we last heard of in 1908. He said he was going to vote for Mr. Bryan because on both the other occasions when he had voted for him the country had good times afterwards.

I appeal to you as patriotic Americans to help keep us from making the mistake of suffering a relapse. If we do, even the blood-washed stones of France will cry out against us.

I envy the man who through the next 10 years has the power and privilege of advising and directing the military program of this country. Such a man will have the opportunity to earn a place for himself in the list of those who have done useful things for his country. He must not be a rubber stamp for a narrow military caste, nor must he be susceptible to the influence of those who would throw off all military restraint and discipline. If he is able and is permitted to rise to his opportunity, he will strive to train our young manhood to be ready to do their part in maintaining and defending, with their blood if need be, the rights and institutions of their country. He will plan scientifically and on a broad scale during the years of peace to quickly mobilize and utilize, in case of need, the great industrial resources of the Nation.

With such a plan of national defense worked out in concrete and practical form, we can face the future unafraid, self-reliant, independent as the men of '76 fought that we might be. In such a posture I can see the long years stretching ahead of us filled with the happy results of a peace that is worthy of a truly great people.

The deeds of the men of 1776, of 1812, of 1861, of 1898, and of 1918 made such a peace possible. Let us not betray the trust or misuse the heritage they have left us.

A Visit to the Fronts.

EXTENSION OF REMARKS

OF

HON. JAMES H. MAYS.

OF UTAH,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 25, 1919.

Mr. MAYS. Mr. Speaker, after considering war measures for 18 months it was natural that one should want to study war conditions at close range. Personally it had been my desire to go over the scenes of conflict and observe the extent of our preparations. Therefore when Congress recessed early in August a party of Members were advised by the Secretary of War that the authorities would be pleased to have us visit the war zone at the instance and under the authority of the department.

We took personal letters from the Secretary of War to Gen. Pershing and others, from the Secretary of the Navy to Admirals Sims and Wilson, from the Secretary of State to Ambassadors Page in London, Sharp in Paris, Page in Rome, and other diplomatic representatives of the United States.

We left New York on one of the fastest ships. The vessel carried 7,000 troops, several hundred officers, over 200 professional nurses, and a crew of 1,000 men. I shall always have in mind the picture of the vast throng of troops as they danced and sang when certain that the great ship was off. These boys had chafed and fretted from long, tedious delay; they were glad at last to get at their country's business. They realized that a great, heroic task awaited them; that their brothers in arms who had gone before them needed their assistance.

As the ship with the convoy of destroyers, airplanes, and dirigible balloons swept down the harbor many thousands of people on shore and in crowded ferryboats cheered and waved good-byes, military bands played, and the boys sang, "Send the word over there, the Yanks are coming."

I had especially wanted to see the actual process of transporting our troops across such a wide expanse of water. We mingled with the soldiers and observed the marvelous spirit which prevailed. If any were reluctant to go, they did not show it.

It was interesting to observe the care exercised by the Navy Department to prevent loss by submarine attack. Great airplanes, armed with depth bombs and machine guns, searched the waters ahead; American destroyers, fully equipped with guns and depth bombs, patrolled the surface of the sea at great speed. We were told that this ship on a recent trip had encountered two submarines at daybreak, had rammed one, cutting it in two, and destroyed the other with gunfire, taking 31 prisoners.

The first day out was quiet and beautiful; the next day was stormy. It had been very hot in New York before we left, but as we approached the banks of Newfoundland and the icebergs farther north it grew very cold. We were advised that this ship took the most northerly course because of reports that submarines were in waiting.

Sunday was beautiful; services were held on board, Army chaplains discoursing to the troops.

The ship was extremely fast and no longer seemed to need any convoy protection, except its own guns, of which there were six, four forward and two aft. There was constant watch for submarines from crow's nest and towers. At dusk all hands were sent to staterooms and bunks, no lights were permitted, not even the smoking of a cigar or cigarette. Disobedience of this rule resulted in imprisonment.

On Monday in mid-ocean occurred an interesting target practice, with all six guns in action, trained upon objects thrown from the ship while vessels circled at a distance of 1,000 yards.

Tuesday the way was rough in response to a northeast gale; even some of the Congressmen violated the injunction, "Don't

waste food." Soldiers generally were seasick. The regulation drills necessary to preserve an orderly abandonment of the ship in case of accident were held, nevertheless; there were several of these each day and night. Everyone knew his place and how to get there, and it was remarkable with what speed the large body of troops, crew, and passengers were handled. Fire drills were also held; alarms were given and no one knew whether or not there was real trouble. One sick soldier on being told that the ship was on fire and he must hurry to his place, said, "Let me burn with the ship." Even the nurses, who had all sorts of antidotes for seasickness, could only muster 30 per cent strong at their meals during two stormy days and nights.

On Wednesday, however, we had a very calm and beautiful day and everything was changed. Soldier bands played, the troops and nurses sang their war songs, and officers and nurses danced on the upper decks. One member of the ship's crew told me that it was interesting to note the difference in the character of the songs sung by the nurses on this ship and those on the trip before. Then they were singing, "Nearer, My God, to Thee"; "Lead Kindly Light"; "Throw Out the Life Line." Now they sang, "If you can fight like you can love, what a soldier you will be." The ship's crew were English.

We were now approaching the European danger zone and expected soon to see the convoy of American destroyers. The captain told us that these swift, efficient vessels were the terror of the submarines and had rendered remarkable service.

My colleague and I mingled with the troops and ran onto 15 Utah boys. We asked them to come to our stateroom and we talked to them, getting the names of their folks, to whom we sent letters telling them we had seen the boys.

The ship pursued a zigzag course in order to frustrate the aim of the U-boats. Reports were received that submarines had been advised of our general course and were lurking in our pathway. These reports came to us by wireless and caused a digression in our course. An unusual alarm occurred late at night, accompanied by shooting and bursting of depth bombs. We were hoping that a submarine had been destroyed, and some reports to this effect were circulated, which we could not confirm. There was but little confusion, even in the darkened ship; everbody moved as he had been drilled.

An Army officer aboard was making his third effort to get over, his ship having been torpedoed twice upon former journeys.

Great credit is due to our Navy for its wonderful work in transporting troops abroad. In cooperation with the British fleet they were able to send the first million troops across 3,000 miles of ocean, infested with the ruthless submarine, with a loss of less than 200 men. The second million had gone forward without the loss of a single soul. This, in spite of the positive announcement of the Imperial German Government that no transport of soldiers or supplies would be permitted to land in France. Not only has this enormous number of troops been transported, but every item of supply, from socks to helmet, and every portion of the food, and all guns and ammunition have also gone forward in such quantities that no army in the world's history has been so well fed and clothed and so completely supplied.

We can get some idea of the enormous task when we know that for every soldier in France there must go forward each day 50 pounds per man of supplies; and we saw no troops that had ever missed a meal, except some of those who were so rapidly chasing the Germans that the supplies could not catch up with them in time. Everyone in Europe, including Army officers, prime ministers, and kings, marveled at these tremendous accomplishments.

Thirty hours out from port we were awakened at early morning by stewards announcing that four American destroyers were alongside; so far since the first day out we had depended upon our speed and guns.

The sight of those four well-equipped destroyers floating the Star-Spangled Banner was certainly an inspiration. We were impressed by the fact that in spite of our war activities the sea was not congested with traffic; we saw only two or three ships during the entire voyage till we reached the danger zone; we then passed a fleet of some 20 American ships carrying 60,000 men; these were accompanied all the way across by a dozen American destroyers, and through the danger zone were several hydroplanes, dirigibles, and large sausage balloons used for observation purposes. It would have been a venturesome submarine, indeed, to show even the top of a periscope under such circumstances. We passed near the spot where the *Lusitania* was sunk, and not far from the place where the *Justitia* went down.

At this point reports came that a submarine had been sighted. Several destroyers rushed forward dropping depth bombs, which blew great volumes of water high in the air. We did not know whether a submarine was destroyed, but had hopes.

Under these happy circumstances we landed at 11.15 a. m. at Southampton, England. The next day we called at the American Embassy in London to plan our program in that country, intending to spend three days studying war conditions and then going on to France. Our ambassador and military authorities, however, urged us to spend at least a week in England. We therefore concluded to visit first the soldiers' rest camps, where our boys were stationed for a few days before being taken to the front; second, the German prison camp; third, rehabilitation camps; fourth, our own fleet and the grand fleet of England, also the aviation fields and factories; fifth, Parliament and some English statesmen.

We called upon Admiral Sims in London, delivering to him the personal letters from Secretary Daniels. He made a profound impression upon our committee, and we spent a most profitable and instructive half hour with him. The admiral discussed the campaign against the submarine. He told us there were 40,000 allied craft of various kinds engaged in war work, all protected by the American and British fleets. He spoke of the fatal calamity which would promptly befall the allied cause in case of the fleets' destruction. He said that German cruisers would promptly clear the sea of all transports, destroying everything afloat, and starve the men we already had in France. The admiral gave us a summary of the American naval operations. He said that through the use of the wireless they kept track of the movements of every submarine; surprised us by saying, "We know just now how many German submarines are operating and approximately where they are." He said our destroyers were most efficient, but more should be hurried to him. He told us that Germany was winning the war when we came into it through use of the submarines and operations of its army. He said they were destroying 1,000,000 tons of shipping per month, while only 300,000 tons were being constructed. At this rate, from a total of 16,000,000 tons, it was easy to calculate the end of the war in Germany's favor. That Government was therefore holding the Hindenburg line with complacency, awaiting the starvation and finish of the allies. We had so pursued the submarine and so increased our ship production that the monthly average loss had been reduced to 200,000 tons and the monthly production increased to 500,000. He could now announce, therefore, that Germany's ruthless submarine campaign was a failure. He said, realizing this, the Germans had launched their great army upon the March and succeeding offensives, determined to win upon the land the victory so narrowly lost upon the sea; and the admiral remarked, "They came perilously near succeeding."

He advised us, by all means, to see the grand fleet and give three days to the task; also stated we should see the great aircraft factories and fields.

At the risk of being tedious I shall discuss these war activities in the proper sequence, as we inspected them.

After calling upon the ambassador and naval authorities we were, by the help of our military department, able to visit various soldier rest camps, where the troops were given a few days recreation both before and after going to the trenches. We watched them play and drill, and were impressed by their clean, healthful appearance. They all appeared to be gentlemen as well as soldiers, and have won the hearts of the cold British people.

We next visited the German prison camp. These various trips gave us interesting rides through rural England. The British are keeping the German prisoners in a series of camps of which we visited the parent camp. The officer in charge had been informed of our visit and showed us every courtesy. He had under his jurisdiction 146 camps located in various parts of the country, convenient to labor at which the prisoners were employed. They were hired out to all sorts of occupations, principally farming. Prisoners were well treated and paid for their time. They seemed to have no desire to leave, and no single prisoner from the thousands has ever escaped. It was common to see a boy of 12 or an old man bringing in from their work in the fields a group of a dozen husky prisoners. We were permitted to talk with some of the prisoners who could speak English. First, we interviewed a bright university student of 22, who had been four years an aviator; said he learned English at the university. He wore numerous medals, including the iron cross, conferred, he said, by the Emperor for bringing down 15 allied planes. He had been shot down behind the English lines; had been well treated since. He thought Germany would win in a year more; said he had read of the arrival of vast numbers of American troops; said that Germany by great industry and economy would hold out to the end; that the Rus-

sian breakdown favored Germany, but expected no more fighting on either side from the Russians; said he read the London Times and one German paper.

Another with whom we talked was a young man of 18, who had volunteered at 14; was wounded in battle and captured; had been a machine-gun operator covering advances and retreats of armies till killed or captured; was able to kill many allies before surrendering and felt proud of the fact; had no complaint except the lack of football field at the camp.

Another had been a student of dentistry when war began; was captured at the great British drive at Cambrai; was giving his services to fellow prisoners; had no complaints.

We talked to others with the same general results. The interpreter told us the late prisoners were not so sure of victory as those captured earlier in the war, generally believing now that it would be peace by compromise agreement. They said it was absurd to think that Germany could be made to pay damages, but might be persuaded to waive claim for indemnities of allies. Many thought, however, that America would be made to pay very heavily.

We devoted odd times between these trips visiting parts of historic England, such as Parliament, Tower of London, Westminster Abbey, and the like; but of these things I will not have time to speak, as we must be confined to war activities and conditions.

On Monday we visited the rehabilitation hospitals and camps. They have these for the blind and others for those crippled. Their work is most wonderful in its results. Blind soldiers are taught useful, profitable employment. It was a great surprise to see soldiers with a leg gone walking, running, and working so naturally that you could hardly observe their crippled condition. With artificial hands they were doing many useful things. One young man wrote his name and address for me with his artificial hand with a better style than I can employ, which is not saying much for his penmanship.

Our Government has enacted legislation providing for the best of such training, and I was especially interested in this activity.

Monday we left, at 10.15 p. m., for north of Scotland for a visit to the grand fleet. We were met at the boat by the admiral's yacht and taken to the flagship of our own squadron. Our warships were lined up with the British fleet in battle array under Admiral Rodman. We inspected our flagship, then went onto the flagship of the English fleet, then traversed the entire line of battle, which was the most imposing spectacle of sea power ever assembled in the world's history. It would be impossible to overstate the significance of the naval supremacy in this world war. We asked the admirals of both fleets if a battle were expected; were told that there were as yet no military reasons for such a battle, but at any time there might develop dynastic reasons, and they believed before the Hohenzollern family gave up their hold on the German people a great naval battle would have to be fought. Every officer and man stood on his toes hoping for a battle. Some 30 days before the German fleet had ventured far out on the North Sea and the British and American fleets were at once after them; so sure were they that the Germans were caught that congratulations were passed from ship to ship that the day had at last arrived. However, through fog and smoke the Germans retreated behind the guns of Heliogoland and into the Kiel Canal.

In returning, the battle line of the two fleets, with ships 500 yards apart, extended over a distance of 76 miles, with 240 fighting craft in line. We saw the ships wounded in the great battle off the Jutlands; the crew were saving the armor-piercing shells which came through the ships as relics.

On this trip we saw many other things of interest, but this statement must be confined to matters of military interest.

Our inspection of England's activities was over, except to visit the great aviation fields and factories. We saw aerodromes where machines were being manufactured and tried out, of all sizes and types from the pursuit machine, the combat plane, to the great bombing machines of the Handley-Paige type. Each member of our party was first given a ride over the country and some 8,000 feet over London in a combat plane equipped with a Liberty motor and then taken along for a ride in the Handley-Paige. The specific dimensions of these colossal planes were kept secret from the enemy, but, unfortunately, one of them was brought down within the German lines. These machines weigh when loaded 32,000 pounds—16 tons—carrying one-half that weight of 8 tons of net load, including 6,000 pounds of explosives, and can travel with such load with full equipment for 1,500 miles without a stop, at the rate of 125 miles per hour. The wings extend with a sweep of 130 feet. Each machine is equipped with four 390-horsepower Liberty motors, making an aggregate horsepower for each machine of over 1,500. Rather heavy artillery is carried both in front and rear. These planes, Handley-Paige himself told us, will be able to bomb Berlin and return and even to cross the Atlantic within a very few months.

It was an indescribable sensation to fly so high over the city. We all voted the day the most unique of our experience so far, though we were to have even more exciting and thrilling experiences on the battle fronts.

We were now most anxious to get to France. I was personally especially anxious, as two of my boys, and possibly three, were over there somewhere.

We landed at Paris Saturday, the 24th. I went to military headquarters and ascertained the location of one of my boys and spent Sunday with him; he had been in France over a year and was able to secure leave to accompany our party on the trip to the various fronts as a sort of guide and interpreter.

On Monday, the 26th, we visited Gen. Pershing's headquarters. We carried a letter to him from the Secretary of War. We learned of our organization and systems of supply. We took dinner at the general's chateau, kindly furnished him by a wealthy Frenchman, and heard many interesting stories of the conflict.

The next day we visited schools for various activities, including the gas school, the development of gas masks, rifle shooting, machine-gun practice, and the like. Many experts in the allied armies told us that our superiority in rifle shooting was a wonderfully important factor in our recent victories, such as Chateau-Thierry.

An interesting thing to see were the pigeon farms. At one of these they produced 10,000 pigeons per month, all of which were used to carry messages from the front lines to the headquarters in the rear.

We visited great supply bases, saw the immenseness of the tasks accomplished, saw whole trains speeding on railroads we had built, carrying supplies from the ports of entry to the front; saw thousands of motor trucks from America in full speed, carrying troops in preparation for the great St. Mihiel drive. We saw guns of the very largest type en route for positions from which they could bombard the German defenses at Metz; saw miles of warehouses, hundreds of miles of railroad yards, great docks at the ports of entry, all of which had been constructed by us. We saw one factory now constructing six locomotives per day of the larger type and placing them in operation; inspected one great bakery nearing completion with a capacity of 900,000 pounds of bread per day, feeding from this one bakery 800,000 men three times per day. We observed that the construction work at this bakery was being done largely by German prisoners captured at Chateau-Thierry. We were told that these prisoners were almost famished when brought in, carrying in many cases only a little parched corn for food. At this bakery they were using wheat flour, 60 per cent hard and 40 per cent soft, with no substitutes.

Friday, the 30th, will always be remembered by us as a red-letter day, as it was our first visit to the fighting fronts. While other members of the party completed the inspection of supply bases my son and I went with an American officer to the Chateau-Thierry front. We traversed the front for 50 miles from the extreme point of contact when our troops were thrown into the breach to the present lines of battle. It will be remembered that after three years of comparative deadlock on the western front the Germans began the great drive which pushed the British Army out of their defenses and back toward Amiens for a distance of over 30 miles along a 60-mile front. The success of this effort was a great surprise and had a decidedly discouraging effect upon the allied morale. Another such a drive and the great British Army would be destroyed and driven into the sea, and the channel ports would fall into German hands. It was a supreme effort to crush the armies of England and France before America's strength could be applied. In one respect it was a confession of the failure of the submarine campaign. The drive stopped only 8 miles out of the important junction city of Amiens, which was the objective. The Germans proceeded to bring up guns and supplies for another drive, in the meantime massing vast numbers of troops and materials for the drive against Paris. This drive in May was also astoundingly successful, pushing forward some 30 miles in a salient extending from Rheims to Soissons, along a circular front of 100 miles, the point of which reached the town of Chateau-Thierry when stopped by American marines. It was evident that a similar advance in this region would put the Germans at the gates of Paris and permit its total destruction. The citizens left by the million, and the heroic French Army was badly demoralized. The immense stores and great guns were brought up in preparation for another such advance. We saw the emplacements of these enormous guns, most generally

located in forests. They had been bombarding the city at a distance of 75 miles; even stronger guns were now being placed at one-half that distance from the capital city. After such elaborate preparations and with great confidence the Germans renewed the drive upon Paris on the 15th of July and tore their way through the French front. The left wing of the German Army crossed the Marne at Dormans and continued to advance until the American troops were encountered. The center was endeavoring to cross at Chateau-Thierry; the left wing extended far to the northwest through the Belleau Woods and was rapidly advancing. A breach of several miles in the French lines occurred. At this juncture the Second Division, including the famous marines, were thrown into the breach, and the heroic manner in which they performed was the wonder of the campaign. They declined to retreat, although advised by French officers to do so; instead they met the Prussian Guards in the open, as they advanced with bands playing, in regular column formation, goose stepping toward the city.

An officer who was through the battle showed us the point of first contact. It was a wheat field, without trenches or defenses; the whole countryside from that point extending along a front of 100 miles is lined with German graves. We were told that the Americans drove the left wing of the Germans back over the Marne, with a loss of over 50,000 men. We had in this fight five divisions—something over 125,000 men. The famous Prussian Guards gave way; following this French and Americans attacked the sides of the salient, and the Germans have been gradually retreating ever since, leaving the vast accumulated stores of guns and ammunition and their unburied dead. We went through Belleau Woods, where the marines and other divisions fought for three weeks hand to hand with bayonets. Artillery, and especially machine guns, were used with great effect against our soldiers, and our losses were very heavy. The timber is shattered and splintered. When you go through the remains of these great forests the wonder is that a human being could survive. German bodies were still there unburied, thousands had been cared for by our own soldiers, and they were being buried as fast as possible. A marker indicated their nationality. Guns, helmets, ammunition, shells, hand grenades, and every description of equipment were still strewn all about the woods and fields. When a soldier is wounded he immediately drops everything, with an effort to stop the blood and save his life. We each picked up a German gun with bayonet attached; some of these latter weapons are interesting, showing the barbarism of the German Army. They are provided with saw-tooth edges that will rend and tear the flesh beyond repair. Still they were protesting against the cruelty of our troops in charging machine-gun nests, the statement being made that our men do not wait to take the operators of these guns prisoners. Reason for so doing.

We saw many machine-gun nests, and there was generally a group of German graves around them. One of these guns will shoot 500 shots per minute, and are fearfully effective. They use these guns largely to cover retreats of main bodies.

We followed this devastated country through towns and cities absolutely demolished and leveled by gunfire till we came up with our advance posts, who were still pursuing the gradually retreating Germans. It was pathetic to see the refugees returning to their houses. We would observe them viewing the ruins with tears in their eyes and a most pathetically discouraged expression on their faces. In this advance we first came to the greater guns bombarding the German lines, and then to the light artillery, and next to the men in line, waiting orders to charge after the artillery had paved the way. It was interesting to see the airplanes busy directing the fire of guns. The air on this front seemed to be in our control, although we would see an occasional German plane boldly flying over the field. We talked with our artillerymen and were surprised to see them so cool under fire. Shells were bursting from German guns at various distances away. We observed that at regular intervals of four times per minute a shell was bursting in the road 200 yards from the batteries, who were laughing at the poor markmanship. A large limb had been knocked off the tree under which we stood, but they said it must have been a stray shot. An American truck bringing up shells had to pass in the road being so regularly shelled. We watched the driver turn out, drive around the danger area, and deliver his load with perfect composure.

The spirit of our soldiers is the wonder of all the allies. They inspired every allied army with confident determination. The results are apparent all along the line, and the Americans are given the full credit. It was amusing to see the artillerymen insisting on having wound stripes painted on two of their big guns struck by German shells.

Returning from this front, we visited the grave of ex-President Roosevelt's son Quentin. He had fallen inside German lines in a fight with several airplanes, shot through the head by machine-gun fire. They had buried him and marked his grave with a German inscription and placed an inclosure of birch wood.

We visited many towns along this front, including the city of Cheirry, then being gassed by Germans, and were required to wear gas masks. We were advised to hurry along, which we did. Also a number of towns more recently evacuated by the Germans, including that of Vesle, where Ludendorf established his headquarters for the final drive upon Paris. He was quartered in a great circular rock tower; his headquarters had been hit several times with shells, but remained standing. Evidently Ludendorf had left rather suddenly, as many important papers still remained in his headquarters. These disclosed his plans for a grand entry into Paris; special divisions had been set apart to lead the way.

The Germans had evidently intended to stay permanently in these towns, as they had renamed and renumbered the streets. We observed that one important public square in a larger place was renamed "Kaiser's Square." As they left the cities they destroyed them. Arrangements were about concluded to serve official notice upon Germany that city for city would be destroyed when German territory was reached unless such useless destruction immediately ceased.

We joined other members of our party and took the train for Rome in order to visit the Italian front, while necessary arrangements were being made to visit the Belgian, British, and French fronts after our return from Italy.

En route to Rome we stopped at several points and heard reports from Red Cross workers as to labors performed. At Tourraine Maj. Taylor, in charge of Red Cross work in northern Italy, told us of the homeless children his organization is looking after—some 2,000 lost from parents in the great offensive last October. In this way we spent two days on the way to Rome, finally arriving on September 4. We were met by representatives of our embassy, and arrangements had been made for a visit to the government and military authorities. All were agreeably surprised at Rome. We expected to see a very ancient place, with narrow, crooked streets and tumbled-down ruins; instead we saw a very modern city. You needed a guide to see any ruins. Of course we saw the Forum, Coliseum, the bridge on which stood Horatius, the Tiber, where Cæsar and Cassius had their swimming contests; the seven hills from which Rome ruled the world; the Apian Way, and other places of interest too tedious to mention, including the Great St. Peter's Cathedral.

We were invited to dinner at the ancient home of Augustus Cæsar, though none of Cæsar's immediate family seemed to be there to welcome us. We were shown where Cæsar and Pompeii played when boys, before they engaged in more serious affairs. We were shown the spot where Christ met St. Paul when the latter was leaving the city and told him to return to his work, and the place where St. Paul was slain and is now buried; were told an interesting story regarding the later life of Pontius Pilate, which story had recently appeared in a historical volume.

We called and paid our respects to Secretary of Foreign Affairs Sonino, one of the great statesmen of his day, and Prime Minister Orlando; both impressed us as men of very great ability; both spoke to us of the great inspiration and material aid America is furnishing in the mighty conflict. The prime minister in his speech emphasized, first, the great advantage of application of the American business principles to the war work and dwelt upon the amazing things accomplished in such an incredibly short time; second, the great moral inspiration to the Italians to have the Americans decide that the allies' cause was just after such mature, disinterested deliberation; and, third, the impressive fact that America wants no selfish gain, but is actuated by love of liberty and righteousness.

We took luncheon at a magnificent castle on one of the seven hills commanding a view of the city. Col. Perkins, a wealthy citizen of New York, is maintaining the home at his own expense as general Red Cross headquarters in Italy. Great work is being accomplished by this organization in giving relief to a stricken people. All Italian officers expressed unanimous appreciation of the unselfish and efficient service.

In the afternoon we attended a special session of the Parliament; speeches were made. We were shown the new chamber which is to be dedicated when news of victorious peace is received.

The morning of the 6th we arrived at the headquarters of the Italian armies and at once went to the front on the Piave River, visiting "the Montello" and other scenes of the great offensive

in June, which resulted in such disaster to the Austrians. The Italians knew the very hour it was to begin and were ready for it. Italian machine-gun corps were called upon to cover the Austrians' approach. It meant certain death, but the machines poured an incessant fire into the advancing hosts, thinning their ranks until the operators were killed. Then the countercharge came which threw the Austrians back upon the river, which had risen during the battle to a torrent. They were much delayed in recrossing; they could not advance, and 230,000 Austrians were lost. We approached the Austrian lines and heard the shots going over our heads. The Italians gave each of us as a souvenir a shell we had seen fired into the Austrian trenches. Our officer guides were noticeably nervous for fear some accident might befall us, which would delay our arrival at the King's headquarters, as he had commanded us to dinner with him at 7.30 sharp. Any delay would have been considered a tragedy.

It was rather an interesting event. The King talked to us with reference to our visit to the front; told us he was very much pleased to have us make a thorough inspection. Upon being told that it was interesting to hear the great shells bursting, he remarked that it was so unless some one is hurt. He commented upon the excellent marksmanship of the Americans and said if they had 25 or 30 divisions of our troops in addition to his troops he would be able to go to Vienna. He desired that we should recommend the shipment of such troops to Italy. He explained why his soldiers were not such good shots as ours, saying there were no bears left in Italy at which to shoot; he apparently thought every American was a professional bear hunter. (Catching Fritz in bear traps.) One of the members thought it was important to take details of conversation, the menu, and so forth. I observed there was no milk, butter, or sugar upon the King's table. He explained they had no milk even for the babies, saying it was necessary to kill all the cows to furnish meat for the soldiers. He hoped we would examine the front carefully, and especially go to the Alps region, including Montegrappa, to see actual mountain fighting. We informed him we started for those regions the next morning. He mentioned, modestly, some of the distinguished actions of Italian soldiers, referring especially to the work of Rittza, who had recently sunk three Austrian dreadnaughts with an ordinary motor boat armed with torpedoes; and the work of Maj. D'Annunzio, who had just returned from a trip to Vienna by airplane distributing literature, including one of President Wilson's speeches.

The King remains at the front with his soldiers, by whom he seems to be very much beloved.

I wish I could adequately describe the trip to the Alps and the character of the military operations there. Montegrappa is in many respects the most wonderful thing we saw. The engineering skill in constructing mountain roads and defenses was evident upon every hand. We drove by a circular winding route to the very tops of the mountains. At a rest station halfway up we had refreshments and witnessed a spectacular battle in the air at an elevation of over 15,000 feet. We were shown the intricate tunnel system through the top of the mountain, designed for defense and attack; were led through 4 miles of tunnel through solid rock, branches of which came to the surface occasionally, looking down upon the Austrian lines. We could easily see the busy Austrians preparing their trenches and manning their guns. Shells were constantly bursting, but luckily not in our immediate vicinity. From the portals of these tunnels great guns were pointed at the Austrians and more were being installed. Aerial tramways, similar to our own in the mining districts, were bringing up ammunition and taking back the wounded.

As we returned to headquarters an Italian officer met us, saying Gen. Diaz wanted to see us at his camp. The general spoke at some length in Italian, which, being interpreted, informed us of his great pleasure in seeing us at the Italian front; spoke of the difficulties Italy had encountered, and how very greatly she had been aided and encouraged by America. He voiced the determination of the Italian Army and people to carry the war through to final and absolute victory. He emphasized the necessity of having some of our troops to assist and encourage his own. This, he said, would enable Italy to make a successful drive against the Austrians; said Austria had a preponderance of troops and advantage in position. The general said he had profound respect for the Americans and for our President, regarding the President as the leading and most powerful citizen in the world. This sentiment was voiced by men of every country we visited. The general had just that day returned from a conference with allied generals in Paris, and had learned of the great valor of our soldiers.

We were most favorably impressed with the general, as we had been with the Italian statesmen and soldiers. We have some troops in Italy training for active work at the front. These since took part in the final assault upon the Austrians.

The most cordial relations obtain between all men and officers. They jokingly introduced to us an American aviator named Wanger as the great "Austrian ace," because he had wrecked five Italian planes in training.

After visiting the mountain front we went to Venice. In these trips through various parts of Italy to and from the fronts we were impressed by the beauty and fertility of the country. Women were doing the farm work, as they were all over Europe generally. Young girls were placing barb-wire entanglement along the roads to hinder invasion. The crops were abundant for the harvest.

Papers were found, after the great victory in June, issued by the Germans, giving instructions from headquarters as to the details of pillaging crops these women had worked so hard to produce, evidence that the Germans are "gallant supermen"; that they should wait until the women had finished the crops before robbing them.

We found beautiful Venice largely deserted. The royal yacht met us at the depot for the trip down the grand canal and the city officials tendered us a welcome to their city. They showed us over the town in yachts and gondolas, pointing to the results of Austrian air raids. No guns had yet been trained on Venice, the air raids being frequent and serious, so much so that 120,000 of its people had fled and many had been killed and drowned during the panic following the raids.

We visited war activities along the lower Piave; saw the Italian fleet in control of the Adriatic, and the great aerodromes furnishing battle planes which control the air. The work of Italian aviators has been remarkable. We saw many evidences of their skill in driving away the Austrian planes.

A Capt. Leo had just returned from a flight along the Austrian lines on the lower Piave, taking a complete series of photographs, and was now arranging them in proper sequence. He was under constant fire by antiaircraft, his machine being hit 47 times and his mechanic badly wounded. By use of magnifying glasses details of the entire defenses could be disclosed.

On the 10th of September we had finished the Italian front and were en route to Paris. We met a partial shipload of the "irredenta," Italian soldiers belonging to the unredeemed portions of Italy, long in control of Austria, who had escaped from the Austrian Army and gone around the world, returning via America, enlisting there to fight the Austrians. We were impressed with the fact that it would be a very difficult thing to conquer men with such a spirit.

In every way our visit to Italy had been pleasant and instructive. Our committee was profoundly impressed with the Italian people and soldiers; it was our opinion that America and Italy are destined to benefit mutually by closer associations.

Early on the morning of the 11th we were again in Paris, ready to go to the Belgian-British fronts. Calling upon Ambassador Sharp, we were told that it would be especially desirable for us to call upon the King of Belgium, because another delegation of Congressmen had arranged an appointment and failed to appear. The King, although he had no chewing tobacco, was proud of his dignity, and had made some complaint to Washington of the disrespect shown him, and the ambassador had heard from the incident. We were unanimous in our decision to lend ourselves toward smoothing out this international tangle.

After calling upon French Premier Clemenceau and attending a session of Parliament, in which services in commemoration of the lives of certain members recently killed in battle were being held, we were ready for another battle front.

It might be said that the premier, though approaching 80, impressed us as being a man of great vigor of body and intellect. He expressed his appreciation of America's decisive assistance and of France's determination, and told us that we would hear great news from the American front within a day or so. We had heard persistent rumors of a great American drive, and hoped that we could stay until it occurred, but this was the first official information.

During the morning of the 12th the Belgian embassy arranged for our visit, and we arrived at Calais next morning. We were met by a commandant with the rank of major in the Belgian Army and driven to the army headquarters. We met the generals in charge of Belgian forces and were welcomed to the Belgian front. We examined their great aviation fields, noting developments in aerial photography and expert machine-gun fighting. Here we met an American officer, who is chief of an American military mission in Belgium, Capt. W. P. Cresson, who, in company with Belgian officers, would show us the front.

We imagined we had seen desolation along American and French fronts, but in comparison with Belgian cities, forests, and countryside, we had not. We visited towns and cities where not a wall of a building remained intact; stately and valuable

forests with not a tree remaining alive as far as the eye could reach. We were later to see similar desolation in France, but so far we had beheld nothing comparable with the tragic spectacle of German depredation against the Belgians, against whom they could have no grievance. As you viewed once prosperous towns and cities wantonly laid waste without military reason a great wrath against the barbarians who wrought such ruin surged through your heart and soul and strengthened your determination to continue the war till full and complete justice shall be done.

We did not undertake to make note of the towns and cities we visited; they presented a monotonous sameness of appearance; each had a church, which was evidently the center of attack. I remember at Furnes, a once prosperous town of 7,000, now almost completely destroyed, without even a military excuse, we were examining the ruins when we saw a little, curly-haired Belgian girl of about 7 years peek curiously out of her home through shell holes. We found a little family of a mother and three children still staying in their wrecked home, in spite of the fact that shells were still falling and bursting about them. We asked why they remained, and were answered that they would leave when a place could be secured for them. We observed that both Belgian and French people are extremely loth to leave their homes. It is often all they have, and they are naturally more strongly attached than we are in America. The wanton destruction of the homes of such is one of the most tragical things of all the war.

We proceeded to the trenches under as much cover as possible, as we were under observation from German airplanes. Along this front the air seemed to be in decided dispute; anti-aircraft were busy as well as heavy artillery; shells were moaning over our heads like the wail of lost spirits, and for the first time it began to occur to us that we were doing an extremely foolhardy thing. Still we wanted to see the front-line trenches and how the men were faring there. While we got behind cover when shells were coming and machine guns were busy from airplanes, we worked our way through the devious system of trenches to the front. The country of Flanders has been inundated by lifting great gates at high tide and through diversion of water from canals; while this added to the defensive strength of the country, it makes life in the muddy trenches rather disagreeable and also renders aggressive action against the enemy very difficult.

We followed the front through Belgium, visiting many points of interest, including the city of Ypres, once a flourishing community of 17,000, now totally destroyed. Some of the hardest fighting of the war has occurred here. The Germans were not able in all their drives to take this city from the British. Many hundreds of thousands of men were slain here and new overcrowded cemeteries appear along the roadside. The city and roads were still being shelled. Some British soldiers stopped me and asked the news. I told them of that day's work by the Americans at St. Mihiel, and their faces brightened through the powder smoke, and with grim smiles they said, "Hurrah for the Yanks."

We observed that the square where we stood had been renamed by the Tommies as "Suicide Corner" and we moved along. On the road to Ypres a bursting shell threw fragments against our automobile, and another, lighting in the water, splashed muddy water against the windows. This was the most warlike of our experiences so far.

We saw Mount Kemmel, learning that it had recently been taken from the Germans by a Tennessee division brigaded with the British.

The next day we worked into the very front line at Dixmude. The town was still held by the Germans, the front lines facing each other along the Yser Canal. These trenches are constructed to about the depth of an average man's length, built in zigzag style to prevent their being enfiladed lengthwise by gunfire. Occasionally we would go through tunnels; everywhere we encountered mud and water. The soldiers were in little "fox holes" dug into the side of trenches and would peer out at us as we passed, each grasping his rifle ready to repel the Germans or go over the top after him when so commanded. We followed the front-line trench for a half mile or more, only 25 yards from the Germans just across the canal. We were constantly warned to keep our heads down for fear of sharpshooters and hand grenades and only ventured to inspect the Germans through the periscope. From what we saw of them we were not impressed with their beauty. Returning to headquarters we were driven to towns nearer the coast more recently destroyed by shell fire. Nieuport, one of these places, formerly having 10,000 people, now not a civilian remains. The Germans were shooting directly over the town at some Belgian batteries playing upon their lines. The large shells go through the air singing a most doleful tune, which, I imagine, would grow very monotonous after the novelty wears away.

At 5.30 we called upon the King, who spoke in slow, deliberate English of the debt of everlasting gratitude Belgium felt, always would feel, toward the great Republic. He knew that whatever might come we were the sincere friends of the Belgian people. He mentioned the relief we furnished in their distress; also the great and efficient army we had put into the field; said the accomplishment had no parallel in history. Referred to the great victory of the day before at St. Mihiel. Told us that he had been to America when a lad, and said that he would enjoy another trip when his people had been restored to their homes and happiness.

The next day we followed the desolated area, partly by machine and partly by train, along the front through Amiens to Paris. The city of Amiens was the largest of those we had visited which had been destroyed. It might be considered a total wreck; possibly one house out of ten had escaped, which was rather a large average. We had seen the type of guns which destroyed this city; in fact, the very gun which was chiefly responsible for its destruction had been captured by the British when the Germans retreated, and we examined the same. They were trying to remove the immense gun mounted on trucks, attended by a train of cars carrying officers and ammunition, when a British aviator bombarded the track, stopping the retreat, and the cavalry then captured the huge cannon and took it to Paris for the people to see.

Along the British front it was evident that the Germans were overpowered in the air. We would occasionally see a squadron of German planes approaching, but invariably they were driven away by the British; they would not risk an encounter at close range.

They told us the Liberty motor was the strongest, swiftest, and most reliable of all, and only wished for plenty of them.

We arrived at Paris on a bright moonlight night, and my son remarked that "we would probably have a German air raid tonight." We needed a good night's sleep and had to leave at 6.30 a. m. for further and final examination of the French front; therefore hoped there would be no disturbance, but at 1.30 a. m. the air bombardment began. It was certainly a noisy occasion; high-power shells bursting, sirens screaming a warning and antiaircraft bombing away. The fragments of shells killed many people, including some prominent men, but mostly women and children who had no way to escape. The airplanes had come in great squadrons from German lines down the Marne River, and went back and forth over the city dropping bombs. Fortunately two of these planes were brought down by the antiaircraft fire. Another bombing expedition had passed over us in Belgium, and alarms had been given, but they were on the way to Dunkirk, which they bombed, kindly allowing our town to escape.

At 6.30 a. m. next morning we were up and off for the final visit to the French front, taking a train for Epernay, one of the objectives of the last great German drive. In this city we went over a plateau to Rheims, a once beautiful city of 150,000 people, now totally destroyed by shell fire. En route we called upon the French major general in charge of the French armies in that sector, who told us that some 6,000 gas shells had been fired into the city during the night and morning, but he thought we could hurry through and overlook the German lines and get away without trouble, if we were lucky. The general said it was not warfare to needlessly destroy cities when compelled to leave them as the Germans were doing, but pure vandalism, for which they should be made to pay. He said: "We regard these ancient works of art, such as that beautiful cathedral, as belonging to the world, and not to France alone; they can never be replaced." We pointed to a beautiful new church just destroyed; the officer replied: "That does not matter, we can rebuild the new, but never the ancient."

At Rheims we worked our way through circular concrete passageways far beneath the earth's surface to an observation point where the German activities could be seen; they were shelling the city, and it appeared foolhardy to linger. At this point we examined a champagne cellar containing 18,000,000 bottles of the liquid joy, evidently one of the objectives of the Germany army, but defended by the French with great vigor.

Returning to Epernay at night, we planned to get an early start for the trip along the front to Fismes, Soissons, and along the general course of the late allied advances in this sector. Thousands of American troops were being pushed through in the early morning on motor trucks for a drive to be made to the northwest of Verdun. One major told us he had several million dollars' worth of immense guns on the way to the front, which he invited us to inspect. We saw them cleverly hidden from view in the daytime and being moved forward at night.

Very shortly we heard of the great advance which tore immense gaps in the famous Hindenburg line. We traversed the battle field from Epernay through the various towns destroyed; past Dormans, where the Germans effected a crossing of the Marne, only to be driven back with great loss by the Americans. Remnants of several of the pontoon bridges on which the Germans had crossed were in evidence, and the graves of Germans everywhere dotted the landscape. Outside of Fismes we were informed the Germans were actively shelling the city, having recently withdrawn to the highland across the Vesle River; they evidently feared that some home might remain standing. We took a circuitous route, and from a high position watched the shells bursting within the city. A large observation balloon was seen going up near our position, and Capt. Joubert, in charge of our party, said we would probably see a boche airplane after it presently and should get under cover, as the fragments of shells from machine guns or machine-gun bullets might do some damage to perfectly good helmets.

Sure enough, in a little while a German airplane appeared and the antiaircraft guns proceeded to practice on it. The two observers in the balloon could apparently leave in parachutes, but fortunately the plane was brought down.

We had our luncheon with us, but went into a camp of the Fourteenth United States Engineers and used their tables and chairs. Through all of this country thousands of German and American rifles and other details of soldiers' equipment strew the ground. These Engineers were engaged at the time in salvaging the material. One lieutenant told me that he and his crew of eight had gathered over $10,000 worth that morning. We observed that the French captain with us would always salute as a private salutes his superior every time we passed a graveyard.

As we proceeded south we noticed that companies were collecting and reburying the American dead and, so far as possible, marking and identifying their graves.

The French officer expressed the sentiment to us that any compromise would be false to these heroic dead whose bodies were mingling with the soil they fought to free forever from the tread of a barbarian's foot. With this sentiment and the resolution following it we thoroughly agreed. It must have been that Lincoln was inspired by that same impulse when he said at Gettysburg that "we here highly resolve that these dead shall not have died in vain," meaning, I believe, that the living are under the most solemn obligation to the dead; that the victory which they died to achieve shall be complete and lasting.

We finished the fronts and took the train at Chateau-Thierry to Paris, returning to leave for home, and the boy left for his post of duty. Another son who was in the aviation camp Pauillac was disappointed at not being able to see us. I sent his commander a telegram asking for two days' leave for him, if not inconsistent with the public service, in order that the boy might visit a day with us. He granted five days, and the lad met us at the port of entry. Together we visited the great rest camps at Brest where our soldiers have a few days after the sea voyage.

One of these camps was being made ready for use of 150,000 men. Our Army was constructing a city water system for Brest, in order to supply our soldiers' needs. We called on Admiral Wilson, who explained naval operations to us; and visited that portion of our fleet in those waters, kindly given the use of Admiral Wilson's yacht for the purpose. We inspected the beautiful ship *Mount Vernon*, recently torpedoed 250 miles offshore, en route home with several hundred sick and wounded. The Germans seem to take delight in torturing those already distressed. A hole 10 by 14 feet, with branches running in every direction, was torn through the solid steel plate with such force that the keel of the ship was broken. Thirty-six out of 43 men in the boiler room, where the torpedo struck, were killed; by a miracle seven escaped; one of these was blown by the force of the explosion through an air chute for 30 feet. By cutting through the steel chute he was rescued before the water reached him. He was badly burned, but recovered.

Senator LEWIS, of Illinois, and Mr. SCHALL, the blind Congressman, and wife, were on board this ship and assisted in comforting the shell-shock victims, who were much disturbed by the noise and confusion.

The captain prizes very highly an eloquent word of commendation of his conduct written in his record book by the Congressman's wife. He, in spite of the apparently fatal injury, had managed to escape another shot and get back to harbor. His great ship will soon be mended and returned to the service of transporting troops. He believed the destroyers paralyzed the submarines by use of depth bombs.

We witnessed the approach of a fleet of nine large troop ships bringing 45,000 men. We were to embark for home upon one of these ships, and therefore went aboard before the troops disembarked. It was interesting to mingle with the troops and note their eagerness for the latest news from the front. Several Utah boys were aboard, among them two high-school chums of my son. We had a nice visit in our stateroom. We told them the news and conditions at the front and that the Germans were breaking the speed limits before our advance. Their eyes glowed as they said, "We must have a hand in helping to finish this business." Leland, the boy, left with the last lighter load of troops, and we pulled away toward the west in a fleet of seven ships and an equal number of destroyers.

We had an occasional report of submarines sighted, and a few times depth bombs and guns were fired, but with no definite results. It would add immensely to this story to relate the destruction of one or more of these dreaded monsters, but the narrative would be of no interest if untruthful, if, indeed, of any interest at all.

We were convoyed for a couple of days through the danger zone, so called, and then the much-loved destroyers drew away to the northwest to meet an incoming fleet loaded with soldiers, while our ships were carrying only wounded back to their homes.

Many rumors came and went; one was that two German cruisers were at large on the high seas trying to sell themselves as dearly as possible.

A fleet of troopships passed us to the north, accompanied by a battleship and a battle cruiser, giving some strength to this rumor. We were ordered to sleep with clothes on and life preserver at hand, and were called several times each day, beginning at early dawn, to our posts for sudden abandonment of the ship. We watched each day with interest the daily wireless from the front, giving details of our great advance with the result and capture of many thousand prisoners. We were favored with one real storm at sea. There was consolation during the progress of this hurricane in the thought that a submarine lurking in our path would not get us if the storm king was to claim us for his own.

The last day after the storm the sun shone and the sea was beautiful and the news that Bulgaria cried "enough," and Turkey was asking for terms, and German soldiers to the number of 248,000 had recently surrendered, brought a degree of enthusiasm and confidence to those aboard.

Twelve days of circling and zigzagging brought us to the sky line of old New York, and five hours more to our work in Washington, thus ending our most strenuous and valuable experience.

The personal observations of war at close range deepened and intensified our prejudice. We had ventured to the battle fronts to gain a fleeting glance of the actual conflict. We had visited hospitals where the wounded, the blinded, the permanently crippled had just awakened to their condition. We had noted the remorse upon the faces of men; we had seen the pathetic expression of the blinded, vainly pleading to see again the beauties of the world.

We learned that in this war, waged with relentless fury for 50 months, there had been destroyed 1,500 towns, 450,000 houses, leaving millions of people "without roof against the rain and snow." We learned the cost to be $196,000,000,000, and, further, that the material damages had been assessed at $150,000,000,000, that the financial loss in men slaughtered and crippled and hopelessly diseased amounted to over $300,000,000,000 more.

Great Britain told us they had buried 1,000,000 men and had permanently crippled 1,500,000 more. France had counted 1,300,000 dead, 2,000,000 crippled, and 1,500,000 consumptives, the disease contracted from exposure. Italy's loss 1,000,000 dead and crippled. Austria reports 4,000,000 casualties; Russia, 7,000,000, with 2,000,000 dead upon the field, 3,000,000 lost through disease; Germany's man power was exhausted with 6,500,000 casualties.

Of our own heroic boys we had lost over 70,000 dead and 200,000 maimed and crippled. Our men had been slain by machinery, poisoned by gas, and tortured by every cruel ingenuity. We asked, Is it necessary? Is it to occur again? Has not mankind emerged far enough out of the shadows of savagery to find a better way? Can not there be tribunals of reason instituted among men? What will it profit the world if no permanent peace is secured?

Our President is arriving to-day with a sublime instrument unanimously adopted by 14 nations, representing a vast majority of all the people of the globe. *Shall the labors of these earnest men, expressing the opinions of people everywhere, be nullified by the special pleadings of envious partisans?*

I submit, with my approval, as the answer to this momentous question an editorial from the Deseret Evening News of my city:

THE LEAGUE OF NATIONS.

The poorest argument against American participation in the league of nations is that which rests upon the objection to American intermingling in European affairs or becoming involved in what are called "entangling alliances." That stock phrase fitted a situation which was all right in its time, but which has long since passed away. This is the age of steamships and railways, electric telegraphs and cables, submarines, airplanes, and wireles communication with the ends of the earth; it is the age not of "splendid isolation" but of world community of interest; not of placid self-sufficiency but of magnificent interdependence. As to European affairs, it is too late now to talk about our keeping out of them. We are involved, and inextricably involved in them; we are just now bringing home some of the 2,000,000 young Americans who have been most vitally and valiantly participating in them. And as to entangling alliances, the league of nations idea proposes not to multiply but to simplify them—to make them, in a word, nonentangling.

The good ship *George Washington* is bearing homeward the Nation's President, prepared to give to his countrymen an account of his stewardship in presenting their ideals and maintaining their policies as to the sort of alliances that shall henceforth be contracted between nations. Whatever the world's verdict upon the plan which he is to submit for America's approval, his share in formulating it can not be denied. It may be attacked furiously by some—it may suffer that even more injurious enmity which is represented by lukewarm support. Congress will have its fling at it, probably without waiting for its champion to be on hand for its defense. The hostile press and platform will try to make capital out of it and will searchingly probe and magnify its weaknesses, and their criticism will be unsparing. It is not a perfect scheme—its warmest advocates do not claim so much. Doubtless it can be and should be amended and improved by discussion. But those who have set or shall set themselves against it because of some minor imperfection, disregarding the while the fundamental principles of human righteousness, justice, progress, and peace upon which it rests, thereby proclaim themselves backward scholars in the lessons of modern advancement and thought, blind adherents of the traditions of a long-past day, incompetent judges of the resolute new spirit of a war-weary world.

For the league of nations is coming, as surely as the dawning follows the darkness. It is coming, whether the United States joins in and becomes a leader or stays out and is left in what some canting critics persist in calling isolation, though such a thing can no longer be. It is coming, because there has been no other way proposed whereby nations can preserve their necessary relationship one toward another without recurrence of such cataclysms as that which has just shaken the earth to its foundations. And America is going to assist in, insist upon, and hasten its coming, because she, too, must maintain a relationship with the rest of the world, and does not intend to be forever compelled to wear a clanking saber or spend her substance in arms and armaments in order to be secured against the assault of a jealous, lawless foe. It frankly proposes world-wide peace and the abolition of war—a purpose which none will have the temerity to oppose. And the man who resists it on any other grounds, without being able to offer something better, is not only foredoomed to defeat but is to be pitied for the shame he will bring down upon his diminished head.

The Wheat Bill.

EXTENSION OF REMARKS

OF

HON. RICHARD WAYNE PARKER,

OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 21, 1919,

On the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder.

Mr. PARKER of New Jersey. Mr. Speaker, the Food Administration of the United States, especially in the matter of wheat, the staff of life, has been the marvel of this war. The wise and patriotic genius of its chief, Herbert C. Hoover, has controlled every branch of that Food Administration in such a manner as to save the world from starvation without even imposing onerous restrictions upon the people of our country. The rest of the world have been under severe enforced rations. Hoover trusted the patriotism of America and his trust was not in vain. The problem was mighty. It came to a crisis when we entered the war in April, 1917. For three years the great Russian wheat production had been cut off by the closing of the Black Sea. The ravages of the submarine had made it impossible to bring wheat from Australia or from Argentina. The crop in India had failed; the crop in Egypt and northern Africa was negligible. The most fertile parts of France were in the hands of the enemy. Our crops of 1916 and 1917 were not overabundant. Our problem was to keep the allies from starvation, and to that end we passed the act of August 10, 1917, to provide for the national security and defense by encouraging production, conserving supply, and controlling the distribution of food products and fuel.

Production was to be encouraged for the following years, but it was essential immediately to preserve the supply and control the distribution of wheat. Under that act the grain corporation was organized with a capital stock of $150,000,000, held entirely by the United States, and the President was authorized to make all business in necessaries subject to license; to prevent hoarding; to requisition food for the Army and Navy; to buy, store, and sell; to take over food plants and packing houses; and to regulate markets. Other war legislation had given the President war power over transportation, exportation, importation, and shipping in order to prevent our products from going to the use of the enemy, or from being wasted by our allies or by neutrals; and to take care of the soldiers in the field, the allies, and our own people. The work done by the Food Administration has been of the most intricate and marvelous character. The allies, perforce, agreed to submit the whole question of their food supply to Mr. Hoover's decision. Our people had done the same, and from that day to this not a bushel of wheat has been grown, distributed, transported, exported, imported, or sold on the markets except subject to the control of his wise administration.

It is also essential to the conducting of the war that we should encourage the production of wheat. To that end the act referred to guaranteed $2 a bushel for all wheat to be grown in 1918. This was a minimum. The President was given power also from time to time and in advance of seeding time to determine and give notice of what is a reasonable guaranteed price for wheat to secure a reasonable profit. February 21, 1918, the President, by proclamation, guaranteed $2.20 for No. 1 northern spring wheat at Chicago, if the wheat should be harvested during 1918 and offered for sale before June 1, 1919; and on September 2, 1918, the President guaranteed $2.26 per bushel at Chicago for like wheat harvested during 1919 and offered for sale before June 1, 1920. As a result, our production of wheat grew by leaps and bounds. In 1917 it was under 700,000,000 bushels, in 1918 it is estimated as 917,100,000 bushels, and in 1919 if the increased planting gives equally good crops it will be 1,000,000,000 or possibly 1,200,000,000 bushels. It is obvious that the price guaranteed was sufficient to encourage production and to reward the farmer, for otherwise he would not have planted. It has obviously not been too great for the exigencies of the war, because the price in the United States has been much less than the price among the allies or in the neutral countries of Europe. It has been less also than the usual price during wars. In England during the years 1801 to 1810, except in the years 1802 and 1806, wheat ranged in price from $2.31 to over $5 a bushel. The fluctuations were tremendous, and profiteering was universal among farmers and dealers. We have been saved from all this, because our Government, through the Grain Corporation, held a large store which could be placed on the market at any time. The Government prohibited exports when wheat threatened to go high, and it controlled the distribution throughout the world, so as to maintain a sufficient price to give to our farmers an ample profit, while at the same time it prevented the oppression of the people by an exorbitant price. It is true that the guaranteed price is higher than was paid before the war, but it is not higher than during and after the Civil War. The price of wheat in New York City—see part 2 of Senate Report No. 1394, second session Fifty-second Congress, page 64—ranged in 1864 from $1.60 to $2.75; in 1865, from $1.45 to $2.25; in 1866, from $1.70 to $2.80; in 1867, from $2.25 to $3.25; in 1868, from $2.05 to $2.75; in 1869, from $1.40 to $1.90; and in 1870, from $1.22 to $1.44. Our people have therefore, paid less for wheat than was paid during or after previous wars.

The Food Administration act ceases with the war—see section 24—except as to obligations accruing or accrued. There is an accrued obligation as to wheat harvested in 1918, but that wheat has nearly all been sold above the guaranteed price, and the United States are free of liability. There is no "accrued" obligation as to wheat which will not be harvested until the middle of 1919, but there is an accruing obligation as to wheat that has been planted.

The spring wheat has not yet been planted. We have an armistice, though we have not yet peace, and the notice of a guaranty might be withdrawn as to spring wheat so that the land can be devoted to other purposes if the raising of that wheat will result in a loss to the Government. The United States are not making guaranties in order to put taxes upon the people for going into the production of goods that are unnecessary and that glut the market. The whole theory of the food-control bill is to secure production of necessaries and to encourage such production only when necessary.

It is astonishing that there should be any difficulty in any mind upon this question if the predictions of the experts are to be trusted.

The war is not yet over. I am one of those who fear that it will not be over for some time. I likewise fear that our crops may not be as large as expected; that deficiencies in Europe may

be greater than we now think; that the European crop of 1919 is likely to be much diminished by the ravages of war, present anarchy, and the scarcity of seed wheat. Our experience after the Civil War seems to be in point, although so many conditions—of climate, weather, and otherwise—enter into the crops of any particular year that I have no reason to put my own opinion against that of the experts.

These experts say that we are likely to have a bumper crop of 1,000,000,000 to 1,200,000,000 bushels, which includes over 300,000,000 bushels of spring wheat not yet planted. They tell us likewise that the United States will use for food and seed over 600,000,000 bushels, and that 400,000,000 bushels more are likely to be demanded elsewhere, but that the uncertainty as to that demand makes them fear that there may be a surplus, which will probably not be over 200,000,000 bushels, but which may reduce the price, say, to $1.25, so much that the United States might have to pay a dollar a bushel for its guaranty on the whole crop of 1,000,000,000 bushels, or $1,000,000,000. This bill asks the present appropriation of that sum to meet that possible contingency, together with the continuance of the purchasing features of the food-control legislation and also of its restrictive features until October, 1920.

I am sorry not to be able to concur or to consider all these remedies proper at the present time.

As to spring wheat, if it is really probable that we shall have a surplus of wheat, which will lower prices, it is the duty of the United States to withdraw the offer of our guarantee of the price of the spring wheat which is not yet sown but which will amount to between 300,000,000 and 400,000,000 bushels. No one has any vested right in a crop that is not yet sown, for the land can be devoted to other purposes. The guaranty had no other consideration except to encourage production, and the production is not now wanted. Nothing has been paid out by the farmer that will not help another crop. He can sell any seed wheat. The fact that he received the guaranteed price for 1918, which was ample, instead of an exorbitant war price, is no consideration for further United States action. No man has a right to exorbitant prices for food. The President should decide on his best judgment as aided by these great experts.

Second. Purchase and storage: The right of the Government to purchase and store so much of the wheat crop as will maintain the price is beyond all question under the present law. So long as the guaranty remains the Government stands in the position of surety and guarantor who has full right to protect himself against loss. The purchase would not amount to over 200,000,000 bushels, or, at most, 400,000,000 bushels, for which there are ample storage facilities. The Grain Corporation with $150,000,000 of capital found no difficulty in making purchases to this amount, and if such purchases be made the Government would lose nothing on the rest of the wheat, because those purchases will hold the price the whole world over. As to the justice of such action, it is a very different thing to buy and store goods in order to stabilize prices from buying goods in order to get excessive prices by cornering the market. Nothing is worse for the world than fluctuations in the price of grain which cause the farmer to despair and to refrain from planting a crop. There is much to be said in favor of municipal warehouses for fuel and food, to store surplus, prevent unreasonable fall in prices, and preserve the people from scarcity caused by weather, breakdowns in transportation, or speculation. During the recent famine in China the citizens of Tientsin were living comfortably from the city's granaries. Joseph was right in saving food in Egypt for the years of scarcity. Every fortification has its stores for time of war. There is no reason why our Government should not keep such stores until it can sell without loss. This is no war measure, but simply the proper and necessary disposition of assets acquired to meet obligations contracted during the war. This power is so essential that it is obviously retained by the Government, and the present bill is not needed to confer that power though it may be proper to assure it.

Third. The appropriation of $1,000,000,000 is at least premature, if not unnecessary. Wheat now maintains its price and is likely to do so. If there should be a bumper crop in the fall of 1919 the Grain Corporation have ample capital to buy enough wheat to hold the price until the meeting of Congress, if, indeed, Congress shall not have met long before that time. It is not usual to appropriate for a contingent liability, nor to appropriate three or four times what that liability is likely to be at a time when every dollar is so hard to get. The appropriation, if made at all, should be not over $150,000,000 more.

Fourth. The war powers of the food-control act and of the other national-defense acts should not extend into time of peace. They exist necessarily until that time, which we hope may come soon; but when peace does come a free people desire no limitations by executive boards upon their production or the selling, transportation, distribution, or exportation of any of their products. They do not wish to ask for licenses to sell their goods or send them to friendly nations. They wish the free right to import from Canada or elsewhere, subject only to such tariff or duties as may be imposed by law, but not to the changing decrees of any man or board. They are ready to submit to war, but they wish peace to be a real peace. They want no priority orders, embargoes, licenses, or prohibitions.

This bill will perpetuate war control. By section 4 the President may regulate or prohibit any wheat exchange or market. Section 5 not only continues the food-control power to license importation, manufacture, storage, or distribution, but adds the word "exportation," and section 6 adds a new section, not known to the food-control act, that the President, in carrying out the guaranties or to protect the United States against enhancement of its liabilities, may make imports or exports of wheat or wheat flour unlawful.

These powers are war powers. They should not be carried over into time of peace. They are unnecessary for the protection of the Government guaranties, for it is easy, as already pointed out, to protect the Government price through the year 1920 by purchasing any surplus, so that if there be any loss it will be on that surplus only and not upon the whole crop.

Appropriations to meet a merely possible and contingent loss can wait until we know something more about the production and demand of 1919. It should certainly be but a fraction of the amount proposed by this bill. A bill to continue the power of the Grain Corporation to purchase and sell is proper now and will be proper at that time, with a possible enlargement of its capital by a sufficient appropriation, but provisions that carry into the time of peace war powers which were only necessary during the war in order to monopolize the scant production of wheat for the use of our allies, their soldiers, and ourselves are utterly improper as a peace power to enable the Government of the United States, when crops are sufficient, to maintain prices by arbitrary interference with the freedom of production, transportation, trade, and commerce, including importation and exportation. In time of war the law is silent; in time of peace we are all free. The Government is free to buy or sell, and so is the individual.

This bill is at least premature. We do not yet know conditions.

EXTENSION OF REMARKS

OF

HON. NORMAN J. GOULD.

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 25, 1919.

Mr. GOULD. Mr. Speaker, I have to-day introduced a resolution directing the House Committee on Foreign Affairs to investigate the present situation in Costa Rica and the Government's connection therewith.

I have taken this step because of information which recently has come to me and which, if truthful, indicates the existence of a situation in that Republic and of a diplomatic policy on the part of this Government which is so repugnant to our traditions and previous policies as to call for prompt explanation on the part of the Department of State and full and free discussion in Congress.

Personally, I can not vouch for all of the facts, or alleged facts, that have been brought to my attention; and, due to the unfortunate policy of the State Department as a result of which Americans seem to forfeit their rights to the protection of their Government when they venture into Latin American countries in the pursuit of foreign trade and commerce. I do not now feel at liberty to give the House the names of my various informants. This much, however, I will state on the strength of my own observation:

The political plague born in the State Department, reared in its recently acquired atmosphere of paternal idealism and pride-stifling internationalism, which has wrecked peaceful, prosperous Mexico in the last eight years, now seems to threaten not only Costa Rica but all of Central America.

Articles in both Washington and New York newspapers recently exposed a very serious condition of unrest extending virtually from the Rio Grande to the Panama Canal. It would appear that this condition is merely the natural and inevitable result of a policy toward Costa Rica strikingly similar to the

policy which has, in my belief, been so terribly exemplified in the case of Mexico.

For more than 18 months President Tinoco, of Costa Rica, has been refused recognition by this Government. The reasons which prompted the refusal are not now known and never have been known to the public. The results, however, are clear enough. Costa Rica's credit has been injured; her Government has been discredited, and her very institutions threatened with the same kind of attacks that Mexico has endured during the last eight years. During the fall of 1918 a number of American newspapers published a series of sensational articles which purported to be a revelation of President Wilson's motives in refusing diplomatic relations with Costa Rica. These publications at that time claimed that a group of American citizens led by Mr. Lincoln G. Valentine of New York, inspired and financed the overthrow of the Gonzales Government and placed Tinoco in the presidency, in order to secure from the new Government certain oil concessions.

Subsequent to this publication, I am reliably informed, a subcommittee of the Foreign Relations Committee of the Senate inquired into the refusal of this Government to accord recognition to the existing government of Costa Rica, headed by President Tinoco. That subcommittee, of course, had before it not only such information and such allegations as the newspapers had published, but additional facts, obtained, I presume, from the State Department and other sources.

With this information before it, Mr. Speaker, the subcommittee reported, in effect, that it could find no good and sufficient reason for the continued refusal to recognize the Government headed by President Tinoco. In view of international conditions then existing, however, the subcommittee did not recommend mandatory action on the part of the Senate, although, I am informed, several members of the subcommittee unofficially communicated these facts to the State Department and urged President Tinoco's recognition.

Gonzales, the deposed President of Costa Rica, immediately after the bloodless coup d'état two years ago, had left Costa Rica and had come to the United States. Since that time, I am informed, he and his friends have persistently maintained an intrigue of publicity against President Tinoco and against American interests in Costa Rica. If statements I have received are true, this intrigue has reached into some of the executive departments of this Government.

I wish to lay before the House at this time some of these allegations, which have come to me unsolicited and which I feel strongly should be investigated by the Foreign Affairs Committee. They include these:

1. That the newspaper articles published last fall included what was alleged to be confidential correspondence between Mr. Lincoln G. Valentine and other American citizens.

2. That, according to these publications, this confidential correspondence—involving American citizens of integrity and good standing—was obtained from the safes of the parties named through the assistance of—I quote the publications—"officials of the United States Government."

3. That this assistance was alleged to have come through a man who purported to be an agent of the Department of Justice.

4. That this alleged agent of the Department of Justice delivered these pilfered papers to Gonzales to be used in the furtherance of the latter's publicity intrigues against American citizens and their interests in Costa Rica.

5. That one of the first acts of Gonzales after assuming the Presidency of Costa Rica in 1914—shortly after the outbreak of the European war—was to found, in collaboration with a notorious German propagandist, a newspaper devoted to pro-German publicity.

Mr. Speaker, I am loath to believe these allegations; I am loath to believe that the Government—shall I say "foreign office" of the United States Government?—is engaged in safe-cracking work against its own citizens in behalf of foreign political exiles or that it is conniving at a publicity intrigue which may have for its object the wrecking of an important phase of our foreign commerce.

And I am loath to permit such statements and allegations to go unchallenged by this Congress.

But, Mr. Speaker, I am more loath to accept the responsibility as a Member of the American Congress for the continuation without my protest of such practices if they do exist.

I want this House and this Congress to have the facts. I want to see the unpublished portions of that stolen correspondence. I want to know if, as has been alleged, Gonzales, during his tenure as President of Costa Rica, persistently and systematically persecuted foreign interests that had invested in Costa Rican properties on his solicitation. I want to know if, as has been alleged, this Gonzales, in his persecution of American interests, advised with and was advised by that same German propaganda service of whose insidious and diabolical workings in Mexico we learned through the publication of the Zimmerman note two years ago. I want to know if, in Costa Rica as in Mexico, such anti-American political leaders have been used as the cat's-paws of the pirates of Wilhelmstrasse.

It took the American people a good many years to realize, Mr. Speaker, that crimes were being committed in Mexico under the guise of "revolution"; it took them a good many years to realize that the German Government had reached into the very vitals of that country with its baneful influences, and when the story was told officially through the publication of the Zimmerman correspondence this country stood aghast.

I believe the time has come to show the hidden hand of intrigue among our Latin American neighbors and to serve notice on all agents of Germany that this Government will no longer allow them to hound Americans, even though their activities are shrouded in the mystery of Latin American politics.

Mr. Speaker, I believe the time has come again, and I thank God for it, when Members of the American Congress may ask questions of the State Department without inviting reflections upon their loyalty, public spirit, or patriotism.

Sermon by Rev. Arthur B. Kinsolving, D. D., on the Occasion of the Funeral of the Hon. J. Frederick C. Talbott.

EXTENSION OF REMARKS

OF

HON. J. CHARLES LINTHICUM,

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 16, 1919.

Mr. LINTHICUM. Mr. Speaker, under the leave granted to me to extend my remarks I include the following sermon by Rev. Arthur B. Kinsolving, D. D., on the occasion of the funeral of the Hon. J. FREDERICK C. TALBOTT:

We have assembled in this home on this beautiful autumn day to lay to rest with the church's old words of faith and hope one of the best-loved public men that Maryland has had for many years. This vast concourse of people, comprising as it does a distinguished deputation from the Congress of the Nation, of the citizenship of Baltimore, and the community around, bears witness of itself to the affectionate esteem in which our departed friend was held. I can not forbear adding to the ritual of the church some words of appreciation of our friend. I do this with some hesitation, because I speak in the presence of many who were far more intimately associated with him than I. Yet I feel confident that what I shall say of the sterling traits of his character and service will find an echo in your own hearts and minds.

Mr. TALBOTT dies at the close of a very remarkable career and at a time when his services to the Nation compel the tribute of our gratitude.

As a young man he caught the spirit of chivalry pulsing in the souls of so many youths in this State and cast in his lot with the Southern Confederacy, making an honorable record as a member of Gilmour's cavalry. To the end of his life he looked back upon this service with unfeigned satisfaction, and at all reunions of his comrades was a central figure.

He held his friendships throughout life by his strong and unchanging loyalty. FRED TALBOTT did not forget. In the rough and tumble of a long political career he had many strenuous and hard fights. After the battle was over there was no bitterness in his soul; he accepted his few defeats with equanimity, which only a strong man possesses, and soon retrieved himself in large measure by this very spirit. As life wore on the acerbities of earlier political strife abated, and it is quite remarkable how his circle of friends widened with the years and how many former opponents came to appreciate the man at his true worth.

Mr. TALBOTT was a true servant of the people in this State. He was unsparing of himself in this service and absolutely unwearied in his attention to every detail of his duties as a Congressman. Indeed, he came to his death perhaps a little before his time because he left his bed a few days ago to go to Washington to keep an appointment in the interest of a young man whom he had promised to help. Several years ago, while traveling in New England with a Congressman from Texas, I believe, his companion said to him, "I should think it would be very awkward, TALBOTT, for you to live while in Congress right in the midst of the people you represent and to be forever accessible to their requests for patronage and help." TALBOTT turned instantly and said, "On the contrary, one of the joys of my life has been to know that every morning I would find on my desk some opportunity to serve my people, and perhaps during the day receive several of them at my office. This, I conceive, to be one of the greatest joys of a man's life—to live among the people whom he serves and to be in touch with their needs."

His most conspicuous national service was the work he was permitted to do as ranking member of the Naval Affairs Committee. From the beginning he stood stanchly against those who clamored for a little Navy and in favor of the most liberal naval program which this country could afford. His services here are valuable beyond all estimation. The justification of his foresight has already been written in these pages of recent history when our American Navy has rendered such conspicuous service in this war for civilization and freedom. It is most fitting that

one of the vessels now building should bear the name of the man who has labored so valiantly for our greater naval program.

And this reminds me to speak of what is, perhaps, the crowning honor and distinction of his life as a public servant, for he has served in Congress for a longer period than almost any other Member. Though he has had unusual opportunities in his conspicuous position to further his own interests, Mr. TALBOTT, I am assured by those who know best, dies a poor man. In this respect he is an example to all men. His ideal was not gain but service. He had caught the vision of the nobility, the blessedness of service to his fellow men, and to that vision he was true until his strength was gone.

As to his attitude in religious matters, Mr. TALBOTT seems not to have identified himself with any Christian church. We wish he had. It had been better so; but he was the friend and helper of all churches. No acrid skepticism blighted this man's soul. He was a believer in our blessed Lord and Savior, and he often appeared among the worshippers, and his leanings were in the right direction. Toward the end, as he realized that his days were numbered, this spirit of reverence and trust in God seems to have deepened. We leave him to the mercy and care of the God and Father and Savior of us all.

EXTENSION OF REMARKS
OF
HON. GILBERT N. HAUGEN,
OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 21, 1919.

Mr. HAUGEN. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit the following:

[Convention of National Board of Farm Organizations. Afternoon session. Washington, D. C., Tuesday, Feb. 11, 1919, 2 o'clock p. m.]

ADDRESS OF HON. GILBERT N. HAUGEN, M. C., MEMBER OF COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES.

Mr. HAUGEN. When asked by your secretary what subject I might prefer to discuss, I said: "Though no comment on the organization seems necessary, having come in contact with a number of the officers and members of the association and knowing of their high type of character and rectitude of purpose and ability to do things, I was naturally interested in your organization and its success and, if agreeable, I would prefer to offer a word of encouragement."

I have never understood why one half of the American people should find it necessary to organize and cooperate for their benefit and not the other half. It has occurred to me that if it was proper and necessary for labor and industrial interests to organize, it was also proper and necessary for the other half—the agricultural people—to organize and cooperate as well. Certainly, when we consider all that is involved it seems that every fair-minded man will concede the justice, right, and necessity for cooperation.

When we turn to the census reports we find that more than half of the American people live in rural districts. We find that more than 6,000,000 farmers and 6,000,000 farm laborers, tilling more than 6,000,000 farms, produced last year 5,600,000,000 bushels of cereals, which is about one-third of the production of cereals in the world; 917,000,000 bushels of wheat, about one-third of the wheat produced in all the world.

The gentleman preceding me has spoken about the dairy interests. We have 43,000,000 head of cattle, 23,300,000 milch cows, giving more than 8,500,000,000 gallons of milk. We have 71,000,000 swine; 49,000,000 sheep; 19,500,000,000 pounds of meat, pork, and mutton. The live stock on the farms on the 1st of January and the 1918 crop was valued at $24,700,000,000, which is three times the stock of money in the United States, after our printing presses have been running to full capacity the last year and turning out all sorts of money.

My friends, here we are with organization on one hand, the labor and other activities cooperating. On the other hand we have this vast number of people without cooperation.

It would seem that it is proper and fair and just that they cooperate; that is, to perfect an organization such as suggested by your chairman here a moment ago, men with heart and soul in the work, and who have a sincere interest in the agricultural people—an organization equipped here with proper office building, with money to support it, and with money to employ the proper talent to appear before legislative bodies to impress their viewpoints; men who stand for a square deal all along the line, for just laws, and an honest administration of just laws. Legislation not to meet the views of those who have no respect for law, order, or property rights, but legislation dealing with all questions in a broad and comprehensive manner, with a spirit of fairness and justice to all concerned; legislation not to deprive an individual, corporation, or interest of a single dollar honestly acquired, but legislation to promote and perpetuate the prosperity and happiness of the people in all communities.

Now then, as to the necessity of organization. Have we any grievances? Is there any just cause for complaint? My friends, if anybody is in doubt, if he will turn to the Federal Trade Commission's reports, I believe he will find food for thought. If he will look over the reports, he will find, for instance, that the Steel Trust was permitted to increase its profits from $47,000,000 in 1914 to $478,000,000 in 1918, or about 1,000 per cent, much of it at the expense of the Government. They were given the benefit of the natural law of supply and demand largely stimulated by the Government.

The millers increased their operating profits 175 per cent, and on the capital invested 100 per cent; he would find that four packers increased their profits $121,000,000 above their prewar profits. He will also find in those reports that the meat producers—the live-stock men—are at the mercy of, say, five packers, killing 70 per cent of the live stock, by reason of their control of the market facilities and pooling and splitting shipments and dividing purchases, the little black book, and various other combinations and conspiracies.

As you know, the railroads were on the verge of bankruptcy. They were about to go into the hands of receivers. Their stock had been watered and mortgaged to the limit. They were unable to renew their obligations or to borrow money. They were taken over. Nobody objected to that. They were guaranteed $175,000,000 to $200,000,000 compensation above the amount estimated by the Interstate Commerce Commission. They were guaranteed an annual compensation running as high as 647.22 per cent. We are paying compensation to one road—the Bessemer & Lake Erie Railroad—several times over every year.

So, my friends, we might go along, but I believe this is sufficient. Now, on the other hand, the farmers. As you know, Hoover told us that wheat would go to $7 a bushel and that that should not be done. The price then was $3.45 per bushel. Neutral nations offered $1 premium, or $4.45 per bushel. He stated his task would be to furnish flour at $6.60 per barrel. That would have netted the farmer about $1 per bushel. Later he said he might concede $1.50 per bushel. Congress fixed the price at $2, and provided for a commission which fixed it at $2.20 and later at $2.26. Italy fixed the price at $3.60; France, $3.96; Canada, $2.24½; Switzerland, $3.36; Norway, $4.38. The price of wheat was fixed not at the price it would have been under the natural law of supply and demand but was arbitrarily fixed by the Government. As a result the wheat grower suffered a loss of approximately a billion dollars. The farmers did not object. Their representative told the committee to carry out the plan; that what they were interested in was winning the war. They accepted the price.

Now, the representatives of the farmer, about 200 of them, all from the various exchanges, the millers and bakers, appeared before the Committee on Agriculture and stated that they proposed that the wheat grower shall have the price fixed. Coupled with that they asked that the poor millers who increased their operating profits 175 or 100 per cent on their capital stock—they say that they should be protected against loss; and we have prepared a bill which is being introduced and will come up in a few days, and it provides for a guaranty to the miller against loss. It goes further than that—it guarantees the baker against loss.

I have served on the Committee on Agriculture a number of years. I have observed that the representatives claiming to represent the farmers are nine times out of ten members of or representatives of other organizations such as the boards of trade or exchanges, the millers and packers. They profess great friendship for the farmer, but, after all, they are human and selfish and not infallible. Although appearing as spokesmen for the farmer, we find them pleading with tears in their eyes for legislation to further their own interests, even at the expense of the farmer.

It has often occurred to me that the best interests of the farmer might be better subserved if he appointed his own spokesman, rather than to depend upon these self-appointed representatives. I call attention to the cotton futures act, the standardization act, the meat inspection act, the legislation giving authority to fix the price of wheat, the oleomargarine act, and a number of others might be cited. It has also occurred to me that with farmers' organizations and cooperation, such as the National Dairy Union, of which your chairman, Mr. Creasy, is secretary—and I speak of it because I have come in more frequent contact with its representative than any other—if, with the proper, active, efficient organization, equipped with headquarters in Washington, such as is suggested by your organization, the Temple of Agriculture, and provided with the necessary funds to maintain it and the employment of the necessary number of industrious and capable representatives, with a view of effectively impressing its viewpoints upon our lawmakers and to look after its interests—if represented by them instead of being represented by boards of

trade, packers, millers, and various other boards appearing before the committee suggesting and framing legislation, might it not result in legislation different and more conducive to the best interests not only of the farmer but of the consumer and of the people as a whole? It has often occurred to me that with a complete system of checking up the legislation, with proper representation in shaping legislation, it would bring beneficial results. I am not putting it too strong when I say that one man with the backing of 7,000,000 farmers employed to aid in shaping legislation and one man in the gallery checking up and making records would bring better results, so far as the farmer is concerned, than any 2,000 men employed in the Department of Agriculture. In stating that, I desire to be understood that I have no quarrel with the Department of Agriculture and with the scientists employed therein, though I believe great improvement could be made so far as the farmers' interests are concerned. I appreciate the great work done and I am proud of its achievements and I feel certain that much good must come from it in the future, but that does not imply that the department and the scientists are entitled to the credit of all that has been accomplished or that we can look to them alone for our future prosperity and happiness. Furthermore, I believe that much of the overlapping and duplication and waste of expenditures should be dispensed with. I believe the department should confine its appropriations and activities to the duties assigned and not to promoting propaganda for the retention and for the securing of unnecessary new appropriations.

In referring to the department and legislation, do not understand me to charge the members of the legislative bodies or the department with corruption, but all are human and none infallible and, as all of us are more or less the products of our environment, as long as certain interests assert their rights and influence and the other does not, the one exercising its influence naturally comes out ahead.

In order to accomplish the desired results, it is, of course, not necessary, either in making or in assisting in shaping laws, that these representatives be farmers, or, as suggested by some, instead of having 400 attorneys in Congress, a number of attorneys should be substituted by farmers, merchants, bankers, and so forth, though there is no need of a large number of attorneys in shaping and passing legislation, certainly not those devoting their time and art to the question of constitutionality and the preparation of jokers for the purpose of defeating the purpose sought.

Railroads and packers have probably interested themselves more in legislation and cooperation in influencing legislation than any other business enterprises. In their employment of representatives to represent them before legislative bodies they do not always employ men engaged in railroading or in packing. They employ men who in their opinion can accomplish the most. So with the board of trade. I am told that its secretary, Mr. Merrill, is a farmer; that he never deals in future trading; he spends most of his time on the farm; he can give one as many pointers on farming as anybody; that he is an honorable and capable man, performing his duty with fidelity and rectitude of purpose. Hence, what is needed are men with heart and soul in the work. I feel at liberty to express my views upon the subject. Though I never posed as a farmer, having been born and reared on a farm and having owned and operated a farm for 42 years and with my limited possessions, four-fifths consisting of real estate, or 4 to 1 in farm value to every other investment, I might properly be styled a farmer and, if influenced by personal interests or selfishness, my interests would be with the farmer. But I trust, in framing legislation, I may be credited with taking a broader view of the matter. I prefer to believe that all take a just and pardonable pride in our Nation's growth and greatness, in the fact that we are living in this age of marvelous expansion and are moving forward with a mighty speed; that the wheels of industry are moving; the fact that we rank among the most practical, prosperous, and intelligent people on earth; that progress, prosperity, and happiness are in evidence everywhere and that all feel it their duty, no matter what their political affiliation, creed, occupation, or prejudices may be, to strive to benefit this country, to relieve the distressed, to protect the weak, to uplift humanity, to promote and to perpetuate true greatness; if so, honest and thoughtful consideration should be given by all with the view of securing full benefit for our natural resources, for the development of mechanical appliances and the skill and genius of American labor; to see to it that nobody is imposed upon; that everybody is given adequate protection against any invasion on the part of unscrupulous and dishonest interests in order that we may have the fullest development of every worthy and legitimate enterprise.

EXTENSION OF REMARKS
OF
HON. BENJAMIN L. FAIRCHILD,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 27, 1919.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an editorial from a New York paper on the life of Mrs. Mary Russell Butler, who died recently, having 19 grandchildren who have patriotically served their country in this war. The following is the editorial:

A LADY OF OLD NEW YORK.

"Memories of a New York of the long ago are awakened by the death at the age of 90 of Mrs. Mary Russell Butler. As the daughter of Capt. Charles Marshall, head of the Black Ball Line of trans-Atlantic packets, and wife and since 1902 widow of William Allen Butler, she was a link with a social, literary, and commercial past in the history of the city which grows even more romantic the further it recedes. When she was a girl the fame of Washington Irving was at its height, and Cooper, Bryant, and Paulding were giving a new renown to American literature. In 1850 she married the man who was to make himself famous overnight with a slight satirical poem, 'Nothing to Wear,' which outlives his more substantial reputation as lawyer and author.

"As a bride Mrs. Butler lived in Nineteenth Street, just east of Broadway, and it is with the New York of which Madison Square was the farthest north, the lesser but socially more spacious New York of the period preceding the Civil War, that her name is associated. Her long life comprehended nearly three generations of social evolution, and she saw the progressive extension of fashion's boundaries from Washington Square to upper Central Park.

"To have been a girl in New York when the 'Knickerbocker school' of literature was flourishing, a young matron when Jenny Lind sang and Patti made her début, and to have lived well into the twentieth century surely is a rare lifetime."

ROLL OF HONOR OF THE GRANDCHILDREN OF MARY RUSSELL BUTLER WHO HAVE RESPONDED TO THEIR COUNTRY'S CALL.

SONS, DAUGHTER, AND SON-IN-LAW OF WILLIAM ALLEN BUTLER.

Lyman Collins Butler. Veteran of the Seventh Regiment, New York National Guard. Reenlisted December, 1915. Served as corporal in Company K, Seventh Infantry, New York National Guard, and United States, at McAllen, Tex., during the Mexican campaign of 1916. Was there promoted to sergeant. His health became impaired as a direct result of climatic conditions and excessive activities on the border. Was therefore not able to respond to his country's next call for service. He died June 20, 1917.

Charles Terry Butler. Served under Dr. Joseph Blake in the military hospital at Ris Orangis, France, for seven months from June, 1916. Volunteered for service in the Medical Reserve Corps, United States Army, August, 1917. Assigned to officers' training camp, Fort Oglethorpe, Ga. Commissioned first lieutenant. Assigned to Evacuation Hospital No. 3. Has served with American Expeditionary Forces in France since January, 1918. Proceeding to Germany with army of occupation.

Louise Tracy Butler. Qualified as Red Cross nurses' aid, 1916. Typist at Red Cross home service (civilian relief), 1917. Sailing for France, Y. M. C. A. canteen work, December 5, 1918.

Maitland Dwight. Enrolled in United States Naval Reserve Force August 7, 1918. Ordered to aviation school for ground officers at Great Lakes, Ill., with rating of C. Q. M. (A.), September 16, 1918. Now stationed at United States naval air station, naval operating base, Hampton Roads, Norfolk, Va.

SONS OF CHARLES HENRY BUTLER.

Ethan Flagg Butler. Commissioned first lieutenant, Medical Reserve Corps, United States Army, October 31, 1913 (inactive list). Director Serbian Unit No. 2, American Red Cross, European war relief detachment, 1914–15. Commissioned captain, Medical Reserve Corps, June 1, 1917. Assigned to active duty, War Demonstration Hospital, Rockefeller Institute, New York City, July, 1917. Assigned instructor in war surgery, Bellevue Hospital, New York City, November, 1917. Commissioned major, Medical Reserve Corps, March 15, 1918. Now acting military director, course of instruction in war surgery, Bellevue Hospital, New York City.

Charles Marshall Butler. Commissioned second lieutenant, Infantry Reserve Corps, early in 1917. Ordered to first officers' training camp, Madison Barracks, May, 1917. Commissioned captain, Infantry Reserve Corps, August 15, 1917, and assigned to command of Supply Company, Three hundred and twelfth Infantry, at Camp Dix. Commissioned major of Infantry, National Army, January 23, 1918, and assigned to command of Third Battalion, Three hundred and twelfth Infantry. Ordered to "School of the Line" at Langres, France, May-July, 1918, standing first of 50 men. Saw action at St. Mihiel and drive from Verdun for Sedan. Commissioned lieutenant colonel in France. Commanded the forces that captured Citadel of Grand Pre, November 1, 1918.

Henry Franklin Butler. Enlisted as a volunteer in the United States Naval Reserve force, April, 1917. Appointed chief yeoman. Commissioned ensign in Naval Reserve in 1918. Now on duty in the aviation branch in Washington, D. C. Commissioned lieutenant (junior grade) October 18, 1918. Sworn in November 30, 1918

SONS AND DAUGHTER OF THE LATE GEORGE PRENTISS BUTLER.

John Crosby Butler. Enlisted in First Armored Motor Battery, National Guard, New York, March, 1916. Attended first officers' training camp at Plattsburg, May 13 to August 15, 1917. Commissioned second lieutenant, Infantry, United States Army, August 15, 1917. Assigned to Three Hundred and Sixth Infantry of Seventy-seventh Division, "New York's Own." Located at Camp Upton winter 1917. Sailed for France April, 1918. In front line trenches, Lorraine sector, June and July, 1918. Commissioned first lieutenant, August, 1918. In action, Chateau-Thierry sector (Vesle River), August and September, 1918. Appointed aide to Brig. Gen. Vidmer October, 1918. In action, Argonne Forest, 1st of October to end of war. Mentioned in orders for bravery in carrying communication lines across the Vesle River under heavy fire.

George Prentiss Butler. Enlisted as a private in the United States Army, Transport Service, Quartermaster Corps. Commissioned second lieutenant May, 1918. Now serving as a freight superintendent in Hoboken.

Allan Macy Butler. Attended American officers' training camp, Oxford, England, in 1917, and proceeded to France. Assigned to Quartermaster Corps. Commissioned second lieutenant and assigned to Sixth Field Artillery. Commissioned first lieutenant September, 1918. Now with the army of occupation. Commissioned captain November 6, 1918.

Andrew Reid Butler. Member of the Seventh Regiment, National Guard, New York. Served on the border during the Mexican campaign, Company K, Seventh Infantry, National Guard, New York, and United States, 1916. Now retired on account of ill health due to exposure and overwork while there.

Harriet Allen Butler. Member of the American Red Cross Motor Corps and acting as ambulance driver.

SONS AND DAUGHTER OF MARGARET BUTLER PAUL.

Theodore Sedgwick Paul. Member of Philadelphia city troop, National Guard of Pennsylvania, 1916. Attended first training camp, Fort Niagara, May–August, 1917. Commissioned captain, Infantry, United States National Army, 1917. Instructor, second training camp, Fort Niagara. Assigned to Seventy-ninth Division, Camp Meade, and reassigned captain Three hundred and ninth United States Cavalry, Fort Sam Houston, San Antonio, Tex., 1918. Assigned to Nineteenth Trench Mortar Battery, Camp Bowie, Fort Worth, Tex. Transferred, November, 1918, to Fifty-sixth Field Artillery, Camp Doniphan, Fort Sill, Okla. Now on duty there.

John Rodman Paul. Enlisted in Medical Reserve, United States Army. Served in Base Hospital No. 18, France, June, 1917, to June, 1918. Now in S. A. T. C. of John Hopkins Medical School, Baltimore, Md., with rank of corporal.

William Allen Butler Paul. Member of Troop A, National Guard of Pennsylvania. Served on the border during the Mexican campaign, 1916. Commissioned second lieutenant, United States National Army, 1917. Assigned to Battery B, Three hundred and fifteenth Field Artillery. Now with Eightieth Division, United States Army, in France.

Samuel Hollingsworth Paul. Member of section 1, American Ambulance. Served in France, March to September, 1916. Enlisted United States Signal Corps, aviation section, 1917. Commissioned first lieutenant, November, 1917. Instructor of acrobatic aviation and commander of Sixty-fourth Aero Squadron, Gerstner Field, Lake Charles, La. Now on duty as military aviator in France.

Arthur Paul. Enlisted in United States Naval Reserve, 1917. Commissioned ensign, United States Naval Aviation, 1917. Instructor at United States Naval Air Station, Bayshore, Long Island. Appointed division instructor November, 1918. About to proceed with his division to United States Naval Air Station, Brunswick, Ga.

Henry Neill Paul, jr. Entered as midshipman, United States Naval Academy, Annapolis, Md., July, 1918.

Mary Russell Paul. Member Training School for Nurses, Presbyterian Hospital, New York City, 1917–18.

EXTENSION OF REMARKS

OF

HON. JULIUS KAHN,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 1, 1919.

Mr. KAHN. Mr. Speaker, availing myself of the privilege granted me to extend my remarks in the RECORD, I desire to call attention briefly to the splendid service rendered by colored soldiers in our recent war. But it is a fact that as early as the Revolution the black man helped to fight for this country. In all the other wars since he likewise performed signal service as a soldier.

There is a movement on foot among the colored citizens to have compiled and prepared as a public document a memorial history of the colored race in America which shall narrate its loyalty and service to the Republic. I take pleasure in presenting herewith a copy of a memorial to the Congress of the United States, signed by a number of prominent colored men and women, praying that steps be taken by Congress to have such a publication compiled and issued.

The memorial is as follows:

MEMORIAL TO THE CONGRESS OF THE UNITED STATES.

To the honorable the Speaker of the United States House of Representatives, Washington, D. C.:

The undersigned, your memorialists, respectfully request the Congress of the United States to provide by appropriate legislation for the preparation, compilation, and publication of a memorial history of the colored race, one recording fully their loyalty and devotion to the United States in all its wars and civil achievements.

We recall the fact that twelve millions of colored Americans neither owe nor pay allegiance to any other flag save that of America, and we urge this loyalty and fidelity should be fittingly recognized. They have never faltered in their patriotism, and point to the fact that history has never recorded a black Benedict Arnold. Recalling the above, your memorialists believe the time is auspiciously ripe to give to the world these salient facts of their history. And, further, that no more fitting monument on the eve of a great world peace could be provided than one recording their supreme sacrifices at Lexington, Concord, Bunker Hill, Valley Forge, Red Bank, Groton Heights, and other important battles of the War of Independence.

At Lundy Lane, N. Y.; Lake Erie, under Commodore Perry; North Point; Bladensburg; New Orleans; and other actions of the War of 1812–1814. They bore a conspicuous part in all the colonial wars and later against the Indians on the frontier.

At Vera Cruz, Mexico, 1847, under Lieut. Raphael Semmes, when they manned the naval battery in that siege; and, again, their fidelity to every obligation assumed was tested in no doubtful manner on both sides of the great civil conflict of 1861. Their loyalty and fidelity to their former owners, their wives and children during that strenuous period was eloquently described in burning language, May 31, 1918, by Congressman POU, of North Carolina, and at an earlier date by the late lamented Henry Grady, spokesman of the new South, who declared it challenged his highest admiration as being without a parallel in recorded history. This alone, we believe, warrants our plea.

They were present on every battle field in the Spanish-American War and with Dewey in Manila Bay. But this is not all. In less militant times they were conspicuously in evidence. Pietro Alonzo, a man of color, was pilot of the *Nina* in 1492 under Columbus. They were with Lewis and Clark, 1804–1806, and with J. C. Fremont, in 1842, in his explorations of the Rocky Mountains. One of their race stood beside Admiral Robert Peary at the North Pole and waved the American flag on the roof of the world.

No monument of bronze or marble can fitly recount these things. No one place can justly claim them. But not so with a monumental history as is herein asked for. By the medium we ask an enduring monument would be placed in every city, town, village, and hamlet, and in all the great libraries of the world. It would be an inspiration to all who had taken part in the narrated events and a heritage to be transmitted to their children. The loyalty, fidelity, and willing response of the race with its blood and treasure during the war with the central powers deserves such recognition, and the most elementary claims of gratitude demand that it should be generously given.

John P. Green, ex-senator twenty-fifth senatorial district of Ohio; Wm. R. Green, 10809 Earle Avenue, Cleveland, Ohio; Chas. W. Chesnutt, 1106 Williamson Building, Cleveland, Ohio; George A. Myers, 2199 East Seventy-first Street, Cleveland, Ohio; Walter B. Wright, 1348 West Eighty-fifth Street, Cleveland, Ohio; John R. Philen, M. D., 3404 Central Avenue, Cleveland, Ohio; Wm. L. Archer, assistant secretary Caterers' Association, 2216 East Fortieth Street, Cleveland, Ohio; Maj. Wm. T. Anderson, chaplain, United States Army, retired, 2215 East Eighty-ninth Street, Cleveland, Ohio; Ormond H. York, editor the Cleveland Advocate, 503 Superior Building, Cleveland, Ohio; Harry E. Davis, attorney, 2605 Williamson Building, Cleveland, Ohio; Thomas W. Fleming, city councilman, 3004 Central Avenue; A. H. Martin, 348 Engineer Building; R. R. Horner, Washington, D. C.; J. E. Johnson, Washington, D. C.; W. R. Valentine, Bordentown, N. J.; T. C. Williams, Bordentown, N. J.; John Urquhart, Bordentown, N. J.; Channing Allen, Camden, N. J.; D. M. Stewart, Cleveland, Ohio; Howard F. Stoots, Newark, N. J.; V. H. Daniel, Bordentown, N. J.; D. P. Jones, Trenton, N. J.; B. H. Jones, Indianapolis, Ind.; C. T. Greene, Camp Dix, N. J.; J. C. Smith, Princeton, N. J.; Geo. W. Pierce, Bridgeton, N. J.; C. D. Kenny, Trenton, N. J.; W. Smith, Jersey City, N. J.; R. McCraw, Jersey City, N. J.; D. S. Stackhouse, Haddonfield, N. J.; H. Lane, Bordentown, N. J.; C. Wilson, Bordentown, N. J.; George Young, 135 West One hundred and thirty-fifth Street, New York; Herman S. Whaley, 334 West Fifty-third Street, New York; Eunice Brown; Anita Louise Sands, 202 West One hundred and forty-third Street, N. Y.; Marguerite White, 2405 Seventh Avenue; Harcourt A. Tynes, 133 West One hundred and thirty-first Street; Charles Alec Penney, 2228 Seventh Avenue; M. Walter French, 19 West One hundred and thirty-sixth Street; Eliza Moten Hyder, 206 West One hundred and thirty-seventh Street; Frank M. Hyde; Chas. Hatfield Dickerson, 3600 Wabash Avenue, Chicago, Ill.

Offered by Charles H. Dickerson, of Chicago, Ill.:

WASHINGTON, *D. C., December 18, 1918.*

Resolved, That the executive committee of the National Equal Rights League heartily indorse the action of the colored citizens of Ohio, Illinois, Massachusetts, New Jersey, Maryland, and New York, etc., in presenting to the United States Congress a memorial asking Government aid in gathering, compiling, and preparing for publication as a public document a memorial history of the colored race in America, narrating its loyalty and service to the Republic, as an act of appreciation by the American people of their fidelity, devotion, and supreme sacrifices on every battle field of every war in which the United States has been engaged.

(And further, explanatory of the above, desires to say:)

The colored race has not available the necessary means to systematically and comprehensively gather and publish the facts concerning their achievements in the United States as a world group and place them before the American people.

That each member of the race feels keenly the handicap suffered thereby, and believes were a full, just, and widespread showing of these facts, narrating the part the race has borne toward building up America on land and sea, placed before the world, it would serve effectually to greatly modify feeling against the colored race and be of inestimable help to it in its battle for a man's chance in the struggle for existence.

Approved by the executive committee of the National Equal Rights League in session Wednesday, December 18, 1918, at Washington, D. C.

Attest: JAMES L. NEILL, *Secretary.*

I also desire to print in the RECORD the following two newspaper articles which indicate the great number of negro soldiers

who fought on the side of the allies in the recent war and the valorous conduct of many of these soldiers under fire. They are as follows:

SHOULD THEIR CASE IN EQUITY BE LAID BEFORE THE PEACE CONFERENCE?

Says the conservative Southwestern Christian Advocate of December 26, 1918:

"The negroes furnished more than 2,000,000 soldiers on the side of the allies. There were nearly 400,000 of our own boys under the Stars and Stripes. France had 800,000 colored troops and Great Britain had 1,161,800 colored troops. Does anyone doubt the significance of this force in the victory of the allies? Is there a man anywhere in the world that would deny to the race that these men represent, since they fought for the freedom of the world, their own freedom in everything that relates to full citizenship?"

WHEN 124 WERE DECORATED—BOSTON POST SAYS IT WAS AN IMPRESSIVE SIGHT IN PARIS, AND SUCH HEROISM SHOULD OBTAIN FOR COLORED MAN MORE CONSIDERATION IN THE SOUTH.

[From the Boston Post, Jan. 9, 1919.]

That must have been an impressive sight in Paris the other day when 124 colored soldiers of the United States Army were decorated with medals and war crosses "for extraordinary heroism under fire."

There is no color line in the bravery of our fine troops, nor any sectional limits, either. It is stated that these gallant fellows hailed from as many and widely separated States as Massachusetts and Tennessee, Ohio and South Carolina. They were all a proud part of the fighting force of America and they gave their country good reason for pride in them.

Let us hope that the fine share of the American negro in this war will obtain for him more consideration in regions where he does not always get his just deserts.

New Angle on Cotton Contracts.

EXTENSION OF REMARKS

OF

HON. BENJAMIN G. HUMPHREYS,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 1, 1919.

Mr. HUMPHREYS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include the following article:

[From the Memphis Commercial Appeal.]

NEW ANGLE ON COTTON CONTRACTS.

Mr. J. T. Gooch, of Greenville, Miss., presents a phase of future contracts in cotton that has been little touched upon heretofore in its consequences.

Our people, whenever cotton is down, have a disposition to run to Congress. Then a Congressman or Senator attempts to put some notion into a legislative act. This act or rule may be far away from the trouble.

If the law of supply and demand causes cotton to advance, then the Congressman points to his act as a factor in the advance. If cotton continues to drop another act is suggested.

The price of cotton can not be controlled in Congress. But abuses in contracts can be regulated. The price of cotton can be fairly regulated by the producers themselves, if they determine upon a safe or sane policy, or both, and combine growing cotton with other agricultural industries.

But as to future contracts, Mr. Gooch shows that several hundred varieties of cotton can be tendered on a contract.

If a call is made for delivery of cotton in New York the cotton delivered would be such that is not merchantable. No man could afford to take over a lot of cotton having an infinite variety of grades. Under the system of tendering now in vogue in New York and New Orleans no man would dare to demand 500 bales. He would get cotton of so many intermixtures that he could not hope to close out the lot to a spinner or any other consumer.

Mr. Gooch's letter is so interesting that we print it for the benefit of producers, sellers, and exchanges:

"Anent the resolutions passed yesterday in the chamber of commerce, setting forth the abuse of contract and future trading on the New York and New Orleans Cotton Exchanges, it seems that the 'open season' has arrived for southern commercial bodies to meet and pass resolutions to decrease acreage to cotton and to execrate the members of the two exchanges above mentioned in general and Wall Street operators in particular.

"This has been done with a consistent regularity for the last 25 years until the time has fastened upon us as a tradition. The New York and New Orleans Cotton Exchange members and the Wall Street operators look forward to the occasion with much the same interest that the small boy looks forward to 'fishing time.' Should this 'open season' close without the South sending forth to Congress these annual 'resoluting and execrating' petitions, Congress would be very much surprised and the Wall Street operators would suffer a confusion comparable only to 'shell shock.'

"That the abuse of contract and future trading on the New York and the New Orleans Cotton Exchanges does exist is notoriously obvious, but we of the South, whose interests are so typically at stake, in our just and righteous indignation are execrating a set of gamblers whose interest in cotton values are thoroughly impersonal. We inject sectionalism into our arguments and into our resolutions. We accuse them of selling cotton that does not exist, to people who need it not, in blocks sufficiently large to break the various exchange markets. We accuse them of making 'wash sales' in large blocks in order to establish quotations and disseminate false ideas of value. This is done, openly and admittedly done, but we accuse them of doing these things as if they had secretly done them against us, because we are of the South.

"Divested of all cant, we are appealing to a set of gamblers, whose trade is legitimatized by long custom, not to win and accusing them of doing this when it is done because we are of the South and they 'strafe' us. The truth is they love us. The members of the New York and New Orleans Cotton Exchanges and the Wall Street operators do not care whether cotton sells for 4 cents or 40 cents a pound. What they most desire is for the market to fluctuate, to go up 20 points to-day, 30 points to-morrow, and then break 40 or 50 points the next day. They love us because we are their asset, their stock in trade. If you are a merchant, do you hate your store? If you are a planter, do you hate your plantation? If you owned a gold mine, would you hate it? No; because it is from these things that you get your profits, your dividends.

"Applying the simile, the New York and New Orleans exchange members and the Wall Street operators do not want to see any calamity befall us of the South, because we are their asset, their stock in trade, their gold mine. As long as we survive they shall not perish.

"And it is not because we are of the South that they hold this feeling toward us. They are running a big game, and they invite the whole world to sit in. They do not care from where you come—Greenville, Savannah, Denver, Seattle, and, further, you can hail from Patagonia, the Valley of the Nile, or the Fiji Islands. They do not care who you are nor what were your antecedents. Their one and only concern is that you sit in the game and be able to put up margins in a grand way. We of the South do sit in on a grand scale; men, women, and children buy futures. We of the South are the favored zone, because we are nearly all customers and have been customers from 'the time whereof the memory of man runneth not to the contrary.'

"If we consistently buy cotton, some one must of a necessity sell it to us, and for them to make money out of this transaction they must just as necessarily put the market down. In order to be able to manipulate the market they must have an advantage that we have likely overlooked; and this advantage that they seem to have over us must be something stronger than hate and more potent than sectionalism.

"Probably this advantage that they have over us in the big game is their 'contract.' Do you know what their contract really is when it is analyzed? Let us look it over.

"There are 13 different and distinct standard grades that can be tendered on contracts. There are 8 different and distinct colors and tinges of each grade; there are 5 different and distinct lengths of staple commonly tendered. So multiplying the 13 different grades by the 8 different colors, and this result by the 5 common lengths of staples, gives you 505 different and distinct classes of cotton that you can tender on contracts. Should you buy 500 bales of March contracts—and at present March contracts are practically the same as spot cotton—the seller could tender to you the 500 bales, and each bale would be a different class staple from any other bale in the 500-bale lot tendered. Such a lot of cotton as this no mill could spin and would not buy, no shipper would dare buy it, no cotton factor would solicit such a consignment of cotton, and should he receive it unwillingly it would take him more than one week to class it out and more than probably five years to sell it all. The only person who would buy it would be a speculator, who would only buy it at a price that he considered far below its value, and with the knowledge that he would have to sell it for less than it was worth to some other speculator, who in turn would have to follow the same process through an endless chain of trading, et cetera. At this writing there is a stock of cotton in New York of 91,500 bales, a very large per cent of which is low grade, off color, and blue tinged cotton. The larger per cent of this stock of cotton is owned by speculators, and especially so of the lower grades and off colors. These speculators, on account of their large wealth, are dignified by the cognomen of operators.

"Should a person buy 100 bales of contracts and demand delivery, these operators could so mix up the grades and staples of the 100 bales tendered, that the contract, merely on account of this mixture of grade and staple, would become nearly valueless from the consumers' viewpoint. This stock of low-grade cotton is carried in the New York stock from year to year and is used as a sledge hammer on the market to intimidate purchasers of cotton. Low ordinary, ordinary, good ordinary, strict good ordinary, and low middling, these being the lower grades that are tenderable on contracts, have value when classed into lots and tendered separately. Being allowed to tender any part of all grades and staples on a contract, depreciates the value of the contract to a very large extent, indeed, and gives to the owner of a large and assorted stock of low-grade cottons an advantage in the market that few realize. If this statement is controverted, try to get some member of the New York and New Orleans Cotton Exchanges to explain to you just why it is that March cotton closed at 22.60 cents in New York Wednesday, while on the same day middling cotton in the same market was quoted at 26.07 cents. Let them explain just why middling cotton is quoted over 5 cents above March contracts, the while March contracts are practically the same as spot cotton, and remembering that contract quotations are based on middling grade.

"The Germans are not the only people who carry on a propaganda. As soon as any legislation is contemplated the New York and the New Orleans Cotton Exchange members get very active, showing the southern planter and farmer just where they act as a beneficent stimulus to cotton values. They show to the cotton shippers that these exchanges are a necessity to a conservative course of his business. But again let us look.

"They tender the use of their exchange to the cotton planter and farmer as the most likely place where he can unload the very low grades out of his crop, claiming the demand for this grade of cotton so fickle that it has to be wooed and pursued so delicately that even the exchanges at times can not quite master the situation, and in that event these despised low grades of cotton can find lodgment in their exchanges. These particular brands of despised grades constitute less than 20 per cent of the total crop. In their solicitude concerning the producers' welfare they omit to state that this 20 per cent of the despised low grades that find lodgment with them is carried in stock with the benign purpose of so assorting their contracts and making of them a general mixture to depreciate the contract over 5 cents per pound on the 80 per cent of cotton which this trusting and ever hopeful farmer and planter has sold or has for sale.

"The location of the abuse and its remedy is not at all confusing. The mysticism with which it has been clothed is propaganda pure and simple. Amend the contract of the New York and New Orleans Cotton Exchanges or abate them. These exchanges should be, and can be, made useful instrumentalities of commerce; using their present contract they are nefarious gambling institutions. If they are to serve either the cotton grower or the cotton spinner, their contracts must be so changed as to require the tendering on one contract of 100 bales, cotton of one

grade and staple, though the grade and staple need not be specified in the contract. One hundred bales of cotton of any grade and staple can be used in commerce. One hundred bales of cotton of 100 different grades and staples can not be used except for gambling purposes. If 100 bales of even-running grade and staple would necessitate a volume of business too large for one contract, change the unit of measure and make the contract for 50 bales instead of 100; if this would be too cumbersome make the unit 25 bales. To the cotton trade, regardless of how small the dealer, 100 bales of cotton in evenly classed lots is a small transaction.

"In wheat, corn, oats, provisions and all commodities traded in on exchanges there is a great difference from cotton. There is not in its entirety over three or four grades of wheat, corn, oats, etc., while in cotton there are over 500. The abuse of grain exchange trading to which cotton is subjected can not exist, hence there is no comparison.

"Let us petition Congress, not as southerners, nor confine our petition to southern Congressmen, but rather let us go to Congress with a well-defined corrective and submit it to them, stripped of cant and execrations, and ask them to allow us to submit it to them on its merits. Give them to understand that if our logic is bad, if our conclusions false, we ask nothing. But if our measure is a corrective we ask for legislation as a national economic measure and not a southern one.

"J. T. GOOCH."

EXTENSION OF REMARKS

OF

HON. HENRY B. STEAGALL.

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 1, 1919.

Mr. STEAGALL. Mr. Speaker, I wish to place before the House a copy of resolutions recently adopted by the Senate and House of Representatives of Alabama relative to the Government ownership of railroads, telephone, and telegraph lines. The resolutions are as follows, to wit:

House joint resolution.

Whereas Government ownership of railroads and other public utilities is contrary to the traditions and principles of our Government and people; and

Whereas experience has shown that the Government can not operate such public utilities as economically or as efficiently as private corporations; and

Whereas we believe that the interest of the people will be better subserved by a restoration of the railroads and other public utilities to their private owners: Therefore be it

Resolved by the House of Representatives of the State of Alabama (the Senate concurring), That the Congress of the United States take prompt action looking to an immediate return of the railroads and other public utilities now operated by the Government to their owners, reserving such Government control thereof as may be necessary.

Resolved further, That a copy of this resolution, certified by the secretary of state, be sent to each, the Vice President of the United States, the Speaker of the House of Representatives in Congress, and to each Senator and Member of the House of Representatives in Congress from the State of Alabama.

Adopted by the house and senate January 31, 1919.

The action of the House of Representatives of the State of Alabama is of peculiar interest. No State in the Union has experienced a greater agitation of the railroad question than has Alabama, and no State has encountered greater disappointment in the effort to do away with the evils and abuses of private ownership. After several years of discussion and consideration of the question the people of Alabama attempted to secure certain reductions in freight and passenger rates in that State and to accomplish the correction of abuses on the part of the railroad officials in granting passes and other favors and trying to dominate and even corrupt the politics of the State. After fighting out the issues repeatedly the people succeeded in securing the enactment of legislation to bring the relief desired, but the railroads enjoined the State and inaugurated a prolonged contest in the courts, which resulted in a compromise, thus thwarting the will of the people of Alabama. It would seem if any State in the Union could be found to oppose a return to private ownership, with all the abuses and evils which we have never succeeded in eliminating, Alabama would be one. Yet we find both houses of the legislature of that State urging a return to private ownership. There can be no explanation for this except that they regard the new régime as worse than the former, and I think that the expression of the people of Alabama through their senators and representatives may be fairly regarded as typical of the sentiment throughout the country.

Of course, we were all willing to have the Government operate the railroads during the period of the war and as long after the cessation of hostilities as necessary to wind up affairs in connection with the conduct of the war. When we were in the death struggle with Germany and our boys crossing the ocean in millions, and dying by the thousands upon the fields of France, every patriotic Member of Congress was ready to go the limit to organize the resources of our country in order to support and sustain our forces at the front. The people of the country fully approved of our action, but it was distinctly understood that Government operation was to be only temporary and would terminate when the military necessity ceased. I contend that we are bound in good faith to make good our assurances and that the Government should return the roads in accordance with the understanding upon which they were taken over.

We can not in good faith and consistency take advantage of the power that was intrusted to the Government thus temporarily to fasten public ownership as a permanent policy nor even to continue experiments. We should do just what we said we would do, and that was to use the roads to win the war and then return them to their owners. When this is done the advocates and opponents of public ownership will have a fair opportunity to fight out the contest on that proposition.

When it was proposed to take over the roads it was insisted that among other advantages to be gained the Government would be able to effect a saving by consolidating management and other economies. But what are the facts? Notwithstanding a burden of approximately $600,000,000 has been added in six months, from July to December, in freight and passenger charges through the raise in rates, the Government has sustained a loss of approximately $200,000,000. So it will be seen that instead of effecting a saving there has been, directly or indirectly, a loss of over three-quarters of a billion dollars; and that, too, at a time when the vast increase of business afforded unparalleled opportunity to make a profit. Of course, it will be said that economies will yet be accomplished, but I have no faith in the suggestion. We all know how difficult, if not impossible, it is to abolish or reduce any salary or expense when once fastened upon the Public Treasury.

When we took over the roads we appropriated $500,000,000 to be used as a revolving fund, and now we are called upon to appropriate three-quarters of a billion more, and the advocates of the measure are unwilling to agree upon a time when it shall end except the period of 21 months after the signing of the peace treaty, as fixed in the original act. I am willing to vote for an appropriation to cover all expenditures that have been made and all obligations incurred. This is the proposition embodied in the amendment offered by the gentleman from Texas [Mr. RAYBURN] to limit the present appropriation to $381,000,000. This fund would be sufficient to discharge all obligations and maintain a working capital of $247,000,000 in the hands of the administration, which was the amount heretofore used, and which it is desired to maintain. Without the adoption of this amendment I am unwilling to support the bill. I am opposed, in the present condition of the Treasury, to appropriating $369,000,000 for loans to be made to the railroad companies, and especially without fixing a time when the Government is to be relieved of its burdens in this connection. I want to see the activities of the Government simplified and reduced rather than multiplied and enlarged. I view with great alarm a proposition to increase in such sweeping fashion the centralization of power in the Federal Government and to fasten permanently upon its pay rolls the vast army in the service of the railroads. I am opposed to the effort to temporize with this question or evade responsibility, and for these reasons I can not vote for this bill.

The Political Refugee.

SPEECH

OF

HON. MEYER LONDON,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 22, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill H. R. 14746, the Indian appropriation bill.

Mr. LONDON. Mr. Chairman, in a proposed amendment to the immigration law, which I intend to discuss when it will be taken up for consideration by the House, there is one particularly obnoxious feature to which I desire to call your attention.

The proposed amendment does away with all exemptions in favor of political offenders.

There is no excuse for such a radical departure from an American tradition which is as old as the country itself.

It will neither be new nor original to say that this Republic had its birth in rebellion against an oppressive form of govern-

ment. The great majority of the men who have built up this country were men who had fled from some form of oppression. They were rebels, bringing with them a love of liberty.

Every revolution in Europe brought hosts of political refugees to this country. With his hatred of oppression being fresh, the newcomer helped to keep alive the ideals of liberty in this Republic and helped furnish that vigilance which is the eternal price of liberty.

This is the worst possible time to shut the doors of America to the political refugee. We may expect many a political offender in European countries within the next few years. Quiet and contentment can not be established by a fiat of the peace conference. There are too many new forces at work. Economic, social, and national values will be undergoing a revision and revaluation. There will be new governments galore, and each government will during its brief hour of authority contend that it is the very best government in the world and that its opponents are enemies of society. It will be a hard time for the minorities.

The Committee on Immigration argues that it owes a duty to the country to protect it against the influx of Bolshevist ideas and Bolshevik propagandists. I need not dwell on the futility of legislating against the spread of an idea. If there is anything sound about an idea, if it can in any way be adapted to the needs of the people, if it can hold out any hope for the future, it can not be shut out by any artificial rule. You can not bar an idea by restrictive immigration laws.

The specter of Bolshevism has frightened the committee out of all sound thinking. Of course, no real effort is made by anybody to understand either the meaning of the word Bolshevism or the significance of the movement which it is supposed to represent.

Reactionaries of all degrees of darkness have been branding every new thought as Bolshevism. What is this Bolshevism that drives so many people mad with fear?

At a convention of the Social Democratic Party held in 1903 there developed a factional struggle as to methods and policies. The group which happened to be in the majority came to be known as the Bolsheviki, which means "those in the majority." Were we to coin an English equivalent for that word we would use the word "majoritists."

It fell to the lot of the Bolsheviki to take up the reins of government of a country wrecked by a disastrous war and in the agony of a revolution which followed the overthrow of an absolute monarchy. When they took possession of the Government, Russia was neither in a position to carry on the war nor to secure peace.

The contest between church and state, the fight against the elements that were seeking to restore the monarchy, the bitter class struggle between the large landowners and the peasantry who wanted more land, the superabundance of theorists, the attempt to build on the ruins of an autocracy the most advanced form of political and industrial democracy, the disastrous Brest-Litovsk treaty, the blockade which is still carried on by the allies and which prevents any hope of rehabilitating her industries, the presence of foreign armies on her soil—all these things would have broken down the best organized form of government.

Like the word "bolshevism," its methods are peculiarly Russian. It is impossible to apply the methods used in the desperate moments of a revolution in a country ruled for a thousand years by an absolute monarchy to a country with nearly 300 years of development of political institutions.

And then it is so hard to get at the facts. It will take decades before the world will know the real part played by men or parties in the present world crisis. Several of the very best periodicals in America, such as the Dial, the Nation, the New Republic, and such Socialist publications as have not been crushed, have been trying to present an historical analysis of the soviet form of government. The Nation has recently published the constitution of the Soviet government, a number of decrees and laws, including a comprehensive marriage and divorce law, as well as a series of documents which shed a great deal of light on recent events in Russia. The average man is impressed, though, by screaming headlines, by reports of the grotesque and the unimaginable.

This unreasoning dread of Bolshevism only shows the utter incapacity of our present statesmen to solve American problems in an American way.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. May I have five minutes more?

Mr. CARTER of Oklahoma. I yield five minutes more to the gentleman.

Mr. LONDON. In connection with this, Mr. Chairman, I wish to point out the necessity of repealing without delay the laws which were enacted under the hysteria of war and which curb the freedom of the press and destroy freedom of speech.

No country can live when men are afraid to speak the truth. You can not obtain the truth unless men are free to speak. I repudiate the doctrine that the minority is necessarily wrong, or that the minority is necessarily disloyal—a doctrine recently proclaimed by a noisy fool before one of our committees. How is a representative government to live unless every man is free to express his views on all subjects affecting the welfare of the country? How can there be an exchange of thought, how can thought be shaped or expressed unless men are free to give utterance to their opinions? And if every man is to hold his ear to the ground and try to determine in advance what a majority will think, or what a majority will say, there will never be any thought worth while.

The world has been moved forward by strong minorities. The most men love comfort more than they love liberty. They love to be thought well of by their neighbors. And one of the best ways of being thought well of by your neighbor is to agree with your neighbor. The very words "like" and "unlike" illustrate that. One dislikes another because he is unlike, because he is different. A free country can not live without a free press. In some of the sections of the country those who happen to be temporarily in authority are now committing all sorts of outrages against the law in the name of the law. In the name of the law people are prohibited from speaking, and in the name of the law people are prohibited from assembling, just because they might say something that will not be popular. Well, if it is not popular to-day it may become the ruling thing 25 years hence.

Men should be given the opportunity to speak their thoughts. I hope this Congress will repeal before this session is at an end the laws which curb the freedom of the press and freedom of speech. Let us forget the hatred and the bitterness of the war. Let us begin and build anew; not only build the rest of the world, but build a better America. If America is to be good, it must always try to be better. We can only build well upon the foundations of freedom of the press, freedom of thought, and freedom of speech, and upon respect for the rights of the minority.

Smashing to Victory.

EXTENSION OF REMARKS

OF

HON. FREDERICK C. HICKS,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 14, 1919.

Mr. HICKS. The appeal—

IN FLANDERS FIELDS.

In Flanders fields the poppies grow
Between the crosses, row on row,
That mark our place; and in the sky
The larks still bravely singing fly,
Scarce heard amid the guns below.

We are the dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved; and now we lie
In Flanders fields.

Take up our quarrel with the foe.
To you, from failing hands, we throw
The torch. Be yours to hold it high.
If ye break faith with us who die,
We shall not sleep, though poppies blow,
In Flanders fields.

—Lieut. Col. John McCrae.

On this winter's day, when the implements of warfare are already rusting upon battle fields but yesterday the scene of savage carnage, we give our heartfelt thanks for the blessings of peace—blessings achieved in large measure by the matchless courage and the superb bravery of our own boys and by the unflinching spirit of devotion and determination of our people at home. With the glorious triumph that has come to American arms on land and sea, we say to every man in the service, to the men in khaki and the men in blue, to each one from seaman to admiral, from private to general, those who were on the firing line as well as those who did not have the opportunity of going overseas, that your heroic deeds and your sacrifices have been appreciated by a grateful country. For all time you have earned the gratitude of the Nation in maintaining the great principles of our Republic and the prestige of our flag.

Mr. Speaker, in the time allotted me to-day I desire to relate some of the things I saw on the "firing line" last summer during a trip I made overseas as a member of the Committee on Naval Affairs. As my narrative is entirely too voluminous for oral presentation, I will ask the House for the privilege of extending my remarks.

Our official party consisted of Congressmen PADGETT, RIORDAN, HENSLEY, CONNELLY of Kansas, OLIVER of Alabama, VENABLE, WILSON of Texas, BUTLER, BROWNING, FARR, MUDD, PETERS, and myself. Leaving Washington July 13, the next morning we boarded the U. S. S. *Arkansas*, lying off Old Point Comfort. This dreadnaught, Capt. Bullard commanding, had been detailed to join the allied fleet stationed in the North Sea. From the time we weighed anchor until our ship passed the last net in the harbor of Scapa Flow, 11 days later, the vigilance of the officers and crew was not for a moment relaxed. To provide additional protection against submarine attack, the ship's head was altered every two hours, the course followed being a prescribed zigzag, alternating right and left, and paralleling the base course at regular intervals. In readiness for attack, two of the big turret rifles and four of the secondary battery were manned night and day, the crews at station beside the guns and down in the ammunition chambers. Although no submarines were sighted, several shots were fired at suspicious objects, as the captain took no chance, believing that the best policy was to fire first and inquire afterwards.

The day before reaching our anchorage three British ships met and convoyed us to Scapa Flow, the great British base in the Orkney Islands. Here we were received by Capt. Guy Gaunt, of the Royal Navy, detailed by the First Lord of the Admiralty to act as our official escort. In the days which followed, his courtesy, consideration and thoughtfulness endeared him to every member of our party. During our stay in Great Britain and Ireland we were the guests of the British Government, receiving many generous and distinguished courtesies, and being afforded every opportunity of securing complete information on war activities.

Our first inspection was the mine-laying plant of our own Navy, at Inverness, Scotland. This important work was under the supervision of Admiral Strauss, who had in his command here and at Invergordon, another station, several thousand highly skilled men engaged in fitting up and adjusting the mines and planting them in the great barrage being laid across the North Sea. This project, conceived by American daring, called for the sowing of some 70,000 mines in a vast belt 24 miles in width and 234 miles in length, extending from Scotland to Norway. Owing to the great depths between the coasts, in some places 800 feet, a specially designed mine had to be used. Ten vessels were employed in this dangerous work, each fitted with appliances and machinery enabling them to plant mines at the rate of one every 12 seconds. Although this barrage, constructed largely by our own Navy, with the British Navy acting in hearty cooperation, was completed only a short time before the signing of the armistice, yet it is estimated that at least 10 German submarines were caught in it.

Nineteen miles from Inverness is Strathpeffer, noted for its medicinal springs. Here a completely equipped naval hospital had been established for the care of our sick and wounded. At Leith, near Edinburgh, was another great naval hospital fully manned and provided with all necessary appliances. These two hospitals had a capacity of about 1,200 beds. In many places near Edinburgh we saw barbed-wire entanglements and trenches, constructed at the outbreak of the war for the defense of the city in case the Germans effected a landing, but happily these trenches were never needed, for the British at all times held the supremacy of the sea. Near Leith we inspected a British Navy ambulance train equipped with kitchens, dispensaries, and every convenience for the comfort and treatment of sick and wounded sailors. To avoid the discomfort of moving men from one bed to another, cots with springs and mattresses had been devised, which could be carried by stretcher bearers. The wounded men were placed on these cots, carried on board the train, and then removed to the permanent hospital without change. The cots were so constructed that in the daytime, if need be, they could be converted into lounges.

The cordial cooperation between the American and British Navies, so pronounced everywhere, was especially manifested in our hospitals, where the sick and wounded of the British Navy were cared for with the generous consideration shown our own boys, and the British hospitals reciprocated by extending the same courtesy to the boys of the American Navy.

At Edinburgh we were accorded a review of the British Grand Fleet, anchored in battle array in the historic Firth of Forth. Five American dreadnaughts—*New York*, *Texas*, *Delaware*, *Wyoming*, and *Florida*—under the command of Admiral Rodman, a fighting commander, formed a division of this mighty armada. It is a pleasure to record the many tributes of praise bestowed by Admiral Beatty and his officers upon our squadron. Again the splendid spirit of cooperation between the two navies was fittingly expressed by Admiral Rodman, "that it was not two services of two countries, but one service of two countries."

These double lines of gray ships, with steam up and crews at guns, were ready to do battle on the instant word came for action. Never before had the world seen such a stupendous concentration of sea power, never before had the world witnessed such an ignominious surrender as followed in a few short weeks, when a great enemy fleet, the second most powerful navy on the seas, struck its flag without firing a shot. That victory, although silent, was complete and absolute, demonstrating the unquestioned importance of naval strength by the results achieved throughout the period of hostilities and by the events leading up to the culmination of its supreme power.

In London we were received by Admiral Sims and his staff, who extended every courtesy and offered us a detailed review of the work of his department and the requirements of the service. We can not laud too highly the admiral and the officers and men under his command for the efficient and comprehensive manner in which they carried forward the overseas operations of the Navy. We were entertained by Admiral Sims at the American Officers' Club in Chesterfield Gardens. Upon the entry of America into the conflict, Lord Leconfield placed at the disposal of the officers of the American Army and Navy his magnificent house Mayfair, superbly furnished and equipped. With no dues, fees, or obligations of any description, with the only requisite for membership the uniform of an American officer, this club attests the hospitality of our British allies and the generosity of its sponsor.

The admiral showed us the following interesting extracts from a captured German Army intelligence report referring to American troops:

> The Second American Division may be classified as a very good division, perhaps even as assault troops. The various attacks of both regiments on Belleau Woods were carried out with dash and recklessness. The moral effect of our firearms did not materially check the advance of the infantry. The nerves of the Americans are still unshaken.
>
> The individual soldiers are very good. They are healthy, vigorous, and physically well developed, who at present lack only necessary training in order to make them redoubtable opponents. The troops are fresh and full of straightforward confidence. A remark of one of the prisoners (a marine) is indicative of their spirit: "We kill or get killed."

I regret time does not permit me to speak in detail of the cordial receptions tendered us by the King and Queen and the officials of the Government in Scotland, England and Ireland. Wherever we went we found only praise for all that America was doing, and the strongest desire for cooperation in the prosecution of the war.

Ambassador Page, although at that time a sick man, was at his desk, as he had been through all the trying days of four years of war. Little did we realize then that he was so soon to receive the call to a higher post, and when the news came of his death it was a shock to everyone who knew and appreciated his sterling character. In the passing of Walter Hines Page the Nation lost a distinguished diplomat, his associates a brilliant leader, his companions a generous friend.

We visited the British naval base at Dover, under the command of Admiral Keyes. From Dover operations were conducted against the German submarine activities in the North Sea, and it was from here that the daring attack was made last spring against the German bases at Ostend and Zeebrugge.

Near Dover was the Capel air station, from which aircraft were sent to guard the troopships crossing the channel, and we had the pleasure of making a flight in one of their large Blimp machines. Harwich was another important naval base, both for destroyers and aircraft, and here we had an interesting experience. As we were at lunch on the flagship, a carrier pigeon brought word that a British aviator had gone down in the channel and had been picked up by a Dutch vessel. Immediately a destroyer was ordered to the rescue. In the meantime we were taken up in one of the large seaplanes, from which we followed the course of the ship as it went out of the harbor in search of the daring pilot.

At Queenstown, Ireland, our Navy operated both a destroyer and an aviation base. This important station was under the command of Admiral Bayley of the British Navy, and the operations conducted from this point by the British and American forces, covering a wide area, were most comprehensive in scope. One night our committee attended an entertainment as guests of the enlisted personnel, where the entire program was arranged and produced by our bluejackets. The real merit of the performance attested the high character of the men in the naval service.

Just back of Queenstown, in a quiet valley, surrounded by the cultivated fields of the Irish farmers, is the little cemetery where sleep the victims of the *Lusitania* tragedy. With bowed heads we looked upon their graves and with sorrowing hearts read the inscriptions which told of their untimely deaths—deaths which struck at the conscience of humanity; deaths which aroused a Nation and carried it forward with a unity of purpose to render it impossible for crimes such as these ever again to mar the pages of history. Such deaths were not in vain. One inscription told of a mother and two children who lost their lives on that fatal day. On another stone was this pathetic legend:

Alfred Scott Witherbee, jr.
Born June 27, 1911.
Died May 7, 1915.
A victim of the *Lusitania*.
Foully murdered by Germany.

Several times while in London we visited the famous Eagle Hut, just off the Strand. This canteen, under the care of the Young Men's Christian Association, was self-supporting. It was equipped with 279 beds, the charge for which, with clean sheets and pillows for each occupant, was 18 cents per night. In the restaurant, during July last, a daily average of 2,700 meals were served, the charge for a table d'hôte dinner, consisting, for example, of American hash or liver and bacon, potatoes, cabbage, and pie or pudding, was 16 cents. Meals à la carte were in proportion; bread and butter was 2 cents, potatoes 3 cents, coffee 3 cents. A real soda-water fountain probably was the most popular piece of furniture in the building, where ice-cream soda could be bought for 6 cents. Reading, billiards, lounging, and bath rooms were also attractions much enjoyed and appreciated by the boys. Over the fireplace in the main room this motto, composed by one of the men, was displayed:

America has kept her word
And been to freedom true.
The answer all the world has heard
Because of such as you.

Before leaving London we had conferences whith Sir Eric Geddes, of the Admiralty, and also with Prime Minister Lloyd George, discussing with these two leaders of thought and action various phases of the war. It is needless to say that these gentlemen, each eminent in his line of service, impressed us as being men fully capable of handling the many problems confronting them. Mr. Geddes was loud in his praise of our Navy, saying: "The dauntless determination which the United States has displayed in creating a huge, trained body of seamen out of landsmen is one of the most striking accomplishments of the war. Had it not been effectively done, one would have thought it impossible, but words fail me to express our admiration of this feat undertaken and accomplished by your Navy Department."

Mr. Lloyd George was also very emphatic in his appreciation of our efforts, telling us that "the allies have been cheered by the splendid fighting of the Americans." A few days after our call he paid in Parliament this tribute to the American soldiers:

It is not merely that they fought with courage—everyone expected that of the American Army—but they have fought with a trained skill that no one ever expected or had a right to expect. The men are brave, but the officers, who, after all, are not trained officers in the ordinary sense of the term, have shown skill and knowledge and management of their men under trying conditions which you could hardly expect from men who have not had a good deal of the experience of war.

That is one of the most remarkable facts in the fighting of the American Army.

It was a keen personal pleasure for me to renew the friendships of the previous year with Mr. Beal and Mr. Littlefield, of our embassy, whose great courtesy our party so fully appreciated. I was again the recipient of much kindness extended by Mr. Ian Malcom, M. P., whose work with Mr. Balfour and in connection with the British Red Cross is of distinguished merit.

London last summer was the same London as on my visit in the fall of 1917—the darkened thoroughfares, the restrictions regarding open blinds at night, the same crowded streets thronged with soldiers, the dearth of automobiles, and scarcity of food. In fact, food was less plentiful at the hotels last summer than the year before, and I venture to say it was the same elsewhere. No sugar served at all, the only sweetening being sirup; which while making an indifferent oatmeal, renders coffee anything but coffee. Bread and meat could be obtained only on ration tickets, and then simply in small quantities. Butter and cream were never seen, and, of course, pastry and other delicacies existed only in the memory of other days.

In this connection let me tell the story of a man who went into a restaurant in which an American negro was employed as waiter. The hungry customer ordered beefsteak, cream potatoes, ice cream and cake, with plenty of bread and butter. The darky looked at him in bewilderment, and then exclaimed, "Say, boss, is you givin' a order or jest reminiscin?"

If material things in London showed no change, there was a notable difference in the morale of the people. The gloomy anticipations of 1917, coupled always, however, with unabated determination, had given way to a buoyancy of spirit and a confidence which bespoke certainty. It permeated every walk of life. The weary weeks of dread following the inauguration of the great drive had been broken by the brilliant victories of the allied armies; the submarine menace was in check; the Americans at last had come; Belleau Wood and Chateau-Thierry had been fought and won; Paris was safe and Foch was on the offensive. Now it meant only a little more sacrifice until the triumph would be complete.

I regret that opportunity does not permit me to speak fully of the achievements of Great Britain in this conflict; but let me say that the men of English blood and of Scotch and of Irish and of Welsh blood and the men from the colonies overseas fought in this conflict like the bulldogs which they are, and that the people of that great Empire gave of their substance and of their blood without stint and without reserve.

The Paris of August, 1918, was vastly different from the Paris of the previous year. In 1917 the German lines were far removed, and the French capital, while always apprehensive, had neither experienced the destructive air raids nor been subjected to the bombing of the big Berthas. On my former visit the streets, although filled with soldiers, were almost normal, and business went on practically as before the war. Last summer, however, all was changed. The long-range guns, with tragic frequency were finding their victims by day, while the night was filled with terror by bombs dropped from the overhanging darkness. As in London, the street lamps were dimmed, and one had to grope his way along the darkened thoroughfares. When the big guns started their deadly work the missiles would fall with such regularity that one could almost set his watch by the explosions of the shells. From the church steeples and other towers, huge sirens warned Paris of an attack, and throughout the city, along the boulevards and in the side streets, were the significant signs "Abri," denoting subterranean shelter. We saw many places where these shells had wrought their destruction, the most tragic of all being the Church of St. Gervaise, within whose sacred precincts on Good Friday, nearly 100 persons were killed and mangled.

Although the drive on Paris had been stayed and the tension of the French somewhat relieved, yet the battle line was too close for complete security; the awful dread of the few short weeks before when the imperial army was only 40 miles away had not entirely passed. The thousands who left Paris when the capture of the city seemed imminent had not returned; and while the spirit of the people was one of elation and confidence in the smashing offensive of Marshal Foch and the allied forces, there was the possibility that the tide might turn, and above all was the seeming certainty that the conflict with its toll of death, suffering, and privation would drag on for many weary months.

Our first official visit was made on Ambassador Sharp, our representative, who throughout the war had remained steadfastly at his post, rendering invaluable service to his country and his countrymen, and by his ability and courtesy holding the esteem of the French people. We paid our respects to President Poincare; Mr. Leygues, minister of marine; Mr. Pichon, minister of foreign affairs; and Premier Clemenceau. Mr. Clemenceau, most aptly styled the "old tiger," gave us a hearty welcome. There was no doubt in his mind of the ultimate result, no question even of a speedy conclusion of the struggle, and he was backing the forces at the front with all his fiery zeal and indomitable will. He was the man of the hour, carrying the whole nation with him as it hurled its all into the final drive. "Yes," he said, "we do not know what would have happened to Europe had it not been for America; it saved civilization." In answer to a query what would the next move be if the allies captured a certain place, he replied: "It is no longer if; it is we will take it."

One afternoon I had the pleasure of calling upon Maj. Roosevelt and his brother, Capt. Archie, each convalescing from severe wounds, and both fretting over the delay in getting back into the line.

By train we went to Bar le Duc, and thence by motor along the famous victory boulevard to Verdun—Verdun, immortal Verdun, the rock of destiny, guarding the passage of the Meuse on the eastern frontier of France. We were greeted at the portals of the citadel by Col. De Hay and his staff, who escorted us to Marre Hill, from which, across the valley, we could see the German lines. The artillery on both sides was maintaining an erratic bombardment. Now a German shell came screaming from the farther hills, to be answered by the French guns from

their positions just back on our right. All day long for weeks and months and years these guns have been hurling their projectiles on these scarred heights. We were on the crest of a hill, hidden in an old redoubt, and were under observation of the enemy, therefore in passing to and from our place of concealment were obliged to walk singly and far apart, so as not to attract attention and invite a shell, for the Germans are very careless with their artillery, and a group of persons, even of Congressmen, would be considered worth taking a shot at.

While we were watching this drama, a French plane flew over our heads, bound for the German lines. When it came within range the enemy antiaircraft guns opened upon it. Shot after shot was fired, the grey spots of the exploding shells smudging the sky about the machine, but luckily none struck home.

The city of Verdun is a desolate ruin, not a house but shows the work of German destruction. Streets piled high with débris of twisted steel, charred timbers, crumbled bricks, and broken stones, are abandoned and silent. It is a veritable city of the dead, closed to the outside world. Demolished shops and vacant homes, desecrated churches and shattered schoolhouses, tell the story of the avalanche of steel and fire which swept this defiant city into a holocaust of ruin and despair. Here and there flowers, perpetuating memories of happier days, brightened the gloom of desolated gardens, and vines still cling to the broken walls as if nature by her gentle mantle sought to hide the ravages of war and shame the savagery of man's wanton destruction, contrasting the brilliancy of her blossoms with the darkness of vacant homes and sorrowing hearts.

The stately palace of the archbishop is a battered wreck of its former splendor, strewn with the sacred furnishings of a house of God. It was here that the Crown Prince had decided to have his banquet in celebration of the fall of Verdun! Strange how many dinners of the imperial conquerors remain uneaten! As we were picking our way among the fragments of holy figures, broken glass and pieces of exquisite carving accumulated in the courtyard, a group of 14 French planes passed overhead on their way to Metz. The machines, in regular formation, whirled through a thin cloud of vapor, each making a path as if a snowplow had swept the course.

The great church of St. Sauvier and the massive cathedral have met the same fate of the palace, and their ancient glory is lost forever. That evening a few of us wandered through this twentieth century Pompeii, where the only sound was the fall of our steps upon the broken pavements, and the only sight empty windows and darkened doorways. Where once the light of happy homes pierced the night, now only gloom; where once the laughter of children echoed their happiness, now only the rustling of the wind as if moaning a requiem over memories buried beneath the vengeance of German guns. In the sky an observation balloon flashed its signals to the forts below; but no cannon answered, and silence reigned along the battle line and in the city, which through all the anguished days of blood and terror stood steadfast in its defiance, "They shall not pass."

We slept that night in the citadel, deep down in the recess of the rock, and in the morning went out to Fort Souville, and then to Fleury, St. Douamont, and beyond, tracing our way among the most awful scenes of destruction it is possible to imagine. In places the German lines were only a few hundred yards distant. It was on these hills which surround the city like a great necklace, 30 miles in circumference, and in these valleys and on the farther heights, that the battle of three years ago was fought—square mile after square mile of ground, every inch of which has been torn by shell and consecrated by the blood of those who fell in its defense. Helmets, rifles, masks, grenades, shells, and broken wheels strewed the land as far as eye could reach. I pulled a helmet out of the mud, and there, wedged in its steel case, was the rotting head of a German soldier; a boot encased a leg of decaying flesh and crushed bone.

Let me refer briefly to the history of Verdun, famous since the days of the Romans. In the time of Henry II it was conquered for France, and under Louis XIV, Vauban, the eminent engineer, constructed his elaborate system of bastions, ravelins, and moats. In the war of 1870 Verdun made a stout resistance, and fell only when supplies failed. Since those fateful days it has been one of the principal bulwarks of eastern France, guarding the crossing of the Meuse on the main line of advance from Metz, only a day's march distant, to the passes of the Argonne and the upper Marne Valley. Here the road from Paris eastward meets the highway running along the river valley, and here five railroads have their junction. Its commanding situation prompted the French to make this the strongest of their frontier posts. The surrounding hills in a long circuit were fortified with redoubts, forts, and batteries. It represented the highest degree of military skill in the old science of defense, and had not been neglected like Lille and Rheims.

Before the war the forts had been reconstructed, concrete and steel replacing masonry and earthwork. Guns of heavy caliber, mounted in sinking turrets after the Brialmont system, had been installed. Within a few weeks after the outbreak of hostilities the city was almost invested by the armies of the Crown Prince, but the French victory at the Marne compelled the Germans to retreat. For months following there was no serious attempt to capture Verdun, the objective of the Crown Prince being to sever French communications by advancing his lines southward in order to effect a junction with the German Army at St. Mihiel; but in spite of all attempts, the city and its forts remained a great salient. Baffled in their plans to isolate Verdun, the imperial high command decided upon a direct attack.

On February 16, 1916, the German guns opened fire in a desultory manner, and in anticipation of what was to follow, the city was evacuated by its civilian population. Early in the morning of February 21 the real siege began, a bombardment never before equaled in all history. Artillery, with guns ranging in caliber from the 4-inch to the powerful 13-inch, massed with wheels touching, hurled their missiles in a deluge of steel upon the French lines. Trench after trench was blotted out and mangled men by the thousands lay slaughtered on the slopes. The very hills lost their form beneath that terrific attack. Then the German infantry, 14 divisions strong, swept forward; 230,000 bayonets were concentrated to complete the work of the shells in the capture of the city. Barrage charge, counter attack, bombardment followed in succession as the lines swayed back and forth over ground already piled high with dead and dying men. Torrents of shrapnel, high-explosive shells, liquid fire and asphyxiating gases fell upon the dauntless French as they were slowly driven back.

By the night of February 24 the German lines were pressing against the last positions. This was the fourth day of the battle, the day set by the high command for the victorious entry of the imperial army into Verdun, the day which, due to the matchless courage of the French soldiers, never came. The morning of the 25th was ushered in with a canopy of snow lying upon the death-strewn heights. Both armies knew that the crucial time had come. Each realized that for them the outcome of the next 24 hours would mean either victory or defeat. With the first rays of dawn came the boom of the German guns as battery after battery opened. The whole front soon became an unbroken line of belching fire, each lurid flash a blotch of flame against the leaden morning sky. Individual sounds, at first distinct in the crisp air, became merged and finally lost in one mighty roar of shrieking, whining shells as the cyclone of steel reached its maximum of fury. The sun was blotted out by the clouds of smoke and gas which hung low over the charnel house—funeral shrouds for friend and foe alike.

Then wave after wave of gray-clad infantry of the enemy surged up the hills, to be hurled back again and again in ever-increasing slaughter by the thin line, fighting with their backs to the wall, in defense of homes and for the honor of France. Mangled flesh, headless bodies, and dismembered forms, reeking with spurting blood, lay in gory heaps. The line bent, swayed back in places, but it did not break. Let me quote from a French officer who witnessed the scene from an observation post: "Beyond, in the valley, dark masses are moving over the snow-covered ground. It is German infantry advancing in massed formation to the attack. We telephone through to the batteries, and the ball begins. The sight is hellish. In the distance, in the valley and up the slopes, regiments spread out, and as they deploy fresh troops come pouring in. There is a whistle over our heads. It is our first shell on its way. It falls in the middle of the enemy infantry. We telephone, telling our batteries of their hit; then a deluge of heavy shells pours on the enemy. Through glasses we can see men maddened, men covered with earth and blood, falling one upon the other. The first wave of the assault is decimated—the ground is dotted with heaps of dead—but the second wave is already pressing on. It tries in vain to get through our fire. It is driven back, and again discovered by our guns; once more our shelling carves awful gaps in the ranks. Nevertheless, like an army of rats, the boches continue to advance. Then our heavy artillery, bursts forth in fury. The whole valley is turned into a volcano, and its exit is stopped by the barrier of the slain."

With the French position desperate almost beyond hope, Gen. Petain, one of the ablest and most resourceful of the French fighting commanders, was ordered to Verdun and placed in supreme command. His task, in reorganizing shattered communications and bringing up supports in the face of a smashing offensive flushed with victory, was herculean. He achieved the impossible and saved France. Gen. Petain assumed command in the morning. In the afternoon of the same day came the crisis,

the culmination of the German effort to capture Douamont, the key of Verdun. Imperial orders had been issued that, at all costs, the fort was to be captured, and the attack, under the personal observation of the Kaiser, reached a pitch of unprecedented savagery. He and his generals watched the conflict from the hills known as the Twins of Ornes. So confident were they of victory that word had been sent to Berlin to prepare the capital for a great celebration.

Line after line, the Germans swept over the edge of the plateau in a desperate effort to gain the crest. Again and again they were thrown back by the terrific fire of the French guns. Wave after wave surged up the slopes, broke and ebbed, then recovered and advanced again, only to be beaten back. At last one wave mightier than the rest, a remnant of the Twenty-fourth Brandenburg Regiment, reached the crest and broke through the French trenches. On the right and on the left the French still held their positions, but the fort itself was in German hands. A wedge like a dagger point had been thrust into the French lines. Although their front had been pierced, it had not been broken. To the watching Emperor it meant victory, and a telegram flashed the news to Berlin that Douamont, the key of Verdun, was captured, and the capital decorated itself with flags and bunting in anticipation of a victorious march to Paris. But between those gray German lines and their goal stood the intrepid soldiers of France! True to the traditions of their glorious past, they met charge with charge, attack with attack, bayonet with bayonet, club with club, stayed the avalanche which had piled the ground in places with nine feet of human corpses, and held on; and the victory flags of Berlin, tattered and torn by waiting, became shrouds on the coffin of the Kaiser's dream of conquest.

"That night it was bitter cold and the wounded left upon the fields were corpses in the morning. Looking from the parapets in the faint light each side saw dark figures apparently crawling in no man's land between the lines. At first they suspected a night attack, but soon they saw it was an army of the dead." While the capture of the ruined fort was spectacular, it was an empty victory for the enemy, as that night the wearied lines, which for five days had been beaten back inch by inch, were reenforced. On the morning of the 26th Gen. Petain, swift to take advantage of his fresh troops, launched a counter-attack with the famous Twentieth Corps of Nancy veterans, driving all but a handful of the Brandenburgers from the crest of the heights. These few remaining still held the fort. The next day, with snow deep upon the ground, the combat continued, marking no decisive results on either side. Then came a lull, while the German high command revised its plan of attack.

On March 2 the assault opened upon the western defenses, the objective being the capture of Dead Man's Hill, key of this sector as Douamont was the key of the eastern heights. To prevent the French reenforcing the real point of attack, a drive was made against the Douamont position. By threatening their railroad communications close to the lines, the French were compelled to resort almost entirely to motor transportation for ammunition and supplies. Along the great highway leading north from Bar le Duc to Verdun an endless chain of convoys passed and repassed. This road, so absolutely vital to her success, is now renamed the Avenue of Victory, a fitting appelation, for it carried the might of France to the lines of her defense on the hills beyond. To visualize the scene upon this highway in those grim days and nights, let me quote from a letter written by a French transport driver:

> Each trip represents for us from 15 to 25 hours at the wheel—when it is not 30—and for our lorries 150 to 200 kilometers. This, day and night. On arriving here we did the journey twice daily, almost without stopping—that is to say, 48 hours without sleep and almost without food. Can you imagine what it means to drive one of the lorries weighing 5 tons and carrying an equal weight of shells, with a lorry just in front and one just behind, or driving during a frosty night or without lights when nearing the front? Can you see the driver alone, on his lorry, whose eyes are shutting when a shock wakes him up suddenly, who is obliged to sing, to sit upright, to swear at himself so as not to sleep and throw his lorry into a ravine or get it stuck in the mud or knock the one in front to pieces?

From March 2 to April 9 there was almost continuous heavy fighting on both the eastern and western heights. With attacks and counter attacks, in the front and on the flanks, by shell and by bayonet, the tide of battle ebbing and flowing, the struggle for mastery went on. A gain in one place was balanced by a loss in another, but the strategy of the German command had failed, the 4 days which was to witness the capture of the city had become 48, and Verdun still remained unconquered and unconquerable. On April 19 Gen. Petain took the offensive, as the three last efforts made to pierce the French lines were fruitless. Germany, however, was still hopeful of winning a decisive victory that would bring to her side wavering neutrals and delivering a blow which would break the morale of her opponent and compel a separate peace. But the spirit of France never burned brighter than when her armies lay on those shattered heights, weary but unconquered.

On May 3 the Germans renewed the assault, opening with a violent bombardment on the western crests, and the French, to ease the pressure in that sector, made an attack on Fort Douamont. The ruins were captured, only to be retaken by the enemy. There was desperate fighting along the whole line. Mounds of the dead rose above the level of the ground which the living used as breastworks to pile up yet more corpses. On May 29 the Germans, still in possession of Fort Douamont, were within 5 miles of Verdun, and their position afforded them observation of all the intervening terrain. Then Vaux was attacked and captured, and only Fort Souville, 3 miles from the city, remained to stay the avalanche. On June 23 came the great assault against this last defense. One hundred thousand men were thrown into the charge, and Fleury, at its base, passed into German hands. But the tide had spent itself. Human endurance could stand no more, and the German hordes were turned back, beaten and crushed, never again to advance against those ramparts of liberty.

Verdun was saved. France was saved. During all these terrible months the citadel by the Meuse had been for France the watchword of her faith, the pledge of her fortitude, the symbol of her resolution. It was a place apart, a sacred spot crowded with hallowed memories, and its possession was the measure of her devotion. The fame of Verdun will live through the ages, and for all time it will be a shrine where mankind will offer homage to the unflinching courage and supreme sacrifice of the thousands who fell before her gates. Her hills are forever consecrated by the immortal dead.

From Verdun we went to Nancy, passing en route train after train filled with American soldiers and their equipment. These boys were being concentrated on this sector preparatory to the offensive against the St. Mihiel salient, which was in a few weeks to bring such glory to the American Army. Hardly a village but had a camp, and every station was patrolled by our military police. These boys were here in France for just one purpose—to win the war and then return home. They did the one, and now it is our duty—we who sent them on their mission—to see that they do the other. There has been too much red tape in granting discharges, too much delay in demobilization.

At Marboche, about 15 miles north of Nancy, was located the camp of the marines, under command of Gen. Lejeune. Near by, at St. Genevieve, were the headquarters of the Twenty-third United States Infantry, Col. Malone commanding. From an observation point in a cemetery on the crest of a hill just back of the town we looked over into German territory and at a distance could see the buildings of Metz. While we were witnessing a bayonet drill, three French airplanes started to reconnoiter the German lines. They were attacked by the enemy antiaircraft guns. Shot after shot was fired at them, the white puffs silhouetting against the twilight sky. Then range-finding shells were brought into action, the heavy charges making black spots around the machines, but the gallant Frenchmen, rising higher and swerving to the right, then to the left, darting this way and that, passed through the barrage unharmed. There is a fascination, terrible though it is, in these duels of the air, where neither the skill nor the daring of the aviator can guard against a lucky shot.

Throughout the war what heroism and courage has been displayed by the men of this dangerous service, and with what superb spirit have they met the trials and the hardships of their hazardous calling! They are the cavalry of the skies, the crusaders of the heavens, the knights of the air, personifying the chivalry of a forgotten age, with every flight a romance and every victory an epic.

Our soldiers were billeted everywhere, in tents, in barns, in barracks, and in houses. Trained to the minute, they were supremely confident. Mutual agreement and accord is a pretty certain remedy for misunderstanding. If you and I have the same opinion about the same thing at the same time, we will not get into much trouble. So it was with these Yanks. Every one of them knew he could whip a boche, and every boche knew it, too. We heard much about hand-to-hand encounters and bayonet duels. They made flaring headlines in the newspapers, but, outside of trench raids and a few isolated cases, our boys did not have a chance to put their practice into execution. Our lads were there with the short jab, but the Germans did not wait to become acquainted. When they saw the Americans coming for them with heads down, yelling like Indians, they preferred shoe leather to bayonets, discretion to valor.

OUR SOLDIERS WERE UNAFRAID.

Make me a soldier unafraid
When the crucial hour draws near,
That I may play the manly part
And show no craven fear.
For, though the spirit may be brave,
Surprise hath oft betrayed
Through sudden shock of unknown things
And made a man afraid.
One life's a little thing to give,
Legions their price have paid;
So, if mine's added to the scroll,
Write me as unafraid.

—Harry Bryan Owsley.

Do you know that many of our boys have been arrested as deserters? Oh, yes, they have; and you and I, my colleagues, may be called upon to clear their records. We had soldiers stationed all over France—at the seaports and stations far back of the lines. Men, despairing of ever getting into the fight, deserted the colors, and when they were found they were in the firing lines fighting with their comrades!

Along the roads from Nancy to St. Genevieve were line after line of American trucks, all hidden beneath the overhanging foliage, and every grove of trees offered protection to the "pup" tents of the drivers. I asked one man how he fared. "Oh," he said, "after we see what these French people have to stand we don't say a word and think we are getting good treatment, for we all have homes to go to." I called out to a group to come home with us. "No," they yelled; "we won't go back till we've finished this job, and finished it right."

Gen. Boyle, at headquarters, related his experience with a German officer, a prisoner who was brought before him for examination. After the customary small talk had been exhausted, he asked him: "Well, what do you think of the drive at Chateau-Thierry?" "Oh," said the German, "that was a small affair; but do you think you can drive us to the Rhine?" "No," said Gen. Boyle; "we expect to drive you to Berlin." A hazy, incomprehensible expression came over the German's face, as if such a possibility had never dawned upon him. The general then asked him what he thought of the American soldier, to which the German replied, "Mein Gott; the artillery!"

While we were at headquarters several German airplanes passed overhead on their way to raid Nancy. Rockets flashed in the night to warn the city of their approach. Through deserted streets, along black roads, passing dark houses, with no lights on our cars, we journeyed back to the city. On the way I experienced a shock, although comic after realizing the cause, it was very intense and startling at the time. Having been listening to thrilling accounts of battles, and knowing that German planes were somewhere overhead, our thoughts had a keen war edge. We were in an open car when suddenly, in response to a suspicious sound, I looked up, and there only a few feet above me was a huge black object which in the darkness looked for all the world like a descending bomb. I confess I was frightened. No use for me to deny it. I felt that in a moment there would be a vacancy in the first New York congressional district. How we laughed when we found that the deadly bomb was only an innocent electric light suspended across the street! Our driver lost his way, and we spent a full half hour trying to locate our hotel. With streets in total darkness, with every window closed, every door barred, and with no one astir, it is not an easy problem to find one's way at night in these cities close to the firing line.

Returning to Paris we started for the headquarters of the American Expeditionary Forces at Chaumont, 165 miles distant; the route traversed a beautiful country, rich and fertile and free from the terrible scenes of war. Plentiful crops of wheat, alfalfa and hay were being harvested, German prisoners laboring in the fields with the women and old men. We were greeted by Gen. Pershing and his staff, lunching with him in a chateau which had been placed at his disposal by a French family. He talked to us very freely of war conditions and expressed unlimited confidence in the men under his command. In his mind there was absolutely no question of the superiority of the American soldier over the German. He said they were superior in organization, in training and in fighting qualities, and that as "every American naturally thinks he can lick anyone, the Army represents this concentrated confidence."

Not far from Chaumont is the little Normandy town of Domremy, the birthplace of Joan d'Arc. In this quiet hamlet is a training camp for our soldiers, many of whom received added inspiration in their fight for liberty from the story of the life which began in the humble cottage 500 years ago. There in that little room where the heroine of France first saw the light of day, is the rough bed on which she slept, the cupboard, and a few chairs—personal mementoes of one who, freeing her beloved country from invading hosts, died neglected and deserted, a victim to the superstition and the hypocrisy of the age.

What memories crowd this quiet chamber; what sacred associations of the past. Holy inspiration, chivalry, and romance lead onward to the pathos and the agony of a friendless girl, sublime in her faith, standing alone at the stake in Rouen. I looked out of the narrow window toward the hill on which stands the chapel to commemorate her vision of long ago. What a wonderful inspiration it was that came to this child of immortal name. "Yes"; said the Frenchman standing by my side, "yes; that was a marvelous vision and she was the savior of France; but the spirit of Joan still lives. There are the saviors of France of to-day," and he pointed to the American soldiers.

Joan of Arc! Joan of Arc!
Do your eyes, from the skies, see the foe?
Joan of Arc! Joan of Arc!
Let your spirit guide us through;
Come lead your France to victory;
Joan of Arc, they are calling you.

From Chaumont we returned as far as Meaux, making in the day's run over 310 miles. But for the excellent condition of the roads it would have been utterly impossible to cover such a wide radius, and these highways are typical of all the roads in France, even those leading up to the battle fronts, subject as they are to constant use by artillery and heavy trucks. One secret of success was this maintenance of lines of communication, enabling the War Department at all times and under all conditions to forward supplies. In our journeys we frequently stopped at villages for gas and water, and whenever doing so our cars at once were surrounded by French people, who showed their appreciation and gratitude by crowding around us and thanking us for America's participation in the war. Pathetic in the extreme were the old French women whose sons and grandsons had gone to the front, many of them never to return, as they endeavored to kiss our hands. The little children in their enthusiasm and joy touched our garments, exclaiming "Americans, the saviors of France."

It was almost 1 o'clock in the morning before we reached Meaux, and just as we were approaching the city we had quite a fright. While driving along the road, with the headlights of our car burning, we were obliged to stop for a tire puncture, and what was our surprise to hear almost directly overhead the peculiar and unmistakable whirring of a German airplane. The boche machines made a sound different from those of the allies, the rhythm of the engine being uneven and easily detected. It was short work extinguishing our lights and jumping into the ditch. Not having noticed the enemy until we stopped, we scattered in all directions, for fear the German aviator had noted our position and would swoop down upon us with his machine gun. I can assure you it was with feelings of relief that we heard the exhaust of the engine grow fainter as it passed on to the north. We learned afterwards that a squadron of these raiders had visited Paris that night, and this probably was one of these machines on its way homeward. Out there in the dark, with no protection whatever, expecting every moment to see the blackness pierced by the flash of a machine gun, I know we all experienced sensations not easily forgotten.

From Meaux we proceeded to La Ferte, where a motor-transport company was camped. Here we spent about an hour with the boys, and I was fortunate in meeting several from Long Island. We had our first sight of the battle fields on which American soldiers had won such imperishable fame at Lucy and the villages around Chateau-Thierry. On every side were signs of slaughter. There shattered buildings, broken and twisted trees, and blasted slopes, with the ground ripped and torn by machine-gun fire. Here fields, acre upon acre, pitted and scarred with holes, like craters, the mark of high-explosive shells. Scattered about or heaped in piles lay all kinds of equipment—torn pieces of uniforms, broken gun carriages, unexploded shells and grenades, bayonets, helmets perforated with ragged holes, bent rifles, gas masks, and twisted machine guns with belts of unused ammunition. Here, too, were the crude graves of the immortal dead, each marked with a cross, bearing silent but eloquent testimony of how upon these battle fields, American soldiers had struggled and conquered and died. Such destruction, desolation, and ruin! What once had been prosperous villages, now only heaps of débris; where houses had stood, now only piles of crumbled stones and broken tiles. Demolished churches, battered pavements, wrecked homes, tell of the terrible havoc of those grim July days when our boys held the line in the defense of Paris.

Let us go back a few months in history and recount briefly the stages of the German offensive which had for its objective the dividing of the allied armies and the capture of the French capital. With the collapse of Russia and the establishment of new frontiers on her eastern borders, Germany was in a position to concentrate her forces in a last desperate effort to break

through on the western front. Time was now running against her, for with economic conditions in the empire daily becoming worse and with America marshaling her enormous resources of men and material, Germany knew that her only chance to win was by one all-powerful drive, smashing through before a revolution would defeat her at home and before America could place in the field her millions of fresh soldiers.

The troops stationed on the Russian line were transferred to the west and from Austria were brought large quantities of war material. All were thrown into the desperate gamble. Superior in men and artillery, the long-expected attack began on March 21, with the main blow directed against the British Fifth Army in Picardy. In a few days the whole British front from Ypres to Amiens was assailed by the most savage attack of the war. The British were rolled back, the Germans in rapid advance capturing Peronne, Ham, and Bapaume and opening up a gap between the British and French Armies. The old battle field of the Somme was again in enemy hands. On the 26th the French arrived in force and closed the gap which had threatened destruction to the British Army. This drive, which extended to a 50-mile front, had by March 30 gained for the German Army an advance of 35 miles. After an interval of a week another attack was launched, this time in the Ypres sector. The Germans advanced just south of Arras, close to Vimy Ridge, delivering blow after blow, which bent back the Third British Army; the gains were unimportant, yet the losses to the German Army were enormous. As the British in this second Battle of the Somme were on the retreat, their losses also were heavy, not only in guns and material but in men wounded who were captured by the Germans.

Then came Gen. Foch, the new commander in chief of the allied armies, and with Foch came confidence. Although the strain at the Somme was temporarily relieved, with Amiens still in allied hands, the crisis was by no means over, and the British and French and now the American armies had before them new and terrible tests of their fighting qualities. In the four weeks which had elapsed since the launching of the German offensive the world had never known such carnage. Terrible blow after terrible blow had fallen on the British forces. They were beaten, routed, almost annihilated, and yet despite their reverses, with backs to the wall they fought on and held the lines. On April 12 Gen. Haig, in a special order of the day addressed to "all ranks of the British Army in France and Flanders," gave this ringing message:

Three weeks ago to-day the enemy began his terrific attacks against us on a 50-mile front. His objects are to separate us from the French, to take the Channel ports, and to destroy the British Army. In spite of throwing already 106 divisions into the battle and enduring a most reckless sacrifice of human life, he has yet made little progress toward his goals. We owe this to the determined fighting and self-sacrifice of our troops. Words fail me to express the admiration which I feel for the splendid resistance offered by all ranks of our army under the most trying circumstances. Many among us are tired. To those I would say that victory will belong to the side which holds out longest. The French Army is moving rapidly and in great force to our support. There is no other course open to us but to fight it out; every position must be held to the last man. There must be no retirement. With our backs to the wall, and believing in the justice of our cause, each one of us must fight to the end. The safety of our homes and the freedom of mankind depend alike upon the conduct of each one of us at this critical moment.

At this point the Germans changed their system of attack. Their new method was to strike with one colossal blow after another, few in number, yet with their entire strength in each. This was the strategy of Napoleon, who believed in venturing all on a single stroke, risking complete disaster if the supreme blow failed. His brilliant victories at Marengo, Jena, Austerlitz, and Wagram were achieved in this way. When the old guard was defeated at Waterloo, the Empire was at an end.

Following the second Battle of the Somme there was almost a month's pause before the Germans advanced again. During this time each side prepared for the summer campaigns, reorganizing shattered divisions and bringing forward new supplies of men and guns.

On May 27 the imperial army struck on the Aisne sector along a front extending for 30 miles. The attack consisted of a brief bombardment of great intensity followed by dense waves of infantry, advancing in overwhelming numbers in the wake of a lifting barrage. Heavy artillery pounded the lines of communication and shelled the areas in the rear of the retreating lines. The French were driven from the Aisne and across the Vesle River, then the Germans turned directly toward Paris. The situation was critical in the extreme, for Foch not only had to bar the roads to Paris, but also to prevent the capture of Rheims and the heights south of it, which were threatened. While he was hurrying forward his reserves and checking the German advance on Paris with the wreck of his divisions, Soissons was taken, and with it Chateau-Thierry on the banks of the Marne. The salient thus established, penetrated toward the capital to a depth of 30 miles, and although the ground occupied was less than a quarter of that captured in Picardy, yet it was territory that had been securely in French hands since the Battle of the Marne in September, 1914. This third Battle of the Aisne brought the Germans within 40 miles of Paris. By their new method of attack the trench system of defense was of little use and the allies were thrown back with heavy losses.

The German tide was near its flood; French reserves and American troops begin to pour in between the Forest of Villers-Cotterets and Chateau-Thierry, driving back the Germans who had by this time crossed to the south side of the Marne. While our boys here along the river were showing the mettle of which they were made, another body of American troops were winning fame by their capture of Cantigny in the north. On June 9, two weeks after their Aisne drive, the Germans launched an attack on the Oise, striking on a line between Montdidier and Noyon. The objective was the capture of Compiegne, which would compel the French to evacuate the high ground around the city, and although the Germans advanced 6 miles in the first few days they failed to take the town.

Let me now speak of our own boys who won unperishable glory in stemming the German rush on Paris. You and I recall how day after day we would see on the map in the lobby that thin line of defense being pushed farther and farther southward, as the German Army swept forward. Each day a victory in the advance, each day bringing them nearer to their goal, until only 40 miles separated them from the capital. Then America, who in all her faith and strength had been answering the call of humanity, hurled into the breach her sterling manhood. The Germans had struck a stone wall; when they saw those old slouch hats they thought that the stone wall was made of Australians and Canadians—and it was an honor to be mistaken for a Canadian or an Australian on that line of death. They sent back for more artillery, for their reserves; they rushed in the Prussian Guard; and they stormed and charged, but that stone wall held; and then they discovered that these slouch hats belonged to the boys from the States—the American "devils."

A short distance beyond Lucy is Belleau Wood, now known as the Wood of the Marine Brigade, in honor of the men who have forever made it famous. We spent some time wandering over the historic ground still strewn with camp utensils and implements of war. The dugouts and caves were littered with tin cans, papers, and discarded clothing of our soldiers who had occupied these shelters after their victory. I picked up a letter written by a mother to her son. It was full of love and hope and pride. It told him of local items and ended with a fervent prayer that all would go well with her boy. As I read the weather-stained note, full of the peace and sympathy of some quiet home, my thoughts reverted to that boy. Was he still fighting with his regiment, adding new laurels to his fame and awaiting the time when he could join the family circle, or had he gone to that eternal home to be mourned forever by a sorrowing mother? In places the woods are so thick with underbrush and fallen trees that it was almost impossible to force one's way through the tangle. As a guide in this jungle, the soldiers had tied lines of string from tree to tree. Here and there we came upon the bodies of forgotten Germans, the stench of whose decaying flesh was overpowering.

Let me tell you some stories of German treachery, which shows the kind of a foe our boys were fighting. After the terrific hammering of our marines and infantry the boche began to surrender, and each day numbers of them were made prisoners. On one occasion five were seen advancing. They had thrown down their rifles and with hands above their heads came forward shouting "Kamerad! Kamerad!" A squad of our boys, thinking they were honest, rose from the wheat fields to bring them in. Directly behind the first five came five more with hands up shouting "Kamerad," and more of our men went forward. Suddenly the first five stopped, leaned over, and then the second five rushed up to them and commenced firing machine guns, which had been strapped to the backs of the first five. Every one of those men was killed by this dastardly act, but there were others who had seen the trick, and not one of the boches escaped to tell the story of his perfidy. They told me, too, of other tricks, how Germans, dressed as Americans, crawled up close to the lines on dark nights and in good English shouted "gas." Then while our men were adjusting their masks the Germans raided the trench.

Another instance was of a boche machine gunner who came forward to surrender, and while he was standing with hands up his gun opened fire. Upon investigation it was discovered that by means of wires attached to his feet he was able to operate

his gun from a distance. I want to tell about a Brooklyn marine, a young chap I met on the *Leviathan* just after he had come out of the hospital. He had gone through the drive for the woods without a scratch and one night he volunteered to take a message to another command. The work of these runners was fraught with greatest risk; a cool head and daring nerve were essential to the task. The boy started out in the early morning, his course lying through the edge of the wood. Anticipating no danger, he groped his way through the darkness, stumbling over the rough ground, when suddenly a shot rang out; he fell with a bullet in his side and his right arm wounded. While he lay in agony and in terror lest his foe should discover him, he heard the twigs snap as his assailant crept upon him to learn the result of his shot. Knowing if the German found him still alive his chances of life would be small, he marshaled his fast-ebbing strength, rolled over on his side, and, wounded as he was, managed to draw his revolver. Too weak to stand, he balanced his pistol on the wrist of his left hand, keeping it pointed in the direction of the approaching sound. Luckily for him, the German was advancing in front. Daylight had come, and with the faint glow of the morning streaming through the heavy foliage, he saw the head of his enemy as the German crept toward him with fixed bayonet. Fortunately his aim was true, and at the first shot down went the boche. To be sure there was no camouflage, the boy emptied his revolver into the German and then swooned from loss of blood. For 36 hours he laid there unconscious and when found his hand still gripped the pistol which had saved his life.

While I am speaking of these personal exploits, let me relate others I feel sure will be of interest. I met a young naturalized Italian on his way back to Seattle. He had just come from the hospital and was bemoaning his fate at not being allowed to go back into the lines. His right arm had been amputated at the shoulder, but he was bright and full of fight and showed how he could still throw a grenade. Both his father and mother had been killed when the Germans and Austrians swept down into northern Italy in the fall of 1917; and two brothers had lost their lives in the Italian Army. He told me how he had fought and killed, buoyed up in his strength and courage by the hope that each time his rifle brought down a boche it might be the man who had murdered his mother. This poor chap was all alone in the world, and his one consuming desire was to get back, wounded as he was, to fight again for his adopted country and against the enemies of the land of his birth.

Another case was of a soldier who had been made a prisoner and was employed filling up a hole in the road over which artillery was to be moved during the night. His guard fell asleep, but the American, instead of escaping, filled up the cavity, using soft dirt and refuse, which he covered over with gravel, giving it the appearance of a properly finished job; then he drove his pick into the sleeping boche and ran. He got back safely into the lines, and a few days later, when the Germans had been driven back, a heavy gun was found mired in that hole, the result of the forethought of that brave young boy. Oh, those lads had their nerve with them, and their gumption, too.

An American who had been taken prisoner was being marched to the rear with a guard on each side and one behind, when suddenly he put out both feet and the two Germans beside him stumbled to the ground. In a flash he grappled with the one in the rear, securing his rifle; then, before they regained their feet, he killed the two who had fallen. Compelling the other one to surrender, he marched him back a prisoner. For this he was granted two months' leave.

I met another boy who tried the same thing, but was not so successful. Instead of tripping his guards, he struck one, knocking him down, and then turned to the other, but in the meantime the guard in the rear had driven a bayonet into his back, paralyzing his spine. He was left for dead and lay several days before he was found. When I saw him he was a hopeless cripple. One badly wounded chap I met, when asked how he felt, replied, "Oh, I am all right, but I am looking for the man who did it."

The Germans were extremely clever in their schemes of deception, but they did not fool the Americans very long. I was told the story of how in an old trench which the French were occupying, spies mysteriously appeared. While their presence was known, their method of getting into the lines was not detected or even suspected until a German who had been taken prisoner and was sick of war gave away the secret. He showed behind a screen of burlap, a door which led into a tunnel. The French, of course, knew of this opening, but they thought it a blind tunnel and paid little attention to it. The German said, "I will show you how it was done," and with that gave a few raps on the door, when immediately there appeared three Germans dressed as French soldiers. This little game had been going on for some time, and the spies had been able to communicate a good deal of valuable information.

I met a poor boy on crutches whose right foot had been shot away. He told me his story of courage. When he was wounded he was out in no man's land and could obtain no medical attention. With rare presence of mind, he undid the lacings of the shoe on his mangled foot and used them as a ligature to bind up his bleeding stump, thus saving his life.

Another case was of five wounded men who had been captured and taken to an old barn, where they were left, the Germans retreating before medical attention could be given them by their Red Cross. These poor fellows lay in that barn from Monday morning until Wednesday noon without food or water and with shells from both sides bursting about them. The roof of the barn was blown away and they were covered with splinters and dirt. Then they heard our troops marching by but were too weak to call out. Finally they were rescued by a telephone gang who had come to the barn to string up wires.

Let me tell you of a boy, a son of old Bunker Hill stock. He was a marine, only 18 years old, and yet had seen 15 months of service and had 3 wound stripes on his arm, the last from a broken leg at Belleau Wood. This boy when 16 had gone to New York, where he endeavored to enlist in the Navy. He passed all requirements, but when asked for his birth certificate confessed his age, and the officer sent him home. One morning on his way to school he hiked out for another recruiting station, and this time managed to get into the Marine Corps, had gone through their training camps, and had made on the firing line a marvelous record for bravery and courage.

A grewsome story was told me by a young chap, who, with his pal, had wrapped themselves in their blankets and had gone to sleep close up to the firing lines. A heavy bombardment was on, and shells were exploding all around, but the tired lads were soon asleep. My young friend was awakened by a sudden movement of his bunkie; he reached over to ascertain the trouble, and his hand met a warm, soft substance. In alarm, he called the guard, who produced a flash, and, to his horror, the lad found he had plunged his hand into the shattered skull of his dead comrade. Another fellow told me of being out in "no man's land" on patrol duty when a flare went up. Dropping to the ground for concealment he became spattered with stinking offal. He had thrust his arm into the stomach of a decaying German! Oh, no wonder, my colleagues, that boys come back with nerves shattered and minds wandering when they have to endure such trials as these!

But, in the midst of all the fearful scenes that try men's souls and pall the stoutest hearts, there is humor as well as tragedy. They tell the story of a darkey who described the meaning of zero hour and the feat of going over the top. He said, "You is told to clean yo' gun and sharpen yo' bayonet and get everything in shape, and then yo' wait and putty soon yo' hear them cannons aboomin' and then yo' hear a whistle, and then yo' stand up on the fire step, crawl over the top, and say 'Good mornin', Mr. Eternity.'"

One of the best of these darkey stories is of a young southern soldier who was known for his dexterity with the razor. Having been told that he was to go over the top, he at once got busy honing his trusty weapon. He stropped it and polished it, having it in fine condition when he started. He got down into the boche trenches and a big, burly German made a lunge with his bayonet, which he dodged. "Missed me," yelled the darkey, and with that he made a swipe with his razor. "Missed me," said the German. "Missed you? Like h—— I did; jess you try to move yo' haid."

Here is another story that has been told so often that I hesitate to repeat it; but it is a good one: Two boys were lamenting the fact that their shoes were worn out. They did not want to take the trouble to go to the quartermaster for new ones, so one said he was going over to borrow a pair from Fritz. He went, and soon came back with his find. His chum said, "Well, you had luck; guess I will go over to-morrow night and see what I can get." So when to-morrow night came, over he went but he did not come back, and his friend, waiting for him, thought he had been killed or made a prisoner; but just at the break of day back came the chap, helmet gone, face covered with blood, clothes all torn, but he had a new pair of shoes on his feet. "Where on earth have you been?" his friend asked him. "Oh," the other fellow said, "I had a terrible time. You know," he said, "I had to kill 16 Germans before I could find a pair of shoes that would fit me."

I wonder if you have heard the story of the raw recruit who was commanded by his captain to "present arms." Bewildered by the order he blurted out, "Sure, take the darned old gun; I don't want it." Two soldiers were discussing Army regulations, and the conversation turned to courts-martial. One said to the

other, "Suppose you were sentenced to be shot at sunrise, what would you pray for?" His friend replied, "Pray for? I would pray for a cloudy morning."

Whenever in the years to come the name of Belleau Wood is mentioned, there will rise the picture of the United States Marines fighting and dying, the heroes which they are. They exemplified the courage, the bravery, and the grim determination of the Nation whose uniform they wore, whose traditions were their faith, whose glory was their own, and whose honor they held more precious than life. To show how imbued with the traditions of their corps these warriors were, let me tell you the story of a wounded boy in a hospital. Coming out from an operation, some one asked him if he was an American. "No, sir," he said, "I am a marine."

On the afternoon of June 2 began the Battle of Chateau-Thierry, with the Americans holding the line nearest Paris, at a point where the Prussian blow would fall the hardest. On came the gray-clad hordes expecting an easy victory; but wave after wave was swallowed up in that seething fire of the marines and the soldiers of the American Army. The machine gunners and riflemen withheld their fire until they could literally follow Gen. Warren's famous order, "Don't fire until you see the whites of their eyes." Artillery, machine guns, and rifles tore great gaps in the advancing line. The Germans wavered, then stopped, then fled, leaving the field carpeted with their dead. To prevent any attempt to advance by infiltrating through, the Americans, with machine guns and rifles, raked the woods and ravines in which the enemy had taken shelter.

Foiled in their attempt to break the lines, and mystified at the stubbornness of the defense, the Germans for the next few days strengthened the positions they had previously won. In the caves and among the rocks and along the ravines in the black recesses of Belleau Wood they established nest after nest of machine guns. In this jungle of underbrush and heavy timber they believed they held an impregnable position, and this meant that unless routed and driven out the defeat of their attack of June 2 would count for nothing. The Battle of Chateau-Thierry, although it had checked their advance, could not be a decisive victory for the allied cause unless Belleau Wood was captured also. At 5 o'clock p. m., June 6, the marines commenced their attack against the German position; the wood itself, and the towns of Torcy and Bouresches forming the objective. This battle—or, rather, a series of battles—which continued in all its fury for days, ended in the complete triumph for American arms. So impetuous was the attack, so daring the charge, that in many cases the men overreached their objectives. One officer, reprimanded because he had allowed his men to advance beyond the designated point, excused himself by saying he could not hold them back. "If the Germans can't stop them, how in thunder do you think I can?" he replied.

Without relief, without sleep, without food or water they held the lines in those grim days of the terrific onslaught of the German drive; held when to yield would have meant irretrievable disaster; held and saved Paris. Exhausted to the very limit of human endurance, with ranks decimated, fighting in American fashion and with American daring, they met attack after attack and charge after charge. They beat to its knees the invincible Prussian Guard, which had been thrown in to "show these amateurs how to fight"; then smashing forward, they hurled back, ever back, in disorder and defeat, the legions of the imperial army.

But there are many who will never fight again. They will be mourned by fathers and mothers, sisters and wives, and they will be revered by the millions of Americans who will pay them homage everlasting. Every spot where American blood has been shed for American honor is hallowed ground, every deed a sacred memory, every grave a consecrated shrine. Belleau Wood and Chateau-Thierry are forever written on the pages of American history. With Lexington and New Orleans, with Gettysburg and Antietam and San Juan they will endure, imperishable monuments to the bravery and courage of American heroes, the vindication of democracy and the triumph of liberty and of righteousness.

The heroism and endurance of that conflict are unparalleled and form one of the most brilliant chapters in our military annals. All fame and honor to the United States Marines; all honor and fame to the soldiers of the American Army, equally brave and equally courageous! It was here that the blood of heroes was transmuted into glory everlasting.

We've learnt the law of shot and shell,
We've learnt the law of steel;
But the law of the trench is a cultured hell,
For it stifles the power to feel.

And this is our fate: When the gods are kind,
Our existence shall simply cease—
A sniper's bullet, a trench that's mined—
Godspeed, and a quick release.

—Capt. Horne in Harper's Magazine.

It was at Belleau Wood that Lieut. Col. Wise uttered his laconic reply to the French officer who ordered him to retreat, a reply which voiced the spirit of the indomitable marines. With lines broken after days of terrific fighting, the gallant French were drawing back to new position farther south. They had begun to filter through the American lines, when a staff officer hurried up to Col. Wise, saluted, and said, "You are welcome, Colonel; you are in time to cover the retreat. I am instructed to request you to hold the Germans when you get in touch with their advance as long as you can. You will then retreat to the trenches we shall have prepared for you." "Retreat," said Wise, "retreat, hell! We've only just arrived. We'll let the boches do the retreating."

From Belleau Wood we proceeded to Chateau-Thierry, passing on the way many companies of artillery, supply trains, and motor trucks, all moving out of the sector. Those great guns rolled up the hills as easily as motor cars. Every available space on the huge trucks was crowded to the limit, with boys astride the gun muzzles and others hanging to the fenders, or taking chances atop the engine hoods. And such dust, as this seemingly endless procession in perfect formation, moved along the highways! Patrols were stationed at every curve and at all crossroads to keep the traffic moving. No stops were allowed except at certain places; from the general down all had to obey the regulations, for otherwise the roads would have become blocked and the transportation system paralyzed.

Chateau-Thierry, although a sad wreck, was not so completely demolished as other villages we visited. About 5 miles beyond we came to Bois de Chatelet, near Coincy, in which one of the big "Berthas" had been located. A small spur railroad ran into the woods, evidently to supply ammunition. The circular concrete foundation, erected in a great pit, was about 45 feet in diameter, and the great mount which carried the gun, revolved on ball bearings the size of coconuts. The gun itself had been removed, but all around were brass powder cases and loaded shells. A clearing had been made in the woods around the battery, but to conceal its position from French air machines, huge boxes were constructed in which freshly cut trees from other parts of the forest were fastened. On the approach of an allied plane, gangs of men filled in the clear space with these dummy trees, giving the woods an even appearance, and thus rendering it impossible for the airmen to locate the gun. The ground for acres was covered with empty powder cases, many of them made of sheet iron, showing how short the Germans were of brass.

Returning, we passed an American air station, but unfortunately did not have time to stop. Along the roadsides and back in the fields were graves marked with simple crosses, many of them the resting places of our own boys.

Before proceeding on our journey let me complete the history of the campaigns. We will return to the fifth and what proved to be the last German drive. It was launched on July 15 and was designed to clear the road to Paris. At its inception the offensive extended along a front of over 60 miles between Chateau-Thierry and the western edge of the Argonne Forest, and later, as it developed northward, covered a distance of 100 miles. In the earlier attacks, the element of surprise played an important part, but the French anticipated and were prepared for the blow of July 15. The German bombardment of rear areas, reaching this time as far back as Meaux—only 20 miles from Paris—did not produce the customary confusion and their "mustard gas" failed to demoralize the French troops.

Furious as were the assaults, the attacks failed of any important results. On the first day the enemy succeeded in crossing the Marne, but were immediately driven back by a series of brilliant and successful counter offensives by our own troops, which not only reestablished the allied line on our front, but produced, apart from its military value, a stimulating effect upon the morale of the allied armies. Despite their reverses the Germans on the second day of the battle again crossed the Marne in the southern salient, while farther to the north they menaced Rheims. But Ludendorff had spent his strength, and his troops, exhausted by constant fighting and discouraged by their appalling casualties, lost heart at their failure to break through the French and American lines.

On the night of the 17th the tide turned. Gen. Foch, the military genius of history, launched his offensive with the counter thrust led by Gen. Mangin, and by noon of the 18th, with French and American troops leading the advance, the German retreat was in full flood. By night a dozen villages had been captured by our troops and the French were threatening Soissons from the hills back of the town. By July 22 the Germans had evacuated Chateau-Thierry and were giving way all along the line. Foch had not only checked and smashed the German

lines, but he had wrested the offensive from the enemy, thus achieving in this second Battle of the Marne not only a brilliant military victory but a moral triumph which destroyed forever German expectations of capturing Paris. In that decisive counterthrust the American troops played a conspicuous and a gallant part. Comparatively small in numbers our forces displayed fighting qualities of the highest order. They had defeated the picked soldiers of Germany, stayed the attack on Paris, and turned the assault into a rout.

With the German Army driven back to the Vesle and the Aisne, the second Battle of the Marne came to a victorious end. It was one of the decisive achievements of the war, strangely similar to the first Marne. Paris had again been saved, and the allies, with the ever-increasing force of Americans, were enabled to assume the offensive, which was to continue until Germany, beaten and broken, sued for peace. Gen. Pershing, in praise of the American units which had stopped the German drive and then with the French had turned the tide, issued this statement:

It thrills me with pride to record in general orders a tribute to the service and achievements of the First and Third Corps, comprising the First, Second, Third, Fourth, Twenty-sixth, Twenty-eighth, Thirty-second, and Forty-second Divisions of the American Expeditionary Forces.

You came to the battle field at the crucial hour of the allied cause. For almost four years the most formidable army the world had as yet seen has pressed its invasion of France and stood threatening its capital. At no time had that army been more powerful or menacing than when, on July 15, it struck again to destroy in one great battle the brave men opposed to it and to enforce its brutal will upon the world and civilization.

Three days later, in conjunction with our allies, you counterattacked. The allied armies gained a brilliant victory that marks the turning point of the war. You did more than give our brave allies the support to which as a Nation our faith was pledged. You proved that our altruism, our pacific spirit, our sense of justice, have not blunted our virility or our courage.

You have shown that American initiative and energy are as fit for the tests of war as for the pursuits of peace. You have justly won the unstinted praise of our allies and the eternal gratitude of our countrymen.

We have paid for our success in the lives of many of our brave comrades. We shall cherish their memory always and claim for our history and literature their bravery, achievements, and sacrifice.

This order will be read to all organizations at the first assembly formation after its receipt.

JOHN J. PERSHING,
General, Commander in Chief.

On the morning of August 8 the Fourth British Army began the Battle of the Third Somme, the advance, after a brief but terrific bombardment, sweeping all before it. In five days the allied forces regained a large area and captured immense numbers of prisoners and great quantities of munitions. The fighting of the spring and summer of 1918 was vastly different from the methods of the previous months. After three and a half years of trench warfare, with inconsiderable forward movements on either side, the situation changed into open warfare, with advances netting 20 and more miles in one great drive.

On September 12 came the American attack on the St. Mihiel salient, and in less than 24 hours this dagger point ceased to exist. American troops, American tanks, and American artillery had defeated a German and Austrian force, captured thousands of prisoners, and taken one of the strongest positions on the western front. German power at its zenith had been smashed by opponents whose power was only just rising above the horizon. This was the beginning of the end. From now until the last gun was fired it was one unbroken allied advance along the far-flung line from Verdun to Nieuport. Retreating to the old Hindenburg line, Ludendorff endeavored to stay the tide that was sweeping him to destruction, but all to no purpose. The decisive thrust was made on October 8 by the British, supported by an American division and Debeney's French army. The line bent, then broke, and by the 10th the allied forces were through, and the Hindenburg line had become a memory, and with it went the legend of the infallible and invincible German war machine.

While the British were piercing the German lines on the western section of the front, the Americans were achieving an equally great success on the eastern end. After their brilliant victory at St. Mihiel, Gen. Pershing moved his army northward from Verdun, advancing during the last days of September from the Meuse to the Argonne Forest. The offensive was launched on September 26, the attack being made with a heavy concentration of artillery, airplanes, and tanks, supported by many divisions of infantry. Smashing their way through the German lines, by the night of the 28th the Americans had penetrated the enemy positions from 4 to 7 miles on a 20-mile front.

The Argonne Forest is about 30 miles long and 6 wide. Since 1914 it had been in possession of the Germans, who had fortified it in every conceivable way. They considered it impregnable. In this wilderness of deep ravines, swamps, rocks, and broken hills covered with heavy timber and choked with matted underbrush, the Germans had constructed elaborate systems of trenches, entanglements, ditches, concrete pill boxes, covered pits, and steel-enforced fortifications. Our forces were handicapped by the lack of roads, only two leading into this region, which made it difficult to forward supplies, and these two were soon destroyed under the continuous bombardment. The tangled woods were a mass of machine-gun nests, concealed behind rocks and trees and bristling from every hole and depression in the jungle of undergrowth. The thick timber made aerial observation exceedingly difficult, and artillery could be used with little effect.

The Americans had to cut their way through a zone of entanglements 2½ miles wide, crossed and recrossed with hundreds of miles of barbed wire stretching in every direction. This wire, frequently reaching 10 feet above the ground, was nailed to trees through the forest and was often completely obscured by the high bushes. The Germans had built traps under the exact range of their guns farther back, enabling them to sweep with a storm of fire, the troops which concentrated about these hidden snares. They also had excavated huge holes in the roads; these they covered with a few inches of surfacing, so that artillery and tanks advancing over them would become stalled. There were trenches of all descriptions, large and small, single and double, forming an endless labyrinth. Many were of solid concrete, communicating with the rear through protected passages. Some of the dugouts were subterranean palaces, equipped with electric lights, running water, cooking ranges, and all the furnishings of a modern club.

The most difficult task for the tanks were the stone walls and masonry work of the Hindenburg line, which in many places rose sharply several feet above the level of the ground. During much of the time a cold, penetrating rain fell upon the men, who were without shelter except holes in the ground and "pup" tents. Fighting in the darkness of the forest, against foes intrenched behind strong defenses, it was a veritable hades through which our men were ordered to go, but they went. It beggars description. Through the barbed wire, across swamps and thickets saturated with mustard gas, over trenches swept by shell and rifle and hand grenades, they charged with bayonets set, capturing hundreds of machine-gun nests and thousands of prisoners.

A history of the savage fighting in this grim forest will be incomplete without an account of the handful of men who, surrounded by the enemy and without food or water or hope of relief, refused to surrender. The story of the "Lost Battalion" is one of the epics of the war, and the defiant answer of Maj. Whittlesey, its courageous commander, has become a classic. This battalion having made its objective against stern opposition, found itself advanced beyond the main body of attacking troops, and that the Germans were not only in front of them but behind and on both sides. They had started forward with but scant supplies of rations and only 220 rounds of ammunition. Cut off from communications, for three days these men were the targets for German artillery and machine guns, and while their thin lines were being raked by this incessant fire, hand grenades and bombs from trench mortars were hurled at them from all sides.

On the second day rations gave out, but the determined men, subsisting on crusts of bread, plug tobacco, and roots of trees, obtaining water from a muddy swamp, fought on, exhausted as they were. Their plight having been discovered by their comrades, several unsuccessful attempts were made to rescue them. Airplanes dropped food and ammunition, but in that tangled fastness of underbrush, so dense that it was impossible to see more than a few yards away, these supplies failed to reach the entrapped battalion. After 36 hours without food, with many of the men so exhausted they could not stand, when their ammunition was almost exhausted, an American who had been captured appeared with a note for Maj. Whittlesey, which read:

Americans, you are surrounded on all sides. Surrender in the name of humanity. You will be well treated.

The Americans did not know that relief was near, but they did know that even if they escaped death by German fire they would be victims of starvation. Yet, desperate as was their position, they cheered to the echo the reply of their major when he shouted back, "Surrender? Go to hell!" Late that night our troops broke through the German lines and reached the determined band, three-fourths of whom were still alive.

The troops that did such valiant fighting in this forest, one of the bitterest contested battles of the war, were largely from New York. They came from Manhattan, Long Island, Brooklyn, The Bronx, Staten Island, and Westchester. These boys fought with the spirit of seasoned veterans, and too high a

tribute can not be paid them. All hail to the gallant Seventy-seventh Division and the equally brave Twenty-seventh and Forty-second.

The defeat in the Argonne completely destroyed whatever chance the enemy had of reorganizing their shattered forces and of making a stand somewhere behind the lines which would have enabled them to hold a defensive position through the winter. It was the decisive blow, but won at an appalling cost.

Encountering heavy losses and enduring untold hardships, our troops swept onward and, after five weeks of continuous fighting against the best of German and Austrian troops, entered Sedan, the old battle field which had witnessed the collapse of the second empire. From this ill-fated field had come the military greatness of Germany and the temporary obscuration of France.

Then Haig, in the end of October, launched his final attack upon Valenciennes. On November 1 the Canadians broke through the last line of the German defenses, captured the city, and then pushed on toward Mons. When the end came the British were in possession of all the ground they had occupied at the beginning of the war.

After more than 50 months they had "come back." They had kept their promise to the inhabitants of all the region, who four years previously had looked sadly upon the retiring British columns. For England the war ended where it had begun.

The return of the British to Mons was no less dramatic than the taking of Sedan by the Americans. On our battle flags hereafter will be inscribed the names of Cantigny, Chateau-Thierry, Vaux, Belleau Wood, Second Marne, St. Mihiel, and the Argonne, and the debt we owe the men who made these names immortal is beyond our payment or our appreciation. Generations will visit these battle fields to offer their tribute to the heroes, living and dead, who here maintained the traditions of their country and the honor of its flag.

Let me quote the messages sent by Gen. Foch and Gen. Pershing to the men under their command on the termination of the war.

Gen. Foch to the allied armies:

Officers, noncommissioned officers, and soldiers of the allied armies: After having resolutely stopped the enemy, you have for months fought him with faith and indefatigable energy without respite. You have won the greatest battle in history and saved the most sacred cause—the liberty of the world.

Be proud. You have adorned your flags with immortal glory. Posterity preserves for you its recognition.

Gen. Pershing to those who served under him:

I pay the supreme tribute to our officers and soldiers of the line. When I think of their heroism, their patience under hardships, their unflinching spirit of offensive action, I am filled with emotion which I am unable to express. Their deeds are immortal, and they have earned the eternal gratitude of our country.

I know of no more fitting way to close this brief and very imperfect account of the great military movements of 1918 than to quote the eloquent words of Mr. Frank H. Simonds, the brilliant war correspondent. Writing in the Review of Reviews, he said:

"For the whole world Sedan has had its significance for nearly half a century. And now the last act in the world war takes place about this town of evil fame. The disaster of the past is abolished by the victory of the present. A German defeat at Sedan is in every sense a fitting end to this struggle, the more fitting since behind the battle lines the German Empire is falling at the self-same hour.

"The French will hereafter have to share Verdun with us as a place of pilgrimage. 'They shall not pass' was the immortal challenge of the French soldiers who held that gateway in 1916. 'We shall pass' was the American watchword, and in six weeks we cleared the road from Verdun to Sedan. A century and a third ago American and French soldiers in generous rivalry sought to be the first in the breach at Yorktown. In the first week of November, 1918, the old rivalry broke out afresh under the walls of Sedan, where the soldiers of Petain and Pershing repeated the triumphs of those of Rochambeau and Washington. We have won the war in the only way that could be worth while. Militarism has brought to Germany a greater harvest of suffering than defenselessness could ever bring. It was Waterloo which shattered the French dream of world power. In the hundred days of Foch, Prussian militarism has been broken as completely as the Napoleonic. The nation collapsed behind the army, but the army was already beaten and the German fleet mutinied rather than engage in battle with the foe. The armistice of Senlis is, then, one of the great landmarks in all human history. It marks the failure of one more effort to dominate the world by the sword. And there is a singular appropriateness in the fact that the death sentence of German militarism should have been signed at Senlis, one of so many French cities ravaged by German brutality and wantonness. 'Have a care,' the German soldiers told the terrified survivors of their Senlis massacres as they stood amidst the still smoking ruins of their homes as the Kaiser's guards turned northward after the first Marne. 'Have a care, for we will come again.' They did come to Senlis again, and there face to face with Marshal Foch, who was waiting for them with the written terms of the armistice, waiting for them, surrounded by the ruins of Senlis, they signed their names to a document which will for all time record the utter and immeasurable failure of German arms. Nor was it less appropriate that the document should be signed just before the daylight hour, since it marked the ending of one of the longest nights in history."

I can not leave the brilliant record of our troops, many of them unfortunately still on foreign soil, without quoting the eloquent address of Gen. Pershing delivered on Thanksgiving Day:

Fellow soldiers, never in the history of our country have we as a people come together with such full hearts as on this greatest of all Thanksgiving Days. The moment throbs with emotion, seeking to find full expression. Representing the high ideals of our countrymen and cherishing the spirit of our forefathers, who first celebrated this festival of Thanksgiving, we are proud to have repaid a debt of gratitude to the land of Lafayette and to have lent our aid in saving civilization from destruction.

The unscrupulous invader has been driven from the devastated scenes of his unholy conquest. The tide of conflict which during the dark days of midsummer threatened to overwhelm the allies forces has been turned into glorious victory. As the sounds of battle die away and the beaten foe hurries from the field, it is fitting that the conquering armies should pause to give thanks to the God of battles who has guided our case aright.

VICTORY WAS UNITED STATES' GOAL.

Victory was our goal. It is a hard won gift of the soldier to his country. Only the soldier knows the cost of a gift we now present to the Nation. As soldiers inspired by every spiritual sentiment, we have each silently prayed that the success of righteousness should be ours. To-day, with thankfulness, we humbly acknowledge that His strength has given us the victory. We are thankful that the privilege has been given to us to serve in such a cause.

In this hour of thanksgiving our eternal gratitude goes out to those heroes who loved liberty better than life, who sleep yonder where they fell; to the maimed, whose honorable scars testify stronger than words to their splendid valor, and to the brave fellows whose strong, relentless blows finally crushed the enemy's power.

Nor in our prayers shall we forget the widow who freely gave the husband, more precious than her life, nor those who, in hidden heroism, have impoverished themselves to enrich the cause, nor our comrades who, in more obscure posts, here and at home, have furnished their toil to the soldiers at the front.

NEW OUTLOOK ON LIFE.

To many fame has come. New names have been inscribed on the roll of the immortals. To all have come a new outlook on life, a clearer perspective regarding its obligation, a more exalted conception of duty and honor and a deeper sense of responsibility to the Nation and to God.

May we give thanks that unselfish service has given us this new vision; that we are able to return to our fireside and our country with higher aims and a firmer purpose, alike ennobling to ourselves and to those who have held long vigil and have prayed for us that we might worthily represent them.

This spirit that has won the victory is to become a permanent and indispensable mainstay of peace and happiness. It is not a matter of individual choice, but of obligation, that we should proudly carry it back with us. If the glory of our military service has been a spontaneous offering of loyalty, it is too priceless to be cast aside by indulgence and too sacred not to be cherished always.

Our Nation awaits the return of its soldiers, believing in the stability of character that has come from self-discipline and self-sacrifice. Confident of the new power that the stern school of war and discipline has brought to each of us, American mothers await with loving hearts their gallant sons. Great cause, indeed, have we to thank God for trials successfully met and victories won. Still more should we thank Him for the golden future, with its wealth of opportunity and its hope of a permanent universal peace.

I will now take up the thread of my narrative. Leaving Chateau-Thierry, we returned to Paris, stopping en route at Meaux where we regaled ourselves on horse meat. That night we left for Rome. At Turin we were tendered a reception by the city officials and officers of the Italian Navy, who had been detailed to receive us. During our stay in Italy we were the guests of the Government, and every courtesy and consideration was shown us. In Rome we paid our respects to Vice Admiral del Bono, minister of marine; Baron Sonnino, minister of foreign affairs; and Prime Minister Orlando. The premier made a most eloquent speech of welcome, in which he said:

The help of the United States in men, money, and material is titanic, and Italy appreciates all that, but greater than the material benefit has been the effect upon the morale of the army and people of Italy. You came into the war with no selfish purpose. Your country was not invaded or in danger of invasion. You entered the conflict for the humanity of all nations. Your Bill of Rights, enunciated before the French revolution, was not alone for the United States but for all the world, and it was toward this point that the allies were striving and you are now fighting in order that all humanity might enjoy those blessings.

We enjoyed meeting Col. Perkins and his staff at the headquarters of the American Red Cross, and I can not praise too highly the work of this unit. We also visited Senator Marconi, the inventor of the wireless, at his residence near the home of Col. Perkins. From Rome we proceeded to Padua, and thence on to Venice, where we were met by the commanding officer, Vice

Admiral Marzolo, who gave us the opportunity of inspecting the naval activities being conducted from this base. Poor Venice was a hollow mockery of its former brightness. Deserted canals, empty plazas, barricaded houses, and closed shops were mute reminders that this bride of the sea was within the war zone. Three-fourths of the population had evacuated the city. All the churches and public buildings were protected by sandbags, and the art galleries had been stripped of their treasures, for air raids were of frequent occurrence. I think over 2,000 bombs had been dropped on the city, but fortunately most of them had fallen into the canals and public squares.

We visited the navy yard, which has been in existence since the days of the Venetian Republic. We were much interested in a tank boat which had done wonderful work, and now that the war is over I am at liberty to describe it. It was made of wood, had a flat bottom, and was about 30 feet long, and strongly resembled its land cousin. Two endless belts on which long spikes were fastened, passed completely around the craft from stem to stern. These belts, one on each side, were driven by a small motor, and the vessel itself was propelled by a screw, giving the boat a speed of about 5 knots. As all harbors were protected by chain barriers, this boat was designed to force its way over the obstacles. Coming in contact with a chain or net, the spikes on the two belts engaged the obstruction and literally pulled the vessel over the top.

Being armed with two torpedoes it was a very formidable craft, as the Austrians learned when Conte Pellegrini a year ago entered the harbor of Pola and sank a superdreadnaught of the type of the *Viribus Unitis*. I want to speak of Rizzo's brilliant exploit when, in December, 1917, in a 55-foot motor boat he entered the harbor of Pola, blew up the Austrian battleship *Vienna* and escaped. Last June this daring naval officer participated in a still more spectacular achievement. In his motor boat, accompanied by another vessel no larger than his own, he had crossed to the Dalmatian coast to inspect mine fields. As he was returning, he saw smoke on the horizon and presently several Austrian battleships hove in sight, screened by 10 destroyers. Hiding behind an island, he waited until the fleet came abeam and then darted out. Taken completely by surprise, the destroyers, thinking no doubt that he was an Austrian, allowed him to approach. He passed through their lines, fired a torpedo and, turning to escape, unfortunately was captured; but the dreadnaught *St. Stephen* went to the bottom as the result of his daring.

I want also to speak of the bravery of a young Italian aviator, who, during an Austrian raid, made a counterattack. He figured that there would be no one but the mechanicians left at the station, so he flew over and destroyed it, making his escape before the raiding aviators returned. They told me of a squad of Italian cavalry which had captured an Austrian aviation post during the absence of the airmen. The Italians, after taking the mechanics prisoners, hid themselves and their horses in the hangars. When the aviators returned the cavalrymen made them all captives, destroyed their machines, and escaped before an alarm was given.

Returning to Padua from Venice, we were dinner guests of the King, who entertained us with simple, democratic hospitality. The following morning we had the opportunity of witnessing a review of about 20,000 soldiers composing a part of the army of Arditi, the famous shock troops of Italy. These troops made a most favorable impression upon us, and their equipment, intended for mountain work, was complete in every detail. On the narrow, slippery trails donkeys and mules are used and the artillery and heavy pieces are so constructed that they can be packed in parts and carried on the backs of these animals. The King, after inspecting the regiments, bestowed medals for distinguished service; the first, a gold medal of honor, was presented to a young veteran who, with five comrades, scaled an Alpine peak to a cave in the snow where 80 Austrians had established an artillery position. It took them four hours to ascend the 4,000 feet, but they succeeded in bombing the Austrians, killing or taking prisoner the entire number. We had the pleasure of meeting Gen. Diaz, the commander in chief of the Italian Armies, a man of great ability and judgment.

At Bassino we saw shells being hurled by the Italian artillery into Austrian-held territory, the thunder of the explosions echoing and reechoing in the mountain passes. After lunching with the officers of the Sixth Italian Army we were taken to Gina di Fonte, high up in the mountain peaks. The road on which we ascended was a marvel of engineering skill. For 10 miles it wound up the steep slopes, crossing the deep ravines on stone bridges, and with an easy grade traced its sinuous course back and forth on the breasts of the jagged crags.

We passed a number of great kite balloons from which Italian observers were watching the Austrian lines. To expedite the transportation of materials and relieve congestion on the road, the Italian engineers had constructed a cable conveyor running from the base of the mountain straight to the summit, on which was carried in suspended cages, ammunition and supplies. Arriving at the crest we were escorted by Gen. Cavan, commanding the British sector, to the trenches from which we witnessed the bombardment of Asiago, an Italian city held by the Austrians. We could hear the shells screaming toward the doomed city; then would come the upheaval of bricks and dirt, followed by the dull roar of the exploding missiles. The Austrians from their lines answered with shrapnel and high explosives, the spurts of flame from the bursting projectiles and the echoes of the blasts among the valleys and precipices forming a vivid picture of mountain fighting.

On our return to Paris we again stopped at Turin and inspected the great Fiat factory, where 40,000 persons were employed in manufacturing motors of various kinds. I can not leave this very casual account of our visit to Italy without expressing the deep appreciation of every member of our party for all the courtesies extended us. The record of the Italian Army and Navy in this war has been one of brilliant achievement. Fighting against overwhelming odds, beset with difficulties well-nigh insurmountable, the brave people of our southern ally have made heroic sacrifices, meeting every call of liberty and of honor with the courage inherited from a glorious past. With 14 per cent of her population under arms, with supplies of food and fuel and all the necessities, both of life and war, always critical, Italy never faltered in her determination and her high resolve.

From Paris we proceeded to Bordeaux, where we were joined by Capt. Cone, United States Navy, in charge of naval aviation, one of the most efficient officers in the service, upon whom too much credit can not be bestowed for his able administration of this department. We reached Bordeaux, and, after inspecting the docks and warehouses, started in autos for a tour of inspection of the naval air stations along the coast. With the war a thing of the past, it is useless to go into details concerning conditions. Let me say, however, that the delays and confusion in our aircraft production, so manifest in the Army, was reflected in the stations we visited.

Our party visited Moutchic, Paulliac, Rochefort, La Rochelle, La Pallice, Fromentine, Palmboeuf, St. Nazaire, Montoir, Le Croisic, L'Orient, Ile Tudy, and Brest, and at all of these stations we found splendid bodies of men, much enthusiasm, and many parts of machines but few "ready for service" planes. Let me be most emphatic in stating that neither Capt. Cone nor his corps of assistants were in any way at fault for the lack of equipment. They had done all in their power, but were not responsible for shipments which brought parts of machines to one port and other parts to another. Neither were they to blame for cargoes shipped without bills of lading, which necessitated the opening of all boxes to ascertain their contents. We were told of one shipload of supplies which, being opened and unpacked, consisted of jars of jam, kegs of spikes, steel rails, and ammunition, all jumbled together.

At Pauillac we lunched with over 3,000 of the enlisted personnel, the mess hall being presided over by Capt. Evans, son of "Fighting Bob." This station is a clearing point and headquarters for supplies and repair work. Commander Briscoe, of New York, was in charge of the shops, and his great executive ability was in evidence on every hand. At St. Nazaire, one of the principal ports of entry for American material, we saw three of the Navy 14-inch railroad guns being made ready for shipment to the front. This railway battery was completely independent of any permanent artillery base. With 12 specially constructed cars, the complement for each gun, the equipment was so mobile that the battery could move position—gun, personnel, kitchen, fuel, ammunition, wireless, and machine-shop cars—in less than an hour. These guns fire heavier projectiles and have greater range than any ever before placed on mobile shore mounting, being capable of hurling shells a distance of approximately 30 miles. Admiral Plunkett, who was in command of these guns on the front, reported that—

> The shell craters were remarkable for their uniform size and great extent. One shot was sufficient to completely wreck a railroad line of three tracks for a distance of at least 100 feet, tearing up the rails, shattering the ties, and blowing an enormous crater in the roadbed. Traffic was stopped completely, not only during the firing, but from 6 to 10 hours each day after the firing had ceased.

There are immense docks, sheds, and railroad yards at this point, all constructed since our entrance into the war. Many German prisoners, a sorrowful looking lot, were employed in road building and construction work around the city. At Quimper we visited a Belgian refugee camp, just outside the town. These poor unfortunates were housed in great barracks, and it was a pitiful sight to see these homeless wanderers,

many of them entirely alone in the world, and all destitute. Arriving at Brest, we were cordially received by Admiral Wilson, one of our most distinguished officers, who was in command of operations on the French coast. This old city of Brest has been awakened from its slumbers by the coming of the Americans. Until our entry into the conflict it was used exclusively as a naval arsenal, but we have made it the chief port for the disembarkation of our troops, as many as 40,000 having landed in a single day. To provide for their temporary stay before moving to the front, it was necessary to construct great barracks and complete water and sewerage plants, but unfortunately the camp was badly located.

Our party separated here, all but three sailing for home, leaving Congressmen WILSON, OLIVER, and myself who had decided to return to the front. And now I want to take you with me to the battle lines, to the active front, where our boys were making history. Having secured a guide, passes, and a car, which we loaded with rations and blankets, we started from Paris for Meaux, and then on to Fere en Tardenois.

As we approached the war zone, the scenes of desolation became more and more dreadful. We were right in the track of the German retreat, and on every side were piles of loaded shells, stacked up like cordwood, and every sort of army equipment which the Germans did not have time to remove. You know the Americans were after the boche, and as speed was better than valor, the enemy left everything in their flight. We passed through village after village, all completely destroyed and deserted. Occasionally some lone Frenchman would be seen, wandering among the ruins of his home, trying to find a piece of furniture or some utensil with which he could start life anew. In most places there was not a single thing of value left, all had been burned or demolished by the retreating Germans. Along the road and scattered in the fields were helmets and rifles and chunks of ragged steel. Smashed airplanes, broken gun carriages, dismantled warehouses, torn-up railroad tracks, all told the story of the conflict, while here and there, now alone, then in groups, were the fresh mounds of dirt, marked with a cross or the twisted barrel of a rifle—mute reminders of the bloody struggle of but a few weeks before. Many of the fields were so lacerated by artillery fire that it will take many weary months before they can be brought back into cultivation, and it will be years before the barns can be made ready for the crops.

Near Fere en Tardenois we saw the ruins of a great wagon factory which the Germans had used to repair their trucks and gun carriages. The shops had been burned with all the valuable machinery, but there must have been at least 5,000 wheels stacked in a field nearby.

Passing through Fere en Tardenois, the headquarters of a French Division, we soon came to the headquarters of Gen. Alexander, commanding the Seventy-seventh Division, composed of New York troops. He and his staff had their quarters in a superb old edifice, Chateau de le Fere—at least it had been a stately mansion before war swept over it. It was located in a little clearing on the edge of a wood, and to deceive enemy aviators, approach to the building by motor was strictly forbidden. To carry out the deception that no one was quartered inside, no attempt had been made to repair the shell-riddled roof, and every storm sent its deluge of water spattering down through each room. This old chateau had been built in the thirteenth century, and before war had marred its beauty must have been one of the show places of the region, for spacious courts, artistic gardens, rows of statuary, and a magnificient stone bridge spanning a narrow defile gave proof of its former splendor. Inside, there was the strangest conglomeration imaginable. Superb mirrors set in exquisitively carved frames, encrusted with gold leaf, were hanging over an old packing case on which an Army clerk had placed his typewriter. Seated in a stately chair, rich with brocade facings, he pounded out the day's orders, unconscious of the incongruity of his surroundings. When the Germans, who also used this chateau for headquarters, evacuated the place they left leaning against the wall in the hall an innocent-looking stepladder. Suspicious of some trick, the American engineers examined the ladder, finding not unexpectedly that a wire attached to the lower rung lead to a heavy charge of TNT in the cellar, and had the ladder been removed before disconnecting the wire the entire building would have been demolished and everyone in the vicinity killed.

Gen. Alexander very kindly detailed an aide to conduct us to the active front; and equipped with helmets and gas masks we started out. Passing along heavily camouflaged roads on which companies of our boys were marching back to rest positions, we came to the headquarters of Gen. Johnston, and from there went forward toward the lines. As we were skirting the edge of a small woods, a terrific explosion took place just ahead of our car, the flame bursting in our faces like a blast from a furnace. Our first thought was of a German shell, as an incessant bombardment was going on at the time. With the explosion came yells from the woods, "Get that car out of sight," an invitation we accepted without the formality of transmitting it in writing. We found we had unknowingly passed directly in front of one of our own batteries, which had just received orders to "open up." Our New York boys, several of whom I knew, were in charge, and we spent an hour with them watching the operation of the guns. An observer in the top of a tree far out, was noting the effect of the shells and telephoning back to the commanding officer, giving instructions about ranges, and so forth. The crews worked the guns with great rapidity and with clock-like precision, loading, firing, and withdrawing the empty powder cases. After each discharge the guns were trued up, elevated, depressed, or swung to the right or left, according to the directions received from the observer. First they would fire in order at regular intervals, then a salvo by the entire battery would burst forth, the blast of each gun merging into one mighty roar, which shook the ground.

The men had either erected crude shelters of sticks and stones or had dug themselves pits, which they covered with their raincoats. The few cleared spaces in the woods were carefully guarded, no one being allowed to stand in them for fear of attracting the attention of enemy air machines. On our way back to headquarters we stopped in a little clump of trees where the Knights of Columbus had established a coffee wagon, and it was good coffee with real sugar and good crackers. I know, because I sampled it. They told us that one day they had served as many as 1,700 soldiers on their way back from the trenches. Here they were, right up on the line, in range of the German guns. That night, after dining with Gen. Alexander, we bunked with the boys out in the timber. We had to pass from the chateau along the edge of a ravine. It was pitch dark and no lights, of course, could be used. Men rolled up in their blankets were sleeping in every conceivable place, and many a lad was awakened by our stepping upon him in the darkness. We stumbled over trees and rocks as we tried to find our own blankets, which we had unpacked before going to supper. At one place the stench of a German corpse almost overcame us. The lieutenant who was helping us, occasionally used his pocket flash light, but instantly there came the stern command from a sentry, "Put out that light!" At last we found our belongings and without undressing, rolled our blankets about us and lay down on the ground for our rest. All night long there was a continuous booming on the line only a few miles away, and every little while we would hear a sentry challenge some motor truck or a company of soldiers moving forward.

Next morning Gen. Alexander invited us to accompany him to the front on a tour of inspection. Leaving our car just beyond the woods where yesterday we had seen the battery at work, we began our tramp forward, passing men on their way back from the trenches. Gen. Alexander, a soldier of exceptional ability and with large military experience, had just taken command of this division, and frequently he would stop and inquire of the men the condition of their food and clothing. He asked one young chap, an Irishman, if he knew who he was. The lad said "No," and when the general told him the boy answered in a rich Irish brogue, "Begorah, Gineral, but I am glad to maat you." We were hardly able to repress a smile at the hearty good will of the soldier. Another, when the general said, "An American can always whip a boche," replied, "Yes, you are d—— right, General, and we will give them some more h——."

Whenever we came to an open space we separated, each man walking alone, for groups are dangerous targets. Shells began to burst around us; one, falling scarcely a hundred yards away, sent a fragment which struck in the road just behind Congressman WILSON. We saw a squad of the 302nd Engineers constructing some trusses for a bridge to be thrown across the Vesle River. I just missed meeting my friend and neighbor, Capt. Fred S. Greene, whose men were working on the bridge. This officer has made a gallant record, and I regretted not seeing him. We climbed up a steep, heavily wooded hill, near the crest of which was a large cave. Here an advanced rest and hospital station had been established. We passed on through the thick underbrush with shells from our own batteries as well as from the German screaming overhead. At one point, as we were descending into a little valley we encountered mustard gas, which caused us to beat a hasty retreat. But before we could adjust our gas masks Gen. Alexander, who was in the lead, had inhaled sufficient to cause him great annoyance. Finally

we reached the far edge of the ridge, the fringe of "no man's land," overlooking the German lines.

Out in a clearing was an observation station connected with the woods by a communicating trench, through which we crawled. This was a place where it was wise to remember the slogan, "Keep your spirit up and your head down." From our vantage point we looked across the Vesle River into the town of Bazoches, which our artillery was then bombarding. Shell after shell exploded as we watched, each one adding its havoc to the doomed city. While we were at this point the artillery duel increased and the General thought it wise to return. During the entire time we were at the front his staff were nervous for fear a chance shot might find its target, but luckily none did, although on our way back shells fell close to us. We saw a few poor fellows being carried back on stretchers, two of whom had been badly gassed. Every few yards on the side of the road, little dugouts had been excavated, convenient shelter places in case a barrage was laid down.

Returning to our cars which we had left secreted in a thick tangle of woods we met many of our boys, some cooking, others washing or cleaning their equipment; all happy, but all kicking about the postal service. Whenever I came across any of the lads I told them if they would give me the name and address of some relative, upon reaching home I would write a letter saying that I had met them. I think I collected nearly 500 names, written on backs of envelopes, on pieces of newspapers, and labels from tin cans. I fulfilled my promise, and I can truly say that the responses received from grateful mothers all over the State in acknowledgement of my notes far more than compensated me for the trouble.

We lunched with Gen. Johnston and his staff in an old farmhouse. A huge bomb-proof shelter which had just been completed, was shown us by Maj. Martin and Lieut. Morgan, who were rendering valuable service. Both of these gentlemen were from Westbury. We had a good lunch, but at times it was a question who would come out first—ourselves or the flies. The mess hall was in an old stable, and I suppose the flies considered us intruders. Anyway they put up a stiff fight and it was about a 50–50 proposition.

After lunch we went to the headquarters of Gen. Bullard, commanding the Twenty-eighth Division, and had a pleasant chat with this veteran, whose famous reply to French instructions a few weeks previously, will long be remembered:

> We regret being unable on this occasion to follow the counsels of our masters, the French, but the American flag has been forced to retire. This is unendurable, and none of our soldiers would understand their not being asked to do whatever is necessary to reestablish a situation which is humiliating to us and unacceptable to our country's honor. We are going to counter-attack.

Then on to Sergy, where the Wisconsin and Michigan troops did such splendid fighting. Four times on that hot July day this town changed hands; it was here that a German colonel and 500 of his men were captured. We passed by Cierges, another desperately contested town. Ruins everywhere, with the accustomed sight of discarded weapons and broken implements. Near by we came across a body of negroes digging a huge pit for the burial of American dead. Thirty-seven of our poor boys had been gathered for interment. There they lay just as they had fallen, legless, armless; yes, and headless. It was the most gruesome sight I have ever seen, and it haunts me still. Some mother's son lies here in a nameless grave; some lover who will never return; some father, perhaps, whose child will weep for the dear face it will never see again.

Leaving these heroes to sleep in the peace of the ages, we went to the grave of another hero—Quentin Roosevelt. Each of us had gathered some flowers by the wayside, which we placed on the grave in loving tribute to the memory of a gallant officer. A cross had been erected on which is inscribed his name and the date of his death. Several floral tributes from officers of the French Army told of the esteem in which Lieut. Roosevelt was held by his comrades in arms. Close to the grave is a small stone slab, placed by the Three hundred and second Engineers on the spot where the young aviator fell.

On our way back to the chateau we visited a pigeon cote and saw how these important message carriers are cared for. In speaking of the pigeons, let me tell the story of a gift of these birds made by the British to some Portuguese officers. Not fully realizing the purport of the present, the officers, in acknowledging the gift, sent back this note, "The squabs were delicious. We had them for dinner. Please send some more."

A little farther along the road we saw one of our heavy batteries, the famous 155. The gun was mounted just back of a low hill and was covered with a screen of boughs to conceal its location. In approaching the battery from the road, great care was taken to prevent the formation of any distinct path, which, to an aerial observer, would be a sure sign that artillery was located at its terminus.

That night while at dinner, a carrier pigeon brought word that the great chateau in Bazoches, which we had seen being shelled, had been destroyed. Col. Insinger, one of our hosts at headquarters, related two incidents that had come under his personal observation, both showing the kind of stuff our boys are made of. He said that one night out in "no man's land" he had stumbled over a man crawling through the grass. "Stand up," he commanded. "Can't do it," replied the soldier, "I am wounded." "Well," said the colonel, "if you are wounded, you should go the other way." "Yes; I know," said the boy, "but I know, too, that right over there is a German machine-gun nest, and I am going after it." That boy gave the last drop of his blood, wounded as he was, fighting the enemies of his country. The other case was of a young soldier from my own State who was charging the enemy with his revolver. "Put up that pistol," commanded the colonel; "it isn't heavy enough for this work; use your rifle." "I can't do it," he replied, "I am wounded." The officer looked and found that a machine-gun bullet had ripped open the boy's stomach, and with his left hand he was holding in his intestines, while he was running forward, firing with his right hand. Ah, but that was courage and grit!

A young fellow I met who had recently come from the hospital, told me how he had saved a friend in the fight at Cantigny. Our attack, sweeping down from a hill and across the valley, had carried the town. The objective had been reached, and this boy was safe behind a stone wall, when he looked back and saw, out in the open, his chum who had been hit. Obtaining his captain's permission to return for his friend, he started. Shells and bullets were falling like hail, but he reached the wounded man in safety, and putting his arm about him, commenced dragging him to shelter. Going but a few yards, he too, was wounded. Then, as best they could, they crawled back, only to find that the lines had gone on. Exhausted, they crouched down behind a pile of bricks and lay in a broiling sun, without water or attention, from 9 in the morning until 5 in the afternoon. For that act of unselfish devotion and heroism the boy received distinguished recognition.

Do you wonder now why it was that Bulgaria gave up? Do you wonder why it was that Austria cried "Kamerad"? Do you wonder why it was that the Imperial German Army stopped, then crumbled, and then ran for home, and have been running ever since? Do you wonder now why it was that the German Government, when they pleaded for peace, found themselves in pieces? Do you wonder now why it was that a great Navy hauled down its flag without striking a blow? Do you wonder now why it was that the Kaiser deserted his people and fled to Holland in a vain effort to escape the judgment of humanity?

This experience with the boys—eating with them, sleeping with them, and listening to their stories—was one of the most interesting of my whole trip. A sterling lot of young fellows they were, and fearless fighters, as the Germans learned to their sorrow. New York can well be proud of her men in the service.

In a little wooded valley just below the ridge on which we bunked, was the quartermaster depot. Day and night trucks and wagons passed back and forth. On the edge of the road leading to the stables was a pile of loaded German shells abandoned by the retreating army. Strict orders had been issued not to touch these shells, and yet the drivers of the trucks were so indifferent to danger that they paid no attention to the warning. I saw at least three heavy steel-tired wagons run directly over them. When I asked the driver why he took such chances he said, "Oh, what's the difference; if I am going to get killed I better be smashed up near home than out on the road." Most of these fellows were fatalists. They thought that some particular bullet had their name written upon it, and until that came they were as safe one place as another. That reminds me of old Mike Sullivan, a veteran with whom I toured Long Island last spring in the liberty-loan drive. Mike was a fatalist. An American, born in Ireland of Scotch parents, he enlisted in a Canadian regiment and had fought in France. That was a combination to defy almost anything. He constantly preached the doctrine of fatalism, telling his comrades that it was no use to worry, "that when your time's come it's come, and there's nothing you can do to stop fate." Well, one night Mike was ordered to go over the top, and his chums noticed him very quietly putting an extra pistol or two in his pocket. They jeered, and reminded him that he was a fatalist and that all those pistols would be of no use, for "if your time's come it's come." Poor Mike was stuck for a moment, and then the Scotch-Irish-American-Canadian-French wit came to his rescue, and he said, "Well, that may be so, but I may meet a German whose time has also come."

One night a shell struck on the road directly in front of a motor truck. The driver had no time to stop or turn. Everyone held his breath waiting for the blast which would send them "west," but the shell was a "dud" and did not explode.

With a great jolt, over it they went, and the only comment of the 19-year-old driver was, "If those Germans don't stop dropping their d—— shells in this road, we'll bust a spring."

I wish I could recall all the things those boys told me. While I can not remember all their stories, I can never forget their kindness, their courtesy, and their generosity in presenting me with souvenirs. The Nation will never forget their bravery.

I want to tell you of one very clever sign I saw up on the front, posted to a tree. It read:

The Quick or the Dead.

Gas is a good thing to cook by, but it is a poor thing to croak by. Put on that mask. Be quick or be dead. Don't take a chance. If you do you will never take another.

That night it looked like rain, and one young fellow who was going out on sentry duty insisted that I sleep in his pup tent. Underneath he had scooped out a shallow pit which had been filled with straw, and so, taking my gas mask and my helmet, two things which I never allowed to leave my sight, I crawled in, receiving a royal welcome from about a million cooties. It was a clear, starlit night and not a breath stirred the trees. All was silent in the woods and beyond, except for the ceaseless roar of the guns on the line and the challenge of the sentries on the road below. I had just fallen asleep, when suddenly I was awakened by a terrific explosion, which made the ground tremble, and then came another. We were being raided by German airplanes. Overhead I heard that peculiar rythm of first one machine and then another, and still yet another. We could not see them, but we knew they were there with bombs and that it was the open season for Americans. Presently our antiaircraft guns opened fire, the blast of the charges followed by the explosion of the shells in the air, with each burst of flame lighting up the tree tops. Then fragments of the projectiles came rattling to the ground. Every little while the boche dropped a bomb, which increased by tenfold the roar of the missils. The sensation of lying there, with no protection but a piece of canvas and a few overhanging boughs, was one I shall never forget. There was something uncanny and terrorizing about it, different from anything I had ever experienced. We had no place to go, so we lay in our blankets, hoping that none of the bombs had our names written upon them. In about half an hour the circling machines swung off toward their own lines and all became normal again. One of those bombs struck a house a short distance from our camp, killing its lone occupant, but the others had fallen without harm. Our boys were so sure that the war would soon be over that they had adopted the slogan, "Heaven, H——, or Hoboken by Christmas." I little thought then that their prediction would soon be realized—the Hoboken part.

Just as we were leaving camp the next morning our car went out of commission and we had to abandon it and with it the rifles, helmets, and bayonets the boys had pressed upon us. Hoping that we might have our machine repaired at the divisional motor transportation repair shop, one of the trucks towed us down to the woods, where the shop was located. It was hidden in a little clump of trees on the bank of the Ourcq River, with Capt. Maloney in command. Lathes, forges, benches, and all the equipment of a complete shop were installed on motor trucks, so that the camp could follow the Army. This was the motor repair unit for the entire division, and everything from a damaged bicycle to a great artillery truck found its way to this mechanical hospital.

These mechanicians—and only expert ones were wanted—deserve unstinted praise for what they did. Constantly on the move and always liable to air raids, working 10 to 14 hours a day and seven days a week, their share in the complete triumph of our arms can not be overestimated. But as our car could not be repaired that day, we accepted the invitation of the general and journeyed back to Paris in his machine, again passing through Chateau-Thierry, Vaux, and Meaux. In our first visit to these towns we had seen only American soldiers. Now the Americans were gathering in front of St. Mihiel and the French had taken their place.

Our day in Paris before starting again for the front, was spent making arrangements and in visiting the plant of Andre Citroen, where 50,000 3-inch shells were turned out every 24 hours. 9,000 women and 3,000 men were employed in this great factory, which had been built since the beginning of the war. Two hundred and fifty tons of steel were consumed daily. The plant is equipped with every modern convenience for the welfare and happiness of the employees. Restaurants, reading and billiard rooms, baths, gymnasium, and a complete hospital manned by nurses and doctors make this factory one of the most modern in the world. In their thought for the women workers they have built a baby hospital, where mothers can leave their little ones in the care of experienced nurses. During the week the babies remain here night and day and are fed by the bottle between the mother's visits. On Saturdays the parents take the infants home, and the nurses said they could always tell these visits by the babies losing their regular habits. Five times a day the mothers left the lathe, the forge, and the sweat of the shops to nurse their offspring, and then after this ray of domestic happiness, they returned to make shells and still more shells for their husbands fighting for these babies and the homes of France on the far-flung battle line.

We experienced much trouble and delay in procuring military passes for our trip to Dunkirk, but at last we received the "clear" signal. Capt. Cone, who was very desirous of having us inspect the northern bombing stations and the naval activities at Dunkirk, very kindly placed a car at our disposal, detailing Capt. Gilcrist, of the Marines, to act as our guide and interpreter. We stocked our car with rations, blankets, and a large supply of gasoline, for we intended, before returning, to go through the devastated regions around Amiens.

Passing through Beauvais, Poix, Abbeville, Montreuil, Boulogne, and Calais, we reached Dunkirk late in the afternoon. At St. Inglevert, near Calais, we visited the United States naval air station under command of Lieut. Robert Lovett, of Glen Cove, a splendid young officer, who has brought this station to a high point of efficiency. Montreuil, until recently the British headquarters, showed the effects of numerous air raids. At Oye, just on the outskirts of Dunkirk, we inspected a camp of 500 marines attached to the northern bombing station.

We were received at Dunkirk by Ensign Robert E. Reed, temporarily in command of the airplane base. The importance of Dunkirk, and its proximity to Ostend, has made it the objective of almost nightly raids, but we missed a visit, although the weather conditions were perfect for it. They were also subject to long-range artillery fire from Dixmude, but had devised a clever scheme for protection. A watcher, seeing the flash from the gun, sounded a warning, and, as it took the projectile a minute and a half to reach the town, the inhabitants had that much time in which to seek shelter in cellars and dugouts. They told us that all speed limits had long since been abolished.

Next morning we were afforded an exhibition of fancy flying, a practice I heartily disapprove, because of the risks assumed merely for the amusement of the spectators, and we barely missed witnessing a fatal accident. One man, caught with a bad engine, after turning over seven times and coming within 150 feet of the ground, recovered just in time to glide out in safety. We expected to see him dashed to death, and in talking with him afterwards found that he, too, had thought his time had come. He seemed entirely indifferent to the danger he had been in, and dismissed the subject by saying, "Oh, well, that kind of a death isn't so messy as to be hit by a shell."

While the aero acrobatics were taking place, word came that a German submarine had been sighted off the coast. Instantly flash signals gave the warning to the pilots, who returned to go in pursuit. The sea planes were run out and swung overboard, the pilots took their places, and the big machines whirled off to sea. There is great rivalry between our station and the one across the harbor operated by the French. In this instance our boys were well on their way before their rivals started. Their trip, however, was for naught, as no raiders were discovered.

We then started for Belgium, passing first through the bombed town of Bergues and thence to Woostcappel, where the Belgian officials refused to let us pass. We made a detour and came to Houtkergue, in charge of the British, but, fearing that our civilian attire might again be our undoing, we put on our helmets, hung our masks around our necks, and buttoned up our Army raincoats. It worked, and we passed the frontier. We went through Poperinghe, a silent, desolate town, the scene of bitter fighting in the early stages of the war, and then on to Ypres or, as the British Tommy calls it, "Wipers." We saw many Americans along the road, and, of course, many British and French soldiers. We were near Mount Kimmel, the scene of such fearful fighting, participated in by our own boys, and the roar of artillery and the crack of rifles came to us as we entered Ypres—sad, ill-fated, war-torn Ypres. No voice can describe the awfulness of that destruction, no pen depict the horror of the tragedy which swept this once beautiful city into an inferno of death and desolation. The earthly splendor of Ypres has gone forever, but the blackened ruins by their very frightfulness tell of the glory of those heroes who kept the faith and by their lives answered the challenge of military despotism.

Ypres no longer exists—only mounds of brick and cement, gaping holes, and stumps of walls. All semblance of a city has disappeared. We tramped over the ruins of this city of memories with the guns crashing on the near-by line. No shells had

fallen that morning, and we felt free to walk at will. We had noticed an enemy plane cross one section of the city, but paid no attention to it. Suddenly a high-explosive shell fell within 50 yards of us and then another, and with each explosion we threw ourselves on the ground to escape the flying fragments. Within less than 10 minutes, five projectiles had been hurled into the sector where we were standing. One fragment, which I afterwards secured, passed between our driver and myself, striking within a few feet of us.

It did not take us long to evacuate that place, for evidently we had been observed, and as long as we remained we knew the Germans would continue firing.

On our way back to Dunkirk we passed through Elverdingue, Furnes, Oust, Coxyde, and La Panne, all, with the exception of the last, utterly destroyed—ghostly, tomblike cities, with the region between seared and torn; village after village, farmhouse after farmhouse in hopeless ruin.

Kindle the ashes of Belgium
Into unquenchable flame,
Dawning the light of to-morrow,
Open the portals of fame;
Passeth a world-wide sorrow,
Passeth a nation's tears,
But freedom deathless surviveth
Through the uncounted years.
—Capt. Horne in Harpers Magazine.

Mounted in the sand dunes at Saskatoon was a British siege-gun battery of two 7.6-inch guns. These guns, with a range of 18,000 yards, constantly bombed Ostend and Zeebrugge, and were shelled in return, one projectile having struck just below the battery. "Dud" shells "made in Germany" lay thick on the sands, and many more had been buried by the winds. From the highest sand dunes we plainly saw Dixmude and Nieuport and in the distance the great tower at Ostend.

The boundary of the war zone is distinctly traced, and the change in passing the line of devastation is striking. There seems to be no twilight area; the transition from high cultivation and peaceful prosperity to desolation and waste is marked and complete.

The next morning we started for Amiens, and on our way to St. Omer passed many British troops—artillery companies and supply trains. Without exception the horses in the British transport and artillery service were in the prime of condition, well fed and well groomed, and their equipment always clean and bright. It was the same with their wagons and trucks, all displaying that degree of "upkeep" so essential and yet so often neglected.

At St. Omer we visited a casualty clearing hospital in charge of Lieut Col. Storrs, who took us into the operating rooms, where men direct from the front dressing stations were being operated upon. He told us of an American patient who had fallen off a truck on a dark night. The boy had evidently been stunned by his fall. Ten days later he was found behind a fence, where, without food or water, he had lain all that time, and when discovered was almost a skeleton. The colonel related an instance of five men who had been wounded in "no man's land" at a time the lines were engaged in constant attacks. For two weeks these men were exposed, their only food and water being obtained from the rations and canteens of their dead comrades. For five days they had been without either food or drink, and under the terrible ordeal three perished, but the other two were rescued, finally recovering.

At Amiens, the objective of one of the German drives, we found an abandoned city. Only ten months before I had visited this famous cathedral town, which at that time, although close to the war zone, had been but slightly damaged. What a change those few months had made, and what havoc had been wrought by German guns in those savage attacks to capture this great railroad center. The imperial army came within a few miles of their goal and were only prevented from entering by the bulldog tenacity of the British soldiers.

At Grivesnes, a shell-torn hamlet—and there are many of them in this valley of the Somme—we saw numbers of Italian soldiers, the first we had seen. On the roads, German prisoners and Chinamen were at work, for the French religiously keep their highways in perfect condition, a lesson we can emulate to advantage. Just beyond Grivesnes we discovered a little cemetery surrounded by line after line of trenches. It was located in an open field, a few yards from the road, and presented a sight almost too gruesome to relate.

The little chapel had literally been annihilated, and all about were the sacred furnishings that once graced its interior. The tombs had been broken open by the exploding shells, and skeletons and skulls were mixed with the wreckage of marble slabs. In a space no larger than this hall we counted 10 dead Germans rotting in the grass. One young chap, evidently an officer, lay as he had fallen, with arms still stretched over his head. A gaping hole in the forehead told the story of his last agony. I picked up one helmet with the mangled head of its owner still incased. What had become of the body is a mystery, for only the head was lying there. Of course, we examined the bodies to see if any documents of military value could be found. There were none; but let me tell you of a diary which one of our officers did take from a German before Chateau-Thierry. These were the entries:

July 12. Things are going fine. We will soon be in Paris.
July 13. The fighting is becoming furious.
July 14. We have called for our reserves, and are fighting like hell.
July 15. Mein Gott! How those Americans can fight.

We learned afterwards that in this little cemetery, a German machine-gun nest had been located, and the tower of the chapel had been used as an observation post. The ground around here had been fought over last May and June and was in the same condition in which it had been left, a mass of discarded implements and weapons. Hardly a yard of roadside but was blasted by shell holes and seamed with trenches.

Just before reaching Cantigny we came to a crude graveyard, where 22 Americans lie buried. The French had evidently performed this last act of kindness, for the inscriptions were in that language. Each grave had at its head a cross on which was fastened a metal label bearing the American flag surrounded by a wreath of laurel, beneath which a tin-foil name plate bore the legend: "American—unknown."

We reached Cantigny in the early afternoon. Its sole inhabitant was an old man, caretaker for the telephone wire. He lived in a cellar, for not a house was standing. He was the only one who could say he had a home in this spot, and yet he was not alone that September day, for the priest and two old women were there also, wandering about the ruins seeking a familiar sight. The priest told us of his church, but we could not find it, for it no longer existed, only the iron fence, twisted and broken. A little farther we came upon an old man with a cart loaded with household articles. He said he had come back to start life all over again and was looking for his house. He will look in vain, for nothing but débris and memories are left in Cantigny.

We passed through Montdidier, a grim skeleton with houses still standing but deserted and in ruins. Just as night was falling we entered Maignelay, where the First French army, including several companies of the famous Chausseurs, were quartered. The officers, thinking we were members of some sanitary commission, were not inclined to let us spend the night, but when at last they discovered we were not hunting germs, very graciously detailed a soldier to provide us with such comforts as could be procured. Finding shelter in a vacant house and with the canned goods we had with us, we were able to entertain a number of our hosts. As these cities close to the line are, of course, in total darkness at night we devised a happy plan. Running our machine close to the side of the house we passed the "trouble" lamp of the car through the barred window and started our banquet under an electric light. Unfortunately, through a crack in the blind a gleam of light escaped and soon the sentry ordered us to extinguish the lamp. Our guide and friend then procured candles and by hanging our coats over the window we were able to eat without fear of bringing unwelcome guests upon our friends.

The next morning we started for Soissons, passing en route much open country, a large portion of which showed the effects of heavy artillery fire. In a field near Tricot were 10 destroyed French tanks. Many of the roadside trees had been broken off by shells, the splintered stumps resembling great tropical palms.

At Campiegne, which the Germans nearly captured a few months before, we saw a division of French troops on their way to the front, the hardy veterans marching along in regular formation, infantry, artillery, machine-gun companies, supply trains, kitchen trains, and ambulance corps. These French soldiers presented a slovenly appearance, but they were fighters, as all the world will testify. Just outside the city we met the boys of the Thirty-second Division on their way to camp. They came trooping along, singly and in groups, tired, footsore, and hungry, having had no breakfast, as they had been on the hike since 4 a. m. and it was then 10 o'clock.

Approaching Soissons, we discerned 10 or 12 airplanes over the lines; the puffs of gray smoke about them indicating that anti-aircraft guns had also discovered them. Heavy guns were in action and as shells were falling in the city we picked our way carefully among the ruins. The great cathedral has been completely demolished and the city itself is one mass of débris. We entered several houses, homes where the furniture was still in place, and clothes hanging in the closets. Knowing how

cunning the Germans were in hiding bombs and detonating fuses under carpets and attached to doors and chairs, we did little exploring.

On our return to Paris we passed through the Forest of Villers Cotterets, where large numbers of soldiers had been quartered; then to Senlis, where in a few weeks German officers were destined to come and beg for peace.

From Paris we visited one of our air stations, enjoying a flight over the city with Lieut. Newport. The most pathetic as well as the most touching sight of our whole trip was at Suresnes, on the banks of the Seine, just beyond the Bois de Boulogne. A few acres upon the hillside overlooking the great buildings and the boulevards of the capital, had recently been dedicated to the American dead. It is the last resting place of those who rendered the final sacrifice in the hospitals of Paris. Each grave is surmounted by a cross bearing the name of the man below, marked with his regiment and company. With the symbols of their faith are the emblems of their devotion, the flags of America and France entwined in loving memory of the men of one Republic who died in defense of the other. Old men and women were there on their hands and knees shaping the mounds, placing sod, and planting flowers. All was a labor of love and veneration for the men who had come across the seas to defend their homes. These graves have been adopted by French families as their own, and for all the years to come the affection and solicitude of a generous people will preserve these shrines of sacrifice, fresh and sweet as the sacred traditions which cluster about them. The flowers of to-day will wither, the grasses fade under winter frosts, but the hallowed memories will remain forever. In thanking the mayor of the city for the tender care bestowed upon our dead, he replied: "Oh, how little it is that we can do for them, who did so much for us."

At Brest we boarded the great ship *Leviathan*, but found that owing to the rough weather, which delayed coaling, she would not sail for a day or two. The *Mount Vernon*, just returned from an encounter with a German submarine, was lying in dry dock with a gaping hole in her side. The ship when torpedoed was a short distance out from Brest, 36 men of the engineer's force losing their lives in the fire and boiling water of the stokehole. And yet with two compartments flooded and with their comrades dead and dying, when volunteers were called for to man the still undamaged furnaces, every man of the crew stepped forward and offered to go below. It was our sad privilege to attend the funeral of these brave seamen. With Admiral Wilson, Assistant Secretary Roosevelt, and all the officers and men of the *Mount Vernon*, we paid our tribute to these victims of German submarine warfare. Each coffin was draped with the flag "above them or about them," and each covered with flowers and wreaths. The simple but impressive service over, with the band playing a funeral march, the caskets were carried on board our ship for the final voyage to the land for which these men had given their lives.

During the three days we were lying at anchor, 10 great ships bearing soldiers for the front entered the harbor. Finally the time came for us to sail, and with the *Great Northern* and *Northern Pacific* on either side, a cordon of destroyers to protect us from submarine attack, we passed out to sea. These destroyers remained with us two nights and one day.

We had on board 400 sick and wounded men and nearly a hundred officers detailed to bring back special units. Let me give a brief description of this great ship, the largest in the world. Under the name of the *Vaterland* she was placed in commission in the spring of 1914 by the Hamburg-American Line, and was lying at her dock in New York when war was declared. Upon our entry into the conflict the ship, which had remained at her wharf for nearly three years, was seized by the Government and turned over to the Navy Department, by whom she was repaired and manned. Since December, 1917, this ship, renamed the *Leviathan*, has been in transport service. During the summer of 1918 on each voyage eastward she carried approximately 10,700 men of the Army, which, together with her naval complement of over 2,000, gave her a total carrying capacity of nearly 13,000 men. To feed this number, 7 tons of fresh meat, 22,000 eggs, 7,000 loaves of bread, and 3,000 pies were required daily. There has been an erroneous impression that the men were compelled to sleep in watches, half in the daytime and half at night. This is not correct, for there were bunks sufficient to permit all of the men sleeping at the same time.

To accommodate this vast number, the partitions of the lower decks were removed, the space being devoted to mess halls. On other decks, pipe bunks in tiers were installed. The ship was fitted with every device for its safety—fire apparatus, life boats and rafts, water-tight compartments, wireless systems, and thousands of life preservers. At night no lights were permitted on deck or where there was a possibility they might be seen from without. After nightfall no one was allowed outside the main cabins, and every precaution was taken to prevent this mighty ship becoming the prize of some daring submarine commander. We retired without undressing, being careful to place our life-preservers within easy reach, and in the daytime this gear was a part of our costume. While passing through the war zone no concentration of passengers in any one place was permitted for fear of confusion in case of an attack, but after the shores of France were well astern, moving-picture shows became a nightly occurrence.

Before speaking of the sick and wounded, let me give the dimensions of this giant vessel: Length over all, 964 feet; beam, 100 feet; displacement, full load, 69,000 tons; draft, full load, 41 feet 6 inches; maximum speed, 24 knots; height of smokestacks from the keel, 183 feet.

Installed on the *Leviathan* was a powerful wireless telephone, but it was not in operation, because the one which corresponded with it was in Hamburg, and its use would have been dangerous to the ship. When the *Leviathan*, upon the completion of repairs, was sent on a trial run to Cuba, this apparatus was tested. To ascertain the radius of the telephone, instructions were given that every station picking up a certain message was to report it to Washington, thus enabling the department to learn the greatest distance over which a message could be transmitted. The operator, after giving instructions to the receiving stations, gave the code number of the ship for that particular day—we will say, "N 54"—and then he read an article from a newspaper. The receiving operators reported the message verbatim; but in every case, to the surprise of the authorities, there was an interpolation after the code number, each report reading, "N–54. Ha, ha; I know who you are. You are the *Leviathan*." Then followed the article as transmitted by the ship's operator. On investigation it was found that a German operator had picked up the message. Knowing that outside of the apparatus on the *Imperator*, which was then in Cuxhaven, the only instrument similar was on the *Leviathan*, and therefore this message came from her. On his exultation he had, on discovering the *Leviathan*, interjected his remarks, which the shore operators, not knowing its source, received as part of the message sent from the ship.

During the voyage I spent the entire time talking with the sick and wounded. I wish time permitted me to relate all the interesting stories they told me of their experiences. Desperately wounded, as some of them were, all were cheerful and thankful that they had escaped at all. One of the happiest was a young chap from Jersey City with one foot half gone. On his crutches, he hobbled about the ship, telling of his exploits and entertaining his comrades with songs and ditties.

After a remarkably smooth passage we reached New York in the early morning of September 19.

And now that the fight has been made and won allow me for a moment to revert to the tragic struggle. The world probably never before has witnessed such a dramatic transformation as that which took place between the spring and fall of 1918. In April and May, America and Europe were living upon the hope that the armies of Britain, France, and Italy would hold back the invading Germanic hordes until the United States could concentrate its enormous resources of men and material which would ultimately bring victory. It was a question whether America could come in time to save the situation, and we did not arrive a moment too soon. The people of Germany were as exultant as the people of the allied countries were depressed. While the Kaiser was proclaiming "the greatest hour in German history," and talking of the "shining German sword," his diplomats were preparing to remap the world on the basis of a "dictated peace." Yet within four months, as the result of military achievements unsurpassed in all the history of warfare, the scene was reversed; the foe which bid defiance to all the world in May, came in November, beaten and broken, to sue for peace.

In this greatest war of recorded history the heroism of men never reached a higher plane. The war was won, not by the President or the Secretary of War or the Secretary of the Navy or by any admiral or general; victory was achieved by the American soldiers and the American sailors, privates in the ranks and by the privates at home, the American men and women producing the sinews of war and creating the moral power behind the fighting forces.

It was the individual soldier and sailor, inspired by love of liberty and imbued with the spirit of freedom, acknowledging no superior power, but in the consciousness of his independence standing erect before his Maker and his fellow man, the strongest manhood in the world.

On this eve of a new era in world politics, in an alien land, is the mad war Kaiser. Dissipated are his dreams of world conquest; at his feet, broken, lies the sword with which he was to dictate the peace of Europe. In his nightmare he stands again in the land of ashes and of dead men's bones, beholding his legions which he thought invincible hurled back again and again as they dash against the ramparts of liberty. He looks across the shell-torn ground strewn with his mangled dead, and there beyond those fields on which his armies twice paid the toll of defeat, stands Paris, and behind Paris is Rome, and behind Rome is London, and behind London is Washington. In maddened anguish there comes the vision of what might have been, but 6,000,000 bayonets guarded the way and hurled back their defiance, "You shall not pass."

On this winter's day, somewhere in the valley of the Rhine, somewhere in Alsace-Lorraine, somewhere in northern France, the Stars and Stripes are flying. They are kissed by the golden sunbeams, messengers from on high, in the effulgent light of victory for God, for civilization, and for country. They fly in the triumph of a holy cause, glorified in their rededication to human rights.

When we behold that flag let us remember the words of St. Paul, uttered 2,000 years ago. Facing the angry mob which beset him, he said: "Beware how ye molest me, for I am a citizen of Rome." In that warning he epitomized the power and the determination of the great empire of ancient days whose protecting arm stretched to the ends of the earth. To-day the American flag, the symbol of the unity, the purpose, and the will of a mighty people, proclaims to all the world the admonition, Beware how you molest him who renders me allegiance, for he is a citizen of America.

The answer:

Rest ye in peace, ye Flanders dead.
The fight that ye so bravely led
We've taken up. And we will keep
True faith with you who lie asleep
With each a cross to mark his bed,
And poppies blooming overhead,
Where once his own life blood ran red.
So let your rest be sweet and deep
In Flanders fields.

Fear not that ye have died for naught.
The torch ye threw to us we caught.
Ten million hands will hold it high,
And freedom's light shall never die!
We've learned the lesson that ye taught
In Flanders fields.

—R. W. Lillard.

—

Your flaming torch aloft we bear.
With burning heart our oath we swear
To keep the faith, to fight it through,
To crush the foe or sleep with you
In Flanders fields.

Sleep on, ye brave. The shrieking shell,
The quaking earth, the startled yell,
The fury of the battle hell
Shall wake you not, for all is well;
Sleep peacefully, for all is well.

—C. B. Galbreath.

They kept the faith and fought it through.

APPENDIX.

War Casualties of All the Nations.

[By Walter Littlefield, from Current History.]

The following table gives the authentic figures regarding the man power employed and the casualties suffered by the 16 nations which were officially mobilized for the war and took active part in it. There is as yet no record available concerning the casualties suffered by the three new nations which came into being through the war or by little San Marino, which sent a gallant 300 to help Italy beat their common enemy. The rest, however, is upon record.

Mobilized strength and casualty losses of the belligerents.

UNITED STATES AND ASSOCIATED NATIONS.

Nation.	Mobilized.	Dead.	Wounded.	Prisoners or missing.	Total casualties.
United States	4,272,521	67,813	192,483	14,363	274,659
British Empire	7,500,000	692,065	2,037,325	360,367	3,089,757
France	7,500,000	1,385,300	2,675,000	446,300	4,506,600
Italy	5,500,000	460,000	947,000	1,393,000	2,800,000
Belgium	267,000	20,000	60,000	10,000	90,000
Russia	12,000,000	1,700,000	4,950,000	2,500,000	9,150,000
Japan	800,000	300	907	3	1,210
Roumania	750,000	200,000	120,000	80,000	400,000
Serbia	707,343	322,000	28,000	100,000	450,000
Montenegro	50,000	3,000	10,000	7,000	20,000
Greece	230,000	15,000	40,000	45,000	100,000
Portugal	100,000	4,000	15,000	200	19,200
Total	39,676,864	4,869,478	11,075,715	4,956,233	20,901,426

Mobilized strength and casualty losses of the belligerents—Continued.

CENTRAL POWERS.

Nation.	Mobilized.	Dead.	Wounded.	Prisoners or missing.	Total casualties.
Germany	11,000,000	1,611,104	3,683,143	772,522	6,066,769
Austria-Hungary	6,500,000	800,000	3,200,000	1,211,000	5,211,000
Bulgaria	400,000	101,224	152,399	10,825	264,448
Turkey	1,600,000	300,000	570,000	130,000	1,000,000
Total	19,500,000	2,812,328	7,605,542	2,124,347	12,542,217
Grand total	59,176,864	7,681,806	18,681,257	7,080,580	33,443,643

But this only refers to the soldiers who died or were irreparably maimed. Civilians were even greater sufferers, not only by engines of war but by famine, disease, and massacre. There were those who were killed by direct military causes; those who died from indirect causes.

In the first category we have:

Americans slain on the high seas	692
British subjects slain on the high seas	20,620
English men, women, and children the victims of air raids and bombardment	1,270
Belgians butchered or deprived of life in various ways	30,000
French butchered or deprived of life in various ways	40,000
Neutrals slain by the U-boat	7,500
Total	100,082

In the second category we have: American civilian lives lost by U-boat, mines, etc., include all from the one lost on the British ship *Falaba*, March 28, 1915, till the four lost on the American steamer *Lucia*, October 17, 1918. British lives lost in the same way include 6,500 members of the mercantile marine not listed as naval casualties. The 7,500 neutral lives also lost are led by those of Norway's death list of 5,120 seamen. The total of 4,000,000 Armenians, Greeks, Jews, and Syrians massacred by the Turks is the latest official estimate of the American Committee for Armenian and Syrian Relief. The number of Armenians massacred has been variously estimated at from one to three million. This is probably an exaggeration. An estimate of 300,000 is based on the following facts, published in the Horizon, of Tiflis, and the Artzakank Parisi (Paris); still the natural increase in population in the unaffected region might tend to increase this total: When the war began there were fewer than 3,000,000 Armenians in all Turkey, Transylvania, and Galicia. In Transcaucasia the Armenian population increased from 1,000,000 to 1,207,000; in Ciscaucasia, from 30,000 to 80,000; in European Turkey, from 400,000 to 500,000; and in Transylvania and Galicia, from 15,000 to 25,000. Supposing that this increase were entirely due to refugees, we have 367,000. Now, for the region affected by massacre: First comes Turkish Armenia, with its predominant Kurd population, where before the war there were 650,000 Armenians and to-day there are 32,000, a decrease of 618,000; northern Persia had 100,000 and to-day has 51,000, a decrease of 49,000; showing a total decrease in two regions of 667,000, and a grand total decrease of 300,000 (667,000 minus 367,000):

Armenians, Syrians, Jews, and Greeks massacred or starved by the Turks	4,000,000
Deaths beyond the normal mortality of influenza and pneumonia induced by the war	4,000,000
Serbian dead through disease or massacre	1,085,441
Total	9,085,441

All this gives a military and civilian mortality directly or indirectly the product of the war of:

Military deaths	7,781,806
Civilian deaths	9,185,523
Total	16,967,329

Estimated cost of European war.

Allies:	
France	$44,500,000,000
Great Britain	40,640,000,000
Italy	11,600,000,000
Serbia	399,400,000
United States	24,500,000,000
Russia	17,500,000,000
Central powers:	
Germany	38,750,000,000
Austria-Hungary	20,000,000,000
Total cost	197,889,400,000

Loans by United States to allies.

Country.	Credits established.	Cash advances.	Other charges against credits.	Balances under established credits.
Belgium	$192,520,000	$173,380,000		$19,140,000
Cuba	15,000,000	10,000,000		5,000,000
France	2,445,000,000	1,970,000,000	$200,000,000	275,000,000
Great Britain	3,945,000,000	3,696,000,000		249,000,000
Greece	15,790,000		15,790,000	
Italy	1,210,000,000	1,051,000,000		159,000,000
Liberia	5,000,000			5,000,000
Roumania	6,666,666		5,000,000	1,666,666
Russia	325,000,000	187,729,750		137,270,250
Serbia	12,000,000	10,605,000		1,395,000
Total	8,171,976,666	7,098,714,750	220,790,000	852,471,916

ARMY STRENGTH, SUPPLIES, ETC.

[War Department, office of the Chief of Staff, Statistics Branch.]

1. The total Army strength November 1, 1918, was 3,665,000 as compared with 190,000 April, 1917.

Registrations for the draft totaled 23,709,000. Of these 10,481,000 were, on the first draft age basis, of from 21 to 31 years, and 13,228,000 were on the second basis of from 18 to 45 years.

Slightly over 2,800,000 of the registrants were inducted into military service. In addition, there were approximately 878,000 voluntary enlistments.

2. Total embarkations through November 8 were 2,048,000.

3. Equipment—purchased and shipped:

Clothing, etc. (pieces).	Purchased.	Shipped.
Blankets	18,630,000	2,592,000
Breeches and trousers, wool	16,048,000	4,080,000
Coats, wool	11,852,000	3,353,000
Drawers, winter	32,893,000	9,679,000
Overcoats	7,587,000	1,321,000
Shirts, flannel	21,295,000	4,909,000
Shoes, field and marching	25,948,000	8,439,000
Stockings, wool, light and heavy, pairs	85,996,000	26,501,000
Undershirts, winter	28,000,000	9,248,000

4. Rifles: Through October, 1918, a total of 2,137,000 model 1917 rifles had been accepted from the various plants. There were, in addition, about 1,000,000 other rifles in Army use or stored.

5. Munition production through October, 1918:

a. Small-arms ammunition: Ball cartridges (caliber .31), 2,420,000,000 rounds; ball cartridges (caliber .45), 287,000,000 rounds.

b. Artillery ammunition: Total manufacture of light, medium, heavy, railway, and trench, 63,884,000 rounds.

6. Animal purchases: Horses, 304,095; mules, 146,813.

7. Transportation equipment:

a. Standard and narrow gauge locomotives, 5,044 ordered, 1,589 shipped overseas; standard and narrow gauge cars, 100,160 ordered, 40,976 shipped overseas.

b. Miles of track built in France: The General Engineer Depot ordered by November 1 enough rail to lay 7,500 miles of track, of which one-half had been shipped. This material was for additions to and adaptations of existing French system. In addition, enough rail for about 1,000 miles of narrow-gauge track was shipped for lines in back of the trenches.

c. The Army had in use the following number of trucks and other vehicles: Trucks, 83,000 (plus many trailers); motor cars, 16,000; motorcycles, 27,000; bicycles, 22,000. Of these, 55,000 had been shipped and 12,000 were ready for shipment.

8. Hospitals: When the armistice was signed we had a total of 217 hospitals in use, most of which had been especially erected. Their distribution was as follows: In the United States, 80; in France, 104 base, 31 evacuation, 1 special head surgery; in Siberia, 1. The total capacity of the hospitals in France was 220,204.

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THE DEVASTATED REGIONS OF FRANCE.

[Commercial Attaché Pierce C. Williams, Paris, from Commerce Reports.]

A few days after the armistice with Germany was signed I accompanied French Government officials and industrialists on an extended trip over the devastated region. The tide of invasion had receded only a few weeks previously, and, for the first time in four and a half years, it was possible to see what the German occupation had meant in the way of destruction.

We visited Lille and the important spinning and weaving district of which it is the center. The Germans held this part of France from September, 1914, until October, 1918. We spent an entire day inspecting one pile after another of twisted steel and crumbling brick. They were all that remained of some of the most productive coal mines of France. At other times we wandered through the shells of buildings that had been systematically pillaged of their machinery by the Germans during their four years of occupation. The third day, for hour after hour, with scarcely a halt, we sped over roads that crossed the old battle field of the Somme. At frequent intervals we passed by low, grass-grown, moldering heaps of stones. We knew these to be the remains of former prosperous "communes" or villages, because their names could be read in large white letters wherever there was a piece of wall still standing. The armies had been compelled thus to identify the ruined towns in order that their men might not lose their way as they moved back and forth over the abandoned and blackened country. In a large part of the territory we traversed the only signs of human life were the occasional rusting sheet-iron shacks, around which loitered British or French patrols. They had been left behind to tend the lines of communication that rolled away like straight white ribbons toward the French frontier, whither the German forces were retiring.

War has now departed from the land we visited, but it can still be adequately described only by the name the soldiers gave it when it was the prize of battle. It is still "no man's land."

EXTENT TO WHICH AMERICAN COOPERATION WILL BE NEEDED.

As a result of what I saw on that trip, and from what French industrialists engaged in organizing the work of restoration have frequently told me, I have no hesitation in saying that the collaboration of American finance and industry will be called for. But I must qualify this statement slightly by saying that the actual flow of orders to other than producers of raw materials, like copper, zinc, iron and steel, cotton, leather, industrial oils, lumber, etc., may be slower in materializing than the American manufacturer of industrial equipment perhaps expects.

My reasons for making these two assertions will, I hope, be apparent from a reading of what follows.

A glimpse of the devastated region is sufficient to convince one that the united efforts of the industrial world would be required to restore in our day what the Germans destroyed. But in estimating the volume of business that American factories may receive in the near future, it is necessary to go into the subject a little more in detail. It is important for our business men to realize just exactly what reconstruction signifies to the French nation.

The average American business man is apt to think of reconstruction as a task which, while unquestionably immense in its proportions, is yet comparatively simple in methods of execution. He is apt to imagine the devastated region as a clean slate, so to speak, awaiting only sufficient labor and material for the work of restoration to begin.

With such a picture in his mind it is natural for him to imagine that there must be an immediate need for new and up-to-date sewerage and electric-lighting systems in cities and towns that have been damaged. It is equally logical for him to think of the damaged French railways as ready for the installation of new rolling stock, new steel bridges, and new signaling apparatus. He is likely to picture the thousands of damaged houses as affording an opportunity for the sale of builders' hardware. Destroyed factories naturally suggest to his mind the need for new labor-saving appliances of all kinds. This, after all, is the image that is conveyed by the word "reconstruction," which we Americans ordinarily employ to describe the French problem.

WHAT THE FRENCH UNDERSTAND BY "RECONSTRUCTION."

But the French task is much more than mere physical rebuilding, and the term the French employ to describe it indicates how vast the job looms up in their imagination. "Reconstitution" is the word the Frenchman uses, for what his nation has to do is practically to reconstitute, to re-create, to make over, in all of its varied aspects—so far as it is humanly possible to do so—the community life which, before the war, abounded in the now war-ravaged region.

The fact that in much of the invaded territory there is a considerable population without means of livelihood introduces a human element that must determine the methods adopted by the French Government and the order in which areas and industries are reconstituted. Obviously the reconstitution of an inhabited area must take precedence over that of an uninhabited one.

To appreciate this point it is necessary to recollect that there are, roughly speaking, two sorts of devastation in the area which the Germans, at one time or another, overran. Each kind introduces a distinct problem in reconstitution and must be handled in a distinct manner.

To begin with, there is a zone of practically complete destruction. Starting at the English Channel, in the northwest corner of France, it winds in a band of varying depth all the way across the country to the Swiss frontier. On an average, it is perhaps 5 miles deep. This band follows the "old front line." Over the Departments of Pas-de-Calais, Nord, Somme, Aisne, Marne, Meuse, Meurthe-et-Moselle, and Vosges it cuts a hideous gash in the fair face of France.

For months at a time during the past four years large sections of this line remained stationary; that is, there was no important action, but a rain of high-explosive shells descended unceasingly upon it, so that everything that stood above ground was sooner or later blotted out. Whenever a big offensive took place, such as the allied advance at the first and second battles of the Somme and the unsuccessful German attack on Verdun, the zone of destruction was widened and deepened. This area of wholesale destruction includes an important section of the French coal fields, of which Lens was a center. It also comprises several hundred square miles of fertile farm land in the Departments of Somme and Aisne, with all the towns and villages that dotted them, as well as the former populous cities of Arras, Douai, St. Quentin, Cambrai, Laon, Soissons, Rheims, and Verdun.

Much of this area may never be rebuilt. A large part of it is now uninhabited, the former residents being scattered all over France. Some of the farm land is so badly torn up by shells that it may never wave with grain again and may have to be given over to pine forests. The stone heaps, which are all that remain of several hundred picturesque "communes," may be left as an enduring monument to Germany's nightmare of world empire.

Between this zone, over which the battle swayed for more than four years, and the French frontier there is a section which, while it lay under the German paw for four years, was not, generally speaking, fought over. Consequently, it has not been damaged to the same extent or in the same devastating way. The area in question contains the cities of Lille, Roubaix, Tourcoing, Armentieres, and Valenciennes—all important industrial centers. It also comprises a part of the coal-mining field as well as an important steel-making district. This area was, in fact, the most highly organized industrial region in France. A large part of its French population is still there.

It suffered damage in two ways. Cities were bombarded during the German retreat last October. Except in a few cases, like that of Valenciennes, the resulting injury was not irreparable. The most serious damage suffered by this region was by reason of the systematic pillage and the wanton, deliberate destruction carried out by the Germans during their four years of occupation.

In the vicinity of Valenciennes there are a number of coal mines. Until the final German retreat they were kept in more or less continuous operation. The Germans, just before their departure, blew up with dynamite the hoisting apparatus and power plants. We saw several such during our visit of examination. In many cases, fortunately, the damage is not serious.

Steel works, metal-working establishments, chemical works, breweries, and sugar refineries were the special target for German hate in the occupied area. After stripping them of their machinery in a search for metals, from sheer lust of destruction the invaders blew up the buildings. This condition prevails over a large area. Whether these last-mentioned industries will ever be rebuilt will depend upon many factors.

THE HUMAN PROBLEM FACED BY FRANCE.

Let me illustrate this point by citing the case of Lille. Its population is about 250,000. When the Germans evacuated Lille in October this population was left without either food or employment. The night our party arrived in the city it was being provisioned with food brought all the way from Paris in motor trucks.

We were informed that the textile mills, for the most part, had not been irreparably damaged. What the Germans had done was to requisition everything they could locate in the way of copper, bronze, zinc, leather, rubber, and other raw materials of which they were in dire need. To obtain these materials they stripped the textile spindles and looms of their copper bearings, their leather belts, etc. At the time our party visited Lille most of this machinery was completely out of service. Now, if the French problem of reconstitution were not so urgently and compellingly a human one, the French textile manufacturer might prefer to scrap his old machines and purchase new. But while awaiting delivery of the new plant what would become of the people of Lille and its environs? They must immediately be given employment; and so, wherever possible, spindles and looms are being repaired with whatever is available, so that work can be resumed, even though it be on an extremely inefficient and uneconomical basis.

All over that portion of the devastated region which is still inhabited the problem of reconstitution must be faced in this same manner. Plants that are so badly damaged that they must be completely rebuilt will probably have to wait some time before they can be given attention. In the meantime, factories which perhaps ought to be scrapped and rebuilt, but which can with slight expenditure be put into shape to employ the local working people, are being repaired and put into operation.

In the case of certain cities and towns which formerly were important commercially and industrially, the French Government may have to decide whether it is justified, for the time being and under existing circumstances, in attempting to restore them at all. This is especially the case where the civilian population was long since evacuated and is now settled in other parts of France.

HEAPS OF DÉBRIS MARK SITE OF ARRAS.

Arras, the "chief place" of the Department of Pas-de-Calais, is a city that possibly may never be rebuilt. Before the war it numbered perhaps 30,000 inhabitants. It was not an important industrial center, but it was the seat of departmental government.

Although the city was never in possession of the Germans, there is little in its outward appearance to distinguish it from St. Quentin and other cities that were. It was under bombardment more or less continuously for more than four years. There is not a house in Arras that has not been damaged by shells.

CITY OF ST. QUENTIN SHATTERED AND SACKED.

The city of St. Quentin affords another illustration of the impossibility of immediately rebuilding a badly shattered city. Before the war it was the industrial capital of the Department of the Aisne. It had numerous textile plants, printing establishments, foundries, machine shops, agricultural-implement factories, etc. Its population was about 50,000. I visited it a month before the armistice was signed, just after the British had driven the Germans out. There had been fighting in the streets between the British and German patrols. In several places, at street intersections, we saw the concrete blockhouses, with narrow horizontal slits, through which German machine guns had commanded the approaches.

The town showed the effects of the terrific bombardment it had recently undergone at the hands of both friend and foe. The railway station and the buildings in its vicinity were wrecked, as was the near-by cathedral, one of the loveliest in all France. Hardly a house in the city but showed in one way or another the effect of the bombardment by cannon and aeroplane. The civilian population had been evacuated before the Germans retired and the only inhabitants were some French soldiers. Private dwellings did not escape pillage by the German invaders. In perhaps 50 houses that I examined there was not a stick of furniture, not a picture on the wall, not an ornament left. Even the electric wiring and the gas fixtures had been carried off.

The industrial establishments of St. Quentin had likewise been sacked by the Germans. Outside one building I observed a neat pile of steel shafting with its hangers and pulleys. Apparently the Germans were unable, in the haste of their departure, to carry the material away with them. The cost of reequipping the industrial plants of St. Quentin alone would run into several millions of dollars. But the destruction in the city is so universal that it may not be possible to do any restoration for some months to come. In any event the rehabilitation of the city must proceed very slowly, and as there is not a large civilian population to be taken care of immediately the reconstruction of St. Quentin may have to be deferred until more pressing problems are on the way to solution.

RECONSTITUTION OF AGRICULTURE—COOPERATIVE ASSOCIATIONS—FARM MACHINERY.

Among these more pressing tasks are the reconstitution of agriculture and the restoration of the coal mines.

In bringing the agricultural industry of northern France back to its former fruitfulness the use of modern farm machinery such as America produces so successfully will doubtless play an important part. The dearth of horses would seem to make the farm tractor absolutely indispensable. The shortage of labor likewise will make the use of labor-saving farm appliances desirable.

Here the peculiar position of French agriculture must be taken into consideration. It is said that there are more than 4,000,000 individual landowners in the country. This means that each farmer's parcel of land is small. The appearance of the French village indicates this. The houses are not built upon the occupant's own land, as in America, but are huddled around a church. Each peasant cultivates his little piece of land, which may be some distance from the village.

The result of this system of small holdings is that the French peasant is not financially able to purchase expensive farm machinery. In the devastated region his difficulty is accentuated by the fact that such capital as he possessed before the war has been destroyed.

Therefore, in order to market any considerable quantity of American farm machinery in connection with the reconstitution of agriculture in the devastated section of France, account must be taken of the necessity for selling to cooperative associations among the peasants. Without some system of purchasing farm machines in common, it would seem difficult to build up a very large business in France. The French Government is alive to the situation and is assisting the formation of these cooperative farmers' associations. Farm implements may, perhaps, be purchased by the Government for distribution among the cooperative societies.

In certain sections, moreover, agriculture provides the raw materials of industry. The sugar mills of the Aisne are fed with beet root grown locally. It would be useless to rebuild the destroyed sugar factories before beet root could be produced by the peasants of the region.

COAL MINES WRECKED AND FLOODED—TASK OF RESTORATION.

A basic industry the reconstitution of which has already begun is that of coal mining. The necessity for restoring to productivity the damaged coal mines of northern France is obvious. Coal is the food of French industry, for there is no water power in the north of France that can be utilized in its place. Without coal it would be idle to reconstruct the damaged electrical power stations, and the resumption of life in the industrial establishments of the devastated region would be equally impossible.

The task of repairing the coal mines is in itself an enormous one. As stated above, a large portion of the coal-mining field was in the battle zone for four years. Not only were the surface works destroyed by gunfire but the deliberate dynamiting by the Germans of the concrete lining of the shafts resulted in flooding the underground workings.

At one of the leading mines of the Lens Coal Mining Co. which we inspected the French engineers said the water was not more than 50 feet below the surface, and this particular shaft was nearly 1,500 feet deep.

Before there can be any thought of purchasing coal-extracting machinery for use underground the mines must be pumped dry of water. This work alone may take a year in the case of certain mines. The French engineers hazard no guess as to the condition in which the underground workings will be found after the water is pumped out.

PLANTS THAT MAY NOT BE REBUILT.

A point that must be given due weight by the French in planning the reconstitution of industrial establishments that have been destroyed is whether, in view of developments in the particular industry since August, 1914, it is economical to rebuild them on the old sites. The ability of such factories to compete must be taken into consideration. In many cases the owners of industrial plants located in the invaded section are dead. In that case the plants may never be rebuilt, or they may be merged into others created during the war outside of the war zone. Questions of this sort are coming up all the time, and their decision may delay rebuilding in many cases.

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FRENCH LOSSES IN PRODUCTIVE AGENCIES.

The French Government recently published an estimate of the losses due to the war:

In farm implements, to replace the losses they would need about 51,000 side-hill plows, 33,000 other plows, 56,000 cultivators, 30,000 mowing machines, 115,000 farm wagons, 28,000 harrows, 50,000 rollers, 18,000 hoes, 36,000 seed drills, 13,000 fertilizers, 16,000 beet extractors, 21,000 winnowing machines, 18,000 horserakes, 32,000 reapers and binders, 53,000 root cutters, etc.

With regard to the cattle lost, it is very hard to get at the exact figures, but in 10 departments in 1913 there were 607,000 horses, whereas in 1915 there were only 242,000, or a loss of 60 per cent. Of cattle of all kinds, there was a loss of 850,000, or 55 per cent; of pigs, there was a loss of 380,000, or about 55 per cent.

The loss in wheat amounts to about 1,300,000 acres. The loss in hay amounts to about 850,000 acres.

The total damage to the soil, to live stock, to crops, to forests, tools, etc., is estimated at $2,000,000,000.

Before the war France used 59,407,000 tons of coal a year, with an addition of 9,166,000 tons more in coke equivalent. Of this, France produced about 40,844,000 tons and 5,357,000 tons of coke equivalent, the rest coming from abroad. Of this amount, 27,398,000 tons of coal came from the Valenciennes Basin. In all, something over 70 per cent of the total coal supply of France came from the invaded regions, and very much the best quality of coal at that. About 140,000 men were employed in those mines in the invaded regions out of 203,208 coal miners for all of France. This means, with their families, three-quarters of a million people were largely dependent on the coal mines. Over $200,000,000 of machinery has probably been destroyed.

Before the war the total production of iron ore in France was about 21,918,000 tons, of which 19,639,000 tons came from the Briey and Longwy Basins in the Meurthe-et-Moselle; that is, 90 per cent of the total, of which 16,500,000 tons was in the hands of the Germans. The miners who were employed in these invaded mines, with their families, represented at least 150,000 people out of employment. It is interesting to know that just before the war the total of iron production of the Germans was 35,941,000 tons. In the United States it was 63,000,000 tons. Over half a billion dollars' worth of machinery has been destroyed, including that of steel and iron mills.

The textile industry consisted before the war of about 7,530,000 cotton spindles throughout France, of which 4,500,000 were in the region invaded by Germany and of which almost all were either destroyed or carried back into Germany and France. Out of 2,365,000 wool spindles, 2,000,000 were in the invaded districts. Out of 550,000 linen spindles, 500,000 were in the invaded regions and destroyed or removed. The same is true of looms, of which there were 140,000 in France, and over 81,000 of these were in the invaded districts. Over $120,000,000 of machinery has been destroyed.

Out of 210 sugar refineries in France, 140 have been destroyed by the Germans. Out of 3,000 brush factories, 2,000 have already been destroyed. Over $25,000 of machinery has been destroyed.

Electric power stations, totaling 300,000 kilowatts, have been destroyed with an equipment loss of $50,000,000.

Breweries have had over $25,000,000 of machinery destroyed.

In machine shops $100,000,000 of machinery has been destroyed. In foundries, etc., $60,000,000 of machinery is gone.

None of these damages include land or buildings. Furthermore, almost all of this machinery costs three times as much to replace today, so that it can safely be said that $4,000,000,000 worth of machinery will be needed to replace that destroyed or carried away. This includes the stock and raw materials damaged and damage done to the mines.

Before the war France manufactured 3,000,000 tons of cement a year. In February, 1918, she was manufacturing only 400,000 tons, which amount since increased and has later diminished through the difficulty of securing coal; a good proportion of this was in the invaded departments.

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DEVASTATION IN THE WAR ZONE.

Edward de Billy, Deputy High Commissioner of the French Republic, in an address at Baltimore on December 28, stated that though France had regained Alsace and Lorraine, even this was outweighed by the losses.

Resorting to figures, he declared that 26,000 factories in the French districts occupied by the Germans were destroyed or stripped of their machinery; that thousands of miles of farm land, devastated by shells, was made unfit for cultivation; that the net loss in ship tonnage, through sinkings and enforced curtailment in production, was 670,000 tons, and that the money cost of the conflict, in appropriations and public debt, aggregated 158,000,000,000 francs, or $31,600,000,000.

1,400,000 MEN KILLED.

"Besides 1,400,000 of our young men who were killed or died of wounds or illness in this war, we have a great number whose physical ability has been seriously impaired. Add to these the number of our prisoners who came back in such a terrible physical condition as to render them unfit for any sustained effort, and we come to a total loss, for the work to be started in France, of about 2,500,000 men, who were mostly among the youngest, ablest, and strongest, as well

as the most spirited, of our people—a terrible loss for a country of less than 40,000,000 inhabitants.

"Our agriculture has perhaps suffered more heavily, if possible, than any other branch of our economic activity. The number of cattle, which in England increased by 4 per cent, has in France decreased by 18 per cent. The production of milk has decreased by 63 per cent. The number of sheep has decreased in France by 38 per cent. The number of pigs has decreased by 40 per cent. The soil of France is also in an impoverished condition, having been for four years mostly tilled by very young and elderly men, below or above the age of military service, and by women whose physical strength was not equal to the splendid spirit they have shown in this war.

"The part of France occupied by the Germans," he said, "produced four-fifths of our woolens and included 80 per cent of our weaving industry. During the four years of their occupation the Germans willfully and methodically destroyed all that was in their power to destroy. They not only requisitioned, as at Roubaix and Tourcoing, where they commandeered stocks of wool worth 300,000,000 francs—requisition is one of the rights of war, and of that we can not complain. But what is against all right and against all international law and agreement is the destruction and stealing of property; and this is what the Germans did.

"As to our cotton industry in the north, the German invasion has cost us 2,100,000 spindles and 13,200 looms, and in the east 125,000 spindles and 6,905 looms. This robbery was not carried on in cotton and wool factories alone. Iron works, machine works also, were looted, the useful equipment—engines, rolling mills, machine tools, even structural steel—having been methodically taken away and set to work again in the iron works in Germany. Mines were flooded, the surface plants dynamited, the workmen's dwellings destroyed.

"Taxes have been raised to an unprecedented level. While in 1914 the total of our national budget was slightly above 4,000,000,000 francs, the taxes will have given in 1918, without the invaded regions, which were, as you know, by far the richest, over 9,000,000,000 francs. In 1917 the civilian population in France paid in taxes $38 per capita, as compared with $9 paid in 1916 by Americans.

"France before the war had a public debt of 34,000,000,000 francs. The interior debt has increased during the war by over 100,000,000,000, the last public loan having produced 27,000,000,000. We have received from Great Britain and the United States loans amounting to 25,000,000,000 francs.

"So that France starts on this new period of her history with a burden of public debt increased on account of the war by more than 125,000,000,000 francs, a figure which will certainly be further increased in order to liquidate the war expenses.

"I had to give you these figures in order to make you realize the seriousness of the situation in which France stands. We are all ready to face our problems with the utmost confidence and will to succeed, but we are aware that they are grave problems.

"First, while the whole world jumps into peace work and resumes trade, we have a part of our territory which is unable to produce. We can not maintain our place in the markets of the world. We can not get our own supply of coal. We are obliged to maintain restrictions in order to protect our industry while in course of rehabilitation, and as long as a normal order of things is not reestablishd.

"Secondly, in order to get from outside markets the raw materials and finished products we need, we depend largely upon foreign ships.

SHIPS THE BIG ITEM.

"Thirdly, trade and shipping are closely connected. We have to rebuild our foreign trade, which has been stopped during the war on account of lack of tonnage and lack of industrial production.

"Fourthly, one of our best assets is our colonial empire. We have pacified and established our rule in vast countries, whose natural supplies are enormous, and whose populations are willing to work, and are loyal, as they have shown by giving us a total contribution of 918,000 men during the war, of which 680,000 were fighters and 238,000 workmen in our war factories. With her possessions, France is actually the fourth of the great countries of the world as regards territory, the fifth as regards population. But we must develop these possessions. In order to perform that duty we want ships. And again, our merchant fleet has fallen to almost nothing. So in order to fulfill her duties France has two great objects to achieve—to rehabilitate her devastated regions and to build ships."

THE DEVASTATED ZONE.

In a cablegram received in Washington on the first day of 1919 Mr. Hoover told of the wanton destruction wrought by the German Armies in northern France. He stated that the work of rehabilitation had been made so difficult by enemy outrages that the whole region would have to remain for a time under the care of the Commission for Relief in Belgium.

"The entire industrial life of the region," he said, "has been destroyed by the Germans. There is scarcely a single factory that can be operated without a very large portion of new equipment. The coal mines are totally destroyed, and the network of railways in this region has been rendered almost hopeless of reconstruction for many months.

"The German method of destruction was to bend every single rail by exploding a hand grenade under it, rendering it useless for all time. The Grand Canal du Nord, which connects this section of France with the Belgium canal system, and is the natural entrepôt for goods for Antwerp or Rotterdam, was itself practically the fighting line for months, and is so badly damaged that it will take fully a year for its complete reconstruction."

Discussing the general conditions, Mr. Hoover stated that the relief was based upon the allowance of food to the value of about 35 cents a day to the destitute, those having any resources or employment being required to pay. The whole extent of destitution was not yet known, but appeared to include fully 60 per cent of the people. His cable added these details:

"The population of this area at the moment of the retreat was about 1,500,000, there being also about 300,000 refugees in Belgium, who are returning, and some 500,000 refugees in France, all of whom are anxious to return to their native soil.

"The destruction of some 20 principal towns and literally hundreds of villages renders the return of these refugees a stupendous problem. Every effort is being made to restrain them from going back until some systematic provision for shelter can be completed, but they evade all official urgings, and the roads are a continuous procession of these pitiable bodies. Thousands of them reach their villages to find every vestige of shelter destroyed, and finally wander into the villages farther back from the acute battle area, which are themselves already overcrowded to a heart-breaking degree.

"In order to remedy this situation to some extent the Commission for Relief in Belgium has obtained the services of 150 volunteers from the American Navy and is taking over a large amount of second-hand barrack material from the Navy and Army. Those barracks are in course of erection adjacent to the destroyed villages under the superintendence of the Navy volunteers."

REBUILDING THE RAILWAYS.

In the whole zone of their retreat—speaking only of the one line from Paris to Berlin beyond Compiègne—the Germans blew up all the bridges with vast quantities of explosives, which destroyed not only the arches and metal flooring but the piles and abutments to their very foundations. They blew up the switches and even the tracks for dozens of kilometers at a stretch, either by putting a bomb under every other joint, thus making every rail useless, or by tearing the rails from the ties with a sort of plow dragged by a locomotive, which put the road into such a state that nothing can be done but clear the ground completely and replace the wreckage with entirely new construction.

"While they were in the very act of negotiating the armistice—that is, up to November 10—the Germans continued this work, and—still speaking only of the line from Paris to Berlin—it was in these very last days that they blew up, among other works, three of the large bridges by which the line crosses the curves of the Sambre between the French frontier and Charleroi.

DESTROYED 1,731 BRIDGES.

"This systematic destruction extended to 1,731 bridges, of which 371 exceeded 10 yards in length; it included 338 railway stations, almost all the telegraph and telephone lines, waterworks, warehouses, etc. It may be said that by means of slow mines this destruction still continues. Recently there was an explosion in our station at Seclin that cut our road with a chasm 25 feet in diameter and 10 feet deep. In this regard Belgium has suffered less, or at least has suffered in a much less extensive region, corresponding to the much smaller distance over which the enemy was driven back by force before the armistice.

"The devastated area in France covers approximately 6,000 square miles, in all about 2 per cent of France, with a total population in normal times of about 2,000,000 persons. This is about equal in area to Rhode Island and Connecticut.

"Along the route of the German retreat during the last four months in the Somme, the Aisne, and the Oise region the devastation is complete. The area southwest of Ham, which before this time had been only partly destroyed, was wholly laid waste. Cities like Ham, Noyon, Nesle, Roye, Soissons, Dormans, and Fismes are almost completely destroyed.

"In the Marne region 258 communes are damaged, including a total of 3,500 buildings entirely destroyed and 12,000 destroyed in part. In the Meuse region 59 commnunes are damaged, with about 1,800 buildings completely destroyed and nearly 700 destroyed in part. In the Vosges, 53 communes were damaged, with a total of 1,256 buildings completely destroyed and nearly 2,000 partially destroyed.

"In the Marne and Meuse regions nearly all the destruction occurred during the battle of the Marne along both sides of the line, where the fighting was heaviest. The destruction by shell fire was intense. This makes a belt about 150 miles long, wherein the destroyed area is anywhere from 5 to 10 miles wide.

"North and east of Nancy it again is very serious, almost all of it done by shell fire. In this area are included cities like Luneville, Gerbeviller—which was systematically burned—and a part of St. Die. Thence the line runs down to the border of Alsace, where buildings, and especially those in the town of Thann, were destroyed."

Mr. Hoover, in speaking of the devastation in Belgium, says:

During the four years of occupation there has been a great diminution—probably more than one-half—in the total number of cattle and hogs. It can be said almost literally that horses have disappeared out of Belgium, there probably not being 15 per cent of the original animals left.

Investigation proves that industrial and residential destruction in Belgium varies greatly in different localities and with different industries. For instance, out of the steel furnaces in Belgium, 35 or 40 have been deliberately destroyed by the Germans in their determination to end the Belgian steel industry. Many of the textile mills have been put out of commission, either through deliberate destruction and removal of machinery or by removal of the copper and brass parts and electric motors. Some of the textile mills of the more antiquated type of equipment apparently did not appeal to the Germans, and they can be gotten into action at an early date. The Germans seem to have focused themselves on the modern equipments.

COAL INDUSTRY SAVED.

The glass industry has been but little interfered with, and the stern promise of retribution by President Wilson seems to have saved the coal industry except for very few mines, although actual explosives and wires were laid in place for the destruction of a large number of the mines. The President's warning seems to have created a sudden change of heart.

There are some 300,000 French refugees in Belgium, driven out of northern France by the Germans. They have been cared for out of the meager stores of the Belgians and by the commission for relief in Belgium. They are, however, like homing pigeons in their resolve to return to their native villages. As there is no transportation, the roads southward into France are a continuous stream of these pitiful groups of men, women, and children, pulling their carts and trudging through the cold and wind toward their destroyed homes.

THE WILD CAT MARINES IN BATTLE.

Maj. Frederick Palmer, the distinguished correspondent, has written a vivid description of the Battle of Belleau Wood, and by his kindness and through the courtesy of Dodd, Mead & Co., I am permitted to publish it.

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After having been drilled all summer, the regiment of marines which had come with the first convoy in June was withdrawn from the First Division. Although this was most depressing to every officer and man in that it meant that they would not be among the first in the trenches, the service to which they were assigned was in one sense a compliment to qualities which are as inseparable from them as their gallantry. The marines have traditions, associated with ship's orderliness, which are kept up by competent veteran noncommissioned officers, that make them models in soldierly deportment. An isolated squad or platoon, from the

very nature of their training, keeps to form when doing guard duty or police work. Pride of corps sticks to a marine sentry or messenger though he is separated from any commanding officer.

From all directions our widespread organization was calling for details of this dependable character, and the marines were chosen to meet the demands. Marines acted as couriers across the Channel; they guarded our construction projects and our property; kept order on piers and in laborers' quarters; acted as police in Paris and at the ports, carrying out provost marshal's instructions with polite firmness in keeping with the impeccable neatness of their uniforms. In their hearts they were wroth, but they were too proud to allow it to influence their correct deportment.

Somewhere between the duties of the Army and Navy the sea soldiers who had survived from the days of the three-deckers have kept a place for themselves. In strict military logic, they have a place neither in a modern navy organization or in a modern army organization. From time to time efforts have been made to legislate them out of existence, but they have the trick in practice of keeping a place for themselves on the quarter deck and making one in all expeditions overseas owing to the friends they gain and their conduct whether charging machine guns or policing an ammunition dump. They think well of themselves in order to insure that the rest of the world will think the same.

Talk to them of being absorbed into the Army and they exhibit a willingness to be agreeable by absorbing the Army if that will serve the purpose of doing away with the anomaly of a separate military organization in France, with its own recruiting and replacement system and pay department. They had to go into the Army uniform under duress of necessity when no material for their own forestry green was forthcoming, but though in khaki they kept their globe and anchor insignia on their collars. When I asked a Marine sentry in front of one of our Army offices in Paris how he liked his work, he said:

"Very well, sir. It will fit me for a job after the war. I can wear a striped waistcoat and brass buttons and open cab doors in front of a New York hotel." His ingrowing misery lest he be kept at his peaceful assignment was natural but groundless. He would have his fill of fighting; for the Marines were kept in mind as one of the factors in the consummation of a plan. After the withdrawal of the Marines, the First Division was brought up to full strength as a complete regular division composed of the Sixteenth, Eighteenth, Twenty-sixth, and Twenty-eighth Regiments of Infantry, and the First Artillery Brigade of the Fifth, Sixth, and Seventh Artillery Regiments.

On the 3d of June the German confined his attacks for the most part to the northward of us, but was evidently feeding in machine-gun groups on our front with a view to future mischief. On the early morning of the 4th we took over from the French a 12-mile front, with the Third Brigade, holding the Fourth from its left to the west of Belleau Wood. The Twenty-third Regiment, and the Marine Battalion and the Fifth Machine Gun Battalion which had been sent to fill the gap at Colombs were returned to the division, which now became a united family holding its own sector. We might do as we pleased, then, in that 12 miles of battle line, with no reserves between us and the Marne; and this meant we would not leave the Germans to do the attacking.

GERMANS' EXCELLENT POSITION.

From Hill 204 all the way to our right the Germans had the advantage of observation. Our roads, particularly, were under the watchful eyes of German balloons. German aviators scouted our positions all too freely. I saw them flying so low over our Infantry that the iron crosses on their wings were visible to the naked eye. They dropped bombs in broad daylight. The country is uneven, with many woods and the usual opens fields between woods and villages. In front of the Marines the Germans held the important tactical point of the village of Bouresches and the railroad station, and they had filtered into the adjoining Belleau Wood and around it as an ideal cover for machine nests. This Bouresches-Belleau line was excellent for the purpose of the enemy if they were to stabilize their positions and cease to advance, or as a jumping-off place for continuing their offensive.

The spirit of rivalry between the Third (a regular brigade) and the Fourth (the Marines) was very pronounced. No regular was going to admit that any quarter-deck soldier was in his class; and no Marine—he considered himself as belonging to a corps d'elite—was going to allow any question that he was not a little better than any regular to get abroad, if he could help it. Marine officers might not have had the schooling in tactics of the regulars, but being plain Infantrymen, with no expectation of developing into Joffres or Hindenburgs, they considered that at least they were not afraid to fight. People had said that the Marine Corps was an anachronism and ought to be eliminated from our armed forces. Its honor and future were at stake there before Bouresches and Belleau Wood. If it were to get more recruits as a small organization, which is hardly accepted by the Army and not, perhaps, altogether by the Navy as a little brother, it must be worthy of those recruiting posters at home.

On the 4th, the first day that they were in the front line, the Marines repulsed a German attack. At dawn on the morning of the 6th, the second day after they were in the line, they made an attack in conjunction with the French on the left to rectify the line in the direction of Torcy, and they went through machine-gun fire and shell fire to their objectives, doing it all according to pattern. This might have been enough for a day's work, but it was only an introduction to what was to follow.

MARINES DISREGARD RISKS.

The way to act in an active sector was to be active, according to Gen. Harbord's idea; and the obvious place for a first offensive on our line was in front of the Fourth Brigade, to the regret of the Third Brigade. At 2 p. m. an order was typed off at brigade headquarters for an operation beginning at 5 p. m., which was to take both Bouresches and Belleau Wood. There was a brief, raking artillery preparation of the wood and a concentration on Bouresches, which was to be stormed in the second phase after Belleau had been won.

In the name of the months that they had drilled, of the hardships endured, of the wearisome vigils of a harassing trench sector and of their corps, the Marines could have only one thought—success. Senior officers could not consider the niceties of the craft in not exposing themselves. They must put their personal weight and influence into this, their first attack. Every man was too preoccupied to think of risk. With the jauntiness of parade and the offensive zeal which had been long nursed became a burning desire set on the goal of that dark clump of trees and undergrowth ahead, they advanced into the wood.

At the very outset they met machine guns' fire, and out of the wood after they were in it came the persistent rattle of rifle fire, varied by veritable storms of machine-gun fire. Wounded began to flow back from the various ravines. Calls came for Stokes' mortars from the hidden scene of that vicious medley, along with the report that Col. Catlin had been wounded a half hour after the attack was begun. The machine-gun positions in the outskirts of the woods had been taken, but they were only the first lot. I have been through many woods where German machine gunners had ensconsed themselves, and none that I remembered afforded better positions for defense against any enemy in the wood or against one approaching it from our front.

HOW GUNS WERE HIDDEN.

Not only was the undergrowth thick but there were numerous rocks and ravines and pockets, all of which favored the occupant. There was nothing new in the system which the Germans applied, and which the allies also apply; but not until troops go against it for the first time do they realize its character. Its formidability is dependent upon the stoutness of heart of the defenders, their craft, and the number of their guns. With the thicket so dense that it prevents a man being seen even 50 feet away, a weapon with a range of 3,000 yards is easily screened. Each gun has its zone of fire, in relation to the others, to sweep every square yard of the ground, and fire is held until it will have a maximum effect. There is no flanking any gun when the supply of guns is sufficient, for hidden guns are waiting to turn their blasts on the effort, and guns, furthermore, are placed in such a manner as to give both lateral and plunging fire.

Crafty veteran soldiers might have decided, as soon as they had developed the character of the defenses, that the cost of going on was too high, and a veteran, crafty staff, accepting the dictum of experience, would have adopted more arduous measures. Such woods as these had been many times submitted to hurricanes of shells that had uprooted all the young trees and left only the limbless, slashed trunks of old trees standing before they were taken, particularly in former days before we came to open warfare tactics.

A CASUALTY EVERY MINUTE.

When they could locate a gun our men concentrated their rifles upon it. The crackle of bullets passing about the gunners' heads, even if they were not hit, might stop them from firing, but meanwhile some other gun was cutting the twigs around the heads of the marksmen. The wounded crawled back behind rocks or into ravines or to any place where they could find a dead space. The instinct of our men, caught in such a mesh of fire which was every minute causing a casualty, was to come to close quarters, and they wanted to go free of packs, of blouses, shirts open, rifle in hand, with their faith in their bayonets. Hot cries accompanied the flashing drive of the cold steel through the underbrush. Many bayonets might drop from the hands of the men who were hit, but some bayonets would "get there." And that was the thing—to get there.

We have always fought in this way. It is tradition and our nature. "We go to it," as we say. German gunners ran from their guns in face of such assaults; others tried to withdraw their guns; others were taken in groups huddled in ravines as youth, transcendent in its white rage of determination, bore down upon them and gathered them in, or, again, drove the bayonet home into gunners who stuck to their guns until the instant that forms with eyes gleaming leapt at them. Our young platoon commanders had the task of leading all to themselves in the thickets among the tree trunks, as they always have in such fights, while senior officers wait on the result. When night came we had to yield some of the ground which we had taken or to remain without cover in the face of the blasts, but we had securely established ourselves in a portion of the wood.

HOLD WITH CAPTURED GUNS.

With captured German machine guns, men whom we could not reach with food and water held their gains, taking food and water from the American and German dead.

Although the first phase of the attack had not been fully accomplished, it was determined not to hold back the other companies, which had been waiting under shell fire that only aroused their eagerness to advance, from undertaking the second phase. Theirs was a simpler task than that of their comrades who had stormed the wood. Artillery preparation in clearing the way was, of course, more serviceable against a village than against a wood, and neither machine gun nor shell fire delayed the precision of the movement across the open into the village where, with the avidity of their zeal and the supple quickness of their litheness and youth, and in the elation of their first experience of the kind, our men cleared the cellars of Bouresches of all Germans in hiding and gained their objectives. Then they set about with equal energy in preparing protection against the retaliatory bombardment which was bound to come. Bouresches was solidly theirs when morning came, and they proved it by withering a German counter attack with their rifle fire and machine-gun fire. The Germans covered the roads to their rear with their artillery in revenge. A lone man could not approach the town without being sniped and shelled for weeks to come.

Meanwhile the Marines were there in Belleau Wood cheek by jowl with the Germans, who were doubtless slipping more machine guns into that portion of the wood.

The Germans must be made to understand that this wood belonged to the Marines, while the Germans, to discourage further attacks on our part, began gassing the approaches both to Bouresches and Belleau. In that era a real "hate" was on. We had grim work in removing our wounded and burying our dead and dangerous work in bringing up wagons over shelled roads and forwarding rations to the men in the front line, with the Third as well as the Fourth Brigade. But Bouresches sent back assuring news from its isolation. The water supply was good. The men had hot coffee, and they caught chickens and killed a hog and a cow. Their messages were so very cheerful out in that village crumbling under shell fire that you might have thought they were having a holiday in a summer resort. Wasn't it their village, and wasn't it the first the Marines had taken?

Before our next attack on Belleau we gave it a more powerful artillery preparation, and we had learned afresh the lesson that guns will not reach machine-gun nests in the midst of congeries of bowlders. A machine gun is a small target when well placed, and a direct hit, or a very close hit, of a high explosive is required to put it out of action. Shells burst prematurely upon striking tree trunks and before reaching the earth.

When our men arrived at 5 o'clock on June 11 they found resistance at least softened. Some machine gunners who had not lost their nerve after the hour's artillery pounding stuck to their posts; others at the sight of our men breaking through the thickets threw up their hands; others went in hiding among the bowlders, no longer soldiers, but children frightened by the lightning. The nests that held us back formed islands in our progress which had to be cleaned up by special detail.

HOW PRISONERS WERE TAKEN.

Let it be repeated that the very irregular bow shape of Belleau Wood, no less than the character of the ground, favored the defenders in forming cross zones of fire. It was a strange and fierce business

there in the dense brush, where men of the same squad could not keep touch with one another at times. Happily we had located some of the nests before we attacked, but those farther ahead we could locate only when they began firing or when we stumbled upon gunners who were still hugging cover after the bombardment, or simply had concluded that it was better to be a live prisoner than to die for the Kaiser. They were taken in groups and singly, taken standing behind trees and hugging the holes they had dug in the earth. Some were trying to retreat with their guns; others fled precipitately, and many kept serving their guns. It was a hunt of man-hornet nests, with khaki the hunter and the German gray the hunted. Our men fought even more fiercely than in their first attack. They wanted to finish the Belleau Wood job this time, but this was not to be, though we had taken 30 machine guns, 2 minenwerfers, and 300 prisoners.

After advancing to a certain point we met the machine-gun nest system working too thoroughly to permit of further effort except at unnecessary sacrifice. The colonel who had made the attack said that with further artillery preparation he believed that he could master the rest of the wood. When the guns had again done their duty his men, whose eyes glittered now at the very mention of Belleau Wood, made another attack with the ardor of men who have faith that one more fierce effort would do the trick. They took more prisoners and more machine guns. For a time the news that the runners brought back indicated the success was complete.

Now, the enemy, smarting under our success, began bringing up reserves and concentrated a terrific artillery fire on Bouresches, the wood, and all the neighborhood. The wood had become a point of honor with the Germans no less than with the Americans. They saturated it with a bombardment of yperite gas, which clings to the earth and the trees and burns flesh that comes in contact with it. As the Germans could hardly send their own men into this area for two or three days to suffer the effects intended for us, we withdrew all except a small maintaining force from Belleau. Meanwhile the Germans, with their reserves, made an attack in force on Bouresches. By all criterions this attack ought to have succeeded. Some Germans penetrated the edge of the village, and a good many of them remained there—dead. Our machine-gun fire and rifle fire drove all others who escaped back to their lines. At the same time, under cover of their artillery, the Germans had reinforced their machine-gun units which remained in the edge of the woods, probably thinking that as soon as the effects of the yperite were over recovery of the wood would not be difficult.

For 12 days now the Second Division had been in the line and the Marines had put all their physical and nerve vitality into the effort against Belleau. They had gone into the fight in the fettle of race horses. Glimpses of the approaches to the wood during an attack, when retaliatory shell fire descended on wounded and German prisoners alike, formed the most vivid picture of war that had yet been seen behind the American lines. The prisoners regarded their captors in a kind of wondering and tragic stupor. Their staff had told them that the Americans were untrained, a mob, negligible. Yet these Americans had charged straight at their machine guns and then leapt out of the thickets with furious abruptness. They were untamed, wild, refusing to consider the rules laid down by the German staff for their conduct. Captured German intelligence reports, contradicting German propaganda, spoke of them only as needing more training to be first-class shock troops according to the German conception—which was a real German compliment.

The battalion which had made two attacks that had all but finished the task, suffering from machine-gun fire, mortar fire, shell fire, and gas, had reached the stage of exhaustion when nature overwhelms will; when, although a man says, "I'm all right; as good as ever," his eyelids droop as the sentence is finished and the next moment he falls dead asleep. This battalion must have rest; and the remainder of the brigade, with all its spirit and energy responding to the driver's hand, must also have some relief from the strain.

The Germans had been strengthening their remaining strongholds in the wood, and particularly one stronghold among a congerie of bowlders in a very dense thicket, with every avenue of approach covered by its fire. Units of the Third Division were to try on June 21 and 22 to force their reduction, but fortune was not with the attempts. Some of the German machine gunners, it was reported, had put on American uniforms, which enabled them for a time to deceive our own men as to the progress of our attacking parties, with resultant ambushes.

The Marines were put back in Belleau, relieving the regiment of the Third. The Germans still had access to go and come freely to their strongholds in the north end of the wood. It was an old trick with the Germans, this holding the edge and approaches of a wood with the main body protecting them from shell fire. On numerous occasions it had been successful. Gen. Harbord was determined that it should not be successful on this occasion. The Marines made another effort with very small forces, which failed; but in this effort they gained the knowledge for the final one that succeeded when all their preparations were correct in every detail.

As one of the reports that came back said, "Our men went through them like a bunch of wildcats." There could be no better description of what happened. That last rush, after artillery preparation, had a catlike ferocity, which put all thickets and all machine-gun nests behind it and looked out into the open beyond the object of three weeks of straining muscle, sleepless vigil, and desperate courage. Once we were among them, the Germans who remained alive bent to the storm. The 200 prisoners taken in that little area was a further proof of the importance attached to the wood.

Our attacks on Belleau Wood had been justified by the result. In all we had taken 700 Germans alive out of the woods and, severe as our casualties had been, the prisoners exceeded the number of our dead without counting the numerous German dead, which, in the cold accounting of war, was an unusual accomplishment. We had also proved our mastery over the enemy. We had set out to take a position and we had taken it, which was of infinite value to the morale of a young army and of corresponding influence in weakening that of an enemy when he faced our troops. Forever the Marines will consider the Belleau Wood as theirs, and in recognition of their title the French changed the name to that of Marine Brigade Wood.

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HELLWOOD.

By the kind permission of the Saturday Evening Post, I am privileged to publish excerpts from a copyrighted article by Mr. George Pattullo, giving a most vivid description of the marines in battle.

A wonderful thing has come to pass. A little force of Americans—a mere handful—has put new life into the allied armies and raised the drooping spirits of two nations.

Bouresches and Bois de Belleau of themselves would not stand out in war's chronicle as military feats, for both were small affairs in these days of human tidal waves, and, desperate as was the fighting, there have been others as desperate, and will doubtless be many more. But the stout blows that the Second Division delivered in the month of June, with the leathernecks as the head of the hammer, can not be measured by their toll of boche dead and prisoners, by their capture of ground or guns or material; they must be gauged by their moral effect, and that has been tremendous.

I have never seen anything like it. The German offensives had been sweeping forward like a flood, lapping up territory here, then swerving to lap up there, but always coming on, so that their whole battle line drew inexorably nearer to Paris. The British had suffered cruel losses; the French were fighting with their backs to the wall. And American aid—where was it? On that they had banked for a year; on that they had built all their hopes.

For months and months the poilu had been fed abundantly with promises of American support and what the glorious allies from overseas would do when they got in—and all he had seen of them was in the training camps or in quiet sectors where the only activity was intermittent shelling, an infrequent raid, or minor operations carried out under French tutelage. Meanwhile the Germans drove against the allied front again and the poilu had to do the fighting. Where was this American aid? Was it to prove as illusory as the Russian? Small wonder that Jacques grew skeptical and angrily contemptuous of the newspaper propaganda which endeavored to stiffen the nation's morale by still more roseate pictures of what the United States would do in the future. It was always and always the future! When would they come in force and help bear the brunt?

Hope deferred maketh the heart sick. They had almost despaired of us. It is my firm conviction that our Army did not enter seriously into their calculations for this emergency; certain it is that the average French and British soldier had given over expecting substantial aid in the 1918 crisis. We saw their spirits go down, down, down.

And still the German hordes pressed on toward Paris. They veered and swirled; held at one point, they surged forward at another. Came word that they were in Chateau-Thierry. Men looked at one another in dumb foreboding. Where would they be stopped? And then suddenly the boche flood tide recoiled. The broad gap they had forced in the line was closed, and the magic news flashed throughout the army and nation that the French were counterattacking, that they were hurling the enemy back at critical points, and that the road to Paris was barred. How had it been done? An American force was mentioned in the first announcement, but Americans had shared in undertakings before, and the French remained unimpressed and apathetic until the full story of the part the Second Division had played came out several days later.

Then they went wild. From the channel ports to the remotest villages the news ran like a prairie fire. The Americans had stopped the boche—they had beaten him. In the darkest hour, just when it seemed that Hindenburg had opened a road to Paris and picked German divisions were developing the success, the Americans had smashed into them, and fighting in their own way, in the open, they had thrown back superior numbers, wresting from them positions that were essential to further advance. And they were holding those positions. Beating off all counterattacks they had reestablished the broken line.

Vive l'Amerique! The French let out a yell, gave a hitch to their braces, and went into the fray with fresh ardor. After all their disappointment their ally could fight! Not only could he fight, he was a bearcat at fighting; he asked nothing better than a tough job. That was the great, outstanding fact to the poilu. And suddenly, too, this ally began pouring men into France by the hundreds of thousands, until all the villages and valleys and roads were choked with stalwarts in khaki, and every passing train showed them grinning cheerfully through the windows. Instantly the whole French Nation rose to a frenzy of enthusiasm. Six months ago American popularity had fallen to low ebb; to the soldiery the overseas force were "Boy Scouts"; the French had grown to feel that America in the war threatened to prolong it without lifting any of the burden.

The First American Division was holding a portion of the Montdidier front. It was certainly a he sector; I was up there with them, and I know. What the communiques described as fairly active artillery fire took its toll of dead and wounded by day and by night. Now, holding the line under constant shelling is the toughest work soldiers have to do. The sum total of losses over a period of a month will usually exceed those suffered in a heavy attack, and the strain on the nerves is tenfold greater. This staunch old division, which has been the keystone of this man's army, naturally expected to be relieved. They had taken Cantigny by an assault that was a gem of precision, and had stubbornly held it gainst bombardment and counterattacks. Therefore it cheered them mightily when it was whispered that the Second Division was behind and would shortly take over. Officers from the Second even came up to make a reconnaissance, a step preliminary to a relief. Then the situation to the southeast became critical. The boche offensive was sweeping forward. His original intention had been to advance his front only as far as Fismes, on the Rheims-Soissons line, but success in the center so greatly exceeded expectations that the German command decided to develop it into a push for Paris, and swiftly threw an enormous mass of men into the breach. Already they were in Chateau-Thierry. Unless the enemy was speedily stopped the capital would be brought under his guns. And then what? In this emergency it became a question of what reserves to employ. The French generalissimo decided to send an American division.

The Second Division expected to move. They didn't know where, but they sensed a fight. The first orders were to break out at 6 o'clock on May 29, so they made all ready. Then they were to leave at 10 o'clock. Next came word that the start would not be made until the morning, so they bivouacked that night. It was 4 o'clock on the morning of May 30 when they climbed into their trucks and headed for the great battle. The men were jubilant. They had enjoyed a fine rest, in a fat land of green trees and fields of yellowing grain and burnt-almond-colored clover—a fair, quiet land of beautiful chateaux and well-ordered villages, of rich pastures grazed by sleek cattle. A considerable number of the men had been evacuated with grippe, but they were in first-class shape, and up on their toes for a whack at Heinie. Hadn't most of them been doing police work and construction jobs and other such things along lines of communication most of the time since arrival in France? They had. But now they had the chance to show what was in them! The long caravan of trucks took a route that brought them very close to Paris. In every town and village they threaded the people ran out to huzza and shower them with flowers. The population of this region had never seen American soldiers in any numbers, and here were camions pouring through the streets hour after hour, all loaded to the guards with big, husky, rollicking men in khaki, who laughed and joked with them and stuck flowers in their buttonholes, and behaved for all the

world as though bound on a picnic. And with them went guns and horses and mules and machine-gun carts beyond count.

The inhabitants guessed what all this activity meant—the Americans were going into battle. So they came running from their houses to run beside the trucks. Old grandfathers saluted and waved their hats; women threw roses or kept pace beside the wheels to talk and wish them "bonne chance"; the children scrambled wildly everywhere, shrilling "Vive l'Amerique!" half frantic with joy. It was a long, hard trip. Just before reaching Meaux they encountered the first of the refugees. Beyond that, from Meaux northward, the roads were crawling with them—an unbroken stream of heaped carts and plodding peasants, of bleating sheep, and swaying, rumbling cattle, weary unto death.

They saw toothless, doddering octogenarians in that line, and also babes at the breast. They saw there bedraggled, tear-stained mothers and strapping, broad-backed girls, sullen from fatigue and hate. Men long past the prime of life urged the tired horses forward, their women and children either perched amid the mass of mattresses and bedding and chairs and mirrors, of bird cages and rabbit hutches, of crucifixes and plaster figures of Our Lady, with which the carts were piled, or trudged along in the dust with the family dog and the cow. Some of the children wailed; some took it as an adventure. The very old just rocked in the carts, silently rumpling and rumpling their aprons. Up the road came the men, camion after camion, mile on mile. They passed this saddest of all processions under a pall of dust. The refugees stared at them apathetically, without enthusiasm, apparently without interest. They were sunk in the lethargy of despair. What did it mean to them now that soldiers from beyond the seas were going into the maelstrom up there? All was lost—homes, property, everything made precious by a lifetime's association.

THE REAL STORY OF CHATEAU-THIERRY.

The bulk of the division were in the trucks fully 30 hours. Some battalions lost their means of transportation while still far from the front, and had to bike it; but the American soldier has grown hardened to that. They reached some little towns behind the battle front at last and bivouacked. For bedding they had ponchos and one blanket to a man. The nights were cold, but that was nothing new to them. The men could hear the artillery booming in the distance like a heavy surf, and in the darkest hours of the night boche avions came droning overhead to drop bombs on adjacent villages. Yet the noise of battle was less than they had anticipated.

Up to this time the resistance offered to the German thrust had not been sufficiently determined to stop them. The plan of the French was to delay the enemy as long as possible by rear-guard actions until the arrival of reserves in sufficient strength to stabilize the situation. Therefore the Americans were to take up support positions on which the French would fall back, and then these positions would become a new front line. Such was the plan. "Why not stop them where they are?" inquired the American commander. Which was all very well,, but how was it to be done? The French were plainly dubious about intrusting an enterprise of such importance to what they regarded as untried troops. To be sure, a regiment of the Americans had captured Cantigny; they had shown dash and courage and tenacity; that and other divisions had some fine performances to their credit. But the Battle of Cantigny belonged to the established trench order of warfare. It had been elaborately prepared, and French staff work had contributed to its preparation. It was rehearsed under the eyes of a French general, and French tanks and flame projectors and much French artillery had contributed to the success of the attack.

But this was different. Here was open warfare, whose aspect changed from hour to hour, a style of warfare demanding the highest form of military skill and initiative. They never doubted the pluck and willingness of our men, which had been proved on numberless occasions since last November, but they did entertain serious doubts of the ability of the American staff and unit commanders to swing it, solely because no American staff had so far been permitted to undertake an operation on its own. Consequently they demurred. Their proposal was to brigade the Americans among seasoned French troops. Then the allies could exact what toll they might while falling back. "Let us fight this in our own way, and we'll stop 'em," declared the American commander. The situation was growing hazardous; a few more gains and the boche could train his heavy guns on Paris. The French general consented. The Second Division could go in as a division, fight it out in their own way—and heaven have them in its keeping.

That is another reason why the battles for Bois de Belleau and Bouresches have such tremendous significance. They were fought in American fashion, under American leadership, with American artillery and machine guns, with American staff work to direct. It was the first time strictly American methods were employed against the Hun. And you know who won, don't you?

Thus the leathernecks, the Fifth and Sixth Regiments and the Sixth Machine Gun Battalion and the Second Engineers and two regiments of infantry, the Ninth and Twenty-third Army, together with the machine guns and all the artillery of the Second Division, found themselves on the edge of battle. They moved into support positions back of the French on June 2, one battalion, the Second, Fifth Regiment Marines, on a line from Hill 142 to Les Mares Farm and Bois de Veuilly; two other battalions, the First and Second of the Sixth Regiment, from Bois de Veuilly to Triangle Farm. There one of the infantry regiments joined on. That made a front about 7 kilometers wide. Almost immediately the boches made another strong push, and the French opposing them were forced slowly back. They began to filter through the Americans, whose support positions soon became the front.

About 5 o'clock in the evening of June 4 the enemy attacked anew toward the American left, where it joined on with the French. They advanced through a wheat field in platoon columns, in perfect order, flushed with many successes, confident of victory. And then the Americans opened up. They showered the oncoming waves with shrapnel until the fields seemed to be sprouting thousands of magnificent white daisies. Machine guns and rifle fire raked the German ranks. The leathernecks took careful aim before every shot. Unhurried, unflustered, they worked their weapons as though on the target range. French observers were amazed; they had never seen such rifle shooting. That soldiers should sight carefully in the heat of battle was something new in European warfare, where the rifle has grown to be something on which to stick a bayonet.

No troops could stand against that fire. The boches wavered, came on again. Why lie about the enemy? In mass formation they fight like brave men, none better. Twice they hesitated, stopped; twice they resumed the advance. Then they broke. They broke and started to crawl off through the standing grain. The Americans could see the wheat sway as though stirred by a stiff breeze, and they whipped those areas with bullets. What the leathernecks have they hold. That night their positions were intact, so they decided to improve them. They pushed out small posts. Followed several days and nights of heavy bombardment. Sleep was out of the question, and they had nothing to eat but "monkey meat," as they called the tinned, stringy Argentine beef, and bread and water. Not once during all the punishing work that followed did this battalion have a hot meal.

The situation was still precarious. The necessary withdrawal of the French had led to the abandonment of strong points, whose possession by the boches threatened our entire line. Heinie held Bouresches and the Bois de Belleau; he also had several mounts, which he used for machine-gun strongholds. Among them was Hill 165. On June 5 the Americans charged the position. They put the guns out of action, and then the boches counterattacked. They were beaten off. The American line now ran through the Bussiares Wood and along the edge of the Bois de Belleau. Next day came orders to move forward and take Bois de Belleau and the town of Bouresches, in order to run a straight line to Triangle Farm, where the command was dubious of the salient which existed.

The Bois is probably named after the town of Belleau. It stands on high ground, a jungle of trees and underbrush covering rocks and deep fissures. Somebody formerly used it for a game estate, for there is a hunting lodge in the northern corner of the wood—or there was. The artillery has probably torn it to shreds ere this.

Estimates are that fully a thousand boches occupied this fastness, and hundreds of machine guns were placed amid the rocks, up in trees, behind the piles of cut wood, in ditches and crevasses. The strength of the position was greatly underrated before our attacks were launched. Neither the number of machine-gun nests nor of enemy infantry was suspected, and the first assaults on the Bois did not succeed. Only one platoon, under Second Lieut. L. F. Timmerman, jr., succeeded in gaining the wood. Timmerman is a mere boy in years, but he dauntlessly advanced his small command beyond all other elements at this point, and led them in a bayonet charge against a stronghold. The enemy outnumbered them about 2 to 1, but they captured 2 guns and 17 prisoners. North of the Bois the Americans encountered a stiff resistance. Twenty boche machine guns were mounted on a plateau, and they turned a deluge of fire upon the attackers. Our men were held up. They took cover where they could find it and sent back word to the artillery to blow the plateau into kingdom come. The artillery did so. They did a beautiful job. When the Americans gained the crest by a swift dash it was to find the position destroyed and its defenders wiped out. But they were still outside the wood.

A CHORUS OF 200 GUNS.

Save for these small gains, the first operations against the Bois yielded no results. The Americans renewed the attempt next day, only to find their path barred by apparently impregnable machine-gun nests. During 48 hours they attacked and retreated, employing rifles and grenades. One company—the Eighty-second—lost all its officers; Maj. B. W. Sibley and Lieut. Bellamy reorganized it and charged under a hot fire. All to no avail. The troops were finally pulled out and 50 batteries of artillery got the word to wipe Bois de Belleau from the map. "Fini for that place," they promised, and turned loose a chorus of 200 guns. They pummeled it mercilessly, with such success that a small force of our troops was able to clean up a corner of the wood without much loss. But we are running ahead of the story. We left the Americans headed for Bouresches. Here they had better fortune; they took the town. It was a beautiful, sunny day. The air was sparkling. Millions of poppies flared amid the grain; the fields glowed like gorgeous crimson carpets. A short bombardment preceded the attack. Our artillery pounded Bouresches furiously with heavies and light stuff, and then a company of leathernecks—Ninety-sixth Company, Sixth Regiment—went forward in platoon waves, with companies of infantry on their flanks. These waves were made up of 12 men each at 5-yard intervals, with about 60 feet between waves. Automatic-rifle men and hand grenadiers composed the first and third; the second and fourth were made up of rifle grenadiers and riflemen.

Mark this: It was the American style of fighting throughout. There was no slow walk behind a curtain of fire, which is the regulation method of attack in trench warfare; the men had no barrage to screen them. They advanced by short rushes. A quick dash, and then down on the ground for cover—the sort of thing our soldiers have been taught for generations. They had to cross a little valley and a wheat field. A 3-inch gun and scores of machine guns immediately opened a withering fire on them. Men were dropping fast, but about 25 penetrated into the town. Then ensued one of the fiercest struggles of the entire series in this sector. The boches had machine guns planted at every coign of vantage—in the doors of cellars, on roofs, behind piles of débris. The leathernecks went after them; they went after them with grenades and rifle fire and the bayonet. They cleaned up the town and sent back word that Bouresches was in their hands, with the exception of the railroad station in a hollow beyond.

GO-GETTERS IN THE FIGHT.

It now became necessary to consolidate the captured positions and to get relief to the sorely pushed fore holding them. Another company was sent forward, which arrived in Bouresches about 9.45 at night. With them went two companies of Engineers, who showed themselves equally good at digging in or fighting. They did magnificent work.

The next thing was to replenish the ammunition supply. Second Lieut. William B. Moore, a former Princeton athlete, and Sergt. Maj. John H. Quick, medal-of-honor man, a veteran who has always been in the thick of every trouble he could reach, volunteered to take a truck load into the town. With 20 soldiers for escort they started. The road was pitted with shell holes, swept by artillery and machine-gun fire. Yet, despite the fact that they were in full view of the boches, the party carried their precious cargo into Bouresches without loss.

So much for Bouresches. They had not yet won Belleau Wood. It proved to be a much harder nut to crack. The task was given to a battalion which went in with 958 combat men and 26 officers, and they came out with 7 officers and 340 men. That tells the tale of itself—but they held the Wood. I have mentioned above how they captured a fine jumping-off place on June 6, consisting of a ridge in front of the Bois. Between them and the enemy was a stretch of fields, dotted with clumps of bushes; there was a considerable area of high wheat at their left. Poppies everywhere, flaming crimson in the sun. "We'll smash Bois de Belleau to smithereens!" the Artillery promised. "By the time we get through with it there will not be a blade of grass left." So at it they went. They pounded the position for a solid hour with 50 batteries,

both heavies and light. The Bois became a crashing, thundering inferno. Yet it was not wiped out, not by a long shot. The leathernecks discovered that it still held not only quite a few blades of grass but also plenty of trees and woodpiles and boche machine guns and boche infantry.

CHARGING THROUGH THE POPPIES.

The moment arrived. They charged across the fields, all among the flaring poppies. A perfect hurricane of fire greeted them. Numbers of the enemy had got inside our barrage with machine guns and worked them with disastrous effect on the advancing waves. But the leathernecks had orders to take the Bois, and they were going to take it. They rushed the machine guns and put them out of action; they bombed and bayoneted and killed the gunners. And now they were on the edge of the wood. One ear-splitting yell and they plunged into it. After that it was plain Indian fighting, with this difference, they had machine guns and grenades and such other modern improvements on the musket and the knife.

The Bois was a trackless jungle. Nobody knew what he would strike back of the next tree, and a woodpile, a crag, or a crevasse in the ground might hold sudden death. Therefore the leathernecks advanced as the forefathers of our Nation did against the redskin—from tree to tree, from rock to rock, now pausing to shoot, now dashing upon an enemy group to bayonet them. It was practically every man for himself, or, rather, each group for itself. In that impenetrable fastness it became impossible for officers to maintain touch with all the elements of their commands, so that the battle developed into a duel between individual initiative and carefully prepared defense—between American aggressiveness and German discipline.

There wasn't much discipline left among the boches when the leathernecks got close to them. They stuck to their guns pretty well so long as their elements remained intact. Just so long as they thought they had the advantage and could beat off the Americans they fought furiously. They showed here, as on innumerable occasions, that no troops in the world excel them in mass prowess. But the minute a group found itself isolated, with a bunch of red-necked Americans charging full toward them with bayonets at the poise, they wilted. Up went their hands. They came tumbling out of their shelters and holes bleating "Kamerad." That has been their record in nearly every fight, and seems to be typical of the breed; they fight like wolves—all together or not at all.

Numbers of them played 'possum. They dropped to the ground and pretended to be dead, and then when the Americans had swept past they rose and hurled hand grenades at them. The ruse swelled the boches' casualties amazingly; our men don't take prisoners of that kind.

I know of only one instance of a boche standing up to the bayonet. Nearly all of them broke and fled at the first sight of the steel. But there was one who was made of sterner stuff.

A leatherneck rushed at a German with the bayonet and the latter stood his ground. For a few minutes the two men fought desperately, straining every muscle. The American tried several thrusts; they were parried; he lunged and missed. Then, impatient of the delay, he abruptly shifted and swung the butt, crushing his adversary's skull.

It took some tall fighting, but they swept the enemy from Bois de Belleau. Belleau means "beautiful water." But the men of the Second Division have another name for the place. To them it will always be Hellwood. The boys tell me that scores of the enemy ran away with scarcely any clothes on. Some took off their boots and fled in their socks; why I don't know, unless they thought it would improve their speed.

You ought to see the booty now in possession of individual leathernecks. They've got some souvenirs that no bank in Wall Street could buy. In the collection are all sorts of articles stolen by the boches from the French civilians, and trinkets and cigarettes taken off British captives in a previous offensive. The boches had hidden amid their belongings old-fashioned frock coats, plug hats, women's dresses, babies' shoes, silverware, clocks, English watches, and French paper money—all of it pilfered.

Well, they dug themselves in and stayed there and fought off the enemy's counterattack for five days before being relieved. They were constantly shelled and gassed, but they stayed there. A 50-millimeter gun, which they dubbed "Quick Dick," played on them with direct fire, but they stuck it out. Quick Dick was located only about 600 yards distant, on the side of a ridge, and he earned his name because the shells exploded almost before the Americans heard the discharge of the piece. Boche avions came over Bouresches and the Bois at night and dropped bombs on the defenders, but they stayed there. The enemy tried to filter in on their left through the wheat fields, but they beat him off. And all the time they were living on "monkey" and bread and cold water, and not much of that. Not one hot meal did they get. All the while they went without sleep; between May 30 and June 18 hardly a man removed his clothes or his shoes.

Of a detail of 45 men sent back for chow, only 3 returned; the others were put out by shells, machine guns, or gas. Another detail of 30 was dispatched for ammunition; 6 came back. The carrying parties for wood and water fared almost as badly, and the wounded had to be gotten out under the same punishment. But the leathernecks stayed there. What they have they hold. The commander of this battalion tried new tactics to secure prisoners and weaken boche resistance. Convinced that the enemy had been fed by their command with stories of the brutal deaths they might expect should the Americans take them prisoners, on the theory that men who believe that would rather fight than surrender, he sent out soldiers from his command in the dark hours of the night to shout to the Germans in their own language that they would be spared and treated humanely if they gave themselves up.

Quite a number of the enemy accepted the invitation. One American soldier came in with 65 prisoners, who had voluntarily left their own lines to surrender. Another battalion commander was not so successful in this ruse. A few of the enemy came in, but others only pretended to give up, and then, when the Americans advanced to take them prisoners, opened fire. And what had become of all the inhabitants of this hell-swept area? The majority had fled, but I can tell you of the fate of two of them.

On the night of June 6 a company of leathernecks found an ancient couple still living on a small farm near Montgivrault Grand. It was the date of the attack on Bouresches; there was heavy fighting all over that region, and the shelling was terrific.

Both had long passed the allotted span of threescore and ten. They were feeble and doddering, but they would not leave their home. Though death threatened them every minute, they preferred it to facing an unknown world penniless and without friends. So they stayed. The soldiers fed them as best they could and tried to provide for their safety, but they themselves were on their move into battle. Consequently they were obliged to leave them behind when they passed on. On their return some days later nobody was about the place. They hunted and hunted; they shouted. No response; the farm was deserted. They never saw the old man again. He had disappeared. But they found the poor old grandmother. She had hanged herself with a ribbon to a rafter, and they buried her reverently, those battle-weary soldiers, there beside the home she would not leave. That's war.

WITH ODDS OF FIVE TO ONE.

The American division was opposed at all times by two German divisions and sometimes by three. The boches had the One hundred and ninety-seventh, the Two hundred and thirty-seventh, and the Tenth in the line when our troops relieved the French. Before a week elapsed they were so badly cut up that the German command was obliged to throw in the Twenty-eighth and the crack Fifth Guards Division, both of which had been in training for the offensive in the vicinity of Noyon, but had to be diverted to this sector. It was an unconscious tribute to the Americans that the division which crossed the Marne first in 1914 should have been chosen to "stop them," and guards had strict orders that the Americans must not succeed at any cost. But a short while later the Twenty-eighth were asking for relief, and the guards had their fill.

To have used up five enemy divisions is a pretty fair contribution to the great battle for one American division. "These Americans," remarked the general in command of the French corps—"these Americans are peculiar. They always want to do a thing their own way. All you have to do is to tell them what you want—not how it should be done—and they'll do it."

As for the boche command, it was obliged to belittle the American effort in order to continue the hoodwinking of the German people, which has been led to believe that we are negligible as a military factor. Therefore, they made light of our achievements, reporting severe repulses of the Americans. But a well-known German newspaper let the cat out of the bag. After deriding our men as soldiers, it naïvely concluded: "Furthermore, one is forced to the conclusion that the attack by the Americans was made only under French command, for alone they would not be intrusted with such a hard task. We are, therefore, of the opinion that the Americans there—probably one division—did not make this attempt alone, but were put in among the French front line."

That is the enemy estimate. Among the allies there are those who say merely that the Americans performed well in a series of hot local engagements—and there are those who say that the American division saved Paris, just as the Canadians long ago saved Calais.

The testimony of the civilian population of the region that lay between the boches and the capital is significant. In a letter to the commanding officer of the American forces on the Marne the mayors of Meaux and the neighboring districts said:

"The civilian population will never forget that, beginning in the month of June, when their homes were threatened by the invader, the Second Division victoriously stepped forth and succeeded in saving them from the impending danger. The mayors who were eyewitnesses of the generous and efficacious deeds of the American Army in stopping the enemy advance send this heartfelt expression of their admiration and gratitude. Let us leave it at that."

—

FOLLOWING THE TANKS TO ST. MIHIEL.

[By Philip Payne. Mr. Payne was a correspondent for months on the western front. He was an eyewitness to the battle he here describes.] (Published by permission of Treat 'Em Rough Magazine.)

It had been called No Man's Land for the past four years.

On one side of the barren waste the French had crouched for months and months, fighting with stubborn fury to keep the Germans from grasping more of the precious soil of France. They had succeeded, and the campaign in that fair sector of the land had resulted in a stalemate.

The Germans were on the other side of the devastated area, an area where the shattering shells had taken the place of the peasants' plows which had tilled the soil for centuries.

With all the thoroughness that characterizes the Teuton, a wonderful system of defenses had been constructed in that sector. Several hundred yards in front of the German trenches there were entanglements of barbed wire; sharp-pointed steel stakes; trip wires, which would explode mines when touched by the foot of man; and last, but by no means least, concrete "pill boxes," with solid walls from 3 to 5 feet thick, and with slits in them through which a stream of bullets could spray death into the ranks of any so foolish as to try and break through.

Back of the first line of German trenches came more of the obstructions I have just described. Behind all this system of defense, a system that was considered by its makers to be absolutely impregnable, was one of the fairest parts of France. For four long years, since the Prussian hordes had started to goose step across Europe on the march that was to have made the world bow to kultur, this soil had been in alien hands. The very thought made the French warriors boil with anger. The homes of many of those poilus were in German hands. Often they gazed across that span of land. They longed for the day when they would get the order to attack, but that day was a long time coming. Foch had looked over the land and knew that he did not have the men to sacrifice to regain it.

A GIGANTIC STEEL WEDGE.

Like a gigantic steel wedge, part of the German Army was thrust into the side of bleeding France. St. Mihiel, Hattonchatel, Vigneulles, and scores of other prosperous places were occupied by the hated enemy. From grim old Mont Sec, on one side of the wedge, the Germans looked down on the forces of the allies. On Mont Sec the French had sacrifived 15,000 lives in 1914 to hold back the German avalanche. It was commonly reported that the mountain had been made into a second Gibraltar by the enemy.

When the latter part of the summer of last year approached, Hindenburg and his aides found need in other areas for some of the divisions that had been confronting the French in that sector between Toul and Verdun. The Prussian chieftain had absolute confidence in the system of defenses he had planned. He knew that Foch had investigated and had decided it would cost too many human lives to cross the barren belt. He left it to the care of about three German divisions, which were supported by a large number of Austrians. Hindenburg was sure the French would not attempt an attack. He was right—the French wouldn't, but the Americans would.

In August, when most of the French pulled out under cover of night from the St. Mihiel sector, the Americans went in there. It was a

"quiet sector," they were told—a place where the men of the First, Second, Forty-second, and Twenty-sixth Divisions could get a much-needed rest after the struggle they had been through at Chateau-Thierry and on the Ourcq and Vesle Rivers.

The doughboys in those crack shock-troop divisions were told they were being sent there for a rest. Down in their hearts those fighting Yanks knew better. "Any time they send us any place there's goin' to be sumthin' doin'; I'll say so," said a doughboy with the marking of the First Division on his shoulder. Mr. Doughboy had guessed right.

Gens. Pershing, Petain, and Foch had looked over that land again; and they'd decided the time had come to take it back to the bosom of France.

DAME RUMOR A BUSY PERSON.

Dame Rumor is a busy person in France, or she was in the days when Le Guerre raged. The cafés and boulevards of Paris heard that the Americans were going to start the grand offensive near Toul. A month before the drive started Paris had heard of huge American cannon which would drop shells into Metz. Oui, la, la, the Americans were going to give the boche a taste of what Paris had suffered when the "Big Bertha" bombarded that city daily. Paris liked the reports of the proposed American offensive. In the cafés and on the boulevards, where Louis and Gaston gathered to sip their vin blanc, they mouthed over the reports. Les Americains have a million soldiers there; 5,000 aeroplanes and hundreds of big guns, said the rumor mongers. Paris listened and believed. Since Chateau-Thierry and the Bois de Belleau Paris would believe anything about the Americans. Nothing was impossible with those wild Yanks.

In France there were many German spies. They heard these rumors. Some American officers on leave in the French capital talked a little; perhaps more than they should have. The spies gleaned a few facts. Reports got back through devious channels to Hindenburg and the other leaders. Hindenburg had confidence in his defense system in the St. Mihiel sector. Pooh! Those verdamnt Yankees could never break through there. To make sure, however, he sent two more German divisions down there. August faded away and September came, and still no drive had started. Paris began to scoff at the rumor mongers. Rains—miserable, drizzling rains of the ground-soaking type—began to fall steadily. Hindenburg's henchmen brought to him more reports of activity behind the American lines, but the Prussian war chief scoffed. The Americans couldn't start any drive in that sort of weather. It would be impossible to move the artillery. He needed all the men he could get, so he started to move the two divisions back to a more active sector.

WHEN HELL BROKE LOOSE.

Then, shortly after midnight, September 11, hell broke loose—hell in the form of some 2,500 pieces of artillery which the Americans and French had placed along the St. Mihiel sector. At 5.20 on the morning of September 12 the Americans went over the top. That night Paris was electrified by the published report that the Yanks had gone through the "impregnable" boche defenses and were sweeping on to St. Mihiel. Already scores of French villages were in the hands of "Les Americains." All France heard the glad news the next morning. Reports came back that the American losses were astonishingly light. France wondered how even those Yanks had taken that ground so quickly with the sacrifice of so few lives.

THE TANKS WERE THE ANSWER.

Under cover of darkness the unwieldly steel-clad monsters had been brought up to a position near the front lines.

When the barrage—a barrage that was described as one of the most wonderful ever laid—was lifted that eventful September morn, the tanks lumbered into action, and 50 yards behind the lumbering leviathans the doughboys swept on.

Even at this late day Gen. Pershing has not revealed the number of tanks that took part in that drive. From personal observation I should think that each battalion of infantry had 8 of the machines assigned to it. With a total of about 10 Yankee divisions taking part in the drive, and about half that number in action while the others were in support, I should judge that at least 360 of the big tanks and scores of the baby variety were used.

Over these elaborate defenses the tanks crunched their way, leaving in their wakes masses of tangled barbed wire; sharp steel stakes driven into the mud instead of into human flesh, and the mines attached to the trip wires exploded with slight damage before the infantrymen reached them. And the pill boxes on which Hindenburg placed so much faith—what of them? The tanks had swept right up to them and wiped their crews out of existence. Some of the professional gloom dispensers, without which no army is complete, argued that the operation of the tanks would not have been so successful in the St. Mihiel sector if the Germans had not failed to back their outer defense system up by more artillery.

Be that as it may, the tanks were successful there. Army men who know what they are talking about told me that the tanks saved at least 10,000 American lives when they brushed aside or, to use a better expression, trampled down the Prussian obstructions.

DEFENSES LITERALLY PULVERIZED.

The day after our tanks and Infantry had made "no man's land" some man's land again, I walked over the ground. I was amazed at the multitude of defenses the Germans had prepared, and still more amazed at the manner in which the Yanks had gone through. Barbed wire, trip wires, steel stakes, and concreted trenches seemed to have been literally pulverized.

I do not believe official figures have been given out to show the exact number of American casualties in the St. Mihiel drive. From what I was able to learn on the field there I do not believe that more than a thousand American lives were sacrificed. I dread to think of what the toll would have been but for the tanks. Don't think that the men of the tanks did all of the "treat 'em rough" stuff there. Very distinctly I remember seeing two tanks lying where they had been struck by 77's. The boche gunners had scored direct hits in those two particular cases, and twisted masses of steel were all that remained of those tanks.

On another occasion I was driving one of H. Ford's well-known brand of machines over a road that had been laid through a swamp. A tank had slid off the edge of that road into the swamp, and for once the caterpillars couldn't pull it out. The members of the crew were using language that wasn't exactly nice.

I drove the flivver over to the edge of the road and looked at the tank and its crew for a moment. Then I said, "Do you fellows want me to tow you out?"

Immediately I was extended an invitation to go to a place where woolen underwear is not needed. But to get back to the more serious part. All America knows now that Mount Sec fell on the second day of the St. Mihiel drive. As rumor had reported it, the doughboys who swarmed up its sides found the place a veritable Gibraltar.

How, then, did it get captured so quickly, you ask?

Simply because the tanks had smashed the defenses in front of it and on either flank—defenses which were as elaborate as I described in an earlier part of this story. The main force of Germans had to withdraw from the mountain or be surrounded and have to stand siege. They knew the latter step would mean capture in the end, so the majority escaped and left a handful to hold the heights.

By kind permission of Maj. Greene, Three hundred and second Engineers, I am permitted to publish these letters:

PRAISE SPURRED THE GALLANT SEVENTY-SEVENTH—MAJ. F. S. GREENE SAYS MORE CREDIT AND LESS CENSURE CARRIED DIVISION OVER "IMPOSSIBLE" DRIVE TO SEDAN.

SPIRIT DROPPING OFF.

The Seventy-seventh, I believe, was always a little above the average. We were well disciplined and a well-drilled outfit when we left Camp Upton, but during our training period with the British I fancied that I detected a slight falling off in the spirit of the men. While in the Baccarat sector I became convinced of this, and looking for a reason I realized that since leaving the States the division as a whole had not received one word in orders that might be construed as a compliment.

Note that this applies to the entire division, not to the Engineer Regiment. When we took over the Vesle sector I believe our spirit—I will not say morale—was at its lowest. We had been worked hard from the moment of landing on French soil; we had done both ill and well; always when a mistake had been made the division heard of it in strong words; silence only followed our good work. This state of affairs continued for about two weeks after our arrival on the Vesle.

During this time we had been in two "shows," as the English put it, and had suffered heavy casualties. Then there came a marked change as sharp as it was sudden. We advanced, and an order was published commending the conduct of the men. Immediately the spirits of the division rose and when a further advance was ordered the boys went about the dangerous business with a dash that was new to us.

FACED BATTLE CHEERFULLY.

Again their work was commended, and again the men showed instant response. So it continued, whenever possible a word of praise—when censure was necessary it was given in moderation—until by the time we had reached the Argonne the boys were ready and anxious to undertake any task that might be demanded.

Their push through the Argonne Forest, considered next to the impossible by the French, has become historical, and before many days the second phase of that offensive—the drive from Grandpre on the Aire to Sedan on the Meuse—will be recognized as one of the great offensives of this war. The endurance, the privations, the dangers that the boys of the Seventy-seventh faced cheerfully during this drive can not be exaggerated. Every yard of that advance was resisted by an enemy who has no equal in rear guard warfare, no superiors in the handling of machine guns and artillery.

I had time to study the second phase of this drive, an opportunity to get a bird's-eye view of the entire engagement, for while I did not rejoin my regiment until a few hours after hostilities had ceased I rode over the field from the starting point to the finish. I know how difficult was the terrain for making an advance and what meager cover it afforded for the men.

LEADERSHIP WON BATTLE.

As the shell-scarred miles of that advance slipped past me and I saw the uncounted numbers of wrecked trucks, limbers, and guns, the sad total of dead, both horses and men, my wonder grew at the speed and the fortitude our boys had shown. Only a gallant, dashing body of troops could have done it, troops animated by the highest spirit and by absolute confidence.

It would have been an impossible task for soldiers whose morale had, day after day, been lowered by a constant stream of criticism. What had brought about this remarkable change in our men? What had made this drive possible? There is but one answer: Leadership, leadership in which they had confidence, under a commander whom they respected and admired. The name of this leader is Gen. Robert Alexander, who took over the division on the Vesle and who, by his ability as a leader wrought such a remarkable change in every unit of his command.

This man has erased the words "Fall back!" and "Retreat!" from his copy of the drill regulations and has written the word "Forward!" in their places. When an objective is to be reached he spares neither animal nor man, officer nor soldier, but neither does he spare himself. He is always on the go; one is likely to meet him anywhere at any time during the day or night, anywhere except at the rear.

ALEXANDER SET EXAMPLE.

It was the example he set, his utter disregard of either personal comfort or danger, as well as his words of praise that put the dash into his men. He says he is proud to be in the division and every officer and man in it will tell you that we are proud to have Gen. Alexander as our commander.

We are a lucky outfit, for one of the first moves the General made was to appoint Col. C. O. Sherrill as his chief of staff, another sign of his gift of leadership, for he hit upon the right man for that difficult job. They made a rare combination. Both are drivers, both are optimistic in face of the most adverse circumstances, and between them they will send, or I hope lead, a division home that New York has every right to be proud of. "An organization is what its head makes it," and Gen. Alexander has made the Seventy-seventh Division.

Another letter of Maj. Frederick S. Greene, dated "In a famous forest, October 6":

When the record of this war is finally written I believe that this division will be noted for the number of precedents it has set in military tactics. Hardly a day passes that we do not succeed in doing something that the day before a military expert would have pronounced impossible.

The night before our initial attack in this sector I talked with one of the cleverest French officers I have yet met. When asked what he thought of our chances of driving the boche out of his wonderfully strong position—a position he took up four years ago and has improved steadily ever since—this captain shrugged his shoulders doubtfully.

"It will be difficult," was his answer, given in a tone and manner clearly showing that he really meant impossible when he used the word "difficult." By noon the next day, just five hours after our boys "went over," the enemy was 3 kilometers behind his network of trenches and going well. And what a 3 kilometers those were. Heavy forest, with dense underbrush covering the ground, and terrain just one deep ravine after another, separated by ridges whose slopes stand nearly vertical. When you consider the strength of those trenches, the profile of the ground, the denseness of the underbrush, and remember that that drive was made by men who, before going to Camp Upton, had seen no trees except in Central Park—this may be put down as precedent No. 1.

The second day after the attack our flank was considerably bothered by a string of machine-gun snipers. A major of Artillery, who hails from Yonkers, sought and secured permission to take a 155-millimeter howitzer out to the front and "plow up the landscape." He brought it up over one of the worst roads that ever crossed a torn and shredded no man's land. It slid into a crater—of course, it was raining, and the mud was knee deep. I put an entire company of Engineers at his disposal and hauled it out after two hours' hard work, and that huge gun was finally parked right on the front line. That is precedent enough, but the story goes further.

The gun was really out of our sector, there being no roads at all for us, and the division on our left fell back during the night, with the result that by morning there was our 6-inch gun complacently resting in the very middle of no man's land. That major from Yonkers, using his head, had taken a platoon out with him to protect his gun in the event of just such an emergency. So the major and his gun did not fall back with the troops about him; instead, he got into action, fired 110 rounds of that heavy stuff at our friends the snipers, and drove them off. Then he waited for the Infantry to come up again. The boche were so amazed at this unheard of proceeding that they hurried an aeroplane over to see if it could really be true. Jerry came, and for once in his life flew low, astonishment making him reckless; then he dropped a bomb harmlessly a hundred yards from the gun and flew back to tell the Kaiser about precedent No. 2.

But by far the most remarkable precedent was established by the commanding general of one of our brigades. A battalion had been cut off and surrounded by the boche; their position was desperate, and it looked any odds that they would either have to surrender or be exterminated. I fancy some account of this battalion's four days and six nights in the woods will be published in the States before this reaches you, but there is one side-light or spot-light incident that may escape the notice it deserves. This general was ordered to send out a second battalion, which was to endeavor to cut its way through and rescue the surrounded one. Instead of sending out this relief, the general took it out, assuming direct command himself and marching at the head of his small party, for a battalion these days does not measure 750 men. Straight to the front he took his men, crossing one cliff and climbing down in the ravine beyond, every foot of the journey a fight against nature and most of the march a fight against the enemy, who used every weapon he had—gas, rifle and machine-gun fire, hand grenades, and Austrian 77s.

The general put up the hardest counter fight any man could, but the wire underbrush and machine guns proved too great a resistance for his party to overcome, and he was forced to return.

Any other man would have called the attempt a day's work, but not this general. He assembled a fresh battalion, or rather a part of a battalion, and started out once more, but again was forced, on account of casualties, to retire. I am not allowed to mention the number of casualties, but I can say that on both these trips the general lost over 30 per cent of his men in killed and wounded.

I was at his headquarters shortly after his return from the second expedition. He was tired, worn, but not downhearted, and it was under his direction that a party working in on the right flank finally reached and rescued the cut-off battalion.

Why the general was not killed is only due to the luck that follows the brave. His clothing was clipped by bullets more than once and shell splinters whizzed close by his head time and time again.

The act of this general has had a wonderful moral effect upon his men. It was a desperate undertaking, as any man who took part in it knew. I asked one soldier how he got through.

"I can never tell you, sir. We just said to ourselves if our general can take such a hell of a chance, I guess we can, and we went ahead." And how the news spread! Every man in the brigade was proud of that act. You could hear such remarks as, "Hear what our general did? He went out to the line just like any lieutenant, took things just like the men did, and got away with it. Some general, eh?"

I wish I could tell you that general's name, but I may say he was born in Brooklyn and is well known to most New Yorkers, and that he was the most prominent figure at Camp Upton when, and a few months before, we left there.

When we have a general who, knowing the necessity, cheerfully undertakes the duties and dangers of a second lieutenant, I think that the Metropolitan Division should change its name to the Precedent Division.

THE RIVERS OF FRANCE.

[By H. J. M.]

The rivers of France are ten score and twain,
But five are the names that we know.
The Marne, the Vesle, the Ourcq, and the Aisne
And the Somme of the swampy flow.

The rivers of France, from source to the sea,
Are nourished by many a rill,
But these five, if ever a drought there be,
The fountains of sorrow would fill.

The rivers of France shine silvery white,
But the waters of five are red
With the richest blood in the fiercest fight
For freedom, that ever was shed.

Five rivers of France, see their names are writ
On a banner of crimson and gold,
And the glory of those who fashioned it
Shall nevermore cease to be told.

The Seventy-seventh Division.

EXTENSION OF REMARKS
OF
HON. ISAAC SIEGEL,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 25, 1919.

Mr. SIEGEL. Mr. Speaker, the story of the Rainbow Division, which included the Sixty-ninth Regiment of New York National Guard, now known as the One hundred and sixty-fifth Infantry, has been so well described by the gentleman from Iowa [Mr. TOWNER], on February 12 last, that one could hardly excel it.

The story of the Twenty-seventh Division has been told at great length by the senior Senator from New York, Senator WADSWORTH, and now the story of the Seventy-seventh Division, which was made up from boys who were drafted in the city of New York, is to be told. It is a record which has made every New Yorker and every American proud. This division is the only American division that fought its way through the Argonne Forest, and distinguished itself from the moment that it arrived on the other side and was given the opportunity to show its laurels.

I had the extreme pleasure of being with this division during the latter part of July last, at Baccarat. There Gen. Duncan and Maj. Wilson, both from Kentucky, and Gen. Evan M. Johnson all told me that when the time came they were certain, using that word advisedly, that the boys from New York City, who had been taken from shop, factory, office, and subway and composed of all the nationalities which make up the big cosmopolitan city of New York, would astound the world. They did astound the world in the Argonne Forest fight, and the large number of distinguished-service crosses given to the men of this division tell their own tale.

The story of the "Lost or Lone Battalion," as it has been called, is one which has already gone down into the world's history to be repeated by generations yet unborn in all the years which the Republic will endure. It is the gallantry of these men under the most trying condition and the display of such extraordinary courage at a time when the enemy surrounded them that has most thoroughly established in the minds of all who love this country that in a time of future emergency we have nothing to fear.

Both the New York World and the Brooklyn Eagle have written the story of this division. The World account is by Cyril Brown, the famous war correspondent, and, therefore, I have selected his account of what this division did. It is as follows:

HOW THE SEVENTY-SEVENTH SWEPT THE ARGONNE.

CAMP UPTON DRAFT DIVISION, ORDERED TO ATTACK REGARDLESS OF LOSSES, SMASHED GERMAN DEFENSES AND NEVER GAVE UP A POSITION ONCE OCCUPIED—THEIR WORK IN FRANCE NEARLY FINISHED AND WITH A RECORD OF PROUD ACHIEVEMENT THE SEVENTY-SEVENTH HOPE SOON TO START HOMEWARD.

[By Cyril Brown, New York World staff correspondent with the American Army of occupation.]

CHAPTER I.

FROM HOME TO BATTLEFIELD.

HEADQUARTERS SEVENTY-SEVENTH DIVISION,
CHATEAU VILLAIN,
Chaumont Training Area, January 20.

"Who won the war?" The Seventy-seventh, alias the "Liberty Division," now marking time in the mud of "sunny" France and impatient to get home, claims its full pro rata share in the division of honors, and backs up its claim with the following record:

The Seventy-seventh was the first National Army division (composed wholly of men inducted into military service by the draft boards) to reach France.

The Seventy-seventh was the first National Army division to have the responsibility for even a quiet sector thrust upon it.

The Seventy-seventh was the first National Army division ordered into an active part of the line.

The Seventy-seventh was given the post of greatest honor in the final victory offensive—the critical hinge of the Argonne Forest; and it was the only American division to fight its way through the Argonne.

The Seventy-seventh scored the greatest continuous gain, 59½ kilometers, between September 26 and November 11, in the Argonne-Meuse offensive.

This summarizes the Seventy-seventh's record. Its chronological history falls into seven distinct acts, working up to a dramatic climax, as follows:

FROM TRAINING TO TRIUMPH.

1. Camp Upton, Long Island. Raw draft recruits licked into shape and shipped to France, looking no better and no worse than any other National Army outfit.

2. In the Pas de Calais. Training behind the front under British auspices.

3. In the Baccarat sector, Lorraine. Learning the fine points from the French in a quiet front sector and then modestly trying it on the boche on its own hook.

4. On the Vesle. Inauspicious debut in a real battle; mediocre, still amateur performance.

5. Advance to the Aisne. The Seventy-seventh "comes back" and finds itself, emerging with the professional look of a combat division.

6. The Argonne Forest. The Seventy-seventh more than makes good; it earns the title of "Conquerors of the Argonne," with three congressional medals of honor thrown in.

7. The whirling finish to the Meuse. The Seventy-seventh would be going yet if it hadn't been for that armistice.

The formal opening of the Seventy-seventh Division for business dates back to August 27, 1917, when the first batches of rawest recruits arrived at Camp Upton; and, though bunches of recruits and replacements kept arriving ever after right up to the armistice, this initial outfit is voted by experts to have been the most heterogeneous assortment of unlicked civilians ever gathered under the roof of any division. It was an all-New York outfit, and included specimens of every race, creed, and class, including Chinamen and East Side gangsters. It was a typical haul of the draft law dragnet in New York City.

This miscellaneous personnel was organized into the One hundred and fifty-third Brigade, composed of the Three hundred and fifth and Three hundred and sixth Infantry Regiments; the One hundred and fifty-fourth Infantry Brigade, composed of the Three hundred and seventh and Three hundred and eighth Infantry Regiments; the One hundred and fifty-second Field Artillery Brigade, composed of the Three hundred and fourth, Three hundred and fifth, and Three hundred and sixth Field Artillery Regiments; the Three hundred and second Engineer Regiment, the Three hundred and second Sanitary Train, and the minor divisional elements.

In the course of seven months it was licked into fair average shape by its commanding general, Maj. Gen. Franklin J. Bell, and his staff and hard-working line officers, until it looked good on parade down Fifth Avenue, and, with the usual polishing and tuning up in France, looked ripe for the real test of battle.

RUSHED THROUGH ENGLAND.

After the usual rumors and false alarms the Seventy-seventh began sailing from New York March 27 under its new acting commander, Brig. Gen. Evan M. Johnson, and sailing continued until April 1. The divisional convoy collected in Halifax, whence it sailed, nine ships in line, led by an American cruiser.

After 14 days at sea the coast of Ireland looked good to these ex-New Yorkers. The division was landed in Liverpool April 12, and its acquaintance with England lasted no longer than a day. The Seventy-seventh was hustled into dinky English trains and reached Dover on the night of its landing.

Quartered in barracks in Dover for its one night in England, the division was hustled across the channel the next day, arrived in France April 13, and was billeted in alleged rest barracks at Calais, where the Seventy-seventh got its first sniff of real war—the first impression made by the sight of ruined buildings bombed by boche aviators.

At the rest camp the Seventy-seventh immediately began getting ready for business by turning in its Springfield rifles and drawing British Enfields in return, preparatory to field training under British auspices. Also the blue barrack bags, containing two outfits per man, were turned in; but gas masks and steel helmets were added to the equipment instead.

MONTH'S INTENSIVE TRAINING.

From Calais the Seventh-seventh was hustled in box cars to the vicinity of Eperlecques, in the Department of Pas de Calais, where it got together May 6 for one month's intensive training under the British Thirty-ninth Division. The command of the division was now taken over by Maj. Gen. George B. Duncan, Brig. Gen. Evan M. Johnson resuming his former command of the One hundred and fifty-fourth Infantry Brigade.

Here the Seventy-seventh became gradually acclimated to the new climate of the front, training within earshot of the heavy artillery duel at Ypres and Mount Kemmel, and being targets for the nightly boche bombing raids, which inflicted the division's first eight casualties from enemy fire.

The New York doughboys eagerly absorbed British combat methods but balked at British grub, being a repetition of jam and tea supplemented by meat for dinner and cheese for supper.

Also, the doughboys from Broadway and adjacent alleys discovered that the cost of living, as supplied by canny French peasants and shopkeepers, soared with the injection of the American soldier's pay into circulation.

Small groups of officers and noncoms of the Seventy-seventh went regularly on Cook's tours to the fighting front and came back with tall tales and much useful information, particularly about the dangers of gas. These military tourists were most impressed by the colossal amount of shell fire.

The Seventy-seventh was beginning to feel its oats when, about the middle of May, the rumor spread that the division was to be sent into line. The division now enjoyed its first hike to the trenches; but the first training turned out to be 20 kilometers (12½ miles) behind the British line.

The Seventy-seventh now spent three days in almost sleepless field maneuvers, attacking, being attacked, and counterattacking, all without casualties—all against an imaginary enemy, with plenty of real ones only 20 kilometers away. After a few days' rest the One hundred and fifty-fourth Infantry Brigade, under Brig. Gen. Evan M. Johnson, was thought good enough to be sent into the area back of Arras, where it acted the part of a super as reserve to the British Second and Forty-second Divisions. Here the brigade became acquainted with and accustomed to "enemy fire searching the back areas" and nightly air bombardments.

Much as they loved their British pals and the British Army lingo the men had picked up, the pride of New York were darned glad, for grub's sake, when orders came to take over an American sector.

June 19 found all elements of the Seventy-seventh reunited after its scattered training course and ready to jump into the Baccarat sector in Lorraine, held jointly by the Forty-second (Rainbow) Division and the Sixty-first French Division. This was also the division's first encounter with French soldiers. In relieving the Rainbow Division in the Baccarat sector, the Seventy-seventh felt particularly proud of the fact that it was the first National Army Division to take over part of the front line.

The relief of the Rainbow Division was completed between June 19 and 26, but the boche apparently knew that the boys from Broadway were coming, for, as credibly recorded, from a German captive balloon floated the message, "Goodby, Forty-second—hello, Seventy-seventh!"

"HOUSE WARMING" WITH GAS.

Those who interpreted this message as an attempt on the part of the Teuton to fraternize were wrong, for the German artillery only waited until the relief was about completed, and at 4 a. m. on June 24 the boche gave the Seventy-seventh an unwelcome housewarming with mustard and phosgene gas, particularly specializing on the most densely billeted villages of Migneville, St. Maurice, Nouviller, and Badonville, but also distributing his random favors throughout the Seventy-seventh's new front area.

The Seventy-seventh, however, took to gas like ducks to water; and as a result of approximately 3,000 rounds fired, only 180 casualties resulted, of which only 100 were due to gas and all those, as investigation revealed, were due to removing gas masks prematurely rather than to tardiness in getting them on.

The Baccarat sector, south of Strassburg, is on a line between Luneville and St. Die, and the Seventy-seventh was given the part extending from Herbeviller on the left to a point east of Badonviller on the right. The so-called La Blette, Montigny, Ste. Pole, and Badonviller subsectors were held, respectively, by the Three hundred and fifth, Three hundred and sixth, Three hundred and seventh, and Three hundred and eighth Infantry from left to right. Each of those subsectors constituted a battalion front, with one battalion lying in support and one in reserve, the battalions rotating in turn in the front line, the front-line trick averaging from a week to 10 days. An expected complimentary attack on the part of the Germans on July 4 did not materialize, though the whole division was on the qui vive.

Under French tutelage, the Seventy-seventh had made such good practive that between July 15 and 18 the Sixty-first French Division was withdrawn, leaving the Seventy-seventh in supreme and sole command of the Baccarat sector. At this time, too, the divisional artillery showed up, thus dispensing with French artillery support and making Baccarat literally an all-American sector.

The division remained in the Baccarat sector until August 4, when it was relieved by another American novice division—the Thirty-seventh. Except for snappy patrol work in no man's land and enthusiastic artillery practice, the Baccarat sector was as peaceful as an armistice; the activities of the Seventh-seventh here were in the nature of practical laboratory work in modern fighting, and the Seventy-seventh served its apprenticeship at a relatively small cost. Its bag was small—three prisoners captured, no officers, no rifles, no guns, no machine guns, and no ground gained. There was nothing much doing in the Baccarat sector except acquiring experience, which, on the first real battle test, proved to have been insufficient.

BITTER BATTLE EXPERIENCE.

Nothing but bitter battle experience can turn a draft division into an elite combat division, and this the Seventy-seventh got on the Vesle in large doses, swallowed it, survived, and improved in fighting form until it classed with the best of the regular outfits. The Seventy-seventh had the potential "goods"; the "Hell-hole Valley of the Vesle" consolidated the "makings" of a crack division into the finished product capable later of doing the impossible—conquering the Argonnes.

Relieved from the quiet Baccarat sector, the Seventy-seventh got in action August 3 without knowing whither, the infantry hiking to Charmes, the artillery to Bayon, both for entrainment. On the eight-hour train ride the men began to "get warm" to the knowledge that they were heading into real war as they wormed their way along one of the main lines of communication. Detrained, the infantry was hustled in camions via Fere-en-Tardenois, the artillery in forced night marches via Chateau-Thierry to the relief of the battle-worn Fifty-second French and Fourth American Divisions. The Seventy-seventh was given no time to be shown around and get acquainted with its new premises; the old tenants pulled out as the new moved in.

A French division held the sector on the Seventy-seventh's left, while the Twenty-eighth (Pennsylvania) Division was on its right. Opposing the Seventy-seventh were the German Seventeenth, Thirty-ninth, and Two hundred and sixteenth Divisions and the Fourth Guard Division; nothing was wrong with the morale of those opponents at that time. They were still boche fighters of the old school; a tough proposition for the New York Guards to stack up against on their battle debut at odds of 4 to 1.

By August 11 the infantry was all in the Vesle line, but the last of its artillery did not get into position until the 17th. The Seventy-seventh found itself hurled into the hottest kind of a hole; the dog days (and nights) were superheated with all the "stuff" the Germans had—and the Germans at that time were prodigal in sending it over. The front of the division ran parallel to the Vesle and extended from Mont Notre Dame and St. Thibaut through Ville Savoye in the direction of Fismes. The artillery was posted in the area behind Hill 210. The Germans had as yet unbroken strangle hold on the north bank of the muddy, sluggish Vesle, which, though averaging only 30 feet wide and 10 deep, proved, on account of its high, straight banks and steep ridges on both sides, a formidable obstacle.

FIERCE HAND-TO-HAND WORK.

Here the Seventy-seventh, on its first appearance in battle, was discouragingly hung up for three weeks, with little to record except casualties, "beaucoup" enemy gas, the monotonous repetition of enemy barrages, and superactivity on the part of patrols, with bursts of fierce hand-to-hand fighting.

"Baccarat was only a boxing match, but the Vesle, that was a real fist fight," is an epigram attributed to one of the Vesle Valley graduates.

Night after night the Three hundred and second Engineers heroically worked at repairing the bridges over the Vesle, under heavy shell and machine-gun fire. The Seventy-seventh succeeded in pushing outposts across the Vesle and maintaining them in the outskirts of Bazoches and Chateau du Diable.

One typical bit of heroism on the Vesle, singled out of many, deserves special mention. During an important change in the line a Chinese, Pvt. Sing Kee, of the Three hundred and seventh Infantry (now color sergeant of his regiment and decorated with the distinguished-service cross), was operating the message center in Mont Notre Dame, when the Germans bombarded it with gas shells. And though all hands, including Sing Kee, were gassed, he stuck to his post and continued to operate the message center for 24 hours.

SEVEREST POSSIBLE STRAIN.

For three weeks the New York division was subjected to the severest possible strain—that of holding an artilleristically superactive sector

without the incentive of scoring an inch of advance. The only diversion during this period was the brilliant but bloody raid on Bazoches—unique in the record of the Seventy-seventh, because it was the only time in all its offensive operations that the division was forced, through no fault of its own, to yield up an objective once gained.

Bazoches, lying deep in a pocket on the German side of the Vesle, was credibly reported to harbor only a relatively weak force of Germans, and the mission accordingly was to take and hold the village of Bazoches by working around it, attacking simultaneously from front and rear and flanks. The tactical plan was brilliantly conceived, placing one platoon of infantry and two machine guns at the extreme northern corner of the village, one platoon of infantry with two machine guns in the northwestern end of the village, one platoon of infantry southwest of the village, south of the railroad, one platoon south of the railroad, southeast of the village. Company G and machine guns of the Three hundred and sixth Infantry were selected for this job. They were ordered to mop up the village thoroughly, while Company E of the Three hundred and sixth was to move up in support.

The attack on Bazoches started at 4.15 a. m. The first platoon and machine guns, followed at 30 yards by the second platoon, forced its entrance into Bazoches at the worthwest corner, placed a machine gun and proceeded to mop up. Shortly after 6 a. m., one platoon of Company E, Three hundred and sixth Infantry, attempted to reinforce Company G but found the German fire too heavy to retain their positions.

The inevitable German counterattack got under way, and nothing further became known of the subsequent movements and fate of the first two platoons to enter Bazoches. While these first two platoons were fighting their way into the northwest portion of Bazoches, the third platoon made progress from east to west in the northern part of the village, thence proceeding to the eastern edge and south as far as the railroad, mopping up in transit.

REST WERE "CASUALTIES."

With daylight the third platoon dug itself in on the railroad and signaled "objective reached." At 6.25, after the enemy had bombed this platoon from front and both flanks, Lieut. Gregory retired across the Vesle, crawling to battalion headquarters, accompanied by four men, the rest being reported as casualties.

The fourth platoon, after entering the village according to plan, proceeded in a southwesterly direction through the center of the village and dug itself in along the railroad track. It was subjected to fire from three sides, and had no news of the other platoons. About 10 a. m. Capt. Bull, in command of the raid on Bazoches, who was with the fourth platoon, decided to withdraw from the village.

These were the simple facts of the raid on Bazoches, but there attaches to them an importance out of all proportion to the size of the operation and the price paid for temporary success and failure.

The raid on Bazoches proved a combination milestone and turning point in the Seventy-seventh's history. Bazoches could be seen into, smothered in barrages and easily counterattacked from the dominating heights on three sides. It could be taken, but it could not be held. It was untenable so long as the heights were in German hands. The way to take Bazoches and hold it was to capture the heights first.

Bazoches taught the tacticians of the Seventy-seventh a lesson the sooner learned the better, and which probably saved the Seventy-seventh heavy casualties in future offensive operations of greater magnitude. As a practical lesson in tactics, Bazoches was well worth the price of several platoons. But over and above this even more important, the experience of Bazoches precipitated a rapid process of transformation within the Seventy-seventh, from which it emerged less than three weeks later, on the Aisne, a full-fledged combat division of the finest fighting temper and efficiency.

The name Bazoches still awakens bloody memories in the Seventy-seventh, though in no sense a defeat. The division was given ample opportunity to forget it, however, in the exhilaration of its first victorious advance. Shortly after the Bazoches episode Maj. Gen. Robert Alexander took command of the Seventy-seventh, replacing Maj. Gen. George B. Duncan. Under the new leader the Seventy-seventh "found its soul," as a veteran member phrased it, and was molded into an irresistibly efficient attacking organism. Not a foot of ground once gained was lost again from the Vesle to the armistice.

FIRST ADVANCE.

On September 2 signs were reported of an impending enemy retirement. Columns of smoke rose above villages in the German line next day. The Seventy-seventh, on its toes, jumped the barrier of the Vesle September 3 and pressed hard after the retreating boche, fighting a sharp and successful engagement with his rear guard on the heights above Haute Maisons. The Seventy-seventh, in its eagerness to advance—the first advance in which it had ever participated—outdistanced its right and left flanks.

On the morning of September 4 it resumed its advance and continued each succeeding day to gain ground consistently in the general advance to the Aisne, until, on the eve of a major attack, for which it had made all preparations, it was suddenly relieved by an Italian division under Gen. Garibaldi, in the night of September 13. In its first advance the Seventy-seventh had clocked off a gain of 12 kilometers (7½ miles) against stiff German rear-guard resistance. The division of New York recruits had emerged from the "hell-hole valley of the Vesle" a veteran division, equal to the best and adequate to the toughest assignment. It received a breathing spell of only two weeks before being turned loose in the Argonne Forest.

CHAPTER II.

THROUGH ARGONNE FOREST.

The climax of the Seventy-seventh Division's brief history is the conquest of the Argonne Forest, a performance of such sustained brilliance in the triumph over seemingly unconquerable obstacles that it can not be beaten by the record of any other American division. To the Seventy-seventh belongs the peculiarly dramatic credit, after its discouraging and very mediocre début in battle, of having pulled itself together into a combat division of the first water and of having "found itself" just in time for its greatest finish fight, emerging thence in the championship class.

It was a new Seventy-seventh in everything but name, pulled together into fine fighting form by the powerful personality of its new commander, Maj. Gen. Robert Alexander, stung into new fighting efficiency by its bad mauling on the Vesle, and, above all, animated by a new divisional spirit—"one fighting organism animated by a common soul"—which left the Vesle-Aisne sector on the nights of September 16–17 and 17–18, proceeding by camion to the vicinity of Civry-en-Argonne, where the troops were disembarked and placed in temporary billets. The Seventy-seventh Division now formed part of the First Corps of the First American Army.

The Seventy-seventh had the distinction of being picked to perform what neither the French nor the Germans had dared during four years of war—an offensive operation in and through the Argonne Forest—and while numerous American divisions are justly claiming premier honors for the success of the Argonne-Meuse offensive, the Seventy-seventh enjoys the undisputable, sole credit for having been the only division which actually fought in and through the dark Argonne Woods.

As a battle ground the Argonne Forest is absolutely unique. There was nothing else like it on the whole west front. It is a region of continuous dense woodland and thickest underbrush, a succession of hills and ravines, of brooks and swamps, with few roads, and those few invariably commanded by the wooded heights. The Germans held all of the Argonne except the open woods in the south, and in four years of virtual armistice they had fortified the Argonne Forest by every means known to scientific ingenuity into an impregnable fortress, which, perhaps, only Americans would have been daring enough to tackle.

German artillery commanded the few roads of approach and every treacherous ravine. German machine guns swept every forest path and insignificant trail and every hill slope. German machine guns were further posted thickly in echelon, so as to form interlocking bands of fire, long chains of machine-gun fire barrages. The trees were interlaced with barbed wire, with successive defensive systems running miles back. The Germans, too, had been prolific in their use of cement. In four years they had constructed systems of reinforced concrete trenches; the terrain was dotted with cement "pill boxes." There were blockhouses, tree-top "fortresses."

Above all, the Germans had four years of experience in Argonne Forest guerrilla warfare and a perfect knowledge of the terrain, reinforced by lookout towers, concealed observation posts, an elaborate telephone system, and a narrow-gauge railway system for bringing up troops, ammunition, and supplies.

TOUGHEST NUT TO CRACK.

No sane German ever dreamed of an attack through this fortified forest. It was the toughest nut which any American division was given to crack.

The French and the German lines, close together, ran—and had run for four years—from La Haraizee through to La Four de Paris, and thence eastward through La Pas Court Choisse to the northern border of the forest on the Aire River. The Argonne Forest in German hands was approximately 22 kilometers long and from 7 to 9 kilometers wide. The problem of the Seventy-seventh Division accordingly was to attack the Argonne on a 7 kilometer front and to drive straight through it for its entire length of 22 kilometers, emerging on the Aire.

During the night of September 23–24 the Seventy-seventh Division moved into the second line in the Argonne Forest, the French continuing to hold the first line so as to mask the American enterprise from the enemy right up to the last moment. The artillery of the division reached the new sector on the night of September 24–25 and went into position.

The enemy now appeared to suspect that something was doing and showed all the usual signs of nervousness. The German patrols became superactive and attacked three nights in succession, but found only the French, and were invariably driven off without penetrating the American secret in the Argonne. The German artillery, too, searched the rearward lines of communication with high-explosive and gas shells.

But everything possible had been done, and done successfully, to conceal the nature of the enterprise from the Germans. Allied air supremacy kept the boche planes from coming over. Troop movements took place at night and in utmost silence. American Artillery observers during the period of preparation wore French uniforms. No English was spoken over the telephones. The Artillery was not permitted to indulge in practice shooting or "registering."

The initial attack was scheduled for 5.30 a. m. on September 26. During the night the Seventy-seventh moved up from the second line and the French withdrew. At midnight the last French outposts were relieved. The Seventy-seventh was on its toes for the attack.

The division had to attack on a front of seven and a half kilometers. Accordingly, all four Infantry regiments were in the front line. This disposition was not ideal and not at all what the commanding general would have liked. But no other disposition was possible, as the frontage to be covered was so extensive.

The line-up was as follows: The Three hundred and eighth Infantry Regiment on the extreme left of the line, then the Three hundred and seventh Infantry, then the Three hundred and sixth Infantry, then the Three hundred and fifth Infantry on the extreme right of the line. The Seventy-seventh Division had on its left the First French Division and on its right the Twenty-eighth (American) Division.

LEFT FLANK EXPOSED.

There was also organized a Franco-American force, intended to act as a combat liaison group on the division's left flank. This combat liaison, consisting of the Three hundred and sixty-eighth Infantry of the Ninety-second (American) Division, was to have advanced in conjunction with the left of the Seventy-seventh Division, but failed to do so, and in consequence the left flank of the division was exposed during the whole period of the Argonne Forest drive.

There was yet another handicap to the initial attack. It was impossible to get the Artillery through the dense woods along the entire front of attack. The Artillery was tied to the few roads traversing the forest.

Even so it was necessary to fell some half a hundred trees in order to provide a field of fire for each battery. In order not to advertise the attack to the enemy, the trees were sawed nearly through and wedged, but not toppled over until just before the beginning of the Artillery preparation.

For the opening barrage the 75s of the Three hundred and fourth Field Artillery Regiment were placed on the road running east from La Chalade across the ridge, where they were reinforced by some French 6-inch guns; the 75s of the Three hundred and fifth Field Artillery Regiment were placed on the north and south road in the northeast sector of the Bois de Hauts Batis; and the heavy 155s of the Three hundred and sixth Field Artillery Regiment were placed on the roads in the vicinity of Le Rond Champ and Croix Gentin.

The artillery was given the task of pounding and cutting 16 distinct avenues through the enemy wire for the passage of the attacking infantry. Four of these avenues were to be cut at La Fille Morte and four at Taille Rongard, on the front of the One hundred and fifty-third

Brigade, comprising the Three hundred and fifth and Three hundred and sixth Infantry. Three avennes were to be cut through the enemy wire east of La Four de Paris across Ravin Intermediaire to Rau des Meurissons, and one to the north of Rau des Meurissons. Two lanes were to be cut to the east of La Haraizee, and two more south of Rau de la Ferme aux Charmes.

ARTILLERY JOB WELL DONE.

At 2.30 a. m., September 26, the artillery preparation began and continued three hours. At 5.30 a. m., on schedule time, the infantry attack was launched. The artillery had done its job well of cutting those 16 avenues for the attacking infantry, and as the infantry went over the top the 75s placed a rolling barrage 500 meters ahead of the infantry, while the 155s placed a protective barrage 500 meters ahead of this barrage. For the next 25 minutes both barrages were advanced by 100-meter jumps, 100 meters every 5 minutes. This, too, was the initial progress made by the infantry attack.

Worth recording is this address of the commanding general to his infantry officers on the eve of the attack:

"I don't believe we will find very much opposition in the first or even second line. Such opposition as we find will be confined to machine-gun nests. We have all had opportunity to see the aeroplane photographs of the ground we are going over. It is very densely wooded and it is probable that it is very difficult to get through, and that along paths you will find such machine guns as are warranted there. You will find machine guns on the paths and drains. We shall have to work around them and cut around them through the bush. I can not go into detail on the work of the artillery and you don't care about that. I will tell you where it is going to be. It is hard to draw up a definite plan on account of the terrain and the difficulty of registering fire. You all realize that the closer up you get to that barrage, which is to precede you by 500 meters, the more protection it is for you. If you lay behind and it passes on, before you get there the enemy is up and using his weapons. Keep as close to it as you can. The limit of 500 yards was put on it for reasons that I have carefully considered. It is not necessary for you to stay back there."

All four regiments attacked simultaneously, abreast—all four similarly disposed, with one battalion in the front line, one battalion in support, and the third battalion forming either divisional or brigade reserve. Their opponent was the Second Landwehr Division, but little opposition was encountered in the enemy front line.

WALKOVER BEHIND BARRAGE.

The Seventy-seventh had a walkover behind the effective rolling barrage through those 16 avenues blasted through the enemy wire, and an average gain of 2 kilometers was scored on this first day. On the night of the 26th the division's line had been established on the ridge north of the road running from Four de Paris over Barricade Pavilion to Carre des Meurisons; thence south of St. Huberts Pavilion, parallel to the Biesme River.

The second day of the attack brought the real thing in the way of fighting. From now on there was no more easy going, as the German defense unfolded itself. The division renewed the attack at 5.30 a. m., September 27, after a half hour's artillery preparation.

Unfortunately, liaison with the French division on the left and the American division on the right could not be satisfactorily established and maintained. In fact, throughout the Argonne Forest operation both flanks of the Seventy-seventh continued exposed. And whereas, according to plan, the French and American divisions operating immediately to left and right of the Argonne Forest were to have advanced steadily ahead of the Seventy-seventh, thus squeezing the Germans out of the Argonne Forest by a double flanking process, leaving the Seventy-seventh to harass the retreating Germans and mop up the Argonne; in reality, as it turned out, the inability of the adjacent First French and Eighty-second American Divisions to make progress according to schedule, put it squarely up to the Seventy-seventh to push the Germans out of the Argonne Forest by persistent line bucking frontal attacks, without the help of squeezing pressure on the German flanks.

On September 27, while the Three hundred and eighth Infantry on the extreme left managed to push steadily ahead, the Three hundred and seventh, adjoining it, encountered the first serious resistance from the heights on its right front above Rau de la Ferme Aux Charmes. The Three hundred and seventh had run into the first of the system of enfilading machine-gun nests defending the whole plateau south of Bagatelle. The Three hundred and sixth and Three hundred and fifth Infantry soon ran up against the same enfilading machine-gun fire proposition. From now on it was hand-to-hand fighting, and cleaning out individual enemy machine-gun nests patiently, systematically, one at a time. The Seventy-seventh had to nibble its way through the machine-gun-nest-infested Argonne Forest.

Typical of the character of the wilderness fighting which ensued in the Argonnes was the advance of Companies B and K of the Three hundred and sixth Infantry. Separated from the rest of their regiment with which they had begun the attack on the morning of the 27th, these two companies at first found easy going down a deep ravine containing 100 abandoned enemy dugouts showing every evidence of hasty flight. In high spirits they marched Indian fashion in single file up the opposite slope to meet the unknown.

WALKED INTO TRAP.

On the crest of the hill they were halted by strong barbed wire, but no sign of a living enemy. While inspecting the wire they were startled by a red rocket, the signal for the cleverly hidden boche to open fire from the front and flanks. Companies B and K had walked with high spirits into a man trap, but, characteristically, they fought their way out of the trap by advancing through it. A sergeant and six men of Company B located a gap in the wire, crawled through it, and cleaned up two enemy machine guns. Wire clippers now went into action. In three minutes both companies were through the German line and in the German trench system.

A hand-grenade attack by invisible boches quickly followed, but did not dislodge the two American companies. A second German attack, this time behind a blue smoke screen, followed. It was beaten off by American rifle fire.

A third German attack followed from the left flank and took K Company by surprise. The Germans gained a foothold in the left end of the trench and proceeded to make it hot with hand grenades.

With the slogan "Up and at them!" Company K counterattacked. The Germans took cover in the bushes.

They now tried a trick play, 30 or 40 advancing with hands up and yelling "Kamerad."

Companies B and K fell for it, but never again as long as the Argonne drive lasted.

"The 'Kamerad' kids, on reaching the trench, tossed in hand grenades, inflicting heavy casualties. After that we simply let 'em have all we had," a veteran of the Argonne is quoted.

MONOTONOUS AND COSTLY.

Just as these two companies had gained a precarious foothold in St. Huberts Pavilion and were fighting off incessant German counter-attacks other units to right and left were having about the same experience. This was characteristic of the advance through the whole Argonne—daring thrusts all along the line and wherever a foothold was got inside the enemy's defenses a grim holding on until the rest of the line got up—a monotonous and costly operation, which had to be repeated day after day and many times a day. During the 27th attacks were made against the strongly intrenched positions of Abri de St. Louis, Four de Zube, and St. Huberts Pavilion. The Three hundred and fifth Infantry assaulted Abri de St. Louis four times before the German resistance was overcome. The Three hundred and sixth Infantry assaulted the trench position in the Four de Zube three times before the enemy was finally driven out.

This second day's fighting closed with a satisfactory average advance of the division's line of 1½ kilometers, except in the center, which was held up. The engineer and railroad dump of Barricade Pavilion was the biggest in the day's booty.

The Seventy-seventh now continued its advance from day to day, attacking each morning with monotonous regularity and continuing to attack and advance during the day. Steady progress was made each day. The positions occupied were firmly held. No position, once occupied by the division, was ever given up—a remarkable record.

Fighting on the morning of September 28 opened auspiciously. For several hours the advance of the Infantry met no effective opposition. After overrunning the first enemy line of resistance on the jump-off on the morning of the 26th no formal organization of the terrain was encountered until the morning of October 1, when the enemy's second formal line of resistance was reached, running along the crest of the Bois de Naza, extending thence westward into the trench system running north and southeast from the Bagatelle Pavilion.

The advance to this second main line of resistance was, however, made against skillfully improvised defenses, with German machine guns covering every opening through the thick forest. And, unfortunately, it was impossible to use effectively the Artillery for supporting the Infantry advance. From now on the Infantry had to rely almost entirely on itself.

On the morning of the 28th St. Huberts Pavilion and Abri St. Louis were passed and mopped up. The Three hundred and seventh Infantry bagged the Bagatelle Pavilion. The Three hundred and fifth Infantry stormed Abri du Crochet. At 2 o'clock the Three hundred and seventh gained contact with the enemy's second organized line of resistance north of Bagatelle, checked it, and dug itself in 300 meters south of Depot des Machines.

KILLING BOCHES SINGLY.

On its right the One hundred and fifty-third Brigade, comprising the Three hundred and fifth and Three hundred and sixth Infantry, found better going and pushed steadily ahead. It enjoyed the sport of tracking, hunting down, and killing individual boches. With finger on trigger the men stole stealthily through the underbrush, with eyes peeled for skulking Germans. There was a touch of Indian warfare about it. And how keen on the hunt were these New York doughboys was indicated by some of the bodies, which showed anywhere from a dozen to 50 bullet holes.

On September 29 the One hundred and fifty-fourth Brigade (Three hundred and eighth and Three hundred and seventh Infantry) made a record gain of 3 kilometers to the heights bordering the Abri du Crochet, incidentally capturing in transit one of the famous German de luxe rest areas. The American discoverers found here in the heart of the Argonne, honeycombing the hillsides, mammoth model bomb and shell proof dugouts accommodating 50 men each. For the German officers there were even more elaborate dugouts of concrete, with concrete and log roofs 20 feet thick. Outside they were ornamented with carved oak trimmings and looked more like Swiss cottages or swell hunting lodges than dugouts. The bedrooms and living rooms were done in oak paneling, and all were equipped with running hot and cold water, bathrooms, and electric light. The furnishing of the officers' rest dugouts was luxurious, and outside there were gardens in bloom. An open-air beer garden with band stand, a bowling alley, concrete swimming pool, chapel, library, officers' casino, and large theater were other features of the German rest resort that fell into American hands.

FLED FROM THEIR FEAST.

Germans taking the rest cure here had interrupted it abruptly, for the victors found plenty of wine, cigars, and food on the premises, tables set, and every other indication that the patients had deserted on the spur of the moment, saving only their skins and the clothes on their backs. Those of the Seventy-seventh lucky enough to pass through here made adequate use of the spoils.

While the left wing was gaining 3 kilometers on the 29th, the right wing clocked off a good kilometer and a half advance to a position southwest of the Depot des Machines; but the center was hung up and could book little progress. The enemy resistance was stiffening as the divisions got near the second organized German line of defense.

On the 30th the right wing, the Three hundred and fifth and Three hundred and sixth Infantry, devoted its activities to house cleaning, consolidating positions, perfecting liaisons, bringing up supplies and ammunition, and re-forming for the inevitable assault on the supposed Kriemhilde Stellung ahead.

The One hundred and fifty-fourth Brigade, on the left, made the customary morning attack, but without success. The Three hundred and seventh Infantry's attack without artillery support failed to gain. It attacked again in the afternoon, aided by thermite from Stokes mortars, and pushed the enemy off the hills north of the Depot des Machines. The enemy retreated 1 kilometer to his main line, where he held. Also, a fresh enemy division, the Seventy-sixth Landwehr Division, was identified.

The Seventy-seventh was now bucking the line against two known enemy divisions.

On the morning of October 1 the division was in contact with the main German defensive system all along the line. All day the entire division attacked the entire front of the German position, but was stopped at every point. It was the first time since the kick-off on the morning of September 26 that the Seventy-seventh had been checked on its entire front.

Night brought the commanding general's insistent order to attack all along the line in the morning and to break through, regardless of cost.

The crisis of the Argonne operation had come; the immediate sequel was to be the story of the "Lost Battalion."

CHAPTER III.

"LOST BATTALION'S" STORY.

The inside story of the so-called—and miscalled—"Lost Battalion" marks the crisis of the Argonne Forest fighting. And the following account is authoritative, based on official records not heretofore available to the public.

The crisis week of the Seventy-seventh Division began on the morning of October 2. On that crucial day the Seventy-seventh's brilliant seven days' continuous fighting advance had come to a standstill. There was no hopeful local progress at any single point. On this memorable morning the Seventy-seventh found itself very literally "up against" the strongest conceivable enemy system of defenses, running across and along wild, deep ravines, densely wooded hills, and through the typical mad Argonne tangle of trees and underbrush.

This enemy line of greatest resistance ran along the ridge of Bois de la Naza, thence across the Ravine de Charleveaux, whence it extended over wooded hill and dale to a ravine trench system south of La Palette Pavilion. The critical impasse of the Seventy-seventh on the morning of October 2 reminded you of the old problem about "What happens when an irresistible force meets an immovable body?"

For the Seventy-seventh there was only one answer: The enemy line must be broken, regardless of cost. The success of the whole Argonne Forest operation was at stake and depended on immediately breaking the enemy line preliminary to resuming the old continuous advance.

The division was accordingly ordered to attack at 12.50 p. m. on its entire front, regardless of losses. The elements of the division were further ordered, if successful in breaking through the German line, to advance regardless of flank protection and to hold their objectives until the rest of the line caught up with them.

"LOST BATTALION'S" FEAT.

The division attacked on schedule time, supported by a barrage and by a simultaneous attack by the French holding the Binarville sector west of the Seventy-seventh. But the attack ran into murderous enfilading fire from cleverly concealed machine guns which apparently left not a loophole on the entire front. The determined attack, regardless of losses, seemed to be a failure.

When the situation cleared a slender ray of success appeared. The "Lost Battalion" alone had succeeded in breaking through the German line. At all other points the division had been held up. Elements of the First and Second Battalion of the Three hundred and eighth Infantry, reinforced by sections of Companies C and D of the Three hundred and sixth Machine Gun Battalion, all under the command of Maj. Charles S. Whittlesey, and later reduced by casualties to the famous "Lost Battalion" had found Achilles's Heel of the impregnable German line—its one vulnerable spot.

This was the Ravine de Charlevaux, on the extreme left of the division's line and running through the center of the Three hundred and eighth Infantry's sector. The one undefended spot of the German line was in the bed of this ravine, and by a process of infiltration through the underbrush along the eastern bank of its slender stream Maj. Whittlesey's force, now comprising Companies A, B, C, E, G, and H, of the Three hundred and eighth Infantry, with the added machine-gun detachments, succeeded in breaking through the German line and alone reaching its objective, the so-called Charlevaux Mills.

Without support of any kind on either flank this solitary band of unconscious heroes had reached—and intended to hold—a position deep within the enemy's lines. On their left the French attack had made no progress and had been held up in front of La Palette Pavillion. On the right the Three hundred and seventh Infantry had been able to make no progress either, and had been checked in front of the Bois de la Naza.

BEYOND REACH OF RELIEF.

At this time the "Lost Battalion" had no way of knowing that it was far in advance of the checked elements on both its flanks. It only knew that it had broken through the German trench and wire system, losing about 90 men, but capturing two officers, 28 privates, and 3 machine guns. It confidently expected support in the form of reinforcements; and, as a matter of fact, the Third Battalion of the Three hundred and seventh Infantry actually did attempt to follow it that same night, but only Company K succeeded in slipping through and reinforcing Maj. Whittlesey in the morning. The torn ends of the broken German line quickly reached out behind Maj. Whittlesey's force and succeeded in effecting a junction, thus preventing the coming up of further reinforcements.

To the layman it might look as if Maj. Whittlesey's band of heroes had blundered with their eyes open into a mantrap. But nobody had blundered. Maj. Whittlesey had specific orders to break through the Charlevaux Mills and hold it until the rest of the line got up, which left him no discretion for avoiding a possible mantrap by retreating or, once in, trying to fight his way back.

While the commanding general's orders were inspired by higher considerations than those of tactical soundness, this was one of those battle crises where success could not be achieved according to book rules, where the only chance of success lay in a bold tactical measure of theoretical unsoundness. "Break through at all cost and then widen the breach in the process of rescuing the 'Lost Battalion,'" summarizes this crisis maneuver.

That night Maj. Whittlesey took up a position near the crest of the hill south of La Viergette-Binarville, close to the Bois de Buirrone and about 500 meters east of the Charlevaux Mills. He and his band did not know until morning that in the night the Germans had been superactive, digging trenches, running barbed wire entanglements, and posting machine guns in his rear, across the path of his advance, and thus repairing the break in the German line which his force had made.

COMPLETELY CUT OFF.

Without knowing it, he was that night completely cut off from the division and entirely surrounded by Germans, his force forming a small American island within the German system of defenses.

Knowing nothing of this, Maj. Whittlesey's dispositions for this first night of isolation were admirable and, as subsequent events proved, almost miraculously perfect.

Casualties had reduced his command to 600 effectives, including the machine gunners. These "babes in the Argonne Woods" were now hopelessly "lost" in a deep "pocket" formed by the junction of two steep ravines with slender streams meeting at right angles. On four sides they were hemmed in by steep, densely wooded slopes.

In the darkness Maj. Whittlesey led his men, struggling through the morass, across the brook and junction of the two ravines, and up the tangled slope almost to the crest. In front and about 100 yards from the crest the Binarville-La Viergette road hugged the slope.

With the utmost difficulty funk holes were dug in the stony ground of the hill slope. Also, the men had no blankets or overcoats. And lastly, they had already eaten up their reserve rations in the course of their advance. But this night they were to enjoy their last quiet, restful night. Not until morning—the morning of October 3—did they discover the true character of their desperate position.

E COMPANY SURROUNDED.

At daybreak, October 3, details were sent to the rear for rations. At the same time Company E, under Lieut. Wilhelm, was sent back to attack from the west of the ravine from which the original attack had been launched, in order to assist reinforcements in getting through and up. But at 10 a. m. only 18 men, led by Lieut. Lenke, returned and reported to Maj. Whittlesey that E Company in going back had been surrounded, and that Lieut. Wilhelm had ordered him to save his platoon. Lieut. Wilhelm later succeeded in fighting his way back with a very few survivors of Company E.

For the first time Maj. Whittlesey and his band now realized beyond a shadow of a doubt that they were cut off in the rear. This disquieting information was supplemented by patrols who quickly returned and reported Germans to right of them, Germans to left of them, and not a ghost of a chance of establishing liaison either with the French, who were expected to come up on the left, nor with the Three hundred and eighth Infantry, scheduled to advance on the right.

Half an hour later came confirmation that the isolation of the "Lost Battalion" was complete. Two runner posts in the rear had been attacked and scattered by the Germans; the battalion's rearward line of communication by runners no longer functioned, and an attempt was made to report this ominous fact to regimental headquarters by carrier pigeons.

Knowing their situation, but also knowing their orders to hold, the "Lost Battalion" now prepared for its death struggle. Maj. Whittlesey disposed his forces in the form of a hollow square on the slope of the hill, with machine guns posted on the corners, prepared to meet an attack from any point of the compass. Then the agony of waiting began.

There was only one relatively bright spot in their position. The German artillery could do the "Lost Battalion" relatively little damage. The German artillery opened fire at 8.30 a. m., but few of the shells got home because of the battalion's peculiarly lucky position on the steep back of the hill near the crest. The shells from the German field guns and howitzers whizzed right over the crest of the hill and over the heads of the "Lost Battalion." More disconcerting was the fire from a German trench mortar 600 yards in the battalion's rear. A platoon sent back to silence this mortar was driven back by murderous machine-gun fire from the rear.

At dusk of the same day, October 3, enemy voices were heard on the left flank, and Cossack patrols, drawn in, reported large groups of lurking Germans seen through the trees. In the growing darkness the voices drew nearer, and the commands could be clearly distinguished; also the frequent ejaculation "Amerikaner."

It was uncanny to be able to eavesdrop the preparations for an impending attack without knowing from which of four sides it might ultimately be launched. Clarity was brought by a daring scout, who returned and reported massed Germans on the 20-foot-high cliff which overhung the road cut into the slope of the hill on which the front of the "Lost Battalion" rested.

German commands could now be heard in front, at the rear, and on the left flank as the Germans came into position for a concerted attack. The "Lost Battalion" was cautioned to be "steady," as the supply of ammunition was very limited.

HAIL OF GRENADES.

Suddenly from the top of the cliff the men heard the German command, "All together, now." A hail of hand grenades nicknamed "potato mashers" followed. The hand-grenade attack lasted 10 minutes. The men of the "Lost Battalion," however, were models of steadiness and fired not a shot, though ready to fire at word of command.

Again the German command "Everything in readiness" was heard from the top of the hill, heralding the second attack. But it was never pulled off, because the "Lost Battalion" now received the eagerly awaited order to "commence firing," and the boches were "caught in the act," out of their holes, in erect positions ready to toss their potato mashers. The effectiveness of the American rifle was proved by the cries of the wounded Germans in the woods above the cliff. No more German commands were heard that night. During this second night the disheartened enemy confined himself to occasional bursts of machine-gun fire. The diary of the "Lost Battalion" also shows that by October 4 the effective strength of the battalion had been reduced to 520.

There is also one regularly recurring rubric in the "Lost Battalion's" diary: "Forlorn hope" patrols and runners who never returned—sent out day after day on the long chance of breaking through to regimental headquarters.

FIRST PANGS OF HUNGER.

October 4 is notable, because this day the men of the "Lost Battalion" first began to feel the pangs of hunger. Also, at 4 p. m., the Germans tried their second big attack. Again their preparatory movements could be heard through the trees and underbrush on all four sides. But this time the Germans tried a trick. On the right of the battalion English speaking boches called out in the vernacular, ordering the Americans to get ready to retreat, as it had been decided to retire from the entire position.

One American outpost on the right actually fell for the trick, designed to demoralize the "Lost Battalion" and make it an easier prey. This doughboy, in perfect good faith, was caught by an officer crawling out of his hole and putting on his pack preparatory to leaving. Orders were quickly spread throughout the battalion to be on guard for Teuton trick plays.

The German attack this time was from all four sides; rifle and machine-gun fire from rear and both flanks and hand grenades from the cliff in front.

The Germans again tried a trick play. The order "Gas masks!" was shouted, but with such an obvious Teuton accent that it elicited the spirited American mass reply, "Gas masks, hell!"

There was no rest for the "Lost Battalion" that night. The American rifle fire had taken the heart out of the German attack, and after the failure of their tricks the Teutons showed no longing to come to close quarters. But their fire and hand grenade throwing kept up all night, answered by American rifle fire whenever the men heard a profitable sounding target. For the supply of ammunition was pitifully limited.

The last stand of the "Lost Battalion" now assumed a touch of grim Homeric humor. The boche, apparently feeling sure of his prey, commenced jeering the little band in English, and the men retorted with volleys of unprintable epithets. The Germans from now on made a practice of trying to "get the goat" of the "Lost Battalion" by shouting orders in English to the men, who, in turn, told the boches plainly, both in the vernacular and in unprintable German, just what they thought of them.

BATTLE OF CURSING.

The intermittent rifle and machine-gun firing was accompanied by continuous volleys of choicest invectives on both sides, the Americans, however, clearly having the best of it in quantity as well as quality of rhetoric. The psychological effect of this form of warfare on the men was to enrage them and fill them with a burning desire to kill as many of the jeering boches as possible; and vocally venting their feelings undoubtedly did much to keep their morale at the sizzling point in the face of famine and seemingly certain death.

The diary of the "Lost Battalion" for the next three days is a monotonous agony of waiting and starving, fighting and dying. One day was like another. It was hardly worth while, or possible, to keep a record of the successive German attacks. Organized German attacks were frequent and the harrassing was continuous. From one thing the battalion did not have to suffer—from thirst. A spring was discovered on the permises. And from these premises, its formation on the hill slope, the battalion did not budge an inch in any direction for five days.

There being nothing to eat there were no regular meal times to help pass the time. But there was plenty of rain. There was little sleep or rest. Continual alertness was the price of safety. It was sure death to stand up by day. There was nothing for it but to hug the ground from daybreak till dusk. And this ground, the battalion's camping ground, was gradually, ruthlessly torn up by enemy trench mortars and raked by grazing machine-gun fire.

Pitiful, too, was the plight of the wounded. Of the medical detachment there were only two survivors. They were forced to make their rounds crawling and to keep close to the ground when giving first and last aid.

For the seriously wounded there could be no help. Even the lighter wounded had to suffer excruciating, prolonged tortures, since the supply of bandages had run out, and the newly wounded could not be dressed until the old bandages had been removed from the dead. The living lay among the unburied dead—necessarily unburied—for burial by day would have been suicidal; also, the men were kept too continuously busy beating off the boche to bury their dead; and as the days wore on they became too weak from hunger to dig graves by night. The raw, bleeding battlefield held by the "Lost Battalion" had all the makings of a hell hole.

In spirit the "Lost Battalion" men were very much like shipwrecked mariners in a small boat lost at sea, scanning the horizon for a rescuing vessel. Though exhausted by hunger and exposure and fighting, their morale continued unimpaired; they seemed never to give up all hope of being rescued by their comrades of the Seventy-seventh. They were victims of some cruel false hopes and false alarms.

HOPES OF SUPPORT DASHED.

The first of these illusory thrills was on October 4, when the "Lost Battalion" heard firing to the south. During the night the firing seemed to draw nearer, and hopes were keyed high that the division had effected a break through and that relief was near. But daylight disclosed no sign of rescuers, far or near.

Heartbreaking, too, was the fact that although huge white panel cloths were spread on the ground, and our aeroplanes were repeatedly sighted, there was no assurance that the "Lost Battalion" had been located. For all the battalion knew, it might really have been "lost."

Some assurance that the division really knew of the plight of the "Lost Battalion," as well as its exact position, came on October 5, when the division's artillery, which in the morning had been placing its heavy fire far to the rear of the "Lost Battalion," suddenly jumped its barrage forward, over the heads of the heroic band, and laid it on the crest of the hill just in front of the battalion's position, incidentally breaking up a German mass attack as it was about to be sprung. This unexpected American barrage was a life-saver and seemed to the exhausted men almost like an act of Providence, though full credit was given to the solitary American aeroplane which had winged over their heads without dropping any sign of recognition. However, the men now figured out that their comrades knew they were there and were coming to their rescue.

The remnants of the "Lost Battalion" now took on a new lease of life, but of short duration. After hopes had been raised to the highest pitch by the sight and sound of the miraculous barrage, the artillery firing suddenly ceased, and at night, when it resumed, the firing seemed fainter and farther away than ever. The reaction of futile, false hopes was terrible to bear. On the morning of October 5 the battalion had numbered only 375 effectives; by nightfall heavy casualties suffered from the raking, merciless German machine-gun fire had still further reduced its fighting strength.

NO FOOD IN FOUR DAYS.

Sunday, October 6, the enemy continued his systematic machine-gun fire and trench-mortar bombardment, but the survivors of the "Lost Battalion" were almost exclusively absorbed in the vacuum of their stomachs. With few fortunate exceptions they had not had a mouthful of food in four days.

The story is told of one man who on this day found a piece of bacon rind in his pocket, which he had used for rubbing a wound in his hand. He divided this piece of bacon rind with his funk-hole mate, and both ate it greedily.

Famished men with sufficient strength crawled out of bounds at night and went through the boche dead in search of food, occasionally retrieving a small piece of hard, black bread. American aeroplanes, now flying more frequently overhead, dropped food packets—tantalizingly, invariably, out of the battalion's reach.

On Sunday, October 6, the effective strength of the "Lost Battalion" had been reduced to 275. Both machine-gun officers, Lieuts. Peabody and Noon, were killed during the day; only one machine gun out of nine was still working, and machine-gun ammunition was almost gone.

Monday, October 7, saw the soul crisis of the "Lost Battalion." From none of the men had come a suggestion of surrender. The subtle temptation now came from the enemy. In the morning a patrol, nine strong, went into the woods to try and recover a food parcel dropped by one of our aeroplanes. Outnumbered and overpowered by a German outpost, five were killed, four wounded and taken prisoners.

GERMAN TEMPTATION.

One of these, a private of Company H, was sent back to the battalion with a note from the German commanding officer, reading:

"SIR: The bearer of this present has been taken prisoner by us. He refused to give the German intelligence officer any answer to his questions and is quite an honorable fellow, doing honor to his fatherland in the strictest sense of the word.

"He has been charged against his will, believing that he is doing wrong to his country, to carry forward this present letter to the officer in charge of the battalion of the Seventy-seventh Division, with the purpose to recommend the commander to surrender with his forces, as it would be quite useless to resist any more, in view of the present conditions.

"The suffering of your wounded men can be heard over here in the German lines and we are appealing to your humane sentiments to stop. A white flag shown by one of your men will tell us that you agree with these conditions. Please treat the bearer as an honorable man. He is quite a soldier. We envy you."

Maj. Whittlesey, Capt. McMurtry, and Capt. Holderman read the note in turn. Maj. Whittlesey ordered the two white panels, spread on the ground for the purpose of attracting the attention of American aeroplanes, to be removed, so that not even a suspicion of a white flag of surrender might show on that hillside.

The news of the German note, tempting the "Lost Battalion" to surrender, quickly spread among the men, but not a man was in favor of it. Prostrate on the ground, in many cases too weak from hunger to stir, they had life and spirit enough left in them to call over to the boche to "Come over and get us," amplified with some choice but unprintable epithets.

LAST, HARDEST FIGHT.

In the evening unmistakable American musketry and machine-gun fire, unmistakably coming their way, sounded like sweet music in the ears of the "Lost Battalion." But they had to put up one last and hardest fight before the approaching relief became effective. The Germans tried a last farewell, desperate assault, this time with liquid fire. But, like all their innumerable previous attacks, this one, too, was smeared by the survivors of the "Lost Battalion," and as the last Germans were beaten back and disappeared men of the Three hundred and seventh Infantry were coming up on the right while patrols of the Three hundred and eighth were reported advancing from the south. The agony of the "Lost Battalion" was over. On the morning of October 8, 252 survivors of the original 679 returned from the "pocket," leaving the dead to hold the position.

CHAPTER IV.

SUPREME TEST.

The supreme test of the Seventy-seventh Division began on the morning of October 2, lasting five critical days and trying the mettle of its morale as it was never tried before nor after.

The heroic story of the "Lost Battalion" was only an interlude in the epic fight through the Argonne. And while the "Lost Battalion" was fighting and starving and dying the entire division continued the attack, day after day, for five days, pursuant to standing orders to "break the enemy line, regardless of cost, and push forward without regard to flank protection."

All attacks along the line on October 2 failed, with the exception of the temporary break through of the "Lost Battalion." On the morning of October 3 the general attack was renewed, the purpose being primarily to advance, and, secondly, to reestablish communication with Maj. Whittlesey's detachment. But owing to the difficulty of the terrain, the inevitable absence of adequate artillery preparation, and the thick character of the country no appreciable progress was made during the day either to left or right.

In the morning the One hundred and fifty-fourth Brigade on the left made a determined attack to break through to Charlevaux Mills, but the enemy held at all points. Two subsequent attacks in the course of the day failed to make any impression on the enemy line. Equally determined attacks by the One hundred and fifty-third Brigade on the right had no better luck. In an attack at 4 p. m. the Second Battalion of the Three hundred and fifth lost 5 officers killed and over 200 men killed or wounded, indicating the desperate character of the fighting.

HEARTENING PRAISE.

This day, however, brought a heartening communication of commendation from the chief of staff of the First Army Corps to the commanding general of the Seventy-seventh Division reading:

"The corps commander has directed me to extend to you and to the entire Seventy-seventh Division a most cordial expression of his gratification at the steady, solid progress made since the beginning of the operation now under way.

"The difficulties of the terrain are fully understood, and the amount of ground gained is noticeable, while your supplies and communications are thoroughly satisfactory."

Continued failure to gain at any point—a fine test of morale—merely served to increase the fighting spirit of the Seventy-seventh. The fighting gained in violence. On October 4 and 5 five determined attacks were launched by the One hundred and fifty-fourth Brigade against the position in front of them. The brigade commander, Brig. Gen. Evan M. Johnson, personally led the attacks, but without success. This lack of success was not due in any sense to incorrect direction of these attacks, but was brought about by the extreme difficulties of the terrain, the lack of adequate artillery support, due to the impossibility of observation of fire, and the close proximity of the opposing lines.

On October 6 a battalion of the Three hundred and seventh, reenforced by the elements from the One hundred and fifty-third Brigade, finally succeeded in working its way up the ravine south of the Bois de la Naza, while as a ruse the Three hundred and eighth Infantry and the remainder of the Three hundred and seventh made noisy demonstrations along the entire brigade front to divert the enemy's attention.

That ruse was partly successful, and the relief expedition made good progress before it was discovered and checked by close-range mass machine-gun fire from the Bois d'Apremont on the right flank. Simultaneously on the afternoon of the 6th, nine companies of the One hundred and fifty-fourth Brigade bucked the enemy front line so consistently that by evening they had the boche beginning to give ground.

GERMANS ON THE RUN.

But there was no let-up in the attack. The Seventy-seventh had reached the pinnacle of its fighting power and by the morning of October 7 it had the Germans on the run all along the line. The Three hundred and eighth Infantry on the extreme left encountered no resistance and pushed ahead. The Three hundred and seventh Infantry reached the Binarville-La Viergette Road. The "Lost Battalion" was

relieved. The pursuit of the retreating Germans was pressed sharply. Under this fierce pressure the Germans abandoned their entire main line of resistance, the One hundred and fifty-third Brigade alone scoring an advance of 2 kilometers.

The Seventy-seventh had triumphed over the crisis; from now on it was relatively a walkover—a promenade through the remnant part of the Argonne.

The division continued its advance on October 8, meaning that, though machine-gun resistance was to be found everywhere, as was to be expected, enemy organized positions were not further in evidence. Best of all the dark Argonne Forest opened up; there were now breathing spaces for tactical maneuvers. For the first time since the Argonne drive began, the men saw sunlight and patches of blue sky, patches of fields and opening vistas.

By October 9 the division had broken out of the northern edge of the Argonne Forest, having completed a task unique in the annals of the American Expeditionary Force. The enemy had exploited the five-day holdup of the division to bring up reinforcements, and on this day elements of three fresh enemy divisions were spotted—the Forty-first and Forty-fifth Reserve Divisions and the Fifteenth Bavarian Division. But they came too late. During October 9 and 10 the division scored an average advance of 10 kilometers (6¼ miles). The Three hundred and fifth and Three hundred and sixth Infantry captured La Besogne and Marcq, while the First Battalion of the Three hundred and sixth annexed Chevieres.

The advance was continued October 11, the One hundred and fifty-fourth Brigade taking over the entire divisional front. The division was now able to profit by the open country by getting up its artillery, of whose services it had been largely deprived during the passage of the Argonne Forest.

By October 12 a new line of enemy resistance had, however been reached. Patrols attempting to enter Grand Pre on that day were driven back, while the Three hundred and second Engineers made repeated unsuccessful attempts to bridge the Aire under heavy artillery and machine-gun fire. One more tough assignment was reserved for the battle-worn Seventh-seventh—the taking of Grand Pre and St. Juvin.

MORE COMMENDATION.

The following corps communication reached the Seventy-seventh on this day, addressed to its commanding general:

"The corps commander directs me to inform you that he feels once more during the present operations called upon to express his gratification and appreciation of the work of the Seventy-seventh Division.

"This division had been in the line constantly since the night of September 25, under circumstances at least as difficult as those which have confronted any other division of the First Army.

"In spite of these conditions your command has pushed steadily forward on a line with the foremost, and to-day, after 18 days of constant fighting, is still ready to respond to any demand made upon it.

"The corps commander is proud, indeed, of such a unit as yours, and congratulates you on such a command."

During the night the Three hundred and second Engineers succeeded in bridging the Aire under cover of the division's artillery fire. At 8.30 on the morning of October 14 the Three hundred and sixth Infantry, supported by the Second and Third Battalions of the Three hundred and fifth, attacked St. Juvin, which the Eighty-second Division had previously failed to take in three attempts. Repeated attempts of the First Battalion of the Three hundred and sixth to force the passage of the Aire were smeared by the fierce enemy barrage, the battalion losing seven officers killed.

The Second Battalion of the Three hundred and sixth had better luck and got across the Aire east of Marcq, partly by wading, partly by scrambling across on planks, and three-quarters of an hour later it had fought its way into St. Juvin, closely followed by the supporting Second and Third Battalions of the Three hundred and fifth Infantry, for the grand mopping-up party, the bag including 500 prisoners, including two majors. Owing to the shortage of guards some of the prisoners had to be turned over to military police of the adjoining Eighty-second (American) Division. In the afternoon of the 14th the capture of St. Juvin was clinched by the storming of the dominating Hill 12 by Company D of the Three hundred and sixth Infantry and Company D of the Three hundred and fifth Machine Gun Battalion.

On October 15, emulating the exploit of the One hundred and fifty-third Brigade, the One hundred and fifty-fourth Brigade executed an attack against Grand Pre which resulted in its capture and occupation.

RELIEVED AND REFRESHED.

The Seventy-seventh Division was relieved by the Seventy-eighth Division during the night of October 15–16. The division, on being relieved, was concentrated in the vicinity of Pylone and Camp de Bouzon, where it received replacements, new supplies of clothing, and where also it was bathed. This was not a period of real rest for the worn division, however, as the rest camps of the division were always under enemy shell fire and nightly bombardment by enemy avions.

During the advance through the Argonne Forest the Seventy-seventh Division captured 631 prisoners, including 12 officers, 10 pieces of heavy ordnance, 150 machine guns, and $2,000,000 worth of engineer and railway material. The casualties of this operation, extending from September 25 to October 16, were heavy: Twenty-four officers and 537 men killed, 98 officers and 3,038 men wounded or missing.

CHAPTER V.

WHIRLWIND FINISH.

The Seventy-seventh—conquerors of the Argonne—had the satisfaction of putting up a whirlwind finish to the firing of the last gun of the war—a worthy close to their fine fighting history.

At the beginning of the great drive to the Meuse of the First American Army the worn Seventy-seventh had been pulled out of the line and replaced by the Seventy-eighth. For the next two weeks the Seventy-seventh was in supporting position, in the rear of the Seventy-eighth, on a line between Grand Pre and St. Juvin; and this brief respite from fighting was devoted to much needed refilling and reequipping. One brigade alone was short 3,500 men.

"Doping" the news was rife in the ranks during these two weeks. The collapse of Turkey and Austria and Germany's last desperate peace offensive kept all tongues wagging. But though the division sensed the beginning of the end the peace talk did not impair its fighting morale.

On the night of October 31–November 1 the Seventy-seventh was sent back into the front line, relieving the Seventy-eighth, and found its old front just where the division had left it. No gain had been scored in the division's absence. The division was ordered to perform the difficult feat of attacking immediately after effecting the relief of the Seventy-eighth, elements of which were left as a light screen in front of the Seventy-seventh almost up to the hour set for the attack, in order to deceive the enemy.

ATTACK ON KRIEMHILDE LINE.

The One hundred and fifty-third Brigade drew the post of honor in the front line, with the One hundred and fifty-fourth Brigade as divisional reserve. The Three hundred and fifth Infantry took up its attacking position in the Ravine aux Pierres, with the Three hundred and sixth stationed just south of St. Juvin. The Three hundred and seventh Infantry, posted at Pylone, had orders to follow the attacking brigade at a distance of 1 kilometer, while the Three hundred and eighth Infantry was held at Marcq. The division's artillery, which had begun to go into position on October 26, was posted with its 75 batteries between Marcq and Sommerance, while the batteries of 155s were posted between La Besogne and Cornay. This was the line-up of the Seventy-seventh for its attack on the famous Kriemhilde Stellung.

The enemy's rear-guard defensive tactics had undergone no change. At the beginning of its drive to the Meuse the Seventy-seventh's job was the old costly and thankless game of bucking the line against systems of machine-gun nests on every hillcrest and slope.

At dawn of November 1, after two hours of artillery preparation, the One hundred and fifty-third Brigade went over the top and carried its attack up the steep hill to Champigneulle, which was the center of a formidable trench system. Two companies reached the secondary objective—the road running from Champigneulle to St. Georges—while machine gunners broke the resistance from the trench systems southeast of Champigneulle and from Min Mohin. One of the advanced companies beat off three desperate counterattacks; but, on the whole, the first day's attack of the Seventy-seventh was not much of a success, yielding only a very slight advance.

An intercepted German army order signed by Gen. von der Marwitz confirmed the suspicion that the Germans were determined to fight to the last man at this critical point of their line. In his appeal to his partly demoralized troops Gen. von der Marwitz stated the ominous fact that if the American Army succeeded in cutting the Longuyon-Sedan Railroad the only avenue of escape for the Germans from the west would be cut off.

CHAMPIGNEULLES STORMED.

The second day of the attack, November 2, found the Seventy-seventh up to its best fighting form. A change of command had taken place in the One hundred and fifty-third Brigade overnight, Col. Vidmer now commanding. With both the Three hundred and fifth and Three hundred and sixth Infantry in the front line this time, the strongly fortified town of Champigneulles was stormed early in the morning in half an hour of actual fighting. Both regiments continued their advance. Verpel, four kilometers north of Champigneulle, was taken at 10 a. m. by elements of the Three hundred and sixth Infantry, and by noon the advance guard had penetrated to the north of Verpel.

The advance of the Seventy-seventh was speeded up to such a pace that the command undertook to send motor trucks to the front in order to carry the doughboys forward quicker. But the road conditions were such that the motor trucks could not catch up with the rapidly advancing Infantry. The drive of the Seventy-seventh to the Meuse was fast becoming a race for Sedan.

November 2 was a record day, for the advance continued all afternoon and until late in the evening. By night the Seventy-seventh had added Harricourt, Thenorgues, and Bar to its bag, while the German official communique said whimsically, "We have readjusted our position to a depth of 10 miles."

Fast as the Infantry of the Seventy-seventh sprinted across country the Germans ran even faster, and for a good part of November 2 contact was lost with the enemy. Late at night patrols succeeded in regaining contact with the enemy near Autruche. So fast had been the American advance in places that isolated captured German machine gunners actually mistook the advancing Americans for their own retreating rear guard.

November 3 the Three hundred and sixth Infantry continued the advance, with the Three hundred and fifth acting as brigade reserve. The Three hundred and sixth swept through the towns of Autruche at 9 a. m. and Fontenoy at 2 p. m. without encountering opposition. In the headlong rush a single platoon captured two German batteries which had remained in position between Fontenoy and Autruche, firing right up to the last minute, but failing to make their getaway.

"SOUVENIRS FOR YOU AMERICANS."

A touch of German humor was encountered in Autruche. One house bore a German painted sign, in English, "For officers only." On the mantelpiece of one of the rooms were found several German helmets and pistols and tacked to the wall the sign, "Souvenirs for you Americans." And under this legend, "We shall be home by Christmas and you won't."

At 3 p. m. the Three hundred and sixth Infantry passed through Pierremont in the direction of Oches, which proved a point of temporary enemy resistance, the advancing troops encountering high explosive shells and mustard gas and machine-gun resistance.

November 4 the difficult feat of a "running relief" was skillfully performed. Without checking the pace of the advance the One hundred and fifty-fourth Brigade relieved the One hundred and fifty-third in the front line, the latter following as divisional reserve. The fresh brigade gained a kilometer during the day, capturing the town of Oches, though unofficially it was captured by the interpreter of the Three hundred and eighth Infantry, who had gone ahead of the regiment to locate suitable regimental headquarters, and found only French civilians in the town, which had been hastily evacuated by the German.

The false report of the Kaiser's abdication caused loud cheers, but no let-up in the fighting spirit. Operations were even speeded up a bit on November 5, when, at 6.30 a. m., the entire division attacked in line, the One hundred and fifty-third Brigade on the right and the One hundred and fifty-fourth on the left.

White flags floating from the church steeple in the town of Stonne were suspected to be a German ruse, but turned out to have been hung out by the anxious French population as an appeal to the American artillery to spare the town. The Americans, on entering without enemy opposition, were hailed as liberators, and the grateful townspeople even offered the men of the Seventy-seventh food from their own scanty stocks. There was nothing much for the division to do on this day but to advance and mop up.

The direction of the division's attack now took a sharp turn to the northeast, following the course of the Meuse. At 10 a. m. November 5 the town of La Besaze was captured and 5,000 French civilians liberated.

RECORD ADVANCE.

November 6 the division made a record advance of 14 kilometers (about 9 miles) from the line Stonne-La Besaze toward Sedan. This was more than twice as great as the division's best previous record. The One hundred and fifty-third Brigade entered Flaba at 9.55 a. m. and, continuing to push its advance sharply, by 2 p. m. its patrols had reached Autrecourt, on the west bank of the Meuse, finding it unoccupied by the enemy.

By 4 p. m. the front-line battalions were established on the heights overlooking the Meuse. Patrols sent out to reconnoiter reported that all bridges had been destroyed.

November 7 the division pushed up to the Meuse preparatory to crossing, and with the reaching of the Meuse ended the actual operations of the Seventy-seventh Division. The One hundred and fifty-third Brigade had reached the Meuse only a few hours ahead of the One hundred and fifty-fourth Brigade, on its left, which had completed a brilliant advance through Raucourt, Meuse la Angecourt, and Remilly sur Meuse. At midnight, by the light of the burning town of Allicourt, fired by the boche, Sedan could be seen in the distance by the Seventy-seventh, bivouacking on the heights of the Meuse.

November 7 a reorganization of forces was ordered preparatory to a further advance—which never came off, frustrated by the armistice. The leading elements of the division were pushed up to the Meuse preparatory to a crossing.

ACROSS THE MEUSE.

In the morning the Three hundred and second Engineers started to erect a footbridge for the crossing at Villers, as the Meuse was found unfordable. At 3.45 p. m. the bridge was completed and, under heavy fire, two platoons of A Company, Three hundred and fifth Infantry, succeeded in forcing the passage of the Meuse and getting a foothold on the east bank. Repeated attempts to throw a bridge across the Meuse at Remilly sur Meuse were finally successful, and patrols of the Three hundred and seventh Infantry were pushed across to the east bank in the night at this point.

November 8 the Seventy-seventh Division was ordered to take over the entire corps front of 25 kilometers (15½ miles).

As the entry into Sedan had been allocated to the French there was no more work for the Seventy-seventh to do, nothing except to hold the watch on the Meuse and listen to the siren song of the peace dove. November 10 brought the Seventy-seventh its first authentic peace news.

The night of November 10 and the morning of the 11th are unforgetable by the Seventy-seventh. Its sector had suddenly become quiet. Solitary boche shells alone reminded them that a war was still on. A suspected attempt on the part of the Germans to fraternize was spotted in the night when the Germans were seen to be sending up red, white, and blue light rockets in quick succession. Not a man of the division was killed during the night and morning preceding the armistice.

At 11 a. m. on November 11 the fighting history of the "Liberty Division" was all over but the shouting.

CHAPTER VI.

WAR RECORD SUMMARY.

The Seventy-seventh Division arrived in France on April 13, 1918, and it is still here, though it has high hopes, alternating with fearful misgivings, of seeing again—soon—the Statue of Liberty, the divisional insignia (gold liberty embroidered on blue rectangular background), which it proudly wears sewed on its left sleeve. But, thanks to the common sense military censorship, the summary of its war record needn't wait for publication until the boys get back to Broadway and tell about it.

The "Liberty Division" suffered a grand total of 9,611 casualties (317 officers and 9,294 men), as follows: Sixty-nine officers and 1,299 men were killed in action; 10 officers and 188 men died of wounds received in action; 69 officers and 1,894 men were severely wounded; 82 officers and 2,889 men were slightly wounded; 71 officers and 2,297 men were gassed; 13 officers and 696 men are missing; 3 officers and 31 men were reported prisoners in Germany. The very small number of reported prisoners is notable. It indicates that the spirit of the "Lost Battalion" was the spirit of the whole division at all times.

The Seventy-seventh Division captured 750 prisoners (13 officers and 737 men), as follows: No officers and 3 men in the Baccarat training sector; no officers and 27 men on the Vesle; 12 officers and 619 men in the Argonne Forest drive; 1 officer and 88 men in the advance from the Aire to the Meuse.

The Seventy-seventh Division is credited with capturing 7,600 rifles, 18 pieces of heavy artillery, 14 piece of light artillery, 46 trench mortars, and 277 machine guns, yielding the following interesting analysis: No material of any kind in the Baccarat sector; 1,000 rifles and 25 machine guns on the Vesle, but no artillery; 3,400 rifles, 5 pieces of heavy artillery, 3 pieces of light artillery, 35 trench mortars, and 155 machine guns in the Argonne drive; 3,200 rifles, 13 heavy guns, 11 light field-pieces, 11 trench mortars, and 97 machine guns in the Aire-Meuse advance.

The Seventy-seventh Division gained a total of 71½ kilometers (about 45 miles), as follows: Nothing in the Baccarat training sector; 12 kilometers in the advance from the Vesle to the Aisne; 22 kilometers in the drive through the Argonne; 37½ kilometers in the advance from the Aire to the Meuse.

IN FOUR FRONT SECTORS.

The Seventy-seventh Division operated in four different front sectors (one quiet, three active), being in the front line for a grand total of 112 days, as follows: Forty-five days in the quiet Baccarat training sector; 35 days in the active Vesle sector; 20 days in the Argonne drive; 12 days in the advance from the Aire to the Meuse.

Some idea of the flealike mobility and frequent jumps of the Seventy-seventh Division may be gathered from the fact that its headquarters has moved twenty-seven times since the division came to France to date, and further moves are impending before the last jump home. On the arrival of the Seventy-seventh in France division headquarters were pitched at Cocove Chateau on April 15; it removed to Eperlecques, in the Pas de Calais Department, April 22, for the training period under British auspices; thence to Fauquembergues June 6 and Monchy Cayean June 8.

During the Baccarat training period division headquarters set up shop at Rambervillers June 16, thence removing June 21 to Baccarat, where it remained until the division was sent into the Vesle sector. During the Vesle operation division headquarters successively occupied the premises at Bayon (Aug. 4), Coulomieres (Aug. 8), Chateau Bruyeres (Aug. 10), Marcuil-en-Dole (Aug. 12), Fere-au-Chateau (Aug. 13), and Cave N of Ferme-des-Filles (Sept. 4). September 16 division headquarters moved to Coulonges preparatory to the Argonne drive; thence to Givry-en-Argonne (Sept. 18) and to Les Vignettes (Sept. 21). The beginning of the Argonne operation found division headquarters pitched in Pau, in the Argonne Forest, whence it advanced to Champ Mahaut, the luxurious German rest resort in the heart of the Argonne (Sept. 25).

October 12 saw division headquarters roughing it on an unnamed spot in the Argonne Forest, locatable only by its artillery coordinates. From here it removed to Chatel Chehery (Oct. 12), then back to Champ Mahaut (Oct. 16) for a two weeks' rest. On October 31, at the beginning of the advance from the Aire to the Meuse, division headquarters was back again in Chatel Chehery; next day (Nov. 1) it had moved again to Cornay, thence (Nov. 3) to Verpel; (Nov. 5) to St. Pierrepont, and thence (Nov. 7) to Raucourt—its armistice stand. On November 21 it had moved back to Les Vignettes; on November 30 divisional headquarters of the Seventy-seventh settled down for its most prolonged stay at Chateauvillain, in the Chaumont training area, where it still is at present writing.

OFFICERS AND MEN DECORATED FOR BRAVERY ON THE BATTLE FIELD.

The Seventy-seventh Division has gleaned its full share of honors. It includes three winners of the congressional medal of honor—Maj. F. R. Whittlesey and Capt. George R. McMurtry, both of the "Lost Battalion," and Pvt. Albert Peck, of Hornell, N. Y.

So far, 82 distinguished-service crosses have been awarded within the division, and further awards are confidently expected. Of the 82, 26 were won by officers and 56 by men. Of the latter, 11 sergeants, 9 corporals, 35 privates, and 1 cook secured the coveted cross.

For the Infantry of the division, the record is held by the Three hundred and eighth Regiment, with 23 distinguished-service crosses, closely pressed in second place by the Three hundred and seventh Regiment, with 21; the Three hundred and sixth Regiment is third, with 17; and the Three hundred and fifth tailender, with 8.

Four members of the Three hundred and second Engineers were awarded distinguished-service crosses; likewise two members of the Three hundred and fifth Field Artillery and two members of the Three hundred and sixth Machine Gun Battalion.

The full list of those decorated to date is as follows:

THE HONOR ROLL.

Col. George Vidmer, Three hundred and sixth Infantry; Col. Raymond Sheldon, Three hundred and seventh Infantry.

Lieut. Col. Creswell Garlington, G. S. 77.

Capts. William Mack, Three hundred and fifth Infantry; Bradford Ellsworth, Three hundred and sixth Infantry; Herman E. Stadie, Three hundred and sixth Infantry; Nelson M. Holderman, Three hundred and seventh Infantry; Weston C. Jenkins, Three hundred and seventh Infantry; James M. McKibbin, Medical Corps.

First Lieuts. Theodore S. Kenyon, Three hundred and sixth Infantry; Thomas C. Colley, Three hundred and eighth Infantry; Paul R. Knight, Three hundred and eighth Infantry; Andre de Coppet, A. D. C., Seventy-seventh; C. W. Turner, Three hundred and eighth Infantry; John A. Walsh, Three hundred and second Engineers; Michael J. Hayes, Three hundred and sixth Infantry; Alfred W. Gardner, Three hundred and fifth Infantry; Charles O'Brien, Three hundred and sixth Infantry; James Finlay Brown, Three hundred and second Engineers.

Second Lieuts. Charles S. Dennison, Three hundred and sixth Infantry; E. E. McDowell, Three hundred and fifth Infantry; Leonard Cox, Three hundred and fifth Infantry; E. W. Akers, Three hundred and eighth Infantry; Arthur A. Robinson, Three hundred and fifth Field Artillery; John B. Flood, Three hundred and eighth Infantry; Harry Rogers, Three hundred and eighth Infantry.

Sergts. Jules Grugas, jr., Three hundred and second Engineers; George W. Beatty, Three hundred and sixth Infantry; William Benjamin, Three hundred and seventh Infantry; Charles A. Briggs, Three hundred and sixth Machine Gun Battalion; William Mohrman, Three hundred and seventh Infantry; Abraham Belefont, Three hundred and seventh Infantry; John Blohm, Three hundred and fifth Infantry; Francis W. Wagner, Three hundred and eighth Infantry; Patrick Freeman, Three hundred and sixth Infantry; Frank J. Roskoski, Three hundred and second Engineers; Oscar P. Lippe, Three hundred and seventh Infantry.

Corpls. Herman Nubel, Three hundred and seventh Infantry; Louis Sorrow, Three hundred and seventh Infantry; Henry McPherson, Three hundred and sixth Infantry; Vincent P. Zielniski, Three hundred and sixth Infantry; Henry Bateman, Three hundred and seventh Infantry; Gustave H. Johnson, Three hundred and fifth Field Artillery; Thomas F. Maroney, Three hundred and eighth Infantry; James A. Collins, Three hundred and eighth Infantry; Joseph A. McAllister, Three hundred and seventh Infantry.

Cook William Shefin, Three hundred and sixth Infantry.

Privates Henry Miller, Three hundred and eighth Infantry; Joseph Friel, Three hundred and eighth Infantry; Albert C. Peterson, Three hundred and seventh Infantry; James F. Kobernot, Three hundred and seventh Infantry; Earl Millsap, Three hundred and seventh Infantry; Carl I. Johnson, Three hundred and sixth Infantry; Jack Herschkowitz, Three hundred and eighth Infantry; John J. Monson, Three hundred and eighth Infantry; George Goumas, Three hundred and seventh Infantry; Barney Bardman, Three hundred and seventh Infantry; Sing Kee, Three hundred and seventh Infantry; Joseph Charles, Three hundred and seventh Infantry; Patrick Rockford, Three hundred and eighth Infantry; Irving Sirota, Three hundred and eighth Infantry; Irving A. Liner, Three hundred and eighth Infantry; Harold Batley, Three hundred and eighth Infantry; Joseph Vercruysse, Three hundred and sixth Infantry; Peter Matter, Three hundred and seventh Infantry; Sidney Smith, Three hundred and eighth Infantry; William C. Evans, Three hundred and sixth Infantry; Clifford R. Brown, Three hundred and eighth Infantry; Stanislaw Kosikowski, Three hundred and eighth Infantry; Patrick Hendrichs, Three hundred and eighth Infantry; James Sullivan, Three hundred and sixth Infantry; Philip Cipeglia, Three hundred and eighth Infantry; James M. Bragg, Three hundred and eighth Infantry; Abraham Kroteshinsky, Three hundred and seventh Infantry; Grover Sullivan, Three hundred and sixth Infantry; Francis L. Monk, Three hundred and seventh Infantry; John A. Dilliard, Three hundred and sixth Machine Gun Battalion; Reginald C. Scott, Three hundred and fifth Infantry; Robert L. Crandall, Three hundred and fifth Infantry; Solomon Shahwood, Three hundred and fifth Infantry; John E. Gartright, Three hundred and seventh Infantry; Aaron Yamin, Three hundred and sixth Infantry.

The Seventy-seventh is agog with pleasant rumors that it will move from its present training area to the Le Mans area about the middle of February, there to get in shape for embarkation. The division confidently hopes to get home some time in March.

JOB FOR EVERY MAN.

Much of the division's present activity is in preparation for the home going and sequent break-up. A determined effort is being made to find a job for every man who needs and wants one, so that every man will be cared for when the division is finally disbanded.

The Seventy-seventh Division employment bureau has been organized under the auspices of the Seventy-seventh Division Association. A major, drafted from the line for the purpose, and a large force of khaki clerks run this novel employment bureau.

Forms have been sent to every man of the division asking him, among other pertinent questions, whether he wants a job or already has one. If he wants a job, the employment form contains blanks for answering questions regarding the registrant's qualifications, personalia, previous jobs held, and nature of occupation desired or preferred. The forms sent to every member of the division also contain the pertinent question whether the registrant is an employer of labor; and if so, if he has any jobs to give away and how many men of the division he could take.

The bulk of the replies are already in and indicate that a surprisingly large percentage—approximately 70 per cent—of the men do not need jobs. An astonishingly large percentage of the members of the division, too, have turned out to be employers of labor, who are in a position to employ more men. The ideal of the Division Employment Bureau accordingly is to place all of its men who need jobs within the division itself by bringing them together with members of the division desiring employees. The bonds within the division, woven by the war, are so close that men of the division anxious for jobs are in many cases taken care of by employers within their regiments, and in some cases even in their battalions.

Only when the possibilities of employment within the division itself are exhausted will the division association look outside for work for its members.

The Seventy-seventh counts many influential friends in New York capable of giving practical assistance to the Seventy-seventh's remaining unemployed when the division comes home, and it is probable that an emissary of the Seventy-seventh, a line officer, will be sent home in the near future to get in touch with the well wishers of the division in New York and to the benefactors of its various regimental associations, with a view to having an organization all ready and functioning when the division gets back to Broadway.

DIVISION HISTORY.

Another present first-line activity is the ambitious publishing project of the division. The Seventy-seventh is justly proud of its war record, and it was accordingly planned to work up, have printed, and distribute to every returning member of the division a pamphlet embodying the brief facts of its history.

Maj. O. J. Adler was drafted from his infantry battalion and placed at the head of the newly organized staff section known as "Division History." Maj. Adler toothcombed the Seventy-seventh for poetic, artistic, and literary talent and surrounded himself with an editorial staff, occupying a large office in Chateau Villain, which has so much of the smell and feel of a newspaper office.

The project of getting out a small pamphlet history grew with the enthusiasm of "Division History" until now the Seventy-seventh plans to get out a large, handsome volume of about 250 extra-size pages, illustrated with colored plates, and about 50 half-tone pictures, making not only a permanent souvenir of the "Liberty Division" but a valuable contribution to the American-history end of the world war. The Seventy-seventh "Division History" hopes to rush work on this volume so that it can be published simultaneously with the arrival of the division in New York.

Major casualties of Seventy-seventh Division total 2,692, including 1,275 killed.

Units.	Killed in action.	Died of wounds.	Missing in action.	Prisoners.	Total.
Infantry regiments:					
305	262	150	119	.....	531
306	203	91	173	155	622
307	320	132	85	71	608
Machine Gun Battalion:					
308	343	105	125	109	682
304	2	3	.....	.....	5
305	22	9	5	.....	36
Field Artillery:					
306	42	9	1	1	53
304	25	10	2	.....	37
305	15	9	6	.....	30
306	16	10	2	.....	28
Trench Mortar Battery, 302	.....	.....	.....	.....	.....
Engineer Regiment 302	25	24	11	.....	60
Total	1,275	552	529	336	2,692

The Distinguished Service Cross has been bestowed upon Maj. Gen. Robert Alexander for his fearlessness and courage in the Argonne Battle under the most trying conditions. The Twenty-seventh Division will receive a great reception when it returns within a few days in New York City.

The Rainbow Division will receive its most wonderful demonstration of approval right here in the heart of Washington when it comes back. The people in New York City are proud of what the gallant Sixty-ninth did. They are proud of the record of the Twenty-seventh Division, but they are just as proud of the dear old Seventy-seventh Division whom they love so much. Time can not efface the deeds of all of those men. Let America give proof to the world that she has gratitude in her heart for them when they return, and that all patriotic citizens make it their own personal business to see that these men are put back to employment as quickly as possible, and that everything is done to show our approval of what they were willing to do for us.

Many of those of the 10,000 of the Seventy-seventh Division who marched up Fifth Avenue on the 22d of February, 1918, will not return. They sleep temporarily in France, and the promise made by the Government to return their last remains to this country to those of their parents who desire them should be kept. A promise made by our Government should be kept.

EXTENSION OF REMARKS

OF

HON. MILTON H. WELLING,

OF UTAH,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 28, 1919,

On the bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. WELLING. Mr. Chairman, I did not feel at liberty to inject myself into the discussion of this question during a consideration of the point of order. The question of order was best left in the hands of those of larger experience and a more comprehensive understanding of the parliamentary procedure of the House.

The question of order was ably presented by those who believe in the continuance of the appropriation for the United States Employment Service. Incidentally most of the reasons for the adoption of the Gallivan amendment were presented during that debate. Under the leave of the House, I now avail myself of the opportunity of saying what I had expected to say providing the amendment had been in order, as I had hoped it would be.

The advocates of the United States Employment Service are anxious that that activity should be continued during the period of readjustment and reconstruction. The pending bill and the deficiency appropriation bill presented by the gentleman from Kentucky [Mr. SHERLEY] on yesterday provide for the continuation of this service until June 30, 1919, only. The service is discontinued under the terms of the pending bill, because after July 1 no appropriation is made available for its continuation.

The ruling of the Chair denies the membership of the House the opportunity to vote upon the merits of the question of continuing this important service by holding the Gallivan amendment appropriating $10,000,000 for this service out of order.

It seems to me that the service should be continued for two very good reasons. During the period of demobilizing the armed forces of the Nation thousands of men will be thrown upon the labor market in congested demobilization centers. Discontent and hardship will inspire in the hearts of these men a spirit of bitterness and resentment. The labor market will be overcrowded at these points, while many other places will suffer because there is a lack of official information as to where men could be had. There will probably never occur in the lives of these men a more critical moment than the one that finds them released from the restraints of military service and confronted with the instant necessity of applying themselves to the problem of their future employment. Then if ever in the lives of these men they will appreciate the opportunity of going to some agency of the Government they have served asking, not for charity, but for the simple means of placing themselves in touch with the labor market of the country. The Government can in no way at this time manifest a saner desire to help these men than by offering them the chance of helping themselves.

Mr. Chairman, there have grown out of this war some good things which ought to become a permanent part of our domestic policy and system of government. The war has demonstrated the universal patriotism of the masses of our people. Those whose duty it was to serve at home have shown the same devotion as the men who have gone to the front with guns in their hands. There never was a time when labor and capital were more intimately associated, or more completely helpful to each other, than during the strenuous conflict through which we have just passed.

It is of the very first importance that this relationship should continue in the future. The men who toil must not be thrown back upon the old private employment agency of the past for his information of the labor market. That system has proved expensive and irritating in the past, and will be increasingly so in the future. In the State of Utah, where I live, the cost of placing men through these private agencies in the past has averaged $6 per man employed. Since the establishment of this service under the efficient management of the Department of

Labor, the cost of this service has decreased to $1.57 per man employed. Why should a laborer be obliged to pay four times as much from his own pocket for the chance to work, when such employment can be furnished by the Government at the rate quoted?

This bureau was organized hastily and imperfectly during the war, and some mistakes were made. It is now the purpose of Secretary Wilson and Chief Densmore to correct these mistakes and curtail the cost of operation of these local agencies.

Mr. Chairman, I present to the Committee of the Whole a memorial adopted unanimously by the House of Representatives of the Legislature of the State of Utah, and transmitted to me this morning by the Hon. Harden Bennion, secretary of state:

SALT LAKE, UTAH, *February 26, 1919.*

Congressman MILTON H. WELLING,
Washington, D. C.:

Following memorial passed Utah House of Representatives to-day:

"*To the Senate and House of Representatives of the United States in Congress assembled:*

"Your memorialists, the House of Representatives of the State of Utah in legislature assembled, most respectfully petition as follows—that

"Whereas the Government of the United States has for some time past maintained a free United States Employment Service in Salt Lake, State of Utah; and

"Whereas such service has been of inestimable value in aiding our returning soldiers, sailors, marines, and other unemployed persons to obtain employment; and

"Whereas a continuance of such service will materially aid in furnishing employment for the unemployed within the borders of our State; and

"Whereas it has come to the attention of the Legislature of the State of Utah now assembled that there is a probability that the Government of the United States may discontinue the office of the United States Employment Service in the State of Utah: Now, therefore, be it

"*Resolved,* That your memorialists respectfully and earnestly petition the Congress of the United States to continue to maintain the office of the United States Free Employment Service for the State of Utah in behalf and in the interests of the men who have rendered service to their country and other persons seeking employment."

Transmitted by—

HARDEN BENNION,
Secretary of State.

EXTENSION OF REMARKS
OF
HON. ADOLPH J. SABATH,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. SABATH. Mr. Speaker, to eliminate as much as possible the many erroneous constructions placed upon the question of Zionism, by some deliberately and by a great many others because of their lack of knowledge of the subject, I take the privilege of printing the Aims of Zionism, as presented and promulgated at a meeting of the leading Zionists of America held in Washington yesterday, with the fervent hope that it will acquaint the American people with the high-minded, humane, and just aspirations of the Zionists.

THE AIMS OF ZIONISM.

DECLARATION PRESENTED AT A MEETING OF ZIONISTS IN WASHINGTON, D. C., MARCH 2, 1919.

To our fellow citizens, to the President, to the national authorities, to the Congress in session, and to the Christian churches at the National Capital—greetings:

The Zionists of the District of Columbia, mindful, as all Americans are, of the blessings of free American institutions, hereby reavow their whole-hearted support of our Constitution, and reaffirm their unqualified loyalty to the ideals which America stands for.

The reestablishment of a Jewish commonwealth, which the peace congress, in session at Versailles, has under consideration will not affect the loyalty of the Jews to the countries of which they are citizens.

We gratefully recognize that under the benign influence of a latter-day civilization the United States and its high-minded allies intend that justice be rendered the people of Israel, after they have been deprived of their home land for over 1,800 years.

Under Jewish national rule the foundations of our present civilization were laid and proclaimed.

The Pilgrim Fathers, when they landed on the bleak New England shores, carried in their hands the Sacred Book conceived and written on Jewish soil.

Modern Christianity long ago recognized in their Savior a son of Juda, born of a Jewish mother, the lowly but supreme expounder of the message "Peace on earth, good will to men," a message subsequently embodied in that sublime motto "With charity for all, with malice toward none," which Abraham Lincoln engraved on his matchless escutcheon.

It is the aim of the Zionists to again add to principles of human conduct by establishing in Palestine a government in which social justice shall reign, where every child shall be well born and where everyone shall be taught the tolerance of a broad humanitarianism, the blessings of education, and the sacredness of peaceful toil.

A Jewish university, which will soon rear its noble walls where the prophets of old pleaded for human rights and justice, will gather under its roof Jewish men of science, establish modern laboratories for research, and keep in touch with scientific progress as it develops in other lands.

Public schools will abound, and with musical modern Hebrew, which will be the language of the land, English or French will be taught to every child, in order to open and keep open to the minds of the future Palestinians whatever shall be wrought by human brains elsewhere, as shall be chronicled in foreign literature.

Farming under modern scientific methods, already flourishing in many scattered Jewish settlements, will again make of Palestine a land "flowing with milk and honey."

Jewish artists will in due time enrich the world with native productions, adding them to the storehouses of beauty and refinement so necessary and so dear to people of culture.

Finally will churches and the State exist peacefully, side by side, precisely as in the United States, in England, in France, and Italy, and we believe that those Jews who will reassemble on the shores of the Jordan and in the shadows of Lebanon, will show themselves worthy of the hope and the confidence which the power of the allies may place in them.

These are the aims of the Zionists, this their program, and for them they would bespeak the interest, the active sympathy, and the good will of mankind.

MEMORIAL ADDRESS
OF
HON. WILLIAM H. KING,
OF UTAH,
IN THE SENATE OF THE UNITED STATES,

Sunday, January 26, 1919.

The Senate had under consideration the following resolutions:

"*Resolved,* That the Senate expresses its profound sorrow in the death of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

"*Resolved,* That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public service.

"*Resolved,* That the Secretary communicate these resolutions to the House of Representatives, and transmit a copy thereof to the family of the deceased."

Mr. KING. Mr. President, we pay tribute to-day to the memory of one who was respected and honored not only by the people of his State but by a large circle of friends and acquaintances beyond its borders. My words will come haltingly as I speak of one for whom I entertained not only a profound regard but a deep and genuine affection.

I first met Senator BROUSSARD when we were both Members of the Fifty-fifth Congress. He had won notable political victories in his own State, and by the electorate of his congressional district he was commissioned to serve in a broader field, where his ability and genius and high qualities speedily secured for him a wide acquaintance and a national prominence. Soon after meeting him we became warm friends, and during the four years that I served in the House of Representatives it was my pleasure to be associated with him in a very intimate manner. He continued in the House for a number of terms thereafter and was then chosen by his State for service in this great legislative body. I met him frequently during the years of his service in the House and after he came to this Chamber, and during all of the years of our acquaintanceship my respect and affection for him increased. While we differed in our views upon many subjects, nothing ever occurred to disturb the cordial and deep-seated friendship existing between us.

It is somewhat difficult to describe the characteristics and qualities of this man, who had all of the charm and the chivalry which finds expression in the life and conduct of the true "southern gentleman." There was a courtliness and a frank desire to please and serve others that immediately attracted attention and won the admiration and respect of those with whom he came in contact. He always manifested the keenest interest in the welfare of the weak and the unfortunate. His heart went out in a spontaneous fashion in behalf of those, no matter how humble their situation, whom he believed to be wronged or the victims of any form of oppression or tyranny. Injustice in any form aroused bitter resentment and opposition in his heart. In combating what he regarded as a wrong or as an injustice he was relentless and indeed implacable.

He so loved life in all of its forms and the sunshine and the peace and the joy of friendships that controversies and battles were not voluntarily sought or entered upon, but when the occasion, as he believed, demanded that an issue be made, he met it with unflinching courage and fought to the end, asking and giving no quarter.

Children always attracted him; he loved their smiles and their ways. Their very weakness and need of protection appealed to his nature. I have known him to stop ragged urchins upon the street, attracted by their tears and by their smiles. They realized that he was their friend, and they evinced undisguised

joy and pleasure in all that he said and in their association with him, whether brief or prolonged.

Reference has been made by the distinguished Senator from Louisiana [Mr. RANSDELL] to the love that Senator BROUSSARD had for trees and flowers. Soon after my acquaintance with him I became aware of his passionate regard for the woods, the fields, and the flowers. He would often take me into the country surrounding this city. His happiness seemed to be complete when he was walking through the woods and pointing out the trees and their varieties and characteristics and directing attention to the birds and to the flowers and to the rich treasures which nature spread out to our view.

At times he seemed to be restless in the confinement which his congressional duties compelled. He was impatient to get into the country and to escape from the conventionalities common to urban life. He derived strength, spiritually and intellectually, from contact with nature and from association with wood and field and farm and river and mountain and the varied forms of life therein. Contact with earth, Antæus-like, gave him strength and also gave him deeper sympathy with all things that have life. It has often been remarked that men of the broadest vision, of the deepest sympathy for humanity, and who possess the fullest comprehension of the purposes and mission of life come from the fields and the farms and live in close contact with nature. The thought has often been expressed that those who have glimpsed more truly the future of humanity and the destiny of this Nation came from the soil and found their chiefest joy in the fields and woods and in association with nature's rich creations. I have sometimes thought that those who live near to nature have a schoolmaster that teaches sincerity and leads the faltering footsteps into the paths of truth. It awakens within those who find joy and happiness in the forests and streams and mountains and plains an intense longing for knowledge as to the cause and purposes of life; and it develops a faith, perhaps often blind and indefinable, and produces a conviction that life is an expression of vital and eternal forces, and that back of man is a power, infinite and immeasurable, which seeks man's welfare and development and the triumph of the ethical and spiritual over the dark and sinister forces of materialism which grapple with humanity and seek to drag men into darkness and despair.

It has sometimes been said that the conventional, the artificial, and unreal take deepest root in the cities, where the lines of separation between rank and class are more distinct. However that may be, the great movements which our country has witnessed—movements moral or that made for greater political freedom—have always found the most earnest and devoted advocates in the agricultural and rural sections of the land; and from the fields and farms, from the villages and hamlets, whenever required, there have streamed mighty hosts of free Americans whose hearts responded to the call of country and duty, and whose spirits were attuned to catch the first cries for justice and for the defense of national honor.

Mr. President, Senator BROUSSARD, in his public career, manifested the characteristics which became strongly marked in his youth and were in part the product of his early life. Chivalrous and brave, kind and generous, always ready for service and sacrifice, devoted to what he conceived to be his duty regardless of the consequences—these and other characteristics equally strong and manifest accompanied him in the active and vigorous life which he led.

We often hear it said that a man is brave and courageous; and courage is often spoken of as a common attribute of man. Speaking generally, probably this must be conceded. Nevertheless, when responsibility is placed upon men, and when every act is watched by a thousand eyes and every word and deed subjected not only to examination but often to bitter and unjust criticism and misrepresentation, we find the test for true courage and bravery. Men often shrink from battling against the tide of public opinion. They surrender convictions in the face of violent opposition and bitter criticism. It is natural to desire the esteem and applause of associates. Certainly it brings satisfaction to have the praise of friends as well as those who are within the wider circle in which we move. Senator BROUSSARD was essentially a man who gave friendship and who desired friendship. He had the natural instincts of the buoyant personality. I think the man who possesses the broad view of life desires friends and associates and the maintenance of the most friendly and, indeed, affectionate relations with all who come within the range of his activities. Such a desire is not an evidence of weakness but a manifestation of the truly human, as well as the divine, within us. The cynic and the misanthrope, the person dissatisfied with life and filled with envy and hatred, is not the natural or the normal man. He is something of an excrescence upon the social organism, and too often retards and stifles progress and is a sullen foe of the forces of truth and righteousness. Our departed friend loved the living, vital, pulsing things around him—not only the trees and flowers and the birds and the voices in the field and forest, but he loved humanity and saw in man an unfolding of the purpose of a wise and beneficent Creator. Life was not in his view a failure but a triumph, not a starless midnight but the glorious effulgence of a noonday sun. Man in his view was not made to mourn but to have joy and to achieve and to accomplish. If there are sorrows and pains in man's pathway, there are likewise joy and happiness and compensations. The preponderating forces are for truth and justice, for joy and happiness, for peace and progress, leading humanity from the plain to the mountain top of sunlight and glory.

While he recognized that there was evil and darkness in the world, he believed that the forces of righteousness and truth would dominate and in the end reign supreme.

When confronted with a situation calling for action he did not temporize or compromise. He did not balance the question to determine where the advantage or the disadvantage would lie, so far as his personal welfare was affected. He sought to apply the standard of justice to private as well as to public conduct, believing that there was an immutable moral law by which all human conduct would be judged. He sought to so live that his conscience might be keen to respond to the great moral issues of life. Though, as stated, he was broad and tolerant, and, indeed, sympathetic toward the views of others, he became adamant when he thought that the right was assailed or an injustice to the weak was being done. He was not dogmatic or bigoted with respect to ethical or political issues, although where a moral issue was presented he spoke with great feeling and his nature was aroused until he became a powerful protagonist of the cause which he espoused.

My last long visit or talk with him was on the occasion of the reception given to Marshal Joffre, who came as the representative of France to this Government a few months after our country had entered the war. At the reception I recall the animated conversations that occurred between him and Marshal Joffre and M. Jusserand, the French ambassador. Senator BROUSSARD was a brilliant French scholar, and the distinguished representatives of France were greatly delighted to meet him and converse in the tongue of their beloved land. After the reception was ended, we left the building together and walked for some distance, and then stood for more than an hour talking upon many topics. It was a beautiful night, and he called attention to the stars and to the beauty and glory of the night. He spoke of Joffre and of France and of the heroic struggle which was being made by the French people to defend their nation as well as the cause of civilization. He loved the French people and had unbounded confidence in their genius and greatness. He said that the French people could not be defeated because of the sacredness of the cause for which they were fighting and because they had found their soul and possessed a heroism which was the product of something superhuman.

He was then not well and showed physical indisposition. In some manner our talk took on a religious phase. He manifested no apprehension because of his illness, and indicated that he had no terror at the thought of what we call death, and manifested a profound faith in the immortality of the soul and in the life beyond the grave. Agnosticism was repugnant to him and the materialism of the hour found no abiding place in his heart. Life to him was not an accident. He could not view man as the mere product of blind evolutionary forces. He was not a monist, but a believer in an omnipotent, everlasting Father who guides and directs and holds in His hand the destinies of man and nations.

As I recall his words that night, as well as views expressed by him upon other occasoins, I have no doubt but what there was within his soul that trust and faith so simply and beautifully expressed by Cardinal Newman:

Lead, kindly Light, amid the encircling gloom,
Lead Thou me on!
The night is dark, and I am far from home,
Lead Thou me on!
Keep Thou my feet; I do not ask to see
The distant scene; one step enough for me.

His was a faith that was perhaps not the product of philosophical inquiry and scientific investigation. He believed in God and in His power and mercy without attempting an explanation of the faith and hope within him. He saw in the woods and in the fields and in nature's varied forms of life immortality, not death. The expression of Fouche, carved upon the gates of the cemeteries of France in 1794, that "death is eternal sleep," was abhorrent to him, and he regarded it as

denied and disproven by the manifold forces cognized by finite man. I believe that he was truthful with himself, and that is the form of "veracity" which, as Huxley says, "is the heart of morality." Progress, development, growth—that is the mission and purpose of life and the destiny of man. His faith in the immortality of the soul was such as that, with Paul, he could exclaim, "Oh, grave where is thy victory! Oh, death where is thy sting!"

He had no sympathy with the materialism of the age and the efforts of men to destroy the verities of Christianity by the poisonous philosophy so prevalent in the land. As science reveals the conservation of energy, so he believed in the conservation and the indestructibility of life. Mrs. Browning's words, which portray the attitude of many toward life and its great problems, accorded with the views of our friend who has passed to the life beyond. She says—

For everywhere
We're too materialistic—eating clay
(Like men of the West) instead of Adam's corn
And Noah's wine; clay by handfuls, clay by lumps,
Until we're filled up to the throat with clay,
And grow the grimy color of the ground
On which we are feeding. Ay, materialist
The age's name is. God Himself with some
Is apprehended as the bare result
Of what His hand materially has made.

One of the greatest scientists and physicists of the age, Sir Oliver Lodge, after years of devotion to the profoundest questions which relate to humanity, affirms the persistence of life beyond the grave and the perpetuity of the living, vital, and intelligent ego within man. As I recall, he regards as demonstrable to the finite mind the proposition that life is eternal, and that man's individuality persists and continues untouched by the passing of the ages and indestructible by the forces controlling and upholding the universe. But, whether it may be demonstrated as a scientific proposition, it may be established that there is an intelligent and omniscient Power creating and guiding all. The history of humanity discloses that the human heart longs for communion with some power higher than that of man's, and seeks for guidance through the shadows of life from a source beyond this terrestrial sphere. And in all the ages from beyond the skies has come that light and spirit and faith that has illumined man's pathway, uplifted his soul, glorified his life, and opened his ears to the Voice that spake the truths for guidance and salvation.

Mr. President, this I feel was the faith of ROBERT F. BROUSSARD. Death did not bring annihilation. Buddhism, with its Nirvâna, which seeks through the door of life death and extinction, was a creed to him repellent. What a contrast there is between it and the Christian faith which teaches that through the shadow of the grave there comes life, everlasting, eternal life!

And so, Mr. President, our friend is not dead; he lives and in a wider sphere seeks growth and development and service and achievement. His life was rich in service, and his labors enriched his State and the Nation and added to the great reservoir of humanity's achievements. A strong, brave, chivalrous man has gone from our midst. His memory we will cherish in our hearts; his labors will live after him.

EXTENSION OF REMARKS

OF

HON. DENVER S. CHURCH,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. CHURCH. Mr. Speaker, Sequoyah, the great Cherokee Indian philosopher, was born as nearly as is known in the year 1770. He died near San Fernandino, northern New Mexico, in 1842. Sequoyah was a man of genius and exercised his gifts in numerous ways. He was a silversmith, blacksmith, and artist. His crowning achievement was the invention of the Cherokee alphabet.

This alphabet was the first thing of its kind among his people. It was a great success, and by it the Indians learned to write and read with but little trouble. It was employed by the missionaries and afterwards, in part, used in printing a newspaper called the Phoenix, the first newspaper ever printed in the American and Cherokee languages.

This alphabet brought hope to a dark and benighted land. When the names of the great Indian warriors are no longer remembered, and the strange, sweet stories of "Pisa," "The Enchanted Mountain," and "The Daughters of the Sun," together with other romances and Indian traditions are no longer told, the name of their old teacher, Sequoyah, will still stand forth as the conspicuous figure in Indian history.

Many men of birth, ambition, and opportunity have arisen in the past and performed valuable services for humanity, but Sequoyah was an Indian, born in a tent before the Revolutionary War, his mother a full-blood Cherokee. He was born in a land without a church, a schoolhouse, or civilization, yet he caused a light in the forest which enabled his people to catch glimpses of a different landscape and the outlines of a far-away horizon. Sequoyah's birth brought to his people the sunrise of their first day of civilization.

I am pleased to state that his worth was recognized during his lifetime by the Indians. Civilization, you know, has been in the habit of executing its chief benefactors. He was sent to Washington as a representative of the Cherokee West in 1828, and before this, in 1823, for the invention of the Cherokee alphabet he had been given by the Cherokee General Council a silver medal. His services were also recognized by Congress and an appropriation was made upon his representation. Money was furnished by the Government of the United States for the establishment of a printing plant, where the first newspaper ever printed in any Indian language was printed in Georgia, February 21, 1828.

In 1911 the State Legislature of Oklahoma authorized the placing of a statue of Sequoyah in Statuary Hall, here in the Capitol of the United States, he being chosen as one of the distinguished citizens of Oklahoma. This statue stands here today as the monument of love and affection of the two and one-half million people of the State of Oklahoma. One of the counties of Oklahoma is also named for him, and the place in the county where he once lived is regarded almost as holy ground. Societies and leagues for the benefit of the Indians throughout the country, in some instances, bear his name.

Science has also honored the old Indian teacher by naming the great redwoods of California for him, calling them Sequoia. But more pleasing than all this is the fact that the Government of the United States has also honored his name.

Over in my district in California, on the western slope of the Sierras, at an elevation of 6,500 feet, stands the greatest grove of Sequoia trees that can be found in the world. In this grove upwards of 12,000 of these ancient wonders toss their defiant branches to the sky. In 1890 the Government of the United States dedicated the 250 square miles on which these trees are found to a national park and, in honor of the old Cherokee philosopher and child of the forest, it was given the appropriate name of the Sequoia National Park.

If old Sequoyah could come back, riding his favorite horse, from beyond the Milky Way, down the wide road of the Indian dead, and halt on a wooded ridgeway opposite this great park empire—wild, rugged, picturesque as it is, and containing about one-half of all the Sequoia gigantea trees of the world—his old Indian heart would throb with joy and his bosom swell with pride as he beheld the matchless landscape that bears his name. The grandeur of the old red hills of Georgia, the land of his childhood, and the charming landscapes of Oklahoma and New Mexico would be far outclassed by a view of this great park. He would find it far more wonderful than his own early description of the enchanted island of "Okefinokee."

The word "Sequoyah" in Cherokee means "he guessed it." There is no other place on earth where one is filled with so much wonder as when strolling among these great trees. There is no way of solving their mystery except through a guess. They are found nowhere on earth except in this park, and within 200 miles of its boundary. They are acknowledged to be the oldest living things on earth. They are regarded by scientists as the scanty and sole survivors, with but slight variation, of an ancient order of forest trees which flourished extensively during the Cretaceous and Tertiary periods of the earth's life, contemporaneous with such huge animals as the dinotherium, megatherium, mammoth, and monster reptiles long since extinct. The average height of the Sequoia gigantea is about 275 feet, but some have been found to be as high as 325 feet. Their average diameter is about 20 feet, though in nearly every grove some are found with more than 30 feet diameter. Six-horse stagecoaches, with 15 or 20 passengers, have often been driven for a hundred feet or more upon the prostrate bodies of these fallen giants. In several trees ancient fires have burned a passageway through the great trunk, and wagon roads are constructed so tourists can drive through the very heart of the standing tree.

The largest tree in the Sequoia Park is the General Sherman. It has a base circumference of 102 feet at the ground. An

authority has said that this tree would furnish two-rail fencing from 20 to 30 miles, or produce lumber enough to make one telegraph pole 40 miles in length, or supply a line of poles from Kansas City to Chicago.

Mr. Speaker, I believe these big trees are the most wonderful objects on earth. On viewing them one is filled with reverence and wonder. There they stand without kith or kin, survivors of another age from which all but they are gone. If they could speak what strange stories they would tell. They would give a history not written on tablets nor in books, but on circles, strata, petrification, and banks of ancient shells. They would give the mystery of the Golden Gate. But they can not speak. Oh, yes, they can; they speak in silvery tones to all who pass their way. In days gone by they have whispered and talked to me. When as a shoeless child I tried to climb their rough and rugged trunks, they spoke to me. And in after years when I camped alone amid their groves and heard the forest winds and saw the shadows change as the great moon drifted overhead, they spoke to me. And in wintertime far back in Sierras heights, when the snow was deep and fond memories constrained me to visit my ancient friends, I found them standing as they had stood through the ages, and there in solitude, clad in overcoats of snow, these sullen, sulky giants spoke to me. They taught me to love my fellow man. They taught me to be broad, generous, and true, too big to do a willful wrong.

Mr. Speaker, as the alphabet invented by the namesake of the great trees of California brought new hope and new destiny to the Cherokee, so all who visit the great Sequoia trees of California learn lessons and receive impressions that remain with them through life.

Gentlemen, there has been a bill prepared by the Park Service, that is now pending in this House, asking that the name of the Sequoia National Park be changed to the Roosevelt National Park, and that there be added to the 250 square miles that now constitute the park 1,350 square miles of territory. How anyone could possibly find it in his heart to want to rob old Sequoyah, the greatest North American Indian of all times, of the honor of having one of our national parks bear his name is past my comprehension. I am sure that the great Roosevelt would not have sanctioned it for a moment. Strange enough, the move comes from the Department of the Interior, which is the legal custodian of the Indians' property and rights. I have no fear that Congress will ever pass this bill. If it did, it would be an insult to every Indian and the friend of every Indian in this country. Col. Roosevelt during his lifetime never set his foot in the Sequoia National Park, and I am sure his memory can be properly honored if his name is connected with the Panama Canal or some other work that he aided by his great influence.

Is it possible after having driven the Indians from their ancient haunts and hunting grounds that we are not generous enough to permit a small portion of their ancient domain to bear the name of their chief benefactor? Having about exterminated the Indian, do we now propose to blot out his name forever? No; the American people will never permit the name of Sequoyah, the old Indian philosopher, to be blotted from the memory of man.

Mr. Speaker, the bill under consideration was passed by the Senate. That body changed the name of the Sequoia National Park to the Roosevelt National Park and added to the 250 square miles that now constitute the park 1,350 additional square miles, making in all under the Senate bill a vast domain of 1,600 square miles.

The Public Lands Committee of the House amended the Senate bill by cutting out the added territory of 1,350 square miles, but left the name changed as it was when it came from the Senate.

The object of the Park Service in pressing this amended bill to passage is for the purpose of getting it into conference, where it is hoped by the service that the 1,350 square miles of territory eliminated by the Public Lands Committee of the House, or at least a large portion of it, will be restored in the bill.

Gentlemen, I want to call your attention to the fact that we now have more land embraced in our national parks than can be improved by the use of the money which is received through appropriations from year to year. Every year the estimates submitted by the Park Service are tremendously cut down by the Appropriations Committee.

As a matter of fact we have already too many, or at least enough, national parks. We have 18 that I can recall and 21 national monuments under the jurisdiction of the park service, a domain of more than 10,000 square miles, an acreage greater than the combined territory constituting the States of Connecticut and Rhode Island. If Uncle Sam keeps on, his playgrounds will be larger than the rest of his farm.

When we have not enough money with which to improve existing parks what is the use of creating more?

At this time when the American people are groaning beneath their burden of taxation, why spend our time in creating new parks which call for the annual expenditure of large sums of money to maintain them?

Mr. Speaker, one branch of the Department of the Interior is now asking for a tremendous appropriation for the purpose of starting new irrigation projects so that the returning soldier will have room on which to build himself a home, a most commendable enterprise, while another branch of the same department, the National Park Service, is asking to extend its domain over 1,350 square miles of mother earth and thus prevent the possibility of thousands of summer homes from being established. There is no better place on earth for summer homes than on this land which they seek to condemn.

On this 1,350 square miles it has been estimated by the Department of Agriculture that 2,000,000,000 feet of timber is now growing. Under the present administration of this land by the Forestry Department this timber is rapidly being converted into lumber and thus being made to contribute to the comforts and necessities of life. If this proposed park extension is made, this timber will be dedicated to perpetual waste and decay. They do not sell timber in our National Parks.

On this vast section of land under consideration, which amounts to 864,000 acres, 7,000 head of cattle graze and fatten during the summer months, and 30,000 head of sheep find there their summer range. The Park Service does not permit cattle to graze in our western parks except during war times and times of great distress. Sheep are never permitted in our parks. Durings the six years that I have been a Member of Congress I have almost worn out a typewriting machine asking that starving cattle, pinched by cold and stunned by drought, be permitted to pick up the feed that was wasting in the adjacent park. My supplications were generally without avail.

If the Park Service has its way in reference to this extension, the meat consumers of this country at this time of food and meat scarcity will be deprived of the annual increase of 7,000 head of cattle and 30,000 head of sheep.

You ask why this stock can not go to some other range? My answer is, There is no other range. All the ranges outside of the national parks are occupied by other stockmen. If they undertake to move their herds toward the north they will find themselves intruders on the General Grant National Park. If they go north of that park they will find their stock taken into custody by the keeper of the 1,125 square miles which constitute the Yosemite National Park. If they go still farther north in California they will find themselves in the Lassen Volcanic National Park, and if in despair they finally conclude to seek a place of refuge from the national parks of California and go into southern Oregon they will find their stock are feeding within the boundaries of the 250 square miles constituting the Crater Lake National Park. In this day of meat conservation the cattle and sheep industry in the United States is being, in a measure, strangled by the creation of national parks.

As a matter of fact, we do not need any more national parks or any more park extensions. We have more parks now than 1 in 10,000 of the people of this country have ever yet seen. The park authorities here in Washington have, in my opinion, more parks under their control than even they have ever thoroughly explored. I am somewhat of a mountaineer myself, and I state as my best judgment that there are at least 1,500 square miles in the Yellowstone, 500 square miles in the Yosemite, 500 in the Glacier, 200 in the Rocky Mountain, and at least 150 square miles in the Sequoia National Park as it now exists that the present park director has never set his foot upon. I predict if this bill goes through the House and gets into conference and this 1,350 square miles of territory which has been eliminated by the Public Lands Committee of the House is rewritten in the bill, and that it finally in that form becomes a law, that there will be at least 500 square miles of this added territory that Mr. Mather will never during his lifetime be close enough to see except through a spyglass. I do not say this because I would have you believe that the Director of the National Park Service is not capable and active, for he is, but I say it to impress upon you the fact that we have now more national playgrounds than we have time to enjoy or explore.

Even the Yellowstone National Park, next to the oldest one of our parks, with its 3,300 square miles of territory, has only been visited by a small per cent of our people. Have you ever explored it—this great wonderland, containing more geysers than there are outside of it in all the world, with its boiling springs, mud geysers, and petrified forests, with its lakes, can-

yons, and wonderful waterfalls? It has almost an unexplored wilderness where roam deer, elk, mountain sheep, bear, panther, and all the other animals that live in the great forest; besides this there are countless birds of rare plumage and sweet song that enchant and charm the woods.

And then there is Glacier Park in Montana, near by, with its 1,534 square miles of territory, most of which the tourist has not yet set his foot upon. It is a rugged mountainous region of Alpine beauty unsurpassed. It has 250 lakes, blue and deep, that are fed by glaciers. Besides this, 60 small glaciers add to the interest of this wonderful land. Peaks, canyons thousands of feet in depth, and mountain ranges add to the wonder of the landscape. Why not build trails and more roads and really open up this wonderland? The people have not seen it.

And the Rocky Mountain Park, in the heart of the Rockies, out yonder on the border of the West. It is close at hand. It has 400 square miles within its boundaries and mountain ranges and peaks from 11,000 to 14,200 feet in height.

And the Yosemite National Park, which contains 1,125 square miles of scenic wonder, its boundary but 40 short miles from the boundary of the extension proposed. In this park there is room for the recreation and amusement of the tourists of the world.

I might go on and mention the other national parks, but they are too numerous to mention. There are two national parks in my district, and all this vast domain proposed to be added is also located there. My district is also bounded on the north by the Yosemite.

Mr. Speaker, in conclusion let me say I am opposed to both the change of the name of the park and also to the extension. To change its name is neither necessary nor fair; not necessary because there are many other ways of honoring the name of the deceased ex-President, and it is not fair to either one of the men who have passed away that the name should be changed.

Probably this country has never produced two more brave men than Theodore Roosevelt and old Sequoyah. They were firm, steadfast, unyielding, and brave. They were iron men of America. Either of them would fight for what he thought was right and what was his own. But both were too proud and honorable to even accept that which belonged to another. If Roosevelt were alive his voice would roar across the continent denouncing the thought that he would usurp the glory belonging to the old Indian. Were he alive the proposers of this change, in my opinion, would hardly be safe.

Sequoyah won his honors in a death grapple with conditions that were all against him. Naked and half starved, with bow and arrow he fought his way up and out of the wilderness. Cold, starvation, and privation were his only companions during the first 50 years of his life. To take away the honors achieved in such a struggle would be worse than to have stolen the wolfskin, his only bed in childhood, or the roots and meal from the bottom of the bin in the wigwam of his mother.

No friend of Theodore Roosevelt should press this bill, and all lovers of a square deal should assist in defeating it.

The extension proposed is as unnecessary as the change in name is inhuman. It will cause too many heartaches and bring no happiness in return, except to those who are eager to enlarge their power. The home builders of the country will suffer because it will prevent in time 2,000,000,000 feet of lumber from being placed upon the market. The cattle and sheep men who rely on this pasture will have to sell their flocks and herds and homes and go down out of the mountains. I love these sturdy mountaineers, and I hate to see them go. I know their trials, hopes, and fears, and for this reason I am opposed to the bill.

If this 1,350 miles of proposed extension is really added to the park it will act as a bar, and will keep people out of the section instead of encouraging them to enter it. The territory involved is now under the liberal administration of the Forestry Department, and there is every inducement for campers and tourists to enter it. There is free grazing, free hunting, free fishing, free camping, and no restrictions except to keep down forest fires. If it goes under the national park administration, it will be bombarded with petty rules. The trees will be heavily laden with signs telling people when to camp and where, and when to move and how. There is a different atmosphere in the parks from that in the forest reserves. In the forest reserves one feels at home, but in the national parks he feels like an intruder; like he was under deep and lasting obligations to the superintendent of the park for his visit.

Let me call your attention also to the fact that the territory under consideration is a great hunting ground. People from all parts of the country go to that region to hunt deer and bear, that are numerous in those mountains. All this will be done away, for guns are not permitted to be fired in our national parks. A person would be as much out of place in that section without a gun as one of the House reporters would be here without pen or pencil. People want firearms when they go camping, and a camp without firearms is like a knife without a blade. Campers will not go where they can not take guns.

The fact that hunting would not be permitted if this proposed extension were made would keep more people out of the territory than all the advertising of the park service would bring into it.

Mr. Speaker, I sincerely trust this bill will not become law.

Soldiers' Land Bill.

EXTENSION OF REMARKS

OF

HON. WILLIAM W. HASTINGS,

OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. HASTINGS. Mr. Speaker, everyone is proud of the record our gallant soldiers made in the war with Germany. We were forced into the war, but we knew in advance that the brave sons of America would uphold the historic traditions of our beloved country. They fought for the ideals of our country, in defense of our flag, for humanity, and for the liberty of the world.

Had we not entered the war Germany would perhaps have conquered Europe, triumphed over Great Britain, and in the end endangered the independence of our country.

Celebrations will be held throughout every county in the United States and in the large cities and towns commemorating the signing of the armistice. They will also be held upon the anniversary dates of the principal battles in which our brave boys were engaged. We can not honor them too highly, and it is not only a pleasure but a privilege to join with our other fellow citizens in these celebrations. However, this is not enough. We should do something more for the men who left their homes and loved ones and entered the Army and Navy, willing to make every sacrifice to defend the honor and glory of their country. The Congress did much in advance for those who went forth to defend us. Additional compensation was provided and provision was made for allotments, both from the soldiers' compensation and from the Federal Treasury, to be paid their loved ones dependent upon them. We provided compensation in lieu of a pension for those who suffered disability in the service, graduated in amount according to disability. We made it possible for the soldier and the sailor to take out insurance on a peace basis to the amount of $10,000 each. We provided for vocational training for the returned disabled soldier who is unable to follow his old trade. We made liberal appropriations for food, clothing, and equipment. We appropriated every dollar requested by the War and Navy Departments for military equipment and supplies of all kinds. We all rejoice that the war is over, and in these days of reconstruction many plans are proposed for aiding these discharged men. It is my earnest hope to be of some practical, substantial assistance to them. With that end in view, I have prepared and introduced a short amendment to the farm-loan act (H. R. 16213), which, in my judgment, is practical and will be of much help to them. I invite the earnest consideration of Congress to it.

The bill proposed by me amends two sections of the Federal farm-loan act approved July 17, 1916.

Paragraph 5, section 12, of this act only permits loans to be made to the amount of 50 per cent of the value of the land and 20 per cent of the value of the permanent, insured improvements. These loans are made through local associations. The bill introduced by me provides that loans may be made to honorably discharged soldiers, sailors, and marines to the amount of 100 per cent of the appraised value of the land and the permanent, insured improvements thereon; but it divides the amount borrowed into a first and a second loan. The first loan is for 50 per cent of the appraised value of the land and 20 per cent of the appraised value of the permanent, insured improvements and is made in all respects the same as to any other borrower. The second loan that I propose would be up to and not in excess of 100 per cent in the aggregate of the appraised value of the land and the permanent, insured improvements. This second

loan is secured by a second mortgage on the land and improvements and is also secured by an assignment of the insurance of the borrower, taken from the Government under the war-risk insurance act and acts amendatory thereof.

Now, as to the first loans, the notes and mortgages are used by the farm loan banks for the security of the bonds issued, the same as notes and mortgages of other borrowers, but the Government issues its own bonds to supply the money for the second loans secured by the second mortgages and insurance. These bonds shall be denominated "soldiers' bonds." By this plan the Government is insured against loss and the honorably discharged soldier, sailor, or marine wishing to own a farm gets cheap money. He is permitted to borrow it from 5 to 40 years, payable upon the amortization plan, just as other borrowers under the Federal farm loan act.

In addition, this bill proposes to amend section 15 and permit farm land banks, with the approval of the Federal Farm Loan Board, to appoint agents all over the country, through whom applications for loans would be transmitted to the farm land banks. This would not necessitate the discharged soldiers, sailors, and marines joining local farm loan associations. The plan does not amend the Federal farm loan act in any other particular, but leaves it in full force and effect. I want to briefly call attention to the advantages contained in this bill.

In the first place, it will enable honorably discharged soldiers, sailors, and marines to borrow money for a long time at a low rate of interest, payable in installments, sufficient in amount to purchase and improve a home. It would permit them to borrow not only 50 per cent of the value of the land and 20 per cent of the value of the improvements, as provided in the farm loan act, but it would permit them to borrow the full value. It would permit them to look up their own farms, initiate their own transactions, and buy in any locality in any county or State in which they reside or desire to live.

In the second place, it would not require any additional administrative force to carry the act into effect, but the same would be administered by the farm-loan banks and their employees. This would avoid any delays in the act going into practical operation and would insure immediate results. Therefore there would be no additional overhead expense. The first loans will be treated exactly as any other loans. The money to make them will be obtained by the sale of farm-land bonds.

The bill proposed by me provides that the Government shall sell its own bonds to the amount of the second loans and the money derived from the sale of these bonds is to be loaned through the farm-land banks to honorably discharged soldiers, sailors, and marines. These Government bonds, denominated "soldiers' bonds," are to be nontaxable, just as far as farm-land bank bonds are nontaxable. They are to be sold at not to pay a higher interest rate than 4½ per cent and not below par. The second loan is to be made at the same rate as the first loan and upon the same terms and conditions. This means, of course, that these loans are to be made from 5 to 40 years, payable upon the installment plan, the same as the first loan, but the notes and mortgages for the second loans are not to be used as security for the farm-loan bonds issued, but the proceeds are to be used in the payment of Government bonds.

It will be seen, therefore, that the bill proposed by me will not depreciate the farm-loan bonds, but that the money is loaned direct from the Government on the second-loan notes and mortgages and the soldier's insurance, through the farm-land banks. This will not necessitate another examination of the title or an additional appraisement of the land. In fact, no additional work will be required, because the loan will be made at the same time at which the first loan is made.

The Government will be adequately secured, because, in addition to the second mortgage given to secure the second loan, the soldier, sailor, or marine is required to assign the insurance that he has in force, taken out from the Government through the war-risk insurance act and acts amendatory thereof. In other words, as additional security, the Government has assigned to it its own insurance.

As the notes secured by the second loans are paid, the proceeds, both principal and interest, are to be applied to the payment and the retirement of the bonds issued and sold by the Government to secure money with which to make these loans. It will be seen that the Government is secured in every respect against loss. These amendments will provide substantial assistance to the men who made large sacrifices and were willing to endure everything in defense of our flag and country.

The returning soldier, appreciative of the merited recognition of a grateful Republic, will take possession of the land purchased for a home, repair, add to, and erect new improvements thereon, as well as clear up and reduce it to a state of cultivation. All this will add greatly to the value of the land. Good agricultural land in my State in the last five years has increased from 50 to 75 per cent in value. Much of it has doubled in value. This is doubtless true of farm land throughout the whole Nation. Every industrious home owner beautifies his home and enhances the value of his land. As the land increases in value and as the loan is reduced by amortized payments, the second mortgage held to pay the Government bonds will become better security.

In addition, the amendment to section 15 provides that a local agent may be appointed through whom these applications may be made for loans, so that the honorably discharged soldiers, sailors, and marines will not have to become members of local farm loan associations. This would insure immediate consideration of the applications and expedite action upon them in every way.

When the original farm loan act was under consideration by the Banking and Currency Committee I was a member of that committee. In the committee and on the floor of the House I criticized the provision requiring that prospective borrowers become members of local farm loan associations before being able to secure loans. I tried to have the same amended when the bill was under consideration in the House. I called attention to the fact then that the organization of local farm loan associations would cause vexatious delays and would have the effect of defeating the purposes of the act. A man can not wait 90 days or longer for the formation of a local association through which to apply for a loan, after he purchases a farm. He must know with reasonable certainty immediately, or not later than a week or 10 days. If this amendment is adopted, local associations will not be necessary, but agents would be appointed throughout the country, and applications may be made and forwarded through them to the farm land banks. These agents in a short time will become so proficient that they will see that all the papers necessary to accompany an application are made in due and proper form, and that the abstract accompanying the same is completed, thus avoiding many interminable delays. There is no reason why an application should not receive favorable action within 10 days at most. This amendment should apply to all borrowers, including soldiers, sailors, and marines.

Every other plan that I have heard suggested involves the creation of new bureaus, with a vast army of employees, involving too much overhead expense.

The plan presented in this bill does not involve any additional expense, but uses the machinery of the farm land banks to come to the aid of the defenders of our country. Instead of spending money upon employees, I want to give the benefits to the man who made sacrifices that liberty should not perish throughout the world.

I can not too strongly emphasize the fact that this plan provides money for soldiers, sailors, and marines to purchase land in the locality of their choice and allows them to exercise some judgment in the selection of it. It does not necessitate their leaving the community where their friends and loved ones reside in order to secure a home.

I want also to emphasize the fact that this plan provides cheap money to them. The money can be borrowed from 5 to 40 years upon the amortization plan, providing for the payment of 1 per cent additional annually or one-half per cent semiannually as a payment upon the principal on long-time loans. The returning soldiers of our country are only asking a fair chance, and this plan gives it to them. It enables everyone who desires a tract of farm land to purchase it for a home.

In the long run the Government will not be out anything. The bonds issued by the Government will be repaid out of the collections, principal and interest, of the second mortgages, and, as additional security for these second loans, the insurance which the soldiers, sailors, and marines have taken out from the Government is assigned. Certainly the Government's own insurance is good security. This insurance must be kept alive and in full force and effect, and this of itself will be helpful in inducing them to keep the insurance in force. In the event of a man's death his wife or other dependents can pay off the loan upon the farm with the insurance and have a home.

In addition to the general legislation enacted for the benefit of men in the service during this war, we have given them a small additional sum to tide them over their period of unemployment. This bill will prove of substantial and lasting benefit to them. It affords the men opportunity to get cheap money, is an inducement to purchase homes, gives them employment, encourages thrift and economy, and will prove of permanent benefit to them. It will aid in the development of our country and show that this Republic is not ungrateful to the men who were willing to sacrifice all in order that liberty might live.

I voted for the declaration of war against Germany. There was no other course to pursue. I voted for all the legislation recommended as necessary and the appropriations asked, in order that we might triumph over German military force. From the date of the passage of the resolution in April, 1917, until the armistice was signed and proclaimed on November 11, 1918, I felt keenly the responsibility laid upon the representatives of the people of this country. I now feel as keenly the necessity for proper and just recognition of the services of the men who were ready and willing to carry the Stars and Stripes to victory. Their services were invaluable.

The bill is as follows:

Be it enacted, etc., That the fifth paragraph of section 12 of the act entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes," approved July 17, 1916, shall be amended so as to read as follows:

"Fifth. No such loan shall exceed 50 per cent of the value of the land mortgaged and 20 per cent of the value of the permanent, insured improvements thereon, said value to be ascertained by appraisal, as provided in section 10 of this act: *Provided*, That loans may be made as hereinafter provided, to honorably discharged soldiers, sailors, and marines who served in the war with Germany, to an amount equaling 100 per cent of the value of the land and permanent, insured improvements thereon: *Provided further*, That the loans shall be divided so that a first mortgage shall be taken upon the land and the improvements in each case to secure the note for a first loan in an amount not to exceed 50 per cent of the value of the land mortgaged and 20 per cent of the value of the permanent, insured improvements thereon, which notes for said amounts may be used by the farm-loan banks as security for the farm-loan bonds, the same as notes made by other borrowers, and a second mortgage shall be taken upon the land and the permanent, insured improvements thereon to secure a second loan evidenced by a note for the remainder of the loan in each case, in an amount in the aggregate not to exceed 100 per cent of the value of the land and the permanent, insured improvements thereon, which said second mortgages shall be held by the farm-land bank of the district in which the land and improvements so mortgaged are located, and collections shall be made on them, both as to principal and interest, the same as notes secured by first mortgages; and the United States shall issue its bonds, which shall be denominated 'soldiers' bonds,' to such an amount as may be necessary to make the proceeds equal the amount of the second mortgages, which said bonds shall be nontaxable and bear interest at a rate not to exceed 4½ per cent and be sold for not less than par value, and the money shall be loaned to said honorably discharged soldiers, sailors, and marines at the same rate as paid upon the notes secured by the first mortgages, and the proceeds derived from the payment of the notes secured by the second mortgages shall, when collected, be used for the payment and retirement of the Government bonds herein authorized to be issued: *Provided, however*, That said second loan shall be made only to those honorably discharged soldiers, sailors, and marines who carry life insurance under the war-risk insurance act approved October 6, 1917, and acts amendatory thereof, in full force and effect, which shall be assigned and held as additional security for said second loan.

"In making said appraisal the value of the land for agricultural purposes shall be the basis of appraisal and the earning power of said land shall be a principal factor.

"A reappraisal may be permitted at any time in the discretion of the Federal land bank, and such additional loan may be granted as such reappraisal will warrant under the provisions of this paragraph. Whenever the amount of the loan applied for exceeds the amount that may be loaned under the appraisal as herein limited, such loan may be granted to the amount permitted under the terms of this paragraph without requiring a new application or appraisal."

SEC. 2. That section 15 of said act shall be amended by adding at the end of said section the following paragraph:

"Each farm-land bank in its respective district is authorized to make loans to honorably discharged soldiers, sailors, and marines on farm lands through agents appointed by it and approved by the Federal Farm Loan Board, which agents may be other than duly incorporated banks, trust companies, mortgage companies, or savings institutions chartered by the State in which they have their principal office."

River and Harbor Appropriation Bill.

EXTENSION OF REMARKS

OF

HON. CALEB POWERS,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. POWERS. Mr. Speaker, the river and harbor bill recently passed by both House and Senate and signed by the President and which is now a law carries a provision of much interest and great importance to the whole State of Kentucky, and especially that portion of Kentucky which lies in the congressional district I have the honor to represent. I refer to that provision which indorses the expenditure of four and one-half million dollars for the complete canalization of the upper Cumberland River from Burnside, Ky., to Nashville, Tenn., and which makes immediately available for that purpose the sum of $340,000, a part of which sum will be used in purchasing all the lock and dam sites in Kentucky and Tennessee.

When these sites are selected and locks and dams built thereon, it will complete the canalization of the entire upper Cumberland from Nashville to Burnside. There are now seven locks and dams in the Cumberland River, in the State of Tennessee, above Nashville, and a site already selected for the eighth lock and dam. On the Kentucky side we have but one lock and dam, namely, Lock and Dam 21, 30 miles below Burnside, Ky. The sites for all the new locks and dams on the Kentucky side will have to be selected and paid for.

Away back in 1882 Congress made provision for a survey of the upper Cumberland River to determine the feasibility and cost of improving it from Nashville, Tenn., to Burnside, Ky. The report of this survey also included the improvement of the Cumberland River to Smith Shoals above Burnside, Ky. The entire project, as later revised, provided for the construction of 28 locks and dams, also a minimum depth of 6 feet in the river for the entire distance from Nashville, Tenn., to the proposed head of navigation, a distance of 357 miles. This was approved by Congress, and work on this project was commenced in 1888 and was continued at intervals up to February 26, 1906, when the Board of Engineers for Rivers and Harbors recommended that the work on the locks and dams already begun should be completed and that the rest of the project should be discontinued.

Locks 1 and 2, on the Tennessee side, had at that time been completed, while Lock 21, on the Kentucky side, and Locks 3, 4, 5, 6, and 7, on the Tennessee side, were under construction. Since February 26, 1906, Lock 21, on the Kentucky side, and Locks 3, 4, 5, 6, and 7, on the Tennessee side, have been completed, but it must be remembered that on February 26, 1906, the Board of Engineers for Rivers and Harbors said that they would not recommend any more money for any further improvement on the upper Cumberland River, either on the Kentucky or the Tennessee side, except to complete the locks and dams already begun.

This report of the Board of Engineers for Rivers and Harbors, made on February 26, 1906, put the upper Cumberland River "on the bum," so to speak, and not a single cent of money has been expended since that day, except on Lock 21, for the buying of a single site for any other lock and dam in the Cumberland River on the Kentucky side, nor the appropriation of a single cent for the construction of one.

It has been the policy of the Government to begin at the mouth of the river and build locks and dams from the mouth up, and not from the head down. This accounts for the fact that, while the Government in 1882 decided upon the policy of improving and canalizing the entire upper Cumberland and adhered steadfastly to that policy for a quarter of a century, no Member of Congress from the eleventh congressional district of Kentucky was able to get any money appropriated to begin building locks and dams at the upper end of the river below Burnside, Ky.; and this, too, notwithstanding the fact that the eleventh congressional district during all this time was represented by a Republican Representative, and notwithstanding the further fact that during the last 16 years of this period, or down to March 4, 1911, the Republican Party was in power in the Nation, with Republican Presidents in the White House, supported by Republican Congresses.

During the Republican rule Democratic Members of Congress from the State of Tennessee had gotten from Republican Congresses appropriations sufficient to build and construct Locks and Dams 1, 2, 3, 4, 5, 6, and 7 in the Cumberland River above Nashville, Tenn. These appropriations, all told, will amount, in round numbers, to $3,000,000. Republican Members of Congress from the eleventh congressional district were just as able men as those from the State of Tennessee and just as faithful to their trusts; but they were unable to induce the Government to break its precedent and policy of improving its navigable rivers from the mouth up and not from the head down, and it remained for Dr. W. Godfrey Hunter to break this precedent, who secured the first appropriation for Lock 21.

WHAT HAD TO BE DONE TO SECURE APPROPRIATIONS.

It is an impossible task to get Congress to make an appropriation to build a lock and dam in any stream unless the Board of Engineers for Rivers and Harbors and the Chief of Engineers of the Army recommend such construction. On February 26, 1906, they said in a report that the commerce in the upper Cumberland was not sufficient to justify the Government in expending more money in constructing locks and dams in the upper Cumberland on the Kentucky side except to complete Lock and Dam 21, as I have heretofore pointed out. This report of February 26, 1906, was made during the first year of Congressman Edwards's first term in Congress, and during the remaining five years he was a Member of the House he was unable to get the

Government to reverse itself. He was unable to get any money appropriated to start any new locks and dams in the upper Cumberland, although he worked hard and faithfully to that end. It was a difficult thing to do.

When I became a Member of Congress on March 4, 1911, I found the upper Cumberland still under the ban, the Government refusing to start any new locks and dams there. All those conversant with the situation and interested in the canalization of the upper Cumberland knew that we never would get Congress to appropriate any more money for the purpose unless we could get a favorable report from the Board of Engineers for Rivers and Harbors to that effect. Realizing our dilemma, those interested in the improvement of the upper Cumberland set to work to see if they could get the Board of Engineers for Rivers and Harbors to reverse itself and report favorably instead of adversely upon the further canalization of the upper Cumberland. The first logical step in this matter was the introduction of a resolution before the Rivers and Harbors Committee of the House of Representatives, and accordingly the following resolution was introduced before and passed by that body:

Resolved by the Committee on Rivers and Harbors of the House of Representatives of the United States, That the Board of Engineers for Rivers and Harbors, created under section 3 of the river and harbor act, approved June 13, 1902, be requested to reconsider its previous reports on Cumberland River above Nashville, Tenn., and to make a further report with recommendation as to the desirability at the present time of constructing one or more locks and dams above Lock No. 7.

On December 5, 1912, the said board granted a hearing here in Washington to those interested in the canalization of the upper Cumberland, and Congressman CORDELL HULL, who represents the Tennessee district on the Cumberland River just south of the Kentucky boundary line, myself, and others appeared before that board and made arguments for the complete canalization of the upper Cumberland from Burnside, Ky., to Nashville, Tenn. We urged that the commerce in the upper Cumberland and the isolation of our people from railroads and the lack of transportation facilities fully justified the Government in spending the money to improve and canalize this stream. We asked for a new survey of the upper Cumberland.

The board granted our request and instructed the local engineer, Maj. Burgess, who is stationed at Nashville, Tenn., to make a complete survey of the upper Cumberland from Burnside, Ky., to Nashville, Tenn., which he did, making his report on December 30, 1913. Maj. Burgess made a most thorough and exhaustive examination of the advisability of a complete canalization of the Cumberland River between those two points and reported favorably on that project. He estimated that it would cost the Government $4,500,000 to complete the canalization of the upper Cumberland from Burnside, Ky., to Nashville, Tenn.; that four new sites for locks and dams would have to be secured on the Tennessee side and six or eight on the Kentucky side, and that to purchase these sites and construct the necessary locks and dams would cost about $4,500,000, and that it ought to be done at the expense of the Government.

The division engineer differed from Maj. Burgess, the local engineer, in this: The division engineer recommended that the canalization of the upper Cumberland ought not to be undertaken by the Federal Government unless the State of Kentucky and the State of Tennessee would undertake to pay half of the expense of it, or, in other words, $2,225,000. Those interested in the canalization of the upper Cumberland knew that the States of Kentucky and Tennessee would never do this, and the Board of Engineers for Rivers and Harbors on January 28, 1914, kindly granted us a hearing on this proposition. A pretty complete delegation of Senators and Members of Congress, both from the States of Tennessee and Kentucky, appeared before the board on that date and made arguments in favor of the complete canalization of the upper Cumberland at Government expense. I am one of those who made an argument upon that occasion. The Board of Engineers for Rivers and Harbors, after hearing the arguments made before it, recommended to the Chief of Engineers of the Army that the entire upper Cumberland be locked and dammed at Government expense.

On February 4, 1914, in making his report to Hon. Stephen M. Sparkman, chairman of the Committee on Rivers and Harbors, of which I was a member, the Chief of Engineers of the United States Army said:

After due consideration of all the facts available I concur with the views of the district officer and the Board of Engineers for Rivers and Harbors. The first appropriation should be $340,000, for securing all lock and dam sites and for beginning construction of Lock and Dam No. 8, with contract authorization for $201,000, covering the completion of this lock and dam. Subsequent appropriations should be sufficient to permit the beginning of construction of two additional locks and dams each year.

We incorporated in the rivers and harbors bill of 1914 the item of $340,000 to buy the remaining sites and properly begin the complete canalization of the upper Cumberland. We passed that bill through the House, but a filibuster killed it in the Senate. There has been included an item of $340,000 in the bill which has just passed both House and Senate and which has been approved by the President and which is now a law, providing for the "improvement of the Cumberland River above Nashville in accordance with the recommendation of the Chief of Engineers and the Board of Engineers for Rivers and Harbors, printed in Rivers and Harbors Committee Document No. 10, Sixty-third Congress, second session, and subject to the conditions set forth in said document."

The law as passed makes it the policy of the Government to completely canalize the upper Cumberland, and it will be only a question of time when the entire upper Cumberland will be locked and dammed. The Board of Engineers for Rivers and Harbors, as well as the Chief of Engineers of the Army, recommend that after this year the Government undertake to construct each year thereafter one additional lock and dam in the upper end of the river below Lock 21, and one in the lower end of the river above Lock 8, and Congress has now approved that recommendation; so in a few years this work will be completed, and the people in the counties along the Cumberland River from Burnside to Nashville will realize their dreams of over a quarter of a century.

We feel that we are justly entitled to this. On February 4, 1914, the Board of Engineers for Rivers and Harbors said in its report:

Data now available indicate that there is a commerce on the upper Cumberland amounting to about 300,000 tons, which is considerably more than heretofore reported.

When we consider the fact that boats are able to run on the greater portion of the upper Cumberland only four or five months out of the year, the wonder is that our commerce reaches 300,000 tons annually.

On the Kentucky side, below Burnside, the Cumberland River runs through or close to the counties of Pulaski, Wayne, Clinton, Cumberland, Russell, and Monroe. Taking the counties as a whole, their wealth consists largely in timber and coal and agriculture. Coal constitutes no part and timber but a small part of the present commerce on the upper Cumberland.

The Board of Engineers for Rivers and Harbors in their report of February 4, 1914, to the Chief of Engineers, United States Army, made this statement:

A large part of this area is covered with timber of high value within hauling distance of the river, but under the existing uncertainties of navigation it can not be economically marketed. Much of the land in the valley and back in the hills is fertile but can not be cultivated to advantage for the same reason. There are also extensive coal lands that can be made tributary to the upper reaches of the river by short rail connections, and it is claimed that these lands will be developed and that coal will be shipped out in large quantities.

This tells the story. It explains why our commerce is no larger than it is. It emphasizes the need of the canalization of this river in order to reach a market with our products.

According to the census of 1910 there were 283,200 acres of standing timber in Clinton County and 51,367 acres of woodland. Cumberland County had 185,760 acres of standing timber and 95,341 acres of woodland. Monroe County had 86,945 acres of standing timber. Russell County had 80,666 acres. Wayne County had 17,818 acres of forest lands. This timber is virtually all there yet. It constitutes a part of the greatest boundary east of the Mississippi River of hardwood timber in this country, such as poplar, oak, walnut, cedar, chestnut, hickory, ash, and other valuable hardwood timbers.

Hon. W. A. Dicken, of Albany, Ky., a safe banker and conservative man, wrote me some time ago about coal lands in Clinton County. He said:

We estimate the number of acres of coal lands in Clinton County to be 12,500; average thickness of veins, 4 feet. The coal in this county is of good quality.

The answer comes back, transportation facilities. These people are cut off from the outside world. There is a territory there in Kentucky and Tennessee as big as the State of Connecticut without a foot of railroad in it. They have neither railroad transportation nor water transportation. They would not be asking you through their Representative here for water transportation if they had transportation by rail. It has been the policy of the Committee on Rivers and Harbors and of this House and of Congress to appropriate money on streams that have railroads going up and down either bank, and this Congress is still doing it. If this Congress expends the money of the country on streams that have railroads going up and down either bank, if that is justifiable—and the Congress has taken the position heretofore that it is—how much more justifiable is it to spend money on streams that have absolutely no transportation either by water or by rail?

Mr. Speaker, ours is a deserving people. Wayne County has produced her Shelby M. Cullom, late a United States Sena-

tor from the State of Illinois. Clinton County nursed at her breast Gov. McMillan, of Tennessee, as well as Gov. Bramlette, of Kentucky. Monroe County claims the unique distinction of having furnished in the person of one man, Preston H. Leslie, a governor for two States. The people of southeastern Kentucky, these among them, are the greatest and purest reservoir of old Anglo-Saxon in this country. In the recent war with Germany and the central powers the county of Clay furnished according to its quota more officers, it is said, than any other county in any State in the Union. Harlan County, it is claimed, gave a greater sum to the Red Cross according to its quota than any other county in the United States and was given an honor flag. McCreary County, I am informed, oversubscribed its quota in bonds to one of the liberty loans 21 times, which no other county in the Union surpassed. All honor to the people of the mountains of Kentucky.

Thank God this river and harbor bill has been passed and that the dawn of the commercial redemption of all the mountain people is drawing nigh.

The Administration of Military Justice.

EXTENSION OF REMARKS

OF

HON. A. C. SHALLENBERGER,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. SHALLENBERGER. Mr. Speaker, in discussing the subject of justice in the Army certain things at the outset should be said in fairness to the military authorities who have administered the present courts-martial system. They are not alone responsible for the conditions which have arisen under that system, conditions with which we now are all familiar, conditions disclosing that thousands of our soldiers have been convicted and unjustly sentenced to long terms of confinement in the military prisons, and which have shocked the moral sense of every Member of Congress and of the people throughout the country.

Certain things should be said in defense, not of the system, but of those authorities, because they did not create the system, they inherited it; it came to them from the past. At the outbreak of war its vices, although existing, were not generally known or recognized. The country as a whole, and even the average Member of Congress, cared little about the Army and knew less concerning its government. Courts-martial meant nothing to them. Miscarriages of justice they did not hear of. The Articles of War did not become a live, pressing subject until the war came, and the court-martial system seized not only the old Regular soldier but the boys drawn from civilian life into our expanding Army, and it applied not to a handful of men in whom but few families had an interest, but to thousands and hundreds of thousands of boys, coming from all sections and from every walk of life.

And even after the war started and it was seen that the system worked injustice, the military authorities should not be criticized too severely for not correcting the system. They were engaged primarily in winning the war; their task was to defeat Germany. Their energies were devoted to raising and equipping armies, to training the raw recruits who had just come from civilian life, to transporting our forces across the seas, and to the actual defeat of the enemy. During the period in which America was transferred from a peace to a war-time basis—and almost overnight the entire country became an armed camp—many things were overlooked which should have been corrected; many things were done which should not have been done. Human vision was not broad enough; human strength was not great enough to create in so short a time a perfect war machine. It is small wonder, therefore, that during those days of Herculean effort and activity the subject of military justice received scant and inadequate attention. The eyes of the Army authorities were on the railroading of troops and supplies to the front; they failed to see the frequent railroading of individual soldiers into military prisons.

While we can excuse the military authorities for not changing the system before the war, while they were engaged in its vigorous prosecution, there is no longer excuse if the system is permitted to go on unchanged, now that the war has brought out its injustice and undue severity. The responsibility of Congress is plain. Its members know the system is wrong. If they did not know it before the war, the war has shown that it is un-American and unjust. It should be reformed.

If there be those in military authority who seek to prevent remedial legislation by Congress, they should be required to abstain from interference with the legislative branch.

Congress can not be excused if it fails to act, because the Congress is as much responsible for the system as are the military authorities. The system was created by legislative enactment under the provisions of the Constitution vesting in Congress the power to make rules and regulations for the government of the land and naval forces. The military code is the creation, not of the President as Commander in Chief, not of the military authorities, but of this body of which we are Members and for whose acts we are responsible.

We can not defend ourselves before the country if this system is not changed, because the system is wholly without justification. It is cruel, it is barbarous, it is contrary to our cherished principles of government and jurisprudence, principles which demand for an accused a fair trial and which limit his sentence, if guilty, to a punishment commensurate with the crime committed, principles which are the choicest product of the old English common law, principles esteemed so priceless by the people that when they adopted the Federal and State constitutions, by bills of rights, they prevented the governments so established from depriving them of their benficent protection.

In civil life these principles protect the life, liberty, and property of the citizen. They guarantee to him a fair trial—a trial by due process of law, a trial before a jury of his peers, conducted according to recognized rules of law and procedure. But the instant that the citizen becomes a soldier, the instant he forsakes comfort and safety for hazardous service in his country's cause, these laws and principles no longer safeguard his life or liberty. Both depend entirely upon the will of his commanding officer. He becomes not only subject to but in effect the subject of that officer, who is unlimited in the exercise of his authority over him.

Military justice is not justice according to law, but is justice administered by an officer and accordng to his will. It is not a judicial system, but a system of personal despotism. The Articles of War constitute a system which is a relic of feudalism, when each chieftain had his own military establishment, over which he held absolute sway, when the soldiers serving under him were little more than serfs, whose liberties and rights were entirely dependent upon his will. No judicial system limited him in the exercise of his power over them, no matter how unjust or tyrannical his act might be.

The military code which governs the American Army had its inception in that dark era of the world's history when the Prussian Frederick set up his military kingdom in Europe. It was born then, and it has projected itself into the twentieth century with little modification of its iron rules and merciless provisions. Strange as it may seem, it has survived in America, while England, France, and Italy and other democratic nations have long ago abandoned it. When the war came it alone yet lived in Prussia and Russia. The United States, a Nation which prides itself on the civil rights and freedom of its citizens, has a military code as archaic and despotic as that of the Czar or Kaiser.

In every other enlightened and free country a soldier, no matter how low his rank, is tried by a military code which affords to him substantially the same protection as is given a civilian when tried by a civil court. In our Army, however, a soldier is a creature without liberty or rights except those that the commanding officer may give him. This is a statement of an ugly fact, a fact which is sought to be successfully concealed under a mass of forms and ceremonies. Let us contrast the trial of a civilian with that of a soldier:

If a civilian citizen is accused of a crime, before he can be arrested charges must be preferred against him in the form either of an indictment returned by a grand jury or an information filed by the prosecuting attorney. Neither the indictment nor the information is filed unless a regularly constituted law officer of the State determines that the acts of which he is accused constitute a crime, unless some part of the established judicial machinery determines that a prima facie case is made out against him. The civil law esteems the reputation of the civilian citizen so highly that it does not permit even the blemish of an accusation to be put upon him unless the evidence against him is strong and convincing.

If the soldier citizen is accused of a violation of the military code any commissioned officer, regardless of his character or experience, may prefer charges against him, no matter how trivial or how innocent the acts, and he is immediately placed under arrest or in confinement. The stigma of a criminal is immediately placed on him. The charges then are referred to

the commanding officer, usually the commander of a division or of a camp, who has the power to convene a general court-martial and who determines if the soldier shall be brought to trial. This officer is not a lawyer or a man learned in the law; he is a military commander, impressed with the importance of maintaining discipline, and who has been taught the military idea that discipline is to be maintained though justice may be rudely shocked. He may know nothing of law, yet his power is supreme under the articles of war. He has on his staff a judge advocate, a law officer, to whom he may refer the question of prosecution. But he is under no duty to do so or to follow the recommendations, if any are made by this officer.

Statistics show that in very many of the general courts-martial cases no prima facie showing of guilt of the accused was made. Nevertheless they are made to run the chance of conviction and to bear this permanent scar on their record for a lifetime, when often the evidence of the prosecution shows that in all likelihood they were innocent.

The records show that for the most part the offenses charged do not involve moral turpitude on the part of the accused, but simply some minor infraction of discipline. They are not charged with robbery, arson, murder, or embezzlement, but refusal to obey some order, such as peeling potatoes or sewing a hat cord to their hats, or for being disrespectful to some sergeant or second lieutenant. Offenses against military discipline it is true, but offenses which should be punished by a summary court by being detailed to police duty or confined in the company street, rather than by a court-martial.

A civilian citizen is entitled to release from confinement upon furnishing bail pending the interval between his arrest and trial. He is given a preliminary hearing before a magistrate to have determined a second time whether a prima facie case has been made out against him.

A soldier citizen is placed in confinement, with no opportunity of release on bail or of preliminary hearing. The seventieth article of war provides that he must be brought to trial within 40 days from the date that charges were preferred against him. The court-martial records show that the average period of confinement before being brought to trial is more than 30 days; but in many cases the 40-day period is exceeded. I am informed that men are now in confinement in camps who have been there for months without being brought to trial and without opportunity to be released from confinement.

A civilian citizen is tried by a jury, whose names are generally drawn from a jury wheel containing the names of all citizens eligible to serve on a jury of that court—they are not designated by the judge or other official. He may challenge any member of the venire so drawn; the challenge is passed on by the court and not by the other members of the venire. He may challenge for cause at any time during the trial before the verdict is actually reached by the jury; and after the verdict he may move to have the verdict set aside by showing that any member of the jury was prejudiced against him or otherwise disqualified. In other words, at all stages of his trial he has the right to demand and secure fair and impartial trial of his case.

The soldier citizen is tried by a court made up solely of commissioned officers selected and designated by the commanding officer who convenes the court. He has the right of challenge before his arraignment; but the merits of the challenge are passed upon not by some impartial third person, but by the remaining member of the court, who may be subject to the same challenge, and who can not fairly pass on the merits of this challenge. It is charged that many men have been tried by courts who were prejudiced against them, who had formed opinions of guilt of the accused before the trial. It is charged that a court made up of commissioned officers leans toward the conviction of enlisted men—that there is an unfair disproportion between the convictions of men and of officers. Statistics of general courts-martial show that the proportion of enlisted men convicted by courts-martial is about three times that of commissioned officers so tried, and the penalties are much severer upon the private soldiers.

A civilian citizen is tried before a judge who is learned and skilled in the law, who is sworn to conduct the trial impartially, who rules on questions of law and of procedure arising during the trial, and who instructs the jury as to the law at the conclusion of the trial.

A soldier citizen is tried before a court-martial made up of laymen, so far as the law is concerned. This court passes on questions of law as well as of fact, although its members know nothing of law, of rules of evidence, or procedure. The records show that a very large per cent of the general courts-martial cases contain errors of law, many of them seriously prejudicial to the accused, such as the admission of incompetent evidence or finding the accused guilty on insufficient evidence. A large percentage of the cases are so filled with error that an appellate court in civil life would not hesitate to set the verdict and judgment aside.

A civilian citizen is tried by a prosecuting attorney, the representative of the State, a lawyer, whose function it is solely to prosecute.

A soldier citizen is tried by a judge advocate, the representative of the Army, designated by the commanding officer who convenes the court. He may or may not be a lawyer. His functions are not only to prosecute but also to act as the legal adviser of the court and of the accused. In other words, he is called upon to exercise inconsistent and impossible functions—a prosecutor, an impartial adviser of the court, and a defender of the accused. If he attempts to perform all three functions, he does none efficiently. Experience shows that generally he is a prosecutor and little else.

A civilian citizen is defended by a lawyer of his own selection or by one appointed by the court; in either event a man learned and skilled in the law conducts his defense.

A soldier citizen may employ civilian counsel or select military counsel or accept the services of military counsel designated by the commanding officer. If he is an officer he probably has sufficient funds or assistance to secure the services of able civilian lawyers, who will conduct an adequate defense; if he is a private, he generally has no funds or assistance, and hence must rely on military counsel. But such counsel is rarely a lawyer or a man with knowledge of the law. He generally is a second lieutenant, fresh and inexperienced in the service, who knows nothing of courts-martial, who is embarrassed not only by reason of his inexperience but also by the fact that he is outranked by the judge advocate and the other members of the court. He can not adequately defend the accused. The records are filled with cases where the accused has been told to enter a plea of guilty where a vigorous defense should have been made. Often the incompetent defender has failed to safeguard the rights of the accused, resulting either in illegal conviction or unjustly severe punishment.

A civilian citizen after the prosecution has put in its evidence may move for a peremptory verdict of acquittal or for dismissal of the case, on the ground that the prosecution has not made out a case against him. After the verdict he may move to set aside the verdict, or for a new trial, on grounds that the verdict is against the evidence or there has been unfairness or prejudice on the part of the jury or judge, or there is newly discovered evidence material to the issue.

A soldier citizen has none of these rights. The case is closed so far as securing any reopening on the part of the court is concerned.

A civilian citizen can not be convicted without the unanimous vote of the jury.

A soldier citizen can be convicted by a majority vote of the members of the court, except in cases inflicting the death penalty, where a two-thirds vote for conviction is required.

A civilian citizen is immediately informed of the verdict of the court.

A soldier citizen may be not informed of the finding for weeks after it is made.

A civilian citizen receives a punishment commensurate with his crime. In minor offenses a fine alone may be imposed or a short confinement in the county jail. Punishment in the penitentiary for a term of years is inflicted only for serious offenses, involving such moral turpitude as to make it unsafe to society for him to remain a member of it. Never is the death penalty imposed or confinement for a long period of years prescribed except for murder, rape, arson, robbery, or similar heinous cimes.

A soldier citizen receives a punishment immeasurably more severe than that given a citizen for an offense of like seriousness. For minor offenses, such as absenting himself without leave for one day to visit a sick mother or refusing to peel potatoes, he may be sentenced to 20 years' confinement at hard labor. Military punishments have shocked the country by reason of their severity since they have become known.

A civilian citizen is convicted only of the crime that he actually committed.

A soldier citizen may be convicted of desertion or of mutiny when there was present in his act no element of desertion or of mutiny. Statistics show that he frequently is convicted of a serious offense where the most that he was guilty of was some lesser included offense, such as absence without leave instead of desertion.

A civilian citizen is given the right of appeal to an appellate court, either by appeal or by suing out a writ of error; the

right to have an appellate court pass on the sufficiency of the evidence of conviction, on the regularity of the proceedings of the trial, on the errors of law committed by the trial judge in qualifying the jury, in the admission or rejection of evidence, and in instructing the jury.

A soldier citizen has no right of appeal whatsoever. Instead he is placed at the mercy of the commanding officer who appoints the court.

The finding of the court-martial is not final; it is no more than a recommendation to the commanding officer as to the guilt or innocence of the accused and the punishment that should be inflicted upon him. It goes, together with the record of the case, to him for approval or disapproval. If he approves and the conviction, in the case of enlisted men, is less than the death penalty, and in the case of officers is less than dismissal from the service, the sentence is immediately carried into execution without review by any other officer or department. If the sentence involves the death penalty or inflicts dismissal from the service on officers, the case comes to the Judge Advocate General of the Army for review, and from him to the President, whose action we shall discuss later. It is worthy of notice that death to a private soldier is put on parity with dismissal of the commissioned officer. If the commanding officer disapproves and bases his disapproval on the ground that the sentence is too light, he can return the record to the court, informing it what he thinks the sentence should be and directing it to reconsider its finding, and he can continue returning it until the court does so reconsider and change the finding. If the finding be acquittal, he can direct, in effect, that a finding of guilty be made. If the finding be "absent without leave," a minor offense, he can, in effect, direct a finding of desertion; if the punishment inflicted be six months, he can, in effect, direct a punishment of 5 or 10 years. His power is such that he can, in effect, compel the court to conform its finding to his judgment of what the finding should be. In a word, he is, in fact, the court.

In reaching his conclusions he may or may not accept the services of the law officer, his staff judge advocate. If he elects to ask his opinion, he need not accept his recommendations.

All general court records go from this commanding officer to the Judge Advocate General for review, but he has no power to change or modify the finding to make it conform to the law applicable to the case and to the evidence introduced. In the case of error or unfairness he can make a recommendation to the commanding officer that the finding be modified. The commanding officer need not follow this recommendation. In other words, the Judge Advocate General of the Army does not have the authority to control the Army courts-martial.

The findings of all general court-martial cases must be reviewed by the Judge Advocate General, but the execution of the sentences is not suspended during this review, except where the sentence imposes the death penalty or inflicts dishonorable discharge upon officers, and in these exceptions only where the death penalty is imposed for an offense of other than murder, rape, mutiny, desertion, or espionage. The commanding officer immediately carries the sentences into execution, even though some weeks later the Judge Advocate General may respectfully call his attention to certain serious errors of law in the record which in a civil case would vitiate the entire proceedings.

After the Judge Advocate General makes his recommendation concerning the finding those cases which involve death or dishonorable discharge of officers go to the President for confirmation before their sentences are executed. Cases which do not involve death or dishonorable discharge go back immediately to the commanding officer. In such cases the President and the Secretary of War have no power to modify the finding to make it conform with the law and the facts; they have no power in the case of illegal conviction to set the finding aside and declare the whole proceeding null and void. They simply can exercise the power of pardon and extend the hand of clemency. They can suspend in whole or in part the execution of the sentence. The finding of the court stands as a judgment against the man, a permanent mark on his record that he was legally and justly convicted of the offense and deserving of the harsh sentence imposed upon him. He is thus branded forever, though he may not be compelled to serve the entire sentence.

Mr. Chairman, to state the case briefly, under the military code the soldier citizen has no right of appeal; no appeal is provided. The commanding officer, who convenes the court-martial, is the person who finally determines whether or not he shall be convicted and the punishment that shall be inflicted upon him. The authority of the commanding officer, so far as the legal effect of the finding is concerned, is absolute and final. His authority is limited only in those cases where the sentence as approved by him involves either death or dishonorable discharge of officers for conviction of offenses other than murder, rape, desertion, espionage. In these limited cases the President must confirm the finding. The supreme law officer of the Army, the Judge Advocate General, functions only in an advisory capacity. Nowhere, except in cases of death and dishonorable discharge of officers, is there the power outside of the commanding officer to modify a finding to make it conform with the law and evidence.

The commanding officer, under our military code, holds the life and liberty of this soldier citizen absolutely in his hands. He determines upon what charges the soldier shall be tried and to what extent the man shall be convicted and punished. Justice is administered by him according to his personal will, not according to law administered through a regularly established judicial system. Legal forms and ceremonies may be gone through. The courts may solemnly convene and sit. Judge advocates may prosecute and second lieutenants may defend, but through all this show of legal ceremony is to be seen the hand of the commanding officer, who alone accuses, tries, convicts, punishes, and executes.

In order to see the full effect of this system on the life and liberty of an individual soldier, let us take a typical case. A second lieutenant prefers charges against a man, accusing him of refusal to obey an order to sew his hat cord to his hat. Regardless of the merit or triviality of the charge, the commanding officer, who convenes the court, will uphold the second lieutenant by directing that the man be tried. The lieutenant has created an issue between himself and his men. He must be upheld in order that his dignity in his company may not be lowered. Discipline must be maintained even though some soldier may be unjustly tried and punished.

The commanding officer summons his second lieutenant to discuss with him the charges brought against this soldier. The second lieutenant says, "I want an example made of this man, not because of his act but because it will have a good effect on the other men in my company. There is a general laxity among them. They need something to make them sit up and take notice and to make them jump when I speak to them." The commanding officer directs this soldier to be tried in order that he may be an example to the other men of his company and put the fear of God and his second lieutenant into the hearts of his comrades.

This attitude is responsible for the small number of acquittals by Army courts-martial:

One in 23 before summary courts.

One in 9 before special courts.

One in 8 before general courts.

Men who have given the subject much study believe it has sent many innocent men to military prisons, and has inflicted harsh and unjust sentences on thousands of others.

What is the remedy for these conditions? What changes should be made in the courts-martial system to make it an instrument of justice rather than injustice?

Congress should so change the Articles of War as to remove the absolute authority of the commanding officer over the life and liberty of men within his command, and give them the protection of a regularly established judicial system. It should provide in substance:

First, that no man shall be tried on charges preferred against him unless the staff judge advocate first examines the charges and evidence and certifies that a prima facie case of the man's guilt is made out.

Second, that at the trial there shall be two judge advocates, one of whom shall be a member of the court, with power to decide all questions of law arising in the trial, with functions corresponding to those of a judge in a civil trial, the other shall be the prosecutor.

Third, that the accused shall be adequately defended by being furnished with services of military counsel (or civilian counsel if he desires to employ them) who shall be men experienced in the service and with knowledge of the law, and with sufficient rank so that there shall be no disparity between him and the prosecutor.

The commanding officer on the review of the finding of the court should not have the power to direct the court to reconsider its finding and to impose a greater punishment than was imposed in the original finding.

The commanding officer on review of the finding of a courts-martial should accept the opinion of his staff judge advocate as to the sufficiency and regularity of the proceedings.

The judge advocate general should have power to revise, modify, and set aside the findings where convictions have been made on insufficient evidence, or where there are any irregularities or illegalities in the proceedings. In other words, the judge advocate general should be a military court of appeals.

A special military court of appeals should be established, appointed by the President, responsible only to the President, to review the records of all men who are now undergoing punishment and whose sentences have not been already executed, and to change and modify the findings so that justice may be done to them.

In other words, the law should set up a judicial machine whereby military justice, just as civil justice, would be administered by regularly constituted courts of trial and appeal, conducted by law officers. We would thus follow in the steps of England, France, and Italy, whose soldiers are not tried, convicted, and punished by military commanders, but by military courts which are independent of the control of such commanders.

Argument is advanced that if we do this our action will be a confession that these unjust conditions do exist. But the cure for this situation is not to attempt to hide and conceal the conditions. Congress, which is vested with the responsibility for the government of the Army, should change the system so as to make such conditions impossible in the future. The present system is archaic and un-American. It has created serious conditions. The country knows them. The remedy is for Congress, which is responsible for the Articles of War, to remove the conditions by changing the law. Justice to our soldiers still in the service, justice to many men now confined in prison, and a decent respect for the feelings of the country calls for immediate action.

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Two contemptible characters in evidence during our war with Germany were the profiteer and the patrioteer. Sometimes both were combined in the same individual. The patrioteer was the worst of the two. The profiteer took advantage of his country's peril to satisfy his greed for money, while that patrioteer with shameless hypocrisy wrapped himself in the flag and pursued his base and selfish ends under the pretense of patriotism.

The patrioteer showed himself in his most despicable guise when he laid his hand on public affairs, and particularly in the field of politics. There he showed that no act of treachery, no low political trick, no contemptible deception, no dishonest method was too base for him to resort to. Never patriotic, never willing to make any sacrifice for his country, never able to comprehend devotion to public duty or steadfast adherence to principle, he posed as a model of civic virtue and had the brazen impudence to hold himself up as an example of what a patriotic citizen should be. As in the fields of trade and industry the profiteer found his opportunity, so did the war afford the patrioteer a chance to glut old hatreds and to destroy faithful public servants whom he could not bend to his selfish purposes.

I speak of these things feelingly. They have a personal meaning to me. I was confronted with both patrioteer and profiteer in my race for Congress in the fall of 1918. I was the object of their desperate attacks. They committed themselves without reservation to the attempt to destroy me. The purpose of these remarks is to relate the story of that campaign.

THE NINTH DISTRICT OF ALABAMA.

The ninth district of Alabama, which I have had the honor to represent in Congress for the past four years, is composed of a single county, Jefferson. It comprises the heart of the mineral and industrial district of my State.

The population of Jefferson County is 300,000, of whom 180,000 are white. Only 3 per cent of the population is foreign born. The county contains two cities, Birmingham, with a population of 200,000, and Bessemer, with 18,000, besides several small towns and a number of mining villages. Only about 3,000 men are engaged in farming. Some 18,000 are coal and iron miners. There are important iron and steel works and numerous railroads, with perhaps 7,500 employees.

Jefferson County is the seat of the operations of several subsidiaries of the United States Steel Corporation and of six or eight other great industrial and mining concerns. There are some 50 coal-mining companies operating in the county. Roughly speaking, three-fourths of the population are connected with corporations engaged in steel and iron works and the production of coal and coke and in railroading.

Naturally the business life of the community is dominated by the half dozen great steel, iron, and coal companies. Their favor means success to a financial or business interest and therefore is eagerly sought. So influential are these great concerns that they play an important part in the social and political life of the community. The political almoner of these great interests is the head of a large mining company. He does not pretend to be a Democrat, but his support is said to usually control a Democratic nomination when he chooses to exert himself.

The voting population of my district is only about 17,500. Due to the absence of our soldiers and war workers, the number was reduced to less than 15,000. The interest in the primary of August 13, 1918, was intense, yet only 12,847 votes were polled. The legal voters are so few because of the illiberal election laws of Alabama, which carry the cumulative poll-tax payment requirement and other harsh features which make it difficult for voters to qualify. The negro vote is negligible, numbering only about 300.

The chief interest in politics in my district is in the Democratic primary. In this nearly all voters participate. No interest is taken in the general election, and the vote is trifling unless something of unusual interest is involved.

Birmingham has three daily newspapers, with combined circulation of about 115,000, a good labor weekly with limited circulation, and two or three other small weeklies. Bessemer has a live weekly which constitutes an important influence in that section of the community.

A CLASS FIGHT.

In its controlling features the campaign for the Democratic nomination for Congress became finally a fight of classes. I was opposed from the beginning by the big interests, which were soon able to enlist the help of the financiers and larger business men, and through them the chamber of commerce and certain other civic bodies, though, of course, their members were not unanimous. These powerful influences soon contrived to array the great majority of those who consider themselves better than common people, and their parasites of lawyers, preachers, and other professionals. "Society" was agog over the contest. All the climbers damned me vociferously, and it soon came to the point where the social standing of anyone who would admit that he was my friend was jeopardized. My name was anathema at card and social clubs. Even the banks where I kept my deposits went into politics to fight me; they had larger depositors who were on the other side. The backbone of my opposition was the Coal Operators' Association, a hide-bound and powerful interest, the bitter enmity of which I had incurred.

Thus it came to pass that I was opposed by the unanimous daily press, the bankers, the big employers of labor, the clubs, "society," and all those who hang onto the coat tails of the classes and crave their smiles. There were also those who had never been patriotic before, but had been goaded into it by the war fever, and were so maddened by the unaccustomed sensation that they wanted to fight somebody, and found it safer and more convenient to charge at me than to fight our country's foes. Sundry wet-weather patriotic units went into the trenches; the chief of the local Vigilantes tried to put his organization into the fight against me, and succeeded with a majority of his associates.

Of course, some excellent men, men of high character and unquestionable patriotism, opposed me. Numbers of these were honestly misled by the false clamor that my opposition raised; others seriously differed in matters of important principle, and opposed me, as was their privilege. I bear no grudge against them.

On the other hand, at my back, standing like a stone wall, were the masses of the people—farmers, railroad employees, and wage earners generally. Also, I had on my side a large part of the small business element, together with a considerable number of men who were associated in one way or another with the classes opposing me but who could not be misled by false issues or bullied into voting against me.

SOUTH HIGHLANDS AGAINST ME.

This statement of the line-up of my friends and foes is not fanciful. It is borne out by an analysis of the vote cast. I received a plurality at every voting box in the county except the nine boxes of the wealthy South Highland district and three boxes of the aspiring Norwood neighborhood. This does not include the box at Bessie, a Sloss Co. mining village, controlled by that company, nor a Woodlawn box, where there was a tie. Out of 1,725 votes at straight farmer boxes I received all but 270; seven of these boxes I carried unanimously. Warrior, a combined mining and farming box, gave me 107, my two opponents together 7; Inglenook, with its railroad employees, gave

me 103, my opponents together 17; Wylam, a mining and working-class community, gave me 203, my opponents together 39; the four boxes of Pratt City, precinct 29, gave me 436, my opponents together received 129. At Ensley, North Birmingham, Elyton, and Avondale I received nearly 80 per cent. Out of 700 votes cast in Bessemer I received 520, my opponents together 180. At the seven South Highland boxes, extending from Glen Iris to Mountain Terrace, the exclusive residential section of Birmingham, and including the three Norwood boxes, where similar classes reside, I received only 499 votes, while my two opponents received 1,615.

These figures show clearly where the dividing line was drawn, but to one who was thoroughly acquainted with the community and knew what influences were at work the class issue was more obvious, for always there are certain individuals who may be controlled by persons of wealth and prestige, and all such were practically unanimous against me.

The class issue was made by my opposition. The prime cause of the fight on me was that I had tried to represent all the people of my district. I had refused to be the handy man of powerful interests. I had opposed profiteering and, in general, the game that those who became my enemies were playing. I had tried to be a friend to the common man. I had shown an interest in his problems and tried to help him with his burdens. I had concerned myself with the interests of labor and given countenance to wage earners trying to better their condition. The edict was that I must be destroyed. They filched the slogan "He shall not pass" and made it their watchword. The masses sensed this. They caught this meaning. I was being crucified because I was their friend. And they rallied; they stood by my side firm as men never stood before; they could not be bluffed, nor wheedled, nor intimidated, nor deceived. And my opposition, powerful and impudent as it was, cowered in humiliation and defeat.

ISSUES OF THE CAMPAIGN.

I announced my candidacy for renomination upon three definite planks: For paying for the war as far as possible by heavy taxes on war incomes and profits; against the adoption of a permanent system of compulsory military service; and against the conscription of labor as a war measure. The latter was a vital issue during the summer of 1918, as the matter was under consideration by the Government as has recently been disclosed. I sought to place my campaign upon a high plane of political principles. However, my opposition would have none of it. They ignored my tender of issues. They made no issue with me upon matters of principle, but based their opposition wholly on my personality.

Even before I took my seat as a Member of the Sixty-fifth Congress in March, 1917, my opposition was seeking an opening on some matter connected with the war. A strenuous effort was made by the News in March, 1917, to whip me into line as a servile administration man and from thenceforward every possible occasion was seized upon to place me in a position of antagonism to the President. The slightest variation of opinion on my part was magnified and distorted. When I was unable to accept as a whole any measure which could be credited to the administration I was summarily blasted as "fighting the President." My votes against conscription and the espionage act were represented as being due to hostility toward the administration; soon this misrepresentation degenerated into the false and shameless cry that I was "opposing the war." My vote in favor of the war was ignored, also my support of the bond issues and tax measures and my votes for every appropriation and other measures proposed for carrying on the war—all were ignored. I had voted against conscription and against the suppression of the constitutional rights of free speech and free press. No support that I could give to the war was of any worth in the eyes of my critics.

The charge that I was antagonistic to the President continued throughout the campaign and rose to a shriek near the end when the President intervened against me. His intervention gave color to the slanders of my critics, and after that nothing was heard except "Who are you for, Wilson or HUDDLESTON?"

Throughout the campaign, and especially toward its end, my opposition resorted to insinuations against my patriotism along with the slogan of "Wilson or HUDDLESTON." They raised the false and shameless cry, "America or Germany, which?" saying, by cowardly innuendo, that I was not loyal to my country. They gave no particulars; they offered no facts; they made no specific charge, but hid themselves in insinuations and innuendoes. They distorted my speeches, filled the newspapers with misleading advertisements, and seemed determined to destroy me by sheer audacity. The nature of the campaign carried on against me created great public excitement and bitterness. My opposition resorted to every means to raise up hatred and prejudice against me. My friends believed that feeling had been so aroused by the attacks that my life was not safe. Threats of personal violence upon me were frequent. Looking backward I am reluctantly compelled to believe that the spirit in which I was opposed was consistent with violence had the opportunity been found.

IT WAS PERSECUTION.

As may well be believed, my friends and supporters soon came to regard the fight on me as nothing short of persecution. The hatred unleashed at my throat actually had the effect to create sentiment in my favor. The intemperance and unfairness of my opposition and the dastard tactics resorted to solidified my friends and roused them to resentment. At the beginning they had been timid and apologetic, but soon saw that something harsher was required, and at the close their indignation reached the boiling point, and they were as aggressive in fighting for me as my opposition was against me. Early in the campaign my friends sought to avoid personalities and to give their support upon a high plane, but later, aroused to wrath by the threats and bullying of my opposition, they gave themselves without stint. They served notice on the bullies of the opposition of stern retaliation if a hair of my head was harmed.

Fired by the vicious methods of my opposition, the latter days of the campaign were filled with feverish excitement. There was street-corner speaking, streets crowded with excited partisans, frequent hard words, fist fights, several near riots, and strife on a large scale narrowly averted.

In retrospect my renomination in a large way signified an expression of confidence and approval on the part of my supporters, the vindication of my integrity and patriotism, and the faith of my constituents that I had done and would continue to do what I considered best for the public welfare in the discharge of my duties. The result was also a rebuke to the despicable methods which had been used by my opposition. It was notice that a faithful public servant should not be destroyed by organized and powerful interests inspired by motives of selfishness. It was an assertion of the right of the plain people, of the majority, to rule and to choose as their Representative one who had shown himself their friend and in whom they had confidence.

FOUL CAMPAIGN METHODS.

The campaign methods of my opposition were unspeakable. Every low political scheme was made use of; every trick and possible deception and subterfuge were resorted to. There was bullying and intimidation wherever it could be practiced, and wheedling, deceit, and appeals to class interests and prejudices when deemed effective. Money was used lavishly, but so far as I have learned there was no direct corruption. Happily, that is not effective in my district.

It is hard to say when the campaign began. In fact, it has gone on ever since I first took a seat in Congress. Every opportunity for unfair criticism was seized. I was ignored when it was possible to do so, and at all other times belittled and ridiculed. Selfish interests never sleep; they can not be placated nor won over by faithful public service.

As the foreign situation became more acute the effort to line me up as an opponent of the President's policies seemed my opposition's best hope for success. My opposition seized it as an opportunity; they foresaw that I would not be a servile follower of the administration; they hoped to take advantage of that characteristic. Even before war against Germany was declared any of my expressions which could be construed as differing from the President's views were made much of. Trifling differences of opinion were grossly magnified. In March, 1917, a strenuous effort was made under the patronage of the News to organize a movement to coerce me into servility toward the administration. Under patriotic pretenses petitions were circulated binding the signers to stand by the President. This was well understood as being aimed at me. On Flag Day in 1917 a great patriotic demonstration was organized. It culminated in the passage of a cut-and-dried resolution sprung upon the unsuspecting assemblage demanding that I vote for conscription. This was followed up by hectoring articles in the dailies threatening me if I failed to do so. My views on conscription were well known. It was not expected that I would knuckle under to the bullying. My opposition no doubt hoped that I would not and expected therewith to destroy me.

The gross exaggeration of my failure to agree with the administration on conscription and the espionage act continued and finally took on the sinister aspect of innuendoes against my patriotism. The caviling continued in the press and out of it. During the fall and spring of 1917–18 a frantic effort was made to find some one to run against me at the approaching election. Committees went to everyone supposed to have po-

litical strength and offered their support. The daily papers, unanimous against me, took turns in nominating opposing candidates. The politicians, however, were wary. They realized my wide personal acquaintance and that I had the confidence of the masses and were loath to enter. Numbers of very good men would gladly have come to Congress. Most of them were afraid to try for it.

POLITICAL CONSPIRACY.

Finally, by one means and another, five opponents of greater or less following were brought into the field against me. The next play of my opposition was to combine on the strongest of my opponents and to induce the others to withdraw. The candidates were induced by fair means or foul to submit to that process of elimination. Three of them were thereupon ruled out, leaving two remaining. This scheme of my opposition calls for explanation. The laws of Alabama governing primary elections require that the nominee receive a majority of all votes cast irrespective of the number of candidates and provide for first and second choice votes, optional with the voter. Where no candidate receives a majority the nomination is given to the candidate having the greatest number of first and second choice votes combined. Two opponents were chosen to run against me with the agreement that the supporters of each should vote for the other as second choice. It was expected that my supporters, since they could not vote for me on both first and second choice, would give their second choice to one of my opponents. This fine plot was designed to result in the nomination of one of my opponents, it being recognized that neither of them could hope to get a majority of first-choice votes. It was typical of the ethics of my opposition.

The two candidates selected to remain in the field against me were F. M. Jackson, a capitalist and manufacturer, and A. J. Dickinson, a Baptist minister. The former was chosen to win. He was prominent in business and financial circles and had been an active prohibition leader. He was to be supported by the solid financial and large business elements and was expected to control a substantial following on the outside. Dr. Dickinson was selected as a decoy for votes which might otherwise go to me. He was known to hold progressive political views and to be popular with his denomination. Also he was an active leader in an anti-Catholic movement, which was strong with the farming people and with the smaller business and middle-class elements, and had influential political affiliations. It was expected that each of my opponents would organize their strength so as to deliver their second choice votes in a block to the other. In fact, such was the actual result, as I received only a total of 100 second choice votes from their supporters. An effort was made to deceive voters into thinking that first choice votes would be thrown out as illegal if no second choice was voted. The deception failed; few of my supporters voted for a second choice.

The schemes and plots of my opposition were in vain. The total vote cast was 12,847, of which I received 7,650, Jackson 3,134, Dickinson 2,063; my vote was substantially 60 per cent of the total, while my opponents divided 40 per cent between them. But for the President's intervention I do not doubt I would have received from 75 to 85 per cent of the total vote.

"THE ALLIED ARMIES."

The business organizations of my city, except the civic association, are under the domination of the big interests and larger business men. These bodies were largely in control of liberty-bond sales and other war subscriptions. A so-called "allied armies" was organized to conduct this work. This organization did good work in its proper field, but being largely dominated by the class opposing me, it was put into politics against me. I subscribed liberally to every bond issue, but this was not due to the organization. It ignored me completely. All my subscriptions were offered voluntarily. Never at any time was I asked by any representative of the organization to subscribe. Usually my subscriptions passed unnoticed. I was not permitted to take part in this war work. I was never invited to make a speech in my home city in behalf of bond sales or other war work. This in face of the fact that I had voted for every bond issue, subscribed for every issue, and had supported the work in every way to the best of my ability.

In May, 1918, I took occasion in the House to advocate higher taxes on war profits and incomes, and to say that while I would vote for the loan then proposed, I was unwilling to continue to vote for bonds unless heavier taxes were laid. My opposition considered the time ripe to launch their campaign against me. Simultaneously, and evidently by prearrangement, they sprang at my throat. Each of the three dailies denounced me. The News called me Socialist and insinuated pro-Germanism. The Age-Herald characterized me as a Bolshevik and deliberately lied about my position on financing the war. The "allied armies," at a meeting held to promote the loan, passed a cut-and-dried resolution offered by the Republican agent of a big New York insurance company, misstating my position and charging me with misrepresenting my constituency. The Ledger clamored for my elimination from Congress. The great offensive had begun. Agents of the big interests, parasites, and sycophants, Tray, Blanch, and Sweetheart, all took up the cry.

Many of my friends thought I was done for—no official had ever faced such a storm in my city—naturally they were discouraged. Numbers of those who stood firm and continued to defend me were visited by influential citizens and advised that agents of the Department of Justice were watching them and they had better be quiet.

But I was unafraid—foolhardiness it was called—but I trusted the people. I had faith that justice would be done. A brave few rallied to my rescue. They organized, took up the fight, defended me at public meetings called for that purpose, encouraged the timid and explained the situation to the unthinking. The unbluffable element stood firm from the first. Old-fashioned Americans of revolutionary stock, they let it be known at once where they stood. Various progressive elements asserted themselves. The forces of labor were active and after a few weeks it began to be seen that the great majority were on my side.

PATRIOTEERS IN ACTION.

In desperation a falsely named "Jefferson County Patriotic League" was organized by my opposition. Its expressed purpose was to defeat me for Congress. It had a skeleton of officers, but its membership was unrevealed. It spent money lavishly—where the money came from was not disclosed. It went into the press with an advertising campaign of false insinuations and lying and insulting innuendoes. No one accepted responsibility for its dirty work. During the last few days of the campaign this base and anonymous organization spent over $3,000 against me. This appears in the sworn affidavit by one of its officers. Who furnished this money?

There was no need for my opposition to spend money advertising. The dailies gave free all the space that might have been desired. The Age-Herald was especially vicious and dishonest. It carried almost daily slanderous and deceitful cartoons and reading matter against me. The hatred and spleen of these cartoons were tempered only by their utter stupidity. I was shown as a Bolshevik refusing to support the Government; as the protector of a German anarchist exploding a bomb under a munitions plant; as a pigmy trying to hold back a giant Wilson going about the affairs of the Nation; as an anarchist overturning the Statue of Liberty with the Kaiser applauding; as playing with the rattle of socialism as our soldiers marched by on their way "over there"; and as casting reflections upon our fighting forces. On Sunday after the President's telegram was issued a large picture of the President was shown with an assassin's hand about to stab him in the back. Of course, I was not named in this picture. The paper was too cowardly for that, but everyone understood what was implied.

There was no pretense of fairness on the part of either of the dailies. Columns were given to accounts of small meetings of my opponents. No notice was taken of important gatherings of my friends. Space was given to any cheap notoriety seeker who wished to denounce me. They made a distinct effort to connect the Department of Justice with my opposition. I regret to relate that no public discouragement of this effort was given by anyone connected with the department. An attorney connected with the department wrote and spoke against me. Always the papers quoted him as an official. The matter was brought to the Attorney General's attention but no public disclaimer was issued. An agent of the department used the color of his office in an effort to intimidate my friends. He is still in service and unrebuked so far as I know, although the facts were presented to the department by a formal complaint.

My opposition did not hesitate to desecrate the Sabbath itself. On Sunday before the election the regular Birmingham "community singing," attended by several thousand persons, was perverted by those in charge into what they called "a patriotic meeting." Speakers of my opposition exhibited an immense picture of the President and urged the people to stand by him. Programs were distributed carrying the President's telegram against me.

THE CRUELEST LIE.

Of all the falsehoods used by my opposition in the desperate effort to defeat me the cruelest was that I had not been the friend of the soldiers. I had served as a private soldier myself and had borne some of the hardships that the enlisted man must suffer, but that they dismissed as of no account. My vote against conscription they twisted into lack of regard for men

in service. The arguments which I had made in favor of the volunteer system they distorted as showing lack of respect for men forced into service. I stood pledged to vote for every measure which might improve the soldier's lot, better his equipment, increase his supplies, and care for his loved ones at home, but that they ignored. I had fought for free postage and better facilities for soldiers' mail; I had led the fight in behalf of equality of enlisted men with officers under the insurance and allotment laws; I had tried in many ways to help the soldier and better his pay and conditions—all of which they ignored.

I had helped thousands of soldiers' families to get their allotments, but my opposition counted it as nothing. They quoted isolated sentences from speeches made before the war, in which I criticized West Point and Annapolis and social caste in the Army as undemocratic, and tried to twist them into something unfriendly toward soldiers generally. They deliberately lied in charging that I had opposed the increase in the soldier's pay to $30, when, in fact, I had voted for the increase and had advocated an increase to $50. My sympathy for men in the ranks and desire to help them they willfully construed as insulting.

The desperate crew opposing me ransacked their silly brains to find something in my life which they might criticize. Nothing was too silly or too mean for them to try to use. They even descended to exaggerating the value of the property I had managed to accumulate by a lifetime of thrift and saving. With all their sifting the harpies could find no stain upon my integrity or moral character. With all my 20 years' active practice as a lawyer they could find no client who would say that he had been overcharged and no adversary who would claim that I had been unfair. They could find no one who I had overreached in business.

MY WELCOME HOME.

My duties detained me in Washington until a few days before the primary. I carried on my campaign as best I could; the great bulk of the work was done by the faithful friends composing my campaign committee, aided by a great number of others who were interested in my behalf. I went home a few days before the election. I planned to reach Birmingham at 7.30 on Thursday evening before the primary on the following Tuesday. My committee advertised my coming and arranged to meet me at the station and to hold a meeting subsequently in Capitol Park.

My train was late. It stalled on a hill 10 miles out. It has been charged that my enemies had soaped the track. A sworn statement to that effect was handed my chairman. I do not know what the facts were, except that the train was delayed for three hours. With the delay I had expected to get home unwelcomed and to find that the meeting had dispersed. But I did not understand. My train drew into the station; a dozen engineers pulled their throttles wide open. The train stopped; I alighted. All was noise and confusion. A multitude of torches were burning and cheers of welcome came from thousands of friendly throats. A crowd of friends swarmed through the station gates and over the tracks; I was their prisoner. A chair with carrying poles had been provided by the men from the railroad shops; I was placed in it willy-nilly. Sturdy shoulders bore me out. A procession was formed with a brass band playing in front, and down Fifth Avenue toward the park a cheering crowd of thousands surged, flags flying, torches burning. The scene was indescribable and unprecedented.

At the park another great crowd had assembled. With enthusiasm unabated they had waited for my coming until 11 p. m. Eight thousand chairs were filled, acres of people were standing. The assemblage was estimated at over 15,000 persons.

I spoke for 40 minutes. I was embarrassed for having been carried on the shoulders of my friends. I apologized for it, saying that I realized that the tribute of the welcome I had received was not called forth by any quality of my own, but was in fact merely an evidence of the sense of justice of my supporters, who realized that I was being persecuted because I was their friend and that they had carried out the demonstration to show that they did not intend to allow the wolves that were snarling at my heels to drag me down. The vast audience shook with excitement and enthusiasm. My lightest remarks were wildly applauded. The occasion was an overwhelming exhibition of the determination of my supporters.

At the close of my speech I shook hands with thousands of my friends. It was 1 o'clock when I reached my hotel. A dozen strong-armed friends stuck close to the very last. I did not understand at the time. They feared I would be assassinated.

THE PRESIDENT'S INTERVENTION.

The great welcome given me on my return home filled my opposition with dismay. The hope to defeat me went glimmering. They realized that the single chance remaining was to induce the President to interfere. Previous efforts of my opposition to entangle him in my campaign had failed. Made desperate by the welcome given me, they roused to a final effort. Various telegrams were sent to the President. I have been unable to learn definitely what statements they made. I do know that false statements as to my attitude were made. The President was basely deceived. However, the foul tactics of my opposition prevailed—the intervention came.

About 5 o'clock on the day following my return home the newsboys cried an extra, "President denounces HUDDLESTON." The President's telegram had just been received. It was addressed to Glass, editor of the News, who gave it to the public first in an extra of his own paper. Under a scare head on the front page, "Stand by the President," with his picture, almost life-size, the message was printed:

FRANK P. GLASS,
Birmingham, Ala.:

Your message received. I do not feel at liberty to make any discrimination between candidates equally loyal, but think I am justified in saying that Mr. HUDDLESTON'S record proves him in every way an opponent to the administration.

WOODROW WILSON.

The message was followed in big type by—

A vote for HUDDLESTON is a repudiation of President Wilson and his administration. A vote against HUDDLESTON is an indorsement of President Wilson and his administration.

The telegram was the sensation of the hour. The extra edition of the News was sold quickly. Men gathered in excited knots to discuss the latest news. All was confusion and uncertainty. The President of the Nation had spoken. He had in substance expressed his will that a Member of Congress should be defeated for reelection. Men wondered what would be the result.

I had an engagement to speak that night in the city park at Bessemer. On reaching the appointed place I found an audience of about 6,000 gathered. No such assemblage had ever before gathered in that young city. I spoke for over an hour, relating what I had done in the performance of my official duties and telling of the fight being made against me. I read the President's telegram—many of the audience had not heard of it. I explained what my attitude in Congress had been, and charged that the President had been misled by false friends into sending the telegram. My speech was enthusiastically received. At its conclusion some one in the audience handed up to the chairman a resolution:

We, 2,000 voters in mass meeting assembled at Bessemer, Ala., do hereby resolve as follows:

That we have the greatest confidence, respect, and love for our great President, the Hon. Woodrow Wilson; that we are with him and will continue to support him in this great hour of our Nation's great trial to a final victory. That we have the greatest respect, love, and confidence in our Congressman, the Hon. GEORGE HUDDLESTON; that we are with him; that we do hereby express our confidence in him. Be it further

Resolved, That the chairman of this meeting is hereby instructed to wire a copy of this resolution to our great and beloved President, the Hon. Woodrow Wilson.

The chairman read it to the assemblage and it was adopted with a unanimous shout.

Of course, I was amazed by the President's intervention. I did not know how the people would accept it. I resolved from the first instant that it should not alter my course; but I knew that my constituents are among the most loyal and devoted people in America, and I could not foresee just what they would consider to be their duty under the circumstances. The reception of my speech and the adoption of the resolution left no doubt on that point. I knew that my renomination was assured.

The following day—Saturday—was spent by my opposition in a strenuous effort to stampede my supporters. The dailies tried to bully me into withdrawing from the contest and printed statements from the weak-kneed few of my supporters who could be induced to say that they had been changed by the President's telegram. Committees of prominent business men went up and down the streets trying to intimidate my friends; smaller business men were threatened with boycott if they continued to support me; hectoring, bullying, and shameless lying were freely indulged. The timid and wabbly, the neutrals, and undecided went over to my opposition. Perhaps I lost 15 to 20 per cent of my strength by reason of the President's intervention; but the bulk of my friends stood like iron and took even a more aggressive position than they had occupied. That night I spoke in Ensley to an enthusiastic audience, reduced in numbers because the meeting was in the open air and it was raining.

Monday, the final day before the election, was filled with excitement. The streets were crowded; interest reached to fever heat; happily disorder of more than a minor nature was averted. On Monday night we held a final meeting at Capitol Park in Birmingham. Again the enthusiasm was at the boiling point; more than 15,000 were assembled; the scene was indescribable.

My friends had come from the remote parts of the county to show their interest. It was obvious that my opposition had failed, that the President's message had not turned the tide, and that it was merely a question of my majority.

REASONS FOR INTERVENTION.

The real reasons which impelled the President to intervene in the campaign in my district I can not surmise. My efforts to learn them have been without effect. On Saturday morning after his telegram was sent I wired him, stating that my friends believed that his intervention had been procured by misrepresentations and asked as an act of justice to my constituents and to me that he disclose the representations which induced him to send the telegram. I received no reply until late on the afternoon of election day, when a message came from the President saying that he wished to do no injustice and that he desired that my constituents should judge me by my record. This was the only satisfaction I got. It came too late to be of service.

A few days later a newspaper writer issued a syndicated article, purporting to be inspired, which undertook to explain the causes which led the President to intervene in several campaigns. By that article I was inferentially charged with being a "reactionary southern politician," with having in my committee tied up important legislation, and with hypocrisy in pretending to my constituents that I had been an administration supporter. This article merely added insult to injury.

Of course every Member of the House knows that I had not been an opponent to the administration. I had voted against conscription, the espionage law, and two or three other minor so-called administration measures. I had voted for more than 100 administration measures in support of the war. Every member of my committee knows that I have never in the least obstructed administration measures before it, but have usually supported them.

I had stated my position frankly to my constituents. I had issued a formal campaign speech and sent a copy to each voter in my district saying on this point:

Of the dozens of measures relating to the war, either directly or indirectly, in only three have I voted against what was reported as the judgment of officers of the administration. Those three are the conscription bill, the espionage bill, and the explosives bill. I challenge my critics to show to the contrary. I have been willing to vote for every soldier, every ship, and every dollar needed to carry on the war.

I will be frank. I have voted for the measures proposed, not because some officer of the administration advised it but because they met the approval of my judgment. I have not been a rubber-stamp Congressman, but have tried to weigh patriotically every measure presented and to vote for the best interest of my country. It is I who am Congressman. It is I who took the oath of office. It is I who must face my conscience and my Maker. And always I have felt that I must make the final decision for myself. For this frame of mind I offer no man an apology.

In view of the indisputable facts, the conclusion is irresistible that the President did not intend his telegram to be accepted literally. It was to be taken merely as indicating his desire for my defeat. It is clear that he was brought to that decision by the powerful influences in and out of my district which were opposing me. I have no doubt that the President was basely deceived by pretended friends. My feeling on the subject was expressed in an interview which I gave on the morning after the election.

I do not accept the result as a rebuke to the President; it is instead a stern rebuke to the vindictive and unfair opposition. It is not wholly a personal tribute to me. I accept it as an evidence of the instinctive love of the great masses of the people for justice and the square deal. My constituents know that I have served them honestly and faithfully and that I am patriotic and devoted to duty. Such of them as think that I have made mistakes are ready to forgive them, realizing as they do that I am honest and try to be a true representative.

The President's intervention shall not incite me to antagonism. I shall show no petty spirit of revenge or opposition toward him. To the contrary, I shall continue to cooperate with him conscientiously in every effort to win the war and preserve American honor and interest.

I am conscious that I have been done a cruel injustice, but that consciousness has not and shall not in the least affect my official action.

THE AFTERMATH.

In my after-the-election interview, I said:

I am not puffed up by my success, but accept my victory in deep humility. It has been made possible by the loyalty and devotion of my friends.

I trust that the feeling created by the bitter and unfair attacks upon me will soon pass. I am anxious to be the representative of the whole people of my district and to work with all for its material interests consistently with the public welfare. I beg for the future a more friendly spirit of cooperation upon the part of the elements which have recently opposed me. I am praying that the methods which have characterized the campaign will never be repeated in my district.

My victory was complete. Despite the fact that I had two popular opponents who had the support of the daily papers and of the big business and financial interests, I received 60 per cent of the total vote. I was willing to let bygones be bygones. Not so my opposition. The daily papers accepted the result of the primary with exceedingly bad grace. The Ledger blamed it on the bitter attacks which had been made on me; the News complained that the result was due to the weakness of my opponents; the Age-Herald called the result a "grievous mistake," and urged that preparations be made for the next campaign. There was growling, long and loud, among those who had sought to do me to political death.

The Republicans of my district thought to take advantage of the Democratic row. A cunning politician was nominated against me. He wheedled the Republican Congressional Committee out of $1,000 for his campaign fund, and collected a considerable amount from captains of industry and my disgruntled opposition. He endeavored to take up the campaign against me where it had ended in the primary. His methods were, if anything, more unscrupulous than had been previously used. The Ledger and News were neutral. The Age-Herald encouraged my opponent and gave him columns of space in which to exploit himself. It was happy to give big headlines to my critics, no matter how petty and mean the criticism. Numbers of the big business men who had opposed me in the primary allowed their names to be used as a campaign committee for my Republican opponent. I paid no attention to their campaign, and did not spend a dollar in the election. The result was that, while the vote was quite light, my Republican opponent received only 14 per cent of the total. And thus this chapter ends.

This chapter ends with disaster to my opposition, but I do not assume that I am to have peace. I would gladly represent the big business interests along with the rest of my constituents, but I will not be their tool nor submit to their dictation. I will represent them only upon my own terms, which are that the rich and powerful must stand upon equal footing with the poor, and that the welfare of my country must be supreme. I will be the Congressman, and the final decision must be mine. I will guide my actions by the standards of patriotism and not of sordid dollar grabbing.

I do not expect my opposition to accept me on these terms. They will continue to assail me so long as there is hope for success. But I face them without fear in my soul. I will not flinch nor ask quarter. I will not be swerved. I will not be bullied out of public life by them. Their vicious political methods shall not drive me from office. When I go it will be from my own desire or because of the will of my people.

Conscientious Objectors.

EXTENSION OF REMARKS

OF

HON. WILLIAM E. MASON,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. MASON. Mr. Speaker, I insert here the following memorandum in refutation of the charge that conscientious objectors have been treated with leniency, furnished me by the National Civil Liberty Bureau, of 41 Union Square, New York.

The matter referred to is as follows:

The charge has been made that conscientious objectors in this country have been treated with undue leniency. What are the facts? Actually there are authentic, undenied statements of cases on record where conscientious objectors have been beaten, prodded with bayonets, immersed in filthy latrines, held for periods of from 15 to 45 minutes under cold shower baths, fed only bread and water, and placed for long periods in solitary confinement.

At the United States Disciplinary Barracks at Alcatraz Island, Cal., four religious objectors—three Hofer brothers and Jacob Wipf—were placed in a perfectly dark dungeon where water seeped in from the sea, their outer clothing being removed, and where they were fed only small amounts of bread and water. At the end of the fifth day they were removed by the recommendation of the medical examiner and placed in isolation. Later they were transferred to Fort Leavenworth, where they were at once placed in solitary confinement. Two of the Hofer brothers died of pneumonia within 10 days of their arrival at Fort Leavenworth. The body of one of these men was sent home dressed in the military uniform of the United States

Army, although he had gone to prison because of his refusal to wear this uniform.

At Camp Funston a group of conscientious objectors for six weeks were put through a course of the roughest sort of hazing and brutality. They were not allowed to communicate with anyone during this time, and were subjected to physical coercion—struck with whips and dragged about with ropes, etc. (see Exhibit A, annexed hereto). Other undenied stories of brutalities have come from Camp Sherman, Camp Meade, Camp Wadsworth, Fort Jay, Fort Riley, and numerous other cantonments (see Exhibit B, annexed hereto).

Finally, over 500 objectors were sent to the military prison at Fort Leavenworth, with sentences ranging from 5 to 40 years. Here some of the objectors who refused to fall in line with the military discipline were kept for over nine weeks in solitary confinement, during most of which time they were manacled, standing to the bars of their cells nine hours a day, every alternate two weeks being spent on a diet of bread and water (see Exhibit B, annexed hereto). This was done with the express authorization of the War Department, as was tacitly admitted in Secretary Baker's order of December 6, abolishing manacling.

Yet, in spite of these facts, charges are brought that the War Department discriminated in favor of conscientious objectors. The explanation of this is to be found in the policy adopted by the War Department. It is true that the War Department did issue a confidential order providing for conscientious objectors, thereby giving color to the charges of special leniency. But in practice this policy worked out both to the disadvantage of the Army and the unnecessary and brutal coercion of objectors. It was the policy which sought ultimately to deal with conscientious objectors as a problem of military discipline. The officers in charge of these men found themselves forced to treat as soldiers men who were determined at all costs not to accept that status. The inevitable result of this policy was the coercion of objectors. Any other result under the circumstances would have meant that both officers and objectors were more than human.

In the case of objectors who were finally court-martialed the War Department has insisted upon treating these men as individual recalcitrant soldiers. This has resulted in the fact that to-day many of them have been released on one pretext or another, while others, actually no more radical in their protests against military service, are still in prison.

A further result of the War Department's policy has been that all objectors released from military prison have practically been forced to accept back pay as a condition of their discharge. This has served to discredit men who while in camp refused to sign the pay roll and so had back pay credited to them. According to a recent statement of the War Department, however, over $5,000 of the pay thus given to objectors has been returned direct to the Department.

Conscientious objectors have been sentenced by courts-martial to prison terms of exceeding severity. The War Department has announced its policy of reviewing each individual case with a view to possible clemency. This policy seems another mistake, because all of these men are imprisoned for the reason that their consciences upon one ground or another forbade their becoming a part of the military organization. Their cases all have the common basis of conscience and all have shown their sincerity by endurance of severe punishment. If one should be freed, all should be freed. If any are to serve out their sentences, all should. Their prison terms are the unhappy by-product of a military system essentially inconsistent with American democratic ideals, and which was created for the purpose of serving the country in a particular crisis. The crisis is now over and their release becomes now not a matter of clemency in individual cases but a matter of ordinary democratic justice.

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EXHIBIT A.

REPORT OF TREATMENT OF CONSCIENTIOUS OBJECTORS AT THE CAMP FUNSTON GUARDHOUSE.

THURSDAY, *September 5, 1918.*

Seven conscientious objectors arrived at the military police guardhouse from the guardhouse at Riley.

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SATURDAY, *September 7.*

We were ordered to fold our arms and stand at attention by the officer of the day, Capt. Buckley. Failing to comply with this order, he proceeded to abuse and insult us, referring to those of Jewish birth as "damn kikes," etc. He then had our beds and blankets taken from us and ordered that we be given raw rations—pork and beans—which we were to cook in the latrine, if we wanted to eat. He suggested to the prisoners that they beat us up. We had no supper and slept on the bare floor in our clothes.

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SUNDAY, *September 8.*

Very little sleep was had because of the extreme chilliness of the night.

No other provisions having been made for the preparation of food, we ate nothing on this day.

We again slept on the bare floor without blankets.

—

MONDAY, *September 9.*

Food conditions remained the same until supper when we were informed that a kitchen for preparing our food would be furnished us if we would do our own cooking. We were able to prepare supper. Upon returning from this meal we were informed that henceforth we would be given bread and water only. Upon this fare we continued until September 15.

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SATURDAY, *September 14.*

Col. Barnes, the provost marshal, called at the guardhouse. He ordered us to stand at attention, and when we refused to comply he proceeded to kick the legs of the men. Kaplan had his legs and ankles bruised as a result. Upon leaving he hinted to the prisoners that he would be tempted to pardon them if they would beat us up.

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MONDAY, *September 16.*

We were again placed upon bread and water diet. This continued until the following Sunday, September 22, on which day we had regularly prepared meals, so that between September 7 and 22 we had only two days of regular rations.

MONDAY, *September 23.*

We were ordered to stand at attention by the incoming officer of the day and upon refusal we were told that we would be taken out every two hours during the night. This procedure was inaugurated that very night when we were awakened at these periodic intervals, taken out and kept out a while and sent back to bed.

—

THURSDAY, *September 26.*

While walking about in the courtyard the men were kicked and shoved about for not obeying an order to walk in prescribed military fashion—Kaplan and Breger being the particular targets.

In the afternoon Larsen was brutally assaulted, being choked, his head banged against the wall, and dragged around the room, by the sergeant of the guards for refusing to clean quarters other than our own.

—

FRIDAY, *September 27.*

Again, while exercising, the men were grossly maltreated. The bayonet was applied to all of us—Larsen receiving a scar. Kaplan and Breger were beaten with the butt end of the rifle. All were kicked and shoved about.

Eight conscientious objectors came here from Fort Riley guardhouse.

After supper we were ordered outside where we formed in double rank. The sergeant of the guards issued some military commands to us. When we did not obey promptly he shoved us about violently. We then began marching around the building. Orders were given to "double time." Bayonets were pressed against the bodies of Larsen, Silver, and others to obtain compliance, but no one ran. The guards now insisted that we walk in strict military posture, and cuffs, kicks, and blows were rained upon those who failed to do so. Eichel refused to submit to this abuse and informed the guard that since in his opinion exercise was optional with conscientious objectors he would march no more under such brutal impositions. A guard seized him by the neck and forced him around the building, heaping blows and kicks upon him at the same time. When he was finally released the back of his head was covered with bumps and he was sore all over.

At about 9 that evening we were again ordered out and again put through the same ordeal. This time Steiner ceased walking. He was seized by the ears and dragged around the building. Another guard after a while seized him by the throat and choked him so forcibly that he sank breathless to the ground. Steiner reported his treatment to the officer of the day, a second lieutenant, who refused to give his name and who insisted that he was carrying out orders.

We were informed that we would be called out every two hours. At 11 p. m. we were awakened and ordered out. We refused. It was debated whether or not to forcibly drag us out. They finally decided to leave us alone. However, none could sleep, for the thought that we might be roused any moment kept preying upon our minds.

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SATURDAY, *September 28.*

At 8.30 p. m. the sergeant of the guards ordered us out. Expecting a repetition of yesterday's affair, especially so since the sergeant was a veritable brute, we refused. Kaplan, half undressed, was the first to rouse his venom. He was lifted bodily off his bed and thrown headlong through the door. He was dragged back again, lifted off his feet and thrown against the bedstead so forcibly that his skull might have been smashed. He was then ordered to put on his shoes. He refused. The sergeant seized him and put him out barefooted. The other men were similarly handled. When we were finally lined up outside, the sergeant following us out—and never did man gloat so over his accomplishment—he remarked that he was carrying out the major's orders, meaning Maj. Taussig, the military police officer. After marching around a while we were permitted to return to quarters. Threats of subsequent and periodic repetition of this treatment again had the effect of keeping us awake and expectant all night.

The instructions that conscientious objectors are to be permitted to exercise is being utilized as a means to impose hardships upon us. We are kept outdoors in all sorts of weather, from six to eight hours each day, and the guards are instructed to see to it that we keep moving continually. This is a source of constant irritation and friction between us and the guards, for some of us find it physically impossible to keep walking all day.

Our corresponding privilege has been restricted to one letter a week. The letter must be written upon one side of one small sheet. Its contents are subjected to careful censorship.

A general and thorough raid was made upon our quarters for books, magazines, and any other reading matter.

All prisoners were ordered to take a cold shower.

—

FRIDAY, *October 4.*

Orders were issued that conscientious objectors are to be given but one helping of food and "d—— little at that." Not even an extra piece of bread is allowed us. We are kept hungry from meal to meal.

—

SATURDAY, *October 5.*

We were ordered to take a cold shower. Da Rosa, feeling that cold showers are detrimental to him, and having taken a bath but one-half hour previous to the issuing of the above order, refused to undress. The corporal of the guards thrust him under the spray with his clothes on. Da Rosa returned to the guard room, wearing his dripping clothes. The corporal ordered him to undress and take a thorough shower. When Da Rosa again refused, the corporal tore his clothes from his body and at the same time delivered upon him some telling and effective blows. He was then placed under the cold shower.

We were compelled to take a cold shower once in the morning and once in the afternoon. A guard stood watch and checked each man.

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SUNDAY, *October 6.*

In the afternoon, Sandin collapsed while taking his second cold shower of the day. We explained to the doctor who called, the nature of the treatment we had been receiving lately. We also informed him that we were being underfed.

The captain, who was "officer of the day" ordered that we be deprived of supper because we did not stand at "attention" at roll-call.

At midnight we were suddenly and unexpectedly roused by the sergeant of the guards and ordered to take a cold shower. It was obvious that this was an unreasonable and vicious imposition and most of us refused to get up. We were then violently dragged into the shower room and held underneath the spray, night clothes and all,

thoroughly exhausted. Kaplan, Breger, Block, Powell, Franklin, Eichel, Downey, Steiner, and Da Rosa were so treated. The "officer of the day" was present and directed the proceedings.

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MONDAY, *October 7.*

Greenberg, Block, Bernstein, and others have gone on sick report this morning, suffering from colds. Block and Bernstein were given asperin tablets to make them perspire. Though the day was rainy and damp, all hands were ordered out for exercise. We were kept outside in the drizzle, until ordered to come in for a cold shower. Even those who had taken asperin tablets were not excused from the prescribed bath.

Breger, Monsky, Ott, Silver, Da Rosa, Block, and Eichel have already declared an absolute hunger-strike as a vehement protest against this treatment.

Another cold shower was administered to us in the afternoon. At 8 p. m. the "officer of the day," a captain, and the sergeant of the guards ordered all to undress in the squad room and prepare for a cold shower, the third that day. We were marched to the latrine in a body. The captain himself brought forth scrub brushes, used ordinarily for cleaning toilet seats and brooms used for sweeping, and ordered that we scrub each other with them. Franklin refused to use the filthy brush. He was seized and roughly thrown to the cement floor, dragged back and forth and viciously belabored until thoroughly exhausted. He was then placed under the cold spray and left there until he collapsed. Eichel and Shotkin helped him back to his bed. When he recovered he became hysterical.

The captain wished to know what had happened. Eichel explained that Franklin was suffering from myocarditis and the constant and frequent impositions of cold showers had in all probabilities aggravated this ailment. Eichel then requested the captain to permit him to see the post commander. This the captain refused to do, although he told Eichel that he was carrying out the instructions of the post commander in treating us so.

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TUESDAY, *October 8.*

Franklin, Sandin, and Hennessey have joined the hunger strike as protest against our inhuman treatment.

At about 8 p. m. the order was issued to prepare for a cold shower. Monsky informed the captain, who directed proceedings that he would not undress. The captain ordered a guard to undress and keep him under the shower twice as long. The sergeant of the guards timed everyone. Monsky was kept under the spray an unusually long time. He finally heard the captain say, "If he suffers, keep him there; but if he isn't suffering let him go."

Franklin, because of his collapse the previous evening, was given an extra dose and again collapsed. Eichel again requested to be permitted to see the post commander and again was refused.

Quite a few of the men, thoroughly chilled by the shower, had gone to bed to warm up. "Attention" was suddenly called and those in bed were dumped by the guards and dragged to their feet. Half naked the guards proceeded to place them in military posture. Towels, socks, and ropes were utilized to tie their hands in proper position. Then the captain addressed us. "How many of you will now become sensible objectors and go out to do some work this afternoon?" Receiving no favorable response he said tersely: "All right, another cold shower at 10.30 a. m."

We were then ordered to dress and go out for exercise. Quite a few refusing to do this were rudely dressed and dragged outside.

Promptly at 10.30 o'clock we were ordered in for our cold shower. Monsky, Block, Breger, Franklin, and Eichel, feeling that this was unquestionably punishment for their refusal to work, refused to undress. They were taken to the shower room in their clothes. There Eichel was again ordered to undress. When he refused, a corporal slapped his face vehemently and dragged him back to the squad room. There the order was repeated, and when Eichel maintained his attitude the corporal belabored him viciously with slaps across the face and blows upon the head. He was taken back to the shower room, and he as well as the others who had refused to undress were placed and kept underneath the spray in their clothes.

Henessey had undressed for the shower and had stepped underneath. No one was paying any particular attention to him. Suddenly he emitted a wild shriek, began tottering and swinging aimlessly. If some one had not grabbed him instantly, he might have dashed his head against the cement. He was carried to his bed, all the time maintaining his wild cries. Presently his struggles subsided and he remained in a state of coma for almost an hour. No doctor was sent for. Ott now asked permission to see the post commander, and was given the expected response.

Those who had taken the shower in their clothes undressed and went to bed. At about 2 p. m. the order came to get out for exercise. The wet clothes were put on the men and they were thrust outside. We were walking around when the corporal informed us that the major (Taussig) had ordered that we walk more rapidly. Franklin attracted the guards' attention first. He was rushed violently against the wire fence, thrown to the ground, and his head banged against the rocks. Monsky next received the brunt of attention. The corporal and guard pommeled, shoved, and abused him. A group gathered to watch the spectacle. Amongst the latter were some friends of the active guard. To please them, he seized Monsky from behind and ran him around the inclosure. Then, acting upon the suggestion of one of the spectators, he deliberately strove to step upon Monsky's bare feet. The latter succeeded for a while in thwarting him, but the inevitable happened and Monsky sank to the ground in agony. His ankle had been sprained.

This cowardly act completely unnerved Breger. "Hurray! Hurray for our brave American!" he yelled, and clapped his hands vehemently in applause. He was stopped, but he no longer was master of himself. He stopped, took off his shoes and exclaimed, "Here, do the same to me and show your bravery!" He walked on a while and suddenly let forth an uncanny yell and fell to the ground. He struggled painfully, all the time maintaining his gruesome cries. His struggles ceased finally and amid jeers of "He's all right" he was raised to his feet. Monsky in the meanwhile had been dragged all over the ground, his clothes torn from his body, and was practically unconscious.

The "officer of the day" now came upon the scene. He ordered those who would not walk to be placed in solitary confinement on bread and water. Breger and Monsky were the first to be punished. Eichel discontinued walking. He was dragged around a while and then placed in solitary confinement on bread and water. Steiner now refused to walk, and he, too, was placed in solitary. Silver next attracted the guard's attention. The doctor had come, and Silver informed him that since he had not eaten for two days his physical condition would not permit his exercising, and hence he would walk no more. He was ordered back into the ring by the "officer of the day," and when he refused a guard seized him and threw him to the ground. He then lifted him by the legs, to the intense delight of the spectators, and banged his head against the ground. This act was repeated a number of times. Then Silver, thoroughly shaken up, was placed on the restricted bread-and-water diet.

Breger, in the squad room, again gave vent to the wild paroxysms. His cries and intense internal struggles continued intermittently for over an hour.

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WEDNESDAY, *October 9.*

Steiner joined the hunger strikers because he had been placed on bread and water.

Eichel was undressed and given a cold shower.

Col. Barnes, the provost marshal, called while some of the objectors were taking their enforced exercise. He ordered them to stand at "attention." When they refused, he beat them vigorously with his heavy riding crop. Shotkin was badly hurt, the colonel breaking his crop over the former's ankles. He deprecated the ruining of his stick and implied that the only reason he did not brain Shotkin was that he wasn't worth the trouble. He then addressed the men before him. "You have declared a famine strike on me. Well, the Third Assistant Secretary of War, your friend, knows it and has instructed that I permit you to starve to death."

Shotkin, limping, returned to quarters. A guard straightway ordered him outside. Shotkin insisted that he could not walk and demanded medical attention. Though the doctor was in the room at the time, no treatment was given him. On the contrary, though suffering intense pain, he was dragged outside and two guards pushed him around the inclosure.

Steiner was dragged from his solitary cell and ordered to walk. Failing to obey, a guard seized him by his fingers and dragged him around. Steiner suffered intense pain, for the slightest resistance on his part meant the pulling of his finger out of joint.

After supper two slices of bread were given to those who were presumably on bread and water, despite the fact that every one of them was on hunger strike. The sergeant informed them, "Not a d—d drop of water do you get until this bread is consumed."

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THURSDAY, *October 10.*

Ott and Da Rosa, both materially weakened by their hunger strike, were forcibly dressed and put on exercise in the afternoon.

Ott was shoved around a while and then left unmolested.

Da Rosa was pushed about, then thrown to the wet ground, punched, kicked, and spat at by the guards. He was raised to his feet and dragged around some more. Presently he was dropped and one guard seized him by the hair and rubbed his face in and banged his head on the ground. His cheek and forehead were bruised, leaving two ugly skin wounds.

Then four guards carried him to the shower room, stripped him of what little clothes remained on his person, placed him on the cold cement floor in an exhausted condition, and turned the cold spray upon him. The soldiers then scrubbed him viciously with filthy brushes and brooms. One guard tickled his feet. He was finally brought back to the squad room in a semiconscious state.

Downey, Brandin, Bernstein, and Kaplan, feeling they could not conscientiously continue eating while their fellow conscientious objectors were being so brutalized, joined in with the hunger strikers.

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FRIDAY, *October 11.*

Brandin, because of extreme weakness, was unable to walk. A guard pricked him with a bayonet, and then the sergeant of the guards himself pushed him around.

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SATURDAY, *October 12.*

In the afternoon all the men, regardless of their physical condition, were ordered to dress and go out for fresh air. Those who refused were forcibly dressed and thrust outside. The men, because of their weakened state, sprawled all over the ground, while groups of spectators watched the miserable and sorry sight. At various times during the afternoon Block, Breger, and Silver collapsed from total exhaustion.

After supper the men were taken out of the solitary cells and returned to the regular squad room.

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MONDAY, *October 14.*

Maj. Taussig, accompanied by another major, who introduced himself as our investigator, came into the room in the morning. The latter gazed sneeringly and insolently about the room and without much ado dismissed most of the men from his mind as "Russian foreigners." His questioning was confined for the most part in ascertaining the birth and nativity of the men and establishing them as "Pro-Germans and members of Von Ludendorf's third division." He finally asked, with studied irony, whether any man was in danger of losing his reason or even his life. His final remark was, "There isn't a single American in the crowd."

Our writing tablets and what little money was in our possession were taken from us. A special guard was placed over us.

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TUESDAY, *October 15.*

Silver was examined by the doctor, and it was apparent that his condition was very poor. He was hardly able to get out of bed. In the afternoon he was taken out of our squad room and placed in a solitary cell.

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THURSDAY, *October 17.*

The men felt that the hunger strike had accomplished its purpose, in that brutalities had been discontinued for the past few days, and decided to eat supper. Bread and milk was given us to break our fast.

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FRIDAY, *October 18.*

Black coffee and bread was sent us for breakfast. Such food at this time most of us felt was actual poison for our systems. Hence, with one or two exceptions, we declined to eat this repast. No other food was furnished us.

SATURDAY, *October 19.*

Immediately after breakfast Eichel was viciously and suddenly struck two stinging blows in the mouth for failing, through no fault of his, to properly "cover off" for count.

Later, Ott and Eichel were ordered to clean the latrine by the sergeant of the guards, and when they refused the former slapped, punched, and shoved them violently against the wall and other projections.

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MONDAY, *October 21.*

The major who made the perfunctory investigation Monday, October 14, returned and began calling each man to explain the mistreatments he had experienced and witnessed.

We wish it known that during this tense period we were held absolutely incommunicado. Packages containing food and delicacies, sent us from home at a great expense of time, money, and sentiment, were viciously and wantonly destroyed and their contents dumped in the garbage cans, though we had at no time been told that we could not receive such packages.

The above is only a brief summary of the atrocities perpetrated upon us. The situation can never be described with sufficient vividness and intensity to impart to the authorities a real impression of the mental and physical anguish suffered by us. Most of the mistreatments took place outside, with large groups watching the sorry and revolting spectacle of defenseless men being most brutally punched, shoved, and abused.

While we do not wish to impugn the motives of the investigator we have reason to believe, because of his own statements and his obviously antagonistic attitude, that the report of his investigation would be prejudiced and not strictly in accordance with the fullest testimony of the men. We therefore feel justified in submitting this report, which we are willing to affirm under oath, merely as a confirmation to his report.

The men reached the guardhouse at Funston on the following dates, and went through the above experiences from the day of their arrival:

September 5.—Bernstein, Breger, Greenberg, Kaplan, Henessey, Larsen, and Powell.

September 27.—Downey, Eichel, Franklin, Ott, Sandin, Shotkin, Silver, and Steiner.

September 30.—Block, Da Rosa, and Monsky.

October 8.—Brandin.

A copy of this report has been given to the investigator.

We, the undersigned, consider the above a fair and accurate account of our treatment at the military police guardhouse of Camp Funston, Kans.

Morris Franklin, Thomas Shotkin, Herman Kaplan, Lester G. Ott, Joseph Brandin, Ulysses Da Rosa, Mayer Bernstein, Henry Monsky, Max Sandin, Emanuel Silver, Benjamin Breger, Rexford Powell, David Eichel, Julius R. Greenberg, Chas. P. Larsen, Francis Steiner, Francis X. Henessey, and John Downey.

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EXHIBIT B.

POLITICAL PRISONERS IN FEDERAL MILITARY PRISONS—MEN, STRIKING IN PROTEST AGAINST THE TREATMENT OF FELLOW PRISONERS, ARE MANACLED IN SOLITARY CONFINEMENT IN DARK UNDERGROUND CELLS ON A DIET OF BREAD AND WATER—IT IS ONLY A QUESTION OF HOW MANY DAYS THEY CAN LAST BEFORE PHYSICAL OR MENTAL COLLAPSE PUTS AN END TO THIS PHASE OF THEIR SUFFERING.

The National Civil Liberties Bureau has come into possession of information regarding conditions in the military prisons of the United States which it believes it would not be justified in withholding from the public. These prisons, called "disciplinary barracks," are located at Fort Jay, Governors Island, N. Y.; Fort Leavenworth, Kans.,; and Alcatraz Island, San Francisco Bay. Concerning the last-named prison we have at present no information. The other two are fairly well run as prisons go, with the exception of the form of punishment for recalcitrant prisoners, which consists of solitary confinement in dark cells, manacling, and a diet of broad and water. The conditions are described in the following documents. Primarily this protest has nothing to do with the offence for which the prisoners were sentenced. The first point is that torture inflicted upon any prisoner for any reason is as stupid as it is wicked and abhorrent to the American spirit. The second point is the justice of a distinction between political and criminal offenders.

I. STATEMENT OF CONDITIONS AT FORT JAY ON AUGUST 20, AS REPORTED BY DR. JUDAH L. MAGNES AND MR. JOHN S. CODMAN.

AUGUST 27, 1918.

Mr. John S. Codman, of Boston, and I went to Governors Island on the 3.15 boat and returned on the 6.30 boat.

Maj. Ward received us very courteously, and gave us every opportunity to interview the three conscientious objectors, and to examine the conditions under which they are now imprisoned.

He took us to the cells where Sterenstein and Eichel are in solitary confinement. These cells are on the top floor of the prison. Maj. Ward informed us that most solitary confinement cells are in the cellars of prisons. He gave Mr. Codman later the dimensions of these cells. They are small and all but completely dark. Light and air come in from a very small opening on the top, and through a small iron grating (in the door). Maj. Ward informed us that in many solitary confinement cells there is only the opening at the top. The door of Sterenstein's cell was opened first. We found him with his wrists shackled to the iron bars of the small opening in the door. He was in his underwear and in bare feet. There was no pail in his cell. The only thing in the cell was a blanket. When Eichel's cell was opened we found him shackled in the same way to the bars of the grating in the door. He was in his underclothes and had on one stocking. There was a pail in his cell.

Maj. Ward explained to us that they were sentenced to solitary confinement for refusing to work and obey prison instructions. (Such refusal to work will be found throughout these documents to be one of the chief sources of difficulty between the conscientious objector and the military. To the average reader it may seem difficult to understand and quite indefensible. The objectors' position may be clarified by the following explanation: (1) In certain cases the objectors felt that the work assigned to them amounted to the noncombatant service which they had refused in the first place because it relieved other men to do the very work in the Army to which they were conscientiously opposed. Other objectors considered that the mere acceptance of work under military orders was a recognition of the whole principle of conscription which they are convinced must be everywhere condemned before the world can ever become safe for real democracy. (2) At Fort Leavenworth all but a few of the objectors had consented to work, but a number finally ceased working, not so much because they were opposed to the work itself, but because such a stand was the only effective way by which to register their protest against the brutal treatment of fellow prisoners in solitary confinement. Rather than acquiesce in such wrong they would share their suffering.) They were shackled to the bars of the grating from 7.30 a. m. to 11.30 a. m. and then from 12.30 p. m. to 4.30 p. m.—the theory being that this is equivalent to an eight-hour working day. They are given two slices of bread three times a day and a pitcher of water three times a day. They are given no water with which to wash. If they wish to wash they must use some of their drinking water. They are not permitted a tooth brush. They are taken on Saturday night and given a shower bath.

"After 14 days of such confinement the prisoners are released into the prison yard for 14 days. They are given raw food, an ax for chopping wood, cooking utensils, and shelter at night. Otherwise they are regarded as men on a desert island, bound to shift for themselves. If after these 14 days of desert island life, they are still unwilling to yield their conscientious convictions, they are placed in solitary confinement again for another 14 days. This can go on indefinitely for the term of 20 or 30 years to which these men have been sentenced or until they are broken, either physically or mentally.

"We were then shown into the chaplain's office by the major, who said that we might interview each of the three prisoners separately, provided that we would give them nothing nor in any other way break the prison rules. We told him that we were particularly anxious to question the men as to the attitude of the board of review toward them.

"Robinson was the first prisoner admitted. He was not in solitary confinement, having served his 14 days. He was now undergoing the desert-island treatment, and had been for a few days. He had a healthy color and clear eye. He answered all of our questions simply and in a straightforward and in almost an objective way. We told him, as we did the others, that we were members of the National Civil Liberties Bureau, and that Mr. Baldwin had reported on their status from time to time; that we were interested in the general problem of conscientious objectors and that we had come to ask them particularly as to the attitude of the board of review. Robinson said that the board of review had interviewed him for only a few minutes, perhaps two or three, and that after that interview had declared him to be insincere. They regarded him as insincere because, so he thought, when they asked him if he would shed blood in self-defense he answered that he did not know what he would do under such circumstances. He said that he had not received any official notice as to what his sentence was, but that he had been informed through newspaper reports that he had been first sentenced for life and that then his sentence had been reduced to 20 years. He was a conscientious objector from every point of view—from the religious, the humanitarian, the political, the antimilitarist. He was of a farmer's family. He had been farming himself, and was for that reason better able physically, so he said, to endure the solitary confinement than the other men, who came from the city. He did not know how long it would be possible for him to stand the solitary confinement, but there was no doubt in his mind that, after the expiration of his 14 days of desert-island treatment, he could stand another 14 days of solitary confinement. Although most anxious to hear from his family, he could not hear from them because he had refused to sign the necessary papers. He regarded these papers as military documents and refused to sign them for that reason. He had no complaint to make as to the food that was being given to him during the desert-island treatment. His general complaint about the solitary confinement cell, and this was the general complaint of the others as well, was that it was almost impossible to sleep at night because the cells were full of vermin—bedbugs and another brown bug being particularly numerous—so numerous, in fact, that, after sleeping fits they had to be brushed in large quantities from their limbs. When we told the major afterwards of this he was quite indignant and said that he did not believe the cells were full of vermin; that he was sure they were lying, but that he would make a note of it, anyway. (I may as well remark here that the major in conversation afterwards did not seem to be as well posted as he might be on conditions in a prison to which he is supposed to be giving his complete time and attention.)

"The next prisoner admitted was Sterenstein. He came into the room blinking because of the light, after the darkness of his cell. He had been permitted to put on his prison garb. We were very grateful that because of our visit both he and Eichel were given a few minutes' respite from their shackles. Sterenstein had quite a heavy growth of beard. (The prisoners in solitary confinement not being permitted, of course, to shave.) He seemed to be physically the weakest of the three. He informed us that he had been sentenced to 30 years for refusing inoculation and refusing to work. Neither he nor Eichel had been adjudged as insincere by Judge Mack's board. It was his opinion that he and Eichel were being kept at Fort Jay because it was necessary for the authorities to subject a few men to severe punishment as an example to others. Other men who held precisely the same views and who had refused to obey certain orders had been transferred to Fort Leavenworth. He said that as a Socialist and humanitarian it was not possible for him to do anything to further the war; that he realized his life did not belong to him at a time when thousands of men were losing their lives, and that he was ready to be shot if only in that way he might give testimony to the faith that was in him. When he and Eichel came to Fort Jay they were undecided as to whether or not they would work on the stone pile. They worked on the stone pile for one day and then came to the conclusion that it was wrong to do this, because they would then be relieving some other men for military work. They thereupon refused to do other prison work and were placed in solitary confinement for this. Maj. Ward later cited their one day's work as conclusive evidence of their insincerity. Sterenstein complained of the petty annoyances to which the objectors were being treated by some of the guards. He was ready to serve his complete sentence without flinching, but did not think that they should be subjected to severer treatment than their sentence called for. He said that guards had beaten up at least two men to his knowledge, one of them in a cell, and that Maj. Ward himself had declared that one man would have to be beaten up, inasmuch as that was the only way to deal with him. Maj. Ward declared afterwards that as far as he knew no man had been beaten up at the prison for a whole year. Sterenstein said that at certain times of the day some rays of light came into his cell so that it was possible for him to read surreptitiously. He pulled out a tattered copy of the New Testament from his stocking, saying that he had been able to conceal this. He complained of the trouble the vermin gave at night. He thought also that if he might be permitted, when shackled, to stand in his shoes it would be easier for him, because he

had flat feet. He had a handkerchief during the 14 days, inasmuch as there was one in his clothes. No handkerchief had been offered him by the authorities. When asked if he objected to our repeating some of his remarks, he said that he was entirely willing to suffer any reprisal that might be meted out if only the cause of the conscientious objector might thus be helped.

"Eichel appeared to be stronger physically than Sterenstein and just as steadfast in his determination to hold out as long as he could. His attitude was practically the same as that of Sterenstein. There was no discrepancy between the statements of any of the three prisoners. Eichel was particularly anxious to have his family know that he was still at Fort Jay. They had not been permitted to hear from their families."

As a result of our complaint to the War Department, based upon this and other reports, the conscientious objectors in question were transferred to Fort Leavenworth, where the cells are said to be more sanitary; but the use of these cells at Fort Jay for the punishment of recalcitrant prisoners still continues to this day.

II. STATEMENTS AS TO CONDITIONS AT THE DISCIPLINARY BARRACKS, FORT LEAVENWORTH, KANS.

This is the chief military prison in the United States. At this time it contains approximately 3,000 prisoners, of whom about 300 are conscientious objectors. Most of these latter are under sentences ranging from 10 to 30 years. Whatever the particular charges on which they were court-martialed, they are imprisoned for one reason only, and that is their steadfast refusal on religious or other conscientious grounds to accept any form of conscript service under military authority.

The documents which follow come from prisoners whose names we can not publicly disclose, but who are known to us to be trustworthy:

1. Bulletin on conditions within the prison as they were about November 6. [We know the author of this bulletin and can vouch for his character and accuracy.—Ed.]

"Evan W. Thomas finally refused to continue work * * *, and the following day he was put in solitary confinement.

"His final statement was that in going to the 'hole' he was protesting against the entire prison system, as well as the fact that conscientious objectors are not distinguished from ordinary criminals and against the mistreatment of individual conscientious objectors.

"He believes that officials here are acting according to instructions from authorities in Washington.

"He plans to remain in 'solitary' until he collapses physically if conditions are not changed.

"Nine conscientious objectors, serving long sentences at the United States Disciplinary Barracks for refusal to submit to military conscription, are in solitary confinement in the institution because they have declined to engage in prison labor. * * *

"Five of these men have been brutally beaten and manhandled since they arrived.

"These nine men are handcuffed and chained by their wrists to the bars of the door for nine hours a day in darkened cells. The solitary cells here are in the sub-basement of the prison. Prisoners in such confinement are rationed on bread and water. Most of these executive sentences are for 14 days, but some of the objectors have been in solitary 30, 40, or even, in one case, 50 days. * * *

"Following is a list of the nine conscientious objectors enduring solitary punishment:

"Thomas Reed (colored), religious, arrived from Fort Jay, N. Y., on September 13, in solitary since September 15.

"Hyman Bloch, religious, from Camp Funston, September 20, in solitary since November 4.

"Jacob Wurtzman, socialist, from Fort Riley, November 4.

"Henry Monsky, socialist, from Camp Funston, November 4.

"Abraham Geleiter, orthodox Jew, from Fort Jay, September 13.

"Jake Conovaloff, religious, Camp Funston, October 20.

"Fred Uren, religious, Camp Funston, October 20.

"Morris Shuben, religious, Camp Funston, November 2.

"Andre Shuben, religious, Camp Funston, October 28.

"Prisoners, including at least two conscientious objectors, witnessed the brutal treatment given Dan Yoder and S. Herschberger, both from Camp Sherman, Ohio, November 1, and their accounts are substantially as follows:

"These men are members of the Ammish Mennonite sect, one of the religious rules of which forbids the wearing of clothes fastened by buttons. Upon their arrival they refused to don the uniform of military offenders. They were taken to the clothing storeroom and undressed forcibly by sentries, and were put into prison clothes.

"Sergt. Morris, foreman of the clothing storeroom, then took the two prisoners to the bathroom. There they again refused to cooperate. Again they were disrobed roughly. They were led under the cold showers and held there for between 10 and 15 minutes.

"Herschberger took the coarse 'laundry' soap that was forced upon him and washed himself. Yoder was led, or almost dragged, by the hair, shivering and crying noisily. Sergt. Morris, who was holding him, still by the hair, then ordered all the warm water to be turned off. Yoder refused to wash himself. The sergeant took a large cake of soap and a heavy fiber brush and began to scrub him, rubbed the soap up and down over his face and roughly applied the scrubbing brush to his body.

"They refused to put on the uniform. Herschberger dried himself and was dressed by other prisoners and sentries. Yoder, in the hands of the sergeant, was knocked down onto the cold cement floor. Without being dried, he was forced into the uniform. During this process his head was held between the knees of Sergt. Morris. When his underclothes were on, the sergeant lifted him up by the ears. This treatment has caused these two men to submit to prison labor against their beliefs.

"Instances can be multiplied. Geleiter, when he refused to drill, was beaten by sentries before he was put into solitary. Even there he was deprived of his phylactery, a religious article, indispensable to him. Uren and A. Shuben were beaten in the executive office. Corpl. Harry Hunter inflicted the bodily punishment in these last cases. His actions were unauthorized, and in consequence he has been suspended as yard corporal.

"But that is the only show of justice that the authorities of the institution have given in respect to these outrages. The incidents of Yoder and Herschberger were reported by two prisoners to Capt. Harry Mitchell, adjutant, and by him to Capt. L. A. Humason, intelligence officer. Nothing further has been done. It is not known whether reports of these affairs were allowed to reach officials in Washington or whether proper punishment is to be meted out to the soldiers who committed these brutalities. * * *

"Thomas has stated briefly how most of the political conscientious objectors regard this situation. When he submitted his letter to Col. Sedgewick Rice, the commandant, he was read an order from Washington stating that conscientious objectors who have been sentenced shall be treated as the ordinary criminal soldier."

2. Extract from letter written November 7:

"You will wonder at my sanity if I tell you that I am trying to pick a vegetarian existence out of the limited rations in the mess hall. There are several of us now. * * * One is Rose, from New York, who passes on all the books sent to prisoners; another is Sylva, just arrived from Funston and still weak from the effects of his hunger strike; another is a robust athlete from Denver; and the other four are Israelites from Benton Harbor who tremble lest by eating a morsel of animal fat they will violate the exhortations of Holy Writ. The table has contributed so many to the 'hole' that some begin to fear it is enchanted. Block, from Riley, has just gone down for refusal to work; Geleiter, from Fort Jay, has been in solitary for weeks, and several Russians have gone after him.

"In the 'hole,' a dungeon in the sub-basement, the men are fed only bread and water, and are handcuffed to their cell doors for nine or more hours a day. During the first week they stand with their hands crossed at their breasts; during the second they hang by their wrists. [We presume, with their feet on the floor.—Ed.]

"The 'screws' [sentries] are brutal. I have gone down with food from the mess hall several times to observe them. The air reeks with curses and foul drule. I have not heard these fellows suggest anything nearer a human reaction than a bestial laugh at some lewd tale. It follows that these men handle the prisoners with little gentleness. Geleiter has been beaten periodically. I saw him dragged by the collar, choking, across the rough floor of the corridors and the barber shop into the bath. One sentry knocked him down upon the cement floor, another undressed him with such brutality that he screamed with pain, and three of them forced him into the shower and scrubbed him with coarse soap.

"The Russians from Riley came out of confinement yesterday wan and staggering. They have gone to work. Both are religious objectors. Some of the Russians now in confinement have gone through the worst experiences in jail which the worst of the Tzars had to offer. They say that there they were permitted to cook their own food and were let alone. They swear that their life there was easy in comparison to this.

"Fellows who came from Camp Sherman last week declined to don the prison garb. (From other sources we learn that this was because of religious scruples against wearing buttons.) Two of them persisted. They were beaten into submission and the clothes were forced on them. For a time one of them wore his bundle around his neck, refusing to touch it; but he, too, was forcibly dressed. It is said that a captain witnessed the original beating and that he turned his back and walked off without interceding. The sentries to whom he left the job dragged the boys to the bathroom and treated them to Geleiter's experience, scrubbing the flesh of one with the ubiquitous galvanic soap and a coarse scrubbing brush. The water was so cold that the rest of us spent scarcely three minutes under it and retreated. Yet these C. O.'s were held under it for nearly 15 minutes. Corporal ——— is being tried for beating up two Russians—Holy Jumpers from Texas—for their refusal to salute and work. He administered one of his pummelings in the office of the executive officer, who himself had to stop the struggle. But he is being tried because his specific act was not authorized. The 'hole' treatment is known by everyone in all its details and is accepted by the authorities. * * *"

3. Letters of November 14 and 15 on the situation to date.

Box 60, Fort Leavenworth, *November 14.*

My Dear ———: Francis Hennessy has asked me to send you this message, for just now he can not write.

The group of boys from Fort Riley and Camp Funston came to Leavenworth more than a week ago. Most of them began working in and about the prison, but practically all have refused to work longer and are now doing penance in the "holes." The "hole" is our jail, you know—a black, cold place in the sub-basement. The men hang there chained by their wrists to their cell doors for nine hours a day. They sleep on the cold cement floor between foul blankets and are given bread and water, if they will eat at all. They can not speak, and of course they can neitner read nor write. [That is, they are not allowed, being chained in the dark.—Ed.]

There is brutality enough, too. Some of the men have been beaten periodically. I saw one man dragged by his collar across the rough corridor floor, screaming and choking, to the bath. He was knocked about on the floor for failing to undress, and was then stripped roughly and thrust under a cold bath. * * * He has since gone to the hospital.

Several Russians—Holy Jumpers from Arizona—have been hunger striking in the hole. Two of them were beaten so bestially that even the authorities were shocked, and the sentry is to be court-martialed. The sentry is being tried, however, only because he exceeded his authority. The other beatings and tortures are matters of general knowledge and are accepted by the authorities as justifiable. These Russians were so weak at the end of six days that two of them had to be sent to the hospital—veritable ghosts. * * * They are ready to die in this dungeon. Their courage, so firm and beautiful, shames the others of us.

Evan Thomas, Howard Moore (on Nov. 8, 1918, the Carnegie Hero Fund Commission awarded Howard Moore a hero medal and $500 for the gallant rescue of Miss Hanney off Bell Island, Conn. When the award was made, he was prisoner at Fort Leavenworth for conscience sake. Other of his comrades are no less brave). Rose (of Philadelphia), Hennessy, and about 20 others are now in the pit. They are protesting against the brutalities and tortures, compulsory work, compulsory chapel on Sunday, and against the imprisonment itself. The local officers are relentless in punishing this breach of discipline, and promise one man a court-martial, I am told, as a lesson to the rest of us. Little more could be expected of them. But from Washington we hope that some recognition of the condition may be drawn. We hope, of course, that the administration will act as liberally as it has so often spoken and that it will recognize the right to be free-minded, religiously and politically. We feel that if the Government is not committed by deed to the principle, the sacrifice we have been making has accomplished nothing except, perhaps, to create a splendid social propagandist material.

We wish that some one could visit us and see with his own eyes the results of the repressive policies which these military persons call justice. * * *

We have all come to love Francis in the few days that he has been here. He is a lad of the quietest courage. He has not the slightest hesitancy about stepping into this dungeon. He wants you to be assured that he will come through happily.

Very truly, yours,

(Signed)

NOVEMBER 16.

This is a supplement to the letter I sent concerning Francis Hennessy. The boys in the dungeon are hunger striking now, demanding their release. They are being forcibly fed in the usual manner. I can not learn whether Francis is among them, but he said when he left me that he intended going the limit. He was getting on quite happily on bread and water yesterday morning.

Rose, of Philadelphia, who struck for 25 days in Camp Meade, was taken from the wing yesterday and ordered to begin breaking rock. He refused and was forced to stand all day, the cold wind cutting his flesh, eating nothing. He went to his cell in the evening shuddering with chills and burning with fever. To-day he is out in the yard again, professing health and liberty. He is to be court-martialed, he is told, and given a long term of years in the Federal penitentiary.

Others will be joining the hunger strike day by day. None will die, for the officers do not want the responsibility of making explanations to enraged parents and friends, and the public generally; but they will all have a sober time of it. As long as I am at liberty myself, I shall be happy to tell you of the condition of Hennessy and of the others.

Very truly,

(Signed) ——— ———.

4. Digest of a report by an investigator sent to Fort Leavenworth by the National Civil Liberties Bureau:

NOVEMBER 18, 1918.

The investigator states that at the time of his visit there were in confinement at Fort Leavenworth 280 conscientious objectors, and that several had died of the recent epidemic of influenza. The assistant commander refused absolutely to allow him to copy the names of any of these men, nor would he state what treatment was given to objectors who refused to do work assigned to them. The investigator adds that from his observations "they would not be accorded very much consideration as human beings," that they are "very thinly clad," "are constantly under the eye of an armed man," and that "hundreds of armed guards of the rough-house type are with the men at all times."

5. Documents illustrating the reason why some of the men quit work in protest against the punishment of certain of their comrades.

(a) Letter of prisoner No. 14822 to The Adjutant General, Washington, D. C.:

UNITED STATES DISCIPLINARY BARRACKS,
Fort Leavenworth, November 5, 1918.

From: General Prisoner Evan W. Thomas, Serial No. 14822, United States Disciplinary Barracks, Fort Leavenworth, Kans.
To: The Adjutant General, Washington, D. C.
Subject: Treatment of conscientious objectors.

SIR: In a letter written by you dated August 18, 1918, to David E. Eichel at Fort Riley, Kans., you declared that it is not the policy of the Government to coerce the conscience of individual objectors, but that, on the other hand, great and liberal concessions have been made to conscientious objectors. I know that the same impression has been given by the Government to many other individuals through letters as well as through the public statements of officials.

Yet the fact remains that in accordance with the regulations a number of the many conscientious objectors now confined in the disciplinary barracks here are in solitary confinement, chained to the bars of their cells nine hours a day for conscience sake. I have been witness of the mental anguish through which some of the men have gone because they could not work in this institution, no matter what the consequences might be I myself have on repeated occasions before coming here declared to Army officers that I would not work in the disciplinary barracks if the consciences of others were coerced or if the work was the same as noncombatant service in the Army.

Nevertheless, since my arrival here, on October 20, I have been working. It is not my desire, even if it were possible, to interfere with the discipline of this institution, nor do I believe that that is the intention of the objectors now in solitary confinement. But the fact remains that in spite of the many liberal statements made by the Government the conscientious objector is being treated exactly as the recalcitrant or criminal soldier.

In view of the explicit promises made by the Government, can not some provision be made to relieve the situation here?

Respectfully, yours,

(Signed) EVAN W. THOMAS.

(b) Memorandum sent to mother of prisoner No. 14822 in reply to her questions with regard to her son:

NOVEMBER 13, 1918.

MEMORANDUM FOR COMMANDANT.

Circumstances under which No. 14822 came into the office and the reasons for going into solitary confinement rather than work.

1. I was in need of two reliable copyists in the office and was entering the office of the executive officer to apply for these men and remarked my needs to Capt. Leard, who was also entering the office of the executive officer. He pointed out No. 14822 and said, "There is the very man you want. He is a graduate of Princeton and has had two years at Oxford, and he is now going to the executive officer to decline to work and to take his medicine for conscience sake and what he supposes to be his duty."

I asked the executive officer about this man and told him that such a man was at least entitled to an interview, and asked him to send 14822 to my office.

I talked to this prisoner, No. 14822, for 30 minutes trying to convince him that he was really arraying himself on the side of disorder as against the law of his country and order, however his case of injustice and inconsistency might appear to him. The interview closed with my giving him the permission of coming into the office the next day, and suggested that he would save himself further trouble by being useful to us and his country.

He came into the office the next day and said he had concluded to work for me and I put him to work with the purchasing department. Two days later, we found that it was necessary to put another man on the records of our registered stock. I called for 14822 and told him that I had concluded to give him this work, as it was the most accurate work in its requirements in the office. He informed me that he was on the point of asking for an interview to tell me that he had made a mistake in not going to the executive officer and refusing to work in the first place, but feeling as he did about it, he felt that to save himself the ordinary punishment of his refusal was an act of cowardice, and that he was really diverted from his refusal to work by fear. He had thus concluded to take his medicine. I said to him, "You have fully determined on this course—there is no further use of conversation or argument?" and he said, "No, sir."

I directed him to report to the executive officer.

(Signed) SAMUEL A. SMOKE.
Major, United States Army, Retired.

In connection with these documents it may perhaps be added that almost all of these objectors came to Fort Leavenworth after months of segregation or imprisonment in guardhouses, where many of them suffered severely from the brutality of guards and petty officers.

We are not issuing these documents to argue the question of conscientious objection. It is plainly evident, however, that the charge of physical cowardice so often leveled against the conscientious objector is false in the case of the men who are confined in Leavenworth. Without exception, they could have avoided their heavy sentences merely by accepting noncombatant service. Many, in an effort to protest against the treatment of fellow prisoners, have gone so far as to choose deliberately a course which led inevitably to the horrors of the "hole." Misguided perhaps, fanatics perhaps, but not cowards!

The treatment administered to these men can not conceivably be the only or the best course open to the State. They are capable of the quixotic generosity of a sympathetic strike in prison, they are eager to serve high causes outside prison walls; the State seems to confess its weakness and perplexity in finding no alternative to the brutal method of crushing them in mind or body.

The facts which we have cited raise two issue:

(1) The use of torture in military prisons to enforce obedience. This is as unnecessary as it is barbarous. Conscientious objectors may be rendering a real social service in calling attention to the use of solitary confinement, such as we have described, to which ordinary military offenders have been subjected for years.

(2) Political prisoners, of whom conscientious objectors are one group, should be distinguished from ordinary offenders against the criminal law. Such is the almost universal practice in Europe. In Great Britain the so-called "absolutists" objectors were never confined in military prisons and no sentences exceeded two years. This policy was carried out in the heat of the war. Our own Government has repeatedly declared its intention not to coerce the conscience of any recognized objector, yet by confining these men in military prisons, it raises the question of coercion in an acute form. From the standpoint of the well-being of the State, as truly as of the ancient American liberties of conscience and free speech, what possible good end is served by the indefinite confinement of political prisoners who are eager to render useful service outside prison walls? The situation is urgent. This torture can have but one end—the utter breaking of the men in body, mind, or spirit.

No solution of this problem short of complete pardon will satisfy the generosity or sense of fair play of the American people. But in the meantime it is our particular purpose to urge (a) the immediate release of men now chained in solitary confinement and the permanent abolition of this and similar obsolete forms of discipline in military prisons; (b) the recognition of the status of conscientious objectors as political prisoners.

In creating the Department of Labor Congress declared that its purpose was to promote and develop [not labor unions, but] the welfare of wage earners, to improve their working conditions, and to advance their opportunities for profitable employment. Congress did not declare that the millions of wage earners not union men were "scabs" and not entitled to any consideration. I am for giving an equal chance alike to all of the honest toilers of this Republic, and I am unalterably against subjecting every department and branch of this Government to the selfish whims, dictates, and demands of an autocratic leader of organized labor.

EXTENSION OF REMARKS

OF

HON. THOMAS L. BLANTON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 4, 1919.

Mr. BLANTON. Mr. Speaker, during the debate on the sundry civil bill last Friday I took the position that the balance of the previous appropriation made still available of $1,543,400, supplemented by the $1,800,000 provided for in H. R. 16187 passed that day, was amply sufficient to carry on the Employment Service and that the extra $10,000,000 demanded by organized labor was unnecessary and should not be allowed.

Therefore, when the distinguished gentleman [Mr. WATKINS] offered his amendment proposing to increase this appropriation with the enormous sum of $10,033,808.10, I objected to it and made a point of order against it, which the Chair sustained. And likewise when the gentleman from New York [Mr. SIEGEL] offered his amendment to increase this appropriation, I opposed and helped to defeat it.

Then there was an attempt made by the sponsors of organized labor to secure this extra $10,000,000 in spite of the law and the rules of the House, and the distinguished gentleman from Massachusetts [Mr. GALLIVAN] offered the following amendment:

Amendment offered by Mr. GALLIVAN: Page 152, line 20, insert a new section as follows:

"To enable the Secretary of Labor to advance the opportunities for profitable employment of the wage earners of the United States there is hereby appropriated out of available money in the Treasury, $10,033,808.10.

I promptly objected to it, and made a point of order against it, and I here insert from the RECORD of the proceedings the remarks I made in favor of the point of order:

Mr. BLANTON. Mr. Chairman, I desire to be recognized on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. BLANTON. The law which sets forth the purpose of this department shows that the purpose is threefold. Simply because it specifies this threefold purpose is no reason why Congress has the right to inaugurate new legislation here and spend $10,000,000. One of the purposes is to promote and develop the welfare of wage earners. Why, if the gentleman from Massachusetts is correct in his contention, the Secretary of Labor could contend that he could furnish every wage earner with a Pierce-Arrow limousine to ride to his place of work. That would promote his welfare. Would the gentleman contend it would not require legislation, special legislation, for the Secretary of Labor to do a thing of that kind? One of the purposes is that it is to improve their working conditions. Why, the Secretary of Labor might decide in his discretion that in order to have their working conditions improved each one of them should own a brownstone mansion. Would the gentleman contend for one moment that the Secretary of Labor could carry out that purpose from a lump appropriation without special legislation authorizing it? The other purpose is "to advance their opportunities for profitable employment." Why, the Secretary of Labor might well say that it would advance their opportunities for profitable employment to send each one of them to Yale University or to Harvard or to Columbia, and let them take an A. B. degree. Does the gentleman contend, simply because he is to help them in their opportunities, he could decide in his discretion to give them a university education out of the lump-sum appropriation, without new and special legislation passed by Congress to authorize it?

I submit, Mr. Chairman, it does take new legislation here to authorize the expenditure of this $10,000,000 proposed, and without new legislation authorizing it it is certainly subject to a point of order.

After the Chair had sustained my point of order, and ruled the amendment out of order, the gentleman from Massachusetts [Mr. GALLIVAN] appealed from the decision of the Chair, but the House sustained the Chair by a vote of 114 ayes to 58 noes.

And then the renowned Socialist Member from New York [Mr. LONDON] made his attempt to secure this $10,000,000 as follows, copying from Record:

Mr. LONDON. Mr. Chairman, I rise to offer an amendment.
The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.
Mr. LONDON. As a section for the purpose of continuing the present system of unemployment exchanges, the sum of $10,000,000.
Mr. BLANTON. Mr. Chairman, I make a point of order on that.
The CHAIRMAN. The Clerk will report the amendment.
Mr. BYRNES of South Carolina. Mr. Chairman, I make a point of order on that.
Mr. BLANTON. I make a point of order. It is new legislation.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:
"Amendment offered by Mr. LONDON: Page 152, after line 20, insert, as a new section, the following:
"'For the purpose of continuing the present system of unemployment exchanges, $10,000,000.'"
Mr. BLANTON. Mr. Chariman, I make the point of order that it is new legislation.
The CHAIRMAN (Mr. GARRETT of Tennessee). The gentleman from Texas makes the point of order.

And the Chair, after the prolonged argument which ensued, again sustained my point of order and ruled the amendment out of order.

And then my eloquent friend, the orator from Missouri [Mr. DECKER], contributed to the cause by offering his amendment:

Mr. DECKER. Mr. Chairman, I desire to offer an amendment.
The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.
The Clerk read as follows:
"Amendment offered by Mr. DECKER: Page 152, after line 20, insert as a new section:
"'For expenses of Department of Labor, made necessary by the act of March 4, 1913, entitled "An act to create a Department of Labor," $10,000,000.'"
Mr. BLANTON. I make a point of order against the amendment.
The CHAIRMAN. The Chair sustains the point of order.
Mr. GALLIVAN. I should like to have the gentleman give some reason for the point of order.
Mr. BLANTON. Because it is legislation and not germane.

The gentleman from Missouri [Mr. DECKER] then appealed from the decision of the Chair in sustaining my point or order, and the House sustained the decision of the Chair by a vote of 106 ayes to 33 noes. And so this $10,000,000 was saved to the already overburdened taxpayers of this country.

Mr. Speaker, there is not a Member of this House who is a stancher, truer, more deeply sympathetic friend to all laboring men who toil for their daily bread than I am. I could not be otherwise. I have fought their battles for over 20 years. Left to meet the struggles of life when a boy only 10 years old, I know through hard experience the problem of earning bread, working for every dollar that procures your education, and fighting on every inch of the ground, step by step, the innumerable obstacles always found blocking the path of success.

But, Mr. Speaker, I am for all men who labor, and not for just a special favored few. I am not willing to subject every department and branch of this Government to the selfish whims, interests, dictates, and demands of the autocratic leader and master of 3,000,000 members of organized labor to the detriment of 50,000,000 other honest toilers in the United States. I am just as much opposed to autocracy assumed and practiced by Samuel Gompers as I am to that of a Hohenzollern kaiser.

For a proper labor employment service, run in the interest of all wage earners alike, and not merely in the interest of labor organizations and the big-salary-drawing employees of this Government, I would vote for one million or ten million or even one hundred million dollars, if same were necessary. But from a careful study of the question and of conditions prevailing here in Washington during the past two years, I have become firmly convinced that our Labor Department in States other than Texas, which, thank God, has not yet become Gomperized, is run more in the interest of labor unions and high-salaried officials than it is for wage earners generally. In his autobiography the Secretary of Labor specially emphasizes the fact that he has taken an active part in trade-union affairs from early manhood, and for eight years was international secretary-treasurer of the United Mine Workers of America. He has seen fit to appoint as chief clerk of the Department of Labor, Samuel J. Gompers, son of the president of the American Federation of Labor. It will be remembered that labor unions have designated as "scabs" all laboring men not members.

Now, in the hearings on the sundry civil bill, part 2, pages 965 to 1755, Mr. J. B. Densmore, Director General of the United States Employment Service, in his testimony, admitted that up to January 1, 1919, this department had expended $3,282,790, and he also admitted that out of the last appropriation of $5,500,000 he still had left on hand on February 1, 1919, the sum of $1,543,400 thereafter to be expended. To this sum, in the deficiency appropriation bill passed last Friday, Congress gave him the additional sum of $1,800,000.

Now, let us see how this Employment Service has been spending this money of the people in such enormous sums. I will only mention the administration office here in Washington. It will be interesting to the people, and to the returned soldier boys who have been fighting in trenches mud deep in France 24 hours out of the 24 sometimes for $33 per month, to learn what the officers of this Employment Service have been allowed by the Secretary of Labor for seven hours work per day. I give below the official designation, number, and salaries of such officers in the administration office alone of the Employment Service:

United States Employment Service—Salaries, administrative office, Feb. 5, 1919.

Title.	Number.	Rate.	Total.
Director general	1	$6,000	$6,000
Assistant director general	1	5,500	5,500
Assistant to director general	1	5,000	5,000
Do	2	3,500	7,000
Special assistant to director general	1	3,500	3,500
Assistant to director general	2	4,000	8,000
Do	1	3,500	3,500
Special representative	5	3,500	17,500
Do	2	3,000	6,000
Do	3	2,500	7,500
Special agent	1	4,000	4,000
Do	1	3,650	3,650
Do	4	3,500	14,000
Do	10	3,000	30,000
Do	10	2,500	25,000
Do	4	2,400	9,600
Do	5	2,250	11,250
Do	2	2,000	4,000
Director of division	4	4,000	16,000
Assistant director of division	1	3,500	3,500
Do	1	3,000	3,000
Assistant to director of division	1	3,600	3,600
Do	2	2,500	5,000
Do	1	2,250	2,250
Do	1	2,100	2,100
Do	1	2,000	2,000
Chief of section	1	4,500	4,500
Do	1	4,000	4,000
Do	1	3,500	3,500
Do	5	3,000	15,000
Do	2	2,700	5,400
Do	2	2,750	5,500
Do	3	2,500	7,500
Do	1	2,400	2,400
Assistant chief of section	2	3,000	6,000
Do	1	2,750	2,750
Do	1	2,500	2,500
Do	1	2,400	2,400
Do	1	1,800	1,800
Disbursing agent	1	2,750	2,750
Secretary (War Labor Policy Board)	1	4,500	4,500
Secretary	1	3,500	3,500
Do	2	3,000	6,000
Do	2	2,000	4,000
Do	1	1,800	1,800
Do	1	1,740	1,740
Do	1	1,500	1,500
Do	1	1,440	1,440
Clerk (senior)	1	2,750	2,750
Do	1	2,620	2,620
Do	8	2,500	20,000
Do	1	2,400	2,400

United States Employment Service, etc.—Continued.

Title.	Number.	Rate.	Total.
Clerk (senior)	4	$2,250	$9,000
Do	1	2,220	2,220
Do	5	2,100	10,500
Do	5	2,000	10,000
Do	2	1,980	3,960
Do	10	1,860	18,600
Do	16	1,800	28,807
Clerk	1	1,740	1,740
Do	1	1,728	1,728
Do	1	1,720	1,720
Do	2	1,680	3,360
Do	14	1,620	22,680
Do	1	1,600	1,600
Do	2	1,560	3,120
Do	35	1,500	54,000
Do	1	1,440	1,440
Do	10	1,400	14,000
Do	23	1,380	31,740
Clerk (junior)	61	1,320	80,520
Do	4	1,260	5,040
Do	65	1,200	78,000
Clerk (under)	15	1,100	16,500
Do	12	1,080	12,960
Do	5	1,020	5,100
Do	1	1,000	1,000
Do	1	990	990
Do	1	960	960
Do	4	900	3,600
Do	1	780	780
Do	1	720	720
Do	1	600	600
Do	2	600	1,200
Telegrapher	2	1,600	3,200
Engineer	1	1,440	1,440
Electrician	1	1,320	1,320
Fireman	3	960	2,880
Messenger	2	1,320	2,640
Do	2	1,200	2,400
Do	1	1,080	1,080
Do	1	960	960
Do	6	900	5,400
Do	2	840	1,680
Do	1	780	780
Messenger (junior)	10	720	7,200
Do	7	600	4,200
Do	7	480	3,360
Watchman	1	1,200	1,200
Do	5	900	4,500
Elevator operator	2	900	1,800
Do	1	720	720
Skilled laborer	1	1,320	1,320
Do	1	1,140	1,140
Do	9	900	8,100
Do	1	780	780
Janitress	1	840	840
Charwoman	8	312	2,496
SPECIALS.			
Adviser on industrial relations	1	5,000	5,000
Special examiner	1	4,000	4,000
Special camp organizer	1	4,000	4,000
National field organizer	2	3,000	6,000
Do	1	2,400	2,400
Assistant to chairman (War Labor Policy Board)	1	2,750	2,750
Associate director, Boys' Working Reserve	1	2,750	2,750
National director, Boys' Working Reserve	1	2,500	2,500
Assistant to Federal director (in charge of farm labor)	1	2,100	2,100
National director, Women's Land Army	1	2,000	2,000
Assistant Federal State director (Public Service Reserve)	1	1,800	1,800
Director, Negro economics	1	4,380	4,380
Assistant director, Negro economics	1	1,740	1,740
Supervisor of Negro economics	2	1,740	3,480
Total	513	.....	861,214

In addition to the above, this Employment Service had in the field 3,784 representatives on the pay roll of the Government. The gentleman from South Carolina [Mr. BYRNES], through questioning, brought out the fact that it is the intention of this department to raise the salary of the director general, Mr. Densmore, to $7,500, the salary of the assistant director to $6,000, the salary of two other assistants to the director to $5,000 each, and the salary of seven other assistants to the director at $4,500 each; yet the Legislature of Texas, simply because it is requested so to do by these big salary drawing officers, without knowing much about the real facts, has passed a resolution demanding that Texas Congressmen support this program. Fortunately I got my commission directly from the people and use my own mind in doing a little thinking myself in their behalf. From July 1, 1918, to December 31, 1918, six months, said Employment Service paid out in—

Salaries	$1,967,962.81
Rent of offices	229,239.11
Per diem expenses	164,380.00
Travel expenses	74,803.19
Furniture, etc	361,495.21
Printing and stationery	172,862.47
Telephone	168,036.79
Miscellaneous	146,498.46

The following examination of Director Densmore by Chairman BYRNES, as taken from said hearings, may be of interest:

Mr. BYRNES. I notice you have an adviser on industrial relations; who is your adviser on industrial relations?

Mr. DENSMORE. Mr. Hugh Frayne; he came to us from the War Industries Board. He was a member of the War Industries Board.

Mr. BYRNES. A special camp organizer, $4,000; what are his duties?

Mr. DENSMORE. He has been organizing special offices in all demobilization camps.

Mr. BYRNES. Director of negro economics; who is your director?

Mr. DENSMORE. That is carried now and has been carried all the time on our pay roll as some other items have; that is Dr. Haynes, in the Secretary's office. He is director of negro economics in the Department of Labor and paid from our appropriation.

Mr. BYRNES. If he is now in the department on the work, why is he to be paid out of that appropriation?

Mr. DENSMORE. The operations which he is directing are pretty closely allied to the employment work.

Mr. BYRNES. What does he do?

Mr. DENSMORE. He is adviser to the Secretary of Labor on negro economics and employment.

Mr. BYRNES. That has nothing to do with this Employment Service?

Mr. DENSMORE. That, however, might as well be out of there, because there is an appropriation being asked for that. Isn't that true, Mr. Gompers?

Mr. GOMPERS. I know of no such estimate.

Mr. DENSMORE. I thought there was one; we have a good many negro officers and negro field officers.

* * * * * * *

Mr. BYRNES. Your director of negro economics is a negro?

Mr. DENSMORE. He is; Dr. Haynes, a university man.

Mr. BYRNES. He is an assistant and supposed supervisor?

Mr. DENSMORE. Yes, sir.

* * * * * * *

Mr. BYRNES. The director of economics and supervisor of economics; I do not see what functions they are exercising with regard to the employment of labor?

Mr. DENSMORE. Well, they do a very great deal; the director of negro economics arranges all the cooperation of the negro organizations in the field.

Mr. BYRNES. Have you had him for some length of time?

Mr. DENSMORE. Yes, sir; I don't know when he was appointed.

Mr. BYRNES. Was he there when you came there?

Mr. DENSMORE. He came in about a year ago.

Mr. BYRNES. Do you propose to continue in the service the director of negro economics as assistant supervisor?

Mr. DENSMORE. If the Secretary desires to.

Mr. BYRNES. Your senior clerks, I notice you pay them from $1,800 to $2,620 a year.

Mr. DENSMORE. Well, they are carried as senior clerks.

Mr. BYRNES. Is there any special duty that devolves upon them? Are they stenographers, or what is the character of their service?

Mr. DENSMORE. I think that title is not at all indicative of what they do; they are not clerks; they are various heads of separate sections and other special duties.

Mr. BYRNES. You have got chiefs of sections from $4,500 to $2,400.

Mr. DENSMORE. Those section chiefs, however, aside from those two or rather the first three—the first three are practically divisions.

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TRANSPORTATION OF WORKERS.

Mr. BYRNES. This item of $250,000 for transportation of workers on page 635—what is the status of that appropriation?

Mr. DENSMORE. We have practically all of it.

Mr. BYRNES. You practically have all of it?

Mr. DENSMORE. Yes, sir; we used very little of it.

* * * * * * *

Mr. MONDELL. Is it actually advanced for transportation costs?

Mr. DENSMORE. In a few cases.

Now, I will show you why so little of that transportation money was furnished to workmen, and one of my constituents is forced to borrow money to get home. Read the following:

AFFIDAVIT.

I, J. W. Weatherly, being duly sworn, upon oath state: I live in Stephens County, Tex. On account of passing through a three years' drought I was persuaded by a Government representative of the United States Employment Service to leave Texas, and was specifically promised that if I would go North and work three months, not only my transportation there would be paid, but that all of my transportation and meals in returning home would be paid. I left Texas in August and worked faithfully. I was refused my return transportation, and have not been able to get 1 cent, and will be forced to go home at my own expense. Not belonging to a union, I received 40 cents an hour, and later received 45 cents an hour, and by working 10 hours a day I made $4.40 per day, while some union men were making $10 a day, or $1 per hour. I know a number of Texas men who were fooled about their transportation just as I was, they being promised same by the Government representative of the United States Employment Service as an inducement to leave their homes, and they have been forced to pay their own expenses back to Texas. Counting expenses, I could have made much more money in Texas and had the pleasure of remaining with my family.

J. W. WEATHERLY.

Sworn to and subscribed before me on this the 3d day of March, A. D. 1919.

[SEAL.] D. B. MULL,
Notary Public, District of Columbia.

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UNITED STATES DEPARTMENT OF LABOR,
UNITED STATES EMPLOYMENT SERVICE,
Washington, February 25, 1919.

Hon. THOMAS L. BLANTON, M. C.,
Washington, D. C.

MY DEAR MR. BLANTON: Acknowledgment is made of your letter of February 24, inclosing communication concerning J. W. Weatherly, in which you wanted information as to whether transportation would be furnished Mr. Weatherly for his return trip to Fort Worth, Tex.

We regret to say that no men were promised return transportation to their homes from projects constructed by the Government. In many cases transportation to a job was, of course, furnished. No provisions, however, were made for the trip home.

Very truly, yours,

J. B. DENSMORE, *Director General.*

And this Employment Service has refused to pay this return transportation to several hundred of my constituents to whom, as a special inducement, such Government agents in the field had promised would be done if they would leave Texas and come North.

UNPRECEDENTED PROPAGANDA AT GOVERNMENT EXPENSE.

During the hearings on the third deficiency bill, held by the Appropriations Committee, the chairman asked Director Densmore if he knew who caused the hundreds of telegrams to be sent Congressmen in behalf of the Employment Service, and in reply—page 414, February 22, 1919—Director Densmore stated:

I accept all the responsibility for it.

And, on page 428, Director Densmore admitted that Mr. Hugh Frayne, the adviser on industrial relations for the United States Employment Service, is a member of organized labor.

Now, let us see what kind of telegrams Director Densmore had sent out from Washington, at Government expense, to the labor unions and chambers of commerce throughout the 48 States of this Republic in an effort to get his additional $10,000,000 appropriation. Read the following clipping from the Abilene Daily Reporter, of Abilene, Tex.:

TELEGRAM URGES INDORSEMENT OF BUREAU OF LABOR.

The chamber of commerce has received a telegram from the managing editor of the United States Employment Service Bulletin, the official organ of the Federal Employment Service, urging that the local organization and other civil organizations of towns and cities in the western part of Texas use their influence to counteract present opposition developing at Washington against the continuation of the Employment Service over the Nation. The telegram seeks to have these organizations at once telegraph their Representatives in Congress to press the passage of a bill which would establish permanently the bureaus of the country and provide appropriations sufficient to conduct the business of the service in an efficient manner.

On page 10, issue of February 26, 1919, of the Waco Times-Herald, Waco, Tex., appeared the following resolution from the Young Men's Business League:

NO HELP FOR UNITED STATES SERVICE.

Secretary W. T. Wheeler presented a letter and telegram from H. W. Lewis, State director of the United States Employment Service, made defunct by a bill of Congress, urging that the Y. M. B. L. pass resolutions and take steps to cause legislators at the National Capital to provide for the continuance of the Employment Service.

Not a single director evinced a desire to help Mr. Lewis and other gentlemen of the service mentioned, the general sense of the directorate, on the other hand, being that "the usefulness of many bureaus and commissions created on account of the war are now passed."

I wish that the people knew just how many telegrams the labor unions all over the United States, at the instance of this Employment Service, have sent to the 435 Members of Congress. Also through their influence, by causing them to believe that it was in behalf of our returning soldiers, mayors, chambers of commerce, chiefs of police, and other officers and prominent citizens have sacrificed much money telegraphing us. I received a long telegram from Hon. J. F. Carl, of San Antonio, and a 223-word telegram, sent at Government expense, from Director Lewis, of the Employment Service there, attempting to tell me facts about which I had more definite information than he did, and when I later received a 1,000-word telegram from Judge Carl I sent an answer in reply to all of them through the public press; and to satisfy the curiosity of my genial Irish friend from Massachusetts [Mr. GALLIVAN], I will state that I sent it as official business.

During the debate on the sundry civil bill, in discussing this extensive progaganda propagated by Government employees in Washington, I inserted in the RECORD my said telegram, to wit:

[Telegram.]

WASHINGTON, D. C., *February 26, 1919.*

SAN ANTONIO EXPRESS,
San Antonio, Tex.:

Kindly permit me to publicly answer a 1,000-word telegram just received from Director J. F. Carl. Sundry civil bill continues Employment Service until July. This service in Texas is beneficial, worthy, and ideal. Not so in many other States. It is not the returning soldier boys who are now demanding that this service be made permanent, adding an extra ten million appropriation for coming year, but it is members of organized labor who didn't enlist or fight, but who claimed industrial exemptions, and who during entire war have drawn higher wages than ever dreamed of before, as high as $11 per day, more than the salary of the Governor of Texas, while our fighting boys in trenches were paid only $33 per month. When Gen. Crowder ordered all "men to work or fight," it was Samuel Gompers and this same bunch who threateningly told him that he could not apply the work-or-fight order to organized labor, and thus forced the drafting of boys 18 years old. When Congress required the 240,000 Government clerks, drawing annual salaries up to $2,500, to work eight hours per day during the war, it was this same bunch who forced President Wilson to veto this eight-hour provision by thousands of such employees threatening to march on the Capitol and threatening to quit work and thus crippling every department of Government in war time. Statistics in Labor Bureau show that during war—April 6, 1917, until armistice was signed, November 11, 1918—there were in the United States 6,000 strikes by members of organized labor, lasting an average of 17 days' duration.

In several Southern States where farming is absolutely dependent upon negro labor, Government representatives of this Employment Service have induced thousands of negroes to leave farms and have unionized them in cities. The editor of the Employment Service Bulletin here has lately wired the unions and chambers of commerce throughout my district urging them to insist on my supporting this union program, and it takes an extra stenographer to answer such communications from labor unions. Although 45 States have ratified the prohibition amendment, and it is a part of our Constitution, these same labor unions are arranging a strike against the Constitution of the United States on July 1. They also defied law and the courts of California.

Mr. Samuel Gompers has cabled us to support this and other union measures, insinuating that a failure to do so might cause a revolution of the discontented labor members here. It has now reached a point when Congress must decide whether America and its Government is to be run in the interests of its 110,000,000 people or run solely by Samuel Gompers in the selfish interests of 3,000,000 members of labor unions. The success of a doctor, lawyer, preacher, teacher, Congressman, merchant, farmer, and public officer depends entirely upon his ability, efficiency, and class of service given, but the 3,000,000 members of unions depend solely upon Samuel Gompers, union card, power of strike, and revolution.

The citizens in every county in my district will see to it that each returning soldier is properly placed, and they will handle any revolution which Mr. Gompers and his discontented bunch may start. Shall it be Gompers and unions first and America second, or the interest of all American citizens first, last, and all the time?

THOMAS L. BLANTON.

The able and distinguished gentleman from Ohio [Mr. COOPER], who, according to his autobiography, was for 17 years a railroad locomotive fireman and engineer and therefore a member of the brotherhood union, entered a general denial on behalf of organizd labor by stating:

Mr. COOPER of Ohio. Mr. Chairman and gentlemen of the committee, I do not believe that I can sit still in my seat and listen to the gentleman from Texas [Mr. BLANTON] indicting the union labor men of this country. I have not always agreed with Mr. Samuel Gompers, and on several occasions I have taken issue with him right here on the floor of the House, but when the gentleman from Texas intimates that organized labor of this country caused all of these strikes and did not do their part in the winning of this war, he makes a misstatement which he can not prove by the facts.

Who ought to be better informed in regard to the number of strikes, the Department of Labor or the gentleman from Ohio [Mr. COOPER]? I wrote the Secretary of Labor, a member of the Cabinet, requesting that he have prepared for me a correct statement of the number of strikes by members of organized labor occurring in the United States between April 6, 1917, and November 11, 1918. In reply I have the prepared statement, signed by the Acting Secretary of Labor, stating that eliminating all duplications, there were 6,000 strikes by labor unions in the United States between April 6, 1917, and November 11, 1918, of an average duration of about 18 days each. If there is any misstatement the Department of Labor is responsible for it, and the Department of Labor has since made no correction, hence it does not become the gentleman from Ohio [Mr. COOPER] to deny it.

Every posted newspaper reader knows that several times during the war members of striking labor unions had to be ordered, both by President Wilson and Secretary McAdoo, to end their strike and go to work. Even plasterers and paper hangers struck for $1 per hour and time and a half for overtime over eight hours, making $11 per day for 10 hours' work.

When in the spring of 1918, through the insistence of organized labor, the committee proposed a blanket raise in salary of $120 to the 240,000 Government employees drawing annual salaries up to $2,500, the late lamented gentleman from Missouri, Mr. Borland, offered an amendment that before paying said raise in salary such employees should be required to work eight hours per day. Such employees then worked only seven hours per day; received their salaries regularly, paid twice a month in cash; worked in comfortable buildings, well furnished, steam heated, electric lighted, with ice water and electric fans in summer; were given 30 days' vacation on full pay each year; were allowed as much as 30 days' additional on full pay on doctor's certificate; were allowed the 52 Sundays and all legal holidays; and were allowed half of Saturdays during three months of summer and half holidays on all special occasions in Washington. They had the benefit of seeing all of the many places of interest and amusement in Washington, attending the best theaters, the finest churches; enjoying the miles of paved streets, fine parks, public bathing beach, all maintained at a great cost to the people of this Nation.

The House twice adopted the Borland amendment, and it finally passed the Senate, allowing the 240,000 employees a blanket raise of $120 each, but requiring them to work eight hours a day.

The Washington Times, on its front page, in its issue of June 28, 1918, carried the following:

PRESIDENT URGED TO VETO BORLAND EIGHT-HOUR LAW.

A great exodus of Government employees from Washington, which may be so large that it will of itself definitely solve the housing problem, is being freely predicted as a result of the action of Congress in approving the Borland amendment to the legislative bill providing for a minimum eight-hour day and no overtime.

Appeal has been made to the President for a veto or other action that will wipe out the Borland amendment. Officials who have conducted the employees' campaign against this legislation are confident that the President will act in their behalf, but in the meantime there is much talk among employees of quitting the service.

President H. M. McLarin, of the National Federation of Federal Employees, and President John S. Beach, of the local union, carried an appeal to the President for a hearing for the clerks and for veto of the legislative bill.

President Gompers has also acted, writing a letter to the president asking for elimination of the Borland amendment or veto of the bill.

An appeal has likewise been carried to the National War Labor Board for intervention to defeat the Borland amendment.

On page 2 of its issue of June 29, 1918, the Washington Star carried the following:

CLERKS' PROTEST EXPECTED MONDAY—THOUSANDS MAY MARCH TO CAPITOL—MASS MEETING AGAINST EIGHT-HOUR DAY.

Thousands of Government clerks may march to the Capitol Monday afternoon in protest against the action of Congress in prescribing an eight-hour day.

At a mass meeting of Government employees, to be held in the New Masonic Temple, to-morrow afternoon, at 2.30 o'clock, plans will be presented for the demonstration.

MISS RANKIN WILL SPEAK.

Representative JEANNETTE RANKIN will be one of the speakers at to-morrow's meeting.

Government departments are arranging tentative schedules in anticipation of President Wilson signing the bill calling for the extra hour of work. In all probability the time will be from 8.30 a. m. until 5 p. m., although a system of staggered hours may be arranged later to give relief to street car traffic congestion.

AIMING TO DEFEAT PLAN.

Labor leaders and representatives of the National Federation of Federal Employees are bending every effort toward accomplishing the defeat of the Borland amendment through the President's veto. Failing in this, they will direct the fight toward obtaining an appropriation for additional pay for overtime work.

The President could not afford to have 240,000 clerks cripple the departments of the Government by walking out in war time, so he was forced by the demands of organized labor to veto the Borland amendment, and thus said Government employees got their $120 raise in salary and continued to work only seven hours during a world war. And it is interesting to note that they were not satisfied, but have this year forced Congress to grant them a $240 raise each in salary. But what did organized labor do for the gentleman from Missouri? I will let them tell you in their own words.

In the Federal Employee, the official magazine of the National Federation of Federal Employees, for June, 1918, the vote cast by each Congressman on the Borland amendment, requiring the 240,000 Government employees to work eight instead of only seven hours per day, is given, with the following comment:

If a Congressman's votes and policies have been against the interests of employees this fact should be made known throughout his district, and if he has shown an attitude offensive toward organized labor every voter in his district should know it.

And this red-flag admonition to all organized labor voters was sent broadcast into the districts of the various Congressmen who had dared to vote to require employees to work eight hours a day during war times.

Again, from the September issue of the Federal Employee I quote:

THE DEFEAT OF REPRESENTATIVE BORLAND, AS TOLD BY ONE OF OUR BRETHREN WHO WAS IN THE FRAY—A REMARKABLE DEMONSTRATION OF THE VALUE OF UNION SOLIDARITY AND AFFILIATION.

[By Gilbert E. Hyatt, president of National Federation of Postal Employees.]

Those ultraconservative members of the civil service who have not realized the value of organization, particularly in its inevitable and most beneficial aspect, that of affiliation with the other great organized agencies under the banner of the American Federation of Labor, have been given a demonstration so plain that he who runs may read of what these things mean and of the real spirit of unionism.

No Federal employee is ignorant of the constant persecution of his brothers in the District of Columbia under the guise of establishing what Mr. Borland was pleased to name an eight-hour day. The single-minded persistence of the advocate of this measure, culminating in the veto by President Wilson of the appropriation bill carrying the amendment in question, is too well known in all details to need repetition, but the story of Borland's rebuke and defeat by organized labor simply on this ground is a lesson that every member of the civil service should ponder on, for in it is contained the secret of any future defense that they will make and of any future gains for their cause. * * *

An appeal was made to organized labor and every legislative agent in Washington responded. President Gompers sent a scathing telegram to the Central Labor Union of Kansas City (Borland's home), and the legislative agents of the railroad brotherhoods went on record in the plainest language. The writer of this article had the honor, as a member of the Brotherhood of Locomotive Firemen and Engineman, of bearing their personal message to the railroad men of Kansas City. As a result the Kansas City central body passed a resolution without a dissenting word or vote at a crowded meeting condemning Borland and instructing their legislative committee to organize the campaign for his defeat. A joint committee of railroad men was formed to do a like service for their members, and the outcome was the overwhelming defeat now passed into history. * * *

It should be fully appreciated by the civil-service employees that these men had not one iota of personal interest in the point at issue, and that they had no personal contact with the class of workers attacked. * * * Mr. Borland had done many favors of a personal nature for members of organized labor in his district, and many of the men who worked for his defeat expressed friendship for him, but factional alignments, craft divisions, and personal friendships were thrown aside to fight for a basic standard of their doctrine.

I quote the concluding paragraph of the said telegram sent by Samuel Gompers, president of the American Federation of Labor, also published in this magazine, which is as follows:

Let the inspiring word go forth, "We stand by our friends," and administer a stinging rebuke to men of any party who are either indifferent or hostile.

What was Congressman Borland's crime committed for which his office was taken away from him as a punishment? He merely asked that Government employees in war times work eight instead of seven hours per day. He conscientiously believed that when we required our soldier boys to work sometimes 24 hours out of the 24, sometimes in trenches drenched and knee deep in mud, on $33 per month, who, if he momentarily slept from exhaustion or should demand a single dollar more pay, would be stood up against a wall and shot in eternal dishonor, that it was not unreasonable to demand of Government employees, many of whom were filling the jobs vacated by those soldier boys, and who were working under pleasant surroundings and safe environments, that in war times especially they should work eight instead of seven hours.

But getting back to the Employment Service, I have just received a letter from a substantial citizen of Denison, Tex., in which he states:

FEBRUARY 27, 1919.

Hon. THOMAS L. BLANTON, M. C.,
Washington, D. C.

MY DEAR SIR: In to-day's Dallas News I note your reply to the Hon. J. F. Carl, of the State council of defense, giving your reasons for refusing to support the $19,000,000 appropriation asked by the Labor Department for maintenance of the United States Labor Employment Bureau, and I desire to commend you for the stand you have taken. I am inclosing herewith the first page of the Denison Labor Journal, a publication supported and operated by the Labor Trades Council of this city, on which I have marked a couple of items that will substantiate the claim you asserted that the attempt is being made to "unionize" the negroes of the South and thereby make their employment unprofitable.

You will observe that this new organization is the "Domestic Union" and is restricted to colored "ladies" who do the "washing" and other household work and who the organizer says are underpaid. These organizers are in the employ of the United States Labor Board and are drawing salaries both from the Federation of Labor and the Government. No wonder they want the appropriation made. I have been flooded with telegrams from labor leaders from all portions of Texas, as well as other States, requesting items favorable to the Employment Bureau and asking for indorsement as well as telegraphic requests to my Congressman and Senators to support the appropriation, all of which I have declined to do, because I think it is the most gigantic hold-up ever attempted to be made upon the American public.

The following are the items from the Denison Labor Journal of February 22, 1919:

MISS BERRY GIVES ACCOUNT OF DENISON WORK.

SHERMAN, TEX., *February 18.*

To the Denison Labor Journal, greetings:

Having just completed two weeks' work in your city, I feel the organizations will be interested in knowing the following locals voted to affiliate with the Texas State Federation of Labor:

The Railway Carmen, Railway Clerks, Railway Expressmen, Maintenance of Way Men, both the white and negro locals; blacksmiths, painters, and, I am sure, a number of small locals will take similar action when they next meet. Was also successful in organizing a new local with 33 charter members, namely, "The Woman's Domestic Union." This organization promised to make a good, strong labor organization and will assist in bettering the conditions of the underpaid working women of Denison, thereby making better citizens.

I hope to see Denison's labor organizations 100 per cent in the State Federation of Labor by May 19, when our next convention convenes in Beaumont.

Fraternally,

MYRTLE BERRY,
Second Vice President, Texas State Federation of Labor.

—

NEGRO WORKERS ARE RAPIDLY LINING UP.

The Colored Maintenance of Way and Railroad Shop Laborers Union No. 854 met at Taborian Park promptly at 7.30 with all officers present. Considerable business of a routine nature was attended to, besides some special business. Nineteen new members were received and obligated. The new union is growing fast, and it is hoped and believed that at an early date every colored laborer eligible to membership in our order will be enrolled.

—

COLORED WOMEN FORM NEWEST DENISON UNION.

Friday night of last week Miss Myrtle Berry, organizer for the Texas Federation of Labor, addressed quite a number of colored women at Taborian Park Hall and succeeded in organizing a culinary and domes-

tic union among them, with a membership of about 33 members. They seemed very much pleased with Miss Berry's address, as she made it very plain to them that they were in need of an organization.

A. W. B.

Here is another letter from Director Densmore relative to the claim for return transportation, dishonoring the promises made by one of his Government agents:

UNITED STATES DEPARTMENT OF LABOR,
UNITED STATES EMPLOYMENT SERVICE,
Washington, February 26, 1919.

Hon. THOMAS L. BLANTON, M. C.,
Washington, D. C.

MY DEAR MR. BLANTON: This will acknowledge receipt of your favor of the 24th, in which you inclosed communication from Mr. S. C. Autry, of San Angelo, Tex., relative to a claim made by Mr. W. A. Posey, of that place.

We regret to say that no men were promised return transportation to their homes from projects constructed by the Government. In many cases transportation to a job was, of course, furnished. No provisions, however, were made or even promised the men for their return transportation.

We also note what Mr. Autry has to say in his letter about a representative of the Employment Service advising Mr. Posey not to take his tools with him. This seems to be very unusual, for, as you know, it is very necessary for a carpenter to have his tools; that is, if he expects to work at the carpenter trade; and we feel that there has been a misunderstanding on the part of Mr. Posey.

Very truly, yours,

J. B. DENSMORE,
Director General.

Mr. Frank Morrison, secretary of the American Federation of Labor, on February 25, 1919, in sending to each Congressman a copy of Samuel Gompers's 192-word cablegram, and besides asking us to support the union-labor program, and requesting specially that we support this proposed $10,000,000 extra appropriation for the Employment Service, stated:

There is great danger that the attitude of Congress, in the defeat of various measures which might relieve the present industrial situation, will result in increasing the unrest and uncertainty prevailing in this country.

When our soldier boys come home and learn of the millions of dollars wasted when building cantonments, shipping, and other public works, where laborers were told not to work too fast or they would be discharged, and they learn of the 6,000 strikes and the refusal of Mr. Gompers to have the "work-or-fight" order apply to organized labor, they will promptly attend to any revolution which any discontented $11-a-day members of organized labor may start.

EXTENSION OF REMARKS
OF
HON. JAMES P. MAHER,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919,

On the joint resolution (H. J. Res. 357) requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of Ireland to freedom, independence, and self-determination.

Mr. MAHER. Mr. Speaker, I take great pleasure in voting for the resolution now before the House for the self-determination of Ireland.

Every man worthy of the name has an interest in the land that gave birth to his father and mother. This was clearly demonstrated by President Wilson when he visited England, as it was a great pleasure for him to visit the church of his grandparents.

If we are going to give self-determination to the small nations of Europe, Ireland should receive the first consideration, for she has never accepted the rule of Great Britain and has always demanded her freedom. We hear the arguments advanced that England has granted liberal laws to Ireland—the 17-year purchase act, the old-age pension, and other beneficial laws. If you take a bird and place it in a cage it is no satisfaction to the bird to know that his cage is made of gold; he wants his freedom, and he will get it at the first opportunity when the door is left open. And now we feel that the door of opportunity is open for Ireland to get self-determination, when the nations of the world in council assembled are discussing the right of self-determination for small nations. Ireland has never come into the courts pleading or praying for any special consideration; her people neither bow or kotow to the Kingdom of Great Britain. They demand fair play and a long-delayed justice.

EXTENSION OF REMARKS
OF
HON. DAN V. STEPHENS,
OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. STEPHENS of Nebraska. Mr. Speaker, I desire to insert in the RECORD some correspondence on the subject of the discharge from the Army of conscientious objectors for the general information of the public:

FEBRUARY 21, 1919.

MY DEAR MR. STEPHENS: I herewith return the resolution adopted by the Legislature of Nebraska inclosed in your letter of February 20.

The problem of the "conscientious objector" was a complicated one, and the measures taken by the Congress and the War Department to deal with it covered a wide range of facts and a variety of conditions. The individuals released from the Leavenworth Prison by way of clemency, referred to in the resolution, were released after a careful judicial inquiry into the circumstances of their imprisonment by a committee consisting of Maj. Kellogg; Dean Stone, of Columbia University Law School; and Judge Julian W. Mack, of Chicago. The special form of discharge contains the words set forth by Congressman Stark in his paper, which is also correct in its statement that there was no power in the Secretary of War to affect the pay status of these men.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

Hon. DAN V. STEPHENS,
House of Representatives.

—

LINCOLN, NEBR., *February 5, 1919.*

DAN V. STEPHENS,
Washington, D. C.

DEAR SIR: The following resolution was adopted by the State Legislature of Nebraska and is hereby transmitted to you:

[Legislature of Nebraska, Thirty-seventh session.]

A RESOLUTION.

Whereas press reports state that several hundred men who were drafted for service in the war and refused to bear arms or work or obey orders of their superior officers, or in any manner assist in the defense of their country, or support thereof, are to be given and are being given honorable discharge from the Army, fitted out with a complete outfit of civilian clothing, and paid the full wage, and in some instances fifteen to twenty-five dollars more than that which they would have received had they been loyal to their country and served in the trenches and borne the hardships incident thereto; and

Whereas there are several hundred thousand loyal American soldiers still in France who have willingly offered their lives in defense of their country, and who are anxious to be discharged and return to private life; loyal and unselfish men, who will some day return to find their positions filled by the unpatriotic slackers and conscientious objectors wearing the clothing furnished them by the Government, and with no provision made for rewarding and honoring those who have saved the country and who by their glorious achievements have preserved to posterity the honor of the Nation: Now, therefore, be it

Resolved by the Senate of the State of Nebraska, That we earnestly protest against the action of Secretary of War Baker in rewarding the slacker and the traitor, which we stamp as a direct insult to the brave soldiers who so valiantly went forth to defend democracy and freedom against the awful blight of Kaiserism at the sacrifice of their lives, and to the Red Cross nurses who risked their lives to administer to the wounded and bleeding upon the battle fields of Europe, and every other worker who participated in the support of the war, and we call upon the Congress of the United States to condemn the said action of Secretary of War Baker, as it is not consistent with the principles of true Americanism; and we further call upon Congress to honor and reward the loyal and faithful men of our Army and Navy in a manner befitting their glorious deeds; be it further

Resolved, That a certified copy of this resolution be sent by the secretary of state to Secretary of War Baker and to the Members of Congress and Senators from this State.

D. M. AMSBERRY,
Secretary of State.

—

STATEMENT OF FACT BY EX-CONGRESSMAN STARK OF NEBRASKA.

[Advertisement.]

In the Literary Digest, February 8, 1919, page 33, appear comments on conscientious objectors, in part as follows: "The special form of discharge presented by the Secretary contains this sentence: 'This is a conscientious objector who has done no military duty whatsoever and refused to wear the uniform.'"

Based on report of January 7, 1919, by Julian Mack and Harlan F. Stone, members of the board of inquiry on conscientious objectors, stating, "In the opinion of the undersigned clemency should be promptly exercised in their cases." Same was approved by the Secretary of War directing "that Form No. 526, A. G. O., be used for their discharge as provided in paragraph 4, War Department Circular No. 97, 1918, the following remark being placed theron: 'This is a conscientious objector who has done no military duty whatsoever and refused to wear the uniform.'"

Official U. S. Bulletin, January 23, 1919: Being based on "An act to authorize the President to increase temporarily the Military Establishment of the United States" approved May 18, 1917, and, in part, as follows: "And nothing in this act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-recognized religious sect or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed or

principles of said religious organization, but no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant."

Under the above law the conscientious objectors were entitled to pay due, and having refused to wear the uniform, they were entitled to money in lieu of clothing allowance. As to the suit of clothes, the United States makes about the same allowance as the State of Nebraska on a discharge from the penitentiary, a decent suit of clothes, an overcoat between the 1st of November and the 1st of April, $10 in money, and a Bible. Under that law, why not discharge conscientious objectors after the armistice was signed. The Government would have to subsist and pay them with no corresponding benefits.

If the order of Secretary Baker is not approved by the public the remedy is to have Congress make another law and repeal this one which is now in operation. Secretary Baker, not being an anarchist, Bolsheviki, I. W. W., or ignoramus, and desiring to save the public money, obeyed the law.

To call the above "special discharge" an "honorable discharge," especially with the remark placed thereon by order of Secretary Baker, is a silly falsehood, and, in the name of every man who has an honorable discharge from the United States Army, Navy, or National Guard, I enter my protest against the colossal ignorance evidenced by the resolution passed by both branches of the Nebraska Legislature.

AURORA, NEBR., *February 17, 1919.*

Concurrent Resolution of the Legislature of North Dakota Favoring the Establishment of Direct Rail Routes.

EXTENSION OF REMARKS
OF
HON. GEORGE M. YOUNG,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

Mr. YOUNG of North Dakota. Mr. Speaker, following is a copy of a concurrent resolution adopted by the Legislature of the State of North Dakota, certified by Hon. Thomas Hall, secretary of state, favoring the establishment of direct rail routes:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of March, 1919.

[SEAL.] THOMAS HALL,
Secretary of State.

Concurrent resolution favoring direct rail routes.

Whereas the Federal Government of the United States is presumably operating all railroads as a unit for the benefit of the entire people of the United States, irrespective of selfish interests of the former management of several individual lines of railroad; and

Whereas we believe the shortest and best possible routes between all points on existing lines should be utilized and reasonable train service established thereon and reasonable rates be charged for service rendered; and

Whereas there are no through passenger or through freight trains operating via Linton, N. Dak. (the northern terminal of the branch line of the Chicago, Milwaukee & St. Paul Railroad), between points on said railroad in South Dakota and Bismarck, the capital of North Dakota; and

Whereas the past and present policy of the management of the Northern Pacific Railroad Co. has been to obstruct and prevent the establishment of through freight and passenger service via Linton on the shortest line between western North Dakota and central South Dakota; and

Whereas the people of both North and South Dakota are entitled to much better, shorter, cheaper passenger and freight service than that now offered between these sections; and

Whereas, at Bismarck, N. Dak., there are ample terminal facilities, roundhouses, machine shops, stockyards, sidetracks, and division superintendent's headquarters on the Soo Railway, and lines for the North and West as well as for the East diverge at Bismarck, N. Dak., where connection may be made with Missouri River boats; and

Whereas through train service may profitably be established by utilizing a short mileage on each of the three railroads; and

Whereas an emergency exists, in that the immense lignite fields of North Dakota remain undeveloped and the live-stock industry of western North Dakota would be greatly stimulated were it not for the excessive rates of freight and inadequate train service provided between North Dakota and South Dakota: Therefore be it

Resolved, That our Senators and Representatives in Congress be urged to present to the Hon. Walker D. Hines, Director General of Railroads, the protest of the State of North Dakota against the prevailing railroad passenger and freight service between west North Dakota and South Dakota, and the excessive rates now charged for inadequate service established by the former management of the Northern Pacific Co., to the exclusion of the railroads from the capital of North Dakota; and further, be it

Resolved, That the Director General of Railroads be urged to direct the immediate establishment of through passenger train service and through freight train service, using the Chicago, Milwaukee & St. Paul tracks from South Dakota points to Linton, N. Dak., and the Northern Pacific Railway tracks from Linton, N. Dak., to Moffit, N. Dak., and the Minneapolis, St. Paul & Sault Ste. Marie Railway tracks from Moffit, N. Dak., to Bismarck, where he may utilize the terminals of the Soo Line at Bismarck; and that the Director General of Railroads be urged to prepare reasonable joint through rates for the service to be rendered based upon the mileage of each line used.

On the Irish Resolution.

EXTENSION OF REMARKS
OF
HON. ANTHONY J. GRIFFIN,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

Mr. GRIFFIN. Mr. Speaker, we are living in great times. The light of justice is at last penetrating the dark places where tyranny has long held sway in undisturbed dominion. And out of this new dispensation has come the determination to end the reign of brute force, now and forever. Peoples long held in bondage are to be freed and new States to be created. The granting of that boon will not be envied or grudged; and I hope it will not be deemed an invidious comparison to say that no nation in the world to-day is more entitled to the sympathy of Americans in its ambition for recognition than is Ireland. To her we stand in everlasting indebtedness. Her best sap has entered every fiber of our national being, and in all our struggles, from colonial days to this—from Lexington to the Marne—her warm and generous blood has flowed most copiously in behalf of freedom and of humanity.

In all our history Irish names stand out among the foremost in art, literature, and industry—in peace, no less than in war. It is no slur to your memories to remind you of the names of Count Dillon, Barry, Sullivan, McDonough, Jackson, and McKinley. Many a man sitting here, who can not account for his Irish name or for his religion—be he Methodist or Baptist, Presbyterian, or Anglican, has only to study the penal laws administered by England in Ireland in the eighteenth century—the most barbarous and atrocious in all history. He need only follow the tribulations and the wanderings of the devoted sons of Erin, forced, by those laws, to seek a haven of free speech and free religion in the Colonies. Let him study the history of the Irish redemptioners, forced to make human chattels of themselves to escape a more degrading bondage.

I am not one of those unrelenting students of history who can not forgive past injuries. I harbor no resentment against generations long dead, and to rekindle the ashes of the past is not my purpose.

But if you want to understand the viewpoint of Ireland you must go back to her past sufferings. The study of this will repay your labor.

It is a fact that, from the time that Christianity came to Ireland in the early part of the fifth century, for 400 years her monasteries were the most advanced educational centers of Europe. Her missionaries carried the gospel into Britain and across the Channel throughout Europe. Two hundred and fifty-one of these early Irish knights of the Cross are venerated to this day from Scandinavia to Italy; from France to the Ukraine. Montalembert in his history, entitled "The Monks of the West," has given us a wonderful account of the civilization of Ireland. He states that the Irish monasteries were virtually universities in which music, architecture, and the working of metals were taught, and the languages of Greece and Rome studied with passionate zeal; that one of the oldest manuscripts of Horace in existence, namely, that in the library of Berne, Switzerland, is written in Celtic characters, with notes and annotations in the Irish language. He also assures us that Alfred the Great of England received his education in an Irish university.

Take a rapid glance at the annals of Ireland, and you will find some of the most remarkable ironies of history.

First. That it was Christianized by a Gaul, St. Patrick.

Second. That Ireland for several centuries was the intellectual center of Europe; its universities being patronized by youths from Britain and from the Continent.

Third. That the Anglo-Saxons received their learning from Ireland.

Fourth. That Ireland, which later was to make so many sacrifices for her fidelity to the Papacy, had the theft of her birthright—her freedom to exist as a separate nation—sanctified by a Bull of that very Papacy. For we find that Pope Hadrian IV, in 1155 authorized the Angevin King of England, Henry II, to conquer and take possession of Ireland.

Fifth. That her regard for virtue was the immediate cause of her undoing; for it was her indignant expulsion of Dermott McMurrough for the seduction of Devorgilla that brought upon Erin the invasion of Strongbow.

Sixth. That it was the Hanoverian King, George III, of England—the same potentate who sought to throttle liberty in America—who undermined and destroyed the Irish Parliament. And it was the same Lord Cornwallis, who surrendered to Washington at Yorktown, who was commissioned by King George III to carry out his infamous plan of undermining the Irish Parliament—by fraud, corruption, bribery, hypocrisy, and terrorism.

Seventh. That the destruction of the Irish Parliament was chiefly due to resentment for the very pronounced attitude of the Irish people in favor of the Colonies during the American Revolution.

If there is anything which ought to bring the cause of Ireland near to the hearts of patriotic Americans, it should be this early disinterested devotion of the Irish people to the cause of American liberty.

England now professes to be penitent for what George III did to America 143 years ago. Do you note any indication of penitence for the crime of destroying the liberty of the Irish people 118 years ago, when the act of union with Great Britain was forced upon the Irish people against their will?

I think I hear a faint protest: "An Irish Parliament! Who ever heard of an Irish Parliament?" Yes, Mr. Speaker, such as it was, there was an Irish Parilament; and this is its history:

The so-called Parliament was first instituted by the Norman invaders. It was originally a council of the barons, prelates, and "faithful." The upper house consisted of lay peers, abbots, priors, and bishops. The lower house consisted of knights of the shires and burgesses. The lay peers in time lost interest in the study and framing of dry statutes. They asked and received exemption from attendance. The abbots, priors, and bishops also lost active interest and sent their proctors to represent them. The practice then grew up of summoning two proctors from each diocese, who sat with the knights and burgesses in the lower house. As most of the shires were in the hands of the Irish, they returned no members, and the ecclesiastics, the burgesses, and proctors were under control of the English Government. From thence onward the statutes passed were no more the acts of the Irish Parliament; they were only the registered voice of the English Crown. This strange council met at irregular intervals at Dublin, Kilkenny, and Drogheda at the summons of the King's lieutenant or his deputies.

In 1367 a Parliament was held at Kilkenny which imposed heavy penalties on all English who adopted Irish names, speech, or customs. The Norman who married an Irish wife was ordered to be hanged, disemboweled alive, and have his estate forfeited.

In 1372 there was a conflict of authority between the English and Irish Parliaments upon the question of raising larger revenues for administration purposes. The King summoned the Irish Parliament to England to debate the question—a favorite method with English kings and queens. It is needless to say that when the Irish delegation reached the English shore their power to equal debate was very materially impaired. In this case the Irish Parliament yielded and sent a delegation, but at the same time reserved to itself the right to grant or refuse the legislation requested. Of course such reservations were always made before the delegates started. When they got back to Ireland there was little left of the reservation.

In 1494 Sir Edward Poynings, deputy governor of Ireland, had carried the act which bears his name by virtue of which all measures intended to be submitted to the Irish Parliament must first be submitted to the English Parliament. Of course, this rendered the Irish Parliament a mere recording instrument of the will of the English Parliament. But, for that matter, the English Parliament was itself hardly better off. It also was the recording agency of the will of the Crown. The parliament thus constituted, taking always its cue from the sovereign, proceeded to enact laws of cruel rigor. After the fatal rebellion of 1690 in behalf of the exiled James II, Patrick Sarsfield held fast for some time to Limerick, and, finally compelled to surrender, was able to exact a covenant from the English, which might now well be called the first "scrap of paper." One of its articles (article 1) provided that the natives of Ireland would be allowed freedom of religion and contained a promise of repeal of the objectionable penal laws.

The penal laws then existing referred to were as follows:

1. Catholics were debarred from belonging to corporations.
2. Certain civil offices were closed against them.
3. They were subject to fine for nonattendance at the place of worship of the established church on Sundays.
4. The chancellor had the power of appointing a guardian to the children of Catholic parents.

In 1692 at the first session of the Irish Parliament, held after the treaty of Limerick, an oath was framed by the Protestant majority. It was framed in such a way as to make it impossible for any Catholic member to take it. Upon the presentation of this oath the Catholic peers and members of the Commons quitted their respective houses in indignation, and from that time on until the Parliament of Ireland ceased to exist in 1801, over a century, no Catholic Irishman sat in the Irish Parliament.

Justin McCarthy, the brilliant novelist and historian, says:

> Under the penal laws the Catholic population of a Catholic country were deprived of almost every right that makes life precious. Dopping, Bishop of Meath, had proclaimed from the pulpit that Protestants were not bound to keep faith with Papists, and the violation of the treaty of Limerick had justified his utterance. Lord Chancellor Bowes and Chief Justice Robinson had proclaimed from the bench that the law did not suppose any such person to exist as an Irish Catholic. The penal laws certainly did their best to insure that no such person should exist as an Irish Catholic.

Irish Catholics were shut out from every civil or military profession; from every government office, from the highest to the lowest; from almost every duty or privilege that can be obeyed or enjoyed by citizens.

The following is a summary of the penal laws actually in force in Ireland up to the nineteenth century:

1. A Catholic could not sit upon the benches of the Lords or Commons of the Irish Parliament.
2. He could not record his vote for the election of a member of Parliament.
3. He could not serve in the army or the navy.
4. He could not plead at the bar or give judgment from the bench.
5. He could not become a magistrate or a member of a corporation.
6. He could not serve on grand juries or in vestries.
7. He could not be a sheriff, gamekeeper, or a constable.
8. He could not give education.
9. He could not receive education.
10. He could not send his children abroad to be educated. If in defiance of law he, a Catholic, did send his child to receive in continental colleges that knowledge which was refused at home, he was subjected to a heavy fine and the child so educated was excluded from inheriting any property in Ireland or England.
11. Not only was a Catholic denied the practice of his own religion, but conformity to the Anglican faith was enforced by statute. Every Catholic was liable to a fine each month for not attending a place of Anglican worship, and at any time any two justices of the peace could call a Catholic over 16 years of age before them and bestow what property he possessed upon his next of kin if he refused to turn from his faith.
12. Any four justices of the peace could, without the formalities of a trial, send any Catholic refusing to attend Anglican service into banishment for life.
13. Every Catholic priest in the country pursued his sacred calling under a penalty of death.
14. No Catholic might buy land, or inherit it, or receive it as a gift from Protestants, or hold life annuities or leases for more than 31 years, or any lease on such terms as that the profits of the land exceeded one-third the value of the land.
15. Any Protestant discovering that a farm held by a Papist produced a profit greater than one-third of the rent could, immediately upon announcing this discovery, dispossess the Catholic owner and seize the farm for himself.
16. The estate of any Catholic not having a Protestant heir was gaveled or divided in equal parts between all his children.
17. As cases occurred in which Protestants helped their Catholic fellow citizens or relations by holding property in trust for them, it was made legal for any Protestant who suspected another Protestant of holding property in trust for a Catholic to file a bill against the suspected trustee, and, if he proved the case, to take the property away from him.
18. A Protestant might at any time compel a Catholic to sell him his horse, however valuable, for £5, and the horses of a Catholic could always be seized without payment for the use of the militia.
19. In order to guard against the consequences of any exasperation into which these laws might goad their victims, they were rigidly prohibited from possessing arms. Any two justices or sheriffs might at any time issue a search warrant for arms against any Catholic household. Any Catholic who was discovered with any kind of weapon in his possession was liable to fines, imprisonment, whipping, and the pillory.
20. Not content, however, with depriving the Irish Catholic of all the rights of a free man, the penal laws aimed insidiously at his destruction by endeavoring to turn his own kin, his flesh

and blood, his children, and his very wife against him. The eldest son of a Catholic upon apostatizing became heir at law to the whole estate of his father, and reduced his father to the position of a mere life tenant.

21. An apostate wife was immediately freed from her husband's control and assigned a certain proportion of her husband's property.

22. Any child, however young, who professed the Anglican creed was immediately removed from its parents' care and a portion of the parental property assigned to it.

23. Furthermore, no marriage between a Catholic and a Protestant was recognized by the law.

24. The fact that the husband and wife were of opposite faiths in itself rendered the marriage null and void without any process of law whatever. A man might leave his wife or a woman her husband, after any period of wedlock, no matter how long, and be free to marry again, and bring a legalized illegitimacy upon all the offspring of the former marriage.

You must not draw the conclusion from this fearful array that the Anglo-Saxon is bloodthirsty, cruel, or inherently unjust. Not to him, however, must be charged these cruelties, but to the rapacious Norman—the invader of both Albion and Erin. There is no doubt that the Norman was essentially a marauder and brigand in all his instincts. His feudal system of destruction of individual land ownership and its oaths of fealty to the overlord destroyed all love of liberty and hope of progress. Even the Anglo-Saxon himself succumbed to the Norman sword. The difference between the Anglo-Saxon and the Celt was that, when conquered, the Anglo-Saxon submitted, whereas the Celt never conceded the conquest and never surrendered.

In March, 1720, the English Parliament passed an act taking away from the Irish House of Lords the power it had heretofore exercised as a judicial tribunal or appellate court "to examine, correct, and amend the judgments and decrees of the courts of justice in the Kingdom of Ireland."

Due to the efforts of Henry Grattan the Poynings law was repealed and the Irish Parliament restored in 1782 to somewhat of its power and jurisdiction. The vicious system of so-called rotten boroughs or pocket boroughs was still maintained. That situation, however, was not the subject of much complaint at the time because precisely the same situation prevailed in England herself. As soon as it entered the dull intellect of King George III what the possibilities of Irish autonomy were he began to repent of the boon granted.

Although the Irish Parliament was not composed of Catholics (for a Catholic could neither vote nor hold office) it nevertheless showed signs of yielding to the universal demand for religious emancipation and the abolition of the various test oaths and acts which prevented the great bulk of the Irish people from participating in their government. King George III then instituted a system of intrigue intended to eventually break down and destroy the Irish Parliament.

The outbreak of the Irish Rebellion of 1798 gave the King the opportunity to put his plan into operation. He selected as viceroy of Ireland Lord Cornwallis, and to assist him in the process of extinguishing the National Parliament of Ireland he was accompanied by Lord Castlereigh as Irish secretary (the man whom Byron spoke of as "a wretch never named but with curses and jeers"), while Lord Clare was put in the post of lord chancellor. This was the triumvirate assigned the odious task of destroying by corruption, fraud, and treachery the Irish Parliament. In justice to Lord Cornwallis it should be said that he regarded his task as personally obnoxious. His letters reveal the disgust with which the tasks assigned to him were regarded. He tells of the manner in which the Castlereigh gang and their associates were continually crying out for more severity, more imprisonments, more torture, and more blood. But Lord Castlereigh and Lord Clare do not appear to have had such qualms of conscience. They went about their work as though it were congenial.

Lord Castlereigh made the public announcement that every nobleman who returned members to Parliament should be paid £1,500 for every member so returned; next, that every member who had bought his own seat should be paid back the money he had paid for it; and, last, that all members of Parliament who were losers by the union should be compensated for their loss, and that the sum of one and one-half million pounds should be voted for that purpose. Bishoprics, judgeships, and other offices in the navy, army, and in the church were freely given. Forty new peerages were created, and it is a term of reproach even to this day to be known as "a union peer."

Grattan, who had retired from Parliament in disgust at the outbreak of the hopeless rebellion of 1798, came back to the House of Commons in the hope of fighting the act of union. He was assisted by Sir John Parnell, the ancestor of the Parnell who later distinguished himself in the fight for Ireland's cause. The battle for the retention of the Irish Parliament was hopeless from the first. The moment that the power of the Crown of England came into the struggle there was no longer hope for autonomy. The act of union was passed in 1800 and went into effect the 1st day of January, 1801.

It will thus be seen that the granting of a parliament to Ireland would be no more than an amende honorable—an appropriate reparation. If 150 years of wrongful usurpation has failed to make right the destruction of Polish autonomy, the Irish can well claim that the basis of their grievance was much more recent.

How can England, with a straight face, enter a league of nations, promising autonomy and self-determination to distant nations, without doing a modicum of justice to the devoted, brave, long-suffering race, praying, pleading for so long for relief at her very doorstep? Why withhold from her nearest small neighbor what she has granted ungrudgingly to South Africa, to Australia, and Canada?

And why should this American Congress, the Congress of an ally and friend in the greatest and most idealistic war in all history, hesitate to point out to the peace conference this staggering inconsistency?

Work and Homes for Returning Soldiers, Sailors, and Marines.

EXTENSION OF REMARKS

OF

HON. EDWARD T. TAYLOR,

OF COLORADO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 4, 1919.

Mr. TAYLOR of Colorado. Mr. Speaker, under leave to extend my remarks in the RECORD, I desire to again call the attention of the House and the country to the very great importance of Congress as speedily as possible enacting some appropriate legislation to provide suitable employment and permanent homes for our returning soldiers, sailors, and marines. As the House well knows, I have for many months been diligently cooperating with Secretary Lane, of the Interior Department, in his splendid efforts toward the adoption of some constructive and far-reaching national policy upon this subject. I have been receiving a great many petitions, letters, and telegrams on this subject almost every mail for several months, urging and appealing to Congress for this legislation. These appeals come from people in all different walks of life, from the President of the United States and the governors of many of the States and from tens of thousands of soldiers, sailors, and marines, as well as hundreds of chambers of commerce and other business men's associations, including the mayors of towns and cities and public-spirited, far-seeing people of all kinds. I desire to insert in the RECORD a letter received by me the other day from the President of the United States, as follows:

THE WHITE HOUSE,
Washington, February 27, 1919.

MY DEAR MR. TAYLOR: I am very strongly in favor of the measure which you have introduced in the House and for which I understand a rule has been passed. This bill is well devised to invoke the support of every Member of the House who wishes to positively recognize the services of our soldiers and sailors who want to make their homes upon our soil. It is an extension of the idea which underlies the reclamation act. Its purpose is to bring unused lands into use and to do this by the labor of men who wish to make their homes upon it. I trust you will be successful in securing its passage at this session of Congress.

Cordially, yours,

WOODROW WILSON.

HON. EDWARD T. TAYLOR,
House of Representatives.

I also insert in the RECORD the following telegram from the commissioner of immigration of Colorado, as follows:

DENVER, COLO., *March 1, 1919.*

HON. EDWARD T. TAYLOR,
House Office Building, Washington, D. C.:

Colorado warmly approves your report on bill for reclamation and development of unoccupied lands of West, and urges adoption of bill before adjournment of Congress. Failure to do so will show utter lack of appreciation of needs of soldiers, sailors, and marines returning to civil life. Colorado Legislature on record for cooperative bill carrying sufficient appropriation. All possible pressure should be brought to bear to induce congressional action. State act may fail of passage if Congress refuses to act, and subsequent action by Congress will be too late for State cooperation.

EDWARD FOSTER,
Commissioner of Immigration.

I also insert a telegram from the secretary of state of Colorado, showing the approval of this matter by the Colorado Legislature:

DENVER COLO., *February 27, 1919.*

Hon. EDWARD T. TAYLOR,
House of Representatives, Washington, D. C.:

Senate joint resolution No. 12, pledging cooperation to Secretary Lane's soldiers' settlement plan, adopted by both branches of legislature this afternoon.

W. H. MCNICHOLS, *Secretary of State.*

I might go on and fill a hundred pages of the RECORD with indorsements of this measure. It is one of the greatest disappointments that has ever come to me during my entire legislative career, extending over a continuous service of 22 years, that this session of Congress is closing without making this most just and necessary provision for our returning soldiers, sailors, and marines. It will serve no good purpose now to denounce or criticize others for this failure, because there is some blame on both sides of the House for this failure. It probably should have been brought up much sooner. But overconfidence in the self-evident justness and absolute necessity for the measure and an overabundance of caution in carefully preparing it has delayed bringing it out until the last few days of the session, and its final consideration has been prevented by filibustering parliamentary tactics, which I hope the country will take due notice of.

As chairman of the Committee on Irrigation of Arid Lands, I called the committee together and held various hearings and meetings of the committee and public meetings upon this subject, and personally introduced the bill that seemed to meet with the concerted judgment of those interested. Then the bill was exhaustively considered and amended and in its amended and finally approved form, to carry out the wishes of the President, the Secretary of the Interior, the Reclamation Service, and the judgment of the Irrigation Committee, and a great many other people interested, I introduced the bill in its final and present form as H. R. 15993, as follows:

A bill (H. R. 15993) providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes.

Be it enacted, etc., That in recognition of the military services of those who have served with the armed forces of the United States and who have been honorably discharged, including former American citizens who served in any of the armed forces of the nations allied against the central powers and who have been repatriated, provision is hereby made for their employment and to furnish opportunity for them to secure rural homes. This act shall be known as the "national soldier settlement act," and the "national soldier settlement fund" shall be created in the Treasury of the United States to carry out the purposes hereof.

SEC. 2. That the Secretary of the Interior, herein styled "the Secretary," may, for the purposes of this act, select projects, acquire property by gift, purchase, deed in trust, cooperative agreement with States, irrigation or drainage districts, municipal corporations, or individuals, or condemnation, build project works upon project lands, including lands the title to which may not be in the United States, but which may be held under contract as herein provided, perform necessary reclamation work, if any, whether drainage, irrigation, the removal of trees and stumps, the building of levees, sea walls, necessary roads, clearing and land leveling, fertilization, sanitation, or otherwise, all of such purchases, operations, and improvements to be paid for from the national soldier settlement fund. The Secretary may withdraw, utilize, and in like manner with other lands acquired hereunder, dispose of portions of the public lands of the United States required to carry out the purposes of this act through agencies designated by him, and patent with prior lien reserved for all sums due or to become due and other appropriate reservations shall be issued by the General Land Office in accordance with such disposition.

SEC. 3. That the Secretary is also authorized from said soldier settlement fund to make farm improvements and advance to settlers under this act short-term loans for further improvements and for needed stock and equipment, to the end that the qualified applicants hereunder may obtain suitable homes and productive farms. He may subdivide the lands into appropriate allotments and dispose of the same to the beneficiaries named in section 1 hereof and upon such terms and conditions as he may deem proper and subject to the terms of this act. He may by general regulations impose conditions as to ability of applicants, so as to insure the United States and the settler, as far as possible, against failure. The Secretary may make appropriate regulations as to the area obtainable by individual applicants as to residence and actual cultivation, as to transfers of allotments so as to avoid excess land ownership and speculation, as to requiring prior liens, as to cancellation of applications and contracts and the forfeiture of payments made thereunder, and as to protecting the interests of the United States, or those cooperating with the United States.

SEC. 4. That the Secretary may cooperate with any State irrigation or drainage district, or municipal corporation, in connection with any project located therein upon such terms as may be agreed upon.

SEC. 5. That moneys expended for any project undertaken shall be fully reimbursed to the United States, the State, or others entitled thereto. To this end the Secretary shall fix the charges upon each allotment, and payment shall be made under such amortization plan and over such period, not exceeding 45 years, as the Secretary may deem best adapted to each project. Deferred payments shall bear interest at a rate of 4½ per cent per annum, payable annually, from the date of contract of purchase. Reimbursements to the United States shall be covered into the national soldier settlement fund, which is hereby reappropriated for expenditure under the terms and conditions of this act.

SEC. 6. That lands may also be dedicated for schools, churches, and other public purposes, and town sites may be developed and opened for sale on such terms, conditions, and restrictions as the Secretary may determine, and patent or deed may issue accordingly with prior lien reserved for all sums due or to become due, and other appropriate reservations. The proceeds of all operations under this act, including the sale of timber and other materials removed from lands, shall be covered into the national soldier settlement fund.

SEC. 7. That in the investigation and construction of projects provided for in this act the services of the beneficiaries named in section 1 hereof shall, so far as practicable, be preferred.

SEC. 8. That the Secretary of War is hereby authorized to transfer to the Secretary of the Interior upon his application for use in connection with the operations incident to the reclamation of the lands herein described any war material not required by the War Department, such as motor trucks, automobiles, dredges, ditching machinery, cranes, explosives, horses, harness, wagons, and other property, as the Secretary of the Interior may be able to utilize in connection with the reclamation work herein contemplated.

SEC. 9. That it is the intent and purpose of this act to authorize and empower the Secretary, and he is hereby fully authorized and empowered, through such officers, agents, or agencies, as he may appoint or employ to do all necessary acts and things to enable him to accomplish the purposes and objects of this act.

SEC. 10. That to carry into effect the provisions of this act there is hereby authorized to be appropriated the sum of $100,000,000.

Of course, practically everyone throughout the length and breadth of this country, and especially millions of our boys that are and have been serving in the ranks, know that Secretary Lane has been giving months and months of painstaking, energy, research work, public speaking and writing toward bringing about some congressional action on this subject. The Secretary first presented the subject to the people in May, 1918, and in his annual report for the fiscal year ending June 30, 1918, he very clearly and elaborately set forth the necessity for legislation of this kind. His report was forcibly indorsed by President Wilson at the opening of this session of Congress, on December 2, 1918, when in his address to Congress he very earnestly urged the enactment of the legislation recommended by Secretary Lane, as follows:

PRESIDENT WILSON URGES SUPPORT OF SECRETARY LANE'S PLAN.

EMPLOYMENT FOR RETURNED SOLDIERS.

The ordinary and normal processes of private initiative will not, however, provide immediate employment for all of the men of our returning armies. Those who are of trained capacity, those who are skilled workmen, those who have acquired familiarity with established businesses, those who are ready and willing to go to the farms, all those whose aptitudes are known or will be sought out by employers will find no difficulty, it is safe to say, in finding place and employment. But there will be others who will be at a loss where to gain a livelihood unless pains are taken to guide them and put them in the way of work. There will be a large floating residuum of labor which should not be left wholly to shift for itself. It seems to me important, therefore, that the development of public works of every sort should be promptly resumed, in order that opportunities should be created for unskilled labor in particular, and that plans should be made for such developments of our unused lands and our natural resources as we have hitherto lacked stimulation to undertake.

PLANS FOR RECLAIMING LAND.

I particularly direct your attention to the very practical plans which the Secretary of the Interior has developed in his annual report and before your committees for the reclamation of arid, swamp, and cut-over lands which might, if the States were willing and able to cooperate, redeem some 300,000,000 acres of land for cultivation. There are said to be 15,000,000 or 20,000,000 acres of land in the West, at present arid, for whose reclamation water is available, if properly conserved. There are about 230,000,000 acres from which the forests have been cut but which have never yet been cleared for the plow and which lie waste and desolate. These lie scattered all over the Union. And there are nearly 80,000,000 acres of land that lie under swamps or subject to periodical overflow or too wet for anything but grazing which it is perfectly feasible to drain and protect and redeem. The Congress can at once direct thousands of the returning soldiers to the reclamation of the arid lands which it has already undertaken if it will but enlarge the plans and the appropriations which it has intrusted to the Department of the Interior. It is possible in dealing with our unused land to effect a great rural and agricultural development which will afford the best sort of opportunity to men who want to help themselves; and the Secretary of the Interior has thought the possible methods out in a way which is worthy of your most friendly attention.

WOODROW WILSON.

I submitted the bill in this form to the Department of the Interior for careful consideration and an official report and the Secretary reported thereon as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 17, 1919.

MY DEAR MR. TAYLOR: I am in receipt of request for report upon H. R. 15993, a bill providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes.

The primary objects of the bill are to afford an opportunity for employment of our soldiers, sailors, and marines upon their return from the existing war, and to afford them, or such of them as may desire same, a chance to secure homes upon the lands reclaimed and improved, as proposed by the act. In addition to these ends, the bill if enacted and carried into effect, would result in the reclamation and improvement of immense areas of lands in the United States, public and private, now unused and undeveloped, thereby adding to the taxable property and values of the States in which they are located, and of the Nation at large. The bill does not contemplate the donation of the funds expended, but provides for their return within a fixed period, with interest.

The general plan received the indorsement of the President in his address to Congress December 2, 1918. His remarks upon the subject and extracts from my annual report for the year ended June 30, 1918,

are found in the inclosed pamphlet entitled "Work and Homes for Our Fighting Men."

H. R. 13651, introduced by Mr. BYRNES of South Carolina, and referred to the Committee on Appropriations, is a brief bill, proposing to confer general authority to carry out this plan, and to appropriate the sum of $100,000,000 therefor.

The bill which you submitted for report is along the same general lines, except that it contains more details and does not make an appropriation, merely authorizing same.

A memorandum prepared in this department discussing in a general way the advisability of such legislation as is here proposed and the probable procedure thereunder, if enacted, is inclosed.

I wish to emphasize what I believe to be the vital importance of this legislation and to urge its immediate adoption. Our soldiers, sailors, and marines are being discharged from the service in large numbers and the problem of providing for their employment and future welfare is pressing. If it is not possible to secure an immediate appropriation for this work, I most earnestly recommend that this bill be enacted at the earliest possible moment.

Cordially, yours, FRANKLIN K. LANE,
Secretary.

Hon. EDWARD T. TAYLOR,
Chairman Committee on Irrigation, House of Representatives.

I notice every day in the leading papers throughout the country editorials indorsing this measure. In the Washington Evening Star of yesterday is an editorial as follows:

OPEN THE LANDS TO SOLDIERS.

Of all the bills now pending at the Capitol none is more urgently needed than that which proposes the opening of public lands to former soldiers, who upon discharge from the Army will seek employment and opportunity for settlement. Secretary Lane has given convincing reasons for its passage. There are millions of acres of land awaiting use in various parts of the country. They could not be put to better use than in furnishing homesteads for the men who have answered the Nation's call to duty, have contributed to the victory and now await some chance for earning a livelihood. Two ends will be served by putting these men on the lands. They will be given productive employment that will sustain them, and the fertile areas now idle will contribute to the food supplies and enrich the country. Adjournment without action on this bill will be a neglect, not only of opportunity to benefit the Nation, but of a duty which Congress owes to the men who have served the country faithfully and heroically.

The last article written by the late President Theodore Roosevelt was an editorial for one of the magazines in which he indorsed with his characteristic vigor this plan of Secretary Lane as follows:

We should spend hundreds of millions of dollars reclaiming land for the returning soldier and arranging labor bureaus so that he may be certain to have every chance to work. The man who has gone into the Army should be given in peculiar fashion the best chance that this country affords to become a farmer or to work at his trade or profession. If possible, he should be encouraged to become a farmer, in accordance with some such plan as that proposed by Secretary Lane.

In brief, this bill provides work and homes for our returning soldiers, sailors, and marines in making practical and comprehensive plans for rural development, which may be concisely stated as follows:

PLAN FOR PROVIDING EMPLOYMENT AND HOMES FOR RETURNED SOLDIERS, SAILORS, AND MARINES.

INTRODUCTION.

During the war just terminated millions of men have been withdrawn from their normal pursuits to engage in the struggle, either as members of the military forces or as workers in various industries essential to the prosecution of the war. Their places have largely been filled by older men, by boys, or by women, and while some will be reinstated in their old positions, the majority of those, particularly those in the military service who have become used to life in the open and have had created in them a spirit of ambition, will be looking for the opportunity for active outdoor employment and for homes upon the land. Thousands of inquiries have already been received from those in the military service.

A large percentage of the soldiers who entered the war from the other allied countries have shown a desire for the wholesome open life of the country. France, Great Britain, Canada, Australia, and New Zealand have appropriated large sums of money and set aside millions of acres of land. England has multiplied the original appropriation by 10. The Australian Commonwealth, which has about one-twentieth the population of the United States, has made available $200,000,000 to help soldiers improve and equip their farms. An equivalent appropriation in this country on the basis of population would be $4,000,000,000. Notwithstanding this generous provision, it has been found impossible to secure and improve farms rapidly enough to meet the demand.

The introduction of a similar policy here will not only meet the desires and aspirations of a large number of soldiers, but the benefits of the development which will result will largely justify the cost in enabling this country to produce an abundant food supply for its industrial workers and thus be better able to meet the economic competition of the future. It is a plan which would offer immediate employment to many thousands of returning soldiers, lessen industrial disturbance, and bring into operation methods and policies for rural development which this country needed even if there had been no war.

THIS OPPORTUNITY SHOULD BE NATIONAL IN SCOPE.

In every State there are great areas of good land which are now either unused or sparsely settled because of facts aside from fertility. Some of this land requires reclamation. The arid lands need works for irrigation, wet lands need to be drained, and other lands need to be cleared of stumps and undergrowth. In addition to these, there are areas of neglected lands or lands badly used, which can be acquired at reasonable cost and a new, vigorous, and successful rural life created through carefully thought-out community developments.

PREPARATION OF THE LANDS FOR HOMES.

It would be an ill-advised and deceptive plan which would dump the returned soldier upon an undeveloped, unimproved tract of waste land. Failure would be almost inevitable. Other countries have seen the light and have already adopted comprehensive plans for placing their soldiers upon improved farms. The plan here proposed is for the United States to construct the necessary roads, drainage, irrigation, or other improvement works, provide the necessary house, farm buildings, and fences, level and prepare all or part of the land, furnish implements and equipment so that the settler may immediately begin productive work upon his farm, be self-supporting, and from the very beginning begin to repay the sums expended for his benefit.

COOPERATION WITH STATES DESIRABLE.

Experience elsewhere has shown that the best results in soldier settlement come through cooperation between the Central Government and local authorities. This combines unity of plan and expert direction with the practical knowledge and experience of the localities where development is taking place. The investigations thus far made in this country indicate that States and private owners will be glad to cooperate with the United States in the plan for providing homes by contract or cooperative arrangement under which the lands will be put in cultivation by their owners, the work of reclamation and improvement performed by the General Government, the selection of settlers and supervision of settlement areas to be carried out either by the Federal Government or the State, as circumstances might prove most expedient, and the whole sum spent on reclamation and improvement, including a reasonable price or value for the land, reimbursed by the settler in long-time payments, with interest at 4 per cent per annum.

SECURITY FOR SUMS EXPENDED.

The lands and all improvements thereon would be subjected to such liens, mortgages, or other form of binding and prior security as would make reimbursement of the money expended assured, and one of the prerequisites of undertaking construction of a project would be the subjecting of all lands and improvements to such a lien.

ADVICE AND ASSISTANCE OF OTHER DEPARTMENTS.

No State or privately owned lands would be included in an improvement project until the Federal Farm Loan Board had passed upon and fixed the land values and the States or owners thereof had agreed to this finding. The Department of Agriculture would be asked to cooperate in determining the quality of the soil and the agricultural fitness of the land. The creation of new bureaus or departments will not be necessary, because existing agencies can be utilized therefor.

AMORTIZATION BY SETTLERS.

The plan does not involve any gift or donation to the settler. He is expected to return the entire cost of the land and improvements with interest at 4 per cent per annum from the date he purchases the land. However, by providing for repayment in small installments extending over a period of 40 years, the burden will be light and his investment will very nearly amortize itself.

EMPLOYMENT OF SOLDIERS, SAILORS, AND MARINES.

The work of reclamation and improvement will require the services of many thousand men, from trained engineers to laborers, and thousands of soldiers will thus be provided with immediate and desirable employment in constructive work under the best conditions for their welfare, opportunity to become acquainted with the soil and climate, with the possibilities of the region, and upon accumulation of enough money to make the initial payment upon a farm they will be given the preferential right to secure a home upon the project upon which employed, or any other project as they may prefer.

FARMS AND FARM-LABORER ALLOTMENTS.

It is planned to establish farm units of such area and character as will be amply sufficient for the support of a family; to reclaim or improve the land, so that it will be in condition for immediate farming operations and the production of crops therefrom; to place the necessary farm improvements thereupon and to provide equipment. The farm-laborer allotments are to be of small areas suitable for the home of one engaged in farming or other community labor, probably not exceeding a maximum of 5 acres, to be equipped with the necessary buildings and homes. The purchasers will be required to maintain their residence upon the lands for eight months in each year for a period of not less than five years, unless prevented by illness or other satisfactory cause. The purchaser will also be required to cultivate the land in an approved manner and keep in good order the buildings, improvements, and equipment, and make such provision for insurance or its equivalent as will protect the interests of the State and the United States in the buildings, improvements, and equipment. In the event of the death of any purchaser the rights under the contract shall pass to his heirs or devisees, who may continue compliance with the requirements or surrender the property upon such terms and conditions as may be agreed upon.

TAXATION.

As stated, the result of the soldiers' settlement will ultimately be a very large addition to the taxable resources of the States and the United States. It is not planned to withdraw the lands included within the projects from taxation by the States, the thought being that the lands and the improvements thereon shall be subject to taxation from and afer date of execution of the contract of purchase by the settler.

EMERGENCY.

The matter is submitted in the form of a short item of authorization and appropriation to be attached to one of the appropriation bills, because the matter involved is emergent and requires immediate action if action be taken at all. Soldiers are being released from service by the thousands and are to-day seeking opportunity and employment. The department has already made preliminary investigations and has numerous projects in sight, some of which could be started at once were funds and authority available. With the necessary authority and money, the plan would be to issue general regulations applicable to the situation, proceed along the plan generally outlined in this statement, and later seek such further authority from Congress as may be deemed advisable.

AN OPPORTUNITY FOR CONSTRUCTIVE WORK.

Billions of dollars have been spent to aid in winning the war. A large part of this expenditure while necessary is now gone, leaving no tangible property of future value to the individual or the country. The small expenditure here planned is for constructive, definite, tangible, and enduring work which for generations will add to the health, wealth, and well-being of the Nation and its citizens. The money to be spent will be reimbursed. Out of waste lands will arise improved farms with comfortable homes, tilled fields, producing orchards, herds of cattle and sheep; definite, tangible, valuable property, adding to the potential and taxable wealth of the States and of the United States.

FEASIBLE PROJECTS.

Preliminary investigations indicate that feasible projects will be found in nearly all of the States and it will be possible to begin work on some of these projects immediately upon authorization by Congress. While no definite plan can be formulated in advance of congressional action, it has been thought that approximately $30,000,000 of the proposed appropriation would be devoted to irrigation projects and the remaining $70,000,000 to the reclamation of swamp, waste, and unused lands.

HOW WILL THIS PLAN HELP THE SOLDIER AND THE NATION?

If the plans now being formulated for creating settlements for soldiers are carried out, it will help returning soldiers and the agriculture of this Nation by—

1. Lessening the expense of subdivision and settlement of large estates.
2. Providing the money or credit needed to improve and equip farms and to furnish land to settlers in small tracts at wholesale prices.
3. Reduce the cost of farm buildings and other permanent improvements by the purchase of material and erection at wholesale and for cash.
4. Giving beginners practical advice about farming operations, and thus prevent costly mistakes and the waste of money and time.
5. Organizing these community settlements for the more effective buying of what they need and the selling of what they produce.
6. Making farming more profitable and attractive by the creation of cooperative organization, and thus bring neighborhoods into close social and business relations.
7. Creating better living conditions for farm laborers and their families.

An interesting and valuable feature is the proposed provision for farm laborers. Many of the returning soldiers will not care to assume the indebtedness or undergo the necessary efforts to pay for a farm and its equipment. They prefer to work for wages, provided they can have a home where they can live with their families in comfort and independence and have living expenses reduced by the production of a large part of their food supply. This will be secured by the creation in these settlements of areas of 2 to 5 acres of land, on which comfortable houses are built and where men who work for wages on the farms or in the industries of the near-by towns can live. The great benefits to wage workers and to their families which come from the establishment of these small holdings in other countries leaves no doubt that this innovation will be a valuable feature of soldier settlements and lead to its adoption as a part of rural life outside.

At a large meeting of the Members of the House before the Committee on Irrigation of Arid Lands, on the 10th of January, this year, Secretary Lane made another very clear, forcible, and convincing statement, and I was instructed by the committee and the other Members present to have it inserted in the CONGRESSIONAL RECORD in order that his views might be preserved and given publicity for the benefit of the country and the welfare of our boys in the service. And I therefore insert that portion of the hearings containing his remarks, as follows:

WORK AND HOMES FOR RETURNING SOLDIERS.

COMMITTEE ON IRRIGATION OF ARID LANDS,
HOUSE OF REPRESENTATIVES,
Friday, January 10, 1919.

The committee this day met, Hon. EDWARD T. TAYLOR (chairman) presiding.

The CHAIRMAN. I take it for granted that everyone here knows the object of this gathering. It is to listen to the Secretary of the Interior present his ideas concerning reclamation matters in connection with providing homes for returning soldiers. The Secretary, as you know, has a very large national program outlined, and he wants the Members of Congress to understand it, and we are anxious to have him explain it to us. We very highly appreciate his appearing before us, and we will all be glad to listen to the Secretary, Mr. Lane.

STATEMENT OF HON. FRANKLIN K. LANE, SECRETARY OF THE INTERIOR.

Secretary LANE. Mr. Chairman, this scheme for providing work and homes on reclaimed land for our returned soldiers, which has been talked about a good deal in the press and which I made one of the principal features of my annual report this year, has, as you know, received the indorsement of the President in his message to the Congress of December 2. I was very proud to see in the papers yesterday morning that the last article written by Col. Roosevelt was an editorial for one of the magazines, in which he indorses this plan that I had presented originally in May, 1918, to the President and to the Congress.

So you can see it has nothing of partisanship in it. It is a plan for the development of our country in a very large and in a very real way. It is a practical plan. We know that it is practical, because what we propose shall be done has been done and is being done.

It is a plan that involves the reclamation of lands of various kinds. I recognize most of you as gentlemen from the West, and you know that for 16 years now you have been passing upon the various reclamation projects that have been brought before you. That work we have carried on with more or less success in a pioneer field. This is an extension and an elaboration of the idea upon which the reclamation act was founded.

The reclamation law, as you know, provided that we should take the arid lands of the West and put water upon them. It was at first thought that it was only necessary to divert the water from the stream. Later we found it was necessary to build great dams up in the mountains and to bring those waters down through diverging canals and through tunnels and through ditches into lands 50, 60, or 70 miles away from the place where the water was stored. You gentlemen have been liberal in your appropriations for that work. We have spent approximately $115,000,000 in the last 15 years on it. The works built under the reclamation law are now serving probably 2,000,000 acres under irrigation, comprising land that was worth only a nominal sum before it was irrigated.

It has always been a mystery to me why Congress, in its wisdom, did not see fit to extend the same principle to the lands of the South and the lands of the North. We have a vast body of undeveloped land in the United States. This is an incomplete country. It will be hundreds of years before it is entirely developed, but we know now that there are millions of acres of land in the United States that can be saved ultimately from worthlessness and brought into value and made a permanent part of the United States by drainage, by clearing off stumps and brush, and by reclamation through irrigation.

A clear distinction should, of course, be made between the ultimate possibilities of such reclamation, spread over many decades, and the practical possibilities of the next few years. We know that there are many millions of acres of unused and unproductive land in this country. It is self-evident, however, that much of this land is not feasible for reclamation purposes under present conditions. In many cases the present cost of reclamation would be prohibitive; in others the soil conditions appear unfavorable; in others a combination of factors make such reclamation practically impossible at the present time and under present economic conditions.

An appropriation of $100,000,000 would provide for the construction of projects containing approximately 20,000 farms, or, as a rough estimate, a total of only about 1,500,000 acres of cultivated land. There are at present in the United States nearly 7,000,000 farms, so that the addition of these 20,000 farms would mean an increase of less than one-third of 1 per cent. The improved land in farms amounts to something like 550,000,000 acres, so that the addition of 1,500,000 acres to this area already under cultivation would amount to less than three-tenths of 1 per cent. If continued for 10 years, the increase would be only 3 per cent, while the population is increasing five or six times as fast. It can readily be seen that there is little cause for alarm that overproduction and depression of prices of farm products would result from the construction proposed at the present time.

I have been through the South lately. It is a marvelous country; it was a new country to me. I had no understanding of that land. They have in North and South Carolina a 55-inch rainfall during the year, which is distributed in such a way that it is possible to get three crops; but they are not self-supporting because they devote themselves very largely to one money crop—cotton—and possibly tobacco.

There is an Alabama woman named Mrs. Mathis who is one of the real citizens of this country. She is a farmer, and she discovered some years ago the trouble with Alabama, with quantities of splendid rich land. The whole country is a cotton plantation, and they were bringing down their beef and their mutton and their ham and their bacon and their wheat from Kansas City. So this woman said:

"Why not divide our land up and have three subdivisions in each farm, one devoted to supporting the farmer and his family, providing truck and fruit and taking care of the cow; another part given over to the money crop, to tobacco or peanuts or cotton; and the third devoted to sustaining cattle?"

The only official position this woman has held, so far as I know, is to be the nominal representative of the Alabama Bankers' Association. The result of her position has been that she has really changed Alabama into a State that is self-sufficient; and the same thing can be done in every one of these Southern States. I made a trip from here to the southern end of Florida. On the 15th day of December I picked an ear of green corn, what the South calls a "roastin'" ear, and the seed had been planted on the 15th day of October. There is no reason why we should not have in Washington in midwinter green corn from Florida.

I believe I could safely undertake to say that the territory from here to the southern end of Florida could sustain the entire population of the United States, because not half, not one-third, of that land that is cultivable is cultivated. Much of it that is cultivated is cultivated poorly.

Along the coast—and you gentlemen who know anything about this country know this to be true—along the coastal plain there have been great pine forests that have been cut down. This is true in North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and eastern Texas; there are also great bodies of these lands in Arkansas and in Tennessee. That land very largely needs to be reclaimed by a very simple process of drainage.

I saw a few acres of swamp land in North Carolina; it is marked upon the Government map as swamp, a great green swamp. They are cutting down the timber on it. In the very heart of this swamp I saw what they call stuck corn. A plow never had been through this land; there had never been a hoe upon it. The land was entirely fresh. Boys had passed along the land, in a row, and with a stick made a hole 6 inches deep in the ground and dropped in a couple of seeds of corn; and they had bins full of this corn, which had been grown in that way. That is the kind of land we want to reclaim. And we can reclaim it by a simple system of drainage canals and ditches.

Gentlemen, there are 40,000,000 acres of tillable land between here and eastern Texas as good land as is under the sun, totally unused.

We have the land; we have it in every part of this country, in the North as well as in the South. One of the richest parts of the United States is Aroostook County, Me. Maine has been deserted in part in her farming regions because the boys have had a lust for the western country that I love, and I can not blame them for that; but they have left good farms there. In Massachusetts it may surprise you to know perhaps that we have one little section of country around Cape Cod where there is some of the richest land in the United States, and it has been proved so in the last two or three years; and in the body of the State they have very considerable quantities of land that needs to be cared for a little bit, cut-over land that has been deserted, that needs to be brought into shape, that will make good farm land. The same thing is true in New York.

I was looking over yesterday a plat of New York which showed three drainage possibilities in that State, and we can get a project there of 60,000 acres of extremely rich land that needs only to be drained.

There are in the United States millions of acres of unused and unproductive land, much of which it is entirely feasible, under present conditions, to irrigate, drain, or otherwise reclaim and bring into use. As I have just said, I do not, of course, propose that we shall undertake the huge job of making all that land serviceable in the next few years to the people of this country and to the world. But I do propose that we shall make a beginning at it, and what better opportunity can there be than this, when the boys are coming back?

There is a doubt, perhaps, in your minds as to whether these boys want to go upon the lands. I am not satisfied with the situation as it is to-day in the United States, and I think you men who have vision, who can look forward two, three, four, five, or six months, must yourselves feel that you have a responsibility in regard to this matter that you can not be indifferent to. There is no man here who would rise and say that he feels sure that the labor market will be satisfactory six months from now, or three months from now, or that there will be a job waiting for the soldier who returns, when he gets to New York, or when he reaches his home. What are we going to do for these men? We can not have them floating about the United States looking for something to do. This is no time for that condition in this country, or in any other country.

There is only one way of meeting a situation like that, and that is by prevision; you have got to see what is going to come before it actually arrives; you have got to have the cunning sense of the aviator who knows he is going to meet an air current before he actually strikes it, and adapts himself to it.

We have an incomplete country; we have an undeveloped country; we need tens of thousands of miles of good roads in the United States. I am not saying to you gentlemen that all the money you should put into providing work for these men against a probable surplus of labor should be put into this scheme, but I believe, and I say it to you very seriously, that you ought to be prepared—and upon you rests the initial responsibility—you ought to be prepared to have some work available to which you can assign a man who comes back from France or from one of the cantonments and who has not a job awaiting him.

The time is coming—yes; it has come—when we must feel a real responsibility for providing not merely for returned soldiers but for the man in the United States, no matter who he may be, who is willing to work. I want to say to this Congress, to the Congresses that are to come, and to this Nation that no man who is willing to work should be without a job, and I will agree personally to provide the work which will give the man a job and add to the wealth of his Nation if you will adopt that policy. It is the wise policy to adopt if we are to have a chance in the United States to prove that democracy is the kind of government that the world wants. [Applause.]

These boys are coming home, and they are coming home with the idea in their heads that the United States will see that they have something to do; they are coming home with the idea in their heads that what they want to do is not to work in an office but to work in the open. My boy has come home. When he left he was in the university. He went into the Aviation Corps and has been in France a year. From the university his intention was to go to the law school and become a lawyer. He has abandoned the idea of the university; he says he is too old now to go to a university. He was only 18 when he left. He will not go into law, and I asked him what he was going to do. He wants to go out West somewhere and go on a farm.

I have hundreds of letters here, and I am going to send extracts from some of them to you, which boys have sent to me regarding this proposition from France and from the cantonments in the United States.

We are meeting exactly the same thing that we met in the Civil War. I do not see any Civil War veterans here, but you can probably recall—and it must be so, because it appears in the records of the Land Office—that the boys of the different States wanted to live the life in the open; and it was these boys who largely settled in and made the western prairie country, and the country I come from in the far West. The great rush to the Pacific coast came along in the seventies. And now our boys are all coming back in the same way, in the same spirit, with the same desire, and the same kind of peculiar self-respect as that of the man who came back from South Africa whom Kipling tells us about in his "Chant Pagan."

It is the story of a man who comes back to be a butler or a gardener in an English house. He has been in the Boer War. He reviews his own personal record in South Africa and then he says, "Me, that has been what I have been; me, that has seen what I have seen; they ask me to carry a letter as far as the post office and be sure to return without getting my feet wet." He has an entirely new vision of his own value, and he has an entirely different desire from that which he formerly had as to the kind of life he should lead.

I had a letter yesterday from a man in France. He said he had been talking the matter over with the boys in his regiment and that probably 80 per cent of them would like to go onto farms. We have a little hospital which is supported by the people in the Interior Department, and we find that about 4 out of 10 of these convalescent boys want to go upon farms. Even the women are stirred up about it. These girls we induced as war workers to go into the fields are anxious that there should be one of these projects where women could prove themselves as farmers.

The secret of this whole proposition, aside from the land and the willingness of the boys to go upon the land, lies in the type of the settlement, in the fact that we must not abandon the farmer once we have given him land. Serious thought must be devoted to the development of a farm-settlement project. In the past it has taken about three crops of men—this is about the wastage, and I think you gentlemen from the West will agree with me on this—it has taken about three crops of men to develop a quarter section of land. The first man has come on as the pioneer and taken up his quarter section. He has lived as long as he could, and he has endured. Of course, he has had the benefit of the game and he has lived a hardy life. He has broken a bit of the land, but after a time his money is gone, another crop of settlers comes, and he sells out. The next man struggles as long as he can and finally the third man comes and that third man stays with the land.

We want to develop a system by which men can go to and stay upon farm community settlements which will be planned. And this absence of previous planning is the weakness of the present haphazard method, or lack of method, in settlement all over this country. Woman has the key to the whole situation. She has got to be satisfied, and she will not be satisfied as long as she lives in isolation.

Our insane asylums in the West are filled with the wives of farmers who have gone crazy in the dreary isolation of farm life. We want to have upon each one of these projects a community settlement, and have the farms radiate out from that settlement, all brought in just as near as possible to the one center, and from that center roads radiating out to the farms. In that settlement should be a good schoolhouse, not a one-story affair, but a good schoolhouse which would be the very center and heart of the whole community, a schoolhouse that would be tied up to these farms that encircle it, where the boy would learn as much as he learns on some Indian reservations now. And, incidentally, this is more than is taught in most of the American public schools, for we try in the best Indian reservations to teach the boy how to plant and raise four crops, how to shoe a horse, how to put up a shack; and we teach the girls how to make one suit of clothes for herself, how to make a hat, how to care for a sick baby, how to care for a sick man, and how to cook all her own meals for a month. We ought to have a central school in every one of the settlements where these children would be tied up to the farm life, and the father would realize that the problems which the boy has in school are problems which deal directly with the production on the farm.

In that settlement there should be a good moving-picture house; there should be a good hall. It should be the center of the social life and the center of the economic life of the whole settlement.

We have got much to learn about marketing. Our farmer is a poor cooperator. He does not know how to get together with a mass of men and work together for a common end. The price of crops does not have to fall because there are more crops produced, if growers know how to market their produce. That is proved conclusively by the experience of our citrus growers in southern California. When I knew that crop originally it was 12,000 carloads a year and the farms were falling in value. Those wise men who came from the East to southern California, who knew nothing about raising citrus fruit, said, "This is not business. We are sending our oranges and lemons into places which are already congested with oranges and lemons, and the result is our bills all come back in the red."

After the transportation and the commission merchant's charges were paid off they got no return for the oranges and lemons. What did they do? They employed a man who knew his business as traffic manager at $15,000 a year. A group of farmers employed that man, and they also employed an expert on diseases whom they got from the Department of Agriculture, and they sent him to Spain and to Sicily to find out what diseases they were threatened with and how to cure them.

Then they built a series of warehouses for themselves and put all their crop through a sieve. They graded it, and then made arrangements with the railroad by which all their oranges could be tested out in the different markets, and if there was a glut in one market the car would go to a market where there was a demand, with the result that to-day there are 65,000 carloads of citrus fruits coming out of that State. And the same thing is being done in Florida to some extent. It can be done in Idaho and every section of this country. You can not make the United States simply improve itself. You have got to put thought into it, and the man on the farm has got to put thought into it.

Now, then, we have the boy, we have the land, we have the scheme, and we do not want to leave that fellow alone unprotected there to work out his own salvation. We want to give that boy, in the first instance, an education as to the kind of agriculture he is to carry on, and then we want to leave with him a sensible man, who will give him directions, so that the scheme will be worked out clearly, so that he simply will not be thrown into the world and forgotten.

It is a perfectly simple thing to do. Every one of the agricultural colleges you support in all the States can provide men who know that particular piece of land and who will stay on there as production managers to give advice to these men as to what is the best crop this year and next year, so far as maintaining the fertility of the soil is concerned and how the crop shall be cultivated. We have tried this thing; we know it can be done.

Now, gentlemen, I have asked, and I think Mr. BYRNES of South Carolina has put in an amendment to the appropriation bill for an appropriation of $100,000,000 for this plan. My only regret about that is that the amount is so small. It is ridiculously, absurdly small. If we contributed in the proportion that Australia has contributed to the same kind of a proposition, we would be appropriating to-day $4,000,000,000. Canada makes an offer of 160 acres of land, and an additional 160 acres as a possibility, and $2,500 plus $500, $3,000 in all, to her returning soldier. Canada has erred in just one respect, I think, in that she has not planned the farm and the farm settlement. She has been wise in giving her men an education, even while they are in the field. They have had behind the lines what they called the Vimy Ridge Agricultural College, in which men still in the army are being given an education, and were being given an education two years ago, against the day of their return to Canada.

I do not know whether you gentlemen realize what war costs. You know what appropriations you have made; you know that you were spending at the conclusion of this war over $50,000,000 a day for the conduct of the war. I would like to see you give me at least what war costs for a week. Just throw out the Sunday and give to me what it costs for the other six days to try and take care of these men of our country, to make them more comfortable, more resourceful, and more contented.

We are going to have great problems in this country in the next few years, and the best kind of man whom we can have in the United States is the man who is anchored to our soil and has some satisfaction in his home. There is no way by which you can do this for less money, than the way I have pointed out to you. Let us give to these men, on 40-acre farms or 50-acre farms, not merely the bare land, but a home upon the land, the cottage, the barn, the land fenced in, the land plowed, the first crop put in, the necessary farm implements, and have the place ready so he and his wife can move in immediately and go to work upon that place. Let it be a place where the man can live comfortably and make a decent living and be proud of it.

I would take all these boys personally and say to them, "If, after you have gone to your homes and do not find the old job all ready and open for you, then here is a job for you. We will pay you the current rate of wages while you are clearing this ground, while you are removing the stumps and undergrowth, while you are draining this swamp, digging that ditch or building that dam in the far West; we will give you good wages, we will take care of you in a barracks that will look palatial to you.

"Then, after you have worked for a year or two years upon that project, pick out your farm. You have joined in digging the ditch that makes the farm possible; you will have joined in building that which makes the farm habitable." We will set up a demand for agricultural implements and a great many other things that will stimulate the industries back home so that there will not be so many fellows back there that will need to be taken care of. Then this boy can move out on that farm and be prepared to make a living for himself and for his family; and he should not be called upon to pay for the farm immediately. We want him to be allowed 40 years in which to pay for it, but in the end he will pay every cent of it and pay interest on the money. The soldier does not ask any charity, and we are not going to get a strong, virile people by giving charity, by doing things for them, except giving them opportunities; and that is what we propose this Government shall give these men, an opportunity to make farms for themselves, to make a living for themselves, and then to pay back to the Government the money which the Government has advanced, and to pay that money back plus interest. They can do it easily, paying 4 per cent interest, in 40 years.

We are paying this year, gentlemen, and you may not realize this, $221,000,000 in pensions for the war that closed 54 years ago and the Spanish-American War. When I came into office six years ago the pensions ran up to $180,000,000. There were 300,000 Civil War veterans, practically, still alive, but by the deaths, which came along at the rate of about 30,000 a year, that sum was reduced to $170,000,000. Last year by the addition of different bills you appropriated $187,000,000. This year you have raised it so that we are paying now, or, practically, during the next fiscal year we will pay, under our estimates, $221,000,000 for pensions.

This scheme that I present is far better than any pension scheme that can be presented. It is a scheme by which you make American

men, and by which you make American land. It is a scheme by which you add to the territory, the available useful territory of the United States. You do not have to fight for it; you do not have to shed your blood for it. You do not have to put up $50,000,000 a day in order to get it. You do not have to rob anybody or do injustice to a neighbor in order to get it. You get it simply by the expenditure of your own money in advance and have that money brought back to you. Most of these lands are lands that are in private ownership, and those lands can be had at our own appraisement and not at what the owners think they are worth.

We have been through every State, and we find there is a practical project in almost every State. In every State there is a body of men who are solicitous for the soldier, who believe the war is not over until we have taken care of the boys on their return; these men own large tracts of land, and are willing to turn that land over to us, the United States to pay nothing for it whatever except that the owners of the land shall have returned to them whatever we appraise that land to be worth, the money to come in within the 40 years, when we get our money. It is a perfectly practical scheme. We looked over the map yesterday, and I suppose in some of the States there are as many as a dozen possible projects upon that basis.

In the State of Florida there are a million and half acres owned by the State, which they are perfectly willing to turn over to us on this basis, we to drain them. Up in Wisconsin and in Michigan there is some of this land held by the lumber companies which is worthless to-day, not being used, that we can get at our own figure, the lumber companies to get their money back when we get it ourselves, and not until then.

In the West the great bulk of this land is public land, and there we have the basis for large irrigation projects, as our plans include either a great irrigation scheme or a great drainage scheme in every State west of the Missouri River, in every State in the South, and in practically every other State except Iowa, Illinois, Indiana, Ohio, and Pennsylvania, and we may later be able to develop projects in these States.

We want to distribute these settlements as widely as possible so as to reveal the method by which farm life can be made agreeable as well as successful, and then this current that is running to-day against the country and in favor of the city will run the other way. In this decade that has passed, from 1900 to 1910, the movement to the city was unprecedented, and the relative increase in the number of farms was the smallest in the history of this country. We have got to stop that in some way. You can not afford, as statesmen, to let the people of the United States become dependent upon foreign countries for food supplies. You know we were importing beef from Argentina before this war.

You can not afford to have the people of the United States centered as they are now in the cities of the United States. When I was a boy we had in this country 75 per cent of our population on the farms or in farm villages. To-day we have not 50 per cent. More than one-half of our people are living in the cities—and living upon the people in the country—congested, working to develop American industry, but not working to develop those fundamental things upon which we have found in the last year nations depend.

I do not believe there is any doubt but that we will have the men to do this work, and there is no fear of overproducing. We can not possibly produce more than 20,000 or 25,000 new farms out of this amount of $100,000,000, which is the largest amount we have dared to ask for, knowing how anxious for economy you were. We can not possibly give employment to more than 100,000. There is no danger of taking away from the present farmer any advantage he has. Twenty thousand new farms is about one-third of 1 per cent of the number of farms there are now in the United States. So there is no threat against the present farmer in this proposition.

But we ought to have work for the man when he comes back, and if times become hard three months from now I want you to think about this proposition—that in Michigan and Wisconsin we can put at work just as many men as will be out of employment in the great Central West, and down in North and South Carolina and Florida and Louisiana we can put more men at work—hundreds of thousands of men, if need be, and care for them. All that will be necessary will be to have the money. We can not do it with $100,000,000. We can take care of a few, but there are rare possibilities there, and you gentlemen ought to think of it.

It is an opportunity for us, an opportunity to show gratitude toward the men who made the great sacrifice, who have done the thing you and I were willing to do but that we did not have the chance to do, because Uncle Sam would not take us. It is a great deal better that we should extend to that man this opportunity to make his own living, and make an independent living, and to add to the wealth of this country, than that he should be a dependent for years to come, or that he should be cast adrift, and prove once more that Republics are ungrateful. This Republic is not ungrateful. It never has been ungrateful. It is the most liberal and generous Government that the world has ever seen.

But we are not asking generosity now. We are asking something that is ultimately selfish.

I want you gentlemen, if you will be so good, if you will look upon this as I do, if you believe this is practicable, as the President and Col. Roosevelt believe it is, if you believe this thing is wise, that it is a statesmanlike thing, I want you to see that the members of the Committee on Appropriations, or whatever committee has charge of it, shall bring it to the front at once. We can not wait. We have waited too long.

I made this suggestion to the President and to Congress last May. We ought to have taken it up then. The time is ripe now. We need a word of encouragement from the Government of the United States to these men before there develops in them any feeling that the Government is not appreciative of what they have done. It has got to be done sometime, gentlemen; why not now? You have been thinking in large sums of money; you have passed in a day bills appropriating billions of dollars.

Can we not get to the point where we can visualize the opportunities and necessities of peace as well as the necessities of war? You are going to make this continent by the expenditure of large sums of money, and it is going to support three or four hundred million people; you will have 200,000,000 before this century is out. We are growing at the rate of about sixteen or seventeen millions every 10 years, or we were before the war. We have got to have a place for these people. We want to show you a plan by which they can be taken care of.

One-third of our tillable land outside of the mountains is already occupied and in use. We want to see that the other two-thirds is used and used by men who are Americans, who are tied to the soil, and who are identified with us in interest as well as in heart.

The portion of Secretary Lane's annual report pertaining to this subject contains so much carefully prepared data and is so comprehensive and instructive that I am going to take the liberty of also inserting it herewith, as follows:

THE RETURNING SOLDIER.

Soon, almost immediately now, the men whom we have drawn into war will return. Already those here are being prepared for their reabsorption into the normal currents of our life, and the 2,000,000 and more who have had the glory and the experience of making war upon foreign soil in protection of the liberties of the world will be brought back as soon as their work is done. With conditions as fluent as they are in Europe, I presume that no one can foretell when the last man will be once more in America, but whatever the day of their coming their welcome can not be too warm or our appreciation of their service too hearty.

And the question is pertinent: What shall that welcome be? Is it to be merely one of glad greetings the emotional outburst of a moment, or shall it take on a more permanent form, one which will be adequate in its largeness and lasting in its nature? I am quite sure that we can make of this event something that is real, something exceptional and of the most permanent value to the men and to the Nation.

No one can tell what such an experience will have done for these boys. They have not seen the picture of the war in the broad view that has been given us from day to day. The map which we have studied has not been theirs. To them the sector on which they fought, the valley up which they marched, the ruined villages which they saw, the narrow trench in which they lived, the desolate blasted foreground of No Man's Land—these composed their picture. Life has been a series of incidents, sobering, strengthening, horrifying, democratizing. Through these they will have grown, all of them. They will come back other than they went. They have lived through years in the months they have been gone. They may not have gained the larger view of the great war, being too near to see, but they will have gained a new view of America.

They will return home as victors; proud, no doubt, and becomingly modest, with a new sense of their individual power and new tests set up in their minds as to the qualities which make a man. We will hold them at arm's length and look into their eyes to see what change war has made upon them, the doing of daring things, the taking of ordered risks, the prompt recognition of authority, the steady, long companionship of their fellows, the sight and enduring of suffering, the hard life of dust and mud, and weary walking, and long, sleepless nights. We will look hard into the sunburned, hardened faces to see what the strange life of a few months has done to these boys, these youngsters of but a day ago. They will resent, maybe, as soldiers should, the soft sympathizings that will be poured out upon them, just as they will make light of all that they have done. But out of every mouth and from every heart will come the words, "Well, home sure looks good to me!"

"WHAT IS TO BE MY CHANCE?"

They will be looking at us, too. And in their look will be a query, one thought over in the trench at night and on the long, slow "slog, slog, slog" of the day's march: "What is my life to be when I get home? Am I to go hustling for a job or will the old place be mine? But if a girl has that place and wishes to be her own mistress in the future, what then? School? Oh, I can't go back to school. When I left I was only 21, but now I'm 31. And I have lived with men, fought with them, been sometimes bested by them, learned to know them in all their many littlenesses and their great goodnesses. Responsibility has been mine, and the still silences of the night have given me chance to think and wonder why I am and why it should make any difference whether I ever saw home again or not. I am back now, back for a man's life. This America that called me out has called me back, and it will have something for me to do. Now, what is to be my chance?" This will all be implied in the look that they give us as we hold them by both shoulders to find the mark of war upon their young faces. And what is to be our answer? What answer is due them, and what answer is worthy of us?

Being Americans and being young, they will not ask or expect pensions. They will want work. They will want, if possible, a chance for a home of their own. They would like to know that while perhaps the fortunes of war did not so turn as to bestow on them the medal for distinguished service, the Nation which they served thought well enough of what they had done to give them some evidence of its appreciation.

Now, these hopes, reasonable and manly as they are, can be met, and in a fashion that will not weaken the fiber of the man by making him an object of bounty, and that will add permanently to the strength and the wealth of the Nation.

Why not say to this inquiring soldier man: America offers you a farm if you will help in its making and pay for it out of what you make out of it.

This can be done, and, if it were, it would solve, or tend largely to solve, several problems:

(1) That of the immediate job for the man himself.

(2) That of protecting the labor market against any possible collapse by being swamped with a surplus of labor.

(3) That of providing for many lines of reestablished industry an immediate demand for their products.

(4) That of staying the movement toward the cities and thus more completely decentralizing our population.

(5) That of affixing to our soil a large number of the best-proved Americans.

(6) That of setting up throughout the land the most modern pattern of farm settlement in which the social side of human nature is given consideration.

(7) That of bringing into use those great areas of our land which now lie neglected and of no value to the world.

All of these objects, I apprehend, will be deemed worthy, desirable, and of great concern to the Nation. The questions that arise in the mind will not involve the value of doing these things, but the practicability of such a program.

CONGRESS MAKES THE FIRST MOVE.

To meet this objection, I would recall to your attention the fact that all that I have urged is an extension on a large scale, and somewhat more elaborately, of just what this department has been doing for the past 16 years, through the activities of the Reclamation Service. And Congress has already taken the first step in the direction pointed out by appropriating $200,000 for an examination into the reclaimable land resources of the country, one half that sum to be expended for a survey of possible irrigation projects and the other half for an examination of those lands

which need to be drained, and of those huge tracts of lands which once were forests but now are neither forest, pasture, nor farms—the logged-off lands of North, East, West, and South. As soon as this appropriation was made the country was divided into three zones, and engineers were set at work gathering the data which Congress desired.

We are prepared to make report to Congress forthwith, giving a general picture of the extent and nature of these lands and advising as to the practicability of their reclamation. In the large, it may be said that of these three classes of land we have a full 200,000,000 acres which may be converted into farms either by irrigation, drainage, or clearing.

Although no complete survey has ever been made of our land resources, it is estimated that there are from 15,000,000 to 20,000,000 additional acres of at present arid land in the West for which water is available if properly conserved. There are, for example, half a million of acres in the Colorado River Basin which need only irrigation to make them as fertile as the far-famed valley of the Nile.

By far the greater portion of our unused and unproductive lands, however, is comprised in the cut-over or logged-off timberland lying largely within the eastern half of the United States. The approximate area of these cut-over lands by States is shown in the following table, which has been compiled from various sources of information, such as township, county, and State officials, lumber and logging companies, and individuals well informed on this subject in their particular localities:

State.	Acres.
Alabama	14,785,000
Arkansas	13,893,000
California	3,031,000
Florida	10,109,000
Georgia	20,141,000
Idaho	676,000
Kentucky	3,222,000
Louisiana	11,877,000
Maine	6,135,000
Maryland	1,848,000
Michigan	11,686,000
Minnesota	14,022,000
Mississippi	13,203,000
Missouri	8,900,000
Montana	674,000
New Hampshire	2,608,000
New Jersey	1,151,000
New York	5,997,000
North Carolina	12,745,000
Oregon	3,537,000
Pennsylvania	5,297,000
South Carolina	8,994,000
Tennessee	7,833,000
Texas	12,936,000
Vermont	2,070,000
Virginia	9,929,000
Washington	3,330,000
West Virginia	4,634,000
Wisconsin	13,246,000
Total	228,509,000

In their present state these 228,509,000 acres of cut-over land are a picture of desolation calculated to discourage the hardiest pioneer. Only a vast area of stumps remains to mark the former forest, matted with underbrush, and interspersed here and there with saplings. Perhaps as good an idea as any of the appearance of this waste land may be obtained from photographs of former forests which have been shattered by artillery fire. Yet when this land is cleared, leveled, and brought under the plow its soil, rich with the accumulated humus of hundreds of years, possesses extraordinary agricultural possibilities.

Lying also largely in the eastern half of the United States and overlapping the cut-over lands to some extent are some 80,000,000 acres of swamp lands. The approximate extent of these lands, by States, is shown in the table.

Where private enterprise has reclaimed small areas of swamp land the wonderful productivity of the soil has been amply demonstrated.

Under present conditions the problem of reclaiming these vast areas of irrigable, cut-over, and swamp lands could never be sold in its entirety by private enterprise. The huge items of labor and capital involved dwarf into insignificance any work of a similar character ever before undertaken. The great public works of the Reclamation Service and of the Panama Canal, for example, stimulating as they are to our national pride in achievement, fall far short of the possibilities involved in the plan of reclaiming an area one-fifth again as large as the State of Texas.

State.	Permanent swamp.	Wet grazing land.	Periodically overflowed.	Periodically swamp.	Total.
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*
Alabama	900,000	59,200	520,000	.....	1,479,200
Arkansas	5,200,000	50,000	531,000	131,300	5,912,300
California	1,000,000	1,000,000	1,420,000	.....	3,420,000
Connecticut	.....	10,000	20,000	.....	30,000
Delaware	50,000	50,000	27,000	200	127,200
Florida	18,000,000	.....	1,000,000	800,000	19,800,000
Georgia	1,000,000	.....	1,000,000	700,000	2,700,000
Illinois	25,000	500,000	400,000	.....	925,000
Indiana	15,000	100,000	500,000	10,000	625,000
Iowa	300,000	200,000	350,000	80,500	930,500
Kansas	.....	59,380	300,000	.....	359,380
Kentucky	.....	100,000	300,000	44,600	444,600
Louisiana	9,000,000	1,196,605	.....	.....	10,196,605
Maryland	100,000	.....	92,000	.....	192,000
Maine	156,520	.....	.....	.....	156,520
Massachusetts	20,000	.....	39,500	.....	59,500
Michigan	2,000,000	947,439	.....	.....	2,947,439
Minnesota	3,048,000	2,000,000	.....	784,308	5,832,308
Mississippi	3,000,000	.....	2,760,200	.....	5,760,200
Missouri	1,000,000	.....	1,439,700	.....	2,439,700
Nebraska	.....	100,000	412,100	.....	512,100
New Hampshire	5,000	.....	7,700	.....	12,700
New Jersey	326,400	.....	.....	.....	326,400
New York	100,000	100,000	329,100	.....	529,100
North Carolina	1,000,000	500,000	500,000	748,160	2,748,160
North Dakota	50,000	50,000	50,000	50,000	200,000
Ohio	.....	.....	100,000	55,047	155,047
Oklahoma	.....	.....	31,500	.....	31,500
Oregon	254,000	.....	.....	.....	254,000
Pennsylvania	.....	.....	50,000	.....	50,000
Rhode Island	.....	.....	6,000	2,064	8,064
South Carolina	1,500,000	.....	622,120	1,000,000	3,122,120
South Dakota	100,000	.....	511,480	.....	611,480
Tennessee	639,600	.....	.....	.....	639,600
Texas	1,240,000	1,000,000	.....	.....	2,240,000
Vermont	15,000	.....	8,000	.....	23,000
Virginia	600,000	.....	200,000	.....	800,000
Washington	20,500	.....	.....	.....	20,500
West Virginia	.....	.....	23,900	.....	23,900
Wisconsin	2,000,000	.....	.....	360,000	2,360,000
Total	52,665,020	6,826,019	14,747,805	4,766,179	79,005,023

These lands in greater part have passed out of the hands of the Government and are in private hands, though there are several of the largest bodies of lands needing drainage which are in the hands of the States. On the Government lands alone it would appear now to be unquestionably the fact that we could give employment to every man who would need work, and that almost immediately.

STATE COOPERATION.

But as this proposition has evolved I have found myself coming to the belief that it was not necessary to confine it to those States containing Government lands; that, on the contrary, it might fit in best with the sentiment of the country and to its greatest advantage if the plan were made adaptable to all the States, so that each State out of its unused lands might carve out farm settlements whereon, if they so chose, the soldiers returning to their home States could be located. By cooperation between the States and the Federal Government this can easily be effected. I have been surprised to discover how much land in the older States, such as Massachusetts and New York, for instance, there is that is unused, which once was tilled and which now, with modern methods of farm development and with the advantage of its nearness to the great markets, can be again profitably put to use. The commissioner of agriculture for Massachusetts has advised of land which, put under intensive cultivation, yielded last year more than $1,000 per acre net. And there are many thousands of acres of such land. In New York land by the tens of thousands of acres has been deserted and is advertised by the State, which will produce apples and other fruits of fine quality, besides all the staple cereals and vegetables, but which does not attract as against the distant and alluring lands of the West, because it requires some systematic treatment.

Within 50 miles of the city of Washington, both in the States of Maryland and Virginia, there are large bodies of lands which once were parts of great plantations that can be had for less than any lands within the same distance of most of the larger cities of the West. The mind of the country has been turned toward the development of the raw lands, the free unbroken lands, to the neglect of opportunities nearer the center of the country's markets. In almost every southern State instances can be cited where white men under the wise direction of the Department of Agriculture support their families and make an excellent living upon small farms of from 10 to 30 acres. Yet between this city and New Orleans there are over 40,000,000 acres of unused lands.

THE NEW FARM IDEA.

No one, I believe, can make a study of this question without being convinced, as I have been, that this country can support a population of from three to four times that which we now have, if the people will give over their desire to congregate in industrial centers. The passion for the city is upon us. It has come from a variety of causes—the lack of society in the country, the distance between farm homes, the remoteness from the post office and the newspaper, the assumed superior status of the "city man," the desire for better school facilities for the children, and many more which have been the theme of books without number seeking to reestablish in the heart the longing for contact with the soil. But preachments of any kind will not offset stern repellant facts. There is but one way of dealing with this problem, and that is to answer the questions that are put by developing new conditions. We must turn, as Europe has in her centuries of experience, to the farm village, the settlement of farmers around a center which is their home, in which can be gathered most of the advantages of the city—the good school, the church, the moving picture, the well-outfitted store—and these, with good roads, the rural express, the telephone, the automobile, and the post office will make life on the farm a thing of far different meaning from the isolated life it has been.

Of land, therefore, there is an abundance; land owned by the Government in the West and the South, land owned by private individuals in all the States, which is a burden to its owners and which can be had in great blocks at a very small price. It will not be for Congress to seek for advantageous places in which to locate these men; the difficulty will rather be in the choosing as between so many opportunities.

A POSSIBLE PROGRAM.

My own judgment would be that as an immediate program we should first offer an opportunity upon our present irrigation projects for all who wish work at clearing and leveling the land not now cultivated but for which water is available, or to which water can be brought under the present irrigation system, and that such tracts shall be developed under an appropriate land-settlement plan. This we can do at once and meet whatever labor problem may be immediate. As a second step, I would urge an appropriation for one or more of the largest irrigation schemes for which surveys are in an advanced state. Concurrently it would seem to me wise to undertake the draining of the most promising projects—Government-owned land preferred, but, if privately owned,

the land to be bought at an appraisement made by the Farm Loan Board and subject to the approval of the Department of Agriculture as to fertility of soil and desirability of location.

There is an alternative method of dealing with private lands which already has the approval of Congress, being incorporated in the reclamation act. Under this a private owner agrees to sell his land to whoever gets the water right at an appraised price as a condition precedent to our undertaking the construction or irrigation work. Under such a plan there would be no difficulty whatever in securing control of any sized bodies of cut-over or swamp lands that might be desired; the Government would not buy the land, but the owner would look to the new settler for the price, and take it on such terms as the Government itself would exact for its own expenditure upon the land. Supplementing this there should be an opportunity given for the cooperation of all the States upon limited tracts which would be dealt with under State control and subject to the closest Federal supervision. This would be an adoption in the development of farms for soldiers of the method taken by Congress for the construction of national highways.

WORKING FOR A HOME.

With such a national program underway there need be no solicitude as to caring for the returned soldier. Before he left France he could be preparing for his work. More than one-third, probably nearer one-half, it is estimated, of the men who are in Europe have come from farms. They are not farm owners, many of them were farm hands, some of them tenant farmers. Those who thought of taking up this life as independent farmers under the most modern and approved system could be given an agricultural education while still in the foreign camps. Canada, indeed, is already at this work. Then, after their return and when they have received the greetings of home, if the old position is not open or they wish to turn to an independent life, they can have their chance. For each there can be a position at the current rate of wages. The energy and the talent which he has been expending for an ideal and $30 a month he can now use to make a home for himself. There would be laid before him a number of projects which the Government had undertaken in the different sections of the country.

Let us assume no more than three, one an irrigation scheme, another a drainage project, a third the development of a body of cut-over lands. The one would need to have great dams constructed to impound and divert waters, a hydroelectric plant, miles of canal and tunnel, perhaps thousands of acres to be cleared and leveled, fenced, and broken. This would mean years of work at good wages, work in the open under housing conditions that would seem palatial to the soldier of the trench, and at the end a piece of land on which would be erected a house and barn, a farm home in a group of farm homes. For this he must pay. But already he has received wages out of which he can have saved the necessary first installment on his place of 10 or 15 per cent. The balance with interest he can pay in 40 yearly installments, or earlier if he can. He should not be limited to a choice of farms upon the one project on which he works. If the life in Arizona, let us say, is not to his liking he can have the same opportunity after building the Arizona irrigated project to take up a farm upon another Government enterprise in South Carolina where men have drained the old rice swamps or in Wisconsin on a tract of what once was swamp but has been converted into rolling prairie farms.

Four things are the essence of this program—that there shall be work ready for the men on their return, that this work shall be for the making of America, that the money expended shall be returned with interest to the Government which advances it, and that the land shall be platted so as to be a part of an organized community. A farm as a going concern to be a part of a community that is a going concern—this is the ideal toward which we should work; and such settlements, a few of which already exist in Wisconsin, North Carolina, California, and elsewhere, should be the models for the future land developments of the country.

NO SLACKER LANDS.

There is one other feature which should be incorporated in any such scheme of land development—the acreage should be limited to that which will be sufficient to reasonably support a family. Revolutions come from great land holdings, and it should be the first policy of the Nation and the States to discourage in every way possible the gathering into one hand or a few hands large bodies of land. This is politically wise, socially and economically advisable. The spirit of a democracy does not thrive where men live without the hope of land ownership. There is something peculiarly subtle in the feeling that a bit of the soil is one's own. It makes for a stronger, higher citizenship. It gives birth to loyalties that are essential to national life and to a healthy home life.

To be able to say that a living is assured, no matter what one's opinion may be, is at the very center of the free life of a democracy. So these farms should not only be so small that they would not be speculative ventures in unearned increment, but they should be nontransferable to anyone holding any equally large tract of land in the same State. This will prevent their being aggregated in the course of years into great estates. To compel their use, the owner might well be required to live on the land for five years before gaining sufficient title to make any transfer, and during the full period prior to the last payment three years of idleness should make the land subject to forfeiture to the Government upon repayment of the payments which have been made. This is not suggested as an infallible nor an ultimate plan, but it would save to the Government the opportunity to hold in its own hands the fate of these lands and see that they were made to serve. We wish no slacker lands. Enough land for a family, but not enough to make a new draft on the labor supply.

I have attempted here to give a broad sketch of a plan that has found favor generally as one that meets the needs of the moment and reaches far into the problems of our Nation. It is not a fixed program, the whole of which must be taken or rejected. It has the virtue of elasticity. So much of it as is needed can be used to meet the possibilities of the next few months or years. Once entered upon, its benefits and its defects will be made manifest.

THE COST.

How great will be the cost? As much as we wish to spend; as much as we need to spend. Less than many a strike has cost this country. Would it be unreasonable to ask for as much as we will spend this year for pensions to the veterans and their dependents of wars that ended 20 and 50 years ago? Would it be unreasonable to ask that we spend in the next two years on these veterans of the great war as much as it cost us to conduct that war for a single week? Would a people that gave out of hand, out of a noble sense of charity to quasi public organizations, $500,000,000 for the entertainment and care of these boys hesitate to buy the bonds of this country for a like amount to provide peace work, home work, and homes for these same boys, who will ask the question, What is to be my chance? A loan. Not a gift this time. A loan on interest. Those who deal in money tell me that this can be done. But be the amount great or small the plan can be made to fit our needs—raise it as you please, by taxes or by a bond issue (a mortgage on the very land that it reclaims)—is there a better way to insure the future than to direct these strong-armed, big-chested soldier men into a battle against the wanton wastefulness of nature?

We have spent largely for this war and largely we must spend for many years to come. We are to economize that we may meet our debts; this must be the national policy. But to stop growth is not economy. To stand paralyzed in the presence of a debt is to become its victim. England is planning in the hundreds of millions of pounds sterling for housing and land schemes. Canada, with less than 7,000,000 people, is offering to each man 160 acres of land and $2,500 with which to improve it. Surely the United States, which has escaped with so slight a comparative loss in life, will not do less. There is one way to pay out, and that is by harder work and more faith. These are the reasons for our self-confidence. We shall coin work and faith into new wealth and make the new wealth meet the debts. This has been our policy from the first in all great enterprises. To waste is not sound economy; to save is; but sounder still is the economy that invests to create; this is the sowing of seed. And this land is yet but in its infancy. It has 2,000 years to run before it reaches the age of that country which still holds Verdun and is planning now the reconstruction of 350,000 homes destroyed by the invader.

There can be no surer insurance for the Nation than to put its men upon the soil, and there can be no wiser investment that a nation can make than to add to its territory by taking from desert and waters and desolation land that is now useless. Nations make war upon each other that they may have new lands—lands in tropical Africa, in remote Asia. They spend life and go deeply into debt that they may gain small domains already filled with an unprogressive people. And here, under our own flag, we have land as rich as the Valley of the Nile, not ours yet, for it does not serve us, which we can conquer with a little thought and the lending of a little money. This is conquest worthy of a democracy, giving free men their chance to make themselves economically free without the shedding of blood or the breaking of hearts.

In conclusion I can only say to the House and to the country, and to the many thousands of our splendid boys who will be sorely disappointed by this failure of the House to pass this bill or act upon this subject, that I will reintroduce the bill on the opening day of the next session of Congress and push the measure with all the energy I possess, and I sincerely hope and believe that it will be speedily enacted into law. And I also hope that instead of the appropriation being for $100,000,000 that it may be five times that amount; because even then we will not, in proportion to our wealth and resources, be doing anywhere as much for our returning soldiers as is being done by Canada, Australia, and all other English speaking countries. I am not only confident that this measure will be adopted, but I firmly believe it will go down in history as one of the great constructive policies of our country.

EXTENSION OF REMARKS

OF

HON. GEORGE R. LUNN,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. LUNN. Mr. Speaker, under leave to print, I am submitting the following correspondence, which has to do with the important subject of military justice:

WAR DEPARTMENT,
Washington, March 1, 1919.

Hon. GEORGE R. LUNN,
House of Representatives.

MY DEAR MR. LUNN: I think I can answer your question about the course of military justice during the war more adequately by sending you the inclosed copy of a letter written by Gen. Crowder to me than in any other way. Immediately after the original discussion of the subject in the Senate, I asked Gen. Crowder to give me a comprehensive memorandum covering the whole matter. This letter resulted. Its statements are, I think, most reassuring.

In the meantime, I may say that during the war we investigated and acted upon the cases involving the death penalty and dishonorable discharge from the service. The great number of cases involving long terms of imprisonment could not be circumstantially reviewed under the pressure then existing. The fact of the legality and sufficiency of the trials was inquired into and the cases otherwise put aside for more mature consideration. A board of officers organized in the office of the Judge Advocate General, known as the clemency board, has been at work for some weeks reviewing these postponed matters, and I have already in a good many cases acted upon the suggestion of that board by reducing some of the longer sentences to such terms of imprisonment as would have been imposed for like offenses under the peace-time procedure in force in the department.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

FEBRUARY 13, 1919.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

MY DEAR SENATOR CHAMBERLAIN: On the appearance of your remarks in the CONGRESSIONAL RECORD on January 3, 1919, with reference to the administration of military justice during the war, I at once directed that the Judge Advocate General's office prepare such data as are avail-

able for your information and that of the Senate dealing with the subject. It is not unnatural that so grave a matter as this should attract widespread public attention and that the humane sentiments of Senators and of the public should be stirred by such representations as were made to you and formed the basis of your remarks.

In the meantime, as I have happened to be a lawyer and to have had considerable experience as an executive in dealing with the administration of criminal law and of prison discipline, my own attention was not unnaturally attracted to the administration of military justice upon my assumption of the office of Secretary of War. Until the entry of the United States into the European war I found it possible personally to examine the records in most of the cases involving serious penalties. This became impracticable with the increasing demands upon my time, and I therefore came to rely for my action in these matters more and more upon the elaborate reviewing machinery erected in the office of the Judge Advocate General to deal with these cases, although when any doubt was brought to my attention, either by division of opinion or from outside suggestion, I either personally examined the records or caused them to be independently examined by lawyers whose relation to the subject was purely judicial. It seemed, therefore, quite incredible that any general and widespread perversion of the principles of justice could have crept into a system with the workings of which I was thus familiar and the organization of which seemed to me so well calculated to secure thorough consideration and the application of most humane policies.

The Judge Advocate General has just handed me a letter covering such preliminary examination as he has been able to make of the situation, which is to be followed by a report much more comprehensive in character; but the inquiry so far made has developed a situation which I think ought to be brought to your attention at once and which I have no doubt you will be glad to bring to the attention of the country in order that the interest which has been aroused in this subject will have before it all the facts which ought to be considered before any judgment is formed or any apprehension created on the part of parents or friends of those in the Military Establishment that soldiers are subject to a harsh and unequal discipline.

In addition to the data presented in Gen. Crowder's letter, I beg leave to express my willingness to produce all other data and information within the control of the department which would be useful or interesting to the members of the committee.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

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FEBRUARY 13, 1919.

DEAR MR. SECRETARY: Upon resuming active supervision of the work of the Judge Advocate General's office early in January of this year, after a year of almost exclusive preoccupation with my duties as Provost Marshal General, I found your reference calling to my attention the remarks of Senator CHAMBERLAIN, printed in the CONGRESSIONAL RECORD of January 3, 1919, which voiced certain criticisms upon the administration of military justice during the war. I have been reflecting upon the most appropriate manner of putting you in possession of the facts on the subject dealt with in these remarks.

The subject, in general—I mean that of military justice during the war—is, of course, within my special province as Judge Advocate General of the Army; and it has been peculiarly a matter of the most conscientious solicitude on the part of myself and of the Acting Judge Advocate General, who had the direct supervision of the office during my special preoccupation with the other duties. Of the nearly 100 judge advocates attached to the office in Washington during the past year, some 50 have been assigned exclusively to the Division of Military Justice, scrutinizing the record of every one of the thousands of general court-martial cases arriving in Washington for revision. These skilled lawyers (all but two of them brought recently into the Army from civil practice, and including some eminent incumbents from the judicial bench) have been keenly alive to the demands of the situation. Months before any of these after-the-war criticisms appeared, and from the very outset of the year 1918, when the disciplinary records of the new Army were already enlarging manyfold the work of this office, the Division of Military Justice had begun to apply measures adapted to safeguard the cause of justice to the individual. And, as the year went on, the progress of court-martial practice was closely and continuously followed, with a view to correcting the legal errors, equalizing the sentences in the various divisions, and exercising the appropriate clemency. How notable were the results achieved by this conscientious scrutiny before the close of the year 1918 I will later point out, noting here merely that these results were already accessible to any inquirer at this office before the close of the year 1918.

It goes without saying, therefore, that all the authentic data that would throw light on the correctness of Senator CHAMBERLAIN'S complaints are to be found in the accumulated records of my office. And I could wish that he had afforded me an opportunity, however scanty, to lay before him the general tenor of these records, or any part of them, before advancing publicly the assertions contained in his remarks on military justice.

However, since receiving your reference, my own question has been whether to wait until a full and exhaustive account could be prepared for you, showing the whole range of facts in that field during the war period, or whether, without waiting for that, it would be worth while to offer you, as a provisional step, the facts upon the topics concretely touched on in the Senator's remarks. I have decided to take the latter course, reserving for a later and formal report the entire body of facts concerning military justice during the war period.

The Senator's remarks run along two lines. In the first place, he cites certain individual cases having special features open to criticism. In the second place, he offers certain generalizations involving general conditions and practices. This makes it necessary to deal with his remarks under two separate heads; and, with your permission, I will do so. Whether or not these individual cases are open to the criticism as made is simply a question of the facts in each of these cases; they differ widely in their nature, and each must receive its own separate explanation, based solely on its own facts and no other. But whether the Senator's assertions as to general conditions and practices are correct is a larger and distinct question, ranging over the entire field of military justice, and these assertions must therefore be examined in the light of the entire mass of relevant cases.

I begin, therefore, by taking up the individual cases cited by the Senator for special features; and at the same time it will be convenient to include comments on a few other individual cases cited on the floor of Congress by Mr. SIEGEL from a newspaper article. (CONGRESSIONAL RECORD, Jan. 23, 1919, p. 1928.)

I. Individual cases cited for criticism.

1. The first case cited by Senator CHAMBERLAIN is that of a soldier at Camp Gordon (record No. 110595, tried January 24, 1918), who, while patrolling the town as military police was found at midnight in a shop just after a burglary. Being charged with burglary, he asserted that he had entered the shop in search of the burglar. His story was disbelieved, and he was found guilty; the first finding was not guilty, but at the commanding officer's request there was a reconsideration, and the second finding was guilty. On revision of the record no legal error could be found, but this office reached the opinion that though there was sufficient evidence to sustain the finding, the evidence did not go so far as to show his guilt beyond a reasonable doubt. In such a situation no supreme court in the United States (with three or four exceptions only) would interfere and set aside a jury's verdict. Nevertheless, this office recommended a reconsideration of the verdict by the reviewing authority. It was, in fact, reconsidered; but the court adhered to its finding. But the feature for emphatic notice is that reconsideration was given not by exercising the "arbitrary discretion of a military commander," but by referring the case to the judge advocate of the command as legal adviser. The judge advocate wrote an elaborate review of the evidence, disagreeing with the view of this office, and recommending confirmation; and the commanding general followed this opinion of his law officer.

This case, therefore, instead of being, as Senator CHAMBERLAIN has been led to believe, an illustration of "the control which the military commander exercises over the administration of civil justice," illustrates exactly the opposite. For, in the first place, the confirmation of the sentence was made, not by the arbitrary military discretion of the commanding officer, but upon the legal opinion of his judge advocate, an ex-civilian lawyer. And, in the second place, the reconsideration which was actually given by the judge advocate on the point of proof beyond a reasonable doubt was a measure of protection which the law does not provide in any civil court in the United States for the control of a jury's verdict. The case is a good illustration of a feature in which the system of military justic sometimes does even more for the accused than the system of civil justice.

2. The second case cited by Senator CHAMBERLAIN is that of an absence without leave from Camp Beauregard (record No. 116490, tried June 6, 1918), in which a sentence of 25 years was imposed on a soldier who had gone home (as he claimed) to see a sick mother after the company had been notified of their impending departure for the battle field in France; he returned to camp just after his unit had left. This offense of leaving for home when the regiment is just on the point of departure overseas is obviously one of the most disorganizing to military plans. In this case it was committed at a time when the allied forces were in daily need of American help, and our units were being rushed with all speed to the ports of embarkation. By leaving camp in this particular week the soldier successfully evaded going into the fight with his comrades. That the seriousness of the offense must be emphasized in the sight of the Army by the penalty imposed needs no argument.

But the Senator errs in implying that the man was dishonorably discharged, for he was not. The sentence of dishonorable discharge was suspended, which means, under the law, that his confinement has practically no minimum, and that if his conduct is good he may be released from confinement and restored to duty at any time.

3. The third case cited by Senator CHAMBERLAIN is a similar case of absence without leave at the same camp (record No. 116800) under almost identical circumstances; but in this case a sentence of 15 years, instead of 25 years, was imposed. This matter of the variability of sentences is later explained by me, in its general aspects. But the difference of periods, however, has in this case not the significance which it appears to have, because the sentence of dishonorable discharge was in this case also suspended, and the offender went to the disciplinary barracks for a period of confinement having no minimum, and upon a record of good conduct he may be restored to duty at any time, and his confinement be terminated.

4. The next case cited by Senator CHAMBERLAIN is a case of sleeping on post at Camp Merritt, the sentence being for 10 years. The Senator's brief description of the case applies to two offenders, tried nearly at the same time. (Record No. 114717, tried Apr. 25, 1918, and record No. 115506, tried May 17, 1918.)

In the one case the sentence was reduced by the commanding officer to six months, probably because the soldier was a youth of 17. This reduction was apparently not known to Senator CHAMBERLAIN, for he does not mention it. There is certainly nothing harsh in military justice in this case.

In the other case the sentence was approved by the commanding general; and on November 22, 1918, the Judge Advocate General's office, on application, after a careful scrutiny of the record, declined to recommend clemency; so that it may be assumed that the circumstances of the case did not merit it. But here, too, the sentence of dishonorable discharge was suspended by the commanding general; the period of confinement has no minimum; and the offender may be restored at any time, after a record of good conduct.

5. The next case cited by Senator CHAMBERLAIN is another instance of sleeping on post, the sentence being for 10 years (record No. 113076, tried on Mar. 21, 1918, at Camp Merritt). As the sentinel had been drinking whisky shortly before going on guard, had actually left his post, and was found asleep in a toilet, the case was plainly one for making an example, and the sentence is therefore hardly to be termed severe. The Judge Advocate General's office, however, after at first declining, on application, to recommend clemency, later considered the case a second time, on December 12, 1918, and notified The Adjutant General that there was no objection to his restoration to duty.

But at this point I must take notice of Senator CHAMBERLAIN'S expression, applied in his remarks to the duty assigned to this soldier, of guarding a sentinel post, as "virtually a watchman's job." I feel sure that even the civilian mind will readily appreciate the high responsibility of a sentinel's post in time of war, and that this expression will be recognized as inappropriate. The war was not only in France; it was in our own country also; and at the post where this sentinel was on guard there were millions of dollars worth of supplies, waiting for early shipment to equip the forces on the battle front, and lying open to destruction by the incendiary agents of the enemy who lurked at every such spot in our own country. That under such circumstances the offense of sleeping on post belongs among the most serious and dangerous misdeeds of a soldier needs no further argument.

6. The next case cited by Senator CHAMBERLAIN is one of disobedience to orders to drill, and of having seditious literature in possession for distribution. The offender was a conscientious objector who had not

been given an opportunity for noncombatant service, and who was not attempting nor intending to distribute the literature. The sentence was death; but the Senator adds that it was "disapproved by the President and the prisoner discharged," and he expresses the hope that "the President will exercise the same clemency and show the same mercy in many other cases." Now, the facts of the record demonstrate the precise opposition of what the Senator was led to believe, because in this case (record No. 116790, tried June 17, 1918), it was not the President's clemency that discharged the prisoner; it was the effective operation of that very system of military law which the Senator supposes not to exist. What happened was that the Judge Advocate General's office recommended disapproval of the sentence, on the strictly legal grounds that the order to drill was (under General Orders No. 28, 1918) not a lawful command, and his disobedience was therefore not an offense; and that there was no evidence of the accused's intention to distribute the literature. The sentence was therefore disapproved, and the prisoner discharged on the legal grounds stated by my office. This case, therefore, far from illustrating the Senator's thesis, rather affords an illustration of the operation of military law and justice in entire analogy to that of civil law and justice.

This completes the list of particular cases cited by Senator CHAMBERLAIN. I turn now to the particular cases cited in the newspaper article read into the CONGRESSIONAL RECORD by Mr. SIEGEL. (CONGRESSIONAL RECORD, Jan. 23, 1919, pp. 1928 to 1932.)

7. Taking these cases, for convenience sake, in the reverse order of their mention in the article, we are told of three cases of supposedly excessive sentences for the offense of desertion or absence without leave, all three of them being of the type of a return to visit the home family in distress. I should be glad to make any explanations or admissions which these cases might merit, but they are so indefinitely described in their citation that it has been impossible to identify them, even after a careful search of many records.

As they are criticized, however, on no other ground than that of the severity of the sentences, I think that what has been already here said on the other cases of that sort will serve as a sufficient comment.

8. The next instance cited by the writer in question concerns two death sentences imposed in France for sleeping on post in a front-line trench. There are really three distinct questions involved in these cases: First, whether a sentence of death in all cases of this offense should be the inexorable policy; secondly, whether, if not, these particular cases showed sufficient extenuating circumstances; and, thirdly, whether the cases were fairly and fully tried to get at the facts.

Upon the first question, it is enough here to say that Gen. Pershing especially urged the importance of adopting this policy for the protection of his Army's welfare; and his chief law officer concurred in this message; and that under such circumstances no one could have been criticized for acceding to this urgent request and adhering to the principle handed down by all the fixed traditions of military law. I myself, as you know, was at first disposed to defer to the urgent recommendation of Gen. Pershing; but continued reflection caused me to withdraw from that extreme view; and some days before the case was presented for your final action the record contained a recommendation from me pointing in the direction of clemency.

Upon the second question it can be stated that, except for the youth of the offenders (they were about 20 years of age), there were no special extenuating circumstances. The task laid upon these soldiers was no greater in its exactions that was laid upon hundreds of others at the very same moment in the allied forces doing duty in the trenches. The chief of staff's memorandum states the situation with great force:

"The American Expeditionary Force is confronted by the most alert and dangerous foe known in the history of the world. The safety not only of the sentinel's company, but of the entire command, is absolutely dependent on the vigilant performance of his duties as a sentinel. The safety of that command depends in an equal measure upon the prompt and complete obedience of the different men to the lawful commands of their superior officers. There is no doubt but that the members of this court had had the necessity for the alert performance of the duties of a sentinel strongly impressed upon them at the immediate time of the commission of those offenses. Before daylight on the morning of November 3, 1917, the first attack by the Germans upon the American lines took place. A salient near Artois, which was occupied by Company F of the Sixteenth Infantry, was raided by the Germans, who killed 3 of our men, wounded 11, and captured and carried off 11 more. The very next night—that is, the night of November 3–4, 1917—Pvt. Sebastian was found sleeping on his post, and on the night of the 5th Pvt. Cook was found sleeping on his post. Both of these men belonged to the regiment which had suffered in the German raid of 2d–3d. This condition of affairs presented an absolute menace not only to that portion of the line held by the American troops, but to the French troops in the adjacent sectors."

That the decision to exercise clemency was a sound one I do not doubt. But no candid reader of the record could look upon these cases as anything but a distressing instance of the inevitable mental conflict that arises between the stern necessities of war discipline and the natural human sympathy for men who have incurred the death penalty, a conflict which equally agitates every civil judge and every civil executive when such a case is presented for his action. It is unconscionable that this situation should be cited as a pecularity of the military system.

The third question—whether the case was fairly and fully tried so as to present all the facts—would require too extended a survey for giving all the details here. I content myself with assuring you (what you, indeed, know already) that the record was scrutinized by several of the most experienced judge advocates of my staff as well as by myself personally, and that, although the cases were not tried as thoroughly as they could and should have been tried, where the death penalty was involved, nevertheless no reversible error was found and there was no doubt of the facts in either case. The only issue in this case was the severity of the sentence as above mentioned.

9. The writer also cites, in the same connection, two other cases coming at the same time from France; in these the death sentence was imposed for refusal to drill. The circumstances indicated an obstinacy amounting to aggravation. But it was decided by you that clemency should be exercised to the extent of commuting the sentences to three years' penal servitude. And as the writer of the article in question makes no tangible criticisms, but merely couples these cases with the foregoing two, I pass them over.

It should be noted, however, as a sample of the writer's unfair presentation, that he is incorrect, in point of fact, in asserting that "upon their plea (of guilty) alone these two men were sentenced to death." Both men were tried upon testimony adduced by the prosecution after their plea of guilty was entered; both men declined to call any witnesses in denial or in extenuation. The scantiness of the record, however, was of itself sufficient ground for exercising clemency.

10. The remaining case cited in the newspaper article read into the RECORD by Mr. SIEGEL is that known as the "Texas mutineers'" case (record No. 106663, tried at Fort Bliss, Tex., Sept., 1917). The criticism made upon this case is that certain sergeants, having been ordered under arrest by a young officer for a very minor offense, were afterwards, while still under arrest, directed to drill; but as the Army Regulations, properly construed, do not authorize noncommissioned officers to be required to attend drill formations while under arrest, the sergeants declined to drill as ordered. For this disobedience they were found guilty of mutiny and sentenced to dishonorable discharge and imprisonment for terms of between 10 and 25 years.

Now, it may be at once and unreservedly admitted that this was a genuine case of injustice, and that the injustice was due to an overstrict attitude of military officers toward discipline, for it is conceded by all that the young officer who gave the order to drill was both tactless and unjustified in his conduct, and it is conceded that the commanding officer who reviewed and approved the sentence was a Regular Army officer of long experience who failed to appreciate the justice of the situation. That this case illustrates the occasional possibility of the military spirit of discipline overshadowing the sense of law and justice is plain enough. But that it indicates any general condition can not for a moment be asserted.

Moreover, this very case serves also to illustrate the essentially law-enforcing spirit which dominates in the office of the Judge Advocate General. The impropriety and illegality of the sentence in this case was immediately recognized when the record arrived in the office for review. One opinion was prepared pointing out the irregularity and injustice, and directing that the findings be set aside. But the legality of such a direction was questioned, in the fact of a ruling by the Attorney General of the United States many years ago that a sentence of court-martial, once executed, can not be set aside even by the President himself. This raised the general question of the authority of the Judge Advocate General not merely to recommend for clemency (which would not have been an adequate redress for the convicted men in this case), but to direct the setting aside of the findings in a judgment of a court-martial for legal error where the sentence had been already executed (namely, in this case, the sentence of dishonorable discharge). The Secretary of War having sustained the doubt as to the authority of the Judge Advocate General to take such radical action, clemency was extended by the President releasing the men from confinement and restoring them to duty within about two months from the date of their conviction. At the same time a new measure was adopted by the Secretary of War in the shape of General Order No. 7, War Department, 1918, taking effect February 1, 1918, which prevented the recurrence of such instances by directing that the commanding general, upon confirming a sentence of death or officer's dismissal or dishonorable discharge should suspend the execution of the sentence pending a review of the case in the office of the Judge Advocate General. Thus immediate measures were taken to go as far as could be gone under the law, as conceded on all hands, to prevent the recurrence of the situation presented in the Texas mutiny case.

Meanwhile, in order to make more ample and unquestioned the authority of the Judge Advocate General over court-martial trials in matters of legal error, a bill amending the Federal statutes was drafted and was sent on January 19, 1918, by the Secretary of War to the chairmen of the Senate and House Military Affairs Committees. Subsequently the Judge Advocate General testified at some length before the House Military Committee in support of this bill. During the year that has elapsed since the dispatch of that proposed amendment neither the Senate nor the House committee has seen fit to take action upon the proposed legislation. It is therefore apparent that, to the extent that there may exist to-day any doubt as to the amplitude of the authority to reach out and control these legal errors occurring in court-martial proceedings and to the extent that it may be desirable to amplify that authority beyond present terms of the law, the responsibility for failure to take such action is to be laid not at the door of the Judge Advocate General's office, but at the door of the Military Affairs Committees of Congress.

II. *General principles and methods in military justice.*

Assembling the various criticisms of a general nature contained in Senator CHAMBERLAIN'S remarks, they seem to be reducible to the following six heads:

1. That a soldier may be put on trial by a commanding officer's arbitrary discretion without any preliminary inquiry into the probability of the charge.

2. That commanding officers do thus put on trial a needlessly large number of trivial charges.

3. That the courts-martial themselves, as a rule, impose sentences which are excessively severe and inequitably variant.

4. That the Judge Advocate General's office either partakes in the same attitude or makes no attempt to check it by revisory action.

5. That such attempts as the Judge Advocate General's office does make are fruitless, because its rulings are recommendatory only and are either ignored by the division commanders or vetoed by the chief of staff.

6. That the general treatment of accused soldiers is not according to the rigid limitations of law as embodied in the criminal code, but is according to the arbitrary discretion of the commanding officer in each case.

It is my belief that the candid study of the facts will show that all six of these assertions are incorrect as representing the general conditions and apart from occasional individual cases. But before setting forth the recorded facts bearing upon the correctness of the above six assertions, some general features should be kept in mind as positive features of protection for the accused, possessed by military justice, and wholly or substantially lacking in civil justice.

(a) In military justice there is automatically a double examination of every serious case in the nature of appellate or revisory action by superior and supreme authority. This is in sharp contrast to civil justice, where there is no appellate or revisory action unless the accused insists on it. Every soldier is assured of this double safeguard against illegal or unfair condemnation. The proceedings, except in case of inferior courts, are taken down verbatim, and every word of the testimony, every ruling of the court, and every claim of the counsel is submitted first to the reviewing authority in the field and next to the revisory authority at Washington. The reviewing authority has for his legal adviser a commissioned judge advocate of the rank of major or lieutenant colonel, and since September, 1917, almost all of these have been lawyers of high standing, fresh from civil life, and imbued with the standards and traditions of civil practice rather than those of the Regular Army; hence likely to give fully as careful scrutiny as any civilian judge would give. On arriving at Washington for the second scrutiny, the records go to a staff composed 95 per cent of officers fresh from civilian life, ranking major to colonel. The record goes first for

scrutiny to a single officer of the military justice division, who prepares a full summary and recommendation; then to a board of review of three officers, who approve or modify the recommendation; then to the chief of division, who again scrutinizes and approves or modifies; and finally to the Judge Advocate General or Acting Judge Advocate General, who appends his signature if satisfied. Every general court-martial case thus obtains this thorough scrutiny in two separate stages, or virtually four distinct stages. No such guaranties exist in any civilian court of the United States or probably of the world.

(b) Every military sentence as to period of confinement is virtually indeterminate, i. e., it has no minimum, and it can later be reduced to a few months or nothing. After a prisoner's sentence is affirmed he is entitled to ask for clemency every six months. Such application is forwarded automatically by the prison superintendent to Washington and comes to the Judge Advocate General's office for recommendation. The whole record is then again reviewed. How extensively this method results in commuting sentences will be shown later. The clemency section of the Judge Advocate General's office automatically acts on all such applications. Thus there is a further opportunity for correcting possible errors.

(c) The foregoing safeguards are applied without any expense to the accused. Here again is a feature wholly unknown to civilian justice. Reformers have for generations urged that civilian justice give to accused persons the fullest benefit of appellate revision without cost. They have never succeeded. But military justice already possesses this beneficent feature.

In examining the system of military justice, therefore, to see whether it permits results and methods contrasting unfavorably with our notions of civilian justice, let it be kept in mind from the outset that the American system of military justice starts with three great safeguards which are lacking in civilian justice, viz, an automatic double appellate review of every case before sentence is executed, a virtually automatic third review after sentence, and the application of these safeguards without reference to the accused's ability to raise money to pay for them.

I now take up the supposed general shortcomings alleged in Senator CHAMBERLAIN'S remarks:

1. PUTTING ON TRIAL WITHOUT PRELIMINARY INQUIRY.

Every system of penal justice has some method of insuring the exercise of caution by a responsible officer in scrutinizing an accusation before an accused is put to the necessity of defending himself by a formal trial. The traditional method inherited by us in civilian justice, for serious offenses, is the presentment of a grand jury. This method has now proved cumbrous and ineffective; it has been abandoned in a majority of our States. The modern method of those States is a so-called information by the official State prosecutor, filed after such inquiry as he sees fit to make. This modern method is the one to which France and other continental nations arrived some centuries ago, about the time when England developed the grand jury instead. This modern American method is also the one used in our courts-martial; it arrived in the Anglo-American military system some centuries ago by adoption from Scotland, which itself had adopted the French system; for the French were the great military nation of three centuries ago.

By this Anglo-American military system some officer must file charges before any soldier can be tried. This protection is invariable. Often the judge advocate, as legal adviser, additionally scrutinizes a serious charge before it is filed. This is exactly the protection given by the State official prosecutor in the modern American method. How essential and thorough is this protection can only be appreciated by perusing the strict terms of the law and regulations. Paragraph 62 of the Manual for Courts-Martial reads:

"By the usage of the service all military charges should be formally preferred by—that is, authenticated by the signature of—a commissioned officer."

Paragraph 75 reads:

"Submission of charges: All charges for trial by court-martial will be prepared in triplicate, using the prescribed charge sheet as a first sheet and using such additional sheets of ordinary paper as are required. They will be accompanied—

"(a) Except when trial is to be had by summary court, by a brief statement of the substance of all material testimony expected from each material witness, both those for the prosecution and those for the defense, together with all available and necessary information as to any other actual or probable testimony or evidence in the case; and

"(b) In the case of a soldier, by properly authenticated evidence of convictions, if any, of an offense or offenses committed by him during his current enlistment and within one year next preceding the date of the alleged commission by him of any offenses set forth in the charges.

"They will be forwarded by the officer preferring them to the officer immediately exercising summary court-martial jurisdiction over the command to which the accused belongs, and will by him and by each superior commander into whose hands they may come either be referred to a court-martial within his jurisdiction for trial, forwarded to the next superior authority exercising court-martial jurisdiction over the command to which the accused belongs or pertains, or otherwise disposed of as circumstances may appear to require."

Paragraph 76 proceeds:

"Investigation of charges: If the officer immediately exercising summary court-martial jurisdiction over the command to which the accused belongs or pertains decides to forward the charges to superior authority, he will, before so doing, either carefully investigate them himself or will cause an officer other than the officer preferring the charges to investigate them carefully and to report to him, orally or otherwise, the result of such investigation. The officer investigating the charges will afford to the accused an opportunity to make any statement, offer any evidence, or present any matter in extenuation that he may desire to have considered in connection with the accusation against him. (See par. 225 (b), p. 112.) If the accused desires to submit nothing, the indorsement will so state. In his indorsement forwarding the charges to superior authority, the commanding officer will include: (a) The name of the officer who investigated the charges; (b) the opinion of both such officer and himself as to whether the several charges can be sustained; (c) the substance of such material statement, if any, as the accused may have voluntarily made in connection with the case during the investigation thereof; (d) a summary of the extenuating circumstances, if any, connected with the case; (e) his recommendation of action to be taken."

It will therefore be seen that the regulations require the strictest scrutiny by a responsible officer before any accused can be put on trial by a court-martial.

In Senator CHAMBERLAIN'S remarks occurs the following sentence: "The commanding officer may, without any investigation of the circumstances, order a man tried by court-martial; in the French Army such cases are not sent to trial until investigation can determine whether the man ought to be tried." How is it possible for such an assertion to be made in the face of the law and regulations represented in the quotation above from paragraph 76 of the manual? The safeguard contained in our manual of military justice stands on exactly the same footing with the safeguard contained in the modern method of the State prosecutor and of the French system as cited by Senator CHAMBERLAIN.

But whatever may be the law and the regulations, doubtless it may be asserted that the regulation is not obeyed in spirit. This is, in fact, the precise assertion of Senator CHAMBERLAIN in a further paragraph of his remarks; and to that assertion I now come.

2. EXCESSIVELY LARGE NUMBER OF TRIVIAL CHARGES.

It is asserted by Senator CHAMBERLAIN that commanding officers direct the filing of trivial charges in excessively large numbers. His precise language is: "It is not surprising, under the circumstances, that there are too many trivial cases sent to trial by court-martial."

Let us examine this assertion in the light of the facts of military justice during the past year, as shown by the records.

The United States military forces raised up to November 11, 1918, numbered some 4,185,000; of these about 290,000 were already in service at the opening of the war, of whom 127,000 were in the Regular Army. Thus over 90 per cent were new men, fresh from civilian life. It must be taken for certain that their unfamiliarity with military discipline and the novelty of its rigid restraints would produce an unusual proportion of minor breaches of discipline. In other words, if commanding officers had been merely as strict and rigorous as with the Regular Army before the war in pursuing minor breaches of discipline with court-martial charges, the ratio of trials would be at least as great and presumably far greater than before the war and the accession of the new Army.

But the facts show, on the contrary, that commanding officers must have been far less strict and rigorous than before.

Let us take first the serious charges brought before general courts-martial. The printed report of the Judge Advocate General for the fiscal year 1918 shows that the total number of general court-martial trials in the Regular Army of 127,000 in the year ending June, 1917, was 6,200, or about 1 for every 20 men; while the total in the entire Army for the year ending June, 1918, was less than 12,000, or only 1 for every 200 men (the military forces on May 31 numbering 2,415,000); and during the last six months of 1918 the total was 7,624, or at the rate per annum of only 1 for every 275 men (the military forces on Nov. 11, 1918, numbering 4,185,000). As to special courts-martial for the lesser offenses the number in the Regular Army for the year ending June, 1917, was 2,970, or 1 for every 42 men, while for the year ending June, 1918, it was 14,700, or only 1 for every 165 men. Moreover, as between the Regular Army and National Guard and the National Army or new drafted men, the number of general courts-martial for the year ending June, 1918, was 10,363 for the former and only 1,660 for the latter, or 1 for every 107 men in the Regular Army and National Guard (numbering on May 31, 1918, some 1,112,000, and composed in part of seasoned men), but only 1 in every 800 men for the National Army (numbering on May 31, 1918, some 1,333,000, and composed entirely of new drafted men), showing conclusively that commanding officers were more lenient and liberal with the men fresh from civilian life.

Turning now to the "trivial offenses" referred to by Senator CHAMBERLAIN, they are covered by the summary courts-martial, representing the extremely petty disciplinary penalties not requiring a review by the division commander. The number of trials for the Regular Army, viz, 48,000 in 1917 (rising from an average of 38,000 for 10 years past, due to a proportionate increase in the size of the Regular Army), rose in the year ending June, 1918, to only 212,000, or slightly more than four times the number, although the entire military forces in the year ending June, 1918, rose to 2,415,000, or nineteen times the former size. In short, the petty disciplinary penalties dropped from a ratio of 1 to each 2.7 men to a ratio of 1 to each 11.4 men, or a decrease for 1918 to less than one-quarter of that of 1917.

There could be no more conclusive demonstration that commanding officers, though faced with a situation full of inducement to rigor in enforcing discipline among raw and untrained men, did, in fact, use remarkable consideration and self-restraint in not resorting to the instrumentalities of courts-martial. The facts show, therefore, precisely the opposite of the condition asserted by Senator CHAMBERLAIN.

3. SEVERITY AND VARIABILITY OF SENTENCES BY COURTS-MARTIAL.

The severity and variability of the sentences are two distinct features, and I shall therefore take them up separately, and under each of the two heads I shall further set forth the facts according to the respective offenses, because there can hardly be a common standard of either severity or variability for all offenses. In order to abridge my presentation I have taken the nine most common military offenses. In the tables of figures appended to this letter will be found the detailed data, to which I shall refer in the text of my letter.

(1) Severity of sentences: In considering the severity of sentences it is, of course, necessary to examine separately the different offenses, since obviously the appropriate punishment varies widely for offenses of different moral culpability and different danger to military discipline.

(a) Desertion: No one can approach the subject of sentences for desertion in time of war without keeping in mind the solemn and terrible warning recorded expressly for our benefit by Brig. Gen Oakes, acting assistant provost marshal general for Illinois, as set forth in his report printed in the Report of the Provost Marshal General for the Civil War (pt. 2, p. 29). In impressive language he lays the following injunction upon us:

"Incalculable evil has resulted from the clemency of the Government toward deserters. By a merciful severity at the commencement of the war the mischief might have been nipped in the bud and the crime of desertion could never have reached the gigantic proportions which it attained before the close of the conflict. The people were then ardent and enthusiastic in their loyalty and would have cheerfully and cordially assented to any measures deemed necessary to the strength and integrity of the Army. They had heard of the Rules and Articles of War, and were fully prepared to see * * * that deserters from the Army would be remorselessly arrested, tried by court-martial, and, if guilty, be forthwith shot to death with musketry.

"This was unquestionably the almost universal attitude of the public mind when hostilities began, and the just expectations of the people should not have been disappointed. Arrest, trial, and execution should have been the short, sharp, and decisive fate of the first deserters. * * * The Government was far behind the people in this matter, and so continued until long and certain immunity had thrown such swarms of deserters and desperadoes into every State that it was then too late to avert the calamity. * * * I state these things so that if we have another war the Government may start right—put deserters

to death, enforce military law, strike hard blows at the outset, tone up the national mind at once to a realization that war is war, and be sure that such a policy will be indorsed and sustained by the people.

"There are other suggestions to be made in respect to deserters, but the one I have already advanced—the nonenforcement of the penalties provided by the military code for the crime of desertion, especially at the beginning—is, beyond all question, the grand fundamental cause of the unparalleled increase of that crime and of the inability of district provost marshals, with their whole force of special agents and detectives, to rid the country of deserters."

This solemn warning was naturally in our minds at the opening of the present war. But, in spite of its urgency, it was decided to exhibit our faith in the American people and to place our trust in that loyalty and devotion to duty which we felt sure would characterize the vast majority of to-day's young American manhood. We believed that the "short, sharp, and decisive fate of the first deserters" should not be the extreme penalty as urged by Gen. Oakes. And the view was generally accepted in the Army that terms of imprisonment should be ordinarily deemed the adequate repressive measure for the few who might need it. And it is a fact that of the 2,025 convictions covered by the figures shown in Table A there is not a single sentence of death for desertion.

It must, therefore, be kept in mind at the outset that the refusal to adopt the policy of death sentences for desertion was in itself a repudiation of the policy of extreme severity, and that the practice of limiting desertion sentences to terms of imprisonment is in itself the adoption of a policy of leniency. There may be a reproach for variability; but reproach for severity must deal with the fact that the policy adopted disregarded the extreme penalty authorized by Congress.

Turning, then, to the recorded facts, we find (Table A) that the total number of convictions for desertions for the year October, 1917–September, 1918, was 2,025; that the average sentence was 7.58 years; that nearly 24 per cent of these sentences were for less than 2 years; that 64 per cent were for less than 10 years; and that only 35.90 per cent were for a greater period than 10 years. The article of war reads: "Any person who deserts shall, if the offense be committed in time of war, suffer death, or such other punishment as the court-martial may direct." It would seem, therefore, that in point of severity the result of court-martial sentences for desertion can not be charged with erring on the side of severity.

You will notice that I do not here attempt to account for the justice of individual cases. Certain of the sentences for 25 years or even for lesser periods are open to criticism as excessively severe under the circumstances of the individual case. But it must be kept in mind that these trials and sentences were found legally valid by the Judge Advocate General's office; that the only issue of doubt that could arise concerns the quantum of the sentence; and that the scrutiny of the clemency section in the Military Justice Division of the office may be relied upon to detect cases of excessive severity before any substantial portion of such a sentence has been served. Indeed, by the plan already this month sanctioned by yourself and announced to the public, there is now proceeding a general revision of sentences which will include in its scope the majority of all sentences, and not merely the excessively severe ones. But the excessive severity of an individual sentence is not the question here; that question would call for the scrutiny of the particular case. The question here is of general conditions. What the above figures show in respect to general conditions, or the trend of conditions, is that the practice has been one of relatively moderate penalties instead of the severest one permissible under the law.

(b) Absence without leave (Table A, No. 2): Absence without leave is an offense which represents, in many instances, cases of actual desertion; but, owing to the movements of the military unit and thus the difficulty of obtaining the necessary technical proof, the actual deserter is frequently convicted of no more than an absence without leave. It is, therefore, plain that the offense of absence without leave may, upon its circumstances, merit an extremely severe penalty, equal to that of desertion. In time of war this offense may lawfully be punished by any penalty short of death; in time of peace a presidential order limits the maximum penalty to six months' confinement.

For the year ending September, 1918, the total convictions for this offense numbered 3,362; the average sentence was 1.59 years (or only three times the small maximum allowed in peace times); 11 per cent of the offenses received no penalty or imprisonment; 67 per cent received a sentence of less than 2 years imprisonment; and only 22 per cent received a penalty of more than 2 years in prison. When it is remembered, as above pointed out, that this offense is in many cases virtually the offense of an actual deserter, it will be seen that the number of the sentences over two years may not be disproportionate to the probable ratio of cases individually calling for the higher penalties. An average of 1.58 years for this offense, committed in time of war, can not be deemed an exhibition of severity, where, in fact, the act of Congress establishing the Articles of War leaves the court-martial absolutely untrammeled (short of the death sentence) in the penalty to be fixed to this offense.

(c) Sleeping on post (Table A, No. 3): The offense of sleeping on post is punishable by death in time of war, and in time of peace "any punishment except death that a court-martial may direct." There were two sentences of death imposed by courts-martial in France for sleeping on post in the zone of operations and in the front-line trenches; those two individual cases I have already commented on in the first part of this letter. Of the whole 609 convictions, some 575 of the offenses took place in the United States, where it may be supposed that the highest penalty suitable for forces engaged with the enemy would hardly be applicable. And it is a fact that of the entire 575 there was only one sentence over 15 years and only four sentences over 10 years. For 10 per cent of the sentences no imprisonment at all was prescribed; for 62.40 per cent of the sentences, the period imposed was less than 2 years; and all told, only 27.42 per cent of the sentences were for more than two years. Having in view the maximum provisions of the Articles of War, it seems plain that the treatment of this offense by courts-martial can scarcely be called a harsh one.

(d) Assaulting a superior officer (Table A, No. 4). The offense of assaulting an officer is punishable, under the Articles of War, by "Death or such other punishment as the court-martial might direct"; and this irrespective of a state of war or of peace. The total convictions for this offense were only 31, giving an average sentence of 4.10 years; nearly 50 per cent of them being for a period of less than 2 years. Again, one may say that in the face of the capital punishment expressly authorized as a maximum by the Articles of War, courts-martial have not followed a practice which may be characterized as harsh or severe.

(e) Assaulting a noncommissioned officer (Table A, No. 5). The offense of assaulting a noncommissioned officer is liable to "any punishment that the court-martial may direct"; and this irrespective of a state of peace or war. The total number of such convictions was 132; the average sentence was 2.36 years; more than 6 per cent were punished without imprisonment, and more than 57 per cent were punished by imprisonment of less than 2 years. There are half a dozen sentences for upward of 10 years; the justification for these must rest upon their individual circumstances. But the average sentence of 2.36 years, compared with the maximum allowable under the Articles of War, can not be admitted to exhibit a general disposition to severity, but quite the contrary.

(f) Disobeying a noncommissioned officer (Table A, No. 6). The disobedience of the lawful order of a noncommissioned officer is by the Articles of War placed under the same penalty as the assaulting of a noncommissioned officer, that is, the court-martial has complete discretion in choosing the penalties, except that of death. The total number of convictions was 411, and the average sentence was 3.04 years; 8.27 per cent of sentences gave no period of imprisonment; 50 per cent gave a period of less than 2 years.

In itself, this average sentence, comparing it with the maximum allowed by the Articles of War, can not be referred to as a severe one. It is notable, however, that this offense of disobeying a noncommissioned officer, received a higher average of sentence, viz, 3.04 years, than the apparently more heinous one of assaulting a noncommissioned officer, viz, 2.36 years. It may be admitted that some explanation remains to be sought for this apparently anomalous result, but it can be pointed out here that the disobedience of a noncommissioned officer is often of a deliberate character, making the offense a highly serious one, whereas the offense of assaulting an officer is often the result merely of a quick temper without any deliberate intention of resistance to authority, and that it thus deserves considerate attention by the tribunal.

(g) Mutiny (Table A, No. 7). There were 51 convictions for mutiny; the average sentence was 7.93 years; 27 per cent fell between 2 and 3 years, and 43 per cent fell between 10 to 15 years; the other sentences scattering over the various percentages. The Articles of War provide that a person guilty of mutiny "shall suffer death or such other punishment as the court-martial may direct," irrespective of a state of peace or war. When committed in its most significant form, it is, of course, the most heinous offense of a soldier. But it may also be committed under much less culpable circumstances. In short, it gives an opportunity for the widest range of discretion in the imposition of sentences. This inherent quality is reflected in the wide range of sentences actually imposed. In view of the fact that, in an army numbering more than 3,000,000 men at the time covered by these records, there were only 51 offenses in the nature of mutiny or related thereto, out of a total number of offenses of 12,472, it is plain that the number of such convictions is extremely small; and it must be inferred that the commanding officers were not seeking relentlessly for offenses that could be characterized as mutiny, and that the offenses actually characterized as such were offenses which well deserved the name. From June, 1917, to June, 1918, when the Regular Army and National Guard together consisted of less than 300,000 men, the total number of convictions for mutiny was 43; and yet with an Army of 10 times the size, the number of convictions for mutiny increased only one-fifth. It seems obvious that the practice of courts-martial during the year of the war could hardly justify a reproach of severity for the offense of mutiny.

(h) Disobeying standing orders (Table A, No. 8): This offense is punishable under the Articles of War by such sentence of imprisonment as the court-martial may direct. The total number of convictions for this offense was 208; the average sentence is 1.96 years; for 12 per cent of the sentences no period of confinement was imposed; for 60.58 per cent a confinement of less than 2 years was imposed; 10.58 per cent of sentences were between 5 and 10 years; the rest scattering in other periods. In view of the maximum limit permitted to the discretion of the court under the Articles of War, and in view of the variety of circumstances effecting the nature of this offense, it can not be said that the tendency of the courts has been to severity.

(i) Disobeying an officer (Table A, No. 9): The offense of disobeying a superior officer is punishable, under the Articles of War, by "death or such other punishment as the court-martial may direct"; it is covered by the same article of war that deals with assault on a superior officer, but obviously it should usually rank as an offense of lower grade. The total number of convictions for this offense was 785; the average sentence was for 4.34 years; 6 per cent of sentences were punished by imprisonment; 43.69 were punished by confinement of less than 2 years; and a trifle over 50 per cent were punished by some period greater than 2 years, there being 1 death sentence and 18 sentences for 25 years or more. It will be noticed that the average sentence for this offense was almost identical with the average sentence for the offense (No. 4 above) of assaulting a superior officer, and that in both cases a little less than 50 per cent of sentences were for periods of confinement less than 2 years. But these two offenses were treated differently with respect to the sentences for higher periods; the bulk of the long-term sentences for assaulting an officer lying between 5 and 10 years, while for the offense of disobeying an officer, they were spread out over the periods between 3 years and 25 years or more. Comparing the absolutely unlimited nature of the punishment permitted by the Articles of War to be imposed by the court-martial, and observing that 50 per cent of these sentences were for periods of under 2 years, it can not be that the tribunals appear to be seeking to exercise the maximum of severity allowable, but rather the contrary.

This completes my survey of the sentences for the nine principal military sentences.

In the foregoing comments it will be noticed that, since a charge of excessive severity implies the habitual resort to a maximum standard allowable under the law, the standard here to be taken must of necessity be the standard set by the Articles of War as adopted by the act of Congress. Judging by this standard, the practices of the court-martial, to any candid observer, must be vindicated from the charge of the habitual employment of severity; rather have they proceeded in a direction of a lenient use of their discretion.

But the mind naturally seeks to test this issue of severity by any other accepted standard that may be available, apart from the intangible standards of individual notions. There appear to be two and only two such other standards available. One is the standard to be gathered from former practice in the Army; the other is the standard to be gathered from civil courts. Neither of these is entirely appropriate; but it is my duty to see what light can be thrown by them upon the present subject.

(A) Former practices of courts-martial: Unfortunately the records available in the printed reports of former years are but scanty in their application to the present purpose. No data as to the length of sentences have been published in the former reports of my office, except in the report for the fiscal year 1917–18, and then only for the offense of

desertion. Taking these data for such light as they may give us (Table XIV, page 31, Report of the Judge Advocate General, 1918), we find that the length of sentence did increase gradually during that year. The figures are as follows:

Desertion.

Month.	Convictions.	Total months' confinement given as part of the sentence.	Average months' confinement (total months' confinements divided by sentences imposed).
1917.			
May	3	48	15
June	8	276	34.5
July	17	560	52.9
August	27	540	22.5
September	44	1,604.75	38.21
October	56	2,521.75	45.85
November	52	1,863	36.53
December	93	5,153	57.26
1918.			
January	203	9,057	48.43
February	202	8,925	50.14
March	202	13,088.75	69.25
April	228	16,906	79.75
May	194	19,109	99.53
June	224	24,399	112.96
Total	1,553	104,051.25	71.02

It will thus be seen that the average sentence for the year ending June, 1918, was almost exactly six years, as compared with an average of 7.58 years for the period October 1, 1917, to September 31, 1918, and that the average of six years for the period May, 1917–June, 1918, started at between two and three years for the first seven months of the war, and then rose steadily until it was reaching nine years in the fifteenth month of the war.

I do not pretend to be able to interpret the significance of this gradual rise in the average length of sentence for the offense of desertion. So many conditions are involved that any one of several hypotheses may account for the circumstance. I content myself with pointing out, as a possible explanation, the principles already quoted from Brig. Gen. Oakes in his report on desertion in the Civil War, viz, it is quite possible that the military tribunals began with an extremely low penalty, but that as the training of the new forces proceeded in camps a general impression obtained that the protection of the Army against the spread of desertion required a somewhat more stringent penalty.

As to any other offenses than desertion, and as to any periods prior to June, 1917, it is not now feasible to ascertain what were the standards of courts-martial sentences in peace-time practices. But inasmuch as a condition of war transforms the whole situation for military discipline and puts into effect the strictest standards of military behavior, it is not possible to presume that the sentence length imposed in former peace-time practice would afford a suitable standard for comparison with war-time practice.

(B) Standard gathered from civil courts: Here it will be necessary to depart from the list of principal military offenses, which have no counterpart in the civil courts, and to resort to the principal civil offenses represented in the military records. The criminal statistics of the United States are but imperfectly organized for study, and the only available record for the present purpose that could be found, after extensive search, in the report of the Director of the Census for 1910, entitled "Prisoners and juvenile delinquents in the United States." Table 42, at page 64, sets forth the variance in periods of sentences imposed for the various civil offenses. Setting these side by side with the sentences imposed for the corresponding offenses by military courts during the year ending September, 1918, the result is shown in the following Table I.

TABLE I.—*Sentences for civil offenses in military and civil courts compared.*

Offense.	Court.		Total.	Life or death.	10 years and over.	5 to 9 years.	2 to 4 years.	1 to 2 years.	Under 1 year.
Forgery	Military	number	223	.....	35	63	69	20	35
		per cent	100	.....	15.7	28.3	30.9	9	16.1
	Civil	number	1,290	.....	43	146	569	323	209
		per cent	100	.....	3.3	11.3	44.1	25	16.3
Perjury	Military	number	14	.....	.....	.....	2	3	9
		per cent	100	.....	.....	.....	14.3	21.4	64.3
	Civil	number	128	.....	1	3	38	49	37
		per cent	100	.....	0.8	2.3	29.7	38.3	28.9
Embezzlement	Military	number	162	.....	22	31	36	23	50
		per cent	100	.....	13.6	19.1	22.2	14.2	30.9
	Civil	number	487	.....	7	22	76	117	265
		per cent	100	.....	1.4	4.5	15.6	24	54.3
Robbery	Military	number	117	.....	42	34	28	3	10
		per cent	100	.....	35.9	29.1	23.9	2.6	8.5
	Civil	number	904	2	192	205	229	133	143
		per cent	100	0.2	21.2	22.7	25.3	14.7	15.9
Larceny	Military	number	1,025	.....	89	131	237	188	380
		per cent	100	.....	8.7	12.8	23.2	18.3	37
	Civil	number	19,136	3	120	393	1,970	2,636	14,014
		per cent	100	.....	0.6	2.1	10.3	13.8	73.2
Rape	Military	number	15	[1] 7	4	2	1	.....	1
		per cent	100	46.6	26.7	13.3	6.7	.....	6.7
	Civil	number	763	[2] 38	181	174	149	117	94
		per cent	100	5	24	23.1	19.8	15.5	12.6
Gambling	Military	number	15	.....	1	3	1	.....	10
		per cent	100	.....	6.7	20	6.7	.....	66
	Civil	number	671	.....	.....	1	7	20	643
		per cent	100	.....	.....	0.1	1	3	95.9
Burglary	Military	number	29	.....	4	8	7	3	7
		per cent	100	.....	13.8	27.6	24.1	10.4	24.1
	Civil	number	4,925	7	227	750	2,015	1,062	864
		per cent	100	0.1	4.6	15.2	40.9	21.6	17.6
Threats to do bodily harm	Military	number	30	.....	5	4	5	3	13
		per cent	100	.....	16.7	13.3	16.7	10	43.3
	Civil	number	235	.....	.....	1	2	14	218
		per cent	100	.....	.....	0.4	0.9	6	92.7
Murder	Military	number	24	[3] 10	4	2	2	3	3
		per cent	100	41.7	16.7	8.3	8.3	12.5	12.5
	Civil	number	937	[4] 814	109	3	7	4	.....
		per cent	100	86.9	11.7	0.3	0.7	0.4	.....
Manslaughter	Military	number	33	.....	[5] 7	5	[6] 9	6	6
		per cent	100	.....	21.2	15.2	27.2	18.2	18.2
	Civil	number	1,437	[7] 24	520	419	341	97	36
		per cent	100	1.6	36.2	29.2	23.7	6.8	2.5

[1] 6 hanged. [2] 3 death. [3] 2 hanged, 2 commuted. [4] 118 death. [5] 3 mitigated. [6] 1 mitigated. [7] 5 death.

In the above table the percentages are the significant items. On the whole, it appears that the percentage of long sentences is greater in the military courts than in the civil courts. For example, in the offense of forgery the sentences of 10 years and over were 15.7 per cent of all sentences, while in the civil courts they were only 3.3 per cent; the sentences for 5 to 9 years were 28.3 per cent, while in the civil courts they were only 11.3 per cent.

But this general trend is marked by so many exceptions that it is hardly open to any general conclusions. For example, in perjury the military court gave a sentence of under one year for 64.3 per cent of the cases, while the civil court gave its lowest sentence in only 28.9 per cent of the cases. Similarly for burglary the military court gave its lowest sentence in a larger percentage of cases than did the civil court. So, too, turning to the highest sentence it appears that murder and manslaughter received less severity of sentence in the military courts than in the civil courts; for murder only 41.7 per cent were sentenced in military courts to the death penalty or life imprisonment, while in the civil courts 86.9 per cent received such penalty; and similarly for manslaughter the percentages of sentence of life imprisonment or imprisonment of 10 years or over or imprisonment from 5 to 9 years were only about half as large as the percentages of the same sentences in the civil courts.

Moreover, it must also be remembered that the moral heinouness and danger of even these civil offenses, common to both codes, varies more or less in military life and civil life. Larceny, for example, which to the civilian mind never receives the deepest measure of reprobation among property offenses, has long been deemed throughout the rank and file of the Army as an intolerable offense, for the safety and mutual confidence of military intimacy as fellow soldiers becomes impossible unless every soldier can be assured that his few and precious belongings can be safely left unguarded in his restricted quarters. In those sections of our country where the horse has always been indispensable to every man's daily occupation, the offense of horse stealing is visited with penalties which seem grossly severe to the residents of other communities; indeed, so far has this principle been carried that in one Southwestern State noted for its splendid horses the law (unless it has been recently changed) permits the owner of a horse to shoot the horse thief while in the act of running away with the property, a privilege

not accorded by the law of any other State. It is undoubtedly due to this sentiment that in the table above the offense of larceny is found to be visited with sentences of more than two years in percentages considerably in excess of the percentages found in the sentences of civil courts.

I mention the foregoing instances only as a preface to the general suggestion that the use of longer terms of sentences in military courts than in civil courts for some of the above civil offenses may well be explained by the exigencies of internal military life and by the habitual standards of military conduct known to all soldiers, rather than by any disposition on the part of military tribunals to impose heavier sentences for offenses of an identical nature.

I close this part of my letter, therefore, by noting that the general practices of courts-martial, judged by the maximum sentences allowable by the military code, must be deemed not to merit the charge of excessive severity and that, in my own opinion, they rather merit the opposite characterization.

This general condition of things, however, I repeat, must, of course, be sharply discriminated from the question of the excessive severity of a particular sentence measured in the light of the circumstances of the individual case. That is a question totally irrelevant to the judgment to be passed upon the propriety of the practices of courts-martial in general, as judged by their average treatment of the offenses coming before them.

(2) Variability of sentence: When we come to the question of variability of sentences we reach a subject which has been the fertile field for complaint and criticism in civil courts for a century past. It is notorious that the independent judgment of different courts and of different juries seems to be characterized by the most erratic and whimsical variety. Such has been the constant burden of complaint in civil justice, and it can hardly be hoped that military justice could escape a similar complaint in some degree. On the other hand, it must always be remembered that here the individual circumstances vary so widely that a variation of sentences is perfectly natural, and that the more variation of figures in itself signifies very little, where the individual circumstances remain totally unknown to the critic. Nevertheless, a variability of sentences for the same offense is something which naturally excites attention and caution, and it should be the object of appellate authorities to equalize the penalties for the same offense where no obvious reason for substantial difference is found. How far the revisory authority of the Judge Advocate General and the clemency powers of the Secretary of War have been effectual to secure such equalization will be noted later in this letter. At the present the inquiry of fact is whether there has been such variability and at what points it has taken place.

Table A, above referred to and annexed to this letter, summarizes for the nine principal military offenses the variance of the sentences; first, by months of the year covered; and, secondly, by jurisdictional areas from which the court-martial records come up for revision. In summary of these variances, it is here to be noted that such variances obviously exist; that these variances are not in themselves any more striking than those that are found in the sentences of civil courts, as already shown in Table B; and that in seeking the possible source of these variances it appears very strikingly that there has been a slight but appreciable increase in the number of higher-period sentences as we come down to the later months of the war; and that, so far as jurisdictional areas are concerned, there have been notable variances which seem, in some cases, to localize the higher-period sentences, for certain offenses, in certain specific areas.

As illustrating the foregoing inferences, it will be sufficient here to take the single offense of desertion. Examining it by months, it will be noticed that the long-term sentences of 10 to 15 years and of 15 to 25 years and over 25 years increase slightly in their ratio to the whole of the sentences for the month as we approach the later months of the year under examination. For example, for the months of October, 1917, to February, 1918, there were no sentences over 25 years, although the number of convictions increased from 55 to 196 (the increase, of course, being due to the much greater ratio in the increase of armed forces). But during the months of April to July, with approximately the same number of convictions, averaging 225, the number of sentences for over 25 years increased from 4 to 9, to 15, and finally to 33. Apparently, therefore, some conditions in the Army changed as the months advanced so as to induce this variance in the direction of higher-period sentences. Just what those conditions were are not even the subject of speculation without a very careful inquiry; merely the fact is here pointed out.

Again, turning to the jurisdictional areas, we find that the Central Department shows about 9 per cent of sentences for over 10 years, while the Eastern Department shows only 3 per cent; that the Twenty-eighth Division, having 21 convictions, imposed no sentences in excess of 10 years, while the Eightieth Division, with exactly the same number of convictions, imposed 14 sentences greater than 10 years.

As further indicating this variance by jurisdiction areas, a glance at the same Table A, under the offense of "absence without leave," shows that in the Twenty-eighth Division, which exhibited the above leniency for desertion, so the offense of absence without leave was given a sentence of under 2 years for 127 out of 140 convictions, while the Eightieth Division, which had shown a large majority of long-term sentences for desertion, was, on the other hand, lenient for the offense of absence without leave, imposing 16 sentences of under 2 years out of 20 convictions. Comparing again the Thirty-sixth and Thirty-ninth Divisions, with substantially the same number of convictions, viz, about 175, one finds that the former imposed about 20 sentences of above 10 years, while the other imposed 101 sentences above 10 years. This same Thirty-ninth Division had also used a majority of higher-period sentences for desertion, whereas the Thirty-sixth Division showed for desertion a record that averaged with the other divisions.

It will be seen, therefore, than in many, if not in most, cases the extreme variance may be traced to difference of practice in the different jurisdictional areas. Just what conditions existed which would justify in the individual cases, or in the general trend of cases, this variance between divisions can hardly be the subject even of hypothesis. But it must be obvious to any candid observer that there do exist wide differences of conditions, not only in the racial and educational makeup of the different camps but also in the morale and necessities of discipline prevailing in different camps. It is well known that the sentences of civil courts for civil offenses vary widely in the different States. For example, in 1910 (census report above cited, p. 50), the percentage of sentences of 10 years or over was 9.7 in the East South Central States, but was only 0.1 in the New England States; in Mississippi it was 22.51, but in California it was only 2.3. This illustration is mentioned merely to suggest that whenever one discovers that variances in sentences have a certain relation to variances in camps or divisions, the subject becomes at once too complex for hasty judgment.

Whatever may have been done or may now be contemplated as to the equalization of sentences by commutation in the way of clemency, I am only concerned here to point out the facts as they are found in the records relative to the action of the courts-martial themselves, and to note that such variances (apart from peculiar individual cases) as are revealed in any noticeable amount, seem to be due most largely to differences of conditions in the different camps, divisions, and other jurisdictional areas, and the greatest caution must be exercised before passing judgment upon such variances as inequitable, without being fully familiar with the conditions operating in those places.

I can not leave this subject without inviting attention to the enlightened tenor of the principles inculcated thoroughly upon the members of courts-martial by the manual which serves as their guide. This manual is required to be studied by all candidates for appointment as officers in the training camp, and a familiarity with its contents is required. Paragraph 342, on the adaptation of punishments, reads as follows:

"In cases where the punishment is discretionary, the best interests of the service and of society demand thoughtful application of the following principles: That because of the effect of confinement upon the soldier's self-respect, confinement is not to be ordered when the interests of the service permit it to be avoided; that a man against whom there is no evidence of previous convictions for the same or similar offenses should be punished less severely than one who has offended repeatedly; that the presence or absence of extenuating or aggravating circumstances should be taken into consideration in determining the measure of punishment in any case; that the maximum limits of punishment authorized are to be applied only in cases in which, from the nature and circumstances of the offense and the general conduct of the offender, severe punishment appears to be necessary to meet the ends of discipline; and that in adjudging punishment the court should take into consideration the individual characteristics of the accused, with a view to determining the nature of the punishment best suited to produce the desired results in the case in question, as the individual factor in one case may be such that punishment of one kind would serve the ends of discipline, while in another case punishment of a different kind would be required."

It is confidently believed that the principles thus inculcated upon members of the courts-martial will be found not to have been substantially departed from when tested by the results shown in the above figures for 1917–18.

4. ATTITUDE OF THE JUDGE ADVOCATE GENERAL'S OFFICE AS TO SEVERE OR VARIABLE SENTENCES.

The distinct implication running throughout the remarks of Senator CHAMBERLAIN is that there is no central authority which can check, equalize, and correct such severity or variability as may be found to be excessive; in other words, that the Judge Advocate General's office, charged with the duty of revising these court-martial records, either acquiesces in the results of the court-martial sentences as approved by the reviewing authority of the division or department or makes no attempt to check any excesses by revisory action.

It is necessary therefore to emphasize what has been already pointed out above, that the Judge Advocate General's office scrutinizes the court-martial records for the very purpose of discovering not only errors of law or procedure but also excesses of sentence. The law section of the Military Justice Division besides scrutinizing the records for errors of law or procedure has from time to time made recommendations, when sending back the record to the reviewing authority, that the sentence be revised. But, furthermore, the clemency section of the Military Justice Division occupies itself exclusively with the scrutiny of records after the man's confinement has begun and an application for clemency has been filed.

But it is not enough to point out the existence of these powers and practices of the Judge Advocate General's office. Inquiring into the results to see what the facts show I ask: To what extent has the Judge Advocate General's office called for a reduction of sentence by recommendation of clemency to the Secretary of War?

(1) The extent of such recommendations as to number of sentences will be found by taking the total number of sentences for all offenses classified by length of term, noting the number of these sentences recommended for reduction by clemency by the Judge Advocate General's office, and then reckoning the percentage of offenses of each length thus reduced. This gives the following results:

TABLE B.—*Distribution of sentence reductions by Judge Advocate General's office according to length of original sentence.*

	Total sentences, by length of terms, for 9 principal military offenses, Oct. 1, 1917–Sept. 30, 1918.	Sentences recommended by Judge Advocate General's Office for reduction, 9 principal military offenses, Jan. 1–Dec. 31, 1918.	
	Number.	Number.	Per cent.
Total	7,624	947	12.42
Below 2 years	3,886	330	8.49
2 to 3 years	483	174	36.02
3 to 5 years	482	135	28.00
5 to 10 years	1,064	197	18.51
10 to 15 years	626	68	10.86
15 to 25 years	373	33	8.84
25 years or more	159	10	6.28

The important thing to notice about the table is that it shows 12 per cent of the total sentences to have been reduced by clemency exercised on recommendation of the Judge Advocate General. I see no reason to doubt that this 12 per cent is ample enough to cover all the individual cases in which an excessive severity would have been apparent on the face of the record.

The above table shows the reduction in its relation to the sentences of different lengths. The table shows that the largest percentage of reduction occurred in the sentences of medium length, and that the smallest percentages of reduction occurred in the sentences of shortest and of longest periods.

This result is perfectly natural and appropriate. The shortest sentences are those in which there would be the least call for reduction by clemency on the ground of excessive severity. The longest sentences are those in which the reduction on the ground of excessive severity would presumably not bring them to an extremely low period and therefore in which the time for recommending such reduction had presumably not arrived.

(2) How much total reduction did this action effect in the total length of all the sentences acted upon? This will afford some gauge of the thoroughness of the action in the nature of clemency. Table C below shows the number of sentences recommended for reduction, the total years of the original sentences, the total years reduced on recommendation of the Judge Advocate General's office, and the net years of sentence as actually served. The figures are given for the nine principal military sentences, as well as for the total thereof.

Referring to the table for details as to the specific offenses, I will point out here merely that the total reduction effected was a reduction of 3,876 years out of an original period of 4,331 years, or a reduction of 89⅓ per cent. In other words, action of this office, in effecting reductions in the 1,147 sentences selected on their merits for reduction, cut them down to 10.50 per cent of their original amount. Presenting the same result in another form, the same table shows that the average original sentence of these 1,147 sentences was for a period of 3.78 years (or nearly four years), and that the average sentence as reduced was only 0.40 of one year, or less than five months.

These figures as to reduction effected in the length of the sentences demonstrate that the action of this office was a radical one, and must have served to eliminate the excessive severity in those sentences. That the sentences selected for such recommendations of clemency included all of the sentences meriting the term "severe," neither I nor anyone else would be in a position either to affirm or deny without a consultation of every record. But I think that it is fair to assume that the scrutiny of the officers of the Judge Advocate General's staff presumably included all of those cases in which an excessive severity was obvious on the face of the record.

TABLE C.—*Reductions of sentences recommended by clemency division, Judge Advocate General's office, according to amount of reduction, Jan. 1, 1918, to Dec. 31, 1918.*

Offenses.	Number of court-martial sentences, Oct. 1, 1917, to Sept. 30, 1918.	Number of sentences recommended by Judge Advocate General's office for reduction.		Years of original sentence in cases selected for recommendation.		Total years reduced on recommendation of Judge Advocate General's office.		Net years of sentence as served.		Per cent of averages.
		Number.	Per cent.	Number.	Average.	Number.	Per cent on column 3.	Total years.	Average in years.	
Total offenses	12,472	1,147	9.20	4,331.28	3.78	3,876.69	89.50	454.59	0.40	10.50
Desertion	2,025	577	23.49	2,193.49	3.80	2,056.56	93.76	136.93	.24	6.24
Absence without leave	3,362	112	3.33	361.67	3.23	313.72	86.74	47.95	.43	13.26
Sleeping on post	609	63	10.34	187.08	2.97	150.14	80.25	36.94	.59	19.75
Assault and attempt to assault	173	34	19.65	135.00	3.97	108.09	80.07	26.91	.79	19.93
Mutiny	51	10	19.61	49.00	4.90	46.81	95.53	2.19	.22	4.47
Disobedience, disrespect, disloyalty	1,404	151	10.75	567.17	3.75	454.57	80.15	112.60	.75	19.85
Disobedience of regulations	208	46	22.16	192.75	4.19	116.07	60.22	76.68	1.67	39.78
Disobedience of orders	1,196	105	8.78	374.42	3.57	338.50	90.41	35.92	.34	9.59
Miscellaneous, forgery, larceny, etc	4,848	100	4.13	537.87	4.19	746.80	89.13	91.07	.46	10.87

5. EFFECTIVENESS OF RECOMMENDATIONS OF THE JUDGE ADVOCATE GENERAL'S OFFICE.

But the foregoing demonstration of the extent of mitigation of severity effected by the Judge Advocate General's Office, through its recommendations, is vain and meaningless, according to Senator CHAMBERLAIN. In his remarks I find it repeatedly asserted and implied that the commanding officer of the division or department—in technical expression, the reviewing authority—is not obliged to follow and does not follow these recommendations. "Court-martial sentences found by the reviewing authorities to be null and void for want of jurisdiction," he states, "have been allowed to stand." "The military commander is not obliged either to ask for legal advice or to follow it when he has asked for it and it has been given to him by responsible law officers of the Army." "Courts-martial should be required to accept the interpretation of the law by a responsible law officer."

Here again we have arrived at a simple question of fact. There is, to be sure, a question of legal theory involved. The records of courts-martial come to the Judge Advocate General to "revise"; and what legal effect this "revision" ought to have in theory is a mooted question of law and policy on which it is needless to enter here. Suffice it to say that a difference of view exists and that the judgment expressed by the Judge Advocate General in his appellate capacity is customarily phrased in terms of a recommendation to the commander in the field. But this question, after all, like many questions of fundamental principle, may become practically irrelevant in the light of the facts. The assertion made in Senator CHAMBERLAIN'S remarks is an assertion of fact, viz, that the commanding officer does not follow the legal advice which is given him and does not accept the rulings of the responsible law officer.

On the question of fact, let the facts themselves answer.

The cases fall necessarily into two groups. One class of cases coming to the Judge Advocate General for revision under United States Revised Statutes, section 1199, the thirty-eighth article of war, and General Order No. 7, January, 1918, require and receive no other revision or approval than that given by the Judge Advocate General. The other class of cases includes all sentences of death and of dismissal of officers, which, under the forty-eighth article of war, require confirmation by the President, as well as certain other cases in which error of law has been found, but the execution of the sentence has not been suspended by the reviewing authority. The former class of records go directly back from the Judge Advocate General to the reviewing authority in the field; the latter class of cases go from the Judge Advocate General through The Adjutant General and the Chief of Staff to the Secretary of War, and sometimes to the President. The question of fact is, therefore, in what proportion of cases does purely military authority fail to give effect to these revisory rulings of the Judge Advocate General?

The results in both classes of cases are shown in the following Table D:

TABLE D.—*Effect of action of Judge Advocate General's office, October, 1917, to September, 1918.*

Cases recommended for modification or disapproval on legal grounds.[1]	Number of cases.	Recommendations given effect.		Recommendations not given effect.	
		Number.	Per cent.	Number.	Per cent.
To reviewing authority	125	121	96.8	4	3.2
To War Department	141	135	95.7	6	4.3
Total	266	256	96.2	10	3.8

[1] Does not include a few cases in which the recommendation referred only to the place of confinement.

It thus appears that out of a total for the period covered of 266 cases recommended by the Judge Advocate General for disapproval on legal grounds, there were only 10 cases in which the Judge Advocate General's ruling was not followed; of these cases, 4 were not followed by the reviewing authority in the field, and 6 were not followed in the Secretary of War's Office.

In the light of these facts, I think I am justified in asserting that the records disclose no foundation for the assertion which Senator CHAMBERLAIN has been led to make. It is not a fact that the military commander or that any military authority proceeds to follow out the dictates of his own discretion regardless "of the interpretation of the law by a responsible law officer," nor that he fails to follow the legal advice "when he has asked for it and it has been given to him by the responsible law officers of the Army." Whatever may be the legal theory of the function now placed by statute in the Judge Advocate General as the law officer or appellate tribunal for military justice in the Army, that theory becomes virtually immaterial in the light of the facts during the period of the war. The state of things supposed by the Senator to exist, simply does not exist. Virtually the recommendations of the Judge Advocate General are given practical effect in the same manner as the trial courts in civil justice give effect to the mandate of the supreme court of the State.

6. MILITARY LAW AS DEPENDENT ON THE MILITARY COMMANDER'S DISCRETION.

But this brings me naturally to the last and most general assertion contained in the Senator's remarks, viz, that the general treatment of accused soldiers is not according to the strict limitations of law as embodied in the military penal code, but is made to depend upon the arbitrary discretion of the commanding officer in each case; or, to use the Senator's own language, "the records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the name of law or justice; we have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer."

As a concrete demonstration of the incorrectness of this assertion, the foregoing facts, taken directly from the records of the courts-martial, appealed to by the Senator, must suffice as a principal refutation. And yet the Senator's remarks call for more than the citation of concrete facts to the contrary. I will, therefore, take the opportunity to point out briefly what general difference does exist between military justice and civil justice.

The substance of my counter assertion is that although the theory of military justice does differ slightly from the theory of civil justice, yet in substance and in practice both of them, in our inherited Anglo-American system, are fundamentally identical, in that justice is founded upon and strictly limited by the requirements and safeguards of strict rules of law.

The only kernel of correctness in the abstract statement of Senator CHAMBERLAIN is that the theory of military justice is in its general purpose somewhat different from the theory of civilian criminal justice. The contrast of theory between the two is well set forth in a statement of Gen. William T. Sherman, made 30 years ago, in discussing our Articles of War:

"The object of the civil law," he says, "is to secure to every human being in a community the maximum of liberty, security, and happiness, consistent with the safety of all. The object of military law is to govern armies composed of strong men, so as to be capable of exercising the largest measure of force at the will of the Nation."

This definition of Gen. Sherman shows that the objects to be attained are different, in that military justice aims to make the man a better soldier or to eliminate him from the military organization if he can not be improved, while civilian justice looks to the ultimate protection of the community at large.

But, once this difference of theory and purpose is conceded, the two systems proceed in identical method, viz, by the application of strict

rules and regulations so drawn as to give equal and fair treatment to all men, and to protect them against mere arbitrary discretion on the one hand, and the inflexible rigor of automatic penalties on the other hand.

The former end is attained by a system of courts, procedure, and definitions of offenses, which contains the counterpart of civilian justice in virtually every respect; and which, as already noted, is superior to the civilian system in its ample provision for automatic appellate review in every case. These rules and regulations are fully set forth in the Manual for Courts-Martial; every officer is required to be familiar with this; and a new edition of 50,000 copies, revised to date, was just printed in October.

The other aim, to protect the offender from the harsh consequences of a rigid system of penalties, is secured by the method of indeterminate sentences, i. e., virtually a probationary sentence for every man whose offense is not so heinous as to require immediate separation from the Army. For seven years past military justice has possessed an indeterminate sentence and probation system which is in advance of that of any State of the Union; for it possesses virtually no minimum limit. How effective it is in mitigating and commuting the sentences originally imposed has been seen in the figures already set forth.

The system of military justice thus established is one of law and orderly procedure, not one of arbitrary discretion of the commanding officer. The proceedings are so conducted as to preserve for scrutiny of the superior authority every point of law which can possibly be raised for the protection of the accused. The accused is furnished a copy of the proceedings on request. This record goes up to the reviewing authority, and then to the Judge Advocate General. The Judge Advocate General's rulings on revision represent the application of all those legal principles which are required by law and regulations to be observed—definition of offenses, organization of the court, due procedure, sufficiency of proof, limitations of penalty, and so on. And the judgment of the Judge Advocate General, embodying those principles, is practically enforced and put into effect by the commanding officers with virtually the same effect as the decision of an appellate civilian court. The picture drawn of an arbitrary commanding officer contemptuously ignoring the limitations of law as embodied in the opinion of the Judge Advocate General is incorrect. In justice to officers of the Army who have in the stress of war acted as convening authorities it should be dismissed from the minds of the American people.

The foregoing figures and facts amply show this. But another and convincing way to understand it would be to read a few records from the Judge Advocate General's office. They bear all the familiar marks of a record in any civilian court of criminal appeal. Except for the subject being a military offense, the spirit permeating them is essentially not different from that of the records of a civilian court—the same raising of legal questions as to the allegations of the offense, the jurisdiction, the procedure, the evidence, and the judgment. The whole record is redolent of legalism. No one can read these records and not admit that the system of military justice is as full of legal limitations as any civilian system. Some might even infer that the technicalities of civilian criminal law are too prominent. But none could assert the contrary.

That military justice can not be improved in many details, could certainly not be maintained. Much might be said on this subject. But neither does any one maintain that civilian justice is perfect. The experience of the last year and a half, when carefully studied, will doubtless reveal numerous details in which improvement of the military code can be secured. It will first be necessary to compare divergent opinions, based on differences of local experience and of important policies. But the same is true of each one of our institutions, civil as well as military, that has passed through the crucible of war time. What we possess is a system of military justice founded on the Constitution, the statutes of Congress, and the President's regulations, administered in the trial courts by officers required to be familiar with it, and scrutinized in the appellate stages by professional lawyers whose sole object is to insure conformity in every substantial detail to those requirements of law.

E. H. CROWDER,
Judge Advocate General.

Hon. Jouett Shouse.

EXTENSION OF REMARKS
OF
HON. DUDLEY DOOLITTLE.
OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 19 1919.

Mr. DOOLITTLE. Mr. Speaker, seldom, if ever, has it been my privilege to know so confidently the qualifications of a man appointed to high office as in the case of our colleague from Kansas, Congressman JOUETT SHOUSE, who has accepted the position of Assistant Secretary of the Treasury, notwithstanding his primary rejection of the offer because of his personal wishes and private business interests. His duty to accept the place of public service was made plain to him, and as soon as he saw it he consented promptly, knowing full well the personal sacrifice. This decision of acceptance marks one of his outstanding traits—generosity. He is the most generous person I ever knew—so generous in fact that he keeps himself poor despite the handsome income from his extensive properties, including one of the finest and best equipped live-stock ranches and wheat farms in the West.

JOUETT SHOUSE is the ideal Kentucky gentleman and Kansas is proud to claim him as her distinguished citizen. His greatest pleasure seems to lie in hard work and in making his friends happy. No task is ever too large or the outlay too heavy for him to initiate and consummate. A man of this sort is sure to be deservedly popular, and JOUETT SHOUSE is the most popular man in Kansas. He was born a gentleman, therefore, his wonderful success in every line of undertaking has but augmented his personal attractions. His intellect has engaged the admiration of his fellow Members in Congress, and this keen mentality has made its impressions throughout the National Capital in every official, professional, and social circle.

The story of the pedigree and history of my friend and colleague I shall leave to more adept pens, in whose statements I concur fully and adopt them as my own. From the scores of press notices and editorials I have chosen these few comments as illustrative of his character, capacity, and personality. The facts prove the veracity of the glowing compliments and time will verify in complete detail the fondest predictions. President Wilson and Secretary Glass have shown rare judgment in thus picking from the Congress of the United States this gifted young statesman who is destined to rank as America's foremost financial genius.

The truth was never more beautifully spoken than in the following editorial from the Lexington (Ky.) Herald:

JOUETT SHOUSE.

Twenty-two years ago almost to the day a tall, graceful lad of courtly manner came into the old Herald office on Upper Street and asked for work. He seemed so young that it seemed unfitting that he should start to work, and after a brief conversation the unasked advice was given that instead of going to work he should go to college. Then he revealed that, though scarcely 17 years of age, he had already graduated from college and was ready to take up the work and prove himself fit to assume the burdens of a man.

A long time ago that was. The Herald was then struggling, battling with the waves, with the result in grave doubt whether it would be submerged or weather the storm that it had invoked by its opposition to free silver and corruption in politics. It was fortunate in the crew that manned its ship. W. C. P. Breckinridge was its editor, Samuel Gill Boyle its managing editor, and there was a group of most remarkable youths who served it as reporters. When JOUETT SHOUSE joined that group it seemed probable that one so young, so inexperienced, would find the standard set by them difficult for him to reach. The Herald can not refrain whenever the occasion arises from recalling and paying tribute to those boys, now men, who in the troublesome days of 1897 and 1898 showed the qualities that in after life have won for nearly every one of them marked distinction.

JOUETT SHOUSE quickly proved himself the peer of any one of that group in intellect, industry, and executive capacity. By 1898, within scarcely a year of his coming as a college lad, he had become city editor, then managing editor, then business manager, then editor and general manager of the Kentucky Farmer and Breeder. In every position he revealed rare qualities of executive and intellectual capacity. As secretary of the chamber of commerce, as secretary of the Blue Grass Fair, in whatever position chance or duty called him he showed remarkable capacity for intensive labor, coupled with a keen, incisive, and vigorous intellect that in the opinion of those who knew him best forecast a distinguished career.

That forecast is now being fulfilled. Fortunate beyond even his deserts in winning for a wife a gentlewoman, a college graduate, a woman of culture and intellect, he went with her to Kansas. In 1912, within the briefest period after choosing Kansas as his abiding place, he was elected to the State senate in a district that had been overwhelmingly Republican, the division between the Republican and Progressive Parties giving him the opportunity of which he availed himself. In the senate he won instant recognition and was made chairman of the most important committee on revenue and taxation. In 1914 he was nominated for Congress on the Democratic ticket. It seemed a hopeless contest. The district was overwhelmingly Republican, the normal Republican majority ranging from 12,000 to 20,000. But in spite of the seeming insurmountable Republican majority JOUETT SHOUSE, with the same tireless, persistent energy he had shown as a lad and demonstrated as a man in Lexington, so organized that district that before the election every voter had from him or his political managers a personal explanation of the reasons he should vote the Democratic ticket. And to the surprise of all who were not thoroughly conversant with the vigorous campaign he waged, he was elected.

His election attracted the attention of the leaders of the House of Representatives, some of whom were already his friends by reason of various ties. Upon his entrance into Congress he was given most important committee assignments, including an assignment to the Committee on Banking and Currency, which committee was charged with the duty of framing the bill to create the Federal reserve banking system.

In 1916 he was reelected in spite of the fact that he spoke and voted in favor of measures for preparedness and for war, which many of his fellow Members thought unpopular in the Middle West, predicting that his votes would insure his defeat. In the Sixty-fifth Congress he has been one of the foremost advocates of preparedness, one of the most earnest supporters of every policy looking toward the quick and decisive victory of this Nation.

In 1918 it seemed certain that he would be reelected, many Republicans publicly proclaiming themselves in favor of his reelection. But the drawing tight and clear of the line between Republicans and Democrats in the last days of the election led the Republicans of Kansas to return to their former party allegiance, with the result that Mr. SHOUSE was defeated, though he ran some 10,000 votes ahead of his ticket in his district.

Upon the resignation of Secretary McAdoo the President appointed as Secretary of the Treasury the Hon. Carter Glass, who had been chairman of the Committee on Banking and Currency, of which Mr. SHOUSE was a member. Among the very first official acts of Secretary Glass was the request to JOUETT SHOUSE to accept the position of Assistant Secretary of the Treasury. Mr. SHOUSE had already made definite business connections which promised large financial returns, but when this offer came, with the appeal to assume direct charge of the War Risk Bureau and the Internal Revenue Department, with their complicated details, he instantly surrendered the advantageous busi-

ness arrangements he had made and accepted the onerous and difficult task of straightening out the complicated and confused details of the War Risk Bureau and putting into effect the provisions of the tax laws that will come under the Internal Revenue Department. Yesterday he was confirmed by the Senate; to-day he assumes the duties of Assistant Secretary of the Treasury, which involves tasks so difficult that they might well daunt the bravest.

The Herald predicts that within as brief a period as it is possible for him to familiarize himself with the duties of this new position and to organize the War Risk Bureau, the complaints that have arisen because of delays and mistakes in that bureau will vanish; that within the year it will be a model for other departments of the Government. It would be too rash to predict that the bureau of the Treasury Department by which the income tax and the excess-profits tax will be collected will ever be popular. But the Herald does predict that that law will be administered in such a way that citizens can understand its provisions, and that it will not be necessary for a man with a taxable income of $50 to employ an expert at $100 to fill out his return.

Knowing JOUETT SHOUSE through 20 years of intimate and affectionate companionship, the Herald feels that the Treasury Department and the country are to be congratulated upon his selection for the position and his acceptance of the position of Assistant Secretary of the Treasury. It does not at present indulge in prophecy, but it does believe that if his health be spared there are far higher political honors awaiting him in the future than have come to him yet. In the honors that have come to and the honors that the Herald believes will come, thousands of Kentuckians take both pleasure and pride.

And, Mr. Speaker, here is the opinion of a great newspaper of the Middle West:

AN HONOR TO KANSAS.

[Editorial from the Kansas City Star.]

The appointment of JOUETT SHOUSE, of Kansas, to the position of Assistant Secretary of the Treasury is complimentary both to Mr. SHOUSE and to Kansas.

It is known by Mr. SHOUSE's friends in Kansas and elsewhere that he did not desire the place. He accepts it as a sacrifice to his business interests, and only the urgent argument of his friends that the Middle West should be represented in the department and the insistence of Secretary Glass that he should accept the place persuaded Mr. SHOUSE to give his consent. Added to these reasons is Mr. SHOUSE's fine sense of duty to public service.

It is unfortunate that for such responsible duties the Government pays salaries that are hardly sufficient for living expenses in Washington, and only rich men can afford to hold such positions. To a personal friend sometime ago, when the position was first offered to Mr. SHOUSE, he wrote that the necessity for his return to Kansas, to look after his business interests, and the fact that he would be compelled to devote all his time to the work in Washington if he accepted the place, made it almost impossible for him to take the position.

However, Kansas will be delighted to know that he finally has consented, and the State will feel honored by the fact that it has such a representative in the Treasury Department.

The high praise accorded Mr. SHOUSE by Dr. Burris Jenkins is recorded in the next editorial from the Kansas City Post:

JOUETT SHOUSE—HIS RECORD.

Congressman JOUETT SHOUSE, of Kinsley, Kans., has been selected First Assistant Secretary of the Treasury by the new Secretary, Mr. Glass. This strikes us as a most excellent appointment. JOUETT SHOUSE is a coming young man, fascinating, daring, able. He will be equal to the large responsibilities that he assumes. This part of the country is recognized and honored by the appointment.

We know all about JOUETT SHOUSE from the time of his birth in Midway, Ky., through his education in the public schools of Lexington, the blue-grass capital, to his graduation from Transylvania University (formerly Kentucky University), and his service on the newspapers of that city. We know about his happy childhood and youth, the girls he used to tease and play with and later on "escort." We know his effervescent spirit and never-failing good humor, his platform ability, and his skill with the pen. He would have served well as the hero in one of James Lane Allen's novels. Keep your eye on JOUETT SHOUSE.

They say that ministers' boys are the worst boys in town—which is a fallacy. They are more observed than others, perhaps, and who is there who stands too close inspection? Now, JOUETT SHOUSE is just another one of the long list of public men whose families knew the penury and the careful training of a minister's home. The Shouse family was a big one and a merry one, and big families are conducive to unselfishness. The attrition of a large household rubs off the rough corners and smooths up character. Certainly this son of a minister was polished and refined in the process.

It may seem odd that Horace Greeley's advice, "Go West, young man, and grow up with the country," should have led this young Kentuckian clean out into western Kansas to find a career; but the mystery of the situation is cleared up when you realize that it was the visit of a Kansas girl to the heart of the blue grass which turned young JOUETT'S steps westward. Having married the banker's daughter and settled down in the short grass, JOUETT began to stir things. He dared to accept the Democratic nomination in a Republican district for State senator, and persuaded a majority, by his fascinating eloquence, to elect him. Once elected, the Republican presiding officer made him chairman of the ways and means committee. This emboldened young JOUETT to run for the National Congress on the Democratic ticket, and, to everybody's surprise, he was elected. He served two terms in the House of Representatives and is within a month of the close of his second term now, at the moment of his choice for the Treasury Department. He was elected the first time by a majority of 1,500 and the second time by a majority of 6,500. But, as he himself calmly expressed it, he was "caught in the late snowstorm of Republican votes." Fortunately he now has a higher position.

The Post is going to invite him to Kansas City at the first possible opportunity to make us a speech, so that we may extend him a glad hand. It is young men of this stamp who will save the day for the Democratic Party in time to come. JOUETT SHOUSE would make a good candidate for the United States Senate from Kansas. It would be interesting if Kansas should astonish the country as she has so often and so wisely done and should send him—a Democrat—to the Upper National House.

Now, permit me to insert a few excellent items from the Kansas press, Democratic and Republican, and all so true:

[From the Pratt (Kans.) Tribune.]

MAN FOR THE JOB—SELECTION OF MR. SHOUSE TO REORGANIZE WAR-CLAIMS BUREAU COMMENDED.

The appointment of Congressman SHOUSE to reorganize the War Claims Bureau in the Treasury Department is generally recommended by the Washington newspapers. The War Claims Bureau is a new department, and over 30,000 persons are employed in this branch of the service. Ever since its organization there has been considerable criticism of its management and efficiency. Immediately after the appointment of the Hon. Carter Glass as Secretary of the Treasury, he announced that there would be a sweeping reform and reorganization in this particular department of the Government. Mr. Glass was associated with Mr. SHOUSE on much important financial legislation and is thoroughly acquainted with his capacity for hard and exhaustive work. His selection of the seventh district Congressman for this important job is a distinct recognition of brilliant and meritorious achievements and a compliment to the seventh congressional district of Kansas.

It was Mr. SHOUSE's intention to retire from political life at the close of his term, March 4. He told the writer a few days before Christmas that he had no personal regrets over the outcome of the last fall's election and that no inducement would cause him to accept a Government position. He was anxious to get back to private life and was considering several tempting propositions of a business character. If he concludes to take this appointment, it will not be because he wants to continue in Washington but rather because he may conclude that the public interests and the opportunity to render a patriotic service demand his acceptance.

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[From the Medicine Lodge Index.]

The seventh district is just beginning to appreciate what it lost in failing to reelect Congressman JOUETT SHOUSE. His able service and his fine ability have called him to the second place in rank in the United States Treasury Department. During his four years in Congress Mr. SHOUSE never failed to reply to a letter received from a constituent and gave his personal attention to every request made of him by every person who asked for his service, no matter how unimportant it may have seemed. His invaluable labors in connection with financial legislation and his tireless and effective work in behalf of the wheat growers of the country have so far not been appreciated as fully as they should have been, but after the people of Kansas will no longer have the benefit of his ability, energy, and industry they will realize what they have lost. Mr. SHOUSE's defeat was a personal gain to him but it was a positive loss to the people of the entire West.

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[From the Pratt County Union.]

Congressman SHOUSE accepted the place as Assistant Secretary of the United States Treasury, and no better man could have been selected. His excellent work in Congress and his wide experience in public affairs especially fit him for this work. The seventh district is pleased with this appointment. Even Republicans who knew the good work that Mr. SHOUSE has done for the people are pleased. Carter Glass, Secretary of the Treasury, selected Mr. SHOUSE for the job of reorganizing the War Risk Insurance Bureau, and the people will have confidence that the work will be well done.

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[From the Osborne (Kans.) Farmer.]

JOUETT SHOUSE, Democratic Congressman down in the seventh district, has been recognized by the Federal Government. That's all right, too. JOUETT SHOUSE is a clean-cut American citizen, admired by all who know him, regardless of party politics. He has brains, fairness, and cleanliness and will render good service wherever he may be placed.

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[From the Garnett Review.]

The selection of Congressman JOUETT SHOUSE, of Kansas, as First Assistant Secretary of the Treasury, is a merited recognition of the ability of one of Kansas's brightest young men. Secretary Glass (successor to William G. McAdoo) evidently had his eye on this young Kansan.

[From the Pawnee Rock Herald.]

President Wilson's decision to appoint JOUETT SHOUSE, a Kansan, to the Assistant Secretaryship of Treasury, which Mr. SHOUSE finally decided to accept on January 29, Kansas Day, was entirely appropriate. It is a job that requires a lot of hard work in straightening out the soldier pension claims, and SHOUSE was picked as the man most able to get results.

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[From the Topeka Journal.]

SHOUSE TAKES JOB—KANSAS CONGRESSMAN TO BE ASSISTANT SECRETARY OF THE TREASURY.

Representative JOUETT SHOUSE, of Kansas, has decided to accept the appointment as Assistant Secretary of the Treasury, and as soon as he is confirmed Mr. SHOUSE will resign his seat in Congress from the seventh Kansas district. Mr. SHOUSE wanted neither the position, in spite of the high honor it was to be named, nor to leave Congress until his term was up, but Secretary of the Treasury Glass insisted that he should accept the appointment and take charge at once, so Mr. SHOUSE's resignation from the House will be forthcoming within 10 days.

"While I will have no vote for the remaining month I would have served, I shall continue to look after the interests of my State and my district in particular, just the same as if I were still a Member," Mr. SHOUSE said to-day.

As Assistant Secretary of the Treasury, Mr. SHOUSE will have under him two general divisions of the work, the management of the War Risk Insurance and the general oversight of the Revenue Divisions. The post is regarded as next in importance to that of the Secretary himself.

"I had all my plans made to return to Kansas and go into business," Mr. SHOUSE said to-day. "I hated to give them up, but my close friend, Secretary Glass, insisted that I should come to the Treasury and tackle this big job for him. He put it to me as a matter of service, and I accepted against my wishes."

Because of the short time elapsing until Congress adjourns, probably less than a month, it is not believed here there will be a special election called to choose a successor to Mr. SHOUSE.

[From the Kingman Journal.]

CONGRESSMAN SHOUSE TO TREASURY PLACE—RESIGNS SEAT TO BECOME ASSISTANT SECRETARY OF THE FEDERAL TREASURY—HIGHEST APPOINTIVE POSITION TO BE HELD BY ANY KANSAN IN RECENT YEARS—NO ELECTION OF SUCCESSOR PLANNED.

Congressman JOUETT SHOUSE has been appointed Assistant Secretary of the Treasury, and will assume his duties at once. The interests of his constituents in the seventh district, however, will be looked after by himself just as before, to the end of his term as Representative in March, the end of the term being too near at hand to warrant the calling of a special election to fill the vacancy.

Mr. SHOUSE thus again becomes intimately associated with Carter Glass, now Secretary, who, as Congressman, was head of the House Committee on Banking and Currency. The late Congressman Neeley distinguished himself on that committee at the time of the financial probe in New York, and Congressman SHOUSE, who succeeded him, was closely associated with Mr. Glass in framing the vast financial measures of the last few years that have practically put the country beyond any chance of a panic and made the Treasury and banking system able to stand the tremendous strain of war without a quiver. The two have been intimate friends and have done a lot of work together, and Secretary Glass doubtless wishes to retain a valuable coworker in Washington while the Treasury Department is on the job of readjusting the country's finances to peace-time conditions.

Mr. SHOUSE thus comes into the highest departmental position held by any Kansan in recent years. He is next to the head of the Treasury.

And in the last one I have selected I recur to my friend's native State:

[From the Louisville (Ky.) Courier-Journal.]

JOUETT SHOUSE WILL BE AID TO TREASURY CHIEF—FORMER KENTUCKIAN IS NOMINATED AS ASSISTANT TO CARTER GLASS—IN CHARGE OF TWO BUREAUS.

A retiring Member of the House who was a former resident of Kentucky was honored when the President sent to the Senate to-day the nomination of Representative JOUETT SHOUSE, of Kinsley, Kans., to be Assistant Secretary of the Treasury. The nomination of Mr. SHOUSE, who was born and reared in Midway, Woodford County, and was engaged in newspaper work and other enterprises at Lexington from 1898 until 1911, is expected to be confirmed in a few days.

Mr. SHOUSE will succeed Thomas B. Love, who recently resigned as Assistant Secretary of the Treasury. He will have charge of the Bureaus of Internal Revenue and the War Risk Insurance, the latter particularly being now in a chaotic condition. The position pays a salary of $5,000 a year.

Mr. SHOUSE, who is 39 years old, was educated at the Mexico (Mo.) High School and at the University of Missouri. He is a member of the Phi Delta Theta fraternity and is a tennis expert. Following his graduation he returned to his native State and spent 13 years in business at Lexington. Eight years ago Mr. SHOUSE moved to Kansas, where he engaged in farming and stock raising. On October 18, 1911, he married Miss Marion Edwards, who was graduated from Wellesley College in 1907.

Mr. SHOUSE served in the Kansas State Legislature in 1913 and 1915. He was elected to represent the seventh Kansas district—a rock-ribbed Republican stronghold—in the Sixty-fourth and Sixty-fifth Congresses. He was defeated for reelection to Congress last November.

During his service in the House Mr. Shouse has done much in assisting other Democratic leaders to carry out the administration's policies. His service on the Banking and Currency Committee, of which Secretary of the Treasury Carter Glass was formerly chairman, has been of such merit that Mr. Glass without hesitation selected Representative SHOUSE for the important berth in the Treasury Department.

Mr. SHOUSE, one of the most popular Members of the House, spent a busy day receiving the congratulations of his friends on Capitol Hill.

My own friendship for JOUETT SHOUSE has sometimes made me wonder if I were unduly prejudiced in my favor of him, but I know that when this admiration is shared so universally that true worth is behind it all.

EXTENSION OF REMARKS

OF

HON. FRED A. BRITTEN,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. BRITTEN. Mr. Speaker, the report of the special committee of the House of Representatives selected to investigate the National Security League, shows that the league was conceived in London, nursed to strength and power in New York by foreign interests, and later used in the elections by the same interests, and in this connection I desire to present to the House my extended statement before the committee to further and more completely show the hypocrisy practiced by the officers of the league under that much-abused word, "Loyalty."

Out of 435 Members of the House of Representatives, the league's chart gave credit for full patriotism to only 47 Members. Out of the 47, 45 represented congressional districts along the Atlantic seaboard, where the income tax gathers the largest revenue.

As a matter of fact, the league cared nothing whatever for a candidate's party affiliations. What chiefly concerned them was how his attitude would affect certain interests that would be the subject of legislation by Congress during the reconstruction period.

The report of the committee says, "Upon entering the league's office in New York one could see only Mr. West, the lobbyist; Mr. Orth, the sisal importer; and Mr. Harvey, the newspaper reporter without a job, but if the curtain were only pulled back, in addition to the interests heretofore enumerated the hand of Rockefeller, of Vanderbilt, of Morgan, of Remington, of DuPont, and of Guggenheim would be seen, suggesting steel, oil, money bags, Russian bonds, rifles, powder, and railroads."

The committee further finds that "the greatest injustice has been done to many loyal, patriotic men who have given the Nation the benefit of commanding ability, unquestioned courage, and unalloyed patriotism, by men seeking partisan ends and undertaking to hide their self-interest beneath the cloak of public service and national good. The National Security League and like organizations in their political activites constitute a serious menace to representative Government."

The report further says: "Men in public life are given by them to understand that they must be subservient to the demands of such institutions, and upon their failure to do so they will be held up to public scorn and humiliation by false accusations.

"The fight made by the National Security League upon the loyalty of men of the highest patriotism was so glaringly unjust and so patently false that it failed of its purpose, but the failure was due to an error of judgment on the part of the league and not because of the lack of vicious purpose.

"In the judgment of your committee the National Security League has violated the corrupt-practices act, the penalty for which is a fine of not more than $1,000, or imprisonment not longer than one year, or both."

The report of your special committee indicates conclusively that the league was more interested in the candidates' prospective attitude on matters affecting the reconstruction period after the war than it was in his true war record.

The committee specifically finds that the league was largely a political organization, and that it had violated the provisions of the national laws as such.

BEFORE THE HOUSE COMMITTEE.

"Mr. BRITTEN. Until the last campaign I had always felt that the National Security League, the Navy League, the American Defense Society, and other like organizations were strongly in favor of my retention in Congress because of my constant activity in the House and in committee for such Army and Navy legislation as would protect our country against attack or aggression from any foreign foe. In fact, I was an honorary member of the American Defense Society in New York because of that activity, and I had no reason to believe that the National Security League was not actuated in its propaganda for measures of national safety by the very highest patriotic motives.

"It was not until the last election that the Security League was forced out into the open and its true colors, that of a great political, profiteering organization operated for the selfish interests of those more or less directly in control of its machinations, were shown to a disgusted public.

"It was but natural that my vote against war with Germany would be displeasing to those having British blood in their veins and whose predominant desire at that time was to help England. It is also natural that those millionaires controlling great steel and manufacturing plants having millions of dollars tied up in war contracts would be equally displeased with a vote which would interfere with their further profiteering at the expense of American lives and property.

"It has been shown that these interests combined contributed $619,165.28 to the National Security League during the past four years and that the league sent broadcast more than 2,000,000 pieces of literature since January 1, 1918.

"With the searchlight turned upon the league, it is conclusively shown that officials active in its management are not those whose names appear on the league's stationery, but, on the contrary, a self-seeking, unreliable set of men have been using the membership, dues, and contributions of the league for profiteering, high salaries, and purely selfish ends.

"The principal opposition to my election came from members of the Chicago chapter of the Security League, who were either born in England or who were connected with enormous enterprises that profited by the war, and I am quite satisfied that their income-tax schedules will show that they made considerably more money during the war year than ever before in the history of their lives.

"Among those who testified before the congressional committee investigating the league was one of my most energetic assailants, Samuel Insull, head of a number of public-utility

corporations in Chicago, a Britisher, recently referred to in one of the London daily papers as the most prominent Englishman in America, and who up to within the last year ate all of his Christmas dinners in London—sent his turkeys and sweetmeats over for his holiday feast with relatives and friends in London.

"I merely recite this fact to show where his heartstrings are and to indicate why he would oppose anything not in the interest of his fatherland. As I intend to make every effort toward a larger and more efficient Navy, for commercial control of the high seas, for American financial domination and other measures equally offensive to Mr. Insull, I realize that I will merit a continuance of his enmity.

"It is perfectly natural that Insull would oppose my reelection, for his heartstrings have ever been in England, and he cared little what tremendous sacrifices might be made by American youth or finances just so long as his dear old England was benefited. His constant aim was to help England, but I notice that his son, who was plenty old enough and big enough to go into our military service, was kept safely at home, while Americans of unquestioned loyalty and patriotism allowed their boys to go across with the colors. Insull was 100 per cent British, while my first thought was for America.

"Mr. REAVIS. Mr. Britten, if I may interrupt you—you say that it is perfectly natural that this gentleman should be against you. Do you mean by that that his opposition to you would be inspired by his loyalty to England as distinguished from his loyalty to America?

"Mr. BRITTEN. Positively so. He told me personally that he could not expect his American-born boy to feel toward England as he does, or to feel toward me as he himself did. That was prior to the election, when he told me that he was going to do everything in his power to defeat me—and he did.

"I am glad that the special congressional committee brought a lot of these skyrocket patriots out into the open, for it substantiates my campaign contention that a small group of rich men were doing everything in their power to defeat me for reelection to Congress.

"When asked by Congressman BROWNE if he had taken any part in the campaign of 1918, Mr. Insull said, "Yes; I did my level best to prevent the nomination and to prevent the choice at the primary of Mr. BRITTEN," and he said further that he had taken no active part in any other congressional campaign, which indicated that this small group of lip patriots were interested in but one congressional district.

"Insull testified before the committee that he had contributed money to Fletcher Dobyns, the Republican candidate, also to James Poage, the Democratic candidate for Congress in my district, but neither of the gentlemen admit it in their sworn statements to the Clerk of the House, and I hardly blame them, for no one wants to be associated publicly with Sam Insull. He has been repeatedly called a burglar, a robber, a thief, and a gold-plated anarchist in the public press, but up to the present time he has not made his accusers prove it in court.

"Mr. REAVIS. Aside from that you think he is all right?

"Mr. BRITTEN. Aside from that he may be all right.

"In Dobyns's list of contributors, besides an amount of $1,000 from William Wrigley, he shows such reputable names as Alexander H. Revell, Robert W. Hunt, Clifford Arrick, Howard Elting, Frank Logan, W. J. Chalmers, Walter Schuttler, A. W. Armour, Eames McVeagh, and Tiffany Blake, while the Poage statement gives prominence to such excellent citizens as Le Verne Noyes, Benj. Rosenthal, Oscar F. Mayer, and Thomas H. Cannon. No one could reasonably blame either of my opponents for "forgetting" contributions from such men as Insull and Edgar A. Bancroft.

"The testimony before the committee shows that the political activity of the league just prior to the recent election brought in considerable money from men representing corporations who had benefited enormously by the war. It is very simple for men of the Insull type to make large contributions in various directions, so long as they are giving away money belonging to thousands of stockholders, some of them widows and orphans, but I notice that their personal contributions are usually niggardly. I observe that the Edison Co. gave $1,000, the Peoples Gas Co., $1,000; the Consumers Co., $500; the Chicago Electric Railways, $500; the Chicago Elevated Railway, $4,500, etc., to the Chicago branch of the Security League. It would appear that the gentlemen having control of the finances of these various corporations are quite liberal with other peoples' money.

"Among the others who testified before the committee was Edgar A. Bancroft, a corporation cootie, who has made more money during the last year than he ever did before in his life.

"Mr. REAVIS. What is his occupation?

"Mr. BRITTEN. He calls himself a lawyer. Represents the Harvester Trust and several other big corporations. Directly after the sinking of the Lusitania, and long after Belgian neutrality had been violated, and the destruction of life and property by German submarines had accumulated to an appalling degree, Bancroft wrote a letter to the editor of the Chicago Tribune on June 3, 1915, in which he said, and I quote his language:

> There is no reason for a war. No foreign nation has intentionally given us a cause for war. The violations of the rights of American citizens of which our Government has complained, were resulting incidents of a plan of campaign against the enemy in the present war. They were not inflicted with hostile intent toward us. * * * But that furnishes no warrant for such a further destruction of innocent lives, American and foreign, as would result from a war. The torpedoing of the *Lusitania* was not an intentional act of hostility toward our Government or its citizens, but was done to destroy the property and injure the commerce of an enemy. Germany's program of a war zone controlled by submarines has developed a difference of opinion as to what international laws permit, but such questions find their proper forum not upon the battle field but in an international court of arbitration. If our arbitration treaties mean anything, they mean that an honest difference of opinion between our Government and a foreign nation is not a cause for war, even with a nation with which we have no arbitration treaties.

"Mr. REAVIS. Now, did you publish that letter?

"Mr. BRITTEN. No; he did. It was published in the Chicago Tribune under the caption, "The Voice of the People," on June 5, 1915. Now, just listen to this:

"During my campaign this acrobatic patriot attacked me for not having voted for war, and among other things said that he could not understand why I failed to have been moved by the German atrocities and, to further substantiate his now warlike spirit, I notice on page 1552 of the printed Hearings before the committee that this loyal contortionist said:

> "When we did go into the war I breathed freely for the first time after several months, because it seemed to me we were losing our soul by standing by in the face of such things as Belgium and France had suffered.

"And it must be very evident from these contradictory views that Bancroft was called on the carpet by his corporation bosses and made to do a somersault from his 'peace at any price attitude' to that of 'war at any cost.'

"Mr. REAVIS. You know that to be a fact?

"Mr. BRITTEN. No, I do not; but his complete acrobatics would indicate that something of that character had transpired.

"Mr. REAVIS. Was there a change of position on the part of Bancroft, as announced in the Chicago Tribune, before the declaration of war, or did the change come after the declaration of war?

"Mr. BRITTEN. Well, of course, it is impossible for me to tell that. I do know, however, that a complete change did occur, and either his corporation bosses cracked the whip or the light-headed Bancroft forgot all about his letter to the Tribune, which was so contrary to the desires of his masters.

"Mr. REAVIS. Now, as I recall his testimony, yes, he bottomed his opposition to you in large measure on certain legislation proposed by you to the effect that the sons of German parents should not be conscripted. What about that, Mr. BRITTEN?

"Mr. BRITTEN. I don't know just what he based his opposition on. I did introduce a bill in Congress exempting those having warm blood ties in the enemy country—Germany, Austria, etc.—from combatant service abroad, upon their own request; not exempting them from the draft, not exempting them from any rules or regulations of the War Department, but exempting them on their own request from combatant service, which was in complete accord with War Department regulations applying to the American Red Cross.

"Mr. REAVIS. Well, Mr. BRITTEN, in view of subsequent events, what is your present opinion of that legislation?

"Mr. BRITTEN. As soon as my bill was introduced, Mr. REAVIS, I communicated with the Secretary of War in the premises and asked him for his support of the measure, because its theory had been advanced by many of our expert military men—that unless a man's heart was in his duty he would make a poor soldier. One of our most able fighting generals—not a swivel-chair general but a fighting general—told me that my bill was an excellent one and should be passed. His version of it was that if one weak-hearted American was backed up against the wall with a couple of stout-hearted Yankees on either side of him, and they were face to face with an equal number of big Germans or Austrians, that that one weak link in the chain of three would cause the destruction of all of our men, and he said that he would not send that character of man abroad. The War Department refused to send those having warm blood ties in the enemy country across in Red Cross work for the very reason that their sentiment might influence the value of their work.

"In the course of time the Secretary of War replied that he did not think my bill was a good one, and I therefore let the matter drop.

"Mr. REAVIS. That is, you took the judgment of those in authority?

"Mr. BRITTEN. Very naturally. I was for the war wholeheartedly after the declaration had been passed by the House. Congress had determined that war should prevail, and I was for it; and, of course, I was not going to embarrass the administration or the War Department or the Secretary of War with a bill which they had determined would not prove militarily desirable.

"Mr. SAUNDERS. Mr. BRITTEN, did you go before that committee there that was appointed for the purpose of taking up their records with Members of Congress?

"Mr. BRITTEN. Yes, I did, I am sorry to say, for I had expected to meet with a group of gentlemen who were following sincere, patriotic motives in the interest of all good Americans; but, on the contrary, I came into the presence of some seven or eight men, a great majority of whom lived outside of my district, and whose only ambitions were to make political capital for my opponents.

"Among those present were Emil C. Wetten, a well known publicity seeker, who acted as chairman of the meeting, and who subsequently appeared before the congressional committee investigating the league, when he said that there were a large number of disloyal citizens in the district I have the honor to represent in Congress.

"Either Mr. Wetten is a fool, a liar, or an undesirable citizen, and as I have known him for many years, my guess is that he is simply a conceited fool, made reckless by the prominence given to his association with the Security League.

"Ordinarily I would not dignify his opinion with even scant recognition, but when newspapers having wide circulation print such an utterance in their valuable columns, it becomes necessary for some one to refute a deliberate misstatement.

"It is not long since Mr. Hinton G. Clabaugh, representing the Department of Justice in the Central States, told me personally that the Ninth (north side) district was exceptional in its order and adherence to the many laws and regulations enacted during the war, which is in complete contradiction to the baseless statement of the brainless Wetten.

"If Mr. Wetten knew there were many disloyal citizens in the district I am proud to represent in Congress, he should, in the interest of the public safety, have reported them to the Department of Justice for proper apprehension. His failure to do so makes him as undesirable to his unsuspecting neighbor as the most disloyal citizens in or out of jail.

"Emil C. Wetten is known by the legal profession as a political "fixer" rather than as a real lawyer, and those who know him best simply smile when his name is mentioned in connection with law. As a counterfeit, he is 100 per cent proficient, and as a legitimate lawyer, a 100 per cent failure.

"You probably will remember that it was this same Wetten whose childish, flippant ignorance of important existing conditions was so evident that one wonders how he ever gets home alone after dark. His answers to simple questions caused one of the members of the congressional investigating committee to remark:

"Now, Mr. Wetten, without any desire to be offensive, I don't think I have seen more manifest, complete misinformation in my life than your answer.

"Another of those present was Mr. James A. Patton, the millionaire gambler in foodstuffs, of Evanston, Ill.—outside of my district—of whom Congressman KING said:

"Mr. Patten was the man who, just prior to the declaration of war, bought up millions and millions of bushels of wheat for the National Biscuit Co., and had it stored away out of the reach of the common masses.

"Another of those present was William B. Austin, of whose former loan-shark proclivities I will have something to say at a more opportune time.

"Another present was Peter Lambrose, of Rogers Park—outside of my district—a member of the executive committee, who said:

"The only thing that was wrong about Mr. BRITTEN was the fact that he circulated his speech in the month of June to harm the noble cause of the war.

"What a weak ground upon which to base the terrible stigma of disloyalty upon an American whose father fought and suffered in defense of the Union in 1864.

"Another present was Harry H. Merrick, a former stockyards employee, who lives in Hyde Park (also out of my district), who presented himself to the congressional committee as a "reformed lawyer." If he has reformed, he must have been awful before he took the cure. I am sorry that he did not go a little further and tell just what he had reformed from. A Chicago paper on February 1, of this year, referred to Merrick as follows:

"On every possible occasion Merrick impertinently attempts to pose as the official representative of the city. He makes speeches which convey that impression, and through the press issues proclamations which * * * are targets for the ridicule of the few who waste their time in reading them.

"Merrick is a cadaverous-looking individual with large goo-goo eyes and takes himself very seriously.

"Another present was Joseph W. Moses, whom I do not know and who also lives out of my district. There may have been one other whom I do not now recall.

"Each of these men had supplied himself with a Dobyns campaign booklet and were not at all interested in my congressional record of six years, but desired only to harp upon a few votes played up by Dobyns and upon which there could reasonably be a difference of opinion. By so doing they intended making political capital for my opponent. The subsequent testimony of some of these gentlemen before the congressional committee shows that of all the Members of Congress who voted against war, my name was the only one mentioned in any letter or document sent out by the league.

"The mockery and deception practiced during the war under the guise of loyalty by this small group of rich men in Chicago should forever brand them as unworthy of any public confidence or trust.

"Officers of the league paraded themselves in the interest of loyalty and patriotism and in many instances did not even know the Member of Congress in whose district they themselves lived, and yet they attempted to dictate a congressional policy for the people of my district.

"Doesn't it seem strange that these rich men, many of whom hardly knew the name of their own Member of Congress, should come from all parts of the city into the ninth district in order to educate my people how to vote?

"Not one of the men whose names I have mentioned had a son in the military service during the war, and just why the ninth district should be inflicted with this gratuitous insult from them is something my district could not comprehend, and notwithstanding their supposed influence and money, backed by the then misunderstood Security League, which has since been shown by the congressional committee to have been dominated by hypocrisy and self-advertisement, at the expense of an unsuspecting public, their candidate, the noisy Dobyns, was defeated by almost 3 to 1.

"Mr. REAVIS. What faction do you belong to?

"Mr. BRITTEN. Mr. REAVIS, I think I was assisted by a large majority of the workers of the three Republican factions in Chicago—the Brundage faction, the Thompson faction, and the Deneen faction.

"Mr. REAVIS. The league and its officers in their testimony in Chicago stated that they were inspired solely in their activities to get Congressmen from the city of Chicago and the State of Illinois who were whole-heartedly for the United States in this war, and yet when we called upon them to give their activities in that regard we found out that they had not called a single Democrat before their committee.

"Mr. BRITTEN. Well, just at that point, if you please, if they were whole-heartedly for the election of Congressmen who would stand back of the President, why didn't they show some endeavor for Poage, who was a very estimable gentleman and who would have made a valuable Member in the House of Representatives? The truth of the matter is that when their pet, the shouting Dobyns, was defeated they had no further interest in the selection of loyal Congressmen and they allowed the entire matter to drop. More complete hypocrisy was never practiced.

"Mr. REAVIS. The National Security League, or the executive committee of the National Security League, was so intensely opposed to you that before the primary they sent letters not only to your district, but through the whole State, calling in question your record as a loyal Congressman and appealing to the membership and the friends of the membership to do everything lawful to defeat you. As soon as you were nominated their activities ceased. Now, I want you to state, understanding the situation much better than I do, whether this deduction is justified; that their opposition to you was inspired to nominate your opponent and not to keep you out of Congress, because when they failed in that desire they did nothing to defeat you for Congress. Do you think that that deduction would be justified?

"Mr. BRITTEN. That is perfectly true.

"Mr. REAVIS. Let me ask your opinion of this: If their opposition to you was inspired by the patriotic desire to keep you from going to Congress, why did not they seek to defeat you in the election rather than confine their activities to the nomination?

"Mr. BRITTEN. Well, now you get back again to that little rich clique on Lake Shore Drive, who were for Dobyns, and when they failed to nominate him their opposition to me as a

general proposition ceased. They should have fought me harder in the general election than in the primary. They had plenty of money and they had a tremendous organization.

"Mr. REAVIS. Then your idea of that campaign, based upon your intimate acquaintance with it and the activities of the league, was that the Chicago branch of the league wanted to nominate Dobyns for personal reasons rather than to defeat you for patriotic reasons?

"Mr. BRITTEN. There is no question about it, and Dobyns was to have been their rubber stamp in Congress.

"Mr. REAVIS. Now, Mr. BRITTEN, everybody manifestly has more or less of an affectionate regard for his constituents. Mr. Wetten, who claims to have lived in Chicago a great many years, and has been very active in politics, and who modestly made the statement that he was the one man in the district that could beat you, or that you thought he was the one man in the district that could beat you—he made the statement that there was a great deal of disloyalty in your district. Do you want to put anything in the record with reference to that?

"Mr. BRITTEN. Yes; as to Wetten being the one man in my district, will say that he is a habitual candidate, always allowing his name to be mentioned in connection with any prospective office, but never seeking election. In this regard he differs from the silly Dobyns, who also is a habitual candidate, and who has been humiliatingly defeated three or four times, but who continues to run either for the publicity or for the gain he can make through financial contributions. Wetten could not be elected dog catcher in a dogless neighborhood, and no one knows it better than he. I am sincerely sorry that Wetten's hair-brained assertion about the disloyalty in my district was given such wide publicity. He has hurt Chicago considerably by it.

"Mr. REAVIS. What is your observation, based on your personal experience in that district?

"Mr. BRITTEN. I had been a member of the Chicago city council from that north-side district for four years prior to coming to Congress, and I am sure that the police records will show that there are fewer arrests in that neighborhood than in any other neighborhood in Chicago. The fire marshal once told me that as far as fires in that neighborhood were concerned he might just as well have no engine house at all. The sterling type of citizen that make up that community is of the peace-loving, home-loving type who owns his little home and who makes the finest citizen on earth.

"It was said of the old twenty-third ward that it did not contain a pauper nor a millionaire, a very unusual big-city condition indeed. It was made up of the nationalities of the world, with many Germans, Austrians, Swedes, Italians, and Irish. In that north-side community those people would own their little cottages on a 25-foot lot, and after years of saving and thrift they would move that cottage onto the back of the lot and in its place erect a little two or three flat building, but you may be assured that they themselves would continue to live in the little cottage on the back of the lot until their building loan had been paid up, when they might move to the front house in their old age. They are that type of citizens who would remain home all day on the Fourth of July in order to protect their property and the surrounding property against fire. The policeman in a neighborhood like that knows practically everybody on his beat, and they call each other by their first names. Arrests are most unusual. Only a publicity-seeking fool will say that there are a great many disloyal American citizens in that community.

"Mr. REAVIS. Then you think that the citizenship in that district will compare favorably, from the standpoint of loyalty, with any other district in the city of Chicago?

"Mr. BRITTEN. With any other district in America, and its personnel is largely superior to Mr. Wetten himself.

"Mr. BROWNE. You have seen this chart purporting to give the records of Congressmen in the Sixty-fourth and Sixty-fifth Congresses regarding the eight acid tests?

"Mr. BRITTEN. Yes; it was circulated in my district. I am credited with having voted wrong three times out of the eight acid-test votes selected by the Security League, and yet Congressman FOSTER of Illinois was credited with having voted wrong five times, while Congressmen RAINEY and MCKENZIE were marked wrong four times out of eight, and Congressman RODENBERG six times out of eight, yet none of these gentlemen were requested to come before the league nor were they opposed for reelection.

"Mr. BROWNE. Did Mr. Wetten speak in your district?

"Mr. BRITTEN. Yes; he did; several times.

"Mr. BROWNE. They stated—I am interrogating you on that question because Mr. Wetten stated that he made no speeches at all in your district.

"Mr. REAVIS. He made that statement positively?

"Mr. BRITTEN. He did. He is going to prove, evidently, what I said about him a few moments ago.

"Mr. REAVIS. My recollection of Mr. Wetten's testimony was that he did not appear in your district at all.

"Mr. BRITTEN. He was questioned from the floor at one meeting that I know of.

"Mr. REAVIS. Well, he stated that he had been making speeches at every political campaign for a great many years, and left the impression with the committee that he was in such demand—he may have forgotten that he was in your district—a man making as many speeches as he indicated he had been.

"Mr. BRITTEN. The truth of the matter about Wetten is that he always has been a publicity seeker and a limelight artist, with no brains, but a big mouth, who caters entirely to the corporations. He has been a candidate for office for many years, but never runs. You have referred to Wetten as a lawyer; you will pardon me, he is not a lawyer, but is merely admitted to the bar. He comes from that class of lawyers known as political fixers, and will charge his clients a good round fee for having cared for some matter very easily arranged through political influence."

Mr. Speaker, when Hon. WILLIAM E. MASON was before the congressional committee he was asked the following questions:

"Mr. REAVIS. Can you see anything to distinguish the National Security League in Chicago from a regular political organization within the party?

"Mr. MASON. I can not; I never have.

* * * * * * *

"Mr. REAVIS. But, as I understood you, a reliable man on whose word and in whose integrity you put the utmost reliance, told you that any question—told you, in effect, that any question the National Security League might have regarding your loyalty they were willing to abate if you would support the street-car franchise.

"Mr. MASON. Yes, sir; and that a certain newspaper——

"Mr. REAVIS (interposing). And that this organization, inspired by the desire to serve the country in the time of its need and to elect patriotic Congressmen, were willing to subvert the very purpose of its organization itself if the street-car franchise could be put across?

"Mr. MASON. Yes, sir.

"Mr. REAVIS. So that while their avowed purpose was a patriotic purpose, the real purpose and the one in which they had the most interest was the street-car proposition?

"Mr. MASON. That, I think, was their purpose.

"Mr. REAVIS. That is logical, isn't it?"

* * * * * * *

Mr. Speaker, when Hon. ROSCOE C. MCCULLOUCH, of Ohio, was before the congressional committee he branded the National Security League as a "tool of Wall Street and the interests" and urged "punishment commensurate with the great wrong they had done."

The Late Senator Gallinger.

MEMORIAL ADDRESS

OF

HON. JOSEPH G. CANNON,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, January 19, 1919.

The House had under consideration the following resolutions:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JACOB H. GALLINGER, late a Senator of the United States from the State of New Hampshire.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased."

Mr. CANNON. Mr. Speaker, two men have crossed over in the last few months who were truly great men, one from Illinois, JOHN A. STERLING, the other from New Hampshire, Senator JACOB H. GALLINGER, one a lawyer, the other a physician by profession, both of them school-teachers in early life, one well grounded in the legal profession, the other well grounded in the medical profession, who later on in life were selected on account of their ability and high character for services in the Congress. Senator GALLINGER served in this House two terms, and then he served, I believe, continuously in the Senate of the United States until his death. Each one served his constituency

well. They could not have served their respective constituencies well without serving all the people of the United States well. A Senator represents one State and a Representative serves one district, but when we come down to it, whether it be in the Senate or in the House, whether a man comes from far-away California, or way down East in Maine, or in New Hampshire, or from the central portion of the country, he votes for legislation that spreads over the whole country, and we are just as much interested from a practical standpoint in every one of the 435 districts, each of which sends a Representative to the House, or to any of the 96 Senators, as we are in those whom we select from our respective States and districts. I believe that through all these years that I have served in the House that on the average in the House and in the Senate the people who were chosen have represented the public sentiment of the respective States and districts first, and second, and on all fours with the public sentiment, have represented the whole people.

And, everything considered, I believe the average representation in both House and Senate measures the average sentiment and intelligence of those who send them here. Sometimes there is complaint that there are too many lawyers in Congress. Well, there are a good many lawyers in Congress, but they are selected not because they are lawyers but because they have to do with voting for legislation. Some people say there are too many business men in Congress; that there are too many farmers, and so on. Now, the whole object of our Government is to enable us to live under laws which under our fixed law, the Constitution, will protect the weak and the strong. God forbid that it should ever be to the contrary. And it never will be to the contrary while our form of government lasts.

There are certain great characters in war and in peace—Presidents, Members of Congress, and the coordinate branch of the Government, the judiciary, that stand out in history and will continue to stand out in history. But, after all, it is the one hundred millions of people, plus now, that select the men who are to legislate and who are to fill the Executive chair and, in the end, under the Constitution hold the judiciary positions. And those places will not be more worthily filled than by the majority sentiment, the common sentiment, of the people who give men their commission. George Washington, the Father of his Country; Alexander Hamilton; Thomas Jefferson; Patrick Henry; the Adamses, all dwell in history, but we would not have gotten far if it had not been for the Continental Army. We would not have had a Constitution if it had not been for the wise men who framed it and the people who ratified it. After all is said and done, men whose names are forgotten, great masses of men, the average population of the country, selected those great characters who performed the function that was cast upon them, and they did it well. I fancy if you would call the roll of the Membership of the House of Representatives you would find that nine-tenths of them, under the hand of necessity early in life, learned to make their way by labor, physical and mental. I know the Illinois delegation pretty well. They are descendants, in the main, of pioneers—a great folk. From one ocean to the other we are still pioneering; we are crossing the continent; we are settling up the area of the United States in order that we can continue to take care of the great increase in population for a thousand years and live, if we are forced to do so, within ourselves. We have not been forced to do so, but we could.

Now, these two men, JOHN STERLING, school teacher, lawyer, and legislator on the one hand, and Senator GALLINGER, having pretty much the same kind of training that STERLING had, were both strong factors. While Senator GALLINGER was not a lawyer, practically he was quite six while other men were half a dozen in framing legislation. They did not lack industry. The two men in many respects were alike. They or any of us, substantially, will not live as Webster will live in history or as Jefferson will live in history, but Webster and Jefferson and all of those people could not have succeeded so well if it had not been for their forbears that stood for them and by them. And so in speaking of the whole people we must consider them as being competent for self-government. There never was a man bright enough and strong enough to develop another's legs by walking for him, and there never will be. A child when he learns to walk can be instructed and aided, but he must do his own walking and his own growing.

JOHN STERLING was my personal and political friend and I was his. I recollect the night before the election in the campaign of two years ago, when I closed it at Bloomington, in his district, at which there was a wonderful demonstration. That was the night before the election. They had been talking that there was a hot contest that promised to defeat Mr. STERLING. But he came out of it with a greatly increased majority not by virtue of what I said but by virtue of his ability, character, and service.

We only know about to-day. What of the future? I believe there is a future. I believe that each man, each human entity, finds its place amongst those like unto it. That is my faith. I am not a believer in people being cast in a fiery furnace that is a thousand times hotter than the one in which Shadrach, Meshach, and Abed-nego were cast and being burned forever and ever. No; no. We all hope, and that is the strong evidence, for life hereafter.

Sometime ago I had the pleasure of dining, on the invitation of Representative PORTER, of Pittsburgh, with a great manufacturer and a great business man. There were present, if I recollect, 18 or 20 guests at his house here in Washington. The guest of honor was Mr. Brashears. That gentleman is the great lens maker of the world. He commenced life as a puddler, but in off hours he turned his attention to the stars. He married, but there were no children. As he studied the stars and began to make lenses his wife was his assistant. He made great progress in his art. He made the great lens for the Lick Observatory, and other great lenses have been made in his laboratory. We made him do most of the talking by asking him questions, first by one and then another.

I asked him, "How far can you see into space with the strongest lens that you have produced?" He said the strongest lens ever produced in the world was produced at Pittsburgh in his laboratory. I said, "How far does that lens reach into space?" "Ah," said he, "I am something of a mathematician; we know the velocity of light; that lens can reach so far that if a sun in space were to be extinguished this minute, the light that started from that sun would not reach the earth for fifteen hundred years. Space is but another word for something without boundary."

Then somebody asked him, "When was it that your wife died?" He answered, "Two years ago." Then somebody asked, "Where is she buried?" His answer was, "Beneath the laboratory. And there I shall be buried, and on my wife's memorial"—in substance I give the words: "We have searched the stars together, worked together, made lenses together; we have become familiar with space, so far as human eye by human invention and aid will allow; and that Power which made the universe and placed law upon it will care for us after this life."

So I have faith to believe that that Power will care for Senator GALLINGER, will care for JOHN A. STERLING, will care for the loved ones that have crossed over. I do not know; perhaps I am not orthodox. We can not shape our future lives except as we come under general law, and the great First Cause that called matter into being was not only wise but omnipotent, which means just and merciful. It is a favorite thought with me with respect to my loved ones, when I think about them, who have been crossing over, it seems to me, every few years since I can remember, that I shall meet them there. Such is the universal desire. While the legislative record of our deceased colleague here, Mr. STERLING, and of the honored and able Senator GALLINGER is lodged in the official archives of the House and Senate, while we sympathize with the friends that survive, yet if we are welded by work, by wisdom, by fidelity, crossed on courage, I shall hope and be content if we can reach men in the great eternity like unto Senator GALLINGER and JOHN A. STERLING.

Unliquidated Damage Claims, $4,000,000,000.

SPEECH

OF

HON. EDWARD C. LITTLE,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 8, 1919.

The House had under consideration the resolution (H. Res. 487) providing for the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. LITTLE. Mr. Speaker, I want the House to understand the amount of the bills for whose payment they are providing in the matter of the claims for damages to people who did obey the law of 1862 as to contracts. In the hearing before the committee the Comptroller of the Treasury said:

This bill will confer on the War Department the settlement of more equitable claims in amount, in my opinion, than Congress has settled since the beginning of the Government.

That is what you are arranging for. Can you not spend a day on that? He says again:

Probably the amount of money in equitable claims which will be covered by this bill is more than has been acted upon by Congress through its Committee on Claims since the beginning of the Government.

And you are taking 80 minutes to discuss it.

How fast are they going to settle it? Mr. Warwick, the Comptroller of the Treasury, says:

I understand the War Department, if this proposed legislation is enacted, could settle with the contractors within 30 days after the law is passed by Congress.

He testified that there are 6,669 of them.

Mr. GORDON. Six thousand.

Mr. LITTLE. Six thousand six hundred and sixty-nine claims already. And the gentleman from Ohio came up here and told us he had investigated them and that they were all right. An old lady came home from the drug store in great haste and she said to Mike, who was smoking by the stove, "They have got a complexion powder down at the drug store that will give me the complexion of a baby." He looked her old mug over kindly and he said, "It will be a dandy if it will do it." [Laughter.] And yet that is what you want to do. You want to authorize the War Department in 30 days to pay out $4,000,000,000 to 6,669 different claimants, and more to follow. Great God, gentlemen, they will think you are crazy in a hundred years from now when they read this bill.

They tell us that these are contracts. There is not a contract here. The Comptroller of the Treasury has turned down every one of them as illegal.

The chairman of this committee says this bill is to provide for contracts that were not valid contracts. That is what is the matter with these alleged contracts. Mr. Dorr says, in the hearings, "an agreement may not be a contract, and it was not a contract in this case, because the law prescribes that it shall not be a contract until it is signed in a certain way." You are here to protect the public. You are not here to only take care of the contractor. You represent the taxpayers and it is your business to interpret these laws for their benefit.

You come here and tell me that they can not pay a wounded soldier. Has any rule been brought in here to fix a way by which the soldiers can get their money quickly? There are thousands of poor women who are not getting their allotments. Has anybody brought in a rule here to authorize a system to hurry up the payment of these allotments? Yet you come in here with a rule for the benefit of manufacturers, who have millions back of them. Why does not somebody appear here and ask for a rule for the benefit of the wounded soldiers and the widows and orphans? [A voice, "Whoo-ee!"]

Who says that? Some contractor? Some speculator? Some profitteer? Is there anyone here who would vote to pay the unliquidated damage claims of millionaire manufacturers and then jeer when some one speaks for the soldiers' wives who do not receive their allotments, for the orphan, the widow, and the unpaid wounded soldier? They tell us he who argues for the millionaire is a conservative statesman and then turn around and declare the man a demagogue who says that the soldier who fights for his country should receive as much financial consideration as the contractor who profits from it. They lie.

Mr. CALDWELL. Will the gentleman yield?

Mr. LITTLE. I have not time. The gentleman from New York is the one who said to the department satraps in the hearings, "You think you are God's anointed and want to do it in your own way." He was right. What is the matter, where is the Senegambian in the woodpile? In 1862 they made a law that every man down there who made a contract should make an affidavit that he was not interested in it. That is the mystery and that is the trouble. You talk about a contract. There is no affidavit in one of these pretended contracts in which the man says that he was not concerned in it. Some fellow with a major's epaulets on his shoulders probably made these agreements, or most of them, and then ran off and made no affidavit, because he was afraid that he would get into the penitentiary.

Yet he wants us to authorize him to settle up and pay the entire claims because he knows all about them. He certainly does. He knew too much to swear to them. I would not vote to pay anyone until the affidavits required by the law of 1862 are made. A commission of these nonaffidavit workers would be a farce. We put the "conscientious objectors" to military service in jail. We ought to put these "conscientious objectors" to making affidavits demanded by law in jail with them. The latter class is much more dangerous to the Nation. Yet they can get big business and little business and the press with them, while the first has only the War Department. A commission sufficiently large should be appointed with authority to take evidence and make a thorough examination. It should report to the Congress of the United States, which appropriates the money to pay these damage-suit claims.

Some of these contracts are probably just. I will vote for a commission to investigate them and report here, and will vote to pay them as fast as they are proven honest, but I will not vote to spend a nickel on one until the fellow with spurs on his heels will make an affidavit that he was not interested in it and then comply with the law of 1862, passed in the country's greatest emergency. [Applause.]

EXTENSION OF REMARKS

OF

HON. OTIS WINGO,

OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. WINGO. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include a song of Uncle Sam, by G. M. Comstock, Uniontown, Ark., as follows:

A SON OF UNCLE SAM.

(By G. M. Comstock, Uniontown, Ark.)

Somewhere in France in a war-torn place,
Out there in no-man's land,
Two burly soldiers met face to face—
One bade the other stand.
"Well, who's the one," spoke up the Hun,
"To halt me where I am?"
In tones of pride the other cried,
"I'm a son of Uncle Sam."

"And why, I pray, did you cross the sea
To come to a foreign shore;
And why depart from a land that's free
To hear the cannons roar?
The Kaiser bold, so I've been told,
Compares you to a lamb,
And said, 'They're right, but will not fight,
Those sons of Uncle Sam.'"

'Twas then the boy in the khaki suit,
With pride and a curt grimace,
Said, "Come with me, for I'll not dispute
With Bill or you or your sin-blacked race.
So face about and do not shout,
Just close up like a clam;
You're going back to my old shack
With a son of Uncle Sam.

There are two million of us in France,
With eyes by grief made dim,
Who watch and wait for the glorious chance
To storm your great Berlin.
We long to see the world made free,
Without a doubt or sham;
This war be closed and you exposed
By the sons of Uncle Sam."

SPEECH

OF

HON. EDWARD C. LITTLE,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 9, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. LITTLE. Mr. Chairman, in the first place I want to call attention to the exact facts in this case. The gentleman asked, Do you want to cheat any honest man out of his money? I do not, and I do not want any grafter to "get his." Some of these claims are honest and some are not. I do not want the friends of the grafters to get behind the friends of the honest men and get anything that is not coming to them. I want to say this in behalf of the honest men and the honest claims: Every lawyer here, if he will be frank with himself, will concede to himself, if he will not in public, that this law is probably unconstitutional, because it places judicial power in the hands of the Executive, and if an injunction is applied for the injunction will be granted. I am not sure that we are doing the honest man any favor by putting him in this position.

Now, I want to call attention to the elementary facts. The law provides, in Revised Statutes, section 3744, enacted in 1862 for this very purpose, that every contract shall be in writing

on these matters, and that an official should make an affidavit that he made the contract and that he in no way profits thereby. These alleged contracts are not in writing and were not verified by the affidavit, in my opinion often omitted by legal advice. Now, gentlemen, we hear much said about contracts. There is no contract at issue here, because the law says it shall not be a contract until these things are done. That is not all. There is no legal contract, and there is no equity in it. Every man that comes into a court of equity must come with clean hands himself.

If A and B undertake to make a contract, in writing, and A says he will do this if B will make an affidavit, and they do not execute any writing, but B turns around and undertakes to set up an equity, and has not made the affidavit, he has no equity. He does not come with clean hands. If any man undertakes to get in under this law, where an affidavit is essential, and he in any way assists in getting away from that affidavit, he has no equity. There is no legal right and no equity, because they can not come in with clean hands to avail themselves of it.

Instead of being contracts these are felonies, and this law ought to read at the beginning not to confirm informal contracts but for the relief of formal felonies. That is where you start, gentlemen, and that is all there is to it. A great many of these men are honest men and have no intention of violating the law. What is the result? They have been placed in a position where they may be brought up for a felony and prosecuted for a felony. If the felony is not there, why do you put in a provision by amendment that you reserve the right to arrest every one of them?

In the hearings December 9, 1918, the character of these unliquidated damage claims is fully developed. The evidence presented there shows that they are merely unliquidated damage claims. Mr. Warwick, Comptroller of the Treasury, says, page 30:

> There is no real liability on the Government for these claims. The Court of Claims and the Supreme Court would give judgment to the United States on any case that is intended to be covered by this bill.

He says, page 31:

> This bill does not cover cases where the material has been delivered.

And, page 31:

> I mean the contractor would get his money without this bill where he has delivered the articles and the Government has accepted and used them. He would get the fair value of the article.

Comptroller Warwick says, page 28:

> The Supreme Court of the United States holds that, so far as the man (p. 29) who has delivered under an informal contract is concerned, he is entitled to quantum meruit.
>
> The CHAIRMAN. Against the Government?
>
> Mr. WARWICK. Against the Government; oh, yes. But this bill does not cover that. This bill covers articles not delivered.

You can see that the claims this bill is calculated to pay are not intended to provide a fund to pay for anything the Government has received. The Supreme Court has provided the method for meeting that. These claims are for unliquidated damages somebody claims for nobody knows what. They will amount to over $4,000,000,000, and perhaps never cease. Here are our soldiers straggling home out of employment, and men who advocate the expenditure of billions to meet demands that are nothing on earth but damage suits will absolutely refuse to make any serious preparation to reward the soldiers for their sacrifices and enable them to get a new start. What has John Smith to complain of when he talks about some contracts that were never made and never carried out when John Jones comes home with a wooden leg and no job?

Where the claims are just they will be met, but thousands of crooked grafts will sneak in here if this bill goes through, when the Government by the law of 1862 made such things impossible. On page 34 of the hearings before the Military Committee on December 9, 1918, a member of the committee, the gentleman from New York, says:

> When these contracts were made there was talk in the Halls of Congress and on the streets of our country to the effect that men formerly employed by these great contractors were the people who were giving the contractors all the contracts. Under this bill those men will be put on boards to pass on the question as to what their former bosses are going to get when the war is over. After we have won, there is no need of paying a tribute for winning the war.
>
> Mr. WARWICK. That is not a question directed at me, is it?
>
> (Thereupon the committee adjourned.)

Well, I should think it would adjourn. There is not a man in the world who dare answer the question. Ah, you know, they sent their employees here with majors' shoulder straps and jingling spurs to pose at a desk as "experts" and secure contracts for the men for whom they worked at home. Then they discovered the law of 1862 that required the fellow in these spurs and straps to make an affidavit that he was not concerned in the matter, and consulted their attorney. Of course any intelligent attorney would instruct them not to make the affidavit, as it would take them to the penitentiary. They violated the law about the affidavit, and therefore violated the law that required them to make a contract in a certain way. Then the Comptroller of the Treasury refused to allow the pretended contract to be paid, and they come here and ask Congress to enact legislation that will authorize the Department of War, of which these shoulder-strapped individuals are clerks and officers, to pass upon and settle the very contract these felonists made. Why should they pass upon it after they were afraid to make an affidavit that they were not concerned in it? If they had obeyed the law, we would not need any more legislation. It must be obvious to any intelligent man that this is simply a law to compound a felony.

The bill presented by the Department of War could not get 20 votes here; the amendments only make it able to pass. What are they? Safeguards, they say. Why so many "safeguards"? Because we all know something is wrong; but the safeguards get nowhere.

What happened? The Comptroller of the Treasury refused to disobey the law, made to protect taxpayers from profiteers, and declined to allow any of these claims to be paid. The very fellows who assisted them in committing this violation of the statutes come in here and say, "a felony has been committed; we committed it, let us straighten it out; we are the fellows who can do that; we know all about it." That is exactly what has happened, and you need not try to get away from it. I concede that does not alter the fact that a lot of honest men have honest claims, but there is not one of them coming here who is in a position to go into a court of equity and demand equity, because he can not show clean hands.

This is not a grant of equity. This is to grant mercy, and it should be granted. It droppeth like the gentle dew from heaven, and here is a good time for Congress to drop some, but it is not necessary to give it to any grafter. A year and a half ago I saw this Congress appropriate $640,000,000 for airships in two hours, and when somebody got up and said, "Who is to make them, and how much will they cost," some man answered, with flamboyant oratory, that "You must not delay; you must trust the War Department," and we did, and where is your $640,000,000?

Mr. LAGUARDIA. We did not get a machine.

Mr. LITTLE. Not a thing to show for it! I do not want you to say "hurry" to me again. I made up my mind at the time there was something wrong then. I did not object because of the phenomenal conditions. But I shall not be flimflammed again if I know it. The emergency is gone and I am objecting now. There is no Hun at our throats to-day.

Mr. MCKENZIE. It is too late as to the machines.

Mr. LITTLE. Yes; the gentleman from Illinois says that it is too late to object to the $640,000,000, but it is not too late to object to the $1,600,000,000. The statements already show in these hearings that it has run up over $4,000,000,000. Four billion dollars! Why, every grafter in the United States will be in on this thing. Every man who can think of some reason why he should come in will be in, and you gentlemen who wish to help the honest men should aid to establish some system by which they could differentiate between the honest man and the crook. I will help you do everything that I can toward that consummation. The law of the land is against all of these people. We must now devise some means by which real justice and equity can be done, although not one of them is in a position to demand it legally. A proper commission will do it.

Oh, I know these damage-suit people are yelling bloody murder because they do not get their money. They are crying "Hurry, hurry, hurry," that business will be ruined and a panic will be precipitated if they do not get their money. Yes; the boys over in France who were not paid once in nine months sometimes were in a hurry, too, but you never did a thing about it. The soldiers' wives at home with big families in need cried "Hurry, hurry, hurry" for their allotments, but you never raised a finger to put in a rule to bring up their bill and you never had a committee report any bill for them. Why is it that every eagle owned by a rich man "hollers" so much louder than the eagle owned by a poor man when they are both squeezed? Why is it that society hardly hears the wail of the hungry, the hoarse cry of the soldier, but has its ear attuned to catch the slightest whisper of distress from what we call the business interests?

These people are simply the agents of society to carry out certain economical features, and most of them make big money by doing it, but the people you have forgotten, the soldiers' wives and the wounded at the front, are the sacred charge of the Congress of the Republic, and I do not like to see men come in here with a rule to put through, almost without discussion, payments that are admitted to amount to $1,600,-

000,000—and will really be over $4,000,000,000—to men whose claims are described by the Comptroller of the Treasury in the terms I have quoted.

If they were in such a hurry, why did they not comply with the law of 1862? If the payment of this money was so important that a delay might ruin society's business interests, every man that failed to make an affidavit that the law required to expedite it ought to be in the penitentiary as a malefactor of the most dangerous kind. They should be held to the strict performance of that legal duty which was thrown upon them by the statutes for the protection of the Treasury against the raids of just such men as some of them evidently are. This country, as a result of this war, has become indebted in the sum of thirty billions of dollars. Of this, four billions, practically one-seventh, will be paid to the men who did not comply with the law, but sought to evade it by this very failure to make these affidavits. I suggested to a gentleman who is most ardent in favor of this legislation that we support a bill to pay the soldiers a bonus for their services according to a suggestion I made. He said, "My God, that would cost the country five hundred millions of dollars. Where do you think all that money is coming from?" It never occurred to him as to where this four billion was coming from to pay the manufacturers who had violated the law, yet his hair curled with indignation when I wanted to pay $500,000,000 unliquidated damages for their sacrifices to the gallant boys who left their jobs and salaries, who left their business, who gave up all their opportunities in life and went off and risked their lives for America.

Talented orators tell us that these big business men took these great risks on account of their loyalty to their country. Well, some of them did and some of them did not. That style of argument has been given full sway here. But we do know that the soldiers who fell on the fields of France, went down into the Argonne never to return, who sleep in Belleau Woods, who rest forever at Chateau-Thierry, and who made the breach at Cantigny heard no call but that of duty, no enticement but that of loyalty. They had nothing to gain and everything to lose, and they lost it; and every man that pleads for them with the word loyalty on his tongue will be denounced as a demagogue, and every man who comes here to upset the laws of his country to plead for profit makers and profiteers, with the argument that they sacrificed for loyalty, has forever estopped himself from saying demagogue to anybody who talks of the soldiers' sacrifices and a pecuniary award to them. The business men of this country have good lawyers, and they were told what the law was. They should accept the situation they created and get their money just as all the rest of us get ours when we fail to obey the law.

The gentleman from Pennsylvania suggests that we appoint a board of Members of Congress to survey these claims. A gentleman sitting by me who is an ardent supporter of this bill remarked, "I would not be a member of that for $10,000 a year in addition to my salary." I said, "Why?" He said, "Because I do not know anything about these claims." He does not know anything about it, yet he wants to and will vote for allowing $4,000,000,000 of these claims. One member of the committee told me that he knew of a $1,000,000 steal that was to be presented under these claims, but he had secured an amendment under which he could head that off. How many more are there that ought to be headed off? If you do not think some of these are crooked, why have you made so many amendments to the bill first presented by the War Department? If you were so afraid of the bill presented by the War Department to the Military Committee that you had to add amendment after amendment, how do you know that it is all right now? If you could not trust the War Department to make the bill, how can you trust them to pay out the money without any supervision? These people are no better than the rest of the country, and injuries to them are no more dangerous to business than damages to other business men. They should be given an opportunity to secure their money by proving their claims, just as all the rest of us do when we get into trouble.

We do that by going through forms of litigation provided to do justice between men. There is no reason why these men should have any more privileges than the rest of us who try to obey the law. This House should provide some special proceeding, in the nature of a commission, with authority to take evidence and to do justice to all concerned, including the taxpayers, who will have to put up this $4,000,000,000. The rest of this country must adopt such a system as that to pursue its unliquidated damage claims. Of course, these people will complain that that is slow, but—

> No rogue e'er felt the halter draw,
> With good opinion of the law.

If you hold these men to the methods the rest of the country must follow hereafter, you will have no difficulty in protecting the taxpayers against improper contracts in the War Department. If you authorize the men who violated the law to have full charge of the settlement of their own illegal claims, you will make a precedent that will endure to plague the taxpayers for centuries to come. As for the honest men with just claims, they will be willing to get their justice from the law, as other men do, and we should make that provision for them.

I yield back half of my time to the gentleman from Iowa [Mr. DOWELL] and half to the gentleman from Pennsylvania [Mr. MOORE].

MEMORIAL ADDRESS
OF
HON. THOMAS L. RUBEY,
OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 2, 1919.

The House had under consideration the following resolution:

"*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the families of the deceased."

Mr. RUBEY. Mr. Speaker, more than 40 years have passed since the Members of this House have been assembled to pay a tribute of respect to the memory of a Missouri Senator. On September 20, 1877, Lewis V. Bogg, then a United States Senator, died while serving his first term, and since that time no Member of that body from Missouri has died while in office until April 14, 1918, when WILLIAM J. STONE, then serving his third term, passed away. Missouri during her little less than 98 years of Statehood has had 26 Senators, 4 of whom have died while in office. Besides those already mentioned, STONE and Bogg, the third and fourth Senators, Alexander Buckner and Lewis F. Linn, passed away while in office. Buckner served only a little more than 2 years, while Linn served nearly 15 years.

I trust that it will not be considered inappropriate if I briefly touch upon some facts and incidents of history relating to the long line of illustrious men who have occupied seats in the "upper House" from the great Commonwealth I have the honor to represent in part in the "lower House" of Congress.

During the early years of her Statehood the people gave to their Senators long tenure of office. For 35 years she was represented by only six men; two of these died in office; otherwise the number would have been less. From 1855 to 1881 no man succeeded himself in office with the single exception of John B. Henderson, who was appointed to succeed Trusten Polk in 1862, and who subsequently was elected to fill out his unexpired term and reelected for a full term. Henderson's length of service was a little over 7 years. During this brief period of 26 years no less than 15 men occupied seats in the United States Senate from Missouri. With the reelection of Francis Marion Cockrell in 1881, the people returned to their former custom of giving long service to the faithful; and, as if to emphasize that fact, they reelected Senator Cockrell four times, giving him 30 years, a record equaled only by Thomas H. Benton. To be exact, Senator Cockrell's service exceeded that of Thomas H. Benton several months, due to the fact that while Benton was elected in 1820, Missouri was not admitted until August 21, 1821. The shortest term of service was that of David F. Jewett, who was appointed to fill a vacancy, and who served from December 19, 1870, to January 21, 1871, a period of one month and one day. He had a close second, however, in James Shields, who was elected to fill out the unexpired term of Lewis V. Bogg and served from January 24, 1879, to March 4, 1879, one month and eight days. Only one of Missouri's Senators has ever resigned. That was Charles D. Drake, who resigned to accept the appointment of chief justice of the Court of Claims. Two of our Senators were foreign born—Carl Schurz, who was born in Germany, and James Shields, who was born in Ireland. Schurz, after representing the State in the United States Senate, became a member of President Hayes's Cabinet, and later located in New York City, where he became a very distinguished editor and

author. Shields had the very great distinction of representing three States in the United States Senate. First Illinois, then Wisconsin, and last but not least, Missouri. David R. Atchison is the only Missourian who has had the distinction of serving as President of the United States. He was President pro tempore of the Senate on Sunday, March 4, 1849; and as Gen. Taylor was not sworn in until March 5, Atchison for one brief day was President of this great Republic.

WILLIAM J. STONE, in honor of whose memory we meet to-day, was the twenty-fourth Senator from Missouri. In length of service he was exceeded only by Senators Cockrell, Benton, and Vest. Elected in 1903, reelected in 1909, and again in 1914, the last time by popular vote, he was just entering the sixteenth year of service at the time of his death.

The old State of Kentucky has been very generous to Missouri. She has furnished us with some of our most distinguished citizens, among them Senator STONE. He came to the State early in life and was educated there, graduating from the university at Columbia. Every official position he ever occupied came to him as the result of the confidence and esteem in which he was held by Missourians—prosecuting attorney, Member of the House of Representatives, governor, United States Senator. Remarkable career, one of which any man might well be proud. In every position, from county attorney to the exalted position of United States Senator, he served his people with fidelity and distinction. Of all Missouri's distinguished governors, Senator STONE is the only one ever elected to the United States Senate after serving a full term as governor. Trusten Polk was inaugurated governor and in a few days was elected to the Senate, while B. Gratz Brown was elected governor after having first served in the United States Senate.

My acquaintance with Senator STONE began in 1892, when he made his memorable campaign for governor of Missouri. His opponent in that race, Hon. William Warner, attacked the record of the Democrats and selected as his slogan "Poor old Missouri." Mr. STONE accepted the challenge, defended the Democratic record in Missouri, took as his watchword "Grand old Missouri," and from one end of the State to the other proclaimed the greatness and the glory of that splendid Commonwealth, of which some one has written:

> The winds of heaven never fanned,
> The sparkling sunlight never spanned,
> The borders of a better land
> Than this our own Missouri land.

That remarkable campaign of 1892 added to the luster of STONE as an orator, won for him the governorship, firmly established him in the affections of his people, and eventually made him United States Senator.

In his political speeches Senator STONE was unselfish; he always talked for the "other fellows" rather than for himself. In every campaign he ever waged he never lost sight of his associates on the Democratic ticket, and each one of them received from him strong words of praise and commendation. No man I have ever known was truer to his friends than he. He firmly believed in and faithfully practiced the sentiment—

> The friends thou hast and their adoption tried,
> Grapple them to thy soul with hoops of steel;
> But do not dull thy palm with entertainment
> Of each new-hatched unfledged comrade.

Of Senator STONE it may be truly said, "He died in harness." On the way to the Capitol, where he was to have made a speech in the Senate, he was stricken. He lingered in a semiconscious state only a few days. Once in a while he would revive, and in those moments he would insist that he must go to the Senate, that he was expected to speak, and that he must be there ready to do his duty.

He died, I am sure, as he would have desired could he have been consulted. There was no long and lingering sickness full of pain and consequent suffering of sympathizing loved ones powerless to give relief. On the contrary, after an illness of only a few days, surrounded by his devoted wife, son, and daughters, he peacefully breathed his last and passed to the great beyond. That his going brought sincere sorrow and mourning to the great hosts of faithful friends was manifest on the return of the body to Missouri. From the time the funeral train crossed the Father of Waters—the Mississippi River—and reached Missouri soil until the very end of the journey, at every place where a stop was made the train was met by vast crowds of people. At St. Louis, the first stop, that great, magnificent station could not begin to accommodate the friends who were there to pay their tribute of respect. The vast throng lined up on either side of the long platform and stood with bowed and uncovered heads as the body was borne from the train. Tears flowed down their cheeks, giving mute and unmistakable evidence of the sadness which filled their hearts. The next stop was made at Jefferson City, the State capital, where the body lay in state in the rotunda of that magnificent new statehouse so recently erected upon the bluff of the Missouri River. On this historic spot had stood the old capitol building in which for four years Senator STONE had served as governor. The new capitol, erected at a cost of nearly $4,000,000 to replace the old one destroyed by fire a few years ago, was just being completed, and Senator STONE's body was the first of Missouri's distinguished dead to lie in state there. The casket containing his remains was placed in the great rotunda, in the recess formed by the great winding stairways leading to the floors and galleries above. It was banked with the most beautiful array of flowers I have ever looked upon—tokens of love, affection, and esteem sent from far and near. All day long there was a constant stream of people passing the bier of Missouri's distinguished Senator. They came from everywhere; nearly every county was represented. Old men, with the weight of years showing in their tottering footsteps and their whitened hair, paused and looked upon the face of the dead, wiped the tears from their eyes, and with saddened countenances and throbbing hearts passed on. These were the friends of other days—men who had known him, honored him, and stood by him in the days gone by, and who now came to look for the last time upon the face of their friend and pay to him this last mark of their affection and esteem for him. Men and women passed by the thousands. The children came from the public schools; the business men closed their doors and came to pay honorable tribute to the dead. No one who viewed this truly wonderful scene at Jefferson City can for a moment doubt the esteem and love of the people of Missouri for this man who had served them in the threefold capacities of Congressman, governor, and United States Senator.

The funeral train left the capital at night, arriving at Nevada, Mo., early the following morning. Here again we were met by vast crowds of people who came from the surrounding counties. This was the old home of Senator STONE. Here it was he began his political career. Here it was we were to meet his old-time friends, those who had known him from his early manhood. The manifestations of sincere grief and sorrow shown both at the funeral and at the grave told the story of their affection for this distinguished man far more eloquently than it can possibly be related by me. Home! He was back home again; he had taken his last earthly journey and had come back to make his final resting place near his old home. We laid him to rest in the beautiful cemetery at Nevada. There in the silent city of the dead he rests to-day, surrounded by friends and loved ones who have gone before and where he will be joined in the days to come by other loved ones and other friends who must so surely follow.

The body of WILLIAM J. STONE, all that is mortal of him, lies out there in that cemetery; the grass will grow green above his grave, the flowers will bloom, the birds will sing their carols in the trees; friends and relatives will come to visit that grave, to spread flowers upon it, and to water them with their tears; in time, no doubt, friends and admirers will erect a suitable monument, so that future generations may know that the body of a distinguished statesman and citizen lies buried there. WILLIAM J. STONE is not there; his immortal spirit took its flight when the breath left the body. He has gone to meet his reward in the great beyond. On that bright day in April, nearly a year ago, his immortal spirit winged its flight—

> To that mysterious bourne
> From which no traveler returns.

And to friends and loved ones who put their trust in Him "Who doeth all things well" there comes that sweet consolation:

> We'll meet thee and we'll greet thee
> On the never ending shore;
> We'll dwell with thee in glory,
> To be parted nevermore.

HON. JACOB E. MEEKER.

Mr. Speaker, the House of Representatives meets to-day to pay respect not only to the memory of a Missouri Senator but to a Member of the House of Representatives as well—Hon. JACOB E. MEEKER, of the tenth district of Missouri. That there is nothing more uncertain than life nor more certain than death is illustrated in the case of Dr. MEEKER. I saw him just a few days before his death, the very picture of health—hale, hearty, and robust—and yet in just a little while there came flashing over the wires the sad news of his death. I did not know him well; I had never met him until he came to take his seat in this body in December, 1915. He very soon impressed me as a man not only of marked ability, but a man of very decided views—one who had opinions of his own and was not afraid to express them. He was a fluent and forceful speaker,

and almost at once took rank as one of the best debaters in the House.

A native of Indiana, his body was taken back there for burial and was laid to rest in the country churchyard in the neighborhood where he was born and where he had spent the greater part of his life.

Dr. MEEKER died in St. Louis and the congressional committee met the funeral party at Attica, Ind. The funeral ceremonies took place some 12 or 15 miles from there, in a beautiful country church near the old Meeker homestead. On the way out we passed through the most wonderful farming country I have ever seen. Detouring a few miles from the direct road, we were taken by the farm and had pointed out to us the large, spacious farmhouse where Dr. MEEKER was born. It was an ideal country home, situated in the very center of a tract of some two or three thousand acres of the very best land that can be found in the State of Indiana. I was impressed with the prosperity which was in evidence on every hand—splendid, well-kept homes, fine barns, excellent rock roads—all going to show that the people were prosperous and well to do.

The people came in great numbers to pay their respects to one who had formerly made his home with them, who had gone to a distant State, where he had won honor and distinction, and who at his own request was to be buried among them. The church was crowded even beyond its capacity. The casket was surrounded by flowers in great abundance, tokens of affection and esteem from friends and loved ones. After an impressive sermon by the pastor, Representative L. C. DYER, of Missouri, on behalf of the congressional party, delivered an address in which he spoke eloquently and feelingly of our departed colleague. In the beautiful cemetery adjoining the church, near the home of his childhood, among old-time friends and neighbors, we laid to rest all that is mortal of JACOB E. MEEKER, who, although comparatively a young man, had by his zeal, energy, and determination won for himself high political honors and a lasting place in the esteem and affections of all who knew him well.

Collection of Rulings Made by Mr. Saunders of Virginia as Chairman at Different Times in the Committee of the Whole.

EXTENSION OF REMARKS

OF

HON. THOMAS U. SISSON,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. SISSON. Mr. Speaker, under the leave granted to me to extend remarks in the RECORD I include a collection of rulings made by Mr. SAUNDERS of Virginia at different times as Chairman of the Committee of the Whole:

An amendment in the nature of new legislation is not in order on an appropriation bill, unless it is germane to the subject matter of the bill, and operates ex proprio vigore to reduce expenditures.

On February 9, 1912 (RECORD, p. 1903), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill, when the chairman of the Committee on Military Affairs, submitted an amendment, as follows:

Mr. HAY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, at the end of line 8, after the word "dollars," insert the following:

"*Provided*, That on and after the 1st day of July, 1912, there shall be 10 regiments of Cavalry, and no more, in the United States Army, and that the officers who shall be rendered supernumerary by this reduction in the number of Cavalry regiments shall be retained in service and shall be assigned to vacancies in their respective grades as such vacancies shall occur in the Cavalry, or, in the discretion of the President, to such vacancies in their respective grades as shall occur in any other arm of the service."

To this amendment a point of order was made, and after debate the Chairman ruled as follows:

The CHAIRMAN. The point of order against the amendment offered by the gentleman from Virginia is that it changes existing law. This is admitted. But it is urged in support of the amendment which is confessedly germane that it comes within the Holman rule, and is in order on the ground that it retrenches expenditures.

The Chair desires to place its ruling upon a foundation of authoritative precedent, and to follow the established and familiar rules of parliamentary construction.

Many rulings have been made under the Holman rule. The Chair has examined these rulings in detail. Some of them are conflicting in part. Others are absolutely irreconcilable. Still others are harmonious and consistent, and may be cited as authorities in point. One of these rulings was made upon an amendment offered by the gentleman from Missouri, Mr. De Armond, to a pension appropriation bill. (CONGRESSIONAL RECORD, 52d Cong., 1st sess., p. 1792.) This amendment consisted merely in the addition of the words "or other," to the existing law.

The point was promptly made that the amendment did not show on its face that it retrenched expenditures.

In this connection it is proper to state that it has been expressly held by Speaker Kerr, and concurred in by Chairman William L. Wilson, that in determining whether an amendment will operate to reduce expenditures, the Chair can look to the law of the land, so far as it is applicable. (Hinds, vol. 4, p. 595.)

The effect of the amendment offered by the gentleman from Missouri, Mr. De Armond, was to increase the number of persons prohibited from receiving the benefits of a particular clause of the pension law, thereby reducing the number of pensioners, as a necessary sequence. A reduction in the number of pensioners carried with it a reduction in the amount that would be paid out for pensions under the general head of pension appropriations. The De Armond amendment was held to be in order. It will be noted that this amendment was not directed to the amount of money actually appropriated by the bill. In terms it did not reduce the aggregate amount specifically carried for the payment of pensions. But the Chair was justified in concluding, certainly it so concluded, that in the execution of the pension laws the amount otherwise required for the purposes of pensions would be reduced by the De Armond amendment.

There are a few general principles heretofore announced for the interpretation of the Holman rule, proper to be stated in this connection. I quote again from Mr. Chairman Wilson, concurring with Speaker Kerr.

The purpose of the rule (the Holman rule) is most beneficent and proper, and it should have a liberal construction in the interest of retrenchment. (Hinds, vol. 4, p. 594.) Mr. Kerr was universally recognized as a learned and skillful parliamentarian. Mr. Wilson was an exceptionally brilliant and accomplished scholar.

In this connection, the Chair will state that for an amendment to be in order it is not necessary that it should be specifically directed to a reduction in terms of an amount carried in a bill. Of course, if it is addressed to such an amount, and reduces the figures of the same, it will be in order. As, for instance, if the sum of $1,000,000 is appropriated for a designated purpose pursuant to the requirements of existing law, and an amendment is submitted, reducing this amount to $995,000, this amendment will be in order. Such an amendment does not depend upon the Holman rule to be in order. It is in order on other grounds. The language of the Holman rule is to the effect that germane amendments changing existing law are in order provided they retrench expenditures, by the reduction of the amounts of money covered by the bill.

The words "amounts of money covered by the bill" refer not only to the amounts specifically appropriated by the bill, but to the amounts required under the different heads, or items of expense to which the bill relates. And if the necessary effect of an amendment upon the operations of the department, or bureaus, for which appropriations are made, will be a reduction of the amounts otherwise required under any one, or more heads, or items of expense, then a retrenchment has been effected by a reduction of the amounts of money covered by the bill. It is only in this view of the rule, that the De Armond amendment was in order. This amendment contemplated that in a system involving payments to pensioners, whatever the appropriations might be, the amount actually required for the administration of the law would be appreciably reduced by a reduction in the number of pensioners. The Chair is not unmindful of the proviso in the second section of Rule XXI, but whatever meaning may be given to the proviso, it should not be construed to take away powers definitely given by the preceding paragraph. This paragraph permits germane amendments to change existing law, provided they retrench expenditures in one of three ways. The proviso allows further amendments on the report of the committee having jurisdiction, provided they reduce expenditures. If the committee offers germane amendments, reducing expenditures in any way, they will be in order, and it will not be necessary to refer them to one of three heads. Power of action being plainly given by the paragraph standing alone, the proviso will not be deemed to take it away, unless such intention is plainly manifested. The two sec-

tions will be construed to stand together, and amendments offered, whether under the first paragraph or the proviso, will be tested by the requirements of the head under which they appropriately fall. This is certain to give a liberal construction to the rule as a whole in the interests of retrenchment.

The Chair will further say that it is not enough for the Chair to think that an amendment may reduce expenses, or that it is likely to reduce expenditures.

The precedents hold in this connection that the amendment, being in itself a complete piece of legislation, must operate ex proprio vigore, to effect a reduction of expenditures. The reduction must appear as a necessary result—that is, it must be apparent to the Chair that the amendment will operate of its own force, to effect a reduction. (Manual and Digest, p. 409; Hinds, vol. 4, p. 595.) But it is not necessary for this conclusion of reduction to be established with the rigor and severity of a mathematical demonstration. It is enough if the amendment, in the opinion of the Chair, will fairly operate by its own force to retrench expenditures in one of the three ways indicated. This result must be a necessary result, not a conjectural result, or a problematical result. It is true that having reference to the difference of minds, one Chairman might hold that retrenchment would be the necessary result of an amendment, while another Chairman, or the committee on appeal, might be of a different opinion. But this is inevitable. The law is clear, for instance, that at times a court upon the facts can hold as a matter of law that there was no negligence. But, upon the same facts, one court will derive this conclusion, while another court, on appeal, will reach a different conclusion. The ruling of the Chair on these points of order is subject to appeal to the committee.

What does this amendment propose to do? The present law provides for an establishment of 15 Cavalry regiments. The proposed amendment limits the number of Cavalry regiments to 10. It is difficult for the Chair, by any fair process of reasoning, having reference to known facts, and the relative proportion between the branches of the Army, to see how 15 regiments of Cavalry can be maintained as cheaply as 10, or to hold that a reduction of the Cavalry regiments from 15 to 10 will not effect a necessary reduction in the amount which would be otherwise expended on this branch of the Army under existing law.

This amendment looks to the future, and while it provides for the officers, there is no provision for the retention of the men. But even if the men are retained, there will be a necessary reduction in the matter of horses, equipment, forage, and so forth, in the case of 10 regiments, as compared with 15. Moreover, fewer officers will be required for the military establishment upon a basis of 10 Cavalry regiments as against the existing 15. These results are certain. It is altogether problematical that such additions will be made to the Infantry that the economies effected by reducing the Cavalry regiments from 15 to 10 will be required to meet these additions to the Infantry, or to other branches of the service. Fairly considered, the necessary effect of the reduction in regiments proposed by the amendment under consideration will be a retrenchment of expenditures. If the Chair was required to determine the precise amount saved by this amendment, he would be compelled to rule it out of order. The precise amount of reduction could not be determined. That would be a matter of speculation. But it is clear that a reduction will be effected by the necessary operation of this amendment.

The Chair will cite some additional precedents in support of his ruling:

In an amendment providing that a certain class of persons, now on the pension rolls, shall hereafter not receive pensions, the retrenchment of expenditure is apparent and the amendment is in order. (Manual and Digest, p. 409.)

To the pension appropriation bill, a proposed amendment transferring the Pension Bureau from the Department of the Interior to the War Department, also providing that the offices of Commissioner and Deputy Commissioner of Pensions be abolished, and that the duties of these offices be performed by Army officers, to be designated for that purpose, without additional pay, was held to be in order, being germane, and retrenching expenditures in the manner provided by the rule. (W. L. Wilson, chairman, Hinds, vol. 4, 3887.)

An amendment to the pension appropriation bill providing that no fee shall be paid to a member of an examining board, for services in which he did not actually participate, is not subject to a point of order under this rule, since while it changed existing law, its effect is to reduce expenditures by decreasing compensation. (CONGRESSIONAL RECORD, 52d Cong., 1st sess., p. 1792.)

The Chair does not undertake to fix in terms the amount of reduction that this amendment will carry, but that a reduction will follow seems to be a fair and necessary conclusion from its provisions. [Applause.]

The Chair wishes to say, in conclusion, that it has sought to construe this rule, in conformity with the precedents and its manifest intent, so as to give it vital force and effect, and enable the committee operating under its provisions to accomplish some positive results in the way of economic achievement. In the words of Speaker Kerr, it is a beneficent rule. It should be construed to secure beneficent results.

This ruling of the Chair does not take from the committee a particle of authority. As a condition precedent to holding that an amendment is in order under the Holman rule, the Chair must be satisfied that the necessary effect of the amendment will be a retrenchment of expenditures, in conformity with the rule; but from this ruling of the Chair holding the amendment to be in order, an appeal may be taken, and the committee in the exercise of its authority of ultimate interpretation can reverse the Chair, if it is in error, and fix the interpretation which the committee in its wisdom thinks the amendment should carry. The Chair overrules the point of order. [Applause.]

On February 15, 1912 (RECORD, p. 2093), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill. An amendment purporting to reduce expenditures was offered and a point of order was made against the amendment. After debate the point was sustained on the ground that on the whole it did not sufficiently appear that the amendment would reduce expenditures.

The CHAIRMAN. The Chair will not weary the committee by a restatement of principles heretofore announced in a previous decision, but before ruling will advert to certain arguments advanced in the debate of Tuesday.

In that debate it was contended that under the Holman rule in ruling on amendments to or provisions of a bill under consideration the Chair must look to the face of the paragraph, or amendment to determine from such paragraph, or amendment without extraneous aid or assistance, whether it will effect a retrenchment in expenditures. This is error. Speaker Kerr expressly ruled, and this ruling has been uniformly followed, that in determining whether an amendment will operate to retrench expenditures the Chair can look to the pending bill, the specific section or amendment under consideration, the law of the land so far as applicable, and the parliamentary rules and practices of the House. Keeping these aids to a decision in mind, the Chair must determine whether the amendment or paragraph will operate of its own force to retrench expenditures. The mere fact that the Chair may think that it is likely that a paragraph, or an amendment will very probably save a considerable sum of money to the Treasury of the United States, is not a sufficient ground on which to hold that such an amendment or paragraph is in order. In the judgment of the Chair, there must be something more. The amendment or paragraph must necessarily bring about such a result of reduction, ex proprio vigore, to be in order.

Further the view was urged upon the Chair that if the conclusion of retrenchment from the operation of an amendment or paragraph is assailed in debate, or if it requires evidence to establish such conclusion, then it does not appear from the provision itself that it will work a retrenchment, and the same will not be in order. This again is error. Any proposition may be the subject of debate. Conceding that the Chair is limited to the inspection of the face of an amendment or paragraph, even then the proper conclusion to be drawn therefrom may be very appropriately debated. The opponents of the amendment may contend with vehemence that no result of retrenchment will attend its operation, while with equal vehemence and superior logic the friends of the amendment may be able to demonstrate that such a result would be an inevitable sequence of its operation.

Hence the mere fact that the effect of a proposition may be assailed in debate will not operate to establish its invalidity, or put it beyond the pale of the Holman rule. The true doctrine is that with, or without discussion, the Chair must be satisfied, as a condition precedent to holding an amendment to be in order, that the necessary effect of the same operating by its own force will be a retrenchment of expenditures in one of the ways indicated by the rule.

The legislative provision which is under attack provides that hereafter all enlistments in the Army shall be for a term of five years. The present law provides that such enlistments shall be for a period of three years. In each case a man may reenlist at the expiration of his term. Provision is made by law for a bonus and an increase of pay on reenlistment. It is perfectly manifest, except under conditions so extraordinary that they may be eliminated from consideration, that under the five-year system of enlistment, compared with the existing three-year system, say, for a period of 15 years, there will be more reenlistments under the three-year than under the five-year system. Hence the system that will reduce the number of enlistments will effect a retrenchment of expenditures under

this head. It is contended, however, that certain other results will attend the five-year system which will make it on the whole a more expensive system than the other. But these results are purely speculative and problematical, and though vehemently asserted are with equal vehemence denied. In its first and immediate operation this provision will certainly effect a manifest and considerable retrenchment.

The Chair is not satisfied that there will be any result, as a consequence of the five-year system, which will make this system on the whole more expensive, or even as expensive, as the three-year system. The Chair is satisfied as to the immediate retrenchment which will be afforded by this provision, and is far from being satisfied as to any other results. Standing alone this paragraph is in order. The next sentence of the section under consideration is in the form of a proviso, which provides, in substance, that hereafter no changes shall be made in the uniforms of officers and enlisted men, except such changes as may be made in the uniforms of enlisted men without loss or additional expense to the Government. This provision is designed to secure economy of administration, but looking to the bill, and to the law of the land so far as applicable, will this result be necessarily secured by this language standing alone? Does it require the department to do anything that it can not do, or that it may not do, under existing law? Non constat but that the department, in the absence of this provision, will pursue the very course which the proviso is intended to prescribe. It may decide of its own motion, without compulsion, to make no changes in the uniform of soldiers, save such as can be made without loss or additional cost to the Government. Hence, it can not be said that the necessary compelling effect of this proviso is to secure retrenchment. This situation is not like the one presented in the preceding section. In that case a three-year term provided for by law, and in present operation, is proposed to be substituted by a five-year term. Hence a comparison can be made between the two systems. Unless the present law is changed the department has no volition save to live under the law of three-year enlistments as it is written. In the instance under present consideration the department is under no compulsion to make changes in uniforms that will cause loss or add expense to the Government. There is no way of demonstrating that in the future it will pursue such a course. Hence, as the Chair has said, there is no way of showing that this proviso will compel a course of action other and different from that which would be pursued in its absence.

Unless it can be reasonably shown that the course hereafter to be followed by the department will add cost and expense to the Government in the matter of uniforms, and that the adoption of the proviso is necessary to compel a different course and reduce that expenditure, then this proviso does not come within the principle of the Holman rule.

The Chair is not unmindful that many amendments are likely to be offered under this rule which are on the border line of order, requiring nice discrimination to determine the side of the line to which they appropriately belong. But the Chair must be satisfied that an amendment is in order to support a favorable ruling. In the present instance the Chair is of opinion that the latter portion of the section is not in order. The point of order is made to the whole section, and under the precedents, if sustained at all, it must be sustained in its entirety. The point of order is sustained to the whole section.

On February 15, 1912 (RECORD, p. 2114), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill. A point of order was made against a paragraph on the ground that some of the contents of the paragraph, considered as isolated propositions, did not effect a reduction of expenditures and therefore the entire paragraph was not in order.

After debate, the Chair held that the paragraph was submitted as a single proposition of related parts and was therefore to be considered as a concrete whole.

Viewed in this light, the paragraph was held to be in order on the ground that it effected by its own direct operation, a considerable reduction in expenditures.

The CHAIRMAN. The Chair will proceed to dispose of the point of order. Some of the arguments that have been advanced in the discussion of this point have been considered in two previous rulings, and the Chair for the purpose of defining its attitude will refer the committee to those rulings without restating them in this connection. The Chair wishes to call the attention of the committee to an essential and obvious distinction between this section, and the one upon which he ruled this morning. The section ruled on this morning contained two provisions not related to each other, not dependent the one upon the other, but associated as two separate and distinct propositions. The precedents agree that when a paragraph is objected to as a whole, and any portion of the paragraph is not in order, then the point of order when sustained goes to the whole paragraph. The Chair in ruling simply followed the precedents, though the Chair must say as to these precedents that they seem to rest on no sound, or sufficient basis of reason.

But the Chair did not feel itself at liberty to overrule them. In the present case a section is presented by the committee as a concrete whole. It is constructive legislation, in which each part bears an appropriate relation to the whole. It is an entity of related parts. It is submitted as a complete legislative proposition. This being so, it should be considered as a whole, and not in segregated items. The section is presented as a whole, and when considered as a whole, it conforms to the requirements of the Holman rule. A paragraph here and a sentence there, taken as isolated propositions, may not retrench expenditures, but the Chair does not think that a really single proposition should be picked to pieces and destroyed in this fashion, when as a correlated whole the section effects a large retrenchment. This is the reverse of the proposition of this morning. In that case the point of order went to the whole section, for an independent part of it was not in order. In this instance the point of order is not good against the whole section, for, viewed as a whole, it effects a considerable retrenchment, and is not subject to a point of order. The Chair will not entertain a point of order to a paragraph unless the different elements of the paragraph are not necessary parts of the complete proposition. The committee having jurisdiction has reported a concrete section carrying independent legislation. It should be considered as such. Looking to the correlated parts as a whole the section effects a reduction. It has not been denied in argument that this section as a whole will effect a considerable retrenchment. The Chair is of opinion that there is a manifest and distinct difference between the pending proposition, and the one upon which it ruled this morning, and that the principle which controlled the prior ruling can not be invoked in the present instance. The point of order is overruled.

On February 15, 1912 (RECORD, p. 2116), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill, when the gentleman from New York, Mr. Fitzgerald, offered the following amendment:

Add, after the word "law," line 5, page 53, the following: "*Provided*, That on and after July 1, 1912, there shall not be maintained in the District of Columbia more than one disbursing office for the Signal Corps or for any one of the staff departments of the Army.

To this amendment a point of order was made by the gentleman from Illinois, Mr. Prince. The Chair sustained the point of order, holding that the amendment was legislation and did not necessarily retrench expenditures.

The CHAIRMAN. The Chair is not informed whether the existing law provides for more than one disbursing officer; but suppose, for argument's sake, that it does. The Chair can not say that the necessary effect of the amendment will be to reduce expenses. One disbursing office might have as many officers in it as two disbursing offices would have. The rent for a building for one disbursing office might be as great as the rent for two buildings for two disbursing offices. This amendment does not appear to the Chair to necessarily retrench expenditures, and the point of order is sustained.

On February 16, 1912 (RECORD, p. 2127), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill, when a point of order was made to a paragraph in the bill, on the ground that it was legislation. After debate, the Chair overruled the point of order, on the ground that while the paragraph contained legislation, it would manifestly retrench expenditures, and was therefore in order under the Holman rule.

The CHAIRMAN. The Chair has already stated somewhat in extenso its opinion of the proper construction of section 2 of Rule XXI. It is impossible, in view of existing law, and having in mind at once the cost of the employees to be replaced and the cost of the employees that will take their places, not to conclude that a reduction will be effected. The amount to be paid to these employees, respectively, is fixed by law. Hence a comparison can be made. This is a constructive piece of legislation which it is competent for the committee to report by virtue of authority given it by Rule XXI under the prescribed conditions. The Chair thinks that it is manifest that this section will effect a retrenchment. The point of order is overruled.

On February 21, 1917 (RECORD, pp. 3823–3825), the House was in Committee of the Whole House on the state of the Union, con-

sidering the Army appropriation bill, when an amendment was offered reducing a total, and proposing the repeal of the nitrate section of the act of 1916. A point of order to this amendment was made, and argued. The Chair held that a motion to reduce a total, coupled with an unrelated legislative proposition would not be in order under the Holman rule, for the manifest reason that the motion to reduce the total was in order without regard to the Holman rule, while the associated legislative proposition did not effect the reduction in the total, and was in no wise related to it. Hence as a part of the amendment was not in order, a point of order directed to the entire amendment was good. The point of order was sustained.

Mr. LONGWORTH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LONGWORTH: On page 48, line 2, strike out "$150,000" and insert in lieu thereof the following: "$140,000, and that section 124 of an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, is hereby repealed."

The CHAIRMAN. The amendment submitted by the gentleman from Ohio [Mr. LONGWORTH] contains two parts, one a proposition to reduce the amount appropriated in the bill from $150,000 to $140,000, the other a proposition for the repeal of a section of existing law. It is insisted that this amendment is in order under the Holman rule. The Chair has had occasion heretofore to construe this rule on various occasions, and in these rulings has been disposed to give the rule a liberal interpretation. But this latitude of interpretation has never been extended to mean that a motion to reduce an appropriation, makes in order an unrelated and ungermane proposition of accompanying legislation. The principles announced in the decisions cited do not support the contention that the amendment of the gentleman from Ohio is in order. The motion to reduce the amount appropriated, is in order without regard to the accompanying repealing legislation. It is plain that the reduction will not follow from the proposed legislation. It is in no wise related to it, much less a necessary product of it. It is in order as a separate proposition on its merits, and the fact that it is coupled with unrelated legislation, does not operate to make that legislation in order.

Mr. LONGWORTH. May I interrupt the Chair at that point?

The CHAIRMAN. Certainly.

Mr. LONGWORTH. What would be the necessary result if this nitrate scheme be repealed? Would it not be that the Government would be under less expense investigating this whole proposition and spending money to pay Army engineers' expenses therefor?

The CHAIRMAN. The Chair will proceed to answer the query of the gentleman.

Mr. FIELDS. The engineers doing river and harbor work are not appropriated for in this bill. They are 21 in number, and they are appropriated for under the river and harbor bill, as is stated in the hearings.

The CHAIRMAN. I am asked what would be the effect of the legislative part of the amendment of the gentleman from Ohio, if adopted? The answer is that this repealing amendment, if adopted, would effect a great reduction of general expenditures, but it does not follow therefrom that this legislation will be in order, as an amendment. What is the connection between the two propositions embraced in the amendment? As pointed out heretofore they are unrelated. The precedents require that there must be some necessary relationship between the legislation proposed, and the reduction to be effected in the expenditures comprehended in the bill under consideration. The amount carried in the bill can be reduced by a motion to that effect, which as an independent proposition will be in order. This motion would relate to the expenditures in the bill. But the reduction intended to be effected by the repealing legislation is outside of the bill. The Holman rule requires that amendatory legislation on an appropriation bill must not only effect a retrenchment in the expenditures carried in the bill, but must be germane to the bill. To what language in the paragraph under consideration is the proposed legislation germane? In this connection the Chair will call attention to the language of the paragraph—

For expenses incident to military engineer operations in the field, including the purchase of material, etc., and such expenses as are ordinarily provided for under appropriations for engineer depots, civilian assistants to engineer officers, and "maps, War Department."

How can it be argued that a proposition of legislation which proposes to repeal the nitrate plant section of the act of 1916, is germane to the language cited? It has already been pointed out that an independent proposition of legislation can not by mere association with an unrelated proposition to reduce an item in a bill, be thereby rendered in order. If this proposition of legislation effected the reduction proposed, and was germane to the bill under consideration, it would fall within the principle of the Holman rule, and be in order. Plainly, however, this legislation is neither germane to the paragraph, nor related to the motion to reduce the appropriation in the bill from $150,000 to $140,000. The point of order is sustained.

On June 16, 1916, the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill. Mr. TILSON, of Connecticut, offered an amendment containing legislation, coupled with a reduction of a total. A point of order was made to the amendment. The Chair held that an amendment reducing a total, and including legislation that did not effect this reduction, and was in no wise related to it, was not in order. A proposition of legislation to be in order on an appropriation bill, under the Holman rule, must patently reduce expenditures. This was held not to be true of the legislation in the amendment proposed.

Amendment by Mr. TILSON: Page 12, line 23, strike out "$2,877,000" and insert in lieu thereof the following: "$2,874,500: *Provided*, That hereafter when any officer who has been retired for disability is found by an examining board, to be appointed by the Secretary of War, to be physically and mentally qualified for active service, the President may, in his discretion, reinstate such officer upon the active list as an extra officer, with the rank and relative position he would have held if he had not been retired: *Provided further*, That such officer shall continue as an extra officer only until such time as a vacancy shall occur in his grade and arm of the service, and if again retired for disability he shall be retired with the rank and pay received by him before his retirement."

The CHAIRMAN. Having in mind the possible number of restorations that will reasonably follow upon the enactment of this amendment, and the suggestion of the gentleman from Massachusetts, Mr. Roberts, that an officer who was retired in one rank might be restored in an advanced rank carrying larger pay, it is perfectly clear, to the Chair at least, that it can not be reasonably ascertained that the operation of this amendment will reduce expenditures. The view taken by the Chair is that the crucial test of a proposition submitted under the Holman rule is whether it will effect a retrenchment. In this connection I am referring to the legislative feature of the amendment. The Chair, before holding such a legislative proposition to be in order, must be satisfied to a reasonable certainty that in its working effect it will reduce expenditures. I am not satisfied that a reduction of expenditures will attach to the operation of this amendment. Hence it is not within the rule, and the point of order must be sustained.

Mr. TILSON. Mr. Chairman, one moment. The amendment itself carries a reduction.

The CHAIRMAN. Yes; but the Chair has ruled heretofore that a reduction can not be made a peg on which to hang any sort of unrelated legislation. If the legislation brings about the reduction, that is another situation; but the mere fact that a part of an amendment proposes a reduction in the figures of an appropriation, will not justify accompanying legislation which can not be reasonably regarded as the efficient cause of the reduction. The legislation must be the efficient inducing cause of the reduction.

On March 12, 1918 (CONGRESSIONAL RECORD, p. 3405), the House was in Committee of the Whole House on the state of the Union, considering the legislative bill. Mr. RUCKER of Missouri offered an amendment alleged to be in order under the Holman rule. A point of order was made to the amendment. The Chair sustained the objection holding that it was not clear that the amendment would reduce expenditures.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. RUCKER offers the following amendment: Insert as a new paragraph, following line 6 on page 107, the following:

"Appointment shall not be made to any of the positions herein appropriated for in the classified service of the Patent Office not actually filled June 30, 1918, nor shall more than 25 per cent of other vacancies actually occurring in any grade in the classified service of that bureau, during the fiscal year 1919, be filled by original appointment or promotion. The salaries or compensation of all places which may not be filled as hereinabove provided for shall not be available for expenditure, but shall lapse and shall be covered into the Treasury. The provisions of this paragraph shall not apply to any position with a salary of $2,250 or above that sum."

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order to the amendment that it is legislation, and that it can not come under the Holman rule, which retrenches expenditures. There are no vacancies in the Patent Office, such as exist in the Pension Bureau, and this is therefore an entirely different proposition.

The CHAIRMAN. The vacancies referred to, as the Chair understands the situation, were of record, and undisputed. The Chair will call attention to the fact that the amendment proposed presents an entirely different situation from the one heretofore ruled upon. It may be very likely, indeed highly probable, in the light of experience, that there will be vacancies during the time to which the amendment relates. But that is a purely speculative proposition. In the case referred to there were actual existing vacancies which could not be filled, provided the paragraph remained in the bill. The retention of that paragraph kept those vacancies from being filled, and that result was, in effect, a reduction of existing employees of the Government, and of official salaries. That reduction brought the paragraph within the benefit of the Holman rule. But the case in hand is, as stated, a speculative proposition. There may be vacancies hereafter arising. It is highly probable that these vacancies will occur, but that is as far as we can go. The Chair can not say that there is a moral certainty that these vacancies will take place, and unless it is a moral certainty that they will occur, thereby taking that occurrence out of the domain of speculation, the amendment proposed will not operate ex proprio vigore, to reduce expenditures. The Chair sustains the point of order.

On January 16, 1913 (RECORD, p. 1635), the House was in Committee of the Whole House on the state of the Union considering the Army bill. An amendment to reduce a total, coupled with unrelated legislation, was submitted. To this amendment a point of order was made. After debate the Chair held that the legislation would not effect a reduction of expenditures, and the amendment therefore was not in order.

The CHAIRMAN. The Chair is prepared to rule. First, in relation to the suggestion of the gentleman from Illinois [Mr. MANN], that the amount covered in this bill will be reduced, it may be said that the suggestion is well taken. The aggregate total is proposed to be reduced by the amount of $2,500. Having this reduction in mind, it is argued that germane legislation sufficient to account for that reduction would be in order. It is true that germane legislation effecting a reduction would be in order. But unrelated legislation can not be attached to figures representing reduction and thereby made in order. An amendment reducing a total does not require the authority of the Holman rule, and hence it can not be used to make in order legislation which is not the necessary and efficient cause of the reduction. Using the reduction in the total as a peg, it is not in order to hang on the same all sorts of unrelated legislation. The reduction must be accounted for by the legislation, and the point that the Chair undertakes to present in this connection is that, after listening to the contention of the participants in this debate, and looking to the amendment, he is unable to perceive that in its necessary operation the amendment will effect the reduction of $2,500, or any portion thereof. If it will not effect this reduction, then it is not in order. If it does account for it, the Chair will hold that the amendment is in order. From the arguments submitted, the Chair understands that the possible effect of this amendment will be to restore an indefinite number of officers to their old pay, or possibly to greater pay, since their grade may be advanced. This may, or may not render the promotions of other officers unnecessary, or reduce the number required. For a time at least they might receive this increased pay without rendering service. It is difficult to see that in its operation as a whole, this amendment will reduce expenditures. In fact its economic operation is altogether problematical. The Chair sustains the point or order.

On January 16, 1913 (RECORD, p. 1645) the House was in Committee of the Whole House on the state of the Union considering the Army appropriation bill, when Mr. Cox, of Indiana, offered an amendment reducing a total, coupled with unrelated legislation not effecting a reduction of expenditures.

A point of order was made, and sustained by the Chair.

Amendment by Mr. COX: Amend page 14, by striking out lines 20, 21, 22, and 23, and inserting in lieu thereof the following:

"For mileage to officers, dental surgeons, veterinarians, contract surgeons, pay clerks, and expert accountant, Inspector General's Department, when authorized by law, $392,855: *Provided*, That hereafter all officers of the Army when traveling under orders shall be paid their actual traveling expenses and no more."

The CHAIRMAN. Before ruling the Chairman will make a statement of the essential facts. The principles of the ruling having been heretofore announced, it is unnecessary to restate them.

First, with relation to the reduction in the total amount, it may be stated that an amendment to this effect does not require the Holman rule to make it in order. The gentleman from Indiana can offer an amendment effecting a reduction in any aggregate total without reference to this rule. But in respect to the legislative portion of the amendment, the Chair will say that if the allowance of 7 cents a mile was merely intended to cover the cost of railroad transportation the Pullman charges, tips, and meals on the train, the Chair would not have the slightest hesitation in reaching the conclusion that a provision for actual expenses would necessarily reduce expenses, having reference to common knowledge of the facts of the cost of railway travel.

But another feature is presented. It appears that this allowance of 7 cents a mile is intended to cover expenses other than the cost of travel on railways, tips, Pullman fares and the cost of meals. When the party entitled to this allowance reaches his destination, his expenses for an indefinite period are to be paid out of the same fund. Sometimes the allowance might be more than sufficient to pay the cost of travel and the additional costs accruing at the point of destination. At other times this allowance might be insufficient. Having reference to the aggregate of expenses it is a matter of speculation, whether an allowance of 7 cents a mile, or the payment of actual expenses would be the cheaper policy for the Government. But looking in the hearings to the testimony of one man who ought to have some practical, I might almost say expert knowledge on the subject (I refer to the testimony of Gen. Aleshire), I find that he states that in his judgment, under the policy of paying actual expenses, as compared with an allowance of 7 cents a mile, the Government would be the loser, and the officer the gainer.

Having in mind then all the facts, including the statement of this witness, how can the Chair conclude that this amendment will reasonably and sufficiently operate to reduce expenses? And yet to hold that this amendment is in order the Chair must be reasonably satisfied that the legislative portion of the amendment operating of its own force will effect a reduction of expenditures. This is the whole question as the Chair sees it. So far as the Chair is apprised, this amendment will not necessarily effect a retrenchment. The Chair sustains the point of order to the amendment.

On June 10, 1916, the House was in Committee of the Whole House on the state of the Union considering the Army appropriation bill, when an amendment proposing a comprehensive scheme of legislation was offered to a paragraph in the bill. A point of order was made to the amendment and discussed at length. The Chair held that a paragraph in an appropriation bill, embodying legislation may be perfected by an amendment germane to the legislation in the paragraph, but that additional legislation affording further illegalities was not in order.

The CHAIRMAN. The chief difficulty that the Chair has had in this matter has been the difficulty in arriving at the facts necessary for a decision. The gentleman from Illinois seeks to bring this amendment within the rule relating to perfecting by amendment a paragraph, originally not in order, but which has become in order by the failure to raise the question of order. The existing law which the paragraph in the bill proposes to suspend is as follows:

Not more than one-half of all of the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia.

The language in lines 8, 9, 10, and 11 of the amending paragraph is intended to suspend the operation of the above-cited law, under certain prescribed conditions. Should the paragraph containing this language remain in the bill, the President in time of actual war, or in an emergency, will have authority to call all of the detailed officers to Washington. An amendment germane to this particular proposition would be one providing, for instance, that some number of detailed officers less than the total might be stationed or employed in or near the District of Columbia. Other germane amendments will naturally suggest themselves. But the amendment of the gentleman from Illinois is not limited to affecting or controlling the number of officers that may be assigned to duty in, or near the District of Columbia. It proposes a comprehensive scheme of legislation in the guise of a perfecting amendment, and falls within the following principle:

To a bill amending a general law on a specific point, an amendment relating to the terms of the law rather than to those of the bill was offered and ruled not to be germane. (5 Hinds, sec. —.)

It also falls within this principle:

A paragraph which proposes legislation in a general appropriation bill being permitted to remain may be perfected by a germane amendment, but this does not permit an amendment which contains additional legislation. (Rules of House, sec. 824.)

Assuredly the amendment of the gentleman from Illinois contains a large amount of additional legislation.

The Chair sustains the point of order, and the Clerk will read.

On February 20, 1917 (RECORD, pp. 3709 to 3711), the House was in Committee of the Whole House on the state of the Union, when Mr. Gardner, of Massachusetts, offered an amendment alleged to perfect a paragraph containing legislation in the bill. A point of order was made against the amendment. After debate the Chair ruled that the amendment of the gentleman from Massachusetts carried a further degree of illegality relating to the body of the paragraph, and was not a germane development of the language proposed to be amended. The point of order was sustained.

Mr. GARDNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARDNER: Page 12, line 2, after the word "section," strike out the quotation marks and insert:

"*Provided*, That hereafter the monthly pay of enlisted men of the Army shall be increased as follows: Master electricians and all others receiving $75, to $85; master engineer, junior grade, Corps of Engineers, from $65 to $75; sergeant, first class, Medical Department, from $50 to $60; first sergeants, from $45 to $65; sergeant, first class, Corps of Engineers, and all others receiving $45, to $55; battalion sergeants major of Infantry, and all others receiving $40, to $50; sergeants of Engineers, and all others receiving $36, to $46; sergeants of Cavalry, Infantry, and Artillery, from $30 to $40; quartermaster sergeants of Cavalry, and all others receiving $30, to $40; corporals of Engineers, Ordnance, Signal Corps, Cavalry, Artillery, and Infantry, from $24 and $21 to $38; chief mechanics, and all others receiving $24, to $34; saddlers, and all others receiving $21, to $31; privates, first class, and all others receiving $18, to $28; privates, second class, and all others receiving $15, to $25."

The CHAIRMAN. The gentleman from Massachusetts, Mr. Gardner, a day or two ago called the attention of the Chair to certain precedents in this connection. These precedents have been duly examined and found to be difficult of reconciliation. The general proposition with which the Members are all familiar, is that a paragraph in a bill which contains matter not in order, is subject to a point of order even though the offending and illegal matter may constitute but a relatively small proportion of the entire paragraph. A point of order is good either against the entire paragraph, or the offending matter. But if the point of order is not made to the paragraph, or offending matter, then the entire paragraph becomes in order. It has been held in the latter case that such a paragraph may be perfected by a germane amendment. (Hinds, vol. 4, secs. 3823–3835, 3838.) Hence the question has often arisen whether these perfecting amendments should be germane to the paragraph as a whole, thereby adding a new and greater proposition of illegality than that contained in the original offending matter, or germane only to this matter which has become in order by reason of the failure to raise the question of illegality. The precedents are conflicting. It has been held that the right to perfect a paragraph which would have been out of order if the question had been raised, by a germane amendment, does not permit an amendment which adds an additional proposition of illegality. (Hinds, vol. 4, secs. 3836, 3837, 3862.)

In other words, the latter precedents require the perfecting amendment to be germane to the original offending language in the paragraph. If the amendments carrying additional legislation are germane to the offending language, they are in order, but not so if they relate rather to the body of the paragraph. This proposition is clearly stated in the following decision:

If a paragraph has been included in a bill which has in it a taint of illegality, that paragraph can be corrected or perfected by an amendment, but if the paragraph which is proposed as an amendment carries a further degree of illegality, affecting the whole paragraph as amended, then it is not in order.

The offending matter in the paragraph under consideration is contained in these words:

As expert first-class gunners, Field Artillery, $5 per month.

It can hardly be said that the amendment offered by the gentleman from Massachusetts is germane to this language, and designed to perfect it. This being so, the Chair holds that a new and comprehensive proposition of illegality is sought to be added to the paragraph by the proposed amendment. For this reason, and in conformity with the precedents cited, the Chair sustains the point of order.

On May 21, 1918 (CONGRESSIONAL RECORD, p. 6868), the House was in Committee of the Whole House on the state of the Union considering the bill relating to food production. The gentleman from California [Mr. RANDALL] offered an amendment inhibiting for the time prescribed therein the use of food or food materials in the manufacture or preparation of alcoholic beverages. A point of order was made to the amendment on the ground that it was not germane. After debate the point of order was sustained. The ruling and colloquy follow:

The CHAIRMAN. In order that the situation may be clearly apprehended by members of the committee, the Chair will read, first, the language of the paragraph, and then the language of the proposed amendment. The language of the paragraph is:

Fourth. For increasing food production and eliminating waste and promoting conservation of food by education and demonstrational methods, through county, district, and urban agents and others, $6,100,000.

The amendment proposed by the gentleman from California [Mr. RANDALL] is in the following words:

That in order to further eliminate waste and to promote conservation of food, it shall be unlawful, during the existence of the war with Germany, to use any food or food materials in the manufacture or preparation of alcoholic beverages.

In order to ascertain whether or not this amendment is germane to the paragraph, it becomes necessary to determine the purport, and effect of the matter proposed to be amended. If the paragraph had concluded with the word "food" in line 25, so that it would read as follows:

For increasing food production and eliminating waste and promoting conservation of food, $6,100,000—

there would be no doubt in the mind of any member of the committee that the amendment would be absolutely in order. But that is not the paragraph. The paragraph in its entirety proposes to increase food production, eliminate waste, and promote conservation of food by certain indicated processes, namely, by, educational and demonstrational methods, through county, district and urban agents. In other words, lecturers are to be sent out to instruct the public with respect to their farming activities, and the household arts so that in the result production will be increased, waste will be eliminated, and food will be conserved. If it was proposed by the amendment that some of the money which is appropriated should be utilized in the employment of agents to instruct the public in the folly of converting food products into alcoholic beverages for public consumption, such an amendment would be in order, and in perfect harmony with the avowed purposes of the paragraph. It would come within the manifest scope and intent of this particular portion of the bill. But that is not what is intended to be effected by the amendment. The amendment does not provide for the education of the public, or for demonstrational methods in order to convince them of the folly of utilizing food products to produce alcoholic drinks, but to absolutely inhibit the use of such products for alcoholic conversion.

Mr. CARAWAY. Mr. Chairman, will the Chair permit an interruption?

The CHAIRMAN. Certainly.

Mr. CARAWAY. I am inclined to think the Chairman overlooked the fact that the paragraph goes further than he says. It reads:

For increasing food production and eliminating waste and promoting conservation of food by educational and demonstrational methods, through county, district, and urban agents and others.

Just what "others" means there may be a little uncertain. There is one thing certain, and that is that you can not say that it refers to other agents, because the language used is "through county, district, and urban agents," which would include all classes of agents. It means other methods. Then, if the Chair will pardon me a moment, the very fact that it enumerates the methods by which these proposed conservations of food should be attained, namely, by educational methods, does not preclude its accomplishment by other and similar means and other agencies. For an instance, the rule is, if you authorize the construction of one public building, we will say, in New York City, that will be restricted to New York City, and, according to the Chairman's construction, will preclude an amendment constructing buildings elsewhere; but if you have a bill for the construction of public buildings in New York City and Cincinnati, we might add 40 other places, because the general proposition is to construct public buildings, and the place has nothing to do with it. The general proposition of this paragraph is to conserve food and prevent waste, and therefore, because it says by educational and demonstrational methods, does not preclude other methods that may be used to accomplish the same results.

The CHAIRMAN. If the paragraph carried the meaning suggested by the gentleman from Arkansas [Mr. CARAWAY], then of course the relevancy, or the germaneness of the amendment would be apparent. But the Chair does not think that it can be successfully maintained that the chief purpose of this paragraph is to increase food production, eliminate waste and promote the conservation of food. If that was the chief purpose of the paragraph, then it would end with the word "food" in line 25, thereby rendering possible an infinite variety of methods to accomplish the purposes indicated. Eliminate the words providing the methods by which production is to be increased, waste eliminated, and food is to be conserved, and the amendment of the gentleman from California would be plainly germane and in order. But the committee evidently did not intend that the department should have free rein to accomplish the results in-

tended, and secure the elimination of waste by any means that seemed good to them. Hence the use of the restrictive language confining the activities of the department to certain indicated lines of accomplishment. The plain meaning of the paragraph is to provide the means whereby the results intended may be secured along certain restricted lines of endeavor. The Agricultural Department is "cabin'd, cribbed, and confined," so to say, to the restricted paths of activity marked out for it to pursue.

As to the suggested meaning of the word "others," it occurs to the Chair that this word ought to be interpreted to mean "other educational and demonstrational methods," in view of the general meaning of the paragraph. For instance bulletins might be sent out. It is perfectly true that a general subject may be amended by a specific subject of the same character, but the amendment of the gentleman from California is not a specific subject of this general subject. This amendment does not propose to eliminate waste, to increase food products, or to promote conservation by any educational process, but is a flat legislative inhibition upon certain practices. Therefore it is not a specific subject of the same character as the general subject. The general subject is to increase food production, and so forth, by educational and demonstrational methods.

Mr. CARAWAY. Will the Chair permit me to interrupt him again?

The CHAIRMAN. Certainly.

Mr. CARAWAY. I feel very certain the Chair is mistaken about the purpose of the paragraph. The sole purpose of the paragraph is "for increasing food production and eliminating waste and promoting conservation of food." Now, that is the intent, purpose, and object of the legislation. The method by which it is to be done as set out here is "by educational and demonstrational methods, through county, district, and urban agents, and others." But the whole object and intent to be accomplished by the legislation is that of conserving food and preventing waste, and it merely directs here by what particular way it may be done; and that being true, it becomes apparent you can add any other similar method to accomplish the same result.

The CHAIRMAN. The Chair can not agree with the gentleman from Arkansas in that view of the paragraph. The methods indicated are not illustrative of what may be done, but are restrictive, confining the expenditure of the money appropriated to them, and them only. The department could not expend this money otherwise than as indicated, namely on educational and demonstrational methods. The suggestion has been made that certain legislation in this bill has been made in order by the rule, and that this amendment would be in order to this legislation. In this connection the Chair will say that if there is any legislation in this bill, made in order by the rule, to which this amendment would be relevant and germane, then the amendment can be offered when that legislation is reached, and it will then be in order. This matter has been very earnestly argued by gentlemen who have taken a different view of the meaning of the paragraph from that held by the Chair. If their interpretation of the paragraph is correct, then the Chair will admit that the amendment is in order. Hence the propriety of the ruling on this point depends upon the meaning proper to be imputed to the paragraph. In that view it might be well to take an appeal from the decision of the Chair so as to afford the opportunity for full discussion of the paragraph on the appeal, and thereby secure an authoritative disposition of this question by the committee itself. The Chair has sought to set out in full the reasons for the conclusion reached, and in view of that conclusion is constrained to sustain the point of order.

On March 14, 1918 (CONGRESSIONAL RECORD, pp. 3514 to 3515), the House was in Committee of the Whole House on the state of the Union considering the legislative bill. The gentleman from Illinois [Mr. MADDEN] offered an amendment proposing legislation. A point of order was made on this ground, and the further ground that it was not germane.

The Chair held that the amendment did not confine itself to perfecting the matter contained in the bill, but afforded new, and additional illegalities. The amendment was held out of order.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 1, line 1, after the word "that," insert the word "hereafter"; and after the word "received," on the fifth line, page 1, strike out all down to and including the word "annum," on line 7, and insert the following: "$120 per annum in addition to the basic salary for the fiscal year 1919."

Mr. BYRNS of Tennessee. Mr. Chairman, I make a point of order on the amendment.

Mr. MADDEN. I maintain, Mr. Chairman, that it is not subject to a point of order. If the gentleman from Tennessee wants to state the ground of his point of order, I will yield to him.

Mr. BYRNS of Tennessee. My point of order is based on the ground that the amendment provides for employees of the Government during the fiscal year 1919. The amendment offered by the gentleman from Illinois undertakes to make it permanent law. In addition, I do not think the proposed amendment is germane.

The CHAIRMAN. This matter stands as follows: The committee might have reported the amendment now under consideration, as a part of the legislative bill. In that event this matter would have been subject to a point of order, and once made, the point of order would have been sustained, and the offending matter stricken from the bill. But suppose this point of order had not been made. Then the paragraph would have remained in the bill, subject to amendment under the rules. One of these rules is that when offending matter is allowed to remain in a bill, it is then in order to perfect that matter, by appropriate, germane amendments. But that rule does not mean, and should never be held to mean, that the presence of illegal matter in a paragraph of an appropriation bill, thereby makes in order any amendment to the paragraph, however much that amendment may increase the original illegality or however far it falls short of being a perfecting amendment. On the contrary, the rule is well established, and the Chair referred to the precedents a few days ago, that while it is in order to amend a paragraph and perfect the otherwise illegal matter by germane amendments, these amendments must not add new and additional illegalities.

Mr. MADDEN. Will the Chair indulge me for a moment?

The CHAIRMAN. Certainly.

Mr. MADDEN. Would the Chair then hold that it would be improper to move to strike out the item that I am seeking to amend?

The CHAIRMAN. Not at all. Such a motion would be perfectly in order. The Chair was on the point of illustrating the situation, by reference to the amendment offered by the gentleman from Illinois. What does this amendment propose to do? Not to perfect the matter contained in the committee amendment, but to add a new element of illegality. It would be in order for the gentleman to move to strike out the paragraph. It would also be in order for him to move to increase the amounts proposed to be paid to the clerks. The precise respect in which this amendment is out of order does not consist in the fact that it proposes to increase the compensation of certain indicated clerks, beyond the limits fixed by law. It would be entirely in order to deal with that situation, by an amendment to increase or diminish the amounts proposed to be paid, or by a motion to strike out the paragraph or by some other germane amendment, but that is not what the amendment of the gentleman from Illinois undertakes to do. It proposes to make this increase permanent law, thereby adding a new and large element of illegality to the paragraph. This addition of a new element of illegality in the way of legislation can not be fairly construed as a germane, perfecting amendment of the paragraph. The precedents appropriate to this ruling have been heretofore cited in another decision.

For the reasons given the Chair is clearly of the opinion that the amendment is out of order. The point of order is sustained.

On September 19, 1918 (CONGRESSIONAL RECORD, p. 10510), the House was in Committee of the Whole House on the state of the Union, considering the revenue bill, when the gentleman from Pennsylvania [Mr. MOORE] offered an amendment alleged to be in order, on the ground that it proposed to raise revenue. A point of order was made to the amendment on the ground that the amendment was not germane, since it proposed to raise revenue in a fashion totally different from any method provided in the bill. Hence the amendment was not germane to any item in the bill, or to the subject matter in the bill. After argument the Chair sustained the point of order.

The CHAIRMAN. The ruling in this case depends upon the construction of subsection 3, of Rule XXI, and its application to the amendment offered by the gentleman from Pennsylvania [Mr. MOORE]. This subsection is to the following effect:

That no amendment shall be in order to a bill affecting revenue which is not germane to the subject matter in the bill; nor shall any amendment be in order to an item in the bill unless the amendment is directly related to such item.

The gentleman from Pennsylvania [Mr. MOORE] in arguing this matter suggests, if the Chair understands his argument correctly, that his amendment is in order because this is a bill to raise revenue, and his amendment proposes to raise revenue.

Whether the amendment of the gentleman from Pennsylvania is in order or not must be determined by reference to the positive rules of the House relating to amendments to a revenue bill. Manifestly the intent or purpose of a bill is a very different thing from the subject matter in the bill. The intent of this bill is to raise revenue. There is nothing in the subsection of the rule which the Chair has cited which refers in any wise to the intent or purpose of a bill. The subject matter in a bill is the aggregate of the different items which under the rates proposed and the legislation provided, will raise the revenue required and thereby make effectual the intent of the bill. If the gentleman's amendment is considered to be in order on the ground suggested, namely that this is a revenue bill, then there is no amendment proposing to raise revenue that would not be in order. This bill provides a tax on livery boots. Leather enters into the making of livery boots. Is it conceivable that because an item in the bill taxes boots made of leather, an amendment would be in order establishing a tariff duty on the importation of hides, of which leather is made? Another item provides for a tax on candy. Sugar is a large element in candy. Would it be argued that if this was the only reference to sugar in the bill it would be in order to impose an excise tax on sugar? Another item in the bill taxes adding machines. Iron enters into the manufacture of adding machines. Because the bill taxes a manufactured product that contains iron as a component material, would an amendment be in order taxing pig iron, or iron ore in its natural state? Yet the argument would be the same for all of these amendments, as for the amendment of the gentleman from Pennsylvania, since they all propose to raise revenue.

The Chair is not concerned with the merits of this proposition, and accepts in this connection the suggestion made by the gentleman from Georgia [Mr. CRISP] that the question under consideration is merely one of order. A rule may be wise, or it may be unwise. A rule may limit the powers of the House, or of the committee, but if it plainly states its purpose, if its meaning is clear, then the fact that it limits the power of the House, or of the committee to deal with some particular subject matter is no concern of the Chair, which is interested only in arriving at the true meaning of the rule. Many rules are avowedly for the very purpose of limiting the House in dealing with the subject matters under consideration, in order that the House may legislate sanely and conservatively. Such a rule, and one with which we have frequent experience, is the one prohibiting legislation on an appropriation bill. That rule limits immensely the powers of the Committee of the Whole, and of the House; yet it is accepted as a just and wise rule, although in many instances the House is confronted with situations in which, but for the express limitation of this rule, it would add wholesome legislation to an appropriation bill.

There have been many decisions on this point, so that it is not necessary for the Chair to elaborate this ruling to any great extent. The decision cited by the gentleman from Georgia is precisely in point. There is no difference whatever between the facts in the case cited and the facts of the case under present consideration. The decision of the Chairman in that case sustained the point of order, and that decision on appeal was sustained by a vote of the committee. Another ruling in point, was by Mr. Speaker CLARK on a motion to recommit a tariff bill with instructions to report the same with an amendment providing for a tariff commission. The motion was elaborately argued, and the Speaker made a most elaborate ruling, pointing out that the subject matter in the bill was an aggregate of items subjected to tariff taxation, while the amendment proposed to create a commission to collect information in relation to tariffs. The amendment proposed to deal with the tariff in an entirely different manner from that contained in the bill, and it was held to be nongermane and out of order. The ruling of the Speaker was sustained on appeal. In this connection the Chair will also cite the elaborate ruling of Chairman ALEXANDER found in the Manual under the heading of "Important Rulings." The rulings on the point raised by the gentleman from Georgia, as stated a moment ago, are very numerous. This is not a question of first impression. Hence it is hardly necessary for the Chair to elaborate any further the reasons why he holds in conformity with the precedents that this particular amendment is not germane to the subject matter in the bill, nor does it directly relate to any item in the bill.

The Chair, however, does not suppose that the amendment is offered upon the theory that it directly relates to an item in the bill, since no citation has been made of such item. It is not germane to the subject matter in the bill, since there is nothing in the bill resembling the subject matter of this particular amendment. The Chair, therefore, sustains the point of order.

On September 19, 1918 (CONGRESSIONAL RECORD, pp. 10510 to 10511), the House was in the Committee of the Whole House on the state of the Union considering the revenue bill, when the gentleman from Iowa [Mr. GREEN] offered an amendment relating to the products of industrial plants employing children of certain ages. A point of order was made to the amendment. After discussion the Chair ruled that the amendment was not germane to the subject matter in the bill, or to any item in the bill. The point of order was sustained.

The CHAIRMAN. The Clerk will now report the amendment of the gentleman from Iowa.

The Clerk read as follows:

Amendment by Mr. GREEN of Iowa: Page 129, after line 22, insert a new subdivision, as follows:

"(27) Articles or commodities, the product of any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment within the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day, or more than six days in any week, or after the hour of 6 o'clock post meridian during any portion of the taxable year, 5 per cent."

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. GREEN of Iowa. I would like to be heard very briefly. I do not think that the ruling which has just been made with reference to the amendment offered by the gentleman from Pennsylvania [Mr. MOORE] is controlling upon this amendment which I have offered. The Chair will observe that this is an amendment not to a particular item or a particular paragraph, but is an amendment to section 9, which imposes a tax to be paid by manufacturers upon certain products. Different items are therein specified. It is true that this adds one other item. It extends the list, but it simply adds one of a class without extending the class. It is unquestionably germane to this particular title, and I do not think it comes within the inhibition of Rule XXI, which was cited by the gentleman from Georgia [Mr. CRISP]. The question is, What manufactured goods shall be the subject of tax? The amendment relates back to the very opening of this title specifying the taxation of certain goods and adds one more. At the time of the reciprocity bill, when the gentleman from Kentucky [Mr. SHERLEY] was in the chair, there was added to the bill in the same way, in relation to items which were included in the free list, a number of different articles. The Chair overruled the point of order against their inclusion. I think that the ruling of the Chair heretofore made is not decisive upon the particular amendment which I have offered and that the point of order ought to be overruled.

The CHAIRMAN. The Chair recalls the ruling made by the gentleman from Kentucky [Mr. SHERLEY] and cited by the gentleman from Iowa [Mr. GREEN]. However the decisions which the Chair cited this morning in connection with the ruling then announced, were made subsequent to the ruling of the gentleman from Kentucky [Mr. SHERLEY], and if that ruling and the rulings cited by the Chair are supposed to be in conflict, the latter will be regarded as overruling the lone contrary decision. The Chair has examined the amendment, and comparing it with the bill does not find in the body of the bill any paragraph in which the subject matter is proposed to be dealt with in a manner in any wise resembling the manner in which this amendment proposes to deal with and dispose of the subject matters to which it relates.

This being so, the Chair does not see how under the rulings that have been heretofore made, this amendment can be regarded as germane to the subject matter in the bill. If it is considered to be germane to any item in the bill the Chair has not been cited to that item.

Mr. GREEN of Iowa. If the Chair will pardon me just a moment, the preceding paragraph refers to a large number of manufactured articles. Now, I do not see how the Chair can determine whether or not those articles have been manufactured by child labor.

The CHAIRMAN. The Chair does not undertake so to determine. The bill puts a tax on those articles but the amendment specifically proposes to deal with the same in a very different fashion from that proposed by the bill. If the Chair is correct in his former ruling, he does not see how this amendment can be in order. The Chair sustains the point of order.

On March 15, 1918 (CONGRESSIONAL RECORD, pp. 3562 to 3563), the House was in the Committee of the Whole House on the state of the Union, considering the legislative bill, when the gentleman from New York [Mr. LUNN] offered an amendment as a limitation. A point of order was made to the amendment. The Chair held that the amendment was not a limitation on the appropriation, but legislation in the form of a limitation. Further, that it

did not appear that it would effect a retrenchment, and hence was not in order under the Holman rule. The point of order was sustained.

The CHAIRMAN. The gentleman from New York offers a substitute, which the Clerk will report.

The Clerk read as follows:

Substitute amendment offered by Mr. LUNN: "No part of any amount herein appropriated shall be used to pay salaries or for personal services in any executive department, bureau, or office of the United States which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act, approved March 15, 1898, require eight hours of labor each day: *Provided*, That the foregoing limitations shall not apply to employees in any bureau or establishment where such employees are not paid time and one-half for overtime."

Mr. BORLAND. Mr. Chairman, I make a point of order on that. It provides for the method of payment of the employees of the United States. It is really legislation, and not germane to the amendment. It is not a limitation on the appropriation.

The CHAIRMAN. The Chair asked for a discussion of the point of order, because he was somewhat in doubt as to the ruling proper to be made. The substitute of the gentleman from New York [Mr. LUNN], is offered to the Borland amendment, and it is insisted that it is in order as a limitation. This question of limitation under the rules of the House, is frequently misapprehended, and amendments offered as limitations, are often not limitations at all, under our precedents. This substitute is presented as a limitation, and therefore presumed to be in order. But the Borland amendment is really not a limitation on an appropriation bill. It is in substance, legislation on an appropriation bill, and would be out of order, but for the Holman rule. It is cast in the form of a limitation, but in essence it requires the executive departments to which it relates to maintain an eight-hour system. But since the effect of the Borland amendment is to secure a larger return of work to the Government for the amount of money expended that would otherwise be paid for a less return of work, it effects a retrenchment of Government expenditures, and is therefore in order. The Borland amendment is something more than a negative prohibition on the use of moneys. In this connection, in order that the nature of a limitation may be more perfectly apprehended, it will be well to cite some of the precedents.

Legislation may not be proposed in the form of a limitation. (4 Hinds, sec. 3931.)

The House by limitation on a general appropriation bill may provide that no part of an appropriation shall be used for a certain purpose. (4 Hinds, 3917.)

This is upon the theory that the House may deny an appropriation for a purpose authorized by law. It is not in order to legislate as to the qualifications of the recipients of an appropriation, but the House can specify that no part of an appropriation shall go to recipients lacking certain qualifications. (4 Hinds, sec. 3942.)

A limitation is negative in its nature. (4 Hinds, sec. 3955.)

The limitation must be upon the appropriation and not an affirmative limitation of official functions. (4 Hinds, sec. 3957.)

A limitation must not include positive enactments establishing rules for executive officers. (4 Hinds, sec. 3967.)

The limitation permitted on a general appropriation bill must in effect be a negative prohibition on the use of money, not an affirmative direction to an executive officer. (4 Hinds, sec. 3974.)

Now the Borland amendment provides that the salaries afforded by the committee amendment shall not be paid to the clerks in any executive department, bureau, or office of the United States which does not require eight hours of labor a day. It does not relate to recipients lacking certain qualifications, but to hours of work required by departments, bureaus, and offices of the United States. Even if the department or bureau has authority under law to work its employees less than eight hours a day, this amendment in substance says to such a department, you must work your employees for as much as eight hours a day in order to enjoy the benefit of the appropriation, designed for the payment of employees. The objection that this amendment, is in effect legislation, is cured as noted above by the fact that the increased return in work secured by requiring the employees to work for eight hours a day, instead of seven and a half as formerly, but at the same compensation, will operate a reduction of expenditures, thereby bringing the amendment within the saving effect of the Holman rule. But what will be the effect of the substitute?

The substitute in substance provides that the Borland amendment shall not apply to any department, bureau or office, where the clerks are working for eight hours, or less than eight hours, with no provision for pay for overtime work. Hence in all such departments, bureaus and offices, the clerks will receive the compensation provided by the committee amendment. The substitute further provides that in those departments, bureaus and offices, where the clerks work eight hours, and are paid time and a half for overtime, the Borland amendment shall apply, that is that the employees in such bureaus, departments, and offices, shall also receive the compensation provided by the committee amendment. In this view of the effect of the substitute which is to replace the Borland amendment, how can it be argued that the substitute which is legislation, will reduce expenditures? If it will not operate ex proprio vigore, to reduce expenditures, then it is not in order. The substitute must be considered with reference to its operation, meaning, and effect, as a whole. In the opinion of the Chair, the substitute is legislation. It is not shown that it will effect a retrenchment. Hence it is not within the Holman rule. Further the Chair does not think that the substitute can be regarded as a pure limitation. For the reasons given, the point of order to the substitute is sustained.

On March 15, 1912, the House was in Committee of the Whole House on the state of the Union considering the Army appropriation bill, when the gentleman from Pennsylvania offered an amendment. A point of order was made to the amendment. The Chair held that the amendment was a limitation of authority and therefore legislation. Hence it was out of order.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add at the close of line 13 the following:

"That from and after the passage of this act it shall not be lawful for any department or bureau of the United States to sell any arms of any kind, manufactured or acquired by such department or bureau for naval or military purposes, except as hereinafter provided: *And provided further*, That whenever any arms of any kind intended for naval or military purposes shall be condemned by any department or bureau of the United States, or shall become unfit for official use by such department or bureau, they shall be so broken or otherwise mutilated as to render them harmless as instruments of warfare or violence, and only when so broken or mutilated shall they be sold or disposed of by any such department or bureau."

Mr. HAY. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The amendment is not a limitation on expenditures, but a limitation of authority, and an affirmative direction. The point of order is sustained.

On April 29, 1918 (CONGRESSIONAL RECORD, p. 5790), the House was in Committee of the Whole House on the state of the Union, considering H. R. 11259, when the Chairman made the following ruling affecting the relative rights to the floor of a Member who has been recognized to speak to a motion to strike out a paragraph, and of another Member asking preferential recognition on the ground that he wished to submit an amendment to perfect the paragraph. The Chair ruled that the Member who had been recognized could not be taken from the floor, but that the perfecting amendments could be offered later and would be submitted to be voted upon by the committee before the motion to strike out.

The CHAIRMAN. The Chair wishes to make a statement as to a matter which seems to be somewhat misapprehended. The impression seems to prevail that anyone offering an amendment to perfect the text, has a preferential right to the floor as against some one else who has been recognized on a motion to strike out the section. That is a mistake. No one seeking to offer a perfecting amendment has a right to recognition as against another who has been recognized and is speaking to a motion to strike out the section, or paragraph proposed to be perfected. There is a relation of priority in this connection, but it relates to the order in which the motions shall be submitted. No one who has obtained the floor on a motion to strike out a section, can be taken from the floor by another Member seeking to offer an amendment to perfect the text. The Member offering an amendment to strike out has a right to proceed with his argument to conclusion, and then before his motion is put, if some one else wishes to offer a perfecting amendment, he can be recognized to submit, and speak to the same. Two amendments will then be pending, but under the rules, the perfecting amendment must be put before the amendment to strike out. The Chair makes this statement because there seems to be a misapprehension in this connection as to the relative rights to the floor of members of the committee.

On June 10, 1916, the House was in Committee of the Whole House on the state of the Union, considering the alien immigration bill. A point of order was made against general discussion under a motion to strike out the last word. The Chair held that debate under a pro forma motion was a convention, and upon objection, the Member having the floor must confine his remarks to the amendment.

Mr. CLARK of Florida. I make the point of order, Mr. Chairman, that it is not permissible to discuss a pro forma amendment in opposition.

The CHAIRMAN (Mr. SAUNDERS of Virginia). Of course, the motion to strike out the last word, and the debate on it pro and con are matters of convention. If the rule of debate is insisted upon, the mover of an amendment in the Committee of the Whole must confine his remarks to the amendment.

On February 21, 1917 (CONGRESSIONAL RECORD, pp. 3817 to 3818), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill, when the gentleman from California [Mr. KAHN] offered an amendment for the maintenance of military post roads, bridges, and trails in Alaska. A point of order was made to the amendment. The Chair ruled that upon the facts the amendment did not fall within the principle relating to making appropriations to a work in progress. The point of order was sustained.

Mr. KAHN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Line 21, page 38, insert the following:
"Protection, repair, and maintenance of military post roads, bridges, trails, Alaska: For the completion, repair, and maintenance of military post roads, bridges, and trails, Territory of Alaska, $500,000."

The CHAIRMAN. The Chair for the purpose of ruling will accept the statement of the facts of this case made by the gentleman from California. This amendment is of course an attempt to apply the principle that appropriations may be made to a work in progress, to this scheme of proposed roads.

Mr. KAHN. Yes.

The CHAIRMAN. In the first place, the Chair will say that there has been a tendency to narrow the application of that principle. But entirely apart from that tendency, the committee which proposes to appropriate for a work in progress should have some original authority in that connection. This authority is entirely lacking in this committee in the present connection. If there is any authority anywhere to appropriate for these roads, as a work in progress, that authority is not found in this committee. Under the act which the Chair has read, this committee is not authorized to make appropriations for the Alaskan roads. A special fund for the construction of these roads is provided in the Alaskan act. That provision does give the right to this committee, either by virtue of the principle of a work in progress, or on any other ground, to appropriate for the roads in question?

Mr. MONDELL. Mr. Chairman, will the Chair yield to me there?

The CHAIRMAN. Certainly.

Mr. MONDELL. There is a certain law referred to under which roads may be built in Alaska out of the Alaskan fund, but the existence of that statute does not prevent the Government from entering upon the work of building some roads in Alaska, contemplated under that act, by direct appropriation. Congress began this two or three years ago.

The CHAIRMAN. The Chair a moment ago referred to the tendency to limit the application of the principle of making appropriations for work already in progress. In that connection I desire to read a citation which has just been handed to me:

But later decisions, in view of the indefinite extent of the practice made possible by the early decisions, have ruled out propositions to appropriate for new buildings in navy yards.

What could be a larger application of this principle than to hold that if this board has outlined a large scheme of road construction in Alaska, and done some work here and there in connection with the same, this committee, or any committee, is thereby authorized to appropriate the funds necessary to complete every road contemplated by that scheme, or project?

In section 29 of the act which the Chair has cited, may be found an elaborate provision for road construction in Alaska by a board to be composed of an engineer officer of the United States, two other officers, and so on. At the conclusion of that section it is specifically stated that the cost and expense of laying out, constructing, and repairing these roads and trails in the Territory shall be paid by the disbursing officer out of the "roads and trails" portion of the Alaskan fund. The Chair thinks that the point of order directed to this paragraph is well taken, and it is therefore sustained.

On March 13, 1918 (CONGRESSIONAL RECORD, p. 3456), the legislative appropriation bill was under consideration in the Committee of the Whole House on the state of the Union. Mr. LONDON, of New York, offered an amendment to investigate the subject of insurance against unemployment. To this amendment Mr. BYRNS of Tennessee made a point of order. After argument the Chairman held that in effect the amendment construed existing law and was therefore legislation not authorized on an appropriation bill. The Chair sustained the point of order.

The Clerk read as follows:

Amendment by Mr. LONDON: Page 146, line 70, insert as a new paragraph the following:
"To investigate the subject of insurance against unemployment, the sum of $50,000."

Mr. BRYNS of Tennessee. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. Upon reflection the Chair is disposed to think that the organic act might be fairly construed by the Bureau of Labor to empower it to investigate the subject proposed in the amendment, if a lump-sum appropriation was made. But this would be a conclusion that the bureau would draw from the general terms used in the act. This amendment appropriating the sum indicated and directing that it shall be used for the investigation mentioned is an interpretation of the organic act. An amendment construing or interpreting an act is legislation. Legislation on an appropriation bill is forbidden. The point of order is sustained.

On September 19, 1918 (CONGRESSIONAL RECORD, pp. 10516 to 10519), the House was in Committee of the Whole House on the state of the Union, considering the revenue bill, when Mr. BORLAND, of Missouri, offered an amendment to a paragraph in the bill. A point of order was made to the amendment, but was overruled. It was then sought to make a point of order to the paragraph. The Chair ruled after debate, that when a paragraph is read, and no point of order is made, and an amendment is offered to the paragraph, and a point of order made to the amendment, and overruled, it is too late thereafter to direct a point of order to the paragraph.

Mr. BORLAND. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 170, line 13, strike out all after the word "Senate," strike out all the rest of line 13 and lines 14, 15, 16, and 17, and insert in lieu thereof the following: "The members of the board first appointed shall be appointed for terms of one, two, three, four, and five years, respectively, and thereafter the term of each member shall be five years."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MADDEN. Mr. Chairman, I make the point of order on the amendment offered by the gentleman from Missouri.

The CHAIRMAN. The gentleman from Illinois makes the point of order.

Mr. BORLAND. What is the point of order?

Mr. MADDEN. My point of order is that the provision of the bill following the word "Senate," which the gentleman seems to wish to strike out, makes the board temporary, and the gentleman is seeking to make a permanent board out of what is proposed to be a temporary one.

Mr. BORLAND. Mr. Chairman, the gentleman's point of order is not well taken. The board, according to the present scheme of the law there, is appointed at the pleasure of the President. The following paragraph says that any member may be subject to removal by the President. The gentleman's point of order is not well taken. My opinion is that the whole section creating an advisory tax board may be subject to a point of order. But if so a germane amendment to a section which otherwise would be subject to a point of order would thus not be subject to a point of order. I submit to the Chair that defining the terms of these officers who are now appointed by will is a germane amendment, and is perfectly germane to the purposes of the section, and not subject to the point of order.

The CHAIRMAN. The effect of the amendment seems to be to enlarge the term of office of the appointees under this section, but it does not occur to the Chair there is any reason why it is not in order for this to be done by an amendment which is germane. This commission and their terms are established by the bill. The amendment proposes to change the terms.

Mr. MADDEN. Mr. Chairman, I make a point of order against the paragraph.

Mr. BORLAND. Mr. Chairman, I submit the point of order comes too late, because I was recognized to perfect the paragraph by offering an amendment, which I did offer.

The CHAIRMAN. The gentleman can not direct a point of order against the entire paragraph after an amendment has been offered.

Mr. WALSH. Debate had not begun. The fact that an amendment was offered does not debar making a point of order against the entire paragraph. The rules say "after debate has begun."

The CHAIRMAN. That means that after the paragraph has been read and opportunity given to make or reserve a point of

order. This opportunity must be afforded, and if not availed of, then it is too late thereafter to raise the question of order. In this case the opportunity was given, because the point of order to the paragraph could have been made before the gentleman from Missouri offered his amendment.

Mr. WALSH. Debate could not begin when the point of order was made against the amendment that was offered.

The CHAIRMAN. To the paragraph?

Mr. WALSH. Yes.

The CHAIRMAN. The paragraph was read. It was then before the House and open first for a point of order, and then for amendment. Anyone making, or reserving a point of order would have been entitled to prior recognition to the gentleman from Missouri. No one made a point of order to the paragraph. Hence the gentleman from Missouri, asking recognition to offer an amendment, was in order. He was recognized, and submitted an amendment to the paragraph to which a point of order was directed.

Mr. MADDEN. I maintain the point of order will lie until debate has begun on the paragraph. No debate having been had on the paragraph, the gentleman from Missouri [Mr. BORLAND] having offered an amendment to which a point of order was made, notwithstanding that point of order was overruled, the paragraph is still pending without debate, and the question is whether it is subject to a point of order or not on its merits. That is the only question that is pending now.

The CHAIRMAN. The Chair does not understand that this has been the practice of the House at all.

Mr. MADDEN. The Chair is supreme here unless overruled.

The CHAIRMAN. The Chair has no pride of opinion about this matter whatever. If the practice of the House has been to the contrary of his ruling the Chair will be glad to be advised of it.

Mr. MADDEN. I think there is no doubt about what the practice of the House has been.

The CHAIRMAN. The Chair will be glad to be cited to any rule, or precedent contrary to his ruling. With the consent of the committee the Chair will state precisely what has taken place. The paragraph was read, and was then open to a point of order, or reservation of a point of order. No one rose to make or reserve a point of order. Thereupon an amendment was offered to the paragraph. A point of order was made to this amendment, and overruled. A point of order was then sought to be made to the paragraph proposed to be amended, and the Chair ruled that this motion was too late. That is the understanding of the Chair of what has taken place in this connection.

Mr. MADDEN. Will the Chair allow me to ask him a question?

The CHAIRMAN. Certainly.

Mr. MADDEN. Does the Chair maintain, because an amendment was offered to which a point of order was made, it leaves the paragraph in any other situation than it would have been if no amendment had been offered?

The CHAIRMAN. The Chair maintains that after a paragraph has been read in due course, and opportunity thereby given, to make, or reserve a point of order, and neither is made, it is too late to make a point of order to the paragraph after an amendment has been submitted. There are many Members of the House now present, who are experienced parliamentarians and the Chair will be glad to hear from them in this connection, whether in their opinion the ruling just made, is erroneous, and further whether upon the state of facts cited, a point of order could be made to the paragraph proposed to be amended.

Mr. GARRETT of Tennessee. I think if my friend from Illinois will think of it for a moment, there is nothing wrong with the Chair's reasoning on this proposition. A point of order was made to an amendment to the paragraph. Business had intervened. The gentleman from Massachusetts [Mr. WALSH] shakes his head. He wishes to limit it to a technical proposition as to debate. But the gentleman must realize that where business had not intervened, the point of order was made before any amendment had been made to it.

Mr. MADDEN. The rule does not make any such construction as that at all. It simply says that the point of order must be made before debate is begun. Now, no debate has been had. That is what the rule says—not before an amendment has been offered but before debate has begun.

Mr. GARRETT of Tennessee. Why, Mr. Chairman, if that should be the rule of the House or the practice of the House, then it would result in always doing just exactly what has occurred at this time.

The gentleman from Illinois is not opposed to the original proposition, I assume; at least he did not interpose the point of order to it. He waits. Now a proposition is passed to which he is opposed and to which I am opposed and to which a majority of this House, I apprehend, will be opposed. But the gentleman can not then, in order to defeat that, interpose a point of order against the proposition that had already been read and passed. The reasoning of it is perfectly clear. The orderly procedure of the House, in my humble judgment, would depend upon sustaining the Chair in the ruling that he has just made.

The CHAIRMAN. The Chair will read one or two precedents, out of a number that might be cited.

On December 16, 1898, the House was in Committee of the Whole House on the state of the Union considering the bill (H. R. 11191) to extend the laws relating to customs and internal revenue over the Hawaiian Islands.

Mr. William H. Moody, of Massachusetts, offered an amendment providing for the extension also of the laws of the United States relating to the appointment of officers in the Customs and Internal-Revenue Services.

Mr. Leonidas F. Livingston, of Georgia, asked if it was proposed to extend the civil-service laws to Hawaii.

Mr. Moody replied to this question, whereupon Mr. JOSEPH G. CANNON, of Illinois, suggested a point of order.

Mr. Moody raised the question of order that the point of order came too late. The point of order against the point of order, was sustained, on the ground that it came too late.

On the next page of Hinds' Precedents is a ruling to the effect that when a paragraph is read, then is the time to offer a point of order. That is what the Chair has always understood to be the practice. The Chairman in the case cited ruled as follows:

Without deciding the question as to whether, under the special rule under which we are proceeding, objection would have been in order if it had been made in time, the Chair is of the opinion that the point of order not having been made, it is now too late to make it, just the same as in case of the rule forbidding legislation on an appropriation bill. If the point is not made when such an amendment is offered, or until after debate, it comes too late. The Chair therefore holds that the point of order is not well taken.

In this case no point of order was made to the paragraph, or sought to be made, before the amendment was offered. After the amendment was offered, and held to be in order, it was too late to make a point of order to the paragraph. This ruling in the judgment of the Chair conforms to the precedents, and practice of the House.

Another case in point will be cited:

On April 16, 1904, the general deficiency appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when a paragraph of the bill was read providing for compensation to the clerk of the Committee on Industrial Arts and Expositions.

Mr. George W. Smith, of Illinois, proposed an amendment, which was ruled out on a point of order.

Thereupon Mr. Smith raised a question of order against the paragraph in the bill.

Mr. James A. Hemenway made the point of order that the question was raised too late.

The Chairman held that a point of order against a proposition must be made before an amendment is offered to it. (Hinds, vol. —, p. 6911.)

The committee will note that while the case cited is not so strong a case on the facts as the case upon which the Chair has occasion to rule, it very clearly is to the effect that after an amendment is offered to a paragraph it will then be too late to make a point of order to the paragraph to which that amendment relates.

The Chair sustains the point of order.

On March 15, 1918 (CONGRESSIONAL RECORD, p. 3562), the House was in Committee of the Whole House on the state of the Union, considering the legislative bill, when the gentleman from New York [Mr. LONDON] offered an amendment. A point of order was made to the amendment on the ground that it was "nonsense." The Chair held that this objection did not present a question of order. The point of order was overruled.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Add at the end of section 6 the following:

"No increase herein shall apply to salaries or compensations for personal services in any of the executive departments or independent establishments of the United States or of the District of Columbia, or any bureau or office therein, which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act approved March 15, 1898, require eight hours of labor each day: *Provided*, The present war is ended prior to June 30, 1919."

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order against that.

I do not know whether the Chair has ruled on the point of order or not, but I submit, if the Chair will examine this amendment he will hold it is not in order. I will make the point of order it is not germane and that, at the same time, it has not any sense.

The CHAIRMAN. The objection that the amendment is nonsense, does not present a parliamentary question. The amendment seems to be in order, and it is for the committee to determine whether it considers the proposition to be sense, or nonsense.

On September 19, 1918 (CONGRESSIONAL RECORD, pp. 10524 to 10525), the House was in Committee of the Whole House on the

state of the Union considering the revenue bill, when a point of order was made by Mr. WALSH, of Massachusetts, to a paragraph in the bill on the ground that it did not relate to the revenue or bonded debt of the United States, and therefore was not within the jurisdiction of the committee making the report, and should be expunged from the bill. After debate, the Chair ruled that the Committee on Ways and Means had no jurisdiction to entertain, or report the paragraph in question.

The point of order was sustained.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The gentleman from Massachusetts [Mr. WALSH] makes the point of order on the ground that this particular paragraph does not relate to the revenue, or bonded debt and is, therefore, in excess of the jurisdiction of the committee.

Mr. WALSH. That it is not within the jurisdiction of the committee.

The CHAIRMAN. I say, in excess of the jurisdiction of the committee, and therefore beyond their authority. The Chair thinks the point of order is well taken, and sustains it.

Mr. KITCHIN. Mr. Chairman, no point of order was reserved on this bill. Take the case of an appropriation bill. You can not have new legislation on an appropriation bill when a point of order is reserved at the time the report is presented. If that is not done you can not do it when you consider the bill.

The CHAIRMAN. This is a very important matter, and the Chair will make the following explanatory statement: Should a bill be erroneously referred, the rules provide the procedure by which that bill, as a whole, may be returned to the proper committee. If advantage of the rule is not taken in time, and the committee improperly in possession of the bill proceeds to consider it, and report the same to the House, it will then be too late to raise a point of order against the bill as a whole.

In such a case the committee entitled to jurisdiction is considered to have slept upon its rights. But when a bill is properly sent to a committee having jurisdiction over the subject matter, and it improperly includes in the bill reported to the House, matter not within its jurisdiction, then upon the consideration of the bill, the extraneous matter improperly included, can be objected to by a point of order. This is the first opportunity presented to object to the offending matter. Hence no one has slept on his rights, and no one is estopped to make objection. There must be an opportunity afforded at some time to object to matter included in a bill in excess of the jurisdiction of a committee, and the first time that this opportunity is afforded, is when the bill is under consideration, and the objectionable matter is reached.

Mr. KITCHIN. I supposed that this referred to an amendment reported by the committee.

Mr. WALSH. Mr. Chairman, may I direct the attention of the gentleman from North Carolina to section 6926 of Volume V of Hinds' Precedents, where Speaker CANNON, of Illinois, on May 14, 1906, made the ruling that points of order are reserved at the time of reference to Committee of the Whole only on appropriation bills?

Mr. Joseph W. Babcock, of Wisconsin, moved that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar.

Mr. Sydney E. Mudd, of Maryland, interposed to reserve points of order against the bills.

Speaker CANNON held that as they were not appropriation bills such reservation was not called for.

Mr. KITCHIN. I want a little information, too, because this will be a precedent, and we want to get the matter straight. Suppose the Ways and Means Committee a week or two weeks before we reported this bill had introduced this identical bill with this provision in it, and then had reported it, and no points of order at all were reserved. Is it the understanding of the Chair that any matter in the bill of which the Ways and Means Committee originally had no jurisdiction would then be subject to points of order?

The CHAIRMAN. The Chair in response to that question will read the following extract from the rules:

POWERS AND DUTIES OF COMMITTEES.

All proposed legislation shall be referred to the committees named in the preceding rule, as follows, viz: Subjects relating—

1. To the election of Members—to the respective Committees on Elections.

2. To the revenue and the bonded debt of the United States—to the Committee on Ways and Means—

And so on.

The latter provision fixes the jurisdiction of the Ways and Means Committee, and delimits the matter appropriate for its consideration. Suppose the Committee on Ways and Means should report a bill dealing with the bonded debt, and as one paragraph of same should include matter properly belonging to the Elections Committee, or to the Committee on Foreign Affairs, or to the Committee on Appropriations, or to any other committee, how would this illegal assumption of jurisdiction be reached, save by a point of order directed to the offending matter?

Mr. KITCHIN. That is true, if it sought to amend a bill so as to include matters of which it had no jurisdiction, because the amendment would not be germane to the bill. But I am speaking now of this case: Suppose we had introduced this bill two weeks ago, and the committee had reported it, and it came before the House with that identical proposition in it for the Drafting Service, not as an amendment, but as a part of the bill. Suppose we had reported the bill with that provision in it. Would it then be subject to a point of order?

The CHAIRMAN. The Chair does not think a question of amendment is presented. This is a question of matter in a bill reported by the committee, as to which the committee had no jurisdiction. The Chair thinks the point of order to this paragraph is well taken.

EXTENSION OF REMARKS

OF

HON. DAN V. STEPHENS,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. STEPHENS of Nebraska. Mr. Speaker, the investigation had before the committee of Congress on the court-martial system in vogue in our Army has greatly stirred all those who are familiar with the evidence which has been offered as proof of the need of a complete reform of the present procedure. The war is over, and we can now be frank without fear of demoralizing our officers charged with the conduct of the war. I am one who has not heretofore offered one single public criticism of any branch of our Government, because I believed it unwise to do so when we were all bent upon winning the war. We have now the experience the war has brought and should profit by it to revise this system that smacks of the dark ages. No one should stand in the way of these reforms. No officer of the Army should feel it incumbent on himself to defend the system. Let it stand or fall on its merits, keeping in mind that an American citizen has certain fundamental rights that should be reserved to him even in the Military Establishment, which is supposed to be of necessity more or less despotic. When the people of this country come to the conclusion that their sons who enter the military service can not secure a square deal there is likely to be trouble for some one ahead of us.

It is conceded on all sides that courts-martial procedure during the present war has been atrociously harsh, brutal, and unjust. There is hardly a Member of Congress who has not directly received convincing evidence of that fact through innumerable justified complaints from his constituency, establishing beyond all doubt that *courts-martial are not worthy the name of courts,* that they are regarded in the Army in no sense as judicial bodies, and that they are subject to absolute control by the power of military command in our Army, a power which is as inhumane and heartless as the Prussianism which this army was raised to destroy.

An effort has been made to cast the burden and the blame upon this new Army itself and excuse the officers of the Regular Establishment from participation in or responsibility for the prevailing injustice throughout the Army. Even if this were as true as it is grossly untrue, a system of law which depends absolutely upon the character of the agencies which administer it, a system of judicial procedure which gives protection and justice only when administered and controlled by men who insist on doing the right and achieving justice regardless of the system, is to be utterly condemned. The system itself must be such as to require that right and justice be done, and to visit the severest penalties upon any who declines or evades the doing of justice.

But even when the system applied to the small Regular Establishment, as it existed before and up to the beginning of this war, and administered by officers of the Regular Army, whose virtues, it is now said, are such that the system could not go wrong, it was no better then than now; it was no better administered then than now. It gave no better results then than now. The injustice was as proportionately great then as

now—indeed, it can probably be said within the limits of truth that the system was more harshly administered then than now. But then the Army was small. Public interest was not aroused in it. The aggregate of injustice was much less than now. But that system blasted the hopes and life of many a man, and left as a derelict many a man who had served in the Army with all the virtue and rectitude that a good citizen and a good soldier usually has or need have in order to perform his duty, both as citizen and as a soldier.

It is charged that up until the beginning of this war, when Gen. Ansell fell in command of the office, there was no supervision and control in the War Department over the procedure of any court-martial. However gross, glaring, and prejudicial the error, there was no power, no authority, as the law was reactionarily construed, to rectify it. When the sentence of a court-martial was once passed upon and approved by the crude judicial processes of some commanding officer it was final and subject to no review at the War Department or in any other department of this Government. It is alleged that Judge Advocate General Crowder not only tolerated but approved that system, which subjected the life and liberty of every man in the Army to the oppressive and tyrannical will of a man trained to arms, and by that fact alone trained away from judicial thought and judicial methods. Before this war, notwithstanding the fact that section 1199 of the Revised Statutes expressly required the Judge Advocate General of the Army to review and revise the proceeding of every court-martial, this duty was not performed. Such revision as was had was for the purpose of collecting statistics and filing the court-martial records simply as records of the department. Such review as has been had during this war, and in some cases a much better but unauthoritative review, has been had at the insistence of one officer alone, who has striven in season and out to compel the Judge Advocate General of the Army to exercise in the name of justice the power which the statute confers upon him and requires him to exercise. The result has been static and obstinate opposition, a thwarting by administrative expedient of every effort made. His continuous insistence has been met by administrative makeshifts which were designed to deceive Congress, to deceive the soldiers themselves, and to deceive the people of the United States by deluding them into believing that something was being achieved in the establishment of justice in the Army, when it was well known that nothing substantial could thereby be achieved, and when it was intended that nothing should be achieved to modify the existing system.

And it has been the officers of the Regular Army who have insisted upon the maintenance of this system of bureaucracy, of absolutism, of injustice, supported and maintained by military power, and not the officers of the new establishment who are now accused of being the agents of this injustice through their ignorance upon the one hand and tyrannical exercise of brief authority upon the other.

No more shameful page will ever be written upon the military history of the United States than that that ought to be written and will be written when the people are informed upon this system of military injustice, supported and maintained by petty tyrants in high official position.

The American Bar Association charged that the present military code was unworthy of the name of law, and that the result of its application was unworthy of the name of justice. These charges are now known not only to state the truth, but they fall short of the mark in stating the whole truth. The system is a system not of law but of tyranny. It works not justice but tyranny, oppression, and the destruction of the souls and spirits of human beings.

The system is not the handiwork of Judge Advocate General Crowder or of Secretary of War Baker. It is true that in 1916 the present Judge Advocate General secured a reenactment of the military code, but it is obvious to every lawyer who will make even a cursory study of and comparison between the old code and the reenacted code that the reenactment made not one single systemic change, gave not one added guaranty, provided not one single scintilla of protection. It is nothing at all but a rewriting of the old code. I ask the lawyers of the country to compare the two in an effort to discover one particle of systemic improvement. The code to-day is in every substantial respect the British code of 1774, the code that we inherited from Great Britain when we separated from her, which we still insist upon maintaining and which she long since has cast aside. The few changes made in the reenactment that border upon the systemic are changes in the direction of reaction rather than of liberalization.

The attack made by the chairman of the Senate Committee on Military Affairs upon this system was well advised and justified. This enlightenment would never have come to the department nor to the people had it not been for the courageous attitude and testimony of Gen. Ansell before the Senate Committee on Military Affairs. Throughout the war he had seen and complained of the terrible injustices that were being inflicted upon our soldiery. But the light is breaking; the responsibility will be located; and those who are responsible for the perpetuation of this injustice are already engaged in making public their embarrassing pleas of confession and avoidance.

Gen. Crowder now states that this injustice has been to a considerable extent due to a lack of the very revisory power which Gen. Ansell at the beginning of the war insisted the department already had and ought to exercise, and which he strenuously denied. He now says that he went so far as to propose legislation that would have established such a revisory power, and he undertakes to avoid the responsibility by placing it upon the Congress for its failure to pass the legislation which he proposed.

It is claimed, and successfully I think, that the legislation proposed was not worthy of enactment. If enacted, it would have made more secure the existing system. It would have intolerably increased the present terrible deficiencies. The committees did not favorably report that bill, and they were wise in not doing so, first, because that bill would have placed the power of judicial supervision of courts-martial, not in the hands of a lawyer or a judge, not in the hands of the Judge Advocate General, but in the hands of a purely military official wielding all military power in the Army—namely, the Chief of Staff of the Army. This was enough to condemn it. But, much worse than this, it would have authorized the Chief of Staff to reverse an acquittal; it would have authorized him to strike out a finding of not guilty and substitute a finding of guilty; it would have authorized the Chief of Staff to increase any sentence which a court-martial had awarded. The legislation was skillfully drafted with a view to concealing its real character. But every lawyer, upon examining the bill, will discover what those who drafted the bill and those who proposed it already knew—that that bill placed these vast powers in the hands of the Chief of Staff and authorized him to impose punishments at his own will, and for that, if for no other reason, it should never become law.

What a tragedy in the realm of justice is the present system which the War Department still hopes and labors to save!

It is a system of justice made, maintained, and applied by the will of a military man, and not by any principles known to jurisprudence. The American people ought to know what this system means, and in the end they will know, and knowing it will destroy it.

A man can be court-martialed at the mere whim and caprice of any officer of the Army, from the most newly made second lieutenant to the Chief of Staff. In the last fiscal year there were more than 350,000 cases of courts-martial, and between twenty and thirty thousand of them were trials by general court-martial, the court of highest jurisdiction, with power to inflict any punishment, including that of death. The system does not require that any investigation be made to determine whether a man shall be tried or not. It does not require any legal determination of whether the charge or indictment is sufficient, as a matter of law, and whether there is evidence to constitute a prima facie case. It does not guarantee to a man any protection during trial. It does not define his rights before, during, or after the trial. It does not provide for adequate defense or establish his right to the substantial assistance of counsel. It does not establish and is not governed by any regard for any of those safeguards which have been developed by our civilization as necessary to protect a man against oppression and injustice. The trial, if such it can be called, being over, the commanding officer, a military man without the slightest judicial appreciations, alone determines whether the proceedings are correct and whether the accused has had a fair trial.

When a man is once haled before one of these courts there is little hope of acquittal. The military system is set against fair procedure. The reports of the Judge Advocate General for the last year show that only 1 out of every 23 men tried by a summary court is acquitted; only 1 out of every 12 men tried by a special court is acquitted, and only 1 out of every 9 men tried by general court is acquitted. And this certainty of conviction can not be said to be due to the thoroughness of investigation prior to trial, because the law requires no such investigation and but little is had. The great military desideratum, certainty of punishment, is achieved, but justice is not.

But those who support the present iniquities brazenly confess that it is not the object of the code to do justice—that the object of the code is to maintain discipline within the establishment. If these statements were not statements of record, it would

have been unbelievable that they could have been made by any responsible officer of Government or even by any man endowed with the ordinary capacity to reason and with an ordinary sense of justice. As though discipline and justice were inconsistent terms! As though the maintenance of discipline made it necessary to exclude justice! As though, indeed, discipline, in the proper sense of the term, could be founded on anything but justice! This fact alone shows how far those who govern and administer the present military establishment have gone down the high road to Prussianization, how far they have forgotten, if such men ever could have known, the ordinary principles of right and justice; how far their training has deprived them of all capacity to reason as fair-minded human beings. Such men have long since become machines. They can not be men. They see with the eyes of tyrants. Their hearts are hearts of stone. With such men in control of our Army, our people can never have any faith in or affection for it.

The present system of military justice is an insult to all decent principles of government. It is an outrage upon any government of a free people such as ours. Its terrible resulting injustices have been revealed and our consciences have been shocked. For every such injustice, some soldier's spirit has been crushed, some soul has been seared, some soldier's patriotism has been called upon to resist the assault made upon it by subjecting him to such a tyranny.

The system is completely beyond all legal control. Not only does it not require, it does not even contemplate, any such thing as legal control over the conduct of military procedure in accordance with established legal principles. It is a system controlled by and administered in accordance with the will of a military commander. This very deficiency—a lack of legal control in accordance with principles of law and a subjection of sacred judicial functions to the tyrannical power of military command—is the cause of the injustice which is now the subject of such general and bitter popular complaint. It could not have been otherwise, and it will never be otherwise as long as the Prussian methods which seem now to be rigidly established in cur Army control the functions and the administration of justice.

The time is bound to come, and come soon, if indeed it is not already here, when the people of this country will locate the responsibility for the existence and maintenance of this injustice. The Army is not yet half demobilized. The system is still operating in full force and vigor. The ultramilitaristic mind, which seems to be in complete domination of our military administration, which establishes and maintains the present harsh and un-American standards, judgments, and punishments, supports the system, but the American people will sooner or later locate the responsibility upon the individual officials whose duty it was zealously to guard the administration of military justice, to the end that tyranny and oppression, which have so fertile a field in a military establishment, should not survive. This these officials have not done. This they have deliberately refused to do. Tyranny, oppression, and injustice have flourished by reason of the strong support given to them by the very officers whose duty it was to strike them down. And this the records will prove.

The evidence already elicited shows, and the attitude of the reactionaries who are upholding the present system corroborates it to the point of conviction, that the following pertinent propositions of fact are beyond denial or dispute and they at the same time serve to fix conclusively the guilt, for guilt it is, upon the officials who are responsible for the maintenance of military injustice:

(1) The Acting Judge Advocate General, speaking by virtue of the office in which he was at that time in sole and supreme control, found that under the existing law the War Department had ample authority for the supervision of courts-martial procedure and for keeping them within legal control. The Judge Advocate General of the Army, the Inspector General of the Army, and the Chief of Staff of the Army united in opposition to this view and urged upon the Secretary of War the argument that such supervision and control would result to the injury of discipline, and the Secretary of War yielded to their argument and relieved the Acting Judge Advocate General from further control over military justice.

(2) The military officials above mentioned placed their views upon record that military procedure had for its purpose the maintenance of discipline, and drew the distinction that discipline could not be maintained without sacrificing justice.

(3) They contend and maintain that the military code was a code of penal law that ought not to be independently and judicially supervised in its administration, but that it should be left to be administered by the camp commander.

(4) It is alleged that these officials intended to do nothing, but sought to shift the responsibility by placing an impossible bill before the two military committees of Congress, knowing that such a bill could not be enacted into law. That bill would have made the situation worse. The War Department overruled Gen. Ansell's opinion that there was already revisory and supervisory power in the War Department under existing law, and then sought to have Congress pass a bill that would have placed such a power in the hands not of independent legally trained officials but of military officials under the control of the Chief of Staff. That bill also would have authorized these same military officers to substitute a conviction for an acquittal by the court, to increase the punishment which the court had awarded, and to subject a man to a new trial at will. Such proposed legislation could hardly have been intended to pass because of its inherent deficiencies, and if it had passed it would have foisted upon the Army the chief deficiency of the existing system. It could not have been intended to pass, because it was only shortly after the Judge Advocate General himself had submitted it to Congress that he said that General Order 7 itself was designed simply to allay popular clamor and to head off congressional investigation.

(5) The Judge Advocate General has removed from participation in matters of military justice the one man who has stood for a liberalization of the system, and by reason of his headship of the office has prevented the free communication of the views of that officer to the Secretary of War.

(6) The present Judge Advocate General had written into the Articles of War two years ago the present thirty-seventh article, which he now construes as an additional reason why the commanding officer should govern courts-martial at his will and subject to no legal control, not even that of the President of the United States.

(7) The order which Gen. Ansell procured to be issued last September establishing a considerable power of revision over courts-martial procedure among our forces in France was this day, the very day that Congress is to adjourn, revoked.

It has been officially announced that the Judge Advocate General will soon depart upon a mission for Cuba. He is retiring for a while. His place will be taken by Gen. Bethel. It was Gen. Bethel, I am informed, who has contended for the harsh punishments in France throughout the war. It was he who argued with and persuaded Gen. Pershing to insist upon the execution of four young soldiers in France, simply as a matter of policy. He argued that the execution of a few men at the beginning of the war would have the effect of saving the life of many in the latter days of the war. It was he who has contended at all times against the establishment of any supervisory power over courts-martial in France, and it was he who finally succeeded in overthrowing the order establishing such revision there.

The structure will fall. It will carry with it all who insist on clinging to it.

EXTENSION OF REMARKS

OF

HON. JOHN M. BAER,

OF NORTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. BAER. Mr. Speaker, under the general permission to extend my remarks in the RECORD, I present the following:

STATEMENT BY CONGRESSMAN J. M. BAER, REPRESENTING NORTH DAKOTA AT THE REQUEST OF GOV. LYNN J. FRAZIER.

"Owing to pressing official duties it is impossible for the governor of North Dakota, Hon. Lynn J. Frazier, to attend this conference of governors and mayors here at the White House. The governor wired me, urgently requesting that I represent him. I realize the imperative need of his presence at our State capital, because our legislature has just passed some of the most progressive legislation in the history of our State. North Dakota or N. D. stands for the 'new democracy.'

"There are few who are involuntarily unemployed in North Dakota. I have received a message from J. N. Hagan, commissioner of agriculture and labor, stating that 30,000 expert farm hands would be needed during the month of April. At the present time the problem of unemployment is a negligible one. Information from the various employment bureaus confirm the statement of the commissioner and show that the point of saturation has almost been reached in North Dakota. It is a

complete reversal of the conditions which have been heretofore reported at this conference. I believe great credit should be given to the splendid manner with which Gov. Frazier has handled the situation.

"North Dakota is a State which can be pointed to as an example of one which has efficiently and peacefully handled the labor problem.

"I want to insert here an editorial taken from the Nation of March 1, 1919. It reads as follows:

"We are happy to learn that there is one public official in the United States who has some conception of how to deal with the prevailing unrest. His unusual perspicacity may be due to the fact that he makes a living by farming, not politics. In any case, we are glad to hear a sensible word from anyone in responsible public position. Gov. Frazier, of North Dakota, in accepting appointment to the board of governors for a nation-wide campaign against anarchy, writes thus:

"'I have your telegram notifying me that I have been appointed on the board of governors for a nation-wide campaign to be launched against every manifestation of anarchy and to safeguard American liberties, American labor, American homes, and American schools, and wish to assure you that I am in hearty sympathy with the announced aims of your organization. Here in North Dakota we believe the best protection against revolution is to assist rather than retard evolution, and in this State it is the intention of the administration to remove discontent and prevent disorder by remedying the legitimate economic complaints of the people instead of trying to stamp out just grievances. As a consequence we have a contented citizenry in North Dakota, which believes in upholding our Government and achieving political progress by orderly and constitutional methods. * * * Personally, I feel that bolshevism is not the only peril to this country. In my opinion the spirit of Bourbonism is even more threatening to the security of our institutions, for, scanning back through history, it seems to me that Bourbonism always precedes and is the cause of bolshevism.' Gov. Frazier promises to be an interesting member of this particular board of governors."

"Idleness deserves the utmost contempt and earnest discouragement of every citizen. We must not shun it. We must reckon with it. This has been the policy of our State; and while the governor has effectively handled the situation with a firm hand, he has given every encouragement to those who honestly seek employment. He has dealt with firmness, but he has administered with justice. I therefore point with pride to the labor conditions in North Dakota, and believe that if other States had handled the delicate situation as wisely and ably as our governor has, little credence could be given to those who predict industrial strife and labor revolts. Permit me to quote from the governor's address to the legislature:

"The past two years have been trying times, both for the people and the State officials. On some occasions the burdens were hard to bear, but from beginning to end of our country's part in this great war there was a willingness to serve and an earnest determination which made North Dakota second to none in all available lines of war work. Our soldiers have made an enviable record.

"We are justly proud of them. And I am also proud of the record of those who stayed at home. Even through the adverse criticism of unscrupulous newspapers and politicians the people kept right on with an earnestness of determination and with one set purpose to back our Government and our boys and win the war.

"While in many States the people were utterly stampeded to do mob violence under the false guise of patriotism, and perpetrated outrageously revolting crimes that will haunt life's memory and leave a stain of disgrace that can not be lived down in a hundred years, our people marched quietly forward with consistent patriotism that will make proud our history for all time.

"For, after all, we are only servants of the people and act in their interests. Certain legislation has been demanded, and we have an unmistakable mandate to enact a definite program which has been adopted after mature deliberation. Naturally, this program has aroused the opposition of private interests whose profits were derived from the systematic exploitation of the people of North Dakota. These interests make the claim that our program is untried, dangerous, and likely to result in ruin.

"This can not be true, for there is nothing experimental about these proposed measures. They have been thoroughly tested in many parts of the world, and everywhere they have proven successful and have operated to the best interests of the people. There is not a single measure in our whole program which will adversely affect any honest and legitimate business interest within this State.

"On the contrary the adoption of this program will make us independent of the out-of-the-State interests, build up home industries, and develop and widen domestic markets, promote settlement, bring to more workingmen and make it easier for our people to own their homes—in short, will make North Dakota a State where the producer can retain his just share of what he produces.

"The whole tendency of the times is toward greater cooperation and the extension of democracy into industry, and in my estimation this industrial democracy is just as necessary as is political democracy. North Dakota in adopting these measures not only will promote general prosperity but will encourage education, remove restraints of privilege, and provide more equal opportunity and give our children and our children's children a chance to be better citizens and to be broader and happier men and women.

"I have little patience with those who would measure as with a thermometer the Bolsheviki temperature of our communities. North Dakota is the answer to the problem of bolshevism. When the people are freely allowed to exert their political power and the majority truly rules, we have pure democracy. When the Bourbons, the forces who are opposed to majority rule, come into power and suppress the people it breeds bolshevism. I am proud to say that there is not an I. W. W. who is a permanent resident within the borders of our State. If they drift into our State they are made to understand and they must work. Our slogan is 'Get to work or get out.'

"Great credit must be given the patriotic efforts of our business men—the former employers of the men in our great Army. They have placed the returned soldiers in their former positions and are rapidly absorbing those men who so gallantly defended our country.

"While I understand there are a large number of idle men in some of the large cities, especially in Buffalo and New York, I do not believe that the situation is critical and that as soon as farming operations are begun the slack will be taken up.

"We have witnessed the unparalleled results of the unity of purpose, unity of command, and unity of effort in what was not only a gigantic military and industrial achievement, but also the greatest moral victory in all history. This same unity of purpose demands an equal community of interest in the problems to be solved during the period of reconstruction. I am glad, therefore, that the President has called for the intelligent cooperation of the chief executives of our States. I hope that there will be a unity of purpose here, and that a definite plan will be worked out in this conference in order to handle the labor situation. I trust that it will work to the best interest of our beloved country. To preserve the ideals and institutions of this Republic is our one and supreme and unshakable purpose."

On the Irish Resolution, H. J. Res. 357.

EXTENSION OF REMARKS

OF

HON. JOHN M. MORIN,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. MORIN. Mr. Speaker, in olden times tribes and peoples were a law unto themselves. Hostile and marauding bands preyed one upon another. For protection each village was surrounded by a wall. On its towers watchmen constantly patrolled in order that they might give their message of warning. This message was ofttimes a cry of alarm to tell of the approach of a foe, ofttimes a word of cheer to let the inhabitants know of the nearness of a friend.

Centuries have elapsed; civilization has progressed. The hostile marauding bands of yesterday have become the powerful nations of to-day. No longer a law unto ourselves, we are bound together by ties of mutual interests. We are turning to the watchmen on our towers to-day and asking them what vision they now have. They reply that they see the overthrow of tyranny and oppression; they see the coming light of liberty, justice, and equity. They behold the first beams of that happy day of which our President spoke when he said:

We are glad * * * to fight thus for the ultimate peace of the world, * * * for the rights of nations, great and small, and the privileges of men everywhere to choose their way of life and obedience.

To-day we are contending for those principles laid down by Lincoln in his memorable address when he predicated the fact that no nation could exist that was not truly self-governed. True democracy is indeed "government of the people, by the people, and for the people." Surely, it is not amiss that we who have this rich heritage should wish others to enjoy this great blessing and so should be urging that this form of government shall prevail in all the world, and are asking that each nation shall be given the opportunity to be truly individual, to determine its laws and its customs. Before enduring peace can come this privilege must be accorded to all nations, small or great, and that is why the American people are so anxious to have this right given to Ireland, that land famed alike in history and song.

The Irish question has perplexed and vexed our British allies for more than a thousand years, and it is still unsettled. During that period it has assumed different forms, and its attempted solutions have at times been marked with oppression, suffering, and bloodshed. When Rome first entered upon her career of conquest the British Isles, in common with France and Spain, were inhabited by what is known as the Celtic branch of the Caucasian race. These Celts or Gauls had constituted a powerful empire covering parts of Asia Minor and all of southern Europe, except the peninsula of Greece and Italy. Twice they threatened the destruction of Rome itself, but finally they had withdrawn to western Europe, where they were attacked by the Roman power. First, Spain was made subject to Rome; next, France, or Gaul, as it was then termed, was subdued by Julius

Cæsar, who in 55 B. C. carried the Roman arms into the British Isles.

While the Celts constituted a single branch of the Caucasian race, they were themselves divided into two classes by physical characteristics: One, the Brachycephalous—broad headed; and the other Dolichocephalous—long headed. The former usually have dark hair and eyes and the latter light hair and blue eyes. Sometimes these two types lived together and sometimes formed separate communities.

At the time Cæsar crossed over from the Continent there were four distinct communities—all, however, Celts—in the British Isles. They were in substantially what are known to-day as England, Wales, Scotland, and Ireland. The people were designated as Picts, Scots, and Bretons, and later as Welsh, Scotch, Irish, and English. The Romans conquered only England and Wales. The Norman conquest, too, was virtually confined to these two divisions. Still, even on the island of Great Britain, there was for centuries no close union, and wars were frequently waged between them until finally Wales and Scotland were united with England in what has since been known politically as Great Britain. This union was partly dynastic. Henry Tudor was a Welchman who became Henry VII of England and founded the Tudor dynasty. The union between England and Scotland was cemented when James VI of Scotland became heir to the English throne and was crowned as James I of Great Britain.

Unhappy Ireland, however, has had a sadder fate. While among the nations of northern Europe she first accepted Christianity and became a missionary center whence was diffused both to Great Britain and the countries on the Continent the light of both Christianity and culture, she herself, enthralled in wars, has suffered spoliation and oppression for almost a thousand years. First came the Danish rovers, in 968, overrunning the land; then, 200 years later, the Normans undertook the conquest of the island, thus beginning the struggle which is not yet ended. To the desolation of war and the spoliation of conquest were added the rapacity of absentee landlords and the restrictions on commerce which ground the people into abject poverty. Religious bigotry and ecclesiastical intolerance added to the bitterness of the cup that was pressed to the lips of Ireland.

Yet through it all she added to the strength and renown of Great Britain. Her poets and scholars helped render English literature illustrious. Her soldiers were among the bravest and her generals among the ablest that fought the battles of the British Empire. And through it all, until a little over a century ago, the Irish people had a nationality of which they were proud. In matters of local government they had nominally home rule. The Irish Parliament stood for government of the Irish people by themselves. The green flag of Erin was a symbol of a political entity. It meant that although in affairs affecting the whole empire Ireland was a subordinate part, still it had an individuality which meant much to its sons, while in local affairs it was independent. It is true that by successive acts under the German Georges of England this home parliament was shorn of many of its powers, but in 1782 it was reinstated in its full authority. "The King, lords, and commons of Ireland," constituting the Irish Parliament, was declared to be an "independent legislature."

It is true that with the religious intolerance and bigotry of that age a majority of the people of Ireland were excluded from the suffrage and from a right to participate in the Government. The qualifications were the same as in England—none but members of the established church could vote or hold office! But in England only a few were thus debarred, while in Ireland it shut out four-fifths of the people. Naturally the people were not wholly satisfied. The old abuses were not at once abolished nor old wrongs redressed; still there was a feeling of national pride that was working to bring about better feeling and friendly cooperation between the people of the two islands.

The Napoleonic wars came on, and Napoleon, like Germany to-day, attempted to profit by stirring up the unrest in Ireland. Then the younger Pitt, prime minister of England, conceived the idea of destroying the autonomy of the island and making it, like Scotland and Wales, a part of Great Britain, to be governed by the British Parliament, in which it would have representatives according to its population. The plan looked fair—to Englishmen—but it filled the hearts of Irishmen with despair and hatred, as it involved the loss of the individual nationality which they prized. To make the change, however, required the consent of the Irish Parliament, and Pitt, by the most gigantic bribery and corruption, bought up this Irish Parliament to sell out the freedom of its own country.

The "act of union" took effect in January, 1801, and the old contest was renewed with added bitterness. Since then many a noble Irish patriot has fallen a martyr to the cause of Irish nationality. With the broadening sympathy of advancing civilization, Great Britain has within the last half century done much to ameliorate social and economic conditions in Ireland. But she has not yet found the way to satisfy the Irish longing for home rule.

Now, Mr. Speaker, when the paramount question confronting the nations gathered in conclave around the peace table is the future of those nations who have not had the rights of liberty and freedom, it seems to me that action on this joint resolution is most opportune. Let us ask—nay, let us insist—that to Ireland shall be given that great boon she so long has sought, "freedom, independence, and self-determination."

EXTENSION OF REMARKS

OF

HON. THETUS W. SIMS,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. SIMS. Mr. Speaker, as this is the last hour of the last day of the Sixty-fifth Congress, and as I shall not have the honor and pleasure of being the chairman of the Committee on Interstate and Foreign Commerce in the Sixty-sixth Congress, I beg to say that in no previous Congress since this committee came into existence has there been so large a number of bills and resolutions considered and reported to the House by committee as has been during the life of the Sixty-fifth Congress, the greater number of which have passed both Houses and have been approved by the President and are now statutes of the United States.

The following is a list of all bills and resolutions that have been favorably reported to the House, with notations showing in which of the three sessions of the Sixty-fifth Congress each bill or resolution was considered and reported, and which of them have become laws, giving date of approval; and also a list of such bills as have been reported but which were not acted on by the House and remain on the calendar not disposed of.

BILLS WHICH PASSED THE HOUSE DURING THE FIRST SESSION OF THE SIXTY-FIFTH CONGRESS, REPORTED BY THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE.

H. R. 328. Commerce—Car service, to amend act relating to. (Pub. 19.)
H. R. 3650. Commerce—Commission, authorizing increase in membership. Tabled; S. 1916 in lieu. (Pub. 38.)
H. R. 4467. Commerce—Interference with, including mails, etc. Tabled; S. 2356 in lieu. (Pub. 39.)
H. R. 4503. Public Health Service—Officers of, fixing status while serving Coast Guard, Army, or Navy. Tabled; S. J. Res. 67 in lieu. (Pub. Res. 9.)
H. R. 5723. War Risk Insurance—Soldiers' and sailors' compensation insurance. (Pub. 90.)
H. R. 4960. To define, regulate, and punish trading with the enemy. (Pub. 91.)
H. R. 5147. Bridge—Arkansas River, Fort Smith, Ark. Tabled; S. 2666 passed in lieu. (Pub. 30.)
H. R. 4427. Bridge—Arkansas River, Webber Falls and Gore, Okla. Tabled; S. 2710 passed in lieu. (Pub. 59.)
H. R. 5649. Bridge—Arkansas River, Little Rock and Argenta, Ark. S. 2830 in lieu. (Pub. 44.)
H. R. 6386. Bridge—Arkansas River, Little Rock, and Argenta. Ark. Tabled; S. 2937 in lieu. (Pub. 84.)
H. R. 5250. Bridge—Bayou Macon, Wisner, La. Tabled; S. 2667 in lieu. (Pub. 34.)
H. R. 5335. Bridge—Big Sandy River, Warfield, Ky. (Pub. 46.)
H. R. 4232. Bridge—Flint River, Ga. Extend time. (Pub. 69.)
H. R. 5819. Bridge—Fox River, Elgin, Ill. Tabled; S. 2883 in lieu. (Pub. 53.)
S. 2774. Bridge—Little Kanawha River, Gilmer Station. (Pub. 63.)
H. R. 5336. Bridge—Little River, Mississippi County, Ark. Tabled; S. 2695 in lieu. (Pub. 35.)
H. R. 6045. Bridge—Little River, Poinsett County, Ark. Tabled; S. 2938 in lieu. (Pub. 67.)
H. R. 6310. Bridge—Mahoning River, Warren, Ohio. (Pub. 75.)
S. 1007. Bridge—Mississippi River, Bemidji, Minn. (Pub. 14.)
S. 2434. Bridge—Mississippi River. Cass and Itasca Counties. (Pub. 57.)
S. 1006. Bridge—Mississippi River, Morrison County, Minn. H. R. 1679, same purpose; tabled. (Pub. 13.)
H. R. 5839. Bridge—Mississippi River, Itasca and Cass Counties. (Pub. 58.)
S. 2813. Bridge—Mobile Bay, Baldwin and Mobile Counties. (Pub. 51.)
S. 2816. Bridge—Red River, Tex. and Okla. (Pub. 52.)
H. R. 6412. Bridge—Rio Grande River, El Paso, Tex. (Pub. 85.)
H. R. 5431. Bridge—Saline River, Suttons Ferry, Ark. (Pub. 47.)

H. R. 5267. Bridge—Tug River, W. Va. Tabled; S. 2663 in lieu. (Pub. 81.)
H. R. 2343. Bridge—Wabash River, Vincennes, Ind. (Pub. 16.)
H. R. 3641. Bridge—Wabash River, Logansport, Ind. Tabled; S. 2106 in lieu. (Pub. 33.)
S. 2878. Bridge—Waccamaw River, Columbus and Brunswick Counties, N. C. (Pub. 60.)
H. R. 1655. Providing that the Panama Canal rule shall govern in the measurement of vessels for imposing tolls. (H. 17.)

BILLS WHICH PASSED THE HOUSE DURING THE SECOND AND THIRD SESSIONS OF THE SIXTY-FIFTH CONGRESS REPORTED BY THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE.

H. R. 9685. To provide for operation, while under Federal control, of transportation systems. (Pub. 107.)
S. J. Res. 63. To establish a reserve in the Public Health Service.
H. R. 10297. Amending an act to promote the safety of employees upon transportation systems. (Pub. 176.)
H. J. Res. 303. Extending time for relinquishment of Federal control of certain transportation systems.
H. R. 13306. War-risk insurance—Allotments, authorizing payments of certain, from pay of enlisted men.
S. J. Res. 214. War-risk insurance—Disbursing clerk of bureau, allowing certain credits.
H. J. Res. 235. War-risk insurance—Extending time for applications by those in war service; tabled. S. J. Res. 128 in lieu. (Pub. Res. 22.)
S. J. Res. 133. War-risk insurance—To amend act establishing, re application for insurance. (Pub. Res. 27.)
H. R. 11245. War-risk insurance—To amend act establishing, re soldiers' and sailors' compensation and insurance. (Pub. 151.)
H. R. 11048. War-risk insurance—To amend the act creating. (Pub. 195.)
H. R. 11520. War-risk insurance—To amend act, re allotments; tabled.
H. R. 12037. War-risk insurance—To amend act, re allotments; tabled.
S. 4482. War-risk insurance—To amend act, re allotments, substitute for H. R. 11520 and H. R. 12037. (Pub. 175.)
H. R. 13273. War-risk insurance—To amend, re allotments and allowances.
H. R. 11284. Aids to navigation, and for other works in the Lighthouse Service. (Pub. 174.)
S. J. Res. 309. Telegraph and telephone systems, authorizing the President to take over. (Pub. Res. 38.)
H. R. 12776. Emergency power bill.
S. 4924. Amending section 336 of the Revised Statutes relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries (substituted for H. R. 11848).
S. 1854. To save daylight and to provide standard time for the United States. (Pub. 106.)
H. R. 13648. Bridge—Allegheny River, Allegheny County, Pa.
H. R. 13649. Bridge—Allegheny River, Pittsburgh, Pa.
H. R. 13153. Bridge—Arkansas River, Fort Smith, Ark. (Pub. 245.)
H. R. 9715. Bridge—Bayou Bartholomew, Ark., extending time. (Pub. 160.)
S. 4127. Bridge—Big Sandy, branches of, Virginia. (Pub. 186.)
H. R. 10593. Bridge—Clarks Fork River, Bonner County, Idaho; tabled. S. 4102 in lieu. (Pub. 130.)
H. R. 13915. Bridge—Columbia River, Ceylon Falls, Wash.; tabled. S. 5316 in lieu.
H. R. 13369. Bridge—Connecticut River, Springfield and West Springfield, Mass.
H. R. 14508. Bridge—Delaware River, Pennsylvania Railroad Co.; tabled. S. 5354 in lieu.
H. R. 7637. Bridge—Depot Slough, Lincoln County, Oreg. (Pub. 235.)
H. R. 7998. Bridge—Fox River, East and West Dundee, Ill. (Pub. 104.)
H. R. 12773. Bridge—Little Calumet River, Riverdale, Ill. (Pub. 238.)
H. R. 11552. Bridge—Little Peedee River, Marion and Horry Counties, S. C.; tabled. S. 4445 in lieu. (Pub 173.)
H. R 10021 Bridge—Mahoning River, Trumbull County, Ohio (Pub. 196.)
H. R. 12995 Bridge—Mahoning River, Struthers, Ohio.
H. R. 12996. Bridge—Mahoning River, East Youngstown, Ohio.
H. R. 12997. Bridge—Mahoning River, East Youngstown, Ohio.
S. 3081. Bridge—Mississippi River, Mo. and Ill. (Pub. 99.)
H. R. 13143. Bridge—Mississippi River, New Orleans, La.
H. R. 13004. Bridge—Missouri River, Chamberlain, S. Dak.
H. R. 13393. Bridge—Missouri River, Nebr. and Iowa.
S. 5058. Bridge—Missouri River, Norton and Burleigh Counties, N. Dak.
H. R. 6076. Bridge—Monongahela River, Fairmont, W. Va. (Pub. 96.)
S. 4597. Bridge—Monongahela River, Fairmont, W. Va. (Pub. 212.)
H. R. 13427. Bridge—Monogahela River, Allegheny County, Pa.
H. R. 13485. Bridge—Niagara River, Buffalo, N. Y.; tabled. S. 5534 in lieu.
H. R. 13647. Bridge—Ohio River, McKees Rocks, Pa.
H. R. 7362. Bridge—Old River, Tex., lock and dam.
H. R. 11949. Bridge—Pearl River, Miss. and La. (Pub. 236.)
H. R. 11948. Bridge—Pearl River, east of Pearl River land district.
H. R. 15834. Bridge—Red Lake River, Pennington County, Minn.
H. R. 11709. Bridge—Red River of the North, Minn. and N. Dak. (Pub. 249.)
H. R. 13232. Bridge—Red River of the North, Minn. and N. Dak.
H. R. 15950. Bridge—Roanoke River, Halifax County, N. C.
H. R. 15707. Bridge—Roanoke River, Williamston, N. C.
H. R. 12031. Bridge—Rock River, Winnebago County, Ill. (Pub. 237.)
H. R. 13394. Dam—Savannah River, Ga.
S. 5192. Bridge—Rock River, Janesville, Wis.
H. R. 12786. Bridge—Susquehanna River, Harrisburg and Lemoyne, Pa. Tabled. S. 4871 in lieu. (Pub. 224.)
H. R. 10818. Bridge—Tennessee River, Loudon County, Tenn. (Pub. 242.)
H. R. 14555. Bridge—Tombigbee River, Barrs Ferry, Miss.
S. 3009. Bridge—Tug River, Pike County, Ky. (Pub. 197.)
H. R. 15207. Bridge—Tug River, Williamson, W. Va. Tabled. S. 5478 in lieu.
H. R. 10365. Bridge—White River, Forsyth, Mo. (Pub. 124.)

BILLS REPORTED, BUT WHICH WERE NOT ACTED ON BY THE HOUSE, AND WHICH REMAIN ON THE CALENDAR UNDISPOSED OF.

H. R. 12352. Retirement of employees in the classified civil service. (H. 349.)
H. R. 15836. To amend the war-risk act. (H. 372.)
H. R. 15551. Aids to navigation and for other works in the Lighthouse Service. (H. 377.)
S. 352. Granting pensions to certain members of the former Life-Saving Service. (H. 481.)
H. R. 15837. To amend the war-risk act. (H. 396.)
H. Res. 570. Requesting the President to communicate to the House certain information regarding the War Trade Board. (H. 250.)
H. J. Res. 382. Directing the United States Coast Guard to resume its operations under the Treasury Department. (H. 259.)
H. R. 6979. To regulate the personnel of the Coast Guard. (H. 227.)
H. R. 13446. Bridge—Allegheny River, Pittsburgh, Pa. (H. 224.)
H. R. 12990. Bridge—Lumber River, Lumberton, N. C. (H. 211.)
H. R. 12179. Bridge—Monongahela River, Fairmont, W. Va. (H. 173.)
S. 2688. Bridge—Missouri River, Kansas River, Mo., extension. (H. 47.)
S. 4966. Bridge—Mobile Bay, Baldwin and Mobile Counties, Ala. (H. 223.)
S. 4598. Bridge—Mobile and Dauphin Bays, Ala., extension. H. 193.)
H. R. 11826. Bridge—Napa Slough, Cal. (H. 152.)
H. R. 13429. Bridge—Ohio River, Allegheny County, Pa. (H. 226.)
H. R. 10745. Bridge—Osage River, Cole and Osage Counties, Mo. (H. 131.)
H. R. 15814. Bridge—St. Francis River, Lee County, Ark. (H. 256.)
H. R. 13561. Bridge—St. John River, Madawaska, Me. (H. 230.)
H. R. 15039. Bridge—White River, Newport, Ark. (H. 246.)

Address of Hon. Louis C. Cramton Before the Michigan Grand Lodge of Odd Fellows Upon the Participation of America in the War.

EXTENSION OF REMARKS
OF
HON. CARL E. MAPES,
OF MICHIGAN,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

Mr. MAPES. Mr. Speaker, under leave given me to extend my remarks, I present the following address delivered by my colleague, Hon. LOUIS C. CRAMTON, at the meeting of the Grand Lodge of Odd Fellows of Michigan at Grand Rapids on November 14, 1918:

"Grand master, officers, and representatives, I understand the only reason for my being called on to speak is that you have to wait for the committee on mileage and per diem. However, I appreciate the opportunity of speaking to you for a few moments about 'over there.' To begin with, let me say right here that the fellows over there are entitled to more tribute than any of us can give them, and too much can not be said in their praise.

"As a Member of Congress in April, 1917, mine was the responsibility of casting one of the votes for the declaration of war that carried this Nation into the world-wide cataclysm of war. Later the responsibility was upon me of voting for appropriations amounting to billions of dollars for the effective and vigorous prosecution of the war and for the raising of immense revenue by new and increased taxation. And, again, I voted for the raising of great armies—greater than America had ever dreamed we would place in the field.

"Members of Congress who cast those votes realized well what it meant, how our action was to reach all the homes of the people we represented and place the heaviest burdens there. But those burdens have been borne by the American people with marvelous unity and courage and cheerfulness.

"But because I had upon me such responsibilities, it seemed to me, when the opportunity came to me in early July to go across with a party of Congressmen in order that we might see for ourselves the part that America was taking in the great struggle, the service that American boys were giving over there, the kind of care the Government was taking of them, and to study at first hand the problems for America arising out of the war—when that opportunity came to me it seemed to me my duty to go across.

"On the 5th of July we went on board the French liner *Rochambeau*, and on the 6th really made our start. As we put out to sea there was in the lead a great battle cruiser, and then came our liner and 12 or 14 great transports, all loaded to the limit with the boys in khaki—in all, 54,500. And as we sailed there were out on the left flank several small craft, the destroyers, and on the right flank were others. And from time to time above us sailed two hydroplanes and then, occasionally,

a great dirigible balloon. Our Government was doing everything it could to safely guard the journey of those thousands of soldiers overseas.

"After two or three days the destroyers and aircraft put back and we sailed without convoy, except for the battle cruiser at the head. When we approached the other side our liner separated from the fleet and put into Bordeaux, a French destroyer coming out to escort us past the dangers of mine and submarine; but the transports put off to the north, to land at Brest, where most of our soldiers were landed; and as they came near the dangerous waters about the British Isles and the coast of France small craft came out to meet them also, and convoyed them safely past the menace of the submarine and the mine.

"We sent across in that month of July 305,000 of our soldier boys, and all together we have sent over 2,000,000, and of them all only a few hundred have gone down in the ocean's depths by reason of the submarine. Do you know why those boys have so safely crossed the great deep? I believed that during the fighting it was the duty of every American, regardless of old-time prejudices or antipathies, to pray alike for the success of each of our allies, whether it be Britain, or France, or Belgium, or Italy, or Serbia, or Greece, because the fortunes of all were bound up together and a disaster to any one would be a disaster which would require the sacrifice of many American lives to repair. And as it was then our duty to pray alike for the success of each, now in our great hour of victory it is equally our duty to be generously appreciative of and thankful for the splendid part played by each of them in the great conflict. And so let me tell you who did most to guard the safety of those 2,000,000 American boys as they were going across—it was the small craft, the destroyers and mine sweepers and submarines that did the work. The ocean is wide and ships went far out of their course to avoid the German submarine. But however far they might go out of their course, they must eventually come into those waters about the British Isles and the coast of France. Hence in those waters was the greatest peril from the submarine and there must the greatest protection be given our transports. And there less than 5 per cent of the protection came from our own Navy. While we had there a total of 168 small craft patrolling those waters, Britain had about 3,000. In the month of July her small craft, in patrolling those waters, traveled over 6,000,000 miles and above the same waters her hydroplanes traveled 125,000 miles.

"Besides the British Isles have furnished 6,250,000 soldiers, in addition to a million from her dominions and a million and a quarter from India. And those soldiers have fought. In one month in the beginning of the last German drive the casualties of the British, Scotch, Welsh, and Irish were 355,000.

"France and Belgium, overrun by the course of war, have fought valiantly and suffered terribly. Italy, mobilizing 87 per cent of her men of 18 to 44, has lost over 26 per cent of them in wounded beyond possibility of return to service or prisoners or killed. Serbia, worn with seven years of heroic fighting, her fields overrun by cruel enemies, has never been suspected of any desire for a separate peace. And Greece, withheld from the side of the allies by her German Queen, Sophie, sister of the Kaiser, and her complaisant husband, King Constantine, and their abundant supply of German gold; Greece, before that King and Queen were driven from their thrones by Venizelos, splendid champion of democracy, even before that Greece gave the allies at Salonika 40,000 soldiers, and 15,000 of them were in the fighting lines.

"But you especially want to know of the part of America in the war. I say to you that the reason democracy has triumphed and there is joy in the hearts of all civilization is that America entered the war. That the victory has come so soon is because we entered the war so effectively and because the khaki-clad troops have fought with absolute disregard of self and with prodigal devotion to their cause.

"Let me remind you that only a few weeks ago, in the early days of July, Wilhelm was the King of Prussia, the Kaiser of Germany, the absolute dictator of Belgium and northern France and Italy, of Austria-Hungary, Montenegro, Roumania, Bulgaria, and Serbia, of most of Albania, and all of Turkey. That he had one connected, powerful, efficient dominion, stretching from the Baltic at the north through the rich heart of Europe to the heart of Asia, and in addition, through his Bolsheviki agents, Lenine and Trotzky, he had his grasp upon the limitless resources of Russia, ready to subdue the world as soon as they could be organized.

"It is a matter capable of positive proof that these Bolshevik leaders were the paid agents of the Kaiser, working his will in Russia with the plentiful use of German gold. Such was his dominion until a few weeks ago, the greatest sway ever exercised by any man in all of history. To-day in our hour of victory he is stripped of all his power and of his dominions, devoid of all honor, a refugee from world justice in his yellow hiding place in Holland. The sudden change is because of America's part in the war.

"But recently the last German drive was smashing down across France headed for Paris. They seemed coming with irresistible force. If that drive had succeeded and Paris had been captured the fighting would still be on in France, and to-day, and every day of this year and perhaps of 1919 and 1920, thousands of American boys with other thousands from our allies would be sacrificed. But the drive did not reach Paris. The second division of American troops, including a large force of marines, came into the line. On their right the French, and splendid brave troops they were, too, were falling back. The French corps commander suggested to Gen. Bundy, of the American forces, the advisability of like retirement on the part of the Americans. 'The Americans are not here for that purpose,' said Bundy. The French commander kissed the American on both cheeks after the inconvenient custom of the Frenchmen and patted him on the back. Not only did the Americans not retire but they held, and they advanced and they captured Belleau Wood. They checked that onrush of Germans who were coming forward flushed with victory, and they held them and sent them back. Because they did this, and because the Third Division came in at Chateau-Thierry, many of them green troops that had never before been under fire, and prevented the crossing of the river by the Germans—because of these things that last German drive was checked. That drive being checked it was possible for Foch to start his great counter offensive; that, beginning then, did not stop until the signing of the armistice a few days ago. That our boys were able to hold at Belleau Wood and Chateau-Thierry was only because they were willing to and did sacrifice themselves in such numbers as to cause officers of foreign armies with whom I talked to speak with awe of our losses in that fighting. Our boys there took no thought of self but only of the cause, and because they sacrificed themselves by thousands, hundreds of thousands of other American boys this month and next and next year are to be spared.

"On the 29th of July I went out to the American front from Paris and I passed Belleau Wood. Once heavily wooded, it stands now thinned by fierce shell fire revealing the great bowlders upon the hillside, ideal refuge for the machine gunners. Do you realize what it is to face the machine gun? If a man standing there is hit by a bullet from a machine gun which fires from three to six hundred bullets a minute, before that dead man can fall to the ground three more bullets may pierce his body. But that fire was faced by our marines and they triumphed over it. I was told that after that fighting the ground before that wood was strewn with bodies in khaki, lying in rows upon the ground, their heads pointing toward the wood. Forever after, as long as there are maps in France, that wood is to be known as the 'Wood of the Brigade of American Marines.'

"Again, on the 14th and 15th of August, I visited this front, and was with the One hundred and twenty-fifth and One hundred and twenty-sixth Regiments of the Thirty-second Division in their camp above Clergy, a few miles back of the line at Fismes. Let me speak to you a moment of the wonderful work of those boys of the Thirty-second Division in the Battle of the Ourcq, a part of the second Battle of the Marne. And I would not have you think from what I say to you of these that I feel that these are the only American boys who fought. But, rather, I speak to you of them because I came more closely in contact with their achievements. I give it to you as typical of what American boys have done over there whenever they have had the opportunity.

"You may hear it said, as I have, that in this war the National Guard has not measured up to the requirements either in organization or in efficiency of its officers. If you do hear such a statement made, you may be brief and say that, while you do not know as to the National Guard of other States, as to the National Guard of Michigan and Wisconsin such a statement is a lie. For there has not been in any army in any time a force that has fought more valiantly or more successfully than has the National Guard of Michigan and Wisconsin, forming the Thirty-second Division, in this glorious second Battle of the Marne. They had been down on the Alsace front about Belfort, and late in July were brought across country, 17 days without decent rest, going in box cars and motor lorries, and on the 29th they came into the line on a ridge near Courmont. Looking over, they could see their task before them. Down a slope and they would come to a little stream, the River Ourcq, and then the village Ciergy. Then, on the other slope Les Jomblet

Wood, and then the ridge above. They went over the top that same day and down that ridge in the face of terrific shell fire barrage.

"'Do you realize what it means to face such a barrage? Upon that field I saw such a line—over there a shell hole, here another, and there another; with regularity 15 or 20 feet apart, the line stretched straight across the field. Each one of those shell holes marked the spot where a high-explosive shell had struck, and as it fell it burst and sent in every direction a multitude of fragments of steel and iron, many of them 2 or 3 inches long, and some of them perhaps 2 feet or more in length, hurled with incredible force and velocity. Whatever they struck, they maimed and killed; but in the face of such fire our boys went down the slope and they gained the river. Then they took the village, and boys who had been in that fighting told me how, when they entered that village of Ciergy, a Red Cross flag was displayed from the great stone tower of the church, and that when our boys were advancing to that church machine-gun fire came to them under the Red Cross flag. They swept the Germans out of the village, and as they were on the upper slope and approaching the great cross and crucifix, which I saw and which still remains upon that field, a wayside shrine, from the hole under the base of the cross came again the fire of the machine guns. The boys swept on up the slope, a part of them rushing forward a little distance and dropping down to the ground, others then rushing by, along a little distance, and dropping, in their effort to outwit the terrific fire of machine guns from the wood. Eventually the wood was theirs, and then the ridge beyond, and then other villages and streams and woods and ridges all the way to Fismes, which they took on the 4th of August.

"I am one of those who believe that nothing is to be added to the glory of the accomplishments of our troops by belittling the courage of the soldiers they fought. Many of the German troops fought well, and in this fighting from the 29th of July to the 6th of August our boys from Michigan were facing the Prussian Guards, the best troops the Kaiser had; and they were not then, as now, broken in spirit and disorganized in defeat, but still believed in their invincibility; and our boys drove them back day after day, a total of 20 kilometers, or 12 miles, in six days. They got ahead of their supplies, and a day and a half they were without food, except such as they picked up from the German dead or gathered from the wheat fields. They were exposed to the command of the air by the Germans, but they fought ahead with a sublime devotion and with a wonderful spirit. It was but a week after the fighting was over that I was with them. Their morale was perfect.

"They were ready to go again into the lines when called. I was much with my old friend, Father Dunnigan, chaplain of the One hundred and twenty-sixth; with Chaplain Swann, of the One hundred and twenty-fifth; with Maj. Guy Wilson and Maj. Earl Stewart and Col. Sestenedge and Lieut. Col. Waldo and other splendid men who had been through this fighting with our boys. None of them would tell me anything of what he himself had done, but they told me much of the spirit and heroism of the soldiers.

"They told me of that boy named Foley, from Detroit, who had two fingers shot from one hand and three from the other, but he would not leave the fighting. He went about gathering up ammunition for the fellows in the fighting. And that Mail Sergt. Cope, from Owosso, who when the mail came in those few days, mail from the States, carried it up and down the front lines distributing it to the boys who, when there came a lull in the fighting, crouched upon the ground and pulled out and read the letters from home. They told me of Lieut. Charles Hammond, of Port Huron, who was struck by a machine-gun bullet in the arm but would not leave his men; then he was shot again in the hand, but re-formed his platoon and led them still against the enemy in Belleau Wood; then as he advanced with his arm outstretched toward the wood, his revolver in his hand and his hand running with his blood, he was shot again and killed. The surgeon of the One hundred and twenty-fifth told me that in the first day of their fighting 250 boys of that division came through the hospital suffering from severe shell wounds, and of all there was only one who did not suppress all complaint of the pain he was suffering.

"In the morning Chaplain Dunnigan and Maj. Wilson and some of the boys of Company E of the One hundred and twenty-fifth Regiment took me across the fields in the smiling sunshine above Ciergy to two graves newly made, side by side, each of them with its little wooden cross and the metal identification tag thereon. They were the first graves I saw of Michigan boys wrapped in the soil of France. One of them was the grave of Walter Taylor, of Lapeer, a member of my own Odd Fellows' lodge. Beside him a boy, Fred Schulz, of Sandusky. One of the boys with me showed us a photograph of Taylor and the girl in Lapeer he was to have married on his return. As I stood there I realized that life meant as much to those fellows as to any of us. Further, I realized that neither one of them owed to our flag or our country or to the cause of democracy any greater duty or obligation than you or I. I went a little way farther and saw those graves—one unidentified; one a Mexican; one a boy, Bert Ryan, or 'Paddy Ryan,' they called him, from Lapeer County; one a boy named Pollodina; one a boy named Arlt; and then a boy, Shauger.

"Later I was with Gen. Ferrero, the Italian commander in Albania, and while at dinner with him he showed me a letter he had that day from the Italian commander in France, a letter not written for American eyes, and hence of particular interest to me in its expressions about our soldiers. The Italian in France wrote that he had never seen such soldiers. 'They look as if they had always been soldiers. I do not know what it is, unless it is a matter of education and race.' I thought of those graves above Ciergy, with their Mexican, Taylor, Ryan, Schulz, Arlt, Shauger, and Pollodina. I can understand the matter of education, because there is no country in Europe where the boys have the opportunity for education that they have in this country. But the matter of race I was not so sure about, as I thought of those names, indicating many diverse ancestries, and I can not understand it, unless it be that we have here in America, in this atmosphere of democracy, developed a new American race that knows nothing of ancestries and nothing of place of birth, that knows only American ideals and goes forth at the call of the colors to fight for that America and its ideals with American courage and devotion.

"And, again, another thing occurs to me in connection with those graves, and that is the distinction between autocracy and democracy. When the war opened the Kaiser had a great empire and six sons. He has lost his empire, but still has his six sons, for in an autocracy it is the part of the people to sacrifice and of the rulers to survive and profit; but on that field above Ciergy, within a mile of the graves I have mentioned, I visited another grave, the grave of a son of a former President of the United States—Quentin Roosevelt. For in a democracy while there is equality of opportunity there is likewise equality of responsibility and sacrifice. And so in a democracy there is no one too humble to make the greatest sacrifice; there is no one too great to do his part of the common cause in a great emergency. And we must ever remember that while much has been said here at home about 100 per cent Americans, it is those boys over there, sleeping in those graves thousands of miles from home, who have made the 100 per cent sacrifice. I care not what any of you have suffered or sacrificed, there are none of you that have made the 100 per cent sacrifice, unless it be those who have sent such boys over there not to return.

"We now stand upon the threshold of days of peace. It has been said that 'peace has victories no less renowned than those of war.' It likewise is true that peace has its responsibilities no less important than those of war. We owe to those who have so nobly sacrificed in the past few months to see that the fruits of the victories they won is not frittered away at the peace table, to see that democracy is really made safe and free throughout the world. There will be upon each of us also a direct responsibility for the proper discharge of our obligations and duties as citizens of the greatest free democracy. The spirit of self-sacrifice and devotion and loyalty which has been so gloriously exemplified in the fields of war over there we should emulate in the highest possible degree on the more prosaic fields of peace over here. That is the message which I appeal to you each to take back to your homes. May I further emphasize this ideal by reading the following lines by Michigan's own poet, Eddie Guest, who is constantly gaining in his ability to give expression to the feelings of our people:

"WE ARE THE CHILDREN OF THE DEAD.

"They called to us before they passed:
'Unto our holy cause hold fast!
We fall, as God has willed, and yet
We leave to you an unpaid debt.
Remember, after we have gone
It is our work you carry on.'

"We are the children of the dead.
Out of the battle's heat and flame
To us from them this message came:
'We were your sons but yesterday,
As brothers then we marched away,
But since unto God's will we bow,
You have become our children now.'

"We are the children of the dead.
They called, ere the great silence came;
'Guard well our honor and our fame,
This heritage we leave to you,
Take up the task we tried to do,
In you, although our lives we give,
The purpose that we served must live.'"

"When we were at Verdun we met Gen. Hirschauer, a French commander, who has won much of fame in this war. When some of our party spoke to him of the fame and glory he had won he said, 'It is not my glory. We are simply the guardians of the glory of others.' Do you realize that those boys in khaki have been over there the guardians of the glory of Michigan and of America, and that in all time the glory of America has never shone so brightly as it does this day?"

Memorial to Francis Asbury.

EXTENSION OF REMARKS

OF

HON. CHARLES H. SLOAN.

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

On Senate joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Francis Asbury.

Mr. SLOAN. Mr. Speaker, I rise to favor the grant of a site by Congress for the erection of a memorial to Francis Asbury, the site to be within the National Capital City and at such point as may meet the approval of the Fine Arts Commission, whose concern it is to develop a symmetric and beautiful city as befits the Capital of the greatest Republic on earth.

No appropriation is asked or contemplated to be made from the National Treasury. The funds are nearly all ready, being contributed by the devoted and grateful followers of the first Protestant bishop consecrated in America—a Methodist Episcopal.

Church and state are properly separated both as to control and support in this Republic. But few Americans there are who are not interested in the proper maintenance of both.

In Statuary Hall, in the National Capitol, there stands in cold marble, enduring granite, or fire-hardened bronze form likenesses of the great as they once walked the earth. There none may be placed until the original has for years passed away, the test being that he is worthy of being so remembered if affection, honor, and national gratitude surviving grief and tender recollection are found to still occupy a commanding place in the esteem and honor of those who render honor to whom honor is due.

In a way, this is true in the memorials outside the Capitol. If their memories without memorials live in the stirring historic times for decades or centuries, then they are and should be perpetuated.

Washington is indeed the monumental city of America. Baltimore 50 years ago was so called. Her scepter has passed to Washington. Throughout the city are found monuments to Washington and Lincoln; warriors Greene, Scott, McClellan, Hancock, Meade, Thomas, Sherman, Grant; heroes of the sea John Paul Jones, Barry, and Farragut; Hahnemann, the healer; Franklin, the philosopher; Pike, the great esoteric scholar; Longfellow, the poet; and Columbus, the discoverer. Why should there not be a place for a great American divine? Why should not men of all denominations, followers of the Christ, not have memory here?

Of those who in our early national history carried the banner of Christ in one hand and the torch of civilization in the other to the pioneers, braving bloodthirsty savages and rude and passionate men, no man exercised a more potent and lasting influence upon our people and institutions than did Francis Asbury.

Twenty years ago, before the automobile placed every farm in the suburbs of a town or city, there was little need of Asbury memorials. The Asbury chapels in the rural communities were numerous. They were his monuments. The current of church and chapel building is urbanward. We now find many of the Asbury chapels neglected and falling into disuse, while the gospel of Asbury is being preached to rapidly increasing adherents of Methodism.

He was born in the parish of Handsworth, England, August 20, 1745. Early called to active militant church service, he became, in 1771, the elder Wesley's "proconsul" for America. This was a time for great thought, great action, and great achievement in great America. He represented a sect not subservient though duly respectful to the "powers that be." There was the unrest of Europe, and soon to be the revolution in America.

Let me say at this point that he was a patriot, standing with the people whom he hoped to serve in their struggle for an independent nationality, while every one of his coworkers sent from England by Wesley went back to the mother country.

The seashore and the great river banks had the important settlements of America. Many of them would have furnished a suitable home for a bishop, but this he did not desire nor would he have it. He believed that the outposts of American civilizaton should be the outposts of Methodism. He would be a commander to lead a charge rather than to order an advance made. So from 1784, when he was ordained a bishop, till 1816, when he passed to his reward, no road was too long to travel, no river too turbulent to cross, no storm too fearful to venture, no savage that he would not face, no civilized man or mob he would not confront. Frail of physique though he was, his courage, zeal, and industry carried him through.

This modest advocacy of the purposes of this bill with limited time does not demand or permit a recital of his achievements in the progress of his church. I have read much of him. He is the one American character whom I would compare with St. Paul. He, like the great apostle, denied himself the comforts of family and home. He had not the learning of that Christian advocate, who could proudly claim Roman citizenship, but in religious fervor, in charity, religious example, and an eloquence which addressed itself to the understanding of those whom he would win, the modern prelate of the wilderness might well be compared to the courageous philosopher and advocate who fought its battles in many lands of danger and before many angry people when the church was young.

Little coin did he ever carry in his scrip, his vestments were neither expensive nor frequently renewed. He slept less on an average than did Napoleon. He agreed with Franklin, his contemporary, that it were "better to wear out than to rust out."

At the Saratoga general conference in May, 1916, on the commemoration of the centennial of Bishop Asbury's death, Judge Henry Wade Rogers, in a masterly address, said:

Asbury preached about 16,500 sermons; traveled about 270,000 miles, most of it on horseback, some of it on foot; presided in 224 annual conferences; and ordained more than 4,000 preachers. In addition, he was writing more than a thousand letters a year.

Richard the Lion Hearted and Godfrey de Bouillon endured hardship, pestilence, and assailed a barbaric foe to recover and defend a tomb from which the Savior of Man had long since risen. Francis Asbury forsook home and risked life and limb among the heathen and criminal civilized of the New World to save for Christ's kingdom the children of men, a crusade in which I believe the Divine Master had greater interest than for the sanctity of the tomb which he had abandoned 19 centuries ago.

Against the reasonable request involved in this measure I trust there will be no protest or vote, and that a site may be granted to erect the proposed memorial to this brave, devoted man of God, to whom paens of praise rise wherever great bodies of Methodists assemble, North and South.

Suggestion of Chambers Kellar, of Lead, S. Dak., on Use of Trench Shotgun.

EXTENSION OF REMARKS

OF

HON. HARRY L. GANDY,

OF SOUTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. GANDY. Mr. Speaker, under permission granted me to extend my remarks in the RECORD, I desire to print an editorial from the Lead Daily Call, of Lead, S. Dak., of February 1, 1919, on the subject of the suggestion for the use of trench shotguns by the Army overseas:

The Literary Digest for January 18, 1919, published an article entitled "Facts about the trench shotgun." The article quotes from the opinion of Peter P. Carney, editor of the National Sports Syndicate, a statement to the effect that a Georgia engineer named Eager first suggested to the War Department the utilization of the short-barreled shotgun and that the suggestion met with favor. Possibly that is true. But the Call insists that a South Dakota lawyer first made this suggestion to the War Department, and made it so early in the war that the suggestion did not meet with favor. Since the shotgun has proven effective several sections of the country have claimed the credit of first making the suggestion of its use. We think the matter is of sufficient local interest to insist upon claiming the credit for South Dakota. The only satisfactory proof upon the subject is proof from the records. Our esteemed contemporary, the Aberdeen American, a short time ago

claimed this credit for Mr. G. E. Lemmon, of Lemmon, S. Dak., whereupon the Call wrote to Mr. Lemmon requesting the date when he first made his suggestion. In reply, Mr. Lemmon wrote the Call that he made his suggestion on February 10, 1918, in a letter to Gen. Pershing. When did the Georgia engineer first call the matter to the attention of the War Department? On July 25, 1917, Chambers Kellar, of Lead, wrote the following letter to United States Senator STERLING and to Representative HARRY L. GANDY:

"At the outset I wish to respectfully beg that you read this letter clear through. After you have done so and had a good laugh at my expense, then read it through again. Then, if you want to, throw it into the waste-paper basket. As a sagebrush military strategist, I wish to have called to the attention of our War Department the desirability of equipping the American soldiers in the trenches with shotguns. I have never fought in the trenches, but I have handled firearms of every description all my life, belong to a local rifle club, in which I obtained a medal for expert marksmanship, and am a fair pistol shot.

"According to all accounts, trenches are defended and attacked by the use of bayonets, liquid fire (which I am advised can be thrown from 20 to 30 feet), hand grenades, etc. One hundred men, armed with cylinder Winchester pump guns, with cartridges loaded with 12 buckshots, could successfully hold a trench against any thousand men who might be foolish enough to make an attack. They could come with bayonets as thick as quills on a porcupine and enough liquid fire to make them look like bats out of hell and hand grenades like a bunch of toy balloons, but against 100 men with shotguns loaded with buckshot it would be like picking off clay pigeons from the scratch.

"Moreover, the same weapon would be just as effective in a rushing charge of trenches. As a matter of fact, a bayonet would be attached to a shotgun just as readily as to a rifle.

"Of course I don't suggest the substitute of the shotgun for the rifle. I simply suggest it as an additional weapon to be used in defense of the trenches and for use in a charge where it is expected that close fighting is to be required.

"Now, please don't consign this to the waste basket simply because it did not emanate from the head of the Ordnance Department."

In reply Senator STERLING, on July 30, 1917, wrote Mr. Kellar:

"I have yours of the 25th instant relating to the use of the shotgun as a war weapon, and I appreciate keenly what you have to say in regard to it. It has settled many a Kentucky or North Carolina feud very effectually, and I do not see why recourse could not be had to its use on the battle field or in the trenches when the opposing forces are at close quarters. As a practical question I think it is worthy of consideration, and I expect to find out what the War Department has to say about it."

On August 22, 1917, the War Department Board of Ordnance and Fortifications formally acknowledge receipt of Mr. Kellar's suggestion in the following letter to Mr. Kellar, from which it clearly appears that this was the first time the use of shotguns had been brought to the attention of the War Department:

"In reply to your letter of July 25, to Hon. HARRY L. GANDY, Member of Congress, I beg leave to inform you that the shotgun has not sufficient range for trench use and is not sufficiently effective within that range.

"The period during which a charging enemy is within 60 yards of a trench is not a favorable one for charging weapons. The present rifle magazine of cartridges is for such a period. But shot may stop a man in the condition that we see him at a rifle club, but not as he is in a trench charge—excited and infuriated. A rifle projectile causes shock; several buckshot would probably not cause shock and would permit a German to continue his work for some length of time after being shot.

"The automatic machine guns all along a trench, each firing 400 rounds per minute, and covering all ground within 1,000 yards in front, are more effective than a large number of shotguns for the short distance of 60 yards.

"It is not understood that you have heard any suggestions of a shotgun from the men of any nation who have been in the trenches or on the firing line.

"The interest shown in submitting your ideas is appreciated, and your suggestions have been filed with the confidential records of the board."

If Georgia or any other State is ahead of South Dakota in this matter we shall be glad to publish the record, but we want the record. Until then South Dakota claims the credit—dating back to July 25, 1917.

Social Reconstruction.

EXTENSION OF REMARKS

OF

HON. JAMES A. GALLIVAN.

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. GALLIVAN. Mr. Speaker, under the permission granted me to extend my remarks in the RECORD I desire to ask the attention of Congress to a general review of the problems of social reconstruction at the end of the great war and a survey of remedies. This article was prepared by the committee on special war activities of the National Catholic War Council, consisting of Bishop P. J. Muldoon, of Rockford; Bishop Joseph Schrembs, of Toledo; Right Rev. Patrick J. Hayes, of New York; and Right Rev. William T. Russell, of Charleston, S. C. The article is as follows:

SOCIAL RECONSTRUCTION.

"Reconstruction" has of late been so tiresomely reiterated, not to say violently abused, that it has become to many of us a word of aversion. Politicians, social students, labor leaders, business men, charity workers, clergymen, and various other social groups have contributed their quota of spoken words and printed pages to the discussion of the subject; yet the majority of us still find ourselves rather bewildered and helpless. We are unable to say what parts of our social system imperatively need reconstruction; how much of that which is imperatively necessary is likely to be seriously undertaken; or what specific methods and measures are best suited to realize that amount of reconstruction which is at once imperatively necessary and immediately feasible.

Nevertheless, it is worth while to review briefly some of the more important statements and proposals that have been made by various social groups and classes. Probably the most notable declaration from a Catholic source is that contained in a pastoral letter, written by Cardinal Bourne several months ago. "It is admitted on all hands," he says, "that a new order of things, new social conditions, new relations between the different sections in which society is divided, will arise as a consequence of the destruction of the formerly existing conditions. * * * The very foundations of political and social life, of our economic system, of morals, and religion are being sharply scrutinized, and this not only by a few writers and speakers, but by a very large number of people in every class of life, especially among the workers."

The cardinal's special reference to the action of labor was undoubtedly suggested by the now famous "Social Reconstruction Program" of the British Labor Party. This document was drawn up about one year ago, and is generally understood to be the work of the noted economist and Fabian Socialist, Mr. Sidney Webb. Unquestionably, it is the most comprehensive and coherent program that has yet appeared on the industrial phase of reconstruction. In brief, it sets up "four pillars" of the new social order:

1. The enforcement by law of a national minimum of leisure, health, education, and subsistence;
2. The democratic control of industry, which means the nationalization of all monopolistic industries and possibly of other industries, some time in the future, if that course be found advisable;
3. A revolution in national finance—that is, a system of taxation which will compel capital to pay for the war, leaving undisturbed the national minimum of welfare for the masses;
4. Use of the surplus wealth of the Nation for the common good—that is, to provide capital, governmental industries, and funds for social, educational, and artistic progress.

This program may properly be described as one of immediate radical reforms, involving a rapid approach toward complete socialism.

PROGRAM OF AMERICAN LABOR.

In the United States three prominent labor bodies have formulated rough sketches of reconstruction plans. The California State Federation of Labor demands a legal minimum wage, Government prevention of unemployment, vocational education of discharged soldiers and sailors, Government control and management of all waterways, railroads, telegraphs, telephones, and public utilities generally, opening up of land to cooperative and small holdings, and payment of the war debt by a direct tax on incomes and inheritances. "Common ownership of the means of production" is also set down in the program, but is not sufficiently emphasized to warrant the conclusion that the authors seriously contemplate the early establishment of complete socialism.

The State Federation of Labor of Ohio calls for a legal minimum wage, insurance against sickness, accidents, and unemployment, old-age pensions, heavy taxation of land values, and reclamation and leasing of swamp lands; and Government ownership and management of railroads, telegraphs, telephones, merchant marine, coal and metal mines, oil and gas wells, pipe lines, and refineries.

The Chicago Federation of Labor has organized an Independent Labor Party and adopted a platform of "14 points." The principal demands are an eight-hour day and a minimum family living wage; reduction of the cost of living through cooperative enterprises and methods; Government prevention of unemployment and insurance on life, limb, health, and property; Government ownership and operation of railways and all other public utilities, steamships, stockyards, grain elevators, and "basic natural resources"; and payment of the war debt by taxes on incomes and land values and by appropriation of all inheritances in excess of $100,000. In some of its general expressions, such as "the nationalization and development of basic natural resources," this platform is the most radical of the three labor pronouncements.

BRITISH QUAKER EMPLOYERS.

Probably the most definite and comprehensive statement from the opposite industrial class was put forth several months ago by a group of 20 Quaker employers in Great Britain. In outline their program is as follows: A family living wage for all male employees, and a secondary wage in excess of this for workers having special skill, training, physical strength, responsibility for human life; the right of labor to organize, to bargain collectively with the employer, and to participate in the industrial part of business management; serious and practical measures to reduce the volume and hardship of unemployment; provisions of such working conditions as will safeguard health, physical integrity, and morals; the reduction, so far as practicable, of profits and interest until both the basic and the secondary wage has been paid, and transfer to the community of the greater part of surplus profits.

The spirit and conception of responsibility that permeate every item of the program are reflected in this statement: "We would ask all employers to consider very carefully whether their style of living and personal expenditure are restricted to what is needed in order to insure the efficient performance of their functions in society. More than this is waste, and is, moreover, a great cause of class divisions."

AMERICAN EMPLOYERS.

The only important declaration by representatives of the employing class in the United States was given out December 6 by the convention of the National Chamber of Commerce. Compared with the program of the British Quakers, it is extremely disappointing. By far the greater part of it consists of proposals and demands in the interest of business. It opposes Government ownership of railroads, telegraphs, and telephones; calls for moderation in taxation, and demands a modification of the Sherman antitrust law. While it commended the program of John D. Rockefeller, jr., on the relations that should exist between capital and labor, it took away much of the value of this action by declining to indorse the specific methods which that gentleman proposed for carrying his general principles into effect. The most important and progressive general statements made by Mr. Rockefeller are that industry should promote the advancement of social welfare quite as much as material welfare and that the laborer is entitled to fair wages, reasonable hours of work, proper working conditions, a decent home, and reasonable opportunities of recreation, education, and worship.

The most important specific method that he has recommended for bringing about harmony between employers and employees is adequate representation of both parties. Apparently the National Chamber of Commerce is not yet ready to concede the right of labor to be represented in determining its relations with capital.

AN INTERDENOMINATIONAL STATEMENT.

In Great Britain an organization known as the Interdenominational Conference of Social Service Unions, comprising 10 religious bodies, including Catholics, spent more than a year formulating a statement of social reconstruction. (See the summary and analysis contained in the Catholic Social Year Book for 1918.) This statement deals with principles, evils, and remedies. Presuming that Christianity provides indispensable guiding principles and powerful motives of social reform, it lays down the basic proposition that every human being is of inestimable worth and that legislation should recognize persons as more sacred than property; therefore the State should enforce a minimum living wage, enable the worker to obtain some control of industrial conditions, supplement private initiative in providing decent housing, prevent the occurrence of unemployment, safeguard the right of the laborer and his family to a reasonable amount of rest and recreation, remove those industrial and social conditions which hinder marriage and encourage an unnatural restriction of families, and afford ample opportunities for education of all children industrially, culturally, religiously, and morally. On the other hand, rights imply duties, and the individual is obliged to respect the rights of others, to cultivate self-control, to recognize that labor is the law of life, and that wealth is a trust. Finally, the statement points out that all social reform must take as its end and guide the maintenance of pure and wholesome family life.

Such in barest outline are the main propositions and principles of this remarkable program. The text contains adequate exposition of the development and application of all these points and concrete specifications of the methods and measures by which the aims and principles may be brought into effect. In the latter respect the statement is not liable to the fatal objection that is frequenly and fairly urged against the reform pronouncements of religious bodies; that they are abstract, platitudinous, and usually harmless. The statement of the interdenominational conference points out specific remedies for the evils that it describes, specific measures, legislative and other, by which the principles may be realized in actual life. Especially practical and valuable for Catholics are the explanations and modifications supplied by the Year Book of the Catholic Social Guild.

NO PROFOUND CHANGES IN THE UNITED STATES.

It is not to be expected that as many or as great social changes will take place in the United States as in Europe. Neither our habits of thinking nor our ordinary ways of life have undergone a profound disturbance. The hackneyed phrase, "Things will never again be the same after the war," has a much more concrete and deeply felt meaning among the European peoples. Their minds are fully adjusted to the conviction and expectation that these words will come true. In the second place, the devastation, the loss of capital and of men, the changes in individual relations, and the increase in the activities of government have been much greater in Europe than in the United States. Moreover, our superior natural advantages and resources, the better industrial and social condition of our working classes still constitute an obstacle to anything like revolutionary changes. It is significant that no social group in America, not even among the wage earners, has produced such a fundamental and radical program of reconstruction as the labor party of Great Britain.

A PRACTICAL AND MODERATE PROGRAM.

No attempt will be made in these pages to formulate a comprehensive scheme of reconstruction. Such an undertaking would be a waste of time as regards immediate needs and purposes, for no important group or section of the American people is ready to consider a program of this magnitude. Attention will therefore be confined to those reforms that seem to be desirable and also obtainable within a reasonable time, and to a few general principles which should become a guide to more distant developments. A statement thus circumscribed will not merely present the objects that we wish to see attained, but will also serve as an imperative call to action. It will keep before our minds the necessity for translating our faith into works. In the statements of immediate proposals we shall start, wherever possible, from those governmental agencies and legislative measures which have been to some extent in operation during the war. These come before us with the prestige of experience and should therefore receive first consideration in any program that aims to be at once practical and persuasive.

The first problem in the process of reconstruction is the industrial replacement of the discharged soldiers and sailors. The majority of these will undoubtedly return to their previous occupations. However, a very large number of them will either find their previous places closed to them or will be eager to consider the possibility of more attractive employments. The most important single measure for meeting this situation that has yet been suggested is the placement of such men on farms. Several months ago Secretary Lane recommended to Congress that returning soldiers and sailors should be given the opportunity to work at good wages upon some part of the millions upon millions of acres of arid, swamp, and cut-over timber lands, in order to prepare them for cultivation. President Wilson in his annual address to Congress indorsed the proposal. As fast as this preliminary task has been performed the men should be assisted by Government loans to establish themselves as farmers, either as owners or as tenants having long-time leases. It is essential that both the work of preparation and the subsequent settlement of the land should be effected by groups or colonies, not by men living independently of one another and in depressing isolation. A plan of this sort is already in operation in England. The importance of the project as an item of any social-reform program is obvious. It would afford employment to thousands upon thousands, would greatly increase the number of farm owners and independent farmers, and would tend to lower the cost of living by increasing the amount of agricultural products. If it is to assume any considerable proportions, it must be carried out by the Governments of the United States and of the several States. Should it be undertaken by these authorities and operated on a systematic and generous scale, it would easily become one of the most beneficial reform measures that have ever been attempted.

UNITED STATES EMPLOYMENT SERVICE.

The reinstatement of the soldiers and sailors in urban industries will no doubt be facilitated by the United States Employment Service. This agency has attained a fair degree of development and efficiency during the war. Unfortunately there is some danger that it will go out of existence or be greatly weakened at the end of the period of demobilization. It is the obvious duty of Congress to continue and strengthen this important institution. The problem of unemployment is with us always. Its solution requires the cooperation of many agencies and the use of many methods, but the primary and indispensable instrument is a national system of labor exchanges acting in harmony with State, municipal, and private employment bureaus.

WOMEN WAR WORKERS.

One of the most important problems of readjustment is that created by the presence in industry of immense numbers of women who have taken the places of men during the war. Mere justice, to say nothing of chivalry, dictates that these women should not be compelled to suffer any greater loss or inconvenience than is absolutely necessary, for their services to the Nation have been second only to the services of the men whose places they were called upon to fill. One general principle is clear: No female worker should remain in any occupation that is harmful to health or morals. Women should disappear as quickly as possible from such tasks as conducting and guarding street cars, cleaning locomotives, and a great number of other activities for which conditions of life and their physique render them unfit. Another general principle is that the proportion of women in industry ought to be kept within the smallest practical limits. If we have an efficient national employment service, if a goodly number of the returned soldiers and sailors are placed on the land, and if wages and the demand for goods are kept up to the level which is easily attainable, all female workers who are displaced from tasks that they have been performing only since the beginning of the war will be able to find suitable employments in other parts of the industrial field, or in those domestic occupations which sorely need their presence. Those women who are engaged at the same tasks as men should receive equal pay for equal amounts and qualities of work.

NATIONAL WAR LABOR BOARD.

One of the most beneficial governmental organizations of the war is the National War Labor Board. Upon the basis of a few fundamental principles, unanimously adopted by the representatives of labor, capital, and the public, it has prevented innumerable strikes and raised wages to decent levels in many different industries throughout the country. Its main guiding principles have been a family living wage for all male adult laborers, recognition of the right of labor to organize and to deal with employers through its chosen representatives, and no coercion of nonunion laborers by members of the union. The War Labor Board ought to be continued in existence by Congress and endowed with all the power for effective action that it can possess under the Federal Constitution. The principles, methods, machinery, and results of this institution constitute a definite and far-reaching gain for social justice. No part of this advantage should be lost or given up in time of peace.

PRESENT WAGE RATES SHOULD BE SUSTAINED.

The general level of wages attained during the war should not be lowered. In a few industries, especially some directly and peculiarly connected with the carrying on of war, wages have reached a plane upon which they can not possibly continue for this grade of occupations. But the number of workers in this situation is an extremely small proportion of the entire wage-earning population. The overwhelming majority should not be compelled or suffered to undergo any reduction in their rates of remuneration, for two reasons: First, because the average rate of pay has not increased faster than the cost of living; second, because a considerable majority of the wage earners of the United States, both men and women, were not receiving living wages when prices began to rise in 1915. In that year, according to Lauck and Sydenstricker, whose work is the most comprehensive on the subject, four-fifths of the heads of families obtained less than $800, while two-thirds of the female wage earners were paid less than $400. Even if the prices of goods should fall to the level on which they were in 1915—something that can not be hoped for within five years—the average present rates of wages would not exceed the equivalent of a decent livelihood in the case of the vast majority. The exceptional instances to the contrary are practically all among the skilled workers. Therefore wages, on the whole, should not be reduced even when the cost of living recedes from its present high level.

Even if the great majority of workers were now in receipt of more than living wages, there are no good reasons why rates of pay should be lowered. After all, a living wage is not necessarily the full measure of justice. All the Catholic authorities on the subject explicitly declare that this is only the minimum of justice. In a country as rich as ours there are very few cases in which it is possible to prove that the worker would be getting more than that to which he has a right if he were paid something in excess of this ethical minimum. Why, then, should we assume that this is the normal share of almost the whole laboring population? Since our industrial resources and instrumentalities are sufficient to provide more than a living wage for a very large proportion of the workers, why should we acquiesce in a theory which denies them this measure of the comforts of life? Such a policy is not only of very questionable morality but is unsound economically. The large demand for goods which is created and maintained by high rates of wages and high purchasing power by the masses is the surest guaranty of a continuous and general operation of industrial establishments. It is the most effective instrument of prosperity for labor and capital alike. The only persons who would benefit considerably through a general reduction of wages are the less efficient among the capitalists and the more comfortable sections of the consumers. The wage earners would lose more in remuneration than they would gain from whatever fall in prices occurred as a direct result of the fall in wages. On grounds both of justice and sound economics we should give our hearty support to all legitimate efforts made by labor to resist general wage reductions.

HOUSING FOR WORKING CLASSES.

Housing projects for war workers which have been completed, or almost completed, by the Government of the United States have cost some forty million dollars and are found in 11 cities. While the Federal Government can not continue this work in time of peace, the example and precedent that it has set and the experience and knowledge that it has developed should not be forthwith neglected and lost. The great cities in which congestion and other forms of bad housing are disgracefully apparent ought to take up and continue the work, at least to such an extent as will remove the worst features of a social condition that is a menace at once to industrial efficiency, civic health, good morals, and religion.

REDUCTION OF THE COST OF LIVING.

During the war the cost of living has risen at least 75 per cent above the level of 1913. Some check has been placed upon the upward trend by Government fixing of prices in the case of bread and coal and a few other commodities. Even if we believe it desirable, we can not ask that the Government continue this action after the articles of peace have been signed, for neither public opinion nor Congress is ready for such a revolutionary policy. If the extortionate practices of monopoly were prevented by adequate laws and adequate law enforcement, prices would automatically be kept at as low a level as that to which they might be brought by direct Government determination. Just what laws, in addition to those already on the statute

books, are necessary to abolish monopolistic extortion is a question of detail that need not be considered here. In passing, it may be noted that Government competition with monopolies that can not be effectively restrained by the ordinary antitrust laws deserves more serious consideration than it has yet received.

More important and more effective than any Government regulation of prices would be the establishment of cooperative stores. The enormous toll taken from industry by the various classes of middlemen is now fully realized. The astonishing difference between the price received by the producer and that paid by the consumer has become a scandal to our industrial system. The obvious and direct means of reducing this discrepancy and abolishing unnecessary middlemen is the operation of retail and wholesale mercantile concerns under the ownership and management of the consumers. This is no Utopian scheme. It has been successfully carried out in England and Scotland through the Rochdale system. Very few serious efforts of this kind have been made in this country because our people have not felt the need of these cooperative enterprises as keenly as the European working classes, and because we have been too impatient and too individualistic to make the necessary sacrifices and to be content with moderate benefits and gradual progress. Nevetheless, our superior energy, initiative, and commercial capacity will enable us, once we set about the task earnestly, even to surpass what has been done in England and Scotland.

In addition to reducing the cost of living, the cooperative stores would train our working people and consumers generally in habits of saving, in careful expenditure, in business methods, and in the capacity for cooperation. When the working classes have learned to make the sacrifices and to exercise the patience required by the ownership and operation of cooperative stores, they will be equipped to undertake a great variety of tasks and projects which benefit the community immediately and all its constituent members ultimately. They will then realize the folly of excessive selfishness and senseless individualism. Until they have acquired this knowledge, training, and capacity, desirable extensions of governmental action in industry will not be attended by a normal amount of success. No machinery of Government can operate automatically, and no official and bureaucratic administration of such machinery can ever be a substitute for intelligent interest and cooperation by the individuals of the community.

THE LEGAL MINIMUM WAGE.

Turning now from those agencies and laws that have been put in operation during the war to the general subject of labor legislation and problems, we are glad to note that there is no longer any serious objection urged by impartial persons against the legal minimum wage. The several States should enact laws providing for the establishment of wage rates that will be at least sufficient for the decent maintenance of a family, in the case of all male adults, and adequate to the decent individual support of female workers. In the beginning the minimum wages for male workers should suffice only for the present needs of the family, but they should be gradually raised until they are adequate to future needs as well; that is, they should be ultimately high enough to make possible that amount of saving which is necessary to protect the worker and his family against sickness, accidents, invalidity, and old age.

SOCIAL INSURANCE.

Until this level of legal minimum wages is reached the worker stands in need of the device of insurance. The State should make comprehensive provision for insurance against illness, invalidity, unemployment, and old age. So far as possible the insurance fund should be raised by a levy on industry, as is now done in the case of accident compensation. The industry in which a man is employed should provide him with all that is necessary to meet all the needs of his entire life. Therefore any contribution to the insurance fund from the general revenues of the State should be only slight and temporary. For the same reason no contribution should be exacted from any worker who is not getting a higher wage than is required to meet the present needs of himself and family. Those who are below that level can make such a contribution only at the expense of their present welfare. Finally, the administration of the insurance laws should be such as to interfere as little as possible with the individual freedom of the worker and his family. Any insurance scheme, or any administrative method, that tends to separate the workers into a distinct and dependent class, that offends against their domestic privacy and independence, or that threatens individual self-reliance and self-respect should not be tolerated. The ideal to be kept in mind is a condition in which all the workers would themselves have the income and the responsibility of providing for all the needs and contingencies of life, both present and future. Hence all forms of State insurance should be regarded as merely a lesser evil, and should be so organized and administered as to hasten the coming of the normal condition.

The life insurance offered to soldiers and sailors during the war should be continued, so far as the enlisted men are concerned. It is very doubtful whether the time has yet arrived when public opinion would sanction the extension of general life insurance by the Government to all classes of the community.

The establishment and maintenance of municipal health inspection in all schools, public and private, is now pretty generally recognized as of great importance and benefit. Municipal clinics where the poorer classes could obtain the advantage of medical treatment by specialists at a reasonable cost would likewise seem to have become a necessity. A vast amount of unnecessary sickness and suffering exists among the poor and the lower middle classes, because they can not afford the advantages of any other treatment except that provided by the general practitioner. The service of these clinics should be given gratis only to those who can not afford to pay.

LABOR PARTICIPATION IN INDUSTRIAL MANAGEMENT.

The right of labor to organize and to deal with employers through representatives has been asserted above in connection with the discussion of the War Labor Board. It is to be hoped that this right will never again be called in question by any considerable number of employers. In addition to this, labor ought gradually to receive greater representation in what the English group of Quaker employers have called the "industrial" part of business management—"the control of processes and machinery; nature of product; engagement and dismissal of employees; hours of work, rates of pay, bonuses, etc.; welfare work; shop discipline; relations with trade-unions." The establishment of shop committees, working wherever possible with the trade-union, is the method suggested by this group of employers for giving the employees the proper share of industrial management. There can be no doubt that a frank adoption of these means and ends by employers would not only promote the welfare of the workers but vastly improve the relations between them and their employers, and increase the efficiency and productiveness of each establishment.

There is no need here to emphasize the importance of safety and sanitation in work places, as this is pretty generally recognized by legislation. What is required is an extension and strengthening of many of the existing statutes, and a better administration and enforcement of such laws everywhere.

VOCATIONAL TRAINING.

The need of industrial or, as it has come to be more generally called, vocational training is now universally acknowledged. In the interest of the Nation, as well as in that of the workers themselves, this training should be made substantially universal. While we can not now discuss the subject in any detail, we do wish to set down two general observations. First, the vocational training should be offered in such forms and conditions as not to deprive the children of the working classes of at least the elements of a cultural education. A healthy democracy can not tolerate a purely industrial or trade education for any class of its citizens. We do not want to have the children of the wage earners put into a special class in which they are marked as outside the sphere of opportunities for culture. The second observation is that the system of vocational training should not operate so as to weaken in any degree our parochial schools or any other class of private schools. Indeed, the opportunities of the system should be extended to all qualified private schools on exactly the same basis as to public schools. We want neither class divisions in education nor a State monopoly of education.

CHILD LABOR.

The question of education naturally suggests the subject of child labor. Public opinion in the majority of the States of our country has set its face inflexibly against the continuous employment of children in industry before the age of 16 years. Within a reasonably short time all of our States, except some stagnant ones, will have laws providing for this reasonable standard. The education of public opinion must continue, but inasmuch as the process is slow the abolition of child labor in certain sections seems unlikely to be brought about by the legislatures of those States, and since the Keating-Owen Act has been declared unconstitutional there seems to be no device by which this reproach to our country can be removed except that of taxing child labor out of existence. This method is embodied in an amendment to the Federal revenue bill, which would impose a tax of 10 per cent on all goods made by children.

Probably the foregoing proposals comprise everything that is likely to have practical value in a program of immediate social reconstruction for America. Substantially all of these methods, laws, and recommendations have been recognized in principle by the United States during the war, or have been indorsed by important social and industrial groups and organizations. Therefore they are objects that we can set before the people with good hope of obtaining a sympathetic and practical response. Were they all realized a great step would have been taken in the direction of social justice. When they are all put into operation the way will be easy and obvious to still greater and more beneficial results.

ULTIMATE AND FUNDAMENTAL REFORMS.

Despite the practical and immediate character of the present statement, we can not entirely neglect the question of ultimate aims and a systematic program; for other groups are busy issuing such systematic pronouncements, and we will all need something of the kind as a philosophical foundation and as a satisfaction to our natural desire for comprehensive statements.

It seems clear that the present industrial system is destined to last for a long time in its main outlines. That is to say, private ownership of capital is not likely to be supplanted by a collectivist organization of industry at a date sufficiently near to justify any present action based on the hypothesis of its arrival. This forecast we recognize as not only extremely probable but as highly desirable; for, other objections apart, socialism would mean bureaucracy, political tyranny, the helplessness of the individual as a factor in the ordering of his own life, and general social inefficiency and decadence.

MAIN DEFECTS OF PRESENT SYSTEM.

Nevertheless, the present system stands in grievous need of considerable modifications and improvement. Its main defects are three: Enormous inefficiency and waste in the production and distribution of commodities; insufficient incomes for the great majority of wage earners, and unnecessarily large incomes for a small minority of privileged capitalists. The evils in production and in the distribution of goods would be in great measure abolished by the reforms that have been outlined in the foregoing pages. Production will be greatly increased by universal living wages, by adequate industrial education, and by harmonious relations between labor and capital on the basis of adequate participation by the former in all the industrial aspects of business management. The wastes of commodity distribution could be practically all eliminated by cooperative mercantile establishments and cooperative selling and marketing associations.

COOPERATION AND COPARTNERSHIP.

Nevertheless, the full possibilities of increased production will not be realized so long as the majority of the workers remain mere wage earners. The majority must somehow become owners, or at least in part, of the instruments of production. They can be enabled to reach this stage gradually through cooperative productive societies and copartnership arrangements. In the former the workers own and manage the industries themselves; in the latter they own a substantial part of the corporate stock and exercise a reasonable share in the management. However slow the attainment of these ends, they will have to be reached before we can have a thoroughly efficient system of production, or an industrial and social order that will be secure from the danger of revolution. It is to be noted that this particular modification of the existing order, though far-reaching and involving to a great extent the abolition of the wage system, would not mean the abolition of private ownership. The instruments of production would still be owned by individuals, not by the State.

INCREASED INCOMES FOR LABOR.

The second great evil, that of insufficient income for the majority, can be removed only by providing the workers with more income. This means not only universal living wages, but the opportunity of obtaining something more than that amount for all who are willing to work hard and faithfully. All the other measures for labor betterment recommended in the preceding pages would likewise contribute directly or indirectly to a more just distribution of wealth in the interest of the laborer.

ABOLITION AND CONTROL OF MONOPOLIES.

For the third evil mentioned above, excessive gains by a small minority of privileged capitalists, the main remedies are prevention of monopolistic control of commodities, adequate Government regulation

of such public-service monopolies as will remain under private operation, and heavy taxation of incomes, excess profits, and inheritances. The precise methods by which genuine competition may be restored and maintained among businesses that are naturally competitive can not be discussed here, but the principle is clear that human beings can not be trusted with the immense opportunities for oppression and extortion that go with the possession of monopoly power. That the owners of public-service monopolies should be restricted by law to a fair or average return on their actual investment has long been a recognized principle of the courts, the legislatures, and public opinion. It is a principle which should be applied to competitive enterprises likewise, with the qualification that something more than the average rate of return should be allowed to men who exhibit exceptional efficiency. However, good public policy, as well as equity, demands that these exceptional business men share the fruits of their efficiency with the consumer in the form of lower prices. The man who utilizes his ability to produce cheaper than his competitors for the purpose of exacting from the public as high a price for his product as is necessary for the least efficient business man is a menace rather than a benefit to industry and society.

Our immense war debt constitutes a particular reason why incomes and excess profits should continue to be heavily taxed. In this way two important ends will be obtained—the poor will be relieved of injurious tax burdens and the small class of specially privileged capitalists will be compelled to return a part of their unearned gains to society.

A NEW SPIRIT OF VITAL NEED.

"Society," said Pope Leo XIII, "can be healed in no other way than by a return to Christian life and Christian institutions." The truth of these words is more widely perceived to-day than when they were written, more than 27 years ago. Changes in our economic and political systems will have only partial and feeble efficiency if they be not reenforced by the Christian view of work and wealth. Neither the moderate reforms advocated in this paper nor any other program of betterment or reconstruction will prove reasonably effective without a reform in the spirit of both labor and capital. The laborer must come to realize that he owes his employer and society an honest day's work in return for a fair wage and that conditions can not be substantially improved until he roots out the desire to get a maximum of return for a minimum of service. The capitalist must likewise get a new viewpoint. He needs to learn the long-forgotten truth that wealth is stewardship; that profit making is not the basic justification of business enterprise; and that there are such things as fair profits, fair interest, and fair prices. Above and before all, he must cultivate and strengthen within his mind the truth which many of his class have begun to grasp for the first time during the present war, namely, that the laborer is a human being, not merely an instrument of production, and that the laborer's right to a decent livelihood is the first moral charge upon industry. The employer has a right to get a reasonable living out of his business, but he has no right to interest on his investment until his employees have obtained at least living wages. This is the human and Christian, in contrast to the purely commercial and pagan, ethics of industry.

Actions Speak Louder Than Words—By Their Fruits Ye Shall Know Them.

EXTENSION OF REMARKS

OF

HON. THOMAS L. BLANTON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. BLANTON. Mr. Speaker, availing myself of the privilege unanimously granted, I desire to elaborate the remarks I made concerning the United States Employment Service during the debate on the sundry civil bill.

The following is the letter sent me by the Department of Labor:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February 6, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of January 23, 1919, addressed to Hon. W. B. Wilson, Secretary of Labor, is received. In reply thereto I will say that the Bureau of Labor Statistics of this department compiles, from various newspapers and other sources, as complete a list as possible of all strikes that occur. This list is not complete and it may also contain some duplications, because it is not always possible to tell from newspaper reports whether the report is concerning a new strike or whether it refers to a strike previously reported. Therefore the figures given can not be more than an approximation. After eliminating duplicates as far as possible this list shows that there were approximately 6,000 strikes between April 6, 1917, and November, 1918, the average duration of which was approximately 17 or 18 days.

Regretting that I am unable to furnish you more accurate information, and trusting that this approximate figure may be of some value to you, I am,

Very truly, yours,

H. L. KERWIN,
Assistant to the Secretary.

The Dallas News editorially last Sunday thought that I must be exaggerating when I stated that it has reached a point when Congress must decide whether America and its Government are to be run by and in the interest of its 110,000,000 people or by Samuel Gompers in the selfish interests of 3,000,000 members of labor unions. This great daily of the South asserted that the people of this country will never allow such a point to be reached, but made the following admissions:

But undoubtedly there is a growing disposition on the part of men who profess to speak for labor to threaten the country as a means of enforcing their will. They do not go to the extent of drawing a gun on the country to terrorize it into compliance, but they remind it, in ways more or less covert, that labor has a gun in its pocket which it may be provoked into using if its demands are denied. The particular incident which seems to have moved Mr. BLANTON into making this statement was the receipt of a cablegram from Mr. Gompers "insinuating," to use the language of Mr. BLANTON, "that failure" to continue the existence of the United States Employment Service "would cause a revolution of the discontented labor members here." We do not, of course, know whether that is a fair summary of Mr. Gompers's cablegram or not, but men employed in that service, who therefore have a financial reason for desiring to have it continued, have been circularizing the country by telegraph, at public expense, and the argument used in those telegraphic circulars has been of the tenor which Mr. BLANTON attributes to Mr. Gompers. They have, in other words, given the intimation unmistakably that a failure to continue the existence of the United States Employment Service might provoke labor into engaging in violent measures by way of showing its resentment.

This is not the only instance showing a disposition on the part of labor leaders to substitute threats for argument as a means of accomplishing the things they desire. For example, the chief of one of the railroad brotherhoods warned a committee of Congress the other day that unless the railroad problem were solved by the formula prescribed by the brotherhoods strikes might result, and that these strikes might be directed to revolutionary ends. Another rather signal instance of like kind is to be found in the action of a number of labor unions in New York in voting to strike unless, in some manner undescribed, the country does not revoke its decision to forbid the manufacture and sale of intoxicating liquors. In each of these instances a thinly veiled terrorism is used to constrain the Government and the country into doing something which, presumably, they would not do if they were left free to exercise their own judgment and pleasure.

Nevertheless, because of the strike now engaged in by the New York Harbor employees, the United States ship *George Washington*, carrying the President back to France, was denied its regular harbor convoy from the docks out to sea.

And because certain Congressmen have refused to obey the mandates of Samuel Gompers, and have taken their political fortunes into their own hands by voting according to the dictates of their own consciences, the following ultimatum is published in the Washington Star:

CAMPAIGN AGAINST MEN KNOWN FOES OF LABOR—FRANK MORRISON MAKES ANNOUNCEMENT AT DINNER GIVEN IN HONOR OF MR. KEATING.

An active campaign is to be conducted by organized labor throughout the Nation to defeat Members of Congress who have shown themselves to be foes of labor and who are responsible for the failure to deal with unemployment problems during the past session. Strong and determined efforts will be made to elect men carrying union cards or otherwise known to be friends of labor.

This was divulged last night by Frank Morrison, secretary of the American Federation of Labor, who was one of the principal speakers at the testimonial banquet given to EDWARD KEATING, retiring member of Congress from Colorado, by the joint conference retirement committee representing various organizations of Government employees.

SAYS LABOR KNOWS ITS FRIENDS.

In a highly spirited speech Secretary Morrison declared organized labor knows its friends and enemies, and that persistent warfare is to be waged against the latter. Already plans for a general campaign have been discussed by officers of the federation. He said that organizations want to see more trade-unionists in both branches of Congress. He severely scored those legislators who have failed to support legislation beneficial to the working classes of America.

The big banquet hall of the Ebbitt was attractively decorated, and the occasion of this testimonial dinner was highly impressive and interesting. Tribute was paid to Mr. KEATING, the various speakers being most complimentary in sounding his praises. It was very perceptible that the efforts of this aggressive champion of organized labor and the Federal employees were highly appreciated, and that his activities in their behalf will long be remembered.

During the evening Mr. KEATING was presented with an engraved testimonial, bearing the inscription, "Friend, counselor, comrade, and ally."

And while various labor unions in the United States are threatening a general strike unless the convicted murderer Mooney is released, the Bolshevik Lenine in Russia is threatening death to a captured American there unless Mooney is pardoned.

The Dallas News is probably not aware of the fact that hardly any measure of importance can be favorably reported out of a committee in Congress until Mr. Gompers and organized labor have been heard upon it.

In Samuel Gompers's 192-word cablegram, a copy of which Mr. Morrison, secretary of the American Federation of Labor, sent to the 435 Congressmen, he said:

Our investigation and findings in European countries show that unrest and unhealthy conditions now prevailing among laboring classes are due mainly to after-war conditions; that there is danger to the public weal in some of the efforts that are being put forward by the discontented masses, and that to prevent growth of similar conditions in America Congress must take such action—

And so forth.

Also, the Dallas News is probably not aware of the fact that, no matter how inefficient, how unworthy, how dissipated, or how merited, this Government is absolutely powerless to dis-

charge one of its regular civil-service employees here in Washington, because, forsooth, he is a member of the National Federation of Federal Employees, affiliated with and backed up by Samuel Gompers and the American Federation of Labor. Does the Dallas News know that there are scores of Government employees so aged and feeble that they have to be helped to their desks here every morning, doing no service of any value to the Government, yet still drawing large salaries in full as heads and chiefs of various sections and departments?

Mr. John T. Parker, of Laredo, Tex., writes me as follows:

This office here in Laredo is run by one manager at a salary of $140 per month, two assistants at $100 each per month, and one striker at $50 per month, besides house rent and incidental expenses. The manager here has a farm near Laredo, so he is making his ax cut both ways, and the three men working in the office here are all part Mexicans.

One of the leading business men of Dallas, Tex., writes:

I agree with your position exactly and believe that the Employment Service has served its purpose.

Mr. J. D. Head, of Amarillo, Tex., writes:

I think you are exactly right. I have three sons in the service now. There is plenty of work for every man who really wants a job. The Employment Service here has four employees on salary. The real estate agents here agree to find work for all at good wages. Thank you for saving the people money.

Dr. George W. Holmes, of Merritt, Fla., writes me:

That you have had the courage to express yourself against the domination of Congressmen and United States Senators by Samuel Gompers is evidence of your usefulness, and highly appreciated by the public.

I was one of the Civil War soldiers. We were willing to go to work at prevailing wages, and we found jobs when we got home. We must protect our constitutional form of Government.

I am in receipt of a letter from a laborer in Harrisburg, Pa., who, because he refused to join a strike during the war, was expelled from a union. He says:

I worked day and night after the United States entered the war, put my savings into bonds, war certificates, and subscribed to relief funds. I was employed on ordnance work and refused to strike, working during three walkouts. Now I am called a "scab" by all union men, and am subjected to every kind of abuse and threats of bodily harm. To my mind our Nation is in a serious and deplorable situation.

I have a letter from a laborer in San Antonio, Tex., stating that he is a poor, hard-working man, but indorses my action.

I am just in receipt of a letter from the county attorney at Oakville, Tex., stating:

Those present, a stockman, banker, merchant, and laborers, hearing your telegram to Judge Carl in the Express read, said "Hurrah for BLANTON; we fully indorse his position."

One of the leading business men of Waco, Tex., writes me:

I know something of these organizations and their methods. You have started something, and I want you to know that at least one man is with you, heart and soul, and that it is my opinion that several million others feel as I do.

One of the substantial business men of Augusta, Ga., writes:

You have rendered the country a distinct service by the stand you have taken. Labor unions have become a national menace and will overthrow the Government and our institutions as surely as the sun shines unless they are properly controlled. They recognize violence, destruction of property, murder, and anarchy.

I quote the following from page 716 of the Federal Employee:

"DAMNABLE," SAYS GOMPERS.

"It is damnable," said Mr. Gompers in his office in the American Federation of Labor Building, when asked concerning the Borland bill.

Because the Borland amendment required the 240,000 Government employees, before receiving the $120 raise in salary, to work eight instead of only seven hours per day in war time, Mr. Samuel Gompers called it "damnable."

Another substantial citizen of Texas writes me:

Everything you say about the service being in the hands of the labor unions and used to further their ends is correct, and you could have gone further and stated that the bureau as it was maintained during the war was nothing short of a joke. The San Antonio headquarters has been conducting a propaganda and sending commercial messages under the Government franking privilege all over the country urging individuals and organizations to get busy and demand of Congress that an appropriation be made to sustain the work on a big scale.

So far as my knowledge goes, the bureau in Texas has been entirely under the influence of labor unions, the director being an ex-railroad conductor, and he has placed in the service as field representatives just anyone, almost, that he could pick up, many of whom were switchmen and brakemen or members of other branches of the unionized labor service. This was done without regard to efficiency.

I have quoted only from men out of my district, hence feel that their expressions are genuine and not influenced by friendship. Let me quote the following Texas items from page 253 of the March (1919) issue of the American Federationist:

TEXAS.

Beaumont, I. Ross: Longshoremen are on strike for wage adjustment. Employment is steady. Laborers, riggers, and fasteners have organized.

Brownwood, C. A. Perkins: Effective January 1, carpenters' increased scale from 62½ cents per hour to 75 cents. There is considerable unemployment.

Childress, B. H. Dennison: Maintenance of way employees, railway and retail clerks have organized. Employment is steady.

Galveston, J. S. Lewis: Several unions have secured improvements in wages, hours, and working conditions. Women workers are organizing as never before. Employment is steady.

Houston, R. L. Johnson: Mechanics and boiler makers are still on strike. White laundry workers are organized in this city. Employment is steady in some lines of work.

Orange, A. J. Wharton: Laborers doing creosoting work gained an increase of 10 cents per hour. Employment is fair. Shipyard laborers and fasteners amalgamated under International Longshoremen's Association, with 700 members.

San Antonio, Frank J. Hopkins: Colored Car Cleaners' Local Union has been formed, as well as unions of meat cutters and slaughterhouse employees. Employment is fair.

Teague, T. F. Hamilton: Carpenters, painters, plasterers, and bricklayers are 100 per cent organized. Employment is steady at present.

Wichita Falls, Jack Prather: Sheet-metal workers, automobile mechanics, motormen, and conductors have organized, and local of waiters has been reorganized. Employment is steady.

I may not be able to withstand "the persistent warfare" which Secretary Morrison threatens will be waged against me by organized labor because I have dared to disobey the autocrat, but I can promise him one thing: He has matched a scrap with a west Texan who is not afraid of the devil, and who, for a while at least, is going to make it "hotter than hell" for them, and the union-pledged candidate will realize it whenever he puts me out of Congress.

When organized labor publicly threatens to put out of Congress any Representative who opposes its program, does the Dallas News still believe I exaggerated when I said it has reached a point where it is either "all the people of the United States or Samuel Gompers and his labor union"?

EXTENSION OF REMARKS

OF

HON. ADAM B. LITTLEPAGE,

OF WEST VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. LITTLEPAGE. Mr. Speaker, in view of the charges and criticisms heretofore made on the floor of this House and the Senate, affecting and reflecting upon the coal operators and coal-mine workers of the country, I should feel remiss in the discharge of a public duty and trust if I did not raise my voice in this great presence and before the close of this session of Congress, now but a few days off, in the defense of, as a matter of simple justice, the coal operators and mine workers of West Virginia, my native State.

So much has been said here and at the other end of the Capitol by public men about the coal-mine owners and workers not being deserving men, profiteers, and maintaining prices to the detriment of consumers that if I did not challenge the reliability and truthfulness of these accusations and representations before retiring from this Congress I would feel that my mission and service here would not be finished acceptably to my own conscience and sense of duty.

Most of these misrepresentations have been uttered by Members of the House and Senate who come from noncoal-producing sections of our great country and from men who would not know a coal mine if they saw one. You don't find coal mines in the county roads, on railroad trains, or in the counting rooms. They are found beneath the hills and valleys, as a rule, in mountainous regions. One of the Senators from Ohio said in a speech that coal operators could make money at $1.35 per ton. That can not be done in any State in this Union, and the Senator should have known better if he knows anything about the coal business or the responsibilities of either the operator or miner.

In West Virginia we have the finest steam-heating and by-product coals in the United States. Here is a fair statement of cost per ton of producing coal:

COST OF MINING.

Royalty	$0.10
Mining, including underground labor	1.25
Outside labor	.20
Power and upkeep	.18
Management, office expenses, and office supplies	.20
Taxes and insurance	.08
Supplies, rails, timber, etc	.20
Miners' compensation	.03
Depletion and depreciation	.12
Commission	.15
	2.51
Other upkeep expenses	.15
	2.66

These figures represent the minimum cost of producing coal at a mine with an output of from four to six hundred tons per day. There are various items of legitimate expense not mentioned. The wear and tear and deterioration of a mining property is alarmingly rapid. From the West Virginia coal fields to Washington railroad charges on transportation of the coal is about $1.70 per ton; to Boston, about $5.90 to 6.10 per ton; from Washington to Baltimore, a distance of about 40 miles, $1 per ton extra. Thus you see it costs our operators $4 to $5 per ton to supply the coal to the retailer in Washington, and, it is safe to say, from $5.50 to $6.25 to Boston. In Boston, I understand, the retailer gets from about $8 to $12 per ton; in Washington, $8 to $11 per ton. Going west from our coal fields, on account of about 300 miles longer railroad haul than the coal producers in Kentucky, Ohio, Indiana, and Illinois are subjected to, our West Virginia coal producers are subjected to an extra charge or differential of about 30 cents per ton before they can reach the competitive lake and western trade. The only reason they can compete in these lake and western markets is because the West Virginia coal is recognized and conceded by all practical coal men and experts as being a superior, if not the best, heat and steam coal, as well as by-product coal, in the country. It is a shame to charge the miners and operators and hold them responsible for the imposition of the retail coal dealers upon the public, and I resent the accusations against them that they are profiteering. Do not blame and denounce them for the burden imposed by the retailers; it is neither right nor just to do so.

The operators of the country and of my State have never been so harassed and annoyed as since the Fuel Administration assumed control of their business. They have lost months of valuable time and spent hundreds of thousands of dollars on railroad fare, hotel expenses, running back and forth to Washington, trying to understand and comply with the regulations, which were often confusing if not conflicting and, in many instances, contradictory.

Some 60 to 80 operators, with their companies, of the southern section of West Virginia, where I live, were indicted in the Federal court in New York City last year simply because they met there and fixed the price of $3 per ton for their coal at the mines; and, mind you, this price had but recently theretofore been fixed by certain Government officials but was subsequently abrogated.

They showed by this course that they were public benefactors, as they were then offered and had theretofore been offered $7 to $10 per ton for the coal at their mines; but they fixed the price of $3 per ton, and the indictments followed. The attorneys' fees, railroad fares, hotel expenses, court costs, and other expenses amounted to more than $650,000. A jury of their peers in the city of New York, where they were strangers, and after a long drawn-out trial, promptly acquitted them when the case was submitted.

Now, who are these coal operators and coal miners of and for whom I speak? They are splendid, patriotic, upright business men. They have their own differences among themselves, but they get together, iron their troubles out, and resume business relationship.

Why do I say these are splendid, patriotic, upright business men? It is because they are as good people as ever dwelt in any country. They are developers. Their patriotism was demonstrated again when this country was at war with a foreign foe. They offered their mining properties, and they are valuable properties, representing the savings of a lifetime, to their Government without charge. The Navy had to have our smokeless and steam coal. Did my people sulk or complain? Not on your life! The miners, God bless them, worked day and night to supply the Navy's demand for the coal, and there never was such work. They deferred their differences until after the war. No sacrifice was too great. They willingly gave their boys, some of whom will never return after crossing the ocean to grapple with a deadly foe. Their dead bodies were found at the Marne, Chateau-Thierry, and in the Argonne Forest. None of them shot in the back. All died with their faces toward the enemy; they gave all they had—that greatest boon of life—the privilege of living. While at home their fathers, mothers, sisters, and brothers worked like slaves mining coal to propel our ships and naval vessels on the high seas carrying our country's boys to battle for the existence of justice and humanity throughout the world. Some of our largest coal operators, some of whom owned their own mines, turned them over to employees and themselves volunteered and went across the sea to do or die for their country and homes. What more did they do? Those remaining here, too old to enlist, were refused enlistment, quit their mines, turned them over to employees with instructions to run them day and night in order to produce coal for the Navy, and these operators spent nearly all their time selling liberty bonds, war-savings stamps, thrift stamps, and aided in the Red Cross and all other war drives, with the result that in my district alone the coal operators, companies, coal miners, and mine workers bought and have about paid for over $6,000,000. Quite 80 per cent of them now hold their Government's obligation for money advanced by them when it was in trouble. Think of a little mining town known as Matewan, having a population of three to four hundred, being allotted $12,000! It raised $65,000. Ansted, a mining town of about twelve hundred, raised $250,250; Glen White, a mining town of about 600, raised $180,000. At this mine an incident occurred which will dwell with me for years to come. The mine is a shaft mine, 380 feet deep. The seam of coal is some 8 or 9 feet in thickness and an exceptionally fine smokeless or by-product coal. Coming out of the mine in an elevator I went to the engine room, where I met a splendid young mine worker, an engineer, around one of the timberheads of the machinery, upon which had been placed two brass bands, and I noticed he had rubbed them until they were very bright. I asked him why he kept them shining so. He said Eddie White, the son of the mine owner, who worked with him several years, helped him put them on before he went to war, and that he loved Eddie, and if he never came back he meant to keep them shining as long as he lived or worked there. He turned and went away with his head bowed, as if in grief. I went my way. Such affection is characteristic of the good people whose servant I am and for whose good standing and good name I speak.

What more have these patriots done as an evidence of their splendid patriotism? In the counties of Boone, Fayette, Kanawha, Greenbrier, Raleigh, and Pocahontas they raised over $8,000,000 for liberty bonds, war-savings stamps, Red Cross, and all war organizations. Are they not deserving, and do they not deserve good treatment and to have nice things said and thought of them? I say yes, and so does every fair-minded man in this House.

Now, gentlemen, this will likely be my last address delivered in this House, and maybe for all time. I go back to my people to deliver the commission they intrusted me with eight years ago, and it will be as clean as when I received it, untarnished and still sacred. I have done my best for them and my country. We have had awful responsibilities to discharge, but we have stood up and undertaken, in the sight of God and the people of our country, to do our full duty as we saw it. This is a fruitful field for an industrious man to labor in. I have tried hard to make a good public servant of all my people without regard to their politics. What I have accomplished here for my people I am proud of and grateful for, and so are they.

You are a magnificent lot of delightful men, and you have served your country much better than you have been given credit for. The only thing I regret leaving is the high-toned and splendid fellowship existing among the membership of this House, which I shall cherish with pride and affection throughout after life. Good luck and good-by.

Labor and Wages—Americanizing Labor—Deportation of Foreign Agitators—Industrial Profit-Sharing Plan—Old Age and Disability Pensions.

EXTENSION OF REMARKS

OF

HON. JOHN F. MILLER,

OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. MILLER of Washington. Mr. Speaker, it is my purpose to draw the attention of Congress to what appears to me to be the greatest domestic problem now before the American people. These problems are none other than those of labor and wages.

In my judgment the future welfare and happiness of our people, as well as the security of our institutions, are in a great measure dependent upon the just and proper solutions of these two great problems.

I have differentiated labor and wages, treating the first as relating to the moral and patriotic elements of the principles involved, and the second the manner of the practical application of these principles.

The observations I shall make appear to me to be most timely in view of the widespread industrial unrest prevailing to-day.

There is always a period of industrial unrest immediately following every period of great activity, and as war is the greatest of all possible activities the unrest following the war is always sure to be of a most serious and apprehensive character. We are now going through this period of industrial unrest. It is expected. It follows the course of human experience.

This industrial unrest is world-wide, and just now it so happens that there is a world-wide governmental unrest. The combination is bad. The public is agitated and, to a certain extent, excited. People lose their stability of thought. New ideas seem to float in the air. All sorts of doctrines, however fanciful or vicious, gain recruits. This condition seems to be a part of the psychology of war, connected in some way with the process of relaxation. It is the opportunity of the agitator. These multiply and swarm in the atmosphere of discontent. It makes a perfect breeding ground for all socialistic cults, and a socialist of any kind breeds every month of the year. It all contributes to making the unrest and discontent more menacing.

The industrial unrest in America is now almost universal—East, West, North, and South. It has grown rapidly since the signing of the armistice in November last. The presence of this condition makes us all realize that we at least have not found the true system by which the welfare and the efficiency of our people may be raised to the maximum. Added to this situation—or, rather, associated with it in some points of our country and taking advantage of this disturbed mind—a new and alarming and vicious doctrine from foreign shores has come to our ears, a new word for industrial, social, and governmental chaos.

When men become disturbed, dissatisfied, and discontented, unless they are brought back to their normal selves they soon become possessed of a grievance against the existing order of things—against society as it is constituted to-day. This should not be permitted. The welfare of our institutions demand that it must not be permitted. We must keep our citizenship right-thinking. And the only way to keep them right is to treat them right. We must think right ourselves. We must think of them, for them, and with them.

The question is, What are we going to do?

The first thing is to Americanize America, and in Americanizing America we will Americanize labor. Deport every one of this foreign element who is taking advantage of the industrial unrest to spread the damnable doctrines he has brought here with him. Send him back home. Clear out this foreign social and industrial propaganda. It has no business here. Clean up our country. We can take care of the American-born agitator. Close down immigration, and close it down tight, and do it quick.

Then what are we going to do?

The second thing to do, then, is for every American employer to treat every American employee as a human being in whose welfare he has some interest. The American employer must change his tactics in dealing with his employees, and I believe he will when he thoroughly understands the situation. I believe the fairness, the humanity, and the manhood of the employers as a class can be depended upon. If I did not believe that, I would almost despair of the future. I believe I know also that the fairness, the humanity, and the manhood of the employees as a class can be depended upon. If I did not think so, I would be equally in despair. Let it be understood right here and now that neither class has a monopoly on manhood. This war has demonstrated this fact to a certainty. A man is no less a man in every sense of the word simply because he wears overalls and works his hands. It is just as honorable to work standing at a desk or sitting in a chair. It is just as honorable to work in overalls as it is to work in anything else. When the American employer understands that the man working for him, be he in overalls or not, is just as much a man, so far as manhood goes, as he is, and is entitled to be treated as a man, he will understand something he apparently does not understand now. When the American employer in talking with the American working for him appreciates that he is talking to his equal he will have advanced a step beyond where he is to-day. Let us get this idea of superiority or of inferiority, as the case may be, out of our heads and keep it out.

Well, what then?

Listen, you employers of America, who have builded up fortunes of millions and millions of dollars in comparatively a few years of industrial or commercial life. Every dollar of that fortune is the accumulation of your margin on day's labor multiplied and compounded. The presence of that fortune in your hands is absolute evidence of the fact that you, up to this time, have failed to give reasonable value received to those working for you for their labor and their services. Your margin has been too great. You have simply overreached the party you were contracting with—that is, the man who agreed to sell to you and who did sell to you his labor and his skill. Some of these contracts have been and are now unconscionable. I appeal to the manhood of the men who have made and are still making these contracts. Stop it; deal with the man who is working for you as one American ought to deal with another. Leave yourself a reasonable and safe margin of profit, but stop this brutal and immoral greed. Do not be a glutton, overfed out of the margin on day's labor, taken from out of the mouths and off the backs of your countrymen. Give the man or the woman who is working for you a fair and even break.

Well, you ask, how is this to be done?

My answer is along the lines of an industrial profit-sharing plan. Give the men and women who are building up your fortune a share of the profits their hands and heads have made. Listen again, you employers. Can not you see every one of your men and women would have an incentive, an inducement to do better work and more of it? Your factory and your store would be open and doing business every day of the year. You would do away with strikes, and the agitator would talk until he was black in the face. Be on the square, too, in distributing this share. Do not allow yourself a salary of $50,000 a year, to come out of the profits, and then spend half your time in a limousine or aboard a yacht. Be square; if you are not, your men will know that fact just as well as you know it. Present a balance sheet something like this:

Here is the interest on the investment.

Here is the amount of business done.

Here is the overhead, including depreciation.

Here is the net profit.

Here is the share to be divided amongst your men, for it was their hands that made it all, over and above the daily wages you paid them.

Every man and woman will be satisfied. Everyone will be drawing trade to you, and your industrial unrest will cease. You will have contentment, satisfaction, and quiet everywhere.

I want to give a warning to those who are now building their great colossal fortunes out of the profits on day labor. The times when such things are possible are drawing to a close, and in good conscience they ought to come to a close. Think of men in a few years of active business life building up such enormous fortunes out of the excess profits—out of the margin on trade in labor. As I said before, the margin has been too great. It is against the best interests of your country that such fortunes should have been accumulated in such a manner. The interests of all the people have not been considered, and the man whose toil it was, who builded this fortune, has been considered the least of all. I have suggested that the employers themselves should voluntarily create this new system. I can only say if the employer does not do it the Government—that is, the State or General Government—will be forced to do it for him. Good conscience calls for a change. Time was when the employees had no weapon with which to fight, but that time has passed. Labor now has the two great instruments—the industrial and the political. Either one is sufficient; but when both are unitedly called into use there is no power that can withstand them. The control of business and industry is no adventure for the Government. But a few years ago, when it became necessary for the States and the General Government to control the banking business, they did so; the one controlled the rate of interest on loans and the other the general character of business. These two agencies can control the industrial and commercial systems just as easily. There is no doubt of the authority, the legal authority, for such control. The Government, either State or the General Government, or both, have the right to regulate and control the profits of industrial and commercial institutions by regulating the cost of production and the selling price.

Another thing. Listen once more, you employer! You whose source of profit is the margin of the day's labor. If your profit is so much per man per day, the nearer you keep to your capacity in men and working days the more money you will make. What you want are men on the job and the job ready; that is, the factory or the store running to capacity and running six days in the week. Inasmuch as your profit comes from the men and the women employed, let them have a voice in determining who shall be their associates and shopmates. If the profit comes from the employment, the service performed, it makes no difference to the owner or operator whose hands do the work, whether this man or that, provided, of course, that they be of equal skill, or, in the case of a store, of equal presence and adaptability. But it may make a great deal of difference to the man or woman who stands next to him day after day and month after month.

Oh, I have heard it said that this is idealism. I say not. I say that it is common honesty and common sense. It is just

plain, everyday justice between man and man. It is just old-fashioned patriotism of the Washington kind, of the Lincoln kind, and the Roosevelt kind.

Then, I say have a committee to sit with the management in matters of employment and discharge, another on complaints and grievances, another on working conditions and welfare. This will get rid of the lockout and the blacklist. Oh, I hear some one say that this is turning your business over for another to run. Nothing of the kind. Most States have laws against blacklists; all should have.

The employer ought to remember that the community, the public, the State, and the General Government are interested not only in the fact that the factory and the store are open and running, but are interested in how they are running. No man now or ever has operated a factory or store just as he wanted to. If he did, we would have made little progress in the world. Our industrial system is founded upon a different basis. The State and the General Government have always told, and always will tell the owner how he can and how he can not run his factory or his store. It has told him through the child-labor law; through the hours of labor; through sanitary regulation; through minimum wage legislation; and through hundreds of other ways. No, no man will lose control of his own business by having a committee, such as I have indicated of his own employees, acting with him. It will hold his business together. It will tend to bring about a harmony all along the line, and harmony is the strength of all institutions.

And then there are two other things I want you to think about. They are the old-age pension and the disability pension.

The infirm and the unfortunate should not be left to shift for themselves, to make their way as best they can when their earning capacity is gone. Oh, some one asks what is the use of giving a bounty on a wasted life. Shame on the man or woman who would thus speak of the enfeebled and the ill-fated. Humanity throughout all ages has been calling to the helpless, and she is still calling. She calls to you and to me to help her.

I have outlined a few of the things which, to my mind, would work incalculably for the betterment of our countrymen. In my judgment, there has never been such a demand for human agencies to establish a plan to correct the unjust ratio of distribution of the earnings of our people, engaged in productive pursuits. And these things ought to come voluntarily as parts of the new system. I hope God Almighty will open the eyes of the people of America so they will behold their duty.

Times and institutions are changing, for we are living in the changing times of man. To-morrow will be different from to-day; next year will be different from this, and thus we go on and on. We are constantly changing, constantly developing. The human understanding is progressing, is advancing, I hope, higher and better for the welfare of our people and our Nation.

It takes no sage to see that we are not living in a changeless age, amid a people changeless in ideas and in temperament and in sentiment. One has but to read and know the past and then look around and behold the present. He has but to read and think and see.

There never was a time when as many eyes are looking in upon the acts of men of affairs as now, the national pulse never has beaten higher and stronger, the public conscience never was so sensitive, the Nation never has drawn so close to the individual nor the individual drawn so close to his Government. Never have the people been so concerned not only for the present but for the great, wide future of our institutions, and likewise never has the Government been so solicitous, so anxious for the future of her citizens.

Ten million men answered the call to war with a cheer; 5,000,000, her cleanest of limb and truest of blood, fell into line. The Government knows every man, every age, every home, everything about everyone of her sons. The most glorious thing in our history is the way the people of this country accepted and responded to the selected or conscripted Army plan. And by the way, the sting has gone out of that word "conscript"; it is enough to know that the man was a soldier of the great Republic of the West. Every industrial institution, every shop and store throughout the land, wherever men are employed, has its honor roll and its service flag. Some of these contain thousands and thousands of names and stars. Every name, every star represents a toiler who left his bench, his machine, his forge, his counter to answer his country's call. The Nation will never forget these young men. Of course, the Government is solicitous of the future of these young men, of their welfare through life. She is solicitous of those who remained in the fields, at the forge, in the shop, on the railways, on the sea, those who fed and clothed and toiled that America's Army might be what it was. She would be an ungrateful Nation if she were not solicitous. The future can be read, it seems to me, in the light of the signs of the times, and those signs are a deeper solicitude, a closer friendship, a more tender affection for the man who toils with his hands and fights the Nation's battles with his hands and with his heart.

Pay of Members of the House of Representatives Who Served in the Army.

EXTENSION OF REMARKS
OF
HON. RICHARD WAYNE PARKER,
OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. PARKER of New Jersey. Mr. Speaker, on the 4th of March, only an hour before adjournment, when the question came up of the rights of Members who served in the Army during this war, and especially their right to salary, reference was made to the case of Gen. Wheeler, of Alabama, in the Spanish War. I then stated that I had been on the Committee on the Judiciary at that time and disagreed from other members of the committee, being of the opinion that while Members were away from the House on a temporary service or in a temporary office they were not Members of the House, but that such temporary service did not necessarily forfeit the seat, but might only suspend it, unless objection was made. I therefore asked and obtained leave to print the reports on that subject, which are now not to be had, and to add a few remarks on the history of the case. The reports are voluminous, but they are exhausted and the matter is of great importance and should be understood.

In the Fifty-fifth Congress Joseph Wheeler, of Alabama; Edward E. Robbins, of Pennsylvania; David G. Colson, from Kentucky; and James R. Campbell, from Illinois, accepted commissions in the Volunteer Army. On December 21, 1898, the House of Representatives passed the following resolution, which had been introduced by Hon. Joseph W. Bailey, to inquire whether any Member of the House had accepted any office under the United States and whether the acceptance of such office vacated the seat of the Member. A report (No. 2205) of 70 pages was filed by Mr. Henderson, with a resolution that they vacated their seats when they accepted military office and were not then Members of Congress. Mr. John J. Jenkins, of Wisconsin, dissented. Mr. DeArmond filed a second part of the report with even stronger views than the majority, especially as to the Canadian commissioners. Mr. PARKER of New Jersey, in minority views (part 3 of the report), urged that while acceptance of a permanent office should be held by the House to vacate the membership permanently, an acceptance for emergency, whether military or civil, of a temporary office may, and in case of public necessity should, be held by the House at most to create only a temporary vacation of the seat; that is, a suspension of membership during the emergency. He pointed out (Report, part 3, pages 5–11) that, whereas the British statute vacated the seat if the member accepted an office, but allowed the man who held the office to be elected to Parliament, the American Constitution declared only that no person holding office under the United States might be a Member of either House during the continuance of that office, so that if the office were temporary the vacancy might be temporary. I pointed out also, on page 10, that in all the cases of Volunteer officers rather than Regular Army officers—Col. Yell in 1846, Col. Baker in the Mexican War, Vandever, Schenck, Blair, and Herrick in the Civil War—the officers remained in Congress and no action was ever taken against them.

Gen. Wheeler was appointed major general of Volunteers May 4, 1898, drew his pay as such, but drew no pay in Congress, and was finally appointed to the Regular Army. His statement is on pages 29 to 37 of part 1; also page 42. Edward Everett Robbins was appointed captain of Volunteers in June, 1898, and mustered into service July 1; was mustered as major and quartermaster August 19 and was discharged in October. He came back and occupied his seat in Congress, drawing no pay in the Army, but drawing his salary as a Member of Congress. He made a full statement on pages 16 to 29. James R. Campbell was colonel of the Ninth Illinois Volunteer Infantry, and David

G. Colson, whose letter is on page 38, was colonel of the Fourth Kentucky Volunteer Infantry. Both were appointed in June, 1898, neither having been discharged in January, 1899.

Campbell seemed to have drawn his Army pay and congressional pay. Colson drew only his congressional pay. (See part 1, pages 2 and 3.)

Under the resolution questions were also raised as to membership in the peace and Canadian commissions, membership in the industrial or labor commissions, and membership in the Hawaiian commission. Gen. Wheeler's statement (page 33) on January 25, 1899, quotes Attorney General Griggs's decision that a response to a temporary call should not mean a complete and final severance of his relations with civil life. Gen. Wheeler takes the point (page 32) that every citizen of the United States is primarily a member of the militia and that an officer of the militia, if called out, becomes an officer of the United States, and that it is impossible to hold that his seat in Congress is forfeited ipso facto.

I simply refer to these arguments. I found it impossible to agree with the views of the strict constructionists that any man who aids his country in case of necessity and in time of emergency shall therefore and thereby absolutely forfeit his seat in this House. I am of the opinion that while he is under command of the President as an officer his membership of the House is suspended and that he has no legal right to his salary as a Member of Congress, but must accept whatever pay belongs to the office in which he serves.

The view of Maj. Robbins, our late lamented friend, and of Col. Colson seemed to be that they could do service for the United States in the vacation under any title if only they did not accept any salary from the United States except their official salaries as Members of Congress. I myself think that this is not quite in accord with the Constitution, for possibly the essence of an office lies in the duty imposed upon the man and not in whether he is paid or not; and I believe it more consonant with the opinion of Attorney General Griggs to hold that if a Member of Congress accepts a temporary office he can not be a Member of the House during the continuance of the office. Perhaps the strongest case would be that of a State militia officer who is at the same time a Member of Congress but who is called out by the President to enforce the laws of the United States against a mob. He certainly should not forfeit his place as Member of Congress for performing his duty as a citizen and an officer of the militia, but I do not see how he could perform his duties as Member of Congress, or properly receive his salary, during his absence on this duty.

The Fifty-fifth Congress, like all Congresses before that time, refused to decide this question. In previous Congresses the matter had been very fully debated and was simply not decided. In the Fifty-fifth Congress (RECORD, vol. 32, p. 2751, Mar. 2, 1899), when the resolution was moved by Mr. Henderson, the question of consideration was raised by Mr. Lacey, a veteran of the Civil War, and the House refused to consider the resolution by a vote of 77 to 164.

At that time several Members of the Senate were serving abroad upon a peace commission, and some Democratic leaders were supposed to be quite willing to bring that question before the House upon the argument of this resolution. However that may be, the floor leader, the Hon. Joseph W. Bailey, resigned that place as such shortly after the refusal of consideration.

I append these reports and views so that the House may have access to this material.

APPENDIX.

[House Report No. 2205, Fifty-fifth Congress, third session.]

APPOINTMENT OF MEMBERS OF CONGRESS TO MILITARY AND OTHER OFFICES.

Mr. HENDERSON, from the Committee on the Judiciary, submitted the following report:

On December 21, 1898, the House of Representatives passed the following resolution:

"*Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to this House—

"First. Whether any Member of the House has accepted any office under the United States; and

"Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same."

The committee at once entered upon the consideration of the resolution by instituting inquiries as to what Members of Congress were holding positions other than that of Member of the House.

The following letter was addressed to the War Department:

DECEMBER 23, 1898.

Gen. H. C. CORBIN,
Adjutant General United States Army, Washington, D. C.

DEAR GENERAL: I inclose herewith resolution No. 354, which passed the House December 21, 1898, and was referred to this committee.

I am instructed by the Committee on the Judiciary to request a statement of the names of Members of the House of Representatives who have entered the service of the United States during the Spanish-American War. I have information going to show that Hon. Joseph Wheeler, of Alabama; Hon. James R. Campbell, of Illinois; Hon. David G. Colson, of Kentucky; and Hon. Edward E. Robbins, of Pennsylvania, since their election to the Fifty-fifth Congress, have entered the service of the United States in connection with said war. I inclose herewith an official list of Members of the House of Representatives of the United States, and their places of residence, of the Fifty-fifth Congress, and would ask you to advise this committee what the facts are as to the mustering into the United States service of these or any other Members of the present Congress; the date of their muster is requested, whether they are now in the service, and if not, when they were discharged; whether they or either of them have been paid by the United States, and if so, to what dates, and which, if any, are still in the military or naval service of the United States.

Very respectfully, yours,

D. B. HENDERSON,
Chairman of the Committee on the Judiciary.

To which the following answer was received:

WAR DEPARTMENT,
Washington, D. C., January 3, 1899.

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary,
House of Representatives.

SIR: In reply to your letter of December 23, 1898, to The Adjutant General of the Army, inclosing a copy of resolution No. 354, passed December 21, 1898, and inquiring for the Committee on the Judi-
2 ciary a statement of the names of the Members of the House of Representatives who have entered the service of the United States during the Spanish-American War, and the facts relative to the mustering into the United States service of such Members, dates of their muster, whether now in service, and, if not, when discharged, when paid by the United States, etc., I have the honor to inclose a statement giving such information as the records of the department afford respecting muster in, service, pay, etc., of Maj. Gen. Joseph Wheeler, United States Volunteers; Maj. E. E. Robbins, quartermaster of Volunteers; Col. James R. Campbell, Ninth Illinois Volunteer Infantry; and Col. David G. Colson, Fourth Kentucky Volunteer Infantry, who are believed to have been at the dates of their entrance into the Volunteer service, respectively, Members of the House of Representatives, although no official statement has been made to this department to the effect that they were such Members. The department has no information which would indicate that any Members of the House of Representatives other than those named have served in the United States Volunteers during the War with Spain.

Very respectfully,

R. A. ALGER,
Secretary of War.

Statement.

[From the official records, relative to persons appointed in the United States Volunteer Army who are believed to have been Members of the House of Representatives at the dates of their appointments, respectively.]

Name.	Date enrolled.	Date mustered or sworn into United States service.	Residence when appointed.	Period for which paid to last recorded payment.
		1898.		
Joseph Wheeler, major general United States Volunteers.	.....	May 6	Wheeler, Lawrence County, Ala.	May 6 to Sept. 30, 1898.
Edward Everett Robbins, major and quartermaster Volunteers.	.....	Aug. 19	Greensburg, Pa...	No pay recorded.
James R. Campbell, colonel Ninth Illinois Volunteer Infantry.	June 28	July 11	McLeansboro, Ill..	June 28 to Sept. 30, 1898.
David G. Colson, colonel Fourth Kentucky Volunteer Infantry.	July 27	July 27	Middlesboro, Ky..	No pay recorded.

NOTE.—Maj. Robbins was honorably discharged October 14, 1898. The other officers named are still in service.

H. C. CORBIN,
Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
January 3, 1899.

Subsequently, it being brought to the knowledge of the committee that Hon. J. HAMILTON LEWIS, of Washington, had served in the Spanish-American War after being qualified as a Member of Congress, the following letter was addressed to the Secretary of War:

WASHINGTON, D. C., *January 10, 1899.*

Hon. R. A. ALGER,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: It is reported to me as chairman of the Committee on the Judiciary that Hon. JAMES HAMILTON LEWIS, of Seattle, State of Washington, was in the Army of the United States, present war. Will you kindly advise me what the records show in respect to this case? My request is in compliance with the inclosed House resolution.

Very respectfully,

D. B. HENDERSON.

To which letter the following answer was received:

WAR DEPARTMENT,
Washington, D. C., January 17, 1899.

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary,
House of Representatives.

SIR: In reply to your inquiry of the 10th instant, as to what the records show respecting the services in the Army during the
3 present war of the Hon. JAMES HAMILTON LEWIS, of Washington, I have the honor to inform you that Mr. LEWIS made a tender of his services as a volunteer aid on the staff of Maj. Gen. Brooke when that general went to Porto Rico in July last; that his voluntary services were accepted as tendered, and that he served for a time in

Porto Rico as a volunteer aid on the staff of Gen. F. D. Grant. Mr. LEWIS was not a commissioned officer in the military service, received no pay as such, and had no legal status as an officer.

Very respectfully,

R. A. ALGER,
Secretary of War.

The following letter was addressed to the Sergeant at Arms of the House of Representatives:

WASHINGTON, D. C., *January 7, 1899.*

Hon. B. F. RUSSELL,
Sergeant at Arms, House of Representatives.

DEAR SIR: In order to qualify the Committee on the Judiciary with a complete knowledge of the facts essential for the inquiry embraced in House resolution 354, I respectfully ask a statement of payments made, with dates thereof, to the following Members of the present House of Representatives, namely, Joseph Wheeler, of Alabama; E. E. Robbins, of Pennsylvania; James R. Campbell, of Illinois; and David G. Colson, of Kentucky.

Yours, truly,

D. B. HENDERSON,
Chairman Committee on the Judiciary.

To which the following answer was received:

OFFICE SERGEANT OF ARMS, HOUSE OF REPRESENTATIVES,
Washington, D. C., January 9, 1899.

Hon. D. B. HENDERSON,
Chairman Judiciary Committee, House of Representatives.

SIR: Replying to your communication of January 7 instant, as to payments of certain Members of the present House of Representatives, in connection with House resolution No. 354, I have the honor to report as follows:

Hon. Joseph Wheeler, of Alabama, was last paid June 3, 1898, for May salary, also mileage for the first and second sessions, on certificates signed by him and approved by the Speaker of the House. He has not signed certificates since that date, nor has he claimed salary.

Hon. E. E. Robbins, of Pennsylvania, has been paid each month up to and including salary for the month of October, due November 3, 1898, upon certificates signed by himself and approved by the Clerk of the House in vacation, also paid mileage for the first and second sessions of this Congress, but not for the third session.

Hon. J. R. Campbell, of Illinois, has been paid each month up to and including salary for the month of October, 1898, due November 3, 1898, upon certificates signed by him and duly approved by the Clerk of the House during the vacation. He has also been paid mileage for the first and second sessions, but not for the third session.

Hon. D. G. Colson, of Kentucky, has been paid each month up to and including salary for the month of November, due December 3, 1898, upon certificates signed by him and duly approved by the Clerk of the House, during vacation. He has also been paid mileage for the first and second sessions of this Congress, but not for the current session.

Very respectfully, yours,

B. F. RUSSELL,
Sergeant at Arms House of Representatives.

By order of the committee a letter was sent to Hon. Joseph Wheeler, Hon. Edward E. Robbins, Hon. David G. Colson, and Hon. James R. Campbell, of which a sample is given in the following letter to Gen. Wheeler:

WASHINGTON, D. C., *January 6, 1899.*

Maj. Gen. JOSEPH WHEELER,
Care of the War Department, Washington, D. C.

MY DEAR GENERAL: I hand you herewith a copy of House resolution No. 354, with which you are possibly familiar.

I write for the purpose of asking whether you desire to be heard with respect to this resolution, which was referred to this committee by a vote of the House. The committee will be very glad to hear from you, if you desire, either orally or in writing, and to receive any authorities which you may wish to offer.

Very truly, yours,

D. B. HENDERSON,
Chairman Committee on the Judiciary.

4 The committee deemed it to be its duty to bring the resolution No. 354 to the attention of any Members of the House who had under any legislation held any position while at the same time acting as qualified Members of Congress. They therefore sent the following letter to Hon. R. R. Hitt, a member of the Hawaiian Commission:

WASHINGTON, D. C., *January 17, 1899.*

Hon. R. R. HITT, M. C., *City.*

MY DEAR SIR: I am instructed by the Committee on the Judiciary to transmit to you House resolution No. 354, and to say that the committee have fixed Tuesday, January 24, 1899, 10 o'clock a. m., to hear those who may desire to be heard on the subject. This notice is sent to you because of your appointment under public resolution No. 51 as a member of what is known as the Hawaiian Commission.

Very truly, yours,

D. B. HENDERSON,
Chairman.

It was found that the following Members of the House had been appointed members of what is known as the Postal Commission, namely: Eugene F. Loud, W. H. Moody, T. H. Catchings, and W. H. Fleming. To each of these was sent a letter, of which the following to Hon. Eugene F. Loud is a copy:

WASHINGTON, D. C., *January 17, 1899.*

Hon. EUGENE F. LOUD, M. C., *City.*

MY DEAR SIR: By direction of this committee I inclose herewith House resolution No. 354, and beg to notify you that the committee has made Tuesday, January 24, 1899, 10 o'clock a. m., a special order for hearing those who desire to be heard on said resolution. As you are a member of the commission created by section 5 of the act approved June 13, 1898, known as Public, No. 131, I bring this matter to your attention, so that you may be heard, if you so desire.

Very truly, yours,

D. B. HENDERSON,
Chairman.

It was also found that the following Members of the House had been appointed members of the Industrial or Labor Commission, namely: John J. Gardner, William Lorimer, L. F. Livingston, John C. Bell, and Theobold Otjen. To each of these a notice was sent, the following, to Hon. John J. Gardner, being a copy:

WASHINGTON, D. C., *January 17, 1899.*

Hon. JOHN J. GARDNER, M. C., *City.*

MY DEAR SIR: I am instructed by the Committee on the Judiciary to transmit to you House resolution No. 354, and to say that the committee have fixed Tuesday, January 24, 1899, 10 o'clock a. m., to hear those who may desire to be heard on the subject. Your being a member of the United States Industrial Commission has made it my duty to bring this matter to your attention.

Very truly, yours,

D. B. HENDERSON,
Chairman.

By direction of the committee notices of the hearing were also sent to Messrs. Wheeler, Colson, Campbell, and Robbins, the following, to Hon. Joseph Wheeler, being a copy of said notice:

WASHINGTON, D. C., *January 17, 1899.*

Hon. JOSEPH WHEELER, M. C., *City.*

MY DEAR GENERAL: By direction of this committee I inclose herewith House resolution No. 354, and beg to notify you that the committee has made Tuesday, January 24, 1899, 10 o'clock a. m., a special order for hearing those who desire to be heard on said resolution.

Very truly, yours,

D. B. HENDERSON,
Chairman.

5 On the 24th of January, 1899, in pursuance of the notices referred to, a hearing took place, as follows:

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 24, 1899.

The committee having under consideration House resolution No. 354, met at 10 a. m. for the purpose of hearings on the resolution, which is as follows:

"*Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to this House—

"First. Whether any Member of the House has accepted any office under the United States; and

"Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same."

INDUSTRIAL COMMISSION.

STATEMENT OF HON. THEOBOLD OTJEN, A REPRESENTATIVE FROM THE STATE OF WISCONSIN.

Mr. Chairman and gentlemen of the committee, the first section of the act creating the Industrial Commission provides that the commission shall be called the Industrial Commission and shall be composed of five Members of the Senate, to be appointed by the Presiding Officer thereof; five Members from the House of Representatives, to be appointed by the Speaker; and nine other persons who shall fairly represent the different industries of the country, the employee and employer, and the producer and the consumer, to be appointed by the President with the advice and consent of the Senate.

The second section prescribes the duties of the commission; that they shall be to investigate questions pertaining to immigration, to labor, to agriculture, to manufacturing, and to business, and report to Congress, and to suggest such legislation as it may deem best upon these subjects.

The third section is similar; that it shall furnish such suggestions along these lines as may be deemed best for uniform legislation by the various States of the Union, in order to harmonize conflicting interests and to be equitable to the laborer, the employer, the producer, and the consumer.

The commission was appointed for two years, according to the act. So far as the legal status of the question is concerned, I have spent but very little time in the investigation of the subject. I think, as a member of the Industrial Commission, I hold no office such as is intended to be covered by the provisions of the resolution you are considering, or any civil office under the authority of the United States. In the first place, we are officials created by Congress. We are appointed by the Speaker of the House, and our duties are to collect information for Congress solely. We do not have to qualify, and are not confirmed by the Senate. The commission is to be continued for two years. We do not receive a cent for our services, and even the Comptroller of the Treasury has ruled that we are not entitled to our necessary traveling expenses during the time when Congress is not in session. We are allowed necessary traveling expenses only when we are on a trip making investigations as a subcommission, by order of the commission.

6 The CHAIRMAN. What do the other members of the commission receive?

Mr. OTJEN. The noncongressional members receive $3,600 per year.

The CHAIRMAN. Are you all allowed traveling expenses when out on special missions making investigations for the commission?

Mr. OTJEN. Yes, sir.

Mr. TERRY. Is not the same provision made in regard to all the members of the commission?

Mr. OTJEN. No. The Senators and Representatives receive no salary.

Mr. TERRY. I mean in regard to traveling expenses?

Mr. OTJEN. They are all on the same basis. The comptroller rules that we are entitled to traveling expenses between our homes and Washington but once.

Mr. SMITH. Does he hold that they are all entitled to traveling expenses by reason of the performance of their duties under that act or under some other general clause?

Mr. OTJEN. It is under this act. This commission meets on the first Tuesday of every month, and the comptroller holds that Washington is the place of business for this commission, and that we are supposed to be here. He says we are entitled to our expenses here once, but no more.

The CHAIRMAN. In the event of a member not being reelected, the law provides he shall have the same salary as the other members of the commission?

Mr. OTJEN. Yes, sir. If a Senator or Member is not reelected, he shall remain on the commission and receive the same salary as any other member of the commission.

Mr. ALEXANDER. You were reelected?

Mr. OTJEN. I was.

Mr. TERRY. Was this commission created during your term of service in Congress?

Mr. OTJEN. It was.

The CHAIRMAN. Perhaps you would prefer to conclude your remarks without further questioning.

Mr. OTJEN. This commission is really in the nature of a special committee of Congress to gather information for Congress. We are serving thereon and performing that duty by direction of the House of Representatives, and it is not an office under the United States, and the duties are not inconsistent with those of a Member of Congress. The duties are really consistent with those of a Member of Congress, because it is a legislative duty.

Mr. UNDERWOOD. Does your commission provide any other function except that of gathering information?

Mr. OTJEN. No, sir; they are to make investigations upon certain subjects as directed in this act, and, when made, it then becomes their duty to report to Congress, and to Congress only.

Mr. RAY. And to suggest legislation?

Mr. OTJEN. Yes, sir.

Mr. TERRY. You investigate and make recommendations to Congress?

Mr. OTJEN. Yes, sir. I suppose the idea of putting Members of the House and Senate upon the commission was that they should be informed upon these subjects which are to be recommended by the commission, so that when the subject comes up we will know the
7 reasons for the recommendations which have been made by the commission.

Mr. PARKER. Read the third section.

Mr. OTJEN. The second and third sections are similar. The third section says that the commission shall furnish such information and suggest such legislation as may be best for the various States, in order to harmonize the interests affecting labor, employer, employed, producer, and consumer.

Mr. PARKER. You are to suggest such legislation by Congress as may be deemed best for the States, and not to make suggestions to the States?

Mr. OTJEN. We have no authority to suggest anything to the States. Whatever recommendation this commission makes must be to Congress.

Mr. PARKER. Read the seventh section, so that it may be in the record.

The CHAIRMAN. That paragraph will speak for itself.

Mr. OTJEN. That section provides as follows.

Mr. PARKER. If that section were to be declared unconstitutional, would that, in your judgment, affect the main part of the law? Could not that part of it be held unconstitutional without affecting the rest of the law?

Mr. OTJEN. Yes; that is true.

The CHAIRMAN. Are there any other members here from the Industrial Commission?

Mr. OTJEN. I understand that the chairman of the Committee on Labor, Mr. Gardner, has compiled a brief in which he cites the law upon the subject.

POSTAL COMMISSION.

STATEMENT OF HON. WILLIAM H. MOODY, REPRESENTATIVE FROM THE STATE OF MASSACHUSETTS.

Mr. Chairman and gentlemen of the committee, the Postal Commission was created by act of Congress approved June 13, 1898, which is the general Post Office appropriation bill. The commission is created by the fifth section of the act, the material parts of which I will submit to the committee. It creates a commission consisting of the chairmen of the House and Senate Committees on Post Offices and Post Roads, and three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker.

The duties of the commission are to ascertain whether or not excessive prices were charged by railroad companies for postal transportation and to investigate other postal questions. The commission is authorized to employ experts, clerks, stenographer, or incur other clerical expenses. They are authorized to ask details to be made by the Postmaster General for assistance to the commission. They are authorized to administer oaths, examine witnesses, and sit during the recess of Congress. The commission is directed to report on or before February 1, 1899, embracing the testimony taken and the conclusions reached by the commission, and the recommendation of the commission may be made by bill or otherwise. An appropriation is made for the necessary expenses of the commission.

Mr. SMITH. To whom is the report made?

8 Mr. MOODY. The report is made to Congress. The committee will observe that there is one distinction between the Industrial Commission and this commission, and that is that this is a purely congressional commission, as to its membership, and that two of the members are determined by the act itself and the others are selected by appointment by the President of the Senate and the Speaker of the House of Representatives. The question is so clear that I will not argue it at any length.

But now that I am here, I desire to emphasize only one proposition. That proposition is that the members of the commission are not holding office under the United States. The section of the Constitution under which these proceedings and inquiries are held prescribes that "no person holding any office under the United States shall be a member of either House during his continuance in office." I take it that it is clear that a person "holding office under the United States" is an "officer" of the United States. In the Constitution itself one of the essential elements of an officer of the United States is described.

By section 2 of Article II, the appointment of the officers of the United States is regulated. It is in the enumeration of the powers of the President, and is contained in this language:

"He shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments."

The proposition submitted to the committee is that the only way in which an officer of the United States can be created is by appointment by the President, either with or without confirmation by the Senate, or by the courts of law or by the heads of departments. It would, perhaps, seem not necessary to go beyond the language of the Constitution itself to demonstrate the truth of that proposition, but fortunately we have the precise question in a decision of the Supreme Court in the case of United States *v.* Germain, which is found in Ninety-ninth United States Statutes, page 508.

The case came up on a certificate of division of opinion from the circuit court of Maine. The accused was a pension examining surgeon, the nature of whose functions are familiar to the committee. He was indicted under a statute which provides that "every officer of the United States who is guilty of extortion under cover of his office shall be punished, etc." He was defended by the present Speaker of the House of Representatives.

The precise question presented to the court was whether a person performing the functions of an examining surgeon was an "officer" of the United States, and the defendant's counsel made the argument which I have submitted to this committee. It is always profitless to read from opinions, and I do not propose to do it before this committee, because I am sure they have examined this case; but I will say to the committee that this court ruled in terms that there could be no officer of the United States, unless he were appointed by the President, with or without the consent of the Senate, by the courts of law, or by the heads of departments. Obviously this official was not appointed by the President nor by the courts of law, and so the court passed to the consideration of the question whether the Commissioner of Pensions is the head of a department. The court concluded that he is not the head of a department, and therefore decided that the defendant, not being an officer of the United States, was not liable to the penalties prescribed for officers of the United States.

9 Mr. RAY. The Constitution divides the United States into three great departments—the legislative, the executive, and the judicial. Who is the head of the legislative department?

Mr. MOODY. It had not occurred to me that the legislative department has any head. It had not occurred to me that that part of the Constitution referred to the political departments of our Government.

Mr. RAY. What I wanted to bring out was what you have to say, if anything, in regard to the fact that the Constitution refers to three departments—legislative, executive, and judicial—and as the Congress of the United States is a legislative department by itself, would you claim that the Speaker of the House and the President of the Senate are, or are not, heads of that department, and that appointments made by them are made by the head of a department?

Mr. MCCALL (to Mr. Moody). Read the provision of the Constitution. It is evident that where these officers shall be appointed by the courts of law and heads of departments, they are not using——

Mr. MOODY (interposing). In addition to the suggestion made by Mr. McCall, I will again refer to the provision of the Constitution which says, "Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments." It seems to me that it is not intended to mean that Congress may by law invest appointments in the President, courts of law, or in itself, because that would be the construction. If the department mentioned was Congress itself, it would hardly seem necessary to use the language which was used.

Mr. RAY. The Supreme Court of the United States expressly decided that the Constitution refers to Cabinet officers when it speaks of heads of departments.

Mr. MOODY. I was just going to say, that in the case of the United States *v.* Germain, in language which I will not undertake to read, it decided that the word "department" in that section of the Constitution means departments not then in existence.

Mr. TERRY. The effect of the decision of the Supreme Court of the United States would substantially be that any person appointed to one of these offices, whatever it may be called, if not appointed by the head of a department, would not be entitled to the office, and that he would be appointed unconstitutionally.

Mr. MOODY. That is assuming the very proposition in dispute. The particular duties which are performed by any person can not be called an office.

Mr. TERRY. Let me suggest that the question as to whether particular functions exercised by a party is an office or not does not depend so much on who appointed him as on the duties he is appointed to perform.

Mr. MOODY. I would agree to the proposition that it depended in some measure on the nature of the duties which he was called on to perform, but I should still insist that, whatever the nature of the duties were, if Congress authorized the appointment in some other way than in the clause of the Constitution referred to, that he must be described by some other designation than that of an "officer" of the United States.

A good many people may serve the United States in different ways, but it does not follow that they are "officers" of the United States, and my specific contention is that they are not to be so described unless appointed in the manner pointed out in the Constitution.

10 Mr. RAY. In three different cases the Supreme Court of the United States has reiterated that opinion, and they also expressed the opinion that many persons usually denominated "officers" holding places under the United States are not officers under the United States, but merely Government agents or employees appointed by the President or the heads of departments.

Mr. MOODY. That is my understanding of the law, but I did not want to weary the committee with other citations.

The CHAIRMAN. Your contention is that this postal commission is a good deal like the Committee on Appropriations, or a committee sent to bury a deceased Member of Congress, or a committee created by special appointment.

Mr. MOODY. Yes, sir. Suppose Congress in the case of our esteemed friend, Mr. Loud, had enacted that as chairman of the Committee on the Post Office and Post Roads he should be a member of this commission, it would be rather startling to think that Congress can specifically designate a Member by description to perform a certain duty, and report to Congress in aid of its functions of legislation, and after the work is done say that he shall forfeit his seat.

Mr. TERRY. You called attention to section 2 of article 2, and I will call your attention to section 6 of article 1 (reading): "No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments thereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office."

Mr. TERRY (continuing). I suppose your answer to that, according to the argument you have made, would be that your appointment is not an office in the meaning of that word "office"?

Mr. MOODY. That is my argument. I understand the general meaning of the first part of that section to be that nobody can be constitutionally appointed to a civil office which was created while he was a Member of Congress or the emoluments of which have been increased while he was a Member. It applies to a civil office.

Mr. TERRY. You contend that appointment to office will be illegal, or by the acceptance of it he would forfeit his seat in Congress?

Mr. MOODY. You mean appointment to a civil office?

Mr. TERRY. There are two ways of viewing it; one is that the appointment itself would be illegal, and, secondly, acceptance of it would forfeit the office previously held.

Mr. MOODY. My opinion upon that question would be conjectural, and I do not think it would be valuable to the committee.

The CHAIRMAN. Did any members of the commission who are Members of the House receive any compensation as members of the commission?

Mr. MOODY. No, sir; the law provides for the payment of the necessary expenses, and those expenses have been paid.

Mr. SMITH. I wanted to ask you if you consider that there is any distinction between an officer of the Government and an officer "under the authority of the United States?" The Constitution, my recollection is, uses the language "no person holding office under the authority of the United States."

Mr. MOODY. I did draw distinction between an officer or a person holding office under authority of the United States and the general popular description of holding office under the Government. We
11 speak of a good many persons holding office who are not officers of the United States.

Mr. SMITH. Do you mean that to be officers of the United States they must be appointed by the President and confirmed by the Senate or be appointed by courts of law or by the heads of some one of the departments?

Mr. MOODY. Yes.

Mr. SMITH. The point I would like to have you answer is whether it is necessary to constitute a person an officer under authority of the United States that he shall have been appointed in that way?

Mr. MOODY. That is my opinion. I would not, however, adopt the converse proposition that everybody appointed in this manner was necessarily an officer of the United States.

Mr. TERRY. Since you were appointed on this commission you have been reelected by your constituents?

Mr. MOODY. I have.

HAWAIIAN COMMISSION.

STATEMENT OF HON. ROBERT R. HITT, A REPRESENTATIVE FROM THE STATE OF ILLINOIS.

Mr. Chairman and gentlemen of the committee, I have no statement which I desire to volunteer, but if there is any information I can give the committee I will be glad to do it. The legislation annexing Hawaii is familiar to the committee. It provided for annexation and the incorporation of the islands into the Republic of the United States, but did not extend the laws of the United States over the islands. It provided that the municipal legislation prevailing there should continue in force temporarily, the persons and manner of administration of office to be as directed by the President, and that a commission, to be selected by the President, should inquire and report to Congress, recommending legislation necessary to be enacted.

I was requested by the President to be one of that commission. The joint resolution provides that the commissioners shall be appointed by the President, by and with the advice and consent of the Senate. I was designated by the President, met the commissioners, my colleagues, subsequently, and we collected all the information that we could get for the purpose of aiding Congress when it should come to complete the legislation necessary to supplement annexation. In the performance of this duty my colleagues, as well as myself, believed we had authority to do only what I consider legislative duty, and we discharged that only. We declined in all cases to listen to parties who wished to have us perform other duties. The Japanese minister resident endeavored to communicate with us and get our aid in other matters, but we informed him that we were not there for the purpose of dealing with foreign governments, but were merely appointed to inquire by direction of Congress for its information. It was the same with persons who wished to submit claims, and so of all other things, except the mere collection of information and the consideration of the recommendations we would make to Congress. We excluded everything else. As to compensation, the necessary expenses were provided for from the appropriation in the joint resolution, and nothing more.

Mr. RAY. Have you any power conferred by any law except to inquire as to facts and recommend legislation to Congress?

12 Mr. HITT. No other. In my designation—I am sorry I could not lay my hands on a copy of the paper appointing me which was sent to me by the President.

The CHAIRMAN. We have the act itself.

Mr. HITT. The act is there, on the first page of the report.

Mr. TERRY. In what form was your appointment evidenced?

Mr. HITT. It was in writing from the President, through the State Department.

Mr. TERRY. Did you make any report to the President?

Mr. HITT. It was not in form or words made to the President, but delivered to him for transmission. The law required that we should prepare recommendations to Congress. If the chairman will read the words——

Mr. TERRY. You did not report to Congress?

Mr. RAY (reading). "The President shall appoint five commissioners, two of whom shall be residents of Hawaii, to recommend to Congress concerning the Hawaiian Islands such legislation as they shall deem necessary or proper."

Mr. HITT. Here is the report which I hold in my hand. It is made in response or obedience to that law. It was communicated to the President. It is not addressed to the President.

Mr. TERRY. How is it addressed?

Mr. HITT. It is not addressed to anyone. It is simply entitled "Report" and proceeds "The commissioners appointed," etc., reciting the joint resolution "making the following report." That report, complying with the resolution and making recommendations to Congress, and made by members of a commission named by the President of the United States, was sent through the President to the House.

Mr. TERRY. Do you desire to have that report considered, without being placed in the minutes, as a part of your testimony?

The CHAIRMAN. The law specifically says that the commission must report or recommend to Congress.

Mr. PARKER. When was this report made?

Mr. HITT. It was during the sitting of this Congress. I do not recall the day.

Mr. LANHAM. Were the duties discharged during the vacation or while Congress was in session?

Mr. HITT. During the vacation, and we also held meetings here in closing up the work after Congress had reassembled.

Mr. OVERSTREET. Were oaths administered to the members of the commission?

Mr. HITT. Yes. Oaths were administered to those who were not Members of Congress. Mr. Justice Frear and President Dole took the oath, but I do not recall the fact as to whether oath was administered to the Senators and Member.

Mr. TERRY. By whom was the oath administered?

Mr. HITT. It was administered by Judge Stanley, of Honolulu; not by one of the commission.

Mr. RAY. There is nothing in the law requiring an oath to be administered?

Mr. HITT. No officer of the commission administered an oath.

Mr. CONNOLLY. There is nothing in the act requiring an oath to be administered to anybody by anybody?

Mr. HITT. No. There was an oath administered to the employees requiring them to perform their duties and keep the proceedings secret.

13 Mr. TERRY. Is it usual in cases of the kind that oaths are administered to clerks, secretaries, or Members of Congress?

Mr. HITT. I do not think it is, but we thought it prduent in that case.

The CHAIRMAN. Your appointment was confirmed by the Senate?

Mr. HITT. No; it was not. At least I am informed that it has not yet been confirmed by the Senate.

The CHAIRMAN. The second clause says that "The commission hereinbefore provided for shall be appointed by and with the advice and consent of the Senate."

Mr. HITT. We were appointed in vacation, and we proceeded to our work. I have not occupied myself with the question of confirmation, but I understand that we have not been confirmed.

Mr. PARKER. You regard this as legislative work done at the request of the President?

Mr. HITT. Yes; but I understand it to be a mandate of Congress; that it was part of my legislative work. Here was an act which in its terms required legislative work—to prepare legislation for Congress.

Mr. LANHAM. There was nothing incompatible with your duties as a Member of the House in your performance of this duty?

Mr. HITT. Not at all.

The CHAIRMAN. You were under no orders except that of the law?

Mr. HITT. None.

The CHAIRMAN. The President did not control your acts?

Mr. HITT. He did not. The commission sat at a time when it did not conflict with my duties as a Member of the House, and I should have paid little heed to any work which conflicted with my duties as a Member.

Mr. TERRY. Did the President give you instructions?

Mr. HITT. There were no instructions given except by the joint resolution. The President said to us: "You gentlemen were concerned in this legislation. It indicates your duties, and it will guide you in the performance of those duties."

Mr. JENKINS. Do I understand you to say that you consider you were discharging the duties of a Member of the House?

Mr. HITT. I do not remember my expression, but I know that I understood that I only had authority to do duty that I considered legislative—not perhaps in my seat, but it all related to my duty in the House.

Mr. JENKINS. And you received your appointment from the President?

Mr. HITT. Yes, sir. The appointment was made by the President in obedience to this law.

Mr. JENKINS. But you did not need to discharge any duty as a Member of the House unless you received your appointment from the Speaker?

Mr. HITT. I think the suggestion you make is correct.

Mr. JENKINS. In your judgment, would it be necessary in the discharge of your duties as a Member of the House to obtain the consent of the Senate?

Mr. HITT. No; I think not.

Mr. BRODERICK. You have not been specially interested to know whether the Senate confirmed you or not. You have made your investigation and reported to Congress?

Mr. HITT. That is all that interested me. It is a duty that I was asked to perform—to gather information for the House. The commission have sent the results of their labors to the House and Senate.

14 Mr. LANHAM. Were there one or two Senators on the commission?

Mr. HITT. There were two Senators.

Mr. TERRY. Is it not usually the case that when the House wants information it appoints Members who go and hunt up the information?

Mr. HITT. It does. I have been on such commissions.

Mr. SMITH. That would not change the nature of the commission, if Congress authorized it to be done in some other way.

Mr. HITT. The function is the same as it was in the case of the monetary commission, on which I was apppointed by Speaker Crisp—that is, to collect information, examine the subject, and make recommendation to Congress.

Mr. RAY. Supposing this House should pass a resolution directing the Speaker to designate 10 Members of the House to investigate a certain subject and recommend legislation relating thereto, and then pass another resolution directing the President to designate 10 Members to investigate a certain subject and recommend legislation relating thereto, would the 10 congressional members of either commission be doing anything except their duty as Members of the House?

Mr. HITT. I think their functions would be precisely the same. Of course, the idea undoubtedly was that the President might select Members or those not Members of the House, and also two who were not resident in this country, but whose advice and information it was deemed by Congress important to have.

Mr. TERRY. If this commission was regarded simply as a committee of the House it could not have had on it any person who was not a Member of the House, could it?

Mr. HITT. I do not think that that is a necessary conclusion, but I will not differ with your judgment.

Mr. TERRY. There were members of this commission who were not Members of the House and not residents of this country.

Mr. HITT. That is true. Those members acted throughout with this commission. It was, I suppose, to secure the services of men who were not Members of the House or Senate that that power was placed in the hands of the President by the joint resolution.

Mr. ALEXANDER. Were all the other members of the commission who were not Members of the House and Senate paid?

Mr. HITT. I believe not. I have understood from one of the members of the commission who is here that he has not been paid, and never asked nor expected any pay.

Mr. ELLIOTT. Were any other members of the commission citizens of the United States? Several were not citizens of the United States at the beginning.

Mr. HITT. They were citizens of the Republic of Hawaii, and the Republic of Hawaii was annexed to the United States, and the question of citizenship was one of the things we were dealing with. We have recommended to the House to determine exactly who shall be citizens of the United States. They were citizens of the Republic of Hawaii up to the time of the transfer of sovereignty to the United States. On the 12th day of August the flag of that country was taken down and the American flag was raised. The President of Hawaii took the oath

of allegiance to the United States, as did the officers of the Government generally all over the island, and from that time they regarded themselves as citizens of the United States.

Mr. ELLIOTT. What was the date of your appointment?

Mr. HITT. I can not recall the date, but it was early in July.

Mr. TERRY. After the passage of the act of annexation?

15 Mr. HITT. Yes, sir. It was during the month of July, soon after the passage of the joint resolution which was approved July 7, 1898. After we who had gone from Washington reached Honolulu the two Hawaiian commissioners were sworn in as members of the commission.

Mr. JENKINS. Do I understand your position to be that those who were on the commission not Members of Congress were citizens of the United States?

Mr. HITT. That is a question we proposed to settle by the bill we have presented, determining who are made citizens of the United States by annexation, and it included Hawaiians like President Dole and Justice Frear.

Mr. ALEXANDER. You have so recommended?

Mr. HITT. We have.

Mr. JENKINS. Then there were foreigners sitting with you as members of the commission?

Mr. HITT. I would not admit that. They were foreigners when we passed the law, but when the flag of Hawaii came down they took the oath of allegiance and became Americans, regarded themselves as such all the way through, and were under the orders of the President of the United States.

Mr. TERRY. You were appointed before the flag came down?

Mr. HITT. I was.

Mr. TERRY. And you went to Honolulu?

Mr. HITT. We did not reach there before the flag came down.

Mr. UNDERWOOD. The treaty provided that there should be two members from Hawaii?

Mr. HITT. Not the treaty, but the joint resolution. It provided that "the President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands."

Mr. UNDERWOOD. It was the authority by which we annexed the islands. The joint resolution provided that this commission should consist of two members from Hawaii.

Mr. HITT. Yes, sir.

Mr. TERRY. I believe the act says they shall be "residents" of Honolulu or Hawaii, not "citizens."

Mr. JENKINS. You say that no members received any compensation, not even the two residents of Hawaii?

Mr. HITT. I am very sure they have received no compensation. We received our necessary traveling expenses, or at least a part of them. As every gentleman is aware, members do not get all their expenses in such cases. We got railroad and steamboat transportation and hotel bills paid.

Mr. ALEXANDER. You were not appointed because you were a Member of Congress?

Mr. HITT. There is nothing in the joint resolution saying that the commissioners were to be or not to be Members of the House or Senate. There is nothing to indicate it. I can not tell what were the motives for my appointment.

Mr. TERRY. Of course, you could not have been appointed on this commission as a mere committeeman of the House.

Mr. HITT. There is nothing in the act to indicate what might have been the purpose in selecting them, but the inference, of course, is that Senators or Members of the House were appointed upon a commission inquiring and getting information for the Senate or House because it would be suitable and convenient thereafterwards—a quick and effective method of getting such information, with all explanations, before the House and Senate.

16 ARMY OFFICERS.

STATEMENT OF HON. EDWARD E. ROBBINS, A REPRESENTATIVE FROM THE STATE OF PENNSYLVANIA.

Mr. Chairman and gentlemen of the committe, I am here in obedience to a notice received from the chairman of your committee, which notice was sent out under resolution 354, inquiring whether any Members of this House had accepted another office under the United States; and, secondly, whether the acceptance of such office vacated the seat of a Member of the House.

I wish to preface my remarks by a statement which I believe controls my case, and an examination into the precedents so far as I have been able to discover them. The House is the judge of the qualifications of its own Members, and I shall be very glad to submit my case to this committee, in all of whom I have the greatest confidence.

I was elected a Member of the Fifty-fifth Congress from the second district of Pennsylvania and entered upon the discharge of my duties on the 15th of March, 1897, at the convening of the extraordinary session of Congress called by President McKinley.

Mr. RAY. Were you sworn in at that time?

Mr. ROBBINS. Yes, sir; it was on the 15th of March. I was regularly sworn in and entered upon the discharge of the duties of a Member of Congress. When war was declared between the United States and Spain, early in 1898, on the 21st of June I think it was, through the War Department I accepted a commission as captain and assistant quartermaster in the volunteer service of the United States.

The CHAIRMAN. The War Department puts you down as major and quartermaster of Volunteers, but your letter says you were a captain.

Mr. ROBBINS. I was appointed a captain and afterwards promoted to major and served in the Quartermaster Department. From Camp Thomas I went to Porto Rico. I was originally appointed as a captain.

The CHAIRMAN. Appointed by the President? You are reported as being sworn in as a major, and in August, 1898, as a quartermaster of Volunteers.

Mr. ROBBINS. That was the time of my promotion. I entered the service on the 1st of July, and after being in the service six months I was placed in the Quartermaster Department.

Mr. RAY. When did you receive a commission as captain?

Mr. ROBBINS. I think it was on the 21st of June.

Mr. RAY. That was from the President?

Mr. CONNOLLY. You entered as a quartermaster on the 1st of July?

Mr. ROBBINS. That was the time.

Mr. LANHAM. Congress was then in session?

Mr. ROBBINS. Congress was in session until the 8th of July.

Mr. LANHAM. That was during the time of your enlistment?

Mr. ROBBINS. Yes; I was sworn into the service regularly.

Mr. LANHAM. You were mustered in?

Mr. ROBBINS. I was regularly sworn in, as I understand it. During the time I was in the military service I drew no pay from the Government, but I drew my salary as a Member and retained my secretary and discharged my duties as a Member. That, I believe, is a statement of the facts controlling my case.

Mr. SMITH. When did you muster out?

Mr. ROBBINS. On the 14th of October, 1898, I was mustered
17 out of the service, along with the large amount of Pennsylvania troops, and received an honorable discharge. Since that time I have been in no way connected with the military service and have been performing my duties as a Member, was present and answered to my name, and have been present in the House ever since my discharge, performing my functions as a Member.

Mr. TERRY. Did you at any time accept pay as an officer of the United States Army?

Mr. ROBBINS. I never did. I never filed any vouchers and never accepted any pay.

Mr. CONNOLLY. You were entitled to pay.

Mr. ROBBINS. I never considered that I was entitled to two salaries. I did not so regard it. That was a matter I decided on my own sense of what was right and wrong. Legally speaking, I presume there was nothing to prevent my drawing pay as a major of Volunteers.

Mr. CONNOLLY. You were a full major of United States Volunteers?

Mr. ROBBINS. Yes, sir.

Mr. TERRY. When did you quit service in Congress?

Mr. ROBBINS. On the 1st of July.

Mr. TERRY. Congress remained in session until the 8th of July, or a week after you enlisted, and after that time you did not perform any duties as a Member of Congress, to which you were elected by your constituents?

Mr. ROBBINS. Nothing, except that I retained my secretary.

Mr. SMITH. Were you here after the 24th of June?

Mr. ROBBINS. I was here until the 1st of July. I have jotted down a statement which I wish to leave with the committee.

The CHAIRMAN. You can submit that now, if you wish.

A statement was submitted, as follows:

In the matter of a resolution introduced to inquire into whether or not the acceptance of a commission in the Volunteer Army vacates a seat in Congress.

Resolution.

Resolved, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to this House:

First. Whether any Member of the House has accepted any office under the United States; and

Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same.

Statement of facts.

Edward E. Robbins was elected a Member of the Fifty-fifth Congress from the twenty-first district of Pennsylvania; was duly certified and entered upon the duties of the office on March 15, 1897. War was declared by the United States against Spain early in 1898. On June 21, 1898, he accepted a commission in the Volunteer Army as assistant quartermaster with rank of captain, entering upon the discharge of his duties July 1. The protocol was signed on the 13th of August, suspending hostilities and stipulating the general terms of peace. On October 14, 1898, believing that his services were no longer required, many of the Volunteer troops being mustered out, he tendered his resignation, was mustered out of the service, and granted an honorable discharge. On the 5th of December, 1898, at the regular meeting of Congress, he returned, answered "present" to his name, and resumed his seat. During the time when he was in the military service he drew no pay
18 but continued to draw his salary as a Member of Congress, retained his secretary, and continued to discharge all the duties of such Member, and since the sitting of Congress he has been voting and exercising his rights as such.

The above resolution was referred to the Committee on the Judiciary, to inquire whether or not he had vacated his seat by his action, and whether such action should be so taken although he never intended to give up his seat in Congress and entered the Volunteer Army during hostilities for the mere temporary purpose of discharging a patriotic duty in defense of his country.

Suggestions of argument.

The section of the Constitution invoked in this statement of facts is the last clause of Article VI, section 1, which provides: "And no person holding any office under the United States shall be a Member of either House during his continuance in office."

The wording of the Constitution is peculiar. It is an excerpt of the English constitution, which used the word "forfeit"; nor does it use the word "vacate," which was offered at the time this clause was under discussion by Mr. Morris. He proposed these words: "Except office in the Army or Navy, but in that case their offices shall be vacated." Which was done. (See Madison's Papers, vol. 3, p. 1325.)

Both of these suggestions were voted down, and the discussion shows that the framers of the Constitution intended to prevent a holding of two offices at the same time or the drawing of two compensations or salaries at the same time, because the phraseology finally adopted is, "During his continuance in office."

The plain construction of the section referred to is that no person holding an office under the United States shall be a Member of Congress during his continuance in office. That means, and only can mean, that so long as he holds another office under the United States he can not be a Member of Congress. But it does not say he forfeits his seat in Congress or vacates it; hence, when he resigns such office he can take his seat in Congress. No other construction can give full effect to the clause under consideration.

Let us examine the precedents in Congress that have arisen under this clause:

Van Ness case.

The first case to which we draw attention is the Van Ness case. (Annals, 7th Cong., 1803, p. 398.) In that case John P. Van Ness, a Representative of the State of New York, accepted a commission as major in the militia of the District of Columbia under the authority of the United States. In this case he sought to exercise both offices at the same time. He retained his military commission and continued his seat in Congress, and it was held to be a violation of the clause of the Constitution under consideration. This case is widely different from that of Mr. Robbins, who did not seek to act in Congress while holding a commission in the Volunteer Army.

Yell case.

The next case is the Yell case. (Cong. Globe, vol. 17, p. 340.) An examination into that case shows that Col. Yell drew his salary until the time of his departure; that he ceased to discharge any of the
19 functions of a Member of Congress; and that he did every act indicating an intention to abandon his seat, except actually sending in his resignation. The House refused to consider the resolution to

forfeit the seat of Col. Yell. And, although it does not appear in the record of the case, the fact is, he was killed in battle prior to the time when Mr. Newton, who was elected his successor, had appeared and qualified and taken his seat, so that this case differs largely from the case under consideration. The governor and the people of Arkansas raised the question themselves in this case. Whether they knew of Col. Yell's death or not does not appear in the Congressional Globe, but they certainly knew that he had vacated his seat, because an election was held and his successor chosen.

In the case under consideration there has been no complaint by Mr. Robbins's constituents, or from any other source. It is submitted that this case does not rule the present one.

Baker case.

The next case is the Baker case (2d sess., 29th Cong., Rept. No. 36, Feb. 26, 1847). This case does not seem to have ever been finally disposed of, although a resolution was reported to the effect that Edward D. Baker had not been entitled to a seat since his acceptance of and exercising of a military appointment. So that this case can not be taken as deciding the question under consideration.

Vandever case.

The next case seems to be the Vandever case (2d sess., 37th Cong., Rept. 68, vol. 3, 1861). It appeared that Mr. Vandever was elected a Member of Congress from the State of Iowa, and that on the 30th of August, 1861, he was appointed colonel of the Ninth Regiment of Iowa Volunteer Infantry, and mustered into the service September 24, 1861. He went into the service of the United States, receiving the pay belonging to his rank, and continued in the military service.

While the report shows that the committee reported against Col. Vandever, yet the Congressional Globe of that date shows that the resolution was not actually adopted and the seat never actually declared vacant. So that the House itself established no precedent in this case that need be considered or followed at this time. (Congressional Globe, Jan., 1862, vol. 47, p. —.)

The intention in this case was clearly to vacate the seat in Congress, because every act indicated such intent, and are exactly the reverse of the facts in the present case.

Blair case.

This case (1st sess., 38th Cong., Rept. 110, vol. 1, 1863–64) contains a most exhaustive review of all the cases. Robert C. Schenck, of Ohio, and Franklin P. Blair, jr., of Missouri, were elected to Congress, and at the time of their election were major generals in the Volunteer Army. Schenck resigned December 5, 1863, and took his seat December 7, 1863, as a Member of Congress, and was held not to have declined to accept his seat in Congress.

Blair resigned his commission in the Army January 4, 1864. In Blair's case there was a distinct arrangement with the War Department, as disclosed by a letter of President Lincoln, that his
20 resignation as major general was to be held and not accepted.

This case was finally disposed of June 29, 1864 (Cong. Globe, p. 3389), upholding that Gen. Blair by continuing to hold the office of major general of volunteers declined and disqualified himself to hold the office of Representative in the Thirty-eighth Congress.

In Blair's case he did not appear and qualify at the time provided for by law, but continued to hold the office of major general and draw the salary therefor. He did every act required to exercise its functions and did no act tending to show that he intended to become a Member of Congress. And when he did appear and tendered his resignation as major general it was with the distinct understanding that it was to be held by the Secretary of War and not accepted, and should occasion require he was to be again called into the military service. (See letter of President Lincoln, Congressional Globe, vol. 53, p. —.) So that, in fact, his resignation never was finally accepted and acted on during the whole time he was in Congress. It is submitted that this case differs very materially from the one under consideration. My resignation was accepted and I was granted an honorable discharge.

Schenck case.

Robert C. Schenck, of Ohio, was appointed a brigadier general May 7, 1861, and a major general August 7, 1862, and served as such. In November, 1862, he was elected a Member of the Thirty-eighth Congress, his term commencing March 4, 1863. He served in the Army until December 5, 1863, when he entered Congress, still holding a commission; but as a matter of fiction, to preserve the date of his commission, he filed his resignation with the Secretary of War, with the distinct understanding with the President that he might at any time during the session, at his own pleasure, withdraw his resignation and return to the field. He therefore sat as a Member of Congress, still holding a commission as a major general.

The exact arrangement is shown by Mr. Lincoln's letter; and Gen. Schenck admitted that there was such an understanding, that he could return to the service with the same rank and same date that he had held while in the field, which could only be done by withdrawing his resignation, which was in the hands of the Secretary of War and never finally accepted and acted on by the President. The same arrangement, Mr. Lincoln says in his letter, was entered into with Gen. Blair. His commission was held in abeyance, and on the 23d of April, after serving actively in Congress for five months, Gen. Blair withdrew his resignation and returned to the Army. Mr. Lincoln's message to Congress on this subject is as follows:

To the House of Representatives:

In obedience to a resolution of your honorable body, a copy of which is hereby returned, I have the honor to make the following brief statement, which is believed to contain the information sought:

Prior to and at the meeting of the present Congress, Robert C. Schenck, of Ohio, and Frank P. Blair, jr., of Missouri, Members elect thereto, by and with the consent of the Senate, held commissions from the Executive as major generals in the Volunteer Army. Gen. Schenck tendered his resignation of his said commission and took his seat in the House of Representatives at the assembling thereof upon the distinct verbal understanding with the Secretary of War and the Executive that he might, at any time during the session, at his own pleasure, withdraw said resignation and return to the field. Gen. Blair was, by temporary agreement with Gen. Sherman, in command of a corps through the battles in front of Chattanooga and in the march to the relief of Knoxville, which occurred in the latter days of December last, and, of course, was not present at the assembling of Congress. When he subsequently
21 arrived here he sought and was allowed by the Secretary of War and the Executive the same conditions and promise as allowed and made to Gen. Schenck.

Gen. Schenck has not applied to withdraw his resignation, but when Gen. Grant was made lieutenant general, producing some change of commanders, Gen. Blair sought to be assigned to command of a corps. This was made known to Gens. Grant and Sherman and assented to by them, and the particular corps for him designated. This was all arranged and understood, as now remembered, as much as a month ago; but the withdrawal of Gen. Blair's resignation and making the order assigning him to the command of a corps were not consummated at the War Department until last week, perhaps on the 23d of April instant. As a summary of the whole, it may be stated that Gen. Blair holds no military commission or appointment other than herein stated, and that it is believed he is now acting as major general upon the assumed validity of the commission stated, and not otherwise. There are some letters, notes, telegrams, orders, entries, and perhaps other documents in connection with this subject which it is believed would throw no additional light upon it, but which will be cheerfully furnished if desired.

ABRAHAM LINCOLN.

APRIL 28, 1864.

This case I claim as a precedent for my case, only it was a much stronger case against Gen. Schenck than the case under consideration is against me. He held his commission from the time of his election until the Saturday before Congress met and then filed a letter, which was not a resignation, because never acted on, and continued to sit. And inasmuch as he did not actually return to the field, Congress held that he was entitled to his seat. (See resolution which was actually passed in Gen. Schenck's case, which is as follows:

"*Resolved*, That Robert C. Schenck, having resigned the office of major general, which he held on November 13, 1863, to take effect December 5, 1863, was not, by reason of holding such office, disqualified from holding his seat as Representative in the Thirty-eighth Congress, the first session of which began December 7, 1863." Cong. Globe, 38th Cong., vol. 7, p. 593.)

This case is a proper precedent and rules the case under consideration.

The foregoing are the leading cases in which the disqualifications sought to be established by this resolution as to Members of Congress have been investigated by Congress or a committee thereof; and it is respectfully submitted that none of them are precedents upon which the committee can report against the validity of Mr. Robbins's seat or his right to continue as a Member of the Fifty-fifth Congress.

Belknap case.

Another precedent to which the attention of the committee is respectfully directed is the Belknap impeachment proceedings. Mr. Belknap was impeached for misconduct in office while Secretary of War. On the trial, which will be found at length in the Forty-fourth Congress, first session, volume 7, it was held that having resigned before articles of impeachment were preferred, that is, having removed the cause of complaint, the Senate had no jurisdiction, and the charges could not be sustained. I am not holding any office except that of Member of Congress, and have not since October 14. If there ever was any cause such as to render my seat voidable, such cause has long since been removed, and therefore it is respectfully suggested that the committee ought not to find at this time that I am disqualified.

Even if, for the sake of argument, my action rendered my seat voidable or forfeitable, from but two sources could the matter be called in question, namely, the attorney general of Pennsylvania and the House itself. Neither my constituents nor the attorney general of Pennsylvania has found any fault with my course, or taken any action therein; and the cause having been removed before the House has taken
22 any action, it is respectfully submitted they ought not now to declare my seat vacant.

It is a well-known principle that the law abhors forfeiture. Equity never lends itself to enforce a forfeiture or a penalty. (Marshall *v.* Vicksburg, 15 Wall., 146.) It is therefore respectfully submitted that no action having been taken, there was no forfeiture of the seat of Mr. Robbins in Congress. The cause having been removed, it would be manifestly inequitable and unjust to declare a forfeiture now.

Cases of members of the present Congress who hold offices.

It is respectfully suggested for the consideration of your honorable committee that the case of Mr. Robbins is not as susceptible of criticism as the case of many other Members of the present Congress.

Peace commission: The peace commission appointed to Paris by virtue of the President, under his general treaty-making powers, are certainly exercising office as much as one who entered the Volunteer Army. Messrs. Frye, Gray, and Davis, of the present Senate, were appointed by the President on this commission.

Hawaiian commission: Under public resolution 51, entitled "Joint resolution to provide for annexing the Hawaiian Islands to the United States," section 2 provides that the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate. On this commission Senators Morgan and Cullom and Representative Hitt, of this Congress, were appointed and acted.

Canadian commission: Under the provisions of the general deficiency bill a Canadian commission was provided for, and on it the President appointed Senators Faulkner and Fairbanks and Representative Dingley.

Industrial commission: Under an act of Congress designated as public act 146, approved June 18, 1898, a nonpartisan commission was created, which is to extend over a number of years, and invested with plenary powers. On this commission the following Members of the present Congress were appointed: On the part of the Senate, Messrs. Kyle, PENROSE, Mantle, Daniel, and Mallory; and on the part of the House, Messrs. Gardiner, Lorimer, Lovering, Livingston, and Bell.

Mail-transportation commission: The following Members of the present Congress were appointed on this commission: Senators Allison, Chandler, and Faulkner, and Representatives Moody, Catchings, and Fleming.

These are a few of the offices upon which Senators and Representatives in the Fifty-fifth Congress have been appointed, some of which have already discharged their duties, others of which are in full life and still actively engaged in the discharge of their various official functions. These are respectfully suggested to your honorable committee as precedents sinning stronger against the Constitution than the case of Mr. Robbins. He, instead of spending his vacation in rest and recreation, at the risk of his life, at great financial sacrifice, entered the Army and served till the war was over and resigned.

23 These cases are not cited for the purpose of urging that these gentlemen have forfeited their seats in Congress, but for the purpose of showing that Mr. Robbins's case is not so strong as theirs, and, as we believe neither Mr. Robbins nor any of these gentlemen have forfeited their right to their seats, we ask the committee in their report to so find. And they are cited for the further purpose of drawing attention of your honorable committee to a thorough investi-

gation and to prevent any discrimination or narrow construction of the resolution introduced, so that it shall be confined to those who entered the Volunteer Army.

LEGAL DEFINITION OF AN OFFICE.

An office is "a special duty, a trust, a charge or position, conferred by authority for a public purpose; a position of trust or authority, as an executive or judicial office, a municipal office; that which a person does, either voluntarily or by authority for or with reference to others." (Webster.) "A right to exercise a public function or employment and to take the fees and emoluments belonging thereto." (Bouvier.)

It is contended that this definition is broad enough to cover all of the various functions held by the gentlemen above referred to; and it is suggested also that a position in the Volunteer Army, which is indefinite as to time and revocable as to authority, is much less an office than any of the positions above mentioned, and that none of them should be held to be in violation of the Constitution. (Last clause of Article VI, section 1.)

The Committee on the Judiciary is instructed by the resolution to ascertain whether or not Members of Congress have accepted any other office, and the inquiry should be complete and the various cases considered and distinguished. If this rule be adopted, the case under consideration would be found to differ widely from any that has yet been considered in the precedents above referred to, and to be ruled by none of the precedents, and that Mr. Robbins has not forfeited his seat in Congress by any act done or committed by him.

This question has been considered by the present law officers of the Government, and the committee is respectfully referred to the opinion in the case of Col. Melvin Grigsby, rendered by the Attorney General June 10, 1898, a copy of which is attached hereto, in which it is held that although Col. Grigsby was attorney general of South Dakota, and at the same time was commissioned colonel of the Third Dakota Cavalry by the President, he did not forfeit the right to exercise the office of attorney general and draw the salary therefor while exercising the office of colonel of the Third Dakota Cavalry.

In this discrimination the Attorney General distinguishes between the Volunteer Army and the Regular Army, holding that while the volunteers may be said to be actively engaged in military service they are not permanently so engaged:

"He is called out to meet an emergency and must be discharged when the purpose for which he entered the service has been accomplished. Unlike the Regular Army officer, he has not selected the military service for a profession. He has simply responded to a patriotic call, and expects, when the war is over, to return to civil life. His term of military service is uncertain and contingent. He may be taken from his civil duties for a few months, for a year, for two years at the most. The Government does not need or demand a complete and final severance of his relations with civil life. He may be able to make arrangements to bridge over his absence, and on his return resume his former work. Whether he is to be permitted to do this and retain a civil office during a temporary absence is a matter for determination by those to whom he is accountable for the proper discharge of the duties of such office.

24 This is the theory of a volunteer appointment. Those to whom Mr. Robbins is accountable are his constituents. They have made no complaint; and it is respectfully submitted that none should be made against him by the present Congress.

The same ruling was made in the case of revenue collector of the port of Buffalo, who, while holding office as collector of internal revenue, entered the military service as colonel of Volunteers. It was held that he did not vacate his appointment as collector and was permitted to retain his office and receive his salary and emoluments therefrom while being absent serving in the military forces of the country.

It is respectfully submitted, in the light of this examination into the Constitution and the precedents arising under it, the present practice in Congress, and the views taken by the legal department of the Government upon the question of the relation of the volunteer to the other departments of the Government, during the recent war, that the proper construction to be placed upon the present case is that I have not forfeited my seat in Congress or done any act that would warrant the committee in reporting that my seat is vacant and recommending to the House that I be excluded from membership.

It is respectfully urged that the case of Mr. Robbins is not ruled adversely by any of the precedents decided by Congress. It is true the recommendation of the committee in the Blair case was adverse; but it never was adopted. The case that does rule the case of Mr. Robbins is the Schenck case, and rules it in favor of Mr. Robbins retaining his seat. The points of similarity in these two cases are such that the committee is respectfully requested to apply the ruling in the Schenck case to this one. Gen. Schenck had resigned his commission, although his resignation was held by the Secretary of War and never actually accepted, and he had the privilege of withdrawing it and reentering the service with the same rank that he left; yet Congress refused to declare his seat vacant.

In the present case Mr. Robbins does not hold any position in the Army, and has not since the meeting of Congress and the reference to the committee. It would be a monstrous doctrine to establish that under the facts in this case Mr. Robbins had forfeited his seat in Congress and because he had gone into the service to discharge a patriotic duty the reward should be expulsion from the House.

I therefore respectfully submit to the committee and request the committee to report that I am still a Member of the Fifty-fifth Congress and entitled to the rights and privileges of such.

Respectfully submitted.

EDWIN E. ROBBINS.

DEPARTMENT OF JUSTICE,
Washington, D. C., June 10, 1898.

The SECRETARY OF WAR.

SIR: I am in receipt of your communication of the 3d instant, in which you request my opinion upon a question of law growing out of the following facts:

At the time of the recent call for volunteers Melvin Grigsby was attorney general of the State of South Dakota. While thus holding a civil office the President appointed and commissioned him a colonel in the Volunteer service. Subsequently, in a telegram dated the 31st ultimo, the governor of South Dakota informed you "that Col. Melvin Grigsby, of the Third Cavalry, has this day drawn his pay as attorney general of South Dakota, and that he assumed to be such attorney general," and asked you whether Col. Grigsby was "to be continued as colonel of the Third Cavalry."

Section 1222 of the Revised Statutes provides:

"No officer of the Army on the active list shall hold any civil
25 office, whether by election or appointment, and every such officer who accepts or exercises the functions of a civil office shall thereby cease to be an officer of the Army and his commission shall be thereby vacated."

Upon a reference, the Judge Advocate General of the Army, in his indorsement of the 1st instant, expressed the view, "if Col. Grigsby has held or exercised the functions of the office of attorney general of South Dakota since he became an officer of the Army, he thereby 'ceased to be an officer of the Army,' and his commission was thereby vacated."

It is to be observed that the view expressed is not restricted to the case presented. The governor of South Dakota does not state that Col. Grigsby, since his acceptance of a commission in the volunteer service, has exercised any of the functions of the office of attorney general. He states that Col. Grigsby "has this day drawn his pay as attorney general, and assumed to be such attorney general." The presumption is that he assumed to be attorney general by drawing his pay, but for what time he drew his pay does not appear.

If, however, the statement of the governor were amended so as to present a case of the exercise of the functions of the office of attorney general by Col. Grigsby since he became an officer in the Volunteer Army, I should hold that the provisions of section 1222 do not apply to vacate his commission, for the reason that he is not an "officer of the Army on the active list" within the meaning of the statute.

While it is true that the act of April 22, 1898, entitled "An act to provide for temporarily increasing the Military Establishment of the United States in time of war, and for other purposes," under which Col. Grigsby was appointed and commissioned, provides that the Volunteer Army shall be "subject to the laws, orders, and regulations governing the Regular Army," the act clearly points out the distinction between the Regular Army, "the permanent Military Establishment which is maintained both in peace and war" (sec. 3), and the Volunteer Army, which "shall be maintained only during the existence of war" (sec. 4). Section 4 specially provides:

"That all enlistments for the Volunteer Army shall be for a term of two years, unless sooner terminated, and that all officers and men composing said Army shall be discharged from the service of the United States when the purposes for which they were called into service shall have been accomplished or on the conclusion of hostilities."

Title XIV of the Revised Statutes, which regulates the Army of the United States, contains sections which in terms are applicable only to the Volunteer Army, sections which in terms are applicable only to the Regular Army, and sections whose applicability depends upon the character of their provisions. Sections which in language are restricted or in provisions are appropriate only to the Permanent Establishment—the Regular Army—can not, of course, be held to apply to the Volunteer Army.

For example, chapter 2 of Title XIV, providing for the retirement of Army officers, clearly has no application to the Volunteer Army, organized for simply temporary service. This chapter creates two lists of Regular Army officers, the active and the retired list, a distinction which does not obtain in the Volunteer Army. When, therefore, section 1222 places a restriction on every "Army officer on the active list" it plainly refers to Regular Army officers. An Army officer on the active list is one not only actively but permanently engaged in the military service of the Government. Having chosen the Army for his career, and being actively engaged therein, the statute properly prohibits him from accepting or exercising the functions of a civil office.

While an officer in the Volunteer Army may be said to be actively engaged in the military service, he is not permanently so engaged. He is called out to meet an emergency and must be discharged when the purpose for which he entered the service has been accomplished. Unlike the Regular Army officer he has not selected the military service for a profession. He has simply responded to a patriotic call, and expects when the war is over to return to civil life. His term of military service is uncertain and contingent. He may be taken from his civil duties for a few months, for a year, for two years at the most. The Government does not need nor demand a complete and final severance of his relations with civil life. He may be able to make arrangements to bridge over his absence and on his return resume his former work. Whether he is to be permitted to do this and retain a civil office during a temporary absence is a matter for determination by those to whom he is accountable for the proper discharge of the duties of such office. It does not concern your department nor this department.

Very respectfully,

JOHN K. RICHARDS,
Solicitor General.

Approved:

JOHN W. GRIGGS,
Attorney General.

Mr. TERRY. Referring to the Yell case, what time expired between the death of the sitting Member and the election that took place, or the proclamation for an election?

26 Mr. ROBBINS. I can not give you that.

Mr. TERRY. He was killed at the battle of Buena Vista, was he not?

Mr. ROBBINS. I believe he was.

The CHAIRMAN. I do not recall in the record any reference to the death of Yell.

Mr. ROBBINS. Poore's Manual gives that.

Mr. RAY. He was killed in battle; but his seat was declared vacant because he accepted a commission in the Army of the United States?

Mr. ROBBINS. Yes; quite awhile afterwards.

The CHAIRMAN. What was the date?

Mr. ROBBINS. I can not give dates.

Mr. RAY. The resolution declaring the seat vacant was based upon the fact of his death, do you mean to say?

Mr. ROBBINS. It was based upon the fact that his constituents raised the question by electing his successor. Whether Mr. Yell had been killed does not appear in the Congressional Globe. They acted upon the supposition that he had not vacated his seat because they elected his successor.

Mr. TERRY. You have not been reelected?

Mr. ROBBINS. I have not.

Mr. RAY. Does not the record show that Congress declared Yell's seat vacant upon the ground that he had accepted a commission in the Army of the United States?

Mr. ROBBINS. The record shows the question was called up and postponed. The resolution shows that that was the ground of inquiry, but the resolution was not adopted.

Mr. JENKINS. His successor came and took the seat.

Mr. CONNOLLY. Do you consider that similar to the Baker case?

Mr. ROBBINS. The Baker case is the next one I have examined. That case does not seem to have been finally disposed of.

Mr. RAY. In the case of Col. Baker, when the question was raised he rose upon the floor of the House during the session and formally resigned and left the House.

Mr. ROBBINS. The case of Col. Vandever; he was elected a Member of Congress and took his seat in the Thirty-seventh Congress, and on the 30th of August, 1861, was appointed colonel of the Ninth Iowa, and entered the service on the 24th of September, 1861.

Mr. RAY. Was not his seat contested?

Mr. ROBBINS. I do not know his name. The report will be found on page 61, volume 3, second session, Thirty-seventh Congress, report 68.

Mr. TERRY. Do you know whether or not he resigned before Congress met?

Mr. PARKER. No; after the adoption of the resolution without discussion, it was reconsidered on the same day upon the question being raised as to whether a two-thirds vote was necessary. It was afterwards postponed from time to time.

Mr. RAY. You are all mistaken, as I read the records, and have fallen into error in this way: The question in regard to Mr. Vandever's seat arose in two ways. In one way, there was a resolution reported declaring the seat vacant. That resolution reads, "That William Vandever has not been entitled to a seat as a Member of this House since he was mustered into the military service of the United States as colonel of the Nineteenth Regiment Iowa Volunteer Infantry, to wit, since the 24th day of September, 1861." It was debated, and among those who participated in the debate were Mr. Dawes and Mr. Shellen-
27 barger. The resolution was adopted unanimously without division. What you refer to is the case of Byington against Vandever, and that came up on resolution declaring Byington entitled to the seat to which Vandever was elected, but it was postponed from time to time, and finally no action was taken on that resolution, and some of the gentlemen of the House were looking that up and were calling attention to certain statements in which that resolution was pointed out. When you investigate it you will find that the resolution declaring Byington entitled to the seat was not acted upon, but the resolution which I have already read was acted upon by the House and was adopted without division. I want to say that in the Schenck case there is a misunderstanding as to the fact. Mr. Schenck filed his formal resignation in writing before the meeting of Congress, and it was accepted in writing.

Mr. ROBBINS. It was not accepted in writing. This says it was upon the distinct verbal understanding that he might withdraw his resignation and return to the field.

Mr. RAY. You contend his resignation was not accepted?

Mr. ROBBINS. Yes.

Mr. SMITH. Do not the proceedings show that the resignation was accepted in writing?

Mr. ROBBINS. The debates may disclose it.

Mr. RAY. It was accepted, and this verbal understanding was entered into at the time.

The CHAIRMAN. This was at the first meeting of Congress after he had been elected in December?

Mr. ROBBINS. I would suppose so.

The CHAIRMAN. He had not qualified and had not acted before his resignation had been tendered and accepted?

Mr. ROBBINS. That is my understanding of the fact. Your committee is referred to the case of Belknap as a case kindred to the one under consideration. You will find it reported in the first session Forty-fourth Congress, volume 7, which is devoted entirely to that case. Belknap was impeached and tendered his resignation before the proceedings were approved by the House. The Senate, because the case was before it, took cognizance of it, but it could not do anything in the case, because he had resigned.

Mr. ALEXANDER. In reference to the Hawaiian commissioners, they were confirmed by the Senate?

Mr. ROBBINS. I do not know whether they have been or not; but if not, they will be, because the act is not complete until that is done. The Canadian High Commission was appointed by the Speaker of the House under an act creating it, investing him with authority. Then you have the labor commission, which includes some Members of the House who are vested with special duty. You have other commissions on which 30 or 40 Members of the House are serving. Not one of them is a violation of the statutes, and they are all kindred cases, and similar to the case of the Members who have accepted military service.

Mr. TERRY. Do I understand you to say that 30 or 40 Members of the House have accepted places on commissions?

Mr. ROBBINS. There are some 30 serving on various commissions. This question of the status of a volunteer officer was considered by the law department of the Government, and it arose in the case of Col. Grigsby. Grigsby, at the time of his appointment as colonel of Volunteer Cavalry, was attorney general of the State of South Dakota. After entering upon the discharge of his duties he drew pay as a mili-
28 tary commander and drew his salary as attorney general of South Dakota. A letter was addressed to the authorities of South Dakota inquiring as to his status and whether the office had been forfeited. I have read an extract from it as to the discussion between the attorney general and the authorities of South Dakota.

Mr. CONNOLLY. Was it the attorney general or the assistant attorney general?

Mr. ROBBINS. It was written by the Attorney General of the United States on Col. Grigsby's status. It was not written by Col. Grigsby or any person connected with the law department of South Dakota, but by the Attorney General of the United States, and addressed to the authorities of South Dakota. It is signed John K. Richards, and is approved by John W. Griggs, Attorney General, and addressed to the Secretary of War, defining the status of Col. Grigsby.

Mr. CONNOLLY. Suppose Congress had been in session the whole time when you were at Camp Thomas, could the Sergeant at Arms have gone to camp and taken you away and brought you to the House?

Mr. ROBBINS. I have never examined into that, and I do not know that I could answer it.

Mr. CONNOLLY. Congress was in session for a week when you were at Camp Thomas. The Sergeant at Arms could not have gone there with a writ and enforced it?

Mr. ROBBINS. I am not so sure about that.

Mr. CONNOLLY. He could have done so, provided your military superiors would have permitted him to do it. He would have the legal authority. Your action affected your seat in Congress if you were outside of the jurisdiction of the House.

Mr. ROBBINS. I do not think I was at the time.

Mr. CONNOLLY. Do you think we could have sent the Sergeant at Arms and enforced your presence?

Mr. ROBBINS. Yes; I think that is right.

Mr. SMITH. Do not these authorities or cases to which you have referred concede the incompatibility of the two offices?

Mr. ROBBINS. So far as the reports of the committees are concerned, they do.

Mr. SMITH. As to the Schenck case, you are insisting that it applies to your case. Did not Mr. Schenck resign his seat?

Mr. ROBBINS. He filed his resignation.

Mr. SMITH. He regarded them as incompatible. Can you show any authority by which you can establish the fact that the acceptance of an incompatible office does not invalidate the one previously held?

Mr. ROBBINS. I have no authority except what I have cited in this brief.

Mr. MCCALL. You said you wanted to be heard on the question as to whether there was an incompatibility of the offices.

The CHAIRMAN. I think he answered by claiming that he was not then in office.

Mr. MCCALL. I mean this particular office of volunteer.

Mr. ROBBINS. The discussion of the subject discloses the fact that the volunteer officer was not an officer within the meaning of the Constitution at all.

Mr. TERRY. You read the opinion of the Attorney General?

Mr. ROBBINS. That refers to the office where a man took part in the Regular Army, with its retired list, fixed tenure of service, etc. That is the incompatible office which the Constitution refers to; but a
29 mere volunteer, whose term is uncertain and who enters for a temporary purpose, does not come within that meaning.

Mr. RAY. To be incompatible, must it be a permanent office or one for life and not terminable by terms of enlistments? During the War of the Rebellion men enlisted for three years or during the war. A man entered the service as a colonel for three years, and would you claim that he could have been a Member of Congress and an officer in the Army at the same time, even though only an officer of volunteers, and his service was to continue for at least one year after his term as a Member of Congress had ceased. Would that be exactly consistent?

Mr. ROBBINS. One is a mere temporary employment and not regarded as an office in my view of the thing at all.

Mr. JENKINS. Have you examined the record in the case of Gen. Sickles?

Mr. ROBBINS. That was a case where a man was on the retired list of the Army and held an office under the Government of the United States.

Mr. MCCALL. The Supreme Court of the United States decided that a man on the retired list of the Army is an officer of the United States.

Mr. RAY. It has held that he was not. So holds the court of appeals in New York State.

Mr. SMITH. It held so in the Badeau case.

Thereupon the committee adjourned to meet Wednesday, January 25, at 10.30 a. m.

WEDNESDAY, *January 25, 1899.*

STATEMENT OF HON. JOSEPH WHEELER.

Chairman of the Committee on the Judiciary.

GENTLEMEN: Pursuant to your direction, I respectfully submit the following with regard to the resolution introduced by the Hon. Joseph W. Bailey, and now pending before this committee.

I concur with the committee that the question before them is one of very grave importance.

If the extreme view is taken that the clause in the Constitution is mandatory and that it applies to all Members of Congress who accept offices of a temporary character which may be terminated at any moment, then the Government will frequently find itself embarrassed in selecting men for certain duties. For instance, it would have been unfortunate if the President had been inhibited from appointing Senators Davis, Fry, and Gray on the peace commission. It would have been detrimental for him to have been inhibited from appointing Senators Morgan, Cullom, and Hitt on the Hawaiian Commission; and it would have been equally unfortunate had he been inhibited from appointing Mr. Dingley and Senators Fairbanks and Faulkner on the Canadian Commission. It would also have been unfortunate had he been inhibited from appointing such a distinguished and able man as Senator Morgan on the arbitration court in Paris.

It has frequently been the case, and will often be hereafter, that Members of the House and Senate possess knowledge with regard to important matters which eminently fits them for holding offices or performing duties of vital importance. So thoroughly have Con-
30 gress and the Executive been impressed with this that, during the 110 years of the existence of our Government, many hundred Members of the Senate and of the House have been appointed to offices.

The committee will readily understand my embarrassment in a matter of this character. There are three other Members of this House who have accepted military commissions and some 28 others who have accepted civil positions. It would be very unjust to them for me to have assumed to decide this question by attempting to resign, as it has been urged that such action on my part would be used as an argument against their right to retain their seats in Congress. Again, I have received continued and urgent appeals from my constituents not to resign, and these have come from men who have successfully supported me in 10 primary elections and in 10 elections as a Member of this body.

In deference to the views of the distinguished Members of Congress who are insisting upon my seat being vacated, I have studiously refrained from taking any active part in the proceedings of Congress, and since the day of my appointment, on May 4, I have refrained from voting. It is true that at first I entered the Hall a few times to see some of my fellow Members, but since learning that this was distasteful to one or two of my old friends I have refrained from even availing myself of this privilege. I have not drawn any congressional pay, mileage, or clerk hire since May 4, notwithstanding that I have been compelled to employ clerks at my own expense to perform routine duties.

No principle of law is more firmly established than that the construction of a statute will not be favored which would result in the destruction of any branch of the Government. That the clause in the Constitution referring to a Member of Congress holding any office has been considered as only directory is certainly shown by the fact that hundreds of Members of Congress have received and held offices without any objection or question being raised.

Members of the present Congress who are holding other civil offices.

Even at this very moment, as stated by Hon. Edward E. Robbins in his brief, Senators are holding very important offices under the appointment of the President as peace commissioners, and many Members of this House are holding high offices. The following are a few of those which occur to me:

Labor Commission.—House: Gardner, New Jersey; Lorimer, Illinois; Lovering, Massachusetts; Livingston, Georgia; Bell, Colorado. Senate: Kyle, Penrose, Mantle, Daniel, Mallory.

Mail Transportation Commission.—House: Moody, Catchings, Fleming. Senate: Allison, Chandler, Faulkner.

Hawaiian Commission.—Senators Morgan and Cullom, and Representative Hitt.

Canadian Commission.—Mr. Dingley and Senators Faulkner and Fairbanks.

Peace Commission.—Senators Frye, Gray, and Davis.

Hons. Sereno E. Payne and Joseph D. Sayers are directors of the Columbia Institution for the Deaf and Dumb, and Senators S. N. Cullom and George Gray and Representatives R. R. Hitt and Robert Adams are Regents of the Smithsonian Institution. And yet, no one contends that these 30 or more Members of Congress have vacated their seats by accepting and performing the duties of these offices.

31 Take, for instance, the cases of the Hawaiian and Canadian commissioners. They were appointed by the President pursuant to a law enacted by the same Congress of which the appointees were Members. No question whatever was raised about these appointments, and the reason was that the right of Congressmen to hold offices of this character has become settled. The appointments were made pursuant to a fixed construction of the Constitution.

There were three Members of the House and two of the Senate appointed as visitors to West Point. They received pay for their services, besides their pay in Congress, and this has been repeated for many years, and no one raised the point that they vacated their seats in the House.

Ten Members of Congress were appointed on the Labor Commission, 6 on the Mail Transportation Commission, 3 on the Hawaiian Commission, 3 on the Canadian Commission, and 3 Senators on the peace commission, making 28 Members out of the present Congress who were appointed to various offices.

Legal definition of office.

I do not think that there should be any distinction between those appointed by the President and those appointed by the Speaker of the House. They are all offices within the legal meaning.

Bouvier's Law Dictionary, Peterson edition, 1897, page 539, defines the word office as follows:

"Office: A right to exercise a public function or employment, and to take the fees and emoluments belonging to it. Shelf. Mortm., 797; Cruise Digest, index; 3 S. & R., 149.

"An office is a public charge or employment; 2 Borck., 102, per Marshall, C. J."

It can not be logically contended that on account of the fact of the appointments not being made by the President they are not offices. Many officers of the Government are appointed by heads of the departments.

Congress has virtually taken the appointments of certain offices in their own hands. They have passed a law providing that the appointment of naval cadets shall be made by Congressmen. A naval cadet is an officer, and the fact that he is virtually appointed by a Member of Congress does not make him any the less an officer than if his appointment was placed solely in the hands of the President.

We see that 28 Members of the present Congress have been appointed to public civil offices. A careful examination of the records shows that in some former Congresses nearly this number of Members have been appointed to fill public offices. This would make 1,540 cases where Members of Congress have been appointed to public civil offices during their term without a single objection being made that the Constitution was being infringed; but, to be conservative, we will put the number at one-third of that, and estimate that 500 cases of this character have existed.

Congress by its practice for 100 years has assumed the clause in the Constitution as directory and not mandatory.

Now, Congress having decided by a uniform practice of over 100 years that a Member of Congress may be appointed to a civil office by the President of the United States, even though the office was created by the same Congress of which the appointee was a Member, shows clearly that Congress has uniformly constructed the clause of the Constitution as directory and not mandatory.

32 Or, perhaps, it might be more correct to say that the construction has been that the inhibition of the Constitution applies only to persons who hold an office permanent in its character, and not to persons who are appointed to an office for a special duty, which may be terminated at any moment. This is the view taken by the Attorney General of the United States in the Grigsby case.

Strongest reasons that inhibition does not apply to volunteer officers.

If that construction has been assumed with regard to civil offices, the construction becomes more imperative in cases where Members are appointed to temporary duty with the volunteer troops. The Members of Congress who went to the front in the Spanish War were simply performing a duty which devolved on every citizen. It would be proper to say that they were detailed or ordered to perform a special duty in defense of their country, and, so far as the Constitution is concerned, it makes no difference whether the order directed that this duty was to be performed in one capacity or another; the effect would be the same whether the person detailed was to be called general, colonel, lieutenant, corporal, or private. It makes no difference whether the person so detailed to do militia duty was to command and direct others, or whether he was to be himself directed.

Effect of the extreme view.

The introducer of the resolution which is being considered by the Judiciary Committee takes the extreme view that to hold any office whatever would vacate a seat in Congress. This is the extreme view on one side. Let us look at what the introducer of the resolution would call an extreme view on the other side.

An officer of the volunteer service does not belong to the Regular Military Establishment, but is a part of the militia of the United States. The general principles upon which governments are founded make it the duty of every citizen to be at all times ready to take up arms in its defense, and the Constitution provides that this militia shall be used "to execute the laws of the Union, suppress insurrection, and repel invasion." It follows, therefore, that every citizen of the United States is primarily a member of the militia.

If it is contended that to be a member of the militia is an office such as was contemplated by the Constitution (Art. I, sec. 6), then an extreme constructionist would contend that it would be impossible to have a Congress, because everyone would be a member of the militia, and therefore no one could be a Member of Congress. It must be admitted that this is an extreme view, and it may be contended that Congress has met this view by passing a law by which a Member of Congress could escape military duty, but it must also be remembered that, with regard to personal exemptions, every Congress is a law unto itself.

Now, bear in mind that we are all primarily members of the militia, and that the Constitution makes it the duty of Congress "to provide for calling forth the militia, to execute the laws of the Union, suppress insurrection, and repel invasions."

Now, supposing it were necessary for the militia in the city of Washington to be called forth for any of these purposes. The Members of this House would not fly before the enemy and set such an example to the people, which, if followed, would bring disgrace and ruin to our country, but they would, with the true, brave American spirit which actuates them, leave their seats and confront the enemy of the country, and, by such an example, give an inspiration of patriotism and chivalry to all the people of our land. If they did so, the extreme constructionist would contend that this patriotic action on the part of Members of Congress had dissolved this body and virtually destroyed the Government. All decisions of all courts hold that a literal construction of any law which could by any possibility bring about such a result is not a construction which should be followed.

33

Attorney General Griggs's decision.

The Attorney General of the United States has in effect decided this question. In a matter in which the principle is the same he says:

"While an officer in the Volunteer Army may be said to be actively engaged in the military service, he is not permanently so engaged. He is called out to meet an emergency, and must be discharged when the purpose for which he entered the service has been accomplished. Unlike the Regular Army officer, he has not selected the military service for his profession. He has simply responded to a patriotic call, and expects, when the war is over, to return to civil life. His term of military service is uncertain and contingent. He may be taken from his civil duties for a few months, for a year, for two years at the most. The Government does not need or demand a complete and final severance of his relations with civil life. He may be able to make arrangements to bridge over his absence and on his return resume his former work. Whether he is to be permitted to do this and retain a civil office during a temporary absence is a matter for determination by those to whom he is accountable for the proper discharge of the duties of such office."

The Sickles case.

Again, in the Sickles case it was decided that Gen. Sickles, who was then a major general on the retired list, was not such an officer as was inhibited by the Constitution from holding a seat in Congress.

The Yell case.

Mr. Bailey and his admirers have gathered precedents to sustain his view. The decision upon which they specially rely is the Yell case, from Arkansas. How different that one is from the case being pressed by Mr. Bailey. Arkansas had but one Member of Congress, and Col. Yell was that Member. On November 7, 1846, the Government notified the Legislature of Arkansas that unless Col. Yell's seat was declared vacant and a new election held Arkansas would have no representation whatever in the House of Representatives. On November 11 a resolution was offered calling upon the governor to order an election, and it was asserted that interests vital to Arkansas were pending in Congress which made it necessary that that State should be represented. Notwithstanding the great necessity for having a Member of Congress in the House, the feeling against interfering with Col. Yell was so strong in Arkansas that a motion to table the resolution only failed by 5 votes, 34 being cast for tabling and 39 against it.

At that time Col. Yell was in central Mexico, far removed from communication with his country, and therefore absolutely unable to give any attention to legislation which affected Arkansas. An election was ordered, and on February 8 Mr. Newton was elected and presented himself to Congress. George S. Houston, who had long served as chairman of the Ways and Means Committee and also of the Judiciary Committee, opposed the seating of Newton, as he stated that if Col. Yell presented himself he would be entitled to take his seat and proceed with the business of Congress.

34

Gov. Houston, of Alabama, contended that Yell's seat was not vacated.

Gov. Houston insisted (vol. 17, p. 339, Congressional Globe) that Mr. Yell was still a Member of the House, and also insisted that the action of the House in that very session, in welcoming Col. Baker back from Mexico and permitting him to resume his seat and perform his duties, conclusively authorized a Member to accept a volunteer commission and to retain his seat in the House. He said:

"The action of this House itself must preclude the gentleman who now presents his credentials from taking his seat, at all events, for the present.

"The gentleman from Illinois [Mr. Baker], after being absent during a part of the last session and about half of this, presented himself here, took his seat, and resumed the discharge of all his official duties. The House then sanctioned the principle that Mr. Baker, after serving in the Army for months, and still retaining his commission, was entitled to his seat as a Member of this body. The gentleman took his seat, discharged his duties, received his emoluments, and did everything that was incumbent on him to do in the capacity of Representative of the people. How, then, can the House now turn round, on the precedent which it has itself established by its own solemn act, and admit another Member from the State of Arkansas? I regret that this question has been presented, and I feel bound, under the circumstances of the case, and especially after the observations of the gentleman from New York, to take the course which my remarks indicate. Let what will come, I shall endeavor to carry out the principles of the Constitution." (Congressional Globe, vol. 17, p. 339.)

It will be seen that such a profound lawyer and experienced legislator as George S. Houston, who served 20 years in Congress, and also in the Senate of the United States, and who was also twice governor of Alabama, contended that under the proper interpretation of the Constitution Mr. Yell was entitled to retain his seat.

Finally, upon it being represented that the interests of Arkansas were involved, Newton was allowed to take a seat pending the investigation of the matter by the Committee on Elections. Two weeks from that date Yell was killed in the Battle of Buena Vista.

House refused to unseat either Yell or Baker.

Notwithstanding this, the House resisted every attempt to take up the resolution to confirm Newton in his seat, and finally, on March 3, just before an adjournment, the RECORD says (vol. 17, p. 573), in reference to this case, "The question was put, and the House refused to take up the report and resolution." The House also refused to take up the report which declared that Edward D. Baker was not entitled to his seat on account of his acceptance of an appointment in the Volunteer service.

The Wheeler case is much stronger than that of Col. Yell. He was appointed in the Volunteer forces on May 4 last. A petition was presented to the governor of Alabama asking him to declare the seat vacant and to order an election. Protests of the most vehement character were sent to the governor from the eighth congressional district of Alabama, and the governor published that he would not take any action in the matter. The people then, by a ballot election, unanimously renominated Gen. Wheeler for Congress, giving him a vote even exceeding the Democratic vote of the district. The people then
35 reelected him to the Fifty-sixth Congress by unanimous vote, thus showing clearly their construction of the Constitution.

Again, Yell was in central Mexico, where he could give no attention whatever to congressional business, and was actively exercised in military command. Wheeler, on the contrary, has relinquished all military command. He is quietly but efficiently attending to his congressional matters in which his State and district are interested. So far from complaints coming from the district, appeals of the strongest character come to him, urging him to retain his seat. The main objection seems to have been the fear that Gen. Wheeler would draw Army pay and congressional pay also. This he has scrupulously abstained from doing, and the records show that he has never drawn any congressional pay since May 4, 1898, the date on which he was commissioned.

House refused to unseat Gen. Schenck.

Gen. Robert C. Schenck was appointed a brigadier general May 7, 1861, and a major general August 7, 1862, and served as such. In November, 1862, he was elected a Member of the Thirty-eighth Congress, his term commencing March 4, 1863. He served in the Army until December 5, 1863, when he entered Congress, still holding a commission, but, as a matter of fiction, filed his resignation with the Secretary of War and the Executive, with the distinct understanding that he might at any time during the session, at his own pleasure, withdraw his resignation and return to the field. He therefore sat as a Member of Congress, still holding a commission as a major general. This is Mr. Lincoln's statement, and Gen. Schenck admitted that there was an understanding that he could return to the service with the same rank and date, and this could only be done by withdrawal of his resignation. Mr. Lincoln says that later, in December, the same plan was adopted with regard to Gen. Frank Blair, and admits that Gen. Blair's commission was held in abeyance, and that on April 23, after serving actively in Congress for nearly five months, Gen. Blair withdrew his resignation and returned to the Army. President Lincoln's message to Congress on these subjects is as follows:

To the House of Representatives:

In obedience to a resolution of your honorable body, a copy of which is hereby returned, I have the honor to make the following brief statement, which is believed to contain the information sought:

Prior to and at the meeting of the present Congress, Robert C. Schenck, of Ohio, and Frank P. Blair, jr., of Missouri, Members elect thereto, by and with the consent of the Senate, held commissions from the Executive as major generals in the Volunteer Army. Gen. Schenck tendered the resignation of his said commission and took his seat in the House of Representatives at the assembling thereof, upon the distinct verbal understanding with the Secretary of War and the Executive that he might at any time during the session, at his own pleasure, withdraw said resignation and return to the field. Gen. Blair was by temporary agreement with Gen. Sherman in command of a corps through the battles in front of Chattanooga and in the march to the relief of Knoxville, which occurred in the latter days of December last, and, of course, was not present at the assembling of Congress. When he subsequently arrived here he sought, and was allowed by the Secretary of War and the Executive, the same conditions and promise as allowed and made to Gen. Schenck.

Gen. Schenck has not applied to withdraw his resignation, but when Gen. Grant was made lieutenant general, producing some change of commanders, Gen. Blair sought to be assigned to command of a corps. This was made known to Gens. Grant and Sherman and assented to by them and the particular corps for him designated. This was all arranged and understood, as now remembered, as much as a month ago, but the withdrawal of Gen. Blair's resignation and making the
36 order assigning him to the command of a corps were not consummated at the War Department until last week, perhaps on the 23d of April, instant. As a summary of the whole, it may be stated that Gen. Blair holds no military commission or appointment other than herein stated, and that it is believed he is now acting as major general upon the assumed validity of the commission stated, and not otherwise. There are some letters, notes, telegrams, orders, entries, and perhaps other documents in connection with this subject which is believed would throw no additional light upon it, but which will be cheerfully furnished if desired.

ABRAHAM LINCOLN.

APRIL 28, 1864.

House allowed Gen. Blair, without objection, to perform all duties in the House during a period of 17 months, while holding a commission in the Army.

Frank P. Blair, jr., was elected a Member of the Thirty-sixth Congress. He was afterwards elected Member of the Thirty-seventh Congress, the first session of which commenced July 4, 1861, and the last session ended July 3, 1863. He was elected to the Thirty-eighth Congress, the first session of which commenced December 7, 1863. He was appointed a colonel July 7, 1862, and on November 29, 1862, was appointed a brigadier general, and on the same date a major general. He continued to perform the duties of a Congressman and a general until April 23, 1864, when he left Congress to take command of the Seventeenth Army Corps under Gen. Sherman. On June 29, 1864, he then being in command of an Army corps in Georgia, and having been absent from the House since April 23, and objection being made to such an action, the House passed a resolution that he had forfeited his seat. It must be borne in mind that Blair had been holding a commission in the Army and in Congress for 17 months before the House took this action.

The position taken by Mr. Bailey, the mover of the resolution, is that the moment any office under the Government is accepted by a Member of Congress he ceases coinstanter to be a Member of Congress, and that his seat stands vacant from that moment. The contention of Mr. Bailey and his friends is that a Member of Congress who has accepted any office can not resign because, his seat having been vacated, he stands in the same attitude as any other citizen. There is, therefore, nothing which I can legally do but to await the decision of Congress upon this question.

I desire here to state that there is no Member of Congress who reveres the Constitution more than myself, and there is no one who would regret being instrumental in the infringement of its provisions more than myself. And I will further state that my very high regard for the integrity and ability of the Members of this House—many of whom I have had the honor and pleasure of serving with for nearly one-fifth of a century—convinces me that the question will receive their best possible consideration, and my feelings of regard and, I may say, of affection for them is such that I desire to refute the intimations which have been made that anything personal enters into the question. Certainly, so far as I am concerned, no such idea enters or could possibly enter my mind.

My contention is, and I think the House concurs with me, that the committee is called upon to decide whether the inhibition of the Constitution includes any performance of duty by a Member of Congress for the Government, irrespective of its very temporary character, or, whether the inhibition was only intended to apply to a person holding an office of a permanent character or for a definite and fixed period. The Attorney General of the United States gave this question most careful consideration in the Grigsby case, and decided that the inhibition was
37 only intended to apply to offices of a permanent character. It is true that the question was not upon the case of a Member of Congress, but the reasoning of the Attorney General certainly has a bearing on the question before the committee.

I know that the members of the committee and the Members of the House, whom I am proud to call my friends, will decide this case as they believe to be in accordance with the spirit of the Constitution. To those who contend that I should have resigned my seat I will say that I was urged not to do so by persons whose requests and recommendations I could not disregard, and it has also been urged that for me to have done so would have been quasi an expression of my judgment on the matter, and thus in a measure have prejudiced the case of some 30 other Members of the House who are in the same position as myself.

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STATEMENT OF HON. J. J. GARDNER.

WASHINGTON, D. C., *January 19, 1899.*

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary, House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of the 17th instant, transmitting House resolution No. 354, submitted by Mr. Bailey, the body of the resolution being in the following words:

"*Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to this House;

"First. Whether any Member of the House has accepted any office under the United States; and,

"Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same."

Your letter of transmittal informs me that—

"I am instructed by the Committee on the Judiciary to transmit to you House resolution No. 354, and to say that the committee have fixed Tuesday, January 24, 1899, 10 o'clock a. m., to hear those who may desire to be heard on the subject. Your being a member of the United States Industrial Commission has made it my duty to bring this matter to your attention."

Fearing that I may not be able to be present on Tuesday, January 24, 1899, the time fixed for the hearing, I avail myself of the privilege of submitting a brief communication.

The only provision of organic or other law known to me that would suggest the propriety of this inquiry is Article I, section 6, paragraph 2, of the Constitution of the United States, which is as follows:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no such person holding any office under the United States shall be a Member of either House during his continuance in office."

Permit me to say that I am unable to perceive why the resolution should have suggested an inquiry with reference to the members of the United States Industrial Commission who are Members of the House. This commission was created by the present Congress, and during the time for which the Members of the House of Representatives appointed upon it had been elected. If, therefore, being appointed to membership on this commission was being appointed to a civil office, such attempted appointment was in defiance of the plain provisions of the paragraph and nugatory, since "no Senator or Representative shall, during the time for which he was elected, be appointed to any civil office. * * *."

No Member has been so appointed, and I, a Member of the House,
38 am not on the commission. My membership in the House debarred me from becoming a member of the commission if such membership is a civil office under the Constitution.

But membership in the United States Industrial Commission is not an office within the meaning of the Constitution of the United States. (See Art. II, sec. 2, par. 2.) Officers must be appointed by the President by and with the consent of the Senate, by the President alone, by a court of law, or by the head of a department. No one appointed otherwise is appointed to an office within the meaning of the Constitution.

Without attempting to amass authorities on this point from the States which have similar provisions in their constitutions, I refer only to the case of The United States *v.* Germaine (99 U. S., 508).

It will go for the saying with the Committee on the Judiciary that a contention that the House of Representatives is a department of the Government within the meaning of the organic law and the Speaker of the House the head of the department would be too absurd for consideration.

Respectfully submitted.

J. J. GARDNER.

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STATEMENT OF HON. DAVID G. COLSON.

WASHINGTON, *January 23, 1899.*

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary,
House of Representatives.

DEAR GEN. HENDERSON: Answering your letter of the 6th instant, asking whether I desire to be heard in respect to House resolution No. 354, I beg to state that some one of the Members interested in the

matter to which the resolution relates will very probably appear before the committee at the time fixed in your subsequent communication, Tuesday, January 24, at 10 o'clock a. m.

Thanking you for your kindness, I am,

Very truly, yours,

DAVID G. COLSON.

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WASHINGTON, D. C., *January 23, 1899.*

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary,
House of Representatives.

DEAR GEN. HENDERSON: Since writing you this forenoon I have found that I can not appear before the committee at 10 o'clock to-morrow morning. I write to state the following facts which the committee may desire to use in the consideration of the House resolution 354. I was commissioned colonel of the Fourth Kentucky Regiment Infantry, United States Volunteers, in June, 1898, and served as such until the 5th of December of same year, since which latter date my connection with the Army, while technically the same, has been actually nominal. I have never signed the pay roll as an officer in the Army, and therefore have not drawn a cent from the Government as an Army officer. I have drawn my salary as a Member of Congress to the 1st of December. I have performed the duties of a Member of Congress all the time I have been an officer in the Volunteer Army.

I will submit no argument to the question as to whether my seat should be declared vacant excepting to say that it may be well doubted that the language contained in section 6 of the Constitution of the United States—"and no person holding any office of the United States shall become a Member of either House during his continuance in office"—was intended to cover the cases in the hands of the committee for consideration. No injury has resulted to my constituency or to the Government by reason of my service in the Army, nor has such service impaired in any way my service as a Member of Congress. Constitutional restrictions are intended, as I understand them, to be invoked only to prevent injustice or wrong, and not in cases of this character, where a patriotic impulse might well be given some play.

Very truly, yours,

DAVID G. COLSON.

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Joint resolution (Public resolution, No. 51) to provide for annexing the Hawaiian Islands to the United States.

Whereas the Government of the Republic of Hawaii having, in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed $4,000,000. So long, however, as the existing Government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided said Government shall continue to pay the interest on said debt.

There shall be no further immigration of Chinese into the Hawiian Islands, except upon such conditions are are now or may hereafter be allowed by the laws of the United States; and no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

SEC. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 3. That the sum of $100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

Approved, July 7, 1898.

An act (Public, No. 146) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be called the "Industrial Commission," to be composed as follows: Five Members of the Senate, to be appointed by the Presiding Officer thereof; five Members of the House of Representatives, to be appointed by the Speaker, and nine other persons, who shall fairly represent the different industries and employments, to be appointed by the President, by and with the advice and consent of the Senate.

SEC. 2. That it shall be the duty of this commission to investigate questions pertaining to immigration, to labor, to agriculture, to manufacturing, and to business, and to report to Congress and to suggest such legislation as it may deem best upon these subjects.

SEC. 3. That it shall furnish such information and suggest such laws as may be made a basis for uniform legislation by the various States of the Union, in order to harmonize conflicting interests and to be equitable to the laborer, the employer, the producer, and the consumer.

SEC. 4. That the commission shall give reasonable time for hearings, if deemed necessary, and if necessary it may appoint a subcommission or subcommissions of its own members to make investigation in any part of the United States, and it shall be allowed actual necessary expenses for the same. It shall have the authority to send for persons and papers and to administer oaths and affirmations. All necessary expenses, including clerks, stenographers, messengers, rent for place of meeting, and printing and stationery, shall be paid from any money in the Treasury not otherwise appropriated; however, not to exceed $50,000 per annum for expenditures under this section.

SEC. 5. That it may report from time to time to the Congress of the United States, and shall at the conclusion of its labors submit a final report.

SEC. 6. That the term of the commission shall be two years. The salary of each member of this commission appointed by the President shall be $3,600 per annum. Each member of the commission shall be allowed actual traveling expenses.

SEC. 7. That any vacancies occurring in the commission by reason of death, disability, or from any other cause shall be filled by appointment by the officer and in the same manner as was the member whose retirement from the commission creates the vacancy. That in case the term of a Senator or Representative expires while a member of this commission, said Senator or Representative shall not thereby cease to be a member of said commission, but shall serve until the expiration of the term for which he was appointed, drawing pay from the time his term as Senator or Representative expires at the same salary as those members of the commission appointed by the President of the United States.

SEC. 8. That a sum sufficient to carry out the provisions of this act is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated.

Approved, June 18, 1898.

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[PUBLIC—NO. 131.]

An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1899.

SEC. 5. That a commission consisting of the chairmen of the Committees on Post Offices and Post Roads of the Senate and House of Representatives, and three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker, is hereby created to investigate the question whether or not excessive prices are paid to the railroad companies for the transportation of the mails and as compensation for postal-car service, and all sources of revenue and all expenditures of the Postal Service, and rates of postage upon all postal matter.

Said commission is authorized to employ experts to aid in the work of inquiry and examination; also to employ a clerk and stenographer and such other clerical assistance as may be necessary, said experts and clerks to be paid such compensation as the said commission may deem just and reasonable.

The Postmaster General shall detail, from time to time, such officers and employees as may be requested by said commission in its investigation.

For the purposes of the investigation, said commission is authorized to send for persons and papers, and, through the chairman of the commission or the chairman of any subcommittee thereof, to administer oaths and to examine witnesses and papers respecting all matters pertaining to the duties of said commission, and to sit during the recess of Congress.

Said commission shall, on or before February 1, 1899, make report to Congress, which report shall embrace the testimony and evidence taken in the course of the investigation, also the conclusions reached by said commission on the several subjects examined, and any recommendations said commission may see proper to make by bill or otherwise with a view of correcting any abuses or deficiencies that may be found to exist.

The sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the necessary expenses of said commission, such payments to be made on the certificate of the chairman of said commission.

Any vacancy occurring in the membership of said commission, by resignation or otherwise, shall be filled by the presiding officer of the Senate or House, respectively, according as the vacancy occurs in the Senate or House representation on said committee.

SEC. 6. That if the revenues of the Post Office Department shall be insufficient to meet the appropriations made by this act, a sum equal to such deficiency of the revenues of said department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply said deficiencies in the revenues for the Post Office Department for the year ending June 30, 1899.

Approved, June 13, 1898.

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Subsequently, on February 1, 1899, Gen. Wheeler filed the following supplemental brief:

"Mr. Bailey and his friends are trying to rest this question upon precedents: On July 12, 1861, Mr. Vallandigham raised a similar question with regard to those Members of Congress who held commissions in the United States Army. The House refused to even consider it, and the motion to table his resolution was carried by an aye-and-nay vote, 92 votes being cast for tabling and 51 against it, many Democrats

voting to table the resolution. This precedent is found on pages 92 and 93, volume 45, Congressional Globe, first session Thirty-seventh Congress."

The resolution is as follows:

"Whereas it is rumored that Gilman Marston, of New Hampshire; James E. Kerrigan, of New York; Edward McPherson and Charles J. Biddle, of Pennsylvania; and Samuel R. Curtis, of Iowa, holding seats in this House as Members thereof, have been sworn into the military service of the United States, and hold military offices under the authority of the same; and

"Whereas James H. Campbell, of Pennsylvania, also holding a seat in this House as a Member thereof, has admitted upon the floor of this House that he has been so sworn and does so hold office as aforesaid: Therefore,

"*Resolved*, That the Committee on Elections be instructed to inquire, and without unnecessary delay to report, whether the gentlemen above named, or any others claiming or holding seats as Members of this House, and at the same time holding any military office under the authority of the United States, are constitutionally disqualified to be Members of this House by holding such military offices."

The only time that the House has ever acted upon such a case since that time was the case of Hon. Frank Blair, who, from August 7, 1862, to April 23, 1864, was alternately doing duty as a general and performing duties as a Member of the House. On April 23, after actively doing his duties in the House for some months, he left the House, bade his friends good-by, and took command of an Army corps in Georgia. This was regarded as abandoning his seat in the House, and on June 11 a resolution was passed that he has forfeited his seat. No opposition whatever was made to this by Mr. Blair or any of his friends.

43 Since the hearing of January 24, 1899, a letter has been received from Hon. James R. Campbell, which is as follows:

HEADQUARTERS NINTH ILLINOIS, CAMP COLUMBIA,
Havana, Cuba, January 23, 1899.

Hon. D. B. HENDERSON,
Chairman Judiciary Committee,
House of Representatives, Washington, D. C.

DEAR SIR: In reply to your very kind invitation to appear before your committee, and either orally or in writing submit authorities bearing on House resolution No. 354, will say that my duties here with my regiment make it impossible for me to appear in person, and as my library at this place is very limited, being confined to the Army Regulations, infantry drill book, firing regulations, guard manual, and a few works on the art of war, it is impossible for me to refer you to such authorities as might enable you and the other members of the committee in arriving at a correct conclusion. Besides this, I feel somewhat indifferent as to taking any action personally in the matter, as I am sure the committee has no feeling against me and that any conclusion that you might arrive at will be from a high sense of duty as Representatives and not in any way personal to me.

In conclusion I might say that I have a fine regiment of over 1,200 men, all from my congressional district, and we have a beautiful camp overlooking the Gulf, surrounded with magnificent plantations, which makes it a delightful winter resort.

We have but little sickness, and all are in good spirits and contented.

If any of your committee should visit Cuba after the adjournment of Congress, I will be greatly pleased to offer you the hospitality of our camp.

Yours, very respectfully,

JAMES R. CAMPBELL,
Colonel, Ninth Illinois Volunteers.

The authority for the appointment of the Canadian commission is found in sections 3 and 4 of the act approved July 24, 1897, Statutes of the United States of America, passed at the first session of the Fifty-fifth Congress, 1897, pages 203, 204, and 205; also in pursuance of a provision in the act of July 7, 1898, page 571, an act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1898, and for prior years, and for other purposes. Said provision is as follows:

"Canadian Commission: For the expense on the part of the United States of a joint commission to be appointed for the adjustment of differences between the United States and Great Britain in respect to the Dominion of Canada, including the compensation of the commissioners representing the United States, the pay of expert service for preparation of papers, for the portion of joint expenses chargeable to the United States, for printing, and all other incidental expenses, to be disbursed under the direction of the Secretary of State, $50,000, to remain available during the fiscal year 1899."

In pursuance of the foregoing law and a provision in the deficiency appropriation bill, Hon. Sereno E. Payne has been appointed by the President, has qualified, and is acting as a member of the Canadian Commission.

In this connection it is proper to insert here a letter from the Secretary of the Senate in answer to an inquiry in regard to the Canadian Commission:

UNITED STATES SENATE,
OFFICE OF THE SECRETARY,
Washington, February 2, 1899.

Gen. D. B. HENDERSON, *Chairman, etc.*

DEAR SIR: In reply to your inquiry of the present instant, I beg to say the members of the Canadian Commission were not sent to the Senate for confirmation. It appears their appointment required no action on the part of the Senate.

Very respectfully,

WM. R. COX,
Secretary.

A further fact may be stated, that the names of the Hawaiian commissioners, including that of Hon. R. R. Hitt, of the House, were
44 sent by the President to the Senate, but no action has been taken thereon and they have not been confirmed.

The committee also considered the matter of the appointment of committees to visit the Naval and Military Academies, and of the regents and trustees of institutions in the District of Columbia belonging to the United States where said committees, regents, and trustees were Members of Congress.

Facts found in the case of Joseph Wheeler.

The Committee found the following facts in the case of Hon. Joseph Wheeler:

The committee finds that Joseph Wheeler, a duly qualified Representative in this Congress from the eighth district of Alabama, was on the 6th day of May, A. D. 1898, while acting as such Representative, commissioned by the President of the United States as major general of Volunteers in the United States Army, and that on the 6th day of May, A. D. 1898, he accepted such commission and was then duly mustered into the military service of the United States as such major general of Volunteers, and still continues in such service.

Facts found in the case of Hon. James R. Campbell.

The committee found the following facts in the case of Hon. James R. Campbell:

That James R. Campbell, a duly qualified Representative in this Congress from the twentieth district of Illinois, was, on the 28th day of June, A. D. 1898, while acting as such Representative, commissioned by the governor of the State of Illinois as colonel of the Ninth Regiment of Illinois Infantry Volunteers, for service in the war between the United States and the Kingdom of Spain; that he accepted said office, and was, on the 11th day of July, A. D. 1898, mustered into the service of the United States as such colonel, and still continues in such service.

Facts found in the case of Hon. David G. Colson.

The committee found the following facts in the case of Hon. David G. Colson:

That David G. Colson, a duly qualified Representative in this Congress from the eleventh district of Kentucky, was, on the 27th day of July, A. D. 1898, while acting as such Representative, commissioned by the governor of the State of Kentucky as colonel of the Fourth Kentucky Infantry Volunteers, for service in the war between the United States and the Kingdom of Spain; that he accepted said office, and was, on the 27th day of July, A. D. 1898, mustered into the service of the United States as such colonel, and that he still continues in such service.

Facts found in the case of Hon. Edward E. Robbins.

The committee found the following facts in the case of Hon. Edward E. Robbins:

That Edward E. Robbins, a duly qualified Representative in this Congress from the twenty-first district of Pennsylvania, was, on the 21st day of June, A. D. 1898, while acting as such Representative, duly commissioned by the President of the United States as captain
45 and quartermaster of Volunteers in the military service of the United States, and that afterwards, on the 1st day of July, A. D. 1898, he accepted such office and entered upon the discharge of its duties; that afterwards, on the 19th day of August, A. D. 1898, he was promoted to major and quartermaster of Volunteers, and duly commissioned as such by the President and mustered into the military service of the United States as such major and quartermaster of Volunteers, which he thereupon accepted and entered upon the discharge of the duties thereof, and so continued until the 14th day of October, A. D. 1898, when he was honorably discharged and mustered out of said service.

The investigations of the committee justify the statement that no compensation was received by the Members of the House who were on the Hawaiian, the Canadian, the Postal, or the Industrial Commissions, and also that regents and trustees of Federal institutions served without compensation.

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46. ACTION OF THE CONSTITUTIONAL CONVENTION.

The part of the Constitution of the United States which must be considered in discussing these important questions is as follows:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office." (Art I, sec. 6, clause 2, Constitution of the United States.)

It may be interesting as well as instructive in this discussion to follow the consideration and treatment of the subject by the framers of the Constitution. After the Constitutional Convention was organized Mr. Randolph opened up with a discussion of the work before the great convention. He pointed out by a series of resolutions what he thought were necessary in a new Constitution. The fourth resolution suggested by him, and having reference to the Senate, is as follows:

"*Resolved*, That the Members of the first branch of the National Legislature ought to be elected by the people of the several States every ——— for the term of ———; to be of the age of ——— years at least; to receive liberal stipends by which they may be compensated for the devotion of their time to the public service; to be ineligible to any office established by a particular State, or under the authority of the United States, except those peculiarly belonging to the functions of the first branch, during the term of service, and for the space of ——— after its expiration; to be incapable of reelection for the space of ——— after the expiration of their term of service, and to be subject to recall."

Then follows the fifth resolution relating to the House, which is as follows:

"*Resolved*, That the Members of the second branch of the National Legislature ought to be elected by those of the first, out of a proper number of persons nominated by the individual legislatures, to be of the age of ——— years at least; to hold their offices for a term sufficient to ensure their independency; to receive liberal stipends, by which they may be compensated for the devotion of their time to the public service; and to be ineligible to any office established by a particular State, or under the authority of the United States, except those peculiarly belonging to the functions of the second branch, during the term of service; and for the space of ——— after the expiration thereof." (The Madison Papers, vol. 2, pp. 731, 732.)

These propositions, with others, were referred to the Committee of the Whole. Mr. Pinckney then laid before the House the draft of a Federal Government which he had prepared. A part of article 5 of Mr. Pinckney's proposition was as follows:

"The Members of each House shall not be eligible to, or capable of holding, any office under the Union during the time for which they have been respectively elected, nor the Members of the Senate for one year after." (Art. V, p. 739, vol. 2, The Madison Papers.)

Mr. Pinckney's draft of the proposed Constitution was also referred to the Committee of the Whole to consider the state of the American Union. When the Committee of the Whole rose Mr. Gorman made a report from the committee, in which, among other things, were the following resolutions:

"No. 3. *Resolved*, That the Members of the first branch of the National Legislature ought * * * to be ineligible to any office established by a particular State or under the authority of the United States (except those peculiarly belonging to the functions of the first branch) during the term of service and under the National Government for the space of one year after its expiration.

"No. 4. *Resolved*, That the Members of the second branch of the National Legislature ought * * * to be ineligible to any office established by a particular State or under the authority of the
47 United States (except those peculiarly belonging to the functions of the second branch) during the term of service and under the National Government for the space of one year after its expiration." (The Madison Papers, vol. 2, pp. 858–849.)

A committee on detail, which was appointed to consider the work of the convention, had referred to them, among other things, the following:

"3. *Resolved*, That the Members of the first branch of the Legislature ought * * * to be ineligible to, and incapable of holding, any office under the authority of the United States (except those peculiarly belonging to the functions of the first branch) during the term of service of the first branch.

"4. *Resolved*, That the Members of the second branch of the Legislature of the United States ought * * * to be ineligible to, and incapable of holding, any office under the authority of the United States (except those peculiarly belonging to the functions of the second branch) during the term for which they are elected, and for one year thereafter." (The Madison Papers, vol. 2, p. 1221.)

Subsequently the committee on detail reported, through Mr. Rutledge, chairman, a form of a constitution, a part of which was as follows:

"SEC. 9. The Members of each House shall be ineligible to, and incapable of holding, any office under the authority of the United States during the time for which they shall respectively be elected; and the Members of the Senate shall be ineligible to, and incapable of holding, any such office for one year afterwards." (The Madison Papers, vol. 2, p. 1230.)

Subsequently a committee of 11 was appointed, to which was referred such parts of the Constitution as had been postponed and such parts as had not been acted on. This committee of 11, through its chairman, Mr. Brearly, reported, among other things, the following:

"That in lieu of article 6, section 9, the words following be inserted, viz: 'The Members of each House shall be ineligible to any civil office under the authority of the United States during the time for which they shall respectively be elected; and no person holding an office under the United States shall be a Member of either House during his continuance in office.'" (The Madison Papers, vol. 3, p. 1479.)

The report of the committee of 11, as amended and agreed to, was as follows:

"The Members of each House shall be ineligible to any civil office under the authority of the United States, created, or the emoluments whereof shall have been increased, during the time for which they shall respectively be elected; and no person holding any office under the United States shall be a Member of either House during his continuance in office." (The Madison Papers, vol. 3, p. 1485.)

Subsequently a committee of style and arrangement was appointed to arrange the style of the Constitution, and in its report is found the following:

"Article I, section 6, clause 2: No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office." (The Madison Papers, vol. 3, pp. 1547, 1548.)

In the form just given it was finally incorporated into the Constitution of the United States.

From the debates during the consideration of the foregoing questions and up to the final selection of Article I, section 6, clause 2, it is evident that the framers of the Constitution were determined to separate as far as possible the executive from the legislative departments of the Government. This purpose is all the more emphasized when we observe that they felt and observed the difficulty of getting able men for Congress who had not been officers in the American Army. Many thought that the young Republic would be crippled in a sense by preventing the Members of Congress holding commissions in the Army, but notwithstanding this difficulty incident to our youth as a country the final judgment of Congress culminated in the provisions of the Constitution as we have them now.

48 MEMBERS OF COMMISSIONS, ETC.

While it may be admitted that all of the commissions, examining boards, regents, etc., considered by the committee, do differ in many particulars as to their duties, still the legal principles involved in the consideration of this class of public servants apply to all of them, and therefore they will be considered together in discussing the law in respect to them.

It can not be contended that every position held by a Member of Congress is an office within the meaning of the Constitution, even though the term office may usually be applied to many of these positions. We are therefore led to an analysis and discussion of the word "office."

The chairman of a committee of Congress is in one sense an officer holding a position different from other members of the committee. Marks of honor and distinction are given to Members of Congress in many ways, but all incident to or growing out of their position as a Member of Congress. It is a mark of distinction to be selected as members of escorts to those of our number who die; designations are made of committees to notify the Senate and the President of certain matters. The mind will readily run over a list of many positions of trust and honor that are conferred upon Members of Congress where no pretense will be made that they are offices within the meaning of the Constitution.

In United States *v.* Hartwell (6 Wallace, 393) it is laid down that "an office is a public station or employment conferred by the appointment of Government. The term embraces the ideas of tenure, duration, emolument, and duties."

Elsewhere it is held that an office is "an employment on behalf of the Government, in any station or public trust, not merely transient, occasional, or incidental." (20 John., Rep. 492, 7th Ohio State, 556.)

A careful consideration of all of the positions above referred to will show that they are merely transient, occasional, or incidental in their nature, and none of them possess the elements of duration, tenure, or emolument. All of these appointees were but instruments to procure detailed information for the better information and guidance of Congress and are wholly lacking in the essential elements of an office within the meaning of the Constitution.

"A public office is the right, authority, and duty, created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of the Government to be exercised by him for the benefit of the public." (Mechem's Public Offices and Officers, sec. 1; Matter of Hathaway, 71 N. Y., 238–243; 3 Greenleaf (Me.), 481; Public Officers, Throop, sec. 6; Olmstead *v.* The Mayor, etc., 42 N. Y., Sup. Ct., 481.)

It has been held that these functions must be either legislative, executive, or judicial, and that to constitute the person an officer he must have conferred upon him either legislative, executive, or judicial powers. (Mechem's Public Offices, sec. 4, and cases cited.)

Says the author:

"SEC. 4. Office involves delegation of sovereign functions. The most important characteristic which distinguishes an office from an employment or contract is that the creation and conferring of an
49 office involves a delegation to the individual of some of the sovereign functions of government, to be exercised by him for the benefit of the public; that some portion of the sovereignty of the country, either legislative, executive, or judicial, attaches, for the time being, to be exercised for the public benefit. Unless the powers conferred are of this nature, the individual is not a public officer."

This involves necessarily the power to (1) legislate; or (2) execute law; or (3) hear and determine, judicially, questions submitted.

Therefore, mere power to investigate some particular subject and report thereon, or to negotiate a treaty of peace, or on some commercial subject, and report without power to make binding on the Government, does not constitute a person an officer.

"It (public office) implies a delegation of a portion of the sovereign power to, and the possession of it by, the person filling the office; and the exercise of such power within legal limits constitutes the correct discharge of the duties of such office." (3 Greenleaf (Me.), 481; Mechem's Pub. Office, etc., sec. 2; Olmstead *v.* The Mayor, 42 N. Y. Sup. Ct., 481; Public Officers, Throop, sec. 6.)

Again, the employment must not be merely transient, occasional, or incidental.

In United States *v.* Hartwell (6 Wall., 385) the court held that the term public office embraces the ideas of tenure, duration, emolument, and duties, and that the duties were continuing and permanent, not occasional or temporary.

In United States *v.* Germaine (99 U. S. Sup. Ct., 508) the question of who is or who is not a public officer was again up, and the court said:

"If we look to the nature of defendant's employment we think it equally clear that he is not an officer. In that case (referring to United States *v.* Hartwell) the court said the term embraces the ideas of tenure, duration, emolument, and duties, and that the latter were continuing and permanent, not occasional or temporary. In the case before us the duties are not continuing and permanent, and they are occasional and intermittent. * * * He is required to keep no place of business for the public use. He gives no bond and takes no oath, unless by some order of the Commissioner of Pensions of which we are not advised. * * * He is but an agent of the commissioner, appointed by him, and removable by him at his pleasure, to procure information needed to aid in the performance of his own official duties. * * * There is no penalty for his absence from duty or refusal to perform, except his loss of the fee in the given case."

The duties of the commissioners appointed under the statutes (to which attention will be called) are not continuing or permanent; they have no place of business for the public use, or even for their own use; they give no bond and take no oath. In fact, they are mere agents appointed by direction of Congress for the purpose of gathering information and making recommendations for its use if the Congress sees fit to avail themselves of the labors of the commission. The commissioners appointed under these statutes or resolutions can not be compelled to attend or act, and in the broadest sense they are mere agents of the Congress. These commissioners are not to execute any standing laws which are the rules of action and the guardians of rights, nor have they the right or power to make any such law, nor can they interpret or enforce any existing law.

Under a statute of Maine the governor was authorized "to appoint one or more agents for the preservation of timber on the public lands, and for other purposes," and the judges held that these agents were not a civil office of profit under the State, although they were entitled to compensation. (See 3 Greenleaf Reports (Me.), p. 481.)

In United States *v.* Hendee (124 U. S., 309) it was held that a paymaster's clerk in the Navy is an officer of the Navy, and in United States *v.* Mouat (124 U. S., 303) it was held that such paymaster's clerk, appointed by a paymaster in the Navy, with the approval of the Sec-
50 retary of the Navy, is not an officer of the Navy in the sense that he is an officer of the United States.

The constitution of the State of New York, 1846, article 6, section 8, prohibits the judges of the court of appeals and justices of the supreme court from exercising any power of appointment to public office.

Section 16, chapter 280, laws of 1847, conferred upon the chancellor power to issue a commission to some person empowering him to act as a surrogate in a particular case when by reason of statutory disqualifications the officers designated to act could not do so. It was contended that such person when designated to act as surrogate became a public officer, inasmuch as for the time being and in the matter before whom he was to act as a judicial officer, with full power to hear, try, and determine the particular case, but the court of appeals In matter of Hathaway (71 N. Y., 23) held:

"The term 'public office' as used in the constitution has respect to a permanent public trust or employment, to be exercised generally and in all proper cases. It does not include the appointment, to meet special exigencies, of an individual to perform transient, occasional, or incidental duties, such as are ordinarily performed by public officers; as to such appointments the legislature is left untrammeled and at liberty to invest the courts with power to make them." (Church, Ch. J., Andrews and Miller, J., dissenting.)

In Hall *v.* State (39 Wis., 79), chapter 40, laws of 1857, appointed certain-named persons "commissioners to make a geological, mineralogical, and agricultural survey of the State," and provided that such commissioners should arrange and distribute the functions of such survey by mutual agreement. The law provided a salary and provided for filling vacancies, and gave the governor power to remove any member for incompetency or neglect of duty. The court held that these commissioners were officers. The court said:

"The geological survey commissioners were appointed directly by the legislature; no specific term of office was fixed (except by the governor, whose power to do so may well be doubted); provision was made by law for removing them for cause and for filling vacancies; their salaries were paid out of the State treasury, and their functions were not of merely private, local, or temporary concern, but related to the material and permanent interests of the whole State. The duty imposed upon

them was an important public trust, to be exercised for the benefit of all the people of the State, and could only be discharged properly by gentlemen of high attainments in physical science. * * * It may safely be asserted that any person charged by law with the performance of public functions affecting the general interests of society, especially if he be elected thereto by the people or appointed directly by the legislature, and who receives his compensation out of the public treasury, is a public officer, and as such can have no vested right in his office, unless secured by the constitution. * * * It may be difficult to draw the exact line between an office and a mere service or employment, but, as already observed, when public functions are conferred by law upon certain persons elected by the people or appointed by the legislature, if those functions concern the general interests of the State and are not of a nature merely local or temporary, such persons are public officers, especially if they are paid a salary for their services out of the public treasury."

In re Corliss (11 R. I., 638) the question was up whether the office of a commissioner of the United States Centennial Commission is an office of trust under Article II, section 1, of the Constitution of the United States, and it was held that he was such an officer. The law creating that commission provided "for the holding of an exhibition of American and foreign arts, products, and manufactures, under the auspices of the Government of the United States," and the functions of such commissioners were to continue until the close of the exhibition, and their duties were "to prepare and superintend the execution of a plan for holding the exhibition." By the act of Congress approved June 1, 1872,
51 the duties and functions of the commission were further increased and defined, and a corporation was created called "The Centennial Board of Finance," to cooperate with the commission and to raise and disburse the funds. It was to be organized under the direction of the commission. The commission was also to adopt plans for the erection of buildings, and the corporation created was to erect them in accordance with these plans.

The act also provided that the commission should "have power to control, change, or revoke all such grants, and shall appoint all judges and examiners and award all premiums." The commission was also "to supervise the closing up of the affairs of said corporation, to audit its accounts, and submit in a report to the President of the United States the financial results of the centennial exhibition." The act also provided "no compensation for services shall be paid to the commissioners or other officers provided by this act from the Treasury of the United States." The only other officers provided for by the act were alternates to serve as commissioners when the commissioners were unable to attend.

The court properly held that these commissioners were officers of the United States. They were certainly vested with sovereign functions of the Government, which were to be exercised by them for the benefit of each and every State in the Union and for the benefit of all the people of the United States.

In Bunn *v.* The People (45 Ill., 397), the court held:

"A person employed for a special and single object, in whose employment there is no enduring element, nor designed to be, and whose duties when completed, although years may be required for their performance, ipso facto terminates the employment, is not an officer in the sense in which that term is used in the constitution of Illinois."

In re Attorneys, etc. (20 Johnson, N. Y.), the court defines the legal meaning of the term "office" to be "an employment on behalf of the Government in any station or public trust not merely transient, occasional, or incidental."

In matter of Hathaway (71 N. Y., 238–243) the court said:

"'Public office,' as used in the Constitution, has respect to a permanent trust to be exercised in behalf of the Government, or of all citizens who may need the intervention of a public functionary or officer, and in all matters within the range of the duties pertaining to the character of the trust. It means a right to exercise generally and in all proper cases the functions of a public trust or employment."

In McArthur *v.* Nelson (81 Ky., 67) the question was up as to whether certain commissioners were district officers, and the case says:

"The first section of the act authorizes the judge of the circuit court to appoint three commissioners, residents of the district, who shall hold their office at the will and pleasure of the judge. It is made the duty of the commissioners to have the courthouse constructed, at a cost not exceeding $50,000, and to enable them to raise this money they are authorized to issue bonds, with coupons attached, bearing interest at 5 per cent, payable semiannually; and to redeem the bonds and pay the interest they are further empowered to levy an annual tax on the real and personal property in the district, not exceeding 12 cents on the $100, etc. * * * They are not district officers within the meaning of section 10 of article 6 of the constitution, but are the mere agents for the district, required by the act to discharge certain duties with reference to the building of the courthouse, and when those duties end their employment terminates."

In United States *v.* Germain (99 U. S., 508), the question as to who are and who are not officers of the United States was quite fully considered. Under section 4777 of the Revised Statutes, United States, it is provided:

"That the Commissioner of Pensions be, and he is hereby, empowered to appoint, at his discretion, civil surgeons to make the periodi-
52 cal examinations of pensioners which are or may be required by law and to examine applicants for pensions where he shall deem an examination by a surgeon appointed by him necessary; and the fee for such examinations and the requisite certificates thereof in duplicate, including postage on such as are transmitted to pension agents, shall be $2, which shall be paid by the agent for paying pensions in the district within which the pensioner or claimant resides out of any money appropriated for the payment of pensions, under such regulations as the Commissioner of Pensions may prescribe."

It was held in the case cited that the appointees under this statute are not officers of the United States, but mere agents of the Commissioner of Pensions.

It is perfectly clear, therefore, that the commissioners appointed under the act approved July 7, 1898, "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1898, and for prior years, and for other purposes," the resolution approved July 7, 1898 (Public Resolution No. 51), entitled "Joint resolution to provide for annexing the Hawaiian Islands to the United States," and the act approved June 18, 1898, entitled "An act authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital," are not persons "holding any office under the United States."

They are persons designated by authority of Congress to make certain investigations, inquiries, etc., or to conduct certain negotiations preliminary to and as a basis for possible action by the Congress of the United States or by one branch of it. They neither make law, execute law affecting the rights of the people, nor perform judicial functions. These commissioners are and are intended to be mere advisory agents of the Congress of the United States. Their investigations are confined to some particular matter or subject, and they are not required to take an oath of office. They have no power to decide any question or bind the Government or do any act affecting the rights of a single individual citizen.

If the House or Senate authorizes or directs the Speaker or President of the Senate, as the case may be, to appoint a special committee to investigate some particular matter or subject and report and recommend legislation, can it be claimed that an office is created or that the Members of the House or Senate appointed hold "an office?" Suppose the President of the United States is authorized to make the appointments. Does this create offices, and are the appointees "officers?"

The acts performed are for the information of the Congress, and it alone. Their suggestions and recommendations have no force; they may or may not be adopted. To make their suggestions or recommendations operative bills or resolutions must be introduced embodying the provisions recommended, or their substance, and these must be enacted into law. If a treaty is recommended by peace commissioners, it must be submitted to the Senate and by it ratified. The acts of such a commission do not bind the President, the Senate, or the Government. Then such commissioners neither make, execute, nor interpret law. They do not possess or exercise any of the sovereign power of the Government of the United States.

That the Senate may feel that it ought to ratify or approve the recommendations of such a commission can make no difference, the fact remains that their acts are not binding upon anyone or upon any departments of the Government.

If the Congress of the United States should see fit by joint resolution to authorize the President to appoint 10 persons as com-
53 missioners, whose duty it should be to investigate the condition of the people residing in Porto Rico and recommend laws suitable to their government, and should appropriate money to pay the expenses of the commission, would anyone contend that such commissioners, when appointed, would become other than mere agents of the Congress for the purposes specified? Would they possess or exercise legislative, executive, or judicial functions or powers? Such commissioners would possess the mere naked power to investigate and report, and their action would conclude no one, nor would they execute or interpret any law. Their action would not affect in the slightest degree the personal or property rights of a single citizen of the Republic. They would be answerable to no power for misconduct; they would be bound by no oath.

"The officer is distinguished from the employee," says Judge Cooley, "in the greater importance, dignity, and independence of his position; in being required to take an official oath, and perhaps to give an official bond; in the liability to be called to account as a public offender for misfeasance or nonfeasance in office, and usually, though not necessarily, in the tenure of his position."

Attorneys and counselors admitted to practice in the courts of the United States are not officers of the United States. (Ex parte Garland, 4 Wall. (U. S.), 333; see also, In re Robinson, 131 Mass., 376.)

In People *v.* Nichols (52 N. Y., 478), one of the judges of the court of appeals was designated by statute as one of three persons to examine and report upon the genuineness and value of certain relics which the State proposed to purchase, and upon the certificate of these commissioners the purchase price was to be paid. The court held that this was not an office or a public trust within the meaning of the constitution of that State, which prohibits such judge from holding an office or public trust. Said the court: "It is very plain that the doing of such an act, a single act like this, is not within the meaning of the constitutional prohibition against holding any other office or public trust" (p. 485).

Applying these principles to what is known as the Postal Commission, the committee finds that those Members of the House of Representatives appointed or designated as commissioners under public act 131, "An act making appropriations for the fiscal year ending June 30, 1899," are not, nor are any of them, officers under the United States within the meaning of the Constitution.

In respect to the Industrial Commission, the committee finds that those Members of the House of Representatives appointed or designated as commissioners under public act No. 146, "An act authorizing the appointment of a nonpartisan commission to collate information and consider and recommend legislation to meet the problems presented by labor, agriculture, and capital," approved July 7, 1898, are not, nor are any of them, officers under the United States within the meaning of the Constitution.

In respect to the Canadian Commission, the committee finds that those Members of the House of Representatives appointed or designated as commissioners under public act No. 182—"An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1898, and prior years, and for other purposes"—are not, nor are any of them, officers under the United States within the meaning of the Constitution.

In respect to the Hawaiian Commission, the committee finds that those Members of the House of Representatives appointed or
54 designated as commissioners under public resolution No. 51—"Joint resolution providing for annexing the Hawaiian Islands to the United States"—are not, nor are any of them, officers under the United States within the meaning of the Constitution.

In respect to visitors to the Military Academy, etc., the committee finds that those Members of the House of Representatives appointed and designated as visitors to the Military Academy at West Point, to the Naval Academy at Annapolis, and the regents and directors and consulting trustees to the various public institutions in the District of Columbia and appointed by the Speaker of the House, are not, nor are any of them, officers under the United States within the meaning of the Constitution.

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55 MEMBERS OF CONGRESS ACCEPTING COMMISSIONS IN THE UNITED STATES ARMY.

Before entering into a discussion of the law governing Members of Congress holding commissions in the United States Army, it is but due to the committee to say that it has approached the consideration of the questions involved with a delicacy growing out of their appreciation of the patriotic services tendered to their Government and rendered by these officers. Every opportunity has been given to them to be heard. The committee has proceeded with deliberation and care, and there is not a member of the Committee on the Judiciary but entertains the highest respect for the gentlemen interested. But the resolution was

sent to this committee by a vote of the House, and it becomes our duty to consider and report to the House our findings of the law and fact governing these cases.

The most exhaustive treatment that has been given to these questions will be found in Report No. 110, Thirty-eighth Congress, first session, in the matter of the military appointment of Hon. F. P. Blair, jr., which is known as the "Dawes Report." The feeling of this committee can not be better expressed than by quoting a paragraph from that report:

"These questions are all of the gravest importance, and have ever been so considered whenever they have arisen. They affect seriously the privileges and the independence of the House, and can not be disregarded without trifling with both; and when the House of Representatives shall cease to guard its own privileges, and even its own independence, it will cease also to be worthy of a free people, and be fit only to be cast out."

The facts already found in this report clearly show that four Members of the present House of Representatives, after being duly elected, qualified, and acting as such, accepted commissions in the United States Army in the Spanish-American War, and acted in the Army as United States officers under such commissions.

Does a Representative in Congress, duly elected, vacate such office by accepting, during the term for which elected and after he has qualified as such, a commission, issued by the President, as an officer in the Army of the United States? is the practical question suggested by the inquiry directed by the House to be made by the Committee on the Judiciary.

The question is not now presented for the first time, and we have, therefore, precedent, as well as the plain and unequivocal language of the Constitution, to guide us in answering the question propounded.

Section 6 of Article I of the Constitution of the United States provides as follows:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office."

A person holding a commission in the Army or Navy of the United States and not on the retired list is an officer of the United
56 States, and he holds that office under the United States. The office is created by law and filled by appointment of the President, when such appointment is confirmed by the Senate. Such a person is not, however, a civil officer—he does not hold a "civil office."

It follows that a person while holding the position of Senator or Representative in the Congress of the United States may be appointed to an office in the Army or Navy either created or the emoluments of which have been increased during the time for which he was elected, or to any office in that service.

(I Story on the Constitution, sections 791–792.)

The first prohibition relates solely to a "civil office." May such person accept such new office or any office under the United States and still hold his position as Representative in Congress?

It is evident that it was the policy of the framers of our Constitution to prohibit Senators and Representatives in Congress from creating civil offices or increasing the salaries pertaining to civil offices and then enjoying the fruits of their own work during the term for which they were elected. This provision removes, to some extent, the temptation to bad or unnecessary legislation by Members of Congress. It is true that they may vote to create a civil office or to increase the emoluments thereof and be appointed thereto after their term has expired, but the idea seems to have prevailed that a newly created office might, and probably would, be filled by the appointing power at once, or at least before the legislators creating it would be out of office and so situated as to accept its benefits or emoluments.

But the Constitution goes further and in the same connection declares that "no person holding any office under the United States shall be a Member of either House (of Congress) during his continuance in office." (The office held by him under the United States.)

The second prohibition relates to "any office" held under the United States, whether it be civil or military or naval. It is evident that the framers of the Constitution used the word "civil" understandingly and intentionally in the first prohibition and for the purpose of distinguishing civil offices from military and naval offices. It is also evident that the framers of the Constitution used the word "any" in the second prohibition intentionally and for the purpose of declaring that no Senator or Representative in Congress shall hold an office under the United States and at the same time "be a Member of either House" of Congress.

It has been suggested that it was the purpose of the framers of the Constitution to declare that a person shall not act as a Senator or Representative in Congress during the time he holds an office under the United States, and that the effect of the constitutional provision is to permit a Senator or Representative in Congress to hold his position as such Representative and at the same time hold, accept, and perform the duties of another office under the United States, his right to act in the first capacity being suspended while holding and performing the duties of the second.

Such a construction of this section of the Constitution imputes to its framers the inability to express their ideas with any clearness whatever. It is plainly declared that "no person shall be a Member of either House during his continuance in office" if he holds any office under the United States. This language goes to the very existence of the individual as a Member of the Senate or House of Representatives while holding another office under the United States. Had suspension of the power to act been aimed at, apt words expressing the purpose would have been used. The words "act as" would have been
57 substituted for "be." "Be" means "to exist, have existence or being." Therefore the Constitution declares that no person holding any office under the United States shall exist or have existence or being, while in such office, as a Member of either House of Congress.

At the present time, when the patriotic impulses of our people have been so deeply stirred, it may seem unpatriotic to say this—to assert that a Member of this House may not accept a commission in the Army, go upon the field of battle and fight for his country, and still retain his seat in the House of Representatives; but the manifest dangers that would follow any other construction of the Constitution—even were any other construction possible—must make the meaning of the framers of that instrument plain, and no mere patriotic sentiment should be permitted to override the plain language of the fundamental written law.

Both Story and Rawle, in their able and admirable works on the Constitution, have accepted the language of the Constitution of the United States above quoted as prohibitory and without discussion have proceeded to point out the wisdom of the provision.

Rawle says, chapter 19:

"But although no reasons merely of a legal nature might be opposed to it, the impolicy of admitting such officers to compose a part of the legislature is exceedingly plain."

Again, he says:

"The public officer being therefore considered with us as having actual living duties which he is bound to perform, and as having no more time than is necessary to perform them, the Constitution expressly excludes him from a seat."

Story says, Volume I, section 869:

"The other part of the clause which disqualifies persons holding any office under the United States from being Members of either House during the continuance in office has been still more universally applauded and has been vindicated upon the highest grounds of public policy."

In section 871 he says:

"It is true that an acceptance of any office under the Crown is a vacation of a seat in Parliament. This is wise and secures the people from being betrayed by those who hold office and whom they do not choose to trust."

The Hon. James Wilson, LL. D., one of the associate justices of the Supreme Court of the United States, and professor of law in the college of Philadelphia (and also a signer of the Declaration of Independence and a member of the convention that framed the Constitution of the United States), in his lectures delivered in 1790–91 (I Wilson's Works, pp. 446–449) takes the same view of the Constitution, and after condemning in severe language the English practice of appointing members of Parliament to other offices under the Crown and then permitting them to be reelected to Parliament while holding such offices, says:

"The result is that a provision by which the members of the legislature will be precluded, while they remain such, from offices, finds, with great propriety, a place in the Constitution of the United States. In this important particular it has a decided superiority over the constitution of Great Britain."

This language, contemporaneous with the adoption of the Constitution itself, and coming from one of the framers of that instrument, is significant.

And see also Angell and Ames on Corporations, section 434, Wilcox on Municipal Corporations, section 617, in which the doctrine is distinctly laid down that "a resignation by implication may not only take place by an abandonment of the official duties, as before mentioned, but also by being appointed to and accepting a new office incompatible with the former one."

58 Again it is stated:

"It is a rule of general law that an officer who accepts another appointment inconsistent with the first is held to have thereby resigned the first." (Rawle on the Constitution, chap. 19, p. 184.)

And again we find the doctrine clearly laid down as follows:

"By force of the constitutional inhibition against the holding of two lucrative offices by the same person at the same time, the acceptance of and qualification for a second office incompatible with the precedent one ipso facto vacates the precedent office; and neither a quo warranto nor other amotion from the office thus vacated is necessary before the vacancy can be supplied." (Blencourt *v.* Parker, 27th Texas, 558; Rawle on the Constitution, chap. 19, p. 184.)

Clearly one accepting an office under the United States, he having previously qualified as a Member of Congress, vacates his seat by such acceptance, and there is no way that he can again hold a seat in Congress but through a reelection by the people and then again becoming qualified as a Member of Congress without the disqualification of holding another office under the United States.

Practical construction was given to this constitutional prohibition by the Seventh Congress of the United States. (Annals of Congress, 7th Cong., 2d sess., 1802–03, p. 297.)

In that case John P. Van Ness, of New York, after being elected to and while occupying a seat in the House of Representatives, accepted a commission and exercised the office of a major of militia in the District of Columbia under the authority of the United States. By a unanimous vote his seat was declared vacant. (See pp. 296, 352, 395.)

The same question has been raised since that time and directly passed upon by a vote in Congress.

The question was also passed upon by the Twenty-ninth Congress and again by the Thirty-seventh and Thirty-eighth Congresses.

Archibald Yell, of Arkansas, was elected to the Twenty-ninth Congress and took his seat. In July, 1846, he accepted a commission as colonel of volunteers authorized by act of Congress approved May 13, 1846. His commission was issued by the authorities of the State of Arkansas, but he and his command were mustered into the service of the United States and he came under the authority of the United States and drew his pay from the General Government. In December, 1846, Thomas W. Newton was elected to fill the vacancy alleged to exist by reason of said facts. Newton appeared and claimed the seat. Yell did not appear, neither did he formally resign. The committee reported the following:

"*Resolved further*, That Thomas W. Newton is entitled to a seat as a Member of this House from the State of Arkansas."

When it appeared that Mr. Yell had accepted his commission and been mustered into the service of the United States, all opposition to the resolution was withdrawn, and it was adopted. (See 1 Bartlett's Dig. Contested Elec. 1834–1865, 2d sess., 38th Cong., 92–97.)

In the Thirty-seventh Congress (2d sess., Apr., 1862) the case of Byington *v.* Vandever arose. Vandever was duly admitted to this seat, having been elected in 1860. Mr. Vandever raised a regiment of volunteers in the State of Iowa, pursuant to the act of Congress, and August 30, 1861, was appointed colonel of the Ninth Iowa Volunteer Infantry, being commissioned by the governor of Iowa, and September 24, 1861, he was mustered into the service of the United States and continued in such service thereafter, and was in the service when
59 the question was raised of his right to a seat, or whether he was a Member of the House.

The following resolution was reported and adopted without division:

"*Resolved*, That William Vandever has not been entitled to a seat as a Member of this House since he was mustered into the military service of the United States as colonel of the Ninth Regiment of Iowa Volunteer Infantry, to wit, since the 24th day of September, A. D. 1861."

Mr. Dawes, in report 210, says this was afterwards reconsidered and postponed to a day certain, but never reached.

The debate, participated in by Mr. Dawes and Mr. Shellabarger, is interesting and instructive, and the case may be found in First Bartlett's Digest Contested Election Cases, 1834 to 1865, pages 395–400.

The question was again up in the case of Gen. Frank P. Blair, of Missouri (1st sess., 38th Cong.; see Report No. 110). Gen. Blair was elected in the fall of 1862. The Thirty-eighth Congress did not organize until December, 1863. Gen. Blair continued to hold his commission as

major general in the Volunteer service of the United States and perform his duties as such commissioned officer after that date, and his seat was declared vacant, although he resigned his commission before taking his seat.

It appears that the question has been passed upon by the House itself as follows: Case of John P. Van Ness, Seventh Congress, second session; case of Archibald Yell, Twenty-ninth Congress; case of William Vandever, Thirty-seventh Congress; case of Frank P. Blair, Thirty-eighth Congress, first session.

In the House, incidentally through reports of committees: Case of Samuel Herrick, Fifteenth Congress, first session; case of Elias Earle, Fifteenth Congress, first session; case of George Mumford, Fifteenth Congress, first session; case of E. D. Baker, Twenty-ninth Congress, first session; case of Robert C. Schenck, Thirty-eighth Congress, first session.

In the Senate, report of Committee on the Judiciary: Case of Gen. James H. Lane, Thirty-seventh Congress.

The action has always been uniform and adverse to the proposition that a person may be a Member of either House of Congress (subsequent to its meeting) and an officer in the Army of the United States or in the Volunteer forces mustered into the service of the United States.

E. D. Baker, then of Illinois, afterwards Senator from Oregon and colonel in the Union Army, a Member of the Twenty-ninth Congress, accepted and exercised the office of colonel in the Volunteer service of the United States (War with Mexico), and drew his compensation as such. At the commencement of the controversy he resigned his seat, and no vote was taken. (See also Stanton *v.* Lane, vol. 6, S. Misc. Docs., 2d sess. 52d Cong.; "Compilation of Senate election cases," p. 180; 1st and 2d sess. 37th Cong., Cong. Globe, 1st sess., pp. 406 and 407, etc.)

The case of Stanton *v.* Lane was finally determined on two grounds: (1) The office of brigadier general did not exist when Lane was appointed, and (2) he resigned as such brigadier general before taking his seat in the Senate.

It may be claimed that an exception is found in the action of the Thirty-seventh Congress when on July 12, 1861, Mr. Vallandigham offered the following resolution:

"Whereas it is rumored that Gilman Marston, of New Hampshire; James E. Kerrigan, of New York; Edward McPherson and Charles J. Biddle, of Pennsylvania; and Samuel R. Curtis, of Iowa, holding seats in this Congress as Members thereof, have been sworn into the military service of the United States and hold military offices under the authority of the same; and

"Whereas James H. Campbell, of Pennsylvania, also holding a seat in this House as a Member thereof, has admitted upon the floor of this House that he has been so sworn and does so hold office as aforesaid: Therefore,

"*Resolved*, That the Committee on Elections be instructed to inquire, and without unnecessary delay to report, whether the gentlemen above named, or any others claiming or holding seats as Members of this House and at the same time holding any military office under the authority of the United States, are constitutionally disqualified to be Members of this House by holding such military office."

This resolution upon its introduction was discussed and the facts denied, and on motion was laid on the table without being sent to the Committee on Elections or to any other committee. It was laid upon the table by a vote of 92 yeas to 51 nays, such gentlemen as Roscoe Conklin, Crittenden, Holman, Voorhees, and others voting in the negative. Nothing was settled, excepting that in the then temper of the House and country the House was determined not to allow Mr. Vallandigham's motion to be investigated either as to the law or the facts. If it settles anything it demonstrates what many will remember, that this was at a heated and exciting time in the history of our country, and the majority of the House was in no temper to receive suggestions from Mr. Vallandigham, who at that time was far from being in harmony, as many believed, with the burning patriotic sentiment of the country in the North. It should be borne in mind also that notwithstanding this action the same Congress, as shown in this report, laid down the doctrine that military officers of the United States could not at the same time be Members of the House.

It is evident that it was the policy of the framers of our Constitution to prohibit Senators and Representatives in Congress while remaining such from holding any other office under the United States, and no plainer language to declare the purpose could have been used than the words of the Constitution, viz: "No person holding any office under the United States shall be a Member of either House during his continuance in office." The framers of the Constitution intended to keep the legislative, judicial, and executive branches of our Government separate and distinct; to prevent Cabinet officers from being Members of Congress, and thereby giving undue power to the President and his immediate advisers; to prevent the centralization of power and office-holding power in a few hands; to prevent judges from acting at the same time as legislators and thus concentrating power in the courts; to avoid the manifold dangers to the existence and perpetuity of our free institutions and a representative government that would follow a concentration of the legislative and judicial or the legislative and executive (the military and naval power being a branch of the executive) in a few and the same hands.

Without this constitutional restraint it would be possible for a President and the Congress to act in collusion; for the Congress to create high military and naval positions without limit and for the President to fill these offices from the ranks of unscrupulous, unpatriotic, and ambitious Senators and Representatives in Congress (the Senate confirming as a matter of course), and as the President is Commander in Chief of the Army and Navy, to thus concentrate all power in the hands of the executive branch of the Government. These military legislators might increase the Army, control the elections by the bayonet, and government by the people and for the people would end. Two printed lines in the Constitution of the United States has made all this impossible.

61 The 13 infant Colonies, subsequently the 13 original States of this Union, were dependencies of Great Britain, and in England a person holding a seat in the House of Commons at once vacates it by accepting any public office under the Crown. (1 Story on the Constitution, sec. 871.)

This had been the law of England for more than a hundred years prior to the Revolution. It is true, however, that persons holding such an office might be reelected to the House of Commons without vacating the office and then hold both at the same time. The evils and the alleged advantages of this system are many and have been ably pointed out by many writers. It is fair to presume that the framers of our Constitution carefully considered this question and inserted the language quoted for the express purpose of avoiding the abuses that had sprung up under the English system and of making our liberties the more secure.

So long as we keep the legislative, the judicial, and the executive departments of this Government separate and keep the legislative independent of the military and naval power, seeing to it that competent and patriotic men administer the affairs of each of these branches of Government, we may hope for national prosperity and to preserve our liberties and maintain good government. But when those who make the laws shall at the same time also interpret and execute them, or when those who make the laws hold high places in our Army and Navy, powerful branches of the executive, the lust of power may and probably will lead to encroachments upon the rights and liberty of the citizens, and our form of government will be at an end.

There would be no danger to the Republic in allowing the gentlemen whose seats are in question here to hold their places as Representatives in Congress and their commissions in the Army at the same time, but the question is one of law, and involves a principle of vast importance which must be met and decided without reference to individual cases.

If it be proper and constitutional for one general in the Army to hold the position of Senator or Representative in Congress at the same time, it is also lawful for the President to appoint every Senator and Representative in Congress to a high place in the Army and Navy, and the result would be to transform the National Legislature into a band of military officials, and, while there is no present danger that this will be done, it is easy to see, in the light of history, that this very danger was guarded against by the framers of the Constitution, who believed that the safety of the Republic depended upon the making of encroachments by the military upon the legislative powers impossible.

The result is and must be that the acceptance of an office in the Army under the United States by a Representative in Congress at once and by force of this constitutional provision vacates his position as such Representative and he ceases to be such. Such acceptance of office is per se equivalent to an absolute resignation of the seat in Congress. (See the numerous cases hereafter cited.)

As already stated, there is no prohibition upon the President in appointing Senators or Representatives in Congress to offices in the Army or Navy. It is evident that in times of war it may be necessary to create a large number of military and naval offices, and the public good and safety may demand that such offices be at once filled by men holding seats in the National Legislature. Soon after the close of our Civil War many of our most able, experienced, and distinguished generals, after being mustered out, were elected to Congress. Had

62 a war broken out with some foreign nation, and a large increase of the Army or Navy, or both, been made necessary, and had a score of important Army and naval positions been made necessary and created by the Congress, the public good and safety would have demanded the appointment of such men as Logan and Garfield to high military commands.

During the late war with Spain the appointments of Gen. Wheeler from the House of Representatives and of Gen. Sewell from the Senate to high offices in the Army were commended as wise and proper. It was, however, incumbent upon these gentlemen to elect whether they could best serve their country in its legislative halls or upon the field of battle, and he who accepted the position in the Army necessarily and, ipso facto, vacated his position as a Member of the Congress of the United States. (See cases cited hereafter.)

It may be said that there are many offices under the United States of little importance and carrying little or no pay, and that it can not be possible that the framers of the Constitution contemplated forbidding a Member of the National Legislature to hold one of these small offices. This is not the question. No line could be drawn between the large and the small offices. The principle declared was that a Member of the Congress of the United States shall not hold any office under the United States and retain his seat as a national legislator.

It will not do to say that the appointment of a Representative in Congress to an office under the United States and its acceptance by him merely operates to suspend the power of the legislator to act, for if so the President of the United States by collusion with the Congress might appoint a majority of the legislators chosen by the people to high offices, and thus destroy a quorum in the law-making body, and as the people would be powerless to elect others in their places, there being no vacancies, the power to enact laws for the protection of the people and the preservation of the Republic would be destroyed. Thus by indirection and collusion between the Executive and the legislative bodies might the destruction of the Republic be accomplished. In any event great inconvenience would result.

It may be politic and wise at times for some legislator skilled in military science to abandon the halls of Congress for the field, but when he does this his place should be filled by the people of his district or State, who have the right to be represented at all times by a living, acting Member. It was not intended by the framers of the Constitution that a congressional district or a State should go unrepresented while the elected Member or Senator, with the approval of the President and Senate, sees fit to absent himself and serve as a military or naval officer, or as a judge, or in some other office under the United States. The Senator or Representative in Congress is a representative of the people, and is elected by them to perform certain specified constitutional duties in their interest, and he has no right to enter some other public office under the United States and, even temporarily, abandon the performance of the duties of the position to which he was elected.

It is evident that our Constitution contemplates, and that public policy demands, that no Representative in Congress shall suspend by his own act, and without the consent of his constituents, his power and duty to act as their Representative during such time as he sees fit to serve in some other obtainable Government office. From a legal standpoint it is immaterial whether such action is taken from patriotic or selfish motives.

It may be argued that our executive and legislative bodies are composed of men too pure minded and patriotic to endanger the

63 Nation. This is undoubtedly true as matters now are, but once open the door, extend the temptations, and who can foresee the results?

It may be suggested that there is not an entire and complete severance of legislative and judicial or of legislative and executive powers, duties, and functions under the Constitution. This is true in a limited and restricted sense. The President of the United States must approve acts of the Congress before they become laws, unless passed over his veto, and, as he is to execute the laws, we have here the Executive taking part in the enactment of laws. So the President, heads of departments, and judges may openly suggest and recommend legislation. As the President is also the Commander in Chief of the Army and

Navy, we find here a mild and modified blending of the legislative and military powers. But the President is not a member, even ex officio, of the legislative branch of the Government. So the Senate forms an integral part of the court for the trial of impeachments. Again, both the Senate and House act judicially in determining the rights of persons to seats in those bodies, respectively.

"All American constitutions, State and Federal, provide for the separation of the three great powers of government and their apportionment to distinct and independent departments of the Government.

"It is a fundamental maxim of political science, recognized and carried into effect in the Federal Constitution and the constitutions of all the States, that good government and the protection of rights require that the legislative, executive, and judicial powers should not be confided to the same person or body, but should be apportioned to separate and mutually independent departments of government.

"The idea of an apportionment of the powers of government and of their separation into three coordinate departments is not a modern invention. It was suggested by Aristotle in his treatise on politics and was not unfamiliar to the more advanced of the medieval jurists. But the importance of this division of power, with the principle of classification, were never fully apprehended in theory until Montesquieu gave to the world his great work on the Spirit of the Laws. Since then his analysis of the various powers of the state has formed part, as Maine says, of the accepted political doctrine of the civilized world. Montesquieu says:

"'In each State there are three sorts of power—the legislative power, executive power with relation to matters depending on international law, and executive power with relation to matters depending on the civil law. * * * The last is called judicial power. * * * If the legislative power is united in the same person or body of magistrates with the executive power, there is no liberty, for it is to be apprehended that the monarch, or the senate, as the case may be, will make tyrannical laws in order to execute them tyrannically. Neither is there any liberty if the judicial power is not separated from the legislative and the executive power. If it were joined with the legislative power there would be arbitrary authority over the life and liberty of the citizens, for the judge would be the lawmaker. If it were joined with the executive power, the judge would have the might of an oppressor. All would be lost if the same man, or the same body of chiefs, or of nobles, or of the people, exercised these three powers—that of making the laws, that of executing the public resolutions, and that of judging the crimes or controversies of individuals. The framers of our Constitution were strongly influenced by these opinions of the French jurist, to whose views in general they were disposed to pay great deference, as is fully apparent from the pages of the Federalist.'" (Black's Constitutional Law, sec. 51, p. 73; Sill *v.* Village of Corning, 15 N. Y., 297–303.)

It must be remembered that our Constitution was framed soon after the close of the Revolutionary War, during the exciting times of the French Revolution, and that it was the declared purpose of the founders of our Republic in establishing its system of government to establish and perpetuate by constitutional guaranties the rights and liberties of the citizen.

See debates where this very provision of the Constitution was discussed and adopted. (Compilation of Senate election cases, Senate Mis. Doc., 2d sess, 52d Cong. (vol. 6), pp. 13–19.)

We may well ask, and the inquiry is a pertinent one, who in this Republic desires to see a single Member of the National Legislature under the absolute command of the President of the United States? And who desires to see generals of the Army with the Army under their command and bound to implicit obedience, exercising power as legislators or clothed with the power to pass from the Army into Congress and from the Congress into the Army, exercising the powers of either position without reference to the will of the people, and only as the President might command?

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It can not be that the framers of the Constitution wrote therein a provision so repugnant to the spirit prevailing in that body and among the people—a provision that might completely subordinate the legislative to the military power. In this country we do not fear an encroachment by the military upon the legislative power, because of this very provision, which makes it impossible for an officer in the military department to hold a place in the legislative, and for the further reason that the legislative body, by refusing to raise taxes or vote supplies or appropriate money, may absolutely cripple the military and naval organizations. But fill our legislative halls with Army officers or with those who may swing back and forth at their election, or, in some cases, place therein a small number, and a military despotism will in the end usurp the Government in fact, even if the name and form remain the same.

It may be suggested that military officers after being retired and placed on the retired list have been Members of Congress.

This is true, but it is settled law that persons on the retired list of the Army do not hold office under the United States in the constitutional sense. (People *v.* Duane, 121 N. Y., 367; In re Hathaway, 71 N. Y., 238; U. S. *v.* Hartwell, 6 Wall., 385; U. S. *v.* Germaine, 99 U. S., 508; U. S. *v.* Tyler, 105 U. S., 244.)

It may be contended that persons on the retired list of the Army do hold office under the United States, citing Badeau *v.* United States (130 U. S., 439), but this authority does not so hold. That case simply relates to salary under particular statutes.

These persons are still in the service but hold no office unless assigned to duty.

To hold an office under the United States the person must occupy a public station or employment conferred by the appointment of government; and it embraces tenure, duration, emoluments, and duties.

Says the court in 212 New York, page 373:

"It is difficult to conceive of the existence in this country of a military office without the power of command, the right of promotion, or the obligation to perform some duty."

And for the reason that retired Army officers are not entitled to promotion, do not perform duty, and exercise no command, it is held that when retired they cease to be officers.

It remains to consider what action, if any, is necessary on the part of the House of Representatives.

It is the settled and unquestioned law in England and the United States that—

"The appointment of a person to an office incompatible with one already held by him is valid, and he has a right to elect." (Angell and Ames on Corporations, 255.) "If he accepts, takes the oath, and enters on the duties of the second office, the first office is absolutely determined." (People *v.* Carrique, 2 Hill, 93; Rex *v.* Trelawney, 3 Burr, 1616 (opinion by Lord Mansfield); Milward *v.* Thatcher, 2 Term Rep. (Durnforth & East), 87; Gabriel *v.* Clark, Cro. Cas., 138; Rex *v.* Godwin, Doug., 383, note 22; Rex *v.* Patteson, 4 Bran. & Adol., 9; Willcock on Municipal Corp., 240, p. 617; Dillon on Municipal Corp., 3d ed., sec. 225; People ex rel. Kelly, 77 N. Y., 510; People *v.* Nostrand, 46

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N. Y., 381; People *v.* Board of Police, 35 Barb., 540; Horton *v.* Parsons, 37 Hun., 46; Commonwealth *v.* Hawkes, 123 Mass., 525 (per Gray, C. J.); State *v.* Butz, 9 S. C., 156; Stubbs *v.* Lee, 64 Me., 195; State *v.* Draper, 45 Mo., 355; Cotton *v.* Phillips, 56 N. H., 220; Kerr *v.* Jones, 19 Ind., 351; Regents of the University *v.* Williams, 9 Gill. & Johns. (Md.), 365; State *v.* Kirk, 44 Md., 401; Foltz *v.* Kerlin, 105 Md., 221; People *v.* Hamifarr, 96 Ill., 420; State *v.* Hutt, 2 Ark., 282; State *v.* West, 33 La. Ann., 1261.)

In People *v.* Nostrand, supra, the court says:

"It is a settled rule that the acceptance of an incompatible office operates as a resignation of the incumbent of the office then held by him."

In People *v.* Kelly, supra, the court said:

"The moment he accepted the new office the old became vacant. His acceptance of the one was an absolute determination of his right to the other and left him no shadow of title, so that neither quo warranto nor a motion was necessary (citing cases). These cases also show that this would be so at common law and independent of the statute. * * * The office was and is as vacant as if Mr. O'Reilley had never been born; his removal is as complete as if caused by death. When he accepted the new office the other ceased to have an incumbent."

Says Angell and Ames on Corporations, first edition, 255:

"This is an absolute determination of the original office and leaves no shadow of title to the possessor; so that neither quo warranto nor a motion is necessary before another may be elected."

Said Parke, J., in Rex *v.* Patteson, supra:

"Where two offices are incompatible they can not be held together, is founded on the plainest principles of public policy, and has obtained from very early times."

This rule is not limited to corporate offices but extends both in principle and application to all public offices. (Dillon on Mun. Corp., 3d ed., sec. 227; Glover on Corp., 139.)

The whole question is somewhat fully discussed in McCrary on Elections (3d ed., secs. 302–904, inclusive).

Is the position or office of Representative in Congress incompatible with any other office under the United States?

The Constitution itself answers the question when it declares, "and no person holding any office under the United States shall be a Member of either House during his continuance in office."

This is a constitutional declaration that the two positions are incompatible. In the case of Stanton *v.* Lane (Compilation of Senate Election Cases, p. 181, where the report of the Senate Committee on the Judiciary is found in full) the report says:

"In the opinion of the committee the office of brigadier general under the United States is incompatible with that of Member of either House of Congress. By accepting the office of brigadier general the sitting Member, Mr. Lane, virtually resigned his seat in the Senate, and it became vacant at that time."

In Kerr *v.* Jones (19 Ind., 351), the court held:

"The offices of reporter of the Supreme Court and colonel of militia are incompatible, and the acceptance of the latter vacates the former."

Says the report in the case of Blair and Schenck, Thirty-eighth Congress, first session, No. 110:

"The duties of the two offices are so entirely incompatible that this of itself, were there no other obstacle, would render their discharge by the same person an impossibility. The Representative is elected by the people, and represents them in the House, discharging the duties they require of him under the Constitution; the major general is appointed by the President, by and with the advice and consent of the Senate, and is required to obey him as Commander in Chief, and 'no man can serve two masters.' The Representative is required to discharge his duties in this House, and can not leave his seat without consent of the House; the major general is required to discharge his duties in the field, and

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can not leave his saddle without consent of his Commander in Chief—the President—and no man can be in two places at the same time.

"The Representative 'shall not be questioned in any other place' 'for any speech or debate' in the House, but if he be a major general, and that 'speech or debate' be construed as disrespectful to his superior officer, he may be court-martialed for it. He 'shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during his attendance at the session of the House, and in going to and returning from the same,' but if he be in the military service and his furlough has expired, he may be arrested and lodged in a guardhouse by a corporal of guard to await trial. He may as a Representative be called upon to vote upon the propriety or continuance of the Rules and Articles of War for the violation of which he may be at the very moment on trial; and his duty as a Representative may require of him to impeach the President, his Commander in Chief, if he be a major general, while his duty as a soldier may at the same time require of him unquestioned obedience, on pain of death, to the order of that same Commander in Chief to absent himself from his seat and report in person a thousand miles from the Capital.

"It is not necessary to cite other instances of incompatibility, though they will crowd at every step the path of him who attempts thus to travel at the same time in opposite directions. These are sufficient to show the impossibility.

"If there was not any such impossible incompatibility as has been shown to exist, still the holding of these two offices by the same person at the same time would be against the whole theory of our institutions, antirepublican, and most dangerous in its consequences. Nothing is plainer in the theory and plan of this Government than the distinct and separate organization of the executive, judicial, and legislative departments, and the sedulous care with which each has been clothed and guarded in the exercise of duties entirely independent of the others. Yet the attempt to invest the same person with two offices—one legislative and the other executive—and require of him at the same time the discharge of the duties of both, is, whether they be conflicting or not, a commingling of the duties of the executive and legislative departments.

"It is bringing the Executive himself into the very Halls of Congress, and if persisted in might ultimately prove as pernicious as if he had a seat therein and as many votes as he had commissions. If one Representative in Congress may at the same time hold under the Executive the office of major general so may another, and another may as well be a brigadier general, or hold any other official position in the military service under the Executive and Commander in Chief, and bound to obey him. By such process the House may at any time be put under the control and become the pliant instrument of the Executive to any end. Its Members would cease to be the representatives of the people and become only the agents of the Executive.

"The framers of the Constitution saw this so clearly and felt that the independence of the legislative over the executive department was so essential and vital that they deemed the inhibition worthy of an express constitutional enactment, that 'No person holding any office under the United States shall be a Member of either House during his continuance in office.' (Art. I, sec. 6.) And here ends the argument. Nothing can be said to gainsay or to enforce a plain constitutional provision. Thus saith the Constitution. The two offices can not be held by the same person at the same time."

The foregoing is from the Dawes report, which is commended for its exhaustive treatment of this subject. Attention is called to this emphatic language in that report:

"The House has ever been awake to this constitutional guard of its independence, and has never failed when occasion requires to resist any invasion of its privileges in this particular." (Rept. 110, 38th Cong., 1st sess., p. 5.)

Two questions were distinctly settled in that report, and two cases were considered by the committee together.

In the case of Robert C. Schenck, he was elected in the fall of 1862, his term to begin March 4, 1863. The first session of the Congress to which he was elected commenced December 7, 1863. He resigned the military office of major general to take effect December 5, 1863. His resignation was accepted to take effect on that date. He then appeared and was qualified December 7, 1863, and entered upon his duties as Member of Congress. He performed no act as Member of Congress until December 7, 1863. He indicated no acceptance as Member of
67 Congress until the latter date. He drew no pay as a Member of Congress until the session commenced, December 7, 1863. After that date he drew pay and performed the duties of a Member of Congress. The House held that he was entitled to his seat, as he was not a military officer of the United States when he determined to accept and did accept and qualify as a Member of Congress. The following is the resolution reported by the committee in that case:

"*Resolved*, That Robert C. Schenck, having resigned the office of major general of volunteers, which he then held, on the 13th of November, 1863, which resignation was accepted November 21, 1863, to take effect December 5, 1863, was not by reason of having held such office disqualified from holding a seat as Representative in the Thirty-eighth Congress, whose first session commenced on the 7th day of December, 1863."

In the case of Gen. Blair, he acted as a major general after the date of the meeting of the Congress to which he was elected, and in this same report of Mr. Dawes the following resolution was submitted:

"*Resolved*, That Francis P. Blair, jr., by continuing to hold the office of major general of volunteers, to which he was appointed November 29, 1862, and to discharge the duties thereof until January 1, 1864, the date of his resignation, did thereby decline and disqualify himself to hold the office of Representative in the Thirty-eighth Congress, the first session of which commenced on the first Monday in December, 1863."

Again, Article I, section 1, of the Constitution says:

"All legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives."

The powers of Congress are then specified.

Article II, section 1, says: "The executive power shall be vested in a President of the United States of America." Section 2: "The President shall be Commander in Chief of the Army and Navy of the United States and of the militia," etc. Article III, section 1: "The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts," etc.

It is therefore apparent that it was not intended that the duties of those three departments should be performed by the same man or bodies of men.

"Whether offices are incompatible depends upon the charter or statute and the nature of the duties to be performed. (1 Dillon on Mun. Corp., 3d ed., sec. 227; Milward *v.* Thatcher, 2 Term Rep. (D. & E.), 87; People *v.* Carrique, 2 Hill, 93.)

"Incompatibility in offices exists where the nature and duties of the two offices are such as to render it improper from considerations of public policy for one incumbent to retain both." (1 Dillon Mu. Corp., 3d ed., sec. 227 and note; Kerr *v.* Jones, 19 Ind., 351.)

In the light of the common law, of the Constitution, of the fact that a person should not at the same time both make and execute the law, and that the legislative should not be subservient to the executive, it is clear that the position of Representative in Congress and of an officer in the Army of the United States are incompatible offices.

The duties of a Member of the National Legislature demand his presence in the legislative Chambers at Washington, making laws, as a Representative of the people, while the duties of a military officer demand his presence in other places at all times and that he engage himself in executing the laws of Congress under the command of the President.

It is true that the mere impossibility of the incumbent of
68 two offices being present at all times to perform the duties of each does not make them incompatible, but—

"Offices are said to be incompatible and inconsistent, so as not to be executed by the same person when from the multiplicity of business in them they can not be executed with care and ability, and when their being subordinate and interfering with each other it induces a presumption that they can not be executed with impartiality and honesty." (5 Bacon's Abridgement, Title Offices, K; Public Offices; Throop, sec. 33; People *v.* Green, 58 N. Y., 304–305, per Folger, C. J.)

Is it proper and public policy for the officers of the Army and Navy acting as legislators to appropriate the money for the support of these departments, expend it as they see fit under laws of their own making, while governed and restrained only by such limitations and restrictions as they see fit to place upon themselves?

If their power as legislators is suspended only while holding offices in the Army or Navy, they may first (and in anticipation of commissions) make obnoxious laws and then go into the military and naval service to execute them, leaving the people powerless, for while there is no possible quorum to do business there are no vacancies in either House, and hence a repeal of obnoxious laws or the enactment of new ones is made impossible. Even repentant and patriotic Representatives would be unable to return to the halls of legislation unless by the consent of the President without committing the crime of desertion and incurring the death penalty. Even the court of impeachment might be in the Army and Navy, unable to convene, and the whole Government would be in the hands of what might prove to be an ambitious and unscrupulous Executive.

It is no answer to say, what we all concede, that our present patriotic Executive is above suspicion. What is constitutional to-day will be so until the fundamental law is changed. We are building for the centuries and to avoid all probable, if not all possible, dangers. Our fathers had all these dangers in mind when the Constitution was framed.

In Indiana, State *v.* Allen (21 Ind., 516), the court went so far as to hold that an enlistment in the Army of the United States for three years or during the war was an abandonment and vacation of a civil office held under the State. (See also Willcock on Corp., 238. But see Bryan *v.* Cattell, 15 Iowa, 537.)

The question may be asked, What will be the situation if a person holding a commission in the Army of the United States is elected to Congress and, without resigning his office in the Army, presents himself as a Member of the House? In such case does he vacate the Army position? Assume that he refuses to resign either and claims to act in both positions. It will be time enough to cross that bridge when reached. It is clear, however, that in such case he is not entitled to his seat in Congress and should not be sworn in or allowed to act.

It follows that the seats of those Members of the House of Representatives in the Fifty-fifth Congress who entered the Army as officers, commissioned by the President, during the late war with Spain, and took the oath and acted as such, are vacant, and have been since they accepted their commissions in the Army. The only action necessary is to so declare by resolution, as matter of convenience and to aid the Speaker and others in discharging their public duties. No act or resolution of Congress can change the legal effect of their acts.

Our attention has been called to the case of Bryan *v.* Cattel (15 Iowa, 538) as sustaining the doctrine that a Member of Congress might hold a military appointment in the Army. But this case will not sustain the doctrine. Bryan was appointed a captain in the
69 Army, being at the time district attorney for the fifth judicial district of Iowa, for four years commencing with the 1st day of January, 1859. At that time there was no provision of law against holding two offices, but by chapter 54, laws of 1862, it provided as follows:

"The acceptance of a commission to any military office, either in the militia of this State or in the volunteer service of the United States, which requires the incumbent in the civil office to exercise his military duties out of the State for a period not less than 60 days."

This was enacted as a ground for the vacation of any civil office where the officer had entered the United States Army.

Capt. Bryan sued for his salary for the entire period covered by his election. The court denied that for such part of the time as came after the enactment just quoted. This clearly sustains the position that with the provisions of Article I, section 6, clause 2, United States Constitution, the office would have been declared vacant by the Iowa court. For the period prior to the enactment just quoted the court allowed the captain his salary as district attorney upon the ground that he might discharge the duties of district attorney and also the duties of captain. The language of the court is:

"It by no means necessarily follows that the person in the military service might not discharge all the substantial duties of the attorneyship. It is scarcely probable that he could or would, and yet he might."

Upon this line of thought, not at all sustained by the current authorities, they allowed Capt. Bryan to recover for that portion of his salary for the time heretofore stated. But the court laid down this doctrine in the same decision:

"If a party accepts another office which within the meaning of the law and the case is incompatible with that which he holds, we have no doubt but the first one would become vacant."

We can well understand how the very patriotic chief justice, Judge Wright, in the great patriotic State of Iowa, then throbbing with very generous impulses for the Government, would use the reasoning quoted in respect to the possibility of his discharging the duties of the two offices. But this case, taken as a whole, thoroughly sustains the position taken by the committee, and when we are confronted with the constitutional provisions it is absolutely certain that had such a case arisen as a Member of Congress holding a commission in the Army, Judge Wright and the Supreme Court of Iowa would have held, as Congress has ever held, that the offices were absolutely incompatible.

We have, then, in considering this matter, two kinds of incompatibility in respect to offices: First, where in the very nature of the two offices they are incompatible and can not be held by the same person at the same time. Clearly, for reasons above given and sustained by the authorities without reference to the Constitution, the office of Member of Congress and an officer in the Army of the United States are incompatible and can not be held at the same time. But while we have considered this view of the case fully it was not really necessary, for the constitutional provision in itself makes it absolutely impossible to hold these two offices at the same time.

The committee therefore recommend to the House the adoption of the following resolution:

"*Resolved*, That Joseph Wheeler, a Representative in the Fifty-fifth Congress of the United States from the Eighth district of the State of Alabama; Edward E. Robbins, a Representative in the Fifty-fifth Congress of the United States from the twenty-first district of the
70 State of Pennsylvania; David G. Colson, a Representative in the Fifty-fifth Congress of the United States from the eleventh district of Kentucky, and James R. Campbell, a Representative in the Fifty-fifth Congress of the United States from the twentieth district of the State of Illinois, by accepting commissions in the Army of the United States, and being mustered into such service after being sworn in as such Representatives, thereby vacated their seats as such Representatives and ceased to be Members of this House as of the dates they accepted such military offices, respectively, and are not now Members of the Fifty-fifth Congress of the United States.

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I most respectfully dissent from the views of the committee as expressed in the resolution recommended to the House for adoption.

JOHN J. JENKINS.

[House Report 2205, part 2, Fifty-fifth Congress, third session.]

APPOINTMENT OF MEMBERS OF CONGRESS TO MILITARY AND OTHER OFFICES.

Mr. De Armond, from the Committee on the Judiciary, submitted the following views:

In submitting some minority views there is no disposition to find fault with the majority. Upon the contrary, it is a pleasure to say that the report of the committee—to much of which cheerful approval is accorded—is able and learned, and a valuable contribution to the records of the American Congress.

The House saw fit to impose upon the committee a duty which was entered upon by the committee in the right spirit, and discharged in uprightness and with ability. That the report is not one in which all

can join heartily is a source of regret to the minority quite as great as any of the majority can feel. The fact that the search after the true light of the Constitution has been so harmoniously pursued by the committee encourages the minority to lay before the House some views not entertained by the committee, so far as the report shows, in the hope that possibly thereby the House may be more fully advised concerning the subject submitted to the committee for consideration and report.

The committee properly directs special attention to paragraph 2, section 6, article 1, of the Constitution, and with much care and learning seeks to construe, interpret, and apply that portion of the supreme law of the land to the facts ascertained and reported. The resolution, the adoption of which the committee recommends, is based upon what, in the judgment of the committee, is the imperative requirement of the Constitution. The committee has not found, and perhaps no one has discovered, actual danger to our institutions from the appointment to military office under the United States of any of the four Members of this House whose seats are declared to have been vacated by the acceptance of such appointments. As before stated, the recommendation of the committee is based upon the constitutional behest, as the committee understands it, without any predilection to fly to the rescue of an imperiled Constitution. The committee did not hunt for a breach into which it might throw itself, but faithfully and to the best of its ability performed the duty assigned it by the House.

2 Unconsciously, I think, the committee regarded the instruction of the House in the light of the antecedent understanding of the scope of the investigation and action originally proposed. In this view, it seems, special prominence has been given to the status of the Members of the House who were appointed to military office. However restrictive or comprehensive the resolutions under which the committee proceeded may have been by original intendment, the language employed in them is broad enough, as the committee determined, to cover the cases of other Members of the House who accepted places upon commissions created under legislation of the present Congress. At the same time it does not appear that the committee dwelt upon the evils which might result from giving Congressmen civil office, the creation of their own legislative acts, to anything like the same extent that it dwelt upon the bad results likely to flow from the disregard of the second branch of the paragraph of the Constitution above cited. It is not thought improbable that this difference in estimating the weight of these kindred parts of the provision under consideration is traceable in some degree to a preconceived notion, not embodied in the resolutions before the committee, but evidenced otherwise and earlier, that the case of the Army appointee is the one to be dealt with. But, however this may be, it is evident that the committee was much more impressed with the importance of holding rigorously to the strict letter of the Constitution as applicable to the military officer than as applicable to the appointee to a post made by the Congress of which the appointee was or is a member.

Again, the committee lay much stress upon the exact, technical meaning of the term "office," and apply that meaning to the word as employed in the above-mentioned provision of the Constitution. It is not disputed that the report deals learnedly and upon authority with "office," as contradistinguished from "employment." The question, however, remains whether "office," when used in the provision referred to, has the technical or the general meaning of the word. In considering this question the precise words of the Constitution may be set before us. They are:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time, and no person holding any office under the United States shall be a member of either House during his continuance in office."

What good is to be secured, what evils prevented, by the observance and enforcement of this portion of our Constitution? Evidently freedom for the legislative branch of the Government from undue Executive influence, no more surely than the prevention of the many wrongs that might arise by permitting legislators to make places for themselves to fill, regardless of the public welfare. Indeed, it is by no means clear that the first clause of the paragraph above quoted is less in value than the one which follows it. Which meaning of the term "office" gives the greater weight and efficacy to the constitutional safeguard? If "office" has the technical, precise, restricted meaning which the committee give it, then a Senator or Representative shall not "during the time for which he was elected, be appointed to any civil office under the United States, which shall have been created, or the emoluments whereof shall have been increased during such time," unless artful enough to create, or increase the emoluments of, a something lacking some of the elements of an "office," in the technical sense, though possessing all the substance and inducements calculated and designed to

3 make the "employment" most desirable. Is that what the Constitution makers meant? Did they intend to prohibit in terms what they encouraged in fact if accomplished by a legislative trick? Were they careful to put up the bars to prevent Senators and Representatives from providing for themselves and enjoying, at the expense of the public and the peril of free government, what they might make and enjoy, by due legislative regard for the important function of omitting something technically essential to constitute an "office," while providing for the same thing in substance?

Upon the other hand, if the term "office," as used by the fathers, has its general, popular meaning, and not its narrow, technical meaning, the prohibition is complete, and, if enforced, truly effective in accomplishing what we may believe it was intended to accomplish.

There is a broad and plain distinction between the appointment by one branch of Congress of certain ones of its members to serve upon a legislative committee or commission, and the appointment by the President of such members. The Canadian commission was created under a law of the present Congress, providing that its members should be appointed "by the President, by and with the advice and consent of the Senate." Thus are members of the Supreme Court, members of the Cabinet, ambassadors to the courts of foreign nations, and many other high officers of the Government appointed. It is the opinion of the committee, however, that Members of Congress, whether Senators or Representatives, were not appointed to "office" in being thus made members of the Canadian Commission, but at most were only "employed," with due regard to and without any breach of the constitutional provision already quoted. The nominations of these commissioners are now awaiting senatorial confirmation, having been made originally in vacation. Let it be noted that nothing in the legislation authorizing the appointment of the Canadian Commission suggested that Congressmen should be members of it. And how much membership upon this commission lacks of being an office, within the most technical meaning of the term, let the curious determine. At the same time let them note carefully the solemnity and decorum attendant upon the "employment" of persons by the President, "by and with the advice and consent of the Senate."

What has been said concerning the Canadian Commission applies to the Hawaiian Commission, with the suggestion that the legislation providing for the creation of the Hawaiian Commission, while it prescribes that the President shall appoint the five commissioners, "at least two of whom shall be residents of the Hawaiian Islands," does not require that the appointments shall be with the advice and consent of the Senate.

Mr. Robbins was appointed captain in the volunteers on or about the 21st of June of last year; was mustered into the service as such officer on the 1st day of the following July, and a week later Congress adjourned. In October (in the meantime having been promoted to major) he was discharged. He received no pay for his Army service, claiming his congressional salary instead. When Congress assembled last December he appeared in his seat, answered to the call of his name, and ever since has been acting as a Member of this House, voting upon the last roll call, or yea-and-nay vote, before the filing of the report of the committee, recommending the adoption of a resolution declaring that he and the others named in the resolution "vacated their seats as such Representatives and ceased to be Members of this House as of the dates they accepted such military offices, respectively,

4 and are not now Members of the Fifty-fifth Congress of the United States."

Now, as a matter of fact, Robbins is to-day, as he has been during all of the present session, a Member of this House, for he has appeared and served, and been permitted to serve, as such as fully and completely as any other Member of the body. It would thus appear that a Representative, when admitted to a seat in this body and duly qualified by taking the oath of office, actually remains a Member until the expiration of the term for which he was chosen, unless before the expiration of such term he goes out by death, resignation, or action of the House. Therefore, it is suggested that once admitted to membership as Representative, and not dying or resigning, and the term still continuing, one goes out of the House or remains in it pursuant to the action or nonaction of the House.

Most naturally, perhaps, the question of whether one is or ought to continue to be a Member of the House arises (in the absence of misconduct warranting or considered as warranting his expulsion) when another claimant appears and demands the seat. In the cases before us no adverse claimants appear. Upon the contrary, in the case of Gen. Wheeler, as we are advised, the governor of his State declined to regard his seat as vacated and to call a special election to fill it, though urged by some interest or influence to do so; and his constituents are content to have no other Representative, not only during this Congress, but also in the next.

It may not be out of the way to remark that probably the Congress will be measurably freed from Executive influence, not sanctioned by the Constitution, when Executive appointments to "office," as well as Executive "employments," reach congressional households less frequently. Assuredly, if membership upon "commissions" by presidential appointment and senatorial advice and consent are held to be prohibited by the Constitution, no public hardship will follow. What is there unreasonable in such understanding and application of that instrument?

The present would appear to be the time when full force ought to be given to the prohibition of the Constitution against the appointment of Congressmen to places which they have created, or which, in the absence of law, the President may make at will, with such powers as he may see fit to confer upon this or that commission, sent to this or that island, where he may choose to have it operate.

If it be urged that the Constitution is not in the way of presidential appointments of Congressmen to places upon commissions, whose duty it is to make investigations and report for the information of Congress, it should not be overlooked that too often those who are thus the especial marks of the President's confidence and favor will not unlikely, as a natural consequence of his preferment, become champions of his policies, after aiding in formulating them, and of his treaties, after making them for him, when otherwise their stand might be very different, indeed. It is perhaps quite as important that the legislator shall devote his energies and abilities to legislative business outside the domain of the Executive as that the Executive shall refrain from assuming the rôle of the legislator.

It is but just to say that in the presidential appointments of Congressmen falling under the consideration of the committee nothing has appeared, either in the motives of the Executive or in the conduct, character, or qualifications of the appointees, to provoke criticism;

5 and no criticism is offered as to individual cases, but only as to a practice, not new, but surely growing with dangerous rapidity.

In conclusion, it is submitted that clearly within the spirit and probably within the letter of the Constitution the President has not the right to appoint a Member of Congress to a place or office such as the members of the Canadian Commission hold, nor has a Member of Congress a right to accept such appointment. What has just been said about appointments to the Canadian Commission may be repeated concerning Hawaiian Commission appointments.

All that is said in the report of the committee about the dangers to be apprehended from a disregard of the provision of the Constitution governing the cases of the Representatives who were appointed to and accepted offices in the Army may be applied, with equal force, and out of greater necessity, in considering the associated provision of the same Constitution prohibiting certain appointments to civil office.

DAVID A. DE ARMOND.

[House Report 2205, part 3, Fifty-fifth Congress, third session.]

APPOINTMENT OF MEMBERS OF CONGRESS TO MILITARY AND OTHER OFFICES.

Mr. PARKER, from the Committee on the Judiciary, by leave of the House, submits the following views in dissent from those of the majority committee as to House resolution No. 354:

On Wednesday, December 21, 1898, on a report from the Committee on Rules, without debate, the House adopted the following resolution:

"Resolved, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to the House:

"First. Whether any Member of the House has accepted any office under the United States; and

"Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same."

The resolution leaves to the committee no discretion. Usually resolutions are referred to a committee in order to determine whether they are in proper form, and whether as matter of governmental and na-

tional policy they ought to be reported and considered. In this case the resolution was passed by the House, without debate and without consideration. It is for the House, and not for the committee, to decide whether the question should be taken up, and whether in time of war, when the temporary services of Members of the House have been of value to the country in high military and diplomatic position, and when that temporary service has been performed, or is being performed without injury to the House, action should be taken in the nature of a forfeiture, branding patriotic service as inconsistent with legislative duty.

It may well be suggested that the constitutional provisions for the integrity of the legislature were intended only to enable the House to protect itself against Executive interference with its prerogatives and independence, and that when the reason for such action fails the House may well in its discretion pass the matter by in silence. The necessities of such a time as this know no law.

The sacred provisions of the Constitution, whether for the protection of the citizen or of the legislature, ought to be enforced as well as construed in a sensible, liberal, and practical way. High
2 policy is at the basis of all government. No technical spirit should prevail with reference to such provisions as the guaranty to every State in the Union of a republican form of government, nor as to the qualifications of electors voting for the President; nor have we yet thought it advisable or politic to attempt to diminish the basis of representation of the various States, whether in Massachusetts or South Carolina, because the right to vote is abridged, or because educational and other qualifications are enforced, so as to bring the case within the fourteenth amendment.

The House has always treated these questions of membership as largely within its discretion.

II. THE UNEXPECTED WIDE SCOPE OF THE INQUIRY.

The inquiry took a far wider range than was generally expected when the resolution passed the House. Question was made in the following cases:

A. Members who received commissions in the Volunteer Army. One of these resigned before the meeting of the House and is performing his duties honorably here. The others, though still serving their country as soldiers, may be discharged at any moment and be ready to return to their duties here, and meanwhile they are not attempting to exercise the privileges of Members nor invading the independence of this House, and there would be no time to fill their seats in this Congress if the House should in its discretion declare them vacant.

B. Members who have been appointed as commissioners plenipotentiary to adjust differences with Canada. It is noted that the principle as to this class may extend further and touch the right of Senators to have acted as commissioners with full power to negotiate and sign a treaty of peace with Spain.

C. A Member who, in the recess of the House, under the authority of a joint resolution and appointment of the President as commissioner, has investigated the condition of affairs in Hawaii and aided in the preparation of a code of laws for those islands.

D. Members who are serving on the Industrial Commission, appointed for two years, with provision that they shall continue as such and receive a salary after the expiration of their present terms.

E. Members of the so-called postal commission who investigated postal conditions in recess and have reported to the House.

F. Members who under various statutes are intrusted with the government of various institutions under the authority of the United States. For example, section 5580, Revised Statutes, as to the Smithsonian Institution, provides that "the business of the Institution shall be conducted by a Board of Regents, to be composed of * * * three Members of the House of Representatives" and others.

NOTE.—This principle may likewise govern the question what persons can be elector for President. Article II, section 1, paragraph 2: "No * * * person holding an office of trust or profit under the United States shall be appointed an elector."

III. WHAT IS MEANT BY AN OFFICE.

By the views of the majority, and while enforcing a rule as to the effect of holding office that is much stricter than the words of the Constitution, the whole constitutional rule is largely nullified by the
3 declaration that the highest advisory and diplomatic positions shall not be considered offices, because especial, and created for special great emergencies.

The clause of the Constitution is as follows:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office." (Art. I, sec. 6, par. 2.)

Several questions arise, viz:

What is an office under the authority of the United States, or an office held under the United States, what is the legal result of holding such office, and what discretion has the House in the enforcement of such legal result?

It is unnecessary to take much time with offices which do not come within the spirit of the constitutional provision. Directors and trustees of charitable or scientific institutions may be technically "officers under the authority of the United States," but so long as there is no compensation attached to their office, they are practically and for common good sense only ministers of science or public charity. If it were the question of a governmental directorship of a vast incorporated commercial system, say of railroads and canals, public policy might require a different conclusion. No technical rule can apply. The Post Office and Industrial Commissions are really committees of the House. They are joint committees, it may be, with Senators and others, but appointed by the Speaker of the House to investigate and recommend legislation. As to the Industrial Commission, if any part of the law of the present Congress gives congressional members of that commission the powers of any civil office, that part of the law is unconstitutional and the appointment is void, while the membership remains. Mr. Gardner states this point well on page 37.

As to diplomatic commissions, their dignity and their powers are so great that it is only fair to say that the suggestion that they are not offices under the United States is certainly not a settled question. But in theory and in practice it is not needful to determine this question now. Whether these positions be offices or not, we can agree that no member holds office or is an officer of the United States under these statutes, for the commissions were all created during this Congress; and even if offices were created, the Members of this House can not be appointed to hold such office, and in law are therefore only unofficial aids to the Executive and to these various commissions.

Practically, as well as theoretically, it is the same. If service with these commissions had taken Members from their duties here during the session, the House might hold this work inconsistent with membership. But the work was done in recess, principally, and was such as any patriotic citizen could perform and did not in any way interfere with work as Representatives.

If the commissioners had large emoluments, as plenipotentiaries and special envoys, this fact might be considered inconsistent with the independence of the House and the integrity of its legislation, and the House might take action as for breach of privilege or the question might be raised by the Treasury as to their right to such emolument.

But there are no such emoluments of any kind. The question is absolutely unpractical and purely academic. It is not theoretically or practically before this House for discussion or decision.

The majority report is therefore entirely correct (pp. 53, 54) that
4 the persons appointed or designated as commissioners under these various statutes are not officers, nor is either of them an officer, under the United States within the meaning of the Constitution. They could not be such. If these be officers, it is their tenure of the office that is void, and not their membership.

It is therefore unnecessary now to decide that the place of special envoy, no matter how great the authority, dignity, and emolument attached thereto, is not an office. Ambassadors were at first only sent as special envoys and not permanently. They represent the sovereign, whether monarch or republic, more than any other office under the Chief Executive, and such a decision would trench on dangerous ground.

It is only to be added that if offices which are temporary in their character are not within the constitutional prohibition, the same reasoning might apply to the emergency military officers. Gen. Wheeler takes this point on pages 32 and 33, citing a decision of Attorney General Griggs, as follows:

"The Attorney General of the United States has, in effect, decided this question. In a matter in which the principle is the same, he says: "'While an officer in the Volunteer Army may be said to be actively engaged in the military service, he is not permanently so engaged. He is called out to meet an emergency, and must be discharged when the purpose for which he entered the service has been accomplished. Unlike the Regular Army officer, he has not selected the military service for his profession. He has simply responded to a patriotic call, and expects, when the war is over, to return to civil life. His term of military service is uncertain and contingent. He may be taken from his civil duties for a few months, for a year, for two years at the most. The Government does not need or demand a complete and final severance of his relations with civil life. He may be able to make arrangements to bridge over his absence, and on his return resume his former work. Whether he is to be permitted to do this and retain a civil office during a temporary absence is a matter for determination by those to whom he is accountable for the proper discharge of the duties of such office.'"

The Attorney General's view is consistent that neither these diplomatic nor emergency volunteer offices are so permanent as to vacate other offices.

IV. THE CONSTITUTION CODIFIES AND INCLUDES THE WHOLE LAW ON THIS SUBJECT SO FAR AS MEMBERS OF CONGRESS ARE CONCERNED.

The doctrine of incompatibility of offices has no place here. That doctrine is rather rashly laid down in certain textbooks, but it will be found that the cases are always to be discriminated from this.

In some cases the Constitution had ordered the legislative, judicial, and executive branches to be kept strictly separate; therefore, the offices were held incompatible. In other cases the offices were plainly incompatible. No one person could be President and Vice President at the same time, or judge and suitor, or judge and marshal. These are plain cases.

No such incompatibility between legislative, executive, and judicial offices generally exists by the common law outside of the constitutional provision. History disproves it.

On April 16, 1794, John Jay, Chief Justice of the United States, was nominated by George Washington as envoy extraordinary to His Britannic Majesty. His nomination was sent to the Senate and confirmed April 19, after acrimonious debate, a principal objection being that he was Chief Justice. (See Pellew's Life of Jay, p. 298.) He continued in the office of Chief Justice and therefore refused all compensation for his services except expenses. (Pellew's Life, p.
5 314.) The State papers (Foreign Relations, vol. 1, p. 470, etc.) show his commission and instruments granting various powers, together with a letter of credence to the King certifying the nomination of John Jay, Chief Justice, as envoy extraordinary. In the next year, May 28, he reached New York, and on June 8 the treaty was presented to the Senate. Before landing, May 26, 1795, he had been elected governor of New York, and on June 29 he resigned his place as Chief Justice and took his place as governor July 1.

Will it be insisted that an envoy extraordinary is not a diplomatic officer? It can hardly be suggested that a Secretary of State is not. John Marshall was Secretary of State for John Adams, and while such was nominated and confirmed as Chief Justice. He was sworn in and took his seat February 4, 1801. Nevertheless, at the President's request he remained as Secretary of State till Jefferson was sworn in March 4, 1801, and at his request continued as such Secretary one day longer, until March 5, 1801.

Without a constitutional provision, the doctrine that legislative, executive, and judicial offices are incompatible by common law is absolutely unsupported by authority.

It is well known that officers of the Crown always sat and now sit in Parliament. This practice was unlimited until the statute of Anne. That statute declared that such appointment should forfeit the membership, but allowed reelection. Story, in his work on the Constitution, sections 868 to 872, says that legislative and executive offices are not in principle incompatible, and obviously favors the measure, so strongly urged of late, that the chief Secretaries should be members of the Legislature, so that information as to the Government may be called for in the House. He by no means considers the constitutional prohibition sacred in point of policy or principle. Ministerial responsibility in the Houses limits instead of increasing executive power.

V. THE EFFECT OF APPOINTMENT TO OFFICE PROHIBITED BY THE CONSTITUTION.

The effect of attempted appointment of a Member to a civil office created during the time for which he was elected has been sufficiently discussed.

The appointment is void. The Member can be held merely to be an unofficial helper or volunteer aid. If he accept emolument, or desert his legislative duties, or there be other just cause to deem his action a breach of the Constitution and the independence of either House, that House can take proper measure to protect itself. No such cause ap-

pears here, nor is any such question referred to the committee. We can only report that if these diplomatic functions are, in law, offices created by this Congress, they are not held by any Member hereof. The most jealous regard for the privileges of this House need go no further. And under the specific inquiry referred to us we can go no further.

VI. THE EFFECT OF "HOLDING OFFICE UNDER THE UNITED STATES" ON MEMBERSHIP.

The question should be a practical one in each case.

Here it is confined to temporary military service under an emergency call.

The question may hereafter arise as to civil officers. It is easy to suppose that a Secretary of a great department were elected Senator and that he should feel it necessary to the Government to delay
6 taking his seat until his successor as Secretary should be appointed, just as Marshall remained Secretary of State for a month after he was Chief Justice; or an emergency may be imagined in which the death of a great governmental officer should make it necessary to call in the aid of a Member experienced in the work to act ad intermim. Cases of public need, like those which created these commissions, might be multiplied.

The majority hold that acceptance of an officer for ever so short a time involves forfeiture of membership forever. This should not be. Neither the Constitution nor policy demand it. Attorney General Griggs does not hold it, but the contrary.

Acceptance of a permanent office may be held, and should probably be held, by the House to vacate the membership permanently. Acceptance for an emergency, whether military or civil, of a temporary office may, and in case of public necessity should, be held by the House at most to create only a temporary vacation of the seat; that is, a suspension of membership during the emergency.

The whole question is for the House. No self-acting abrogation of membership has ever come to pass. No Member has ever lost his right to his place until the House has acted. Gen. Wheeler, by his brief (Rep. p. 31), truly says: "Congress, by its practice for 100 years, has assumed the clause in the Constitution as directory and not mandatory."

The Constitution in this regard is a means by which the House may protect itself, but only if it see the need of protection.

There is no doubt that under the Constitution no person holding any office under the United States shall be a Member of the House during his continuance in such office. But the question does arise whether in cases of temporary calls to public duty the vacancy in the seat may not be merely temporary. A vacancy of this sort is not the same as forfeiture of the office. There is certainly question whether a Member who goes to serve his country, perhaps on emergency call for a few days, thereby forfeits his membership forever, or whether membership is merely suspended, unless such forfeiture of office be made by some action of the House or of the Member's State or constituency, and in their discretion whether such action ought to be taken is to be decided in each case. It is unquestionable that the Member can not exercise the legislative and military offices at the same time or be paid for both.

None of our brothers who went into the Volunteer Army have drawn double salary during their continuance in Voluntary Army office. One has now returned to the duties of this House. He served only during part of the recess of Congress, and resigned as an Army officer before this session. Others, though still in volunteer service, may be discharged on any day. The question is an actual one, whether by reason of such military service, no matter how brief, these Members ipso facto, and without action of the House or the constituency, have forfeited all right to return here as Members when their military duties have ceased and they no longer continue in such military office. The Constitution does not say so.

This construction would go far beyond the provision of the Constitution that they shall not be Members during the continuance of such office, and would say that they shall forfeit membership altogether and forever.

Plainly the framers of the Constitution chose their words carefully. They contemplated that their members might be called to newly
7 created military duties, and that such duties and the office so created might have a short continuance, and they changed the English statutes, with which they were familiar, so as to cover that case.

They certainly had in contemplation the possibility of being called to arms.

In order to understand the meaning of the provision of the Constitution, section 6 of Article I, we must put ourselves in the place of these members of the constitutional convention. A large number of them had been officers of the Continental Army. They knew that a great part of the First Congress of the United States had gone from that Congress into that Army; they recognized the duty of the citizen so to do.

The fact that the commander in chief during the Revolution had been taken from the Continental Congress was frequently urged in the debates in the convention.

When, therefore, they provided against the appointment of a Congressman to an office that had been created or made more lucrative during his term, they limited the prohibition to civil offices, and left Congressmen free as to military offices, no matter when created, expressly recognizing that they might be appointed or called to military office and that the needs of the country might so require. The provision is as follows:

Article I, section 6, paragraph 2: "No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office."

This prohibition by the first clause as to appointments to new offices is only as to civil offices, and expressly excepts new military offices as well as any call to military service and special appointments in time of emergency. The framers of that clause contemplated such appointments, and it only remains to consider the second clause and what effect they meant such appointment to have on the membership.

Obviously they did not mean it to forfeit the membership ipso facto, for they refused to follow the English law ordering such forfeiture, and made an entirely different provision based on the duration of the office, "his continuance in office."

It was an intensely practical question to each of them. They lived in a line of colonies along a narrow strip of seacoast, bordered immediately on the west and south by wild and often hostile Indians under French, English, and Spanish patronage. They were subject hourly to the danger of calls to defend their homes, on emergencies that might last only for a few days or might be for long service. They had before them the English statute of Queen Anne, declaring that if any member of Parliament accepted any office of profit under the Crown his seat should be thereby forfeited, and that a writ of election should immediately issue to fill the vacancy.

The statute in question is part of the act of settlement.

ACT OF SETTLEMENT.

[Anno Sexto Anne, C. 7.]

"XXVI. *Provided always*, That if any person, being chosen a member of the House of Commons, shall accept of any office of profit from the Crown during such time as he shall continue a member, his
8 election shall be, and is hereby, declared to be void, and a new writ shall issue for a new election as if such person so accepting was naturally dead: *Provided, nevertheless*, That such person shall be capable of being again elected, as if his place had not become void as aforesaid.

"XXXVIII. *Provided also*, That nothing herein contained shall extend or be construed to extend to any member of the House of Commons being an officer in Her Majesty's navy or army, who shall receive any new or other command in the navy or army, respectively."

This statute has always been construed in a practical way.

"The act of settlement is part of the fundamental law of the land, regarded with utmost reverence, but we find that the House of Commons dealt with all provisions as to its members in a practical way. For instance, by the Fifth William and Mary, chapter 7, section 57, no member can be concerned in farming taxes, but in various cases it was held that where a commissioner of stamps was elected to Parliament and ceased to be such officer before actually taking his seat, although after his election, he retained the seat. (See Hatsell's Precedents and Proceedings in the House of Commons, Vol. II, p. 43, par. 4; p. 44, par. 7.)

"So under the Statute of Anne a member who accepted the reversion of the Garter King of Arms retains his seat, and when the reversion fell in by death the matter was again brought up, but dropped (p. 44, par. 10). So, too, where Mr. Webb was appointed governor of the Isle of Wight before election and accepted afterwards, he continued his seat (p. 45, par. 11).

"Where a decision had been found unpractical, Parliament had no hesitation in reversing its action, especially in cases where officers of the army and navy were given high posts which were both civil and military, the later decisions being that they should retain their seats. So as to a naval officer made master of Greenwich Hospital (p. 46, par. 16). So as to an army officer made master of Chelsea Hospital (p. 48, par. 18). So as to army officers who were made governors of cities and forts, the rule being settled by resolution of 1733, after various precedents the other way (p. 48, par. 19). So as to an officer of the army accepting the office of general of ordnance (p. 52, par. 31).

"Hatsell's Precedents and Proceedings, Volume II, from pages 43 to 72, contains quite a discussion of this subject."

This statute is justly regarded as a part of the English constitution. But the framers of our Constitution refused to follow it or to declare that acceptance of office should ipso facto forfeit the seat. They left the question whether the vacancy in the membership was to be temporary or permanent and whether it was to be by way of suspension or to result in a forfeiture—all this they left to the exigencies of each particular case and to the decision of the House.

It is idle to say that membership can not be suspended and must be forfeited. This House can either suspend or expel a Member in its discretion, and what the House can do the Constitution can do, or can leave to the decision of the House in each case.

It is interesting to notice that other English statutes, which are followed in some State constitutions, rendered the holders of certain offices incapable of election to Parliament (see I Blackstone Commentaries, pp. 175–176). Our Constitution has no such provision. It leaves such an official free to resign after election and to take his seat. Our Constitution thus refused to follow English precedents. It refused to declare that the patriotic performance of military duty should forfeit membership altogether or that the holding of any office should bar a man from being elected to Congress by his fellow citizens.

The provisions of the Constitution are not to be enlarged. They did not prevent Chief Justice Jay from being sent to Europe as a special envoy. When the Constitution simply provided that the same functions should not be exercised at the same time, and that no person holding office should be a Member of either House during his continuance in such office, it did not declare that the holding of such office should thereby and ipso facto forfeit the seat forever. It
9 recognized this to be a practical question, which the House itself must determine in each particular case in its discretion and in a practical way.

In No. 51 of the Federalist (a number ascribed to Hamilton or Madison) the Constitution is paraphrased—

"A Representative * * * during the time of his service must be in no office under the United States."

That is, while he is actually serving. He shall not serve as Member—be an active Member—during his continuance in office. In no other way can the words "during his continuance in office" be given any effect.

This question is not to be confined to the cases now in hand. There are many others in which it may arise, and we must deal with each by the rules of common sense. For instance, we would all say that if a Member of the House accepts a place in the Regular Army, which is a life appointment, the House should certainly declare his seat vacant and order a new election, because he has declared an intention permanently to incapacitate himself as a Member. This principle applies and was enforced as to a Member who accepted a commission in the Militia of the District of Columbia, because he held a permanent office under the direct and continuing command of the President. Whether this decision would now be made if the question were new is somewhat doubtful.

An entirely different result is arrived at as to the State militia. It is true that the State militia is organized under the Constitution of the United States, and that its officers, though appointed by the States, "hold office under the United States" and, are subject to the direct call of the President (see the militia law, Rev. Stat., sec. 1642). But until such call is made they are under the training of the State, and it has never been pretended that a Member could not be an officer of the State militia, because, until such call, he is not "called into the service of the United States" (to follow the words of the Constitution, see Art. I, sec. 8, paragraphs 15 and 16, and Art. II, sec. 2, paragraph 1), and is not for practical purposes holding active office. Yet if he should be called out by the President, even to put down a riot, he

certainly becomes for the time an officer of the United States, and so long as he is in the service of the United States he can not exercise the functions of a Member of Congress. But who would say as a practical matter that under those circumstances it would be good sense for the House to declare the seat forfeited, so that he could not return there after the riot was put down? His membership would only be suspended. But by the reasoning of the majority report it would be gone forever.

The examples are not exclusively military. If a Member of the House be admitted to practice at the bar of the United States Supreme Court, he becomes thereby and beyond question an officer of that court of the United States and holds office under the United States; but common sense says that this is an office not to be exercised continuously, but from time to time when he appears in court, and is not such as was contemplated by the constitutional prohibition.

"The cases as to an attorney are various. In re Attorneys (20 Johnson, 492) it was held they were not State officers, but had exclusive privilege, like licensed physicians, and therefore took a special attorney's oath and not merely official oath of the new constitution.

"In re Garland (6 Wallace, 378) the court held that a law requiring the iron-clad oath was a bill of attainder, and that attorneys were officers of the court and not of the United States. Justice Miller and three others dissented strongly. But if officers of a United States court, are they not under the United States?

"In re Garland (6 Wallace, 378) the court held that a law requiring is at least very near to an officer with an oath of office, and that a woman can not be licensed as the law then stood for reasons based on cases as to officers."

So if a Member be a Supreme Court commissioner or notary, common sense says, "De minimis non curat lex," and just as such officers have been allowed to act as electors under a precisely similar provision, no suggestion has been made that they are not likewise Representatives at least until the House, in its discretion, shall take action thereon. (See Art. II, sec. 1.)

In brief, this provision was intended to be a practical provision. There may be doubt whether temporary volunteer office under a special emergency statute was intended to be within its prohibition at all. The section itself recognizes that military offices may be created during the term of the Member of the House, and that a Member can be appointed to such office, and so long as such person holds such an office and is under the direction of the President as Commander in Chief his membership is suspended and he is not and can not be a Member of the House; but in view of the fact that such appointment may be only temporary, to execute the laws of the Union, or to put down a riot, or, in this case, till the end of a war, it may create a mere suspension of membership unless action be taken to forfeit it.

The question is, therefore, one of what the House, in its discretion, shall resolve to do and not of any self-executing law.

If the Constitution executed itself, the Member's name would be dropped from the rolls by the Clerk, without action by the House. In the words of the English statute, it would be as if he "was naturally dead." Not so here. The House has always exercised its discretion over the whole subject.

It was always the House's action that declared the seat vacant. It it not vacant ipso facto, and the House often refused to act.

This is true in all the precedents.

"In the Van Ness case (Majority Report, p. 57) Van Ness accepted a permanent commission under the President, and the House construed this as a resignation and forfeited his seat.

"Col. Yell (Majority Report, pp. 57 and 33, 34) was commissioned in July, 1846. A successor was elected by his State, and claimed his seat February 8, 1847. The House refused to take the matter up, and adjourned without final action. Yell was killed.

"Col. Baker, who had been away from his seat in the Mexican War, was welcomed back at this same Congress, and sat, the House refusing, on March 3, to take the matter up. (Majority Report, Wheeler's argument, p. 34.) This is the Robbins case exactly, except stronger, for Baker was absent part of two sessions.

"In Byington v. Van Dever, Thirty-seventh Congress (Majority Report, pp. 57, 58), Van Dever took his seat in 1861, was then commissioned colonel, and a resolution against him was reconsidered and never acted on. He sat in Congress during the controversy, at least part of the time.

"In the case of Gen. Schenck (Majority Report, pp. 35, 64, 65, and 66) it was held that, having resigned as brigadier general on November 13, 1863, he could take his seat in December, 1863, although his resignation was more than questionable, and his term began March 4, 1863.

"In the case of Gen. F. P. Blair (same report, pp. 64, 65, and 66) a resolution was submitted by the committee that he had forfeited his seat by not resigning till January 1, 1863, but he remained in that and the following Congress till April 23, 1864, and went back to the war, the resignation having never been accepted, and recalled at his request. Naturally, in June 1864, the House passed a resolution that his seat was vacant, in order to allow a new election and so that it might be occupied at the short session.

"In the Herrick case a United States officer elected to Congress resigned just before the session, and it was held that he could take his seat."

In every case the House has reserved its discretionary power over the subject, either to declare the membership forfeited and order a new election or to leave things as they are.

The action of the House makes the precedent, not the reports of committees.

No good end would now be subserved by declaring memberships forfeited and ordering new elections. A new Congress comes in on the 4th of March. Certainly no practical advantage could now be gained by acting upon the case of the Member who was an officer during the recess and declaring his seat vacant. He is no longer such officer and is able to perform his duty here.

Under the circumstances the question is so purely academic and so devoid of practical good results that the House may well refuse to consider it and to lay down general principles which may come back to plague them in other cases; but under the resolution adopted the Judiciary Committee have no option but to report.

If any action is to be taken, the passage of the following resolutions is recommended as a substitute for those referred to said committee:

"Resolved, That such Members of this House as have been employed as officers in the Volunteer Army of the United States were suspended from membership during such employment, and that they shall not be Members of this House or exercise the functions of such membership during the continuance of said offices, respectively.

"Resolved, That in the case where such office has already ceased before the present session there is no ground for action by this House or for interference with the performance of his duties therein by the Member.

"Resolved, That in view of the likelihood that the other said offices may cease at any time, and the impossibility of holding any election during the present Congress, it is not expedient to take action on the case of those whose membership is still suspended by the holding of such offices."

Respectfully submitted.

RICHARD WAYNE PARKER.

Democracy and the Initiative and Referendum.

EXTENSION OF REMARKS
OF
HON. ROBERT CROSSER,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. CROSSER. Mr. Speaker, the subject of democracy and its extension throughout the world has been discussed very frequently during recent months. I therefore, pursuant to leave granted, extend in the RECORD the following remarks made by me on another occasion and at another place:

The task of enabling everybody to enjoy as much freedom as possible without interfering with the rights of others—that is to say, the problem of government—is one which has long been with us, in fact, every since there has been any attempt at government. Many plans have been tried, and practically all have failed.

Yet, after all, any form of government will be found in its final analysis to be based upon one of two principles—either upon theory that those enacting and administering the law should do so without restraint by the governed, or upon the opposite principle that government derives its just powers from the consent of the governed.

Publicly, at least, we in this country are believers in self-government, for whenever we find a fellow who has no patience with self-government he soon abandons us to our fate and, Astorlike, moves to Europe to hunt a job in the governing business.

After much deliberation the founders of the American Commonwealth declared that self-government was the principle upon which it should be and is founded. Accordingly, this Government has long been referred to as the final test of the principle of self-government, and the supporters of autocratic government are already loudly proclaiming that it is conclusive proof of its failure.

However, whatever be the cause, one thing is certain: This Government has not fulfilled the hopes of its founders. Different reasons have been given for the failure, but the fact is that we do not have genuine rule of the people, we have not real self-government.

Nevertheless, instead of agreeing with those who say "Destroy the semblance of self-government we now have; return to monarchy and oligarchy," we say "Give us more democracy, more rule of people instead of less."

Lawmaking by the unrestricted will of delegates or representatives is not self-government. Laws framed by such bodies may indeed sometimes be identical with the will of the people, but not because it is their will. It is only so because the will of the people happens to be the same as that of the legislative body. The people rejoice, indeed, when they find their will takes the form of law, but, on the other hand, they must also supinely submit to those alleged laws which are enacted absolutely contrary to the will of the majority; in other words, without their consent. Government that is thus administered is not self-government, but government by an elective oligarchy, if, indeed, we can call it elective, and therefore contrary to the intentions of those who founded this Government.

Such a method of lawmaking can not in the nature of things be otherwise than contrary to the best interests of the people, for the reason that it is only human nature to serve one's own interests before all others, and men intrusted with final authority in the matter of lawmaking are no exception to the rule. Naturally, self-advancement is foremost in the mind of the person intrusted with legislative power. This being true, the delegate or representative is generally inclined to legislate in favor of those who in turn can and will promote his interests. Inducements are constantly presented to shape his conduct on important measures. Of course, the reward conferred upon the legislator does not always, although often, consist of money.

That which is offered to influence their action upon pending measures may be money, political advancement, social position, the assistance of a friend, and so forth, according to the weakness and necessity of the person receiving the reward.

Few there are who are not influenced by one or other of these considerations, and yet often the legislators nobly resist all such temptations, but are then subjected to other species of torture.

Those seeking special advantage by the passage or defeat of a measure resort, if possible, to threats of blackmail. They have investigated the life of the lawmaker in every detail and have examined his conduct with microscopic care. If they have found some misstep which has not generally become known, or has long since been forgotten, the unfortunate man's honor and good name are threatened with destruction. If he have one who is dear to him and whose welfare he guards almost as his own life, he is warned that such person will suffer if there be found in such one's life the slightest irregularity upon which to base disagreeable publicity and scandal.

Another common method of coercion is to depreciate or threaten the value of the legislator's property; for example, his stocks, if he have any. But why multiply examples; the means of exerting pressure upon the lawmaker are various and drastic, and few there are who can finally escape from the clutches of the vulture. What, then, may we expect to be the nature of important legislation under our present system? Certainly it would generally be responsive to the influences of which we have spoken. This means that those who have wealth and influence can and will mold legislation to their own special advantage; in other words, that important laws will be passed or defeated in order to procure or preserve special privilege. This is true beyond doubt, or the statement that "self-preservation is the first law of nature" is a fallacy or a lie. No one, unless it be "Divine Providence Baer," of anthracite-coal fame, will have the temerity to claim that, but in order to show that we are not talking about mere possibilities, and also that selfishness is still an element of human nature, let us consider a few instances in point.

Not many years ago the Broadway Railway Co. of New York found it a fruitful investment to pay aldermen the sum of $20,000 a piece for the Broadway franchise steal, the total cost of the bribery and lobby expenses being about $500,000, and the company could have afforded to pay many times that amount if it had been necessary in order to procure the franchise.

We go over to Philadelphia and we find that the councils of that city refused to submit to the vote of the people the question of leasing the city's gas works, worth $30,000,000, to the United Gas Co., although an unofficial referendum showed that the voters were 80 to 1 against the lease. The deal was so outrageous that Wayne McVeagh's comment was "Bribed by the rich to rob the poor."

In the same city, when the Reading Railroad Co. was seeking special terminal advantages in Philadelphia, the company put $5,000 at the disposal of each member of the council, and a noted "boss," who was a member, said that there were only three members of that council who did not accept the money, and he was not one of them.

Prof. Bemis tells of a corporation voting $100,000 to buy the Chicago council as nonchalantly as if it were buying a new barn, and says that this is an ordinary thing.

Most of us remember the malodorous Rodgers Street Railway franchise bill passed by the Ohio Assembly some 15 years ago, giving the city councils the power to sell the people's streets for a period of 50 years. The city of Cincinnati, as a result, pays a very high rate of fare for an abominable street railway service. Then there was the famous attempted steal of a railway franchise in Cleveland, which was frustrated when angry citizens marched to the council chamber and in eloquent and earnest language portrayed the possible scene of councilmen dangling from telephone poles, and so dampened the ardor of the council for the proposed franchise that they failed to pass it. And so we might continue with examples if further illustration were necessary.

So we see that the legislator, both the one who is crooked and the one who honestly endeavors to serve the best interests of the people, is constantly confronted by temptation in various forms; if this does not overcome him he is met with threats and blackmail, and if neither of these are attempted he must then spend time in dissecting fallacious arguments and resisting urgent appeals. No one who has not had experience as a legislator can fully understand how great an annoyance and hindrance all this becomes.

Another objection to the unrestrained power of representatives to make laws is that the legislator naturally looks at things from his own particular surroundings and position in life, and is therefore inclined to act as if people in general were situated like himself. For example, the banker looks at things through banker's glasses; the merchant thinks everyone in pretty much the same condition as himself; so with the professional man, farmer, and others. This has a tendency, therefore, to cause such representative to legislate favorably to his own class.

But an evil which is more common still is the practice among legislators of trading votes, or log rolling, as it is generally called. Thus a member will procure the vote and support of his fellows for a measure in which he is vitally interested, perhaps because he thinks it to the advantage of his own constituents and therefore to his own political advantage. He in turn agrees to support the measures of those who at his solicitation support his. The result is that the majority of laws are enacted for the purpose of favoring some locality, but of necessity apply to the whole State, so that we have laws forced upon cities which are only needed in the country and laws thrust upon the farmer which only the city requires, and many which are not generally useful to either.

Now, we who believe in direct legislation claim that the initiative and referendum would remedy practically all of these evils. We do not deny, but, on the other hand, insist that the whole people are selfish and would endeavor to act in their own interest just as the legislator is selfish and tries to promote his own welfare. But, on the other hand, the selfish interest of the whole would naturally procure legislation desired by the whole people or a great majority of them.

In the first place, legislation would not be adopted by trading of votes or logrolling, as in legislative assemblies. When the electors of the whole State would go to the polls to vote upon a certain measure submitted to them for their consideration, each would vote in such a way as he thought would be better for his own interest, and accordingly we would get at least a majority satisfied with the approval or disapproval of the measure under consideration. This is, as we have shown, practically impossible in the legislative assembly, for a great many members are always willing to support the measure that is not desired by their constituents in order to get the support of other members for a measure he desires passed.

Then, again, the use of money would practically avail those desiring the success or failure of a measure in no way, because the temptation could not be concentrated against a few men, as is the case with the legislative body, and it would be an impossibility to bribe the whole electorate. For this reason the greatest evil we have, namely, legislation for a special class of interest, would be practically an impossibility.

"But," say the opponents of this plan, "you are destroying our representative system." On the contrary, we insist that the initiative and referendum would purify and strengthen our representative system, for it would be useless to bribe the representative or councilman, for the simple reason that if they did so the person so bribed could not deliver the goods he had been paid for, because the people, if dissatisfied with the passage of a measure would simply file their objection in the form of a petition, demanding the submission of the measure to the vote of the people; and if the legislation should be rejected by the people the briber would have paid his money for nothing. This being true, of course, members of the legislative assemblies would be let alone, and could, as most would do if not interfered with, follow their best ideal as to matters of government.

Then it would be a short time until the legislative body would be under no suspicion, and it would become an honor for any man to serve therein. Thus men of character and ability would gladly strive for election to office, and for the same reason men of low type that seek office for illicit gain would neither care to strive for office nor be elected if they did desire.

When this system has become thoroughly established representatives will then perform their proper function, the one function which is consistent with truly representative government, and that is to act as experts and to give expert advice, but not to dictate the policy of the government. And this is right, for can we imagine any person going to a lawyer or a doctor and permitting him to do anything further than recommend what should be done? The professional man realizes that it is his duty only to advise, but that it is the patron's right to say whether he will pursue the course outlined by his adviser.

Another advantage which will be derived from the system of direct legislation is that men will have greater respect for the law. This is true for several reasons. People always have more pride in that in which they have had a hand in creating. Men are always inclined to bow to the law of a real majority if for no other reason than the fact they feel that public sentiment is against them, and, as the whole people decide what the law shall be, none suspects undue influence as he does in the case of a legislative body.

Then, again, having discussed and heard the reasons for the enactment of a law by direct vote of the people, they thus understand the justice of it, or what seems just to the majority, and are accordingly inclined to respect it, while the great majority know nothing of the reasons for a law enacted by a legislative body.

It would also be the strongest bulwark against anarchy and appeal to passion for the reason that the knowledge on the part of each that the great majority of his neighbors had made the law would be a moral influence which would overcome such inclination as he might have to lawlessness.

Another advantage gained by the system of direct legislation would be that it would adjust law to public opinion, and this is an essential element to all vital law, for, after all, that which has no public opinion behind it has little force as a law.

We would also make a decided gain for good government in that the ignorant or indifferent voter would be automatically disfranchised, as would also be the bigoted partisan, because such men are interested in political matters only when there are jobs and spoils at stake, and would, accordingly, take no interest in an election upon a measure. Bitter partisanship would be destroyed, for, regardless of the person who might be elected to office, the people themselves would always retain the right to legislate, and so public officials of necessity would be honest, and, because of the removal of temptation, would stay honest. If particularly capable, the man of one party could be kept in office on account of his efficiency regardless of his partisan policy, because the people could dictate their own policy and let him do as was intended—administer the details of his office. Thus a good man once in office would be enabled to become an expert, and continue to hold the office, because the people would not be compelled to turn him out of office in order to adopt a policy different from that in which he believed.

But, best of all, direct legislation would develop civic conscience and intelligent participation in public affairs, because nothing develops skill so much as practice, and the constant participation in and discussion of proposed measures would develop political interest and sagacity in the whole people. Men thus coming to understand the problems of government would, in their enlightenment and confidence in political matters, demand and make the Government more responsive to the public needs.

Many people object to the initiative and referendum on the ground that the people do not know enough to make their laws, but certainly they could not make many more blunders than the average legislative body. At any rate, the people could understand a law which has been submitted to them in terms as well as they could understand and decide upon the question whether or not the man whom they choose to represent them is sufficiently wise, informed, and honest. In other words, they could understand a complicated law which is written out for them better than they could understand a complicated man. Surely it is not to be claimed that the average citizen is expert only in the art of choosing officials.

But, fortunately, we have the most respectable authority in favor of our proposition.

Thomas Jefferson, Notes on the State of Virginia, page 195:

The concentrating these in the same hands is precisely the definition of despotic government. It will be no alleviation that these powers will be exercised by a plurality of hands and not by a single one. One hundred and seventy-three despots would surely be as oppressive as one. Let those who doubt it turn their eyes on the Republic of Venice. As little will it avail us that they are chosen by ourselves. An elective despotism was not the Government we fought for.

Thomas Jefferson said:

Believing, as I do, that the mass of citizens is the safest depository of their rights, and especially that evils flowing from the duperies of the people are less injurious than those from the egotism of their agents, I am a friend to that composition of government which has in it the most of this ingredient. An elective despotism was not the Government we fought for.

Abraham Lincoln said:

A government of the people, by the people, and for the people.
According to our ancient faith, the just powers of government are derived from the consent of the governed.

The Kansas City Star of October 2, 1910, has a translation of stenographic notes by A. H. McCormick of a conversation by Lincoln with a general, as follows:

General, the day will come, but it will not be in your day or mine, when every State in this Union will have the initiative and referendum. When that day comes the people will rule; the people will rule.

James Russell Lowell says:

Democracy gives every man the right to be his own tyrant.

Emerson says:

Law is a memorandum of public sentiment.

But the cry that "the people are too ignorant to govern themselves" has always been the last word of the enemy against every effort and claim for self-government, progress, and justice. This has been the roar of the tyrant at his helpless subjects; this was in the reply of King George to the American Colonies; this has been the hypocritical whine of special advantage seekers and their nauseous puppets and minions, and this, gentlemen, is the masterly explanation given to the American people by their benevolent, all-wise and, of course, unpresumptuous servants in legislative halls assembled. Self-government! Declaration of Independence! Both wrong.

Shall modest, sensible men, men of independent mind, subscribe to such a heresy? No! A thousand times, no!

Let us begin the rebuke of such an infamous doctrine. Let us speed that bright day when the spirit of equality shall fill every heart, when the goddess of justice shall reign supreme in the land, when every man shall pay her homage, and when the light of brotherly love shall shine from every eye.

Then shall the men assembled in legislative halls as the honored counselors of the whole people say to the self-seekers and their servants who skulk in the shadows of the Capitol with specious pleas for special privilege, "Begone! We have neither power or wish to give title to what you seek, nor will your offers of reward and your threats of calamity and destruction avail you. Away! Take your cause to our great sovereign, the people; we are but sentinels to warn our masters against invaders of their fair estate."

And to the suffering, miserable, humble men who come, followed by weeping wives and clamoring children; to these men who ask only that they may be heard in the forum of mankind as to the theft of their birthright, to them shall they say, "Yes; you shall be heard. Aye, more, we shall plead your cause before that great jury, the people."

Let us continue the war upon oligarchy until the enemy has been routed from every intrenchment and self-government has been established in city, State, and Nation. The fight will be bitter, but—

Courage, then, ye men yet strong;
Gird up your loins, go join the throng;
Battle for freedom, long sung by the muse;
Leave not a foeman; heed no flag of truce.

And when the din of battle's o'er,
And selfish greed shall reign no more,
We'll hasten forth proclaiming then
Peace on earth, good will toward men.

EXTENSION OF REMARKS
OF
HON. ROBERT CROSSER,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. CROSSER. Mr. Speaker, at the close of my six years of service in the House of Representatives, I wish to speak very briefly in regard to some of the measures of which I was author and which I urged during that time. My advocacy of these measures indicates in a general way the public policy in which I believe.

The more important measures proposed by me involve principles fundamentally different from what has been the policy of the Government heretofore.

The bill H. R. 289, providing for the ownership and operation of the Washington street railways by the city itself, as is well known, aroused a great deal of antagonism. Every public utility in the United States, either directly or indirectly, fought the passage of this bill. After a long struggle, however, the bill was favorably reported by the committee, and a carefully written report, urging the passage of the same, was filed. The chairman of the committee, however, was sincerely opposed to the measure and declined to call it up for consideration by the House.

The discussion which was aroused by the introduction of the bill, and the hearings which were held upon the same, without doubt did more than anything else in recent days to create public sentiment for the principle of city ownership of public utilities doing business in the city.

Another bill introduced by me (H. R. 5668), known as the colonization bill, involved a complete change in the policy of this Government as to the method of disposing of the public lands. The Government has always pursued the policy of giving away the public lands to private individuals, without providing any means which would enable the settler to make the necessary improvements. The consequence has been that in a short time the

lands in question were bought up by a few people and monopolized, thus preventing the best use of the land. The Crosser colonization bill, on the other hand, provided for the leasing of public lands to individuals at a yearly rent calculated not to exceed 4 per cent of the value of the land. The bill provided further for the loan of money by the Government for the purpose of making improvements on the land, and a maximum time of 50 years was provided in which to pay back the money to the Government.

The plan proposed by this bill would have done more to insure the systematic development of the remaining public lands than any system heretofore proposed, and would have enabled the people occupying the lands to procure the full value of the product of their toil. The persons getting land from the Government under the terms of the bill would be guaranteed possession as long as they should pay the yearly charge, and could at any time sell to others whatever interest they might have in the improvements made by them on the land. This plan would make it certain that the land would be used.

Another measure which I introduced was H. R. 4024, providing for a direct tax on the value of land in the United States, for the purpose of raising $2,000,000,000 of revenue. The object of the bill was to compel the use of land and to prevent speculation in the sale of land. The present system of taxation in force in the different States of the United States increases the tax burden on those who make the improvements and those who use the land and encourages men to hold land out of use. In a speech delivered in the House on May 22, 1917, I gave more fully the reasons why a tax on land values would benefit the people and why the present system retards progress, decreases wages, and prevents men from getting the full value of their labor. Those who have a monopoly of the natural resources of the country, and those who speculate in land, have always been and probably will continue to be bitterly opposed to such measure as this, because it strikes at the very foundation of the evil which enables them to accumulate riches from the toil of others.

Another measure which I introduced and advocated was H. R. 20147, providing for the Government manufacture of all war materials and for prohibiting all private individuals from manufacturing such materials. The purpose of prohibiting the manufacture of such materials by private individuals is to destroy the incentive they would otherwise have to agitate for war. It is considerable satisfaction to me to know that the peace conference has determined on this policy for the nations of the world, and the action of the delegates to the peace conference fully supports my contention. The men at the peace conference are convinced that private profit from the production of war materials has been one of the chief causes of war.

The measures to which I have referred are, as I have already said, all measures which involve a very fundamental and, as some call it, radical change of policy, and it was perhaps too much to expect that it would be possible to bring about a sufficient change in public sentiment throughout the country to induce the representatives of the people to abandon their opposition to them.

If one desires simply to procure the passage of bills, he had better content himself with the introduction of the usual kind of measures, making slight changes in the details of laws. For my own part I prefer to carry on the fight, however long it may be, for fundamental changes in the laws relating to our economic and social welfare, although I know that public men who undertake to bring about a change in the laws which enable the few to accumulate vast wealth out of the toil of the many has laid out a hard task for himself.

We have been confronted by many difficult questions during the present war Congress. Practically none but war measures were considered during this Congress, and no more difficult question presented itself than the conscription issue. I became thoroughly convinced that the principle of conscription was contrary to the spirit of American institutions, and expressed my disapproval of the principle in a speech made in the House on April 26, 1917. I knew at the time, of course, that I was giving the powerful special-privilege seekers and their flunkies an excuse for attacking me, and it was urged by some of my friends that I was making an unnecessary sacrifice in opposing the measure. The question of life and death is, however, big enough to justify any sacrifice. It was urged by the newspapers of the big interests that conscription was the most democratic and equitable way of providing an army. In my disagreement from that contention I find myself supported by Premier Lloyd George, head of the British peace delegation, who, near the close of the British campaign for the election of members of Parliament, announced as the policy of his administration that one of the first things the British Government would insist upon at the peace conference was the abolition of conscription throughout the world. This was the statement of one of the leading men of the allied nations, with which the United States fought side by side.

If conscription were so just and democratic as its advocates claimed it to be, then, since the war was fought to make the world safe for democracy, and the peace conference is writing the policy of insurance for its safety, why is it that after having had experience with conscription the delegates from all of the allied nations are determined to abolish the policy of conscription? I do not dispute the right of others to differ from me and to advocate the compulsory military system if they believe it to be wise, and I know that Members of the House advocating that system concede my right to differ from them on the subject, and also acknowledge the force of the argument against the compulsory military system. I am sure also that they must frankly admit that conscription is neither a democratic method nor an American method of raising an army.

Land for Soldiers.

EXTENSION OF REMARKS

OF

HON. JOHN M. BAER,

OF NORTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. BAER. Mr. Speaker, I greatly regret that this third session of the Sixty-fifth Congress will adjourn without passing the urgent legislation required to adequately meet the imperative needs of the reconstruction period. There are many important bills which have been before the committee for months and which should have been brought out upon this floor. They would have passed this body with very little opposition on either the Republican or Democratic side of the House. I have introduced a bill to give to all soldiers, sailors, and marines one year's additional pay. I have indisputable evidence that an overwhelming number of discharged soldiers, especially the men with families and other dependents to support, are in need of funds to reinstate them in civil life. Some can not even get to their homes. It is my intention to reintroduce the bill and urge its immediate passage at the coming extra session which is inevitable owing to the vast amount of necessary legislation which will immediately be required to meet the afterwar problems. It was my earnest hope that the bill would pass, so as to meet the present needs of the situation until legislation could be enacted that would adequately provide for the future welfare of the men who have served their country with great honor to themselves and credit to our Nation.

It is also to be regretted that the session comes to a close without passing the so-called Lane bill or some similar legislation to make it possible for our returning heroes to obtain homes and useful employment. I have also introduced a bill which supplements the recommendations of the Secretary of the Interior and multiplies opportunities for the discharged soldier. The measure provides that these men who so gallantly offered their lives to our Nation shall have an opportunity for education and training in the vocational lines which they desire to follow. I have talked to over 300,000 soldiers in the camps, and I believe I have had an unusual privilege to sense their needs. I know that many have been awakened to the great advantages they are able to obtain under our free institutions. We should open the door of opportunity to all men who desire to better their conditions. I believe that there will be much severe criticism of the present administration for not having a definite program of reconstruction and for delaying the legislation which is so important in order to meet the critical conditions which become increasingly more difficult to solve. It is true, many bills were brought in during the closing hours when there was not sufficient time to give them due consideration, but this does not remove the just criticism for their delay.

I have received hundreds of letters from soldiers who inquire about the proposed land for soldiers. There will now be a delay of months and perhaps a year because we have not been given a chance to consider problems which should have been taken up a year ago.

Other countries have a definite program which they are carrying out at the present time. They have not only legislated to take care of their domestic questions, but also are doing everything possible to increase their foreign commerce. In both our domestic and commercial matters our country has stood still for over a year.

Let us see what our neighbor Canada is doing. Canada has caused the expropriation of all parcels of lands over one section in area owned by speculators not working the same to be projected by the Federal Government in order to give the returned men a square deal on the land-settlement question. Under the new scheme a soldier may purchase land up to the value of $5,000, free from interest for two years, and the Government will finance the men if they prove that they are experienced farmers. They can raise a further loan of $1,000 for building. When a farm is bought by a returned soldier in this manner the Government will break 50 acres, if that amount is not already broken, and this, with the loans, will give the soldiers a great start toward becoming owners of land and successful farmers. There will be no restrictions on the locations of the farms desired by the soldiers. Inexperienced men will be given a course in agriculture in practical conditions in order to fit them for running a modern farm.

A soldier settlement board of three members was appointed in February, 1919, following upon the act of August 29, 1917, called "An act to assist returned soldiers in settling upon the land and to increase agricultural production." The essential features of this act are the bestowal of agricultural credit when needed by soldiers in any part of the Dominion and the gift of Dominion land in western Canada. The credit may be used for acquiring and improving land, for the payment of incumbrances, erection of buildings, purchase of stocks, and so forth.

The sum of $2,916,000 has been appropriated by parliament for the purposes of this act.

The Australian States have had a relatively long experience in the purchase, subdivision, and settlement of lands; they can, in general, do little more for the soldier than they have done for the settler since 1901, except to hasten the development of new areas of land and to increase the rate of purchase. Between 1901 and 1914 the six Australian States purchased and subdivided 3,056,957 acres, for which $55,243,125 was paid, or about $18 an acre. Settlers were also assisted to build homes and to make needed improvements. Between 1909 and 1914, $68,029,500 was loaned for improvements. The Commonwealth Government alone advanced £100,000 to settlers in 1917–18. It expects to advance £2,000,000 in 1918–19.

The Australian Dominion Government was the first to draft a fully adequate law to repatriate the soldier, be he maimed or whole bodied. The repatriation act of 1916 was intended to consolidate and stabilize the private patriotic funds which were being accumulated in the several States and were being adminstered locally. The Government added to the sums collected by the States, making a total fund of £359,355. This was used for relief and vocational service of all kinds, including small sums for the reestablishment of shops and small farms.

The next step was a beginning toward actual settlement. In consideration of the number of men in the army who have expressed a desire to take up land the Government contemplates an expenditure of £20,000,000—an equivalent for the population of the United States of about $2,000,000,000 to place soldiers upon the land.

New Zealand, a very progressive colony, has a splendid record of legislation for returned veterans. Lands for soldiers are of two classes, ordinary tenures being areas for general farming and sheep runs, and special tenure being small acreage near towns and cities, largely for disabled soldiers. Lands under ordinary tenures are purchased or set apart by proclamation. These may be obtained for cash, occupation with right of purchase, renewal lease, or small grazing run lease, as the case may be.

In the year 1917, 276,290 acres were set apart for the soldiers.

The Government has provided suburban land suitable for market gardening, poultry farms; small areas of rural land, adapted to beekeeping; small farms, suitable for dairying, fruit growing, and so forth; large holdings, suitable for mixed farming; and pastoral country, for grazing only.

Thus we see that the other English-speaking countries are far in advance of our country in solving the land problem. They have not only made arrangements for farm lands, but they are also establishing just marketing conditions. Their economic program of efficient distribution is similar in every way to the plan of the Nonpartisan League in North Dakota.

This work should not be postponed. This Congress has already appropriated $200,000 for an examination into the reclaimable land resources of the country. I supported that appropriation and shall gladly support a measure for additional funds to actually carry out the plans of the Secretary of the Interior. My only regret is that the Secretary, who is a member of the President's Cabinet, and whose party is in control of both branches of Congress, did not bring in a bill six months ago instead of in the few remaining hours of a strenuous session, in which we considered and passed more bills which included greater appropriations than any other legislature in the world's history.

I believe that both for securing homes for the soldiers and furnishing employment that the proposed legislation will be very beneficial to our country. Increased production is now needed more than ever to meet our gigantic costs in the war.

After the Civil War the homestead act proved to be a magic wand in settling the West. The public domain formed the safety valve of economic discontent. But now we face a new problem. Since the sixties there has sprung up in this country a monopolistic control of our markets. Profiteers, gamblers, and speculators have clogged the channels of trade. They must be removed or we shall find that the new farmers will not stay upon the proposed farms. Some of the defects in our old system have been described by Dr. Elwood Mead in these words:

Science (should) have gone hand in hand with the settlement of the arid and semiarid country, and all that science could give would have been utilized, first in the creation of the conditions of settlement and then in aiding the settler in difficult tasks. Because nothing was done these heroic but uniformed souls were bedeviled by the winds, cold, drought, and insect pests. They wasted their efforts, lost their hopes and ambitions, and a tragic percentage left impoverished and embittered. The tragic part of this history is that nearly all this suffering and loss could have been avoided under a carefully thought-out plan of development.

Those soldiers who are sons of farmers, and they are chiefly the ones who will take up the land, already know the injustice and iniquities in our present method of distribution. They know the farmer only received 36 cents out of a normal dollar and now only 18 cents out of a "50-cent" dollar.

With the great land movement must come a new economic freedom, or the whole comprehensive scheme of back to the land will fail. Other nations are now meeting this problem. It is time that we, right here in this Congress, take action. As I said, North Dakota is solving it. They are doing just what the people in the cities did when private corporations charged exorbitant rates for water supply, gas, electricity, and other utilities. They are going to have State ownership of the marketing facilities to handle the natural flow of their grain to eastern markets, just as the people in the cities obtained municipal ownership of utilities when they wanted cheap rates on gas, water, and electricity. One is no more radical than the other.

In just the degree that the private monopolies increase their greed and profits the people will increase their demand for publicly owned marketing facilities. On the other hand, the cry for Federal and State ownership will decrease in the same degree that the utility and marketing monopolies become less selfish and become the efficient servants and not exploiting robbers of the people.

MEMORIAL ADDRESS

OF

HON. PERL D. DECKER,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 2, 1919.

The House had under consideration the following resolution:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the families of the deceased."

Mr. DECKER. Mr. Speaker, I find it in my heart to say a word relative, first, to our colleague from Missouri, Mr. MEEKER. I did not know him well in life, and it would not be appropriate for me to speak with authority as to his personal character and from the standpoint of an intimate friend.

We differed radically, he and I. He was a Republican and I am a Democrat. I am a prohibitionist and he was not. But whatever he advocated he advocated with all his force and without fear. I have tried to do the same as to the things in which I believe. And for this reason my late colleague, Mr. MEEKER, of Missouri, commanded my respect. As to his ability, it was unquestioned, not only from the work which he did in this House but upon the platform throughout Missouri advocating the things for which he stood.

There is a characteristic relative to Mr. MEEKER with which I am familiar. I feel that only justice to him commands that I should speak. Mr. MEEKER was at one time a minister of the Gospel, but in spite of that he claimed the right and exercised the right to speak against prohibition. This brought down upon his head a storm of protest and a storm of opposition that was great. I for one wish to say that I acknowledged his right to do this, though prohibitionist I have been from my cradle and expect to be to my grave. Prohibition never was and never will be a religious question. I always acknowledged the right of Mr. MEEKER to speak as a minister of the Gospel, as a lawyer, and as a Congressman against the principles in which I believed as to prohibition.

I knew his viewpoint on this, because I had the pleasure of talking with him about it one afternoon coming from St. Louis to Washington, and I gathered from him the thing that consumed his mind and heart. It was not so much the question of drinking liquor; it was his opposition to the idea of substituting religious dogma for reason. He denied the right of any church to tell him how he should vote on any proposition. In this he was right. I have always believed that men have weakened the prohibition cause by trying to make it a tenet of Christianity. It is an economic and a political question. I did not agree with Mr. MEEKER as to his position on prohibition, but I always respected his ability, and I reserved to him the right to speak his sentiments, the same right that I claim for myself. I am glad of one thing, that shortly after the controversy which, as you remember, he and I had in the House, though neither of us recanted our views or withdrew anything we said as to the principles for which we stood, yet we spoke and parted as good friends. And it was with pain, it was with deep regret, that a few days later I received the news, at Joplin, that my colleague had passed on to "the undiscovered country from whose bourne no traveler returns."

I am glad to stand here in this Hall and speak these words of appreciation which I had for him.

I desire to pay my tribute, with the rest of my colleagues, to that great Missourian whom we all honored and whom we all loved, Senator STONE. It would be almost impertinent for me to try to analyze his character and his history, because he was in public life as long or longer than I have been in this world. His career in public life began about the time that I was born. I did not know him when he was a Representative in Congress from the district which I have the honor now to represent. I did not know him when he was governor of Missouri. I am not familiar personally with all the storms and contests in Missouri through which he passed. My first acquaintance with him which could in truthfulness be called intimate began after my election to this high body.

To speak of his ability is unnecessary. It has never been disputed; it has never been questioned, either in Missouri or in the United States. But I do want to speak of the thing which to me stands out preeminently above every other characteristic which this great man possessed. CHAMP CLARK, the beloved Missourian, has said "That no man is fit to be a lawgiver for a mighty Nation who yields to the demands and solicitations of the few who may have access to his ear, but is unmindful of the vast multitude who may never hear his voice or look into his face."

When the things which CHAMP CLARK has said on history, when the things said about him as the beloved Speaker of this House and leader of democracy have been forgotten, that one utterance of his, in my humble opinion, will make him live in history. For it is as true to-day, as it has always been, that the pen is mightier than the sword. No man is fit to be a lawgiver of a mighty nation who yields to the demands and solicitations of the few who may have access to his ear, but is unmindful of the vast multitude who may never hear his voice or look into his face. In that brief sentence you find the guiding star of Missouri's great Senator, WILLIAM JOEL STONE.

And why avoid the question? We are all friends here to-day, are we not? You know to-day when you mention the name of Senator STONE you do not think of him as Representative, you do not think of him as prosecuting attorney of one of the great counties of my district, you do not think of him as governor, you do not think of him as Senator; you think of him and the part he played in the great struggle of all the world that has just been brought to a termination. This is not the time nor place to discuss whether Senator STONE was right or wrong. But to me it would be a mockery, to me it would be a sham, if I stood here in this great legislative Hall to-day and was silent as to the great part he played in that titanic struggle. The majority will say that he was wrong. Let him who can weigh the value of a human life and a human career, and then multiply it by 50,000—to say nothing of the courses which lie ahead of our great Nation—let him who can measure human life say, with dogmatic and arrogant authority, that our great Senator from Missouri was wrong. But whether or not you can say in your heart that he was wrong in what he did, you can not deny that he thought he was right; and in this solemn hour when his colleagues in public life pay tribute to his memory, I dare to stand and resent to all the world the slander, the villification, the abuse that was heaped upon him from the public press and from the rostrum and from the pulpit of my country for doing with courage the things that he thought were right.

I pay tribute to the men who followed the different course, which they thought right. It took courage for them to do different from what Senator STONE thought should be done. But in this solemn hour when we pay tribute to this great man, who sleeps the last long sleep in the peaceful country churchyard in the district which I have the honor to represent, I dare to proclaim anew the doctrine that any man who sits in the Senate of the United States from Missouri and does not on every question, especially the vital question of peace or war, do what he thinks is right is a traitor to Missouri and is unworthy of the senatorial toga of that great State.

And so it was that in the last hours of his eventful life, with the marks of age taking hold of him, when his feet were close to the river's brink, his heart became more mellow, his feelings for those who opposed him more gentle, his infinite patience and kindness to his fellow men, as it seemed to me, increased. But, thanks be to God, who giveth the victory, there was no diminution of his lionlike courage and of his ability to fight for what he thought was good for old Missouri and for the people, high or humble, of the United States. He went down as a true Senator from Missouri—went down not with feebleness, not with faltering, but with the courage of a man who realizes the dignity of his office and the solemnity of the responsibilities imposed upon him.

Sleep on, brave Senator from Missouri! You followed the even tenor of your way in the last hours of your life, when I knew you well. You followed it imperturbed by the tempests of prejudice and passion which raged about you, unshaken by the storm of villification and abuse that beat over your aged head. Your heart to the very last was kindly and loving and affectionate for the people of Missouri and the people of the world, and even for those who abused and misunderstood you.

History will be written some day. How high a place you will have on that page I do not know, brave Senator from Missouri. But this I do know: That when the storms of misrepresentation, when the blasts of prejudice and misunderstanding, have passed and gone, the people of Missouri and the people of this country will pay just appreciation to you as a great man who in the last hours of his life lived up to Missouri's traditions and did what he thought was right, not for the sake of political preferment but for the sake of those of whom the other great Missourian, CHAMP CLARK, spoke when he said: "No man is fit to be a lawgiver of a mighty nation who yields to the demands and solicitations of the few who may have access to his ear and is unmindful of the vast multitude who may never hear his voice or look into his face."

Municipal Ownership of the Street Railways of the District of Columbia.

EXTENSION OF REMARKS

OF

HON. ROBERT CROSSER,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. CROSSER. Mr. Speaker, people engage in business for the purpose of satisfying their desires, and the natural law which prompts one to serve his own interests primarily is invariably operative in the conduct of any business. This human tendency, if unrestrained, would cause those engaged in vending any sort of merchandise or service to demand all that the person desiring the merchandise or service would be willing or able to give for it. It so happens, however, that in all ordinary lines of business we have a great many persons who are able to supply the same kind of merchandise or render the same service, and as each is anxious to do the business, that is, make the sale or render the service for profit, this rivalry or com-

petition reduces the price of the merchandise or service in question as far as possible and still yields a reasonable profit. Where, however, any service must necessarily and properly be performed by an agency enjoying the sole right to serve the public generally, the natural law involved in competition can, of course, play no part. Public utility service, so called, should be rendered by an agency enjoying a monopoly of the right to render such service, and this is generally the case. The question then arises whether this monopoly right should be exercised by private individuals or institutions or by public agencies.

Now, it is conceded that the prime, and really the only motive in private enterprise, is profit. The greater the profit the more successful is the business from the standpoint of the person or persons who own the business. The greatest profit is derived by exacting the highest price which the person desiring service or merchandise is willing to pay in order to get it, or by giving as little service or goods as possible for what the buyer can pay, which amounts to the same thing. That is the natural tendency of the private individual or individuals enjoying the sole right to supply any public service unless there is some check.

Of course, from the very beginning the private owners of public utilities have been subjected to certain restrictions as to the price to be charged the consumer, the manner in which the service should be extended, and so forth. It was self-evident that some such conditions should be imposed upon the private owners, since otherwise, as I have already stated, they would practice extortion, render inferior and inadequate service, and so forth. The natural desire to serve their own interest, however, by procuring the greatest profit possible, in the very beginning caused, and still causes, those desiring the exclusive privilege of operating a public utility to employ every means for the purpose of inducing the municipal authorities to grant the privilege in question upon terms as favorable as possible to parties desiring the right to operate the public utility. The municipal authorities, however, unless subjected to some particular influence which would induce them to do otherwise, naturally would be disposed to see that the public were fully protected. The persons desiring the particular privilege in question, therefore, begin to devise ways and means of influencing the municipal authorities to grant the privilege of supplying the service upon terms satisfactory to the persons seeking the exclusive privilege in question.

The most obvious method, and the one generally employed in the early history of the public utility, is to offer some sort of a reward to the officials having authority to grant the private person or company the privilege desired by them. Almost every important city in the United States has had its experience with this sort of corruption of its public officials.

In his book entitled "Facts and Opinions," ex-Mayor Hazen S. Pingree, of Detroit, says that the Citizens Railway Co. of that city "literally owns the council, body and soul." He states that it would pay $3,000 for a member of the city council, and actually offered to buy the mayor of the city for $75,000.

In New York City the Broadway surface franchise was secured by influencing the councilmen in the manner referred to, and those councilmen rejected the offer of the Cable Railway Co. to pay the city of New York a bonus of $1,000,000, but the aldermen, in order to enrich themselves, refused to grant the franchise to the cable company, although it would have meant a million dollars to the taxpayers of New York City. Upon investigation it was shown that the aldermen were given $20,000 apiece, and that the total expense of this nature to the railway company was $500,000. These we find to be the facts in the report of commissioners of railroads relative to the Broadway Surface Railroad Co., as set forth in New York senate document No. 79, in the year 1888.

We all remember the San Francisco scandal, which resulted in a number of prominent men being indicted and some convicted.

Sometimes, however, public officials are found who can not be tempted by the offer of any reward, and in such cases it is frequently found that the persons striving to procure the so-called franchise or similar privilege, undertake the intimidation of the official or officials who have manfully refused their bribes.

But it is unnecessary to discuss all of the different methods employed to accomplish the one purpose, viz, the procuring of the monopoly privilege on terms which are satisfactory to those seeking such privilege. Even after they have procured the right in question, the tendency is to operate their plant in such a manner as proves unsatisfactory to the public generally. In order to increase their profits, they naturally try to minimize the expense of operation as much as possible, and this means deterioration in service.

It is a common saying among street railway managers, for example, that "strap hangers make dividends." Schedules are reduced in order to reduce the expense. The wages of employees are kept down as much as possible so as to leave as great a profit in the hands of the company as possible. These are a few of the evils resulting from private ownership and operation of public utilities. There is, however, one other objection which I have not mentioned but which seems to me to be one of the most serious of all.

It will be conceded by all that most persons want men in public office who hold views similar to their own, and who will conduct themselves in their official capacity in such a manner as will promote their interests. This fact causes men who must procure special privileges in order to conduct their business, as is the case with every public utility, to exercise their influence and exert themselves toward the election or appointment to public office of men who will be favorably disposed to the interests of those who must have special privileges. Men of this type, elected or appointed to public office, will, of course, feel inclined to pay the obligation which they feel they owe to those who interested themselves in their election or appointment. Now, men who can be relied upon to do the bidding of any special interest, either because they owe their election or appointment to the influence of that interest, or because of some reward offered for compliance with the request of such interests, are certainly not men of strong moral fiber, but, on the contrary, are generally weak and inefficient. As a result we have not only maladministration by such officers as to the public utilities, the owners of which have befriended them, but also an inefficient administration in regard to all other matters, for men who are weak enough to be controlled by such special interests have not the force and sense of justice which would qualify them to administer the ordinary affairs of government impartially and efficiently. Men who are weak enough to bargain away the people's rights for political support received before election, or for material reward offered after election or appointment, are not the kind of men who have the clear vision and the high ideals necessary to enable them to perform the duties of public office in the proper manner.

While those persons having an interest in privately owned public utilities have no desire to have a bad police system, or inefficient school system, or a bad administration in any of the ordinary lines of municipal activities, and may, in fact, be trying hard to "clean up the city government," as they call it, in these respects, and to give us what they delight to call a "business administration," nevertheless, in so far as they may find it necessary for their own interests, to put weak and pliable men into public office, just so far have they been the cause of the inefficient government in all of the other respects mentioned.

But the evils of private ownership have, for several years now, been generally acknowledged, even by the more intelligent men directly interested in privately owned public utilities. They realize the force of the objections and the arguments made against the institutions with which they are identified, and, in order to postpone the day of reckoning as far as possible, they are now constantly urging regulation as the proper remedy for the evils which invariably accompany private ownership. It is somewhat amusing to note how eager and vociferous are the demands of those private owners for regulation. It seems to be assumed by them that regulation was never attempted by public authority during the early history of public utilities, whereas the fact is that from the very beginning they have been subject to certain legal restrictions. The terms of the franchise, the traffic regulations, etc., were all efforts at regulation. What is really desired and proposed by these private concerns is simply a little different form of regulation. They would have the regulating authority transferred from the city council, or similar authority, to some State board. In fact, Mr. Rosecrantz, general counsel for the public utilities companies of Milwaukee, frankly says that he objects to regulation by local authority.

We all know that city councils have now become much more sensitive to the people's will and that the people of the cities are beginning to understand very thoroughly their rights in regard to public utilities. It is, therefore, natural that those who are so loudly clamoring to be regulated want the regulating authority as far away from the seat of war as possible and desire a board whose authority is not derived from the people who must deal with the privately owned utility.

Practically every objection which has been shown to apply to private ownership and operation of street railways under the franchise plan of controlling the privately owned utility applies to the later method of regulation. It is just as natural for

those who must use the public property to conduct their business to make every effort possible to prevent the new kind of regulation from diminishing their profits as it was under the old system of regulation. They are just as anxious to have members of public utility commissions appointed or elected who are satisfactory to them and to their interests as they were in the old days to have councilmen or aldermen who were satisfactory to them. They want men who can be relied upon to regulate them in the way they want to be regulated. In short, we can not change human nature by changing the name of the regulating authority.

This is not all theory, either. The history of regulation has been marked by constant resistance against every important order or measure made for the purpose of accomplishing anything substantial in the way of control. The Cullom Act, which was enacted in 1887 for the purpose of regulating interstate commerce, was followed by the Spokane case, which was decided by the Interstate Commerce Commission in favor of the city of Spokane. Immediately the case was taken into the courts, where it remained for a long time, the fourth section of the law being finally declared unconstitutional. The Dolliver-Hepburn Act was then passed, in 1906, to meet the objection which the court found in the Cullom Act. The city of Spokane filed another case similar to the one first mentioned, but the main question was not finally decided until after the lapse of seven or eight years.

It is claimed by the defenders of private ownership of public utilities that while the private companies have sinned in the past and have been guilty of the wrongs to which I have already referred, they now have reformed and are conducting themselves as good people should do; in short, that they have practically forgotten self-interest and are simply interesting themselves in the public weal. It is not necessary to look very far for glaring proof to the contrary. A little over a year ago the railroad commission of San Francisco, in passing upon the application of the United Railroads of San Francisco for permission to issue $2,350,000 five-year notes for the purpose of paying off certain of its bonds, found that the United Railroads had exchanged with its owners its own promises to pay and set them up as investments. Such conduct is the natural result which we might expect when the chief motive which actuates the sole agency supplying any public service is profit. Regulation may, and no doubt does, prevent the evils to which we have referred from going to the extremes that otherwise would be the case, but the theory of regulation is not sound. It is never a really effective method of procuring the desired results and is not at all permanent. It is an unsound philosophy, which insists upon the maintaining of conditions which naturally induce human nature to go wrong when it comes in contact with them. If we make it to the material advantage of men to veer from the path of justice, the likelihood is that they will commit injustices. A man may be willing to sit up all night for two or three nights to guard his home against a burglar whom he knows to be at large in the community, but after awhile he will get tired of doing this and will endeavor to have the burglar locked up instead, so that he can go to bed and have a good night's sleep. So it is with the public in regard to private individuals who are seeking a monopoly of the right to provide a certain public service. The public may, through utilities commissions, etc., watch them and regulate them for awhile, but ultimately it will be found a much better way to quit the task of watching lest some private individual should rob the community of its property, and, instead, arrange to serve itself and shut the door against those who may be tempted to secure unfair advantage over the public.

Even assuming that regulation should succeed pretty well in the beginning because of an aroused public interest, the tendency would be to lapse into the old habits. The tendency is for the mind to tire of constant watching and relax its vigilance, and so it is with the composite mind of the public. It becomes weary of the task at times and relaxes its attention, but the persons who are either seeking the private ownership of new public utilities or more favorable conditions in regard to those already established have a strong motive for urging their demands, and then conditions are established from which it may be impossible for the public to be freed for a long period of time.

I believe that municipal ownership and operation of public utilities is the real solution to the problem. Under this plan profit is not the prime incentive, as in the case of private ownership. The object of a municipality is to render the best possible service at the lowest price which will enable it to pay expenses. There are no privileges to be sought by a municipality, and hence no temptation to bribe or pay anyone for privileges. The public officials charged with the duty of operating any utility, as they reduce the cost and increase the quality of the service, will accordingly please their employer, namely, the people.

The motive of such official is to procure the approbation of the general public, and this is possible only by serving the best interests of the public. According to his success will be his reputation, the certainty of employment, and the increase of his compensation toward the maximum for the kind of employment in which he is engaged.

There is really but one argument of any consequence ever made against municipal ownership, and that is the fact that the persons employed to operate the utility would be selected with the object of building a political machine. It is true, of course, that under any popular government the public servant, as well as the private citizen, can exercise his influence to make the government reflect his will as much as possible. The only question, therefore, is whether the system of private ownership or public ownership gives the public-utility employee the greater advantage over the ordinary citizen. Certainly under the system of private ownership the employee of the public utility exerts his influence in favor of his employer in any dispute which it may have with the public. Of course, where the dispute concerns the terms of employment of the employee, he naturally opposes the company. This was the experience in the city of Cleveland during the street railway controversy between 1901 and 1908. Employees of the old street railway almost unanimously supported the contentions of the company at every election and opposed Mayor Johnson. But in addition to this fact we must remember that there were at least as many stockholders as employees, who were also straining every nerve to procure that for which the company was fighting. Now, under municipal ownership we would have about the same number of employees, and we may assume that they would also be politically active in behalf of those who had employed them, but we do not have the large number of stockolders working in conjunction with the employees. Every citizen is a stockholder in the municipally owned utility, and his interests are in common with every other citizen, so that the public advantage is his advantage. It is claimed, however, that because of the desire to build a machine and perpetuate themselves in office those having the authority to employ the operatives of public utilities would select men who are not qualified to perform the duties incident to the position given them, but, rather, would employ men because of their superior political influence and their ability to control this ward or that precinct. This argument ignores entirely the element of public sentiment. Since we have popular government, those intrusted with the management of publicly owned utilities would be under the necessity of pleasing their employer, the public, if they desired the success which most public officials do desire, viz, the satisfying of the public demand. If such public officials should appoint a lot of incompetents to operate the utility, the service would necessarily be very unsatisfactory and would meet with severe condemnation from the public. This would certainly be injurious to the official intrusted with the management of the utility, and probably would mean his removal from office. It would seem, therefore, that intelligent selfishness would cause him to select the best men obtainable to operate the utility for the success of which he would be responsible.

But, as a matter of fact, have we heard of anyone making a political machine of the police force or the fire department?

One fact has been entirely overlooked by those who are so much concerned about the political machine which would be formed from the utility employees, and that is that we would then have abolished the privilege-seeking horde. We would no longer have to sit up nights watching lest they might swindle the public out of its rights, and consequently the people having rid themselves of that task would be free to watch more closely the conduct of its public officials and see that they discharged their duties in an efficient manner. There being then no franchise scandals possible, the newspapers would devote themselves to criticism of public officials as to the discharge of their duties as managers of the publicly owned utility, as well as in other official capacities, all of which would make it very difficult, if not disastrous, for the managers of publicly owned utilities to employ men regardless of their ability and training.

I believe, therefore, that upon principle municipal ownership of public utlities is absolutely sound.

Many who agree with us, however, in our reasoning as applied to a particular public utility find considerable difficulty in making a general application of the principle of municipal ownership of public utilities. The opposition insists that the logical conclusion of our argument is that we must have municipal ownership of bakeshops, grocery stores, etc. That, of course, does not follow. The true test is this: If it is necessary that the agency rendering any service to the public must have a monopoly of the right to render such service, and the streets or other

public property must be used in doing so, then that agency should be the governmental authority itself.

Before closing I wish to call attention to the fact that the experience in Great Britain substantiates the claims which I have made. In 1906 the National Civic Federation created a committee for the investigation of municipal ownership of public utilities. This committee selected five cities, consisting of Glasgow, Leeds, Liverpool, Sheffield, and Manchester, which originally had privately owned street railways, but which later municipalized the street railway systems. The committee determined the percentage of increase of extensions of the railway systems during the entire period of private ownership, and also the percentage of increase for a like number of years after the date of municipalization, and it was found that the annual average increase during the period of company operation was 1.2 per cent, while the average annual increase during the period of city operation was 15.8 per cent. The committee also calculated the percentage of increase of extensions of street railways in five cities where private ownership had continued to the date of collecting the data, using the dates of municipalization of the first five cities as a dividing date for the five cities where private ownership continued to the date of collecting the data. It was found that the average annual increase of extensions before the dividing date was 4 per cent, and that the average annual increase after the dividing date was 5.5 per cent, a difference of only 1.5 per cent. Compare this with the first five cities referred to, which showed an annual average increase of 15.8 per cent under municipal operation as against 1.2 per cent under private operation.

Data were collected in regard to the reduction of fares in both of these groups of cities for the same periods. During the private ownership and operation of the street railways in the first group, consisting of Glasgow, Leeds, Liverpool, Sheffield, and Manchester, the average annual reduction was 0.5 per cent, while during the period of municipal ownership and operation in the same five cities the annual reduction was 3.21 per cent, or more than six times the reduction made during private operation. In the group of six cities, consisting of Dublin, Edinburgh, Bristol, Belfast, London, and Norwich, which had private ownership until the date of procuring the data, we find very different results. The committee divided the period of private operation into two parts, using the dates of municipalization of the first five as the dates for division of the companies' experience in the latter six cities. During the first period the average annual reduction was 2.46 per cent, while during the second period the average annual reduction was only 0.61 per cent. It will thus be seen that the per cent of reduction decreased during the latter part of the company operation, whereas in the first five cities mentioned in the period of municipalization it increased more than six times.

The evidence produced before the committee also indicated that the condition of labor had very much improved during the period of municipal ownership and operation, and this is but natural. Since the public generally consists of persons who must earn their living, they are disposed to be fair with those employed by the city. During the period of rapid municipalization in Great Britain the reduction of the hours of street railway employees amounted to about 48 per cent, while the increase in wages at the same time amounted to about 42 per cent. Mr. W. L. Magdon, manager of the Brush Electrical Engineering Co., of Great Britain, who appeared before the National Civic Federation Committee in opposition to municipal ownership, said:

> It is beginning to be felt by those engaged in private enterprises that any industry in which the municipalities become established is a very good one for the private trader to be out of. It is a rather serious but sincere statement. We find in tramway work they establish labor conditions which sooner or later become imposed by pressure on private undertakings, and these are so onerous as to seriously handicap the private enterprise.

In testifying before the civic federation committee, Mr. T. M. Wood, of the London County Council, concluded by saying: "We regard it as a great advantage to work the men humanely—quite as great an advantage as 1 per cent more profit."

In conclusion, I wish to restate briefly the advantages which I think will result from municipal ownership and operation of public utilities: First, a reduction in the charges made for the service rendered; second, an improvement of the service; third, an improvement in the conditions of labor; fourth, and most important of all, in my opinion, the fact that, with the establishment of ownership and operation of all public utilities, the city governments would be free from the influence of those seeking the right, upon most favorable terms, to privately own and operate public utilities. This would give the cities of this country a chance to grow and to develop governments, the privilege of serving in which the most prominent and capable citizens would seek.

SPEECH

OF

HON. JOHN M. BAER,

OF NORTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 31, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

Mr. BAER. Mr. Chairman, while under the discussion of the Bureau of Markets, I want to call the attention of the committee to the fact that the farmers of the Northwest have the same complaint in regard to the Federal grain grades as do the farmers in the district represented by the gentleman from Virginia [Mr. HARRISON] who just spoke. The grades are too complicated and discriminate against the spring wheat farmers more than any other section of the country. This is due to the fact that spring wheat does not get an early start and the weeds and foreign matter grow up with it. Winter wheat receives a good start in the spring and smothers out the wild grain, weeds, and foreign matter.

Another complaint is that the producers of grain do not have any say in the matter of grades. Actual farmers should have representation on the board. The producer should be protected as well as the miller. The United States Grain Corporation has on hand a surplus of $500,000, which it gained through the usual mixing process employed in handling of 700,000,000 bushels of wheat. The farmer should derive the benefit of this mixing if same can not be prohibited.

In North Dakota we have a State administration now which is protecting the farmers against these discriminatory practices. Remedial legislation correcting the evils of the present grain dockage system and compelling the elevators to pay grain growers the value of the dockage, less separation costs, are among the recommendations made to the legislature in the report of the commission of grades, weights, and measures, of which Dr. Ladd, president of the Agricultural College of North Dakota, is the head.

I know of one instance where a farmer obtained over $45 for the volunteer flax in two loads of wheat. If he had not received the protection of the State authorities this amount would have been an entire loss to him.

Farmers of North Dakota annually lose $1,500,000 in dockage. Very often the dockage has a greater value than the wheat itself, and it is not uncommon for a carload of wheat to contain several hundred dollars worth of flax or lesser amounts of wild oats, mustard seeds, rye, or barley. The legislature this year provided laws whereby grain buyers shall be compelled to pay the full market value of such grain cleaned from the wheat, less a reasonable charge for the separating. Dr. John Worst, former president of our agricultural college, stated that in the loss through grading, dockage, and loss of fertility the farmers of North Dakota were robbed of $55,000,000 annually.

THE MARKET PROBLEM.

A new and scientific method of marketing is a problem that surpasses every other economic movement in its importance. Every plan to obtain for the farmer a greater share of that which he produces and at the same time to reduce the cost of living for the consumer demands our immediate attention and earnest consideration. We have momentous problems which must be solved. The American people will not approve of leaders who merely complain and criticize existing conditions without suggesting a constructive remedy. About the time the political campaigns roll around the politician will be ready to solve the high-cost-of-living problem. Like a quack doctor he will stick an attractive label on a bottle, but he will not give us any remedial contents to cure our economic ills. The National Nonpartisan League, the farmers' great movement of the West, has a definite program which will give the people a remedy. The people of the country are sick and tired of party labels and empty bottles.

Mr. H. W. Collingwood, editor of the Rural New Yorker, who has made a life study of the subject of marketing, says that on a yearly average the farmer receives 35 cents for his products which costs the consumer $1. This authority is supported by another eminent expert, Mr. John Dillon, head of the Bureau of Foods and Markets of New York City, who declares that the ultimate consumer pays two-thirds of his dollar to the system of distribution. In other words, it costs a minimum of 65 cents to handle 35 cents worth of foodstuffs.

It is unnecessary to quote experts on the subject. Did not Mayor Shank, of Indianapolis, recently go to Grand Rapids and buy several carloads of potatoes at 50 cents per bushel from

jobbers—the farmers received 40 cents; and did he not sell them in his city for 75 cents per bushel when they were costing the consumer $2 per bushel in that city? He handled potatoes for 35 cents which the profiteers got $1.50 for handling.

The report of the California Fruit Growers' Association shows that the grower received on an average for the past four years $1.60 per crate for oranges, while during the same period the consumer paid an average of $4.80. In New York City people paid 14 cents a quart for milk for which the farmer received 5½ cents. In South Bend, Ill., while the farmer, 135 miles away, received 60 cents per bushel for tomatoes, they were selling for $3 per bushel. A farmer gets 20 cents a pound for cotton. We must pay $2.56 for that pound of cotton when woven. For a pair of shoes selling at $8 the farmer gets 75 cents for the leather and labor gets 45 cents.

The farmer sells his wool for 60 cents a pound. We must pay $4.75 for that pound of wool when bought as yarn. In Fargo, N. Dak., when the farmer was getting 60 cents for his wool, yarn was selling at $2.50—yarn spun at very little cost. Later, when the War Industries Board fixed the price of wool at 57 cents, yarn sold at $4.75. The price of the raw material was fixed; the price of the finished product was not. Through these wasteful methods of handling it costs from two to five dollars to deliver $1 worth of food. Stated in terms of man power, it takes from two to five men to handle a one-man power product.

On May 17, 1917, when Mr. Hoover became head of the Food Administration, flour was selling in England for $8.20 a barrel. In Fargo it was selling at $17.60 a barrel. Both flours were made from the same wheat. It cost $9.40 more in Fargo than in England, 5,000 miles away.

Later on, when the farmer was getting twice as much for his wheat by Government guaranty, flour cost $10.60 a barrel, a saving of $7 to the consumer. At the same time barley, with price uncontrolled, could be bought for 63 cents at the elevator; and barley flour in North Dakota cost $14.60 a barrel. A bushel and a half of barley is equivalent to one bushel of wheat. The retailer paid $4 more for a barrel of barley flour than for a barrel of wheat flour; at the same time the market price of wheat was more than twice the price of an equivalent amount of barley.

This probably accounts for the excessive profits of the millers who increased their operating profits 175 per cent, and on the capital invested 100 per cent. These excess profits were not made on wheat flour alone, but also on the substitutes which the people so patriotically used to conserve wheat.

One does not have to speak in generalities about the profits of handling foods. One can pick out a specific case which is only a single factor of the present complex system of marketing. The packers, for instance, accumulated undue dividends. The Federal Trade Commission found that four packers increased their earnings $121,000,000 above their prewar profits. Morris & Co. made a profit of 263.7 per cent. These monopolists have complete control of the market facilities, absolutely controlling the price of live stock through pooling, dividing purchases, splitting shipments, and various other conspiracies.

The Steel Trust was permitted to increase its profits from $47,000,000 in 1914 to $478,000,000 in 1918, or about 1,000 per cent, much of this at the Government's expense. From the Steel Trust on down through the textiles, munitions, firearms, auto trucks, and all the war paraphernalia, the same exorbitant profits were made. Consequently, I believe that a new and efficient system of distribution should be devised to handle shoes, clothing, implements, and all other necessities of life, as well as farm products.

What does this show? It shows that there should be some limitation of profit, some regulation of price, not only for the raw material, but for the finished product. There should be a fair profit for handling the goods and manufacturing it, but waste and useless speculation should be eliminated. If the Government continues control of flour as well as of wheat the consumer will pay less for his flour, in spite of $2.26 wheat, than he would have paid if the Government ceased to maintain its restrictions. Many State and Federal authorities state that with $2.26 wheat flour should sell for $8 a barrel after making allowances for all by-products and for a liberal profit.

And $2.26 for wheat is not so high when one considers that Italy guaranteed $4.44 to its farmers for the 1919 crop; France guaranteed $3.84; Switzerland $3.18; and Norway $4.09. Some people seem to be persistently complaining about the $2.26 guaranty for American farmers, when it is only a little over half as much as guaranteed by other nations to their producers of wheat.

THE POSTAL MARKET.

Among the many proposals that have been made to develop an efficient system of exchange between the farm and table is the postal market or Federal food exchange. Here in the Capital, at Washington, D. C., the plan is being worked out. The Government is using some of the thousands of motor trucks which will soon be released from the National Army. Community centers are being established, and there is the closest cooperation between the farmer and buyer. All unnecessary distributing agencies are eliminated. Instead of costing from $2 to $5 to deliver $1 in products, it costs only 10 to 15 cents. It is a complete reversal of the inefficient methods of the past. This is one real remedy which rings true with definite results.

Legislation should be passed at once allowing the Post Office Department to extend the parcel post to enable it to establish the postal market or Federal food exchange throughout the country. This would eliminate useless profiteering in the products of industry and agriculture and give the actual producers a greater share in the fruits of their toil. Legislation is required at once to give the Government a rigid control of stockyards, grain elevators, warehouses, cold storage, and other terminal markets. Provision should be made in all Federal laws for the closest cooperation with the States which may in the near future build their own State-owned elevators and flour mills. Municipal governments should also establish receiving warehouses, depots, cold storage, and markets, and all legislation should be drawn so that there will be provisions for the closest coordination among the cities, States, and the Federal Government.

Can we not learn something from our methods during the war? The Army saved $6,000,000,000, a good-sized liberty loan, by its methods of buying. It effected tremendous savings in the purchase of food. Can we not take a hint? Can we not learn the lesson?

Out in North Dakota when our publicly owned elevator and flour mill are completed the consumer will get two barrels of flour and a dollar bill besides, where he received only one barrel in May, 1917, and the farmer will get more for his grain, too. That comes of eliminating the cost of speculation and excessive handling.

Somebody is making big profits. That is what one hears everywhere. Who is this somebody? "Not we," say the farmers. "Not we," say the packers. "Not we," say the manufacturers. "Surely not we," say the railroads. "We can scarcely live," justly declare the retailers. Yet somewhere in the process of distribution the price mysteriously quadruples. What is the answer?

The effective answer seems to be to take the marketing problem into our own hands, as Washington is doing in many ways; as Detroit is attempting to do; as Cleveland has tried to do. Seattle has invested $7,000,000 in wharves and storage. New Orleans has its own grain and cotton terminals, built at a tremendous cost. Australia, New Zealand, Norway, and even conservative England are doing it. Public ownership and control has passed the experimental stage.

A hundred years ago the man who advocated the public school was a "socialist," according to the wealthy Tories. Parcel post was called paternalistic. Twenty years ago the man who advocated municipal ownership was dubbed "an extremist," "a visionary," and "a socialist." The men who handle our marketing have failed to give us an economical system. It is extravagant and wasteful. We must eliminate the useless and unnecessary speculators. Just as the people did in the cities when private corporations monopolized the public utilities and charged exorbitant rates for light, gas, and water, the producers are eventually going to take complete control of the marketing facilities. Then, and only then, will we unclog the channels of trade and have economic freedom.

The saving accomplished by a new marketing system would be tremendous. It would provide attractive and profitable employment for the soldier boys on their return. The success of the plan of Secretary Lane's land projects for soldiers is contingent upon a marketing system that will make farming more profitable than it is now. The postal market would increase the farmers' income. Someone will say that he is getting rich. I answer that by asking, "Why are the farmers leaving their farms? Why can you not get people to go back to the land?" Good marketing conditions will open a field of splendid opportunities to our victory veterans.

All of these suggestions and many more are absolutely indispensable to make farming a respectable and profit-earning industry. With the saving and prosperity that would come through these changes in our economic life the people could give their children greater advantages of education. Community interests would spring up where there would be greater cooperation between the farm and city. The farmer, his wife, and family would enjoy greater opportunities along educational lines as well as social. Amusements, now exclusive to city life,

could be extended to the country. A country theater is as important as the city movies. I am proud to say that my State is a vanguard in this special movement. Life would not be a drudgery on the farm but a pleasure. The returned soldier would stay on his farm. Agriculture is the fundamental industry—the basis of all credit and national prosperity—and should be made more profitable and attractive. [Applause.]

Our Naval Program.

SPEECH
OF
HON. JAMES C. WILSON,
OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

Mr. WILSON of Texas. Mr. Chairman, I want it distinctly understood that I am not undertaking to answer the distinguished gentleman from Virginia [Mr. SAUNDERS]. [Mr. SAUNDER'S speech appeared in the CONGRESSIONAL RECORD of date of the 6th day of February, 1919.] I would not assume that I could do that. I am speaking now simply because this is my time to speak on this program. The remarkable thing is that the gentleman in his discussion calls for all the facts that might have actuated the President in recommending this three-year naval construction program, and he demands to know all of those facts. In other words, he not only favors open treaties openly arrived at, but it seems he does not want us to take any steps or any action touching our relations with foreign nations without disclosing all of the reasons that we have for it to all the balance of the world. Here there is an irreconcilable difference between his view and mine. I can only speak for myself, but think, as a member of the committee, I have all of the information concerning Secretary Daniels's telegram to the President and the President's reply possessed by any other member, and the gentleman knows as much now about the reasons for the President's action in recommending at this time the proposed naval construction program as any member of the committee knows. Every Member of this House knows all there is to it, and that is merely that the President in a telegram reiterated his desire for this three-year program. That is all. The President, of course, did not wire all of the facts or arguments. I believe I know what caused him to urge it at this time, but will enter into no discussion of that.

The first words of the Secretary of the Navy, Mr. Daniels, to our committee on this subject were:

No step backward, but a long step forward should be taken by this Congress in strengthening the American Navy. The additional three-year program recommended in my annual report is a conservative one, intended to continue the policy of the steady upbuilding of the Navy established in 1916.

No nation who witnesses what we are doing has a right to wonder at it or to question our motives or friendship, or to become alarmed, since we are merely carrying out a policy with reference to building a navy that we, after a bitter fight and long consideration, decided upon in 1916, and which at that time attracted world attention.

Prior to the time the Secretary of the Navy appeared before us the President recently had expressed himself in favor of this program. For my part, I knew that both the Secretary of the Navy and the President were at heart truly pacifists in the highest sense, entitled to and commanding the respect of the whole world. In other words, that they were both men who, in order to get peace, would appeal to every sense of justice, right, fairness, humanity, and reason; but I knew also that if they could not get it by such peaceful negotiations they were both men who would fight you in order to get it, and I was glad to know that. I had confidence in them. This very characteristic made the President a great leader for us when struggling to keep out of the war, and later, when forced to enter it, to lead us into war, and during the time we waged war. It brought to him at once the support and confidence of all true Americans of every type.

I knew that the President especially and the Secretary on this subject were in touch with our foreign affairs; that they possessed knowledge that should not be given to the public, and to give all the facts to this Congress would be giving them to the entire public. Our people are entitled to trust all right, but the trouble is if everybody over here knew everything about our foreign relations it would follow that everybody in all the balance of the world would know the same thing. So, as far as I am concerned, as soon as this was proposed to our committee I offered a resolution declaring that it was the sense of our committee that we approve generally of the building program submitted by the Secretary. The balance of the committee decided that my suggestion was premature, and I am not saying that at this time it was not; but I was very glad later to see all of the committee come unanimously to the same view and for the same reason that I was for it in the beginning, or mainly for the same reason, and that is that the President is urging it. That is the truth of the business. We might as well be frank about it.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. WILSON of Texas. Not for the present, please.

The CHAIRMAN. The gentleman declines to yield.

Mr. WILSON of Texas. Of course, in addition, I had the reasons so ably assigned by the distinguished gentleman from Washington [Mr. MILLER] the other day in his address to the House, and those so forcibly and eloquently presented by the gentleman from Michigan [Mr. KELLEY]. And in addition to that, I am naturally inclined to a pretty good-sized Navy. I do not care much about the Army, as to the size of it, and never did. Though we are a peaceful people and love peace above everything else, we have demonstrated several times that we can get warlike and shape up for war as fast, if not faster, than any other nation on this earth. I do not take any stock in all this talk, more current now than I have ever known it, that we are going to have to fight the laboring people. In other words, I am not so much afraid of home folks as I am of outsiders. I suppose I succeeded in the House about the least Navy man that ever sat in it, and since I have been here I have been voting every chance I got to provide us with a pretty big Navy. But the chief reason with me is that the Secretary of the Navy and the President want this thing. I was opposed to telegraphing the President.

Mr. SNYDER. Will the gentleman yield right there just for a question?

Mr. WILSON of Texas. All right.

Mr. SNYDER. There has been considerable said about this telegram received from the President. I have understood that it was brought out by a telegram sent to the President by the Secretary of the Navy. The gentleman being a member of the committee, I should like to ask him if he or any member of the committee is familiar with the telegram that the Secretary of the Navy sent to the President.

Mr. WILSON of Texas. I did not hear the statement made by the chairman of the committee [Mr. PADGETT] the other day, and if there is any dodging to be done, I am going to let him do it.

Mr. PADGETT. I have already stated fully to the House what the Secretary's telegram to the President was; not the words, but the substance, and it is in the RECORD.

Mr. SNYDER. I thank the gentleman.

Mr. WILSON of Texas. I am glad to know that. For my part I was opposed to sending that telegram, because, as I said, the President was over there on the ground in touch with them. He knows what we are doing; he it watching us daily; and if he did not want it he would say so without any telegram.

Mr. CAMPBELL of Kansas. Now, will the gentleman yield for a question right there?

Mr. WILSON of Texas. Yes.

Mr. CAMPBELL of Kansas. On the day the President's telegram was made public in the United States he made a speech in the French Chamber of Deputies, in Paris, in which he congratulated the deputies there assembled and the world that there would now be a diminution of armaments throughout the world, relieving the people of that great burden. Now, as a Member of this House, I want to know his impelling reason—why, at the same time he is congratulating the rest of the world that they could disarm, he should be urging us to arm? Can the gentleman give us the reason for that?

Mr. WILSON of Texas. In order that the speech of the President be not misconstrued, I am going to ask permission now to print it in full in to-day's RECORD.

The CHAIRMAN. The gentleman asks leave to extend his remarks as indicated. Is there any objection?

There was no objection.

Mr. WILSON of Texas. Our President needs no defense from anyone, but since this question is raised it is proper that his speech should go into the RECORD while we are considering this bill in order that it may be reconciled with his recommendation

by gentlemen who want to, and in order that excerpts from it may not be taken and used by anyone to create confusion and misunderstanding and the impression that the President is not consistent. The speech was made in the Chamber of Deputies, at Paris, the 3d day of this month, with official France present.

[The President's speech appeared in the RECORD of date February 6, 1919.]

Mr. MANN. Will the gentleman yield?

Mr. WILSON of Texas. Yes; but the gentleman is taking up my time.

Mr. MANN. The gentleman made a request to insert something in the RECORD. Will he not insert in connection with it the President's cablegram?

Mr. WILSON of Texas. I should not feel authorized to do that unless the chairman of the committee or the gentleman from Pennsylvania, Brother BUTLER, will consent to it.

Mr. BUTLER. You tell it.

Mr. WILSON of Texas. There is nothing to it more than the request. It repeats the request. Some points are emphasized. There are no facts given, and we know no more than the rest of you. I do not doubt for one moment but what Mr. Lloyd George himself and the foreign minister, Mr. Balfour, are in perfect accord with the President's recommendation. The relation between the President and Mr. Balfour and Mr. George is an intimate one—of the very closest friendship.

It was my great privilege when recently in England to meet and talk to Mr. George, and with what I knew of him along with what I saw I was able pretty well to size him up. He and the President are of a type; above everything else they want justice and right. In the peace conference they are natural friends. It was my great privilege also in the House of Parliament on the occasion of a banquet given to us by members of the House of Commons to talk to Mr. Balfour about an hour. He is as great an admirer and is as devoted to the President as any of us in America. He and the President were intimate and devoted friends before the President went to Europe. At the peace conference at Paris any relation between these three men other than an open, perfectly frank, and fraternal one is unthinkable to me. We can not judge by what the newspapers in England are saying about this proposed building program of ours. I do not doubt for one minute but what England favors disarmament just like we do, nor that she would hesitate to favor any possible step on her part, or any step of ours, that might be looking to disarmament. It is inconceivable to me that the President could be in the midst of these things happening at the peace conference, in constant touch and association with these gentlemen, and not talking some to them about it.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. WILSON of Texas. Yes.

Mr. BRITTEN. Is it not probable that the great American naval program is likely to bring about disarmament?

Mr. WILSON of Texas. I think so.

Mr. CAMPBELL of Kansas. Would the gentleman be willing to state that there is any agreement between England and the United States that they shall provide a great police force on the seas that shall safeguard the world?

Mr. WILSON of Texas. No; I do not claim to know the actual facts. I do not ask to know, nor want to know. I merely reason about it. That it is like a bunch of us gentlemen together; talking and elbowing with each other every day; good friends, believing in each other, as I know they do; having confidence in each other; working in harmony with the same ultimate purpose of doing the right and the best thing—that it would be inconceivable that they are not in touch on this very subject. Otherwise, it strikes me that these gentlemen would really, as some London papers seem to, look upon the President with more or less distrust. They really should not do so for the reason that the President has said emphatically that we should not shape our affairs at home to fit an international policy that has not yet been decided upon. But some over here who do not know any better—and many over there, it seems—think that this naval building program of ours is aimed at Great Britain; and with all that is being said in the papers, if the President is advising disarmament over there and advising arming to a greater extent along naval lines over here than ever, and was at the same time standing aloof from the British representatives on this subject, it would naturally cause them to question the President's motives and sincerity and would breed more or less distrust in the hearts of Britishers for us. I am sure no such feelings have been aroused, and I am sure we will have no serious disagreement with Great Britain at the peace conference. I would not be surprised at all if our President is not more intimate with the British than any other delegate at that conference. For my part I believe they are in agreement on this very subject.

Mr. SNYDER. Will the gentleman yield?

Mr. WILSON of Texas. I can not yield further.

Mr. SNYDER. Just one question.

Mr. WILSON of Texas. Very well.

Mr. SNYDER. The gentleman says that it is inconceivable that the President would be with Lloyd George and Minister Balfour without their knowing something about this proposition. I was wondering if it was inconceivable that the President should be there and not be advised as to the embargo which England has put on certain articles of commerce.

Mr. WILSON of Texas. That shows that I was unwise in yielding to the gentleman, because he wants to get me off the subject. [Laughter.]

The other subject touched upon by the distinguished gentleman from Virginia was the scarecrow about Great Britain—that we are fixing to fight Great Britain. In the same way the gentleman from Alabama [Mr. HUDDLESTON]—and I do not question his sincerity nor the honesty of his purpose—almost scared us to death the other day about that, and said that Great Britain would never submit to our building a larger Navy than hers unless we did it over the carcass of the British fleet. He also styled this proposition a bluff, and said that Great Britain would not let us get away with it. It is amusing that some people even over here will still accuse this Congress of bluffing. When we declared war pacifists and pro-Germans over here styled it a bluff. When the President pledged the resources of this country to the last man and to the last dollar, it was a bluff.

When we offered legislation providing for loans into the billions to our allies, that was a bluff; but we let our allies have about $8,000,000,000 during the war. When we passed conscription in order to get an army, this was denounced by these same pacifists and pro-Germans as a bluff, and also by our enemies over there, and the conclusive proof cited was that we knew that we could never land a soldier in France. When we proposed to build sufficient ships to carry our soldiers over there, this was a bluff. When we appropriated $650,000,000 for aircraft, this was scoffed at as the bluff of bluffs on the part of America. We declared war April 6, 1917. It was not until the latter part of August, 1918, when we had loaned to our allies nearly $7,000,000,000, and had nearly 2,000,000 soldiers in France, and American-made airplanes were coming into every port in England and France by the hundreds daily, and we proposed the second conscription act calling up for registration an additional 13,000,000 men, that these fellows quit making the claims that America was bluffing. They knew then over here and over there that America had never been bluffing about anything. In America we do things on such a big scale compared to the European countries that it is not unreasonable for those people to think sincerely that some of our propositions had the appearance of a bluff, but there is no excuse for any intelligent man in the world, and particularly any man in this Congress, now making any such ridiculous claims. If there is no provision for disarmament at the peace conference, how could Great Britain help herself if we wanted a larger navy than hers? Considering our comparative resources and ability for shipbuilding, in a contest of this kind with America, Great Britain would be like a child in a contest with a man, and she knows this much better than we do.

But I said I was not afraid of the laboring people, and I am not afraid of Great Britain for the same reason. I think she is the best friend we have in the world, France not excepted. [Applause.] I have more faith in her as a friend, and God knows I love France. I told my constituents in a tour of my district last fall, after returning from Europe, that if we had to have just one ally, and it was left to me to select it, I would select Great Britain. Not one handclap did I get on that. If I had said France, they would have torn down the house. I had a purpose in saying that, and everywhere I went repeated it, but at no time did I get a sign of approval. We should break down the prejudice that exists in the hearts of many of our people against Great Britain. In fact, it is a little hard to account for this. We do not teach our children to hate Great Britain. I think it is merely because of the wars they read of that we have had with Great Britain. But after this it will be different. They will read about the history of the Revolution and of the War of 1812, but they will come on down and at last read of this war, where Great Britain and America stood by each other and died together on the battle fields, and standing together saved each other and saved civilization. Too, they will read such things as the President said about Great Britain in his speech before the French Chamber of Deputies the other day. He said:

> Now look what has happened. In that far-off day when France came to the assistance of America, America was fighting Great Britain, and now she is linked as closely to Great Britain as she is to France. We see now how these apparently diverging lines of history are coming together. The nations which once stood in battle array against one another are now shoulder to shoulder fighting a common enemy. It was a long time before we saw that, and in the last four years some-

thing has happened that is unprecedented in the history of mankind. It is nothing less than this, that bodies of men on both sides of the sea, and in all parts of the world, have come to realize that comradeship in freedom.

There will not be so much prejudice against Great Britain hereafter, and in my judgment she will forever be our best friend. I am an optimist on the subject of our ever having any serious trouble with Great Britain.

In fact, I am an optimist on the subject of our ever having any war with any nation. I have no sympathy with all this talk that human nature is the same; that it never has changed; that it never will change; and that nations will go on occasionally cutting each other's throats over matters where the application of reason and fair treatment and justice would settle the dispute out of war. And yet I am for this big Navy. I do not see any indication that I am going to die within the next 20 years, and yet if you knew my private affairs, and that is true of all of us, you would think each day that I expected to die to-morrow. There are certain things about which we can not afford to run great risks or take great chances, and certainly for the present we should take no chances as to our country being prepared to take care of herself in the event war should come.

I think the peace conference at Paris is going to be a success, and particularly on the subject of eliminating future wars between nations. We will continue to have internal wars and troubles, of course, but I do not believe after the work of that conference has been completed that an issue will rise between any two nations leading to an argument, next to a dispute, and to a quarrel, to bitterness, and then on into war. Of course, my belief in such a future as this is based on the prayerful hope of a league of nations; that some sort of a binding covenant will be entered into by the civilized nations of the world looking to the prevention of war. I have never believed in anything quite so strongly, it seems to me, as I believe in this. It is a great task, of course, but there is no sane reason why nations could not come together in some adequate agreement to prevent duelling among themselves over questions of honor and end it forever, the same as it has been ended in this country between individuals. I believe this league of nations when formed should provide for force and for the use of it in the extreme emergencies, and would not have too much respect for any league of nations that might be entered into unless it did make such provisions.

The Farewell Address of Washington is cited with great assurance by many as an authority against all of this. I have been wondering if Washington had lived during the last hundred years and during this last war, and had seen this country grow from practically an agricultural community to the position of the greatest world power, if they would say that he had learned nothing during those hundred years; if, facing present world conditions, do they think he would be willing to stand upon every word of that address; that he would have undergone no change of views, not in a single particular? Reading that address in the light of the times in which it was delivered and facing the conditions as he faced them, it seems that every word was full of wisdom. It is not improbable if he were with us that he would say, "At the time I delivered that address to the American people I was facing altogether different conditions, and the different conditions of this day have brought about as great a change in my views." Touching upon our foreign relations, there is one thing he said in that address that was wise then, is wise to-day, and there will doubtless never be a time in the history of America when it will not be wise, and that is that America should have as little to do with the politics of Europe as she possibly can. I am sure our President has this in mind, and that this is one of his purposes. Following the advice of Washington, the question is, How little is it possible for us to have to do now and from here on with the political affairs of Europe? The policy of no entangling alliances, followed for over a hundred years, brought us into this most awful war of all history, and there was no honorable escape for us. It was an evil influence that had grown up in Europe that forced us into it. Now it seems plain, if we can with a reasonable outlay of effort and money forever prevent the existence of any such influence that might lead us again into such a war, that it is our plain duty to do it—at least, to try—to make a real genuine effort. If it should fail, it will do no more than the policy of no entangling alliances.

I have no sympathy with the selfish American policy now being preached by many, and preached more in this Congress, it seems to me, than anywhere else in all the world—this terrapin foreign policy—that we should draw back our head, clamp down our hull, hump ourselves up in our selfishness and exclusion, and remain so until some one comes along and prods and prods us until we are compelled to move out again. Of course, we should be more selfish for America than for any other country; but from a selfish standpoint we can not afford to refuse to enter into some sort of an agreement with the other nations of the world looking to the prevention of our ever being drawn into another world war like this one. Being more selfish for America than for any other country does not relieve us of the duty of discharging the great responsibilities that the end of this war has left upon us. The American people are going to be with our President in his masterful fight in this direction. They are not going to be left without hope; they are going to demand that something be done upon which they may base the hope that this thing can not occur again. The 7,000,000 dead on the battle fields of Europe would vote for this league. Their mothers and widows would vote for it. They would say, "Give us something, that posterity may be saved from our fate."

I can not understand the motives of men who oppose the views of all those at the peace conference at Paris. I can not understand what they hope for. I was on the western front from Lorraine practically around to Belgium during last summer and while the allied great offensive was on. I saw the awful horrors of that war. I saw our dead mangled in every conceivable form. I saw hundreds and hundreds of destroyed cities in France and Belgium. I witnessed some of the great battles that were raging on that front. I passed by acres and acres of dead. It was enough to strike horror to the heart of any sane man. In sight of all this blood, of all these millions of dead, of all the devastation, of all of the waste of the world's wealth, it is inconceivable to me how any man could oppose the President when his only and sole purpose is, in the matter of the league, to prevent that thing ever occurring again. I have had the lesson impressed so often in my own experience and observation that a man is never utterly without hope of accomplishing a thing until he himself quits, refuses to make any effort or attempt. Those who oppose the league idea can only have in mind a continuation of the old system of the competitive building of armaments, which always has meant war and will always mean war and more war. The continuation of this system should strike horror to the heart of every man for the reason that it only means war in the end.

One might think it strange or inconsistent that I should have these views and at the same time stand here advocating the building of this great Navy. My position is simply this: If the nations in conference at Paris do not enter into the league for the prevention of war and refuse to make provision for disarmament, and we are to continue under the old system of having wars occasionally, then I am strictly in favor of America being prepared, fully prepared, to whip any nation that she gets into trouble with. In the event they do enter into such an agreement, then, and not until then, the happiest provision of this bill is the following section:

If at any time before the construction authorized by this act shall have been contracted for there shall have been established, with the cooperation of the United States of America, any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishment of said tribunal or tribunals may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

[Applause.]

The CHAIRMAN. The gentleman's time has expired.

The Present Administration.

EXTENSION OF REMARKS

OF

HON. JAMES C. WILSON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. WILSON of Texas. Mr. Speaker, on the occasion of the visit of the Federal Farm Loan Commission to my home, Fort Worth, Tex., November 15, 1916, the chamber of commerce tendered a luncheon to Mr. McAdoo and the other members at the Fort Worth Club. I was toastmaster, and as such made two short talks, as follows:

"Ladies and gentlemen, we have in the United States a man, just a plain man, whom history will write down not only as America's but as the world's greatest son; not because, in heart qualities, he is comparable with the Father of his Country; not because his powers of constructive statesmanship are equal to those of Jefferson; not because, when he knows he is in the right, he possesses the courage and the indomitable spirit of

Jackson; not because in the democratic simplicity of his life and statesmanship and devotion to ideals he is the peer of the universally loved Lincoln; but for that higher and nobler reason, through his interpretation of the spirit of our people and institutions, he is impressing mankind, as never before dreamed of, with his, and our, undying devotion to and with his elevation to the serious and favorable consideration of the world's best thought, the sacredness of the simple proposition of a human right everywhere, the world over.

"In the name of Fort Worth and of Texas, I propose a toast to this matchless man, our President, Woodrow Wilson."

Here the audience stood in silence, with glasses lifted, a few seconds, after which I continued as follows:

"When one deals with the finances and the financial system of America he deals with the heart, the arteries, the veins, the very blood of the Nation, the gold and silver constituting the red and white corpuscles of that blood. It takes a great national specialist, a great surgeon, to operate upon a body politic such as this United States of America, changing that system, without administering chloroform, without shock to the nervous system, without a backset, while that body is moving on in its throbbing, mighty purposes at home, and to the accomplishment of its God-planned mission among the nations of the world. Just such an operation—as new and startling as the processes of grafting or transfusion—was recently performed upon America in the establishment of the Federal reserve banking system. The chief surgeon who attended America in that operation is with us to-day. I have the pleasure of presenting to you, judged from the standpoint of service to the Nation, and rightfully they can be judged from no other standpoint, the greatest Secretary of the Treasury in the history of America, William G. McAdoo."

We did not enter the war until about six months subsequent to that occasion. During the war the greatest burdens borne by any Americans were borne by these two officials of our administration. The achievements of this Congress and the achievements of this administration, the ending of the war, leaving upon us such great responsibilities, and the occurrences now at the peace conference at Paris, have only served to put a world spotlight at this time upon these very truths concerning these two great Americans, and so much so that I almost feel that the things I said about them in 1916 were prophesies that we have more than fully realized.

Since I am soon to resign from Congress to take up the work of the Federal bench in my State, it was my desire to extend my remarks upon the effect that the course of our President has had, and will have, upon world affairs, and the effect Mr. McAdoo's services as Secretary of the Treasury has had upon the financial system of America and as to the position in which we now find ourselves as a financial world power, but instead concluded to insert in the RECORD the views I entertained toward them prior to the beginning of their tasks in connection with winning the war.

The Late Representative Meeker, of Missouri.

MEMORIAL ADDRESS

OF

HON. WILLIAM L. IGOE,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 2, 1919.

The House had under consideration the following resolution:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the families of the deceased."

Mr. IGOE. Mr. Speaker, we meet to-day to pay tribute to another deceased colleague of ours, Mr. MEEKER, who served in this House from the tenth district of Missouri. I knew Mr. MEEKER for many years, and became quite intimately acquainted with him during our service together in this House. He had taken a prominent part in the discussion of public affairs in St. Louis prior to his election to Congress, and after he arrived here he became one of the hardest working Members of this House. The district that he represented contains almost 500,000 people. Those of us who represent districts containing 200,000 and 250,000 people know how much work devolves upon us, and I know from my visits to him that he was engaged day and night attending to the work of the constituency that he represented. He was a man of ability, and he stood by his convictions, and, whether it was in his own party or with another party, he made a fight for what he believed to be right. I recall very well the time the declaration of war was being voted upon. Mr. MEEKER was at that time very ill and unable to be here, and he sent word that if his vote was needed he wanted to be sent for and brought here to vote for the declaration of war. He might well have allowed the matter to go, because everyone knew that he was desperately ill, but he wished that record made. And just a day or two before his death I received a telegram from him stating that he wanted to be recorded as supporting the last war measure which was voted upon before his death, the great appropriation for carrying on the war. Mr. MEEKER was a hard-working, conscientious Representative. He differed radically and greatly with many Members of the House and with many people in St. Louis, and yet he was returned here by his people by a tremendous majority, and, as stated by the Speaker, I believe, he could have continued to represent them in this House for many years. There were, as in the case of the distinguished Senator of whom we spoke, many who differed radically with him, but I think that all will concede that Mr. MEEKER was a man of ability, forcefulness, energy, and, above all things, anxious to render genuine public service to his people.

Embargo on Cotton and Cottonseed and Peanut Oils.

SPEECH

OF

HON. HENRY B. STEAGALL,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 24, 1919.

Mr. STEAGALL. Mr. Speaker, it is true, as suggested by the gentleman from South Carolina [Mr. BYRNES], that if we strike out the provisions of this bill making appropriation for the War Trade Board the board would be without funds to operate after the end of the fiscal year—June 30, 1919. It would seem, at first glance, that this would accomplish all that is contemplated by the amendment offered by the gentleman from Georgia [Mr. BRAND], providing that no funds shall be available for the support of the War Trade Board until the embargo on cotton shall be lifted, which by the terms of the amendment offered by myself has been made to embrace cottonseed and peanut oils. I agree with the gentleman from South Carolina [Mr. BYRNES] that striking out the whole fund for the support of the War Trade Board would accomplish the same result so far as the appropriation of money is concerned as would be the case under the limitations fixed by the amendment offered by the gentleman from Georgia [Mr. BRAND] and myself. But the adoption of this amendment would be a specific declaration of the Representatives of the American people in Congress in favor of the removal of the embargo, and I, for one, believe the President would give instructions to the War Trade Board to respect their wishes and remove the restrictions and limitations now imposed upon American products.

The farmers of the South suffered a reduction in the price of cotton in 1914 that resulted in widespread bankruptcy. It all came about as the result of the cotton producers being denied access to the markets of the world. England established a blockade on cotton against foreign markets that were purchasers to the extent of three to four million bales annually. In the terror and suffering of the moment appeals were made to Congress to take steps to enable the holders of cotton to carry it through that trying period and to save them from being forced to sell when the price had sunk to a basis vastly below the cost of production. But this appeal was answered with the statement that it was not a matter with which the Government had or should have anything to do.

I do not say that the citizen should rely upon the Government in ordinary times to find a market for his products or to become purchaser. I believe in the old Democratic doctrine that the Government should govern as little as possible in everything and allow the citizen a free and fair chance, protecting

him in the right to produce to the fullest of his ability, and sell his products in an unrestricted market under the law of supply and demand. The citizen has a right to expect that much. That is all the farmers of the South ask to-day. That is all that is sought to be accomplished by the removal of the embargo on farm products. They ask no special favor of the Government. They only insist upon the right to toil and produce and ship their products to the markets of the world that they may support their families, pay their taxes, and sustain the credit of their Government.

Let us see what the situation is. Last fall cotton was selling at about 38 cents a pound, and this notwithstanding it was being denied access to the markets of the world. Then the War Trade Board began to discuss stabilization of the market. They began to give out statements to the effect that they were going to investigate conditions with a view of fixing a price. Of course, any man with the least practical business sense knew the effect such agitation would have, though it is well known the War Trade Board had no authority whatever to fix a price on cotton. But they succeeded in hammering down the price about $40 a bale, and when that was accomplished the agitation terminated, and the board admitted they had no authority in law to fix a price.

The last crop is shown to be only a little over 11,000,000 bales. In normal times the United States consumes half the crop. We have consumed in this country already over 3,000,000 bales of last year's crop. There are less than 6,000,000 bales available now to meet the world's demand. The demands of foreign countries are approximately 8,000,000 bales. Why is it then that cotton at the present time is selling at a price below what it costs to produce it?

We hear a great deal about the cotton exchanges and their unfair methods. I have no doubt whatever that they are operated in a way to beat down the price. There can be no other explanation of the system by which they are able to hold down the future market $25 a bale below the spot market. I am in favor of legislation to correct the evils of the exchanges. The system by which they offer a purchaser unmarketable and unspinable cotton ought to be penalized and this and other abuses corrected or the exchanges should be abolished. But we should face the facts as they are and not attempt to evade or cover the situation by abuse of the exchanges. The trouble with the cotton market is that countries that need cotton and want to buy it are not allowed to have it. The War Trade Board has adopted a system that limits exports so that every nation is rationed a certain proportion of what is required, and Germany and Austria are not allowed to purchase at all, though they need at least 3,000,000 bales. If the War Trade Board would hands off and allow cotton to go to the markets of the world unhampered and unrestrained there would be a rush for it that would send the market soaring. The same thing is true of cotton seed and peanuts. The Government while guaranteeing a price on other things reduced the price of cotton seed from $83 to $69 a ton—at the same time forcing the farmer to sell his cotton seed or run the risk of prosecution for hoarding.

Yet, while reducing the price of cotton seed $14 per ton, the price of meal, which must be had for fertilizer, was increased $7 per ton. Linters which the Government was taking was suddenly reduced 3 cents a pound, making a loss of several millions of dollars. In the meantime the export of cottonseed and peanut oils was restricted under the rationing system, which determined the amount that might go to any country and by which none may go to Germany or Austria. Of course, we were all willing while the war was in progress to make any sacrifice to sustain our armies at the front and to protect the honor of the Nation. The South gave her sons to die in France, and they did not murmur at any financial sacrifice that was considered necessary. But the legislation authorizing an embargo against American products was only intended to be used as a military necessity to hasten the surrender of our enemies, and now that the war is over, the sooner commerce is resumed throughout the world the better it will be for all concerned, the quicker we may hope to recoup our losses, and the easier it will be for our enemies to make good all assessments to be levied against them to compensate the outrages they have perpetrated against humanity and civilization. It is not right to continue the restrictions upon the exportation of American goods and products to the detriment of the producers of this Nation in order that some of the nations of Europe may have advantage over others in the process of rehabilitation and readjustment.

Some time ago I took up with the War Trade Board the question of restriction of exports of cotton and cottonseed and peanut oils. In reply to my inquiry I have a letter, from which I quote:

The whole question of the extent to which the blockade of the central powers shall continue to be maintained has been the subject of serious consideration by the representatives in Paris of the United States and the allies. We are informed by them that for important political and military reasons it is regarded as highly desirable for the present to continue the blockade in its main features, and that the immediate removal of the blockade would eliminate one of the most persuasive reasons for the acceptance by Germany of the terms of peace which the associated Governments desire to impose.

I submit that the proposition to restrict the exports of American products except for the purpose of aiding our military operations is a plain violation of the intents for which this dangerous and extraordinary power was granted. To attempt to continue it after the war has been won to secure a better settlement with Germany is a great injustice to the producers of this country. It is inconceivable that our allies would be willing to punish the farmers of this country in order to collect higher indemnities from Germany.

The farmers of the South gave their sons to die side by side with the soldiers of England and France. By their heroic service and sacrifice they forced the surrender of the mighty armies of the German Empire. It is indefensible now, since the war is over, that our people should be made to suffer that our allies may collect damages of Germany. The practical effect of the policy would require the producers of this country to assist Germany in paying indemnities to be assessed against her. This is an injustice that should not be tolerated by the American Congress, and if relief is to be had it must come through the action of Congress. The War Trade Board has indicated quite clearly what may be expected of them.

We went to war in defense of the right of the citizens of this country to travel the common highways of the ocean and to ship their products to the markets of the world. Since by the sacrifice of our treasure and the lives of the youth of this land these rights have been vindicated shall we allow the War Trade Board to deny us the fruits of our victory? I do not know what that board expects to do, but for one I insist that the Congress of the American people should see to it that they do not lose the benefits of the victory so nobly won. I do not believe the farmers of the South are blind to the facts. They know the situation. They know at last that they are not dependent alone upon one crop. They know that the present supply is far below the world's demands. They know that for the next year a crop of 9,000,000 bales will sell for more than a crop of 12,000,000 bales. They know, too, the value of the crop of grain and live stock that may be raised by the labor and expense that would raise the production of cotton to the point of depressing the market. They are going to hold the cotton on hand and grow less next year. They know that sooner or later peace must be declared and that export restrictions and limitations must be removed, after which there will be a rush for cotton such as has never been known since the days following the Civil War.

But I submit that the interest of the Nation as a whole requires, and simple justice to the farmers of the South demands, that all restrictions and limitations on the export of this great American product should be removed now. It ought to be done while yet some portion of the crop remains in the hands of those by whose toil it was produced and who are entitled to share in the benefits of the higher price to follow the removal of the embargo which must come in course of time.

EXTENSION OF REMARKS

OF

HON. CHARLES H. SLOAN,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919,

On House joint resolution 154, authorizing the erection of a memorial in Washington to the memory and in honor of the various orders of sisters who gave their services as nurses on battle fields, in hospitals, and on floating hospitals during the Civil War.

Mr. SLOAN. Mr. Speaker, no appropriation is asked from the United States Treasury; only enough public ground here in the National Capital for the erection of a memorial to the devoted sisters who in the time of fratricidal strife in America saw no foeman, but only unfortunate brothers who in the tide of war had fallen sick, wounded, or dying, lent them comfort, eased their pain, or removed the death damp from brows far from wife, mother, and home.

While they were near no wearer of the blue or gray must pass without the ministering comfort which only tender woman's

hand can give. Were they able to be present, of no American soldier need it be said, as was written of the legionaire:

A soldier of the legion lay dying in Algiers;
There was lack of woman's nursing; there was dearth of woman's tears.

Strong men are buoyed up in battle by the inspiration of the charge and the shock of conflict, but then after cannon roar had ceased and the roll of musketry had lulled, when the smoke had cleared away, and the horrible revelation appeared of the battle between God's images, 'mid shriek of pain, prayer for succor, and dying groans, these gentle spirits, moving like animated benedictions among the fallen, ministering as only devoted women could to the weak, the suffering, and the dying.

Their work was not so systematically organized then as womanhood has wrought in the great conflict recently closed far overseas, but the miracles of mercy wrought by them in the Southland will never, and should never, be forgotten by the sons and daughters of those two great armies, whose members met as brothers on the war field, where the reddest sword must win.

Abraham Lincoln said of these sisters:

More lovely than anything I have ever seen in art, so long devoted to the illustrations of love, mercy, and charity, are the pictures that remain of those modest sisters going on their errands of mercy among the suffering and the dying. Gentle and womanly, yet with the courage of soldiers leading a forlorn hope to sustain them in contact with such horrors. As they went from cot to cot, distributing the medicines prescribed, or administering the cooling and strengthening drafts as directed, they were the angels of mercy.

The work of women during the present war, including the work of those who succeeded in the several orders of those whose work we would memorialize, should impress every Congressman and Senator with the propriety of the request involved in this resolution and remove all obstacles or objections, by vote or voice.

During the Mexican War the mercies of women on the battle field for the suffering, although the fallen had been battling for the lifeblood of father, husband, and friend, were sublimely shown. The simple Mexican women ministered to the florid northern foeman as they did to the suffering friend of more sable hue.

One of America's most beloved poets, writing of this, termed these women the "angels of Buena Vista."

But the noble Mexican women
Still their holy tasks pursued
Through that long, dark night of sorrow,
Worn and faint and lacking food,
Over weak and suffering brothers,
With a tender care they hung;
And the dying foeman blessed them
In a strange and northern tongue.

Not wholly lost, O Father,
Is this evil world of ours;
Upward through its blood and ashes
Springs afresh the Eden flowers;
From its smoking hell of battle
Love and pity send their prayer;
And still Thy white-winged angels
Hover dimly in our air.

The Late Senator Stone, of Missouri.

MEMORIAL ADDRESS
OF
HON. WILLIAM L. IGOE,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 2, 1919.

The House had under consideration the following resolution:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the families of the deceased."

Mr. IGOE. Mr. Speaker, my personal and intimate relationship with Senator STONE began only with my election to Congress. When I took my seat here in March, 1913, I had known him only in a general way and by reputation, as everyone in Missouri had known him up until that time.

I think the outstanding things in his character were his courage and his honesty. He rendered great service as a Member of this House, as governor of the State of Missouri, as Senator, and also in private life.

Members have spoken of his courage, and there is one thing I recall as a boy that he did in Missouri that required as much courage as was ever displayed by a public man at any time, and that was when, in the State of Missouri, some people undertook to set up a sort of religious persecution. It took courage for a man in public life to denounce it, but Senator STONE had no hesitation whatever in going from one end of the State to the other denouncing the movement as un-American, unfair, and a disgrace to the State.

There is no man, in my judgment, in the Democratic Party who is entitled to more credit for the success of the legislative program of the Democratic Party in Congress since 1913 than Senator STONE. He was a leader and a worker. He worked day and night as a member of committees of the Senate and he labored with the members of his party. He worked to make a record for the administration and carry out the promises that his party had made. He fought for his party; he believed in his party; and he fought for it because he thought it was an instrumentality through which the wishes of the majority of the people might best be carried out, and thus preserve the Government which we all love.

There are very few people, outside of Members of Congress, who served with him who know how devoted Senator STONE was to the duties of his office. He did not spare himself, and though at times in recent years his health was impaired, he did not slacken his efforts, but devoted his entire time to legislative matters, working far into the night. No one who came to his office for advice or assistance was turned away, and all were made to feel welcome. It was marvelous how a man so busy could find time to receive so many callers and give them his aid in satisfying their wants.

I had occasion many times in the last few years of his life to go to him for advice and assistance and talked to him in confidence when these great issues came upon us. Immediately preceding the war and the declaration of war itself I had occasion to meet him and to discuss matters with him. He never undertook, in my judgment, to lead any man along any course nor did he undertake to persuade them from doing what they conceived to be right and proper, and in all the criticisms that have been visited upon him for the course that he took, it seems to me that the men who are most bitter never did understand the greatness of his character nor the greatness of his love of his country. There is no man who ever served in this Congress who had a greater love for his country than did Senator STONE. Mr. Speaker, I hope that in the time to come that he will be remembered for what he was, a great American, a great Senator, a courageous man, and one who wished to serve the people who were generous enough to select him to speak for them. Mr. Speaker, we have lost a friend and the Nation has lost an able, honest, and courageous statesman.

EXTENSION OF REMARKS
OF
HON. JOHN M. BAER,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. BAER. Mr. Speaker, I desire to place in the RECORD a concurrent resolution passed by the North Dakota Legislature indorsing the general plan of a league of nations:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of March, 1919.

[SEAL.] THOMAS HALL,
Secretary of State.

Concurrent resolution favoring the establishment of a league of nations to enforce peace and aim at promoting the liberty, progress, and orderly development of the world.

Whereas the war, now brought to a victorious close by the associated power of the free nations of the world, was above all else a war to end war and protect human rights: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we favor the establishment of a league of nations of which the United States shall be a member. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world; that it should clinch the victory won at such terrible sacrifice by having the united potential force of all its members as a standing menace against any nation that seeks to upset the peace of the world; be it further

Resolved, That certified copies of this resolution be sent by the secretary of state to the President and to the presiding officers of both branches of Congress and to each of the United States Senators and Representatives from the State of North Dakota.

EXTENSION OF REMARKS

OF

HON. ALVAN T. FULLER,

OF MASSACHUSETTS.

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. FULLER of Massachusetts. Mr. Speaker, under the authority permitting all Members to extend their remarks in the RECORD upon pending bills, I desire to make some observations concerning joint resolution No. 436, providing for the appointment by each Member of the House of Representatives of one secretary and one clerk, whose names shall be placed on the rolls and paid in monthly installments.

I know that an allowance of $2,000 for a secretary of a Member and $1,200 for a clerk is not an extravagant allowance provided a man takes care of the requirements of his constituents and the money is actually paid to a secretary and a clerk. I assume, however, that many Members will continue to hire secretaries and clerks at a less figure than the allowance and pocket the difference or utilize as heretofore the names of two relatives or one as "decoys" for the pay roll. I sincerely wish that we could reorganize the machinery and improve the methods of Congress so that it would function efficiently and economically and thus reestablish itself in the minds of the people. You will agree, I am sure, that we are facing the gravest crisis in all our history. The fight is on between constitutional government—law and order—and bolshevism. It should not be possible for newspapers and critics generally to make the perfectly true statements about Congress, which are and can be made. Every keen observer who comes to Washington can go home and prove to the home folks—and they do—that millions are being jimmied out of the Public Treasury for pork and patronage. No people, nor any class of people, ever thought in terms of revolution so long as they had confidence in their government. We, ourselves, have sown the seeds of bolshevism through our failure to be businesslike in conducting the legislative business of the Nation.

THE FRANKING PRIVILEGE.

The shameful abuse of the franking privilege by Members of Congress is reprehensible at any time, but in times like these, when the public is being exhorted to be thrifty in all matters, to economize and to deprive themselves of all but necessities, it seems particularly reprehensible that their Representatives in Congress, Members, if you please, of the greatest legislative body in the world, should waste millions of dollars in an abuse which smells to high heaven.

From time to time comments are printed in the daily papers all over the country referring to this abuse and that abuse in connection with the franking privilege. These items encourage the people, and quite justly, in believing that there is something "rotten in Denmark." It discredits Congress because it gives the impression that Representatives of the people in Washington enjoy privileges and perquisites of one kind or another that would not stand the light of day. This creates a lack of confidence and generates an impression that citizens are warranted in feeling that "each should be for himself and the devil take the hindermost," which is not the sort of an impression that should be generated by or concerning a self-respecting, high-minded body of legislators.

Now, Mr. Speaker, with your permission, I propose to enumerate a few illuminating facts that, with one-tenth as damning evidence, would lead you and me to demand an investigation of any industrial enterprise in which we might be interested.

Firstly, there is franked out of the House Office Building daily from 20 to 30 tons of mail matter and about election time this quantity is increased to 30 or 40 tons. One Congressman sent out 750,000 parcels of literature and one political party at one election sent out 55,000,000 speeches. I took the liberty the other day of calling on the superintendent who has charge of the clerks who send out this mass of stuff, and he stated that at times there were from 500 to 600 clerks employed doing nothing but packing free literature into free envelopes to be sent through the mails free of expense for Congressmen. He stated that these clerks could address and send out about 1,500 each in a day. I asked the man in charge how many parcels a Congressman could have, and he said as many as he liked. "Well," I said, "not a million apiece," and he said, "Yes." And then I inquired how many envelopes, and he said as many as a Congressman wanted. I asked him how about the printing, and he said, "No charge to a Congressman." And I asked him about the franking privilege, and he said these things were all franked out, and then he said, by way of offering a defense, that, of course, no Congressman, unless he were a damned hog, would take more than a hundred thousand.

Now, the object of my protest, Mr. Speaker, is to muzzle the "damned hogs" and to hamstring others of the "high rollers," primarily in defense of the Treasury and secondly in justice to the self-respecting element in Congress who feel that being a Congressman is a matter in which they could justly take pride rather than that they should be part of a body referred to as grafters and psalm-singing hypocrites.

I find it is quite the custom when a Congressman is running for election or wishes to have his name before the public because he aspires for some other office to flood his district or State, as the case may be, with all kinds of free literature. For example, one of our Congressmen a while ago desired to have his name considered in connection with the governorship of his State, with the result that he conceived the idea of sending out a nice collection of books to the voters of his State. He sent out 640,000 parcels of books in one day, and upon inquiry at the post office I found that the postage would have been to ordinary mortals 45 cents each per parcel. It is a simple matter in arithmetic to see that 640,000 parcels at 45 cents apiece cost Uncle Sam over $300,000 for postage. Of course, the cost of the books themselves would be greatly in excess of this amount. It is easy to see, with this illustration in mind, that individual Congressmen can easily abuse their franking privilege to the extent of a million dollars a year.

I found another Member of Congress who conceived the idea of influencing public opinion against preparedness by delivering speeches in Congress abusing the President and playing the German game—I do not contend that this Member received any German gold for delivering these speeches, but I do maintain that he earned it. These speeches were printed at Government expense; they were franked out to German peace societies at Government expense; and then, in addition, franked envelopes were included so that the German peace societies could in turn send them without expense to any individuals whom they thought fit subjects to influence by such propaganda. Can you imagine a more devilish scheme of undermining the morale of the people at their own expense, compelling them to dig their own graves, so to speak? On the outside of the envelope that this congressional Member utilized for this purpose I find the following notation:

Preparedness. Let the truth be told. Public opinion must settle this question in the end, and there can be no public opinion of the question until the public knows the truth. The metropolitan newspapers and magazines, with few exceptions, have declined to state both sides of the question. The effort seems to have been to stampede the public into hasty action. Out with the truth. No great question like this can be determined without the facts.

How many American boys are lying out on Flanders field stiff and stark to-day as a result of such devilish propaganda delivered in the National House of Representatives and mailed into the homes of our citizens urging upon them the wisdom of combating a wild beast with gentle caresses and total unpreparedness?

If each Congressman abused his franking privilege once a term, as in the case of one of the instances I have cited above, it would make a total expense of $130,000,000. Now, when you realize that many Congressmen indulge in this monthly, the enormity of the abuse is at once apparent.

I have in mind a Congressman who was barely elected in a close district, whereupon he put into practice the plan of sending back a weekly letter to the voters of his district. He now has the district safely tucked away and, as a result of this gentle art of persuasion, he has been what might be called "popularly endorsed." The district is now "safe" for him. He now "runs ahead of the ticket." This district was close four years ago, but now it is "safe" by 7,000.

The Speaker of the House a short time ago in his birthday speech remarked on the fact that Congressmen now came to Washington for longer terms than they used to, and he ascribed this as a result of the primary system.

I would ascribe it in no small degree to the abuse of the franking privilege.

I have in mind a gentleman more ambitious, perhaps, than others for the intellectual development of his constituents by way of reading Government literature, who has been storing up every conceivable kind of Government literature for the past two years and who now has two rooms full. I suppose his idea is to literally flood his district at about election time. Personally I never before appreciated what the term "flood the district" meant. Apparently it means that literature printed at the expense of the people and transported at the expense of the people shall fall upon it "like the gentle rain from heaven."

Are our women, who are being exhorted to save a slice of bread a day; our children, who are asked to buy and sell thrift

stamps; and our men, who are being called upon to sacrifice their lives, going to be satisfied to allow abuses like this to continue? Can we ourselves afford to allow them to continue?

You may recall that in 1908 a commission, consisting of Charles E. Hughes, A. Lawrence Lowell, and Harry A. Wheeler, reported that mail franked out by Congress weighed 4,531,080 pounds, representing 9,007,574 separate pieces. The total weight of all first-class mail for the whole country that year was 157,502,610 pounds. Considering congressional franked mail as first class, which is only fair, as it goes out sealed, one gets an astounding comparison. The mail franked out of Congress in 1908 amounted in pounds to more than one-fortieth of that of the whole mail of the United States of America. My investigation would lead me to believe that the output of congressional franked mail has more than doubled since that time.

Postmaster General Hitchcock, in his annual report for 1908, states as follows:

> The unrestricted manner in which the franking privilege is now being used by the several Federal services and by Congress has laid it open to serious abuses, a fact clearly established through investigations recently instituted by the department. While it has been impossible, without a better control of franking, to determine the exact expense to the Government of this practice, there can be no doubt that it annually reaches into the millions. It is believed that many abuses of the franking system could be prevented, and consequently a marked economy effected, by supplying through the agencies of the Postal Service, special official envelopes and stamps to be issued on requisition to the various branches of the Federal service requiring them and such records to be kept of official stamp supplies as will enable the Post Office Department to maintain a proper postage account covering the entire volume of free Government mail.

The different ways in which the frank is abused demonstrates the essential secrecy of the system and its personal and political uses condemn it in themselves. A fine of $300 is imposed for the personal use of the franking privilege, and yet Congressmen violate the law with impunity. In this connection, if you wish illustrations, they can be found in abundance. I would not attempt to enumerate all of the expensive evils which grow out of the franking privilege, such as loading down the CONGRESSIONAL RECORD with political matter, free seeds, leave-to-print speeches, campaign documents, and so forth.

The suggestion made by Postmaster General Hitchcock in 1910 would seem to be a good one as a starting point. Certainly the overshadowing element of personal and party politics should be eliminated and the use of the frank restricted to public affairs. There should be the fullest publicity with reference to franking. I would require each Congressman to append a note to each speech or document sent out, stating the number being mailed and all other essential facts, and beyond question there should be some commission or committee representing the Post Office Department to see that Congressmen themselves obey both the letter and the spirit of the law.

Members of Congress in some instances have voluntarily submitted proposed mailing matter under their frank to the Post Office Department in advance, so that there could be no doubt of its coming within the legal requirements, but no Member of Congress is under any obligation to do this, and in the great majority of cases it is not done. In the absence of such voluntary submission, the department has no official means of knowing what Members of Congress are sending under their frank nor have they any means of keeping track of the quantity of franked mail sent by any Member or Members of Congress.

I have no desire to cast any aspersions upon the Members of Congress, but when so distinguished an authority as Mr. KITCHIN, the Democratic leader, in speaking on the river and harbor appropriation bill can say, "I sometimes fear that too many of our colleagues set up as the true measure of service here the amount of money which they can filch out of the Treasury into their districts and States for creeks or rivers or public buildings," it behooves us to be not too optimistic in our estimate of human nature as it relates to Uncle Sam's money. I have no objection to a man being careless and trustful with his own money, but I counsel most scrupulous accounting and safeguarding of the people's money which we are sworn to protect.

Of course, I do not need to present a bill of particulars as to why Congress has come into such disrepute. The situation can be summed up in this: We have been wasting public money upon our own political upkeep; the franking privilege has been grossly abused; our processes have been essentially secret; seniority and sectionalism have assumed menacing proportions; the organization of the House has become almost wholly a question of spoils and perquisites; pork and patronage often outweigh all other elements in shaping legislation; the committees—probably, at least, half of them—are a needless burden upon the people, maintained only because they provide chairmanships and perquisites for the little oligarchy of Members in control of them. In short, we have become a kind of political stock exchange, gambling in pork and patronage, and that at a time when there should be and must be the very maximum of efficiency and economy if we are to deal adequately with the crucial issues of reconstruction.

We ought to reorganize the machinery and improve the methods of Congress so that it will function efficiently and economically, and thus reestablish itself in the confidence of the people. There should be—

First. A reorganization of the standing committees which will eliminate all that do not serve a useful and legitimate purpose.

Second. A responsible executive budget system to replace the present pork-barrel method of handling appropriations.

Third. A restriction of the franking privilege and publicity with reference to it, to the extent of having each user of that privilege state in each case the kind of material franked, its purpose, and the weight of the shipment.

Fourth. (a) The abolition of all clerkships not essential to public business.

(b) The placing of all clerks upon a public pay roll.

Fifth. Absolutely open meetings for all committees and conference committees.

Sixth. The election by each committee of its own chairman.

Seventh. The limitation of congressional business to matters that are national in scope, thus eliminating local and private bills which now congest Congress.

I believe you will agree with me that the machinery and methods of Congress must be made open, honest, efficient, and businesslike before we can hope to accomplish the solution of our legislative problems of reconstruction and rehabilitation in a manner satisfactory to the people.

I returned a short time ago from a trip through the war zone of Europe. A few of the details of that trip I am going to take the liberty of enumerating; and I wish in this connection that every Member of this House could have made a similar trip, because I believe he would have returned with a loftier conception of public duty and a higher sense of obligation to those men who have been willing to lay down their lives so freely that liberty might not perish.

TRIP THROUGH THE WAR ZONE OF EUROPE.

I am deeply conscious of the fact that in narrating my observations made on the French, American, and British war fronts the occurrences there are on such a tremendous scale that it would be quite impossible to attempt to adequately describe them. It says in the Good Book that a little knowledge is a dangerous thing, and I realize the fact that my conclusions are not infallible. I have, however, tried to set down things as I saw them and as they were reported to me, regardless of their possible inconsistency.

When my friends heard that I was sailing for France four days after the signing of the armistice, they smiled disdainfully. "The war is over," one of them reminded me. "There is nothing doing over there." "You will only be wasting your time," said another. And when I came back they greeted me with "You didn't see much, did you?" I told them that all I had seen was some 6,000,000 men under arms, including 2,000,000 of my embattled countrymen; a thousand miles or more of trenches; a region larger than Masachusetts, Connecticut, and Rhode Island put together which was as completely devastated as was San Francisco after the earthquake; fields littered with dead horses, shattered weapons, discarded equipment, and all the other débris of battle; hospitals filled to the doors with freshly wounded; balloons, airplanes, endless caravans of motor trucks, field guns, thousands upon thousands of them, and long-range cannon; American, French, British, Belgian, Canadian, Australian, New Zealand, South African, Indian, Algerian, and Moroccan fighting men; Foch, Castlenau, Petain, Nivelle, Gouraud, Clemenceau, Haig, Poincaré, King Albert, Lloyd George, and others whose names will loom large in history; a victorious and rejoicing France; a ravaged but liberated Belgium; a subdued and humbled Germany; and the spectacular ceremonies incident to the opening of that historic council which is shaping the destines of mankind and redrawing the map of the world. "Beyond that," I added, "I didn't see very much."

There are certain gratifying privileges incidental to being a Congressman. Being permitted to sail for France before the ink on the armistice was fairly dry was one of them. For you must understand that, although the fighting has ceased, the war will not be officially ended until the treaty of peace has been signed. Tourists and sightseers are not wanted in Europe at this time; the railways, the accommodations and the food are needed for other purposes. If, however, you are fortunate enough to hold an official position, and if you can convince the authorities in Washington that you have a sufficiently sound reason for going and that you are not likely to be either a menace or a nuisance, a special passport will be issued to you. Let me make it quite

clear that as a private citizen I probably could not have gone to France at this time, but as the Representative in Congress of a quarter of a million citizens of Massachusetts, I not only was permitted to make the journey, but I was afforded countless facilities and was shown innumerable courtesies by the officers of the armies and the officials of the countries which I visited.

I had applied to the Secretary of State for passports and letters of introduction, also to the Secretary of War and the Secretary of the Navy, with the result that every facility was placed at my disposal. The Secretary of War put me aboard *La France* of the French line, and I left New York on the 15th of November. I had read in the New York papers that the French were to enter Strassburg on the 25th of the month, and that Marshal Foch was to enter that city on the 28th, and I determined, if it was a possible thing, I would be in Strassburg on the 25th of November.

So it came about that four days after the representatives of a shattered Germany sullenly affixed their signatures to the armistice in Marshal Foch's private car in the chill of a November dawn, I stood on the deck of a great French liner, streaked and striped by the camoufleurs until it looked like a gigantic zebra outward bound for France.

Late in the summer of 1918 Mr. Ryan, the director of aircraft production, cabled from Europe that I was to be given charge of airplane construction in England. I was as happy as a boy at the beginning of the summer vacation. But after Mr. Ryan's return there was a series of maddening delays. The Aircraft Board wired me to go to Dayton, to Detroit, to New York, then back to Washington. Then, just when my commission was about to be signed, came the armistice! From the bottom of my heart I sympathized with the small boy who at bedtime rushed to his mother exclaiming indignantly, "Oh, mother, the nerve of Emily! praying for peace when father's just been made a captain!"

My trip across the water was uneventful. I found among my fellow passengers a most delightful person, who was no other than M. Delanney, the French ambassador to Japan. I took occasion to ask the ambassador if, as a result of his observation, the Japanese were sincerely proally. To this inquiry the ambassador replied very definitely, "No, sir," and inquired, "Who in the world thought they were sincerely proally?" Ambassador Delanney stated to me that the Japanese intended to support Germany, but after their commission visited here and saw how whole-heartedly we were going into the war they were afraid to do so. Ambassador Delanney stated that he sailed from Japan to Vancouver, and when the party arrived and learned the news that Austria had surrendered the Japanese members of the party were visibly disappointed. He likened the Emperor and the military caste of Japan to that of Germany. He said their methods and ideas and ideals were identical with those of Germany.

We arrived in the harbor of Brest on November 22. M. Delanney very kindly insisted that I should disembark on the launch which was sent out by the French State Department to meet him, which invitation I gladly accepted. As our ship steamed majestically between the fort-crowned promontories which guard the harbor of Brest, "the American port," as it is called, I leaned over the rail and watched, with a thrill of pride and patriotism, that magnificent panorama unfold before me. Here had landed Pershing and the immortal first contingent. Up those narrow, cobble-paved streets which lead from the wharves to the town had tramped 800,000 Yankee fighting men. Brest was more than the gate to France; it was America's gateway to the future. I was told that our troops had been taken ashore in lighters, long strings of them towed by tugs, with the bands playing and the sun glinting on their burnished weapons, and their boyish voices roaring out the chorus of "Good Bye Broadway, Hello France." And to tens of thousands of them it was indeed "Good Bye Broadway," for they sleep under the soil of France.

A friend has told me a story of the landing of the Ninety-second Division, composed of negro troops. As the lighters drew alongside the wharves the interest of the negroes was instantly aroused by the sight of a battalion of French black troops from the West Coast of Africa, who were engaged in unloading ships. A soldier fresh from the cotton plantations of Mississippi was the first man ashore. Approaching a giant Sengalese he confidently held out his hand.

"Hello, niggah!" he called. "How you like it ovah yere in France?"

"Je ne parle Anglais, M'sieu," the Sengalese explained politely.

"Ah's askin' you, niggah," repeated the American, raising his voice, "how you likes it over yere in France?"

"Je ne comprende pas, M'sieu," replied the African. "Parlez vous Francais?"

"Dat ain't no niggah," exclaimed the man from Mississippi, turning away in disgust, "dat's a camouflaged Frenchman."

Though I had seen many phases of our military preparations in the United States it was not until I landed at Brest that I gained any true conception of the magnitude of America's effort. It was a startling revelation. Miles upon miles of wharves bordered by great warehouses of steel and concrete; giant traveling cranes which could dip down into a ship's hold and pick up a locomotive bodily and set it ashore as easily as though it were a baby carriage; a network of rails which looked like the railroad yards of Chicago; scores of panting locomotives and thousands of box and flat cars stenciled with the magic letters "U. S. A."; mountains of ammunition, food, fodder, clothing, weapons, supplies of every description; and swarms of soldiers from the labor battalions in canvas hats and blue denim uniforms, working like the unloading gang of a circus. The metamorphosis of Brest, whereby a comparatively unimportant French seaport, with antiquated docking and unloading facilities, was transformed in the space of a few months into one of the world's great harbors, was one of the most remarkable accomplishments of the war. And the work was done, mind you, by a handful of Engineer officers, most of them fresh from civil life, and a few thousand negro stevedores, Chinese laborers, and German prisoners. At this port we disembarked between dawn and dark of a single day upward of 34,000 men—equivalent to the population of a good-sized city. As I looked down from the ancient ramparts of the town on this scene of breathless industry I could not but wonder how the French were impressed by this exhibition of American energy and efficiency. I learned when I met the French admiral who commands at Brest.

"You Americans are a wonderful people," he told me. "You have taught us many valuable lessons by which we shall profit. You do everything in such a big way. When we wanted to send an important message we intrusted it to a courier. But when your general had a message to send he built a telegraph line."

The first serious check I received in my program to get to Strassburg on the 25th of November was the fact that every seat was taken on the train from Brest to Paris, but the Goddess of Fortune was with me again, for when M. Delanney learned of my predicament he took me to the admiral of the port, who promptly issued orders that accommodations be reserved for me on the train, and so I arrived in Paris the next morning. The French ambassador insisted that his military attaché, Lieut. Corjon, take me to my hotel, handle my baggage, find out about the trains to Chaumont, Gen. Pershing's headquarters, and also arrange with the police for passes to go outside of Paris and into the war zone. I never could have gotten out of Paris the same day I had arrived had it not been for the kindness and courtesy of the ambassador and his lieutenant.

Though the armistice had been signed a dozen days before, I found Paris still in the throes of rejoicing over the end of the great conflict. The hotels were jammed, the restaurants were jammed, the streets were jammed. It seemed as though the armies of the entente had been turned loose in the French capital. Laughing, chattering poilus in worn and grimy uniforms which had once been horizon blue, Americans and British in khaki, Italians in rat-colored gray, Anzacs in their peculiar belted blouses and their broad-brimmed hats turned up at one side, Poles in light blue, piped with scarlet, Serbs in tight-waisted tunics that made them look as though they were wearing corsets, Algerians and Moroccans with their fierce hawk faces peering out from under their turbans, and, of course, the Parisiennes, than whom, whether they are grandes dames or grisettes, there are no smarter—or braver—women in the world. The great asphalt expanse of the Place de la Concorde had been transformed into a vast museum of the war, crowded with every conceivable form of battle trophy, from the skeleton of a German Zeppelin to trench mortars which could be carried by a single soldier. The bases of the statues at the end of the Tuileries Gardens were hidden by ramparts made of German helmets. Stretching right across one side of the great plaza was a row of German airplanes which had been brought down by French fliers, some of them painted fantastically in red and black—red for the Red Cross hospitals which they had bombed, black for the weeds worn by the widows and orphans they had made.

AN AVENUE OF CAPTURED FIELD GUNS.

The Champs Elysées, that splendid thoroughfare which runs from the Place de la Concorde to the Arc de Triomphe, a distance equal to that from the Treasury to the Capitol in Washington, was lined on either side, from end to end, by captured field guns standing wheel to wheel. And the people were per-

mitted to do with these guns, and with the other trophies displayed in the Place de la Concorde precisely as they pleased. There were neither guards nor railings nor "Do not touch" placards. Laughing youngsters sat astride the grim barrels which had belched death on the Marne and at Verdun; wounded soldiers demonstrated to their admiring relatives how they worked the machine guns and trench mortars.

"Does Your Excellency know that the trophies in the Champs Elysées are quite unguarded?" someone asked the prime minister, M. Clemenceau. "The people are doing with them as they please; some of them may be stolen."

"Eh, bien," replied the Tiger. "Who has a better right to them than the people? It was the French people who won the war. And what if a few of them are taken, mon ami? There are plenty more where these came from."

But nothing, not the cheering crowds nor the captured airplanes and cannon, brought home to me the fact that war is over, that the war had been won, as did that statue in the Place de la Concorde which symbolizes the city of Strassburg. For eight-and-forty years that statue had been draped in black, as symbolic of France's mourning for the lost Provinces. But now the mourning had been torn away and the statue was literally hidden beneath heaps of flowers and flags, flags and flowers. As I stood on the crowded pavement and stared up at the carven figure of a seated woman, it seemed to me that these heroic features typified not merely Alsace-Lorraine, but France herself—courageous, patient, indomitable, serene.

WHAT THE FRENCH FOUGHT FOR.

It is the little things, rather than the big ones, which usually leave the most lasting impression, and it was a story, told me over a dinner table, which brought home to me more vividly than all the splendid spectacles which I witnessed, just what this victory means to the French people. A party of officers—an Englishman, a Russian, an Italian, and a Frenchman—were dining together one evening. After dinner they went out to have their coffee and cigars in the garden. And while they were smoking they fell into a discussion of the causes which led their respective nations into the war.

"We went to war because of the invasion of Belgium," said the Englishman. "We had guaranteed her neutrality—and, besides, Belgium in German hands would be a pistol held at the head of England."

"The Tsar declared war," asserted the Russian, "to save our fellow Slavs of Serbia from extinction."

"We are fighting for Italia Irridenta," exclaimed the Italian, bringing his fist down upon the table so that the dishes rattled. "The Trentino, Trieste, Istria, Dalmatia, in order to secure our national safety we must have them all."

The Frenchman, seeing the questioning eyes of the others fixed upon him, leaned over and from the ground scooped up a handful of earth.

"This is what we are fighting for," he said simply, and pressed it to his lips.

It is such exhibitions of unashamed sentiment which gratify and delight all Frenchmen. If they love anything they are not ashamed to say so. But we Americans, like our British cousins, make a practice of hiding our emotions beneath a cloak of indifference and matter-of-factness. It is not an American characteristic to "wear our heart on our sleeve." Strangely enough it took a professional soldier, a grim and taciturn fighting man, to show the French that we are in reality not so devoid of sentiment as they had always believed. One of the first requests which Gen. Pershing made after his arrival in France was to be taken to the tomb of Lafayette. The group of high officers and officials who accompanied him naturally expected that, after laying the wreath which he had brought with him on the tomb, he would make a speech. But he did nothing of the sort. His simple "Lafayette, we are here," surprised and delighted the French.

And when, upon his visit to Les Invalides, the sword of Napoleon was brought to him, he neither spoke nor took it in his hands, but bent and kissed the blade. Those two incidents, apparently insignificant as they were, together with his offer to brigade American troops with the French, did more than all his military qualities to win for the American commander in chief the sympathy and admiration of the French.

PERPETUATING THE MEMORY OF GUYNEMER.

In those days before the great war, when it was our careless custom to generalize about other peoples, we used to remark, rather condescendingly, I fear, that the French were a temperamental, volatile, sentimental people. No one has accused them of being volatile since the Marne and Verdun, but the charge of sentimentalism remains. The pity is that we Americans have not more sentiment. We are too self-conscious, we hold ourselves too much in check, we act as though we were afraid that should we venture to be natural or to show our emotions we would be laughed at. We pride ourselves on being practical and matter of fact. In recent years George Washington has been as well known as the name of a brand of coffee as the Father of his Country—imagine the French permitting a brand of tea to be named after Napoleon. Sherman's chief claim to fame, from the standpoint of the man in the street, is that he once said "War is hell." We presented a house to the hero of Manila, but he promptly ceased to be a hero to us when he presented the house to his wife. This war has given us national heroes a plenty, from "Go-to-hell" Whittlesey, of the Lost Battalion, to "Eddie" Rickenbacker and "Hobey" Baker. Yet, by any stretch of the imagination can you conceive of American schools setting aside a day to commemorate the exploits of Baker, as the French schools did not long ago, in order to perpetuate in the minds of its children the memory of the great French ace, Guynemer?

I have here a copy of the letter written by the mistress of this little village school to Guynemer's mother. Let me read it to you:

MADAME: You have already received the sorrowful and grateful sympathy of official France and of France as a nation; I am venturing to send you the naïve and sincere homage of young France, as represented by our school children at Bouclans. Before receiving from our chiefs the suggestion, of which we learn to-day, we had already, on the 22d of October, consecrated a day to the memory of our hero, Guynemer, your glorious son.

I send you inclosed an exercise by one of my pupils, chosen at random, for all of them are animated by the same sentiments. You will see how the immortal glory of your son shines even in the humble villages, and that the admiration and gratitude which the children, so far away in the country, feel for our greatest aviator, will be piously and faithfully preserved in his memory.

May this sincere testimony to the sentiments of childhood be of some comfort to your grief, to which I offer my most profound respect.

C. S.,
The School Mistress of Bouclans.

And this is the exercise, written by Paul Bailly, aged 11 years and 10 months:

Guynemer is the Roland of our epoch; like Roland he was very brave, and like Roland he died for France. But his exploits are not a legend like those of Roland, and in telling them just as they happened we find them more beautiful than any we could imagine. To do honor to him they are going to write his name in the Pantheon, among the other great names. His airplane has been placed in the Invalides. In our school we consecrated a day to him. This morning, as soon as we reached the school, we put his photograph upon the wall; for our moral lesson we learned by heart his last mention in the dispatches; for our writing lesson we wrote his name, and he was the subject for our theme; and finally we had to draw an airplane. We did not begin to think of him only after he was dead; before he died, in our school, every time he brought down an airplane we were proud and happy. But when we heard that he was dead we were as sad as if one of our own family had died.

Roland was the example for all the knights in history. Guynemer should be the example for Frenchmen now, and each one will try to imitate him and will remember him as we have remembered Roland. I, especially, shall never forget him, for I shall remember that he died for France, like my dear papa.

As a young man I had visited Paris and took that walk which is one of the loveliest in all the world, down the Champs d'Elysees from the Arc de Triomphe to the Place de la Concorde—and it came to be called the Champs d'Elysees from a remark that Louis XIV made one day when he was being wheeled out by an attendant. He inquired, looking at the fields on either side of the road, "What could be more beautiful than this? Surely not even the Elysian fields." Hence the name, Champs d'Elysees.

I doubt whether there be another capital in Europe which can offer a monument of more majestic calm than Paris does in its Place de la Concorde.

And yet, could the stones of the great Place but speak they could tell tales of murder, carnage, and of riot. As late as the middle of the eighteenth century the great site, nearly 400 yards in length and 235 yards wide, which lies between the Tuileries Gardens and the Seine, was practically a desert. In 1763 an equestrian statue to King Louis XV was erected there, on which a wit scribbled the following pasquinade, which has become historical:

O la belle statue! O le beau piedestal!
Les vertus sont a pied, la vice est a cheval.

Thirty years later the statue was replaced by one of Liberty, and the Place Louis Quinze became La Place de la Revolution. Here the grim memories of the Revolution concentrate, for between January 21, 1793, when Louis XVI died upon the guillotine on the exact spot where the south side fountain with the figures emblematic of marine navigation stands to-day, and May 3, 1795, the stones of the Place ran in rivulets of blood, and 2,800 people perished under the biting kiss of La Petite Louison, as the guillotine was called.

It was then that superstitious people recollected that the Place had been of evil augury from the festivities which marked

its building, for before the rejoicings terminated on the inauguration of the statue to Louis XV a fearful crush occurred on the unfinished Place, and no less than 300 people perished, while the tale of maimed and wounded ran into four figures. On the morning following the fête, Mercier says, 133 bodies were found upon the Place.

As I have said, Louis XVI died here upon the guillotine, where later Charlotte Corday, Marie Antoinette, Philippe Egalite, Madame Elizabeth—the sister of Louis XVI—Danton, Camille Desmoulins, Robespierre, and many others perished.

It was here, too, that, on April 10, 1814, the armies of the Russian, Prussian, and Austrian invaders were reviewed. A te deum for the triumph of the allies and the restoration of the Bourbons was sung at an altar raised in the middle of the Place, and a salute of a hundred guns was fired to commemorate the renaming of it as the Place Louis XV.

Here, too, another army—that of the invading Germans—took up position in March, 1871, and in May of the same year the Place Louis XV was the scene of many a fierce conflict between the Versailles troops and Communards, who had erected barricades at the end of the Rue Royale.

The obelisk upon the Place de la Concorde is the sister monolith to Cleopatra's Needle. It is 76 feet in height, weighs 240 tons, and was presented to Louis Philippe by the then Viceroy of Egypt, Mohammed Ali. It was at the foot of the Assouan obelisk that, on February 24, 1848, Louis Philippe and Marie Amelie waited in agony for their carriages, which were being burned by the people in the Tuileries.

Round La Place de la Concorde are the eight great allegorical statues typifying France's eight chief cities. That of Strassburg is always draped in crêpe and wreathed with immortelles, in token of the loss of Alsace and Lorraine to France.

This trip to Paris was my eighth, and ties of sentiment and business had been the occasion of my visits from time to time. My twenty-first birthday was celebrated by a trip to Paris, and from there I brought home the first motor cars which were ever brought through the port of Boston. At a later date I was married in Paris. Anyone visiting France in the last 50 years has become familiar with the story of the great statue of Strassburg—Strassburg, the capital of Alsace, that Province of which Germany robbed France after the war of 1870. From time to time wreaths of flowers have been placed upon it, and all loyal Frenchmen have vowed that some day Alsace and Lorraine would be restored to France. It has upon the base of its pedestal this legend: "France quand Même." Not being a French scholar, I have on numerous occasions asked different Frenchmen to translate this for me, but none have ever appeared to be quite satisfied that they could translate it into English with all of its significance. In substance, it means that during all these years France has considered Strassburg hers. It also means, in the opinion of others, that Strassburg will belong to France in spite of all. The fact that the statue was draped in mourning by the French, the flowers upon it, the sign beneath, fascinated me. It seemed related, in my imagination, to the definition the Good Book gives of faith, namely, "The substance of things hoped for, the evidence of things not seen." Surely, France loved Alsace and Lorraine, and Alsace-Lorraine loved France, and let us hope that never again will history record such a cruel parting as was that of 1870—that of the Provinces of Alsace and Lorraine from France.

May I take the liberty of saying here that I wish our Government, instead of devoting millions of dollars to the erection of unnecessary post offices and other public buildings, would make an adequate appropriation for the encouragement of the arts and sciences, as France does. Why should not our mint strike off medals in commemoration of the glorious events in American history? Why should we not give prizes in recognition of great productions in painting and sculpture? Are not these things an inspiration to the youth of our land, which surely lead them to loftier planes of thought and living? Is it not the surest means of combating materialism, at whose shrine Germany worshipped and as a result of which she was led into a lust of materialism and final downfall? Have we not learned from our experience in this war that an intangible something, called morale, is as potent an influence upon victory as guns and gunpowder, and is it too wild a flight of the imagination to say that the encouragement of the arts and sciences—music, painting, and sculpture—makes for a higher morale of our people, for loftier thinking, nobler actions, higher ideals, and better citizenship?

I left Paris on the morning of the 24th for Chaumont.

At Chaumont, a little town in the Department of the Haute-Marne, six hours by train southeast of Paris, was the general headquarters of the American Expeditionary Forces. To Gen. McAndrew, chief of the general staff, I presented the letters which I had brought with me from Washington, and it was due to his courtesy and assistance that I was able to reach Strassburg in time to witness the triumphal entry of Marshal Foch, for he assigned to me a military car and an officer who was to act as my guide. The conducting officer was Capt. Robert Warwick, who has been seen by most Americans either across the footlights or on the motion-picture screen. Accompanied by Capt. Warwick, I went to the French état major, presented my credentials, and asked for a pass to visit Strassburg.

"Mon Dieu!" said the French officer, holding up his hands; "Strassburg is still in Germany. How, then, can I give you a pass into Germany?"

Capt. Warwick explained, however, that he had instructions from the American general headquarters to get me to Strassburg by the 25th, whereupon the Frenchman settled the matter by writing out a pass, which read, "Anywhere through the French lines for 30 days." It was the first pass issued into Strassburg.

Strassburg, the historic capital of Alsace, is on the Ill, 2 miles from the Rhine, being divided by the river into several sections. The old French fortifications, designed by Vauban, have been replaced by a modern German system, consisting of a chain of barrier forts, 14 in all, at a distance of from 3 to 5 miles from the center of the town. The narrow, winding, cobble-paved streets, the old, old buildings with their curious façades, the splendid buildings of the university, and the towering spire of the ancient cathedral combine to give the city a peculiarly quaint and medieval appearance, the picturesqueness of its streets being enhanced by the thousands of returned soldiers in both French and German uniforms. An extraordinary situation existed in Strassburg at this time, for Germany conscripted 600,000 men from Alsace-Lorraine, and upon the signing of the armistice a considerable proportion of these came flocking back, still wearing their German uniforms, to a city which had become French overnight.

Mingling in the streets of this city, which for nearly half a century had been under German rule, were soldiers in German field gray and soldiers in French horizon blue, and, to add to the confusion, thousands of released British prisoners in khaki. So crowded was the city that my companion and I were unable to find a room, being eventually forced to accept the hospitality of a German captain of cavalry, the Rittmeister Ullrich, who placed at our disposal rooms in his chateau. A curious situation, was it not? I, an American Congressman, the guest of an officer of the German Army which we had just been fighting.

I took occasion to inquire of Capt. Ullrich why in the world it was that the Germans brought America into the war, and his reply was that this was a diplomatic mistake, and he added that all their mistakes were diplomatic mistakes. I asked what they thought after we entered the war; if they thought we could not fight or would not fight; to which he replied that they thought we could not get over, but the Germans knew that if we did get over they were done for, and that when they found we were coming over en masse they quit.

Gen. Gouraud, the one-armed hero of Gallipoli, who commanded in Strassburg at this time, is one of the most picturesque and gallant figures in all the armies of France. Seldom have I seen a more striking figure; a tall, slender, graceful man, with a long, brown, spade-shaped beard, which did not entirely conceal a mouth both sensitive and firm. But it was the eyes which attracted and held my attention—great, lustrous eyes, but which could on occasion, I fancy, become as cold as steel or angry as lightning. One sleeve of his tunic hung empty, and he leaned heavily on a cane, for during the landing at Gallipoli he was terribly wounded by a Turkish shell. He is a remarkable man, this soldier with the beard of a poilu and the eyes of a poet, and had the war continued I doubt not that he would have won the baton of a marshal of France.

Gen. Gouraud thought it strange that I should be stopping in Strassburg as the guest of a German officer. Maj. McGrew, my French conducting officer, caught the humor of the situation, explained to Gen. Gouraud how it all happened, and I think no small degree perhaps of the courtesies extended by Gen. Gouraud to me while in Strassburg were the result of the acquaintance brought about by this peculiar incident. It will be among the pleasantest memories of my life to recall the various considerate things the French did for me that were entirely uncalled for, but were none the less appreciated.

On November 25 I had the pleasure of meeting Gen. Mitchell, who commanded all combat flying machines on the American front. He seemed to be a very young man to be a general, but after talking with him it was easy to understand the rapid advancement which had put him in charge of the American air forces. He was the personification of life, energy, and enthusiasm. Gen. Mitchell sincerely hopes that appropriations will be made so that the aircraft branch of the Army can be further

developed and maintained as a strong arm of our national defense. He said the value of airplanes could not be overestimated as a method of observation and for policing territory.

The state entry of Marshal Foch into Strassburg was to take place on November 28, and promptly at 9.15 on that morning a staff captain, sent by Gen. Gouraud, called for us in a military car and escorted us to the barracks, where the reception to the generalissimo was to take place. Drawn up in a hollow square in the great rectangle formed by the barracks were six regiments of French infantry, with their bands and colors. Half an hour's wait and the clear notes of a bugle suddenly turned the soldiers into statues. Another bugle call and the rifles came to "Present, arms," while the massed bands burst into the splendid strains of the Marseillaise. Then into the courtyard poured such a procession as I shall probably never see again—a squadron of Spahis, Algerian horsemen in white turbans and streaming red burnouses, mounted on white and wiry desert horses, riding amid a forest of lances under a cloud of fluttering white-and-scarlet pennons. Hard at their heels came a cavalcade of French officers representing every branch of the service—cuirassiers, dragoons, hussars, chasseurs, engineers, colonials—and at their head, mounted on a white charger, the breast of his sky-blue tunic ablaze with stars and crosses, I caught a glimpse of Ferdinand Foch, marshal of France, commander in chief of the armies of civilization, the hero of the Marne, and the conqueror of the Hun. It was one of those moments which will always remain a white milestone on the road to memory.

Marshal Foch had scarcely finished reviewing the troops when the officers who were conducting me hustled me into a car and rushed me to the Place Kléber, where the city was to extend its welcome. In the center of the square rises the statue of Gen. Jean Baptiste Kléber, born in Strassburg, the French soldier who commanded the armies of Napoleon at the passage of the Rhine near Dusseldorf, who was intrusted by the Emperor with the command of the French armies in Egypt, and who met his death at the hands of an Arab fanatic in Cairo. Though a space around the base of the statue had been kept clear, the sidewalks, the windows, and the housetops were a solid mass of humanity. And when the marshal, still riding his white charger, rode slowly into the square, that mass of humanity went insane. Pulling up his horse before the statue, the marshal drew from its scabbard the sword of Kléber, which had been brought him from the museum, and, raising the flashing blade in air, sat motionless at the salute while the drums rolled and the bugles shrieked and the people cheered themselves hoarse and the housetops rocked and swayed.

The final scene of this never-to-be-forgotten spectacle, the scene which I shall probably remember the longest, came a little later in the day, when the marshal visited the great cathedral to give solemn thanks to the God of Victories. This time, instead of the acclaimed and glittering hero, I saw the figure of a tired, worn man, his shoulders bowed, and his face lined by the terrible burden which he has carried, kneeling on the steps of the high altar, where countless emperors and kings and heroes had knelt before him, giving thanks to God.

Describing these scenes in Strassburg, Premier Clemenceau said in the French Senate that in the city of Strassburg, where the teaching of French had been forbidden in the public schools, where men with distinctly French names had been obliged to change them to German, he was greeted by the singing of the Marseillaise; others cried, "Vive la France!" and the voices of the rest were drowned in a sob.

In the opinion of many people in France the church influence has been greatly rehabilitated, due to the wonderful bravery and devotion of the priests who have accompanied the troops, suffering all their privations, and in a great many instances have been wounded and decorated for bravery. In Strassburg I saw a priest who was at least 50 years of age, with his right arm amputated at the shoulder, wearing on his breast a croix de guerre, with two palms, indicating that on two occasions he had demonstrated his personal bravery.

I took occasion after the services at the cathedral were over to view the famous Strassburg clock, which is in the cathedral. The architectural beauty of the Strassburg Cathedral is known all over the world. That night we made it a point to visit the principal restaurants of Strassburg, and to say that joy was unrestrained would be to describe the situation mildly. I recall that at one of the largest restaurants of Strassburg, the name of which escapes me, the entire orchestra was made up of poilus, and the leader of the band and the first violinist were decorated with the croix de guerre. I had never heard the Madelon, one of the old popular French songs, sung before, or Marguerita, another very tuneful song, and a third one called Margot. I had no difficulty in view of the number of times that these were sung and encored to learn them. Instead of applauding a piece that meets with popular approval in the American way, in northern France the method of applause is to make three distinct claps in three series, after which a single clap. That indicates that the audience offers its most hearty approval. Words utterly fail me in attempting to describe the enthusiasm of these people over the return of this territory to France. Old ladies, who I am sure had not danced for a great many years, were drinking champagne and having the time of their lives. These women, who composed the society of Strassburg and into whose homes the Germans had never been invited or even admitted, were greeting everybody in a most democratic spirit and were in very truth joyful.

It was in Strassburg that I learned from the American liaison officer of an interview that took place on the western front somewhere near the Dixmude sector between Marshal Foch and Gen. French, of the British Army, just prior to a contemplated retreat of the British forces. Marshal Foch reminded Gen. French that never in history had England retreated leaving an ally to perish, and that he, Foch, had ordered the French to die to the last man before retreating an inch, and Gen. French, with the tears streaming down his face, promised to make the stand, and as a result the French and British forces held their ground and stopped the Germans.

It was at Strassburg that I first saw a German lüger officer's pistol. These pistols are carried in a leather holster and strapped to the holster is a wooden piece of the same length as the pistol and in shape and size is a duplicate of the butt of a rifle. This wooden piece attached to the handle of the pistol changes a revolver into a rifle capable of accurately firing a thousand yards. Later on I was able to pick up one of these rifles at Verdun, and prize it as one of the best relics I secured during my trip.

In Strassburg we found that all the string was made of paper. An old gentleman told me out in front of the hotel one morning that rubber tires on our motor car were the first rubber tires he had seen in several years, and that they had been using steel tires, rope, and blocks of wood in place of rubber, which was very scarce.

The third morning of our stay at the chateau we learned that all the Germans of the city had been ordered to turn in firearms of every kind, and we could not help being slightly curious as to just how our German captain host would return his. You can imagine it would be a bit embarrassing for a German captain, certainly one with the military bearing of our host, to march through the streets of Strassburg to the city hall and surrender his sword and rifles, and so forth. But the captain solved the problem by sending his housekeeper with his arms and ammunition.

During the first few days of occupation of Strassburg the populace showed their resentment toward those of German sympathy who had been particularly obnoxious during the years of German control, with the result that there were some windows broken and some stores were obliged to close. In watching these demonstrations in the street I noticed an old, distinguished-looking Frenchman, who told me why the Alsatians were forcing Germans to close their shops, and he explained to me what it meant to the Alsatians having the French back on their soil again, and he went on to relate how he had been a French soldier and had fought in 1870. I said to him, "These must be days of great emotion for you." "No, no," he said, placing his hand over his heart, "Not emotion; ecstacy."

I recall the incident of a French soldier who entered with our troops. He went to the cemetery where his grandfather was buried, having been killed in the Franco-Prussian War of 1870. The French soldier knelt on the grave and placing there a small French flag whispered, "They are here, grandfather."

From Strassburg we went to Metz, where reservations had been made for us at the Hotel de l'Europe. We lunched at Zaberne, which was the place where the German military officer struck down a cobbler. That incident, while not of grave importance by itself, perhaps gave Americans their first inkling of the arrogance with which German officers treated civilians. Not only should this officer have been punished for striking down a civilian, but instead of this he was honored for it.

At Metz the first night of our arrival 12,000 British prisoners marched into the city singing, "It's a long, long way to Picadilly, but our heart's still there." In the city of Metz only one shell had ever reached the city. There was some slight damage done by bombs from airplanes, but, practically speaking, the city was unharmed. In fact, as a broad, general statement it might be said that the entire territory of Alsace and Lorraine was untouched, the French having refused to bombard it, inasmuch as they expected eventually to have it returned to them. I was told that Gen. Pershing lined up his guns to bombard some of the Alsatian cities, with the result

that Premier Clemenceau, as soon as he heard of it, left Paris and succeeded in convincing Pershing that such action would be a great mistake.

Early last spring Marshal Foch said that if the Germans did not retreat to the line of Metz he would have them out of France by Christmas. The Metz line is the one they would naturally have retreated to had it not been for the internal troubles and loss of morale that brought about the collapse.

From Metz we proceeded to Verdun, and here I commenced for the first time to see what trench warfare meant, and graves and crosses that were row on row. Here I saw the gates of the citadel through which over 2,000,000 French soldiers had passed. The Germans never had actually succeeded in getting into the city, and most of the damage was done to the northern forts. It was at Verdun that I learned of the American who offered his sympathy to a Frenchman who had lost both arms, to which the Frenchman replied, holding out the two stumps, "I wanted to give my life, but they only took my arms."

At Souilly I had the pleasure of dining at the American mess, and it was a most enjoyable occasion. The food was very good and the boys seemed happy and contented. The boys at that time were not at all unhappy as they became later. They then thought the War Department would be as interested in getting them home as they were in getting them over. It is unfortunate that they have been disillusioned in this respect.

Here I took occasion to ask Gen. McNear if he thought the generally accredited reason for the German surrender was true—namely, that there was a great food shortage in Germany. He said, "No; but when the German people learned the truth as to the reasons why they were at war it broke down their morale, which in turn brought about their surrender."

Leaving Gen. McNear's headquarters, I went back to the mess and had a fine meal of bacon, potatoes, bread and butter, raspberry jam, and coffee. The cook told me that the potatoes we were to have for dinner had been planted by the French, the territory having later been taken by the Germans. Before harvest time the French had recaptured this section, and stepping to the door, at his suggestion, I saw the German prisoners just finishing up the peeling of these potatoes for the American meal.

At Souilly I was told by an officer of the story of a colored fellow who was in the trenches looking very gray and frightened, and the commanding officer making his rounds stopped and said to him, "What is the matter with you, George? Are you sick?" To which the coon replied, "No, sir; but I don't like the way dose shells are talking to me to-night." The major said, "You don't mean to say that those shells talk?" He said, "Yas, sir; dey talks to me. I can understand dem." Just then one of them came over and made that noise which is similar to the tearing of a linen collar and ended with a bang. Just then the coon said, "Do you hear dat one, boss? Dat one done say to me, 'Nigger, yo ain't neber goin' back to Alabam.'"

I am going to take the liberty of telling this little story, which may appear sacrilegious. On the other hand, I am sure that anyone visiting those boys at the front who have so recently been through life and death, suffering and carnage, would be very tolerant in criticizing anything that they did or said. This story as it was told to me was in regard to a lot of colored fellows from down South, who, after arriving on a transport and being here a few weeks, were sent to a training camp where colored boys in the front-line trenches came back to rest. One of the new coons meeting an old-timer said, "Ole boy, whats dis yere meanin' 'Ober de top?'" "Why, yere boy," replied the old-timer, "Don't yo' know what 'Ober de top' means? Dat means dey're going to teach yo' how to use de bayonet an' how to use de hand grenade and how to use dat rifle. Den after yo' niggers knows dat, dey're goin' to send yo' up to de tranches. Den you're goin' to watch in de rain an' de cold an' de mud wid de Boche shootin' at yo' an' throwin' dese minnewerfers at yo', an' den one day word comes dat yo're goin' ober de top, and den yo stan' waitin' an' when de minute comes when yo' have to go ober dat top yo' starts wid yo' teeth a-chatterin' to go up de ladder. Yo' goes up an' up till just as yo' reaches de top yo' put yore haid ober an' yo' just says, 'Good mawnin', Jesus.'"

As a matter of fact, our negro troops fought as bravely as any others. In one of the French newspapers there was a picture of a South Carolina nigger who was awarded the croix de guerre. This cartoon represented a big colored man looking through an enlarged croix de guerre, and underneath these words, "Black, but red, white, and blue."

The night before Christmas I went to the services at the Madelaine, in Paris, and words utterly fail me in any attempt I might make to describe the thoughts that came to mind at the sight of French soldiers in uniform who had been fighting for four and one-half years standing there so peaceably at divine service, coming from the battle area with the picture of what they had been through so freshly in mind; it seemed easy to understand how peaceable and satisfying it must be to them to get back where they could express their gratitude for having escaped the calamities of death and disaster that had befallen so many of their comrades. I could not help but be reminded as I looked into the faces of these men who had been through so much and who now looked so peaceable and happy of those words of Shakespeare, "Sweet are the uses of adversity."

Christmas Day I visited the Massachusetts Club, at Hotel Lotti, with Congressman CARTER and Mr. Connolly, of the Stars and Stripes. I hope that Mr. and Mrs. Frothingham have the satisfaction of knowing some of the pleasures and happiness and comfort they have given the boys from Massachusetts who have been in Paris and who have utilized these very comfortable quarters which they have provided. All the Boston papers were at this club. There was a piano and a phonograph. In fact, it was quite the most comfortable place that I had struck on my trip. I remember meeting Mr. Grozier, of the Boston Post, shortly afterwards, who complained that he had not seen one of his papers in a month. Inasmuch as I had just read all of the Boston papers at the Massachusetts Club, I suggested that he call there too, which opportunity he was very glad to improve.

My American trip started from Paris and took us through Seulis, which was the extreme limit of the German advance in 1914. From there we went to Compaigne, outside of which, at a distance of 4 miles, are the forests of Laigne, which was the farthest point the Germans reached on July 15, 1918. Next was Noyon, which is the nearest city to Paris which is completely destroyed. Next to that we visited Guisecard, which was demolished on July 18. Noyon was retaken by the French in August, 1918. Next we went to Ham, which has been the center of the two battles of the Somme. Around Ham and St. Quentin there is hardly a foot of space between the shell craters. These cities were not retaken until August and September, 1918. Outside all the houses was metal work of every kind, which the Germans were assembling to take back into Germany. All copper and brass was taken from the machinery. Practically all the roads around St. Quentin were destroyed. We rode for miles over wooden planks. Bohain was the first town in October, 1918, where British and Americans, upon taking the town, met the civilians. Between Amiens and Bohain, a distance of 90 kilometers, not a single house can be found standing or a single inhabitant living. This 90 kilometers between Amiens and Bohain is as the crow flies. By road it is 140 kilometers.

From Bohain we went to St. Souplis, St. Quentin, Vermand, straight on to Amiens. The next day we lunched at Compeigne, in which town there is not a single electric light. The hotel had been partially destroyed and was being rebuilt. This hotel, named the Paris, was the only one open in the town. The cathedral at Amiens, practically speaking, was undamaged. The town was totally evacuated from March 30, 1918, to September 20 to the last inhabitant. Col. Wilmer, of the British Army, treated us royally while we were at St. Quentin.

From Amiens we went to Corby, which was the headquarters of the Twenty-seventh Division in October for a month. This city was never occupied by the Germans, who got within 3 miles in April, 1918.

We then went to Vellers-Brettanaux, which was entirely destroyed. The Germans came through this town approaching Amiens. At Carbonelles-Brettanaux we could not find the town at all, it had been so totally destroyed, but finally we came upon a sign reading, "This was Carbonelles-Brettanaux," and in this town it could truthfully be said that the curbstones were higher than the steeples, and all that was left of the town was a scar.

We next visited Peronne, which was an ancient fortified city and the seat of Louis XI. It was one of those walled cities with a moat about it. This section has been a battle field for centuries.

At Roysel I had the opportunity of dining with some British Tommies, also of securing some holsters, revolvers, knives, guns, and other souvenirs. It was at this point that the British Tommies told me that German prisoners said that the first thing American soldiers did after they captured them was to remove their hats, medals, pistols, and equipment of that sort as souvenirs.

At Hardincourt we were given a demonstration by Lieut. Flaubert of the Very pistols, which are used for shooting star shells at the front.

The English seemed to have a way of making themselves more comfortable with limited facilities than anybody else.

Another feature of the British front is what are called "elephant iron huts." These consist of large pieces of sheet iron, which are oval. Two of these with a third one across when joined make a very satisfactory roof for a dugout. When constructed they are also known sometimes as the "Nisson steel huts."

At Vincourt we passed by the headquarters formerly occupied by Gen. O'Ryan. The first place we struck the Hindenburg line was at the Bellecourt tunnel of the St. Quentin Canal. For miles around this section we traveled over plank roads. It was explained how these roads were laid and relaid by British engineers under shell fire.

At Mons we saw a series of German pill boxes, the walls of which were 9 feet thick, and some dugouts ran down into the earth with as many as 30 steps. These dugouts were equipped with electric lights, telephones, and so forth.

Outside of Ypres we visited what is probably the largest graveyard for soldiers in France. It contains something like 20,000 bodies, two bodies being in each grave. These graves were marked with the white cross with the soldier's name and regiment and the date of his death thereon.

Some of the very fiercest fighting, if not the fiercest, in the entire war, was in the Argonne Forest, and no division made a better record there than our Twenty-sixth New England and the Seventy-seventh New York. American troops went through this section so rapidly that in some instances German machine gunners were captured in the trees three days afterwards.

French business men have told me that the one great lesson that they have learned as the result of the war has been quantity production, and anyone familiar with French industrial affairs knows that their goods have been made by small concerns in little factories scattered here and there. The war made it necessary that large quantities of supplies should be made and the Government financed the undertaking, and in this way French manufacturers have been given an opportunity of increasing their facilities and broadening their viewpoint.

A story, however, that was most distressing to me, and one in which I have confidence, is that at a number of points along the line American troops, the day after the armistice was signed, were put over the top. I understand that the English lost 20,000 men in order that they might have English troops in Mons when hostilities ceased, which was the point where they started from in 1914. My humble opinion would be that nothing in the world warranted any officer in forfeiting the life of a single private soldier unnecessarily. I have been told by men who were there that at the River Ceille, south of Metz, American troops under Gen. Bellew, of the Ninety-second Division, were ordered over the top at 7 o'clock in the morning the day after the armistice was signed, and firing was to stop at 10. At 11 o'clock what were left of these troops marched peaceably into Germany.

One great difficulty in the Army system and methods, in my opinion, is that the General Staff proceeds on the theory that any Army officer can do every job well. In business we recognize that the average bookkeeper does not make a good sales manager, and vice versa. But apparently the Army does not believe in specialists, and the result is that there are a great many round pegs trying to fill square holes.

The English commissary department has apparently the best system of transportation for its rations, with the result that English troops are only given rations for the ensuing 24 hours, Americans carrying a supply for 10 days.

In our war preparations we apparently made three mistakes of a similar nature in connection with airplanes, artillery, and machine guns. Our airplane failure was due to the fact that we started out to design a new machine from the ground up rather than to start building at once those airplanes which our allies had developed. Had we followed the latter program we should have had machines which could have been put into immediate production, and if we had developed an American machine that was superior we could put that into production after its superiority had been demonstrated beyond question. When we went into the war France offered us the blue prints and all the manufacturing secrets of the French 75, the greatest piece of artillery developed during the war. Their one stipulation was that the recoil mechanism should be assembled by Frenchmen. Our War Department declined this offer with the intimation that we could build something better than the French 75. The result was that we wasted a year's time, finally accepted the French plans, and when the war closed, it is my understanding, we had on the western front only about 111 of these guns.

We made a somewhat similar mistake in connection with the machine guns. Instead of taking the Lewis gun we experimented with the Browning. Our mistake in connection with the machine guns, however, was not so serious as with airplanes and artillery. The Browning proved eventually to be an excellent gun. It might be interesting to note here that the French lengthened out their machine-gun fire 1,000 yards by using copper bullets.

Through the courtesy of the British Government I was given a military conducting officer, Capt. Haig Bovey, and a motor car, and the trip included visits at Amiens, Ypres, Albert, Bapaume, Cambray, Lille, Roubaix, Tourcoigne, Vimy Ridge, Messines, St. Quentin, and parts of Belgium. I had the opportunity while on this trip of visiting the Bellecourt Tunnel of the St. Quentin Canal. This canal is about 3½ miles long and it was entirely filled with barges, and these barges were fitted up with sleeping quarters, telephones, electric lights, and conveniences of every kind. A great many thousands of Germans were housed in this canal, and while there they were entirely free from bombardment and artillery of every kind. This tunnel was built in the time of Napoleon and became a part of the Hindenburg line. This tunnel was finally captured from the Germans, the Americans taking the northern end and the British the southern.

At Ypres an English officer told me that the inventor of the tank stated to him that he got his idea of the tank from seeing a tractor which was made in Peoria and a thrashing machine which was manufactured in Stockton, Cal. From the ideas suggested in these two he made the tank. It was, however, the little tractors, made by the thousands by Louis Renault, that did the most effective work.

My conducting officer, Capt. Warwick, told me that he asked Lord Reading who he thought was the best orator in America, to which Lord Reading replied without hesitation, "President Wilson." The captain then asked him if President Wilson's speeches were as good to listen to as they were to read, to which Lord Reading said, "No; but either way it left a person on a higher plane of thought thereafter."

Clemenceau is generally credited in France with accomplishing the unity of command which put Marshal Foch in charge of the allied armies. The story goes that Lloyd George suggested Douglas Haig, whereupon Clemenceau threatened to open up negotiations for peace if Foch was not put in command. Other gossip was to the effect that Lord Reading told President Wilson that they must have troops or quit in the early stages of America's entry into the war, and that President Wilson said without hesitation, "We will send all the troops that you will provide transportation for."

Lord Reading considered the deportation of women by the Germans as constituting the blackest pages of modern history.

I believe that all our special-service organizations, including the Red Cross, Young Men's Christian Association, Knights of Columbus, Salvation Army, and Jewish Welfare, should be handled by the Army. Now that the armistice has been signed, they have plenty of time to handle it themselves. They know its requirements better than anybody else and it will keep them busy. I have talked with members of these organizations and they invariably agree that the Army can handle it better.

When the Germans started through Belgium Gen. Pau was offered command of the French Army, but he said he must decline while there was an abler man in France, referring to Joffre. Joffre was then appointed, he in turn appointing Castelnau as chief of staff and Foch as field commander.

I might be pardoned for mentioning that I have heard as many accounts of the reasons for the winning of the Battle of the Marne as there have been Frenchmen that I have talked to. When the Germans lost the Battle of the Marne Von Moltke, the German commander in chief, is reported to have said to the Kaiser that victory was impossible; that a draw was the best that could be hoped for; whereupon the Kaiser appointed Falkenheim commander in chief, and after Falkenheim Von Hindenburg, who received his military teaching from the school of Frederick the Great. Ludendorf, who later became the real commander in chief, was a colonel at the time of the Boxer insurrection in China, but he went to the German minister there and had such a grasp of the situation and was of so much service to the German interests there that when the minister returned to Germany he took Ludendorf back with him, where he was given an important position. Ludendorf's downfall was generally accredited to his political ambitions.

Gen. Pershing is considered an able executive, but Gen. Liggett is generally considered by the French to be America's greatest field general.

It was said at British headquarters that on November 11, the date of the armistice, the British had a map showing the exact location of every division of the entire German Army.

One problem of reconstruction that faces the French of today is the fact that the agricultural districts of France are divided into little farms, which fact makes it rather difficult

for the farmers to use tractors and other implements that would make for an economical production of foodstuffs. The English problem in connection with this is just the opposite, for in England a few men, comparatively speaking, own all the land.

On the Aisne front I secured a German machine gun which was brought down by the French pilot Pierre. The German gunner was killed and the German pilot burned.

I dined at the American mess at Chaumont and outside of Verdun and with the British Tommies at Ypres, and was the guest of Gen. McNear at Souilly. One of the most interesting phases of the ovations given in Paris to the rulers of other countries, including President Wilson, the King of Belgium, King of England, and the King of Italy, was the mad enthusiasm of the crowds, after the distinguished visitors had passed, for the poilus, who are the idols of the French people. The French women present them with flowers, the children take them by the hand, and evidence is given in every possible way of the gratitude the French people feel for these men who for four and one-half years have been battling in their defense.

The ruins of northern France are beyond description. The area of devastation in Belgium as compared with that of France is as 1 to 75. Cities like Albert, Lille, Baupaume, La Basse, and Ypres are entirely shot to pieces, and the cost of restoring them must include the removal of what is left. There is no such thing as rebuilding them or utilizing the ruins in any way. In Lille, Turcoing, and Roubaix, which are cities comprising a large manufacturing district in France, the factories were visited and the Germans had removed every piece of copper and brass, including the machine parts of brass and copper.

Americans in France are in danger of wearing their welcome out. The French people on innumerable occasions have told me they were glad the Americans came, for they appreciate fully what they did, but they would be glad to see them go home. Two million Americans stationed in France increase the cost of living for the French, make food scarce, and after four and one-half years of struggle which France has been through, and which has left her well-nigh prostrate, the presence of foreigners is more of a hindrance than a help. The Americans spend money so lavishly that the tradesmen are encouraged to ask exorbitant prices and neglect their French customers for the foreign trade, who buy regardless of the price.

It would be impossible for me to overemphasize the desire of the American boys to come home, and in the very early days of my trip, when the war was just over, there was one question, which was always this, "When are we going home?" I recall a San Antonio boy who said with the utmost confidence that if he could get a rowboat he would do the rest.

The General Staff, to the disgust of our entire Army, does not seem to be capable of coping with the difficulty. The result is this, and the American people ought to know it: The Army is sore—disgusted. They feel that the American soldier was made a great hero of and reassured in every possible way when they wanted him to enter the service, but after the armistice was signed he was, practically speaking, ignored. They believe that there is a "nigger in the woodpile" somewhere. But one thing is sure: If the American Expeditionary Force were to say in concert what they say in private over and over again, and to every person whom they believe to have any influence, there would reach America one mighty shout of "I want to go home."

Washington should cooperate with Gen. Pershing in getting the forces home. Instead of this, steamers are returning every week that could well take anywhere from two to five thousand more passengers. If the administration does not want to bring the soldiers home for any reason, they should say so. If they want to bring them home gradually, they should say so. If they want to bring them home as rapidly as possible, then they should announce the plan and reassure the men as to just how this is to be done. Instead of that, the men know they are not coming home as rapidly as they could. They know that, whatever the plan is, it has not been told them, and naturally they are suspicious of it. My opinion is that they have not any plan at all, but that it is just a hit-or-miss arrangement.

On the *Lorraine*, the steamer on which I returned, 500 or 1,000 soldiers in addition to those returning might have been given accommodation.

When it comes to staff work and generalship it must be admitted that our allies have not much respect for American generalship or strategy or technical knowledge. Everybody agrees that the American soldier is the finest in the world.

American officers boast that they studied French methods and ways upon their arrival in Europe, and then decided to do things their own way. French officers are very careful of the lives of their men. Frenchmen were never sent over the top without a most careful artillery preparation and a barrage; but American troops in some instances were ordered over with hardly any artillery preparation and no barrage at all. The result is that our casualties were unnecessarily high. That is universally agreed to.

I have talked with aviators who have been credited with five or six German planes, when they admit privately they only brought down one or two. I was told on numerous occasions that it was generally understood that the figures were to be padded. If an aviator came in and said he had brought down a plane he had no trouble in having it verified. This condition prevailed, according to testimony, after October 20. Prior to October 20, when the finish of the war was not in sight, airplane losses had to be confirmed by at least three witnesses. After that time the aviators stated to me the lid was off. Planes and new men were rushed up and the effort was obvious and admitted that the Army was out to pad the records.

I called on Gen. Patrick in Paris and was told by the general of the marvelous accomplishments of the American air forces. I was told how one squadron brought down more than 65 planes and lost less than 10 men; that between two and two and a quarter German planes were brought down for every American plane that was lost. At the front, however, I found facts entirely to the contrary. At the front I learned that the United States had not built and delivered for use against the enemy a single chase plane, or, in fact, a single seater, which planes are called by the English "pursuit" planes. On three separate and distinct occasions the Ninety-sixth Squadron of aviators and airplanes was completely wiped out. On the first occasion a Maj. Brown, with 6 machines and 12 men, flew over the German lines and surrendered. The Germans wrote back a note to the Americans, thanking them for the machines and the men, and inquiring, "What the hell will we do with the major?"

The postal service for the soldiers has been wretched beyond description. I have talked with innumerable soldiers who have never received a letter since they have been in France. As a general proposition, it takes a man three months to write home and get a reply. The postal service our soldiers have received in comparison with that given by the Canadian and British authorities is very wretched. The Army officers and men are disgusted with the lack of consideration that has been given them since the armistice has been signed. First, they believe that it was an act of base ingratitude to deny the right of any man to have a promotion after the armistice had been signed. They believe that a man who fought bravely and made sacrifices and had been recommended for a promotion should receive that promotion to which he was entitled, and that the mere fact of the war being over should not excuse the American Government from giving the reward which had been so justly earned. Secondly, the whole Expeditionary Force is in arms over the lack of ability on the part of the authorities to produce a plan for getting them home. They are aware of the friction that exists between the Expeditionary Forces and the authorities in Washington. They know of the promotions recommended by Pershing, which were added to by the Secretary of War. They know that when Pershing sent home his list of promotions to major general that the Secretary added to this list, and they know that when this knowledge came back to Pershing he ordered these men home. They also know of American officers who made bad "bulls" on the other side and were sent home by Pershing, only to be promoted shortly after their return by the Secretary of War. In fact, it is generally agreed in France that one way to be promoted in America is to be demoted there. All of these matters the rank and file of the Army believe are the cause of the present confusion in getting them home. They believe that the authorities in Washington are perfectly satisfied to indulge in the good old-fashioned game of "passing the buck."

Before I had been on French soil a week I heard so much and saw so much which was strange and new that I felt like a farmer on his first visit to a city.

Take camouflage, for example.

Though there is scarcely a word in the language which has been more used (and misused) since we first heard it during the early days of the war, I found, upon talking with the camofleurs themselves, that, to make use of an English colloquialism, we had been largely "fed up" on misinformation. Though scores of camouflage stories have been published in our newspapers and magazines, I discovered that of the real work of the Camouflage Corps the public in America was permitted to know next to nothing. Certain of the camouflage operations on our front were

of such vital importance that it was necessary to envelop them in the deepest mystery.

When the war ended the American Camouflage Corps consisted of a battalion of engineers, which was on the point of being expanded to a regiment, under the command of Maj. Evarts Tracy, one of the foremost of American architects.

WIRE, BURLAP, AND FISH NETS.

Figures are, as a rule, dry reading, but they provide the best means I know of giving some idea of the magnitude of the operations of our Camouflage Corps. During the summer of 1918 the battalion used materials per month in the following quantities:

Four million three hundred and twenty-eight thousand square yards of burlap.

Two hundred thousand gallons of paint.

Seven thousand seven hundred fish nets.

Fifty thousand pounds of wire.

Two million one hundred and sixty thousand square yards of poultry netting.

These figures will suffice to give you some idea of the importance attached to camouflage in the Army.

So important, indeed, was camouflage regarded by the German high command that during the last year of the war there was attached to every German division a "security officer," whose duty it was to enforce the rigid observance of camouflage discipline by the various units of the division to which he was attached.

In many instances these security officers watched their respective divisions from observation balloons. They were answerable only to great headquarters, and were empowered, I understand, to recommend the removal of even divisional commanders for disregarding the rules for camouflage discipline laid down by Ludendorff.

Camouflage, it should be kept in mind, is of two kinds: Negative and positive. Negative camouflage consists in the concealment of troops, trenches, mine shafts, battery positions, ammunition dumps, hangars, and other objects whose location it is necessary to hide from the enemy.

Positive camouflage, on the contrary, consists in the imitation or suggestion of troops, trenches, batteries, etc., in certain locations, when in reality there was nothing of the sort there. This deceives and bewilders the enemy.

FOOLING POOR FRITZ.

It occasionally became necessary, for example, to convince the Germans that a large troop movement was in progress behind a certain sector of the front, whereas the real movement was taking place scores of miles away. If it was desired to suggest a movement by rail, smoke pots with clouds of dense black smoke belching from them were placed on flat cars and moved about from point to point on the military railways. German aviators, observing these columns of smoke at numerous points along the railways, naturally assumed that they came from locomotives hauling troop-laden trains, and promptly reported that large bodies of troops were apparently being moved by rail behind the American lines.

Thereupon the German commander would rush up his reserves to resist the attack which he believed to be impending.

Or if it was desired to imitate a troop movement by road the camouflage officer would requisition large numbers of Fords, which would be driven madly along the roads, dragging bundles of brush behind them. The great clouds of dust which thus suddenly appeared on the highways convinced the German aerial observers that the verdammte Yankees were rushing large bodies of troops to the front by bus or motor truck. Fooling Fritz was an amusing and an exciting game while it lasted.

PHOTOGRAPHS THAT LIED.

I might say that the Americans won battles on the western front because they were able to anticipate the German plans as a result of aviation photographs, which disclosed the fact that trains were bringing troops and supplies up to a certain point preparatory to an attack. To simplify the work of the aviators maps were furnished them illustrating the country and all its fortifications, artillery locations, and so forth, as of the day before. The work of the aviator was to note any change on the map.

It has frequently been said that the camera does not lie, but such assertions did not hold good after the Camouflage Corps commenced its operations. Thereafter the negatives brought in by the German airmen began to prove so unreliable that the officers whose business it was to interpret them never knew whether they were telling the truth or not.

For example, it frequently became necessary after heavy bombardments, in which long stretches of our entanglements had been destroyed, to convince the enemy that the wire had been repaired. This illusion was accomplished by the simple stratagem of driving stakes into the ground and festooning them with fish nets (hence the 7,700 fish nets used monthly by the Camouflage Corps), for, in a photograph taken from the sky, fish nets thus arranged are indistinguishable from wire. If such ruses are to deceive the enemy, however, as much attention must be paid to detail in their execution as David Belasco pays to detail in the production of a play.

On a certain British sector a not overintelligent subaltern was ordered by his battalion commander to take a working party and put out some 500 yards of this imitation wire, as there was reason to believe that the Huns, thinking the sector unprotected by entanglements, were preparing to make an attack. Now it is some job, even for a large and well-trained working party, to put out 500 yards of wire in much under a day. Heedless of such minor details, however, the lieutenant gaily slammed in his stakes and spread his fish nets as fast as his men could work, "wiring" the 500 yards of front in little more than an hour. From high in the blue the German airmen photographed the proceeding.

When one set of photographs showed a sector destitute of wire and another set of pictures, taken an hour later, showed the same area with a complete set of wire entanglements, the suspicions of Von Hindenburg's intelligence officers naturally were aroused, and the next morning at dawn the Germans launched the attack. In camouflage work, one can't afford to be slipshod.

The most elaborate camouflage works can be rendered utterly useless, moreover, by the carelessness of a single soldier, for there is little that escapes the eye of the airmen's camera, particularly when it is fitted, as during the latter days of the war, with a stereoscopic attachment.

It was told that in one of the sectors in Champagne the Germans had installed a battery of heavy guns which were so ingeniously concealed that we were unable to locate them. It was believed that they were hidden somewhere in a fringe of woods along a stream; but, though there was a considerable area of cultivated land beyond the woods, the aero photographs of it showed nothing which would suggest a path such as would be made by artillerymen going to and from their guns. One day, however, a new batch of plates, upon being developed, showed a tiny row of dots, no larger than pin points, stretching across this cultivated zone.

Upon studying an enlargement of the picture the intelligence officers became convinced that the line of pin points was really the trail left by a soldier crossing the field. And they led straight to a small wood on the bank of the stream, within which a battery might easily be hidden.

Working on this surmise, the American gunners registered on that particular patch of woods the following morning, whereupon the fire from the concealed battery abruptly ceased. German prisoners captured a few days later explained how the secret of the battery's position had been kept so long. The German security officer had issued orders that the artillerymen must under no consideration walk across the fields in order to reach their guns, but that they must instead follow a much-used highroad until they reached a bridge over the stream, drop from the bridge into the water, and wade up the stream until opposite their position. But one night, an artilleryman, in a hurry to reach his battery, and confident that the tracks left by a single man could do no harm, took a chance and a short cut across the forbidden field.

I have told you what happened to his battery as a result of his carelessness. Knowing something of German discipline, I can imagine what happened to him.

BISCUIT LIDS COVER TRACKS.

But it was not often that the Germans were caught napping, and so ingenious were some of their stratagems and ruses that it required an intelligence officer with the imagination and deductive powers of a Sherlock Holmes to keep up with them.

During the operations last summer on the Flanders front a British aviator brought in some photographs of a certain area behind the German lines. The intelligence officer whose duty it was to scrutinize them detected on the prints a suspicious something, which, he was convinced, was a cleverly camouflaged German battery, but, though it was in the midst of open country, there was no suggestion of a path leading to it. After studying the photographs under a magnifying glass for several hours, he suddenly exclaimed:

"I have it! They get up to the guns on the covers of biscuit boxes."

"What do you mean?" his chief asked, curiously.

"It's as plain as the nose on your face, sir," explained the youngster. "The boche knows jolly well that if he walked across that open ground his tracks would show up in our air

photos. So, when he wants to get up to his battery, he gets a couple of wooden biscuit-box covers and ties strings to them. He stands on one cover and throws the other ahead of him, then jumps to that and drags up the first cover by means of the string and repeats the operation. Deuced clever of the beggars, I call it."

And, as subsequent events proved, the intelligence officer was right in his deduction.

The demands of the armies frequently affected the peoples of far-off regions in the most extraordinary fashion. Last summer, for example, there was some danger of the women of Madagascar having to go naked because their only article of clothing was purchased in such extraordinary quantities by the American Camouflage Corps. The costume of a Malagasy woman consists of nothing more than a three-yard length of native-woven, earth-colored matting. It was discovered that this matting, when laid upon the ground, imitated a path, such as would be made by the feet of soldiers, to perfection. So, in order to bewilder and deceive the Germans, a veritable network of imitation paths was laid down behind the American lines, 10,000 miles of women's dress goods being imported for the purpose from Madagascar.

BURLAP WOODS AND FIELDS.

Should you feel like raising your eyes at these figures, let me remind you that the American Camouflage Section used more than four and one-quarter million square yards of burlap every month. This burlap, much of which was "slashed" after the fashion of foliage props in theaters, was dyed in a great variety of colors, all of which were standardized and could be ordered by number. There were burlaps dyed and slashed to imitate plowed fields, grain fields, roads, lawns, quarries, water, rocks, and spring, summer, autumn, and winter foliage; in short, every phase of nature as found in eastern France.

By far the most important work of the camouflage section was the construction of "false contours" for the concealment of troops, gun positions, ammunition dumps, and the like. A "false contour" can best be described as the prolongation, by means of burlap spread over a sort of trellis made of poultry netting, of a ridge, promontory, or hill, the space beneath this burlap tent, which was dyed to the exact shade of the hill itself, providing perfect concealment for a battery or a battalion. So closely would nature be imitated in the shaping and coloring of these "false contours" that photographs taken by enemy flyers showed only an innocent hillside, with not enough vegetation to provide cover for a sniper.

THE DISILLUSIONED COW.

One of the "false contours," erected by the camouflage corps, was so cleverly executed that a peasant's cow, grazing on the hillside, strayed out onto the burlap surface, broke through, and was extricated only with considerable difficulty. When her pasture suddenly gave way I imagine that that cow had the surprise of her life.

Another development of the war, of which, for obvious reasons, nothing has been said in the press dispatches, was the silhouettes made of painted canvas, mounted on light wooden frames, which were used in the so-called "Chinese attacks"—an idea which we borrowed from the British. When it was necessary to ascertain how quickly the enemy could switch on his artillery fire in a certain sector, or the location of his batteries or machine guns, a hundred or more of these silhouettes, painted to represent American soldiers charging with fixed bayonets would be carried out into no man's land under cover of darkness and laid down in front of our wire in such a manner that they could be pulled upright by means of cords running back to our trenches.

Just at daybreak, at that hour when objects are still indistinct and when the nerves of the men are at the greatest tension, a signal would be given, the cords pulled, and a long line of what appeared to the startled Germans to be charging Yankees would suddenly appear in the mists overhanging no man's land.

Instantly the German trenches would crackle and blaze with musketry, the concealed batteries and machine-gun nests would betray their position by going into action, and by the time the Huns discovered the hoax which had been played upon them our observers had obtained the information which they desired. Sometimes, in order further to chagrin the boches, the silhouettes would be left standing.

PERISCOPE THROUGH BULLET HOLE.

Then there were soldiers' heads beautifully executed by skilled sculptors in papier-mâché. These were of great service in locating snipers. When a German sniper became particularly obnoxious and defied all attempts to locate him a papier-mâché head, crowned by a steel helmet, and made so as to move up and down in wooden guides, would be set up in that part of the trench which the sniper had been annoying.

At intervals the head would be slowly raised and lowered, so that from the outside of the trench it looked for all the world like a soldier peering cautiously over the parapet. Sooner or later the hidden marksman would send a bullet through the careless Yankee's brain. The neat hole drilled through the papier-mâché showed the exact direction from which the bullet came and by inserting in the hole a tiny telescope, no larger than a pencil, and looking through it by means of a periscope, the loophole from which the sniper was firing could be located—in one case such a loophole was cleverly concealed by an old boot apparently thrown carelessly onto the glacis, the sniper firing through a hole bored in its heel—and his occupation abruptly ended.

Though I have described at some length the use of these silhouettes and papier-mâché heads, because they are picturesque and interesting phases of modern war, it should be borne in mind that they were designed to meet exceptional conditions, that they were used infrequently, and that they were in no way typical of the enormously important work of the Camouflage Corps.

Just prior to the Argonne drive there was attached to the Army camouflage school at Langress, as instructor, a young machine-gun officer, Lieut. ———. Before the war he had been an osteopath, and applied, therefore, for a commission in the Medical Corps. The Army Medical Corps does not recognize osteopathy, however, and the commission was refused, whereupon the osteopath, determined to see action, applied for and obtained a commission in a machine-gun battalion.

But as his record card showed that he was a graduate of the Ecole des Beaux-Arts in Paris and had once been a painter he was detailed for duty as instructor in the Camouflage Section. The work of an instructor did not hold enough excitement for him, however, so when rumors reached him that the Americans were about to start an offensive in the Argonne he applied for a three days' leave.

Instead of spending his leave in Paris, as might have been expected, he succeeded in getting a ride on a motor truck which was bound for the front. He possessed no pass or papers of any kind, but he managed to evade the military police, and that night found him cosily ensconced in a dugout of the first line. How he got there without being arrested heaven only knows.

At daybreak the next morning the battalion with which our friend had spent the night went over the top, and, preceded by a fleet of "whippet" tanks, led the American advance against the German positions in the Forest of the Argonne.

RIGHT BEHIND TANK.

Right at the heels of one of the lumbering little tanks was our osteopath. He was not a very impressive figure or one likely to throw fear into the heart of a Hun, for he was considerably below medium height, though stockily built, with light, high-arched eyebrows, light, pompadour-cut hair, and a winning child-like smile, which combined to give him a peculiarly innocent expression. He started out armed with a stout walking stick and an automatic, but as it began to rain he buttoned his raincoat over his pistol; his stick he lost when he fell into a shell hole.

For perhaps a mile the line of tanks, followed by the straggling groups of infantrymen, pressed on, with never a shell or bullet to arrest them. Ascending a steep declivity, however, the advancing troops debouched upon a sort of plateau bordered by dense woods—the Forest of the Argonne.

"Then," as the osteopath put it, "all the machine guns in the German Army were turned loose on us." The atmosphere was filled with bullets. Before the Americans had advanced a hundred yards all but one of the tanks had been put out of action. A steel-jacketed bullet from an antitank rifle tore through the turret of the little whippet behind which the osteopath was sheltering himself and spatterd the interior with the gunner's brains.

Whereupon the machine, now defenseless, whirled like a frightened animal, its steel doors flew open, and the driver, dripping with his comrade's blood, emerged, and without ceremony started for the rear on a run. As for the little osteopath officer, he snuggled up against the abandoned tank, taking care to keep it between him and the German machine guns.

It happened that the tank had come to a halt within a few yards of a clump of trees, and from amid these trees there now emerged a German soldier, unarmed save for the bayonet which he still wore at his waist, and holding his hands above his head in the well-known "Kamerad" attitude.

But when he saw that the tank had been abandoned and that the only person in the immediate vicinity was an inoffensive looking and apparently unarmed American, his attitude under-

went an instant change. Jerking loose his bayonet, he rushed with an angry roar on the American.

Now, my friend the osteopath had, as I have already remarked, lost his stick in a shell hole, and his pistol was underneath his buttoned raincoat. But he did not retreat a step. As his bulky enemy bore down on him the little osteopath snatched off his steel helmet and, holding it by the chin-strap so that it formed a gigantic boxing glove, drove it squarely into the oncoming Prussian's face, breaking his nose and shattering his teeth.

As the German halted, dazed by the force of the impact, the American was on him in a flash, and, wresting away his bayonet, drove it deep into his fleshy neck.

"I knew how to put it in where it would do the most good," the little officer explained modestly, "because, you see, having been an osteopath, I understand the human anatomy."

Now the osteopath, as he remarked afterwards, had gone up to the front for the sole purpose of getting some souvenirs to send the folks back home, and here was a whole heap of souvenirs lying only a few yards away. But, in order to reach them, he would have to leave the shelter of his tank and expose himself to a terrific machine-gun fire. But he had come out to get souvenirs and he was not the sort who balks at obstacles.

So, lying down, he dragged himself, foot by foot, out to the huddled body of the deceased German and proceeded to stock up with mementoes, cutting off the man's iron cross, his epaulettes, and even the buttons from his tunic. Then, with bulging pockets, he started for the rear, while machine-gun bullets kicked up spurts of earth all around him.

And this was the man of whom his commanding officer had once remarked: "An excellent officer, but inclined to lack force and initiative."

The question which I asked most frequently in France, and which has been asked me repeatedly since my return, was, "To what do you attribute the sudden collapse of the German war machine?" And, upon comparison of the various replies which I received, I think that the best answer would be, "Gas, the failure of the submarines, and conscription."

When Germany horrified the world—the civilized world, I mean—by her use of gas at Ypres in the spring of 1915, she little dreamed that she was sealing her own fate. How could she foresee that two years later almost to a day the United States would enter the war against her and that all the chemical resources of America would be turned to making a more deadly gas and far more of it than could be produced by the Huns? By the late autumn of 1917 the United States had built and had in operation the greatest poison-gas plant in existence—a plant with four times the production of all the German gas factories put together. It was the mustard gas from Edgewood Arsenal, on the shores of Chesapeake Bay, which helped decide the issue at Chateau-Thierry and in the Argonne. For whenever an area can be saturated with mustard gas, that area must be evacuated. And the Germans knew—which our own people did not—that when the armistice was signed we had at Edgewood, ready for shipment, 500 tons of mustard gas, with which we proposed to smother the defenses of Metz. And they likewise knew—though it had been kept a profound secret from our own people—that our chemical engineers had succeeded in perfecting a new and mysterious gas of incredible deadliness, against which there was no known method of defense. So before the Germans was the knowledge that sooner or later their armies would be exterminated by the very weapon which they had themselves invented, but which we, thanks to our inventiveness and our unlimited manufacturing resources, had made a thousand times more terrible than anything of which they had ever dreamed.

The second cause of the German debacle was the failure of her submarines to halt or even to retard the river of American soldiery which was flowing Europeward. The American scheme of protection against U-boats seemed well-nigh perfect, for every day brought secret messages to the German great headquarters of the safe arrival of Yankee transports, troop laden, at Bordeau, St. Nazaire, and Brest. The long arm of our Navy was like that of the prize fighter, Bob Fitzsimmons; no blow, no matter how cunning, could get past it. But we did not stop there, for our naval experts argued that to attack is the best defense. So, instead of the U-boats hunting our transports, our destroyers and chasers and seaplanes went out to hunt the U-boats. And, so far as the submarine campaign was concerned, that was the beginning of the end. They tell a story in France—it is only a story, of course, but it illustrates the amazement caused by the safe transport of the American forces across the Atlantic—of a group of officers, allied and German, who were brought together by the parleys which preceded the signing of the armistice. The talk turned on decorations, and, after some urging, a Frenchman told of the deed for which he had been awarded the war cross. An Englishmen modestly explained why his Government had bestowed on him the military cross. Finally the German described the exploit which had won for him the iron cross. "But," he added vehemently, "what I'd like to know is how in hell those Yankees got across."

Congress delivered a solar-plexus blow to Germany's hopes of winning the war when it passed the bill providing for the conscription of every able-bodied American between 18 and 45. The German general staff had admitted that, even in the face of the submarine menace, we might succeed in getting 200,000 men, even 300,000, across the Atlantic. But we sent a million, and after that another million. ("Untrained levies" the Germans called them.) Then Secretary Baker asked, in a ringing speech, "Why stop with an Army of 5,000,000?" And on top of that came the conscription act which would have brought to the colors 10,000,000, perhaps 15,000,000, fighting men. "It isn't an army," a German officer remarked bitterly. "It's a human avalanche. And you can't expect us to fight the forces of nature."

One of the most remarkable accomplishments of America in France, though one of the least known, was the establishment of the great educational system known as the Army Schools of the American Expeditionary Forces, which, when the armistice was signed, were being attended by more than 18,000 officers and men. When Gen. Pershing landed in France, in the spring of 1917, one of the most pressing problems which confronted him was the immediate organization of a system of higher education for officers in various branches of the staff and line. The training which the officers of our new armies had received at Plattsburg and similar training camps was excellent as far as it went, but it was, through force of circumstances and lack of time, of the most elementary character. It had, moreover, been almost wholly along American lines. The commander in chief quickly realized that his officers must be instructed in the methods used by the French and British, with whom they were to fight shoulder to shoulder. And though this was a war of specialists few, if any, of our officers had had the time or the opportunity to specialize. What, for example, did we know of gas warfare, of sapping and mining, of flash and sound ranging, of liaison and intelligence work, of pigeons, tanks, 37-millimeter guns, of transportation by road and rail under European conditions, and, most important of all, of the innumerable phases of staff work as developed by the great conflict? When we entered the war the American Army did not possess a staff manual or a staff handbook of its own. This lack of special knowledge had to be remedied, and remedied quickly, if our armies were to take the field in time to save the allied cause. There was no time to lose. A system of instruction had to be devised and put in operation whereby our officers could acquire in a few months the special knowledge which our allies had acquired in three years of warfare. Langres, a small French town about 20 miles south of Chaumont, which was the American general headquarters, was selected as the center of this "school area." Gen. Pershing did not let the grass grow under his feet when it came to establishing this training system, and in an amazingly short time there had been opened in or near Langres an intelligence school, a sanitary school, a signal school, an engineer school with pioneer, gas, flash, and sound ranging, bridge and mining sections, a school for Infantry specialists, a machine-gun school, a pigeon school, a searchlight school, a tank school, and a school for candidates, at which 6,000 enlisted men, the pick of the American Expeditionary Forces, were trained for commissions as second lieutenants. At the top of this educational pyramid was the School of the Line, where several hundred carefully selected officers were trained in the higher branches of tactics and combat work, and the General Staff College, where the principles of staff work were taught.

Now, there exists, I find, a general and not unnatural feeling that though this enforced training was likely to be a good thing for those who proposed to make the Army a profession it was for those citizen soldiers who propose to return to civil life so much wasted time so far as their civilian occupations were concerned. But I have become convinced that when we have had time to adjust ourselves to the unfamiliar sensation of a world at peace, we will find, among other unexpected things, that the time spent by our officers and men in the army schools of France was very far from being wasted. An officer who, at the General Staff College, learned how to move a division, consisting of 28,000 men, from Brest to Verdun, and provide them with food en route, will by the application of that same knowledge be able to transport tourists from Boston to California or commuters from the South Station to the Newtons and Wellesley. A man who has learned how to build bridges for the use of troops will be able to find employment in the West building bridges for the use of farmers. A man who has in France served as an officer of our military police, or as a provost marshal, or as a town major, will be able efficiently to guard the public safety of an American

community. A man who has been trained to make decisions quickly where the lives of men are concerned should be able to display an equal soundness of judgment where dollars instead of lives are in the balance. I firmly believe that the enforced lessons of discipline, decision, administration, and leadership which our young men have learned in France can not fail to have a beneficent and constructive effect on all their future endeavors.

No one who is familiar with the work of the great Military Academy at West Point will deny that the young men who graduate from it are admirably trained for the business of fighting. It by no means follows, however, that the training which they received at the institution on the Hudson qualified them to supervise and direct those military activities which were, when all is said and done, primarily of an industrial character. Though the War Department had at its command the services of men who had spent their lives in the operation of transcontinental railways, who had built wharves and breakwaters and harbor works on every seaboard of the world, who had designed and manufactured engines of every description, who had directed mills and factories employing thousands of workmen, the responsibility for the construction and operation of our harbors, our railways, and our repair shops was not intrusted to these experts and specialists, as common sense should have dictated, but in every case of which I have knowledge they were made subordinate to a suddenly promoted officer of the Regular Establishment whose previous experience had consisted in fighting bandits on the border, in commanding a remote Army post in the Philippines, or in holding down a desk job in Washington. One of the high officials of the Pennsylvania system, a man with a lifetime's experience in railroading, was given a commission as brigadier general and, it was commonly understood in this country, was in virtual charge of the American railways in France. Yet it is a matter of common knowledge that he was so hectored and hampered by his inexperienced superiors that he was more than once on the point of tendering his resignation. A similar unfortunate state of affairs prevailed, I am reliably assured, during the construction of the great harbor works at Bordeaux, St. Nazaire, and Brest. It was only when failure was imminent, and their own ignorance and incompetence was in danger of exposure, that the Regulars permitted the specialists to have their way. As a result, it was the specialists who did the work and got the results; and West Pointers were specialists in fighting only.

To many of our higher officers, both at home and abroad, has been delegated undreamed-of power and authority. In their own provinces their word has been law—and rightly so. But the war is over now, and the dictatorial powers which they have exercised must end. It is not going to be easy for them to readjust their views and their mode of life. We shall never forget the services which they have rendered us in times of peril, but those services, valuable as they were, will never justify the establishment of anything approaching a military caste in a democracy such as ours. The War Department has, in the past 18 months, become accustomed to the careless spending of huge sums of public money. But, though the emergency which required these lavish expenditures is ended now, the spending still goes on, the War Department justifying itself by the argument that war contracts must be filled, regardless of whether we have any use for the material contracted for; that labor must be placated; that the national industries must not be disrupted by a sudden ending of the spending spree. But I imagine that the American taxpayers, with the largest budget in the history of the world staring them in the face, are quite willing to risk the consequences of an abrupt cessation of war expenditures.

The Secretary of the Treasury wants permission to issue ten billions more in bonds, and ten billions in notes. What a war it must have been. It is over, and the spring financing amounts to $20,000,000,000, on top of all the other billions, and with no end in sight. John Sherman once remarked, when the question of the resumption of specie payments was being discussed, "The way to resume is to resume." And I feel confident that the American people, laboring under an already enormous burden of taxation, will agree with me that the way to stop further military expenditures is to stop.

In France I saw the greatest aggregation of famous soldiers and statesmen ever assembled. On a journey no greater in distance than from Boston to Buffalo I saw representatives of half the armies of the world, still wearing their battered helmets and mud-stained uniforms. Within a two-hours' ride by motor from the French capital I saw a region which four years ago was a veritable garden of the Lord, but which looks to-day as though it had been devastated by a conflagration, an earthquake, a tidal wave, and a cyclone. I heard enough stories of adventure, romance, and peril to fill a dozen volumes, told me by the men who were themselves actors in them. And, to add to the interest, everyone was bursting to tell the "inside" stories of military exploits and historic events and diplomatic mysteries of which it was not safe to so much as whisper while the war was on.

One of the most interesting and least advertised developments of the war was the work of the flash and sound ranging section of the Engineer Corps. Flash ranging means the locating of an enemy gun by the detection of its flash. Sound ranging determines the direction and distance of a gun by its sound. Flash rangings were generally made at night by two or more observers stationed a known distance apart, these observers thus forming the extremities of an imaginary base line. Once the flashes of an enemy battery were "spotted," their magnetic direction could easily be determined by means of compasses. With the base line already known and the base angles thus obtained, a simple calculation in triangulation would determine the approximate location of the guns. So highly was flash reading developed by the Americans that a gun could be located within 5 yards when the "core" of its flash could be seen. Flash ranging was also used extensively in determining the accuracy of fire of our own guns. If, for example, an American battery was firing by the map at a hidden target, a shell would be timed so as to burst at the top of its trajectory, where it could be seen by our observers. If their readings showed the burst at the spot where, according to calculations, it should occur, the gunners knew that they had the correct range, and that their shells, if set with a longer fuse, would burst on the target.

Sound ranging was carried on by methods very similar to those used in flash ranging, except that the readings were made by microphones instead of by observers. The vibrations caused by the reports of the guns were recorded by the needle of the microphone in a series of zigzag lines on a moving strip of sensitized film. With these microphone records as a basis for calculations, it was frequently possible to locate a gun within 60 yards. I was told by British officers that, before the launching of the great assault which resulted in the capture of Messines Ridge, the location of practically every German battery was definitely determined by sound ranging.

Although, during my visit to the front, I was shown dugouts along the whole "Frontier of Freedom," from the North Sea to Switzerland, I had but a slight conception of the amazing nature of the warfare which our soldiers waged beneath the surface of the earth until I learned of the work of the American mining section. France and England early recognized the importance of mining warfare, and organized their miners accordingly, and the United States, upon her entry into the war, did the same, it being estimated that there were upward of 40,000 skilled miners on the western front when the armistice was signed. These soldiers of the pick and drill were brought from the remotest corners of the earth, from the Yukon, the Rand, and the Congo, from Mexico, Australia, and California. The officers of the section were engineers who had had practical experience in all those far-off regions where men seek their fortunes in the earth.

In former wars military mining was almost wholly confined to siege operations—that is, driving galleries under fortified positions and blowing them up. But the great war developed an entirely new system of mining tactics, which included frontal and flank attacks, raids, enveloping movements, and other phases of war as fought on the surface of the earth. "Unlike the soldier who fights above ground," explained an officer of the mining section, "the miner has to be prepared for attacks not only against his front and flanks, but against assaults which may come from overhead or underneath. In other words, he has four flanks instead of two to defend."

A typical mining position, such as would be prepared on an active sector of the front, would consist of an upper level having a series of forked galleries, known as "feelers," with geophone listening posts at their extremities, and a deeper level with numerous "fighting branches" to protect the lower flank. Just as the sentries in the trenches strain their eyes in the darkness to detect any ominous figures in no man's land, so the mining sentinels, crouching over their geophones in the headings of dimlit galleries, strained their ears to catch the faint sounds which gave warning that the enemy was approaching underground. The geophone, which has proved of incalculable value in mining warfare, is an instrument for augmenting small sounds coming through the earth. It has various forms, but in most of them one piece of charcoal is held loosely between two other pieces in such a manner as to be affected by the slightest vibrations conveyed to it by the earth. Connected with these two external pieces is a telephone receiver. When this is placed to the ear the sounds caused by a fly walking on the wooden support of the

geophone appear as loud as the tramp of a horse on a stable floor. If a sentinel on duty in an underground listening post catches through his geophone a sound which is more distinct in, say, his right ear than in his left, he gently shifts the instrument, inch by inch, until the sound is the same in both ears. Then by means of a compass he gets the magnetic bearing of the direction in which he is facing, which is the direction from which the sound comes. Meanwhile sentries in other listening posts are doing the same thing, so that by the coordination of their reports and by a simple problem in triangulation the enemy's gallery can be located within a few yards.

If the mining officer was convinced that the enemy was driving a gallery for the purpose of putting a mine under our position, two courses of action were open to him. He could remain on the defensive and check the enemy's advance by the use of "camouflets," this being the name applied to explosive charges which expend their force laterally, thus destroying the enemy's gallery without causing a crater, or he could resort to strategy and engage the enemy's attention at one point by exploding camouflets or by working noisily, and, under cover of this diversion, drive a fighting gallery toward the enemy's flank elsewhere. In this latter case the most profound silence had to be observed in the fighting branch if the enemy's geophones were not to give warning of its approach. No talking would be permitted, the men would wear felt-soled shoes and work with trowels instead of picks, and the earth would be carried out in cars with rubber tires. So silently would the operations in a fighting branch be conducted that it would break into the enemy gallery without the slightest warning, whereupon would ensue so strange and desperate a battle that it would seem like the creation of a novelist's brain—a conflict waged scores of feet beneath the surface of the earth, by combatants armed with pistols, picks, bombs, and knives, and illuminated only by the flickering light of miner's lamps.

One of the essentials for the success of a mining operation was the concealment of the spoil—that is, the excavated earth—which, if piled in a heap at the entrance to the workings, would be photographed by the German airmen, thus informing the enemy, as unmistakably as though it were announced on a placard, that a mining gallery was being driven. The French, in order to hide the spoil from their mining operations, conceived the ingenious plan of digging a shallow trench, usually only a few inches deep, and lining it with black paper, so that, when photographed from an airplane, it produced the effect of the black shadow cast by a trench of customary depth. They would then distribute the spoil from their subterranean galleries along the sides of this false trench, so that it appeared in the photograph to have been thrown up from it.

Dugouts have become such a commonplace in the past four years that few, save the miners themselves, gave much thought to or had more than the haziest ideas of the time, skill, and labor required in their construction. Take yourself, for example. You have read about dugouts and have seen pictures of dugouts and have probably had relatives or friends living in dugouts. How long, then, think you, would it take a force of skilled miners to complete a front-line dugout large enough to accommodate a half platoon? For your information, I might explain that such a dugout is 35 feet long, 9 feet wide, and 6 feet high, with 17 feet of overhead cover. Using all the men that could be employed, and working from nightfall until dawn, to complete such a dugout would require at least three months. If in the rear area, where the men could be worked continuously in shifts, it could be completed in 30 days. I mention these facts in order that you may realize the incredible labor which was required to provide shelter for the millions of men fighting on the western front. The same labor, could it have been applied to the pursuits of peace, would have built a dozen Panama Canals, a score of transcontinental railways, a hundred good-sized cities.

A recent development of trench warfare, and one of which you probably have not heard, was the introduction of "mobile charges." These consisted of packages of high explosive in 10, 20, and 30 pound sizes which were used by assaulting troops for destroying dugouts, much as depth bombs were used by the Navy to destroy submarines. With the increasing use of these mobile charges it became necessary to design dugouts which would be proof against them. In this work, which was carried on by the mining section, extensive use was made of dogs, experiments having shown that explosions which will rupture the lung tissues of a dog will similarly affect those of a human being. Thanks to the knowledge thus obtained at the cost of canine lives, a type of dugout construction was perfected which afforded the occupants comparative immunity from mobile charges and hand grenades. An ingenious receptacle for this latter form of enemy visiting card was a "bomb pit," which was a sort of small cistern built at the foot of the dugout stairs, into which a hand grenade would fall and explode harmlessly.

Speaking of dogs, a considerable use was made of Airedales, police dogs, and certain other breeds having a high order of intelligence for carrying messages, for detecting the approach of enemy patrols, and for discovering wounded men in no man's land. Very extensive use was also made of pigeons. I have been told that of all the messages instrusted to pigeons by the allied armies during the four years of the war 96 per cent were delivered. They tell the story of an American doughboy, who, before he donned khaki, was a very tough citizen of New York's east end. To him during his battalion's advance was intrusted a hamper filled with messenger pigeons, which he carried on his back. In some manner he became detached from his command and was lost in no man's land, where he was discovered that night by an officer crouching in a shell crater.

"What's that thing you've got on your back?" inquired the officer, not recognizing the pigeon hamper in the darkness.

"They're boids, Cap, boids," explained the former Boweryite in a hoarse whisper. "And dat ain't de woist of it, for I hear they's goin' to give us dawgs."

In these days of materialism it is desirable by way of inspiration to make more than passing note of the wonderful acts of bravery and courage which are well-nigh daily occurrences. Right does, indeed, make might. Perhaps momentarily the act of expediency seems to win, but in the long run, sooner or later, by and large, if one does the right thing one succeeds. Virtue is its own reward. If you cut the corner of honesty and integrity you lose; your sins will find you out. Germany had success figured out as a mathematical proposition. They left out of the reckoning those intangible qualities without which life would not be worth living—honesty, honor, justice, virtue, the God of battles. What was it that made victory on innumerable occasions just elude the Germans? Numerous instances have been related to me of opportunities unimproved which would have given Germany victory. It just did not happen. What kept the Germans from taking Paris in the initial rush? In view of Germany's marvelously sustained effort in all theaters of action it is a difficult thing to explain. We have at lenst progressed to that point where we recognize that a mysterious thing called morale is one of the most essential elements that create victory. Could it be possible that the Good Book holds the key to the situation, when it says God works in mysterious ways his wonders to perform? Belgium hung onto the Germans three days, just long enough to allow the French to get ready. France just barely held on till England came to the rescue. Italy was saved by a hair, and America arrived just in time to save the allies from certain defeat. Have the days of miracles, indeed, passed? Will all-wise college professors explain all these things away and rob them of their spiritual significance, as they have attempted on so many occasions to do of the miracles of olden time? Sometimes I am fearful of sending my boy to college for fear of the atheism and all-wise self-sufficiency of our present-day methods. What we need to-day in the tangled condition of the world's affairs is the simple faith of Abraham Lincoln.

Kind hearts are more than coronets and simple faith than Norman blood.

The tendency of the age is hero worship, and we jump from crag to crag, like the nimble chamois. False prophets with cure-alls sell their panaceas for various ills. For the moment we have the military bug. Spending the public moneys like a drunken sailor is a passion among the politicians. These vast expenditures should be stopped. The administration, in its extravagant expenditures, started something, as did the Kaiser, that they have not the ability to stop. I am reminded of Seward's famous remark in regard to the question of resuming specie payment at the close of the Civil War. He said the way to resume is to resume, and so I believe the way for America to get back to the simple life of economy and efficiency in our national affairs is to make a start. Stop spending money. Encourage business. Do not antagonize it. Strangle these politicians who cater to men's passions and prejudices rather than to their hearts and consciences. Adopt the rule that Gladstone insisted upon in his home, namely, "Do not criticize unless you have something better to suggest." It is not a crime to succeed. All successful men are not crooks. The question should not be how much have you got, but how did you get it. A year ago the administration frowned on a contemplated American loan to China; within a year thereafter we made a new treaty with Japan, when we agreed, in substance, to close one eye, when peace at any price was our national slogan, while Japan emasculated China. It costs $30,000,000 a day to conduct war, yet we

undertake to run our Diplomatic Service at a cost of $1,500,000 per annum. What is the result? Unless a man has a fortune, he can not enter the Diplomatic Service, and while we may entertain the prevalent fancy that brains just naturally gravitate to the seat of our national affairs at Washington, it is difficult to believe that diplomats with brains instead of social ambition are going to work for a salary that will not pay their living expenses. At the present time a list of the campaign contributions to the preceding presidential election is a pretty sure index of the names of those to be nominated for the Diplomatic Service. Then, again, there is a popular notion that our representatives in foreign countries are to be great entertainers and heroes of the ballroom, and that it would be reprehensible for our Diplomatic Service to be interested in expanding our commerce and trade, yet one can readily see that the expansion of our foreign trade brings increased production to our factories and work for our citizens. What is the Government for—to restrict business or to expand it; to increase the wealth of the country or to devise methods of restricting it; to make prosperity or to play politics? Is it an occupation for theorists and jacks-of-all-trades, or is it an occupation where accomplishment is a recommendation? We Americans need to get down to brass tacks and to eliminate lost motion and empty phrases, and to admit that brains can be utilized even in America's political affairs. There is no Svengali method by which the Government can compel business to increase wages without increasing prices. It can not be done. We have tried it once; it did not work. Chaos is the result. Let us get back to first principles and cut out the soft stuff. Get the boys back here as soon as possible, remove all poster appeals for war loans and illustrated stories of atrocities, and settle down to paying the bills, which is going to be some undertaking in itself.

We should all stand back of President Wilson in his efforts for world peace, because despite the obvious inability of newspaper correspondents in Paris to obtain or transmit all the truth, one fact at least is perfectly clear, namely, the determination on the part of our allies not to yield the fruits of victory for the sake of creating a league of nations. If the peace of the world is to be insured, now is the accepted time, the peace conference is the place, and the American people are the only ones with whom this thought is dominant.

As a matter of fact, the rank and file of the French people do not comprehend what the word "liberty" means—in the sense that we use and know it in America. The ruling class over there have the mass of the people tied up as snug as a bug in a rug. A French employer is really worried if his employee shows signs of prosperity, such as having a graphophone. They say when a man wants to break into politics in France he starts as a radical, but eventually, being "amenable to reason," he becomes a conservative. The cities of France, especially Paris, live on the rest of the country, and the contrast in living conditions is marked. The men of money and influence are slow to loosen up, and the Government is so far removed from the people—the deputies elect the President—that the interest of the employer in his employee is not stimulated by legislation such as we put on the statute books from time to time. That is one reason why the French die faster than they are born. They can not afford to have children.

Somebody asked me on my return to America what difference you noticed as you crossed the line from France into Germany.

My answer was, the greatest contrast I noted upon crossing the line was the presence in Germany of children—kids, youngsters everywhere. As I rode from Strassburg to Metz, through that beautiful territory which was a part of Alsace and Lorraine which Germany had lost forever, I wondered how the French were going to populate and utilize this territory. Perhaps the higher ups will have to step down a bit and extend the hand of relief to the lower downs. At least that is the one best way that occurs to me.

There are countless other things which I might mention, did space and time permit, of my pilgrimage along that zigzag stretch of mud and blood known as the western front.

But the recollection which remains the clearest and the brightest in my memory, when all is said and done, is not of the great French marshal, nor of the glittering pageants, nor the streams of prisoners, nor the shell-torn cathedrals, nor the avenues of captured cannons, but, rather, of the American boys—boys from Boston and New York and Philadelphia, from Seattle and San Francisco and San Diego, and from all the cities and towns and hamlets in between—the boys who have offered everything they had to offer that you and I, my friends, might live in security and peace. I saw them, these fellow countrymen of ours, in many places and under many conditions; I saw them in camps and hospitals and barracks, in mud and snow and rain; no matter where I saw them, no matter how plainly I read in their eyes that they were sick with longing for the homeland, they were always cheerful, courageous, and uncomplaining. No wonder that despite all the mistakes of our generals and the blunders of our military system here at home, these clean-cut, clean-minded, smiling boys have won for America the respect and affection of her allies. After seeing our soldiers in the field, I am prouder than ever to call myself an American. God bless 'em!

The Irish Resolution Will Hurt and Not Help the Hopes of Ireland.

EXTENSION OF REMARKS
OF
HON. RICHARD WAYNE PARKER,
OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919,

On a motion to suspend the rules and pass the following resolution:

"Resolved by the House of Representatives (the Senate concurring), That it is the earnest hope of the Congress of the United States of America that the peace conference now sitting in Paris in passing upon the rights of various peoples will favorably consider the claims of Ireland to the right of self-determination."

Mr. PARKER of New Jersey. Under general leave granted to Members of the House to extend their remarks upon the foregoing resolution, I submit the following:

Mr. Speaker, no greater injury can be done to Irish aspirations than by the passage of this resolution.

No one who considers the subject can fail to agree that except for interference of other nations Ireland would have kept her parliament or would have been granted at least as much autonomy as belongs to Canada and Australia, who can protect their own manufactures and production, develop their own industries, and were not left for centuries, as Ireland was, to be a poor farming country inhabited, except in one or two towns only, by poor peasants and absentee proprietors. I am not making a talk about the tariff, but my old friend, Dominie Robinson, used to say, "If anyone wants to see the effects of free trade in a farming country, let him immigrate to Ireland."

Ireland's miseries for the last 300 years seem to have come directly or indirectly from foreign interference. A Spanish invasion brought on the cruel devastations of the age of Queen Elizabeth; French invasions had much to do with similar savage warfare in the time of Cromwell and James the Second; French intrigues in the beginning of the nineteenth century were perhaps responsible for the abolition of the Irish Parliament; and German intrigues throughout the last great war caused a feeling that both parties in Ireland were under arms. A grant of self-government would probably have been made in spite of the resistance of Ulster if England had not feared that Ireland would become a German military base.

Resolutions of sympathy only do harm unless they are backed up by force. When the United States passed such resolutions as to Poland in Kosciusko, Hungary in Kossuth, the Armenians in Turkey, and the Jews in Russia it simply aggravated conditions by incensing the rulers. The South American Colonies were not freed by American resolutions of sympathy, because Spanish power had been broken down by the invasions of Napoleon and by internal strife. Cuba was not freed by our declaration as to Cuban belligerency, except so far as that declaration angered Spanish sympathizers and brought on the destruction of the *Maine* and the war in which our Army and Navy freed Cuba.

This resolution is no mere resolution of sympathy. It asks that the peace conference, in passing on the rights of various peoples, should consider the claims of Ireland as a right. This peace conference is the most important body in the world. It is called under an armistice to settle a peace with Germany, and it has no other function except to obtain guaranties and indemnities which will make that peace secure. Incidentally, however, it has to reestablish government in the parts of Europe where all civil order has been destroyed by the war. These regions include a broad belt of country extending from the Baltic through Poland, Galicia, the Balkans, Constantinople, Roumania, Persia, Palestine, and the Valley of the Euphrates to the Persian Gulf. The peace conference will settle these boundaries and governments not because of a desire so to do but because it is a necessity of the war. We had to do the same thing in Cuba, holding elections by military authority. We did the same thing in Porto Rico. It caused us a very nasty little war to do it in the

Philippines, but we regarded these countries as being in our hands as a sacred trust and that our military possession placed the duty upon us of providing orderly government. Perhaps the allies ought to have taken possession of the whole of Germany for the purpose of doing this work.

Perhaps if they had done so there would be better prospects now that our boys would come home soon. But surely these problems are great enough without endeavoring to add to them questions as to other countries over which the peace conference has no jurisdiction whatever because they did not come within the field of warfare.

This resolution can do nothing but harm. Proud nations do not brook interference. I remember when we were ready to fight England during the Civil War unless she held her hand, and she stayed it. We all remember that we would hardly have taken the Philippines except for the threats of the German Navy against Admiral Dewey.

One other question, however, that I want to put is, What is likely to occur at the peace table by reason of this resolution? Will England submit the claims of Ireland to the decision of other nations? Will she regard our action as a sympathetic endeavor to stir up further warfare and bloodshed in Ireland? I am not much in favor of a league that is a permanent supernational government. I ask those who do favor it whether England will wish to go into a league if it is to have power over such questions, and could certainly claim power over the Suez Canal, Gibraltar, and India, as well as over the rights of Mexico in territory that we have taken from her? It is not a mere matter of principle, but of practical sense. It may well be questioned whether we desire at this time to embarrass the peace table, on whose successful and unanimous agreement it depends whether our boys can come home promptly and stay at home.

It should be confessed by all that Ireland is sure to have self-government. The land of Wesley and Wellington, Swift and Wolsey; the land that has given marshals to France and Russia, and which has furnished us our host of soldiers and statesmen, and produced her poets, orators, and her long line of patriots; that land will certainly be restored to the right of self-government, so that Great Britain and Ireland would live as sister States, united for the common defense and the general welfare, but independent, as all States ought to be, in local affairs, and especially in the development of their own strength and resources, mental and material. Settlement is sure if others do not interfere.

Diplomacy has learned much in modern days. It has learned to obey some of the ten commandments. It respects truth and other people's property much more than it used to, and it is also learning that there is one commandment as important as any—the eleventh commandant, "Mind your own business." The Good Book tells us that the peacemakers are blessed, but I think this means those who make and keep the peace themselves and not those who are always interfering in other people's disputes. We are at a peace table. Let all that we do be in order to make peace and not to promote further war.

The Presidential Primary.

EXTENSION OF REMARKS

OF

HON. ERNEST LUNDEEN,

OF MINNESOTA.

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. LUNDEEN. Mr. Speaker, "you are all acquainted with boss politics; bosses have often dictated presidential politics in the past. House file 36 is now a law. It strikes down the all-powerful boss and the people will now nominate their own candidates for President by direct primary vote at the polls. This bill was one of the three most important measures passed during the last session." This was my statement to the people of Minnesota in 1913 on the passage of the Minnesota presidential primary.

The Minnesota bill was based on the Wisconsin-Oregon laws. It was carefully scrutinized and gone over by some of the ablest men in Minnesota. It has stood the scrutiny of some of the ablest committees of three legislatures. The senate elections committee, after a most careful study, made certain amendments to the bill and then voted the same out unanimously.

The following appeared as leading newspaper articles in the Minneapolis press:

State supreme court upholds primary law. Every detail of it O. K., is the ruling as to constitutionality. Candidate for President must file before election is decision. The Minnesota presidential preference-primary law stands. It was upheld in its every section by the State supreme court yesterday. So ends the attempt to overthrow the new presidential preference-primary law.

Minnesota leads in Republican advance. Presidential primary makes difference in attitude toward national committee. Politicians say State's law will guide other States. General use of direct voting predicted by 1916. Minnesota is not going to get excited about anything which the Republican National Committee in session in Washington did. Had the national committee called a national convention, Minnesota would have remained in the same apparently apathetic mood. For, say the political students of this State, sooner or later the national Republican leaders must look to Minnesota to learn the road which leads to party unification. The presidential primary law, which went on the Minnesota statute books last winter, largely through the instrumentality of ERNEST LUNDEEN, its author, is the only road, say local Republican leaders, which can be followed.

Those who believe in the right of direct and effective control of the Government by the people favor a presidential primary law, just as they favor State-wide primary laws. Their influence has brought about the enactment of primary laws in and for a great majority of the States. This action of the people of the various States is a sure forerunner of what is coming nationally. If this Congress does not enact a presidential primary law, some future Congress will, and the Members of this Congress will live to regret their failure to furnish the people with the necessary machinery for taking the nomination of their presidential ticket out of the hands of corrupt bosses and placing it in the hands of the people themselves.

In a statement to the Minneapolis Daily News on February 24, 1916, I gave some facts and figures on the presidential primary law. I said then, and I repeat it now:

DISGRUNTLED BOSSES ATTACK THE PRESIDENTIAL PRIMARY.

Who are the enemies of the primary elections laws? A few there are who honestly oppose election reforms and believe thoroughly in the old boss-ruled conventions. The majority of opponents, however, are professional politicians, who spend most of their time in figuring out methods for stripping the people of all power. These bosses opposed just as vigorously the direct election of Senators, the local and State-wide primary. Now, driven to the last ditch, they are exactly in the same way opposing the presidential primary.

One of the finest compliments to this law is the enemies it has made. They have twisted and distorted the facts and, much to the amusement of those who are familiar with the presidential primary, have appended every adjective of abuse which the dictionary contains. Why all this vituperation? They are being driven from the field, and as they leave they turn for one more outburst against the laws which drive them from power.

To-day more than one-half of all the people of the United States live in presidential primary States. Nearly three-fourths of all the voters now vote to nominate the President by direct vote of the people. Twenty-five States have enacted presidential primary laws.

The Minnesota presidential primary law, for which I am directly responsible and of which I am the author, has been recognized by the 1916 Republican national committee, and the Minnesota delegates will be seated in that convention together with the delegates from 24 other sister States who similarly elect their delegates.

I introduced the bill in 1911 and twice in 1912, all of which times we were badly beaten. In 1913 I introduced the bill a fourth time. We won a unanimous vote in both house and senate, and the bill was signed by the governor.

This law places Minnesota in the front rank of primary States, and Minnesota is now very much in the national limelight by reason of the fact that we here nominate first of all the States.

The election was purposely placed on the town election day, so as to save expense and avoid duplication of work. On the same day St. Paul holds a city election, so that the people are not much inconvenienced by added burdens.

Certain amendments made during the 1915 session seem to have drawn down upon themselves the especial wrath of a certain few. For these amendments I am not responsible, since I was not then a member of the legislature. However, the law as it now stands has been twice unanimously upheld by the supreme court and only recently South Dakota passed the Minnesota statute almost word for word.

If this law is good enough to be accepted by a unanimous vote of the legislature, if it is good enough for the Republican national committee, which is now in sackcloth and ashes since the 1912 Republican disaster; if this law is good enough to be twice upheld by the supreme court; if other States base their laws upon it, it ought to be good enough for the elite of this State.

If the presidential primary is wrong in principle, then all primaries are wrong in principle. Let these men go before the people and state plainly that they do not believe the voters are competent to nominate.

To-day 25 States have the presidential primary, 55,261,362 people live under this law, and 9,522,455 voters will go to the polls to nominate their choice among the candidates for the Presidency. Gov. Wilson was nominated by the New Jersey presidential primary and elected President of the United States.

Senator Cummins, Theodore Roosevelt, President Wilson, William J. Bryan, Senator La Follette, and almost every man of national prominence has declared emphatically in favor of the primary principle as well as the presidential primary. Col. Roosevelt wrote me personally congratulating me most heartily upon the passage of this act.

It will be a fight to the finish. They dragged this law into the courts. The first clash before the supreme court was won by the people. Professional politicians and the big bosses everywhere, with few exceptions, seek to lay low every such law. In the near future an effort will be made to elect men to the legislature who will vote to repeal all primary laws. These men must be defeated, and only those elected who believe with Lincoln—that the people are competent to rule themselves by a majority vote.

You, the voters of Minnesota, must decide this contest. Will you return to the rule of a powerful few in midnight session behind locked doors, or do you wish to do the nominating yourselves? The time has come for the people of Minnesota to decide whether they approve of this extension of the franchise. Will you listen to President Wilson or Boss Murphy, Theodore Roosevelt or Boss Barnes, Bryan or Tammany, Cummins or the reactionaries of this State, the Supreme Court or certain self-appointed judges?

So bitter did their efforts become that one candidate for delegate at large in Minnesota in 1916 actually printed a pamphlet in foreign, unintelligible characters, and entitled it "A full explanation of Minnesota's presidential preference primary law, by one who knows." He stated that the law was unintelligible to him. I met this man and told him frankly that the absurdity of his attack would be resented by the voters. He was badly beaten in an expensive campaign.

In the past others have selected our delegates for us. We now propose to select our own delegates. Is there anything wrong about that? We are in the habit of nominating governors and United States Senators; can anyone advance any sane reason why we should not ourselves directly nominate our candidates for President?

Primary elections have swept the entire country. Conventions are disappearing. Those who fight against this irresistible tide are being thrust aside.

THE PEOPLE TAKE GREAT INTEREST IN THEIR PRIMARIES.

The enormous vote at every primary shows clearly that the voter is interested. Enough electors go to the polls to make the job of a boss decidedly difficult and uncomfortable in these later days.

The people's primary will increasingly become an instrument for political purification and real progress. It is directly in line with the movement to give the voters more direct control of their officeholders and the legislation which means so much for our common welfare. The voters want no hand-picked and boss-guaranteed nominees. They demand the right to nominate as well as the right to elect.

If the people are competent to elect they are also competent to nominate. When the nominations of both parties were made by a clique or group of selfish men under the convention system the election was often a mere rubber stamp on the choice of the bosses, since they often nominate both the Republican and Democratic nominees.

Candidates who must face the people are not so easily managed as they were in the good old days. Their records are now sifted by the voters. A candidate who opposes in the open a policy such as Government ownership of munition plants finds sledding hard, and he who advocates that we must not coin gold out of patriotism for private profit is always opposed by the selfish interests. The primary compels those who are interested in any reactionary scheme to go before the voter and explain his proposition. Many of these musty methods die in the sunlight when dragged from the cellars of intrigue.

Conventions and boss rule belong to the past. Those who wail and gnash their teeth are welcome to that pleasure. Their feeble efforts can not change the course of history.

The initiative and referendum in Oregon—

Says Gov. West, of that State—

have done away with political machines, and politician conventions are dead. There is no lobbying in the halls of legislature, no automobiles or carriages to haul voters to the polls, and every man's vote counts the same whether he is a laborer or capitalist. The Oregon system is not a fad, and, aside from chronic officeholders and "interests" which need protection, there is no opposition in the State to any of the new features of our Government.

The recall applies to every office from constable to chief justice of the supreme court, and yet the exercise of that power has not been abused by the people. When you say that the people can not be trusted, then you say our Government is a failure. As yet there has been no occasion to exercise the function against any court. No judge in our State need fear action on account of a wrong decision in which outside influences can not be shown.

The press of the Northwest, including the three great dailies of Minneapolis, heralded the unanimous enactment of the presidential primary of Minnesota as a distinct step forward. They spread on their front pages articles to the effect that this law placed Minnesota in the spot light. Our State was actually the first to nominate in the 1916 contest, and Senator CUMMINS, of Iowa, was nominated. He was a progressive and indorsed by organized labor. Complaint was at once made that the Minnesota favorite was not nominated—that the law failed to function. As a matter of fact, if Elihu Root and others were afraid of the primary test they were unfit to hold the Presidency, at least from the standpoint of the average citizen. The law placed the primary on town election day, thereby cutting the expense greatly. The enemies of the law tried to secure double pay for all election officials, that thereby the expense account might be increased to the discredit of the presidential primary. This failed in the courts. Assailed from every side, it stood the test. The Minnesota law was copied by South Dakota, where the stand-pat element took their case to the Supreme Court of the United States. Here again the law was declared constitutional.

REPEALED BY THE LEGISLATURE.

When the law had proved itself workable, constitutional, and worthy of being copied by neighbor States, when it had driven the bosses out of their lair, then, desperate and fighting mad, these unscrupulous men took their case to a reactionary legislature. The law was finally repealed after a hard fight in 1917, at a time when the minds of the people were distracted by the world war, and so Minnesota, the North Star State, took one backward step. The governor unfortunately yielded to this reactionary pressure and signed the repeal bill without a murmur.

More lies were told, more falsehoods were related as to the Minnesota presidential primary than any other Minnesota act I ever heard of. May I suggest that this law will soon be back on our statute books, and that those who dare to disfranchise the people will be taking back seats? We are surrounded by States which have the presidential primary almost exactly the law we repealed. We have again been disgraced by the old gang—that unscrupulous crew that would scuttle the ship of State for selfish purposes—and now the reactionary press is starting a hue and cry to repeal all primary laws everywhere. But they will fail. The world war is ended but the battle for greater liberty and the rights of man has only begun.

THE PRESENT FIGHT TO REPEAL THE MINNESOTA PRIMARY.

The presidential primary of Minnesota has been repealed. An effort is now being made to repeal the State-wide primary. This attempt must be stopped. The people alone have that power. The Minnesota House of Representatives has already passed a bill repealing the State-wide primary 78 to 51. The senate is expected to follow suit.

Awake, my fellow citizens! There is yet time before the adjournment of this session of the legislature to defeat this nefarious attempt of the reactionaries to take away from you your right to select your nominees for public office. I feel sure that if the people of the State will convey to their representatives in a positive and determined manner their wish that the State-wide primary law shall not be repealed, that the presidential primary should be reenacted, the men who are now trying to steal their rights from them will not dare to go on with their work.

Minnesota is a great State. All of our people can not go to St. Paul to see that their rights are not destroyed by this theft of their franchise. The people in every community can select one or more spokesmen and send them to St. Paul to personally demand from the members of the house and senate that the wishes of the voters must be respected. If this be done the attempt to kill this good law will stop right where it is. Our legislature will not dare to refuse such a demand.

Let every organization and every individual citizen write or wire to the governor of the State and the senators and representatives of their districts to stop any further steps toward repealing this law.

This is an hour when every red-blooded Progressive in Minnesota, the Nonpartisan League, and organized labor must rally to a common standard and defend the rights of man. Freedom of speech, freedom of the press, and the right to vote are now being gradually destroyed. Fellow citizens, there can be no rest while our liberties are being stolen away.

Two years ago I appealed in vain to the members of the legislature against repealing the presidential primary. I now appeal direct to the people of Minnesota.

Unless the voters take action now these men will hold to their suicidal course until a patient people, finally exasperated, sweep them from their high places. The aristocracy of wealth means to rule or ruin. Their agent, the boss, wears a placid, sardonic smile bordering on contempt for the masses. Let history speak to them words of warning; they hear not, neither do they see. With their feet in the trough, they hear only the sound of their own hoggishness. "Whom the gods would destroy they first make mad." And, like the swine of old, they will dash themselves over the cliffs into the sea of oblivion.

THE CHICAGO NATIONAL CONVENTION OF 1912.

For many years the dissatisfaction with conventions on the part of the people at large has been very apparent. This culminated in the Chicago national convention in 1912. It was my pleasure and privilege to be one of the four men from Hennepin County to represent Minnesota in that convention.

I saw there enough to convince me that the presidential primary was the new order which would soon sweep the country.

I had introduced the presidential primary in 1911, twice in 1912, and I finally secured the passage of the act in 1913. In 1913 not a single vote was cast against the measure in the house committee, in the committee of the whole, nor was a single vote cast against the final passage in the house. The senate elections committee was unanimous for the measure. There was no opposition in the senate committee of the whole. Not one single vote was cast against the measure on its final passage in the senate. In 1916 I ran for delegate to the Republican national convention on a platform favoring the presidential primary and was elected by a large majority. In every speech I recounted my fight for the primary.

New Jersey, Wisconsin, North Dakota, Oregon, Nebraska, Louisiana, South Dakota, Ohio, and Massachusetts already had the presidential primary on their statute books in 1911. Since that time many other States have enacted the law, including Minnesota.

Col. Roosevelt declared for the presidential primary in unmistakable terms. In his letter to me he warmly extended congratulations on the passage of this very act.

Gov. Eberhardt, in a letter sent to A. O. Moerouix, editor of the Luverne Herald, declares for national presidential preference primaries and recommends the Minnesota law as a good one to copy. He further says Minnesota Republicans are in a splendid position when compared with other States. "We have taken the leadership and have set the example by which complete and harmonious unification of the Republican Party may be obtained. Our presidential preference primary solves the problem for us, and if adopted by the rest of the States will solve the question nationally." At another time the governor pointed to this law as a beacon light for other States to follow, "providing," says the governor, "a brilliant opportunity for the people to make possible the unification of the Republican Party by the people themselves." Says President Wilson, "If I had my way I would let no name come before the national conventions except the name ratified at the primaries of the people."

CHAMP CLARK, Speaker of the House of Representatives and a most able and courageous official, has this to say concerning national conventions:

In a convention with fifteen or twenty thousand howling, bellowing, perspiring visitors there is no more opportunity for deliberation than there would be in a boiler factory. There is little hope or chance of reforming the convention system; therefore it should be abolished utterly and presidential and vice presidential nominations should be made by primary elections.

Charles D. Hilles, chairman of the Republican national convention, favored "a uniform presidential primary law which will do away with the present State primaries." He prepared a statement on the subject, and an effort was made to have the national convention go on record as favoring such a measure.

"A progressive paper like the Minneapolis Journal should be in better business than leading a movement to return to the old boss-ruled convention system."—Frank Day, editor Fairmont Sentinel and former national committeeman.

Hon. Jonathan Bourne, jr., in a speech in the United States Senate, said:

The justice of all laws rests primarily on the integrity, ability, and disinterestedness of the individuals enacting them, those construing them, and those administering them.

I think all will concede that the times seem awry. Unrest exists throughout the civilized world. People are speculating as to the causes. Daily uncertainty grows stronger as to future events.

In my opinion the basic cause is that people have lost confidence in many of their public servants and bitterly resent attempted dictatorship by "would-be" political bosses and representatives of special interests who desire to direct public servants and legislation for their own selfish interests rather than assist in the enactment of laws guaranteeing justice to all and special privileges to none.

Successful and permanent government must rest primarily on recognition of the rights of men and the absolute sovereignty of the people. Upon these principles is built the superstructure of our Republic. Their maintenance and perpetuation measure the life of the Republic. These policies, therefore, stand for the rights and liberties of the people and for the power and majesty of the Government as against the enemies of both.

The people have been shocked by the number of business and political exposures which have been brought out in the last 10 years.

In many instances the people have lost confidence in their public servants, the same as many stockholders have lost confidence in corporation management. The remedy in government is the direct selection by the people of their public servants, with the resultant accountability of the public servant to the people and not to a political machine or boss. I purposely use the word "selection" rather than "nomination," for to my mind it more clearly expresses the idea of the responsibility of good citizenship. Selection implies the careful investigation of all and the resultant choice of one. The remedy in corporation management is rigid responsibility to government, equal obedience to laws and equal accountability to stockholders, giving the Government and the stockholders the fullest publicity of its operations, including absolute honesty and simplicity of its accounts, thus protecting the rights of the people and insuring to all the stockholders proportional enjoyment in the fruits of successful management.

There are doubtless some people who honestly believe that the people as a whole have not reached the stage of development qualifying them individually to participate in government. Others whom I credit with the intelligence which I have seen manifested by them in other directions assert the inability of the people to govern themselves as an excuse rather than a conviction; but I, Mr. President, from 30 years' experience in practical politics, am absolutely convinced not only that the people are fully capable of governing themselves, but that they are decidedly the best judges as to those individuals to whom they shall delegate the truly representative power.

Individual selfishness, cupidity, and ambition are minimized in the party or general electorate selections of public servants; good general service is demanded by the electorate, special service by the individual.

Hence my advocacy of popular government. By popular government I mean direct legislation as far as practicable, popular selection of candidates, and such regulation of political campaigns as will secure fair and honest elections. Popular selection under the present stage of evolution of our Government can be obtained only by direct primary laws and complete elimination of convention and caucus nomination of public officers.

I issued a statement to the Minnesota editors early in the fight, as follows:

During the past months we of Minnesota have been entertained by a weak but bitter attack upon our presidential primary law. This law gives every voter the right to nominate his choice for President among those who are candidates for that high office. Eighteen States now have the presidential primary. Millions are voting under it and no State legislature ever dared repeal the same. The national Republican committee has recognized the law in every such State, and in Minnesota, after a well-planned battle in our news columns, our supreme court sustained the law in every detail.

The supreme court also sustained the State-wide primary when that was attacked, and that high tribunal deserves the confidence and praise of every citizen. It has defeated every attempt to limit our franchise. The political boss who operated behind locked doors in midnight sessions no longer dictates the delegates to our national conventions. Is it any wonder that these men in vitriolic sentences urge vengeance upon the law that strips them of their power?

Gov. Eberhardt, in signing, praised this law as an example to be followed by other States. Gov. Hammond favored the presidential primary law. Gov. Burnquist voted for this present primary law. President Wilson, Bryan, and La Follette all have declared for the presidential primary, and President Roosevelt wrote me a letter congratulating me upon its passage. These men will be remembered long after the feeble attackers of the primary principle have completed their pernicious activities.

The law may have its defects; nothing human is perfect. But it was good enough to pass the scrutiny of the Supreme Court of Minnesota. A franchise once given the people will never be rescinded. This law extended our franchise, and I mean to give every ounce of strength within me to see that it stays on the statute books of Minnesota. Let those who wish to fight the law come forth and face the voters at the impending election.

January 4, 1911, the Minnesota Progressive Republican League declared—

Through the control of the government of this State by special interests and professional politicians the people have been denied a State-wide direct primary election law. We therefore most earnestly urge upon the legislature of this State to pass a direct primary election law that will include all elective State officers, United States Senators, and delegates to national conventions, with opportunity for the voter to express his choice for President and Vice President, so that the people of Minnesota may have equal political opportunities with the people of other States.

Senator Jonathan Bourne, jr., in a speech delivered in the United States Senate February 27, 1911, stated that—

The issue before the country is whether popular government, with general welfare its vitalizing force, shall save and develop this Nation, or delegated government, with selfishness the destroying force, shall bring the Nation to inevitable anarchy.

At our March 14, 1916, primary, Senator ALBERT BAIRD CUMMINS, of Iowa, was nominated for the Presidency, and he became the target for bitter ridicule. Yet the progressive record of Senator CUMMINS was one of which any man might well be proud.

Elihu Root refused to file as candidate for reasons best known to himself—no doubt he feared defeat—and CUMMINS was chosen. The President of the United States, however, did file and was victorious.

A NEW PRESIDENT IN 1920.

A presidential election is approaching, and even now men are playing the great game of politics for the Presidency. Shall the election of 1920 be dominated by boss-ruled conventions or shall it be governed by duly elected delegates of the people chosen in presidential primaries? In 1916 Minnesota passed through its first and only presidential primary election. Every boss in the State, every stand-pat newspaper, and every plotting schemer in league with big business rose to jeer and ridicule this law, a law which was based on the present Oregon and Wisconsin presidential primary laws. So successfully did they maneuver their assaults that they bullied the legislature and the governor into annulling the statute. Who will be our next President? Who shall carry the standard? Let him be selected by a national presidential primary. Let him be the people's choice and let him remember that he will sit where Washington and Lincoln once sat. Government machinery will perhaps never be perfect; it can, however, be much improved in the in-

terests of the great American people. We face to the East and move forward!

The time is ripe, and rotten ripe, for change;
Then let it come; I have no dread of what
Is called for by the instinct of mankind.
Nor think I that God's world would fall apart
Because we tear a parchment more or less.
Truth is eternal, but her effluence,
With endless change, is fitted to the hour;
Her mirror is turned forward to reflect
The promise of the future, not the past.
I do not fear to follow out the truth,
Albeit along the precipice's edge.
Let us speak plain; there is more force in names
Than most men dream of, and a lie may keep
Its throne a whole lot longer if it skulk
Behind the shield of some fair-seeming name.
Let us call tyrants tyrants, and maintain
That only freedom comes by grace of God,
And all that comes not by His grace must fail,
For men in earnest have no time to waste
In patching fig leaves for the naked truth.

—James Russell Lowell.

APPENDIX.

[From McClures.]

THE CHAOS IN NATIONAL POLITICS.

In 1896 Mark Hanna gave up the coal and iron business, and—seeing there was no rational method of choosing Presidents in the United States—decided to choose them himself. He had worked out the possibilities of the Republican national convention.

This convention is probably the most extraordinary political institution on earth. In the first place, it has chosen for 50 years the most powerful ruler in the world; for it has named every President of the United States, except one, in the past two generations.

In the second place, it is under absolutely no legal control in doing this. No State has any power over it; it is a thing outside of States; the National Government has no jurisdiction over it, for the United States—by the terms of its eighteenth-century Constitution—is given no authority over the election of its Presidents. The national convention which names them is a so-called voluntary association, an independent, self-governing body, which makes its own laws. If it required that all its members must balance themselves five minutes on their thumbs before becoming eligible to nominate Presidents, it would be perfectly within its rights.

In the third place, this national convention is an absolutely unrepresentative body. Other political conventions are made up of delegates each one of whom represents a certain number of party votes. The national convention is made up on the plan of the Federal Congress—two delegates for every United States Senator and Representative in the country, and a few extra delegates for Territories and Districts. About two thirds of these men are elected by the voters of the Republican Party; the other third, in the South and Federal districts, where there is no Republican Party, in practice elect themselves.

HANNA STARTS THE "STEAM ROLLER."

Hanna, being a practical man, very soon brought to a full system the possibilities which were always in the Republican national convention. He made a business contract with the self-elected delegates in the South and other places for their votes; he then secured control over the Republican national committee, which has the power to make up the "temporary roll" of the convention—that is, to decide in case of contest which delegates shall be admitted to it.

Hanna nominated and elected McKinley, and established the system of choosing Presidents—now known as the "steam roller"—which has named every President of the United States since that time. Its operation is this:

The President of the United States and his agent, the chairman of the Republican national committee, appoint to Federal offices the men, in the sections where there is no Republican Party, who are capable of electing themselves delegates to the national convention; these delegates repay them with their votes at the next convention to nominate a President. In this way the President and chairman practically appoint nearly one-third of the delegates in a national convention, and vote them as they choose.

If this does not give them enough delegates, they have in reserve the control of the national committee, which is committed to go as far as possible in seating their delegates, as against others contesting their places.

With these two instruments the weakest President can scarcely fail to win a majority of a national convention, nominate himself or his candidate, and choose his own national committee again. With the patronage of the country in his hands to dispense, he has all the time nearly a majority of a national convention in his employ.

McKinley was murdered, Hanna died, and the control of this Federal machine passed from them to Roosevelt, and from Roosevelt to Taft. Under increasing Republican majorities it grew stronger every year. And so at last the present year for choosing another President came.

HOW OUR PRESIDENTS HAVE BEEN CHOSEN.

The process was begun early in 1911—months before action was legal—by overeager professional delegates in the South electing themselves to the Republican national convention. Then came, in early December, the national committee's call for the convention, and the old machine started briskly to work to select the next President, starting in the usual place—the section of the country where there is no Republican Party.

Now, this machine of professional delegates is a very dominant and definite organization. At its head is the President, and the chairman of the national committee, whom he appoints. From the chairman the orders are sent to a curious, quasipublic official, the State "referee."

A "referee" is the dispenser of Federal offices in the Southern States, where there are no Republican Senators and Representatives to indicate who shall have them. He is usually a member of the national committee from the State. Under him are the officeholders whom he selects, who are the same men that control the Republican Party machinery, and elect themselves and their dependents delegates to the Republican national convention.

The Federal manager of the professional southern delegates this year was Charles D. Hillis, first the President's secretary, and now chairman of the national committee. It was clear from the beginning that the machine had difficult work before it. President Taft had not been very tactful in its management, but, far worse than that, there was a general fear in the machine that he would probably not be reelected. And then, in the last of February, ex-President Roosevelt, formerly in control of the organization, appeared as a party candidate against Taft. The organization was threatened with disruption. Its management began early and forced to the limit those singular travesties on representative government—the southern conventions to nominate delegates to the Republican national convention.

MANUFACTURING SOUTHERN DELEGATES.

In many cases it was simply necessary for the manager of the convention district to send out his invitation to a few picked friends and hold his convention—as in former quieter years. In many cases—on account of the unusual competition—it was necessary to issue badges or tickets admitting into the convention halls only the delegates desired. In other cases, where negroes were not desired, the conventions were called in places where negroes dared not go—the "white men's towns" of the South.

Generally speaking, the old Federal machine did its work successfully in the South. Three or four "referees" of States went with the Roosevelt cause, but the majority stayed within the old ranks. And where there were revolts, new temporary managers were put in charge of the Federal officeholders of the State, and the regular operations of the machine went on.

But in the meantime a more threatening movement was developing. The actual Republican Party in the North was attempting to force a form of representative government in the choice of a President—the new form of the presidential primary. In spite of the opposition of the Federal machine to these primaries many laws were passed allowing them; a dozen States expressed their preference for the presidential candidate by direct vote, and half a dozen more gave a partial expression. In all, States casting between a half and two-thirds of the Republican votes for President expressed their preference and voted more than 2 to 1 against the nomination of President Taft. It was now the time for the Republican national committee to begin its work.

The leaders of the committee came together to consider the situation. A canvass of the committee was made, and 33 of the 53 members were found to be ready to "go down the line" for the administration, in deciding the cases of contested delegates. Half a dozen more could be counted on in nearly every case.

THE OLD MACHINE'S LAST STAND.

The elections of delegates ended, and the national committee met to make out the "temporary roll" for the national convention. It was now clear that only through their efforts could the administration get the 540 votes needed for a majority. The first act of the committee was to pass two rulings. The first of these made it impossible for the minority of the committee opposed to the machine to debate on any contest; the second prevented them from putting on the record the votes of the individual members of the committee. The thirty-odd members of the machine moved as a body, anonymously and in silence, to elect the majority it needed.

There was never any doubt of the fact that the great majority of the Republican Party did not want the President renominated. The difficult question was whether the national committee could force out enough delegates from the contest to make a majority of the delegates. It finally was able to do this, and the official candidate was nominated by a margin of 21 votes out of 1,078. A national committee which could be counted on was again elected; and the convention adjourned with the old mechanism intact. But it was no longer a machine which would choose a President. That machine was destroyed, and with it went the whole scheme of party government in choosing a President.

The majority of the Republican Party had found it impossible to register its will; the national convention was not, and never had been, a representative body. So the Northern States simply withdrew. And immediately the whole structure fell to pieces, and with it the Republican Party, which had governed the country for half a century. The old self-governing machine had been entirely independent of law; when it split, it had no rights under law—not even to its party name.

The election of Presidents in the United States—under the provisions of the Constitution—is really a series of State elections, carried on by State parties. Now, at the beginning the parties of States were voluntary associations—exactly as the national organizations are now. But gradually the States regulated and recognized them by law. And so, when the national Republican Party flew to pieces, the fragments became at once State parties.

No one voted for a President of the United States; the vote is for electors—a set of State officers equal to the State's representation in Congress; and these men choose the President. They are, in fact, a part of the outworn machinery of our old United States Constitution—being State delegates, expected to exercise their own judgment in selecting the Nation's President. For a century the practice has been for each State party to nominate its own electors, these electors to be pledged to vote for the candidate of their national party.

For a century there has been no case of consequence where the elector refused to vote for the candidate of his party. But, with the dissolution of the national Republican Party in Chicago, the elector became again the representative of the party in his State; there was no national law touching the subject of his obligation; and no State law would recognize the unlegal national party against the legal party within its own borders. The electors for President will vote according to the sentiment of their State—in some cases according to their own judgment of the situation. The old machine stands aghast; it is absolutely helpless.

THREE PARTIES—AN IMPOSSIBLE CONDITION.

It has done more than this, however. It threatens to break down all our antique machinery for choosing Presidents. For to every appearance a strong new party is in the process of creation; and the mechanism for electing Presidents in the United States is not equipped to deal with more than two strong parties in choosing Presidents.

In the last of the eighteenth century, when our Constitution was made, public officers were generally elected by majority vote. Since then, in practically all political contests, a mere plurality vote has been sufficient for election. But for the election of the President of the United States a majority is still essential. To be elected requires a majority of the electors from the different States. This, with three parties of approximately equal strength, would quite often be impossible.

In case of no majority in the electoral college, the Members of the House of Representatives, casting 1 vote for each State—must choose a President, by a majority vote, from the three leading candidates. With three parties a majority would easily be impossible here.

In case of permanent failure to elect a President an attempt would be made to choose a Vice President who would act in his place. But that with three parties might be equally impossible, for the same majority vote is required first from the electors, and then, in case of failure, from the United States Senate. A deadlock like this would leave the country without a President.

It is not impossible that such a deadlock may come this fall. In the easily conceivable case of no one candidate getting a majority of the electoral votes, it would very likely come. The House of Representatives, as it now stands, has 22 State delegations which would vote Democratic, 22 which would be Republican, and 4 in which the Members are tied. A similar situation exists in the Senate, where there is a nominal Republican majority but where the split between the Republicans has already for two years made it impossible to get a majority to elect a temporary President.

Such a deadlock may not come this fall; but, with three national parties, it may come any time. And when it comes—probably not before—there will be an overhauling of our antiquated methods of choosing Presidents by an amendment of our Constitution.

Meanwhile the new movement for popular government pushes on, tearing the old unrepresentative forms to pieces as it goes. The result for the moment is political chaos. It will be worse and worse confounded until rational and thoroughly representative machinery of government is provided.

[From La Follette's, Apr. 8, 1911.]

THE PEOPLE AND THE PRESIDENCY.

You should know the National Progressive Republican League. You should know its great purpose. This organization marks the first national, virile, and promising movement for representative democracy in this country since the Declaration of Independence.

"The object of the league," declares its declaration of principles, "is the promotion of popular government and progressive legislation."

ORGANIZERS OF THE PROGRESSIVE LEAGUE.

The subscribers to its declarations of principles and organizers of the league are men known to the country as exponents of real democracy. Its officers are: President, Senator Bourne, of Oregon; first vice president, Congressman NORRIS, of Nebraska; second vice president, Gov. Osborn, of Michigan; treasurer, Charles R. Crane, of Illinois; secretary, Frederic C. Howe, of New York. On its executive committee are Senators Clapp, of Minnesota, and Bristow, of Kansas; and Congressmen Hubbard, of Iowa; LENROOT, of Wisconsin; and Kent, of California; and the "founder of conservation," Gifford Pinchot, of Pennsylvania, and the leader of Progressive Republicanism in New Jersey, George L. Record, of New Jersey.

Other Progressive Republican United States Senators among the founders of the league are Dixon, of Montana; Beveridge, of Indiana; GRONNA, of North Dakota; CUMMINS, of Iowa; and LA FOLLETTE, of Wisconsin. The charter membership of the league includes also a score of Progressive Republican Congressmen, as well as several Progressive governors of States and a number of leading citizens in private life from Maine to California, leaders in the nation-wide struggle to reestablish in place of Aldrichism and Cannonism the true Republicanism of Abraham Lincoln.

THE FUNDAMENTAL IDEA.

Not merely because it is an organization, a banding together of recognized leaders in public affairs, leaders who enjoy the confidence of the people, but more because for what the league stands for is its organization so important, so portentous. Its program is one idea—the only dynamic, militant, growing idea in American politics to-day: The people shall control their Government; "the will of the people shall be the supreme law of the land."

For "the promotion of popular government" this organization advances five concrete proposals, each applying the fundamental idea in effective practical terms to the correction of important defects and commissions in the system of government.

THE PROGRAM.

First. United States Senators shall be elected by direct vote of the people. Thus the Senate, the great citadel of privilege, shall be made responsible to the people and responsive to their demands.

Second. All elective officials shall be nominated by the people in direct primaries. Thus shall the power of the system and its "bosses" to control, through the caucus and convention system, the nomination of party candidates for office be destroyed.

Third. The people shall elect their delegates to national conventions and have the opportunity to express at the polls their choice for party candidates for President and Vice President. Thus shall the people have the power now exercised by system-controlled conventions to name the men from whom the people must choose their Chief Magistrate. And of this we have more to say in this roll call.

Fourth. State constitutions shall be amended to provide for the initiative, referendum, and the recall. Thus shall the people be empowered directly to exercise their will in making the laws under which they are to be governed and to remove from office unfaithful public servants.

Fifth. A thoroughgoing corrupt-practices act shall put an end to the power of dollars and corrupting influences as controlling forces in government.

Here, then, is a program based upon a single principle, upon that fundamental tenet of the Declaration of Independence, that governments "derive their just powers from the consent of the governed." Government must always in the main be exercised and administered through agents acting for and under the authority of the people. History demonstrates that these agents of government faithfully represent the people only when their authority and opposition are derived from the people and subject to the control of the people. The program of the National Progressive Republican League proposes to apply this principle to every elective office, from the President of the United States down.

It sometimes happens, as it happened in 1904, that a national convention, although dominated as to its organization and control by a system machine, accedes for political expediency the nomination of a popular candidate, but such a result under the present system of nominating presidential candidates is the fruit of political chance rather than a concession to the public wish. In a national convention the voice of the people is rarely heard above the din of the "steam roller."

IMPORTANCE OF THE PRESIDENCY.

The office of President of the United States is a position of vital strategic importance in the control of the Government of ninety millions. Students of political institutions tell us that the Chief Magistrate of the United States possesses more arbitrary power than the head of any other civilized government in the world. History shows that the President's power of veto on legislation is almost an absolute power. History, and particularly current history, demonstrates the President's absolute power of veto by nonadministration of the laws. If the people succeed in forcing Congress to enact just laws in the public interest, the laws themselves may be defeated by the President and the Cabinet officers appointed by him by simply neglecting their enforcement. The President takes no oath to execute the laws of Congress. The only recourse left to the people under the Constitution is impeachment, and again history shows that it is a practical impossibility to impeach a high executive officer of the Government.

Nor is the power of the President measured by his legislative and administrative veto. By the use of his power to control patronage he may and has exercised sinister influence in legislation. Witness the following from the now famous "Beverly letter" written by Secretary Norton:

"While Republican legislation pending in Congress was opposed by certain Republicans, the President deemed it to be his duty to the party and to the country to withhold Federal patronage from certain Senators and Congressmen who seemed to be in opposition to the administration's efforts to carry out his promises of the party platform."

Of course, in determining his "duty" in the premises the President was guided by his individual judgment and the counsel of his system advisers.

Wholly aside from the bribery of patronage, Presidents may, and at times have, by the exercise of the powerful influence of their office, spoken the deciding vote in the enactment of legislation.

PRESIDENT NOT AMENABLE TO THE PEOPLE.

It was urged in behalf of the adoption of the Federal Constitution that the desire of the President for reelection at the end of his four years' term would make him amenable to the public demands. This safeguard has been destroyed through the extra constitutional agency of the political nominating convention. The modern development of political partisanship, dividing the people upon obsolete issues and along sectional lines, places in the power of the incumbent of the presidency through the control of patronage and the "Federal machine" the dictation of his own renomination by a political convention held during his term as President regardless of popular approval or disapproval of his conduct in office. Frequently at the end of his second term, when, according to unwritten law, he can not again succeed himself, this same power enables him to dictate the nomination of his successor.

It is the common experience that people do not correct evils in their established institutions out of a deference merely to principles. Recognized wrongs are generally submitted to until the people are driven by some act of oppression to take measures for their correction.

A WRONG AND WHAT CAME OF IT.

In 1904 the lawfully constituted Republican convention, representing the majority of the Republican voters in Wisconsin, chose delegates to the Republican national convention. A minority of the State convention, representing system interests in politics, unable to control the convention of the party, organized a bolters' "convention," which nominated a candidate for governor and named delegates to the Republican national convention to contest at Chicago the seating of the delegates at large accredited from the duly constituted convention.

The delegation from the bolters' "convention" was headed by conspicuous servitors of the system. The system-controlled committees of the national convention, after a sham hearing of the contest, as a matter of course, seated in that convention the delegates at large of the system bolters' "convention" from Wisconsin, declaring that this was the real Republican State convention.

Afterwards the State Supreme Court, in an action involving the election ballot, held that the "convention" which sent to Chicago the delegates who were seated by the system-controlled committee of the national convention was not the Republican State convention of Wisconsin. Afterwards the Republican electors at the polls gave to the candidate for governor of that alleged "convention" 12,136 votes, as against 227,253 votes given to the candidate nominated by the convention whose delegates were thrown out at Chicago.

The Legislature of Wisconsin elected at the same time, in response to the outraged public sentiment of the State, enacted chapter 369 of the Laws of Wisconsin for 1905, by which the people of Wisconsin by law took into their own hands at their general primaries the business of choosing delegates to national conventions, the first law of its kind in the United States. Under this statute the voters of Wisconsin themselves chose their delegates to national conventions in 1908. The delegates thus chosen by the voters at their party primaries represented the Republicans of Wisconsin in the Republican national convention of 1908, and they presented to that convention the now justly famed minority platform of progressive planks in the public interest.

THE OREGON LAW.

When, in 1908, the machine-controlled State convention instructed delegates to the national convention in behalf of the candidate whose candidacy did not have the approval of the people, the people of the State by initiative legislation enacted a law providing, like the Wisconsin law, for popular election of delegates to national conventions, and in addition providing for a popular election by the voters at the polls of their choice for candidates for President and Vice President. Upon the returns every elected delegate is required to subscribe an oath of office that he will "to the best of his judgment and ability faithfully carry out the wishes of his political party as expressed by its voters at the time of his election." With such a law in operation in every State the national political convention will become, as to the nomination of party candidates, like the constitutional Electoral College, merely an instrument for registering the people's choice.

SENATOR BOURNE'S SPEECH.

In his speech in the Senate on the 27th of last February, Senator Bourne, of Oregon, in discussing the Oregon presidential preference law, analyzed conditions which, in addition to the general criticisms that apply generally to the caucus and convention system, operate to make national conventions hopelessly misrepresentative. From his speech we print the following:

"Mr. President, the most important measure enacted or adopted by the people of Oregon at the recent election, and, in fact, next to the initiative and referendum, the most important law enacted by any State in recent years, is the law permitting voters in party primaries to elect their delegates to national conventions and to instruct them through popular expression of choice for President and Vice President. This law, when enacted in all States, will absolutely destroy the power of Federal machine to renominate a President or determine his successor. The 'steam roller' will be relegated to the political scrap heap and its operators to the shadow of things forgotten, while fourth-class postmasters will, as they should, cease to be a political asset for anybody or any party.

"In the light of past experience it seems to me this plan should appeal to all patriotic citizens as well as to conscientious partisans. It is a well-recognized fact that nominations by national conventions are the exclusive work of politicians, which the electorate of the whole United States is permitted only to witness in gaping expectancy and to ratify at the polls in the succeeding November. As unrepresentative as this feature of the national convention is, its flagrancy pales into insignificance in the presence of that other abuse against partisan conscience and outrage upon the representative system, which is wrought by the Republican politician in hopelessly Democratic States and by the Democratic politician in hopelessly Republican States in dominating the national conventions with the presence of these unrepresentative delegations that represent neither party, people, nor principle."

When Senator Bourne referred to the Oregon presidential preference law there was recognition from an unexpected source of the truth of his charge of the misrepresentative character of national conventions. Senator Hale desired Senator Bourne to "explain the provisions of this scheme of his that will prevent, in the national convention, representatives of the administration, whichever it may be, Democratic or Republican, who represent no electoral votes but are counted whether in one convention of the Republicans or in the other convention of the Democrats—delegates who represent nobody, and yet who may control the choice." In answer Senator Bourne had printed in the RECORD with his speech the Oregon law in full.

THE "FEDERAL MACHINE."

"The President of the United States," said Senator Bourne, "through his power of nominating Federal appointees, is the head of the greatest political machine the world has ever seen. Whether the President is a shrewd politician directing the machine himself or entirely ignorant of politics and delegating the power to another, the system is most pernicious.

"Statistics compiled by the Civil Service Commission, but acknowledged to be incomplete, show that on June 30, 1910, the number of employees in the executive civil service was 384,088. This does not include officers or enlisted men of the Army or Navy nor clerks in fourth-class post offices, the latter numbering about 64,000.

"The utilization of this force along selfish lines would be most dangerous, pernicious, and demoralizing. An Executive desiring to misuse this power would, in effect, start with a campaign contribution of $345,000,000 per annum and an organization of 384,000 individuals, all directed toward selfish interest, namely, perpetuation of the power of the Executive and of the individuals owing their position and advancement of this power.

THE NATIONAL COMMITTEE.

"The Republican national committee consists of 53 members, one from each State, Territory, District, and island possession. The Territory of Alaska, with no electoral vote and but two delegates in the convention, has the same representation and power in the national committee as the great State of New York, with 39 electoral votes and 78 delegates. The committee elects its own chairman and perfects its organization. It decides on place and time of convention. It recommends how many delegates shall be admitted from each State and Territory, how the delegates and alternates shall be chosen in the various States, how the delegates from Territories shall be selected, and recommends who shall serve as temporary chairman of the national convention. The chairman of the national committee calls the convention to order and generally directs the campaign.

"In the Republican national convention committees on credentials, permanent organization, and resolutions are composed of one delegate from each State and Territory. Each State selects its own representative on these committees and offers them to the convention. The committee on permanent organization recommends the permanent chairman and confirms the other officers who are recommended by the national committee. Control of the national committee by the administration gives tremendous power, which is made absolute if combined with control of the committee on credentials. If the operators of the machine find that, even with the advantage of control of delegations from the Democratic States and Territories, they will not have enough votes in the convention to control its action, contesting delegations will appear from a number of States, by seating some of which the necessary additional strength may be secured.

CONVENTION MAJORITIES.

"National conventions are not representative of the wishes of the members of the party who are depended upon to cast the votes to elect the ticket. In the 1908 Republican national convention 980 delegates were admitted under the terms of the national committee's call; 491, or a majority, were necessary for a nomination. The Southern States and Territories, giving no electoral votes, with the exception of Maryland, which gave Taft and Sherman 2 out of 8, had 338 votes, leaving 153 to be secured to give a majority. Thus, it will be seen that under such circumstances any candidate controlling the delegations from Southern Democratic States and Territories would have to secure only 153 votes, while any other candidate would have to secure 491 votes from those States which give electoral votes as well as delegates.

Under the referee system in the South and the patronage system in the Territories and insular possessions, a President, through his nominating power and the Federal machine, can, if he desires, practically control the votes of these delegations in a convention. Then, with his power in other States, and the tremendous influence of the Federal machine, it requires but little other influence to give him the 153 additional votes necessary for his renomination or the nomination of the man he selects. The Southern States and Territories, giving no electoral votes to the Republican Party, are under the domination of the machine through the referee system, and have greater influence in naming the Republican nominees for President and Vice President than have the combined States of New York, Pennsylvania, Illinois, Ohio, Massachusetts, Indiana, and Iowa, which collectively have 334 delegates.

TRUST THE PEOPLE.

"Proud of American institutions and of every page of history that records their progress, I have been loth to point to evils that exist. Preferring peace to controversy, I have long delayed public utterance of views frequently expressed to Members of this body. But putting aside personal inclinations and placing public welfare above all else, I have endeavored to present what appear to be facts regarding gross abuse of the presidential appointing power.

"I have confidence in the intelligence and honesty and resourcefulness of the American people. They have capacity to judge whether trading of Federal patronage for votes in Congress or in convention is either constitutional or wise. They have the honesty and the courage to make their opinions known, and they have the resourcefulness to find means to express their views. We will leave the subject to the judgment and conscience of the American people, knowing that in their own time and in their own way they will voice their desire and enforce their will."

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[From Collier's, Vol. XLVIII, No. 7.]

NAMING THE NEXT PRESIDENT.

[By Mark Sullivan.]

The two candidates for President next year (1912) will be chosen by the two great national conventions next June or July. The delegates to these two conventions, in most of the States, will not be chosen by the people; in some, they will be chosen by the local bosses; in others, by Federal officeholders, grateful for past favors and hopeful of future ones. These delegates will go to the conventions and will vote as their particular State bosses tell them, and, when the convention adjourns, the party nominee will be, not the choice of the individual members of the party but the net result of the private negotiations of the various bosses, with just so much prudent deference to popular sentiment as seems necessary. (Back of the bosses, of course, will be the big corporations.) That is the old way of nominating candidates for the Presidency.

THE NEW WAY.

In a few States where the direct primary idea has penetrated deeply a new system will go into effect the coming year. In New Jersey, Nebraska, North Dakota, Wisconsin, and Oregon the individual member of the Republican Party will go to the polls and say whether he wants Taft or La Follette or some one else to be the Republican nominee for the Presidency. And when the national convention meets every delegate from those States must vote as the majority of the Republican voters in his State have told him to vote. Similarly every Democrat in the States named will have the chance to go to the polls and say whether he wants Harmon or Wilson or Clark or Underwood or Folk or Bryan to be the Democratic nominee.

LOGIC.

There is no escaping the logic of the presidential primary. If it is right for the individual to vote at the election, why is it not right for him to vote at the primary also? If the individual is capable of choosing between Taft and Harmon—assuming that they are the candidates at the election—why is he not also capable of choosing between Taft and La Follette, between Wilson and Harmon?

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[From La Follette's, Dec. 20, 1913.]

THE PRESIDENTIAL PRIMARY.

Mr. Wilson's recommendation for the nomination of presidential candidates by direct vote strikes at the root of a great wrong. If government is to be brought back to the people it is quite as important to make the executive department serve public interest as it is to make the legislative department serve public interest.

After a struggle of 80 years we have finally achieved the election of United States Senators by direct vote. The States will soon have provided for the nomination of all Senators and Representatives in Congress by the direct method. In the end this will make the will of the people the law of the land. But the best legislation which the wit of man can devise will fail to give us representative government unless the laws are executed in the same spirit in which they are enacted.

The Sherman antitrust law placed in the hands of the Executive the strongest, most perfect weapon which human ingenuity could forge for the protection of the public against the power and sordid greed of monopoly. That weapon was permitted to rust in its scabbard almost unused while criminal conspiracies against the free markets of our country thrived on every hand, made bold by Executive indifference or openly encouraged by Executive sanction.

The gravest problems confronting the American people to-day are in no small part the direct result of Executive failure to enforce the law prohibiting combinations in the form of trusts and conspiracies to suppress and destroy competition.

Upon President Wilson falls the burden of all that his immediate predecessors in office left behind them as the result of an effort to establish national prosperity through the benign influence of the Morgans, the Harrimans, and big business generally.

The power of these men and the great combinations back of them would not have been so effective with Presidents and Cabinets in the past if there had been no national conventions subject to their control.

Through their henchmen they have managed the election of national delegates, selected national committeemen, manipulated the organization of national conventions, made or modified platforms to their liking, and been close at hand when combinations were effected which settled the choice of presidential candidates.

No man who witnessed the proceedings of the Republican convention at Chicago, where fraud and deceit were almost evenly matched and the precious rights of 7,000,000 Republicans were trampled under foot in the mad strife between two candidates who cared only to win a personal victory—no man who witnessed that contest could ever wish to see another presidential nominating convention in the United States.

At best a nominating convention is never a deliberative body. Its work is hurriedly performed. There is no time for a calm, judicial determination of even the most vital matters. High pressure and extreme tension mark all its proceedings. Personal and factional feeling run high. Delegates are cajoled and badgered, and manufactured enthusiasm is ever ready at the most critical juncture to stampede the convention and win in a fury of excitement.

The storm center of contending prejudice and passion, a national convention, is the last place where rational human beings would be willing to try out and decide any important question affecting personal or property rights. With the very life of our free institutions at stake, it is the last place where great political parties should nominate their candidates for the high office of President of the United States.

Even if men chosen as delegates were never guilty of willful and corrupt betrayal of trust, if bargains and deals and bribery could be eliminated, nevertheless the presidential nominating convention should be abolished, because it removes the nomination too far from the voter, the trustee too far from him for whom he bears a trust, the agent too far from the principal.

If a public official, high or low, owes his nomination to a political machine or to corporate influence he is certain in some degree to yield to that influence and in like measure to ignore the great body of his party and the public. If he owes his nomination to the direct vote of the people he will do the people's service.

That a national convention should be held for the purpose of formally declaring the result of the direct primary and framing the platforms of the parties, there will be no contention. But the convention, charged

with the grave duty of formulating the pledges of the party, should be composed of a body of men accountable for their action directly to those whom they represent. The members of a delegate convention feel no definite, binding, personal responsibility except to a few conspicuous leaders. The action of the delegate is merged into the action of the mass. The service of the delegates terminates with the adjournment of the convention. There is no continuing of official obligation. Platforms framed by one set of men to be executed by another set of men open wide the door for honest differences of opinion as to the meaning of its terms and for the dishonest and shifty evasion of its pledges.

President Wilson is on strong and unassailable ground when he recommends that platforms be framed by those responsible to the people for carrying them into effect. As he suggests, those responsible to the public for the faithful execution of the platform promises of each party are the party nominees for Congress, the nominees for vacant seats in the Senate of the United States, the Senators whose terms have not yet closed, the national committees, and the candidates for the presidency themselves.

The participation of the national committee in formulating the platform is a matter of detail upon which there may be difference of opinion. But it is an elementary principle that the trustee should be a party to the contract which creates the trust. The officials or the candidates who, if elected, will be charged with the duty of redeeming the pledges of the platform, are logically the men who should make the party platform.

This declaration of principles, this promise to perform, this specific pledge to enact certain legislation is submitted to the voter and when accepted by him becomes a solemn and binding covenant between the officials who framed the platform and the voter who has staked his faith upon the integrity of its performance by the candidate for whom he casts his ballot.

President Wilson's recommendation will be enacted into law, if not by his own party, then by those who shall come after. It will make Presidents more responsive to the will of the people. It will make platform pledges sacred and binding.

ROBERT M. LA FOLLETTE.

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[From La Follette's, Jan. 21, 1911.]

KANSAS TO THE FRONT.

Gov. W. R. Stubbs, of Kansas, is a Progressive Republican executive of a progressive Republican State. His recent message to the legislature expresses plainly the will of the people. He recommends the enactment of laws providing for the initiative and referendum, the recall, workmen's compensation for industrial accidents, election of United States Senators by direct vote, Federal income tax, and judicial reform. He urges also that the people be given the opportunity to name their choice for President and Vice President. To quote:

"I recommend that you amend the primary-election law so that delegates to the national convention may be elected at the primary election, and that the names of the candidates for President and Vice President shall be placed on the ballot that the people of Kansas may instruct their delegates on nominations for President and Vice President."

Kansas is taking her place beside Wisconsin and Oregon. What State will be next in line? Let the people of Kansas stand solidly back of Stubbs and the legislature! And let the people of every other State get together and demand that their legislatures give them the means whereby they may break the hold of the system and name their own President! Now is the time to act.

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[From the Commoner, Dec. 15, 1911.]

THE PRESIDENTIAL PRIMARY

The simple meaning of this heavy phrase is that the presidential nominees next year shall be named by the people at the polls, not by bosses in back rooms. (Mark Sullivan, in Collier's Weekly.)

The presidential primary means just this: It gives you the right to go to the polls and say who the nominee of your party for President should be. It means that if you are a Republican you can go to the polls and say whether you want Taft, La Follette, Hughes, or someone else to be the Republican candidate for President; if you are a Democrat, you shall have the privilege of choosing among Harmon, Clark, Underwood, Wilson, Folk, or any other favorite you may have.

Any candidate will prejudice himself with a heavy handicap who delays too long in accepting the presidential primary, which is the same thing as saying that he does not want the nomination unless a majority of the voters want him to have it.

THE LA FOLLETTE POSITION.

From the resolutions adopted by the insurgent conference at Chicago, October 16:

"We favor the choice of Republican voters as to candidates for President by a direct primary vote, held in check, pursuant to the statute, and where no such statute exists we urge that the Republican State committee provide that the people be given the right to express their choice for President."

WILL SOME STANDPATTER ANSWER THIS?

If the voter is capable of choosing between Harmon and Taft (assuming them to be the two candidates), why is he not also capable of choosing between Harmon and Wilson? Between Taft and La Follette?

AN ENTERPRISING COUNTY CHAIRMAN.

The northwestern corner of the United States, with British Columbia on the north and Vancouver Island across the Gulf of Georgia to the west, is called Whatcom County. It has a Republican central committee, and its chairman is W. P. Brown. Mr. Brown's position is this: If the State of Washington gives him a presidential primary, well and good; if not, he is going to have one anyhow for his county. He and his committee have evolved a plan. He says it might not work in very large cities, but that it is perfectly practicable for Whatcom, with 17,000 voters. Doubtless Mr. Brown would be glad to explain his plan to any other country chairman who finds himself in the same position; that is to say, willing to hold the presidential primary, but handicapped by the lack of a State statute. Mr. Brown's address is Bellingham, Wash., and such inquiring persons as write him ought to inclose stamps.—Mark Sullivan in Collier's Weekly.

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PRESIDENTIAL PRIMARIES WILL GIVE PARTY PLATFORMS DIGNITY AND BUILDING FORCE.

[By Herbert Quick.]

President Wilson has demanded of Congress a presidential primary law. If we had had such a law last campaign, Wilson would have helped formulate his own platform.

To have platforms adopted by delegate conventions is to make them despicable and despised, as they have always been; to have them adopted by a convention of candidates after nomination is to give them dignity, solemnity, and building force.

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[From the Minneapolis Journal.]

THE PRINCIPLE IS RIGHT.

As chairman of the house elections committee last winter, Gunnar B. Bjornson helped to tinker the 1913 presidential preference primary law, and he refuses to admit that the law is entirely rotten. The kicks against it all come from the practical politicians, he says in a Minnesota Mascot editorial. In part, the editorial says:

"It is very probable that our presidential primary is not right. It is very probable that it needs some 'repairs.' But the principle of it is right. It is right to try to get at the will of the people. It is right to try to devise machinery that will register the people's choice in the matter of nominations as well as elections. Just now it is popular to 'jump onto' the presidential primary. At least the enemies of all primaries are trying to make it so. They are trying to tell the people that the presidential primary is a farce, that it can not be worked out, that it will serve no good purpose. But all this abuse does not do much good. The law is here. It is up to the voters of this State to make the most of it, to make it yield the best possible results. The people have it in their power to kill the presidential preferential if they want to. If they ignore it or display the lack of intelligence that is expected in the use of it, why, then, the enemies of it can more easily get it killed in the next legislature."

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[From the Minneapolis Daily News, Mar. 9, 1916.]

DON'T BE STAMPEDED.

Criticism of the Minnesota presidential primary law has been persistent.

Also this criticism has been bitter in proportion as the mediums of expression have been friendly or subservient to the old reactionary, bossistic, bound-to-rule interests.

It was not to be expected that a perfect primary law could come rolling out of the box at the first shot. But one thing is to be hoped for from such a first attempt, and that is the establishing of the vital principles involved.

There are two principles involved in the Minnesota law as it stands: The election of national convention delegates by popular vote and the designation of the presidential condidate whom the State prefers.

Neither of these things is as foolish or as futile as the critics of the law have tried to make out. The voters of the State most assuredly have the right to say who they want to represent them and what they want them to do. Some indication of what the bosses would like to do is to be seen in the emphasis with which they denounce the law designed to prevent them from doing it. Of course the law is offensive to them.

So far as the principles involved in the law are concerned they are correct, but there may be some ground for criticism in the manner of their application. For example, Minnesota is asked to express a preference on presidential nominees long before the field of candidates has definitely developed. This is bound to endanger the ultimate satisfaction to be derived from an expression of preference at this time.

Another criticism might lie against present ambiguity regarding the obligation resting upon delegates to support the State's preference in the national convention. How many ballots are necessary to "faithfully carry out the wishes and preferences of the voters" as the law provides?

Neither one of these things vitally affects the real principles underlying the law; they are mere matters of detail. If Minnesota voters honestly desire to unseat bossism and run their own politics they will jealously guard the principles involved in this law and tackle the job of adjusting the details so that they may serve rather than hamper the operation of the plan. Even as the law stands to-day it is a serious question if it doesn't afford a cleaner, fairer, squarer means of selecting delegates than was possible under the old method of hand-picked, boss-managed, and boss-delivered delegations.

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[From the Minneapolis Daily News, Mar. 16, 1916.]

WHY CALL IT A FARCE?

There was never a political convention held in Minneapolis that was attended by upward of 3,000 delegates. In 1912 there were 1,078 voting delegates in the Republican national convention. There was no criticism that this number was not sufficiently large thoroughly to represent all the Republicans in the entire country.

On Tuesday Minnesota held its first presidential primary. There was apparently very little interest. The vote was extraordinarily light, so small in fact that the critics of the plan went about on Wednesday mentioning the fact as final proof of the shopworn charge that "the presidential primary is a farce."

The primary is a substitute for a party convention. In Minneapolis there were 3,169 votes cast on the Republican side alone.

If 1,078 delegates are enough to represent all the Republicans in the United States, it certainly would seem safe to assume that 3,169 could fairly represent all the Republicans in Minneapolis. Representativeness is the big thing to be desired in any nominating body. Small as the Tuesday vote was, it was infinitely more representative than any convention vote could have been, and the beauty of it lays in the fact that it was untrammeled.

Next time anybody tries to tell you that Minnesota's presidential primary law is a "failure and a farce," call for specifications and see if they weigh much as against the above setting out of facts.

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[From the Chicago American, Feb. 25, 1916.]

A CONCERTED ATTACK ON THE DIRECT PRIMARY LAW—BOSSES SEEM SINCERE IN SCHEME TO OVERTHROW PEOPLE—TIME FOR DEFENSE NOW.

To those who closely read the record of daily events and who by putting this and that together manage to get a glimpse of large political patterns, it is quite apparent that there is now afoot a concerted movement to bring about a repeal of the Illinois direct primary law.

Will it succeed?

One of the good effects of the present law is that it has helped to so differentiate the political influence of the party machines that those who wish to carry out any reactionary scheme in government must go into print or mount the platform and try to convince the public.

This is a much harder and slower job than the old way. Formerly all that was necessary to be done in order to control nominations and

later control elections and legislation was to get some sort of agreement between a few superbosses and have them send the necessary decree down the line!

To-day candidates and public officials, with a lively appreciation of the direct primary campaign and the inevitable sifting of candidates' records that goes with it, are not nearly so manageable as they used to be. They are aware of the people!

For this reason the enemies of the direct primary must now send out their paid penmen and spellbinders and try to convert the voters of Illinois to the notion that it would be a good thing for them if they will consent to abandon this important part of their political privileges.

The arguments of the penmen and spellbinders will hardly be convincing.

They claim that the direct primary is costly.

This is true—but so is every other institution of popular government; and, after all, the cost of primary elections is not nearly so great as the old spoils system, which was incubated and nourished to an evil maturity under the régime of the bosses and their hand-picked conventions. There is no way of computing the enormous loot wrested from the people of Illinois through the old boss system.

They will argue that the majority of voters don't care for the primary elections and won't attend them.

In answer to this we may cite the enormous primary vote cast at the mayoralty primary in Chicago a year ago and call attention to the increasing interest in primary elections wherever the law exists. And it may be added, however small a primary vote may be, there are always enough electors at the polls to make the boss's job sweaty and doubtful—hence their anxiety to get the law out of the way.

They say, too, that the people don't make good nominations; are not capable of choosing the best candidates, as conventions would.

No specifications are given, and the assertion must go for what it is worth, which is but little. The charge belongs in the same class with those which were made by the reactionaries when our Federal Constitution was being formed. The Philistines then claimed that the people were not fit to vote at elections. Now they say the people are not capable of making nominations.

No doubt there are several particulars in which the primary law should be amended, not decapitated.

The order of filing petitions to place the names of candidates on the primary ballot should be so changed that there will be no invitation to fraud and disgraceful scrambling.

The percentage of voters' names on petitions should be considerably increased in many cases so that it will not be so easy for irresponsible people to get on the primary ballot for the purpose of getting off again—for a consideration.

The two-year limitation in changing party affiliations might very reasonably be reduced to one year or to the last preceding election. This would encourage political independence, which is the rational thing.

So amended the law is, and increasingly will be, an instrument of political purification and civic progress and will exactly fit in with other electoral reforms now being produced all over the country, a movement to restore to the people every essential function of their government.

But the people of Illinois must be alive to the direct primary issue. They must not indulge in passivity until it is too late.

The bosses are evidently serious in their schemes to overthrow the people's primaries. Let the people be equally serious in defending.

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[From the Nonpartisan Leader, Mar. 3, 1919.]

MINNESOTA TO REPEAL PRIMARY—FEAR PEOPLE MAY TAKE OLD PARTIES AWAY FROM GANG IN 1920.

The Minnesota Legislature, controlled by the Burnquist State administration and composed of a majority in both houses hostile to the Nonpartisan League and organized labor, is preparing to destroy the democratic election procedure of the State in an attempt to head off the expected victory of the farmer-labor forces in 1920. The Republican politicians had a narrow escape in the recent Minnesota primaries, when the Republican candidate for governor, indorsed by the farmer-labor forces, nearly defeated Gov. Burnquist. It has, therefore, been determined to change the primary law before the next election in order to prevent a farmer-labor indorsed Republican from getting the nomination in 1920.

A bill has already passed the house by a vote of 78 to 51 which abolishes the direct primary law of the State, so far as party nominations for governor and State officers are concerned. The bill is scheduled to pass the senate.

For many years Minnesota has had direct primaries. The rank and file of party memberships in the State have chosen the party candidates by direct vote. This procedure is swept away by the proposed new law, which provides for a return to the old party convention system, the scandal of American politics for several decades.

This move, it is hoped, will enable party bosses to control the nominations for State offices, thus preventing the rank and file of party organizations from nominating men indorsed by the farmer-labor or other progressive combines. It is expected by the legislative bosses that this will force the farmer-labor forces to come out as a third party, thus preventing them from using their strength as a balance of power in the old parties.

OBJECT LESSON TO PEOPLE.

This attack on the direct primary for the purpose of intrenching gang rule in Minnesota will on the whole have a good effect. It has fully demonstrated the rule-or-ruin tactics of the present State gang. Very naturally, after many years fighting to obtain direct primaries, the people of Minnesota do not relish having this democratic election system taken away from them simply to give the reigning politicians a supposed advantage over the progressive forces of the State.

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UNITED STATES SENATE,
March 28, 1916.

Hon. ERNEST LUNDEEN,
Minneapolis, Minn.

MY DEAR MR. LUNDEEN: I have yours of the 17th instant and appreciate it very much. All the slurs and attacks that are now going the rounds of the press respecting the principle of the primary as opposed to the caucus and convention will have no effect. The primary is here to stay, and although it has its weakness it is so much better than the caucus and convention that intelligent people will never return to the old plan.

I know what sort of fight you had in Minnesota, and I shall never cease to be grateful to you and those like you who stood by me.

Yours, cordially,

ALBERT B. CUMMINS.

EXTENSION OF REMARKS
OF
HON. JEROME F. DONOVAN,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. DONOVAN. Mr. Speaker, under permission granted me to extend my remarks in the RECORD I wish to present for your consideration a bill (H. R. 16190) to punish the use of mails to promote fraudulent enterprises in the guise of war charities or patriotic organizations.

This bill is a bill that is being projected and hoped of passage owing to the conditions which prevailed by reason of the experience that the district attorney's office, under District Attorney Swann, of New York County, has had relative to war charities.

A great many of the welfare people of that city, as through the country, gave their services and means toward charitable objects for the benefit of the American forces here and overseas, and vast sums of money were collected for that purpose. There were many organizations incorporated; drives were made for the collection of funds; and the success of the drives was marvelous, the collections amounting to millions of dollars.

It soon developed that many people were engaged in this enterprise for personal gain and profit through misrepresentation and fraud. District Attorney Swann was the recipient of many complaints from donors that in their opinion funds were being collected through fraud and were not being appropriated for the purposes represented. This occasioned him to make an investigation, and he assigned Assistant District Attorney Edwin P. Kilroe to take charge of the matter. For a year Mr. Kilroe devoted his entire time to the matter, with the result that 26 indictments were had and 6 or 8 of these people are now serving time in the State prison and the balance indicted are awaiting trial.

Mr. Kilroe has compiled an extensive report covering the entire subject which explains in detail how lucrative this graft has been and to what extent the charity and generosity of the people has been preyed upon. For your further consideration I will now present part of the report referred to:

REPORT ON THE INVESTIGATION OF WAR CHARITIES.

[By Edwin P. Kilroe, assistant district attorney, New York, N. Y., Jan. 1, 1919.]

NEW YORK, N. Y., *January 1, 1919.*

Hon. EDWARD SWANN,
District Attorney, New York County, New York, N. Y.

DEAR SIR: On November 16, 1917, you directed me to make a comprehensive investigation of the methods and measures employed in raising and disbursing funds for war charities or war-relief work in New York City. The investigation, which has continued for a period of approximately 14 months, is completed, and I desire to submit to you the following brief exposition of the salient features revealed:

Five hundred and thirty-four committees, societies, organizations, "funds," or "charities" were investigated and their accounts, vouchers, and books carefully audited and inspected; 1,583 witnesses were examined and 947 statements were taken, covering 3,454 typewritten pages, legal cap size; 2,472 letters were received and answered; 4,463 queries were received by telephone, by correspondence, or in person, and replies given thereto. A comparative study of the financial methods employed in war-relief work in other cities and States was also made, and, in order that the scope of the investigation might be as broad as possible, attention was given to the methods in vogue in foreign countries.

Since the outbreak of the world war, in the midsummer of 1914, it has been estimated that no less than 20,000 agencies, of one class or another, have been engaged in war-relief work in the United States, and that of this number at least 7,500 operated during some period of their activity in the city of New York. It is said that there are now at work in this city over 1,500 different war charities. The amount raised in the United States by these charities, either in money or in goods, has been conservatively estimated at from $3,000,000,000 to $4,000,000,000, and it may be said with confidence that upward of three-fifths, or 60 per cent, of this amount was raised in New York City.

At the very inception of the investigation it was revealed that no degree of uniformity in purpose, conception, or execution was to be found, and that the field of war-relief work in the United States presented a vast jungle of forms and fancies as various as the human imagination might suggest. As the investigation progressed certain stratifications of motive, method, and execution began to be outlined. The immense returns obtained through these ill organized and wholly unofficial channels suggested at once the opportunity for fraud, profiteering, mismanagement, and inefficiency; and, at the same time, brought to light the tremendous generosity with which the public at large had given and were blindly giving to the worthy causes promoted at once by the sincere worker and the deliberate fraud. Of especial interest was the revelation of the character and prominence of the patrons of the various individual activities, and the gullible or careless ease with which persons of prominence lent their names, in many instances without either judgment or investigation, to activities conceived and promoted often by ex-convicts, confidence men, adventurers, and social parasites.

This form of activity was hit upon at once by "climbers," who saw an opportunity for social recognition and preferment in the advertisement and popular approval that would follow from their ostentatious

philanthropy and patriotism. Many people of this type, possessed of considerable fortunes, and therefore without venal motive, but wholly devoid of experience or adaptability for the form of work undertaken, saw in the field a prospect of governmental recognition, commendation, or even official honor or decoration. To these various types of apparent respectability the legal and social outcast attached himself, and thus fortified preyed upon the prestige and public influence so obtained to mulct the patriotic and the generous and waste and dissipate the national benevolence. In many instances it was discovered that the names of persons of unimpeachable character and integrity were exploited for selfish purposes, wholly without their consent or even knowledge; but by far the greater vice lay in the use of the names of prominent and worthy persons as directors, committee members, and patrons, whose approval and consent were actually given without sufficient and in many cases with no investigation as to the character of those who managed the activity and handled and disbursed the funds. It was found that well-intending men and women of prominence, of unquestioned sincerity, and philanthropic character, while lending the venal imposter their cloak of respectability, wholly neglected their duties of public stewardship and failed utterly to give the proper and in many cases no measure of supervision to the methods, either of collection or disbursement, employed by the self-appointed agent. Thus recommended to the public confidence, and unrestrained either by check or conscience, the swindler and the profiteer proceeded to gorge themselves from the outpourings of the generous public purse.

Worthy committees, under the plea of necessity and in their eagerness to obtain returns for laudable objects, were induced to enter into unconscionable contracts with solicitors, whose percentages ranged from 40 per cent to 85 per cent, and to undertake, without judgment or foresight, the expenditure of vast sums of money for overhead expenses, advertising, and other forms of exploitation, without a view either to the amount of expense incurred or the proportion that it might bear to the eventual return. It followed necessarily that out of the three or four billion dollars raised for war relief in the United States since the outbreak of the war a large percentage found its way into the pockets of the professional socilitors, who worked solely on a percentage basis, and through the medium of whose efforts funds were largely solicited and received. In their eagerness to secure some return for the activity undertaken, committees and organizers winked at this method, and the contributing public was gulled into supposing that its gifts were finding their way directly into the hands of the suffering and needy; and the promoters and solicitors were little concerned in the motives or expectations of the donors or with the call of the worthy and needy sufferers in whose cause they ostensibly labored. Ambitious public functions, with the glamour of social, patriotic, and philanthropic dedication, were organized and undertaken by the well-meaning dilletanti. Large attendances were secured and considerable sums devoted in support by the unwary; and after the tinsel and the glamour were brushed aside, an accounting had, and obligations paid, a mere pittance remained for the benefit of the war sufferer.

Deliberate theft played its part in rifling the war-relief chest, but because of the impossibility of checking up either the amounts contributed or the disbursements made, the exact amount of the moneys stolen can never be definitely ascertained. From the facts revealed, however, it may be fairly estimated that the amounts stolen in the city of New York for a period of 12 months prior to the starting of the investigation exceeds $3,000,000. The wastage due to inefficiency, mismanagement, and duplication of effort is likewise impossible of accurate ascertainment, but from the enormous discrepancy between the amounts collected and the amounts apparently dedicated to the announced object of charities, where figures were obtainable, it is not unfair to say that the wastage amounted to as much as 65 per cent of the moneys collected.

The principal vices revealed in the course of the investigation are, briefly, as follows:

(1) The payment of commissions to solicitors and collectors.

(2) Soliciting funds, selling buttons, tags, and merchandise on the streets and in public places, conveyances, and places of amusement.

(3) The remit or return method of raising money; that is, the form of solicitation for funds, where trinkets, souvenirs, or other forms of merchandise are forwarded to charitably inclined persons with the request that either a donation be remitted or that the article be returned—a form of exploitation inuring to the benefit of profiteering manufacturers.

(4) The payment of large, often exorbitant, salaries to executives and promoters.

(5) The conduct of public entertainments and bazars at enormous outlay and small return.

(6) The failure to keep adequate accounts and to provide audit and supervision.

(7) The failure to prepare budgets and to fix plan and scope.

(8) The failure to provide an active board of directors to supervise and direct the activities of the society or charity.

(9) The organization and maintenance of societies or charities without a definite purpose or object.

(10) Unnecessary and wasteful duplication of activities by societies competing for funds for the same or similar ends.

(11) Lack of business methods and efficiency in conduct and management.

(12) Inadequate equipment both in facilities and personnel for the work undertaken.

Upon a survey of the vast amount of data collected and from the statements of the numerous witnesses examined, the various forms of activities devoted to war relief work may be classified, with a view to their character and usefulness, under the following heads:

(1) Worthy war-relief work, honestly and efficiently conducted, where a respectable percentage of the funds secured are appropriated to the avowed objects.

(2) Wasteful activities pursued for a worthy object by people of integrity in which, through lack of business method, ability, or experience, insufficient or grossly inadequate returns were made to the object avowed.

(3) Ill-conceived or absurd activities, ofttimes well intended, from which no benefits accrued to a worthy end.

(4) Profiteering enterprises of ostensibly philanthropic purposes but frequently conducted for the personal profit or preferment of the promoters and managers.

(5) "The One Hundred Per Cent Boys," an out-and-out thievery, where every cent collected was misappropriated and stolen.

Since the investigation was concerned chiefly with frauds and abuses, activities classified under the first of the foregoing headings have no appropriate place in this report. The remaining four classifications, however, are worthy of a brief word of comment, with a descriptive sketch of a typical example in each class.

I. The "One Hundred Per Cent Boys."

The One Hundred Per Cent Boys were a coterie of charity workers who collected in the name of a charitable enterprise and appropriated to their own use the entire proceeds. The leader of this clique was Michael J. Delehunty, and with him were associated William J. F. O'Neill, Alfred Gardner, James Mendels, and John Davis. They began their activities in the charity fields as solicitors for advertising concerns who had taken contracts on a commission basis to furnish advertising for souvenir programs at benefits for the relief of the families and dependents of various regiments, chief among which were the Twelfth, Fourteenth, Seventy-first, Sixty-ninth, and the Ninth Coast Defense. The men had arrangements with advertising contractors on a basis of 25 per cent to 40 per cent of the advertisements and contributions solicited. They soon, however, developed into the 100 per cent class.

They had desk room in an office at 500 Fifth Avenue, where most of the solicitations were made by telephone. Their scheme of operation is best illustrated in the cases of Delehunty, Winkelman, and O'Neill, which typify their general method of operation. In the Delehunty case, Walter J. M. Donovan, a real estate broker, residing at 276 Riverside Drive, New York City, with an office at 80 Broadway, was called up on the telephone on October 1, 1917, by Delehunty.

Delehunty's testimony at Winkelman's trial is:

"I called on the telephone. I told him it was Col. Conley; that we were getting up a benefit for the Fighting Sixty-ninth. I asked Mr. Donovan if he would subscribe, and Mr. Donovan said: 'Yes'; he would be very glad to. He said: 'It's rather psychological at this time that just at this time I am writing to the Sixty-ninth.' And he said to me: 'Before I subscribe I would like to have you do me a favor. I would like to have you furnish me with the names of three dependent families of this regiment.' I answered, 'Yes'; and he said he would subscribe $1,000; and I said, 'I will send for it'; so that was the end of the conversation."

At 1 o'clock on October 2, 1917, Delehunty called at the office and received a check for $1,000. The check was then taken by Delehunty to Schermerhorn's or Proctor's café at No. 5 Beaver street, where James Mendels, Delehunty's partner, indorsed the name of Col. Louis D. Conley, in the presence of Lester L. Winkelman. They then went to Jack's restaurant on Forty-second Street and Sixth Avenue, where they met Maurice Manheimer, a bookmaker, to have the check cashed. Manheimer gave the check to another bookmaker named William J. Byrne, who in turn gave the check to a third bookmaker named David R. Goldie, who deposited the check on the 4th day of October, 1917, in the Commercial Trust Co. of New York.

After waiting a week or 10 days for the check to clear through the bank, Goldie passed the money for the check to Byrne, who in turn gave it to Manheimer; Manheimer in turn gave it to Winkelman, and Winkelman gave $850 to Delehunty, deducting 15 per cent for cashing the check. Delehunty thereupon split the proceeds, or $850, with his partner, Mendels, each taking $425.

In the O'Neill case the money was solicited in the name of the Ninth Coast Defense Command of the New York Coast Artillery of the National Guard of the State of New York. On October 8, 1917, John H. Steele, a lawyer, who lives at 410 Park Avenue, and has an office at 120 Broadway, was called at his office on the telephone by O'Neill, who stated to Steele that he was Sergt. Harris, of the Ninth Coast Defense, and that they were getting up a fund for the dependents of the men of their regiment, asking if he could send one of their young men down to see him about it. Mr. Steele made an appointment with the man speaking over the telephone, and shortly after the conversation O'Neill called and presented a letter, purporting to have been signed by W. W. Marks, captain, and told Mr. Steele that he had come in pursuance of the conversation had with Sergt. Harry Harris over the telephone. The letter presented read as follows:

"October 8, 1917.

"Mr. J. H. Steele,
"120 Broadway, New York City.

"My Dear Mr. Steele: This will serve to introduce the bearer, W. F. F. O'Neill, who is helping our campaign committee to raise sufficient funds to take care of the boys who are away. Any courtesy or assistance rendered will be kindly appreciated.

"Yours, very truly,

"W. W. Marks.

"Please make your check payable to Sergt. Harry Harris; the same will be acknowledged from headquarters."

Upon the receipt of the letter Mr. Steele drew a check for $50 payable to the order of Sergt. Harry Harris, and gave it to O'Neill. The check was subsequently cashed in the café of George J. Kuck, at 193 Seventh Avenue, by Davis, who was one of "the boys." It subsequently developed that the letter signed "Marks" was a forgery, and the indorsement of the name of Sergt. Harry Harris on the back of the check was also a forgery, and the proceeds were never received by the Ninth Coast Defense.

It also developed that on the 4th of October, 1917, four days prior to the obtaining of the check for the Ninth Coast Defense, Mr. Steele was called on the telephone by a person who stated that he was Col. Howlet, of the Fourteenth Regiment, and was soliciting for funds on behalf of the dependents of that regiment. Within an hour after he received this message O'Neill called on Mr. Steele and stated that he had called in pursuance to the conversation Col. Howlet had with him over the telephone, and that Col. Howlet had sent him there to get donations, either for the dependents of the soldiers or to furnish the soldiers with underclothing, socks, and shoes. O'Neill presented a letter purporting to have been signed by Col. Howlet asking that a contribution be made to the Fourteenth Regiment, and that checks be made payable to the order of Mrs. J. R. Howlet, the wife of Col. Howlet. Mr. Steele drew a check to the order of Mrs. J. R. Howlet and gave it to O'Neill, who thanked him for it, and said that "the regiment or the colonel would be much obliged." The signature of Col. Howlet on the letter, as well as the indorsement of Mrs. J. R. Howlet on the back of the check, was forged, and the check was cashed at Kuck's café by Davis, and not a single cent of the proceeds went to the Fourteenth Regiment.

The "boys" met daily in front of the Belmont Hotel, and frequently used the grill room of that establishment as a headquarters, and at times used the slot telephones of the New York Telephone Co., which adjoined the Belmont, as a basis of operation.

When they retired from the solicitor's vocation and "decided" to go into business for themselves they had solicitors' blanks printed on the stationery of the Seventy-first, Seventh, and Twelfth Regiments, respectively, for their own use. Upon these blanks were forged the orders or requests for money. The name of Col. Reginald R. Foster, of the Twelfth Regiment, was repeatedly forged on checks and on requests for funds.

"The boys," from February 1, 1917, when their activities began in New York City, until the middle of December, 1917, when they were detected, had taken from the public approximately the sum of $500,000 for war relief work, not one penny of which went toward the object for which it was contributed. Forgeries without number were committed, and the checks cashed at Jack's restaurant, in cigar stores, and in well-known cafés.

Manheimer, the bookmaker, testified that he had cashed, or caused to be cashed, over 50 checks, in amounts varying from $15 to $1,000. James McCallion, alias James Sanders, a bookmaker and betting commissioner, stated that he had cashed for "the boys" over 100 checks, ranging in value from $25 to $750; and Lester Winkelman admitted, when he took the stand on his own behalf, that he had cashed for Delehunty and his associates upward of 25 checks, in amounts varying from $25 to $750. Delehunty stated that the greater part of this money was lost on races, and that "the boys" usually played the "long shots" and lost; and what was not spent on the races was spent in expensive cafés along the "Great White Way" on ladies, wine, and entertainment.

"The boys" had marshaled their methods in a remarkable way. They had a card index, known as a "suckers' list," of well-known residents of New York City who were known to be liberal to charity, and on each card was an annotation of a peculiar characteristic or weakness of the person mentioned on the card. For example, a well-known financier, who was classified by "the boys" as "a hard-boiled egg" before the war, changed entirely in his philanthropic habits after members of his immediate family had joined the colors; and it became no effort for "One Hundred Per Cent Boys" to get a contribution from him; in fact, Mr. Delehunty, while in the Tombs awaiting sentence, after entering a plea of guilty, offered to wager that if he were permitted to go to the office of the financier mentioned, accompanied by a plain-clothes man, he could get a check for $2,500 without difficulty.

Delehunty is a man of more than ordinary intelligence, possessed of considerable shrewdness, craft, business tact, and diplomacy; he was the leader of the coterie. In a statement issued by him to the press after he had pleaded guilty, he said that New York City was the mecca for graft. His interesting statement reads as follows:

"Every road led to Easy Street. It was the easiest graft I ever engaged in. Every person you met fell and fell hard. It was easier than picking up rocks along the Palisades. I don't know exactly how much I collected, but I got a whole lot, something in the neighborhood of $150,000, should say, and every bit of it went fast. It was a case of 'easy come, easy go.' I wasn't the only one doing it. The dead-sure men came on from all over the country to New York. It had gone forth that the graft was easy, and the town was soon filled with 'con' men. That's what spoiled the game. Some of the 'low brows,' who had been satisfied with $25 a day, found that they could make $1,000 safely but still wanted more. They didn't appear to be satisfied, and started in to use sledge-hammer methods. They blackjacked right and left, with the result that the graft was soon put on the bum. The people soon began to 'sit up and take notice.' New York is full of business men that make money too fast. They know all the angles of their own game and business. You could not take money away from them with a gatling gun in their own game, and yet they are the biggest suckers alive. They're so soft that I just couldn't resist the temptation to play upon their patriotism. When I was soliciting funds for one of the legitimate charities I saw in a minute how easy and careless these rich men were."

"Doc." Waterbury, alias Julius L. Ford, was a charity worker of the type of "the One Hundred Per Cent Boys," although he was not closely associated with the coterie known by that name.

Waterbury was born on a little farm near Ithaca, N. Y., and was educated at Cornell. He spent a term in State prison for larceny and then took up charity work. He specialized in solicitations for war books, records of soldiers' experiences, photographs, and general press work, and as a side line was always ready to take up anything in which he could garner a dollar.

At the Leonard-Britton prize fight, which was held in New York City on October 22, an appeal was made from the ring for funds for the war relief, known as the "Le Bien etre du Blesse," for the benefit of the French wounded. An announcement was made and contributions were asked for. Large sums were volunteered. Among others, a motion-picture promoter donated $500, and a man, who was afterwards identified as "Doc." Waterbury, said, "I will give $250," whereupon he and several others passed among the audience collecting money in a hat. Waterbury collected a sum estimated at $700 or $800 and failed to stop at the box office with it.

He is now under indictment on the charge of obtaining $1,000 from a wealthy Philadelphian for war relief work which he appropriated to his own use. There are other charges also pending against him.

Eugene Jess, of 638 St. Ann's Avenue, Bronx, whose real name is Jesselman, worked independently from the other members of the One Hundred Per Cent Boys, but his system was the same. He solicited contributions in the name of the Red Cross and requested the donors to draw their checks to order of Mrs. Maude Shanley, "a well-known society woman." Mrs. Shanley, who was used as a dummy by Jess in his transactions, was said to be the wife of a saloonkeeper in Harlem. She indorsed the checks and turned them over to Jess, who cashed them and put the money in his pocket. Jess was indicted, convicted, and sentenced to State prison. Mrs. Shanley is now under indictment as an accomplice of Jess.

Frederick J. Remsen, an ex-convict, is another charity worker who used the One Hundred Per Cent Boys' methods. On October 3, 1917, he solicited $500 from the United States Industrial Alcohol Co., of which Mr. H. L. Rubens is president, for the Army and Navy bazaar. The check was made payable to the order of Edward S. Moore, secretary and treasurer of the Army and Navy bazaar; his indorsement was forged and the check was cashed in a café in the financial district. Within two weeks after Remsen had received this check from Mr. Rubens, he solicited and received another check for $500 from Mr. Rubens's company for an advertisement in the Tammany Times. The proceeds of both checks were appropriated by Remsen, who is now under indictment and awaiting trial on both charges.

The One Hundred Per Cent Boys have been completely suppressed. The members have been either sent to prison or are fugitives from justice. Winkelman is serving a sentence in Sing Sing Prison of not less than three years nor more than six years. O'Neill is serving a sentence of not less than two and a half nor more than four years and six months; Michael J. Delehunty was sentenced to not less than three nor more than six years, but because of his valuable services to the people in securing the indictment and conviction of his associates and in giving information which led to the suppression of the One Hundred Per Cent Boys he was subsequently released on parole; Jess has served his sentence.

II. The Waster Type of Charity.

THE ARMY AND NAVY BAZAAR.

The Army and Navy Bazaar was the first war relief activity to attract by its irregularities the attention of the public press and to come under the investigation of the district attorney. From the accounts published in the daily papers in November, 1917, it was apparent that the Army and Navy Bazaar, which was held at the Grand Central Palace from October 27 to November 3, 1917, was a palpable fraud upon the public.

The bazaar was held to raise money for the Army and Navy field comfort committee; the object of the committee was to provide the soldiers and sailors with comfort kits, which would cost approximately $1 apiece. Out of $72,000, which was taken from the public by the bazaar, only $645 was actually available for the purchase of comfort kits. Among the items of deduction from the fund we might mention the following enormous overhead or operating expenses:

Commissions on advertising and printing of the souvenir program	$24,060.30
Rent of the Grand Central Palace, two floors	18,000.00
Press agents	6,393.68
Decorations	3,998.85
Policing the show	1,218.15
Stationery	1,201.00

The Army and Navy Bazaar was under the immediate direction of Waldemar H. F. N. De Billie, who describes himself as an "expert in exploitation and publicity." Before coming to New York, De Billie, who was the son of a doctor and was born at New Orleans, had an interesting career across the continent, where he tried his hand at staging various entertainments, shows, and bazaars, most of which resulted in failures and losses to everyone except De Billie.

De Billie undertook the management of the Army and Navy Bazaar on a 50–50 per cent basis; that is to say, he was to receive 50 per cent of the net proceeds, but by a subsequent contract the amount he might obtain was limited to $7,500.

The souvenir journal or program was farmed out to an advertising solicitor named George F. Sweeney on a 50–50 per cent basis. The advertisers paid a handsome price for space in the program, and in a great many instances where merchants were asked to advertise they gave donations instead. These donations were classed by Sweeney as advertisements and 50 per cent of the amounts so donated was taken by him. Occasionally the advertiser would be represented in the journal by a mere line, such as "Compliments of a friend." The moneys received in this way from 16 persons alone amounted to $6,000. Among those who contributed in this manner was Christopher Hannevig (Inc.), of 139 Broadway, who paid $1,000. In return for the money thus paid he was given the last page on the program, with the simple insertion, "Compliments of C. H.," and $500 of this money went to Sweeney.

In soliciting donations and advertisements the public were led to believe that the money was going entirely for war relief work. In soliciting a donation from the Aero Club of America, De Billie wrote, "Of course, you doubtless understand all of the money taken in is for charity. There are no splits or commissions of any sort."

The Army and Navy field comfort committee, under whose auspices the bazaar was held, had headquarters in the Hotel McAlpin. Including the $645 which was turned over to the committee by the bazaar management, the Army and Navy field comfort committee since its organization in July, 1917, took in approximately $14,000. Ten thousand dollars of this sum went for expenses and only 300 comfort kits had been bought, although a total of nearly $85,000 had been solicited from the public for comfort kits by this committee through its bazaar and in other ways. Upon the district attorney's request the committee wound up its affairs and turned over the money on hand to the American Red Cross.

Sweeney, the advertising solicitor, who collected in advertising and donations $45,000, received as his share approximately $22,500. He was indicted for forgery and larceny.

Christian Donald Fox, whose right name was Charles David Fox, and who signed himself as C. Donald Fox, was the secretary of the Army and Navy comfort committee; he was also interested in other charity activities, having been associated with the Louise Glaum War Luxury Fund. He was indicted for forgery and larceny in connection with collections made on behalf of the Army and Navy comfort committee. He pleaded guilty and was sentenced to the penitentiary for three years; he is still in prison.

THE AMERICAN AMBULANCE IN RUSSIA.

The American Ambulance in Russia is a notable instance of the misappropriation of funds, lack of ordinary business system, and inadequate supervision in war-relief activities.

This charity was organized early in 1916 by Hamilton Fish, jr., who acted as its chairman until October, 1917, when he was called to the colors; the society had an office at 527 Fifth Avenue. The records kept were meager and incomplete. Mail was opened by clerks, and there was no system of checking the moneys received and expended. An attempt was made to raise money on behalf of the ambulance fund in the State of Illinois, but under a statute of that State it was necessary to file an audited statement with the council of defense, and, accordingly, on the 31st of August, 1917, an audit was prepared. An accountant or bookkeeper was engaged, who gathered together such data as he could from slips of paper, letterheads, correspondence, backs of envelopes, and deposit books. The firm of Marwick, Mitchell, Peat & Co., chartered accountants, prepared the audited account from the meager data thus furnished by the bookkeeper.

We find in the audited account issued by that firm the following remarkable statement: "The records available were insufficient to ascertain therefrom the total contributions received. * * * We were unable to trace the source of those contributions. * * *" The statement then proceeded to unfold the facts that the contributions were traced from letters of organizations holding benefits, bazaars, etc., from contributors' letters and cards, and from the bank's deposit books, and from miscellaneous office memoranda. In the audited statement we find the following entries: "Source not traceable, $16,368.35"; "Contribution account reflects a transcript from bank statement of deposits. This was because only a rough set of books was installed and the books were insufficient to furnish the necessary detail."

The audited statement, therefore, in reality only shows the amount of money deposited and does not indicate the actual amount of money received from February 19, 1916, when the charity was instituted, to August 31, 1917, the last date of the report. Under the caption entitled "Disbursements" the statement shows the following remarkable entry under the heading of miscellaneous items: "For autos and medical supplies, $10,780.94, for which no invoice could be located." The audit ends with the statement that the accounting for contribu-

tions and disbursements was sadly neglected and with the suggestion that people of authority should supervise the receiving and disbursing of funds.

The society had a contract with Morton L. Palmer, an advertising man who resides at Stamford, Conn., and with a place of business at 432 Fourth Avenue. Under the terms of this contract Palmer was to receive 50 per cent of the moneys he solicited. This money, however, he did not keep entirely for himself; for some unexplained reason 10 per cent of the moneys he received was paid to one William Stoermer, who signed himself as "Managing director of field service." While Palmer has disclaimed any responsibility in the management of the affairs of the American Ambulance, he nevertheless was listed in the New York telephone directory under the following heading: "American Ambulance Field Service in France," with an office at 432 Fourth Avenue, which is Palmer's private office.

Palmer's scheme was to give a moving-picture show and at the show to make an appeal for funds. The show consisted of moving pictures depicting alleged scenes in Russia, with a scene in Petrograd during the first revolution. A lecture would first be given, followed by a recitation by a prominent actress. The local expense of the shows was borne by the patrons and patronesses, who furnished the hall in which the entertainment took place and who also supplied the ushers, who were usually Boy Scouts and young society girls, dressed as nurses. How much money was raised in this way it is impossible to state, but Palmer, in a statement made in the district attorney's office on December 12, 1917, states that on the Connecticut tour alone, which only lasted a few weeks, he raised $17,169.78, 10 per cent of which went to Mr. Stoermer and 40 per cent went to Palmer.

The shows were given under the name of the American Allied Ambulances, and the money was presumed to have been divided equally between the American Ambulance in Russia and the American Ambulance in Italy. A Mrs. Thomas Shields Clark, of Lenox, Mass., gave a check for $1,600 to buy an ambulance for use in Italy. This check, however, was turned over to the American Ambulance in Russia, and when this fact came to her attention she immediately demanded that the money be returned to her, which was done after considerable publicity.

Another method of collecting funds was by the use of an ambulance and a stretcher. An ambulance would be stationed at Forty-second Street and Fifth Avenue, or on some other congested corner; a young lady dressed in a Russian uniform would be in charge, and a stretcher would be laid on the sidewalk, into which money was thrown by people passing by. The men in charge of the stretchers, C. Welsey Shedd and Garrett Demarest, became known in the public press as "The Ten Per Cent Boys."

Shedd was a free lance who deserted his wife and child in Boston, and Demarest was a young attorney at Hackensack, N. J.; they met accidentally in New York, and both drifted into charity work on a 10 per cent basis. They stated that their collections ran from $60 to $2,200 daily, and their share of the proceeds was 10 per cent each of the amounts collected. Their commissions in a month ran as high as $1,000 each. They reported that they turned the money into headquarters "to anyone who happened to be in the place." The money would be taken there in a grip or satchel and would be dumped out on a desk and turned over to a bookkeeper or the keeper of the office or whoever happened to be present. The money was often dumped into a drawer at night and left there until the next morning, when it is presumed it was counted and deposited in the bank.

So far as the district attorney's office has been able to ascertain, no entry was made on the books of the organization showing the amounts collected daily and the amounts paid to Shedd and Demarest in commissions. The information stated in this report concerning the amounts collected is based upon the notations and memoranda made by Shedd and Demarest on backs of envelopes and other disconnected notes. "The Ten Per Cent Boys" received their commissions each day at the close of business.

These collectors informed the district attorney that 30 per cent of the money so collected went to Stoermer, 10 per cent each to Shedd and Demarest, and the other 50 per cent went to the American Ambulance in Russia. It is said that Stoermer in turn divided the 30 per cent with Miss Edith K. Oswald, and there was a separate fund in the organization known as the "E. K. O. Film Fund." In justice to Miss Oswald, however, it may be said that she never received a cent from either Stoermer or the American Ambulance in Russia. This fact is admitted by both Stoermer and the officials of the Ambulance; the "E. K. O. Film Fund," as near as can be ascertained, was intended to be a charge upon the funds of the Ambulance for the use of film which were devised by Miss Edith K. Oswald, a young lady from California, who had made the arrangements with Stoermer and who was in the moving-picture business. One of the films was entitled, "The Invisible Enemy," a tuberculosis film, exhibited for the benefit of the American Ambulance in Russia. In order to exploit this film Mr. Stoermer had himself designated as "field committee director." The scheme was to travel through the country with an ambulance, exhibit the film, and make an appeal for funds. The American Ambulance in Russia was to pay all expenses, and 10 per cent of the gross income was to go to Stoermer, 20 per cent to Miss Edith K. Oswald (the owner of the film), and 10 per cent each to Shedd and Demarest. How much money was collected in this way and paid out to Shedd and Demarest or to Stoermer it is impossible to state, for there is no record of it. Both Stoermer and Miss Oswald state, however, that Miss Oswald never received a cent for the use of the films.

In soliciting funds little attention seems to have been paid to the truth of the statements made to the public when appeals were made. The correspondence shows that Hamilton Fish, jr., wrote to Andrew Carnegie soliciting a contribution and said, "The work of the American Ambulance in Russia is accomplished with practically no overhead charges. Therefore all the money that is contributed will go for buying automobiles and surgical supplies. The Russian Government provides for the maintenance of the machines and supplies the gasoline." Upon the receipt of this communication Mr. Carnegie gave $1,000. In the printed appeal issued by the society in 1917 we find the following remarkable statements:

"The American Ambulance in Russia is the only American organization working with the Russian Army. It consists of 50 ambulances and a field hospital and is doing active service in the Carpathian Mountains. * * * We take gladly one penny or a million pennies; every one will go directly to Russia, with no deduction, and will reach them in their hour of suffering."

On October 31, 1917, a letter was sent out making an appeal for funds in which a statement was made that "for two years the Ambulance had been saving lives in Russia," with the further statement that 30 ambulances had been sent to Russia and that "40 more of our cars are on the way."

An appeal was made to the Elks, New York Lodge No. 1, for funds, and in that appeal it was specifically stated that every cent of the money would be used for relief work. Accordingly a check for $684.65, the balance of an ambulance fund on hand with the Elks, was forwarded to the American Ambulance in Russia on October 1, 1917, and on October 4 the treasurer of that organization acknowledged receipt of the check and stated, "the funds that you have given us will be expended for a shipment which will leave for Archangel in three days, and you can be assured that in a few weeks your money will be translated into actual help for the Russian soldiers that are actually behind the firing line." At the time the check was solicited from the Elks the American Ambulance in Russia made the following statement in a letter to the Elks: "At the present time we have 48 ambulances in operation on the Russian front, constituting the only American unit engaged in field service." The investigation discloses that at no time did they have more than 19 ambulances in Russia, and in fact those were all the ambulances that were shipped, and of the sum that had been donated by the Elks 20 per cent, or $136.93, had been paid to Stoermer on the same day that the Elks' check was received, and on the stub of the check paying the money to Stoermer the following entry was made: "Elks Club, acquisition expenses."

Although Hamilton Fish, jr., had written to contributors that all the money contributed would go for buying automobiles and supplies, nevertheless we find in the audit the following interesting expense items: "Field administrative expenses, $7,432.87; circularization and administrative, $8,438.50." We also find such interesting entries as "Miss Clark's shirt, $6.21; decorations, $4.75; extra meals, $1.50; taxi to Ritz and return, Leydig, $5.90; dog booth, $125; Napoleon's Dream Book, $43" (Napoleon's Dream Book, we are informed, may be bought at any local book store at 25 to 50 cents a copy); "dinner for six, $24; October 22, mayor's dinner, $12.85; November 24, supper of party of five, car fares, tips, etc., $54.45."

It is said that an officer of the committee would carry around for days donation checks in his vest pocket, or leave them in correspondence baskets, pigeonholes, or drawers of his desk and forget about them until they were discovered some six or eight weeks later. On one occasion it is related that he came into the office and took out of his vest pocket pocket-worn checks, saying, "Here's some contributions I received, but I forgot to tell you about it."

The investigation disclosed that $275,635.13 had been raised by the Ambulance either in cash or in goods from the date of its organization in February, 1916. On December 6, 1917, however, there was a balance of $4,084.96 in the bank. So far as we could ascertain from the available records of the society, only $59,387.97 had been spent under the head of an automobile account, although the primary object of the fund was alleged to have been to supply ambulances in Russia, and the committee stated from time to time that the ambulances would be operated at the expense of the Russian Government.

The bills of lading would indicate that 38 ambulances had been shipped or were about to be shipped, although Dr. Newton, a member of the committee and the surgeon directly in charge of the field service, specifically states that only 19 ambulances had been actually shipped abroad. Dr. Newton further stated that 16 Studebaker cars had been bought but not shipped on account of the revolution. These ambulances, it was stated, were on hand in storehouses on December 6, 1917, awaiting shipping orders. One of the ambulances was loaned to the Fifteenth New York Infantry at Camp Upton by Hamilton Fish, jr., and a bill for $600 damages on the car while it was at Upton was paid from the ambulance fund. A Ford ambulance car, which cost $1,100, was loaned to the Army Field Service here in New York and worn out.

There was also a chauffeur's bill of $25 a week, which was charged to the Ambulance; the chauffeur's duties were to take the assistant treasurer in a Studebaker car from her home to her place of business, and then to see that she had proper recreation at night; it is said nightly trips were made to Coney Island and other near-by health resorts. It is also said that a bookkeeper, who also acted as chauffeur for one of the members of the committee, and whose salary was charged to the American Ambulance in Russia, spent some time during August and September, 1917, in a county up State in an effort to gain for his master control of a party at the September primaries. This fact was admitted by the chauffeur in an examination in the district attorney's office in January, 1918.

Among the entries of expenses is noted the item of a trip to Russia by the treasurer, accompanied by a chauffeur or ambulance driver named Nelson Fel. The expense of this trip was charged to the ambulance fund. A letter written by Mrs. E. Nelson Fel, of Warrenton, Va., mother of Nelson Fel, to Hamilton Fish, jr., was found among the letters of the society. The letter expressed great indignation because young Fel was not at the front but was spending his time "hitting the high spots in Petrograd and in Moscow." She stated in her letter, "He knows Petrograd and Moscow hotel life, and it is a rather useless and demoralizing life at his age. I fear that the experience will not be profitable to him, and he would have been more usefully employed at home." The treasurer of the organization received $3,250 from the Foreign Merchandising Corporation, of 233 Broadway, for looking after some of their business interests during the trip. He also received $1,250 from Charles A. Boylston, of 61 Broadway, and $1,100 from the American Ambulance; also $1,000 from John Moffitt, as president of the Russian War Relief Committee. Part of the last sum, however, was refunded on his return to this country. An additional sum of $695 was paid to him, which he said he advanced to Fel while in Russia. The latter sum was directed by the district attorney to be returned to the American Ambulance in Russia.

At the conclusion of the investigation the affairs of the American Ambulance in Russia were closed by the order of the district attorney, and approximately $5,000 on hand, together with the equipment, valued at about $35,000, was directed to be turned over to the American Red Cross. It would appear, therefore, that of the vast sums actually collected for the American Ambulance in Russia only a small part went for the purpose for which the donors intended it, since only 19 ambulances and a field hospital, which cost about $10,000, were actually supplied. The total amount of money actually expended on ambulances and on the field hospital was therefore in the neighborhood of $50,000.

MINOR EXAMPLES OF THE WASTER TYPE OF CHARITY.

The Army and Navy bazaar and the American Ambulance in Russia are the major examples of the waster type of war-relief work. Before passing from this phase of the investigation it may not be amiss to note the following minor examples of the same type:

(1) The Italian-American Society for the Relief of the Blind, the Mutilated, and the Orphans of the War: Money was raised by this organization by sending throughout the city collectors who carried a box bearing the insignia of the Red Cross, and approximately $1,500 was collected in this way, of which sum only $300 reached the war

orphans and cripples. The collectors were working on a 25 per cent basis.

(2) The Italian-American Alliance bazaar: This bazaar was held at the Grand Central Palace on November 19, 1916. While $60,000 was collected from the public, only $13,000 was available for the war sufferers. The balance was dissipated in commissions, salaries, and exorbitant overhead expenses.

(3) The American Convalescent Home Association was conducted under the auspices of a cabaret dancer, who undertook to collect $500,000 for the purpose of establishing a home in France for American convalescent officers and officers on leave. A chateau was to be purchased as a headquarters, where officers were to be entertained by handsome, young, unmarried American girls. Moneys were collected by making appeals in restaurants, in taking up collections, and by the giving of entertainments. The exact amount raised by this scheme is unknown, but there is proof, however, that $500 to $600 was collected, but only $43 was available for the object of the enterprise; the balance, it is said, was spent by the youthful promoter on a trip to Palm Beach, where she went to recuperate after her efforts. The scheme was bitterly attacked by wives of officers in the service as scandalous; in one letter protesting against the enterprise an officer's wife wrote: "It seems to me that while in France there must be some officers' wives of the other allied armies capable of entertaining American officers without these unattached women hunting the job." The enterprise was abandoned at the request of the district attorney's office.

(4) The Holland-American Home for Belgium Widows and Orphans was conducted under the auspices of Miss Henrika A. C. Van der Flier, the daughter of a prominent official in Holland. She toured the country raising money, and on October 4, 1918, after nine months' efforts in this country, had succeeded in raising $9,595 at an expense of $8,028.

(5) The French restoration fund was a project conceived by the Countess Sartoris. The ostensible object of the fund was to restore part of devastated France. An examination into the accounts of the fund revealed the information that $9,000 had been raised at an expenditure of $7,000. At the request of the district attorney the work was discontinued.

III. PROFITEERING.

Profiteering in war-relief work, although manifesting itself in various forms and actuated by a variety of motives, may, nevertheless, be roughly defined as the exploitation of the patriotic public for private gain by devices which contribute some part of the net proceeds to charitable objects or operate exclusively to the advantage of the profiteer. The former class of cases embraces that variety of operations in which it is advertised or announced that a portion of the proceeds of the enterprise would be devoted to war-relief work. This form of profiteering, although usually done with the conscious expectation of private gain, was not without some degree of philanthropic spirit; while the latter form was commonly employed in cases where relief itself was exploited through the writing of a book or the solicitation of funds for personal relief upon some slight pretext to justify the appeal.

The following forceful denunciation of profiteering, issued by President Wilson, contains by implication both a definition and a remedy for this evil:

"Patriotism leaves profits out of the question. In these days of our supreme trial, when we are sending thousands and thousands of our young men across the seas to serve a great cause, no true man who stays behind to work for them and sustain them by his labor will ask himself what he is personally going to make out of that labor. No true patriot will permit himself to take toll of their heroism in money, or seek to grow rich by the shedding of their blood. * * * Profiteering that can not be got at by the restraints of conscience and love of country can be got at by taxation. There is such profiteering now, and the information with regard to it is available and indisputable."

PROFESSIONAL SOLICITING AND ADVERTISING.

The field of war-relief work proved a bonanza for the professional solicitor and advertiser. The privilege of soliciting donations for a particular fund or advertisements for special or souvenir journals and programs for benefits were farmed out to professionals. These parasites would immediately advertise for solicitors on a commission basis. It was shown that men and women of ill repute, those desperate both in morals and in fortune, flocked to these places and were set to work soliciting from the public without even the formality of an investigation; in fact, in some cases names and addresses were not taken before the solicitors were turned loose on the public. It is apparent that in numerous cases money thus collected was not even reported to headquarters.

In discussing the subject of bazaars and soliciting for charity, a leading advertising salesman in this city remarked:

"I recently met one of my former salesmen whom I had not seen for some time and found him to be the picture of opulence. I asked him what he was doing. He replied, 'I have one of the softest grafts in the world. I am putting on charity shows.' He went on to say that he had cleaned up $28,000 in six weeks from persons who had given his sweet girl solicitors money for tickets, which tickets the purchasers would not take because they could not attend the performances, and he said, 'There are numerous sources of income on the side, such as individual splits, advertising contracts, commissions, rebates, and padded expense accounts.'"

Methods of the most unscrupulous character were employed by the solicitors; prominent merchants in the city bearing German names were telephoned to or visited by them and were told that unless donations were received from them for certain benefits or advertising matter subscribed for their names would be reported to the United States Government as persons who ought to be interned.

Among the best-known charity advertising men and solicitors is Morton L. Palmer, already mentioned in connection with the American Ambulance in Russia. He moved in a select circle and addressed his appeals only to the wealthy; in his statement to the district attorney he said that he had collected $122,000 in one year for charity on a commission basis. He made a special trip across the continent for the American Ambulance Field Service in France and received all his expenses, $100 a week salary, and 1 per cent of the moneys collected. He admitted that he received a commission on $382,000 for his services on that trip, together with a salary and expenses, which netted him approximately $9,000 for 11 weeks' work. His annual net income from war-relief work was in the neighborhood of $20,000.

The activities of George F. Sweeney as an advertising solicitor have already been mentioned in connection with the Army and Navy Bazaar. Prior to his connection with the Army and Navy Bazaar he had worked for various war-relief societies in this city, sometimes on a salary and sometimes on a commission basis.

Another type of charity profiteering which may be classed under the head of advertising is the sale of space in newspapers to prominent men for the expression of patriotic sentiments. Typical of this is a scheme fathered by a Washington daily paper which engaged one Matt Glaser to solicit articles which were to be published in that newspaper under the title, "Greetings to the boys over there." The published article was to be prepared by a hack writer and signed by a man of prominence. For this privilege each contributor was charged from $100 to $500. The scheme was called to the attention of the editor of that paper, who immediately withdrew the proposition and stated that he did not realize that the work might be subject to criticism.

William Baxter, of We Boys fame (a notorious coterie of confidence men that had headquarters at the Hotel McAlpin), was a professional solicitor who early turned his attention to war-relief work. He was engaged by the American Defense Society on a commission basis ranging from 25 to 50 per cent; he succeeded in raising upward of $90,000 for that organization before his reputation became known to the officers of the society, when he was dismissed.

Forsyth & Fisk were an advertising and soliciting concern, with an office at 200 Fifth Avenue, that made a specialty of war-relief work. Their first venture in this field was a benefit at the Century Theater for the French and British war-relief work. That work was conducted on the basis of a 25–75 per cent division; that is, Forsyth & Fisk received 75 per cent of the proceeds and 25 per cent went to the relief fund. In January, 1917, they conducted a benefit for the Junior League, of which Mrs. Frances Riker is chairman, on a 33⅓–66⅔ per cent basis. In February, 1917, they conducted a benefit for the Mecca Temple on a 25–75 per cent basis, and in March, 1917, they conducted a benefit for the Southern Industrial and Educational Association on a 15–85 per cent basis; in that same month they also conducted a benefit for the National Defense Convention on a 25–75 per cent basis. They had a contract with the Seventy-first Regiment for a benefit held in September, 1917, on a 30–70 per cent basis. On the benefit given for the Sixty-ninth Regiment they had a 35–65 per cent contract, and for soliciting funds on behalf of the United States Boy Scouts in June, July, August, and September, 1917, they received 75 per cent of the amount collected. This firm conducted a benefit for the Fourteenth Regiment during the same year on a 50–50 basis. They collected approximately $30,000 in donations and in advertisements for the benefit of the Seventy-first Regiment and attempted to withhold 70 per cent of the donations as well as of the advertising money. An officer of the regiment, however, brought the matter to the attention of the district attorney and restitution was forced and the donations were turned over to the regiment without one cent deduction. When the district attorney began his investigation into war charities the firm of Forsyth & Fisk dissolved and quietly retired from business.

William Garland Brown was an advertising solicitor in business lines who found the charity field more lucrative. He worked for the National Emergency Relief Society, of which Mrs. William Cumming Story was president. As stated in another part of this report, he collected for this society on a "50-50" basis, after making arrangements with a member of the Story family to share the profits for influence in swinging the contracts with the society. He also operated under the name of "Brother Cie." One of his schemes was the sale of Bouchor's war paintings. He advertised that the profits would be distributed to the "La Protection du Reforme No. 2," and to promote the sales he organized a committee of respectable names under the title of "Committee for the Protection of French Soldiers Retired for Disability" and sold, or attempted to sell, books at $25 apiece. The arrangements on the profits were so made that after the overhead expenses, including Brown's commissions, were paid, the surplus, if any, went to the benefit of the charity indicated. In his appeals to the public he stated, "We are handling the work without profit. No commissions or percentages are paid to anyone." The expense arrangements, however, were so made that there would be little or no profit and hence there was little or no donation to charity. It was a business enterprise conducted in the name of charity. Mr. Brown also solicited advertisements and contributions for the American Defense Society, the Junior Naval Reserve, and other organizations. He died on September 2, 1918, from Spanish influenza.

Another advertising firm that made a specialty of war-relief work was the firm of Curry & Saunders, who were undoubtedly the most unscrupulous solicitors in the business. They made arrangements for program advertising and the soliciting of donations for any percentage they could obtain; and the percentages charged by them ran from 30 per cent to as high as 80 per cent. They had a contract on a 65 per cent basis with the Junior Patriots of America, of which Mrs. Oliver Harriman was chairman; later, however, this arrangement was reduced to 60 per cent. The firm, in soliciting advertising, repeatedly signed the name of Mrs. Oliver Harriman to requests for money against her express wishes and her demands to the contrary. When summoned to the district attorney's office for examination, they were accompanied by their counsel, Keevie Frankel, of 51 Chambers Street. During the course of their examination their memories became very faulty. They could not recall the names of the war charities they had worked for, nor could they give the percentages they had charged. They stated they could not make satisfactory answers to the questions asked them without first refreshing their recollection by referring to their books and records. Upon their promise to produce their books the next day the examination was adjourned. The next day they returned to the district attorney's office without the books and records, and told the pitiful story that the night before some one had broken into their office and had taken every record, book, or paper, and had destroyed them. Even their canceled check vouchers had been removed and destroyed. Curry was indicted on a charge of forging Mrs. Harriman's name to a request for funds. Saunders turned State's evidence against Curry and revealed the unscrupulous methods of the firm. He stated that in numerous instances checks, aggregating thousands of dollars, were collected, cashed, and the proceeds misappropriated, without a cent going to the charity for which it was intended. The firm was forced out of business.

The Wheaton Service Corporation, of which Edward F. Wheaton was president, and E. J. Hutson, treasurer, was organized for the specific purpose of exploiting war-relief work. They had contracts with the Ninth Regiment, the Twelfth Regiment, and the Thirteenth Coast Artillery for the solicitation of advertisements and donations. Edward F. Wheaton, the president, is an ex-convict, having served a term in the workhouse at Columbus, Ohio, some six years ago for larceny; he was formerly associated in business with Clarence W. Robnet, who was sentenced to the penitentiary by an Iowa court. The contracts were usually in a 30–70 per cent basis; that is, 70 per cent went to the

Wheaton Service Corporation and 30 per cent to the charity for which the money was collected. After a visit to the district attorney's office, the corporation promptly retired from business. Wheaton left the city, and Hutson agreed to refund $1,500 to the war charity from which it was taken.

Samuel R. Wiley was an advertising solicitor associated with the Minute Men of America; he solicited advertisements for the program of the benefit and rally of that organization which was held at the Manhattan Opera House in November, 1917. Wiley was said to have received a flat salary of $30 a week and his solicitors were allowed 25 per cent commission on the amounts taken in. Wiley's picture is in the rogue's gallery, where he is listed as "a bogus collector"; he pleaded guilty in 1907 to the charge of fraudulently soliciting for charitable purposes. He also has retired as a charity worker.

MRS. WILLIAM CUMMING STORY AND THE NATIONAL EMERGENCY RELIEF SOCIETY.

The National Emergency Relief Society was organized in September, 1917, for the purpose of giving immediate relief and aid to enlisted men. The society has a membership of 125, and included on its roster are the names of many ladies of excellent social standing and reputation. Mrs. William Cumming Story, a well-known club woman, was president of this organization and the dominant figure in it.

The society raised approximately $30,000. The money was raised principally by an advertising solicitor named William Garland Brown on a 50 per cent–50 per cent contract; that is, Brown received 50 per cent on all moneys he solicited on behalf of the society. Solicitation was made on the representation that the money was to be used to purchase comfort kits for soldiers. The subscription blanks requested that checks be made to the order of the treasurer, but the return envelopes were so addressed that they were sent to Mrs. William Cumming Story, who, in turn, it is presumed, handed the checks over to the treasurer. Whether all the checks so received reached their destination can not be determined, for there is no way of checking them up.

It developed from the examination of Mr. Brown that 20 per cent of the net profits under his contract went to Sterling Story, the son of Mrs. William Cumming Story. Brown's net profit up to the date of his examination (Mar. 23, 1918) on the amount collected was, approximately, $3,500, and up to that time he had paid Sterling Story $715.15. It appeared from Brown's examination that Sterling Story had introduced Brown to his mother, and that after the contract had been put through by Mrs. Story with the National Emergency Relief Society Sterling Story came to Brown and demanded his share. Brown's statement of what Sterling said to him is as follows:

"He said he would like to get something out of it." * * * When I got down to the actual profit to me on the whole six months' contract, I find that I paid him 20 per cent for the work he did. I paid him the equivalent of 20 per cent on the whole net profit."

Brown, in an effort to justify his relations with Sterling Story, added that Story was paid this money because he had handed to Brown's stenographers names to whom literature was to be addressed. He stated, however, that under no circumstances would he have engaged Sterling Story on a salary basis, adding that "on a salary proposition I wouldn't give him 20 cents a week—he was too unreliable."

In further explaining his relations with Sterling Story, Brown stated that he had met him while he was working with the American Defense Society two years before, and that Sterling Story was on the pay roll of that society; and that when Brown later went with the Junior Naval Reserve he found Sterling Story was also engaged by that society on a salary.

Mrs. Story has endeavored to justify before the society the moneys paid to her son on the theory that he had done other work for Mr. Brown. On this point Mr. Brown's statement is as follows:

"Q. Did Sterling Story ever work for you while you were connected with the American Defense Society or the Junior Naval Reserve?—A. No, sir.

"Q. He was not on your pay roll at any time?—A. No, sir.

"Q. Did you ever pay Sterling Story anything except the moneys you have specified here?—A. No, sir.

"Q. You never paid him for any work on the American Defense Society?—A. No; that was two years before.

"Q. Never anything on the Junior Naval Reserve or any other organization?—A. No, sir; I don't recall paying him a cent.

"Q. The money you paid him was the correct percentage on the work done for the National Emergency Relief Society?—A. Yes."

Upon the direction of the district attorney's office, on March 18, 1918, the "50–50" contract with Mr. Brown was canceled.

It may not be amiss to state that in December, 1917, Mrs. Story was requested to call at the office of the district attorney where she was informed that the district attorney did not look with favor upon "50–50" contracts and considered that contracts of that character were unconscionable and a fraud upon the public. At that time Mr. Brown had a contract with the society on a 40–60 per cent basis; that is, 40 per cent of the proceeds went to Brown and 60 per cent to the society, and notwithstanding the fact that both Mr. Brown and Mrs. Story had been warned in the manner indicated, a new contract on a "50–50" basis was thereafter entered into between Brown and the society under negotiations conducted by Mrs. Story.

It also appeared in the early history of the society that Mrs. Story had made an attempt to induce the society to publish a book written by Brown entitled "The Home Economic Book." The attempt, however, was unsuccessful. It would have required upward of $5,000 to $10,000 to properly finance the publication and advertise the sale of the book, and it was only by the watchfulness of some of the members that the proposition was thwarted. It did not appear, however, that Mrs. Story had any financial interest in the proposition.

It is remarkable to note that although a treasurer had been duly elected by the society and had had the custody of upward of $14,000, Mrs. Story saw fit to collect from Hero Land $325 in March, 1918, which check she did not turn over to the treasurer until advised to do so by her counsel some months later after the district attorney had indicated that the retention of the check might constitute larceny.

The investigation into the affairs of his society revealed another interesting item of information, and that is Sterling Story's activities in regard to the printing bills. The society contracted printing bills with one Robert Myer to the amount of $860.65, on which a commission of 10 per cent was given to a Mr. Gunthier, a solicitor who was associated with Sterling Story in the Naval and Merchant Marine Corps of the United States of America. Mr. Myer's books reveal the fact that the entries for the different printing orders were sometimes made in the name of Sterling Story and sometimes in the name of the National Emergency Relief Society. Whether any member of the Story family shared in the commissions on printing was not disclosed by the investigation.

A second son, Allen Story, received a commission of $90 for the rental of No. 238 Madison Avenue as a headquarters for the society. The negotiations for the leases were conducted by Mrs. Story.

Mrs. Story has been interested for some time in patriotic and war-relief societies. She was director general of the Daughters of the American Revolution for two terms and is a member of the Colonial Dames. Some time ago she became a member of the American Defense Society, and shortly thereafter became chairman of the woman's division of that society. Her son, Sterling Story, was put on the pay roll of the American Defense Society at a handsome salary. Mrs. Story was later dropped from the society.

Mrs. Story was also a member of the Naval and Merchant Marine Corps of the United States Army, and her name appears on the letterhead of that organization as national vice president; her son, Sterling Story, appears as commander, and Capt. Lewis Till as commandant; Sterling Story also succeeded in getting his name on the pay roll of the Marine Corps. Sterling Story and Capt. Till had complete charge of the affairs of the Naval and Merchant Marine Corps of the United States Army until it became involved in financial difficulties. Capt. Till stated that he had a post-office box at the Seventy-first Regiment Armory, and that all letters and donations were sent there, and that no one had a key to his letter box there excepting himself and Sterling Story. There was an "irregularity" of some $3,700 in the corps, which Capt. Till has been allowed to account for at his leisure, and the Naval and Marine Corps of the United States Army passed out of existence; its work was taken up by the American Junior Naval Reserve. While the Naval and Merchant Marine Corps of the United States Army was in progress Mrs. Story unsuccessfully attempted to amalgamate it with the National Emergency Relief Society.

Mrs. Story and her two sons were indicted for accepting illegal commissions; additional indictments were also filed against Mrs. Story charging her with larceny. On September 2, 1918, Mr. Brown, who was the principal witness against the Storys, died, and with his death the indictments must fall.

Baroness H———.

The Baroness H——— is the daughter of a well-known American actor and the wife of a French artist. They had a small summer place in France which was in the war zone and in the path of the German advance on Paris. The place was captured by the Germans, but was later recaptured by the French. Her war experiences were put into book form, the books being based on her alleged experiences with the Germans and the capture of her home. She has lectured extensively in this country in behalf of war-relief work, her lectures containing the same alleged experiences related in her books. Her method of raising funds is to lecture before clubs, societies, and at public meetings, and immediately following the lectures an appeal for money is made. The work is conducted under the auspices of a fund for the ostensible purpose of furnishing a hospital said to be located in her home in France. At the lectures she also sells lithographs of her husband's paintings for $5 apiece. It is said that her book contains many fictions and exaggerations, and that the ancestral chateau which is so elaborately described in her writings was a small place bought on mortgage shortly before the war in which they invested $700. The retinue of servants, automobiles, and carriages, we are informed, consisted of one horse, a cart, and a driving carriage, and the only servants were a peasant and his wife, who worked in and about the chateau. Her income from charity work, from royalty on her books, from the sale of lithographs of her husband's paintings, and fees for lectures amount to $15,000 annually. It is nevertheless true that she raised some $30,000 or $40,000 for the hospital fund. The accounts of this fund are regularly and well audited, and the moneys furnished forwarded to France. The fact remains, however, that she is making a handsome yearly profit out of her war-relief work and her war experience.

Countess T———.

Countess T——— came to this country in October, 1915, and since that time has been engaged in war-relief work and in raising funds for a European reconstruction committee. A trial balance of the committee submitted on October 8, 1918, showed that the committee had raised $31,697.24.

Mrs. T——— is the daughter of an architect and mining engineer and was born in Canada, but came to New York City at an early age. At present she is living with her sister in a small New Jersey town. In 1901 and 1902 she sang in the choir of a church in New York City. * * * At that time she was an amateur actress and appeared in Shakespearean rôles. She went abroad in 1904 or 1905 to complete her musical education in Berlin, and was singing professionally in that city and other places in Germany in 1910. She claims to have married in 1907 a professor in one of the leading universities in Europe. She has three children, whom she brought with her from her adopted country in 1915. She has written a book * * * in which she describes her alleged experiences with the Germans. The following is a brief review of her published story:

The book purports to relate the experiences of an American woman during the German invasion of Poland and is advertised as an authentic account of experiences that actually happened. She tells her experiences since the outbreak of the war in 1914, when the Germans invaded Poland and captured her home, and she discusses her escape from Poland into Berlin, and from Berlin to America, through Holland, early in 1915. The book is written in true dramatic form with all the elements present that appeal to the sympathies. She lays considerable stress on the fact that she was alone with her three children, who were sick with typhus fever, and in true melodramatic form states that her husband, who just left to go on a Government mission a day before, was always absent when each misfortune befell her. She relates that one of her children was taken ill with typhus fever, and she was unable to leave the place until after it was captured by the Germans. Then briefly follows her experience with the Germans who were quartered within her house and a description in detail of how she finally obtained leave to go to Berlin, where she met the American ambassador, James W. Gerard, and through his good offices was able to get a passport to New York. Her application for a passport, however, was delayed until some one could be found to identify her. With an art that was worthy of the genius of George M. Cohan, at the proper time a man was found who heard her sing the Star Spangled Banner in Berlin some six years prior, and upon his identification the passport was issued. In order to fully arouse sympathy and to show that she was hounded even in America, she states that she was met at the pier in New York by three German women of wealth, who offered her money and help, all of which she spurned; and from the pier, as the story runs in the book, she went to the Martha Washington Hotel, where she reduced her mournful tale to writing.

She refers often in her book to the various homes, to her great retinue of servants, to her art treasures, and to her libraries and paintings; and she frequently related that while she was detained by the Germans she fed prisoners of war with a lavish hand; indeed, it is remarkable the number of clothes that her husband had; she kept giving them to soldiers, to prisoners of war, and to friends of Poland in a way that

was astounding. She describes in an amazing manner the condition of her house after the Prussian soldiers left and tells with descriptive effect how her libraries, tapestries, bookcases, and priceless treasures had been cut, demolished, and befouled by the retreating Hun.

However, during all these horrible experiences she never saw her husband and only heard from him through messenger or by telegraph; always laying emphasis on the fact that when the horrible experiences occurred she was alone with her children. She describes in detail the condition of the refugees, telling how the women were maltreated and rushed to the railroad station, some of them giving birth to children in the station and on the trains; she tells how pitiful the prisoners of war were—the Poles who, starved by the Germans, dug out of dung heaps and in hospital yards crusts of bread and ate them.

While she does not mention Von Hindenburg by name, yet at page 119 she states that "the next Friday the great man who was quartered with us," referring to Von Hindenburg; and then she describes him as a glutton and a drunkard. He drank copiously; in fact, "I have never seen such a capacity for 'schnaps,' ate tremendously, and the only topic of conversation was what he had done or was about to do." She also states that he was quartered in the house for some time, and at page 123 she refers to the fact that the Crown Prince, although she does not mention him by name, visited Von Hindenburg and stayed at her house. Her statement reads, "On the last day when the great man was with us, another great personage was also there, quite a fat, beery, scion of royalty, neither clever nor interesting."

And while she does not mention in her book the fact that she had been insulted by German officers, yet she tells how her servant was taken by the Germans and delivered to the soldiers; and when she asked the officer to return the girl he said, "I am very sorry, but you are not allowed to take her; she belongs to the soldiers," intimating that the girl had been outraged by the soldiers, who had given her a horrible disease.

Mrs. ———'s activities have been carefully investigated, and the conclusion seems to be inevitable that statements in the book are greatly exaggerated.

She was the wife of a railroad engineer at ———, with a very small income and no social standing. Since she came to this country it is said that she has been associated with the K. O. N., the Polish National Defense Committee, the leader of which movement is one X——— * * *. It is said he was associated with Soukhomlinoff, the infamous Russian minister of war, who was tried by the Kerensky government and sentenced to life imprisonment for treason. X——— was looked upon as decidedly pro-German; he is now in this country, and it is stated that he is against anyone of prominence who is interested in the welfare of Poland, and he is particularly opposed, and has been for some time, to Paderewski and the patriotic interests he represents.

It seems to be a well-established fact that neither Von Hindenburg nor the Crown Prince was in the neighborhood of the town where "The Countess" says Hindenburg was stationed at her house, and it is also doubted whether she was ever taken prisoner. Those familiar with conditions in Poland declare that the statements contained in her book are unreliable.

A prominent English official writes concerning her property in Poland:

"The nature of his employment [the husband of Mrs. T———] would seem to indicate that he had no fortune of his own, and the lady's declaration in the course of a New York interview to the effect that she paid the greater part of the contribution of 200,000 rubles levied by the Germans upon the Polish-Russian town of ———, where her husband was employed as a professor, should be received with a considerable amount of caution."

One thing seems to be certain, and that is that the T——— family is not a family of noble blood; her husband was not a count, and the Marquisate of Y——— is unknown. Neither of these titles appear in the pages of any of the official and standard lists dealing with the Russian, the Polish, or the German aristocracy. When she first arrived in this country it is stated that she assumed the title of marchioness. However, when her attention was called to the fact that the title of marchioness was essentially French or English, she discarded it and called herself a princess for a short time. That title became too conspicuous, and she condescended to take the title of "countess," which she is now using, and permits herself to be so advertised in the public press. Students of conditions in Poland say that there are very few counts in Poland; Poland was the first Republic, and that anyone who distinguished himself on the battle field had the right to put "Icz" or "Ski" after his name, showing that he had rendered distinguished services to his country. It seems to be established beyond doubt that while in Poland "The Countess" lived very modestly in a small house in a summer resort near ———, and because of lack of money was not able to rent an apartment for the winter in that city itself.

It is remarkable that once having been captured by the Germans, she was permitted to be released and allowed to proceed to America unhindered. She avers that her husband up to the time of the armistice was held as a prisoner of war by the Germans.

It has been repeatedly hinted that the family in Poland were pro-German and were so listed by the patriotic Poles in Russia.

The fact seems to point to the inference that since she came to this country "The Countess" has greatly improved her financial and social condition, and that her war-relief work has contributed handsomely to her purse. She admitted in her examination in the district attorney's office that "The first year I had a very hard time, because the Germans persecuted me continually, and after that I wrote my book, and then it got better * * *. Then, finally, some of my friends organized the 'reconstruction committee.'"

She stated that she received $5,000 a year as a royalty on her book; that she also received $250 a month from the reconstruction committee; and that she sometimes received $200 per lecture for her lecture work.

In her lectures it is said that she capitalizes the claim that she was made a prisoner of war by Von Hindenburg; that her chateau was occupied by him, and that at times she had to wait upon him. As late as October 15, 1918, her press agent sent out a notice, which read in part as follows:

"The Countess ———, whose chateau was captured and occupied by Gen. Von Hindenburg as he entered Russia, and who was forced to wait upon him, will speak before members and friends of the Institutional Synagogue this Sunday morning at the Mount Morris Theater."

This, we are informed by intelligent Poles of this country, is typical of the press notices sent out on her behalf and with her sanction.

THE DRAKE SECTION SANITAIRE.

A remarkable incident of the charity investigation was the exposure of the Drake Section Sanitaire, organized and conducted under the auspices of Miss Ethel Langdon Drake; associated with her was Mrs. Mary E. Symons. Miss Drake attempted to recruit young women drivers for a thousand ambulances, which, it is alleged, she intended to equip and send to France. An appeal was made to the public for funds on behalf of the Hospital Symons-Drake, France, as well as for the Drake ambulance. The appeal for the hospital was made in behalf of special funds—the barraque fund, the bed fund, the refugee fund, and the surgical-instrument fund—all being grouped under the general head of the Hospital Symons-Drake, France. A hospital was to be established in France when contributions of the charitably inclined permitted it. Miss Drake's name appeared as secretary and treasurer of the Hospital Symons-Drake, France, and a prominent banking house in New York City was named as the depositary of the fund.

In the ambulance fund Miss Drake was able to gather together 20 or 30 women of excellent social standing, who were drilling and recruiting for the ambulance corps. Nine of the recruits resided in New York City; others came from the West and Southwest, and one young lady came from San Antonio, Tex. They were obliged to pay Miss Drake the sum of $100 a month for the privilege of belonging to the corps, and in return were to receive such training as she saw fit to give. For this purpose a training camp was established at the Oaks, Bayside, Long Island, N. Y., where the young ladies went into the active training. They arose at 6 o'clock every morning and worked and drilled until 9 o'clock at night. They slept in tents on the drill ground and dined in the mansion house on the premises, which they also used as a dressing room, and paraded a distance of several hundred feet from the mansion to their tents nightly in their pajamas.

It was revealed that Miss Drake had written to officers of the French Army letters in which she offered to donate to them 23 motor ambulances, a touring car, and a touring van. She received in return from each of the officers a letter thanking her for her donation of the 25 motor cars. These letters were published in a circular, without the explanation that the letters only accepted the offer made, and that the cars were not actually delivered; the public were, therefore, led to believe that the cars were actually donated and delivered, and that the published letters from the officers were in grateful acknowledgment and appreciation of her gift. In her examination Miss Drake admitted that the circular was misleading and that the statement quoted below should read that the ambulances were intended to be given.

"The 25 ambulances which Miss Drake has already given provide partial relief to one army, but the need is manifold, and Miss Drake is hoping to be able to take back with her from 500 to 1,000 ambulances. * * * As you read the expression of gratitude for the 25 ambulances already accepted, contained in the early letters and as the spirit of appreciation sent forth in the letter of May 24, then ask yourself what measure of thanks will be yours when Miss Drake is able to offer the magnificent donation of 500 or 1,000 ambulances above referred to."

Arrangements had been made with Mrs. William A. Gavin, the well-known golf player, to give golf tournaments throughout the country, the proceeds of which were to go to the Drake Section Sanitaire. Upward of $30,000 was raised in this manner by Mrs. Gavin, but had not been delivered to the Drake Section Sanitaire when the district attorney's attention was first attracted to the fund.

Miss Drake, who is 43 years of age, dressed in the uniform of a nurse, which bore a striking resemblance to the dress of a sister of a religious order.

Miss Drake and Mrs. Symons had a suite of rooms at the Ritz-Carlton Hotel, in New York City, which were used as headquarters. Miss Drake has had an interesting career; her secretary stated that "she started in the charity game with nothing but a comb and a brush." It is said that Miss Drake was born in a small town in Massachusetts. She was for some time a dressmaker in Chicago, a venture which resulted in failure; she then went to Boston and became a Christian Science healer. From Boston she went to France, and then to England. In London, at a card party, she met Mrs. Mary E. Symons, the wife of a major in the British Army, who also has a son in the British Army.

Mrs. Symons wears two decorations for war-relief work. One is the Croix de Guerre and the other is the gold medal of the La Ministre des Affaires Etranger, which she received for valor in ambulance work under fire. It is stated that these medals were often worn by Miss Drake as her own, and that she had her picture taken in her nurse's uniform wearing the decorations. Mrs. Symons had a small monthly allowance, and came under the influence of Miss Drake, who induced her to leave England and come to the United States for the purpose of recruiting the Drake ambulance corps. Because of the relations existing between the two women, Mrs. Symons admitted that her husband had forced her from his house.

When Miss Drake was confronted with the facts in the case she consented to discontinue her war-relief work in this country. Thereupon the ambulance corps was disbanded, the recruits returned to their homes, and the moneys which had been collected were directed to be turned over to M. Jusserand, the French ambassador, or returned to the donors. The young ladies who were recruits in the ambulance corps were mulcted of the money that they had paid for uniforms and for transportation, and had nothing from the enterprise but experience.

COUNTESS CHIQUITA (CHIC) MAZZUCHI.

The Countess Mazzuchi (known as the Angel of the Marne) claims that she was born at Singapore, China, 30 years ago, and that she is the daughter of a Spanish ambassador and an English woman. She also states that she is a niece of Cardinal Vaughan, and that her first husband was Lord Seymour, a nephew of Admiral Seymour.

She first attracted attention as a speaker at Keith's Theater for the Red Cross drive and other war-relief work. It subsequently developed that she was receiving $200 a week from the Keith Circuit for her appearances. Accounts of her alleged experiences in the war zone had been published in the New York press from time to time, which accounts she admits were grossly exaggerated.

She avers that she has done considerable war relief and hospital work in the war zone, and now suffers from "trench feet," and that while driving an ambulance she was wounded in the hip by the Germans. The following quotation is from her statement given in the district attorney's office on June 22, 1918: "I have a dirty German bullet in my left hip. Just feel it. Lots of people have felt!"

For a time she occupied an apartment at 28 West Fifty-seventh Street, which was used as an assembly room for soldiers and officers.

Her favorite method of collecting was to assemble a number of officers or enlisted men and tour the hotels at Long Beach and other resorts. The young men would sing camp songs and the "Countess" would deliver a thrilling speech and then take up a collection. How much money was collected in this way and what became of it is impossible to state.

Our investigations show that the "Countess" was a well-known figure on the Great White Way in 1901, when, under the name of "Clarita Vidal," she was a chorus girl in "Floradora," "The Silver Slipper,"

"Cynthia," "The School Girl," and other productions. She was a member of the Stanford White coterie, and her name appears in the press of that year in several startling episodes. Two or three years ago she was divorced by her second husband, and the custody of her child was taken away from her on the ground that she was an unfit person to have charge of it. The child is now in a convent in Italy.

Our reports would indicate that for a year previous to her appearance in New York, in July last, she was living in a villa in San Remo, while, according to her stories, she was performing wonderful feats of valor in hospitals at the front.

Upon information adduced in the investigation of her activities, the district attorney requested her to discontinue her war-relief work.

THEATERS AND MUSIC.

The sale of songs on the streets, in public places, conveyances, and places of amusement has been an annoying source of fraud in the charity field. A number of musicians and song writers, inspired by the activities of the war, composed songs of mediocre quality, which they farmed out to publishers or to agencies for publication. Singers were engaged to go into public restaurants and public gatherings to sing the songs to the accompaniment of music, while an associate passed among the crowd and sold copies at a small price. In many instances, especially in the better-class cafés, large sums of money were dropped into the basket for a song and no change received. It is said that amounts ranging from $1 to $10 were dropped in the basket and the holder of the basket told to donate the entire proceeds to charity. In these cases the fixed prices for the songs were usually turned into the fund and the balance was kept by the worker. Occasionally the entire proceeds were kept. It was a favorite feature to have a man in a soldier's or sailor's uniform sing the song.

In Januafy, 1918, George Heather, his mother, Mrs. Heather, and an associate, Mrs. Blanche Moore, were arrested in the Black Cat Restaurant, at 557 West Broadway. Heather, dressed in sailor's uniform, sang a song entitled "Do Your Bit; Buy a Bit for Our Boys in France." The song was written by George F. Bickford, of Brooklyn, and its cover carried the reputed indorsement of Cardinal Gibbons, Theodore Roosevelt, and other persons of prominence. While selling the song Heather would announce that the proceeds were for "Our boys in France tobacco fund." The trio was turned over to the United States authorities, and Heather was subsequently indicted for illegally wearing a sailor's uniform.

Another form of fraud was that of padding the expense accounts of entertainments and benefits, and the filing of forged vouchers purporting to represent receipts from actors and actresses for money paid for services given at benefits, when the services were, in fact, voluntary. It is a well-known fact that actors and actresses gave their services and time generously and without charge to all war-relief work; our information, however, is that in many instances expense accounts were swollen by items purporting to represent sums of money paid to performers for their services. The money so entered was deducted by the promoters from the proceeds of the entertainment.

A new species of fraud is found in the practice of ticket speculators selling cards of admission to free entertainments. In November, 1917, a Red Cross entertainment was given at the Hippodrome at which there was no admission fee, entrance being by cards of admission issued to Red Cross workers. Some of these tickets fell into the hands of ticket speculators and seats were sold at from $3 to $10. On Liberty Day, October 12, 1918, a free entertainment and reception, at which President Wilson attended, was given at the Metropolitan Opera House; admission cards were issued to the liberty-loan workers, and many cards fell into the hands of ticket speculators, who sold them for prices that ran as high as $25 per seat.

The sale of complimentary tickets to theatrical benefits given by war-relief committees is a despicable form of fraud that was unearthed in the investigation. It appeared that in a number of cases where performances were given for war-relief work under the direction of theatrical agents, complimentary tickets punched "Complimentary" were directed to be issued to the press and to dramatic critics; in many instances, however, all tickets so punched and set aside for a special purpose were not delivered as directed, but were sold by the agencies and the money kept.

A source of complaint lodged in this office during the investigation was the overcharging for admission by ticket speculators to war-relief benefits and entertainments. During the benefit held for the Red Cross in May, 1917, at the Century Theater, tickets that ordinarily sold for $5 apiece were sold by speculators for $20; and at the benefit for the Sixty-ninth Regiment, held at the Hippodrome in September, 1918, tickets that ordinarily sold for $2.50 brought as high as $10 when sold by speculators. "Yip, Yip, Yaphank" was an entertainment given by the boys from Yaphank. Some of the tickets fell into the hands of speculators and the prices were, in many instances, doubled and tripled.

Even for the ordinary shows on holidays and Saturday nights, outrageous prices were charged to the men in the service. In one case brought to the attention of this office, on a Saturday night at the Hippodrome, a speculator sold a sailor two 50-cent tickets for $2.25 each, and there were many other instances of serious overcharges. The matter of ticket speculators, however, has been remedied by a city ordinance prepared in this office which has recently become a law.

IV. FOOLISH CHARITIES.

The investigation revealed many ill-conceived or absurd war-relief charities; ofttimes these were well intended, and the promoters of the enterprise sincere, earnest, and honest. Under this heading we may mention the following typical examples:

(1) The American League for World Peace by Allied Victory, conceived and launched by Max Baum, of No. 553 West One hundred and eighty-seventh Street. A circular issued by Baum read:

"I have a project which will require from $250,000,000 to $500,000,000 to complete, and it is desirable that contributions of $500 and upward be received from each of many thousands of contributions. It is not my intention to handle any of the funds nor do I want any compensation or reward, except proper credit for my proposition."

In the New York Herald, of May 21, 1918, he inserted the following advertisement:

"American world patriots, Attention: 'Those only desiring allied victorious peace' do not neglect to communicate immediately for cooperation with Max C. Baum, No. 553 West One hundred and eighty-seventh Street."

When called before the grand jury he stated that his scheme was to build secretly 100,000 aeroplanes for immediate dispatch to Europe. He was to take them to Washington and turn them over to the Government. Notwithstanding the wildness of his scheme, he was able to attract the attention of men of wealth and standing in this country.

(2) The American Federation of Flying Yacht Clubs was a scheme inaugurated by Lieut. T. C. Mars. Life membership in the club was fixed at $1,000 each. H. W. Merwin, a professional solicitor, of 31 Nassau Street, was engaged to solicit membership on a "50-50" basis; $16,000 or $18,000 was raised in this way. Mars's scheme was to inaugurate clubs all over the country for the encouragement of flying as a sport and as a business enterprise. As far as could be ascertained, the only persons receiving any benefit from the enterprise was Mars and the solicitors. At the request of the district attorney the scheme was abandoned.

(3) The Godfathers' League of Our Allies was a scheme devised by George W. Gabriel, who signed himself as secretary. The object was to raise money for comforts and smokes for the boys "over there." The circular sent forth stated:

"You can adopt a soldier for the duration of the war by putting aside a stipend every month for him or send it to him as many times as you like; kindly designate, if any, which particular soldiers you care to help."

Only a small amount of money, however, was raised by Gabriel before he was requested to call at this office.

(4) The National Prayer for All Mothers of the Defenders of Democracy: It is difficult to ascertain the purpose of this organization. Its activities in New York were conducted by Brown-Lansdowne from offices in the Vanderbilt Avenue Building, 51 East Forty-second Street; appeals were made to the public for money, and our information is that the responses were so few that the society soon passed out of existence.

V. MISCELLANEOUS FRAUDS.

Under this heading are included minor methods and devices which proved to be a fertile field for fraud and graft.

(1) Block parties: Block parties became a popular institution in New York City during the past summer, and there is scarcely a block in the city in which a "party" has not been held and a service flag raised in honor of those who were called to the colors. Money to meet the expenses was raised by popular subscription; this money was expended for flags, decorations, music, fireworks, and kindred charges.

The amount raised varied with the enthusiasm and energy of the collectors; in some blocks as high as $1,500 has been raised, while in some sections of the city no more than $75 was secured. Complaints have been made that the money raised for these objects occasionally has been misappropriated. From investigations made into the conduct of many parties it is evident that respectable sums of money have been stolen; in many cases restitution of the money was forced, and in some cases the collectors disappeared from the city.

(2) Matrimonial agencies: With our advent into the war a number of enterprising men, usually of foreign birth, devised the scheme of instituting matrimonial agencies for the benefit and convenience of the men in the service. The ostensible object was to get dutiful wives for soldiers or prospective soldiers. In some instances the scheme was intended to help the soldier to evade the draft; in other instances, the bureau was conducted in good faith. However, in a number of the cases investigated, the bureaus were conducted for the sole purpose of defrauding the soldier. In one case brought to our attention by the Military Intelligence Bureau the matrimonial agency was operated by a Hungarian who was an ex-convict. His proposition was to put soldiers in communication with prospective brides for sums ranging from $5 to $25. Upon payment of the sum demanded, the names of four or five women were furnished to the soldier, who was to get in communication with them by letter. It developed that the director of the agency had in his employ some 8 or 10 servant girls, some of whom were married, some were widows, and others of questionable character; these were used as dupes for the soldiers. Upon payment of the money, the names, addresses, and photographs of the girl dupes were forwarded to the soldier, and after a little correspondence between the girl and the soldier (which was always conducted by the director of the agency himself and not by the girl), the correspondence ceased, and the soldier was out his money and also his bride. Because of the difficulty in getting the soldiers, who were serving in France, to appear as witnesses, no prosecution was attempted; however, the agency was closed.

(3) The Alien Women's and Children's Relief was conducted by Robert C. Veller and Rudolph C. Toth, two alien enemies. Their ostensible purpose was to raise money for the care of the children and families of interned alien enemies. Large sums of money were raised in this way, but very little of it was used to aid dependent families of those interned. Complaint against Veller and Toth is now pending in the district attorney's office and will be presented to the grand jury at an early date.

(4) The Children's Free Lunch League, at No. 4 East Thirty-ninth Street, was conducted by Bertha Herman and her husband. The scheme was to raise money for free lunches for children of soldiers in the American Army. During the time the league was in progress $2,100 was raised, of which sum $300 was actually expended for lunches; the balance of $1,800 went for overhead expenses and salaries. The enterprise was forced to discontinue.

(5) The Christian Nonsectarian Rescue Church of the Living God had headquarters at 336 West Forty-first Street. It is a mission conducted by colored people for the rescue of fallen men and women. It turned its activities to collecting funds for colored soldiers and their dependents. It is said that in the headquarters orgies were often indulged in at night under the guise of religious ceremonies. No record was kept of the moneys collected or disbursed, and they were unable to show that a single dollar of the money contributed had been expended for the families of the dependent colored soldiers in the service. Their activities in war-relief work were discontinued.

(6) Mrs. Smith, who conducts a boarding house in Brooklyn, conceived the idea of gathering canes and crutches for the wounded soldiers and sailors in the hospitals in Brooklyn. She advertised for canes and crutches in the Brooklyn and in the New York papers. Soon she had a large collection from a generous public. Some of the canes were very valuable, having silver and gold mountings, and some were made of rare wood. Instead of distributing the canes to the hospitals, she kept them in her home, placing them on exhibition in the hall racks, in the parlor, and upstairs. At the time the matter was called to the attention of this office upward of 300 canes and crutches were in her collection. She agreed to distribute the canes and cease from collecting others.

(7) Street collecting: The street collector is both a nuisance and a menace. There is no form of relief work that affords so many opportunities for petty fraud. His manner is sometimes obsequious, sometimes imperious, and often even threatening.

Every day the citizen is confronted on the street with urgent pleas to relieve some oppressing need of war sufferers. The blind soldier seems now to be the favorite subject of appeal on the street corner. There is nothing in the history of war that appeals so effectively to human nature as a soldier who has been blinded in the cause of his

country. Sometimes the request for money rolls glibly from the tongue of a fair solicitor and gallant man is unable to resist the call. The appeal of childhood is also availed of to open the recalcitrant pocketbook of the passer-by, thus subjecting the children employed to the temptations of petty graft in the soliciting of funds and the sale of minor articles on the streets and in public conveyances. The price was often overpaid by generous purchasers in the expectation that the full sum might find its way to the charitable object, subjecting the child to the temptation, frequently yielded to, of returning only the price set and appropriating the change.

VI. Patriotic Societies.

A related activity which came within the scope of the investigation was that of the so-called patriotic societies which sprang up throughout the country and met with varying degrees of success. While these institutions were not directly engaged in war relief work, the large sums collected by popular subscriptions to their treasuries suggested the need, as they came within the purview of the investigation, of scrutinizing their activities and bringing to light their methods and purposes.

The growing spirit of patriotism before America entered the war was played upon by the promoters of those institutions who rang the changes with flamboyant expressions of patriotic sentiments and sonorous title. The public purse was liberally tapped with apparently the same degree of sincerity and scrupulousness as that exhibited in war relief endeavors. Here, too, the same varieties of human weaknesses were disclosed. Many instances were discovered where "soi de sant" patriotic societies sprang up, mulcted the trusting and generous, and disbanded or disappeared.

Early in the investigation the attention of the district attorney's office was called to the so-called League for Loyal Americans (Inc.). The league was founded May 29, 1917, by Milo T. Bogart, as executive director, and established headquarters at No. 200 Broadway, New York City. The enrollment card upon which subscriptions were received bore in colors on its face the shield of the United States and the following statement: "I hereby declare myself in full sympathy with every movement that aims to unite American citizens in the cause for which the league stands—'America efficient, prepared, and protected.'"

Bogart, when examined, promptly confessed that he was an ex-convict, had served three years in the penitentiary at Chester, Ill., and admitted having collected $600 or $800 up to the time his corporation was investigated. He consented to discontinue his propaganda and retire from the field of patriotic and war-relief work. Such a man was able to include among his charter members such distinguished citizens as Hon. Elihu Root, Robert Bacon, Hon. Reed Smoot, Cornelius Vanderbilt, Hon. James W. Gerard, and Judge Norman S. Dike. His avowed object was to raise funds for the purpose of drilling American citizens and the organization of a well-prepared army for national defense.

The Loyal Publicity League of America was the title under which Chester A. Applegate and W. H. Thompson conducted an ostensibly patriotic society at 1482 Broadway, New York City. The vehicle here used to extract money for personal gain by patriotic appeal was the issuance to citizens of foreign birth of a formidable questionnaire upon which, if the answers under oath were satisfactory, a diploma or certificate of loyalty was issued for a specified fee. This diploma or certificate was represented as an open sesame to the select circle of patriotic Americans. This form of fraud was promptly suppressed.

A flagrant example of the uncontrolled institution of these societies is found in the case of the Boy Scouts of America and the United States Boy Scouts, two rival organizations in the Boy Scout movement in the United States. The Boy Scouts of America, from all appearances, is an organization that has been conducted upon a high moral plane, well administered, and its funds faithfully applied for the benefit of the youth of America, and has flourished for some years. The United States Boy Scouts, however, was an organization formed in competition with the Boy Scouts of America which capitalized the good name of its rival and secured money contributions through the misapprehension on the part of the donors that the moneys were to be applied for the support of the Boy Scouts of America, a confusion which the similarity of the names employed made possible.

Contributions were obtained by the United States Boy Scouts upon appeals containing statements admittedly false concerning the number of their members and the disposition of their funds, and, so far as has been revealed, the only beneficiary of the donations or activities of the organization is one Ammerman, treasurer, who conducts a jewelry business at Nos. 5 and 7 Dey Street, where he also maintains the national headquarters for the United States Boy Scouts. "Majors," "colonels," and other "officers" are appointed with reckless abandon by Ammerman wherever contributions may be stimulated thereby, and one of these officers, Col. J. E. Smith, an ex-convict, who served a term for bigamy in Indiana, was sent to places of amusement making appeals for funds and taking up collections. Neither the amount of money collected by the United States Boy Scouts nor the number of its members or the disposition of its funds has been ascertained; neither has it been revealed or discovered that any part of the funds collected have been expended for the benefit of the boys in whose behalf the donations were made.

The National Women's Army, conducted by Col. Netta I. Boardman, proposed the enrollment of women for military training for self-defense as a device for securing a membership fee. Funds were also raised by public entertainments and private appeals. No accounting was had and no record kept of the moneys received or disbursed, and at the request of the district attorney the "army" was disbanded.

A large and successful organization, formed and conducted under the guise of patriotism, is now the subject of investigation by the United States Congress. This organization has announced that its budget for 1918 was upward of $1,200,000, which money was for the ostensible purpose of spreading propaganda throughout the country for our national security and protection. No institution in the entire field have greater promise, by reason of the personnel of its officers, committees, and leading members, of sincerity and honesty of purpose, and none was accorded a more general and liberal support. Twofold, therefore, is the wrong perpetrated by such an institution when it appropriates the funds contributed to it and employs its influence for the advancement of partisan and personal interests in contravention of its avowed intentions and patriotic aims.

These flagrant examples of abuse of public confidence and the misdirection of patriotic impulses call for official scrutiny and control.

VII. Results of the Investigation.

As the investigation progressed and the intricate ramifications and vast proportions of waste and culpability were unfolded, it became apparent that the situation called for drastic and perhaps extra legal remedies for the protection of the public and the successful and honest conduct of war relief work.

For the achievement of this purpose the more available devices seemed to be the immediate warning and education of the public as to the methods employed, the suppression of unworthy and improper activities by prosecution where possible or by pitiless publicity where an element of strict legal proof might be wanting, and the enforcement of restitution of funds fraudulently derived or culpably misappropriated in the conduct of existing charities.

In every case where legal proof was unearthed the facts were immediately presented by the grand jury for action, the defendants placed on trial, and convictions obtained.

As a result of the publicity given to the fraud and waste discovered, 384 out of 534 charities investigated by the district attorney were forced to discontinue their activities, either as corrupt, dishonest, mismanaged, or in fraud of the public. Of the remaining 150 which were found worthy of full or some of public confidence, three-fourths were found to employ some vicious methods of collection, disbursement, accounting, or administration, but all of them cheerfully accepted suggestion and criticism and corrected the abuses pointed out. These societies thus improved continued their activities and achieved useful results.

Many estimable ladies, actuated by lofty motives and at great personal sacrifice, devoting their entire time and energy, and ofttimes their money, were discouraged in their support of unworthy charities and found avenues for the useful expression of their zealous and wholehearted philanthropy. Much difficulty was experienced, however, in convincing some of them of the necessity of discontinuing their pet schemes, as they seemed obsessed with the view that because of some especial virtue in their particular work an exception should be made in their behalf.

In many instances where lack of witnesses, want of proper cooperation from the innocent parties involved, and other tactical reasons made it inadvisable to institute a criminal prosecution, but where moral obliquity was unquestionable, restitution was forced from the offender by the district attorney, and in this manner upward of $250,000 was restored to the charities for which the money was originally intended.

Some institutions which were discontinued under pressure of the investigation were closed out and their assets turned over to worthy charities. In this manner, in a single instance, $5,000 in cash and $35,000 worth of automobiles and goods were realized. Upward of $1,000 was restored to the American Ambulance in Russia; $30,000 realized from the discontinuance of the Drake Section Sanitaire was turned over to the French authorities or refunded to the donors; the firm of Forsyth & Fisk were compelled to return upward of $12,000 to the Seventy-first Regiment; and Mrs. L. L. Daniels and a man named King returned approximately $800 to the War Babies' Cradle.

In many other instances dishonest collectors or fraudulently or improperly conducted institutions were compelled to discontinue their operations and turn over their funds to substantial and reliable societies engaged in war-relief work.

The revelations of imposition, mismanagement, or misconduct in the collection and handling of funds solicited in the names of foreign societies and committees in America, and especialy in New York City, brought these activities to the attention of the foreign Governments and resulted in the suppression of the efforts by the respective Governments as an act of courtesy and respect to the United States. Many of these activities were doing worthy work and were properly administered and controlled, but with the advent of the United States into the world war the allied countries assumed the position that the generosity of the American public should not be diverted from the proper war-relief aims and needs of this country. In this connection the statement of a well-known representative of the British Embassy is of interest:

"I have strongly urged this afternoon to the British authorities here and to Lord Reading, British ambassador to Washington, that such activities * * * should be checked as being open to misconstruction. The American people, as a matter of fact, have been so generous in everything relative to entente relief funds that no appeals whatsoever should be made to them for contributions, save by societies which should receive proper approval and authorization from the local authorities here."

Italy, France, and Belgium adopted the same policy. In this manner the activities of Lady Kingston, wife of the Earl of Kingston, of Kilronian Castle on Shannon, County Roscommon, Ireland, were discontinued, although the lady enjoyed an excellent reputation and no objection to her methods of accounting was found. Lady Kingston's appeals were in behalf of the shamrock fund for disabled Irish soldiers.

The campaign conducted by Lord and Lady Aberdeen, instituted for raising funds for the welfare of Irish and Scotch orphans, was also discontinued at the request of the British Government when it was revealed that the lord and lady were employing the services of an impostor by the name of Carl Diener, and perhaps accepting some part or all of their expenses from the funds contributed.

As the searchlight of the investigation penetrated the dark corners where lurked the fraud, mismanagement, and corruption that were undermining the whole structure of war relief, the social "climber" and the social parasite who promoted waste and invited fraud and profiteering by their inefficiency and mismanagement were driven from the field lest their ambition for social preferment and advantage might lead them to public opprobrium and disgrace.

It is thus evident that the results of the investigation are not to be measured entirely by the court record of the prosecutions instituted and the number of convictions obtained or sentences imposed, but rather that the greater benefit was secured in the revelation of the frauds and vices practiced and indulged in the collection of funds for war relief, and the assistance and stimulus given in the rehabilitation of war relief effort on a constructive and sincere basis. It is, therefore, as a mere incident of this report that the following outline of the specific accomplishments of the investigation is included:

Résumé of the Results of the Investigation.

(1) Five hundred and thirty-four committees, societies, organizations, "funds," or "charities" investigated.

(2) One thousand five hundred and eighty-three witnesses examined.

(3) Nine hundred and forty-seven statements taken, covering 3,454 typewritten pages.

(4) Two thousand seven hundred and forty-two letters received and answered.

(5) Four thousand four hundred and sixty-three queries received by phone, by letter, or in person.

(6) Twenty-six indictments filed by the grand jury and a number of convictions had.

Among those indicted were Mrs. William Cumming Story; Charles Donald Fox, secretary of the Army and Navy Bazaar; "Doc" Waterbury, alias Julius L. Ford; George F. Sweeney and Arthur Curry, advertising solicitors; and The One Hundred Per Cent Boys, to wit, Michael J. Delehunty, Lester Winkelman, Alfred Gardner, James F. Mendels, and Fred J. Remsen.

Among the convicted were Eugene Jess, sentenced to State prison for not less than one year and three months or more than two years and six months; Lester Winkelman, sentenced to State prison for not less than three years nor more than six years; Charles Donald Fox, sentenced to not more than three years in the penitentiary; William J. F. O'Neill, sentenced to State prison for not less than two years and six months nor more than four years and six months; Michael J. Delehunty, sentenced to State prison for not less than three years nor more than six years, later released on parole for service to the State as a witness.

Fugitives from justice: Alfred Gardner ("Stuttering Al") and James F. Mendels, of The One Hundred Per Cent Boys.

(7) A presentment filed by the grand jury warning the public against waste and misappropriation in war-relief work.

(8) Three hundred and eighty-four committees, societies, organizations, "funds," or "charities" forced to discontinue their activities.

(9) Restitution to the extent of approximately $250,000 forced from fraudulent "charities" and swindlers.

(10) The suppression of The One Hundred Per Cent Boys: This coterie of ex-convicts, professional swindlers, and confidence men, who in eight months, under the guise of charity, fraudulently obtained $500,000 from the New York public, has been entirely wiped out, its members having either been sent to prison or are fugitives from justice.

(11) *Gigantic frauds*: The investigation revealed that during a period of one year in New York City approximately $4,000,000 had been stolen from the public in the name of charity.

(12) The elimination of the ex-convict and confidence man as a charity worker.

(13) The elimination of the charity worker or solicitor on a commission basis.

(14) The exposure of the "waster type" of war-relief charity.

(15) The enactment of an ordinance by the board of aldermen of the city of New York requiring the manager of a charity bazaar or entertainment to be licensed and to be placed under bond for a proper accounting of the funds raised by him.

(16) A partial list of discredited war-charity organizations:

Alien Women's and Children's Relief.
American Ambulance in Russia.
American Convalescent Home Association.
American Federation of Flying Yacht Clubs.
American-Italian War Relief Society.
American League for World Peace.
American Patriotic League.
Army and Navy Comfort Committee.
Belgium Babes Relief Committee (formerly the American Committee for Relief of Babes of Belgium).
American Soldiers' and Sailors' Christmas Cheer Fund.
Children's Free Lunch League (Inc.).
Cripples' War Relief Association (Inc.).
Drake Ambulance and Drake Section Sanitaire.
Fund for the Orphans of Italian Soldiers in Italy.
The Godfathers' League of Our Allies.
The Italian-American Society for the Relief of the Blind, the Mutilated, and the Orphans of the War.
The League of Loyal Americans.
The Loyal Legion of America.
The Loyalty League.
The Loyalty Publicity League of America.
The National Federation of the Committee for Assistance to Blind, Lame, and Mutilated Soldiers.
National War Relief Committee.
National Women's Army.
The One Hundred Per Cent Boys.
The Penny-a-Week Fun (Nealy).
The Protection of French Soldiers Retired for Disability (Brahier Cie).
Samaritan Circle of the Fatherless Children of France.
Service Flag Hospitality.
Thanksgiving Dinner Fund for Soldiers.
World War League.
World War Record Association.

(17) Advertising solicitors forced out of war-relief work:

Curry & Saunders, working on a 50–75 per cent basis.
Forsyth & Fisk, working on a 40–85 per cent basis.
M. F. Sweeney, working on a 50–50 per cent basis.
Wheaton Service Corporation, working on a 40–70 per cent basis.

(18) Notorious ex-convicts forced out of war-relief work:

"Doc" Waterbury, alias Julius L. Ford.
Milo T. Bogart.
Nathaniel S. Shaw.
E. J. Wheaton.
C. H. Alshouse.
Samuel Wiley.
"Col." J. R. Smith.

(19) People of prominence who were requested to discontinue war relief work:

Lord and Lady Aberdeen.
Countess Sartoris (Mrs. Cecile Sartoris, wife of a grandson of Gen. U. S. Grant).
"Countess" Chic Mazzuchi (The "Angel of the Marne").
Miss Henrika A. C. van der Flier.
"Countess" Laura de Gozdawn Turczynowicz.
Seumas, chief of Clan Fhearguis of Stra-char and Clan Ailpein Argyle, Scotland.
Mrs. William Cumming Story.
Waldemar De Billie, manager of charity bazaars and entertainments.

VIII. Frauds Abroad.

As a necessary corollary to the investigation of war charities in America, with the ever-present question as to how the moneys were obtained and applied, the query as to how the funds, amounting to three or four billions of dollars, forwarded abroad have been expended and administered suggests itself with the irresistible suspicion of misapplication and waste.

The venal, incompetent, and dishonest organizations and committees operating in America forwarded their funds, in most instances, to correspondents of their own selection or original alliance, and upon the simple theory that "birds of a feather flock together" it may be inferred, without violence to reason or logic, that irregularities equally as serious would be discovered abroad in these instances.

It is readily apparent that opportunities for investigation and detection with the restraint consequent thereon were better in this country than abroad, and at least an equal amount of irregularity might therefore be the consequence of the lack of this restraint. Throughout the course of the investigation occasional war workers, returning soldiers, and others were interviewed, from whom sidelights on the methods pursued abroad were obtained, and while it may be said in frankness that insufficient information to legally substantiate the charge of corruption abroad was revealed, enough has been said and suggested to support the inference that substantial irregularities exist along the lines deduced from the revelations here. It has been asserted that upward of $50,000,000 has been fraudulently misappropriated or diverted from the funds sent to Europe, and that moneys are even returned to this country for the use of local confederates who had with apparent honesty in their records here forwarded the moneys collected here. It has been confidently asserted that many of the committees to whom funds were forwarded were mere dummies for the American operators and that the funds were misappropriated by the padding of accounts, rebates, commissions on purchases, and the payment of gratuities.

The assertion is publicly made and reiterated that materials actually intended for free distribution among the men in the service have instead been sold to them, often at exorbitant rates and in complete violation of the trust under which they were donated.

The public is entitled to know whether or not these accusations and suspicions are well founded, and if the public generosity and confidence has been betrayed the fact should be fearlessly revealed and the offenders promptly and mercilessly punished.

An investigation along the lines and with a view to the results achieved and methods pursued by the district attorney of New York County should be instituted immediately under the auspices of the Federal Government in cooperation with the district attorney of New York County, from whose jurisdiction so large a proportion of the funds were forwarded, and the results are sure to justify the expense involved and bring to their fruition the efforts expended in the investigation of war-relief work in the city of New York. It is the duty of the district attorney of New York County to take such steps as his jurisdictional limitations will permit to investigate and discover, if possible, whether or not moneys collected within his jurisdiction for war-relief purposes have been misappropriated by any person into whose hands they may have come. Nothing less will satisfy an interested public.

The need for such an investigation has not in any way been lessened by the cessation of hostilities, as relief work is needed even more for our men in the service and the stricken peoples of Europe.

IX. Inadequacy of the Law.

In the absence of legal proof, often difficult of acquirement, the district attorney was powerless to suppress or remedy the abuses discovered by strictly legal means, and except for the power of subpœna and investigation and the aid of the public press, reenforced by public opinion, the excellent results obtained and the vast savings achieved would never have been possible.

The more venal institutions kept no records, either of the persons interested, their officers, or their receipts and disbursements. In failing to make or keep such records no law was violated and no punishment could be meted out. Discovery of crime in such a case was therefore difficult, if not impossible, and only in occasional instances was evidence accidentally secured to justify a conviction. Any person of whatever character was and still is permitted to institute a war charity and to collect funds for war relief; even the identity of some of the principal malefactors can not be discovered.

The legal remedies available at present are the simple provisions of the penal law relating to the misappropriation of funds and the obtaining of money by false pretenses. As the law now stands, the power of the district attorney and the grand jury to investigate for the purpose of discovering the commission of a crime is rendered nugatory by the lack of any law requiring the registration of those engaged in war activities and the keeping and verification of accounts showing the amounts collected and disbursed.

The propriety of remedial legislation could not be more apparent, nor has the necessity therefor been lessened by the cessation of hostilities. So long as the shell-shattered remnants of the peasant homes of Europe remain unrebuilded, or a desecrated art treasure remains unrestored, so long will the appeal be heard and the generosity of America respond for "war relief." The wounded soldier and his dependents, the dependents of those who have died in the service, and even the families of those who fought and returned well, after their death, present a never-ending appeal to the sympathies and appreciation of the public with the everlasting memory of their services in the great world war. So long as any of these objects of popular charity remain, war relief activities will not down.

Little has been done by way of remedial legislation to correct these abuses in any part of the country. The State of Illinois is perhaps the only State in this country that has had any progressive legislation on the question of war-charity control. On July 1, 1917, a law went into effect in that State which places the matters of war charities and solicitations of funds in the hands of the State council of defense and gives that body full power and authority to issue and revoke licenses for the solicitation of funds. No person, society, club, or association is allowed to solicit without first getting a license from the State council of defense, which council is given power and authority to make rules and regulations for the registration of persons engaged in war-relief work and the issuance of licenses thereto. The law further provides that before any person can engage in war-relief work that person must file a statement with the State council of defense, the statement to contain the name of the war charity for which the person desires to solicit, the amount to be raised, the method and channel of raising and distributing the money, the amount of compensation to be paid for subscriptions, and the manner in which the money is to be distributed. The violation of this law is made a misdemeanor punishable by a fine of $1,000.

The Illinois law, however, has been in a way ineffectual, due to the fact that the State council of defense has not made proper provision for the investigation and checking up of the applicants and the verification of the statements filed; also in the matter of providing a sufficient number of investigators to see that the law is not violated. However,, the law is a good one and would be effective if properly prosecuted.

England in the war foresaw these necessities and enacted what is known as a general charities act, which became effective on the 23d day of August, 1916. This legislation seems to have solved the war-relief work situation for England; that is, so far as the protection of the public and the needy beneficiaries are concerned. Briefly, this act provides that it shall be unlawful for any person, committee, or organization to make any appeal to the public for donations or subscriptions in money or in kind for war charities or to raise or attempt to raise money for war charity by conducting a bazaar or entertainment, or by any means, unless the charity is registered. The law further designates the authorities with which charities shall be registered in the various communities, and that the charity can not be registered unless the registering authorities are satisfied that the charity is estab-

lished in good faith for charitable purposes, and that they will comply with the provisions of the war-charities law.

All charities registered are required to have their funds administered by a committee consisting of not less than three persons. Minutes of the committees are required to be kept and regular meetings held, and a proper audit of the committee's accounts is made mandatory. The manner in which the funds are disbursed is also required to be accounted for before the registrar. When any charity is found to be unworthy the registration is immediately revoked. The law is drastic, and anyone violating any of its provisions can be dealt with in a summary manner, subject to a fine, or given three months' imprisonment at hard labor. Profiteers and other persons, like Mrs. Story, Baroness H———, Countess T———, and thousands of others could not operate under such a law, and for that reason they operated in this country. In fact, Baroness H———, when examined, admitted that she would not be permitted to raise money in England or in France for her own profit, while it was easy to raise money here. In England an appeal from the decision of the registrar is allowed to the commissioner of charities, and under the provisions of the act requiring that a charity be administered by not less than three responsible persons, the possibility of unscrupulous persons soliciting and managing charities has been entirely eliminated.

In New York City on December 3, 1917, an ordinance passed by the board of aldermen became effective. This ordinance requires the manager of a bazaar or other charitable entertainment to obtain a license from the commissioner of licenses and to file with that official a bond to the effect that within 10 days after the entertainment the moneys raised and disbursed will be properly accounted for.

There is now pending before the United States Senate bill No. 4972, introduced by Senator ASHURST. While the presentation of this measure provided encouragement to the expectation that remedial legislation may be enacted by Congress, the bill itself is inadequate, and amplification and amendment are necessary before its operation can promise salutary results. For the effective and proper control of patriotic societies and war-relief organizations there should be Federal regulation and supervision under one of the principal departments of the Federal Government, either the Department of Justice, the Department of the Interior, or the Treasury Department; and such Federal regulation should be supplemented by State and municipal laws. Accordingly, three bills are in the course of preparation in the district attorney's office embodying such provisions as the investigation lately concluded suggests and intended to correct abuses and eliminate the evils revealed, respectively intended for national, State, and municipal enactment. Each of those measures is intended to cover a separate phase of the situation and, when taken together, to complement and supplement each other and thus comprehensively cover the field. For want of a better name the three bills may be referred to as "The charity triplets."

X. RECOMMENDATIONS.

The following recommendations are suggested by a survey of the conduct and results of the investigation:

(1) The management, control, and finances of war charities abroad to which American money was donated should be investigated to the end that culpability may be established and false suspicions dispelled.

(2) Legislation looking to the supervision and control of patriotic societies and war-relief organizations should be enacted by Congress providing for a bureau under the Department of the Interior, which shall have supervision and control over patriotic societies and war-relief organizations. The bureau so created should have the power to formulate rules and regulations for the conduct of its functions and suitable appropriation made for the prosecution of its work.

(a) No person or organization should be permitted to collect or receive funds or distribute mailable matter for patriotic societies or war relief activities except upon the issuance of a license.

(b) No license to be issued except upon the sworn statement of a responsible person or committee who is to be in charge of the conduct of the enterprise, this sworn statement to indicate the names of the organizers, the object of the organization, and the scope of its work.

(c) Each person or society receiving such a license should be required to file with the bureau a semiannual statement under oath giving the names and addresses of all members, the sums of money collected, names and addresses of the contributors, and the amount contributed by each, and an itemized statement of the disbursements made and the purposes thereof.

(d) Copies of all printed appeals for funds or cooperation should be filed within five days after such appeal is made.

(3) Legislation should be enacted in the State of New York embodying provisions similar to those in the Federal enactment covering war relief work.

(a) There should be created in the office of the secretary of state a bureau to supervise war-relief work activities in the State of New York.

(b) No person, committee, or organization engaged in war-relief work should be permitted to operate in the State of New York without first obtaining a license therefor.

(c) No license should be issued except upon the sworn statement of a responsible person or committee who is to be in charge of the conduct of the enterprise, this sworn statement to indicate the names and addresses of the organizers, the object of the organization, and the scope of its work.

(d) Each person or society receiving such a license should be required to file with the bureau a semiannual statement under oath giving the names and addresses of all members, the sums of money collected, names and addresses of the contributors, and the amount contributed by each, and an itemized statement of the disbursements made and the purposes thereof.

(e) Copies of all printed appeals for funds or cooperation issued in the State should be filed within five days after such appeal is made.

(f) The bureau to have the power to immediately revoke the license of any person, committee, or organization collecting funds through the agency of persons employed upon a commission basis, or where the operating expense, as revealed upon investigation or by the semiannual report, exceeds 30 per cent of the gross amount collected.

(g) The violations of any of the provisions of the law should be punishable by an appropriate penalty.

(4) An ordinance should be enacted in the city of New York prohibiting the soliciting of funds, the sale of buttons, tags, and merchandise on the streets, in public places, at public functions, and places of amusement for charity. Suitable exception in the proposed legislation should be provided to cover solicitations on behalf of strictly religious bodies.

The district attorney was greatly assisted in the conduct of the investigation by many interested citizens and officials, to whom he is indebted for many valuable suggestions.

Barry C. Smith, Esq., formerly secretary of the Charity Organization Society, and now director of the National Investigation Bureau, generously gave counsel and attention to the work, which, by reason of his experience and capacity in the field of charitable endeavor, was of especial value throughout the course of the work.

Detective Sergeant Grover Cleveland Brown and August Mayer, detailed by the police department to assist the district attorney throughout the investigation, cleverly ran down the various clues that were from time to time presented for investigation, and their services in securing the attendance of witnesses were invaluable.

Respectfully submitted.

EDWIN P. KILROE,
Assistant District Attorney.

Senate bill No. 4972, covering this subject, was introduced in the Senate by Senator ASHURST, and at the hearing before the Senate Military Committee Mr. Kilroe offered an amended bill as a substitute, for Mr. ASHURST suggested that we might incorporate such a bill for the assistance of the committee. The amended bill was drawn up by the Legislative Drafting Research Board of Columbia College, New York City, and this bill is the one that I now offer for your consideration.

It is true that the law already forbids the use of the mails for fraudulent purposes, but the law should be made more stringent, and should exclude all enterprises whereby an individual or private corporation may make use of same, simply by appearing under the name of some charitable organization, and through fraud and cunning gain the sympathy of the masses and make a selfish use of the moneys so willingly appropriated, and in many cases at a personal sacrifice, by a patriotic people to aid in binding up the wounds of our young heroes here and abroad. There is a crying need for Congress to enact appropriate legislation to encourage and aid those who unselfishly and with no thought of personal gain devote their time and energy to a cause so highly praiseworthy, so entirely humane, a service so vitally important to this and our allied countries—the work of coming to the aid of our wounded and dying heroes and giving them every comfort that the moneys so collected can obtain. On the other hand, this legislation should enforce the punishment of those who are so selfish and so unpatriotic as to prey upon sentiment and use for personal gain the money given out of largeness of heart and purpose—the purpose of the betterment and comfort of those who so willingly have given their all to the cause of democracy.

Mr. Speaker, as a resident of the city of New York, where millions of dollars were collected and swindled, and as the Representative of the Harlem and Heights section of that city, I should like to say that I am heartily in support of this measure. It might be wondered why legislation of this character would now be deemed necessary since the war is substantially concluded. It appears to me that the demand is as great now as during the progress of the war, for there is yet to be administered to our soldier boys much aid, their wants are increasing, and the morale of our Army both here and abroad will necessitate funds to keep it at a proper standard. The war may be over, but our work will not be until the sufferings caused by the war have been in a great measure alleviated and the people of our great country are entitled to the protection that the enactment of the bill in question would afford.

EXTENSION OF REMARKS

OF

HON. TOM CONNALLY,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. CONNALLY of Texas. Mr. Speaker, I desire to make clear my own individual position as regards the resolution of the gentleman from Illinois [Mr. MANN] now under consideration, which reads as follows:

House resolution to authorize the payment of salaries to Members of the House of Representatives withheld during their absence in the military service of the United States.

Resolved, That the Sergeant at Arms and Clerk of the House of Representatives are hereby authorized and directed to immediately pay all arrears of salary and clerk allowance to Members of the House of Representatives of the Sixty-fifth Congress who have not received their monthly salary and allowance owing to their absence from the House while in the military service of the United States during the war: *Provided*, That there shall be deducted from such amounts for salary, respectively, any money received by any of the above-named as compensation for service in the Army during the present emergency, and the affidavits of the above-named persons shall be accepted as proof as to whether or not any such payment has been received by them.

While I do not assume to censor the conduct of any other Member of this House, I am anxious for the House to know that for myself I neither desire nor will I accept compensation as a Member of Congress while I was serving in the United States

Army. When I entered the Army I was willing to accept the reduced pay provided as compensation in the Army. Practically every soldier who joined the colors received less than he did in civil life, and I went no more consideration than was accorded to others in the service.

When I joined the Army I did not expect to be able to return to my seat until the Sixty-sixth Congress should convene. There was no expectation that the war could triumphantly end so soon, and I did not anticipate returning until after the Sixty-fifth Congress should come to an end. However, the sudden cessation of hostilities and the signing of the armistice caused Congress to pass a concurrent resolution directing the Clerk and Sergeant at Arms to place upon the roll all Members who had joined the military service upon their discharge from the service and their return to their seats. Shortly afterwards I was discharged and in conformity to the concurrent resolution returned to my place in this body.

Members of the House will recall that a few days ago the House adopted an amendment to the deficiency appropriation bill providing for the payment of specific amounts to Members who joined the Army as salary while they were absent from the House. The gentleman from New York [Mr. SANFORD], who prepared the amendment, exhibited it to me prior to its introduction, and at my request struck from the amendment the sum provided to pay my salary while I was in the military service.

The theory upon which the war was fought by the United States and upon which our military forces were raised was that there rested upon every citizen an equality of obligation to serve in time of war, and recognizing that obligation I will not claim a greater compensation than that provided for those similarly situated in the military service.

The League of Nations.

EXTENSION OF REMARKS

OF

HON. RICHARD W. AUSTIN,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. AUSTIN. Mr. Speaker, Thomas O. Marvin, of Boston, is one of the ablest political and economic writers in New England, if not in the United States, and it gives me pleasure to submit his views on the league of nations to the American Congress.

OUR COVENANT FOR AN ENDURING PEACE—AMERICA NEEDS NO WRITTEN CONTRACT TO HOLD IT TO HIGH IDEALS.

(By Thomas O. Marvin.)

On January 25, 1919, the plenary session of the Paris peace conference, having considered the proposals for the creation of a league of nations, resolved that "it is essential to the maintenance of the world settlement which the associated nations are now met to establish that a league of nations be created to promote international obligations and to provide safeguards against war." After laboring for three weeks over the proposition the commission reported on February 14 the draft of a covenant and constitution for a league of nations. The purpose of this covenant between the nations is "to promote international cooperation and to secure international peace and security." The methods by which this purpose is to be attained are:

1. The acceptance of obligations not to resort to war.
2. The prescription of open, just, and honorable relations between nations.
3. The firm establishment of the understandings of international law as the actual rule of conduct among governments.
4. The maintenance of justice and a scrupulous respect for all treaty obligations.

Assent to this covenant by the powers and their signature to the document pledge them to the adoption of the constitution of the league of nations.

It was with mingled sentiments that the draft of a constitution for the league of nations was received throughout the world. Everywhere it was recognized that the ideals involved in a league of nations are in accord with the hopes and aspirations of the world. For centuries men have longed for the day when wars should cease. In the days of Isaiah, the prophet dreamed of the time when "nation shall not lift up sword against nation; neither shall they learn war any more."

In the fourth century before Christ, 12 or more of the ancient cities of Greece formed themselves into the Achæan League for protection from the pirates of the Corinthian Gulf. Like the league now under consideration by the Paris conference the Achæan League had a council of delegates and a popular assembly. It had a secretariat; but also a cavalry commander and admiral. Each city-state that was a member of the league had 1 vote. Internal independence and self-government were retained, but all matters of foreign policy and war were controlled by the league. Power was lodged in the league to summon contingents for the federated army, to impose taxes, and to fine or coerce refractory members. The league was frequently engaged in war and succumbed to the Roman armies in the year 146 B. C.

Three hundred and sixty-six years before Christ the Romans built at the northwest end of the forum a Temple of Concord as evidence of the peaceful aspirations of the mightiest despotism of ancient times. Tiberius, who is reputed to have "reduced Germany almost to the position of a tributary Province," restored the Temple of Concord out of the spoils gained in Germany. And to-day we are once more endeavoring to build a Temple of Concord out of the wreck of the German Empire.

Thirty-one years before Christ was born Agrippa, rejoicing over the defeat of Antony at Actium, exclaimed, "The time of universal peace is near." And so through the centuries of ancient and modern times the dream of universal peace possessed the souls of soldiers and of statesmen.

In the tenth century, after the dismemberment of the empire of Charlemagne, the clergy attempted to institute the peace of the church, under which any form of private warfare was forbidden. Later came the peace of God or the truce of God, which prohibited every act of warfare during the larger part of each year. The means invoked to preserve the peace of the world were spiritual penalties, leagues of peace, and force. In the seventeenth century the truce of God was replaced by a truce of kings. Henry VIII of England and Francis I of France embraced on the Field of Cloth of Gold and vowed unending friendship and peace. Another "great design," credited to the British Prime Minister Sully, though he is reputed to have said that it originated with Queen Elizabeth, proposed the formation of a Christian republic directed by a general council of 60 delegates representing a European confederation of 15 States. In 1713 Saint-Pierre advanced a project for universal peace. Later this project was elaborated by Rousseau into a league of nations to be composed of 19 powers joined in a European republic. The nineteenth century found the dream of a league of nations still seething in the minds of men. In 1804 Czar Alexander I proposed plans of a general pacification and the formation of a league of nations with a new code of international law, sanctioned by the great nations of Europe, any infringement of which would bring upon the culprit the force of the new union. This suggestion of Alexander's led to the formation of the holy alliance, which, like all its predecessors, ended in failure. In its inception, as Prof. W. A. Phillips has said, it was colored by a lofty idealism, but it "ended by stinking in the nostrils of all lovers of liberty." In the latter part of the nineteenth century, while the Franco-Prussian War was raging, Ernest Renan revived the dream of a league of nations. "We shall see the end of war," he claimed, "only when to the principle of nationality is added the principle of a European federation superior to all nationalities." In 1897 Lord Salisbury said, "The federated action of Europe is our sole hope of escaping from the constant terror and the calamity of war." To-day the son of Lord Salisbury, Lord Robert Cecil, represents the British Empire on the commission which has reported to the peace conference a constitution for the league of nations. In 1898 a Russian Czar once more proposed an international conference for the purpose of making "the great idea of universal peace triumph over the elements of trouble and discord." Two international conferences resulted—The Hague peace conventions, one in 1899, at which 26 powers were represented, and another in 1909, attended by 44 powers, practically the entire world. At these conferences courts of arbitration were instituted, and the conference of 1907 agreed to "compulsory arbitration without any restriction" in the interpretation and application of international agreements. This conference, at which practically the entire world was represented, unanimously declared their "firm determination to cooperate in the maintenance of general peace."

Notwithstanding this firm determination to maintain peace, and in spite of the age-long struggle to banish war, the nations that participated in The Hague conventions were, within seven years, at each other's throats, and the most terrible war of all history raged for over four terrifying and devastating years. Have men and nations so changed within the last few years that we can count upon the successful establishment of a new order throughout the world? Have plans that have been tried again and again acquired some new and magical potency? Is the quest for eternal peace at last happily and triumphantly ended?

There is nothing in the proposed constitution of the league of nations to assure us of this gratifying consummation. In fact, the document itself affords evidence of the expectation of future wars in the very means that it sets up to punish a resort to arms.

And here is where the constitution of the league of nations has serious import for the United States. The program of the league is predicated upon the outbreak of future war, and prescribes the duties and the obligations of the members of the league in such an event. Like the Achæan league of the fourth century B. C., which levied contingents from its members for the federated army and possessed the power to coerce refractory members, and like the league of nations expounded by Rousseau in the eighteenth century, which provided for armed action to be taken jointly and at common expense, this new league stipulates that the disregarding of its covenants will be regarded as an act of war, and empowers the executive council in such cases to recommend what effective military or naval force the members of the league shall contribute to protect the covenants of the league.

In joining the league the United States becomes bound to equip and dispatch a military or a naval force at the summons of the executive council of the league, no matter how remote the seat of trouble or how foreign the dispute is to our people or to the interests of our Government. There are major problems that involve the peace of Europe and the security of nations that the United States can never look upon with unconcern, in the issue of which we can never again pretend to be neutral, and in the settlement of which we shall never again be too proud to fight. But we need no binding contract of league or covenant to hold us to this purpose. All we need is to prevent the reestablishment in power of another timorous and pacifist administration. The blood of Americans spilled so lavishly on the fields of France is our pledge and covenant. We have given more than our word—we have given the lives of our sons. We have written the compact with a flaming sword and sealed it with our blood. In face of that immortal and immutable fact, how puny is the program of the Wilson commission on a league of nations, how paltry the pledges and platitudes of their widely heralded constitution.

We drew the sword once when the liberties of the world were imperiled, and if civilization is ever endangered again we will draw it once more, and without waiting for nearly three years to do it. Next to the pitiful reflection upon the character of America by those years of doubt and waiting is this new urgency, by the man who delayed to act, that we pledge ourselves in advance to mix up in any trouble or embroilment that breaks out anywhere on the scarred and sodden surface of the globe.

There are myriad possibilities for trouble. All central Europe and much of Asia are seething with turmoil and unrest. If the help of America is needed, it will be freely given, but we have earned the right to ask Europe and Asia to adjust their troubles and put their houses in order. If we are to set up mandatories for the islands of the sea, let

us demand mandatories for the troublous continents of earth. The United States, Canada, Argentina, Brazil, and Chile would assume the responsibilities of mandatories for the American continents. We have done so ourselves to no inconsiderable extent by our Monroe doctrine. Let England, France, and Italy become mandatories for Europe. If they can not handle the job, then let them call on Uncle Sam.

So long as we retain the spirit of Chateau-Thierry, of Belleau Wood, and of the Argonne no power on earth will break loose in the madness of war without first taking into most serious and respectful consideration the possible action of the United States.

It is not a written covenant between various nations, it is not a constitution of a league of nations, that will guarantee the peace of the world. More potent far is the lesson of Germany's utter failure and the memory of what our boys did over there. The only security for the peace of the world is the power of the nations that believe in peace and that have demonstrated that they can enforce it. No written compact can have the potency of a trained and disciplined army of liberty-loving men. No covenant of statesmen can offer the guaranty for peace that is afforded in the hundred millions of free citizens of America. This is what we should covet for the United States—the respect and honor of law-abiding nations and the fear of brigands who would disturb the peace of the world.

In this can we find the surest promise and covenant of enduring peace on earth.

A young wife asked a bachelor friend if he had ever thought seriously about marriage. "Certainly not," he replied; "no man thinks seriously about marriage until after it has happened." America must not wait to think seriously about the league of nations until after it has happened. Now, while the constitution of a league is under discussion by the peace conference, is the time to discuss it, to think seriously about it, and to consider the responsibilities and obligations which it imposes upon the United States.

"God grants liberty," said Daniel Webster, "only to those who love it and are always ready to guard and defend it. It is my living sentiment, and, by the blessing of God, it shall be my dying sentiment—independence now and independence forever," rang out his eloquent and patriotic challenge.

America, with all it stands for, has cost too much in struggle and sacrifice, in wounds and death and high endeavor, to surrender its power, its authority, or its sovereignty to any superstate. Untrammeled, unawed, and unafraid, America can best fulfill its destiny and best serve the world by following its own distinct lines of development, free from the entanglements of permanent alliances.

We should enter no league that will hamper in any way our economic development or exercise authority over our domestic or foreign trade. We should be no part of a league that can order the removal of economic barriers and place our industries and our workingmen in competition with nations whose cost of production is lower than ours. We have grown strong and prosperous by adhering for the most of our history to policies definitely designed to encourage and diversify our industries, and the results of this policy are written to-day in American triumphs in war and peace. Our victories were won not by our officers and soldiers alone but by the cooperation of our captains of industry and our workingmen. The German menace was destroyed by our factories and workshops as well as by our armies, and these factories and workshops were made possible by the protective policy advocated by George Washington and Alexander Hamilton.

Woodrow Wilson himself has said that "nobody now doubts that the policy of Hamilton put the Nation under a great stimulation, gave it the economic independence it needed, immensely quickened the development of its resources and the powers of its people." We need the wise and resolute application of that same patriotic policy to-day, and we should not consent to incorporation in any league that would retard the stimulation of American enterprise, that would exercise authority over the development of our resources, or that would impair or abridge our economic independence.

No compact should be signed with foreign nations that will diminish our authority over domestic affairs. No contract should be entered into which will permit the majority vote of any league to order our ships and soldiers into the bloody embroilment of foreign wars, in the issues of which American interests are not at stake. We should remain the masters of our destiny, the sovereign power over our own dominions, free to throw the might of the Nation into the scales of war when American rights are ruthlessly assailed, when justice is outraged, or the peace of the world is threatened. America has demonstrated that it can play an effective rôle as the peacemaker of the world. No nation and no group of nations will start anything for another century without taking into consideration what the United States will do. After our recent demonstration of America's power we do not need to enter a league of nations to make our voice heard or our influence felt.

Washington's advice is as potent now as it ever was. "It is our true policy," he declared, "to steer clear of permanent alliances with any portion of the foreign world." Temporary alliances for national purposes or to achieve some great object essential to the welfare of the world are not discountenanced nor prohibited, but we are warned against permanent alliances such as we are urged to-day to enter into. When a similar program was proposed in Daniel Webster's time he declared in a speech in the House of Representatives that "these doctrines are totally hostile to the fundamental principles of our Government."

Grover Cleveland, whose sturdy democracy was never questioned, said:

"The genius of our institutions, the needs of our people in their home life, and the attention which is demanded for the settlement and development of the resources of our vast territory dictate the scrupulous avoidance of any departure from that foreign policy commended by the history, the traditions, and the prosperity of our Republic. It is the policy of independence favored by our position and defended by our known love of justice and by our own power. It is the policy of peace suitable to our interests. It is the policy of Monroe and of Washington and Jefferson: 'Peace, commerce, and honest friendship with all nations; entangling alliances with none.'"

In a speech in Des Moines, Iowa, on February 1, 1916, Woodrow Wilson, who possibly had in mind the advice of Jefferson and Cleveland as well as Washington, said:

"There are actually men in America who are preaching war, who are preaching the duty of the United States to do what it never would before—seek entanglement in the controversies which have arisen on the other side of the water; abandon its habitual and traditional policy and deliberately engage in the conflict which is now engulfing the rest of the world. I do not know what the standard of citizenship of these gentlemen may be. I only know that I for one can not subscribe to those sentiments."

And yet in a little over a year the author of these words stood at the Speaker's desk in the House of Representatives and declared that a state of war existed between Germany and the United States; and to-day he is preaching that we "abandon our habitual and traditional policy" and "deliberately engage" in the promotion of a league of nations.

"I do not know what the standard of citizenship of these gentlemen may be," but I do know that they are not the standards of Washington, Jefferson, Webster, or Cleveland, and, as President Wilson said only three years ago, "I only know that I for one can not subscribe to them."

Not long ago a chauffeur was brought into court after having run down a man. "Didn't you know that if you struck this pedestrian he would be seriously injured?" asked the judge. "Yes, sir," replied the chauffeur. "Then why didn't you zigzag your car and miss him?"

"He was zigzagging himself and outguessed me, your honor," was the answer. Modern statesmanship, as practiced by a distinguished exponent of the art, seems to consist of an elaborate system of zigzagging. There is truer Americanism, a finer patriotism, and better statesmanship in the toast proposed by Robert C. Winthrop at Faneuil Hall, July 4, 1845:

"Our country—however bounded or described—still our country, to be cherished in all our hearts, and to be defended by all our hands.

"The mystic chords of memory, stretching from every battle field and patriot grave to every living heart and hearthstone all over this broad land will ever renew our love of country, kindle our pride in its achievements, and inspire us with confidence in its destiny. To be an American; to fulfill to the utmost the obligations of American citizenship—what nobler task can we undertake; what higher service can we perform for the world? Since our flag was first flung to the breeze it has been to the world the emblem of liberty and the symbol of hope. America does not need to change to be of service to the world. All we need to do is to be true to ourselves, and by so doing will we best serve mankind.

"O flag of sacrifice and chivalry,
Never before so dear! Your holy red,
Dyed with the blood of hero friends; your white,
Clear like their vision; and your starry field,
Steadfast with life devotion! Not again,
I think, shall I look out upon the world
But through the folds of your eternal glory.
Flash your fair challenge still across my window,
Flag of my country."

River and Harbor Bill—Some Essentials for Enlarged Use of Channels for Water Transportation—Obstacles which Exist—Remedies Discussed.

SPEECH

OF

HON. JOHN H. SMALL,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 2, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 13462) making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SMALL. Mr. Chairman, the committee presents the annual river and harbor bill. I use the word "annual" advisedly because there is no one of the appropriation bills where the necessity for an annual bill is greater than this for the maintenance and further improvement of rivers and harbors and the adoption of new projects. Since 1910 we have had an annual river and harbor bill for each recurring fiscal year. There is no budget, if it may be so termed, presented for any of the activities of the Government which is examined more carefully and which is presented to the House with stronger evidence, more complete in every respect, than are the estimates submitted for the maintenance and further improvement of rivers and harbors. As is well known, the country is divided into engineering districts of which usually an Army engineer is in charge. He submits estimates for all improvements within his district. Those estimates are forwarded to the Chief of Engineers, and in his office are carefully considered and frequently pruned before they are presented to the Congress and later for the consideration of the committee, and in the consideration of those estimates by the committee the Chief of Engineers or his representative is present to testify and be examined by members of the committee regarding each recommendation for an appropriation to be included in the bill, and in this bill the committee gave careful consideration to every item. A representative of the Chief of Engineers, familiar with all the official reports and the conditions of improvement throughout the country, was present to testify and to fortify the recommendations which have been made. When the committee came to the consideration of this bill, they were confronted primarily by the query as to what should be their policy. The last two river and harbor bills were reported and enacted by Congress during the stress of war. The appropriations for maintenance and further improvement were reduced to the lowest limit; to use a familiar expression, they were "cut to the bone."

In some instances the estimates were insufficient for the maintenance of projects. As to new projects, in the last two river and harbor bills only such new projects were included as were intimately associated with the prosecution of the war. In the determination of that condition investigation was had by the Secretary of War, by the Chief of Engineers, and carefully considered by the committee, and in each of the last two bills therefore new projects were reduced to a minimum. In endeavoring to arrive at a conclusion which should be wise and just to the country as to the policy to be followed in the formulation of this bill the chairman and other members of the committee consulted the President of the United States, the Secretary of War, the Chief of Engineers, and many Members of the House, and the final conclusion was that the bill should carry appropriations for maintenance sufficient to maintain all completed channels throughout the country; that as to projects which had been theretofore adopted and not completed the bill should carry appropriations for every improvement in such amount as could be wisely and economically expended to the end of the next fiscal year. The committee were then confronted with the policy as to new projects, and after very careful deliberation it was finally decided that we should adopt such new projects as were meritorious and urgent, and as a result the committee have selected some new projects which are included in the bill. The chairman of the committee believes that he can state in all frankness that there is no new project in the bill which can not be justified in the public interest. This is not a bill formulated by the chairman of the committee; it is a bill formulated by the committee itself. I would be uncandid if I stated that the committee were unanimous in every respect regarding every appropriation or every new project in the bill. Fair, intelligent men, desirous of discharging their public duty, will disagree as to details, but every item in the bill providing for a new project received the approval of the committee, and they are ready at the proper time to justify their judgment and to ask the approval of the House. It is my purpose to occupy only a brief time in discussing the items in the bill. I desire to discuss some of the general phases of harbors and waterways that are connected with the transportation and commerce of the country. I suggest that Members who may have inquiries to make regarding particular projects defer those inquiries until we take up the bill for reading under the five-minute rule.

Water transportation is one of the essential instrumentalities of the transportation system in our country. We have the highways, the railways, and the waterways, which substantially constitute the trinity. Is there anyone who will question the proposition that waterways are a very essential element in our transportation system? I think not. Even during recent years, when river and harbor bills have been under criticism, the criticism was not directed to the basic proposition that they were essential in our system of transportation, but to the alleged fact that the river and harbor bills contained appropriations for some improvements which could not be justified in the public interest.

The purpose of river and harbor legislation in the improvement of rivers and harbors is to afford additional facilities for transportation, and I will state frankly that no appropriation for an improvement which is not used or will be used for purposes of transportation can be justified as an appropriation of the public revenue. We ought to remember, with regard to our waterways, particularly interior waterways, that providing channels alone does not make for transportation upon those channels. That is a vital mistake which many advocates of water improvement in the past have made. They have vigorously contended that improvements be adopted by Congress and appropriations made therefor, and have too often forgotten to stress the question of whether those channels would be used after they were improved, and the criticism of river and harbor bills in the past, wherever justified, has been based upon the neglect to weigh properly the question of whether the improved channels would be used after they were once improved. There are some essentials which are necessary upon which to predicate the use of improved channels. Of course, everyone will agree that in the first place there must be a demand for the movement of traffic and of such traffic as would ordinarily seek waterways by preference. Having satisfied ourselves that the demand for the movement of traffic exists, it will next be agreed that we ought to have boat lines; that transportation corporations should be organized, properly equipped with ample capital, and with officials acquainted with the needs of transportation for their management.

Often on some of our interior waterways the kind of boats which have been in use have been uneconomical, have been unfitted for the particular service in which they were engaged, and therefore did not sufficiently attract traffic, nor could they be operated with profit.

Another essential for the proper development of waterway transportation is the interchange of traffic between boat lines and rail lines. Unless this can be effected the commerce upon waterways will continue to be local—that is to say, originating at one point upon the river and destined for another point thereon. There ought to be an interchange of traffic and a prorating of freight rates, so that traffic may be initiated upon a railroad, thence go to the nearest point upon the waterway, and thence be transported by water to its destination, or, vice versa, be initiated upon the water lines and thence transferred to the railroad.

What have been the chief elements in the upbuilding of our great system of rail transportation? It has been brought about by their standardization, standardization of the width of rails, the standardizing of cars, so that any freight car or any passenger car upon any railroad in the country can be moved upon any other railroad in the country. And in addition the railroads have established as between themselves a system of prorating. Without this standardization of equipment, without this system of prorating of traffic, this great system of movement by rail, the greatest in any country in the world, could not have been established upon our railroads in the United States.

Neither can we develop water transportation unless the same facilities are extended to water lines as are extended between different lines of railroads.

There is another essential. We must have water terminals. At every town and city, even at every landing along an interior waterway, there must be some sort of terminal adequate to the needs of the traffic involved in order to promote water transportation. Everyone is familiar with the relation of rail terminals to the proper use of railroads, and water terminals are just as, if not more, essential to the proper development of water transportation than are rail terminals for the railroads.

We submitted an inquiry just before the last bill was presented to the House as to the status of publicly owned terminals upon the great Ohio River. While I can not say that the report was a surprise, at least to some members of the committee, yet it did surprise the country to learn that upon that great river, upon which we have expended millions of dollars and will expend millions more, there was not a single adequate public terminal constructed, owned, and managed by municipalities or other public agencies in the interest of the public. I shall refer directly to a later report from the Chief of Engineers, submitted by direction of a provision in the last river and harbor act, upon the Ohio River.

May I, at the expense of repetition, describe briefly some of the essentials of a water terminal? There must, of course, be ample area in water front. There must be a capacious warehouse suited to the business. That terminal must be physically connected by a belt-line railroad with all the railroads serving the community. It should be equipped with modern appliances for the transfer of traffic between the boats and the warehouse or the rail car, respectively.

Without such a terminal, even local traffic loaded upon the boat at the point of origin and unloaded from the boat at the point of destination can not be economically prosecuted. And as to an interchange of traffic with the railroads, it will be apparent that there can be none unless we have such terminal connected with all the railroads serving the community. And where there are no railroads there should be good highways constructed and radiating out into all the area from which traffic may be expected to move by water, and these highways are absolutely essential for the proper conduct of water transportation.

I would like now to refer briefly to some of the obstacles which have existed in the past, and to some extent in the present, to the development of water transportation. In the early days, when railroads were constructed parallel to interior rivers, they deemed themselves competitors of the waterways, and in many instances they reduced freight rates for the purpose not of competing with but of making unprofitable the operation of boat lines. In other instances, either alone or in addition to the other activities on their part, they bought existing boat lines and managed them in such a way that traffic would not be attracted; that they would be operated unprofitably; and ultimately sold the boat lines, so that the river was deprived of the facilities of transportation.

In the Panama Canal act of 1912 Congress thought it had provided a remedy for that evil. In that act is a provision forbidding any railroad which had reduced its rates competitive with water lines to advance those rates except with the consent of the Interstate Commerce Commission.

Mr. ESCH. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. ESCH. That is in the original act. It was not inserted in the Panama Canal act. It was in existence prior to that act.

Mr. SMALL. I was under a different impression, but the gentleman is so familiar with that that I yield to his superior information on the subject. At any rate, it is the law.

Mr. ESCH. That is right.

Mr. SMALL. We thought we had provided a remedy for this evil, but, unfortunately, the results have not justified the expectations. To such an extent, in my opinion, have the expectations failed to materialize, that it has seemed to me that the railroads, for the purpose, in their opinion, of monopolizing traffic competitive with the waterways, have been content to maintain those reduced rates and the original evil has found no remedy.

Another obstacle has been found in the indisposition of many of the managers of railroads to interchange traffic with the water lines. I would like to give you an illustration of that. As I said, the last river and harbor act contained a provision directing the Chief of Engineers to investigate terminals upon the Ohio River between Pittsburgh and Cairo.

I have a proof copy of the report, which will soon be available to the Members of the House; and, by the way, I wish to commend the reading of this report to those gentlemen who desire information upon the question of waterway transportation and suggestions as to its betterment. It is known as House Document 1521, Sixty-fifth Congress, third session. It contains the report of the Chief of Engineers, and also quite an able report by Col. Lansing H. Beach, division engineer at Cincinnati, Ohio. The last river and harbor act directed an investigation as to the status of water terminals at cities and towns along the Ohio River between Pittsburgh and Cairo, and whether the same are satisfactory as to location, construction, and equipment. There is a table here, containing a number of exhibits giving information as to the status of the terminals along the Ohio River, which is most instructive. Table No. 1 gives the names of cities and towns where an interchange of traffic exists between water transportation lines and the railroads. Table No. 2 gives a list of water transportation lines existing and proposed on the Ohio River, with a description of the number and type of boats in operation and under construction or to be constructed, and as to whether the same are appropriate and suitable for the traffic. Table No. 3 gives the rail rates on coal from and through Cincinnati. Table No. 4 quotes the freight rates applying on coal produced in the Kanawha district, West Virginia. Table No. 5 gives the names of coal elevators at present and formerly located on the Ohio side of the Ohio River.

The committee selected the Ohio River because it is one of the important interior rivers. On it are located many important cities like Pittsburgh, Louisville, Cincinnati, and other cities and towns. Congress has adopted a project for the improvement of that river by a system of locks and dams at an aggregate cost of more than $60,000,000, and the work is now in process of construction.

If we can not develop water transportation upon the Ohio River consistent with the traffic to be moved and the facilities offered, there are certainly very few rivers in the United States where it can be so promoted and effected.

I would like to call your attention to just a few extracts from this report as to the Ohio River regarding terminals. I read:

> Through bills of lading, as far as can be ascertained, are not issued by any water transportation line on the Ohio River or by any railroad reaching the banks of that stream on freight to be carried by both water and rail.

Upon that great river, with the number of existing water lines, in the face of the proposition which I believe will be conceded by everyone that interchange of traffic between railroads and water lines is absolutely essential for any healthy water transportation, there is absolutely no interchange of traffic between any water transportation line on the Ohio River and any railroad intersecting any of the cities and towns along that great stretch of river. That fact ought to be impressive, and if this is one of the essentials, then it follows either that existing law is not observed or that adequate laws have not been enacted.

Mr. ESCH and Mr. GARD rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. SMALL. I yield to the gentleman from Wisconsin.

Mr. ESCH. I understand that the Director General has ordered through rates—rail and water—on the traffic on the lower Mississippi River, and has also directed that this traffic should move with through bills of lading, due to the fact that they have now established a suitable line of boats. Is there such a line of boats on the Ohio River? If there is not, that may account for the fact that there are no bills of lading and no through joint rates.

Mr. SMALL. There are a number of boat lines, not in all respects adequate nor of the number which certainly will be required when the improvement of the river is completed. But the difficulty does not lie in the absence of boat lines.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Yes.

Mr. GARD. Does the gentleman intend to give us the benefit of his suggestions about the interchange of traffic on the Ohio River with reference to more complete use and benefit?

Mr. SMALL. In a moment, I do.

Now, calling attention further to this interchange of traffic on page 5, under the subheading (e), "Any recommendation for the development of transportation on such river," I read:

> There are two or three features connected with the development of transportation on the Ohio River which, it is believed, should receive careful consideration by the proper authorities before it will be possible to secure navigation on any river to the extent which the capacity of our waterways and the expenditures already made by Congress justify but which can be confidently expected if obstacles willfully thrown in the way of such traffic can be removed.
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> The Pittsburgh & Cincinnati Packet Co., operating a line of packet boats on the Ohio River between Pittsburgh and Cincinnati, was a most flourishing organization, doing an extensive business, until the Interstate Commerce Commission some years ago issued directions that the railroads should not prorate with the steamboat lines. The company practically went out of business in one day as a result of this order.

And may I, just at this moment, stop to call attention to the fact that here is a demonstration of the truth of the proposition that interchange of traffic between boat lines and the railroads is essential to the maintenance of a healthy water transportation? Continuing the reading from the report.

> It is understood that this order was issued by the Interstate Commerce Commission for the reason that it did not have supervision over water carriers, and by inserting a water route on the line of freight movement the railroads were enabled to avoid interstate commerce rulings. That condition has now disappeared, for by the Panama Canal act that body is given supervision over water carriers in the same manner and to the same extent that it has supervision over the railroads. Unfortunately this provision is permissive and not mandatory, and the Interstate Commerce Commission has not as yet exercised its power over the water carriers. It is believed that the supervision and regulation should be mandatory. It should also have authority to prescribe minimum rates on water as well as the maximum rates. The necessity for this is due to the fact that in case railroads have established steamboat lines or acquired control over existing lines and then placed such low charges for handling of freight that other boats were driven from the river, when the railroad-controlled boats would then be withdrawn or operated in such manner as to prevent freight movement by water. Steamboat owners themselves have also indulged in the same practices. Were the steamboats prevented from adopting too low a rate, this method of interference with navigation would be avoided.
>
> 15. The railroads and water carriers should be required to issue through bills of lading, good by both kinds of carriers, and under proper terms for prorating. The result of present conditions is that the boats are practically able to handle only local freight, and that through freight can not frequently be shipped by the route which would be most economical and advantageous. An instance of this is the distribution of coal from Cincinnati.

And I call the attention of the House to this statement in the report, which I will now read:

> That city was formerly a large distributing point for coal brought to it by water, but upon the completion of the Chesapeake & Ohio Railroad to that point from the West Virginia coal fields, rates from Cincinnati were so advanced that river coal was to a large extent deprived of the territory which it formerly enjoyed. The matter has been consistently pursued by the railroads and every opportunity taken to advance rail rates on coal coming from the river, until the distribution of coal from Cincinnati is now almost prevented. Table No. 3 gives the rates which existed on coal from Cincinnati to various points before the completion of the Chesapeake & Ohio Railroad, the advance on river coal which followed immediately upon the completion of that railroad, and the all-rail rates, showing that the rates on river coal are much heavier proportionately than the all-rail rates. A concrete instance or two make this plain. Recently the through rate on coal from either the Logan fields or the Kanawha district to Toledo, Ohio, was $1.55 per ton.

That is the all-through rate.

> Of this amount it is understood that the Cincinnati, Hamilton & Dayton Railroad received 67.2 cents per ton. The rate on river coal from Cincinnati to Toledo is, however, $1.50 per ton. The rate on coal from the Jellico field on the Louisville & Nashville Railroad through Cincinnati to Indianapolis, Ind., was $1.55 per ton, and of this amount the Chicago, Cincinnati, Cleveland & St. Louis Railway received $0.50 per ton for its haul from Cincinnati to destination. The rate from Cincinnati to Indianapolis on coal coming from the river was $0.60 per ton.

And then this report refers to General Order No. 28 of the Railroad Administration, providing for an increase in freight rates. It states that in making these increases the rates were disproportionately advanced on river coal from Cincinnati compared with all-rail coal from the mine fields to the same locality.

The gentleman from Ohio [Mr. GARD] asked what is the remedy for this condition. We must look upon water transportation as an essential and integral factor in our system of transportation. It must have the protection of law and the force of public sentiment behind it. No one doubts that we need these additional facilities. That fact has been acutely emphasized during this war, and upon a number of occasions in times of peace, and it will be again emphasized in the future.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. LONGWORTH. Before the gentleman leaves the Ohio River question, I observe that there is no direct appropriation carried in this bill. Will the gentleman explain the reason for that?

Mr. SMALL. The reason is that there is nearly $10,000,000 on hand and available, which the Chief of Engineers reported represented all that could be profitably expended until the end of the next fiscal year on that improvement. If the present estimate is revised and an appropriation recommended, it can be inserted as an amendment by the Senate. Further investigation is now in progress.

Mr. LONGWORTH. So that the failure to appropriate in this bill will cause no delay whatever in the construction of the locks and dams?

Mr. SMALL. None whatever.

Mr. LONGWORTH. I want to make it clear that the fact that there is no appropriation carried in this bill does not by any means imply that that project is going to be slighted or that there will be less speed in its completion.

Mr. SMALL. The gentleman is correct. That is the attitude of the committee, and so far as I know it is the attitude of Congress.

May I say with regard to the Ohio River that at the instance of the Committee on Rivers and Harbors correspondence has been had during the past year with the mayors of all the cities and principal towns, and the presidents and secretaries of all commercial organizations, in which representations were made that local cooperation must be had in providing steamboat lines, in the construction of adequate water terminals, and in making applications for interchange of traffic between the boat lines and the railroads. It is gratifying to state that very substantial and encouraging responses have been made to the appeals contained in this correspondence, and in many of the cities and towns along the river active steps are in progress in the making of plans for terminals and in the consideration of the construction of additional boats; and if this fine civic spirit continues it is believed that by the time the improvement of the river is completed to Cincinnati, which should be effected certainly within two years if not earlier—and the entire improvement completed within several years thereafter—there will be sufficient boat lines and adequate terminals at all of the principal towns and cities along the river. It is most gratifying to make that statement. There is much to be done and much need for the continuance of this civic activity, but certainly a most auspicious beginning has been made.

Mr. BARKLEY. Will the gentleman yield?

Mr. SMALL. I take pleasure in yielding to the gentleman from Kentucky.

Mr. BARKLEY. Since the adoption of this project in 1910 each appropriation bill has carried an item for the river, this year being the first year when the appropriation has been omitted. I should like to have the gentleman make it clear that this is not to be regarded as a precedent for the future by the Committee on Rivers and Harbors or by Congress in dealing with the Ohio River.

Mr. SMALL. In answer to the gentleman I can state that so far as I am aware—and I think I express the sentiments of the committee—there is no intention to abandon or to lessen the annual appropriation for the improvement of the Ohio River. And further, as explaining why there is no appropriation in this bill, I will say that during the progress of the war it has been impossible to secure contracts for the construction work upon the Ohio River. Contractors who entered into their contracts prior to our entry into the war have lost large sums of money. I am informed that some of them have become bankrupt. In the last river and harbor bill there was a provision authorizing the Secretary of War to consider and to do justice to these contractors by readjusting their contract prices wherever it seemed necessary, in order to avoid the perpetration of flagrant injustice; but unfortunately that was only effective from the date of the approval of the bill. I thought then that if we were going to do exact justice we ought to make this principle retroactive and applicable to all contracts entered into from the time we entered the war; because those contractors who were more honest and diligent proceeded more rapidly with their contracts, and they have been penalized to that extent by the great losses which they have suffered.

Mr. BARKLEY. Will the gentleman yield further?

Mr. SMALL. Certainly.

Mr. BARKLEY. I appreciate that at the time the estimates were sent in by the Chief of Engineers of the War Department, upon which this bill was framed, the country was at war, and it was not reasonably contemplated that more than the $9,000,000 on hand could be expended on the Ohio River during the coming fiscal year. But since the estimates were sent in by the War Department, the war has ended, and in view of the fact that many engineers and experts in the War Department and in the Army are to return soon to the United States, where their services ought to be available for public improvements, does not the gentleman think it is possible that the amount of money now available for the work on the Ohio River will not be sufficient to carry on the work during the coming fiscal year; and even if it is, does not the gentleman think there ought to be certainly available an amount sufficient to enable the Government to take advantage of the expert knowledge and experience of these engineers who are soon to return to the United States by their employment in the construction of these locks and dams?

Mr. SMALL. I will say in response to the gentleman that he will find in the hearings regarding appropriations in the bill that Gen. Taylor, assistant to the Chief of Engineers on river and harbor matters, was questioned fully regarding the needs of the Ohio River, and his final conclusion was that the amount on hand was all that could properly be expended in the next fiscal year. But, as before stated, this phase is being reinvestigated.

Mr. BARKLEY. And did he not state further that he was making investigation, in view of the new conditions developed, with a view of recommending an increased amount if he found it necessary?

Mr. SMALL. If he makes any such recommendation before the bill passes the House, the committee will be called together, and I have not the slightest doubt but that the committee will authorize the chairman to offer a committee amendment, or the amendment can be made by the other body.

Mr. DIXON. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. DIXON. The action of the committee was based entirely on the recommendations of the engineer?

Mr. SMALL. Entirely; there is not an appropriation in the bill which was not recommended by the Chief of Engineers.

Mr. DIXON. And the engineer said that the amount available was ample to cover all that could be used for the coming year.

Mr. SMALL. The gentleman is correct.

Mr. WALSH. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. WALSH. In the river and harbor act of 1917 there is a section authorizing a waterways commission to be appointed to furnish information to Congress. Has the committee received the benefit of any information or report from that waterways commission?

Mr. SMALL. The commission has not been appointed. The committee has no information as to the intention of the President in this respect. If the gentleman from Massachusetts thinks that it ought to be appointed earlier than seems now apparent, and that the commission is in the public interest, and he should request it, the chairman might go with him to the President and request early action.

Mr. WALSH. I would like to ask the gentleman, however, if he knows what influence there is, or the reason why this commission has not yet been appointed?

Mr. SMALL. The only information I have is that during the early part of last summer or spring, at the instance of some Members, I asked the President when he intended to appoint the commission, and he replied substantially that there seemed to be no necessity for haste during the pendency of the war.

Mr. WALSH. I suppose the gentleman will agree that the various topics which he has discussed in his very illuminating address might well receive the consideration of a body such as Congress provided for in that act, and particularly with respect to coordinating State and municipal activities. Does not the gentleman think that many of these engineers will be relieved from war activities so that they might find sufficient personnel to provide for that commission?

Mr. SMALL. Doubtless a commission will be appointed, but when it will be appointed I have no information. The gentleman is correct that the commission authorized in the river and harbor act of 1917 will consider these questions to which the gentleman has referred.

Mr. WALSH. From information the gentleman has received from the Executive, he is sure that Congress has not done a vain thing in providing for the appointment of such a commission?

Mr. SMALL. I doubt if either the gentleman or myself feels any undue enthusiasm over the appointment of the commission or over its prospective report.

Mr. FESS. Will the gentleman yield for a question?

Mr. SMALL. I will.

Mr. FESS. Reverting to the cooperative plan which the gentleman mentioned a moment ago, is that official or purely voluntary?

Mr. SMALL. If the gentleman refers to local cooperation by providing a part of the cost of the improvement, I may say that sometimes it is voluntary and sometimes attached as a condition of the appropriation. On the Pacific coast they have the finest cooperative spirit of any section of the country. On the Pacific coast in some of their improvements they voluntarily cooperate.

Mr. FESS. It is likely that the Government will inaugurate a policy of making cooperative conditions?

Mr. SMALL. This matter of cooperation involves many difficulties. I doubt very much if any arbitrary rule for local cooperation could be established. I am inclined to the opinion that local cooperation must depend on the conditions surrounding every improvement. There are some public improvements where in the opinion of the Chief of Engineers, always concurred in by the committee, local cooperation is advisable and sometimes essential. In others it is apparent that the improvement is in the public interest, but if local cooperation is required it will virtually prevent the improvement.

Mr. FESS. Does local cooperation ever extend to State cooperation?

Mr. SMALL. Sometimes, but ordinarily not. Ordinarily the local cooperation is confined to municipalities, and sometimes to counties.

Mr. FESS. Does the chairman of the committee see insuperable obstacles to making State cooperation a condition for Federal appropriation for rivers and harbors?

Mr. SMALL. I do believe that the difficulties of securing any general plan of State cooperation are very great and substantially impracticable.

Mr. FESS. I will say to the gentleman that I have had some trepidation, as the gentleman knows, in voting for some of these appropriations, but I have thought that if there could be worked out a system of State cooperation between the States and the Federal Government much of that opposition to the appropriations would be eliminated. I am not sure whether it is totally insuperable or whether it is practicable.

Mr. SMALL. I am afraid that it is not practicable. As an illustration, in the gentleman's own State there has been agitated for some years a waterway, partly artificial, connecting Lake Erie and the Ohio River. Personally I believe the improvement will sometime in the future be made.

Mr. FESS. That is along the river bed of the Beaver River?

Mr. SMALL. In part. The proposed route has never been definitely established, so we might refer to it as connecting the Ohio River with Lake Erie. It would connect the Great Lakes with the Ohio River, near which is the greatest coke and steel producing region in the United States, a comparatively dense population, a large volume of traffic, both raw material and finished production to be moved, and it would seem that the project would sometime in the future get favorable consideration. Yet it is generally conceded that it is a project where local cooperation ought to exist, and the gentleman will find in his own State in sections remote from the territory contiguous to this proposed waterway quite serious opposition to any cooperation. I mention that as an illustration of one of the difficulties of getting State cooperation. Unfortunately in appropriations and the issuing of bonds by States we do not think as State units, but we think rather as sectional units of the same State.

In conclusion I wish to make a brief expression regarding some of the remedies for these conditions which exist as obstacles to water transportation. Col. Lansing H. Beach, who is a very able engineer and who is very familiar with conditions on the Ohio River and other interior rivers in the Mississippi Valley, makes these recommendations in his report:

1. That the Interstate Commerce Commission be required to exercise the same supervision over movement by water carriers as it now does by rail.
2. That the Interstate Commerce Commission be authorized to fix a minimum rate for movement of freight by water as well as a maximum rate.
3. That all common carriers, whether operating by water or by rail, be required to issue through bills of lading and prorate on such terms as the Interstate Commerce Commission or other established authority may prescribe as just and equitable.

Without having given those recommendations as careful study as they deserve, I am inclined to the opinion that they represent, in the main, wise thoughts upon the subject. A great many, if not most, of the men engaged in water transportation throughout the United States are opposed to any governmental supervision. They think they ought to operate as free lances, charging as low rates as they choose, consistent with the cost of movement, and advancing them whenever the conditions of traffic justify. It seems to me the time has come, however, when we must stabilize and standardize the movement of traffic by water just as we have endeavored to do by rail, and this is particularly true as to water transportation lines upon navigable rivers, where there is an interchange of traffic between the railroads and the waterways. In any event I believe Congress should at the earliest possible time amend the existing law authorizing the Interstate Commerce Commission to provide for interchange of traffic and to fix a prorating between boat lines and railroads, so that, instead of being permissive, it shall be mandatory, and so that such an anomalous and unjustifiable and inexcusable condition as now exists upon the Ohio River, where there is absolutely no interchange of traffic between any railroad or boat lines, shall be relegated to the past. I am sure that this suggestion is a wise one and ought to have the attention of Congress.

I submit one other suggestion: We have a Department of Commerce. That department has virtually no official jurisdiction over the movement of commerce by water or by rail.

Our Army engineers are equipped, and there is no higher authority for making investigations regarding the improvement of harbors and all interior waterways and reporting as to their feasibility and desirability from an engineering viewpoint, and for making estimates of the cost of the same. It is rather beyond the scope of their training, however, that they should pass upon the commercial necessity of their improvement. I think perhaps that we might well create in the Department of Commerce a bureau with limited jurisdiction over the movement of freight by water, not to interfere with any existing or prospective jurisdiction of the Interstate Commerce Commission. Let me illustrate: Take the Ohio River, about which so much has been said. If we had in the Department of Commerce a bureau of public works, or under any other appropriate name, that bureau could be in communication with every city and town along the Ohio River. They could send their experts and make recommendations as to the appropriate location for the water terminal and plans for same of such type as would be adequate to the traffic needs of that city and town. They could consult with the local authorities respecting the construction and operation of boat lines, the interchange of traffic, and all of the other essentials necessary for a healthy water transportation.

All that Congress can do is to provide the improved channel in the harbor and in the interior river. At this time, so far as we can forecast the future, the providing of boat lines, the construction of terminals, the taking of steps for the interchange of traffic, the doing of all things that are essential for the full use of the improved channel must devolve upon the localities and cities, but local cooperation could be expedited and promoted by such a bureau in the Department of Commerce.

I hope at an early date to introduce a bill making it mandatory on the Interstate Commerce Commission to provide for an interchange of traffic, to enforce a system of prorating, and all the other things necessary for an interchange of traffic between boat lines and rail lines, such as now exist between the different rail lines of the country, and also create in the Department of Commerce some bureau which shall have jurisdiction of the things that are essential for the development of water transportation. [Applause.]

EXTENSION OF REMARKS

OF

HON. HENRY A. CLARK,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 31, 1919,

On the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and for other purposes.

Mr. CLARK of Pennsylvania. Mr. Speaker, the House Committee on Agriculture is composed of 21 members from 19 different States and the Delegate from Hawaii; Illinois has three representatives and each of the other States, included in which is Pennsylvania, has one. This is a large committee, and the agricultural interests of the entire country were in their hands, and in large measure what appropriations were deemed to be needed on many subjects were determined primarily by them.

The committee devoted a great deal of time to the consideration of the estimates submitted and the statements made, with the result that a bill was reported consisting of 97 pages. A résumé of its contents may be of interest. I will not attempt

to give every item in detail, but present some of the headings and amounts recommended, and they are as follows:

Salaries, office of the Secretary of Agriculture	$501,020
Salaries, office of Farm Management	86,930
General expenses	218,160
Total for office of the Secretary of Agriculture	806,110
Salaries of the Weather Bureau	342,890
General expenses of the Weather Bureau	109,250
Printing office in Washington	12,800
For investigating meteorology, climatology, etc	1,304,230
This includes a sum for salaries not exceeding	672,500
For special observations	129,040
For telegraphing and telephoning	295,750
Official traveling expenses	26,000
Establishment of aerological stations and investigations in aid of aeronautics	85,040
In all for general expenses	1,537,320
Total for Weather Bureau	1,880,210
Salaries, Bureau of Animal Industry	553,150
General expenses, Bureau of Animal Industry	495,282
Investigating tuberculosis of animals, etc	993,520
Eradication of southern cattle ticks	741,980
Experiments in dairy industry, etc	350,370
Relating to animal husbandry, etc	307,680
Investigation of diseases of animals and maintenance of experiment station at Bethesda, Md	124,560
Investigating hog cholera	641,045
Eradication of dourine	88,800
Administrative work and expenses	26,686
In all for general expenses	3,769,923
Meat inspection	803,960
Total for Bureau of Animal Industry	5,127,033
Salaries, Bureau of Plant Industry	491,200
General expenses, covering many subjects, such as diseases of plant, orchard, citrus tree, forest and ornamental trees; eradication of white-pine blister rust; diseases of cotton, potatoes, etc.; investigation of crop plants, soil bacteriology, soil fertility, acclimatization of cotton and corn crop, etc.; cereal productions; tobacco, fibrous plants, horticultural investigations; rare seeds; and other subjects. In all, for general expenses	2,401,138
Purchase and distribution of seeds, etc	358,980
Total for Bureau of Plant Industry	3,251,398
Salaries, Forest Service	2,485,660
General expenses, Forest Service	3,481,209
Total for Forest Service	5,966,869
Salaries, Bureau of Chemistry	411,670
General expenses, Bureau of Chemistry	969,901
Total for Bureau of Chemistry	1,381,571
Salaries, Bureau of Soils	74,160
General expenses, Bureau of Soils	417,075
Total for Bureau of Soils	491,235
Salaries, Bureau of Entomology	124,010
General expenses, Bureau of Entomology	603,300
Preventing spread of moths	304,050
Total for Bureau of Entomology	1,031,360
Salaries, Bureau of Biological Survey	55,970
General expenses, Bureau of Biological Survey	606,200
Total for Bureau of Biological Survey	662,170
Salaries, Division of Accounts and Disbursements	44,620
Salaries, Division of Publications	195,620
General expenses, Division of Publications	44,070
Total for Division of Publications	239,690
Salaries, Bureau of Crop Estimates	129,060
General expenses, Bureau of Crop Estimates	242,042
Total for Bureau of Crop Estimates	371,102
Salaries for library, Department of Agriculture	32,160
General expenses of library, Department of Agriculture	18,000
Total for library, Department of Agriculture	50,160
Miscellaneous expenses	442,500
Rent in District of Columbia	158,689
Salaries, States Relations Service	203,840
Allowances were made for several subjects not mentioned here, aggregating in all for general expenses	4,501,980
Total for States Relations Service	4,705,820
General expenses, States Relations Service	720,000
Administration of experiment stations in Alaska, Hawaii, Porto Rico, Guam, and Virgin Islands	69,600
Farmers' cooperative demonstration work outside of the cotton belt	551,280
Farmers' cooperative demonstration and investigating ravages of cotton-boll weevil	645,040
Cooperative agricultural extension work	1,500,000
Reporting progress of farmers' institutes, etc	$20,600
Salaries, Bureau of Public Roads	113,640
General expenses, Bureau of Public Roads	
Inquiries as to systems of road management	38,240
Investigating best methods of road making	138,220
Investigating chemical and physical character of road materials	47,020
Investigating road construction, etc	60,000
Investigating irrigation for farms, etc	82,440
Investigating farm drainage	73,760
Investigating farm domestic water supply	25,000
Administrative expenses	16,000
In all for general expenses	480,680
Total for Bureau of Public Roads	594,320
Salaries, Bureau of Markets	671,810
General expenses of Bureau of Markets in which is included distribution, collecting, information on various agricultural activities	1,252,175
Enforcement of United States cotton futures act	131,780
Enforcement of United States grain standards act	598,600
Administration of United States warehouse act	35,000
Total for Bureau of Markets	2,689,365
Salaries, enforcement of insecticide act	29,150
General expenses, enforcement of insecticide act	94,790
Total for expenses, enforcement of insecticide act	123,940
Salaries, Federal Horticultural Board	31,300
General expenses, Horticultural Board	97,700
Out of this last amount there was made immediately available for the extermination of the potato wart in Pennsylvania and elsewhere	50,000
Total for Federal Horticultural Board	129,000
Total, Department of Agriculture, for routine and ordinary work	29,847,162

Under the heading of miscellaneous there follows several subjects for which certain amounts were allowed, one of them being—

Eradication of foot and mouth and other contagious diseases of animals	$1,000,000
Eradication of pink boll weevil	595,800

The closing lines of the bill read:

Total carried by this bill for the Department of Agriculture	31,691,562

There are millions of people in the United States who have never seen this bill. A large percentage of farmers have not.

To some extent the headings and subdivisions and amounts assigned to each are here set forth for the purpose of showing how comprehensive the bill is and the funds considered necessary for the department.

The total amount provided in the bill may seem large or small, according to the way in which it is viewed. Regarded as dollars, it may seem large considered in the light of what we have expended in the last two years and the importance of agriculture to this country, and to other countries it may appear small.

Economy in consuming and in saving has been the cry that went throughout the land; plant, plant, and raise more food products has been the urgent request continually sounded in the farmers' ears for a year and a half.

The high cost of living has been the subject referred to in many addresses on the floor of the House, but usually without practical plans for reducing it.

The reasons which have caused increased cost of food are ascribed to the war, millions of men in the service constituting a consuming and not a creative force. This is undoubtedly one of the causes but not the only one. The war accentuated the importance of agriculture. Food for our men, our allies, and neutral nations demanded increased supplies.

There swept recently with great rapidity through Congress a bill under the cry of "bread or bullets," an appropriation of $100,000,000 to alleviate the alleged starving people of other countries, and soon food will be provided for those who a little while ago were our enemies. All this is due to war and may be of temporary duration. There are other causes which tend to make the high cost of living permanent. Two of them are farm help and increased cost of utensils and supplies. But that which appears to be a continuing cause is the urban drift of populations. The percentages of urban and rural population ascertained by census statistics show what this flocking to the cities is:

Urban percentage in 1880 was 29.5; rural, 70.5.
Urban percentage in 1890 was 36.1; rural, 63.9.
Urban percentage in 1900 was 40.5; rural, 59.5.
Urban percentage in 1910 was 46.3; rural, 53.7.

The entire population of the United States in 1910 was 91,972,266.

The rural population 49,348,883.
The urban population 42,623,383.

Places having less than 2,500 were included in the rural population. This means that large numbers were not actively engaged in farming. The next census will disclose the same tendency only in a more marked degree, as it appears to those who have given thought to the subject.

The cityward flow of population is greater in some States than in others. In Pennsylvania, for instance, in 1910 the urban percentage was 60.4 and the rural 39.6.

In this State the population of 7,665,111 was made up of 4,630,669 and country 3,034,442.

It is interesting at the present time to note the following data:

In the United States in 1910 the total number of farms were 6,361,502.

The land area of the country was 1,903,289,600.

The land area improved in farms was 475,451,750.

The average acreage per farm was 138.1.

The average improved acreage per farm was 75.2.

Per cent of total land area in farms, 46.2.

Per cent of land in farms improved, 54.4.

Per cent of total land area improved, 25.1.

Total value of farm property, $40,991,449,090.

Total value of farm land, $28,475,674,169.

Total value of farm buildings, $6,325,451,528.

Total value of farm implements and machinery, $1,265,149,783.

Total value of farm domestic animals, poultry, and bees, $1,265,149,783.

Average value of all property per farm, $6,444.

Average value of land per acre, $32.40.

The number of operators, all farms, 6,331,502.

Of these approximately one-half were tenants or not owners. The consuming population of the cities is growing more and more disproportionate to the food-producing force. The reasons are too well known to need comment—opportunity is one.

The country boy endowed with a rugged constitution, trained to frugal habits, ambitious to see and learn, seeks the city and makes good. The immigrant anxious to earn money finds wages in the city better and there locates. The average value of all farm property per farm being $6,444, a rapid increase of wealth can not be expected from an investment of that amount, and the city influx grows. In the past many notes of warning have been sounded. Luther Burbank said:

It is well at this time to look first to the fundamental sources of our food supply, and it is fortunate, perhaps, that we have at last been so rudely awakened to the rapidly growing disproportion between the production and consumption of food.

James J. Hill said that unless the drift from the farm to the cities were checked, hunger would follow.

What would happen if for one season only food producing in the United States should stop? The student of food-production conditions realizes the gravity of the situation and searches for the causes and endeavors to find relief; the great majority of the consuming public feel the conditions and merely voice a protest against the high cost of living without suggesting any practical remedies, and are convinced that the farmer is getting too much for his supplies.

A few illustrations will show that a great profit does not find its way into the farmers' pocketbook. As to the farmers' profits, I read from an article in one of the Washington papers. It will bear reading and reflection:

The price of wheat, fixed at $2.20 per bushel, makes the cost of a barrel of flour $11, as it requires 5 bushels of wheat to produce a barrel of flour. The difference in weight (wheat, 300 pounds; flour, 196 pounds) is 104 pounds of bran and middlings, which is at the present price ($40 per ton) ample to pay expenses of milling and sacking.

A barrel of flour will produce four hundred 11-ounce loaves of bread, such as is retailed in Washington for 10 cents a loaf, making a total of $40 a barrel for flour to the consumer.

This is a difference of $29 between the raw and finished product. Who is getting the difference? Not the farmer.

And, again, this may interest the southern grower of grapefruit. He puts from 60 to 64 in one crate, and if it nets him $3 a crate he is satisfied. In many hotels and on railroad trains one-half of a grapefruit sells for 25 cents; at that rate the crate would cost the consumer $32, leaving $29 difference between what the grower gets and the consumer pays. In a Government-conducted restaurant milk is now selling at the rate of 40 cents per quart; the farmer gets from 9 to 14 cents for a quart in sections; all of the profit has not reached the farmer. Two conditions may profitably be considered with reference to high prices—one the disproportionate growth of city populations, the other the extra cost to the consumer over and above what the producer receives.

Two things are necessary: First, a regulated agency—local, State, or National—through which food may go from the hand of the producer to the mouth of the consumer with as little expense as possible. These agencies may be of many different kinds. Second, raising more by increased efficiency in farming land now under cultivation and the cultivation of more land.

It might be fruitful of good results if the incoming immigrant were made to seek his home making in this country on the farm. The stability of the country rests in large measure upon those who till their own land. The importance of the farmer to the country has been of late abundantly recognized. Recently the bankers, in a meeting held at the Capital, discussed the helping of the tenant farmer to own his own land. The Canadian Government has made a liberal offer of land and money to her returning soldiers for the encouragement of agriculture and as a reward for services rendered. Secretary Lane has been working along similar lines for the benefit of our men—encouragement of farming and welfare of the whole country.

Interest in agriculture is rapidly growing. The following extract from the New York Herald illustrates this:

FARMERS ASK CONSIDERATION.

The Farmers' Union of the United States has just called the attention of the peace congress to the wisdom of fostering the industry on which we all depend—except a few ichthyophagy, of whom Sir Richard F. Burton tells us in his Travels in Arabia. The memorandum presented in Paris asks for the appointment of a special body having directly in charge the interests of agriculture, a question which is really more important than the boundaries of States or their political changes.

Recognizing the immense value of international cooperation, the document urges the extension and improvement of the Agricultural Institute at Rome, which was founded 15 years ago by David Lubin, who died last New Year's Day, and to whom the world owes a debt that is yet scarcely appreciated for his great work in bringing together 53 nations to promote the interests of the farmer. His crop reports and import and export statistics were considered the highest authority in their line.

Before the war international congresses were held under the auspices of the institute to study agricultural interests in all parts of the world. At the first of these, 40 nations were represented, and President Roosevelt appointed David Lubin as the American delegate, a position which he held until his death. It was partly through Mr. Lubin's efforts that the rural-credit system and the parcel post for farmers were introduced in this country.

The memorandum presented in Paris rightly urges the continuation of this highly useful institute, and suggests that a uniform system of crop estimating be adopted. Conservation of agriculture is another subject favored. Universal free education of farm children is advocated—extending the idea of the "little red schoolhouse" to the whole world. It advances the idea of the gradual abolition of farm tenancy, which has come down from feudal times and made such a large part of the populations of Europe mere serfs, working for the benefit of their landlords. The peace congress would do well to heed the farmers' plea.

Billions of our dollars have been appropriated for war purposes; in comparison the amount carried in this bill is small and to a department whose activities are directed for the benefit of agriculture, without which neither the industrial armies of peace nor the militant armies of war could endure.

What Congress Has Done for the Discharged and the Disabled Soldier and Sailor.

EXTENSION OF REMARKS

OF

HON. WILLIAM B. OLIVER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. OLIVER of Alabama. Mr. Speaker, it is important for every person who served in the Army or Navy during the great war to know what Congress has done for the protection of his interests. It has been the aim of Congress to provide every possible means to take care of the disabled and the discharged soldiers, to the end that they may return to civil life with their rights fully protected and with an enlarged opportunity of employment.

The Sixty-fifth Congress was a war Congress. It had to provide a great war organization and had to meet and solve tremendous military and financial problems. No other Congress in our history has had to face such tasks. Many other things remain to be done. The sudden termination of the war brought us face to face with the problem of demobilization before we had completely gotten into the war. The short time left to the Sixty-fifth Congress was not sufficient to allow for the enactment of all bills relating to the return of our soldiers. These must go over to the next Congress.

The following provisions enacted by the Sixty-fifth Congress should be brought to the attention of every discharged or wounded soldier:

1. The soldiers' and sailors' civil rights act, which provides that no advantage can be taken of the absence of a soldier or

sailor on duty to gain a judgment by default in a court of law; it also protects his rights in the matter of installment payments on insurance, land, or other property. (H. R. 6361.)

2. Laws passed protecting the homestead entries of absent soldiers and sailors by extending the time for payment and otherwise protecting the title. (H. R. 4617 and H. R. 13353.)

3. The newly enacted Post Office appropriation bill, carrying an appropriation of $200,000,000 for the construction of Government roads to be apportioned among the several States. Its purpose is to furnish employment to discharged soldiers and sailors on a very interesting and very important public work. The building of these roads will require the services of a large number of skilled experts of different kinds as well as laborers. It will not be done by the Army nor under Army jurisdiction nor at the Army rate of pay. The builders of these highways will be paid according to civilian standards. Preference will be given to honorably discharged soldiers and sailors in employment for this work.

4. Under the war-risk insurance act soldiers and sailors returning to civil life may, after a certain length of time, convert their war insurance into one of several forms of policies offered by the War Risk Insurance Bureau. This matter should be taken up by correspondence with the bureau, which will readily furnish complete information on the subject.

5. Section 1406 of the last revenue act, approved February 24, 1919, authorizes the payment of a bonus of $60 to officers, soldiers, field clerks, and nurses of the Army upon honorable separation from the service. Those who have been discharged and have received their final pay without the bonus should write a letter to the "zone finance officer, Lemon Building, Washington, D. C.," stating their service since April 6, 1917, the date of last discharge, and their present address. They should inclose with this letter their discharge certificate or military order for discharge, or both, if both were issued. The discharge certificate will be returned to the soldier with the check for $60. The original certificate or order must be sent, not a copy.

6. Near the close of the last session Congress passed an act allowing every discharged soldier to retain permanently one complete uniform, including the overcoat and other articles of personal apparel belonging to the uniform. If a soldier has already been discharged and has turned in his uniform, he is entitled to have another one like the one he turned in. In such a case he should write to the office of the Quartermaster General or the nearest branch of the same. (H. R. 13366.)

7. The hospital and sanatorium act recently passed appropriated $10,000,000 for the building and equipment of hospitals and sanatoriums on Government-owned land in various parts of the country for the care and treatment of discharged sick and disabled soldiers, sailors, marines, and Army and Navy nurses. The Secretary of the Treasury, as head of the Public Health Service, is authorized to proceed with this work immediately. (H. R. 13026.)

8. One of the most important laws passed by the Sixty-fifth Congress is the vocational rehabilitation act. This law provides for the training of disabled soldiers and sailors for occupations after they are discharged from the hospitals, and creates the Federal Board for Vocational Education to carry out the terms of the act.

Until his discharge from hospital care, the medical and surgical treatment necessary to restore him to health and strength is under the jurisdiction of the military and naval authorities. The vocational training which may afterwards be necessary to restore him to self-supporting activity is under the jurisdiction of the Federal Board for Vocational Education. If he needs an artificial limb or other appliance the Bureau of War Risk Insurance supplies it free upon his discharge and renews it when necessary. If after his discharge he again needs medical treatment on account of his disability the Bureau of War Risk Insurance supplies it free. Any man whose disability entitles him to compensation under the war risk insurance act may be provided by the Federal Board for Vocational Education with a course of training for a new occupation. The board considers itself responsible for getting his old job back or fitting him for a new one.

While he is taking this training he is supported by the Government. But this compensation is not the same thing as insurance. It is something distinct from that and is given whether the soldier is insured or not. It is given for partial as well as total disability. If further information is desired on this point, address a letter to the Bureau of War Risk Insurance, Washington, D. C., and ask them to send you Official Bulletin No. 2, "What the United States Government does for its fighting men and their families."

To get this compensation, application must be made for it. Blanks will be furnished by the Bureau of War Risk Insurance. Application should be made before or soon after leaving the hospital. Members of the hospital educational staff in every hospital will be glad to give full information on these points. In general this compensation is not less than $65 a month for a man without dependents. If he has dependents allowances are paid to them. As President Wilson has said, "This is not a charity. It is merely the payment of a draft of honor which the United States of America accepted when it selected these men and took them in their health and strength to fight the battles of the Nation."

Under the training and guidance of the Federal Board for Vocational Education in nearly every case the disabled man can either rid himself of his handicap caused by his disability or acquire new powers to replace any that may have been lost. The board will also keep in touch with the man after he receives permanent employement, so long as may be necessary for his full reestablishment as a worker.

The board has published a series of "Opportunity Monographs" which they will gladly send to anyone interested. These cover a number of occupations in relation to the problem faced by the disabled soldier. The following are some of the titles already available for distribution:

Army Occupations as Preparation for Civilian Employment.
Safety and Fire Protection Engineering.
The Metal Trades.
Factory Woodworking Trades.
Oxy-Acetylene Welding.
Forestry Pursuits. Foresters, Rangers, Forest Guards.
Automobile Maintenance and Service.
Employment Management. A New Executive Position in Industry.
Concrete Construction and Cement Manufacture.
Electrical Employments with Utility Companies.
Electrical Construction, Maintenance, and Repair Occupations.
The Law as a Vocation.
The Practice of Medicine as a Vocation.
Journalism as a Vocation.
The Lumber Industry.
Occupations in the Automobile Manufacturing Industry.

All disabled soldiers, whether in or out of the hospital, or their families or dependents, should address their inquiries about their specific cases either to the Federal Board for Vocational Education, Washington, D. C., or to the district office of the board of the district in which they are located. The district for Alabama, Louisiana, and Mississippi is district No. 6, with its office at 822 Maison Blanche Annex, New Orleans, La.

9. A measure of great importance to the discharged soldier and to the country—the national soldier settlement bill (H. R. 15993)—passed the House, but was unfortunately caught in the legislative jam in the Senate at the close of last session. This bill has been advocated very strongly by Secretary Lane and its enactment was urged by President Wilson. The purpose of the bill is to furnish employment and homes to a large number of men discharged from the armed forces by engaging them upon a great reclamation project. There are more than 200,000,000 acres of arid, swamp, and cut-over forest lands in the United States which can be converted into farms by irrigation, drainage, or clearing. It is said that there are over 40,000,000 acres of these lands in the South between Washington, D. C., and New Orleans. In Alabama alone there are 14,785,000 acres of cut-over or logged-off timberland and 1,479,200 acres of swamp land, making a total of 16,264,000 acres that can be converted into farms.

Now, this bill provides a fund of $100,000,000 to finance these projects. It is to be done as a part of the regular reclamation service of the Government, and a great opportunity for employment of both skilled and unskilled men will be furnished to our returning soldiers and sailors. When the land is made fit for cultivation it is to be sold to these men for homes and farms on easy terms by the Government. The interest on the deferred payments will be only 4½ per cent per annum. The law, when enacted, will be administered by the Secretary of the Interior through the Reclamation Service. The bill is practically certain to pass soon after Congress meets again. Full information concerning this bill can be had by writing to the United States Reclamation Service, Department of the Interior, Washington, D. C. Of special interest is their bulletin Work and Homes for our Fighting Men, which can be had upon application.

10. Another bill of interest to soldiers and sailors was pending when Congress adjourned on March 4 last. It gave preference to them in employment in the civil service of the Government. This bill (H. R. 15145) had been considered by the committee of the House and was reported to the House for favorable action. Its passage would give to honorably dis-

charged soldiers and sailors a preferred standing with reference to Government employment. Other things being equal, they would be chosen in preference to those who had not served in the Army or Navy.

It is hoped that these facts will be helpful to our returned fighting men and to their families. Congress has done what it could within the short time it has had to consider the problem of the demobilization of our tremendous armed forces. It is recognized that there have been delays both in Congress and in the departments, but these have been due to the magnitude of the problems involved and also to the fact that the whole thing was new and without precedent. The War Department has had to build up the largest and most complicated organization in the world. The Bureau of War Risk Insurance is also entirely new and has just completed the full organization of its forces. Payment to many of the soldiers has been delayed, and complaints of this character have been filed with the office, and in many cases we have been able to secure early adjustment. The same is true in reference to allotments and allowances. In cases of this kind letters should be promptly written to the Congressmen, calling attention to it, and they will be glad to assist in straightening such matters out.

EXTENSION OF REMARKS
OF
HON. ROYAL C. JOHNSON,
OF SOUTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. JOHNSON of South Dakota. On February 18, as an amendment to the military bill, I offered the following amendment, to which a point of order was made by the chairman:

Add a new paragraph, as follows:

"From and after the passage of this act the Secretary of War be, and he hereby is, authorized to promote all officers, noncommissioned officers, and enlisted men who have been recommended for promotion for service of a special meritorious character, which recommendations have been approved by competent military authority, to the grade and rank to which they were respectively recommended. That in the event any such officer or enlisted man has been honorably separated from the service he shall be commissioned in the reserve, with the grade and rank to which he was recommended for promotion, or if he shall not desire a commission in the reserve he shall receive a commission in the rank to which he was recommended.

"Each officer or enlisted man so commissioned shall receive pay in the increased rank from the day of recommendation to the day of discharge. The commission so issued to officers and enlisted men after the date of honorable separation from the service shall not be in force or effect after the date of such separation and shall contain a provision to that effect."

In my opinion, the next Congress should enact into substantive law this amendment in order to do justice to the men who actually saw service at the front and were recommended for promotion. It will take in not only officers but many enlisted men, who were sent to officers' finishing schools in France and ought to get credit for their work. If they were entitled to promotion at all, they should receive it from the day the recommendation was made, so that they may be paid from that day.

I am convinced that an injustice was done many of these men when they were not commissioned and not promoted, and the only way that we can deal out justice to them is to have the increased rank commence from the day when the unfair order of November 11 was issued.

At the next session of Congress I shall introduce this as a special measure and fight for its enactment into law.

EXTENSION OF REMARKS
OF
HON. NORMAN J. GOULD,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919,

On the foreign trade section of the bond bill with respect to the situation in Mexico.

Mr. GOULD. Mr. Speaker, a quietly dressed individual walked into a bank in Mexico City recently and introduced himself to the cashier, a Hollander:

"I am an American," he said "representing an American firm."

"That," replied the cashier, warningly, "is a combination of misfortunes that you will do well to conceal while in Mexico."

Whether the Dutch banker had heard of the similar bon mot by the late Speaker Reed, or whether the story is true at all, it serves to illustrate, like a two-edged blade, the sad state of our national prestige with our southern and disorderly neighbor.

In his once-famous Mobile address, President Wilson referred to our Mexican neighbors as "a race of dignity, self-control, and great achievement." That statement is just as true, just as applicable, and just as well-balanced as any policy or move for which the American Government has since been responsible.

As a result, among this "race of dignity, self-control, and great achievement" the title "American" has become a byword and a laughingstock; the American citizen, deserted by his own Government, has been persecuted and hounded until, were he a weaker type, less filled with the pride of race, he must, perforce, blush to confess his nationality.

This race of "self-control" under the fatuous, socialistic indulgence of our Government, since 1912 has not been too restrained to shoot down defenseless strangers in their midst who admitted the once magic title "American"; nor too dignified to receive with the left hand our offerings of charity and good will, and with the right hand shoot down unwarned the bearer of these offerings; nor in its "great achievements" has it been too sensitive of its honor to violate all the rules and ethics of international morality and common decency.

An all-embracing issue before the country now—as it will remain before the country until settled by the elections of 1920—is the issue Americanism against Bolshevism. This issue extends to our foreign relations; it has already affected our trade with Latin America to such an extent that only a strong, even policy of resistance on justice and respect for international obligations on the part of our southern neighbors ever can hope to build again from the present wreckage the lofty structure of mutual trust and confidence conceived, founded, and completed under the leadership of such men as Theodore Roosevelt and Elihu Root.

At the last session of Congress I introduced two resolutions, both of which were referred to the Foreign Affairs Committee of the House:

Resolved, That the President be, and hereby is, requested, if not incompatible with the public interests, to furnish the Committee on Foreign Affairs of the House of Representatives all facts and consular and other official reports: First, in relation to the degree of protection afforded by the present Government of Mexico to American lives and property in the Republic of Mexico, particularly in oil-producing districts; second, in relation to the conduct of the troops of the Government of Mexico in giving or failure to give protection to American citizens and property; and third, in relation to the reported attempt of the Government of Mexico to confiscate lands legally acquired by American citizens, firms, or corporations in Mexico.

Resolved, That the Committee on Foreign Affairs of the House of Representatives be, and the same hereby is, authorized and directed to inquire into the causes and conditions attendant on and resulting from the failure of the Government of the United States to extend formal recognition to the existing Government of the Republic of Costa Rica, and to report to the House of Representatives the facts involved.

It is my purpose at the next Congress to urge the passage of these or similar resolutions looking to a thorough and intelligent investigation of our Latin-American relations. I have every reason to believe that such steps will then be taken as will force the Department of State to call a halt on our present un-American and unmanly foreign policies and restore our flag to its former place in the hearts and minds of the peoples of the Latin Americas.

It is my purpose here to discuss only broadly the Mexican situation in its entirety and to deal particularly with the oil-producing district of the State of Vera Cruz and the oil-shipping district of Tampico, where American and British interests alone have investments aggregating $300,000,000 and where so-called bandit outrages in the past 17 months alone have cost the lives of 9 Americans and the wounding of 11 Americans and a loss through stolen goods and money alone of more than $170,000.

And I say, and I will prove, that the situation in this particular section is one of Government-protected outlawry, aimed largely against American citizens, and in which the Government of the United States by its inactivity has tacitly acquiesced.

I am presenting in tabulated form a partial list of murders, assaults, robberies, and "requisitions" by Carranza troops upon American citizens and properties in the Tampico oil fields alone. This tabulation shows that between August 15, 1917, and February 5, 1919, not less than 114 of these outrages occurred—one in every four and one-half days for the entire period—costing the lives of 9 American citizens and 3 Mexican employees and the wounding of 11 American citizens and 5 other employees.

In only 64 of the cases listed do my reports give an estimate of the money loss and in no case is an estimate included of damage done the properties through destruction of wells, pipe

lines, railway bridges, and buildings. And yet this total representing only the proceeds of highway robbery for that period, reaches the staggering figure of $171,610.66.

During this entire period our Government maintained diplomatic relations with the "Government" of Mexico, the principal income of which is derived from heavy taxation of these same properties. During this entire period our ambassador to Mexico, when not in this country vainly arguing with American bankers on behalf of further loans to the Mexican "Government," was in Mexico City watching the machinations of the German embassy, upon which First Chief Carranza leaned heavily for advice, as it encouraged him in measures designed to cripple the oil supply for the American and British Navies.

It is a significant fact that between October 6, 1917—the United States entered the war in April, 1917—and October 16, 1918, not less than 21 of these outrages were proven against Carranza forces, either in the form of "requisitions" for money and supplies, for which no reimbursement was offered or made; plain highway robbery by Carranza soldiers in their individual capacity; or demands by Carranza officials for money in return for "protection," which was never given, and which resulted in the deliberate destruction of foreign properties by Carranza officers when such payments were not forthcoming.

The following tabulation gives a comprehensive view of the situation in the oil fields alone between August 15, 1917, and February 5, 1919:

Date.	Property involved.	Character of outrage.	Money value.	Americans killed.	Americans wounded.	Mexican employees killed.	Mexican employees wounded.
1917.							
Aug. 15	East Coast Oil Co.	Robbery; threats of death	$994.00				
Sept. 1	do	Robbery	400.00				
4	Aguila Co.	do	199.00				
29	do	Robbery and shooting	23,406.00				
Oct. 6	do	Robbery	109.00				
6	do	do	246.00				
16	do	do	245.00				
10	East Coast Oil Co.	do	537.00				
Nov 24	Mexican Gulf Oil Co.	Robbery and shooting	1,402.00				
Dec. 27	Aguila Co.	do	40,710.00				1
1918.							
Jan. 23	East Coast Oil Co.	Threats and assault			1		
Feb. 6	Aguila Co.	Robbery	3,700.00				
8	East Coast Oil Co.	Robbery, supplies and blankets	(1)				
9	Huasteca Petroleum Co.	Raid by soldiers; stock, money, and food supplies taken.	(1)				
10	do	Railway bridge destroyed	(1)				
10	do	Money demand by Carranza general	1,000.00				
11	do	Raid and robbery of plant	(1)				
11	do	Carranza demand of money and food for soldiers	5,000.00				
12	do	Railway bridge destroyed	(1)				
12	Texas Co.	Attempted robbery and shooting					1
14	Huasteca Petroleum Co	Destruction water line, telephone line, and railway bridge.	(1)				
15	do	3 railway bridges destroyed	(1)				
15	Freeport & Mexican Corporation	Robbery; American held for ransom; released	(1)				
19	Cia Metropolitan de Oleaductos S. A.	Assault and firing upon launch					
21	do	do			1		1
21	Mexican Gulf Oil Co.	Robbery	329.00				
21	Texas Co.	Robbery and killing	7,000.00	1	3		1
22	do	Robbery	1,250.00				
22	Huasteca Petroleum Co.	Raid by Government troops	5,000.00				
22	do	do	300.00				
24	do	Pumping plant wrecked	(1)				
Mar. 1	Aguila Co.	Robbery	175.00				
1	do	do	888.00				
5	Cia Metropolitan de Oleaductos S. A.	Robbery by soldiers	670.00				
7	Aguila Co.	Robbery	1,700.00				
12	Huasteca Petroleum Co.	Robbery; live stock and food	(1)				
15	Freeport & Mexican Fuel Oil Corporation.	Robbery; stores, clothes, etc	(1)			2	
16	Texas Co.	Robbery; money, jewelry, etc	150.00				
16	Cortez Oil Corporation	Robbery	2,1007.67				
17	Huasteca Petroleum Co.	Line cut at Garrapatas	(1)				
25	Aguila Co.	Robbery; money, provisions, etc	959.31				
28	do	Robbery; money, personal effects and 6 mules	3,948.00				
Apr. 4	La Corona Co.	Robbery	705.50				
6	Texas Co.	do	50.00				
7	do	do	50.00				
12	Cia Metropolitan de Oleaductos S. A.	Robbery; commissary supplies and money	162.50				
13	International Petroleum Co.	Robbery; threats of death	438.00		1		
16	Mexican Gulf Oil Co.	Plant shut down	(1)				
18	do	Robbery	259.47				
14	Cortez Oil Corporation	Camp raided; employees closed camp and returned to Tampico.	(1)				
15	Huasteca Petroleum Co.	Water line to pump station cut	(1)				
18	Texas Co.	Robbery; production camp	(1)				
18	do	Robbery	1,500.00				
19	La Corona Co.	Robbery; personal belongings	(1)				
23	Aguila Co.	Robbery	1,359.50				
24	East Coast Oil Co.	Robbery; money, clothes, and personal effects	(1)				
25	Aguila Co.	Robbery; money and watch	18.00				
26	La Corona Co.	Robbery; threats of death	475.00				
27	do	Robbery	473.50				
May 6	Mexican Gulf Oil Co.	Assault			1		
6	Aguila Co.	Robbery; money and personal effects	512.00				
12	La Corona Co.	Robbery; money, 26 mules, 2 horses, 1 ox cart, chickens, medicines, food supplies; cut telephone lines and held employees as prisoners in camp.	3,500.00				
12	Cortez Oil Corporation	Camp raided	(1)				
16	do	Robbery	$10,574.50				
16	Texas Co.	do	5,000.00				
17	Mexican Gulf Oil Co.	Hold-up	(1)				
20	Cia Metropolitan de Oleaductos S. A.	Robbery	51.50				
22	Mexican Gulf Oil Co.	do	1,040.49				
22	do	do	163.30				
23	La Corona Co.	do	456.50				
23	do	Robbery; money and personal effects	300.00				
26	do	Robbery; money and clothes	523.00				
29	do	Robbery	156.00				
June 1	do	Robbery; personal belongings	(1)				
5	Transcontinental de Petroleo S. A.	Robbery	3,000.00				
8	La Corona Co.	do	1,500.00				
8	East Coast Oil Co.	do	771.35				
9	Aguila Co.	do	967.00				

[1] Not given.

Date.	Property involved.	Character of outrage.	Money value.	Americans killed.	Americans wounded.	Mexican employees killed.	Mexican employees wounded.
1918.							
June 12	Cia Metropolitan de Oleaductos S. A...	Robbery; money and commissary supplies	$550.00				
18	.....do	Camp raided and ransacked	(1)				
24	.....do	Earthen storage tank set afire; 80,000 to 90,000 barrels oil burned or lost.	(1)				
26	Texas Co	Employee robbed	(1)				
27	Cia Metropolitan de Oleaductos S. A...	Robbery; personal belongings	(1)				
28	Aguila Co	Murderous assault			2		
29	Mexican Gulf Oil Co	Murder and robbery		4		1	1
30	La Corona Co	Superintendent held for ransom					
July 24	Cortez Oil Co	Murder and assault		1	1		
31	Texas Co	Murder and robbery		1			
Aug. 1	Gulf Refining Co	Launch fired upon and robbed	(1)				
2	Mexican Gulf Oil Co	.....do	3,220.95				
—	.....do	Robbery	469.58				
2	Aguila Co	.....do	5.22				
7	.....do	Fire resulting in sea-loading line being put out of commission.	(1)				
14	.....do	Raid on camp; 2 cows killed	62.50				
16	Cortez Oil Corporation	Robbery; assault and rape	(1)				
20	Aguila Co	Robbery	12.50				
20	Cia Metropolitan de Oleaductos	"Loan" to Federal General	50.00				
21	.....do	Attempted assault					
20	La Corona Co	Robbery; assault; attempt at criminal assault	(1)				
21	Aguila Co	Robbery; corn valued at	5,000.00				
25	Cortez Oil Corporation	Robbery	(1)				
28	.....do	Attack on operator in wireless station					
Oct. 6	Island Oil & Transport Co	Towboat commandeered by Carranza officer and soldiers; groceries confiscated.	602.30				
16	.....do	Carranza general commandeered company launch and kept it 12 days.	(1)				
Nov. 6	Huasteca Petroleum Co	Robbery	1,000.00				
19	Island Oil & Transport Co	Carranza general and 4 soldiers threatened superintendent's life.					
Dec. —	Compania Transcontinental de Petroleo.	Robbery	5,275.82				
31	Huasteca Petroleum Co	Locomotive commandeered by Government forces; Cortez crossing blown up; Cortez railroad bridge burned.	(1)				
1919.							
Jan. 12	Freeport & Mexican Fuel Oil Corporation.	Robbery	(1)				
14	.....do	.....do	(1)				
17	.....do	Robbery; all camp equipment, provisions, personal belongings.	(1)				
20		Bodies of two American oil employees found on Cabo Rojo Island, with evidence they were shot with rifle bullets.		2			
21	Compania Transcontinental de Petroleo.	Robbery and assault	5,000.00		1		
Feb. 5	Texas Co	Robbery	4,000.00				
	Total (114)		171,610.66	9	11	3	5

[1] Not given.

I am in a position to furnish detailed information as to each of the outrages listed in this tabulation. In the interest of economy, however, I shall confine myself to a few striking examples of murderous assaults by alleged bandits upon American citizens and property and of the method and measure of protection which "our friend" the Carranza government offers our citizens.

On December 27, 1917, Paymaster A. E. Schmidt, of the Aguila Co., on board the launch *Vasuto*, was held up and robbed of $40,710.66 at kilometers 8–9 of the Chijol Canal, five miles from the city of Tampico. The launch was fired on without warning and the engineer, Manuel Viano, was wounded, although no attempt was made to get away nor was any resistance made.

On February 12, 1917, Paymaster House, of the Texas Co., in the launch *Alex I*, was held up by bandits on the Chijol Canal within a few miles of Tampico. The launch was fired upon without warning and the Mexican launch boy was shot through both arms. Mr. House opened fire with a shotgun after bringing the launch to and disbursed the bandits.

February 19 and February 21, 1917, the launches *Thendara* and *Roup-La*, belonging to the Cia. Metropolitan de Oleaductos S. A., and carrying three American passengers, were riddled with bullets fired by armed bandits. The pilot of the launch was severely wounded, and one of the American passengers was slightly wounded. While these two launches were being fired on on the 21st the following incident was transpiring. I quote from a report of the Mexican manager of the Texas Co.:

Early in the morning of February 21 launch *Alex I* was stopped by bandits in Chijol Canal near Tampico. The bandits were looking for the paymaster and the pay roll, but, as other arrangements had been made at the last moment, he was not aboard. The bandits threatened to kill a passenger who was on board, believing him to be the paymaster, but a company employee, Mr. C. C. Sidwell, finally convinced them that the passenger was not Mr. House. One of the launch boys was shot through the arm when the launch was fired into by the bandits from the shore to stop it. Mr. Sidwell, the passenger, and the launch boys were robbed of all their personal belongings by the bandits. Just as the bandits were finishing the robbing of persons on board the *Alex I* the two fast launches of the Metropolitan (Island Oil Co.) came by the spot. They were both fired into, but the *Thendara* kept going, on account of her great speed, and got away, one man, Mr. Walter Prather, being slightly wounded. The other launch was stopped because the man at the wheel was wounded. On board this launch was Paymaster Minnet, Dr. Brisbane, and several other employees of the Island Oil Co., and Paymaster House, of the Texas Co. The bandits knew exactly how much money the Island paymaster should have and were satisfied after that had been passed out to them. They apparently did not know that Paymaster House was on board the same boat, but they chanced to see the end of his shotgun and demanded that same be turned over to them. On account of his previous experience, Paymaster House was afraid to surrender the gun and prepared to defend himself. He was killed in the fusilade which followed. Paymaster Minnet was wounded in three places; Dr. Brisbane was seriously wounded. There were about 40 men in the party, all well armed. Total casualties: Mr. House, killed; Mr. Minnet, Dr. Brisbane, and Mr. Prather wounded; Mexican launch boy wounded. All the wounded men recovered. About 14,000 pesos were taken by the bandits. None of these were caught or punished.

These are only a few of the many instances in which pay launches on the way from Tampico to the various fields by this canal were held up and robbed by armed men posing as bandits.

Now, here is a startling coincidence and an equally startling commentary upon the measure of protection which our Government has been able to obtain from the "friendly" government of Mexico.

By decree of the Carranza government in the last outrage listed above, which cost the life of one American, the severe wounding of two others, the Texas Co. had registered with Carranza authorities in Tampico the amount of money, the date of sending, and the name of the launch. This explains the intimate knowledge which the "bandits" had not only of the movements of this pay launch but of the other pay launches as well, and the actions of Carranza officials in Tampico, and the unusual amount of money they had the day following this outrage indicates that this was no coincidence at all, but a plain murderous outrage and robbery perpetrated by Carranza soldiers directed by high Carranza officials in Tampico.

American consul at Tampico, I understand, has reported his belief that Carranza soldiers perpetrated this outrage.

Now, here is another case. On June 29, 1918, a party of five armed Mexicans, believed to be Carranza soldiers acting with or without orders, entered the Prieto terminal of the Mexican Gulf Oil Co., about four miles from Tampico. Within 30 to 40

minutes they had killed four Americans and one native foreman, wounded another native employee, and escaped with $5,562.40 United States currency. No resistance was made by any of the men at the terminal, and no cause was apparent for the brutal assault and death of these men.

On August 21, 1918, nothing apparently having been done by the Carranza government toward the apprehension of these murderers, I wrote the Secretary of State for information in the premises. Under date of August 29, 1918, Secretary Lansing replied that the Department of State had been apprised of the incident by the American consul at Tampico on the day of its occurrence. Mr. Secretary Lansing's letter concludes:

> * * * The consul added that he had requested the authorities to apprehend the murderers, and it appears from his reports that he has renewed that request on several occasions. Similar requests have been made under instructions from the department by the American Embassy at Mexico City upon the Mexican foreign office, and the last advices received by the department from the embassy are to the effect that the foreign office states that two men suspected of complicity of the crime have been placed under arrest at Jopoy.

I have since, within the last few days, talked with the office of the Secretary, and have been informed that that office has no further information, though "on several occasions" the State Department prior to August 29, 1918, through the American consul at Tampico, had renewed that "request" that the murderers be apprehended and punished.

"Request"—can you imagine any self-respecting American community "requesting" its police authorities to apprehend and punish the murderers of four of its members, or sitting back placidly for eight months while those same authorities did nothing?

Or can you conceive of the Government of a self-respecting, law-abiding people going no further than to "request" that murderers of its nationals on foreign soil be punished?

How does that "request" compare with the ringing ultimatum of Theodore Roosevelt in 1904 to the Sultan of Morocco, one of whose bandit chiefs, Rasuli, was holding an American citizen for ransom—"Perdicaris alive or Rasuli dead"?

And how do the results attained by these widely different methods of diplomacy compare? Perdicaris was promptly delivered to his friends alive and well; the State Department within a week has informed me that nothing further has been heard or done in the matter of the outrages and murders of June 29, 1918, which cost the lives of four American citizens.

Less than a month later—July 24, 1918—a Porto Rican pipeline foreman, an American citizen, was murdered and the pipeline superintendent, an American citizen, of the Cortez Oil Co., was stabbed near Port Lobos, in Carranza territory.

Five days later—July 31, 1918—A. W. Stevenson, an American citizen, cashier of the Texas Co., was shot in the back and killed by armed Mexicans while he stooped to open a safe to comply with their demands for money.

On December 17, 1918, J. M. Franklin and W. H. Rose, American citizens and employees of an American oil concern, disappeared on Lake Tamaihua, on the main traveled channel between Tampico and the oil fields, in Carranza territory. On January 20 the bodies of these two men, who had been shot with rifle bullets, were found on Cabo Rojo Island in the lake.

July 30, 1917, in extending de jure recognition to the "government" of First Chief Carranza, President Wilson addressed him in a personal letter as "Great and good friend."

And now let us consider the degree of "protection" which this great and good friend, which we had honored by our recognition and by the assigning of an ambassador, has afforded our nationals.

On August 2, 1918, Mr. Rox Underwood, accompanied by a military escort of sixteen Government soldiers, left the Fiscal Wharf at Tampico in a motor launch with pay-roll money amounting to 5,893 pesos en route for southern oil-field camps. At the southern end of the Chijol Canal the "military escort" disembarked and withdrew. Less than 2 miles farther down the launch was fired on and the pilot immediately turned the launch to the bank, were five men came aboard. In the face of nonresistance the leader of these men fired on Mr. Underwood, and missing him still proclaimed that Underwood was condemned to death and must be shot. He was finally dissuaded from this purpose, however, and taking the money permitted the launch to proceed. These men were armed with Mauser rifles and dressed in practically the same manner as government troops. Two of them were recognized by the crew of the launch as part of a military escort which had accompanied them on a previous trip and who belonged to the command of Col. Fermin M. Acosta, in charge of the government garrison at San Geronimo. This same garrison about this time had "requisitioned" nearly $500 worth of camp material and provisions from the barges of this company tied up at San Geronimo.

That's "governmental protection" a la Mexico.

The day before a pay boat of the Gulf Refining Co. had received even a more marked degree of "protection" from its Carranza guard, which disembarked and withdrew at Rivera, and then held up and robbed the boat a mile south of that point.

Here is still another example of protection, along somewhat different lines:

On August 4, 1918, a detachment of Government troops was sent from Tuxpam to protect a plant of the Aguila Co. from incendiary fires supposedly started by bandits. The Aguila Co. provisioned these troops for four days, at the end of which no further provisions were available. Their leader, Capt. Vidrios, upon learning of the situation remarked significantly "esta bueno" (it is good) and immediately marched his command off into the brush. A few minutes later 15 brush fires, in extended formation, sprang up from the vicinity where the government troops had last been observed, these fires being so located as to threaten the entire plant with destruction. By heroic effort the employees of the company managed to neutralize the flames, though not until an entire sea line had been burst from the heat and a large quantity of oil lost.

On August 25, 1918, employees of the Cortez Oil Co. captured two robbers in front of their plant. They turned these men over to the local commandante, together with witnesses, stolen goods, and other evidence. Gen. Lopez de Lara visited the camp the following day and released the prisoners forthwith.

The effect of the proposed constitution of the league of nations upon our interests in and responsibility for Mexico is of impressive importance.

Under the Monroe doctrine, and under guaranties made to European Governments by our State Department, the responsibility of the United States involves the protection of all foreign investments in Mexico, valued at $1,641,054,180, divided according to an official report of the Bureau of Foreign and Domestic Commerce, Department of Commerce, as follows:

American	$1,057,770,000
English	321,302,800
French	143,446,000
Various	118,535,380

Of this amount $300,000,000, according to the same authority, is invested in oil fields, of which $200,000,000 is American capital. The remainder of the total of foreign investments in Mexico is in railroads, mines, bonds, bank deposits, and agricultural lands.

In addition to this responsibility the State Department, in the interest of the Mexican Government to prevent retaliatory measures by European powers, has assumed official financial responsibility for all damage claims growing out of political disorders and outrages in Mexico in the last eight years, totaling, with American claims, about $500,000,000, according to the best information I can get.

Now, let us see what would be the probable effect of the adoption of the proposed constitution of the league of nations upon our concern with conditions in Mexico.

The terms of the constitution of the proposed league are so vague and their effect so uncertain that one is left largely to the realm of conjecture respecting the working of such a league; and the best way to get a clear conception of what the league might do, and to a practical certainty will do, if adopted, is to apply its terms to a concrete case.

President Wilson has said that the Monroe doctrine under this constitution would be extended to the entire world. That means, if it means anything, that the Monroe doctrine, in so far as it has anything of interest to the United States, or to the Western Hemisphere, would be lost entirely. The Monroe doctrine is purely a Western Hemisphere policy; robbed of its geographic distinction it becomes a dead letter. And to this the United States, if we subscribed to the proposed constitution of the league of nations, will have assented.

Several years ago our Government and our people were greatly disturbed because rumor had it that Japan was securing a concession and establishing a naval base at Magdalena Bay. Inquiry disclosed that citizens of Japan and not the Government of Japan were securing an important concession at Magdalena Bay, which they claimed was for business purposes. Any observer, however, was fully aware that behind this cloak of business enterprise was concealed a far-reaching military strategic plan of Japan. The imminence and seriousness of the matter was so great that Senator LODGE introduced and the Senate passed, by a vote of 51 to 4, the famous resolution which read as follows:

> *Resolved*, That when any harbor or other place in the American Continent is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power or of control for national purposes.

What has so recently occurred may conceivably occur again—is almost certain to occur again. Supposing individual citizens of Japan should secure from Mexico a concession on Magdalena Bay, which everyone with a grain of sense knows would be to enable Japan to secure a naval base from which she could operate against the United States, what could the United States do in the league of nations? Manifestly she would be powerless. Let it be understood that it is not the Japanese Government that is making a move. They are citizens of Japan. There is no aggression against the Mexican Government because the Mexican Government is a party to it. The Monroe doctrine has been abolished, and, under the terms of the league, the league could do nothing but sit around and talk about it. In the meantime Japan would proceed to establish as important a naval base as she desired at Magdalena Bay.

The passage of the above resolution was an expression of the determination of the United States to protect herself. It was an act of self-preservation backed not by law, backed not by international law, backed only by the physical power and the determination of the United States to protect herself. Should she become a member of the proposed league, under the terms of the constitution proposed for that league, her hands would be tied, even in grave cases of this character.

Mexico, not having entered the league, would be no more bound by its lofty ideals and unselfish motives than it has been in the past.

Article 27 of the "new" Mexican constitution, adopted in 1917, expressly forbids any except Mexican companies to acquire directly, or to operate directly, petroleum lands in Mexico. The petroleum lands now owned and operated by Americans, which would be confiscated under decrees issued by the Mexican Government, based on article 27, are not "concessions" in any sense of the word.

The official report of the Department of Commerce above referred to says on this point:

> The most interesting point about the American companies is that, apparently, not one of them has ever obtained a "concession" of land from the Mexican Government. Their contracts of purchase or lease, it is stated, have in every case been made with private owners, who held titles extending back often for more than 250 years.

The position of this Government in the premises was clearly set forth in a note delivered by Ambassador Fletcher to the Carranza government in Mexico on April 2, 1918, declaring:

> The United States can not acquiesce in any procedure ostensibly or nominally in the form of taxation or the exercise of eminent domain, but really resulting in confiscation of private property and arbitrary deprivation of vested rights.

This position would be entirely vitiated by the "extension" of the Monroe doctrine to "the entire world" through the league of nations, and under the proposed constitution of the league Mexico might to be able to place herself in a position of entire immunity from just retaliation for her repudiation of all the principles and tenets of international honor.

The nations that might lodge protest against this confiscation would have their action marked out by article 17 of the league's constitution—an invitation to Mexico to become a member of the league on equal terms for the purposes of the dispute. Parties to the dispute under article 12 would then have an undetermined or "reasonable" length of time for the presentation of their arguments to the executive council of the league. The council would have six months within which to make "recommendations," from which Mexico at any time within three months thereafter may appeal to the league as a whole. More than double the time already consumed might be expected to elapse before any tangible result could be looked for from such an appeal.

In the event that the award finally went against Mexico, the executive council under article 13 could then vaguely propose "what steps can best be taken to give effect thereto" if Mexico should decline to abide by such decision. And although such action on the part of Mexico might be treated as an act of war the penalty affixed would be not war, but severance of trade relations, prohibition of all intercourse with league States—boycott and isolation.

And the effect of such isolation? Why simply this, that Mexico with her stolen oil fields and other foreign properties could trade freely with any nonmember of the league—Germany, for instance—and everybody except members of the league of nations would be happy and prosperous therefrom.

Or if Mexico should accept the award after a lapse of probably more than a year, millions of barrels of oil and other products would have been taken from these properties of American, British, and French owners and disposed of. The value of two years' production of Mexican oil alone is more than $50,000,000. Mexico is now unable to pay even interest on her bonds. How could she be forced to pay this larger sum to compensate the American, British, and French owners after they had been successful in the litigation?

But suppose Mexico decides not to become a member of the league of nations or, which is more probable for one reason or another, self-respecting nations, members of the league, decline to accept, as they properly should, an outlawed and morally bankrupt nation on terms of equality. The United States, being a member of the league along with Great Britain and France, would have abrogated its right, until now internationally conceded, to special influence and consideration in dealing with the affairs of the Western Hemisphere. Great Britain has $321,302,800 tied up in Mexican investments, more than half of which involve oil properties which the Mexican Government now is seeking to confiscate. In addition, she is largely interested in the $500,000,000 budget of damage claims against the Mexican Government. France is similarly concerned, as are Holland and Italy. And while the combined financial interests of these Governments in Mexico are less than one-half as great as the interest of the United States, their voting strength in the league of nations under the proposed constitution, in dealing with this question, would be in the ratio of 4 to 1 when compared with ours, for the natural desire of Japan previously demonstrated, to encourage any invasion of our superior rights in this hemisphere, must be considered as a probable factor against us.

Suppose, then, that Great Britain, assured of the moral support of France, Italy, and Japan, should start coercive measures against Mexico in an effort, real or ostensible, to force a settlement of her claims.

Mexico not being a member of the league, nor acceptable as such by the powers thus arrayed against her, what would be the situation of the United States? Where, then, would be that plausible "extension of the Monroe doctrine to the entire world"? What would prevent the blockade by Great Britain of Mexican ports and the seizure by the same power of her customhouses?

In view of the half-bandit, half-Bolshevik Government which we have suffered to drag Mexico to ruin and collapse since 1910, in view of the financial bankruptcy and political chaos from which this Mexican Government has proven itself utterly incapable of emerging, might not Great Britain find plausible arguments which would justify her, in the view of her sisters in interest—France, Italy, and Japan—in retaining control of the finances and commerce, and through them the very domestic affairs of Mexico for an indefinite term of years on the pretext of collecting damages due and for the protection of the interests of her nationals?

And, Woodrow Wilson to the contrary notwithstanding, honest men the world over do not quarrel with that Government which protects its nationals abroad.

There you have in all its baldness an application of the "extension of the Monroe doctrine to the entire world."

Could any political camouflage be more pernicious in its subversion of our national interests?

Could any proposal be more un-American?

Can you imagine a Washington, a Lincoln, a Cleveland, or a Roosevelt suggesting such a policy?

The last words of the last message of Theodore Roosevelt to the American people, printed after his death, will never be forgotten, I hope, when the league of nations or the Mexican situation is under discussion:

> We have enough to do that is our business. Mexico is our Balkan Peninsula, and during the last five years, thanks largely to Mr. Wilson's able assistance, it has been reduced to a condition as hideous as that of the Balkan Peninsula under Turkish rule. We are in honor bound to remedy this wrong and to keep ourselves so prepared that the Monroe doctrine, especially as regards the lands in any way controlling the approach to the Panama Canal, shall be accepted as immutable international law.

While the United States and her associates—France, Italy, and Great Britain—were in the throes of a death struggle with Germany, was this "friendly" government of First Chief Carranza, to which we had recently accredited an ambassador as a mark of our especial favor and confidence, was this Government aiding us in the saving of civilization from the worst catastrophe the world has ever been called upon to face?

Most emphatically she was not; on the contrary, she was not even decently neutral. She was helping the Hun; daily her "first chief" basked in the false sunshine of German influence; sought counsel from German Minister Von Eckardt, to whose sinister intrigues was assigned the consummation of the plan exposed in the Zimmermann correspondence—to effect a Mexican-German-Japanese alliance for the invasion of the United States from Mexican soil.

What beautifully polished, carefully phrased denial from such a source will ever convince thinking men and women that First Chief Carranza was ignorant of the plan which Von Eckardt's foreign office had instructed him to "put over" immediately

after the expected declaration of war on Germany by the United States? Who will believe that Carranza had not discussed, considered, and tacitly accepted this plan until publication of the Zimmermann correspondence robbed it of its secrecy and hope of success?

Who will doubt, if he can draw intelligent conclusions from cold, unpleasant facts, that the outrages, political interferences, and administrative persecutions, under which American and British oil producers were laboring, were conceived by Von Eckardt and suggested to Carranza as a means of impeding and ultimately, through the operation of article 27 of the new Mexican constitution, cutting off entirely the supply of fuel oil upon which American and British Navies and merchant ships were depending to win the war?

The United States entered the war on April 6, 1917. It had been apparent for months that she could not long postpone such action. On May 1, 1917, the new Mexican constitution was made operative by decree of Carranza. I have already referred to article 27 of that remarkable document.

At the risk of being considered tedious, and because I desire to deal as comprehensively as is practicable at the present time with this particular phase of the Mexican situation, I shall quote at some length from the report on "The Mexican oil situation," issued in mimeograph form to the press under date of October 7, 1918, by the Bureau of Foreign and Domestic Commerce of the Department of Commerce. This is a really remarkable document, because in its fairness and single-minded justice to persecuted American interests in Mexico it is so repugnant to the oft-enunciated Mexican policy of the State Department as to suggest the thought that some one must have risked his official "place in the sun" to write and issue it. I quote from this report:

THE MEXICAN OIL SITUATION.

Our Navy, our merchant marine, our Army, and the various industries which are so essential to the prosecution of the war all demand oil, and Mexico is an important source of oil supply. It is with particular concern, therefore, that the American people are watching for any development in regard to the status of oil properties in that country.

OIL LEGISLATION IN MEXICO.

A report issued August 25, 1918, by the executive department of the Mexican Government (informe con justificacion que rinde el ejecutive de la union, etc.), states the present attitude of Mexico very plainly. How far this will be modified, as a result of the pending suits contesting the validity of the recent Mexican decrees of February 19, July 31, and August 12, 1918, remains to be seen. This report of August 25 is really a brief for the defense in reply to the demand, made in due form by the petroleum companies through the Mexican courts, for a writ of "amparo," a special form of relief from the decrees of February 19, July 31, and August 12, which require "manifests" to be filed by oil companies, and impose certain "rentals" and "royalties." Vested rights are particularly threatened in article 27 of the new Mexican constitution of 1917, which expressly forbids any but Mexican companies to acquire directly or operate directly petroleum lands in Mexico.

On pages 7 and 8 of the August 25 report it is claimed that article 27 of the new constitution is merely a resumption of the ancient right of "eminent domain," which, it is maintained, gives to Mexico perpetually the "direct ownership" of the subsoil. Consequently any past Mexican legislation or contracts consummated according to such legislation, which made oil deposits the property of individuals, would have to be considered null and void. In other words, it is idle (p. 22) "to hold against the State the existence of contracts * * * anterior to the constitution." "Nor is there reason in this case (p. 20) for an indemnity."

Article 14, however, of the new constitution declares that "no law shall be given retroactive effect to the prejudice of any person." That petroleum properties were legally recognized in 1884, 1892, and 1909 is a mere matter of Mexican legislative history, however it may be at variance with the recent plan of "nationalization." This may be seen by the following excerpts from the Mexican mining laws immediately preceding the new constitution, article 14 of which precludes retroactive effect.

Article 10 of the Mexican mining law of November 22, 1884, states that "the following substances are the exclusive property of the owner of the land, who may, therefore, develop and enjoy them without the formality of claim (denuncio) or special adjudication * * * petroleum and gaseous springs," etc.

The mining law of June 4, 1892, states that "the owner of land may freely work, without a special franchise in any case whatsoever, the following substances: Mineral fuels, oils, and mineral water," etc.

The mining law of November 25, 1909, effective January 1, 1910, states, in article 2, that "the following are the property of the owner of the soil: 1. Ore bodies or deposits of mineral fuels, of whatever form or variety," etc.

Article 27, however, of the Mexican constitution of 1917, states that "in the nation is vested direct ownership of * * * petroleum and all hydrocarbons—solid, liquid, or gaseous"; also that "only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, and their appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the Department of Foreign Affairs to be considered Mexicans in respect to such property and accordingly not to invoke the protection of their Government in respect to the same, under penalty in case of breach of forfeiture to the nation of property so acquired."

On February 19, July 31, and August 12, 1918, decrees were issued making it necessary, under penalties of confiscation, for all companies owning or leasing oil lands in Mexico to file new "manifests" or properties already duly registered, which "manifests" apparently constitute the first step in the "nationalization" of petroleum in Mexico. In addition to the new registry, taxes referred to as "rentals" and "royalties" were imposed, which terms in themselves concede the national ownership mentioned in article 27 of the constitution. Continued operation of oil lands is conditioned upon "contracts" with the Government, these contracts to be fixed by regulations yet to be issued. The failure of the oil companies to file the "manifests" according to requirements resulted in a modification of the stringency of the decree of February 19 with regard to confiscation. The export tax of 10 per cent ad valorem, moreover, after being made nearly twice as heavy for July and August as for the two preceding months, has recently been reduced by the placing of lower valuations upon the petroleum to be taxed. * * *

Such is a brief statement of the significant facts. To this must be added, together with the protests of England, Holland, and France, the protest issued by the United States through Ambassador Fletcher on April 2, 1918, which declares that "the United States can not acquiesce in any procedure ostensibly or nominally in the form of taxation or the exercise of eminent domain, but really resulting in confiscation of private property and arbitrary deprivation of vested rights."

OUR NEED FOR PETROLEUM.

The demands of the war for fuel oil are constantly increasing. According to the United States Geological Survey reports for the first six months of 1918, United States petroleum stocks were reduced between January 1 and July 1, 1918, by 8,034,635 barrels (of 42 gallons each), which amounts to over 63,000 barrels daily. United States stocks on hand July 1, 1918, were 142,044,235 barrels, as against 165,179,183 barrels on July 1, 1917. With 3,000,000 tons of shipping to be released this year, much of it designed for fuel oil consumption, and a prospect of 8,000,000 tons for next year, the significance of the Mexican oil fields as a source of supply assumes unusual importance. A further extension of the "gasless Sunday" principle, of course, approaches the problem in another fashion.

MEXICAN OIL AS A FACTOR IN OUR PRESENT REQUIREMENTS.

The world's production of petroleum for 1917 was 503,708,000 barrels. To this amount the nine leading producing countries contributed as follows:

	Barrels.
United States (marketed)	340, 000, 000
Russia	65, 000, 000
Mexico	55, 293, 000
Dutch East Indies	14, 000, 000
India	8, 500, 000
Roumania	6, 500, 000
Galicia	5, 500, 000
Japan and Formosa	2, 800, 000
Peru	2, 500, 000

Mexico thus stands easily third as a producer, but, with Russian and other supplies cut off, and with a depletion of United States stocks amounting to 63,000 barrels daily, our interest in the Mexican output is obvious.

* * * * * * *

AMERICAN CAPITAL IN MEXICAN OIL.

The total foreign investments in Mexico, according to Commerce Reports for July 18, 1912 (see Latin American Circular No. 41), amounted at that date to $1,641,054,180, distributed as follows:

American	$1, 057, 770, 000
English	321, 302, 800
French	143, 446, 000
Various	118, 535, 380

The American total lay chiefly in railroads, mining interests, bonds, bank deposits, and oil. Recent estimates put the amount of British and American capital invested in Mexican oil at $300,000,000, of which $200,000,000 is American. Among the prominent companies represented, either in production or in refining, are the Mexican Petroleum Co. (Doheny interests), one of whose subsidiaries is in the Huasteca Co.; the Mexican Eagle Oil Co. (Lord Cowdray interests); the Royal Dutch Shell Co. (in which British as well as Dutch interests figure largely); the East Coast Oil Co.; the Pennsylvania-Mexican Co.; the Pierce Oil Corporation (which took over in 1913 the Waters-Pierce Oil Co.); the Standard Oil Co. of New Jersey; the Atlantic Oil Refining Co.; the Freeport and Tampico Fuel Oil Corporation; and the Texas Co.

The most interesting point about the American companies is that, apparently, not one of them has ever obtained a "concession" of land from the Mexican Government. Their contracts of purchase or lease, it is stated, have in every case been made with private owners, who held titles extending back often for more than 250 years.

* * * * * * *

CONCLUSION.

The successful prosecution of the present war as well as the future of American commerce depends upon our shipping facilities. An increasing number of our merchant vessels and of our battleships will be demanding large supplies of fuel oil. According to a bulletin just issued by the Smithsonian Institution, the available supply of petroleum underground in the United States is hardly adequate as a reserve. Since, then, we must turn to Mexico as one of our important sources of supply the oil situation in that country becomes an issue in which we are all concerned.

In its bearing upon our future commercial relations with Latin America, the status of our investments in Mexico involves far-reaching possibilities. If all our foreign investments were to be transferred from the state of property duly acquired, with guaranties of permanence, such as occur in the Mexican mining laws of 1884, 1892, and 1909, to the state of temporary concessions, requiring renewal from time to time by contracts, in the wording of which we have no share, we should face an unprecedented situation. Our commercial relations, not only with Mexico but with all of Latin America, depend upon mutual confidence. The liberal supplies which the United States has granted to Mexico, together with Ambassador Fletcher's note of April 2, constitute our side of the present case. A signal factor, however, will be the decision of the Mexican courts upon the suits now in progress.

Of course, the only "conclusion" which the diplomatic sense of the writer—or was it the State Department censor—would permit is that if these things are true, as the writer says they are true, "we should face an unprecedented situation." But even so, we should be grateful, either for the courage shown by the writer of that report or the indulgent forbearance shown by the State Department in permitting even this abbreviated breath of fresh air to penetrate our bedrugged and befuddled sense of national responsibility; to seep through the wearisome wreckage of a Mexican policy conceived in stupidity, based on a repudiation of our national honor, and supported by a popular

ignorance for which the administration in large part has been responsible.

No doubt, had the freedom of action of the writer of this report been commensurate with his intelligence, he would have described this "unprecedented situation" in all its naked truth. But let us be grateful that he has been permitted to go so far.

Now, why are these facts—these stories of murderous outrages against American citizens and attempts by government illegally to confiscate their property in Mexico—brought before the American people virtually for the first time? Why only now are the people of the United States permitted to learn that their Department of State, at the behest of President Wilson, has sat back, with hands placidly folded, and permitted these and other outrages against our national self-respect to go unpunished and virtually unprotested? And what does the fact that these conditions are now permitted to be made known imply?

It means only this, that the policy of "hush" which the Department of State has imposed not only on public men but on the press of the country "to win the war" no longer will hold water. It means that the wrongs of our citizens in Mexico, who have suffered indignities and death in order to keep our warships supplied with fuel oil, who have walked unarmed and unprotected among armed bandits in a hostile land to help "win the war," now cry for redress in a voice that even the diplomatic "hush" of the Department of State no longer can keep from the ears of their fellow citizens at home.

It means that the time has come when this Government, gathering around it such tattered shreds of self-respect as our Mexican policy of eight years has left us, and which only our heroic course in the great war preserved from final and absolute extinction, must say to all foreign Governments, wheresoever they may be:

Whosoever attacks the life, property, and well-being of an American citizen attacks the American flag. Whosoever attacks the American flag, let him beware. The American people know only one answer; that given to the Imperial German Government, WHICH IS NO MORE.

I say, as would have my forbears: He who will not subscribe to that sentiment repudiates the proud title "American."

Americanizing the People of the District of Columbia.

EXTENSION OF REMARKS

OF

HON. RICHARD W. AUSTIN.

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. AUSTIN. Mr. Speaker, I submit facts and figures in support of House joint resolution 73, introduced by me, which proposes an amendment to the Constitution empowering Congress to give representation in House, Senate, and electoral college to residents of the District of Columbia. It reads as follows:

[Sixty-fifth Congress, first session, H. J. Res. 73; S. J. Res. 64.]

IN THE HOUSE OF REPRESENTATIVES,
April 28, 1917.

Mr. AUSTIN introduced the following joint resolution, which was referred to the Committee on the Judiciary and ordered to be printed.

Introduced by Mr. CHAMBERLAIN in the Senate, May 11, 1917, and referred to the Committee on the District of Columbia.

Joint resolution proposing an amendment to the Constitution of the United States giving to Congress the power to extend the right of suffrage to residents of the District of Columbia.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution of the United States be proposed for ratification by the legislatures of the several States, which, when ratified by the legislatures of three-fourths of the States, shall be valid as a part of said Constitution, namely, insert at the end of section 3, Article IV, the following words:

"The Congress shall have power to admit to the status of citizens of a State the residents of the District constituting the seat of the Government of the United States, created by Article I, section 8, for the purpose of representation in the Congress and among the electors of President and Vice President and for the purpose of suing and being sued in the courts of the United States under the provisions of Article III, section 2.

"When the Congress shall exercise this power the residents of such District shall be entitled to elect one or two Senators as determined by the Congress, Representatives in the House according to their numbers as determined by the decennial enumeration, and presidential electors equal in number to their aggregate representation in the House and Senate.

"The Congress shall provide by law the qualifications of voters and the time and manner of choosing the Senator or Senators, the Representative or Representatives, and the electors herein authorized.

"The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing power."

DISTRICT WANTS NATIONAL REPRESENTATION.

While the people of the District differ widely concerning the best form of local government, they very largely agree in petitioning for national representation under the proposed constitutional amendment.

Washington, released from its war-time obligation to think solely of national service and sacrifice to help to win the war, is permitted to think and speak again for itself. And its first and most earnest petition is for Americanization, for representation, like other American communities, in Congress and the Electoral College.

Its first petition is for national representation, because it believes that through exercise of the power which such representation will give all other good things municipal that are strongly desired will be added to it.

This note is sounded in all the citizens' organizations as they resume their winter activities. The board of trade, the chamber of commerce, the Federation of Citizens' Associations, the Central Labor Union, and many other citizens' organizations have put on record their appreciation of the fact that the psychological moment approaches for a determined and united campaign to carry through Congress and the State legislatures the pending constitutional amendment, empowering Congress to grant representation to the District in Congress and the Electoral College.

Nearly all of the citizens' organizations of Washington, large and small, cooperate in the organization of the joint citizens' committee on national representation for the District of Columbia.

The organizations represented in the joint committee are as follows: Board of trade; chamber of commerce; Federation of Citizens' Associations, representing 30 sectional citizens' associations; Central Labor Union, representing 72 local unions and 6 local auxiliaries; Retail Merchants' Association; Monday Evening Club; Bar Association; Association of Oldest Inhabitants; District Delegate Association; Real Estate Brokers' Association; citizens' associations not represented in the federation, including Columbia Heights, East Washington, Georgetown, Northeast Washington, South Washington, and Southwest Citizens' Association; Citizens' Community of Forty in Favor of Popular Government for the District of Columbia; Twentieth Century Club.

Cooperating organizations: The local branch of the National American Woman's Suffrage Association and the American Federation of Labor.

At a recent conference of prominent representatives of the citizens' organizations represented in the citizens' joint committee on national representation for the District of Columbia it was resolved unanimously by a rising vote that the joint committee's campaign for national representation, checked by the war, should be renewed vigorously, and should be pushed promptly, earnestly, and steadily before the incoming Congress. Among those who participated in this conference were Walter A. Brown, president of the Board of Trade; Robert N. Harper, president of the Chamber of Commerce; W. B. Westlake, president Federation Citizens' Associations; Harry S. Hollohan, president Central Labor Union; C. J. Columbus, secretary Merchants' and Manufacturers' Association; Theodore W. Noyes, chairman citizens' joint committee; Louis Ottenberg, secretary citizens' joint committee; H. B. F. Macfarland, acting chairman committee on brief; A. Leftwich Sinclair, chairman committee on speakers; John Joy Edson, chairman committee on print publicity; W. T. Galliher, chairman finance committee; Albert Schulteis, chairman Chamber of Commerce national representation committee; E. C. Brandenburg, chairman campaign committee, Board of Trade; G. F. Bowerman, chairman campaign committee, Monday Evening Club; C. S. Shreve, vice chairman citizens' joint committee; Chapin Brown; E. C. Colladay; and ex-Representative James T. Lloyd.

The working committees of the joint committee are getting ready energetically for the campaign in the next Congress. Mr. A. S. Worthington, the chairman of the brief committee, is recovering from illness in Florida. The vice chairman of the committee, Mr. H. B. F. Macfarland, is serving as acting chairman, and this committee, intrusted with the preparation of the District's case for presentation at hearings before the congressional committees to which the constitutional amendment is to be referred, met on Monday at Mr. Macfarland's office and divided up the work of brief preparation, and this work is being vigorously pushed. This committee expects to be ready to present the District's case to Congress whenever the

special session of the new Congress may be called. The members of this committee are as follows:

A. S. Worthington, chairman; H. B. F. Macfarland, vice chairman; H. H. Glassie, E. C. Brandenburg, Chapin Brown, E. F. Colladay, A. Leftwich Sinclair, John B. Larner, W. McK. Clayton, Theodore W. Noyes.

The historical and statistical data concerning the political status of Washington necessary for the preparation of the District's case are being gathered and formulated by a committee consisting of—

John B. Larner, chairman; W. B. Bryan, historian, vice chairman; Le Verne Beales, statistician, vice chairman; Allen C. Clark, William V. Cox, George F. Bowerman, J. Harry Shannon, James Hugh Keeley, A. M. Fisher.

This committee on historical and statistical facts, which functions in intimate association with the committee on brief, has already done valuable work. The committee met on Friday at Mr. Larner's office and renewed and broadened its labors. It will bring the statistical matter which it has collected thoroughly up to date.

For the presentation of the District's case to individual Members of Congress, to the Capital community, and to the country at large the working committees are the committee on speakers, A. Leftwich Sinclair, chairman; print publicity, John Joy Edson, chairman; and the outside campaign council, which is now being organized. Meetings of these committees are arranged for next week; also a metting of the finance committee, of which W. T. Galliher is chairman, and the other members of which are the presidents of the Board of Trade, the Chamber of Commerce, the Federation of Citizens' Associations, the Central Labor Union, the Merchants' and Manufacturers' Association, and the Monday Evening Club.

CITIZENS' JOINT COMMITTEE ON NATIONAL REPRESENTATION FOR THE DISTRICT OF COLUMBIA.

The organizations represented in the joint committee on national representation for the District of Columbia are as follows:

Board of trade, 1,625 members.

Chamber of commerce, 1,200 members.

Federation of Citizens' Associations, representing 30 sectional citizens' associations, as follows:

Anacostia, Benning-Kenilworth, Brightwood Park, Brightwood, Central Northwest, Central, Chevy Chase, Chillum, Castle-Woodburn, Citizens' Northwest Suburban, Cleveland Park School-Community, Congress Heights Public Improvement, Conduit Road, Connecticut Avenue, Lincoln Park, Midcity, Mount Pleasant, North Capitol and Eckington, North Washington, Park View, Petworth, Piney Branch, Randle Highlands, Rhode Island Avenue Suburban, Rock Creek Ford, Southeast, Takoma Park, West End, Washington Civic Association, Washington Society of Fine Arts, and American Institute of Fine Arts. These associations cover nearly the entire District, with an aggregate membership (estimated) of 7,500. Many of these sectional associations have, in addition to participation through the federation, separately indorsed District national representation through constitutional amendment and have appointed cooperating campaign committees.

Central Labor Union, representing 72 local unions and 6 local auxiliaries, with aggregate membership (estimated) of 48,000; Retail Merchants' Association, Monday Evening Club, Bar Association, Association of Oldest Inhabitants, District Delegate Association, Real Estate Brokers' Association.

Citizens' associations not represented in the federation, including Columbia Heights, East Washington, Georgetown, Northeast Washington, South Washington, and Southwest Citizens' Association.

Citizens' Committee of Forty in Favor of Popular Government for the District of Columbia.

Twentieth Century Club.

COOPERATING ORGANIZATIONS.

The local branch of the National American Woman's Suffrage Association.

The American Federation of Labor.

EXECUTIVE COMMITTEE.

Officers joint committee: Chairman, Theodore W. Noyes; first vice chairman, John Joy Edson; second vice chairman, A. Leftwich Sinclair; third vice chairman, Charles S. Shreve; treasurer, Robert N. Harper; secretary, Louis Ottenberg; Ross P. Andrews, George F. Bowerman, E. C. Brandenburg, Chapin Brown, William Clabaugh, Roy C. Claflin, William McK. Clayton, E. E. Clement, E. F. Colladay, John F. Costello, C. F. Crane, Jesse P. Crawford, J. Harry Cunningham, Samuel de Nedry, John B. Dickman, Hugh D. Digney, John Dolph, W. T. Galliher, H. H. Glassie, C. J. Gockeler, Earl Godwin, William F. Gude, James Hugh Keeley, Wilton J. Lambert, John B. Larner, M. A. Leese, James T. Lloyd, A. T. Macdonald, H. B. F. Macfarland, Arthur Marks, P. T. Moran, Mrs. Ellen Spencer Mussey, E. W. Oyster, James F. Oyster, Fred J. Rice, George H. Russell, Albert Schulteis, George G. Seibold, Odell S. Smith, Corcoran Thom, Washington Topham, A. S. Worthington, Walter A. Brown, Joseph A. Berberich, W. B. Westlake, H. S. Hollohan, C. J. Columbus, J. Wilmer Latimer, and D. J. Kaufman.

Honorary members: Ex-Senator Henry W. Blair and Justice Wendell Phillips Stafford.

The District's plea for national representation is condensedly stated in the following circular:

AMERICANIZE WASHINGTONIANS.

The 400,000 Americans of the District constitute the only community in all the expanse of the continental United States—populous, intelligent, public-spirited, of adequate resources—which is denied representation in the National Government.

As a suitor in the courts of the United States the District resident has, the Supreme Court says, a lower standing than an alien.

TO OBEY, TO PAY, TO FIGHT.

In relation to national laws the sole function of the District residents is to obey. They take no part in making the laws which they must obey.

In relation to national taxes their sole function is to pay. They have nothing to say, like other taxpayers, concerning the amount and kind of taxes they shall pay and how the tax money shall be spent.

In relation to national war their sole function is to fight in obedience to command. They have no voice, like other Americans, in the councils which determine war or peace. They have no representation in the Government which requires them to fight, to bleed, and perhaps to die.

National representation is a distinctive, basic right of the American citizen—in a Government of the people, by the people, for the people; in a Government which roots its justice in consent of the governed; in a representative Government which inseparably couples taxation and arms bearing as a soldier with representation.

Since the 400,000 Americans of the District pay national taxes, obey national laws, and go to war in the Nation's defense, they are entitled on American principles to be represented in the National Government which taxes them, which makes all laws for them, and which sends them to war.

NOT TO DISTURB NATIONAL CONTROL.

The constitutional amendment which we urge empowers Congress to correct this inequity without disturbing in the slightest national control of the Capital or the present form of municipal government. Congress retains every power in these respects that it now possesses. All that happens will be that the District becomes a small fractional part of that Congress, and politically an integral part of the Nation which that Congress represents.

National representation will clothe the Washingtonian with a vital American privilege, to which he is undeniably in equity entitled, will cleanse him of the stigma and stain of un-Americanism, and, curing his political impotency, will arm him with a certain power.

It will relieve the Nation of the shame of un-Americanism at its heart and of impotency to cure this evil.

It will inflict no injury or hardship upon either Nation or Capital to counteract these benefits.

Consistency and justice, national pride and self-respect, the will to efface a shameful blot from the national escutcheon, the spirit of true Americanism and righteous hatred of autocracy in any guise, the patriotic impulse toward full preparedness of the Nation as a champion of democracy and representative government everywhere in the world—all combine to make irresistible at this very moment our appeal for the adoption of this amendment.

ANALYSIS OF PROPOSED CONSTITUTIONAL AMENDMENT.

It is to be noted first that it is not proposed that the Constitution as amended shall give national representation directly and immediately to the District. The amendment merely empowers Congress in its discretion to give us this representation, and provides the machinery and supplementary powers which will be necessary when Congress decides to exercise this power.

Why does the District modestly ask so little? In order that it may not in the end secure nothing.

A constitutional amendment has a long road and a hard road to travel. It must run the gantlet of two-thirds of Congress and three-fourths of the State legislatures. The burden which it carries must be reduced to a minimum.

The joint resolution effects the vital essential of the ideal constitutional amendment. Nothing whatever should be sought through a two-thirds vote of Congress and a three-fourths vote of the States which can be secured through a majority vote of Congress. An absolute minimum of alteration of the Constitution, effecting only the vitally necessary change, should be proposed by amendment.

The proposed amendment does not directly and immediately give to Washingtonians national representation, but it takes that vital privilege from inaccessibility and places it within reach. After its adoption only a majority vote of Congress will be required to do equity in this matter, whereas now a two-thirds vote of Congress and a three-fourths vote of the State legislatures are necessary.

Its sole effect is to remedy an acknowledged evil and to do equity by empowering Congress to declare the political and judicial status of the residents of the seat of government.

All of the controverted issues concerning the make-up of the local electorate, the qualifications of voters, and the form of local government, upon which both Washingtonians and our national legislators radically differ among themselves, are postponed to be decided by the majority vote of Congress after the great and vital question of the constitutional status of the Washingtonian has been answered.

A proposed constitutional amendment affecting the District is doomed to defeat which provokes the active opposition of either Democrats or Republicans; of progressives, conservatives, or reactionaries; of prohibitionists or antiprohibitionists; of those for or against a liquor referendum or any other kind of referendum; of those who either favor or oppose votes for women; of those who advocate or oppose an educational or property qualification for voters; of those who favor or condemn a change in the form of local government; of single taxers or antisingle taxers; of champions or belittlers of the half-and-half law; and of those who either advocate or abominate the "new nationalizing" of Washington.

In short, any active group of Americans sufficiently strong to be able to influence one-third of either House of Congress can defeat this constitutional amendment.

The proposition, however, is now so stripped of every strife-breeding feature and so centered upon a single principle of undeniable equity that all of Washington can enthusiastically get behind it and push it to success. It is so worded as to reduce to a minimum opposition to its immediate passage.

NO DECREASE OF POWER OF CONGRESS.

The proposed constitutional amendment giving Congress power to grant national representation to the residents of the seat of Government—in respect to whom it already has the power to exercise exclusive legislation—does not lessen but increases the power of Congress. It extends on natural, logical, and equitable lines an existing power of Congress.

This provision is appropriately inserted at the end of section 3, Article IV, of the Constitution, which gives to Congress power to admit new States and to make all needful regulations respecting the territory belonging to the United States from which these new States are carved. It is under this section that new Senators, Representatives, and Territorial Delegates come to the Capitol. The three political subdivisions of the United States under the Constitution are States, Territories—incipient States—and the District constituting the seat of Government of the United States. When the proposed amendment is adopted this section will be rounded out and perfected and the power of Congress in respect to national representation will be equitably extended to all three of the parts into which the United States was thus in the beginning in effect divided.

The Constitution does not define the political status of the future population of "such District—not exceeding 10 miles square—as may by cession of particular States and the acceptance of Congress become the seat of the Government of the United States." Nor does it explicitly and undeniably give the power to Congress to define or change this status so that it shall approximate gradually the status of the citizens of a State.

IN STATUS LESS THAN ALIENS.

It has resulted from this unintentional omission or oversight that the residents of "such District" have a standing as suitors in the courts of the United States which the Supreme Court has said is less than that of aliens, and a relation to participation in national legislation and presidential elections which is the same as that of aliens.

It was not intended that "such District" should remain uninhabited. The United States advertised its Washington lots for sale not only in the Republic but in Europe, and attracted settlers and lot purchasers here by glowing assurances. George Washington predicted that the Capital's population would in a century be certainly exceeded only by that of London. It was not intended that these inhabitants should be from any point of view permanently aliens.

It was not intended that the people of the Capital should forever remain politically outside of the United States, no matter what the number and character of the population. Sympathetic commiseration of the District's lack of national representation has been expressed in Congress and the White House at intervals from 1800 down to the present day.

When it had only the population and resources which entitled its people to the nominal representation of a territorial delegate, a voteless legislative agent in the House, not contemplated by the Constitution, that representation was vigorously urged by President Jackson, was heartily seconded by President Johnson, and was given under President Grant.

DISTRICT NATIONAL REPRESENTATION.

The words of these Presidents and of a long series of national legislators and other statesmen, who argued forcibly and convincingly for Territorial representation for the few residents of the District in their time, are to-day equally sound and convincing arguments for full national representation for the present District. In 1919 genuine and equitable American representation for the residents of the seat of government approximates their status to that of citizens of a State and not of a Territory. A voteless, almost negligible, Territorial Delegate is obviously inadequate.

The seat of government of the United States now has an intelligent, American, public-spirited population exceeding that in 1910—the latest national census—of six of the States—Nevada, Wyoming, Delaware, Arizona, Idaho, and New Mexico. Its population then was 331,069. It was shown by the last police census to approximate 400,000. Including the army of new war workers, it is half a million to-day. The population represented under the latest apportionment by each Representative in the House is 212,407.

The time has now come when the Nation should by constitutional amendment either give direct to the residents of the seat of government the status of citizens of a State for the purpose of national representation only, or should at least, as proposed by our pending constitutional amendment, give to Congress the power to declare, in its discretion, when they shall have this status to the extent of enjoying this national representation.

WHAT IT DOES AND WHAT IT DOES NOT.

The constitutional amendment which Washington urges (H. J. Res. 73 and S. J. Res. 64) does not propose the admission of the District of Columbia into the Union as a sovereign State; it does not propose the destruction of the "10-miles-square" provision of the Constitution; it does not lessen in the smallest degree the control by the Nation of the "10 miles square."

It does not disturb in any way the financial relation of Nation and Capital. It is not based upon either the abolition or the retention of the half-and-half law.

It is not complicated with changes in the municipal government of the District in respect to which Washingtonians widely and radically differ.

It repeals nothing; it destroys nothing. It alarms no one, alienates no one, wounds nobody's sensitiveness.

WHAT THE AMENDMENT DOES.

This constitutional amendment assumes that the Nation will continue to control its Capital through Congress and asserts that the time is close at hand when the people of the Capital should be represented in that Congress. The 10-miles-square provision of the Constitution sets up a peculiar political entity—not a State, not a Territory—under the exclusive control of the Nation. This amendment is supplementary to the 10-miles-square provision. It says, in effect, that after a century of increase and development the Americans collected in the seat of government, entitled at all times to every American right and privilege consistent with continued national control of the Capital, are now or soon will be entitled to representation in the National Government.

It enables Congress to make Americans of a community of 400,000 people who are now politically aliens and to naturalize for the purpose of representation in the National Government a city slightly larger than Minneapolis and slightly smaller than New Orleans.

The constitutional provision establishing the 10 miles square is responsible for the monstrous paradox of unrepresentative government at the Capital of the great Republic. This constitutional amendment will ultimately correct it.

Our proposed legislation is supplementary to existing law, adapting the latter better to the conditions and needs of to-day. It is thoroughly constructive. It is not in the smallest particular destructive.

It leaves undisturbed and confirms the national control of the Nation's city and the corresponding national obligation of adequate financial participation in the maintenance and upbuilding of the National Capital. The act of 1878 and the exclusive legislation clause of the Constitution are alike untouched.

It enables Congress to make American citizens of the people of this community, giving them effective representation in Congress, their local and national legislature, which may deprive them of their property by taxation, and of life or limb by sending them to war. Such representation is not inconsistent with the exclusive power of legislation concerning the District possessed by Congress. On the contrary, such representation is the more essential since Congress is not only Washington's national legislature but its municipal and State legislature. The effect of this amendment is not to admit the District into the Union as a State but to enable Congress to give to the 400,000 Americans residing in the 10 miles square under the exclusive control of Congress the same representation as citizens of a State in Congress and the Electoral College.

A NEW POLITICAL STATUS.

Not a new State but a new political status is to be evolved. This amendment operates as a supplement of the 10-miles-square provision, empowering Congress to define explicitly, in view of the changes of more than a century, the political status of the residents of the Federal District. It will alter the existing law of congressional and Electoral College representation and will create a new American constituency with representation in Congress and the Electoral College; not a new State but a politically uplifted District of Columbia, an enfranchised 10 miles square already created and made unique by the Constitution. This new factor in our scheme of National Government representation may be unusual, peculiar, extraordinary; but it is not so unusual, peculiar, and extraordinary as the original creation and present-day retention by the great Republic of the totally unrep-

resented 10 miles square, the seat of government, a district physically within the United States, even containing its Capital, but politically outside of the United States.

The States uniting under the Constitution had the power, which they exercised, of creating this unique, unrepresented, Capital-containing, Nation-controlled District. Two-thirds of Congress and three-fourths of the States have the same power, which they should exercise, to give to the 400,000 people of this unique District an equally unique political status.

Who is there in all the world who does not think that the 400,000 Americans in the seat of government of the United States are entitled to representation in the Legislature which alone makes laws for them and taxes them and may send every man of them to war, perhaps to be wounded or killed? Who contends that these 400,000 Americans are not as intelligent, as patriotic, as public-spirited, as American, in short, as the same number of Americans anywhere else in the United States, or as the smaller number of Americans collected in six of the States?

What new State has ever been admitted to the Union which at the time of admission had so large, so intelligent, and so thoroughly American a population as the District? What new State at the time of admission, measured as to its taxable resources, was raising so much in local taxes and contributing so much in national taxes as the District of Columbia? The District to-day is contributing in national taxes, to be disbursed by a legislature in which it is not represented, a greater amount absolutely than 22 of the States and a greater amount per capita than 36 of the States.

STATEHOOD NOT DEMANDED.

Though the District can make this showing of fitness for admission to the Union as a sovereign State, no demand for such admission is presented. Our proposed legislation confirms the national control of the Nation's city and the exclusive legislation clause of the Constitution is untouched.

All that is asked is that the Constitution empower Congress to declare that residents of the seat of government are on the same footing as citizens of the States in relation only to Congress, the Electoral College, and the courts of the United States.

This action, though it will Americanize a community, now politically alien, which is larger than Minneapolis, and will empower Congress to enlarge the basis of congressional representation, does not bring into the Union a new sovereign State.

Surely Congress will not quibble or delay in cooperating to secure to itself by constitutional amendment the power to cure the evil and shame of completely nonrepresentative government in the seat of government of the great representative Republic. To accomplish this good end Congress ought not to hesitate to propose to the States this enlargement of its own powers. Surely Congress does not distrust itself.

The injury to the Nation from this condition is as great as that inflicted upon the de-Americanized community. The national shame is the greater.

IS THE NATION IMPOTENT?

It is sometimes suggested that the Nation is impotent to cure this evil and this shame; that the condition is unchangeable.

This suggestion is an insult to American character and capacity. No other capital of any other nation is degraded below other cities in national representation. No excuse is found in the fact that our Capital is in a nation-controlled district. Mexico and Brazil and Argentina have copied this feature of our Constitution. As nations they control, like the United States, federal districts in which their capitals are located, but they have not found themselves impotent to give full national representation to the residents of these capitals.

Is Washington in some way defective or tainted and unfit to stand on the same representative footing as Buenos Aires, Rio, or Mexico City?

Is the American Republic less devoted to the principles of representative government and less capable of enforcing them than Argentina, Brazil, or Mexico?

Who will confess permanent national impotency to free residents of the seat of government from the class of defective and delinquent Americans? Or to rid the Nation itself of a canker at the heart of the body politic, collecting alien matter, and threatening blood poisoning?

MAIN OBJECTIONS TO DISTRICT NATIONAL REPRESENTATION.

(1) Congress will not grant it without destroying the half-and-half provision of the act of 1878. The Nation will not do political equity without violating financial equity.

(2) The District voting constituency, on account of the percentage of its people with voting residence in the States and the colored percentage of the population, is and will be unfit for such national representation.

(1) The first objection is an undeserved slur upon Congress. (2) The second objection is an undeserved slur upon the people of Washington. (3) Neither objection applies at all to the pending constitutional amendment, which merely empowers Congress to grant national representation to the District when such action seems to Congress to be equitable and when in the opinion of Congress the people of the Capital are fit to be Americanized.

BOTH POLITICAL AND FINANCIAL EQUITY.

How can Congress defend a threat to withhold or violate financial equity if Washington successfully petitions to it for political equity? The recent fiscal investigation convinced Congress and the Nation that the local community was contributing not too little but more than its share to the maintenance and development of the Capital; that the Nation itself was contributing not too much but too little for the same purpose.

If we now proposed to destroy national control of the Capital through Congress and to transfer that control to a new sovereign State of Columbia, there might be force to the suggestion that as obligation goes with power the national obligation would cease if the national power over the Capital ceased. But District national representation by constitutional amendment does not in the slightest lessen national power and control in the District, and consequently does not reduce in the slightest the national obligation.

When the District secures voting representation in Congress it will simply become a small fractional part politically of the Nation which that Congress represents, and its half million people will be placed on equal terms in national representation at least with any other half million of Americans among the millions in the rest of the continental and contiguous United States.

We shall become through our representatives a part of Congress, but we shall take no power from that Congress. Since national power and the control in respect to the Capital are unimpaired, the national obligation to participate in maintenance and development of the National Capital is unimpaired also.

National representation for the District will furnish, therefore, no excuse for Congress to become a shirker and a slacker in respect to capital legislation and appropriation. Congress will control the Capital as before, and will be solely responsible for District legislation, whether or not the District is represented in it.

Representation in Congress will never be granted the District unless it is demonstrated to be an American vital privilege which, under all the conditions, equity demands. If its equity is thus demonstrated, will it not be an insult to impute to Congress the inconceivable meanness of refusing financial equity if political equity is successfully sought?

TWO EQUITIES HAND IN HAND.

Instead of being antagonistic the half-and-half plan and national representation for the District are sympathetic and supplemental. Both are manifestations of the spirit of "fair play for Washington." Both are rooted in the principle of a "square deal for the Capital." Equity for the Nation's city involves both financial equity and political equity, and the two equities go hand in hand.

Whatever one has in mind as beneficial to Washington, if it is to be secured from Congress, is brought nearer to realization by adoption of this amendment. For it prepares the way for Washingtonians to get voting power in a body in which they are now impotent; and their ability and their likelihood to secure any of this desired legislation will be infinitely enlarged.

It has been said that the political equity of national representation can not be enjoyed by the District without sacrifice of financial equity in its relation to the Nation. On the contrary, this political equity of national representation is the strongest and perhaps the only reliable guaranty of stability of the Nation in financial equity toward the people of the Capital. The half-and-half law is not disturbed in the slightest by national representation. Its continued existence is, on the other hand, guaranteed as long as it remains equitable; and when the time comes to frame a substitute for this law national representation will arm the District with power to cause the succeeding financial system to be based upon the principles of justice and wisdom in which the half-and-half law is rooted.

Thus national representation, instead of destroying the half-and-half law or the principle of financial equity upon which it is founded, will strengthen and confirm that principle, so vital to the Capital's welfare.

ARE WASHINGTONIANS DEFECTIVE AND UNFIT?

Slurs upon Washington's voting constituency of the past, recent or remote, have no application to the future voting constituency under the proposed constitutional amendment. The

only votes promised under this amendment are for Senators, Representatives, and presidential electors. If the resident of the District can vote for these officers in Washington, he will in almost every case elect to vote here instead of in a State. The class of Washingtonians with voting residence in the States will practically be emptied. It has been steadily dwindling, through restrictive State laws, through the local home-making tendency of the merit system, and, with the elimination of passes and rate concessions, through the increased expense of railroad transportation of voters to distant States. It will almost disappear if one may vote here for President and Congress.

With substantially all of our population voting in the District, a voting constituency results which is adequate in quantity and which is unsurpassed in quality in any State of the Union.

Our business and professional men, the educational, scientific, literary, and artistic elements of our population, our workingmen in public and private employ, our department clerks and other Government employees, our winter residents in process of conversion into Washingtonians, combine to constitute one of the strongest, most intelligent, most public spirited, and most American communities in the whole Republic.

What new State has ever been admitted to the Union which at the time of admission had so large, so intelligent, and so thoroughly American a population as the District? What new State at the time of admission, measured as to its taxable resources, was raising so much in local taxes and contributing so much in national taxes as the District?

The suggestion that the 26 per cent colored population of the District is unfit to vote, that this 26 per cent fraction of the voters will dominate the 74 per cent white vote, and that, as a final result, the whole voting constituency of the District becomes tainted, incurably defective, and delinquent, slurs with cruel injustice not merely the colored population but the whole Capital community, which is thus branded as un-American and impotent to set up a white man's government.

NOTE.—The percentage of colored population steadily decreases. The war growth of Washington has added more than 100,000 to the city's population, nearly all whites, and to the extent that the war population is retained in peace time (and experience shows that a large fraction of this war increase remains at the Capital) the colored percentage will be still further reduced.

This suggestion is based upon the assumption that the colored population of to-day has not developed since the first decade after the Civil War in education, in efficiency, in morality, or in Americanism. It ignores the fact that in contrast with the organized masses of foreign illiterates, disloyal and dangerous, that are herded in industries and at the polls in many other large American cities, the colored population here has creditably increased its percentage of literacy, has acquired small holdings of property aggregating a considerable amount, whose possession has made thousands of conservative, "safe and sane" colored citizens, and finally, in response to every test, has shown itself in the mass instinctively obedient to constituted authority and loyal to the Republic as citizens and soldiers.

This suggestion also assumes that no more whites of Washington will turn out to vote for President or Senator or Representative than voted for an impotent "feather-duster" legislature in the last century or in farcical elections for delegates to partisan presidential nominating conventions in this century. It assumes that the Washington white men can not in contention over any race issue hold their own against much less than half their number of colored men. It insults by the slur of inefficiency and unfitness a community which in peace and war has made an unsurpassed record of public spirit and of exalted Americanism in service, in patriotic devotion, and in full, hearty, and unstinted response to every demand of self-sacrifice made upon Americans.

In the light of Washington's fine war records, with which every one of us is familiar, and of which we all are proud, the moment is peculiarly inopportune to suggest that the 400,000 Americans of the Capital are the only Americans in the mainland United States who remain unfit for representation in their National Legislature, which makes national laws for them, imposes national taxes upon them, and sends them forth as national soldiers and sailors to fight, to bleed, and perhaps to die.

BOTH OBJECTIONS ARE IRRELEVANT.

But if this slur upon Washington, colored and white, were thoroughly deserved at this time, no reason would thereby be found to oppose the pending constitutional amendment. For this amendment does not directly and immediately admit the Washington defectives and delinquents to national representation. It merely empowers Congress in its discretion at some future time to admit District residents to the status of citizens of a State for the purpose of national representation, and also provides the machinery to be utilized when Congress wishes to exercise this power.

It does not take any power whatsoever from Congress. On the contrary, its only effect is to enlarge the powers of Congress.

Congress now has the power to grant full national representation to the people of a Territory by admitting it to statehood. The constitutional provision giving to the Nation, through Congress, exclusive control over the seat of government deprives Congress of the power of giving to residents of the District full statehood. The pending constitutional amendment is an enabling act for Congress, empowering, but not directing, it to admit District residents to the status of citizens of a State only so far as will not disturb the national exclusive control of the Capital by the Nation through Congress. Voting representation of the District in Congress will clearly not affect control of the District by Congress.

In the Republic's political history it has sometimes happened that partisan apprehension that a new State would be opposed to the party in power has caused that party to prevent admission of the territory to statehood, even though it was fit in every respect. Such partisan fears, if any should exist in respect to the admission of the District to national representation, would naturally arise and result in acts only when that admission was directly and immediately sought and was imminent. They would not logically justify opposition to the pending constitutional amendment.

If this amendment passes Congress will only have the same power to give part of the privileges of statehood to the District that it now has to give all of these privileges to Alaska or Hawaii.

If after this amendment is adopted Congress thinks that for any reason, partisan or otherwise, the time is not yet ripe for national representation for the District the admission of Washingtonians to this status will be postponed. If the political party in control of Congress at that time is convinced that "admission" of the District will create a Senator or Senators and Representatives controlled by the partisan enemy that party has the same opportunity to block and postpone admission that both parties have had and have exercised in the past in the case of many of the Territorial applicants for statehood after they were fitted for admission in population and resources.

Washington applies to two-thirds of Congress to empower Congress, whenever Congress pleases, to give national representation to District residents; to give to the seat of Government the same possibility of national representation that Hawaii and Alaska now possess.

What Washingtonian can be imagined as opposing this amendment, which dignifies and exalts his American status, and neither inflicts nor threatens any injury to anybody?

What Senator or Representative can be imagined as opposing an amendment which merely extends an existing power of Congress on logical and equitable lines, and which simply empowers Congress to correct political inequity whenever it sees fit to do so?

Washington is asking by constitutional amendment, requiring two-thirds vote of Congress, only what is absolutely essential to be secured in this way. If more were asked by constitutional amendment, nothing whatever could secure the necessary two-thirds vote.

All of the controverted issues concerning the make-up of the local electorate, the qualifications of voters, and the form of local government, upon which Washingtonians radically differ, are now postponed, to be decided by the majority vote of Congress after the great and vital question of the constitutional status of the Washingtonian has been answered.

Surely no Washingtonian will contend that the District should not by constitutional amendment be placed on the same basis as Alaska or Hawaii in respect to the possibility of national representation, or that Congress should not then in its discretion by a majority vote grant such equitable representation.

Surely Congress will not quibble or delay in cooperating to give to itself by constitutional amendment the power at the right time to cure the evil and shame of completely nonrepresentative government of the seat of government of the great American Republic.

DISTRICT'S WAR RECORD—SOLDIERS AND MONEY.

The District of Columbia has given to the service 17,945 soldiers, sailors, and marines (officers and men), including National Guardsmen, selective-service men, volunteers, and those enlisting in near-by State regiments and other military units. It is estimated that nearly one-half of this number has served in the Army and Navy in Europe, and many have been killed or wounded in action, died from disease, or are among the missing.

Under date of December 10 the Secretary of War caused to be issued an honorable-mention order, in which he eulogized the heroism and bravery of the District of Columbia soldiers in the engagements in which they fought so gallantly.

Gen. March reports (Feb. 15) that the District supplied 15,930 soldiers, surpassing New Hampshire, New Mexico, Wyoming, Arizona, Vermont, Delaware, and Nevada.

In addition to the contribution of its splendid young manhood to the world war, the people of the District have liberally subscribed of their limited means to help win the war as follows:

	District of Columbia quota.	Total.
First liberty loan	$15,000,000	$19,000,000
Second liberty loan	23,000,000	26,050,550
Third liberty loan	25,600,000	26,038,000
Fourth liberty loan	27,008,000	51,042,150
Y. M. C. A. fund, October, 1917	150,000	165,000
Red Cross fund, 1918	500,000	1,280,000
United war work campaign, November, 1918	716,000	835,812
War-savings stamps, December, 1918	7,500,000	7,500,000
Total	100,158,000	127,120,650

Total subscriptions from May, 1917, to December 31, 1918, $127,120,650.

Liberty-loan subscribers:

First loan	57,179
Second loan	84,328
Third loan	133,043
Fourth loan	244,582

In the internal revenue war taxes for the fiscal year ending June 30 last the District contributed $2,575,909.51, exceeding in war contributions 20 States—Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Maine, Mississippi, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Utah, Vermont, Washington, and Wyoming.

Post Office Appropriations.

SPEECH
OF
HON. WILLIAM H. KING,
OF UTAH,

IN THE SENATE OF THE UNITED STATES,

Saturday, February 1, 1919.

The Senate had under consideration the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. KING. Mr. President, I have upon a number of occasions called attention to the painful and costly experiences of the Government as a result of the impractical and oftentimes visionary and absurd schemes which officials of the Government inaugurated. All sorts of fads and experiments are conducted by agencies and officials of the Government, many of them in the face of all business experience, and still others in contravention of the letter, if not the spirit, of the fundamental law of the land. Prussian socialism and a tyrannous paternalism seem to be the goal many officials seek to reach. One of the schemes of some of the officials of the Post Office Department was the establishment of a "motor-truck service" ostensibly for the purpose of transporting the products of farm and field to market. Of course, back of the scheme was the design to have the Government engage in the transportation of the products of the country. This statement is warranted by the report which I shall call attention to in a moment, wherein it is stated "that it seems to be the purpose of the motor-truck service to enter the field—transcontinental, perhaps, in scope—as a system in competition with railroads," and so forth.

Under the pretext of aiding the farmer to dispose of his foodstuffs, and taking advantage of the war spirit and the feeling that food production must be stimulated, an appropriation was solicited and received in 1918 for the purpose of "experimenting with motor-truck service." One of the branches of the Post Office Department, wishing to extend its power and activities and increase enormously the number of employees therein, urged an appropriation to carry on such an experiment. An appropriation was made and experiments were conducted. It is needless to say that the experiments were conducted under the most favorable conditions that could be obtained by the proponents of the measure. An examination of the report indicates that those who had charge of the experiments did not proceed in a fair or proper way, but rather evinced a purpose to secure a favorable verdict regardless of the facts. In other words, the plan seems to have been to secure a verdict favorable to the experiments by questionable methods and regardless of the facts. The whole scheme seems to have been directed by the bureau of the Fourth Assistant Postmaster General and under its control and direction.

The Postmaster General felt constrained to have a thorough investigation made in regard to the motor-truck service, in order that he might advise Congress concerning the future operations of the same. Thereupon he directed the chief inspector to select the ablest postal experts and require that they should make "a thorough investigation of these motor-truck routes." Mr. Sutton, the chief inspector, selected Mr. Robert H. Baxclay, and there were associated with him other inspectors of tested ability and experience. The investigating committee as constituted consisted of Robert H. Baxclay, in charge; Inspectors Charles C. Hart, G. B. Miller, W. J. Opdyke, W. C. Volkerding, George E. Brill, W. E. Williamson, G. M. Brown, A. C. Garrigns, and J. G. Hogy. They were directed to make "a careful and thorough investigation of the motor-vehicle truck service," and the facts developed were to be fully and clearly set forth in a report to be by them submitted. They were also directed to approach the subject with "open minds and without any preconceived opinions on the question as to whether the service was practical and whether its extension would be a wise postal policy." The inspectors were directed to consult "freely the Bureau of the Fourth Assistant Postmaster General, and to give such bureau every opportunity to present any and all information it might have." This commission made a thorough investigation and submitted a report—which I obtained this morning—containing 152 printed pages. The Postmaster General in submitting the report to the chairman of the Senate Committee on Post Offices and Post Roads states that he has carefully read the same and feels "constrained to concur in the findings made and the conclusions reached." In view of the findings, the Postmaster General asked that the estimate of $300,000 for the continuance of the experiment be reduced to $70,000.

It is apparent that the Postmaster General feels that the plan is chimerical, unwise, and improper. However, in order to establish beyond all question the results of the plan, he is willing to conduct experiments during the coming year at a cost not to exceed $70,000. The report submitted by the inspectors is a severe arraignment of the methods employed by the bureau of the Fourth Assistant Postmaster General in conducting experiments, and is a condemnation of the plan itself. I shall insert at this point as a part of my remarks a portion of the summary and conclusions submitted by the inspectors:

SUMMARY AND CONCLUSIONS.

Motor-truck service not primarily designed for competitive transportation of mails, but adapt itself to needs of food producers.

Routes are conducted in competition with other established service and claiming revenues not actually earned.

Carrying of first-class mail predominates as earning factor of claimed revenues, for which business there is apparent intent to adapt schedules.

Statistics of earnings, tabulated by Fourth Assistant's office, includes war tax on letter mail, which should not be included.

Postage on fourth-class matter, carriage of which is specified object of motor-truck service, is comparatively small part of so-called revenue.

Office of Fourth Assistant contends that motor-route service has right to consider as earned revenue value of postage on all mail carried, regardless of share of service performed.

The stated method of computing revenues is not right in reason or acceptable business practice.

Motor-route service can at best aspire to recognition as another—and very expensive—instrument of public utility awaiting test of time and need.

Report does not accept service as necessary adjunct of postal establishment, nor wholly oppose it as unworthy of trial, but seeks to correct appearance of enormous earnings, that subject may be considered in true light.

Current operating expenses not furnished, but known to be greatly increasing with advent of storms and bad roads.

Expenses shown cover only season of good roads and of highest productivity and earnings from transportation of produce.

Operating mile costs have increased since August, while mile earnings are decreasing.

Increase in food production has not been due to establishment of motor-truck service.

Postage on fourth-class mail has increased only 2.5 per cent of total on all matter since September. Other classes provide over 82 per cent of total theoretical revenue.

Reported earnings are greater than in fact by reason of improper methods of computation.

Impossible to reduce to figures "the revenue derived in addition to that which would be obtained through the usual and customary mail facilities in the absence of motor vehicle truck route service," but this additional revenue is small.

Motor-truck service is not entitled to all credit for increased postal earnings, but must share with other mail service facilities.

Motor-route service has not materially increased new postal business, except in eggs, mushrooms, and specialties.

Routes conducted in right locality and strictly in interest of food producers may possibly in time increase output.

Individual instances of large shipments on special occasions not indicative general increase in production.

Special beneficiaries are paying only small part of cost of service as a whole.

Postage on mushrooms, new business, Pennsylvania to New York, is not paying costs of transportation.

Value of postage stamps on transit or transferable mail is no more revenue for motor-truck service than is mail carried on trains revenue of railroad.

Only postage on "new business" and postage on mail from post offices wholly dependent on motor route should be considered even as theoretical revenue to compare with costs, and the possibility of cheaper service by other means may be available.

As created, "new business" may be claimed postal revenue arising from increased production if solely due to operation of motor-truck service; also postage on matter now sent by motor-truck route in preference to express service. Probably temporary, as express service is improving.

Department can not undertake to permit patrons to dictate a special and particular handling of their mail.

Mail diversions in conjunction with curtailment of rail and electric service have been of little or no benefit to the service as a whole, except saving of damage to perishable and fragile matter by more careful treatment of motor-truck handling.

If cheaper rail or electric service were restored or added to all reasonable public requirements would be met.

Forced apparent value is given motor-truck service by scheduling it to leave important points slightly in advance of trains.

Motor-truck routes are mainly established on information secured by correspondence, and installed by agent of Fourth Assistant, who instructs postmasters to divert mail from other channels if advancement can be made in either delivery or dispatch. Such mail is frequently diverted without benefit to the service, sometimes with resultant delay.

Diverted mail is often carried only a short distance in transit, apparently to show postage revenue, and then discharged for further transportation by trains. Pamphlet instructions to postmasters from Fourth Assistant directs them to send by motor truck mail of all classes "that can thereby be advanced either in delivery or dispatch," both terms being used, evidently with purpose.

It is good mail-service logic that instructions for dispatch and diversion of mail should emanate from Office of Second Assistant, who is fully informed as to current train schedule changes, as is not Office of Fourth Assistant. Otherwise danger of diversions being made on apparently justifiable, but not supportable, grounds, with consequent delays to mail.

Temporary suspensions of service and delays on motor routes are not infrequent, occasioning failure of supply to solely dependent offices and inconvenience to patrons. No provision is made for supplemental service. Postmasters are instructed to employ no such service, but to permit supply to lapse until repairs are made and motor service resumed. It is taking an unwarrantable risk to divert mail from regular channels to an experimental one.

The idea of designating as revenue the postage on mail picked up at one office and delivered to another for rail connection and further transportation, is wrong, as such carriage may be only an infinitesimal part of total distance the mail must travel.

Motor-truck routes show large revenues which prove to be derived from hauling quantities of mail for short distances only. Reports of mail handled show only place of loading, and never place of delivery. Other than a short haul, service performed on the trip may be very slight and a fictitious value is given the route, as no person examining the report can determine otherwise.

Motor-truck routes acquire a defensible schedule value because of having been installed in substitution for cheaper service.

Motor-truck routes, while expensive, have some merit where they traverse sections where not in competition with rail lines. They can not be expected to take the place of rural routes, or speaking generally, of star routes.

Motor routes may be established in place of long star routes or a chain of star routes where contract price demanded is excessive. Establishment of motor-route service can be advocated only in situations where they can be operated at less cost than contract service or in localities where conditions are favorable to encouragement of increased food production.

Motor-truck routes sometimes pass through districts that are at a considerable distance from railroads, but operated as a whole as group routes are practically everywhere in competition with and extensively parallel railway and electric lines. Only at nonrailroad or no-agent points can they be called commercially nonparallel and noncompetitive.

It seems to be the purpose of motor-truck service to enter the field, transcontinental, perhaps, in scope, as a system in competition with railroads, etc.

The process and labor of handling mail in transit adds an item against general expense as indirect cost. Admitting that motor-truck service entails less such indirect cost it is still much more expensive than railroad service with all indirect costs considered.

"City distribution" of letter mail is made in railway post-office trains and on arrival at large cities such mail is sent direct from trains to the city postal station where delivery is to be made. If carried into city by motor truck this mail must be taken to general post office for distribution and dispatch to postal station, entailing additional handling and delay.

Mail is now handled by motor truck in small quantity only and organized facilities are made use of. If handled in large quantity, vastly increased facilities would need to be provided at greatly increased cost; heavy transfers at numerous created junction points would need to be made, with consequent multiplicity of handlings. In brief, a new, extensive, and costly operating plant would have to be installed. Transportation of mail by motor truck sacrifices the advantage of en route distribution such as is performed in railway post-offices and tends to reversion to the old-fashion "distributing post office," with attendant inefficiency and delays.

It seems advisable to abandon the idea of "through interstate connecting motor-truck parcel-post service" and competing for the business of carrying miscellaneous mails on schedules now selected mainly for that purpose and turn every energy toward giving most and attractive service to first-hand producers of food—the farmers.

Motor trucks should start in early morning from producing rural communities and carry produce to city for market disposal the same day. This was the intent of originators of the service, but the idea has expanded to embrace competitive carrying between large cities, for which character of service there is no real need.

Costs of motor-truck service are advancing with advent of seasonal storms, etc. Regularity of service in winter can not be assured.

Motor-truck routes have undoubtedly been established over unsuitable roads, in unproductive districts, etc., solicited for the purpose of securing Government assistance in road improvement.

Farmers have not made general use of motor service for transportation of produce to consumers. It has been suggested this is because rural routes do not emanate from large cities. Nearly 3,000 rural routes emanate from first-class offices and thousands of others reach small offices having direct rail connections with large cities. They did not use these facilities prior to establishment of motor routes. They are habituated to other attractive methods of marketing and will not use motor routes unless greater convenience is offered. The matter of finding a buyer when goods are ready for market and of the consumer being able to procure the kind and quantity of goods when he wants them, as well as the difficult problem of credit, stands as an unsurmounted barrier to successful operation of system.

Producer-to-consumer trade has developed to only a limited degree, though diligent effort along this line has been made at many large offices within the past three years. The most marked development has been effected by post-office employees having advantage of postal agencies and facilities similar to those supplied by "middlemen."

Express companies, electric lines, railroads, public auto trucks, etc., furnish cheaper transportation for produce with less exacting requirements, etc., and perform other services not undertaken by the Post Office Department.

In a number of situations motor-truck routes duplicate travel over like routes. In view of great expense, some of this might be eliminated.

Routes are in operation in districts where production of excess foodstuffs can hardly be looked for.

A number of routes in operation are not providing service commensurate with the outlay for maintenance.

Mails can not be moved on long connecting lines of routes without suffering intolerable delays and multiplicity of handlings, rehandlings, rough usage, abrasion not experienced in transmission by rail.

Limitation of load and earning capacity and high mileage cost militate against operation of long routes or routes more than 80 miles in length. The long group or chain or through connecting routes must necessarily operate at a loss.

Questionable whether extending governmental aid toward increasing food production is properly a charge to be laid against Post Office Department appropriation. The same applies to improvement of public roads.

For the sake of experiment, a few motor-truck routes should be retained in operation to further test the possibility of promoting "collection and delivery of food from the producer to the consumer and the delivery of articles necessary to the production of such food to the producer." Association of this function with general mail movement should not be considered the matter of first importance.

It is feared that, for use of food producers, the postal rates are too high, the requirements as to packing and wrapping too exacting, the insurance and collect-on-delivery features too expensive and burdensome.

As means of providing facilities for business between producer and consumer, the routes in general have not shown great usefulness, but a few have developed sufficient importance to warrant retaining them for further trial.

ROBERT H. BAXCLAY, *In Charge.*

CHAS. C. HART,
G. B. MILLER,
W. J. OPDYKE,
W. C. VOLKERDING,
GEO. E. BRILL,
W. E. WILLIAMSON,
G. M. BROWN,
A. C. GARRIGNS,
J. G. HOGY,
Post Office Inspectors.

I shall ask Senators to examine this report, as I shall not have time to direct attention to the clear and unequivocal findings covering the entire operations of the officials who conducted the experiments.

Senators will observe the criticisms made by the inspectors of the methods employed in this service. They state "that routes are conducted in competition with other established service and claiming revenues not actually earned." That is to say, in order to make a favorable showing those who were conducting this experiment claim for it revenues that were not actually earned. Under the original scheme first, second, and third class mail matter was not to be carried by the motor trucks, but in order, presumably, to swell the receipts and thus impose upon Congress, first, second, and third class mail matter was diverted from the railroads and other instrumentalities having contracts for carrying the same and conveyed by the motor-truck vehicles. The report shows that diverted mail was often carried but a short distance, "apparently to show postal revenue, and then discharged for further transportation by trains." Senators will observe that the inspectors in their report charge that the postage of fourth-class matter is comparatively a small part of "so-called revenue," and that the statistics of earnings submitted by the Fourth Assistant's office improperly include items of credit.

Mr. WADSWORTH. Will the Senator from Utah yield to me?

Mr. KING. I yield to the Senator.

Mr. WADSWORTH. It has come to my information, and I think it was stated before the Committee on Post Offices and Post Roads, that in some instances, in order, apparently, to make a showing for this service, even first-class mail was taken off a mail train and put into a truck, driven a certain distance along the route, and eventually put back into the same train.

Mr. KING. I think that is shown in the testimony here in the record.

Mr. TOWNSEND. Mr. President, that is hardly true. What occurred was this: For instance, where a train and truck started

out from the same city, and the truck started out perhaps an hour or two earlier than did the train, mail was put on to the truck, taken part way down the line, and there put on to the railroad train that came along later, picking it up.

Mr. WADSWORTH. Not necessarily the same train.

Mr. TOWNSEND. It was the same train that started out after the truck left the city, but mail was not taken off the train and put on the truck. It was only put on the train once, and that was after the truck had hauled it part way down the road.

Mr. WADSWORTH. Then I am in error, I may say to the Senator from Utah, in stating that the mail was originally taken out of a train after it started from a railroad station, or the vicinity of one, and then eventually loaded off the train in order to reach its destination within a reasonable period; but the truck, I venture to say, was given credit for carrying that first-class mail, and then Congress was asked, upon such a showing as that, to appropriate more money.

Mr. HARDWICK. If the Senator from Utah will yield to me for just a moment, I think it is proper that the Senator from New York should understand the facts accurately. What the Senator has stated was done for the reason that the delivery of mail to near-by villages should be facilitated and reach there much earlier on the truck than it would by waiting on the train schedule.

Mr. WADSWORTH. I did not quite understand the Senator's explanation.

Mr. WEEKS. Mr. President, I think the Senator from Georgia [Mr. HARDWICK] is in error in his statement. Let me take, for an example, the case where mail was dispatched by truck from Birmingham, Ala., and an hour and a half or two hours later was put onto a train which left Birmingham somewhat later than did the truck, but the truck was given the credit for the earnings for the carriage of the mail between Birmingham and the point where it was put on the train. The mail, however, was not at all hastened in reaching its destination; it was merely hastened in leaving the post office, though not in the final delivery; but the truck was credited with the earnings for carrying that first-class mail between Birmingham and the point where it was transferred to the train.

Mr. HARDWICK. Mr. President, the Senator from Massachusetts may be partially right in his correction, but the fact is that, while I do not entirely approve of what was done, the only reason that could be given in defense of this proposition was that the mail for intermediate points, at least, was facilitated by using these trucks instead of the trains, and that is the evidence in each case—in Birmingham, in New York, and out of Baltimore, also, unless I remember the testimony incorrectly.

Mr. WEEKS. Mr. President, a little later on I want to point out some of the peculiarities of the methods which were used in conducting this experiment, not with any desire of disparaging the possible value of the experiment but to show that it was improperly, unwisely, and almost dishonestly conducted.

Mr. KING. I think the finding of the inspectors which I called attention to a moment ago supports the contention of the Senator from New York. The inspectors state that diverted mail is often carried only a short distance in transit, apparently to show postage revenue, and then discharged for further transportation by trains; and they further state that "pamphlet instructions to postmasters from Fourth Assistant directs them to send by motor-truck mail of all classes that can thereby be advanced in delivery or dispatch," both terms being used evidently with a purpose. It is obvious that in some respects the manner in which the experiments were conducted was violative of the statute, and it seems to have been the purpose to make a showing upon which a further demand could be made for increased appropriations for motor-truck service. The investigations of the inspectors seem to indicate a purpose upon the part of some officials conducting the experiments to fasten upon the Government as a permanent policy a scheme for motor-truck transportation.

Mr. VARDAMAN. Mr. President——

Mr. KING. I yield to the Senator.

Mr. VARDAMAN. I think there is no defense, if true, to some of the things with which the Fourth Assistant Postmaster General is charged by the committee appointed by the Postmaster General to investigate that matter.

The purpose of the motor-truck service, however, was to increase the facilities for the farmers living near the cities and towns to bring the products of their farms to market. Of course the effect of that would increase the farmers' profits and at the same time lower the cost of living to the man in town. Nothing but good could result from such a service economically conducted. I think there can possibly be no objection to the purpose of this experiment. It is a very laudable and proper one. It is the ardent hope of the committee that after a while the public highways shall be so improved that the service under consideration may increase to the extent that will prove inexpensive to the Government.

As to sending first, second, and third class mail by the motor truck, destined to points miles and miles away, for the purpose of showing the volume of business on the motor truck, if this were done to deceive the Congress and mislead the country, of course all right-thinking men will regard it as reprehensible; and when the matter was first called to the attention of the committee the members of the committee were quite as outspoken in their condemnation of such a practice as the Senator from Utah is severe in his condemnation. But I ought to state that Mr. Blakslee, the Fourth Assistant Postmaster General, denies that the records were padded or any intention on his part to deceive the Congress or the public.

Mr. KING. Let me ask the Senator a question.

Mr. VARDAMAN. Yes, sir.

Mr. KING. Does not the report which was submitted, and which I hold in my hand, convict the Fourth Assistant Postmaster General of improper conduct and a violation of the letter and spirit of the law?

Mr. VARDAMAN. I think on its face it does. I was not present when the committee heard the Fourth Assistant Postmaster General in his explanation of the report. He was called before the committee to answer the charges made by the inspectors, and I have not had an opportunity, having been out of the city for some days on official business, to read his statement of the case or defense of the charges. But there are certain charges made in the report which I do not think he can explain or effectively defend unless they are untrue.

Mr. KING. If the Senator will pardon me, he will see that the Postmaster General approves of the findings and conclusions submitted.

Mr. VARDAMAN. I understand that the Postmaster General approved it. Of course, the Postmaster General is only indirectly involved in this controversy. I have not seen his report, but I do know that Mr. Blakslee denied some of the statements contained in the report made by the inspectors and denied emphatically the conclusions reached by them. As I have said heretofore, Mr. President, I have not had an opportunity to read Mr. Blakslee's statement or to go carefully into the report of the inspectors. The purpose of my rising was to say that the Post Office Department in establishing the rural motor-truck service is to be commended and is heartily approved by me. If it can be made profitable to the farmers of this country and beneficial to the consumers of farm products living in the cities, without imposing a burden on the taxpayers, I think that every encouragement should be given the enterprise, and I hope that the Post Office Department will be able to so perfect the system as to win the approval of everybody.

Mr. KING. Mr. President, in reply to the statement made by the Senator, permit me to say that an examination of the report submitted by the inspectors justifies the findings and conclusions submitted by them. The statement of the Senator to the effect that, if it can be made profitable to the agriculturists of the country and beneficial to the consumers, to establish a system of motor-truck transportation, it should be encouraged, providing no "burden is imposed upon the taxpayers," may mean very much and may possess but slight significance. The Senator, of course, knows that the most impractical and costly schemes are often enthusiastically indorsed by their advocates and by thoughtless, hysterical supporters. It is easy to so garnish and bedeck the most vicious, squalid, and destructively extravagant scheme as that wise and practical men are often deceived. Every plan that seeks a perversion of the powers of the Government has been backed by pleas akin to those just suggested by the distinguished Senator from Mississippi. The poisoned cup so often placed before us is filled with beautiful colored distillations which appear more beautiful than the pure sparkling stream. The most tyrannous of despotisms, the most benumbing and dangerous bureaucracies and paternalisms, are justified and applauded upon the theory of service to the people. This Republic is a striking example of what a democracy can accomplish for the economic and industrial welfare and the political liberty and progress of a people. Though the states of Europe are inhabited by millions, are compact, and in many instances the difficulties of constructing and developing transportation instrumentalities are reduced to a minimum because of the topography and other natural conditions, nevertheless we have the best and cheapest transportation facilities in the world. I am referring to conditions immediately before we entered the war. The state socialisms and the autocratic forms of government of Europe have not given to the people the advantages in commerce, in trade, in industrial development,

in economic advancement, that have been enjoyed in this Republic. And yet there are those who would fasten upon this free people the discredited, archaic, and tyrannous policies and systems of the old world. Of course, everyone familiar with the work of the Federal Government knows that its undertakings and accomplishments, large or small, involve an expense entirely disproportionate to the results achieved. If it is profitable and beneficial to establish systems of motor-truck transportation in our country, then individuals and private enterprise will work out comprehensive and satisfactory plans.

The American business man is always alert and ready for an investment that promises a reasonable reward. As a result we find railroads, steam and electric, threading the States of the Union. In many localities express companies are in operation. In many States passengers and freight are carried by privately owned and operated vehicle systems of transportation. In some instances vehicles are drawn by horses, and in other instances motor cars and trucks are utilized. If there is a field for motor-truck transportation, private enterprise will enter it. Such a field, under our form of government, is for private enterprise and not for the Government.

Does it not occur to Senators that we are confronted by a somewhat remarkable condition? We are asked to appropriate large sums for the purpose of establishing a motor-truck transportation system; the experiments conducted by the Government prove it to be expensive and impractical and, to some extent, an encroachment upon the field covered by steam and electric railroad systems. The report of the inspectors, as I have stated, shows that express companies, electric lines, railroads, and privately owned autotrucks "furnish cheaper transportation for produce with less exacting requirements than this projected system." The fact that the Government is in possession of most of the steam railroads of the United States and is operating them at a loss should occasion concern to all thoughtful persons. We have already appropriated $500,000,000 which the railroads have absorbed, and are now required to appropriate $750,000,000 more to aid in operations for the coming year. This sum, enormous as it is, we are told is imperatively required, and that the railroads will cease to properly function unless it is forthwith obtained. The railroad rates have been increased from 25 to 400 per cent. Notwithstanding these great increases in freight and passenger rates, the railroads were operated at a loss of more than $200,000,000 for the past year. We are now asked to further diminish the freight carried by railroads, notwithstanding they are operating at a loss under Government control, the loss to be met from the Public Treasury. We have heard rather lurid stories of the great economies brought about in railroad operation since the Government assumed control. They are proving to be fairy tales. The situation of the railroads to-day incontestably demonstrates that governmental operation has been as extravagant, costly, and inefficient as is the handling of most other business undertakings and enterprises by the General Government. Its few months' control of the telephone systems of our country has wrought the same disastrous results. It has produced confusion, disorder, and chaos, disturbed business, affected the value of securities, and created a huge deficit for which the Government will be held responsible. Its control of the telegraph systems has been equally inefficient and destructive. We see some of the costly results of governmental control when we look into the work of Government agencies during the war through which we have just passed.

I need only to invite attention to the work of the Shipping Board and Emergency Fleet Corporation and to the aircraft production and to the work of the Ordnance Department to prove the inefficient, costly, and intolerable business methods under which the Government conducts its business. Governmental control and operation are synonymous with waste, extravagance, and inefficiency, and often disorder and chaos. It is impossible in a republic and among a free people to have efficient Federal ownership and control of those matters which are manifestly within the field of private endeavor. A despotism rather than a republic is better calculated to secure efficient operation and control, not only of public utilities but of business undertakings which are regarded as legitimately and exclusively of a private character. I believe that under our form of government it is not the province of the Federal Government to engage in transportation. In this statement I am referring to the question of policy rather than that of power.

It is clear to even the blind that back of the appropriation which is now sought by this bill there exists a design to increase the powers and prerogatives and responsibilities of the Post Office Department, to multiply by thousands the employees of that department, and to increase its expenditures by millions of dollars annually.

I want to express my disapproval of the efforts which are being made by certain officials of the Government to expand the powers and jurisdiction of the Post Office Department. There are officials within it who are determined to have the Government acquire and operate the telegraph, telephone, and cable systems and place them under the control of the Post Office Department. There are still others who desire that the Government shall take over, own, and operate through the Post Office Department all express companies and establish motor-truck transportation systems ramifying all parts of the United States. Of course, this is in line with the plan to convert the Federal Government into a vast paternalism, an autocratic socialistic state. This plan would culminate in the destruction of private enterprise and private business and would lay upon the American people a heavy hand that would destroy private initiative, individual ambition, and reduce the people to the dead level of a monotonous and decadent mediocrity. The American people, instead of being a virile, puissant, mighty force for progress and civilization, would subside into a stagnant pool, giving off foul and poisonous exhalations.

I invite the attention of the Senators, and particularly the Senator from Mississippi, to the railroad situation in our country to-day. A few years ago there was an era of railroad building and development. Thousands of miles of steam railroads were annually constructed. Within a few years electric railroads were built in most of the States of the Union. Energetic, pushing Americans linked the cities and towns and States with electric railroads which proved of immense advantage and importance to the people. In many instances they came in competition with the steam roads, resulting in a reduction of freight and passenger rates. They brought the towns and the rural districts to the cities and linked remote parts of States with the congested centers of population. They enabled the farmers to transport their products to market, and in various ways contributed to the happiness and material welfare of the people. But the day of railroad building seems to have come to a close. Men who were willing to invest and construct additional steam and electric roads hesitate. With the hampering restrictions of States and political subdivisions within States, and the unreasonable attitude of the Federal Government toward railroads, together with the menacing attitude of those who demand Government ownership of railroads, we can not expect that additional roads will be constructed. Trust companies who hold the savings of the rich and the poor, as well as those who have means for investment, would hardly be warranted in loaning their money to construct new railroads under present conditions. There is no one thing that would conduce as much toward the revival of business as a clear-cut announcement upon the part of the Government of a wise and rational policy with respect to railroads, telegraph and telephone lines, and a fair and proper method of dealing with matters of interstate commerce. Such a course would result in the organization of new railroad companies or the extension of existing systems. Interurban roads would be increased. Transportation charges would be cheapened and the demand for labor increased.

I did not intend to discuss the railroad question, but was diverted by the suggestion of the Senator from Mississippi; but before leaving the subject I wish to invite attention to a letter received by me sometime ago which throws light upon one angle of the question of motor-truck transportation. I express no opinion upon the merits or facts of the case stated by him. The letter was written by an enterprising American who has done much toward building electric railroads. Referring to my opposition to appropriations to establish motor-truck transportation by the Government, he says:

> The cities and counties of California, which have spent tremendous sums of money on good roads within the past few years, are now finding to their dismay the costs of maintaining these roads and are further discovering that the greatest destructive agency in proportion to mileage is a heavily loaded motor truck, and the second most destructive agency is the large jitney bus, which is also an impediment to the use of the road by the ordinary automobile. It will take but a few years more to demonstrate that the furnishing of a free roadbed to motor trucks and jitneys in competition with the electric roads, which have to furnish either their own private rights of way * * * or pay all the paving included within the area bounded by lines 2 feet on the outermost side of their tracks, including maintenance, is one of the most expensive forms of securing additional transportation that the public has indulged in.
>
> If the public furnished the free rights of way, roadbed and structures thereon, rails, ties, bridges, etc., to the electric lines, you will readily appreciate what an enormous extension of interurban facilities would be possible and how much greater in value to the public the transportation would be in comparison with any motor truck or jitney line. I do not mean that such a thing is possible, but such a policy would be parallel in a very large degree with that now pursued with reference to motor trucks and jitneys.
>
> The present policy has resulted in embarrassing financially the electric roads of this State. It has been the chief factor in preventing almost absolutely extensions for passenger business alone during the past four or five years.

While statistics I have here are not complete, I think it safe to say that the new State highways, with the bridges involved, are costing in excess of $18,000 per mile. The wider streets of the cities, ranging from 40 to 60 feet, are costing for paving from $40,000 to $60,000 per mile.

The figures show that the cost of maintenance of paved public highways in Los Angeles County last year per mile of roadway was greater than the cost of maintaining tracks and roadway per mile of the Pacific Electric.

Mr. VARDAMAN. Mr. President——

Mr. KING. I yield.

Mr. VARDAMAN. Do I understand the Senator from Utah to give his approval to that suggestion? Would the Senator, in the interest of street railways, deny the public highways to the people living in the country over which to run their motor trucks or their automobiles?

Mr. KING. Certainly not.

Mr. VARDAMAN. If the United States Government could furnish the farmers of this country transportation for their truck products at a lower cost, and without cost to the taxpayers, would the Senator deny them that facility to market their produce, in order to build up business for the electric railroad lines?

Mr. KING. Answering the Senator's suggestions, I want to state that in my opinion the Post Office Department can not furnish transportation for field and farm and make it a self-sustaining undertaking. The inspectors' report to which I have called attention conclusively establishes that fact. I concede that a few routes might be selected by the Post Office Department which would show for the time being no loss and perhaps a slight profit; but the Senator must take into consideration what the final result of the inauguration of this system of motor-truck transportation would be. If a few selected routes proved profitable, extensions would be made in all directions. The same influences would soon be at work that we discover in successful operation when river and harbor bills and post-office and public-building bills are being prepared. There would be logrolling and importunities and schemes of all sorts and kinds to secure the establishment of transportation routes. If a route was laid out in one precinct, another precinct would demand it, and the adjacent county would insist upon it, and surrounding counties would demad the extension of the route or the establishment of other routes within their borders.

Congressmen would be petitioned for the establishment of motor-truck routes within all parts of their districts, political influence would be brought to bear, men who wanted positions would inaugurate campaigns for the establishment of routes, until finally millions of dollars would be called for and tens of millions of dollars would be expended. But this is not the end of the ugly picture; new bureaus, agencies, and instrumentalities would be required, thousands of trucks would be purchased, supply depots would be needed, repair shops by the hundreds would be erected, and thousands of additional employees would be required; and these, in time, whether drivers or collectors of freight and produce, or keepers of the depots and stations where the same would be housed or received, would be protected by the civil service, and they, in turn, with the hundreds of thousands of others who are in the Government service, would demand civil pensions for which the people would be taxed. And, of course, to make a showing rates would temporarily be reduced to destroy any competition resulting from the operation of transportation companies by private individuals. This, together with the general incompetency of the Government in its administrative affairs, would inevitably lead to enormous deficits. Private corporations or individuals would build no further railroads nor establish transportation companies in competition with the Government. The plan would drive out of business existing transportation companies and would prevent the extension of the lines and plans of existing companies or the organization of additional ones. If the Government can furnish transportation, to use the language of the Senator, for the truck products of the farmers and make it a self-sustaining proposition, then unquestionably private individuals could do the same thing and make a profit; and, as I stated a few moments ago, the enterprise and genius of American people lead them into any and all legitimate enterprises where there is promise of profit or reward.

Let me mention another question that would arise if the Government should inaugurate this system. The highways of the country would be more or less injured by the operation of the Government trucks, and the cities, counties, and States would demand enormous appropriations from the Government for the repair of the same. Buildings would be necessary to care for the products transported by the Government trucks. These would need caretakers, insurance, and protection, and this would call for additional employees.

Mr. President, the plan is unwise and inexpedient. Of course, it is in line with the paternalism and bureaucratic method so popular in executive departments and in certain sections of our country.

Mr. VARDAMAN. I ask the Senator if the Post Office Department should be able to furnish this transportation for the products of the truck farmer and make it a self-sustaining enterprise, would the Senator deny the Government that privilege of serving the people in order to build up business for electric railroad lines?

Mr. KING. I think I have sufficiently answered the question just submitted by the Senator, but I will add that, in my opinion, the department will not be able to furnish transportation and make it a self-sustaining enterprise. Of course, I would not, nor would any Senator, deprive the Government of any power which it possesses merely for the purpose of aiding the business of an electric railroad line. I am frank to say, however, that I should be glad to see more railroads, both steam and electric, constructed by corporations and individuals in our country. Their construction would give employment to thousands of men, and facilities for transportation of the products of the farmers and manufacturers and of all of our people would be multiplied. I welcome every effort to secure additional and cheaper transportation for the American people. What I attempted to show was that by unwise legislation, by the assumption of power by the Federal Government not possessed by it, transportation rates are increased and the instrumentalities of transportation fail to keep pace with the growing demands of commerce. Wise legislation by the States and by the Federal Government will encourage the construction of additional transportation systems. The enactment of laws by which the Federal Government enters the transportation field will in my opinion prove disadvantageous to the interests of the people. Conceding the power of the General Government to engage in the transportation business, I insist that such action would be unwise and in the end it would prove harmful to the people. Under our form of Government it is not the legitimate function of the Federal Government to build and operate railroads and engage in the transportation of commerce.

Mr. VARDAMAN. My friend ought to know that that is being done. It may be that it is an improper function for the General Government to perform, but, as a matter of fact, the Government is performing that function.

Mr. KING. I admit that as a war measure the Federal Government took over most of the railroad systems of the United States and is still operating them. This is being done under the war power of the Government. There are many who question the wisdom and expediency of the act. I think, however, most persons will concede that under the war powers of the Federal Government it was authorized to seize and operate the railroads. I am persuaded, however, that all fair-minded persons will reach the conclusion that the control by the Government of the railroads has not been an unqualified success. Notwithstanding the enormous receipts resulting from the immense tonnage carried for the Government, as well as from the increased freight and passenger rates, the cost of operating the railroads was increased more than a billion dollars for the year, and the Government is called upon to meet a large deficit.

Mr. FLETCHER. Mr. President, if it will not interrupt the Senator——

Mr. KING. I yield.

Mr. FLETCHER. May I ask him if this provision of the bill does not involve—and if that is not substantially all it does involve—a proposed extension of the parcel-post service, the effect of which would be to promote direct dealings between the producer of farm products and the consumer? That would be the effect, but it is an extension, practically, is it not, of the parcel-post service, already in existence and operation?

Mr. KING. Mr. President, I realize that the power of Congress to establish post offices and post roads is expressly granted by the Constitution. It is contended by able lawyers that under this grant of power the Government may establish parcel-post service as a branch of the Postal Service. But I submit that there must be some limitations upon this grant of power. I can not believe that Congress would be authorized to convert the Postal System into a huge transportation enterprise. Certainly it will not be contended that the framers of the Federal Constitution contemplated that the authorization to establish post offices and post roads conferred an unlimited and unrestricted grant of power upon the Federal Government to construct railroads and various other instrumentalities of transportation and then to engage in all forms of transportation. Will Senators contend that the authority to establish a post office confers the power to create a mercantile establishment and a manufacturing plant and to engage in all forms of trade and commerce? Jefferson suggested that the establishment of post roads might mean the

selection of roads already established in the various States rather than the building of additional ones. Whether the suggestion is of importance or not, manifestly it can not be successfully maintained that the power to establish a post road authorizes the General Government to engage in all forms of transportation and commerce. I submit there must be some point beyond which the Federal Government may not go in its legislation, based upon the clause of the Constitution which I have just referred to. If under the guise of transporting mail it constructs railroads it would seem to follow logically that it should have the power to make the enterprise financially successful. To accomplish this result it might be necessary for the Government to acquire and operate mines and smelters in order that there might be tonnage for its cars. Factories and all other enterprises which promised commerce could thus be developed and conducted in order that freight might be provided for the railroad system so owned and operated by the Government. It would certainly be a loose and latitudinarian, if not absurd, construction to place upon the Constitution to argue that the postal clause of the Constitution would authorize all such undertakings.

I do not think the Senator from Florida is quite accurate in intimating that the establishment of motor-truck transportation is merely an extension of the parcel-post service; but if it be an extension, then it would be no more than an extension to authorize the operation by the Post Office Department of motor trucks in all parts of the land to carry commodities of every form and the products of the factories and the mines and the fields. It would only be an "extension" of the system for the Government to acquire rights of way, to construct railroads, build warehouses, employ hundreds of thousands of men to operate the same, and to drive into bankruptcy the railroads owned by private individuals and corporations, and thus take charge of the entire carrying trade and business of the Nation. I leave it to the able Senator from Florida and others who have the responsibility of passing upon these questions to determine whether there is no limitation upon the power of the Federal Government when it deals with "commerce among the States." I submit, with due deference to the views of others and to the expressions of learned judges of the land, that the establishment of "post roads" or the "regulation of commerce among the States" is vastly different from the building of roads and the construction of railroad systems for the purpose of transporting the commodities and products of the people and for the purpose of competing with individuals in the ordinary lines of business and in the fields of trade and commerce.

Mr. SHERMAN. Mr. President——

Mr. KING. I yield to the Senator from Illinois.

Mr. SHERMAN. The Senator has alluded to and I hope he will enlarge on the distinction between the powers of the Federal Government. Congress has a right to regulate interstate commerce, which might include motor-truck transportation to enable market gardeners and others to distribute their products. Will the Senator give the Senate his views on the distinction between regulating commerce and engaging in commerce itself? Is not the furnishing of transportation merely one of the forms of commerce? There is a distinction, it seems to me, that always ought to be kept in mind. The Senator very briefly alluded to it, and I hope he will enlarge on it during his discussion of the subject.

Mr. KING. Mr. President, I do not feel competent to answer the question of the Senator from Illinois or make any worthy contribution toward the discussion of this important subject. However, I shall submit a few observations which I hope will prove more or less relevant. Perhaps the commerce clause of the Constitution has been the subject of as much controversy as any one provision of that instrument. At any rate, it has produced many learned discussions and yielded a multitude of able opinions. One of the most important decisions rendered in the early days of the Republic was in the famous Gibbons-Ogden case. Chief Justice Marshall in that remarkable opinion did much toward shaping the course of the Federal Government. No decision since then has successfully challenged the principles therein announced or the conclusions reached. Under the commerce clause Congress has the power to "regulate commerce with foreign nations and among the several States and with the Indian tribes." The power of Congress, as stated, is regulatory. It does not authorize the creation of commerce or give authority to the Federal Government to embark upon enterprises and undertakings for the production of the articles of commerce. We all know that the principal reason that prompted the Constitutional Convention to adopt the commerce clause grew out of the abuses connected with the insignificant in amount but nevertheless to the colonists important trade between them. The evils of internal barriers erected by the Colonies, and which operated to restrict trade and commerce, were so apparent that the delegates to the Constitutional Convention were willing to surrender to the Federal Government the power to "regulate commerce among the various States." They understood, as was declared in the Gibbons-Ogden case, that commerce consists of "intercourse and traffic."

I think, however, the interpretation placed by the courts upon this important clause has extended its meaning and scope beyond that within the contemplation of the framers of the Constitution.

As I recall Madison's statement, it was to the effect that the power granted to the Federal Government under the commerce clause "was intended as a negative and preventive provision against injustice in the States themselves, rather than as a power to be used for the positive purposes of the General Government." I think the decisions of the Supreme Court support this statement. The power of regulation to be exercised by the Federal Government is entirely different from the building and operation of railroads and other instrumentalities of transportation. Certainly it was not designed that the Federal Government under the guise of "regulation" should invade the internal affairs of the States or engage in business undertakings which were carried on by individuals and corporations within the States and were subject to the police power and control of the States.

Mr. Tucker, in his admirable work on the Constitution, in discussing the commerce clause states in effect that Congress has the power to regulate traffic in things in transitu but not the things themselves. The case of Hammer against Dagenhart, recently decided by the Supreme Court of the United States, construed the child-labor law, and the opinion of the majority of the court, as I recall it, supports the views which I have briefly submitted, and declares that the manufacture of goods is not commerce, nor does the fact that they were afterwards shipped in interstate commerce make their production a part of that commerce and subject to the control of Congress.

It is a matter with which we are all familiar that the colonists were jealous to maintain the rights and sovereign powers of their respective Commonwealths. It was only the menacing dangers surrounding them which induced them to form the Federal Union. They clearly manifested a purpose to limit the powers of the Federal Government and to reserve to the States and to the people, respectively, all the powers not delegated to the former.

They were not paternalistic; they did not believe in State socialism or in bureaucratic government; they did not intend that the Federal Government should become a vast Frankenstein or that its powers should be perverted to enable it to enter into competitive business with the people of the various States. They never dreamed of the Government which they created engaging in commerce or producing articles of commerce to be handled through the channels of trade and commerce. It is true the case of McCulloch against Maryland holds that corporations may be created for the purpose of carrying out some governmental purpose; and later it was held, in Luxton v. North River Bridge Co. (153 U. S.), that Congress may create corporations as appropriate means of executing the powers of government, and that therefore it could authorize the creation of a corporation for the construction of a bridge over a navigable stream.

President Buchanan considered that under the war-making power military roads could be constructed by the Government through the Territories, and later, as Senators will remember, corporations were authorized for the construction of the Pacific system of railroads. It is my recollection that this legislation was justified upon the ground of military necessity, or rather upon the ground that the Federal Government, under the war-making power, had the right to appropriate money or make land grants to aid in the construction of military roads through the Territories.

During Washington's administration Madison supported a bill authorizing the survey of a post road from Maine to Georgia. Of course, the Constitution is clear as to the power of Congress to construct post roads. In those early days transportation between the Colonies was well-nigh impossible because of the lack of roads. However, Jefferson made objections to Madison's views, contending that it would be "the entering wedge of enormous expenditures, boundless patronage by the Executive, a bottomless abyss of public money." He suggested the question as to whether the power to make post roads authorized the "construction" of roads rather than the "selection" of those already in existence.

During the administration of President Monroe the question of the power of the Federal Government to engage in internal improvements was a very vital one. Conflicting views were then entertained in regard to the powers of Congress to construct roads for any purpose unless, perhaps, under the war-making power for military needs.

Mr. Justice Bradley, in one of the Union Pacific Railroad cases—found, as I recall, in One hundred and twenty-seven United States—stated, in substance, that under the power to regulate commerce, as well as to establish post roads and for military purposes, the Federal Government was authorized to pass laws for the creation of corporations to construct the railroads in question. Mr. Tucker declares that that portion of the decision holding that Congress can build railroads under the commerce clause is dictum. I think there is no question but that the issues presented did not call for a decision as to the power of Congress under the commerce clause to authorize the construction of the Pacific railroad system.

There can be no question as to the power of Congress to authorize, or perhaps to build, a railroad for postal or military purposes. There is in my mind serious doubt as to the power of Congress to construct railroads under its authority to regulate commerce "among the several States" for the purpose of carrying the commerce of the people.

How far the courts will go in their interpretation of the commerce clause it is impossible to determine. They have held that all instrumentalities of commerce, physical or otherwise, are subject to regulation by the Federal Government, and that this power to regulate not only includes personal property and all forms of goods and merchandise that may be the subject of commerce but all persons who conduct commerce and the charges thereon and profits therefrom. This necessarily leads to the position that all corporations engaged in interstate commerce may be regulated by the Federal Government. And the decision in the Caminetti case subjects individuals to the regulating control of Congress. It is a tremendous power, and its extent becomes more apparent as the commerce between the various States increases and the business relations between the people become more intimate. However, I respectfully submit that the power to regulate commerce ought not to be construed to authorize the Federal Government to engage in commerce. If such power were granted and fully exercised, it is manifest that not only intrastate commerce but that which is interstate in character and which is the result of private or corporate effort could be destroyed. There could be no competition with the Government. There would not be "regulation" of commerce, but destruction of all instrumentalities of commerce not owned and controlled by the Government. Railroads, all forms of transportation, mines, mills, factories, indeed most producing property, real and personal, would be owned or controlled, and probably both, by the Government, and the people would be its employees. There would no longer be a Republic; the very form of our governmental structure would be changed, and our institutions, our economic and political life, would be submerged by a form of despotism or a condition of chaos and anarchy that might overwhelm or blot out the civilization of this Nation.

We all remember the centralization that was attempted when the fourteenth amendment to the Constitution was adopted. It was designed to strike down the States and aggrandize the Federal Government. Fortunately for the liberties of the American people, courageous judges declared that the States should be preserved, and that there should be no assumption of power by the General Government which would destroy the States or shackle the people of the States. The amendment was regarded as a reaffirmation of the "cardinal principles of Magna Charta as guaranteed as well by the national power against the action of the States as against its own action."

So I hope that the commerce clause will not be perverted and become the engine of oppression and destruction.

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. KING. I yield to the Senator.

Mr. LENROOT. Any power that the Government has to own and operate ships, if it exists at all exists under this same clause, does it not?

Mr. KING. Is that the question of the Senator?

Mr. LENROOT. Yes.

Mr. KING. I would not want to answer that that is the only clause; but, speaking without opportunity for full reflection, I am inclined to think that the Senator is right.

Mr. LENROOT. Does the Senator deny the power of the Federal Government to own and operate ships?

Mr. KING. Mr. President, what I have stated concerning railroads is applicable in a general way to the subject of marine transportation. I know that many able lawyers contend that the General Government may build, purchase, and operate ships for commercial purposes; that the Government may engage in the carrying trade not only between ports of the United States but between our country and foreign nations. How far the courts would go in upholding legislation, if it should be enacted, which has these objects in view I can not state. I can only repeat that there must be some limitation upon the commerce clause of the Constitution. It was not intended to confer upon the Federal Government unrestricted authority to become a gigantic business corporation. Of course, the Government can own and operate ships for purely governmental purposes. It can employ them in the transportation of troops and for military and naval purposes. Indeed, there are many legitimate purposes for which ships may be used by the Government, but, speaking in a general way, and without full opportunity for such reflection as is necessary to reach a matured judgment, I would say that the Federal Government would have difficulty in defending its course if it should engage in all forms of commerce upon land and upon sea.

Mr. LENROOT. Mr. President, of course, the Senator understands that my question was directed to the question of power and not to the question of policy.

Mr. KING. I appreciate that.

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield; and if so, to whom?

Mr. KING. If the Senator will pardon me, I think the Senator from Illinois [Mr. SHERMAN] rose first. I yield to him, and then I will yield to the Senator from Pennsylvania.

Mr. KNOX. I merely wanted to make the suggestion that if there is anybody who thinks that the Federal Government does have power to operate ships, it would be interesting to have him indicate under what clause of the Constitution the power may be found.

Mr. KING. Yes; I should be very glad to be advised in respect to that. I was thinking hurriedly, as the distinguished Senator from Wisconsin was propounding his inquiry, and endeavoring to ascertain what particular provision of the Constitution conferred upon the Federal Government the power to acquire and operate transportation systems for the purpose of carrying the trade and commerce of the peoples of this and other lands.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. LENROOT. I am free to say that in my opinion the interstate-commerce clause does warrant it. In my opinion the Supreme Court in many expressions has indicated that the power exists, and I believe it does exist.

Mr. KING. I now yield to the Senator from Illinois.

Mr. SHERMAN. Mr. President, the greater part of those have been resolved under the war powers. The interpretation of war powers in this Chamber has no limitation that I know of, unless it be that in the executive department; and that has evidently gone beyond the United States, and extended over the world.

Mr. KING. I suggest to my friend from Illinois that I do not think the position which has been taken is quite as extreme as suggested. I think Senators have gone to the extent of contending that the war powers would permit Congress to do whatever it conceived to be necessary for the public defense, if not prohibited by or forbidden in the Constitution of the United States.

Mr. SHERMAN. And ships have been one of the necessary incidents to the execution of those powers, and can be justified there.

Mr. KING. Oh, yes. I grant that when we are in war the Federal Government has the right to seize ships, and railroads, and all other instrumentalities used in transportation, as well as all forms of private property needed by it. Its power is beyond question to own and operate ships and railroads for the purpose of carrying on war, either defensively or offensively.

Mr. SHERMAN. Mr. President, that, however, does not relate to the peace powers or to the interstate-commerce powers.

Mr. KING. Exactly.

Mr. SHERMAN. When peace shall be concluded all such powers would cease, and Congress would return to the ordinary limitations that are found in the Constitution during the peace period.

Mr. VARDAMAN. Mr. President, may I ask the Senator what you are going to do with the six months which the law provides the railroads shall be held after peace has been declared?

Mr. SHERMAN. That is in the clouds, or, as the law books put it, in nubibus. It reposes, like parliamentary rules, in the cerebral activity of the Presiding Officer or in the Execu-

tive. There is no limitation because there happens to be a six months' period. The six months' period is a time extended over the actual war condition, but still covering war requirements, and is intended to effect the bridging of the passage from peace to war periods. That is all these limitations are for.

Mr. KING. Oh, Mr. President, a reasonable construction, of course, must be placed upon all statutes; the Federal Government would therefore have a reasonable time within which to restore property seized by it for war purposes, or rather to aid it in carrying on the war. It would be required to pay compensation for the use of such property, or for its destruction, if such occurred.

It could not, however, invoke the war power under which it seized property as a justification for its retention and continued use for general transportation purposes. If that were true, whenever the Government seized property in time of war it could continue to use the same indefinitely and for purposes other than governmental.

Mr. KENYON. May I interrupt the Senator?

Mr. KING. I yield to the Senator from Iowa.

Mr. KENYON. If the Senator has finished discussing the report, I wish to say that Mr. Blakslee, who is the Fourth Assistant Postmaster General and has a good deal to do with this motor-truck proposition, when before the Committee on Education and Labor yesterday, referring to this appropriation of $300,000 in this bill, said it was utterly useless, that in a former bill the same amount, I think, had been appropriated to experiment and determine whether the principle was wise or not; that that experiment had been carried out and that it had proved a wise experiment; that they did not need $300,000 for any further experiment to determine the principle; that if any appropriation was made it should be the sum of $8,000,000 in order to carry out the experiment that had already proved a success. Mr. Blakslee was very enthusiastic about the ability to use the motor trucks. We have some 22,000 of them, he said, left by salvage from the war and possibly more across the sea, and he said they could be used, and if they were used it would give employment to men and also be a splendid method of their disposal; but he said this appropriation of $300,000 would amount to nothing; that it would be absolutely useless; that the appropriation should be $8,000,000 or nothing.

Mr. KING. Did he state that $8,000,000 would be all that would be required?

Mr. KENYON. No; but that $8,000,000 would reach into large sections of the country, and he instanced some of the work that had been done even on the edge of Washington, where a community center——

Mr. KING. Of course——

Mr. KENYON. May I just state, as it is rather interesting, I think, that a schoolhouse was designated as a community center and made a postal station? Out in the country schoolhouses are to be made community centers and postal stations. The farmers bring their products to the schoolhouse in the country and the truck brings them into the community center in the city on the edge of Washington. The people are buying these things and doing business, he said, in the sum of $500 a day, the consumers getting what they have to buy cheaper than in the market and the farmer getting more for his product; that that idea may be feasible to be worked out through the entire country; that it will take a great deal more than $8,000,000, but that would be a fair start.

Mr. KING. Of course, the Senator sees that any scheme of that kind would mean, first, the employment of a large number of men. They would be put under the civil service. It would mean the purchase of thousands of motor trucks. It would mean, of course, the establishment of shops in order to maintain the motor trucks, the purchase of depots, stations, warehouses, and the doing of all things necessary and incidental to carrying on a nation-wide transportation system.

As I have already shown, the civil service would be extended to the thousands of employees who would be required, and the retirement or pension system would mean, of course, additional burdens upon the country. It would mean, of course, contests for the establishment of routes. This would lead to political activity and all sorts of local intrigues and campaigns. It would become a political matter. It would be made the subject of constant logrolling, if I may be permitted the expression. Demands would be made in every part of the country, and the scheme would be the linking together of all the towns and cities and counties in all the States. It would mean not $8,000,000 or $80,000,000, but hundreds of millions. It is impossible to predict what the end of the scheme would be or the proportions which it would assume.

Mr. KENYON. I am not arguing against the position of the Senator; I have an open mind upon it; but I think the Fourth Assistant Postmaster General has a wonderful vision in the use of these trucks which he now asks to do this work, and the argument that it will give employment to more men is one of the arguments he cites in favor of it, especially in the present condition as to unemployment.

Mr. KING. I have not any doubt in the world that every faddist in the country will be here making some suggestion as to how the Federal Government can furnish employment to individuals and what legislation should be enacted.

Mr. KENYON. Does not the Senator really feel that that question in the next few months will become rather a serious question and one which may challenge the attention of Congress? If we can appropriate $100,000,000 to take care of people in Europe, we may be called upon to appropriate money to take care of people at home by giving them work.

Mr. KING. I agree with the Senator that it may become a matter of very great importance, and I am in favor of some rational and proper legislation that will meet in a comprehensive way the abnormal conditions created by the war.

Mr. KENYON. I think it is hardly fair to say that people who raise that question and want to have it considered are faddists. It is a very serious situation in this country and is becoming more so every week.

Mr. KING. I did not use the word by way of criticism of those who were submitting practical and rational plans for affirmative action upon the part of the Federal Government, but the Senator, as a man of affairs, as a sound statesman, and as one familiar with the various schemes and plots that are presented for consideration almost every day, knows that it is a fact that many faddists are here, that fantastic and absurd schemes are submitted calling for enormous appropriations. He knows that selfish persons are endeavoring to promote unworthy objects which would be of no utility or advantage and would cost the Government millions and hundreds of millions of dollars.

I do not want to be misunderstood in my opposition to the appropriation sought for the installation of the motor-truck system of transportation. I am opposing the appropriation not only because I think there is no authority for the Federal Government to establish a general transportation system to carry all kinds of freight and commerce in competition with private transportation companies, but I am opposed to the plan because it will not cheapen rates or prove advantageous to the farmers or the people generally, and it will also prove inexpedient and wasteful, and in the end it will cost the people of the United States hundreds of millions of dollars. Moreover, it will prevent the extension of our present railroad instrumentalities and prohibit private enterprise from constructing additional railroads or establishing motor-truck or other systems to carry the products of the people.

The Senator from Mississippi wants transportation charges diminished and better means of transportation for the agriculturists and those who produce commodities for shipment. I share the desires of the distinguished Senator. His questions would imply a belief that the establishment of governmental control of transportation, or at least the entrance by the Government into the field of transportation, would best secure this result. From this view I dissent.

In my opinion the Government's control of the instrumentalities employed in transportation will seriously injure the American people. As I have stated, it will prevent further development of railroad systems by private enterprise, and the operation of transportation instrumentalities by the Government will result in greatly increased rates of transportation. It will not only prevent the construction of additional steam and interurban electric lines but it will probably destroy some that are now being operated.

Mr. VARDAMAN. Mr. President, the Senator, of course, realizes that the building of good roads throughout the country and the advent of the automobile have very seriously reduced the traffic on the interurban and electric lines. Of course, the Senator would not be opposed to Government—State and National—aid in building public highways if the effect should happen to be the reduction of freight carried on the steam railroads as well as the electric railroads. The Senator would not deny the country people the luxury of good roads because it might incidentally reduce the profits of the railroads and electric lines.

Mr. KING. I think I have made my position clear in respect to the matters suggested by the Senator's question, but I want to be understood as stating that I do not approve of the proposition, urged with so much vigor from many directions, that

the Federal Government should build highways within the States.

Mr. VARDAMAN. Well, I am in favor of the Government contributing to it.

Mr. KING. I appreciate, Mr. President, that my position is not the popular one. I have frequently voiced my opposition to the constant efforts to secure appropriations from the Federal Treasury to be used by the States to meet obligations necessarily incurred in the discharge of the responsibility resting upon them. So strong have become the centripetal forces in the Republic that many of the people are demanding that the General Government assume powers not granted to it, and which, if exercised, would destroy the States. There is a nation-wide propaganda which, if successful, will place the entire educational system of the States in the hands of Federal officials. An innocent-looking measure has been prepared which calls for a department of education, with a secretary at the head thereof having a place in the President's Cabinet.

Under the pretext of securing uniformity in our educational system and advancing knowledge and learning, pleas are being made for appropriations from the Federal Treasury to be expended under the proposed department of education within the various States. Already the movement has reached such proportions that many people are suggesting that the Federal Government take over the entire system of education and that the necessary funds for such purpose be obtained from the National Government. Education, it is claimed, is a national affair, not a local one, and being national it must become a charge upon the General Government. The Senator from Mississippi has just referred to the question of the Federal Government building highways. The measure before us carries $200,000,000 to be expended in the States, ostensibly to aid in the construction of post roads. I have received letters from various parts of the United States urging that all roads and highways be taken over by the General Government, to the end that a uniform system of highways might be laid out and established and that the States might be relieved of the heavy burden of constructing and maintaining their own highways. Some of the communications urge that the universal use of automobiles brings the States closer together and that large numbers of people travel from State to State with automobiles, and that the highways are therefore interstate and should be constructed and maintained by the Federal Government. I have no doubt insistent demands will be made that the States be relieved of the construction of highways. Similar demands are made that the Government take over the entire system of public health. And some have suggested that in view of the fact that the Federal Government has so many penal statutes, and that to enforce them a large force of detectives, marshals, and peace officers is required, that the Federal Government should take over the enforcement of all criminal statutes. There can be no doubt but what the prohibition amendment to the Constitution of the United States, under which the Federal Government assumes control of what was formerly a matter clearly within the police powers of the State, has contributed to the undermining of our dual form of government and affords a reason for the mournful predictions that the States will be destroyed and a strongly centralized government be erected upon their ruins.

I have been proud to follow the great leaders of Democracy, many of whom came from the State of Mississippi and from other Southern States. In my younger days, with enthusiasm, I followed the banner which they carried, believing that they represented the undying principles of Jefferson, and that the triumph of the Democratic faith was essential to the preservation of the Union and of republican institutions. On more than one occasion in recent years, and particularly during the past two or three years, I have at times felt that some Democratic leaders were not always true to the traditions of the past and the faith of the fathers. Events seem to have contributed to the development of a strongly centralized Government. The Federal Treasury has been used to undermine the political integrity of the people and to seduce them from the path of safety and of constitutional government. It is so easy to justify an invasion of the rights of the people or of the States if it is accomplished by a liberal Federal appropriation. States are beginning to shrink from the discharge of duties and functions appertaining to the same, and many of the people are becoming enervated and turn with longing eyes to Washington and to the Federal Treasury for appropriations and Government aid with respect to individual or purely local and domestic affairs. The junior Senator from Colorado [Mr. THOMAS] pointed out in his brilliant speech delivered a few moments ago the growing disposition of the people in all parts of our country to come with cap in hand and bow at the shrine of this new federalism, and graciously beseech its smiles and favors. And the people, who are the source of power, and the States, which are the agents of the people, seem willing to barter away their birthright and their liberties for a mess of pottage, for the crumbs that fall from the table of this new Dives, this rich, consolidated, and omnipotent Federal Government. The Federal Government under this new faith is to extend its all-powerful arms throughout the land and heal all infirmities.

Mr. President, this is a day of heresies, of pseudophilosophies, and of dangerous and destructive isms. These are times that "try men's souls" perhaps to as great an extent as when the immortal Paine contended for freedom in the Revolutionary days.

This hour calls for strong men who believe in this Republic and who are willing to make every sacrifice for its preservation. Some persons are talking of organizing a "Liberty Party," a party that will defend and preserve the Constitution of the United States against the insidious and destructive influences by which our Government is menaced. I can not believe, Mr. President, that the Democratic Party will fail in this supreme crisis. The spirit of Jefferson and Jackson will again descend upon the people, and the love of liberty will illumine our minds and take possession of the hearts of the people. The undying words of Lincoln will burn into the souls of the patriotic people of this Republic, and they will cry out again and again that this Republic, the Government handed down to us by the fathers, which is a "government of the people, by the people, for the people, shall not perish from the earth."

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. McKELLAR. The Senator has been, I believe, chief justice of the supreme court of his State.

Mr. KING. Associate justice.

Mr. McKELLAR. Then, of course, the Senator is familiar with the constitutional law and every other kind.

Mr. KING. I deny the soft impeachment.

Mr. McKELLAR. Does the Senator deny for one moment that this bill is constitutional? Has it not been settled time and time again that it is constitutional?

Mr. KING. I suppose the Senator is referring to the provision regarding roads.

Mr. McKELLAR. I am.

Mr. KING. I stated a few moments ago in replying to the question asked by the Senator from Florida that the Federal Government has the right to establish post roads.

Mr. McKELLAR. If it has the power to do it, how can those of us who believe in the exercise of that power be regarded as opposed to the Constitution?

Mr. KING. I did not say—at least I did not intend to say—that those who believe in the Government establishing post roads were opposed to the Constitution or did not believe in a constitutional form of government. The discussion has taken a wider range than the question of the Senator from Tennessee would imply. The Senator from Mississippi propounded questions which went further, and proceeding along a natural line I adverted to the general tendency toward a centralized and paternalistic government and the destructive forces undermining local self-government.

I want to say further, in response to the Senator from Tennessee, that, under the guise of establishing post roads already established, I do not justify the Federal Government in taking hundreds of millions of dollars out of an empty Treasury—if I may be permitted an Irishism—for the purpose of building local highways which should be constructed by the States.

Mr. President, during the consideration of the pending measure I have upon several occasions called attention to the enormous amount carried by this bill and to the unprecedented appropriations made by this Congress. The present bill asks for more than $600,000,000, an amount so great as to excite the amazement of those who earnestly and patriotically address themselves to the fiscal affairs of our country, and particularly to the question of devising ways and means to supply the needed revenue therefor. And yet this sum covers the expenditures of but one department of the Government for a period of 12 months only. This sum, stupendous as it is, is but a small part of the aggregate amount which will be appropriated for the fiscal year ending June 30, 1920. I have heretofore called attention to what I conceive to be a lack of appreciation of the true financial condition of the Public Treasury and to the difficulties that will be encountered in raising sufficient revenue to meet the enormous appropriations now being made. I have repeatedly said that I believed we were not examining with sufficient care the appropriation bills which we are called upon to enact into law and are expending more than a proper regard

for economy and a consideration of the Treasury warranted. In my opinion this Congress will be charged with extravagance and with the expenditure of millions that were not justified. Estimates from the various departments and from public officials are presented to the committees, and too often these estimates become the sole basis of committee recommendation and of congressional action; and even after estimates are submitted by various bureaus, departments, and Government officials supplementary and additional ones are quickly presented calling for millions and hundreds of millions of additional appropriations. I shall be charged with painful iteration and reiteration in challenging attention to this subject, but I have felt and still feel that many who are filling executive positions exhibit a selfishness and a disregard for the public interests that are reprehensible in the highest degree. There seem to be a mad race to see which bureau and department and governmental agency can obtain the largest appropriation.

Demands beyond all reason have been made for increases in the personnel of most of the departments, bureaus, and agencies of the Federal Government, and appeals and demands are daily and, indeed, hourly made to Congress for increases in salaries and compensations and for the extension of the activities and powers of executive agencies of the Government. The administration of the Federal Government is a costly undertaking. The war seems to have changed the vision of many charged with executive responsibility and caused them to lose sight of the practical, imperative, and immediate duties and responsibilities. They see in the war and in the situation now confronting us opportunities to exploit some fantastic theory and expand the scope and authority of the agency or department with which they are identified. Many wild and visionary schemes are suggested, some of which are destructive of the rights and powers of the States, and project the Federal Government into fields of activity not authorized by the Constitution of the United States. The most impracticable plans are proposed and enormous appropriations sought to aid in their execution. Suggestions that there are limitations upon the power of the Federal Government are regarded with derision, and those who submit the same are denounced as reactionaries and enemies in social progress.

There are many in the executive branches of the Government whose types are often discovered in private life. There are the "get-rich-quick" men, who seek to acquire wealth by some sort of legerdemain. The wise and prudent counsels of the past, which have brought business success and financial stability to individuals and to nations, are ignored. The slow paths of safety and prudence, leading to success, are disdained by men of this type. They promise riches to the credulous multitudes who look with wonder and undisguised admiration upon these new apostles of business and finance, and regard with ill-concealed contempt the paths pursued by the solid and substantial citizens who have given strength and vigor to the industrial and political fabric under which we live and the methods and policies lying at the base of the community and national economic and financial system. And so we find many clothed with governmental authority and many not in official position who seek a millennial era and "cure-all" for the evils to which governments and society are subject by some executive or legislative fiat or decree. But all of these visionary, impractical, and too often foolish and utopian plans and schemes rest upon the proposition that the Federal Government must take some vigorous action and expend millions of dollars wrung from the people by onerous tax laws. The idea of reforms and growth and progress by the application of natural laws is scouted. Arbitrary power, usurpation, and ruthless destruction of the individual and his rights are not only justified but approved. It is the same spirit that manifests itself in lynch law.

An individual who violates the law and whose crime is of such a character as to call for the death penalty under this spirit is quickly dragged to his death. His assailants are unable to wait for the slow operation of the law and refuse to conform to the established rules of organized society. And so we have those who are demanding not a government of the people, a government of growth and gradual but sure progress, a government which recognizes individual limitations and the lessons of history, but a government of officeholders and bureaucrats possessing unlimited power and given unlimited funds for expenditure. In other words, this spirit seeks not a government of law but of men—of officials and bureaus—which in such case would be a government of whims and caprices, an autocratic and repressive government. I protest against this new imperialism, this conference of power upon the National Government that belongs to the people and to the States, this establishment of an arbitrary, paternalistic Government, which stifles and destroys. This spirit is not new; it has manifested itself in various ages and in most nations.

There are those in the Government service to-day to whom the Constitution of the United States is a sealed book. There are many in the land to whom any form of government is obnoxious and others who are fanatical, bigoted, and intolerant. By drastic penal statutes they would control the habits and appetites of individuals and deny freedom of thought or liberty of action. Natural and normal conditions—conditions that flow from the sure evolution and progress of humanity—are regarded by some as so inapplicable as to demand destruction at the hands of the Government. These officials and others of like views would permit no individual liberty and can not conceive of any orderly growth and development. Miracles must be wrought, in their view, in the lives of individuals and nations. Traditions, environment, individual idiosyncrasies, immutable laws that lie at the base of human progress and development are disregarded. The reserved rights of the people, the powers conferred upon the States of the Union, and the limitations imposed upon the Federal Government are not only no admonition to the exercise of arbitrary power, but any claim that such rights and powers must be regarded and preserved is treated with contumely or anger. Lack of uniformity is regarded as detrimental to progress. This spirit at times seeks conformity to a crudely nebulous ideal type. The theory is that uniformity of thought and action, the conformation of conduct to arbitrary rule and standard, are productive of the best results and secure an ideal state of civilization. Tyrants and despots have sought such a course in all ages. Men and women were to think and act as the despot prescribed.

Laws and rescripts and minute regulations executed and enforced by unlimited and autocratic power it was believed would produce order and uniformity and progress. If an evil existed in the land, the decree of the sovereign was all that was required to remedy it. And so to-day we have in the executive departments of the Government and in colleges and elsewhere in our land a multitude of people who turn from the development of self, from the determination to individually grow and expand and to be differentiated from the mass around; they look to the Federal Government as the source of light and power. Instead of regarding themselves as being the fountain of power and life and growth and progress, the bestower of gifts upon government, they meekly look upon government as the source of power and authority, and seek guidance and direction from it and the bureaucracy which is being established.

Society is not a protoplasmic mass. We want no form of government that crushes individualism and reduces the units in the Government to a colloidal state. The chief glory of the American people is found in the fact that the men and the women of this land have developed to a high degree the spirit of self-initiative. The Nation is strong because the individuals of the Nation are strong. This Republic was founded by those who were protesting against this evil spirit just now seeking control in this land. Fiercely did our fathers contend for individual rights, the right of conscience, the right of free speech, the right of self-determination, and the right so essential to liberty—the right of local self-government. Their lives and their contests were against uniformity and homogeneity, against the lifeless protoplasmic condition that arbitrary power would create. And the differences in individuals led to differences in local governments; and so conditions made for variety and strength. I happen to have here an excerpt from the work of Mr. Collins, entitled "The Fourteenth Amendment and the States," which, I think, contains matter for serious consideration:

> Local self-government lies at the very foundation of a free country. The private affairs of a community should be regulated by that community without interference from the Federal Government so long as national interests are not directly affected. This ideal of local government is one of our most precious heritages from a heroic past. It is the school in which self-control, independence, and liberty are bred.
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> This is not a question of bringing to life a dead State rights doctrine. It is dealing with a fundamental principle of political science. It is by no means a dead issue. On the contrary, no student of public affairs can fail to see that the question of the relation of State functions to Federal control is one of the most vital problems in our body politic. These United States cover a vast territory. From ocean to ocean and from the Lakes to the Gulf may be found almost every variety of soil and climate. Physical environment and historical traditions have given rise to a diversity of custom and manner, thought, and speech. The occupations of the people of the different sections are characterized by fundamental and permanent differences. While we are essentially one people along broadly nationalistic lines, one meets with a variety of local conditions and habits of life as one journeys from Maine to California or from Key West to Oregon. This very diversity makes local government essential to justice. * * *
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> The fourteenth amendment is a paternal measure. It is the introduction of the principle of paternalism among a people whose genius is

foreign to such a political ideal. It has in it the germ which may retard their growth. Like all centralizing measures, it tends to reduce the life of the people to a dead level of uniformity. In such a vast territory as the United States, occupied by a people who for centuries have been accustomed to trust themselves in the regulation of their domestic affairs, the stimulus of local self-government is essential to their natural development. * * *

Harold J. Laski, in his admirable work entitled "The Problem of Sovereignty," discusses with clearness and profound thought some aspects of the question which I am in a casual and disconnected way presenting. He says:

* * * You can not make men complete by act of Congress. They have wills of their own that the statute does not form. Everywhere we have diversity, plurality. It seems, indeed, time to admit its existence. It is really difficult to understand what special merit attaches to unity. Germany points proudly to the complete absence of differences among her citizens. Contempt is openly expressed for a country like the United States, where diversity of opinion is most clearly apparent. * * *

In fact, there is real moral insufficiency in any theory of the State which impresses upon its numbers the need for any consistent uniformity of outlook. The fact that no one in Germany doubts her rightness in sinking, for example, the *Lusitania*, does not morally, or even politically, justify her position in that regard. It is simply evidence that in Germany to-day necessity has exacted the sacrifice of right to authority. Faith there is more urgent than thought. We prefer a country where the sovereignty is distributed, where the richness of the corporate lives is insurance against such sterility of outlook. The Austinian theory of sovereignty, ungenial enough even in its abstract presentation, would as a fact breed simple servility were it capable of practical application. There can be no servility in a State that divides its effective governance. The necessity of balancing interests, the need for combining opinions, results in a wealth of political thought such as no State where the real authority is single can attain. The price of liberty is exactly divergence of opinion on fundamental questions. (Pp. 272–274.)

Further on in the volume Mr. Laski says:

The growth of national government, with the consequent strengthening of its sovereign character, leads, as I have urged, to its increasing centralization. This is not true of America alone. * * * One of the resultant and fundamental problems Great Britain will have to face when its reconstruction comes is precisely this. Its local life will have to be made real. It will undergo revivification. Its units of local government will have to be made real. They will have to receive a sovereignty that is something more than an anemic reflex of the central power. An interest in local problems will have to be aroused not less keen and vivid than the interest in national problems. Nor is this less true of France. Her local group life has been sacrificed to the absorptiveness of Paris with the result that since the fall of Napoleon France has been striving to regain the local creativeness now stricken with impotence. The vigorous self-government of the modern German city derives from the at any rate partial admission by higher authority that its powers to be responsible must be complete. It was there remembered, as in England and France it has been forgotten, that the tissue of the civic parts changes more frequently than the tissue of the national whole. Since in the latter countries an adequate nutrition of final responsibility was not provided, the result has been in a real sense death from starvation.

I know well enough that nothing like this stage has been reached in the United States. Yet the difficulty is ominously near. No kind of working compromise has been reached between the States on the one hand and the Federal Government on the other. * * *

Speaking of the attempt to destroy the States in order to secure greater uniformity of conduct and to augment the powers of the Federal Government, Mr. Laski proceeds:

A typical instance is that of prohibition. Reformers in Maine do not see why they should suffer for the stupid inability of New York to control its liquor traffic. Congress, they say, should legislate for the Nation and prevent either the enactment of anomalies or the retention of so pathetic an ancestralism as a taste for beer. Now, I waive the whole question of whether Maine does in fact benefit from its more acute perception; reputable authority assures me that the contrary is the case. But the real question to which I want an adequate reply—more convincing than rhetorical statements of the case for prohibition—is whether America will not gain more from the slow self-struggle of New York to intelligence than from the irrigating imposition from without of a belief to which it has not been converted? I can not avoid the emphatic opinion that in this, as in other matters, nature is not saltatory. Politically we probably gain more from the slow and often painful erosion of prejudice by education than when we attempt its elimination by mere drastic methods. It is, of course, annoying for those of us who consider we have found the truth; but if we are to have democratic government we must bear with the inconvenience of democracy.

Mr. President, war seriously disturbs the normal functions of the State, and the local units or subdivisions of the State suffer more seriously. The tendency during war is toward centralization of power. That is why so often in the past the people have demanded a dictatorship when the flames of war envelop them. In the Civil War extraordinary powers were conferred upon the Executive of the Nation, and in this war great powers have been conferred upon the President of the United States. Millions of men were conscripted and placed under his control. Billions of dollars were taken from the people and given to him for expenditure. The power to cut off trade with foreign nations was placed in his hands. The means of transportation were taken from the people who owned them and intrusted to his hands. The powers of the President were regal in their extent, but with the termination of the war every effort should be made to return to the ways of peace at the earliest opportunity. The heavy hand of the Federal Government, exercised for the purpose of war, should be withdrawn from the States and from the people when the war ends. The extraordinary powers exercised by executive departments and branches of the Government should cease when the reason calling for their exercise ceases. Because war called for a centralization of power in the Federal Government, peace demands decentralization and an assumption by the States and the people of the powers belonging to them. We warred against an autocratic form of government; there must be no attempt to establish an arbitrary and autocratic form of government in this Republic. Germany sought to concentrate all power in the Kaiser—in the executive branch of the Government. It weakened the States, rendered more or less impotent the local governmental units, and sought to prevent the development of the individual. The State was supreme and the Kaiser was the supreme lord over all. All remedies for social, industrial, economic, or political ills emanated from the Crown. There was efficient government, but it was arbitrary and autocratic. To overthrow this autocracy which threatened the world we entered the war, and yet there are those within our land who seek to crush the individual, destroy the States, and erect a despotic federalism. The spirit of defeated autocracy seems to seek refuge in the heads of some foolish and unpatriotic Americans. Have we aided in exorcising the spirit of tyranny and bureaucracy and a baneful paralyzing paternalism from the central empires only that it might take possession of those who gloriously fought for humanity?

We are daily importuned to have the Federal Government enter upon plans which Germany devised and carried into execution. Those who now speak out for the States and for their maintenance and for the preservation of local self-government find unsympathetic auditors. If an Executive should now submit an address as Thomas Jefferson did when he delivered his first inaugural address, in 1801, and speak as he did, I apprehend that the reception would be less cordial than if some ephemeral, visionary plan were advocated which promised great financial rewards to the States and material advantages to the people. Permit me to quote what Jefferson did say upon the occasion mentioned:

The support of the State governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against antirepublican tendencies, I deem (one of the) essential principles of our Government, and consequently (one) which ought to shape its administration.

Let me quote again from Jefferson. In a letter to Joseph Cabell, in 1816, he wrote:

What has destroyed the liberty and the rights of man in every government which has ever existed under the sun? The generalizing and concentrating all cares and powers into one body, no matter whether of the autocrats of Russia or France or of the aristocrats of a Venetian Senate.

And upon another occasion he said:

It is not by the consolidation or concentration of powers, but by their distribution that good government is effected. Were not this great country already divided into States that division must be made, that each might do for itself what concerns itself directly and what it can so much better do than a distant authority. Every State again is divided into counties, each to take care of what lies within its local bounds; each county again into townships or wards, to manage minuter details; and every ward into farms, to be governed each by its individual proprietor. * * * It is by this partition of cares, descending in gradation from general to particular, that the mass of human affairs may be best managed for the good and prosperity of all.

Students of the life of Lincoln know that he found authority for his political creed in the writings of the immortal Jefferson. Sociology, as a science, was scarcely known in Jefferson's time and had not reached manhood's estate in Lincoln's day, and yet these great Americans knew human nature as few men ever did and understood the causes advancing or retarding humanity's progress. The precepts of Jefferson, whose political philosophy is sufficient for all time, should again and again be preached to our dull ears.

When a well-nigh irresistible current threatens to sweep the States into a destructive maelstrom of federalism there is need for strong arms and stout hearts. The creed of a new nationalism is illusory and deadly. The faith of the fathers is still the true faith, the vital, living force that will save the people and preserve the Republic. Even this new nationalism is differently interpreted, but perhaps its truest exponents are those who regard it as the prerogative and the function of the Federal Government to discharge all of the duties resting upon the States, and, in addition to its political powers, it is to bear the social and industrial burdens and activities now discharged by individuals and local communities. In this view we would all live and move and have our being within the influence and power of a mighty centralized Nation. States would be mere shells out of which all life had departed. They would be vanishing shadows reflecting scarcely the forms of once puissant States.

Mr. President, on a number of occasions during the past two years I have ventured to raise my voice against these centralizing forces, against the corroding influences which destroy the strong tissue of individualism and what should be the indestructible fabric of our State governments. I have felt that the preservation of this Republic, the vitalization of the American people by the spirit which the faith of the fathers inspires, would bring to this Nation greatness and power, and to the people under the flag unimpaired freedom, material progress, and spiritual and intellectual development. I have felt that the Father who inspired the Constitution and guided the destinies of this Republic would outstretch His arm and preserve this Nation from the perilous paths that lead to destruction. But I confess that at times I have experienced apprehensions and doubts as to the future when I have encountered the conflicting currents that drive with blinding force throughout the land. I still feel that the rising floods will ultimately dash in vain against this great temple of liberty resting upon the heights of the New World, and that out of the storm, world-wide now in its extent, there will come peace and calm, and this Nation will extend its healing wings to minister to the sorrows of the world. But now more than ever should patriotic Americans lift their voices in defense of individual liberty, the protection of the States, and the preservation of the Republic.

We need, in the language of Mr. John M. Harlan, not a "new nationalism, but rather a new statehood":

> We need no crusade for the enlargement of the powers of the Nation. * * * The great need of to-day is that the States should awaken to their duty to exercise all their rightful powers and functions under the Constitution, and that they should do for themselves everything to the doing of which these powers, when intelligently exercised, are adequate. We must magnify the importance of the State legislatures and the value of the State courts. * * * What is needed is not doctrinaire theorizing about the rights of the States, but the prompt performance by the States of their duties, the active and full use of the powers and functions of the States toward solving the questions that now crowd upon the American people for solution. * * *
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> In the United Kingdom of Great Britain and Ireland it has lately been proposed to unload much of the work now being done by the Imperial Government upon local parliaments, first in Ireland and later probably in Scotland, Wales, and England. Careful thinkers, however they may differ as to the details of the pending home rule bill for Ireland, agree that the underlying principle of this process of devolution, when fully carried out, will greatly strengthen the United Kingdom and the British Empire because of the fuller and more wholesome development of each of the four constituent parts of the United Kingdom and the liberation of the Parliament at Westminster for the larger questions affecting the Empire as a whole. If in those small but thickly populated islands of Great Britain and Ireland the wisest men think that the development of strong local parliaments for each of the four constituents—England, Scotland, Wales, and Ireland—is essential to the best and largest development of the United Kingdom as a whole, what can be said as to the very opposite tendency which in recent years has been permitted to go unchecked in this continental Republic, covering an area equal to all of Europe except Russia, and with a population soon probably to equal that of Great Britain, Ireland, France, and Germany combined? Fortunate from the very beginning in having separate State governments with clearly defined areas of activity, we have since the Civil War, and especially during the last 20 years, permitted the State governments to become weaker and weaker and our regard for their functions to become less and less. The time has come to reverse that process if along with a national authority strong enough to preserve, promote, and protect us in all our common interests we are to continue to enjoy local self-government.
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> In all the States we must do what Henry Clay was wont to do for old Kentucky. We must foster a strong and wholesome State pride. * * *

Judge Henry Wade Rogers, in his thoughtful work entitled "The Constitution and the New Federalism," has admonished us of the dangers of the centralizing forces of the hour. He states:

> Once the question was whether the States would destroy the National Government. Now the question seems to be whether the National Government shall be permitted to destroy the States. It was the fear that that question might sometimes arise which led Samuel Adams and John Hancock in Massachusetts, George Clinton in New York, and Patrick Henry in Virginia to withhold for so long their assent to the ratification of the Constitution. But under the Constitution the States are as indestructible as the Union. The Constitution looks to an indestructible Union composed of indestructible States. Actual abolition of the States is impossible. There are, however, forces in operation which seek to reduce the States to administrative departments like those of France. There is an increasing tendency to regard a State as a mere geographical expression rather than a political division of the country.
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> * * * We are threatened with a revival of federalism—federalism that is more extreme and radical than the leaders of the old Federal Party ever countenanced. The argument proceeds on the assumption that the States have failed to perform their duty properly, so that great evils have grown up which the States can not or will not remedy, and from which we should have been free if only the Federal Government had possessed the authority and not the States.
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> That the evils exist is conceded. That the States have not done their full duty is also conceded. But that the Federal Government would have done better is a mere assumption, and one I am not prepared to accept. Congress has now in the Territories and District of Columbia all the powers which the State governments possess; yet the legislation respecting the corporations which Congress has enacted has not been better than the legislation of the States on the same subject.

We have received commissions from the people and have sworn to uphold and defend the Constitution of the United States. It is not an idle ceremony but one pregnant with meaning and significance. We should uphold and defend the Constitution of our country, not only against foes from without but foes from within. This Nation will never be successfully assailed from without. If it should ever fall, or cease to function as designed by the fathers, it will be because of the weakness, vanity, infidelity, or treason of the people themselves.

Vocational Education for Disabled Soldiers, Sailors, and Marines.

EXTENSION OF REMARKS

OF

HON. JOHN F. MILLER,

OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. MILLER of Washington. Mr. Speaker, there is no more important work being carried on in this country at the present time than that being done by the Federal Board for Vocational Education in the reeducation of disabled soldiers, sailors, and marines. I desire to call the attention of the Congress and the country to the way in which this work is being expedited and perfected through a cooperative arrangement between the Federal board and a patriotic private agency.

Heretofore the plight of the disabled soldier has not been a happy one. The Government was grateful to him for the sacrifice he had made and did its best to atone to him and requite him. It used the only means it knew of, and that was a monetary pension, usually inadequate, and, at best, a poor return. For those who were so badly disabled that they could not work, soldiers' homes were provided, but the home provided by the Government was not, at best, the kind of home the soldier would provide for himself. These soldiers' homes filled with men without vocational training and with no physical activities of a useful character, and without any home influences about them, failed to bring to the soldier the personal peace of mind so essential to his happiness and well-being.

In the war which has just come to a conclusion it was found quite by accident that disabled men could be retrained and taught to do some one thing as well as a man who had never been injured. This discovery was made in France at the home of M. Schollaert, a Belgian gentleman, who took in and cared for a number of disabled, wounded Belgian soldiers who had no asylum in their own country. In their days of convalescence they happened to amuse themselves trying to work at various trades with which they were familiar. It was noted that their recovery was stimulated; and those incapacitated from following their former trades were managing to acquire a knowledge of some other trade not incompatible with the injuries sustained. The discovery was immediately developed by the Belgian Government, by France, by England, and by Canada until it has become one of the real and permanent benefits arising out of this war; for by this accidental discovery and its growth to present importance civilization has found that there is no necessity for the existence of a man unable to earn; that he can be of use, notwithstanding the seriousness of his injury.

Under the forced draft of necessity this system has been perfected to a wonderful degree. The United States Government has adopted it, and is now retraining and vocationally rehabilitating such of its disabled soldiers, sailors, and marines as require it, in order that they may continue to be useful individuals in civil life. This work was confided by Congress, without a dissenting vote, to the Federal Board for Vocational Education, the bill being approved June 27, 1918, and within less than nine weeks afterwards the first man was placed for reeducation. The United States system goes further than that of most of the continental countries, for in addition to training the disabled man it also finds a place for him in which to work at whatever he has been trained to do. The Federal board has a placement division and so arranges matters that when the men under training are competent in their respective lines employment will be ready and waiting for them.

The Government allows a support fund of at least $65 per month for each man while he is undergoing this process of rehabilitation, with allotments to his dependents upon a fairly liberal scale. The reeducation is absolutely free, all expense

of books, tuition, library, laboratory, or other fees being paid by the Government. The training is given in the best institutions of the United States, ranging from Harvard and Yale, Massachusetts Institute of Technology, Case School of Applied Science, Columbia University, and the various land-grant colleges of the States, to agricultural schools, scientific schools, trade and industrial schools, and, in many instances, direct to the industries and commerce. Altogether there are some 500 trades, professions, occupations, callings, and industries from which a choice may be made by the disabled man. He is by no means confined to manual trades or occupations. The sole animating and dominating thought and object of the Government, as expressed and carried out through its agent, the Federal Board for Vocational Education, is to do that thing for the disabled man which will insure to him the greatest possibility of future usefulness, happiness, and contentment, according to his capabilities.

Fourteen district or branch offices have been established by the Federal board, respectively, at Boston, New York, Philadelphia, Washington, Atlanta, New Orleans, Cincinnati, Chicago, St. Louis, Minneapolis, Denver, San Francisco, Seattle, and Dallas. These district offices were established so as to enable the Federal board to reach disabled men in all sections of the country and to handle their cases with greater dispatch and thoroughness than if the work was all concentrated at Washington. The total Federal force of the Government scattered throughout the 14 districts is about 250 men. All of them have qualified under civil-service requirements for the special positions which they hold.

By the policy of placing these disabled men in the existing institutions of the country it is figured that the Government has been saved over $25,000,000, which would have been a reasonable cost had all the men in training and to be trained been assembled in one or two institutions especially provided and controlled by the Federal Government. By using the existing institutions of America, representing an investment of over $300,000,000, there is available for the disabled man an infinitely greater opportunity than could possibly be given under any institution inaugurated especially for this work. Placing the men in existing institutions instead of herding them in great camps of crippled and disabled men has a beneficial effect upon the men themselves, causing them to lose sight of their disabilities and to minimize them and concentrate their attention upon the capabilities remaining to them.

This is, in effect, the secret—if there is a secret—about the success of rehabilitation work, which is simply to disregard the disability and concentrate on the remaining assets, taking them and training the men to make use of them to their fullest extent. It may be illustrated by the case of a man who has lost both his legs. He could be made into a very efficient tailor, doubtless, because the tailor's work is done with his hands, and the presence or absence of pedal extremities has no bearing whatever upon the character of work he does or his ability to do work with his hands and arms. The same principle prevails throughout many varieties of work.

This, in brief, is the program of the United States Government for its disabled men. In addition to this retraining by which these men are often enabled to earn wages greatly in excess of those which they were making in civil life before the war, they are given their compensation for the injuries received, and this compensation is absolutely unaffected by any increase in earning capacity occasioned by the retraining. This compensation begins after the training allowance ends, and this training allowance ends when the man has been made competent in his line and is placed in a position and goes upon the pay roll. Then his compensation starts and is in addition to whatever he may earn.

There will be no more useless, embittered men wearing their lives away in soldiers' homes. There will be no more of veterans depending upon a pittance of a pension, feeling that they are apart from the ordinary run of men and that the doors of opportunity are closed to them. Each man will be restored to the equality of opportunity and the light of hope and happiness rekindled in each bosom.

Congress has passed the best, and on the whole the most liberal, law of all the countries for the reeducation and placement in employment of the disabled heroes of the war and will not spare the money necessary to extend the benefits of this act to all those wounded or diseased in the service of the country. Private organizations of a semipublic character, like the American Red Cross and the National Catholic War Council, have given liberally of their funds to the special fund for rehabilitation provided under the act by which gifts and donations may be received and used to supplement the funds provided by Congress to carry out its provisions.

Some things absolutely necessary, however, to the success of this work were not and probably could not be provided or anticipated by the Congress when the vocational-rehabilitation act was passed. Experience has shown that publicity through every possible means must be extended to every portion of the country—cities, towns, hamlets, and lonely farms—in order to furnish information to discharged men and to their families concerning the liberal provisions which have been made to make the future of disabled men safe for themselves and their dependents. This requires the use of bulletin, pamphlet, tract, magazine, newspaper, billboard, and the film service, which is our greatest agency to-day for reaching the great mass of the American people. Such a program involves in many of its aspects an expenditure of money such as a public agency probably could not be expected to provide. Seeing this, the National Elks War Relief Commission has arranged to underwrite for a voluntary committee working in cooperation with the Federal board the cost of a program of publicity which shall inform every disabled man and his family of his rights and opportunities and to call to the attention of the employers, wageworkers, and the public their duty of cooperation in this matter and the ways in which they can be of most vital help.

Many men who are entitled to the benefits of the war-risk insurance act and of the vocational-rehabilitation act have been discharged from the service and are scattered throughout the country. In many instances these men are not even aware up to the present time of their rights and opportunities. They are knocking in rapidly increasing numbers at the door of the district offices of the Federal board asking for help. They are without their Army pay as discharged men. Their allotments and allowances to their dependents have ceased. With their handicaps they are unable to earn a living. While their compensation cases are being adjudicated it has been impossible for the Federal board to put these men primarily into training. They suffer privation and humiliation and oftentimes give up in despair their hope of taking the reeducation which the Federal board is willing to provide for them as soon as they are adjudged to be compensable cases. By the use of the fund which the National Elks War Relief Commission has provided an act can be performed lying entirely outside the purview of the vocational-rehabilitation act, and absolutely necessary for its successful administration and to the welfare of the men for whom the act was designed. Loans to the men can be made promptly at the district offices of the Federal board in order that they may be put into training immediately. This is necessary since it is not possible for any Government agency to pay money to men in advance to put them in training. Arrangements will be made so that these loans will be paid back by the men as soon as they have received the amounts due them from the Government. In this way the soldier will be treated not as a problem of social relief but as a soldier of the Republic in straitened circumstances because assets due him from the Government are unpaid. As the result it will be possible for the Federal board to put at least a thousand men in training almost immediately whose cases have been dragging for many weeks.

Rising to meet this situation the War Risk Insurance Bureau has promptly agreed that on the face of certain records furnished by the Federal board it will accept the cases as being prima facie compensable and will place the man upon their compensation lists and send his checks to him promptly. With these two devices it will be possible to speed up from 60 to 120 days all the whole program of the care and treatment, education, and placement of disabled soldiers, sailors, and marines.

With the same vision and broad liberality the National Elks War Relief Commission has provided through its funds for the entire support and training of these worthy men who, because of any technicality, lie outside the purview of the war-risk insurance act, and therefore of the vocational-rehabilitation act. A man who was injured by some accident previous to October 6, 1917, will be cared for under this arrangement. Those who, for technical reasons, are ruled not to be entitled to compensation, who need retraining because of injuries or disease incurred in the service, will be cared for. In addition, those American citizens who rushed to the support of the allies before we entered the war by joining one of the allied armies, or who since we entered the war have, in the spirit of adventure, entered other services and were injured while fighting the Hun, are to be reeducated and placed in employment through the medium of the fund which the Elks have provided. As the Members of Congress will instantly recognize, this is not possible under the war-risk insurance act or the vocational-rehabilitation act, since both provide only for those who are disabled in the service of the United States against Germany and her allies. Foreigners serving in our National Army are entitled to the benefit of the two acts, but American citizens serving with the allies are not. Hence

the liberal provision which the Elks have made to cover their cases, in order that they, too, may have a chance for the future, and the country may be saved from the sad spectacle of dependency on the part of those willing to give their all in the fight for democracy.

Realizing the above program and desiring to participate directly in it, the Benevolent and Protective Order of Elks, through the National Elks War Relief Commission, has placed at the disposal of the Federal board a quarter of a million dollars to be used in this humane and practical work, enabling the Federal board to carry on much of its work without being subjected to the delay of technical rules and regulations, which, in many cases, would defeat the object of the vocational-education law.

The Elks fund thus provided is the first instance of the kind in the history of the country where a great patriotic fraternal organization has come to the aid of the Government in so timely, helpful, and substantial a manner. This money will be used to help disabled men who desire to enter immediately upon vocational training, but who are without funds to meet their immediate needs.

The necessity for quick action in getting these men into training and the obstacles facing the Federal board by a lack of elasticity in the appropriation of Government funds all tend toward bringing about a situation in which thousands of worthy cases would themselves suffer, as well as the helpless and innocent dependents of these soldiers, sailors, and marines who have been victims of war. The Elks, with their generosity, have enabled the Federal board to act quickly and rescue many of these cases and prevent a continuance of conditions which in numerous instances have been found most distressing.

EXTENSION OF REMARKS
OF
HON. ISAAC SIEGEL,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

Mr. SIEGEL. Mr. Speaker, on January 13 I introduced a bill for a change in the court-martial procedure, and on January 23, on the floor of the House, I discussed a number of military trials which showed that rank injustice had been perpetrated. On February 3 I introduced a resolution which would have resulted in a most thorough investigation of these outrages, but was unable to obtain consideration for it, although I appeared in person before the Rules Committee and urged a favorable report. Since then, on March 4, there appeared a defense of the procedure in the CONGRESSIONAL RECORD, in an extension of remarks by Representative LUNN, which quoted a letter of Gen. Crowder made public for the first time on the very day that Congress was adjourning.

Gen. Crowder is forced to admit the injustices practiced in 13 cases, and has not answered 12 cases. When it is claimed that the proper authorities did not have knowledge of these conditions, then the memories of some gentlemen must have grown very weak, as is shown from the following article from the New York Globe of March 12, 1919, which reads as follows:

CROWDER AND COURTS-MARTIAL.

EDITOR GLOBE: When Secretary of War Baker in his blanket defense of Judge Advocate Gen. Crowder stated that he, the Secretary of War, did not recall prior to the war that "our military system of law ever became the subject of public attack on the ground of its structural defects" he placed himself on record as being probably the only officer or official connected with the War Department who was not aware that in 1914 an elaborate series of articles setting forth case after case of cruelty, injustice, and abuse that shocked the commonest instincts of justice was published in Harper's Weekly.

These articles were based upon hundreds of cases in the War Department and which the Judge Advocate General's Department permitted me to go over. Later, when I was fortified with facts and a knowledge of the department's methods, I asked questions which proved embarrassing and I was peremptorily denied further access to these public records of public court-martial trials.

Every charge that I then made against the Judge Advocate General's Department for its abuses and its injustices has been amply justified in the recent investigation by a committee of Congress and by the report of the special committee of the American Bar Association appointed to probe these War Department scandals in the Judge Advocate General's Department.

So conspicuous was this exposure of the abuses, both structural and incidental, in the court-martial system that it is amazing that Secretary Baker should deny all knowledge of it in his eagerness to defend Judge Advocate Gen. Crowder's administration, for the Army and Navy Club, of which, I believe, Gen. Crowder himself is a member, so objected to any breath of criticism or exposure of Army abuses that Harper's Weekly, which published the exposures, was barred from its reading room. Innumerable letters which I received from officers and enlisted men of our Army at that time showed that these exposures were the talk of every Army post and Army garrison in the United States.

Case after case I cited merely as illustrations to prove that enlisted men were inhumanly punished by long sentences at hard labor in prison for slight infractions of discipline. I charged that the court-martial system in Gen. Crowder's department was an ancient system, taken, substantially unchanged, then and since, from the British Army court-martial system of 140 years ago, when armies were recruited by press gangs from the illiterate scum of population and beaten into the ranks as soldiers. I charged that habitually enlisted men were punished in times of peace with reckless severity and prison sentences for slight infractions of discipline when officers who committed crimes of embezzlement and fraud against the soldiers under them, with whose funds they were intrusted, were lightly punished by a simple dismissal from the Army without prison sentence.

One of these cases was a violation of regulations which resulted in manslaughter, and not a word of which was whispered into the trial—on a trivial charge—of the officer responsible; nor was he even dismissed for the death of the soldier in his command, whose death was due to the violation.

Another incident was that of a soldier who was punished by two separate sentences of two years each at hard labor in prison, because he had been tried by the court-martial upon two charges, each being merely separate descriptions of the identical offense, the maximum for the offense itself being two years in prison.

There is not an officer in the Regular Army of four years ago who is not thoroughly familiar with the Harper's Weekly exposure of the court-martial abuses, even if Secretary Baker himself is not.

The letter which Secretary of War Baker asked Gen. Crowder to write in his own defense is unique. In no way does Judge Advocate Gen. Crowder attempt to meet the issue or deny the exposures of the congressional committee as to abuses and inhumanities in his department; Gen. Crowder merely attacks the courage of Gen. Ansell for making these abuses public.

As to the legal argument, Gen. Crowder, in substance, states that he was powerless to revise the abuses of lack of revision of the court-martial cases, because it was necessary for Congress to pass adequate legislation. This is disingenuous. Congress passes the organic law, the Articles of War, and every legislative enactment governing the War Department and other governmental departments. But, like every other great governmental department, Congress also empowers that department to establish its own rules and regulations under the congressional organic law for the administration of the department. These rules are covered in the department in a series of volumes known as the Opinions of the Judge Advocate General, which are the departmental interpretations of the organic law and are merely regulations only for the department, but which may be changed by the department itself, since the department itself is the supreme authority as to its own regulations.

Gen. Crowder has simply held that he has no power of review, which is his opinion as Judge Advocate General. He could also have held that he had power of review of court-martial cases as being the interpretation of the organic law, and there would be no one to gainsay him in either case. Gen. Crowder had the power to reverse the opinions of the Judge Advocate General that preceded him in a similar way to that in which any departmental chief can, where no legal matter is involved. For years past Gen. Crowder has elected to defend the court-martial system in its most inhuman, unjust, and outrageous and abusive forms, and on his head alone is the responsibility for the present general public condemnation.

It is because Gen. Crowder has believed that justice has nothing to do with the court-martial system that he has held to the theory that his power should only concern itself with the clerical and routine correctness of the court-martial procedure. It is Gen. Crowder's duty under the law to regulate the administration of justice by court-martial, and he has interpreted it to uphold an archaic and abusive court-martial system instead of interpreting it according to the decencies and justice of American fair dealing in Army life.

CHARLES JOHNSON POST.

NEW YORK, *March 11.*

It will be the duty of the Sixty-sixth Congress to most thoroughly look into the whole court-martial procedure and see that justice in the fullest sense of the term is obtained for the men now unfairly and unjustly incarcerated. The light of day must be thrown into all of these proceedings and the procedure of the dark ages eradicated.

Work of the War Congress.

EXTENSION OF REMARKS
OF
HON. ERNEST LUNDEEN,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

Mr. LUNDEEN. Mr. Speaker, the world-war war Congress will not soon be forgotten. In addition to the regular work which falls to each Congress in legislating for ordinary peacetime needs, the war Congress undertook at a moment's notice the enormous and unprecedented task of organizing and equipping armies of millions of men for the purpose of carrying on war across more than 3,000 miles of ocean and raising revenues and loans amounting to scores of billions of dollars. Our interest charges are now approaching the staggering sum of $1,500,000,000 a year, nearly twice the national debt at the beginning of the world war. The War Department up to the 1st of March, 1919, states that 107,444 deaths occurred from all causes in the American Expeditionary Forces and among the troops in the

United States. Of these, 72,951 were in the Expeditionary Forces, and of this number 20,829 died of disease, 48,768 from injuries received in battle, and 3,354 from all other causes. The figures show that the total number of deaths from disease exceeded the total battle casualties by more than 5,000.

All battle casualties were 240,197. One million three hundred and ninety thousand United States men actually participated in engagements against the enemy. So huge were the expenditures that a road 60 feet wide and 25,000 miles long, circling the earth, could be paved with $1 bills so expended.

WASTING THE REPUBLIC'S WEALTH.

A great deal of this expense could have been avoided had America accepted a reasonable program of preparedness prior to our entering into the war; so also if we had refused to finance the allied nations and financed only our own forces when we entered the world conflict. The allies boasted a great preponderance in men, money, and munitions over the central powers. I have always held that there was no necessity for bringing America to the verge of bankruptcy by loaning money to foreigners, some of whom will never repay the amount loaned to them, or even the interest on the same. They do not and will not fully appreciate what we have done for them. "There can be no greater error than to expect or calculate upon real favors from nation to nation." (Washington's Farewell Address.)

UNCONSTITUTIONAL CONSCRIPTION ACT.

Conscription for foreign service was forced upon the American people by Congress without their having anything to say about it, contrary to the plain provision of the United States Constitution. I say this though I am well aware of the recent decision of the Supreme Court stating that the law was constitutional. The whole Supreme Court, in my opinion, does not balance equal as against the opinion of Daniel Webster, who held such a law unconstitutional and made a speech against it in Congress. Others opposed the bill, and it was defeated, and the Sixty-sixth Congress ought at once to repeal this unconstitutional law.

AN EPOCHAL CONGRESS.

The opening days of the Sixty-fifth Congress marked an epoch in the national history of the United States. They marked an epoch in the history of the world. The short closing session of the Sixty-fourth Congress followed a bitterly contested national election, which was fought and won on the issue of peace or war. The slogan "He kept us out of war" won the election for the Democratic Party. The city of Minneapolis gave an overwhelming vote to Mr. Wilson on the strength of that campaign cry. Notwithstanding the heavy Democratic vote for President, I was elected congressional Representative on the Republican ticket by the fifth district of our State. This district comprises the town of St. Anthony and 10 wards in the city of Minneapolis. My platform was "America first. Absolute neutrality."

AMERICA FIRST—ABSOLUTE NEUTRALITY.

In my personal campaign the slogan was "America first. Absolute neutrality." My record in Congress shows that this was not merely an empty phrase, coined for the purpose of winning the election. I have placed and shall continue to place "America first" in every vote.

Immediately after the November, 1916, election I closed my affairs in Minneapolis and went to Washington, D. C., four months before I took my seat in Congress. This I did in order to utilize the closing session of the Sixty-fourth Congress in familiarizing myself with the duties of a Congressman. The session closed on March 4, 1917. In the ordinary course of events the Sixty-fifth Congress would not have convened until December. It became evident that an extra session would be called, and I remained in Washington through the short period of adjournment.

Immediately following the national election, won on the platform of "He kept us out of war," the intention of the President to force a declaration of war against Germany became apparent. The extra session of Congress was called for April 16, 1917.

THE FIRST PEOPLE'S VOTE ON WAR.

Believing that a matter involving the life and fortune of every man, woman, and child in America should not be decided without the approval of those who must, in the event of war, bear the lion's share of the burden, I determined that my vote should not be counted until my constituents had been given an opportunity to declare their wishes. I therefore submitted the question of peace or war to the 54,000 voters in the fifth district of Minnesota. This was the first time in the history of our Republic that the people of a congressional district were given an opportunity to vote for or against war.

The response to my referendum ballots was prompt and unmistakable in sentiment. The returns showed a vote of 8 to 1 against war.

PRESIDENT FORCES WAR—PEOPLE OPPOSED.

Every day that passed it became more and more apparent that the plain people did not favor war.

The date for the convening of Congress was suddenly changed by the President from April 16 to April 2. On the evening of that day, at 8.30 p. m., President Wilson appeared before Congress and asked for a formal declaration of war against Germany.

VOTED ON WAR AS PEOPLE VOTED.

Four days later the war resolution came before the House for a vote. I had received the mandate of my constituents. In obedience to that mandate, I was one of 50 in the House who voted against war. For that vote I offer neither apology nor excuse. My speech in the House on April 5, 1917, on "The world war" sets forth my views on this great issue. Every contention which I made and every argument which I advanced at that time has been justified and confirmed by later events.

VOTED AGAINST CONSCRIPTION.

Consistent with my vote against war with Germany, I was one of 24 Members in the House who voted against conscription for foreign service. This vote was also in accordance with the wishes of my constituents, as well as with my own principles. I voted for a volunteer army for foreign service, and offered my personal services in that army.

THE PRESIDENT IGNORED ROOSEVELT AND THOSE WHO WISHED TO GO WITH HIM.

Furthermore, I have always advocated an adequate preparedness in State and Nation, and shall continue to vote for an adequate, sane, and sensible program of preparedness whenever opportunity offers.

SUPPORTED WAR WHEN DECLARED.

Having done all in the power of one Member of Congress to avert the calamity of war, I gave my whole-hearted support to the successful prosecution of the war. I have unhesitatingly voted for every measure in the interest of our soldiers and sailors called to the colors.

SENATOR PETTIGREW'S PLAN TO CONSCRIPT WEALTH FOR WAR.

The following letter from former Senator Pettigrew, of South Dakota, lays down a rule which is a great improvement on the present plan both for financing and fighting future wars:

AUGUST 24, 1917.

Hon. ERNEST LUNDEEN,
Washington, D. C.

MY DEAR SIR: Last February, while I was at Washington and before war was declared on the part of the United States, I published an article in one of the single-tax papers advocating that in case we went to war with Germany we should hire the men to do the fighting and draft the money instead of drafting the men and hiring the money. This statement attracted considerable attention and the Socialist papers have been advocating this plan ever since.

The report of the Treasury Department for the fiscal year ending June 30, 1917, has been received and shows that 357,000 persons receive an income of $1,200,000,000—that is, they paid taxes upon that amount. Of course, that does not include those who did not make a report or swore their income through at less than it was; nor does it include artificial persons, and therefore the income of these 357,000 people was probably nearer $2,000,000,000 than $1,200,000,000. The ones who receive this amount of income only include incomes exceeding $3,000 per year. In other words, from all incomes are deducted $3,000, leaving a balance of $1,200,000,000 for 357,000 persons.

Now that the conscription bill has been passed and the Government has conscripted 1,000,000 men to do the fighting, I propose that Congress pass a law conscripting this $1,200,000,000 a year and pay it to the million men who are conscripted to lay down their lives in order that these people may continue, from year to year, to gather these incomes. This would give each soldier $100 per month and enable him to decently support his family, if he has one, or send it to his parents, who have paid the expense of rearing him and giving him an education.

If we are going to "make the world safe for democracy," wouldn't it be a good idea to commence in the United States, and, having drafted a million of our boys to do the fighting, let us draft $1,200,000,000 from our millionaires. It was the laborers of this country who produced all of this wealth. These 357,000 produced none of it. They exploited the laboring people out of it by cunning, by manipulation, with the assistance of the laws and the lawyers and the courts and the machinery of legislation and the Government.

Why not, then, during the war appropriate this excess profit and pay the men that do the fighting? Why should we violate the Constitution and issue bonds in order to get money to pay the men who sacrifice their lives? Congress is in session, and if the administration has any interest in making the world "safe for democracy" they could order their rubber stamps at the Capitol, the House and the Senate, to pass this law conscripting the wealth, and it would go through at once.

I have carefully read some of the legislation that Congress has enacted recently, and while I do not advise anyone to violate the provisions of the law, I advise everyone who has any interest in democratic institutions to urge the repeal of the law with regard to conscription and the law suppressing freedom of assembly, freedom of speech, and freedom of the press. In my opinion these laws and the law declaring war violate the Declaration of Independence, the Constitution of the

United States, and the Ten Commandments, and every one of those laws should be immediately repealed, if we have any interest in the maintenance of democratic institutions.

* * * * * * *

Yours, very truly,

R. F. PETTIGREW.

In my speech on the resolution declaring war I said:

Conscription, always distasteful to a free people, may soon stalk through the land, hand in hand with his brothers—war and death. If you conscript men for war, conscript wealth for war.

Out of our surplus we stand ready, as always, to share with the needy of other countries. But we must think first of our own soldiers and of our own people at home, who are unitedly and enthusiastically standing back of and supporting our fighting men. We can not do our best unless we are well and fully fed. Hysterical self-denial defeats its own ends.

RESOLUTION TO CARE FOR OUR FOOD SUPPLY.

On October 1, 1917, I introduced a resolution in Congress (H. J. Res. 158) directing the President to place an embargo upon such food supplies as are found necessary for home consumption and for the supply of our soldiers at home and abroad, and further directing the President, when necessary to the public welfare, to seize food supplies and apportion them among the people. This resolution was referred to the Committee on Agriculture. Hoover, for 20 years a resident of London, was sent here to farm the "Yanks." So well did he succeed that to-day Australia boasts 200,000,000 bushels surplus in wheat, while England suffers a plague of rats due to her numerous filled grain bins.

We were urged on every hand to "save, save, save" food. Truly, in time of war, and in peace also, we should guard against wastage of food. That is a self-evident duty. But avoidance of waste does not mean that we must unreasonably reduce our own consumption. The frequent and thoughtless accusation that Americans eat too much is as false as it is unjust. Americans, as a whole, work, and people who work, whether with brain, or with hand, or with both, require an ample supply of nourishing food to repair the waste and replace the energy expended in their labor. It is a safe general rule that the labor performed by any people is in direct ratio to the amount and quality of food consumed by them. The better and more varied the dietary, the greater the amount and the higher the quality of the labor performed.

At whatever cost of labor and resource we must see to it that our own people are well and fully fed. If we starve or stint ourselves we shall aid neither our soldiers nor the allies. On the contrary, we can help them best by supporting them as vigorously as only a well-nourished people can do. Listless anemia never won a victory.

COAL FOR HOMES FIRST.

In midsummer of 1917 I saw, what any thoughtful person could see, that coal was being shipped across the border of the United States into Canada at an alarming rate. Our own people and the people of the other Northwestern States were facing a heavy shortage of hard and soft coal. On August 21, 1917, I introduced a resolution in Congress, directing the President to seize and hold sufficient coal in the United States for home consumption. Had the provisions of this resolution been placed in effect, the hardship, suffering, and death caused by lack of fuel last winter would have been avoided. Such action was not taken by the President, and untold hardship and suffering was endured by millions of our citizens during one of the most rigorous winters this country has ever experienced. We must insist upon a permanent and fixed policy of "America first; foreigners second."

Such a fixed policy as this would prevent a repetition of last winter's unnecessary suffering and its resultant effect on the morale of our people.

EFFICIENCY AND ECONOMY LEGISLATION.

During the war we drifted far from the true course of efficiency and economy. In Minnesota to-day we have State insurance on public buildings. This law, of which I was author, saved the State hundreds of thousands of dollars.

I brought this law to Minnesota as a copy from the Wisconsin law.

I was also author of the bill to give the city of Minneapolis a purchasing department. This has resulted in a great saving of money for the city.

When I first entered the legislature I voted alone against the legislative graft, at the beginning of the session, of the so-called supplies resolution. Two years later a great saving was effected there.

I am opposed to garden-seed Congressmen; I do not see why Members of Congress should have the handling of seeds which certainly ought to be handled by the Department of Agriculture. During the war emergency of necessity the seeds must be sent out, since many thousands of home gardens were cultivated. Now that Congress is returning to peace conditions, a change ought to be effected in this respect.

TEMPERANCE LEGISLATION.

While a member of the Minnesota Legislature I voted in favor of submitting State-wide prohibition to a vote of the people. On county option I voted "no." This bill provided that when the county voted dry it remained dry; with this I had no quarrel, but when a majority voted wet the county did not remain wet. The question might then again be submitted to the voters through local option, a double-barreled proposition, unfair and absolutely contrary to the principle of majority rule. If they want a dry country, let them vote it dry themselves; if they want a wet country, they are entitled to that. Let the people decide. As a Member of Congress I voted to refer national prohibition to a referendum of the State legislatures. This amendment is now a part of the Nation's Constitution.

The national bone-dry law, forcing prohibition upon the people by a vote of Congress without submitting the question to a popular vote, was passed while I was in Europe studying war conditions. I am opposed to this sort of legislation in temperance matters, and had I been in my seat I would have voted "no." The people should have something to say on this question.

OUR MINNEAPOLIS REFERENDUM ON WAR AND CONSCRIPTION THE FIRST.

My first act after I became a Member of the Sixty-fifth Congress was to prepare and submit to the citizens of my district in the city of Minneapolis letters providing them an opportunity for a referendum vote on war and conscription. This was the first referendum on war and conscription ever held in a congressional district.

On February 28 I introduced a bill to provide by law that hereafter the people of the United States shall always have the right to vote on war.

I now submit for the permanent RECORD of Congress the method and letters sent out:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., March 30, 1917.

DEAR FRIEND: With State and National problems of unusual importance pressing for solution, these are times when the people should be consulted. That a Member of Congress shall be representative in fact of their sentiments is an ever-increasing demand of the people.

You have given me your power of attorney and I believe that it is the highest form of representative government to use it in accordance with your wishes and as your conscience directs.

Elected to Congress by the people of Minneapolis, I am here to serve them. At all times I aim to be your representative here in the council of the Nation.

I do not hold lightly the confidence of almost 20,000 friends who gave me victory at the polls last November in the face of the most strenuous opposition. I am grateful to my friends for their loyal support.

From time to time I hope to acquaint you with my record. I shall indeed be greatly pleased if I can win the approval of the average citizen of the great and growing city of Minneapolis. Remember, I shall always value highly your opinion on public questions.

Assuring you of my desire to serve you and your friends faithfully, I am, with best wishes,

Sincerely, yours,

ERNEST LUNDEEN.

I believe that the people should be consulted before Congress declares war.

	Yes.	No.
Shall the United States declare war on Germany?		
Do you favor universal military service for our national defense?		

Full name.....

Address.....

Clip this vote NOW and mail to: ERNEST LUNDEEN, *House of Representatives, Washington, D. C.*

Your name will be held strictly confidential.

HOUSE OF REPRESENTATIVES,
Washington, D. C., August 25, 1917.

DEAR FRIEND: I believe the people should have the right to decide whether or not they are to die on foreign battle fields. Conscription should be settled at the ballot box. Those who do the fighting and foot the bills should have a voice in all matters of such vital concern. In that belief, I submitted a war ballot to the voters on March 30, 1917. This was the first congressional referendum on war in the history of our country.

Thousands of these ballots were delayed in the mails until after the vote in Congress on the war resolution, April 6. The press published an interview with the superintendent of mails at Minneapolis, tending to discourage the voting. Our time was shortened by two weeks when the President suddenly advanced the special session from

April 16 to April 2. These were some of the difficulties with which we had to contend. The following is the result:

For war	2,023
For conscription	3,198
Against war	16,822
Against conscription	15,381

Elections held in a number of cities and villages throughout the United States gave an overwhelming majority against entering the world war.

The press, eager for war, published grossly false statements about Members of the House and Senate who voted against the war resolution. Most of these statements are so manifestly malicious as to refute themselves and are unworthy of serious notice. However, I can not at this time refrain from denouncing as utterly untrue the published story that I was "too busy" to attend the joint session of the two Houses when the President addressed the Congress, and had "no time" to read the war message. Not only did I hear, read, and study the President's message, but I was the first Congressman to analyze it in a speech before the House of Representatives.

While newspapers were stating that I had been assigned to "dead" committees, the Republican Publicity Association, of which ex-Senator Jonathan Bourne is president, had the following to say: "Representative ERNEST LUNDEEN of Minnesota, although not yet 40 years old, has been placed on two of the prominent committees of the House—Territories and Irrigation—an honor seldom extended to a man just entering on his first term in the House."

It was reported that I had been expelled from Patterson Post, Veterans of Foreign Wars. It is, however, a matter of record that I am still a member. Twisted and distorted statements are the order of the day, but falsehood and ridicule can not endure.

One other misstatement I will correct. An impression has been created that a Congressman's speeches are printed at the expense of the Government. Such is not the case. Each Member pays for his own speeches on the basis of actual cost; circular letters are purchased at the prevailing commercial prices.

My constant aim as your Congressman is to be truly representative of the sentiments of the fifth district and of the best interests of the American people. I would rather stand by the people than stand by the President.

Sincerely, yours, ERNEST LUNDEEN.

BILL FOR REFERENDUM ON WAR.

An advisory referendum of the people on war was provided for in H. R. 16202, which I introduced in the House of Representatives February 28, 1919:

A bill (H. R. 16202) to provide for an advisory referendum vote of the people of the United States on all declarations of war by the Government of the United States.

Be it enacted, etc., That whenever there arises a question as to a declaration of war or the making of war by the United States against any foreign nation, the question shall first be submitted to an advisory referendum vote of the voters of all the States of the Union.

SEC. 2. That whenever the said question of declaring or making war by the United States shall arise, the Congress shall by resolution notify the Secretary of State that he is hereby empowered and directed to call a special election of all the qualified electors in each State for registering their approval or disapproval of the said proposed declaration of war or making of war.

SEC. 3. That the Secretary of State is hereby authorized and directed to print and furnish to the people of each State, through the State governments, the necessary copies (one for each citizen) of the proposed declaration of war and the ballots and election papers for said election; all costs of said election shall be paid by the Government of the United States.

SEC. 4. That the regular election officers of each State shall have charge of the polling of the votes and the conduct of the election in accordance with the forms and laws of each of the several States.

SEC. 5. That a joint committee of 30 Members (15 Members of the House and 15 Members of the Senate), of which committee the Vice President of the United States shall be ex officio chairman, shall act as a final board of canvassers to determine and announce the result of the said advisory referendum election.

SEC. 6. That the governor of each State shall transmit to the Vice President, acting as chairman of the aforesaid joint committee of Congress, at Washington, D. C., the official returns of the election in his State within 30 days after the date of holding said election; and not less than 30 days later the aforesaid joint committee of Congress shall announce the result of the election for the entire United States.

WOMAN SUFFRAGE.

Full woman suffrage is but an act of delayed justice. How men have so long refused their sisters the vote is one of the surprises of modern history.

To-day many of the world's greatest nations are leading the United States in democracy, in that they grant women the full vote. Very soon Members of Congress, members of the legislature as well as the voters themselves who now vote against woman suffrage will run to cover with profuse apologies.

I am for it, heart and soul, come what may! Women and men, men and women, henceforth together must rule America.

I am glad I lived to see the day when my vote held the balance of power in the House of Representatives on this question and that I cast it in favor of woman suffrage.

Equal suffrage came before the House of Representatives January 10, 1918, and received exactly the two-thirds majority necessary for a proposed constitutional amendment. I voted in the affirmative. Had I voted "no" the proposed amendment would have failed.

While a member of the Minnesota Legislature I voted for woman suffrage. I stood strongly for the cause in the days when it was extremely unpopular to do so. In the first suffrage parade held in Minneapolis I was the only State official in the marching column, and I am now doing all in my power to aid the amendment in the Senate.

We can no longer afford to have it said that we, as a Nation, do not believe in equal suffrage. Democracy rests upon the solid foundation of full suffrage for men and women. The victory will soon be complete. Nothing can stop this great measure.

THE LADY FROM MONTANA.

Now and then life reveals rare characters which all must admire. In the Sixty-fifth Congress no Member showed greater courage and self-sacrifice, no one was readier to die a political death for principle, than the brilliant and accomplished lady from Montana. If the voters of her State do not return her to the House or Senate at some later date I feel sorry for them. The loss of her services is not only a loss to Montana but to the whole people.

Whatever prejudices there may have been when she first entered the House of Representatives, Miss RANKIN has the good will of every Member of the House when she leaves.

Equal suffrage is stronger to-day because of her; her imprint is clear on much important legislation. In her the elements so mix that we can truly say she is a noble woman.

EXPERIENCES ON THE WAR FRONT.

On the morning of July 12, 1918, I left Washington to study war conditions in Europe, and sailed from New York July 14 on the *Adriatic*, a 25,000-ton troopship carrying American soldiers. Our convoy consisted of a large number of transports guarded by many destroyers, balloons, aeroplanes, and subchasers.

Several vessels were sunk in our path near us, notably the 32,234-ton *Justicia*, compelling us to change our course. Zigzagging was constantly used during all of my ocean voyages. We arrived safely July 26 at Liverpool. Visited London and Southampton, England, and Havre, Rouen, and Paris, France.

CHATEAU-THIERRY.

At Chateau-Thierry, the turning point of the war, I saw our American boys advance to and cross the Vesle River. Finer troops and better spirit never appeared on the field of battle.

We dined with Gen. Pershing near Chaumont, France, and spent the afternoon there. Three days were spent, through the courtesy of the French, at Verdun, where we saw all of the forts and fields of that historic ground.

I visted Alsace-Lorraine, where our boys stand on German ground. There I had a flight in a Liberty-motor machine along the enemy lines, and I also had the pleasure of riding with our soldiers in a battle-scarred tank.

We visited Italy—Mount Grappa region, Piave River, and Montella; also the cities of Rome, Naples, Florence, Venice, Padua, the Italian headquarters, Verona, Milan, and Turin, not to mention Vesuvius and Pompeii. Returning to Paris, we spent one week on the American supply lines, extending from St. Nazaire and Nantes through Tours clear across the heart of France. Immense railway yards, docks, and storage facilities, salvage and camouflage plants, and great office buildings, costing billions upon billions, here astonish and cause wonder and pride on the part of all.

NEUTRAL SWITZERLAND.

Two weeks in neutral Switzerland convinced me that that brave people are really trying to be neutral and increased my admiration for that grand and beautiful country. Here the American Red Cross provide necessary supplies for American prisoners of war now in German prison camps.

After this I returned to Paris, London, and Folkestone, England, and spent further time in the British area, including Boulogne, Abbeville, Amiens, and Beauvais—newspaper statements to the contrary notwithstanding. Everywhere we were treated with courtesy and given every assistance by the American, French, English, Italian, and Swiss Governments.

I might add that I had a flight at the height of 1 mile above Paris in a British Sopwith machine. I shall never forget the magnificent view of that wonderful and historic city. While in Paris we were shelled for five days by the big long-range cannon, throwing giant shells 76 miles. We were also in Paris when the last great air raid brought death and destruction to that city.

I saw great docks and other immense American undertakings at Brest, and sailed from this port on an American transport on the 22d of October, arriving at Newport News on November 1 and Washington on November 2. In all we spent 28 days on the ocean and the English Channel and the balance of the time in England and on the Continent.

Our American boys are worthy of their fathers. They fight like tigers and die with a smile. Let us remember them always with—

Cheers for the living and tears for the dead.

VICIOUS SLANDER BY ASSOCIATED PRESS.

During my travel in Europe along the battle lines and while visiting American troops everywhere in Europe, the Associated Press dispatches gave out the false and malicious statement that Congressman DILLON and myself had been barred from the battle fronts, that we were being trailed by detectives, and giving the people at home generally to understand that we were either locked up or on the verge of being jailed. A more vicious and untrue statement was never given to the press. We visited wherever we desired to visit and we were everywhere treated with utmost courtesy. As Members of Congress we had the perfect right to go wherever American troops were located and wherever the American flags were flying, and we did so.

BRITISH RATIONS FOR OUR SOLDIERS ON TRANSPORTS.

In crossing the ocean on the *Adriatic*, a large convoy ship, we found some 3,000 San Francisco and California lads on our vessel, and from time to time we investigated their condition with a view toward securing for them the greatest degree of comfort. Imagine our indignation when we found them fed on British rations, though America was paying the British companies well for the transportation of these troops to Europe. We found that they were fed on rotten rabbit meat; that some of it was taken to the ship surgeon's office with the dung in it; and many other revolting instances came to our notice.

OUR SOLDIERS DENIED AMERICAN FOOD.

We were loud in our condemnations of such conduct on the part of people whom we were associated with in this great war. We demanded to see the quarters of the boys, and were taken through the ship's hold and through its cold-storage facilities. There we found thousands of boxes of oranges and California fruit, thousands of boxes of canned salmon, and other west-coast products, which perhaps these very lads had gathered and worked upon.

This food was being taken to foreigners, but none of it was given to the American soldiers on board, who were going to lay down their lives on the battle fields of France.

NO AMERICAN FLAGS.

In this entire convoy not one ship carried the American flag; and the only American flag seen on board our ship was the small American flag which I pinned on my own cabin wall.

No American Congressman could witness such revolting conditions without protesting in no uncertain language to the authorities on board. He would have been derelict in his duty, no matter what the consequences might be to him personally.

SOLDIERS WILL CALL OFFICIALS TO ACCOUNT.

When the boys come back home—and they will return sooner or later—we will hear their story, and it will be told with emphasis; and I predict here and now that the officials who were responsible for the miserable way in which American troops were transported like cattle across the Atlantic will be called to account by our soldier boys.

ORDNANCE SCHOOLS.

I am informed by returned soldiers that the Ordnance Department sent out circulars advertising six-weeks courses of training in "ordnance paper work" to be given in eight or ten universities. It was stated that men so trained "would do the work of noncommissioned officers," and only men with college training or exceptional business experience should apply. Application was made through the officers in charge of the "courses" at the various universities, with certified lists of credits and certificates of honorable dismissal from the colleges, graduates of which were biting at the bait. Tuition was paid at whatever rate the university chose to charge. Up until March, 1918, the men remained in civilian clothes until the completion of the "course," when they were herded to various camps or arsenals and subjected to another "course" almost an exact duplicate of the ones at the universities in general worthlessness.

After March 1, however, the men went through the process of "induction" and equipment, and were "furloughed" for the period of the course, and received 30 cents a day for living!

The personnel obtained by this fraudulent propaganda comprised many young men earning $5,000 a year and more as accountants, executives, and so forth, as well as struggling seniors in college, who borrowed money to meet the expenses of the course. All were filled with a desire to serve and felt that in the "ordnance supply work" they could utilize their experience to the best interest of the Government and secure moderate promotion for good service.

The result is best shown by a typical case:

A young man 24 years of age, a senior at a State university, secured entrance to a course at the University of Chicago after excessive red tape; was inducted into the service and borrowed $150 at 6 per cent to finance himself for the six weeks. From Chicago he was sent to Camp Hancock, where were concentrated all the supply courses in all the universities, conniving with the War Department. There were 5,000 of the finest men in the United States. The treatment accorded them for six or eight weeks here passes belief. They were made to do kitchen duty, dig ditches, pull grass laden with poison ivy, so that fully 50 per cent had the poison, haul garbage, and drill three hours per day in the broiling sun under the auspices of a loud-mouthed ex-newsboy who had bawled himself to the rank of captain.

When there was nothing else to do they went to school, the "classrooms" being empty tents for a week, the empty mess halls when the tents were needed.

From the mess halls they were graduated to stables, and the desks and chairs combined were dung heaps. The instructing was done by conscientious men who had swallowed the bait on a previous course and were made to do instructing which they hated. When "school was not in session" they did fatigue and kitchen duty along with the rest. The various companies were in charge of newly elected shave-tails and acting top sergeants.

UNJUST AND TYRANNICAL PUNISHMENTS.

The discipline put West Point into the pale. For a week no passes were given because a green recruit failed to salute a major, the lord high executioner of the school, as he flew by in an auto on the streets of Augusta, so that the 5,000 men were held absolutely in camp, and even in that particular portion of the camp devoted to the supply school.

Upon the completion of the "training," absolutely worthless, the men were split up, all remaining the lowest buck privates in the gamut, some being sent to ordnance depots in this country. The majority, however, were made into a provisional ordnance detachment and sent across. The particular outfit best known by the writer went on a rat-infested boat, one of the worst transports, an Italian vessel, and landed at dear old Brest in the midst of the midsummer "flu" epidemic, where they lay in pup tents for 10 days or more. From there they were shipped to Mehun and handed shovels and similar equipment, which they wielded for several weeks. Then, alphabetically and absolutely irrespective of training, experience, or aptitude shown in the "supply course," they were divided, some going to S. O. S. headquarters at Tours and the rest all along the front to roll shells and do other manual labor in dumps. Various ones were lucky enough to get in with an officer who would recommend their promotion, but the vast majority are still rolling in the hip-deep mud of "Sunny France," cursing the Ordnance Department in general and "supply courses" in particular with a well-deserved fervor.

SOLDIERS' OUTLAY SHOULD BE REPAID.

Every man who went to a university and spent coin of the Republic in equipping himself, supposedly to serve his country better, should be reimbursed for the money outlay. He never could be recompensed for the hours of work, toil, and worry he spent, laboring under the fond delusion, so subtly spread in the ordnance circulars, that he was on the high road to advancement and worth-while service.

REPEAL OF CONSCRIPTION ACT.

Believing that the conscription act was unconstitutional, un-American, and repugnant to the wishes of the large majority of the American people, on August 28, 1918, I offered the following resolution for its repeal:

Joint resolution (H. J. Res. 145) to repeal an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," commonly known as the "conscription act."

Whereas Public act No. 12 (65th Cong., H. R. 3545), entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," is also known as the "selective draft" or "selective conscription" act; and

Whereas conscription for foreign service is un-American and undemocratic; and

Whereas it is officially announced that American citizens conscripted under said act are to be transported to foreign countries to fight on foreign soil against the true meaning and intent of the provisions of the Constitution under which Congress raises armies; and

Whereas the Constitution provides, Article I, section 8, that the militia can be used only "to execute the laws of the Union, suppress insurrections, and repel invasions": Therefore be it

Resolved, etc., That an act (Public No. 12, 65th Cong., H. R. 3545) approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," be, and the same is hereby, repealed.

LUNDEEN COAL RESOLUTION.

In the belief that the dangerous fuel situation had to be speedily met, I introduced the following resolution:

Joint resolution (H. J. Res. 143) directing the President to seize sufficient coal supplies for home consumption.

Whereas a serious shortage of coal supplies exists in the State of Minnesota and the Northwest; and

Whereas intense suffering and general paralysis of business in the Northwestern States during the winter months is inevitable unless a sufficient supply of coal is procured; and

Whereas a large proportion of coal for northwestern consumption must come via the Great Lakes and be unloaded on the docks at the head of the Lakes before the close of navigation; and
Whereas the Minnesota State Railroad and Warehouse Commission reports that soft-coal shortage at the docks at the head of the Lakes was 4,198,109 tons and hard-coal shortage 16,514 tons on July 16, 1917; and
Whereas the executive committee of the American Railway Association—that is, the special committee on railroad transportation cooperating with the advisory commission of the Council of National Defense—reports that 750,322 cars of coal were loaded during June, 1917, as compared with only 594,531 during June, 1916; and
Whereas a great supply of coal is thus shown to be moving and sufficient coal is produced in the United States to supply all home demands and still have a handsome surplus; and
Whereas the Congress has given the President ample power to protect the consumer of coal in Public No. 41, Sixty-fifth Congress (H. R. 4961); and
Whereas the people of Minnesota and the Northwest are not so much concerned with the coal supplies of foreign nations as they are about their own supply: Therefore be it

Resolved, etc., That the President is hereby directed to seize sufficient supplies of coal and hold the same within the continental and insular area of the United States for home consumption.

SEC. 2. That the President is hereby directed to give the necessary orders to ship coal immediately into such of our States in which there is now a lack of supply, thus to avoid dire distress.

LUNDEEN FOOD RESOLUTION.

In the belief that the food situation was rapidly becoming dangerous to the average man and the laborer, who has but his wage to ward off the wolves, I introduced a food resolution for the consideration of Congress:

Joint resolution (H. J. Res. 158) directing the President to place an embargo upon such food supplies as are found necessary for home consumption and for the supply of our soldiers at home and abroad, and further directing the President, when necessary to the public welfare, to seize food supplies and apportion them among the people.

Whereas during the period of June 30, 1914, to June 30, 1917, the United States shipped food supplies valued at $3,212,321,312 to foreign ports, as against $1,352,146,068 during the corresponding period immediately preceding the world war; and
Whereas such depletion of our food stocks in favor of foreign nations has brought great hardship and intense suffering to the American people and resulted in numerous food riots in many American cities and industrial centers during the winter of 1916 and 1917; and
Whereas foreign commissions are continually calling upon us for more money and more food, and seek daily to shift their burdens upon America; and
Whereas the people of the United States are demanding that they be supplied first, and that foreign nations be given only out of our surplus, and insist now that it is high time that we adopt a permanent and fixed policy of America first, foreigners second; and
Whereas we produce far more food than is necessary for our own people, and the American people are willing to sell their entire surplus to nations now engaged in war upon our common enemy, and to such other nations as the President may direct; and
Whereas the entente allies, composing more than one-half of the earth, an overwhelming preponderance in men, money, and resources, are receiving wheat and many other food products at a less cost in Europe than in our own land where these products are produced; and
Whereas the history of human nature, selfishness, and greed would indicate that these nations will not call upon their final resources or drain their credit while we pour forth the treasures of America to the injury of the Republic; and
Whereas it is almost impossible for the laboring man and the average family to exist on the wage earned because of the high cost of living, and it is a fact that an underfed and undernourished people can not fight its best battle against a powerful foe and continue its struggle for complete economic independence; and
Whereas the Congress has given the President ample power to protect the people in the food-control law (Public act No. 41, 65th Cong., H. R. 4961): Therefore be it

Resolved, That the President be, and hereby is, directed to place an embargo upon such food supplies as are found necessary for home consumption and for the supply of our soldiers at home and abroad, and, when necessary to the public welfare, to seize food supplies and apportion them among the people.

EMPLOYMENT FOR DEMOBILIZED SOLDIERS AND WAR WORKERS.

Immediately after the signing of the armistice on November 11, 1918, I prepared the following House resolution No. 452, to instruct the great standing committees of Congress to survey the situation and to prepare legislation that would provide opportunities for employment for the millions of soldiers and war workers as fast as they were demobilized:

House resolution 452.

Whereas the rapid demobilization of 4,000,000 soldiers and 10,000,000 or more war workers in the United States during the next few months is liable to create a great body of unemployed; and
Whereas these conditions are brought about as a direct result of the exercise of the war-making power by Congress: Therefore be it

Resolved, That it is the plain and imperative duty of Congress to at once initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness during the coming months.

Resolved further, That as a first step to remedy the danger of widespread unemployment of millions of our people during the winter and following months, this House hereby authorizes and directs the Committees on Labor, Interstate Commerce, Public Buildings and Grounds, Rivers and Harbors, Naval Affairs, Military Affairs, District of Columbia, and Post Offices and Post Roads to each make an investigation as to the possibilities of work for the unemployed in those branches of industry, either in public or private employment, coming within the purview of each of the above committees of this House.

Said committees shall have power to subpœna witnesses and administer oaths, to send for persons and papers, and employ such assistants as may be necessary to carry out the purpose of this resolution, and to report to this House on or before February 10, 1919.

INDORSED BY REPUBLICAN NATIONAL COMMITTEE.

UNEMPLOYMENT DANGER FORESEEN BY REPRESENTATIVE LUNDEEN—NO ACTION TAKEN BY DEMOCRATS ON RESOLUTION TO PROVIDE WORK.

WASHINGTON, D. C.

One of the most pressing problems of the hour is that of employment, not only of the men who are being mustered out of service but also of the thousands who are being released from war work in factories, offices, and other institutions. Congressman LUNDEEN, Republican, from the Minneapolis district of Minnesota, is one of the men who early foresaw the menace of unemployment growing out of the sudden return of peace, and, in order that the matter might be properly and intelligently handled, he introduced a resolution directing Congress to take immediate steps to open up opportunities for employment to all workers in the United States in order that the danger of widespread idleness might not become a menace to the prosperity of the country and the stability of its institutions. His resolution provided for immediate investigation as to the possibilities of work in all branches of public industry, and directed the proper committees in the House of Representatives to make a survey of the various public industries, such as the construction and maintenance of highways, harbors, public buildings, and other like work.

Along with all other reconstruction measures, which have been proposed by Republican Congressmen, LUNDEEN'S resolution was referred to committee and since has not been heard of. The Democratic majority is perfectly satisfied to mark time and "wait for something to turn up."

Now that the danger of general unemployment is upon the country, due to lack of preparedness for peace by the Democratic administration, the Democrats are appealing to private interests and State and local governments to help them out of the difficulties into which their own indifference and incompetence have plunged the Nation.

BILL FOR BUREAU OF THE UNEMPLOYED.

The most troublesome question in all the civilized countries of the world to-day is the problem of the unemployed. As a help toward the solution of this question in the United States, on January 2, 1919, I introduced the following bill (H. R. 13592) to amend the Department of Labor law by providing for a really efficient bureau for the unemployed:

A bill (H. R. 13592) to amend an act entitled "An act to create a Department of Labor" by providing for a bureau of the unemployed.

Be it enacted, etc., That an act entitled "An act to create a Department of Labor," approved March 4, 1913, be, and the same is hereby, amended by adding the following section:

"SEC. 12. That there shall be in the Department of Labor a bureau to be called the bureau of the unemployed, and a commissioner of the unemployed who shall be the head of the said bureau, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of $6,000 per annum. There shall also be in said bureau a deputy commissioner, who shall receive a salary of $4,000 per annum, and who shall, in the absence of the commissioner, act as and perform the duties of the commissioner of the unemployed, and who shall also perform such other duties as may be assigned to him by the Secretary of Labor or by the said commissioner.

"The said commissioner shall have power and authority under the direction of the Secretary of Labor—

"(a) To take a census, at as frequent intervals as possible, of the unemployed in the United States.

"(b) To make and keep a classified enrollment of the unemployed by vocations.

"(c) To correct and keep full records of the industrial and commercial conditions throughout the United States, especially in relation to opportunities for the employment of labor.

"(d) To furnish the fullest possible information to the unemployed of opportunities for employment in any part of the United States and to devise plans for facilitating the movement of the unemployed to places where opportunity for employment exists.

"(e) To make investigations and report to Congress and the President annually on the 1st of December, and oftener if requested, the extent of enforced idleness and unemployment in the United States and the causes thereof, with suggestions for remedies for the same."

RESOLUTION FOR IRISH FREEDOM.

Believing that the great principle of self-determination of peoples should be applied with broad and just impartiality to all countries, on December 2, 1918, about the time the peace conference was assembling in Paris, I introduced the following House joint resolution 354, instructing the United States delegates to the peace conference to demand freedom and self-determination for Ireland.

On the last day of the session of Congress the House, by a large majority, passed a resolution, thus requesting President Wilson and the American delegates to the peace conference to support the proposal for the recognition for the rights of Ireland:

Joint resolution (H. J. Res. 354) instructing the delegates to the peace conference to demand freedom for Ireland.

Whereas the President has declared in favor of freedom and self-determination for all peoples; and
Whereas the President has further declared that we went to war to make the world safe for democracy: Therefore be it

Resolved, etc., That the delegates of the United States of America to the world peace conference be, and they hereby are, instructed to demand that the conference provide self-determination and freedom for Ireland.

RESOLUTION TO RETURN OUR SOLDIERS FROM RUSSIA.

Every American soldier must at once be returned from Russia to the United States. The President can not make war without a declaration of war by Congress.

House concurrent resolution 64.

Whereas thousands of American soldiers are now fighting in Russia; and
Whereas these Americans engaged in war upon the Russian Republic were conscripted to make war on the Empires of Germany and Austria; and

Whereas the President has declared in favor of self-determination for all nations and we are now permitting enemy nations to adjust their own internal affairs; and

Whereas the President on January 8, 1918, in his peace terms which laid down his 14 points declared in point 6 as follows:

"The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy"; and

Whereas the State Department has made public no information as to the causes of war against Russia or the status thereof; and

Whereas the President has stated officially that America went to war to save democracy; and

Whereas the Congress of the United States has made no declaration of war against Russia: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the President be, and hereby is, instructed to withdraw at once all American troops now on Russian soil.

PRESIDENT INVADING RUSSIA WITHOUT AUTHORITY.

The press for March 11, 1919, states that our men are again in bloody struggle with Russia. The Government some time ago promised to return these men. Now we learn that they are still fighting for their lives. This double-crossing by the double-crossers who are now trying to function as officials is, to put it mildly, a dastardly outrage.

RESOLUTION TO END FOREIGN PROPAGANDA.

Believing that propaganda conducted in the United States by and in the interests of foreign Governments is derogatory to the welfare and best interests of the United States, I introduced the following House resolution 615 as a proper step toward the elimination of this reprehensible propaganda which has been conducted by both sets of European belligerents in the period immediately preceding the entrance of the United States into the war:

House resolution 615.

Whereas there are widespread charges that foreign propaganda has been and is being conducted in the United States for the purpose of influencing the people and Government of the United States; that this foreign influence is tainting the public press, ended our neutrality, hastened our entrance into the world war, and is now affecting problems growing out of the world war; that immense sums of money have been and are being expended to carry out said propaganda; that this propaganda is being conducted in a manner hostile to the best interests of our country and in the interest of foreign countries and munition profiteers, both foreign and domestic: Therefore be it

Resolved, That a committee, composed of nine Members of this House who have been reelected to the Sixty-sixth Congress, shall be appointed by the Speaker to inquire into the facts and report to the House in the Sixty-sixth Congress within 60 days of the date of its assembling.

Resolved further, That said committee is hereby empowered to subpœna witnesses, administer oaths, and take testimony, to send for persons and papers, and to employ such assistance as may be necessary to carry out the purposes of this resolution.

RESOLUTION FOR REPEAL OF THE ESPIONAGE-CENSORSHIP LAW.

I voted against the espionage-censorship bill and did so in accordance with my oath to support the Constitution, which provides in Article I of the amendments:

Congress shall make no law * * * abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

I therefore introduced the following bill (H. R. 16199) to repeal the obnoxious espionage-censorship law, which is probably as offensive to the liberty-loving sensibilities of the American people as any act ever passed by Congress:

A bill (H. R. 16199) to repeal the espionage and censorship law.

Be it enacted, etc., That the act of June 15, 1917, and amendments thereto, known as the espionage and censorship law (Public act No. 24), be, and the same is hereby, repealed.

BILL FOR ELIMINATION OF PRIVATE PROFIT IN WAR MUNITIONS.

From a study of the conditions preceding the world war, I am convinced that that unparalleled disaster was largely inflicted on mankind through the machinations of the private individual and corporate owners of munitions plants whose aim was to make money profit out of war. To help prevent and eliminate such malign influence from our affairs in the future, I introduced a bill (H. R. 16204) to provide for Government ownership and control of the manufacture and sale of all weapons and munitions of war:

A bill (H. R. 16204) to provide for Government ownership and control of the manufacture and sale of all weapons and munitions of war.

Be it enacted, etc., That from and after one year from the date of the passage of this act it shall be unlawful for private individuals or corporations to manufacture or sell any weapons or munitions of war, or build or equip any vessels of war, except in an emergency for the United States and under a license granted by the Government of the United States: *Provided*, That the Secretary of War and the Secretary of the Navy are hereby authorized and directed when making settlement of contracts with private individuals and corporations for unfinished war materials in accordance with the act of February 28, 1919, to salvage wherever possible from such contracts such unfinished materials, buildings, machinery, or plants as may be useful to the Government now or in the future for the manufacture of weapons and war materials in its own plants, to the end that wherever possible private profit shall be eliminated from the business of war.

BILL TO AMELIORATE EXCESSIVE COURTS-MARTIAL PENALTIES.

I heartily favored the Claypool bill to provide some amelioration of the cruel hardship and gross injustice of the courts-martial penalties which were inflicted on large numbers of our soldiers by officers often wholly unfit to exercise any judicial function. The excessive fines of these petty offenders, often confiscatory of the soldiers' small pay for many months, should now be returned to them.

FOR REDUCTION OF MOVING-PICTURE THEATER TAX.

About two days before the close of the final session of the Sixty-fifth Congress the majority in the Ways and Means Committee and in the House passed a joint resolution amending the revenue law of 1918—which had only been signed by the President three or four days before—striking out section 904 of the revenue act, which was commonly known as the "luxury tax," the one section of the bill which was to be levied directly on the luxuries of the rich. I immediately, on March 3, 1919, introduced the following House joint resolution 422 to repeal section 906 of the revenue act, which would have reduced the tax on films and moving pictures, thus relieving the poor man's principal place of amusement for himself, his wife, and children of one of the heaviest taxes of the revenue bill. I believed this was but fair as an accompaniment to the repeal of the rich man's luxury tax:

House joint resolution (H. J. Res. 442) to repeal section 906 of the revenue act of 1918, approved February 24, 1919.

Resolved, etc., That section 906 of the revenue act of 1918 is hereby repealed.

BILL CREATING UNITED STATES DEPARTMENT OF AIR SERVICE.

The navigation of the air is the newest field just now fairly opened up to the enterprise of men and nations. In order that our people may take their proper place and share in the development of this new science, I introduced the following bill (H. R. 16195) to create an executive department of the United States Government to be known as the department of air service. Other nations are making rapid strides in this field, and in the rivalry of securing the benefits, commercial and otherwise, from this new form of navigation I believe such a department will be a great benefit to the Government and the people of the United States:

A bill (H. R. 16195) to create a department of air service.

Be it enacted, etc., That there is hereby created an executive department in the Government to be called the department of air service and a secretary of air service, who shall be the head thereof and who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of $12,000 per annum, and whose tenure of office shall be like that of the heads of the other executive departments; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department. The purpose of the department of air service shall be to promote, develop, and regulate the navigation of the air for the benefit of the people and the Government of the United States. The said secretary shall cause a seal of office to be made for the said department of such device as the President shall approve, and judicial notice shall be taken of the said seal.

SEC. 2. That there shall be in said department an assistant secretary of air service, to be appointed by the President, who shall receive a salary of $7,500 a year. He shall perform such duties as shall be prescribed by the secretary or required by law. There shall also be one chief clerk and a disbursing clerk, and such other clerical assistants, inventors, inspectors, experts, scientists, and special agents as may from time to time be provided for by Congress. The auditor for the State and other departments shall receive and examine all accounts of salaries and incidental expenses of the office of the secretary of air service and of all bureaus and offices under his direction, and all accounts relating to all other business within the jurisdiction of the department of air service, and certify the balances arising thereon to the division of bookkeeping and warrants and send forthwith a copy of each certificate to the secretary of air service.

SEC. 3. That the following-named officers, bureaus, divisions, and branches of the public service now and heretofore under the War Department and all that pertains to the same, known as the Chief of the Aircraft Production Bureau, and the Aircraft Production Bureau and the military air stations, the Chief of the Bureau of Aviation, and the Bureau of Aviation of the Navy Department and the naval air stations, be, and the same hereby are, transferred from the War Department and Navy Department to the Department of Air Service, and the same shall hereafter remain under the jurisdiction and supervision of the last-named department.

SEC. 4. That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Air Service, together with the furniture and apparatus now in use in such bureau, office, department, or branch of the public service shall be, and hereby are, transferred to the Department of Air Service.

SEC. 5. That the Secretary of Air Service shall have charge in the buildings or premises occupied by or appropriated to the Department of Air Service, of the library, furniture, fixtures, records, and other property pertaining to it or hereafter required for use in its business. He shall be allowed to expend for the purchase of buildings, materials, machinery, vehicles, vessels, and apparatus required for the operations of the air service in promoting, developing, and regulating the naviga-

tion of the air, and for periodicals and for the purposes of the library and for rental of appropriate quarters for the accommodation of the Department of Air Service within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however,* That where any office, bureau, or branch of the public service transferred to the Department of Air Service by this act is occupying rented buildings or premises it may still continue to do so until other suitable quarters are provided for its use: *And provided further,* That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Air Service are each and all hereby transferred to said department at their present grades and salaries, except where otherwise provided in this act: *And provided further,* That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Air Service shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect, to be executed under the direction of the Secretary of Air Service.

SEC. 6. That there shall be a solicitor of the Department of Justice for the department of air service, whose salary shall be $5,000 per annum.

SEC. 7. That all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the department of air service, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said department of air service.

SEC. 8. That the secretary of air service shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department and describing the work done by the department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by Congress, or which he himself may deem necessary.

SEC. 9. That the secretary of air service shall investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the secretary of air service with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to the air service and the navigation of the air, in order to harmonize and unify such activities, duties, and powers with a view to further legislation, to further define the duties and powers of such department of air service.

SEC. 10. That this act shall take effect from and after the date of its passage, and all acts or parts of acts inconsistent with this act are hereby repealed.

MAYOR VAN LEAR, OF MINNEAPOLIS, APPROVES.

CITY OF MINNEAPOLIS,
OFFICE OF THE MAYOR,
March 22, 1918.

Mr. ERNEST LUNDEEN, M. C.,
Washington, D. C.

DEAR FRIEND LUNDEEN: I received your wire of March 20 advising me that the working people can depend on you to help fight their battle in Congress. It is pleasing to know that one like yourself, who has always stood in the forefront of the battle in our State legislature to make better wages and better living conditions for the common people, is still keeping up the good work in Congress.

I felt sure that you would favor conscription of wealth to pay for the war, as I knew that your life work in behalf of the toilers would make you see this great crisis in the right light. I felt that we of organized labor could depend upon you when the test came and when the common people were to give freely of the lives of their sons, and that you would not put the dollars of the war profiteers above the lives of our children.

Your career in Congress has been watched by me with interest, and I am pleased to note that the Congressman from our district has been found always standing foursquare in the interest of the common people.

With kindest regards, I am,

Yours, very truly,

THOMAS VAN LEAR, *Mayor.*

REFERENDUM ON LEAGUE OF NATIONS.

Pursuant to the principle that the people themselves should, in a democratic Republic like ours, at all times exercise the largest possible measure of direct control over their Government, especially on all large and important measures, I introduced the following bill (H. R. 16219) to provide for an advisory referendum vote of the people of the United States on the proposed league of nations:

A bill (H. R. 16219) to provide for an advisory referendum vote of the people of the United States on the proposed league of nations.

Be it enacted, etc., That the constitution and covenants of the proposed league of nations when presented to the United States for adoption shall first be submitted to an advisory referendum vote of the voters of all the States of the Union.

SEC. 2. That within not less than 30 nor more than 90 days after the presentation of the constitution of the said league of nations to the United States the Secretary of State is hereby empowered and directed to call a special election of all the qualified electors in each State for registering their approval or disapproval of the said league of nations.

SEC. 3. That the Secretary of State is hereby authorized and directed to print and furnish to the people of each State through the State governments the necessary copies (one for each citizen) of the proposed constitution of the league of nations and the ballots and election papers for said election. All costs of the aforesaid referendum election shall be paid by the Government of the United States.

SEC. 4. That the regular election officers of each State shall have charge of the polling of the votes and the conduct of the election in accordance with the forms and laws of each of the several States.

SEC. 5. That a joint committee of 30 members (15 Members of the House and 15 Members of the Senate), of which the Vice President of the United States shall be ex officio chairman, shall act as a final board of canvassers to determine and announce the result of the said referendum election.

SEC. 6. That the governor of each State shall transmit to the Vice President, acting as chairman of the aforesaid joint committee of Congress, at Washington, D. C., the official returns of the election in his State within 30 days after the date of holding said election; and not less than 30 days later the aforesaid joint committee of Congress shall announce the result of the election for the entire United States.

Gentlemen of the Congress, we stand in the midst of a world crisis. All is confusion worse confounded. We are entangled here, there, and everywhere. My last word to you, my fellow citizens, is this: Turn again reverently to the pages of America's glorious history. Read and read again the admonitions of the fathers of the Republic. You will find there words of wisdom and a sure compass with which to chart your course. And having read, stand upon the watchtowers of the Nation and solemnly guard America, our motherland.

Concurrent Resolution of the Legislature of North Dakota Favoring the Establishment of a League of Nations to Enforce Peace.

EXTENSION OF REMARKS
OF
HON. GEORGE M. YOUNG,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

Mr. YOUNG of North Dakota. Mr. Speaker, following is a copy of a concurrent resolution adopted by the Legislature of the State of North Dakota, certified to by Hon. Thomas Hall, secretary of state, favoring the establishment of a league of nations to enforce peace and to promote the liberty, progress, and orderly development of the world:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of March, 1919.

[SEAL.] THOMAS HALL,
Secretary of State.

Concurrent resolution favoring the establishment of a league of nations to enforce peace and aim at promoting the liberty, progress, and orderly development of the world.

Whereas the war, now brought to a victorious close by the associated power of the free nations of the world, was above all else a war to end war and protect human rights: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we favor the establishment of a league of nations of which the United States shall be a member. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world; that it should clinch the victory won at such terrible sacrifice by having the united potential force of all its members as a standing menace against any nation that seeks to upset the peace of the world; be it further

Resolved, That certified copies of this resolution be sent by the secretary of state to the President and to the presiding officers of both branches of Congress and to each of the United States Senators and Representatives from the State of North Dakota.

America First.

EXTENSION OF REMARKS
OF
HON. ERNEST LUNDEEN,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

The House had under consideration the joint resolution (H. J. Res. 357) requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of Ireland to freedom, independence, and self-determination.

Mr. LUNDEEN. Mr. Speaker, Irish independence has agitated world politics for more than seven centuries. Americans of Irish descent can not be blamed for their ardent desire to free the land of their fathers at a time when the world moves in favor of self-determination for all peoples. I do not believe that Mr. Wilson is in favor of freedom for all peoples; his statement to the Irish-American committee the other day shows plainly that he opposed Irish independence. At all times I have followed the advice of Washington in his Farewell Address—that of avoiding the wiles, intrigues, and entangling alliances of Europe. The Nation, under the leadership of Mr.

Wilson, has—temporarily, I hope—abandoned the policy of Washington, Adams, Jefferson, Jackson, Lincoln, and the long line of Presidents who followed Washington. Is this man wiser than all of these?

If we are to discuss self-determination for all peoples of the world, I take it that all the world includes Ireland.

On December 2, 1918, I introduced the following joint resolution (H. J. Res. 354), which was referred to the Committee on Foreign Affairs and ordered to be printed:

Joint resolution instructing the delegates to the peace conference to demand freedom for Ireland.

Whereas the President has declared in favor of freedom and self-determination for all peoples; and

Whereas the President has further declared that we went to war to make the world safe for democracy: Therefore be it

Resolved, etc., That the delegates of the United States of America to the world peace conference be, and they hereby are, instructed to demand that the conference provide self-determination and freedom for Ireland.

This was the first resolution introduced to instruct our peace delegates to fight for Irish freedom, and the House of Representatives passed a resolution so instructing the delegates to the world peace conference.

The Polish, the Czecho-Slav, the Jugo-Slav, the Austro-Italian, the Armenian, and whatnot questions are now no more to the front, nor do they outrank in any manner the great question of Irish independence.

The Irish question opens up our whole international policy.

In foreign affairs the Wilson administration has again and again made the interests of America secondary to those of foreign nations.

PRESIDENT WASHINGTON.

It is our true policy to steer clear of permanent alliances with any portion of the foreign world. (Washington's Farewell Address.)

I am for America first. The man who cares not for his own is worse than an infidel. Embarked on the stormy seas of time, we must keep our own ship afloat. We must prevent any member of the crew from scuttling the ship. We must preserve our own civilization. The polestar of safety is the foreign policy of Washington, Hamilton, and Jefferson.

PRESIDENT WASHINGTON.

Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice? (Washington's Farewell Address.)

PRESIDENT JEFFERSON.

Peace and abstinence from European interferences are our objects. (From a letter from Thomas Jefferson to M. Du Pont de Nemours, April, 1802.)

The welfare of his country is the first consideration of a good citizen. From this point of view the citizen meets and solves the problems of the hour. Petty politicians and small statesmen may seek to better their interests at the expense of the Nation, but the citizen who has grasped the essentials of citizenship places his country's welfare above the interests of the individual. Not only must his interests be subordinate to the Nation's interests, but the interests of every other nation or combination of nations must be subordinate thereto. Thus only can a nation exist. For us there can be but one motto, one aim, and one purpose, and that is America first. No cloud must be allowed to obscure this principle; no alliance or allegiance must endanger it.

Editors with pens poisoned by interested foreign powers and dominated by proforeign officials have done their best to overthrow this principle enunciated by the great Washington. They have succeeded in blinding but a minority. The great mass of Americans to-day are in hearty accord with Washington's Farewell Address and his policy of avoiding foreign entanglements, his policy of America first. Many to-day, and among them men whom the people have placed in the highest offices, seem anxious to abandon the foreign policy outlined by our first President and carefully followed by our greatest statesmen. They would leave the path trodden by Washington and Hamilton, Jefferson and Jackson, Madison and Monroe, and that great American, Lincoln; they would go in new and strange paths; they term the fathers of the Republic back numbers; they ignore their writings as documents too musty to examine.

PRESIDENT WASHINGTON.

My policy has been, and will continue to be while I have the honor to remain in the administration, to maintain friendly terms with but to be independent of all the nations of the earth. (Letter from Washington to Gouverneur Morris, Dec. 22, 1795.)

I believe it is the sincere wish of united America to have nothing to do with the political intrigues or the squabbles of European nations. (Letter from Washington to the Earl of Buchan, dated Philadelphia, Apr. 22, 1793.)

PRESIDENT JEFFERSON.

Do what is right, leaving the people of Europe to act their follies and crimes among themselves, while we pursue in good faith the paths of peace and prosperity. (From a letter from Thomas Jefferson to President Monroe, June, 1823.)

Determined as we are to avoid if possible wasting the energies of our people in war and destruction, we shall avoid implicating ourselves with the powers of Europe, even in the support of principles which we mean to pursue. (From a letter from Thomas Jefferson to Thomas Paine, Mar. 18, 1801.)

PRESIDENT MONROE.

Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is not to interfere in the internal concerns of any of its powers. (From President Monroe's message to Congress, delivered on Dec. 2, 1823.)

The United States is now facing disaster as a result of the complications arising out of the world war. What the people demand is a continued and steadfast adherence to the policy of the past 140 years. The election of 1918 proved that their policy was the policy of Washington, the policy of America first.

In that election Woodrow Wilson demanded support for his foreign policy and was emphatically repudiated. It is our leaders who are suffering from blindness—or illusions; they are still stumbling in darkness, led on by the mirage of vain theories which have swept them off their feet. Our leaders to-day need to be educated—in the teachings of the past. Their false leadership will not cause the Nation to perish, and when oblivion has obscured the false prophets the Republic will still survive.

PRESIDENT WASHINGTON.

I hope that the United States of America will be able to keep disengaged from the labyrinth of European politics. (Letter of Washington to Sir Edward Newenham, July 17, 1787.)

In these evil days America must be first in our thought, first in our hearts, and war must be avoided in every honorable way—its terrible consequences and sacrifices must not lightly be forced upon a great people. War should never be declared without a vote of the people upon the declaration.

PRESIDENT JEFFERSON.

We wish not to meddle with the internal affairs of any country, nor with the general affairs of Europe. (From a letter of Thomas Jefferson to C. W. F. Dumas, 1793.)

PRESIDENT JACKSON.

Our best wishes on all occasions, our good offices when required, will be afforded to promote the domestic tranquillity and foreign peace of all nations with whom we have any intercourse. Any intervention in their affairs further than this, even by the expression of an official opinion, is contrary to our principles of international policy, and will always be avoided. (From the fourth annual message of Andrew Jackson, Dec. 4, 1832.)

We should follow the wise counsel of Washington and in all our foreign relations adhere strictly to absolute and impartial neutrality. Private profit must be eliminated from war. Gold must not be coined out of patriotism. Our Government must own and control the munition plants. War will then be far less likely. My bill H. R. 16204 provides for Government ownership of munition plants.

PRESIDENT JEFFERSON.

America has a hemisphere to itself. It must have its separate system of interests, which must not be subordinated to those of Europe. (From letter of Thomas Jefferson to Baron von Humboldt, December, 1813.)

If you want to put an end to nine-tenths of all wars, let the people vote on war. Nearly all wars are brought on by the rulers of nations. Their eyes are fixed on the rainbow of military glory; they want a place in history; for them humanity and civilization sink into the background. The peoples of the earth will soon seize the right to vote on war. We shall then see the beginning of a new day.

PRESIDENT GRANT.

As the United States is the freest of all nations, so, too, its people sympathize with all people struggling for liberty and self-government, but while so sympathizing, it is due to our honor that we shall abstain from enforcing our views upon unwilling nations and from taking an interested part, without invitation, in the quarrels between different nations or between governments and their subjects. (From the first annual message of President U. S. Grant, delivered Dec. 6, 1869.)

Forget this "Make the world safe for democracy," and say to all men, "We are trying here in America to produce a democracy that will be an example to the world." There never was a greater piece of bunko foisted upon the American people than this that we went to war to make the world safe for democracy. The soldiers on the field laugh at it. If we went to war for anything it was to vindicate our rights upon the sea.

PRESIDENT JEFFERSON.

The less we have to do with the amities or enmities of Europe the better. (Letter from Thomas Jefferson to Thomas Leiper, 1815.)

The European nations constitute a separated division of the globe; their localities make them part of a distinct system; they have a set of interests of their own in which it is our business never to engage ourselves. (From letter of Thomas Jefferson to Baron von Humboldt, December, 1813.)

PRESIDENT JOHN QUINCY ADAMS.

Reasoning upon this state of things from the sound and judicious principles of Washington, must we not say that the period which he predicted was then not far off has arrived; that America has a set of

primary interests which have none, or a remote, relation to Europe; that the interference of Europe, therefore, in those concerned should be spontaneously withheld by her upon the same principles that we have never interfered with hers? (From President John Quincy Adams's message to Congress, Mar. 15, 1826.)

PRESIDENT JEFFERSON.

I know that it is a maxim with us, and I think it a wise one, not to entangle ourselves with the affairs of Europe. (Letter of Thomas Jefferson to E. Carrington in 1787.)

It ought to be the very first object of our pursuit to have nothing to do with European interests and politics. (Letter of Thomas Jefferson to Thomas Paine, Mar. 18, 1801.)

PRESIDENT WASHINGTON.

An energetic General Government must prevent the several States from involving themselves in the political disputes of the European powers. (From letter of Washington to Thomas Jefferson, dated Jan. 1, 1788.)

All through his administration Mr. Wilson has bulldozed the Sixty-fifth Congress in a most shameful and brutal manner. He steam-rollered his un-American foreign policies through the House and the Senate under the threat of war and the conduct of war. Congress abjectly surrendered, with only occasional and weak protests. My hope is that the Sixty-sixth Congress will show some nerve and backbone.

PRESIDENT MADISON.

To cherish peace and friendly intercourse with all nations having corresponding dispositions; to maintain sincere neutrality toward belligerent nations; to prefer in all cases amicable discussion and reasonable accommodation of differences to a decision of them by an appeal to arms; to exclude foreign intrigues and foreign partialities, so degrading to all countries and so baneful to free ones; to foster a spirit of independence too just to invade the rights of others, too proud to surrender our own, too liberal to indulge in unworthy prejudices ourselves, and too elevated not to look down upon them in others * * * as far as sentiments and intentions such as these can aid the fulfillment of my duty they will be a resource which can not fail me. (From the first inaugural address of James Madison.)

PRESIDENT WASHINGTON.

Separated as we are by a world of water from other nations, if we are wise we shall surely avoid being drawn into the labyrinth of their politics and involved in their destructive wars. (From a letter by Washington to the Chevalier de la Lucerne, Feb. 7, 1788.)

The American Army in Europe, after two sad years of experience, has come to the conclusion that Washington was right.

"SO THIS IS GERMANY."

(Leading article in Saturday Evening Post, Feb. 22, 1919, by George Pattullo.)

In Europe racial prejudices are a stone wall to progress. Every war leaves bitterness and wounds which lead finally to another. It is a vicious circle, without any end in sight. From a purely American standpoint George Washington was right about "no entangling alliances." The officers in our Army are unanimous in declaring that the less we mix up in international affairs on this side of the water the better off we shall be. We have not the same purposes, we have not the same aspirations, we have not even the same ideals. Though of the same blood as the older races, we are yet a vastly different breed.

In a speech in the House of Representatives in 1848 Abraham Lincoln said:

Gen. Taylor in his Allison letter says: "Upon the subject of the tariff, the currency, the improvement of our great highways, rivers, lakes, and harbors the will of the people, as expressed through their Representatives in Congress, ought to be respected and carried out by the Executive."

Now, this is the whole matter—in substance it is this: The people say to Gen. Taylor, "If you are elected shall we have a national bank?" He answers, "Your will, gentlemen; not mine." "What about the tariff?" "Say yourselves." "Shall our rivers and harbors be improved?" "Just as you please. If you desire a bank, an alteration of the tariff, internal improvements, any or all, I will not hinder you; if you do not desire them, I will not attempt to force them on you. Send up your Members of Congress from the various districts with opinions according to your own, and if they are for these measures, or any of them, I shall have nothing to oppose; if they are not for them, I shall not, by any appliances whatever, attempt to dragoon them into their adoption."

We see it, and to us it appears like principle, and the best sort of principle at that—the principle of allowing the people to do as they please with their own business. My friend from Indiana (Mr. C. B. Smith) has aptly asked, "Are you willing to trust the people?" Some of you answered, substantially, "We are willing to trust the people; but the President is as much the representative of the people as Congress." In a certain sense and to a certain extent he is the representative of the people. He is elected by them, as well as Congress is. But can he, in the nature of things, know the wants of the people as well as 300 other men coming from all the various localities of the Nation? If so, where is the propriety of having a Congress? That the Constitution gives the President a negative on legislation all know; but that this negative should be so combined with platforms and other appliances as to enable him, and in fact almost compel him, to take the whole of legislation into his own hands is what we object to, is what Gen. Taylor objects to, and is what constitutes the broad distinction between you and us. To thus transfer legislation is clearly to take it from those who understand with minuteness the interest of the people and give it to one who does not and can not so well understand it.

PRESIDENT FILLMORE.

Hence it becomes an imperative duty not to interfere in the government or internal policy of other nations; and although we sympathize with the unfortunate or the oppressed everywhere in the struggles for freedom our principles forbid us from taking any part in such foreign contests. (From the first annual message of Millard Fillmore, delivered on Dec. 2, 1850.)

PRESIDENT MONROE.

Separated as we are from Europe by the great Atlantic Ocean, we can have no concern in the wars of the European Governments nor in the causes which produce them. (From the eighth annual message of James Monroe, delivered Dec. 7, 1824.)

PRESIDENT JOHN QUINCY ADAMS.

* * * It will be seen that the United States neither intend nor are expected to take part in any deliberations of a belligerent character; that the motive of their attendance is neither to contract alliances nor to engage in any undertaking or project importing hostility to any other nation. (From the message to the Senate by John Quincy Adams, delivered Dec. 26, 1825.)

PRESIDENT TYLER.

An interference of one in the affairs of another is the fruitful cause of family disputes, and the same affects the peace, happiness, and prosperity of the States. It may be most devoutly hoped that the good sense of the American people will ever be ready to repel all such attempts should they ever be made. (From the fourth annual message of John Tyler, delivered Dec. 3, 1844.)

Make America safe for democracy. America can never be made safe for democracy until our high-handed, autocratic billionaires are tamed by the power of the people.

Our giant corporate monopolies not only scheme to levy tribute on every American citizen, but they want to exploit and enslave the peoples of other nations, and then use the Army and Navy of the United States to enable them to collect the profits of their foreign commercial conquests.

PRESIDENT VAN BUREN.

A rigid and persevering abstinence from all interference with the domestic and political relations of other States, alike due the genius and character of our Government and to the principle by which it is directed, a faithful observance in the management of our foreign relations, the practice of speaking plainly, dealing justly, and requiring peace and justice in return, as the best conservatives of the peace of nations. (From the fourth annual message of Martin Van Buren, delivered Dec. 5, 1840.)

PRESIDENT LINCOLN.

In this unusual agitation we have forborne from taking part in any controversy between foreign states and between parties or factions in such states. We have attempted no propagandism and acknowledge no revolution. But we have left to every nation the exclusive conduct and management of its own affairs. (Second message of President Lincoln, Dec. 1, 1862.)

PRESIDENT JEFFERSON.

Peace, commerce, and honest friendship with all nations, entangling alliances with none, I deem (one of the) essential principles of our Government, and consequently (one) which ought to shape its administration. (From Thomas Jefferson's first inaugural address, Mar. 4, 1801.)

In a speech in North Dakota during the presidential campaign of 1912, I said:

Woodrow Wilson, though he has been governor of trust-ridden New Jersey, has signally failed to curb or even attempt to curb the trusts and monopolies in that State—the home and haven of about 90 per cent of all the monopolistic combines in this country.

During the six years that he has been President, Mr. Wilson, through the exercise of what Abraham Lincoln condemned in a speech in Congress in 1848 as "the appliances which enable him (the President) to take the whole of legislation into his own hands," has autocratically controlled the action of the Government in both the legislative and executive branches. With full power in his hands and those of his Attorney General to put an end to every robber trust in the country, he sat there for six years and allowed the robbery of the people by the trusts to continue without any hindrance from him. In the meantime he has by the misuse of usurped power and "appliances" diverted the activities of our Government into most questionable foreign entanglements—his two little wars in Mexico, without the authority of Congress, which the Constitution requires him to have before making war, the great war in Europe, the war of invasion against our sister Republic, Russia, again without the authority of Congress to act, and now his astounding temporary personal transfer of the executive branch of our Government to a foreign capital more than 3,000 miles across the sea, in order that he may personally participate in a secret diplomatic conference with foreign princes, potentates, and powers, one of the avowed objects of which is to bind as far as he can the people and Government of the United States to a new alliance with foreign nations far more entangling than those against which Washington and his successors for over a hundred years have so solemnly and earnestly warned us. Woodrow Wilson pursues an un-American policy, a foreign-minded and dangerous policy. If we would save the Republic we must halt him in his madness.

PRESIDENT JEFFERSON.

For us to attempt, by war, to reform all Europe, and bring them back to principles of morality and a respect for the equal rights of nations, would show us only to be maniacs. (Third annual message, Thomas Jefferson.)

WE SHOULD PROTEST.

(By Ella Wheeler Wilcox.)

To sit in silence when we should protest
Makes cowards out of men. The human race
Has climbed on protest. Had no voice been raised
Against injustice, ignorance, and lust,
The Inquisition yet should serve the law,
And guillotines decide our least disputes.
The few who dare must speak and speak again
To right the wrongs of many. Speech, thank God,
No vested power in this great day and land
Can gag or throttle. Press and voice may cry
Loud disapproval of existing ills;
May criticize oppression and condemn
The lawlessness of wealth-protecting laws,
That let the children and child bearers toil
To purchase ease for idle millionaires.
Therefore, I do protest against the boast
Of independence in this mighty land,
Call no chain strong which holds one rusted link.
Call no land free that holds one fettered slave.
Until the manacled slim wrists of babes
Are loosed to toss in childish sport and glee;
Until the mother bears no burden save
The precious one beneath her heart; until
God's soil is rescued from the clutch of greed,
And given back to labor, let no man
Call this the land of freedom.

PRESIDENT PIERCE.

The conditions of States is not unlike individuals. They are mutually dependent upon each other. Amicable relations between them and reciprocal good will are essential for the promotion of whatever is desirable in their moral, social, and political condition. Hence it has been my earnest endeavor to maintain peace and friendly intercourse with all nations. (From the second annual message of President Franklin Pierce, delivered Dec. 4, 1854.)

PRESIDENT FILLMORE.

We make no warrants * * * to maintain any theory of a balance of power. (From the first annual message of Millard Fillmore, delivered Dec. 2, 1850.)

PRESIDENT JACKSON.

Nor have we less reason to felicitate ourselves on the position of our political than of our commercial concerns. They remain in * * * a state of prosperity and peace, the effect of a wise attention to the parting advice of the revered Father of his Country * * * to cultivate free commerce and honest friendship with all nations, but to make entangling alliances with none. (From the fourth annual message of Andrew Jackson, delivered Dec. 4, 1832.)

PRESIDENT JOHN ADAMS.

I do not love to be entangled in the quarrels of Europe. I do not wish to be under obligations to any of them, and I am very unwilling they should rob us of the glory of vindicating our own liberties. (From a letter by John Adams to James Warren, Apr. 27, 1777.)

In preparing the project of a treaty to be proposed by Congress to France, in the year 1776, fully apprised of the importance of neutrality, I prescribe to myself as a rule to admit nothing which could compromise the United States in any future wars of Europe. (President John Adams to the inhabitants of Bridgetown, N. J., May 1, 1798.)

Republics are always divided in opinion concerning forms of governments and plans and details of administration. These divisions are generally harmless, often salutary, and seldom very hurtful, except when foreign nations interfere, and by their art and agents excite and ferment them into parties and factions. Such interference and influence must be resisted and exterminated, or it will end in America, as it did anciently in Greece, and in our own time in Europe, in our total destruction as a republican Government and independent power. (John Adams to the citizens of Baltimore, May 2, 1798.)

The wise and prudent measures adopted by my predecessor to pursue and support a fair and impartial neutrality with the belligerent powers of Europe coinciding with my own opinions and principles, more ancient than the birth of the United States, could not but be heartily approved and supported by me during his whole administration and steadily pursued until this time. (John Adams to the inhabitants of Bridgetown, N. J., May 1, 1798.)

PRESIDENT GRANT.

We were asked by the new Government to use our good offices, jointly with those of European powers, in the interests of peace. Answer was made that the established policy and the true interests of the United States forbade them to interfere in European questions jointly with European powers. (From the second annual message of U. S. Grant, delivered Dec. 5, 1870.)

PRESIDENT POLK.

The great results which have been developed and brought to light by this war will be of immeasurable importance in the future progress of our country. They will tend powerfully to preserve us from foreign collisions and to enable us to pursue uninterruptedly our cherished policy of "peace with all nations, entangling alliances with none." (From fourth annual message of James K. Polk, delivered Dec. 5, 1848.)

It is well known to the American people and to all nations that this Government has never interfered with the relations subsisting between other Governments. * * * We have not sought their territories by conquest; we have not mingled with parties in their domestic troubles, and, believing our own form of government to be the best, we have never attempted to propagate it by intrigues, by diplomacy, or by force. (From the first annual message of James K. Polk, delivered Dec. 2, 1845.)

PRESIDENT JACKSON.

Our best wish on all occasions, our good offices when required, will be afforded to promote the domestic tranquillity and foreign peace of all nations with whom we have any intercourse. Any intervention in their affairs further than this, even by the expression of an official opinion, is contrary to our principles of international policy and will always be avoided. (From the fourth annual message of Andrew Jackson, delivered Dec. 4, 1832.)

PRESIDENT JEFFERSON.

If we weather the present storm, I hope we shall avail ourselves of the calm of peace to place our foreign connections under a new and different arrangement * * *. As to everything except commerce, we ought to divorce ourselves from them all. (From the Writings of Thomas Jefferson, Ford edition, to Edward Rutledge, June 24, 1797.)

PRESIDENT POLK.

Our country stands higher in the respect of the world than at any former period. To continue to occupy this proud position it is only necessary to preserve peace and faithfully adhere to the great and fundamental principle of our foreign policy of noninterference in the domestic concerns of other nations. (From the fourth annual message of James K. Polk, President of the United States, delivered Dec. 5, 1848.)

PRESIDENT MONROE.

With the existing colonies or dependencies of any European power we have not interfered and we shall not interfere. (From President James Monroe's seventh annual message.)

PRESIDENT BUCHANAN.

To avoid entangling alliances has been the maxim of our policy ever since the days of Washington, and its wisdom no one will attempt to dispute. (From James Buchanan's inaugural address.)

PRESIDENT CLEVELAND.

Maintaining, as I do, the tenets of a line of precedents from Washington's day, which proscribe entangling alliances with foreign States, I do not favor a policy of acquisition of new and distant territory or the incorporation of remote interests with our own. (From Grover Cleveland's first annual message, delivered in Washington on Dec. 8, 1885.)

Not only the American Presidents and statesmen of the past but statesmen of the present day recognize the danger to America from entanglement in the struggles of greed and imperialism in which the nations of Europe are enmeshed.

William J. Bryan says:

If I know the sentiment of the American people, it is inconceivable that they should be willing to put the American Army and Navy at the command of an international council which would necessarily be controlled by European nations and allow that council to decide for us when we would go to war.

Of the greedy ones who promote war and profit by war Upton Sinclair, writer and reformer, who shocked the Nation with his exposure of the frightful oppression of its employees by the Beef Trust, says:

Billions upon billions of profits are being made out of this war, fortunes beyond telling and beyond belief are being piled up by the insiders of the Coal Trust, the Steel Trust, the Copper Trust, the Oil Trust, the Beef Trust, the Powder Trust. While your son and my son are dying in the trenches the owners of these gigantic profit machines are making 20, 40, sometimes as high as 80 per cent upon their capital stocks; and in most cases these stocks have been so watered that the true rate of profit is thousands of per cent on the original investments.

PRESIDENT JOHN ADAMS.

Congress will never adopt the right system of foreign affairs until they consider their interests as distinct and keep them separate from those of all other nations. (From a letter by John Adams to Arthur Lee, Apr. 12, 1783.)

PRESIDENT CLEVELAND.

If the balance of power is justly a cause for jealous anxiety among the Governments of the Old World and a subject for our absolute noninterference, none the less is an observance of the Monroe doctrine of vital concern to our people and their Government. (From the special message of President Grover Cleveland, delivered Dec. 17, 1895.)

Whatever may be the traditional sympathy of our countrymen as individuals with a people who seem to be struggling for larger autonomy and greater freedom, deepened, as such sympathy naturally must be, in behalf of our natives, yet the plain duty of their Government is to observe in good faith the recognized obligations of international relationship. (From the third annual message of Grover Cleveland (second administration), delivered Dec. 2, 1895.)

In his speech before Congress some months before the 1918 election, Mr. Wilson said:

* * * Politics is adjourned.

In his appeal to the voters a few days before the election of 1918, Mr. Wilson said:

If you have approved of my leadership and wish me to continue to be your unembarrassed spokesman in affairs at home and abroad, I earnestly beg that you will express yourselves unmistakably to that effect by returning a Democratic majority to both the Senate and House of Representatives.

Thus was politics adjourned.

Mr. Wilson was elected in 1912 by a minority, due to the split in the Republican Party. In 1914 the Democrats won with the cry, "War in the East, peace in the West, thank God for Wilson." In 1916 he was reelected under false pretenses with the cry, "He kept us out of war." Had the President at that time stated that he would recommend war against Germany he would have lost every State in the Union. Senator WATSON, in a speech delivered in Virginia, said this was "the basest betrayal ever perpetrated on the American people."

PRESIDENT MONROE.

Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is not to interfere in the internal concerns of any of its powers. (From the seventh annual message of James Monroe, delivered Dec. 2, 1823.)

PRESIDENT FILLMORE.

It has been the uniform policy of this Government from its foundation to abstain from all interference in the domestic affairs of other nations. During the terrific contest of nation against nation which succeeded the French Revolution we were enabled by the wisdom and firmness of President Washington to maintain our neutrality. (From the third annual message of Millard Fillmore, delivered Dec. 6, 1852.)

The sinking of the *Lusitania* occurred a year before the 1916 election. Nothing occurred between the election and the declaration of war to change the situation. The case was already made up by election time. The facts and data were in Mr. Wilson's hands, and yet he went before the people on the issue of staying out of the war. How he lives with his conscience is beyond me.

In the next election of 1918 he presented his case to the people for their approval. He asked that his policy abroad be indorsed and asked them so to express themselves. The people emphatically repudiated his entangling foreign war policy and returned a Republican majority of 41 to the House and most unexpectedly gave a Republican majority in the Senate.

If any man was emphatically repudiated in the 1918 election, that man was certainly Mr. Wilson.

Let him cease trumpeting the sentiments of America abroad. The majority of Americans repudiate Mr. Wilson. Let him cease dining and wining with kings and emperors. Picture this false Democrat dwelling in the great palace of Prince Murat in Paris. The other day some one said that Woodrow Wilson might well write a book entitled "Kings Who Have Met Me"; and it was well said, while Americans starve by the million in our great cities, with poverty, unemployment, and hunger on the increase, while our taxes mount higher and even higher, our President transfers the Capital of the United States to Europe, hobnobs with royalty, and betrays the policy of Washington. The wrath of the people has already buried the Democratic Party, and the wrath of the people will yet overtake Mr. Wilson.

PRESIDENT JOHN ADAMS.

It is, in short, the only possible means of securing to our country that peace, neutrality, impartiality, and indifference in European wars, which, in my opinion, we shall be unwise in the last degree if we do not maintain. (From a letter by John Adams to the Congress, Sept. 5, 1783.)

PRESIDENT CLEVELAND.

The history of our recent dealings with other nations and our peaceful relations with them at this time additionally demonstrate the advantage of consistently adhering to a firm but just foreign policy, free from envious or ambitious national schemes, and characterized by entire honesty and sincerity. (From the second annual message of Grover Cleveland (second administration), delivered Dec. 3, 1894.)

PRESIDENT JOHN ADAMS.

But my system was determined, and had been so for more than 20 years, that is, to enter into no alliance with any power in Europe. In case of war with England I would not enter into any alliance with France. In case of war with France I would not form any alliance with England. (From John Adams's correspondence, published in the Boston Patriot, Apr., 1809.)

We should have suspended our judgment and been as neutral and impartial between the parties in France as between the nations of Europe. (John Adams to the inhabitants of Providence, R. I., Apr. 30, 1798.)

It is bad enough when the rich and powerful daily defy the laws of the land, which the weak and poor are expected to implicitly obey; it is even worse when high officials of the Government itself defy and disobey the laws which they themselves have placed upon the statute books.

In 1913 the Sixty-second Congress passed an act which provided:

Hereafter the Executive shall not extend or accept any invitations to participate in any international congress, conference, or like event without first having specific authority of law to do so. (U. S. Stat. L., vol. 37, pt. 1; Public Laws, p. 913, ch. 149.)

President Wilson's two trips to Europe "to participate in the international congress" at Paris are a direct violation of this law. By virtue of his office under the Constitution as President he is a part of the lawmaking power of the United States. The proud boast of Americans in the past has been that ours is a Government of laws and not of men. How long will it remain so if the highest officers of the Government set other men an example of open violation of the law?

PRESIDENT CLEVELAND.

This incident and the events leading up to it signally illustrate the impolicy of entangling alliances with foreign powers. (From the first annual message of Grover Cleveland (second administration), delivered Dec. 4, 1893.)

PRESIDENT PIERCE.

It is the traditional and settled policy of the United States to maintain impartial neutrality during the wars which from time to time occur among the great powers of the world. (From the third annual message of President Franklin Pierce, Dec. 31, 1855.)

PRESIDENT FILLMORE.

To maintain a strict neutrality in foreign wars, to cultivate friendly relations, to reciprocate every noble and generous act, and to perform punctually and scrupulously every treaty obligation—these are the duties which we owe to other States. (From the first annual message of President Millard Fillmore, delivered Dec. 2, 1850.)

PRESIDENT POLK.

It has been my constant aim and desire to cultivate peace and commerce with all nations. Tranquillity at home and peaceful relations abroad constitute the true permanent policy of our country. (From the fourth annual message of President James K. Polk, delivered Dec. 5, 1848.)

PRESIDENT JOHN QUINCY ADAMS.

Among the inquiries which were thought entitled to consideration before the determination was taken to accept the invitation was that whether the measure might not have the tendency to change the policy hitherto invariably pursued by the United States of avoiding all entangling alliances and all unnecessary foreign connections. (From a message to the House of Representatives by John Quincy Adams, delivered Mar. 15, 1826.)

America should not support or adopt any scheme of foreign policy, whether in the form of treaty, alliance, or league, which binds the United States to help maintain or impair the territorial integrity or the social, economic, or political institutions of other countries.

The people of each nation should be free to work out their own destiny without dictation from other nations and without dictating to other nations how they should manage their own affairs.

These are the principles which I am firmly convinced furnish our people and our Government the safest and wisest rule of conduct in the present grave emergency. I have full faith that they are the principles approved by the great majority of my fellow citizens. Practically all the Presidents of the United States who have spoken on this subject from 1789 to 1913 have laid down the same principle as the settled rule and guide for America's foreign policy.

Let one people, one country, one flag, mean just that and nothing more. Let us act for ourselves. Let us perfect this haven of liberty. Let no man come into our midst with dreams of world power and world dominion. Let others rage; let cowards tremble; our freemen stand strong. Proclaim to the nations that we will not serve others; we will not yoke ourselves with kings; we will not stoop before Europeans. We have but one hope, one desire; in our own hearts we place America first.

America first! Write it across the skies! Proclaim it to all the world! Standing here in the midst of a world crisis, we renew our pledge to our own independence, to our own liberty. We defy those who strive to yoke us like oxen in a mill. We serve notice on all foreigners: Hands off our Government! You shall not command us! You shall not control America in this hour! You shall not sacrifice our honor to glut your ambition! You shall not crucify the American people upon a cross of kings!

Opposing tax exemption of Federal land-bank bonds because it impairs national credit; depreciates liberty bonds, causing losses to 20,000,000 patriotic investors; enables wealthy individuals and corporations to evade war taxes; increases taxes on those who can not escape taxation; increases the cost of living to all consumers.

EXTENSION OF REMARKS

OF

HON. LOUIS T. McFADDEN,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 28, 1919.

Mr. McFADDEN. Mr. Speaker, a message from the Senate this morning announces that the Senate has passed S. 5512, an act to amend the Federal farm-loan act, approved July 17, 1916.

A similar measure as a House bill has been considered by the House Committee on Banking and Currency. After it had been fully explained by Farm Loan Commissioner Norris, and carefully considered in detail, the committee decided against reporting it. Additional aid in one form or another is asked for the Federal farm-loan system at every session of Congress. In 1918 we gave them a special appropriation of $200,000,000 to tide them over their temporary difficulties. Now they ask for a permanent revolving fund of $50,000,000 in this bill. Another heavy appropriation of nearly a quarter of a million was made for expenses last week. In addition to these, a provision in the war-risk insurance bill, Senate bill 5555, provides for piling up a reserve fund to be invested in Federal land-bank bonds. At every twist and turn of legislation we find attempts to raid the Public Treasury to help this system. The same questions will

doubtless come before the next Congress, and I feel that Congress and the public should be advised in advance. The appropriation of a few hundred million dollars more or less is a trifle compared with the great losses which will perpetually continue from year to year if the present complete tax exemption of land-bank bonds is continued.

Mr. Speaker, I voted for the Federal farm-loan act when it was enacted nearly three years ago. I can therefore discuss it impartially now as a man friendly to the purposes intended, but skeptical as to many uneconomic and fallacious theories that were incorporated in it, causing enormous overhead expenses.

The most beautiful and beneficent plans for the improvement of the conditions of mankind when enacted into law and submitted to the test of practical life sometimes fail.

The circumstances and conditions at the time of their creation and application to affairs must determine the success or failure of all new laws. In a measure, all statutes applying new theories to financial and business life are experimental. The best intentioned legislation often produces unexpected and unfortunate results. One of the most important functions of every legislative body in every country is the amendment and repeal of existing laws which through error in conception or from change of conditions may require modification to best serve the purposes of the people for whom they were enacted.

I represent an agricultural district in the State of Pennsylvania. Naturally, in supporting measures in Congress, I am deeply considerate of their effects on the industries of my own locality as well as on the country at large. My district is the one once represented in this body by Galusha A. Grow, the father of the homestead law, and I desire to live up to its traditions. My duty requires that I faithfully represent all the people of my district—the wage earner, the business man, and the farmer. I owe a duty to the farmer who by thrift and economy has paid off his debts as much as to the man whose farm is only partly paid for.

During the sessions of the Sixty-fourth Congress, when the Federal farm-loan act was formed and perfected, I was a member of the House Committee on Banking and Currency, which had this act under consideration. When we were formulating the measure which subsequently became the law, every section and every line was most carefully considered and freely discussed. In fact, this law was not the result of the work of one session, but the growth of years of study and deliberation.

As the representative of an agricultural district, I was predisposed to favor the purposes of the bill. As the measure developed and assumed complete form during the deliberations of our committee and the several associated committees of the Senate and House, I became deeply interested in it and devoted my best efforts to its perfection and enactment. At that time I offered several amendments to the bill, which, had they been adopted, would, in my opinion, have strengthened the law and have prevented several difficulties that now confront the system.

It is not with the disposition of an enemy but as a friend that I now suggest amendments to the Federal farm-loan act, which in my judgment changed circumstances and conditions render not only desirable but imperative.

The subject of rural credits first received the formal consideration of the National Government in 1913, following several years of general agitation. The formal joint hearings of the subcommittees of the Committees on Banking and Currency of the Senate and House of Representatives were held early in 1914, several months before the world war began in Europe. The law was enacted in 1916, nearly a year before this country became involved in the great conflict.

In those days the prices of corn, wheat, cotton, hogs, and other farm products were not one-half of what they are to-day. Our national debt was too small to be considered, and income taxes were almost negligible and of no interest or import to 95 per cent of our citizens. Then the tax exemption of Federal land-bank bonds was a mere incidental provision of slight importance, and it received little consideration or attention.

Now all this is changed. Nearly everything is subject to war taxes. From chewing gum and candy to clothing, from postal rates to property inherited, from medicines to wages earned by work of hand or brain, a tribute must be paid to the national taxgatherer.

The Nation staggers under our enormous war debt of nearly $17,000,000,000. It is likely to be $25,000,000,000 and perhaps $30,000,000,000 before the costs of the war are all settled. Over 20,000,000 patriotic bondholders have lost over $800,000,000 by the depreciation of liberty bonds. It has been decided to be impossible to float another issue of long-time bonds, and Congress has found it necessary to give unusual powers to the Secretary of the Treasury that he may be enabled to borrow $5,000,000,000 on short-time notes.

Under this changed condition of affairs I consider it my duty as the representative of my district and as a Member of the Congress of the United States to favor the repeal of that part of the law which enables the owners of Federal land-bank bonds and of joint-stock land-bank bonds to evade the payment of their just and legal proportion of war taxes.

When the Federal Farm Loan System was created it was claimed that advantages would accrue to farmers from Government supervision and through management of the business without profit by the employment of salaried officials and subordinates.

The levying of a heavy income tax since the enactment of the act has entirely changed the result from that originally intended.

The Federal farm-loan act now enables persons receiving large incomes to evade their war taxes.

Misleading statements have led many people into the mistaken belief that these bonds are Government obligations. They are not Government obligations. There is not a single paragraph, line, or word in this law or any other law that makes the United States Government responsible for the payment of one cent of principal or interest of the bonds of Federal land banks or joint-stock land banks. In fact, because they are not obligations of the Government, a serious legal question is involved as to whether or not the Congress had the right to exempt them from taxation. Sooner or later the courts will be called on to decide that question. Persons receiving large incomes are willing to take chances because of the tax exemption. Those receiving incomes in excess of $28,000 per year under the new law are required to pay one-fourth of their income in taxes on the excess above $28,000. On the excess above $78,000 per year half of the income is required as an income tax.

The tax on incomes in excess of $1,000,000 is 77 per cent, of which 12 per cent is normal tax and 65 per cent is surtax. On $50,000 received from 5 per cent taxable securities the annual tax payable to the National Treasury by a person receiving an income in excess of $1,000,000 is $38,500. When such a millionaire owns Federal land-bank bonds or joint-stock land-bank bonds this amount is a total loss to the National Treasury, as such bonds are free from Federal, State, and local taxes.

On a $50,000 income received from liberty bonds held in excess of the exemption limit the same wealthy person would be required to pay an income tax of $32,500. Liberty bonds, except the first issue, are subject to the surtax.

This discrimination against liberty bonds and in favor of land-bank bonds results in a depreciation of liberty bonds.

Persons receiving small incomes may purchase a few tax-exempt 5 per cent bonds, but they will soon learn that as they pay no income tax it will be more profitable for them to convert their tax-exempt 5 per cent bonds into taxable 6 per cent bonds. Persons receiving larger incomes, to whom the tax-free privilege is worth 2 per cent or 3 per cent every year, can well afford to pay a premium for land-bank bonds. In the summer of 1918 land-bank bonds were resold in the New York market at 106 and even higher. Following the natural tendency to seek a financial level, these tax-exempt bonds will rapidly drift into the possession of persons and corporations receiving larger incomes, in whose possession they will cause the greatest loss to the National Treasury. Land-bank bonds are readily sold at a premium. A Chicago syndicate, on February 25, advertised $3,000,000 of joint-stock land-bank bonds at 102. Liberty bonds are now sold, less accrued interest, at nearly 10 points lower.

Before the value of tax exemption to the wealthy investor became generally known Federal land-bank bonds for several good reasons were slow of sale. In January, 1918, Congress, at the request of Secretary McAdoo and the Federal Farm Loan Board, appropriated $200,000,000, which the Secretary of the Treasury was authorized to draw from the National Treasury to purchase land-bank bonds in order that Federal land banks might be enabled to continue in operation. At the close of 1918 the National Treasury had on hand about $67,000,000 of Federal land-bank bonds which had been thus purchased by funds from the National Treasury.

In May, 1918, a vigorous advertising campaign was put on in the newspapers for the sale of Federal land-bank 5 per cent tax-free bonds, and they were sold to the amount of about $55,000,000, coming in direct competition with liberty bonds. Owing to the depreciation of liberty bonds, the public sale of Federal land-bank bonds was discontinued for a few months during the last of 1918.

In January, 1919, the sale of Federal land-bank bonds "over the counter" at Federal land banks was resumed, and they are now so sold in competition with liberty bonds. They are not advertised in newspapers, but circulars offering them for sale are mailed to investors.

The sale of joint-stock land-bank bonds has been vigorously kept up by newspaper advertising and by personal solicitation, materially depressing the market for liberty bonds, which do not have the same freedom from taxation which the law gives to land-bank bonds.

Thousands of people of moderate means have been compelled to sell their liberty bonds at a sacrifice. It is estimated that in the market of New York City alone during the month of January an average of half a million dollars was lost every day by the sale of $10,000,000 of liberty bonds each day at an approximate price of 95.

The great demand for tax-exempt securities on the part of people who desire to evade war taxes has nearly doubled the number of joint-stock land banks since the 1st of December, and new ones will spring up every month. It has also greatly increased the demand for bonds of Federal land banks. The land banks are now working to capacity and unable to supply the call for tax-exempt securities. There are 12 Federal land banks. So great is the demand for the bonds that the president of one of them, which made $15,000,000 of loans in 1918, predicts that his bank will do a business of $50,000,000 this year.

There are over $4.000,000,000 of farm mortgages in the United States on which the income is subject to Federal income tax. They are also subject to State and local taxation.

The refunding of these mortgages by land banks will exempt them from all forms of taxes, Federal and local, affording a tax-free investment field for persons with large incomes. This will still further depreciate the price of liberty bonds now in existence and will make the sale of future issues more difficult. Another result will be to cause the withdrawal of taxable time deposits from banks and their investment in these tax-free land-bank bonds.

The approximate amount of $200,000,000 of land-bank bonds absorbed by the public and by the National Treasury is small as compared with the amount of liberty bonds in existence, and some authorities deny that this could affect the market.

It is well known that prices rise or fall in anticipation of competing conditions. The prices of wheat, cotton, and hogs are affected by the prospect for the crop of next year and by the probable amount of imports from competing countries. The same natural laws of supply and demand affect the market price of bonds as of agricultural products. The probable issue within a few years of several billion dollars of tax-free farm land-bank bonds affects the present market for liberty bonds just as the report that the embargo had been lifted from the importation of Argentine corn caused the market price in leading American markets to drop 7 cents in one day before a single bushel had been loaded for shipment from South America.

According to the latest printed reports of the Department of Internal Revenue, there are 6,633 revenue returns showing incomes in excess of $100,000, of which number 206 exceed a million dollars.

It is estimated that 21,375,000 families in this country receive incomes that do not exceed $2.000 per year and are not subject to income tax. Not one of these 21,375,000 families could receive the benefit of a penny from investment in bonds free from income taxes. Millions of them are patriotic investors in liberty bonds, and on them has come the bulk of the loss caused by sale of liberty bonds at a discount.

Every dollar of taxes evaded by wealthy owners of land-bank tax-free bonds is shifted to others who own taxable property and to consumers who are compelled to pay higher prices for the clothes they wear and for every article of merchandise they use because of the increased taxes levied on manufacturers and merchants. All are made to suffer that a very few may benefit.

To a person receiving an income of $1,000,000 the tax exemption of 77 per cent is worth 3.85 per cent per year on a 5 per cent land-bank bond. To a person receiving $100,000 per year the tax exemption of 66 per cent is worth 3.3 per cent per year on a 5 per cent land-bank bond. With the $4,000,000,000 of farm loans refunded in 5 per cent tax-exempted bonds, if held by bondholders having an average income of $100,000 per year, the national loss would be $132,000,000 every year.

Careful investigation shows that in localities where three-fourths of the land-bank loans are made the benefit to the borrower is less than half of 1 per cent. In Iowa, where loans are now being made by Federal land banks to the extent of a million and a half a month, the current commercial rate for over 25 years has been 5½ to 6 per cent. Federal land banks are loaning at 5½ per cent and joint-stock land banks are loaning at 6 per cent. In other sure-crop States, where over two-thirds of the food crops of this country are raised, conditions are the same. Less than one-sixth of the tax-exemption benefit goes to the borrower, while the deficit in the National Treasury must be made up by the taxpayers at large at a net loss to the Nation of over five-sixths.

A loan of $140,000 was recently made to one man on land in Barrington Township, Cook County, Ill., at 6 per cent by a joint-stock land bank. The rate is not lower than would have been made by any loan company, though private investors would probably have insisted on a more conservative loan. On this one loan the National Treasury would lose annually $4,620 if the bonds were held by a person receiving an income of $100,000.

The original purposes of the law are now defeated by the effects of increased income taxes and by the present methods of its administration. Instead of being a special aid to farmers of small means, it is largely used to finance well-to-do real estate owners who are not suitable subjects for charitable aid at Government expense. It also enables the wealthy to dodge tax burdens which then fall on the less fortunate.

To show the small benefit of these loans to the borrower and the great benefit to the bondholder, assume that Peter Smith, of Illinois, borrows $10,000. He gives a mortgage for $10,000. He receives $9,500 in cash and $500 in bank stock, on which he assumes a double liability, making his entire liability $10,500. He pays $550 a year interest, or 5½ per cent on $10,000. He only has the use of $9,500, but he hopes that when the loan is paid off in 34½ years that the settlement will show a profit on the bank stock. Smith could have borrowed that $10,000 at 6 per cent from a private investor and had the use of $10,000 by paying $600 a year without running any risk of loss or double liability on the $500 of bank stock. But if everything turns out all right and the bank pays dividends for 34½ years, Smith will save $50 the first year.

Now, take the other side of the case and see what the American taxpayers lose through the deficit in the National Treasury caused by the tax exemption of $10,000 of bonds that had to be sold to furnish the money for Smith. Over 200 individuals and corporations receiving incomes of more than a million dollars a year are subject to an income tax of 77 per cent on the excess above a million. On $10,000 of 5 per cent bonds the income is $500 a year. The income tax of 77 per cent on $500 is $385. This owner of the tax-exempt farm bonds makes $385 a year because he is not required to pay that amount into the National Treasury. To offset this loss to the National Treasury Peter Smith hopes to make $50. Here is a net loss of $335 a year that Smith's neighbors and other citizens of the country must pay to make up the deficit in the National Treasury caused by this tax exemption on the Smith bonds. It would save $335 to the taxpayers annually if the bondholders were required to pay legal taxes and Smith was given a donation of $50 from the National Treasury. The tax-exempt bonds may run for 20 years, and it will be more than 20 years before the war debts are paid.

Mr. Speaker, the unexpected effect of the law increasing taxes has been to automatically reverse the action of the tax-exemption section of the Federal farm-loan act. Instead of benefiting the poor farmer, it most benefits the very rich bondholder at a ratio of $385 to $50, more than 7 to 1.

The law now provides that loans may be made as small as $100 and as large as $10,000.

The last report of the Federal Farm Loan Board recommends amendments to eliminate all loans below $500 and to increase the limit to $25,000. In order to qualify under the law for a $25,000 loan a landowner must have property worth $50,000. During the past year the land banks have violated the plain intent of the law by permitting landowners to obtain loans larger than $10,000. This was admitted by Farm Loan Commissioner Norris before the House Committee on Banking and Currency very recently.

This has been done by resorting to the subterfuge of permitting the farm owner to temporarily transfer parts of his farm to his wife and other members of his family for borrowing purposes. By such connivance loans of $20,000 or more could readily be made. At the same time dozens of deserving applicants for small loans, whom the law was especially enacted to benefit, have been ignored and compelled to borrow elsewhere. I insist that this is an unwarranted misuse of the law, detrimental to the public good in this time of financial stress.

These large loans enable wealthy landowners to acquire the farms of their neighbors and make it more difficult for tenants to become farm owners. This special favoritism has a tendency to inflate prices and encourages speculation rather than farm settlement. When the bill was before the House in 1916 I contended that it would "not open a way for landless men without capital to become landowners." One of my opponents then used this language:

> It is not possible for one individual to borrow more than $10,000 * * * it is intended to help the farmer who is not well to do; it is intended to help the tenant farmer to get a home.

Mr. Speaker, I now assert without fear of contradiction that my position was correct. I refer to the monthly reports and to

the annual report of the Federal Farm Loan Board to prove that the landless man is getting very little land.

To repeal the tax-exemption section of the Federal farm-loan act will not interfere with the purposes for which the law was enacted.

The continuance of this tax exemption of land-bank bonds will be in effect a special subsidy granted to a very few farmers at great expense to the Nation. During the first two years following the enactment of the law only one farmer in each hundred was favored, and only 1 family was benefited annually out of 604 families engaged in all occupations, while all were compelled to pay higher taxes and higher living expenses to help the few.

It would have been much cheaper to have given a direct bonus to all families benefited than to have favored them by the expensive method of granting them tax exemptions to bondholders.

When the bill was under consideration three years ago, I opposed the sections which have since virtually granted a subsidy to about 1 per cent of the farmers, less than 70,000, at the expense of 110,000,000 people. This subsidy in the form of tax exemption is most unjust and dangerous and many times more expensive to the Nation than the free use of $9,000,000 capital and the heavy overhead and general costs that the public pays.

Continuance of this tax exemption will soon make it necessary to create Government supervised banks, operated by salaried Government officials, to loan money on personal credit and to loan on village and city property, for the reason that other classes will demand the special privileges now granted to a small part of the farming class. All this will need to be done on tax-exempt bonds and mortgages, to the great loss of the majority of American citizens.

Hon. Louis F. Post, Assistant Secretary of Labor, recently stated with regard to the payment of wages:

> Business men and employers are overlooking the fact that the real employer of labor is the consumer—the laboring man himself. Every man who is put to work, whether it be building a house, constructing a road, or digging a ditch, is employing other men—men who sell him food and clothes—and these in turn employ others who manufacture the food and clothes.

I desire to add that the real taxpayer is the consumer. Everything he eats, wears, or uses is made higher priced by the increased taxes paid by merchants and manufacturers when they are compelled to carry the tax burdens evaded by owners of tax-free bonds. The man and woman who consume all of their incomes every year pay a heavier proportionate indirect consumption tax than those who have larger incomes and are thus enabled to save part.

The tax exemption of land-bank bonds is a dangerous entering wedge toward converting the banking business and other private enterprises and industries into Government monopolies inefficiently operated at the expense of the general taxpaying public, by Government employees whose principal interest is in the salaries they receive, and who can not be pecuniarily affected by the success or failure of the business which they are hired to supervise or conduct.

The country will never receive as good service from banks, grocery stores, shops, or shoe factories as at the present time if they are taken under Government management. Managers and employees directly interested in economical and efficient management give better service than those who depend on taxes instead of profits for salaries.

It will be an unlucky day for the American citizen when the clothes he wears are manufactured by the Government or when fire insurance becomes a Government monopoly, if the same high carnival of expense prevails as that which marked the output of Government-manufactured airplanes and warships.

The experiences of the past two years cause the taxpayer to shudder and his pocketbook to shrivel.

It is conceded by all economists that the evasion of taxes by one class of citizens causes heavier tax burdens to be imposed on other citizens. The Federal census of 1910 shows 6,361,502 farms in the United States. Mortgaged farms occupied by owners were 1,327,439. These are the only farms that can be legally mortgaged to the Federal land banks. Therefore if loans are made under this law to the fullest extent only one farm out of five would be benefited, and four farmers out of five would suffer that one might receive slight benefits from the tax exemption. The farmers who received the loans would find the benefits largely offset by the heavier direct and indirect taxes which they would be compelled to pay because of the bondholders' exemption from taxation. Wage earners and persons engaged in all other occupations receive no benefit and are required to pay higher taxes because bondholders are exempt.

The farmers of this country are sincere patriots. They do not ask to be aided by accepting a very small part of a tax-exemption bonus donated to tax-dodging millionaires. In this respect I know they are in accord with the utterance of President Wilson in his first annual message when he said:

> The farmers, of course, ask and should be given no special privilege, such as extending to them the credit of the Government itself. What they need and should obtain is legislation which will make their own abundant and substantial credit resources available as a foundation for joint concerted local action in their own behalf in getting the capital they must use.

I voted for this bill in the vain hope that the law would benefit the small farmer and aid the man of moderate means to buy a farm of his own.

I then feared and predicted that the law would be used to finance wealthy landowners and large real estate operations. I did not expect to see the struggling applicant for a $100 or $300 or $400 loan neglected in order that the proceeds of liberty bonds could be loaned to the rich farmer, who, by putting part of his property in his wife's name, might borrow $20,000, while many deserving applicants for small loans of $500 each might wait in vain for help. It is no secret that large loans are more profitable for the Federal land banks, and therefore the tendency is to give the cold shoulder to the small borrower.

Mr. Speaker, I am discussing this subject as a business man. It is not a political question. The largest percentage of big loans in excess of the legal limit of $10,000 will be found in northern Republican States, like Illinois, Iowa, and Minnesota. The greatest number of complaints because of neglect of the small borrower come from southern Democratic States. My objections to this law are nonpartisan. Tax exemption is economically wrong, scientifically wrong.

When the law was enacted in 1916 no one could foresee the war and its burden of debt and heavy taxes. Had the present income-tax law been in effect in 1916 the tax-exemption section of the Federal farm-loan act would never have passed Congress. When I voted for this law I did not expect to see the time come when it could be used to enable rich individuals and great corporations to evade war taxes by converting taxable assets into Federal land-bank tax-free bonds.

The tax exemption of future issues of Federal land-bank bonds and joint-stock land-bank bonds should be stopped, because it—

Impairs the national credit and depreciates liberty bonds.

Enables wealthy individuals and corporations to evade war taxes.

Causes a direct and increasing loss to the National Treasury.

Increases the taxes on persons and property that can not escape taxation.

Causes heavy losses to over 20,000,000 patriotic investors in liberty bonds.

Increases the cost of living to all consumers.

Mr. Speaker, in closing I desire to repeat that all of the original purposes for which the law was enacted can be promoted if the tax amendments I favor are adopted.

SPEECH

OF

HON. CHAS. POPE CALDWELL,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 10, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. CALDWELL. Mr. Chairman, the improvement of Newtown Creek is between the second and third congressional districts of New York. I represent the second district and am very familiar with the situation. This improvement is for the purpose of taking care of the commerce that is now actually knocking at the door. This river is only 4 miles long, and yet it carries for its length more commerce than any other river in the world. The commerce that is coming there is of almost every kind and character. The river is full all the time, and it is necessary to take care of the increased business that the building up of that community is demanding. Every week since September, 1913, a new factory has been erected within 2 miles of this river. To-day the second congressional district has more factories than any State in the Union except six, and there is more commerce on the waters in this little 4-mile stream than in the great city of Philadelphia. So much for the local improvement.

But there is something else in this. It seems to me that we ought now at this time to consider the condition of our country.

I want to call attention to the fact that on the 11th of November, 1918, the world had something like 6,450,000 dead-weight tons less of shipping than she had on the 1st of August, 1914; that prior to the 1st of August, 1914, the average production of tonnage in the world was approximately 3,600,000 tons a year, so that to-day we are approximately 20,850,000 dead-weight tons behind what we would have had without the war.

In addition to that, if we undertook immediately, with the present world capacity, to supply that deficiency, it would take us about four years to complete the job, so that 35,000,000 dead-weight tons of ships must be built to make us whole within a very short time.

It also happens that America to-day is perhaps better equipped than all the rest of the world to supply that deficiency in tonnage, and I have no doubt, from the attitude taken by the administration, that an effort is going to be made to have America assume her share of the burden of doing that. You can see how important the development is when you realize that America is going to do her share, and that we will probably make, in addition to the nine or ten million dead-weight tons we now have, something over 20,000,000 dead-weight tons. If we create half of the new tonnage we are going to have a merchant marine of which our country may be proud, and it is going to be put to work if we have facilities to enable it to dock in our country.

I hope you will pardon me for making these observations, because I live in an industrial and commercial center, and these matters are very much alive with us, and I have given them some study. The war has resulted in the loss of many million workingmen from Russia. It has resulted in the loss of commercial enterprise, and it has left over 200,000,000 people depending on the rest of the world for business enterprise. Half of Germany's manhood has been wiped out, or crippled or maimed, between the ages of 16 years and 50; its ocean-going ships have been confiscated and its industries ruined. England has lost millions of maimed, crippled, and dead, and France has suffered likewise. Italy has also lost an enormous man power, while we in America occupy a unique position, having fought a war and come out at the end with approximately as many men as we would have had if we had not gone in the war, because the sanitary conditions in our camps have resulted in a lower death rate among the men than would have occurred if they had not been in the Army.

Our business has been kept up because the allies have purchased a portion of their munitions and supplies here. Our factories have been greatly enlarged and have been running at full speed, and our business men have been wise enough to look forward to the day after the war. They have taken war business, looking forward to the time when we would come into peace, and an opportunity would be afforded to reap the great reward that has come to us because of the humanitarian war that we have carried on.

Now, then, the world's shipping, the world's business, is largely going to be done here, because we have the factories, we have the man power, and it is going to be done here because a great part of the world's shipping is going to be of American registry, and it is for this Congress at this time to look at this thing in a big, broad way, and make harbors here to take care of the world's commerce we are going to draw during the years that follow peace.

I point this out to you to show you the interest I have in the matter, because I represent a portion of the New York Harbor district. New York Harbor is fast becoming congested, and something must be done at once. We have pending now projects for the Jamaica Bay development, the Flushing Bay development, and all of the waters around New York Harbor, as mentioned to you by Dock Commissioner Hulbert, who was recently a Member of this House, which have not been adopted.

I only urge upon you the necessity at this time of adopting a broad policy to start out to spend the money that the President in his message here a few days ago said we ought to spend, so as to keep our people working, so that the transition period will not be one of stagnation, but one of development, and the spending of this money in the development of our harbors is laying up treasure for the time to come.

I am particularly interested in the development of Newtown Creek. There has been a recommendation for the carrying forward of that river, with an expenditure of $510,000. I introduced a bill at the last session of Congress, and the War Department has recommended it. The enormous tonnage carried by this little river makes it imperative that such improvement be made to relieve congestion and permit proper commercial development of adjacent municipalities.

Cotton.

EXTENSION OF REMARKS
OF
HON. J. THOMAS HEFLIN,
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. HEFLIN. Mr. Speaker, I obtained permission to print some remarks in the RECORD about cotton for the purpose of discussing some features of the cotton question in addition to those that I have presented to the House in the speeches that I have made during the last session of Congress.

I want to bring to the attention of the country the fact that it cost more to produce the cotton crop of 1918 than any crop ever produced in the United States. Thousands of boys who helped to produce the crop of 1917 had been called to the colors, and this fact alone presented a very serious labor situation in the cotton-growing States. In addition to that, the price paid for labor at camps and cantonments, at munitions plants and industrial centers where guns and war supplies of every kind were being made, took thousands of white and negro laborers from the cotton belt, and in the spring of 1918 the cotton farmer found himself face to face with a very embarrassing labor situation. He could not obtain the labor he desired and needed, and that which he did procure cost him four times as much as the same character of labor had cost him in any previous year. Fertilizers cost from four to eight times as much as formerly, and agricultural implements four times as much, while plow mules, for which he paid $100 a few years ago, cost him from $250 to $300 in 1918. Another big item of expense in the production of the cotton crop of 1918 was caused by the boll weevil.

I have made diligent and wide inquiry in all the cotton-growing States as to the cost of producing the 1918 cotton crop, and every answer that I have received places the cost of production above 24 cents a pound, the figures going as high as 28 cents. Now, let us see what the farmer making five bales of cotton—and this is above the average yield—has expended in producing it at 24 cents a pound. The five bales have cost him $600. If he sells this cotton at 23 cents a pound, he will receive $575 for the five bales, $25 less than it cost to produce them. His year's work is gone, and not a cent of profit has he made, but he has lost $25 in the transaction that it took him 12 months to complete. If he should sell it for 30 cents a pound, he would have a profit of only $150 on his entire cotton crop to show for his time, his investment, and his labors for a whole year. I mention this situation in order that those who do not live in the cotton-growing States may know and understand why the farmers, merchants, and bankers throughout the cotton belt are standing together in a strong cotton-holding movement and refusing to sell for less than 30 cents a pound.

This concerted action on the part of the farmers, merchants, and bankers of the cotton belt is for the purpose of preventing tremendous losses on the remainder of the cotton crop of 1918 and to secure for the cotton producers of the United States a price that will cover the cost of production plus a fair and reasonable profit. From farmer to merchant and from merchant to banker every investment made and every business calculation indulged in with regard to the production of cotton figured that the minimum price would be not less than 30 cents a pound. Labor was employed, implements and live stock purchased, general supplies furnished, and money advanced, all with the conviction that cotton would sell for 30 cents or more. The cotton spinners of the United States expected to pay more than 30 cents. They did pay more than that for hundreds of thousands of bales of the 1918 crop. In contracting for the sale of goods to be made of cotton produced in 1918 they figured that the cost of the cotton to be used in their mills would be from 35 to 40 cents a pound.

Farmer, merchant, and banker in the cotton-growing States all knew that cotton would have to sell for more than 30 cents in order to yield the producer a profit and enable him to meet his obligations to the merchant and banker who had cooperated with him in the making of the crop. The cotton spinner was acquainted with this situation and made his arrangements to pay from 35 to 40 cents a pound for cotton, and he did pay 35 cents for some of his supply.

Remember that these cotton prices obtained when the war was raging and uncertainty and danger followed every bale exported from the United States. But when the war had ended

and cotton could move freely, so far as submarine danger was concerned, we saw the spinning interests of the Old World enter into a bear conspiracy to beat down the price of American cotton, and they commenced to operate upon the cotton exchanges, and they joined forces with certain spinning interests over here and sold the market short—that is, these spinners who had no cotton to sell sold the word "cotton" in lots of thousands of bales, and kept selling until they had beaten down the exchange quotation and cotton futures went down $75 a bale.

This occurred in the face of the fact that the cotton crop of the United States was about 6,000,000 bales short of the world's demand. This bear conspiracy paid no attention to the facts of the actual supply of cotton or to the consumptive demand for American cotton. It ignored the law of supply and demand, and sought through a cotton-gambling deal to hammer down the price, stampede the American producer, and frighten him into selling at the low price that they were pleased to pay.

Then, in order to prevent the loss of hundreds of millions of dollars on the cotton crop of 1918, our farmers, merchants, and bankers were compelled to unite their forces in a strong cotton-holding movement. They were driven to this course by the inexcusable and indefensible conduct of a band of foreign and certain domestic spinners, who set themselves to the task of gambling down cotton values, so that they could reap tremendous profits. They cared nothing for the producers' right to demand a living profit or for the financial losses and business disaster that would surely come to the cotton producers of the United States if the bear conspiracy had succeeded in forcing them to sell cotton below the cost of production.

These financial losses and this business disaster would have fallen not only upon the cotton producers but also upon the merchant and banker in the cotton-growing States. The producer and merchant who had cotton could not afford to sell at the low price arbitrarily fixed through a gambling deal on the cotton exchange, and they had to borrow money to enable them to hold their cotton. The banks came to their rescue and lent them money on the cotton that they held. So the producer, the merchant, and the banker were all in the same boat, and the unity of purpose and concerted action they have shown in their determination to hold the remainder of this cotton crop until the price will yield a profit is commendable and praiseworthy from every honest viewpoint. I commend them for the stand they have taken; I praise them for the business acumen, intelligence, and foresight displayed in this cooperative movement to enforce our just demand for a cotton price that will yield a fair profit. But for this united stand cotton would not—it could not—have been held. If it had not been held foreign merchants and spinners would have purchased it at a low price, a price that would not have covered the cost of production, the cotton producers of the United States would have suffered heavy financial losses, and business would have been injured in other sections of the country.

The East, the North, and the West would all have felt the evil effects of the low prices paid for this great American product. When cotton fares well in the markets of the world and our producers receive a good price, they are able and willing to pay good prices for all that they buy from the merchants and manufacturers of the East and North and for the meat and grain and hay and live stock that they buy from the people of the West. So it is clearly seen that if a combination of foreign cotton merchants and spinners, aided by certain spinners over here, is permitted to beat down the price of American cotton and buy it at a low price they not only hurt the business of and greatly injure the cotton producers of the United States, but hurt also every man with whom the cotton producer has business, every man from whom he buys supplies of any kind. When the cotton producer of the United States prospers, his prosperity is shared by the people of every section of the country. The more money we have with which to buy, the better prices we are able to pay for what the merchants and manufacturers of other sections have to sell. The cotton-growing States are good customers of the East, the North, and the West, and when anything happens to cut down our purchasing power it injuriously affects those from whom we buy in the other three great sections of our country.

The prosperity of the cotton industry of the United States not only contributes to the financial wealth of every other section but serves the Nation as no other agricultural product does or can; it brings to our country the balance of trade, and brings gold when all other products fail. God has given to the United States a monopoly in the production of white, short-staple cotton; it can not be produced anywhere else in the world. We produce in normal times about two-thirds of the world's supply of cotton. Why should we permit a combination of foreign interests to come over here and beat down the price of American cotton and injure everybody who has to do with the production and sale of cotton in the United States? The effort by foreign spinners to "bear" the market and their persistence in selling short on the exchange to beat down the price have thoroughly aroused the people of the cotton-growing States, and I have never seen such intelligent cooperation and firm determination to hold cotton for a price that will yield a profit.

We are not only going to hold the cotton we now have until it will yield a profit, but we are going to greatly reduce the cotton acreage this year. It will not be hard to get the producers to cut down their cotton acreage. They have learned, and all of them now well know, that they can get more money for a small than for a large crop.

The winter of 1917 was very cold in the cotton-growing States, and the boll weevil was not so harmful to the crop of 1918 as it would have been following a mild winter; yet while planting a large acreage and trying to produce a big crop, we failed, and produced one of the smallest crops in years. Now, we have had a very mild winter, and every farmer in the boll-weevil-infected area knows that it is going to be very difficult to produce cotton there this year, and he is not going to plant much cotton; he is going to plant other things.

The New York Commercial a day or two ago said that a few years ago the cotton farmers agreed to reduce their acreage, but went home and planted far more cotton than ever, and made a big crop, and received a low price. Well, these farmers have learned by experience from the prices received for the last three crops—small, all of them—that they can get more money for a small crop than for a large one, and they have also learned that by raising foodstuffs and making the farm self-sustaining that they can keep their cotton off the market until the price will yield a profit. Let me say to the New York Commercial, and to all concerned, that the cotton producers of the United States and the financial interests back of them are wiser to-day than when they produced the big crop and received the low price. They know and understand the whole cotton business now better than at any other time in the history of the industry. Go into the cotton-growing States to-day, and behold the teamwork between farmer, merchant, and banker in holding cotton, and you will understand what I mean. Bear speculators and spinners said last fall that we would not hold cotton in any considerable quantity for any length of time, but we did, and are still holding it. These same bear interests are now saying that we will not reduce the cotton acreage this year, but we will.

There are several reasons why the acreage will be greatly reduced. First, it is to the interest of the producer to reduce it. As I have already said, he has learned by experience that he can get more money for a small crop than for a large one, also that it requires less labor and expense to produce a small crop. Every farmer in the cotton belt knows this and knows it well. So when he is urged to cut down his acreage this spring and is told that by doing so he will receive more money for the cotton he does produce, he will know that that statement is true.

An 8,000,000-bale crop in 1919 would in all probability sell for 60 cents a pound, or $2,400,000,000, while if a 12,000,000-bale crop should be made and should sell for 30 cents a pound, it would bring only $1,800,000,000, which is $600,000,000 less than the producer would receive for the small crop of 8,000,000 bales. Does anyone think that the producer would rather have $1,800,000,000 than $2,400,000,000, or that he would deliberately put forth the additional labor and expense required to make the 12,000,000 bales when by doing so he would lose both time and money?

Another reason that the cotton acreage will be reduced is that the merchants and bankers who furnish supplies and money to two-thirds of the cotton producers are demanding that the acreage be reduced before they will advance supplies and money with which to make the crop.

The holding of cotton and the reduction of acreage have been made necessary by a combination of foreign cotton merchants and spinners, aided by certain spinners and speculators in the United States. If cotton prices had remained where the law of supply and demand placed them there would have been no holding of cotton and no reduction of acreage. There is not enough cotton in the United States now to supply the American mills and the spindles of Great Britain, Canada, Spain, and Japan, yet we have seen a combination of foreign and domestic spinners, ignoring the law of supply and demand, selling the futures market short and using every means at their command to beat down the price so they can buy up the American supply

of cotton and then boost the price after cotton has gone from the hands of the American producers.

In an honest futures market, free from manipulation, the price is always above that of spot cotton; yet we have seen the futures market in the United States frequently in the last few weeks driven down by the short selling of fictitious stuff called cotton until the future price was $35 a bale below the price of spot cotton in the markets of the country. Any man who knows anything at all about cotton knows that only wild speculation and, worse than that, rank gambling could produce such a ridiculous situation.

Now, then, when the American cotton producer knew that the bulk of the cotton supply of the world was in his hands and that the world needed several million bales more than he could supply, and when he also knew that a combination of foreign and domestic spinners were ignoring the law of supply and demand and arbitrarily driving down the price to force him to sell for the price that they had agreed among themselves to pay, a price below the cost of production, a price that meant great financial loss to him, what was he, as an intelligent American citizen, to do but hold his cotton and refuse to sell?

For three and a half months the conduct of the exchanges has been most reprehensible. While the war raged and the sea swarmed with submarines and cotton ships were difficult to obtain and ocean freight rates were very high and every bale exported ran the risk of being destroyed, the exchanges quoted cotton at from 32 to 35 cents a pound. Then, under far more favorable conditions, when the war had ended and submarines were gone from the sea and ships had been procured to carry cotton to the allied and neutral nations and ocean freight rates were reduced $17.50 on the bale and when Germany and Austria had made known their desire to obtain 2,000,000 bales of American cotton, the cotton exchanges of the United States suddenly failed and refused to represent and reflect the price justified by these more favorable conditions; but, on the contrary, they immediately became the handy instrument of foreign combinations of cotton merchants and spinners to beat down the price of American cotton.

If the cotton producers of the United States had sold their cotton at the prices manufactured on the cotton exchanges, nothing short of bank failures, bankruptcy, and dire financial distress in all of the cotton-growing States would have resulted. The cotton exchange should, and the honest exchange will, reflect the price warranted by the law of supply and demand; but when the exchange can be manipulated so as to ignore and nullify the law of supply and demand it ceases to serve any legitimate purpose and should be abolished. Let the exchanges observe the rule here announced or prepare to go out of business.

Four months have come and gone since the war ended, and grain and meat produced in the United States are now going into Germany, and the cotton producer of the United States can not quite understand why he is not permitted to sell cotton to Germany. The cotton merchants and spinners of Germany desire to buy and store in the United States 1,000,000 bales of American cotton, to be shipped when peace terms are agreed upon. I for one believe that they should be permitted to do so. There is nothing unfair or unreasonable in this plan, and I am confident that the necessary arrangements will be made to permit this sale of American cotton.

If it is the purpose to keep cotton from going to Germany and Austria for the present, and if, while doing that, we can permit the cotton agents of those countries to buy cotton from our producers and store it in the United States until peace terms are agreed upon, why is not this a fulfillment of our obligations to our allies in this regard? Germany and Austria want 2,000,000 bales of American cotton. If the other cotton merchants and spinners of the Old World do not want Germany and Austria to have any of the American cotton supply, let them come forward and buy the cotton now being held by the American producers, paying for it a price that will yield a profit. If the embargo on American cotton to Germany is used to depress the price here and work injury to the cotton producers of the United States, why should we permit cotton merchants and spinners, even among our allies, to take advantage of this situation and use it to help them beat down the price of American cotton? Why should we be called upon to say that we will not only not permit cotton to go to Germany but we will not even let Germany buy cotton and store it in the United States? Why should the American cotton producers be left to the mercy of a combination of foreign "bear" interests who are trying to buy our cotton at a low price so that they themselves may sell it to Germany and Austria a little later on at a tremendous profit?

If we, in time of peace, permit cotton merchants and spinners among our allies to employ emergency war measures to depress the price of American cotton in the markets of the United States, in order that they may buy it at a low price, are we serving the cotton farmers of the United States or are we turning them over to be pillaged and plundered by the cotton interests of foreign countries?

Our first duty in this business matter is to the cotton producers of the United States. And I am glad to say that those in authority with whom I have talked about this matter are favorable to the plan of allowing Germany to buy cotton and store it here until peace terms are agreed upon, and this will be done. Let me say in conclusion that the experience of the last four months with cotton has taught our farmers, merchants, and bankers in the cotton-growing States a very important lesson. They have learned that they must rely upon themselves to protect and safeguard cotton in the selling season. They have learned that by concerted action they can prevent the forced sale of cotton at destructive prices. Every man who speaks in the cotton belt this spring should urge the reduction of cotton acreage and insist that every farmer should produce his own food supplies and be so fortified this fall with other farm products that he can hold his cotton, if necessary, and refuse to sell until the price is satisfactory. Let our merchants and bankers begin now to prepare to do whatever is necessary this fall to back the cotton producer in his demand for a fair price and a living profit.

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NAMES AND POST-OFFICE ADDRESSES

OF

SENATORS

IN THE

THIRD SESSION OF THE SIXTY-FIFTH CONGRESS.

THOMAS R. MARSHALL, Vice President, Indianapolis, Ind.
WILLARD SAULSBURY, President pro tempore, Wilmington, Del.

Name.	Home post office.	Name.	Home post office.
Ashurst, Henry F	Prescott, Ariz.	Moses, George H	Concord, N. H.
Baird, David [1]	Camden, N. J.	Mulkey, Fred. W. [3]	Portland, Oreg.
Bankhead, John H	Jasper, Ala.	Myers, Henry L	Hamilton, Mont.
Beckham, J. C. W	Frankfort, Ky.	Nelson, Knute	Alexandria, Minn.
Borah, William E	Boise, Idaho.	New, Harry S	Indianapolis, Ind.
Brandegee, Frank B	New London, Conn.	Norris, George W	McCook, Nebr.
Calder, William M	Brooklyn, N. Y.	Nugent, John F	Boise, Idaho.
Chamberlain, George E	Portland, Oreg.	Overman, Lee Slater	Salisbury, N. C.
Colt, LeBaron B	Bristol, R. I.	Owen, Robert L	Muskogee, Okla.
Culberson, Charles A	Dallas, Tex.	Page, Carroll S	Hyde Park, Vt.
Cummins, Albert B	Des Moines, Iowa.	Penrose, Boies	Philadelphia, Pa.
Curtis, Charles	Topeka, Kans.	Phelan, James D	San Francisco, Cal.
Dillingham, William P	Montpelier, Vt.	Pittman, Key	Tonopah, Nev.
Fall, Albert B	Three Rivers, N. Mex.	Poindexter, Miles	Spokane, Wash.
Fernald, Bert M	West Poland, Me.	Pollock, William P. [4]	Cheraw, S. C.
Fletcher, Duncan U	Jacksonville, Fla.	Pomerene, Atlee	Canton, Ohio.
France, Joseph I	Port Deposit, Md.	Ransdell, Joseph E	Lake Providence, La.
Frelinghuysen, Joseph S	Raritan, N. J.	Reed, James A	Kansas City, Mo.
Gay, Edward J. [2]	Plaquemine, La.	Robinson, Joseph T	Lonoke, Ark.
Gerry, Peter G	Warwick, R. I.	Saulsbury, Willard	Wilmington, Del.
Goff, Nathan	Clarksburg, W. Va.	Shafroth, John F	Denver, Colo.
Gore, Thomas P	Lawton, Okla.	Sheppard, Morris	Texarkana, Tex.
Gronna, Asle J	Lakota, N. Dak.	Sherman, Lawrence Y	Springfield, Ill.
Hale, Frederick	Portland, Me.	Shields, John K	Knoxville, Tenn.
Harding, Warren G	Marion, Ohio.	Simmons, F. M	Newbern, N. C.
Hardwick, Thomas W	Sandersville, Ga.	Smith, Ellison D	Florence, S. C.
Henderson, Charles B.	Elko, Nev.	Smith, Hoke	Atlanta, Ga.
Hitchcock, Gilbert M	Omaha, Nebr.	Smith, John Walter	Snow Hill, Md.
Hollis, Henry F	Concord, N. H.	Smith, Marcus A	Tucson, Ariz.
Johnson, Edwin S	Yankton, S. Dak.	Smith, William Alden	Grand Rapids, Mich.
Johnson, Hiram W	San Francisco, Cal.	Smoot, Reed	Provo, Utah.
Jones, Andrieus A	East Las Vegas, N. Mex.	Spencer, Selden P	St. Louis, Mo.
Jones, Wesley L	North Yakima, Wash.	Sterling, Thomas	Vermilion, S. Dak.
Kellogg, Frank B	St. Paul, Minn.	Sutherland, Howard	Elkins, W. Va.
Kendrick, John B	Sheridan, Wyo.	Swanson, Claude A	Chatham, Va.
Kenyon, William S	Fort Dodge, Iowa.	Thomas, Charles S	Denver, Colo.
King, William H	Salt Lake City, Utah.	Thompson, William H	Kansas City, Kans.
Kirby, William F	Little Rock, Ark.	Townsend, Charles E	Jackson, Mich.
Knox, Philander C	Pittsburgh, Pa.	Trammell, Park	Lakeland, Fla.
La Follette, Robert M	Madison, Wis.	Underwood, Oscar W	Birmingham, Ala.
Lenroot, Irvine L	Superior, Wis.	Vardaman, James K	Jackson, Miss.
Lewis, Jas. Hamilton	Chicago, Ill.	Wadsworth, James W., jr	Groveland, N. Y.
Lodge, Henry C	Nahant, Mass.	Walsh, Thomas J	Helena, Mont.
McCumber, Porter J	Wahpeton, N. Dak.	Warren, Francis E	Cheyenne, Wyo.
McKellar, Kenneth	Memphis, Tenn.	Watson, James E	Rushville, Ind.
McLean, George P	Simsbury, Conn.	Weeks, John W	West Newton, Mass.
McNary, Charles L	Salem, Oreg.	Williams, John S	Yazoo City (star route), Miss.
Martin, George B	Catlettsburg, Ky.	Wolcott, Josiah O	Wilmington, Del.
Martin, Thomas S	Charlottesville, Va.		

[1] Elected in place of William Hughes, deceased.
[2] Elected in place of Robert F. Broussard, deceased.
[3] Resigned December 17, 1918.
[4] Elected in place of Benjamin R. Tillman, deceased.

NAMES AND POST-OFFICE ADDRESSES

OF

REPRESENTATIVES AND DELEGATES

IN THE

THIRD SESSION OF THE SIXTY-FIFTH CONGRESS.

CHAMP CLARK, Speaker, Bowling Green, Mo.

Name.	Home post office.
Alexander, Joshua W	Gallatin, Mo.
Almon, Edward B	Tuscumbia, Ala.
Anderson, Sydney	Lanesboro, Minn.
Anthony, Daniel R., jr	Leavenworth, Kans.
Ashbrook, William A	Johnstown, Ohio.
Aswell, James B	Natchitoches, La.
Austin, Richard W	Knoxville, Tenn.
Ayres, William A	Wichita, Kans.
Bacharach, Isaac	Atlantic City, N. J.
Baer, John M	Fargo, N. Dak.
Bankhead, William B	Jasper, Ala.
Barkley, Alben W	Paducah, Ky.
Barnhart, Henry A	Rochester, Ind.
Beakes, Samuel W	Ann Harbor, Mich.
Bell, Thomas M	Gainesville, Ga.
Benson, Carville D	Halethorp, Md.
Beshlin, Earl H	Warren, Pa.
Birch, William F	Dover, N. J.
Black, Eugene	Clarksville, Tex.
Blackmon, Fred L	Anniston, Ala.
Bland, Oscar E	Linton, Ind.
Bland, Schuyler O	Newport News, Va.
Blanton, Thomas L	Abilene, Tex.
Booher, Charles F	Savannah, Mo.
Borland, William P.[1]	Kansas City, Mo.
Bowers, George M	Martinsburg, W. Va.
Brand, Charles H	Athens, Ga.
Britt, James J.[2]	Asheville, N. C.
Britten, Fred A	Chicago, Ill.
Brodbeck, Andrew R	Hanover, Pa.
Browne, Edward E	Waupaca, Wis.
Browning, William J	Camden, N. J.
Brumbaugh, Clement	Columbus, Ohio.
Buchanan, James P	Brenham, Tex.
Burnett, John L	Gadsden, Ala.
Burroughs, Sherman E	Manchester, N. H.
Butler, Thomas S	West Chester, Pa.
Byrnes, James F	Aiken, S. C.
Byrns, Joseph W	Nashville, Tenn.
Caldwell, Chas. Pope	Forest Hills, N. Y.
Campbell, Guy E	Crafton, Pa.
Campbell, Philip P	Pittsburg, Kans.
Candler, Ezekiel S	Corinth, Miss.
Cannon, Joseph G	Danville, Ill.
Cantrill, J. Campbell	Georgetown, Ky.
Caraway, Thaddeus H	Jonesboro, Ark.
Carew, John F	New York City.
Carlin, Charles C	215 North Washington Street, Alexandria, Va.
Carter, Charles D	Ardmore, Okla.
Carter, William H	Needham Heights, Mass.
Cary, William J	Milwaukee, Wis.
Chandler, Thomas A	Vinita, Okla.
Chandler, Walter M	New York City.
Church, Denver S	Fresno, Cal.
Clark, Champ	Bowling Green, Mo.
Clark, Frank	Gainesville, Fla.
Clark, Henry A	Erie, Pa.
Classon, David G	Oconto, Wis.
Claypool, Horatio C	Chillicothe, Ohio.
Cleary, William E	Brooklyn, N. Y.
Coady, Charles P	Baltimore, Md.
Collier, James W	Vicksburg, Miss.
Connally, Tom	Marlin, Tex.
Connelly, John R	Colby, Kans.
Cooper, Edward	Bramwell, W. Va.
Cooper, Henry Allen	Racine, Wis.
Cooper, John G	Youngstown, Ohio.
Copley, Ira C	Aurora, Ill.
Costello, Peter E	Philadelphia, Pa.
Cox, William E	Jasper, Ind.
Crago, Thomas S	Waynesburg, Pa.
Cramton, Louis C	Lapeer, Mich.
Crisp, Charles R	Americus, Ga.
Crosser, Robert	Cleveland, Ohio.
Currie, Gilbert A	Midland, Mich.
Curry, Charles F	Sacramento, Cal.
Dale, Harry H.[3]	Brooklyn, N. Y.
Dale, Porter H	Island Pond, Vt.
Dallinger, Frederick W	Cambridge, Mass.
Darrow, George P	Philadelphia, Pa.
Davey, Martin L.[4]	Kent, Ohio.
Davis, Charles R	St. Peter, Minn.
Decker, Perl D	Joplin, Mo.
Delaney, John J	Brooklyn, N. Y.
Dempsey, S. Wallace	Lockport, N. Y.
Denison, Edward E	Marion, Ill.
Dent, S. Hubert, jr	Montgomery, Ala.
Denton, George K	Evansville, Ind.
Dewalt, Arthur G	Allentown, Pa.
Dickinson, Clement C	Clinton, Mo.
Dies, Martin	Beaumont, Tex.
Dill, C. C	Spokane, Wash.
Dillon, Charles H	Yankton, S. Dak.
Dixon, Lincoln	North Vernon, Ind.
Dominick, Fred H	Newberry, S. C.
Donovan, Jerome F	New York City.
Dooling, Peter J	New York City.

[1] Died February 20, 1919.
[2] Declared elected to seat March 1, 1919.
[3] Resigned January 7, 1919.
[4] Elected in place of E. R. Bathrick, deceased.

Names and post-office addresses of Members and Delegates of the House of Representatives—Continued.

Name.	Home post office.
Doolittle, Dudley	Strong City, Kans.
Doremus, Frank E	Detroit, Mich.
Doughton, Robert L	Laurel Springs, N. C.
Dowell, Cassius C	Des Moines, Iowa.
Drane, Herbert J	Lakeland, Fla.
Drukker, Dow H	Passaic, N. J.
Dunn, Thomas B	Rochester, N. Y.
Dupré, H. Garland	New Orleans, La.
Dyer, Leonidas C	St. Louis, Mo.
Eagan, John J	Weehawken, N. J.
Eagle, Joe H	Houston, Tex.
Edmonds, George W	Philadelphia, Pa.
Elliott, Richard N	Connersville, Ind.
Ellsworth, Franklin F	Mankato, Minn.
Elston, John A	Berkeley, Cal.
Emerson, Henry I	Cleveland, Ohio.
Esch, John J	La Crosse, Wis.
Essen, Frederick	Clayton, Mo.
Estopinal, Albert	St. Bernard, La.
Evans, John M	Missoula, Mont.
Fairchild, Benjamin L	Pelham, N. Y.
Fairchild, George W	Oneonta, N. Y.
Fairfield, Louis W	Angola, Ind.
Farr, John R	Scranton, Pa.
Ferris, Scott	Lawton, Okla.
Fess, Simeon D	Yellow Springs, Ohio.
Fields, William J	Olive Hill, Ky.
Fisher, Hubert F	Memphis, Tenn.
Flood, Henry D	Appomattox, Va.
Flynn, Joseph V	Brooklyn, N. Y.
Focht, Benjamin K	Lewisburg, Pa.
Fordney, Joseph W	Saginaw W. S., Mich.
Foss, George E	Chicago, Ill.
Foster, Martin D	Olney, Ill.
Francis, George B	New York City.
Frear, James A	Hudson, Wis.
Freeman, Richard P	New London, Conn.
French, Burton L	Moscow, Idaho.
Fuller, Alvan T	Malden, Mass.
Fuller, Charles E	Belvidere, Ill.
Gallagher, Thomas	Chicago, Ill.
Gallivan, James A	Boston, Mass.
Gandy, Harry L	Rapid City, S. Dak.
Gard, Warren	Hamilton, Ohio.
Garland, Mahlon M	Pittsburgh, Pa.
Garner, John N	Uvalde, Tex.
Garrett, Daniel E	Houston, Tex.
Garrett, Finis J	Dresden, Tenn.
Gillett, Frederick H	Springfield, Mass.
Glass, Carter [1]	Lynchburg, Va.
Glynn, James P	Winsted, Conn.
Godwin, Hannibal L	Dunn, N. C.
Good, James W	Cedar Rapids, Iowa.
Goodall, Louis B	Sanford, Me.
Goodwin, William S	Warren, Ark.
Gordon, William	Cleveland, Ohio.
Gould, Norman J	Seneca Falls, N. Y.
Graham, George S	Philadelphia, Pa.
Graham, William J	Aledo, Ill.
Gray, Edward W	Newark, N. J.
Gray, Oscar L	Butler, Ala.
Green, William R	Council Bluffs, Iowa.
Greene, Frank L	St. Albans, Vt.
Greene, William S	Fall River, Mass.
Gregg, Alexander W	Palestine, Tex.
Griest, W. W	Lancaster, Pa.
Griffin, Anthony J	New York City.
Hadley, Lindley H	Bellingham, Wash.
Hamill, James A	Jersey City, N. J.
Hamilton, Charles M	Ripley, N. Y.
Hamilton, Edward L	Niles, Mich.
Hamlin, Courtney W	Springfield, Mo.
Hardy, Rufus	Corsicana, Tex.
Harrison, Pat	Gulfport, Miss.
Harrison, Thomas W	Winchester, Va.
Haskell, Reuben L	Brooklyn, N. Y.
Hastings, William W	Tahlequah, Okla.
Haugen, Gilbert N	Northwood, Iowa
Hawley, Willis C	Salem, Oreg.
Hayden, Carl	Phoenix, Ariz.
Hayes, Everis A	San Jose, Cal.
Heaton, Robert D	Ashland, Pa.
Heflin, J. Thomas	Lafayette, Ala.
Heintz, Victor	Cincinnati, Ohio.
Helm, Harvey [2]	Stanford, Ky.
Helvering, Guy T	Marysville, Kans.
Hensley, Walter L	Farmington, Mo.
Hersey, Ira G	Houlton, Me.
Hicks, Frederick C	Port Washington, N. Y.
Hilliard, Benjamin C	Denver, Colo.
Holland, Edward E	Suffolk, Va.
Hollingsworth, David A	Cadiz, Ohio.
Hood, George E	Goldsboro, N. C.
Houston, William C	Woodbury, Tenn.
Howard, William S	Kirkwood, Ga.
Huddleston, George	Birmingham, Ala.
Hull, Cordell	Carthage, Tenn.
Hull, Harry E	Williamsburg, Iowa.
Humphreys, Benjamin G	Greenville, Miss.
Husted, James W	Peekskill, N. Y.
Hutchinson, Elijah C	Trenton, N. J.
Igoe, William L	St. Louis, Mo.
Ireland, Clifford	Peoria, Ill.
Jacoway, Henderson M	Dardanelle, Ark.
James, W. Frank	Hancock, Mich.
Johnson, Albert	Hoquiam, Wash.
Johnson, Ben	Bardstown, Ky.
Johnson, Royal C	Aberdeen, S. Dak.
Jones, Marvin	Amarillo, Tex.
Juul, Niels	Chicago, Ill.
Kahn, Julius	San Francisco, Cal.
Kearns, Charles C	Batavia, Ohio.
Keating, Edward	Pueblo, Colo.
Kehoe, Walter	Pensacola, Fla.
Kelley, Patrick H	Lansing, Mich.
Kelly, M. Clyde	Braddock, Pa.
Kennedy, Ambrose	Woonsocket, R. I.
Kennedy, Charles A	Montrose, Iowa.
Kettner, William	San Diego, Cal.
Key, John A	Marion, Ohio.
Kiess, Edgar R	Williamsport, Pa.
Kincheloe, David H	Madisonville, Ky.
King, Edward J	Galesburg, Ill.
Kinkaid, Moses P	O'Neill, Nebr.
Kitchin, Claude	Scotland Neck, N. C.
Knutson, Harold	St. Cloud, Minn.
Kraus, Milton	Peru, Ind.
Kreider, Aaron S	Annville, Pa.
La Follette, William L	Pullman, Wash.
LaGuardia, Fiorello H	New York City.
Lampert, Florian [3]	Oshkosh, Wis.
Langley, John W	Pikeville, Ky.
Larsen, William W	Dublin, Ga.
Lazaro, Ladislas	Washington, La.
Lea, Clarence F	Santa Rosa, Cal.
Lee, Gordon	Chickamauga, Ga.
Lehlbach, Frederick R	Newark, N. J.
Lesher, John V	Sunbury, Pa.
Lever, Asbury F	Lexington, S. C.
Linthicum, J. Chas	Baltimore, Md.
Little, Edward C	Kansas City, Kans.
Littlepage, Adam B	Charleston, W. Va.
Lobeck, Charles O	Omaha, Nebr.
London, Meyer	New York City.
Lonergan, Augustine	Hartford, Conn.
Longworth, Nicholas	Cincinnati, Ohio.

[1] Resigned December 16, 1918.
[2] Died March 3, 1919.
[3] Elected in place of James H. Davidson, deceased.

Names and post-office addresses of Members and Delegates of the House of Representatives—Continued.

Name.	Home post office.
Lufkin, Willfred W	Essex, Mass.
Lundeen, Ernest	Minneapolis, Minn.
Lunn, George R	Schenectady, N. Y.
McAndrews, James	Chicago, Ill.
McArthur, Clifton N	Portland, Oreg.
McClintic, James V	Snyder, Okla.
McCormick, Medill	Chicago, Ill.
McCulloch, Roscoe C	Canton, Ohio.
McFadden, Louis T	Canton, Pa.
McKenzie, John C	Elizabeth, Ill.
McKeown, Tom D	Ada, Okla.
McKinley, William B	Champaign, Ill.
McLaughlin, James C	Muskegon, Mich.
McLaughlin, Joseph	Philadelphia, Pa.
McLemore, Jeff	Houston, Tex.
Madden, Martin B	Chicago, Ill.
Magee, Walter W	Syracuse, N. Y.
Maher, James P	Brooklyn, N. Y.
Mann, James R	Chicago, Ill.
Mansfield, Joseph J	Columbus, Tex.
Mapes, Carl E	Grand Rapids, Mich.
Martin, Whitmell P	Thibodaux, La.
Mason, William E	Chicago, Ill.
Mays, James H	Salt Lake City, Utah.
Merritt, Schuyler	Stamford, Conn.
Miller, Clarence B	Duluth, Minn.
Miller, John F	Seattle, Wash.
Mondell, Frank W	Newcastle, Wyo.
Montague, Andrew J	Richmond, Va.
Moon, John A	Chattanooga, Tenn.
Moore, J. Hampton	Philadelphia, Pa.
Moores, Merrill	Indianapolis, Ind.
Morgan, Dick T	Woodward, Okla.
Morin, John M	Pittsburgh, Pa.
Mott, Luther W	Oswego, N. Y.
Mudd, Sydney E	La Plata, Md.
Neely, M. M	Fairmont, W. Va.
Nelson, Adolphus P.[1]	Grantsburg, Wis.
Nelson, John M	Madison, Wis.
Nicholls, Samuel J	Spartanburg, S. C.
Nichols, Charles A	Detroit, Mich.
Nolan, John I	San Francisco, Cal.
Norton, Patrick D	Hettinger, N. Dak.
Oldfield, William A	Batesville, Ark.
Oliver, Daniel C	New York City.
Oliver, William B	Tuscaloosa, Ala.
Olney, Richard	Dedham, Mass.
Osborne, Henry Z	Los Angeles, Cal.
O'Shaunessy, George F	Providence, R. I.
Overmyer, Arthur W	Fremont, Ohio.
Overstreet, James W	Sylvania, Ga.
Padgett, Lemuel P	Columbia, Tenn.
Paige, Calvin D	Southbridge, Mass.
Park, Frank	Sylvester, Ga.
Parker, James S	Salem, N. Y.
Parker, Richard Wayne	Newark, N. J.
Peters, John A	Ellsworth, Me.
Phelan, Michael F	Lynn, Mass.
Platt, Edmund	Poughkeepsie, N. Y.
Polk, Albert F	Georgetown, Del.
Porter, Stephen G	Pittsburgh, Pa.
Pou, Edward W	Smithfield, N. C.
Powers, Caleb	Barbourville, Ky.
Pratt, Harry H	Corning, N. Y.
Price, Jesse D	Salisbury, Md.
Purnell, Fred S	Attica, Ind.
Quin, Percy E	McComb City, Miss.
Ragsdale, J. Willard	Florence, S. C.
Rainey, Henry T	Carrollton, Ill.
Rainey, John W	Chicago, Ill.
Raker, John E	Alturas, Cal.
Ramsey, John R	Hackensack, N. J.
Ramseyer, C. William	Bloomfield, Iowa.
Randall, Charles H	Los Angeles, Cal.
Rankin, Jeannette	Missoula, Mont.
Rayburn, Sam	Bonham, Tex.
Reavis, C. Frank	Falls City, Nebr.
Reed, Stuart F	Clarksburg, W. Va.
Riordan, Daniel J	New York City.
Robbins, Edward E.[2]	Greensburg, Pa.
Roberts, E. E	Carson City, Nev.
Robinson, Leonidas D	Wadesboro, N. C.
Rodenberg, William A	East St. Louis, Ill.
Rogers, John Jacob	Lowell, Mass.
Romjue, Milton A	Macon, Mo.
Rose, John M	Johnstown, Pa.
Rouse, A. B	Burlington, Ky.
Rowe, Frederick W	Brooklyn, N. Y.
Rowland, Charles H	Philipsburg, Pa.
Rubey, Thomas L	Lebanon, Mo.
Rucker, William W	Keytesville, Mo.
Russell, Joseph J	Charleston, Mo.
Sabath, Adolph J	Chicago, Ill.
Sanders, Archie D	Stafford, N. Y.
Sanders, Everett	Terre Haute, Ind.
Sanders, Jared Y	Bogalusa, La.
Sanford, Rollin B	Albany, N. Y.
Saunders, Edward W	Rocky Mount, Va.
Schall, Thomas D	Excelsior, Minn.
Scott, Frank D	Alpena, Mich.
Scott, George C	Sioux City, Iowa.
Scott, John R. K	Philadelphia, Pa.
Scully, Thomas J	South Amboy, N. J.
Sears, William J	Kissimmee, Fla.
Sells, Sam R	Johnson City, Tenn.
Shackleford, Dorsey W	Jefferson City, Mo.
Shallenberger, Ashton C	Alma, Nebr.
Sherley, Swagar	Louisville, Ky.
Sherwood, Isaac R	Toledo, Ohio.
Shouse, Jouett	Kinsley, Kans.
Siegel, Isaac	New York City.
Sims, Thetus W	Linden, Tenn.
Sinnott, Nicholas J	The Dalles, Oreg.
Sisson, Thomas U	Winona, Miss.
Slayden, James L	San Antonio, Tex.
Slemp, C. Bascom	Big Stone Gap, Va.
Sloan, Charles H	Geneva, Nebr.
Small, John H	Washington, N. C.
Smith, Addison T	Twin Falls, Idaho.
Smith, Charles B	Buffalo, N. Y.
Smith, J. M. C	Charlotte, Mich.
Smith, Thomas F	New York City.
Snell, Bertrand H	Potsdam, N. Y.
Snook, John S	Paulding, Ohio.
Snyder, Homer P	Little Falls, N. Y.
Stafford, William H	Milwaukee, Wis.
Steagall, Henry B	Ozark, Ala.
Stedman, Charles M	Greensboro, N. C.
Steele, Henry J	Easton, Pa.
Steenerson, Halvor	Crookston, Minn.
Stephens, Dan V	Fremont, Nebr.
Stephens, Hubert D	New Albany, Miss.
Sterling, Bruce F	Uniontown, Pa.
Stevenson, William F	Cheraw, S. C.
Stiness, Walter R	Cowesett, R. I.
Strong, Nathan L	Brookville, Pa.
Sullivan, Chrisopher D	New York City.
Sumners, Hatton W	Dallas, Tex.
Sweet, Burton E	Waverly, Iowa.
Swift, Oscar Wm	Brooklyn, N. Y.
Switzer, Robert M	Gallipolis, Ohio.
Tague, Peter F	Boston, Mass.
Taylor, Edward T	Glenwood Springs, Colo.
Taylor, Samuel M	Pine Bluff, Ark.
Temple, Henry W	Washington, Pa.
Templeton, Thomas W	Plymouth, Pa.
Thomas, Robert Y., jr	Central City, Ky.
Thompson, Joseph B	Pauls Valley, Okla.

[1] Elected in place of Irving L. Lenroot, resigned.

[2] Died January 25, 1919.

Names and post-office addresses of Members and Delegates of the House of Representatives—Continued.

Name.	Home post office.	Name.	Home post office.
Tillman, John N	Fayetteville, Ark.	Webb, Edwin Y	Shelby, N. C.
Tilson, John Q	New Haven, Conn.	Welling, Milton H	Fielding, Utah.
Timberlake, Charles B	Sterling, Colo.	Welty, Benjamin F	Lima, Ohio.
Tinkham, George Holden	Boston, Mass.	Whaley, Richard S	Charleston, S. C.
Towner, Horace M	Corning, Iowa.	Wheeler, Loren E	Springfield, Ill.
Treadway, Allen T	Stockbridge, Mass.	White, George	Marietta, Ohio.
Van Dyke, Carl C	St. Paul, Minn.	White, Wallace H., jr	Lewiston, Me.
Vare, William S	Philadelphia, Pa.	Williams, Thomas S	Louisville, Ill.
Venable, William W	Meridian, Miss.	Wilson, James C	Fort Worth, Tex.
Vestal, Albert H	Anderson, Ind.	Wilson, Riley J	Harrisonburg, La.
Vinson, Carl	Milledgeville, Ga.	Wilson, William W	Chicago, Ill.
Voigt, Edward	Sheboygan, Wis.	Wingo, Otis	De Queen, Ark.
Volstead, Andrew J	Granite Falls, Minn.	Winslow, Samuel E	Worcester, Mass.
Waldow, William F	Buffalo, N. Y.	Wise, James W	Fayetteville, Ga.
Walker, J. Randall	Valdosta, Ga.	Wood, William R	La Fayette, Ind.
Walsh, Joseph	New Bedford, Mass.	Woods, Frank P	Estherville, Iowa.
Walton, William B	Silver City, N. Mex.	Woods, James P.[2]	Roanoke, Va.
Ward, Charles B	Debruce, N. Y.	Woodyard, Harry C	Spencer, W. Va.
Wason, Edward H	Nashua, N. H.	Wright, William C	Newnan, Ga.
Watkins, John T	Minden, La.	Young, George M	Valley City, N. Dak.
Watson, Henry W	Langhorne, Pa.	Young, James	Kaufman, Tex.
Watson, Walter A	Jennings Ordinary, Va.	Zihlman, Frederick N	Cumberland, Md.
Weaver, Zebulon[1]	Asheville, N. C.		

DELEGATES.

Kalanianaole, J. Kuhio	Waikiki, Hawaii.	Wickersham, James[4]	Fairbanks, Alaska.
Sulzer, Charles A.[3]	Sulzer, Alaska.		

RESIDENT COMMISSIONERS.

Davila, Felix Cordova	Manati, P. R.	Yangko, Teodoro R	Zambales, P. I.
De Veyra, Jaime C	Leyte, P. I.		

[1] Declared not elected to seat March 1, 1919.
[2] Elected in place of Carter Glass, resigned.
[3] Declared not elected to seat January 7, 1919.
[4] Declared elected to seat January 7, 1919.

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Burlington, Mass. (see bill H. R. 13517).

CAPTURED CANNON—Continued.
Bills donating to
Burnet, Tex. (see bill H. R. 14127).
Burr, Nebr. (see bill H. R. 15111).
Burrillville, R. I. (see bill H. R. 14544).
Butler, Ind. (see bill H. R. 14856).
Calera, Ala. (see bill H. R. 14591).
Calhoun, Ga. (see bill H. R. 15964).
California (see bill H. R. 14511).
Callahan, Tex. (see bill H. R. 14121).
Camas, Wash. (see bill H. R. 15003).
Cameron, Mo. (see bill H. R. 14480).
Canaan, Vt. (see bill H. R. 16179).
Cando, N. Dak. (see bill H. R. 15995).
Caney, Kans. (see bill H. R. 16159).
Canton, Mass. (see bill H. R. 16163).
Canton, N. Y. (see bill H. R. 15008).
Canton, Ohio (see bill H. R. 14884).
Canton, Pa. (see bill H. R. 14860).
Cape Vincent, N. Y. (see bill H. R. 16130).
Capron, Ill. (see bill H. R. 14612).
Caribou, Me. (see bill H. R. 14572).
Carlinville, Ill. (see bill H. R. 15648).
Carlisle, Mass. (see bill H. R. 13512), 841.
Carlisle, Pa. (see bill H. R. 15974).
Carlstadt, N. J. (see bill H. R. 14750).
Carrington, N. Dak. (see bill S. 5412).
Carroll, Ark. (see bill H. R. 14468).
Carroll County, Va. (see bill H. R. 14935).
Carson County, S. Dak. (see bill H. R. 15035).
Cartersville, Ga. (see bill H. R. 15955).
Carthage, N. Y. (see bill H. R. 14559).
Catawissa, Pa. (see bill H. R. 14627).
Catlin, Okla. (see bill H. R. 15729).
Cazenovia, N. Y. (see bill H. R. 15631).
Cedartown, Ga. (see bill H. R. 15967).
Centerport, N. Y. (see bill H. R. 15240).
Central Falls, R. I. (see bill H. R. 14550).
Chandler, Okla. (see bill H. R. 15722).
Charlemont, Mass. (see bill H. R. 15235).
Charleroi, Pa. (see bill H. R. 15204).
Charleston, Wash. (see bill H. R. 14796).
Charleston, W. Va. (see bill H. R. 15061).
Charles Town, W. Va. (see bill H. R. 15289).
Charlotte County, Va. (see bill H. R. 14933).
Chateaugay, N. Y. (see bill H. R. 14608).
Chatsworth, Ga. (see bill H. R. 15957).
Chehalis, Wash. (see bill H. R. 15005).
Chelmsford, Mass. (see bill H. R. 13513), 841.
Cherokee, Kans. (see bill H. R. 15689).
Cherokee, Okla. (see bill H. R. 15850).
Cherry Valley, Ill. (see bill H. R. 14133).
Chickasha, Okla. (see bill H. R. 14576).
Chico, Calif. (see bill S. 5431).
Chippewa Falls, Wis. (see bill H. R. 15175).
Chisholm, Minn. (see bills S. 5644; H. R. 16007).
Christiana, Pa. (see bill H. R. 14841).
Churubusco, Ind. (see bill H. R. 14857).
Clanton, Ala. (see bill H. R. 14586).
Clare, Mich. (see bills H. R. 14140, 14141).
Claremont, N. H. (see bill S. 5210).
Claremore, Okla. (see bill H. R. 14617).
Clarksville, Tex. (see bill H. R. 14601).
Clay, Fla. (see bill H. R. 14161).
Clayton, N. Y. (see bill H. R. 15629).
Cleburne, Tex. (see bill S. 5503).
Cliffside, N. C. (see bill H. R. 15311).
Clifton, N. J. (see bill H. R. 15774).
Clinton, Mo., Young Men's Christian Association (see bill H. R. 15370).
Clinton, N. C. (see bill H. R. 15528).
Coalgate, Okla. (see bill H. R. 15715).
Cody, Wyo. (see bill H. R. 14767).
Coeur d'Alene, Idaho (see bill S. 5640).
Colby, Kans. (see bill H. R. 16049).
Coldwater, Mich. (see bill H. R. 16139).
Coleman, Tex. (see bill H. R. 14112).
Colerain, Mass. (see bill H. R. 14931).
Colfax, Iowa (see bill H. R. 14753).
Columbia, Pa. (see bill H. R. 14839).
Columbiana, Ala. (see bill H. R. 14588).
Columbus, Ga. (see bill H. R. 15872).
Columbus, Miss. (see bill H. R. 16152).
Columbus, N. C. (see bill H. R. 15303).
Columbus, Wis. (see bill H. R. 14204).
Comanche, Tex. (see bill H. R. 14114).
Concho, Tex. (see bill H. R. 14122).
Concord, Mass. (see bill H. R. 13514), 841.
Concordia, Kans. (see bill S. 5588).
Conneaut, Ohio (see bill H. R. 15749).
Connecticut (see bills H. R. 14188, 16113).
Conway, Ark. (see bill H. R. 14509).
Conway Springs, Kans. (see bill S. 5457).
Cooperstown, N. Y. (see bill H. R. 15830).
Copan, Okla. (see bill H. R. 15906).
Coridon, Iowa (see bill H. R. 16052).
Corinth, Miss. (see bill H. R. 16156).
Corning, Iowa (see bill H. R. 16052).
Corning, N. Y. (see bill H. R. 16109).
Corona, Cal. (see bill H. R. 14179).
Cortez, Colo. (see bill H. R. 16196).
Corunna, Ind. (see bill H. R. 16000).
Coshocton, Ohio (see bill H. R. 15396).
Cottonwood, Cal. (see bill H. R. 16143).
Cottonwood Falls, Kans. (see bill H. R. 15209).
Council Bluffs, Iowa (see bill H. R. 15685).
Council Grove, Kans. (see bill H. R. 15944).
Courtland, N. Y. (see bill H. R. 14891).
Covington, Ind. (see bill H. R. 14488).
Craig, Colo. (see bill H. R. 16196).
Crawford County Fair, Mo. (see bill H. R. 16072).
Crawfordsville, Ind. (see bill H. R. 14490).

CAPTURED CANNON—Continued.
Bills donating to
Cresdon, Iowa (see bill H. R. 16052).
Crosby, Minn. (see bill S. 5421).
Crown Point, Ind. (see bill H. R. 15541).
Cuba, Mo. (Crawford County Fair) (see bill H. R. 16072).
Cudahy, Wis. (see bill H. R. 14769).
Cumberland, Md. (see bill H. R. 13426).
Cumberland, R. I. (see bill H. R. 14547).
Custer County, Okla. (see bill H. R. 15561).
Dade, Fla. (see bill H. R. 14159).
Dallas, Ga. (see bill H. R. 15960).
Dallas County, Tex. (see bill H. R. 15253).
Dallastown, Pa. (see bill H. R. 16114).
Dalton, Ga. (see bill H. R. 15965).
Danville, Va. (see bill H. R. 14843).
Davidson College, N. C. (see bill H. R. 15871).
Davis, W. Va. (see bill H. R. 15280).
Dawson, Ga. (see bill H. R. 14499).
Decatur, Ala. (see bill H. R. 14178).
Dedham, Mass. (see bill H. R. 16161).
Delaware, Ohio (see bill H. R. 15395).
Delaware, Okla. (see bill H. R. 14622).
Delphi, Ind. (see bill H. R. 14489).
Dennison, Ohio (see bill H. R. 15224).
Derby, Conn. (see bill H. R. 15736).
Des Moines, Iowa (see bill H. R. 15478).
Detroit, Minn. (see bill H. R. 13791).
Devils Lake, N. Dak. (see bill S. 5412).
Dewey County, Okla. (see bill H. R. 15552).
Dexter, Me. (see bill H. R. 15439).
Dexter, N. Y. (see bill H. R. 15414.
Dickinson, N. Dak. (see bill S. 5412).
Dillon, Nebr. (see bill H. R. 15803).
Dixfield, Me. (see bill H. R. 14534).
Dixon, Ky. (see bill H. R. 15466).
Dodge City, Kans. (see bills S. 5458; H. R. 14862).
Donaldson, Nebr. (see bill H. R. 15804).
Douglas, Mass. (see bill H. R. 14562).
Douglas County, Kans. (see bill H. R. 16003).
Dover, Ohio (see bills H. R. 15222, 16194).
Downers Grove, Ill. (see bill H. R. 15124).
Driggs, Idaho (see bill H. R. 14943).
Drocut, Mass. (see bill H. R. 13515).
Drumright, Okla. (see bill H. R. 15720).
Duluth, Minn. (see bill H. R. 14923).
Dunstable, Mass. (see bill H. R. 13511).
Durant, Okla. (see bill H. R. 15761).
Dushore, Pa. (see bill H. R. 14634).
Duval, Fla. (see bill H. R. 14151).
Eagle River, Wis. (see bill H. R. 14536).
Earlville, Ill. (see bill H. R. 16050).
East Bloomfield, N. Y. (see bill H. R. 15618).
East Greenwich, R. I. (see bill H. R. 14600).
Eastland, Tex. (see bill H. R. 14123).
East Liverpool, Ohio (see bill H. R. 14650).
Easton, Mass. (see bill H. R. 16163).
East Pittsburgh, Pa. (see bill H. R. 15947).
East Rutherford, N. J. (see bill H. R. 15190).
East Smithfield, Pa. (see bill H. R. 15249).
Eaton Rapids, Mich. (see bill H. R. 15999).
Eau Claire, Wis. (see bill H. R. 15173).
Edgewood, Pa. (see bills H. R. 15766, 16011).
Egg Harbor, N. J. (see bill H. R. 15941).
Eighth Coast Guard Artillery Corps, New York Guard (see bill H. R. 15002).
Elbow Lake, Minn. (see bill S. 5389).
Eldorado, Kans. (see bill H. R. 14930).
Elgin, Ill. (see bill H. R. 15124).
Elizabeth, Pa. (see bill H. R. 15764).
Elizabethtown, N. Y. (see bill H. R. 14606).
Elizabethtown, Pa. (see bill H. R. 14840).
Elk Horn, Iowa (see bill H. R. 15683).
Elkins, W. Va. (see bill H. R. 15287).
Ellis County, Okla. (see bill H. R. 15554).
Ellis County, Tex. (see bill H. R. 15254).
Elmira, N. Y. (see bill H. R. 16107).
Elsberry, Mo. (see bill H. R. 15818).
Ely, Minn. (see bill H. R. 14925).
Emporia, Kans. (see bills S. 5496; H. R. 15100).
Enfield, Conn. (see bill S. 5545).
Englewood, Colo. (see bill H. R. 14819).
Englewood, N. J. (see bill H. R. 15019).
Erie, Pa. (see bills S. 5325; H. R. 14501).
Etna, Pittsburgh, Pa. (see bill H. R. 15192).
Eureka, Kans. (see bill H. R. 16073).
Evanston, Ill. (see bill H. R. 16055).
Evansville, Ind. (see bill H. R. 15665).
Evansville College, Ind. (see bill H. R. 15092).
Eveleth, Minn. (see bill H. R. 14926).
Everett, Mass. (see bill S. 5420).
Excelsior Springs, Mo. (see bill H. R. 14479).
Fairfax, Minn. (see bill S. 5389).
Fairmount, Ind. (see bill H. R. 16124).
Faith, S. Dak. (see bill H. R. 15127).
Falls City, Nebr. (see bill H. R. 15115).
Far Hills, N. J. (see bill H. R. 15250).
Farrell, Pa. (see bill H. R. 16220).
Fayetteville, W. Va. (see bill H. R. 15062).
Fineview, Pittsburgh, Pa. (see bill H. R. 15194).
Flagler, Fla. (see bill H. R. 14153).
Flemington, N. J. (see bill H. R. 14786).
Florence, Ala. (see bill H. R. 14175).
Florida (see bills S. 5439, 5490).
Flushing, Ohio (see bill H. R. 14483).
Forest City, Pa. (see bill H. R. 14872).
Forman, N. Dak. (see bill S. 5412).
Fort Amanda, Ohio (see bill H. R. 14780).
Fort Atkinson, Wis. (see bill H. R. 14195).
Fort Edward, N. Y. (see bill H. R. 14946).
Fort Payne, Ala. (see bill H. R. 14895).

CAPTURED CANNON—Continued.
Bills donating to
Fort Ridgely State Park, Minn. (see bill S. 5642).
Fort Scott, Kans. (see bill S. 5586).
Fort Washington War Service Honor Roll Committee (see bill H. R. 16010).
Foxboro, Mass. (see bill H. R. 16164).
Framingham, Mass. (see bill S. 5513).
Frankfort, Ind. (see bill H. R. 14486).
Frankfort, Ky. (see bill H. R. 15892).
Franklin, Ill. (see bill H. R. 14558).
Franklin, N. C. (see bill H. R. 15307).
Franklin, Pa. (see bill H. R. 15516).
Franklin, W. Va. (see bill H. R. 15286).
Franklin County, Kans. (see bill H. R. 16003).
Franklin County, Va. (see bill H. R. 14845).
Frederick, Md. (see bill H. R. 13426).
Fredonia, Kans. (see bill H. R. 15937).
Freehold, N. J. (see bill H. R. 14458).
Friend, Nebr. (see bill H. R. 15803).
Frostburg, Md. (see bill H. R. 13426).
Fulton, Miss. (see bill H. R. 16154).
Galveston, Tex. (see bill H. R. 14748).
Garden City, Kans. (see bill H. R. 16035).
Garrett, Ind. (see bill H. R. 14858).
Gaston County, N. C. (see bill H. R. 15867).
Gatesville, Tex. (see bill H. R. 14181).
Geneva, Ill. (see bill H. R. 15124).
Geneva, Ohio (see bill H. R. 15753).
Genoa, Ill. (see bill H. R. 14135).
Georgetown, Conn. (see bill H. R. 14749).
Gibbon, Minn. (see bill S. 5389).
Gillespie, Ill. (see bill H. R. 15653).
Girard, Ill. (see bill H. R. 15647).
Girard, Pa. (see bills H. R. 14947, 15155).
Glassport, Pa. (see bill H. R. 16198).
Glencoe, Ill. (see bill H. R. 16102).
Glens Falls, N. Y. (see bill H. R. 15455).
Glenwood, Iowa (see bill H. R. 15682).
Gloucester, R. I. (see bill H. R. 14542).
Goldsboro, N. C. (see bill H. R. 15525).
Gooding, Idaho (see bills S. 5640; H. R. 14943).
Goodland, Kans. (see bill S. 5459).
Grafton, Mass. (see bill H. R. 14566).
Grand Rapids, Minn. (see bill H. R. 15920).
Grand Rapids, Wis. (see bill H. R. 14831).
Grant, Mich. (see bill H. R. 16131).
Grantsburg, Wis. (see bill H. R. 14103).
Grass Valley, Calif (see bill H. R. 14642).
Gray, Me. (see bill S. 5621).
Grays Lake, Ill. (see bill H. R. 16097).
Grayson County, Va. (see bill H. R. 14934).
Great Bearrington, Mass. (see bill H. R. 14552).
Greenfield, Mass. (see bill H. R. 14505).
Green Lake, Wis. (see bill H. R. 15857).
Greenlawn, N. Y. (see bill H. R. 14108).
Greensboro, Vt. (see bill H. R. 15829).
Greensboro College for Women, N. C. (see bill H. R. 16009).
Greensburg, Pa. (see bill H. R. 14477).
Greenville, Pa. (see bill H. R. 15817).
Greenwood, Me. (see bill H. R. 14887).
Greenwood, S. C. (see bill H. R. 14999).
Greer County, Okla. (see bill H. R. 15553).
Groton, Mass. (see bill H. R. 13510), 841.
Grundy Center, Iowa (see bill H. R. 14777).
Guthrie Center, Iowa (see bill H. R. 15687).
Guyanoga, N. Y. (see bill H. R. 15619).
Haakon County, S. Dak. (see bill H. R. 15036).
Hagerstown, Md. (see bills S. 5558; H. R. 13426).
Halifax, Va. (see bill H. R. 14846).
Hallstead, Pa. (see bill H. R. 14867).
Hankinson, N. Dak. (see bill S. 5563).
Hardin, Ill. (see bill H. R. 16127).
Harlan, Ind. (see bill H. R. 14938).
Harmon County, Okla. (see bill H. R. 15558).
Harpers Ferry, W. Va. (see bill H. R. 15293).
Harrisburg, Pa. (see bill H. R. 15973).
Harrison, Me. (see bill S. 5405).
Harrisville, R. I. (see bill H. R. 15015).
Hart, Mich. (see bill H. R. 16134).
Hartford, Wis. (see bill H. R. 14202).
Hartford City, Ind. (see bill H. R. 15157).
Harvard, Ill. (see bill H. R. 15124).
Harvard, Mass. (see bill H. R. 13508), 841.
Harvey, N. Dak. (see bill S. 5412).
Hasbrouck Heights, N. J. (see bill H. R. 15022).
Hawaiian Islands (see bill H. R. 15866).
Hawley, Pa. (see bill H. R. 14865).
Hayesville, N. C. (see bill H. R. 15312).
Hays, Kans. (see bill S. 5497).
Hayward, Wis. (see bill H. R. 14538).
Hazard, Ky. (see bill H. R. 14660).
Heflin, Ala. (see bill H. R. 14515).
Henderson, Ky. (see bill H. R. 14129).
Hendersonville, N. C. (see bill H. R. 15304).
Henry, Va. (see bill H. R. 14844).
Hettinger, N. Dak. (see bill S. 5412).
Hiawatha, Kans. (see bill H. R. 15272).
Hibbing, Minn. (see bill H. R. 14924).
Hicksville, N. Y. (see bill H. R. 14106).
Highland Park, Ill. (see bill H. R. 16057).
Hightstown, N. J. (see bill H. R. 14788).
Highwood, Ill. (see bill H. R. 16059).
Hillsboro, Ill. (see bill H. R. 15650).
Hindman, Ky. (see bill H. R. 14661).
Hinsdale, Ill. (see bill H. R. 15124).
Hohokus, N. J. (see bill H. R. 12630).
Holdenville, Okla. (see bill H. R. 15714).
Holton, Kans. (see bill H. R. 15274).
Holtville, Cal. (see bill H. R. 14605).
Holyoke, Mass. (see bill H. R. 14503).
Homer, Mich. (see bill H. R. 15998).

CAPTURED CANNON—Continued.
Bills donating to
Honea Path, S. C. (see bill H. R. 15705).
Honesdale, Pa. (see bill H. R. 14869).
Hoopeston, Ill. (see bill H. R. 15387).
Hopedale, Mass. (see bill H. R. 14567).
Horton, Kans. (see bill H. R. 15277).
Hot Sulphur Springs, Colo. (see bill H. R. 16196).
Houlton, Me. (see bill H. R. 14932).
Houston, Mo. (see bill H. R. 15825).
Howard, Kans. (see bill H. R. 16028).
Howe, Ind. (see bills H. R. 15506, 15507).
Hudson, Mass. (see bill H. R. 13402).
Hudson, Wis. (see bill H. R. 15172).
Humbodlt, Nebr. (see bills S. 5605; H. R. 15107).
Hummelstown, Pa. (see bill H. R. 15976).
Huntington, Mass. (see bill H. R. 14551).
Huntsville, Ala. (see bill H. R. 14177).
Hurley, Wis. (see bill H. R. 14539).
Hyde, Mass. (see bill H. R. 16162).
Idaho (see bill H. R. 13906).
Imlay City, Mich. (see bill H. R. 15821).
Independence, Kans. (see bill S. 5495).
Independence, Ky. (see bill H. R. 15076).
Indianola, Iowa (see bill H. R. 15477).
Inez, Ky. (see bill H. R. 14665).
Irvington, N. J. (see bill H. R. 15772).
Irvington, Va. (see bill H. R. 15591).
Island Heights, N. J. (see bill H. R. 14460).
Ithaca, N. Y. (see bill H. R. 16108).
Iuka, Miss. (see bill H. R. 16157).
Jackson, Cal. (see bill H. R. 14647).
Jackson County, Okla. (see bill H. R. 15559).
Jacksonville, N. C. (see bill H. R. 15527).
Jamaica welcome and memorial committee, New York (see bill H. R. 16060).
Jamestown, N. Dak. (see bill S. 5412).
Janeau, Wis. (see bill H. R. 14191).
Jefferson, Ohio (see bill H. R. 15754).
Jefferson, Wis. (see bill H. R. 14197).
Jerome, Idaho (see bill H. R. 14943).
Jerseyville, Ill. (see bill H. R. 14951).
Johnson County, Kans. (see bill H. R. 16003).
Johnstown, Ohio (see bill H. R. 15392).
Joliet, Ill. (see bill H. R. 15124).
Jones, Tex. (see bill H. R. 14120).
Junction City, Kans. (see bill S. 5671).
Kalamazoo, Mich. (see bill H. R. 15997).
Kansas City, Kans. (see bill H. R. 16002).
Kansas, University of (see bill H. R. 16002).
Kelso, Wash. (see bill H. R. 15004).
Kemmerer, Wyo. (see bill H. R. 14766).
Kenansville, N. C. (see bill H. R. 15531).
Kendallville, Ind. (see bill H. R. 14852).
Kenedy, Tex. (see bill S. 5503).
Kenilworth, Ill. (see bill H. R. 16056).
Kent City, Mich. (see bill H. R. 15014).
Kentucky (see bill S. 5338).
Keyser, W. Va. (see bill H. R. 15284).
Kilmarnock, Va. (see bill H. R. 15102).
Kindred, N. Dak. (see bill H. R. 15996).
Kingston, Ill. (see bill H. R. 14611).
Kingwood, W. Va. (see bill H. R. 15291).
Kinsley, Kans. (see bill H. R. 14861).
Kiowa County, Okla. (see bill H. R. 15555).
Knoxville, Iowa (see bill H. R. 15474).
Kokomo, Ind. (see bill H. R. 14494).
Ladysmith, Wis. (see bill H. R. 14100).
La Fayette, Ga. (see bill H. R. 15961).
Lake City, Colo. (see bill H. R. 16196).
Lake Forest, Ill. (see bills H. R. 16058, 16103).
Lambertville, N. J. (see bill H. R. 14790).
Lamoni, Iowa (see bill H. R. 16052).
Lampass, Tex. (see bill H. R. 14110).
Lancaster, Pa. (see bill H. R. 14842).
Lapeer County, Mich. (see bill H. R. 15822).
Larchmont, N. Y. (see bill H. R. 15669).
Laurence, N. Y. (see bill H. R. 16041).
Lawrence, Mass. (see bill H. R. 15424).
Leavenworth, Kans. (see bill H. R. 15269).
Lebanon, Ind. (see bill H. R. 14492).
Lebanon, Pa. (see bill H. R. 15975).
Lee, Mass. (see bill H. R. 15233).
Lehigh, Okla. (see bill H. R. 15713).
Lehighton, Pa. (see bill H. R. 15765).
Lenox, Iowa (see bill H. R. 16052).
Lexox, Mass. (see bill H. R. 14553).
Lewisburg, W. Va. (see bill H. R. 15063).
Lexington, Ky. (University of Kentucky) (see bill S. 5400).
Lexington, N. C. (see bill H. R. 15337).
Lexington, S. C. (see bill H. R. 15031).
Liberal, Kans.—National Guard (see bill S. 5498).
Liberty, Tex. (see bill H. R. 14748).
Libertyville, Ill. (see bill H. R. 16100).
Ligonier, Pa. (see bill H. R. 14476).
Lima, Ohio (see bill H. R. 14781).
Lincoln, Mass. (see bill H. R. 13518), 841.
Lincoln, Nebr. (see bill H. R. 15113).
Lincoln, R. I. (see bill H. R. 14546).
Lincoln City, Md. (Nancy Hanks Park) (see bill H. R. 15827).
Lincolnton, N. C. (see bill H. R. 15870).
Lindstrom, Minn. (see bill H. R. 15934).
Linn County, Kans. (see bill H. R. 16003).
Litchfield, Ill (see bill H. R. 15651).
Little Falls, Minn. (see bills S. 5421; H. R. 14596).
Littleton, Mass. (see bill H. R. 13519), 841.
Llaona, Tex. (see bill H. R. 14109).
Logan, Utah (see bill S. 5250), 863.
Lonaconing, Md. (see bill H. R. 13426).
London, Ohio (see bill H. R. 14823).
Lone Rock, Wis.: (see bills H. R. 14557, 14874).
Long Prairie, Minn. (see bill H. R. 14595).

CAPTURED CANNON—Continued.
Bills donating to
Lorimor, Iowa (see bill H. R. 16052).
Loudonville, Ohio (see bill H. R. 16226).
Louisburg, Kans. (see bill H. R. 16002).
Louisiana (see bills H. R. 13918, 13964, 14060, 14430).
Lowell, Mass. (see bill H. R. 13401).
Loyal, Wis. (see bill H. R. 16001).
Luzerne, N. Y. (see bill H. R. 15454).
Lynn, Mass. (see bills S. 5539; H. R. 15425).
McAlester, Okla. (see bill H. R. 15759).
McCook, Nebr. (see bill S. 5606).
McCormick, S. C. (see bill H. R. 14998).
McCulloch, Tex. (see bill H. R. 14115).
McKee, Ky. (see bill H. R. 14657).
McKinney, Tex. (see bill S. 5665).
Macon, Miss. (see bill H. R. 16150).
McPherson, Kans. (see bill H. R. 15016).
Madill, Okla. (see bill H. R. 15758).
Madison, Ark. (see bill H. R. 14461).
Madison, W. Va. (see bill H. R. 15066).
Madison County, Ohio (Paint Township Cemetery) (see bill H. R. 14821).
Malad, Idaho (see bill H. R. 14943).
Malden, Mass. (see bill H. R. 15638).
Manawa, Wis. (see bill H. R. 15767).
Manchester, Tenn. (see bill H. R. 14144).
Manhassett, N. Y. (see bill H. R. 15659).
Mankato, Minn. (see bill S. 5644).
Mansfield, La. (see bill H. R. 14927).
Mansfield, Ohio (see bill H. R. 15394).
Mantena, Ill. (see bill H. R. 15388).
Manti, Utah (see bill S. 5250), 863.
Maple Shade, N. J. (see bill H. R. 15792).
Marengo, Ill. (see bill H. R. 15124).
Marietta, Ga. (see bill H. R. 15958).
Marion, Ark. (see bill H. R. 14465).
Marion, N. C. (see bill H. R. 15310).
Marion Junction, Ala. (see bill H. R. 14590).
Mariposa, Cal. (see bill H. R. 14645).
Markesan, Wis. (see bill H. R. 16033).
Marlboro, Mass. (see bill S. 5335).
Marlin, Tex. (see bill H. R. 14180).
Marlinton, W. Va. (see bill H. R. 15065).
Marshall, Ill. (see bill H. R. 15852).
Marshfield, Wis. (see bill H. R. 14836).
Martinsburg, W. Va. (see bill H. R. 15292).
Marysville, Kans. (see bill S. 5584).
Maspith Civic Association (see bill H. R. 15849).
Massachusetts (Tufts College) (see bill S. 5533).
Massena, N. Y. (see bill H. R. 14500).
Massillon, Ohio (see bill H. R. 14886).
Mauchchunk, Pa. (see bill H. R. 14974).
Maynard, Mass. (see bill H. R. 13520), 841.
Mayville, Wis. (see bill H. R. 14199).
Mechanicsburg, Pa. (see bill H. R. 15971).
Medford, Wis. (see bill H. R. 14537).
Meeker, Col. (see bill H. R. 16196).
Mendon, Mass. (see bill H. R. 14568).
Menlo, Ga. (see bill H. R. 15968).
Menomonie, Wis. (see bill H. R. 15171).
Mercer, Pa. (see bill H. R. 15513).
Meridian, Tex. (see bill H. R. 14183).
Merrill, Wis. (see bill H. R. 14096).
Methuen, Mass. (see bill H. R. 13526), 841.
Mexico, Mo. (see bill H. R. 15026).
Miami, Ind. (see bill H. R. 14652).
Miami, Okla. (see bill H. R. 14613).
Miami County, Kans. (see bill H. R. 16003).
Middletown, Conn. (see bill H. R. 14882).
Middletown, Pa. (see bill H. R. 15970).
Midland Park, N. Y. (see bill H. R. 15024).
Mifflinville, Pa. (see bill H. R. 15939).
Milford, Nebr. (see bill H. R. 15803).
Milford, Pa. (see bill H. R. 14973).
Milford Center, Ohio (see bill H. R. 16013).
Millbury, Mass. (see bill H. R. 14569).
Milledgeville, Ohio (see bill H. R. 14827).
Millersburg, Pa. (see bill H. R. 15972).
Mills, Tex. (see bill H. R. 14116).
Millvale, Pa. (see bill H. R. 15627).
Millville, Mass. (see bill H. R. 14570).
Milo, Me. (see bill H. R. 15421).
Milton, Pa. (see bill H. R. 14632).
Milwaukee, Wis. (see bills H. R. 14768, 14772).
Mineral City, Ohio (see bill H. R. 15621).
Mineral Ridge, Ohio (see bill H. R. 15752).
Mingo Junction, Ohio (see bill H. R. 14484).
Minneapolis, Minn. (see bills S. 5536; H. R. 15952)
Minnesota (see bill H. R. 15977).
Minnesota State Forestry Board (see bill H. R. 15644).
Minot, N. Dak. (see bill S. 5412).
Mission, Tex. (see bill S. 5577).
Missouri (see bills H. R. 14136, 14190, 15990).
Monroe, Fla. (see bill H. R. 14157).
Monroe, N. C. (see bill H. R. 15336).
Montello, Wis. (see bill H. R. 15859).
Monterey, Cal. (see bill S. 5676).
Montevallo, Ala. (see bill H. R. 14587).
Montezuma, Iowa (see bill H. R. 14752).
Montgomery, W. Va. (see bill H. R. 15067).
Monticello, Ind. (see bill H. R. 15540).
Monticello, Iowa (see bill H. R. 15982).
Monticello, Minn. (see bill H. R. 16018).
Montpelier, Vt. (see bill H. R. 15828).
Montrose, Pa. (see bill H. R. 14871).
Moorefield, W. Va. (see bill H. R. 15360).
Mooseheart, Ill. (see bill H. R. 15203).
Morganton, N. C. (North Carolina School for the Deaf) (see bill H. R. 15868).
Morgantown, W. Va. (see bill H. R. 15283).

CAPTURED CANNON—Continued.
Bills donating to
Mott, N. Dak. (see bill S. 5412).
Moulton, Ala. (see bill H. R. 14172).
Mount Ayr, Iowa (see bill H. R. 16052).
Mount Carmel, Pa. (see bill H. R. 14631).
Mount Kisco, N. Y. (see bill H. R. 15670).
Mount Vernon, Ind. (see bill H. R. 15664).
Mount Vernon, Ohio (see bill H. R. 15393).
Mount Vernon, Tex. (see bill S. 5577).
Mount Wolf, Pa. (see bill H. R. 16210).
Mountain Grove, Mo. (see bill H. R. 15823).
Mountain Home, Idaho (see bill H. R. 14943).
Mountain Iron, Minn (see bill H. R. 15851).
Muhlenberg, Ky. (see bill H. R. 14847).
Mullens, W. Va. (see bill H. R. 15816).
Murfreesboro, Tenn. (see bill H. R. 14145).
Murphy, N. C. (see bill H. R. 15308).
Murrayville, Ill. (see bill H. R. 16126).
Narragansett, R. I. (see bill H. R. 15342).
Nashville, Ohio (Nashville Cemetery) (see bill H. R. 15620).
Naugatuck, Conn. (see bill H. R. 15735).
Nazareth, Pa. (see bill H. R. 14971).
Nebraska City, Nebr. (see bill H. R. 15116).
Neodesha, Kans. (see bill H. R. 16205).
Neoga, Ill, High School (see bill H. R. 15386).
Nevada (see bill S. 5203).
Nevada, Iowa (see bill H. R. 15468).
Nevada City, Cal. (see bill H. R. 1461).
Newark, N. J. (see bill H. R. 15773).
Newark, Ohio (Grand Army Club) (see bill H. R. 15398).
Newbern, N. C. (see bill H. R. 15518).
Newberry, S. C. (see bill H. R. 14997).
New Castle, Ky. (see bill H. R. 15891).
Newcastle, Va. (see bill H. R. 15165).
Newcastle, Wyo. (see bill H. R. 14765).
Newcomerstown, Ohio (Boy Scouts) (see bill H. R. 15688).
New Haven, Ind. (see bill H. R. 14853).
New Holstein, Wis. (see bill H. R. 15858).
New Orleans, La. (Tulane University) (see bill S. 5401).
Newport, R. I. (see bill H. R. 14603).
New Richmond, Ind. (see bill H. R. 14653).
New Sharon, Iowa (see bill H. R. 14757).
Newton, Ark. (see bill H. R. 14470).
Newton, Iowa (see bill H. R. 14756).
Newton, Kans. (see bill H. R. 15847).
Newton, N. C. (see bill H. R. 16165).
New York City (The Bronx) (see bill H. R. 16074).
New York City (Twenty-second Regiment of Engineers) (see bill H. R. 12633).
Niles, Ohio (see bill H. R. 15748).
Noblesville, Ind. (see bill H. R. 14487).
Nolan, Tex. (see bill H. R. 14126).
Norristown, Pa. (see bill H. R. 15930).
North Adams, Mass. (see bill H. R. 14504).
Northampton, Mass. (see bill H. R. 14889).
Northboro, Mass. (see bill H. R. 13509).
North Carolina School for the Deaf (see bill H. R. 15868).
North Carolina State Normal and Industrial College (see bill H. R. 16008).
North Kingstown, R. I. (see bill H. R. 15660).
North Manchester, Ind. (see bill H. R. 14651).
North Reading, Mass. (see bill H. R. 15427).
North Smithfield, R. I. (see bill H. R. 14545).
North Tarrytown, N. Y. (see bill H. R. 15671).
Northumberland, Pa. (see bill H. R. 14629).
Nortonville, Kans. (see bill H. R. 15921).
Norwalk, Wis. (see bill H. R. 14763).
Norwood, Mass. (see bill H. R. 16163).
Nowata, Okla. (see bill H. R. 14616).
Oakland, Ill. (see bill H. R. 15132).
Oakland, Md. (see bill H. R. 13426).
Oakland City College, Ind. (see bill H. R. 15991).
Oberlin, Kans. (see bills S. 5590; H. R. 16048).
Ogden, Utah (see bill S. 5250).
Ogilvie, Minn. (see bill H. R. 15935).
Ohio (Wilberforce University) (see bill H. R. 14822).
Oil City, Pa. (see bill H. R. 15515).
Okeechobee, Fla. (see bill H. R. 14158).
Okemah, Okla. (see bill H. R. 15712).
Olathe, Colo. (see bill H. R. 16196).
Omro, Wis. (see bill H. R. 15855).
Onondago, N. Y. (see bill H. R. 14830).
Opelika, Ala. (see bill H. R. 15984).
Orange, Fla. (see bill H. R. 14154).
Orangeburg, S. C. (see bill H. R. 15031).
Orwell, N. Y. (see bill H. R. 15630).
Osage City, Kans. (see bill S. 5494).
Osawatomie, Kans. (see bill H. R. 16002).
Osceola, Fla. (see bill H. R. 14156).
Osceola, Iowa (see bill H. R. 16052).
Osceola Mills, Pa. (see bill H. R. 15390).
Oskaloosa, Iowa (see bill H. R. 14758).
Oskaloosa, Kans. (see bill H. R. 15275).
Ottumwa, Iowa (see bill H. R. 14760).
Ouray, Colo. (see bill H. R. 16196).
Owendale, Mich. (see bill H. R. 15943).
Owensboro, Ky. (see bill H. R. 15365).
Owenton, Ky. (see bill H. R. 16061).
Oxford, Ala. (see bill H. R. 14514).
Pagosa Springs, Colo. (see bill H. R. 16196).
Paintsville, Ky. (see bill H. R. 14662).
Palestine, Tex. (see bill H. R. 14748).
Palm Beach, Fla. (see bill H. R. 14150).
Palo Pinto, Tex. (see bill H. R. 14117).
Pana, Ill. (see bill H. R. 15652).
Paola, Kans. (see bills S. 5589, 5673).
Park Falls, Wis. (see bill H. R. 15144).
Park Rapids, Minn. (see bill H. R. 14877).
Park Ridge, N. J. (see bill H. R. 15988).
Park River, N. Dak. (see bill S. 5412).
Parsons, W. Va. (see bill H. R. 15285).

CAPTURED CANNON—Continued.
Bills donating to
Pasadena, Cal. (see bills S. 5431; H. R. 14510).
Patrick County, Va. (see bill H. R. 14937).
Pawhuska, Okla. (see bill H. R. 14620).
Pawnee, Okla. (see bill H. R. 14621).
Pawnee City, Nebr. (see bill H. R. 15112).
Pawtucket, R. I. (see bill H. R. 14548).
Paynesville, Minn. (see bill H. R. 14876).
Peabody, Kans. (see bill S. 5592).
Peabody, Mass. (see bill H. R. 15426).
Pell City, Ala. (see bill H. R. 15548).
Pella, Iowa (see bill H. R. 15476).
Pendleton, Oreg. (see bill H. R. 15348).
Pennington, N. J. (see bill H. R. 15756).
Pennsylvania (University of Pittsburgh) (see bill H. R. 16197).
Pepperell, Mass. (see bill H. R. 13524).
Perkins County, S. Dak. (see bill H. R. 15125).
Perry, Iowa (see bill H. R. 15475).
Pesotum, Ill. (see bill H. R. 14535).
Petersburg, Ind. (see bill H. R. 15666).
Petersburg, W. Va. (see bill H. R. 15282).
Philadelphia, Pa. (Girard College) (see bill H. R. 14966).
Philippi, W. Va. (see bill H. R. 15290).
Philipsburg, Pa. (see bill H. R. 15205).
Phillips, Wis. (see bill H. R. 14095).
Pickens, S. C. (see bill H. R. 14995).
Piedmont, W. Va. (see bill H. R. 15279).
Pikeville, Ky. (see bill H. R. 14666).
Pittsfield, Ill. (see bill H. R. 14994).
Pittsfield, Mass. (see bill H. R. 14502).
Pittsylvania County, Va. (see bill H. R. 14936).
Placerville, Cal. (see bill H. R. 14643).
Plainfield, Conn. (see bill H. R. 14881).
Plainfield, Ill. (see bill H. R. 15124).
Plaistow, N. H. (see bill S. 5350).
Plano, Ill. (see bill H. R. 14131).
Plattsmouth, Nebr. (see bill H. R. 15110).
Pleasanton, Kans. (see bill H. R. 16002).
Plymouth, Mass. (see bill S. 5470).
Plymouth, Wis. (see bill H. R. 14198).
Point Pleasant, N. J. (see bill H. R. 14459).
Port Austin, Mich. (see bill H. R. 12631).
Port Orchard, Wash. (see bill H. R. 14795).
Port Vue, Pa. (see bill H. R. 16005).
Port Washington, Wis. (see bill H. R. 14193).
Portage, Wis. (see bill H. R. 14194).
Portland, Me. (see bill S. 5391).
Powell, Wyo. (see bill H. R. 14764).
Poweshick, Iowa (see bill H. R. 14762).
Prague, Okla. (see bill H. R. 15723).
Presque Isle, Me. (see bill H. R. 15589).
Preston, Idaho (see bill H. R. 14943).
Prestonsburg, Ky. (see bill H. R. 14664).
Princeton, Ind. (see bill H. R. 15663).
Princeton, N. J. (see bill H. R. 14787).
Princeton, Wis. (see bill H. R. 15856).
Prospect Park, N. J. (see bill H. R. 15295).
Provo, Utah (see bill S. 5250).
Pryor, Okla. (see bill H. R. 14614).
Pulaski, N. Y. (see bill H. R. 15339).
Putnam, Fla. (see bill H. R. 14160).
Puyallup, Wash. (see bill H. R. 15007).
Quincy, Cal. (see bill H. R. 14644).
Quincy, Ill. (see bill H. R. 14899).
Quincy, Mass. (see bill H. R. 16160).
Randolph, Mass. (see bill H. R. 16161).
Rangeley, Me. (see bill H. R. 14792).
Rankin, Ill. (see bill H. R. 15926).
Raton, N. Mex. (see bill H. R. 14801).
Reading, Mass. (see bill H. R. 13522).
Red Bluff, Cal. (see bill H. R. 14639).
Redding, Cal. (see bill H. R. 14638).
Redfield, Iowa (see bill H. R. 15831).
Redlands, Cal. (see bill S. 5431).
Red Lion, Pa. (see bill H. R. 15846).
Red Oak, Iowa (see bill H. R. 15686).
Rexburg, Idaho (see bill H. R. 14943).
Reynoldsville, Pa. (see bill H. R. 15510).
Rhinelander, Wis. (see bill H. R. 14097).
Rice Lake, Wis. (see bill H. R. 15174).
Richmond, Va. (see bill H. R. 15949).
Ricksecker Post No. 469, Ohio (see bill H. R. 16194).
Ridgefield Park, N. J. (see bill H. R. 15020).
Ridgewood, N. J. (see bill H. R. 15021).
Rigby, Idaho (see bill H. R. 14943).
Rimersburg, Pa. (Grand Army Post) (see bill H. R. 15391).
Ringgold, Ga. (see bill H. R. 15966).
Riverhead, N. Y. (see bill H. R. 14107).
Riverside, N. J. (see bill H. R. 16171).
Robbinsville, N. C. (see bill H. R. 15314).
Robinson, Ill. (see bill H. R. 16203).
Rockaway, N. J. (see bill H. R. 16181).
Rock Creek, Ohio (see bill H. R. 15751).
Rockford, Mich. (see bill H. R. 15595).
Rock Island, Ill. (see bill H. R. 16063).
Rockport, Ind. (see bill H. R. 15667).
Rockville, Conn. (see bill H. R. 15658).
Rockville, Md. (see bill H. R. 13426).
Rockwall County, Tex. (see bill H. R. 15255).
Roger Mills County, Okla. (see bill H. R. 15557).
Rogersville, Ohio (see bill H. R. 15223).
Rome, Ga. (see bill H. R. 15963).
Romney, W. Va. (see bill H. R. 15281).
Ronceverte, W. Va. (see bill H. R. 15064).
Roscoe, Ill. (see bill H. R. 14610).
Rosedale, Kans. (see bill H. R. 16002).
Roswell, N. Mex. (New Mexico Military Institute) (see bill H. R. 15206).
Rumford, Me. (see bill H. R. 14485).
Runnels, Tex. (see bill H. R. 14124).
Rutherford, N. J. (see bill H. R. 15023).

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Bills donating to
Rutherfordton, N. C. (see bill H. R. 15309).
St. Cloud, Minn. (see bill H. R. 14594).
St. James, Mo. (see bill H. R. 15824).
St. Johns, Fla. (see bill H. R. 14146).
St. Lucie, Fla. (see bill H. R. 14149).
St. Marys, Pa. (see bill H. R. 15517).
St. Matthews, S. C. (see bill H. R. 15031).
Salina, Kans. (Kansas Wesleyan University) (see bill S. 5499).
Salinas, Cal. (see bill S. 5676).
Salisbury, Conn. (see bill H. R. 15160).
Salt Lake City, Utah (see bill S. 5250), 863.
Salyerville, Ky. (see bill H. R. 14663).
San Addreas, Cal. (see bill H. R. 14648).
Sand Lake, Mich. (see bill H. R. 15168).
Sandpoint, Idaho (see bill S. 5640).
Sand Spring, Okla. (see bill H. R. 15905).
Sandusky, Mich. (see bill H. R. 16051).
San Jose, Cal. (see bill S. 5431).
San Luis Obispo, Calif. (see bill S. 5676).
San Saba, Tex. (see bill H. R. 14111).
Santa Ana, Cal. (see bill H. R. 14975).
Sapulpa, Okla. (see bill H. R. 15724).
Saranac Lake, N. Y. (see bill H. R. 15009).
Sauk Center, Minn. (see bill H. R. 14875).
Savannah, Ga. (see bill H. R. 15848).
Sayre, Pa. (see bill H. R. 14863).
Schuylerville, N. Y. (see bill H. R. 15820).
Scottsboro, Ala. (see bill H. R. 14174).
Scranton, Pa. (see bill H. R. 15315).
Sea Cliff, N. Y. (see bill H. R. 15151).
Searcy, Ark. (see bill H. R. 14466).
Seattle, Wash. (see bill H. R. 14794).
Sebewaing, Mich. (see bill H. R. 14970).
Sebring, Ohio (see bill H. R. 15746).
Selma, Ala. (see bill H. R. 14512).
Seminole, Fla. (see bill H. R. 14155).
Seminole, Okla. (see bill H. R. 15718).
Seneca, Kans. (see bill H. R. 15271).
Seneca, S. C. (see bill H. R. 15775).
Seymour, Iowa (see bill H. R. 16052).
Shabona, Ill. (see bill H. R. 14134).
Shackleford, Tex. (see bill H. R. 14119).
Shamokin, Pa. (see bill H. R. 14633).
Sharon, Mass. (see bill H. R. 16164).
Shawano, Wis. (see bill H. R. 14832).
Shawnee, Okla. (see bill H. R. 15719).
Sheboygan, Wis. (see bill H. R. 14201).
Shelburne Falls, Mass. (see bill H. R. 14554).
Shelby, N. C. (see bill H. R. 15869).
Shelby, Ohio (see bill H. R. 16026).
Shepherdstown, W. Va. (see bill H. R. 15358).
Sheridan, Ind. (see bill H. R. 14793).
Shippensburg, Pa. (see bill H. R. 15969).
Shirley, Mass. (see bill H. R. 13523), 841.
Shoshone, Idaho (see bill H. R. 14943).
Shoshoni, Wyo. (see bill H. R. 15465).
Shreve, Ohio (see bill H. R. 14885).
Shreveport, La. (see bill H. R. 14928).
Shrewsbury, Mass. (see bill H. R. 14571).
Sigourney, Iowa (see bill H. R. 14754).
Silverton, Colo. (see bill H. R. 16196).
Simpson, Ky. (see bill H. R. 14880).
Smith Center, Kans. (see bill S. 5670).
Smithfield, R. I. (see bill H. R. 14543).
Smithtown Branch, N. Y. (see bill H. R. 15150).
Smithville, Tenn. (see bill H. R. 14143).
Somerville, N. J. (see bill H. R. 14791).
Somonauk, Ill. (see bill H. R. 15785).
Sonora, Cal. (see bill H. R. 14649).
Southampton, N. Y. (see bill H. R. 15985).
South Carolina, certain cities of (see bill H. R. 16064).
South Hadley, Mass. (see bill H. R. 14890).
South Milwaukee, Wis. (see bill H. R. 14773).
South Whitley, Ind. (see bill H. R. 14854).
Spencer, N. Y. (see bill H. R. 16111).
Spooner, Minn. (see bill H. R. 15894).
Spooner, Wis. (see bill H. R. 14102).
Springfield, Ill. (see bill H. R. 15656).
Springville, Iowa (see bill H. R. 14778).
Stanberry, Mo. (see bill H. R. 14478).
Staples, Minn. (see bill H. R. 15170).
Starkville, Miss. (see bill H. R. 16149).
State College, Pa., town of (see bill H. R. 15389).
State Federal Soldiers' Home, Mo. (see bill H. R. 15824).
Staunton, Ill. (see bill H. R. 15646).
Steamboat Springs, Colo. (see bill H. R. 16196).
Stephens, Tex. (see bill H. R. 14118).
Stevens Point, Wis. (see bill H. R. 14833).
Stockbridge, Mass. (see bill H. R. 15234).
Story City, Iowa (see bill H. R. 15479).
Stoughton, Mass. (see bill H. R. 16161).
Stow, Mass. (see bill H. R. 13502), 841.
Strong, Kans. (see bill H. R. 15208).
Stroudsburg, Pa. (see bill H. R. 14482).
Sturgis, Ky. (see bill H. R. 15874).
Sturgis, S. Dak. (see bill H. R. 15037).
Summer, Wash. (see bill H. R. 15006).
Summerville, Ga. (see bill H. R. 15962).
Sumter, S. C. (see bill H. R. 15031).
Superior, Wis. (see bills H. R. 14101, 16034).
Susanville, Cal. (see bill H. R. 14646).
Susquehanna, Pa. (see bill H. R. 14870).
Sussex County, N. J. (see bill H. R. 15267).
Sutton, Mass. (see bill H. R. 14565).
Sylacauga, Ala. (see bill H. R. 14585).
Sylva, N. C. (see bill H. R. 15306).
Syracuse, Nebr. (see bill H. R. 15114).
Talihina, Okla (see bill H. R. 15760).
Tangier, Va. (see bill H. R. 14169).
Taunton, Mass. (see bills S. 5336, 5491).

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Bills donating to
Taylor, Tex. (see bill H. R. 14125).
Taylorville, Ill. (see bill H. R. 15654).
Tecumseh, Nebr. (see bill H. R. 15108).
Tecumseh, Okla. (see bill H. R. 15721).
Telluride, Colo. (see bill H. R. 16196).
Temple, Tex. (see bill H. R. 15547).
Tennessee (see bill H. R. 14654).
Terra Alta, W. Va. (see bill H. R. 15361).
Tewksbury, Mass. (see bill H. R. 13503), 841.
Texas (see bills H. R. 14578, 15572).
Thayer, Kans. (see bills S. 5672; H. R. 16029).
Thomas, W. Va. (see bill H. R. 15288).
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Niedner, E. (H. Res. 467; Rept. 872), 645.
Official reporters of debates and official stenographers to committees (H. Res. 506; H. Rept. 1033), 2753.
Peak, Mayme O. (H. Res. 614; H. Rept. 1179), 4951.
Sterling, Charlotte (H. Res. 471; H. Rept. 873), 645.
Walton, Frank (H. Res. 614; H. Rept. 1179), 4951.

COMMITTEE ON ADDITIONAL ACCOMMODATIONS FOR LIBRARY OF CONGRESS (*Senate*).
Mr. Gay appointed, 23.
Mr. Pollock appointed, 23.

COMMITTEE ON AGRICULTURE (*House*).
Reports by
Agricultural appropriation bill (H. Rept. 980), 2013.
Cotton futures (H. Rept. 1151), 4676.
Wheat prices (H. Rept. 1055), 3174.

COMMITTEE ON AGRICULTURE AND FORESTRY (*Senate*).
Mr. Moses appointed, 2192.
Mr. Warren excused, 2192.
Resolution to allow them to summon witnesses, administer oaths, employ stenographers, and sit during recess or sessions of Senate (see S. Res. 476).
Reports by
Agricultural appropriation bill (S. Rept. 752), 4019.
Live stock (S. Rept. 754), 4108.
Wheat (H. Res. 515), 2522.
Wheat price guaranties (S. Rept. 760), 4205.

COMMITTEE ON AMERICANIZATION FOR NEW HAMPSHIRE, request in Senate to print report of, referred, 700.

COMMITTEE ON APPROPRIATIONS (*House*).
Reports by
Deficiency appropriation bills (H. Repts. 989, 1083), 2149, 3737.
District of Columbia appropriation bill (H. Rept. 842), 202.
Fortifications appropriation bill (H. Rept. 1069), 3404.
Legislative, executive, and judicial appropriation bill (H. Rept. 910), 1254.
Pension appropriation bill (H. Rept. 997), 2172.
Relief of populations of Europe (H. Rept. 892), 1128.
Sundry civil appropriation bill (H. R. 16104; H. Rept. 1117), 3982.
Third deficiency appropriation bill (H. Rept. 1148), 4495.
Transportation of dismissed Government employees (H. Rept. 850), 280.

COMMITTEE ON APPROPRIATIONS (*Senate*).
Mr. Gay appointed, 23.
Mr. Pollock appointed, 23.
Reports by
Deficiency appropriation bill (bill H. R. 15140), 2520.
Diplomatic and Consular appropriation bill (S. Rept. 698), 2935.
District of Columbia appropriation bill (S. Rept. 683), 2726.
Food supplies for Europe (bill H. R. 13708), 1580.
Fortifications appropriation bill (S. Rept. 750), 4019.
Indigent natives of Alaska (S. J. Res. 199), 1078.
Legislative, executive, and judicial appropriation bill (S. Rept. 679), 2417.
Third deficiency appropriation bill (S. Rept. 790), 4681.
Transportation of Government employees (bill H. R. 13261), 398.

COMMITTEE TO ATTEND FUNERAL OF THEODORE ROOSEVELT (*House*).
Appointed, 1105, 1107.

COMMITTEE TO ATTEND FUNERAL OF THEODORE ROOSEVELT (*Senate*).
Appointed, 1069, 1070, 1071.
Resolution to pay expenses of (see S. Res. 408*).

COMMITTEE TO ATTEND PEACE CONFERENCE (*Senate*).
Resolution creating (see S. Res. 358*).

COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE (*Senate*).
Remarks in Senate relative to rules regulating reference of resolutions to, 2118, 2119.
Reports by
Braham, Annie T. (S. Res. 385).
Committee on Indian Affairs (S. Res. 441), 2971.
Committee on the Judiciary (S. Res. 424, 469), 2190, 4391.
Committee on Manufactures (S. Res. 374, 405), 248, 1158.
Committee on Public Buildings and Grounds (S. Res. 371), 142.
Committee on Public Health and National Quarantine (S. Res. 443), 3050.
Committee to attend funeral of Theodore Roosevelt (S. Res. 408), 1070.
Kelley, Agnes (S. Res. 427), 2190.
Landing of Pilgrims (S. J. Res. 227), 4109.
Michigan election contest (S. Res. 415), 2417.
Sutherland, Howard (S. Res. 394), 756.

COMMITTEE ON BANKING AND CURRENCY (*House*).
Mr. Birch appointed, 362.
Mr. Phelan elected chairman, 646.
Reports by
Federal reserve banks (H. Repts. 944, 1026), 1638, 2646.
Subscriptions to war-work campaign (H. Rept. 1018), 2410.

COMMITTEE ON BANKING AND CURRENCY (*Senate*).
Reports by
Federal farm loans (S. Repts. 748, 787), 3822, 4519.
Federal reserve banks (S. Rept. 636), 1156.

COMMITTEE ON CANADIAN RELATIONS (*Senate*).
Mr. Spencer appointed on, 2.

COMMITTEE ON CENSUS (*Senate*).
Mr. Gay appointed, 23.
Reports by
Fourteenth Census (S. Rept. 621), 283.

COMMITTEE ON CIVIL SERVICE AND RETRENCHMENT (*Senate*).
Mr. Martin of Kentucky appointed, 23.

COMMITTEE ON CLAIMS (*House*).
Reports by
Adams, John T. (H. Rept. 922), 1437.
Akin, Joseph C.—widow (H. Rept. 962), 1904.
Ashley, John K. (H. Rept. 917), 1437.
Atlas Lumber Co. (H. Rept. 1134), 4198.
Babcock and Wilcox (H. Rept. 1134), 4198.
Baltimore Dry Dock & Shipbuilding Co. (H. Rept. 1021), 2565.
Bane, Moses M. (H. Rept. 905), 1255.
Barber, Amherst W. (H. Rept. 983), 2061.
Barfield, F. M. (H. Rept. 1042), 2933.
Binford, T. (H. Rept. 1096), 3818.
Birchfield, Lena, and others (H. Rept. 920), 1437.
Burkett, W. H. (H. Rept. 1097), 3818.
Butcher, G. W. (H. Rept. 1104), 3818.
Carstens, Mrs. A. R. (bill H. R. 12608), 3818.
C. H. Klein Brick Co. (H. Rept. 1134), 4198.
Choumard, Horace A. (H. Rept. 1140), 4300.
Clayton, Charles T. (H. Rept. 1101), 3818.
Cleveland Trinidad Paving Co. (H. Rept. 919), 1437.
Coleman, William Henry (H. Rept. 1028), 2646.
Cordova, Jose Ramon (H. Rept. 963), 1904.
Cowlitz Indians (H. Rept. 1076), 3631.
Currier, Susie (H. Rept. 1013), 2335.
Dingler, W. T. (H. Rept. 860), 434.
Drucks, William J. (H. Rept. 1110), 3818.
Duffer, Mamie (H. Rept. 1010), 2335.
Fry, Wickliff (H. Rept. 1078), 3631.
Gauley, John A. (H. Rept. 984), 2061.
Gibbs, Isaac A. (H. Rept. 1141), 4300.
Gilbert, Greely, and others (H. Rept. 920), 1437.
Grace, Catherine (H. Rept. 961), 1904.
Grace, George H. (H. Rept. 924), 1437.
Grant, Henry P. (H. Rept. 918), 1437.
Gwin, Bertie, and others (H. Rept. 920), 1437.
Hall, Thomas H., deceased (H. Rept. 907), 1255.
Harris, Seth J. (H. Rept. 1022), 2565.
Henderson, James A. (H. Rept. 921), 1437.
Holloman, Mary (H. Rept. 1029), 2646.
James, Della (H. Rept. 1086), 3738.
Johnson, Jackson & Corning Co. (H. Rept. 1134), 4198.
Jones, Mrs. E. M. (H. Rept. 1102), 3818.
Kremers, E. D. (H. Rept. 927), 1438.
Loaiza, W., & Co. (H. Rept. 925), 1437.
Lyon, James Edward (H. Rept. 1103), 3818.
McGovern, Mrs. Thomas (H. Rept. 926), 1437.
Martin, Jimmie Lou (H. Rept. 1027), 2646.
Meincke, Mrs. E. J. (H. Rept. 1111), 3818.
Merrill, Ivy L. (H. Rept. 934), 1497.
Moody, Mrs. Horace (H. Rept. 1109), 3818.
Parsons, Nancy A., and others (H. Rept. 920), 1437.
Patton, Mrs. D. R. (H. Rept. 1107), 3818.
Pay officers of Navy (H. Rept. 908), 1255.
P. J. Carlin Construction Co. (H. Rept. 1014), 2335.
Prat, Joseph A. (H. Rept. 906), 1255.
Raney, Mrs. Ira D. (H. Rept. 1092), 3738.
Reichart, Almer (H. Rept. 1100), 3818.
Sanguinette, Eugene F. (H. Rept. 1045), 3036.
Satton, Mrs. S. (H. Rept. 1108), 3818.
Sawyer, Leonidas H. (H. Rept. 1142), 4301.
Schilling, Catherine C. (H. Rept. 928), 1438.
Scofield, Freddie (H. Rept. 1094), 3818.
Sherbert, Mrs. F. H. (H. Rept. 1112), 3818.
Sjostrom, Alfred (H. Rept. 923), 1437.
Southern States Lumber Co. (H. Rept. 1077), 3631.
Staggs, D. F., and others (H. Rept. 920), 1437.
Stamp taxes (H. Rept. 1001), 2257.
Thompson, Mrs. E. A. (H. Rept. 1099), 3818.
Walker, Ellen B. (H. Rept. 1075), 3631.
Winkler, Mary E. (H. Rept. 1106), 3818.
Wise, W. A. (H. Rept. 1105), 3818.
Wright, Mrs. C. W. (H. Rept. 1098), 3818.

COMMITTEE ON CLAIMS (*Senate*).
Mr. Martin of Kentucky appointed, 23.
Reports by
Allen, Thomas G. (S. Rept. 771), 4205.
Army officers (S. Rept. 726), 3635.
Army pay claims (S. Rept. 728), 3635.
Arundel Sand & Gravel Co. (S. Rept. 716), 3250.
Brown, Adam & Noah (S. Rept. 765), 4205.
Buffalo River Zinc Mining Co. (S. Rept. 724), 3635.
Cornelia, steam lighter (S. Rept. 770), 4205.
Crawford, Mrs. W. E. (S. Rept. 706), 3114.
Cross, James W. (S. Rept. 727), 3635.
Danenhower, William W. (S. Res. 457), 3635.
Dickerman, Watson B. (S. Rept. 654), 1814.
Eddy, Elizabeth B. (S. Rept. 707), 3114.
Fire insurance companies (S. Rept. 705), 3114.
Ganley, John A. (S. Rept. 713), 3257.
Grant, Henry P. (S. Rept. 725), 3635.
Henry O. Barrett, schooner (S. Rept. 703), 3114.

COMMITTEE ON CLAIMS (*Senate*)—Continued.
Reports by
Horatio G. Foss, schooner (S. Rept. 769), 4205.
Matoa, steamship (S. Rept. 767), 4205.
Mayflower, steamer (S. Rept. 704), 3114.
Nelson, Arthur (S. Rept. 766), 4205.
Nicholas, Susan A. (S. Rept. 764), 4205.
Preston, Simon M. (bill S. 1102; S. Rept. 763), 4205, 4207.
Robbins, Roland S. (S. Rept. 717), 3250.
Shaw, Frederick B. (S. Rept. 708), 3114.
Stamp taxes (S. Rept. 768), 4205.

COMMITTEE ON COAST AND INSULAR SURVEY (*Senate*).
Mr. Gay appointed chairman of, 2.

COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES (*House*).
Mr. Nelson appointed, 362.
Reports by
Standardization of screw threads (H. Doc. 1041), 2866.

COMMITTEE ON COMMERCE (*Senate*).
Resolution continuing employment of additional clerk to (see S. Res. 465).
Reports by
Bridges: Allegheny River (S. Repts. 738, 739), 3822.
——— Arkansas River (S. Rept. 615), 68.
——— Columbia River (S. Rept. 674), 2417.
——— Connecticut River (S. Rept. 743), 3744, 3822.
——— Delaware River (S. Rept. 659), 1974.
——— Mahoning River (S. Repts. 692, 695, 744), 2874, 3822.
——— Mississippi River (S. Rept. 675), 2417.
——— Missouri River (S. Repts. 619, 673, 742), 235, 2417, 3822.
——— Monongahela River (S. Rept. 741), 3822.
——— Niagara River (S. Rept. 694), 2874.
——— Ohio River (S. Rept. 740), 3822.
——— Red Lake River (S. Rept. 772), 4304.
——— Red River of the North (S. Rept. 693), 2874.
——— Roanoke River (S. Repts. 722, 762), 3414, 4206.
——— Rock River, Wis. (S. Rept. 633), 1077.
——— Tombigbee River (S. Rept. 736), 3822.
——— Tug River (S. Rept. 723), 3414.
Cape Cod Canal (S. Rept. 761), 4205.
Charlotte Graveraet Breitung, steamer (S. Rept. 626), 672.
Coast Guard (S. Rept. 788), 4681.
Dams: Old River, Tex. (S. Rept. 676), 2416.
——— Savannah River (bill H. R. 13394), 4207.
Gulfport, Miss. (S. Rept. 737), 3822.
Printing of report on ship construction (S. Res. 391; S. Doc. 315), 699.
River and harbor appropriation bill (S. Rept. 665), 2104.
Ship construction (S. Rept. 680), 2587.

COMMITTEE ON CONSERVATION OF NATIONAL RESOURCES (*Senate*).
Mr. Colt appointed chairman, 1641.
Mr. Goff excused, 1641.
Mr. Vardaman relieved from chairmanship, 73.

COMMITTEE ON CORPORATIONS ORGANIZED IN THE DISTRICT OF COLUMBIA (*Senate*).
Mr. Martin of Kentucky appointed, 23.

COMMITTEE ON CUBAN RELATIONS (*Senate*).
Mr. Pollock appointed, 23.

COMMITTEE ON DISPOSITION OF USELESS EXECUTIVE PAPERS (*House*).
Mr. Linthicum appointed chairman, 4267.
Useless papers in Treasury Department, Department of Commerce, Interior Department, and Post Office Department (H. Repts. 1171, 1172), 4965.

COMMITTEE ON THE DISTRICT OF COLUMBIA (*House*).
Reports by
Accounts between the District of Columbia and the United States, 4807.
American Committee for Relief in the Near East (H. Rept. 866), 600.
Bureau of Standards (H. Rept. 1157), 4677.
Corporations, authorizing change of names (H. Rept. 890), 1060.
General taxes and special assessments on real estate (H. Rept. 937), 1578.
Medical Society (H. Rept. 889), 1060.
Molzahn, Norman Lee (H. Rept. 936), 1578.
War Mothers of America (H. Rept. 1047), 3105.

COMMITTEE ON THE DISTRICT OF COLUMBIA (*Senate*).
Mr. Hollis excused, 2121.
Mr. Sheppard appointed, 2121.
Reports by
Rent profiteering in the District of Columbia, 1311.

COMMITTEE ON EDUCATION (*House*).
Reports by
American Printing House for the Blind (H. Rept. 1128), 4198.
Education of illiterates (H. Rept. 1159), 4677.
Vocational education fund (H. Rept. 981), 2029.
Vocational rehabilitation (H. Rept. 1064), 3318.

COMMITTEE ON EDUCATION AND LABOR (*Senate*).
Reports by
Education of illiterates (S. 5464), 4391.
Vocational education (S. Rept. 618), 176.
Vocational rehabilitation (S. Rept. 630), 842.

COMMITTEE ON ELECTION OF PRESIDENT, VICE PRESIDENT, AND REPRESENTATIVES IN CONGRESS (*House*).
Mr. Lampert appointed, 362.
Mr. Sanford excused, 362.

COMMITTEE ON ELECTIONS NO. 1 (*House*).
Reports by
Gerling *v.* Dunn (H. Rept. 1074), 3578.
Wickersham *v.* Sulzer (H. Rept. 839), 97.

COMMITTEE ON ELECTIONS NO. 3 (*House*).
Reports by
Britt *v.* Weaver (H. Rept. 1115) 3936, 4245.

COMMITTEE ON ENROLLED BILLS (*House*).
Resolution to employ session clerk for (see H. Res. 456).
Resolution authorizing an assistant clerk to (see H. Res. 489).
Resolution authorizing employment of additional clerks by (see H. Res. 605*).

COMMITTEE ON ENROLLED BILLS (*Senate*).
Mr. Martin of Kentucky appointed, 23.

COMMITTEE ON EXPENDITURES IN THE DEPARTMENT OF COMMERCE (*House*).
Resolution to allow clerk to (see H. Res. 535).

COMMITTEE ON EXPENDITURES IN THE DEPARTMENT OF COMMERCE (*Senate*).
Mr. McNary reappointed, 541.

COMMITTEE ON EXPENDITURES IN THE DEPARTMENT OF JUSTICE (*House*).
Reports by
New York (H. Rept. 1163), 4808.

COMMITTEE ON EXPENDITURES IN THE DEPARTMENT OF JUSTICE (*Senate*).
Mr. Spencer appointed on, 2.

COMMITTEE ON EXPENDITURES IN THE DEPARTMENT OF STATE (*Senate*).
Mr. Myers appointed, 23.

COMMITTEE ON EXPENDITURES IN THE INTERIOR DEPARTMENT (*Senate*).
Mr. Martin of Kentucky appointed, 23.

COMMITTEE ON EXPENDITURES IN THE NAVY DEPARTMENT (*Senate*).
Mr. Gay appointed, 23.
Mr. Pollock appointed, 23.

COMMITTEE ON EXPENDITURES IN THE WAR DEPARTMENT (*Senate*).
Mr. Thompson appointed, 23.

COMMITTEE ON FINANCE (*Senate*).
List of members of, 703.
Reports by
Bureau of War Risk Insurance (see bill H. R. 13273; S. J. Res. 214), 1996, 2587.
Canadian Car & Foundry Co. (Ltd.) (S. Rept. 658), 1912.
Importations of gin and wine (S. J. Res. 207, 217), 4206.
Liberty bonds (S. Rept. 786), 4519.
Revenue (S. Rept. 617), 174, 235, 291, 405, 542.
War-risk insurance (S. Repts. 749, 773), 3822, 4304.

COMMITTEE ON FISHERIES (*Senate*).
Mr. Gay appointed, 23.

COMMITTEE ON THE FIVE CIVILIZED TRIBES OF INDIANS (*Senate*).
Mr. Martin of Kentucky appointed, 23.
Mr. Pollock appointed, 23.

COMMITTEE ON FLOOD CONTROL (*House*).
Mr. Essen appointed, 362.
Reports by
Colorado River (H. Rept. 1149), 4516.

COMMITTEE ON FOREIGN AFFAIRS (*House*).
Resolution for investigation of government of Costa Rica by (see H. Res. 608).
Reports by
Diplomatic and Consular appropriation bill (H. Rept. 935), 1497.
Indemnity to France (H. Rept. 1020), 2493.
Ireland—independence (H. Rept. 1054), 3174.

COMMITTEE ON FOREIGN RELATIONS (*Senate*).
Reports by
Ambassador to Peru (S. Rept. 670), 2260.
Claims against Mexico (S. Rept. 671), 2260.
Committee to attend peace conference (S. Rept. 616), 123.
Treaty of Washington—expenses (S. Rept. 775), 4304.

COMMITTEE ON FOREST RESERVATIONS AND THE PROTECTION OF GAME (*Senate*).
Mr. Pollock appointed, 23.

COMMITTEE ON IMMIGRATION (*Senate*).
Mr. Martin of Kentucky appointed, 23.

COMMITTEE ON IMMIGRATION AND NATURALIZATION (*House*).
Mr. Lufkin appointed, 362.
Reports by
Expulsion and exclusion of certain aliens (H. Repts. 1000, 1093), 2257, 3818.
Immigration (H. Rept. 1015), 2334.

COMMITTEE ON INDIAN AFFAIRS (*House*).
Resolution authorizing investigation of Bureau of Indian Affairs by (H. Res. 477).
Reports by
Blackfeet Indian Reservation, Mont. (H. Rept. 940), 1638.
Indian appropriation bill (H. Rept. 945), 1699, 1762.

COMMITTEE ON INDIAN AFFAIRS (*Senate*).
Mr. McNary reappointed, 541.
Mr. Spencer appointed on, 2.
Resolution to allow them to administer oaths, employ stenographer, and sit during sessions or recesses of Senate (S. Res. 441*).
Reports by
Carson Indian School, Stewart, Nev. (S. Rept. 663), 2104.
Indian appropriation bill (S. Rept. 747), 3822.
Little Colorado and Canyon Diablo Rivers, Ariz. (S. Rept. 646), 1500.
Omaha Tribe of Indians (S. Rept. 702), 3073.
St. Croix and Chippewa Indians of Wisconsin (S. Rept. 672), 2338.

COMMITTEE ON INDIAN DEPREDATIONS (*Senate*).
Mr. Pollock appointed, 23.

COMMITTEE ON INDUSTRIAL EXPOSITIONS (*Senate*).
Mr. Goff appointed chairman, 1641.
Mr. Gore appointed, 23.
Mr. Smith of Michigan excused, 1641.

COMMITTEE ON INTEROCEANIC CANALS (*Senate*).
Reports by
Panama Canal Zone (S. Rept. 677), 2417.
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE (*House*).
List of bills which were reported during the Sixty-fifth Congress by (Appendix, 283).
Reports by
Aids to navigation (H. Rept. 1065), 3318.
Bridges: Allegheny River (H. Repts. 895, 953, 975), 1128, 1787, 2028.
——— Arkansas River (H. Rept. 838), 19.
——— Columbia River (H. Repts. 954, 1061), 1788, 3245.
——— Connecticut River (H. Rept. 888), 965.
——— Delaware River (H. Rept. 970), 1961.
——— Lumber River, N. C. (H. Rept. 861), 434.
——— Mahoning River, Ohio (H. Repts. 851, 852, 853), 336.
——— Mississippi River (H. Rept. 854), 384.
——— Missouri River (H. Repts. 885, 887, 893), 965, 1128.
——— Mobile Bay (H. Rept. 894), 1128.
——— Monongahela River (H. Rept. 896), 1128.
——— Niagara River (H. Rept. 968), 1961.
——— Ohio River (H. Repts. 897, 974), 1128, 2028.
——— Red Lake River (H. Rept. 1119), 4010.
——— Red River of the North (H. Rept. 868), 600.
——— Roanoke River (H. Repts. 1049, 1120), 3174, 4010.
——— Rock River (H. Rept. 930), 1437.
——— St. Francis River (H. Rept. 1122), 4010.
——— St. John River (H. Rept. 952), 1787.
——— Tombigbee River (H. Rept. 1051), 3174.
——— Tug River (H. Rept. 1050), 3174.
——— White River (H. Rept. 1052), 3174.
Bureau of War Risk Insurance (H. Repts. 931, 1053, 1136), 1437, 3174, 4300.
Civil service retirement (H. Rept. 988), 2184.
Coast Guard (H. Rept. 1135), 4300.
Dams—Savannah River (H. Rept. 1121), 4010.
Disbursing officer of Bureau of War Risk Insurance (H. Rept. 1035), 2786.
Life-Saving Service—pensions (H. Rept. 1079), 3631.
Pay allotments of enlisted men (H. Rept. 876), 697.
Statistics of commerce and navigation (H. Rept. 867), 600.
War-risk insurance (H. Repts. 1136, 1154, 1164), 4629, 4676, 4809.
War Trade Board (H. Rept. 1082, 1155), 3631, 4677.
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE (*joint subcommittee*).
Reports by
Railroad operation (H. Rept. 1170), 4965, 5006.
COMMITTEE ON INTERSTATE COMMERCE (*Senate*).
Mr. Pittman appointed, 23.
Reports by
Federal control of railroads (bill S. 5284), 4681.
Interstate commerce (S. Rept. 756), 4205.
COMMITTEE ON INVALID PENSIONS (*House*).
Resolution to pay examiner detailed to (see H. Res. 528).
Reports by
Specified pension cases (H. Repts. 965, 1181), 1904, 4946.
COMMITTEE TO INVESTIGATE CONDITIONS IN INDIAN SERVICE (*House*).
Report of (H. Rept. 1168), 4965.
COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE (*House*).
Mr. Browne appointed, 280.
Mr. Towner excused, 267.
Resolutions appointing (see H. Res. 464, 469*).
Resolution to pay expenses of (see H. Res. 476).
COMMITTEE TO INVESTIGATE TRESPASSERS UPON INDIAN LANDS (*Senate*).
Mr. Henderson appointed, 23.
COMMITTEE ON IRRIGATION OF ARID LANDS (*House*).
Reports by
Hierche, Anton (H. Rept. 1066), 3318.
Rural settlement of soldiers, sailors, and marines and the reclamation of lands (H. Rept. 1081), 3631.
Water supply for reclamation projects (H. Rept. 1067), 3318.
COMMITTEE ON IRRIGATION AND RECLAMATION OF ARID LANDS (*Senate*).
Mr. McNary reappointed, 541.
COMMITTEE ON THE JUDICIARY (*House*).
Resolution to allow them to employ an additional assistant clerk (see H. Res. 502).
Reports by
Amarillo, Tex. (H. Rept. 1113), 3818.
American Committee for Relief in the Near East (H. Rept. 1125), 4078.
Arrest of discharged soldiers for wearing their uniforms (H. Rept. 1124), 4078.
California (H. Rept. 1036), 2786.
Civil rights of members of Military and Naval Establishments (H. Rept. 841), 169.
Florida (H. Rept. 1162), 4808.
Granting of new trials by courts of United States (H. Rept. 913), 1302.
Illinois (H. Rept. 1046), 3036.
Louisiana (H. Rept. 942), 1638.
Oklahoma (H. Rept. 990), 2184.
Salaries of clerks of district courts (H. Rept. 960), 1904.
Texas (H. Rept. 929), 1437.
Trusts (H. Rept. 1150), 4516.
Virginia (H. Rept. 978), 2029.
War prohibition (H. Rept. 1143), 4386.
COMMITTEE ON THE JUDICIARY (*Senate*).
Resolution to allow them to employ an assistant clerk (see S. Res. 424*), 2190.
Resolution to continue investigation of Bolshevik propaganda by (S. Res. 469*).
Subcommittee investigating the brewers' German propaganda authorized to sit during sessions of Senate, 24.
COMMITTEE ON THE JUDICIARY (*Senate*)—Continued.
Reports by
Amarillo, Tex. (bill S. 5627), 3908.
Connecticut (bill H. R. 4246), 3743.
Disposition of seized liquors (H. R. 10851), 3052.
Exhibition of red flags (S. Rept. 753), 4109.
Federal Commission on Reconstruction (S. Rept. 700), 3050.
Filing copies of contracts (S. Rept. 627), 719.
Hugo, Okla. (S. J. Res. 208), 1155.
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Mr. Nugent appointed, 23.
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Mr. Gay appointed, 23.
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Mr. Gay appointed, 23.
Mr. Reed appointed chairman, 23.
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Alexander, Julian P., to be United States district attorney; nominated, 146; confirmed, 622.
Anderson, T. Hart, jr., to be United States secretary of embassy or legation, class 3; nominated, 4448.
Andrews, Henry P., to be register of land office, Sacramento, Cal.; nominated, 92; confirmed, 835.
Atherton, Ray, to be United States secretary of embassy or legation, class 3; nominated, 4448.
Beavers, Alonzo L., to be register of land office at Lamar, Colo.; nominated, 3074; confirmed, 3449.
Bellamy, George H., to be United States marshal, eastern district of North Carolina; nominated, 4449; confirmed, 4759.
Belt, John W., to be United States secretary to embassy or legation, class 3; nominated, 4448.
Bennett, William R., to be United States marshal, district of Porto Rico; nominated, 4449.
Blakely, Gould B., to be register of the land office at Salt Lake City, Utah; nominated, 4449.
Blue, Victor, to be Chief of Bureau of Navigation in Navy Department; nominated, 93; confirmed, 673.
Bollschweiler, Albert, to be United States marshal, district of New Jersey; nominated, 4449.
Bunnell, Charles E., to be United States district judge; nominated. 146.
Burns, William A., to be assayer in charge of the mint of the United States at Carson City, Nev.; nominated, 4449.
Burnside, John L., to be register of the land office at Las Cruces, N. Mex.; nominated, 4449.
Burris, Samuel J., to be United States marshal, district of Colorado; nominated, 4449; confirmed, 4759.
Campbell, Nathaniel, to be register of land office at Portland, Oreg.; nominated, 3074; confirmed, 3277.
Carruth, Joseph T., to be register of land office at Blackfoot, Idaho; nominated, 3074; confirmed. 3277.
Chabot, Frederick C., to be United States secretary of embassy or legation, class 3; nominated, 4448.
Clements, J. D., to be United States attorney, district of Alaska; nominated, 4448; withdrawn, 4772.
Clements, J. M., to be United States attorney, district of Alaska, division No. 2; nominated, 4758.
Colson, Perry M., to be receiver of public moneys at Gainesville, Ga.; nominated. 92; confirmed, 258.
Cowan, William G., to be receiver of public moneys at Roswell, N. Mex.; nominated, 4449.
Cronan, Charles J., to be collector of internal revenue for fifth district of Kentucky; nominated, 622.
Crowder, Enoch H., to be Judge Advocate General of Army; nominated, 3277; confirmed, 3277.
Davis, Robert W., to be register of land office at Gainesville, Ga.; nominated, 92; confirmed, 258.
Dennis, Samuel K., to be United States attorney, district of Maryland; nominated. 1997.
Eastman, Joseph B., to be member of Interstate Commerce Commission; nominated, 673; confirmed, 1998.
Engert, Cornelius Van H., to be United States secretary of embassy or legation, class 3; nominated, 4448.
Fain, John A., to be United States attorney of western district of Oklahoma; nominated, 4448.
Fegtly, Matthias N., to be receiver of public moneys at Vale, Oreg.; nominated, 4449.
Franklin, Cornell S., to be first judge of the circuit court, first circuit, Hawaii; nominated, 4758.
Franklin, Malcolm A., to be collector of customs at Honolulu, Hawaii; nominated, 3074.
Frisbee, Effie A., to be register of land office at Juneau, Alaska; nominated, 4449.
Gardner, Bertram, to be collector of internal revenue for first district of New York; nominated, 91; confirmed, 622.
Glass, Carter, to be Secretary of the Treasury; nominated, 146; confirmed, 200.
Haight, Thomas G., to be United States circuit judge, third circuit; nominated, 4758.
Hanna, Matthew E., to be United States secretary to embassy or legation, class 3; nominated, 4448.
Hapgood, Norman, to be envoy extraordinary and plenipotentiary to Denmark; nominated, 4758.
Harrison, Raymundo, to be receiver of public moneys at Fort Sumner, N. Mex.; nominated, 4449.
Hedger, Frederick M., to be register of land office at Walla Walla, Wash.; nominated, 2611; confirmed, 3277.
Hensley, W. L., to be United States attorney, eastern district of Missouri; nominated, 4758; confirmed, 4759.
Hewes, Clarence B., to be United States secretary of embassy or legation, class 4; nominated, 1997; confirmed, 3076.
Hoar, Blair E., to be receiver of public moneys at Lewiston, Idaho; nominated, 4449.
Hoefnagels, Edward J., to be register of land office at Leadville, Colo.; nominated, 3074; confirmed, 3449.
Holmes, Henry James, to be receiver of public moneys at Glenwood Springs, Colo.; nominated, 1997; confirmed, 3449.
Humes, Edwin Lowry, to be United States attorney of western district of Pennsylvania; nominated, 4449.
Hurley, Lulu, to be receiver of public moneys at Elko, Nev.; nominated, 4449.
Jaques, Alfred, to be United States attorney, district of Minnesota; nominated, 4448; confirmed, 4759.

EXECUTIVE NOMINATIONS AND CONFIRMATIONS—Continued.
Jex, Heber C., to be receiver of public moneys at Salt Lake City, Utah; nominated, 4449.
Jones, Grosvenor M., to be First Assistant Chief of Bureau of Foreign and Domestic Commerce; nominated, 1997; confirmed, 3689.
Kelleher, D. M., to be solicitor of internal revenue; nominated, 1997; confirmed, 3076.
Kirkpatrick, John Hugh, to be United States marshal, western district of Louisiana; nominated, 1997.
Knotts, Edward C., to be United States attorney, southern district of Illinois; nominated, 4448.
Lane, Arthur Bliss, to be United States secretary of embassy or legation, class 3; nominated, 4448.
Lawson, Richard I., to be collector of customs, Detroit, Mich.; nominated, 258; confirmed, 622.
Lynch, John E., to be United States marshal, eastern district of Missouri; nominated, 4449.
McCarthy, Thomas D., to be United States marshal, southern district of New York; nominated, 4758.
MacElwee, Roy S., to be Second Assistant Chief of Bureau of Foreign and Domestic Commerce; nominated, 1997; confirmed, 3689.
McGovern, James L., to be collector of customs, Bridgeport, Conn.; nominated, 91; confirmed, 200.
McGrath, Robert J., to be receiver of public moneys at Lamar, Colo.; nominated, 3074; confirmed, 3449.
Meier, Henry A., to be register of the land office at Lincoln, Nebr.; nominated, 4449.
Merrill, John F. A., to be United States attorney, district of Maine; nominated, 1997; confirmed, 3076.
Mitchell, John J., to be United States marshal, district of Massachusetts; nominated, 4449.
Morris, Hugh M., to be United States district judge, district of Delaware; nominated, 1997.
O'Connor, Herman, to be United States marshal, western district of Michigan; nominated, 4758.
Offutt, Casper Y., to be United States secretary of embassy or legation, class 3; nominated, 4448.
Page, Charles R., to be member of United States Shipping Board; nominated, 91; confirmed, 200.
Page, George T., to be United States circuit judge, seventh circuit; nominated, 4758; confirmed, 4759.
Palmer, A. Mitchell, to be Attorney General of United States; nominated, 4448.
Patton, Emmett, to be register of the land office at Roswell, N. Mex.; nominated, 4449.
Pettus, Erle, to be United States attorney, northern district of Alabama; nominated, 1997.
Power, James M., to be United States marshal, eastern district of New York; nominated, 4449; confirmed, 4759.
Rigdon, Charles L., to be United States attorney, district of Wyoming; nominated, 4449; confirmed, 4759.
Rodgers, J. Donald C., to be United States secretary of embassy or legation, class 3; nominated, 4448.
Rodriguez, Donaciano, to be receiver of public moneys at Las Cruces, N. Mex.; nominated, 4449.
Roth, Rinehart F., to be United States district attorney; nominated, 146.
Russell, Charles H., jr., to be United States secretary to embassy or legation, class 3; nominated, 4448.
Shirley, John A., to be assistant chief inspector of locomotive boilers, San Antonio, Tex.; nominated, 91; confirmed, 673.
Shouse, Jouett, to be Assistant Secretary of the Treasury; nominated, 2611; confirmed, 3076.
Smiser, James A., to be United States attorney, district of Alaska, division No. 1; nominated, 1997; confirmed, 4759.
Smith, Hiram M., to be United States attorney, eastern district of Virginia; nominated, 1997.
Steele, Frank F., to be receiver of public moneys at Helena, Mont.; nominated, 4449.
Stockham, William W., to be United States marshal, district of Maryland; nominated, 1997.
Tanahey, Martin F., to be assistant appraiser of merchandise, New York City; nominated, 258; confirmed, 405.
Taylor, David W., to be Chief Constructor and Chief of the Bureau of Construction and Repair, with rank of rear admiral; nominated, 93; confirmed, 258.
Thompson, Huston, to be member of Federal Trade Commission; nominated, 405; confirmed, 1105.
Thurston, Walter C., to be United States secretary of embassy or legation, class 3; nominated, 4448.
Townsend, Curtis McDonald, to be member Mississippi River Commission; nominated, 91; confirmed, 200.
Trezevant, Stanley H., to be United States marshal, western district of Tennessee; nominated, 4449.
Troy, John W., to be collector of customs at Juneau, Alaska; nominated, 3074.
Wallace, Hugh Campbell, to be ambassador extraordinary and plenipotentiary to France; nominated, 4448.
Warren, Thomas D., to be United States attorney, eastern district of North Carolina; nominated, 1997.
Weller, George E., to be member of Board of General Appraisers of Merchandise at New York; nominated, 622; confirmed, 1001.
Wertz, Edwin S., to be United States attorney of northern district of Ohio; nominated, 4448.
Weyand, Dallas C., to be register of land office at Glenwood Springs, Colo.; nominated, 3074; confirmed, 3449.
Wheeler, Frank P., to be register of the land office at Eureka, Cal.; nominated, 4449.
Williams, John Skelton, to be Comptroller of the Currency; nominated, 2611.
Williams, R. L., to be United States district judge, eastern district of Oklahoma; nominated, 1001; confirmed, 1105.
Williamson, Harold L., to be United States secretary of embassy or legation, class 4; nominated, 4448.

EXEMPTIONS FROM MILITARY DUTY. *See* WAR WITH GERMANY.

EXHIBITS OF ARTS, SCIENCES, AND INDUSTRIES, providing for entry under bond of (see bill H. R. 16137*).

EX PARTE MILLIGAN, extract from Supreme Court reports and remarks of J. S. Black in case of, 3968.

EXPLOSIVES, estimate of appropriation for regulation of (H. Doc. 1636), 1059.
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Bill to establish bureau in Treasury Department for regulation and supervision of export of savings (see bill S. 5472).
Bill to regulate the limit or forbid the export of cotton (see bill H. R. 13182).
Bill to regulate exportation of works of art (see bill H. R. 12981*).
Remarks in House and correspondence relative to foreign embargoes against American products, 2921, 3801, 3802, 3803, 4185.
Remarks in Senate on S. Res. 438, relative to British embargo on importation of American, 2730.
Resolutions of inquiry relative to refusal of the War Trade Board to permit exportation of American manufactured goods to neutral countries (see H. Res. 531, 570*).
EXPRESS BUSINESS, memorial of Legislature of South Dakota relative to rates on shipments wholly within the State, 2724.
EXTORTION, prohibit extortion upon soldiers and sailors (see bill S. 5603).
EXTRA SESSION OF CONGRESS. *See* CONGRESS.
FAIRCHILD, ADELLAN M., increase pension (see bill H. R. 13315).
FAIRCHILD, BENJAMIN L. (*a Representative from New York*).
Bills and joint resolutions introduced by
Eastchester, N. Y.: to donate condemned cannon to (see bill H. R. 14392), 1438.
Exhibits of arts, sciences, and industries: to provide for the entry under bond of (see bill H. R. 16137), 4198.
Members of House of Representatives: to authorize payment of salaries during their absence in the military service to (see H. J. Res. 397), 2031.
Mount Vernon, N. Y.: to donate condemned cannon to (see bill H. R. 14394), 1438.
New York City—headquarters of Eighth Coast Artillery Corps: to donate condemned cannon to (see bill H. R. 15002), 2030.
Patents: to provide additional protection for owners of letters (see bill H. R. 14903), 1962.
Pelham, N. Y.: to donate condemned cannon to (see bill H. R. 14393), 1438.
Yonkers, N. Y.: to increase cost of public building at (see bill H. R. 15662), 2786.
——— to donate condemned cannon to (see bill H. R. 14395), 1438.
Petitions and papers presented by, from
Societies and associations, 3038, 3902.
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Remarks by, on
Brady, James H.: death of, 2086.
Butler, Mary Russell, 4334, 4482. (Appendix, 175.)
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Sundry civil appropriation bill, 4154.
——— vocational rehabilitation, 4154.
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FAIRCHILD, GEORGE W. (*a Representative from New York*).
Appointed on committee for memorial service for late ex-President Roosevelt, 1216.
Bills and joint resolutions introduced by
Binghamton, N. Y.: to donate condemned cannon to (see bill H. R. 14688), 1700.
Cooperstown, N. Y.: to donate condemned cannon to (see bill H. R. 15830), 3106.
Oneonta, N. Y.: to donate condemned cannon to (see bill H. R. 14252), 1376.
Walton, N. Y.: to donate condemned cannon to (see bill H. R. 15241), 2257.
Reports made by, from
Committee on Ways and Means:
Relief of officers and crew of U. S. S. San Diego (H. Rept. 1114), 3901.
Votes of. See YEA-AND-NAY VOTES.
FAIRFAX, MINN., donate captured cannon to (see bill S. 5389).
FAIRFIELD, LOUIS W. (*a Representative from Indiana*).
Leave of absence granted to, 1002.
Bills and joint resolutions introduced by
Albion, Ind.: to donate condemned cannon to (see bill H. R. 14732), 1701.
Angola, Ind.: to donate condemned cannon to (see bill H. R. 14728), 1701.
Auburn, Ind.: to donate condemned cannon to (see bill H. R. 14727), 1701.
Butler, Ind.: to donate condemned cannon to (see bill H. R. 14856), 1904.
Churubusco, Ind.: to donate condemned cannon to (see bill H. R. 14857), 1904.
Columbia City, Ind.: to donate condemned cannon to (see bill H. R. 14730), 1701.
Corunna, Ind.: to donate condemned cannon to (see bill H. R. 16000), 3631.
Cribbs, Jacob: to increase pension (see bill H. R. 14742), 1701.
Fort Wayne, Ind.: to enlarge public building at (see bill H. R. 15445), 2412.
——— to donate condemned cannon to (see bill H. R. 14734), 1701.
Garrett, Ind.: to donate condemned cannon to (see bill H. R. 14858), 1904.
Harlan, Ind.: to donate condemned cannon to (see bill H. R. 14938), 1962.
Howe, Ind.: to donate condemned cannon to city of (see bill H. R. 15506), 2565.
———to donate condemned cannon to military school at (see bill H. R. 15507, 2565.
Kendallville, Ind.: to donate condemned cannon to (see bill H. R. 14852), 1904.
FAIRFIELD, LOUIS W.—Continued.
Bills and joint resolutions introduced by
Lagrange, Ind.: to donate German cannon to city of (see bill H. R. 14731), 1701.
Ligonier, Ind.: to donate condemned cannon to (see bill H. R. 14733), 1701.
New Haven, Ind.: to donate condemned cannon to (see bill H. R. 14853), 1904.
Paulus, John W.: to increase pension (see bill H. R. 13805), 1131.
Presidents Corner, Ind.: to donate condemned cannon to (see bill H. R. 15508), 2565.
Scipio Cemetery, Ind.: to donate condemned cannon to (see bill H. R. 14729), 1701.
South Whitley, Ind.: to donate condemned cannon to (see bill H. R. 14854), 1904.
Waterloo, Ind.: to donate condemned cannon to (see bill H. R. 14855), 1904.
Petitions and papers presented by, from
Citizens and individuals, 3176.
Remarks by, on
Agricultural appropriation bill—cotton seed and linters price, 2179.
——— wheat by-products, 2178, 2179.
——— wheat guaranty, 2178, 2179.
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Enemy aliens: deprivation of voting privilege, 4064, 4065.
Kilpatrick, Ira G., and Guy D. Dill: for relief of, 695.
Legislative, executive, and judicial appropriation bill, 1468, 1469, 1566, 1678, 1680.
——— Department of Labor, division of conciliation, 1678, 1680.
Payment of allotments of enlisted men, 1112.
Salaries of Federal judges, 411.
Second deficiency bill—criticism relative to treatment of soldiers at St. Elizabeths Hospital, 2309, 2310.
——— hospital provision for washing underclothing of patients, 2315.
Sundry civil appropriation bill, 4064, 4065.
Votes of. See YEA-AND-NAY VOTES.
FAIRLOUGH, J. W., letter relative to Irish question written in 1826 by, 5045.
FAIRMOUNT, IND., donate condemned cannon to town of (see bill H. R. 16124).
FAIRWEATHER, WALTER C., increase pension (see bill S. 5141).
FAITH, S. DAK., donate condemned cannon to town of (see bill H. R. 15127).
FALL, ALBERT B. (*a Senator from New Mexico*).
Appointed conferee, 4114.
Credentials presented, 5018.
Votes of. See YEA-AND-NAY VOTES.
FALL BRANCH COAL CO., allow them to bridge Tug River (see bills S. 5478*; H. R. 15207*).
FALL RIVER, MASS., donate condemned cannon to (see bill H. R. 13759).
FALLS CITY, NEBR., donate condemned cannon to town of (see bill H. R. 15115).
FALMOUTH, KY., donate condemned cannon to (see bill H. R. 14018).
FALSE CLAIMS. *See* CLAIMS.
FALVEY, JOHN A., pension (see bills H. R. 9074, 15706*).
FANNING, RICHARD J., increase pension (see bill H. R. 15912).
FARBAUGH, SOL., letter of thanks from members of Battle Mountain Sanitarium signed by, 2149.
FARGO (N. DAK.) ASSOCIATION OF CREDIT MEN, resolutions relating to league of nations adopted by, 4303.
FAR HILLS, N. J., donate condemned cannon to borough of (see bill H. R. 15250).
FARIES, ALEXANDER, increase pension (see bills S. 5425, 5554*).
FARIS, ELIZABETH, increase pension (see bill H. R. 11002*).
FARLEY, JOHN F., increase pension (see bill S. 5270).
FARM BUILDINGS, amendment in Senate relative to limitation as to cost of, 3114.
FARM FIRE INSURANCE, memorial of the New Hampshire Association of Insurance Agents on subject of, 2724.
FARM LABOR, estimate of appropriation for conserving (H. Doc. 1675), 1255.
Resolution to discharge immediately from military service farmers and farm laborers (see S. Res. 409).
FARM LOANS, amend act relating to (see bills S. 5467, 5512*; H. R. 15496).
Remarks in House relative to bill (H. R. 16213) to amend act relating to (appendix 218, 410).
FARM MANAGEMENT, remarks in House relative to appropriation to investigate and encourage the adoption of improved methods of, 2369.
FARM PRODUCTS, providing for inspection at point of shipment of (see bill S. 5206).
Joint resolution to ascertain cost of producing (see S. J. Res. 220).
Memorials and letters on subject of cost of producing, referred, 1074.
Remarks in House relative to marketing of, 5446.
FARMERS' COOPERATIVE DEMONSTRATION WORK, estimate of appropriation for (H. Doc. 1676), 1255.
FARMERS' EQUITY UNION CREAMERY AND MERCANTILE EXCHANGE, memorial favoring continuance of Government control of railroads, 1726.
FARMERS' GRAIN DEALERS ASSOCIATION OF SOUTH DAKOTA, memorial on subject of railroad rates, 1072.
FARMERS' NATIONAL COMMITTEE ON WAR FINANCE, resolutions adopted by, 443.
FARMERS' NATIONAL COUNCIL, letter relative to appropriation to pay guaranteed prices of wheat from director of, 3978.

FARMING INDUSTRY, article by Howard Heinz on subject of, 1181.
FARMINGDALE, N. J., donate condemned cannon to (see bill H. R. 14301).
FARMINGTON, MO., erect public building at (see bill H. R. 14959).
FARR, JOHN R. (*a Representative from Pennsylvania*).
Appointed on funeral committee, 2060.
Leave of absence granted to, 1002, 1496.
Bills and joint resolutions introduced by
Criminal Code: proposing an amendment to section 4 of (see bill H. R. 15326), 2335.
Olyphant, Pa.: to amend act to purchase site for public building at (see bill H. R. 14471), 1497.
Scranton, Pa.: to donate condemned cannon to (see bill H. R. 15315), 2259.
Petitions and papers presented by, from
Societies and associations, 1499, 3246.
Remarks by, on
Naval appropriation bill, 2686, 3101.
Revenue bill: cost of war, 3015.
Votes of. See YEA-AND-NAY VOTES.
FARRELL, PA., donate condemned cannon to town of (see bill H. R. 16220).
FARROW, EDWARD S., relief (see bill H. R. 14375).
FAYETTE, ALA., erect public building at (see bill H. R. 15812).
FAYETTE, OHIO, donate condemned cannon to (see bill H. R. 13910).
FAYETTEVILLE, N. C., remarks in House relative to purchase of land for artillery camp at, 2313.
FAYETTEVILLE, W. VA., donate condemned cannon to city of (see bill H. R. 15062).
FEDERAL BOARD OF VOCATIONAL EDUCATION, annual report of travel expenses of officers and employees of (H. Doc. 1531), 117, 122.
Bill authorizing acceptance of gifts and donations for specific purposes by (see bill S. 5038*).
Estimate of appropriation for (H. Doc. 1709), 1849.
Letter and memorandum concerning proposed admission of civilian employees of the Government to the benefits of vocational training, 2169.
Remarks in Senate on bill (S. 5038) authorizing acceptance of gifts and donations for specific purposes by, 176, 178.
Report of expenditures of (S. Doc. 343), 1499.
Statement relative to soldiers under treatment, 3602, 3603.
FEDERAL BUILDINGS. *See* PUBLIC BUILDINGS.
FEDERAL COMMISSION ON RECONSTRUCTION, create (see bill S. 4968*).
FEDERAL EMPLOYEES. *See* EMPLOYEES OF UNITED STATES.
FEDERAL EMPLOYMENT BUREAU. *See also* UNITED STATES EMPLOYMENT SERVICE.
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FEDERAL FARM LOAN ACT. *See* FARM LOANS.
FEDERAL FARM LOAN BOARD, annual report of operations of (H. Doc. 1624), 965.
FEDERAL HIGHWAY COMMISSION, create (see bill S. 5626).
Remarks in Senate and text of bill (S. 5626) relative to creation of, 3635.
FEDERAL HORTICULTURAL BOARD, memorandum of information concerning importation of nursery stock from, 2390.
FEDERAL INDUSTRIAL RELATIONS COMMISSION, create (see bill S. 5614).
FEDERAL MOTION-PICTURE COMMISSION, create (see bill H. R. 14077).
FEDERAL RAILROAD COMPANIES. *See* RAILROADS.
FEDERAL RESERVE BANKS. *See also* NATIONAL BANKS.
Bills to amend act establishing (see bills S. 5236*, 5650; H. R. 13560*, 16004).
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Conference report in House and Senate on bill (S. 5236) to amend act establishing (S. Doc. 421; H. Rept. 1129), 4324, 4657, 4983.
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Remarks in Senate on conference report on bill (S. 5236) to amend act establishing, 4393.
FEDERAL RESERVE BOARD, annual report of (H. Doc. 1764), 2721.
FEDERAL SALARIES. *See* EMPLOYEES OF UNITED STATES.
FEDERAL SHIPBUILDING CO., letter relative to improvement of Hackensack River from, 3344.
FEDERAL STOCK PUBLICITY ACT. *See* STOCK SPECULATION.
FEDERAL TRADE COMMISSION, annual report of (H. Doc. 1438), 386, 434.
Bill to allow them to accept inventions, patents, and patent rights for public use (see bills S. 5265*; H. R. 14944*).
Letter from the Secretary transmitting statement concerning number of men exempted from military service and placed on deferred classification on request of (H. Doc. 1647), 1128.
Part 2 of the summary of report on the meat-packing industry of (H. Doc. 1297), 8, 16, 17.
Remarks in House relative to appropriation for, 4156.
Report dealing with subject of resale price maintenance transmitted by chairman of (H. Doc. 1480), 64, 122.
Report of typewriters, adding machines, and other labor-saving devices exchanged during 1918 by (H. Doc. 1383), 18, 122.
Resolution requesting information relative to profiteering in ores and metals from (see S. Res. 383).
Resolutions directing Federal Trade Commission to investigate and report facts relating to production, manufacture, and sale of milk and milk products (see S. Res. 431*; H. Res. 542).
FEDERAL WOMAN SUFFRAGE. *See* WOMAN SUFFRAGE.
FEEDS, article published in Grand Forks American relative to prices of, 3995.
Bill to establish standards of classification of (see bill H. R. 16224).
FELD, JOSEPH F., pension (see bill H. R. 13539).
FELTWELL, WILLIAM V., pension (see bill S. 5438).
FELZEN, JOHN, increase pension (see bills H. R. 10407, 14945*).
FERGUS FALLS, MINN., donate condemned cannon to (see bill H. R. 13797).
FERGUSON, HORNER L., letter relative to construction of Hilton Village, written by, 4371.
FERGUSON, HOMER L., FRANK K., AND H. B., remarks in House concerning, 2775, 2776, 4371.
FERNALD, BERT M. (*a Senator from Maine*).
Credentials presented, 931.
Bills and joint resolutions introduced by
Barrows, Jennie L.: to pension (see bill S. 5091), 123.
Brown, Augustus M.: to pension (see bill S. 5386), 1641.
Burnham, Milton W.: to increase pension (see bill S. 5253), 863.
McCorison, Melville L.: to pension (see bill S. 5197), 444.
Robinson, Sarah F.: to pension (see bill S. 5225), 757.
Petitions and papers presented by, from
Citizens and individuals, 3249.
Societies and associations, 1154, 1580, 2649.
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Bangor, Me., Chamber of Commerce resolution relating to public utilities, 1580.
Legislative, executive, and judicial appropriation bill—assistant clerks to committees, 2597.
River and harbor appropriation bill: Tenants Harbor, Me., 3324, 3325.
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FERRIE, JOHN T., increase pension (see bills H. R. 12451, 14945*).
FERRIS, SCOTT (*a Representative from Oklahoma*).
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Chickasha, Okla.: donate condemned cannon to (see bill H. R. 14576), 1579.
Doorley, W. T.: for relief (see bill H. R. 14958), 1963.
Homestead entry: giving discharged soldiers, sailors, and marines preferred rights to (see H. J. Res. 433), 3901.
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Davis, Willis J.: to pay extra compensation to (see H. Res. 606), 4198.
Remarks by, on
Agriculture appropriation bill—seed distribution, letter of Emily C. Felts, 2465.
American Expeditionary Forces—criticism of commanding officers of, 2532.
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——— maintenance of cantonments, 3483, 3484.
——— privilege of soldiers to address Congressmen, 3483, 3484.
——— return of troops from France, 3483, 3484.
Borland, William P.: death of, 4823.
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Davis, Willis J.: extra pay for, 4958.
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Fortifications appropriation bill, 3811.
Guaranty price of wheat to producers, 3964, 3965.
Hughes, William: death of, 4082.
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——— support of Osage Agency from tribal funds, 2001, 2002.
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S. 10—Conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States.
Mr. Owen; passed Senate, 4533.—Vote reconsidered (see bill H. R. 357), 4536.

S. 29—To reimburse W. B. Graham, late postmaster at Ely, Nev., for money expended for clerical assistance.
Mr. Pittman; reported back (S. Rept. 668), 2104.—Passed Senate, 3935.—Referred to House Committee on Claims, 4051.

S. 41—To authorize the sale of certain lands at or near Yellowstone, Mont., for hotel purposes.
Mr. Walsh; debated and passed House, 1765, 1766.—Examined and signed, 1998, 2101.—Approved by the President [Public, No. 255], 4209.

S. 68—To amend section 269 of chapter 231 of the act of Mar. 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary."
Mr. Walsh; referred to House Committee on the Judiciary, 168.—Reported back (H. Rept. 913), 1302.—Passed House, 3605.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 281], 4396.

S. 83—To confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes.
Mr. Underwood; reported with amendment, amended, and passed Senate, 3114, 3115.—Referred to House Committee on the Judiciary.

S. 95—To provide for agricultural entries on coal lands in Alaska.
Mr. Smoot; reported back (H. Rept. 843), 203.—Debated, 1127.

S. 127—For the adjudication and determination of the claims arising under joint resolution of July 14, 1870, authorizing the Postmaster General to continue in use in the postal service Marcus P. Norton's combined postmarking and stamp-canceling handstamp patents, or otherwise.
Mr. Townsend; reported back (S. Rept. 653), 1726.

S. 130—To create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.
Mr. Townsend; referred to House Committee on Military Affairs.

S. 280—For the relief of Alfred Sjostrom.
Mr. Sterling; reported back (H. Rept. 923), 1437.

S. 313—To amend section 4 of the act to regulate commerce passed Feb. 4, 1877, and subsequent amendments thereof.
Mr. Poindexter; reported back (S. Rept. 756), 4205.

S. 352—Granting pensions to certain members of the former Life-Saving Service.
Mr. Martin of Virginia; reported back (H. Rept. 1079), 3631.

S. 385—To authorize mining for metalliferous minerals on Indian reservations.
Mr. Ashurst; debated in House, 2633–2638, 3610.

S. 390—To establish the Grand Canyon National Park in the State of Arizona.
Mr. Ashurst; debated, amended, and passed House, 1769–1774.—Senate concurs in House amendments, 1815.—Examined and signed, 2188.—Approved by the President [Public, No. 277], 4308.

S. 463—For the relief of the heirs of Joshua Nicholls.
Mr. Williams; reported with amendment (H. Rept. 862), 434.

S. 469—For the relief of the heirs of W. H. Sneed, deceased.
Mr. Williams; reported back (H. Rept. 973), 2029.

S. 534—For the relief of the heirs of Adam and Noah Brown.
Mr. McLean; reported back (S. Rept. 765), 4205.—Passed Senate, 4562.—Referred to House Committee on Claims, 4808.

S. 758—To increase the productive agricultural area of the United States by the reclamation of arid and swamp lands.
Mr. Chamberlain; debated in Senate, 1735–1737.

S. 923—For the relief of Henry J. Davis.
Mr. Myers, and passed Senate, 4532.—Referred to House Committee on Military Affairs, 4808.

S. 932—To provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.
Mr. Myers; reported back (H. Rept. 901), 1151; debated and passed House, 3590, 3591.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 301], 4682.

S. 935—For the relief of settlers on certain railroad lands in Montana.
Mr. Myers; debated and passed House, 3606–3608.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 302], 4682.

S. 940—To provide for the payment for certain lands within the former Flathead Indian Reservation, in the State of Montana.
Mr. Myers; reported with amendment (H. Rept. 900), 1151.—Debated, 3589, 3590.

S. 978—For the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased.
Mr. Calder; reported back (S. Rept. 654), 1814.—Passed Senate, 4535.—Referred to House Committee on Claims, 4808.

S. 979—For the promotion and retirement of Col. David L. Brainard, Quartermaster Corps, United States Army.
Mr. Calder; laid on the table, 678, 695.

S. 988—Providing for the payment of certain interest on items 1 and 4 of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation.
Mr. Owen; referred to House Committee on Indian Affairs, 674.

S. 1102—For the relief of Simon M. Preston.
Mr. Jones of Washington; reported back (S. Rept. 763), 4205.—Passed Senate, 4207.—Referred to House Committee on Claims, 4385.

S. 1419—To amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.
Mr. Shields; conferee appointed in House, 409.—Conferee appointed in Senate, 1313.—Conference report (No. 1147) made in House, 4385, 4630.—Debated and agreed to in House, 4630–4641.

S. 1456—Making appropriation for expenses incurred under the treaty of Washington.
Mr. Gallinger; reported back (S. Rept. 775), 4304.—Debated, 4566.

S. 1486—For the relief of Henry P. Grant, of Phillips County, Ark.
Mr. Robinson; reported with amendment (S. Rept. 725), 3635.—Amended and passed Senate, 4554.—Referred to House Committee on Claims, 4808.

S. 1557—For the relief of Arthur Nelson.
Mr. Johnson of South Dakota; reported back (S. Rept. 766), 4205.

S. 1590—Providing for an increase of salary for the United States marshal and district attorney for the western district and for the United States district attorney for the eastern district of Louisiana.
Mr. Ransdell; referred to House Committee on the Judiciary, 168.—Reported back (H. Rept. 942), 1638.

S. 1597—To provide a Division of Tuberculosis in, and an advisory council for, the United States Public Health Service, and for other purposes.
Mr. Ransdell; reported back (S. Rept. 681), 2587.—Debated, 4538.

S. 1599—For the relief of the heirs of Mrs. Susan A. Nicholas.
Mr. Ransdell; reported with amendment (S. Rept. 764), 4205.

S. 1661—For the relief of Albert H. Campbell.
Mr. Curtis; referred to House Committee on Military Affairs, 168.

S. 1735—To create an additional judge in the southern district of Florida.
Mr. Fletcher; reported back (H. Rept. 1162), 4808.

S. 1738—For the relief of the Southern States Lumber Co.
Mr. Fletcher; reported back (H. Rept. 1077), 3631.

S. 1765—To reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900.
Mr. Bankhead; reported back (S. Rept. 705), 3114.—Passed Senate, 4551.—Referred to House Committee on Claims, 4808.

S. 1836—To provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes.
Mr. Shields; debated in House, 1781.

S. 1847—To authorize the addition of certain lands to the Wyoming National Forest.
Mr. Kendrick; reported back (H. Rept. 881), 930.—Amended and passed House, 2623.—Senate concurs in House amendment, 2729.—Examined and signed, 2898, 3046.—Approved by the President [Public, No. 256], 4209.

S. 1849—Permitting minors of the age of 18 years or over to make homestead entry of the public lands of the United States.
Mr. Shafroth; reported back (H. Rept. 977), 2028.—Debated, 3615–3617.

S. 2021—To add certain lands to the Sequoia National Park, Calif., and to change the name of said park to Roosevelt National Park.
Mr. Phelan; reported with amendment (S. Rept. 647), amended, and passed Senate, 1336, 1500, 1501.—Referred to House Committee on Public Lands, 1608.—Reported with amendment (H. Rept. 1063), 3245, 3404.

S. 2024—For the relief of the Buffalo River Zinc Mining Co.
Mr. Stone; reported back (S. Rept. 724), 3635.—Passed Senate, 4554.—Referred to House Committee on Claims, 4808.

S. 2088—To consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto.
Mr. Smoot; reported back (H. Rept. 995), 2184.—Debated and passed House, 3614.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 303], 4682.

S. 2116—To increase the salary of the United States district attorney for the district of Rhode Island.
Mr. Gerry; debated in House, 2643–2646.

S. 2124—To fix the salary of the United States district attorney for the eastern district of New York.
Mr. Calder; reported back, 2190.—Passed Senate, 3258.—Referred to House Committee on Expenditures in Department of Justice, 3350.—Reported back (H. Rept. 1163), 4808.

S. 2171—To abolish the United States land office at Springfield, Mo.
Mr. Myers; referred to House Committee on the Public Lands, 168.

S. 2418—For the relief of James Russell.
Mr. Knox; reported back adversely and indefinitely postponed, 976.

S. 2487—Permitting Frances Mack Mann to purchase certain public lands.
Mr. Shafroth; reported with amendments (H. Rept. 1006), 2334.

S. 2494—To provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national-forest land.
Mr. McNary; passed Senate, 1739, 1740.—Referred to House Committee on Public Lands, —.

S. 2496—For the refund of duties paid on materials destroyed by fire.
Mr. Warren; reported with amendments (S. Rept. 658), 1912.—Amended and passed Senate, 4536, 4550; Referred to House Committee on Ways and Means, 4808.

S. 2497—For the relief of James W. Cross.
Mr. Knox; reported with amendment (S. Rept. 727), 3635.—Amended and passed Senate, 4555.—Referred to House Committee on Claims, 4808.

S. 2552—To provide for leave of absence for homestead entrymen in one or two periods, and for longer times.
Mr. Shafroth; reported back (H. Rept. 857), 384.—Debated and passed House, 1766, 1767.—Examined and signed, 1999, 2101.—Approved by the President [Public, No. 257], 4209.

S. 2653—To revive with amendments an act entitled "An act to incorporate the Medical Society of the District of Columbia."
Mr. Smith of Maryland; reported back (H. Rept. 889), 1060.—Debated, 3613.

S. 2654—Providing for the appointment of two additional district judges in the northern district of the State of Illinois.
Mr. Lewis; reported back (H. Rept. 1046), 3036.

S. 2715—To authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes.
Mr. Myers; reported back (H. Rept. 939), 1638.—Debated and passed House, 3605, 3606.—Examined and signed, 4009, 4016.—Approved by the President [Public, No. 304], 4682.

S. 2784—To authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916.
Mr. McNary; reported with amendment (H. Rept. 886), 965.—Debated, amended, and passed House, 1776, 1777.—Senate concurs in House amendments, 2117.—Examined and signed, 2260, 2294.—Approved by the President [Public, No. 258], 4209.

S. 2812—To encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.
Mr. Walsh; conference report (No. 1059) made in House, 3171, 3691.—Conference report (S. Doc. 392) made in Senate, 3639.—Conference report debated and agreed to in House, 3690–3710, 4164.—Conference report debated in Senate, 3744, 3745, 3824–3829, 3910, 3915, 4023–4026, 4041–4048, 4114.—Recommitted to committee on conference, 4048, 4114.—Second conference appointed, 4114, 4164.—Second conference report (No. 1138) made in House, 4482.—Second conference report debated and agreed to in House, 4482–4497.—Second conference report made in Senate, 4682.—Debated in Senate, 4682, 4694–4699, 4705, 4706–4717.

S. 2885—For the relief of the estate of Moses M. Bane.
Mr. Martin of Virginia; reported with amendment (H. Rept. 905), 1255, 2365.

S. 2902—For the relief of the owner of the steamer Mayflower and for the relief of passengers on board said steamer.
Mr. Weeks; reported back (S. Rept. 704), 3114.—Passed Senate, 3258.—Referred to House Committee on Claims, 3350.

S. 2910—Providing for an additional judge for the northern district of California.
Mr. Phelan; reported back (H. Rept. 1036), 2786.—Debated, 3626.

S. 2933—For the relief of the Philippine Scouts.
Mr. Cummins; passed Senate, 4116.—Referred to House Committee on Military Affairs, 4244.

S. 3063—For the repair, preservation, care, and future maintenance of the restored historical naval brig Niagara, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie.
Mr. Penrose; reported back (S. Rept. 642), 1311.—Debated and passed Senate, 4534, 4535.—Referred to House Committee on Naval Affairs, ——.

S. 3079—To fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes.
Mr. Fletcher; reported back (H. Rept. 960), 1904.—Debated and passed House, 3624, 3625.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 282], 4396.

S. 3123—For the relief of the owners of the schooner Henry O. Barrett.
Mr. Weeks; reported back (S. Rept. 703), 3114.—Passed Senate, 3258.—Referred to House Committee on Claims, 3350.

S. 3172—To provide for the amandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia.
Mr. Smith of Maryland; amended and passed Senate, 1737.—Referred to House Committee on the District of Columbia, —.

S. 3219—To incorporate the Recreation Association of America.
Mr. Smith of Georgia; debated in Senate, 4119.

S. 3220—Authorizing the Secretary of the Interior to make investigations through the Bureau of Mines of lignite coals to determine the practicability of their utilization as a fuel and in producing commercial products.
Mr. Gronna; reported with amendments (H. Rept. 840), 118.—Debated, amended, and passed House, 1114–1119.—Senate disagrees to House amendments and asks for a conference, 1161.—House insists on its amendments and agree to a conference, 1339, 1403.—Conference appointed, 1161, 1403.—Conference report (S. Doc. 345) made in Senate, 1913.—Conference report (No. 972) made in House, 2219.—Conference report debated and agreed to in House, 2219.—Conference report agreed to in Senate, 2356.—Examined and signed, 2493, 2495.—Approved by the President [Public, No. 259], 4209.

S. 3258—For the relief of Ethel Proctor.
Mr. Smith of Michigan; amended and passed Senate, 1738.—Referred to House Committee on Claims, ——.

S. 3299—Authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army.
Mr. Overman; debated and passed House, 690, 696.—Examined and signed, 839, 863.—Approved by the President [Public, No. 251], 3052.

S. 3384—To amend the public-building act, approved Mar. 4, 1913.
Mr. King; reported back (H. Rept. 949), 1787.—Passed House, 1998.—Examined and signed, 2260, 2294.—Approved by the President [Public, No. 260], 4209.

S. 3392—For furnishing water supply for miscellaneous purposes in connection with reclamation projects.
Mr. Myers; Committee on Public Lands discharged, and referred to the Committee on Irrigation of Arid Lands, 3196.—Reported with amendments (H. Rept. 1067), 3318.

S. 3469—To amend an act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agriculaural products," approved Aug. 10, 1917.
Mr. Sheppard; referred to House Committee on Agriculture, 1403.

S. 3571—Granting lands for school purposes in lots No. 111 in each of the townsites of Fort Shaw and Simms, Sun River reclamation project, Montana.
Mr. Myers; reported back (H. Rept. 914), 1375.—Debated and passed House, 3591.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 305], 4682.

S. 3646—Granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes.
Mr. Phelan; referred to House Committee on Public Lands, 539.—Reported with amendment (H. Rept. 911), 1302.—Debated, amended, and passed House, 3594–3598.—Senate concurs in House amendments, 3645, 3646.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 306], 4682.

S. 3699—For the relief of Mattie R. Mayer.
Mr. Ransdell; reported with amendment (S. Rept. 789), 4681.

S. 3797—Validating certain applications for and entries of public lands, and for other purposes.
Mr. Myers; reported with amendments (H. Rept. 904), 1214.—Debated, amended, and passed House, 3579–3586.—Senate disagrees to House amendments and asks for a conference, 3767.—House insists on its amendments and agrees to a conference, 3939.—Conference appointed, 3767, 3939.—Conference report made and agreed to in House, 4930, 4931.—Conference report made and agreed to in Senate, 4895.—Examined and signed, 4896, 5082.—Approved by the President [Private, No. 42], 5018.

S. 3914—Authorizing a right of way for the transportation of water for improvement of grazing and development of the live-stock industry upon public and national forest lands in Arizona.
Mr. Ashurst; amended and passed Senate, 1737, 1738.—Referred to House Committee on Public Lands.

S. 3944—For the relief of Emma H. Ridley.
Mr. Calder; referred to House Committee on Claims, 168.

S. 3964—For the relief of Otis C. Mooney.
Mr. Hollis; reported back (S. Rept. 733), 3743.—Passed Senate, 4556, 4557.—Referred to House Committee on Military Affairs, 4774.

S. 3986—To acquire the manuscript of Charles Chaillé-Long, containing an account of the unveiling of the McClellan statue.
Mr. Saulsbury; referred to House Committee on the Library, 168.

S. 3992.—To investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians.
Mr. Johnson of South Dakota; reported with amendments (S. Rept. 702); amended and passed Senate, 3073.—Motion to reconsider vote; House requested to return bill, 3116.—Vote reconsidered and recommitted to Committee on Indian Affairs, 3257.

S. 4000—To authorize corporations organized in the District of Columbia to change their names.
Mr. Smith of Maryland; reported back (H. Rept. 890), 1060.

S. 4017—For the relief of Catherine Grace.
Mr. Sherman; reported back (H. Rept. 961), 1904.

S. 4023—Amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Cal., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Cal., to the city of Los Angeles, Cal.," approved June 30, 1906.
Mr. Johnson of California; reported with amendment (H. Rept. 1080), 3631.

S. 4068—For the relief of Ella Oliver Richardson and Edmund Richardson, of New Orleans, La.
Mr. Ransdell; referred to House Committee on the Public Lands.

S. 4103—To consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto.
Mr. Smoot; reported back (H. Rept. 993), 2184.—Debated and passed House, 3613, 3614.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 307], 4682.

S. 4139—Repealing certain provisions contained in the urgent deficiency act approved December 22, 1911.
Mr. Jones of Washington; reported with amendment (S. Rept. 728), 3635.—Amended and passed Senate, 4555.—Referred to House Committee on Claims, 4808.

S. 4178—Providing additional time for the payment of purchase money under homestead entries of lands within the former Fort Peck Indian Reservation, Mont.
Mr. Walsh; referred to House Committee on the Public Lands, 168.

S. 4225—For the relief of the Atlas Lumber Co., Babcock & Willcox, Johnson, Jackson & Corning Co., and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall, at the Pierre Indian School, in the State of South Dakota.
Mr. Kellogg; reported back (H. Rept. 1134), 4198.

S. 4244—For the relief of entrymen within the Castle Peak irrigation project, in Utah.
Mr. King; reported back (H. Rept. 994), 2184.—Passed House, 3614.—Examined and signed, 3903, 3937.—Approved [Public, No. 308], 4682.

S. 4261—To provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade.
Mr. McCumber; reported back (S. Rept. 643), 1311.

S. 4263—For the relief of Capt. Frederick B. Shaw.
Mr. McCumber; reported back (S. Rept. 708), 3114.—Passed Senate, 4558.—Referred to House Committee on Claims, 4808.

S. 4271—For the relief of the Commissioner of Internal Revenue.
Mr. Simmons; referred to House Committee on Claims, 168.

S. 4272—For the relief of the Commissioner of Internal Revenue.
Mr. Simmons; referred to House Committee on Claims, 168.

S. 4306—To amend section 5 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913 (38 Stat. L., pp. 4, 75).
Mr. Chamberlain; debated, 1738, 4531.—Amended and passed Senate, 4531.—Referred to House Committee on the Library, 4808.

S. 4404—Repealing that portion of the Indian appropriation act of Mar. 1, 1907 (34 Stat. L., pp. 1015 and 1035), which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation, in Montana.
Mr. Walsh; reported with amendment (H. Rept. 940), 1638.—Debated, 3606.

S. 4439—To provide for the survey of a national highway connecting certain national monuments in the States of Utah, Arizona, and New Mexico.
Mr. King; passed Senate, 1739.—Referred to House Committee on Public Lands, —.

S. 4479—For the protection of the water supply of the town of Sunnyside, Utah.
Mr. King; reported with amendments (S. Rept. 755), 4109.—Amended and passed Senate, 4561.—Referred to House Committee on Public Lands, 4808.

S. 4517—For the relief of the owners of the steamship Matoa.
Mr. Weeks; reported back (S. Rept. 767), 4205.—Passed Senate, 4305.—Referred to House Committee on Claims, 4385.

S. 4526—For the relief of the Arundel Sand & Gravel Co.
Mr. Swanson; reported with amendments (S. Rept. 716), 3250.—Amended and passed Senate, 4553, 4554.—Referred to House Committee on Claims, 4808.

S. 4554—For the sale of isolated tracts of the public domain in Minnesota.
Mr. Kellogg; referred to House Committee on Public Lands, 1637.

S. 4562—To reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property.
Mr. McKellar reported back (H. Rept. 1140), 4300.

S. 4603—To further protect interstate and foreign commerce against bribery and other corrupt trade practices.
Mr. Fletcher; reported with amendments, 1311.—Debated, 4562.

S. 4637—For the retirement of employees in the classified civil service.
Mr. McKellar; debated in Senate, 32–43, 83, 133–146, 189, 4048, 4049.

S. 4699—For the relief the St. Croix Chippewa Indians of Wisconsin.
Mr. Lenroot; reported with amendment (S. Rept. 672), 2338.—Amended and passed Senate, 4537.—Referred to House Committee on Indian Affairs, 4774.

S. 4723—Granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.
Mr. Thompson; conference report (No. 1072) made in House, 3469, 3791.—Agreed to in House, 3791.—Conference report made and agreed to in Senate, 4115.—Examined and signed, 4234, 4244.—Approved by the President [Private, No. 41], 5018.

S. 4727—To authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Mme. Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones.
Mr. Hitchcock; reported with amendment (H. Rept. 1020), 2493.

S. 4729—To exclude certain lands from the Pike National Forest Reservation.
Mr. Shafroth; reported back (S. Rept. 734), 3743.

S. 4733—Requiring the filing of copies of all contracts for services rendered or materials furnished to the United States or certain contractors and agencies of the United States.
Mr. King; reported back (S. Rept. 627), 719.

S. 4743—For the relief of Francis Stewart.
Mr. Fall; reported back (S. Rept. 689) and passed Senate, 2790.—Referred to House Committee on Public Lands, 2898.—Reported back (H. Rept. 1073), 3510.

S. 4745—For the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.
Mr. Robinson; reported back (S. Rept. 719), 3321.—Passed Senate, 4554.—Referred to House Committee on Public Lands, 4808.

S. 4773—For the relief of D. C. Darroch.
Mr. Sheppard; reported back (S. Rept. 632), 976.—Passed Senate, 4534.—Referred to House Committee on Military Affairs, 4808.

S. 4785—To incorporate the American Committee for Relief in the Near East.
Mr. Overman; debated and passed Senate, 340, 341.—Referred to House Committee on the Judiciary, 405.—Reported with amendments (H. Rept. 1125), 4078.—Debated, 675–677, 836–838.

S. 4787—For the relief of Amherst W. Barber.
Mr. Nelson; reported back (H. Rept. 983), 2061.

S. 4858—To provide method of settlement for materials, stores, and supplies transferred between different bureaus, departments, or agencies of the Government, and for other purposes.
Mr. Chamberlain; referred to House Committee on Military Affairs, 168.

S. 4864—To carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy.
Mr. Wadsworth; reported back (S. Rept. 707), 3114.—Passed Senate, 4557, 4558.—Referred to House Committee on Claims, 4808.

S. 4873—For the relief of Calvin Willard Gilfillan.
Mr. Sheppard; reported back (S. Rept. 625); passed Senate, 283.—Referred to House Committee on Naval Affairs, 363.

S. 4887—Making an appropriation for a sewer system at the Carson Indian School at Stewart, Nev.
Mr. Pittman; reported back (S. Rept. 663); passed Senate, 2104.—Referred to House Committee on Indian Affairs, 2215.

S. 4889—To give effect to certain provisions of the Convention for the Protection of Trade-Marks and Commercial Names, made and signed in the city of Buenos Aires in the Argentine Republic, Aug. 20, 1910, and for other purposes.
Mr. Fletcher; reported back (H. Rept. 1090), 3737.

S. 4891—Making certain officers of the Army eligible for appointment as chief of staff corps and departments.
Mr. Chamberlain; debated, 4117.

S. 4892—To amend section 4 of Chapter V of an act making appropriations for the support of the Army for the fiscal year ending June 30, 1919, approved July 9, 1918, and to make said amendment retroactive.
Mr. Chamberlain; passed Senate, 4219.—Vote reconsidered; indefinitely postponed (see bill H. R. 13035), 4219.

S. 4893—Transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department.
Mr. Chamberlain; passed Senate, 4117.—Referred to House Committee on Military Affairs, 4244.

S. 4922—To provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.
Mr. Smith of Georgia; reported with amendments (S. Rept. 630), 842.

S. 4924—To amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries.
Mr. Fletcher; reported back (H. Rept. 867), 600.—Debated and passed House, 674, 675.—Examined and signed, 839, 863.—Approved by the President [Public, No. 250], 3052.

S. 4945—To amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved Apr. 18, 1918.
Mr. Chamberlain; referred to House Committee on Military Affairs, 168.

S. 4947—To provide for a survey and classification by the Secretary of the Interior of all unentered public lands of the United States and all unused cut-over, logged, and swamp lands and other unused lands of the United States, with a view to disposing thereof to honorably discharged soldiers and sailors and others, and for other purposes.
Mr. Myers; amended and passed Senate, 4117, 4118.—Referred to House Committee on the Public Lands, 4244.

S. 4949—For the relief of J. C. Garrett.
Mr. Sheppard; reported with amendments (S. Rept. 714), 3250.—Amended and passed Senate, 4552.—Referred to House Committee on Military Affairs, 4772.

S. 4957—To establish the Lafayette National Park in the State of Maine.
Mr. Hale; reported back (H. Rept. 932), 1497.—Debated and passed House, 3588, 3589.—Examined and signed, 3903, 3937—Approved by the President [Public, No. 278], 4308.

S. 4964—For the payment of claims for loss of private property on account of the loss of firearms and ammunition taken by the United States troops during the labor strikes in the State of Colorado in 1914.
Mr. Robinson; referred to the House Committee on Claims, 168.

S. 4966—To extend the time for the construction by the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, of a bridge or bridges and trestles over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the bay and Blakeley Island, in Baldwin and Mobile Counties, Ala.
Mr. Bankhead; referred to House Committee on Interstate and Foreign Commerce, 168.—Reported back (H. Rept. 894), 1128.

S. 4968—To provide for the creation and establishment of a Federal Commission on Reconstruction, and for other purposes.
Mr. Overman; reported back (S. Rept. 700), 3050.

S. 4970—To amend the first paragraph of section 302 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved Mar. 8, 1918.
Mr. Chamberlain; passed Senate, 4119.—Referred to House Committee on Military Affairs, 4244.

S. 4982—To amend section 3 of an act entitled "An act to save daylight and to provide standard time for the United States," approved Mar. 19, 1918.
Mr. Calder; referred to House Committee on Interstate and Foreign Commerce, 168.

S. 4991—To establish load lines for vessels in foreign trade.
Mr. Fletcher; amended and passed Senate, 4532.—Referred to House Committee on the Merchant Marine and Fisheries, 4808.

S. 5019—For the construction of a memorial archway at Vicksburg, Miss., and for other purposes.
Mr. Cummins; reported back (S. Rept. 709), 3179.

S. 5038—Extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and for other purposes.
Mr. Smith of Georgia; reported with amendment (S. Rept. 618), 176.—Debated, amended, and passed Senate, 176, 177, 178.—Referred to House Committee on Education, 202.—Reported with amendments (H. Rept. 981), 2029.—Debated, amended, and passed House, 3599–3605.—Senate concurs in House amendments, 3823.—Examined and signed, 4009, 4016.—Approved by the President [Public, No. 279], 4308.

S. 5050—To grant to every honorably discharged soldier, sailor, and marine the uniform he is wearing at the time of such discharge and to provide pay for 90 days after such discharge.
Mr. Ashurst; Committee on Military Affairs, 10.

S. 5051—For the promotion of certain officers in the United States Army.
Mr. Sheppard; Committee on Military Affairs, 9.

S. 5052—To make section 5 of the Post Office appropriation act for the fiscal year ending June 30, 1918, as amended by section 1110, war-revenue act of Oct. 3, 1917, applicable to the District of Columbia.
Mr. Sheppard; Committee on Post Offices and Post Roads, 9.—The Committee on Post Offices and Post Roads discharged, and ordered to be placed on the calendar, 174, 284.

S. 5053—Authorizing the Director General of Railroads to establish a system of mileage books.
Mr. McKellar; Committee on Interstate Commerce, 9.

S. 5054—Donating bronze cannon to the city of Memphis, Shelby County, Tenn.
Mr. McKellar; Committee on Military Affairs, 9.

S. 5055—Relative to discharges of certain soldiers and sailors who served in the war with Germany.
Mr. McKellar; Committee on Military Affairs, 9.

S. 5056—To place on the eligible list all soldiers and sailors who served in the war with Germany.
Mr. McKellar; Committee on Civil Service and Retrenchment, 9.

S. 5057—Granting a pension to Mary Elizabeth Crowe.
Mr. McLean; Committee on Pensions, 9.

S. 5058—To authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.
Mr. Gronna; Committee on Commerce, 9.—Reported back (S. Rept. 619); passed Senate, 235.—Referred to House Committee on Interstate and Foreign Commerce, 335.—Reported back (H. Rept. 893), 1128.—Passed House, 3606.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 285], 4573.

S. 5059—Granting a pension to August Wohlgemuth.
Mr. Gronna; Committee on Pensions, 9.

S. 5060—Granting a pension to John M. Johnson.
Mr. Gronna; Committee on Pensions, 9.

S. 5061—Granting an increase of pension to Rosetta Waldref.
Mr. Gronna; Committee on Pensions, 9.

S. 5062—To extend the franking privilege to banking institutions in connection with business relating to the collection of installment payments upon subscriptions to the Liberty loan.
Mr. Moses; Committee on Post Offices and Post Roads, 9.

S. 5063—For the relief of Henry Wagner.
Mr. Warren; Committee on Military Affairs, 9.

S. 5064—Granting an increase of pension to Henry B. Lake.
Mr. Warren; Committee on Pensions, 9.

S. 5065—Amending section 4904 of the Revised Statutes.
Mr. Chamberlain; Committee on Military Affairs, 9.—Reported back (S. Rept. 660), 1964.

S. 5066—Amending chapter 143 of the act of Mar. 3, 1883 (22 Stat., 625), and for other purposes.
Mr. Chamberlain; Committee on Military Affairs, 9.—Reported back (S. Rept. 661), 1964.

S. 5067—Granting a gratuity to members of the United States Army.
Mr. Chamberlain; Committee on Military Affairs, 9.

S. 5068—Extending the benefits of the war-risk insurance act to certain civilians employed by the Army.
Mr. Chamberlain; Committee on Military Affairs, 9.—Reference changed to Committee on Finance, 1964.

S. 5069—To extend the rights of stock-raising homesteaders.
Mr. Jones of New Mexico; Committee on Public Lands, 22.—Debated, 22.

S. 5070—To repeal certain sections of the espionage act and the act amendatory thereof.
Mr. Borah; Committee on the Judiciary, 23.

S. 5071—Extending the benefits of sections 2304, 2305, and 2309, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican border troubles and the war with Germany and its allies.
Mr. Myers; Committee on Public Lands, 20.—Reported back (S. Rept. 678), 2425.—Debated, 2425.—Indefinitely postponed (see bill H. R. 13353), 2790.

S. 5072—To amend chapter 6, part 1, of volume 38, United States Statutes at Large, Sixty-third Congress, entitled "An act providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees," approved July 15, 1913.
Mr. Sterling; Committee on Interstate Commerce, 20.

S. 5073—To provide for Federal aid to good roads, to permit the several States to utilize the superior credit of the United States in raising road construction funds, to aid the States in maintenance of roads, to establish a national academy of highway and bridge engineering, and to create a national highway commission.
Mr. Smoot; Committee on Post Offices and Post Roads, 20.

S. 5074—To make the land and personal property of John Bonomache, Indian, liable to execution upon judgment of Superior Court of the State of Washington, county of Spokane, in the case of Louise Fietterman v. John Bonomache.
Mr. Poindexter; Committee on Indian Affairs, 20.

S. 5075—Requiring first-class letter mail to be stamped with stamp indicating day and hour of its receipt.
Mr. Poindexter; Committee on Post Offices and Post Roads, 20.

S. 5076—For comparative tariffs on shingles and lumber.
Mr. Poindexter; Committee on Finance, 20.

S. 5077—To provide for the creation of Federal railroad companies, to establish a more effective supervision of railroads in the United States, and for other purposes.
Mr. Thomas; Committee on Interstate Commerce, 20, 21.

S. 5078—Granting an increase of pension to James C. Daly.
Mr. Norris; Committee on Pensions, 20.

S. 5079—Granting a pension to Carrie M. Birdsall.
Mr. Colt; Committee on Pensions, 21.

S. 5080—To provide for the acquisition of a site and the erection thereon of a public building at Cordell, Okla.
Mr. Gore; Committee on Public Buildings and Grounds, 21.

S. 5081—To provide for the acquisition of a site and the erection thereon of a public building at Hugo, Okla.
Mr. Gore; Committee on Public Buildings and Grounds, 21.

S. 5082—To provide for the acquisition of a site and the erection thereon of a public building at Clinton, Okla.
Mr. Gore; Committee on Public Buildings and Grounds, 21.

S. 5083—To provide for the acquisition of a site and the erection thereon of a public building at Elk City, Okla.
Mr. Gore; Committee on Public Buildings and Grounds, 21.

S. 5084—To provide for the acquisition of a site and the erection thereon of a public building at Idabel, Okla.
Mr. Gore; Committee on Public Buildings and Grounds, 21.

S. 5085—To amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for just compensation of their owners, and for other purposes, approved Mar. 21, 1918.
Mr. Smith of Georgia; Committee on Interstate Commerce, 68.—Debated, 68.

S. 5086—Amending the act approved Mar. 3, 1918, relative to the incorporation of the National Conservatory of Music of America.
Mr. Calder; Committee on the Library, 68.

S. 5087—Granting one month's extra pay to all officers and enlisted men honorably discharged from the Army, Navy, or Marine Corps on or after Nov. 11, 1918.
Mr. Poindexter; Committee on Military Affairs, 68.

S. 5088—To amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916.
Mr. Bankhead; Committee on Post Offices and Post Roads, 68.

S. 5089—To provide for the acquisition of a site and the erection thereon of a public building at Henryetta, Okla.
Mr. Gore; Committee on Public Buildings and Grounds, 68.

S. 5090—To authorize the acquisition of a site and the repairing and enlargement of a Federal building thereon at Okmulgee, Okla.
Mr. Gore; Committee on Public Buildings and Grounds, 68.

S. 5091—Granting a pension to Jennie L. Barrows.
Mr. Fernald; Committee on Pensions, 123.

S. 5092—To repeal the act approved June 15, 1917.
Mr. Hardwick; Committee on the Judiciary, 123.

S. 5093—To repeal the act approved May 16, 1918.
Mr. Hardwick; Committee on the Judiciary, 123.

S. 5094—To repeal the act approved Aug. 10, 1917.
Mr. Hardwick; Committee on Agriculture and Forestry, 123.

S. 5095—To repeal the act approved May 22, 1918.
Mr. Hardwick; Committee on Foreign Relations, 123.

S. 5096—To repeal the act approved July 16, 1918.
Mr. Hardwick; Committee on Interstate Commerce, 123.

S. 5097—To amend section 14 of the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved Mar. 21, 1918, by providing that such control shall continue for a period not greater than six months from the passage of this act.
Mr. Hardwick; Committee on Interstate Commerce, 123.

S. 5098—To amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes."
Mr. Swanson; Committee on Post Offices and Post Roads, 123.

S. 5099—Providing for road construction and improvement out of the funds derived from the operation of motor trucks engaged in carrying parcel post under section 7 of the act making appropriations for the Post Office Department and the Postal Service for the fiscal year 1919, approved July 8, 1918.
Mr. Swanson; Committee on Post Offices and Post Roads, 123.

S. 5100—For the relief of Anna M. Tobin, independent executrix of the estate of Frank R. Tobin, deceased.
Mr. Sheppard; Committee on Claims, 123.

S. 5101—For the relief of certan noncommissioned officers of the United States Army who were recalled to active service during the recent war and commissioned as officers.
Mr. Poindexter; Committee on Military Affairs, 123.

S. 5102—To authorize the change of name of the steamer Charlotte Graveraet Breitung to T. K. Maher.
Mr. Harding; Committee on Commerce, 123.—Reported back (S. Rept. 627) and passed Senate, 672.—Referred to House Committee on the Merchant Marine and Fisheries, 860.—Reported back (H. Rept. 941), 1638.

S. 5103—Granting a pension to Mary M. Hood.
Mr. Harding; Committee on Pensions, 123.

S. 5104—Granting a pension to Adelphia L. Weaver.
Mr. Harding; Committee on Pensions, 123.

S. 5105—Granting a pension to Sylva Tarvin.
Mr. Harding; Committee on Pensions, 123.

S. 5106—Granting an increase of pension to Amos L. Hood.
Mr. Harding; Committee on Pensions, 123.

S. 5107—Granting an increase of pension to Henry H. Hering.
Mr. Nelson; Committee on Pensions, 123.

S. 5108—To amend section 126 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes."
Mr. Jones of Washington; Committee on Military Affairs, 123, 125.

S. 5109—To provide relief where formal contracts have not been made in the manner required by law.
Mr. Chamberlain; Committee on Military Affairs, 123.

S. 5110—Granting a pension to Lily D. Murphy.
Mr. Thompson; Committee on Pensions, 123.

S. 5111—Granting an increase of pension to Albert L. Newlands.
Mr. Beckham; Committee on Pensions, 123.

S. 5112—To provide for paying claims to depositors of the Freedman's Savings & Trust Co. and for the establishment of a national home.
Mr. New; Committee on Appropriations, 123.

S. 5113—To authorize the President of the United States to appoint Charles A. Ranlett major of Infantry.
Mr. Weeks; Committee on Military Affairs, 171.

S. 5114—To amend the laws relating to naturalization.
Mr. Weeks; Committee on Immigration, 171.

S. 5115—To amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, as amended by the act of May 16, 1918, and for other purposes.
Mr. La Follette; Committee on the Judiciary, 171.

S. 5116—To provide for investigation of and plan for the drainage of the San Luis Valley, Colo.
Mr. Shafroth; Committee on Appropriations, 171.

S. 5117—For the relief of A. J. Talbott.
Mr. Shafroth; Committee on Claims, 171.

S. 5118—Granting an increase of pension to Charles Blitz.
Mr. Kenyon; Committee on Pensions, 171.

S. 5119—To amend the act known as the "United States cotton futures act," approved Aug. 11, 1916, and for other purposes.
Mr. Smith of South Carolina; Committee on Agriculture and Forestry, 171.

S. 5120—Granting an increase of pension to Lydia Louisa L. Darmer.
Mr. New; Committee on Pensions, 171.

S. 5121—Granting a pension to Clarence A. Murphy.
Mr. New; Committee on Pensions, 171.

S. 5122—Granting a pension to Herman Johnson.
Mr. New; Committee on Pensions, 171.

S. 5123—Granting an increase of pension to Allen W. Banks.
Mr. New; Committee on Pensions, 171.

S. 5124—Granting an increase of pension to George W. McMahan.
Mr. New; Committee on Pensions, 171.

S. 5125—Granting an increase of pension to William A. Downs.
Mr. New; Committee on Pensions, 171.

S. 5126—Granting an increase of pension to James E. Comstock.
Mr. New; Committee on Pensions, 171.

S. 5127—Granting an increase of pension to John M. Caulfield.
Mr. New; Committee on Pensions, 171.

S. 5128—Granting a pension to Samuel H. Frazer.
Mr. New; Committee on Pensions, 171.

S. 5129—Granting an increase of pension to Charles M. Dillen.
Mr. New; Committee on Pensions, 171.

S. 5130—Granting a pension to Frederica Carll.
Mr. New; Committee on Pensions, 171.

S. 5131—Granting a pension to Maranda S. McHaffie.
Mr. New; Committee on Pensions, 172.

S. 5132—Granting an increase of pension to Nicholas Borden.
Mr. New; Committee on Pensions, 172.

S. 5133—Granting an increase of pension to James Ohaver.
Mr. New; Committee on Pensions, 172.

S. 5134—Granting an increase of pension to William A. Greene.
Mr. New; Committee on Pensions, 172.

S. 5135—Granting an increase of pension to Benjamin F. Carter.
Mr. New; Committee on Pensions, 172.

S. 5136—Granting a pension to William A. Hoyle.
Mr. Bradstreet; Committee on Pensions, 172

S. 5137—To amend section 79 of the Judicial Code.
Mr. Lewis; Committee on the Judiciary, 235.

S. 5138—To provide for the erection of a Federal courthouse and public building at Bloomington, Ill.
Mr. Lewis; Committee on Public Buildings and Grounds, 235.

S. 5139—To expel and exclude from the United States aliens who, to escape military service, have withdrawn their declaration of intention to become citizens.
Mr. Jones of Washington; Committee on Immigration, 235.

S. 5140—To forbid the payment of pensions to alien enemies.
Mr. Smoot; Committee on Pensions, 235.

S. 5141—Granting an increase of pension to Walter C. Fairweather.
Mr. Smoot; Committee on Pensions, 235.

S. 5142—Granting an increase of pension to George F. Griffith.
Mr. Smoot; Committee on Pensions, 235.

S. 5143—Granting an increase of pension to Peter Prock.
Mr. Hale; Committee on Pensions, 235.

S. 5144—Granting a pension to Lizzie E. Hinds.
Mr. Hale; Committee on Pensions, 235.

S. 5145—Granting a pension to Carrie E. Hewett.
Mr. Hale; Committee on Pensions, 235.

S. 5146—Granting an increase of pension to William Young.
Mr. New; Committee on Pensions, 235.

S. 5147—Granting an increase of pension to Anderson Ward.
Mr. New; Committee on Pensions, 235.

S. 5148—Granting an increase of pension to George W. Yocum.
Mr. New; Committee on Pensions, 235.

S. 5149—Granting an increase of pension to Andrew Wiend.
Mr. New; Committee on Pensions, 235.

S. 5150—Granting an increase of pension to John H. Welker.
Mr. New; Committee on Pensions, 235.

S. 5151—Granting a pension to Mary E. Hagerdorn.
Mr. New; Committee on Pensions, 235.

S. 5152—Granting an increase of pension to John N. Jones.
Mr. New; Committee on Pensions, 235.

S. 5153—Granting an increase of pension to Hiram F. Stover.
Mr. Curtis; Committee on Pensions, 235.

S. 5154—Granting an increase of pension to Henry Wilton.
Mr. Curtis; Committee on Pensions, 235.

S. 5155—Granting a pension to Charlotte M. Potterton.
Mr. Curtis; Committee on Pensions, 235.

S. 5156—Granting a pension to Mary Kelly.
Mr. Curtis; Committee on Pensions, 235.

S. 5157—Granting a pension to Louisa Leppla.
Mr. Curtis; Committee on Pensions, 235.

S. 5158—Granting an increase of pension to Francis Straub.
Mr. Curtis; Committee on Pensions, 235.

S. 5159—Granting an increase of pension to Peter C. Danforth.
Mr. Curtis; Committee on Pensions, 235.

S. 5160—Granting a pension to Eliza A. Teters.
Mr. Curtis; Committee on Pensions, 235.

S. 5161—Granting an increase of pension to Isobel M. Evans.
Mr. Curtis; Committee on Pensions, 235.

S. 5162—Granting an increase of pension to Carthenia H. Moore.
Mr. Curtis; Committee on Pensions, 235.

S. 5163—Granting an increase of pension to Smith Culler.
Mr. Curtis; Committee on Pensions, 235.

S. 5164—Granting an increase of pension to Robert B. Patrick.
Mr. Curtis; Committee on Pensions, 235.

S. 5165—Granting an increase of pension to George F. Hood.
Mr. Curtis; Committee on Pensions, 235.

S. 5166—Granting an increase of pension to Stewart Orr.
Mr. Curtis; Committee on Pensions, 235.

S. 5167—Granting an increase of pension to Oliver P. Stumph.
Mr. Curtis; Committee on Pensions, 235.

S. 5168—For the relief of commissioned officers of the Army recommended for promotion.
Mr. Calder; Committee on Military Affairs, 235.

S. 5169—To accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved Mar. 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes.
Mr. Chamberlain; Committee on Public Lands, 235.

S. 5170—Granting a pension to John S. Dornblaser.
Mr. Sherman; Committee on Pensions, 235.

S. 5171—Donating captured cannon and cannon balls to the city of El Paso, Tex.
Mr. Sheppard; Committee on Military Affairs, 284.

S. 5172—Donating captured cannon and cannon balls to the city of Kingsville, Tex.
Mr. Sheppard; Committee on Military Affairs, 284.

S. 5173—Granting a pension to Charles Saint John Neeld.
Mr. Pomerene; Committee on Pensions, 284.

S. 5174—Granting the soldiers and sailors in the military and naval service of the United States the uniform and equipment on their persons at the time of discharge.
Mr. Thompson; Committee on Military Affairs, 284.

S. 5175—Granting an increase in rank to certain officers of the Army, Navy, and Marine Corps who served overseas with the American Expeditionary Forces.
Mr. Thompson; Committee on Military Affairs, 284.

S. 5176—To provide for the deportation of certain aliens from the United States.
Mr. King; Committee on Immigration, 284.

S. 5177—To donate 25 cannon to the State of Utah.
Mr. King; Committee on Military Affairs, 284.

S. 5178—Providing for a reclamation project on Green and Grand Rivers, in the State of Utah.
Mr. King; Committee on Irrigation and Reclamation of Arid Lands, 284.

S. 5179—Providing for a reclamation project on Price River, Utah.
Mr. King; Committee on Irrigation and Reclamation of Arid Lands, 284.

S. 5180—Providing for the investigation of certain lands in central Washington, with a view to their reclamation.
Mr. Jones of Washington; Committee on Irrigation and Reclamation of Arid Lands, 337.

S. 5181—To permit certain officers and enlisted men to retain parts of their equipment and their uniforms and to wear the uniforms upon occasions of ceremony.
Mr. Chamberlain; Committee on Military Affairs, 337.

S. 5182—To amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918.
Mr. Chamberlain; Committee on Military Affairs, 337.

S. 5183—To amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916.
Mr. Chamberlain; Committee on Military Affairs, 337.

S. 5184—Granting a pension to Effie E. Milton.
Mr. Thompson; Committee on Pensions, 337.

S. 5185—Granting a pension to Mary M. Walden.
Mr. Thompson; Committee on Pensions, 337.

S. 5186—Granting an increase of pension to James M. Gibbons.
Mr. Beckham; Committee on Pensions, 337.

S. 5187—Granting a pension to Benjamin F. Evans.
Mr. Beckham; Committee on Pensions, 337.

S. 5188—Granting a promotion to Robert M. Smith.
Mr. Townsend; Committee on Military Affairs, 337.

S. 5189—To donate 50 cannon to the State of Louisiana.
Mr. Gay; Committee on Military Affairs, 386.

S. 5190—To grant recommended promotions to officers and men of the United States Army.
Mr. Kendrick; Committee on Military Affairs, 444.

S. 5191—For the relief of private owners of lands within or near the Bitter Root, Lolo, or Missoula National Forests, Mont.
Mr. Myers; Committee on Public Lands, 444.—Reported with amendment (S. Rept. 639), 1154.

S. 5192—For the construction of a bridge across Rock River at or near Jackson Street in the city of Janesville, Wis.
Mr. Lenroot; Committee on Commerce, 444.—Reported with amendment (S. Rept. 633); amended and passed Senate, 1077, 1078.—Referred to House Committee on Interstate and Foreign Commerce, 1132.—Reported back (H. Rept. 930), 1437.—Passed House, 3587.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 286], 4573.

S. 5193—To donate the big German gun captured by Company I, Three hundred and twenty-first Infantry, Eighty-first Division, marked "Three" over "A" and "Ersats" over "Bremsfussigkait" to the city of Asheville, N. C.
Mr. Overman; Committee on Military Affairs, 444.

S. 5194—To provide for the incorporation of certain companies engaged in foreign trade.
Mr. Fletcher; Committee on the Judiciary, 444.

S. 5195—Granting an increase of pension to Silas W. Norris.
Mr. Robinson; Committee on Pensions, 444.

S. 5196—Granting an increase of pension to Oscar S. Pomeroy.
Mr. Robinson; Committee on Pensions, 444.

S. 5197—Granting a pension to Melville L. McCorison.
Mr. Fernald; Committee on Pensions, 444.

S. 5198—Granting a pension to George S. Frankenfield.
Mr. Nelson; Committee on Pensions, 490.

S. 5199—To donate 50 cannon to the State of Missouri.
Mr. Spencer; Committee on Military Affairs, 491.

S. 5200—To provide for the promotion of certain officers, privates, and noncommissioned officers.
Mr. Thomas; Committee on Military Affairs, 491.

S. 5201—To provide relief for commissioned officers, noncommissioned officers, and enlisted persons in the Army, Navy, Marine Corps, Coast Guard, and the Army Nurse Corps.
Mr. McKellar; Committee on Military Affairs, 541.

S. 5202—To authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors.
Mr. Ransdell; Committee on Public Health and National Quarantine, 541.—Reference changed to Committee on Public Buildings and Grounds, 2587, 2588.

S. 5203—To donate two guns or howitzers to the State of Nevada.
Mr. Henderson; Committee on Military Affairs, 541.

S. 5204—Granting an increase of pension to Herman Hoffmeister.
Mr. McLean; Committee on Pensions, 541.

S. 5205—To create regional boards of examiners to aid in the disposition of claims arising out of the present emergency and prior to Nov. 12, 1918.
Mr. Calder; Committee on Military Affairs, 541.

S. 5206—To provide for the inspection of fruits, vegetables, and other farm products at point of shipment, and for other purposes.
Mr. Jones of Washington; Committee on Agriculture and Forestry, 602.

S. 5207—To declare unlawful the exhibition of a red flag, and to fix a penalty therefor.
Mr. New; Committee on the Judiciary, 602.—Reported with amendment (S. Rept. 753), 4109.—Debated, 4561.

S. 5208—For the relief of certain noncommissioned officers of the United States Army who were recalled to active service during the recent war and commissioned as officers.
Mr. Sterling; Committee on Military Affairs, 602.

S. 5209—Granting an increase of pension to David W. Harriman.
Mr. Myers; Committee on Pensions, 648.

S. 5210—To donate a gun or howitzer to the town of Claremont, in the State of New Hampshire.
Mr. Moses; Committee on Military Affairs, 648.

S. 5211—Granting an increase of pension to Henry S. Silsby.
Mr. Moses; Committee on Pensions, 648.

S. 5212—For the relief of Philip S. Everest.
Mr. Lenroot; Committee on Claims, 648.

S. 5213—To amend the act approved Apr. 18, 1918, to give indemnity for damages caused by American forces abroad.
Mr. Hitchcock; Committee on Military Affairs, 699.—Reported back, debated, and passed Senate, 770, 771.—Referred to House Committee on Military Affairs, 860.

S. 5214—Granting a pension to William Meyers.
Mr. Townsend; Committee on Pensions, 699.

S. 5215—Granting a pension to Floyd B. Daugherty.
Mr. Martin of Virginia; Committee on Pensions, 699.

S. 5216—Granting a pension to Nellie White.
Mr. Jones of Washington; Committee on Pensions, 699.

S. 5217—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914, and amended Oct. 6, 1917, and for other purposes.
Mr. Pomerene; Committee on Finance, 699.

S. 5218—Granting an increase of pension to Alonzo R. Cole.
Mr. Jones of Washington; Committee on Pensions, 719.

S. 5219—Granting a pension to Edwin W. Gordon.
Mr. Nelson; Committee on Pensions, 719.

S. 5220—Donating captured cannon and cannon balls to the city of Santa Anna, Tex.
Mr. Sheppard; Committee on Military Affairs, 757.

S. 5221—Donating captured cannon and cannon balls to the city of Galveston, Tex.
Mr. Sheppard; Committee on Military Affairs, 757.

S. 5222—Granting honorably discharged members of the armed forces of the United States during war with Germany one month's furlough on full pay, transportation and subsistence expense to their homes, and permission to keep and wear uniforms.
Mr. Sheppard; Committee on Military Affairs, 757.

S. 5223—For the relief of the Alabama and Coushatta Indians in Polk County, Tex.
Mr. Sheppard; Committee on Indian Affairs, 757.

S. 5224—To prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes.
Mr. Chamberlain; Committee on the Philippines, 757.—Reference changed to Committee on Interoceanic Canals, 1912.—Reported with amendments (S. Rept. 677), 2417.—Amended and passed Senate, 4220.—Referred to House Committee on Interstate and Foreign Commerce, 4385.

S. 5225—Granting a pension to Sarah F. Robinson.
Mr. Fernald; Committee on Pensions, 757.

S. 5226—For the relief of Daniel W. Booth, alias Daniel Frantz.
Mr. Shafroth; Committee on Military Affairs, 757.

S. 5227—For the relief of Edward H. Lockwood.
Mr. Shafroth; Committee on Military Affairs, 757.

S. 5228—For an addition to Rocky Mountain National Park, and for other purposes.
Mr. Shafroth; Committee on Public Lands, 757.

S. 5229—Granting a pension to Elizabeth Crossley.
Mr. Shafroth; Committee on Pensions, 757.

S. 5230—Granting an increase of pension to Mary H. Doherty.
Mr. Shafroth; Committee on Pensions, 757.

S. 5231—Granting a pension to Alice B. Elliott.
Mr. Shafroth; Committee on Pensions, 757.

S. 5232—Granting an increase of pension to George C. Hazeltine.
Mr. Shafroth; Committee on Pensions, 757.

S. 5233—Granting a pension to Annie Tullis.
Mr. Kenyon; Committee on Pensions, 757.

S. 5234—To supplement an act of Congress approved Oct. 5, 1918 (Public, No. 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act.
Mr. Henderson; Committee on Mines and Mining, 757.

S. 5235—To amend a joint resolution entitled "Joint resolution to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor," approved July 16, 1918.
Mr. Sheppard; Committee on Interstate Commerce, 842.

S. 5236—To amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States.
Mr. Hitchcock; Committee on Banking and Currency, 842.—Reported with amendments (S. Rept. 636), 1156.—Debated, amended, and passed Senate, 1156–1158, 1741–1743.—Referred to House Committee on Banking and Currency, 1817.—Reported with amendment (H. Rept. 1026), 2646.—Debated, amended, and passed House, 3627–3629.—Senate disagrees to House amendments and asks for a conference, 3745.—House insists on its amendments and agrees to a conference, 3866.—Conference appointed, 3746, 3866.—Conference report (No. 1129) made in House 4347.—Debated and agreed to in House, 4347, 4348.—Conference report (S. Doc. 421) made in Senate, 4393, 4757.—Debated and agreed to in Senate, 4393, 4394, 4757.—Examined and signed, 4855, 5082.—Approved by the President [Public, No. 329], 5018.

S. 5237—Donating captured cannon and cannon balls to the John Brown Memorial Park, Osawatomie, Kans.
Mr. Curtis; Committee on Military Affairs, 842.

S. 5238—Donating captured cannon and cannon balls to the Great Bend Memorial Association, Great Bend, Kans.
Mr. Curtis; Committee on Military Affairs, 842.

S. 5239—Donating captured cannon and cannon balls to the Mount Auburn Cemetery Co., Topeka, Kans.
Mr. Curtis; Committee on Military Affairs, 842.

S. 5240—Granting an increase of pension to Zephaniah Roberts.
Mr. Curtis; Committee on Pensions, 842.

S. 5241—Granting a pension to George Forker.
Mr. Townsend; Committee on Pensions, 842.

S. 5242—Granting a pension to Georgia M. Hodgsdon.
Mr. Townsend; Committee on Pensions, 842.

S. 5243—Granting an increase of pension to Asa L. Bushnell.
Mr. Kenyon; Committee on Pensions, 842.

S. 5244—Granting an increase of pension to Perry Strayer.
Mr. Kenyon; Committee on Pensions, 842.

S. 5245—Granting an increase of pension to John V. Kearns.
Mr. Kenyon; Committee on Pensions, 842.

S. 5246—Authorizing the appointment of an ambassador to the Republic of Peru.
Mr. Williams; Committee on Foreign Relations, 842.

S. 5247—To repeal section 19 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," passed and approved Oct. 6, 1917.
Mr. Borah; Committee on Commerce, 863.—Debated, 863.

S. 5248—To provide transportation, storage, and marketing facilities for, and to regulate commerce among the States in, live stock, meats, and other products derived from live stock or the slaughtering of live stock.
Mr. Kenyon; Committee on Interstate Commerce, 863.—Debated, 863, 999, 1081.

S. 5249—Authorizing and directing the Secretary of War to grant an honorable discharge to drafted and enlisted men for certain reasons, and for other purposes.
Mr. Curtis; Committee on Military Affairs, 863.

S. 5250—To donate a captured German gun to the cities of Salt Lake, Ogden, Provo, Logan, and Manti, in the State of Utah.
Mr. Smoot; Committee on Military Affairs, 863.

S. 5251—Tendering the thanks of Congress to Gen. John J. Pershing, United States Army, and the officers and men under his command; and to Maj. Gen. Enoch H. Crowder, Provost Marshal General, and the members of the local and district boards throughout the United States, Alaska, Hawaii, and Porto Rico.
Mr. McKellar; Committee on Military Affairs, 863.

S. 5252—Granting a pension to John Daley.
Mr. La Follette; Committee on Pensions, 863.

S. 5253—Granting an increase of pension to Milton W. Burnham.
Mr. Fernald; Committee on Pensions, 863.

S. 5254—Granting a pension to Nellie McPherson.
Mr. New; Committee on Pensions, 863.

S. 5255—To provide for the appointment of examiners in the United States Court of Claims, to regulate their duties and compensation, and for other purposes.
Mr. Underwood; Committee on the Judiciary, 932.

S. 5256—Authorizing the Secretary of War, in his discretion, to deliver to the city of Douglas, in the State of Arizona, one cannon with carriage captured in the war with Germany, together with a suitable number of shells.
Mr. Smith of Arizona; Committee on Military Affairs, 932.

S. 5257—Authorizing the Secretary of War, in his discretion, to deliver to the city of Nogales, in the State of Arizona, one cannon with carriage captured in the war with Germany, together with a suitable number of shells.
Mr. Smith of Arizona; Committee on Military Affairs, 932.

S. 5258—Authorizing the Secretary of War, in his discretion, to deliver to the city of Tucson, in the State of Arizona, one cannon with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Smith of Arizona; Committee on Military Affairs, 932.

S. 5259—To donate two cannon to the city of Henderson, N. C.
Mr. Overman; Committee on Military Affairs, 932.

S. 5260—For the relief of Stanley Mitchell.
Mr. Overman; Committee on Claims, 932.—Reference changed to Committee on Naval Affairs, 976.

S. 5261—To legalize informal or defective orders for war supplies and materials, to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims on canceled or partially filled contracts and orders, and to provide relief for contractors pending final determination.
Mr. Hitchcock; Committee on Military Affairs, 932.—Reported with amendments, 976, 1154.—Debated, 976, 2143.

S. 5262—To promote Lieut. Col. Joseph Y. Porter, Medical Corps, United States Army, retired, now on active military duty, under the provisions of the national draft act approved June 3, 1916, to be a colonel in the Medical Corps of the Army on the retired list.
Mr. Fletcher; Committee on Military Affairs, 932.

S. 5263—Donating captured cannon and cannon balls to the city of Beaumont, Tex.
Mr. Sheppard; Committee on Military Affairs, 932.

S. 5264—Donating captured cannon and cannon balls to the city of Tyler, Tex.
Mr. Sheppard; Committee on Military Affairs, 932.

S. 5265—Authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes.
Mr. Kirby; Committee on Patents, 932.—Reported back, 4148.

S. 5266—For the payment of certain money to Albert H. Raynolds.
Mr. Jones of New Mexico; Committee on Indian Affairs, 932.

S. 5267—To donate 25 cannon to the State of Vermont.
Mr. Dillingham; Committee on Military Affairs, 932.

S. 5268—Granting a pension to Sarah C. Vaughan.
Mr. Dillingham; Committee on Pensions, 932.

S. 5269—Granting an increase of pension to Joseph Clucas.
Mr. Shafroth; Committee on Pensions, 932.

S. 5270—Granting an increase of pension to John F. Farley.
Mr. Shafroth; Committee on Pensions, 932.

S. 5271—Granting an increase of pension to Emmett Fitzsimmons.
Mr. Shafroth; Committee on Pensions, 932.

S. 5272—Granting an increase of pension to James H. Johnston.
Mr. Shafroth; Committee on Pensions, 932.

S. 5273—Granting an increase of pension to George A. White.
Mr. Shafroth; Committee on Pensions, 932.

S. 5274—Granting a pension to Nettie I. Moffat.
Mr. Kendrick; Committee on Pensions, 932.

S. 5275—Granting a pension to Thomas Fife.
Mr. Kendrick; Committee on Pensions, 932.

S. 5276—Granting a pension to John F. Lichty.
Mr. Norris; Committee on Pensions, 932.

S. 5277—Reappropriating and making immediately available the $42,500 appropriated for the construction of two bridges over the Little Colorado and Canyon Diablo Rivers, near the Leupp Agency, Ariz., by the act approved Mar. 2, 1917.
Mr. Ashurst; Committee on Indian Affairs, 932.—Reported with amendment (S. Rept. 646), 1500.—Indefinitely postponed, 4535.

S. 5278—To appoint any officer who now holds, or who during the existing emergency has held, the grade of general or lieutenant general for the period of the emergency only, to the same grade in the Army without such limitation of tenure.
Mr. Chamberlain; Committee on Military Affairs, 979.—Debated, 979, 2735.

S. 5279—To authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes.
Mr. Chamberlain; Committee on Military Affairs, 979.—Reported back (S. Rept. 645), 1500.—Passed Senate, 1741.—Referred to House Committee on Military Affairs, 2612.—Committee discharged, debated, 3710–3728.—Amended and passed House, 3728.—Senate disagrees to House amendments and asks for a conference, 3823.—House insists on its amendments and agrees to a conference, 3937.—Conference appointed, 3823, 3937.—Conference report made in Senate, 4040.—Conference report agreed to in Senate, 4235.—Conference report (No. 1126) made in House, 4077.—Debated and agreed to in House, 4256, 4257.—Examined and signed, 4331, 4385.—Approved by the President [Public, No. 309], 4682.

S. 5280—Authorizing retirement of members of the Army Nurse Corps (female).
Mr. Chamberlain; Committee on Military Affairs, 979.

S. 5281—To donate one German gun to the city of Morganton, N. C.
Mr. Overman; Committee on Military Affairs, 979.

S. 5282—To amend subdivision 8 of the act to amend the naturalization law approved May 9, 1918.
Mr. Calder; Committee on Immigration, 979.

S. 5283—Granting a pension to Edwin W. Gordon.
Mr. Nelson; Committee on Pensions, 1079.

S. 5284—To amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved Mar. 21, 1918.
Mr. Cummins; Committee on Interstate Commerce, 1079, 1080.—Reported back, 4681.

S. 5285—To amend the act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved Mar. 4, 1915.
Mr. Calder; Committee on Commerce, 1079.

S. 5286—Directing the payment of certain sums to fourth-class postmasters for rent, light, and fuel.
Mr. Calder; Committee on Post Offices and Post Roads, 1079.

S. 5287—To provide for the control, supervision, and operation of telegraph, telephone, marine cable, and radio systems.
Mr. Kellogg; Committee on Interstate Commerce, 1079, 1080.—Debated, 1080, 1081.

S. 5288—To provide transportation, storage, and marketing facilities for, and to regulate the commerce among the States in, live stock, meats, and other products derived from live stock or the slaughtering of live stock.
Mr. Smith of South Carolina; Committee on Interstate Commerce, 1080.

S. 5289—To amend paragraph 5 of section 5 of the United States cotton-futures act, approved Aug. 11, 1916, and for other purposes.
Mr. Smith of South Carolina; Committee on Agriculture and Forestry, 1080.

S. 5290—For the investigation and extermination of the European corn borer.
Mr. Gore; Committee on Agriculture and Forestry, 1080.

S. 5291—To repeal section 7 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.
Mr. Smith of Georgia; Committee on the Judiciary, 1080.

S. 5292—Making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account.
Mr. Jones of Washington; Committee on Commerce, 1080.—Reported back (S. Rept. 680), 2587.—Passed Senate, 4538.—Referred to House Committee on the Merchant Marine and Fisheries, 4772, 4774.

S. 5293—Granting an increase of pension to Ephriam D. Edwards.
Mr. Jones of Washington; Committee on Pensions, 1080.

S. 5294—Granting an increase of pension to Joseph A. Truesdale.
Mr. Jones of Washington; Committee on Pensions, 1080.

S. 5295—Donating captured cannon and cannon balls to the city of Orange, Tex.
Mr. Sheppard; Committee on Military Affairs, 1080.

S. 5296—For the suitable recognition of war workers who have during the existing war donated or virtually donated their services to the United States Government.
Mr. Myers; Committee on Military Affairs, 1080.

S. 5297—For the naming of the city of Washington, in the District of Columbia.
Mr. Myers; Committee on the Judiciary, 1080, 1081.—Debated, 1081, 1082.

S. 5298—Granting a pension to Della J. Nash.
Mr. Hollis; Committee on Pensions, 1080.

S. 5299—Granting a pension to Jacob A. Booher.
Mr. Sherman; Committee on Pensions, 1080.

S. 5300—Providing for a reclamation project on the Strawberry River, Duchesne County, Utah, to be known as the Castle Peak reclamation project.
Mr. King; Committee on Irrigation and Reclamation of Arid Lands, 1080.

S. 5301—To extend the franking privilege to the State council of defense of Utah.
Mr. King; Committee on Post Offices and Post Roads, 1080.

S. 5302—Granting a pension to Ella B. Kean.
Mr. Penrose; Committee on Pensions, 1080.

S. 5303—To permit joining the United States of America as a party defendant in an action in Federal and State courts in certain actions affecting title to real property.
Mr. Calder; Committee on the Judiciary, 1080.

S. 5304—To authorize the Federal courts of the United States to render declaratory judgments.
Mr. Fletcher; Committee on the Judiciary, 1080.

S. 5305—To stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes.
Mr. Kendrick; Committee on Agriculture and Forestry, 1080.—Reported with amendment (S. Rept. 754), 4108.

S. 5306—To recognize the patriotic services of members of the district and local draft boards of the United States.
Mr. Jones of Washington; Committee on Military Affairs, 1158.

S. 5307—For the relief of the Red Wing Brewing Co.
Mr. Nelson; Committee on Claims, 1158.

S. 5308—For the relief of the Eastern Transportation Co.
Mr. Swanson; Committee on Claims, 1158.

S. 5309—Granting a pension to Erastus A. Buck.
Mr. Norris; Committee on Pensions, 1158.

S. 5310—Granting ar increase of pension to Charles F. Hahn.
Mr. La Follette; Committee on Pensions, 1159.

S. 5311—Granting an increase of pension to Henry L. Bannow.
Mr. La Follette; Committee on Pensions, 1159.

S. 5312—To donate a piece of field artillery to Girard College, of Philadelphia, Pa.
Mr. Knox; Committee on Military Affairs, 1159.

S. 5313—Authorizing a commission to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes.
Mr. Spencer; Committee on Foreign Relations, 1159.—Reference changed to Committee on Military Affairs, 1912.—Reported with amendments (S. Rept. 731), 3743.—Debated, amended, and passed Senate, 4111, 4112.—Referred to House Committee on Military Affairs, 4244.

S. 5314—To repeal an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," and the act amendatory thereof.
Mr. France; Committee on the Judiciary, 1159.—Debated, 1171, 1172.

S. 5315—Authorizing the Secretary of War to deliver one cannon to the city of Orlando, in the State of Florida.
Mr. Fletcher; Committee on Military Affairs, 1159.

S. 5316—Granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington.
Mr. Jones of Washington; Committee on Commerce, 1159.—Reported back (S. Rept. 674); passed Senate, 2417.—Referred to House Committee on Interstate and Foreign Commerce, 2522.—Reported back (H. Rept. 1061), 3245.—Passed House, 3624.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 287], 4573.

S. 5317—Granting the free use of the mails to Edith Carow Roosevelt.
Mr. Smoot; Committee on Post Offices and Post Roads, 1311.

S. 5318—Granting a pension to Edith Carow Roosevelt.
Mr. Smoot; Committee on Pensions, 1311.—Reported back and passed Senate, 1403.—Referred to House Committee on Pensions, 1452.—Reported back (H. Rept. 967), 1961.—Debated and passed House, 2060.—Examined and signed, 2188.—Approved by the President [Private, No. 36], 4209.

S. 5319—Authorizing the Secretary of War to donate to Brigham City, Utah, one German cannon or fieldpiece.
Mr. Smoot; Committee on Military Affairs, 1311.

S. 5320—To promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes.
Mr. Chamberlain; Committee on Military Affairs, 1311.

S. 5321—Authorizing the President to sell real or personal property, purchased or acquired by the United States in connection with or incidental to the prosecution of the existing war.
Mr. Chamberlain; Committee on Military Affairs, 1312.

S. 5322—For the relief of discharged soldiers.
Mr. Vardaman; Committee on Military Affairs, 1312.—Debated, 1312.

S. 5323—To authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park.
Mr. Saulsbury; Committee on Pacific Islands and Porto Rico, 1311.—Reported back (S. Rept. 757); passed Senate, 4205, 4206.—Referred to House Committee on Territories, 4385.

S. 5324—Granting an increase of pension to Rouser Mettler.
Mr. Warren; Committee on Pensions, 1311.

S. 5325—To donate a cannon to the city of Erie, Pa.
Mr. Knox; Committee on Military Affairs, 1311.

S. 5326—Granting an increase of pension to Daniel Robb.
Mr. Knox; Committee on Pensions, 1311.

S. 5327—Granting an increase of pension to John M. Barber.
Mr. New; Committee on Pensions, 1311.

S. 5328—Granting a pension to George A. Bertels.
Mr. New; Committee on Pensions, 1311.

S. 5329—Granting an increase of pension to George H. Pennington.
Mr. New; Committee on Pensions, 1311.

S. 5330—Granting a pension to Arthur H. Letts.
Mr. Townsend; Committee on Pensions, 1311.

S. 5331—Granting an increase of pension to George Whitcher.
Mr. Dillingham; Committee on Pensions, 1311.

S. 5332—For the relief of settlers on Baca Float Grant No. 3, in the State of Arizona.
Mr. Smith of Arizona; Committee on Public Lands, 1311.

S. 5333—For the relief of Mrs. W. P. Miller.
Mr. Smith of Arizona; Committee on Claims, 1311.

S. 5334—To correct the military record of Jesse E. Smalley.
Mr. Johnson of California; Committee on Military Affairs, 1311.—Reported back (S. Rept. 710), 3179.

S. 5335—Authorizing the Secretary of War to donate to the city of Marlboro, Mass., one German cannon or fieldpiece.
Mr. Lodge; Committee on Military Affairs, 1311.

S. 5336—Authorizing the Secretary of War to donate to the city of Taunton, Mass., one German cannon or fieldpiece.
Mr. Lodge; Committee on Military Affairs, 1312.

S. 5337—Authorizing the Secretary of War to donate to the city of Worcester, Mass., one German cannon or fieldpiece.
Mr. Lodge; Committee on Military Affairs, 1312.

S. 5338—Authorizing the Secretary of War, in his discretion, to deliver to each of the several county seats in the State of Kentucky captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages.
Mr. Martin of Kentucky; Committee on Military Affairs, 1312.

S. 5339—Providing for the disinterment and removal of the remains of the infant child Norman Lee Molzahn from the temporary burial site in the District of Columbia to a permanent burial place.
Mr. Norris; Committee on the District of Columbia, 1379.

S. 5340—To provide for the protection of persons from liability for the consequences of compliance with orders or instructions issued during the period of the war by Government officers or agents.
Mr. Overman; Committee on the Judiciary, 1379.

S. 5341—Donating a captured German airplane, fieldpiece, and shells to the city of Birmingham, Ala.
Mr. Underwood; Committee on Military Affairs, 1379.

S. 5342—Providing for the appointment of an additional district judge for the northern judicial district of the State of Texas.
Mr. Culberson; Committee on the Judiciary, 1440.—Reported back (S. Rept. 682); passed Senate, 2726.—Debated and passed House, 3587.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 283], 4396.

S. 5343—To authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements.
Mr. Saulsbury; Committee on Pacific Islands and Porto Rico, 1440.—Reported back (S. Rept. 685), 2789.—Passed Senate, 4540.—Referred to House Committee on Territories, 4808.

S. 5344—To amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes."
Mr. Bankhead; Committee on Post Offices and Post Roads, 1440.

S. 5345—For the relief of William Mortesen.
Mr. McNary; Committee on Claims, 1440.

S. 5346—Granting an increase of pension to Harvey L. Smith.
Mr. McNary; Committee on Pensions, 1440.

S. 5347—Granting an increase of pension to Harlin L. Clark.
Mr. Martin of Kentucky; Committee on Pensions, 1440.

S. 5348—To amend an act entitled "An act for the establishment of marine schools, and for other purposes," approved Mar. 4, 1911.
Mr. Hale; Committee on Naval Affairs, 1440.

S. 5349—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Calder; Committee on Military Affairs, 1440.

S. 5350—To donate a gun or howitzer to the town of Plaistow, in the State of New Hampshire.
Mr. Moses; Committee on Military Affairs, 1440.

S. 5351—To donate a gun or howitzer to the town of Bennington, in the State of New Hampshire.
Mr. Moses; Committee on Military Affairs, 1440.

S. 5352—Authorizing the Secretary of War to donate to the city of Chelsea, Mass., one German cannon or fieldpiece.
Mr. Lodge; Committee on Military Affairs, 1501.

S. 5353—To authorize the acquisition of land for a national military cemetery in France and to provide for the establishment, care, and maintenance thereof, and for other purposes.
Mr. Chamberlain; Committee on Military Affairs, 1501.

S. 5354—An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of Aug., 1912.
Mr. Frelinghuysen; Committee on Commerce, 1501.—Reported with amendments (S. Rept. 659), amended, and passed Senate, 1974.—Passed House, 2328.—Examined and signed, 2493, 2495.—Approved by the President [Public, No. 261], 4209.

S. 5355—Authorizing the Secretary of War to donate to the city of Westbrook, Me., one German cannon or fieldpiece.
Mr. Hale; Committee on Military Affairs, 1501.

S. 5356—Authorizing the Secretary of War to donate to the town of Winthrop, Me., one German cannon or fieldpiece.
Mr. Hale; Committee on Military Affairs, 1501.

S. 5357—Authorizing the Secretary of War to donate to the city of Auburn, Me., one German cannon or fieldpiece.
Mr. Hale; Committee on Military Affairs, 1501.

S. 5358—Authorizing the Secretary of War to donate to the city of Eastport, Me., one German cannon or fieldpiece.
Mr. Hale; Committee on Military Affairs, 1501.

S. 5359—To establish load lines for certain vessels.
Mr. Fletcher; Committee on Commerce, 1501.

S. 5360—To authorize the Department of Commerce, by the National Bureau of Standards, to examine and test manufactured articles or products for the owner or manufacturer thereof, to issue a certificate as to the nature and quality of such manufactured articles or products, and to prevent the illegal use of such certificate.
Mr. Fletcher; Committee on Commerce, 1501.

S. 5361—Donating captured cannon and cannon balls to the University of Kansas, Lawrence, Kans.
Mr. Curtis; Committee on Military Affairs, 1581.

S. 5362—Donating captured cannon and cannon balls to the city of Garnett, Kans.
Mr. Curtis; Committee on Military Affairs, 1581.

S. 5363—Donating captured cannon and cannon balls to Ellsworth County, Kans.
Mr. Curtis; Committee on Military Affairs, 1581.

S. 5364—Donating captured cannon and cannon balls to the city of McPherson, Kans.
Mr. Curtis; Committee on Military Affairs, 1581.

S. 5365—Donating captured cannon and cannon balls to the city of Baxter Springs, Kans.
Mr. Curtis; Committee on Military Affairs, 1581.

S. 5366—Directing the Secretary of War to restore to their former rank 18 noncommissioned officers of the One hundred and thirty-ninth United States Infantry.
Mr. Curtis; Committee on Military Affairs, 1581.

S. 5367—Granting an increase of pension to Francis M. Ellis.
Mr. Curtis; Committee on Pensions, 1581.

S. 5368—Authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. L. McFarlin, at Little Rock, Ark.
Mr. Kirby; Committee on Post Offices and Post Roads, 1581.

S. 5369—To provide for an increase of salary of the United States marshal for the district of Nevada.
Mr. Henderson; Committee on the Judiciary, 1581.

S. 5370—Granting a pension to Thomas Ryan.
Mr. Walsh; Committee on Pensions, 1581.

S. 5371—For the relief of Roland S. Robbins.
Mr. Reed; Committee on Claims, 1581.—Reported back (S. Rept. 717), 3250.—Passed Senate, 4554.—Referred to House Committee on Claims, 4808.

S. 5372—Donating captured cannons and cannon balls to the city of Ottawa, Kans.
Mr. Curtis; Committee on Military Affairs, 1641.

S. 5373—Donating captured cannons and cannon balls to the city of Atchison, Kans.
Mr. Curtis; Committee on Military Affairs, 1641.

S. 5374—Donating captured cannons and cannon balls to the city of Newton, Kans.
Mr. Curtis; Committee on Military Affairs, 1641.

S. 5375—Granting a pension to Lydia J. Willis.
Mr. Curtis; Committee on Pensions, 1641.

S. 5376—Granting a pension to Edward S. Seay.
Mr. Kendrick; Committee on Pensions, 1641.

S. 5377—Authorizing the Secretary of War to donate to the city of New Orleans, La., to be installed in the old Historic Washington Artillery Hall, one German cannon or fieldpiece.
Mr. Ransdell; Committee on Military Affairs, 1641.

S. 5378—Authorizing the Secretary of War to donate to the city of Monroe, La., one German cannon or fieldpiece.
Mr. Ransdell; Committee on Military Affairs, 1641.

S. 5379—Granting an increase of pension to Carrier Thompson.
Mr. Smith of Arizona; Committee on Pensions, 1641.

S. 5380—Granting an increase of pension to James F. Duncan.
Mr. Smith of Arizona; Committee on Pensions, 1641.

S. 5381—Granting an increase of pension to Floyd E. Driskel.
Mr. Smoot; Committee on Pensions, 1641.

S. 5382—Granting a pension to John C. Cleveland.
Mr. Smoot; Committee on Pensions, 1641.

S. 5383—Granting a pension to Arabella Roberts.
Mr. McNary; Committee on Pensions, 1641.

S. 5384—Granting an increase of pension to William Russell.
Mr. McNary; Committee on Pensions, 1641.

S. 5385—Granting an increase of pension to Bernard Krebs.
Mr. McNary; Committee on Pensions, 1641.

S. 5386—Granting a pension to Augustus M. Brown.
Mr. Fernald; Committee on Pensions, 1641.

S. 5387—Granting an increase of pension to Alonzo J. Finch.
Mr. Curtis; Committee on Pensions, 1641.

S. 5388—To amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916.
Mr. King; Committee on Post Offices and Post Roads, 1641.

S. 5389—Authorizing the Secretary of War to donate to the municipalities of Alexandria, Elbow Lake, Fairfax, and Gibbon, in the State of Minnesota, captured German cannons, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages.
Mr. Nelson; Committee on Military Affairs, 1727.

S. 5390—Granting a pension to James Green.
Mr. Thompson; Committee on Pensions, 1727.

S. 5391—Authorizing the Secretary of War to donate to the city of Portland, Me., one German cannon or fieldpiece.
Mr. Hale; Committee on Military Affairs, 1727.

S. 5392—To fix the price at which wool held by the Quartermaster General of the Army may be sold.
Mr. King; Committee on Military Affairs, 1727.

S. 5393—Granting a pension to James D. Davis.
Mr. Sherman; Committee on Pensions, 1727.

S. 5394—Requiring the Secretary of War to furnish certain data to the adjutant generals of the several States.
Mr. Smoot; Committee on Military Affairs, 1814.

S. 5395—Requiring the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Smoot; Committee on Naval Affairs, 1814.

S. 5396—To reclassify the salaries of the employees above the clerical grades in post offices of the first and second classes.
Mr. Penrose; Committee on Post Offices and Post Roads, 1814.

S. 5397—To provide for the commencement or prosecution of public works in order to provide increased opportunities for employment during the period of demobilization and industrial readjustment, and for other purposes.
Mr. Kenyon; Committee on Education and Labor, 1814.

S. 5398—To amend an act entitled "An act to regulate commerce, approved Feb. 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, approved June 29, 1906."
Mr. Pomerene; Committee on Interstate Commerce, 1814.

S. 5399—Granting a pension to Sarah C. Hale.
Mr. Colt; Committee on Pensions, 1814.

S. 5400—Donating captured cannon and cannon balls to the University of Kentucky, Lexington, Ky.
Mr. Martin of Kentucky; Committee on Military Affairs, 1814.

S. 5401—Authorizing the Secretary of War to donate to Tulane University, New Orleans, La., one German cannon or fieldpiece.
Mr. Ransdell; Committee on Military Affairs, 1814.

S. 5402—Increasing the pay of printers, pressmen, and bookbinders employed in the Government Printing Office, and for other purposes.
Mr. Lewis; Committee on Printing, 1814.

S. 5403—Directing the Secretary of War and the Secretary of the Navy to furnish to the adjutant generals of the several States the records of the men of those States who served in the Army, Navy, or Marine Corps during the war between the United States and Germany.
Mr. Wadsworth; Committee on Military Affairs, 1814.

S. 5404—Providing for the conveyance to the State of Montana of Fort William Henry Harrison Military Reservation for educational and other purposes.
Mr. Walsh; Committee on Military Affairs, 1851.

S. 5405—Authorizing the Secretary of War to donate to the town of Harrison, Me., one German cannon or fieldpiece.
Mr. Hale; Committee on Military Affairs, 1851.

S. 5406—For the relief of Frank Vumbaca.
Mr. Hale; Committee on Claims, 1851.

S. 5407—Granting an increase of pension to Levi M. Starne.
Mr. Thompson; Committee on Pensions, 1851.

S. 5408—Granting an increase of pension to Matthias V. Bridges.
Mr. Moses; Committee on Pensions, 1851.

S. 5409—Granting an increase of pension to M. Cecelia Allen.
Mr. Jones of Washington; Committee on Pensions, 1851.

S. 5410—Granting an increase of pension to Dallas Thurman.
Mr. Thompson; Committee on Pensions, 1851.

S. 5411—Granting a pension to Catharine Derstine.
Mr. Penrose; Committee on Pensions, 1851.

S. 5412—Authorizing the Secretary of War to donate to the municipalities of Bismarck, Devils Lake, Harvey, Carrington, Jamestown, Dickinson, Forman, Minot, Park River, Bowman, Hettinger, Mott, and Bottineau, in the State of North Dakota, captured German cannons, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages.
Mr. McCumber; Committee on Military Affairs, 1912.

S. 5413—To increase and equalize the salaries of veterinarians in the Department of Agriculture.
Mr. McCumber; Committee on Agriculture and Forestry, 1912.

S. 5414—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Myers; Committee on Military Affairs, 1912.

S. 5415—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. King; Committee on Military Affairs, 1912.

S. 5416—To establish engineering experiment stations for the purpose of further developing that college in each State and Territory now receiving, or which may hereafter receive, the benefits of the act of Congress approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and for the purpose of developing the natural resources of the United States as a measure of industrial, military, and naval preparedness.
Mr. Henderson; Committee on Education and Labor, 1912.

S. 5417—Granting a pension to Nathan L. Brass.
Mr. Townsend; Committee on Pensions, 1913.

S. 5418—Granting a pension to Horton G. Mosher.
Mr. Townsend; Committee on Pensions, 1913.

S. 5419—Conferring upon tribes of Indians the right to recall their agents or superintendents.
Mr. Johnson of South Dakota; Committee on Indian Affairs, 1913.

S. 5420—Authorizing the Secretary of War to donate to the city of Everett, Mass., one German cannon or fieldpiece.
Mr. Lodge; Committee on Military Affairs, 1964.

S. 5421—Authorizing the Secretary of War to donate to the municipalities of Vining, Crosby, Little Falls, and Wheaton, in the State of Minnesota, captured German cannons, cannon balls or shells, and gun carriages, condemned United States cannons, cannon balls or shells, and gun carriages.
Mr. Nelson; Committee on Military Affairs, 1964.

S. 5422—To donate a gun or howitzer to the town of Winchester, in the State of New Hampshire.
Mr. Moses; Committee on Military Affairs, 1964.

S. 5423—Granting an increase of pension to Isaac E. Walker.
Mr. Knox; Committee on Pensions, 1964.

S. 5424—To incorporate the World War Veterans of America.
Mr. Watson; Committee on the Judiciary, 1964.

S. 5425—Granting an increase of pension to Alexander Faries.
Mr. Wolcott; Committee on Pensions, 1964.

S. 5426—Granting an increase of pension to Jonathan Colyar.
Mr. Thompson; Committee on Pensions, 1964.

S. 5427—Granting an increase of pension to Jacob R. Stillwagon.
Mr. Thompson; Committee on Pensions, 1964.

S. 5428—Granting an increase of pension to John McMahon.
Mr. Phelan; Committee on Pensions, 1964.

S. 5429—Granting an increase of pension to Mary Leahy.
Mr. Phelan; Committee on Pensions, 1964.

S. 5430—To increase the cost of the public building at Marianna, Fla.
Mr. Fletcher; Committee on Public Buildings and Grounds, 1964.

S. 5431—Authorizing the Secretary of War to donate to each of the cities of Pasadena, Willows, Chico, Redlands, and San Jose, in the State of California, one German cannon or fieldpiece.
Mr. Phelan; Committee on Military Affairs, 1964.

S. 5432—To amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved Mar. 21, 1918.
Mr. Cummins; Committee on Interstate Commerce, 2122.—Debated, 2122.

S. 5433—To provide for certain commissions and promotions in the military service.
Mr. Cummins; Committee on Military Affairs, 2105.

S. 5434—Granting an increase of pension to Luke Cahill.
Mr. Shafroth; Committee on Pensions, 2105.

S. 5435—Granting an increase of pension to Bettie Dodge.
Mr. Shafroth; Committee on Pensions, 2105.

S. 5436—Granting a pension to Inezella C. Foy.
Mr. Shafroth; Committee on Pensions, 2105.

S. 5437—For the relief of Harry Scott.
Mr. Walsh; Committee on Claims, 2105.

S. 5438—Granting a pension to William V. Feltwell.
Mr. Knox; Committee on Pensions, 2105.

S. 5439—To authorize the Secretary of War to deliver to each of the several county seats in the State of Florida captured German cannons and cannon balls or shells.
Mr. Trammell; Committee on Military Affairs, 2105.

S. 5440—Authorizing the Secretary of War, in his discretion, to deliver to each of the several county seats in the State of Washington captured German cannons, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls and shells, or gun carriages.
Mr. Jones of Washington; Committee on Military Affairs, 2105.

S. 5441—Donating captured cannons and cannon balls to the city of Bluff City, Kans.
Mr. Curtis; Committee on Military Affairs, 2105.

S. 5442—For the relief of the owner of the steam lighter Cornelia.
Mr. Weeks; Committee on Claims, 2106.—Reported back (S. Rept. 770), 4205.—Passed Senate, 4305, 4306.—Referred to House Committee on Claims, 4385.

S. 5443—For the relief of the owners of the schooner Horatio G. Foss.
Mr. Weeks; Committee on Claims, 2106.—Reported back (S. Rept. 769), 4205.—Passed Senate, 4305.—Referred to House Committee on Claims, 4500.

S. 5444—Granting an increase of pension to William H. H. Watkins.
Mr. Poindexter; Committee on Pensions, 2106.

S. 5445—Granting a pension to John H. Helser.
Mr. Spencer; Committee on Pensions, 2106.

S. 5446—Granting a pension to Julius Cohn.
Mr. Spencer; Committee on Pensions, 2106.

S. 5447—To increase the cost of the public building at Spanish Fork, Utah.
Mr. Smoot; Committee on Public Buildings and Grounds, 2190.

S. 5448—To authorize the appropriation of $50,000 for the erection of a public building at Nephi, Utah.
Mr. Smoot; Committee on Public Buildings and Grounds, 2190.

S. 5449—To increase the cost of the public building at Eureka, Utah.
Mr. Smoot; Committee on Public Buildings and Grounds, 2190.

S. 5450—To increase the cost of the public building at Vernal, Utah.
Mr. Smoot; Committee on Public Buildings and Grounds, 2190.

S. 5451—To repeal the power of the President of the United States to requisition vessels building in the shipyards in the United States.
Mr. Penrose; Committee on Commerce, 2190.

S. 5452—To repeal a portion of section 37 of the shipping act of 1916.
Mr. Penrose; Committee on Commerce, 2190.

S. 5453—To repeal the act approved Oct. 6, 1917.
Mr. Penrose; Committee on Commerce, 2190.

S. 5454—Granting an increase of pension to Amanda F. Mahin.
Mr. Kenyon; Committee on Pensions, 2190.

S. 5455—Granting an increase of pension to Franklin Bryan.
Mr. Kenyon; Committee on Pensions, 2190.

S. 5456—Granting a pension to Joseph W. Wolf.
Mr. Kenyon; Committee on Pensions, 2190.

S. 5457—Donating captured cannon and cannon balls to the city of Conway Springs, Kans.
Mr. Curtis; Committee on Military Affairs, 2190.

S. 5458—Donating captured cannon and cannon balls to the city of Dodge City, Kans.
Mr. Curtis; Committee on Military Affairs, 2190.

S. 5459—Donating captured cannons and cannon balls to the city of Goodland, Kans.
Mr. Curtis; Committee on Military Affairs, 2190.

S. 5460—Granting a pension to Fred Thompson.
Mr. Curtis; Committee on Pensions, 2190.

S. 5461—Granting a pension to John Francis Buckley.
Mr. Hale; Committee on Pensions, 2191.

S. 5462—To increase the cost of the public building at Durango, Colo.
Mr. Thomas; Committee on Public Buildings and Grounds, 2191.

S. 5463—To authorize the Secretary of War to turn over certain Army supplies to the American National Red Cross.
Mr. Chamberlain; Committee on Military Affairs, 2191.

S. 5464—To promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; to provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship.
Mr. Smith of Georgia; Committee on Education and Labor, 2191.—Reported back, 4391.—Debated, 4391, 4392, 4563, 4564, 4565.

S. 5465—To amend paragraph 5 of section 5 of the United States cotton-futures act, approved Aug. 11, 1916, and for other purposes.
Mr. Smith of Georgia; Committee on Agriculture and Forestry, 2191.

S. 5466—Granting a pension to William Dugent, alias William Brown.
Mr. Smith of Maryland; Committee on Pensions, 2191.

S. 5467—To amend the Federal farm loan act, approved July 17, 1916.
Mr. Hollis; Committee on Banking and Currency, 2191.

S. 5468—Granting a pension to Benjamin A. Sturtevant.
Mr. Townsend; Committee on Pensions, 2191.

S. 5469—Granting a pension to Annie Manchester.
Mr. Townsend; Committee on Pensions, 2191.

S. 5470—Authorizing the Secretary of War to donate to the town of Plymouth, Mass., one German cannon or fieldpiece.
Mr. Lodge; Committee on Military Affairs, 2260.

S. 5471—For the relief of John A. Gauley.
Mr. Lodge; Committee on Claims, 2260.—Reported back (S. Rept. 713); passed Senate, 3257.—Referred to House Committee on Claims, 3350.

S. 5472—To establish within the Department of the Treasury a bureau for the regulation and supervision of the export and savings from the United States.
Mr. King; Committee on Banking and Currency, 2260.

S. 5473—To amend an act approved Mar. 3, 1891, incorporating the National Conservatory of Music of America.
Mr. Calder; Committee on the Judiciary, 2260.

S. 5474—To amend section 6 of the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved Mar. 21, 1918.
Mr. Calder; Committee on Interstate Commerce, 2260.

S. 5475—Granting a pension to William Campbell.
Mr. Sherman; Committee on Pensions, 2260.

S. 5476—Granting an increase of pension to Caspar Hopp.
Mr. McNary; Committee on Pensions, 2260.

S. 5477—Providing for the construction of a dam across the Gila River, at or near San Carlos, in the State of Arizona.
Mr. Smith of Arizona; ordered to lie on the table, 2260.

S. 5478—Granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River.
Mr. Sutherland; Committee on Interstate Commerce, 2260.—Reference changed to Committee on Commerce, 3250.—Reported back (S. Rept. 723); passed Senate, 3414.—Passed House, 3689.—Examined and signed, 4009, 4016.—Approved by the President [Public, No. 288], 4573.

S. 5479—For the relief of lock masters, lockmen, and other laborers and mechanics employed by the United States Government in the locks and dams of the Kanawha River, in West Virginia.
Mr. Sutherland; Committee on Claims, 2260.

S. 5480—To increase the cost of the public building at Park City, Utah.
Mr. Smoot; Committee on Public Buildings and Grounds, 2338.

S. 5481—Granting a pension to William E. Hughes.
Mr. Smoot; Committee on Pensions, 2338.

S. 5482—Providing for the refund of taxes collected for stamp tax on certain policies under the emergency tax act of Oct. 22, 1914, under the proviso to which act such policies were exempt.
Mr. Pomerene; Committee on Claims, 2338.—Reported back (S. Rept. 768), 4205.—Passed Senate, 4562.—Referred to House Committee on Claims, 4808.

S. 5483—Granting an increase of pension to James Rowland.
Mr. Pomerene; Committee on Pensions, 2338.

S. 5484—To authorize the commissioning of Maj. Robert W. Barr.
Mr. Reed; Committee on Military Affairs, 2338.

S. 5485—To provide for a system of universal military training and to improve the manhood and citizenship of the youth of the United States.
Mr. New; Committee on Military Affairs, 2420.—Debated, 2418–2420.

S. 5486—To amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from Jan. 1, 1859, to January, 1891, inclusive, and for other purposes," approved Mar. 4, 1917.
Mr. Sheppard; Committee on Pensions, 2417.

S. 5487—To authorize the city of Beaumont, Tex., the Neches Canal Co., and the Beaumont Irrigating Co. to construct and maintain a dam across the Neches River about 8 miles above the city of Beaumont, Tex.
Mr. Sheppard; Committee on Commerce, 2417.

S. 5488—Granting the consent of Congress to the Pittsburgh Junction Railroad Co. to construct a bridge across the Allegheny River at Pittsburgh, Pa.
Mr. Knox; Committee on Commerce, 2417.

S. 5489—Providing for the investigation of certain lands in the State of Washington with a view to their reclamation.
Mr. Jones of Washington; Committee on Irrigation and Reclamation of Arid Lands, 2417.

S. 5490—To authorize the Secretary of War, in his discretion, to deliver to certain towns and cities in the State of Florida, captured German cannon and cannon balls or shells.
Mr. Trammell; Committee on Military Affairs, 2417.

S. 5491—Authorizing the Secretary of War to donate to the city of Taunton, Mass., one German cannon or fieldpiece.
Mr. Weeks; Committee on Military Affairs, 2417.

S. 5492—Granting to certain claimants a preference right to purchase certain public lands in the State of Arkansas.
Mr. Robinson; Committee on Public Lands, 2417.—Reported with amendment (S. Rept. 721), 3321.

S. 5493—Authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation.
Mr. Robinson; Committee on Public Lands, 2417.—Reported back (S. Rept. 718), 3321.—Passed Senate, 4557.—Referred to House Committee on the Public Lands, 4774.

S. 5494—Donating captured cannons and cannon balls to the city of Osage City, Kans.
Mr. Curtis; Committee on Military Affairs, 2417.

S. 5495—Donating captured cannons and cannon balls to the city of Independence, Kans.
Mr. Curtis; Committee on Military Affairs, 2417.

S. 5496—Donating captured cannons and cannon balls to the city of Emporia, Kans.
Mr. Curtis; Committee on Military Affairs, 2417.

S. 5497—Donating captured cannons and cannon balls to the city of Hays, Kans.
Mr. Curtis; Committee on Military Affairs, 2417.

S. 5498—Donating captured cannons and cannon balls to the National Guard at Liberal, Kans.
Mr. Curtis; Committee on Military Affairs, 2417.

S. 5499—Donating captured cannons and cannon balls to the Kansas Wesleyan University, Salina, Kans.
Mr. Curtis; Committee on Military Affairs, 2417.

S. 5500—To amend the act of June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes."
Mr. Calder; Committee on Military Affairs, 2417.

S. 5501—Granting an increase of pension to Edward D. Hamilton.
Mr. Chamberlain; Committee on Pensions, 2418.

S. 5502—Granting a pension to Joseph B. Doan.
Mr. Chamberlain; Committee on Pensions, 2418.

S. 5503—Donating captured cannon and cannon balls to the cities of Cleburne, Kenedy, and Yoakum, all in Texas.
Mr. Sheppard; Committee on Military Affairs, 2495.

S. 5504—Directing delivery of State war-service records to the States requesting same.
Mr. Sheppard; Committee on Military Affairs, 2495.

S. 5505—Regulating the salaries of Army field clerks.
Mr. Sheppard; Committee on Military Affairs, 2495.

S. 5506—Granting a pension to Joseph R. Owens.
Mr. Overman; Committee on Pensions, 2495.

S. 5507—Granting a pension to Mary L. Bryant.
Mr. Hale; Committee on Pensions, 2495.

S. 5508—To validate and confirm certain erroneously allowed entries in the State of Minnesota.
Mr. Kellogg; Committee on Public Lands, 2495.

S. 5509—Granting an increase of pension to William J. Van Hoose.
Mr. Sutherland; Committee on Pensions, 2495.

S. 5510—To provide for the construction of a public building at Duluth, Minn.
Mr. Nelson; Committee on Public Buildings and Grounds, 2590.

S. 5511—For the relief of the estate of the late Capt. Belvedere Brooks.
Mr. Chamberlain; Committee on Claims, 2590.

S. 5512—To amend the Federal farm-loan act, approved July 17, 1916.
Mr. Hollis; Committee on Banking and Currency, 2590.—Reported back (S. Rept. 748), 3822.—Reported back (S. Rept. 787), 4519.—Debated and passed Senate, 4559–4560.—Referred to House Committee on Banking and Currency, 4774.

S. 5513—Authorizing the Secretary of War to donate to the town of Framingham, Mass., one German cannon or fieldpiece.
Mr. Weeks; Committee on Military Affairs, 2590.

S. 5514—Authorizing the Secretary of War to donate to the city of Waltham, Mass., one German cannon or fieldpiece.
Mr. Weeks; Committee on Military Affairs, 2590.

S. 5515—Providing for an additional judge for the district of New Mexico.
Mr. Jones of New Mexico; Committee on the Judiciary, 2590.

S. 5516—To amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings to authorize the purchase of sites for public buildings, and for other purposes."
Mr. Jones of New Mexico; Committee on Public Buildings and Grounds, 2590.—Reported back, 2790.—Passed Senate, 3073.—Referred to House Committee on Public Buildings and Grounds, 3140.—Reported back (H. Rept. 1091), 3737.

S. 5517—To amend the war-risk insurance act.
Mr. Simmons; Committee on Finance, 2590.—Reported with amendment (S. Rept. 773), 4304.—Debated, amended, and passed Senate, 4304, 4305.—Referred to House Committee on Interstate and Foreign Commerce, 4500.—Reported back (H. Rept. 1154), 4676.

S. 5518—To provide that the United States shall cooperate with the States in promoting the health of the rural population of the United States, and for other purposes.
Mr. Gore; Committee on Agriculture and Forestry, 2590.

S. 5519—Granting an increase of pension to Daniel C. Darlington.
Mr. Pomerene; Committee on Pensions, 2590.

S. 5520—Granting a pension to Mary A. Lake.
Mr. Pomerene; Committee on Pensions, 2590.

S. 5521—Granting a pension to Jane Roberts.
Mr. Shields; Committee on Pensions, 2590.

S. 5522—Granting an increase of pension to C. F. Boyer.
Mr. Shields; Committee on Pensions, 2591.

S. 5523—Providing for the retirement of enlisted men of the Regular Army who have been discharged to accept a commission in the Army of the United States.
Mr. Chamberlain; Committee on Military Affairs, 2649.

S. 5524—Granting an increase of pension to Isaac N. White.
Mr. Knox; Committee on Pensions, 2650.

S. 5525—Authorizing the Secretary of War to donate to the town of Berlin, N. H., one German cannon or fieldpiece.
Mr. Hollis; Committee on Military Affairs, 2650.

S. 5526—Granting an increase of pension to Herbert A. York.
Mr. Sherman; Committee on Pensions, 2650.

S. 5527—Granting a pension to W. W. Treadway.
Mr. Martin of Kentucky; Committee on Pensions, 2650.

S. 5528—Granting an increase of pension to John Wilson.
Mr. Martin of Kentucky; Committee on Pensions, 2650.

S. 5529—Granting a pension to Benjamin H. Kimbler.
Mr. Martin of Kentucky; Committee on Pensions, 2650.

S. 5530—Granting a pension to Lee Begley.
Mr. Martin of Kentucky; Committee on Pensions, 2650.

S. 5531—Granting an increase of pension to Henry Fields.
Mr. Martin of Kentucky; Committee on Pensions, 2650.

S. 5532—Granting an increase of pension to Charley Shelton.
Mr. Martin of Kentucky; Committee on Pensions, 2650.

S. 5533—Authorizing the Secretary of War to donate to Tufts College, Massachusetts, one German cannon or fieldpiece.
Mr. Lodge; Committee on Military Affairs, 2650.

S. 5534—Granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes.
Mr. Wadsworth; Committee on Commerce, 2650.—Reported back (S. Rept. 694); passed Senate, 2874.—Passed House, 3618, 3619.—Examined and signed, 3903, 3937.—Approved by the President [Public, No. 289], 4573.

S. 5535—Granting a pension to Maria C. Vance.
Mr. Spencer; Committee on Pensions, 2650.

S. 5536—Authorizing the Secretary of War to donate to the University of Minnesota, at Minneapolis, Minn., a captured German supergun.
Mr. Nelson; Committee on Military Affairs, 2727.

S. 5537—To abolish the office of the Comptroller of the Currency and transfer the functions thereof to the Federal Reserve Board.
Mr. Weeks; Committee on Banking and Currency, 2727.

S. 5538—Donating captured cannons and cannon balls to the city of Austin, Tex.
Mr. Sheppard; Committee on Military Affairs, 2727.

S. 5539—Authorizing the Secretary of War to donate to the city of Lynn, Mass., one German cannon or fieldpiece.
Mr. Lodge; Committee on Military Affairs, 2727.

S. 5540—Authorizing the Secretary of War to donate to the National Military Park, Vicksburg, Miss., two German cannons or fieldpieces.
Mr. Williams; Committee on Military Affairs, 2727.

S. 5541—To provide for publication by national banking associations and savings banks and trust companies of the reports of resources and liabilities and dividends required to be made by them to the Comptroller of the Currency.
Mr. Penrose; Committee on Banking and Currency, 2727.

S. 5542—To amend section 5 of the act of Congress entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States," enacted on the 29th day of June, 1906.
Mr. Penrose; Committee on Immigration, 2727.

S. 5543—To increase limit of cost of a public building at Akron Ohio.
Mr. Pomerene; Committee on Public Buildings and Grounds, 2790.

S. 5544—Authorizing and directing the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a suitable site and cause to be erected thereon a suitable building for the use and accommodation of the post office and other governmental offices at Canton, Ohio, at a cost not to exceed $630,000, and to sell the present building and site.
Mr. Pomerene; Committee on Public Buildings and Grounds, 2790.

S. 5545—Authorizing the Secretary of War to donate to the town of Enfield, Conn., three German cannons or fieldpieces.
Mr. McLean; Committee on Military Affairs, 2790.

S. 5546—For the relief of Aaron Kibler.
Mr. Borah; Committee on Military Affairs, 2790.

S. 5547—Granting a pension to Joseph E. Dearborn.
Mr. Townsend; Committee on Pensions, 2790.

S. 5548—To provide for the purchase of a site for and the construction of a public building at Ely, Minn.
Mr. Kellogg; Committee on Public Buildings and Grounds, 2790.

S. 5549—To provide for the purchase of a site for and the construction of a public building at Rochester, Minn.
Mr. Kellogg; Committee on Public Buildings and Grounds, 2790.

S. 5550—Granting a pension to James A. Cox.
Mr. Gore; Committee on Pensions, 2791.

S. 5551—Providing for a reduced rate for the transportation of laborers when traveling on the railroads of the United States under the direction and control of the United States Employment Service of the Department of Labor.
Mr. Gronna; Committee on Interstate Commerce, 2791.

S. 5552—Providing that the United States may be made a party defendant in the same manner as a private person in certain legal processes dealing with real property.
Mr. Calder; Committee on the Judiciary, 2791.

S. 5553—Granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.
Mr. Walsh, from the Committee on Pensions (S. Rept. 690) as substitute for certain bills referred to that committee, 2873.—Amended and passed Senate, 4544–4547.—Referred to House Committee on Pensions, 4676.

S. 5554—Granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.
Mr. Walsh, from the Committee on Pensions (S. Rept. 691) as substitute for certain bills referred to that committee, 2873.—Amended and passed Senate, 4540–4543.—Referred to House Committee on Invalid Pensions, 4676.—Reported back (H. Rept. 1181), 4946.—Debated and passed House, 4946–4950.—Examined and signed, 4896, 5082.—Approved by the President [Private, No. 43], 5018.

S. 5555—To amend the war-risk insurance act.
Mr. Simmons; Committee on Finance, 2875.—Reported back (S. Rept. 749), 3822.—Passed Senate, 4110.—Referred to House Committee on Interstate and Foreign Commerce, 4244.—Reported back (H. Rept. 1164, 4809.—Debated, 5078–5082.

S. 5556—To provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.
Mr. Williams; Committee on the Library, 2875.—Reported back, 3249.—Amended and passed Senate, 4220.—Referred to House Committee on the Library, 4385.

S. 5557—To safeguard temporarily, by a license control of imports of potash, the interests of domestic potash producers until trade conditions are readjusted.
Mr. Henderson; Committee on Mines and Mining, 2935.—Reported with amendments (S. Rept. 751), 4019.

S. 5558—Authorizing the Secretary of War to donate to the town of Hagerstown, Md., one German cannon or fieldpiece.
Mr. Smith of Maryland; Committee on Military Affairs, 2936.

S. 5559—To provide for the erection of an addition to the post-office building at Baltimore, Md., for alterations to the present building, and changes to the railroad entering same.
Mr. Smith of Maryland; Committee on Public Buildings and Grounds, 2936.

S. 5560—To increase the cost of the public building at Memphis, Tenn.
Mr. McKellar; Committee on Public Buildings and Grounds, 2936.

S. 5561—To provide for the enforcement of prohibition during the war and the period of demobilization.
Mr. Sheppard; Committee on the Judiciary, 2936.

S. 5562—For the relief of contractors and subcontractors for post offices and other buildings and work under the supervision of the Treasury Department.
Mr. Pomerene; Committee on Public Buildings and Grounds, 2936.

S. 5563—Authorizing the Secretary of War to donate to the city of Hankinson, in the State of North Dakota, captured German cannons, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages.
Mr. McCumber; Committee on Military Affairs, 3050.

S. 5564—Granting a pension to Nancy Herrald.
Mr. Kenyon; Committee on Pensions, 3051.

S. 5565—Granting a pension to Mary E. Gray.
Mr. Hollis; Committee on Pensions, 3051.

S. 5566—For the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.
Mr. Robinson; Committee on Public Lands, 3051.—Reported back (S. Rept. 746), 3821.—Passed Senate, 4559.—Referred to House Committee on the Public Lands, 4808.—Passed House, 5035.—Examined and signed, 4991, 7082.—Approved by the President [Private, No. 48], 5018.

S. 5567—For the purchase of a post-office site at Mount Pleasant, Utah.
Mr. Smoot; Committee on Public Buildings and Grounds, 3114.

S. 5568—For the purchase of a post-office site at Tremonton, Utah.
Mr. Smoot; Committee on Public Buildings and Grounds, 3114.

S. 5569—For the purchase of a site and the erection of a public building at St. George, Utah.
Mr. Smoot; Committee on Public Buildings and Grounds, 3114.

S. 5570—For the purchase of a post-office site at Cedar City, Utah.
Mr. Smoot; Committee on Public Buildings and Grounds, 3114.

S. 5571—Granting a pension to Jeannette A. Harrington.
Mr. Hale; Committee on Pensions, 3114.

S. 5572—To prohibit immigration for a period of four years, and for other purposes.
Mr. Hardwick; Committee on Immigration, 3114.

S. 5573—Providing a method for the retirement of men in the military service of the United States.
Mr. Poindexter; Committee on Military Affairs, 3114.

S. 5574—Granting an increase of pension to William H. Merritt.
Mr. Poindexter; Committee on Pensions, 3114.

S. 5575—For the relief of the H. W. Davis Co., of St. Augustine, Fla.
Mr. Fletcher; Committee on Claims, 3114.

S. 5576—For the relief of the Estes Shoe Co., of St. Augustine, Fla.
Mr. Fletcher; Committee on Claims, 3114.

S. 5577—Donating captured cannons and cannon balls to the cities of Mission, Mount Vernon, and Tulia, all in Texas.
Mr. Sheppard; Committee on Military Affairs, 3114.

S. 5578—Relating to the pay of retired enlisted men serving as field clerks.
Mr. Sheppard; Committee on Military Affairs, 3114.

S. 5579—Providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio.
Mr. Pomerene; Committee on Public Buildings and Grounds, 3179.

S. 5580—Granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.
Mr. Simmons; Committee on Commerce, 3179.—Reported back (S. Rept. 722) and passed Senate, 3414.—Passed House, 3689, 3690.—Examined and signed, 4009, 4016.—Approved by the President [Public, No. 290], 4573.

S. 5581—To create a commission to investigate and report to Congress on the questions involved in plans of the national housing systems.
Mr. Kenyon; Committee on Education and Labor, 3179.

S. 5582—To amend sections 8 and 21 of the copyright act approved Mar. 4, 1909.
Mr. Kirby; Committee on Patents, 3179.

S. 5583—Donating captured cannons and cannon balls to the city of Abilene, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5584—Donating captured cannons and cannon balls to the city of Marysville, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5585—Donating captured cannons and cannon balls to the city of Waterville, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5586—Donating captured cannons and cannon balls to the city of Fort Scott, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5587—Donating captured cannons and cannon balls to the city of Bonner Springs, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5588—Donating captured cannons and cannon balls to the city of Concordia, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5589—Donating captured cannons and cannon balls to the city of Paola, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5590—Donating captured cannons and cannon balls to the city of Oberlin, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5591—Donating captured cannons and cannon balls to the city of Belleville, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5592—Donating captured cannons and cannon balls to the city of Peabody, Kans.
Mr. Curtis; Committee on Military Affairs, 3179.

S. 5593—For the relief of certain officers in the Army of the United States, and for other purposes.
Mr. Robinson; Committee on Claims, 3257.—Reported back (S. Rept. 726), 3635.—Amended and passed Senate, 4554, 4555.—Referred to House Committee on Claims, 4774.

S. 5594—Authorizing the Secretary of War to donate to the town of Warren, Pa., six German cannons or fieldpieces.
Mr. Knox; Committee on Military Affairs, 3257.

S. 5595—To donate a cannon to the city of Trafford, Pa.
Mr. Knox; Committee on Military Affairs, 3257.

S. 5596—Granting an increase of pension to William C. Shaffer.
Mr. Knox; Committee on Pensions, 3257.

S. 5597—Increasing the limit of cost for a Federal building at Apalachicola, Fla.
Mr. Fletcher; Committee on Public Buildings and Grounds, 3257.

S. 5598—For the purchase of a site for and the erection of a post-office building at Quincy, Fla.
Mr. Fletcher; Committee on Public Buildings and Grounds, 3257.

S. 5599—For the erection of a post-office building at De Funiak Springs, Fla.
Mr. Fletcher; Committee on Public Buildings and Grounds, 3257.

S. 5600—Granting a pension to Anna Shanks.
Mr. Thompson; Committee on Pensions, 3257.

S. 5601—To authorize the presentation of medals of honor, or other awards for distinguished services, to women in certain cases.
Mr. Calder; Committee on Military Affairs, 3257.

S. 5602—To authorize the sale of certain lands at or near Minidoka, Idaho, for railroad purposes.
Mr. Borah; Committee on Public Lands, 3321.

S. 5603—To prohibit extortion by any person, company, firm, corporation, or association upon soldiers and sailors, and for other purposes.
Mr. Overman; Committee on the Judiciary, 3321.

S. 5604—Granting an increase of pension to Elizabeth Smith Tennent.
Mr. Overman; Committee on Pensions, 3321.

S. 5605—Authorizing the Secretary of War to donate to the city of Humboldt, Nebr., one German cannon or fieldpiece.
Mr. Norris; Committee on Military Affairs, 3321.

S. 5606—Authorizing the Secretary of War to donate to the city of McCook, Nebr., one German cannon or fieldpiece.
Mr. Norris; Committee on Military Affairs, 3321.

S. 5607—To authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain-described tract of land for public-park purposes.
Mr. Townsend; Committee on Public Lands, 3321.—Reported back (S. Rept. 778), 4391.—Debated, 4563, 4566.—Passed Senate, 4566.—Referred to House Committee on Public Lands, ——.

S. 5608—Granting an increase of pension to John N. Skidmore.
Mr. Jones of Washington; Committee on Pensions, 3321.

S. 5609—Granting an increase of pension to Michael Langneck.
Mr. New; Committee on Pensions, 3321.

S. 5610—Directing the Secretary of the Treasury to negotiate and arrange with certain foreign governments to convert their present indebtedness to the United States into marketable and saleable securities.
Mr. Smoot; Committee on Finance, 3414.

S. 5611—Granting to certain claimants a preference right to purchase public lands in the State of Arkansas.
Mr. Robinson; Committee on Public Lands, 3414.—Reported with amendment (S. Rept. 779), 4391.

S. 5612—To create the Yakima National Park in the State of Washington.
Mr. Jones of Washington; Committee on Public Lands, 3414.

S. 5613—To donate a captured German machine gun to the town of Littleton, in the State of New Hampshire.
Mr. Moses; Committee on Military Affairs, 3414.

S. 5614—To create a Federal Industrial Relations Commission.
Mr. Kenyon; Committee on Education and Labor, 3414.

S. 5615—To authorize the President of the United States to restore Milo O. Frank and William H. Fort first lieutenants in the National Army.
Mr. Lewis; Committee on Military Affairs, 3414.

S. 5616—For the promotion and retirement of Lieut. Col. Samuel R. Jones.
Mr. Calder; Committee on Military Affairs, 3414.

S. 5617—To provide for furnishing information with respect to shares of stock offered to the public and prescribing penalties.
Mr. Simmons; Committee on Finance, 3414.

S. 5618—Authorizing and directing The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of several States.
Mr. Robinson; Committee on Military Affairs, 3542.

S. 5619—Defining sedition and providing a punishment therefor.
Mr. Jones of Washington; Committee on the Judiciary, 3542.

S. 5620—Granting an increase of pension to Charles H. Coleman.
Mr. Norris; Committee on Pensions, 3542.

S. 5621—Authorizing the Secretary of War to donate to the town of Gray, Me., one German cannon or fieldpiece.
Mr. Hale; Committee on Military Affairs, 3542.

S. 5622—Granting an increase of pension to Samuel Hawkins.
Mr. McKellar; Committee on Pensions, 3542.

S. 5623—Granting a pension to Nancy Cook.
Mr. McKellar; Committee on Pensions, 3542.

S. 5624—Granting an increase of pension to William C. Wilson.
Mr. Harding; Committee on Pensions, 3542.

S. 5625—Granting a pension to Emeline Hartley.
Mr. Sutherland; Committee on Pensions, 3542.

S. 5626—To create a Federal Highway Commission, to establish a National Highway System, to promote efficient and economical highway transportation, and to amend an act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes.
Mr. Townsend; Committee on Post Offices and Post Roads, 3635.

S. 5627—To fix the time of holding court in the Amarillo division of the northern district of Texas.
Mr. Culberson; Committee on the Judiciary, 3635.—Reported back; passed Senate, 3908.—Passed House, 4149.—Examined and signed, 4245, 4303.—Approved by the President [Public, No. 315], 4682.

S. 5628—Granting a pension to Harriet N. Sclipp.
Mr. Brandegee; Committee on Pensions, 3635.

S. 5629—Granting an increase of pension to Henry M. Adams.
Mr. Brandegee; Committee on Pensions, 3635.

S. 5630—Authorizing the Crow Tribe of Indians, residing in the State of Montana, to submit claims to the Court of Claims.
Mr. Walsh; Committee on Indian Affairs, 3635.

S. 5631—To expel and exclude from the United States certain undesirable aliens.
Mr. Gerry; Committee on Immigration, 3635.

S. 5632—Granting a pension to Jennie A. Norton.
Mr. Lodge; Committee on Pensions, 3635.

S. 5633—For the purchase of a site and the erection of a public building at Sedalia, Mo.
Mr. Spencer; Committee on Public Buildings and Grounds, 3635.

S. 5634—To encourage the community milling of wheat, and for other purposes.
Mr. Gore; Committee on Agriculture and Forestry, 3635.

S. 5635—To create a department of education, to appropriate money for the conduct of said department, to appropriate money to encourage the States in the promotion and support of education, and for other purposes.
Mr. Smith of Georgia; Committee on Education and Labor, 3745.

S. 5636—Providing for the enactment of a credit union law in the District of Columbia by which the officers of such credit union shall be empowered to receive deposits from and make loans to the stockholders thereof.
Mr. Gore; Committee on Banking and Currency, 3745.

S. 5637—Granting an increase of pension to George Montgomery.
Mr. Sterling; Committee on Pensions, 3745.

S. 5638—To provide for election contests in the Senate of the United States.
Mr. Spencer; Committee on Privileges and Elections, 3745.

S. 5639—To establish and promote civic, social, and health extension education.
Mr. Sheppard; Committee on Education and Labor, 3745.

S. 5640—Donating captured cannons to the towns of Coeur d'Alene, Sandpoint, and Gooding, in the State of Idaho.
Mr. Nugent; Committee on Military Affairs, 3745.

S. 5641—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States.
Mr. Norris; Committee on Military Affairs, 3745.

S. 5642—Authorizing the Secretary of War to donate to the Fort Ridgely State Park, Minn., three captured German cannons or fieldpieces.
Mr. Nelson; Committee on Military Affairs, 3823.

S. 5643—Authorizing the Secretary of War to donate to Waldorf, Minn., a captured German siege mortar.
Mr. Nelson; Committee on Military Affairs, 3823.

S. 5644—Authorizing the Secretary of War to donate captured German cannons or fieldpieces to the municipalities of Mankato, Chisholm, and Wright, in the State of Minnesota.
Mr. Nelson; Committee on Military Affairs, 3823.

S. 5645—For the relief of Charles W. Johnson.
Mr. Calder; Committee on Military Affairs, 3823.

S. 5646—To purchase a painting of Abraham Lincoln.
Mr. Sherman; Committee on the Library, 3823.

S. 5647—Authorizing the county of Beltrami, Minn., to construct a bridge across the Mississippi River.
Mr. Nelson; Committee on Commerce, 3909.

S. 5648—To increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska.
Mr. Jones of Washington; Committee on Public Buildings and Grounds, 4019.—Passed Senate, 4568.—Referred to House Committee on Public Buildings and Grounds, 4808.

S. 5649—Granting an increase of pension to Alice Chenoweth Day.
Mr. Walsh; Committee on Pensions, 4019.

S. 5650—To amend sections 9 and 19 of the Federal reserve act.
Mr. Calder; Committee on Banking and Currency, 4019.

S. 5651—For the purchase of a site and the erection of a public building at Emporium, Pa.
Mr. Penrose; Committee on Public Buildings and Grounds, 4019.

S. 5652—Providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes.
Mr. Myers; Committee on Public Lands, 4019.—Reported with amendments (S. Rept. 780), 4391.—Debated, 4855, 4856, 4890, 4891.

S. 5653—For the relief of Milton B. Huffman.
Mr. Watson; Committee on Post Offices and Post Roads, 4019.

S. 5654—Granting a pension to Allie Bailey.
Mr. Shafroth; Committee on Pensions, 4019.

S. 5655—Granting an increase of pension to Cornelia C. Harris.
Mr. Shafroth; Committee on Pensions, 4019.

S. 5656—Granting a pension to Helen G. Inman.
Mr. Shafroth; Committee on Pensions, 4019.

S. 5657—Granting an increase of pension to Mary E. Opp.
Mr. Shafroth; Committee on Pensions, 4019.

S. 5658—To authorize the acquisition and operation by the United States of the Cape Cod Canal.
Mr. Fletcher; Committee on Commerce, 4109.—Reported with amendment (S. Rept. 761), 4205.—Amended and passed Senate, 4561.—Referred to House Committee on Interstate and Foreign Commerce, 4808.

S. 5659—Granting an increase of pension to William C. Markward.
Mr. Sterling; Committee on Pensions, 4109.

S. 5660—To aid in the education of the boys and girls of America, and to provide funds therefor.
Mr. Pollock; Committee on Education and Labor, 4207.

S. 5661—Authorizing the purchase of a site and to provide for the erection of a public building in the city of White Plains, N. Y.
Mr. Calder; Committee on Public Buildings and Grounds, 4207.

S. 5662—Granting a pension to Charles F. Lane.
Mr. Norris; Committee on Pensions, 4207.

S. 5663—To authorize the appointment of an American Battlefield Commission.
Mr. Harding; Committee on Military Affairs, 4307.

S. 5664—For the purchase of a site for and the erection of a post-office building at Pittsburgh, Pa.
Mr. Knox; Committee on Public Buildings and Grounds, 4307.

S. 5665—Donating captured cannon and cannon balls to the city of McKinney, Tex.
Mr. Sheppard; Committee on Military Affairs, 4392.

S. 5666—Granting an increase of pension to J. W. Parmenter.
Mr. Dillingham; Committee on Pensions, 4392.

S. 5667—To prevent the removal of pneumatic-tube properties in post-office and Federal buildings in certain cities prior to July 1, 1920.
Mr. Bankhead; Committee on Post Offices and Post Roads, 4392.

S. 5668—For the relief of Barneybas Eastridge.
Mr. McKellar; Committee on Military Affairs, 4681.

S. 5669—Donating captured cannons and cannon balls to the city of Tribune, Kans.
Mr. Curtis; Committee on Military Affairs, 4681.

S. 5670—Donating captured cannons and cannon balls to the city of Smith Center, Kans.
Mr. Curtis; Committee on Military Affairs, 4681.

S. 5671—Donating captured cannons and cannon balls to the city of Junction City, Kans.
Mr. Curtis; Committee on Military Affairs, 4681.

S. 5672—Donating captured cannons and cannon balls to the city of Thayer, Kans.
Mr. Curtis; Committee on Military Affairs, 4681.

S. 5673—Donating captured cannons and cannon balls to the city of Paola, Kans.
Mr. Curtis; Committee on Military Affairs, 4681.

S. 5674—For the relief of Capt. Sven Christenson, Quartermaster Corps, United States Army.
Mr. Phelan; Committee on Claims, 4850.

S. 5675—For the relief of Lieut. Commander Edward E. Wilson, Pay Corps, United States Navy.
Mr. Phelan; Committee on Claims, 4850.

S. 5676—Authorizing the Secretary of War to donate to each of the cities of Salinas, Monterey, and San Luis Obispo, in the State of California, one German cannon or fieldpiece.
Mr. Phelan; Committee on Military Affairs, 4850.

S. 5677—To provide for the regulation of transportation systems after the termination of Federal control, to enlarge the powers of the Interstate Commerce Commission, and for other purposes.
Mr. Watson; Committee on Interstate Commerce, 4850.

S. 5678—Granting additional pay to officers, enlisted men, and others serving in the Army, Navy, Marine Corps, and Coast Guard.
Mr. Gronna; Committee on Military Affairs, 4888.

S. 5679—To supplement and amend existing laws relating to the regulation of commerce; to provide for the return of railroads under Federal control to their owners; for their subsequent regulation; to incorporate National Railways Association, and to define its powers and duties; and for other purposes.
Mr. Underwood; Committee on Interstate Commerce, 4991, 4992.

S. 5680—To provide for the purchase and operation of pneumatic-tube mail service in the cities of New York, N. Y.; Brooklyn, N. Y.; Philadelphia, Pa.; Chicago, Ill.; Boston, Mass.; and St. Louis, Mo.
Mr. Calder; Committee on Post Offices and Post Roads, 5018.

107–196 SENATE JOINT RESOLUTIONS.

S. J. Res. 107—Authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury.
Mr. Overman; debated, amended, and passed House, 3579, 3590. [Appendix, 287.]—Senate concurs in House amendment, 3645.—Examined and signed, 3904, 3936.—Approved by the President [Public resolution, No. 54], 4573.

S. J. Res. 121—Creating a commission to report a plan for the adoption of a national budget system.
Mr. Kenyon; amended and passed Senate, 4532, 4533, 4534.—Referred to House Committee on Appropriations, 4808.

S. J. Res. 125—Authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the Rotunda of the Capitol.
Mr. Gallinger; reported with amendment (H. Rept. 1139), 4300.

S. J. Res. 164—Requesting the President to commend by proclamation to the people of the United States observance of the practice of prayer at noon each day for victory in the war.
Mr. Myers; House Committee on the Library, 168.

S. J. Res. 175—To correct an error in the wording of the appropriation of $71,000 made in the act approved July 9, 1918, and to authorize the Secretary of War to pay said sum to respective parties entitled thereto.
Mr. Fall; reported back (H. Rept. 1040), 2866.

S. J. Res. 179—Authorizing national banks to subscribe to the united war work campaign.
Mr. Owen; reported back (H. Rept. 1018), 2410.—Debated, 3626.

S. J. Res. 186—Authorizing the President of the United States to cause to be struck bronze medals commemorating the winning of the world's war and the valor of our military forces, and to distribute and present such medals to the officers and men of our land, sea, and air forces.
Mr. Pittman; House Committee on Military Affairs, 168.

S. J. Res. 187—Providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.
Mr. Lodge; referred to House Committee on the Library, 168.—Reported back (H. Rept. 845), 230.—Passed House, 406.—Examined and signed, 647, 648.—Approved by the President [Public resolution, No. 48], 1913.

S. J. Res. 190—Extending to the Territory of Alaska the provisions of the joint resolution entitled "Joint resolution to suspend the requirements of annual assessment work on mining claims during the years 1917 and 1918," approved Oct. 5, 1917.
Mr. Jones of Washington; Committee on Territories, 69.

S. J. Res. 191—Providing that soldiers, sailors, and marines may retain uniforms and apparel worn by them in the military service of the United States as their personal property, and permitting them to wear the same under regulations to be prescribed by the War Department.
Mr. Pomerene; Committee on Military Affairs, 124.—Debated, 124, 125.

S. J. Res. 192—To stop work upon Government housing propositions.
Mr. King; Committee on Public Buildings and Grounds, 123.

S. J. Res. 193—Authorizing and permitting enlisted men of the Army, Navy, and Marine Corps to retain their uniforms.
Mr. Watson; Committee on Military Affairs, 172.

S. J. Res. 194—Directing the United States Housing Corporation to suspend work upon all projects where construction is not more than 75 per cent completed, and to cancel all contracts for furniture, and for other purposes.
Mr. Hardwick, from Committee on Public Buildings and Grounds (S. Rept. 620), 256.—Debated, 129, 130, 256, 257, 284–291, 346, 347–358.—Amended and passed Senate, 358.—Referred to House Committee on Public Buildings and Grounds, 405.—Reported with amendments (H. Rept. 958), 1849.

S. J. Res. 195—Providing for the filing of a proximate vacancy in the Board of Regents of the Smithsonian Institution of a class other than Members of Congress.
Mr. Lodge; read three times and passed Senate, 490.—Referred to House Committee on the Library, 573.—Reported back (H. Rept. 1044), 3036.—Amended and passed House, 3790.—Senate concurs in House amendment, 3823.—Examined and signed, 4009, 4016.—Approved by the President [Public resolution, No. 51], 4308.

S. J. Res. 196—Authorizing the Secretary of War to accept resignations of officers and to grant discharges to enlisted men in the Army under certain conditions.
Mr. McKellar; Committee on Military Affairs, 491.—Reported with amendments (S. Rept. 662), 1964.—Amended and passed Senate, 4536, 4537.—Referred to House Committee on Military Affairs, 4808.

S. J. Res. 197—Authorizing the appointment of an ambassador to the Republic of Peru.
Mr. Williams; Committee on Foreign Relations, 602.—Reported back (S. Rept. 670), 2260.—Passed Senate, 4537.—Referred to House Committee on Foreign Affairs, 4808.

S. J. Res. 198—To suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved Oct. 5, 1917, as amended, and for other purposes.
Mr. Jones of Washington; Committee on Territories, 700.—Reference changed to Committee on Mines and Mining, 1501.—Reported with amendments (S. Rept. 651), amended, and passed Senate, 1727.—Referred to House Committee on Mines and Mining, 1817.—Reported back (H. Rept. 987), 2060.—Debated and passed House, 3614, 3615.—Examined and signed, 3904, 3937.—Approved by the President [Public resolution, No. 55], 4682.

S. J. Res. 199—For relief in Alaska.
Mr. Jones of Washington; Committee on Appropriations, 719.—Reported with amendment, 1078.—Debated, amended, and passed Senate, 1078, 1079.—Referred to House Committee on Appropriations, 1132.

S. J. Res. 200—Authorizing the Secretary of War to transfer to the Secretary of Agriculture certain war material suitable for improvement of highways, to be distributed among the several States.
Mr. Bankhead; Committee on Post Offices and Post Roads, 719.—Reported with amendments, 977.—Debated, 977.—Indefinitely postponed, 4534.

S. J. Res. 201—Relative to the payment of claims occasioned by or attributable to explosions at the plant of the T. A. Gillespie Loading Co., at Morgan, N. J., on or about Oct. 4 and 5, 1918.
Mr. Frelinghuysen; Committee on Military Affairs, 757.

S. J. Res. 202—Requesting the Commission of Fine Arts to submit to the Congress certain suggestions.
Mr. Williams; Committee on the Library, 842.—Reported back, 976.—Passed Senate, 1083.—Referred to House Committee on the Library, 1132.—Reported back (H. Rept. 1030), 2721.

S. J. Res. 203—Requesting the commissioners plenipotentiary of the United States of America to the International Peace Conference to present to the said conference the right of Ireland to freedom, independence, and self-determination.
Mr. Phelan; Committee on Foreign Relations, 843.

S. J. Res. 204—Extending to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards the thanks of Congress for their services rendered in the administration of the selective-service law; also authorizing the President to appoint by brevet commissions the members of such local and district boards; also authorizing and directing the Secretary of War to cause to be struck and presented to each of such officials in the name of Congress an appropriate medal.
Mr. Henderson; Committee on Military Affairs, 863.

S. J. Res. 205—Permitting the loan of aircraft motors and aircraft material to educational institutions under certain conditions.
Mr. New; Committee on Military Affairs, 863.—Reported with amendment (S. Rept. 631), 976.—Amended and passed Senate, 3744.—Referred to House Committee on Military Affairs, 3866.

S. J. Res. 206—Directing the Secretary of War to investigate the claims of those citizens of the United States who, since Dec. 1, 1912, suffered damages to person or property by acts of violence committed by Mexican outlaw, revolutionary, insurgent, or Federal forces.
Mr. Ashurst; Committee on Military Affairs, 932.

S. J. Res. 207—Admitting into the United States 35 puncheons of Gordon's sloe gin, ordered by E. LaMontagne's Sons, of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect.
Mr. Calder; Committee on Finance, 979.—Reported back and passed Senate, 4206.—Referred to House Committee on Ways and Means, 4385.

S. J. Res. 208—Providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla.
Mr. Gore; Committee on the Judiciary, 1080.—Reported back and passed Senate, 1155.—Referred to House Committee on the Judiciary, 1216.—Reported with amendment (H. Rept. 990), 2184.—Debated, amended, and passed House, 3621, 3622.—Senate concurs in House amendment, 3646.—Examined and signed 3904, 3937.—Approved by the President [Public resolution, No. 53], 4396.

S. J. Res. 209—Authorizing and directing the Secretary of the Treasury to permit the entry of distilled, malt, vinous, or other intoxicating liquors, except distilled spirits, into bonded warehouses under bond conditioned for the export of such distilled, malt, vinous, or other intoxicating liquors to some foreign country within one year from the date of entry into the United States.
Mr. Lewis; Committee on Finance, 1379.

S. J. Res. 210—Authorizing the War Department to employ civilians to perform clerical and manual work in order to insure the immediate discharge of soldiers now performing such duties.
Mr. Calder; Committee on Military Affairs, 1440.

S. J. Res. 211—Authorizing the appointment and sending of a commission to Porto Rico to study its industrial and economic conditions, and for other purposes.
Mr. Saulsbury; Committee on Pacific Islands and Porto Rico, 1501.—Reported with amendment (S. Rept. 701), 3050.—Debated, 4550.

S. J. Res. 212—Directing The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States.
Mr. Sutherland; Committee on Military Affairs, 1581.

S. J. Res. 213—Relating to the fuel supply of the city of Casper, Wyo.
Mr. Kendrick; Committee on Public Lands, 1641.

S. J. Res. 214—Authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.
Mr. Simmons; Committee on Finance, 1815.—Reported back and passed Senate, 1996, 1997.—Referred to House Committee on Interstate and Foreign Commerce, 2032.—Reported back (H. Rept. 1035), 2786.—Passed House, 3629.—Examined and signed, 3904, 3937.—Approved by the President [Public resolution No. 52], 4308.

S. J. Res. 215—Directing the United States Coast Guard to resume its operations under the Treasury Department.
Mr. Ransdell; Committee on Commerce, 1815.—Reported back (S. Rept. 788), 4681.

S. J. Res. 216—Looking to the construction of ships for foreign governments or corporations in the shipyards of the United States.
Mr. King; Committee on Commerce, 1851.

S. J. Res. 217—Admitting into the United States 560 barrels of Spanish wine ordered by Luigi Bick, of New York City, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect.
Mr. Calder; Committee on Finance, 2418.—Reported back and passed Senate, 4206.—Referred to House Committee on Ways and Means, 4385.

S. J. Res. 218—Changing the name of the Panama Canal to the Roosevelt Canal.
Mr. Smoot; Committee on Interoceanic Canals, 3051.

S. J. Res. 219—To extend the time for the filing of income-tax returns until Apr. 15, 1919.
Mr. New; Committee on Finance, 3051.

S. J. Res. 220—Empowering and requiring the Secretary of Agriculture to ascertain the cost of producing cereals, cotton, live stock, and other staple farm and food products, and for other purposes.
Mr. Gore; Committee on Agriculture and Forestry, 3051.

S. J. Res. 221—Authorizing the Secertary of the Navy to adjust and settle certain claims, and making appropriations therefor.
Mr. Pomerene; Committee on Naval Affairs, 3051.

S. J. Res. 222—Extending until July 1, 1920, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved Oct. 15, 1914.
Mr. Kellogg; Committee on the Judiciary, 3257.—Reported with amendment, 3743.—Amended and passed Senate, 4022.—Referred to House Committee on the Judiciary, 4149.—Reported back (H. Rept. 1150), 4516.

S. J. Res. 223—Proposing an amendment to the Constitution of the United States extending the right of suffrage to women.
Mr. Jones of Washington; Committee on Woman Suffrage, 3542.

S. J. Res. 224—Proposing an amendment to the Constitution of the United States extending the right of suffrage to women.
Mr. Gay; Committee on Woman Suffrage, 3636.

S. J. Res. 225—Providing for a review of the findings of courts-martial convened during the war with Germany.
Mr. McKellar; Committee on Military Affairs, 3636.

S. J. Res. 226—Proposing an amendment to the Constitution of the United States.
Mr. McKellar; Committee on Woman Suffrage, 3823.

S. J. Res. 227—Creating a commission to consider and arrange for the celebration of the three hundredth anniversary of the landing of the Pilgrims at Plymouth, Mass., in conjunction with the Commonwealth of Massachusetts, any political division thereof, or other organizations or individuals.
Mr. Lodge; Committee to Audit and Control the Contingent Expenses of the Senate, 3909.—Reported back and passed Senate, 4109.—Referred to House Committee on Rules, 4244.

S. J. Res. 228—Amending a provision of the urgent deficiency appropriation act, approved June 15, 1917, extending the time in which the authority granted the President of the United States thereunder may be exercised.
Mr. Ransdell; Committee on Commerce, 4109.

S. J. Res. 229—To extend the period of Government control and possession of the telegraph and telephone systems of the United States.
Mr. Bankhead; Committee on Post Offices and Post Roads, 4392.—Reported without amendment, 4519.

S. J. Res. 230—Proposing an amendment to the Constitution of the United States extending the right of suffrage to women.
Mr. Jones of New Mexico; Committee on Woman Suffrage, 4519.

SENATE CONCURRENT RESOLUTIONS.

S. Con. Res. 25—To provide for the appointment of certain joint congressional committees on reconstruction.
Mr. Cummins; reported back (S. Rept. 699), 3050.—Debated and laid on the table, 3433–3436.

S. Con. Res. 26—Declaring that the departure of the President and his absence from the territory of the United States to constitute an inability to discharge the powers and duties of the office of President of the United States.
Mr. Sherman; ordered to lie on the table, 23.—Debated, 23, 24.

S. Con. Res. 27—To print 25,000 additional copies of the revenue bill of 1918, as reported to the Senate, and 10,000 additional copies of the reports and views thereon.
Mr. Smoot; considered and agreed to, 241, 249.—Referred to House Committee on Printing, 4335.

S. Con. Res. 28.—Providing for a joint session of the Senate and House of Representatives on Sunday, Feb. 9, 1919, for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate, and authorizing arrangements therefor and the payment of all expenses incurred.
Mr. Wadsworth; Committee to Audit and Control the Contingent Expenses of the Senate, 1168.—Reported without amendment; considered and agreed to, 1168.—Agreed to in House, 1216.

S. Con. Res. 29—Authorizing the printing of extra copies of the hearings entitled "Brewing and Liquor Interests and German Propaganda."
Mr. Overman; Committee on Printing, 2418.

S. Con. Res. 30—To authorize Senator Key Pittman to sign the name of Senator James D. Phelan to the conference report on bill S. 2812.
Mr. Shafroth; ordered to lie over under the rule, 2897.—Debated and agreed to, 2897, 3051, 3116.—Debated and agreed to in House, 3153.

S. Con. Res. 31—Directing the Shipping Board and Emergency Fleet Corporation to report to Congress why ships of private owners commandeered by the United States should not now be returned to their respective owners.
Mr. Sherman; Committee on Commerce, 3115.

S. Con. Res. 32—Providing for the printing of 14,100 copies of the proceedings and the eulogies delivered in Congress on Theodore Roosevelt, late a President of the United States.
Mr. Smoot; considered and agreed to, 3414.—Referred to House Committee on Printing, 3689.—Reported back and agreed to, 3690.

S. Res. 259—Directing the Committee on Standards, Weights, and Measures to investigate the subject and process discovered by S. M. Heber for extracting gasoline and other motor fuel from petroleum, including the denial of a patent to said Heber therefor, and report to the Senate, etc.
Mr. Cummins; report (No. 667) submitted, 2104.

S. Res. 306—To direct and authorize the Committee on Privileges and Elections to investigate the alleged collection and expenditure of moneys in connection with the recent and pending campaigns for the nomination and election of United States Senators; and to provide for the payment of the necessary expenses thereof, etc.
Mr. Pomerene; reported back (S. Rept. 613, pt. 2), 440.

S. Res. 339—To amend Rule XXV of the standing rules of the Senate by adding thereto a paragraph restricting or regulating membership of certain committees of the Senate.
Mr. Norris; reported with amendment (S. Rept. 732), 3744.—Debated, 4556.

S. Res. 346—Directing the Secretary of War to transmit to the Senate the names of all commissioned officers in the Army and other persons who have been since Apr. 6 1917, authorized by the War Department to purchase ordnance, quartermaster, or other supplies for the military departments, etc.
Mr. King; reported back, 337.—And agreed to, 4533.

S. Res. 351—Approving the organization of a league of nations to prevent wars and enforce justice.
Mr. Phelan; referred to Committee on Foreign Relations, 648.

S. Res. 355—To notify the House of Representatives that a quorum of the Senate is assembled and is ready to proceed to business.
Mr. Martin of Virginia; considered and agreed to, 2.

S. Res. 356—Appointing a committee to join with a committee from the House of Representatives to wait upon the President of the United States and inform him a quorum of each House is assembled and that Congress is ready to receive any communication he may be pleased to make.
Mr. Martin of Virginia; considered and agreed to, 2.

S. Res. 357—Fixing the hour of daily meeting of the Senate.
Mr. Martin of Virginia; considered and agreed to, 2.

S. Res. 358—To create a committee of eight Senators, which shall be charged with the duty of proceeding to Paris at the proper time in order to be present during the peace conference.
Mr. Cummins; Committee on Foreign Relations, 3.—Reported back (S. Rept. 616), 123.—Debated, 3–5, 123.

S. Res. 359—Requesting the Secretary of War to furnish the Senate full information in reference to promotions in overseas service, and also of officers who have not seen overseas service, etc.
Mr. McKellar; Committee on Military Affairs, 10.—Reported without amendment (S. Rept. 629), 756.—Agreed to, 4534.

S. Res. 360—Providing that the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of Robert M. La Follette be, and are hereby, dismissed.
Mr. Dillingham, from Committee on Privileges and Elections (S. Rept. 614), 9.—Debated and agreed to, 9, 1506–1527.

S. Res. 361—Declaring that the purposes of the United States at the peace conferences should be confined to the restitution, reparation, and guaranties against the German menaces to the peace of our country.
Mr. Knox; Committee on Foreign Relations, 23.—Debated, 602, 603.

S. Res. 362—Favoring the recognition of the existing government in the Republic of Costa Rica.
Mr. Moses; Committee on Foreign Relations, 23.

S. Res. 363—Authorizing the Secretary of the Senate to pay the Hon. Christie Benet the sum of $554.79, being compensation of a Senator of the United States for 27 days, from Nov. 6, 1918, to Dec. 2, 1918, both dates inclusive.
Mr. Martin of Virginia; Committee to Audit and Control the Contingent Expenses of the Senate, 23.—Reported without amendment, 32.—Recommitted to the Committee to Audit and Control the Contingent Expenses of the Senate, 177, 178.—Debated, 32.

S. Res. 364—Requesting the President of the United States to make publicly known his interpretation of his proposed peace terms as presented to Congress Jan. 8, 1918, etc.
Mr. Frelinghuysen; Committee on Foreign Relations, 69.—Debated, 69–71.

S. Res. 365—Favoring the publication and public discussion of the peace treaty or treaties in open Senate whenever transmitted to the Senate for consideration by it.
Mr. Borah, and ordered to lie on the table, 71.

S. Res. 366—To print the manuscript entitled "Inability of the President," by Henry E. Davis, as a Senate document.
Mr. Smith of Arizona; considered and agreed to (S. Doc. 308), 124.

S. Res. 367—Directing the Secretary of State to furnish the Senate certain information relative to what countries have notified the United States of their intention to abrogate any treaties with the United States and what treaties are to be abrogated, etc.
Mr. Jones of Washington; considered and agreed to, 124.

S. Res. 368—Directing the United States Shipping Board to submit certain information relating to what legislation is necessary to be enacted by Congress for the promotion and maintenance of a merchant marine under the American flag.
Mr. Jones of Washington; considered and agreed to, 124.

S. Res. 369—Requesting the Secretary of War to inform the Senate what, if any, steps have been taken upon the recommendations of the Hon. Charles E. Hughes for an investigation of the spruce-production section of the aeroplane division of the Signal Corps of the United States Army.
Mr. Poindexter; considered and agreed to, 124.

S. Res. 370—Expressing the sense of the Senate and reaffirming its faith and confidence in the policies commonly kown as the Monroe doctrine.
Mr. Borah, and ordered to lie on the table, 124.

S. Res. 371—Directing the Committee on Public Buildings and Grounds or any subcommittee thereof to report to the Senate the costs, construction, operation, maintenance, and future disposition of the public buildings of the Government of every kind, nature, and location, etc.
Mr. Reed; Committee to Audit and Control the Contingent Expenses of the Senate, 124.—Reported without amendment; considered and agreed to, 142.

S. Res. 372—Requesting every official and agency of the Government having had in charge any work, operation, construction, or expenditure authorized by the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, to make full report and account of the same to the Senate.
Mr. King; Committee on Public Buildings and Grounds, 124.

S. Res. 373—Directing the Secretary of War to submit to the Senate certain information regarding citizens of neutral countries who had withdrawn their declarations of intention to become citizens of the United States.
Mr. Jones of Washington; considered and agreed to, 172.

S. Res. 374—Instructing the Committee on Manufactures to make inquiry into the coal situation, its production, transportation, and consumption, to require the attendance of necessary witnesses, the production of books, documents, and papers, etc.
Mr. Vardaman; Committee to Audit and Control the Contingent Expenses of the Senate, 172.—Reported with an amendment, considered, amended, and agreed to, 248, 249.

S. Res. 375—To authorize the printing of the bill (H. R. 12863) "to provide revenue, and for other purposes," as a Senate document, as reported to the Senate on Dec. 6, 1918, and to print 6,000 additional copies.
Mr. Jones of New Mexico; considered and agreed to (S. Doc. 310), 178.

S. Res. 376—Requesting the Postmaster General to inform the Senate whether information can be promptly obtained by cable at the request of the immediate relatives of an officer or soldier in overseas service of this country.
Mr. Spencer; considered and agreed to, 236.

S. Res. 377—Proposing an investigation by the Senate Committee on Military Affairs of the Bureau of Ordnance and of the office of the Quartermaster General.
Mr. Poindexter; Committee on Military Affairs, 236.—Debated, 236.

S. Res. 378—Expressing the opinion of the Senate that Turkish Armenia (including six vilayets of Turkish Armenia and Cilicia), Russian Armenia, and the northern part of the Province of Azerbaijan and Persian Armenia should be an independent republic.
Mr. Lodge; Committee on Foreign Relations, 237.

S. Res. 379—Expressing the opinion of the Senate that Lithuania should be separated from Russia and given independence, and that the same rights should be extended to the Letts and Esthonia.
Mr. Lodge; Committee on Foreign Relations, 237.

S. Res. 380—To print 5,000 additional copies of Senate Document No. 310, Sixty-fifth Congress, third session, entitled "Revenue Bill of 1918," for the use of the Senate Committee on Finance.
Mr. Penrose; considered and agreed to, 241.

S. Res. 381—Directing the Secretary of Agriculture to report to the Senate the present status of certain Indian lands in Duchesne and Uinta Counties, Utah, together with other information in relation to said lands.
Mr. King; Committee on Indian Affairs, 237.

S. Res. 382—Directing the Committee on Education and Labor to recommend to the Senate methods of promoting better social and industrial conditions along lines suggested and indicated herein.
Mr. Kenyon; considered and agreed to, 284.

S. Res. 383—Directing the Federal Trade Commission to furnish the Senate information relative to profiteering by smelting and refining companies.
Mr. King; Committee on Interstate Commerce, 284.

S. Res. 384—Directing the Secretary of State to send to the Senate all data, documents, and information showing or bearing upon our relations with Russia as to peace or war.
Mr. Johnson of California; Committee on Foreign Relations, 342.—Debated, 342.

S. Res. 385—Authorizing the Secretary of the Senate to pay Annie T. Braham, relative of William E. Burke, late a messenger in the employ of the Senate, a sum equal to six months' compensation at the rate he was receiving at the time of his death.
Mr. Calder; Committee to Audit and Control the Contingent Expenses of the Senate, 386.—Reported back and agreed to, 541.

S. Res. 386—Providing for investigation of the selection and acquisition of sites for Government hospitals, and of contracts for the repair and construction of same; also additional hospital facilities required and what public buildings are available for use as hospitals.
Mr. Robinson; Committee on Public Buildings and Grounds, 444.—Reported back and agreed to, 1077.

S. Res. 387—Calling upon the District of Columbia fuel administrator to advise Senate as to the enforcement of order fixing charge of storing coal.
Mr. Jones of Washington; considered and agreed to, 448.—Debated, 2215.

S. Res. 388—Expressing the profound sorrow of the Senate in the death of the late Hon. Benjamin Ryan Tillman, late a Senator from the State of South Carolina.
Mr. Smith of South Carolina; considered and unanimously agreed to, 473, 474.

S. Res. 389—Calling upon the United States Shipping Board to furnish the Senate with certain information regarding the construction of steel and wooden ships.
Mr. Jones of Washington; considered and agreed to, 490.

S. Res. 390—Directing the Secretary of State to inform the Senate whether the report that peace delegates of the United States at Paris are advocating the destruction of the ships of war surrendered to the allies and the United States is correct; and if so, by what authority they demand such destruction.
Mr. Lodge; ordered to lie on the table, 648.

S. Res. 391—To print as a Senate document the report from the United States Shipping Board relative to existing contracts for ship construction and the cost thereof.
Mr. Fletcher, from the Committee on Commerce; considered and agreed to (S. Doc. No. 315), 699.

S. Res. 392—Instructing the Secretary of War to inform the Senate what amount of clothing, boots and shoes, leather, wool, cotton, and supplies of food the department has on hand that will not be necessary for the Army under present conditions and the disposition contemplated by the department in regard to the sale of excess supplies.
Mr. Norris; considered and agreed to, 719.

S. Res. 393—Expressing the sense of the Senate relative to the disposition which should be made by the United States and allied powers of the vessels of war surrendered by Germany according to the terms of the armistice.
Mr. King; Committee on Foreign Relations, 719.

S. Res. 394—Authorizing the Secretary of the Senate to pay the Hon. Howard Sutherland, a Senator, $2,435, in reimbursement of expenses incurred by him in defense of his title to his seat in the Senate.
Mr. Pomerene; Committee to Audit and Control the Contingent Expenses of the Senate, 756.—Reported without amendment; considered and agreed to, 756.

S. Res. 395—Directing the Secretaries and heads of executive departments, and heads of separate bureaus and divisions, commissions, and boards authorized to expend funds for war purposes to furnish the Senate full information relative to all such expenditures, etc.
Mr. McKellar; considered and agreed to, 756.

S. Res. 396—Requesting copies of messages filed by the Committee on Public Information, or by its agents in Europe.
Mr. Moses; ordered to lie on the table, 757.

S. Res. 397—Directing the heads of the executive departments to report to the Senate Jan. 1, 1919, and each two weeks thereafter the number of civil employees in the respective departments, the number discharged, etc.
Mr. Hitchcock; considered and agreed to, 757.

S. Res. 398—Directing the Secretary of War to report to the Senate what action has been taken relative to certain orders issued by the Secretary of War relative to recommendations for commissions to certain enlisted men and their discharge since without commissions having been issued, etc.
Mr. King; Committee on Military Affairs, 926.—Committee discharged; debated and agreed to, 1000, 1001.—Report submitted, 2106, 2107.

S. Res. 399—Directing the Secretary of State to report to the Senate whether the claims for damages suffered by American citizens in the Republic of Mexico have been presented to the Government of Mexico and what steps have been taken to prosecute such claims, etc.
Mr. King; ordered to lie on the table, 927.—Referred to the Committee on Foreign Relations, 1000.—Reported back (S. Rept. 671), 2260.—Debated, 999, 1000, 2107.—Agreed to 2898.

S. Res. 400—Expressing the opinion of the Senate that legislation should be enacted authorizing the organization of an army of 500,000 men.
Mr. King; ordered to lie on the table, 926.—Debated, 926.

S. Res. 401—Directing the Committee on Interstate Commerce to investigate and report to the Senate its findings and conclusions relative to Government supervision, possession, control, or operation of the telegraph, telephone, marine cable, and radio systems, etc.
Mr. Kellogg; ordered to lie over under the rule, 936.—Referred to Committee on Interstate Commerce, 2106.—Debated, 936–938.

S. Res. 402—Directing the President of the United States to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California and a certain tract of land in the State of Sonora, Republic of Mexico.
Mr. Ashurst; ordered to lie on the table, 936.—Considered and referred to the Committee on Foreign Relations, 1088–1098.—Debated, 1088–1098.

S. Res. 403—Directing the Committee on Military Affairs to investigate the reported conditions said to exist in the camp occupied by the American Expeditionary Forces at Brest, France, and report to the Senate.
Mr. New; ordered to lie over under the rule, 936.—Considered and referred to the Committee on Military Affairs, 980.—Debated, 938, 980.

S. Res. 404—Directing the Committee on Naval Affairs to investigate the so-called motor boats and the contracts therefor made with the Ford Motor Co. for the construction of said boats.
Mr. Lodge; Committee on Naval Affairs, 979.

S. Res. 405—Authorizing the Committee on Manufactures to employ counsel to assist in the inquiry to be made by said committee under S. Res. 374 agreed to Dec. 10, 1918.
Mr. Vardaman; Committee to Audit and Control the Contingent Expenses of the Senate, 979.—Reported back and agreed to, 1158.

S. Res. 406—Directing the Secretary of the Treasury to furnish the Senate certain information relative to allotments made by soldiers to their dependents, and payment of these allotments.
Mr. Spencer; considered, amended, and agreed to, 979.

S. Res. 407—Announcing the death of the Hon. Theodore Roosevelt, late a President of the United States, and expressing the profound sorrow and regret of the Senate.
Mr. Martin of Virginia; considered and agred to, 1069.

S. Res. 408—Authorizing the Secretary of the Senate to pay, out of the appropriations for miscellaneous items of the contingent fund of the Senate, the expenses of the Senate committee in attending the funeral of the Hon. Theodore Roosevelt.
Mr. Martin of Virginia; Committee to Audit and Control the Contingent Expenses of the Senate, 1070.—Reported without amendment; considered and agreed to, 1070.

S. Res. 409—That it is the sense of the Senate that the drafted men and volunteers in the military force should be mustered out of the service as rapidly as the public interest will permit, etc.
Mr. Gore; ordered to lie on the table, 1082.

S. Res. 410—Directing the Secretary of the Senate and the Sergeant at Arms of the Senate to retain in the employ of the Senate those persons who served in the Union Army during the Civil War, and also those who have served in subsequent wars in which the United States has engaged.
Mr. Pomerene; Committee on Rules, 1082.

S. Res. 411—Expressing the opinion of the Senate that the soliders of the United States should be withdrawn from Russia as soon as practicable.
Mr. Johnson of California; ordered to lie on the table, 1313.—Debated, 1313, 2795, 2877, 3334–3342, 3745.

S. Res. 412—Expressing the sense of the Senate relative to the establishment of a just peace at the earliest possible moment and negotiations between the nations for its accomplishment, etc.
Mr. France; Committee on Foreign Relations, 1382, 1383.

S. Res. 413—To print the reports of the National Board of Fire Underwriters on the condition of the State, War, and Navy Building as a Senate document, with illustrations.
Mr. Smith of Arizona, from Committee on Printing; considered and agreed to (S. Doc. 344), 1580, 1581.

S. Res. 414—Requesting the Secretary of Agriculture to investigate and furnish the Senate information upon the utilization of grape wine for other purposes than the production of alcoholic beverages.
Mr. Phelan; ordered to lie on the table, 1581.

S. Res. 415—Referring the petition of Henry Ford, contesting the election of Truman H. Newberry as a Senator from Michigan, to the Committee on Privileges and Elections, and authorizing said committee to take possession of the ballots, poll books, tally sheets, and documents, and to make investigation and take all necessary proceedings relating to said contest.
Mr. Pomerene; Committee on Privileges and Elections, 1607.—Reported without amendment (S. Rept. 664), 2118.—Referred to the Committee to Audit and Control the Contingent Expenses of the Senate, 2118, 2119.—Reported without amendment, 2417.—Debated, 1760, 1761, 1815, 2118, 2119, 2120, 2121, 2122, 2190, 2260, 2735, 2805–2818, 2875, 3449, 4209–4216.

S. Res. 416—Calling upon the Secretary of War for certain information relating to former civil-service employees of the War Department in the District of Columbia.
Mr. Jones of Washington; considered and agreed to, 1641.

S. Res. 417—To express the sorrow and pay tribute of the Senate to the memory of the Hon. Jacob H. Gallinger, late a Senator from the State of New Hampshire.
Mr. Hollis; considered and agreed to, 1702.

S. Res. 418—To express the sorrow and pay tribute of the Senate to the memory of the Hon. James H. Brady, late a Senator from the State of Idaho.
Mr. Borah; considered and agreed to, 1707.

S. Res. 419—Directing the Committee on Printing to investigate and report to the Senate information relative to the number of periodicals or papers published by the departments, bureaus, boards, and commissions, etc.
Mr. Sherman; Committee on Printing, 1727.

S. Res. 420—To print the addresses of President Raymond Poincare, President Woodrow Wilson, and other officials delivered at the opening session of peace conference in Paris, Jan. 18, 1919, as a Senate document.
Mr. Fletcher; Committee on Printing, 1727.

S. Res. 421—To print the address of Hon. A. Mitchell Palmer, Alien Property Custodian, as a Senate document.
Mr. Smith of Arizona; Committee on Printing, 1815.

S. Res. 422—To express the sorrow and pay tribute of respect of the Senate to the memory of the Hon. Robert F. Broussard, late a Senator from the State of Louisiana.
Mr. Gay; considered and agreed to, 2063. (Appendix, 214.)

S. Res. 423—Expressing its sorrow and paying tribute of respect of the Senate to the memory of the Hon. William Hughes, late a Senator from the State of New Jersey.
Mr. Frelinghuysen; considered and agreed to, 2070–2074.

S. Res. 424—Authorizing the Committee on the Judiciary to employ an assistant clerk during the term of the Sixty-fifth Congress.
Mr. Overman; Committee to Audit and Control the Contingent Expenses of the Senate, 2119.—Reported back, 2190.—Debated and agreed to, 2119, 2190.

S. Res. 425—Directing the Secretary of Commerce to report to the Senate whether or not Title LII, Revised Statutes, as amended and supplemented, is being enforced as respects life-saving devices, etc.
Mr. Jones of Washington; considered and agreed to, 2106.

S. Res. 426—Directing the Secretary of War to send to the Senate the number of individuals who have been tried and convicted by court-martial proceedings since Apr. 6, 1917, together with other information in each case.
Mr. Borah; considered and agreed to, 2106.

S. Res. 427—Authorizing the Secretary of the Senate to pay Agnes Kelley, widow of John N. Kelley, a sum equal to six months' compensation at the rate he was receiving at the time of his death.
Mr. Smith of Maryland; Committee to Audit and Control the Contingent Expenses of the Senate, 2106.—Reported back and agreed to, 2190.

S. Res. 428—Directing the Secretary of War to transmit to the Senate the report of the Inspector General made in the matter of the complaint against Lieut. Col. Robert A. Milliken and others.
Mr. King; Committee on Military Affairs, 2106.

S. Res. 429—Directing the Committee on Post Offices and Post Roads to investigate the assumption by the Government of the supervision, possession, control, or operation of any or all of the telegraph, telephone, and marine cable systems, etc.
Mr. Watson; Committee on Post Offices and Post Roads, 2106.

S. Res. 430—Announcing the death of the Hon. Edward Everett Robbins, late a Representative from the State of Pennsylvania, and the appointment of a committee to attend the funeral.
Mr. Penrose; considered and agreed to, 2146.

S. Res. 431—Directing the Federal Trade Commission to investigate, ascertain, and report to the Senate the facts relating to the production, manufacture, profits upon, and sale of milk products in the United States since Jan. 1, 1914.
Mr. Jones of Washington; ordered to lie on the table, 2418.—Agreed to, 4871, 4872.

S. Res. 432—Extending authority for each Senator to employ additional clerk as provided in S. Res. 75 and extended under S. Res. 328, agreed to Nov. 15, 1918.
Mr. Calder; Committee to Audit and Control the Contingent Expenses of the Senate, 2418.—Reported with an amendment; considered, amended, and agreed to, 3934.

S. Res. 433—Providing for memorial exercises as a tribute of respect to the memory of the Hon. William Joel Stone, late a Senator from the State of Missouri.
Mr. Reed; Considered and agreed to, 2567. (Appendix, 3–18.)

S. Res. 434—Providing for memorial exercises as a tribute of respect to the memory of the Hon. Ollie M. James, late a Senator from the State of Kentucky.
Mr. Beckham; considered and agreed to, 2567. (Appendix, 19–25.)

S. Res. 435—Directing the Committee on Commerce to investigate and report to the Senate the difference in cost of operation of vessels of the United States in foreign trade as compared with those of other principal maritime nations.
Mr. Calder; considered and agreed to, 2591.

S. Res. 436—Directing the Secretary of State to furnish the Senate the information called for in resolution of Dec. 5, 1918 (S. Res. 367), or inform the Senate why it can not be furnished.
Mr. Jones of Washington; considered and agreed to, 2591.

S. Res. 437—Calling upon the Attorney General for information as to what investigation is being made by the Department of Justice relative to certain meetings recently held in Washington City at which public speakers advocated the cause of the present Bolshevik government of Russia.
Mr. Poindexter; ordered to lie over under the rule, 2654.—Agreed to, 2730.

S. Res. 438—Requesting the Secretary of State to furnish the Senate certain information.
Mr. Weeks; ordered to lie over under the rule, 2665.—Debated, 2729, 2730–2735, 2796–2801.

S. Res. 439—Authorizing the Committee on the Judiciary to inquire concerning any efforts being made to propagate in this country the principles of any party exercising or claiming to exercise authority in Russia, etc.
Mr. Walsh; considered and agreed to, 2654.

S. Res. 440—Requesting the Secretary of Agriculture to furnish the Senate certain information relative to the production and consumption of potash, cost, and kind produced in the United States.
Mr. Fletcher; considered and agreed to, 2727.

S. Res. 441—Authorizing the Committee on Indian Affairs to employ a stenographer to report hearings during the Sixty-fifth Congress.
Mr. Walsh; Committee to Audit and Control the Contingent Expenses of the Senate, 2791.

S. Res. 442—Directing the Committee on Military Affairs to investigate the Gum Springs camp in Virginia, ascertain and report to the Senate if there is any further military necessity for retaining the organizations now there in the service, etc.
Mr. La Follette; Committee on Military Affairs, 2876.

S. Res. 443—Authorizing the Committee on Public Health and National Quarantine to employ a stenographer, to send for persons, books, and papers during the Sixty-fifth Congress, etc.
Mr. Ransdell; Committee to audit and Control the Contingent Expenses of the Senate, 2936.—Reported back and agreed to, 3050.

S. Res. 444—Expressing the opinion of the Senate relative to the withdrawal of United States soldiers from Russia.
Mr. Johnson of California; ordered to lie over under the rule, 3051.—Debated, 3258–3265, 3334.

S. Res. 445—Directing the Interstate Commerce Commission to furnish the Senate certain information in regard to the proposed consolidated freight classification on items enumerated.
Mr. Gore; considered and agreed to, 3051.

S. Res. 446—Directing the Attorney General to inform the Senate if the Department of Justice has sent any special agents into the State of Michigan, and, if so, how many and their names and the purpose for which they were sent, and how many are there now.
Mr. Townsend; Ordered to lie over under the rule, 3051.—Considered, amended, and agreed to, 3116.

S. Res. 447—To print the manuscript entitled "Adress of Henry Cabot Lodge in honor of Theodore Roosevelt," as a Senate document.
Mr. Smoot; considered and agreed to (S. Doc. 384), 3051.

S. Res. 448—Requesting the United States Shipping Board to inform the Senate whether or not nonunion laborers are permitted to work in shipyards at Seattle, Wash., having Government contracts, together with certain further information relating to the employment of union and nonunion laborers in said shipyards.
Mr. Poindexter; considered and agreed to, 3115.

S. Res. 449—Requesting the Committee on Foreign Relations to investigate certain complaints of ill treatment of American citizens by the Mexican Government, ascertain if such reports are true, and recommend appropriate course that should be pursued by this Government to relieve said conditions in Mexico.
Mr. Lewis; Committee on Foreign Relations, 3115.

S. Res. 450—Extending the congratulations of the United States Senate to the new republican Government of Poland upon its admission into the society of free nations, etc.
Mr. King; Committee on Foreign Relations, 3115.

S. Res. 451—Amending Rule XXV of the Standing Rules of the Senate.
Mr. Jones of Washington; Committee on Rules, 3194, 3258.

S. Res. 452—To print the manuscript entitled "Proceedings of the conference on the American Merchant Marine" as a Senate document.
Mr. Smith of Arizona, from Committee on Printing, 3256.—Debated, 3256, 4551.

S. Res. 453—To print the bill (H. R. 12863) to provide revenue and other purposes as passed by Congress as a Senate document, and that as many additional copies as can be obtained for $500 be printed.
Mr. Simmons; considered and agreed to (S. Doc. 385), 3271.

S. Res. 454—To express the sense of the Senate that Armenia be constituted a free and independent country.
Mr. King; Committee on Foreign Relations, 3414.

S. Res. 455—To express the sense of the Senate that the territory of the Kingdom of Greece be extended to include Epirus, Southern Albania, Thrace, the islands of the Aegean Sea, and those of the Anatolia.
Mr. King; Committee on Foreign Relations, 3414.

S. Res. 456—Directing the Secretary of the Interior to furnish copies of reports of land investigation at Scobey and Helena in 1915.
Mr. Smoot; considered and agreed to, 3637.

S. Res. 457—Referring to the Court of Claims the bill (S. 1869) for the relief of William W. Danenhower.
Mr. Wadsworth; considered and agreed to, 3635.

S. Res. 458—Directing the Interstate Commerce Commission to inform the Senate as to the comparative freight rates on wheat and on flour and the differential, if any exists, etc.
Mr. Gore; considered and agreed to, 3745.

S. Res. 459—To instruct the Committee on Military Affairs to investigate and report to the Senate what inducement the War Department offered to officers and enlisted men relative to their investigating and making improvements in the methods of extracting nitrogen from the air in the United States Nitrate Plant No. 1, at Sheffield, Ala.
Mr. Norris; Committee on Military Affairs, 3745.

S. Res. 460—Expressing the belief of the Senate relative to the propriety of the President of the United States publicly discussing the draft of the league of nations before consultation with the Committee on Foreign Relations and communicating to them all material matters of said compact.
Mr. Sherman; ordered to lie over under the rule, 3909.

S. Res. 461—Directing the Secretary of Agriculture to furnish the Senate information regarding nitrate of soda now being distributed by the Department of Agriculture.
Mr. Smith of South Carolina; considered and agreed to, 4023.

S. Res. 462—Directing the Alien Property Custodian to furnish, for the information of the Senate, a description of the property taken into custody by him, estimated value, and names and addresses of former owners of said property.
Mr. Thompson; considered and agreed to, 4110.

S. Res. 463—Directing the Alien Property Custodian to furnish the Senate certain information and report of all proceedings had under the act entitled "An act to define and regulate and punish trading with the enemy, and for other purposes."
Mr. Calder; considered and agreed to, 4110.

S. Res. 464—To print and publish the Executive Journal from the end of the last session of the Fifty-seventh Congress to the end of the Sixty-fourth Congress under direction of the Secretary of the Senate and to remove the injunction of secrecy therefrom.
Mr. Hitchcock; Committee on Printing, 4110.

S. Res. 465—Authorizing the Committee on Commerce of the Senate to employ an additional clerk until June 30, 1919.
Mr. Fletcher; Committee to Audit and Control the Contingent Expenses of the Senate, 4207.

S. Res. 466—Continuing the standing committees of the Senate as constituted until the next session of Congress, etc.
Mr. Martin of Virginia; considered and agreed to, 4230, 4234.

S. Res. 467—To print the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the year ending June 30, 1920, as a Senate document.
Mr. Swanson; considered and agreed to (S. Doc. 415), 4207.

S. Res. 468—Announcing the death of the Hon. William P. Borland, late a Member of the House of Representatives from the State of Missouri, and the appointment of a committee to attend the funeral, etc.
Mr. Reed; considered and agreed to, 4243.

S. Res. 469—Authorizing and directing the Committee on the Judiciary to continue investigations of German and Bolsheviki propaganda and to incur and pay the expenses of said investigations, etc.
Mr. Overman; Committee to Audit and Control the Contingent Expenses of the Senate, 4307.—Reported without amendment, 4391.—Debated and agreed to, 4567, 4568, 4841.

S. Res. 470—Declaring it to be the sense of the Senate that the surrendered portion of the German fleet should not be sunk or destroyed unless and until agreement has been entered into for the limitation of or reduction of existing naval establishments, etc.
Mr. Gore; ordered to lie over, 4307.

S. Res. 471—Declaring that the Senate will ratify no treaty nor constitution for a league of nations until Germany shall have returned to the French Government all civilian property stolen and taken from French territory, making complete restitution for all such property.
Mr. Sherman; ordered to lie over, 4308.

S. Res. 472—Authorizing and directing the Committee on Commerce be instructed to make inquiry into the manner in which A. Mitchell Palmer, the Alien Property Custodian, has exercised the powers of his office, and for that purpose subpœna and compel attendance of witnesses, etc.
Mr. Frelinghuysen; Committee on Commerce, 4308.

S. Res. 473—Directing the Secretary of the Treasury to report the facts as shown by the records of his department, as to a claim of Morgan's Louisiana & Texas Railroad & Steamship Co.
Mr. Gay; ordered to lie over, 4334.—Debated, amended, and agreed to, 4568.

S. Res. 474—Authorizing the subcommittee of the Committee on Military Affairs, heretofore directed to investigate the Gum Springs (Va.) camp, Company Five hundred and fifty-three, Motor Transportation, to sit and hold such investigations after the adjournment of the Sixty-fifth Congress.
Mr. Chamberlain; considered and agreed to, 4393.

S. Res. 475—Declaring it to be the sense of the Senate that nothing in the constitution of the league of nations is intended to imply any relinquishment by the United States of its traditional attitude toward purely American questions, etc.
Mr. Spencer; Committee on Foreign Relations, 4392.

S. Res. 476—Authorizing the Committee on Agriculture and Forestry to conduct an investigation on questions involved in S. 5305.
Mr. Moses; Committee to Audit and Control the Contingent Expenses of the Senate, 4392.

S. Res. 477—Declaring it to be the sense of the Senate that an extra session of Congress should be called for the 5th of March, 1919.
Mr. France; ordered to lie over under the rule, 4393.

S. Res. 478—Requesting the delegates of the United States at the peace conference at Paris to offer certain amendments to the formulated plan proposing to establish the league of nations.
Mr. Owen; Committee on Foreign Relations, 4393.

S. Res. 479—Fixing the daily hours of meeting of the Senate at 10 o'clock antemeridian.
Mr. Swanson; considered and agreed to, 4392.

S. Res. 480—Directing the Committee on Agriculture and Forestry to investigate and report to the Senate certain charges and allegations that unwholesome food was shipped to Belgium for the purpose of Belgian relief, etc.
Mr. Calder; ordered to lie over under the rule, 4519, 4520.

S. Res. 481—Requesting the delegates representing the United States at the peace conference at Paris to offer certain amendments to the proposed plan for establishing a league of nations.
Mr. Gore; Committee on Foreign Relations, 4757.

S. Res. 482—Expressing the sorrow of the Senate at the death of the Hon. Paul O. Husting, late a Senator from the State of Wisconsin, and to pay tribute of respect to his memory.
Mr. La Follette; considered and agreed to, 4811.

S. Res. 483—To express the sorrow of the Senate at the death of the Hon. James H. Davidson, late a Representative from the State of Wisconsin, and to pay tribute of respect to his memory.
Mr. La Follette; considered and agreed to, 4816.

S. Res. 484—To pay tribute of respect and the sorrow of the Senate at the death of the Hon. Daniel W. Comstock, late a Representative from the State of Indiana.
Mr. New; considered and agreed to, 4819.

S. Res. 485—Directing the Secretary of War to furnish to the Senate copies of quotations, proposals, contracts, and awards made by the Secretary of War for supplying to the War Department, purchase and storage branch, raw materials division, of aviation naphtha, motor gasoline, and fuel oil for Government requirements for second and third quarters—1918 and 1919—by the Lawton Refining Co., of Lawton, Okla., for use at Post Field, Fort Sill, Okla., etc.
Mr. Gore; considered and agreed to, 4872.

S. Res. 486—To print the constitution of the league of nations, address of President Wilson at Boston, article by Theodore Roosevelt, and speeches by W. H. Taft and others as a Senate document.
Mr. Gore; ordered to lie over under the rule, 4871.

S. Res. 487—To print the report on Gila River flood control as a Senate document, with illustrations.
Mr. Smith of Arizona, from Committee on Printing; considered and agreed to (S. Doc. 436), 4869, 4870.

HOUSE BILLS. 17–344

H. R. 17—To include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes.
Mr. Raker; reported with amendment (H. Rept. 909), 1255.—Debated, amended, and passed House, 3593, 3594, 3598, 3599.—Referred to Senate Committee on Public Lands, 3646.—Reported back (S. Rept. 781), 4301.—Passed Senate, 4566.—Examined and signed, 4676, 4679.—Approved [Public, No. 330], 5083.

H. R. 79—For the sale of isolated tracts of the public domain in Minnesota.
Mr. Steenerson; debated in Senate, 846, 1155, 1156.—Passed Senate, 1156.—Examined and signed, 1259, 1305.—Approved [Public, No. 252], 4334.

H. R. 171—To repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved Jan. 26, 1915.
Mr. Timberlake; debated, amended, and passed House, 2626–2629.—Referred to Senate Committee on Public Lands, 2650.—Reported back (S. Rept. 712), 3257.—Debated and passed Senate, 3257, 3936.—Examined and signed, 4197, 4204.—Approved [Public, No. 316], 4772.

H. R. 204—To provide for the fitting up of quarters in the post-office building at the city of Sacramento, Cal., for the accommodation of the district court of the northern district of California and its officers.
Mr. Curry of California; reported back; passed Senate, 4109.—Examined and signed, 4234, 4243.—Approved [Public, No. 317], 4772.

H. R. 249—To authorize the Secretary having jurisdiction of the same to set aside certain public lands to be used as national sanitariums by fraternal or benevolent organizations, and for other purposes.
Mr. Raker; reported with amendments (H. Rept. 869), 647.

H. R. 329—Referring certain claims against the Choctaw and Chickasaw Nations of Indians to the Court of Claims.
Mr. Rayburn; laid on the table, 678, 695.

H. R. 344—For the regulation of salaries in the custodian service of the Treasury Department.
Mr. Charles B. Smith; debated, amended, and passed House, 3623, 3624.—Referred to Senate Committee on Appropriations, 3646.

H. R. 357—Conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States.
Mr. Hastings; debated, amended, and passed House, 532–534.—Referred to Senate Committee on Indian Affairs, 541.—Committee discharged; passed Senate, 4536.—Examined and signed, 4808, 4842.—Approved [Public, No. 331], 5083.

H. R. 653—For the relief of Henry P. Grant, of Phillips County, Ark.
Mr. Caraway; reported with amendment (H. Rept. 918), 1437.

H. R. 667—For the relief of Jeremiah Stover.
Mr. Crago; debated, amended, and passed House, 683–687, 696.—Referred to Senate Committee on Military Affairs, 699.

H. R. 745—For the relief of George H. Grace.
Mr. Dillon; reported back (H. Rept. 924), 1437.

H. R. 855—For the relief of Harriet Fisher.
Mr. Goodwin of Arkansas; passed House, 678, 695.—Referred to Senate Committee on Public Lands, 699.

H. R. 925—For the relief of Thomas J. Rose.
Mr. Heaton; debated, amended, and passed House, 691, 696.—Referred to Senate Committee on Military Affairs, 699.

H. R. 1423—For the relief of Alexander F. McCollam.
Mr. Raker; debated and passed House, 678–680, 695.—Referred to Senate Committee on Public Lands, 699.—Reported back (S. Rept. 640); debated and passed Senate, 1182.—Examined and signed, 1259, 1305.—Approved [Private, No. 33], 4335.

H. R. 1607—For the relief of David E. Gray.
Mr. Timberlake; debated and passed House, 680, 681, 696.—Referred to Senate Committee on Post Offices and Post Roads, 699.—Reported back (S. Rept. 669), 2104.—Passed Senate, 2897.—Examined and signed, 2973, 3046.—Approved [Private, No. 37], 4245.

H. R. 1650—For the relief of W. T. Dingler.
Mr. Wingo; reported back (H. Rept. 860), 434.

H. R. 1873—For the relief of Thomas Campbell.
Mr. Riordan; debated, amended, and passed House, 682, 696.—Referred to Senate Committee on Post Offices and Post Roads, 699.—Reference changed to Committee on Military Affairs, 1311.

H. R. 1954—For the relief of Charles Lynch.
Mr. Tilson; debated, amended, and passed House, 682, 683, 696.—Referred to Senate Committee on Military Affairs, 699.

H. R. 2012—For the relief of Mrs. W. E. Crawford.
Mr. Almon; debated, amended, and passed House, 693–695, 696.—Referred to Senate Committee on Claims, 699.—Reported back (S. Rept. 706), 3114.—Passed Senate, 4551.—Examined and signed, 4676, 4679.—Approved [Private, No. 38[, 5083.

H. R. 2492—To establish the military record of Marshall M. Pool.
Mr. Mann; debated and passed House, 689, 690, 696.—Referred to Senate Committee on Military Affairs, 699.

H. R. 2504—To reimburse Capt. E. D. Kremers, Medical Corps, United States Army, for rent of quarters at Honolulu, Hawaii.
Mr. Mapes; reported back (H. Rept. 927), 1438.

H. R. 2614—To amend sections 2139 and 2140 of the Revised Statutes and the acts amendatory thereof, and for other purposes.
Mr. Hayden; reference changed to Senate Committee on Indian Affairs, 648.

H. R. 2635—To authorize the issue of a patent to certain land in Alabama to William M. Wilson.
Mr. Blackmon; debated and passed House, 681, 682, 696.—Referred to Senate Committee on Public Lands, 699.

H. R. 2867—Authorizing the Treasurer of the United States to pay Catharine C. Schilling $599.
Mr. Wood of Indiana; reported with amendment (H. Rept. 928), 1438.

H. R. 3090—For the relief of Clement H. Cole.
Mr. Rowland; debated, amended, and passed House, 687–689, 696.—Referred to Senate Committee on Military Affairs, 699.

H. R. 3217—Providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio.
Mr. Hollingsworth; reported back (H. Rept. 966), 1961.—Debated, amended, and passed House, 3620, 3622, 3623.—Referred to Senate Committee on Public Buildings and Grounds, 3646.—Reported back and passed Senate, 3908.—Examined and signed, 4234, 4244.—Approved [Public, No. 318], 4772.

H. R. 3536—For the relief of Jose Ramon Cordova.
Mr. Taylor of Colorado; reported with amendment (H. Rept. 963), 1904.

H. R. 4013—For the relief of Wickliff Fry for horse lost while hired by the United States Geological Survey.
Mr. Hollingsworth; reported with amendment (H. Rept. 1078), 3631.

H. R. 4187—Authorizing Anton Hiersche to select other land in lieu of land now owned by him, required for reclamation purposes.
Mr. Taylor of Colorado; reported back (H. Rept. 1066), 3318, 3350.

H. R. 4240—For the relief of Alma Harris.
Mr. Walton; debated and passed House, 682, 696.—Referred to Senate Committee on Public Lands, 699.—Reported back (S. Rept. 634), debated, and passed Senate, 1077.—Examined and signed, 1183, 1305.—Approved [Private, No. 34], 4335.

H. R. 4246—To increase the salary of the United States district attorney for the district of Connecticut.
Mr. Lonergan; debated, amended, and passed House, 1124.—Referred to Senate Committee on the Judiciary, 1161.—Reported back and passed Senate, 3743.—Examined and signed, 4009, 4016.—Approved [Public, No. 284], 4500.

H. R. 4440—For the relief of the heirs of Mrs. Susan A. Nicholas.
Mr. Martin of Louisiana; reported with amendment (H. Rept. 864), 647.

H. R. 4610—To compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor.
Mr. Brodbeck; debated, amended, and passed House, 691–693, 696.—Referred to Senate Committee on Claims, 699.—Reported back (S. Rept. 771), 4205.—Passed Senate, 4425.—Examined and signed, 4573, 4676.—Approved [Private, No. 39], 5083.

H. R. 4923—To relieve the estate of Thomas H. Hall, deceased, late postmaster at Panacea, Fla., and the bondsmen of said Thomas H. Hall of the payment of money alleged to have been misappropriated by a clerk in said office.
Mr. Kehoe; reported back (H. Rept. 907), 1255.

H. R. 4988—To authorize the changing of the name of the steamship Caldera.
Mr. Alexander; laid on the table, 677, 678, 695.

H. R. 5007—To reimburse Isaac A. Gibbs for damages arising from the destruction of a ford across the Hocking River in Athens County, Ohio, due to backwater created by the construction of Lock and Dam No. 20 on the Ohio River.
Mr. Switzer; reported with amendment (H. Rept. 1141), 4300.

H. R. 5308—For the relief of James A. Henderson.
Mr. Sulzer; reported back (H. Rept. 921), 1437.

H. R. 5495—For the relief of Joseph A. Prat.
Mr. Dupré; reported back (H. Rept. 906), 1255.

H. R. 5511—For the relief of Leonidas H. Sawyer.
Mr. Goodall; reported with amendment (H. Rept. 1142), 4301.

H. R. 5559—To authorize a preference right of entry by certain Carey Act entrymen, and for other purposes.
Mr. Taylor of Colorado; reported with amendment (S. Rept. 686), 2789.—Amended and passed Senate, 4540.

H. R. 5722—For the relief of Ellen B. Walker.
Mr. Walton; reported with amendment (H. Rept. 1075), 3631.

H. R. 5777—To refund to the corporate authorities of Frederick City, Md., the sum of $200,000 exacted of them by the Confederate Army under Gen. Jubal Early, July 9, 1864, under penalty of burning said city.
Mr. Zihlman; reported back (H. Rept. 999), 2257.

H. R. 5989—To grant certain lands to the town of Olathe, Colo., for the protection of its water supply.
Mr. Taylor of Colorado; debated, amended, and passed House, 1126.—Referred to Senate Committee on Public Lands, 1161.—Reported back (S. Rept. 656), 1912.—Passed Senate, 4535, 4536.—Examined and signed, 4676, 4679.—Approved [Public, No. 332], 5083.

H. R. 5999—For the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise.
Mr. Harrison of Mississippi; reported back (H. Rept. 848), 230.—Passed House, 3625.—Referred to Senate Committee on Commerce, 3646.—Reported back (S. Rept. 737) and passed Senate, 3822.—Examined and signed, 4197, 4204.—Approved [Public, No. 321], 4957.

H. R. 6019—To credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved, respectively, July 1, 1862, Mar. 7, 1864, July 13, 1866, and Mar. 2, 1867.
Mr. Clark of Florida; reported back (H. Rept. 1017), 2410, 3690.

H. R. 6052—For the relief of I. N. Ellis.
Mr. Quin; reported with amendment (H. Rept. 982), 2061.

H. R. 6421—To increase the pensions of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States.
Mr. Darrow; debated in House, 1120, 1121.

H. R. 6451—For the relief of Martin Goldsmith.
Mr. Bacharach; reported with amendment (H. Rept. 1039), 2866.

H. R. 6887—To acquire the manuscript of Charles Chaillé-Long, containing an account of the unveiling of the McClellan statue.
Mr. Snell; reported with amendment (H. Rept. 959), 1849.

H. R. 7074—For the relief of Mrs. Thomas McGovern.
Mr. Lobeck; reported with amendment (H. Rept. 926), 1437.

H. R. 7089—For the relief of the heirs of Adam and Noah Brown.
Mr. Merritt; reported back (H. Rept. 979), 2029.

H. R. 7236—To amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898.
Mr. Smith of Idaho; reported back (S. Rept. 687), 2789.—Amended and passed Senate, 4552.

H. R. 7253—For the relief of F. M. Barfield.
Mr. Crisp; reported back (H. Rept. 1042), 2933.

H. R. 7362—To authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water.
Mr. Gregg, amended and passed House, 1768, 1769.—Referred to Senate Committee on Commerce, 1815.—Reported back (S. Rept. 676), 2416.—Passed Senate, 4538.—Examined and signed, 4676, 4679.—Approved [Public, No. 333], 5083.

H. R. 7705—For the relief of the Cleveland Trinidad Paving Co.
Mr. Crosser; reported with amendment (H. Rept. 919), 1437.

H. R. 7715—For the relief of Mary Neaf.
Mr. Igoe; passed House, 678, 695.—Referred to Senate Committee on Military Affairs, 699.

H. R. 7738—To increase the rate of pension allowed to army nurses.
Mr. Langley; debated in House, 1121.

H. R. 8426—Fixing the salary of the clerks of the United States district courts; prescribing how and when they shall account for the fees collected; providing for the office expenses of such clerks, including salaries of deputy clerks and clerical assistants; and for the travel and subsistence expense of such clerks and their deputies when necessarily absent from their official residences.
Mr. Siegel; reference changed to Committee on Expenditures in the Department of Justice, 2525.

H. R. 8444—For the relief of Ira G. Kilpatrick and Guy D. Dill.
Mr. Fairfield; debated, amended, and passed House, 695, 696.—Referred to Senate Committee on Public Lands, 699.—Reported back (S. Rept. 641); debated and passed Senate, 1183.—Examined and signed, 1259, 1305.—Approved [Private, No. 35], 4335.

H. R. 8625—To accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved Mar. 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes.
Mr. Sinnott; debated, amended, and passed House, 1121–1124.—Referred to Senate Committee on Public Lands, 1161.—Reported back (S. Rept. 650), 1640.—Passed Senate, 3250.—Examined and signed, 3407, 3578.—Approved [Public, No. 280], 4359.

H. R. 8763—To amend the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved Aug. 17, 1916.
Mr. Charles B. Smith; debated in House, 3617, 3618.

H. R. 8828—Authorizing the acquisition of a site and the erection thereon of a public building at Yonkers, N. Y.
Mr. Benjamin L. Fairchild; reported back; passed Senate, 2356.—Examined and signed, 2612, 2649.—Approved [Public, No. 202], 4245.

H. R. 8856—For the relief of Mary J. Lacey.
Mr. Ceady; passed House, 691, 696.—Referred to Senate Committee on Military Affairs, 699.

H. R. 8861—For the relief of Ivy L. Merrill.
Mr. Ferris; reported with amendment (H. Rept. 934), 1497.

H. R. 9045—For the relief of certain pay officers of the United States Navy.
Mr. Stephens of Mississippi; reported back (H. Rept. 908), 1255.

H. R. 9094—To amend section 1 of Title VIII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.
Mr. Webb; debated, 1763–1765, 2622, 2623.

H. R. 9357—For the relief of John A. Gauley.
Mr. Dallinger; reported back (H. Rept. 984), 2061.

H. R. 9830—Providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and derivatives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of Oct. 1, 1890, as amended by the acts of Mar. 3, 1897, Feb. 9, 1909, and Jan. 17, 1914, or the act of Dec. 17, 1914.
Mr. H. T. Rainey; debated and passed House, 536, 537, 538.—Referred to Senate Committee on Finance, 541.

H. R. 9865—To authorize the sale of certain lands to school district No. 28, of Missoula County, Mont.
Mr. Evans; debated and passed House, 696, 697.—Referred to Senate Committee on Public Lands, 699.—Reported back (S. Rept. 637; passed Senate, 1156.—Examined and signed, 1259, 1305.—Approved [Public, No. 246½], 4335.

H. R. 9897—To authorize the contesting and cancellation of certain homestead entries, and for other purposes.
Mr. McClintic; reported with amendment (S. Rept. 720), 3321.—Amended and passed Senate, 4219, 4220.—House concurs in Senate amendment, 4604.—Examined and signed, 4855, 5082.—Approved [Public, No. 334], 5083.

H. R. 10152—To carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of estate of Samuel N. White, deceased.
Mr. Sanders of Louisiana; reported back (H. Rept. 865), 600.

H. R. 10225—Striking from the pension roll the name of Jennie M. Heath.
Mr. Sherwood; debated and passed House, 690, 696.—Referred to Senate Committee on Pensions, 699.—Reported back (S. Rept. 730); passed Senate, 3743.—Examined and signed, 4009, 4016.—Approved [Private, No. 44], 5084.

H. R. 10394—To add certain lands to the Minam National Forest, Oreg.
Mr. Sinnott; reported back (H. Rept. 898), 1151.—Passed House, 3578.—Referred to Senate Committee on Public Lands, 3646.—Committee discharged; passed Senate, 4535.—Examined and signed, 4676, 4679.—Approved [Public, No. 335], 5084.

H. R. 10612—To restore to the public domain certain lands heretofore reserved for a bird reservation in Siskiyou and Modoc Counties, Calif., and Klamath County, Oreg., and for other purposes.
Mr. Raker; debated in House, 1767, 1768, 3609.

H. R. 10663—To convey a strip of land on the site of the Federal building at Princeton, Ind.
Mr. Denton; reported back, 444.—Passed Senate, 1653.—Examined and signed, 1904, 1912.—Approved [Public, No. 263], 4245.

H. R. 10851—To provide a method for disposing of intoxicating liquors now or hereafter in the possession of United States court officials.
Mr. Webb; reported with amendment, 3052.—Amended and passed Senate, 4551.

H. R. 10891—To amend and reenact an act for the establishment of a probation system for the District of Columbia.
Mr. Johnson of Kentucky; debated in Senate, 1739.—Amended and passed Senate, 4116.—House concurs in Senate amendment, 4961.—Examined and signed, 4991, 5082.—Approved [Public, No. 345], 5084.

H. R. 10979—To provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivision or sales of land therein.
Mr. Johnson of Kentucky; reported back (H. Rept. 937), 1578.

H. R. 11219—Providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes.
Mr. Johnson of Washington; reported back (H. Rept. 933), 1497.—Debated, amended, and passed House, 3591–3593.—Referred to Senate Committee on Military Affairs, 3646.—Reference changed to Committee on Public Lands, 3909.—Reported back (S. Rept. 782), 4391.—Passed Senate, 4566, 4567.—Examined and signed, 4808, 4842.—Approved [Public, No. 336], 5084.

H. R. 11290—For the relief of heirs or estate of John Edwards, deceased.
Mr. Burnett; reported back (H. Rept. 1156), 4677.

H. R. 11308—To authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain-described tract of land.
Mr. Timberlake; reported with amendment (H. Rept. 858), 385.—Debated, amended, and passed House, 3608.—Referred to Senate Committee on Public Lands, 3646.—Reported back (S. Rept. 784), 4391.—Passed Senate, 4567.—Examined and signed, 4676, 4679.—Approved [Public, No. 337], 5084.

H. R. 11408—To amend section 4516 of the Revised Statutes of the United States, and section 2 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved Mar. 4, 1915.
Mr. Fordney; debated, amended, and passed House, 536.—Referred to Senate Committee on Commerce, 542.

H. R. 11560—For the relief of Warren V. Howard.
Mr. Gillett; reported back (H. Rept. 1186), 5084.

H. R. 11579—To authorize the appointment of a board of engineers to make a preliminary location, survey, and plans for a canal connecting the waters of Lake Erie and the Ohio River on the line of the Miami & Erie Canal from Toledo to Cincinnati, Ohio, and from a point near Defiance, Ohio, to a point in the southerly end of Lake Michigan, and to estimate the cost thereof.
Mr. Welty; reported with amendment (H. Rept. 875), 697.

H. R. 11673—For the relief of John K. Ashley, jr.
Mr. French; reported back (H. Rept. 917), 1437.

H. R. 11682—For the relief of the estate of Henry Ware, deceased.
Mr. Lazaro; reported back (H. Rept. 986), 2061.

H. R. 11709—Granting the consent of Congress to the village and township of Halstad, Norman County, Minn., and the township of Herberg, Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States.
Mr. Steenerson; House concurs in Senate amendments, 675.—Examined and signed, 697, 699.—Approved [Public, No. 249], 2444.

H. R. 11715—To authorize the drainage of certain lands in the State of Arkansas, counties of Mississippi and Poinsett.
Mr. Caraway; reported with amendments (H. Rept. 1009), 2334.

H. R. 11833—For the relief of Seth J. Harris.
Mr. Lee of Georgia; reported with amendment (H. Rept. 1022), 2565.

H. R. 11834—For the relief of William Henry Coleman.
Mr. Lee of Georgia; reported with amendment (H. Rept. 1028), 2646.

H. R. 11835—For the relief of Jimmie Lou Martin.
Mr. Lee of Georgia; reported with amendment (H. Rept. 1027), 2646.

H. R. 11836—For the relief of Mary Holloman.
Mr. Lee of Georgia; reported with amendment (H. Rept. 1029), 2646.

H. R. 11919—For the relief of Rebecca C. Pepper.
Mr. McLaughlin of Michigan; reported back (H. Rept. 1011), 2335.

H. R. 11948—Granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River, at or near the north line of section 22, township 8 north, range 21 west, west of the basis meridian, in the land district east of Pearl River, in the State of Mississippi.
Mr. Sanders of Louisiana; House concurs in Senate amendment, 1815, 1816.—Examined and signed, 1816, 1851.—Approved [Public, No. 264], 4245.

H. R. 11964—For the relief of the P. J. Carlin Construction Co.
Mr. Rowe; reported back adversely (H. Rept. 1014) and laid on table, 2335.

H. R. 11984—To provide for the Fourteenth and subsequent decennial censuses.
Mr. Helm; reported with amendments (S. Rept. 621), 283.—Debated, 1098–1101, 1182, 1331–1335, 1397, 1398, 1403, 1440–1451, 1506, 1527–1546, 1581, 1582, 1585, 1586.—Amended and passed Senate, 1585, 1586.—Senate asks for a conference, 1586.—House disagrees to Senate amendments and agrees to a conference, 1761, 1762, 1816.—Conference appointed, 1586, 1816.—Conference report made in Senate, 2192.—Conference report (No. 1005) made in House, 2254.—Conference report debated and disagreed to in House; House further disagrees to Senate amendments and asks for a further conference, 2294, 2325–2328.—Conference report withdrawn in Senate; Senate insists on its amendments and agrees to a further conference, 2351.—Second conference appointed, 2328, 2351.—Second conference report (No. 1023) made in House, 2523.—Second conference report made in Senate, 2591.—Debated and agreed to in Senate, 2875, 3062, 4448, 4577–4586.—Conference report debated and agreed to in House, 4919, 4920.—Examined and signed, 4855, 5082.—Approved [Public, No. 325], 5084.

H. R. 12001—To amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved Mar. 3, 1911.
Mr. Carlin; debated, 364–384, 409–433.—Amended and passed House, 432, 433, 623.—Referred to Senate Committee on the Judiciary, 491.—House requests Senate to return bill for correction (see H. Res. 483), 623.—Senate returns bill, 602.—Referred to Senate Committee on the Judiciary, 672.—Reported with amendments (S. Rept. 635), 1077.—Debated, 1586–1607, 1641–1653.—Amended and passed Senate, 1652, 1653.—Senate asks for a conference, 1653.—House disagrees to Senate amendments and agrees to a conference, 1848.—Conference appointed, 1653, 1848.—Conference report (No. 971) made in House, 1960.—Conference report (S. Doc. 361) made in Senate, 2193.—Conference report debated and agreed to in House, 2216–2218.—Conference report agreed to in Senate, 2350, 2351.—Examined and signed, 2414, 2440.—Approved [Public, No. 265], 4245.

H. R. 12014—For the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Roas Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert.
Mr. Huddleston; reported with amendment (H. Rept. 920), 1437.

H. R. 12082—Authorizing the sale of certain lands in South Dakota for cemetery purposes.
Mr. Gandy; debated and passed House, 1777.—Referred to Senate Committee on Public Lands, 1815.—Reported back (S. Rept. 745), 3822.—Passed Senate, 4559.—Examined and signed, 4676, 4679.—Approved [Public, No. 338], 5084.

H. R. 12194—To provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.
Mr. Padgett; reported back (S. Rept. 638), 1154.—Debated and passed Senate, 1154, 1155.—Examined and signed, 1259, 1305.—Approved [Public, No. 253], 4335.

H. R. 12210—To amend the act of May 14, 1898, as amended by the act of Mar. 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska."
Mr. Sulzer; debated and passed House, 1120.—Referred to Senate Committee on Public Lands, 1161.—Reported back (S. Rept. 657), 1912.—Debated, 4567.

H. R. 12211—Granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.
Mr. McClintic; conference report (No. 1071) made in House, 3469, 3790.—Agreed to in House, 3790, 3791.—Conference report made and agreed to in Senate, 4114–4115.—Examined and signed, 4385, 4388.—Approved [Private, No. 40], 4957.

H. R. 12236—To refund certain duties paid by W. Loaiza & Co.
Mr. Elston; reported back (H. Rept. 925), 1437.

H. R. 12352—For the retirement of employees in the classified civil service.
Mr. Keating; reported with amendments (H. Rept. 988), 2184.

H. R. 12428—For the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.
Mr. Caraway; reported back (H. Rept. 1008), 2335.

H. R. 12579—To grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.
Mr. Sinnott; debated, amended, and passed House, 1125, 1126.—Referred to Senate Committee on Public Lands, 1161.—Reported back (S. Rept. 649), 1640.—Passed Senate, 4535.—Examined and signed, 4676, 4679.—Approved [Public, No. 339], 5084.

H. R. 12588—To provide for the construction of a tunnel under the Hudson River between the States of New York and New Jersey.
Mr. Eagan; Committee on Rivers and Harbors discharged, and referred to the Committee on Interstate and Foreign Commerce, 1217.

H. R. 12589—To amend section 4 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved Dec. 29, 1916.
Mr. Gandy; reported back (H. Rept. 1025), 2565.—Debated, 3625.

H. R. 12606—For the relief of William J. Drucks.
Mr. Garrett of Texas; reported back (H. Rept. 1110), 3818.

H. R. 12607—For the relief of Freddie Scofield.
Mr. Garrett of Texas; reported back (H. Rept. 1094), 3818.

H. R. 12608—For the relief of Mrs. A. R. Carstens.
Mr. Garrett of Texas; reported back (H. Rept. 1095), 3818.

H. R. 12609—For the relief of T. Binford.
Mr. Garrett of Texas; reported with amendment (H. Rept. 1096), 3818.

H. R. 12610—For the relief of W. H. Burkett.
Mr. Garrett of Texas; reported back (H. Rept. 1097), 3818.

H. R. 12611—For the relief of Mrs. C. W. Wright.
Mr. Garrett of Texas; reported with amendment (H. Rept. 1098), 3818.

H. R. 12612—For the relief of Mrs. E. J. Meineke.
Mr. Garrett of Texas; reported with amendment (H. Rept. 1111), 3818.

H. R. 12613—For the relief of Mrs. Ira D. Raney.
Mr. Garrett of Texas; reported with amendment (H. Rept. 1092), 3738.

H. R. 12614—For the relief of Mrs. E. A. Thompson.
Mr. Garrett of Texas; reported back (H. Rept. 1099), 3818.

H. R. 12615—For the relief of Miss Almer Reichart.
Mr. Garrett of Texas; reported back (H. Rept. 1100), 3818.

H. R. 12616—For the relief of Charles T. Clayton.
Mr. Garrett of Texas; reported back (H. Rept. 1101), 3818.

H. R. 12617—For the relief of Mrs. E. M. Jones.
Mr. Garrett of Texas; reported back (H. Rept. 1102), 3818.

H. R. 12618—For the relief of Mrs. F. H. Sherbert.
Mr. Garrett of Texas; reported back (H. Rept. 1112), 3818.

H. R. 12619—For the relief of James Edward Lyon.
Mr. Garrett of Texas; reported back (H. Rept. 1103), 3818.

H. R. 12620—For the relief of G. W. Butcher.
Mr. Garrett of Texas; reported back (H. Rept. 1104), 3818.

H. R. 12621—For the relief of W. A. Wise.
Mr. Garrett of Texas; reported with amendment (H. Rept. 1105), 3818.

H. R. 12622—For the relief of May E. Winkler.
Mr. Garrett of Texas; reported back (H. Rept. 1106), 3818.

H. R. 12623—For the relief of Mrs. D. R. Patton.
Mr. Garrett of Texas; reported back (H. Rept. 1107), 3818.

H. R. 12624—For the relief of Mrs. S. Satton.
Mr. Garrett of Texas; reported back (H. Rept. 1108), 3818.

H. R. 12625—For the relief of Mrs. Horace Moody.
Mr. Garrett of Texas; reported back (H. Rept. 1109), 3818.

H. R. 12634—To encourage instruction in the hygiene of maternity and infancy, and to extend proper care for maternity and infancy; to provide for cooperation with the States in the promotion of such instruction and care in rural districts; to appropriate money and regulate its expenditure and for other purposes.
Miss Rankin; reported with amendments (H. Rept. 1062), 3245.

H. R. 12635—To incorporate the American Committee for Relief in the Near East.
Mr. Montague; reported back (H. Rept. 866), 600.—Debated, 675–677, 836–838.

H. R. 12753—For the relief of Eugene F. Sanguinetti.
Mr. Hayden; reported back (H. Rept. 1045), 3036.

H. R. 12770—To preserve as part of the Oregon and Siuslaw National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. *v.* The United States.
Mr. Hawley; reported with amendment (H. Rept. 883), 965.—Debated, 1774–1776, 3608, 3609.

H. R. 12860—Granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female), Army field clerks, field clerks Quartermaster Corps, and civil employees of the Army pay and allowances during any period of involuntary captivity by the enemy of the United States.
Mr. Miller of Minnesota; reported back (S. Rept. 622), 283.—Committee on Naval Affairs discharged, and referred to Committee on Military Affairs, 283.—Reported back, 337.—Passed Senate, 4534.—Examined and signed, 4808, 4842.—Approved [Public, No. 340], 5084.

H. R. 12863—To provide revenue, and for other purposes.
Mr. Kitchin; reported with amendments (S. Rept. 617), 174, 235, 292, 405, 542.—Debated, 174–176, 235, 240, 241, 249–256, 291–312, 359–361, 386–398, 405, 448, 449, 491–518, 542–572, 609–621, 648–671, 701–718, 719–723, 734–753, 758–834.—Amended and passed Senate, 832–834.—Senate asks for a conference, 834.—House disagrees to Senate amendments and agrees to a conference (see H. Res. 488), 861, 927–930, 944, 945.—Conference appointed, 834, 945.—Senate amendments debated in House, 2452–2464.—Conference report (No. 1037) made in House, 2819, 2973.—Conference report debated in House, 2819, 2973–3035.—Conference report agreed to in House, 3035.—Conference report made in Senate, 2818, 3062.—Conference report debated and agreed to in Senate, 3117–3139, 3179–3194, 3265–3271.—Examined and signed, 3407, 3578.—Approved [Public, No. 254], 4245.

H. R. 12880—To provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.
Mr. Bankhead; reported with amendment (H. Rept. 1064), 3318.

H. R. 12881—To increase the cost of the public building at El Dorado, Kans.
Mr. Ayers; debated and passed House, 1125.—Referred to Senate Committee on Public Buildings and Grounds, 1161.—Reported back (S. Rept. 652); passed Senate, 1727.—Examined and signed, 1998, 2101.—Approved [Public, No. 266], 4245.

H. R. 12916—To provide for the temporary promotion of commissioned officers of the Marine Corps serving with the Army.
Mr. Padgett; reported back (S. Rept. 623), 283.—Debated and passed Senate, 621, 622.—Examined and signed, 756, 835.—Approved [Public, No. 247], 2444.

H. R. 12917—To provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes.
Mr. Kincheloe; debated, 44–63, 106–117, 146–167.—Amended and passed House, 166, 167.—Referred to Senate Committee on Public Health and National Quarantine, 282.—Reference changed to Committee on Public Buildings and Grounds, 2587, 2588.

H. R. 12945—Providing for the purchase of uniforms, accouterments, and equipment by officers of the Navy, Marine Corps, and Coast Guard, and midshipmen at the Naval Academy from the Government at cost.
Mr. Padgett; reported back (S. Rept. 624), 283.—Debated and passed Senate, 283, 621.—Examined and signed, 756, 835.—Approved [Public, No. 248], 2444.

H. R. 12960—For the relief of Frank Walsh, Fred F. Fuller, and Otto F. Schroeder.
Mr. Gandy; reported back (H. Rept. 1002), 2257.

H. R. 12981—Authorizing the Secretary of the Treasury to refuse to permit the exportation of any work of art purporting to be a gift made by an individual or organization to a foreign nation or municipality, unless by consent of the Secretary of State.
Mr. Slayden; reported with amendment (H. Rept. 1031), 2721.

H. R. 12990—To authorize the Kingsdale Lumber Corporation to construct a bridge across Lumber River, near the town of Lumberton, N. C.
Mr. Godwin of North Carolina; reported with amendment (H. Rept. 861), 434.

H. R. 12995—Granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio.
Mr. Cooper of Ohio; reported with amendment (H. Rept. 851), 336.—Amended and passed House, 2633.—Referred to Senate Committee on Commerce, 2650.—Reported back (S. Rept. 744), 2874, 3822.—Debated and passed Senate, 2874, 3822.—Examined and signed, 4009, 4016.—Approved [Public, No. 291], 4623.

H. R. 12996—Granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio.
Mr. Cooper of Ohio; reported with amendment (H. Rept. 852), 336.—Amended and passed House, 2633.—Referred to Senate Committee on Commerce, 2650.—Reported back (S. Rept. 692); passed Senate, 2874.—Examined and signed, 2973, 3046.—Approved [Public, No. 267], 4245.

H. R. 12997—Granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio.
Mr. Cooper of Ohio; reported back (H. Rept. 853), 336.—Passed House, 2633.—Referred to Senate Committee on Commerce, 2650.—Reported back (S. Rept. 695); passed Senate, 2874.—Examined and signed, 2973, 3046.—Approved [Public, No. 268], 4245.

H. R. 12998—To amend section 3528 of the Revised Statutes.
Mr. Ashbrook; presented to the President, 12.—Approved [Public, No. 244], —.

H. R. 13004—Extending the time for commencing construction of bridge and for maintenance of pontoon and pile bridge by the Chicago, Milwaukee, & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for bridge to be constructed.
Mr. Gandy; reported with amendment (H. Rept. 885), 965.—Debated, amended, and passed House, 1777, 1778.—Referred to Senate Committee on Commerce, 1815.—Reported back (S. Rept. 673); passed Senate, 2417.—Examined and signed, 2522, 2583.—Approved [Public, No. 269], 4245.

H. R. 13019—To authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916.
Mr. Hawley; reported with amendment (H. Rept. 884), 965.—Debated, amended, and passed House, 1776.—Referred to Senate Committee on Public Lands, 1815.

H. R. 13023—For the relief of John T. Adams.
Mr. Vestal; reported back (H. Rept. 922), 1437.

H. R. 13026—To authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines.
Mr. Clark of Florida; reported with amendments (H. Rept. 879), 755.—Debated, 2049–2060, 2150–2172. (Appendix 79.)—Amended and passed House, 2171, 2172.—Referred to Senate Committee on Appropriations, 2193.—Reference changed to Committee on Public Buildings and Grounds, 2587, 2588.—Reported with amendment (S. Rept. 729), 3635.—Debated, 3865, 3916–3932.—Amended and passed Senate, 3932.—Senate asks for a conference, 3932.—House disagrees to Senate amendments and agrees to a conference, 4052, 4077, 4244.—Conference appointed, 3932, 4244.—Conference report (No. 1161) made in House, 4825.—Debated and agreed to in House, 4825–4837.—Conference report made and agreed to in Senate, 4851, 4852.—Examined and signed, 4895, 5082.—Approved [Public, No. 326], 5084.

H. R. 13034—To validate and confirm certain erroneously allowed entries in the State of Minnesota.
Mr. Steenerson; reported back (H. Rept. 912), 1302.—Passed House, 3587.—Referred to Senate Committee on Public Lands, 3646.—Reported back; passed Senate, 4391.—Examined and signed, 4516, 4518.—Approved [Public, No. 341], 5084.

H. R. 13035—To amend section 4 of Chapter V of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918, and to make said amendment retroactive.
Mr. Dent; reported back; passed Senate, 976, 4219.—Examined and signed, 4331, 4385.—Approved [Public, No. 310], 4776.

H. R. 13037—To amend the fiftieth article of war.
Mr. Dent; passed Senate, 4118.—Examined and signed, 4303, 4385.—Approved [Public, No. 311], 4776.

H. R. 13042—Providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.
Mr. Sinnott; reported with amendment (H. Rept. 847), 230.—Debated, amended, and passed House, 1127.—Referred to Senate Committee on Public Lands, 1161.—Reported back (S. Rept. 648), 1641.—Passed Senate, 4535.—Examined and signed, 4676, 4679.—Approved [Public, No. 342], 5084.

H. R. 13056—To grant to citizens of Modoc County, Calif., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Calif.
Mr. Raker; reported back (H. Rept. 846), 230.—Passed House, 1765.—Referred to Senate Committee on Public Lands, 1815.—Reported back (S. Rept. 684), 2726.—Passed Senate, 4540.—Examined and signed, 4676, 4679.—Approved [Public, No. 343], 5084.

H. R. 13109—For the relief of Clyde M. Giddings.
Mr. Gandy; reported back (H. Rept. 1003), 2257.

H. R. 13143—Extending the time for the construction of a bridge across the Mississippi River at or near the city of New Orleans, La.
Mr. Dupré; reported with amendment (H. Rept. 854), 384.—Amended and passed House, 1765.—Referred to Senate Committee on Commerce, 1815.—Reported back (S. Rept. 675); passed Senate, 2417.—Examined and signed, 2522, 2583.—Approved [Public, No. 270], 4245.

H. R. 13153—Extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark.
Mr. Wingo; reported with amendment (H. Rept. 838), 19.—Debated, amended, and passed House, 16, 17.—Referred to Senate Committee on Commerce, 24.—Reported back (S. Rept. 615); passed Senate, 68.—Examined and signed, 117, 122.—Approved [Public, No. 245], 1954.

H. R. 13173—To provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for privilege of using same for a stated period of time.
Mr. Jones; Committee on Military Affairs, 19.

H. R. 13174—Providing for the local commemoration in his home county of the supreme sacrifice made by each soldier, sailor, marine, and aviator who lost his life while in the service of the United States during the present war.
Mr. Blanton; Committee on Appropriations, 19.

H. R. 13175—For the relief of commissioned officers of the Army recommended for promotion.
Mr. Snyder; Committee on Military Affairs, 19.

H. R. 13176—Providing for the wearing of uniforms after demobilization.
Mr. Blanton; Committee on Military Affairs, 19.

H. R. 13177—Providing for railroad transportation home to be furnished emergency war workers employed by the Government when dismissed from positions.
Mr. Blanton; Committee on Appropriations, 19.

H. R. 13178—To provide a preliminary survey of the Sipsey River, Ala., with a view of the control of its floods.
Mr. Oliver of Alabama; Committee on Flood Control, 19.

H. R. 13179—To provide a preliminary survey of the Cahaba River, Ala., with a view to the control of its floods.
Mr. Oliver of Alabama; Committee on Flood Control, 19.

H. R. 13180—Providing for a survey of Susquehanna River between the mouth of said river, in the State of Maryland, and the city of Harrisburg, on said river, in the State of Pennsylvania.
Mr. Griest; Committee on Rivers and Harbors, 19.

H. R. 13181—To regulate the sale and promotion of stocks, bonds, etc.
Mr. Snyder; Committee on Interstate and Foreign Commerce, 19.

H. R. 13182—To repeal certain provisions of an act of Congress approved June 15, 1917, known as the "espionage law," and certain provisions of an act of Congress approved Oct. 6, 1917, known as "trading with the enemy act," in so far as such provisions limit or forbid the export of raw cotton.
Mr. Black; Committee on the Judiciary, 19.

H. R. 13183—To vest ownership in all honorably discharged enlisted men and noncommissioned officers of the United States Army, Navy, and members of the Marine Corps of the uniform and personal effects, not including arms, issued to them and worn by them in the United States service.
Mr. Sloan; Committee on Military Affairs, 19.

H. R. 13184—Making continuing appropriations to defray the actual expenses within the limit prescribed of members of the Supreme Court of the United States and of the several circuit courts of appeals of the United States in attending the annual meetings of the judicial section of the American Bar Association.
Mr. Webb; Committee on the Judiciary, 19.

H. R. 13185—To amend paragraph 1 of section 200 of article 2 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved Mar. 8, 1918.
Mr. Webb; Committee on the Judiciary, 19.—Reported with amendment (H. Rept. 841), 169.—Amended and passed House, 3586.—Referred to Senate Committee on Military Affairs, 3646.

H. R. 13186—For the relief of Mrs. Mamie Duffer, of Shannon, Miss.
Mr. Candler of Mississippi; Committee on War Claims, 19.

H. R. 13187—For the relief of Swend A. Swendson.
Mr. Dale of New York; Committee on Claims, 19.

H. R. 13188—Granting a pension to Cyrus H. Saltzman.
Mr. Dyer; Committee on Pensions, 19.

H. R. 13189—For the relief of Susie Currier.
Mr. Hersey; Committee on Claims, 19.—Reported back (H. Rept. 1013), 2335.

H. R. 13190—Granting an increase of pension to Edward Myers.
Mr. McKinley; Committee on Pensions, 19.

H. R. 13191—Granting an increase of pension to Thomas Clark.
Mr. Polk; Committee on Invalid Pensions, 19.

H. R. 13192—Granting a pension to John B. Glick.
Mr. Snook; Committee on Pensions, 19.

H. R. 13193—Granting an increase of pension to John N. Hall.
Mr. Strong; Committee on Invalid Pensions, 19.

H. R. 13194—To enlarge the powers of the Commissioners of the District of Columbia relative to the public health.
Mr. Johnson of Kentucky; Committee on the District of Columbia, 66.

H. R. 13195—To prohibit the public or private display within the United States of America and its Territories and possessions of certain flags and emblems, and prescribing penalties for the violation thereof.
Mr. Osborne; Committee on the Judiciary, 66.

H. R. 13196—To provide that every person receiving an honorable discharge shall retain as his personal property without cost his uniform and other clothing.
Mr. Hicks; Committee on Military Affairs, 66.

H. R. 13197—To prescribe the personnel of the Navy Nurse Corps, the qualifications for appointment, and the method of appointment therein, the pay, allowances, and leave of absence of members of said corps, and the conditions under which they may be retired, and for other purposes.
Mr. Hicks; Committee on Naval Affairs, 66.

H. R. 13198—Providing for the distribution of ordnance captured or acquired by the American Expeditionary Forces in the war with Germany and Austria-Hungary.
Mr. Gould; Committee on Military Affairs, 66.

H. R. 13199—To refer all claims of the Cherokee, Creek, and Seminole Indians, whether as individuals or otherwise, to the Court of Claims.
Mr. Chandler of Oklahoma; Committee on Indian Affairs, 66.

H. R. 13200—To eliminate the necessity for most of the expenses and work in connection with the Dead Letter Division of the Post Office Department.
Mr. French; Committee on the Post Office and Post Roads, 66.

H. R. 13201—To provide for the retention by officers, soldiers, sailors, and marines of uniforms, clothing, and other articles upon their honorable discharge from service.
Mr. French; Committee on Military Affairs, 66.

H. R. 13202—To repeal all of Title II of an act entitled "An act to provide further for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to provide credits or industries and enterprises in the United States necessary or contributory to the prosecution of the war, and to supervise the issuance of securities, and for other purposes," approved Apr. 5, 1918.
Mr. Sweet; Committee on Interstate and Foreign Commerce, 66.

H. R. 13203—For the purchase of a site and the erection of a public building at Dover, N. J.
Mr. Birch; Committee on Public Buildings and Grounds, 66.

H. R. 13204—To establish load lines for vessels in foreign trade.
Mr. Alexander; Committee on the Merchant Marine and Fisheries, 66.

H. R. 13205—To provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for the privilege of using same.
Mr. Jones; Committee on Military Affairs, 66.

H. R. 13206—Granting an increase of pension to Angeline McVicker.
Mr. Ashbrook; Committee on Invalid Pensions, 66.

H. R. 13207—Granting an increase of pension to Joseph Brinton.
Mr. Ashbrook; Committee on Invalid Pensions, 66.

H. R. 13208—Granting a pension to Cora Mitchell.
Mr. Ashbrook; Committee on Invalid Pensions, 66.

H. R. 13209—Granting a pension to Susan Rowe.
Mr. Ashbrook; Committee on Pensions, 66.

H. R. 13210—Granting an increase of pension to Simon Reeder.
Mr. Cantrill; Committee on Invalid Pensions, 66.

H. R. 13211—Granting an increase of pension to Anderson Adams.
Mr. Cantrill; Committee on Invalid Pensions, 66.

H. R. 13212—Granting an increase of pension to John Wells.
Mr. Crago; Committee on Invalid Pensions, 66.

H. R. 13213—Granting a pension to Matilda Mitchell.
Mr. Fields; Committee on Invalid Pensions, 66.

H. R. 13214—To provide for the payment to Mrs. Erastus Bennett of insurance money of Pvt. Joseph Griffin.
Mr. Hicks; Committee on Interstate and Foreign Commerce, 66.

H. R. 13215—Granting a pension to John S. Bornblaser.
Mr. Juul; Committee on Pensions, 66.

H. R. 13216—Granting an increase of pension to Flemon M. Smith.
Mr. Kiess of Pennsylvania; Committee on Invalid Pensions, 66.

H. R. 13217—Granting an increase of pension to Edward A. Lane.
Mr. Purnell; Committee on Invalid Pensions, 66.

H. R. 13218—Granting an increase of pension to William V. Richardson.
Mr. Purnell; Committee on Pensions, 66.

H. R. 13219—Granting a pension to Ellen J. Kidwell.
Mr. Purnell; Committee on Invalid Pensions, 66.

H. R. 13220—Granting a pension to Samuel L. Ensminger.
Mr. Purnell; Committee on Invalid Pensions, 66.

H. R. 13221—Granting a pension to William Mendenhall.
Mr. Purnell; Committee on Pensions, 66.

H. R. 13222—Granting an increase of pension to John Speaks.
Mr. Sherwood; Committee on Invalid Pensions, 66.

H. R. 13223—To relinquish, release, remise, and quitclaim all right, title, and interest of the United States in and to certain lands in the State of Mississippi.
Mr. Sisson; Committee on the Public Lands, 66.

H. R. 13224—Granting a pension to Charlotte Perry.
Mr. Snook; Committee on Invalid Pensions, 66.

H. R. 13225—For the relief of the Kanawha & Ohio Transfer Co.
Mr. Switzer; Committee on Claims, 66.

H. R. 13226—Granting a pension to Emma A. Glenney.
Mr. Tilson; Committee on Invalid Pensions, 66.

H. R. 13227—For the relief of Della James.
Mr. Vinson; Committee on Claims, 66.—Reported with amendment (H. Rept. 1086), 3738.

H. R. 13228—Granting an increase of pension to Nicholas Baggs.
Mr. Watson of Pennsylvania; Committee on Invalid Pensions, 66.

H. R. 13229—To reclassify the salaries of employees above the clerical grades in post offices of the first and second class.
Mr. Madden; Committee on the Post Office and Post Roads, 118.

H. R. 13230—Providing for the employment by the United States Government of disabled soldiers and sailors of the United States and prescribing the preference to be extended them in filling clerical and other vacancies.
Mr. Harrison of Mississippi; Committee on Reform in the Civil Service, 118.

H. R. 13231—To provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for privileges of using same for a stated period of time.
Mr. Jones; Committee on Military Affairs, 118.

H. R. 13232—To extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn.
Mr. Steenerson; Committee on Interstate and Foreign Commerce, 118.—Reported with amendment (H. Rept. 868), 600.—Amended and passed House, 2623.—Referred to Senate Committee on Commerce, 2650.—Reported back (S. Rept. 693); passed Senate, 2874.—Examined and signed, 2973, 3046.—Approved [Public, No. 271], 4245.

H. R. 13233—To provide for the purchase of an additional site and the erection of an addition to the present post office thereon at Waterbury, in the State of Connecticut.
Mr. Glynn; Committee on Public Buildings and Grounds, 118.

H. R. 13234—Providing for the local commemoration in his home county of the service rendered and sacrifice made by each soldier, sailor, marine, and aviator who lost his life while in the service of the United States during the present war.
Mr. Candler of Mississippi; Committee on Appropriations, 118.

H. R. 13235—To provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for privilege of using same for a stated period of time, and for one month's extra pay upon being discharged.
Mr. Candler of Mississippi; Committee on Military Affairs, 118.

H. R. 13236—For the relief of certain noncommissioned officers of the United States Army, who were recalled to active service during the recent war and commissioned as officers.
Mr. Neely; Committee on Military Affairs, 118.

H. R. 13237—To prohibit the transportation of illegally caught lobsters, also the importation, bringing into, or landing in the United States of any lobsters less than a certain size taken or obtained outside of territorial limits of the United States.
Mr. White of Maine, Committee on the Merchant Marine and Fisheries, 118.

H. R. 13238—Fixing a limitation of time for bringing suits against the United States in certain cases.
Mr. Webb; Committee on the Judiciary, 118.

H. R. 13239—For the relief of commissioned officers and noncommissioned men of the Army recommended for promotion.
Mr. Snyder; Committee on Military Affairs, 118.

H. R. 13240—To give to every soldier and sailor in the Army and Navy of the United States the uniform he is wearing at the time of his honorable discharge.
Mr. Ayres; Committee on Military Affairs, 118.

H. R. 13241—Granting an increase of pension to John M. Hughes.
Mr. Anthony; Committee on Invalid Pensions, 118.

H. R. 13242—Granting a pension to M. S. Wyman.
Mr. Blanton; Committee on Invalid Pensions, 118.

H. R. 13243—Granting an increase of pension to John Reis.
Mr. Claypool; Committee on Invalid Pensions, 118.

H. R. 13244—Granting a pension to Sarah P. Carroll.
Mr. Dallinger; Committee on Invalid Pensions, 118.

H. R. 13245—Granting a pension to Georgiana L. Smith.
Mr. Dallinger; Committee on Invalid Pensions, 118.

H. R. 13246—Granting an increase of pension to Henry Davis.
Mr. Dallinger; Committee on Invalid Pensions, 118.

H. R. 13247—Granting a gratuity to members of the United States Army.
Mr. Dent; Committee on Military Affairs, 118, 169.—Reported back (H. R. Rept. 855), 384.

H. R. 13248—Granting a pension to Gustave Stellar.
Mr. Gard; Committee on Pensions, 118.

H. R. 13249—Granting a pension to John A. Gaut.
Mr. Gard; Committee on Pensions, 118.

H. R. 13250—Granting a pension to Isabella Gruver.
Mr. McKinley; Committee on Invalid Pensions, 118.

H. R. 13251—Granting a pension to Mary E. Finch.
Mr. Merritt; Committee on Invalid Pensions, 118.

H. R. 13252—Granting an increase of pension to Sarah E. Mowery.
Mr. Reavis; Committee on Invalid Pensions, 118.

H. R. 13253—Granting an increase of pension to James Hawkins.
Mr. Waldow; Committee on Invalid Pensions, 118.

H. R. 13254—To provide increased compensation for all candidates for commission in the Air Service (Aeronautics) while receiving instructions.
Mr. Dent; Committee on Military Affairs, 169.

H. R. 13255—For the relief of discharged soldiers and sailors.
Mr. Huddleston; Committee on Appropriations, 169.

H. R. 13256—To increase limit of cost of a public building at Akron, Ohio.
Mr. Davey; Committee on Public Buildings and Grounds, 169.

H. R. 13257—To fix the mileage to be paid to officers of the Army, active and retired, including members of the Officers' Reserve Corps, contract surgeons; expert accountant of the Inspector General's Department, and others connected with the Army, and also providing for reimbursement for actual expenses of travel and a flat per diem in lieu thereof.
Mr. Dent; Committee on Military Affairs, 169.

H. R. 13258—To provide that every person receiving an honorable discharge from the Naval, Marine Corps, or Coast Guard services shall retain as his personal property, without cost, his uniform and other clothing, and be permitted to wear same.
Mr. Hicks; Committee on Naval Affairs, 169.

H. R. 13259—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914, and for other purposes.
Mr. Browne; Committee on Interstate and Foreign Commerce, 169.

H. R. 13260—To grant to every honorably discharged soldier, sailor, and marine the uniform he is wearing at the time of such discharge and to provide pay for 90 days after such discharge.
Mr. Smith of Idaho; Committee on Military Affairs, 169.

H. R. 13261—Providing for the transportation from the District of Columbia of governmental employees whose services no longer are required.
Mr. Sherley; Committee on Appropriations, 169.—Reported with amendments (H. Rept. 850), 280.—Debated, 315–325.—Amended and passed House, 325.—Referred to Senate Committee on Appropriations, 337.—Reported back, debated, amended, and passed Senate, 398–405.—House disagrees to Senate amendments and asks for a conference, 518, 519.—Senate insists on its amendments and agrees to a conference, 490.—Conference appointed, 490, 519.—Conference report made and agreed to in Senate, 491.—Conference report made and agreed to in House, 622, 623.—Examined and signed, 647, 648.—Approved [Public, No. 246], 1954.

H. R. 13262—To amend an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved Oct. 6, 1917.
Mr. Kahn; Committee on Interstate and Foreign Commerce, 169.

H. R. 13263—Granting a pension to Rhoda Button.
Mr. Booher; Committee on Invalid Pensions, 169.

H. R. 13264—Granting an increase of pension to Orville V. Kell.
Mr. Foster; Committee on Pensions, 169.

H. R. 13265—Granting a pension to Ann Bullard.
Mr. Good; Committee on Invalid Pensions, 169.

H. R. 13266—Granting a pension to Margaret Dexter.
Mr. Good; Committee on Invalid Pensions, 169.

H. R. 13267—Granting a pension to Amel G. Johnson.
Mr. Good; Committee on Pensions, 169.

H. R. 13268—Granting a pension to Frank A. Morton.
Mr. Good; Committee on Pensions, 169.

H. R. 13269—Granting an increase of pension to Austin Daugherty.
Mr. Moores of Indiana; Committee on Invalid Pensions, 169.

H. R. 13270—Granting an increase of pension to William Boone.
Mr. Rouse; Committee on Pensions, 169.

H. R. 13271—Granting a pension to Anna E. Best.
Mr. Snook; Committee on Invalid Pensions, 169.

H. R. 13272—Granting a pension to John B. Glick.
Mr. Snook; Committee on Invalid Pensions, 169.

H. R. 13273—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914, and an act in amendment thereto approved Oct. 6, 1917.
Mr. Treadway; Committee on Interstate and Foreign Commerce, 203.—Reported with amendment (H. Rept. 931), 1437.—Debated, amended, and passed House, 1778–1780.—Referred to Senate Committee on Finance, 1815.—Reported back, 2587.—Passed Senate, 2875.—Examined and signed, 2973, 3046.—Approved [Public, No. 272], 4245.

H. R. 13274—To provide relief in cases of contracts connected with the prosecution of the war, and for other purposes.
Mr. Dent; Committee on Military Affairs, 203.—Reported with amendment (H. Rept. 877), 697.—Debated, 1133–1150, 1183–1213 [Appendix, 263, 264].—Amended and passed House, 1213.—Referred to Senate Committee on Military Affairs, 1313.—Reported with amendment, 1814.—Debated, 1996, 2106, 2123–2146, 2193, 2202–2215, 2273–2293, 2338, 2339, 2347–2350.—Amended and passed Senate, 2350.—House disagrees to Senate amendments and asks for a conference, 2440, 2441.—Senate insists on its amendments and agrees to a conference, 2414.—Conference appointed, 2414, 2441.—Conference report made and agreed to in Senate; Senate further insists on its amendments and asks for a further conference, 2650.—Conference report (No. 1032) made in House, 2713, 2757.—House further disagrees to Senate amendments and agrees to a further conference, 2757–2770.—Second conference appointed, 2650.—Second conference report (No. 1057) made in House, 3352.—Second conference report debated in House and recommitted to conference, 3352–3362.—Third conference report (No. 1118) made in House, 3981.—Conference report debated in House; House further disagrees to Senate amendments and asks for a further conference, 4257–4267.—Senate further insists on its amendments and agrees to a conference, 4332.—Fourth conference appointed, 4267, 4332.—Fourth conference report (No. 1144) made in House, 4351, 4498.—Debated and agreed to in House, 4498–4500.—Fourth conference report made and agreed to in Senate, 4411–4414.—Examined and signed, 4573, 4676.—Approved [Public, No. 322], 4957.

H. R. 13275—To amend section 1754 of title 19 of the Revised Statutes of the United States of 1878 giving preference to honorably discharged soldiers and sailors for appointments to civil positions.
Mr. Green of Iowa; Committee on Reform in the Civil Service, 203.

H. R. 13276—To amend the act known as the "United States cotton futures act," approved Aug. 11, 1916, and for other purposes.
Mr. Heflin; Committee on Agriculture, 203.

H. R. 13277—Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.
Mr. Sisson, from Committee on Appropriations (H. Rept. 842), 202, 204–229, 267–279, 325–331.—Amended and passed House, 331.—Referred to Senate Committee on Appropriations, 337.—Reported with amendment (S. Rept. 683), 2726.—Debated, 4050, 4119, 4135–4147.—Amended and passed Senate, 4147.—Senate asks for a conference, 4147.—House disagrees to Senate amendments and agrees to a conference, 4261.—Conference appointed, 4147, 4261.

H. R. 13278—To amend the act of Congress of Feb. 17, 1911, entitled "An act providing for the purchase or erection, within certain limits of cost, of embassy, legation, and consular buildings abroad."
Mr. Rogers; Committee on Foreign Affairs, 203.

H. R. 13279—Granting a gratuity to every honorably discharged officer, soldier, and marine in the Navy of the United States.
Mr. McKeown; Committee on Military Affairs, 203.

H. R. 13280—To amend section 2 of an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply."
Mr. Kinkaid; Committee on Ways and Means, 203.

H. R. 13281—To grant to every honorably discharged soldier the uniform in his possession at the time of his discharge, and granting a gratuity to members of the United States Army.
Mr. McKeown; Committee on Military Affairs, 203.

H. R. 13282—Granting a pension to George J. Bock.
Mr. Ashbrook; Committee on Pensions, 203.

H. R. 13283—Granting an increase of pension to Joseph Myers.
Mr. Ashbrook; Committee on Invalid Pensions, 203.

H. R. 13284—Granting an increase of pension to S. F. Fowler.
Mr. Ashbrook; Committee on Invalid Pensions, 203.

H. R. 13285—Granting a pension to Emma E. Brown.
Mr. Darrow; Committee on Invalid Pensions, 203.

H. R. 13286—Granting a pension to John Finnerty.
Mr. Gould; Committee on Pensions, 203.

H. R. 13287—For the relief of E. K. White.
Mr. Hastings; Committee on Military Affairs, 203.

H. R. 13288—Granting an increase of pension to Thomas Pefley.
Mr. Kraus; Committee on Invalid Pensions, 203.

H. R. 13289—Granting a pension to Mary V. Sterling.
Mr. Moores of Indiana; Committee on Invalid Pensions, 203.

H. R. 13290—Granting an increase of pension to Noah Ruhl.
Mr. Morgan; Committee on Invalid Pensions, 203.

H. R. 13291—Granting an increase of pension to John Read.
Mr. Henry T. Rainey; Committee on Pensions, 203.

H. R. 13292—Granting a pension to Michael Levi.
Mr. Snook; Committee on Pensions, 203.

H. R. 13293—For the promotion of certain officers in the United States Army.
Mr. Lobeck; Committee on Military Affairs, 230.

H. R. 13294—To amend an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, approved Mar. 3, 1915.
Mr. Gard; Committee on Military Affairs, 230.—Reported with amendment (H. Rept. 859), 385.—Debated, 2624–2626.

H. R. 13295—To provide that all enlisted men and noncommissioned officers in the military service shall retain, when honorably discharged, their uniform and other clothing.
Mr. Gould; Committee on Military Affairs, 230.

H. R. 13296—To authorize the Secretary of Agriculture to establish uniform standards of classification of fruits and vegetables; to provide for the use of such standards in interstate and foreign commerce; to prevent deception in reference thereto, and for other purposes.
Mr. Lever; Committee on Agriculture, 230.

H. R. 13297—For the retirement of employees of the United States.
Mr. LaGuardia; Committee on Reform in the Civil Service, 230.

H. R. 13298—Providing for the establishment of a national railway system to coordinate and protect the respective interests therein of the Government, the public, the investor, and the employee, and for other purposes.
Mr. Gray of New Jersey; Committee on Interstate and Foreign Commerce, 230.

H. R. 13299—Making an appropriation for the improvement of the Mianus River between the New York, New Haven & Hartford Railroad bridge and Mianus, Conn.
Mr. Merritt; Committee on Rivers and Harbors, 230.

H. R. 13300—Restricting the sale and disposal of certain Government supplies.
Mr. Snyder; Committee on Interstate and Foreign Commerce, 230.

H. R. 13301—For the relief of certain noncommissioned officers of the United States Army who were recalled to active service during the recent war and commissioned as officers.
Mr. Neely; Committee on Military Affairs, 230.

H. R. 13302—To increase the limit of cost for the new public building site for the west side, Chicago, Ill.
Mr. Gallagher; Committee on Public Buildings and Grounds, 230.

H. R. 13303—Granting to persons honorably discharged from the military or naval forces of the United States one month's extra pay and the uniforms and apparel in their possession at the time of such discharge.
Mr. Mondell; Committee on Military Affairs, 230.

H. R. 13304—Authorizing the appointment of a commission to codify, revise, double index, and annotate all the laws of the United States of a permanent and general character.
Mr. Watkins; Committee on Revision of the Laws, 230.—Reported with amendments (H. Rept. 916), 1375.

H. R. 13305—To permit soldiers and marines to retain the uniforms and clothing worn by them at the time of discharge and to pay them two months' extra wages.
Mr. Dillon; Committee on Military Affairs, 230.

H. R. 13306—To authorize the payment of allotments out of the pay of of enlisted men in certain cases in which these payments have been discontinued.
Mr. Saunders of Virginia; Committee on Interstate and Foreign Commerce, 230.—Reported with amendments (H. Rept. 876), 697.—Debated, amended, and passed House, 1109–1114.—Referred to Senate Committee on Military Affairs, 1161.—Reported with amendments (S. Rept. 655), 1851.—Amended and passed Senate, 4050.—House concurs in Senate amendment, 4149.—Examined and signed, 4303, 4385.—Approved [Public, No. 312], 4776.

H. R. 13307—To deport to their native countries at the conclusion of peace all enemy aliens confined in internment camps in the United States.
Mr. Mott; Committee on Military Affairs, 230.

H. R. 13308—Making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.
Mr. Moon, from the Committee on the Post Office and Post Roads (H. Rept. 849), 229, 461.—Debated, 331–335, 450–471, 573–599, 623–645.—Amended and passed House, 644, 645.—Referred to Senate Committee on Post Offices and Post Roads, 672.—Reported with amendments (S. Rept. 666), 2104.—Debated, 2350, 2351, 2356–2363, 2426–2440, 2496–2521, 2598, 2652, 2665–2671, 2745–2752, 2801–2805, 2818, 2877, 2878–2897, 2936–2972 [Appendix, 386].—Amended and passed Senate, 2972.—Senate asks for a conference, 2972.—House disagrees to Senate amendments and agrees to a conference, 3102, 3103.—Conference appointed, 2972, 3103.—Conference report (S. Doc. 390) made in Senate, 3637.—Conference report (H. Rept. 1088) made in House, 3719, 3771.—Conference report debated and agreed to in House, 3771–3790 [Appendix, 1481].—Conference report debated and agreed to in Senate, 4147, 4148, 4216–4219.—Examined and signed, 4385, 4388.—Approved [Public, No. 299], 4776.

H. R. 13309—Granting an increase of pension to Asa Stewart.
Mr. Bland of Indiana; Committee on Invalid Pensions, 230.

H. R. 13310—Granting a pension to Alice Jones.
Mr. Bland of Indiana; Committee on Invalid Pensions, 230.

H. R. 13311—Granting a pension to Julia Davis.
Mr. Bland of Indiana; Committee on Invalid Pensions, 230.

H. R. 13312—Granting an increase of pension to Mathias Berry.
Mr. Bland of Indiana; Committee on Invalid Pensions, 230.

H. R. 13313—Granting a pension to Frank R. Wall.
Mr. Bland of Indiana; Committee on Pensions, 230.

H. R. 13314—Granting an increase of pension to Jobe C. Walton.
Mr. Bland of Indiana; Committee on Pensions, 230.

H. R. 13315—Granting a pension to Adellan M. Fairchild.
Mr. Cannon; Committee on Pensions, 230.

H. R. 13316—Granting an increase of pension to Katharine L. Cushing.
Mr. Hamilton of New York; Committee on Invalid Pensions, 230.

H. R. 13317—Granting a pension to Charles Desmond.
Mr. Snell; Committee on Pensions, 230.

H. R. 13318—Authorizing the Treasurer of the United States to pay to Rosamond Linnette the sum of $763.20.
Mr. Tinkham; Committee on Claims, 230.

H. R. 13319—Granting an increase of pension to John Early.
Mr. Weaver; Committee on Invalid Pensions, 230.

H. R. 13320—Appropriating money for the improvement of the Shrewsbury River, N. J., up to Red Bank, on the North Branch, and to Branchport, on the South Branch.
Mr. Scully; Committee on Rivers and Harbors, 280.

H. R. 13321—Providing for the local commemoration in the city of Hutchinson, county of McLeod, State of Minnesota, of the soldiers, sailors, marines, and aviators who lost their lives and participated in the service of the United States during the present war.
Mr. Davis; Committee on Military Affairs, 280.

H. R. 13322—Making provision for the construction of a canal across the State of New Jersey to connect the Delaware River with New York Harbor.
Mr. Scully; Committee on Rivers and Harbors, 280.

H. R. 13323—Appropriating money for the improvement of the Raritan River, N. J.
Mr. Scully; Committee on Rivers and Harbors, 280.

H. R. 13324—To provide transportation, storage, and marketing facilities for, and to regulate commerce among the States in, live stock, meats, and other products derived from live stock or the slaughtering of live stock.
Mr. Sims; Committee on Interstate and Foreign Commerce, 280.

H. R. 13325—To suspend immigration.
Mr. Lufkin; Committee on Immigration and Naturalization, 280.

H. R. 13326—To provide relief for commissioned officers, noncommissioned officers, and enlisted persons in the Army, Navy, Marine Corps, Coast Guard, and the Army Nurse Corps.
Mr. Gould; Committee on Military Affairs, 280.

H. R. 13327—To provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for privilege of using same, and for one month's extra pay upon being discharged, and authorizing War and Navy Departments to sell at cost surplus clothing and supplies.
Mr. Candler of Mississippi; Committee on Military Affairs, 280.

H. R. 13328—To provide for the retention of all uniforms issued to soldiers, sailors, and marines, and providing also for using the same.
Mr. Igoe; Committee on Military Affairs, 280.

H. R. 13329—Granting a pension to Catharine Rodgers.
Mr. Ashbrook; Committee on Pensions, 280.

H. R. 13330—Granting an increase of pension to Silas H. Avery.
Mr. Burroughs; Committee on Invalid Pensions, 280.

H. R. 13331—Granting an increase of pension to John H. Bartlett.
Mr. Burroughs; Committee on Invalid Pensions, 280.

H. R. 13332—Granting a pension to Nancy E. Mullins.
Mr. Candler of Mississippi; Committee on Pensions, 280.

H. R. 13333—To authorize the President of the United States to appoint Charles A. Ranlett major of Infantry.
Mr. Dallinger; Committee on Military Affairs, 280.

H. R. 13334—Granting an increase of pension to Sarah A. Christy.
Mr. Igoe; Committee on Invalid Pensions, 280.

H. R. 13335—Granting an increase of pension to Maria Kuehn.
Mr. Igoe; Committee on Pensions, 280.

H. R. 13336—Granting a pension to Charles Michener.
Mr. Linthicum; Committee on Pensions, 280.

H. R. 13337—Granting an increase of pension to David Kimball.
Mr. Nichols of Michigan; Committee on Invalid Pensions, 280.

H. R. 13338—Granting a pension to Nancy M. Davis.
Mr. Wingo; Committee on Invalid Pensions, 280.

H. R. 13339—To provide for the retention of all uniforms issued to soldiers, sailors, and marines of the United States who have been honorably discharged, and providing for the use of same without limitation, and for one month's extra pay upon being discharged.
Mr. Wingo; Committee on Military Affairs, 336.

H. R. 13340—Intended to equalize status and pay of officers in the National Naval Volunteers and Fleet Reserve of the United States Navy.
Mr. Britten; Committee on Naval Affairs, 336.

H. R. 13341—To give every soldier and sailor in the Army and Navy of the United States the uniform he is wearing at the time of his honorable discharge.
Mr. Ramseyer; Committee on Military Affairs, 336.

H. R. 13342—To provide that the United States shall cooperate with the States in promoting the health of the rural population of the United States, and for other purposes.
Mr. Lever; Committee on Agriculture, 336.

H. R. 13343—To provide that each honorably discharged private soldier and sailor of the United States Army and Navy may keep his uniform and wearing apparel at the time of his discharge.
Mr. Smith of Michigan; Committee on Military Affairs, 336.

H. R. 13344—To amend sections 10 and 37 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916.
Mr. Dyer; Committee on Military Affairs, 336.

H. R. 13345—Providing that officers who have received temporary promotion in the Medical Corps of the Regular Army be retained in their advanced grades until promoted.
Mr. Dyer; Committee on Military Affairs, 336.

H. R. 13346—Granting a pension to Margaret Howell.
Mr. Dill; Committee on Invalid Pensions, 336.

H. R. 13347—Granting an increase of pension to George Ware.
Mr. Kinkaid; Committee on Invalid Pensions, 336.

H. R. 13348—Granting an increase of pension to James H. Crosser.
Mr. Kinkaid; Committee on Invalid Pensions, 336.

H. R. 13349—Granting an increase of pension to Bennett R. Campbell.
Mr. Kinkaid; Committee on Invalid Pensions, 336.

H. R. 13350—To add certain lands to the Yellowstone National Park.
Mr. Mondell; Committee on the Public Lands, 385.—Reported back (H. Rept. 938), 1578.—Debated and passed House, 3609, 3610.—Referred to Senate Committee on Public Lands, 3646.—Reported with amendment (S. Rept. 783), 4391.—Debated, 4567.

H. R. 13351—To provide for the issuance of a certificate of honorable service to persons serving in the Regular Navy or Naval Reserve during the present emergency and for the payment of transportation to certain discharged or released enlisted men of the Regular Navy.
Mr. Igoe; Committee on Naval Affairs; 385.

H. R. 13352—Authorizing the appointment of a commission to collate information and to consider and recommend legislation to meet the economic and industrial problems of reconstruction.
Mr. Zihlman; Committee on Interstate and Foreign Commerce, 385.

H. R. 13353—To extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.
Mr. French; Committee on the Public Lands, 385.—Reported with amendments (H. Rept. 870), 647.—Debated, 2629–2633.—Amended and passed House, 2633.—Referred to Senate Committee on Public Lands, 2650.—Reported back (S. Rept. 688); passed Senate, 2790.—Examined and signed, 2973, 3046.—Approved [Public, No. 273], 4245.

H. R. 13354—To amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916.
Mr. Shackleford; Committee on Roads, 385.

H. R. 13355—For the relief of the St. Croix Chippewa Indians of Wisconsin.
Mr. Nelson; Committee on Appropriations, 385.—Reference changed to Committee on Indian Affairs, 434.

H. R. 13356—To provide for demobilizing the military and naval forces of the United States.
Mr. Borland; Committee on Military Affairs, 385.

H. R. 13357—To amend an act approved Mar. 3, 1891, to incorporate the National Conservatory of Music.
Mr. Moore of Pennsylvania; Committee on the Judiciary, 385.

H. R. 13358—Extending the benefits of the war-risk insurance act to certain civilians employed by the Army.
Mr. Sims; Committee on Interstate and Foreign Commerce, 385.

H. R. 13359—Granting an increase of pension to Henry C. McKinley.
Mr. Crago; Committee on Invalid Pensions, 385.

H. R. 13360—Granting an increase of pension to Thomas C. Wallace.
Mr. Crago; Committee on Invalid Pensions, 385.

H. R. 13361—Granting an increase of pension to Thomas C. Yates.
Mr. Kearns; Committee on Invalid Pensions, 385.

H. R. 13362—Granting an increase of pension to James Johnson.
Mr. Kearns; Committee on Invalid Pensions, 385.

H. R. 13363—Granting an increase of pension to Alexander Smith.
Mr. Kearns; Committee on Invalid Pensions, 385.

H. R. 13364—Granting a pension to Nancy Granger.
Mr. Mann; Committee on Invalid Pensions, 385.

H. R. 13365—To prohibit gambling in cotton futures and other cotton products.
Mr. Oldfield; Committee on Agriculture, 434.

H. R. 13366—Permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.
Mr. Dent; Committee on Military Affairs, 434.—Reported back (H. Rept. 863), 473.—Debated, amended, and passed House, 519–532.—Referred to Senate Committee on Military Affairs, 532.—Reported back, 976.—Debated, amended, and passed Senate, 1740.—House disagrees to Senate amendments and asks for a conference, 3770.—Senate insists on its amendments and agrees to a conference, 3932.—Conference appointed, 3771, 3932.—Conference report made and agreed to in Senate, 4040.—Conference report (No. 1127) made in House, 4077, 4255.—Conference report agreed to in House, 4255, 4256.—Examined and signed, 4303, 4385.—Approved [Public, No. 300], 4776.

H. R. 13367—To amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916—
Mr. Browne; Committee on Roads, 434.

H. R. 13368—To permit certain officers and enlisted men to retain parts of their equipment and their uniforms and to wear the uniform upon occasions of ceremony.
Mr. Steenerson; Committee on Military Affairs, 434.

H. R. 13369—To extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass.
Mr. Gillett; Committee on Interstate and Foreign Commerce, 434.—Reported with amendment (H. Rept. 888), 965.—Amended and passed House, 3593.—Referred to Senate Committee on Commerce, 3646.—Reported back (S. Rept. 743); passed Senate, 3744, 3822.—Examined and signed, 4009, 4016.—Approved [Public, No. 292], 4623.

H. R. 13370—For the extension and completion of the United States Capitol.
Mr. Montague; Committee on Appropriations, 434.

H. R. 13371—To provide for a site and public building at Mansfield, La.
Mr. Watkins; Committee on Public Buildings and Grounds, 434.

H. R. 13372—To appropriate $100,000 for the improvement of navigation on Red River, in Louisiana and Arkansas.
Mr. Watkins; Committee on Rivers and Harbors, 434.

H. R. 13373—To appropriate $30,000 to remove logs from Sabine River, and condemn and expropriate them.
Mr. Watkins; Committee on Rivers and Harbors, 434.

H. R. 13374—To establish and maintain a fish-hatching and fish-cultural station in the State of Louisiana.
Mr. Watkins; Committee on the Merchant Marine and Fisheries, 434.

H. R. 13375—To make section 5 of the Post Office appropriation act for the fiscal year ending June 30, 1918, as amended by section 1110, war-revenue act of Oct. 3, 1917, applicable to the District of Columbia.
Mr. Randall; Committee on the Post Office and Post Roads, 434.

H. R. 13376—For the relief of William Elder.
Mr. Dyer; Committee on Claims, 434.

H. R. 13377—Granting an increase of pension to Benjamin T. Pool.
Mr. Elliott; Committee on Invalid Pensions, 434.

H. R. 13378—Granting an increase of pension to Benjamin V. Carey.
Mr. Foster; Committee on Invalid Pensions, 434.

H. R. 13379—To amend the military record of Richard Parke.
Mr. Haskell; Committee on Military Affairs, 435.

H. R. 13380—Granting a pension to William M. Metzger.
Mr. Hawley; Committee on Pensions, 435.

H. R. 13381—Granting an increase of pension to John H. Terry.
Mr. Hicks; Committee on Invalid Pensions, 435.

H. R. 13382—For the relief of Theodore Bloom.
Mr. Hicks; Committee on Claims, 435.

H. R. 13383—Granting a pension to Marie Merz.
Mr. Hicks; Committee on Pensions, 435.

H. R. 13384—Granting a pension to Mary A. Adams.
Mr. Lesher; Committee on Invalid Pensions, 435.

H. R. 13385—Granting a pension to Ellen W. Carpenter.
Mr. Pratt; Committee on Invalid Pensions, 435.

H. R. 13386—Granting an increase of pension to John P. Bradfield.
Mr. Purnell; Committee on Invalid Pensions, 435.

H. R. 13387—Granting an increase of pension to Robert A. Hays.
Mr. Purnell; Committee on Invalid Pensions, 435.

H. R. 13388—Granting a pension to Josephine A. Davison.
Mr. Rubey; Committee on Invalid Pensions, 435.

H. R. 13389—Granting a pension to Myra E. Stephen.
Mr. Russell; Committee on Invalid Pensions, 435.

H. R. 13390—Granting an increase of pension to Charles C. Mauch.
Mr. Russell; Committee on Pensions, 435.

H. R. 13391—Granting an increase of pension to Henry H. Shell.
Mr. Welty; Committee on Invalid Pensions, 435.

H. R. 13392—To permanently transfer the United States Coast Guard from the Treasury Department to the Navy Department, and for other purposes.
Mr. Campbell of Pennsylvania; Committee on Interstate and Foreign Commerce, 473.

H. R. 13393—To revive and reenact the act entitled "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved Apr. 22, 1912.
Mr. Stephens of Nebraska; Committee on Interstate and Foreign Commerce, 473.—Reported with amendment (H. Rept. 887), 965.—Amended and passed House, 3611.—Referred to Senate Committee on Commerce, 3646.—Reported back (S. Rept. 742) and passed Senate, 3822.—Examined and signed, 4009, 4016.—Approved [Public, No. 293], 4623.

H. R. 13394—To extend the time for the completion of the dams across the Savannah River by authority granted to Twin City Power Co. by an act approved Feb. 29, 1908, as amended by act approved June 3, 1912, and Mar. 1, 1916.
Mr. Vinson; Committee on Interstate and Foreign Commerce, 473.—Reported with amendments (H. Rept. 1121), 4010.—Amended and passed House, 4149.—Referred to Senate Committee on Commerce, 4204.—Reported back and passed Senate, 4207.—Examined and signed, 4331, 4385.—Approved [Public, No. 313], 4776.

H. R. 13395—Granting an increase of pension to Edwin Hallowell.
Mr. Booher; Committee on Invalid Pensions, 473.

H. R. 13396—For the relief of Thomas Casey, alias Clancy.
Mr. Carter of Massachusetts; Committee on Military Affairs, 473.

H. R. 13397—Granting an increase of pension to Wesley G. McPherson.
Mr. Denison; Committee on Invalid Pensions, 473.

H. R. 13398—For the relief of Henry Schulz as branch postmaster at his drug store at southeast corner of Vandeventer and Laclede Avenues, city of St. Louis, Mo., for war-tax stamps, war-savings stamps, postage stamps, cash, and money orders stolen.
Mr. Dyer; Committee on Claims, 473.

H. R. 13399—Granting a pension to William Thornton Parker.
Mr. Gillett; Committee on Pensions, 473.

H. R. 13400—Granting to certain claimants a preference right to purchase certain public lands in the State of Arkansas.
Mr. Raker; Committee on the Public Lands, 473.—Reported back (H. Rept. 1007), 2334.

H. R. 13401—Authorizing the Secretary of War to donate to the town of Lowell, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 539.

H. R. 13402—Authorizing the Secretary of War to donate to the town of Hudson, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 539.

H. R. 13403—To provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States.
Mr. Campbell of Pennsylvania; Committee on Military Affairs, 539.

H. R. 13404—Authorizing the Secretary of War to donate one condemned cannon to the town of Renovo, Pa.
Mr. Kiess of Pennsylvania; Committee on Military Affairs, 539.

H. R. 13405—Tendering the thanks of Congress to Gen. John J. Pershing, United States Army, and the officers and men under his command.
Mr. Mott; Committee on Military Affairs, 540.

H. R. 13406—Granting a pension to Frederick F. Yahnke.
Mr. Davis; Committee on Pensions, 540.

H. R. 13407—Granting a pension to Mary A. Johnson.
Mr. Davis; Committee on Pensions, 540.

H. R. 13408—Granting an increase of pension to Clark Sturdevant.
Mr. Esch; Committee on Invalid Pensions, 540.

H. R. 13409—Granting a pension to Frank Swartz.
Mr. Kinkaid; Committee on Pensions, 540.

H. R. 13410—Granting an increase of pension to Jesse C. Barker.
Mr. Purnell; Committee on Invalid Pensions, 540.

H. R. 13411—Granting an increase of pension to Henry Lang.
Mr. Sanders of Indiana; Committee on Invalid Pensions, 540.

H. R. 13412—Granting an increase of pension to Edward F. Duke.
Mr. Shouse; Committee on Invalid Pensions, 540.

H. R. 13413—For the relief of discharged soldiers.
Mr. Huddleston; Committee on Military Affairs, 540.

H. R. 13414—For the relief of discharged sailors.
Mr. Huddleston; Committee on Naval Affairs, 540.

H. R. 13415—To provide for the present emergency arising out of the demobilization of soldiers and sailors by securing for them opportunities for permanent and profitable employment through the settlement, colonization, and development, upon a systematic and comprehensive basis, of agricultural lands, and of the forest, mineral, and other natural resources within the United States and Alaska, and for other purposes.
Mr. Kelly of Pennsylvania; Committee on Labor, 600.

H. R. 13416—To authorize the compilation, printing, and sale of a Spanish-English and English-Spanish dictionary.
Mr. Campbell of Pennsylvania; Committee on the Library, 600.

H. R. 13417—Providing for the improvement of Barataria Bay, La., and connecting waters.
Mr. Dupré; Committee on Rivers and Harbors, 600.

H. R. 13418—Retiring veterans of the late Civil War and granting them pensions.
Mr. Sanders of New York; Committee on Invalid Pensions, 600.

H. R. 13419—To create regional boards of examiners to aid in the disposition of claims arising out of the present emergency and prior to Nov. 12, 1918.
Mr. Snyder; Committee on the Judiciary, 600.

H. R. 13420—To amend the act of May 11, 1912, as amended by the act of June 10, 1918, granting pensions and increase of pensions to soldiers and sailors of the Civil War, and for other purposes.
Mr. Doolittle; Committee on Invalid Pensions, 600.

H. R. 13421—To amend sections 7, 10, 11, and 25 of the Federal reserve acts, and section 5172, Revised Statutes of the United States.
Mr. Phelan; Committee on Banking and Currency, 600.

H. R. 13422—Granting a pension to Margaret A. McFadden.
Mr. Denton; Committee on Invalid Pensions, 600.

H. R. 13423—Granting an increase of pension to James Myers.
Mr. Doolittle; Committee on Invalid Pensions, 600.

H. R. 13424—Granting an increase of pension to Frank C. Stevens.
Mr. Goodall; Committee on Invalid Pensions, 600.

H. R. 13425—Granting an increase of pension to Emeline McAllaster.
Mr. Sanford; Committee on Pensions, 600.

H. R. 13426—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities.
Mr. Zihlman; Committee on Military Affairs, 647.

H. R. 13427—Granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania.
Mr. Kelly of Pennsylvania; Committee on Interstate and Foreign Commerce, 647.—Reported back (H. Rept. 896), 1128.—Passed House, 3586.—Referred to Senate Committee on Commerce, 3646.—Reported back (S. Rept. 741) and passed Senate, 3822.—Examined and signed, 4009, 4016.—Approved [Public, No. 294], 4623.

H. R. 13428—For the protection and improvement of the Lassen Volcanic National Park, Calif., and for other purposes.
Mr. Raker; Committee on Appropriations, 647.

H. R. 13429—Granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.
Mr. Campbell of Pennsylvania; Committee on Interstate and Foreign Commerce, 647.—Reported back (H. Rept. 897), 1128.

H. R. 13430—To amend section 1766 of the Revised Statutes relating to officer in arrears.
Mr. Husted; Committee on the Judiciary, 647.

H. R. 13431—Granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania.
Mr. Campbell of Pennsylvania; Committee on Interstate and Foreign Commerce, 647.

H. R. 13432—Providing for a survey of Great Kills, Staten Island, N. Y.
Mr. Riordan; Committee on Rivers and Harbors, 647.

H. R. 13433—To promote interstate trade or commerce, and for other purposes.
Mr. Steele; Committee on Interstate and Foreign Commerce, 647.

H. R. 13434—Granting a pension to Adeline Bomgardner.
Mr. Bland of Indiana; Committee on Invalid Pensions, 647.

H. R. 13435—Granting an increase of pension to William R. Roark.
Mr. Bland of Indiana; Committee on Invalid Pensions, 647.

H. R. 13436—Granting an increase of pension to Burnetta Dayton.
Mr. Bland of Indiana; Committee on Invalid Pensions, 647.

H. R. 13437—Granting an increase of pension to Frank B. Gillespie.
Mr. Bland of Indiana; Committee on Invalid Pensions, 647.

H. R. 13438—Granting an increase of pension to Charles H. Crandall.
Mr. Fordney; Committee on Invalid Pensions, 647.

H. R. 13439—Granting a pension to Henry S. Palmer.
Mr. Morgan; Committee on Invalid Pensions, 647.

H. R. 13440—Transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.
Mr. Gandy; Committee on Military Affairs, 647.—Reported back (H. Rept. 903), 1214.—Debated, 1261, 1338, 1339, 1780–1786.—Rejected, 1786.

H. R. 13441—To authorize advances to the reclamation fund and for the issue and disposal of certificates of indebtedness in reimbursement therefor.
Mr. Mondell; Committee on Ways and Means, 697.

H. R. 13442—Authorizing and providing for the purchase of land abroad for military cemeteries, and for their preservation and maintenance, in which to inter the remains of officers and enlisted men of the American Expeditionary Forces killed in battle or who have died abroad.
Mr. Gould; Committee on Military Affairs, 697.

H. R. 13443—To provide for the organization of an army to be used abroad, known as the Army of Occupation, and the discharge of enlisted men in the military service not included in the Regular Army.
Mr. Green of Iowa; Committee on Military Affairs, 697.

H. R. 13444—To commission members and chief clerks of local and district draft boards.
Mr. Mott; Committee on Military Affairs, 697.

H. R. 13445—To provide for the registration and Americanization of aliens.
Mr. Welty; Committee on Immigration and Naturalization, 697.

H. R. 13446—Granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.
Mr. Morin; Committee on Interstate and Foreign Commerce, 697.—Reported back (H. Rept. 895), 1128.

H. R. 13447—Granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.
Mr. Morin; Committee on Interstate and Foreign Commerce, 697.

H. R. 13448—To amend an act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved Aug. 17, 1916.
Mr. Charles B. Smith; Committee on Patents, 697.

H. R. 13449—Amending section 4904 of the Revised Statutes of the United States.
Mr. Charles B. Smith; Committee on Patents, 697.

H. R. 13450—Amending chapter 143 of the act of Mar. 3, 1883, and for other purposes.
Mr. Charles B. Smith; Committee on Patents, 697.

H. R. 13451—To pension Lettie A. Troutman, dependent mother of Charles Troutman, late of the United States Navy.
Mr. Barkley; Committee on Pensions, 697.

H. R. 13452—Granting an increase of pension to Elisha S. Perkins.
Mr. Peters; Committee on Invalid Pensions, 697.

H. R. 13453—Granting an increase of pension to George W. Shuck.
Mr. Polk; Committee on Invalid Pensions, 697.

H. R. 13454—Granting a pension to Nancy Cook.
Mr. Sells; Committee on Invalid Pensions, 697.

H. R. 13455—Granting a pension to William H. Hart.
Mr. Sells; Committee on Pensions, 697.

H. R. 13456—Granting a pension to George W. Foust.
Mr. Sells; Committee on Invalid Pensions, 697.

H. R. 13457—Granting a pension to David A. Turner.
Mr. Sells; Committee on Pensions, 698.

H. R. 13458—Granting a pension to Hiram Dillon.
Mr. Slemp; Committee on Pensions, 698.

H. R. 13459—For the relief of George Deitz.
Mr. Charles B. Smith; Committee on Military Affairs, 698.

H. R. 13460—Granting a pension to Samuel S. Daniell.
Mr. Volstead; Committee on Pensions, 698.

H. R. 13461—Granting a pension to Edward C. Crawford.
Mr. White of Ohio; Committee on Pensions, 698.

H. R. 13462—Making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.
Mr. Small, from Committee on Rivers and Harbors (H. Rept. 878), 753.—Debated, 945–965, 1218–1254, 1261–1301, 1336–1338. (Appendix, 48, 59, 220, 367, 413.)—Amended and passed House, 1336–1338.—Referred to Senate Committee on Commerce, 1313.—Reported with amendments (S. Rept. 665), 2104.—Debated, 3073, 3272–3276, 3322–3327, 3330–3334, 3342–3349, 3415–3432, 3446–3449, 3542–3577, 3632, 3646–3656, 3659–3689.—Amended and passed Senate, 3689.—Senate asks for a conference, 3689.—House disagrees to Senate amendments and agrees to a conference, 3866.—Conference appointed, 3689, 3866.—Conference report (No. 1130) made in House, 4149, 4246.—Debated and agreed to in House, 4245–4255.—Conference report made in Senate, 4227, 4308.—Debated and agreed to in Senate, 4308, 4309, 4317, 4332, 4333.—Examined and signed, 4516, 4573.—Approved [Public, No. 323], 4957.

H. R. 13463—To amend section 3 of public act No. 106 of the Sixty-fifth Congress entitled "An act to save daylight and to provide standard time for the United States," approved Mar. 19, 1918.
Mr. Cramton; Committee on Interstate and Foreign Commerce, 755.

H. R. 13464—To amend the medals of honor, distinguished-service crosses, and distinguished-service medals provisions of the Army appropriation act approved July 9, 1918.
Mr. Dent; Committee on Military Affairs, 755.

H. R. 13465—To create in the Army of the United States a corps to be known as the Corps of Chaplains.
Mr. Dent; Committee on Military Affairs, 755.

H. R. 13466—Making certain items of appropriation contained in section 8 of the vocational rehabilitation act approved June 27, 1918, available for additional purposes and construing the term "family allowance," as contained in section 2 thereof.
Mr. Bankhead; Committee on Appropriations, 755.

H. R. 13467—Fixing the rank, pay, and allowances of chaplains in the Army.
Mr. Dent; Committee on Military Affairs. 755.

H. R. 13468—To provide an extension to the post office at Zanesville, Ohio.
Mr. White of Ohio; Committee on Public Buildings and Grounds, 755.

H. R. 13469—To authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain-described tract of land for public-park purposes.
Mr. Cramton; Committee on the Public Lands, 755.—Reported with amendment (H. Rept. 1004), 2257.

H. R. 13470—For the relief of John Chick.
Mr. Burroughs; Committee on Military Affairs, 755.—Reported back (H. Rept. 880), 838.

H. R. 13471—Granting a pension to Thomas W. Breckenridge.
Mr. Caraway; Committee on Pensions, 755.

H. R. 13472—Granting a pension to Luther Sloan.
Mr. Cox; Committee on Invalid Pensions, 755.

H. R. 13473—Granting an increase of pension to Jacob Eberts.
Mr. Cox; Committee on Invalid Pensions, 755.

H. R. 13474—Granting a pension to Ella May Sloan.
Mr. Cox; Committee on Invalid Pensions, 755.

H. R. 13475—Granting a pension to Greenup T. Berlin.
Mr. Denton; Committee on Invalid Pensions, 755.

H. R. 13476—Granting a pension to George Polleti.
Mr. Linthicum; Committee on Pensions, 755.

H. R. 13477—Granting an increase of pension to Young W. Cordell.
Mr. Montague; Committee on Pensions, 755.

H. R. 13478—Granting an increase of pension to William Boone.
Mr. Rouse; Committee on Invalid Pensions, 755.

H. R. 13479—Granting a pension to Rhoda E. Pryor.
Mr. White of Ohio; Committee on Invalid Pensions, 755.

H. R. 13480—Providing for the refund of taxes collected for stamp tax on certain policies under the emergency tax act of Oct. 22, 1914, under the proviso to which act such policies were exempt.
Mr. Snook; Committee on Claims, 838.—Reported back (H. Rept. 1001), 2257.

H. R. 13481—To increase the cost of the public building at Paris, Tex.
Mr. Black; Committee on Public Buildings and Grounds, 838.

H. R. 13482—Creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes.
Mr. Longworth; Committee on the Library, 838.—Reported back (H. Rept. 991), 2184.—Debated and passed House, 3619, 3620.—Referred to Senate Committee on the Library, 3646.—Reported back, 3743.—Passed Senate, 4555, 4556.—Examined and signed, 4808, 4842.—Approved [Public, No. 344], 5084.

H. R. 13483—Authorizing the Secretary of War to donate to the town of Andover, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 838.

H. R. 13484—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities.
Mr. Taylor of Colorado; Committee on Military Affairs, 838.

H. R. 13485—Granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, and William F. MacGlashan to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes.
Mr. Charles B. Smith; Committee on Interstate and Foreign Commerce, 838.—Reported back (H. Rept. 968), 1961.—Debated, 3618, 3619.—Laid on the table (see bill S. 5334), 3619.

H. R. 13486—Granting a pension to Major Buley.
Mr. Cox; Committee on Invalid Pensions, 839.

H. R. 13487—Granting an increase of pension to William G. Tremain.
Mr. Dixon; Committee on Invalid Pensions, 839.

H. R. 13488—Granting an increase of pension to Johnson White.
Mr. Dixon; Committee on Invalid Pensions, 839.

H. R. 13489—Granting an increase of pension to Roscoe W. Barker.
Mr. Dixon; Committee on Pensions, 839.

H. R. 13490—Granting an increase of pension to Frank J. Brolley.
Mr. Dixon; Committee on Pensions, 839.

H. R. 13491—Granting an increase of pension to Michael Langneck.
Mr. Dixon; Committee on Pensions, 839.

H. R. 13492—Granting a pension to Earl Kelley.
Mr. Dixon; Committee on Invalid Pensions, 839.

H. R. 13493—Granting a pension to Mary Jedowin.
Mr. Greene of Vermont; Committee on Invalid Pensions, 839.

H. R. 13494—Granting a pension to Irene M. Stanley.
Mr. McLaughlin of Michigan; Committee on Invalid Pensions, 839.

H. R. 13495—Granting an increase of pension to Nelson C. Wallace.
Mr. Peters; Committee on Invalid Pensions, 839.

H. R. 13496—For the relief of Stanley Mitchell.
Mr. Weaver; Committee on Military Affairs, 839.

H. R. 13497—To supplement an act of Congress approved Oct. 5 1918 [Public, No. 220], and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act.
Mr. Oldfield; Committee on Mines and Mining, 841.

H. R. 13498—To supplement an act of Congress approved Oct. 5, 1918 [Public, No. 220], and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act.
Mr. Foster; Committee on Mines and Mining, 841.

H. R. 13499—Making permanent the rank of general and lieutenant general in the Army and providing that when one of those officers vacates his commission the office shall lapse.
Mr. Dent; Committee on Military Affairs, 841.

H. R. 13500—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914, as amended by the act approved Oct. 6, 1917.
Mr. Rodenberg; Committee on Interstate and foreign Commerce, 841.

H. R. 13501—To repeal so much of sections 7 and 14 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States, approved May 17, 1917," as impose restrictions upon enlistments in the Regular Army.
Mr. Denton; Committee on Military Affairs, 841.

H. R. 13502—Authorizing the Secretary of War to donate to the town of Stow, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13503—Authorizing the Secretary of War to donate to the town of Tewksbury, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13504—Authorizing the Secretary of War to donate to the town of Tyngsboro, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13505—Authorizing the Secretary of War to donate to the town of Westford, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13506—Authorizing the Secretary of War to donate to the town of Wilmington, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13507—Authorizing the Secretary of War to donate to the town of Bolton, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13508—Authorizing the Secretary of War to donate to the town of Harvard, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13509—Authorizing the Secretary of War to donate to the town of Northboro, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13510—Authorizing the Secretary of War to donate to the town of Groton, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13511—Authorizing the Secretary of War to donate to the town of Dunstable, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13512—Authorizing the Secretary of War to donate to the town of Carlisle, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13513—Authorizing the Secretary of War to donate to the town of Chelmsford, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13514—Authorizing the Secretary of War to donate to the town of Concord, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13515—Authorizing the Secretary of War to donate to the town of Dracut, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13516—Authorizing the Secretary of War to donate to the town of Boxboro, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13517—Authorizing the Secretary of War to donate to the town of Burlington, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13518—Authorizing the Secretary of War to donate to the town of Lincoln, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13519—Authorizing the Secretary of War to donate to the town of Littleton, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13520—Authorizing the Secretary of War to donate to the town of Maynard, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13521—Authorizing the Secretary of War to donate to the town of Berlin, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13522—Authorizing the Secretary of War to donate to the town of Reading Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13523—Authorizing the Secretary of War to donate to the town of Shirley, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13524—Authorizing the Secretary of War to donate to the town of Pepperell, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13525—Authorizing the Secretary of War to donate to the city of Woburn, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13526—Authorizing the Secretary of War to donate to the city of Methuen, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13527—Authorizing the Secretary of War to donate to the town of Bedford, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13528—Authorizing the Secretary of War to donate to the town of Ayer, Mass. one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13529—Authorizing the Secretary of War to donate to the town of Acton, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13530—Authorizing the Secretary of War to donate to the town of Billerica, Mass., one German cannon or fieldpiece.
Mr. Rogers; Committee on Military Affairs, 841.

H. R. 13531—Granting a pension to Charles Ingle.
Mr. Cox; Committee on Pensions, 841.

H. R. 13532—Granting an increase of pension to Milton St. John.
Mr. Doolittle; Committee on Invalid Pensions, 841.

H. R. 13533—Granting a pension to Lurania Reynolds.
Mr. Foster; Committee on Invalid Pensions, 842.

H. R. 13534—Granting an increase of pension to Thomas F. Duffy.
Mr. Fuller of Illinois; Committee on Invalid Pensions, 842.

H. R. 13535—Granting a pension to Mattie P. Jackson.
Mr. Hamlin; Committee on Pensions, 842.

H. R. 13536—Authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. L. McFarlin of Little Rock, Ark.
Mr. Jacoway; Committee on the Post Office and Post Roads, 842.

H. R. 13537—Granting an increase of pension to Edward S. Banister.
Mr. Jacoway; Committee on Pensions, 842.

H. R. 13538—Granting an increase of pension to Charles E. Kingsley.
Mr. Lea of California; Committee on Pensions, 842.

H. R. 13539—Granting a pension to Joseph F. Feld.
Mr. Mann; Committee on Pensions, 842.

H. R. 13540—For the relief of Mary J. McGlothlen.
Mr. Ramseyer; Committee on War Claims, 842.

H. R. 13541—Granting an increase of pension to Orin H. Mathews.
Mr. Randall; Committee on Invalid Pensions, 842.

H. R. 13542—Granting an increase of pension to James H. Wendt.
Mr. Rubey; Committee on Invalid Pensions, 842.

H. R. 13543—Granting a pension to Nancy C. Sloan.
Mr. Russell; Committee on Invalid Pensions, 842.

H. R. 13544—Granting a pension to Mary C. Marshall.
Mr. Welty; Committee on Invalid Pensions, 842.

H. R. 13545—Granting a pension to Joseph A. Beckmeyer.
Mr. Welty; Committee on Pensions, 842.

H. R. 13546—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914.
Mr. White of Maine; Committee on Interstate and Foreign Commerce, 861.

H. R. 13547—Granting a gratuity to members of the United States Army.
Mr. James; Committee on Military Affairs, 862.

H. R. 13548—To authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes.
Mr. Dent; Committee on Military Affairs, 862.—Reported back (H. Rept. 891), 1071.

H. R. 13549—Granting a gratuity to members of the United States Navy and Marine Corps.
Mr. James; Committee on Naval Affairs, 862.

H. R. 13550—Providing a rate of duty on wool sufficient to stabilize the prices of wool purchased, or on which a price has been fixed by the United States.
Mr. Mondell; Committee on Ways and Means, 862.

H. R. 13551—For the erection of a public building at Galva, Ill., and appropriating money therefor.
Mr. King; Committee on Public Buildings and Grounds, 862.

H. R. 13552—To open Minnesota ceded Indian lands to soldiers' and sailors' homesteads.
Mr. Steenerson; Committee on Indian Affairs, 862.

H. R. 13553—To provide honorable discharges to certain members of the Military Establishment of the United States.
Mr. Curry of California; Committee on Military Affairs, 862.

H. R. 13554—Granting an increase of pension to Robert R. C. Grantham.
Mr. Dowell; Committee on Invalid Pensions, 862.

H. R. 13555—For the relief of David Leonard.
Mr. McFadden; Committee on Military Affairs, 862.

H. R. 13556—To provide for suitable recognition by the United States Government of the service rendered by the members, examiners, clerks, and employees of selective-service boards in the administration and enforcement of the selective-service act.
Mr. Campbell of Pennsylvania; Committee on Military Affairs, 862.

H. R. 13557—To provide for the erection of a public building at Duquesne, Pa.
Mr. Campbell of Pennsylvania; Committee on Public Buildings and Grounds, 862.

H. R. 13558—To provide for the erection of a public building at Coraopolis, Pa.
Mr. Campbell of Pennsylvania; Committee on Public Buildings and Grounds, 862.

H. R. 13559—To provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia.
Mr. Campbell of Pennsylvania; Committee on Military Affairs, 862.

H. R. 13560—To amend sections 7, 10, 11, and 25 of the Federal reserve act, and section 5172, Revised Statutes of the United States.
Mr. Phelan; Committee on Banking and Currency, 930.—Reported back (H. Rept. 944), 1638.

H. R. 13561—For the construction of a bridge across the St. John River between Madawaska, Me., and Edmunston, Province of Brunswick, Canada.
Mr. Hersey; Committee on Interstate and Foreign Commerce, 930.—Reported with amendments (H. Rept. 952), 1787.

H. R. 13562—To amend an act approved Mar. 3, 1891, to incorporate the National Conservatory of Music of America.
Mr. Moore of Pennsylvania; Committee on the Judiciary, 930.

H. R. 13563—Authorizing the President to appoint Henry S. Kiersted, late a captain in the Medical Corps of the United States Army, a major in the Medical Corps on the retired list.
Mr. Kahn; Committee on Military Affairs, 930.

H. R. 13564—For the relief of occupants and claimants of unsurveyed public land in township 8 north of range 2 west of Salt Lake meridian, Utah.
Mr. Welling; Committee on the Public Lands, 930.

H. R. 13565—To supplement an act of Congress approved Oct. 5, 1918 (Public, No. 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act.
Mr. Welling; Committee on the Merchant Marine and Fisheries, 930.—Committee on the Merchant Marine and Fisheries discharged and referred to the Committee on Mines and Mining, 1254.

H. R. 13566—Authorizing the Secretary of War to donate to the town of St. Clairsville, Ohio, one German cannon or fieldpiece.
Mr. Hollingsworth; Committee on Military Affairs, 930.

H. R. 13567—Authorizing the Secretary of War to donate to the town of Carrollton, Ohio, one German cannon or fieldpiece.
Mr. Hollingsworth; Committee on Military Affairs, 930.

H. R. 13568—Authorizing the Secretary of War to donate to the town of Lisbon, Ohio, one German cannon or fieldpiece.
Mr. Hollingsworth; Committee on Military Affairs, 930.

H. R. 13569—Authorizing the Secretary of War to donate to the town of Cadiz, Ohio, one German cannon or fieldpiece.
Mr. Hollingsworth; Committee on Military Affairs, 930.

H. R. 13570—Authorizing the Secretary of War to donate to the city of Steubenville, Ohio, one German cannon or fieldpiece.
Mr. Hollingsworth; Committee on Military Affairs, 930.

H. R. 13571—Granting an increase of pension to Edward M. Hayhurst.
Mr. Booher; Committee on Invalid Pensions, 930.

H. R. 13572—Granting an increase of pension to Margrethe Nelson.
Mr. Elston; Committee on Pensions, 930.

H. R. 13573—Granting an increase of pension to Frederick B. Clapp.
Mr. Elston; Committee on Pensions, 930.

H. R. 13574—Granting a pension to Charles B. Hopkins.
Mr. Elston; Committee on Invalid Pensions, 930.

H. R. 13575—Granting a pension to Leonard A. Asquith.
Mr. Kennedy of Rhode Island; Committee on Pensions, 930.

H. R. 13576—Granting an increase of pension to June MacM. Ordway.
Mr. McArthur; Committee on Pensions, 930.

H. R. 13577—Granting an increase of pension to Amanda C. Deal.
Mr. Purnell; Committee on Invalid Pensions, 930.

H. R. 13578—Granting an increase of pension to Reinhard Anschutz.
Mr. Purnell; Committee on Pensions, 930.

H. R. 13579—Granting a pension to Alice Duncan.
Mr. Purnell; Committee on Invalid Pensions, 930.

H. R. 13580—To pension the survivors of certain wars from Jan. 1, 1858, to Jan. 1, 1888, inclusive, and for other purposes.
Mr. French; Committee on Pensions, 966.

H. R. 13581—To provide for the enforcement of war prohibition.
Mr. Barkley; Committee on the Judiciary, 966.—Reported with amendments (H. Rept. 1143), 4386.

H. R. 13582—To provide additional compensation to men who have served in the Army, Navy, or Marine Corps during the European war and who have been, or may be, honorably discharged from such service.
Mr. Fuller of Illinois; Committee on Military Affairs, 966.

H. R. 13583—Authorizing and directing the Secretary of War to grant an honorable discharge to drafted and enlisted men upon certain grounds, and for other purposes.
Mr. Bankhead; Committee on Military Affairs, 966.

H. R. 13584—Providing for the extension of the post office at Galesburg, Ill.
Mr. King; Committee on Public Buildings and Grounds, 966.

H. R. 13585—To reimburse surviving Civil War prisoners.
Mr. Hamilton of New York; Committee on War Claims, 966.

H. R. 13586—Authorizing the Secretary of War to donate two captured cannon to the town of Renovo, Pa.
Mr. Kiess of Pennsylvania; Committee on Military Affairs, 966.

H. R. 13587—To create a War Sales Commission, to define its powers and duties, and for other purposes.
Mr. Madden; Committee on the Judiciary, 966.

H. R. 13588—For the relief of the Baltimore Dry Docks & Ship Building Co., owner of a dry dock at Baltimore, Md.
Mr. Linthicum; Committee on Claims, 966.—Reported back (H. Rept. 1021), 2565.

H. R. 13589—To provide for the construction of a dam and reservoir in the North Platte River near Guernsey, Wyo.
Mr. Kinkaid; Committee on Appropriations, 966.

H. R. 13590—To provide for a canal and reservoirs in the counties of Dawson and Lincoln, in the State of Nebraska, for the purpose of diverting flood waters from the Platte River, conserving and utilizing the same for irrigation and other beneficial uses.
Mr. Kinkaid; Committee on Irrigation of Arid Lands, 966.

H. R. 13591—Requiring that wife join with husband in relinquishment to homestead entry to make the same effective.
Mr. Kinkaid; Committee on the Public Lands, 966.

H. R. 13592—To amend an act entitled "An act to create a Department of Labor" by providing for a bureau of the unemployed.
Mr. Lundeen; Committee on Labor, 966.

H. R. 13593—Granting an increase of pension to George M. Jacobs.
Mr. Booher; Committee on Invalid Pensions, 966.

H. R. 13594—Granting a pension to William Anderson.
Mr. Drukker; Committee on Pensions, 966.

H. R. 13595—Granting an increase of pension to Soren V. Kalsem.
Mr. Dowell; Committee on Invalid Pensions, 966.

H. R. 13596—Granting an increase of pension to Henry J. Kegley.
Mr. Fields; Committee on Pensions, 966.

H. R. 13597—Granting a pension to Herbert L. Ellsworth.
Mr. Gard; Committee on Pensions, 966.

H. R. 13598—Granting an increase of pension to Charles S. Allen.
Mr. Gard; Committee on Pensions, 966.

H. R. 13599—Granting an increase of pension to Seth Brooks.
Mr. Hull of Iowa; Committee on Invalid Pensions, 966.

H. R. 13600—Granting an increase of pension to Daniel H. Woodruff.
Mr. Hull of Iowa; Committee on Invalid Pensions, 966.

H. R. 13601—Granting a pension to Harriet E. Schwyhart.
Mr. Kettner; Committee on Invalid Pensions, 966.

H. R. 13602—Granting an increase of pension to George P. Clayton.
Mr. Mann; Committee on Invalid Pensions, 966.

H. R. 13603—Granting an increase of pension to James Rowland.
Mr. McCulloch; Committee on Invalid Pensions, 966.

H. R. 13604—Granting a pension to Porter G. Holleman.
Mr. McKinley; Committee on Pensions, 966.

H. R. 13605—Granting a pension to Thomas Samuel Garen.
Mr. Taylor of Arkansas; Committee on Pensions, 966.

H. R. 13606—Granting an increase of pension to Herbert C. Purdy.
Mr. Waldow; Committee on Pensions, 966.

H. R. 13607—Granting an increase of pension to Eliza H. East.
Mr. Wingo; Committee on Invalid Pensions, 966.

H. R. 13608—Providing for the honorable discharge of officers or soldiers of the United States in certain cases.
Mr. Moore of Pennsylvania; Committee on Military Affairs, 1026.

H. R. 13609—Authorizing the Secretary of War to donate to the village of Port Byron, N. Y., one German cannon or fieldpiece.
Mr. Gould; Committee on Military Affairs, 1026.

H. R. 13610—Authorizing the Secretary of War to donate to the village of Sodus, N. Y., one German cannon or fieldpiece.
Mr. Gould; Committee on Military Affairs, 1026.

H. R. 13611—Authorizing the Secretary of War to donate to the city of Geneva, N. Y., two German cannons or fieldpieces.
Mr. Gould; Committee on Military Affairs, 1026.

H. R. 13612—Authorizing the Secretary of War to donate to the city of Sparta, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1026.

H. R. 13613—Authorizing the Secretary of War to donate to the town of Aurora, N. Y., one German cannon or fieldpiece.
Mr. Gould; Committee on Military Affairs, 1026.

H. R. 13614—Authorizing the Secretary of War to donate to the town of Newark, N. Y., one German cannon or fieldpiece.
Mr. Gould; Committee on Military Affairs, 1027.

H. R. 13615—Authorizing the Secretary of War to donate to the city of Tomah, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1027.

H. R. 13616—Authorizing the Secretary of War to donate to the city of Black River Falls, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1027.

H. R. 13617—Authorizing the Secretary of War to donate to the city of Mauston, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1027.

H. R. 13618—Authorizing the Secretary of War to donate to the city of Neillsville, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1027.

H. R. 13619—Authorizing the Secretary of War to donate to the city of Viroqua, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1027.

H. R. 13620—Authorizing the Secretary of War to donate to the city of Reedsburg, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1027.

H. R. 13621—Authorizing the Secretary of War to donate to the city of Baraboo, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1027.

H. R. 13622—Authorizing the Secretary of War to donate to the city of Elroy, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1027.

H. R. 13623—Authorizing the Secretary of War to donate to the city of La Crosse, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1027.

H. R. 13624—To provide for the erection of a public building at Jeannette, Pa.
Mr. Robbins; Committee on Public Buildings and Grounds, 1027.

H. R. 13625—To provide for the erection of a public building at New Kensington, Pa.
Mr. Robbins; Committee on Public Buildings and Grounds, 1027.

H. R. 13626—To provide for the erection of a public building at Latrobe, Pa.
Mr. Robbins; Committee on Public Buildings and Grounds, 1027.

H. R. 13627—Granting a gratuity to members of the United States Navy.
Mr. Scully; Committee on Naval Affairs, 1027.

H. R. 13628—Granting a gratuity to members of the United States Army.
Mr. Scully; Committee on Military Affairs, 1027.

H. R. 13629—To provide for the appointment of an additional district judge in and for the northern judicial district of the State of Texas.
Mr. Sumners; Committee on the Judiciary, 1027.—Reported with amendment (H. Rept. 929), 1437.

H. R. 13630—For the relief of the estate of Christian Hoffman.
Mr. Hayes; Committee on the Public Lands, 1027.—Reported with amendment (H. Rept. 1043), 3036.

H. R. 13631—Granting a pension to Daisy Manore.
Mr. Alexander; Committee on Invalid Pensions, 1027.

H. R. 13632—Granting an increase of pension to Emelia Branner.
Mr. Anthony; Committee on Invalid Pensions, 1027.

H. R. 13633—Granting an increase of pension to William O. Fraser.
Mr. Booher; Committee on Invalid Pensions, 1027.

H. R. 13634—Granting a pension to Frank E. Crum.
Mr. Foster; Committee on Pensions, 1027.

H. R. 13635—Granting an increase of pension to Jacob M. Conner.
Mr. Foster; Committee on Invalid Pensions, 1027.

H. R. 13636—For the relief of Kentuck Corbett.
Mr. French; Committee on Claims, 1027.—Reported back (H. Rept. 1068), 3405.

H. R. 13637—Granting a pension to Caroline Deibert.
Mr. Hadley; Committee on Invalid Pensions, 1027.

H. R. 13638—Granting an increase of pension to Matthew M. Eshelman.
Mr. Randall; Committee on Invalid Pensions, 1027.

H. R. 13639—Granting a pension to Anna E. Cooke.
Mr. Sherwood; Committee on Invalid Pensions, 1027.

H. R. 13640—Granting a pension to George C. Foose.
Mr. Charles B. Smith; Committee on Invalid Pensions, 1027.

H. R. 13641—Granting a pension to Stephen Harden.
Mr. Charles B. Smith; Committee on Pensions, 1027.

H. R. 13642—To authorize the President of the United States to restore Milo O. Frank and William H. Fort, first lieutenants in the National Army.
Mr. Thomas F. Smith; Committee on Military Affairs, 1027.

H. R. 13643—Granting an increase of pension to Daniel C. Bruce.
Mr. Walton; Committee on Invalid Pensions, 1027.

H. R. 13644—Granting an increase of pension to Jane Shumaker.
Mr. Welty; Committee on Invalid Pensions, 1027.

H. R. 13645—Providing for the payment of mileage to certain officers of the Army.
Mr. Johnson of Washington; Committee on Military Affairs, 1060.

H. R. 13646—Providing for the disinterment and removal of the remains of the infant child, Norman Lee Molzahn, from the temporary burial site in the District of Columbia to a permanent burial place.
Mr. Kinkaid; Committee on the District of Columbia, 1060.—Reported with amendment (H. Rept. 936), 1578.

H. R. 13647—Granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.
Mr. Porter; Committee on Interstate and Foreign Commerce, 1060.—Reported back (H. Rept. 974), 2028.—Passed House, 3611, 3612.—Referred to Senate Committee on Commerce, 3646.—Reported back (S. Rept. 740); passed Senate, 3822.—Examined and signed, 4009, 4016.—Approved [Public, No. 295], 4623.

H. R. 13648—Granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River, at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.
Mr. Porter; Committee on Interstate and Foreign Commerce, 1060.—Reported back (H. Rept. 953), 1787.—Passed House, 3611.—Referred to Senate Committee on Commerce, 3646.—Reported back (S. Rept. 739); passed Senate, 3822.—Examined and signed, 4009, 4016.—Approved [Public, No. 296], 4623.

H. R. 13649—Granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.
Mr. Porter; Committee on Interstate and Foreign Commerce, 1060.—Reported back (H. Rept. 975), 2028.—Passed House, 3612.—Referred to Senate Committee on Commerce, 3646.—Reported back (S. Rept. 738); passed Senate, 3822.—Examined and signed 4009, 4016.—Approved [Public, No. 297], 4623.

H. R. 13650—To increase the compensation of bookbinders in the Government Printing Office.
Mr. Cary; Committee on Printing, 1060.

H. R. 13651—Making an appropriation for the reclamation of swamp lands.
Mr. Byrnes of South Carolina; Committee on Appropriations, 1060.

H. R. 13652—To authorize the President to sell real or personal property, purchased or acquired by the United States in connection with or incidental to the prosecution of the existing war.
Mr. Dent; Committee on Military Affairs, 1060.

H. R. 13653—For the division of the State of Texas into five judicial districts.
Mr. Jones; Committee on the Judiciary, 1060.

H. R. 13654—Granting an increase of pension to Schuyler C. Pool.
Mr. Bland of Indiana; Committee on Pensions, 1060.

H. R. 13655—Granting a pension to Nancy Cochran.
Mr. Bland of Indiana; Committee on Invalid Pensions, 1060.

H. R. 13656—Granting a pension to Barney Flensburg.
Mr. Cary; Committee on Pensions, 1060.

H. R. 13657—Granting a pension to Annie J. Page.
Mr. Clark of Missouri; Committee on Pensions, 1060.

H. R. 13658—Granting a pension to Harry A. McGuire.
Mr. Griffin; Committee on Pensions, 1060.

H. R. 13659—Granting a pension to Marion P. Barnett.
Mr. Igoe; Committee on Pensions, 1060.

H. R. 13660—Granting an increase of pension to Francis M. Fish.
Mr. Morgan; Committee on Invalid Pensions, 1060.

H. R. 13661—Granting an increase of pension to Albert B. Watrous.
Mr. Morgan; Committee on Invalid Pensions, 1060.

H. R. 13662—Granting a pension to Emily A. Taylor.
Mr. Pratt; Committee on Invalid Pensions, 1060.

H. R. 13663—Granting an increase of pension to Thurlow J. Sutherland.
Mr. Pratt; Committee on Pensions, 1060.

H. R. 13664—Granting a pension to Melissa J. Winburn.
Mr. Sanders of Indiana; Committee on Invalid Pensions, 1060.

H. R. 13665—Granting an increase of pension to George Walton.
Mr. Scully; Committee on Invalid Pensions, 1060.

H. R. 13666—Granting an increase of pension to Gilbert Smith.
Mr. Snook; Committee on Invalid Pensions, 1060.

H. R. 13667—For the relief of Ross Hazeltine, consul at Port Antonio, Jamaica.
Mr. Stephens of Mississippi; Committee on Claims, 1060.

H. R. 13668—Granting a pension to James Grantham.
Mr. Welling; Committee on Pensions, 1060.

H. R. 13669—To prohibit immigration for a period of four years, and to restrict immigration thereafter.
Mr. Burnett; Committee on Immigration and Naturalization, 1071.

H. R. 13670—To amend the war-risk insurance act by providing for the transfer of jurisdiction of, and all claims for, compensation for death or disability from the Bureau of War Risk Insurance to the Bureau of Pensions, and for other purposes.
Mr. Fuller of Illinois; Committee on Interstate and Foreign Commerce, 1071.

H. R. 13671—To amend the act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved Mar. 4, 1915.
Mr. Gould; Committee on the Merchant Marine and Fisheries, 1128.

H. R. 13672—For the relief of soldiers who have not had service overseas.
Mr. Huddleston; Committee on Military Affairs, 1129.

H. R. 13673—Authorizing the Secretary of War to donate to the city of Easton, Pa., four German cannons or fieldpieces.
Mr. Steele; Committee on Military Affairs, 1129.

H. R. 13674—Authorizing the Secretary of War to donate to the city of Bethlehem, Pa., three German cannons or fieldpieces.
Mr. Steele; Committee on Military Affairs, 1129.

H. R. 13675—To increase the compensation of pressmen in the Government Printing Office.
Mr. Maher; Committee on Printing, 1129.

H. R. 13676—Authorizing the Secretary of War to donate to the city of Boonton, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 1129.

H. R. 13677—Authorizing the Secretary of War to donate to the city of Dover, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 1129.

H. R. 13678—Authorizing the Secretary of War to donate to the city of Madison, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 1129.

H. R. 13679—Authorizing the Secretary of War to donate to the city of Morristown, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 1129.

H. R. 13680—Authorizing the Secretary of War to donate to the city of Elizabeth, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 1129.

H. R. 13681—Authorizing the Secretary of War to donate to the city of Rahway, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 1129.

H. R. 13682—Authorizing the Secretary of War to donate to the city of Summit, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 1129.

H. R. 13683—Authorizing the Secretary of War to donate to the city of Plainfield, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 1129.

H. R. 13684—Authorizing the Secretary of War to donate to the city of Westfield, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 1129.

H. R. 13685—Authorizing the Secretary of War to donate to the city of Cape May, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13686—Authorizing the Secretary of War to donate to the city of Wildwood, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13687—Authorizing the Secretary of War to donate to the city of Ocean City, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13688—Authorizing the Secretary of War to donate to the city of Burlington, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13689—Authorizing the Secretary of War to donate to the city of Mount Holly, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13690—Authorizing the Secretary of War to donate to the city of Moorestown, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13691—Authorizing the Secretary of War to donate to the city of Bridgeton, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13692—Authorizing the Secretary of War to donate to the city of Millville, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13693—Authorizing the Secretary of War to donate to the city of Vineland, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13694—Authorizing the Secretary of War to donate to the city of Pleasantville, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13695—Authorizing the Secretary of War to donate to the city of Mays Landing, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13696—Authorizing the Secretary of War to donate to the city of Hammonton, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13697—Authorizing the Secretary of War to donate to the city of Atlantic City, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13698—Authorizing the Secretary of War to donate to the city of Cape May Court House, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 1129.

H. R. 13699—To authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park.
Mr. Kalanianaole; Committee on the Territories, 1129.—Reported with amendments (H. Rept. 1116), 4010.

H. R. 13700—Donating captured cannon and cannon balls to the city of Bonham, Tex.
Mr. Rayburn; Committee on Military Affairs, 1129.

H. R. 13701—To provide a commission to secure plans and designs for an arch to be erected in the city of Washington, D. C., to be known as "The Arch of Victory," to commemorate the heroes and events of the great war.
Mr. Sanford; Committee on the Library, 1129.

H. R. 13702—Authorizing the Secretary of War to donate to the town of Gouverneur, N. Y., one German cannon or fieldpiece.
Mr. Snell; Committee on Military Affairs, 1129.

H. R. 13703—Authorizing the Secretary of War to donate to the borough of Catasauqua, Pa., two German cannons or fieldpieces.
Mr. Dewalt; Committee on Military Affairs, 1129.

H. R. 13704—Authorizing the Secretary of War to donate to the city of Reading, Pa., two German cannons or fieldpieces.
Mr. Dewalt; Committee on Military Affairs, 1129.

H. R. 13705—Authorizing the Secretary of War to donate to the city of Allentown, Pa., two German cannons or fieldpieces.
Mr. Dewalt; Committee on Military Affairs, 1129.

H. R. 13706—To authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.
Mr. Sims; Committee on Interstate and Foreign Commerce, 1129.

H. R. 13707—To amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved Mar. 21, 1918.
Mr. Sims; Committee on Interstate and Foreign Commerce, 1129.

H. R. 13708—Providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary.
Mr. Sherley, from Committee on Appropriations (H. Rept. 892), 1107, 1128.—Debated, 1107–1109, 1339–1374 (Appendix, 58, 60, 61, 62).—Amended and passed House, 1373, 1374.—Referred to Senate Committee on Appropriations, 1383.—Reported back, 1580.—Debated, 1580, 1653–1666, 1743–1760, 1789–1814, 1851–1870, 1907–1911, 1913–1927, 1964–1996.—Amended and passed Senate, 1996.—Senate asks for a conference, 1996.—House disagrees to Senate amendments and agrees to a conference, 2049.—Conference appointed, 1996, 2049.—Conference report (No. 998) made in House, 2218.—Conference report made and agreed to in Senate, 2193.—Conference report debated and agreed to in House, 2218, 2219.—Examined and signed, 2260, 2294.—Approved [Public, No. 274], 4245.

H. R. 13709—To create a Department of Education and Human Welfare and to arrange for the cooperation between the Federal Government and the States in the encouragement and support of education, and for other purposes.
Mr. Baer; Committee on Education, 1129.

H. R. 13710—Authorizing the Secretary of War to donate to the town of Roodhouse, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 1129.

H. R. 13711—Authorizing the Secretary of War to donate to the town of Carrollton, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 1129.

H. R. 13712—Authorizing the Secretary of War to donate to the town of Mount Sterling, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 1129.

H. R. 13713—Authorizing the Secretary of War to donate to the town of Winchester, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 1129.

H. R. 13714—Authorizing the Secretary of War to donate to the town of White Hall, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 1129.

H. R. 13715—Authorizing the Secretary of War to donate to the Jefferson Davis Home Association, one German cannon or fieldpiece.
Mr. Kincheloe; Committee on Military Affairs, 1129.

H. R. 13716—Authorizing the Secretary of War to donate to the Woman's College, Hattiesburg, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1129.

H. R. 13717—Authorizing the Secretary of War to donate to the Mississippi State Normal College, Hattiesburg, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1129.

H. R. 13718—Authorizing the Secretary of War to donate to the Gulf Coast Military Academy, Gulport, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1129.

H. R. 13719—Authorizing the Secretary of War to donate to St. Stanislaus College, Bay St. Louis, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1129.

H. R. 13720—Authorizing the Secretary of War to donate to the county of Covington, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1129.

H. R. 13721—Authorizing the Secretary of War to donate to the county of Stone, Miss., two German cannon or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13722—Authorizing the Secretary of War to donate to the county of Simpson, Miss., two German cannon or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13723—Authorizing the Secretary of War to donate to the county of Perry, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13724—Authorizing the Secretary of War to donate to the county of Pearl River, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13725—Authorizing the Secretary of War to donate to the county of Lamar, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13726—Authorizing the Secretary of War to donate to the county of Marion, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13727—Authorizing the Secretary of War to donate to the county of Lawrence, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13728—Authorizing the Secretary of War to donate to the county of Jones, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13729—Authorizing the Secretary of War to donate to the county of Wayne, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13730—Authorizing the Secretary of War to donate to the county of Forrest, Miss., two German cannon or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13731—Authorizing the Secretary of War to donate to the county of George, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13732—Authorizing the Secretary of War to donate to the county of Greene, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13733—Authorizing the Secretary of War to donate to the county of Hancock, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13734—Authorizing the Secretary of War to donate to the county of Harrison, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13735—Authorizing the Secretary of War to donate to the county of Jackson, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13736—Authorizing the Secretary of War to donate to the county of Jefferson Davis, Miss., two German cannons or fieldpieces.
Mr. Harrison of Mississippi; Committee on Military Affairs, 1130.

H. R. 13737—Authorizing the Secretary of War to donate to the town of Amarillo, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1130.

H. R. 13738—Authorizing the Secretary of War to donate to the town of Childress, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1130.

H. R. 13739—Authorizing the Secretary of War to donate to the town of Memphis, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1130.

H. R. 13740—Authorizing the Secretary of War to donate to the town of Quanah, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1130.

H. R. 13741—Authorizing the Secretary of War to donate to the town of Clarendon, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1130.

H. R. 13742—Authorizing the Secretary of War to donate to the town of Lubbock, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1130.

H. R. 13743—Authorizing the Secretary of War to donate to the town of Snyder, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1130.

H. R. 13744—Authorizing the Secretary of War to donate to the town of Plainview, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1130.

H. R. 13745—Authorizing the Secretary of War to donate to the town of Canadian, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1130.

H. R. 13746—For the erection of a public building in the city of Lubbock, the county seat of Lubbock County, State of Texas, and appropriating money therefor.
Mr. Jones; Committee on Public Buildings and Grounds, 1130.

H. R. 13747—For the erection of a public building in the city of Plainview, the county seat of Hale County, State of Texas, and appropriating money therefor.
Mr. Jones; Committee on Public Buildings and Grounds, 1130.

H. R. 13748—For the erection of a public building in the city of Canadian, the county seat of Hemphill County, State of Texas, and appropriating money therefor.
Mr. Jones; Committee on Public Buildings and Grounds, 1130.

H. R. 13749—Authorizing the Secretary of War to donate to the city of Medford, Mass., one German cannon or fieldpiece.
Mr. Dallinger; Committee on Military Affairs, 1130.

H. R. 13750—Authorizing the Secretary of War to donate to the city of Cambridge, Mass., one German cannon or fieldpiece.
Mr. Dallinger; Committee on Military Affairs, 1130.

H. R. 13751—Authorizing the Secretary of War to donate to the town of Hopkinton, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1130.

H. R. 13752—Authorizing the Secretary of War to donate to the city of Worcester, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1130.

H. R. 13753—Authorizing the Secretary of War to donate to the town of Blackstone, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1130.

H. R. 13754—Authorizing the Secretary of War to donate to the town of Uxbridge, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1130.

H. R. 13755—Authorizing the Secretary of War to donate to the town of Northbridge, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1130.

H. R. 13756—Authorizing the Secretary of War to donate to the town of Milford, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1130.

H. R. 13757—Authorizing the Secretary of War to donate to the town of Westboro, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1130.

H. R. 13758—Authorizing the Secretary of War to donate to the city of Melrose, Mass., one German cannon or fieldpice.
Mr. Dallinger; Committee on Military Affairs, 1130.

H. R. 13759—Authorizing the Secretary of War to donate to the city of Fall River, Mass., one German cannon or fieldpiece.
Mr. Greene of Massachusetts; Committee on Military Affairs, 1130.

H. R. 13760—Authorizing the Secretary of War to donate to the city of Paris, Ky., two German cannons or fieldpieces.
Mr. Cantrill; Committee on Military Affairs, 1130.

H. R. 13761—Authorizing the Secretary of War to donate to each of the cities of Americus, Cordele, and Fitzgerald, Ga., one German cannon or fieldpiece.
Mr. Crisp; Committee on Military Affairs, 1130.

H. R. 13762—Authorizing the Secretary of War to donate to the town of Gardner, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13763—Authorizing the Secretary of War to donate to the town of Princetown, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13764—Authorizing the Secretary of War to donate to the town of Palmer, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13765—Authorizing the Secretary of War to donate to the town of Barre, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13766—Authorizing the Secretary of War to donate to the town of Orange, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13767—Authorizing the Secretary of War to donate to the town of Monson, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13768—Authorizing the Secretary of War to donate to the town of Athol, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13769—Authorizing the Secretary of War to donate to the town of Webster, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13770—Authorizing the Secretary of War to donate to the town of Holden, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13771—Authorizing the Secretary of War to donate to the town of Lancaster, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13772—Authorizing the Secretary of War to donate to the town of Brookfield, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13773—Authorizing the Secretary of War to donate to the town of Spencer, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1130.

H. R. 13774—Authorizing the Secretary of War to donate to the city of Leominster, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13775—Authorizing the Secretary of War to donate to the town of Warren, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13776—Authorizing the Secretary of War to donate to the town of Ashby, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13777—Authorizing the Secretary of War to donate to the town of Ashburnham, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13778—Authorizing the Secretary of War to donate to the town of Dudley, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13779—Authorizing the Secretary of War to donate to the town of Oxford, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13780—Authorizing the Secretary of War to donate to the town of Southbridge, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13781—Authorizing the Secretary of War to donate to the town of Clinton, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13782—Authorizing the Secretary of War to donate to the city of Fitchburg, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13783—Authorizing the Secretary of War to donate to the town of Winchendon, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13784—Authorizing the Secretary of War to donate to the town of Templeton, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13785—Authorizing the Secretary of War to donate to the town of Sturbridge, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13786—Authorizing the Secretary of War to donate to the town of Sterling, Mass., one German cannon or fieldpiece.
Mr. Paige; Committee on Military Affairs, 1131.

H. R. 13787—Authorizing the Secretary of War to donate to the city of Breckenridge, Wilkin County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13788—Authorizing the Secretary of War to donate to the city of Roseau, Roseau County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13789—Authorizing the Secretary of War to donate to the city of Red Lake Falls, Red Lake County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13790—Authorizing the Secretary of War to donate to the city of Crookston, Polk County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13791—Authorizing the Secretary of War to donate to the city of Detroit, Becker County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13792—Authorizing the Secretary of War to donate to the city of Thief River Falls, Pennington County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13793—Authorizing the Secretary of War to donate to the city of Warren, Marshall County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13794—Authorizing the Secretary of War to donate to the city of Hallock, Kittson County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13795—Authorizing the Secretary of War to donate to the city of Moorhead, Clay County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13796—Authorizing the Secretary of War to donate to the city of Ada, Norman County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13797—Authorizing the Secretary of War to donate to the city of Fergus Falls, Ottertail County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13798—Authorizing the Secretary of War to donate to the city of Mahnomen, Mahnomen County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13799—Authorizing the Secretary of War to donate to the city of Bagley, Clearwater County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1131.

H. R. 13800—For the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.
Mr. Caraway; Committee on the Public Lands, 1131.

H. R. 13801—Granting an increase of pension to Horace E. Hand.
Mr. Cramton; Committee on Invalid Pensions, 1131.

H. R. 13802—Authorizing the Secretary of War to grant to John D. Sherwood, of Spokane, Wash., the right to overflow certain lands on the Fort George Wright Military Reservation at Spokane, Wash., and to accept the conveyance to the United States of other lands to be designated by the Secretary of War and suitable for a rifle range in exchange for the land so overflowed.
Mr. Dill; Committee on Military Affairs, 1131.—Reported back (H. Rept. 1056), 3174.

H. R. 13803—Granting an increase of pension to Catherine McQuade.
Mr. Elliott; Committee on Invalid Pensions, 1131.

H. R. 13804—Granting a pension to William Unfug.
Mr. Elston; Committee on Pensions, 1131.

H. R. 13805—Granting an increase of pension to John W. Paulus.
Mr. Fairfield; Committee on Pensions, 1131.

H. R. 13806—For the relief of the Eastern Transportation Co.
Mr. Holland; Committee on Claims, 1131.

H. R. 13807—Authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. L. McFarlin, at Little Rock, Ark.
Mr. Jacoway; Committee on the Post Office and Post Roads, 1131.

H. R. 13808—Granting a pension to Annie K. Squier.
Mr. Langley; Committee on Invalid Pensions, 1131.

H. R. 13809—Granting a pension to Bridget Finan.
Mr. Merritt; Committee on Pensions, 1131.

H. R. 13810—Granting an increase of pension to Joseph R. Wilson.
Mr. Sells; Committee on Invalid Pensions, 1131.

H. R. 13811—Granting an increase of pension to Walter R. D. Vaughan.
Mr. O'Shaunessy; Committee on Invalid Pensions, 1131.

H. R. 13812—Granting a pension to Phillip Lockwood.
Mr. O'Shaunessy; Committee on Pensions, 1131.

H. R. 13813—Granting a pension to Sarah Jane Vanpelt.
Mr. Sherwood; Committee on Invalid Pensions, 1131.

H. R. 13814—Striking from the pension roll the name of Sylvester Lane.
Mr. Sherwood; Committee on Invalid Pensions, 1131.

H. R. 13815—Granting a pension to George J. Cole.
Mr. Snyder; Committee on Pensions, 1131.

H. R. 13816—Granting a pension to Eliza K. Leman.
Mr. Tinkham; Committee on Invalid Pensions, 1131.

H. R. 13817—For the relief of Jose Lopez y Castelo.
Mr. Walsh; Committee on War Claims, 1131.

H. R. 13818—Granting an increase of pension to Henry R. Huntley.
Mr. White of Maine; Committee on Invalid Pensions, 1131.

H. R. 13819—Granting an increase of pension to R. Franklin Chase.
Mr. White of Maine; Committee on Invalid Pensions, 1131.

H. R. 13820—Granting an increase of pension to William L. Pratt.
Mr. White of Maine; Committee on Invalid Pensions, 1131.

H. R. 13821—Authorizing the Secretary of War to donate to the city of Phoebus, Va., one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1151.

H. R. 13822—Authorizing the Secretary of War to donate to the city of Hampton, Va., one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13823—Authorizing the Secretary of War to donate to the city of Fredericksburg, Va., one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13824—Authorizing the Secretary of War to donate to the city of Newport News, Va., one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13825—Authorizing the Secretary of War to donate to the town of Parksley, county of Accomac, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13826—Authorizing the Secretary of War to donate to the town of Onancock, county of Accomac, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13827—Authorizing the Secretary of War to donate to the town of Cape Charles, county of Northampton, Va., one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13828—Authorizing the Secretary of War to donate to the town of Chincoteague, county of Accomac, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13829—Authorizing the Secretary of War to donate to the town of Yorktown, county of York, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13830—Authorizing the Secretary of War to donate to the county of Essex, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13831—Authorizing the Secretary of War to donate to the county of Warwick, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13832—Authorizing the Secretary of War to donate to the county of Westmoreland, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13833—Authorizing the Secretary of War to donate to the county of Mathews, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13834—Authorizing the Secretary of War to donate to the county of King and Queen, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13835—Authorizing the Secretary of War to donate to the county of Middlesex, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13836—Authorizing the Secretary of War to donate to the county of Caroline, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13837—Authorizing the Secretary of War to donate to the county of Northampton, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13838—Authorizing the Secretary of War to donate to the county of Northumberland, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13839—Authorizing the Secretary of War to donate to the county of Richmond, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13840—Authorizing the Secretary of War to donate to the county of Lancaster, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13841—Authorizing the Secretary of War to donate to the county of Gloucester, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13842—Authorizing the Secretary of War to donate to the county of Accomac, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13843—Authorizing the Secretary of War to donate to the county Spotsylvania, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1152.

H. R. 13844—Authorizing the Secretary of War to donate to the town of Anaheim, Calif., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 1152.

H. R. 13845—Authorizing the Secretary of War to donate to the town of Elsinore, Calif., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 1152.

H. R. 13846—Authorizing the Secretary of War to donate to the town of El Centro, Calif., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 1152.

H. R. 13847—Authorizing the Secretary of War to donate to the city of Redlands, Calif., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 1152.

H. R. 13848—Authorizing the Secretary of War to donate to the town of San Diego, Calif., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 1152.

H. R. 13849—Authorizing the Secretary of War to donate to the city of Chicago, Ill., 10 German cannons or fieldpieces.
Mr. John W. Rainey; Committee on Military Affairs, 1152.

H. R. 13850—Authorizing the Secretary of War to donate to the city of Belvidere, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1152.

H. R. 13851—Authorizing the Secretary of War to donate to the city of New York, borough of Richmond, one German cannon or fieldpiece.
Mr. Riordan; Committee on Military Affairs, 1152.

H. R. 13852—Authorizing the Secretary of War to donate to the city of Jefferson, Mo., one German cannon or fieldpiece.
Mr. Shackleford; Committee on Military Affairs, 1152.

H. R. 13853—Authorizing the Secretary of War to donate to the city of Boonville, Mo., one German cannon or fieldpiece.
Mr. Shackleford; Committee on Military Affairs, 1152.

H. R. 13854—Authorizing the Secretary of War to donate to the city of Columbia, Mo., one German cannon or fieldpiece.
Mr. Shackleford; Committee on Military Affairs, 1152.

H. R. 13855—Authorizing the Secretary of War to donate to the city of Versailles, Mo., one German cannon or fieldpiece.
Mr. Shackleford; Committee on Military Affairs, 1152.

H. R. 13856—Authorizing the Secretary of War to deliver to the city of Plattsburg, in the State of New York, one cannon or fieldpiece with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 1152.

H. R. 13857—Authorizing the Secretary of War to deliver to the city of Ogdensburg, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 1152.

H. R. 13858—Authorizing the Secretary of War to donate to the third congressional district in Maine 25 cannon or fieldpieces.
Mr. Peters; Committee on Military Affairs, 1152.

H. R. 13859—Authorizing the Secretary of War to donate to the St. Albans Improvement Association one German cannon or fieldpiece.
Mr. Caldwell; Committee on Military Affairs, 1152.

H. R. 13860—Providing for the appointment in civil-service positions in the case of honorably discharged soldiers and sailors.
Mr. LaGuardia; Committee on Reform in the Civil Service, 1152.

H. R. 13861—To authorize the recovery of the value of unlawful rebates and discriminations and penalty therefor.
Mr. Parker of New Jersey; Committee on Interstate and Foreign Commerce, 1152.

H. R. 13862—Authorizing the Secretary of War to donate to the city of Richmond, Tex., one German cannon or fieldpiece.
Mr. Eagle; Committee on Military Affairs, 1152.

H. R. 13863—Authorizing the Secretary of War to donate to the city of Hampstead, Tex., one German cannon or fieldpiece.
Mr. Eagle; Committee on Military Affairs, 1152.

H. R. 13864—Authorizing the Secretary of War to donate to the city of Houston, Tex., one German cannon or fieldpiece.
Mr. Eagle; Committee on Military Affairs, 1152.

H. R. 13865—Authorizing the Secretary of War to donate to the city of Navasota, Tex., one German cannon or fieldpiece.
Mr. Eagle; Committee on Military Affairs, 1152.

H. R. 13866—Authorizing the Secretary of War to donate to the borough of Wilkinsburg, in the State of Pennsylvania, one German cannon or fieldpiece.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 1152.

H. R. 13867—Authorizing the Secretary of War to donate to the borough of Braddock, in the State of Pennsylvania, one German cannon or fieldpiece.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 1152.

H. R. 13868—Authorizing the Secretary of War to donate to the borough of Pitcairn, in the State of Pennsylvania, one German cannon or fieldpiece.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 1152.

H. R. 13869—Authorizing the Secretary of War to donate to the city of McKeesport, Pa., two German cannons or fieldpieces.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 1152.

H. R. 13870—Authorizing the Secretary of War to donate to the town of Arlington, Mass., one German cannon or fieldpiece.
Mr. Dallinger; Committee on Military Affairs, 1152.

H. R. 13871—Authorizing the Secretary of War to donate to the town of Belmont, Mass., one German cannon or fieldpiece.
Mr. Dallinger; Committee on Military Affairs, 1152.

H. R. 13872—Authorizing the Secretary of War to donate to the town of Watertown, Mass., one German cannon or fieldpiece.
Mr. Dallinger; Committee on Military Affairs, 1153.

H. R. 13873—Authorizing the Secretary of War to donate to the town of Winchester, Mass., one German cannon or fieldpiece.
Mr. Dallinger; Committee on Military Affairs, 1153.

H. R. 13874—Authorizing the Secretary of War to donate to the town of Stoneham, Mass., one German cannon or fieldpiece.
Mr. Dallinger; Committee on Military Affairs, 1153.

H. R. 13875—Authorizing the Secretary of War to donate to the town of Lexington, Mass., one German cannon or fieldpiece.
Mr. Dallinger; Committee on Military Affairs, 1153.

H. R. 13876—Authorizing the Secretary of War to donate to the town of Wakefield, Mass., one German cannon or fieldpiece.
Mr. Dallinger; Committee on Military Affairs, 1153.

H. R. 13877—Granting an increase of pension to W. W. Green.
Mr. Dickinson; Committee on Invalid Pensions, 1153.

H. R. 13878—Granting a franking privilege to Edith Carow Roosevelt.
Mr. Gallivan; Committee on the Post Office and Post Roads, 1153.—Reported back (H. Rept. 996), 2184.

H. R. 13879—Granting a pension to Edith Carow Roosevelt.
Mr. Gallivan; Committee on Pensions, 1153.—Reported back (H. Rept. 946), 1788.—Debated and passed House, 1468, 2048, 2049 (Appendix 72).—Vote reconsidered; laid on the table (see bill S. 5318), 2060.

H. R. 13880.—Granting a pension to Robert H. Neyland.
Mr. Quin; Committee on Pensions, 1153.

H. R. 13881—Granting an increase of pension to William Row.
Mr. Shouse; Committee on Invalid Pensions, 1153.

H. R. 13882—Granting a pension to John F. Ritter.
Mr. Weaver; Committee on Pensions, 1153.

H. R. 13883—Granting an increase of pension to Joshua Westbrook.
Mr. Woodyard; Committee on Invalid Pensions, 1153.

H. R. 13884—Authorizing the Secretary of War to donate to the county of Washington, Ala., two German cannons or fieldpieces.
Mr. Gray of Alabama; Committee on Military Affairs, 1214.

H. R. 13885—Authorizing the Secretary of War to donate to the county of Marengo, Ala., two German cannons or fieldpieces.
Mr. Gray of Alabama; Committee on Military Affairs, 1214.

H. R. 13886—Authorizing the Secretary of War to donate to the county of Choctaw, Ala., two German cannons or fieldpieces.
Mr. Gray of Alabama; Committee on Military Affairs, 1214.

H. R. 13887—Authorizing the Secretary of War to donate to the county of Clark, Ala., two German cannons or fieldpieces.
Mr. Gray of Alabama; Committee on Military Affairs, 1214.

H. R. 13888—Authorizing the Secretary of War to donate to the county of Monroe, Ala., two German cannons or fieldpieces.
Mr. Gray of Alabama; Committee on Military Affairs, 1214.

H. R. 13889—Authorizing the Secretary of War to donate to the city of Mobile, Ala., two German cannons or fieldpieces.
Mr. Gray of Alabama; Committee on Military Affairs, 1214.

H. R. 13890—Authorizing the Secretary of War to donate to the town of Capac, Mich., two German cannons or fieldpieces.
Mr. Cramton; Committee on Military Affairs, 1214.

H. R. 13891—For the relief of commissioned officers and enlisted men of the Army recommended for promotion.
Mr. Benson; Committee on Military Affairs, 1214.

H. R. 13892—To amend and repeal certain provisions of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved Oct. 6, 1917.
Mr. Fuller of Illinois; Committee on Interstate and Foreign Commerce, 1214.

H. R. 13893—To repeal title 7 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.
Mr. Fuller of Illinois; Committee on Interstate and Foreign Commerce, 1214.

H. R. 13894—Authorizing the Secretary of War to donate to the city of Sandwich, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1214.

H. R. 13895—Authorizing the Secretary of War to donate to the village of Kirkland, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1214.

H. R. 13896—Authorizing the Secretary of War to donate to the city of Rockford, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1214.

H. R. 13897—Authorizing the Secretary of War to donate to the city of La Grange, Ky., one German cannon or fieldpiece.
Mr. Cantrill; Committee on Military Affairs, 1214.

H. R. 13898—Authorizing the Secretary of War to donate to the town of Catskill, N. Y., one German cannon or fieldpiece.
Mr. Ward; Committee on Military Affairs, 1214.

H. R. 13899—Authorizing the Secretary of War to donate to the town of Cobleskill, N. Y., one German cannon or fieldpiece.
Mr. Ward; Committee on Military Affairs, 1214.

H. R. 13900—Authorizing the Secretary of War to donate to the town of Saugerties, N. Y., one German cannon or fieldpiece.
Mr. Ward; Committee on Military Affairs, 1214.

H. R. 13901—Authorizing the Secretary of War to donate to the town of Liberty, N. Y., one German cannon or fieldpiece.
Mr. Ward; Committee on Military Affairs, 1214.

H. R. 13902—Authorizing the Secretary of War to donate to the city of Hudson, N. Y., one German cannon or fieldpiece.
Mr. Ward; Committee on Military Affairs, 1214.

H. R. 13903—Authorizing the Secretary of War to donate to the city of Kingston, N. Y., one German cannon or fieldpiece.
Mr. Ward; Committee on Military Affairs, 1214.

H. R. 13904—To expel and exclude from the United States aliens who, to escape military service, have withdrawn their declaration of intention to become citizens.
Mr. Johnson of Washington; Committee on Immigration and Naturalization, 1214.

H. R. 13905—To provide for the erection of a Federal building at Blackfoot, Idaho.
Mr. Smith of Idaho; Committee on Public Buildings and Grounds, 1214.

H. R. 13906—To donate a captured German cannon or gun to the cities of Boise, Twin Falls, Pocatello, Idaho Falls, Blackfoot, St. Anthony, Montpelier, Hailey, Buhl, and Burley, in the State of Idaho.
Mr. Smith of Idaho; Committee on Military Affairs, 1214.

H. R. 13907—Authorizing the Secretary of War to donate to the town of Smithfield, Johnston County, N. C., one German cannon or fieldpiece.
Mr. Pou; Committee on Military Affairs, 1214.

H. R. 13908—Authorizing the Secretary of War to donate to the town of Bowling Green, Mo., one German cannon or fieldpiece.
Mr. Clark of Missouri; Committee on Military Affairs, 1215.

H. R. 13909—To provide for a motto upon silver dollars coined.
Mr. Schall; Committee on Coinage, Weights, and Measures, 1215.

H. R. 13910—Regulating the salaries of Army field clerks.
Mr. Siegel; Committee on Military Affairs, 1215.

H. R. 13911—Providing for the transfer of a portion of the old public building site at Baltimore, Md.
Mr. Clark of Florida; Committee on Public Buildings and Grounds, 1215.—Reported back (H. Rept. 951), 1787.

H. R. 13912—Authorizing the Secretary of the Treasury to accept a correctionary deed for land of new post office at New York, N. Y.
Mr. Clark of Florida; Committee on Public Buildings and Grounds, 1215.—Reported back (H. Rept. 964), 1904.

H. R. 13913—Providing for the sale of abandoned customs boarding stations, New Orleans, La.
Mr. Clark of Florida; Committee on Public Buildings and Grounds, 1215.—Reported back (H. Rept. 950), 1787.

H. R. 13914—Providing for the purchase of certain land in the District of Columbia.
Mr. Clark of Florida; Committee on Public Buildings and Grounds, 1215.

H. R. 13915—Granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington.
Mr. Dill; Committee on Interstate and Foreign Commerce, 1215.—Reported back (H. Rept. 954), 1788.—Laid on the table (see bill S. 5316), 3624.

H. R. 13916—Authorizing the Secretary of War to donate to the village of Fayette, Ohio, one German cannon or fieldpiece.
Mr. Snook; Committee on Military Affairs, 1215.

H. R. 13917—Authorizing the Secretary of War to donate to the village of Fort Jennings, Ohio, one German cannon or fieldpiece.
Mr. Snook; Committee on Military Affairs, 1215.

H. R. 13918—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities.
Mr. Martin; Committee on Military Affairs, 1215.

H. R. 13919—Authorizing the Secretary of War to donate to the town of Sandwich, N. H., one German cannon or fieldpiece.
Mr. Burroughs; Committee on Military Affairs, 1215.

H. R. 13920—Authorizing the Secretary of War to donate to the town of Manchester, N. H., one German cannon or fieldpiece.
Mr. Burroughs; Committee on Military Affairs, 1215.

H. R. 13921—Donating two captured German cannons or field guns and carriages to the Bellows Falls Company of Vermont State Militia for ornamental purposes.
Mr. Dale; Committee on Military Affairs, 1215.

H. R. 13922—Donating a captured German cannon or field gun and carriage to the village of St. Johnsbury, Vt., for decorative purposes.
Mr. Dale; Committee on Military Affairs, 1215.

H. R. 13923—Donating a captured German cannon or field gun and carriage to the village of Newfane, Vt., for decorative purposes.
Mr. Dale; Committee on Military Affairs, 1215.

H. R. 13924—Donating a captured German cannon or field gun and carriage to the village of Island Pond, Vt., for decorative purposes.
Mr. Dale; Committee on Military Affairs, 1215.

H. R. 13925—Authorizing the Secretary of War to donate to the town of Crowell, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1215.

H. R. 13926—Authorizing the Secretary of War to donate to the town of Tahoka, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1215.

H. R. 13927—Authorizing the Secretary of War to donate to the town of Post City, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1215.

H. R. 13928—Authorizing the Secretary of War to donate to the town of Dalhart, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1215.

H. R. 13929—Authorizing the Secretary of War to donate to the town of Crosbyton, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1215.

H. R. 13930—Authorizing the Secretary of War to donate to the town of Floydada, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1215.

H. R. 13931—Authorizing the Secretary of War to donate to the town of Lamesa, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1215.

H. R. 13932—Authorizing the Secretary of War to donate to the town of Haskell, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1215.

H. R. 13933—Authorizing the Secretary of War to donate to the town of Paducah, Tex., one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1215.

H. R. 13934—Granting a pension to Sabina McCaughen.
Mr. Beakes; Committee on Invalid Pensions, 1215.

H. R. 13935—Granting an increase of pension to Frank West.
Mr. Campbell of Kansas; Committee on Invalid Pensions, 1215.

H. R. 13936—Granting an increase of pension to Richard Trist.
Mr. Cooper of Wisconsin; Committee on Invalid Pensions, 1215.

H. R. 13937—Granting an increase of pension to John Van Etton.
Mr. Cramton; Committee on Invalid Pensions, 1215.

H. R. 13938—Granting an increase of pension to George H. Bishop.
Mr. Dale; Committee on Invalid Pensions, 1215.

H. R. 13939—Granting a pension to Catherine Celley.
Mr. Dale; Committee on Invalid Pensions, 1215.

H. R. 13940—Granting an increase of pension to John H. Doremus.
Mr. Drukker; Committee on Pensions, 1215.

H. R. 13941—Granting an increase of pension to Albert M. Kenyon.
Mr. Johnson of Washington; Committee on Invalid Pensions, 1215.

H. R. 13942—Granting a pension to Henry Houghton.
Mr. McArthur; Committee on Pensions, 1215.

H. R. 13943—Granting an increase of pension to William Edwards.
Mr. Sells; Committee on Pensions, 1215.

H. R. 13944—Granting a pension to Chancey Worline.
Mr. Snook; Committee on Invalid Pensions, 1215.

H. R. 13945—Authorizing the Secretary of War to donate to the county of Armstrong, State of Pennsylvania, two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 1255.

H. R. 13946—Authorizing the Secretary of War to donate to the town of Punxsutawney, Pa., two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 1255.

H. R. 13947—Authorizing the Secretary of War to donate to the county of Clarion, State of Pennsylvania, two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 1255.

H. R. 13948—Authorizing the Secretary of War to donate to the town of New Bethlehem, Pa., two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 1255.

H. R. 13949—Authorizing the Secretary of War to donate to the county of Jefferson, State of Pennsylvania, two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 1255.

H. R. 13950—Authorizing the Secretary of War to donate to the town of Ford City, Pa., two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 1255.

H. R. 13951—Authorizing the Secretary of War to donate to the county of Indiana, State of Pennsylvania, two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 1255.

H. R. 13952—Authorizing the Secretary of War to donate to the town of Blairsville, Pa., two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 1255.

H. R. 13953—Authorizing the Secretary of War to donate to the Brookville Park Association, Brookville, Pa., two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 1255.

H. R. 13954—Authorizing the Secretary of War to donate to the Central High School, of St. Joseph, Mo.; the State Normal School, Maryville, Mo.; Tarkio College, Tarkio, Mo.; and the county of Andrew, State of Missouri, one each a German brass cannon or fieldpiece.
Mr. Booher; Committee on Military Affairs, 1255.

H. R. 13955—Authorizing the Secretary of War to donate to the city of Sycamore, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1255.

H. R. 13956—Authorizing the Secretary of War to donate to the city of Medota, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1255.

H. R. 13957—Authorizing the Secretary of War to donate to the city of Peru, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1255.

H. R. 13958—Authorizing the Secretary of War to donate to the city of Morris, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1255.

H. R. 13959—Authorizing the Secretary of War to donate to the city of De Kalb, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1255.

H. R. 13960—Authorizing the Secretary of War to donate to the city of Ottawa, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1255.

H. R. 13961—Authorizing the Secretary of War to donate to the city of La Salle, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1255.

H. R. 13962—Authorizing the Secretary of War to donate to the city of Columbia, S. C., one German cannon or fieldpiece.
Mr. Lever; Committee on Military Affairs, 1256.

H. R. 13963—To increase the salary of the United States marshal for the eastern district of Virginia.
Mr. Carlin; Committee on the Judiciary, 1256.—Reported back (H. Rept. 978), 2029.

H. R. 13964—Authorizing the Secretary of War to donate to the cities of Crowley, Oberlin, De Ridder, Lake Charles, Cameron, Ville Platte, Opelousas, and Jennings, La., each two German cannons or fieldpieces.
Mr. Lazaro; Committee on Military Affairs, 1256.

H. R. 13965—To expel and exclude from the United States certain undesirable aliens.
Mr. Burnett; Committee on Immigration and Naturalization, 1256.

H. R. 13966—To prevent the sale of firearms to minors.
Mr. Emerson; Committee on the Judiciary, 1256.

H. R. 13967—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914, and an act in amendment thereto approved Oct. 6, 1917.
Mr. Igoe; Committee on Interstate and Foreign Commerce, 1256.

H. R. 13968—Authorizing the Secretary of War to donate to the city of Spring Green, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1256.

H. R. 13969—Authorizing the Secretary of War to donate to the city of Thorp, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1256.

H. R. 13970—Authorizing the Secretary of War to donate to the city of New Lisbon, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1256.

H. R. 13971—Authorizing the Secretary of War to donate to the city of Owen, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1256.

H. R. 13972—Authorizing the Secretary of War to donate to the city of Merrillan, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1256.

H. R. 13973—Authorizing the Secretary of War to donate to the city of Prairie du Sac, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1256.

H. R. 13974—Authorizing the Secretary of War to donate to the city of Sauk City, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1256.

H. R. 13975—Authorizing the Secretary of War to donate to the city of Geneseo, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1256.

H. R. 13976—Authorizing the Secretary of War to donate to the city of Canton, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1256.

H. R. 13977—Authorizing the Secretary of War to donate to the city of Quincy, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1256.

H. R. 13978—Authorizing the Secretary of War to donate to the city of Rushville, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1256.

H. R. 13979—Authorizing the Secretary of War to donate to the city of Lewistown, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1256.

H. R. 13980—Authorizing the Secretary of War to donate to the city of Galesburg, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1256.

H. R. 13981—Authorizing the Secretary of War to donate to the city of Cambridge, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1256.

H. R. 13982—Authorizing the Secretary of War to donate to the city of Eastport, Me., two bronze or brass cannons or fieldpieces.
Mr. Peters; Committee on Military Affairs, 1256.

H. R. 13983—Authorizing the Secretary of War to deliver to the borough of New Kensington, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13984—Authorizing the Secretary of War to deliver to the borough of Jeannette, in the State of Pennsylvania, one cannon or fieldpiece, with a carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13985—Authorizing the Secretary of War to deliver to the borough of Slippery Rock, in the State of Pennsylvania, one cannon or fieldpiece, with a carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13986—Authorizing the Secretary of War to deliver to the borough of Harmony, in the State of Pennsylvania, one cannon or fieldpiece, with a carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13987—Authorizing the Secretary of War to deliver to the borough of Zelienople, in the State of Pennsylvania, one cannon or fieldpiece, with a carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13988—Authorizing the Secretary of War to deliver to the borough of Irwin, in the State of Pennsylvania, one cannon or fieldpiece, with a carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13989—Authorizing the Secretary of War to deliver to the borough of Vandergrift, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13990—Authorizing the Secretary of War to deliver to the borough of Mount Pleasant, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13991—Authorizing the Secretary of War to deliver to the borough of Scottdale, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13992—Authorizing the Secretary of War to deliver to the borough of Monessen, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13993—Authorizing the Secretary of War to deliver to the borough of Latrobe, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13994—Authorizing the Secretary of War to deliver to the city of Butler, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13995—Authorizing the Secretary of War to deliver to the city of Greensburg, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1256.

H. R. 13996—Authorizing the Secretary of War to donate to the borough of Laporte, county of Sullivan, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1256.

H. R. 13997—Authorizing the Secretary of War to donate to the borough of Sunbury, county of Northumberland, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1256.

H. R. 13998—Authorizing the Secretary of War to donate to the borough of Danville, county of Montour, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1256.

H. R. 13999—Authorizing the Secretary of War to donate to the borough of Bloomsburg, county of Columbia, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1256.

H. R. 14000—Authorizing the Secretary of War to donate to the city of Lexington, Ky., three German cannons or fieldpieces.
Mr. Cantrill; Committee on Military Affairs, 1256.

H. R. 14001—Authorizing the Secretary of War to donate to the county of Gregory, State of South Dakota, one German cannon or fieldpiece.
Mr. Gandy; Committee on Military Affairs, 1256.

H. R. 14002—Authorizing the Secretary of War to donate to the borough of Hanover, York County, Pa., four cannons or fieldpieces, with carriages, with suitable number of shells.
Mr. Brodbeck; Committee on Military Affairs, 1256.

H. R. 14003—Authorizing the Secretary of War to donate to the borough of Gettysburg, Adams County, Pa., 20 German cannons or fieldpieces, with carriages, with suitable number of shells.
Mr. Brodbeck; Committee on Military Affairs, 1256.

H. R. 14004—Authorizing the Secretary of War to donate to the city of York, York County, Pa., four cannons or fieldpieces, with carriages, with suitable number of shells.
Mr. Brodbeck; Committee on Military Affairs, 1257.

H. R. 14005—To incorporate the Order of the Gold Star.
Mr. Lobeck; Committee on the Judiciary, 1257.

H. R. 14006—Authorizing the Secretary of War to deliver to the village of Malone, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 1257.

H. R. 14007—Authorizing the Secretary of War to deliver to the village of Port Henry, for use at old Fort St. Frederick, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 1257.

H. R. 14008—Authorizing the Secretary of War to donate to the town of Kingston, Caldwell County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14009—Authorizing the Secretary of War to donate to the city of Gallatin, Daviess County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14010—Authorizing the Secretary of War to donate to the city of Liberty, Clay County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14011—Authorizing the Secretary of War to donate to the city of Richmond, Ray County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14012—Authorizing the Secretary of War to donate to the city of Plattsburg, Clinton County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14013—Authorizing the Secretary of War to donate to the city of Maysville, Dekalb County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14014—Authorizing the Secretary of War to donate to the city of Bethany, Harrison County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14015—Authorizing the Secretary of War to donate to the city of Albany, Gentry County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14016—Authorizing the Secretary of War to donate to the city of Princeton, Mercer County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14017—Authorizing the Secretary of War to donate to the city of Grant City, Worth County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1257.

H. R. 14018—Authorizing the Secretary of War to donate to the city of Falmouth, Ky., two German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 1257.

H. R. 14019—Authorizing the Secretary of War to donate to the city of Williamstown, Ky., two German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 1257.

H. R. 14020—Authorizing the Secretary of War to donate to the city of Warsaw, Ky., two German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 1257.

H. R. 14021—Authorizing the Secretary of War to donate to the city of Bedford, Ky., two German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 1257.

H. R. 14022—Authorizing the Secretary of War to donate to the city of Carrollton, Ky., two German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 1257.

H. R. 14023—Authorizing the Secretary of War to donate to the city of Newport, Ky., four German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 1257.

H. R. 14024—Authorizing the Secretary of War to donate to the city of Covington, Ky., four German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 1257.

H. R. 14025—Authorizing the Secretary of War to donate to the city of Burlington, Ky., two German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 1257.

H. R. 14026—Donating a captured German cannon or field gun and carriage to the county of Boulder, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14027—Donating a captured German cannon or field gun and carriage to the county of Yuma, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14028—Donating a captured German cannon or field gun and carriage to the county of Washington, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14029—Donating a captured German cannon or field gun and carriage to the county of Weld, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14030—Donating a captured German cannon or field gun and carriage to the county of Sedgwick, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14031—Donating a captured German cannon or field gun and carriage to the county of Morgan, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14032—Donating a captured German cannon or field gun and carriage to the county of Kit Carson, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14033—Donating a captured German cannon or field gun and carriage to the county of El Paso, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14034—Donating a captured German cannon or field gun and carriage to the county of Elbert, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14035—Donating a captured German cannon or field gun and carriage to the county of Logan, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14036—Donating a captured German cannon or field gun and carriage to the county of Lincoln, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14037—Donating a captured German cannon or field gun and carriage to the county of Phillips, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14038—Donating a captured German cannon or field gun and carriage to the county of Larimer, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14039—Donating a captured German cannon or field gun and carriage to the county of Arapahoe, Colo., for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14040—Donating a captured German cannon or field gun and carriage to the county of Douglas, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14041—Donating a captured German cannon or field gun and carriage to the county of Cheyenne, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14042—Donating a captured German cannon or field gun and carriage to the county of Adams, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14043—Donating a captured German cannon or field gun and carriage to the public park at Eaton, Weld County, Colo., for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14044—Donating a captured German cannon or field gun and carriage to the town of Limon, for the city park of Limon, Colo., for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14045—Donating a captured German cannon or field gun and carriage to the park board of Longmont Park, at Longmont, Colo., for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1257.

H. R. 14046—Authorizing the Secretary of War to donate to the city of Defiance, Ohio, one German cannon or fieldpiece.
Mr. Snook; Committee on Military Affairs, 1257.

H. R. 14047—Authorizing the Secretary of War to donate to the village of Paulding, Ohio, one German cannon or fieldpiece.
Mr. Snook; Committee on Military Affairs, 1257.

H. R. 14048—Authorizing the Secretary of War to donate to the city of Napoleon, Ohio, one German cannon or fieldpiece.
Mr. Snook; Committee on Military Affairs, 1257.

H. R. 14049—Authorizing the Secretary of War to donate to the city of Van Wert, Ohio, one German cannon or fieldpiece.
Mr. Snook; Committee on Military Affairs, 1258.

H. R. 14050—Authorizing the Secretary of War to donate to the city of Ottawa, Ohio, one German cannon or fieldpiece.
Mr. Snook; Committee on Military Affairs, 1258.

H. R. 14051—Authorizing the Secretary of War to donate to the city of Bryan, Ohio, one German cannon or fieldpiece.
Mr. Snook; Committee on Military Affairs, 1258.

H. R. 14052—Authorizing the Secretary of War to donate to the city of Wauseon, Ohio, one German cannon or fieldpiece.
Mr. Snook; Committee on Military Affairs, 1258.

H. R. 14053—Authorizing the Secretary of War to donate to the city of Paterson, N. J., one German cannon or fieldpiece.
Mr. Drukker; Committee on Military Affairs, 1258.

H. R. 14054—Authorizing the Secretary of War to donate to the city of Passaic, N. J., one German cannon or fieldpiece.
Mr. Drukker; Committee on Military Affairs, 1258.

H. R. 14055—Authorizing the Secretary of War to donate to the city of Laporte City, Black Hawk County, Iowa, one German cannon or fieldpiece.
Mr. Sweet; Committee on Military Affairs, 1258.

H. R. 14056—Authorizing the Secretary of War to donate to the city of Dubuque, Iowa, one German cannon or fieldpiece.
Mr. Sweet; Committee on Military Affairs, 1258.

H. R. 14057—Authorizing the Secretary of War to donate to the city of Eagle Grove, Iowa, one German cannon or fieldpiece, to be placed on the lawn of the public library at said place.
Mr. Sweet; Committee on Military Affairs, 1258.

H. R. 14058—Authorizing the Secretary of War to donate to the city of Eldora, Hardin County, Iowa, one German cannon or fieldpiece.
Mr. Sweet; Committee on Military Affairs, 1258.

H. R. 14059—Authorizing the Secretary of War to donate to the city of Eagle Grove, Iowa, one German cannon or fieldpiece, to be placed in the city park.
Mr. Sweet; Committee on Military Affairs, 1258.

H. R. 14060—Authorizing the Secretary of War to donate to cities and towns in Louisiana German cannon, fieldpieces, etc.
Mr. Watson of Louisiana; Committee on Military Affairs, 1258.

H. R. 14061—For the erection of a monument to the memory of Theodore Roosevelt at Washington, D. C.
Mr. Hicks; Committee on the Library, 1258.

H. R. 14062—Authorizing the Secretary of War to donate to the city of Hamilton, Tex., one German cannon or fieldpiece or piece of artillery.
Mr. Connally of Texas; Committee on Military Affairs, 1258.

H. R. 14063—Authorizing the Secretary of War to donate captured German cannon to the city of Nogales, Ariz.
Mr. Hayden; Committee on Military Affairs, 1258.

H. R. 14064—Authorizing the Secretary of War to donate to the county of Crawford, State of Arkansas, to be placed in the courthouse grounds, in the city of Van Buren, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14065—Authorizing the Secretary of War to donate to the county of Pike, State of Arkansas, to be placed in the town of Murfreesboro, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14066—Authorizing the Secretary of War to donate to the Greenwood district of the county of Sebastian, State of Arkansas, to be placed in the courthouse grounds in the town of Greenwood, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14067—Authorizing the Secretary of War to donate to the southern district of the county of Logan, State of Arkansas, to be placed in the courthouse grounds in the town of Booneville, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14068—Authorizing the Secretary of War to donate to the northern district of the county of Logan, State of Arkansas, to be placed in the courthouse grounds in the town of Paris, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14069—Authorizing the Secretary of War to donate to the Fort Smith district of the county of Sebastian, State of Arkansas, to be placed in the courthouse grounds in the city of Fort Smith, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14070—Authorizing the Secretary of War to donate to the county of Polk, State of Arkansas, to be placed in the courthouse grounds in the city of Mena, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14071—Authorizing the Secretary of War to donate to the county of Sevier, State of Arkansas, to be placed in the courthouse grounds in the city of De Queen, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14072—Authorizing the Secretary of War to donate to the county of Scott, State of Arkansas, to be placed in the courthouse grounds in the town of Waldron, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14073—Authorizing the Secretary of War to donate to the county of Montgomery, State of Arkansas, to be placed in the courthouse grounds in the town of Mount Ida, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14074—Authorizing the Secretary of War to donate to the county of Miller, State of Arkansas, to be placed in the courthouse grounds in the city of Texarkana, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14075—Authorizing the Secretary of War to donate to the county of Howard, State of Arkansas, to be placed in the courthouse grounds in the city of Nashville, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14076—Authorizing the Secretary of War to donate to the county of Little River, State of Arkansas, to be placed in the courthouse grounds in the city of Ashdown, one German cannon or fieldpiece.
Mr. Wingo; Committee on Military Affairs, 1258.

H. R. 14077—To create a commission to be known as the Federal motion-picture commission, and defining its powers and duties.
Mr. Randall; Committee on the Judiciary, 1258.—Debated, 1403.

H. R. 14078—Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.
Mr. Byrns of Tennessee, from Committee on Appropriations (H. Rept. 910), 1254.—Debated, 1404–1437, 1456–1496, 1546–1577, 1608–1637, 1667–1699. [Appendix, 147.]—Amended and passed House, 1695–1699.—Referred to Senate Committee on Appropriations, 1732.—Reported with amendments (S. Rept. 679), 2417.—Debated, 2592–2598, 2599–2611, 3689, 3769, 3829–3865.—Amended and passed Senate, 3865.—Senate asks for a conference, 3865.—House disagrees to Senate amendments and agrees to a conference, 4051.—Conference appointed, 3865, 4051.—Conference report made, debated, and agreed to in Senate, 4317, 4318, 4325, 4326.—Conference report (No. 1146) made and agreed to in House, 4344–4347.—Examined and signed, 4388, 4500.—Approved [Public, No. 314], 4772.

H. R. 14079—Granting an increase of pension to James T. Kent.
Mr. Cannon; Committee on Invalid Pensions, 1258.

H. R. 14080—Granting a pension to Floyd B. Daugherty.
Mr. Carlin; Committee on Pensions, 1258.

H. R. 14081—Granting a pension to John M. Williams.
Mr. Church; Committee on Pensions, 1258.

H. R. 14082—Granting a pension to Florence G. Tuttle.
Mr. Clark of Missouri; Committee on Pensions, 1258.

H. R. 14083—Granting a pension to William Dugent, alias William Brown.
Mr. Coady; Committee on Invalid Pensions, 1258.

H. R. 14084—Granting a pension to Belle Harbert.
Mr. Green of Iowa; Committee on Pensions, 1258.

H. R. 14085—Granting a pension to Robert Goodman.
Mr. Heintz; Committee on Pensions, 1258.

H. R. 14086—Granting a pension to George McFoster.
Mr. Longworth; Committee on Pensions, 1258.

H. R. 14087—Granting an increase of pension to Henson Lanter.
Mr. Longworth; Committee on Invalid Pensions, 1258.

H. R. 14088—For the relief of William H. Stone.
Mr. Platt; Committee on Military Affairs, 1258.

H. R. 14089—Granting a pension to Jesse Courtney.
Mr. Slemp; Committee on Pensions, 1258.

H. R. 14090—Granting a pension to Mary J. Doyle.
Mr. Sweet; Committee on Invalid Pensions, 1258.

H. R. 14091—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Caldwell; Committee on Military Affairs, 1302.

H. R. 14092—Fixing the compensation of United States inspectors of customs.
Mr. Gallivan; Committee on Ways and Means, 1302.

H. R. 14093—Providing for the transfer of jurisdiction of and all claims for compensation for death or disability from the Bureau of War Risk Insurance to the Bureau of Pensions, and for other purposes.
Mr. Fuller of Illinois; Committee on Interstate and Foreign Commerce, 1302.

H. R. 14094—To repeal an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish the espionage and better to enforce the criminal laws of the United States, and for other purposes," and the act amendatory thereof.
Mr. LaGuardia; Committee on the Judiciary, 1302.

H. R. 14095—Authorizing the Secretry of War to donate to the city of Phillips, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14096—Authorizing the Secretary of War to donate to the city of Merrill, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14097—Authorizing the Secretary of War to donate to the city of Rhinelander, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14098—Authorizing the Secretary of War to donate to the city of Washburn, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14099—Authorizing the Secretary of War to donate to the city of Ashland, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14100—Authorizing the Secretary of War to donate to the city of Ladysmith, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14101—Authorizing the Secretary of War to donate to the city of Superior, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14102—Authorizing the Secretary of War to donate to the city of Spooner, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14103—Authorizing the Secretary of War to donate to the village of Grantsburg, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14104—Authorizing the Secretary of War to donate to the village of Balsam Lake, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1302.

H. R. 14105—To provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia.
Mr. Brodbeck; Committee on Military Affairs, 1302.

H. R. 14106—Authorizing the Secretary of War to donate to the village of Hicksville, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 1302.

H. R. 14107—Authorizing the Secretary of War to donate to the village of Riverhead, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 1302.

H. R. 14108—Authorizing the Secretary of War to donate to the village of Greenlawn, N. Y., one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 1302.

H. R. 14109—Authorizing and directing the Secretary of War to donate to the county of Llano, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1302.

H. R. 14110—Authorizing and directing the Secretary of War to donate to the city of Lampasas, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1302.

H. R. 14111—Authorizing and directing the Secretary of War to donate to the county of San Saba, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1302.

H. R. 14112—Authorizing and directing the Secretary of War to donate to the county of Coleman, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1302.

H. R. 14113—Authorizing and directing the Secretary of War to donate to the county of Brown, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1302.

H. R. 14114—Authorizing and directing the Secretary of War to donate to the county of Comanche, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1302.

H. R. 14115—Authorizing and directing the Secretary of War to donate to the county of McCulloch, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1302.

H. R. 14116—Authorizing and directing the Secretary of War to donate to the county of Mills, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14117—Authorizing and directing the Secretary of War to donate to the county of Palo Pinto, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14118—Authorizing and directing the Secretary of War to donate to the county of Stephens, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14119—Authorizing and directing the Secretary of War to donate to the county of Shackelford, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14120—Authorizing and directing the Secretary of War to donate to the county of Jones, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14121—Authorizing and directing the Secretary of War to donate to the county of Callahan, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14122—Authorizing and directing the Secretary of War to donate to the county of Concho, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14123—Authorizing and directing the Secretary of War to donate to the county of Eastland, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14124—Authorizing and directing the Secretary of War to donate to the county of Runnels, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14125—Authorizing and directing the Secretary of War to donate to the county of Taylor, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14126—Authorizing and directing the Secretary of War to donate to the county of Nolan, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14127—Authorizing and directing the Secretary of War to donate to the county of Burnet, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14128—Authorizing and directing the Secretary of War to donate to the county of Tom Green, in the State of Texas, one German cannon or fieldpiece.
Mr. Blanton; Committee on Military Affairs, 1303.

H. R. 14129—Authorizing the Secretary of War to donate to the city of Henderson, Ky., two German cannons or fieldpieces.
Mr. Kincheloe; Committee on Military Affairs, 1303.

H. R. 14130—Donating a captured German cannon or field gun and carriage to the village of East Barnet, Vt., for decorative purposes.
Mr. Dale; Committee on Military Affairs, 1303.

H. R. 14131—Authorizing the Secretary of War to donate to the city of Plano, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1303.

H. R. 14132—Authorizing the Secretary of War to donate to the city of Yorkville, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1303.

H. R. 14133—Authorizing the Secretary of War to donate to the village of Cherry Valley, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1303.

H. R. 14134—Authorizing the Secretary of War to donate to the village of Shabbona, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1303.

H. R. 14135—Authorizing the Secretary of War to donate to the city of Genoa, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1303.

H. R. 14136—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities.
Mr. Hamlin; Committee on Military Affairs, 1303.

H. R. 14137—Authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannons or fieldpieces.
Mr. Gallivan; Committee on Military Affairs, 1303.

H. R. 14138—Authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannons or fieldpieces.
Mr. Gallivan; Committee on Military Affairs, 1303.

H. R. 14139—Authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannons or fieldpieces.
Mr. Gallivan; Committee on Military Affairs, 1303.

H. R. 14140—Donating a captured German cannon or field gun and carriage to the county of Clare, State of Michigan, for decorative and patriotic purposes.
Mr. Doremus; Committee on Military Affairs, 1303.

H. R. 14141—Authorizing the Secretary of War to donate to the city of Clare, Mich., one German cannon or fieldpiece.
Mr. Doremus; Committee on Military Affairs, 1303.

H. R. 14142—Authorizing the Secretary of War to donate to the town of Woodbury, Tenn., one German cannon or fieldpiece.
Mr. Houston; Committee on Military Affairs, 1303.

H. R. 14143—Authorizing the Secretary of War to donate to the town of Smithville, Tenn., one German cannon or fieldpiece.
Mr. Houston; Committee on Military Affairs, 1303.

H. R. 14144—Authorizing the Secretary of War to donate to the town of Manchester, Tenn., one German cannon or fieldpiece.
Mr. Houston; Committee on Military Affairs, 1303.

H. R. 14145—Authorizing the Secretary of War to donate to the Middle Tennessee State Normal School at Murfreesboro, Tenn., one German cannon or fieldpiece.
Mr. Houston; Committee on Military Affairs, 1303.

H. R. 14146—Authorizing the Secretary of War to donate to the board of county commissioners of St. Johns County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14147—Authorizing the Secretary of War to donate to the board of county commissioners of Broward County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14148—Authorizing the Secretary of War to donate to the board of county commissioners of Brevard County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14149—Authorizing the Secretary of War to donate to the board of county commissioners of St. Lucie County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14150—Authorizing the Secretary of War to donate to the board of county commissioners of Palm Beach County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14151—Authorizing the Secretary of War to donate to the board of county commissioners of Duval County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14152—Authorizing the Secretary of War to donate to the board of county commissioners of Volusia County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14153—Authorizing the Secretary of War to donate to the board of county commissioners of Flagler County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14154—Authorizing the Secretary of War to donate to the board of county commissioners of Orange County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14155—Authorizing the Secretary of War to donate to the board of county commissioners of Seminole County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14156—Authorizing the Secretary of War to donate to the board of county commissioners of Osceola County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14157—Authorizing the Secretary of War to donate to the board of county commissioners of Monroe County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14158—Authorizing the Secretary of War to donate to the board of county commissioners of Okeechobee County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14159—Authorizing the Secretary of War to donate to the board of county commissioners of Dade County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14160—Authorizing the Secretary of War to donate to the board of county commissioners of Putnam County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1303.

H. R. 14161—Authorizing the Secretary of War to donate to the board of county commissioners of Clay County, Fla., one German cannon or fieldpiece.
Mr. Sears; Committee on Military Affairs, 1304.

H. R. 14162—To increase the cost of the public building at Durango, Colo.
Mr. Taylor of Colorado; Committee on Public Buildings and Grounds, 1304.

H. R. 14163—To prohibit immigration for a period of four years, and to restrict immigration thereafter.
Mr. Burnett; Committee on Immigration and Naturalization, 1304.

H. R. 14164—Directing the Surgeon General of the Army to make reports in certain cases.
Mr. Ramseyer; Committee on Military Affairs, 1304.

H. R. 14165—Providing for the honorable discharge of officers or enlisted men in the Army of the United States in certain cases.
Mr. Ramseyer; Committee on Military Affairs, 1304.

H. R. 14166—Providing for the promotion of certain officers of the United States Army.
Mr. Crago; Committee on Military Affairs, 1304.

H. R. 14167—To provide a tariff and obtain revenue in connection with the metal contents of zinc ore.
Mr. Dyer; Committee on Ways and Means, 1304.

H. R. 14168—Authorizing the Secretary of War to donate to the town of Belle Haven, county of Accomac, Va., one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1304.

H. R. 14169—Authorizing the Secretary of War to donate to the village of Tangier, on the island of Tangier, county of Accomac, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1304.

H. R. 14170—Authorizing the Secretary of War to donate to the town of Urbanna, county of Middlesex, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 1304.

H. R. 14171—Authorizing the Secretary of War to donate to the city of Baltimore, State of Maryland, German cannons or fieldpieces.
Mr. Coady; Committee on Military Affairs, 1304.

H. R. 14172—Authorizing the Secretary of War to donate to the city of Moulton, Ala., one German cannon or fieldpiece.
Mr. Almon; Committee on Military Affairs, 1304.

H. R. 14173—Authorizing the Secretary of War to donate to the city of Tuscumbia, Ala., one German cannon or fieldpiece.
Mr. Almon; Committee on Military Affairs, 1304.

H. R. 14174—Authorizing the Secretary of War to donate to the city of Scottsboro, Ala., one German cannon or fieldpiece.
Mr. Almon; Committee on Military Affairs, 1304.

H. R. 14175—Authorizing the Secretary of War to donate to the city of Florence, Ala., one German cannon or fieldpiece.
Mr. Almon; Committee on Military Affairs, 1304.

H. R. 14176—Authorizing the Secretary of War to donate to the city of Athens, Ala., one German cannon or fieldpiece.
Mr. Almon; Committee on Military Affairs, 1304.

H. R. 14177—Authorizing the Secretary of War to donate to the city of Huntsville, Ala., one German cannon or fieldpiece.
Mr. Almon; Committee on Military Affairs, 1304.

H. R. 14178—Authorizing the Secretary of War to donate to the city of Decatur, Ala., one German cannon or fieldpiece.
Mr. Almon; Committee on Military Affairs, 1304.

H. R. 14179—Authorizing the Secretary of War to donate to the town of Corona, Calif., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 1304.

H. R. 14180—Authorizing the Secretary of War to donate to the city of Marlin, Tex., one German cannon or fieldpiece or piece of artillery.
Mr. Connally of Texas; Committee on Military Affairs, 1304.

H. R. 14181—Authorizing the Secretary of War to donate to the city of Gatesville, Tex., one German cannon or fieldpiece or piece of artillery.
Mr. Connally of Texas; Committee on Military Affairs, 1304.

H. R. 14182—Authorizing the Secretary of War to donate to the city of Waco, Tex., one German cannon or fieldpiece or piece of artillery.
Mr. Connally of Texas; Committee on Military Affairs, 1304.

H. R. 14183—Authorizing the Secretary of War to donate to the city of Meridian, Tex., one German cannon or fieldpiece or piece of artillery.
Mr. Connally of Texas; Committee on Military Affairs, 1304.

H. R. 14184—Authorizing the Secretary of War to donate to the city of Belton, Tex., one German cannon or fieldpiece or piece of artillery.
Mr. Connally of Texas; Committee on Military Affairs, 1304.

H. R. 14185—To provide that the United States shall cooperate with the States in promoting the health of the rural population of the United States, and for other purposes.
Mr. Lever; Committee on Agriculture, 1304.

H. R. 14186—To provide for the incorporation of Federal railroad companies and the regulation thereof, and to establish a system of supervision of railroads in the United States, and for other purposes.
Mr. Dewalt; Committee on the Judiciary, 1304.

H. R. 14187—To provide for the erection of a public building in the city of Montrose, Colo.
Mr. Taylor of Colorado; Committee on Public Buildings and Grounds, 1304.

H. R. 14188—Authorizing the Secretary of War to donate to towns in the State of Connecticut German cannons or fieldpieces.
Mr. Merritt; Committee on Military Affairs, 1304.

H. R. 14189—Authorizing the Secretary of War to donate to the city of Wamego, Kans., one German cannon or fieldpiece.
Mr. Doolittle; Committee on Military Affairs, 1304.

H. R. 14190—Authorizing and directing the Secretary of War to make certain donations of cannon and ordnance to designated towns and cities.
Mr. Rucker; Committee on Military Affairs, 1304.

H. R. 14191—Authorizing the Secretary of War to donate to the city of Juneau, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14192—Authorizing the Secretary of War to donate to the city of West Bend, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14193—Authorizing the Secretary of War to donate to the city of Port Washington, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14194—Authorizing the Secretary of War to donate to the city of Portage, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14195—Authorizing the Secretary of War to donate to the city of Fort Atkinson, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14196—Authorizing the Secretary of War to donate to the city of Watertown, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14197—Authorizing the Secretary of War to donate to the city of Jefferson, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14198—Authorizing the Secretary of War to donate to the city of Plymouth, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14199—Authorizing the Secretary of War to donate to the city of Mayville, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14200—Authorizing the Secretary of War to donate to the city of Beaver Dam, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14201—Authorizing the Secretary of War to donate to the city of Sheboygan, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14202—Authorizing the Secretary of War to donate to the city of Hartford, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14203—Authorizing the Secretary of War to donate to the city of Waupun, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14204—Authorizing the Secretary of War to donate to the city of Columbus, Wis., one German cannon or fieldpiece and carriage.
Mr. Voigt; Committee on Military Affairs, 1304.

H. R. 14205—Granting an increase of pension to Francis H. Powell.
Mr. Bland of Indiana; Committee on Invalid Pensions, 1304.

H. R. 14206—Granting a pension to John I. Amy.
Mr. Bland of Indiana; Committee on Invalid Pensions, 1304.

H. R. 14207—Granting an increase of pension to William C. Stuart.
Mr. Booher; Committee on Invalid Pensions, 1304.

H. R. 14208—For the relief of Mrs. Mamie Duffer, of Shannon, Miss.
Mr. Candler of Mississippi; Committee on Claims, 1304.—Reported with amendment (H. Rept. 1010), 2335.

H. R. 14209—Granting a pension to Drusilla S. Hilliard.
Mr. Copley; Committee on Invalid Pensions, 1305.

H. R. 14210—Granting an increase of pension to John E. Beatty.
Mr. Polk; Committee on Invalid Pensions, 1305.

H. R. 14211—Granting an increase of pension to General G. Burris.
Mr. Webb; Committee on Pensions, 1305.

H. R. 14212—Granting an increase of pension to John N. Ellis.
Mr. Wood of Indiana; Committee on Invalid Pensions, 1305.

H. R. 14213—Granting an increase of pension to Peter A. Ruble.
Mr. Wood of Indiana; Committee on Invalid Pensions, 1305.

H. R. 14214—Authorizing the Secretary of War to donate to the board of county commissioners of Ottawa County, Ohio, one German cannon or fieldpiece.
Mr. Sherwood; Committee on Military Affairs, 1375.

H. R. 14215—Authorizing the Secretary of War to donate to the board of county commissioners of Ottawa County, Ohio, one German cannon or fieldpiece.
Mr. Sherwood; Committee on Military Affairs, 1375.

H. R. 14216—Authorizing the Secretary of War to donate to the board of county commissioners of Lucas County, Ohio, one German cannon or fieldpiece.
Mr. Sherwood; Committee on Military Affairs, 1375.

H. R. 14217—Authorizing the Secretary of War to donate to the city of Hinckley, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1375.

H. R. 14218—Authorizing the Secretary of War to donate to the village of Pecatonica, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1375.

H. R. 14219—Authorizing the Secretary of War to donate to the village of Durand, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1375.

H. R. 14220—Authorizing the Secretary of War to donate to the village of Rockton, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1375.

H. R. 14221—Authorizing the Secretary of War to donate to the borough of Northampton, Pa., one German cannon or fieldpiece.
Mr. Steele; Committee on Military Affairs, 1375.

H. R. 14222—Authorizing and directing the Secretary of the Interior to increase the monthly salaries of registers and receivers of local land offices.
Mr. Johnson of Washington; Committee on the Public Lands, 1375.

H. R. 14223—Authorizing the Secretary of War to donate to the city of Lancaster, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14224—Authorizing the Secretary of War to donate to the city of York, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14225—Authorizing the Secretary of War to donate to the city of Camden, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14226—Authorizing the Secretary of War to donate to the city of Cheraw, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14227—Authorizing the Secretary of War to donate to the city of Gaffney, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14228—Authorizing the Secretary of War to donate to the city of Chesterfield, S. C., one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14229—Authorizing the Secretary of War to donate to the city of Chester, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14230—Authorizing the Secretary of War to donate to the city of Fort Mill, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14231—Authorizing the Secretary of War to donate to the city of Kershaw, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14232—Authorizing the Secretary of War to donate to the city of Rock Hill, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14233—Authorizing the Secretary of War to donate to the city of Winnsboro, State of South Carolina, one German cannon or fieldpiece.
Mr. Stevenson; Committee on Military Affairs, 1375.

H. R. 14234—Donating captured cannon and cannon balls to the city of Sherman, Tex.
Mr. Rayburn; Committee on Military Affairs, 1375.

H. R. 14235—Donating captured cannon and cannon balls to the city of Denison, Tex.
Mr. Rayburn; Committee on Military Affairs, 1375.

H. R. 14236—Authorizing the Secretary of War to donate to the village of Roosevelt, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 1375.

H. R. 14237—Authorizing the Secretary of War to donate to the village of Mineola, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 1375.

H. R. 14238—Authorizing the Secretary of War to donate to the armory of the National Guard at Flushing, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 1375.

H. R. 14239—Authorizing the Secretary of War to donate to the village of Port Washington, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 1375.

H. R. 14240—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Red Bank, Monmouth County, N. J.
Mr. Scully; Committee on Military Affairs, 1375.

H. R. 14241—Authorizing and directing the Secretary of War to make certain donation of ordnance and cannon to the city of Perth Amboy, N. J.
Mr. Scully; Committee on Military Affairs, 1375.

H. R. 14242—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of South Amboy, N. J.
Mr. Scully; Committee on Military Affairs, 1375.

H. R. 14243—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Toms River, Ocean County, N. J.
Mr. Scully; Committee on Military Affairs, 1375.

H. R. 14244—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Long Branch, Monmouth County, N. J.
Mr. Scully; Committee on Military Affairs, 1375.

H. R. 14245—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Asbury Park, Monmouth County, N. J.
Mr. Scully; Committee on Military Affairs, 1375.

H. R. 14246—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of New Brunswick, Middlesex County, N. J.
Mr. Scully; Committee on Military Affairs, 1375.

H. R. 14247—Authorizing the Secretary of War to donate to the town of Yates City, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1375.

H. R. 14248—Authorizing the Secretary of War to donate to the city of Kewanee, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1375.

H. R. 14249—Authorizing the Secretary of War to donate to the town of Orion, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1375.

H. R. 14250—Authorizing the Secretary of War to donate to the town of Oneida, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 1376.

H. R. 14251—Authorizing the Secretary of War to donate to the city of La Farge, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1376.

H. R. 14252—Authorizing the Secretary of War to donate to the city of Oneonta, N. Y., one German cannon or fieldpiece, to be placed in the city park.
Mr. George W. Fairchild; Committee on Military Affairs, 1376.

H. R. 14253—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States.
Mr. Haskell; Committee on Military Affairs, 1376.

H. R. 14254—Providing that the Secretary of War may turn over to the Postmaster General camp buildings material suitable for the Postal Service.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 1376.

H. R. 14255—Authorizing the Secretary of War to donate to the city of Sturgeon Bay, Wis., one German cannon or fieldpiece and carriage.
Mr. Classon; Committee on Military Affairs, 1376.

H. R. 14256—Authorizing the Secretary of War to donate to the city of Antigo, Wis., one German cannon or fieldpiece and carriage.
Mr. Classon; Committee on Military Affairs, 1376.

H. R. 14257—Authorizing the Secretary of War to donate to the city of Crandon, Wis., one German cannon or fieldpiece and carriage.
Mr. Classon; Committee on Military Affairs, 1376.

H. R. 14258—Authorizing the Secretary of War to donate to the city of Appleton, Wis., one German cannon or fieldpiece and carriage.
Mr. Classon; Committee on Military Affairs, 1376.

H. R. 14259—Authorizing the Secretary of War to donate to the city of Green Bay, Wis., one German cannon or fieldpiece and carriage.
Mr. Classon; Committee on Military Affairs, 1376.

H. R. 14260—Authorizing the Secretary of War to donate to the city of Kewaunee, Wis., one German cannon or fieldpiece and carriage.
Mr. Classon; Committee on Military Affairs, 1376.

H. R. 14261—Authorizing the Secretary of War to donate to the city of Marinette, Wis., one German cannon or fieldpiece and carriage.
Mr. Classon; Committee on Military Affairs, 1376.

H. R. 14262—Authorizing the Secretary of War to donate to the city of Oconto, Wis., one German cannon or fieldpiece and carriage.
Mr. Classon; Committee on Military Affairs, 1376.

H. R. 14263—Authorizing the Secretary of War to donate to the city of Florence, Wis., one German cannon or fieldpiece and carriage.
Mr. Classon; Committee on Military Affairs, 1376.

H. R. 14264—Authorizing the Secretary of War to donate to the city of Sullivan, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14265—Authorizing the Secretary of War to donate to the city of Shelbyville, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14266—Authorizing the Secretary of War to donate to the city of Mattoon, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14267—Authorizing the Secretary of War to donate to the county of Hale, Ala., two German cannons or fieldpieces.
Mr. Oliver of Alabama; Committee on Military Affairs, 1376.

H. R. 14268—Authorizing the Secretary of War to donate to the county of Sumter, Ala., two German cannons or fieldpieces.
Mr. Oliver of Alabama; Committee on Military Affairs, 1376.

H. R. 14269—Authorizing the Secretary of War to donate to the county of Tuscaloosa, Ala., two German cannons or fieldpieces.
Mr. Oliver of Alabama; Committee on Military Affairs, 1376.

H. R. 14270—Authorizing the Secretary of War to donate to the county of Greene, Ala., two German cannons or fieldpieces.
Mr. Oliver of Alabama; Committee on Military Affairs, 1376.

H. R. 14271—Authorizing the Secretary of War to donate to the county of Perry, Ala., two German cannons or fieldpieces.
Mr. Oliver of Alabama; Committee on Military Affairs, 1376.

H. R. 14272—Authorizing the Secretary of War to donate to the county of Bibb, Ala., two German cannons or fieldpieces.
Mr. Oliver of Alabama; Committee on Military Affairs, 1376.

H. R. 14273—Authorizing the Secretary of War to donate to the city of Clinton, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14274—Authorizing the Secretary of War to donate to the city of Monticello, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14275—Authorizing the Secretary of War to donate to the city of Decatur, Ill., two German cannons or fieldpieces.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14276—Authorizing the Secretary of War to donate to the city of Homer, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14277—Authorizing the Secretary of War to donate to the city of Champaign, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14278—Authorizing the Secretary of War to donate to the city of Urbana, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14279—Authorizing the Secretary of War to donate to the city of Charleston, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14280—Authorizing the Secretary of War to donate to the city of Tuscola, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1376.

H. R. 14281—Authorizing the Secretary of War to donate to the city of Fulton, N. Y., two German cannons or fieldpieces.
Mr. Mott; Committee on Military Affairs, 1376.

H. R. 14282—Authorizing the Secretary of War to donate to the city of Oneida, N. Y., two German cannons or fieldpieces.
Mr. Mott; Committee on Military Affairs, 1376.

H. R. 14283—Authorizing the Secretary of War to donate to the city of Watertown, N. Y., two German cannons or fieldpieces.
Mr. Mott; Committee on Military Affairs, 1376.

H. R. 14284—Authorizing the Secretary of War to donate to the city of Oswego, N. Y., two German cannons or fieldpieces.
Mr. Mott; Committee on Military Affairs, 1376.

H. R. 14285—Authorizing the Secretary of War to donate to the village of Lowville, N. Y., two German cannons or fieldpieces.
Mr. Mott; Committee on Military Affairs, 1376.

H. R. 14286—Authorizing the Secretary of War to donate to Colgate University, of Hamilton, N. Y., two German cannons or fieldpieces.
Mr. Mott; Committee on Military Affairs, 1376.

H. R. 14287—Authorizing the Secretary of War to donate to the city of Staunton, Va., one German cannon or fieldpiece.
Mr. Flood; Committee on Military Affairs, 1376.

H. R. 14288—Authorizing the Secretary of War to donate to the town of Palmyra, Va., one German cannon or fieldpiece.
Mr. Flood; Committee on Military Affairs, 1376.

H. R. 14289—Authorizing the Secretary of War to donate to the town of Bel Air, Md., one German cannon or fieldpiece.
Mr. Benson; Committee on Military Affairs, 1376.

H. R. 14290—Authorizing the Secretary of War to donate to the town of Westminster, Md., one German cannon or fieldpiece.
Mr. Benson; Committee on Military Affairs, 1376.

H. R. 14291—Authorizing the Secretary of War to donate to the board of county commissioners of Baltimore County, Md., one German cannon or fieldpiece.
Mr. Benson; Committee on Military Affairs, 1376.

H. R. 14292—To establish the American Academy of Government and Diplomacy.
Mr. Swift; Committee on the District of Columbia, 1376.

H. R. 14293—Authorizing the Secretary of War to donate to the Borough of Brooklyn, city of New York, for Bushwick and Highland Parks, cannons or fieldpieces, with carriages and suitable complements of projectiles.
Mr. Swift; Committee on Military Affairs, 1376.

H. R. 14294—Authorizing the Secretary of War to donate to the Borough of Queens, city of New York, for Forest Park and Richmond Hill Library Square, cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Swift; Committee on Military Affairs, 1376.

H. R. 14295—To create an athletic commission and to legalize boxing in the District of Columbia.
Mr. Cary; Committee on the District of Columbia, 1376.

H. R. 14296—To donate a captured cannon or gun to the borough of Atlantic Highlands, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1376.

H. R. 14297—To donate a captured cannon or gun to the borough of Barnegat City, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1376.

H.R. 14298—To donate a captured cannon or gun to the borough of Spring Lake, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1376.

H. R. 14299—To donate a captured cannon or gun to the borough of Keyport, Monmouth County, N. J.
Mr. Scully; Committee on Military Affairs, 1376.

H. R. 14300—To donate a captured cannon or gun to the borough of Highlands, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1376.

H. R. 14301—To donate a captured cannon or gun to the borough of Farmingdale, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1376.

H. R. 14302—To donate a captured cannon or gun to the borough of Englishtown, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14303—To donate a captured cannon or gun to the borough of Deal, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14304—To donate a captured cannon or gun to the borough of Bradley Beach, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14305—To donate a captured cannon or gun to the borough of Belmar, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14306—To donate a captured cannon or gun to the borough of Allentown, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14307—To donate a captured cannon or gun to the borough of Allenhurst, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14308—To donate a captured cannon or gun to the borough of Spottswood, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14309—To donate a captured cannon or gun to the borough of South River, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14310—Authorizing the Secretary of War to donate to the village of St. Albans, N. Y., one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 1377.

H. R. 14311—To donate a captured cannon or gun to the borough of Roosevelt, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14312—To donate a captured cannon or gun to the borough of Rumson, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14313—To donate a captured cannon or gun to the borough of Metuchen, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14314—To donate a captured cannon or gun to the borough of Seabright, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14315—To donate a captured cannon or gun to the borough of Milltown, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14316—To donate a captured cannon or gun to the borough of Tuckerton, Ocean County, N. J.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14317—To donate a captured cannon or gun to the borough of Highland Park, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14318—To donate a captured cannon or gun to the borough of Bay Head, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14319—To donate a captured cannon or gun to the borough of Dunellen, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14320—To donate a captured cannon or gun to the borough of Helmetta, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14321—To donate a captured cannon or gun to the borough of Jamesburg, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14322—To donate a captured cannon or gun to the township of Lakewood, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14323—To donate a captured cannon or gun to the township of Sayreville, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14324—To donate a captured cannon or gun to the township of Eatontown, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14325—To donate a captured cannon or gun to the township of Cranbury, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14326—To donate a captured cannon or gun to the township of Matawan, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14327—To donate a captured cannon or gun to the township of Woodbridge, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14328—To donate a captured cannon or gun to the township of Shrewsbury, Monmouth County, N. J.
Mr. Scully; Committee on Military Affairs, 1377.

H. R. 14329—Donating a captured German cannon or field gun and carriage to the village of East Burke, Vt., for decorative purposes.
Mr. Dale; Committee on Military Affairs, 1377.

H. R. 14330—To amend an act entitled "An act to incorporate the American National Red Cross," approved Jan. 5, 1905.
Mr. Charles B. Smith; Committee on the Judiciary, 1377.

H. R. 14331—To provide for the appointment of an additional district judge in and for the western judicial district of the State of New York.
Mr. Charles B. Smith; Committee on the Judiciary, 1377.

H. R. 14332—To change the name of the Sequoia National Park, Calif., to Roosevelt National Park.
Mr. Elston; Committee on the Public Lands, 1377.

H. R. 14333—Authorizing the Secretary of War to donate to the city of Little Falls, N. Y., one German cannon or fieldpiece.
Mr. Snyder; Committee on Military Affairs, 1377.

H. R. 14334—Authorizing the Secretary of War to donate to the city of Utica, N. Y., one German cannon or fieldpiece.
Mr. Snyder; Committee on Military Affairs, 1377.

H. R. 14335—Authorizing the Secretary of War to donate to the city of Rome, N. Y., one German cannon or fieldpiece.
Mr. Snyder; Committee on Military Affairs, 1377.

H. R. 14336—Authorizing the Secretary of War to donate to the village of Waterville, N. Y., one German cannon or fieldpiece.
Mr. Snyder; Committee on Military Affairs, 1377.

H. R. 14337—Authorizing the Secretary of War to donate to the village of Westfield, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14338—Authorizing the Secretary of War to donate to the city of Chilton, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14339—Authorizing the Secretary of War to donate to the village of Kiel, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14340—Authorizing the Secretary of War to donate to the city of Manitowoc, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14341—Authorizing the Secretary of War to donate to the city of Berlin, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14342—Authorizing the Secretary of War to donate to the city of Ripon, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14343—Authorizing the Secretary of War to donate to the city of Neenah, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14344—Authorizing the Secretary of War to donate to the city of Menasha, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14345—Authorizing the Secretary of War to donate to the city of Oshkosh, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14346—Authorizing the Secretary of War to donate to the city of Fond du Lac, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 1377.

H. R. 14347—To provide for the payment of mileage to officers on joining their first stations when commissioned in the National Army.
Mr. Osborne; Committee on Military Affairs, 1377.

H. R. 14348—Authorizing the Secretary of War to donate to the city of Salem, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1377.

H. R. 14349—Authorizing the Secretary of War to donate to the city of Newburyport, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1377.

H. R. 14350—Authorizing the Secretary of War to donate to the city of Gloucester, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1377.

H. R. 14351—Authorizing the Secretary of War to donate to the town of Salisbury, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1377.

H. R. 14352—Authorizing the Secretary of War to donate to the city of Haverhill, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1377.

H. R. 14353—Authorizing the Secretary of War to donate to the town of Topsfield, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1377.

H. R. 14354—Authorizing the Secretary of War to donate to the city of Beverly, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1377.

H. R. 14355—Authorizing the Secretary of War to donate to the town of Rowley, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1377.

H. R. 14356—Authorizing the Secretary of War to donate to the town of West Newbury, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14357—Authorizing the Secretary of War to donate to the town of Swampscott, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14358—Authorizing the Secretary of War to donate to the town of Ipswich, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14359—Authorizing the Secretary of War to donate to the town of Manchester, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14360—Authorizing the Secretary of War to donate to the town of Merrimac, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14361—Authorizing the Secretary of War to donate to the town of Marblehead, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14362—Authorizing the Secretary of War to donate to the town of Newbury, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14363—Authorizing the Secretary of War to donate to the town of Georgetown, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14364—Authorizing the Secretary of War to donate to the town of Groveland, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14365—Authorizing the Secretary of War to donate to the town of Hamilton, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14366—Authorizing the Secretary of War to donate to the town of Danvers, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378

H. R. 14367—Authorizing the Secretary of War to donate to the town of Essex, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14368—Authorizing the Secretary of War to donate to the town of Amesbury, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14369—Authorizing the Secretary of War to donate to the town of Rockport, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14370—Authorizing the Secretary of War to donate to the town of Wenham, Mass., one German cannon or fieldpiece.
Mr. Lufkin; Committee on Military Affairs, 1378.

H. R. 14371—Granting a pension to William J. Taylor.
Mr. Beshlin; Committee on Pensions, 1378.

H. R. 14372—Granting an increase of pension to Simpson Newman.
Mr. Denison; Committee on Invalid Pensions, 1378.

H. R. 14373—Granting a pension to Thomas B. Leeper.
Mr. Dickinson; Committee on Invalid Pensions, 1378.

H. R. 14374—Granting an increase of pension to Elizabeth A. Deuel.
Mr. Fess; Committee on Pensions, 1378.

H. R. 14375—For the relief of Edward S. Farrow.
Mr. Scully; Committee on Military Affairs, 1378.

H. R. 14376—Granting an increase of pension to Edward T. Jackson.
Mr. White of Maine; Committee on Invalid Pensions, 1378.

H. R. 14377—Authorizing the Secretary of War to donate to the town of Richland, N. Y., two German cannons or fieldpieces.
Mr. Mott; Committee on Military Affairs, 1438.

H. R. 14378—Authorizing the Secretary of War to donate to the village of Hannibal, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 1438.

H. R. 14379—Authorizing the Secretary of War to donate to the city of Marseilles, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1438.

H. R. 14380—Authorizing the Secretary of War to donate to the city of Streator, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1438.

H. R. 14381—Authorizing the Secretary of War to donate to the village of Poplar Grove, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1438.

H. R. 14382—Authorizing the Secretary of War to donate to the town of Waynesville, Haywood County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 1438.

H. R. 14383—Authorizing the Secretary of War to donate to the city of Asheville, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 1438.

H. R. 14384—Authorizing the Secretary of War to donate to the board of trustees of Hollis High School, Hollis, Rutherford County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 1438.

H. R. 14385—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities.
Mr. Osborne; Committee on Military Affairs, 1438.

H. R. 14386—Authorizing the Secretary of War to donate to the city of Talladega, Talladega County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1438.

H. R. 14387—Authorizing the Secretary of War to donate to the city of Jacksonville, Calhoun County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1438.

H. R. 14388—Authorizing the Secretary of War to donate to the city of Santa Fe, N. Mex., one German cannon or fieldpiece.
Mr. Walton; Committee on Military Affairs, 1438.

H. R. 14389—Authorizing the Secretary of War to donate to the city of Roswell, N. Mex., one German cannon or fieldpiece.
Mr. Walton; Committee on Military Affairs, 1438.

H. R. 14390—Authorizing the Secretary of War to donate to the city of Albuquerque, N. Mex., one German cannon or fieldpiece.
Mr. Walton; Committee on Military Affairs, 1438.

H. R. 14391—Authorizing the Secretary of War to donate to the town of Silver City, N. Mex., one German cannon or fieldpiece.
Mr. Walton; Committee on Military Affairs, 1438.

H. R. 14392—Authorizing the Secretary of War to donate to the town of Eastchester, N. Y., one German cannon or fieldpiece.
Mr. Benjamin L. Fairchild; Committee on Military Affairs, 1438.

H. R. 14393—Authorizing the Secretary of War to donate to the town of Pelham, N. Y., one German cannon or fieldpiece.
Mr. Benjamin L. Fairchild; Committee on Military Affairs, 1438.

H. R. 14394—Authorizing the Secretary of War to donate to the city of Mount Vernon, N. Y., one German cannon or fieldpiece.
Mr. Benjamin L. Fairchild; Committee on Military Affairs, 1438.

H. R. 14395—Authorizing the Secretary of War to donate to the city of Yonkers, N. Y., one German cannon or fieldpiece.
Mr. Benjamin L. Fairchild; Committee on Military Affairs, 1438.

H. R. 14396—Authorizing the Secretary of War to donate to the city of Stilwell, Okla., one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14397—Authorizing the Secretary of War to donate to the county of Cherokee, State of Oklahoma, one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14398—Authorizing the Secretary of War to donate to the city of Muskogee, Okla., four German cannons or fieldpieces.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14399—Authorizing the Secretary of War to donate to the city of Okmulgee, Okla., four German cannons or fieldpieces.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14400—Authorizing the Secretary of War to donate to the city of Henryetta, Okla., one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14401—Authorizing the Secretary of War to donate to the county of Wagoner, State of Oklahoma, one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14402—Authorizing the Secretary of War to donate to the city of Stigler, county of Haskell, State of Oklahoma, one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14403—Authorizing the Secretary of War to donate to the city of Checotah, county of McIntosh, Okla., one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14404—Authorizing the Secretary of War to donate to the city of Eufaula, Okla., one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14405—Authorizing the Secretary of War to donate to the town of Muldrow, county of Sequoyah, State of Oklahoma, one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14406—Authorizing the Secretary of War to donate to the county of Sequoyah, State of Oklahoma, one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14407—Authorizing the Secretary of War to donate to the town of Vian, county of Sequoyah, State of Oklahoma, one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14408—Authorizing the Secretary of War to donate to the city of Westvile, Okla., one German cannon or fieldpiece.
Mr. Hastings; Committee on Military Affairs, 1438.

H. R. 14409—Donating a captured German cannon or field gun and carriage to the city of Manitou, county of El Paso, State of Colorado, for decorative and patriotic purposes.
Mr. Timberlake; Committee on Military Affairs, 1438.

H. R. 14410—To authorize the acquisition of land for a national military cemetery in France and to provide for the establishment, care, and maintenance thereof, and for other purposes.
Mr. Dent; Committee on Military Affairs, 1438.

H. R. 14411—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States.
Mr. Bacharach; Committee on Military Affairs, 1438.

H. R. 14412—Authorizing the Secretary of War to donate to the borough of Leonia, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 1438.

H. R. 14413—Authorizing the Secretary of War to donate to the city of Phillipsburg, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 1438.

H. R. 14414—Authorizing the Secretary of War to donate to the borough of Oakland, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 1438.

H. R. 14415—Authorizing the Secretary of War to donate to the borough of Woodridge, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 1438.

H. R. 14416—Authorizing the Secretary of War to donate to the town of Hackensack, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 1438.

H. R. 14417—Authorizing the Secretary of War to donate to the town of Newton, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 1438.

H. R. 14418—Authorizing the Secretary of War to donate to the city of Greenville, S. C., one German cannon or fieldpiece and carriage.
Mr. Nicholls of South Carolina; Committee on Military Affairs, 1438.

H. R. 14419—Authorizing the Secretary of War to donate to the city of Union, S. C., one German cannon or fieldpiece.
Mr. Nicholls of South Carolina; Committee on Military Affairs, 1438.

H. R. 14420—Authorizing the Secretary of War to donate to the city of Spartanburg, S. C., one German cannon or fieldpiece and carriage.
Mr. Nicholls of South Carolina; Committee on Military Affairs, 1439.

H. R. 14421—Authorizing the Secretary of War to donate to the city of Laurens, S. C., one German cannon or fieldpiece and carriage.
Mr. Nicholls of South Carolina; Committee on Military Affairs, 1439.

H. R. 14422—Donating captured cannon and cannon balls to the city of Ladonia, Tex.
Mr. Rayburn; Committee on Military Affairs, 1439.

H. R. 14423—Donating captured cannon and cannon balls to the city of McKinney, Tex.
Mr. Rayburn; Committee on Military Affairs, 1439.

H. R. 14424—Donating captured cannon and cannon balls to the city of Greenville, Tex.
Mr. Rayburn; Committee on Military Affairs, 1439.

H. R. 14425—Donating captured cannon and cannon balls to the city of Honey Grove, Tex.
Mr. Rayburn; Committee on Military Affairs, 1439.

H. R. 14426—Donating captured cannon and cannon balls to the city of Commerce, Tex.
Mr. Rayburn; Committee on Military Affairs, 1439.

H. R. 14427—Donating captured cannon and cannon balls to the city of Celina, Tex.
Mr. Rayburn; Committee on Military Affairs, 1439.

H. R. 14428—Authorizing the Secretary of War to donate to the town of Needham, Mass., one German cannon or fieldpiece.
Mr. Carter of Massachusetts; Committee on Military Affairs, 1439.

H. R. 14429—Authorizing the Secretary of War to donate to the city of Winchester, Ky., two German cannons or fieldpieces.
Mr. Cantrill; Committee on Military Affairs, 1439.

H. R. 14430—Authorizing the Secretary of War to donate to cities and towns in Louisiana German cannons or fieldpieces.
Mr. Aswell; Committee on Military Affairs, 1439.

H. R. 14431—Authorizing the Secretary of War to donate to the city of Alexandria, La., one German cannon or fieldpiece.
Mr. Aswell; Committee on Military Affairs, 1439.

H. R. 14432—Authorizing the Secretary of War to donate to the city of Piedmont, Calhoun County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1439.

H. R. 14433—Donating a captured German cannon or field gun and carriage to the city of Bluefield, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14434—Donating a captured German cannon or field gun and carriage to the town of Union, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14435—Donating a captured German cannon or field gun and carriage to the city of Hinton, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14436—Donating a captured German cannon or field gun and carriage to the town of Logan, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14437—Donating a captured German cannon or field gun and carriage to the city of Princeton, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14438—Donating a captured German cannon or field gun and carriage to the town of Pineville, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14439—Donating a captured German cannon or field gun and carriage to the city of Williamson, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14440—Donating a captured German cannon or field gun and carriage to the town of Wayne, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14441—Donating a captured German cannon or field gun and carriage to the town of Hamlin, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14442—Donating a captured German cannon or field gun and carriage to the town of Welch, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 1439.

H. R. 14443—Authorizing the Secretary of War to donate to the city of Bath, Me., one German cannon or fieldpiece.
Mr. White of Maine; Committee on Military Affairs, 1439.

H. R. 14444—Authorizing the Secretary of War to donate to the city of Lewiston, Me., one German cannon or fieldpiece.
Mr. White of Maine; Committee on Military Affairs, 1439.

H. R. 14445—Authorizing the Secretary of War to donate to the city of Auburn, Me., one German cannon or fieldpiece.
Mr. White of Maine; Committee on Military Affairs, 1439.

H. R. 14446—Authorizing the Secretary of War to donate to the town of Canton, Me., one German cannon or fieldpiece.
Mr. White of Maine; Committee on Military Affairs, 1439.

H. R. 14447—Authorizing the Secretary of War to donate to Fryeburg Academy, one German cannon or fieldpiece.
Mr. White of Maine; Committee on Military Affairs, 1439.

H. R. 14448—Granting an increase of pension to Henry O. Pixley.
Mr. Connelly of Kansas; Committee on Invalid Pensions, 1439.

H. R. 14449—For the relief of Robert L. Brantley.
Mr. Curry of California; Committee on Invalid Pensions, 1439.

H. R. 14450—Granting an increase of pension to Gussie Rash.
Mr. Fields; Committee on Pensions, 1439.

H. R. 14451—Granting an increase of pension to John Gellinger.
Mr. Focht; Committee on Invalid Pensions, 1439.

H. R. 14452—Granting a pension to James Sweeney.
Mr. Gard; Committee on Pensions, 1439.

H. R. 14453—Granting an increase of pension to John Hobart.
Mr. King; Committee on Invalid Pensions, 1439.

H. R. 14454—Granting an increase of pension to Wilson B. George.
Mr. Knutson; Committee on Invalid Pensions, 1439.

H. R. 14455—Granting an increase of pension to George Sullivan.
Mr. Heintz; Committee on Invalid Pensions, 1439.

H. R. 14456—Granting an increase of pension to John J. Kraft.
Mr. Taylor of Colorado; Committee on Invalid Pensions, 1439.

H. R. 14457—Authorizing the Secretary of War to donate to the city of Boston, Mass., three German cannons or fieldpieces.
Mr. Tinkham; Committee on Military Affairs, 1497.

H. R. 14458—To donate a captured cannon or gun to the township of Freehold, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1497.

H. R. 14459—To donate a captured cannon or gun to the borough of Point Pleasant, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1497.

H. R. 14460—To donate a captured cannon or gun to the borough of Island Heights, in the State of New Jersey.
Mr. Scully; Committee on Military Affairs, 1497.

H. R. 14461—Authorizing and directing the Secretary of War to donate to the county of Madison, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14462—Authorizing and directing the Secretary of War to donate to the county of Baxter, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14463—Authorizing and directing the Secretary of War to donate to the county of Washington, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14464—Authorizing and directing the Secretary of War to donate to the county of Van Buren, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14465—Authorizing and directing the Secretary of War to donate to the county of Marion, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14466—Authorizing and directing the Secretary of War to donate to the county of Searcy, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14467—Authorizing and directing the Secretary of War to donate to the county of Boone, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14468—Authorizing and directing the Secretary of War to donate to the county of Carroll, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14469—Authorizing and directing the Secretary of War to donate to the county of Benton, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14470—Authorizing and directing the Secretary of War to donate to the county of Newton, State of Arkansas, five German cannons or fieldpieces.
Mr. Tillman; Committee on Military Affairs, 1497.

H. R. 14471—To amend the public-building act approved Mar. 4, 1913, authorizing the acquisition of a suitable site for a public building at Olyphant, Pa.
Mr. Farr; Committee on Public Buildings and Grounds, 1497.

H. R. 14472—Regulating the honorable discharges or resignations of those who served their country in the Army and Navy during the war.
Mr. Gallivan; Committee on Military Affairs, 1497.

H. R. 14473—For the construction of a new power plant at the Boston Navy Yard.
Mr. Tinkham; Committee on Naval Affairs, 1497.

H. R. 14474—For the construction of a plate storage yard at the Boston Navy Yard.
Mr. Tinkham; Committee on Naval Affairs, 1497.

H. R. 14475—Providing for the reimbursement of the diplomatic and consular officers and agents of the United States in the countries recently at war, or in the war area, for the loss of personal belongings or other losses incurred consequent to war conditions.
Mr. Griffin; Committee on Foreign Affairs, 1497.

H. R. 14476—Authorizing the Secretary of War to deliver to the borough of Ligonier, in the State of Pennsylvania, one cannon or fieldpiece, with a carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1497.

H. R. 14477—Authorizing the Secretary of War to deliver to the borough of Greensburg, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Robbins; Committee on Military Affairs, 1497.

H. R. 14478—Authorizing the Secretary of War to donate to the city of Stanberry, Gentry County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committe on Military Affairs, 1497.

H. R. 14479—Authorizing the Secretary of War to donate to the city of Excelsior Springs, Clay County, Mo., two German cannons or fieldpieces and one tank.
Mr. Alexander; Committee on Military Affairs, 1498.

H. R. 14480—Authorizing the Secretary of War to donate to the city of Cameron, Clinton County, Mo., two German cannons or fieldpieces.
Mr. Alexander; Committee on Military Affairs, 1498.

H. R. 14481.—Authorizing the Secretary of War to donate to the city of Weldon, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1498.

H. R. 14482.—Authorizing the Secretary of War to donate to the town of Stroudsburg, Pa., one German cannon or fieldpiece.
Mr. Steele; Committee on Military Affairs, 1498.

H. R. 14483.—Authorizing the Secretary of War to donate to the town of Flushing, Ohio, one German cannon or fieldpiece.
Mr. Hollingsworth; Committee on Military Affairs, 1498.

H. R. 14484—Authorizing the Secretary of War to donate to the town of Mingo Junction, Ohio, one German cannon or fieldpiece.
Mr. Hollingsworth; Committee on Military Affairs, 1498.

H. R. 14485—Authorizing the Secretary of War to donate to the town of Rumford, Me., one German cannon or fieldpiece.
Mr. White of Maine; Committee on Military Affairs, 1498.

H. R. 14486—Authorizing the Secretary of War to donate to the city of Frankfort, county of Clinton, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14487—Authorizing the Secretary of War to donate to the city of Noblesville, county of Hamilton, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14488—Authorizing the Secretary of War to donate to the city of Covington, county of Fountain, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14489—Authorizing the Secretary of War to donate to the city of Delphi, county of Carroll, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14490—Authorizing the Secretary of War to donate to the city of Crawfordsville, county of Montgomery, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14491—Authorizing the Secretary of War to donate to the city of Attica, county of Fountain, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14492—Authorizing the Secretary of War to donate to the city of Lebanon, county of Boone, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14493—Authorizing the Secretary of War to donate to the city of Tipton, county of Tipton, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14494—Authorizing the Secretary of War to donate to the city of Kokomo, county of Howard, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14495—Authorizing the Secretary of War to donate to the city of Veedersburg, county of Fountain, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1498.

H. R. 14496—Extending to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards, and State and county councils of defense the thanks of Congress for their services rendered in the administration of the selective-service law; also authorizing the President to appoint by brevet commissions the members of such State, county, and district boards; also authorizing and directing the Secretary of War to cause to be struck and presented to each of such officials in the name of Congress an appropriate medal.
Mr. Smith of Idaho; Committee on Military Affairs, 1498.

H. R. 14497—To amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, by increasing the maximum of Federal aid in the construction of roads to $15,000 per mile.
Mr. Gould; Committee on Roads, 1498.—Reported back (H. Rept. 992), 2184.

H. R. 14498—Relieving honorably discharged officers and enlisted men from payment of premiums on policies of war-risk insurance for a period of two years from date of such discharge.
Mr. McCulloch; Committee on Interstate and Foreign Commerce, 1498.

H. R. 14499—Authorizing the Secretary of War to donate to the city of Dawson, Ga., one German cannon or fieldpiece.
Mr. Crisp; Committee on Military Affairs, 1498.

H. R. 14500—Authorizing the Secretary of War to deliver to the village of Massena, in the State of New York, one cannon or fieldpiece with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 1498.

H. R. 14501—Authorizing the Secretary of War to donate to the city of Erie, Pa., one German cannon or fieldpiece.
Mr. Clark of Pennsylvania; Committee on Military Affairs, 1498.

H. R. 14502—Authorizing the Secretary of War to donate to the city of Pittsfield, Mass., one German cannon or field gun, with limber.
Mr. Treadway; Committee on Military Affairs, 1498.

H. R. 14503—Authorizing the Secretary of War to donate to the city of Holyoke, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1498.

H. R. 14504—Authorizing the Secretary of War to donate to the city of North Adams, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1498.

H. R. 14505—Authorizing the Secretary of War to donate to the town of Greenfield, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1498.

H. R. 14506—Authorizing the Secretary of War to donate to the town of Adams, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1498.

H. R. 14507—Authorizing the Secretary of War to donate to the town of Westfield, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1498.

H. R. 14508—Extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.
Mr. Hutchinson; Committee on Interstate and Foreign Commerce, 1498.—Reported with amendment (H. Rept. 970), 1961.—Laid on the table (see bill S. 5354), 2328.

H. R. 14509—Authorizing the Secretary of War to donate to Hendrix College, Conway, Ark., two German cannons or fieldpieces.
Mr. Jacoway; Committee on Military Affairs, 1498.

H. R. 14510—Authorizing the Secretary of War to donate to Throop College of Technology, Pasadena, Calif., one captured German aeroplane for scientific purposes.
Mr. Randall; Committee on Military Affairs, 1498.

H. R. 14511—Authorizing the Secretary of War to donate to cities in California captured German cannon, fieldpieces, and war trophies.
Mr. Randall; Committee on Military Affairs, 1498.

H. R. 14512—Authorizing the Secretary of War to donate to the city of Selma, Dallas County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1498.

H. R. 14513—Authorizing the Secretary of War to donate to the city of Anniston, Calhoun County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1498.

H. R. 14514—Authorizing the Secretary of War to donate to the city of Oxford, Calhoun County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1498.

H. R. 14515—Authorizing the Secretary of War to donate to the city of Heflin, Cleburne County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1498.

H. R. 14516—Making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.
Mr. Flood, from Committee on Foreign Affairs (H. Rept. 935), 1497.—Debated, 1818–1848, 1871–1913. [Appendix, 70.]—Amended and passed House, 1903.—Referred to Senate Committee on Appropriations, 1913.—Reported with amendments (S. Rept. 698), 2935.—Debated, 4219, 4221–4243, 4326–4331.—Amended and passed Senate, 4331.—Senate asks for a conference, 4331.—House disagrees to Senate amendments and agrees to a conference, 4604.—Conference appointed, 4331, 4604.—Conference report (No. 1165) made in House, 4807, 4926.—Debated and agreed to in House, 4926–4930.—Conference report made and agreed to in Senate, 4895, 4896.—Examined and signed, 4991, 5082.—Approved [Public, No. 346], 5084.

H. R. 14517—Granting a pension to Ira Fetterman.
Mr. Clark of Pennsylvania; Committee on Invalid Pensions, 1498.

H. R. 14518—Granting an increase of pension to James Taylor.
Mr. Cramton; Committee on Invalid Pensions, 1499.

H. R. 14519—Granting an increase of pension to John Johnson.
Mr. Dixon; Committee on Invalid Pensions, 1499.

H. R. 14520—Granting an increase of pension to Mattie Shepherd.
Mr. Dixon; Committee on Invalid Pensions, 1499.

H. R. 14521—Granting an increase of pension to Belle Morrison.
Mr. Dixon; Committee on Invalid Pensions, 1499.

H. R. 14522—Granting an increase of pension to Elisha Hurley.
Mr. Dixon; Committee on Invalid Pensions, 1499.

H. R. 14523—Granting an increase of pension to George W. Fleenor.
Mr. Dixon; Committee on Invalid Pensions, 1499.

H. R. 14524—Granting an increase of pension to John M. Dixon.
Mr. Dixon; Committee on Invalid Pensions, 1499.

H. R. 14525—To correct the military record of Barneval Schwartz.
Mr. Fairfield; Committee on Military Affairs, 1499.

H. R. 14526—Granting a pension to Mary Anne Harper.
Mr. Graham of Illinois; Committee on Invalid Pensions, 1499.

H. R. 14527—For the relief of Andrew J. Esser.
Mr. Haugen; Committee on Military Affairs, 1499.

H. R. 14528—Granting an increase of pension to Edward Nathan Marx.
Mr. Mann; Committee on Invalid Pensions, 1499.

H. R. 14529—Granting a pension to Rita Shafges.
Mr. Randall; Committee on Invalid Pensions, 1499.

H. R. 14530—Granting a pension to Charles Francis Schaeffer.
Mr. Strong; Committee on Invalid Pensions, 1499.

H. R. 14531—Granting an increase of pension to Julia Ann Fyock.
Mr. Strong; Committee on Invalid Pensions, 1499.

H. R. 14532—To establish load lines for certain vessels.
Mr. Alexander; Committee on the Merchant Marine and Fisheries, 1578.

H. R. 14533—To donate captured cannons to the city of Boston, in the Commonwealth of Massachusetts, for loan to the Bunker Hill Monument Association.
Mr. Tague; Committee on Military Affairs, 1578.

H. R. 14534—Authorizing the Secretary of War to donate to the town of Dixfield, Me., one German cannon or fieldpiece.
Mr. White of Maine; Committee on Military Affairs, 1578.

H. R. 14535—Authorizing the Secretary of War to donate to the city of Pesotum, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 1578.

H. R. 14536—Authorizing the Secretary of War to donate to the village of Eagle River, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1578.

H. R. 14537—Authorizing the Secretary of War to donate to the city of Medford, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1578.

H. R. 14538—Authorizing the Secretary of War to donate to the city of Hayward, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1578.

H. R. 14539—Authorizing the Secretary of War to donate to the city of Hurley, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1578.

H. R. 14540—Authorizing the Secretary of the Navy to transfer to the active list of the Navy certain reserve officers.
Mr. Hicks; Committee on Naval Affairs, 1578.

H. R. 14541—Authorizing the Secretary of War to donate to the city of Ashburn, Ga., one German cannon or fieldpiece.
Mr. Crisp; Committee on Military Affairs, 1578.

H. R. 14542—Authorizing the Secretary of War to donate to the town of Gloucester, R. I., one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1578.

H. R. 14543—Authorizing the Secretary of War to donate to the town of Smithfield, R. I., one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1578.

H. R. 14544—Authorizing the Secretary of War to donate to the town of Burrillville, R. I., one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1578.

H. R. 14545—Authorizing the Secretary of War to donate to the town of North Smithfield, R. I., one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1578.

H. R. 14546—Authorizing the Secretary of War to donate to the town of Lincoln, R. I., one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1578.

H. R. 14547—Authorizing the Secretary of War to donate to the town of Cumberland, R. I., one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1578.

H. R. 14548—Authorizing the Secretary of War to donate to the city of Pawtucket, R. I., one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1578.

H. R. 14549—Authorizing the Secretary of War to donate to the city of Woonsocket, R. I., one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1578.

H. R. 14550—Authorizing the Secretary of War to donate to the city of Central Falls, R. I., one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1578.

H. R. 14551—Authorizing the Secretary of War to donate to the town of Huntington, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1578.

H. R. 14552—Authorizing the Secretary of War to donate to the town of Great Barrington, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1578.

H. R. 14553—Authorizing the Secretary of War to donate to the town of Lenox, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1578.

H. R. 14554—Authorizing the Secretary of War to donate to the town of Shelburne Falls, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1578.

H. R. 14555—Granting the consent of Congress to the Board of Supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barr's Ferry, in said county.
Mr. Candler of Mississippi: Committee on Interstate and Foreign Commerce, 1578.—Reported with amendment (H. Rept. 1051), 3174.—Amended and passed House, 3690.—Referred to Senate Committee on Commerce, 3746.—Reported back (S. Rept. 736) and passed Senate, 3822.—Examined and signed, 4009, 4016.—Approved [Public, No. 298], 4623.

H. R. 14556—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Sanford; Committee on Military Affairs, 1578.

H. R. 14557—Authorizing the Secretary of War to donate to the village of Lone Rock, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1578.

H. R. 14558—Authorizing the Secretary of War to donate to the town of Franklin, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 1578.

H. R. 14559—Authorizing the Secretary of War to donate to the village of Carthage, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 1578.

H. R. 14560.—To reorganize and increase the efficiency of the Regular Army.
Mr. Dent; Committee on Military Affairs, 1578.

H. R. 14561—To amend an act entitled "An act for the improvement of the foreign service" so as to provide a system of promotion of efficient secretaries in the Diplomatic Service to vacancies arising in the rank of minister.
Mr. Rogers; Committee on Foreign Affairs, 1579.

H. R. 14562—Authorizing the Secretary of War to donate to the town of Douglas, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14563—Authorizing the Secretary of War to donate to the town of Auburn, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14564—Authorizing the Secretary of War to donate to the town of Upton, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14565—Authorizing the Secretary of War to donate to the town of Sutton, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14566—Authorizing the Secretary of War to donate to the town of Grafton, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14567—Authorizing the Secretary of War to donate to the town of Hopedale, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14568—Authorizing the Secretary of War to donate to the town of Mendon, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14569—Authorizing the Secretary of War to donate to the town of Millbury, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14570—Authorizing the Secretary of War to donate to the town of Millville, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14571—Authorizing the Secretary of War to donate to the town of Shrewsbury, Mass., one German cannon or fieldpiece.
Mr. Winslow; Committee on Military Affairs, 1579.

H. R. 14572—Authorizing the Secretary of War to donate to the town of Caribou, Me., one German cannon or fieldpiece.
Mr. Hersey; Committee on Military Affairs, 1579.

H. R. 14573—To authorize the exchange of the present Federal building site at Fremont, Ohio, for a new site, etc.
Mr. Overmyer; Committee on Public Buildings and Grounds, 1579.

H. R. 14574—Providing reinstatement for soldiers, sailors, and marines to their former Government positions.
Mr. O'Shaunessy; Committee on Reform in the Civil Service, 1579.

H. R. 14575—To provide for the erection of a public building in the city of Bath, N. Y.
Mr. Pratt; Committee on Public Buildings and Grounds, 1579.

H. R. 14576—Authorizing the Secretary of War to donate to the town of Chickasha, county of Grady, State of Oklahoma, one German cannon or fieldpiece.
Mr. Ferris; Committee on Military Affairs, 1579.

H. R. 14577—To expel and exclude from the United States certain undesirable aliens.
Mr. Burnett; Committee on Immigration and Naturalization, 1579.

H. R. 14578—Authorizing the Secretary of War to donate certain designated towns each one German cannon or fieldpiece.
Mr. Jones; Committee on Military Affairs, 1579.

H. R. 14579—Donating two captured German cannons or field guns and carriages to the town of Brattleboro, Vt., for ornamental purposes.
Mr. Dale; Committee on Military Affairs, 1579.

H. R. 14580—Granting an increase of pension to George B. Crain.
Mr. Cramton; Committee on Invalid Pensions, 1579.

H. R. 14581—Granting a pension to Margaret Donahue.
Mr. Currie of Michigan; Committee on Invalid Pensions, 1579.

H. R. 14582—Granting a pension to Esther F. Fiken.
Mr. Emerson; Committee on Invalid Pensions, 1579.

H. R. 14583—Granting a pension to David R. Evans.
Mr. Switzer; Committee on Invalid Pensions, 1579.

H. R. 14584—For the relief of the widow of Joseph C. Akin.
Mr. Taylor of Colorado; Committee on Claims, 1579.—Reported with amendment (H. Rept. 962), 1904.

H. R. 14585—Authorizing the Secretary of War to donate to the city of Sylacauga, Talladega County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1638.

H. R. 14586—Authorizing the Secretary of War to donate to the city of Clanton, Chilton County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1638.

H. R. 14587—Authorizing the Secretary of War to donate to the city of Montevallo, Shelby County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1638.

H. R. 14588—Authorizing the Secretary of War to donate to the city of Columbiana, Shelby County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1638.

H. R. 14589—Authorizing the Secretary of War to donate to the city of Verbena, Chilton County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1638.

H. R. 14590—Authorizing the Secretary of War to donate to the city of Marion Junction, Dallas County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1638.

H. R. 14591—Authorizing the Secretary of War to donate to the city of Calera, Shelby County, Ala., one German cannon or fieldpiece.
Mr. Blackmon; Committee on Military Affairs, 1638.

H. R. 14592—Granting a gratuity to members of the United States Army.
Mr. Knutson; Committee on Military Affairs, 1638.

H. R. 14593—To donate two cannons of obsolete pattern to the city of Bemidji, in the State of Minnesota.
Mr. Knutson; Committee on Military Affairs, 1638.

H. R. 14594—To donate two captured cannons or guns to the city of St. Cloud, Minn.
Mr. Knutson; Committee on Military Affairs, 1638.

H. R. 14595—To donate two captured cannons or guns to the village of Long Prairie, Minn.
Mr. Knutson; Committee on Military Affairs, 1638.

H. R. 14596—To donate two captured cannons or guns to the city of Little Falls, Minn.
Mr. Knutson; Committee on Military Affairs, 1638.

H. R. 14597—To donate two captured cannons or guns to the village of Walker, Minn.
Mr. Knutson; Committee on Military Affairs, 1638.

H. R. 14598—Granting a gratuity to members of the United States Navy and Marine Corps.
Mr. Knutson; Committee on Naval Affairs, 1638.

H. R. 14599—Authorizing the Secretary of War to donate to the town of Warwick, R. I., one German cannon or fieldpiece.
Mr. Stiness; Committee on Military Affairs, 1638.

H. R. 14600—Authorizing the Secretary of War to donate to the Varnum Continentals of East Greenwich, R. I., one German cannon or fieldpiece.
Mr. Stiness; Committee on Military Affairs, 1638.

H. R. 14601—Authorizing the Secretary of War to donate to John C. Burks Camp, United Confederate Veterans, Clarksville, State of Texas, one German cannon or fieldpiece.
Mr. Black; Committee on Military Affairs, 1638.

H. R. 14602—To repeal section 7 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.
Mr. Black; Committee on the Judiciary, 1638.

H. R. 14603—Authorizing the Secretary of War to donate to the city of Newport, R. I., two German cannons or fieldpieces.
Mr. O'Shaunessy; Committee on Military Affairs, 1638.

H. R. 14604—To secure and protect the rights of women citizens of the United States to vote for Senators and Representatives in the Congress of the United States of America.
Mr. Raker; Committee on Woman Suffrage, 1638.—Reported back (H. Rept. 1160), 4808.

H. R. 14605—Authorizing the Secretary of War to donate to the city of Holtville, Cal., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 1639.

H. R. 14606—Authorizing the Secretary of War to donate to the village of Elizabeth town, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 1639.

H. R. 14607—Authorizing the Secretary of War to deliever to the village of Ticonderoga for use at old Fort Ticonderoga, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 1639.

H. R. 14608—Authorizing the Secretary of War to deliver to the village of Chateaugay, in the State of New York, one cannon or fieldpiece with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 1639.

H. R. 14609—Authorizing the Secretary of War to donate to the village of Winnebago, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1639.

H. R. 14610—Authorizing the Secretary of War to donate to the village of Roscoe, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1639.

H. R. 14611—Authorizing the Secretary of War to donate to the village of Kingston, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1639.

H. R. 14612—Authorizing the Secretary of War to donate to the village Capron, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 1639.

H. R. 14613—Authorizing the Secretary of War to donate to the city of Miami, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14614—Authorizing the Secretary of War to donate to the city of Pryor, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14615—Authorizing the Secretary of War to donate to the city of Vinta, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14616—Authorizing the Secretary of War to donate to the city of Nowata, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14617—Authorizing the Secretary of War to donate to the city of Claremore, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14618—Authorizing the Secretary of War to donate to the city of Bartlesville, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14619—Authorizing the Secretary of War to donate to the city of Tulsa, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14620—Authorizing the Secretary of War to donate to the city of Pawhuska., Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14621—Authorizing the Secretary of War to donate to the city of Pawnee, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14622—Authorizing the Secretary of War to donate to the county of Delaware, State of Oklahoma, one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 1639.

H. R. 14623—To expel and exclude from the United States aliens who, to escape military service, have withdrawn their declaration of intention to become citizens.
Mr. Johnson of Washington; Committee on Immigration and Naturalization, 1639.

H. R. 14624—To eliminate private land holdings from General Grant National Park.
Mr. Elston; Committee on the Public Lands, 1639.

H. R. 14625—Granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes.
Mr. Charles B. Smith; Committee on Interstate and Foreign Commerce, 1639.

H. R. 14626—To create an aircraft board.
Mr. Charles B. Smith; Committee on Interstate and Foreign Commerce, 1639.

H. R. 14627—Authorizing the Secretary of War to donate to the borough of Catawissa, county of Columbia, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1639.

H. R. 14628—Authorizing the Secretary of War to donate to the borough of Berwick, county of Columbia, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1639.

H. R. 14629—Authorizing the Secretary of War to donate to the borough of Northumberland, county of Northumberland, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1639.

H. R. 14630—Authorizing the Secretary of War to donate to the borough of Watsontown, county of Northumberland, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1639.

H. R. 14631—Authorizing the Secretary of War to donate to the borough of Mount Carmel, county of Northumberland, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1639.

H. R. 14632—Authorizing the Secretary of War to donate to the borough of Milton, county of Northumberland, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1639.

H. R. 14633—Authorizing the Secretary of War to donate to the borough of Shamokin, county of Northumberland, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1639.

H. R. 14634—Authorizing the Secretary of War to donate to the borough of Dushore, county of Sullivan, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 1639.

H. R. 14635—To authorize an exchange of lands within the Montezuma National Forest on the State of Colorado.
Mr. Taylor of Colorado; Committee on the Public Lands, 1639.

H. R. 14636—Authorizing the Secretary of War to donate to the city of Alturas, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14637—Authorizing the Secretary of War to donate to the city of Westwood, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14638—Authorizing the Secretary of War to donate to the city of Redding, Calif., two German cannons or fieldpieces with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14639—Authorizing the Secretary of War to donate to the city of Red Bluff, Calif., two German cannons or fieldpieces with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14640—Authorizing the Secretary of War to donate to the city of Yreka, Calif., two German cannons or fieldpieces with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14641—Authorizing the Secretary of war to donate to the city of Nevada City, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14642—Authorizing the Secretary of War to donate to the city of Grass Valley, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14643—Authorizing the Secretary of War to donate to the city of Placerville, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14644—Authorizing the Secretary of War to donate to the city of Quincy, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14645—Authorizing the Secretary of War to donate to the city of Mariposa, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14646—Authorizing the Secretary of War to donate to the city of Susanville, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14647—Authorizing the Secretary of War to donate to the city of Jackson, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14648—Authorizing the Secretary of War to donate to the city of San Andreas, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1639.

H. R. 14649—Authorizing the Secretary of War to donate to the city of Sonora, Calif., two German cannons or fieldpieces, with their accompaniments.
Mr. Raker; Committee on Military Affairs, 1640.

H. R. 14650—Authorizing the Secretary of War to donate to the city of East Liverpool, Ohio, one German cannon or fieldpiece and one machine gun.
Mr. Hollingsworth; Committee on Military Affairs, 1640.

H. R. 14651—Authorizing the Secretary of War to donate to the city of North Manchester, Ind., one German cannon or fieldpiece.
Mr. Kraus; Committee on Military Affairs, 1640.

H. R. 14652—Authorizing the Secretary of War to donate to the county of Miami, State of Indiana, one German cannon or fieldpiece.
Mr. Kraus; Committee on Military Affairs, 1640.

H. R. 14653—Authorizing the Secretary of War to donate to the town of New Richmond, county of Montgomery, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1640.

H. R. 14654—Authorizing the Secretary of War to donate to the cities and towns of Selmer, Henderson, Jackson, Lexington, Decaturville, Linden, Camden, Huntingdon, Paris, and Savannah, Tenn., each one German cannon or fieldpiece.
Mr. Sims; Committee on Military Affairs, 1640.

H. R. 14655—Authorizing the Secretary of War to donate to the city of Alva, State of Oklahoma, one German cannon or fieldpiece.
Mr. Morgan; Committee on Military Affairs, 1640.

H. R. 14656—Authorizing the Secretary of War to donate to the city of Woodward, State of Oklahoma, one German cannon or fieldpiece.
Mr. Morgan; Committee on Military Affairs, 1640.

H. R. 14657—Authorizing the Secretary of War to donate to the city of McKee, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14658—Authorizing the Secretary of War to donate to the city of Booneville, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14659—Authorizing the Secretary of War to donate to the city of Whitesburg, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14660—Authorizing the Secretary of War to donate to the city of Hazard, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14661—Authorizing the Secretary of War to donate to the city of Hindman, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14662—Authorizing the Secretary of War to donate to the city of Paintsville, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14663—Authorizing the Secretary of War to donate to the city of Salyersville, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14664—Authorizing the Secretary of War to donate to the city of Prestonsburg, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14665—Authorizing the Secretary of War to donate to the city of Inez, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14666—Authorizing the Secretary of War to donate to the city of Pikeville, Ky., one German cannon or fieldpiece.
Mr. Langley; Committee on Military Affairs, 1640.

H. R. 14667—Granting an increase of pension to George W. Lampkins.
Mr. Bland of Indiana; Committee on Invalid Pensions, 1640.

H. R. 14668—Granting a pension to Maria Rice.
Mr. Dallinger; Committee on Invalid Pensions, 1640.

H. R. 14669—Granting an increase of pension to Benjamin F. McKee.
Mr. Hawley; Committee on Pensions, 1640.

H. R. 14670—Granting a pension to Mary A. Brace.
Mr. Kiess of Pennsylvania; Committee on Invalid Pensions, 1640.

H. R. 14671—Granting a pension to Martha C. Eggers.
Mr. Webb; Committee on Pensions, 1640.

H. R. 14672—Authorizing the Secretary of War to donate to the University of Kentucky, Lexington, Ky., two German cannons or fieldpieces.
Mr. Cantrill; Committee on Military Affairs, 1699.

H. R. 14673—To require the Secretary of War and the Secretary of the Navy to furnish certain data to the adjutants general of the several States.
Mr. Langley; Committee on Military Affairs, 1699.

H. R. 14674—To increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska.
Mr. Wickersham; Committee on Public Buildings and Grounds, 1699.—Reported back (H. Rept. 1085), 3737.

H. R. 14675—Authorizing the Secretary of War to donate to the city of Martins Ferry, Ohio, one German cannon or fieldpiece.
Mr. Hollingsworth; Committee on Military Affairs, 1699.

H. R. 14676—Authorizing the Secretary of War to donate to the town of Sanford, Me., one German cannon or fieldpiece.
Mr. Goodall; Committee on Military Affairs, 1699.

H. R. 14677—Authorizing the Secretary of War to donate to the city of Wellington, Kans., one German cannon or fieldpiece.
Mr. Ayres; Committee on Military Affairs, 1699.

H. R. 14678—Authorizing the Secretary of War to donate to the city of Caldwell, Kans., one German cannon or fieldpiece.
Mr. Ayres; Committee on Military Affairs, 1699.

H. R. 14679—Authorizing the Secretary of War to donate to the city of Conway Springs, Kans., a German cannon or fieldpiece.
Mr. Ayres; Committee on Military Affairs, 1699.

H. R. 14680—Authorizing the Secretary of War to donate to the city of Halstead, Kans., one German cannon or fieldpiece.
Mr. Ayres; Committee on Military Affairs, 1699.

H. R. 14681—Authorizing the Secretary of War to donate to the city of Corry, Pa., one German cannon or fieldpiece.
Mr. Clark of Pennsylvania; Committee on Military Affairs, 1700.

H. R. 14682—Authorizing the Secretary of War to donate to the city of Meadville, Pa., one German cannon or fieldpiece.
Mr. Clark of Pennsylvania; Committee on Military Affairs, 1700.

H. R. 14683—Authorizing the Secretary of War to donate to the village of New Hyde Park, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 1700.

H. R. 14684—Authorizing the Secretary of War to donate to the borough of Langhorne, Pa., one German cannon or fieldpiece.
Mr. Watson of Pennsylvania; Committee on Military Affairs, 1700.

H. R. 14685—For the erection of a public building at Dallas, Tex., and for other purposes.
Mr. Sumners; Committee on Public Buildings and Grounds, 1700.

H. R. 14686—Authorizing the Secretary of War to donate to the city of Chicago, county of Cook, State of Illinois, one German cannon or fieldpiece, to be placed in West Pullman Park.
Mr. Mann; Committee on Military Affairs, 1700.

H. R. 14687—Authorizing the Secretary of War to donate to the city of Providence, R. I., two German cannons or fieldpieces.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 1700.

H. R. 14688—Authorizing the Secretary of War to donate to the city of Binghamton, N. Y., one German cannon or fieldpiece, to be placed in the city park.
Mr. George W. Fairchild; Committee on Military Affairs, 1700.

H. R. 14689—Authorizing the Secretary of War to donate to the village of Shell Lake, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 1700.

H. R. 14690—Authorizing the Secretary of War to donate to cities in California captured German cannon, fieldpieces, and war trophies.
Mr. Randall; Committee on Military Affairs, 1700.

H. R. 14691—Authorizing the Secretary of War to donate to the borough of Elizabeth, in the State of Pennsylvania, one German cannon or fieldpiece.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 1700.

H. R. 14692—Authorizing the Secretary of War to donate to the city of Brainard, Minn., two cannons or fieldpieces of obsolete pattern.
Mr. Knutson; Committee on Military Affairs, 1700.

H. R. 14693—Authorizing the Secretary of War to donate to the city of Grants Pass, Josephine County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14694—Authorizing the Secretary of War to donate to the city of Roseburg, Douglas County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14695—Authorizing the Secretary of War to donate to the city of Eugene, Lane County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14696—Authorizing the Secretary of War to donate to the city of Albany, Linn County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14697—Authorizing the Secretary of War to donate to the city of Salem, Marion County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14698—Authorizing the Secretary of War to donate to the city of Oregon City, Clackamas County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14699—Authorizing the Secretary of War to donate to the city of Jacksonville, Jackson County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14700—Authorizing the Secretary of War to donate to the city of Astoria, Clatsop County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14701—Authorizing the Secretary of War to donate to the city of St. Helens, Columbia County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14702—Authorizing the Secretary of War to donate to the city of Hillsboro, Washington County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14703—Authorizing the Secretary of War to donate to the city of McMinnville, Yamhill County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14704—Authorizing the Secretary of War to donate to the city of Dallas, Polk County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14705—Authorizing the Secretary of War to donate to the city of Corvallis, Benton County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14706—Authorizing the Secretary of War to donate to the city of Tillamcok, Tillamook County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14707—Authorizing the Secretary of War to donate to the city of Toledo, Lincoln County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14708—Authorizing the Secretary of War to donate to the city of Coquille, Coos County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14709—Authorizing the Secretary of War to donate to the city of Marshfield, Coos County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14710—Authorizing the Secretary of War to donate to the city of Gold Beach, Curry County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14711—Authorizing the Secretary of War to donate to the city of Medford, Jackson County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14712—Authorizing the Secretary of War to donate to the city of Ashland, Jackson County, in the State of Oregon, one German cannon or fieldpiece.
Mr. Hawley; Committee on Military Affairs, 1700.

H. R. 14713—Authorizing the Secretary of War to donate to the city of Elwood, county of Madison, State of Indiana, one German cannon or fieldpiece.
Mr. Vestal; Committee on Military Affairs, 1700.

H. R. 14714—Authorizing the Secretary of War to donate to the city of Winchester, county of Randolph, State of Indiana, one German cannon or fieldpiece.
Mr. Vestal; Committee on Military Affairs, 1700.

H. R. 14715—Authorizing the Secretary of War to donate to the city of Anderson, county of Madison, State of Indiana, one German cannon or fieldpiece.
Mr. Vestal; Committee on Military Affairs, 1700.

H. R. 14716—Authorizing the Secretary of War to donate to the city of Muncie, county of Delaware, State of Indiana, one German cannon or fieldpiece.
Mr. Vestal; Committee on Military Affairs, 1700.

H. R. 14717—Authorizing the Secretary of War to donate to the city of Decatur, county of Adams, State of Indiana, one German cannon or fieldpiece.
Mr. Vestal; Committee on Military Affairs, 1700.

H. R. 14718—Authorizing the Secretary of War to donate to the city of Portland, county of Jay, State of Indiana, one German cannon or fieldpiece.
Mr. Vestal; Committee on Military Affairs, 1700.

H. R. 14719—Authorizing the Secretary of War to donate to the city of Bluffton, county of Wells, State of Indiana, one German cannon or fieldpiece.
Mr. Vestal; Committee on Military Affairs, 1700.

H. R. 14720—To amend section 852, Revised Statutes of the United States, relating to jurors' fees.
Mr. Hayden; Committee on the Judiciary, 1700.

H. R. 14721—Authorizing the Secretary of War to donate to Union City, county of Randolph, State of Indiana, one German cannon or fieldpiece.
Mr. Vestal; Committee on Military Affairs, 1700.

H. R. 14722—Authorizing the Secretary of War to donate to the city of Dunkirk, county of Jay, State of Indiana, one German cannon or fieldpiece.
Mr. Vestal; Committee on Military Affairs, 1700.

H. R. 14723—Authorizing the Secretary of War to furnish certain data to the adjutant generals of the several States.
Mr. Gould; Committee on Military Affairs, 1700.

H. R. 14724—Authorizing the Secretary of War to donate to the city of Barnwell, S. C., one German cannon or fieldpiece.
Mr. Byrnes of South Carolina; Committee on Military Affairs, 1701.

H. R. 14725—Authorizing the Secretary of War to donate to the city of Keokuk, Iowa, one German cannon or fieldpiece.
Mr. Kennedy of Iowa; Committee on Military Affairs, 1701.

H. R. 14726—Authorizing the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Gould; Committee on Naval Affairs, 1701.

H. R. 14727—Authorizing the Secretary of War to donate to the city of Auburn, county of Dekalb, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1701.

H. R. 14728—Authorizing the Secretary of War to donate to the city of Angola, county of Steuben, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1701.

H. R. 14729—Authorizing the Secretary of War to donate to the cemetery trustees of Scipio Cemetery, Allen County, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1701.

H. R. 14730—Authorizing the Secretary of War to donate to the city of Columbia City, county of Whitley, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1701.

H. R. 14731—Authorizing the Secretary of War to donate to the city of Lagrange, county of Lagrange, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1701.

H. R. 14732—Authorizing the Secretary of War to donate to the city of Albion, county of Noble, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1701.

H. R. 14733—Authorizing the Secretary of War to donate to the city of Ligonier, county of Noble, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1701.

H. R. 14734—Authorizing the Secretary of War to donate to the city of Fort Wayne, Allen County, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1701.

H. R. 14735—To increase the cost of the public building at Lancaster, S. C.
Mr. Stevenson; Committee on Public Buildings and Grounds, 1701.

H. R. 14736—Authorizing the Secretary of War to donate to Public School No. 87, Middle Village, Long Island, one German cannon or fieldpiece.
Mr. Caldwell; Committee on Military Affairs, 1701.

H. R. 14737—To relieve Congress from the adjudication of private claims against the Government.
Mr. French; Committee on the Judiciary, 1701.

H. R. 14738—Authorizing the Secretary of War to donate to the city of Marquette, county of Marquette, State of Michigan, to be placed in Presque Isle Park, in the city of Marquette, one German cannon or fieldpiece.
Mr. James; Committee on Military Affairs, 1701.

H. R. 14739—Authorizing the Secretary of War to donate to the city of Enid, State of Oklahoma, one German cannon or fieldpiece.
Mr. Morgan; Committee on Military Affairs, 1701.

H. R. 14740—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914, and an act in amendment thereto, approved Oct. 6, 1917.
Mr. Langley; Committee on Interstate and Foreign Commerce, 1701.

H. R. 14741—Granting a pension to Sarah E. Dillon.
Mr. Bland of Indiana; Committee on Invalid Pensions, 1701.

H. R. 14742—Granting an increase of pension to Jacob Cribbs.
Mr. Fairfield; Committee on Invalid Pensions, 1701.

H. R. 14743—Granting an increase of pension to Charles F. Smith.
Mr. Goodall; Committee on Invalid Pensions, 1701.

H. R. 14744—Granting a pension to Loue Thompson.
Mr. Miller of Washington; Committee on Pensions, 1701.

H. R. 14745—Granting an increase of pension to Edward M. Simmons.
Mr. Miller of Washington; Committee on Invalid Pensions, 1701.

H. R. 14746—Making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.
Mr. Carter of Oklahoma, from Committee on Indian Affairs (H. Rept. 945), 1699, 1762.—Debated, 1903, 1904, 1927–1960, 2000–2028, 2032 (Appendix, 136, 178).—Amended and passed House, 2028, 2032, 2033.—Referred to Senate Committee on Indian Affairs, 2117.—Reported with amendments (S. Rept. 747), 3822.—Debated, 3932, 3934, 3935, 4586, 4587–4603.—Amended and passed Senate, 4603.—Senate asks for a conference, 4603.—House disagrees to Senate amendments and agrees to a conference, 4772, 4773, 4784.—Conference appointed, 4603, 4784.—Conference report (No. 1187) made, debated, and agreed to in House, 4933–4945.—Conference report made in Senate, 4902.

H. R. 14747—Authorizing the Secretary of War to donate to the town of Newcastle, Va., one German cannon or fieldpiece.
Mr. Flood; Committee on Military Affairs, 1701.

H. R. 14748—Authorizing the Secretary of War to donate to the towns of Galveston, Tex.; Liberty, Tex.; and Palestine, Tex., each one German cannon or fieldpiece.
Mr. Gregg; Committee on Military Affairs, 1788.

H. R. 14749—Authorizing the Secretary of War to donate to Georgetown, in the State of Connecticut, one German cannon or fieldpiece.
Mr. Merritt; Committee on Military Affairs, 1788.

H. R. 14750—Authorizing the Secretary of War to donate to the borough of Carlstadt, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 1788.

H. R. 14751—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Welling; Committee on Military Affairs, 1788.

H. R. 14752—Authorizing the Secretary of War to donate to the city of Montezuma, Poweshiek County, in the State of Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14753—Authorizing the Secretary of War to donate to the city of Colfax, Jasper County, in the State of Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14754—Authorizing the Secretary of War to donate to the city of Sigourney, Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14755—Authorizing the Secretary of War to donate to the city of Bloomfield, Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14756—Authorizing the Secretary of War to donate to the city of Newton, Jasper County, in the State of Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14757—Authorizing the Secretary of War to donate to the city of New Sharon, Mahaska County, in the State of Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14758—Authorizing the Secretary of War to donate to the city of Oskaloosa, Mahaska County, in the State of Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14759—Authorizing the Secretary of War to donate to the city of What Cheer, Keokuk County, in the State of Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14760—Authorizing the Secretary of War to donate to the city of Ottumwa, Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14761—Authorizing the Secretary of War to donate to the city of Albia, Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14762—Authorizing the Secretary of War to donate to the city of Grinnell, Poweshiek County, in the State of Iowa, one German cannon or fieldpiece.
Mr. Ramseyer; Committee on Military Affairs, 1788.

H. R. 14763—Authorizing the Secretary of War to donate to the village of Norwalk, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 1788.

H. R. 14764—Authorizing the Secretary of War to donate to the town of Powell, Wyo., one piece of artillery, or like trophy, captured or obtained from the enemy during or at the close of the war with Germany and Austria.
Mr. Mondell; Committee on Military Affairs, 1788.

H. R. 14765—Authorizing the Secretary of War to donate to the town of Newcastle, Wyo., one piece of artillery, or like trophy, captured or obtained from the enemy during or at the close of the war with Germany and Austria.
Mr. Mondell; Committee on Military Affairs, 1788.

H. R. 14766—Authorizing the Secretary of War to donate to the town of Kemmerer, Wyo., one piece of artillery, or like trophy, captured or obtained from the enemy during or at the close of the war with Germany.
Mr. Mondell; Committee on Military Affairs, 1788.

H. R. 14767—Authorizing the Secretary of War to donate to the town of Cody, Wyo., one piece of artillery, or like trophy, captured or obtained from the enemy during or at the close of the war with Germany and Austria.
Mr. Mondell; Committee on Military Affairs, 1788.

H. R. 14768—Authorizing the Secretary of War to donate to the city of Milwaukee, Wis., one German cannon or fieldpiece for each of the 10 parks in said city.
Mr. Cary; Committee on Military Affairs, 1788.

H. R. 14769—Authorizing the Secretary of War to donate to the city of Cudahy, Wis., one German cannon or fieldpiece.
Mr. Cary; Committee on Military Affairs, 1788.

H. R. 14770—Authorizing the Secretary of War to donate to the city of West Allis, Wis., one German cannon or fieldpiece.
Mr. Cary; Committee on Military Affairs, 1788.

H. R. 14771—Authorizing the Secretary of War to donate to the city of Wauwatosa, Wis., one German cannon or fieldpiece.
Mr. Cary; Committee on Military Affairs, 1788.

H. R. 14772—Authorizing the Secretary of War to donate to the county of Milwaukee, State of Wisconsin, one German cannon or fieldpiece for each of the three county parks.
Mr. Cary; Committee on Military Affairs, 1788.

H. R. 14773—Authorizing the Secretary of War to donate to the city of South Milwaukee, Wis., one German cannon or fieldpiece.
Mr. Cary; Committee on Military Affairs, 1788.

H. R. 14774—To prohibit immigration for a period of four years, and to restrict immigration thereafter.
Mr. Burnett; Committee on Immigration and Naturalization, 1788.

H. R. 14775—Giving the consent of Congress to the removal of restrictions on alienation of Indian lands by the Legislature of the State of Washington pursuant to treaties with the Indians of Washington.
Mr. Hadley; Committee on Indian Affairs, 1788.

H. R. 14776—Authorizing the Secretary of War to donate to the town of Vinton, Iowa, one German cannon or fieldpiece.
Mr. Good; Committee on Military Affairs, 1788.

H. R. 14777—Authorizing the Secretary of War to donate to the town of Grundy Center, Iowa, one German cannon or fieldpiece.
Mr. Good; Committee on Military Affairs, 1788.

H. R. 14778—Authorizing the Secretary of War to donate to the town of Springville, Iowa, one German cannon or fieldpiece.
Mr. Good; Committee on Military Affairs, 1788.

H. R. 14779—Authorizing the Secretary of War to donate to the town of Belle Plaine, Iowa, one German cannon or fieldpiece.
Mr. Good; Committee on Military Affairs, 1788.

H. R. 14780—Authorizing the Secretary of War to donate to the memorial commission of Fort Amanda, Allen County, Ohio, four German cannons or fieldpieces.
Mr. Welty; Committee on Military Affairs, 1788.

H. R. 14781—Authorizing the Secretary of War to donate to the city of Lima, county of Allen, State of Ohio, one German cannon or fieldpiece.
Mr. Welty; Committee on Military Affairs, 1788.

H. R. 14782—Authorizing the Secretary of War to donate to the village of Anna, Shelby County, Ohio, one German cannon or fieldpiece.
Mr. Welty; Committee on Military Affairs, 1788.

H. R. 14783—To donate a captured cannon or gun to the village of Yorkshire, Darke County, Ohio.
Mr. Welty; Committee on Military Affairs, 1788.

H. R. 14784—Donating a captured German cannon or fieldpiece to the borough of Bernardsville, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 1788.

H. R. 14785—Donating a captured German cannon or fieldpiece to the borough of Boundbrook, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 1788.

H. R. 14786—Donating a captured German cannon or fieldpiece to the borough of Flemington, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 1788.

H. R. 14787—Donating a captured German cannon or fieldpiece to the borough of Princeton, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 1788.

H. R. 14788—Donating a captured German cannon or fieldpiece to the borough of Hightstown, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 1788.

H. R. 14789—Donating a captured German cannon or fieldpiece to the city of Trenton, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 1788.

H. R. 14790—Donating a captured German cannon or fieldpiece to the city of Lambertville, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 1789.

H. R. 14791—Donating a captured German cannon or fieldpiece to the city of Somerville, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 1789.

H. R. 14792—Authorizing the Secretary of War to donate to the town of Rangeley, Me., one German cannon or fieldpiece.
Mr. White of Maine; Committee on Military Affairs, 1789.

H. R. 14793—Authorizing the Secretary of War to donate to the town of Sheridan, county of Hamilton, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 1789.

H. R. 14794—Authorizing the Secretary of War to donate to the city of Seattle, Wash., two German cannons or fieldpieces.
Mr. Miller of Washington; Committee on Military Affairs, 1789.

H. R. 14795—Authorizing the Secretary of War to donate to the city of Port Orchard, Wash., one German cannon or fieldpiece.
Mr. Miller of Washington; Committee on Military Affairs, 1789.

H. R. 14796—Authorizing the Secretary of War to donate to the city of Charleston, Wash., one German cannon or fieldpiece.
Mr. Miller of Washington; Committee on Military Affairs, 1789.

H. R. 14797—Authorizing the Secretary of War to donate to the city of Bremerton, Wash., one German cannon or fieldpiece.
Mr. Miller of Washington; Committee on Military Affairs, 1789.

H. R. 14798—To provide for the creation of Federal railroad companies, to establish a more effective supervision of railroads in the United States, and for other purposes.
Mr. Ramseyer; Committee on Interstate and Foreign Commerce, 1789.

H. R. 14799—Authorizing the Secretary of War to donate to the city of Barnesville, Clay County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 1789.

H. R. 14800—Authorizing the Secretary of War to donate to the town of Barry, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 1789.

H. R. 14801—Authorizing the Secretary of War to donate to the city of Raton, N. Mex., one German cannon or fieldpiece.
Mr. Walton; Committee on Military Affairs, 1789.

H. R. 14802—Granting an increase of pension to Herbert A. York.
Mr. Fuller of Illinois; Committee on Invalid Pensions, 1789.

H. R. 14803—Granting an increase of pension to William H. Randall.
Mr. Hamilton of Michigan; Committee on Invalid Pensions, 1789.

H. R. 14804—Granting an increase of pension to Amos Sangfield.
Mr. Haugen; Committee on Invalid Pensions, 1789.

H. R. 14805—Granting a pension to Irven P. Cammarn.
Mr. Key of Ohio; Committee on Pensions, 1789.

H. R. 14806—For the relief of Jacob Byers, alias Jacob Myers.
Mr. Kinkaid; Committee on Military Affairs, 1789.

H. R. 14807—Granting an increase of pension to Joseph Davidson.
Mr. Langley; Committee on Invalid Pensions, 1789.

H. R. 14808—Granting an increase of pension to Ambrose White.
Mr. Langley; Committee on Invalid Pensions, 1789.

H. R. 14809—Granting an increase of pension to Francis M. Risner.
Mr. Langley; Committee on Invalid Pensions, 1789.

H. R. 14810—Granting a pension to Mary J. Darling.
Mr. O'Shaunessy; Committee on Pensions, 1789.

H. R. 14811—Granting an increase of pension to Arthur E. Gilligan.
Mr. O'Shaunessy; Committee on Invalid Pensions, 1789.

H. R. 14812—For the relief of Frances E. Martin.
Mr. Swift; Committee on Claims, 1789.

H. R. 14813—Granting a pension to Mary Watson Smith Maher.
Mr. Swift; Committee on Pensions, 1789.

H. R. 14814—Granting a pension to George Roeder.
Mr. Swift; Committee on Invalid Pensions, 1789.

H. R. 14815—Granting a pension to Christine Neubert.
Mr. Voigt; Committee on Pensions, 1789.

H. R. 14816—For the relief of the El Paso Bridge and Iron Co., of El Paso, Tex.
Mr. Walton; Committee on Claims, 1789.

H. R. 14817—Granting an increase of pension to Robert Damron.
Mr. Langley; Committee on Invalid Pensions, 1789.

H. R. 14818—To incorporate the World War Veterans of America.
Mr. Denton; Committee on the Judiciary, 1849.

H. R. 14819—Donating a captured German cannon or field gun and carriage to the city of Englewood, Arapahoe County, State of Colorado, for decorative and patriotic purposes and to commemorate the participation of the boys there in the Battle of Chateau-Thierry.
Mr. Timberlake; Committee on Military Affairs, 1849.

H. R. 14820—To amend an act entitled "An act to regulate commerce, approved Feb. 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, approved June 29, 1906."
Mr. Esch; Committee on Interstate and Foreign Commerce, 1849.

H. R. 14821—Authorizing the Secretary of War to donate condemned cannon and cannon balls to the Paint Township Cemetery, in Madison County, in the State of Ohio.
Mr. Fess; Committee on Military Affairs, 1849.

H. R. 14822—Authorizing the Secretary of War to deliver to Wilberforce University, in the State of Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Fess; Committee on Military Affairs, 1849.

H. R. 14823—Authorizing the Secretary of War to deliver to the city of London, in the State of Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Fess; Committee on Military Affairs, 1849.

H. R. 14824—Authorizing the Secretary of War to deliver to the city of Washington Court House, in the State of Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Fess; Committee on Military Affairs, 1849.

H. R. 14825—Authorizing the Secretary of War to deliver to the village of Belle Center, in the State of Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Fess; Committee on Military Affairs, 1849.

H. R. 14826—Authorizing the Secretary of War to deliver to the village of West Liberty, in the State of Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Fess; Committee on Military Affairs, 1849.

H. R. 14827—Authorizing the Secretary of War to deliver to the village of Milledgeville, in the State of Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Fess; Committee on Military Affairs, 1849.

H. R. 14828—Authorizing the Secretary of War to deliver to the village of Blanchester, in the State of Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Fess; Committee on Military Affairs, 1849.

H. R. 14829—Providing for the conversion of Liberty bonds of the first, second, and third issues into bonds of a similar issue, bearing a higher rate of interest, at any time after the public offering of such bond for sale.
Mr. Morin; Committee on Ways and Means, 1849.

H. R. 14830—Authorizing the Secretary of War to donate to the county of Onondaga, N. Y., one German cannon or fieldpiece.
Mr. Magee; Committee on Military Affairs, 1849.

H. R. 14831—Authorizing the Secretary of War to donate to the city of Grand Rapids, Wis., one German cannon or fieldpiece.
Mr. Browne; Committee on Military Affairs, 1849.

H. R. 14832—Authorizing the Secretary of War to donate to the city of Shawano, Wis., one German cannon or fieldpiece.
Mr. Browne; Committee on Military Affairs, 1849.

H. R. 14833—Authorizing the Secretary of War to donate to the city of Stevens Point, Wis., one German cannon or fieldpiece.
Mr. Browne; Committee on Military Affairs, 1849.

H. R. 14834—Authorizing the Secretary of War to donate to the city of Waupaca, Wis., one Germany cannon or fieldpiece.
Mr. Browne; Committee on Military Affairs, 1850.

H. R. 14835—Authorizing the Secretary of War to donate to the city of Wausau, Wis., one German cannon or fieldpiece.
Mr. Browne; Committee on Military Affairs, 1850.

H. R. 14836—Authorizing the Secretary of War to donate to the city of Marshfield, Wis., one German cannon or fieldpiece.
Mr. Browne; Committee on Military Affairs, 1850.

H. R. 14837—Authorizing the Secretary of War to donate to the city of Wautoma, Wis., one German cannon or fieldpiece.
Mr. Browne; Committee on Military Affairs, 1850.

H. R. 14838—Authorizing the Secretary of War to donate to the city of Washington, Iowa, one German cannon or fieldpiece.
Mr. Kennedy of Iowa; Committee on Military Affairs, 1850.

H. R. 14839—Authorizing the Secretary of War to donate to the borough of Columbia, Pa., one German cannon or fieldpiece.
Mr. Griest; Committee on Military Affairs, 1850.

H. R. 14840—Authorizing the Secretary of War to donate to the borough of Elizabethtown, Pa., one German cannon or fieldpiece.
Mr. Griest; Committee on Military Affairs, 1850.

H. R. 14841—Authorizing the Secretary of War to donate to the borough of Christiana, Pa., one German cannon or fieldpiece.
Mr. Griest; Committee on Military Affairs, 1850.

H. R. 14842—Authorizing the Secretary of War to donate to the city of Lancaster, Pa., one German cannon or fieldpiece.
Mr. Griest; Committee on Military Affairs, 1850.

H. R. 14843—Authorizing the Secretary of War to donate to the city of Danville, Va., one German cannon or fieldpiece.
Mr. Saunders of Virginia; Committee on Military Affairs, 1850.

H. R. 14844—Authorizing the Secretary of War to donate to the county of Henry, Va., one German cannon or fieldpiece.
Mr. Saunders of Virginia; Committee on Military Affairs, 1850.

H. R. 14845—Authorizing the Secretary of War to donate to the county of Franklin, State of Virginia, one German cannon or fieldpiece.
Mr. Saunders of Virginia; Committee on Military Affairs, 1850.

H. R. 14846—Authorizing the Secretary of War to donate to the county of Halifax, State of Virginia, one German cannon or fieldpiece.
Mr. Saunders of Virginia; Committee on Military Affairs, 1850.

H. R. 14847—Authorizing the Secretary of War to donate to the county of Muhlenberg, State of Kentucky, one German cannon or fieldpiece.
Mr. Thomas; Committee on Military Affairs, 1850.

H. R. 14848—Granting an increase of pension to Lucinda Harris.
Mr. Denison; Committee on Invalid Pensions, 1850.

H. R. 14849—Granting an increase of pension to Amos Langfield.
Mr. Haugen; Committee on Invalid Pensions, 1850.

H. R. 14850—For the relief of John Healy.
Mr. O'Shaunessy; Committee on Military Affairs, 1850.—Reported back (H. Rept. 1185), 5084.

H. R. 14851—Granting an increase of pension to Darwin H. Hamilton.
Mr. Sherwood; Committee on Invalid Pensions, 1850.

H. R. 14852—Authorizing the Secretary of War to donate to the city of Kendallville, county of Noble, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1904.

H. R. 14853—Authorizing the Secretary of War to donate to the city of New Haven, county of Allen, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1904.

H. R. 14854—Authorizing the Secretary of War to donate to the city of South Whitley, county of Whitley, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1904.

H. R. 14855—Authorizing the Secretary of War to donate to the city of Waterloo, county of Dekalb, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1904.

H. R. 14856—Authorizing the Secretary of War to donate to the city of Butler, county of Dekalb, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1904.

H. R. 14857—Authorizing the Secretary of War to donate to the city of Churubusco, county of Whitley, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1904.

H. R. 14858—Authorizing the Secretary of War to donate to the city of Garrett, county of Dekalb, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1904.

H. R. 14859—To give officers and enlisted men of the Russian Railway Service Corps the benefits of the war-risk insurance act.
Mr. Green of Iowa; Committee on Interstate and Foreign Commerce, 1904.

H. R. 14860—Authorizing the Secretary of War to deliver to the village of Canton, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1904.

H. R. 14861—Authorizing the Secretary of War to donate to the city of Kinsley, in the county of Edwards and State of Kansas, two German cannons or fieldpieces.
Mr. Shouse; Committee on Military Affairs, 1905.

H. R. 14862—Authorizing the Secretary of War to donate to the city of Dodge City, in the county of Ford and State of Kansas, two German cannons or fieldpieces.
Mr. Shouse; Committee on Military Affairs, 1905.

H. R. 14863—Authorizing the Secretary of War to deliver to the village of Sayre, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14864—Authorizing the Secretary of War to deliver to the village of Troy, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14865—Authorizing the Secretary of War to deliver to the village of Hawley, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14866—Authorizing the Secretary of War to deliver to the village of Athens, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14867—Authorizing the Secretary of War to deliver to the village of Hallstead, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14868—Authorizing the Secretary of War to deliver to the village of Tunkhannock, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14869—Authorizing the Secretary of War to deliver to the village of Honesdale, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14870—Authorizing the Secretary of War to deliver to the village of Susquehanna, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14871—Authorizing the Secretary of War to deliver to the village of Montrose, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14872—Authorizing the Secretary of War to deliver to the village of Forest City, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14873—Authorizing the Secretary of War to deliver to the village of Towanda, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 1905.

H. R. 14874—To authorize the Secretary of War to furnish two condemned cannon to the Sixth Wisconsin Battery Association of Lone Rock, Wis., for use at Lone Rock.
Mr. Esch; Committee on Military Affairs, 1905.

H. R. 14875—To donate two cannons of obsolete pattern to the village of Sauk Center, in the State of Minnesota.
Mr. Knutson; Committee on Military Affairs, 1905.

H. R. 14876—To donate two cannons of obsolete pattern to the village of Paynesville, in the State of Minnesota.
Mr. Knutson; Committee on Military Affairs, 1905.

H. R. 14877—To donate two cannons of obsolete pattern to the village of Park Rapids, in the State of Minnesota.
Mr. Knutson; Committee on Military Affairs, 1905.

H. R. 14878—To donate two cannons of obsolete pattern to the village of Wadena, in the State of Minnesota.
Mr. Knutson; Committee on Military Affairs, 1905.

H. R. 14879—To donate two captured cannons or guns to the village of Aitkin, Minn.
Mr. Knutson; Committee on Military Affairs, 1905.

H. R. 14880—Authorizing the Secretary of War to donate to the county of Simpson, State of Kentucky, one German cannon or fieldpiece.
Mr. Thomas; Committee on Military Affairs, 1905.

H. R. 14881—Authorizing the Secretary of War to donate to the town of Plainfield, Conn., one German cannon or fieldpiece.
Mr. Freeman; Committee on Military Affairs, 1905.

H. R. 14882—Authorizing the Secretary of War to donate to the town of Middletown, Conn., one German cannon or fieldpiece.
Mr. Freeman; Committee on Military Affairs, 1905.

H. R. 14883—To promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes.
Mr. Siegel; Committee on Military Affairs, 1905.

H. R. 14884—To donate a captured cannon or gun to the city of Canton, in the State of Ohio.
Mr. McCulloch; Committee on Military Affairs, 1905.

H. R. 14885—To donate a captured cannon or gun to the city of Shreve, in the State of Ohio.
Mr. McCulloch; Committee on Military Affairs, 1905.

H. R. 14886—To donate a captured cannon or gun to the city of Massillon, in the State of Ohio.
Mr. McCulloch; Committee on Military Affairs, 1905.

H. R. 14887—Authorizing the Secretary of War to donate to the town of Greenwood one German cannon or fieldpiece.
Mr. White of Maine; Committee on Military Affairs, 1905.

H. R. 14888—To enlarge, extend, remodel, and modernize the post office and Federal building at Sterling, Ill.
Mr. McKenzie; Committee on Public Buildings and Grounds, 1905.

H. R. 14889—Authorizing the Secretary of War to donate to the city of Northampton, Hampshire County, Mass., one German cannon or fieldpiece.
Mr. Gillett; Committee on Military Affairs, 1905.

H. R. 14890—Authorizing the Secretary of War to donate to the town of South Hadley, Hampshire County, State of Massachusetts, one German cannon or fieldpiece.
Mr. Gillett; Committee on Military Affairs, 1905.

H. R. 14891—Authorizing the Secretary of War to donate to the county of Cortland, N. Y., one German cannon or fieldpiece.
Mr. Magee; Committee on Military Affairs, 1905.

H. R. 14892—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Evans; Committee on Military Affairs, 1905.

H. R. 14893—For the relief of contractors and subcontractors for post offices and other buildings and work under the supervision of the Treasury Department.
Mr. Burnett; Committee on Public Buildings and Grounds, 1905.—Reported back (H. Rept. 976), 2028.

H. R. 14894—Granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.
Mr. Sherwood, from the Committee on Invalid Pensions as substitute for certain bills referred to that committee (H. Rept. 965), 1904.—Debated, 2034–2043. (Appendix, 74).—Amended and passed House, 2043.—Referred to Senate Committee on Pensions, 2117.—Reported with amendments (S. Rept. 697), 2935.—Amended and passed Senate, 4547–4550.—House concurs in Senate amendments, 4946.—Examined and signed, 4896, 5082.—Approved [Private, No. 45], 5084.

H. R. 14895—Authorizing the Secretary of War to donate to the city of Fort Payne, Ala., one German cannon or fieldpiece.
Mr. Burnett; Committee on Military Affairs, 1905.

H. R. 14896—Granting a pension to Erastus A. Buck.
Mr. Lobeck; Committee on Invalid Pensions, 1906.

H. R. 14897—Granting a pension to Nathan L. Smith.
Mr. Thomas; Committee on Pensions, 1906.

H. R. 14898—Granting an increase of pension to Fronie Fisher.
Mr. Thomas; Committee on Pensions, 1906.

H. R. 14899—Authorizing the Secretary of War to donate to the Soldiers and Sailors' Home at Quincy, Ill., two German cannons or fieldpieces.
Mr. King; Committee on Military Affairs, 1962.

H. R. 14900—Authorizing the Secretary of War to donate to the borough of Weissport, Pa., one German cannon or fieldpiece.
Mr. Steele; Committee on Military Affairs, 1962.

H. R. 14901—Increasing the limit of cost for a Federal building at Newburyport, Mass.
Mr. Lufkin; Committee on Public Buildings and Grounds, 1962.

H. R. 14902—Authorizing the Secretary of War to make a survey and submit an estimate of the cost of one 21-foot canal and one 35-foot canal for ocean-going ships between the Great Lakes and the Atlantic Ocean.
Mr. Miller of Minnesota; Committee on Railways and Canals, 1962.

H. R. 14903—To provide additional protection for the owners of letters patent of the United States, and for other purposes.
Mr. Benjamin L. Fairchild; Committee on Patents, 1962.

H. R. 14904—To make additions and extensions to post office and courthouse building at Harrisonburg, Va.
Mr. Harrison of Virginia; Committee on Public Buildings and Grounds, 1962.

H. R. 14905—To make an additional appropriation for the construction of a post-office building at Front Royal, Va.
Mr. Harrison of Virginia; Committee on Public Buildings and Grounds, 1962.

H. R. 14906—To amend Public Act No. 193, Sixty-fifth Congress (H. R. 12281), making appropriations for the support of the Army for the fiscal year ending June 30, 1919, in regard to medals for Spanish War veterans and Mexican border veterans.
Mr. Harrison of Virginia; Committee on Military Affairs, 1962.

H. R. 14907—For the purchase of a site for and the erection of a post-office building at Anaconda, Mont.
Mr. Evans; Committee on Public Buildings and Grounds, 1962.

H. R. 14908—For the enlargement of the Federal building at Butte, Mont.
Mr. Evans; Committee on Public Buildings and Grounds, 1962.

H. R. 14909—Providing for the enlargement of the Federal building at Missoula, Mont.
Mr. Evans; Committee on Public Buildings and Grounds, 1962.

H. R. 14910—To provide for the erection of a post-office building at Woodstock, Va.
Mr. Harrison of Virginia; Committee on Public Buildings and Grounds, 1962.

H. R. 14911—To provide for the erection of a post-office building at Luray, Va.
Mr. Harrison of Virginia; Committee on Public Buildings and Grounds, 1962.

H. R. 14912—To extend to Indians the State laws governing in the matter of marriage and divorce and the social crimes herein enumerated.
Mr. Hayden; Committee on Indian Affairs, 1962.

H. R. 14913—To amend an act entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," approved Dec. 17, 1914.
Mr. Randall; Committee on the Judiciary, 1962.

H. R. 14914—To require the Secretary of War and the Secretary of the Navy to supply certain data to the adjutants general of the several States.
Mr. Randall; Committee on Military Affairs, 1962.

H. R. 14915—To define intoxicating liquors.
Mr. Randall; Committee on the Judiciary, 1962.

H. R. 14916—To increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska, to grant abandoned public buildings and grounds at Sitka, Alaska, to the Territory of Alaska, and for other purposes.
Mr. Wickersham; Committee on Public Buildings and Grounds, 1962.

H. R. 14917—Authorizing the Secretary of War to donate to the city of Auburn, N. Y., one German cannon or fieldpiece.
Mr. Gould; Committee on Military Affairs, 1962.

H. R. 14918—Authorizing and directing the Secretary of War to grant an honorable discharge to drafted and enlisted men upon certain grounds, and for other purposes.
Mr. Overstreet; Committee on Military Affairs, 1962.

H. R. 14919—To incorporate the United American War Veterans (Inc.).
Mr. O'Shaunessy; Committee on the Judiciary, 1962.

H. R. 14920—To amend section 4414, Revised Statutes of the United States, to classify and provide salaries for clerks in the Steamboat-Inspection Service.
Mr. Hardy; Committee on the Merchant Marine and Fisheries, 1962.—Reported with amendment (H. Rept. 985), 2060.—Debated, 3612.

H. R. 14921—Authorizing the Secretary of War to donate to the city of Two Harbors, Minn., one German cannon or fieldpiece.
Mr. Miller of Minnesota; Committee on Military Affairs, 1962.

H. R. 14922—Authorizing the Secretary of War to donate to the city of Virginia, Minn., one German cannon or fieldpiece.
Mr. Miller of Minnesota; Committee on Military Affairs, 1962.

H. R. 14923—Authorizing the Secretary of War to donate to the city of Duluth, Minn., one German cannon or fieldpiece.
Mr. Miller of Minnesota; Committee on Military Affairs, 1962.

H. R. 14924—Authorizing the Secretary of War to donate to the village of Hibbing, Minn., one German cannon or fieldpiece.
Mr. Miller of Minnesota; Committee on Military Affairs, 1962.

H. R. 14925—Authorizing the Secretary of War to donate to the city of Ely, Minn., one German cannon or fieldpiece.
Mr. Miller of Minnesota; Committee on Military Affairs, 1962.

H. R. 14926—Authorizing the Secretary of War to donate to the city of Eveleth, Minn., one German cannon or fieldpiece.
Mr. Miller of Minnesota; Committee on Military Affairs, 1962.

H. R. 14927—Donating a captured German cannon or field gun and carriage to the city of Mansfield, State of Louisiana, for decorative and patriotic purposes.
Mr. Watkins; Committee on Military Affairs, 1962.

H. R. 14928—Donating a captured German cannon or field gun and carriage to the city of Shreveport, State of Louisiana, for decorative and patriotic purposes.
Mr. Watkins; Committee on Military Affairs, 1962.

H. R. 14929—Authorizing the Secretary of War to donate to the city of Whitewater, Kans., one German cannon or fieldpiece.
Mr. Ayres; Committee on Military Affairs, 1962.

H. R. 14930—Authorizing the Secretary of War to donate to the city of Eldorado, Kans., two German cannons or fieldpieces.
Mr. Ayres; Committee on Military Affairs, 1962.

H. R. 14931—Authorizing the Secretary of War to donate to the town of Colerain, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 1962.

H. R. 14932—Authorizing the Secretary of War to donate to the town of Houlton, Me., one German cannon or fieldpiece.
Mr. Hersey; Committee on Military Affairs, 1962.

H. R. 14933—Authorizing the Secretary of War to donate to the county of Charlotte, State of Virginia, one German cannon or fieldpiece.
Mr. Saunders of Virginia; Committee on Military Affairs, 1962.

H. R. 14934—Authorizing the Secretary of War to donate to the county of Grayson, State of Virginia, one German cannon or fieldpiece.
Mr. Saunders of Virginia; Committee on Military Affairs, 1962.

H. R. 14935—Authorizing the Secretary of War to donate to the county of Carroll, Va., one German cannon or fieldpiece.
Mr. Saunders of Virginia; Committee on Military Affairs, 1962.

H. R. 14936—Authorizing the Secretary of War to donate to the county of Pittsylvania, Va., one German cannon or fieldpiece.
Mr. Saunders of Virginia; Committee on Military Affairs, 1962.

H. R. 14937—Authorizing the Secretary of War to donate to the county of Patrick, Va., one German cannon or fieldpiece.
Mr. Saunders of Virginia; Committee on Military Affairs, 1962.

H. R. 14938—Authorizing the Secretary of War to donate to the town of Harlan, county of Allen, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 1962.

H. R. 14939—To stimulate the production, sale, and distribution of livestock products, and for other purposes.
Mr. Lever; Committee on Agriculture, 1962.

H. R. 14940—Authorizing the Secretary of War to donate to the village of Alexandria Bay, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 1962.

H. R. 14941—Authorizing the Secretary of War to donate to the village of Adams, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 1962.

H. R. 14942—Directing The Adjutant General of the United States Army and the Secretary of the Navy to allow the adjutant general of each State or his representative to examine and make transcripts of records.
Mr. Mott; Committee on Military Affairs, 1962.

H. R. 14943—To donate a captured cannon or gun to the cities of Jerome, Rexburg, Preston, Mountain Home, Gooding, Shoshone, American Falls, Malad, Rigby, and Driggs, in the State of Idaho.
Mr. Smith of Idaho; Committee on Military Affairs, 1963.

H. R. 14944—Authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes.
Mr. Charles B. Smith; Committee on Patents, 1963.—Reported back (H. Rept. 1169), 4965.

H. R. 14945—Granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.
Mr. Overstreet, from the Committee on Pensions (H. Rept. 969), as substitute for certain bills referred to that committee, 1962.—Debated, amended, and passed House, 2043–2049.—Referred to Senate Committee on Pensions, 2117.—Reported with amendments (S. Rept. 715), 3250.—Amended and passed Senate, 4552, 4553.—House concurs in Senate amendments, 4950.—Examined and signed, 4991, 5082.—Approved [Private, No. 46], 5084.

H. R. 14946—Authorizing the Secretary of War to donate a German captured cannon or fieldpiece to the village of Fort Edward, in the State of New York.
Mr. Parker of New York; Committee on Military Affairs, 1963.

H. R. 14947—Authorizing the Secretary of War to donate to the city of Girard, Pa., one German cannon or fieldpiece.
Mr. Clark of Pennsylvania; Committee on Military Affairs, 1963.

H. R. 14948—To expel and exclude from the United States certain undesirable aliens.
Mr. Burnett; Committee on Immigration and Naturalization, 1963.

H. R. 14949—To amend an act entitled "An act to amend section 73 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved June 12, 1916," and for other purposes.
Mr. Timberlake; Committee on the Judiciary, 1963.

H. R. 14950—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Taylor of Colorado; Committee on Military Affairs, 1963.

H. R. 14951—Authorizing the Secretary of War to donate to the town of Jerseyville, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 1963.

H. R. 14952—Granting an increase of pension to John H. McKenzie.
Mr. Chandler of Oklahoma; Committee on Invalid Pensions, 1963.

H. R. 14953—Granting a pension to James A. Cox.
Mr. Chandler of Oklahoma; Committee on Pensions, 1963.

H. R. 14954—Granting a pension to Billy Osborne or Koot-tah-we-Coots-lah-rie-e-Coots.
Mr. Chandler of Oklahoma; Committee on Pensions, 1963.

H. R. 14955—Granting a pension to David Gibson.
Mr. Clark of Missouri; Committee on Invalid Pensions, 1963.

H. R. 14956—Granting an increase of pension to Lucinda Wilson.
Mr. Currie of Michigan; Committee on Invalid Pensions, 1963.

H. R. 14957—Granting an increase of pension to William C. Mitchell.
Mr. Doolittle; Committee on Pensions, 1963.

H. R. 14958—For the relief of W. T. Doorley.
Mr. Ferris; Committee on Claims, 1963.

H. R. 14959—To provide for the erection of a public building in the city of Farmington, Mo.
Mr. Hensley; Committee on Public Buildings and Grounds, 2029.

H. R. 14960—Providing for the erection of a public building at the city of Dunkirk, N. Y.
Mr. Hamilton of New York; Committee on Public Buildings and Grounds, 2029.

H. R. 14961—To provide for the erection of a public building in the city of Madisonville, Ky.
Mr. Kincheloe; Committee on Public Buildings and Grounds, 2029.

H. R. 14962—To provide for the purchase of a site and erection thereon of a public building at Two Harbors, Minn.
Mr. Miller of Minnesota; Committee on Public Buildings and Grounds, 2029.

H. R. 14963—To provide for the construction of a public building at Duluth, Minn.
Mr. Miller of Minnesota; Committee on Public Buildings and Grounds, 2029.

H. R. 14964—To repeal the act approved Oct. 6, 1917.
Mr. Edmonds; Committee on the Merchant Marine and Fisheries, 2029.

H. R. 14965—To repeal a portion of section 37 of the shipping act of 1916.
Mr. Edmonds; Committee on the Merchant Marine and Fisheries, 2029.

H. R. 14966—Authorizing the Secretary of War to make donation of condemned German cannons to Girard College, Philadelphia, Pa.
Mr. Edmonds; Committee on Military Affairs, 2029.

H. R. 14967—To repeal the power of the President of the United States to requisition vessels building in the shipyards of the United States.
Mr. Edmonds; Committee on the Merchant Marine and Fisheries, 2029.

H. R. 14968—To amend the act of Congress approved Mar. 4, 1913 (37 Stat., p. 869), to increase the limit of cost for the enlargement, extension, remodeling, rebuilding, reconstruction, or improvement of the post office and courthouse at Alexandria, La.
Mr. Aswell; Committee on Public Buildings and Grounds, 2029.

H. R. 14969—Providing for the construction of a public building at Jackson, Ohio.
Mr. Switzer; Committee on Public Buildings and Grounds, 2029.

H. R. 14970—Authorizing the Secretary of War to donate to the town of Sebewaing, Mich., two German cannons or fieldpieces.
Mr. Cramton; Committee on Military Affairs, 2029.

H. R. 14971—Authorizing the Secretary of War to donate to the borough of Nazareth, Pa., one German cannon or fieldpiece.
Mr. Steele; Committee on Military Affairs, 2029.

H. R. 14972—Authorizing the Secretary of War to donate to the borough of Palmerton, Pa., one German cannon or fieldpiece.
Mr. Steele; Committee on Military Affairs, 2029.

H. R. 14973—Authorizing the Secretary of War to donate to the borough of Milford, Pa., one German cannon or fieldpiece.
Mr. Steele; Committee on Military Affairs, 2029.

H. R. 14974—Authorizing the Secretary of War to donate to the borough of Mauch Chunk, Pa., one German cannon or fieldpiece.
Mr. Steele; Committee on Military Affairs, 2029.

H. R. 14975—Authorizing the Secretary of War to donate to the town of Santa Ana, Cal., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 2029.

H. R. 14976—Authorizing the Secretary of War to donate to the town of Victorville, Cal., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 2029.

H. R. 14977—For the erection of a public building at Huntsville, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14978—For the erection of a public building at Gravette, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14979—For the erection of a public building at Springdale, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14980—For the erection of a public building at Berryville, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14981—For the erection of a public building at Yellville, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14982—For the erection of a public building at Leslie, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14983—For the erection of a public building at Mountain Home, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14984—For the erection of a public building at Clinton, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14985—For the erection of a public building at Bentonville, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14986—For the erection of a public building at Siloam Springs, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14987—For the erection of a public building at Marshall, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14988—For the erection of a public building at Green Forest, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14989—For the erection of a public building at Cotter, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14990—For the erection of a public building at Prairie Grove, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14991—For the erection of a public building at Jasper, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2029.

H. R. 14992—To provide for a site for a public building at White Hall, Ill.
Mr. Henry T. Rainey; Committee on Public Buildings and Grounds, 2029.

H. R. 14993—To provide for the erection of a public building in the city of Carrollton, Ill.
Mr. Henry T. Rainey; Committee on Public Buildings and Grounds, 2029.

H. R. 14994—Authorizing the Secretary of War to donate to the town of Pittsfield, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 2029.

H. R. 14995—Authorizing the Secretary of War to donate to the city of Pickens, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2029.

H. R. 14996—Authorizing the Secretary of War to donate to the city of Walhalla, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2029.

H. R. 14997—Authorizing the Secretary of War to donate to the city of Newberry, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2029.

H. R. 14998—Authorizing the Secretary of War to donate to the city of McCormick, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2029.

H. R. 14999—Authorizing the Secretary of War to donate to the city of Greenwood, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2030.

H. R. 15000—Authorizing the Secretary of War to donate to the city of Anderson, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2030.

H. R. 15001—Authorizing the Secretary of War to donate to the city of Abbeville, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2030.

H. R. 15002—Authorizing the Secretary of War to donate to headquarters of the Eighth Coast Artillery Corps, New York Guard, New York, two German cannons or fieldpieces.
Mr. Benjamin L. Fairchild; Committee on Military Affairs, 2030.

H. R. 15003—Authorizing the Secretary of War to donate to the city of Camas, Wash., one German cannon or fieldpiece.
Mr. Johnson of Washington; Committee on Military Affairs, 2030.

H. R. 15004—Authorizing the Secretary of War to donate to the city of Kelso, Wash., one German cannon or fieldpiece.
Mr. Johnson of Washington; Committee on Military Affairs, 2030.

H. R. 15005—Authorizing the Secretary of War to donate to the city of Chehalis, Wash., one German cannon or fieldpiece.
Mr. Johnson of Washington; Committee on Military Affairs, 2030.

H. R. 15006—Authorizing the Secretary of War to donate to the city of Sumner, Wash., one German cannon or fieldpiece.
Mr. Johnson of Washington; Committee on Military Affairs, 2030.

H. R. 15007—Authorizing the Secretary of War to donate to the city of Puyallup, Wash., one German cannon or fieldpiece.
Mr. Johnson of Washington; Committee on Military Affairs, 2030.

H. R. 15008—Authorizing the Secretary of War to deliver to the village of Canton, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 2030.

H. R. 15009—Authorizing the Secretary of War to deliver to the village of Saranac Lake, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Snell; Committee on Military Affairs, 2030.

H. R. 15010—To authorize the acquisition of a site and the erection of a Federal building at Breckenridge, Minn.
Mr. Steenerson; Committee on Public Buildings and Grounds, 2030.

H. R. 15011—To authorize the acquisition of a site and the erection of a Federal building at Detroit, Minn.
Mr. Steenerson; Committee on Public Buildings and Grounds, 2030.

H. R. 15012—To authorize the acquisition of a site and the erection of a Federal building at Thief River Falls, Minn.
Mr. Steenerson; Committee on Public Buildings and Grounds, 2030.

H. R. 15013—For the acquisition of a site and erection of a building at Algona, Iowa.
Mr. Woods of Iowa; Committee on Public Buildings and Grounds, 2030.

H. R. 15014—Authorizing the Secretary of War to donate to the village of Kent City, Mich., one German cannon or fieldpiece.
Mr. Mapes; Committee on Military Affairs, 2030.

H. R. 15015—Authorizing the Secretary of War to donate to the village of Harrisville, in the county of Providence, State of Rhode Island, one German cannon or fieldpiece.
Mr. Kennedy of Rhode Island; Committee on Military Affairs, 2030.

H. R. 15016—Authorizing the Secretary of War to donate to the city of McPherson, Kans., one German cannon or fieldpiece.
Mr. Ayres; Committee on Military Affairs, 2030.

H. R. 15017—To erect a post-office building in the city of Passaic, N. J.
Mr. Drukker; Committee on Public Buildings and Grounds, 2030.

H. R. 15018—Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.
Mr. Lever, from Committee on Agriculture (H. Rept. 980), 2013.—Debated, 2172–2183, 2329–2334, 2365–2410, 2441–2452, 2464–2493, 2525, 2526, 2527 (Appendix, 325, 371).—Amended and passed House, 2492, 2526, 2528.—Referred to Senate Committee on Agriculture and Forestry, 2592.—Reported with amendments (S. Rept. 752), 4019.

H. R. 15019—Authorizing the Secretary of War to donate to the city of Englewood, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 2030.

H. R. 15020—Authorizing the Secretary of War to donate to the town of Ridgefield Park, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 2030.

H. R. 15021—Authorizing the Secretary of War to donate to the town of Ridgewood, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 2030.

H. R. 15022—Authorizing the Secretary of War to donate to the borough of Hasbrouck Heights, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 2030.

H. R. 15023—Authorizing the Secretary of War to donate to the borough of Rutherford, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 2030.

H. R. 15024—Authorizing the Secretary of War to donate to the borrough of Midland Park, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 2030.

H. R. 15025—To increase the limit of cost of the public building to be erected at Caribou, Me.
Mr. Hersey; Committee on Public Buildings and Grounds, 2030.

H. R. 15026—Authorizing the Secretary of War to donate to the city of Mexico, Mo., one German cannon or fieldpiece.
Mr. Clark of Missouri; Committee on Military Affairs, 2030.

H. R. 15027—To increase the limit of cost of the public building to be erected at Fort Fairfield, Me.
Mr. Hersey; Committee on Public Buildings and Grounds, 2030.

H. R. 15028—For the purchase of a site and the erection of a public building at Marshfield, Wis.
Mr. Browne; Committee on Public Buildings and Grounds, 2030.

H. R. 15029—To provide for the erection of a public building at Union Springs, Ala.
Mr. Steagall; Committee on Public Buildings and Grounds, 2030.

H. R. 15030—To provide for the purchase of a post-office site at Ozark, Ala.
Mr. Steagall; Committee on Public Buildings and Grounds, 2030.

H. R. 15031—Authorizing the Secretary of War to donate to the cities of Sumter and Orangeburg, and to the towns of Lexington, St. Matthews, and Bishopville, all in South Carolina, each a German cannon or fieldpiece.
Mr. Lever; Committee on Military Affairs, 2030.

H. R. 15032—To incorporate the American Field of Honor Association.
Mr. Fess; Committee on Military Affairs, 2030.

H. R. 15033—To provide for the erection of a Federal building at Hailey, Idaho.
Mr. Smith of Idaho; Committee on Public Buildings and Grounds, 2030.

H. R. 15034—To provide for the promotion of certain officers, noncommissioned officers, and privates in the Army, Navy, and Marine Corps.
Mr. Rogers; Committee on Military Affairs, 2030

H. R. 15035—Authorizing the Secretary of War to donate to the county of Corson, State of South Dakota, one German cannon or fieldpiece.
Mr. Gandy; Committee on Military Affairs, 2030.

H. R. 15036—Authorizing the Secretary of War to donate to the county of Haakon, State of South Dakota, one German cannon or fieldpiece.
Mr. Gandy; Committee on Military Affairs, 2030.

H. R. 15037—Authorizing the Secretary of War to donate to the city of Sturgis, State of South Dakota, one German cannon or fieldpiece.
Mr. Gandy; Committee on Military Affairs, 2030.

H. R. 15038—To increase the cost of the public building at Harrisonville, Mo.
Mr. Dickinson; Committee on Public Buildings and Grounds, 2030.

H. R. 15039—Granting consent to the Newport road district to construct a bridge across the White River within or near the city limits of the city of Newport, Ark.
Mr. Oldfield; Committee on Interstate and Foreign Commerce, 2030.—Reported back (H. Rept. 1052), 3174.

H. R. 15040—Providing for the purchase of a site and the erection thereon of a public building at Port Clinton, in the State of Ohio.
Mr. Sherwood; Committee on Public Buildings and Grounds, 2030.

H. R. 15041—For the purchase of a site and the erection of a public building at Shawano, Wis.
Mr. Browne; Committee on Public Buildings and Grounds, 2030.

H. R. 15042—For the purchase of a site and the erection of a public building at Grand Rapids, Wis.
Mr. Browne; Committee on Public Buildings and Grounds, 2030.

H. R. 15043—To amend an act entitled "An act to amend section 73 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved June 12, 1916," and for other purposes.
Mr. Timberlake; Committee on the Judiciary, 2030.

H. R. 15044—To amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes."
Mr. Saunders of Virginia; Committee on the Post Office and Post Roads, 2030.

H. R. 15045—To provide for the purchase of a site for a Federal building at Payette, Idaho.
Mr. French; Committee on Public Buildings and Grounds, 2030.

H. R. 15046—To provide for the erection of a Federal building at Caldwell, Idaho.
Mr. French; Committee on Public Buildings and Grounds, 2030.

H. R. 15047—To provide for the erection of a Federal building at Nampa, Idaho.
Mr. French; Committee on Public Buildings and Grounds, 2031.

H. R. 15048—To provide for the purchase of a site for a Federal building at Weiser, Idaho.
Mr. French; Committee on Public Buildings and Grounds, 2031.

H. R. 15049—To provide for additional appropriation for the erection of a Federal building at Cœur d'Alene, Idaho.
Mr. French; Committee on Public Buildings and Grounds, 2031.

H. R. 15050—To provide for the erection of a public building in the city of Havana, Ill.
Mr. Henry T. Rainey; Committee on Public Buildings and Grounds, 2031.

H. R. 15051—To provide for the purchase of a site and the erection of a public building thereon at David City, in the State of Nebraska.
Mr. Sloan; Committee on Public Buildings and Grounds, 2031.

H. R. 15052—To provide for the purchase of a site and the erection of a public building thereon at Seward, in the State of Nebraska.
Mr. Sloan; Committee on Public Buildings and Grounds, 2031.

H. R. 15053—To provide for the purchase of a site and the erection of a public building thereon at Geneva, in the State of Nebraska.
Mr. Sloan; Committee on Public Buildings and Grounds, 2031.

H. R. 15054—To provide for the erection of an addition to the post-office building at Baltimore, Md., for alterations to the present building, and changes to the railroad entering same.
Mr. Linthicum; Committee on Public Buildings and Grounds, 2031.

H. R. 15055—To provide for the erection of an addition to the Federal building in the city of Kenosha, county of Kenosha, and State of Wisconsin.
Mr. Cooper of Wisconsin; Committee on Public Buildings and Grounds, 2031.

H. R. 15056—To increase the cost of the public building at Memphis, Tenn.
Mr. Fisher; Committee on Public Buildings and Grounds, 2031.

H. R. 15057—Providing for the purchase of a site and the erection of a public building in the city of Broken Bow, State of Nebraska.
Mr. Kinkaid; Committee on Public Buildings and Grounds, 2031.

H. R. 15058—Providing for the purchase of a site and the erection of a public building in the city of Lexington, State of Nebraska.
Mr. Kinkaid; Committee on Public Buildings and Grounds, 2031.

H. R. 15059—Providing for the purchase of a site and the erection of a public building in the city of Scottsbluff, State of Nebraska.
Mr. Kinkaid; Committee on Public Buildings and Grounds, 2031.

H. R. 15060—Providing for the purchase of a site and the erection of a public building in the city of O'Neill, State of Nebraska.
Mr. Kinkaid; Committee on Public Buildings and Grounds, 2031.

H. R. 15061—To authorize the Secretary of War to donate to the city of Charleston, W. Va., a cannon or fieldpiece captured from the Germans.
Mr. Littlepage; Committee on Military Affairs, 2031.

H. R. 15062—To authorize the Secretary of War to donate to the city of Fayetteville, W. Va., a cannon or fieldpiece captured from the Germans.
Mr. Littlepage; Committee on Military Affairs, 2031.

H. R. 15063—To authorize the Secretary of War to donate to the city of Lewisburg, W. Va., a cannon or fieldpiece captured from the Germans.
Mr. Littlepage; Committee on Military Affairs, 2031.

H. R. 15064—To authorize the Secretary of War to donate to the city of Ronceverte, W. Va., a cannon or fieldpiece captured from the Germans.
Mr. Littlepage; Committee on Military Affairs, 2031.

H. R. 15065—To authorize the Secretary of War to donate to the city of Marlinton, W. Va., a cannon or fieldpiece captured from the Germans.
Mr. Littlepage; Committee on Military Affairs, 2031.

H. R. 15066—To authorize the Secretary of War to donate to the city of Madison, W. Va., a cannon or fieldpiece captured from the Germans.
Mr. Littlepage; Committee on Military Affairs, 2031.

H. R. 15067—To authorize the Secretary of War to donate to the city of Montgomery, W. Va., a cannon or fieldpiece captured from the Germans.
Mr. Littlepage; Committee on Military Affairs, 2031.

H. R. 15068—Granting an increase of pension to Albert Raymond.
Mr. Cramton; Committee on Invalid Pensions, 2031.

H. R. 15069—Granting a pension to Mrs. E. L. Ellis.
Mr. Crisp; Committee on Pensions, 2031.

H. R. 15070—Granting an increase of pension to Fred E. Kies.
Mr. Freeman; Committee on Invalid Pensions, 2031.

H. R. 15071—Granting an increase of pension to Andrew W. Hepler.
Mr. Good; Committee on Invalid Pensions, 2031.

H. R. 15072—Granting an increase of pension to John W. Hanshaw.
Mr. Johnson of Washington; Committee on Invalid Pensions, 2031.

H. R. 15073—Granting a pension to Katherine Shurts.
Mr. Kettner; Committee on Invalid Pensions, 2031.

H. R. 15074—Granting an increase of pension to Charles H. Steward.
Mr. Shouse; Committee on Pensions, 2031.

H. R. 15075—Granting a pension to William J. Ross.
Mr. Thomas; Committee on Invalid Pensions, 2031.

H. R. 15076—Authorizing the Secretary of War to donate to the city of Independence, Ky., two German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 2061.

H. R. 15077—Authorizing the Secretary of War to donate to the city of Alexandria, Ky., two German cannons or fieldpieces.
Mr. Rouse; Committee on Military Affairs, 2061.

H. R. 15078—Making Oct. 27 a national holiday to be known as Roosevelt's birthday.
Mr. Bacharach; Committee on the Judiciary, 2061.

H. R. 15079—Providing for the erection of a public building at Mendota, Ill., on a site heretofore provided for the same.
Mr. Fuller of Illinois; Committee on Public Buildings and Grounds, 2061.

H. R. 15080—To authorize the provision of accommodations for the United States courts in the Federal building at Sunbury, Pa., and to increase the limit of cost for said building accordingly.
Mr. Lesher; Committee on Public Buildings and Grounds, 2061.

H. R. 15081—For purchase of site and erection of a building to be used as a post office at the town of Henderson, Rusk County, Tex.
Mr. Young of Texas; Committee on Public Buildings and Grounds, 2061.

H. R. 15082—To increase the limit of cost of site and public building at Phoenixville, Pa.
Mr. Butler; Committee on Public Buildings and Grounds, 2061.

H. R. 15083—To increase the limit of cost of public building at Leominster, Mass.
Mr. Paige; Committee on Public Buildings and Grounds, 2061.

H. R. 15084—To increase the limit of cost of public building at Southbridge, Mass.
Mr. Paige; Committee on Public Buildings and Grounds, 2061.

H. R. 15085—To provide for the erection of a public building at Pineville, in the State of Kentucky.
Mr. Powers; Committee on Public Buildings and Grounds, 2061.

H. R. 15086—To provide for the erection of a public building at Barbourville, in the State of Kentucky.
Mr. Powers; Committee on Public Buildings and Grounds, 2061.

H. R. 15087—Providing for the purchase of a site and the erection thereon of a public building at Clinton, in the State of Massachusetts.
Mr. Paige; Committee on Public Buildings and Grounds, 2061.

H. R. 15088—Providing for the purchase of a site and the erection thereon of a public building at Gardner, in the State of Massachusetts.
Mr. Paige; Committee on Public Buildings and Grounds, 2061.

H. R. 15089—To authorize the acquisition of a site and the erection thereon of a Federal building at Osage, Iowa.
Mr. Haugen; Committee on Public Buildings and Grounds, 2061.

H. R. 15090—To authorize the erection of a Federal building at Oelwein, Iowa.
Mr. Haugen; Committee on Public Buildings and Grounds, 2061.

H. R. 15091—To provide for the purchase of a site and the erection of a Federal building at Hillsboro, Ohio.
Mr. Kearns; Committee on Public Buildings and Grounds, 2061.

H. R. 15092—To provide for the erection of a Federal building and the purchase of a site therefor at Greenfield, Ohio.
Mr. Kearns; Committee on Public Buildings and Grounds, 2061.

H. R. 15093—Providing for the extension and enlargement of the post-office and court building at Monroe, La.
Mr. Wilson of Louisiana; Committee on Public Buildings and Grounds, 2061.

H. R. 15094—To provide for the purchase of a site and for the erection of a public building thereon at Clayton, N. Mex.
Mr. Walton; Committee on Public Buildings and Grounds, 2061.

H. R. 15095—For the erection of a public post-office building at Alvin, Tex., and for other purposes.
Mr. Mansfield; Committee on Public Buildings and Grounds, 2061.

H. R. 15096—For the erection of a public post-office building at Kingsville, Tex., and for other purposes.
Mr. McLemore; Committee on Public Buildings and Grounds, 2061.

H. R. 15097—To authorize the enlargement of the post-office, custom-house, and United States court building at San Antonio, Tex.
Mr. Slayden; Committee on Public Buildings and Grounds, 2061.

H. R. 15098—To expel and exclude from the United States certain undesirable aliens.
Mr. Burnett; Committee on Immigration and Naturalization, 2061.—Reported back (H. Rept. 1000), 2257.

H. R. 15099—To amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918.
Mr. Esch; Committee on Interstate and Foreign Commerce, 2061.

H. R. 15100—Authorizing the Secretary of War to donate to the city of Emporia, Kans., two German cannons or fieldpieces.
Mr. Doolittle; Committee on Military Affairs, 2061.

H. R. 15101—Authorizing the Secretary of War to donate to the city of Burlington, Kans., one German cannon or fieldpiece.
Mr. Doolittle; Committee on Military Affairs, 2061.

H. R. 15102—Authorizing the Secretary of War to donate to the village of Kilmarnock, county of Lancaster, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 2061.

H. R. 15103—For the relief of the owners of the schooner Horatio G. Foss.
Mr. Tinkham; Committee on Claims, 2061.

H. R. 15104—For the relief of the owner of the steam lighter Cornelia.
Mr. Tinkham; Committee on Claims, 2061.

H. R. 15105—To povide for the erection of a Federal building at Hays, Kans.
Mr. Connelly of Kansas; Committee on Public Buildings and Grounds, 2061.

H. R. 15106—To provide for the erection of a Federal building at Norton, Kans.
Mr. Connelly of Kansas; Committee on Public Buildings and Grounds, 2061.

H. R. 15107—Authorizing the Secretary of War to donate two captured cannons to the town of Humboldt, Nebr.
Mr. Reavis; Committee on Military Affairs, 2061.

H. R. 15108—Authorizing the Secretary of War to donate two captured cannons to the town of Tecumseh, Nebr.
Mr. Reavis; Committee on Military Affairs, 2061.

H. R. 15109—Authorizing the Secretary of War to donate two captured cannons to the town of Auburn, Nebr.
Mr. Reavis; Committee on Military Affairs, 2061.

H. R. 15110—Authorizing the Secretary of War to donate two captured cannons to the town of Plattsmouth, Nebr.
Mr. Reavis; Committee on Military Affairs, 2061.

H. R. 15111—Authorizing the Secretary of War to donate two captured cannons to the town of Burr, Nebr.
Mr. Reavis; Committee on Military Affairs, 2061.

H. R. 15112—Authorizing the Secretary of War to donate two captured cannons to the town of Pawnee City, Nebr.
Mr. Reavis; Committee on Military Affairs, 2061.

H. R. 15113—Authorizing the Secretary of War to donate two captured cannons to the city of Lincoln, Nebr.
Mr. Reavis; Committee on Military Affairs, 2061.

H. R. 15114—Authorizing the Secretary of War to donate two captured cannons to the town of Syracuse, Nebr.
Mr. Reavis; Committee on Military Affairs, 2061.

H. R. 15115—Authorizing the Secretary of War to donate two captured cannons to the town of Falls City, Nebr.
Mr. Reavis; Committee on Military Affairs, 2061.

H. R. 15116—Authorizing the Secretary of War to donate two captured cannons to the town of Nebraska City, Nebr.
Mr. Reavis; Committee on Military Affairs, 2062.

H. R. 15117—For the purchase of a site and the erection of a public building at Medford, Mass.
Mr. Dallinger; Committee on Public Buildings and Grounds, 2062.

H. R. 15118—For the purchase of a site and the erection of a public building at Wakefield, Mass.
Mr. Dallinger; Committee on Public Buildings and Grounds, 2062.

H. R. 15119—Increasing the limit of cost for a Federal building at Mount Carmel, Ill.
Mr. Foster; Committee on Public Buildings and Grounds, 2062.

H. R. 15120—To provide for the erection of a public building at Lawrenceville, Ill.
Mr. Foster; Committee on Public Buildings and Grounds, 2062.

H. R. 15121—For the purchase of a post-office site at Windsor Locks, Conn.
Mr. Lonergan; Committee on Public Buildings and Grounds, 2062.

H. R. 15122—To provide for the erection of a public building at Elizabethton, Tenn.
Mr. Sells; Committee on Public Buildings and Grounds, 2062.

H. R. 15123—To provide for the erection of a public building at Rogersville, Tenn.
Mr. Sells; Committee on Public Buildings and Grounds, 2062.

H. R. 15124—Authorizing the Secretary of War to deliver to the cities of Aurora, Joliet, Woodstock, West Chicago, Elgin, Harvard, Wilmington, Geneva, Plainfield, Hinsdale, Marengo, and Downers Grove, all in the State of Illinois, one cannon or fieldpiece, with carriage, captured from the German Army in the recent war, together with a suitable number of shells.
Mr. Copley; Committee on Military Affairs, 2062.

H. R. 15125—Authorizing the Secretary of War to donate to the county of Perkins, State of South Dakota, one German cannon or fieldpiece.
Mr. Gandy; Committee on Military Affairs, 2062.

H. R. 15126—Authorizing the Secretary of War to donate to the town of Wasta, State of South Dakota, one German cannon or fieldpiece.
Mr. Gandy; Committee on Military Affairs, 2062.

H. R. 15127—Authorizing the Secretary of War to donate to the town of Faith, State of South Dakota, one German cannon or fieldpiece.
Mr. Gandy; Committee on Military Affairs, 2062.

H. R. 15128—To provide for the erection of a post-office building at Mexia, Tex.
Mr. Hardy; Committee on Public Buildings and Grounds, 2062.

H. R. 15129—To provide for the erection of a post-office building at Teague, Tex.
Mr. Hardy; Committee on Public Buildings and Grounds, 2062.

H. R. 15130—For the regulation of salaries in the custodian service of the Treasury Department.
Mr. Doremus; Committee on Public Buildings and Grounds, 2062.

H. R. 15131—To authorize the acquisition of a site and the erection of a Federal building at Circleville, Pickaway County, Ohio.
Mr. Claypool; Committee on Public Buildings and Grounds, 2062.

H. R. 15132—Authorizing the Secretary of War to donate to the city of Oakland, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 2062.

H. R. 15133—To provide for the erection of a post office and custom-house building at Cape Charles, Va.
Mr. Bland of Virginia; Committee on Public Buildings and Grounds, 2062.

H. R. 15134—To provide for the erection of a post-office building at Phoebus, Va.
Mr. Bland of Virginia; Committee on Public Buildings and Grounds, 2062.

H. R. 15135—For the purchase of a site for and erection of a post-office building at Quincy, Fla.
Mr. Kehoe; Committee on Public Buildings and Grounds, 2062.

H. R. 15136—Granting a pension to Leonard Walker.
Mr. Hamlin; Committee on Invalid Pensions, 2062.

H. R. 15137—Granting an increase of pension to David Dixon.
Mr. Hastings; Committee on Invalid Pensions, 2062.

H. R. 15138—Granting an increase of pension to John Weiss.
Mr. Shouse; Committee on Pensions, 2062.

H. R. 15139—To provide for the acquisition of a site and the erection of a public building thereon at Fort Worth, Tex., and for the sale of the present post-office site and building thereon.
Mr. Wilson of Texas; Committee on Public Buildings and Grounds, 2062.

H. R. 15140—Making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.
Mr. Sherley, from Committee on Appropriations (H. Rept. 989), 2149.—Debated, 2219–2254, 2295–2325.—Amended and passed House, 2325.—Referred to Senate Committee on Appropriations, 2338.—Reported with amendments, 2520.—Debated, 2520, 2521, 2972, 3062–3073.—Amended and passed Senate, 3073.—Senate asks for a conference, 3073.—House disagrees to Senate amendments and agrees to a conference, 3140.—Conference appointed, 3073, 3140.—Conference report (No. 1058) made in House, 3170.—Conference report debated and agreed to in House, 3196, 3197.—Conference report made and agreed to in Senate, 3194.—Examined and signed, 3277, 3320.—Approved [Public, No. 275], 4245.

H. R. 15141—To prohibit the payment of compensation to Senators, Representatives, and Delegates in Congress and other officers and employees under certain conditions.
Mr. Clark of Florida; Committee on the Judiciary, 2184.

H. R. 15142—To provide for the incorporation of certain companies engaged in foreign trade.
Mr. Sims; Committee on Interstate and Foreign Commerce, 2184.

H. R. 15143—Increasing the limit of cost for a Federal building at Oconto, Wis.
Mr. Classon; Committee on Public Buildings and Grounds, 2184.

H. R. 15144—Authorizing the Secretary of War to donate to the city of Park Falls, Wis., one German cannon or fieldpiece.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 2184.

H. R. 15145—Providing for the employment by the United States Government of soldiers and sailors of the United States, and prescribing the preference to be extended them in filling clerical and other vacancies.
Mr. Harrison of Mississippi; Committee on Reform in the Civil Service, 2184.—Reported with amendment (H. Rept. 1016), 2334.

H. R. 15146—To authorize and empower the Postmaster General to construct, maintain, and operate a mail tunnel in the city of New York.
Mr. Oliver of New York; Committee on the Post Office and Post Roads, 2184.—Reported with amendment (H. Rept. 1123), 4010.

H. R. 15147—Increasing the limit of cost for a Federal building at Shawnee, Okla.
Mr. McKeown; Committee on Public Buildings and Grounds, 2184.

H. R. 15148—To provide for the erection of a Federal building at Olathe, Kans.
Mr. Little; Committee on Public Buildings and Grounds, 2184.

H. R. 15149—To provide for the erection of a Federal building at Paola, Kans.
Mr. Little; Committee on Public Buildings and Grounds, 2184.

H. R. 15150—Authorizing the Secretary of War to donate to the village of Smithtown Branch, N. Y., one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 2184.

H. R. 15151—Authorizing the Secretary of War to donate to the village of Sea Cliff, N. Y., one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 2184.

H. R. 15152—To provide for extra pay when discharged for officers and enlisted men who were in the Army of the United States when war was declared against Germany or have since entered the Army.
Mr. Little; Committee on Military Affairs, 2184.

H. R. 15153—To provide for a site and Government building at Council Grove, Kans.
Mr. Doolittle; Committee on Public Buildings and Grounds, 2184.

H. R. 15154—For the enlargement of the Federal building at Erie, Pa.
Mr. Clark of Pennsylvania; Committee on Public Buildings and Grounds, 2184.

H. R. 15155—Authorizing the Secretary of War to donate to the borough of Girard, Pa., one German cannon or fieldpiece.
Mr. Clark of Pennsylvania; Committee on Military Affairs, 2184.

H. R. 15156—To enlarge and extend the post-office building at Logansport, Ind.
Mr. Kraus; Committee on Public Buildings and Grounds, 2184.

H. R. 15157—Authorizing the Secretary of War to donate to the city of Hartford City, Ind., one German cannon or fieldpiece.
Mr. Kraus; Committee on Military Affairs, 2184.

H. R. 15158—To donate a captured cannon or gun to the city of Ansonia, in the State of Connecticut.
Mr. Glynn; Committee on Military Affairs, 2184.

H. R. 15159—To donate a captured cannon or gun to the town of Winsted, in the State of Connecticut.
Mr. Glynn; Committee on Military Affairs, 2184.

H. R. 15160—To donate a captured cannon or gun to the town of Salisbury, in the State of Connecticut.
Mr. Glynn; Committee on Military Affairs, 2185.

H. R. 15161—To donate a captured cannon or gun to the town of Torrington, in the State of Connecticut.
Mr. Glynn; Committee on Military Affairs, 2185.

H. R. 15162—To donate a captured cannon or gun to the city of Waterbury, in the State of Connecticut.
Mr. Glynn; Committee on Military Affairs, 2185.

H. R. 15163—To acquire a site and erect a building thereon at Springfield, Mass.
Mr. Gillett; Committee on Public Buildings and Grounds, 2185.

H. R. 15164—To amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes."
Mr. Flood; Committee on the Post Office and Post Roads, 2185.

H. R. 15165—Authorizing the Secretary of War to donate to the town of Newcastle, Va., one German cannon or fieldpiece.
Mr. Flood; Committee on Military Affairs, 2185.

H. R. 15166—For the purchase of a site for and the erection of a post-office building at Marysville, Cal.
Mr. Lea of California; Committee on Public Buildings and Grounds, 2185.

H. R. 15167—For the purchase of a site for and the erection of a post-office building at Petaluma, Cal.
Mr. Lea of California; Committee on Public Buildings and Grounds, 2185.

H. R. 15168—Authorizing the Secretary of War to donate to the village of Sand Lake, Mich., one German cannon or fieldpiece.
Mr. Mapes; Committee on Military Affairs, 2185.

H. R. 15169—To establish a zoological park in the State of Wisconsin.
Mr. Cary; Committee on Appropriations, 2185.

H. R. 15170—To donate two cannons of obsolete pattern to the city of Staples, in the State of Minnesota.
Mr. Knutson; Committee on Military Affairs, 2185.

H. R. 15171—Authorizing the Secretary of War to donate to the city of Menomonie, Wis., one German cannon or fieldpiece.
Mr. Frear; Committee on Military Affairs, 2185.

H. R. 15172—Authorizing the Secretary of War to donate to the city of Hudson, Wis., one German cannon or fieldpiece.
Mr. Frear; Committee on Military Affairs, 2185.

H. R. 15173—Authorizing the Secretary of War to donate to the city of Eau Claire, Wis., one German cannon or fieldpiece.
Mr. Frear; Committee on Military Affairs, 2185.

H. R. 15174—Authorizing the Secretary of War to donate to the city of Rice Lake, Wis., one German cannon or fieldpiece.
Mr. Frear; Committee on Military Affairs, 2185.

H. R. 15175—Authorizing the Secretary of War to donate to the city of Chippewa Falls, Wis., one German cannon or fieldpiece.
Mr. Frear; Committee on Military Affairs, 2185.

H. R. 15176—To provide for the erection of a public building at Nashville, Ark.
Mr. Wingo; Committee on Public Buildings and Grounds, 2185.

H. R. 15177—To provide for the erection of a public building at De Queen, Ark.
Mr. Wingo; Committee on Public Buildings and Grounds, 2185.

H. R. 15178—For the purchase of a site and erection thereon of a public building at Madill, Okla.
Mr. Carter of Oklahoma; Committee on Public Buildings and Grounds, 2185.

H. R. 15179—For the purchase of a site and erection thereon of a public building at Wilburton, Okla.
Mr. Carter of Oklahoma; Committee on Public Buildings and Grounds, 2185.

H. R. 15180—For the purchase of a site and the erection thereon of a public building at Hugo, Okla.
Mr. Carter of Oklahoma; Committee on Public Buildings and Grounds, 2185.

H. R. 15181—For the purchase of a site and the erection thereon of a public building at Idabel, Okla.
Mr. Carter of Oklahoma; Committee on Public Buildings and Grounds, 2185.

H. R. 15182—For the purchase of a site and the erection thereon of a public building at Antlers, Okla.
Mr. Carter of Oklahoma; Committee on Public Buildings and Grounds, 2185.

H. R. 15183—For the purchase of a site and erection thereon of a public building at Marietta, Okla.
Mr. Carter of Oklahoma; Committee on Public Buildings and Grounds, 2185.

H. R. 15184—For the purchase of a site and the erection thereon of a public building at Poteau, Okla.
Mr. Carter of Oklahoma; Committee on Public Buildings and Grounds, 2185.

H. R. 15185—For the purchase of a site and erection thereon of a public building at Atoka, Okla.
Mr. Carter of Oklahoma; Committee on Public Buildings and Grounds, 2185.

H. R. 15186—To authorize the acquisition of a site and the repairing and enlargement of a Federal building thereon at Okmulgee, Okla., or to authorize the acquisition of a site and the erection of a Federal building thereon at Okmulgee, Okla.
Mr. Hastings; Committee on Public Buildings and Grounds, 2185.

H. R. 15187—Increasing the limit of cost for a Federal building at Tarentum, Pa.
Mr. Porter; Committee on Public Buildings and Grounds, 2185.

H. R. 15188—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States.
Mr. Haskell; Committee on Military Affairs, 2185.

H. R. 15189—For the purchase of a site and the erection of a public building at Wynne, Ark.
Mr. Caraway; Committee on Public Buildings and Grounds, 2185.

H. R. 15190—Authorizing the Secretary of War to donate to the borough of East Rutherford, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 2185.

H. R. 15191—Authorizing the Secretary of War to donate to Aspinwall, Pittsburgh, Pa., one German cannon or fieldpiece.
Mr. Porter; Committee on Military Affairs, 2185.

H. R. 15192—Authorizing the Secretary of War to donate to Etna, Pittsburgh, Pa., one German cannon or fieldpiece.
Mr. Porter; Committee on Military Affairs, 2185.

H. R. 15193—Authorizing the Secretary of War to donate to Bellevue, Pa., one German cannon or fieldpiece.
Mr. Porter; Committee on Military Affairs, 2185.

H. R. 15194—Authorizing the Secretary of War to donate to the Fineview district of the city of Pittsburgh, Pa., one German cannon or fieldpiece.
Mr. Porter; Committee on Military Affairs, 2185.

H. R. 15195—Authorizing the acquisition of a site for a public building at Island Pond, Vt.
Mr. Dale; Committee on Public Buildings and Grounds, 2185.

H. R. 15196—Authorizing the acquisition of a site for a post-office building at Bellows Falls, Vt.
Mr. Dale; Committee on Public Buildings and Grounds, 2185.

H. R. 15197—For the erection of a public building at Sulphur Springs, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2185.

H. R. 15198—For the erection of a public building at Decatur, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2185.

H. R. 15199—For the erection of a public building at Gentry, Ark.
Mr. Tillman; Committee on Public Buildings and Grounds, 2185.

H. R. 15200—For the erection of a public building at Conway, Ark.
Mr. Jacoway; Committee on Public Buildings and Grounds, 2185.

H. R. 15201—For the erection of a public building at Morrillton, Ark.
Mr. Jacoway; Committee on Public Buildings and Grounds, 2185.

H. R. 15202—For the purchase of a site and the erection of a public building at Little Rock, Ark.
Mr. Jacoway; Committee on Public Buildings and Grounds, 2185.

H. R. 15203—Authorizing the Secretary of War to donate to the town of Mooseheart, Ill., one German cannon or fieldpiece.
Mr. Garland; Committee on Military Affairs, 2185.

H. R. 15204—Authorizing the Secretary of War to donate to the town of Charlerol, Pa., one German cannon or fieldpiece.
Mr. Garland; Committee on Military Affairs, 2185.

H. R. 15205—Authorizing the Secretary of War to donate to the town of Philipsburg, Pa., one German cannon or fieldpiece.
Mr. Rowland; Committee on Military Affairs, 2185.

H. R. 15206—Authorizing the Secretary of War to donate to the New Mexico Military Institute at Roswell, N. Mex., German cannons or fieldpieces.
Mr. Walton; Committee on Military Affairs, 2185.

H. R. 15207—Granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River.
Mr. Cooper of West Virginia; Committee on Interstate and Foreign Commerce, 2185.—Reported back (H. Rept. 1050), 3174.

H. R. 15208—Authorizing the Secretary of War to donate to the city of Strong, Kans., one German cannon or fieldpiece.
Mr. Doolittle; Committee on Military Affairs, 2185.

H. R. 15209—Authorizing the Secretary of War to donate to the city of Cottonwood Falls, Kans., one German cannon or fieldpiece.
Mr. Doolittle; Committee on Military Affairs, 2185.

H. R. 15210—To authorize the Judge Advocate General of the United States Army to classify the soldiers of the American Expeditionary Forces who have been court-martialed and return to those who were fined for misdemeanors the amount of fine collected therefrom.
Mr. Claypool; Committee on Military Affairs, 2185.

H. R. 15211—To increase the limit of cost for the proposed new Federal building at Madison, Wis., and the site thereof.
Mr. John M. Nelson; Committee on Public Buildings and Grounds, 2186.

H. R. 15212—For the purchase of a site for and the erection of a post-office building at Pittsburgh, Pa.
Mr. Morin; Committee on Public Buildings and Grounds, 2186.—Reported with amendment (H. Rept. 1089), 3737.

H. R. 15213—Increasing the limit of cost for a Federal building at Spanish Fork, Utah.
Mr. Welling; Committee on Public Buildings and Grounds, 2186.

H. R. 15214—For the construction of a Federal building at Nephi, Utah.
Mr. Welling; Committee on Public Buildings and Grounds, 2186.

H. R. 15215—Increasing the limit of cost for a Federal building at Park City, Utah.
Mr. Welling; Committee on Public Buildings and Grounds, 2186.

H. R. 15216—Increasing the limit of cost for a Federal building at Eureka, Utah.
Mr. Welling; Committee on Public Buildings and Grounds, 2186.

H. R. 15217—Increasing the limit of cost for a Federal building at Vernal, Utah.
Mr. Welling; Committee on Public Buildings and Grounds, 2186.

H. R. 15218—To authorize the erection of a Federal building at Jamestown, N. Dak.
Mr. Young of North Dakota; Committee on Public Buildings and Grounds, 2186.

H. R. 15219—Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes.
Mr. Gallivan, from Committee on Appropriations (H. Rept. 997), 2172.—Debated, 2528–2546.—Passed House, 2545, 2546.—Referred to Senate Committee on Pensions, 2592.—Reported back (S. Rept. 696) and passed Senate, 2874, 2875.—Examined and signed, 3174, 3178.—Approved [Public, No. 276], 4245.

H. R. 15220—Providing for a site and public building for post office and other Federal purposes at Boston, Mass.
Mr. Gallivan; Committee on Public Buildings and Grounds, 2186.

H. R. 15221—To donate a captured cannon or gun to the city of Wooster, in the State of Ohio.
Mr. McCulloch; Committee on Military Affairs, 2186.

H. R. 15222—To donate a captured cannon or gun to the city of Dover, in the State of Ohio.
Mr. McCulloch; Committee on Military Affairs, 2186.

H. R. 15223—To donate a captured cannon or gun to the city of Ragersville, in the State of Ohio.
Mr. McCulloch; Committee on Military Affairs, 2186.

H. R. 15224—To donate a captured cannon or gun to the city of Dennison, in the State of Ohio.
Mr. McCulloch; Committee on Military Affairs, 2186.

H. R. 15225—To provide for the enlargement, extension, and remodeling of the Federal building at Boston, Mass.
Mr. Gallivan; Committee on Public Buildings and Grounds, 2186.

H. R. 15226—Granting an increase of pension to James K. Brewer.
Mr. Focht; Committee on Invalid Pensions, 2186.

H. R. 15227—Granting a pension to Amelia Erdman.
Mr. Kahn; Committee on Invalid Pensions, 2186.

H. R. 15228—Granting a pension to Charles Dolderer.
Mr. Kearns; Committee on Pensions, 2186.

H. R. 15229—Granting a pension to Starling N. Caron.
Mr. Kearns; Committee on Pensions, 2186.

H. R. 15230—Granting a pension to Henry Fields.
Mr. Langley; Committee on Pensions, 2186.

H. R. 15231—Granting a pension to Lee Begley.
Mr. Langley; Committee on Pensions, 2186.

H. R. 15232—Granting a pension to Frances E. Herlehy.
Mr. Maher; Committee on Pensions, 2186.

H. R. 15233—Authorizing the Secretary of War to donate to the town of Lee, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 2186.

H. R. 15234—Authorizing the Secretary of War to donate to the town of Stockbridge, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 2186.

H. R. 15235—Authorizing the Secretary of War to donate to the town of Charlemont, Mass., one German cannon or fieldpiece.
Mr. Treadway; Committee on Military Affairs, 2186.

H. R. 15236—To provide for the erection of a Federal building at Cheraw, S. C.
Mr. Stevenson; Committee on Public Buildings and Grounds, 2257.

H. R. 15237—To provide for the erection of a Federal building at York, S. C.
Mr. Stevenson; Committee on Public Buildings and Grounds, 2257.

H. R. 15238—To create a department of education, to appropriate money for the conduct of said department, to appropriate money to encourage the States in the promotion and support of education, and for other purposes.
Mr. Towner; Committee on Education, 2257.

H. R. 15239—To provide for the purchase of a site and the erection of a public building thereon at Winona, in the State of Mississippi.
Mr. Sisson; Committee on Public Buildings and Grounds, 2257.

H. R. 15240—Authorizing the Secretary of War to donate to the village of Centerport, N. Y., one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 2257.

H. R. 15241—Authorizing the Secretary of War to donate to the city of Walton, N. Y., one German cannon or fieldpiece, to be placed in the city park.
Mr. George W. Fairchild; Committee on Military Affairs, 2257.

H. R. 15242—For the erection of a public building at Brownsville, Tex.
Mr. Garrett of Texas; Committee on Public Buildings and Grounds, 2257.

H. R. 15243—Authorizing and directing the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a suitable site and cause to be erected thereon a suitable building for the use and accommodation of the post office and other governmental offices at Canton, Ohio, at a cost not to exceed $630,000, and to sell the present building and site.
Mr. McCulloch; Committee on Public Buildings and Grounds, 2257.

H. R. 15244—Authorizing and directing the Secretary of War to cause survey to be made of the Colorado River in Texas, with a view to controlling the flood waters of said stream, and for other purposes.
Mr. Mansfield; Committee on Flood Control, 2257.

H. R. 15245—Authorizing and directing the Secretary of War to cause survey to be made of the Brazos River in Texas, with a view to controlling the flood waters of said stream, and for other purposes.
Mr. Mansfield; Committee on Flood Control, 2257.

H. R. 15246—To amend paragraph 5 of section 5 of the United States cotton-futures act, approved Aug. 11, 1916, and for other purposes.
Mr. Howard; Committee on Agriculture, 2257.

H. R. 15247—Providing for the extension of the post office at Trenton, N. J.
Mr. Hutchinson; Committee on Public Buildings and Grounds, 2257.

H. R. 15248—For the purchase of a site and the erection of a post-office building at Smithfield, N. C.
Mr. Pou; Committee on Public Buildings and Grounds, 2257.

H. R. 15249—Authorizing the Secretary of War to deliver to the village of East Smithfield, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. McFadden; Committee on Military Affairs, 2257.

H. R. 15250—Donating a captured German cannon or fieldpiece to the borough of Far Hills, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 2257.

H. R. 15251—For the purchase of a site for and the erection of a post-office building at Adams, Mass.
Mr. Treadway; Committee on Public Buildings and Grounds, 2257.

H. R. 15252—For the purchase of a site for and the erection of a post-office building at Great Barrington, Mass.
Mr. Treadway; Committee on Public Buildings and Grounds, 2257.

H. R. 15253—Donating captured cannons, cannon balls, and shell to the county of Dallas, Tex.
Mr. Sumners; Committee on Military Affairs, 2257.

H. R. 15254—Donating captured cannons, cannon balls, and shell to the county of Ellis, Tex.
Mr. Sumners; Committee on Military Affairs, 2257.

H. R. 15255—Donating a captured cannon, cannon balls, and shells to the county of Rockwall, Tex.
Mr. Sumners; Committee on Military Affairs, 2257.

H. R. 15256—To provide for the erection of a post-office building at Georogetown, Tex.
Mr. Buchanan; Committee on Public Buildings and Grounds, 2257.

H. R. 15257—For the purchase of a site for the erection of a post-office building at Lockhart, Tex.
Mr. Buchanan; Committee on Public Buildings and Grounds, 2257.

H. R. 15258—To provide for the erection of a post-office building at Taylor, Tex.
Mr. Buchanan; Committee on Public Buildings and Grounds, 2257.

H. R. 15259—To provide for the enforcement of laws upon Indian reservations and superintendencies.
Mr. French; Committee on Indian Affairs, 2257.

H. R. 15260—For the erection of a Federal building at Winnfield, La.
Mr. Aswell; Committee on Public Buildings and Grounds, 2257.

H. R. 15261—Providing for the erection of a public building at the city of Sturgis, Mich.
Mr. Hamilton of Michigan; Committee on Public Buildings and Grounds, 2257.

H. R. 15262—Providing for the erection of a public building at the city of South Haven, Mich.
Mr. Hamilton of Michigan; Committee on Public Buildings and Grounds, 2257.

H. R. 15263—For the acquisition of additional ground and the erection and construction thereon of an addition to the United States post office building at Atlantic City, N. J.
Mr. Bacharach; Committee on Public Buildings and Grounds, 2258.

H. R. 15264—To increase the limit of cost of post-office site and building at Millville, N. J.
Mr. Bacharach; Committee on Public Buildings and Grounds, 2258.

H. R. 15265—For the erection of a public building at Lyons, N. Y.
Mr. Gould; Committee on Public Buildings and Grounds, 2258.

H. R. 15266—To increase the limit of cost for the Federal post-office building at Waterloo, N. Y.
Mr. Gould; Committee on Public Buildings and Grounds, 2258.

H. R. 15267—Authorizing the Secretary of War to donate to the borough of Sussex, Sussex County, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 2258.

H. R. 15268—To establish a gold currency and a silver currency on a basis of interchangeable value throughout the world.
Mr. Charles B. Smith; Committee on Coinage, Weights, and Measures, 2258.

H. R. 15269—Donating a captured German cannon and cannon balls to the city of Leavenworth, Kans.
Mr. Anthony; Committee on Military Affairs, 2258.

H. R. 15270—Donating a captured German cannon and cannon balls to the city of Topeka, Kans.
Mr. Anthony; Committee on Military Affairs, 2258.

H. R. 15271—Donating a captured German cannon and cannon balls to the city of Seneca, Kans.
Mr. Anthony; Committee on Military Affairs, 2258.

H. R. 15272—Donating a captured German cannon and cannon balls to the city of Hiawatha, Kans.
Mr. Anthony; Committee on Military Affairs, 2258.

H. R. 15273—Donating a captured German cannon and cannon balls to the city of Troy, Kans.
Mr. Anthony; Committee on Military Affairs, 2258.

H. R. 15274—Donating a captured German cannon and cannon balls to the city of Holton, Kans.
Mr. Anthony; Committee on Military Affairs, 2258.

H. R. 15275—Donating a captured German cannon and cannon balls to the city of Oskaloosa, Kans.
Mr. Anthony; Committee on Military Affairs, 2258.

H. R. 15276—Donating a captured German cannon and cannon balls to the city of Atchison, Kans.
Mr. Anthony; Committee on Military Affairs, 2258.

H. R. 15277—Donating a captured German cannon and cannon balls to the city of Horton, Kans.
Mr. Anthony; Committee on Military Affairs, 2258.

H. R. 15278—Increasing the limit of cost for a Federal building at San Pedro, Calif.
Mr. Osborne; Committee on Public Buildings and Grounds, 2258.

H. R. 15279—Donating a captured German cannon or field gun and carriage to the city of Piedmont, Mineral County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15280—Donating a captured German cannon or field gun and carriage to the town of Davis, Tucker County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15281—Donating a captured German cannon or field gun and carriage to the town of Romney, Hampshire County, W. Va., for decorative purpose.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15282—Donating a captured German cannon or field gun and carriage to the town of Petersburg, Grant County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15283—Donating a captured German cannon or field gun and carriage to the city of Morgantown, Monongalia County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15284—Donating a captured German cannon or field gun and carriage to the city of Keyser, Mineral County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15285—Donating a captured German cannon or field gun and carriage to the town of Parsons, Tucker County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15286—Donating a captured German cannon or field gun and carriage to the town of Franklin, Pendleton County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15287—Donating a captured German cannon or field gun and carriage to the city of Elkins, Randolph County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15288—Donating a captured German cannon or field gun and carriage to the town of Thomas, Tucker County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15289—Donating a captured German cannon or field gun and carriage to the city of Charles Town, Jefferson County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15290—Donating a captured German cannon or field gun and carriage to the city of Philippi, Barbour County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15291—Donating a captured German cannon or field gun and carriage to the town of Kingwood, Preston County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15292—Donating a captured German cannon or field gun and carriage to the city of Martinsburg, Berkeley County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15293—Donating a captured German cannon or field gun and carriage to the town of Harpers Ferry, Jefferson County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2258.

H. R. 15294—Authorizing the acquisition of a site and the erection thereon of a public building at Philippi, W. Va.
Mr. Bowers; Committee on Public Buildings and Grounds, 2258.

H. R. 15295—Authorizing the Secretary of War to donate to the borough of Prospect Park, N. J., one German cannon or fieldpiece.
Mr. Drukker; Committee on Military Affairs, 2258.

H. R. 15296—To provide for the purchase of a site and the erection of a public building thereon at Ozark, in the State of Alabama.
Mr. Steagall; Committee on Public Buildings and Grounds, 2258.

H. R. 15297—For the erection of a Federal building for the United States post office at Warren, R. I.
Mr. O'Shaunessy; Committee on Public Buildings and Grounds, 2258.

H. R. 15298—For the purchase of a post-office site at Batesburg, S. C.
Mr. Lever; Committee on Public Buildings and Grounds, 2258.

H. R. 15299—For the purchase of a post-office site St. Matthews, S. C.
Mr. Lever; Committee on Public Buildings and Grounds, 2258.

H. R. 15300—For the purchase of a post-office site at Bishopville, S. C.
Mr. Lever; Committee on Public Buildings and Grounds, 2258.

H. R. 15301—Increasing the limit of cost for a Federal building at McKees Rocks, Pa.
Mr. Campbell of Pennsylvania; Committee on Public Buildings and Grounds, 2258.

H. R. 15302—To prohibit immigration for a period of four years, and for other purposes.
Mr. Burnett; Committee on Immigration and Naturalization, 2258.—Reported back (H. Rept. 1015), 2334.

H. R. 15303—Authorizing the Secretary of War to donate to the town of Columbus, Polk County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15304—Authorizing the Secretary of War to donate to the town of Hendersonville, Henderson County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15305—Authorizing the Secretary of War to donate to the town of Brevard, Transylvania County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15306—Authorizing the Secretary of War to donate to the town of Sylva, Jackson County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15307—Authorizing the Secretary of War to donate to the town of Franklin, Macon County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15308—Authorizing the Secretary of War to donate to the town of Murphy, Cherokee County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15309—Authorizing the Secretary of War to donate to the town of Rutherfordton, Rutherford County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15310—Authorizing the Secretary of War to donate to the town of Marion, McDowell County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15311—Authorizing the Secretary of War to donate to the town of Cliffside, Rutherford County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15312—Authorizing the Secretary of War to donate to the town of Hayesville, Clay County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15313—Authorizing the Secretary of War to donate to the town of Bryson City, Swain County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2258.

H. R. 15314—Authorizing the Secretary of War to donate to the town of Robbinsville, Graham County, N. C., one German cannon or fieldpiece.
Mr. Weaver; Committee on Military Affairs, 2259.

H. R. 15315—Authorizing the Secretary of War to deliver to the city of Scranton, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells.
Mr. Farr; Committee on Military Affairs, 2259.

H. R. 15316—Granting a pension to Emma Aul.
Mr. Carlin; Committee on Pensions, 2259.

H. R. 15317—Granting a pension to John J. Hardy.
Mr. Dooling; Committee on Pensions, 2259.

H. R. 15318—Granting a pension to Lurania Reynolds.
Mr. Foster; Committee on Invalid Pensions, 2259.

H. R. 15319—For the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased.
Mr. LaGuardia; Committee on Claims, 2259.

H. R. 15320—Granting a pension to Newton J. Foote.
Mr. Martin; Committee on Pensions, 2259.

H. R. 15321—Granting an increase of pension to Harmon B. Benton.
Mr. Rubey; Committee on Invalid Pensions, 2259.

H. R. 15322—Granting an increase of pension to George E. Cowell.
Mr. Rubey; Committee on Invalid Pensions, 2259.

H. R. 15323—Granting a pension to John H. Franklin.
Mr. Williams; Committee on Pensions, 2259.

H. R. 15324—Granting an increase of pension to Johnathan J. Boyer.
Mr. Williams; Committee on Invalid Pensions, 2259.

H. R. 15325—To amend section 6 of the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved Mar. 21, 1918.
Mr. Cleary; Committee on Interstate and Foreign Commerce, 2335.

H. R. 15326—Proposing an amendment to the United States Criminal Code.
Mr. Farr; Committee on the Judiciary, 2335.

H. R. 15327—To authorize the Secretary of Agriculture to establish standards of classification for fertilizer; to regulate the sale and shipment thereof in interstate and foreign commerce; to prevent deception with reference thereto, and for other purposes.
Mr. Lever; Committee on Agriculture, 2335.

H. R. 15328—Providing for the purchase of a site for a public building at Osceola, in the State of Iowa.
Mr. Towner; Committee on Public Buildings and Grounds, 2335.

H. R. 15329—To provide for the enlargement of the public building at Cumberland, Md.
Mr. Zihlman; Committee on Public Buildings and Grounds, 2335.

H. R. 15330—To provide for the purchase of a site and the erection of a public building thereon at Norwalk, in the State of Connecticut.
Mr. Merritt; Committee on Public Buildings and Grounds, 2335.

H. R. 15331—For the purchase of a site for and the erection of a post-office building at Louisburg, N. C.
Mr. Pou; Committee on Public Buildings and Grounds, 2335.

H. R. 15332—For the purchase of a site for and the erection of a post-office building at Smithfield, N. C.
Mr. Pou; Committee on Public Buildings and Grounds, 2335.

H. R. 15333—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States.
Mr. Raker; Committee on Military Affairs, 2335.

H. R. 15334—Authorizing the Secretary of War to donate to the city of Thomasville, N. C., two German cannons or fieldpieces.
Mr. Robinson; Committee on Military Affairs, 2335.

H. R. 15335—Authorizing the Secretary of War to donate to the city of Wadesboro, N. C., two German cannons or fieldpieces.
Mr. Robinson; Committee on Military Affairs, 2335.

H. R. 15336—Authorizing the Secretary of War to donate to the city of Monroe, N. C., two German cannons or fieldpieces.
Mr. Robinson; Committee on Military Affairs, 2335.

H. R. 15337—Authorizing the Secretary of War to donate to the city of Lexington, N. C., two German cannons or fieldpieces.
Mr. Robinson; Committee on Military Affairs, 2335.

H. R. 15338—To amend an act entitled "An act to regulate commerce," approved Feb. 4, 1887, and all acts amendatory thereof, by providing for equal and identical rights, accommodations, and privileges for all persons applying for interstate transportation, and prohibiting discrimination on account of race, color, or previous condition of servitude, and for other purposes.
Mr. Madden; Committee on Interstate and Foreign Commerce, 2335.

H. R. 15339—Authorizing the Secretary of War to donate to the village of Pulaski, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs; 2335.,

H. R. 15340—Increasing the limit of cost for a Federal building at Cheboygan, Mich.
Mr. Scott of Michigan; Committee on Public Buildings and Grounds, 2335.

H. R. 15341—Authorizing the Secretary of War to donate to the town of West Warwick, R. I., one German cannon or fieldpiece.
Mr. Stiness; Committee on Military Affairs, 2335.

H. R. 15342—Authorizing the Secretary of War to donate to the town of Narragansett, R. I., one German cannon or fieldpiece.
Mr. Stiness; Committee on Military Affairs, 2335.

H. R. 15343—To provide for the erection of a post-office building at Mountain Grove, Mo.
Mr. Rubey; Committee on Public Buildings and Grounds, 2335.

H. R. 15344—To provide for the erection of a post-office building at Lebanon, Mo.
Mr. Rubey; Committee on Public Buildings and Grounds, 2335.

H. R. 15345—To increase the limit of cost for the Federal post-office building at Cohoes, N. Y.
Mr. Sanford; Committee on Public Buildings and Grounds, 2335.

H. R. 15346—Providing for the erection of a public building at the city of Lancaster, Pa.
Mr. Griest; Committee on Public Buildings and Grounds, 2335.

H. R. 15347—Authorizing the Secretary of War to donate to the city of Vale, Oreg., one German cannon or fieldpiece.
Mr. Sinnott; Committee on Military Affairs, 2335.

H. R. 15348—Authorizing the Secretary of War to donate to the city of Pendleton, Oreg., one German cannon or fieldpiece.
Mr. Sinnott; Committee on Military Affairs, 2335.

H. R. 15349—To provide for the preparation of plans or designs for a memorial or statue of Theodore Roosevelt in the city of Washington, D. C.
Mr. Smith of Idaho; Committee on the Library, 2335.

H. R. 15350—Making an appropriation for erecting and equipping and otherwise providing a quarantine station at or near New Orleans, La.
Mr. Estopinal; Committee on Public Buildings and Grounds, 2335.

H. R. 15351—To provide for the erection of a public building in the city of Knoxville, Iowa.
Mr. Dowell; Committee on Public Buildings and Grounds, 2335.

H. R. 15352—To provide for the erection of a public building in the city of Indianola, Iowa.
Mr. Dowell; Committee on Public Buildings and Grounds, 2335.

H. R. 15353—For the erection of a Federal building for the United States post office at Red Bank, N. J.
Mr. Scully; Committee on Public Buildings and Grounds, 2335.

H. R. 15354—For the purchase of a site for the erection of an addition to the post-office building at Waco, Tex.
Mr. Connally of Texas; Committee on Public Buildings and Grounds, 2335.

H. R. 15355—To provide for the erection of a public building in the village of Nyack, N. Y.
Mr. Husted; Committee on Public Buildings and Grounds, 2335.

H. R. 15356—Authorizing the purchase of a site and to provide for the erection of a public building in the city of White Plains, N. Y.
Mr. Husted; Committee on Public Buildings and Grounds, 2335.

H. R. 15357—Donating a captured German cannon or field gun and carriage to the city of Belington, Barbour County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2335.

H. R. 15358—Donating a captured German cannon or field gun and carriage to the city of Shepherdstown, Jefferson County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2335.

H. R. 15359—Donating a captured German cannon or field gun and carriage to the town of Berkeley Springs, Morgan County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2335.

H. R. 15360—Donating a captured German cannon or field gun and carriage to the town of Moorefield, Hardy County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2336.

H. R. 15361—Donating a captured German cannon or field gun and carriage to the town of Terra Alta, Preston County, W. Va., for decorative purposes.
Mr. Bowers; Committee on Military Affairs, 2336.

H. R. 15362—To provide for the erection in the city of Washington, in memory of Theodore Roosevelt, of a museum of history and the arts.
Mr. Hicks; Committee on Public Buildings and Grounds, 2336.

H. R. 15363—For the purchase of a site and the erection thereon of a a public building at Easton, Md.
Mr. Price; Committee on Public Buildings and Grounds, 2336.

H. R. 15364—For the purchase of a site and the erection of a public building thereon at Elkton, Md.
Mr. Price; Committee on Public Buildings and Grounds, 2336.

H. R. 15365—Authorizing the Secretary of War to donate to the city of Owensboro, Ky., two German cannons or fieldpieces.
Mr. Kincheloe; Committee on Military Affairs, 2336.

H. R. 15366—Providing that Indians and other persons residing on Indian reservations shall be subject to the State and Territorial laws relating to marriage, health, and education.
Mr. Snyder; Committee on Indian Affairs, 2336.

H. R. 15367—For the purchase of a site for and the erection of a building for the use of the post office and other Government offices at Lewistown, Mont.
Mr. Evans; Committee on Public Buildings and Grounds, 2336.

H. R. 15368—For an extension to the post-office building at Terre Haute, in the State of Indiana.
Mr. Sanders of Indiana; Committee on Public Buildings and Grounds, 2336.

H. R. 15369—Providing for the purchase of a site and the erection of a public building at Winchester, Ind.
Mr. Vestal; Committee on Public Buildings and Grounds, 2336.

H. R. 15370—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the Young Men's Christian Association at the city of Clinton, Mo.
Mr. Dickinson; Committee on Military Affairs, 2336.

H. R. 15371—To authorize the Secretary of War to furnish a German cannon with carriage and cannon balls to the city of Urich, Mo.
Mr. Dickinson; Committee on Military Affairs, 2336.

H. R. 15372—To authorize the Secretary of War to furnish a German cannon with carriage and cannon balls to the Warrensburg State Normal School, Warrensburg, Mo.
Mr. Dickinson; Committee on Military Affairs, 2336.

H. R. 15373—Granting a pension to Sarah E. Dillon.
Mr. Bland of Indiana; Committee on Pensions, 2336.

H. R. 15374—Granting a pension to Miranda McKnight.
Mr. Mason; Committee on Invalid Pensions, 2336.

H. R. 15375—Tendering the thanks of Congress to Gen. John J. Pershing, United States Army, and the officers and men under his command; and to Maj. Gen. Enoch H. Crowder, Provost Marshal General, and the members of the local and district boards throughout the United States, Alaska, Hawaii, and Porto Rico.
Mr. Mott; Committee on Military Affairs, 2336.

H. R. 15376—Granting a pension to Charles T. Winans.
Mr. Oliver of New York; Committee on Invalid Pensions, 2336.

H. R. 15377—Granting an increase of pension to John Purkaple.
Mr. Henry T. Rainey; Committee on Invalid Pensions, 2336.

H. R. 15378—Granting an increase of pension to John McCormick.
Mr. Henry T. Rainey; Committee on Invalid Pensions, 2336.

H. R. 15379—Granting an increase of pension to John Reynolds.
Mr. Henry T. Rainey; Committee on Pensions, 2336.

H. R. 15380—Granting an increase of pension to Amanda L. Sevier.
Mr. Henry T. Rainey; Committee on Pensions, 2336.

H. R. 15381—Granting a pension to Hannah Lovell.
Mr. Henry T. Rainey; Committee on Invalid Pensions, 2336.

H. R. 15382—Granting a pension to Henry Gass.
Mr. Henry T. Rainey; Committee on Invalid Pensions, 2336.

H. R. 15383—Granting a pension to Elizabeth Barnes.
Mr. Henry T. Rainey; Committee on Invalid Pensions, 2336.

H. R. 15384—For the relief of the owners of the steam lighter Rudolph.
Mr. Riordan; Committee on Claims, 2336.

H. R. 15385—To provide for the reappointment of Walter Chamberlain as captain of Infantry in United States Army.
Mr. Small; Committee on Military Affairs, 2336.

H. R. 15386—Authorizing the Secretary of War to donate to the Neoga Township High School, Neoga, Ill., one German cannon or fieldpiece.
Mr. Cannon; Committee on Military Affairs, 2410.

H. R. 15387—Authorizing the Secretary of War to donate to the city of Hoopeston, Ill., one German cannon or fieldpiece.
Mr. Cannon; Committee on Military Affairs, 2411.

H. R. 15388—Authorizing the Secretary of War to donate to the city of Manteno, Ill., one German cannon or fieldpiece.
Mr. Cannon; Committee on Military Affairs, 2411.

H. R. 15389—Authorizing the Secretary of War to donate to the town of State College, Pa., one German cannon or fieldpiece.
Mr. Rowland; Committee on Military Affairs, 2411.

H. R. 15390—Authorizing the Secretary of War to donate to the town of Osceola Mills, Pa., one German cannon or fieldpiece.
Mr. Rowland; Committee on Military Affairs, 2411.

H. R. 15391—Authorizing the Secretary of War to donate to the E. D. Sharp Post, No. 267, Grand Army of the Republic, for the E. D. Sharp soldiers' plot in the cemetery at Rimersburg, Clarion County, Pa., two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 2411.

H. R. 15392—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the village of Johnstown, Ohio.
Mr. Ashbrook; Committee on Military Affairs, 2411.

H. R. 15393—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Mount Vernon, Ohio.
Mr. Ashbrook; Committee on Military Affairs, 2411.

H. R. 15394—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Mansfield, Ohio.
Mr. Ashbrook; Committee on Military Affairs, 2411.

H. R. 15395—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Delaware, Ohio.
Mr. Ashbrook; Committee on Military Affairs, 2411.

H. R. 15396—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Coshocton, Ohio.
Mr. Ashbrook; Committee on Military Affairs, 2411.

H. R. 15397—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Ashland, Ohio.
Mr. Ashbrook; Committee on Military Affairs, 2411.

H. R. 15398—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the Grand Army of the Republic Club at the city of Newark, Ohio.
Mr. Ashbrook; Committee on Military Affairs, 2411.

H. R. 15399—To regulate the sale of stock of private corporations in States or Territories of the United States other than those in which such concerns are incorporated, and to regulate the sale of lots by oil, mining, gas, or township corporations in States other than those in which such concerns are incorporated and providing that such corporations shall secure a permit from the Federal Trade Commission, and providing a penalty against the organizers, agents, and representatives violating the provisions of this act.
Mr. Jones; Committee on Interstate and Foreign Commerce, 2411.

H. R. 15400—To create a department of education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes.
Mr. Towner; Committee on Education, 2411.

H. R. 15401—Increasing the limit of cost for a Federal building and site at San Luis Obispo, Calif.
Mr. Hayes; Committee on Public Buildings and Grounds, 2411.

H. R. 15402—To promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; to provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship.
Mr. Bankhead; Committee on Education, 2411.—Reported back (H. Rept. 1159), 4677.

H. R. 15403—Authorizing the Secretary of War to donate to the town of Wyoming, Iowa, one German cannon or fieldpiece.
Mr. Good; Committee on Military Affairs, 2411.

H. R. 15404—Increasing the limit of cost for a Federal building at Marianna, Fla.
Mr. Kehoe; Committee on Public Buildings and Grounds, 2411.

H. R. 15405—Increasing the limit of cost for a Federal building at Apalachicola, Fla.
Mr. Kehoe; Committee on Public Buildings and Grounds, 2411.

H. R. 15406—For the purchase of a site and the erection of a customhouse and post-office building at St. Andrews, Fla.
Mr. Kehoe; Committee on Public Buildings and Grounds, 2411.

H. R. 15407—Providing for the erection of a public building at the city of St. Joseph, Mich.
Mr. Hamilton of Michigan; Committee on Public Buildings and Grounds, 2411.

H. R. 15408—To make additions, extensions, and improvements to the post-office building at Vincennes, Ind., to be used for post-office and mine-rescue purposes.
Mr. Bland of Indiana; Committee on Public Buildings and Grounds, 2411.

H. R. 15409—For the erection of a public building at Linton, Ind.
Mr. Bland of Indiana; Committee on Public Buildings and Grounds, 2411.

H. R. 15410—To provide for the acquisition, by purchase, condemnation, or otherwise, of a site for a public at Sanford, N. C.
Mr. Robinson; Committee on Public Buildings and Grounds, 2411.

H. R. 15411—To provide for the acquisition, by purchase, condemnation, or otherwise, of a site for a public building at Hamlet, N. C.
Mr. Robinson; Committee on Public Buildings and Grounds, 2411.

H. R. 15412—To increase the limit of cost of public building at Thomasville, N. C.
Mr. Robinson; Committee on Public Buildings and Grounds, 2411.

H. R. 15413—To provide for the erection of a public building at Wadesboro, N. C.
Mr. Robinson; Committee on Public Buildings and Grounds, 2411.

H. R. 15414—Authorizing the Secretary of War to donate to the village of Dexter, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 2411.

H. R. 15415—To provide for the erection of a post-office building at Lebanon, Ind.
Mr. Purnell; Committee on Public Buildings and Grounds, 2411.

H. R. 15416—To provide for the election of a post-office building at Noblesville, Ind.
Mr. Purnell; Committee on Public Buildings and Grounds, 2411.

H. R. 15417—To provide for the erection of a post-office building at Tipton, Ind.
Mr. Purnell; Committee on Public Buildings and Grounds, 2411.

H. R. 15418—For the purchase of a site and the erection of a public building at Athens, Ala.
Mr. Almon; Committee on Public Buildings and Grounds, 2411.

H. R. 15419—To increase the limit of cost of public building at Decatur, Ala.
Mr. Almon; Committee on Public Buildings and Grounds, 2411.

H. R. 15420—For the purchase of a site and the erection of a public building at Sheffield, Ala.
Mr. Almon; Committee on Public Buildings and Grounds, 2411.

H. R. 15421—Authorizing the Secretary of War to donate to the town of Milo, Me., one German cannon or fieldpiece.
Mr. Hersey; Committee on Military Affairs, 2411.

H. R. 15422—To authorize the acquisition of a site and the erection thereon of a Federal building at San Benito, Tex.
Mr. Mansfield; Committee on Public Buildings and Grounds, 2411.

H. R. 15423—To authorize the acquisition of a site and the erection thereon of a Federal building at Alvin, Tex.
Mr. Mansfield; Committee on Public Buildings and Grounds, 2411.

H. R. 15424—Authorizing the Secretary of War to donate to the city of Lawrence, Mass., a captured German cannon or field gun and carriage.
Mr. Phelan; Committee on Military Affairs, 2411.

H. R. 15425—Authorizing the Secretary of War to donate to the city of Lynn, Mass., a captured German cannon or field gun and carriage.
Mr. Phelan; Committee on Military Affairs, 2411.

H. R. 15426—Authorizing the Secretary of War to donate to the city of Peabody, Mass., a captured German cannon or field gun and carriage.
Mr. Phelan; Committee on Military Affairs, 2411.

H. R. 15427—Authorizing the Secretary of War to donate to the city of North Reading, Mass., a captured German cannon or field gun and carriage.
Mr. Phelan; Committee on Military Affairs, 2411.

H. R. 15428—For the purchase of a site for a public building at Summerville, Dorchester County, S. C.
Mr. Whaley; Committee on Public Buildings and Grounds, 2411.

H. R. 15429—For the purchase of a site for a public building at Walterboro, Colleton County, S. C.
Mr. Whaley; Committee on Public Buildings and Grounds, 2411.

H. R. 15430—For the purchase of a site for a public building at St. George, Dorchester County, S. C.
Mr. Whaley; Committee on Public Buildings and Grounds, 2411.

H. R. 15431—For the purchase of a site for a public building at Manning, Clarendon County, S. C.
Mr. Whaley; Committee on Public Buildings and Grounds, 2411.

H. R. 15432—For the purchase of a post-office site at Dickson, Tenn.
Mr. Padgett; Committee on Public Buildings and Grounds, 2411.

H. R. 15433—For the purchase of a post-office site at Lawrenceburg, Tenn.
Mr. Padgett; Committee on Public Buildings and Grounds, 2411.

H. R. 15434—To acquire by purchase, condemnation, or otherwise, additional land for the Federal building at Manchester, N. H., and to construct an addition thereon.
Mr. Burroughs; Committee on Public Buildings and Grounds, 2412.

H. R. 15435—Directing the Secretary of the Treasury to withhold temporarily Federal aid to States for the construction of post roads under certain conditions.
Mr. Steenerson; Committee on the Post Office and Post Roads, 2412.

H. R. 15436—For the erection of a public building at El Dorado, Ark.
Mr. Goodwin of Arkansas; Committee on Public Buildings and Grounds, 2412.

H. R. 15437—For the purchase of a site for a public building at Warren, Ark.
Mr. Goodwin of Arkansas; Committee on Public Buildings and Grounds, 2412.

H. R. 15438—Increasing the limit of cost for a Federal building at Prescott, Ark.
Mr. Goodwin of Arkansas; Committee on Public Buildings and Grounds, 2412.

H. R. 15439—Authorizing the Secretary of War to donate to the town of Dexter, Me., one German cannon or fieldpiece.
Mr. Hersey; Committee on Military Affairs, 2412.

H. R. 15440—For the purchase of a site and the erection of a public building thereon at Somerset, Pa.
Mr. Crago; Committee on Public Buildings and Grounds, 2412.

H. R. 15441—For the erection of a public building at Greensburg, Ind.
Mr. Dixon; Committee on Public Buildings and Grounds, 2412.

H. R. 15442—Increasing the limit of cost for a Federal building at Shelbyville, Ind.
Mr. Elliott; Committee on Public Buildings and Grounds, 2412.

H. R. 15443—To authorize the Secretary of the Treasury to acquire, by condemnation or otherwise, such additional land in the city of Norfolk, Va., as may be necessary for the enlargement of the post-office building in said city, to cause said building to be enlarged, and making an appropriation therefor.
Mr. Holland; Committee on Public Buildings and Grounds, 2412.

H. R. 15444—To appropriate additional money to build an addition for the increase of postal facilities at the present post office at Decatur, Ill.
Mr. McKinley; Committee on Public Buildings and Grounds, 2412.

H. R. 15445—To enlarge the post-office building at Fort Wayne, Ind.
Mr. Fairfield; Committee on Public Buildings and Grounds, 2412.

H. R. 15446—To provide for the purchase of a site for a public building at Columbia, Pa.
Mr. Griest; Committee on Public Buildings and Grounds, 2412.

H. R. 15447—To require publicity in prospectuses, advertisements, and offers for sale of securities.
Mr. Taylor of Colorado; Committee on the Judiciary, 2412.

H. R. 15448—For the purchase of a post-office site at Tremonton, Utah.
Mr. Welling; Committee on Public Buildings and Grounds, 2412.

H. R. 15449—For the purchase of a site and the erection of a public building at St. George, Utah.
Mr. Welling; Committee on Public Buildings and Grounds, 2412.

H. R. 15450—For the purchase of a post-office site at Cedar City, Utah.
Mr. Welling; Committee on Public Buildings and Grounds, 2412.

H. R. 15451—For the purchase of a post-office site at Mount Pleasant, Utah.
Mr. Welling; Committee on Public Buildings and Grounds, 2412.

H. R. 15452—Granting public lands to the State of Arizona for the construction, repair, and maintenance of public roads and highways.
Mr. Hayden; Committee on the Public Lands, 2412.

H. R. 15453—Authorizing the Secretary of War to donate to the city of Wellsville, Mo., one German cannon or fieldpiece.
Mr. Clark of Missouri; Committee on Military Affairs, 2412.

H. R. 15454—Authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the town of Luzerne, in the State of New York.
Mr. Parker of New York; Committee on Military Affairs, 2412.

H. R. 15455—Authorizing the Secretary of War to donate a German captured cannon or fieldpiece to the city of Glens Falls, in the State of New York.
Mr. Parker of New York; Committee on Military Affairs, 2412.

H. R. 15456—Authorizing the Secretary of War to donate a German captured cannon or fieldpiece to the village of Ballston Spa, in the State of New York.
Mr. Parker of New York; Committee on Military Affairs, 2412.

H. R. 15457—For the relief of certain officers and members of the crew of the U. S. S. San Diego.
Mr. Gould; Committee on Ways and Means, 2412.—Reported back (H. Rept. 1114), 3901.

H. R. 15458—Granting an increase of pension to Alonzo Green.
Mr. Knutson; Committee on Invalid Pensions, 2412.

H. R. 15459—For the relief of Glens Falls Pharmaceutical Co.
Mr. Parker of New York; Committee on Claims, 2412.

H. R. 15460—Granting a pension to John Bohntinsky.
Mr. Strong; Committee on Pensions, 2412.

H. R. 15461—Granting a pension to Willie E. Vaughan.
Mr. Thomas; Committee on Pensions, 2412.

H. R. 15462—Making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.
Mr. Dent, from Committee on Military Affairs (H. Rept. 1019), 2440.—Debated, 2546–2564, 2612–2622, 2671–2674.—Amended and passed House, 2674.—Referred to Senate Committee on Military Affairs, 2729.—Reported with amendments (S. Rept. 711), 3249.—Debated, amended, and passed Senate, 3933, 3934.—Senate asks for a conference, 3934.—House disagrees to Senate amendments and agrees to a conference, 4255.—Conference appointed, 3934, 4255.—Conference report (No. 1145) made in House, 4931.—Debated and agreed to in House, 4931, 4932.—Conference report made and agreed to in Senate, 4895.—Examined and signed, 4991, 5082.—Approved [Pubic, No. 347], 5084.

H. R. 15463—To increase the cost of the public building at Buffalo, Wyo.
Mr. Mondell; Committee on Public Buildings and Grounds, 2493.

H. R. 15464—To increase the cost of the public building at Cody, Wyo.
Mr. Mondell; Committee on Public Buildings and Grounds, 2493.

H. R. 15465—Authorizing the Secretary of War to donate to the town of Shoshoni, Wyo., one piece of artillery, or like trophy, captured or obtained from the enemy during or at the close of the war with Germany.
Mr. Mondell; Committee on Military Affairs, 2493.

H. R. 15466—Authorizing the Secretary of War to donate to the town of Dixon, Ky., one German cannon or fieldpiece.
Mr. Kincheloe; Committee on Military Affairs, 2493.

H. R. 15467—Donating a captured German cannon or field gun and carriage to the city of Ames, county of Story, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15468—Donating a captured German cannon or field gun and carriage to the city of Nevada, county of Story, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15469—Donating a captured German cannon or field gun and carriage to the city of Adel, county of Dallas, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15470—To authorize the purchase of a site and the erection and completion of a public building thereon at Waseca, Minn.
Mr. Anderson; Committee on Public Buildings and Grounds, 2493.

H. R. 15471—To enlarge, extend, and remodel the post-office building at Albert Lea, Minn., or to authorize the purchase of a site and erection and completion of a building thereon, in the discretion of the Secretary of the Treasury.
Mr. Anderson; Committee on Public Buildings and Grounds, 2493.

H. R. 15472—To enlarge, extend, and remodel the post-office building at Rochester, Minn., or to authorize the purchase of a site and erection and completion of a building thereon, in the discretion of the Secretary of the Treasury.
Mr. Anderson; Committee on Public Buildings and Grounds, 2493.

H. R. 15473—Donating a captured German cannon or field gun and carriage to the city of Winterset, county of Madison, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15474—Donating a captured German cannon or field gun and carriage to the city of Knoxville, county of Marion, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15475—Donating a captured German cannon or field gun and carriage to the city of Perry, county of Dallas, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15476—Donating a captured German cannon or field gun and carriage to the city of Pella, county of Marion, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15477—Donating a captured German cannon or field gun and carriage to the city of Indianola, county of Warren, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15478—Donating captured German cannons or field guns and carriages to the city of Des Moines, Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15479—Donating a captured German cannon or field gun and carriage to the city of Story City, county of Story, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 2493.

H. R. 15480—Authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims.
Mr. Johnson of Washington; Committee on Claims, 2493.—Reported with amendment (H. Rept. 1076), 3631.

H. R. 15481—To provide for the erection of a public building at Franklin, Ind.
Mr. Dixon; Committee on Public Buildings and Grounds, 2493.

H. R. 15482—To provide for the erection of a public building at Lawrenceburg, Ind.
Mr. Dixon; Committee on Public Buildings and Grounds, 2493.

H. R. 15483—For the erection of a public building at Lufkin, Tex.
Mr. Dies; Committee on Public Buildings and Grounds, 2493.

H. R. 15484—To increase the limit of cost for the Federal building and site at Orange, Tex.
Mr. Dies; Committee on Public Buildings and Grounds, 2493.

H. R. 15485—To increase the limit of cost of the United States post office at East Orange, N. J.
Mr. Parker of New Jersey; Committee on Public Buildings and Grounds, 2493.

H. R. 15486—To provide for the erection of a Federal building at Winnsboro, S. C.
Mr. Stevenson; Committee on Public Buildings and Grounds, 2493.

H. R. 15487—For the purchase of a site for and the erection of a post-office building at Marion, Ala.
Mr. Oliver of Alabama; Committee on Public Buildings and Grounds, 2493.

H. R. 15488—For the erection of a Federal building at Huntsville, Tex.
Mr. Eagle; Committee on Public Buildings and Grounds, 2493.

H. R. 15489—To enlarge, extend, remodel, and improve the old post-office building at Houston, Tex.
Mr. Eagle; Committee on Public Buildings and Grounds, 2493.

H. R. 15490—Increasing the limit of cost for a public building at Bluffton, Ind.
Mr. Vestal; Committee on Public Buildings and Grounds, 2493.

H. R. 15491—For the improvement of the Federal building at Aberdeen, Miss.
Mr. Candler of Mississippi; Committee on Public Buildings and Grounds, 2494.

H. R. 15492—Providing for the purchase of a site and the erection of a public building at Pipestone, Minn.
Mr. Ellsworth; Committee on Public Buildings and Grounds, 2494.

H. R. 15493—Appropriating $100,000 for the use of the United States Public Health Service in the investigation of influenza.
Mr. Watkins; Committee on Appropriations, 2494.

H. R. 15494—Authorizing the Secretary of War to donate to the town of Brookline, Mass., two German cannons or fieldpieces.
Mr. Carter of Massachusetts; Committee on Military Affairs, 2494.

H. R. 15495—To amend an act to provide for the appointment of a commission to standardize screw threads.
Mr. Tilson; Committee on Coinage, Weights, and Measures, 2494.—Reported back (H. Rept. 1041), 2866.—Debated, amended, and passed House, 3629, 3630.—Referred to Senate Committee on Standards, Weights, and Measures, 3746.—Reported back (S. Rept. 774), 4304.—Passed Senate, 4562.—Examined and signed, 4676, 4679.—Approved [Public, No. 324], 4957.

H. R. 15496—To amend the Federal farm-loan act approved July 17, 1916.
Mr. Phelan; Committee on Banking and Currency, 2494.

H. R. 15497—Authorizing the Secretary of War to donate to the city of Wharton, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 2494.

H. R. 15498—Providing for the purchase of a site and the erection of a public building at Tyler, Minn.
Mr. Ellsworth; Committee on Public Buildings and Grounds, 2494.

H. R. 15499—To provide for the incorporation of certain companies engaged in foreign trade.
Mr. Alexander; Committee on the Judiciary, 2494.

H. R. 15500—Granting a pension to Frank Dye.
Mr. Ashbrook; Committee on Pensions, 2494.

H. R. 15501—Granting a pension to Annie Myers.
Mr. Ashbrook; Committee on Pensions, 2494.

H. R. 15502—Granting a pensison to Martha E. Minar.
Mr. Haugen; Committee on Pensions, 2949.

H. R. 15503—Granting a pension to John Hobbs.
Mr. Hawley; Committee on Pensions, 2494.

H. R. 15504—For the payment of sailor insurance to Annie Elliner and Mary Agnes Davidson.
Mr. Venable; Committee on Interstate and Foreign Commerce, 2494.

H. R. 15505—For the relief of Francis Stewart.
Mr. Walton; Committee on the Public Lands, 2494.

H. R. 15506—Authorizing the Secretary of War to donate to the city of Howe, county of Lagrange, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 2565.

H. R. 15507—Authorizing the Secretary of War to donate to the Howe Military School, in the city of Howe, county of Lagrange, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 2565.

H. R. 15508—Authorizing the Secretary of War to donate to what is known as President Corners, in the county of Allen, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 2565.

H. R. 15509—Authorizing the acquisition of a site for a public building at El Campo, Tex.
Mr. Mansfield; Committee on Public Buildings and Grounds, 2565.

H. R. 15510—Authorizing the Secretary of War to donate to the town of Reynoldsville, Pa., two German cannons or fieldpieces.
Mr. Strong; Committee on Military Affairs, 2565.

H. R. 15511—For the purchase of a site and the erection of a public building at Warren, Ark.
Mr. Goodwin of Arkansas; Committee on Public Buildings and Grounds, 2565.

H. R. 15512—Increasing the limit of cost for a Federal building at Spanish Fork, Utah.
Mr. Mays; Committee on Public Buildings and Grounds, 2565.

H. R. 15513—Authorizing the Secretary of War to donate to the town of Mercer, Pa., four German cannons or fieldpieces.
Mr. Beshlin; Committee on Military Affairs, 2565.

H. R. 15514—Authorizing the Secretary of War to donate to the town of Warren, Pa., six German cannons or fieldpieces.
Mr. Beshlin; Committee on Military Affairs, 2565.

H. R. 15515—Authorizing the Secretary of War to donate to the town of Oil City, Pa., five German cannons or fieldpieces.
Mr. Beshlin; Committee on Military Affairs, 2565.

H. R. 15516—Authorizing the Secretary of War to donate to the town of Franklin, Pa., four German cannons or fieldpieces.
Mr. Beshlin; Committee on Military Affairs, 2565.

H. R. 15517—Authorizing the Secretary of War to donate to the town of St. Marys, Pa., two German cannons or fieldpieces.
Mr. Beshlin; Committee on Military Affairs, 2565.

H. R. 15518—Authorizing the Secretary of War to donate to the city of Newbern, in the State of North Carolina, one German cannon or fieldpiece.
Mr. Hood; Committee on Military Affairs, 2565.

H. R. 15519—For the erection of a public building at Okolona, Miss.
Mr. Sisson; Committee on Public Buildings and Grounds, 2565.

H. R. 15520—To provide for the purchase of a site and the erection of a building thereon at Astoria, in the State of Oregon.
Mr. Hawley; Committee on Public Buildings and Grounds, 2565.

H. R. 15521—Authorizing the acquisition of a site for a public building at Paris, Mo.
Mr. Rucker; Committee on Public Buildings and Grounds, 2565.

H. R. 15522—Authorizing the acquisition of a site for a public building at Milan, Mo.
Mr. Rucker; Committee on Public Buildings and Grounds, 2565.

H. R. 15523—Authorizing the acquisition of a site for a public building at Salisbury, Mo.
Mr. Rucker; Committee on Public Buildings and Grounds, 2565.

H. R. 15524—To provide for the erection of a post-office building at Trenton, Mo.
Mr. Rucker; Committee on Public Buildings and Grounds, 2565.

H. R. 15525—Authorizing the Secretary of War to donate to the city of Goldsboro, in the State of North Carolina, one German cannon or fieldpiece.
Mr. Hood; Committee on Military Affairs, 2565.

H. R. 15526—Authorizing the Secretary of War to donate to the town of Trenton, in the State of North Carolina, one German cannon or fieldpiece.
Mr. Hood; Committee on Military Affairs, 2565.

H. R. 15527—Authorizing the Secretary of War to donate to the town of of Jacksonville, in the State of North Carolina, one German cannon or fieldpiece.
Mr. Hood; Committee on Military Affairs, 2565.

H. R. 15528—Authorizing the Secretary of War to donate to the town of Clinton, in the State of North Carolina, one German cannon or fieldpiece.
Mr. Hood; Committee on Military Affairs, 2565.

H. R. 15529—Authorizing the Secretary of War to donate to the town of Bayboro, State of North Carolina, one German cannon or fieldpiece.
Mr. Hood; Committee on Military Affairs, 2565.

H. R. 15530—Authorizing the Secretary of War to donate to the town of Burgaw, State of North Carolina, one German cannon or fieldpiece.
Mr. Hood; Committee on Military Affairs, 2565.

H. R. 15531—Authorizing the Secretary of War to donate to the town of Kenansville, in the State of North Carolina, one German cannon or fieldpiece.
Mr. Hood; Committee on Military Affairs, 2565.

H. R. 15532—Authorizing the Secretary of War to donate to the town of Beaufort, in the State of North Carolina, one German cannon or fieldpiece.
Mr. Hood; Committee on Military Affairs, 2565.

H. R. 15533—To provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.
Mr. Slayden; Committee on the Library, 2565.

H. R. 15534—For the purchase of a site and erection thereon of a public building at Brunswick, Me.
Mr. Goodall; Committee on Public Buildings and Grounds, 2565.

H. R. 15535—Authorizing the Secretary of War to donate to the city parks of Wichita, Kans., two German cannons or fieldpieces.
Mr. Ayers; Committee on Military Affairs, 2565.

H. R. 15536—To provide for the building of certain roads in the State State of Kentucky.
Mr. Langley; Committee on Roads, 2565.

H. R. 15537—Providing that Indians and other persons on Indian reservations and superintendencies shall be subject to certain State or Territorial laws, and for other purposes.
Mr. Gandy; Committee on Indian Affairs, 2565.

H. R. 15538—Providing for the transportation from the District of Columbia of governmental employees whose services no longer are required or who may resign from their positions.
Mr. Randall; Committee on Appropriations, 2565.

H. R. 15539—Making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.
Mr. Padgett, from Committee on Naval Affairs (H. Rept. 1024), 2546.—Debated, 2674–2720, 2770–2785, 2821–2866, 2898–2933, 3076–3102, 3141–3172 (Appendix 137, 146, 149, 156, 327). Amended and passed House, 3171, 3172.—Referred to Senate Committee on Naval Affairs, 3194.—Reported with amendments (S. Rept. 777), 4391.

H. R. 15540—Donating a captured German cannon or field gun and carriage to the city of Monticello, White County, Ind.
Mr. Wood of Indiana; Committee on Military Affairs, 2566.

H. R. 15541—Donating a captured German cannon or field gun and carriage to the city of Crown Point, Lake County, Ind.
Mr. Wood of Indiana; Committee on Military Affairs, 2566.

H. R. 15542—Donating a captured German cannon or field gun and carriage to the city of Battle Ground, Tippecanoe County, Ind.
Mr. Wood of Indiana; Committee on Military Affairs, 2566.

H. R. 15543—For the purchase of a site and the erection of a post-office building at Tryon, N. C.
Mr. Weaver; Committee on Public Buildings and Grounds, 2566.

H. R. 15544—For the extension, alteration, and repair of the United States Government building at Asheville, N. C.
Mr. Weaver; Committee on Public Buildings and Grounds, 2566.

H. R. 15545—Increasing the limit of cost for a Federal building at North Vernon, Ind.
Mr. Dixon; Committee on Public Buildings and Grounds, 2566.

H. R. 15546—For the purchase of a site for the erection of a post-office building at Pauls Valley, Okla.
Mr. Thompson; Committee on Public Buildings and Grounds, 2566.

H. R. 15547—Authorizing the Secretary of War to donate to the city of Temple, Tex., one German cannon or fieldpiece or piece of artillery.
Mr. Connally of Texas; Committee on Military Affairs, 2566.

H. R. 15548—Authorizing the Secretary of War to donate to the city of Pell City, Ala., one German cannon or fieldpiece.
Mr. Burnett; Committee on Military Affairs, 2566.

H. R. 15549—Authorizing the Secretary of War to donate to the city of Ashville, Ala., one German cannon or fieldpiece.
Mr. Burnett; Committee on Military Affairs, 2566.

H. R. 15550—Making an appropriation for the reclamation of lands to furnish employment and farm homes for discharged soldiers and sailors.
Mr. Mondel; Committee on Appropriations, 2566.

H. R. 15551—To authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.
Mr. Sims; Committee on Interstate and Foreign Commerce, 2566.—Reported with amendment (H. Rept. 1065), 3318.

H. R. 15552—Authorizing the Secretary of War to donate to the county of Dewey, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15553—Authorizing the Secretary of War to donate to the county of Greer, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15554—Authorizing the Secretary of War to donate to the county of Ellis, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15555—Authorizing the Secretary of War to donate to the county of Kiowa, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15556—Authorizing the Secretary of War to donate to the county of Washita, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15557—Authorizing the Secretary of War to donate to the county of Roger Mills, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15558—Authorizing the Secretary of War to donate to the county of Harmon, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15559—Authorizing the Secretary of War to donate to the county of Jackson, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15560—Authorizing the Secretary of War to donate to the county of Tillman, Okla., two German cannon or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15561—Authorizing the Secretary of War to donate to the county of Custer, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15562—Authorizing the Secretary of War to donate to the county of Beckham, Okla., two German cannons or fieldpieces.
Mr. McClintic; Committee on Military Affairs, 2566.

H. R. 15563—For the erection of a public building at Modesto, Calif.
Mr. Church; Committee on Public Buildings and Grounds, 2566.

H. R. 15564—Authorizing the acquisition of a site for a public building at Hallettsville, Tex.
Mr. Mansfield; Committee on Public Buildings and Grounds, 2566.

H. R. 15565—Granting an increase of pension to John A. Vermeulen.
Mr. Dowell; Committee on Invalid Pensions, 2566.

H. R. 15566—Granting an increase of pension to Frank Ross.
Mr. Hersey; Committee on Invalid Pensions, 2566.

H. R. 15567—Granting an increase of pension to Reuben Drinkwater.
Mr. Smith of Michigan; Committee on Invalid Pensions, 2566.

H. R. 15568—For the relief of the estate of Jarib L. Sanderson, deceased.
Mr. Timberlake; Committee on Claims, 2566.

H. R. 15569—Granting a pension to Carson Rummel.
Mr. Strong; Committee on Pensions, 2566.

H. R. 15570—Granting an increase of pension to Henry C. Livezey.
Mr. Watson of Pennsylvania; Committee on Invalid Pensions, 2566.

H. R. 15571—To regulate the sale of stock, lots, contracts, or securities of private corporations or joint-stock companies in States or Territories of the United States other than those in which such corporations are incorporated or such stock companies are organized, and providing that such corporations shall secure a permit from the Federal Trade Commission, and providing a penalty against the organizers and representatives violating the provisions of this act.
Mr. Jones; Committee on Interstate and Foreign Commerce, 2566.

H. R. 15572—Authorizing the Secretary of War to donate one German cannon or fieldpiece to certain towns in the State of Texas.
Mr. Jones; Committee on Military Affairs, 2566.

H. R. 15573—For the erection of a public building in the city of Childress, the county seat of Childress County, State of Texas, and appropriating money therefor.
Mr. Jones; Committee on Public Buildings and Grounds, 2566.

H. R. 15574—For the construction of a Federal building at Warsaw, Ind.
Mr. Barnhart; Committee on Public Buildings and Grounds, 2646.

H. R. 15575—For the erection of a public building at Plymouth, Ind.
Mr. Barnhart; Committee on Public Buildings and Grounds, 2646.

H. R. 15576—For the erection of a public building at Waynesboro, Ga.
Mr. Overstreet; Committee on Public Buildings and Grounds, 2646.

H. R. 15577—For the purchase of a post-office site at Millen, Ga.
Mr. Overstreet; Committee on Public Buildings and Grounds, 2646.

H. R. 15578—To provide for the erection of a public building at McGehee, Ark.
Mr. Taylor of Arkansas; Committee on Public Buildings and Grounds, 2646.

H. R. 15579—To provide for the erection of a public building at Malvern, Ark.
Mr. Taylor of Arkansas; Committee on Public Buildings and Grounds, 2647.

H. R. 15580—To provide for the erection of a public building at Benton, Ark.
Mr. Taylor of Arkansas; Committee on Public Buildings and Grounds, 1847.

H. R. 15581—To provide for the erection of a public building at Monticello, Ark.
Mr. Taylor of Arkansas; Committee on Public Buildings and Grounds, 2647.

H. R. 15582—Authorizing the acquisition of a site for a public building at Hallettsville, Tex.
Mr. Mansfield; Committee on Public Buildings and Grounds, 2647.

H. R. 15583—To provide for the erection of a public building at Laurinburg, N. C.
Mr. Robinson; Committee on Public Buildings and Grounds, 2647.

H. R. 15584—Regulating the period of enlistment in the Regular Army of the United States.
Mr. Hull of Iowa; Committee on Military Affairs, 2647.

H. R. 15585—Authorizing and directing the Secretary of War to cause survey to be made of the Colorado River, with a view to controlling the flood water of said stream, and for other purposes.
Mr. Kettner; Committee on Flood Control, 2647.—Reported back (H. Rept. 1149), 4516.

H. R. 15586—Authorizing the acquisition of a site for a public building at Clinton, Sampson County, N. C.
Mr. Hood; Committee on Public Buildings and Grounds, 2647.

H. R. 15587—For the erection of a public building at Mount Olive, Wayne County, N. C.
Mr. Hood; Committee on Public Buildings and Grounds, 2647.

H. R. 15588—Requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutant generals of the several States.
Mr. Hawley; Committee on Military Affairs, 2647.

H. R. 15589—Authorizing the Secretary of War to donate to the town of Presque Isle, Me., one German cannon or fieldpiece.
Mr. Hersey; Committee on Military Affairs, 2647.

H. R. 15590—To increase the cost of the public building at Waynesburg, Pa.
Mr. Crago; Committee on Public Buildings and Grounds, 2647.

H. R. 15591—Authorizing the Secretary of War to donate to the town of Irvington, county of Lancaster, State of Virginia, one German cannon or fieldpiece.
Mr. Bland of Virginia; Committee on Military Affairs, 2647.

H. R. 15592—To increase the cost of the public building at State College, Pa.
Mr. Rowland; Committee on Public Buildings and Grounds, 2647.

H. R. 15593—To increase the cost of the public building at Dubois, Pa.
Mr. Rowland; Committee on Public Buildings and Grounds, 2647.

H. R. 15594—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Warsaw, Ill.
Mr. Graham of Illinois; Committee on Military Affairs, 2647.

H. R. 15595—Authorizing the Secretary of War to donate to the village of Rockford, Mich., one German cannon or fieldpiece.
Mr. Mapes; Committee on Military Affairs, 2647.

H. R. 15596—For the purchase of a public building site at Visalia, Calif.
Mr. Church; Committee on Public Buildings and Grounds, 2647.

H. R. 15597—Authorizing the Secretary of War to donate to the city of Villa Grove, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 2647.

H. R. 15598—Authorizing the Secretary of War to donate to the city of Arcola, Ill., one German cannon or fieldpiece.
Mr. McKinley; Committee on Military Affairs, 2647.

H. R. 15599—For the erection of a public building at Edenton, N. C.
Mr. Small; Committee on Public Buildings and Grounds, 2647.

H. R. 15600—Authorizing the acquisition of a site for a public building at Williamston, N. C.
Mr. Small; Committee on Public Buildings and Grounds, 2647.

H. R. 15601—Authorizing the acquisition of a site for a public building at Hertford, N. C.
Mr. Small; Committee on Public Buildings and Grounds, 2647.

H. R. 15602—Granting a pension to Annie Myers.
Mr. Ashbrook; Committee on Invalid Pensions, 2647.

H. R. 15603—Granting an increase of pension to Michael McCormick.
Mr. Cary; Committee on Invalid Pensions, 2647.

H. R. 15604—Granting a pension to Charles T. Pickens.
Mr. Crago; Committee on Pensions, 2647.

H. R. 15605—Granting a pension to Margaret Donahue.
Mr. Currie of Michigan; Committee on Invalid Pensions, 2647.

H. R. 15606—Granting an increase of pension to William S. Stockwell.
Mr. Rucker; Committee on Invalid Pensions, 2647.

H. R. 15607—Granting an increase of pension to Andrew Sidlinger.
Mr. White of Maine; Committee on Invalid Pensions, 2647.

H. R. 15608—To incorporate the War Mothers of America.
Mr. Denton; Committee on the District of Columbia, 2647.—Reported back (H. Rept. 1047), 3105.

H. R. 15609—To establish a fish-cultural station in the State of Alabama.
Mr. Blackmon; Committee on the Merchant Marine and Fisheries, 2647.

H. R. 15610—For the erection of a public building at Sylacauga, Ala.
Mr. Blackmon; Committee on Public Buildings and Grounds, 2647.

H. R. 15611—Authorizing a preliminary examination to be made of the Colorado River, with a view to controlling the flood waters thereof.
Mr. Hayden; Committee on Flood Control, 2647.

H. R. 15612—Authorizing the Secretary of War to donate to the city of Avalon, county of Los Angeles, State of California, one German cannon or fieldpiece.
Mr. Osborne; Committee on Military Affairs, 2721.

H. R. 15613—To provide for the erection of a public building at Barnesboro, Cambria County, Pa.
Mr. Rose; Committee on Public Buildings and Grounds, 2721.

H. R. 15614—To increase the limit of cost for the construction of the United States public building authorized at Cordova, Alaska, and for other purposes.
Mr. Wickersham; Committee on Public Buildings and Grounds, 2721.

H. R. 15615—Authorizing the erection of a post-office building at Rossville, Ga.
Mr. Lee of Georgia; Committee on Public Buildings and Grounds, 2721.

H. R. 15616—To appropriate money to build an addition to the post office and customhouse at Petersburg, Va., and acquire additional land therefor.
Mr. Watson of Virginia; Committee on Public Buildings and and Grounds, 2721.

H. R. 15617—For the erection of a public post-office building at El Campo, Tex., and for other purposes.
Mr. Mansfield; Committee on Public Buildings and Grounds, 2721.

H. R. 15618—Authorizing the Secretary of War to donate to the village of East Bloomfield, N. Y., one German cannon or fieldpiece.
Mr. Gould; Committee on Military Affairs, 2721.

H. R. 15619—Authorizing the Secretary of War to donate to the village of Guyanoga, N. Y., one German cannon or fieldpiece.
Mr. Gould; Committee on Military Affairs, 2721.

H. R. 15620—To donate a captured cannon or gun to the Nashville (Ohio) Cemetery in honor of the boys of that community.
Mr. McCulloch; Committee on Military Affairs, 2721.

H. R. 15621—To donate a captured cannon or gun to the city of Mineral City, in the State of Ohio.
Mr. McCulloch; Committee on Military Affairs, 2721.

H. R. 15622—To donate a captured cannon or gun to the city of Uhrichsville, in the State of Ohio.
Mr. McCulloch; Committee on Military Affairs, 2721.

H. R. 15623—To make provision for compensating discharged soldiers, sailors, and marines who are unable to obtain employment.
Mr. Charles B. Smith; Committee on Military Affairs, 2721.

H. R. 15624—To enable American women who marry foreigners to retain their American citizenship.
Miss Rankin; Committee on Immigration and Naturalization, 2721.

H. R. 15625—To provide for further educational facilities by requiring the War Department to loan certain machine tools not in use for Government purposes to trade and technical schools and universities, and for other purposes.
Mr. Caldwell; Committee on Military Affairs, 2721.

H. R. 15626—Authorizing the Secretary of War to donate to the city of Auburn, Calif., two German cannons or fieldpieces with their accompaniments.
Mr. Raker; Committee on Military Affairs, 2721.

H. R. 15627—Authorizing the Secretary of War to donate to the town of Millvale, Pa., one German cannon or fieldpiece.
Mr. Garland; Committee on Military Affairs, 2721.

H. R. 15628—To provide for marking the carcasses of goats with the words "Goat meat."
Mr. Hayden; Committee on Agriculture, 2721.

H. R. 15629—Authorizing the Secretary of War to donate to the village of Clayton, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 2721.

H. R. 15630—Authorizing the Secretary of War to donate to the village of Orwell, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 2721.

H. R. 15631—Authorizing the Secretary of War to donate to the village of Cazenovia, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 2721.

H. R. 15632—Authorizing the Secretary of War to donate to the village of Antwerp, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 2721.

H. R. 15633—Granting a pension to Albert Worthy.
Mr. Montague; Committee on Pensions, 2722.

H. R. 15634—Granting an increase of pension to Patrick Collins.
Mr. Mott; Committee on Invalid Pensions, 2722.

H. R. 15635—To provide for the purchase of a site and the erection of a Federal building at Eastman, Ga.
Mr. Larsen; Committee on Public Buildings and Grounds, 2786.

H. R. 15636—To provide for the purchase of a site upon which to erect a post-office building in the city of Eastman, in the State of Georgia.
Mr. Larsen; Committee on Public Buildings and Grounds, 2786.

H. R. 15637—To increase the cost of the public building at Woodbury, N. J.
Mr. Browning; Committee on Public Buildings and Grounds, 2786.

H. R. 15638—Authorizing the Secretary of War to donate to the city of Malden, in the Commonwealth of Massachusetts, one German cannon.
Mr. Fuller of Massachusetts; Committee on Military Affairs, 2786.

H. R. 15639—To increase the cost of the public building at Harrisonville, Mo.
Mr. Dickinson; Committee on Public Buildings and Grounds, 2786.

H. R. 15640—To purchase a post-office site in the city of French Lick, Ind.
Mr. Cox; Committee on Public Buildings and Grounds, 2786.

H. R. 15641—To purchase a post-office site in the city of Tell City, Ind.
Mr. Cox; Committee on Public Buildings and Grounds, 2786.

H. R. 15642—To acquire an addition to the site of the Federal building at Boise, Idaho.
Mr. Smith of Idaho; Committee on Public Buildings and Grounds, 2786.

H. R. 15643—Granting additional compensation according to length of service to the officers and enlisted personnel of the Army, Navy, and Marine Corps.
Mr. Langley; Committee on Military Affairs, 2786.

H. R. 15644—To donate two cannons of obsolete pattern to the State forestry board of Minnesota.
Mr. Knutson; Committee on Military Affairs, 2786.

H. R. 15645—Providing for the erection of a public building in the city of Drumright, Okla.
Mr. McKeown; Committee on Public Buildings and Grounds, 2786.

H. R. 15646—Authorizing the Secretary of War to donate to the city of Staunton, Ill., one German cannon or fieldpiece.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15647—Authorizing the Secretary of War to donate to the city of Girard, Ill., one German cannon or fieldpiece.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15648—Authorizing the Secretary of War to donate to the city of Carlinville, Ill., one German cannon or fieldpiece.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15649—Authorizing the Secretary of War to donate to the city of Virden, Ill., one German cannon or fieldpiece.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15650—Authorizing the Secretary of War to donate to the city of Hillsboro, Ill., one German cannon or fieldpiece.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15651—Authorizing the Secretary of War to donate to the city of Litchfield, Ill., one German cannon or fieldpiece.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15652—Authorizing the Secretary of War to donate to the city of Pana, Ill., one German cannon or fieldpiece.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15653—Authorizing the Secretary of War to donate to the town of Gillespie, Ill., two German cannons or fieldpieces.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15654—Authorizing the Secretary of War to donate to the city of Taylorville, Ill., one German cannon or fieldpiece.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15655—Authorizing the Secretary of War to donate to the town of Williamsville, Ill., one German cannon or fieldpiece.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15656—Authorizing the Secretary of War to donate to the city of Springfield, Ill., two German cannons or fieldpieces.
Mr. Wheeler; Committee on Military Affairs, 2786.

H. R. 15657—To authorize the acquisition of a site and the erection thereon of a Federal building at Stafford, Conn.
Mr. Freeman; Committee on Public Buildings and Grounds, 2786.

H. R. 15658—Authorizing the Secretary of War to donate to the city of Rockville, Conn., two German cannons or fieldpieces.
Mr. Freeman; Committee on Military Affairs, 2786.

H. R. 15659—Authorizing the Secretary of War to donate to the village of Manhasset, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 2786.

H. R. 15660—Authorizing the Secretary of War to donate to the town of North Kingstown, R. I., one German cannon or fieldpiece.
Mr. Stiness; Committee on Military Affairs, 2786.

H. R. 15661—To authorize the acquisition of a site and the erection of a Federal building at Lake Forest, Ill.
Mr. Fess; Committee on Public Buildings and Grounds, 2786.

H. R. 15662—Increasing the limit of cost for the construction of a public building at Yonkers, N. Y.
Mr. Benjamin L. Fairchild; Committee on Public Buildings and Grounds, 2786.

H. R. 15663—Authorizing the Secretary of War to donate to the city of Princeton, Ind., one German cannon or fieldpiece.
Mr. Denton; Committee on Military Affairs, 2786.

H. R. 15664—Authorizing the Secretary of War to donate to the city of Mount Vernon, Ind., one German cannon or fieldpiece.
Mr. Denton; Committee on Military Affairs, 2786.

H. R. 15665—Authorizing the Secretary of War to donate to the city of Evansville, Ind., one German cannon or fieldpiece.
Mr. Denton; Committee on Military Affairs, 2786.

H. R. 15666—Authorizing the Secretary of War to donate to the city of Petersburg, Ind., one German cannon or fieldpiece.
Mr. Denton; Committee on Military Affairs, 2786.

H. R. 15667—Authorizing the Secretary of War to donate to the city of Rockport, Ind., one German cannon or fieldpiece.
Mr. Denton; Committee on Military Affairs, 2786.

H. R. 15668—Authorizing the Secretary of War to donate to the city of Boonville, Ind., one German cannon or fieldpiece.
Mr. Denton; Committee on Military Affairs, 2787.

H. R. 15669—Authorizing the Secretary of War to donate to the village of Larchmont, N. Y., one German cannon or fieldpiece.
Mr. Husted; Committee on Military Affairs, 2787.

H. R. 15670—Authorizing the Secretary of War to donate to the village of Mount Kisco, N. Y., one German cannon or fieldpiece.
Mr. Husted; Committee on Military Affairs, 2787.

H. R. 15671—Authorizing the Secretary of War to donate to the village of North Tarrytown, N. Y., one German cannon or fieldpiece.
Mr. Husted; Committee on Military Affairs, 2787.

H. R. 15672—To provide for the emergency arising out of the demobilization of soldiers, sailors, and marines, and the discharge of workers from war industries and other occupations, by securing therefor permanent opportunities for profitable employment by means of a national construction service organized for the systematic extension of useful public works and the development of natural resources, and for other purposes.
Mr. Kelly of Pennsylvania; Committee on Appropriations, 2787.

H. R. 15673—To provide for the purchase of a site and the erection of a public building at Mount Airy, N. C.
Mr. Stedman; Committee on Public Buildings and Grounds, 2787.

H. R. 15674—Ta provide for the purchase of a site and the erection of a public building at Greensboro, N. C.
Mr. Stedman; Committee on Public Buildings and Grounds, 2787.

H. R. 15675—To fix time of holding courts in the Amarillo division of the northern district of Texas.
Mr. Jones; Committee on the Judiciary, 2787.—Reported back (H. Rept. 1113), 3818.—Laid on the table (see bill S. 5627), 4149.

H. R. 15676—To provide for the erection of a public building at Stanford, Ky.
Mr. Helm; Committee on Public Buildings and Grounds, 2787.

H. R. 15677—Granting an increase of pension to Archibald T. Lea.
Mr. Campbell of Kansas; Committee on Invalid Pensions, 2787.

H. R. 15678—Granting an increase of pension to Jason Johnson.
Mr. Dale; Committee on Invalid Pensions, 2787.

H. R. 15679—Granting a pension to Charles Grunert.
Mr. Scott of Michigan; Committee on Pensions, 2787.

H. R. 15680—Granting a pension to Katharina Bamberg.
Mr. Stafford; Committee on Pensions, 2787.

H. R. 15681—Donating a captured cannon or field gun and carriage to the city of Audubon, county of Audubon, State of Iowa.
Mr. Green of Iowa; Committee on Military Affairs, 2867.

H. R. 15682—Donating a captured German cannon or field gun and carriage to the city of Glenwood, county of Mills, State of Iowa.
Mr. Green of Iowa; Committee on Military Affairs, 2867.

H. R. 15683—Donating a captured German cannon or field gun and carriage to the city of Elk Horn, county of Shelby, and State of Iowa.
Mr. Green of Iowa; Committee on Military Affairs, 2867.

H. R. 15684—Donating a captured German cannon or field gun and carriage to the city of Atlantic, county of Cass, State of Iowa.
Mr. Green of Iowa; Committee on Military Affairs, 2867.

H. R. 15685—Donating two captured German cannons or field guns and carriages to the city of Council Bluffs, Pottawattamie County, State of Iowa.
Mr. Green of Iowa; Committee on Military Affairs, 2867.

H. R. 15686—Donating a captured German cannon or field gun and carriage to the city of Red Oak, county of Montgomery, State of Iowa.
Mr. Green of Iowa; Committee on Military Affairs, 2867.

H. R. 15687—Donating a captured German cannon or field gun and carriage to the city of Guthrie Center, county of Guthrie, State of Iowa.
Mr. Green of Iowa; Committee on Military Affairs, 2867.

H. R. 15688—To donate a captured cannon or gun to the Boy Scouts of the city of Newcomerstown, in the State of Ohio.
Mr. McCulloch; to the Committee on Military Affairs, 2867.

H. R. 15689—Authorizing the Secretary of War to donate to the city of Cherokee, Kans., one German cannon or fieldpiece.
Mr. Campbell of Kansas; Committee on Military Affairs, 2867.

H. R. 15690—Authorizing the Secretary of War to donate to the city of Baxter Springs, Kans., one German cannon or fieldpiece.
Mr. Campbell of Kansas; Committee on Military Affairs, 2867.

H. R. 15691—For the purchase of a site for and the erection of a post-office building at Belton, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15692—For the purchase of a site for and the erection of a post-office building, courthouse, and other Government offices at Greenwood, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15693—For the purchase of a site for and the erection of a post-office building, courthouse, and other Government offices at Anderson, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15694—For the purchase of a site for and the erection of a post-office building at Williamston, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15695—For the purchase of a site for and the erection of a post-office building at Pelzer, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15696—For the purchase of a site for and the erection of a post-office building at Piedmont, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15697—For the purchase of a site for and the erection of a post-office building at Seneca, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15698—For the purchase of a site for and the erection of a post-office building at McCormick, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15699—For the purchase of a site for and the erection of a post-office building at Westminster, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15700—For the purchase of a site for and the erection of a post-office building at Honea Path, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15701—For the purchase of a site for and the erection of a post-office building at Pickens, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15702—For the purchase of a site for and the erection of a post-office building at Easley, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15703—For the purchase of a site for and the erection of a post-office building at Walhalla, S. C.
Mr. Dominick; Committee on Public Buildings and Grounds, 2867.

H. R. 15704—Authorizing the Secretary of War to donate to the city of Belton, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2867.

H. R. 15705—Authorizing the Secretary of War to donate to the city of Honea Path, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2867.

H. R. 15706—Granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.
Mr. Delaney; From the Committee on Pensions as substitute for certain bills referred to that committee (H. Rept. 1038), 2866.—Passed House, 3351, 3352.—Referred to Senate Committee on Pensions, 3415.—Reported with amendments (S. Rept. 735), 3743.—Amended and passed Senate, 4558, 4559.—House concurs in Senate amendments, 4950.—Examined and signed, 4896, 5082.—Approved [Private, No. 47], 5084.

H. R. 15707—Granting the consent of Congress to the county of Martin, in the State of North Carolina, to construct a bridge across the Roanoke River, at or near Williamston, N. C.
Mr. Small; Committee on Interstate and Foreign Commerce, 2867.—Reported back (H. Rept. 1049), 3174.

H. R. 15708—To provide for the purchase of a site and the erection of a public building at Mount Airy, N. C.
Mr. Stedman; Committee on Public Buildings and Grounds, 2867.

H. R. 15709—Directing the Secretary of the Navy to grant honorable discharges to enlisted men of the Navy for certain reasons.
Mr. Steagall; Committee on Naval Affairs, 2867.

H. R. 15710—Directing the Secretary of War to grant honorable discharges to enlisted or drafted men in the Army for certain reasons.
Mr. Steagall; Committee on Military Affairs, 2867.

H. R. 15711—To amend an act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918.
Mr. Ramseyer; Committee on Interstate and Foreign Commerce, 2867.

H. R. 15712—Authorizing the Secretary of War to donate to the city of Okemah, Okfuskee County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15713—Authorizing the Secretary of War to donate to the city of Lehigh, Coal County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15714—Authorizing the Secretary of War to donate to the city of Holdenville, Hughes County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15715—Authorizing the Secretary of War to donate to the city of Coalgate, Coal County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15716—Authorizing the Secretary of War to donate to the city of Wetumka, Hughes County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15717—Authorizing the Secretary of War to donate to the city of Wewoka, Seminole County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15718—Authorizing the Secretary of War to donate to the city of Seminole, Seminole County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15719—Authorizing the Secretary of War to donate to the city of Shawnee, Pottawatomie County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15720—Authorizing the Secretary of War to donate to the city of Drumright, Creek County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15721—Authorizing the Secretary of War to donate to the city of Tecumseh, Pottawatomie County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15722—Authorizing the Secretary of War to donate to the city of Chandler, Lincoln County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15723—Authorizing the Secretary of War to donate to the city of Prague, Lincoln County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15724—Authorizing the Secretary of War to donate to the city of Sapulpa, Creek County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15725—Authorizing the Secretary of War to donate to the city of Bristow, Creek County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15726—Authorizing the Secretary of War to donate to the city of Tishomingo, Johnston County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2867.

H. R. 15727—Authorizing the Secretary of War to donate to the city of Weleetka, Okfuskee County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2868.

H. R. 15728—Authorizing the Secretary of War to donate to the city of Ada, Pontotoc County, in the State of Oklahoma, one German cannon or fieldpiece.
Mr. McKeown; Committee on Military Affairs, 2868.

H. R. 15729—Authorizing the Secretary of War to donate to the Oakwood Township High School, Catlin, Ill., one German cannon or fieldpiece.
Mr. Cannon; Committee on Military Affairs, 2868.

H. R. 15730—To enlarge and make additions to and further improve the post-office building at Macon, Ga.
Mr. Wise; Committee on Public Buildings and Grounds, 2868.

H. R. 15731—For the purchase of a site and erection of a public building at Lewisburg, Pa.
Mr. Focht; Committee on Public Buildings and Grounds, 2868.

H. R. 15732—For the purchase of a site and erection thereon of a public building at Newport, Pa.
Mr. Focht; Committee on Public Buildings and Grounds, 2868.

H. R. 15733—For the purchase of a site and erection of a public building at Waynesboro, Pa.
Mr. Focht; Committee on Public Buildings and Grounds, 2868.

H. R. 15734—Increasing the limit of cost for a Federal building at Lewistown, Pa.
Mr. Focht; Committee on Public Buildings and Grounds, 2868.

H. R. 15735—To donate a captured cannon or gun to the town of Naugatuck, in the State of Connecticut.
Mr. Glynn; Committee on Military Affairs, 2868.

H. R. 15736—To donate a captured cannon or gun to the city of Derby, in the State of Connecticut.
Mr. Glynn; Committee on Military Affairs, 2868.

H. R. 15737—Granting an increase of pension to Diadem Ellis.
Mr. Campbell of Kansas; Committee on Invalid Pensions, 2868.

H. R. 15738—Granting a pension to Emeline Burley.
Mr. Currie of Michigan; Committee on Invalid Pensions, 2868.

H. R. 15739—Granting a pension to Eva O. Hall.
Mr. Foster; Committee on Invalid Pensions, 2868.

H. R. 15740—Granting an increase of pension to John T. Maloney, jr.
Mr. Foster; Committee on Pensions, 2868.

H. R. 15741—Granting promotion to Robert M. Smith.
Mr. Nichols of Michigan; Committee on Military Affairs, 2868.

H. R. 15742—To regulate the collection and expenditure of money, other than by the Government of the United States or by its authority, for the use and benefit of the armed forces of the United States and of its allies, and especially of France, Great Britain, Italy, Belgium, Serbia, Greece, and Montenegro, or for any auxiliary organizations of said Governments maintained and operated for the use and benefit of such armed forces.
Mr. Donovan; Committee on the Judiciary, 2868.

H. R. 15743—To allow credits and provide reliefs for certain persons not now provided for by law.
Mr. Kahn; Committee on Claims, 2868.

H. R. 15744—Authorizing the Secretary of War to donate to the city of Warren, Ohio, two German cannons or fieldpieces, with their accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15745—Authorizing the Secretary of War to donate to the city of Ashtabula, Ohio, two German cannons or fieldpieces, with their accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15746—Authorizing the Secretary of War to donate to the town of Sebring, Ohio, two German cannons or fieldpieces, with their accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15747—Authorizing the Secretary of War to donate to the city of Youngstown, Ohio, four German cannons or fieldpieces, with accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15748—Authorizing the Secretary of War to donate to the city of Niles, Ohio, two German cannons or fieldpieces, with their accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15749—Authorizing the Secretary of War to donate to the city of Conneaut, Ohio, two German cannons or fieldpieces, with their accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15750—Authorizing the Secretary of War to donate to the village of Windsor, Ohio, one German cannon or fieldpiece, with its accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15751—Authorizing the Secretary of War to donate to the village of Rock Creek, Ohio, one German cannon or fieldpiece, with its accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15752—Authorizing the Secretary of War to donate to the village of Mineral Ridge, Ohio, one German cannon or fieldpiece, with its accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15753—Authorizing the Secretary of War to donate to the city of Geneva, Ohio, two German cannons or fieldpieces, with their accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15754—Authorizing the Secretary of War to donate to the city of Jefferson, Ohio, two German cannons or fieldpieces, with their accompaniments.
Mr. Cooper of Ohio; Committee on Military Affairs, 2933.

H. R. 15755—To provide for the erection of a public building in the city of Niles, Ohio.
Mr. Cooper of Ohio; Committee on Public Buildings and Grounds, 2933.

H. R. 15756—Donating a captured German cannon or fieldpiece to the borough of Pennington, State of New Jersey, for decorative and patriotic purposes.
Mr. Hutchinson; Committee on Military Affairs, 2933.

H. R. 15757—To repeal Title VII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.
Mr. Brand; Committee on the Judiciary, 2933.

H. R. 15758—Authorizing the Secretary of War to donate to the city of Madill, Okla., one German cannon or fieldpiece.
Mr. Carter of Oklahoma; Committee on Military Affairs, 2933.

H. R. 15759—Authorizing the Secretary of War to donate to the city of McAlester, Okla., two German cannons or fieldpieces.
Mr. Carter of Oklahoma; Committee on Military Affairs, 2933.

H. R. 15760—Authorizing the Secretary of War to donate to the town of Talihina, Okla., one German cannon or fieldpiece.
Mr. Carter of Oklahoma; Committee on Military Affairs, 2933.

H. R. 15761—Authorizing the Secretary of War to donate to the city of Durant, Okla., three German cannons or fieldpieces.
Mr. Carter of Oklahoma; Committee on Military Affairs, 2933.

H. R. 15762—To provide for the erection of a public building at Morganton, N. C.
Mr. Webb; Committee on Public Buildings and Grounds, 2934.

H. R. 15763—Increasing the limit of cost for a Federal building at Bayonne, N. J.
Mr. Gray of New Jersey; Committee on Public Buildings and Grounds, 2934.

H. R. 15764—Authorizing the Secretary of War to donate to the township of Elizabeth, in the State of Pennsylvania, one German cannon or fieldpiece.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 2934.

H. R. 15765—Authorizing the Secretary of War to donate to the borough of Lehighton, Pa., one German cannon or fieldpiece.
Mr. Steele; Committee on Military Affairs, 2934.

H. R. 15766—Authorizing the Secretary of War to donate to the town of Edgewood, Pa., one German cannon or fieldpiece.
Mr. Garland; Committee on Military Affairs, 2934.

H. R. 15767—Authorizing the Secretary of War to donate to the village of Manawa, Wis., one German cannon or fieldpiece.
Mr. Browne; Committee on Military Affairs, 2934.

H. R. 15768—Declaring Oct. 27 of each year a legal holiday.
Mr. Edmonds; Committee on the Judiciary, 2934.

H. R. 15769—To repeal the daylight-saving law.
Mr. McKinley; Committee on Interstate and Foreign Commerce, 2934.

H. R. 15770—To provide for the guaranties made to wheat producers for the crop years of 1918 and 1919, and for other purposes.
Mr. Morgan; Committee on Agriculture, 2934.

H. R. 15771—To donate two captured cannons or fieldpieces to the city of Wapakoneta, Auglaize County, Ohio.
Mr. Welty; Committee on Military Affairs, 2934.

H. R. 15772—Donating a captured German cannon or field gun and carriage to the town of Irvington, N. J., for decorative purposes.
Mr. Lehlbach; Committee on Military Affairs, 2934.

H. R. 15773—Donating a captured German cannon or field gun and carriage to the city of Newark, N. J., for decorative purposes.
Mr. Lehlbach; Committee on Military Affairs, 2934.

H. R. 15774—Authorizing the Secretary of War to donate to the city of Clifton, N. J., one German cannon or fieldpiece.
Mr. Drukker; Committee on Military Affairs, 2934.

H. R. 15775—Authorizing the Secretary of War to donate to the city of Seneca, S. C., one German cannon or fieldpiece and carriage.
Mr. Dominick; Committee on Military Affairs, 2934.

H. R. 15776—For the erection of a Federal building at Mount Vernon, Ind.
Mr. Denton; Committee on Public Buildings and Grounds, 2934.

H. R. 15777—To provide for flood control on the Colorado River, and for other purposes.
Mr. Randall; Committee on Flood Control, 2934.

H. R. 15778—Granting a pension to Owen E. Murphy.
Mr. Hayden; Committee on Pensions, 2934.

H. R. 15779—Granting an increase of pension to John T. Smith.
Mr. Lea of California; Committee on Invalid Pensions, 2934.

H. R. 15780—Granting an increase of pension to Harvey Dittenhafer.
Mr. McCulloch; Committee on Invalid Pensions, 2934.

H. R. 15781—Granting an increase of pension to Cornelius McCafferty.
Mr. McCulloch; Committee on Invalid Pensions, 2934.

H. R. 15782—For the erection of a public building at Lenoir, N. C.
Mr. Doughton; Committee on Public Buildings and Grounds, 3036.

H. R. 15783—For the purchase of a site and erection thereon of a public building at Albemarle, N. C.
Mr. Doughton; Committee on Public Buildings and Grounds, 3036.

H. R. 15784—To determine the qualifications for citizenship of alien slackers exempted from, and aliens who served in, the military or naval service of the United States under the selective-service act of May 18, 1917.
Mr. Emerson; Committee on Immigration and Naturalization, 3036.

H. R. 15785—Authorizing the Secretary of War to donate to the village of Somonauk, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 3036.

H. R. 15786—To give preference to soldiers, sailors, marines, and citizens for employment within the United States of America.
Mr. Emerson; Committee on the Judiciary, 3036.

H. R. 15787—Providing for a United States civil-service board of adjustments to constitute a court of appeals for employees in the classified civil service of the United States.
Mr. Kelly of Pennsylvania; Committee on Reform in the Civil Service, 3036.

H. R. 15788—To provide for the purchase of a site for a public building in the village of Wellsville, N. Y.
Mr. Hamilton of New York; Committee on Public Buildings and Grounds, 3036.

H. R. 15789—To amend an act entitled "An act to regulate and improve the civil service of the United States," approved Jan. 16, 1883.
Mr. John W. Rainey; Committee on Reform in the Civil Service, 3036.

H. R. 15790—Authorizing the Secretary of War to donate to the town of Belvidere, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 3036.

H. R. 15791—Authorizing the Secretary of War to donate to the borough of Washington, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 3036.

H. R. 15792—Authorizing the Secretary of War to donate to the city of Maple Shade, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 3036.

H. R. 15793—Authorizing the Secretary of War to donate to the village of Westbury, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 3036.

H. R. 15794—To add certain lands to the Ochoco National Forest, Oreg.
Mr. Sinnott; Committee on the Public Lands, 3036.

H. R. 15795—Authorizing the Secretary of the Treasury, in his discretion, to sell the present public building and site in the city of Clarksburg, W. Va., and purchase a new site and erect thereon a new public building in said city.
Mr. Reed; Committee on Public Buildings and Grounds, 3036.

H. R. 15796—To enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder.
Mr. Lever; Committee on Agriculture, 3036.
Reported with amendment (H. Rept. 1055), 3174.—Debated, 3939–4009 (Appendix, 171).—Amended and passed House, 4051, 4052.—Referred to Senate Committee on Agriculture and Forestry, 4115.—Reported with amendments (S. Rept. 760), 4205.—Debated, 4396–4411, 4418–4448.—Amended and passed Senate, 4448.—House disagrees to Senate amendments and asks for a conference, 4673–4675.—Senate insists on its amendments, 4757.—Conference appointed, 4675.—House concurs in Senate amendment, 4961–4965.—Examined and signed, 4991, 5082.—Approved [Public, No. 348], 5084.

H. R. 15797—For the purchase of a site and erection of a public building at Fort Payne, Ala.
Mr. Burnett; Committee on Public Buildings and Grounds, 3036.

H. R. 15798—To provide for the erection of a public building at Morgan City, La.
Mr. Martin; Committee on Public Buildings and Grounds, 3037.

H. R. 15799—To provide for the erection of a public building at Houma, La.
Mr. Martin; Committee on Public Buildings and Grounds, 3037.

H. R. 15800—Authorizing the Secretary of War to donate to the town of Upland, Calif., one German cannon or fieldpiece.
Mr. Kettner; Committee on Military Affairs, 3037.

H. R. 15801—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914, and amended Oct. 6, 1917, and for other purposes.
Mr. Gould; Committee on Interstate and Foreign Commerce, 3037.

H. R. 15802—To repeal the law known as the daylight-saving law.
Mr. Sloan; Committee on Interstate and Foreign Commerce, 3037.

H. R. 15803—To loan to the following municipalities each two or more obsolete (though not disabled) or captured German cannon: Diller, Friend, Milford, and York, all in the State of Nebraska.
Mr. Sloan; Committee on Military Affairs, 3037.

H. R. 15804—Authorizing the Secretary of War to donate to the village of Donaldson, Kittson County, in the State of Minnesota, one German cannon or fieldpiece.
Mr. Steenerson; Committee on Military Affairs, 3037.

H. R. 15805—Granting an increase of pension to Andrew A. Ebert.
Mr. Keating; Committee on Invalid Pensions, 3037.

H. R. 15806—Granting an increase of pension to David M. Gray.
Mr. Keating; Committee on Pensions, 3037.

H. R. 15807—Granting a pension to William H. Harris.
Mr. Keating; Committee on Pensions, 3037.

H. R. 15808—For the relief of Patrick J. Purcell.
Mr. Lunn; Committee on Claims, 3037.

H. R. 15809—Granting an increase of pension to Jerome B. Brooks.
Mr. Sloan; Committee on Invalid Pensions, 3037.

H. R. 15810—Granting an increase of pension to John W. Grewell.
Mr. Sloan; Committee on Invalid Pensions, 3037.

H. R. 15811—Providing for a site and public building for post office and other Federal purposes at Russellville, Ala.
Mr. Bankhead; Committee on Public Buildings and Grounds, 3037.

H. R. 15812—To provide for the purchase of a site and the erection of a building thereon at Fayette, in the State of Alabama.
Mr. Bankhead; Committee on Public Buildings and Grounds, 3037.

H. R. 15813—For the erection of a public post-office building at De Funiak Springs, Fla.
Mr. Kehoe; Committee on Public Buildings and Grounds, 3037.

H. R. 15814—Granting the consent of Congress to road district No. 1, Lee County, Ark., to construct a bridge across the St. Francis River at or near the present location of the Missouri Pacific Railroad Co.'s bridge.
Mr. Caraway; Committee on Interstate and Foreign Commerce, 3037.—Reported back (H. Rept. 1122), 4010.

H. R. 15815—Donating a captured German cannon or field gun and carriage to the town of Bramwell, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 3105.

H. R. 15816—Donating a captured German cannon or field gun and carriage to the town of Mullens, W. Va., for decorative purposes.
Mr. Cooper of West Virginia; Committee on Military Affairs, 3105.

H. R. 15817—Authorizing the Secretary of War to donate to the town of Greenville, Pa., four German cannon or fieldpieces.
Mr. Beshlin; Committee on Military Affairs, 3105.

H. R. 15818—Authorizing the Secretary of War to donate to the town of Elsberry, Mo., one German cannon or fieldpiece.
Mr. Clark of Missouri; Committee on Military Affairs, 3106.

H. R. 15819—To amend an act entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved Mar. 12, 1914, and for other purposes.
Mr. Wickersham; Committee on the Territories, 3106.

H. R. 15820—Authorizing the Secretary of War to donate a German captured cannon or fieldpiece to the village of Schuylerville, in the State of New York.
Mr. Parker of New York; Committee on Military Affairs, 3106.

H. R. 15821—Authorizing the Secretary of War to donate to the town of Imlay City, Mich., two German cannons or fieldpieces.
Mr. Cramton; Committee on Military Affairs, 3106.

H. R. 15822—Authorizing the Secretary of War to donate to the county of Lapeer, Mich., two German cannons or fieldpieces, to mark the Victory Highway.
Mr. Cramton; Committee on Military Affairs, 3106.

H. R. 15823—Authorizing the Secretary of War to donate to the city of Mountain Grove, Mo., two German cannons or fieldpieces.
Mr. Rubey; Committee on Military Affairs, 3106.

H. R. 15824—Authorizing the Secretary of War to donate to the State Federal Soldiers' Home at St. James, Mo., two German cannons or fieldpieces.
Mr. Rubey; Committee on Military Affairs, 3106.

H. R. 15825—Authorizing the Secretary of War to donate to the city of Houston, Mo., two German cannons or fieldpieces.
Mr. Rubey; Committee on Military Affairs, 3106.

H. R. 15826—Providing for the conveyance to the State of Montana of Fort William Henry Harrison Military Reservation for educational and other purposes.
Mr. Evans; Committee on Military Affairs, 3106.

H. R. 15827—Authorizing the Secretary of War to donate to the city of Lincoln City, Ind., one German cannon or fieldpiece, to be placed in Nancy Hanks Park.
Mr. Denton; Committee on Military Affairs, 3106.

H. R. 15828—Donating two captured German cannons or field guns and carriages to the city of Montpelier, in the State of Vermont, for decorative purposes on the grounds of the State capitol.
Mr. Dale; Committee on Military Affairs, 3106.

H. R. 15829—Donating a captured German cannon or field gun and carriage to the town of Greensboro, Vt., for decorative purposes.
Mr. Dale; Committee on Military Affairs, 3106.

H. R. 15830—Authorizing the Secretary of War to donate to the city of Cooperstown, N. Y., one German cannon or fieldpiece, to be placed in the city park.
Mr. George W. Fairchild; Committee on Military Affairs, 3106.

H. R. 15831—Donating a captured German cannon or field gun and carriage to the city of Redfield, county of Dallas, State of Iowa.
Mr. Dowell; Committee on Military Affairs, 3106.

H. R. 15832—For the purchase of a site for the erection of a post-office building at Hamilton, Tex.
Mr. Connally of Texas; Committee on Public Buildings and Grounds, 3106.

H. R. 15833—For the purchase of a site for the erection of a post-office building at Gatesville, Tex.
Mr. Connally of Texas; Committee on Public Buildings and Grounds, 3106.

H. R. 15834—To extend the time for the construction by Kratka Township of a bridge across the Red Lake River, in Pennington County, Minn.
Mr. Steenerson; Committee on Interstate and Foreign Commerce, 3106.—Reported with amendments (H. Rept. 1119), 4010.—Amended and passed House, 4051.—Referred to Senate Committee on Commerce, 4115.—Reported back (S. Rept. 772); Passed Senate, 4304.—Examined and signed, 4388, 4500.—Approved [Public, No. 319], 4772.

H. R. 15835—Making appropriations for the support of the Army for the fiscal year ending June 30, 1920.
Mr. Dent, from Committee on Military Affairs (H. Rept. 1048), 3102.—Debated, 3173, 3197–3244, 3278–3317, 3362–3404, 3454–3508, 3728–3737.—Amended and passed House, 3735–3737.—Referred to Senate Committee on Military Affairs, 3770.—Reported with amendments, 4205.

H. R. 15836—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914, as amended.
Mr. Sims; Committee on Interstate and Foreign Commerce, 3106.—Reported back (H. Rept. 1053), 3174.

H. R. 15837—To amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved Sept. 2, 1914, as amended.
Mr. Sims; Committee on Interstate and Foreign Commerce, 3106.—Reported back (H. Rept. 1136), 4300.

H. R. 15838—Granting a pension to Verna Hanmore.
Mr. Beshlin; Committee on Pensions, 3107.

H. R. 15839—Granting an increase of pension to James L. Buckler.
Mr. Fields; Committee on Pensions, 3107.

H. R. 15840—Granting an increase of pension to Joseph McClure.
Mr. Fields; Committee on Invalid Pensions, 3107.

H. R. 15841—Granting a pension to Mrs. J. Franklin Bell.
Mr. Helm; Committee on Pensions, 3107.

H. R. 15842—For the relief of Thomas J. O'Mara.
Mr. LaGuardia; Committee on Claims, 3107.

H. R. 15843—Granting a pension to Jane H. Larkin.
Mr. Lunn; Committee on Invalid Pensions, 3107.

H. R. 15844—To incorporate the United States Soldiers' and Sailors' and Marines' World's War Veterans.
Mr. Emerson; Committee on the District of Columbia, 3174.

H. R. 15845—To provide for ocean mail steamship lines to South America, and to provide for their operation and disposition, and for other purposes in connection therewith.
Mr. Edmonds; Committee on the Merchant Marine and Fisheries, 3174.

H. R. 15846—Authorizing the Secretary of War to donate to the borough of Red Lion, York Cunty, Pa., one cannon or fieldpiece, with carriage, with suitable number of shells.
Mr. Brodbeck; Committee on Military Affairs, 3174.

H. R. 15847—Authorizing the Secretary of War to donate to the city of Newton, Kans., one German fieldpiece or cannon.
Mr. Ayres; Committee on Military Affairs, 3174.

H. R. 15848—Authorizing the Secretary of War to donate to the city of Savannah, Ga., two German cannons or fieldpieces.
Mr. Overstreet; Committee on Military Affairs, 3174.

H. R. 15849—Authorizing the Secretary of War to donate to the Maspeth Civic Association one German cannon or fieldpiece.
Mr. Caldwell; Committee on Military Affairs, 3174.

H. R. 15850—Authorizing the Secretary of War to donate to the city of Cherokee, State of Oklahoma, one German cannon or fieldpiece.
Mr. Morgan; Committee on Military Affairs, 3174.

H. R. 15851—Authorizing the Secretary of War to donate to the village of Mountain Iron, Minn., one German cannon or fieldpiece.
Mr. Miller of Minnesota; Committee on Military Affairs, 3174.

H. R. 15852—Authorizing the Secretary of War to donate to the city of Marshall, Ill., one German cannon or fieldpiece.
Mr. Cannon; Committee on Military Affairs, 3174.

H. R. 15853—To amend sections 8 and 21 of the copyright act, approved Mar. 4, 1909.
Mr. Charles B. Smith; Committee on Patents, 3174.—Reported with amendment (H. Rept. 1158), 4676.

H. R. 15854—To provide for the erection of a public building at Carbondale, Ill.
Mr. Denison; Committee on Public Buildings and Grounds.

H. R. 15855—Authorizing the Secretary of War to donate to the village of Omro, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 3174.

H. R. 15856—Authorizing the Secretary of War to donate to the village of Princeton, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 3174.

H. R. 15857—Authorizing the Secretary of War to donate to the village of Green Lake, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 3174.

H. R. 15858—Authorizing the Secretary of War to donate to the village of New Holstein, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 3174.

H. R. 15859—Authorizing the Secretary of War to donate to the village of Montello, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 3175.

H. R. 15860—Authorizing the Secretary of War to donate to the village of Winneconne, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 3175.

H. R. 15861—To authorize the acquisition of a site and the erection of a Federal building at Whitinsville, in town of Northbridge, Mass.
Mr. Winslow; Committee on Public Buildings and Grounds, 3175.

H. R. 15862—To authorize the acquisition of a site and the erection of a Federal building at Westboro, Mass.
Mr. Winslow; Committee on Public Buildings and Grounds, 3175.

H. R. 15863—For the purchase of a site and erection of a public building at Phillipsburg, N. J.
Mr. Ramsey; Committee on Public Buildings and Grounds, 3175.

H. R. 15864—To establish a fund for public works in the Territory of Hawaii, and for other purposes.
Mr. Kalanianaole; Committee on the Territories, 3175.

H. R. 15865—Granting statehood to the Territory of Hawaii.
Mr. Kalanianaole; Committee on the Territories, 3175.

H. R. 15866—Authorizing the Secretary of War to donate one German cannon or fieldpiece to the city of Honolulu and the towns of Hilo, Wailuku, Maui, and Lihue, Kauai, Territory of Hawaii.
Mr. Kalanianaole; Committee on Military Affairs, 3175.

H. R. 15867—Authorizing the Secretary of War to donate to the county of Gaston, in the State of North Carolina, two German cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Webb; Committee on Military Affairs, 3175.

H. R. 15868—Authorizing the Secretary of War to donate to the North Carolina School for the Deaf, in the State of North Carolina, two German cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Webb; Committee on Military Affairs, 3175.

H. R. 15869—Authorizing the Secretary of War to donate to the city of Shelby, in the State of North Carolina, two German cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Webb; Committee on Military Affairs, 3175.

H. R. 15870—Authorizing the Secretary of War to donate to the city of Lincolnton, in the State of North Carolina, two German cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Webb; Committee on Military Affairs, 3175.

H. R. 15871—Authorizing the Secretary of War to donate to Davidson College, in the State of North Carolina, two German cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Webb; Committee on Military Affairs, 3175.

H. R. 15872—To authorize the Secretary of War to donate to the city of Columbus, Ga., one cannon or fieldpiece captured by the American Army from the forces of the Imperial German Government during the present war.
Mr. Wright; Committee on Military Affairs, 3175.

H. R. 15873—Authorizing the acquisition of a site for a public building at Greensboro, Ala.
Mr. Oliver of Alabama; Committee on Public Buildings and Grounds, 3175.

H. R. 15874—Authorizing the Secretary of War to donate to the town of Sturgis, Ky., one German cannon or fieldpiece.
Mr. Kincheloe; Committee on Military Affairs, 3175.

H. R. 15875—For the purchase of a site for and the erection of a post-office building at Gloucester, Mass.
Mr. Lufkin; Committee on Public Buildings and Grounds, 3175.

H. R. 15876.—Authorizing the Secretary of War to donate to the city of Boston, Mass., three German cannons or fieldpieces.
Mr. Tinkham; Committee on Military Affairs, 3175.

H. R. 15877—Providing for a site and a Federal building for post office at Peabody, Mass.
Mr. Phelan; Committee on Public Buildings and Grounds, 3175.

H. R. 15878—For the purchase of a site for a public building at Ashburn, Ga.
Mr. Crisp; Committee on Public Buildings and Grounds, 3175.

H. R. 15879.—For the purchase of a site and erection of a public building at Cuthbert, Ga.
Mr. Crisp; Committee on Public Buildings and Grounds, 3175.

H. R. 15880.—To provide for the erection of a public building at Southport, in the State of North Carolina.
Mr. Godwin of North Carolina; Committee on Public Buildings and Grounds, 3175.

H. R. 15881—For the erection of a public building at Lumberton, N. C.
Mr. Godwin of North Carolina; Committee on Public Buildings and Grounds, 3175.

H. R. 15882—To provide for a site and public building at Dunn, N. C.
Mr. Godwin of North Carolina; Committee on Public Buildings and Grounds, 3175.

H. R. 15883—To provide for the construction, maintenance, and improvement of a system of national interstate roads.
Mr. Woods of Iowa; Committee on Roads, 3175.

H. R. 15884—Providing for a site and a Federal building for the post office and other Government departments at Lynn, Mass.
Mr. Phelan; Committee on Public Buildings and Grounds, 3175.

H. R. 15885—Granting an increase of pension to Michael McCormick.
Mr. Cary; Committee on Invalid Pensions, 3175.

H. R. 15886—Granting an increase of pension to Alonzo Green.
Mr. Knutson; Committee on Invalid Pensions, 3175.

H. R. 15887—Granting an increase of pension to George Brenizer.
Mr. McCulloch; Committee on Invalid Pensions, 3175.

H. R. 15888—Granting an increase of pension to Andrew Cook.
Mr. McCulloch; Committee on Invalid Pensions, 3175.

H. R. 15889—To carry into effect the findings of the Court of Claims in favor of Dora Alexander Miller and Emma Alexander, in her own right and as administratrix of the estates of Jennie Alexander, deceased, and of Charles T. Alexander, deceased.
Mr. Stephens of Mississippi; Committee on War Claims, 3175.

H. R. 15890—To carry into effect the findings of the Court of Claims in favor of the estate of Jacob A. Wolfson, deceased.
Mr. Watkins; Committee on War Claims, 3176.

H. R. 15891—Authorizing the Secretary of War to donate to the city of New Castle, Ky., two German cannons or fieldpieces.
Mr. Cantrill; Committee on Military Affairs, 3245.

H. R. 15892—Authorizing the Secretary of War to donate to the city of Frankfort, Ky., two German cannons or fieldpieces.
Mr. Cantrill; Committee on Military Affairs, 3245.

H. R. 15893—To donate two cannons of obsolete pattern to the village of Baudette, in the State of Minnesota.
Mr. Knutson; Committee on Military Affairs, 3245.

H. R. 15894—To donate two cannons of obsolete pattern to the village of Spooner, in the State of Minnesota.
Mr. Knutson; Committee on Military Affairs, 3245.

H. R. 15895—Providing for the purchase of a site and the erection thereon of a public building at Bucyrus, in the State of Ohio.
Mr. Key of Ohio; Committee on Public Buildings and Grounds, 3245.

H. R. 15896—For the purchase of a post-office site at Phoenix, N. Y.
Mr. Mott; Committee on Public Buildings and Grounds, 3245.

H. R. 15897—To provide for the erection of a post-office building at Oneida, N. Y.
Mr. Mott; Committee on Public Buildings and Grounds, 3245.

H. R. 15898—For the purchase of a site for and the erection of a post-office building at Lowville, N. Y.
Mr. Mott; Committee on Public Buildings and Grounds, 3245.

H. R. 15899—For the purchase of a post-office site at Youngstown, N. Y.
Mr. Dempsey; Committee on Public Buildings and Grounds, 3245.

H. R. 15900—For the purchase of a post-office site at Middleport, N. Y.
Mr. Dempsey; Committee on Public Buildings and Grounds, 3245.

H. R. 15901—For the purchase of a site and the erection thereon of a public building at Tonawanda, N. Y.
Mr. Dempsey; Committee on Public Buildings and Grounds, 3245.

H. R. 15902—Providing that the United States may be made a party defendant in the same manner as a private person in certain legal processes dealing with real property.
Mr. Magee; Committee on the Judiciary, 3245.

H. R. 15903—To amend paragraph 5 of section 5 of the United States cotton-futures act approved Aug. 11, 1916, and for other purposes.
Mr. Brand; Committee on Agriculture, 3245.

H. R. 15904—To provide for the erection of a Federal office building on the site acquired for the Subtreasury in St. Louis, Mo.
Mr. Dyer; Committee on Public Buildings and Grounds, 3245.

H. R. 15905—Authorizing the Secretary of War to donate to the city of Sand Springs, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 3245.

H. R. 15906—Authorizing the Secretary of War to donate to the city of Copan, Okla., one German cannon or fieldpiece.
Mr. Chandler of Oklahoma; Committee on Military Affairs, 3245.

H. R. 15907—Increasing the limit of cost for a Federal building at Wilson, N. C.
Mr. Kitchin; Committee on Public Buildings and Grounds, 3245.

H. R. 15908—For the erection of a post-office building at Rutherfordton, N. C.
Mr. Weaver; Committee on Public Buildings and Grounds, 3245.

H. R. 15909—Granting an increase of pension to John Devine.
Mr. Claypool; Committee on Invalid Pensions, 3246.

H. R. 15910—Granting a pension to Abigail Merriman.
Mr. Emerson; Committee on Invalid Pensions, 3246.

H. R. 15911—Granting a pension to Mrs. Edward McLaughlin.
Mr. Emerson; Committee on Pensions, 3246.

H. R. 15912—Granting an increase of pension to Richard J. Fanning.
Mr. Emerson; Committee on Pensions, 3246.

H. R. 15913—Granting a pension to Melville C. Sullivan.
Mr. Hawley; Committee on Invalid Pensions, 3246.

H. R. 15914—Granting an increase of pension to Gilbert G. Harris.
Mr. Lunn; Committee on Pensions, 3246.

H. R. 15915—Authorizing the Secretary of War to donate to the city of Arkansas City, Kans., one German cannon or fieldpiece.
Mr. Campbell of Kansas; Committee on Military Affairs, 3318.

H. R. 15916—Authorizing the Secretary of War to donate to the village of Toronto, Jefferson County, Ohio, one German cannon or fieldpiece.
Mr. Hollingsworth; Committee on Military Affairs, 3318.

H. R. 15917—For the purchase of a site for and the erection of a post-office building, courthouse, and other Government offices at Spartanburg, S. C.
Mr. Nicholls of South Carolina; Committee on Public Buildings and Grounds, 3318.

H. R. 15918—Authorizing and directing the Secretary of War to cause survey to be made of the Trinity River and its tributaries in Texas, with a view to controlling the flood waters of said stream, and for other purposes.
Mr. Sumners; Committee on Flood Control, 3318.

H. R. 15919—To provide for the erection of a public building at Rockingham, N. C.
Mr. Robinson; Committee on Public Buildings and Grounds, 3318.

H. R. 15920—Authorizing the Secretary of War to donate to the village of Grand Rapids, Minn., one German cannon or fieldpiece.
Mr. Miller of Minnesota; Committee on Military Affairs, 3318.

H. R. 15921—Donating a captured German cannon and cannon balls to the city of Nortonville, Kans.
Mr. Anthony; Committee on Military Affairs, 3318.

H. R. 15922—To provide for furnishing information with respect to shares of stock offered to the public, and prescribing penalties.
Mr. Taylor of Colorado; Committee on the Judiciary, 3318.

H. R. 15923—To provide for the erection of a public building at Murray, Ky.
Mr. Barkley; Committee on Public Buildings and Grounds, 3318.

H. R. 15924—For the erection of a public building at Hickman, Ky.
Mr. Barkley; Committee on Public Buildings and Grounds, 3318.

H. R. 15925—Authorizing the Secretary of War to donate to the city of New York, Borough of Brooklyn, one German cannon or fieldpiece.
Mr. Delaney; Committee on Military Affairs, 3318.

H. R. 15926—Authorizing the Secretary of War to donate to the village of Rankin, Ill., one German cannon or fieldpiece.
Mr. Cannon; Committee on Military Affairs, 3318.

H. R. 15927—Authorizing the Secretary of War to donate to the town of Wingate, county of Montgomery, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 3318.

H. R. 15928—Providing for cooperation between the United States and State governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes.
Mr. Taylor of Colorado; Committee on Irrigation of Arid Lands, 3318.

H. R. 15929—For the extension, remodeling, and reconstruction of the present Federal building at Savannah, Ga.
Mr. Overstreet; Committee on Public Buildings and Grounds, 3318.

H. R. 15930—Authorizing the Secretary of War to donate to the borough of Norristown, Pa., one German cannon or fieldpiece.
Mr. Watson of Pennsylvania; Committee on Military Affairs, 3318.

H. R. 15931—Granting an increase of pension to George W. Hook.
Mr. Knutson; Committee on Pensions, 3319.

H. R. 15932—To donate one captured cannon or fieldpiece to the village of Annandale, Minn.
Mr. Schall; Committee on Military Affairs, 3405.

H. R. 15933—To donate one captured cannon or gun to the village of Anoka, Minn.
Mr. Schall; Committee on Military Affairs, 3405.

H. R. 15934—To donate one captured cannon or fieldpiece to the village of Lindstrom, Minn.
Mr. Schall; Committee on Military Affairs, 3405.

H. R. 15935—To donate one captured machine gun to the village of Ogilvie, Minn.
Mr. Schall; Committee on Military Affairs, 3405.

H. R. 15936—To provide for the construction, maintenance, and improvement of a system of national interstate roads.
Mr. Denton; Committee on Roads, 3405.

H. R. 15937—Authorizing the Secretary of War to donate to the city of Fredonia, Kans., one German cannon or fieldpiece.
Mr. Campbell of Kansas; Committee on Military Affairs, 3405.

H. R. 15938—To provide for the purchase of a site for a public building at Bloomsburg, Pa.
Mr. Lesher; Committee on Public Buildings and Grounds, 3405.

H. R. 15939—Authorizing the Secretary of War to donate to the borough of Mifflinville, county of Columbia, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war.
Mr. Lesher; Committee on Military Affairs, 3405.

H. R. 15940—Authorizing the Secretary of War to donate to the city of Bordentown, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 3405.

H. R. 15941—Authorizing the Secretary of War to donate to the city of Egg Harbor, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 3405.

H. R. 15942—Authorizing the acquisition of a site for a public building at Red Lion, Pa.
Mr. Brodbeck; Committee on Public Buildings and Grounds, 3405.

H. R. 15943—Authorizing the Secretary of War to donate to the town of Owendale, Mich., two German cannons or fieldpieces.
Mr. Cramton; Committee on Military Affairs, 3405.

H. R. 15944—Authorizing the Secretary of War to donate to the city of Council Grove, Kans., one German cannon or fieldpiece.
Mr. Doolittle; Committee on Military Affairs, 3405.

H. R. 15945—To promote the administration of military justice by amending existing laws regulating trials by courts-martial, and for other purposes.
Mr. Johnson of South Dakota; Committee on Military Affairs, 3405.

H. R. 15946—To provide for a modification of the time calendar now in general use in the United States.
Mr. Schall; Committee on Interstate and Foreign Commerce, 3405.

H. R. 15947—Authorizing the Secretary of War to donate to the borough of East Pittsburgh, in the State of Pennsylvania, one German cannon or fieldpiece.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 3405.

H. R. 15948—To authorize mining on Indian reservations.
Mr. Hayden; Committee on Indian Affairs, 3405.

H. R. 15949—Authorizing the Secretary of War to donate to the city of Richmond, Va., a captured German cannon or field gun and carriage.
Mr. Montague; Committee on Military Affairs, 3405.

H. R. 15950—Granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River.
Mr. Kitchin; Committee on Interstate and Foreign Commerce, 3405.—Reported with amendment (H. Rept. 1120), 4010.—Passed House, 4051.—Referred to Senate Committee on Commerce, 4115.—Reported back (S. Rept. 762) and passed Senate, 4206.—Examined and signed, 4331, 4385.—Approved [Public, No. 320], 4772.

H. R. 15951—Prohibiting the issuance of papers of declaration of intention to become citizens or final papers of citizenship to certain aliens who claimed exemption from military service in the present war.
Mr. Lufkin; Committee on Immigration and Naturalization, 3405.

H. R. 15952—To donate eight captured cannons or fieldpieces to the city of Minneapolis, Minn.
Mr. Schall; Committee on Military Affairs, 3405.

H. R. 15953—Authorizing the Secretary of War to donate to the town of Thorntown, county of Boone, State of Indiana, one German cannon or fieldpiece.
Mr. Purnell; Committee on Military Affairs, 3405.

H. R. 15954—To authorize the appointment of an American battlefield commission.
Mr. Sherwood; Committee on Military Affairs, 3405.

H. R. 15955—Authorizing the donation of German cannons to the city of Cartersville, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15956—Authorizing the donation of German cannons to the city of Buchanan, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15957—Authorizing the donation of German cannons to the city of Chatsworth, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15958—Authorizing the donation of German cannons to the city of Marietta, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15959—Authorizing the donation of German cannons to the city of Trenton, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15960—Authorizing the donation of German cannons to the city of Dallas, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15961—Authorizing the donation of German cannons to the city of La Fayette, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15962—Authorizing the donation of German cannons to the city of Summerville, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15963—Authorizing the donation of German cannons to the city of Rome, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15964—Authorizing the donation of German cannons to the city of Calhoun, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15965—Authorizing the donation of German cannons to the city of Dalton, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15966—Authorizing the donation of German cannons to the city of Ringgold, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15967—Authorizing the donation of German cannons to the city of Cedartown, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15968—Authorizing the donation of a Civil War cannon to the city of Menlo, Ga.
Mr. Lee of Georgia; Committee on Military Affairs, 3405.

H. R. 15969—Authorizing the Secretary of War to donate to the borough of Shippensburg, Pa., one German cannon or fieldpiece.
Mr. Kreider; Committee on Military Affairs, 3405.

H. R. 15970—Authorizing the Secretary of War to donate to the borough of Middletown, Pa., one German cannon or fieldpiece.
Mr. Kreider; Committee on Military Affairs, 3405.

H. R. 15971—Authorizing the Secretary of War to donate to the borough of Mechanicsburg, Pa., one German cannon or fieldpiece.
Mr. Kreider; Committee on Military Affairs, 3415.

H. R. 15972—Authorizing the Secretary of War to donate to the borough of Millersburg, Pa., one German cannon or fieldpiece.
Mr. Kreider; Committee on Military Affairs, 3406.

H. R. 15973—Authorizing the Secretary of War to donate to the city of Harrisburg, Pa., one German cannon or fieldpiece.
Mr. Kreider; Committee on Military Affairs, 3406.

H. R. 15974—Authorizing the Secretary of War to donate to the city of Carlisle, Pa., one German cannon or fieldpiece.
Mr. Kreider; Committee on Military Affairs, 3406.

H. R. 15975—Authorizing the Secretary of War to donate to the city of Lebanon, Pa., one German cannon or fieldpiece.
Mr. Kreider; Committee on Military Affairs, 3406.

H. R. 15976—Authorizing the Secretary of War to donate to the borough of Hummelstown, Pa., one German cannon or fieldpiece.
Mr. Kreider; Committee on Military Affairs, 3406.

H. R. 15977—To donate one captured gun each to various Minnesota villages.
Mr. Schall; Committee on Military Affairs, 3406.

H. R. 15978—Granting an increase of pension to John W. Bennett.
Mr. Lunn; Committee on Invalid Pensions, 3406.

H. R. 15979—Making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes.
Mr. Byrns of Tennessee, from the Committee on Appropriations (H. Rept. 1069), 3404.—Debated, 3791–3817.—Amended and passed House, 3817.—Referred to Senate Committee on Appropriations, 3823.—Reported with amendments (S. Rept. 750), 4019.—Debated, amended, and passed Senate, 4333, 4334.—House concurs in Senate amendments, 4642.—Examined and signed, 4855, 5082.—Approved [Public, No. 327], 5084.

H. R. 15980—To amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel."
Mr. Sanders of Louisiana; Committee on Agriculture, 3510.

H. R. 15981—To allow certain sums to soldiers, sailors, and marines who were injured in the line of duty.
Mr. Emerson; Committee on Interstate and Foreign Commerce, 3510.

H. R. 15982—Authorizing the Secretary of War to donate to the town of Monticello, Iowa, one German cannon or fieldpiece.
Mr. Good; Committee on Military Affairs, 3510.

H. R. 15983—To abolish the Bureau of the Comptroller of the Currency and the office of Comptroller of the Currency, and authorizing the Federal Reserve Board to perform the duties thereof.
Mr. McFadden; Committee on Banking and Currency, 3510.—Debated, 3451.

H. R. 15984—Authorizing the Secretary of War to donate to the city of Opelika, Ala., two cannons or fieldpieces
Mr. Steagall; Committee on Military Affairs, 3510.

H. R. 15985—Authorizing the Secretary of War to donate to the village of Southampton, N. Y., one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 3510.

H. R. 15986—To incorporate the Mothers of Democracy of the United States of America.
Mr. Morin; Committee on the District of Columbia, 3510.

H. R. 15987—To increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; and to authorize the purchase of sites for certain public buildings, and for other purposes.
Mr. Clark of Florida, from Committee on Public Buildings and Grounds (H. Rept. 1070), 3510.

H. R. 15988—Authorizing the Secretary of War to donate to the borough of Park Ridge, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 3510.

H. R. 15989—Authorizing the Secretary of War to donate to the town of Blairstown, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 3510.

H. R. 15990—Authorizing and directing the Secretary of War to make certain donations of cannons and ordnance to designated towns and cities.
Mr. Romjue; Committee on Military Affairs, 3510.

H. R. 15991—Authorizing the Secretary of War to donate to the Oakland City College, at Oakland City, Ind., two German cannons or fieldpieces.
Mr. Denton; Committee on Military Affairs, 3510.

H. R. 15992—Authorizing the Secretary of War to donate to the Evansville College, at Evansville, Ind., two German cannons or fieldpieces.
Mr. Denton; Committee on Military Affairs, 3510.

H. R. 15993—Providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes.
Mr. Taylor of Colorado; Committee on Irrigation of Arid Lands, 3510.—Reported back (H. Rept. 1081), 3631.

H. R. 15994—For the promotion and retirement of Lieut. Col. Samuel R. Jones, Quartermaster Corps, United States Army.
Mr. Ward; Committee on Military Affairs, 3511.

H. R. 15995—Authorizing the Secretary of War to donate to the city of Cando, N. Dak., one German cannon or fieldpiece.
Mr. Baer; Committee on Military Affairs, 3510.

H. R. 15996—Authorizing the Secretary of War to donate to the town of Kindred, N. Dak., one German cannon or fieldpiece.
Mr. Baer; Committee on Military Affairs, 3510.

H. R. 15997—Authorizing the Secretary of War to donate to the city of Kalamazoo, Mich., one German cannon or fieldpiece.
Mr. Smith of Michigan; Committee on Military Affairs, 3631.

H. R. 15998—Authorizing the Secretary of War to donate to the town of Homer, Mich., one German cannon or fieldpiece.
Mr. Smith of Michigan; Committee on Military Affairs, 3631.

H. R. 15999—Authorizing the Secretary of War to donate to the city of Eaton Rapids, Mich., one German cannon or fieldpiece.
Mr. Smith of Michigan; Committee on Military Affairs, 3631.

H. R. 16000—Authorizing the Secretary of War to donate to the town of Corunna, county of DeKalb, State of Indiana, one German cannon or fieldpiece.
Mr. Fairfield; Committee on Military Affairs, 3631.

H. R. 16001—Authorizing the Secretary of War to donate to the village of Loyal, Wis., one German cannon or fieldpiece.
Mr. Esch; Committee on Military Affairs, 3631.

H. R. 16002—Donating captured cannons to the cities of Rosedale, Bonner Springs, Osawatomie, Pleasanton, Bronson, Louisburg, Kansas City, Kans., and the University of Kansas, in the State of Kansas.
Mr. Little; Committee on Military Affairs, 3631.

H. R. 16003—Donating captured cannons to the the counties of Allen, Anderson, Bourbon, Douglas, Franklin, Johnson, Linn, Miami, and Wyandotte, in the State of Kansas.
Mr. Little; Committee on Military Affairs, 3631.

H. R. 16004—To amend sections 9 and 19 of the Federal reserve act.
Mr. Moon; Committee on Banking and Currency, 3631.

H. R. 16005—Authorizing the Secretary of War to donate to the borough of Port Vue, in the State of Pennsylvania, one German cannon or fieldpiece.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 3631.

H. R. 16006—To provide for the creation and establishment of a war museum commission.
Mr. Hardy; Committee on Appropriations, 3631.

H. R. 16007—Authorizing the Secretary of War to donate to the village of Chisholm, Minn., one German cannon or fieldpiece.
Mr. Miller of Minnesota; Committee on Military Affairs, 3631.

H. R. 16008—Authorizing the Secretary of War to donate to the North Carolina State Normal and Industrial College two German cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Stedman; Committee on Military Affairs, 3631.

H. R. 16009—Authorizing the Secretary of War to donate to the Greensboro College for Women, at Greensboro, N. C., two German cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Stedman; Committee on Military Affairs, 3631.

H. R. 16010—Authorizing the Secretary of War to donate to Fort Washington war service honor roll committee of New York City one German cannon or fieldpiece.
Mr. Donovan; Committee on Military Affairs, 3631.

H. R. 16011—Authorizing the Secretary of War to donate to the town of Edgewood, Pa., one American cannon or fieldpiece.
Mr. Garland; Committee on Military Affairs, 3631.

H. R. 16012—To amend sections 2237 and 2240 of the Revised Statutes of the United States.
Mr. Kettner; Committee on Public Lands, 3631.

H. R. 16013—Authorizing the Secretary of War to donate condemned cannon and cannon balls to the village of Milford Center, Ohio.
Mr. Fess; Committee on Military Affairs, 3631.

H. R. 16014—For the relief of Samuel H. Butler.
Mr. Carter of Oklahoma; Committee on Claims, 3632.

H. R. 16015—Granting an increase of pension to Henry Quint.
Mr. Hersey; Committee on Invalid Pensions, 3632.

H. R. 16016—Providing additional aid for the American Printing House for the Blind.
Mr. Sherley; Committee on Education, 3631.—Reported back (H. Rept. 1128), 4198.

H. R. 16017—To expel and exclude from the United States certain undesirable aliens.
Mr. Burnett; Committee on Immigration and Naturalization, 3631.—Reported back (H. Rept. 1093), 3818.

H. R. 16018—To donate one captured cannon or gun to the village of Monticello, Minn.
Mr. Schall; Committee on Military Affairs, 3631.

H. R. 16019—Directing delivery of State war-service records to the States requesting same.
Mr. Jones; Committee on Military Affairs, 3631.

H. R. 16020—To supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved Mar. 21, 1918.
Mr. Sherley, from Committee on Appropriations (H. Rept. 1083), 3737.—Debated, 3867–3901, 3937 (Appendix, 160).—Amended and passed House, 3901, 3937, 3938.—Referred to Senate Committee on Appropriations, 3910.

H. R. 16021—To authorize the sale of certain lands at or near Minidoka, Idaho, for railroad purposes.
Mr. Smith of Idaho; Committee on the Public Lands, 3738.

H. R. 16022—Authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, and the town of Silver City, N. Mex.
Mr. Walton; Committee on the Public Lands, 3738.

H. R. 16023—Authorizing and directing the Secretary of the Interior to cause investigations to be made of the Colorado River as to the beneficial uses of its waters, and for other purposes.
Mr. Kettner; Committee on Flood Control, 3738.

H. R. 16024—To provide a commission to secure plans and designs for an arch to be erected in the city of Washington, D. C., to be known as "a national arch of triumph," to commemorate freedom to the world and the heroes and events of the Great War.
Mr. Clark of Florida; Committee on the Library, 3738.—Committee on the Library discharged and referred to the Committee on Public Buildings and Grounds, 3866.

H. R. 16025—To improve the birthplace of Gen. George Washington.
Mr. Cary; Committee on Appropriations, 3738.

H. R. 16026—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the village of Shelby, Ohio.
Mr. Ashbrook; Committee on Military Affairs, 3738.

H. R. 16027—To provide for the purchase of a site and the erection of a public building thereon at Bridgeport, in the State of Connecticut.
Mr. Merritt; Committee on Public Buildings and Grounds, 3738.

H. R. 16028—Authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the city of Howard, Kans.
Mr. Campbell of Kansas; Committee on Military Affairs, 3738.

H. R. 16029—Authorizing the Secretary of War to donate to the city of Thayer, Kans., a captured German cannon or fieldpiece.
Mr. Campbell of Kansas; Committee on Military Affairs, 3738.

H. R. 16030—Providing for the purchase of a site and the erection thereon of a public building at Princeton, N. J.
Mr. Hutchinson; Committee on Public Buildings and Grounds, 3738.

H. R. 16031—Authorizing the Secretary of War to deliver to the city of Batavia, Ill., one cannon or fieldpiece, with carriage, captured from the German Army in the recent war, together with a suitable number of shells.
Mr. Copley; Committee on Military Affairs, 3738.

H. R. 16032—Making appropriation for combating and suppressing influenza and allied diseases in the United States of America and its possessions, and to conduct investigation and experimental work in such territory with a view of discovering the cause of, a cure for, and the mode of transmission of such diseases.
Mr. Larsen; Committee on Interstate and Foreign Commerce, 3738.

H. R. 16033—Authorizing the Secretary of War to donate to the village of Markesan, Wis., one German cannon or fieldpiece.
Mr. Lampert; Committee on Military Affairs, 3738.

H. R. 16034—Authorizing the Secretary of War to donate to the Alonzo Palmer Post; No. 170, Department of Wisconsin, Grand Army of the Republic, for use in the military division of the Greenwood Cemetery, Superior, Wis., one medium cannon or fieldpiece, together with a sufficient number of cannon balls to form a pyramid.
Mr. Adolphus P. Nelson; Committee on Military Affairs, 3738.

H. R. 16035—Authorizing the Secretary of War to donate to the city of Garden City, in the county of Finney and State of Kansas, two German cannons or fieldpieces.
Mr. Shouse; Committee on Military Affairs, 3818.

H. R. 16036—To amend section 2, title 12, of an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, and for other purposes.
Mr. Little; Committee on the Judiciary, 3818.

H. R. 16037—To amend section 227 (a) of the revenue act of 1918 and extending the date for completing returns under said act.
Mr. Snyder; Committee on Ways and Means, 3818.

H. R. 16038—To repeal the daylight-saving law.
Mr. King; Committee on Interstate and Foreign Commerce, 3818.

H. R. 16039—To repeal the so-called daylight-saving law.
Mr. Doolittle; Committee on Interstate and Foreign Commerce, 3818.

H. R. 16040—To provide a commission to secure plans and designs for an arch to be erected in the city of Chicago, Ill., to be known as "a national arch of triumph," to commemorate freedom to the world and the heroes and events of the Great War.
Mr. John W. Rainey; Committee on the Library, 3818.

H. R. 16041—Authorizing the Secretary of War to donate to the district of Lawrence, comprising Cedarhurst, Woodmere, Hewlett, Inwood, and Lawrence, in the State of New York, one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 3818.

H. R. 16042—To authorize the Commissioner of Navigation to change the names of vessels.
Mr. Alexander; Committee on the Merchant Marine and Fisheries, 3819.

H. R. 16043—To enable the Secretary of Agriculture to carry out during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," and for other purposes.
Mr. Gallivan; Committee on Agriculture, 3819.

H. R. 16044—For the relief of Henry Buck.
Miss Rankin; Committee on Military Affairs, 3819.

H. R. 16045—For the relief of Amos Buck.
Miss Rankin; Committee on Military Affairs, 3819.

H. R. 16046—Granting a pension to Theresa Arnold.
Miss Rankin; Committee on Pensions, 3819.

H. R. 16047—To donate one captured cannon or fieldpiece to the village of Tippecanoe, Miami County, Ohio.
Mr. Welty; Committee on Military Affairs, 3819.

H. R. 16048—Authorizing the Secretary of War to donate to Oberlin, Kans., one German cannon or fieldpiece.
Mr. Connelly of Kansas; Committee on Military Affairs, 3901.

H. R. 16049—Authorizing the Secretary of War to donate to Colby, Kans., one German cannon or fieldpiece.
Mr. Connelly of Kansas; Committee on Military Affairs, 3901.

H. R. 16050—Authorizing the Secretary of War to donate to the city of Earlville, Ill., one German cannon or fieldpiece.
Mr. Fuller of Illinois; Committee on Military Affairs, 3901.

H. R. 16051—Authorizing the Secretary of War to donate to the town of Sandusky, Mich., two German cannons or fieldpieces.
Mr. Cramton; Committee on Military Affairs, 3901.

H. R. 16052—Authorizing the Secretary of War to donate to each of the cities and towns of Creston, Mount Ayr, Corning, Lenox, Lorimor, Lamoni, Afton, Corydon, Seymour, and Osceola, Iowa, one German cannon or fieldpiece.
Mr. Towner; Committee on Military Affairs, 3901.

H. R. 16053—Authorizing the Secretary of War to donate to the city of Winnetka, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 3901.

H. R. 16054—Authorizing the Secretary of War to donate to the city of Waukegan, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 3901.

H. R. 16055—Authorizing the Secretary of War to donate to the city of Evanston, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 3901.

H. R. 16056—Authorizing the Secretary of War to donate to the city of Kenilworth, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 3901.

H. R. 16057—Authorizing the Secretary of War to donate to the city of Highland Park, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 3901.

H. R. 16058—Authorizing the Secretary of War to donate to the city of Lake Forest, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 3901.

H. R. 16059—Authorizing the Secretary of War to donate to the city of Highwood, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 3901.

H. R. 16060—Authorizing the Secretary of War to donate to the Jamaica welcome and memorial committee, of Jamaica, Long Island, N. Y., one German cannon or fieldpiece.
Mr. Caldwell; Committee on Military Affairs, 3901.

H. R. 16061—Authorizing the Secretary of War to donate to the city of Owenton, Ky., two German cannons or fieldpieces.
Mr. Cantrill; Committee on Military Affairs, 3901.

H. R. 16062—To repeal the daylight-saving law.
Mr. Lever; Committee on Interstate and Foreign Commerce, 3901.

H. R. 16063—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Rock Island, Ill.
Mr. Graham of Illinois; Committee on Military Affairs, 3901.

H. R. 16064—Authorizing the Secretary of War to donate to the cities of Saluda, Edgefield, Aiken, Barnwell, Bamberg, Hampton, Allendale, Ridgeland, and Beaufort, S. C., one German cannon or fieldpiece each.
Mr. Byrnes of South Carolina; Committee on Military Affairs, 3901.

H. R. 16065—Donating a captured German cannon or field gun and carriage to the city of West Lebanon, Ind.
Mr. Wood of Indiana; Committee on Military Affairs, 3901.

H. R. 16066—To amend an act entitled "An act to authorize exploration for and disposition of coal, phosphate, oil, oil shales, or gas."
Mr. Watkins; Committee on the Public Lands, 3901.

H. R. 16067—Granting an increase of pension to George W. Doney.
Mr. Hawley; Committee on Pensions, 3902.

H. R. 16068—For the relief of John Boone.
Mr. Hood; Committee on Claims, 3902.

H. R. 16069—Authorizing and directing the Secretary of War to construct a military road between the city of Baxter Springs, Kans., and the national cemetery near that city and making an appropriation to cover cost of same.
Mr. Campbell of Kansas; Committee on Military Affairs, 4010.

H. R. 16070—To prepare for enforcement of Article XVIII of the Constitution of the United States, and to amend section 2, title 12, of an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, and for other purposes.
Mr. Little; Committee on the Judiciary, 4010.

H. R. 16071—To reimburse soldiers and sailors of the Army and Navy of the United States for amounts deducted from their pay in payment for their insurance by the Government.
Mr. Little; Committee on Military Affairs, 4010.

H. R. 16072—Authorizing the Secretary of War to donate to the Crawford County Fair, at Cuba, Mo., two German cannons or fieldpieces.
Mr. Rubey; Committee on Military Affairs, 4010.

H. R. 16073—Authorizing the Secretary of War to donate to the city of Eureka, Kans., one German cannon or fieldpiece.
Mr. Doolittle; Committee on Military Affairs, 4010.

H. R. 16074—Authorizing the Secretary of War to donate to the Borough of The Bronx, New York City, two German cannons or fieldpieces of artillery, to be used for decorative purposes.
Mr. Griffin; Committee on Military Affairs, 4010.

H. R. 16075—Directing the Secretary of the Navy to grant an honorable discharge to Edward M. Lawler.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16076—Directing the Secretary of the Navy to grant an honorable discharge to Claude S. Sopers.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16077—Directing the Secretary of the Navy to grant an honorable discharge to Kenneth S. Brush.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16078—Directing the Secretary of the Navy to grant an honorable discharge to William F. Seaman.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16079—Directing the Secretary of the Navy to grant an honorable discharge to Henry C. Brengel.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16080—Directing the Secretary of the Navy to grant an honorable discharge to Albert W. Humm.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16081—Directing the Secretary of the Navy to grant an honorable discharge to A. Longan Thome.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16082—Directing the Secretary of the Navy to grant an honorable discharge to George Dedrick Van Aken.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16083—Directing the Secretary of the Navy to grant an honorable discharge to Otis Palmer.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16084—Directing the Secretary of the Navy to grant an honorable discharge to Arthur G. Mullin.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16085—Directing the Secretary of the Navy to grant an honorable discharge to Thomas Lawler.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16086—Directing the Secretary of War to grant an honorable discharge to Harry Berkowitz.
Mr. Hicks; Committee on Military Affairs, 4010.

H. R. 16087—Directing the Secretary of War to grant an honorable discharge to Leland J. Muir.
Mr. Hicks; Committee on Military Affairs, 4010.

H. R. 16088—Directing the Secretary of War to grant an honorable discharge to William Lawler.
Mr. Hicks; Committee on Military Affairs, 4010.

H. R. 16089—Directing the Secretary of War to grant an honorable discharge to Percy P. Hall.
Mr. Hicks; Committee on Military Affairs, 4010.

H. R. 16090—Directing the Secretary of War to grant an honorable discharge to Anthony B. Weiden.
Mr. Hicks; Committee on Military Affairs, 4010.

H. R. 16091—Directing the Secretary of War to grant an honorable discharge to Joseph M. King.
Mr. Hicks; Committee on Military Affairs, 4010.

H. R. 16092—Directing the Secretary of War to grant an honorable discharge to John H. Mullen.
Mr. Hicks; Committee on Military Affairs, 4010.

H. R. 16093—Directing the Secretary of War to grant an honorable discharge to Hugh Lee.
Mr. Hicks; Committee on Military Affairs, 4010.

H. R. 16094—Directing the Secretary of War to grant an honorable discharge to Arthur H. Andrews.
Mr. Hicks; Committee on Military Affairs, 4010.

H. R. 16095—Directing the Secretary of the Navy to grant an honorable discharge to Harry S. Seaman.
Mr. Hicks; Committee on Naval Affairs, 4010.

H. R. 16096—Authorizing the Secretary of War to donate to the city of Wilmette, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 4010.

H. R. 16097—Authorizing the Secretary of War to donate to the city of Grays Lake, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 4010.

H. R. 16098—Authorizing the Secretary of War to donate to the city of Antioch, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 4011.

H. R. 16099—Authorizing the Secretary of War to donate to the city of Wanconda, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 4011.

H. R. 16100—Authorizing the Secretary of War to donate to the city of Libertyville, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 4011.

H. R. 16101—Authorizing the Secretary of War to donate to the city of Zion, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 4011.

H. R. 16102—Authorizing the Secretary of War to donate to the city of Glencoe, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 4011.

H. R. 16103—Authorizing the Secretary of War to donate to the city of North Chicago, Ill., one German cannon or fieldpiece.
Mr. Foss; Committee on Military Affairs, 4011.

H. R. 16104—Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.
Mr. Byrnes of South Carolina, from Committee on Appropriations (H. Rept. 1117), 3982.—Debated, 4056–4077, 4150–4197, 4351–4385, 4643–4673 (Appendix, 213).—Amended and passed House, 4673.—Referred to Senate Committee on Appropriations, 4682.

H. R. 16105—Authorizing the Secretary of War to donate to the village of Bayshore, N. Y., one German cannon or fieldpiece.
Mr. Hicks; Committee on Military Affairs, 4011.

H. R. 16106—Directing the Secretary of War to discharge Raymond M. Lester.
Mr. Hicks; Committee on Military Affairs, 4011.

H. R. 16107—Authorizing the Secretary of War to donate to the city of Elmira, N. Y., one German cannon or fieldpiece, to be placed in the city park.
Mr. Pratt; Committee on Military Affairs, 4011.

H. R. 16108—Authorizing the Secretary of War to donate to the city of Ithaca, N. Y., one German cannon or fieldpiece, to be placed on a site selected by the city.
Mr. Pratt; Committee on Military Affairs, 4011.

H. R. 16109—Authorizing the Secretary of War to donate to the city of Corning, N. Y., two German cannons or fieldpieces, one to be placed in Court House Park and the other in Denison Park.
Mr. Pratt; Committee on Military Affairs, 4011.

H. R. 16110—Authorizing the Secretary of War to donate 100 olive-drab wool uniforms and 100 rifles to Millport, N. Y., Camp No. 24, Sons of Veterans, to be used on patriotic occasions.
Mr. Pratt; Committee on Military Affairs, 4011.

H. R. 16111—Authorizing the Secretary of War to donate to the village of Spencer, N. Y., one German cannon or fieldpiece, to be placed in the city park.
Mr. Pratt; Committee on Military Affairs, 4011.

H. R. 16112—Authorizing the Secretary of War to donate to the village of Avoca, N. Y., one German cannon or fieldpiece, to be placed in the village park.
Mr. Pratt; Committee on Military Affairs, 4011.

H. R. 16113—Authorizing the Secretary of War to donate to the State of Connecticut the 220-millimeter fieldpiece captured by the Twenty-sixth Division during the second battle of the Marne.
Mr. Lonergan; Committee on Military Affairs, 4011.

H. R. 16114—Authorizing the Secretary of War to donate to the borough of Dallastown, York County, Pa., one cannon or fieldpiece, with carriage, with suitable number of shells.
Mr. Brodbeck; Committee on Military Affairs, 4011.

H. R. 16115—Granting an increase of pension to Henry E. Hubbell.
Mr. Campbell of Kansas; Committee on Invalid Pensions, 4011.

H. R. 16116—Granting a pension to George H. Haverkate.
Mr. McLaughlin of Michigan; Committee on Pensions, 4011.

H. R. 16117—Granting a pension to Zora Hockman.
Mr. Sanders of Indiana; Committee on Invalid Pensions, 4011.

H. R. 16118—Granting an increase of pension to James E. Cline.
Mr. Sanders of Indiana; Committee on Invalid Pensions, 4011.

H. R. 16119—Granting an increase of pension to Zalman Ruddell.
Mr. Sanders of Indiana; Committee on Invalid Pensions, 4011.

H. R. 16120—Granting an increase of pension to Eli E. Hann.
Mr. Sanders of Indiana; Committee on Invalid Pensions, 4011.

H. R. 16121—Granting an increase of pension to Alfred Woodrum.
Mr. Sanders of Indiana; Committee on Invalid Pensions, 4011.

H. R. 16122—Granting an increase of pension to Ambrose S. Uselman.
Mr. Sanders of Indiana; Committee on Invalid Pensions, 4011.

H. R. 16123—For the relief of Milton B. Huffman.
Mr. Vestal; Committee on the Post Office and Post Roads, 4011.

H. R. 16124—Authorizing the Secretary of War to donate to the town of Fairmount, Ind., one German cannon or fieldpiece.
Mr. Kraus; Committee on Military Affairs, 4011.

H. R. 16125—To authorize the acquisition of a site and the erection thereon of a Federal building at Wharton, Tex.
Mr. McLemore; Committee on Public Buildings and Grounds, 4079.

H. R. 16126—Authorizing the Secretary of War to donate to the town of Murrayville, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 4079.

H. R. 16127—Authorizing the Secretary of War to donate to the town of Hardin, Ill., one German cannon or fieldpiece.
Mr. Henry T. Rainey; Committee on Military Affairs, 4079.

H. R. 16128—Authorizing the county of Beltrami, Minn., to construct a bridge across the Mississippi River.
Mr. Knutson; Committee on Interstate and Foreign Commerce, 4079.

H. R. 16129—To increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; and to authorize the purchase of sites for certain public buildings, and for other purposes.
Mr. Clark of Florida; Committee on Public Buildings and Grounds, 4079.—Reported back (H. Rept. 1133), 4198.

H. R. 16130—Authorizing the Secretary of War to donate to the village of Cape Vincent, N. Y., one German cannon or fieldpiece.
Mr. Mott; Committee on Military Affairs, 4079.

H. R. 16131—Authorizing the Secretary of War to donate to the town of Grant, Mich., one German cannon or fieldpiece.
Mr. McLaughlin of Michigan; Committee on Military Affairs, 4079.

H. R. 16132—Authorizing the Secretary of War to donate to the town of Whitehall, Mich., one German cannon or fieldpiece.
Mr. McLaughlin of Michigan; Committee on Military Affairs, 4079.

H. R. 16133—Authorizing the Secretary of War to donate to the town of White Cloud, Mich., one German cannon or fieldpiece.
Mr. McLaughlin of Michigan; Committee on Military Affairs, 4079.

H. R. 16134—Authorizing the Secretary of War to donate to the town of Hart, Mich., one German cannon or fieldpiece.
Mr. McLaughlin of Michigan; Committee on Military Affairs, 4079.

H. R. 16135—Authorizing the Secretary of War to donate to Bedford village, N. Y., one German cannon or fieldpiece.
Mr. Husted; Committee on Military Affairs, 4079.

H. R. 16136—To amend the Liberty bond acts and the War Finance Corporation act, and for other purposes.
Mr. Kitchin; Committee on Ways and Means, 4079.—Reported back (H. Rept. 1131), 4167.—Debated, 4267–4299, 4335–4344.—Amended and passed House, 4299, 4342–4344.—Referred to Senate Committee on Finance, 4331.—Reported back (S. Rept. 786), 4519.—Debated, 4706, 4718–4756.—Passed Senate, 4756.—Examined and signed, 4855, 5082.—Approved [Public, No. 328], 5084.

H. R. 16137—To provide for the entry under bond of exhibits of arts, sciences, and industries.
Mr. Benjamin L. Fairchild; Committee on Ways and Means, 4198.—Reported back (H. Rept. 1137), 4300.

H. R. 16138—Authorizing the Secretary of War to donate to the city of Battle Creek, Mich., one German cannon or fieldpiece.
Mr. Smith of Michigan; Committee on Military Affairs, 4198.

H. R. 16139—Authorizing the Secretary of War to donate to the city of Coldwater, Mich., one German cannon or fieldpiece.
Mr. Smith of Michigan; Committee on Military Affairs, 4198.

H. R. 16140—Authorizing the Secretary of War to donate to the town of Union City, Mich., one German cannon or fieldpiece.
Mr. Smith of Michigan; Committee on Military Affairs, 4198.

H. R. 16141—To provide for a referendum vote of the people of the United States on the proposed league of nations.
Mr. Lundeen; Committee on the Judiciary, 4198.

H. R. 16142—Providing for a review of the findings of general courts-martial convened during the war with Germany.
Mr. Hayden; Committee on Military Affairs, 4198.

H. R. 16143—Authorizing the Secretary of War to donate to the city of Cottonwood, Calif., two German cannons or fieldpieces with their accompaniments.
Mr. Raker; Committee on Military Affairs, 4198.

H. R. 16144—To provide relief for the producers of manganese, chrome, pyrites, or tungsten mined to supply the urgent needs of the Nation in the prosecution of the war.
Mr. Hayden; Committee on Mines and Mining, 4198.

H. R. 16145—Waiving the age limit for admission to the United States Naval Academy at Annapolis in the case of John E. Adkins.
Mr. Eagle; Committee on Naval Affairs, 4198.

H. R. 16146—Providing a penalty for those who wear or display medals of honor, decorations, etc., unless such medals or decorations were duly awarded them by military procedure.
Mr. Gould; Committee on the Judiciary, 4198.

H. R. 16147—Directing the Secretary of the Navy to grant an honorable discharge to Charles D. Uhl.
Mr. Hicks; Committee on Naval Affairs, 4198.

H. R. 16148—Directing the Secretary of War to grant an honorable discharge to Robert Zakin.
Mr. Hicks; Committee on Military Affairs, 4199.

H. R. 16149—Authorizing the Secretary of War to donate to the city of Starkville, Miss., two German cannons or fieldpieces.
Mr. Candler of Mississippi; Committee on Military Affairs, 4198.

H. R. 16150—Authorizing the Secretary of War to donate to the city of Macon, Miss., two German cannons or fieldpieces.
Mr. Candler of Mississippi; Committee on Military Affairs, 4198.

H. R. 16151—Authorizing the Secretary of War to donate to the city of Aberdeen, Miss., two German cannons or fieldpieces.
Mr. Candler of Mississippi; Committee on Military Affairs, 4198.

H. R. 16152—Authorizing the Secretary of War to donate to the city of Columbus, Miss., two German cannons or fieldpieces.
Mr. Candler of Mississippi; Committee on Military Affairs, 4198.

H. R. 16153—Authorizing the Secretary of War to donate to the city of Tupelo, Miss., two German cannons or fieldpieces.
Mr. Candler of Mississippi; Committee on Military Affairs, 4198.

H. R. 16154—Authorizing the Secretary of War to donate to the town of Fulton, Miss., two German cannons or fieldpieces.
Mr. Candler of Mississippi; Committee on Military Affairs, 4198.

H. R. 16155—Authorizing the Secretary of War to donate to the city of Booneville, Miss., two German cannons or fieldpieces.
Mr. Candler of Mississippi; Committee on Military Affairs, 4198.

H. R. 16156—Authorizing the Secretary of War to donate to the city of Corinth, Miss., two German cannons or fieldpieces.
Mr. Candler of Mississippi; Committee on Military Affairs, 4198.

H. R. 16157—Authorizing the Secretary of War to donate to the town of Iuka, Miss., two German cannons or fieldpieces.
Mr. Candler of Mississippi; Committee on Military Affairs, 4198.

H. R. 16158—Granting an increase of pension to Benjamin J. Schlusser.
Mr. Scott of Michigan; Committee on Invalid Pensions, 4199.

H. R. 16159—Authorizing and directing the Secretary of War to donate a captured German cannon to the city of Caney, Kans.
Mr. Campbell of Kansas; Committee on Military Affairs, 4198.

H. R. 16160—Authorizing the Secretary of War to donate to the cities of Brockton, Mass., and Quincy, Mass., each one German cannon or fieldpiece.
Mr. Olney; Committee on Military Affairs, 4301.

H. R. 16161—Authorizing the Secretary of War to donate to the towns of Dedham, Mass.; Randolph, Mass.; and Stoughton, Mass., each one German cannon or fieldpiece.
Mr. Olney; Committee on Military Affairs, 4301.

H. R. 16162—Authorizing the Secretary of War to donate to that part of the city of Boston known as Hyde Park, Mass., one German cannon or fieldpiece.
Mr. Olney; Committee on Military Affairs, 4301.

H. R. 16163—Authorizing the Secretary of War to donate to the towns of Easton, Mass.; Norwood, Mass.; and Canton, Mass., each one German cannon or fieldpiece.
Mr. Olney; Committee on Military Affairs, 4301.

H. R. 16164—Authorizing the Secretary of War to donate to the towns of Abington, Mass.; Foxboro, Mass.; and Sharon, Mass., each one German cannon of fieldpiece.
Mr. Olney; Committee on Military Affairs, 4301.

H. R. 16165—Authorizing the Secretary of War to donate to the city of Newton, in the State of North Carolina, two German cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Webb; Committee on Military Affairs, 4301.

H. R. 16166—Authorizing the Secretary of War to donate to the town of Abingdon, Ill., one German cannon or fieldpiece.
Mr. King; Committee on Military Affairs, 4301.

H. R. 16167—Directing the Secretary of War to grant an honorable discharge to Jerome Fribourg.
Mr. Hicks; Committee on Military Affairs, 4301.

H. R. 16168—Directing the Secretary of War to grant an honorable discharge to Lieut. G. S. Silliman.
Mr. Hicks; Committee on Military Affairs, 4301.

H. R. 16169—Directing the Secretary of War to grant an honorable discharge to John J. Blumberg.
Mr. Hicks; Committee on Military Affairs, 4301.

H. R. 16170—Authorizing the Secretary of War to donate to the city of Tuckahoe, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 4301.

H. R. 16171—Authorizing the Secretary of War to donate to the city of Riverside, N. J., one German cannon or fieldpiece.
Mr. Bacharach; Committee on Military Affairs, 4301.

H. R. 16172—To provide for raising, educating, and training annually officers sufficient for 25 reserve divisions, to organize and train annually 25 reserve divisions, and to provide for a higher military training for selected officers required for the Regular Army.
Mr. Tilson; Committee on Military Affairs, 4301.

H. R. 16173—Granting a pension to Rosa Fitzpatrick.
Mr. Bacharach; Committee on Invalid Pensions, 4301.

H. R. 16174—For the relief of Thomas F. Nicholas.
Mr. Caldwell; Committee on Military Affairs, 4301.

H. R. 16175—Granting a pension to Ella B. Dryden.
Mr. Denison; Committee on Pensions, 4301.

H. R. 16176—Granting a pension to Thirza M. Dolph.
Mr. Hawley; Committee on Pensions, 4301.

H. R. 16177—Granting a pension to Melville C. Sullivan.
Mr. Hawley; Committee on Invalid Pensions, 4301.

H. R. 16178—Granting an increase of pension to James H. Lockwood.
Mr. McCulloch; Committee on Invalid Pensions, 4301.

H. R. 16179—Donating a captured German cannon or field gun and carriage to the town of Canaan, Vt., for decorative purposes.
Mr. Dale; Committee on Military Affairs, 4301.

H. R. 16180—Fixing the rates of postal charges on mail matter of the first class, and for other purposes.
Mr. Mansfield; Committee on the Post Office and Post Roads, 4386.

H. R. 16181—Authorizing the Secretary of War to donate to the city of Rockaway, N. J., one German cannon or fieldpiece.
Mr. Birch; Committee on Military Affairs, 4386.

H. R. 16182—Granting a pension to Alfred J. Walker.
Mr. Carew; Committee on Pensions, 4386.

H. R. 16183—Granting a pension to Elizabeth V. Harris.
Mr. Walton; Committee on Pensions, 4386.

H. R. 16184—To amend section 5 and section 8 of the United States cotton-futures act, approved Aug. 11, 1916, and for other purposes.
Mr. Lever; Committee on Agriculture, 4386.—Reported with amendment (H. Rept. 1151), 4676.

H. R. 16185—For the promotion of the general welfare, and to provide capital for the development by land colonization of the agricultural resources of the Nation.
Mr. Knutson; Committee on Appropriations, 4386.

H. R. 16186—Granting an increase of pension to John Paul.
Mr. Cramton; Committee on Invalid Pensions, 4386.

H. R. 16187—Making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.
Mr. Sherley, from Committee on Appropriations (H. Rept. 1148), 4495.—Debated, 4495, 4500–4516, 4604–4629 (Appendix 234).—Amended and passed House, 4629.—Referred to Senate Committee on Appropriations, 4573.—Reported with amendments (S. Rept. 790), 4681.—Debated, 4756, 4893, 4894, 4896–4908, 4967–4991, 4999, 5006–5018.

H. R. 16188—To provide for the entry and patent of mining claims containing disseminated ore deposits and for the annual labor to be expended thereon.
Mr. Van Dyke; Committee on Mines and Mining, 4517.

H. R. 16189—Authorizing the acquisition of a site for permanent military post at Gettysburg, Pa.
Mr. Brodbeck; Committee on Military Affairs, 4517.

H. R. 16190—To punish the use of the mail to promote fraudulent enterprises in the guise of war charities or patriotic organizations.
Mr. Donovan; Committee on the Judiciary, 4517.

H. R. 16191—To amend an act entitled "An act to provide revenue, and for other purposes," approved Feb. 24, 1919.
Mr. Fordney; Committee on Ways and Means, 4517.

H. R. 16192—Granting an increase of pension to William D. Tyrell.
Mr. Hersey; Committee on Invalid Pensions, 4517.

H. R. 16193—Granting a pension to Gilbert G. Harris.
Mr. Lunn; Committee on Pensions, 4517.

H. R. 16194—To donate a captured cannon or gun to Ricksecker Post, No. 469, Dover, Ohio.
Mr. McCulloch; Committee on Military Affairs, 4677.

H. R. 16195—To create a department of air service.
Mr. Lundeen; Committee on Interstate and Foreign Commerce, 4677.

H. R. 16196—Authorizing and directing the Secretary of War to make certain donations of ordnance and cannons to designated cities.
Mr. Taylor of Colorado; Committee on Military Affairs, 4677.

H. R. 16197—Authorizing the Secretary of War to donate to the University of Pittsburgh two German cannons or fieldpieces, with carriages and suitable complement of projectiles.
Mr. Morin; Committee on Military Affairs, 4677.

H. R. 16198—Authorizing the Secretary of War to donate to the borough of Glassport, in the State of Pennsylvania, one German cannon or fieldpiece.
Mr. Kelly of Pennsylvania; Committee on Military Affairs, 4677.

H. R. 16199—To repeal the espionage and censorship law.
Mr. Lundeen; Committee on the Judiciary, 4677.

H. R. 16200—Authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo.
Mr. Taylor of Colorado; Committee on the Public Lands, 4677.

H. R. 16201—To provide for an advisory referendum vote of the people of the United States on the proposed league of nations.
Mr. Lundeen; Committee on the Judiciary, 4677.

H. R. 16202—To provide for an advisory referendum vote of the people of the United States on all declarations of war by the Government of the United States.
Mr. Lundeen; Committee on the Judiciary, 4677.

H. R. 16203—Authorizing the Secretary of War to deliver to the city of Robinson, Ill., one cannon or fieldpiece, with carriage, captured from the German Army in the recent war, together with a suitable number of shells.
Mr. Foster; Committee on Military Affairs, 4677.

H. R. 16204—To provide for Government ownership and control of the manufacture and sale of all weapons and munitions of war.
Mr. Lundeen; Committee on Interstate and Foreign Commerce, 4677.

H. R. 16205—Authorizing the Secretary of War to donate a captured German cannon to the city of Neodesha, Kans.
Mr. Campbell of Kansas; Committee on Military Affairs, 4809.

H. R. 16206—To authorize the Department of Commerce to examine and test manufactured articles or products for the owner or manufacturer thereof, to issue a certificate as to the nature and quality of such manufactured articles or products, and to prevent the illegal use of such certificate.
Mr. Sims; Committee on Interstate and Foreign Commerce, 4809.

H. R. 16207—Authorizing the Secretary of War to donate two captured cannons to the town of Brock, Nebr.
Mr. Reavis; Committee on Military Affairs, 4809.

H. R. 16208—To authorize the Secretary of War to turn over certain Army supplies to the American National Red Cross.
Mr. Reavis; Committee on Military Affairs, 4809.

H. R. 16209—To fix the date of the next session of Congress.
Mr. Reavis; Committee on the Judiciary, 4809.

H. R. 16210—Authorizing the Secretary of War to donate to the town of Mount Wolf, Pa., one cannon or fieldpiece with carriage, with suitable number of shells.
Mr. Brodbeck; Committee on Military Affairs, 4809.

H. R. 16211—Directing the Secretary of War to grant an honorable discharge to William H. Hand.
Mr. Hicks; Committee on Military Affairs, 4809.

H. R. 16212—Directing the Secretary of the Navy to grant an honorable discharge to Robert J. Corie.
Mr. Hicks; Committee on Naval Affairs, 4809.

H. R. 16213—To amend sections 12 and 15 of an act entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes," authorizing loans to be made honorably discharged soldiers, sailors, and marines who served in the war with Germany.
Mr. Hastings; Committee on Banking and Currency, 4809.

H. R. 16214—For the relief of Margie R. Ashbrook.
Mr. Evans; Committee on Military Affairs, 4809.

H. R. 16215—For the relief of J. C. Garrett.
Mr. Blanton; Committee on Military Affairs, 4809.

H. R. 16216—Granting a gratuity to members of the United States Army, Navy, and Marine Corps, Army Nurse Corps, Army field clerks, and naval reservists.
Mr. Lampert; Committee on Military Affairs, 4838.

H. R. 16217—To authorize a lieu selection by the State of South Dakota for 160 acres on Pine Ridge Indian Reservation, and for other purposes.
Mr. Gandy; Committee on Indian Affairs, 4838.

H. R. 16218—To provide for a referendum vote of the people of the United States on all proposed declarations of war by the Government of the United States.
Mr. Lundeen; Committee on the Judiciary, 4965.

H. R. 16219—To provide for an advisory referendum vote of the people of the United States on the proposed league of nations.
Mr. Lundeen; Committee on the Judiciary, 4965.

H. R. 16220—Authorizing the Secretary of War to donate to the town of Farrell, Pa., four German cannons or fieldpieces.
Mr. Beshlin; Committee on Military Affairs, 4965.

H. R. 16221—Authorizing the Secretary of War to donate to the town of Wheatland, Pa., one German cannon or fieldpiece.
Mr. Beshlin; Committee on Military Affairs, 4965.

H. R. 16222—Authorizing the Secretary of War to donate to the town of Warren, Pa., four German cannons or fieldpieces.
Mr. Beshlin; Committee on Military Affairs, 4965.

H. R. 16223—Authorizing the Secretary of War to donate to the village of Ada, Mich., one German cannon or fieldpiece.
Mr. Mapes; Committee on Military Affairs, 4965.

H. R. 16224—To authorize the Secretary of Agriculture to establish standards of classification of commercial feed; to regulate the sale and shipment thereof in interstate and foreign commerce; to prevent deception with reference thereto, and for other purposes.
Mr. Lever; Committee on Agriculture, 4966.

H. R. 16225—To prevent the removal of pneumatic-tube properties in post-office and Federal buildings in certain cities prior to July 1, 1920.
Mr. McLemore; Committee on the Post Office and Post Roads, 4966.

H. R. 16226—To authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the village of Loudonville, Ohio.
Mr. Ashbrook; Committee on Military Affairs, 4966.

H. R. 16227—Granting an increase of pension to Wilhelmine Gaebler.
Mr. Clark of Missouri; Committee on Pensions, 4966.

H. R. 16228—Granting a pension to Mary M. Hancock.
Mr. Denison; Committee on Invalid Pensions, 4966.

H. R. 16229—Granting a pension to Joseph Bauer.
Mr. Hawley; Committee on Invalid Pensions, 4966.

H. R. 16230—Authorizing the Secretary of War to donate to the township of Hohokus, in the county of Bergen, N. J., one German cannon or fieldpiece.
Mr. Ramsey; Committee on Military Affairs, 4966.

H. R. 16231—Authorizing the Secretary of War to donate to the town of Port Austin, Mich., two German cannons or fieldpieces.
Mr. Cramton; Committee on Military Affairs, 4966.

H. R. 16232—To provide for the purchase and operation of pneumatic-tube mail service in the cities of New York, N. Y.; Brooklyn, N. Y.; Philadelphia, Pa.; Chicago, Ill.; Boston, Mass.; and St. Louis, Mo.
Mr. Mason; Committee on the Post Office and Post Roads, 4966.

H. R. 16233—Authorizing the Secretary of War to donate to the Twenty-second Regiment Engineers, New York City, N. Y., one German cannon or fieldpiece.
Mr. Donovan; Committee on Military Affairs, 4966.

H. R. 16234—To provide for the purchase and operation of pneumatic-tube mail service in the cities of New York, Brooklyn, Philadelphia, Chicago, Boston, and St. Louis.
Mr. Fess; Committee on the Post Office and Post Roads, 4966.

H. R. 16235—For the purchase of a site for and the erection of a post-office building at Warren, Pa.
Mr. Beshlin; Committee on Public Buildings and Grounds, 4966.

H. R. 16236—For the purchase of a site for and the erection of a post-office building at Greenville, Pa.
Mr. Beshlin; Committee on Public Buildings and Grounds, 4966.

H. R. 16237—Granting additional pay to officers, enlisted men, and others serving in the Army, Navy, Marine Corps, and Coast Guard.
Mr. Baer; Committee on Military Affairs, 5084.

H. R. 16238—Directing the Secretary of War to grant an honorable discharge to Edson L. Stannard.
Mr. Hicks; Committee on Military Affairs, 5084.

H. R. 16239—Directing the Secretary of War to grant an honorable discharge to Daniel B. Stannard.
Mr. Hicks; Committee on Military Affairs, 5084.

73–376 HOUSE JOINT RESOLUTIONS.

H. J. Res. 73—Proposing an amendment to the Constitution of the United States giving to Congress the power to extend the right of suffrage to residents of the District of Columbia.
Mr. Austin; debated (Appendix, 381).

H. J. Res. 200—Proposing an amendment to the Constitution of the United States extending the right of suffrage to women.
Mr. Raker; debated in Senate, 3046, 3052–3062.—Vote taken in Senate; not having received the votes of two-thirds is rejected, 3062.

H. J. Res. 289—For the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.
Mr. Shallenberger; reported with amendment (S. Rept. 644), 1500.—Amended and passed Senate, 1653.—House concurs in Senate amendments, 2526.—Examined and signed, 2720, 2723.—Approved [Public resolution No. 50], 4245.

H. J. Res. 345—To provide relief for sufferers from earthquakes occurring in Porto Rico during the month of October, 1918.
Mr. Garrett of Tennessee; recommitted to Senate Committee on Pacific Islands and Porto Rico, 757.

H. J. Res. 353—Declaring the absence of the President from the territory of the United States an inability to discharge the duties of the office and devolving such powers upon the Vice President.
Mr. Rodenberg; Committee on the Judiciary, 19.

H. J. Res. 354—Instructing the delegates to the peace conference to demand freedom for Ireland.
Mr. Lundeen; Committee on Foreign Affairs, 19.

H. J. Res. 355—On the right of Ireland to self-determination.
Mr. McLaughlin; Committee on Foreign Affairs, 19.

H. J. Res. 356—Authorizing the payment of salaries of officers and employees of Congress for December, 1918.
Mr. Sherley; debated, amended, and passed House, 43, 44.—Referred to Senate Committee on Appropriations, 133.—Committee discharged; passed Senate, 199.—Examined and signed, 229, 233.—Approved [Public resolution No. 47], 1954.

H. J. Res. 357—Requesting the commissioners plenipotentiary of the United States of America to the International Peace Conference to present to the said conference the right of Ireland to freedom, independence, and self-determination.
Mr. Gallagher; Committee on Foreign Affairs, 66.—Reported with amendment (H. Rept. 1054), 3174.—Debated, 5027, 5033–5035, 5042–5057. (Appendix, 239, 240, 282, 347, 406).—Amended and passed House (changed to concurrent resolution), 5057.

H. J. Res. 358—Authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties.
Mr. Gard; Committee on the Judiciary, 169.—Committee discharged; debated and passed House, 229.—Referred to Senate Committee on Military Affairs, 282.—Reported back, 337.—Passed Senate, 4533.—Examined and signed, 4676, 4679.—Approved [Public resolution No. 56], 4957.

H. J. Res. 359—To make "The Star-Spangled Banner" the national anthem of the United States of America.
Mr. Darrow; Committee on the Judiciary, 169.

H. J. Res. 360—Directing the Secretary of State to invite to the United States of America certain military officers of the Governments allied with the United States of America in the late war against the German and Austro-Hungarian Governments.
Mr. Osborne; Committee on Foreign Affairs, 169.

H. J. Res. 361—Proposing an amendment to the Constitution of the United States empowering Congress to enact uniform laws for the regulation of the hours and conditions of labor.
Mr. Dallinger; Committee on the Judiciary, 169.

H. J. Res. 362—Requesting the plenipotentiaries of the United States at the peace conferences to urge that the future government of the people of Ireland be settled by a vote of the people thereof.
Mr. Kennedy of Rhode Island; Committee on Foreign Affairs, 230.

H. J. Res. 363—Proposing recognition by the Congress of the United States of the right of Irish independence, and requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the conference the right of Ireland to freedom, independence, and self-determination.
Miss Rankin; Committee on Foreign Affairs, 280.

H. J. Res. 364—Authorizing the appointment of an ambassador to the Republic of Peru.
Mr. Flood; Committee on Foreign Affairs, 280.

H. J. Res. 365—Appointing a joint committee of the House and Senate to investigate salaries, condition of employment, etc., of civil employees of the Government.
Mr. Van Dyke; Committee on Rules, 336.

H. J. Res. 366—To acquire title by purchase, condemnation, or otherwise of large tracts of land now held by corporations or individuals and convert the same into small farms for sale as homes to soldiers, sailors, marines, and others.
Mr. Dillon; Committee on the Public Lands, 385.

H. J. Res. 367—Admitting into the United States 35 puncheons of Gordon's sloe gin, ordered by E. LaMontagne's Sons, of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect.
Mr. LaGuardia; Committee on Ways and Means, 385.

H. J. Res. 368—Extending the period of Government control and possession of the telegraph and telephone systems of the United States, and authorizing the Postmaster General to fix the appraised value of the telegraph and telephone systems.
Mr. Moon; Committee on the Post Office and Post Roads, 434.—Reported with amendment (H. Rept. 1012), 2334.

H. J. Res. 369—Requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of all the Ukrainian territories to freedom, independence, and self-determination.
Mr. Hamill; Committee on Foreign Affairs, 434.

H. J. Res. 370—Directing the peace commissioners to insist as a part of the peace treaty that outrages against Jews be discontinued.
Mr. Emerson; Committee on Foreign Affairs, 600.

H. J. Res. 371—Expressing the sense of Congress on the punishment of the late Emperor of Germany and everyone associated with him in violation of the law of nations and the committing of brutal atrocities in the late war.
Mr. Darrow; Committee on Foreign Affairs, 647.

H. J. Res. 372—To amend Senate joint resolution No. 78, approved Oct. 5, 1917, entitled "Joint resolution to suspend requirements of the annual assessment work on mining claims during the years 1917 and 1918."
Mr. Foster; debated and passed House, 835, 836.—Debated and passed Senate, 795.—Examined and signed, 839, 863.—Approved [Public resolution, No. 49], 3091.

H. J. Res. 373—To create a joint committee from the Senate and House of Representatives to investigate Alaskan legislative requirements and report thereon.
Mr. Sulzer; Committee on Rules, 838.

H. J. Res. 374—Proposing an amendment to the Constitution of the United States.
Mr. Dill; Committee on the Judiciary, 838.

H. J. Res. 375—Requesting the Commission of Fine Arts to submit to the Congress certain suggestions.
Mr. Hollingsworth; Committee on the Library, 930.

H. J. Res. 376—Extending the thanks of Congress and providing an appropriate medal to governors, adjutants general, members of local and district boards, medical and legal advisory boards, and Government appeal agents, and for other purposes.
Mr. Dent; Committee on Military Affairs, 930.

H. J. Res. 377—Extending the thanks of Congress to all members of the American Protective League for services rendered the Government during the war.
Mr. Gard; Committee on Military Affairs, 966.—Committee on Military Affairs discharged and referred to the Committee on the Judiciary, 1002.

H. J. Res. 378—Extending to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards the thanks of Congress for their services rendered in the administration of the selective-service law; also authorizing the President to appoint by brevet commissions the members of such local and district boards.
Mr. Gard; Committee on Military Affairs, 966.

H. J. Res. 379—Authorizing the War Department to employ civilians to perform clerical and manual work in order to insure the immediate discharge of soldiers now performing such duties.
Mr. LaGuardia; Committee on Military Affairs, 1131.

H. J. Res. 380—To suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved Oct. 5, 1917, and for other purposes.
Mr. Wickersham; Committee on the Public Lands, 1153.

H. J. Res. 381—To enable prompt liquidation of claims for damages to persons and property occasioned by an explosion or explosions at the plant of the T. A. Gillespie Loading Co. at Morgan, N. J.
Mr. Scully; Committee on Appropriations, 1215.

H. J. Res. 382—Directing the United States Coast Guard to resume its operations under the Treasury Department.
Mr. Walsh; Committee on Interstate and Foreign Commerce, 1215.—Reported with amendment (H. Rept. 1135), 4300.

H. J. Res. 383—To discharge all soldiers in the United States whose services are no longer needed, and to eliminate delay in granting such discharges.
Mr. Emerson; Committee on Military Affairs, 1304.

H. J. Res. 384—Providing for a joint committee to investigate all matters relating to mail and pay of soldiers in France.
Mr. Dyer; Committee on Rules, 1378.

H. J. Res. 385—Proposing the establishment of a league of nations.
Mr. Campbell of Kansas; Committee on Foreign Affairs, 1439.

H. J. Res. 386—Providing for the construction of a post-office building at Bedford, Ohio.
Mr. Emerson; Committee on Public Buildings and Grounds, 1498.

H. J. Res. 387—To investigate the purchase of auto trucks since the armistice was signed and the failure to pay and subsist the men operating said trucks from Detroit to Baltimore.
Mr. Robbins; Committee on Military Affairs, 1498.

H. J. Res. 388—Authorizing the Secretary of War to donate a large cannon to the city of Cleveland, Ohio.
Mr. Emerson; Committee on Military Affairs, 1640.

H. J. Res. 389—Authorizing the Secretary of War to donate a large cannon to the city of Cleveland, Ohio.
Mr. Emerson; Committee on Military Affairs, 1640.

H. J. Res. 390—Requesting the Secretary of War to furnish to Congress the records of the Graves Registration Service of the American Expeditionary Forces.
Mr. Gallivan; Committee on Military Affairs, 1701.

H. J. Res. 391—Relating to the fuel supply of the city of Casper, Wyo.
Mr. Mondell; Committee on the Public Lands, 1701.

H. J. Res. 392—Authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.
Mr. Sims; Committee on Interstate and Foreign Commerce, 1701.

H. J. Res. 393—Authorizing the appointment and sending of a commission to Porto Rico to study its industrial and economic conditions, and for other purposes.
Mr. Garrett of Tennessee; Committee on Insular Affairs, 1789.

H. J. Res. 394—To provide for the marking of the positions held by the American Expeditionary Forces in Europe during this war.
Mr. Emerson; Committee on Appropriations, 1850.

H. J. Res. 395—Authorizing the Secretary of the Navy to adjust and settle the claims of the Asher Fire Proofing Co., of Washington, D. C., and the A. Schwoerer Construction Co., of New York.
Mr. Zihlman; Committee on Naval Affairs, 1963.

H. J. Res. 396—Extending the thanks of Congress to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards, and authorizing the President to appoint by brevet the members of same as officers in the Army of the United States.
Mr. Bankhead; Committee on Military Affairs, 2031.

H. J. Res. 397—To authorize payment of salaries to Members of the House of Representatives withheld during their absence in the military service of the United States.
Mr. Benjamin L. Fairchild; Committee on the Judiciary, 2031.

H. J. Res. 398—Determining the eligible status of employees in the classified service and of candidates for appointment on the eligible lists.
Mr. McLaughlin of Michigan; Committee on Reform in the Civil Service, 2031.

H. J. Res. 399—Admitting into the United States 560 barrels of Spanish wine ordered by Luigi Bick, of New York City, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect.
Mr. LaGuardia; Committee on Ways and Means, 2062.

H. J. Res. 400—To prevent gambling in cotton futures.
Mr. Heflin; Committee on Agriculture, 2259.

H. J. Res. 401—To express the opinion of the Congress of the United States in reference to continued expenditures of public money heretofore appropriated for the construction of military camps and cantonments during time of war.
Mr. Anthony; Committee on Military Affairs, 2412.

H. J. Res. 402—To express the opinion of the Congress of the United States in reference to continued expenditures of public money heretofore appropriated for the construction of military camps and cantonments during time of war.
Mr. Anthony; Committee on Military Affairs, 2566.

H. J. Res. 403—To create a joint commission of Congress on estimates and appropriations.
Mr. Mann; Committee on Rules, 2721.

H. J. Res. 404—Relieving enlisted men and honorably discharged soldiers, sailors, and marines from payment of war tax on theater tickets otherwise furnished them free of all charge.
Mr. Rouse; Committee on Ways and Means, 2787.

H. J. Res. 405—Directing the War Department to commission all soldiers who took the course of study to prepare themselves for a commission in France.
Mr. Emerson; Committee on Military Affairs, 2868.

H. J. Res. 406—Granting to certain persons in the military or naval forces an extension of automatic insurance provided for in section 401 of the war-risk insurance act.
Mr. Dominick; Committee on Interstate and Foreign Commerce, 2868.

H. J. Res. 407—Establishing diplomatic relations with Czechoslovakia and Poland.
Mr. Sabath; Committee on Foreign Affairs, 2868.

H. J. Res. 408—Establishing diplomatic relations with Czechoslovakia and Poland.
Mr. Sabath; Committee on Foreign Affairs, 3037.

H. J. Res. 409—To give a war trophy to Bedford, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 410—To give a war trophy to Thompson, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 411—To give a war trophy to Middlefield, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 412—To give a war trophy to Painesville, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 413—To give a war trophy to East Cleveland, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 414—To give a war trophy to Willoughby, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 415—To give a war trophy to Madison, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 416—To donate a war souvenir to Burton, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 417—To give a war trophy to Wickliffe, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 418—To give a war trophy to Chagrin Falls, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 419—To give a war trophy to Lakewood, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 420—To give a war trophy to Perry, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 421—To give a war trophy to Chardon, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 422—To present a war trophy to Mentor, Ohio.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 423—Authorizing the Secretary of War and the Secretary of the Navy to procure a metal button to be given each soldier, sailor, and marine who served in the World War.
Mr. Emerson; Committee on Military Affairs, 3106.

H. J. Res. 424—To amend an act entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved Mar. 12, 1914, and for other purposes.
Mr. Wickersham; Committee on the Territories, 3106.

H. J. Res. 425—Relating to the fuel supply of the city of Casper, Wyo.
Mr. Mondell; Committee on the Public Lands, 3245.

H. J. Res. 426—To provide for the recognition and reasonable remuneration of William Russell Hinsdale, of the city of Orange, Essex County, N. J., for services rendered to the Government of the United States in the pending war with the Empire of Germany.
Mr. Gray of New Jersey; Committee on Naval Affairs, 3246.

H. J. Res. 427—Directing the Secretary of the Navy to instruct the United States representatives to the Interallied Radio Conference that they shall not commit the United States to any policy of Government ownership or operation of commercial radio stations.
Mr. Greene of Massachusetts; Committee on Naval Affairs, 3406.

H. J. Res. 428—Directing the Secretary of War to report to Congress the necessary legislation for the construction of a ship canal connecting the Great Lakes and the Atlantic tidewaters.
Mr. Emerson; Committee on Rivers and Harbors, 3632.

H. J. Res. 429—For the proposed purchase of the estate of Mount Vernon by the National Government.
Mr. Cary; Committee on Rules, 3738.

H. J. Res. 430—Proposing an amendment to the Constitution of the United States by amending Article V of the Constitution.
Mr. LaGuardia; Committee on the Judiciary, 3738.

H. J. Res. 431—To investigate cotton exchanges.
Mr. Caraway; Committee on Rules, 3738.

H. J. Res. 432—Appointing a joint commission to confer with officials of the Commonwealth of Massachusetts and others relative to celebration of landing of Pilgrims at Plymouth, Mass.
Mr. Walsh; Committee on Rules, 3901.

H. J. Res. 433—Giving to discharged soldiers, sailors, and marines a preferred right of homestead entry.
Mr. Ferris; Committee on the Public Lands, 3901.

H. J. Res. 434—Extending until July 1, 1920, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved Oct. 15, 1914.
Mr. Igoe; Committee on the Judiciary, 4079.

H. J. Res. 435—Authorizing the use of a return-to-service flag.
Mr. Emerson; Committee on Military Affairs, 4301.

H. J. Res. 436—Providing for the appointment by each Member of the House of Representatives of one secretary and one clerk whose names shall be placed on the rolls and paid in monthly installments.
Mr. Humphreys: Committee on Accounts, 4386.—Debated, 5058, 5059, 5060, 5072–5075, 5077 (Appendix, 333).—Passed House, 5077.—Debated in Senate, 5019–5021.

H. J. Res. 437—Extending for a total period of one year the grace period for the payment of premiums on military and naval insurance policies in the case of any honorably discharged officer or member of the enlisted personnel of the Army, Navy, or Marine Corps.
Mr. Langley; Committee on Interstate and Foreign Commerce, 4386.

H. J. Res. 438—To permit entry of distilled spirits shipped to the United States prior to Sept. 9, 1917, and wines and other non-spirituous alcoholic beverages so shipped prior to Jan. 1, 1919.
Mr. Henry T. Rainey; Committee on Ways and Means, 4517.—Reported back (H. Rept. 1153), 4629.—Debated, 4965, 5021, 5022.

H. J. Res. 439—To repeal section 904 of the revenue act of 1918, approved Feb. 24, 1919.
Mr. Kitchin; Committee on Ways and Means, 4517.—Reported back (H. Rept. 1152), 4603, 4677.—Debated and passed House, 4775, 4776.—Referred to Senate Committee on Finance, 4850.—Reported back, 4850.

H. J. Res. 440—Proposing an amendment to the Constitution of the United States extending the right of suffrage to women.
Mr. Raker; Committee on Woman Suffrage, 4677.—Reported back (H. Rept. 1167), 4838.

H. J. Res. 441—Authorizing discharged soldiers, sailors, and marines to wear uniform on certain days.
Mr. Emerson; Committee on Military Affairs, 4809.

H. J. Res. 442—To repeal section 906 of the revenue act of 1918, approved Feb. 24, 1919.
Mr. Lundeen; Committee on Ways and Means, 4966.

H. J. Res. 443—Proposing an amendment to the Constitution of the United States authorizing Congress to enact legislation to prevent lynching.
Mr. Emerson; Committee on the Judiciary, 4966.

H. J. Res. 444—Requesting the delegates representing the United States at the peace conference at Paris to offer certain amendments to the proposed plan for establishing a league of nations.
Mr. Dill; Committee on Foreign Affairs, 4966.

H. J. Res. 445—Expressing the necessity for an extra session to deal with the railroad problem, declaring for the principle of private ownership and operation, urging a generous policy of improvement and betterment by the Railroad Administration, and declaring a principle of operative control.
Mr. Gould; Committee on Interstate and Foreign Commerce, 5084.

62–74 HOUSE CONCURRENT RESOLUTIONS.

H. Con. Res. 62—Providing for a joint session of the two Houses of Congress for the purpose of receiving a message from the President of the United States.
Mr. Kitchin, and agreed to, 12.—Agreed to in Senate, 5.

H. Con. Res. 63—Declaratory of the judgment of Congress respecting foreign alliances and the freedom of the seas.
Mr. Husted; Committee on Foreign Affairs, 473.

H. Con. Res. 64—Instructing the President to withdraw at once all American troops now on Russian soil.
Mr. Lundeen; Committee on Foreign Affairs, 1060.

H. Con. Res. 65—To appoint a special committee on demobilization.
Mr. Mason; Committee on Rules, 2494.

H. Con. Res. 66—To withdraw troops from Russia.
Mr. Mason; Committee on Foreign Affairs, 2566.

H. Con. Res. 67—Recommending that the peace conference now sitting in Paris will favorably consider the right of Ireland to self-determination.
Mr. Gallagher; Committee on Foreign Affairs, 2868.

H. Con. Res. 68—Requesting the peace conference to favorably consider the right of self-determination for Ireland.
Mr. Flood, from Committee on Foreign Affairs (H. Rept. 1054), 3174.—Debated and agreed to, 5042–5057.

H. Con. Res. 69—Authorizing the printing of the journal of the national encampment of the Grand Army of the Republic.
Mr. Barnhart; Committee on Printing, 3318.—Reported back (H. Rept. 1087) and agreed to, 3690.—Referred to Senate Committee on Printing, 3746.—Reported back and agreed to in Senate (H. Doc. 1833), 4425.

H. Con. Res. 70—For printing address of Senator Henry Cabot Lodge in honor of Theodore Roosevelt.
Mr. Walsh; Committee on Printing, 3318.—See H. Res. 590, 3690.

H. Con. Res. 71—Expressing the hope that the people of South Africa may be recognized as a free and independent people.
Mr. Mason; Committee on Foreign Affairs, 3819.

H. Con. Res. 72—Providing for the printing of 62,700 copies of the regulations No. 45 relating to the income tax and war-profits and excess-profits tax under the revenue act of 1918 (preliminary edition relating to the income tax on individuals).
Mr. Kitchin, and agreed to, 4078.—Agreed to in Senate, 4206.

H. Con. Res. 73—Providing for correction in the enrollment of bill H. R. 12211.
Mr. Mann, and agreed to, 4244.—Agreed to in Senate, 4208.

H. Con. Res. 74—Providing for correction in the enrollment of bill H. R. 13026.
Mr. Clark of Florida, and agreed to, 4920.—Agreed to in Senate, 4855.

436–468 HOUSE RESOLUTIONS.

H. Res. 436—To pay to W. Ray Loomis extra compensation for compiling the Weekly Compendium and Monthly Compendium.
Mr. Denton; reported with amendment (H. Rept. 874), 645.—Debated, amended, and agreed to, 645, 646.

H. Res. 437—For the consideration of H. R. 12917.
Mr. Cantrill; reported with amendment, 44.—Debated, amended, and agreed to, 44–50.

H. Res. 450—Authorizing the Clerk of the House to pay Mary B. Jones, daughter of Thomas D. Jones, late an employee of the House of Representatives, a sum equal to six months' compensation at the rate he was receiving at the time of his death.
Mr. Drane; reported back (H. Rept. 871) and agreed to, 645.

H. Res. 453—Providing for the appointment of a committee of three Members of the House to join a like committee from the Senate to notify the President of the United States that a quorum of the two Houses has assembled and is ready to receive any communication he may be ready to make.
Mr. Kitchin, and agreed to, 11.

H. Res. 454—Authorizing the Clerk of the House to inform the Senate of the presence of a quorum and that the House is ready to proceed to business.
Mr. Sherley, and agreed to, 11, 12.

H. Res. 455—Providing that until otherwise ordered the hour of daily meeting of the House of Representatives shall be 12 o'clock meridian.
Mr. Pou, and agreed to, 12.

H. Res. 456—To allow a session clerk to the Committee on Enrolled Bills.
Mr. Lazaro; Committee on Accounts, 19.

H. Res. 457—To allow an assistant clerk to the Committee on Rules.
Mr. Pou; Committee on Acounts, 19.

H. Res. 458—Authorizing the postmaster of the House to continue the employment of the additional messenger authorized during the second session of the Sixty-fifth Congress.
Mr. Park; Committee on Accounts, 19.

H. Res. 459—To pay to Sebe Newman the sum of $600 out of the contingent fund of the House for extra services.
Mr. Park; Committee on Accounts, 19.—Reported back (H. Rept. 955) and agreed to, 1817.

H. Res. 460—Assigning clerks to certain committees of the House.
Mr. Park; Committee on Accounts, 19.—Reported with amendments (H. Rept. 948), 1452.—Debated, amended, and agreed to, 408, 1452–1455.

H. Res. 461—Authorizing clerks to certain committees of the House.
Mr. Park; Committee on Accounts, 19.

H. Res. 462—For the appointment of a committee to inquire into the causes of the delay in reporting the casualties in France.
Mr. Dyer; Committee on Rules, 19.

H. Res. 463—To initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness.
Mr. Claypool; Committee on Rules, 66.

H. Res. 464—For the appointment of a committee to investigate the National Security League.
Mr. Frear; Committee on Rules, 104, 118.—Debated, 97–105.

H. Res. 465—For the consideration of H. R. 12001.
Mr. Riordan; Committee on Rules, 118.—Reported back (H. Rept. 856), 364.—Debated and agreed to, 364–366.

H. Res. 466—To set aside a day to receive vases given by the Republic of France to the House of Representatives.
Mr. Slayden; Committee on the Library, 118.

H. Res. 467—To pay E. Neidner, clerk to the late Jacob E. Meeker, a Representative in Congress, $166.66.
Mr. Essen; Committee on Accounts, 118.—Reported back (H. Rept. 872) and agreed to, 645.

H. Res. 468—Authorizing the employment of clerks by certain committees during the third session of the Sixty-fifth Congress.
Mr. Park; Committee on Accounts, 169.—Reported with amendment (H. Rept. 947), 408, 1455.—Debated, amended, and agreed to, 408, 1455, 1456.

H. Res. 469—Providing for the appointment of a committee to investigate as to the officers, etc., of the National Security League, a corporation of New York.
Mr. Pou, from Committee on Rules (H. Rept. 844), 230, 258.—Debated, amended, and agreed to, 258–266, 406–408.—Report No. 1173 made and agree to, 4921, 5035–5042.

H. Res. 470—Creating a committee on war-risk insurance, soldiers' and sailors' compensation and allowances, and defining its jurisdiction.
Mr. Bland of Indiana; Committee on Rules, 230.

H. Res. 471—To pay Charlotte Sterling, clerk to the late John A. Sterling, Representative in Congress, $166.66.
Mr. Ireland; Committee on Accounts, 230.—Reported back (H. Rept. 873), and agreed to, 645.

H. Res. 472—Authorizing clerks to certain committees of the House.
Mr. Raker; Committee on Accounts, 230.

H. Res. 473—Authorizing clerk for the Committee on Woman Suffrage.
Mr. Raker; Committee on Accounts, 230.

H. Res. 474—Requesting of the Secretary of War certain information with regard to hospitals.
Mr. Mondell; Committee on Military Affairs, 230.

H. Res. 475—For the consideration of H. R. 13308.
Mr. Moon; Committee on Rules, 280.

H. Res. 476—Authorizing the payment out of the contingent fund of the House of all expenses incurred by the special committee appointed under H. Res. 469, and authorizing said committee to have such printing and binding done as may be necessary.
Mr. Johnson of Kentucky; Committee on Accounts, 385.—Reported back, 406.—Debated and agreed to, 406–408.

H. Res. 477—To authorize the Committee on Indian Affairs of the House of Representatives of the Sixty-fifth Congress to investigate the policy and conduct of the Bureau of Indian Affairs in its dealings with the affairs of the Quapaw Indians of Oklahoma.
Mr. Chandler of Oklahoma; Committee on Rules, 385.

H. Res. 478—Declaring for the immediate discharge from the military service of all soldiers having dependents in so far as compatible with the good of the service.
Mr. McKeown; Committee on Military Affairs, 385.

H. Res. 479—For the consideration of S. 3220.
Mr. Wingo; Committee on Rules, 540.

H. Res. 480—Expressing the sorrow of the House of Representatives in the death of Hon. Benjamin Ryan Tillman, late a Senator from the State of South Carolina.
Mr. Stevenson, and agreed to, 480.

H. Res. 481—Requesting the President for certain information in accordance with the so-called Overman Act.
Mr. Gould; Committee on the Judiciary, 600.—Committee discharged; debated and agreed to, 2215, 2216.

H. Res. 482—Authorizing the creation of a select committee to inquire into the affairs of the Bureau of War Risk Insurance.
Mr. McFadden; Committee on Rules, 600.

H. Res. 483—Requesting the Senate to return to the House H. R. 12001.
Mr. Steele, and agreed to, 623.

H. Res. 484—Special rule for consideration of H. R. 13274.
Mr. Dent; Committee on Rules, 841.

H. Res. 485—To declare the purpose and the desire of the people of the United States for the immediate creation by the peace conference at Versailles, France, of a league of nations to perpetuate the principles of peace and justice in the world.
Mr. Britten; Committee on Foreign Affairs, 862.

H. Res. 486—Expressing the will and desire of the House of Representatives that the allied armies shall occupy Berlin, to remain as long as the allied and United States military authorities shall deem proper.
Mr. Doolittle; Committee on Foreign Affairs, 930.

H. Res. 487—For the consideration of H. R. 13274.
Mr. Pou; Committee on Rules, 930.—Reported back (H. Rept. 902), 1133.—Debated and agreed to, 1133–1143.

H. Res. 488—Requesting a conference of the Senate on H. R. 12863.
Mr. Garrett of Tennessee, from the Committee on Rules (H. Rept. 882), 944.—Debated and agreed to, 944, 945.

H. Res. 489—Authorizing the Committee on Enrolled Bills to designate an assistant clerk during the third session of the Sixty-fifth Congress.
Mr. Lazaro; Committee on Accounts, 966.

H. Res. 490—As to creation of Committee on Aeronautics.
Mr. Gould; Committee on Rules, 1027.

H. Res. 491—Authorizing the Clerk of the House to pay to Mary C. Carpenter, mother of John M. Carpenter, late an employee of the House of Representatives, six months' salary.
Mr. Johnson of Kentucky; Committee on Accounts, 1027.—Reported back (H. Rept. 899) and agreed to, 1133.

H. Res. 492—Declaring James Wickersham a duly elected Delegate from the Territory of Alaska.
Mr. Wilson of Louisiana; debated, 1002–1026, 1028–1059, 1106, 1107.—Agreed to, 1106, 1107.

H. Res. 493—Amending paragraphs 25 and 26 of Rule XI.
Mr. Fuller of Illinois; Committee on Rules, 1071.

H. Res. 494—Relative to the death of ex-President Theodore Roosevelt.
Mr. Henry T. Rainey; agreed to, 1070.

H. Res. 495—Requesting the President of the United States to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California and contiguous territory.
Mr. Elston; Committee on Foreign Affairs, 1131.

H. Res. 496—For the consideration of H. R. 13708.
Mr. Sherley; Committee on Rules, 1131.

H. Res. 497—Providing for the consideration of S. 714.
Mr. Hayden; Committee on Rules, 1131.

H. Res. 498—To pay R. T. Cook for extra services rendered in the folding room of the House.
Mr. Carlin; Committee on Accounts, 1153.—Reported back (H. Rept. 956) and agreed to, 1817.

H. Res. 499—For the consideration of H. R. 13708.
Mr. Sherley; Committee on Rules, 1215.—Reported back (H. Rept. 915), 1339.—Debated and agreed to, 1339–1347.

H. Res. 500—Directing the Secretary of War to furnish information in reference to foreign military officers now in the United States to the Clerk of the House of Representatives.
Mr. Wood of Indiana; Committee on Military Affairs, 1258.

H. Res. 501—Providing for investigation and report by the Interstate Commerce Commission as to what the present methods are that are now being used in the purchase of railroad ties, switch ties, car material, and crossing plank; whether said methods are the most efficient; and as to whether there are any satisfactory substitutes now on the market for taking the place of the railroad ties, etc., now generally used and made of timber.
Mr. Dyer; Committee on Interstate and Foreign Commerce, 1378.

H. Res. 502—Authorizing the Committee on the Judiciary to designate an additional assistant clerk during the third session of the Sixty-fifth Congress.
Mr. Webb; Committee on Accounts, 1439.

H. Res. 503—Making in order an amendment to the legislative, executive, and judicial appropriation bill increasing the salaries of Members of Congress.
Mr. Campbell of Pennsylvania; Committee on Rules, 1439.

H. Res. 504—To make in order in the consideration of the Diplomatic and Consular appropriation bill provisions for embassies and consular buildings.
Mr. Harrison of Mississippi; Committee on Rules, 1579.—Reported back (H. Rept. 957), 1818.—Debated, 1818–1823.—Rejected, 1823.

H. Res. 505—Proposing an investigation of casualties in the Thirty-fifth Division in the Battle of Argonne Forest.
Mr. Campbell of Kansas; Committee on Rules, 1579.

H. Res. 506—Providing increased compensation to the Official Reporters of Debates and to the assistant to the Official Reporters of Debates.
Mr. Goodwin of Arkansas; Committee on Accounts, 1640.—Reported with amendment (H. Rept. 1033), 2753.—Debated, amended, and agreed to, 2753–2755.

H. Res. 507—Directing the United States Food Administration to furnish the House of Representatives with certain information.
Mr. Gould; Committee on Agriculture, 1701.

H. Res. 508—Providing tributes to the memory of Hon. Jacob H. Gallinger, late a Senator from the State of New Hampshire.
Mr. Wason; agreed to, 1715–1725 (Appendix, 262).

H. Res. 509—For the consideration of S. 3646.
Mr. Raker; Committee on Rules, 1789.

H. Res. 510—Providing for tributes to the memory of Hon. John A. Sterling late a Member of the House from the State of Illinois.
Mr. Foss; agreed to, 1710.

H. Res. 511—For the consideration of H. R. 13026.
Mr. Clark of Florida; Committee on Rules, 1850.—Reported back and agreed to, 2049, 2050.

H. Res. 512—For the appointment of a committee to investigate the taking over by the Government of the wire systems of communication.
Mr. McKinley; Committee on the Post Office and Post Roads, 1905.

H. Res. 513—Authorizing the payment of $1,200 to William McKinley Cobb for extra and expert services rendered to the Committee on Pensions during the second and third sessions of the Sixty-fifth Congress.
Mr. Key of Ohio; Committee on Accounts, 1963.—Reported back (H. Rept. 1176) and agreed to, 4952.

H. Res. 514—Calling upon the Secretary of War to furnish the names and all facts pertaining to the military records of conscientious objectors.
Mr. Campbell of Pennsylvania; Committee on Military Affairs, 1963.

H. Res. 515—Calling on the President of the United States for information relative to what steps have been taken toward carrying out the guaranteed price of wheat for the 1919 crop.
Mr. Steenerson; Committee on Agriculture, 2031.—Motion to discharge committee debated and rejected, 2522, 2523.

H. Res. 516—Declaring it the sense of the House of Representatives that the American Expeditionary Forces should be returned to their homes.
Mr. Garland; Committee on Military Affairs, 2031.—Debated, 1998.

H. Res. 517—Calling upon the United States Food Administration for information in connection with agreements affecting importation and marketing of rice.
Mr. Gould; Committee on Agriculture, 2031.

H. Res. 518—To inquire into the failure or delay in transmitting mail to and from officers and men in the military service of the United States in this country or abroad.
Mr. Steenerson; Committee on the Post Office and Post Roads, 2062.

H. Res. 519—Relative to the death of Hon. Edward Everett Robbins, late a Representative from the State of Pennsylvania.
Mr. Moore of Pennsylvania; agreed to, 2060.

H. Res. 520—Providing for tributes to the memory of Hon. Robert F. Broussard, late a Senator from the State of Louisiana.
Mr. Martin of Louisiana; agreed to, 2075–2082.

H. Res. 521—Providing for tributes to the memory of Hon. James H. Brady, late a Senator from the State of Idaho.
Mr. Smith of Idaho; agreed to, 2082–2098.

H. Res. 522—Providing increased compensation to the official stenographers to committees.
Mr. Walton; Committee on Accounts, 2186.

H. Res. 523—Declaring T. A. Chandler a duly elected member of the House of Representatives from the State of Oklahoma.
Mr. Tillman; Committee on Elections No. 2, 2186.—Reported back and agreed to, 2757.

H. Res. 524—Directing the Secretary of War to furnish the House of Representatives certain information.
Mr. Johnson of Washington; Committee on Military Affairs, 2186.

H. Res. 525—To initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness.
Mr. Lundeen; Committee on Rules, 2186.

H. Res. 526—Providing for printing additional copies of soil survey of Lauderdale County, Ala.
Mr. Almon; Committee on Printing, 2186.

H. Res. 527—Directing the Clerk of the House to post conspicuously in the House wing of the Capitol and in the House Office Building notices of committee hearings in advance thereof.
Mr. Paige; Committee on Accounts, 2186.

H. Res. 528—Providing for pay for examiner detailed to the Committee on Invalid Pensions from the Bureau of Pensions.
Mr. Sherwood; Committee on Accounts, 2186.—Reported back (H. Rept. 1182), and agreed to, 4951, 4952.

H. Res. 529—To initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness.
Mr. Claypool; Committee on Rules, 2186.

H. Res. 530—Providing for an investigation of the treatment of sick adn disabled soldiers at the Walter Reed Hospital, Washington, D. C.
Mr. Clark of Florida; Committee on Rules, 2172, 2186.—Debated, 2172.

H. Res. 531—Requesting the President to communicate to the House certain information regarding the War Trade Board.
Mr. Fuller of Illinois; Committee on Interstate and Foreign Commerce, 2259.—Motion to discharge committee debated, 3140.

H. Res. 532—Providing for the consideration of H. R. 12352, entitled "A bill for the retirement of employees in the classified civil service."
Mr. Sims; Committee on Rules, 2259.

H. Res. 533—Directing the Committee on Civil Service to investigate the charge that certain citizens are discriminated against on account of color.
Mr. Mason; Committee on Reform in the Civil Service, 2259.

H. Res. 534—Directing the United States Food Administration to furnish the House of Representatives with certain information.
Mr. Gould; Committee on Agriculture, 2336.

H. Res. 535—Authorizing a clerk to the Committee on Expenditures in the Department of Commerce.
Mr. Park; Committee on Accounts, 2336.

H. Res. 536—To pay Benjamin C. Greene, clerk to the late J. F. C. Talbott, a Representative in Congress, $166.66.
Mr. Benson; Committee on Accounts, 2336.—Reported back (H. Rept. 1034) and agreed to, 2753.

H. Res. 537—Providing for the consideration of H. R. 15098.
Mr. Burnett; Committee on Rules, 2336.

H. Res. 538—Providing for the consideration of H. R. 15302.
Mr. Burnett; Committee on Rules, 2412.

H. Res. 539—Authorizing the appointment of a select committee to investigate charges made against the management of the St. Elizabeth's Hospital.
Mr. Knutson; Committee on Rules, 2412.

H. Res. 540—Authorizing the payment of $1,200 to G. D. Ellis for extra and expert services rendered in the office of the Clerk of the House of Representatives during the second and third sessions of the Sixty-fifth Congress.
Mr. Cantrill; Committee on Accounts, 2412.

H. Res. 541—Directing the Secretary of War to furnish the House of Representatives certain information.
Mr. Johnson of Washington; Committee on Military Affairs, 2494.—Debated and agreed to, 4348–4351.

H. Res. 542—Directing the Federal Trade Commission to investigate and report to the House the facts relating to the production, manufacture, and profits upon the sale of milk products, with particular reference to the condensed-milk industry.
Mr. Hadley; Committee on Interstate and Foreign Commerce, 2494.

H. Res. 543—Providing for tributes to the memory of Hon. William J. Stone, late a Senator from the State of Missouri, and the Hon. Jacob E. Meeker, late a Representative from the State of Missouri.
Mr. Rucker, and agreed to, 2567–2578 (Appendix, 266, 321, 330, 332).

H. Res. 544—Providing for tributes to the memory of Hon. Charles Martin, late a Representative from the State of Illinois.
Mr. John W. Rainey, and agreed to, 2578]2582.

H. Res. 545—To have the Speaker appoint a select committee of eight to inquire into the charges affecting the Military Establishment of the United States.
Mr. Siegel; Committee on Rules, 2613, 2647.—Debated, 2612, 2613.

H. Res. 546—Providing for a special rule for the immediate consideration of H. R. 13304.
Mr. Watkins; Committee on Rules, 2647.

H. Res. 547—To pay E. F. Keister, clerk to the late Edward E. Robbins, a Representative in Congress, $166.66.
Mr. Moore of Pennsylvania; Committee on Accounts, 2647.—Reported back and agreed to, 2973.

H. Res. 548—To pay G. D. Ellis $1,200 for expert services.
Mr. Parks; Committee on Acounts, 2721.—Reported back (H. Rept. 1183), 4952.—Debated and agreed to, 4952, 4953, 4957.

H. Res. 549—Directing the United States Shipping Board to furnish the House of Representatives with certain information in accordance with section 12 of the shipping act approved Sept. 7, 1916.
Mr. Gould; Committee on the Merchant Marine and Fisheries, 2721.

H. Res. 550—Directing that the United States Shipping Board furnish the House of Representatives with certain facts as to the building and operation program of wooden ships.
Mr. Gould; Committee on the Merchant Marine and Fisheries, 2721.

H. Res. 551—To investigate cotton exchanges.
Mr. Caraway; Committee on Rules, 2787.

H. Res. 552—Providing for the consideration of S. 3079.
Mr. Steele; Committee on Rules, 2787.

H. Res. 553—To make in order the consideration of certain Senate and House bills providing for additional Federal judges.
Mr. Webb; Committee on Rules, 2787.

H. Res. 554—For the consideration of S. 5236.
Mr. Phelan; Committee on Rules, 2868.

H. Res. 555—Authorizing the Clerk of the House to pay Allison C. Jenkins, brother of Laura A. Blincoe, late an employee of the House of Representatives, six months' salary.
Mr. Carlin; Committee on Accounts, 2868.—Reported back (H. Rept. 1178) and agreed to, 4951.

H. Res. 556—Directing the Secretary of War to transmit to the House of Representatives certain correspondence and other data.
Mr. McKenzie; Committee on Military Affairs, 2934.

H. Res. 557—To print as House document 2,000 copies of the Digest and Manual of the Rules and Practices of the House of Representatives for the third session of the Sixty-fifth Congress.
Mr. Foster; agreed to (H. Doc. No. 1779), 2973.

H. Res. 558—Providing additional compensation to W. H. Miller, janitor and messenger to the Official Reporters of Debates.
Mr. Burnett; Committee on Accounts, 3037.—Reported back (H. Rept. 1175) and agreed to, 4952.

H. Res. 559—Calling upon the President for information regarding the $50,000,000 appropriation for national security and defense.
Mr. Gould; Committee on Appropriations, 3037.

H. Res. 560—Calling upon the President of the United States for certain facts as to the building and operation program of wooden ships.
Mr. Gould; Committee on the Merchant Marine and Fisheries, 3037.

H. Res. 561—Calling upon the President for certain information regarding food price fixing.
Mr. Gould; Committee on Agriculture, 3037.

H. Res. 562—Calling upon the President for certain information in accordance with section 12 of the shipping act approved Sept. 7, 1916.
Mr. Gould; Committee on the Merchant Marine and Fisheries, 3037.—Committee discharged, debated, and agreed to, 3770.

H. Res. 563—Directing the Secretary of War to furnish the House of Representatives with certain information concerning prisoners confined at Fort Leavenworth, also information regarding the discharge of conscientious war objectors.
Mr. Gould; Committee on Military Affairs, 3106.

H. Res. 564—Directing the Secretary of War to furnish the House of Representatives with certain information regarding the confinement of military prisoners.
Mr. Gould; Committee on Military Affairs, 3106.

H. Res. 565—Directing the Secretary of War to furnish the House of Representatives with certain information regarding court-martial cases since April 6, 1917.
Mr. Gould; Committee on Military Affairs, 3106.

H. Res. 566—Making in order certain new legislation in H. R. 15539, notwithstanding the rules of the House.
Mr. Padgett; Committee on Rules, 3106.—Reported back, 3141.—Debated and agreed to, 3141–3152.

H. Res. 567—For the appointment of a committee to investigate the administration of wires now under the control of the Postmaster General.
Mr. Tague; Committee on Rules, 3106.

H. Res. 568—Providing for the continued employment during the recess of nine messengers in the House of Representatives post office.
Mr. Vinson; Committee on Accounts, 3175.—Reported back (H. Rept. 1174) and agreed to, 4952.

H. Res. 569—Calling upon the Secretary of War to transmit a copy of the Bush Terminal report.
Mr. Miller of Minnesota; Committee on Military Affairs, 3175.

H. Res. 570—Requesting the President to communicate to the House certain information regarding the War Trade Board.
Mr. Fuller of Illinois; Committee on Interstate and Foreign Commerce, 3175.—Reported with amendment (H. Rept. 1082), 3631.—Debated, 3866, 3867.

H. Res. 571—Requesting the Secretary of Commerce to report on the value of motion pictures in promoting the expansion of interstate and foreign commerce.
Mr. Charles B. Smith; Committee on Interstate and Foreign Commerce, 3175.

H. Res. 572—To print the manuscript entitled "Address of Senator Henry Cabot Lodge in honor of Theodore Roosevelt" as a House document.
Mr. Lufkin; Committee on Printing, 3245.

H. Res. 573—Requesting the Secretary of the Treasury to furnish the House information regarding number of persons in the United States whose incomes amount to $3,000 to $1,000,000.
Mr. Huddleston; Committee on Ways and Means, 3245.

H. Res. 574—Making in order certain new legislation in H. R. 15796, notwithstanding the general rules of the House.
Mr. Heflin; Committee on Rules, 3318.

H. Res. 575—Requesting the President to furnish the joint Committee on Printing with information relative to periodical publications.
Mr. Johnson of Washington; Committee on Printing, 3318.

H. Res. 576—Directing the Public Printer to furnish the Joint Committee on Printing with information relative to periodical publications.
Mr. Johnson of Washington; Committee on Printing, 3318.

H. Res. 577—Directing the Secretary of the Navy to furnish forthwith to the House of Representatives the originals or copies of all papers, documents, or correspondence on file in the Navy Department relating generally to the subject of an interallied radio conference, and other facts relative to the origin and purpose of such conference.
Mr. Greene of Massachusetts; Committee on Naval Affairs, 3406.—Committee discharged; agreed to, 4245.

H. Res. 578—That the Speaker appoint a committee of seven Members of the House, and that such committee be instructed to inquire into the official conduct of John Skelton Williams, Comptroller of the Currency.
Mr. McFadden; Committee on Rules, 3451, 3510.—Debated, 3451.

H. Res. 579—To pay one month's additional compensation for clerk hire to Members not elected to the Sixty-sixth Congress.
Mr. Swift; Committee on Accounts, 3510.

H. Res. 580—Directing the Attorney General to furnish the House of Representatives certain information.
Mr. Nichols of Michigan; Committee on the Judiciary, 3510.—Reported back adversely (H. Rept. 1124), 4078.

H. Res. 581—Paying tributes to the memory of Hon. James H. Davidson, late a Representative from the State of Wisconsin.
Mr. Cooper of Wisconsin, and agreed to, 3512.

H. Res. 582—Paying tributes to the memory of Hon. William A. Jones, late a Representative from the State of Virginia.
Mr. Montague, and agreed to, 3515.

H. Res. 583—Paying tributes to the memory of Hon. Joshua F. C. Talbott, late a Representative from the State of Maryland.
Mr. Coady, and agreed to, 3527–3532.

H. Res. 584—Paying tributes to the memory of Hon. Edward E. Robbins, late a Representative from the State of Pennsylvania.
Mr. Crago, and agreed to, 3533.

H. Res. 585—Declaring Hon. Thomas B. Dunn a duly elected Representative from the State of New York.
Mr. Wilson of Louisiana, from Committee on Elections No. 1 (H. Rept. 1074), and agreed to, 3578.

H. Res. 586—Making in order certain new legislation in H. R. 15796, notwithstanding the general rules of the House.
Mr. Heflin; Committee on Rules, 3631.

H. Res. 587—Asking for the consideration of H. R. 15796.
Mr. Rubey; Committee on Rules, 3631.

H. Res. 588—Amending the standing rules of the House.
Mr. Switzer; Committee on Rules, 3631.

H. Res. 589—Making in order the consideration of certain portions of H. R. 13835.
Mr. Dent; Committee on Rules, 3631.

H. Res. 590—For printing address of Senator Henry Cabot Lodge in honor of Theodore Roosevelt.
Mr. Barnhart, from Committee on Printing (H. Rept. 1084), and agreed to, 3690.

H. Res. 591—Providing for the immediate consideration of H. R. 15987.
Mr. Clark of Florida; Committee on Rules, 3738.

H. Res. 592—Authorizing and directing the Committee on Interstate and Foreign Commerce to investigate the conditions of transportation to Mount Vernon, Va.
Mr. Cary; Committee on Rules, 3738.

H. Res. 593—For the consideration of S. 5279.
Mr. Garrett of Tennessee; Committee on Rules, 3710.—Debated and agreed to, 3710–3719.

H. Res. 594—For the consideration of H. J. Res. 357.
Mr. Sabath; Committee on Rules, 3819.

H. Res. 595—For the consideration of S. 2654.
Mr. Sabath; Committee on Rules, 3819.

H. Res. 596—Assigning a clerk for the present session to the Committee on Railways and Canals.
Mr. Park; Committee on Accounts, 3901.

H. Res. 597—Calling for the investigation of the subject of demobilization.
Mr. Hicks; Committee on Military Affairs, 3901.

H. Res. 598—Calling for the investigation of the office of the Judge Advocate General of the Army.
Mr. Hicks; Committee on Military Affairs, 3901.

H. Res. 599—Requesting the President to communicate to the House certain information concerning the War Trade Board.
Mr. Fuller of Illinois; Committee on Interstate and Foreign Commerce, 3901.—Reported back (H. Rept. 1155), 4677.

H. Res. 600—For the consideration of H. R. 16038.
Mr. King; Committee on Rules, 3901.

H. Res. 601—Concerning the death of Hon. William P. Borland, late a Representative from the State of Missouri.
Mr. Rucker, and agreed to, 4078.

H. Res. 602—Paying tribute to the memory of Hon. William Hughes, late a Senator from the State of New Jersey.
Mr. Eagan, and agreed to, 4081–4089.

H. Res. 603—Paying tribute to the memory of Hon. Ollie M. James, late a Senator from the State of Kentucky.
Mr. Johnson of Kentucky, and agreed to, 4089–4099.

H. Res. 604—Paying tribute to the memory of Hon. Paul Husting, late a Senator from the State of Wisconsin.
Mr. Cooper of Wisconsin, and agreed to, 4099–4102.

H. Res. 605—Authorizing the Committee on Enrolled Bills to employ additional assistant clerks.
Mr. Lazaro; Committee on Accounts, 4198.—Reported back (H. Rept. 1180), and agreed to, 4951.

H. Res. 606—To pay to Willis J. Davis extra compensation for performing the duties of clerk to Committee on Water Power.
Mr. Ferris; Committee on Accounts, 4198.—Reported with amendment (H. Rept. 1184), 4957.—Debated and agreed to, 4957–4961.

H. Res. 607—For the consideration of H. R. 15993.
Mr. Pou, from Committee on Rules (H. Rept. 1132), 4198.

H. Res. 608—Directing the Committee on Foreign Affairs of the House of Representatives to investigate and report to the House of Representatives certain information with reference to the Government of Costa Rica.
Mr. Gould; Committee on Rules, 4301.

H. Res. 609—To pay Hon. James Wickersham $375.
Mr. Park; Committee on Accounts, 4301.

H. Res. 610—Commending the movement for the establishment in Palestine of a national home for Jewish people.
Mr. Lunn; Committee on Foreign Affairs, 4301.

H. Res. 611—Providing for investigation of charges of Dr. Spillman concerning the Secretary of Agriculture.
Mr. Cramton; Committee on Rules, 4301.

H. Res. 612—To pay Sarah Grayson Adams, sister of the late S. Monroe Grayson, an employee of the House, a sum equal to six months' compensation.
Mr. Collier; Committee on Accounts, 4517.—Reported back (H. Rept. 1177) and agreed to, 4951.

H. Res. 613—Requesting information of the Secretary of the Treasury regarding the purchase of Liberty bonds.
Mr. Mason; Committee on Ways and Means, 4677.

H. Res. 614—To pay Mayme O. Peak, clerk to the late William P. Borland, a Representative in Congress, $166.66.
Mr. Rubey; Committee on Accounts, 4677.—Reported with amendment (H. Rept. 1179), amended, and agreed to, 4951.

H. Res. 615—To investigate foreign propaganda in the United States.
Mr. Lundeen; Committee on Rules, 4677.

H. Res. 616—To pay Arthur Lucas $30 for special janitor services.
Mr. Cannon; Committee on Accounts, 4809.—Reported back and agreed to, 4952.

H. Res. 617—For the appointment of conferees on H. R. 14746.
Mr. Garrett of Tennessee, and agreed to, 4784.

H. Res. 618—Requesting full information relative to the situation in the Republic of Mexico.
Mr. Gould; Committee on Foreign Affairs, 4809.

H. Res. 619—For the appointment of a select committee to investigate alleged illegal voting in the tenth congressional district of Massachusetts.
Mr. Tague; Committee on Rules, 4809.

H. Res. 620—For the consideration of H. R. 12352.
Mr. Pou, from Committee on Rules (H. Rept. 1166), 4838.

H. Res. 621—Paying tribute to the memory of Hon. William P. Borland, late a Representative from Missouri.
Mr. Dickinson, and agreed to, 4820–4825.

H. Res. 622—Directing the Secretary of War to furnish to the House of Representatives certain information.
Mr. Moore of Pennsylvania; Committee on Military Affairs, 4966.

H. Res. 623—Concerning the death of Hon. Harvey Helm, late a Representative from the State of Kentucky.
Mr. Sherley, and agreed to, 5058.

H. Res. 624—Authorizing the Clerk of the House to pay arrears of salary and clerk allowance to Members of the House.
Mr. Mann; debated and agreed to, 5075, 5076, 5077, 5078 [Appendix, 295, 365].

H. Res. 625—Extending the thanks of the House of Representatives to the Hon. Champ Clark for the able, courteous, and impartial manner in which he has presided over its deliberations as Speaker.
Mr. Mann, and agreed to, 5082.